Ordinary Meeting of Council Agenda

to be held on Tuesday 21 November 2017 at 7.00pm Fitzroy Town Hall

Arrangements to ensure our meetings are accessible to the public

Council meetings are held at either the Richmond Town Hall or the Fitzroy Town Hall. The following arrangements are in place to ensure they are accessible to the public:

- Entrance ramps and lifts (off Moor Street at Fitzroy, entry foyer at Richmond).
- Interpreting assistance is available by arrangement *(tel. 9205 5110).*
- Auslan interpreting is available by arrangement *(tel. 9205 5110).*
- A hearing loop is available at Richmond only and the receiver accessory is available by arrangement *(tel. 9205 5110).*
- Proposed resolutions are displayed on large screen.
- An electronic sound system amplifies Councillors' debate.
- Disability accessible toilet facilities are available at each venue.

Recording and Publication of Meetings

An audio recording is made of all public Council Meetings and then published on Council's website. By participating in proceedings (including during Public Question Time or in making a submission regarding an item before Council), you agree to this publication. You should be aware that any private information volunteered by you during your participation in a meeting is subject to recording and publication.

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Order of business

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

1. Statement of Recognition of Wurundjeri Land

"Welcome to the City of Yarra."

"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 Amanda Stone (Mayor)
- Cr Danae Bosler
- Cr Mi-Lin Chen Yi Mei
- Cr Misha Coleman
- Cr Jackie Fristacky
- Cr Stephen Jolly
- Cr Mike McEvoy
- Cr Daniel Nguyen
- Cr James Searle

Council officers

- Vijaya Vaidyanath (Chief Executive Officer)
- Andrew Day (Director - Corporate, Business and Finance)
- Ivan Gilbert (Group Manager - CEO's Office)
- Lucas Gosling (Actin Director – Community Wellbeing)
- Chris Leivers (Acting Director – City Works and Assets)
- Bruce Phillips (Director - Planning and Place Making)
- Jane Waldock (Assistant Director - Planning and Place making)
- Fred Warner (Group Manager – People, Culture and Community)
- Mel Nikou (Governance Officer)

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

4. Confidential business reports

Item

4.1 Contractural matters.

4.2 Matters prejudicial to Council and/or any person.

4.3 Matters prejudicial to Council and/or any person.

Confidential business reports

The following items were deemed by the Chief Executive Officer to be suitable for consideration in closed session in accordance with section 89 (2) of the *Local*

Government Act 1989. In accordance with that Act, Council may resolve to consider these issues in open or closed session.

RECOMMENDATION

1. That the meeting be closed to members of the public, in accordance with section 89 (2) of the *Local Government Act* 1989, to allow consideration of one contractual matter and two matters prejudicial to Council and/or any person.
2. That all information contained within the Confidential Business Reports section of this agenda and reproduced as Council Minutes be treated as being and remaining strictly confidential in accordance with the provisions of sections 77 and 89 of the *Local Government Act* 1989 until Council resolves otherwise.

5. Confirmation of minutes

RECOMMENDATION

That the minutes of the Ordinary Council Meeting held on Tuesday 31 October 2017 be confirmed.

6. Petitions and joint letters

7. Public question time

Yarra City Council welcomes questions from members of the community.

Public question time procedure

Ideally, questions should be submitted to Council in writing by midday on the day of the meeting via the form available on our website. Submitting your question in advance helps us to provide a more comprehensive answer. Questions that have been submitted in advance will be answered first.

Public question time is an opportunity to ask questions about issues for which you have not been able to gain a satisfactory response on a matter. As such, public question time is not:

- a time to make statements or engage in debate with Councillors;
- a forum to be used in relation to planning application matters which are required to be submitted and considered as part of the formal planning submission;
- a forum for initially raising operational matters, which should be directed to the administration in the first instance;

If you wish to raise matters in relation to an item on this meeting agenda, Council will consider submissions on these items in conjunction with and prior to debate on that agenda item.

When you are invited by the meeting chairperson to ask your question, please come forward and take a seat at the microphone and:

- state your name clearly for the record;
- direct your questions to the chairperson;
- ask a maximum of two questions;
- speak for a maximum of five minutes;

- refrain from repeating questions that have been asked previously by yourself or others; and
- remain silent following your question unless called upon by the chairperson to make further comment or to clarify any aspects.

8. General business

9. Delegates' reports

10. Questions without notice

11. Council business reports

Item		Page	Rec. Page	Report Presenter
11.1	Yarra Planning Scheme Amendment C188 - 5-15 Mayfield Street Abbotsford - Panel Report	7	15	David Walmsley – Manager Strategic Planning
11.2	Bridge Road Streetscape Masterplan	46	57	David Walmsley – Manager Strategic Planning
11.3	Updates to the City of Yarra Significant Tree Register	161	163	Justin Hanrahan – Manager Open Space
11.4	Policy Guidance Note: Affordable Housing Outcomes at Significant Redevelopments	180	185	Malcolm McCall - Unit Manager Social Policy and Research
11.5	Council submission to Reforming the Victorian Planning Provisions	194	201	Mary Osman – Manager Statutory Planning
11.6	59 - 77 Victoria Parade and 5 - 9 Brunswick Street Street Fitzroy - Heritage Victoria Referral - Partial demolition and construction of a multi storey building associated with St Vincents Private Hospital.	302	307	Mary Osman – Manager Statutory Planning
11.7	2018 Extension of Leases/Licences for Council Owned or Managed Land	489	504	Karen Hayes - Property Services Unit Manager
11.8	Yarra City Council Audit Committee Annual Report 2016/2017	506	507	Andrew Day – Director Corporate, Business and Finance

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

Public submissions procedure

When you are invited by the meeting chairperson to make your submission, please come forward and take a seat at the microphone and:

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

12. Notices of motion

Nil

13. Urgent business

Nil

11.1 Yarra Planning Scheme Amendment C188 - 5-15 Mayfield Street Abbotsford - Panel Report

Executive Summary

Purpose

This report considers the findings and recommendations of the Panel report. Council must decide whether to:

(a) adopt the amendment in the form recommended in the Panel report and submit it to the Minister; or

(b) adopt the amendment as exhibited and submit it to the Minister; or

(c) abandon the amendment and advise the Minister that Council has abandoned it.

Key Issues

This report provides the background to the preparation of the amendment and the current use of some of the premises for residential purposes contrary to the industrial zoning of the land.

Council directed officers to prepare a Planning Scheme Amendment to legalise the residential use of the premises by exempting the premises from the prohibition of 'dwelling' on this site under the current Industrial Zone.

The amendment was exhibited and the submissions received were referred to a Planning Panel, which has now reported back to Council with its recommendations. The Panel recommends a variation to the amendment that would require the residential use be tied to a use permissible in the industrial zone, such as a home office.

The recommended changes in the Panel Report are not supported by officers because they would be impractical to enforce and effectively monitor.

This report considers the options available to Council and recommends adopting the Amendment as it was exhibited. It also sets out the reasons for rejecting the Panel report recommendation for associating the land use dwelling with permissible uses in the Industrial 3 Zone.

Financial Implications

Council has, to date, met all the costs of this Amendment. The estimated cost for this Amendment (including: notification, planning consultant fees, legal costs and Panel fees) is in the order of $48,000 to $58,000. These costs have been met by the City Strategy budget.

PROPOSAL

Council adopt the Amendment as exhibited and reject the Panel recommendation to modify the Amendment so that dwelling would be associated with a permissible use in the Industrial 3 Zone (such as a home office) on the grounds that:

(a) associating dwellings to permissible uses in the Industrial 3 Zone would be difficult to enforce; and

(b) the Panel recommendation would make a substantial change from the exhibited amendment and is contrary to the Council decision to prepare and exhibit the amendment.

Council submit Amendment C188 as exhibited to the Minister for Planning for approval and notify submitters to Amendment C188 of Council's decision.

11.1 Yarra Planning Scheme Amendment C188 - 5-15 Mayfield Street Abbotsford - Panel Report

Trim Record Number: D17/174124
Responsible Officer: Director Planning and Place Making

Purpose

1. This report considers the findings and recommendations of the Panel report. Council must decide whether to:

   (a) adopt the amendment in the form recommended in the Panel report and submit it to the Minister; or

   (b) adopt the amendment as exhibited and submit it to the Minister; or

   (c) abandon the amendment and advise the Minister that Council has abandoned it.

Background

2. The purpose of the proposed amendment is to allow residential use at 5-15 Mayfield Street to resolve existing illegal use of part of the building. The Amendment also applies the Environmental Audit Overlay to the site.

3. A number of units / lots in the building at 5-15 Mayfield Street are used as dwellings while others are used for commercial purposes. The site is occupied by a single building, built for commercial use and divided into 14 lots. Seven of these lots have direct ground floor access to Mayfield Street. Six lots share first floor access via a stair from street level. Dwellings are prohibited in the Industrial 3 Zone which applies to the land. The site is located near the Yarra River and the north end of Church Street.

4. The planning scheme zones are shown in **Attachment 1**. The zones approximate the pattern of land use. No 5 to 15 Mayfield Street is at the interface between industrial and commercial precincts and residential areas. To the east is a large industrial precinct around the Carlton and United Breweries, Abbotsford complex. Mixed residential areas are to the south and south-west towards Victoria Street. A mixed commercial and industrial area extends north and north-west to Nicholson Street and along the Yarra River to Abbotsford Convent.

5. Council investigations in 2013 resulted in enforcement action against 6 to 7 residential occupancies in the building at 5-15 Mayfield Street. The building had been constructed as a commercial building. The building regulations for fire separation and safe access are different for residential and commercial buildings. The building did not meet the regulations for residential fire separation. The residential occupancies were of different parts of the building. Some had direct access to the street at ground floor level while others had a shared stair access to first floor spaces. The fire hazard for the shared first floor access is much greater.

6. As a result of the enforcement action the occupants of the upper level lots with shared access were required to cease occupation by the Municipal Building Surveyor. The remaining residents at 5, 9 and 15 Mayfield disputed the enforcement action at the Building Appeals Board (see below) and were allowed to remain.

7. After discussions with Ward Councillors and Council officers, the Mayfield Action Group (MAG) submitted a request to rezone the land at 5-15 Mayfield Street from the Industrial 3 Zone to the Mixed-Use Zone and apply an Environmental Audit Overlay. This request was assessed and options to address the illegal residential use were considered in a report to Council.

8. At its meeting on 3 March 2015, Council made the following resolution:

   1. That Council direct officers to prepare a planning scheme amendment to enable the premises at 5 to 15 Mayfield Street, Abbottsford to be used for residential purposes using Clause 52.03 Specific Sites and Exclusions and including an Environmental Audit Overlay under the Yarra Planning Scheme.

2. That the amendment be finalised by the CEO in conjunction with the Director, City Development and then seek 'authorisation' of the Amendment by the Minister for Planning; and in the event this is obtained, exhibit the Amendment in accordance with the requirements of the Yarra Planning Scheme.

9. This resolution was based on an option, in the Council report, which applies an exemption to a particular land use, in this case 'dwelling', so that while the zone remains unchanged, the otherwise prohibited land use can occur. It does this by reference to an '*incorporated document*' which sets out what is allowed and what conditions or other limitations apply. The incorporated document in the proposed amendment (C188) allows 'dwelling' within the existing building but applies restrictions so that floor space is limited to the existing building. The form of the incorporated document was based on Council officers' interpretation of the Council resolution. The '5-15 Mayfield Street, Abbotsford, Incorporated Document, January 2017' is **Attachment 2**.

10. The proponent's request for a Mixed Use Zone would have allowed much greater scope for change to the site. It would potentially allow a significant intensification of development and activity on the land and could, for example, have led to a new apartment building on the site. It is noted that other Mixed Use Zones in the area have been substantially redeveloped primarily for apartments.

Amendment

11. Council applied to the Minister for Planning for *Authorisation* of the amendment (C188) on 22 May 2015.

12. Council received Authorisation from the Minister for Planning on 17 December 2015 subject to two conditions:

    (a) '*that Council finalises the further strategic planning review of the area as recommended by its Business and Industrial Land Strategy 2012 prior to exhibiting the amendment; and*

    (b) *that Council give notice of the amendment to the Environmental Protection Authority Victoria (EPA) to assist Council in considering the effects of land contamination and of any impact the amendment may have on existing or future industrial development in the area*.'

13. On 29 February 2016, Council requested the Minister to remove the first condition because it would 'unreasonably delay consideration of the amendment'.

14. The Minister responded on 19 June 2016 declining to remove the condition and advising '*a more timely and short, localised assessment of the effect of the proposed planning provisions on the area and surrounding industrial land uses'* would be acceptable.

15. In November 2016 Urbis (planning consultants) were commissioned by Council to undertake the localised study to meet the Authorisation condition.

16. Amendment C188 was exhibited for five weeks, from 16 February to 24 March 2017. Notice of Preparation of an Amendment was published in the Age newspaper and the Government Gazette.

17. Notice of the preparation of the amendment was given in accordance with Section 19 of the *Planning and Environment Act 1987.*

18. Notice of the amendment was sent to owners and occupiers in the local area, the EPA and to Carlton and United Breweries.

19. The amendment material was on display at the Richmond Town Hall and information was available on Council's website. This included the Urbis Report, Incorporated Document and associated planning scheme changes.

Submissions

20. Council received three submissions:

(a) An objection that strongly opposes the Amendment on the grounds that it lacks strategic justification and is in conflict with the purpose of the Industrial 3 Zone;

(b) A multi-party submission with a covering letter from MAG supports the Amendment and includes statements of support and a petition from a range of owners and occupiers within the building at 5-15 Mayfield Street and in the surrounding area; and

(c) In a late submission, the Environment Protection Authority (Victoria), (EPA) raised issues about environmental audits, the potential precedent set by retrospectively allowing an illegal residential land use on land which may be contaminated and management of potentially contaminated land, if and when the residential land use is legalised.

21. At the Council meeting 4 July 2017 Council considered a report about the submissions and resolved:

1. That Council note the report of officers in relation to the rezoning proposal initiated by the Council as outlined in Amendment C188 as it relates to 5 – 15 Mayfield Street, Abbotsford.

2. That Council, in the context of the processes to date in relation to this matter, determine to refer Amendment C188 to an Independent Panel for further planning analysis so that Council can then make an informed judgement in respect to the Amendment.

3. That Officers advise all the submitters of the resolution.

22. Note: The objecting submitter withdrew any objections in a letter to Council 2 August 2017. This significantly reduced the scope of the issues to be considered by the Panel.

23. The Panel hearing was held 28 August 2017. The parties at the hearing included the Mayfield Action Group, Council and Mr Anthony Calthorpe of Urbis who appeared as a planning expert to explain the findings of the Urbis report, prepared for Council. The Mayfield Action Group called the expert who had prepared a preliminary environmental assessment for the land at their request. Mr Jon Lawson (LRM Global Pty Ltd) explained the findings of this assessment dealing with potential contamination due to previous industrial use.

Panel Report

24. The Panel report was received by Council 19 September 2017 and is **Attachment 3**.

25. The Panel findings include a recommendation that:

…….the Panel recommends that Amendment C188 to the Yarra Planning Scheme be adopted as exhibited subject to:

1. The Incorporated Document, January 2017, for 5 – 15 Mayfield Street, Abbotsford being amended to require that the use of any lot on the Land as 'Dwelling' be associated with a use permissible under the Industrial 3 Zone.

26. The Panel otherwise supported the Amendment, including the Environmental Audit Overlay. The EPA did not attend the hearing. The Panel considered concerns about the use of the Environmental Audit Overlay in the EPA submission but accepted the Council position that the potential for contamination due to previous industrial use justified the inclusion of the Environmental Audit Overlay.

27. The Panel heard evidence from Mr Calthorpe of Urbis, suggesting a proposal to require that any 'dwelling' should be associated with a commercial or industrial activity. Council's legal advocate questioned this on the grounds that it may not be feasible to administer or to enforce. The Panel report concludes that a dwelling should be associated with a use permissible in the Industrial 3 Zone. The Panel argued that this would help to sustain local employment and be more consistent with the purpose of the zone. The Panel report discussion about this issue concludes:

(a) the INZ3 is the zone that provides a transition between more intensive industrial uses and residential uses;

(b) the strategic work undertaken by Council demonstrates changes are occurring in its industrial areas and it is appropriate that land use planning be pro-active in seeking to accommodate these; and

(c) the proposal to allow 'dwelling' on the subject land as part of home-based or 'boutique' style businesses accords with the strategic work undertaken by Council.

28. The recommendation by the Panel is considered to be impractical and difficult to enforce as it would require determination of what constitutes the non-residential permissible use. It is uncertain whether, for example, an office use should comprise dedicated floor space or, with options for remote work, a computer would be sufficient to satisfy the proposed provision. This situation would lead to uncertainty to owners and occupiers and potentially cause disputes over determining the non-residential use. On-going compliance with this provision would also be difficult to ensure. The ability to have an unconditional residential use is considered the most straight forward and clearest approach for all parties and avoids future issues with demonstrating on-going compliance.

29. The Panel's interest in providing employment on the site can still be achieved under the zone provisions, should owners or occupiers choose to run a business from their home. Some premises are already used for home and business purposes.

30. The intent of the amendment was to enable residential use of certain premises and remedy the current issues around the existing dwellings. The amendment was prepared to minimise the extent of change within the area and restrict the residential use to specific premises as a means of limiting the impact on employment outcomes within this precinct. The Amendment was also intended to provide certainty to the owners and occupiers of premises. To now propose a change to the amendment requiring a dwelling to be associated with a use permissible in the industrial zone changes the original purpose and intent of the amendment.

31. For these reasons outlined officers considered that the Panel's recommended modifications should not be accepted.

<u>Strategic planning and policy context</u>

Yarra Planning Scheme

32. The Yarra Planning Scheme, Municipal Strategic Statement (MSS), addresses employment land in:

Objective 8 *- To increase the number and diversity of local employment opportunities*

33. The strategies to achieve this include changes to zones to meet the competing need for housing and employment land. The relevant Council policies for the Mayfield Street area include the Business and Industrial Land Strategy 2012 and the Victoria Street Structure Plan 2010.

Business and Industrial Land Strategy 2012 (BILS)

34. This Strategy considered potential changes to zones and how to meet projected demand for employment land. The site is located at the boundary of two precincts in the BILS. The site is in CIB5 which covers commercial and industrial land from Mayfield Street to the Abbotsford Convent. Land to the east is in CIB6 which includes CUB and the adjoining industrial areas. The BILS made the same recommendation for both precincts:

(a) Retain existing zoning arrangements pending further investigation; and

(b) Undertake master planning to address urban design, river access, interface issues and space for landscaping.

35. The strategic planning or investigation work to assess the potential or justification for changes to zones in the area recommended by BILS has not occurred.

Victoria Street Structure Plan 2010

36. The Victoria Street Structure Plan, adopted 2010, includes Mayfield Street in a '*CUB precinct*'. The Structure Plan says (5.1 Activity pages 7&8) the precinct should '*maintain the industrial and employment focus*'. If CUB were to relocate, intensive activities which take

advantage of riverside location and proximity to Victoria Street, industry, office and additional green space along the Yarra River should be investigated.

37. It also includes two relevant strategies:

    (a) Retain industrial or business zoned land, which allows industry; and

    (b) In locations where industry is to be retained prohibit or strictly limit housing.

    Plan Melbourne 2017

38. The Plan Melbourne 2017-2050 recognises the need for employment land in the inner Melbourne region and its importance to the metropolitan economy. The site is not in a location proposed for 'urban renewal' or designated for conversion to residential or mixed use redevelopment.

    Clause 52.10 – buffer distances from residential land – Yarra Planning Scheme

39. The Purpose of this Clause is '*to define those types of industries and warehouses which if not appropriately designed and located, may cause offence or unacceptable risk to the neighbourhood.*' The distances listed in the Table to Clause 52.10 apply to a limited number of the land uses in the area listed in **Attachment 3**. The separation distance for a 'malt-works', (assuming that applies to CUB) is 300m and the distance for a 'panel beater' is 100m. The panel beater is located at 49 Church Street, about 60m from the site.

Enforcement Action – building regulations

40. The enforcement action under building regulations has been the subject of decisions by the Building Appeals Board (BAB) and VCAT. The owners of lots 5, 9 and 15 Mayfield Street contested action by the Municipal Building Surveyor. In determinations by the BAB 14 August 2015 and by VCAT 14 October 2016 the owners at these addresses were allowed to continue residential use pending the outcome of the Amendment C188 process. They and other owners in the building were required to undertake interim fire control measures. One of the owners in the building contested the right of the owners' corporation in the building to '$6,598.25 for the special levy for the fire alarm system' (VCAT Order).

41. The owner of one of the commercial lots in the building appealed the VCAT decision to the Victorian Supreme Court. In a judgement dated 6th April 2017 the Supreme Court ruled in favour of the appellant and set aside the VCAT decision. The judgement found that the relevant legislation did not empower the owners' corporation to impose the special levy or to require entry to the lot. This means the owners' corporation does not have the power to make a special levy towards the cost of a fire alarm system and cannot require access to install this equipment. It is not clear whether this has any fundamental effect on the BAB decision to allow the residents to continue occupancy, pending the outcome of this Amendment.

External Consultation

42. The amendment was placed on exhibition in accordance with the requirements of the *Planning and Environment Act 1987* with letters sent to owners and occupiers, a notice in The Age and the Government Gazette and information was made available on the Yarra City Council website.

43. Formal notification was sent to the EPA as required by the Authorisation and to Carlton and United Breweries. CUB did not make a submission.

44. Council staff dealt with a small number of telephone queries during the exhibition period. One property owner met with Council staff to discuss the Amendment. The Amendment was also discussed with EPA staff.

Internal Consultation (One Yarra)

45. This Amendment has involved internal consultation with the Council Building Surveyor, enforcement officers and statutory planning.

Financial Implications

46. Council has, to date, met all the costs of this amendment. The estimated cost for this amendment (including: notification, planning consultant fees, legal costs and Panel fees) is in the order of $48,000 to $58,000.

47. These costs are being met from the City Strategy budget.

Economic Implications

48. The Urbis report suggests that Amendment C188 would support Small and Medium Enterprises (SMEs) and provide opportunities for flexible home-office activities. The Urbis report argues this is consistent with projected economic activity in the City of Yarra (Yarra Economic Development Strategy 2015-2020).

49. The site is part of a wider mix of industrial and commercial zones which includes Carlton and United Breweries. This area provides significant local employment and economic activity.

50. The Amendment may set a precedent that could be used to justify changes in other similar employment precincts where illegal residential land use could exist.

Sustainability Implications

51. There are no significant sustainability issues from the proposals. Potential contamination issues should be addressed by the Environmental Audit Overlay requirements.

Social Implications

52. The distribution of residential and employment activities can have social implications. Employment in local businesses and industries is projected to increase significantly. A major challenge for current and future land use planning is ensuring the capacity to meet projected demand for both dwellings and employment space.

Human Rights Implications

53. There are no known human rights implications anticipated from the proposals.

Communications with CALD Communities Implications

54. Communications with CALD communities were considered as part of the Amendment exhibition process.

Council Plan, Strategy and Policy Implications

55. The Amendment raises implications about the conflicting demands of residential and employment activities. The Council Plan notes the challenges posed by changing land values and demographics, changes in industry and projected increases in local employment and population (Strategic Objective 1: *Celebrating Yarra's uniqueness*).

56. These implications are:

    (a) local (for example potential conflicts between residential amenity and nearby industry such as CUB); and

    (b) strategic (in the sense of deciding which former industrial precincts should be retained as employment areas without a significant residential component).

57. The Urbis report addresses issues such as the interaction between residential and business activities at the interface between different zones.

Legal Implications

58. The *Planning and Environment Act 1987* (the Act) sets out the manner in which a planning authority (in this case, Council) must process planning scheme amendments and how it must deal with a Panel report.

59. Council has processed the amendment in accordance with the requirements of the *Planning and Environment Act 1987.*

60. As the planning authority for the Amendment, Council must consider the Panel report but is not bound by the findings and recommendations. If a planning authority decides not to accept

a panel's recommendation, it must give its reasons for this when it submits the adopted amendment to the Minister under section 31 of the Act.

61. The Act provides that having considered the Panel report Council can either adopt the Amendment, with or without changes and submit it for approval to the Minister for Planning, or it can abandon the Amendment.

Other Issues

62. The EPA submission indicated that Council should have considered the need for a preliminary environmental assessment before deciding to apply the Environmental Audit Overlay. The Mayfield Action Group commissioned a preliminary environmental assessment which was tabled at and considered at the hearing and in the Panel report. The Panel considered the evidence presented by Mr Lawson who prepared the assessment. The Panel report notes that the land is likely to present a moderate risk of contamination. It accepted the Council position that the Environmental Audit Overlay is required to meet relevant State regulations and ensure that potential contamination is properly assessed as part of an audit process.

Options

63. The options available to Council include:

    (a) adopt the Amendment as exhibited and give reasons for not accepting the Panel recommendation for changes to associate dwellings on the land to a permissible use in the Industrial 3 Zone (INZ3); or

    (b) adopt the Amendment as recommended by the Panel; or

    (c) abandon the Amendment on the grounds that it would be contrary to policy and would set a precedent for incremental loss of employment land to residential use.

Option (a) - Adopt Amendment as exhibited

64. This option is the most consistent with previous Council decisions to support residential use on the land and the initial Council decision to use an exemption via Clause 52.03 of the Planning Scheme to allow dwellings on the land. If Council does not accept the Panel recommendation it must give reasons which could include:

    (a) associating dwellings to permissible uses in the Industrial 3 Zone would be impractical and difficult to enforce; and

    (b) the Panel recommendation would make a substantial change from the exhibited amendment and is contrary to the intended purpose of the amendment.

65. The enforcement issues in (a) above, could include, determining whether the use of a dwelling was associated with a home office. It would be difficult to show whether or not a home computer and other basic infrastructure or equipment constituted a home office.

Option (b) – Adopt the Amendment with the changes recommended by the Panel – modified version of the Incorporated Document to link dwellings to a permissible use in the INZ3

66. This option means that Council fully accepts the Panel report. A modified version of the Incorporated Document, as recommended by the Panel, is **Attachment 4**. It includes track changes to show the modifications from the exhibited document. The Panel recommended these changes because it formed the view that this would be more consistent with the policy context, the zone purpose and objectives to retain employment and commercial or industrial activity in this sort of location. The issues posed by this modification include the reasons in Option (a) state above. These modifications would also impact some of the existing or previous occupants who requested the amendment and used their lot for purely residential use.

Option (c) – Abandon the Amendment

67. Council could abandon the Amendment if it forms the view that the Panel findings and the issues from submissions indicate the Amendment is contrary to Planning Scheme policy and

the objectives of the Industrial 3 Zone. Potential grounds for abandoning the Amendment include that it would:

(a) be contrary to the objectives and strategies in the Yarra Planning Scheme in particular for the provision of land for commercial or industrial activities;

(b) be contrary to the purpose of the Industrial 3 Zone; and

(c) set a precedent for similar incremental changes to legalise residential use in commercial or industrial zones, which would reduce employment land and the scope for growth in commercial or industrial activity.

68. Abandoning the Amendment would mean that the residents of the three dwellings at 5, 9 and 15 Mayfield Street must cease occupation. Enforcement action by Council to implement the decision to abandon the Amendment would include action under planning scheme and building regulation requirements.

Conclusion

69. The Panel report supports the Amendment but recommends a significant modification to link the proposed exemption to allow dwellings with a permissible commercial or industrial use in the Industrial 3 Zone. The Panel supports the proposal to apply the Environmental Audit Overlay to the land.

70. This report considers three options. Council must decide on a preferred option as the basis for a decision when it either adopts or abandons the Amendment. This report recommends **Option (a) - Adopt Amendment as exhibited** because it is the option which is most consistent with the initial Council decision to proceed with this amendment.

71. **Option (b) – Adopt the Amendment with the changes recommended by the Panel – modified version of the Incorporated Document to link dwellings to a permissible use in the INZ3** is rejected on the grounds that it would be difficult to enforce and would have adverse impacts for some past and present occupants of the land.

72. **Option (c) – Abandon the Amendment** is not preferred because it was not recommended by the Panel and is inconsistent with the Council decisions leading to exhibition of the Amendment.

RECOMMENDATION

1. That Council notes:

   (a) the officer report in relation to the Panel's recommendations regarding Amendment C188 (referring to 5 – 15 Mayfield Street, Abbotsford);

   (b) the recommendations of the Panel report regarding Amendment C188, which supported the Amendment as exhibited with a recommended modification to associate the dwelling land use with permissible uses in the Industrial 3 Zone.

2. That Council adopt the Amendment as exhibited but not support the Panel's recommendation to modify the exhibited amendment on the grounds that:

   (i) associating dwellings to permissible uses in the Industrial 3 Zone would be impractical and difficult to enforce; and

   (ii) the Panel recommendation would make a substantial change from the exhibited amendment and is contrary to the intended purpose of the amendment.

3. That Council submit Amendment C188 as exhibited to the Minister for Planning for approval, in accordance with Section 31 of the Act.

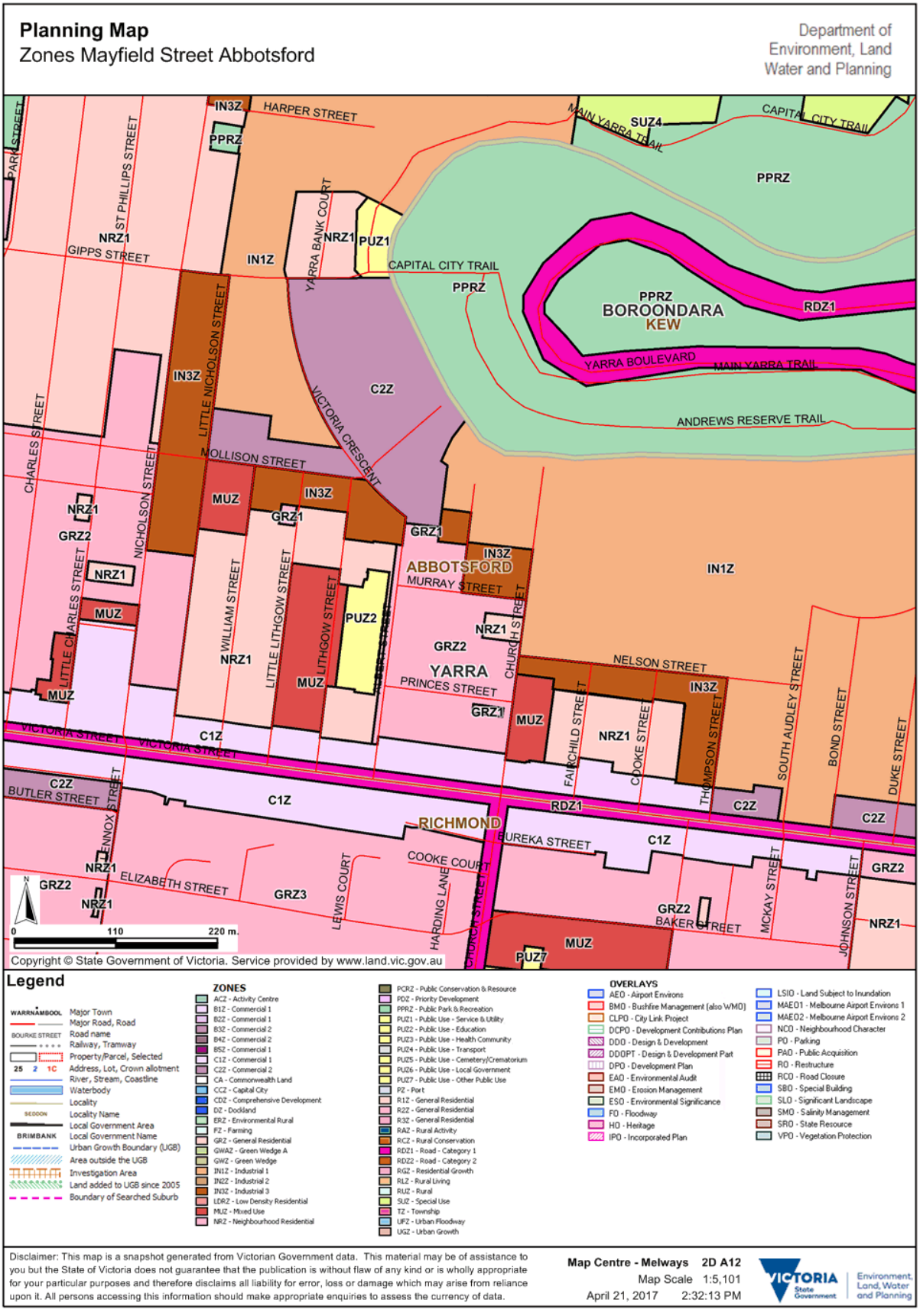
4. That officers notify submitters to Amendment C188 of Council's decision.

CONTACT OFFICER: **Peter Mollison**
TITLE: **Senior Strategic Planner**
TEL: **9205 5023**

Attachments

1 5-15 Mayfield Street Abbotsford - zones map - Yarra Planning Scheme
2 Incorporated Document - as exhibited - January 2017
3 Panel Report - C188
4 Incorporated Document - as proposed by Panel - associated use - October 2017

Attachment 1 - 5-15 Mayfield Street Abbotsford - zones map - Yarra Planning Scheme



5-15 Mayfield Street, Abbotsford

Incorporated Document,

January 2017

This document is an incorporated document in the Yarra Planning Scheme pursuant to Section 6(2)(j) of the *Planning and Environment Act 1987.*

[7068214: 18342200_1]

Attachment 2 - Incorporated Document - as exhibited - January 2017

INTRODUCTION

This document is an Incorporated Document in the Schedule to Clause 52.03 and the Schedule of Clause 81.01 of the Yarra Planning Scheme (Scheme).

Despite any provision to the contrary in the Scheme, pursuant to Clause 52.03 of the Scheme the land identified in this incorporated document may be used in accordance with the specific controls contained in this document.

In the event of any inconsistency between the specific controls contained in this document and any provision of the Scheme, the specific controls contained in this document will prevail.

ADDRESS OF THE LAND

This control applies to the land known as 5-15 Mayfield Street, Abbotsford, being the land more particularly described as Plan of Subdivision 439401J in Certificate of Title Volume 10544 Folio 931 (Land).

PURPOSE

To allow the Land to be used for the purpose of dwelling.

THIS DOCUMENT ALLOWS:

Use of the Land for the purpose of dwelling.

THE FOLLOWING CONDITIONS APPLY TO THIS DOCUMENT:

Use

1. The use of the Land for dwelling must be conducted within the dimensions of the building existing on the land as at the Approval Date.

2. The floor area of the existing building as at the Approval Date must not be increased by the use dwelling.

Buildings and Works

3. The consent of the responsible authority is required if any internal buildings or works for a dwelling are to be constructed or carried out on the Land.

[7068214: 18342200_1]

Environmental Audit

4. Within 6 months of the Approval Date of this document or such other time as Council agrees, or before any part of the Land is converted to a dwelling, whichever occurs first, a Statement or Certificate of Environmental Audit under the *Environment Protection Act 1970 (Vic)* must be provided to the responsible authority. If a Statement of Environmental Audit is provided which contains conditions then the Owner of the Land must enter into an agreement with the responsible authority under section 173 of the *Planning and Environment Act 1987 (Vic)* which gives effect to those conditions,

Expiry

5. Notwithstanding other provisions of the Scheme, the specific controls contained in this document will expire if the use of the Land for dwelling has stopped for a continuous period of 2 years, or has stopped for two or more periods which together total 2 years in any period of 3 years.

End of Document

[7068214: 18342200_1]

Attachment 3 - Panel Report - C188

Planning and Environment Act 1987

Panel Report

Yarra Planning Scheme Amendment C188
Dwelling in Industrial 3 Zone

19 September 2017

VICTORIA State Government | Planning Panels Victoria

Attachment 3 - Panel Report - C188

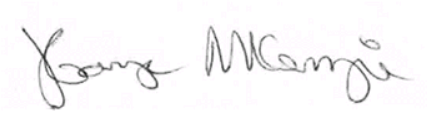
Planning and Environment Act 1987

Panel Report pursuant to section 25 of the Act

Yarra Planning Scheme Amendment C188

Dwelling in Industrial 3 Zone

19 September 2017



Gaye McKenzie, Chair

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Attachment 3 - Panel Report - C188

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Appendix A Document list

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Attachment 3 - Panel Report - C188

List of Abbreviations

BAB	Building Appeals Board
BILS	Business and Industrial Land Strategy
CUB	Carlton United Brewery
DDO1	Design and Development Overlay – Schedule 1
EAO	Environmental Audit Overlay
EDS	Economic Development Strategy
EPA	Environment Protection Authority
GRZ	General Residential Zone
INZ1	Industrial 1 Zone
INZ3	Industrial 3 Zone
LPPF	Local Planning Policy Framework
MSS	Municipal Strategic Statement
SLO1	Significant Landscape Overlay – Schedule 1
SPPF	State Planning Policy Framework

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Attachment 3 - Panel Report - C188

Overview

Amendment Summary	
The Amendment	Yarra Planning Scheme Amendment C188
Common name	Dwelling in Industrial 3 Zone
Brief description	The Amendment proposes to use the provisions of Clause 52.03 to introduce an Incorporated document that will allow the subject site to be used as dwelling. It also applies the Environmental Audit Overlay to the land
Subject site	5 – 15 Mayfield Street, Abbotsford
The Proponent	Mayfield Action Group
Planning Authority	City of Yarra
Authorisation	17 December 2015 (subject to conditions)
Exhibition	16 February to 24 March 2017
Submissions	Number of Submissions: 3 Opposed: 1 (withdrawn on 2 August 2017)

Panel Process	
The Panel	Gaye McKenzie
Directions Hearing	Planning Panels Victoria, 7 August 2017
Panel Hearing	Planning Panels Victoria, 28 August 2017
Site Inspections	Accompanied, 15 August 2017
Appearances	Ms Briana Eastaugh, Lawyer Maddocks for City of Yarra who called the following evidence: • Mr Anthony Calthorpe (Urbis Pty Ltd) - Planning Mr James Steven of Mayfield Action Group who called the following evidence: • Mr Jon Lawson (LRM Global Pty Ltd) - Environmental
Date of this Report	19 September 2017

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Attachment 3 - Panel Report - C188

Executive Summary

(i) Summary

Amendment C188 to the Yarra Planning Scheme (the Amendment) seeks to allow a prohibited use (dwelling) to occupy land in the Industrial 3 Zone (INZ3) at 5 – 15 Mayfield Street (the subject land). The Amendment uses the provisions of *Clause 52.03* to allow this use and applies the Environmental Audit Overlay (EAO) which will require an environmental audit of the land if a sensitive use is to occupy it.

Council investigations in 2013 identified the illegal residential occupation of some lots and this led to enforcement action being taken against their occupants. An appeal by the owners of three of the lots to the Building Appeals Board (BAB) resulted in a decision to allow them to continue their residential occupancy pending the outcome of the Amendment.

Initially, the owners of the subject land requested that it be rezoned from INZ3 to Mixed Use (MUZ) and to apply the EAO. The Council did not support this request as it would potentially allow for more intensive residential use and development of the land. It therefore elected to use the provisions of *Clause 52.03* to allow a dwelling in the INZ3, if restricted to the existing floor area of the building. The Incorporated Document does not limit a use that is permitted under the INZ3.

Three submissions were lodged to the Amendment. A submission from the Mayfield Action Group (MAG), that included signatories of owners and occupiers of nearby properties, supported the Amendment while the Environment Protection Authority (EPA) raised concerns in relation to the retrospective nature of the Amendment, which would allow a prohibited use to continue without first having conducted an environmental audit of the site. An objecting submission was received from an owner of a lot on the subject land. This submission was withdrawn prior to the Panel's Directions Hearing.

The Panel has considered the submissions made in writing by the EPA and those made on behalf of Council and the MAG at the Hearing. The Panel has also benefitted from its accompanied inspection of the site and locality, prior to the Hearing.

The Panel acknowledges the changes that are taking place within industrial areas in Yarra, as documented in its Business and Industrial Land Strategy (BILS). The Panel supports the Council's approach to the Amendment, given that more detailed master planning is yet to be carried out to determine the preferred future development - use and any potential rezoning of land in this Precinct. Until this work is completed the Panel agrees it would be premature to rezone the land. Based on the decision to retain the INZ3, the Panel believes that industrial and associated business uses should remain the primary focus of use on the subject land.

This being the case the Panel concludes that, as referred to by Mr Calthorpe, it would be reasonable that any dwelling on the subject land should be associated with a non-residential use. This would make the use as a dwelling consistent with that of a home occupation/home business, which is listed under Section 1 in the INZ3.

The application of the EAO is necessary given the Amendment will allow existing residential uses to remain on the subject land and allow others to establish. It also supports the

condition included in the Incorporated Document to ensure the required audit is carried out within a reasonable timeframe.

Subject to any dwelling on the subject land being associated with a business conducted from the lot it occupies the Panel supports the adoption of the Amendment.

(ii) Recommendations

Based on the reasons set out in this Report, the Panel recommends that Amendment C188 to the Yarra Planning Scheme be adopted as exhibited subject to:

1. **The Incorporated Document, January 2017, for 5 – 15 Mayfield Street, Abbotsford being amended to require that the use of any lot on the Land as 'Dwelling' be associated with a use permissible under the Industrial 3 Zone.**

Attachment 3 - Panel Report - C188

1 Introduction

1.1 The Amendment

(i) Amendment description

The Amendment applies to 5 – 15 Mayfield Street (the subject land) and proposes to allow the use 'dwelling' by:

- inserting a new Schedule to Clause 52.03 to include reference to the land and the document *5 – 15 Mayfield Street, Abbotsford, Incorporated Document, January 2017* (Incorporated Document)
- inserting a new Schedule to Clause 81.01 to introduce the Incorporated Document.

The Amendment also applies the EAO over the land.

(ii) Purpose of the Amendment

The purpose of the Amendment is to allow the lots within the existing building at 5 – 15 Mayfield Street to be used as 'dwelling'.

(iii) The subject site and environs

The subject land is known as 5 – 15 Mayfield Street, Abbotsford (Lots 1 – 14 on Plan of Subdivision 439401J), as shown in Figure 1 below.

The subject land is located on the west side of Mayfield Street and has a frontage of 35.25 metres, a depth of 24.27 metres and an area of 855 square metres. The land is occupied by a two storeys brick building that has been subdivided into 14 lots. Seven of these lots have direct frontage to Mayfield Street and six smaller 'loft' units are located at first floor level with common stair access to them from the street. Five of these 'loft' units are located at the rear of the building and one is located at the front, over the driveway that accesses the ground floor parking within the rear ground floor area of the building. Lot 14 is located at ground level at the rear of the site, adjacent to the parking area.

Based on advice provided by the MAG lots on the subject land are currently occupied as:

- Lots with Street frontage (two storeys town houses):
  - No. 5 – Dwelling / Project Management Business
  - No. 9 –Textile business / dwelling
  - No. 11 – Commercial use
  - No. 11A – Vacant (previous commercial use)
  - No. 13 – Office / commercial
  - No. 13A – Wholesale fashion
  - No. 15 – Photographic Studio/dwelling
- 'Loft' lots – first floor
  - No. 1/7 – Office
  - No.2/7 – Commercial
  - No 3/7 – Commercial
  - No. 4/7 – Office
  - No. 5/7 – Office / Art studio

  - No. 6/7 – Architectural office
- Rear Ground floor
  - No. 7/7 – Warehouse

The building north of the subject land (17 – 21 Mayfield Street) is occupied as a factory/warehouse with an associated dwelling. This land extends to the Yarra River reserve.

Land on the east side of Mayfield Street includes a dwelling (adjoining the Yarra River reserve) and low-rise factory/warehouse uses. Further east, on the east side of Church Street is the Carlton and United Breweries (CUB) site. These sites are in the Industrial 1 Zone (INZ1).

Immediately to the west of the subject land is vacant land used as a car park and industrial buildings. These sites have frontage to Albert Street and are zoned INZ1.

Land on the south side of the subject land is in the General Residential Zone (GRZ2) and is occupied by two storey residences.

Figure 1 The subject site and locality

1.2 Background to the proposal

Based on an historical plan from the Melbourne Metropolitan Board of Works (MMBW), included in the report of LRM Global Pty Ltd, it appears that the subject land may have been originally occupied by a row of dwellings prior to it being redeveloped and occupied for industrial purposes.

In 1989, Collingwood Council approved the two-lot subdivision of the buildings at 5 – 21 Mayfield Street, comprising 5 – 15 Mayfield Street and 17 – 21 Mayfield Street. It also issued a planning permit to use 17 – 21 Mayfield Street as office/warehouse. There appears to be no record of a similar permit having been issued for the subject land.

In 2000, a planning permit was issued by Yarra Council to allow the conversion of the existing premises on the subject land into 14 warehouse/industrial lots, with consent for additions and reduced dimensions for loading bays. Building permits were then issued for the works associated with this subdivision of the building.

Following an enquiry of the Council by a lot owner wishing to carry out works, investigations led to enforcement action commencing under the Building Regulations concerning the residential occupancy of some of the lots in the building.

The occupants of three of the dwellings disputed the enforcement action before the Building Appeals Board (BAB) and were permitted to remain until the matter was addressed by way of an amendment to the Yarra Planning Scheme.

1.3 Summary of issues raised in submissions

The key issues raised in the submissions are briefly summarised as follows:

(i) Relevant agencies

The key issues for the Environment Protection Authority were:

- The likely potential contamination of the subject site.
- The need for Council to require provision of a preliminary Site Environmental Investigation to be independently reviewed prior to approval of the Amendment.
- The setting of a precedent for illegal land uses and development to seek retrospective planning approvals and exemptions.
- The fact that retrospective environmental audit requirements are not provided for in planning policy and these may restrict and compromise the integrity of the audit process.
- CUB (Carlton United Brewery) should be consulted.

(ii) Individual submitters

The key issues for the one objecting submitter were:

- The Amendment is predicated on the illegal occupation of some lots as residential.
- The use as dwelling is incompatible with the industrial zoning of the land.
- Residential use is not compatible with the form of the building.
- Amending the zoning to Mixed Use was rejected by Council.
- The Urbis report to Council is deficient.

- There has been no consideration of various practical matters.

This submission was withdrawn prior to the Directions Hearing.

A submission by MAG with signatories of owners of lots on the subject land and occupants of nearby properties supported the Amendment.

1.4 Issues dealt with in this Report

The Panel considered all written submissions made in response to the exhibition of the Amendment; along with the further submissions, evidence and other material presented to it during the Hearing. Its observations during its accompanied site visit have also been of assistance in considering the Amendment.

All submissions have been considered by the Panel in reaching its conclusions, regardless of whether they are specifically mentioned in the report.

This report deals with the issues under the following headings:

- Planning context
- Strategic merit of the Amendment
- Environmental issues.

2 Planning context

Council provided a response to the Strategic Assessment Guidelines as part of the Explanatory Report to the Amendment.

The Panel has reviewed Council's response and the policy context of the Amendment, and has made an appraisal of the relevant zone and overlay controls and other relevant planning strategies.

2.1 Policy framework

(i) State Planning Policy Framework (SPPF)

Council submitted that the Amendment is supported by the following clauses in the SPPF:

Clause 11 (Settlement) planning is to anticipate and respond to the needs of existing and future communities including for employment and housing. It is also to facilitate sustainable development that takes full advantage of existing settlement patterns and investment in transport and communication, water, sewerage and social facilities.

The Council believes the Amendment meets this objective by supporting a mix of uses, including employment opportunities and residential uses on the subject land. The subject land is also highly accessible to an array of services, activity centres and transport options.

Clause 12 (Environmental and Landscape Values) seeks to protect the health of ecological systems and the biodiversity they support.

The use of the land supports appropriate uses that will not detract from the environmental sensitivity of the area.

Clause 17 (Economic Development)

The Amendment will continue to allow commercial and light industrial activities in this INZ3.

Clause 18 (Transport)

The co-location of residential and commercial uses within a highly accessible area supports this policy.

(ii) Local Planning Policy Framework (LPPF)

The Municipal Strategic Statement (MSS) sets out the key issues and opportunities to be addressed by planning strategies.

The profile for Yarra has identified a shift away from industrial activity to a more business and service orientated economy. It is considered that allowing residential activity to co-locate with commercial and light industry supports this shift. It is also considered the Amendment would support residential activity within a highly accessible locality without compromising the vitality of the CUB site.

The Panel has noted the rejection by Council of the original request to apply the MUZ over the land because it would have allowed greater scope for change to occur on the site. This was because 'dwelling' is a Section 1 use in that zone.

Council therefore resolved to retain the INZ3 and use the provisions of *Clause 52.02* to provide the flexibility to allow for home-based businesses to establish.

The Panel is mindful of the fact that if lots are occupied as dwellings, with no associated business, the Purpose of the INZ3 may be compromised.

(iii) Other planning strategies or policies used in formulating the Amendment

Yarra Business and Industrial Land Strategy June 2012 (BILS)

The BILS is a strategic document that considers industrial needs and develops a 10 to 15 year strategy for land use planning in the municipality.

Projections contained in the BILS suggest structural change and globalisation will see continued employment decline in industrial land sectors. It is expected however that there will be a transition to smaller scale operations which can operate in a high-density environment.

The BILS recognises the MUZ does not currently provide the Council with the capacity to influence the land use mix, because dwelling is a Section 1, 'as-of-right', use. It is therefore considered that the INZ1 or INZ3 be either retained or applied.

Mayfield Street forms the boundary of the CIB5 and CIB6 precincts. The west side of Mayfield Street is within CIB5 (Abbotsford West Node) while land on the east side of Mayfield Street is in the CIB6 Precinct, where the CUB is the anchor use.

The CIB5 recognises that the INZ1 and INZ3 do not reflect the changing nature of the Yarra economy and the economic base should be broadened to ensure ongoing viability.

The recommendations for this and the adjoining CIB6 Precinct are to:

- *Retain the existing zoning arrangements pending further investigation; and*
- *Undertake master planning to address urban design, river access, interface issues and space for landscaping.*

Also in the case of BILS6 (CUB), while the Precinct is to retain an employment focus, it is stated that "*additional master planning is required to determine a future zoning direction for this precinct if and when CUB vacate its site".*

Victoria Street Structure Plan - April 2010

Under the Victoria Street Structure Plan the subject land falls within the '*CUB Precinct*', which is to maintain its industrial/employment focus. If the CUB relocates, it recognises there will be the need to investigate more intensive activities on the land which take advantage of the Riverside location and proximity to Victoria Street, industry, office activities and additional green space along the Yarra River. It foreshadows the need to prepare a Master Plan for this area, in contemplating a more comprehensive structure to its urban fabric.

Economic Development Strategy 2015 – 2020 (EDS)

The EDS recognises Yarra has had a long tradition within manufacturing, with much of it sited along the Yarra River in the late 19th and early 20th centuries, but which was also dispersed through other parts of the municipality. The strategy recognises that macro-

economic shifts have seen many businesses close or relocate and local industry is now characterised by more boutique and specialist fashion manufacturers which have a strong identity in Yarra. Those manufacturing industries that are labour intensive are moving off-shore and space- intensive activities are establishing in outer suburban locations. It is considered that future manufacturing opportunities in Yarra will lie in more advanced specialist areas with a focus on innovation and design.

Urbis Study Area Land Use Assessment

A condition of the Ministerial authorisation of the Amendment was that Council finalise *"the further strategic planning review of the area as recommended by its Business and Industrial Land Strategy 2012 prior to exhibiting the Amendment"*. In response to a request to the Minister to remove this Condition, Council was advised that *"a more timely and short, localised assessment of the effect of the proposed planning provisions on the area and surrounding industrial uses"* would be acceptable.

The Study area adopted for the Urbis assessment is smaller than that contained in Precinct CIB5, and is generally bounded by Zealand Street (north), Victoria Crescent (west) Church Street (east) and Murray Street (south). This area takes in the eastern section of CIB5 and a small part of CIB6.

The Urbis assessment refers to the strategic work carried out by Council in recognising the changes that are occurring to business activity in the municipality, as reflected by the uses now established on the subject land.

By retaining the INZ3 over the land the Urbis assessment concluded that the priority use of the land for employment would be maintained while allowing existing, and future, residential use of the land. This was considered broadly consistent with the recognised emerging demand for 'mixed-use' development within Council's BILS, for home-work businesses.

The Urbis assessment also referred to the rejection of the original request to rezone the subject land to Mixed Use because of the lack of control to prevent the transition from employment uses to entirely residential uses. It considered that the retention of the INZ3, as proposed under Amendment C188, would not be as lenient as the alternative of applying the MUZ. This was because the Incorporated document limits the scope of use as a dwelling to the existing floor area of the building, thereby limiting intensification of development on the land.

The Panel agrees with the principle espoused in the Urbis report that industrial and business uses should remain the 'primary uses' on the land, albeit they may be associated with a dwelling.

2.2 Planning scheme provisions

(i) Zones and Overlays

The INZ3, SLO1 and DDO1 applying to the land are not affected by the Amendment.

2.3 Ministerial Directions and Practice Notes

2.3.1 Ministerial Directions

Council submitted that the Amendment meets the relevant requirements of the following Ministerial Directions:

Ministerial Direction No 1 – Potentially Contaminated Land

This Ministerial Direction has as its Purpose:

> *… to ensure that potentially contaminated land is suitable for a use which is proposed to be allowed under an amendment to a planning scheme and which could be significantly adversely affected by any contamination.*

The requirements on this Direction include that:

> *In preparing an amendment that would have the effect of allowing (whether or not subject to the grant of a permit) potentially contaminated land to be used for a sensitive use…a planning authority must satisfy itself that the environmental conditions of that land are or will be suitable for that use.*

The Ministerial Direction sets out environmental audit requirements for investigating potential contamination, which includes the option of a mechanism which triggers environmental audit requirements, where a sensitive use is proposed.

The Council believes the Amendment is consistent with the Ministerial Direction in that it seeks to apply the EAO to the subject land. The Incorporated Document also requires that a Statement or Certificate of Environmental Audit under the *Environment Protection Act 1970 (Vic)* must be provided to the Responsible Authority within a defined timeframe.

Ministerial Direction No 11 - Strategic Assessment Guidelines

The Amendment is consistent with Ministerial Direction 11 (Strategic Assessment of Amendments) and Planning Practice Note 46 (Strategic Assessment Guidelines).

The Form and Content of Planning Schemes (s7(5))

The Amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under Section 7(5) of the Act.

2.3.2 Planning Practice Notes

General Practice Note – Potentially Contaminated Land

This General Practice Note is designed to provide guidance for planners and applicants about how to identify whether land is potentially contaminated, the appropriate level of assessment required, appropriate planning permit conditions and circumstances where the EAO should be applied or removed.

The Council submitted that the Amendment responds to the Practice Note by applying the EAO over the land. This will trigger audit requirements for sensitive uses only and will not affect commercial or industrial activities conducted thereon.

PPN09 - Metropolitan Strategy

The Council considered the Amendment is consistent with PPN09 as it will allow the use 'dwelling' on land located in a well serviced inner suburb of Melbourne.

2.4 Discussion

While the Amendment does not change the industrial zoning of the land, it does raise the issue as to whether the Zone purpose, which is to give effect to state and local planning policy and "*to provide for industries and associated uses*" would be compromised if lots on the subject land are occupied solely as 'dwellings'.

2.5 Conclusion

The Panel concludes that the 'spirit' of the Amendment is generally supported by, and implements, the relevant sections of the State and Local Planning Policy Framework, and is consistent with the relevant Ministerial Directions and Practice Notes. The Amendment does however raise some specific policy issues in relation to the occupation of the lots on the subject land as 'dwelling'. The Panel believes this can be dealt with under the Incorporated Document, as discussed in this Report.

3 Strategic merit of the Amendment

3.1 The issue

The original request to apply the MUZ over the land was rejected by Council because of the potential to allow a significant intensification of residential development and activity of the land. The alternative supported by Council was to use the provisions of *Clause 52.03 - Specific Sites and Exclusions,* which would allow 'dwelling' in the INZ3 applying to the land.

The issue arising from the Amendment relates to whether the residential occupation of lots on the subject land will conflict with planning policy and the purpose of the INZ3 for industrial and associated business uses.

3.2 Evidence and submissions

Ms Eastaugh advised the Panel that the approach adopted by Council, in allowing a component of residential activity on the subject land, would not compromise its industrial and business focus. It was Council's position that the Amendment was strategically supported by state and local planning policy which recognise the shift away from traditional industrial uses to smaller businesses, including home offices, and smaller scale 'boutique' style businesses.

It was put to the Panel that the Amendment would provide opportunities for businesses to co-locate with a dwelling, as envisaged under BILS, in this INZ3 which provides a transition between the neighbouring Industrial 1 Zone (INZ1) and General Residential Zone (GRZ2).

In relation to potential acoustic issues associated with residential use on the subject land, Ms Eastaugh referred the Panel to the Acoustic Report prepared by the Burton Acoustic Group, and appended to the Urbis assessment. This report concluded the measured noise levels complied with SEPP N-1 and there was "*no requirement to enhance the attenuation of the apartments*". The fact that some lots had been occupied as dwellings for some time, apparently without any adverse effects to them from non-residential uses, or from them on neighbouring industries/businesses, appears to support this finding.

The Urbis assessment of the Mayfield Street local area referred to characteristics displayed by this former industrial area that is "*awaiting the right conditions to transition to a new role*". This Report believed the Amendment would provide further support to the emerging trend towards demand for smaller employment spaces and the ability to live and work within Yarra. In the case of the subject land the Urbis assessment was that the Incorporated Document could be written to address issues such as noise, emissions and ventilation.

It was Mr Calthorpe's evidence that there was strategic merit to support the Amendment based on emerging employment needs in Yarra. He also believed the alternative of reverting the subject land back to a purely industrial use, ignored the emerging trend of SMEs and home-based businesses which are supported under the Council's Economic Development Strategy. Mr Calthorpe referred to the BILS which has identified the declining demand for industrial land in Yarra and provides support for change to smaller businesses, which may include a residential component.

In supporting the Amendment, Mr Calthorpe did, however, consider it would not be unreasonable to require that any dwelling on the subject land be associated with an operating business to ensure employment opportunities are protected.

In response to the suggestion in the Urbis Report, which Mr Calthorpe advised he was the author of, Ms Eastaugh stated Council did not support the suggestion that owners should have to demonstrate that floor plans were suitable to enable home-work outcomes. Ms Eastaugh believed there was no precedent for this arrangement within the Planning Scheme, that it could be outside the Council's responsibilities and in any event, it would place an unreasonable burden of proof on it to ensure the arrangement was satisfied.

3.3 Discussion

The Panel has reviewed the strategic policy and zoning provisions for the subject land in considering the submissions and evidence put to it. It has also been assisted by its view of the subject land and locality.

Based on the body of strategic work undertaken by Council and, as referred to by Mr Calthorpe in his evidence, the Panel accepts there is an emerging trend in Yarra away from more traditional industries towards the establishment of smaller businesses, including home-work enterprises. The subdivision of the subject land displays the physical characteristics that support this transitioning to smaller home-based enterprises.

The Panel agrees that rezoning the land to MUZ may have been problematic, particularly as the intended more detailed master planning of this area is yet to be carried out. In the absence of this work, the Panel supports the use of the 'specific sites and exclusion provisions' of the Planning Scheme which it believes provides a timely outcome in dealing with the changing role of industrial areas of Yarra. As well as allowing new home-businesses to establish on the subject land under these provisions, those currently occupying lots will of course be legalised.

In supporting the approach taken by Council, the Panel however believes it would be appropriate to ensure there are 'checks and balances' to ensure the 'dwelling' occupancies do not undermine planning policy which currently supports the retention of industrial zones, while accommodating the changing employment patterns identified in the BILS.

The question therefore is whether, as drafted, the Incorporated Document is too liberal in allowing 'dwelling' in this INZ3. The Panel believes it is and adopts Mr Calthorpe's suggestion that "*it would not be unreasonable to ensure that any dwelling is associated with an operating business at the subject site in order to ensure that the land continues to provide for employment purposes.*"

This approach would ensure local policy, to transition the use of industrial land to 'boutique style' enterprises, including home-based businesses, is recognised and supported. It would also ensure that the Amendment does not result in what could amount to the creation of a 'quasi-residential zone', without the detailed master planning of the area having been undertaken.

Turning to the suggestion in the Urbis Report that the Incorporated Plan be conditional on owners demonstrating floor plans are suitable for live-work outcomes, the Panel agrees with Ms Eastaugh in not supporting this approach. Having inspected a selection of lots on the

subject land, the Panel believes such a condition is unnecessary. It prefers instead for owners or occupiers to satisfy Council that their dwellings are associated with a business conducted on the lot that is permitted under the INZ3. In its simplest form, this could be a home-office.

3.4 Conclusions

The Panel concludes:

- The INZ3 is the zone that provides a transition between more intensive industrial uses and residential uses.
- The strategic work undertaken by Council demonstrates changes are occurring in its industrial areas and it is appropriate that land use planning be pro-active in seeking to accommodate these.
- The proposal to allow 'dwelling' on the subject land as part of home-based or 'boutique' style businesses accords with the strategic work undertaken by Council.

3.5 Recommendation

The Panel recommends the Amendment be adopted subject to:

> **The Incorporated Document, January 2017, for 5 – 15 Mayfield Street Abbotsford being amended to require that the use of any lot on the Land as 'Dwelling' be associated with a use permissible under the Industrial 3 Zone.**

4 Environmental issues

4.1 The issue

The Amendment will require provision of a Statement or Certificate of Environmental Audit where lots are occupied as a dwelling. The issue relates to the retrospective nature of this requirement for lots currently occupied as dwellings.

4.2 Evidence and submissions

The EPA did not appear to oppose the Amendment in so far as it would allow a 'dwelling' to occupy the subject land. It did however take issue with the retrospectivity of the Amendment in dealing with environmental issues associated with the current unlawful occupation of some lots as dwellings.

Ms Eastaugh referred to the fact that it was unfortunate that the Amendment includes a degree of retrospectivity, however she considered the application of the EAO over the land and the inclusion of a timeframe in the Incorporated Document to deal with this matter was a reasonable approach, given the existing circumstances on the subject land. Ms Eastaugh advised the Panel that a submission had not been received from the CUB which had been given notification of the Amendment.

Ms Eastaugh went on to address, in some detail, the concerns raised by the EPA in its written submissions. She advised the Panel that Council did not support the EPA suggestion that it should have been provided with a Preliminary Site Environmental Investigation, if insufficient information was available to determine if an audit was required.

Ms Eastaugh referred the Panel to the Ministerial Direction and General Practice Note and the need for Council to satisfy itself that environmental conditions of the land would be suitable for the proposed sensitive use. Ms Eastaugh went on to say that if it was accepted that the land had been used for industry, then it would be prudent for Council to have regard to the Minister's directions. This had been done by applying the EAO over the subject land and including a condition in the Incorporated document to require a Statement or Certificate of Environmental Audit where any part of the subject land was to be converted to a dwelling.

Mr Lawson was called by Mr Steven to speak to the preliminary Environmental Site Assessment undertaken by his company for the MAG, and to answer any questions the Panel and Council may have. Mr Lawson stated that the Assessment had identified the good condition of the ground floor slab, although it was possible that that previous uses on the site, or those nearby, may have resulted in contamination of the soil or filling brought to the land.

Mr Lawson said the subject land fell into the medium risk category and he had not identified any evidence of gross contamination during his initial site inspection, nor did the current non-residential activities on the subject land pose a significant risk to human health or the environment. Mr Lawson also stated that he had not identified any venting in the building, that would suggest ground water on the site had been contaminated.

Based on approval of the Amendment an audit would indicate whether there was any volatile matter in the site's ground water.

In relation to the issue of possible noise pollution affecting the subject land the EPA advised that, based on the Report prepared by the Burton Acoustic Group, it was satisfied the use of the subject land as dwelling satisfied the State Environment Protection Policy (Control of Noise from Industry, Commerce and Trade) No N-1.

4.3 Discussion and conclusions

The Panel agrees that it is unfortunate there is a retrospective element to the Amendment, which has arisen because residential occupation occurred prior to the conduct of an environmental audit. The Panel however accepts Ms Eastaugh's submission that the fact that the land has been occupied as dwellings is a risk the owners/occupiers have taken, and it will now be dealt with under the terms of the Amendment.

The Panel notes that the Phase 1 Assessment of the subject land by LRM Global Pty Ltd did not identify any obvious sources of contamination and that the ground floor slab is in good condition. The Panel also notes his advice that he saw no venting in the building that would suggest there is ground water contamination.

The Panel believes that, given existing circumstances, the application of the EAO over the land and the inclusion of a condition in the Incorporated Document are ways of ensuring the required audit is carried out, to identify whether there is any contamination and, if so, what remediation work will be required. As referred to by Mr Lawson the audit will require testing uniformly across the subject land. This may result in some inconvenience to existing occupants, who, in the case of residents may need to vacate their lot until remedial work is carried out. It goes without saying that any new residential occupancy would not be permitted before this work is carried out.

Attachment 3 - Panel Report - C188

Appendix A Document list

No.	Date	Description	Tabled by
1	28/08/2017	Council Part B submission and photographs	Ms Eastaugh
2	28/08/2017	Yarra River Action Plan	Ms Eastaugh
3	28/08/2017	Schedule 1 to the Design and Development Overlay (Yarra PS) and Schedule 1 to the Significant Landscape Overlay (Yarra PS)	Ms Eastaugh
4	28/08/2017	A3 Building Approval plans for 5 – 15 Mayfield Street	Ms Eastaugh
5	28/08/2017	Phase 1 Environmental Site Assessment for 5 – 15 Mayfield Street by LRM Global Pty Ltd	Mr Steven

Attachment 4 - Incorporated Document - as proposed by Panel - associated use - October 2017

5-15 Mayfield Street, Abbotsford

Incorporated Document,

~~January~~October 2017

This document is an incorporated document in the Yarra Planning Scheme pursuant to Section 6(2)(j) of the *Planning and Environment Act 1987*.

[7362297: 20080393_1]

Attachment 4 - Incorporated Document - as proposed by Panel - associated use - October 2017

INTRODUCTION

This document is an Incorporated Document in the Schedule to Clause 52.03 and the Schedule of Clause 81.01 of the Yarra Planning Scheme (**Scheme**).

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Despite any provision to the contrary in the Scheme, pursuant to Clause 52.03 of the Scheme the land identified in this incorporated document may be used in accordance with the specific controls contained in this document.

In the event of any inconsistency between the specific controls contained in this document and any provision of the Scheme, the specific controls contained in this document will prevail.

ADDRESS OF THE LAND

This control applies to the land known as 5-15 Mayfield Street, Abbotsford, being the land more particularly described as Plan of Subdivision 439401J in Certificate of Title Volume 10544 Folio 931 (**Land**).

PURPOSE

To allow the Land to be used for the purpose of dwelling.

THIS DOCUMENT ALLOWS:

Use of the Land for the purpose of dwelling.

THE FOLLOWING CONDITIONS APPLY TO THIS DOCUMENT:

Use

1. The use of the Land for dwelling must be conducted within the dimensions of the building existing on the lLand as at the Approval Date.
2. The floor area of the existing building as at the Approval Date must not be increased by the use dwelling.
3. A dwelling on the Land must be occupied by a supervisor of an operation or business which is permitted under the Industrial 3 Zone.

Buildings and Works

4. The consent of the responsible authority is required if any internal buildings or works for a dwelling are to be constructed or carried out on the Land.

[7362297: 20080393_1]

Attachment 4 - Incorporated Document - as proposed by Panel - associated use - October 2017

Environmental Audit.

5. Within 6 months of the Approval Date of this document or such other time as Council agrees, or before any part of the Land is converted to a dwelling, whichever occurs first, a Statement or Certificate of Environmental Audit under the *Environment Protection Act 1970 (Vic)* must be provided to the responsible authority. If a Statement of Environmental Audit is provided which contains conditions then the Owner of the Land must enter into an agreement with the responsible authority under section 173 of the *Planning and Environment Act 1987 (Vic)* which gives effect to those conditions,

Expiry

6. Notwithstanding other provisions of the Scheme, the specific controls contained in this document will expire if

   a) the use of the Land for dwelling has stopped for a continuous period of 2 years, or has stopped for two or more periods which together total 2 years in any period of 3 years; or

   ~~6.~~b) the Scheme is amended such that the Industrial 3 Zone no longer applies to the Land.

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11.2 Bridge Road Streetscape Masterplan

Executive Summary

Purpose

For Council to consider the submissions received in response to the public exhibition of the Draft Bridge Road Streetscape Masterplan, the officer response, and to adopt the amended Masterplan for implementation.

Key Issues

Whist there was a general support for the Masterplan the need to establish the road user hierarchy along Bridge Road was emphasised seeking a clear priority for pedestrians, cyclists and public transport users.

Many issues raised during the consultation relate to the design and implementation stages. Other submissions provide comments about the details of some initiatives and present further ideas about the design outcomes envisaged by the masterplan. These matters can be addressed through the implementation of the masterplan and the detailed design process and consultation for specific projects.

Some submissions do not support moving the Church Street tram stop and consolidating it with the tram stop near Gleadell Street, particularly from transport agencies. This was on the basis that the intersection of Church Street and Bridge Road functions as an interchange for the tram services along these streets and an appropriate location for a stop for the ease of passengers who might change trams. There was also a lack of support by the community to shift the current Tram Stop near Amora Hotel towards the west. The other issues regarding the tram stop relocation included access to the property, right turn movements across Bridge Road and impacts to parking etc.

The time frame for implementation of the masterplan was another key area of concern by the community as well as the Bridge Road Main Street Association.

Financial Implications

Significant further funding would be required over several years in the forward capital works budget to implement design and documentation of projects identified in the Masterplan.

Council's forward capital works program currently includes $1.5 Million for Bridge Road under the activity centres program for implementation of renewals and upgrades along Bridge Road in the next five years; however as stated above, additional funding would be required to implement the Masterplan initiatives and projects. Advocacy for external sources of funding is also a possibility.

PROPOSAL

- The public submissions, consultations and feedback have not raised any fundamental issues that affect the finalisation of the Masterplan.
- Submissions have confirmed the need for Council to work with the public transport agencies to establish the road user hierarchy and the preferred location an design for new tram stops.
- The tram stop locations in the draft Masterplan were tentative only. TFV, PTV, VicRoads, Yarra Trams and Council would need to undertake further investigations and feasibility before finalising any new locations. The masterplan has therefore been amended to show the locations of existing tram stops only. Improved safety at the tram stops near the Richmond Town Hall and near the Girls Grammar school is however important and a priority which is being advocated for with the relevant agencies.
- The draft masterplan included an implementation strategy setting out broad timeframes for achieving the various outcomes included in the masterplan. This has been revised to include some immediate actions that can be undertaken by officers.

- In view of the above it is recommended that Council:
    - note the submissions from the community and key stakeholders on the draft Bridge Road Streetscape Masterplan; and officer response to those submissions;
    - following consideration of the submissions and officer response, adopt the proposed amended Bridge Road Streetscape Masterplan (Attachment 5) with or without changes; and
    - authorise officers to proceed to the design development, consultation of individual projects, and progress towards the implementation of various initiatives identified in the Bridge Road Streetscape Masterplan.

11.2 Bridge Road Streetscape Masterplan

Trim Record Number: D17/173422
Responsible Officer: Manager City Strategy

Purpose

1. For Council to consider the submissions received in response to the public exhibition of the Draft Bridge Road Streetscape Masterplan, the officer response, and to adopt the amended Masterplan for implementation.

Background

2. On 4 July 2017, Council authorised the public exhibition of the Draft Bridge Road Streetscape Masterplan.

3. In this meeting Council also resolved that:

   "*Officers provide a further report to Council on the outcome of the public exhibition and consultation in October 2017".*

External Consultation

4. The draft Bridge Road Streetscape Masterplan was exhibited from 24 July to 18 August 2017.

5. The consultation approach included:

   (a) *Your Say Yarra* online page;

   (b) Two community information sessions (29 July and 10 August);

   (c) Flyer distribution to all the properties in an area approximately 200 metres north and south of Bridge Road;

   (d) Flyers were also posted to the owners of the properties not living within the area (200 metres north and south of Bridge Road). Refer Attachment 1;

   (e) Social media posts including Video;

   (f) Information to key external stakeholders including Transport for Victoria (TFV), Victorian Planning Authority, Public Transport Victoria (PTV), Vic Roads, Yarra Trams, Bridge Road Main Street Association, Bicycle Victoria, Department of Education, Epworth Hospital;

   (g) Specific feedback was sought from the Disability Advisory Committee and Bicycle Advisory Committee; and

   (h) Letters were also sent to the Minister for Planning and Minister for Roads and Safety and a number of senior officials of relevant departments and agencies advising them about the preparation and consultation of the Draft Bridge Road Streetscape Masterplan.

Internal Consultation (One Yarra)

6. A number of Council departments and units including Strategic Transport, Economic Development, Social Policy and Research, Traffic, Engineering Services, Maintenance, Statutory Planning, Strategic Planning, Arts Venues & Cultural Services, Aged & Disability Services, Family & Children's Services and Compliance have contributed to the development of the draft Masterplan.

Financial Implications

7. Funding would be required over several years in Council's forward capital works budget to implement projects identified in the Masterplan. This would include development of design concepts, design development and construction.

8. The first opportunity to consider funding for implementing projects would be the Council's 2018/19 capital works budget.

9. Adoption of the streetscape masterplan and design and documentation of projects would also help in seeking development contributions from developers.

10. Council officers are in discussions with Transport for Victoria, Department of Education and other agencies such as VicRoads to develop project implementation partnerships. This is particularly directed towards achieving public realm improvements to the Civic and Institutional Precinct to support the increased activity from the new high school.

11. VicRoads has already initiated a project to improve pedestrian amenity and safety along the key intersections of Bridge Road, in the area between Church Street and the Yarra River. This project would implement some of the key project initiatives of the Masterplan by spending approximately $1.3 Million dollars under a Transport Accident Commission (TAC) grant. These works will commence in early 2018.

Economic Implications

12. If adopted, the streetscape improvements, public space and amenity upgrades identified in the Masterplan would likely attract more visitors and encourage greater use of the space, in turn benefiting the local economy.

Sustainability Implications

13. The draft Masterplan offers the opportunity to address the following sustainability issues:

    (a) increased use of public transport by advocating for upgrading the tram stops for improved access, safety and amenity;

    (b) energy efficient lighting, including the use of solar technologies;

    (c) additional tree planting to assist in the provision of shade and assist in reducing the urban heat island effect;

    (d) improved bicycle facilities to encourage the use of sustainable transport; and

    (e) street tree surrounds that allow water to infiltrate through to the ground.

Social Implications

14. The projects outlined would, if implemented, result in the following key social benefits:

    (a) new or improved public spaces where people may meet;

    (b) improved pedestrian amenity and safety near the tram stops;

    (c) improved connections to the Yarra River and Capital City Trail; and

    (d) increased lighting levels along the footpaths and public spaces.

Human Rights Implications

15. There are no identified human rights implications.

Communications with CALD Communities Implications

16. During the exhibition of the draft Masterplan, Council's website and the information flyer distributed within the community provided contact numbers for interpreter services for the CALD community seeking information/clarification.

Council Plan, Strategy and Policy Implications

17. The draft Masterplan is considered consistent with the broad objectives and strategies outlined in the Council Plan and Community Health and Wellbeing Plan (2017 – 21), with a focus on the need to:

(a) plan, promote and provide open spaces and public places that are accessible to all ages and abilities;

(b) promote environmentally sustainable urban design, place-making and public realm outcomes;

(c) develop and promote pedestrian and bicycle infrastructure that encourages alternate mode of transport, improves safety and connectedness;

(d) improve bike parking, road signage including bicycle expected signs, road markings, surfaces and streetscapes to better protect and enhance the conditions for cyclists and pedestrians;

(e) work in partnership with Vic Roads and influence traffic management and road safety on main roads, and

(f) improve accessibility to public transport for people with mobility needs and older people.

18. The draft Masterplan is consistent with the Yarra Urban Design Strategy (adopted 2011) which advocates for a quality public domain in Yarra, universal access, social interaction and walkability.

19. The framework for the Masterplan is consistent with the state transport objectives and suggests a number of initiatives relating to sustainable transport and improved access.

Submissions and Feedback

20. The *Your Say Yarra* project webpage attracted over 1,800 visits and 40 online submissions.

21. Attendance at the two public Information Sessions was between 20-25 people at each.

22. Attachment 2 provides an outcome of the *Your Say Yarra* online process.

23. Attachment 3 provides a table that includes details of the online submission.

24. The public exhibition of the draft Masterplan also resulted in 46 written or email submissions including one petition with 282 signatories supporting the transformation of Gleadell Street as a pedestrian and cyclist priority area.

25. A summary of the written submissions and an officer's response has also been provided in Attachment 4.

26. Community feedback from both, the online and written submissions, raised similar concerns.

27. The public consultation and exhibition process indicated that there was, in general, support for the Streetscape; however, a number of specific (local) issues were raised.

28. Key aspects of the community feedback have been provided in the following paragraphs.

Location of tram stops

29. Some submissions do not support for moving the Church Street tram stop and consolidating it with the tram stop near Gleadell Street, particularly from transport agencies. This was on the basis that the intersection of Church Street and Bridge Road functions as an interchange for the tram services along these streets and an appropriate location for a stop for the ease of passengers who might change trams.

30. Some also did not support shifting shift the current Tram Stop near Amora Hotel towards the west. The submissions suggest relocating this tram stop would create pedestrian safety issues for students and pedestrians who would have to cross River Street and Tudor Street and both these streets are very busy during the peak time.

31. Other issues in submissions relating to relocating tram stops were focussed on the impact on the access to the property, parking and right turn movements across Bridge Road.

Officer Response

32. The tram stop locations in the draft Masterplan were tentative only. TFV, PTV, VicRoads, Yarra Trams and Council would need to undertake further investigations and feasibility before finalising any new locations. The masterplan has therefore been amended to show the locations of existing tram stops only.

33. This effectively means that the final location and the design of tramstops would need to be determined in the future when PTV plans their roll out of new style tram stops. It is, however, important that the locations for new tram stops are determined in the short term to enable consultation and provide certainty for the planning and implementation of integrated public realm designs.

34. Issues such as the impact on traffic, parking, right turn movement and the access to properties etc. would be addressed with the feasibility of new locations and the roll-out of new style tram stops.

35. There is, however, an immediate need and priority to address the pedestrian safety of the existing trams stops at the Richmond Town Hall and at Melbourne Girls College to better cater for the movement of school children. This advocacy to the State Government and transport agencies has been occurring and will continue.

Loss of car parking spaces due to new tram stops

36. There were community concerns that new tram stops would result in a loss of car parking which may affect businesses.

Officer Response

37. The requirement to upgrade the tram stop is an obligation on PTV to comply with the DDA legislation. The new style tram stops allow ease of access to diverse community members (on wheel chair, children in prams etc.) to make use of the tram stops. Construction of new tram stops may result in loss of some parking. The details and numbers would be ascertained at the design stage and a consultation process would occur as part of those proposals at that time.

Pedestrian and cyclist amenity and priority

38. There was significant support for the Masterplan's intent for improving pedestrian and cyclists amenity along Bridge Road, however, in this regard the need to reduce the motorist traffic was considered important.

Officer Response

39. TFV supports working with the Council, PTV and VicRoads to better understand the road user hierarchy and network context so that clear priorities for walking, cycling and public transport can be established and the Masterplan objective of sustainable transport priority can be achieved. Those discussions will continue to progress this objective.

Street greening

40. Although there was general support for improved greening in the Bridge Road precincts specific concerns were raised about the potential loss of car parking associated with greening along Gleadell Street, Griffiths Street, Lennox Street, Coppin Street, and Jones Place.

41. Issues were also raised about the size of any new tree canopies potentially affecting the adjoining buildings, awnings and the roots affecting the footpaths.

Officer Response

42. Some loss of car parking in side streets is inevitable if any further greening is to be achieved. The actual impact on the loss of car parking would be known when the design plans are prepared. It is intended that further community feedback would be sought when the design plans for these streets are settled.

43. The Masterplan suggests small and medium size trees to be planted in future which would not have the problem of tree canopies interfering with shop awnings in Bridge Road and such trees would also not have an aggressive root system.

44. The addition of additional trees is consistent with Council's Urban Forest Strategy.

Pause Points proposal

45. There was significant support for the creation of *pause points* along the street where people could relax.

46. Some submissions, however, indicated the need to have more clarity on the use of such spaces and the need to activate them with outdoor dining/trading.

Officer Response

47. The Streetscape Masterplan has been modified to improve the definition of *Pause Points* which includes an opportunity for outdoor trading/dining where appropriate. This needs to be balanced against the use of these public spaces for the broader community as often they are appropriate locations to provide facilities such as seating and bicycle hoops.

Judd Street Car

48. The proposal for a proposed public space at Judd Street car park was supported, however, loss of public car parking due to the public space was a key concern.

Officer Response

49. The Masterplan includes the *potential* redevelopment of the Judd Street carpark for a future public space as a long term initiative. A proposal such as this would be a significant undertaking and therefore requires very careful consideration by Council. Officers do consider that the proposal is deserving of further investigation to determine its feasibility and cost benefit prior to making any firm commitment.

50. A *feasibility* study could be undertaken within the short term and could then inform Council's consideration whether or not to pursue the project any further. The scope of a feasibility study of the project would need to be prepared and would take into account issues such as land ownership, legal process, car parking, traffic access, urban design, financial and design/development options. The cost of undertaking the feasibility study would also need to be considered in the short term.

Petition about Transforming Gleadell Street into a Dynamic Neighbourhood Precinct

51. A petition from the group LEGS (Let's Enhance Gleadell Street) was received by Council. It contained 282 signatures from residents of Yarra and surrounding suburbs.

52. Petitioners are requesting that City of Yarra pursue State funding and transform Gleadell Street into a highly inviting pedestrian and cyclist priority space to strengthen the role of the precinct as a civic and community node for the following reasons:

    (a) to enhance historic Gleadell Street Market;

    (b) to increase public open space in an area of rapid population growth and high rise apartments;

    (c) to ensure the safety of students moving between the two buildings of the new Richmond High School;

    (d) to complement the old and new buildings in the street;

(e) it is ideally located in the neighbourhood precinct, close to Town Hall, besides Citizens Park and having no private business facing on to it; and

(f) it will provide exciting opportunities for a wide range of school and community activities.

Officer Response

53. The petition supports the Masterplan recommendations regarding streetscape improvements along Gleadell Street. Council, along with the petitioners, should continue to advocate for State funding to improve the streetscape amenity of Gleadell Street. This has been occurring as part of the new school processes with DEET will continue.

Submission from BRMS

54. BRMS generally commended the draft Masterplan and suggested that further work on thefollowing areas should be required for its completion:

(a) identifiable key projects/strategies to revitalise and reactivate the activity precincts over a reasonable time period;

(b) parking strategies and opportunities keeping in mind vehicular traffic demands and tensions;

(c) wider pedestrian footpaths on the northern side of Bridge Road;

(d) off street retail activation opportunities e.g. markets, laneways etc.;

(e) full service tram stop at the hospital;

(f) footpath surfaces and the conflicts with integrating utility services, access pits and heritage constraints etc.;

(g) construction of key urban projects, e.g. Judd St Carpark as an opportunity for public space;

(h) improved tram stop opposite the Town Hall as the current tram stop is not sufficient for movements of students of the new Richmond High School;

(i) other traffic options including Griffiths St & Gleadell St to be one-way vehicle/bicycle, Highett St for enhanced bicycle lanes etc.;

(j) street/tree planting, and

(k) focus on gateway signage, amenities etc. rather than pause points.

55. BRMS believes that Council must ensure that capital allocations are made available within reasonable time frames and that open space contributions are applied to improve the public realm/open space in the vicinity of where high density outcomes are being activated along Bridge Road.

56. BRMS encouraged discussions with VicRoads, Yarra Trams and the State Government etc. regarding a short tram route, similar to that which terminates at Victoria Gardens, in view of increased numbers for both school children and new apartment dwellers (pending constructions), combined with and the pressure in peak periods.

57. BRMS also suggested that they would be pleased to assist in the branding and marketing of Bridge Road including unique signage, particularly at tram stops.

58. BRMS would like to be involved in assisting in the prioritisation of aspects of the plan.

Officer Response

59. The issues cited above can be addressed as part of the implementation actions of the Streetscape Masterplan.

60. Implementation of the Masterplan would require funding commitments from the Council. The draft implementation plan in the Masterplan suggests short (0-5 years), medium (5-10 years) and long term (10+ years) priority for implementation of various projects.

61. Based on the community and BRMS feedback the priority for undertaking a feasibility study for a public space at Judd Street carpark has been brought forward into the short term (0 – 5 years)

62. There is also value in developing a partnership with BRMS in the implementation of the Masterplan particularly to progress branding and marketing initiatives.

Submission from Epworth Hospital

63. The submission commends Council on the positive initiative for proposed streetscape upgrade works, however, it raises concerns regarding;

    (a) the potential impacts on existing access arrangements at Erin Street, Normanby Place and Leigh Place, and

    (b) the level and type of way finding and identification around the hospital.

64. Epworth Health Care requests an opportunity for a comprehensive input into any changes within these spaces.

Officer Response

65. The possible part closure of Leigh Place has been removed from the streetscape masterplan to maintain access to ambulances and emergency vehicles from Erin Street.

66. It is intended to work closely with Epworth Health Care in regards to improvements along Erin Street and Normanby Place or any signage near Epworth Hospital at the design and implementation stages.

Submission from Transport for Victoria (TFV)

67. TFV and VicRoads made a combined submission which provides an 'in principle' support for the objectives and potential changes proposed in the Masterplan.

68. TFV has, however, also identified that some aspects of the Draft Masterplan need to be resolved in conjunction with TFV, VicRoads and PTV. These aspects include:

    (a) potential impact of the proposed reconfiguration of mid-block and intersections in terms of width of traffic lanes, bicycle lanes and footpaths;

    (b) road user hierarchy to understand the network context whilst ensuring Council's vision and objectives;

    (c) the impact of the masterplan's proposed changes to active transport modes on Bridge Road and on the surrounding traffic and transport network including Victoria Street and Swan Street, and

    (d) reviewing the number, location and design style of tram stop upgrades along Bridge Road to provide DDA-compliant access, in consultation with Council and the community.

69. Further, TFV suggests that Council may consider expanding the Transport Network Analysis being undertaken as part of the works for expansion to Victoria Street.

70. TFV is not supportive of removing a stop at the intersection of Bridge Road and Church Street as it currently provides a key interchange for public transport users transferring between Bridge Road and Church Street trams.

71. VicRoads made the following specific additional suggestions:

    (a) to remove reference to footpath widening on the northern side considering the aspirational aspect of this, and

    (b) to understand the impact of various proposals (in particular raised crossings, kerb extensions, footpath widening) etc. on the peak period clearways on Bridge Road.

72. VicRoads also questioned the funding arrangements and listing of VicRoads as the "Project Lead" to create new pause points and raised crossings.

Officer Response

73. The tram stop locations in the exhibited draft Masterplan were tentative only. Council officers are keen to work with TFV, PTV and VicRoads to resolve the overall road user hierarchy for Bridge Road and the number, location and design of tram stop upgrades along Bridge Road.

74. A significant issue affecting the extent and type of potential public realm and sustainable transport improvement concerns the road hierarchy assigned to Bridge Road. Presently the road functions as a main east-west road for vehicles and for the tram network and relies on peak hour clearways to achieve a level of functionality. However, this limits the ability to widen footpaths, introduce kerb outstands, tree planting and provide dedicated bike lanes. The issues are complex and require work with state transport agencies to consider the road hierarchy having regard to the aspirations supported in the masterplan and through community consultation.

75. It is noted that VicRoads has sought TAC funding for improving pedestrian safety along Bridge Road. As a part of that project VicRoads propose to construct raised pedestrian crossings at a number of intersections of Bridge Road and its side streets in the section between Church Street and the River. In this regard, the intention of this masterplan is to develop a partnership with VicRoads in the implementation of pause points which include raised kerb crossings, kerb extensions etc. This is why VicRoads has been included as the lead external agency.

Submission from Yarra Trams

76. Yarra Trams supports the overall objective and recommendations of the Master Plan and considers that the proposed enhancement of Bridge Road would result in positive outcomes for public transport and pedestrian access improvements.

77. It also supports the tram stop consolidation, specifically at the Church Street and Richmond Town Hall location, however, consider the intersection with Church Street as the preferred location.

Officer Response

78. Yarra Trams support is appreciated and it is intended to continue to develop partnerships with TFV, PTV, VicRoads and Yarra Trams to resolve the number, location and design of tram stop upgrades along Bridge Road. High level advocacy has been occurring and will continue.

Feedback from Bicycle Advisory Committee

79. The Bicycle Advisory Committee requested an extra one month for providing a response as they were not specifically consulted during the exhibition period and the consultation period did not align with the BAC meeting schedule.

80. Two submissions from individual members of BAC were received which were focussed towards improving bicycle facilities in the Bridge Road precincts.

81. Key aspects of their submissions included:

    (a) the arterial transport function of Bridge Road is incompatible with the aim of reviving a local retail strip and making it a pleasant place to be;

    (b) the street carries high volumes of motor vehicle traffic, and is therefore unfit for ‘regular’ bike lanes;

    (c) angle parking along the street is very dangerous to cyclists;

(d) planting of trees in the street centre would push vehicles into the bike lane, and cyclists would be left with no option but to be in the high-risk 'door-zone'. This would deter the would-be riders;

(e) permanent plantings should only occur on streets with filtered-permeability, allowing cyclists a low-volume route where they can take the lane, and

(f) if Bridge Road is to be revived, a bold plan is required with fully separated cycle lanes along the length of it, widened footpaths, removal of on-street car parking in many places, and closing Bridge Road to through traffic between Punt Road and Church Street.

82. Various submissions made specific suggestions in regard to improving the design of Highett Street, Gleadell Street, Griffiths Street, Coppin Street and Lennox Street, such as improved tree planting and designing for cycle and pedestrian priority. Details of which can be seen from Attachment 4.

Officer Response

83. Council intends to work with TFV, PTV and VicRoads to understand the road user hierarchy and network context with the purpose of trying to achieve public realm and sustainable transport improvements.

84. Other matters relating to detailed design would be addressed during the implementation of the Streetscape Masterplan.

Feedback from Disability Advisory Committee

85. The DAC provided the following comments:

(a) improved accessibility should be included as one of the key objectives;

(b) stepped access to the shops present a significant access issue and needs to be resolved by the Council;

(c) the northern footpath between Punt Road and Church Street is narrow and does not allow proper wheelchair movement due to the presence of various poles and service pits etc. Widening of footpath and moving of poles should therefore be a priority;

(d) disability access parking bays need to be considered, particularly near the Epworth hospital;

(e) angle and size of the cross fall at the pedestrian crossing needs to be improved and TGSIs (Tactile Ground Surface Indicators) installed, and

(f) Bridge Road is one of the key retail centres, access to the retail outlets should be step free. Currently residents and visitors with mobility aides or wheelchairs are not able to enter many shops or entertainment venues on Bridge Rd.

Officer Response

86. The streetscape masterplan Objective 2 on *access and connections* has been modified to include:

"Improve accessibility and connections focussing on universal access …."

87. Removing of electricity or tram poles would be difficult, costly and impractical in isolation.

88. In this regard, the Masterplan recognises widening of the northern footpath (between Church Street and Hoddle Street) as a future opportunity requiring further exploration of traffic and transport options. It is intended that Council works closely with the transport agencies to understand the road user hierarchy and network context as part of the implementation of the Masterplan.

89. Removing entry steps to shop premises where they exist would not be simple as the variation in the footpath level and the floor level inside the shop would need to be managed. This can be best addressed when a new development proposal is being considered for a

property with stepped access. This is already occurring in the centre with many premises already providing graded access.

90. The advice from Engineering Services regarding possibly raising the foot path level to remove the stepped access to shops is that it would need to be assessed on case by case basis. That is, care would be required to not create too severe ramp or a "Yo-Yo" effect along the footpath as visually impaired persons who walk along the building line and use the building boundary as a guide may be hindered. If found practicable, it can be implemented either by the property owner or by the council at the time when footpath renewal works are planned along the street. This is likely only to be feasible where there is a minor change in the levels.

Legal Implications

91. Any road redesign and design of public transport stops, as a result of the implementation of the Master Plan initiatives, would require meeting the Road Management Act and the Transport Act requirements.

Other Issues

92. Implementation of key projects outlined in the proposed Masterplan would require further community consultation as they progress through conceptual and detailed design to then inform budget requests.

Conclusion

93. The public submissions, consultations and feedback have not raised any fundamental issues that affect the finalisation of the Masterplan;

94. Submissions have confirmed the need for Council to work with the public transport agencies to establish the road user hierarchy.

95. Many issues raised during the consultation related to the design and implementation stages and can be addressed as part of the implementation of the masterplan.

96. Some modifications have been made to the Masterplan reflecting on the feedback; where it is practical. These have resulted in some text and graphic changes. Whilst it is difficult to highlight the graphic changes the text changes to the document have been highlighted in yellow in the amended masterplan (refer Attachment 5).

97. It is recommended that Council now adopt the Bridge Road Streetscape Masterplan with the changes outlined in this report and shown in Attachment 5.

RECOMMENDATION

1. That Council:

   (a) note the further officer report regarding the proposed Bridge Road Streetscape Masterplan and the exhibition process;

   (b) note the submissions from the community and key stakeholders on the draft Bridge Road Streetscape Masterplan and the officer response to those submissions;

   (c) having considered the submissions and officer responses, adopt the amended Bridge Road Streetscape Masterplan as shown in Attachment 5;

   (d) authorise officers to progress towards the implementation of various initiatives identified in the Bridge Road Streetscape Masterplan via the Council budgetary processes; and

   (e) refer consideration of the Bridge Road Masterplan to the Council 2018/19 budget process for funding for project initiation and implementation.

CONTACT OFFICER: Richa Swarup

TITLE: **Coordinator Urban Design**
TEL: **9205 5149**

Attachments

1 Consultation Flyer Bridge Road Masterplan July 2017
2 Online Consultation Site Visitation Summary
3 Online Submissions- Draft Bridge Road Streetscape Masterplan
4 Summary of written submissions and responses
5 Bridge Road Streetscape Masterplan

Attachment 1 - Consultation Flyer Bridge Road Masterplan July 2017

YOUR SAY YARRA

CITY OF YARRA

A Better Bridge Road

We are seeking community feedback on our Draft Bridge Road Streetscape Masterplan.

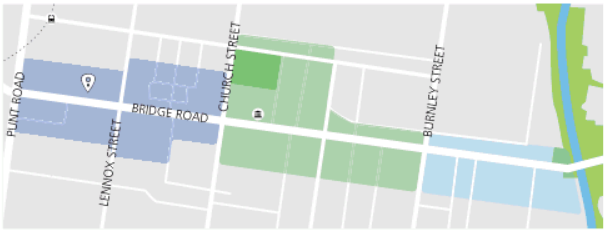
We commissioned this draft following feedback from local traders, residents and visitors, and in close consultation with a range of state agencies.

Your input will help us refine the draft and enhance one of Yarra's great shopping and dining strips.

Three unique precincts

The draft masterplan treats Bridge Road as three distinct precincts, each with their own unique character:

- Precinct 1: Richmond Hill (Punt Rd to Church St)
- Precinct 2: Civic and Institution Precinct (Church St to Burnley St)
- Precinct 3: Bridge Rd East (Burnley St to Yarra River)



Revitalising the strip

The draft streetscape masterplan provides a vision to:

- strengthen the existing character of each precinct
- enhance the sense of arrival onto Bridge Road
- provide a high quality public realm to support pedestrians, cyclists and public transport users
- develop spaces for relaxation and enjoyment
- improve and expand greenery

Proposed improvements

A broad range of improvements are proposed. Examples include:

- upgraded public spaces at intersections
- plaza in front of the town hall
- new landscaping and planting projects
- upgraded public gathering areas
- improved tram stops

It's important to note that the plan is designed to be implemented over a number of years and that each proposal is subject to Council's annual budget process and advocacy to Government agencies.

How to get involved

The following pages include an overview of the proposals for the three precincts.

You can view the full draft masterplan online at www.yoursayyarra.com.au or in person at Richmond Town Hall or Richmond Library.

Meet our urban designers and ask questions:

- Outdoor pop-up session (10–11.30am on Saturday 29 July in Mary Rogers Square at the corner of Bridge Rd and Church St, Richmond)
- Indoor session (7.00–8.30pm on Thursday 10 August at Richmond Town Hall at 333 Bridge Rd, Richmond)

Have your say at www.yoursayyarra.com.au

We are also accepting submissions via email info@yarracity.vic.gov.au and post PO Box 168, Richmond VIC 3121.

Consultation closes at 5pm on Friday 18 August.

Next steps

Feedback received will inform the next draft of the masterplan, which is expected to go to Council for consideration later in 2017.

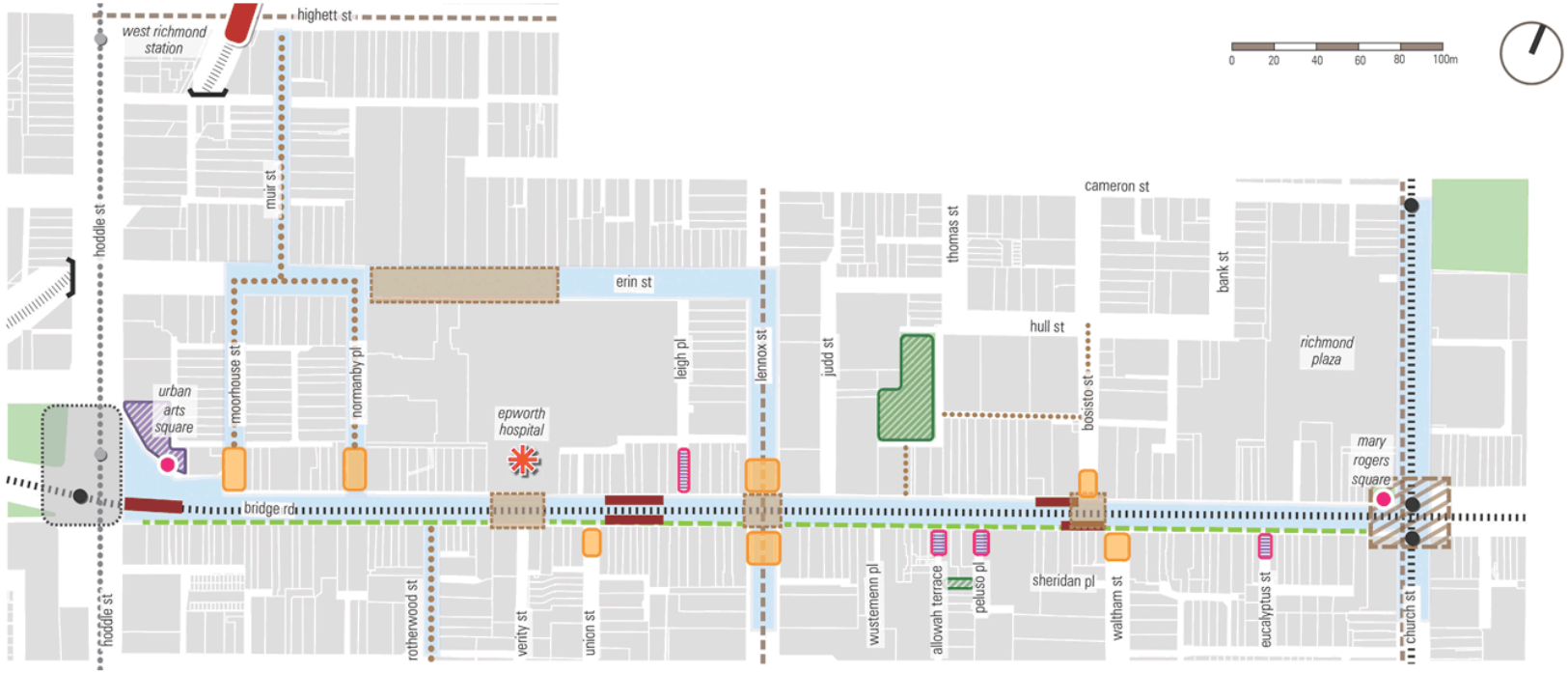
For information in your language, please call 9280 1940 and quote the **REF** number below. | 欲知粵語版本的資訊，請致電9280 1932並報上下列**REF**號碼。| Για πληροφορίες στα Ελληνικά, παρακαλούμε καλέστε το 9280 1934 και αναφέρετε τον αριθμό **REF** παρακάτω. | Per informazioni in italiano siete pregati di chiamare il numero 9280 1931 e di citare il numero di riferimento (**REF** number) sottoindicato. | 欲知普通话版本的信息，请致电9280 1937并报上下列**REF**号码。| Para información en castellano, llame al 9280 1935 y cite el número de **REF**. De más adelante. | Để biết thông tin bằng tiếng việt, xin hãy gọi số 9280 1939 và nói số **REF** dưới đây. | للمعلومات باللغة العربية، يُرجى الإتصال هاتفيا بالرقم 9280 1930 والإشارة الى رقم المرجع **REF** المذكور ادناه

REF 17159

Attachment 1 - Consultation Flyer Bridge Road Masterplan July 2017

Precinct 1: Richmond Hill

Draft Bridge Road Streetscape Masterplan



OBJECTIVE: PRECINCT CHARACTER

DIRECTIONS:

- emphasise distinctive precinct character, with definition through branding and material palette, and provide signage/ wayfinding for key streets in the precinct
- improved landscaping and possibility for public/ community art installation

OBJECTIVE: ACCESS AND CONNECTIONS*

DIRECTIONS: SHORT TO MEDIUM TERM

- improve existing pause point with high quality material treatment, landscaping, furniture or lighting
- creation of a new pause point through use of high quality material treatment, landscaping, furniture or lighting
- raised pedestrian crossing at side street intersections to reinforce pedestrian priority
- improve pedestrian amenity and safety, and explore the opportunity for public art
- explore opportunity for entry enhancement at the urban arts square

*Subject to traffic and transport analysis

DIRECTIONS: LONG TERM

Explore opportunity for widening of northern footpath

OBJECTIVE: SUSTAINABLE TRANSPORT PRIORITY

DIRECTIONS:

- upgrade of mary rogers square and creation of a safer pedestrian space at bridge road and church street intersection, with signage to key destinations
- creation of pedestrian and bicycle priority spaces
- improve pedestrian access between bridge road and west richmond station, richmond plaza and judd street proposed public space
- improve pedestrian amenity at existing tram stop
- improve bicycle priority and facilities along highett street, lennox street and church street
- integrated streetscape and sustainable transport improvements as part of the hoddle street intersection streamlining

OBJECTIVE: PUBLIC SPACE

DIRECTIONS:

- creation of possible public space on the judd street car park, and laneway between allowah terrace car park and peluso place

OBJECTIVE: STREET GREENING

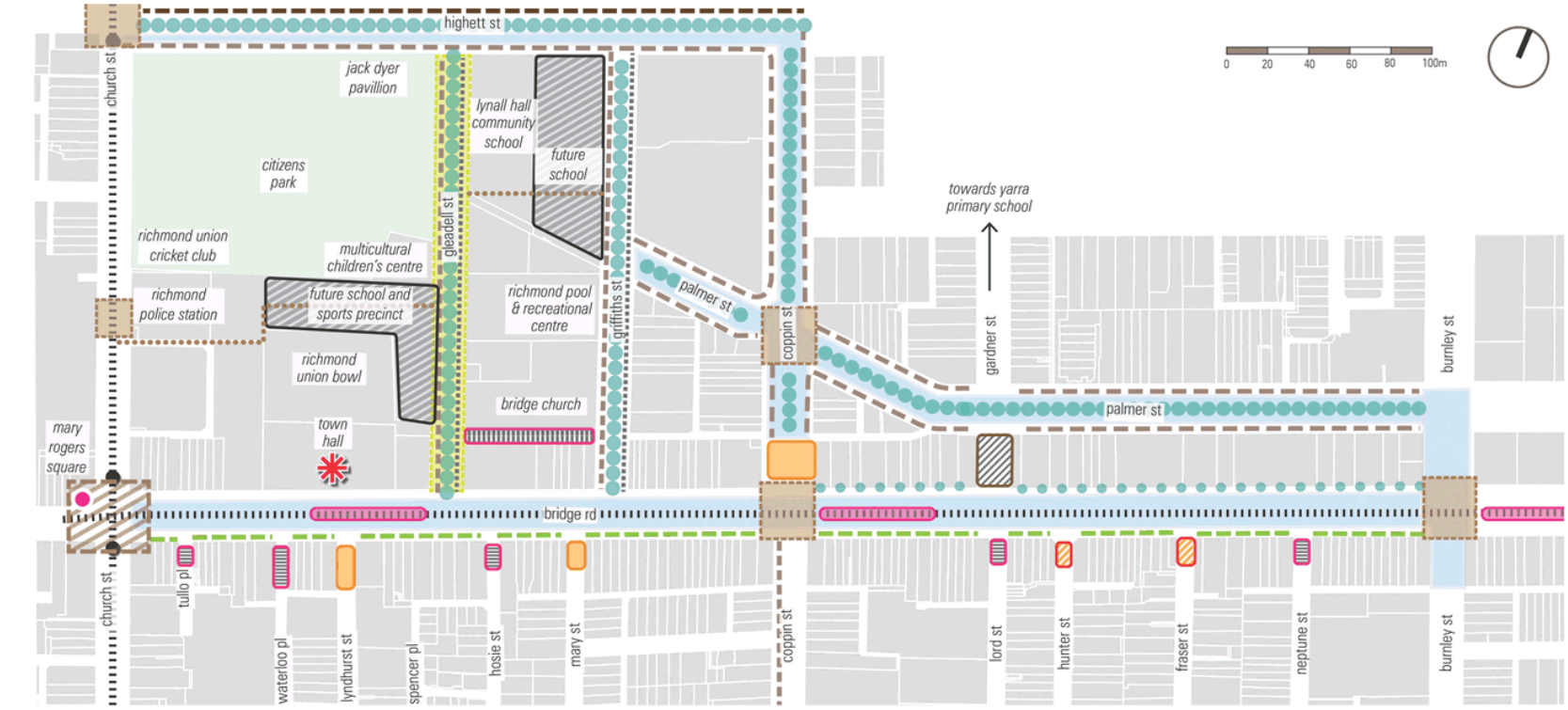
DIRECTIONS:

- improve landscaping on the south side of bridge road

Attachment 1 - Consultation Flyer Bridge Road Masterplan July 2017

Precinct 2: Civic and Institutional Precinct

Draft Bridge Road Streetscape Masterplan



OBJECTIVE: PRECINCT CHARACTER

DIRECTIONS:

- emphasise distinctive precinct character, with definition through branding and material palette, and provide signage/ wayfinding for key streets in the precinct
- improved landscaping and possibility for public/ community art installation
- placemaking to establish a civic hub along gleadell street to support community and institutional uses in the town hall and gleadell street precinct

OBJECTIVE: ACCESS AND CONNECTIONS*

DIRECTIONS:

- improve existing pause point with high quality material treatment, landscaping, furniture or lighting
- creation of a new pause point through use of high quality material treatment, landscaping, furniture or lighting
- improve pedestrian amenity and safety, and explore the opportunity for public art
- raised pedestrian crossing at side street intersections to reinforce pedestrian priority

*Subject to traffic and transport analysis

OBJECTIVE: SUSTAINABLE TRANSPORT PRIORITY

DIRECTIONS:

- traffic calming measures to service existing and future community facilities
- upgrade of mary rogers square and creation of a safer pedestrian space at bridge road and church street intersection, with signage to key destinations
- creation of pedestrian and bicycle priority spaces
- preferred location of central median tram stop adjacent to key destination with safe and efficient pedestrian access
- improve east - west pedestrian access
- improve bicycle priority and facilities

OBJECTIVE: STREET GREENING

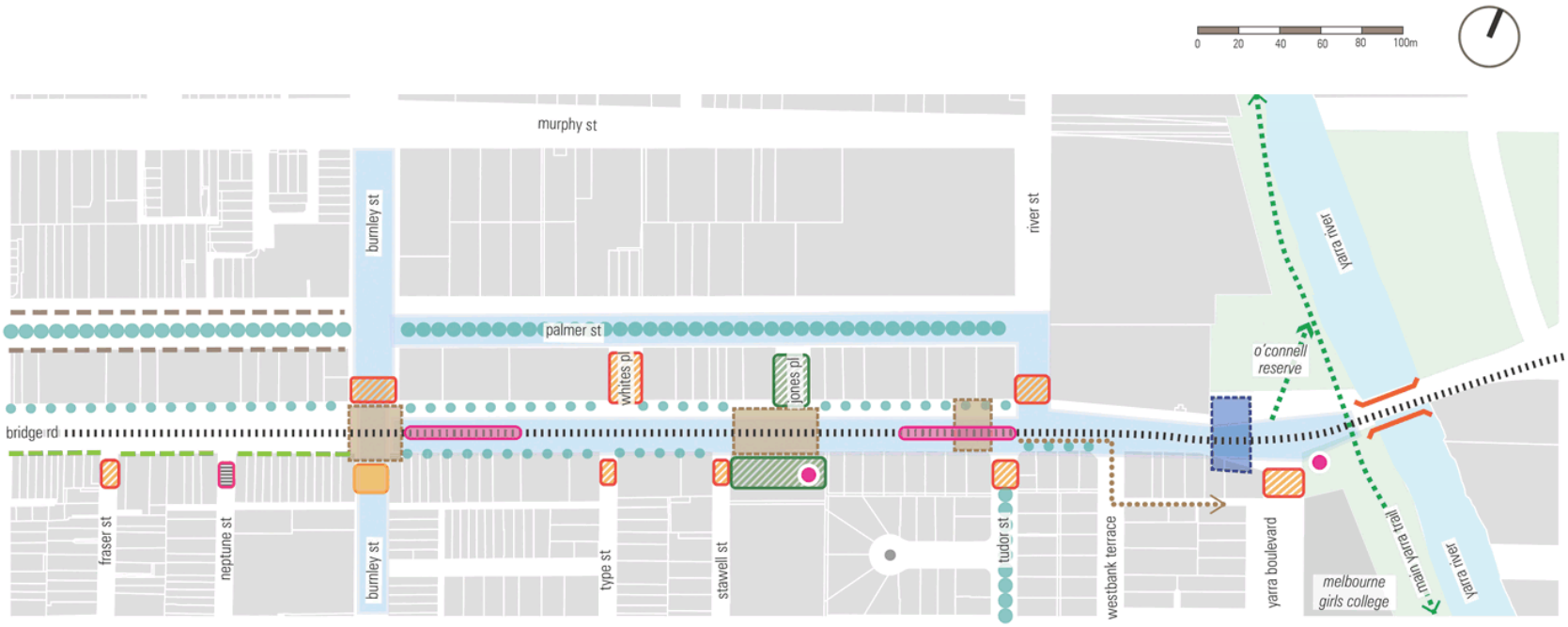
DIRECTIONS:

- additional street tree planting through re-organising on street car park layout along palmer, coppin, griffiths, gleadell and highett streets
- opportunity to explore additional street tree planting
- improve landscaping on the south side of bridge road

Attachment 1 - Consultation Flyer Bridge Road Masterplan July 2017

Precinct 3: Bridge Road East

Draft Bridge Road Streetscape Masterplan



OBJECTIVE: PRECINCT CHARACTER

DIRECTIONS:

- emphasise distinctive precinct character, with definition through branding and material palette, and provide signage/ wayfinding for key streets in the precinct
- opportunity for public / community art installation

OBJECTIVE: PUBLIC SPACE*

DIRECTIONS:

- explore the creation of public space on jones place, and fronting bridge road as part of the development of the office works site

*Subject to further investigation and negotiation

OBJECTIVE: ACCESS AND CONNECTIONS*

DIRECTIONS:

- improve existing pause point with high quality material treatment, landscaping, furniture or lighting
- creation of a new pause point through use of high quality material treatment, landscaping, furniture or lighting
- improve pedestrian amenity and safety, and explore the opportunity for public art
- improve safety of turning vehicles

OBJECTIVE: SUSTAINABLE TRANSPORT PRIORITY

DIRECTIONS:

- creation of pedestrian and bicycle priority spaces
- relocation of tram stop adjacent to key destination with safe and efficient pedestrian access
- improved bicycle priority and facilities
- clarify the pedestrian and cycle through existing public space to the river and main yarra trail
- improve pedestrian access between preferred new tram stop and girls college

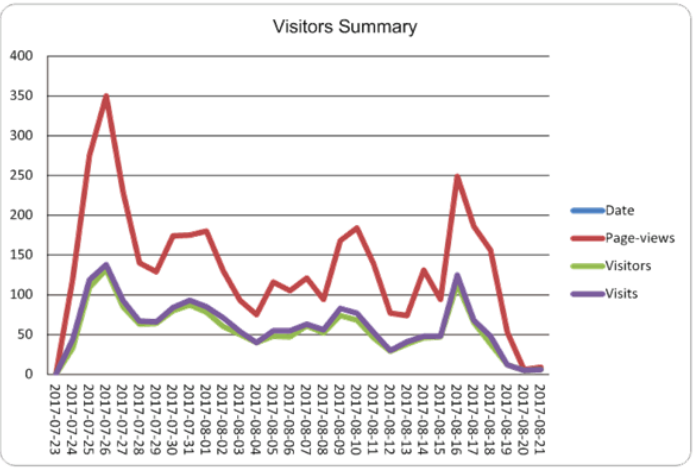
OBJECTIVE: STREET GREENING

DIRECTIONS:

- additional street tree planting through re-organising on street car park layout
- explore opportunity to establish additional street tree planting
- improve landscaping on the south side of bridge road

Attachment 2 - Online Consultation Site Visitation Summary

Online Consultation Site Visitation Summary				
Project Report:	**A Better Bridge Road**	**23-Jul-2017**	**to**	**21-Aug-2017**



Project Highlights	Admin Notes
Total Visits	1.83 k
New Registrations	54
Video views	0
Photo Views	703
Document Downloads	355

ENGAGED PARTICIPANTS	42		
Engaged Actions Performed	**Registered**	**Unverified**	**Anonymous**
Contributed on Forums	0	0	0
Participated in Surveys	42	0	0
Contributed to Newsfeeds	0	0	0
Participated in Quick Polls	0	0	0
Posted on Guestbooks	0	0	0
Contributed to Stories	0	0	0
Asked Questions	0	0	0
Placed Pins on Maps	0	0	0
Contributed to Brainstormers	0	0	0

INFORMED PARTICIPANTS	623
Informed Actions Performed	**Participants**
Viewed a video	0
Viewed a photo	346
Downloaded a document	284
Visited the Key Dates page	10
Visited an FAQ list Page	27
Visited Instagram Page	0
Visited Multiple Project Pages	540
Contributed to a tool (engaged)	42

AWARE PARTICIPANTS	1,535
Aware Actions Performed	**Participants**
Visited at least one	1,535

ENGAGEMENT TOOLS SUMMARY									
Forum Topics	**0**	**Guestbooks**	**0**	**Maps**	**0**	**News Feeds**	**0**	**Brainstormers**	**0**
Qandas	**0**	**Quick Polls**	**0**	**Stories**	**0**	**Survey Tools**	**1**		

Tool Type	Engagement Tool Name	Tool Status	Visitors	Contributors		
				Registered	Unverified	Anonymous
SurveyTools	A Better Bridge Road - Submission Form	published	126	42	0	0

Attachment 2 - Online Consultation Site Visitation Summary

INFORMATION WIDGET SUMMARY									
DOCUMENTS	3	PHOTOS	3	VIDEOS	1	FAQS	1	KEYDATES	1

Widget Type	Engagement Tool Name	Visitors	Downloads/ Views
Document	Bridge Road Streetscape Masterplan - July 2017 - Full Draft	256	278
Document	Flyer - Draft Bridge Road Streetscape Masterplan	40	64
Document	Council Report and Resolution - 4 July 2017	7	13
Photo	Precinct 1: Richmond Hill (Punt Road to Church Street)	265	274
Photo	Precinct 2: Civic and Institutional Precinct (Church Street to Burnley Street)	232	238
Photo	Precinct 3: Bridge Road East (Burnley Street to Yarra River)	184	191
Video	A vision for a better Bridge Road	0	0
FAQ	faqs	27	27
Key Dates	Key Date	10	13

Attachment 3 - Online Submissions- Draft Bridge Road Streetscape Masterplan

Attachment 3

ONLINE SUBMISSIONS: DRAFT BRIDGE ROAD STREETSCAPE MASTERPLAN

Feedback on Precinct 1 - Richmond Hill (Punt Road to Church Street)

Submitter	Aspects supported the most and why	Suggestions for improving the streetscape masterplan	Connection to Bridge Road	Travel to Bridge Road
1	Recognition and support for it as a premier medical and medical services precinct. What a wonderful asset for the community. Threshold treatments	This is arguably the best part of the whole street in terms of a destination. It has the advantage of being more on a human scale whereas the rest of Bridge Road is just a horrible traffic sewer. Still the place making and amenity improvements are very superficial and apart from having to go to the medical services it is not going to be a destination where people would linger. Greater improvement to active travel with wider footpaths and a better bicycle lanes and a 30 kph speed limit. Reduce motorised traffic to a single lane shared with the trams and put in smarter signals such as the trams move through the precinct unimpeded with a much improved average speed. This section could have more of a mall type feel where cars are welcome but obviously people and public transport take priority. I am very underwhelmed by the lack of vision in the masterplan.	Visitor	Cycle
2	Safer pedestrian and cyclist spaces at intersections, as it is difficult to ride or walk along here if you don't feel safe.	Yes, reduce on-street parking strategically on Bridge, Lennox and Church Streets to allow space for bike lanes and bike boxes, particularly at intersections. Add semi-protected intersection to bike lanes at Lennox St and if space permits also at Church Street (that is, a raised kerb between the cycle lane and the car lane). Move the public toilet at Lennox Street.	Visitor	Cycle
4	Beautification of the streetscape. The shopping strip has changed and is very quiet. It used to be a destination but it almost seems like a ghost town now. The business I visited is surviving from internet sales. Not sure the accessible tram stops have helped the area.	I thought it was a sound and comprehensive master plan and I agreed with all the suggestions.	Visitor	Drive

Attachment 3 - Online Submissions- Draft Bridge Road Streetscape Masterplan

Attachment 3

Submitter	Aspects supported the most and why	Suggestions for improving the streetscape masterplan	Connection to Bridge Road	Travel to Bridge Road
6	I like the idea of creating a park in Thomas St precinct as there are many apartments and many more being proposed to be built.	However as I agree to the creation of the park, I would like to only half the car park being used for this park. With the many apartments in this precinct, many people come to visit those who live here and parking is very limited. Also if all of this car park is changed to a park, people who come to Bridge Road to shop will have less places to park. With the amount of shops closing down along Bridge Road, we should be encouraging people to come instead of putting up road blocks. Not everyone travels on public transport and bikes. This is something that the council seems to not understand.	Local resident	Public transport
8	Improved landscaping on the South Side because it will make more pleasurable for pedestrians.	There should be no high rise buildings on the South Side of Bridge Road because they would destroy the Heritage appeal and obscure the Pelaco sign.	Property owner	Drive
10	Landscaping and pedestrian access and better bike access		Visitor	Walk
12	Improvements to streetscape and pedestrian access Looks great	Whilst I believe there should be better pedestrian access in the area, I am concerned about what looks like the removal of on street parking on Erin Street for a bicycle priority parking area. (There was not much detail about what that actually means). The high volume of hospital and medical clinic patients attempting to park in the street in business and hospital visiting hours, put parking spots in this area at a premium. Increased bicycle parks are not the answer as the majority of these patients do not travel by bicycle to be admitted to hospital or to see their specialist.	Local resident	Walk
13		I am concerned that widening the footpaths will create even worse traffic bottlenecks. Bridge Road is a road, after all, and that is its prime purpose. Making it narrower may well cause even more traffic and congestion in suburban streets such as Highett St (where I live) as people seek alternative routes. Please don't make the actual roadway narrower. Making parking free (but limited to 1 or 2 hours) would greatly assist the development of local businesses along Bridge Rd.	Local resident	Walk
16	It's good to see pedestrian walkways getting an upgrade. Because it's on a hill and uneven or bad surfaces need to be fixed.	You plan to get rid of more car parking?!? for that public space! I think that location is fine, but I wouldn't do it at the expense of car parking, you should build another floor above it and make that green/public space; that way you can make the space level, not tilted.I don't know how you plan to improve the current tram stops, but you should look at putting up something like bollards so if a car veers onto the footpath they hit the bollards not the pedestrians.I think this section of Bridge Rd needs to be re-created; and part of that would be to build apartments along it.	Local resident	Public transport

Attachment 3 - Online Submissions- Draft Bridge Road Streetscape Masterplan

Attachment 3

Submitter	Aspects supported the most and why	Suggestions for improving the streetscape masterplan	Connection to Bridge Road	Travel to Bridge Road
20	Support the green space on the Judd St carpark.	More empathises on the improved pedestrian access to Judd St car parking. Bridge Rd does lack street parking, and now with raised tram platforms it would be more of an issue. Access and awareness of the Judd St parking would draw people from outside the area.	Visitor	Walk
21		I would like to make a suggestion in regard to the vacant and neglected land which I think is owned by the railways. I borders Hoddle Street and near to Freeman Street. This land is at the top of the hill. There are untidy plants on the block. The most prominent plant is a large gum tree. Even though it is a native tree it is not really suitable for this position and blocks the view from Richmond towards the city. We have a roof deck with a good view of the city. This tree is unsightly and blocking the lovely vista of the city. Looking at the Bridge Road Plan I can not see any suggestion that this is a good plant. This land could be beautified and enjoyed by residents.	Local resident	Walk
25	Landscaping along Bridge Road	Put in mature trees at appropriate spots to make the streetscape greener.	Local resident	Walk
27	If you want to re vitalise the area street scape does not help. Parking does I sure that a more diligent look at parking could add 10 more parking spots		Local resident	Walk
31	I support the improved pedestrian amenity at existing tram stops. I support the creation of pedestrian and bicycle priority spaces. You should be investing in infrastructure that supports bicycles in the area. Shops aren't doing well because of access, people aren't using bicycles in the area as much because of the road quality, safety and accessibility to secure bicycle parking.	I do not support the expenditure on improve pedestrian amenity and safety, and explore the opportunity for public art. As the road on bridge road and surroundings is not fit and safe for road bicycles, I think "explore the opportunity for public art" and improve pedestrian amenity in these spots is a gross waste of funds. I do not support the improve landscaping on the south side of bridge road. As above, the road is not fit for bicycles and should be addressed first, also this side of the street is used by children on tricycles and families on bikes to commute to school, reducing the walk space way will result in reduced safety for senior citizens and other pedestrians. I do not support improve existing pause point with high quality material treatment, landscaping, furniture or lighting. I agree lighting would be good, but furniture will attract homeless people and drug addicts as is the case on the corner of Bridge and Church street, reducing safety.	Local resident	Cycle

Attachment 3 - Online Submissions- Draft Bridge Road Streetscape Masterplan

Attachment 3

Submitter	Aspects supported the most and why	Suggestions for improving the streetscape masterplan	Connection to Bridge Road	Travel to Bridge Road
34	think it should change	Turn Bridge Road into a Tech CoWorking Hub Precinct with Cafes and Restaurant. Cremorne Street Richmond is a great example of Launch Pad 1,2,3. I have lived in Richmond for 29 years and seen the changes to Bridge Road. I am now based in Richmond and Silicon Valley. With empty shops along Bridge Road and apartments coming up at every corner, turning Bridge Road into a new Tech Hub will be a great project. I am working on brining "Coworking in a Box" from USA to Richmond and Williamstown. Vic Government Funding grants to date https://launchvic.org/funding-grants LaunchVic is specifically looking to invest in organisations that will deliver quality programs including: • Pre-Accelerator Program – New or Current (Extension) • Accelerator Program – New or Current (Extension) • Incubator Program – New or Current (Extension) • Educational Program • Mentoring Program • Events Program	Local resident	Public transport
35		Removal of super tram stops	Business owner	Drive
37		No where nearly enough consideration for cyclists and pedestrians	Local resident	Cycle

Attachment 3 - Online Submissions- Draft Bridge Road Streetscape Masterplan

Attachment 3

Feedback on Precinct 2 - Civic and Institutional Precinct (Church Street to Burnley Street)

Submitter	Aspects supported the most and why	Suggestions for improving the streetscape masterplan	Connection to Bridge Road	Travel to Bridge Road
1	The planting of trees and the amenity improvement. Relocation and improvement of tram stop. Empasising the Town Hall and hopefully creating greater utilisation of this public resource.	The support and protection of students at the new high school is inadequate. This Masterplan will continue to emphasise motorised traffic over active travel and the resulting congestion, conflict points and uninviting environment will continue. This area suffers from the curse of too much space rather than the typical complaint of too little space. Unfortunately nearly all of the space is turned over to motor vehicles be they moving or stored on the road at low cost or no cost. Bridge Road has always emphasised motor vehicles and it finds itself failing as more convenient alternatives, in the form of the large shopping malls, have drawn away the motorised shopper/visitor. Its failure is not due to space constraints but rather the poor use of public space. The Masterplan continues the business as usual car centric model and fails to make Bridge Road an attractive destination. I guess the test for me is would I visit the proposed new Bridge Road and the answer is no. I find it horrible today and it will be horrible under the proposed Masterplan with just a few trees and threshold treatments putting lipstick on the proverbial. Substantial change is happening in Richmond in terms of demographic and population and the vision in the Masterplan should reflect the strengths that a local strip shopping centre brings. For local business to be successful in this precinct there needs to be an attraction that the large shopping malls (and the time and effort it takes to get to them) just cannot compete with. This will only be achieved when Bridge Road reflects needs of the local community rather than the passing motorist and Bridge Road becomes a destination where people want to linger. If 90% of public space continues to be for motor vehicles then there will be no surprise when nothing changes and the road is shunned by Yarra residents, potential visitors and attractive businesses. Wider footpaths, substantial new public space for lingering and the ability for business to expand outwards to make this precinct a fantastic, interesting and most importantly successful street for all involved. All active travel modes need stronger support and clear priority. 40kph or less speed limit and two lanes of traffic maximum with one used for car parking in the off peak. Separated bicycle lane - if you canb't do it here with all this space then we should just give up and stop pretending cycling is a priority form of transport within Yarra.	Visitor	Cycle

Attachment 3 - Online Submissions- Draft Bridge Road Streetscape Masterplan

Attachment 3

Submitter	Aspects supported the most and why	Suggestions for improving the streetscape masterplan	Connection to Bridge Road	Travel to Bridge Road
2	Gleadell Street active transport improvements/car parking reduction/traffic calming and street greening, because this will be essential when the new high school commences operations. Ideally this would become a shared zone for real cyclist/walker priority, allowing the kids to cross the road without getting run over or backed into by a car. See gogleadell.com for more suggestions.	Add semi-protected intersection to bike lanes on Coppin Street and Burnley Street at intersection with Bridge. Extend Palmer Parade along the drainage easement to create a through route for pedestrians and cyclists (no car access), as per gogleadell.com. Do a proper traffic and transport impact assessment for the new high school, comparing current situation with 'do nothing' approach (i.e. all students are driven to and from school twice a day) and an 'improved walk/bike routes to school' approach. This may focus areas needing significant improvement and highlight the congestion consequences of not investing in better infrastructure now (also useful in seeking state government funding).	Visitor	Cycle
3	Improvements to the east west ped access via future schools, the additional trees, improved bike paths, the slight move back of the town hall tram stop (I am assuming backwards towards city?), Improved safety down laneway near bridge church	- An additional rubish bin near Lynall hall - Traffic management at Griffith St and Highett St - Pedestrian movement improvements at Griffith and Palmer- currently a very dangerous corner for people to walk across (in any direction) - Traffic management Griffith St and Bridge (lights) - Traffic management Gleadell St and Bridge (lights so people can turn right down Bridge) - Better lighting at round-abouts Coppin St and Highett as well as Gardner St and Highett. As key bike route, it is very hard to see riders at night. - Upgrades to Richmond Plaza and Business Centre - cycling improvements down Bridge Road	Local resident	Walk
6		Fix the foot paths as some of them are very dangerous. I would not walk on them and I'm an able bodied person.	Local resident	Public transport
10	Landscaping and bike and pedestrian access		Visitor	Walk
13		Making parking free (but limited to 1 or 2 hours) would greatly assist the development of local businesses along Bridge Rd.	Local resident	Walk

Attachment 3 - Online Submissions- Draft Bridge Road Streetscape Masterplan

Attachment 3

Submitter	Aspects supported the most and why	Suggestions for improving the streetscape masterplan	Connection to Bridge Road	Travel to Bridge Road
16	I'd really love to see more trees in Palmer Street.It's good to see Pedestrian Safety so well covered. Because if you're going to improve public transport, you're going to need improve pedestrian access.	If you're planning to make all the tram stops super stops, I would reduce them to from 3 stops to 2. I would move the town hall one a block east (so it's in front of the plush sofas) and I would remove the Coppin street stop and move the Burnley St Stop West. All your super stops should be one center island.I don't know how you plan to improve landscaping on the south side, but there are so many street cafe and quite a narrow footpathI would turn the space between Griffiths St and Coppin St on Palmer into Public Space (a fenced park). This would help bring Dyer Street to Life (don't know why you haven't included it on your map?)	Local resident	Public transport
22	New greenery - this will make the place less of a concrete jungle	I have concerns around additional 'seating' at the end of side streets, particularly Hunter st where I live. You should remove the seating at Church & bridge rd i/s particularly the seat in Church just north of bridge as the only people who are always there are threatening drunks/druggies. Additional seating further along bridge Rd will only attract more of them to congregate. You need to liaise strongly with police and other experts around designing this public space to prevent and deter crime which is citizens #1 concern. Good urban design includes this very important element and you don't seem to have considered it.	Local resident	Walk
23	Public space around the Town Hall would be fabulous. Currently enjoy the communal herb gardens. More please. Also free wifi would be great.		Local resident	Public transport
26	The Gleadell Street area	I would like to highly recommend that the council consider making all or part of Gleadell Street a pedestrian only zone. All of the buildings on the street are able to offer road access to cars from other streets (Griffiths & Highett) and a pedestrian only area on Gleadell Street would elevate and enhance the uniqueness of the weekly Gleadell Street market. As part of the landscaping of the street, I would suggest that preparations are made to specifically support the work of the market (perhaps electricity or outdoor market stalls built into the space) and perhaps eating areas/ picnic benches to enable people to enjoy the space around the market area.	Local resident	Public transport
27	the new tram stops would help. Don't understand what is proposed in lane way near The Bridge Church	Make the police station and town hall into an Art House , Gallery , cinema , etc this would help schools nearby.	Local resident	Walk

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Submitter	Aspects supported the most and why	Suggestions for improving the streetscape masterplan	Connection to Bridge Road	Travel to Bridge Road
28	Increased recreational or green areas. The plan is way too conservative and I feel is just minor window dressing and will do very little to improve the amenity of this precinct. It is the municipal centre and it is just an ugly arterial road. It should be turned into a wonderful green boulevard with one lane of traffic each way. If it has to be two lanes then there should be permanent parking on the south side to provide a pedestrian buffer to traffic and to allow for planting of large trees. (At a minimum)	More trees along the south side. It is time to remove the 7-9.30am m-Fri clearway and create a tree lined boulevard. This could be done by reducing bridge road to one lane each way permanently. If this is not possible then increased car and tram sharing on the road should be considered so that the clearway is not required to provide 2 lanes each way. If this is not possible then creative solutions need to be developed in order to provided a canopy of greenery along the south side. Perhaps cantilevered planter boxes could be installed.	Local resident	Walk
31	I support the creation of a safer pedestrian space at bridge road and church street intersection with signage to key destinations. I questions what is meant by upgrade of mary rogers square as the area attracts trouble.	I do not support the spending on landscaping or tree planting or art. I do not support the addition street tree planting through re-organising on street car park layout along palmer, coppin, Griffiths, gleedall and highett street. The existing trees are already troublesome ripping up the road and footpath, making sight for cars difficult so pedestrians and cyclists are less safe. I do not support the spending on improve existing pause point with high quality material treatment landscaping, furniture or lighting. This is wasted in the area.	Local resident	Cycle
34		Turn Bridge Road into a Tech CoWorking Hub Precinct with Cafes and Restaurant. Cremorne Street Richmond is a great example of Launch Pad 1,2,3. I have lived in Richmond for 29 years and seen the changes to Bridge Road. I am now based in Richmond and Silicon Valley. With empty shops along Bridge Road and apartments coming up at every corner, turning Bridge Road into a new Tech Hub will be a great project. I am working on brining "Coworking in a Box" from USA to Richmond and Williamstown.Vic Government Funding grants to date https://launchvic.org/funding-grantsLaunchVic is specifically looking to invest in organisations that will deliver quality programs including:• Pre-Accelerator Program – New or Current (Extension)• Accelerator Program – New or Current (Extension)• Incubator Program – New or Current (Extension)• Educational Program• Mentoring Program• Events Program	Local resident	Public transport

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Submitter	Aspects supported the most and why	Suggestions for improving the streetscape masterplan	Connection to Bridge Road	Travel to Bridge Road
37	More consideration for cyclists and pedestrians and less for cars	More consideration for cyclists and pedestrians and less for cars	Local resident	Cycle
38		I would like to see an upgrade to the Coppin St intersection to restrict traffic during school term and term hours i.e. 2.30-4pm to allow cyclists to use the southbound lane of Coppin between Bridge Rd and Swan St to encourage families and children to ride to and from the new Richmond High. This would require the installation of no right/left turn signs into Coppin St during the restricted times (an exception could be made for property occupiers along this stretch) on Bridge Rd and a flashing "no entry" sign (similar to the current 40/60 signs on Bridge Rd) during these hours. A similar treatment could be applied to the Coppin Swan St intersection during morning school hours. This would allow families and unaccompanied children to safely cycle in the centre of the respective carriageways avoiding "car-dooring zones" each way morning and evening linking those who live south of Bridge to the Highett St bike lane in relative safety. Without a safe north-south cycle route for school children I don't believe the high school will achieve its goal of having mostly "active travel" for its students.	Local resident	Cycle
39	See LEGS submission	See LEGS submission	Property owner	Walk

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Feedback on Precinct 3 - Bridge Road East (Burnley Street to Yarra River)

Submitter	Aspects supported the most and why	Suggestions for improving the streetscape masterplan	Connection to Bridge Road	Travel to Bridge Road
1	Trees, threshold treatments, new seating and public art. Better links to Yarra River and shared paths.	If precinct 2 is successful then the hope would be that this ugly section would reinvent itself with more homes and vibrant businesses being built. At this stage I'd just like to see separated bicycle lane and 40kph maximum speed limit. Until the built environment through this section offers something of interest I don't think much will change here. Improvements linking to the Yarra are important and all the threshold treatments will b beneficial in supporting this precinct blossoming in the future. It is critical precinct 1 & 2 are successful or this will remain just an ugly, wide traffic sewer that no one wants to visit.	Visitor	Cycle
2	Bicycle and pedestrian priority spaces, as this are supposed to be a preferred cycling route and it is currently quite a hostile environment when you are on two wheels.	Strategic reduction in on-street car parking at intersections and high car dooring risk areas.	Visitor	Cycle
3	- Additional trees	- Clean up rubbish along Murphy St - Provide Bike priority access along the length of Palmer- creating a bike island crossing in Burnley Street, otherwise bikes have to go onto Bridge Rd	Local resident	Walk
5	There is no need for additional trees along the foot path of bridge road. Two reasons for that:1. No external space for trees, trees will grow in the following years. the foot path has already taken by shops with the signs and seats. Trees will not pay council fee to the council but shops will. 2. Trees will block the sight that people cannot see the signs of the shops and eventually bring down the business exposure and cause the down warding of the property price.	The street can be shaded for better environment for the public transport users and pedestrians. that's better than what so called "better streetscape".	Business owner	Walk

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Submitter	Aspects supported the most and why	Suggestions for improving the streetscape masterplan	Connection to Bridge Road	Travel to Bridge Road
7	Moving the tram stop from outside the Bridge Hotel.	Yes. Could you please consider putting a 'Keep Clear' zone on Bridge Road at the junction of West Bank Terrace. If you want to turn right onto Bridge Road it is a nightmare, in particular when you have parked cars directly outside the Bridge Hotel and you have no line of vision to oncoming cars. It is not safe at all.	Local resident	Walk
9	N/A	We suggest moving the proposed tram stop on the corner of River St and Bridge Rd to where the current tram stop is past River St in order to not interfere with our business operations.	Business owner	Drive
10	Improved landscaping and pedestrian and bike access		Visitor	Walk
11	I think that introducing more signage to the Yarra trail is a great idea. Also the creation on pedestrian and bicycle priority space is a positive improvement. Most locals will not drive on the weekend in our own suburb due to traffic so every little bit heals along with safety.	I would suggest some sort of lighting display welcoming people to Bridge Rd when they cross the Yarra Bridge into Richmond. The bridge is the perfect place to welcome people to the area with it's ease to do something along with it's beauty, it could be spectacular.	Local resident	Cycle
15	The improvement of more public spaces	More gardens on nature strips, more trees	Local resident	Public transport

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Submitter	Aspects supported the most and why	Suggestions for improving the streetscape masterplan	Connection to Bridge Road	Travel to Bridge Road
16	I do think the intersection at the Yarra Blvd needs to be upgraded. Because cars flood that intersection and don't keep it clear, I've seen cars drive the wrong way down Bridge Rd to get around the traffic flooding the intersection. I think the location for the proposed public space is great, because the road we're losing to create it only has 5 car parks. Again I'd really love to see more trees in Palmer Street	I think you need traffic lights at River St and Yarra Blvd and remove the current pedestrian light in between the 2 streets. This will allow for safe turning in and out of these streets. Cars turning right down River St bank up and block trams/traffic; it's got worse since no right turns were placed along Burnley St, limiting access to the whole section of businesses and residents north of Bridge Rd between the river and Burnley St. Cars turning right into Yarra Blvd block cars wanting to turn right out of it. Due to the hill on Yarra Blvd, cars do not get a good view at outbound traffic. The tram stop at Burnley st, I don't think the stops should be relocated. But I do think it should be upgraded (just the outbound stop). There is not enough space between railing and the yellow line to get past without the chance of getting hit by a tram. I think you should look into the possibility of making this stop (just the outbound) a super stop with wheelchair access. If the plan was to make it a double sided super stop, that's a bad idea because it would congest too much traffic turning right at Burnley. I still think you need an outbound tram stop at the Yarra Blvd for Melbourne Girls Students (even if it just operates in the morning), you get trams full of students getting off and you should minimize the distance they have to walk. + your idea to get them to walk down side streets and alleyways!?! You should try to keep kids on main roads/clear site as often as you can - even if you upgrade as a main walkway, bad idea. The new public space, for pedestrian access: I wouldn't have pedestrians cross the road, I would build a bridge over the road - for long term this would be the best option	Local resident	Public transport
17	I support the additional tree plantings on Bridge road in this area, and any other upgrade to provide more shade and to soften the look of the area.	More trees, please, especially native, non-deciduous trees, and garden beds, so that the area remains green throughout the winter.	Local resident	Walk
18	How does this fit into the proposal?https://www.yarracity.vic.gov.au/services/planning-and-development/planning-applications/advertised-planning-applications/2017/08/03/pln170370	This planning application needs to be rejected and reduced to no more than a 6-storey building with no parking access on Neptune St.	Local resident	Walk

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Submitter	Aspects supported the most and why	Suggestions for improving the streetscape masterplan	Connection to Bridge Road	Travel to Bridge Road
19	Improving the beauty of the Bridge Road neighbourhood creates a more pleasant place to live. The proposal allows for safer access and use of trams stops for the girls school and the proposed new boys school. Bicycle safety is paramount given the increase in students expected at the boys school, the traffic to the girls school, the Primary schools and the commuters. Raised pavements are better for the older residents. Assisting traffic flow is difficult. Residents must live with traffic that pass by our streets as they move around Melbourne.	I submitted a written form of questions at a meeting. Will there be traffic lights River Street/Bridge Rd corner? Moving the tram stop will, I hope, make lights imperative so the students can cross the road safely. Additionally, at peek time PM the traffic banks back to Murphy street. It is sometimes difficult to exit 73 River Street, the apartment building with 260 residences.There are two driveways, one is adjacent to the Amora Hotel, the other at the Murphy St corner. Could consideration be given to a detector pad in the road to activate the lights when the traffic backs up in River Street. The alternative is to stop traffic filtering into River Street from Burnley St.What effect will works have on Bridge Road west bound traffic entering River St. Currently east bound traffic turning into Westbank terrace holds back trams and traffic.Will the right hand turn continue to operate at the River St /Bridge road corner.?With a new tram stop it's bound to cause traffic blockage.I'm concerned about the driveways on the service station ,at Amora Hotel, and Riviera apartments. At peek PM traffic flow the area is often stationary with vehicles. I have seen vehicles exiting the service station to River st, blocking traffic incoming from Bridge Rd. Vehicles block the entrance to Amora Hotel and Riviera Apartments. Can the road be marked with a Yellow hatch indicating "keep Clear" ?Additionally, traffic in Palmer St making a right hand turn to River St adds to the driveway blockage. Can the right turn to River St be banned at peek traffic times?Will there be restrictions on service station traffic at River St? In heavy traffic it's a mess. Maybe banning exit to Bridge Road & River St in peak times ?What plans to divert / reroute traffic during construction?Will the lighting be improved at the corner? People, mainly pub pedestrians, cross at night and it is hard to see them. What pedestrian plans & crossing the road, for the flocks of students at the girls' school?Will the students using the laneway behind The Bridge Hotel attract drug dealers, and undesirables?What protection will there be for tram users. I have witnessed traffic that fails to stop for trams. Protective fence? Raised area like other parts of Bridge road? Platform like super stops?Thanks for the opportunity to have a say.	Local resident	Walk

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Submitter	Aspects supported the most and why	Suggestions for improving the streetscape masterplan	Connection to Bridge Road	Travel to Bridge Road
23		The pedestrian friendly nature of the plan is great but given the limitations of the capacity for vehicle movement which currently exists, the closure of Whites Place would impact on Palmer Street residents. The closure of Jones Place as proposed would also impact negatively on Palmer Street residents. By providing a safe pedestrian crossing to the front of the Officeworks site, north side Bridge Road occupants could access a public green space safely.	Local resident	Public transport
27		I think a pedestrian bridge linking street and tram stop at Yarra River. With the school more pedestrians crossing road affect traffic flow. Bridge Road is a huge ugly bottle neck and very dangerous.	Local resident	Walk
30	Safe public access to the Yarra River	I have no general objection to increasing green spaces for public and residents, however Jones Place is an inappropriate location for a park as the land surrounding is owned and operated by industry which require vehicle access making this an unsafe place for a park. This change would direct more cars to use the Yarra end of Palmer Street which should be avoided due to the residential and school traffic around the Yarra.	Business owner	Drive
31	I support the improved safety of turning vehicles, provided this includes safer turning for cyclists. I support the creation of tram stop adjacent to key destination with safe and efficient pedestrian access.	I question the positioning of the creation of all pedestrian and bicycle priority spaces within this area. This should be moved up to or closer to the Church Street Bridge Road hub - Mary square. I do not support improve existing pause point with high quality material treatment, landscaping, furniture or lighting, this would not be used, looked at, it's light enough as is, I can say that as a cyclist, runner, driver and pedestrian and be wasteful at this position. I do not support opportunity for public community art installation.	Local resident	Cycle
37	More consideration for cyclists and pedestrians and less for cars. The entire plan prefers pushing more cars through Richmond over prioritising public transport and more parking controls.	More consideration for cyclists and pedestrians and less for cars	Local resident	Cycle

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Submitter	Aspects supported the most and why	Suggestions for improving the streetscape masterplan	Connection to Bridge Road	Travel to Bridge Road
40	Street planting on Palmer Street	More street planting and rubbish bins. Rubbish bins are needed in Palmer Street, near River Street. The McDonalds generates a lot of street rubbish. Also many people park their cars and empty rubbish from their car into the street. It is always filthy here. Better enforcement of littering by-laws and more frequent street cleaning would be a better way of improving the streetscape.A ban on trucks above a certain weight and length on Burnley Street would be useful in reducing pollution and traffic noise. Also a ban on trucks between 11pm and 7am would help local residents get a good nights sleep!More street planting on Burnley Street and better and more regular street cleaning would be preferred.	Local resident	Walk

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Other Feedback on the Masterplan

Submitter	Please provide any other feedback on the Masterplan that you think may be useful.	Connection to Bridge Road	Travel to Bridge Road
1	As you can see I think this Masterplan is a failure in terms of what a Masterplan should be. There is no vision but rather patching of cracks and hoping it is enough to attract people to the street. I feel sad for Bridge Road traders and the local community as they have all this wonderful public space in an inner suburban environment and yet it is nearly all turned over to motorised traffic, its unattractive and thus failing from a commercial perspective and divides the community like a scar. What should be an asset and a magnet for people to visit is wasted on prioritising people being able to drive through rather than stop and enjoy. Where is the vision with the booming population moving into Richmond? Will they all have to drive? How is the large High School, studuents and families being supported and encouraged to use active travel. Or will parents have to drive their children to school as it is too dangerous, due to people driving cars, for them to walk or too slow to use public transport because of congestion. When I read the CoY's policies, priorities and goals I get the picture of a vibrant, diverse, connected and interesting inner city community. When I read the Masterplan for Bridge Road it does not reflect the priorisation of walking, cycling and public transport. It does not deal with congestion or parking issues. It does not reflect the Safe Travel policy.	Visitor	Cycle
2	Needs to be more aspirational in reducing the on-street car parking versus walking/cycling/street life conflict. Long term vision and improvement policy is needed, even if funding not yet available.	Visitor	Cycle
3	- Continue to improve affordable housing (for low income) around transport hubs - Continue to increase density around transport hubs - Continue to green the city with trees - Prioritise bikes and peds - Potentially get rid of the Maccas on Bridge Road to decrease surrounding rubbish - Promote shopping locally - Support the local market with the provision of a space during school construction and post	Local resident	Walk
4	It isn't appealing to visit anymore. Perhaps with the absence of the previous hustle and bustle, it now seems very bare. Trees, more eateries in the Punt Hill section might entice more people there.	Visitor	Drive
5	Keep your hands off our street!	Business owner	Walk
6	I don't agree with adding more trees onto the road around this precinct as it takes away the ability of people coming to visit. With the building of the school, there is now less places for people to park. You only have to see what has happened in Lincoln st with the planting of trees on the roads. Number 1, cars cannot get through and it has become quite dangerous. Also card and trucks have knocked some of the trees over and now there are holes in the road.	Local resident	Public transport

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Submitter	Please provide any other feedback on the Masterplan that you think may be useful.	Connection to Bridge Road	Travel to Bridge Road
7	There has been many new little trees been installed along West bank Terrace with metal hoops trying to protect the trees. I get the impression that the community is not a fan of these as most of the hoops and trees get knocked over. Also some of these new little trees have been planted so close to some existing trees, not sure how their roots will grow. In addition some of these little trees have been planted directly under the power lines.	Local resident	Walk
8	Plant more trees if possible.	Property owner	Drive
9	We do not support the submission. As the service station owner on the corner of River St and Bridge Rd, the proposed tram stop will negatively affect our business. We have an incoming and outgoing driveway to Bridge Rd.	Business owner	Drive
11	I DO NOT support the idea of moving the tram stop from the front of the Bridge Hotel. I like the fact that you do not have to cross the street (unless coming from the industrial side, River St etc) to go to the city in the mornings. The Bridge Hotel and shops provide cover and it is also closer to the school for the MGC girls. I do not support the idea of them walking down a laneway not visible from the road to help traffic flow. I think this is a dangerous idea. I think it works well now so why change it. I would also like to know if the people who designed the masterplan have had the frustration of getting out of Westbank Terrace during peak times to go towards Hawthorn. It is a nightmare only saved by the trams and lights. I believe the footpaths are wide enough to establish more trees without interfering with the road and already limited parking spaces. It is a pity that shop owners seem to have their rents to high that shop keepers can't afford to stay there. I think this is the major problem along Bridge Road. Swan St seems to have got it right but the owners along Bridge Road must be very greedy as the shops cannot seem to stay open, even with the population explosion.	Local resident	Cycle
13	THE MARKET: I am concerned that the Gleadell St Market, which has been operating since 1873 (134 years - old than the Queen Vic Market) hardly rated a mention in the plans except a brief note on Page 31. The Market is a very important part of Richmond's cultural and social heritage and must be preserved. It exemplifies the excellent happy mix of people from all ethnic and economic groups that exists in Richmond. It has already suffered a lot through the loss of parking spaces for market stall holders since the construction of the Richmond High School commenced. PARKING: I am very concerned that the beautification plans for both Gleadell St and Griffiths St may lead to a loss of parking spaces. Parking is already at a premium for residents in Highett St (where I live at number 271) since the recent closure of the Gleadell St car park. The additional demand for parking created by the high school will only make things worse. The council MUST NOT reduce the number of car parking spaces. To do so will also cause a loss of revenue to Bridge Rd businesses.	Local resident	Walk
14	My main point is that I'd like all the heritage buildings & street scape to be protected, including buildings up to 1950s. They add so much character and appeal to the City, and they are beautiful. Thank you.	Visitor	Drive
15	All changes need to be balanced. Any reduction in parking spaces, particularly around Whites Place and Palmer St would be a disaster for residents. Not all of us have off street parking	Local resident	Public transport

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Submitter	Please provide any other feedback on the Masterplan that you think may be useful.	Connection to Bridge Road	Travel to Bridge Road
16	I do think all these changes need to be made, but how, is a different question. I have had an idea to turn Bridge Rd into a double story road between Burnley St and Church St. You say you're going make better bike access, does that mean you'll install more bike locks? And I know that some extra bike access is better than none, but it's all bits here and there and no through all the way. If you have a plan on how to bring customers back to Bridge Rd, then doing all this work is good. But if we do it up and it remains a graveyard, complete waste.	Local resident	Public transport
17	I wonder if the relocation of tram stop 22 is a good idea. At present the stop is near the pedestrian crossing, which is used by schoolgirls, visitors to the Amora Hotel and River Street residents. Moving the tram stop away from the traffic lights and pedestrian crossing will be less safe for crossing than it is now. There is a fair amount of traffic turning from Bridge Road, westbound, into River Street. The markings on the road for this turn is very confusing and unsafe. I believe that more trees between the river and Burnley Street is enough to mark the entrance into Bridge Road. Other constructions, such as the one on the west side of Victoria Street, can become dated very quickly if not well considered.	Local resident	Walk
19	Love all the suggestions, for better use of spaces. Plans to soften the urban buildings sprawl with plants are much appreciated.	Local resident	Walk
20	More focus on Bridge Rd itself. There appears to be a move to restaurants, weather or not this is the case Bridge Rd needs to be looked at first. Refreshing the footpath with wider bluestone paving, maybe focus on outdoor eating, seating and greenery. Its definitely out of date and lacking the charm of many other inner city retail strips.	Visitor	Walk
22	A/A make sure the design deters not promotes crime and undesirables hanging around, #1 priority over all else!!!	Local resident	Walk
23	We need more crossing opportunities for pedestrians the full length of Bridge Road. Not necessarily part of the plan but the tram stop 21 Burnley Street (from the city) is terrifying. Alight the tram then proceed west to the intersection of Bridge and Burnley and hope and pray you are not wiped out by vehicles turning from Burnley Street heading East. It is horrible.	Local resident	Public transport
24	Why is my street, Westbank Terrace, the only one without any treatment? In fact, you are planning to add a bike route which will only add to the traffic we get off Bridge Rd, probably the next highest after Burnley St in Precinct 3. Should you not be looking to introduce some sort of treatment to discourage non-locals (such as Hawthorn residents,etc) from using this road and thus improving Bridge Rd and its surrounding streets? Maybe narrowing the entry point from Bridge Rd by widening the footpaths (and including art/park there) may hinder traffic entering in there.	Local resident	Walk
25	There should be more bike racks to facilitate bike parking.	Local resident	Walk
27	I Think DFO , Chapel street , Chadstone , on line stores will continue to damage trade and visitors . How many hamburgers, massage shops will it take to improve and re vitalise. I think a very bold step needs to be taken and create a large draw card. I suggest turning the whole of the Town hall into an Art Gallery , or Photo gallery Move all of the council business. Make the old police station into a museum for Richmond residents	Local resident	Walk
28	Unless we increase natural vegetation and tree canopy along bridge road particularly the south side it will remain the ugly arterial road that it is. It is not fair that we have to live with this ugly roadway just so it can have a 2.5 hour clearway 5 days per week. I don't support creating bigger tram stops just reduce the traffic flow and the arterial status of the road.	Local resident	Walk

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Submitter	Please provide any other feedback on the Masterplan that you think may be useful.	Connection to Bridge Road	Travel to Bridge Road
29	The new tram spots are going to directly affect the existing business strip. Parking for customers will be removed and access to the shops will be limited. Richmond is going to see even more empty shops as has happened at the top end of Bridge Rd My business and others around me will suffer and Richmond will potentially see staff reductions and less spending in the area	Business owner	Drive
30	I own RM autohaus express continental Tyres Richmond which fronts onto jones place. We have just signed a 17 year lease on this property and require access from Jones place and Bridge rd to run our business safely. It would be unsafe and inappropriate to block access to Jones Place. Also note that Victoria Police regularly use our premises and Jones Place to conduct drug and alcohol testing - which we support.	Business owner	Drive
31	The council should be focusing at this stage on the safety of people in the area, fixing the road smoothness for cyclists, for tram users getting on and off the tram and for pedestrians. Drivers are distracted enough coming down bridge road, adding more art / trees would only add to this issue, regardless of new tram / pedestrian crossings. We currently have an issue with bench space being attractive and utilised by homeless people and addicts. Currently injured I have walked (with crutches) up bridge road and found ample seating at points along the way as I need to stop for a rest. A comment from an elderly man only last week that it's nice that there is so much seating for a rest on bridge road. I am concerned about shop keepers. It is safer to shop elsewhere for those who commute by bicycle. More all day parking spaces are needed to attract people to the area. Paying for 2 hour parking is deterring people form the area.	Local resident	Cycle
33	I own the property at 635 Bridge Road, Richmond, which is currently tenanted and providing retail sales and services. By locating a tram stop alongside this property and the next two business properties, I understand that customers will not be able to park at these premises thereby definitely causing the tenants to lose customers and sales. Also after talking to a Real Estate Agent, he confirmed that the properties would lose considerable value, especially if as is most likely Tenants leave the properties. Why not locate the tram stop just a little further up Bridge Road, where there are no retail premises?	Business owner	Drive
35	Increase the number of cafes and on street dining	Business owner	Drive
36	Epworth HealthCare submission has been sent to info@yarracity.vic.gov.au	Business owner	Drive
37	Masterplan goes nowhere near enough to fix Bridge Road. I live nearby, it's car choked and rather unfriendly. Why give more emphasis on cars and not public transport, cyclists and walkers?	Local resident	Cycle
39	See LEGS submission	Property owner	Walk

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Submitter	Please provide any other feedback on the Masterplan that you think may be useful.	Connection to Bridge Road	Travel to Bridge Road
40	Proposals for Jones Place are inappropriate. There is a tyre business on the corner of Jones Place & Bridge Road and cars are going in and out all the time. Whites Place has the only free unrestricted parking near Bridge Road in the area. To remove this will disadvantage businesses in this precinct, short term visitors and visitors to adjoining residential properties.The proposed tram stop will adversely affect traffic in Bridge Road as it will narrow down to one lane. It is already extremely difficult to exit from Type Street and Stawell Street into Bridge Road at most times of the day and night as traffic banks up at the lights. The tram stop and its impact on traffic flow will make it more difficult to exit from these streets safely. It will also adversely affect parking in Bridge Road for the businesses between Type Street and Burnley Street. This means more traffic will be pushed into side streets for parking, adversely affect local residents who already have difficulty parking.The proposed cycleway through the public open space next to Amora Hotel will ruin this area. It is a lovely, open area at present. A lovely place to relax on the grass, particularly during summer. It is also often used for weddings. The cycle track will ruin it. Why can't cyclists dismount and wheel their bikes down? They already nearly knock you down in this area riding on the footpath (illegally) and on the bridge footpath over the Yarra. I find it quite dangerous walking in this area without giving more encouragement to cyclists to ride through at great speed. Keep the public open space as it is for use by pedestrians and local residents who walk their dogs in the area. Cyclists already have the cycle paths next to the Yarra which most don't use - they use the road and footpaths creating hazards for pedestrians and cars.No pause point in Type Street. This is the main exit into Bridge Road for most residents of surrounding streets. A pause point will make it even harder to exit the street than it already is at present given that Bridge Road traffic is usually blocking the exit point.Trying to create public space in the Officeworks car park is a waste of time. The car park is utilised 7 days from morning until night. This is not the place for public open space with cars going in and out all the time.Forget cycle spaces on Burnley Street intersections. Too dangerous with all the trucks and the amount of traffic.Encourage cyclists to use the bicycle paths rather than roads to improve traffic flow, reduce danger to pedestrians and for cyclists' safety.Create a separate cycleway on the bridge over the river so cyclists and pedestrians are separated.Don't move the tram stop at end of Bridge Road near the river. It is in the best place currently. Otherwise you get all the schoolgirls hanging around outside residential properties and disturbing the peace of local residents and leaving rubbish around. It also means they will need to cross two busy streets to get to the tram stop which will create safety issues.	Local resident	Walk

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Bridge Road Streetscape Masterplan: Written Submissions and Officer Responses Attachment 4

No	TRIM	Submitter	Summary of Submission	Responses
01	D17/101807	Community member	Suggests inclusion of architect/draftsperson sketches of streetscapes for comment, particularly for *existing pause point with high quality material treatment, landscaping, furniture or lighting"* example : What would Waltham St look like? What would urban art space (Being on the most prominent Richmond locations, at the entrance to Bridge Rd from the city) look like?	The Streetscape Masterplan provides a strategic vision. Pages 18-26 include a number of aspirational plans, sketches and photos as examples. More realistic sketches and plans for consultation for each of the projects such as Waltham Street, urban art space etc. would be prepared during the design stage.
02	D17/101811	Community member	Considers Bridge Road- Church Street to Punt Road as a dead area with empty shops and small businesses going broke. Key issues raised include: • New special tram stops have destroyed strip shopping in Bridge Road, all the clothing shops closing and relocating to DFO's. • Does not feel the need for improved tram stops as most people are just passing through to shop elsewhere. • Lack of parking is a larger problem. • Public art is seen as just another word for graffiti. • How tree planting and improved landscaping will change anything?	The requirement to upgrade the tram stop is an obligation on PTV to comply with the DDA legislation. The new style tram stops allow ease of access to diverse community members (on wheel chair, children in prams etc.) to make use of the tram stops. Streetscape improvements would explore various forms of public art. Council had carried out an occupancy survey of Judd Street Car park that suggested a maximum occupancy rate of about 25%. New developments such as Coles Plaza would provide more car parking. Surveys of residents, visitors and businesses carried out by the Council in 2016 indicated more landscaping along Bridge Road as the main aspiration of the community. Improved landscaping would bring more greenery and a pleasant

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				environment.
03	D17/128298	Business owner	The submission focusses on Richmond Hill Precinct. Following key observations are made: • The plan looks great but proposed works should be completed in the short term. • There is a need for developing an "experience" as a High Street; with both a commercial and a cultural space. • The lifestyle shops and food/drink related businesses will increasingly fill the street and therefore there is a need for promoting privatisation of public space. Key recommendations include: • Amending Footpath Trading Policy. The policy should encourage traders to utilize and activate public spaces. • Streamlining of permit processes and slashing crippling wait times and waving ALL fees. • Introduction of better Bike lanes along Bridge Road. • Free 1p parking on Bridge Road – Richmond Hill. • Consolidation and stronger management of all public utilities on Bridge Road as to minimize disruption. For example unifying many pits in one area into one bigger one. This is an opportune moment to activate this particularly when you are upgrading the pause points. • Stronger management of empty shops and the standards to which they are kept whilst empty. E.g. graffitied, letters pooling	Implementing all the proposals of Precinct 1 in the shorter term is impractical as it would be very resource intensive. Part of the implementation actions would depend on the external stakeholders and therefore their time lines will have to be met with. Definition of the Pause Points has been improved in the Masterplan to include possibilities of outdoor dining balanced with the need to use the space for public amenity and seating etc. If the application is complete the processing time for footpath trading permit is 10 days only. The time normally extends when incomplete information is provided. Other suggestions about amending the footpath trading policy have been provided to Compliance unit for further exploration. Council has recently installed sensors along Bridge Road to analyse parking trends and demands. This will help rationalising the parking meters and restrictions as well. Unifying various service pits into one may not be possible as it would be dependent on a number of service authorities and their requirements. Also it would be very costly so the authorities may not be willing to do so. Cleaning, upkeep and any art work on the windows of empty shops require permission from the property owners. Council's

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			on the door, dirty windows etc. The use of public art to cover the windows. • The use and encouragement of public art, both temporary and permanent to deter the rising levels of graffiti on Bridge Road Hill and to expand an art form by which Melbourne attracts tourists.	Economic Development unit in past has explored, cleaning and dressing up of the shop windows but with limited success, as it is hard to find the owners and their consent. The master plan promotes inclusion of various forms of public art.
04	D17/114593	Resident	Bridge Road is in need of major renewal of its streetscape. Key observations include: • The majority of people gather at cafes and hospitality venues – this is the defining character of Bridge Road from Church to Burnley Streets. • 'Public gathering places' e.g. Mary Rogers square or in front of the town hall do not work. Such places quickly become tired looking, unwelcoming to passing residents and unpleasant. People, including young parents with children, do not gather in such places. The extra resources required to develop 'public gathering places' can be better spent on additional tree planting, beautification of footpaths and the façade of shops. • Creation of "pause" points at the intersection of Bridge Road with its side streets is supported. Currently Fraser Street provides a very sad experience. It is grotty; the footpath is often filled with bins and rubbish. Key recommendations • Council to develop uniting theme(s) for the shop/café facades and an improved footpath experience that enhances and provides a unique experience of being in Bridge Road.	The Streetscape Masterplan encourages outdoor dining along Bridge Road and associated greening. A proactive maintenance regime for upkeep of public spaces is under discussions with maintenance unit. Developing unifying themes and improving shop facades and footpaths would depend on the interests from the businesses as it would relate to their business or property. Council would like the Business Association to explore the idea with interested businesses as part of the implementation of the Masterplan. Street greening has been identified as a priority action in the implementation plan whereas feasibility of new gathering places such as Judd Street car park and Jones Place would be established in medium to long term. The submission supports creation of pause points.

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			• More trees along Bridge Road and its side streets	
05	D17/114627 D17/106867	Resident/ owner of an apartment	Supports creation of a public space on Judd Street car park, and laneway between Allowah Terrace car park and Peluso Place; especially in light of all the new and vertical developments turning the area into a concrete jungle, and a vertical maze. In this regard the submitter observes that there is very little green space around this area. It would be nice to have some green space to get outside and enjoy our local area, as well as visually to improve our view. The children in the area would benefit from being able to go and play, be outdoors, play in the grass & explore, and swing & climb on play equipment. It will provide a space to walk & play with pets, and sit and read & spend time with people in our community. Creation of public spaces would definitely improve the liveability & encourage a sense of community with the ever growing population that now reside, and will increasingly move to live in Precinct 1.	This is a positive submission in support of creation of public spaces especially at Judd Street car-park. The masterplan identifies it as a potential future project requiring a feasibility report. Public space shown in the draft master plan between Allowah Terrace car park and Peluso Place was an anomaly (as it was proposed on a private land). This has been removed from the Masterplan.
06	D17/114623	Business owner	Key Issues: • There will be loss of car parking on Palmer Street due to the proposal for additional trees. • Restricted number of parking spaces turns people away from the Bridge Road precinct. How would the proposed frame work make car parking more accessible to encourage more people to the area? • How many car parking bays are expected to be lost in Palmer Street with what's being proposed?	Additional greening on Palmer Street would lead to some loss of public car parking. The numbers would depend upon the design. Palmer Street has some large properties that may provide an opportunity for additional car parking to serve the businesses on the properties; when those properties are redeveloped.

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			• Any loss of car parking spaces would affect the submitter and they would seriously consider re-locating to an area where car park access is much better. • Harvey Norman has one of the top 3 advertising spends in the country and is a major draw card bringing people to Bridge Rd.	
07	D17/114638		• Appreciates the proposed improvements for Bridge Road and looks forward to seeing this roll-out over the next few years. • Suggests that the Richmond Plaza needs an upgrade as the area is gentrifying.	This is a positive feedback. Richmond Plaza currently has a planning permit for a large-scale redevelopment of the site.
08	D17/114646	Resident of one of the side streets	Suggests • Preserving the key view lines to the Pelaco Sign from key gateway of city of Yarra at the north-west intersection of Wellington PDE and Punt Road. • Recognising Heritage Streetscape.	The Streetscape Masterplan is focussed towards public domain improvements only. The matter of protecting key view lines to Paleaco Sign and heritage streetscapes along Bridge Road are being addressed by separate projects on Landmarks Study and builtfrom projects which would ultimately lead to policy changes.
09	D17/114683		Key observations in the submissions include that the masterplan requires: • A genuine vision with clear change from status quo such as wider footpaths, bicycle lanes. • Explanation about how these changes would bring wealth and profit to traders. • Explanation that businesses can't survive on traffic brought by cars and that more people will bring more money to the street if they can safely walk, cycle or use transit.	Masterplan preparation has been based on survey data, and consultation with external authorities and key stakeholders. The public exhibition process allows understanding public support for various proposals. Design development of various projects would be carried out based on further data collection and detailed traffic surveys also taking into account cost-benefits. Masterplan preparation had undertaken an analysis to

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			• Explanation that Bridge Road does not need to be a traffic sewer always as it currently is even RACV supports change to Sydney Road. • A clear business case for the proposed investment (who will benefit, who will pay, will there be capture in increased land value) quality data collected through permanent sensors to measure the number of pedestrian, cyclists, transit passengers and car drivers who use the street. The submitter supports • Continued footpath across side streets • Gleadell Street to become a community hub • Palmer Street to Gleadell Street to give students of Richmond High School, a safe way of walking between two campuses Does not support Central median tram stop if they negatively impact on the cyclists safety. Recommends Swanston Street, Melbourne and Sydney Road to be good examples.	understand rough costs for widening of footpaths which indicated that this proposal would be very time and cost intensive. Masterplan recognises that some works are of priority where there is a possibility of taking the leverage from the State Government investment. Council would be working with transport agencies to identify the locations, type and design of tram stop so that the proposals are in line with the States Road User Hierarchy and network context.
10	D17/114719	Resident River Street	Does not support proposed changes to tram stop (Stop 22 Bridge Road in the Precinct 3: Bridge Road East plan). Key observations: Relocating the tram stop will create safety issues as residents of River Street would require to cross the busy River Street/Bridge Road intersection to reach the tram stop moved to Tudor Street. There is no corresponding traffic light/pedestrian crossing on	Proposed locations in the Draft Masterplan are only tentative. The relocation of the tram stop (near Amora Hotel) was suggested to accommodate a central median tram stop. As the road tapers down towards Yarra Boulevard there is not enough space to accommodate central median tram stop at the location of the existing tram stop. Considering the submissions the revised masterplan does not propose any new locations. Tram stop design and implementation is the responsibility of PTV. Any final location and design would be subject to full

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			Bridge Road at the proposed Tudor Street tram stop - which is currently in place at Yarra Boulevard. The proposed move will put pedestrians at risk as many people cross Bridge Road to head into the city at Tudor Street.	traffic and safety investigation including any need for a traffic light. Accordingly, the revised masterplan now shows the locations of existing tram stops.
11	D17/116315	Business owner	Opposes Jones Place to be a park along with the development of Office Works site for the following reasons: • It will detrimentally affect the business which relies on vehicle access from Bridge Road, Palmer Street and Jones Place. • The workshop fronts on to Johns Place with all workshop doors facing Jones Place. This is effectively works as the front of the building. By blocking Jones Place would shut off street frontage, making it impossible to operate. • Having a park in close proximity to the workshop, expected workshop noise and moving vehicles would not fit with a green space. • Victoria Police often use Jones Place after hours as a place to perform random drug and alcohol testing. They direct drivers from Bridge Road into Jones Place. Has the changes been notified to Victoria Police? • Given the surrounding industry on all sides (tile shop, smash repair shop, large Mitre 10 etc.), with very limited residential housing on the north side of Bridge Road at this point, it does not make sense to locate a park here. • There is a park near the Bridge, some 500 metres further down the street which offers a much safer green space and playground away from cars and traffic and noise. • The Office Works development, presuming this is to be housing, would get limited use from the park as it would be on	The Streetscape Masterplan identifies creation of a public space at Jones Place as a long term opportunity in 10+ years. It also recommends that a feasibility study would need to be conducted for any closure of the Jones Place for a public space at a later date. This means that no changes are being proposed in the near future. The feasibility study would look into all aspects relating to traffic movement, access, activities and interface etc. before making any final proposal. There are large properties along Bridge Road between Burnley Street and the river where large scale developments may happen in future. The redevelopment of the area would also require appropriate infrastructure and facilities. The masterplan takes into consideration the opportunity for provision of public spaces in future at Jones Place. It also recommends that should the opportunity arises a public space on the Office Works Site could be explored when a development proposal on the site is received. Flyers giving a snap shot of the masterplan and information about how to access full masterplan were distributed to all the properties within 200 meters north and south of Bridge Road. Information was also placed on the Council website and was

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			the opposite side of one of the busiest roads in Melbourne – with no crossing or over pass in close proximity. The submitter states that if the Council were to pursue putting a park in Jones Place the submitter would be forced to consider legal options. Also expect that the owners of the property would also seek legal advice given that the property would then have limited professional use, with reduced access. As the rate payer, the submitter hopes that the Council would be supportive of local small business in the area. Mentions that he did not receive any direct notification of the proposed changes and got the information from the neighbour. Also mentions that the owner of the property had not been made aware of the changes proposed.	available through the Facebook page.
12	D17/117324	A member of Bicycle Advisory Committee	***Precinct 1*** <u>Lennox Street Bike facility</u> • The current bike facilities fall well short of servicing cyclists. • Bike lanes are inadequate. Also the lanes at the intersection of Bridge Road and Lennox Street do not work for people on bikes. • The intersection design fails to provide safety, refuge or comfort for people on bicycles. • Suggests removal of angle and right-angle parking from Lennox Street in order to create a protected bike track. <u>Highett Street</u>	The submitter has made a number of suggestions for Lennox Street, Highett Street, Coppin Street and Gleadell Street which need to be explored in the design phase. Any changes to the road layout, parking, installation of trees (in the middle or sides) etc. would require further investigation and analysis before any proposals are finalised. The submission has been forwarded to Traffic and Strategic Transport units of the Council to look into the local area traffic and bike movement and parking issues. Through various development applications Council has been advocating for reduced car parking requirements. This matter

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			• Safe traffic movement is an issue between Church Street and Lennox Street. This can only be addressed by either removing parking, or removing through traffic. • The streetscape redevelopment should advocate for removing any parking on new developments in Precinct 1 (and frankly all three precincts). With the other transport options immediately accessible (tram, train, bus, cycling, walking, car share) it is damaging to the local precinct's character and amenity. ***Precinct 2*** <u>Highett Street</u> • The street carries high volumes of motor vehicle traffic, and is therefore unfit for 'regular' bike lanes. • Angle parking along the street is very dangerous to cyclists. Angle parking should be converted to parallel parking to re-allocate space. • The section of Highett St between Burnley St and Church St is wide enough to accommodate a separated bicycle track. This is evidenced by the fact there are (short sections of) separated bike lanes. <u>Gleadell Street</u> • The Saturday market sees cyclists riding on the footpath as motorists attempt to find free parking spots on Highett St. This will be replicated on a daily basis if drop-off by car becomes the norm for children getting to school. • Gleadell St must be transformed into Gleadell Plaza. Suggests The RMIT campus at the north end of Swanston	will also be addressed through the Planning Scheme Review. For Gleadell Street a number of traffic calming and pedestrian safety measures are under consideration including raised pedestrian crossing, plantation of trees and creation of a shared zone. These options would be further analysed and evaluated during the design stage. Changes have been made in the masterplan to include the bike priority along Griffiths Street.

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			St in the CBD serves as a useful vision for Gleadell St. <u>Coppin St</u> Coppin Street is an ideal candidate for a 'bike street'. There are two options to address this: 1. Remove on-street parking, in order to create space for a separated bicycle track. 2. Remove through-traffic using filtered permeability treatments. Observes that filtered permeability works extremely well on Napier St in Fitzroy, and Canning St in Carlton. Option 1 suffers from the political backlash of removing parking. Also, there may be issues with the number of intersections along Coppin St. It's also incredibly expensive to build. Option 2 does not require the removal of on-street parking. Indeed, by removing through traffic, amenity is improved for the residents of Coppin St (not to mention property prices). Treatments to eliminate through traffic would be cheap to implement. Option 2 effectively creates a 'bike street', something that sharrows fail to do when through-traffic prevails. A necessary ingredient is the elimination of this through traffic. <u>Griffiths St</u> • It doesn't serve as a meaningful a bicycle route as it does not connect to anything.	

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			• Plantation of trees in the street centre would push vehicles into the bike lane, and cyclists would be left with no option but to be in the high-risk 'door-zone'. This would deter the would-be riders. This is what makes Coppin St a dangerous bike route. • Permanent plantings should only occur on streets with filtered-permeability, allowing cyclists a low-volume route where they can take the lane. General comments • Keeping trees in planters would allow addressing tree health; more mature trees can be planted. • 'Bike Street' in Perth (Shakespeare St), which has on-street parking on alternating sides. This visually narrows the street and provides good traffic calming in side streets.	
13	D17/117331	Business owner	Concerns about the location of tram stop near River Street in Precinct 3: Bridge Road East because: • it will destroy ease of parking and accessibility to his customers • the street provides for a safe drop off point for kids of the child care centre opposite the business. • the tram super-stops may bring certain types of people who may hangout outside his business; as in Victoria Street. • Long new tram stops will harm small businesses at the other end of Bridge Road leading to growing number of shop vacancies. • New tram super stop should be built at its current location at the Amora Hotel. This location would also be much safer for the hundreds of school kids (from Melbourne Girls College) as	The tram stop locations in the draft Masterplan were tentative only. PTV, Yarra Trams and Council would need to undertake further investigations and feasibility before finalising new locations. The Masterplan has therefore been amended to show the locations of existing tram stops only with a preference for central median tram stops in future. Final locations and type would be determined in future when TFV/ PTV plan for further roll-out of the disability access tram stops along Bridge Road.

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			they will have to cross less roads and walk less distance in order to get to the tram stop.	
14	D17/117353	Property owner	Supports the idea for Bridge Road to be more pedestrian friendly with provision of spaces where people can pause and relax. <u>Key issues raised in the submission include:</u> • Loss of car parking due to provision of new tram stops and street greening. • Elderly people and people with disabilities need to use vehicles/parking spaces to reach their destination on Bridge Road. • It is important to retain all the existing on-street car parking spaces along both sides of Gleadell Street, Griffiths Street and Coppin Street. • Concerns that central median tram stops in front of the Richmond Town Hall, Burnley Street and Coppin Street would result in loss of on street parking spaces. • Tree planting at Lennox Street pause point- must not occur at the expense of losing/reducing the existing on street car parking layout. • Safety concerns for pedestrians on Gleadell and Griffiths, especially elderly pedestrians sharing the footpath with cyclists as there reflexes are slower and cyclists move quickly. • Pedestrian safety concerns also about vehicles attacking in crowded shopping strips. • Width of the mature street canopy would overlap the existing building canopies. • Root systems damaging Bridge Road precinct buildings	• Upgrade of tram stops is an obligation on PTV to comply with the DDA legislation. This would affect some car parking spaces. • Construction of new Richmond High School buildings along Gleadell and Grifiths Street would require providing safer travel routes for all including pedestrians, cyclists and people on vehicles. This may lead to reorganisation of road space and parking. Any reorganisation of road space including parking will be done in consultation with traffic and strategic transport units seeking their professional advice. • The Masterplan is a high level strategic document any potential impacts to car parking (such as at Lennox Street pause point) are not certain at this stage. Such issues would be investigated during the design stage along with other site/traffic constraints. • The design of Gleadell and Griffiths Streets would also take into consideration any safety issues relating to pedestrians of different age groups as well as cyclists. • Vehicles attacking the crowded places are not normal incidences. However, safety of pedestrians in crowded places would be a key concern that would be dealt with at the design stage. • The Masterplan identifies smaller tree species which will not have large canopies or aggressive root system. • Council is currently preparing a Public Toilet Strategy

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			• Lack of public toilets past Church Street, heading east on Bridge Road. • Conversion of Judd Street to open space would lead to people and visitors parking more in the local streets, making the Bridge Rd environs worse. • Gleadell Street market should not be reduced. <u>Suggestions</u> • Whilst serving local needs Bridge Road should also be a regional destination point. This combination would be important for the success and longevity of Bridge Road. • On street parking should be free. It should be timed where penalties apply for non-compliance. • The Judd Street carpark area could be used for a multi storey public car park. • Mary Rogers Square requires a shelter to protect from the sun and rain. • Lennox Street pause point needs more proposed street furniture (to the north side in particular). • A water fountain could be provided in precinct 3, along with the public toilet.	which identifies location of a new toilet Bridge Road East Precinct. The draft Public Toilet Strategy also promotes provision of drinking water fountain close to the public toilets. • The Masterplan does not intend to reduce the length of Gleadell Street Market. • Public domain improvements suggested in the Masterplan take into consideration its local and regional role. • Council has recently installed sensors along Bridge Road to analyse parking trends and demands. This will help rationalising the parking charges etc. • As the Bridge Road west precinct is growing very fast there are competing demands regarding the use of spaces such as the Judd Street Carpark. • Suggestions relating to Lennox Street Pause Point, Mary Rogers Square, and drinking water fountain would need to be addressed at the detailed design stage.
15	D17/119428	Business owner	• A new tram stop is proposed at the front of the submitter's store. This new tram stop will remove all the street parking in the immediate area. • At the rear of the store there is all day parking which gets taken over by 7:30- 8am. As a result it is difficult for the staff and customers to utilise the rear loading-unloading bay. • The submitter did not receive anything from the Council via mail, email or phone- nor did the landlord.	The tram stop locations in the draft Masterplan were tentative only. TFV, PTV and Vic Roads and Council will need to undertake further investigations and feasibility before finalising any re-location of the tram stops. The draft master plan therefore has been amended and includes the existing locations of the tram stops. A letter (flyer) drop to all the properties within the broad

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			• The submitter has recently signed a new 3 year lease for this property. They would not have done so if the Bridge Road they proposal was known to them.	precinct area (about 200 meters on either side of Bridge Road) was organised for the consultation. Flyers were also posted to owners not living in that area. Information was also available on the website and through Facebook page.
16	D17/105039	-	Likes the pause points, provision for public art along small streets and additional tree planting around the new high school.	This is a positive submission in support of the Masterplan.
17	D17/116513	Residents (combined submission by two)	Key concerns include: • Increasing the length of the pause at Lyndhurst Street would reduce the length of the loading zone resulting in vehicles blocking the laneway access to Waterloo Place. • Removal of tram stop 18 near the Church Street intersection will result in delays, extra travel time for people wanting to connect from one route to the other. • Repositioning of stop 19 is not necessary and that retention of its current location is more justified. • Proposed location of the tram stop would restrict right turn movement on Bridge Road. • The masterplan proposal favours the traffic flows for the new High School as vehicles accessing and departing Gleadell Street will be able to make left and right turn movements. This proposal favours high school over the residents and rate payers. • Parking space is not included in the school. Also a large car parking area has been taken away. This will result in increased traffic and parking load on the surrounding streets. • An aim for this plan 'to enhance the sense of arrival to Bridge	• It is not intended to increase the length of the pause point at Lyndhurst Street. Any improvement to the existing pause point would take into consideration the traffic impacts, during the design stage. • The tram stop locations in the draft Masterplan were tentative only. TFV, PTV and VicRoads and Council will need to undertake further investigations and feasibility before finalising any re-location of the tram stops. The draft master plan therefore has been amended and includes the existing locations of the tram stops. • The land adjoining Gleadell Street on which a carpark existed was on lease to Council. It is the State Government decision to use the site for a school building. • The design of new pause points would take into consideration other aspects that can improve the sense of arrival into Bridge Road. • The aspects relating to buildings, streetscape elevations, and human scale etc. is beyond the scope of the Street Scape Masterplan and can be addressed through Structure Plan/ builtform controls.

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			Road' as 'a destination' is worth revisiting as this does not seem to go beyond restricting road widths, adding seating and planting and the opportunity for some public artwork. • There is an aim 'To strengthen the existing character of each precinct' however, the streetscape masterplan only considers public domain and ignores the elevations of that streetscape. • If residents, ratepayers and those who travel to Bridge Road as a destination were to be surveyed, many would indicate the low rise character of the historic buildings and the human scale as major factors of the prime attractions, specifically referring to the South side. By not including preserving this character as the main asset there is a risk of losing any appeal as a destination. The North side of Bridge Road has already substantially lost its appeal through what can only be described as an over development.	
18	D17/116517	Owner of a property and a visitor	Masterplan priorities appear to the Town Hall area followed by Epworth. More priority should be given to Bridge Road rate payer's priorities. <u>Key issues</u> • Lack of carparking. Concerns that a green space in Judd Street will take away a lot of car parking • Parking signage: Judd Street was promised better and larger signage over 15 years ago. • Bridge Road Main Street Inc. suggested a pocket park for Leigh Place many years ago which was knocked back by Council. • Need to set guide lines for renovation of historical plaques and adhering to them. The same applies to planter boxes. BRMS also were responsible for the heritage plaques. Council had	• The Masterplan proposes that a feasibility study would be required to explore conversion of Judd Street car park to a public space. One of the earlier concept tested for this space by a consultant suggested that there can be public plaza as well as the car park taking advantage of the slope of the land. • A bigger and better signage to large parking areas has been included in section 2.4.6 of the revised draft masterplan. • Closure of Leigh Place has been removed from the Masterplan as it provides emergency ambulance access to the Hospital. • Management and renovation of historical plaques could be considered through planning permit.

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			agreed to make the replacement of the plaques a condition of any building permit. This fell due to Council's neglect.	
19	D17/127260	Resident and a Visitor	• Supports improvement of cycling infrastructure. • Suggests Mary Street to become a bicycle parking hub. This would provide opportunity for outdoor dining and pedestrian resting spaces along Bridge Road. • Raises a concern that seating can bring more people increasing the noise, drinking and smoking issues. • Suggests closing Gleadell Street and making it pedestrian and bicycle friendly – a shard area that school can use during the week and Market during the weekend.	Suggestions regarding Mary Street and Gleadell Street would be considered during the design stage as part of the implementation of the masterplan.
20	D17/127270	Resident of a surrounding street	Key suggestions: • Improve railway land near Freeman Street. • Widen the footpaths. • Muir Street is one way not suitable for ambulances and emergency vehicles. • Coordinate Traffic lights on Erin and Hoddle Street & Freeman and Hoddle Streets.	Widening of footpath and improving the railway land are already included in the masterplan and would be part of the design and implementation stages. The traffic issues raised through this submission are outside the scope of the streetscape masterplan. These would need to be addressed through a Local Area Traffic Management Plan in consultation with VicRoads.
21	D17/127279	Status not known	The submission supports general greening of the street as otherwise the area may appear more harsh with growth and high density living. Improved safety for movement of school children is cited as the	The Streetscape masterplan identifies opportunities for new public spaces and greening. It is proposed to implement the masterplan as indicated in the implementation plan.

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			key issue. Other suggestions include: • Implementation of the Masterplan as soon as possible. • Lighting of the trees at night.	Opportunity for lighting of the trees would be explored during the design stage.
22	D17/127311	Resident of a surrounding street	• Erin Street and Punt Road intersection needs a traffic light. They should be synchronised with Freeman Street/Punt Road lights. • Council should work with VicRoads on these issues. • Muir Street is one way not suitable for ambulances and emergency vehicles.	The traffic issues raised through this submission are outside the scope of the streetscape masterplan. These would need to be addressed through a Local Area Traffic Management Plan in consultation with VicRoads.
23	D17/127318	Resident of River Street	Key concerns include: • Palmer Street traffic turning right at peak times blocks the intersection and the Amora & Riviera drive ways. Will there be a yellow cross hatch road marking to indicate traffic keep driveway clear at Riviera and Amora? • Will there be traffic lights at the River Street corner? What effect will it have on traffic entering and leaving River St? • Will there be restrictions on right turn traffic exiting service station to river St? Service station entry exit controls? No entry /exit from River St? ONLY Entry/exit from Palmer and Bridge road? • What are the plans to divert / reroute traffic during construction? • Will the lighting be improved at the corner? People cross at night and is hard to see them. Pub pedestrians.	The submission has raised a number of local traffic issues along River Street which will be addressed during the design stage. Locations of the tram stop in the exhibited draft masterplan were temporary only and need to be finalised by TFV/PTV after further investigations. Therefore the revised masterplan indicates locations of the current tram stops with a note that the locations may change subject to further investigations by PTV/TFV and issues related to movement, parking or access would be addressed when any locations are being finalised.

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			• What pedestrian plans & crossing the road, for the flocks of students at the girl's school? • Will the students using the laneway behind The Bridge Hotel attract drug dealers, and undesirables? • How big will the tram stop be? Will there be protective fence? Raised area like other parts of Bridge road?	
24	D17/127322	Resident of a surrounding street	The submission makes following suggestions: • Improve the open space in front of the Town Hall • Improve the bridge connection to Hawthorne And emphasises on the need for commercial parking	The master plan includes improving the forecourt (area in front) of the Town Hall. The master plan also aims to enhance the entry to Bridge Road by improving the amenity of the area around the bridge. Need for commercial parking can be addressed through new developments and is therefore outside the scope of this master plan.
25	D17/127331	Visitor of Bridge Road	The submission is focussed towards the Civic and Institutional Precinct and suggests that there is opportunity for • Innovative planning, good landscaping, street architecture, lighting and road surface treatment. • Extending Palmer Street through to Gleadell Street along existing drainage easement. This will provide perfect connection between Richmond High School (academic Building) and High School Sport Centre.	The landscaping and public domain improvement opportunities, as well as extension of Palmer Street identified in this submission can be explored at the design stage.

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26	D17/127336	Business owner	Precinct 3: Concern regarding the new tram stop near Amora that may affect parking and access to residential properties.	Locations of the tram stop in the exhibited draft masterplan were temporary only which will be finalised by TFV/PTV after further investigations. Therefore the revised masterplan indicates locations of the current tram stops with a note that the locations may change subject to further investigations by PTV/TFV and issues related to movement, parking or access would be addressed when any locations are being finalised.
27	D17/162037	Business owner	Precinct 3: Service station on the corner of River Street and Bridge Road (645 Bridge Rd, Richmond) has an entry/exit driveway which will be affected by the newly proposed tram stop.	Locations of the tram stop in the exhibited draft masterplan were temporary only and needed to be finalised by TFV/PTV after further investigations. Therefore the revised masterplan indicates locations of the current tram stops with a note that the locations may change subject to further investigations by TFV/PTV and issues related to movement, parking or access would be addressed when any locations are being finalised.
28	D17/127150	Resident Stawell Street, Burnley	The masterplan submitted by the traders was excellent and need to be enacted. Following points were raised: • More priority should be given to the implementation of the masterplan instead of some other unnecessary initiatives. • Trading area near Church Street and Punt Road needs a major upgrade. • Plan should include lowering of the cost of parking in Yarra. Bridge Road has become run down with empty shops	Preparation of this draft streetscape masterplan has taken into consideration the recommendations of the Streetscape Study by BRMS. The streetscape masterplan includes an implementation plan for consideration by the Council. Issues relating to trading and lowering the cost of parking in Yarra are outside the scope of this masterplan. The Masterplan aims to improve the quality of public domain and public spaces in Yarra which would result in attracting more visitors to the area and thus would indirectly improve the business opportunity along the street.

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29	D17/162083	Resident	Key Issues raised: • Lack of parking and high meter rates. • Tram Super Stops would substantially worsen the parking.	• Issues of parking provisions and parking charges would be considered separately by the Council through different processes such as structure planning and parking strategy. • Council has recently installed sensors along Bridge Road to analyse parking trends and demands. This will help rationalising the parking charges etc. • The requirement to upgrade the tram stop is an obligation on PTV to comply with the DDA legislation. The new style tram stops allow ease of access to diverse community members (on wheel chair, children in prams etc.) to make use of the tram stops.
30	D17/162121	Resident Lyndhurst Street	As a resident of Lyndhurst Street for 19 years and having used the tram most days the submitter has a particular concern with the proposal for the creation of a central median tram stop in the proposed and the removal of the tram stop at the Church Street/Bridge Road intersection. The proposal to locate a central median tram stop near Gleadell Street is not safe for the following reasons: • Lyndhurst Street is a one way street (south to north) in the section between Abinger Street and Bridge Road. • The ability to make a right hand turn from Lyndhurst Street to travel east along Bridge Road will be blocked by the proposal. • All traffic wishing to travel east along Bridge Road will need to either turn left into Bridge Road, and left into Church Street, and left into Abinger Street in order to travel to Coppin Street	Bridge Road is wider, east of Church Street. Having a drive over tram stop would be difficult. The masterplan therefore suggests a preference for central median tram stops. Provision of access compliant tram stops is the responsibility of TFV/PTV. Confirmation of the tram stop type and the locations will be done by PTV in future based on further investigations. The masterplan has been amended and now indicates the locations of existing tram stops with a note that any relocation or new locations would be confirmed by PTV/TFV in future.

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			where a right hand turn to the east can be made. • As the Bridge Road/Church Street intersection is very slow, it is probable that traffic will turn left into Waterloo Place to cut through to Church Street and then use Abinger Street. Waterloo Place is two-way with a "blind" narrow right corner in the middle of it. It is not a safe proposal to increase traffic in Waterloo Place. • The other alternative would be for vehicles wishing to travel east to do a U-turn in Bridge Road before Church Street. This is definitely not a safe option. • Abinger Street is a narrow two-way street, with a child care centre in the section between Church Street and Lyndhurst Street. The street is already somewhat unsafe being the only way to access Lyndhurst, Hosie and Mary Streets. It is 'parked out' almost 100% of the time leaving very few opportunities for two vehicles approaching each other to pull over to allow passing. • To increase traffic in Abinger Street is neither safe nor sensible given the capacity and narrowness of the street. To remove on-street parking from the street is also not an option as most residents in that street do not have access to off-street parking. • The proposal to remove the tram stop at Church Street is also problematic as this tram stop is used by many elderly people who do their grocery shopping at Richmond Plaza.	

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31	D17/162143	Resident	Key areas of concern: • Congregation of people in pause points, noise and the associated issues. • Cigarettes smoking cigarette buds and associated problems of maintenance. • Parking enforcement. • Considers that ratepayer money is being wasted and Council is not able to provide the basic necessities that are required.	There is no standard design for pause points. Design of pause points will be done in consultation with the adjoining property and business owners. This will give an opportunity to understand and address local issues.
32	D17/162158	Resident West Bank Tce.	• Does not support the relocation of tram stop near Wesbank Tce. and suggests leaving the tram stop where it is • Does not support branding and material palette. • Pause points with public art are also an expensive indulgence.	The tram stop locations in the draft Masterplan were tentative only. PTV and Yarra trams will need to undertake proper investigation and feasibility before finalising its location and feasibility. The current revised masterplan includes existing tram stop locations as the final location would be determined by PTV during further roll-out of the accessible tram stops along Bridge Road. Materials palette is a required to achieve consistency along the street through future works and for ease of maintenance. It is not intended to provide public art in each pause points. Public art will be provided only at the locations where it is viable.
33	D17/162182	Resident	<u>Precinct 1</u> The submitter supports the idea of a possible public space at Judd Street carpark, however emphasises that there is a need to maintain the existing car parking numbers or increase the parking	The Masterplan includes Judd Street carpark as a potential future public space for which the feasibility will have to be established first. The feasibility of such a space would take into account car parking numbers, car parking occupancy and also traffic and parking in the surrounding areas. It may also

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			available in this area in the form of an underground car park. Parking in this area is getting tight due to the increased developments and number of the visitors to the development now accessing surrounding streets and the car park. Removing any car spaces will exacerbate the problem and will impact Bridge Road traders who rely on this parking. Considers that the push for riding bikes is not an appropriate solution as it is too dangerous with no proper supporting infrastructure.	consider any possibilities such as of an underground car park. Provision of any future bicycle facilities will take into consideration safety aspects.
34	D17/162192	Property owner	The proposed draft plan for the Bridge Road, Richmond Hill precinct is devoid of details including context, identifiable type and direction of pedestrian traffic flows and urban response opportunities. The plan also fails to identify: • key projects/strategies/ opportunities to revitalise and reactivate the Richmond Hill activity precinct over a reasonable time period. • areas of high density residential development that demand public realm responses. • pedestrian linkage to/ within and around the precinct, cycling opportunities, • wider pedestrian footpaths on northern side of Bridge Rd • key hotel accommodation and tourism opportunities. • proposed tram super stop at Hoddle Street, • parking strategies and opportunities, • pedestrian links with low density residential hinterland,	The masterplan preparation has been based on a detailed background and context analysis. Considerations were also given to the recommendations of the Bridge Road Streetscape Study of BRMS. The streetscape masterplan is focussed on public domain improvements only. The issue of reactivating the Richmond Hill is a broad issue and relates to the economic and development trends. The mapping of high density residential developments was done as part of the background analysis and the recommendations have taken in to account development trends. Bridge Road is a VicRoads road. Widening of northern footpath requires a consensus by VicRoads and further explorations as it would impact on the functioning of the road. The Masterplan identifies this as a future opportunity and recommends Council

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			• opportunities for off street retail activation e.g. markets, laneways etc., and • requirement of full service tram stop at hospital. • footpath surfaces and the conflicts with integrating services, heritage constraints, access pits, etc. • strategies dealing with maintenance /management of heritage street wall- e.g. access restraints to properties due to proximity of power lines, limited footpath access etc. The proposed draft has very limited detail regarding the objectives and construction of key urban projects e.g. Judd St Carpark, Mary Rogers square. These are simply broad brushed as 10+ year opportunities. The Draft Streetscape plan does not identify or deliver strategic initiatives to revitalise or reactivate Bridge Road, Richmond Hill, does not provide a program of funding or any reasonable timeline for achieving outcomes and does not meet the standards established with the Tract Urban Bridge Rd Streetscape study that was published in 2015.	to take a strong advocacy and coordination role. The Masterplan also suggests that Council continue to work with the State transport agencies to establish the road user hierarchy along Bridge Road. Issues related to heritage street wall and parking would be addressed by a separate process such as Structure Planning or parking strategy. Looking into the support for creation of a public space at the Judd Street carpark, the implementation strategy in the revised masterplan includes undertaking feasibility of a public space at the Judd Street Carpark in the short term; resources required for its implementation can also then be considered by the Council. The streetscape masterplan suggests a number of initiatives and projects. Implementing all in the shorter term would not be feasible. Accordingly, the Masterplan suggests an implementation plan which takes into consideration short medium and long term priorities of various projects. The priorities of the projects have also taken into consideration the State investment on committed projects to maximise aligning of the projects to achieve the cost efficiencies.
35	D17/162212	Business owner	Precinct 3 The submitter writes on behalf of McDonald's Australia Limited in relation to the Better Bridge Road Project (Precinct 3). The restaurant located at 619-631 Bridge Road, Richmond, is directly	The tram stop locations in the draft Masterplan were tentative only. TFV, PTV, VicRoads and Council will need to undertake proper investigation and feasibility before finalising any relocation/new locations. This would also include investigations relating to traffic, parking, access etc.

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			affected by the project. Most of the trade at this restaurant is through drive thru. The proposed tram stop located out the front of 619-631 Bridge Road, Richmond (on Precinct 3 plan), prevents cars from turning right into McDonald's inbound and right out of McDonald's outbound. This will have a significant impact to the business, including a decrease in sales. The submitter requests that the tram stop is reposition to another location to ensure our customers can access and exit our restaurant at all times.	Accordingly the Draft Masterplan has been amended to show existing tram stop locations as the final location would be determined by PTV in future, during the further roll out of the accessible tram stops along Bridge Road, the timing of which is not clear yet.
36	D17/162228	Resident	Under the Yarra Planning Scheme, the streetscape masterplan has quite exciting stuff especially for Precinct 2 with the new High School and Sports Annex now under construction. The Municipal Strategic Statement proposes to create a pedestrian link from Palmer Street to Citizen Park. A link can be constructed to provide a direct connection between the High School and the Richmond Recreation Centre. This shared pedestrian & bicycle link can be constructed at minimal cost, as it can be viewed as a minor variation to the High School plan. With appropriate laneway lighting. A short dog leg in the design via the existing school carpark would allow skirting of the tennis/basketball courts. As a further enhancement for Griffiths Street, Council can consider planting of trees along the centre of the road and the car parking down the western side of the street to be changed to 45 degrees instead of 90 degrees? This idea may achieve the calming measure	The revised Masterplan includes intent to provide an east-west pedestrian link between Griffiths Street, Gleadell Street and Citizens Park which needs to be further discussed with the School, the Department of Education and Lynall Hall Community School. The suggested design improvements relating to tree plantation and parking along Griffiths Street would be considered during the design stage.

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			recommended for Griffiths Street in the masterplan.	
37	D17/1027132	Residents Against Inappropriate Development (RAIDS)	RAIDS support the Masterplan's approach to promoting and improving pedestrian amenity, particularly • The idea of creating a safer and more attractive pedestrian environment around the Epworth Hospital. • Making Gleadell Street more pedestrian friendly and walkable. Following concerns were raised in relation to specific proposals: • What would be the strategy for the goods that arrive in Bridge Road by car/truck? • Nothing is proposed in the Masterplan to address the parking. • Conversion of Judd Street carpark into an open space. • Crossovers to the hospital carpark and the drive-through access to the pharmacy and hospital creating major problem of pedestrian links to the hospital. • Inefficient pedestrian crossing supported by Vic Roads near Epworth. Richmond RAID believes solutions to these problems near Epworth Hospital should take precedence over any other improvement measures. • The upgrade of the right of way behind Bridge Road connecting Griffith and Gleadell Streets for pedestrian and bicycle traffic will require closure to through vehicular traffic. • More considerations are required regarding the impact and	RAIDS support for the Masterplan is appreciated. Following is the response to specific concerns and suggestions made in this submission: • Streetscape Masterplan is focussed on improving the amenity of the public domain. Traffic and parking strategies would be addressed through a Structure Plan. Council has programmed to prepare a Structure Plan in the next year. • Projects implemented through this streetscape masterplan would have strategies for its regular maintenance and upkeep. • Significant growth and large apartment developments will bring significant residents and workers in the Richmond Hill area requiring more open and public spaces for people to relax and enjoy. As the land is scares in established areas like this, opportunity needs to be explored for creation of a public space at the Judd Street carpark. Last year Council had explored some design options for the development of public space in the Judd Street car park which suggested that the slope of the land provided creation of an upper terrace with a possibility of car parkin underneath that. • Streetscape Masterplan identifies Epworth Hospital as a key node and identifies improving pedestrian crossing and

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			implications of high density residential development on the loss of commercial activities, replacement of retail with service industries, resulting in a less attractive street fronts and a less active streetscape. This trend has been identified in the Richmond Hill precinct, but is now beginning to extend into the other 2 precincts of Bridge Road. The submission also makes following suggestions • Exploring a possibility of a walkway between the Richmond Leisure Centre and the new school, along the existing easement. • Opportunities for new pedestrian linkage between Griffith, Gleadell and Church Streets. • Consideration should be given to extending of market area. • Commitment to proactive and a regular maintenance regime, is required by the Council which should also include effective street cleaning, graffiti removal, footpath upgrades, repair of street furniture, and protection and maintenance of plantings. • Council could work with Bridge Road traders to investigate the introduction of a scheme along the lines of the successful Renew Newcastle project which connects creative people and activities with vacant spaces Richmond RAID strongly opposes the proposal to relocate and extend the tram stop at the Town Hall. This would cause serious difficulties for vehicular access from side streets and to Bridge Road impacting on residents, deliveries to commercial premises, waste management services and the like. A better option would be to create a central median DDA compliant platform at Bridge	pedestrian connection to the hospital as a key priority. • The Masterplan does not suggest closure of lanes or streets requiring service or loading unloading access. • Issues regarding the impact of high density residential development on commercial activities and replacement of retail by service industries are outside the scope of the Master plan. • The revised Masterplan includes possibility of a new pedestrian link between Griffith, Gleadell and Church streets and also a walk way between the new school and Richmond Leisure Centre. • Extending the Gleadell Street Market area can also be explored at the design stage whilst designing Gleadell Street project. • Regular maintenance of all public spaces is one of the key services of the Council. • Connecting creative people, activities and vacant spaces is next stage of the implementation of this masterplan. Any new location or relocation of the tram stops has been also removed from the Masterplan as this is the responsibility of PTV and issues related to movement, parking or access would be addressed when any locations are being finalised by TFV/PTV.

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			Road-Church Street east. This would facilitate the transport interchange between the Church Street and Bridge Road trams, and moving the stop on west side of the intersection would improve pedestrian access to and use of the Mary Rogers Square.	
38	D17/119422	RACV	RACV identifies Bridge Road as an important east-west trunk route between the Melbourne CBD and the inner east and therefore • Urges the Yarra City Council to protect the through movement function of the route; • Urges the Yarra City Council to balance the needs of pedestrians, cyclists, trams, cars and trucks along the route; • Urges the Yarra City Council to explore opportunities to create off-street car parking in the Bridge Road precinct to replace on-street parking. Regarding relocation of Tram Stop 22 to the west of its current location following matters have been raised: • There are implications for the Melbourne Girls College students, high numbers of which queue for the tram on each side of Bridge Road in the morning and after school peaks. • Alternative student travel path along a rear laneway is has not been fully resolved and raises serious safety issues. • The concept plan does not show any 'pause point' treatment at the intersection of Bridge Road and West bank Terrace (although one is shown under Section 2.4.3 "Pause Points"). This intersection (which is busy with turning traffic) would fall within the longer travel path of students and requires further attention to address traffic and safety	Further work would need to be undertaken with TFV and VicRoads to consider the proposals in line with the road user hierarchy to understand the network context whilst ensuring Council's vision and objectives. Any new location or relocation of the tram stops has been removed from the revised Masterplan as this requires further investigations and is the responsibility of PTV. The Masterplan now only includes an aspiration to have central median tram stop for PTV and TFV to consider when further roll out of accessible tram stops is being considered. It is intended that Council officers work closely with PTV in getting outcomes consistent with the Masterplan. Concerns regarding Bridge Road and Westbank Terrace intersection as well the concept plans for 'pause point' would be addressed during the design stage.

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39	D17/117339 D17/114530	BRMS	BRMS recognises that Bridge Road precinct is vital to businesses and residents and urgently needs revitalising. The draft document is a significant step toward this outcome. BRMS generally commends the draft plan document as a draft policy and suggests that further work is required to its completion. Suggestions include: • Identifiable key projects/strategies to revitalise and reactivate the activity precincts over a reasonable time period. • Parking strategies and opportunities, total parking management and vehicular traffic constraints, demands and tensions that will drive decisions around key intersections. • Identification of areas of larger scale high density residential (that demand public realm responses), big box retailing, industrial areas. • Wider pedestrian footpaths on northern side of Bridge Road, • Identification of key hotel accommodation and tourism opportunities. • Identification of proposed tram super stop at Hoddle Street, • Off street retail activation opportunities e.g. markets, laneways etc. • Requirement of full service tram stop at hospital. • Footpath surfaces and the conflicts with integrating utility services, access pits and heritage constraints etc. • Strategies dealing with maintenance /management of heritage street wall- e.g. access restraints to properties due to proximity of power lines, limited footpath access etc. • Objectives and construction of key urban projects, e.g. Judd St	Implementation Plan Included in the Masterplan indicates priorities of the projects based on the estimate of flow of resources and funds, keeping in mind other work priorities. The table has been modified to include immediate actions to be undertaken by June 2019 to progress implementation of the masterplan priorities. The location of the tram stop near Hoddle Street intersection has been included in the streetscape masterplan. Large scale, high density developments were mapped and considered during the analysis stage which has also informed the proposals in the masterplan. These are not included to maintain the currency of the document for the 10+m year period. Aspects such as sites for key hotels, tourism opportunities heritage street wall etc. would be addressed through the Structure Planning work and are out of scope of this project. Masterplan plan objectives for laneways and pause points have been modified to include off-street retail activation opportunities. Aspects of utility services, access pits, and proximity of power lines would be pursued with respective service authorities. These may be difficult and cost prohibitive to be actioned by the service authorities. Council officers are already working with TFV, PTV, VicRoads on Investment Logic Mapping and for clarity on Road User Hierarchy and sustainable transport priority.

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			Carpark. *Civic and Institutional Precinct* • Tram Stop – significant works need to be considered for the Tram Stop opposite the Town Hall as the current tram stop is not sufficient for movements of students of the new Richmond High School. • A short tram route, similar to Victoria Gardens, needs to be seriously considered and discussions are required with VicRoads, Yarra Trams, and State Government etc. Currently the trams are already running at capacity and are full already before reaching Richmond. Increased numbers for both school children and new apartment dwellers (pending constructions) combined with and the pressure in peak periods requires a new short term route. • Other traffic options including Griffiths St & Gleadell St to be one-way vehicle/bicycle, Highett St for enhanced bicycle lanes etc. should be further explored and discussed as the next part of the consultation process. • Concern for Street/Tree planting • With increased numbers of Richmond apartments and numbers using Citizens Park and Sporting facilities, upgrade of Sports Pavilion should be given some priority. • businesses would like see funds spent on say Gateway signage, amenities etc. rather than pause points (also relates to Civic precinct) BRMS would be pleased to assist in the branding and marketing including unique signage, particularly at tram stops. BRMS believes that Council must ensure that capital allocations	It is proposed that Council continues to work with BRMS on various aspects of implementation of the Masterplan.

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			are made available within reasonable time frames and that developer's, open space contributions are applied to improve the public realm/open space in the vicinity of where high density outcomes are being activated along Bridge Rd. BRMS would like to be involved in assisting in the prioritisation of aspects of the plan.	
40	D17/119420	Epworth Healthcare	Commends Council on the positive initiative for streetscape upgrade works however raises concerns with following : Bridge road frontage Epworth Hospital Precinct - There are concerns about potential impacts on existing access arrangements for the hospital, particularly at key pedestrian and vehicle entry points. *Erin Street* This section of Erin Street incorporates the car park entrance to the Epworth Centre, access to a building for rehabilitation patients, access to the Erin Street turning circle and accommodates the future main entrance to Epworth Richmond. The existing planning approval also includes extensive streetscape improvements works committed to by the hospital along the length of its interface with Erin Street. *Leigh Place* Leigh Place is an ambulance access to Bridge Road in an emergency and therefore potential closure or restrictions to this road will have a significant impact on emergency vehicle access	Further consultation with Epworth HealthCare would be undertaken during the design development stage for their comprehensive input and to address specific concerns relating to Erin Street, Normanby Place raised through this submission The proposal for part closure of Leigh Place has been removed from the Masterplan in view of the movement of emergency/ambulance access. The Masterplan does not envisage any alterations to the wayfindng signage of the hospital. The intention in the Masterplan is to improve signage for the visitors of Bridge Road at common places. Epworth Healthcare would be provided opportunity for the comprehensive input to any change to the signage should it impact any of their facilities.

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			and safety associated with the hospital. *Normanby Place* Master plan proposes "improved existing pause point, with high quality material treatment, landscaping furniture or lighting." This street is frequently used for access to Erin Street facilities by patients, staff, doctors and public. *Way finding and street frontages* Epworth Healthcare would seek to be involved in any alterations or additions to way finding signs to ensure a suitable level and type of way finding and identification is maintained, given the important hospital asset in this precinct Request that Epworth Health Care is provided the opportunity for comprehensive input into any changes within above areas.	
41	D17/124539	Transport for Victoria	TFV is supportive in principle of the objectives and potential changes proposed in the masterplan as they broadly align with Victorian Government plans such as Plan Melbourne. However TFV has identified some aspects of the draft streetscape masterplan which need to be resolved them in conjunction with VicRoads and PTV. Clarification required for potential impact of the proposed reconfiguration at Mid Block and intersections in terms of width of traffic lanes, bicycle lanes and footpaths. Clarification required about how the changes would impact active transport modes on Bridge Road and the surrounding network	Further work will need to be undertaken with TFV, VicRoads and PTV to provide an upgraded tram stop at this location, and also to develop plans for upgraded stops to the east of this intersection. VicRoads has sought TAC funding for improving pedestrian safety along Bridge Road. As a part of that project Vic Roads proposes to construct raised pedestrian crossings at a number of intersections of Bridge road and its side streets in the section Between Church Street and the River. The intention of this masterplan is to develop a partnership with VicRoads in the implementation of pause points which

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			including Victoria Street and Swan Street Further work would need to be undertaken with TFV and Vic Roads to consider the proposals in line with the road user hierarchy to understand the network context whilst ensuring Council's vision and objectives. City of Yarra may consider using transport network analysis being undertaken as part of the works for expansion to Victoria street. Location and type of tram stops- TFV acknowledges the need to review the number, location and style of tram stop upgrades along Bridge Road to provide DDA-compliant access, in consultation with Council and the community. Removing a stop at the intersection of Bridge Road and Church Street is not acceptable to TFV as it currently provides a key interchange for public transport users transferring between Bridge Road and Church Street trams. Removing the stop would increase their walking distance, making interchanges less attractive. <u>Vic Roads feedback</u> It is not clear why motorists choose this route. It is not clear whether the questionnaire captured the motorists. Page 13 - It is noted that objectives related to access and connections are "subject to traffic and transport analysis". Objectives related to sustainable transport priority should be subject to the same analysis. In addition, any traffic and transport analysis needs to include the broader network including potential future transport implications, needs and priorities for Victoria	include raised kerb crossings, kerb extensions etc. This is why VicRoads has been included as the lead external agency whereas the intention also is that Council would be a partner in this project.

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			Street to the north and Swan Street to the south. Page 16- remove reference to footpath widening on the northern side considering the aspirational aspect of this Page 18 Supports pedestrian crossing outside Epworth Hospital. Careful consideration will need to be made to pavement treatment to ensure safety and maintenance needs are not compromised. Page 22- It is unclear what impact various proposals (in particular raised crossings, kerb extensions, footpath widening) will have on the peak period clearways on Bridge Road. Question the impact of the pause point at Union street to the operations and access to Bridge Road. Page 32- Why is VicRoads listed as the "Project Lead" to create new pause points and raised crossings at side streets? How will these be funded?	
42	D17/127799	Yarra Trams	Yarra Trams supports the overall objective of the Master Plan and views the overarching goal of the plan as an opportunity that aligns with Yarra Trams' corporate objectives of improving safety and customer satisfaction, as well as developing partnerships with our key stakeholders. Yarra Trams also • Considers that the proposed enhancement of Bridge Road will result in positive outcomes for public transport. International evidence demonstrates that high quality urban design and amenity, such as increased greenery and reduced traffic impacts, encourages people to walk to access public transport. We are confident the proposed improvements will	The submission is supportive of the proposals in the Masterplan. Council will like to work with TFV, PTV, Yarra Trams and Vic Roads in regards to the tram stop locations. It would be important for Council to work with Yarra Trams on way-finding, complementing the infrastructure with public transport stops.

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			also encourage more people to visit the corridor, further enhancing Bridge Road's role as a community hub that is easily accessible by high quality public transport. • Support the Master Plan's direction to make further improvements to the streetscape, and other parts of the public domain, around Bridge Road's tram stops. In particular to see pedestrian access improvements between tram stops and key activity centres, as well as increased separation of tram routes from general traffic. • Finds strategic alignment with the plan's suggestion for tram stop consolidation, specifically at the Church Street and Richmond Town Hall location. The plan calls for consolidation of those two stops with a single new station in front of Richmond Town Hall. However, recommends that Council consider the intersection with Church Street as the preferred location due to its role as a transfer point between routes 48, 75, and 78. Whilst it is recognised that space constraints may limit the ability to locate the stop directly at the intersection it would result in a better outcome for passengers to be as close as possible. Data from PTV shows that passengers are twice as likely to board, and four times as likely to alight, at the Church Street stop compared to the Town Hall stop. Additionally, a stop at this location would enhance the ability for place making opportunities at Mary Rogers Square, which was identified as a Potential Future Project within the plan. • The proposal for traffic calming measures along both Bridge Road and Church Street also align well with our strategic goals for the corridors. If the proposed traffic calming measures were designed to increase tram separation from general traffic, the tram would have less chance for delays	

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			and become a more reliable service to residents and visitors of the corridor. Additionally, a redesignation of road space to prioritise pedestrians and trams would work to calm general traffic and create a safer environment for all road users. This helps to achieve the vision of Bridge Road as a corridor designed to accommodate for both Movement and Place. • Welcomes the proposed improved pedestrian amenity between Bridge Road and other nearby public transport hubs such as West Richmond Railway Station, as well as key activity centres such as Epworth Hospital, Citizens Park, and Melbourne Girls College. Yarra Trams will be happy to work with Council to complement the infrastructure with public transport way finding at the time these projects are developed and delivered. Yarra Trams is looking forward to further engagement with City of Yarra in progressing the Master Plan.	
43	D17/116369	LEGS Let's Enhance Gleadell Street	This LEGS response outlines a Design Concept for Gleadell Street (see appendix) in sympathy with the Masterplan proposal Key elements of their suggested plan include: • Significant traffic calming of Gleadell Street, prioritising for pedestrian/ cycling/ school crossing and retention of Saturday Market. Retaining appropriate vehicle access and parking. • Creating a 'Piazza' in Gleadell Street as a focal point for the whole community, located on the sight line of what we refer to as the Palmer Street extension, currently the easement over the main underground water main which transverses the	This is a positive submission. The design ideas included in the suggested plan would be considered during the design stage. LEGS would be consulted whilst preparing the designs.

Attachment 4 - Summary of written submissions and responses

			Department of Education sites for RHS and Lynall Hall Secondary School (LHSS). This would strengthen the community. • Designing and landscaping the middle and northern section of Gleadell Street for use as a multi – function space; e.g. market, activities for schools RHS and LHAA which adjoin the street, festivals, sports meets, community events, school holiday activities, etc. • Landscaping the East West connection from Gleadell Street to Palmer Street via LHSS and RHS Academic Building (AB) along the Palmer Street extension, giving easy, pleasant access. • Introduction of additional tree planting. • Footpath widening adjoining RHS Multi-Purpose Building (MPB) and planting to soften aspect of the high wall. • East West landscaped connections landscaped from Gleadell Street to the Church Street shopping centre via the MPB grounds. • Strong pedestrian and landscaped links running east – west from Church Street to Palmer Street. • Overall permeability of the Gleadell Piazza from East, North, West and South. • The integration of the landscaping into the whole precinct so it becomes a recreational asset for Richmond community, linking the oval to the proposed Sports Centre and to the Gleadell Piazza. • The creation of landscaped 'berms' for spectators to view sports events on the oval and potential upgrade of sports changing room facilities.	

Attachment 4 - Summary of written submissions and responses

44	D17/116367	Petition	Transform Geadell Street into a dynamic neighbourhood precinct The petition requests The council to pursue State funding to transform Gleadell Street in to "*a highly inviting pedestrian and cyclists priority space …. To strengthen the role of this precinct as a civic and community node.*" The petition supports this proposal for following reasons: • To increase public open space in an area of rapid population growth and high rise apartments. • To ensure the safety of students moving between the two buildings of the new Richmond High School. • To complement the old and new buildings in the street. • It is ideally located in the for a neighbourhood precinct, close to Town Hall, besides Citizens Park and having no private business facing on to it. • It will provide exciting opportunities for a wide range of school and community activities. • To enhance historic Gleadell Street Market.	The petition supports one of the key projects of the Streetscape Masterplan. Council would be pursuing for State funding during the implementation phase.
45	D17/162478	Member of Bicycle Advisory Committee	Agrees with the vision and motivation behind this plan but considers that the arterial transport function is incompatible with the aim of reviving a local retail strip and making it a pleasant place to be. Bridge Road is a street with a priority for **all** transport modes. VicRoads should just rethink what they are actually trying to achieve, because the current aim is clearly unachievable. Suggests that if Bridge Road is to be revived, a bold plan is	The Implementation Plan suggests further work with Transport agencies to establish Road User Hierarchy and traffic and transport network context which will define the priority of cyclists, pedestrians and other modes. This intern will suggest if the plan for the use of the road space for footpath widening, tree plantation etc. can be prioritised.

Attachment 4 - Summary of written submissions and responses

			required: fully separated cycle lanes along the length of it, widened footpaths, removal of on-street car parking in many places, and closing Bridge Road to through traffic between Punt Road and Church Street where the demise of the retail strip is most pressing but which also has the most compact set up and so should be easiest to revive. Couple this with the streetscaping proposed and a set of generous subsidies over a period of 2-3 years for local businesses to organise bonding activities, local festivals etc. to attract a crowd to Bridge Road again and win over the local business support. This can even be done on a temporary/pilot basis. The current plan is really just tinkering along the edges whereas the situation demands a substantial change.	
46	D17/180822	DAC Member	Following points need to be prioritised for footpath accessibility • On the north side of Bridge Road between Punt Road and Church Street the footpath becomes quite narrow particularly with added obstacles including electric street light poles and tram line poles. A variety of innovative design solutions including removal of poles are required to improve footpath foot print. • Many of the new improved cement lips on footpath pram ramps at intersections and pedestrian crossings require further design improvement as many can still result in unnecessary bumps, jolts and trip-hazards for pedestrians including people with disabilities, parents with prams, senior citizens and people with injuries.	Removing of electricity or tram poles would be difficult and impractical in isolation. Widening of the northern footpath would require reorganisation of the road space. The Streetscape Masterplan recommends that Council continue to work with the transport agencies to establish the road user hierarchy along Bridge Road. Strong partnerships are also required between the Council, transport agencies and key stakeholders to address the issue of widening of the northern footpath. The issue about improving cement lips for footpath-pram crossings has been forwarded to Engineering Services to be looked into under the renewals or upgrade program.

Attachment 4 - Summary of written submissions and responses

			Footpaths that have been improved on Bridge Road over recent years using bitumen and raising the entrance of the side streets to be level with the Bridge Road footpath, using Tactile Surface Indicators (TSI) where appropriate is the ideal and most affordable accessible footpath benchmark that must be prioritised throughout the City of Yarra.	

Attachment 5 - Bridge Road Streetscape Masterplan

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Attachment 5 - Bridge Road Streetscape Masterplan

Attachment 5 - Bridge Road Streetscape Masterplan

INTRODUCTION

1

1 INTRODUCTION

1.1 How to Read This Document

This document has been prepared in three sections. Section 1 provides an overview of why Council has prepared this Streetscape Masterplan and summarises the background work undertaken, including community and stakeholder consultation. Section 2 describes the objectives and directions for the Streetscape Masterplan, and identifies the strategies and potential projects to realise them, along with outlining materials palettes. Section 3 outlines the proposed implementation strategy including short, medium and long term timeframes, and City of Yarra's project lead unit.

1.2 The Purpose

The purpose of the Bridge Road Streetscape Masterplan is to provide a long term strategic vision for the street's public domain and public spaces, and set out objectives and a framework to achieve that vision.

This Streetscape Masterplan:

- Outlines and responds to the aspirations of the community, stakeholders and visitors;
- Determines a vision for each precinct within Bridge Road;
- Defines a framework with key objectives and directions for developing safe, attractive, coherent and high quality streetscapes and public spaces;
- Defines projects for capital investment and a strategy for implementation; and
- Provides a cohesive material palette to be implemented throughout Bridge Road.

The purpose of this Streetscape Masterplan thus also is to provide a basis for attracting future investment along Bridge Road in the short term (0-5 years), medium term (5-10 years) and the long term (10+ years) as part of City of Yarra's forward Capital Works Programme and advocating for State and other external funding and contributions from developers.

Attachment 5 - Bridge Road Streetscape Masterplan

1.3 The Process

This Streetscape Masterplan has been a collaborative effort of a number of key stakeholders. A Project Steering Group comprising Council officers, representatives from Transport for Victoria, Public Transport Victoria, Vic Roads, Yarra Trams, Bicycle Victoria, Victorian Planning Authority, Epworth Hospital and Bridge Road Mainstreet Association has guided the development of the different stages of this masterplan.

The Streetscape Masterplan process illustrated in the following diagram, includes the background work undertaken to inform this report.

The background work to inform this Streetscape Masterplan report covered site analysis and mapping of existing conditions, review of the planning context, consultation with internal and external stakeholders, design workshops and development of opportunities and constraints. The background analysis is summarised in Section 1.7.

The Draft Streetscape Masterplan was placed on public exhibition for community feedback in July - August 2017. The information and ideas from the community consultation were considered where appropriate and changes were made to the draft masterplan accordingly.

This report, the Final Streetscape Masterplan reflects and responds to the community and stakeholder aspirations and feedback received through the development of the masterplan.

Attachment 5 - Bridge Road Streetscape Masterplan

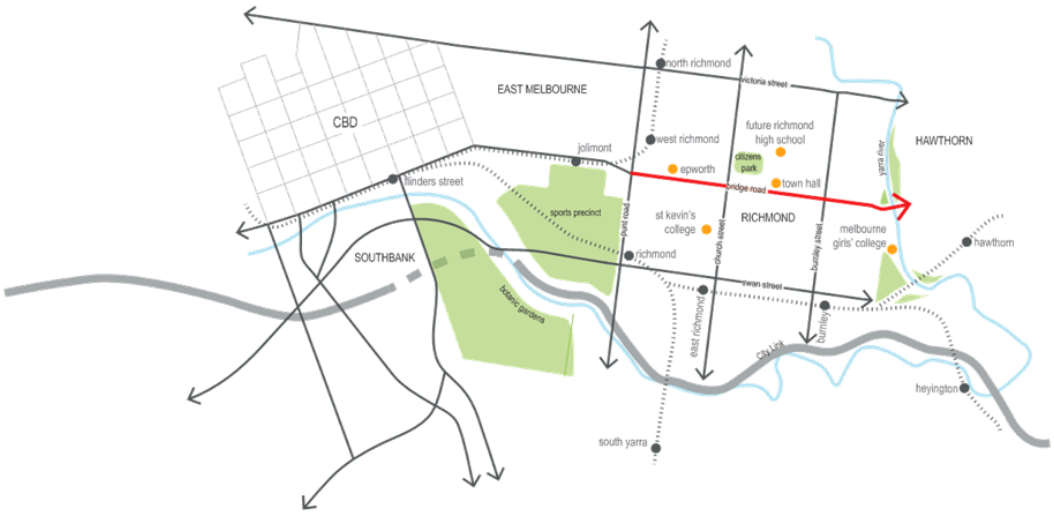
6 INTRODUCTION

1.4 The Broader Context

Bridge Road is designated as a Major Activity Centre (Plan Melbourne 2017-50) and is located within Richmond, an inner city suburb on the east edge of Melbourne CBD. It extends from Punt Road to the Yarra River along 2.2km length and is a key route between the CBD and eastern suburbs.

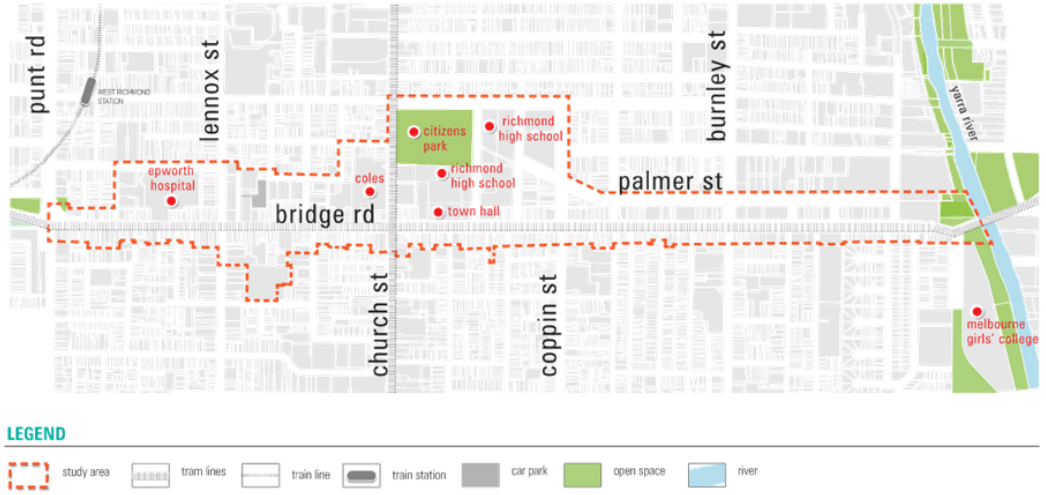
Bridge Road sits between two other Major Activity Centres within the City of Yarra, being Victoria Street to the north and Swan Street to the south. These three streets are arterial roads and provide key connections for movement of vehicles, trams, cyclists and pedestrians between the CBD and eastern suburbs. These three streets are all connected north to south by Church Street and Punt Road which both provide public transport routes via bus and trams. Bridge Road is also serviced by a number of train stations within 1.0km walking distance, including West Richmond Station, Richmond Station, East Richmond Station and Burnley Station. The Yarra River to the east end of Bridge Road provides an off road connection for pedestrians and cyclists.

Bridge Road is a major part of the identity of Richmond and is continually evolving in the type of activities and uses it supports. This Streetscape Masterplan has been undertaken during a time when the different precincts of Bridge Road support a variety of changing uses from retail, to hospitality, health, education and civic uses, and the suburb of Richmond is experiencing population growth.



1.5 The Study Area

The study area for the Streetscape Masterplan project focuses on Bridge Road but also extends to adjacent streets and junctions. Major connecting streets into Bridge Road include Church Street, Coppin Street and Burnley Street. Streets parallel to Bridge Road are also included, such as Palmer Street, as well as connections to areas with key public facilities such as Richmond Town Hall and new Gleadall Street high school, Citizens Park, the Epworth Hospital and the Yarra River.



Attachment 5 - Bridge Road Streetscape Masterplan

1.6 Project Overview

1.6.1 Emerging Development

Bridge Road is experienced as a number of different precincts by the local community, that have varying characters and uses. Bridge Road has seen a significant change over the last decade in the types of use due to changing retail patterns and development types, in particular the western end of Bridge Road between Punt Road and Church Street (commonly referred to as the Richmond Hill precinct). This includes the current shift of Bridge Road from accommodating regional retail destinations (outlet retail stores with a focus on fashion) to functioning as a retail and service destination to cater for a more localised catchment. The number of restaurants and cafes as well as medium to high density residential developments have grown whereas retail (particularly fashion) has declined. New high density residential developments will bring about increase in the local residential population around Bridge Road. The Epworth Hospital is a key destination between Punt Road and Lennox Street, identified by Plan Melbourne 2017-2050 as a place of state significance that will a focus for investment and growth. Another key destination within Bridge Road is the Richmond Town Hall and associated civic facilities between Church Street and Coppin Street. Also within this area, the state government initiative of a new high school on Gleadall Street is anticipated to commence construction in 2017.

The City of Yarra's annual audit for Bridge Road identifies the changing role of Bridge Road from 2014 to 2017. Since 2014 the number of fashion retail businesses has halved within the Richmond Hill precinct of Bridge Road, and growth in optical and medical businesses has tripled since 2014. West of Church Street the audit identifies restaurant and cafe business as the largest user group.

1.6.2 Bridge Road as a Transport Corridor

Bridge Road is a major arterial road which has changes to traffic priorities during different times of the day. This includes a clear way operating during peak hours to provide vehicle priority. Bridge Road is also identified on VicRoads Smart Roads Network Operating Plan as a route for tram priority, traffic priority, pedestrian priority and bicycle priority. This illustrates that there are a number of competing interests along the street.

1.6.3 Bridge Road as a Local Place

Public spaces and amenities are relatively limited along Bridge Road, with the exception of Citizen's Park to the north of Richmond Town Hall, the Yarra River, and O'Connell Reserve at the eastern extent. With the changing uses of Bridge Road and increase in new residents in Richmond there is need for additional and improved public spaces and amenities.

1.6.4 The Context of Previous Studies

In 2003 Council prepared a masterplan for Bridge Road from Punt Road to Church Street, which identified streetscape improvements with focus on pedestrian priority and amenity. Projects were implemented between Punt Road and Church Street from 2009 to 2011.

Example of implemented streetscape improvements at Waltham Street from the 2003 masterplan (source: City of Yarra)

In 2015 an independent streetscape study of the Richmond Hill precinct of Bridge Road was prepared by Tract Consultants on behalf of Bridge Road Main Street Inc. This study documented a list of opportunities for Richmond Hill through a participatory process to identify public realm upgrades. These opportunities were considered and tested during the preparation of the Streetscape Masterplan, and where proposed projects were identified as viable these have been considered as part of the Streetscape Masterplan. However there are practical constraints from the perspective of authorities and agencies which identified some proposals as unviable in the timeframe of this Streetscape Masterplan.

In 2016 Council determined a streetscape masterplan was required for the length of Bridge Road from Punt Road to the Yarra River. This was to ensure that the process of improving the quality of the whole length of Bridge Road and the experiences of its users could be facilitated in a measured and coordinated manner, with focus on capital works which could be implemented by the City of Yarra within short, medium and long term time frames. As such this document, The Bridge Road Streetscape Masterplan, has been prepared.

1.6.5 Authorities and Agencies

The preparation of The Bridge Road Streetscape Masterplan has included participation the following authorities and agencies:

- **Vic Roads**

  Role: Responsible for developing and managing the state arterial road network.

- **Transport for Victoria**

  Role: Agency that coordinates Victoria's growing transport network.

- **Public Transport Victoria**

  Role: Statutory authority that manages Victoria's train, tram and bus services.

- **Yarra Trams**

  Role: Management agency for Melbourne's tram network.

- **Department of Education**

  Role: The Department leads the delivery of education and development services.

- **Victorian Planning Authority**

  Role: Statutory planning authority that reports to the Minister for Planning. The VPA plans for growth in new suburbs and for renewal sites in parts of metropolitan Melbourne and regional Victoria.

- **Bicycle Victoria**

  Role: Promotion and advocacy for cyclist safety and access improvements.

  Participation was also provided from the Bridge Road Mainstreet Association.

Attachment 5 - Bridge Road Streetscape Masterplan

1.7 Project Background

The project background analysis and investigation is summarised in the following section. Full details can be found in the *Bridge Road Streetscape Masterplan Background Report.*

The background report commenced with reviewing the context and history of Bridge Road, supported by analytical mapping of access and movement, land use, built form development, landscape and topography, pedestrian experience, existing character and site conditions.

Consultation was then undertaken through liaison with Council's Project Working Group and Project Steering Group, a survey Questionnaire, ideas thinktank workshop, external stakeholder consultation, Epworth Hospital consultation and Business Association consultation through July 2016.

The outcomes of the consultation are summarised on the following two pages.

From the preceding background work and consultation, issues, constraints and opportunities were identified and mapped as a basis for the Streetscape Masterplan Framework.

Aspirational project examples were identified in the Ideas Thinktank workshop with Council Officers, Architects and Designers. Two examples included North Terrace in Adelaide (source: City of Yarra) as an example of a civic square and Centre Place (off Flinders Lane) (source: City of Yarra) in Melbourne as an example of an active laneway with distinctive character.

Snapshot of External Stakeholder, Business Association and Epworth Hospital Consultation

Business Association

- Bridge Road has transitioned from more of a regional destination to more of a local destination
- Promote street activation

Epworth Hospital

- Establish a 'health' precinct around the hospital
- Establish Erin Street as a pedestrian priority street

Department of Education

- New schools on Gleadall Street
- Safety and accessibility for all ages

Vic Roads

- Existing Bridge Road clearway during peak periods

Public Transport Victoria

- Improvements to public transport accessibility by 2030
- Efficient transport movement

Metropolitan Planning Authority

- Consolidate locally based employment

Yarra Trams

- Current tram routes on Bridge Road are overloaded

Attachment 5 - Bridge Road Streetscape Masterplan

Snapshot of Questionnaire and Ideas Thinktank Consultation

"Connect Bridge Road to the Yarra River "

"Improve the pedestrian experience with footpath widening and tree planting"

"Limit vehicular traffic along Bridge Road by reducing the roadway to two lanes "

"Individual precincts should be developed according to their unique characteristics"

"Increase green spaces and provide tree canopies"

"Public spaces should be improved at Richmond Plaza, Mary Rodgers Square and the Urban Arts block"

Snapshot of Resident and Visitor Consultation

Bridge Road is...

- Disjointed with poor legibility, especially for pedestrians
- Predominantly a movement route that prioritises vehicles
- Diverse in character and form
- Busy, full with people, cars and trams
- A street with much potential for lively activation with a wealth of heritage buildings

I wish Bridge Road was...

- More green
- More pedestrian friendly. There should be places where people can pause and relax
- An exciting food and retail precinct
- Cohesive as a whole
- Inviting to people of a mix of backgrounds and also offering a mix of uses for a variety of needs

Bridge Road is not...

- What it used to be; a lively retail strip
- Pedestrian friendly
- Connected to the residential area
- A boulevard; landscaping is lacking
- A destination
- Cohesive along its length or easy to navigate as one travels through it
- Inviting; there are few places to linger

If I could change one thing about Bridge Road it would be...

- Activated at night
- To have more of a distinct character in the different precincts
- To widen the footpaths between Punt Road and Church Street
- To have more publicly accessible open space
- To link to the river better

What are the main things respondents & residents would change?

1. range + quality of shops
2. parking
3. more landscaping

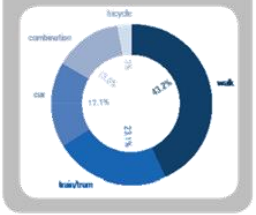
What are the main reasons for visiting?

1. restaurants, cafes and bars; grocery shopping
2. working; retail / services

Transport

Walking and public transport were the main methods of travel to Bridge Road

Only one-sixth travel by car



Attachment 5 - Bridge Road Streetscape Masterplan

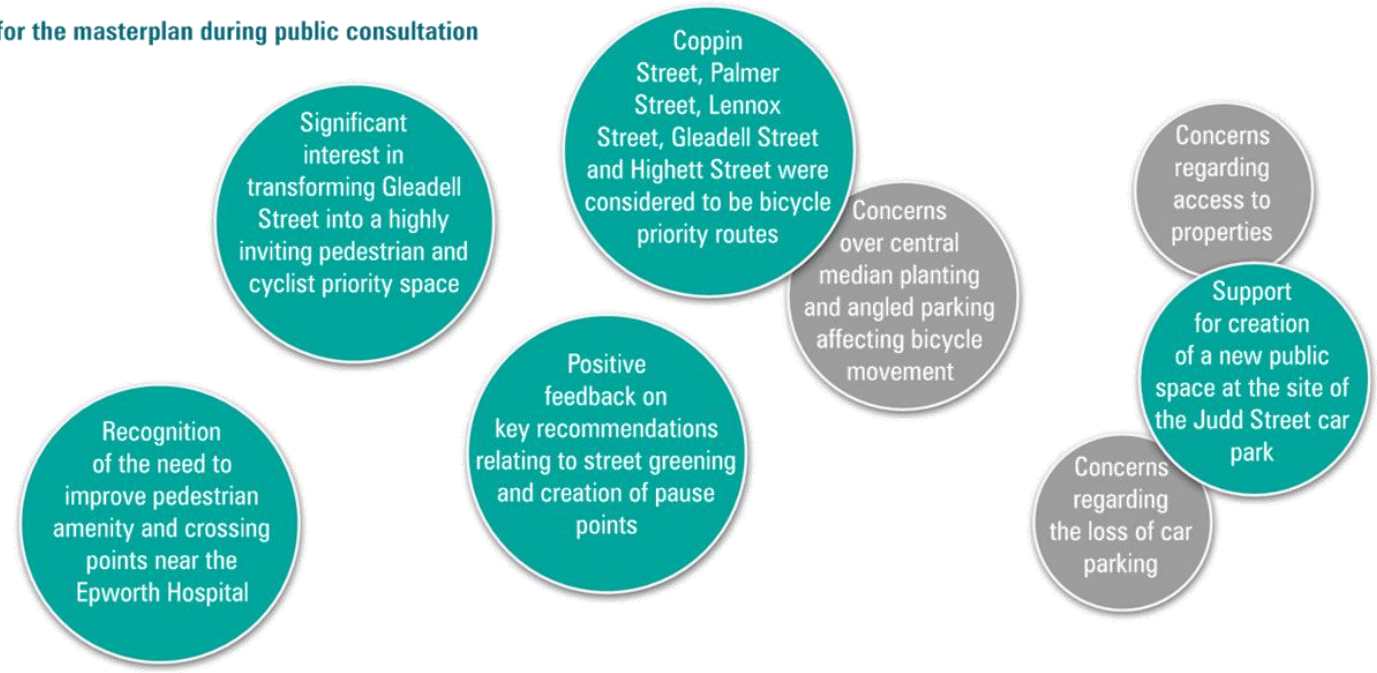
1.8 Public Consultation

The Draft Streetscape Masterplan was placed on public exhibition for community feedback in July - August 2017. The information and ideas from the community consultation were taken forwards into the final masterplan where appropriate, and a summary of community feedback is provided in the following section.

During the public exhibition / consultation period there was significant support from the community about the masterplan, however some concerns were raised relating to specific proposals.

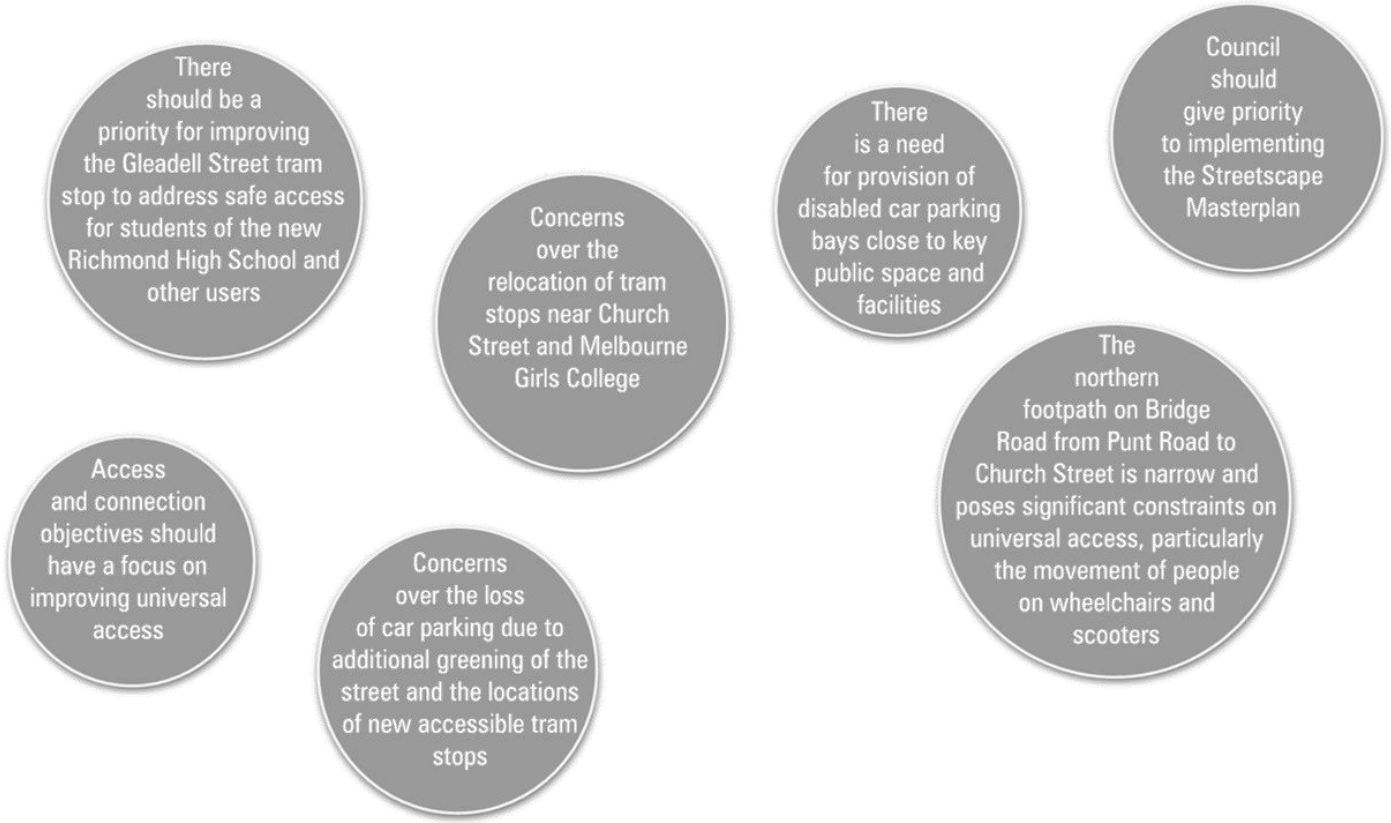
In principal support was also received from the transport agencies (VicRoads, Yarra Trams, and PTV) for the recommendations of the Draft Streetscape Masterplan and the need for collaboration with Council on further work relating to tram stop upgrades, road user heirachy and transport network context was identified.

Support for the masterplan during public consultation



Attachment 5 - Bridge Road Streetscape Masterplan

Concerns raised on the masterplan during public consultation



Attachment 5 - Bridge Road Streetscape Masterplan

STREETSCAPE MASTERPLAN

2

2 THE STREETSCAPE MASTERPLAN

2.1 The Streetscape Masterplan Structure

The following diagram illustrates the structure of the Streetscape Masterplan, beginning with the Streetscape Masterplan Framework.

The Streetscape Masterplan Framework (Section 2.2) sets out the strategic objectives for Bridge Road. Precinct Plans (Section 2.3) determine a vision and directions for each precinct in response to the framework objectives. Further to this, a series of special places and key projects were defined (Section 2.4) as being suitable for capital investment and future implementation.

2.2 The Streetscape Masterplan Framework

The Streetscape Masterplan Framework provides a vision and sets out the strategic objectives for the Bridge Road study area.

Opportunities and constraints were identified through the background report and the Streetscape Masterplan Framework sets out appropriate responses with consideration to the opportunities and constraints.

Through the project site analysis and consultation process, three key precincts were identified within the study area. These precincts have distinct identities and have been identified as Precinct 1 Richmond Hill, Precinct 2 Civic and Institution, and Precinct 3 Bridge Road East. The Streetscape Masterplan Framework recognises and responds to these precinct identities, and a vision was determined for each precinct. The objectives set out in the Streetscape Masterplan Framework seek to achieve the vision for each precinct.

Precinct 1 Richmond Hill has a strong character which comes from the heritage architecture and narrower street cross section than the rest of Bridge Road. The Streetscape Masterplan Framework seeks to support the state significant health precinct of the Epworth Hospital, provide more equitable distribution of public space, enhance the identity of the precinct and improve pedestrian connections from public transport and across Bridge Road.

Precinct 2 Civic & Institution has the key destination of Richmond Town Hall and surrounding civic uses. The Streetscape Masterplan Framework seeks to support the Town Hall and surrounds as an emerging node for concentration of civic uses, education and community infrastructure.

Precinct 3 Bridge Road East is linked to the character of the Yarra River and is distinct from the rest of Bridge Road. The Streetscape Masterplan Framework seeks to strengthen the connection to the Yarra River, provide more equitable distribution of public space and support the improvement of sustainable transport routes.

Attachment 5 - Bridge Road Streetscape Masterplan

PRECINCT VISION STATEMENTS

PRECINCT 1: RICHMOND HILL

Celebrate the intimate streetscape character and heritage of Richmond Hill, and strengthen connections to the activity node of the state significant health precinct of the Epworth Hospital

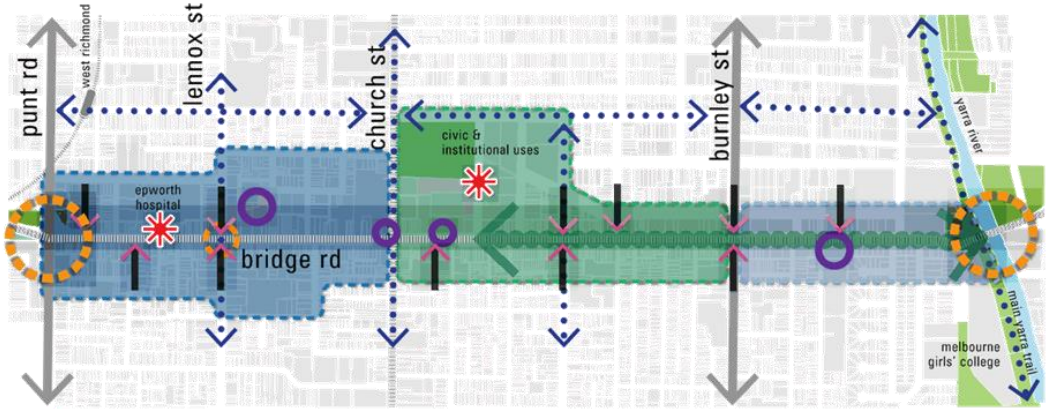
PRECINCT 2: CIVIC & INSTITUTION

A pedestrian focused civic heart, centered around the iconic town hall, civic and institutional uses

PRECINCT 3: BRIDGE ROAD EAST

Create a gateway and sense of arrival into Bridge Road as a boulevard from the Yarra River

STREETSCAPE MASTERPLAN FRAMEWORK



LEGEND

MASTERPLAN FRAMEWORK

- precinct 1: richmond hill
- precinct 2: civic & institution
- precinct 3: bridge road east
- enhance the public domain to create a sense of arrival into Bridge Road
- civic and institutional uses
- river connection
- cycle connection
- neighbourhood connections into bridge road
- upgraded/proposed public space node

EXISTING CONDITIONS

- existing tram lines
- major vehicular transport corridor
- train station
- existing open space
- river
- train line

FRAMEWORK OBJECTIVES

The following objectives were selected to support the vision for the masterplan, and for each precinct. The objectives guide the directions determined in the Precinct Plans and provide the strategic context for the selection of special places and key projects.

1. **Objective 1 - Precinct Character:**

   Strengthen the existing character precincts of Bridge Road through complimentary public realm improvements with unifying streetscape elements and focus on key destinations

2. **Objective 2 - Access and Connections:**

   Improve accessibility and connections focusing on universal access and enhance the sense of arrival into Bridge Road from neighbouring streets, public transport nodes and key destinations

3. **Objective 3 - Sustainable Transport Priority:**

   Recognise Bridge Road as a key destination for retail, civic and institutional uses and provide high quality public realm improvements to support pedestrians, cyclists and public transport users

4. **Objective 4 - Public Space**

   Identify and develop public spaces for pedestrian and recreational amenity

5. **Objective 5 - Street Greening**

   Create a stronger green link by additional planting

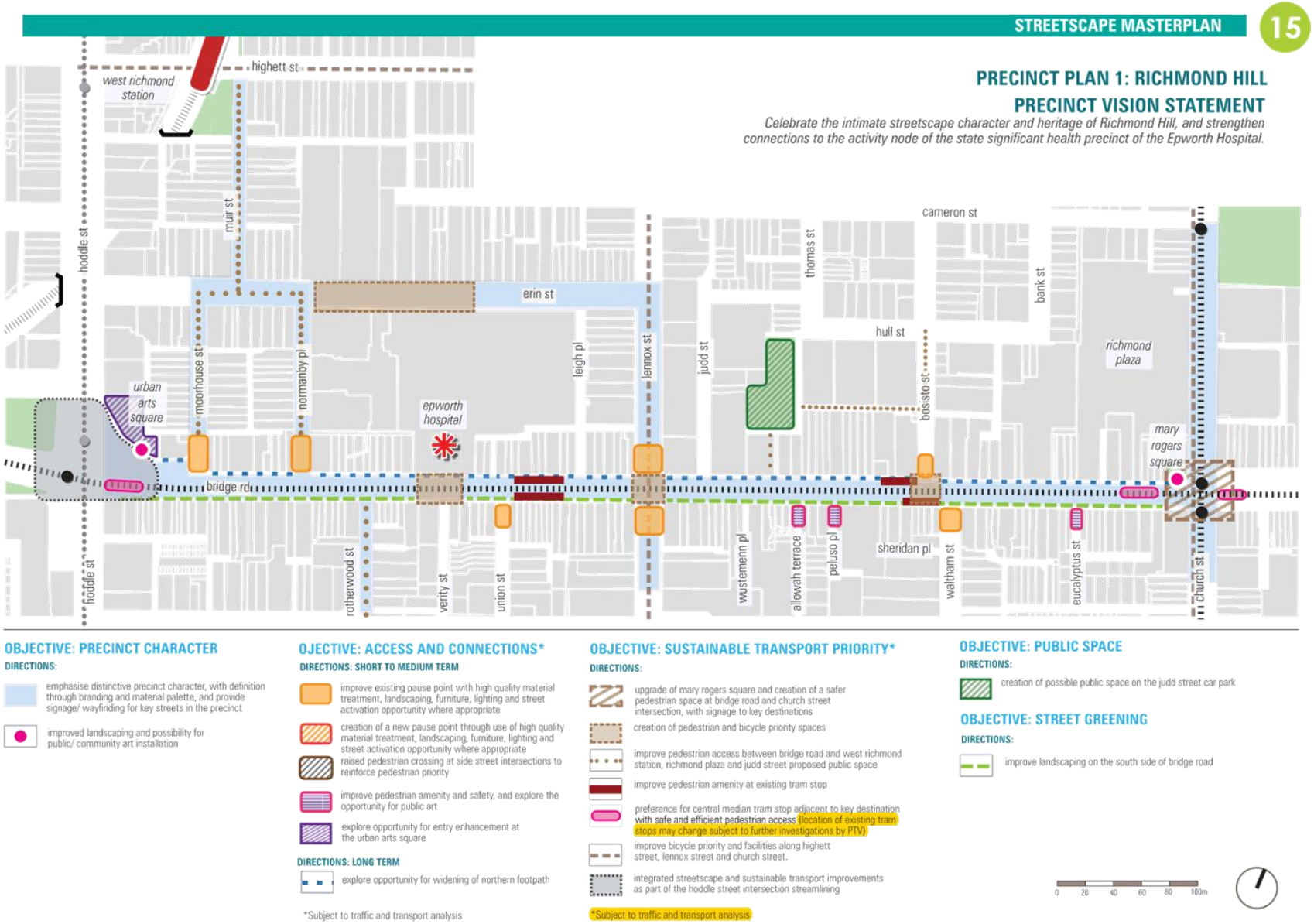
Attachment 5 - Bridge Road Streetscape Masterplan

2.3 Precinct Plans

Following the development the Streetscape Masterplan Framework (Section 2.2), which sets out the strategic objectives for Bridge Road, Precinct Plans were developed to articulate appropriate directions to realise the vision for each precinct in response to the streetscape masterplan framework objectives and opportunities and constraints identified.

The directions determined in the precinct plans set the context for the selection of special places and key projects (Section 2.4).

Attachment 5 - Bridge Road Streetscape Masterplan



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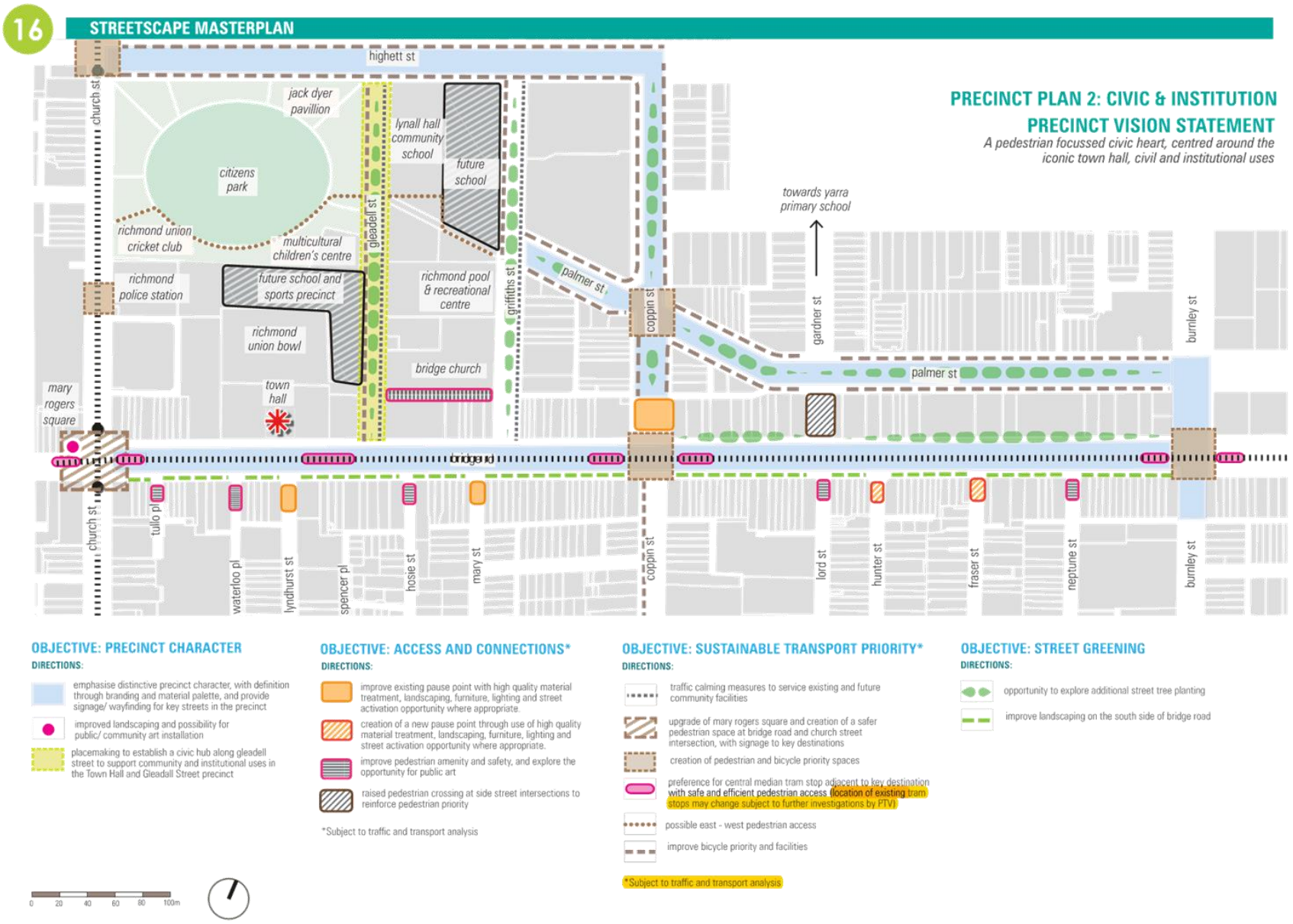

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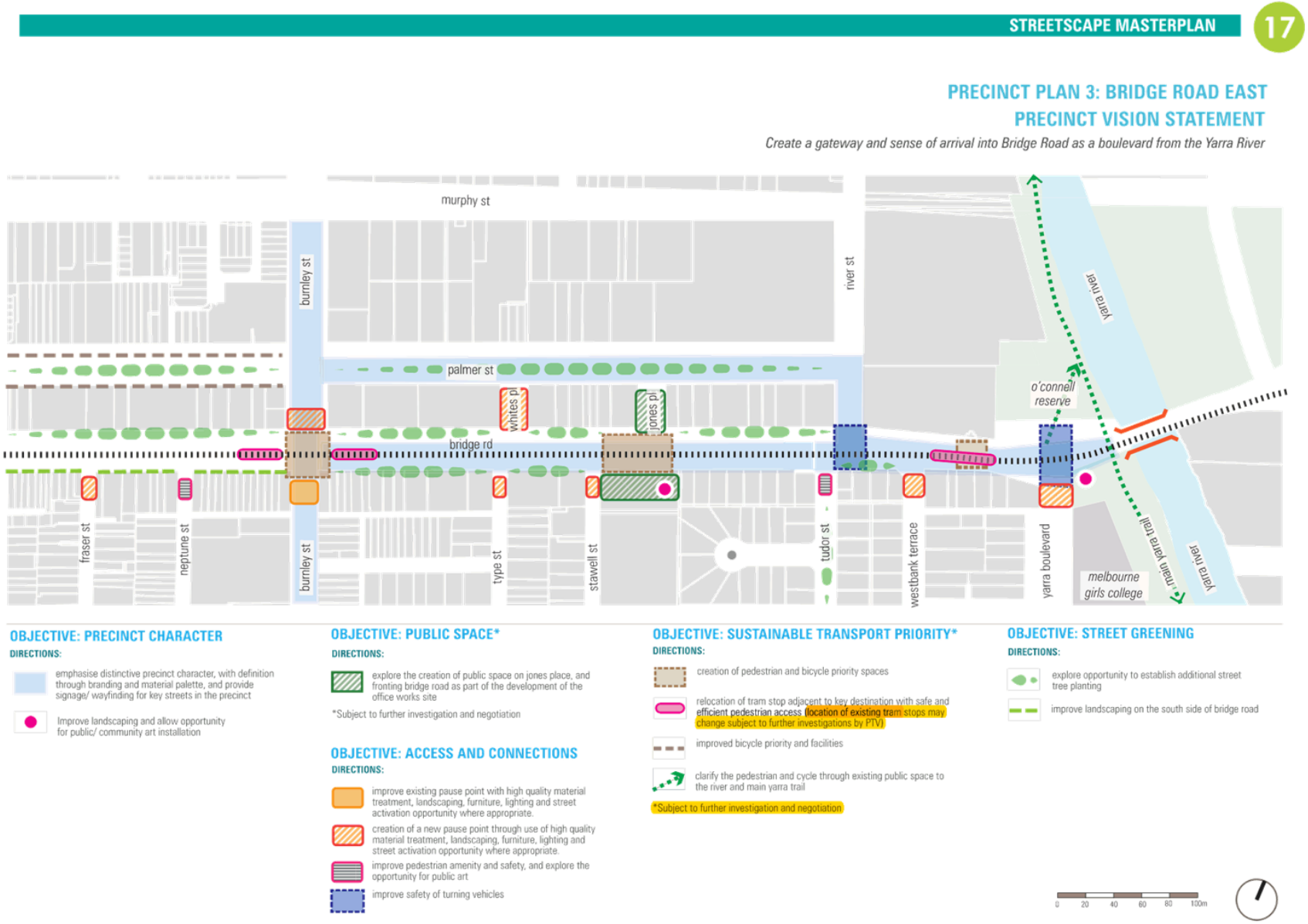


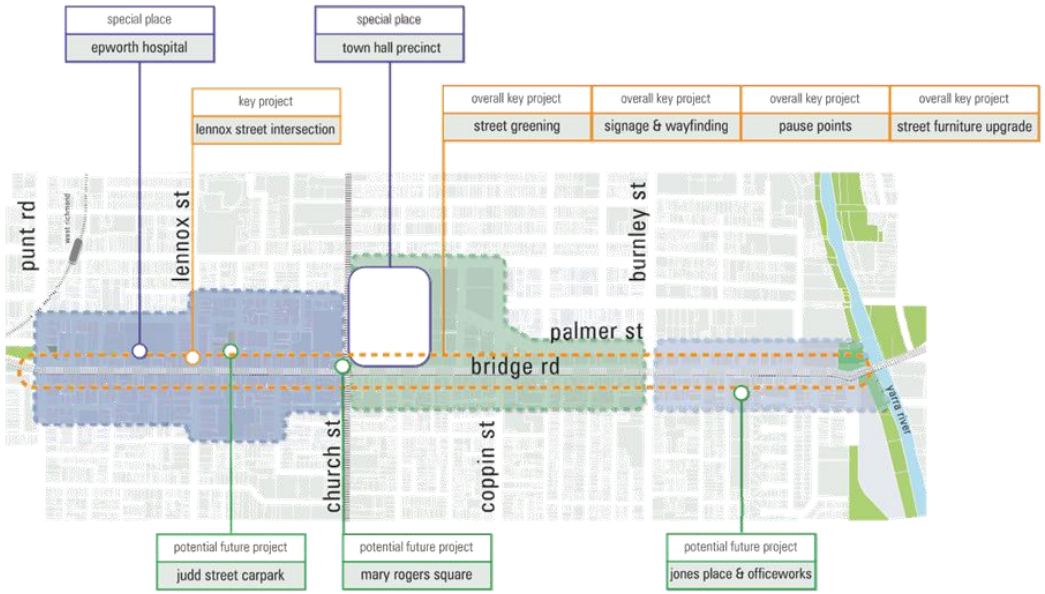
Attachment 5 - Bridge Road Streetscape Masterplan

2.4 Special Places and Key Projects

The Streetscape Masterplan objectives could potentially be realised through delivery of the following key projects. These projects include the establishment of a common thread to connect the different precincts along Bridge Road, identification of potential new open space, developing consistency in public realm upgrades, improving accessibility to public transport and establishment of pedestrian focused environments. Key activity nodes around the Epworth Hospital and the Town Hall / Gleadell Street have been identified as special places requiring significant public realm upgrades.

These projects are envisaged as positive contribution to the establishment of vibrant, active, safe and inviting Bridge Road for existing/ future residents, traders, workers and visitors alike. A total of **7 projects (2 special places and 5 key projects)** are identified within the Streetscape Masterplan for future implementation within a 10 year timeframe as follows. A total of 3 potential future projects are also identified, for which the feasibility needs to be established first. The masterplan recognises widening of the northern footpath between Punt Road and Church Street as an opportunity which would require further exploration and discussion with transport authorities in the future.

Section 3.0 sets out the implementation strategy for the special places and key projects.



Special Places

Two 'Special Places' are identified by the Streetscape Masterplan. Existing conditions are shown in the following images.

Special Place: Epworth Hospital Precinct

Existing condition: Epworth Hospital vehicle entrance on Bridge Road (source: Hansen Partnership)

Special Place: Town Hall Precinct

Existing condition: Richmond Town Hall (source: Hansen Partnership)

Attachment 5 - Bridge Road Streetscape Masterplan

Key Projects

Five 'Key Projects' are identified by the Streetscape Masterplan in relation to place specific initiatives, or overall streetscape interventions along Bridge Road. Existing conditions are shown in the following images.

Overall Key Project: Pause Points

Existing condition: Union Street (source: Hansen Partnership)

Overall Key Project: Street Furniture Upgrade

Existing condition: Tram stop with seating (source: Hansen Partnership)

Installation of a new public toilet in the Bridge Road East precinct

Overall Key Project: Street Greening

Existing condition: Gleadell Street (source: Hansen Partnership)

Overall Key Project: Signage and Wayfinding

Existing condition: Bridge Road branding (source: Hansen Partnership)

Key Project: Lennox Street Intersection

Existing condition: Lennox Street intersection with Bridge Road (source: Hansen Partnership)

Potential Future Projects

Three potential future projects a are identified by the Streetscape Masterplan in relation to place specific initiatives, for which the feasibility requires to be established first. Existing conditions are shown in the following images.

Potential Future Project: Mary Rogers Square

Existing condition: Mary Rogers Square (source: Hansen Partnership)

Potential Future Project: Judd Street Car Park

Existing condition: Judd Street Car Park (source: Hansen Partnership)

Potential Future Project: Jones Place & Officeworks (566 Bridge Road)

Existing condition: Officeworks frontage (source: Hansen Partnership)

Attachment 5 - Bridge Road Streetscape Masterplan

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2.4.1 Special Place: Epworth Hospital

The Epworth Hospital and health related uses within its immediate surrounds are considered to be a key activity node of state significance and an asset which will benefit from high quality public realm upgrades and improved pedestrian access.

Within the Bridge Road spine there is opportunity to improve pedestrian priority at a key crossing point to the hospital, and to establish pedestrian space as pause point at the intersections of side streets or laneways with Bridge Road. New landscaping, street arts, or installation of public furniture/ signage are encouraged.

Improved public realm and pedestrian connectivity are considered beneficial in reducing unnecessary vehicular movement within the precinct and to encourage high quality walking environment. There is opportunity to improve pedestrian connections from the hospital to the rest of the health precinct and public transport nodes including West Richmond Station. Importantly, public realm upgrades sought within this precinct will respond to the following Streetscape Masterplan Framework objectives:

Objective 2 - Access and Connections:

Improve accessibility and connections focusing on universal access and enhance the sense of arrival into Bridge Road from neighbouring streets, public transport nodes and key destinations

Objective 3 - Sustainable Transport Priority:

Recognise Bridge Road as a key destination for retail, civic and institutional uses and provide high quality public realm improvements to support pedestrians, cyclists and public transport users

Key project opportunities identified within this precinct include:

1 Improving pedestrian connection across Bridge Road

Direction: Creation of pedestrian priority spaces

How:

- Widening of existing pedestrian crossing at the front of the Epworth Hospital, ensuring safe access near the car park entrance.
- Relocation, or re-arrangement of on street car parking to facilitate widening of pedestrian crossing.
- Consider alternative, or distinctive material treatment to distinguish pedestrian crossing and vehicular crossovers (to the Hospital car park entries and porte cochere) to clearly announce pedestrian priority space.

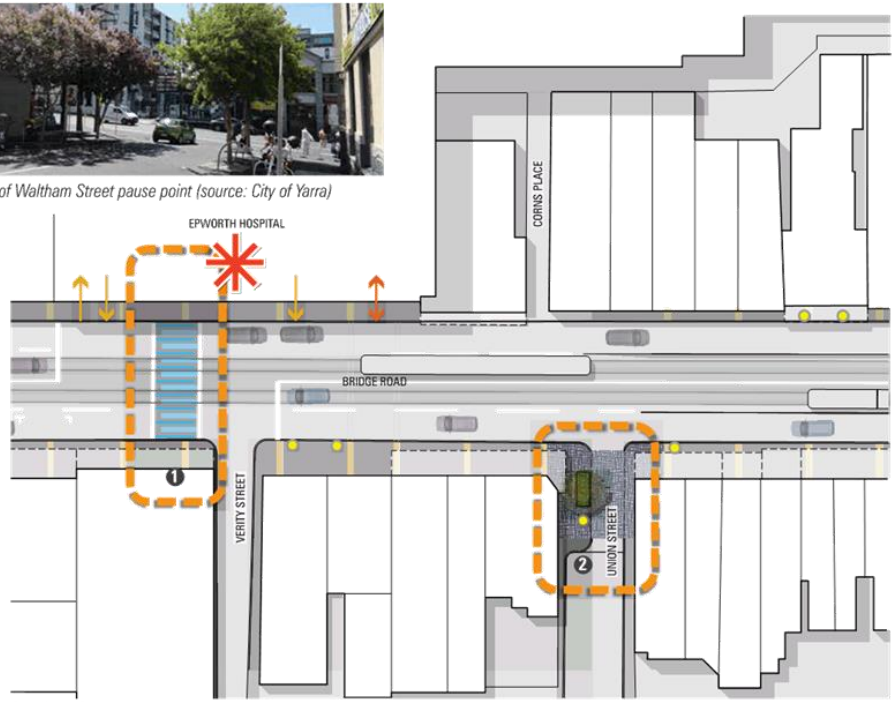
2 Upgrade the pedestrian pause point at Union Street

Direction: Improve existing pause point with high quality material treatment, landscaping, furniture, lighting or opportunity for street activation

How:

- Kerb extension on the west side of Union Street.
- Installation of lighting, street furniture and additional landscaping.
- Establish shared surface arrangement to clearly define pedestrian 'pause point' to encourage slowing down of traffic movement.
- Street activation should consider balancing the need for public space.

Example of Waltham Street pause point (source: City of Yarra)



Attachment 5 - Bridge Road Streetscape Masterplan

2.4.2 Special Place: Town Hall Precinct

Richmond Town Hall and nearby civic / educational uses are considered to be a key activity node within Bridge Road. This node will have further future importance as the new school and the indoor sports building is developed on Gleadell Street. The masterplan recognises this as a special place with a focus on establishing a 'heart' to Bridge Road. Opportunities exist to provide a high quality public realm to support civic and educational uses, create inviting pedestrian and cyclist priority spaces, promote sustainable transport connections and strengthen the role of the precinct, facilitate connections to services and facilities within adjacent streets.

Improved sustainable transport connections seek to facilitate active transport and reduced use of personal vehicles, allowing greater accessibility to important civic facilities.

Importantly, public realm upgrades sought within this special place will respond to the following Streetscape Masterplan Framework objectives:

Objective 1 - Precinct Character:

Strengthen the existing character precincts of Bridge Road through complimentary public realm improvements with unifying streetscape elements and focus on key destinations

Objective 2 - Access and Connections:

Improve accessibility and connections focusing on universal access and enhance the sense of arrival into Bridge Road from neighbouring streets, public transport nodes and key destinations

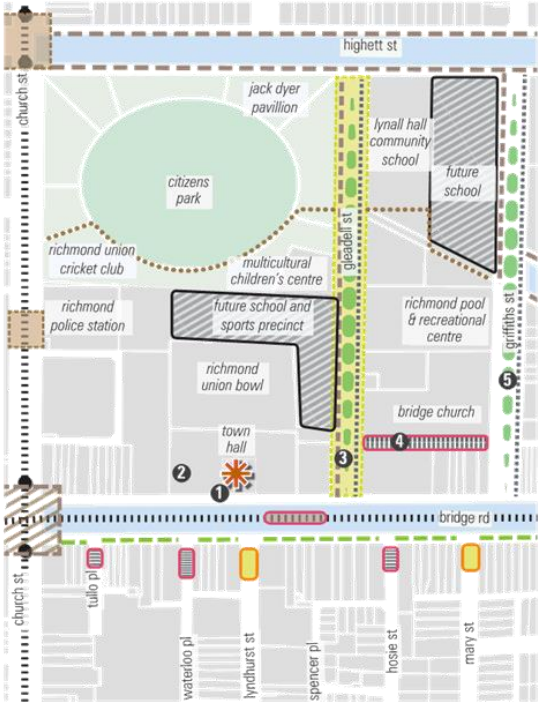
Objective 3 - Sustainable Transport Priority:

Recognise Bridge Road as a key destination for retail, civic and institutional uses and provide high quality public realm improvements to support pedestrians, cyclists and public transport users

Objective 5 - Street Greening

Create a stronger green link by additional planting

Example of a central median tram stop (source: Hansen Partnership)



Extract of Richmond Town Hall and Gleadell Street from the precinct plan

Key project opportunities identified within this precinct include:

1 Tram stop upgrade

Direction: Preferred location of central median tram stop

How:

- Accessible tram super stops should be adjacent or close to a key destination, with safe and efficient pedestrian access.
- Making the upgrade of the tram stop near Gleadell Street a priority in light of the construction of the new Richmond High School.
- Rationalise the location of tram stops with the possibility of central stops to consolidate two stops into one.

2 Streetscape setting for the Richmond Town Hall and former Police building

Direction: Key destination of the Richmond Town Hall

How:

- Improved streetscape interface to the Richmond Town Hall and former police building, and improved setting for built form.
- Creation of a public plaza and rest node in front of the former police building, with seating and planting to create a comfortable pedestrian scale space.
- High quality paving materials and street furniture to support the significance of Richmond Town Hall's civic function.

Artists illustration (indicative only)

3 Streetscape improvements along Gleadell Street

Direction: Placemaking to establish a civic hub along Gleadell Street to support community and institutional uses

How:

- Additional street tree planting and soft landscaping through reorganising on street parking.
- Traffic calming measures / shared zone to focus on pedestrian priority and walking connection from relocated tram stop to civic and institutional uses.
- Improved bicycle priority and access.
- High quality streetscape materials and furniture palette, including new seating and lighting
- Improved east-west pedestrian connections through future schools and links to Citizens Park.

Example of shared pedestrian and vehicle surface (source: Hansen Partnership)

Attachment 5 - Bridge Road Streetscape Masterplan

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4 Upgrade Gleadell and Griffiths Street ROWY

Direction: Creation of an artwork laneway

How:

- Laneway resurfacing and installation of lighting.
- Opportunities for utilising side walls for graphic art installation, or air right (above laneway) for potential art installation.

Example of laneway mural (source: Hansen Partnership)

5 Streetscape improvements along Griffiths Street

Direction: Improve bicycle priority and facilities, and provide traffic calming measures

How:

- Wider footpaths and new bicycle lanes.
- Improved landscaping, planting and street furniture.

Example of St Kilda Road cycle lane and mature street tree planting (source: Hansen Partnership)

Artists illustration (indicative only)

Attachment 5 - Bridge Road Streetscape Masterplan

2.4.3 Key Project: Pause Points

A pause point is a space which allows space for pedestrians to rest or pause on the street, and provides comfortable street furniture and amenity for users. A pause point also acts as a traffic calming measure.

The existing pause points which can be improved, and the proposed pause points identified in the Precinct Plans are summarised on the adjacent diagram. Further investigation will be required to determine how the pause points can be implemented subject to traffic assessment, services and drainage investigation. Consideration will be given to existing street character, creation of active building interfaces, location of disabled car parking bays, widening of pedestrian spaces through development proposals, trading permits, authorities works and maintenance requirements. Consultation will be required with adjacent property owners.

Importantly, public realm upgrades sought for this key project will respond to the following Streetscape Masterplan Framework objectives:

Objective 2 - Access and Connections:

Improve accessibility and connections focusing on universal access and enhance the sense of arrival into Bridge Road from neighbouring streets, public transport nodes and key destinations

Opportunities identified:

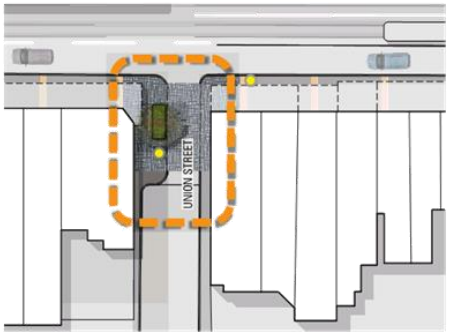
1 Pause Point

Direction: Improve existing pause point with high quality material treatment, landscaping, furniture or lighting

Direction: Create a new pause point through use of high quality material treatment, landscaping, furniture or lighting

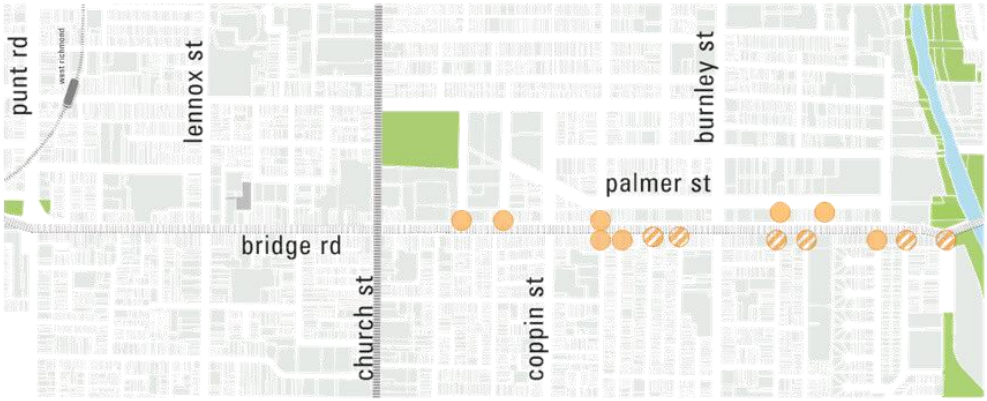
How:

- High quality natural stone paving and kerb materials
- Widened footpaths
- Kerb extensions
- Narrowed roadway
- Shared surface
- Raised crossing
- Garden bed and tree planting
- Street furniture including seating, bins and bike racks
- Installation of a public toilet in the Bridge Road East precinct
- Feature lighting and public art
- Creation of active edges and widening of pedestrian spaces
- Activation of building frontages through outdoor dining / trading where practical, balanced with the need for public space



Example pause point on Union Place within the Epworth Hospital special place, including shared surface, widened footpath, garden beds and tree planting

Existing pause point at Waltham Street (source: City of Yarra)



Locations of proposed pause points and raised crossings

Attachment 5 - Bridge Road Streetscape Masterplan

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2.4.4 Key Project: Lennox Street Intersection

The Lennox Street intersection is the main central road junction within the Richmond Hill precinct, and as such is an important north-south connection. Opportunities exist to provide a high quality public realm which creates more public space within the Richmond Hill precinct. This can be achieved through a series of pause points on the north and south side of Bridge Road, and establishment of a pedestrian node and comfortable rest point.

Establishing pause points at this intersection will provide a point of reference and orientation, assist with enhancing the character of the precinct, improve street activation, improve pedestrian priority and provide cycle facilities.

Importantly, public realm upgrades sought for this key project will respond to the following Streetscape Masterplan Framework objectives:

Objective 1 - Precinct Character:

Strengthen the existing character precincts of Bridge Road through complimentary public realm improvements with unifying streetscape elements and focus on key destinations

Objective 2 - Access and Connections:

Improve accessibility and connections focusing on universal access and enhance the sense of arrival into Bridge Road from neighbouring streets, public transport nodes and key destinations

Objective 3 - Sustainable Transport Priority:

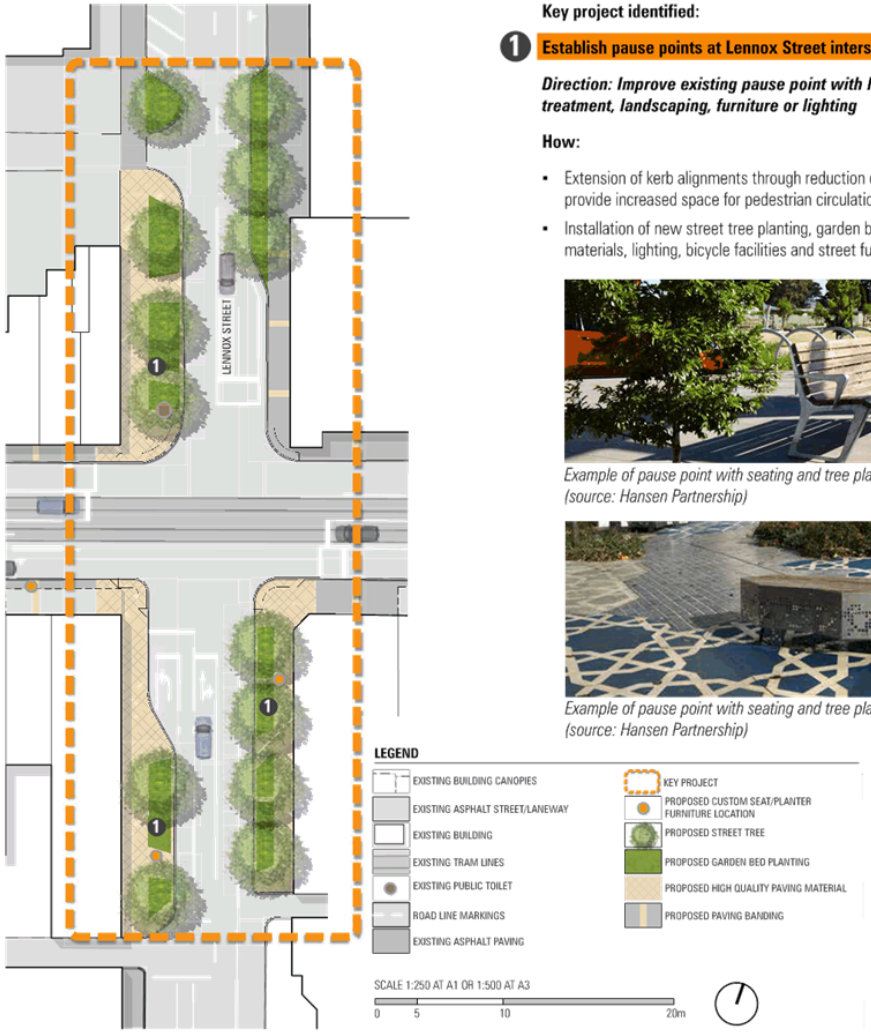
Recognise Bridge Road as a key destination for retail, civic and institutional uses and provide high quality public realm improvements to support pedestrians, cyclists and public transport users

Objective 4 - Public Space

Identify and develop public spaces for pedestrian and recreational amenity

Objective 5 - Street Greening

Create a stronger green link by additional planting



Indicative concept

Key project identified:

1 Establish pause points at Lennox Street intersection

Direction: Improve existing pause point with high quality material treatment, landscaping, furniture or lighting

How:

- Extension of kerb alignments through reduction of car parking spaces, to provide increased space for pedestrian circulation.
- Installation of new street tree planting, garden beds, high quality paving materials, lighting, bicycle facilities and street furniture.

Example of pause point with seating and tree planting (source: Hansen Partnership)

Example of pause point with seating and tree planting (source: Hansen Partnership)

Attachment 5 - Bridge Road Streetscape Masterplan

2.4.5 Key Project: Street Greening

Bridge Road its self currently has a number of different tree species planted along its length, and existing trees are generally located within the Bridge Road East precinct or at existing pause points. This is due to constraints of road / pavement width within the Richmond Hill precinct, and service infrastructure / canopies within the Civic & Institution Precinct.

Street greening has been identified as a key project to improve the character of Bridge Road. A number of opportunities and strategies have been suggested to improve greening along the street.

It is envisaged that street greening will seek to enhance continuity of character within the overall Bridge Road precinct, as well responding to the local character of individual streets.

Importantly, public realm upgrades sought for this key project will respond to the following Streetscape Masterplan Framework objectives:

Objective 5 - Street Greening

Create a stronger green link by additional planting

Opportunities identified:

1 Street Tree Planting

Direction: Additional street tree planting through reorganising on street car parking layout

Direction: Establish boulevard effect through regular tree planting

How:

- Additional street tree planting on Bridge Road with a consistent tree species and staged replacement of existing trees, to strengthen the character of Bridge Road and provide consistency.
- Additional street tree planting on side streets with species consistent along the street. Care is also required to create consistency in the treatment of side street intersections with Bridge Road. Species to be selected with consideration to existing street tree species within the Bridge Road precinct, as identified in the adjacent diagram.
- Reorganisation of existing parking to create more space for street tree planting.

Existing street tree species within the Bridge Road precinct and examples of locations (source: City of Yarra)

Attachment 5 - Bridge Road Streetscape Masterplan

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2 Planting in public spaces and kerb outstands

Direction: Opportunity to explore additional street tree planting

How:

- Improve street tree planting in kerb outstands, and public spaces.

Example of semi-mature street tree planting in a kerb outstand (source: Hansen Partnership)

3 Footpath Trading Policy

Direction: Improve landscaping on the south side of Bridge Road

How:

- Encourage traders to provide planter boxes associated with building uses such as cafes, restaurants and retail.
- Implemented through the footpath trading policy with guidelines on sizes and materials.

Examples of planter boxes associated with commercial building uses on Bridge Road (source: Hansen Partnership)

4 Planting in pause points

Direction: Improve existing pause point with landscaping

Direction: Create a new pause point with landscaping

How:

- Street tree and garden bed planting within widened pavement areas and shared zones.
- Raised planter boxes.
- Species selection to compliment the existing character of the street and buildings, and create consistency at the intersections of side streets with Bridge Road.
- Drought tolerant species that do not have an aggressive root system.
- Low garden bed planting to avoid conflict with vehicle sight lines.

Robust strappy leaved species such as Lomandra varieties (source: Hansen Partnership)

Low, mounding species such as Westringia or Rosmarinus varieties (source: Hansen Partnership)

Suggested understorey species

Preferred features:

- Seasonal interest through colour, flowers and leaves.
- Structural planting with interesting form.
- Spreading groundcovers.
- Robust species to withstand harsh conditions in a streetscape.

Species with colourful flowers such as Brachyscome varieties (source: City of Yarra)

Spreading groundcovers with structural interest such as Banksia varieties (source: City of Yarra)

Structural shrubs such as Callistemon varieties (source: City of Yarra)

Attachment 5 - Bridge Road Streetscape Masterplan

2.4.6 Key Project: Signage & Wayfinding

There is opportunity to use signage and wayfinding to emphasize the distinctive characters of each precinct in Bridge Road, and provide consistency within the overall Bridge Road precinct.

Importantly, public realm upgrades sought for this key project will respond to the following Streetscape Masterplan Framework objectives:

Objective 1 - Precinct Character:

Strengthen the existing character precincts of Bridge Road through complimentary public realm improvements with unifying streetscape elements and focus on key destinations.

Opportunities identified:

1 Enhanced Precinct Character

Direction: Develop cohesive signage / wayfinding and branding

How:

- In discussion with the Bridge Road Main Street Association and the local businesses, prepare street branding strategies for different precincts of Bridge Road.
- Liaise with PTV and Yarra Trams for incorporating wayfinding and branding along with the new tram super stops.

2 Signage upgrade programme and new signage

Direction: Provide signage / wayfinding to key streets in the precinct

How:

- Remove / replace existing signage based on a signage audit.
- Upgrade existing maps and directional signage.
- Provide new signage in accordance with the City of Yarra Signage Policy and Melbourne Way Finding and Master Style Guide (Way Found), seeking opportunities for installation of wayfinding signs in coordination with new tram stops.
- Provide new signage to key locations and destinations in the Bridge Road precincts.
- Provide directional signage for car parking which services Bridge Road.

Example of wayfinding signage (source: Hansen Partnership)

3 Maintenance Framework

Direction: Improve processes for installation and upkeep of signage

How:

- Conduct an audit with the aim of decluttering signage along Bridge Road and identify signage which can be removed / replaced / improved.
- New developments to pursue re-installation of the existing historic markers through planning permits.
- Prepare a program for regular maintenance and upkeep.

4 Install new historic markers

Direction: Emphasise distinctive precinct character and build on historical interpretation with new signage and markers

How:

- Undertake a program to provide additional markers relating to the history of Bridge Road and the association of places and buildings with historic figures or businesses.

Example of existing interpretive signage (source: Hansen Partnership)

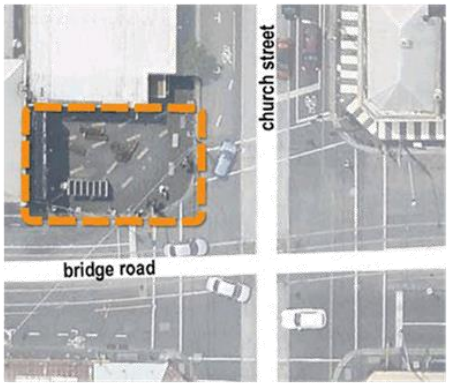
Attachment 5 - Bridge Road Streetscape Masterplan

2.4.7 Future Potential Project: Mary Rogers Square

Mary Rogers Square is a public space node at the junction of Bridge Road and Church Street, which marks the start of the Richmond Hill Precinct.

It is envisaged that the upgrade of the square will support wayfinding for visitors, enhance the character of this junction with a focus on pedestrian safety and improved amenity.

Opportunity needs to be explored to provide an active and attractive built edge and an identity to the square, in future, seeking integration with the development of adjoining sites.

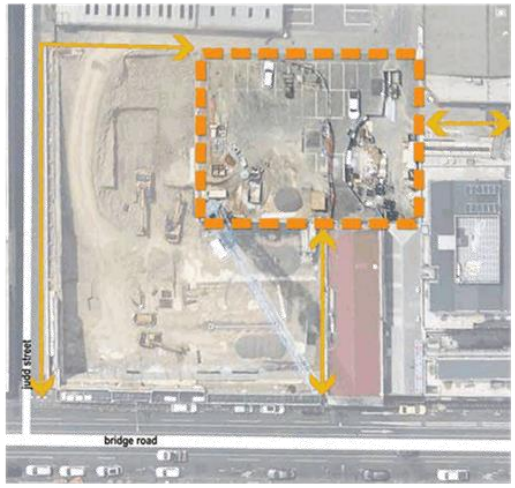


Aerial photo of existing Mary Rogers Square and Bridge Road - Church Street intersection (not to scale)

2.4.8 Future Potential Project: Judd Street Car Park

Judd Street car park is an existing car park on the north side of Bridge Road which has been identified as a potential future project to improve precinct character and provide new public open space within the Richmond Hill precinct. New development in the area (under construction) is changing the type of land use around the car park, and this project has the potential to provide open space and amenity for future residents as well as visitors to Bridge Road.

Council has recently sought a wide pedestrian link through an adjoining development which would provide a legible connection to the Judd Street car park from Bridge Road. The pedestrian links off Judd Street and Bosisto Street (via Leggo Place and Hull Street), and the new direct link from Bridge Road will connect this project into it's surrounds. Establishing a public space in this location will provide a destination point within the Richmond Hill precinct which is open to all users, and provides space for activities and gatherings. There is also an opportunity to provide car parking along with public space, taking advantage of the slope of the land and the size of the existing car park.

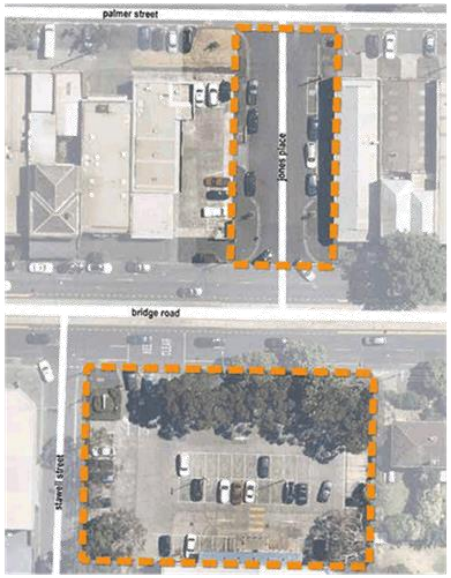


Aerial photo of existing car park and adjacent apartment construction site (not to scale)

2.4.9 Future Potential Project: Jones Place and Officeworks

Jones Place is an existing two way street between Palmer Street and Bridge Road. Officeworks lies opposite to Jones Place on the south side of Bridge road, with the frontage currently occupied by an at grade car park associated with Officeworks. These spaces have been identified as a potential opportunity to improve the character of the precinct, improve equitable distribution of public space, create nodes to encourage walking and sustainable transport to local facilities and improve street greening.

Establishing a public space at Jones Place and a new open space within the front setback of the Officeworks site (if the opportunity arises with future development of the site) would create a new destination point within the precinct which would provide facilities for residents, workers and visitors.



Aerial photo of existing Jones Place and Officeworks car park (not to scale)

Attachment 5 - Bridge Road Streetscape Masterplan

2.5 Design and Material Palette

A design and material palette has been prepared to define surface materials and street furniture for use within the three precincts of Bridge Road, with a view to create consistency along the street, ease of movement for all and to standardize maintenance requirements.

Surface Materials

Higher order, non slip, paving materials of natural stone and exposed aggregate concrete will be used in special places, key projects and pause points.

New public spaces, parks and reserves such as Judd Street Park, and Jones Place would be suitable for a softer materials palette including warmer colours and permeable materials.

Special Places and Pause Points

Natural granite or bluestone in grey to warm tones (source: Hansen Partnership)

Exposed aggregate concrete (source: Hansen Partnership)

Natural granite or bluestone cobbles (source: Hansen Partnership)

Natural granite or bluestone paving bands (source: Hansen Partnership)

Parks and Reserves

Exposed aggregate concrete, granitic gravel and feature areas of natural stone for public open space and parks (source: Hansen Partnership)

Natural timbers for furniture and decking areas (source: hoskingindustries.com.au)

Attachment 5 - Bridge Road Streetscape Masterplan

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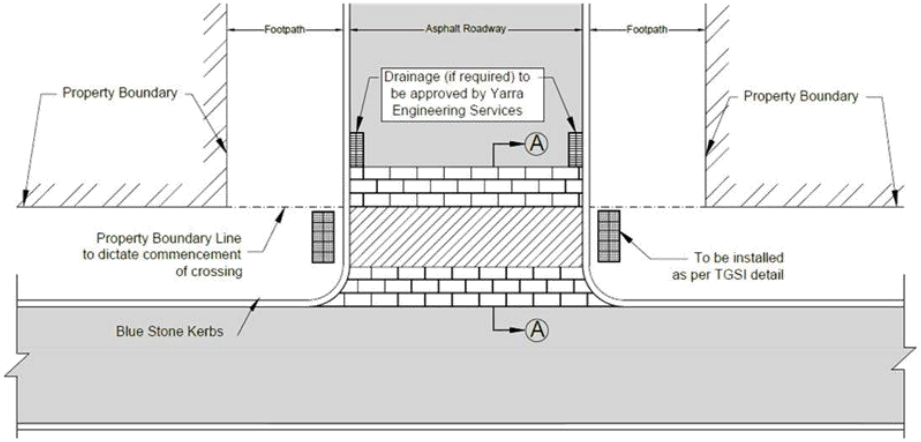
Raised Crossing Treatment

A standardized approach will be taken to improving access at the junction of side streets to Bridge Road. This will include raising the level of the side street at the crossing point to create a flush transition from the main Bridge Road footpath, and slow turning vehicles through visual indicators of stone setts and the raised crossing point.

Examples of raised crossing treatments at side streets
(source: City of Yarra)



Typical design for a raised crossing treatment at a side street
(source: City of Yarra)

Attachment 5 - Bridge Road Streetscape Masterplan

Street Furniture

Standard Furniture Palette

A standard suite of furniture shall be used throughout Bridge Road in accordance with the City of Yarra Public Domain Manual. Locations of new street furniture will require consultation.

Standard stainless steel seats will be used in accordance with the City of Yarra Public Domain Manual. Seats should be located close to public transport nodes including tram stops and bus stops. A clearance of 1.8m should be allowed from building lines and a minimum of 1.5m should be allowed between seats. (source: City of Yarra)

Standard stainless steel rubbish bins will be used in accordance with the City of Yarra Public Domain Manual. Bins should be located close to public transport nodes including tram stops and bus stops, and in proximity to on street seating. (source: City of Yarra)

Standard steel inground and post bike hoops will be used in accordance with the City of Yarra Public Domain Manual. Post bike hoops assist with minimising street clutter. Bike facilities such as bike pumps shall be provided along key bike routes. (source: City of Yarra)

Drinking water fountains with bottle refills will be provided close to public toilets and in the identified special places of the Epworth Hospital and Richmond Town Hall & Gleadall Street. (source: City of Yarra)

Custom Furniture for New Public Spaces

Custom furniture may be suitable for designed for new public spaces, reserves and parks such as Judd Street Park and Jones Place. This furniture should respond to the character of each precinct and compliment the identity of that precinct

Example of sculptural seating at Peel Street Park in City of Yarra (source: City of Yarra)

Example of custom seating and lighting at Richmond Terrace in City of Yarra. (source: Hansen Partnership)

Example of custom furniture at Oxford Street Park in City of Yarra. (source: Hansen Partnership)

Attachment 5 - Bridge Road Streetscape Masterplan

IMPLEMENTATION

3

3 IMPLEMENTATION STRATEGY

3.1 The Strategy

This section sets out the proposed timeframe to implement the Special Places and Key Projects identified in the Streetscape Masterplan. The timeframes are identified as short term (0-5 years), medium term (5-10 years) and long term (10+ years). The appropriate City of Yarra Lead Unit has also been identified along with the required implementation process in the subsequent pages. The table also includes immediate actions to be undertaken (in the next financial year) to progress the priority projects.

The Streetscape Masterplan recognises that there are further opportunities which would require additional exploration, discussions and a strong partnership between a number of agencies and stakeholders (including TFV, PTV, Yarra Trams, VicRoads, Bridge Road Mainstreet Association). These include:

- New accessible tram superstops.
- Widening of the northern footpath in the Richmond Hill precinct.
- Additional street tree planting on the southern side of Bridge Road between Burnley Street and the Yarra River.

Realising these opportunities would be a future process and would depend on exploring a change to traffic and transport options. Implementing these options would also require significant resources. Since such opportunities would be important for placemaking in the future, the Streetscape Masterplan recommends that Council takes a strong advocacy and coordination role and continues to work with the transport agencies to establish the road user hierarchy along Bridge Road and better understand the functions of Bridge Road in the wider transport network context.

Attachment 5 - Bridge Road Streetscape Masterplan

1	Key Projects	Description	Project Scope	Responsibility	Timeframes Short (0-5 years) Medium (6-10 years) Long (10+ years)	Immediate Actions
1	Town Hall Precinct	Transformation of the public realm around the Town Hall and along Gleadell and Griffiths Streets into a highly inviting pedestrian and cyclist priority space which seeks to strengthen the role of this precinct as a civic and community node.	Tram Stop Upgrade to provide a central median DDA compliant platform, including provision of easy and safer access to tram stop.	External Project Lead: State Government Yarra City Council Lead: Strategic Transport Unit	Short Term	Council to continue to work in partnership with TFV, PTV and VicRoads to - seek clarity on the road user hierarchy, traffic impacts and network analysis. - implementing upgraded tram stops at Gleadell/ Church Streets.
			Upgrade the streetscape setting around the town hall by with new planting, exploring opportunities for street tree planting and providing high quality pavement material, street furniture and entry treatment to support the significance and civic function of the Richmond Town Hall. Depending on the tram stop location and type there may opportunities to integrate the public space with the tram stop.	Yarra City Council Project Lead: Urban Design Unit	Short Term	- Develop a design concept and design details.
			Gleadell Street streetscape improvement to create a pedestrian friendly and walkable environment for all users including the new Richmond High School students. The upgrade may include provision of potential shared space in front of the school entrance and recreation centre, new landscaping, raised pedestrian crossing, street furniture and lighting. The design of the streetscape improvemetns will incorporate the retention of Gleadell Street Market. The design will also need to integrate the improvements to the tram stop near Gleadell Street.	External Project Lead: Department of Education Yarra City Council Lead: Urban Design in partnership with Traffic, Landscaping and Strategic Transport units)	Short Term	- Undertake parking occupancy survey, traffic counts pedestrian/bicycle counts, feature survey and other site investigations. - Investigate and establish the feasibility of the east-west connections through the School site and Citizens Park with State Authority. - Advocate for State Funding contribution to the project. - Commence the design process.
			Griffiths Street streetscape improvement to create a pedestrian and bicycle friendly environment for the new Richmond High School students. The upgrade will investigate opportunity for wider footpath, raised pedestirian crossing more landscaping, street furniture and new bicycle lanes.	External Project Lead: Department of Education Yarra City Council Lead: Planning and Placemaking, (with traffic and landscaping)	Short Term	- Undertake traffic and parking analysis, parking occupancy survey, traffic/pedestrian counts etc. - Finalise the design engaging with the local community and integrating the improvements to Palmer Street and Coppin Street. - Seek funding for implementation.
			Upgrade the Gleadell, Griffiths ROW to promote a safe and permeable environment for pedestrians and bikes. This will include laneway re-surfacing, installation of public lighting and commissioning of artwork along the sides of buildings.	Yarra City Council Project Lead: Urban Design Unit	Medium Term	

Attachment 5 - Bridge Road Streetscape Masterplan

34 IMPLEMENTATION STRATEGY

	Key Projects	Description	Project Scope	Responsibility	Timeframes Short (0-5 years) Medium (6-10 years) Long (10+ years)	Immediate Actions
2	Epworth Hospital Precinct	The project seeks to encourage safer and more attractive pedestrian environment around the important Epworth Hospital as a key activity and employment node. It also seeks opportunities for developing' public space nodes' within the Richmond Hill Precinct.	Widening of existing pedestrian crossing across Bridge Road and using distinctive pattern to reinforce pedestrian priority for the increasing north-south pedestrian movement. Also create a distinctive marking for safe pedestrian movement across Epworth's drive way entry.	**Yarra City Council** Project Lead: Traffic / Urban Design Unit **External** VicRoads, Transport for Victoria, Pubic Transport Victoria (PTV) and Epworth Hospital	Short Term	- Prepare a design concept in consultation with PTV, Yarra Trams, Vic Roads and Epworth Hospital. - In parnership with VicRoads implement pedestrian crossing across Bridge Road. - In partnership with Epworth Hospital implement distinctive treatment for safer crossing in front of Epworth Hospital.
			Investigate with Epworth Hospital to improve public realm amenity of the hospital building to Bridge Road frontage, and Erin Street: Opportunity for Introduction of plants (potted plants) at Bridge Road frontage. Better landscaping along Erin Street frontage along with installation of seats. Better access to landscaped area at Epworth Rehabilitation Centre.	**External** Project Lead: Epworth Hospital **Yarra City Council** Lead: Urban Design Unit	Short Term	Council to work with Epworth Hospital management to identify the opportunity to improve amenity of the hospital frontage and Erin Street.
3	New Pause Points and Raised Crossing	Provision of pause points will facilitate public space nodes and improve pedestrian amenity, safety and quality of the streetscape. Provision of raised crossing will give pedestrians a priority at road crossings.	Create six new pause points. Pause points should include raised pedestrian crossings and kerb extesions using high quality material treatment, landscaping, furniture and lighting etc. (as necessary). For cost efficiency creation of pause points need to be coordinated with VicRoads' pedestrian safety improvement project which includes raised pedestrian crossings. Locations for new pause points and raised crossings: - Hunter Street - Fraser Street - Type Street - Stawell Street - Westbank Terrace - Yarra Boulevard	**External** Project Lead: VicRoads **Yarra City Council** Lead: Urban Design Team and Traffic Team	Short Term	Council to work with VicRoads to finalise design for pedestrian safety improvement projects to deliver new raised crossing and pause points between Church Street and Yarra River.

Attachment 5 - Bridge Road Streetscape Masterplan

	Key Projects	Description	Project Scope	Responsibility	Timeframes Short (0-5 years) Medium (6-10 years) Long (10+ years)	Immediate Actions
	New Pause Points and Raised Crossing (continued)		Provide new raised crossings at the following side streets - Gleadell Street - Griffiths Street - Gardner Street - Lord Street - Neptune Street - Tudor Street - Whites Place - Jones Place	External Project Lead: VicRoads Yarra City Council Lead: Urban Design Team, Traffic Teams (in partneship with Engineering Services)	Short Term	Council to provide input to VicRoads design process. Implementation proposed through VicRoads -TAC funding.
4	Street Furniture Upgrade	Provision of high quality and consistent furniture to unify the streetscape elements and improve the visual appearance of Bridge Road.	Undertake a street furniture upgrade program to provide a consistent palette of furniture for the whole of Bridge Road and the existing pause points to include seats, bins, water fountain and bike hoops. Consideration to be given to minimal life cycle costs and maintenance requirements.	Yarra City Council Project Lead: Urban Design Unit	Short Term	- Undertake an audit of existing street furniture and locations for additional furniture. - Consult with business and property owners. - Finalise locations. - Seek funding.
			Investigate a suitable location and provide a Public Toilet east of Coppin Street.	Yarra City Council Project Lead: Urban Design Unit	Medium Term	
5	Street Greening	Provide additional landscaping along Bridge Road	Additional street tree planting along Bridge Road, side streets and public spaces.	Yarra City Council Project Lead: Recreation and Open Space Unit	Short Term	- Identify opportunities for additional greening of the street. - Program additional tree planting.
			Improve landscaping in existing pause points and create new pause points with landscaping.	Yarra City Council Project Lead: Recreation and Open Space Unit	Short Term	Under the Council's street tree/ landscape program create a program for additional greening of pause points and side streets, east of Church Street.
			Encourage footpath traders to provide planter boxes along Bridge Road.	Yarra City Council Project Lead: Urban Design Unit	Ongoing	As part of the ongoing footpath trading permit process, promote installation of planter boxes where appropriate.
6	Judd Street car Park	Opportunity to convert existing car park into a new, inviting meeting place for existing and future residents living within the Richmond Hill precinct and beyond.	Explore opportunity to convert the car park into a public place. Consideration should be given to providing pedestrian linkages off Judd Street and Bosisto Street connecting the surrounding area to the car park.	Yarra City Council Project Lead: Urban Design Unit	Short Term	- Prepare scope for conducting a feasibility study of options for the future use of Judd Street carpark as a public space. - Seek funding to undertake the feasibility study.
			If feasibility of the project is established undertake design, consultation, seek funding and implement.		Medium to Long Term	

Attachment 5 - Bridge Road Streetscape Masterplan

	Key Projects	Description	Project Scope	Responsibility	Timeframes Short (0-5 years) Medium (6-10 years) Long (10+ years)	Immediate Actions
7	Signage and Wayfinding	Improve streetscape presentation through consolidating public signage and minimising on street visual clutter	Undertake a signage upgrade program in accordance with City of Yarra Signage Policy and Melbourne Way finding Signing Master Style Guide to improve pedestrian navigation along the street, including building upon existing heritage markers and providing new directional signage to key locations and train stations.	Yarra City Council Project Lead: Urban Design Unit	Short to Medium Term	- Undertake a public signage audit to reduce signage clutter. - Advocate to PTV and Yarra Trams to install way finding maps integrated with Tram stop structure. - Investigate options for installation of new historical interpretation signs.
8	Lennox Street Intersection	The project seeks to create a sense of arrival into Bridge Road through establishment of a pedestrian node as Lennox Street is an important pedestrian and cyclist north-south connection.	Redesign of kerb to increase kerb extension which will assist in traffic calming and provide an opportunity for public space and planting. Provision of high quality material treatment, landscaping, street furniture and lighting.	Yarra City Council Project Lead: Urban Design Unit	Medium Term	
9	Existing pause points	Upgrade existing pause points, east and west of Church Street to improve pedestrian amenity and quality of streetscape.	Improve existing pause points with high quality material treatment, landscaping, furniture and lighting. Investigate street activation opportunities through out door dining/trading etc. where appropriate; balancing the need for public sapces.	Yarra City Council Project Lead: Urban Design Unit	Short to Medium Term	Undertake an audit of existing pause points to identify improvements and scope for future works.
10	Mary Rogers Square	Conduct a feasibility study to explore opportunity to upgrade of the Mary Rogers Square into a safe, functional and attractive public space. If feasible undertake design and implementaiton.	Provision of more landscaping and relocation of street furniture. In future if the tram stop is removed from Mary Rogers Square consider exploring a redesign of the site.	Yarra City Council Project Lead: Urban Design Unit External VicRoads	Long Term	
11	Jones or Whites Place Public Space	Conduct a feasibility study to explore opportunity for road closure to convert either of the streets into a pocket park to serve the future residents.	Council's new open space strategy should confirm the need for new public/open spaces. Consitent with the Stratey convert the Jones Pl/Whites Pl into a pocket park. The other street then to have a pause point.	Yarra City Council Project Lead: Urban Design Unit	Long Term	
12	Important Advocacy Actions	Council will continue advocating to State transport agencies on: - establishing the road user hierarchy, traffic impacts and network priority. - identifying location and type of new upgraded tram stops. - a program to implement upgraded tram stops. - feasibility for widening of northern footpath.	State Government's tram stop upgrade program to make tram stop disability access compliant.	Yarra City Council Project Lead: Urban Design Unit	Short, Medium and Long Term	Council to continue advocating.

11.3 Updates to the City of Yarra Significant Tree Register

Trim Record Number: D17/166552
Responsible Officer: Director Planning and Place Making

Purpose

1. To advise Council on whether a tree nominated by members of the community should be included on the Significant Tree Register under the Council's Local Law.

Background

2. In September 2014, after a period of consultation and in accordance with Council's Local Law, Council endorsed a Significant Tree Register (the Register). At that meeting it was resolved that Council:

   (a) note the officer report on the development and related process of a Significant Tree Register;

   (b) adopt the attached register of Significant Trees under Local Law 3, noting that this register will be updated from time to time;

   (c) adopt the "Guidelines for the consideration of applications under Council's Local Law No. 3 for the City of Yarra, 2014 (Assessing applications for removal/lopping/trimming of significant trees"; and

   (d) notify the owners and occupiers of private land which have a tree registered on the City of Yarra Significant Tree register, and provide a copy of the 'Guidelines for the consideration of applications under Local Law No. 3".

3. Council's Local Law requires that a person must not, without a permit, remove, damage or lop a significant tree. It defines a significant tree as:

   *7.42 **"significant tree"** means a tree which meets one or more of the following criteria:*

   7.42.1 the tree is single trunked with a trunk diameter of 400 mm or greater measured at 1500 mm (1.5m) above the ground; or

   7.42.2 the tree is multi-trunked with a combined trunk diameter of 400mm or greater at 1500 mm (1.5m) above the ground; or

   7.42.3 the tree is individually listed on the significant tree register;

   7.42.4 the tree is one of a group of trees listed on the significant tree register; or

   7.42.5 the tree is single trunked with a trunk diameter of 400 mm or greater measured at ground level; or

   7.42.6 the tree is multi-trunked with a combined trunk diameter of 400 mm or greater measured at ground level;

   *7.43 **"significant tree register"** means a register of trees of cultural significance to the Council, which is kept and maintained by Council;*

4. The Register was proposed to protect trees that may not be protected by virtue of the size of the tree (ie its diameter) as outlined above. The criteria is provided in the City of Yarra report Significant tree Criteria compiled by Homewood Consulting in 2012 and is consistent with those utilised by the National Trust of Victoria.

5. In mid-2012 tree nominations were sought from the public to be considered for the register which resulted in 232 nominations being approved for inclusion onto the register, totalling 1,301 individual trees on both private and council land.

6. At the time of endorsing the Significant Tree Register, it was acknowledged that there may be additional trees in Yarra that would meet the criteria for the Significant Tree Register and it was proposed that it remains a dynamic document, with nominations able to be made through the City of Yarra website, or directly to Council Officers. Following further nominations, Council added a further five trees to the register in September 2016.

7. When nominations are received an assessment is undertaken to determine the trees eligibility for the Significant Tree Register, with the Register to be updated to reflect its inclusion if the tree meets the relevant criteria.

8. Officers will provide an annual update to Council on changes made to the Significant Tree Register, including additions to the register and changes to the status of trees.

9. Since the initial register was amended in September 2016 Council has received one new nomination for a tree to be included onto the register. The tree has been assessed against the criteria for eligibility for the Significant Tree Register (Attachment 1).

10. It should also be noted that Council officers were compelled to remove one tree, an *Ulmus procera* (English elm), located in Darling Gardens that was on the Register. The tree had been subject to significant tree surgery since the 1970s and was identified as having a major split that created an imminent risk of failure. The tree was removed in September 2017.

External Consultation

11. No broad consultation has occurred in relation to the tree nominated for inclusion on the Register, however the owner/occupier was contacted with respect to gaining access to property and was advised the matter would be presented to Council at the November Council Meeting.

Internal Consultation (One Yarra)

12. The Significant Tree Register was developed by the City Strategy Branch in consultation with the Recreation and Open Space and Compliance branches. Ongoing management of the Register rests with the Recreation and Open Space Branch who commissioned the assessment of nominated trees.

Financial Implications

13. The task of assessing trees nominated for the register comes at a cost of approximately $300 per inspection. This service is funded through the Recreation and Open Space operating budget.

Economic Implications

14. There are no economic implications associated with assessing trees for inclusion on the Significant Tree Register.

Sustainability Implications

15. The enhancement of the Significant Tree Register through the addition of selected trees will improve the management of important trees across the City of Yarra.

Social Implications

16. Provisions controlling proposals for the removal or lopping etc. of trees on private land create restrictions to property improvements.

Human Rights Implications

17. There are no known restrictions or infringements on the substantiative rights outlined in the Charter of Human Rights and Responsibilities Act 2006. That is, local law controls are a legitimate restriction on properties in a local context.

Communications with CALD Communities Implications

18. When assessing trees for inclusion on the Register, if the tree is on private land, engagement with the community is limited to contact with the affected property owner and resident.

Council Plan, Strategy and Policy Implications

19. The Significant Tree Register is consistent with the Council Plan, in particular "*Objective 3: A sustainable Yarra a place where Council leads on sustainability and protects and enhances its natural environment*".

Legal Implications

20. The Significant Tree Register supports the existing Local Law. The supporting Guidelines have previously been reviewed by Council's legal advisors to ensure consistency with the Local Law.

21. The provisions of the Local Law (Clause 39.1), state that "a person must not, without a permit, remove, damage, destroy or lop a significant tree".

Other Issues

22. One tree has been nominated for inclusion on the Significant Tree Register. The tree is a *Corymbia citriodora* (Lemon-scented Gum) at the rear of 31 Raphael Street, Abbotsford (Attachment 1)

23. The subject tree has been assessed against the criteria defined in the Register and was recommended for inclusion on the City of Yarra Significant Tree Register.

24. The inclusion of a tree on Council's Significant Tree Register does not increase the controls in place when compared to a tree that is deemed to be significant by virtue of its size. In both instances, a local law permit is required to remove, damage or lop a Significant Tree or a tree listed on Council's Significant Tree Register.

25. Where a tree is identified for removal in a Planning Permit Application and tree controls are in place in the Yarra Planning Scheme, the Planning Scheme is considered to be the higher order document. If a permit has been granted as part of a statutory planning process and a tree is required to be removed, a permit under the Local Law is not required.

Conclusion

26. The tree assessment and subsequent recommendation contained in Attachment 1 has been made against those criteria defined in the Significant Tree Register.

27. The independent assessment is supported by officers and it is recommended that the *Corymbia citriodora* (Lemon-scented Gum) at 31 Raphael Street, Abbotsford, is added to the City of Yarra Significant Tree Register.

28. Should Council determine to include the abovementioned tree on the Register, it is recommended that Council notify the owner and occupiers of the land which has a tree registered on the City of Yarra Significant Tree register, and provide a copy of the 'Guidelines for the consideration of applications under the Local Law'.

29. It is also noted that one tree, an *Ulmus procera* (English elm), in Darling Gardens that had been on the Register was removed in September 2017.

RECOMMENDATION

1. That Council:
   (a) notes one tree, an Ulmus procera (English elm), in Darling Gardens that had been on the Register was removed in September 2017
   (b) notes that notes the officer report and the independent assessment of a tree at 31 Raphael Street, Abbotsford;
   (c) endorses inclusion of the *Corymbia citriodora* (Lemon-scented Gum) at 31 Raphael Street, Abbotsford on the City of Yarra Significant Tree Register:
2. That officers:
   (a) notify the owners and occupiers of private land, being 1(c)ii to 1(c)v above, which have

a tree included on the City of Yarra Significant Tree register, and provide a copy of the 'Guidelines for the consideration of applications under the Local Law'.

CONTACT OFFICER: **Justin Hanrahan**
TITLE: **Manager Open Space and Recreation**
TEL: **9205 5720**

Attachments

1 Tree assessment at 31 Raphael Street Abbotsford

Attachment 1 - Tree assessment at 31 Raphael Street Abbotsford

Arborist Report

for

City of Yarra

Assessment of a *Corymbia citriodora* (Lemon-scented Gum) for inclusion on the City of Yarra's Significant Tree Register.

Prepared by

Homewood Consulting Pty Ltd
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Nunawading VIC 3131

Prepared For

Glen Williames
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Consulting Arborist

Dr. Liz Denman
Bachelor of Applied Science (Horticulture) (Honours)
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19 October 2017

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Attachment 1 - Tree assessment at 31 Raphael Street Abbotsford

Summary

Homewood Consulting Pty Ltd has been engaged to undertake an assessment of a *Corymbia citriodora* (Lemon-scented Gum) located at 31 Raphael Street, Abbotsford. The tree has been nominated for inclusion on the City of Yarra's Significant Tree Register and has been assessed against the Significant Tree Criteria developed for the City of Yarra by Homewood Consulting in 2013. The criteria developed for Yarra have been guided by a number of organisations, including: the National Trust of Australia (Victoria) criteria for identification and classification of significant trees in Victoria and Heritage Victoria criteria for Assessment of Cultural Heritage Significance.

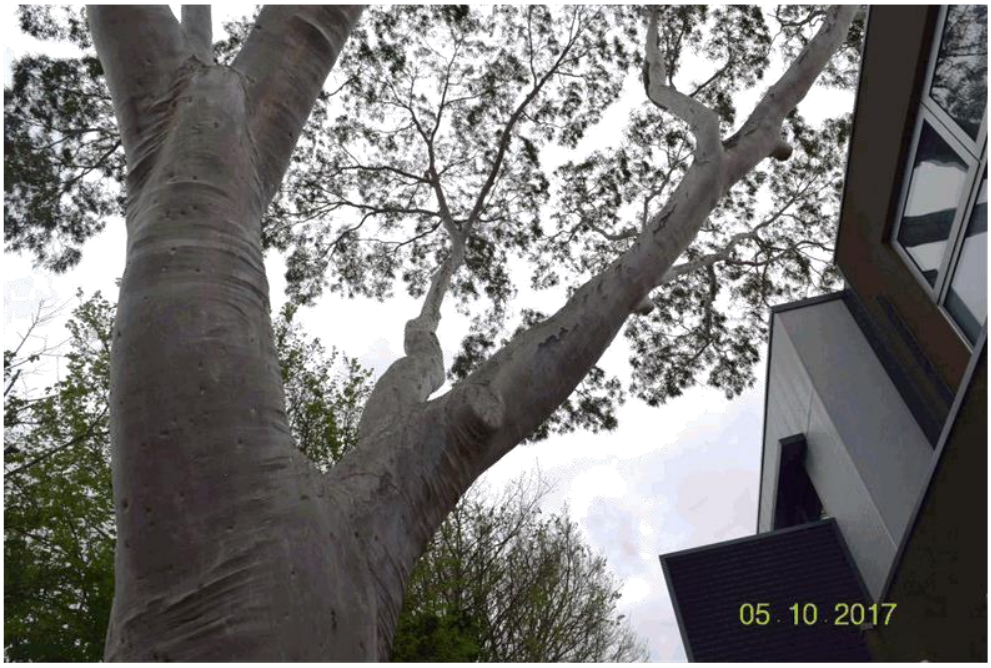

Figure 1: *Corymbia citriodora* (Lemon-scented Gum) in the rear yard at 31 Raphael Street, Abbotsford

This is a large tree in a small residential rear yard. The tree is of outstanding size with a large trunk diameter (97cm at breast height). It adds a green element in an urbanised, highly developed area. It has high aesthetic qualities, adding character to the surrounding landscape where there are few large trees.

Recommendation

This is a large specimen in a confined space in an urbanised area of Abbotsford. It meets the significant criteria of Outstanding Size, Aesthetic Value and Environmental/Micro-climate Services and is recommended to be included on the City of Yarra's Significant Tree Register.

Attachment 1 - Tree assessment at 31 Raphael Street Abbotsford

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1. Introduction

Homewood Consulting has been engaged to provide a report on a large *Corymbia citriodora* located in the rear yard of a private residence at 31 Raphael Street, Abbotsford. The tree has been nominated to be included on the City of Yarra's Significant Tree Register. An arborist report has been requested to determine whether the tree is worthy of inclusion.

2. Key Objectives

- Identify and record the dimensions of the *Corymbia citriodora* located at 31 Raphael Street, Abbotsford.
- Provide an assessment of the tree with regard to its health and structure.
- Assess the tree against the City of Yarra's significance criteria (Appendix 2) to determine whether it is worthy of inclusion on the Significant Tree Register.

3. Methodology

On Thursday, 5 October 2017 Liz Denman conducted a site inspection.

Data collected for the tree included (see Appendix 1 for full details):

- Botanical Name
- Tree Dimensions
- Diameter at Breast Height (DBH)
- Health
- Structure
- Useful Life Expectancy (ULE)

Tree height and width were estimated as the canopy extended beyond the subject site and there was no clear view of the top and base of the tree, prohibiting use of a laser range finder.

4. Site Map

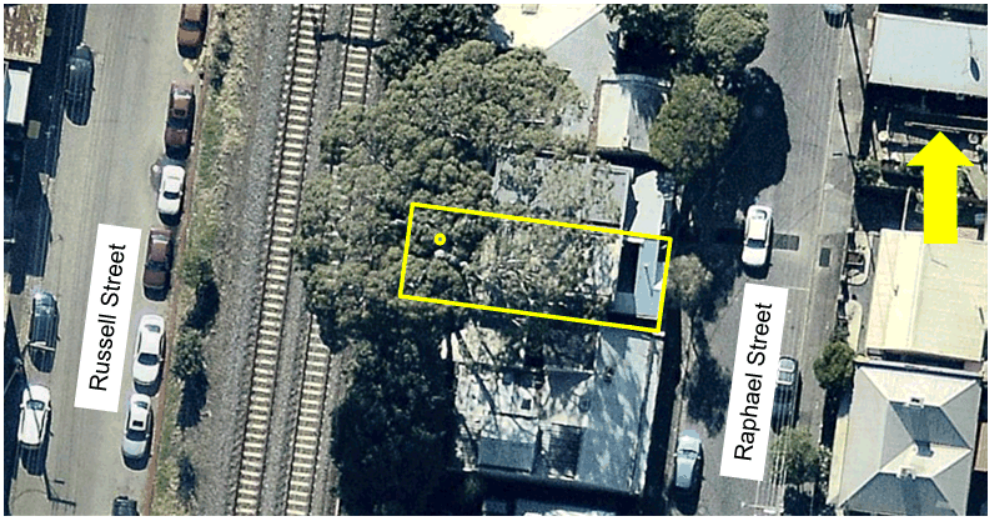


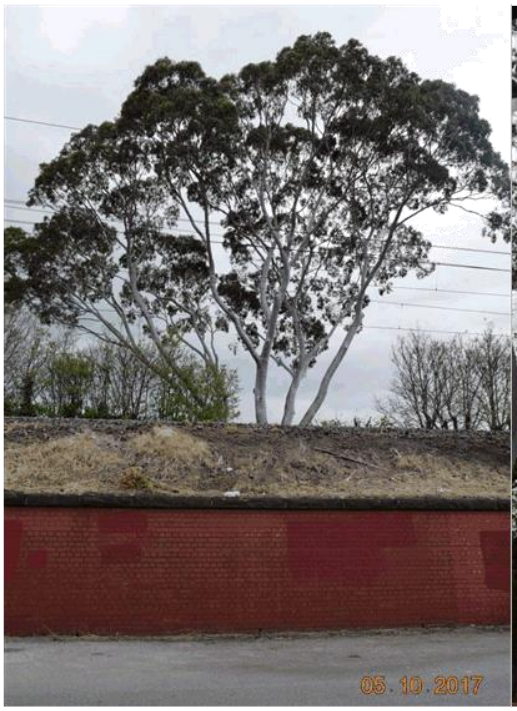
Figure 2: *Corymbia citriodora* in the rear yard of 31 Raphael Street, Abbotsford (Nearmap 2017)

Attachment 1 - Tree assessment at 31 Raphael Street Abbotsford

5. Arboricultural Assessment

Table 1: Arboricultural Assessment

Botanical Name	*Corymbia citriodora*
Common Name	Lemon-scented Gum
Origin	Australian native
Tree Dimensions (H×W)	22m x 21m (estimated due to limited access)
Trunk Diameter at Breast Height	97 cm
Diameter above root flare	119 cm
Health	Good
Structure	Fair
Useful Life Expectancy	21-40 years
Landscape Contribution	High
Individual Significance	Outstanding size, Aesthetic value, Environmental/Micro-climate services



Attachment 1 - Tree assessment at 31 Raphael Street Abbotsford

6. Observations / Discussions

6.1 Site Details

The large tree is the central focus point and the prominent feature in the small-sized rear yard at the subject site (Figure 3). Raised decking has been constructed around the tree to provide an area for barbequing and entertaining (Figure 4). A small volume of potting mix has been placed in the area between decking and the tree trunk to create a planting space. Elevated railway tracks, the Hurstbridge and South Morang line, are located immediately to the west of the subject site (Figure 5).

Figure 3: The specimen is the prominent feature with the small sized rear yard

Figure 4: Raised decking has been constructed around the tree

Figure 5: Elevated railway lines to the west of the subject property

6.2 Tree Details

Indigenous to eastern Queensland and extending just in to New South Wales, *Corymbia citriodora* (Lemon-scented Gum) is usually found along the dry ridges and uplands in its natural habitat (Brooker & Kleinig 1994). It can vary in form between a tall narrow to wide and spreading tree, with a maximum height correspondingly variable, between 20m and 35m (Burnley plant directory 2002). It is fast growing when young and has powdery, white bark that sheds in large flakes and produces white flowers most commonly from December through to January. The adult leaves are generally narrow, lanceolate and have a distinct lemon fragrance (Brooker & Kleinig 1994).

This is a large specimen tree that adds character to the surrounding local area (Figure 6). The tree is in good health and has fair structure. The tree has a wide spreading canopy that extends over the rear yards of the adjoining properties to the north and south. Most of the foliage is concentrated at the end of the branches (Figure 7), which is a common trait of this species. The trunk is codominant at a height of approximately 4m but the open union appears sound and there is no evidence of included bark between the stems. There is only very minor deadwood present in the canopy. The resident advised that an arborist is engaged on a regular basis to undertake pruning works.

Figure 6: This large tree adds character to the surrounding area

Figure 7: The tree has fair structure with most of its foliage concentrated at the end of the branches. The trunk is codominant but the open union appears sound.

7. Discussion

The *Corymbia citriodora* has been assessed against the City of Yarra's Significant Tree Criteria. It meets three of the Criteria:

- The tree has a large girth and is considered significant for its Outstanding Size
- The specimen is the largest tree in the surrounding area and is considered to have significant Aesthetic Value
- The specimen is considered significant in terms of Environmental/Micro-climate Services as it provides shading and cooling to the local residents and provides green in a 'grey' area. It is the largest tree in the local area.

The tree did not meet the following eleven Criteria:

- The tree is not considered significant in terms of Horticultural or Genetic Value
- On balance, the criterion of Unique Location or Context was considered to not be significant for this specimen despite its contribution to the local landscape.
- This species is commonly planted as a street tree in Melbourne and does not meet the Rare or Localised Distribution criterion.

- The tree is a large specimen however the Particularly Old Specimen criterion cannot be demonstrated.
- The tree does not have a Curious Growth Habit
- Historical Significance could not be demonstrated for this specimen.
- The tree is not indigenous to the area and could not be verified in terms of providing Connection to Aboriginal Culture
- While significant in the landscape, the specimen is not considered to be an Outstanding example of species
- The tree is not Remnant, it natural distribution is in Queensland and New South Wales
- The tree does not meet the criterion of Outstanding Habitat Value
- It could not be established that the tree is significant in terms of any Social, cultural or spiritual value.

8. Conclusions and Recommendations

One *Corymbia citriodora* (Lemon-scented Gum) has been assessed in the rear yard of a private residence at 31 Raphael Street, Abbotsford. This specimen meets the City of Yarra's Significant Tree Criteria of:

- Outstanding Size
- Aesthetic Value
- Environmental/Micro-climate Services

As a result, it is recommended that this specimen is included on the Significant Tree Register for the City of Yarra.

9. References

AS 4373, 2007, *Australian Standard, Pruning Amenity Trees*, 2nd Edition, Standards Australia

Brooker M.I.H & Kleinig D.A, 1994 *Field Guide to Eucalypts Volume 3*, Second edition, Bloomings Books, Melbourne.

Burnley plant directory 2002, CDROM version 2.16, The University of Melbourne, Burnley College, Richmond, Victoria.

Appendix 1. Data Collection Definitions

The information collected on each specimen was based on the assessor's experience and opinion of each of the trees. Included are the descriptions for each of the listed categories. The following information was collected on each tree.

1.1 Botanical name:

The genus, species and common name.

1.2 Tree dimensions

Height (estimated) and width (estimated) of the canopy in metres.

1.3 DBH

Diameter at breast height (measured at 1.4m above ground level).

1.4 Tree Origin

Term	Definition
Exotic	The species originates in a country other than Australia.
Australian Native	The species originates within Australia.
Indigenous	The species originates within the local environs.

1.5 Health

Term	Definition
Excellent	The tree is demonstrating excellent or exceptional growth. The tree should exhibit a full canopy of foliage and be free of pest and disease problems.
Good	The tree is demonstrating good or exceptional growth. The tree should exhibit a full canopy of foliage, and have only minor pest or diseases problems.
Fair	The tree is in reasonable condition and growing well. The tree should exhibit an adequate canopy of foliage. There may be some deadwood present in the crown. Some grazing by insects or possums may be evident.
Poor	The tree is not growing to its full capacity; extension growth of the laterals is minimal. The canopy may be thinning or sparse. Large amounts of deadwood may be evident throughout the crown. Significant pest and disease problems may be evident or symptoms of stress indicating tree decline.
Very Poor	The tree appears to be in a state of decline. The tree is not growing to its full capacity. The canopy may be very thin and sparse. A significant volume of deadwood may be present in the canopy or pest and disease problems may be causing a severe decline in tree health.
Dead	The tree is dead.

1.6 Structure

Term	Definition
Good	The tree has a well defined and balanced crown. Branch unions appear to be strong, with no defects evident in the trunk or the branches. Major limbs are well defined. The tree is considered a good example of the species.
Fair	The tree has some minor problems in the structure of the crown. The crown may be slightly out of balance, and some branch unions may be exhibiting minor structural faults. If the tree has a single trunk, it may be on a slight lean or exhibiting minor defects.
Poor	The tree may have a poorly structured crown. The crown may be unbalanced or exhibit large gaps. Major limbs may not be well defined. Branches may be rubbing or crossing over. Branch unions may be poor or faulty at the point of attachment. The tree may have suffered root damage.
Very Poor	The tree has a poorly structured crown. The crown is unbalanced or exhibit large gaps with possibly large sections of deadwood. Major limbs may not be well defined. Branches may be rubbing or crossing over. Branch unions may be poor or faulty at the point of attachment. Branches may exhibit large cracks that are likely to fail in the future. The tree may have suffered major root damage.
Failed	The tree has a very poorly structured crown. A section of the tree has failed or is in imminent danger of failure.

1.7 Useful Life Expectancy (ULE) Rating

Useful Life Expectancy is approximately how long a tree can be retained usefully in the landscape.

Term	Definition
Unsafe	The tree is considered dangerous in the location and has no significant amenity value.
Less than 5 years	The tree, under normal circumstances and without extra stresses being imposed on it, should be safe and have value for up to five years, but will need to be replaced. During this period, normal inspections and maintenance will be required. If possible, replacement trees should be planted.
5 – 10 years	The tree, under normal circumstances and without extra stresses being imposed on it, should be safe and of value for up to ten years. During this period, normal inspections and maintenance will be required.
11 – 20 years	The tree, under normal circumstances and without extra stresses being imposed on it, should be safe and of value for up to twenty years. During this period, normal inspections and maintenance will be required.
20 – 40 years	The tree, under normal circumstances and without extra stresses being imposed on it, should be safe and of value for up to forty years. During this period, normal inspections and maintenance will be required.
Greater than 40 years	The tree, under normal circumstances and without extra stresses being imposed on it, should be safe and of value for greater than forty years. During this period, normal inspections and maintenance will be required.

Attachment 1 - Tree assessment at 31 Raphael Street Abbotsford

Appendix 2. Significant Tree Criteria

Significant Tree Criteria

for

CITY OF YARRA

Prepared By:

Homewood Consulting Pty. Ltd.
150 Junction Road
Nunawading VIC 3131

HOMEWOOD CONSULTING PTY LTD

Significance Criteria

Criteria for determining significant trees in the City of Yarra were informed and guided by a number of organisations, including: the National Trust of Australia (Victoria) criteria for identification and classification of significant Trees in Victoria; Heritage Victoria criteria for Assessment of Cultural Heritage Significance; the Australian International Charter for the Conservation of Monuments and Sites (ICOMOS) Burra Charter criteria.

Horticultural or Genetic Value

Any tree which is of horticultural or genetic value and could be an important source of propagating stock, including specimens that are particularly resistant to disease or exposure. This could include Australian native, locally indigenous or exotic tree species.

A tree or group of trees that are of ecological or environmental significance. These trees may provide habitat value or contribute significantly to a greater habitat corridor.

A remnant or self sown indigenous specimen. For the purpose of this management plan, the term 'remnant' refers to a mature tree, indigenous to the local area, that is likely to have been present in its location, prior to 1900.

Unique Location or Context

The tree or trees occur in a unique location or context, so as to provide a unique contribution to the landscape. This includes the following categories:

- Historic Garden or Park
- Historic Cemetery
- Important Landmark
- Habitat Trees
- End of Natural Range
- Contribution to Landscape
- Historic Town
- Historic Planting Style
- Environmentally sensitive site (eg. Riparian, wetland)

This may include the blanket inclusion of trees of various sizes in parks such as Edinburgh Gardens, where the significance of the tree(s) relates to the broader landscape context.

Rare or Localised Distribution

Any tree of a species or variety that is rare, or is of very localised distribution. This could include:

A threatened indigenous or endemic species within its locality

- End of natural range
- Disjunct community
- A rare exotic specimen

Attachment 1 - Tree assessment at 31 Raphael Street Abbotsford

Particularly Old Specimen

Any tree that is particularly old or venerable.

Outstanding Size (Girth height spread)

The outstanding size of a tree will relate specifically to the tree species and may vary considerably depending.

- Height
- Canopy Spread
- Diameter at Breast Height (DBH)

Aesthetic Value

The tree is a particularly well formed example of the species that is in a location that makes it striking in the landscape. The loss of a tree in this category would result in a substantial change to the local landscape.

Curious Growth Habit

Any tree which exhibits a curious growth form or physical feature such as abnormal outgrowths, natural fusion of branches, severe lightning damage or unusually pruned forms.

- Abnormal Outgrowths
- Fusion of Branches
- Unusually Pruned
- Unusually Damaged

Historical Significance

The tree is of importance in the culture and natural history of the City of Yarra. Any tree commemorating a particular occasion, individual or associated with an important historical event may be considered in this category. This includes but is not limited to:

- Cultural Groups
- Important Individuals
- Commemorative Plantings
- Public Feature
- World War I and II
- Avenues of Honour
- British Royalty
- Non-British Royalty
- Visiting Dignitary
- Australian Public Figure
- Victorian Public Figure

Attachment 1 - Tree assessment at 31 Raphael Street Abbotsford

Connection to Aboriginal Culture

A tree associated with aboriginal activities or culture. For example:

- Scarred trees
- Corroboree trees

Outstanding example of species

Any tree that is an outstanding example of the species at an International / National / State / Regional / Local level or of particular aesthetic value.

Remnant

Any tree that is likely to pre-date European development of the area. This puts the trees in the region of 150-200 years old.

Outstanding Habitat Value

The tree is observed to have significant hollows for avian fauna or is clearly being used as a major food source for fauna. The presence of large raptor nests or numerous nests may qualify a tree in this category.

Environmental/Micro-climate Services

Any tree that provides a significant modification to the local microclimate.

- Providing significant shade or cooling
- Providing green in 'grey' area
- Halting or stabilising environmental degradation processes such as soil erosion, salinity, water table depth
- Acting as a wind break
- Linking canopy cover with other green areas or trees.

Social, cultural or spiritual value

Any tree that is important to a community or cultural group for social, cultural or spiritual reasons.

- Positive community engagement focused around engagement with the tree
- Community sharing of harvest of food tree
- Cultural association and sense of place linked to particular tree
- Spiritual importance to a group of people

11.4 Policy Guidance Note: Affordable Housing Outcomes at Significant Redevelopments

Trim Record Number: D17/167202
Responsible Officer: Unit Manager Social Policy and Research

Purpose

1. To seek endorsement for the Policy Guidance Note: Affordable Housing at Significant Redevelopments which articulates Council's expectations for achieving affordable housing outcomes at significant redevelopment sites, following feedback provided during the 28 day public exhibition.

Background

2. Through Council Plans and other strategic documents, Council has expressed its commitment to maintain and support a socially, economically and culturally diverse community. This commitment is evidenced by the financial support it has provided to the community housing sector, pursuit of affordable housing outcomes at major development sites and strategic advocacy to state and commonwealth governments.

3. In some jurisdictions planning authorities use inclusionary zoning to require proponents to provide a share of new dwellings as affordable housing on site or pay a cash-in-lieu to be discharged off-site. While the Victorian Government is committed to piloting a form of inclusionary zoning on selected government-owned sites, the Planning and Environment Act 1987 (Vic) still precludes Councils from imposing blanket requirements for the inclusion of affordable housing on specific precincts and sites.

4. In the absence of inclusionary zoning, Council has a limited ability to require affordable housing and can only rely upon negotiating agreements with developers – for example, a percentage of affordable housing as a requirement listed in a Development Plan Overlay and supported by a planning agreement. Council has successfully negotiated requirements for 5% affordable housing at developments such as the former Amcor site in Alphington and the former Channel Nine site in Richmond.

5. Concluding these agreements however, has been complicated by the historical absence of a clear definition of affordable housing within the Victorian Planning Provisions with different interests using the same term to mean different things, for example:

   (a) developers often use the term to signify any property for sale below the median sales price for a given area;

   (b) industry or government have sometimes used the term to mean housing which is for 'key workers' so as to differentiate it from public or community housing;

   (c) researchers commonly apply the term to subsidised housing responses, primarily public and community housing, targeted to low income households in the bottom 40 per cent of income distribution; and,

   (d) housing organisations and advocates may employ the term to mean discounted market rental housing so as to differentiate this from income-based social housing.

6. The Policy Guidance Note: Affordable Housing at Significant Redevelopments (the Policy Guidance Note) is a means to set out to applicants and other interested parties Council's expectations relating to affordable housing outcomes at significant redevelopment sites. If adopted, the Policy Guidance Note will mean officers and applicants will no longer have to rely on the imprecise interpretation of precedent and instead will have clear practical guidance.

Amendments to the Planning and Environment Act 1987 defining affordable housing

7. In late July, Councillors were briefed on the current public policy environment regarding affordable housing. Of particular note is the Victorian Government is committed to substantial policy reforms and dedicating resources towards affordable housing, including new avenues of funding for community housing associations, redevelopment of select public housing estates, tentative first steps towards inclusionary zoning for affordable housing and of particular relevance to this report, inserting a definition of affordable housing into the Planning and Environment Act 1987.

8. On 26 September 2017, the Planning and Building Legislation Amendment (Housing Affordability and Other Matters) Bill 2017 received Royal Assent. This change provides the legislative backing for voluntary agreements between councils and developers where affordable housing outcomes are sought. The planning system reform will come into effect on 1 June 2018.

9. The amendments to the Planning and Environment Act 1987 provided a much needed framework for voluntary arrangements and includes:

   (a) The facilitation of affordable housing as an object of the Act affirming that increasing the supply of affordable housing is a legitimate concern of the planning system;

   (b) Affirming that developers and councils can enter into voluntary Affordable Housing Agreements for the provision of affordable housing in a development;

   (c) A state-wide definition of affordable housing (at Section 3AB) to provide consistency and predictability for developers, councils and other; and

   (d) Enabling the Governor in Council, on the recommendation of the Minister, to make an order published in the Government Gazette specifying the income ranges of eligible households (e.g. very low, low and low-to-moderate) for affordable housing services and products (e.g. rent-to-buy, shared equity purchase, affordable rental, etc.).

10. DELWP has been charged with developing the supporting framework, which will have statutory and non-statutory aspects.

    (a) The Draft Governor in Council Order and Notice to be published in the Government Gazette will determine appropriate planning considerations such as size, location and amenity and define the income ranges for very low, low and moderate income households. In New South Wales, for example, there are already operational definitions in use, with similar categories defined as follows: very low income are people on an aged or disability pension or other government benefit or are earning less than 50 percent of the NSW or Sydney median income (depending upon residential address); low income are those earning more than 50 percent but less than 80 percent of the NSW or Sydney median income; and moderate income are those earning between 80 - 120 percent of the NSW or Sydney median income.

    (b) The non-statutory tools include Guidelines and a Model Agreement. The Guidelines will cover matters such as the price points of the affordable housing stock to be provided through an Affordable Housing Agreement. The Model Affordable Housing Agreement is a model (i.e. a template) to be used, as best practice, by parties to a development application that seeks to deliver an affordable housing outcome. Content or schedules of agreements will be varied according to the housing product being delivered (e.g. social rental, affordable rental, and affordable purchase).

11. DELWP is engaging key stakeholders from councils, the development industry and affordable housing providers to two co-design workshops scheduled for late November 2017 and February 2018. Yarra has already received its invitation. Yarra Council has been invited by DELWP to participate in the workshop on 23 November.

12. By defining what affordable housing is and who it is for, the amended Act and supporting framework will aide Victorian Councils' efforts to secure affordable housing outcomes, whether such efforts are for social and affordable rental, affordable purchase or a mix of both.

Policy Guidance Note: Establishing Council's expectations for affordable housing outcomes in significant private redevelopments in the municipality

13. The Policy Guidance Note sets out Council's expectations for affordable housing provision in future significant redevelopment sites, namely that: "developer proponents are expected to partner with an Registered Housing Association or a Registered Housing Providers to deliver affordable housing that is available to rent by lower income households".

14. The Policy Guidance Note provides "operational" definitions providing internal and external stakeholders an unambiguous definition of what Council means by "affordable housing", namely:

    (a) Affordable Housing means rental housing that is appropriate for the needs of a range of low-to-moderate income households ('eligible households'), and priced so these households are able to meet their other essential basic living costs (broadly defined as 30 per cent income to housing costs);

    (b) Social Housing is an umbrella term for Public Housing and Community Housing;

    (c) Public Housing means rental housing that is targeted to very-low and low-income households – predominantly those in receipt of Commonwealth income support such as the disability or aged pension – on an affordable basis (no more than 25% of income on rent), owned and managed by the state government housing authority, or managed by community housing providers on the government's behalf; and

    (d) Community Housing means rental housing that is targeted to low-to-moderate income and/or special needs households who meet income and asset tests, in accordance with the Residential Tenancies Act 1997. Community Housing is managed and generally, but not always, owned by a non-government housing provider such as not-for-profit charitable organisations such as housing associations, housing providers and cooperatives.

15. The Policy Guidance Note articulates that the policy focus for Council is on affordable to rent, as opposed to affordable to purchase. Affordable to purchase products do have merits by enabling moderate income households (e.g. key workers, et.al.) access to housing markets which they could otherwise not afford, thus making a positive impact to the socio-economic diversity of a city. However, very low and low income households will typically lack the financial means for deposits, stamp duty and other associated costs with purchasing housing and are unlikely to access affordable to purchase schemes.

16. It is worth noting that the housing sector is still coming to terms with a changed, and changing, policy environment and are presenting a range of options to address housing affordability and for different market segments. Affordable to buy solutions (e.g. rent to own or shared equity schemes) can be given due consideration as Council policy develops over time in response to the evolving policy environment and changing housing market.

External Consultation

17. A summary of the 15 submissions received is included (see attachment 2). The Policy Guidance Note was available for 28 days through the Council public website. The document was also directly emailed to over 100 stakeholders, including Registered Housing Providers and Associations, property developers, welfare services, other local governments, state and local government stakeholders and housing researchers. It was also available via the Urban Development Industry Association's website.

18. Only one submission disagreed with the fundamental principle of Council using planning to support more affordable housing. The remainder included additional points about how Council could further improve the planning role to facilitate more affordable housing. Nearly all also made the point that the proportion of 5% should ideally by higher but the Council Policy Guidance Note was better than having no policy position at all.

19. Council officers invited stakeholders to attend a consultation session on 18 October to discuss public and affordable housing issues in Yarra. This session was attended by 17 people, including representatives from Moreland and Darebin Councils, the University of Melbourne, Brotherhood of St Laurence, Collingwood residents and local Registered

Housing Associations. Also in attendance were the Mayor Cr Stone and Cr Fristacky. The majority of the session was used to discuss the Inquiry into Public Housing Renewal. There was also a productive discussion about the Policy Guidance Note using a Strengths, Weaknesses, Opportunities and Threats approach to guide the discussion. The following is a summary of the discussion and points made:

(a) There was broad agreement that articulating definitions and targets is laudable.

(b) The Policy Guidance Note will provide a good foundation for negotiations with proponents but it is important to acknowledge that more background data may be required if Council were to defend its position at VCAT.

(c) Common parlance should be used whenever practicable, so the term Accredited Housing Associations (AHAs) should be replaced by the term Registered Housing Associations. This point was accepted and the Policy Guidance Note amended accordingly.

(d) There are opportunities for Council to work closely with DELWP to use its own work to help inform the state-wide co-design approach. This point is valid and discussions between Council officers and DELWP have commenced and will continue from November through to June.

(e) The policy may be perceived by some developers or residents as unfair or inconsistent. From the perspective of developers, it only applies to certain developments and not others (i.e. “as sites likely to yield at or around 50 or more dwellings”), creating an uneven distribution of their obligations. For residents, it may seem unfair as it is subsiding housing for lower income groups. These points were not accepted, as officers believe that the current proposal in more in keeping with Council’s intent to deliver a socially just outcome. Further, it should be noted that government policy is to make the facilitation of affordable housing an object of the Planning and Environment Act (1987) meaning that the planning system can more easily be used by Councils to create affordable housing.

20. There was some debate about how the policy establishes who is eligible to receive affordable housing – the policy states that this is households within the bottom 40% of household income distribution in Australia – and whether a prescriptive level of rent be listed (e.g. fixed at 75-85% of market rent). These points did not result in material changes to the Policy Guidance Note. This is because the policy is explicit as to who delivers the affordable housing – “affordable housing can be delivered by either a Registered Housing Association or a Registered Housing Provider” – and consequently, the housing recipient is effectively defined by specifying the provider.

21. Registered housing associations and registered housing providers are public benevolent institutions (PBIs) and must be registered as rental housing agencies. PBIs are a type of charity that must by statute – ACNC Act, Charities Act 2013 (Cth) (Charities Act) and Charities (Consequential Amendments and Transitional Provisions) Act 2013 (Cth) (the Charities Consequential and Transitional Act) - have as its predominant purpose of relieving needs arising from conditions such as poverty, sickness, distress or helplessness. The Housing Act 1983 is the law that is responsible for social housing in Victoria. This Act was amended in 2005 to introduce a system of regulation for non-government rental housing agencies and to establish the Registrar of Housing Agencies, the body responsible for this regulatory system. Under the Department of Health and Human Services (DHHS) requirements, registered housing associations and registered housing providers must take at least 50 percent of all clients from the DHHS waiting list. Both of these statuses are rigorously overseen by government and their agencies.

Internal Consultation (One Yarra)

22. Officers have worked closely with City Strategy in the development of this Policy Guidance Note and also Aged and Disability, Community Partnerships and Statutory Planning.

Financial Implications

23. There are no immediate cost implications for Council.

Economic Implications

24. It has been estimated by the State Government that affordable housing can deliver a 6% return on investment and with the state government acting as guarantor for up to $1bn in loans to develop more community housing.

Sustainability Implications

25. Social and affordable housing that is well-located for employment and public transport is better for the environmental footprint of the local area as well as the city as a whole. It is preferable for any new social and affordable housing to include climate-proofing to ensure utility bills for tenants are kept to a minimum.

Social Implications

26. In the June quarter 2017, the percentage of private rental properties advertised in Yarra that could be afforded by persons on statutory (Centrelink) incomes was 0.4% (N 6) versus Metropolitan Melbourne at (also a very low) 6.4%. The ten year average for Yarra was 1.2 % (N 14).

27. With virtually no affordable private rental options, Yarra has limited capacity to attract and maintain a diverse community.

28. With limited additional new public housing during the 1990s and 2000s, as well as increasing amount of overall housing the municipality, Yarra has seen a decline in the proportion of public housing and people who live in social and public housing from 15% in 1991 to 10% in 2011 and 9.5% in 2016. This proportion is likely to decrease further with the increase in private market dwellings.

29. As of March 2017, there were a total of 18,599 eligible residents holding concession and health care cards, with 9,955 pension card holders, 5,043 health care card holders, 2,522 low income card holders and 1,079 seniors' health care card holders. Households living on fixed incomes such as the pension or whose incomes derive from lower paid and/or casual employment could simply not afford rent in the local private market.

30. In September 2016, there were 1,027 applicants on the public housing waiting list who were seeking public housing in Yarra, out of a total 33,000 households state-wide. Turnover rates for public housing are approximately 6% per year, which if reflected equally spatially across Melbourne, would equate to approximately 312 new public housing vacancies in Yarra over a year.

31. When last examined (mid-2017), 12% of the 44,907 dwellings in Yarra (5,496) were social housing. Of these 4,718 are public housing and 778 are community housing. If the number of dwellings does in fact rise to 59,790 in 2031, and the number of public and community housing units remain at the 2017 levels, the proportion of public and community housing dwellings in Yarra would fall to around 9% of all housing stock.

Human Rights Implications

32. Council recognises that all residents are entitled to safe, secure and affordable housing. Housing is not just a bricks and mortar issue, but also is a fundamental resource for ensuring individual and social well-being. As such, investing in housing that meets the needs of a disadvantaged population sends a clear message that Council intends to protect the human rights of those who are unable to secure private market housing in Yarra.

Communications with CALD Communities Implications

33. It would be anticipated that some of the new households who move into affordable housing would be of CALD backgrounds.

Council Plan, Strategy and Policy Implications

34. The 2017-2021 Council Plan, under objective 1, 'A Healthy Yarra', commits Council to progressing a Social and Affordable Housing Strategy and to advocating for an increase in social and affordable housing in the municipality.

35. A Housing Strategy is being developed as part of the suite of works to update the Yarra Planning Scheme. The Policy Guidance Note has being considered within this context.

Legal Implications

36. The legal framework under which Councils operate and the State Policy Planning Framework, currently offer very limited planning-based approaches to facilitate new public and community housing supply. If there are changes to the legislation, the possibilities for local Councils could be expanded to include inclusionary zoning.

Other Issues

37. The Policy Guidance Note can be included as a Reference Document in the planning scheme. It can be amended and updated as the anticipated planning tools being developed by state government become formalised.

Conclusion

38. The Policy Guidance Note: Affordable Housing at Significant Redevelopments (the Policy Guidance Note) is a means to set out to applicants and other interested parties Council's expectations relating to affordable housing outcomes at significant redevelopment sites. If adopted, the Policy Guidance Note will mean officers and applicants will no longer have to rely on the imprecise interpretation of precedent and instead will have clear practical guidance.

RECOMMENDATION

1. That Council:

   (a) note the conclusion of the public exhibition of the Policy Guidance Note: Affordable Housing at Significant Redevelopments on and that a summary of submissions and responses has been provided

   (b) adopts the attached Policy Guidance Note: Affordable Housing at Significant Redevelopments

CONTACT OFFICER: **Belinda Robson**
TITLE: **Senior Policy Advisor**
TEL: **9205 5093**

Attachments

1 Revised Policy Guidance Note following consultation
2 Summary of submissions received on the Affordable Housing Policy Guidance Note

Attachment 1 - Revised Policy Guidance Note following consultation

Policy Guidance Note:
Affordable Housing Outcomes at Significant Redevelopments

1. Purpose

1.1. This policy guidance note is provided so that applicants and other interested parties can understand Yarra City Council's (Council) expectations relating to **affordable housing outcomes** at **significant redevelopment sites**.

1.2. 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 5% affordable housing at **significant redevelopment sites** once constructed and into the future.

1.3. Development proponents will be expected to partner with a **Registered Housing Association** or a **Registered Housing Providers housing** to deliver affordable housing that is available to rent by **low and moderate income households**.

1.4. It is expected that these partnerships will be formalised through a Heads of Agreement or similar document.

1.5. This policy guidance note includes information on **Registered Housing Associations** and **Registered Housing Providers housing** in the state of Victoria.

1.6. This note may be updated from time-to-time by Council as and if required.

2. Background

2.1. Data shows a consistent and worsening shortfall of housing in the City of Yarra that can be afforded by **low incomes households**, with a negligible number of properties affordable to rent and no properties affordable to purchase.

2.2. The City of Yarra is a vibrant and diverse municipality. Through Council Plans and other strategic documents, Council expresses its commitment to maintain and support a socially, economically and culturally diverse community.

2.3. A diverse population requires a diversity of housing available at prices that can be afforded by households with modest or low incomes. Council has a long and proud tradition of advocating for the best housing outcomes for its residents and is committed to working to increase the supply of housing suitable for households on low incomes within its municipality.

2.4. Council wants to see effective partnerships between community housing providers and the property development industry to deliver affordable rental housing within the municipality.

3. Pre-application Advice

3.1. Negotiations with developers to deliver affordable housing will seek to ensure that affordable housing will:

3.1.1. Meet identified local needs both initially and subsequently, once constructed and into the future.

3.1.2. Be affordable both initially and subsequently, once constructed and into the future.

3.1.3. Be integrated with the market housing

3.2. The Council encourages developers to meet their affordable housing obligations by forming partnerships with Registered Housing Associations or providers (see list below), particularly those who have an existing development role in the municipality.

3.3. It is appropriate that discussions with a housing association or provider should start at pre-application stage.

3.4. Council planning officers can offer the following service at pre-application stage:

3.4.1. Interpretation and advice of planning policy and guidance, and what this means for an individual site.

3.4.2. Assist in calculating the required amount and mix of affordable housing.

3.4.3. Advise on the standard and quality of the proposed housing, design, layout and other development control matters.

4. Policy basis

4.1. According to the *Local Government Act* 1989, the 'primary objective of a local council is to endeavour to achieve the best outcomes for the local community having regard to the long term and cumulative effects of decisions'.

4.2. This Yarra City Council Plan 2017-2021 states that Council will: "Actively Plan for Yarra's projected growth and development and advocate for an increase in social and affordable housing".

4.3. The State Policy Planning Framework requires local Councils to 'encourage a significant proportion of new developments to be affordable for households on low to moderate incomes' ('State Planning Policy Framework' 16.01-5) and for Councils to facilitate a mix of private, affordable and social housing in activity centres and strategic development sites ('State Policy Planning Framework' 11.04-2; 16.01-5).The State Policy Planning Framework also requires local Councils to create opportunities for a wide range of income groups to reside in well-serviced locations ('State Planning Policy Framework' 16.01-4).

5. Key Definitions

Significant redevelopment sites

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 at or around 50 or more dwellings. This Policy Guidance Note does not apply to land owned by the Victorian Government.

Attachment 1 - Revised Policy Guidance Note following consultation

Low-to-moderate income households

Low-to-moderate income households are those within the bottom 40% of household income distribution in Australia. Household income distribution is derived from the most recent Census of Population and Housing undertaken by the Australian Bureau of Statistics.

Director of Housing (DoH)

DoH means the Director of Housing, the body corporate established under section 9(2) of the *Housing Act 1983 (Vic)*.

Department of Health and Human Services

The Department of Human Services (DHHS) is a Victorian Government department that deliver policies, programs and services to support and enhance the health and wellbeing of Victorians.

Affordable housing

Affordable Housing means rental housing that is appropriate for the needs of a range of low-to-moderate income households and priced so these households are able to meet their other essential basic living costs (broadly defined as 30 per cent income to housing costs).

Council's preference is for developers to provide fully serviced land on site, at no cost to the affordable housing provider or Council. Use of alternative mechanisms should be fully justified with evidence that this would not prejudice the level of delivery of affordable homes.

A developer must take affordable housing provision into account when negotiating the purchase of land. It is a principle of this guidance that affordable housing is not an abnormal development cost, even in situations where public subsidy is not available.

Note: Affordable housing can be delivered by either a Registered Housing Association or a Registered Housing Provider.

Registered Housing Association

Registered Housing Associations (RHAs) are experienced providers and/or managers of affordable rental housing registered under the Housing Act 1983 (Vic). They are regulated by the Victorian Registrar of Housing Agencies. There are a total of nine registered RHAs in Victoria who own and manage affordable rental housing to lower income households. They operate as not-for-profit companies. To maintain charitable tax status[1] the rent they charge must be no more than 75% of either actual market rent for the property or a benchmark set by the Australian Tax Office.

Registered agencies may also manage public or supported housing on behalf of the State Government.

Registered Housing Providers

These housing providers vary in size and primarily manage rental housing portfolios for other parties, such as the Director of Housing (DoH). Some housing providers own properties, however their growth is small scale compared with housing associations. Housing providers often specialise in particular client groups which may include disability housing, aged tenants and youth housing.

1 Victorian Government, Housing Register, 'Rent setting by registered housing agencies – a detailed guide for all stakeholders', Information Sheet 7, October 2015.

Attachment 1 - Revised Policy Guidance Note following consultation

The following are the contact details of Registered Housing Providers currently registered in Victoria

Victorian Housing Register

The Victorian Housing Register is the way applications for long term social housing are managed in Victoria. It brings together public and community housing applications for housing so that people only need to apply once and can be considered for both types of housing. For more information about the eligibility requirements for social housing and for inclusion on the Victorian Housing Register, please visit the following links:

http://www.housingregistrar.vic.gov.au/Homepage

6. Registered Providers in Victoria

Registered Housing Agencies

The following are the contact details of Registered Housing Agencies currently registered in Victoria:

1.

Aboriginal Housing Victoria Limited
Telephone: 03 9403 2100
Website: http://www.ahvic.org.au\

Common Equity Housing Limited
Telephone: 03 9208 0800
Website: http://www.cehl.com.au

Community Housing (Vic) Ltd
Telephone: 03 9856 0050
Website: http://www.chl.org.au

Housing Choices Australia Limited
Telephone: 1300 312 447
Website: http://www.housingchoices.org.au

Loddon Mallee Housing Services Ltd

Telephone: 03 5444 9099
Website: http://www.haven.org.au

Port Phillip Housing Association Limited
Telephone: 03 9534 5837
Website: http://www.ppha.org.au

Rural Housing Network Limited
Telephone: 02 6055 9015
Website: http://www.beyondhousing.org.au/

Unison Housing Limited
Telephone: 03 9349 0250
Website: http://unison.org.au

Wintringham Housing Ltd

Telephone: 03 9376 1122
Website: http://www.wintringham.org.au

1.

Registered Housing Providers

These housing providers vary in size and primarily manage rental housing portfolios for other parties, such as the Director of Housing (DoH). Some housing providers own properties, however their growth is small scale compared with housing associations. Housing providers often specialise in particular client groups which may include disability housing, aged tenants and youth housing.

The following are the contact details of Registered Housing Providers currently registered in Victoria:

1.

Active Community Housing Ltd
Telephone: 03 9314 8555
Website: http://www.activecommunityhousing.com.au

Attachment 1 - Revised Policy Guidance Note following consultation

Baptcare Affordable Housing Ltd
Telephone: 03 9831 7200
Website: https://www.baptcare.org.au/services/housing/affordable-housing

BAYSA Ltd
Telephone: 03 5221 4466
Website: https://www.bcyf.org.au/

Centacare Housing Service Inc
Telephone: 03 5337 8999
Website: https://www.centacareballarat.org.au

EACH Housing Ltd
Telephone: 03 8720 2753
Website: http://www.each.com.au/service/each-housing/

Eastcoast Housing
Telephone: 03 5127 7160

Eastern Suburbs Rental Housing Co-operative Limited
Telephone: 03 9802 8144

Inner East Social Housing Group Limited
Telephone: 03 9853 7501

Launch Housing Ltd
Telephone: 03 92889600
Website: https://www.launchhousing.org.au

Mallee Accommodation & Support Program Ltd
Telephone: 03 5021 6500
Website: http://masp.org.au/

Mission Australia Housing (Victoria)
Telephone: 03 8615 2218
Website: http://www.mahousing.com.au

Northcote Rental Housing Co-operative Ltd.
Telephone: 03 9482 5998
Website: http://www.nrhc.coop/

Northern Geelong Rental Housing Co-operative Ltd
Telephone: 03 5277 9993
Website: http://www.ngrhc.org.au

Prahran/Malvern Community Housing Inc.
Telephone: 03 9826 5194

Salvation Army Housing (Victoria)
Telephone: 03 8878 2320
Website: http://www.salvationarmy.org.au/sah

Servants Community Housing
Telephone: 03 9819 6073
Website: http://www.servants.org.au/

South Port Community Housing Group Inc
Telephone: 03 9696 1128
Website: http://www.spchg.org.au/

SouthEast Housing Cooperative Ltd
Telephone: 03 9706 8005
Website: http://www.sehc.org.au

St Kilda Community Housing Ltd
Telephone: 03 9534 1809
Website: http://www.stkch.org.au

Sunshine/St Albans Rental Housing Co-operative Ltd
Telephone: 03 9312 6904

The Haven Foundation Ltd
Telephone: 03 9867 1992
Website: http://www.havenfoundation.org.au/

United Housing Co-operative Ltd
Telephone: 03 9689 8157
Website: http://www.unitedhousing.org.au

UnitingCare Housing Victoria Limited
Telephone: 03 9251 5960
Website: http://unitinghousing.org.au/

Urban Communities Limited
Telephone: 03 9371 2000
Website: http://www.urbancommunities.com.au

Victorian Women's Housing Association Limited
Telephone: 03 9664 7800
Website: http://www.wpi.org.au

VincentCare Community Housing
Telephone: 03 9611 9200
Website: http://www.vincentcare.org.au

Attachment 1 - Revised Policy Guidance Note following consultation

WAYSS Limited
Telephone: 03 9791 6111
Website: http://www.waysltd.org.au

West Turk Housing and Elderly Services Co-operative Ltd
Telephone: 03 9366 3856

Williamstown Rental Housing Co-operative Ltd
Telephone: 03 9391 9267

Women's Housing Ltd
Telephone: 03 9412 6868
Website: http://www.womenshousing.com.au

YWCA Housing
Telephone: 03 8341 8700
Website: http://www.ywca.net/pages/ywca-housing

7. Further information

Phone: 03 9205 5555

Email: info@yarracity.vic.gov.au

In Person: Richmond Town Hall
333 Bridge Road, Richmond
Hours: 8.30am - 5pm, Monday - Friday

Attachment 2 - Summary of submissions received on the Affordable Housing Policy Guidance Note

Summary of submissions received by Council on the Policy Guidance Note: Affordable Housing at Significant Developments (October 2017)

Category of submitter	Format received	Summary of submission	Changes as a result of submission
Student	On-line	Discussion of planning context and role of inclusionary zoning	Nil
Resident's association	On-line	Supports the intent but concerns with low target and high body corporate costs.	Nil
Resident	On-line	Does not support as unfair to residents who already have purchased in Yarra at high personal costs from the private market.	Nil
Developer	On-line	Supports	Nil
Resident	On-line	Supports	Nil
Resident	On-line	Supports	Nil
Resident's association	On-line	Supports but concerned with low target	Nil
Local Council	email	Supports but queries about capturing value-uplift and other planning incentives(height or density bonuses)	Nil
Local Council	email	Supports but with queries about the absence of planning incentives	Nil
Independent social researcher	email	Supports all efforts to increase social housing in Yarra	Nil
Social planning consulting firm	email	Supports but query whether will lead to net increase in social housing. Also recommends too small for DHHS land.	Changes to Guidance Note to clarify does not apply to DHHS land
Resident	email	Supports but with high needs for aged and people with a disability	Nil
Registered Housing Association	verbal	Supports, query about the income ranges to be targeted	Nil
Public tenants group	verbal	Supports but target too low	Nil
Local Council	verbal	Supports, suggests expanding policy context to include the State Planning Policy Framework (SPPF)	Yes, now includes SPFF.

11.5 Council submission to Reforming the Victorian Planning Provisions

Executive Summary

Purpose

The purpose of this report is to make submissions to the Department of Environment , Land, Water and Planning (**DELWP**) regarding the proposed 'Reforming the Victoria Planning Provisions – a discussion paper October 2017' (**the paper**).

Key Issues

General support for many of the proposed changes sought to be made to the Victorian Planning Provisions. The report outlines comments to the proposals by the State Government at paragraphs 7 – 52 and also in Attachment 2.

Financial Implications

There are no financial implications.

PROPOSAL

The report responds to the proposed reforms to the Victoria planning provisions which can generally be grouped into five main themes being;

(a) A simpler VPP structure with VicSmart assessment built in;

(b) An integrated planning policy framework;

(c) Assessment pathways for simple proposals;

(d) Smarter planning scheme drafting; and

(e) Improve specific provisions.

(see report and Attachment 2 for officers' comments on proposals)

11.5 Council submission to Reforming the Victorian Planning Provisions

Trim Record Number: D17/181227
Responsible Officer: Director Planning and Place Making

Purpose

2. The purpose of this report is to make submissions to the Department of Environment, Land, Water and Planning (**DELWP**) regarding the proposed 'Reforming the Victoria Planning Provisions – a discussion paper October 2017' (**the paper**).

Background

3. On 17 October, the 'Reforming the Victoria Planning Provisions – a discussion paper October 2017' was released for comment with submissions closing 24 November 2017.
4. The paper outlines a number of proposed reforms to the Victoria planning provisions which can generally be grouped into five main themes being;
   (a) A simpler VPP structure with VicSmart assessment built in;
   (b) An integrated planning policy framework;
   (c) Assessment pathways for simple proposals;
   (d) Smarter planning scheme drafting; and
   (e) Improve specific provisions.
5. Under each of the themes are a series of proposals which this report will address where relevant to the Yarra Planning Scheme.
6. It is expected that all feedback received will inform the reforms expected to be introduced in mid-2018.

Submission

7. This report will respond to each of the five themes included within the paper and has been jointly prepared by Council Statutory and Strategic Planning departments. It is intended that the following section (paragraphs 7 to 51) and those in Attachment 2 be prepared as the Council Submission to DELWP.

Proposal 1: A simpler VPP structure with VicSmart assessment built in

8. This section of the discussion paper seeks feedback on consolidation of the structure of the planning scheme. Three specific proposals are outlined within this section and one 'Tell us more' question.

Proposal 1.1: Restructure and reform the particular provisions

9. The reorganisation of the particular provision section to simplify the categories is accepted; improved usability of the scheme is encouraged.

Proposal 1.2: Integrate VicSmart into appropriate particular provisions and overlay schedules

10. This proposal is similar to that of Proposal 3.1 – refer to comments within that section of the report (see paragraph 36 of this report).

Proposal 1.3: Consolidate all administrative provisions

11. The consolidation of all administrative provisions into one section is generally supported.

Tell us more Question:
What other changes to the VPP Structure do you think should be considered?

12. Additional changes are outlined within the table to this report responding to Appendix 2 of the paper.

Proposal 2: An integrated planning policy framework

13. Within this section of the discussion paper, focus is around the strategic policy framework and ways of simplifying and providing greater clarity to planning policy and easier navigation of the planning policy framework of the planning scheme. Five specific proposals are outlined within this section and three 'Tell us more' questions.

Proposal 2.1: Integrate state, regional and local planning policy

14. The proposed draft PPF forms a welcome streamlining of policy, with policies grouped by theme and presented in three levels of policy (state, regional and local). The policy structure as proposed should avoid duplication and/or conflict, make planning schemes easier to navigate, and more readable.

15. Proposal 2.1 states that under the new PPF regime, planning decisions would be required to "*take account of and give effect to*" all three tiers of policy - state, regional and local - whereas present local policies are only required to be "*taken in to account*". This strengthening of local policy is welcomed.

16. With regard to the three tiers of policy, clarity is required with regard to the regional strand. It is not clear whether it is intended that consistent policies appear across Melbourne, or if sub-regional elements of Plan Melbourne and other policy documents be included. Plan Melbourne defines the Inner Metro Region as including: Melbourne, Port Philip and Yarra City Councils. The Inner Melbourne Action Plan (IMAP) however is a collaborative partnership between the Cities of Melbourne, Port Phillip, Yarra, Stonnington and Maribyrnong. These inner Melbourne Councils work together to strengthen the liveability, attraction and prosperity of the region. Clarity is required around how the regional policies and initiatives being developed as part of Plan Melbourne and IMAP will align.

Proposal 2.2: Simplify the Municipal Strategic Statement.

17. The proposed structure of the municipal context and vision (the Municipal Strategic Statement as it is presently known) is supported. Also, sighting this at clause 10 of planning schemes is considered logical to provide local context at the beginning of each planning scheme.

Proposal 2.3: Expand policy themes

18. It is understood that the implementation of the PPF is intended to be policy neutral, and that its contents would broadly reflect the existing SPPF. However some changes are proposed and Council makes the following comments on the proposed table of contents for the PPF:

    (a) There is not a consistent or logical sequence of clause headings across different policy areas. For example, clause 17.03: Industry includes three sub-clauses addressing supply, siting and state-significant precincts. However, other employment uses (i.e. office, retail) are seemingly grouped together under one general clause 17.02: Business, where both spatial and thematic policy would need to be addressed. Council considers there should be a consistent approach to clause headings across policy themes;

    (b) More information is required regarding the intent of certain new clauses. For example, clause 11.03: Planning for Places includes new sub-clauses 11.03-3 Settlements, 11.03-4: Neighbourhoods and 11.03-5: Local places and clause 17.01: Diversified economy includes sub-clause 17.01-1: Employment. The purpose / spatial definition of these should be made clear;

    (c) Clause 13.06: Amenity includes two sub-clauses 13.06-1: Amenity and 13.06-2 Noise abatement. Council questions whether it is sufficient to cover all amenity concerns except noise in one clause, and reiterate that a consistent and logical sequence of clause headings is required;

19. There are a number of local policies in the Yarra Planning Scheme (YPS) that could not easily be distributed under the proposed PPF themes, or easy to locate for users for the scheme. These include:

    (i) Advertising signs (clause 22.04);

    (ii) Caretakers Houses (clause 22.06);

(iii) Licensed Premises (clause 22.09) and the liquor licencing policy (Amendment C209);

(iv) Gaming Policy (clause 22.15); and

(v) Environmentally sustainable development (clause 22.17).

Proposal 2.4: Create a clearer and simpler structure for policy making

20. Having a standard format for PPF policy writing is supported. The proposed policy composition in Table 2 is broadly supported, however it is recommended that it includes a further sub-heading *"Decision guidelines"* between the "*Strategies*" and "*Policy documents*" sub-headings; this would specify the criteria against which Councils would assess planning permit applications, and make expectations of applicants clear. Further rationale for including this sub-heading is given in the Council's response to proposal 2.5 (below).

Proposal 2.5: Set new rules and guidelines for writing policy

21. Standard rules for policy entry and development are supported as a means of ensuring consistency across PPFs. The Council suggests that this guidance be included in the VPP user manual, rather than via a ministerial direction. This would consolidate the user manual's role in policy development.

22. The Council supports renaming reference documents as "*background documents*", to better reflect their purpose and status.

23. The paper states that "*any policy will also need to avoid including provisions that act as controls*", noting that such controls should be included in zones, overlays, particular provisions, and their schedules. Proposal 2.5 expands on this, stating that policies "*should not contain controls or prescriptive standards*".

24. Council has reservations that prohibiting prescriptive standards would prevent a number of local policies from having effect in the new PPF format. A number of local planning policies in clause 22 of the YPS contain prescriptive standards, including policies relating to:

(a) Built form - setbacks and site coverage;

(b) Heritage – includes view line controls;

(c) Caretakers' houses – includes a floor area provision;

(d) Environmentally sustainable development and water sensitive urban design – particular sustainability criteria to meet; and

(e) Gaming and licensed premises – locational and operational criteria.

25. These policies were written in accordance with the existing Planning Practice Note 8 which states that "*an LPP guides decision-making in relation to a specific discretion in a zone or overlay. It helps the responsible authority and other users of the scheme to understand how a particular discretion is likely to be exercised".*

26. In addition, Planning Practice Note 4 states that:

(i) *…the LPPF sets a local and regional strategic planning context for a municipality*

(ii) *…the role of an MSS is different from the role of Local Planning Policy (LPP)*

(iii) *…an LPP guides how discretion in a zone, overlay or a particular provision will be exercised*.

27. These provide for effective implementation of particular policy provisions, and Council considers having the discretion to include these standards improves planning outcomes. If the prescriptive standards are not included in policy, consideration must be given to where and how they are dealt with. If it is intended that prescriptive standards are included in background documents then that will significantly reduce the statutory weight of those provisions.

28. It should be noted that local policy has been developed over many years through evidence-based planning and community consultation. The Council is concerned that the PPF format

as proposed has the potential to erode local policy. In addition, the removal of decision guidelines must be carefully reviewed against the opportunities to include them elsewhere in the VPPs, noting not all overlays allow for decision guidelines (i.e. the Development Plan Overlay). As such, it is again recommended that the PPF policy composition in Table 2 includes the sub-heading *"Decision guidelines"* between the *"Strategies"* and *"Policy documents"* sub-headings.

Tell us more Questions:

Are there any themes that should be added to the proposed PPF thematic framework?

29. Refer to our comments on proposal 2.3 above

What else could be done to make planning policy easier to apply and understand?

30. Council notes that clause 22.02 of the YPS includes definitions that relate to heritage. Consideration should be given to where they should sit within the VPPs, particularly if there is standardisation across planning schemes in Victoria

What will be needed to support transition to a new PPF format.

31. The consultation states that implementation of the proposed PPF structure would require transitional arrangements, including reviews of local planning policy and redistribution under relevant planning policy themes in the new PPF. It also states that mechanisms would need to be in place to make this transition.

32. Council is currently rewriting clauses 21 and 22 in the YPS, which is programmed to be drafted by June 2018. As such we require clear direction on:

    (a) The structure of the PPF;

    (b) The regional policy to be included in the PPFs clauses;

    (c) How local planning policy should be written; and

    (d) Transitional arrangements whilst Council is the process of rewriting its MSS and local policies.

33. Council wishes to ensure that the changes it is making to its planning scheme are fit for purpose when the proposals in the Discussion Paper are implemented. Following the close of this consultation on 24 November, we request the Department of Environment, Land, Water and Planning provides feedback on its intended way forward and how Council's should respond to it.

34. Council considers that implementation must be robust to ensure local policy is not weakened through transitional arrangements. The arrangements should provide for flexibility (to allow Councils to undertake the translation in stages) and supported by adequate resources. The consultation does not give Council any clear understanding of the implementation process. The Council recommends implementation arrangements includes:

    (a) A thorough legal review to identify any unintended consequences of the PPF, such as policy dilution or conflict;

    (b) The publication of advisory and practice notes to support policy transitions;

    (c) Dedicated human resources within the Department of Environment, Land, Water and Planning to provide advice and assistance to Councils;

    (d) Funding (i.e. grants) to Councils to support the implementation of this State Government led project; and

    (e) The consideration of an Advisory Committee to support a consistent transition to the new PPF structure state-wide.

35. These initiatives and resources are paramount given the challenges associated with transferring existing local policies to the proposed PPF regime, and the need to ensure state-wide consistency as all Councils will be effected.

Proposal 3: Assessment pathways for simple proposals

36. This section of the paper focuses on the VicSmart provisions and their structure and application with the planning scheme. Two specific proposals are outlined within this section and one 'Tell us more' question.

Proposal 3.1: Embed a VicSmart assessment pathway in appropriate particular provisions and overlay schedules.

37. It is not clear if it is proposed to repeat the VicSmart triggers in the varying overlay controls or to group them in to category based used i.e. café. This could be an efficient way to group some VicSmart eligible applications into one process rather than multiple.

38. The paper is unclear where the decision guidelines for each of the categories will be placed, if they are proposed to be located separately under each overlay, they may become cumbersome and of little benefit to simplifying these provisions.

Proposal 3.2: Introduce new code-based assessment provisions for simple proposals to support small business, industry and homeowners.

39. Council is supportive of some VicSmart applications qualifying for a code based assessment process, this would enable some benefits to small business, homeowners and the like.

40. In response to the specific examples used within the paper the following comments are offered:

    (a) Incorporating approvals outside the planning process - Planning approvals should not include non-planning approvals (ie. footpath trading, occupancy permits and food handling permits), these matters are managed by either local law permit or other Acts.

    (b) Temporary retail or cultural activity - This could work and enable pop up shops to open in commercial areas quickly, however definitions/parameters are needed (what is 'temporary' – does the scale/size change whether it is appropriate? – Length of time? Hours of operation? Location proximate to residential? How the use is registered/monitored, what is the impact of serving of liquor?

    (c) Home occupation – support exploration of expanding the parameters of home occupation within the residential zones and or mixed use zones.

    (d) Granny Flat – support the introduction of control around size and is not eligible for subdivision.

    (e) Small lot standards – to some degree this is already built into the VicSmart process and links back to Rescode provisions, the applicability of this in inner city locations which are covered by Heritage Overlays amongst other will limit its applicability.

    (f) More complex applications with a 20 – 30 day timeframe – If an application is deemed to be more complex, then by nature the question of notice must be considered. The inclusion of this new category may actually increase pressure on planning departments as it will create a doubling of work, without actually processing the application (to work out whether it is compliant). There are likely to be issues with having to do a pre-assessment to work out if a proposal meets all decision guidelines. This could in part be mitigated by putting the responsibility on to the applicant to demonstrate compliance e.g. checklist? Careful consideration is also needed of the implications of introducing more complex assessment to VicSmart and the issue of potential loss of third party involvement/rights.

Tell us more Questions:

What other matters do you think are suitable for code-based assessment?

41. Consideration should be given to the deletion of requiring a planning permit for minor matters rather than developing a code assessment process, or establish additional codes of practice similar to the apiary and tennis court codes.

Proposal 4: Smarter planning scheme drafting

42. Proposal 4 relates to improving consultation between DELWP and Council's to improve drafting of planning schemes. Three specific proposals are outlined within this section.

Proposal 4.1: Create a new VPP user manual

43. The creation of a user manual could be helpful to ensure common language for all planning schemes, this user manual should include templates to ensure consistency.

Proposal 4.2 Establish a business unit dedicated to VPP and planning scheme amendment drafting

44. The consultation proposes a business unit within DELWP. It states that this unit would receive drafting instructions from Councils and others, and prepare proposed amendments. The consultation does not indicate how this unit would interface with local governments, or indeed whether it would take on some of their responsibilities for drafting amendments. The Council would not support any transfer of responsibilities, and as such, further information is required on this matter.

Proposal 4.3: Create an online Victorian Planning library

45. The creation of an online library would be a great resource. The library should include:

    (a) incorporated documents,

    (b) approved development plans,

    (c) reference documents, heritage citations

    (d) all approved Ministerial planning permits and endorsed plans.

Proposal 5: Improve specific provisions

46. This section of the paper considers improvements to specific provisions included within the scheme. Three specific proposals are outlined within this section and one 'Tell us more' question.

Proposal 5.1: Improvements to specific provisions

47. Council is supportive of improvements to the planning scheme, in response to the specific examples used within the paper the following comments are offered:

    (a) Support making more permit exempt uses/works;

    (b) Do not support providing more conditions to section 1 uses as this would make the permit table less clear (especially as it relates to vastly different Councils).

    (c) Should be no change to 'prohibited' land uses for above reason.

    (d) Agree that there should be less referral requirements.

    (e) Agree with the principal to clarify/ simplify/ modernise definitions (land use and other), Eg. restaurant/ convenience restaurant/ café/ take away food premises/ food and drinks premises. Hotel/ tavern/ bar etc.

Proposal 5.2: Update the definitions sections of the VPP

48. See comments above and included in attachment 2 of this report.

Proposal 5.3: Regularly review and monitor the VPP

49. A regular review of the VPP's is supported, Councils are required to regularly review the local content of the planning scheme, and this should also apply to the state wide provisions.

Tell us more Questions:

50. Respond to Appendix 2.

51. Appendix 2 of the paper includes a number of recommendations. Council's response to these is found in attachment 2 to this report. NB. greyed out section of the table are not applicable to Yarra.

External Consultation

52. The timelines provided for comment has not allowed for input into Council's submission by the community, however, it is noted that individuals can lodge submissions direct to DELWP.

Internal Consultation (One Yarra)

53. This report has been prepared in consultation with Councils Strategic Planning team.

Financial Implications

54. There are no particular financial implications.

Economic Implications

55. There are no known economic implications.

Sustainability Implications

56. There are no known sustainability implications.

Social Implications

57. There are no known social implications.

Human Rights Implications

58. There are no known human rights implications.

Communications with CALD Communities Implications

59. There is no requirement for communication with CALD communities, as outlined above, the limited timeframes has not allowed for community input into Council's submission.

Council Plan, Strategy and Policy Implications

60. The proposed submissions to the paper are consistent with the broad intent to improve accessibility and effectiveness in the planning system.

Legal Implications

61. There are no known legal implications.

Conclusion

62. The submissions made within this report are consistent with improving accessibility and effectiveness of the planning process and will hopefully improve certainty and consistency in the Victorian Planning Provisions.

RECOMMENDATION

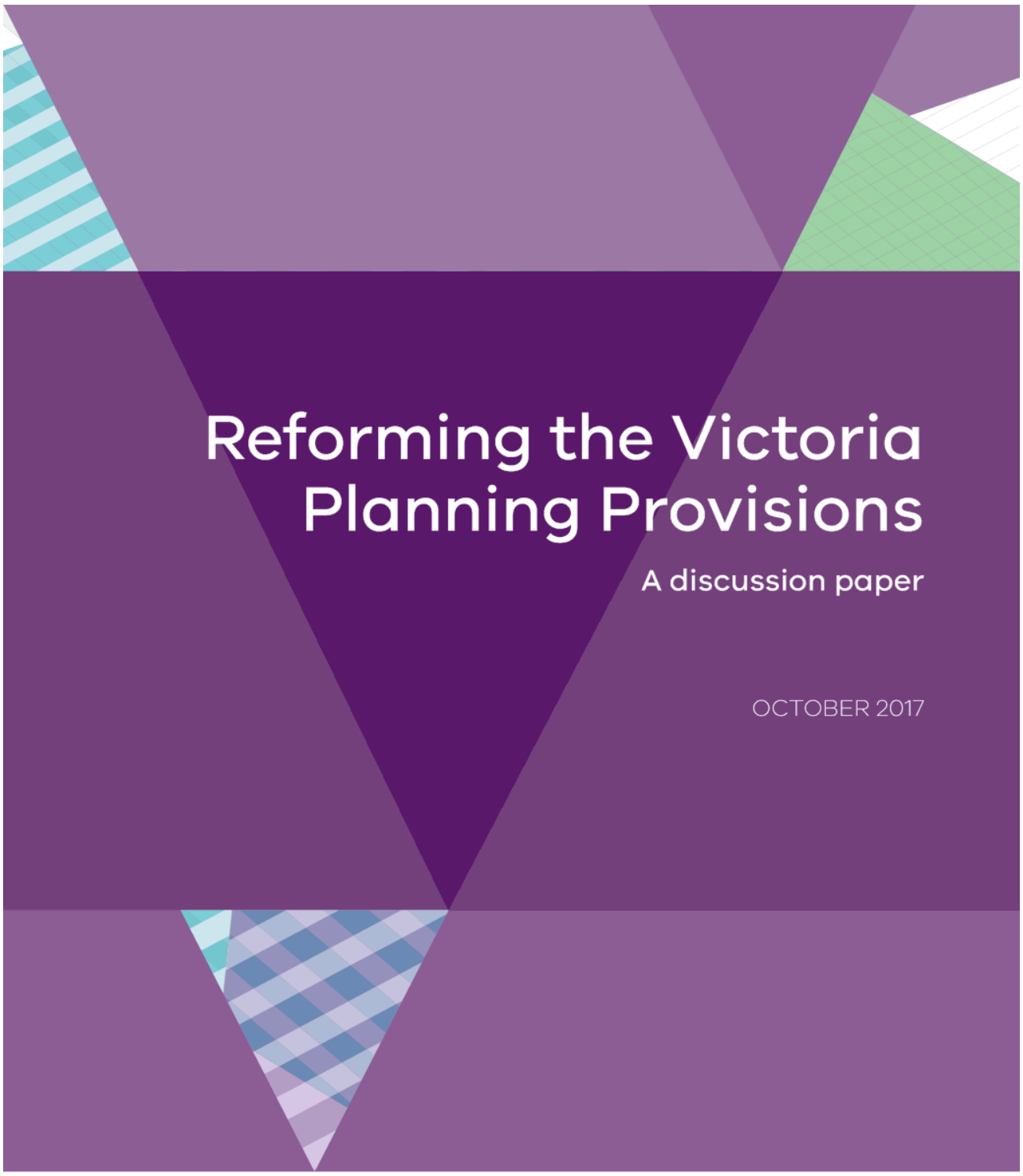
1. That Council note the officer report relating to the "Reforming the Victorian Planning Provisions" paper by the State Government.
2. That Council note the comments in this report regarding the proposals by the State Government as outlined in paragraphs 7 – 51 and in Attachment 2.
3. That Council authorise a submission to be forwarded to the Department of Environment, Water, Land and Planning in accordance with the comments in this report and Attachment 2.
4. That the CEO be authorised to settle the submission by the due date:

CONTACT OFFICER: **Mary Osman**
TITLE: **Manager Statutory Planning**
TEL: **9205 5300**

Attachments

1 Reforming the Victorian Planning Provisions 20 October
2 Possible Reforms of specific provisions - Council response

Attachment 1 - Reforming the Victorian Planning Provisions 20 October



SMART PLANNING
IMPROVE REFORM TRANSFORM

VICTORIA State Government

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Purpose

The purpose of this discussion paper is to seek comment on:

- proposed changes to the structure and operation of the Victoria Planning Provisions (VPP). These are set out in Proposals 1 to 4
- proposed changes to specific VPP provisions. These are set out in Proposal 5 and Appendix 2.

The proposals in this paper focus on the structure and operation of the VPP. They seek to both simplify and improve the operation of the VPP, and to lay foundations for further future transformative initiatives.

These initiatives are part of the Victorian Government's Smart Planning program.

Smart Planning is delivering long term, transformative change to the Victorian planning system to make it more responsive to the needs of Victorians. The proposals in this discussion paper are one part of this broader program. You can find out more about Smart Planning at **www.planning.vic.gov.au/smart-planning**

All users of Victoria's planning system are encouraged to consider the proposals and express their views.

To comment on the proposals, go to **www.engage.vic.gov.au/reform-victoria-planning-provisions**

The deadline for submissions is 5:00pm Friday 24 November 2017.

Abbreviations and acronyms

The Act	*The Planning and Environment Act 1987*
DELWP	Department of Environment, Land, Water and Planning
LPPF	Local Planning Policy Framework
MSS	Municipal Strategic Statement
PPF	Planning Policy Framework
PPARS	Planning Permit Activity Reporting System
PSIMS	Planning Scheme Information Management System
SPPF	State Planning Policy Framework
VAGO	Victorian Auditor-General's Office
VCAT	Victorian Civil and Administrative Tribunal
VCEC	Victorian Competition and Efficiency Commission
VPP	Victoria Planning Provisions

Introduction

Planning provides a strategic and policy framework to balance often conflicting economic, commercial, social, environmental and heritage considerations. It seeks to ensure that there is a fair, orderly, responsive and transparent process to manage the economically productive and sustainable use of land in Victoria.

The Victorian planning system and planning schemes play a significant role in Victoria's economy. In the 2016-17 financial year, the planning system processed about $30 billion of future investment in Victoria through 56,000 planning permit applications, and delivered approvals for 46,000 new dwellings and 62,000 new lots (Victorian Auditor-General's Planning System Review 2017 and DELWP). The planning system and planning schemes are key tools that enable state and local government planning policies to be implemented and sustainable change to be effected to the built environment.

The VPP is the framework, or template, on which all Victorian planning schemes are based. Improving the efficiency and effectiveness of the VPP and planning schemes is important to the Victorian economy and the liveability of Victorians.

Why is change needed?

The VPP has served Victoria well for a long time. However, increasing demands on the planning system and successive reforms have resulted in planning schemes that have grown considerably in size and complexity.

The growth in complexity of planning schemes not only affects their efficiency and effectiveness, it also acts as a barrier to long-term change and the benefits that technology can deliver through more responsive and accessible planning services.

The VPP introduced standardised planning scheme provisions in response to a proliferation of localised controls and the increasing complexity and disparity of planning schemes. It was founded on the principles that planning schemes:

- have a policy focus
- will facilitate appropriate development
- are usable
- are more consistent across the state.

It is now timely to review the VPP to ensure that it not only remains aligned to the founding principles, but also responds to new opportunities for modernisation.

The Smart Planning program seeks to deliver long term, transformative change to the planning system, to make it more responsive to the needs of Victorians. The proposals in this discussion paper are one part of this program and will lay the foundations for further transformation. They represent the first substantial changes to the VPP structure since it was introduced in 1997.

The proposals contained in this discussion paper have built upon feedback and ideas from planning system users and past studies looking at various planning scheme reforms.

Background information about preliminary consultation and the drivers for reform are contained at Appendix 3.

What are the new principles of a modernised VPP?

The VPP should reflect the principles of a modern planning scheme shown in Figure 1.

These principles build on the four founding principles of the VPP by adding the new principles of 'digital first' and 'proportional' to recognise the new opportunities for digital delivery now available and the need for more than one pathway to assess proposals. They articulate a set of ideals for a modern planning scheme against which the benefits and implications of a proposed change can be measured.

Figure 1: Principles of a modern planning scheme

Digital first

The provisions should be optimised for more efficient access and processing of planning information, including through better digital interfaces – e.g. utilising technology and the desired user experience to reverse engineer the way planning provisions are written and applied – moving from 'document' to 'database' driven planning schemes.

User focused

The provisions should be end user focused and provide accessible, transparent and understandable pathways to navigate the approval process – restructuring planning schemes so users can freely, instantly and intuitively access relevant information, using spatial means wherever possible.

Consistent

The architecture of the provisions and how they are applied should be simple and consistent regardless of the content, so that it is clearly understood and applied by planning authorities and proponents – e.g. use technology and drafting rules to ensure that new provisions are created and planning schemes amended in a way that both maintains the integrity of the system and delivers the desired policy outcomes.

Proportional

The provisions should impose a level of regulatory burden that is proportionate to the planning and environmental risks – e.g. implementing an assessment pathways approach, including code assessment, where low risk or simple applications can be assessed against objective criteria through faster processes.

Land use focused

The provisions should avoid conflict and overlap with other interlocking regulatory regimes – e.g. building, environmental & earth resources legislation, in particular where better technical expertise and resources reside elsewhere.

Policy and outcome focused

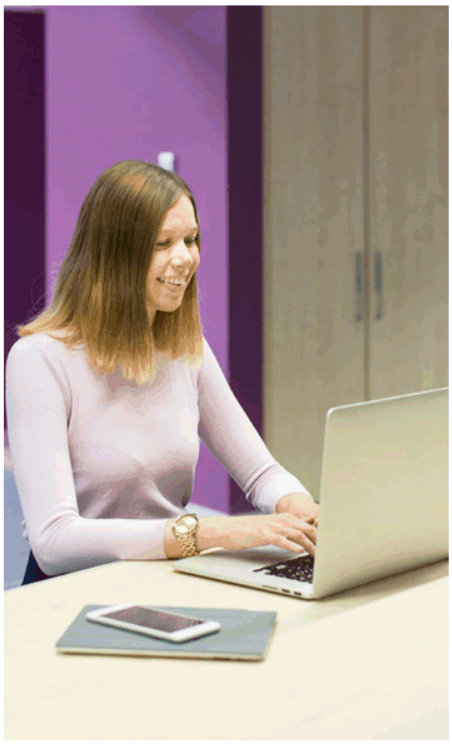
The provisions should ensure that controls have a clear policy basis and are planning outcomes driven – e.g. utilise technology and information databases to achieve strategic clarity and precision in the way controls are created and implemented.

What changes are proposed?

To realign the VPP with these principles, a range of changes are proposed. They will significantly simplify and realign the structure of the VPP while not fundamentally changing the basic operation of planning schemes. However, they do refresh, simplify and realign the structure and operation with contemporary expectations.

The proposals seek to:

- restructure the VPP and redraft some provisions to reflect the principles of a modern planning scheme
- widen the opportunity to use the VicSmart assessment pathway for simple applications
- align the State Planning Policy Framework and Local Planning Policy Framework into an integrated policy framework
- improve the clarity and usability of the VPP
- review and rationalise planning permit triggers
- review and increase permit exemptions
- respond to previous advisory committee reviews and new state government policy
- remove superfluous provisions, including duplicated and outdated clauses
- clarify common points of contention or confusion
- update document titles and agency and ministerial references.



This discussion paper presents five key proposals that seek to deliver these improvements. Each of the five proposals includes a number of specific initiatives. These are set out below and discussed in more detail in this discussion paper.

The proposals focus on the structure and operation of the VPP. The proposals do not include provisions that are being or have recently been reviewed, or matters that require significant regulatory reform.

Table 1: Proposals to reform the VPP

Proposal 1: A simpler VPP structure with VicSmart assessment built in	
1.1	Restructure and reform the particular provisions
1.2	Integrate VicSmart into appropriate particular provisions and overlay schedules
1.3	Consolidate all administrative provisions
Proposal 2: An integrated planning policy framework	
2.1	Integrate state, regional and local planning policy
2.2	Simplify the Municipal Strategic Statement
2.3	Expand policy themes
2.4	Create a clearer and simpler structure for policy making
2.5	Set new rules and guidelines for writing policy
Proposal 3: Assessment pathways for simple proposals	
3.1	Embed a VicSmart assessment pathway in appropriate particular provisions and overlay schedules
3.2	Introduce new code-based assessment provisions for simple proposals to support small business, industry and homeowners
Proposal 4: Smarter planning scheme drafting	
4.1	Create a new VPP user manual
4.2	Establish a business unit dedicated to VPP and planning scheme amendment drafting
4.3	Create an online Victorian planning library
Proposal 5: Improve specific provisions	
5.1	Improvements to specific provisions
5.2	Update the Definitions section of the VPP
5.3	Regularly review and monitor the VPP

Proposal 1: A simpler VPP structure with VicSmart assessment built in

Proposal 1.1: Restructure and reform the particular provisions

Proposal 1.2: Integrate VicSmart into appropriate particular provisions and overlay schedules

Proposal 1.3: Consolidate all administrative provisions

The issue

Since its introduction, the VPP has undergone many amendments, resulting in numerous additions to its content but little change to the overall architecture. Cumulatively, these changes have now begun to affect the overall operation and function of the VPP.

Due to their 'catch all' nature, the particular provisions have perhaps been subject to the greatest change, growing by over 120 per cent from 30 clauses in 1999 to the current 78 clauses (excluding geographically specific clauses).

More recently, the implementation of VicSmart represents the most significant structural change to the VPP. VicSmart implemented a streamlined assessment pathway for simple permit applications. However, the VicSmart provisions currently sit as a discrete section at the end of planning schemes and operate to isolate individual permit triggers or classes of application from the rest of the scheme. VicSmart could be better integrated into both the VPP and local provisions to improve its usability and effectiveness for all users of the system.

The proposal

The proposal is to simplify the structure of the VPP in three ways.

Proposal 1.1 Restructure and reform the particular provisions

It is proposed to restructure and reform the particular provisions into a more understandable and consistent format, with an emphasis on providing clearer assessment pathways for specific uses and development. The new structure would also more clearly recognise the functions of the different types of particular provision, under the following categories:

- *General performance standards and requirements* — where the provisions set objectives and performance standards for classes of use and development
- *Specific use and development provisions* — where the provisions set out permit exempt requirements and classes of VicSmart application and can operate as a 'one stop shop' for certain simple proposals (such as a small restaurant, or 'pop-up' use)
- *Interface Provisions* — where the provisions set out requirements for planning decisions that may affect other legislative processes and instruments
- *Specific sites, areas and exclusions.*

Proposal 1.2 Integrate VicSmart into appropriate particular provisions and overlay schedules

It is proposed to integrate VicSmart classes into the particular provisions and overlay schedules where appropriate, emphasising simple assessment pathways (permit exempt and VicSmart). This is discussed further in Proposal 3.1.

Proposal 1.3 Consolidate all administrative provisions

The list of incorporated documents and other administrative and operational provisions would be relocated to the General Provisions section. This would consolidate all administrative provisions in one location.

The proposed new framework is shown in Figure 2.

The benefits

The benefits of these proposals would be derived over time, as existing provisions are translated and new provisions build upon the reformed structure.

Benefits include:

- **Proportional assessment processes:** The new VPP framework would emphasise and better integrate simple assessment pathways (permit exempt and VicSmart) into the VPP structure, so that the regulatory impacts imposed by planning rules are more proportional and aim to be the minimum to adequately address planning risks. This would ultimately reduce the costs of planning regulation to both households and business, and contribute to more sustainable economic growth.
- **User-friendly planning schemes:** Creating standardised particular provisions and establishing a consistent approach to their drafting would enhance the usability of these parts of the planning scheme.
- **'One stop shop' provisions:** The reformed framework would facilitate the development of 'one stop shop' provisions for simple proposals. Users could navigate directly to a single particular provision that deals with all the requirements for that proposal in one place, without the need to refer to multiple provisions.
- **More efficient assessments:** Integrating VicSmart provisions into appropriate local schedules (such as the Design and Development Overlay) would enable planning authorities to streamline the assessment of simple applications.

Department of Environment, Land, Water & Planning

Figure 2: Comparison between existing and proposed VPP framework

Existing VPP Framework

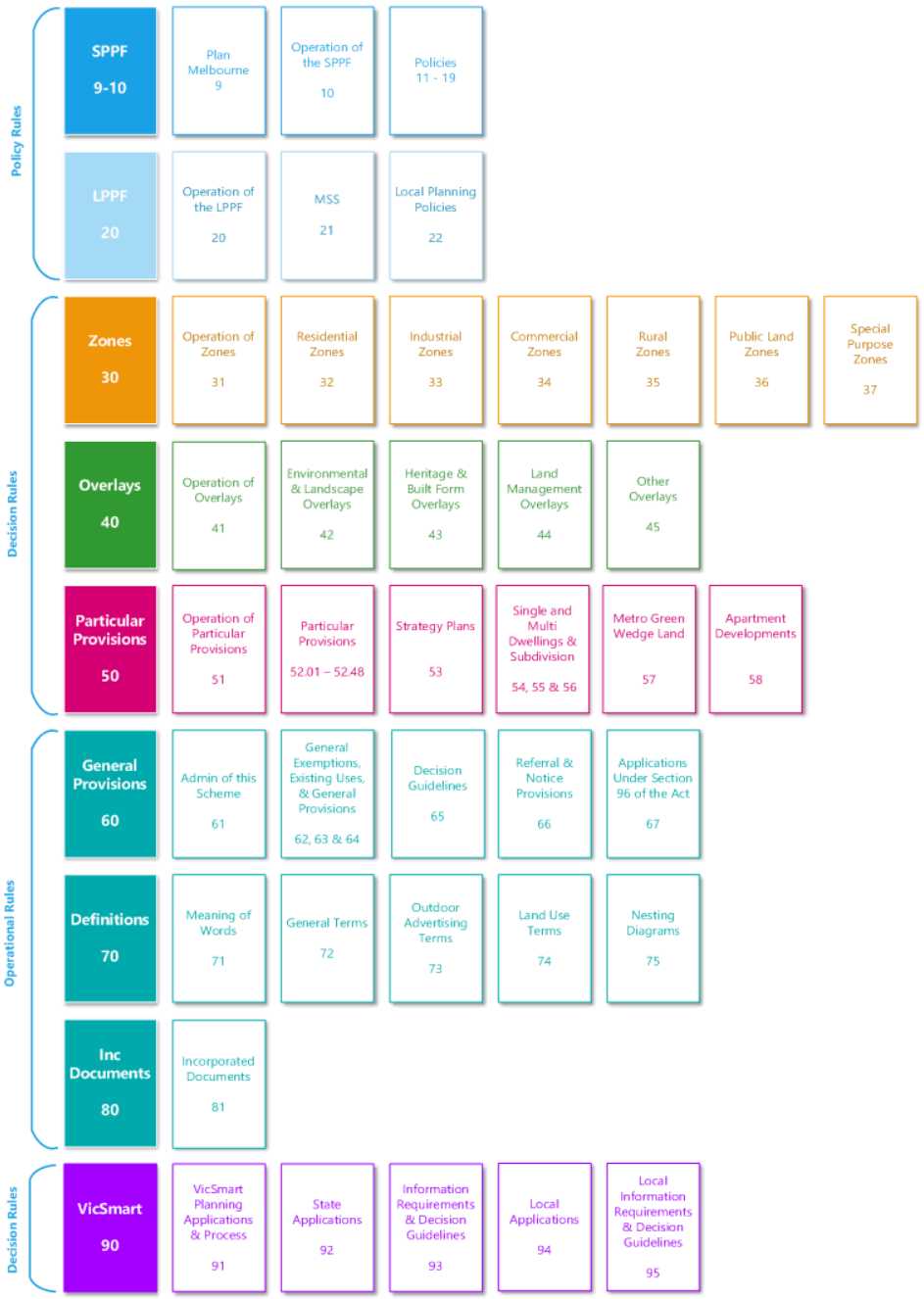
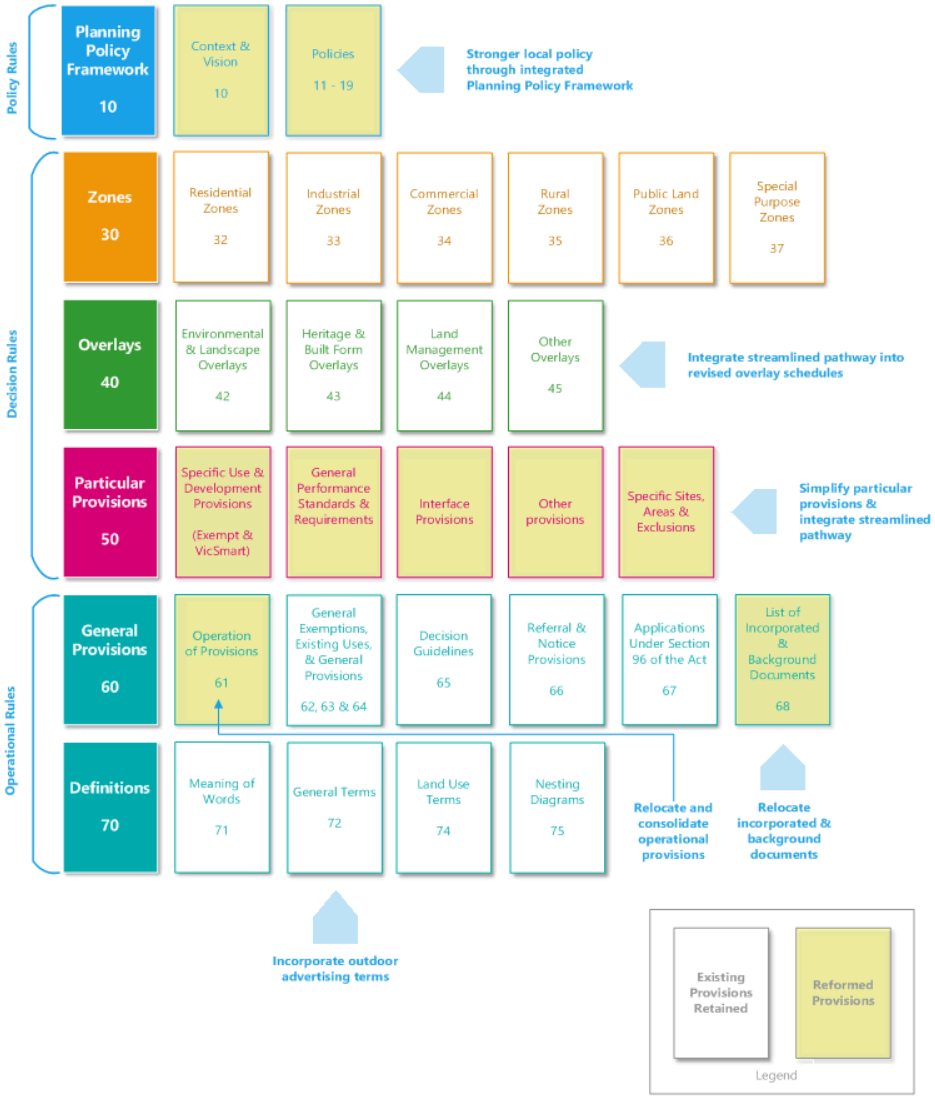


Figure 2: Comparison between existing and proposed VPP framework (cont.)

Proposed VPP Framework



Considerations

The following issues would need to be considered in implementing these proposals:

- The implementation of these initiatives would need a work program developed to draft, translate and test new restructured provisions in partnership with local government.
- Additional education and training may be required to support some specific changes in the operation of existing provisions and the introduction of new provisions.
- To strengthen the role of zones as a single point of entry in relation to the particular provisions, there may be a need to review some permit triggers in zones to achieve a consistent approach.

Discussion

The benefits of implementing significant structural reforms to the VPP need to be carefully balanced against their potential to cause uncertainty and unintended consequences.

The principal aim of the proposed new structure is to better integrate an assessment pathways approach to the operation of the VPP and create clearer and more navigable pathways for specific uses and development. Implementing these proposals would better align the VPP with the six principles of a modern planning scheme.

These initiatives would require significant work to implement, most likely through successive VPP and planning scheme amendments.

The long-term benefits of a more consistent structure and a more effective method for facilitating the assessment of low-impact proposals would be significant, both as a foundation for future transformation and digital reform and for more efficient assessment of planning applications generally.

1

TELL US MORE

- **What other changes to the VPP structure do you think should be considered?**

Proposal 2: An integrated planning policy framework

Proposal 2.1: Integrate state, regional and local planning policy
Proposal 2.2: Simplify the Municipal Strategic Statement
Proposal 2.3: Expand policy themes
Proposal 2.4: Create a clearer and simpler structure for policy making
Proposal 2.5: Set new rules and guidelines for writing policy

The issue

The importance of clear and navigable planning policy

State and local planning policies play an important role in guiding decision makers and facilitating appropriate outcomes. The policy section of planning schemes is presently made up of a State Planning Policy Framework (SPPF) and a Local Planning Policy Framework (LPPF).

Except for a modest restructure of the SPPF in 2010, the existing planning policy framework has largely operated in the same form for over 20 years. However, it has been the subject of discussion in a number of reviews over that time, including:

2002 – Using and Interpreting Local Policy
2003 – Better Decisions Faster
2007 – Making Local Policy Stronger
2008 – Victorian Auditor-General's Planning Framework for Land Use and Development
2011 – The Victorian planning system Ministerial Advisory Committee
2014 – The State Planning Policy Framework Advisory Committee
2017 – Victorian Auditor-General's Planning System Report on Managing Victorias' Land Use and Development.

These reviews identified that the VPP system, with its policy foundation, is widely supported, but users seek greater certainty in policy and improved usability. The following issues, which characterise the current policy framework, were also identified:

- a disconnected SPPF and LPPF structure and operation, and a growing inconsistency between them
- policies that operate beyond the scope of a planning scheme
- expansive local policies that seek to compensate for gaps in zone and overlay controls
- inconsistent application of policy by decision makers
- insufficient weight being given to local planning policy
- overlap of policy with other interlocking regulatory regimes
- terminology being used in different ways across policy levels
- a large volume of planning policy that is difficult to navigate, understand and apply
- outdated policy content
- an absence of state planning policy on various matters of local policy interest
- confusion over the role of reference documents.

Inadequate policy review and upkeep

The SPPF includes outdated policies and references to various old or redundant documents. It is often slow to be updated to align with new government policy.

The Act requires each council to review its LPPF no later than one year after the council plan is approved, which is generally every four years. Despite this requirement, LPPFs are not being regularly updated.

Outdated policy increases uncertainty in planning, creates a risk of decisions being made on outdated considerations and compromises the credibility of policies. Inadequate upkeep of policy is in part a reflection of the large number of policies in planning schemes, some of which may be better addressed by other regulatory mechanisms.

The proposal

Proposal 2.1 Integrate state, regional and local planning policy

It is proposed to merge the SPPF and LPPF into a single policy source called the Planning Policy Framework (PPF), with three levels of policy: state, regional and local.

The three levels of policy would be grouped by theme, with directly relevant regional and local policies 'nested' under the corresponding state planning policy if policy is in place at those levels. For example, a tourism policy would present as shown in Figure 3 below, with relevant nested policy appearing under each level heading.

Figure 3: Three levels of policy

17.03 Tourism

17.03-1 [State] Facilitating tourism

17.03-1 [Regional] Tourism in the Gippsland Region

17.03-1 [Local] Nature-based tourism in the Shire

Metropolitan and regional planning policy, presently set out in clauses 11.06 to 11.15 of the VPP, would be distinguished from state policy in the regional level of policy.

All regional and local planning policy would need to be derived from state planning policy.

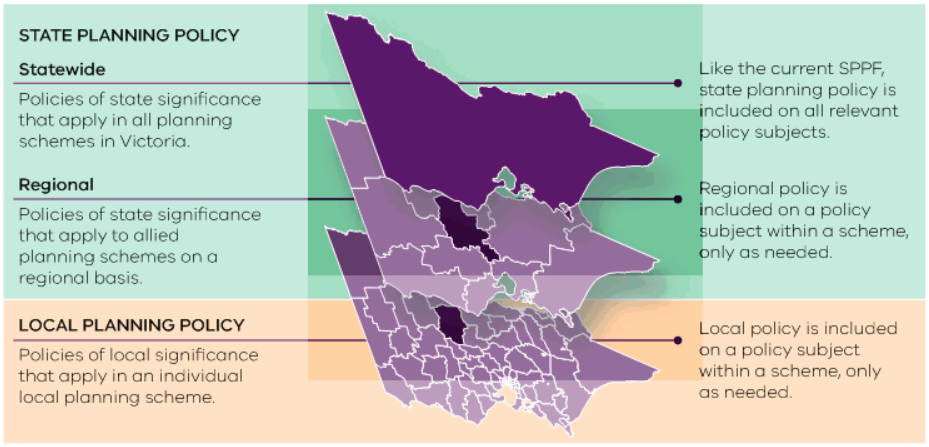
State policies would appear in every planning scheme, with the metropolitan and regional layers of planning policy for each of the nine state divisions (sourced from the metropolitan strategy and the eight regional growth plans) appearing only in the planning schemes to which they apply. The proposed concept is further explained in Figure 4.

To implement the new PPF, existing regional and local planning policies would need to be reviewed and appropriately redistributed under the relevant planning policy themes.

The proposal would also make the operational provisions of state, regional and local planning policy consistent in how each level of policy is applied. Presently Clause 10.03 and Clause 20 of the VPP require planning and responsible authorities to take account of and give effect to the SPPF, while the Municipal Strategic Statement (MSS) and local planning policies need only be taken into account.

To emphasise their equivalent importance, planning and responsible authorities would be required to uniformly take account of and give effect to all three tiers of policy. The proposed nested policy framework would also support a more consistent application of state and local planning policy.

Figure 4: Integrated planning policy framework



Proposal 2.2 Simplify the Municipal Strategic Statement

A reformed PPF would start with a new 'municipal context and vision' that provides a concise description of the municipality and an overview of council's strategic planning direction. This would set the scene for the planning scheme and establish the policy basis. It would contain information specific to the municipality, such as location and regional context, history, assets and strengths, key attributes and influences.

Appropriate MSS content that is not included in the context and vision statement would be reviewed and integrated into the PPF. The concise format would ensure a more focused and direct message about a council's planning aspirations, strengthening that element of policy.

As with the MSS, the municipal context and vision would need to be regularly reviewed.

Proposal 2.3 Expand policy themes

To ensure the PPF has the capacity to deliver policy intentions at state, regional and local levels, the existing SPPF thematic structure is to be updated.

The proposed thematic structure starts with a municipal context and vision and then a settlement policy that includes growth and place-based policy. This is followed by thematic-based policies, which are to be expanded by including additional policy themes to ensure appropriate existing and future local and regional planning policies are able to be included in the PPF.

In the PPF, the state-wide policy context is expressed through the policy themes. A planning scheme user would learn about what is important by observing the policy matters addressed in the PPF.

The proposed table of contents for the PPF framework is included in Appendix 1. The outcome of a range of other projects currently under way, including projects about affordable housing, animal industries, climate change, major hazard facilities and urban design may result in changes to the themes outlined in Appendix 1.

Some existing policies at the state and regional level may need to be recast to fit the new framework. For example, where a state policy and a regional policy are essentially equivalent, they may be standardised as a single state policy.

Any policy will also need to avoid including provisions that act as controls. These are properly implemented in appropriate zones, overlays or particular provisions, and their associated local schedules.

Based on the proposed PPF thematic framework and adjustments to various planning scheme schedule templates, local planning policy would be capable of being successfully translated into planning schemes without losing critical local content.

Proposal 2.4 Create a clearer and simpler structure for policy making

A standard format is proposed for the PPF that generally follows the existing SPPF policy construction of objectives, strategies and policy guidelines, but with some key improvements.

Each level of policy (state, regional and local) may include an 'objective', 'strategies' and a new 'policy documents' section for each policy matter.

Local and regional planning policy need only include objectives where they expand on the corresponding state objective. They do not need to repeat the state planning policy objective.

At the local level, two new headings, 'policy application' and 'policy context', are proposed to ensure policy transparency. These local policy elements each have a specific purpose:

- *Policy application* explains where a policy is applied (such as policies that may only apply within a mapped area, in certain zones or for certain types of applications).
- *Policy context* gives a brief background to the issue that generated the local policy.

This format allows policy to achieve a logical expression of:

- where the policy applies
- the local issue
- what the policy intends to do to manage the issue and how it will be done.

The proposed policy structure provides a logical sequence of policy, that, together with the proposed nesting hierarchy, will ensure easier navigation.

The proposed policy composition and its application is summarised in the table on the following page.

Table 2: PPF policy composition

Policy element	Function of the policy element	State Planning Policy	Regional Planning Policy	Local Planning Policy
Policy application	Sets out where the local policy is applicable	×	×	❍
Policy context	Explains the motive for the local policy	×	×	❍
Objective	Sets out the aim of the policy	●	❍	❍
Strategies	Specifies how the policy is to be achieved	●	●	●
Policy documents	Refers to relevant policy documents, including:			
	- incorporated documents	❍	❍	❍
	- background documents (relevant PPF clause hyperlinked to the document in an equivalent to the current Clause 81)	❍	❍	❍
Maps	Presents a visual expression of policy or sets out where policy applies	❍	❍	❍

Policy elements of the PPF shown: ● must be included ❍ may be included if needed × must not be included

Proposal 2.5 Set new rules and guidelines for writing policy

To ensure the new PPF delivers clearer and more effective planning policy, new policy rules of entry and new drafting rules are proposed.

Rules of entry would complement existing ministerial directions (including *Ministerial Direction No.11 Strategic Assessment of Amendments*) by setting out tests for whether a matter is appropriate for inclusion in the PPF.

The rules of entry would ensure, for instance, that a proposed policy has a land use or development focus and directly relates to a discretion in the planning scheme. These rules also seek to ensure that policy achieves the PPF's intended purpose and avoids taking on the role of other VPP provisions. For example, a policy should not:

- contain a control or prescriptive standards
- contain administrative matters such as referral requirements.

The drafting rules would ensure clear, concise and consistent policy making, including ensuring policy:

- follows a prescribed format
- is not duplicated or contradictory
- uses terminology consistent with the rest of the VPP.

The new rules would build on the existing *Planning Practice Note 8 - Writing a Local Planning Policy*. They could take the form of a ministerial direction or they could form part of the new VPP user manual discussed in Proposal 4.1.

To help councils integrate their LPPF into the new PPF, LPPF translation guidelines would be prepared to explain how the different elements of the LPPF can be translated into a new PPF.

The benefits

The proposed PPF would promote greater policy certainty through:

- **Strengthened policy:** Local and state policy strengthen each other. Local policy is reinforced by flowing directly from a state and regional basis to supplement and amplify state policy at the local level. Each level of policy is then able to be considered equally by responsible and planning authorities.
- **Grouping policy:** Inconsistencies and repetitions between state and local planning policy would be removed by grouping policy by subject matter.
- **A more navigable and usable policy framework:** Providing users with a more logical sequence of policy through a nested format.
- **Tailored metropolitan and regional policy:** Only relevant metropolitan and regional policy would appear in each planning scheme. For example, Melbourne's metropolitan planning policy would only appear in relevant planning schemes.
- **Clarifying the status of policy documents:** Renaming reference documents to 'background documents' and listing them in a similar way to incorporated documents would better reflect their role in schemes and hyperlinking them will make them more accessible.
- **Easier policy review and updating:** Together, a more streamlined and nested policy framework and the new Planning Scheme Information Management System (PSIMS) technology would make regular review of policy more manageable.

Considerations

The following issues would need to be considered in implementing these proposals:

- LPPF translations will require a work program in partnership with local government.
- Redrafting the LPPF into the new framework would require careful drafting to ensure local narrative is preserved, objectives and strategies are robust and critical content is retained.
- Given existing legislative requirements for the structure of planning schemes, legislation and transitional arrangements may be needed.
- Reformed PPF themes and subsequent LPPF translations to the new framework may involve some policy change, rather than being strictly policy-neutral.

Discussion

Since the introduction of the VPP a number of reviews have identified the need to make planning policy more effective and to make local policy stronger.

The PPF seeks to address these issues by:

- consolidating state, regional and local policy into a single source so that policy is consistent and flows sequentially, allowing each level of policy to reinforce the other and promoting integrated decision making
- better aligning local policy and state policy to reduce repetition
- removing content from local policy that does not add value, so local policy more precisely targets the issues that affect decision making
- ensuring local policy focuses only on land use and development planning issues and matters that relate to the exercise of a planning discretion.

2

TELL US MORE

- **Are there any themes that should be added to the proposed PPF thematic framework — shown in Appendix 1 — to ensure that it covers all required policies?**
- **What else could be done to make planning policy easier to apply and understand?**
- **What will be needed to support transition to a new PPF format?**

Proposal 3: Assessment pathways for simple proposals

Proposal 3.1: Embed a VicSmart assessment pathway in appropriate particular provisions and overlay schedules

Proposal 3.2: Introduce new code-based assessment provisions for simple proposals to support small business, industry and homeowners

The issue

Proportionality in assessing simple applications

One of the new principles for a modernised VPP is the need for proportionality in decision making. To achieve this a more streamlined assessment pathway is needed which is better aligned to the real assessment issues of a simple planning proposal.

The VPP currently applies a merit assessment pathway to all proposals that need a planning permit. While this pathway is appropriate for applications that raise strategic policy issues and require a balancing of competing policy objectives, it can be unnecessarily complex for simple applications. This lack of flexibility imposes a disproportionate regulatory burden on compliant proposals and diverts resources from processing those matters where wider discretion is appropriate.

VicSmart has achieved considerable progress in simplifying the merit assessment pathway for a range of simple permit applications. This has benefitted users in terms of both time and cost.

However, VicSmart continues to rely on a range of mostly qualitative, often subjective decision criteria and performance standards. This adds uncertainty in the short assessment timeline, when more objective performance standards might otherwise adequately address the planning risks associated with a proposal.

Also, while VicSmart enables councils to prescribe local VicSmart applications, few councils have done so.

Plan Melbourne 2017-2050 (P.57) recognises the problems associated with a standard merit assessment pathway for housing proposals and the potential for a streamlined or codified assessment process to facilitate important housing outcomes in strategic areas:

> *Developments allowing more than a single dwelling can also be subject to lengthy assessment processes and appeals even if they are in areas where change is envisaged. Contested applications generally arise where performance-based requirements exist instead of clearer, more prescriptive requirements ...*
>
> *A codified approval process will speed up decision making in defined locations and provide local governments, the community and the housing sector with greater certainty. If a proposal does not meet the set standards for codified approval, then a normal approval process would apply.*

The VicSmart provisions are currently located at the end of the VPP and planning schemes and are not integrated into the structure of the scheme. VicSmart also operates to isolate permit triggers on a clause-by-clause basis (for example, car parking reductions), rather than on a land use basis.

Often, small, simple proposals still require multiple permissions under different triggers, which may not all neatly fit into existing VicSmart classes even when a proposal is consistent with policy expectations (such as a small café in an existing high street shop).

There is opportunity to broaden the application of VicSmart by better integrating it into the VPP and evolving its operation to support more codified assessment pathways. A progression to more codified standards and provisions also provides the opportunity to better integrate the 'self-assess' and 'permit exempt' pathways as well.

Presently, most VPP and local provisions operate as a 'catch-all', triggering permits for all but the most minor of proposals. They provide little encouragement or opportunity to promote desired development or to define performance standards for development that need not be regulated.

Identifying more exempt and codifiable permit classes offers the potential to better focus the resources of the planning system where they are most needed.

The proposal

Proposal 3.1 Embed a VicSmart assessment pathway in appropriate particular provisions and overlay schedules

A revised structure and templates for appropriate particular provisions and overlay schedules is proposed to better integrate VicSmart with the rest of the VPP.

The particular provisions and overlay schedules would be restructured to clearly identify:

- exempt use and development
- VicSmart applications for use and development and relevant VicSmart codes or standards
- clearly articulated performance standards
- classes of applications that are exempt from notice and review
- use or development that is prohibited.

Proposal 3.2 Introduce new code-based assessment provisions for simple proposals, to support small business, industry and homeowners

It is proposed to develop new codified assessment provisions for simple proposals:

- **Small café/restaurant standards** could package a basic set of approvals for the conversion of a building in an existing commercial centre to a café, where the proposal complies with pre-set criteria, such as a maximum seating capacity.

The basic approvals would likely cover car parking waiver/reduction, low-impact advertising signs, liquor licences and minor buildings and works. Further investigation may reveal the opportunity to incorporate approvals outside the planning system, such as a footpath occupancy permit and food handling permits.

- **Temporary retail or cultural activity standards** could facilitate the establishment of temporary 'pop up' retail and cultural activity uses in vacant spaces in commercial centres.
- **'Home occupation plus' or 'live/work unit' standards** could facilitate small home-based businesses and creative industries beyond the home occupation threshold in appropriate residential or mixed use locations. The UK and the US have live/work unit codes that could inform a Victorian model.
- **Secondary dwelling ('granny flat') standards** could apply to residentially zoned land where the secondary dwelling is in conjunction with an existing dwelling. NSW has code requirements in this area, which could be reviewed having regard to their practical implementation. In NSW, among other requirements, a secondary dwelling must be no more than 60 square metres in area, located on the same land as an existing dwelling and cannot be subdivided.
- **Small lot standards** could apply to a single dwelling on a lot less than 300 or 500 square metres. There are existing codes for greenfield development on small lots in Victoria (in growth areas) and in NSW that validate the concept and could likely provide a basis for developing a code with general applicability in Victoria.

Some single-issue technical responses to hazard or the environmental condition of land (for example, a building in a floodway with no other permit triggers) may be able to be codified in future, in conjunction with the relevant referral authority.

The benefits

- **Simplicity:** Applicants would be clear on exactly what information needs to be provided with an application. There would be no opportunity for a decision maker to request information beyond what was set out in the provision. Information requirements would be tailored to address only the decision criteria.
- **Certainty and consistency:** Notification would not be required and there would be no third-party appeal rights. Objective and quantitative assessment criteria would be set out in detail in the provision and the decision-making process would be limited to a determination of whether the application complies with the standards.
- **Faster processing:** Notification of the application would not be required and the assessment process would be simplified through the quantitative standards.
- **Integration:** The expansion of the VicSmart process through the adoption of codified assessment standards would complement the better integration of VicSmart procedures into the rest of the VPP.

Considerations

The following issues would need to be considered in implementing these proposals:

- It is possible that, upon further review, some code-assessable applications would be better made exempt, and removed entirely from the need for assessment.
- Increasing the number of VicSmart applications may have operational impacts for councils by increasing the number of applications that need to be decided in a short timeframe.
- Integrating VicSmart procedures directly into the particular provisions and overlays would need a program of work to draft, translate and test proposed provisions in partnership with local government.
- Introducing changes to assessment requirements will require guidance and information to assist users during transition.
- To enable the VicSmart process to be applied to more complex proposals, it may be necessary to consider introducing an additional, longer VicSmart assessment timeframe (for example, 20 to 30 days) for specified classes of more complex application, to more realistically enable appropriate assessment.

Discussion

A Leading Practice Model For Development Assessment In Australia (Development Assessment Forum, March 2005) specifies that a code assessable application would:

- involve assessment against objective and quantitative criteria and performance standards
- not require assessment against competing policy objectives
- concern a proposal of a lower scale and expenditure
- be expected to only pose impacts that are within accepted parameters, so it does not require third party input
- always result in a permit subject to standard conditions, provided the code requirements are shown to be met.

A number of jurisdictions in Australia have a code assessment pathway in their planning systems. For example:

- New South Wales has 'complying development'. Where a development satisfies the relevant code, a 'Complying Development Certificate' must be issued either by a council or accredited certifier. Where a development does not comply with the code it moves to merit assessment.
- Queensland has 'code assessment' or 'bounded code assessment'. A permit must be issued where a development satisfies the code.

In Victoria, the VicSmart process provides the ability for a planning scheme to confine the assessment of certain classes of permit application to a specified set of criteria. VicSmart therefore provides an ability to focus the discretion of a decision maker on considering whether an objective set of criteria (a code) are met, and enables a code assessment pathway.

To establish a code assessment pathway, it is necessary to identify classes of application that already display or could display, the five characteristics noted above. Some particular provisions have 'code-like' provisions already and could be repackaged for codified assessment.

Plan Melbourne 2017-2050 has identified important housing outcomes that would benefit from a codified assessment pathway. The Department of Economic Development, Jobs, Transport and Resources' Small Business Regulation Review has also identified the need for simplified assessment to reduce costs and delays for small business.

Where the code is not entirely satisfied, the VicSmart pathway would not apply and the application would be assessed under the normal merit assess pathway.

Figure 5 shows how the assessment of a small-scale café/restaurant could be simplified by a code-based particular provision.

In addition to the creation of code-based VicSmart particular provisions, the existing VicSmart classes would benefit from better integration into the rest of the VPP. Given their narrow subject matter, particular provisions and some overlays present an opportunity to create comprehensive planning provisions that do not require a user to search for other controls in the planning scheme by also setting out exempt development, notice and appeal exemptions and prohibited development relevant to the particular matter.

3

TELL US MORE

- **What other matters do you think are suitable for code-based assessment?**

Figure 5: Comparison between merit assess and code assess

Existing pathway: permit in 60 days

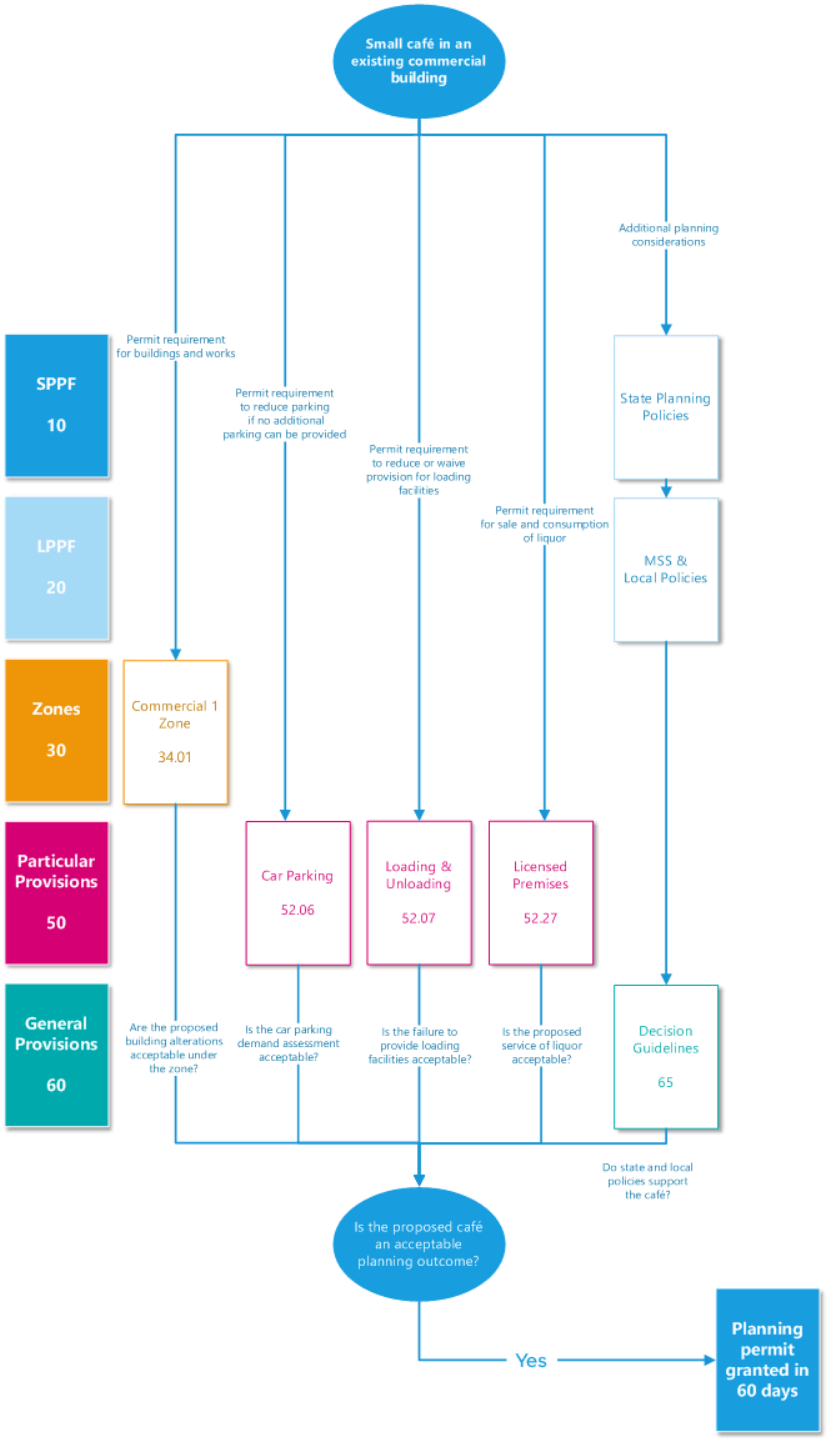
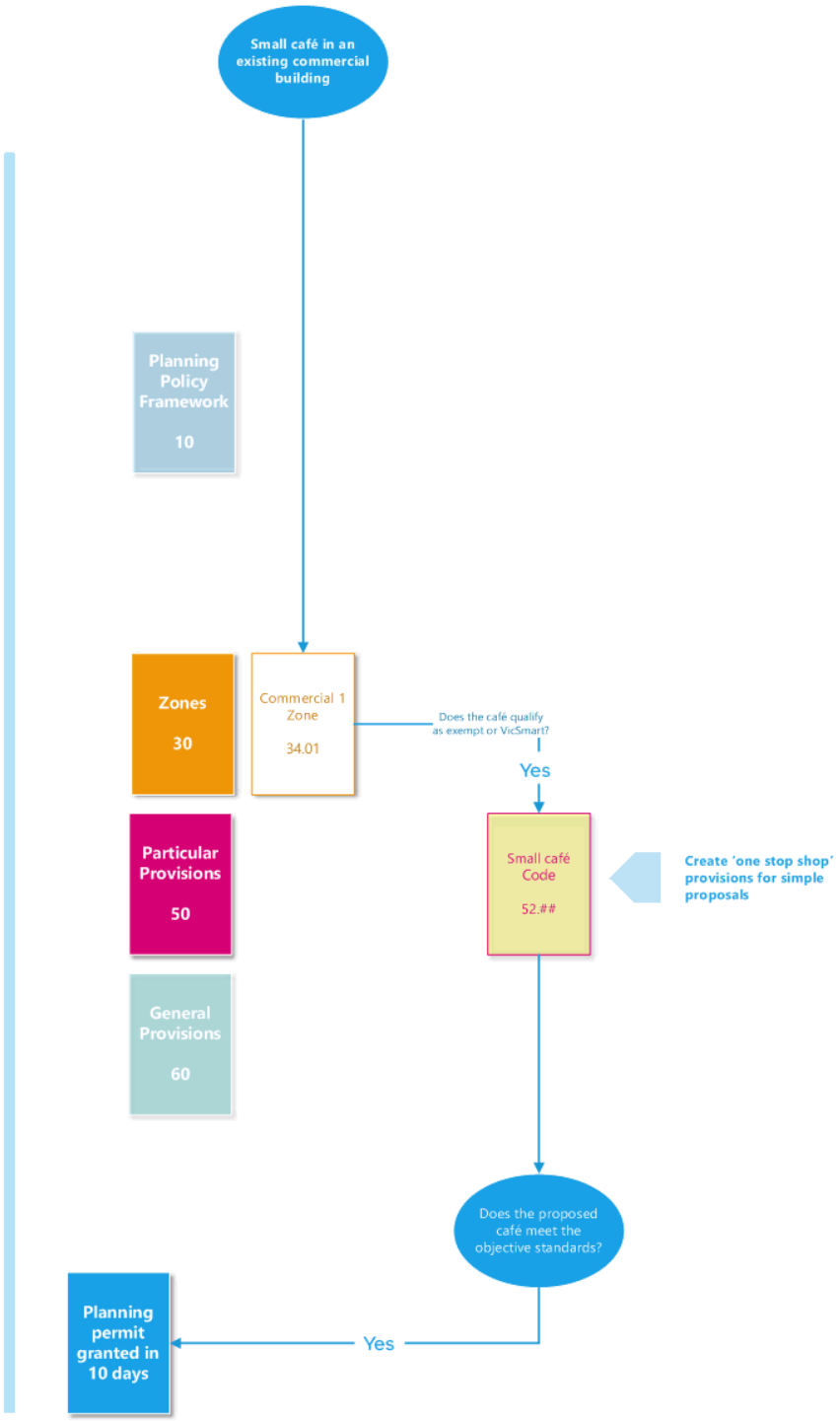


Figure 5: Comparison between merit assess and code assess (cont.)

Proposed codified pathway: permit in 10 days



Proposal 4: Smarter planning scheme drafting

Proposal 4.1: Create a new VPP user manual
Proposal 4.2: Establish a business unit dedicated to VPP and planning scheme amendment drafting
Proposal 4.3: Create an online Victorian planning library

The issue

The importance of clear and effective planning schemes

The Victorian planning system is an important interface between government and the community, generating around 57,000 permit applications each year as well as many public interactions and enquiries from stakeholders.

Since VPP format planning schemes were introduced, planning schemes have grown considerably in size and complexity.

Victorian planning schemes currently include:

- 798 local policies
- 448 residential zone schedules
- 627 environment and landscape schedules
- 797 design and development overlay schedules
- 651 development plan overlay schedules.

In particular, overlay schedules vary considerably in length, complexity and content between planning schemes. Often, the length and complexity of provisions can limit their effectiveness and usability.

Unlike some other jurisdictions, in Victoria any council or person can draft a proposed planning scheme provision, so there is significant variability in the drafting quality of provisions.

Common drafting problems that affect the usability of planning schemes include:

- ambiguously drafted provisions that make it difficult for users to clearly distinguish mandatory from non-mandatory provisions
- poorly drafted permit triggers that do not clearly define what needs a planning permit
- using customised definitions in schedules, when only standard concepts or defined terms should be used (for example, methods for measuring the size of trees and their protection zones)
- lack of clearly expressed performance standards connected to planning objectives

- limited permit exemptions where more exempt development could have been allowed
- excessive reference to and reliance on background documents that do not form part of the planning scheme.

Many of these problems can be avoided by the use of clear rules and better templates for the drafting and application of the VPP and local provisions.

The *Manual for the Victoria Planning Provisions 1997* (P.242) was prepared to guide the proper use of the VPP. Its value was recognised by the VPP Advisory Committee at the time:

> *The Manual, in its present form, has been designed to assist councils and others preparing new format planning schemes based on the VPP. Once this task is complete, there will still remain a need for a manual which will assist in understanding the way in which planning schemes using the VPP work and the way in which the VPP are intended to operate.*

Despite its potential ongoing value, the manual has never been updated and currently refers to provisions that no longer exist. While there are many practice notes for the VPP, these often combine content intended for different stakeholders and are not packaged in an integrated format.

From paper to database-driven planning schemes – better access to planning information

While technology and the internet have transformed the way users access planning schemes and planning information, the VPP and planning schemes are still stored and processed in a PDF or document-based format.

Due to the way planning scheme provisions are drafted, there is currently limited scope for future online platforms to process planning scheme provisions in a manner that would respond to user queries, such as: 'Do I need a planning permit?'

Through the development of PSIMS, the first steps have been taken to implement a digital repository for the state's planning schemes. This will allow amendments to be prepared, checked, approved and published electronically. Users will also be able to access and search planning schemes more easily.

However, until the VPP and local provisions are structured and drafted in a consistent and 'codeable' manner, there is no opportunity to change the way users access the 'front-end' of planning schemes.

If planning scheme users want a future that includes being able to access planning scheme information through a responsive digital platform, then changes are needed to how provisions are structured, drafted and interact.

By reverse engineering the desired user experience (such as an online portal that can determine whether you need a planning permit), it is possible to identify the changes needed and lay the foundations for a digital future. This can be achieved through better business rules and protocols for constructing planning schemes and storing planning scheme information.

The proposal

Proposal 4.1 Create a new VPP user manual

It is proposed to develop a new VPP user manual that includes business rules for the drafting and application of planning scheme provisions, with a focus on ensuring that:

- permit triggers are clearly and objectively expressed, evidence-based and relevant to the planning outcomes sought
- provisions are consistently and appropriately applied
- local provisions are clearly and consistently structured and drafted, and consistent with the state provisions
- where a proposed use or development is subject to discretion, performance standards are clearly articulated wherever possible, so that a user can determine when their proposal will be acceptable
- the structure and drafting of planning scheme provisions are optimised for processing and access via digital platforms, according to user queries.

A new VPP user manual could be electronically integrated with the necessary templates and the *Ministerial Direction on the Form and Content of Planning Schemes*.

The business rules would also be 'hard-wired' into the PSIMS online amendment system.

Proposal 4.2 Establish a business unit dedicated to VPP and planning scheme amendment drafting

It is proposed to establish a business unit in DELWP that is a 'centre of excellence', dedicated to protecting the integrity and usability of the VPP and planning schemes through:

- the ongoing development and review of business rules for the drafting and application of VPP and local provisions
- receiving drafting instructions from councils and others, and preparing proposed planning provisions and amendments in accordance with the VPP business rules
- ensuring that any proposed planning scheme amendment is prepared in accordance with the VPP user manual and relevant ministerial directions.

Units in the DELWP Planning Group already do this work to some extent, but this role can be more formalised and strengthened. The model of centralised document preparation has already been successfully applied to the preparation of planning scheme amendment maps.

Proposal 4.3 Create an online Victorian planning library

A single, comprehensive online repository of all planning documents necessary for the efficient operation of the planning system is proposed. This would provide significant efficiencies to all planning system users as it would provide immediate access to the correct versions of the many documents that affect planning decision making.

The library could include:

- incorporated documents
- approved development plans
- background / reference documents
- important historic planning documents
- heritage citations informing the Heritage Overlay.

Creating a single reference library would also create the opportunity to integrate those documents with PSIMS. A document in a planning scheme could be hyperlinked and directly accessible to users as they read and seek to apply planning scheme provisions.

The benefits

Enabling more effective and consistent planning schemes

The establishment of clear business rules for the drafting of planning scheme provisions would deliver more effective and usable planning schemes and better planning outcomes.

Similar to the role that the Office of Parliamentary Counsel plays in relation to legislation, public officers dedicated to daily drafting of planning scheme provisions, together with clear business rules, would ensure that planning scheme provisions are:

- legally effective and readily understandable
- consistent with the VPP drafting business rules and ministerial directions
- more effective at implementing the relevant state and local policies that form the basis of the control
- consistent with plain-English principles
- consistently and equitably applied across the state.

A central drafting unit would provide DELWP regional offices and smaller rural councils with access to skills and resources that are not otherwise readily available and act as a training unit for developing and transferring statutory drafting skills.

Implementing a consistent approach to the structuring and drafting of planning scheme provisions is an essential first step towards a more digital planning information future.

More accessible, codeable and digitally compatible planning schemes

Improving the digital accessibility of planning scheme information would have many benefits, including:

- the ability to process planning information according to user queries, not just by clause or page number
- the future potential for users to access planning scheme information using responsive digital platforms, which would reduce the burden on local government to respond to planning information requests
- improved access to planning information, increasing the transparency and accessibility of planning schemes, and promoting faster assessment and decisions.

Considerations

The following issues would need to be considered in implementing these proposals:

- The establishment of a planning scheme drafting unit in DELWP would require reallocation of existing resources within the Planning Group, and may require some additional resources. Different funding models would need to be examined to ensure adequate resourcing. However, investing effort in the initial drafting is likely to reduce demand on resources and speed up decision making later in the amendment process.
- The success of the planning scheme drafting unit would depend on staff having appropriate levels of skills in statutory drafting, which may need to be supported with ongoing professional development.
- The implementation of new business rules would more tightly prescribe the manner in which local provisions may be drafted.

Discussion

While these initiatives may require the allocation of additional resources, particularly to establish the business rules and the library, they would result in significant efficiency gains for councils and stakeholders, including through:

- more focused planning controls that only regulate development with the potential to impact on planning objectives, improving the assessment of all proposals
- a reduction in the cost of resolving disputes over interpretation or application of planning provisions
- clearer controls that can be more efficiently explained and accessed through future digital interfaces.

There may be some loss of flexibility in the drafting of local provisions, however more concise and precisely expressed planning controls can only improve their effectiveness.

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TELL US MORE

- **What are the key matters you think a VPP user manual should include?**
- **What planning documents or information do you think should be included in a Victorian planning library?**
- **Are there other ways the drafting and consistency of planning scheme provisions could be improved?**

Proposal 5: Improve specific provisions

Proposal 5.1: Improvements to specific provisions
Proposal 5.2: Update the Definitions section of the VPP
Proposal 5.3: Regularly review and monitor the VPP

The issue

Too many minor matters require a planning permit

The VPP catches a wide variety of matters that are minor and pose little risk to the surrounding community, yet still require a planning permit. Planning permits are issued for some minor applications as a matter of routine, which questions the need for a planning permit in the first place.

While VicSmart has helped to fast track many minor matters, and while the VPP do already provide a range of land use, subdivision and building and works exemptions, there remain a number of minor matters that arguably do not need to be regulated by the planning system.

Document references are out of date

The VPP refers to many incorporated and reference documents. Over time, these documents can be withdrawn, updated or replaced. Unless the VPP is updated concurrently, the corresponding VPP clauses can become outdated. Maintaining legal reference to an out of date version creates unnecessary and time-consuming consideration about the relevancy and weight of the document.

Monitoring and review of the VPP is not systematic

The wide scope of the VPP, coupled with its dynamic nature, mean that close monitoring and review are critical to its ongoing relevance. Irregularities in the VPP inhibit its clarity and usability.

The proposal

Proposal 5.1 Improvements to specific provisions

Appendix 2 outlines a list of potential improvements to specific VPP and related provisions that have been identified through the Smart Planning consultation program and previous reviews (see Appendix 3). The proposals generally address one or more of the following objectives:

- add new, or expand existing, buildings and works exemptions in certain provisions
- make more permit-required land uses 'as of right' where the use is consistent with the purpose of the zone (in combination with increased use of conditions, where appropriate)
- make prohibited land uses permit-required uses where consistent with the purpose of the zone (in combination with increased use of conditions, where appropriate)
- reduce referral requirements where possible
- remove or amalgamate zones and overlays where purposes are duplicated or where need has changed
- clarify common points of confusion and complexity, remove duplication and ensure consistency
- correct anomalies, update references, and improve readability and usability.

Proposal 5.2 Update the definitions section of the VPP

A key component of the proposed improvements to specific provisions is improving definitions.

This includes reviewing the VPP land use terms and definitions and associated treatment in the land use tables, with the objective to:

- increase use of everyday terms that the community understands
- remove or modernise obsolete terms and provide for new or emerging land uses
- distinguish between similar land uses where treated differently in land use tables
- remove unnecessarily specific terms and broaden terms, where appropriate
- provide definitions for undefined terms where appropriate (except for terms that are sufficiently captured by an ordinary dictionary meaning or defined in the Act).

Proposal 5.3 Regularly review and monitor the VPP

It is proposed to establish a process for ongoing reporting of VPP correction and reform suggestions. DELWP would maintain a register of reforms underway online, with each reform suggestion given an approximate timeline for decision. This may be the responsibility of the drafting unit (see Proposal 4.2).

The system could include an ability for Victorian Civil and Administrative Tribunal (VCAT) and Planning Panels Victoria members to flag decisions and reports that recommend VPP change.

The benefits

- **Better planning outcomes:** A greater focus on the applications that impact on people and the environment would lead to better decisions. This would bring about liveability benefits and help improve living and working conditions for all Victorians.
- **Fewer planning permit requirements and more exemptions:** This would result in a reduced resource burden on councils, referral authorities and VCAT, allowing them to focus on more significant applications and matters where resources yield greater benefit. Where planning permits may still be required due to other permit triggers, these applications would become simpler and narrower in scope, with fewer application requirements.
- **Faster processing times:** Under the proposed reforms there would be a reduced resource burden on councils and fewer referral requirements. Other proposed reforms that simplify drafting and remove complexity would also help reduce application processing times.
- **Greater confidence in the planning system through improved accessibility and clarity of information:** Initiatives that improve access to documents and help demystify the planning process (such as using everyday terms and clearer definitions) would also increase confidence. Removing inconsistencies, duplications and anomalies, and updating references will make it easier for all users to understand the content.
- **Greater support for current policy priorities:** Specific improvements to provisions can help support start-ups and small business, cultural activity and employment.

Considerations

The following issues would need to be considered in implementing these proposals:

- a broad range of proposals have been identified that would require significant effort at both state and council level to implement agreed changes
- reforms would need to be supported by preparing new guidance material and training for users.

Discussion

The number of proposed reforms means the scale of this task is significant. A prioritisation exercise would need to be undertaken.

The benefits of simplifying the VPP, particularly a reduction in planning permit triggers, would have major benefit for all users.

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TELL US MORE

To respond to Appendix 2 or provide feedback on any of these reforms please visit www.engage.vic.gov.au/reform-victoria-planning-provisions

Appendix 1: Proposed PPF thematic framework

To ensure the PPF has the capacity to deliver policy intentions at state, regional and local levels, the existing SPPF thematic structure is proposed to be expanded and revised.

Operational provisions in Clause 9 and 10 of the existing SPPF would be relocated to the General Provisions. Existing metropolitan and regional planning policy in clauses 11.06 to 11.15 would be redistributed thematically.

Some existing LPPF content may be unsuitable for the new PPF, but better placed within a zone, overlay or particular provision. To cater for these situations, some VPP provisions or planning scheme schedules may be expanded to take in this content.

An expanded set of PPF policy themes and planning scheme schedule templates will help address existing regional and local planning policy matters, such as:

- place-based policy
- advertising signs
- design for regional and rural areas
- lakes and wetlands
- amenity (including non-residential uses in residential zones and other interface issues)
- climate change
- non-renewable energy supply
- diversification of employment.

Other policy at the local level generally fits within existing state planning policy themes, but existing state strategies need to be expanded to create an association for local planning policy to connect to. These include matters such as:

- animal keeping
- water-based transport
- sealing of roads
- dams
- design of industrial areas
- accommodation uses (such as student housing)
- caretakers' dwellings
- display homes
- tourism in regional Victoria.

To see the proposed changes made to the table of contents, refer to the document in the Engage Victoria website **www.engage.vic.gov.au/reform-victoria-planning-provisions**.

Planning policy framework – proposed table of contents

Clause no.	Clause title
10	**Context and vision**
10.01	**Municipal context**
10.02	**Municipal vision**
10.03	**Municipal Strategic Framework Plan**
11	**Settlement**
11.01	**Victoria**
11.01-1	Settlement networks
11.01-2	Victoria Settlement Framework
11.02	**Urban growth**
11.02-1	Supply of urban land
11.02-2	Structure planning
11.02-3	Planning for growth areas
11.02-4	Peri-urban areas
11.02-5	Sequencing of development
11.03	**Planning for places**
11.03-1	Activity centre network
11.03-2	Activity centre planning
11.03-3	Settlements
11.03-4	Neighbourhoods
11.03-5	Local places
11.04	**Planning for areas of state significance**
11.04-1	Coastal settlement
11.04-2	Alpine areas
11.04-3	The Great Ocean Road region
11.04-4	Green wedges
11.04-5	Distinctive areas and landscapes
12	**Environmental and landscape values**
12.01	**Biodiversity**
12.01-1	Protection of biodiversity
12.01-2	Native vegetation management
12.02	**Coastal areas**
12.02-1	Protection of coastal areas
12.02-2	Appropriate development of coastal areas
12.02-3	Coastal Crown land
12.02-4	Bays
12.03	**Waterways and water bodies**
12.03-1	River corridors

Clause no.	Clause title
12.03-2	Yarra River protection
12.03-3	Lakes and wetlands
12.04	**Alpine areas**
12.04-1	Framework for planning alpine resorts
12.04-2	Sustainable development in alpine areas
12.05	**Significant environments and landscapes**
12.05-1	Environmentally sensitive areas
12.05-2	Landscapes
13	**Environmental risks and amenity**
13.01	**Climate change impacts**
13.01-1	Climate change and natural hazards
13.01-2	Coastal inundation and erosion
13.02	**Bushfire**
13.02-1	Bushfire planning strategies and principles
13.03	**Floodplains**
13.03-1	Floodplain management
13.04	**Soil degradation**
13.04-1	Use of contaminated and potentially contaminated land
13.04-2	Erosion and landslip
13.04-3	Salinity
13.05	**Air quality**
13.06	**Amenity**
13.06-1	Amenity
13.06-2	Noise abatement
14	**Natural resource management**
14.01	**Agriculture**
14.01-1	Protection of agricultural land
14.01-2	Sustainable agricultural land use
14.01-3	Forestry and timber production
14.02	**Water**
14.02-1	Catchment planning and management
14.02-2	Water quality
14.02-3	Water conservation
14.03	**Resource exploration and extraction**
15	**Built environment and heritage**
15.01	**Urban environment**

Clause no.	Clause title
15.01-1	Urban design
15.01-2	Urban design principles
15.01-3	Design for rural areas
15.01-4	Neighbourhood and subdivision design
15.01-5	Design for safety
15.01-6	Cultural identity and neighbourhood character
15.01-7	Healthy neighbourhoods
15.02	**Sustainable development**
15.02-1	Energy and resource efficiency
15.03	**Heritage**
15.03-1	Heritage conservation
15.03-2	Aboriginal cultural heritage
16	**Housing**
16.01	**Residential development**
16.01-1	Integrated housing
16.01-2	Location of residential development
16.01-3	Housing diversity
16.01-4	Housing affordability
16.01-5	Rural residential development
16.01-6	Crisis accommodation and community care units
16.01-7	Residential aged care facilities
17	**Economic development**
17.01	**Diversified economy**
17.01-1	Employment
17.01-2	Innovation and research
17.02	**Commercial**
17.02-1	Business
17.02-2	Out-of-centre development
17.03	**Industry**
17.03-1	Industrial land supply
17.03-2	Siting of industrial development
17.03-3	State significant industrial precincts
17.04	**Tourism**
17.04-1	Facilitating tourism
17.04-2	Coastal and maritime tourism

Clause no.	Clause title
18	**Transport**
18.01	**Integrated transport**
18.01-1	Land use and transport planning
18.01-2	Transport system
18.02	**Movement networks**
18.02-1	Sustainable personal transport
18.02-2	Cycling
18.02-3	Public transport
18.02-4	Road system
18.02-5	Car parking
18.03	**Ports**
18.03-1	Planning for ports
18.03-2	Planning for port environs
18.04	**Airports**
18.04-1	Planning for airports
18.04-2	Planning for airfields
18.05	**Freight**
18.05-1	Freight links
19	**Infrastructure**
19.01	**Energy**
19.01-1	Energy supply
19.01-2	Renewable energy
19.02	**Community infrastructure**
19.02-1	Health facilities
19.02-2	Education facilities
19.02-3	Cultural facilities
19.02-4	Emergency services
19.02-5	Open space
19.02-6	Distribution of social and cultural infrastructure
19.03	**Development infrastructure**
19.03-1	Development contribution plans
19.03-2	Water supply, sewage and drainage
19.03-3	Stormwater
19.03-4	Telecommunications
19.03-5	Waste and resource recovery
19.03-6	Pipeline infrastructure
19.03-7	Survey infrastructure

Appendix 2: Possible reforms of specific provisions

Ideas for discussion

The following reforms to specific provisions have been identified through preliminary assessment and consultation, including through the VPP online survey undertaken in July 2017.

Feedback is sought on these proposals and which should be prioritised for short term implementation. They may be implemented by Smart Planning or by other parts of DELWP, and some may be suitable for consideration by an advisory committee.

The size, complexity and scope of these ideas mean implementation would occur over the long term.

Visit **www.engage.vic.gov.au/reform-victoria-planning-provisions** to provide feedback on any, or all, reform proposals.

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Attachment 1 - Reforming the Victorian Planning Provisions 20 October

ID. No.	Clause No.	Name	Modification	Justification
ZONES				
1	30	All zone schedules	Review all zone schedules having regard to the following: a) Enhance the Ministerial Direction – The Form and Content of Planning Schemes to limit structural modifications (such as to headings and order, etc) and ensure consistency across the VPP b) Ensure the distinction between the state and local clauses remains clear.	Maintaining consistency throughout the VPP and across various council planning schemes would increase certainty for applicants, reduce confusion, and maintain a reliable assessment framework. Local variations should occur within strong parameters to ensure consistency with the purpose and powers of the VPP parent provision, and reduce structural inconsistency between schedules across the state. Digitisation of planning scheme content and the amendment process (PSIMS) would assist in ensuring a consistent structure for schedules.
2	30	All zones	Review zones having regard to the following: a) Rename zones from being numerical (for example, 'Industrial 1 Zone') to being descriptive and adopting everyday words, such as used for the residential zones b) Examine the role and function of the following zones to establish whether they can be replaced with other VPP tools (such as the Mixed Use Zone or the Commercial 1 Zone and an Incorporated Plan Overlay or Development Plan Overlay), or amalgamate the following zones into a single zone that can be tailored to reflect local circumstances: i. Priority Development Zone ii. Activity Centre Zone c) Create consistency in use of phrasing where a common meaning applies (such as the phrases 'generally in accordance with', 'generally consistent with' and 'in accordance with').	These reforms are designed to improve the usability and clarity of the VPP, through renaming zones so that they better correspond to their purpose, removing unnecessary zones with more targeted controls, and using consistent terminology to limit common points of confusion.

Attachment 1 - Reforming the Victorian Planning Provisions 20 October

ID. No.	Clause No.	Name	Modification	Justification
3	32	All Residential Zones	Review residential zones having regard to the following: a) Make single dwellings on lots greater than 300sqm exempt from a planning permit by lowering the threshold for a permit from 500 to 300sqm (they are already exempt on lots greater than 500sqm), relying on the building code to address siting and design issues b) Make 'Childcare Centre' a Section 1 (as of right) land use within the Residential Growth Zone, subject to conditions, such as relating to size c) Redraft the following phrase used uniquely in the residential zones as a permit trigger: 'construction and extension of ...' and adopt the more commonly used 'to construct a building or construct and carry out works ...' to create consistency with other zones.	The proposed modifications seek to improve the consistency of provisions, remove unnecessary permit triggers and allow for more as of right land uses in residential areas. The package of single dwelling provisions, including Rescode in the VPP and Part 4 of the Building Regulations work together to regulate single dwellings. Relying on the building system to regulate single dwellings (except where an overlay applies) would reduce regulatory burden, and assist homeowners, whilst protecting local amenity through its siting and design provisions. Existing overlays would continue to trigger planning permits where special circumstances apply, such as heritage areas.
4	32.04	Mixed Use Zone	Review the Mixed Use Zone having regard to the following: a) Make more commercial uses in the Mixed Use Zone Section 1 (as of right) land uses where they are low impact, subject to conditions b) Make 'Manufacturing Sales' a Section 1 (as of right) land use with a condition relating to floor area size to support the establishment of small 'makers' and creative industries c) Make 'Childcare Centre' a Section 1 (as of right) land use, subject to conditions, such as relating to size.	Providing a greater range of land use exemptions (subject to conditions) in the Mixed Use Zone would facilitate commercial and community-focused activity and streamline the planning application process for applicants. Floor area caps would ensure the beneficiaries of these changes are predominantly small-scale businesses. It is important to ensure the planning system does not unnecessarily burden new small business with costs and timeframes which may be prohibitive and disproportionate.

Attachment 1 - Reforming the Victorian Planning Provisions 20 October

ID. No.	Clause No.	Name	Modification	Justification
5	33.01	Industrial 1 Zone	Review the Industrial 1 Zone having regard to the following: a) Make 'Motor Repairs' a Section 1 (as of right) land use with the standard condition relating to distance to a residential zone b) Make 'Convenience Shop' a Section 1 (as of right) land use.	Making 'Motor Repairs' a Section 1 (as of right) land use would allow these uses to locate in areas with limited potential for amenity impacts. Making 'Convenience Shop' a Section 1 land use in the Industrial 1 Zone would facilitate small business activity and allow uses that improve the amenity of these areas by providing day to day services for workers
6	33.03	Industrial 3 Zone	Review the Industrial 3 Zone having regard to the following: a) Make 'Motor Repairs' a Section 1 (as of right) land use with the standard condition relating to distance to a residential zone b) Make 'Office' a Section 1 (as of right) land use subject to maximum floor area requirements c) Make 'Indoor Recreation Facility' and 'Take Away Food Premises' Section 1 (as of right) land uses.	Making 'Office', 'Indoor Recreation Facility' and 'Take Away Food Premises' Section 1 land uses in the Industrial 3 Zone would facilitate small business activity, provide services for workers and allow for uses that contribute to economic growth without compromising the 'buffer' function of the zone. Conditions on the maximum floor area of 'Office' uses are designed to ensure that the zone does not become a de facto commercial precinct. Making 'Motor Vehicle Repairs' a Section 1 (as of right) land use would allow these uses to locate in areas with limited potential for amenity impacts.
7	34.02	Commercial 2 Zone	Review the Commercial 2 Zone having regard to the following: a) Make 'Convenience Restaurant' a Section 1 (as of right) land use b) Make 'Manufacturing Sales' a Section 1 (as of right) land use to support the establishment of 'small makers' and creative industries.	'Convenience Restaurant' and 'Manufacturing Sales' are both land uses that are in keeping with the purpose of the zone. This reform would facilitate business activity by removing unnecessary regulatory burden from the planning application process for these land uses.
8	35	All rural zones	Review the rural zones having regard to the following: a) Remove the need for a buildings and works permit for a dwelling extension or associated outbuilding if in relation to an existing dwelling, by removing the floor area size restriction if necessary.	Exempting buildings and works proposals for existing dwelling extensions and existing outbuilding modifications in the rural zones would remove permit applications from the planning system, allowing buildings to be controlled through the building permit process.

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ID. No.	Clause No.	Name	Modification	Justification
9	35.07	Farming Zone	Review the Farming Zone having regard to the following: a) Allow more primary produce sales as a Section 1 (as of right) use by increasing the floor area condition and allow a wider range of related goods to be sold.	This change would support a use that is compatible with agricultural land uses, has relatively low amenity impacts, and facilitates more adaptable business models for farmers. Allowing more 'primary produce sales' as of right (with size conditions) would increase the planning system's responsiveness to new business trends, including the farm-to-table movement which is increasing in popularity across the state and is a welcome income stream for many farmers.
10	37.03	Urban Floodway Zone	Review the Urban Floodway Zone having regard to the following: a) Assess the role and function of the zone, in the context of the suite of flooding overlays, and consider whether it can be replaced with a flood overlay only (see also Floodway Overlay proposal).	The VPP contains four mechanisms which seek to manage use and development in areas liable to flooding. These include a range of zone and overlay controls, the application of which varies between municipalities, and between urban and rural areas. Review of the Urban Floodway Zone seeks to identify whether planning control over flood liable areas could be simplified to reduce confusion and possible duplicate controls within the VPP.

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ID. No.	Clause No.	Name	Modification	Justification
11	37.07	Urban Growth Zone	Review the Urban Growth Zone having regard to the following: a) Upon gazettal of a precinct structure plan, land is rezoned to the applied zones specified within the zone, with the PSP implemented using existing VPP tools, and therefore eliminating the concept of applied zones and removing the need for a later planning scheme amendment b) Reduce the complexity of future UGZ schedules through a more limited and rigid structure.	At present, upon approval of a precinct structure plan (PSP) in Melbourne's growth areas, land remains zoned Urban Growth and a number of other zones are 'applied' through the provision but not by zone mapping. This represents a departure from the philosophy of the VPP and is a source of confusion particularly among non-professionals. The 'applied' zone is also not recognised when basic queries are made in relation to zoning, such as planning property reports. This change would rezone land to the identified 'applied' zone automatically and reduce cross reference between different parts of the VPP and structure plans. This would ultimately improve useability, promote consistency, reduce the need for future planning scheme amendments, and ensure compliance with the VPP philosophy. Through the PSP negotiation process, many UGZ schedules become lengthy and complex, becoming 'planning schemes within a planning scheme', and moving away from the VPP principle that the planning scheme should be read as a whole. Stricter heading structures and a tighter 'head provision' should reduce excessive length and simplify the zone for all users.

Attachment 1 - Reforming the Victorian Planning Provisions 20 October

ID. No.	Clause No.	Name	Modification	Justification
OVERLAYS				
12	40	All overlays	Review all overlays having regard to the following: a) Review whether the distinction of overlays controlling development, as opposed to use, remains valid, and provide updated guidance, acknowledging that some overlays already control use (AEO, SRO, DPO) b) Review the approach of using overlays to identify buffers, such as the Environmental Significance Overlay, and examine how the VPP can transparently and consistently identify and protect significant sites requiring buffers (for example: landfills, treatment plants, water supply catchments and quarries) c) Create consistency in use of terms where a common meaning applies (such as the phrases 'generally in accordance with', 'generally consistent with' and 'in accordance with') and in the use of common assessment techniques (e.g. Determining tree protection zones) d) Clarify that if a permit is not required within the head provision, then the provisions of the schedule to that control do not apply. This may require holistic review of how the VPP reacts with local provisions.	These reforms aim to holistically increase consistency across the VPP, and to guide municipalities to the correct application of controls. It is recognised that some VPP tools have been re-purposed over time, such as the Environmental Significance Overlay being utilised as a 'buffer' control. Examining whether buffers could, or should, be formalised through proper VPP tools would assist in providing transparency. There would need to be consideration that some uses requiring buffers are short lived, requiring the buffer overlay to be removed at some point. A review of the 'head provision' to clarify that the schedule does not apply if a permit is not triggered would reduce a common source of confusion among non-professionals and increase public confidence in the planning scheme.
13	42	Environmental and landscape overlays	Review all environmental and landscape overlays having regard to the following: a) Amend the head provision to relocate the 'Table of exemptions' to Clause 62.02-3 and insert the following words "No permit is required to remove, destroy or lop vegetation to the minimum extent necessary if any of the exemptions listed in the Table to Clause 62.02-3 apply". b) Increase opportunities for permit exemptions (such as associated with a single dwelling) by ensuring permit triggers are linked to the purpose of the control c) Ensure consistency across all schedules.	This change seeks to increase useability by ensuring that all permit exemptions related to vegetation are listed at Clause 62. This provides a central location and reduces lengthy provisions appearing multiple times, thus improving transparency and functionality of the VPP. Other reform suggestions seek to review the consistency between the structures of schedules, and apply a standard approach to the rationale of permit triggers to ensure they are adequately justified in their application.

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ID. No.	Clause No.	Name	Modification	Justification
14	43.01	Heritage Overlay	Review the Heritage Overlay having regard to the following: a) Review the proposed reforms to the overlay as proposed by the Heritage Provisions Advisory Committee, such as clarifying whether the overlay recognises precinct-wide or site specific values b) Create consistency in use of words where a common meaning applies, such as 'cultural significance', 'heritage value', 'heritage interest' and so on c) Create a new permit exemption for minor buildings and works, which do not affect heritage values, such as small verandas and pergolas and maintenance and the minor upgrade of railway infrastructure. Consider limiting exemptions to non-contributory buildings d) Review the use of exemptions for certain minor buildings and works, such as those cited in Yarra and Moreland Council incorporated documents, to determine if these exemptions can be introduced more broadly across Victoria and made more transparent and accessible.	These items of reform seek to improve the clarity of the Heritage Overlay and the public's understanding of heritage precincts, sites and buildings. This includes implementation of recommendations from the Heritage Provisions Advisory Committee Final Report (2007), and exploring new opportunities for permit exemptions in inappropriate circumstances. In the context of the widespread application of the Heritage Overlay, these changes could result in far fewer permits for minor matters.
15	43.04	Development Plan Overlay	Review the Development Plan Overlay having regard to the following: a) Amend the exemption from notice and review provision to remove the 'catch 22' provision.	The 'catch 22' provision is set out in *Saunders v Frankston CC (Red Dot)* [2009] VCAT 144 (19 February 2009) and concerns the literal translation of notice and review provisions and Section 52(1A) of the *Planning and Environment Act 1987*. Clarifying this clause would remove a source of confusion.
16	43.05	Neighbourhood Character Overlay	Review the Neighbourhood Character Overlay having regard to the following: a) Examine the role and function of the Overlay in the context of the new Neighbourhood Residential Zone, and other VPP tools.	The Neighbourhood Residential Zone has been applied widely, particularly within many of Melbourne's inner and middle suburbs, to control development and particularly density. In doing so, the role of the Neighbourhood Character Overlay has been reduced, although its function in controlling demolition remains distinct. In this respect, review of the Neighbourhood Character Overlay is warranted to determine if it could be removed to simplify the VPP.

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ID. No.	Clause No.	Name	Modification	Justification
17	44	Land management overlays	Review all land management overlays having regard to the following: a) Review the role and function of the three inundation related overlays (Land Subject to Inundation Overlay, Special Building Overlay, and Floodway Overlay, together with the Urban Floodway Zone) to understand if amalgamations are possible and the distinctions between the overlays and their objectives, are made clearer.	The VPP contains three flooding overlays and a related zone. A holistic review of the set with a view to reducing their number and making the roles more distinct would assist in reducing complexity and simplifying the VPP. The role of the *Building Act 1993* should be considered in this review with a view to avoiding duplication.
18	44.01	Erosion Management Overlay	Review the Erosion Management Overlay having regard to the following: a) Ensure provisions reflect the level of risk and purpose of the overlay b) Increase opportunities for permit exemptions and ensure permit triggers are linked to the purpose of the control c) Modify the overlay to allow the waiver of a geotechnical risk assessment from minor matters, such as subdivision applications where each proposed lot contains an existing dwelling, and two lot subdivisions in a rural zone.	These changes would ensure the overlay remains clear in its intent and that the burden of controls remains proportional to the scale of development proposed. Where possible, permit exemptions should be expanded in appropriate cases, and provisions should reflect the purpose of the overlay.
19	44.02	Salinity Management Overlay	Review the Salinity Management Overlay having regard to the following: a) Amend the head provision to relocate the 'Table of exemptions' to Clause 62.02-3 and insert the following words "No permit is required to remove, destroy or lop vegetation to the minimum extent necessary if any of the exemptions listed in the Table to Clause 62.02-3 apply" b) Increase opportunities for permit exemptions and ensure permit triggers are linked to the purpose of the overlay c) Review referral authority requirements.	Additional permit and referral exemptions are required within the Salinity Management Overlay to ensure that the burden of controls and therefore application timeframes remains proportional to the scale of development proposed. Vegetation removal exemptions should be relocated to Clause 62 of the VPP to improve useability and reduce duplicating clauses.
20	44.03	Floodway Overlay	Review the Floodway Overlay having regard to the following: a) Increase opportunities for permit exemptions and ensure permit triggers are linked to the purpose of the overlay b) Improve access to flood levels required to ensure drawings are compliant prior to submitting a planning permit application.	These improvements would streamline the planning process and reduce unnecessary time delays at planning stage by encouraging applicants to obtain information upfront. Under the proposal, permit exemptions would be increased for minor matters or where design mitigates flood risk. Remaining permit triggers would be specific to the purpose of the overlay only, and not a 'catch all'.

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ID. No.	Clause No.	Name	Modification	Justification
21	44.04	Land Subject to Inundation Overlay	Review the Land Subject to Inundation Overlay having regard to the following: a) Update the purpose of the overlay from referring to a 1-in-100-year flood, to "flooding from a waterway in a 1% Annual Exceedance Probability (AEP) flood event" b) Update the purpose of the overlay to include the words "to provide for the protection of drainage assets". c) Ensure permit triggers are linked to the purpose of the overlay d) Increase the opportunities for permit exemptions, such as developments not impeding water flow e) Allow greater flexibility by expanding the floor space allowable for a building extension before a permit is triggered for buildings and works f) Examine whether finished floor level height above flood level should be a planning scheme requirement or a self / code assess mechanism, or a matter for the Building Act.	These improvements clarify the purpose of the overlay, increase permit exemptions and in doing so reduce unnecessary planning delays for minor and low risk matters.
22	44.05	Special Building Overlay	Review the Special Building Overlay having regard to the following: a) Revise the name of the overlay to better reflect its purpose b) Update the purpose of the overlay to include "to provide for the protection of drainage assets", and remove reference to Clauses 33 and 35 of the SEPP (Waters of Victoria) from the purpose of the overlay c) Make buildings and works (including dwelling extensions and new dwellings) permit exempt where minimum flood levels are met and the Building Act applies d) Increase opportunities for permit exemptions and ensure permit triggers are linked to the purpose of the overlay e) Amend the wording of the overlay so that a planning permit application that is subject to flooding from councils' overland flow paths (less than 60ha catchments) can be assessed solely by council and do not require a referral to Melbourne Water f) Consider the greater use of VicSmart where the Special Building Overlay is the only trigger g) Ensure schedules are uniform and consolidated across Victoria.	Renaming of the overlay would increase transparency within the community and promote the understanding that the control mitigates the impact of flooding on development. An updated purpose increases the relevance of the control. Overall, the application process under the Special Building Overlay requires streamlining including through the provision of additional permit exemptions, opportunities to enter into 'fast-track' streams where appropriate, and avoidance of unnecessary referrals as requested by Melbourne Water.

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ID. No.	Clause No.	Name	Modification	Justification
23	45.02	Airport Environs Overlay	Review the Airport Environs Overlay having regard to the following: a) Ensure the overlay reflects the new Federal standards and associated noise contours b) Consider the amalgamation of the overlay with Melbourne Airport Environs Overlay.	Updating this provision would increase the accuracy and relevance of the overlay. There is an opportunity to simplify the VPP by amalgamating this overlay with the Melbourne Airport Environs Overlay, using a schedule to account for the particular needs of different airports. The overlay could also be repurposed to cater for heliport flight paths rather than the DDO as occurs currently.
24	45.07	City Link Project Overlay	Review the City Link Project Overlay having regard to the following: a) Review the role and function of the overlay and consider deletion and replacement with Clause 52.03 Specific Site and Exclusions if a need for special provisions remains, noting the recommendation to map Clause 52.03 items b) Amend the head provision to rename the document as 'Melbourne City Link Project – Advertising Signs Location September 2014' in the Purpose and in Clauses 45.07-2 and 45.07-3.	It is considered that the City Link Project may no longer warrant its own overlay, given its completed state, and may be more suitable for inclusion within Clause 52.03 Specific Site and Exclusions. Updating the document reference to the latest version would increase the accuracy of the VPP.

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ID. No.	Clause No.	Name	Modification	Justification
PARTICULAR PROVISIONS				
25	52.03	Specific Sites and Exclusions	Review Specific Sites and Exclusions having regard to the following: a) Remove outdated provisions b) Establish clear rules around when it can be used to avoid overuse c) Establish the practicality of mapping all items within a new Specific Provisions Overlay to improve transparency and public awareness.	Intended to be used sparingly, Clause 52.03 Specific Sites and Exclusions has been increasingly used in recent years. It is used to facilitate projects where other VPP provisions may be more suitable, to the detriment of the VPP. As one of the more powerful tools, its provisions can set aside the entire scheme. Despite this, it lacks transparency and does not appear in common searches such as a planning property report. As such, it is commonly overlooked. To increase transparency, the sites subject to Clause 52.03 would be mapped through a new overlay. If this is unachievable, this practice should be adopted for all new entries. Removal of an entry where its application is no longer needed (say, because the project is complete) should also take place to reduce the size and complexity of the VPP.
26	52.06	Car Parking	Review Car Parking having regard to the following: a) Review car parking rates in Table 1 in the context of transport mode shifts, lifestyle and technology changes and densification, and provide rates for those land uses not listed b) Provide car parking exemption in selected zones (commercial zones, Mixed Use Zone, and industrial zones) for Section 1 uses in existing buildings where floor area is not increased (for example change of use applications) c) Assess the recommendations not yet implemented from the Car Parking Provisions Advisory Committee Final Report (2011) including the recommendation to make a Clause 52.06 application exempt from notice and review in all circumstances.	There has been much discussion in recent times within industry and communities on the need to improve car parking requirements. These suggestions seek to update the provision having particular regard to the recommendations of the Car Parking Provisions Advisory Committee Final Report (2011). The review of parking rates would reduce costs associated with providing car parking where it is found that the rates are in excess of demand. Combined with a review of bicycle rates, this would support the policy goal of encouraging transport alternatives and reduce the need for car parking dispensation permits in small matters.

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ID. No.	Clause No.	Name	Modification	Justification
27	52.08	Earth and Energy Resources Industry	Review Earth and Energy Resources Industry having regard to the following: a) Review the role and function of the planning system in earth and energy resources and explore opportunities to minimise conflict and overlap with the Work Authority process under the *Mineral Resources (Sustainable Development) Act 1990* b) Add a new sub-clause to Clause 52.08 to specify that permits cannot be issued with conditions that duplicate or conflict with an approved work plan c) Combine the provision with Clause 52.09 Stone Extraction and Extractive Industry Interest Areas d) Rationalise the permit triggers and permit exemptions.	Removing duplicate processes would simplify the planning system and ensure regulation is better targeted. Any change would need to ensure important community issues continue to be addressed. This would implement the 'land use focused' principle of a modern planning scheme. Combining this provision with Clause 52.09 Stone Extraction and Extractive Industry Interest Areas would 'group' similar issues within a single clause. These changes would improve the clarity of the VPP and increase its effectiveness, ensuring that resources are not taken up with duplicated processes.
28	52.10	Uses with Adverse Amenity Potential	Review Uses with Adverse Amenity Potential having regard to the following: a) Review buffer distances taking into account the Environmental Protection Authority's Recommended Separation Distances for Industrial Residual Air Emissions – Guideline (2013) b) Review and clarify the clause's application in 'reverse amenity' matters.	The buffer distances currently referenced within Clause 52.10 are based on an outdated guideline. It is important to update them as industries and their impacts have changed over time, as have community expectations. This would ensure the VPP remains effective and that controls are proportional to the impact of new development. There is also an opportunity to review whether the clause should operate in reverse amenity matters, which is when a sensitive use is proposed near an existing use creating amenity impacts. This would clarify a point of confusion and may reduce land use conflicts between landowners and the community.
29	52.12	Service Stations	Review Service Stations having regard to the following: a) Ensure the provision is updated to reflect current practices and modern service station designs, including reviewing the site area and crossover dimensions.	This update would improve the effectiveness of this provision and better align the provision's purpose with the explicit numerical requirements.

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ID. No.	Clause No.	Name	Modification	Justification
30	52.13	Car Wash	Review Car Wash having regard to the following: a) Ensure the provision is updated to reflect current practices and modern car wash design, including reviewing crossover dimensions.	Over time, the design of car washing facilities has changed with the advent of modern technology and changed traffic standards. Updating this provision would improve its relevance and consistency with the remainder of the VPP.
31	52.14	Motor Vehicle, Boat or Caravan Sales	Review Motor Vehicle, Boat or Caravan Sales having regard to the following: a) Review the role and purpose of this provision, and the relevance of the dimensions, with a view to either removing or updating.	The standards in this clause are outdated and are often inappropriate given the complexities of urban environments and the inherent variety in the premises themselves. As such, it is considered that this provision may not add value to the VPP, and removing it would simplify the VPP. If deleted, applications for Motor Vehicle, Boat or Caravan Sales may be adequately addressed by the application requirements and decision guidelines of various zone (and overlay) provisions.
32	52.19	Telecommunications Facility	Review Telecommunications Facility having regard to the following: a) Update the Code of Practice for Telecommunications Facilities in Victoria (2004) (an incorporated document in the VPP) and the particular provisions to recognise advances in equipment technology. b) Clarify permit triggers and exemptions without requiring cross-referencing to another document.	These updates could make it easier for providers to deliver necessary infrastructure and would improve useability and effectiveness of the VPP.

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ID. No.	Clause No.	Name	Modification	Justification
33	52.27	Licensed Premises	Review Licensed Premises having regard to the following: a) Review the role and function of the planning system in licensed premises and explore opportunities to minimise conflict and overlap with the Victorian Commission for Gambling and Liquor Regulation licencing process b) Make premises in commercial zones exempt from the need for a planning permit, subject to certain conditions, and relying on the Victorian Commission for Gambling and Liquor Regulation licensing process c) Include and clarify common application requirements, such as 'cumulative impact statements'.	There is duplication between the permit process set out at Clause 52.27, and the liquor licencing process as managed by the Victorian Commission for Gambling and Liquor Regulation. This double-up takes valuable resources and creates lengthy timeframes and added costs for applicants, particularly for small business such as cafes and restaurants. Removing duplicate processes would simplify the planning system and ensure regulation is better targeted. Any change would need to ensure important community issues continue to be addressed. This would implement the 'land use focused' principle of a modern planning scheme. Any change would need to maintain consideration of important community issues in relation to licensed premises. Consistent with a number of facilitative changes for small business, it is considered that premises within commercial zones could be exempt from the need for a planning permit for licenced premises, subject to conditions. Consolidation and review of application requirements would also improve useability.
34	52.28	Gaming	Review Gaming having regard to the following: a) Review the role and function of the planning system in gambling and explore opportunities to minimise conflict and overlap with the Victorian Commission for Gambling and Liquor Regulation licensing process.	Removing duplicate processes would simplify the planning system and ensure regulation is better targeted. Any change would need to ensure important community issues continue to be addressed. This would implement the 'land use focused' principle of a modern planning scheme.

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ID. No.	Clause No.	Name	Modification	Justification
35	52.29	Land Adjacent to a Road Zone Category 1 or a Public Acquisition Overlay for a Category 1 Road	Review Land Adjacent to a Road Zone Category 1 or a Public Acquisition Overlay for a Category 1 Road having regard to the following: a) Clarify permit triggers and application requirements, in particular whether an alteration to access can refer to a change in use as well as a physical alteration b) Include a definition for the term 'create or alter access' c) Amend the provision to provide additional permit exemptions d) Explore the possibility of using standard VicRoads conditions to avoid referral e) Make access to a service road (other than an excluded service road) exempt from referral to VicRoads f) Make applications under this clause exempt from normal notice and review provisions.	This provision has been the subject of much confusion and a number of 'Red Dot' decisions at VCAT. It is important that this provision is updated to better reflect the current requirements of VicRoads and DELWP and to reduce unnecessary permit triggers and referral requirements. Clarification on the scope of permit triggers would assist councils in understanding how to process applications which fall under this provision, while also creating added transparency for applicants. Adopting standard conditions to avoid referrals could streamline the permit process and produce time savings for applicants and reduce the administrative burden for councils.
36	52.34	Bicycle Facilities	Review Bicycle Facilities having regard to the following: a) Update bicycle rates to reflect environmental sustainability goals, the needs of modern businesses and increased popularity of cycling as a transport mode, particularly with respect to offices b) Provide rates for more types of development.	As with Clause 52.06 Car Parking, Clause 52.34 Bicycle Facilities requires review to better reflect sustainability initiatives, the needs of modern business and the increased popularity of cycling. This would better implement existing policy, such as encouraging alternative transport modes, and increase the relevance of the VPP.
37	52.37	Post Boxes and Dry Stone Walls	Review Post Boxes and Dry Stone Walls having regard to the following: a) Examine the feasibility of removing the provision, identifying historic post boxes and dry stone walls through mapping and protecting them through the Heritage Overlay.	The purpose of this provision is to specifically conserve historic post boxes and dry stone walls. Because it is not mapped and is in an obscure location in the VPP, the provision is commonly overlooked, and does not appear on planning property reports. The protection and conservation of items of heritage value is generally managed under the Heritage Overlay and it is therefore considered that this overlay is better suited to this role. This would require mapping of historic post boxes and dry stone walls which would increase the transparency of the VPP. It would also improve understanding and compliance with this provision.

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ID. No.	Clause No.	Name	Modification	Justification
38	54, 55, 56 and 58	Residential development and subdivision provisions	Review Clause 54,55,56 and 58 having regard to the following: a) Clarify the relationship between the standards and objectives, and particularly whether full compliance with the standard means that the objective is also met.	This change would aim to remove a common point of confusion among applicants, councils and the community, and address a variety of VCAT decisions on this issue.
39	57	Metropolitan Green Wedge Land	Review Metropolitan Green Wedge Land having regard to the following: a) Assess the practicality of making this provision more transparent by incorporating the requirements into existing VPP zones (such as the Green Wedge Zone) in a way that is policy neutral and does not weaken its controls.	The purpose of this reform is to increase the transparency of green wedge controls and reduce the complexity of the VPP by consolidating controls. Clause 57 is a commonly overlooked and 'hidden' provision that acts in addition to zones. It does not appear in basic search queries such as planning property reports. Relying on existing tools, amended as necessary, to manage green wedge areas in a way that maintains the strength of the controls would improve the transparency of the VPP.

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ID. No.	Clause No.	Name	Modification	Justification
GENERAL PROVISIONS				
40	60	General Provisions	Review General Provisions having regard to the following: a) Consolidate application requirements into a single clause similar to Clause 66 (Referrals and Notice), review all existing requirements, and add common application requirements (such as basic plans) to definitions to reduce duplication of description.	Application requirements are currently listed under permit triggers, making them spread across many different parts of the VPP. In practice, they are not used conscientiously by applicants nor are they routinely required by councils. Because of this they have lost their relevance to many permit processes. They also add to complexity by repeatedly describing typical requirements, such as basic site and context plans. These common requirements could be defined in Clause 72 meaning their contents do not need to be restated under every trigger. Many councils have created their own 'checklists' of application requirements based on different application types, practically making the application requirements in the scheme redundant. In some cases excessive application requirements can cause delays to permit processes and add to the cost of an application. A table form with checkboxes for each requirement under each trigger could be a logical method of presentation. Reviewing and consolidating the application requirements would make the VPP clearer and simpler.

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ID. No.	Clause No.	Name	Modification	Justification
41	65	Decision Guidelines	Review Decision Guidelines having regard to the following: a) Review all decision guidelines across the VPP and consolidate under Clause 65, similar to Clause 66 Referral and Notice provisions.	A review of the decision guidelines across the scheme, would remove obsolete requirements and add much needed requirements that better reflect policy and practise. This would ensure that all decision guidelines are appropriate and relevant. There is much repetition within decision guidelines as they are scattered in many locations across the planning system. Clause 65 contains overarching decision guidelines, but more specific guidelines are often found under each permit trigger. In the case of common triggers (use, subdivision and building and works), these guidelines are often repeated under each zone, such as "the drainage of the land" appearing in IN1Z, IN2Z, IN3Z, C1Z, C2Z and PZ. A new checkbox table in Clause 65 with each trigger listed could be a more efficient and simpler method.
42	66	Referral and Notice Provisions	Review Referral and Notice Provisions having regard to the following: a) Remove references to seeking the views and comments of referral authorities throughout the VPP and use formal processes of Clause 66 instead b) Review the classification of referral agencies as 'recommending' authorities or 'determining' authorities c) Encourage more standard agreements with agencies to reduce the need for referral for minor and low risk matters d) Make the Department of Economic Development, Jobs, Transport and Resources a referral authority for land near existing quarries.	This reform seeks to clarify and bring consistency to referrals by limiting them to formal referrals only and moving away from informal referrals. It also seeks to remove unnecessary regulatory burden and streamline the referral process for appropriate application types through greater use of standard agreements.
DEFINITIONS				
43	72	General Terms	Review General Terms to investigate the inclusion of: a) 'outbuildings normal to a dwelling' b) 'sensitive uses'.	These are terms that are common sources of confusion and dispute. Providing the definitions would bring clarity and make the planning scheme easier to use, as well as improving permit application timeframes.

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ID. No.	Clause No.	Name	Modification	Justification
44	74	Land Use Terms	Review all VPP land use terms and definitions, and associated treatment in the land use tables, having regard to the following objectives: a) Reduce the number of terms b) Remove obsolete uses c) Separate out common land uses only when necessary to be treated differently in zone tables d) Be less prescriptive by removing overly specific terms e) Broaden terms and definitions to account for rapidly shifting industries and lifestyles f) Use every day and plain-English terms that the community readily understands g) Modernise definitions including consideration of emerging social, economic and technological trends h) Provide definitions for undefined terms, excluding those where there is an appropriate ordinary dictionary meaning or definition in the Act. Review Land Use Terms to investigate adding the following (only where necessary and in recognition of the objectives above): 'Rural workers accommodation', 'Carbon sequestration', 'Contractor's Depot', 'Holiday dwelling', 'Café', 'Music and arts festival', 'Maker', 'Community gardens', 'Storage facility' and 'Animal day care'. Review Land Use Terms to investigate revising the following: 'Tavern', 'Airport' and 'Airfield', 'Primary produce sales', 'Utility installation', 'Minor utility installation', 'Place of worship', 'Anemometer', 'Winery', 'Shop', 'Food and drink premises', 'Leisure and recreation', 'Animal keeping', 'Brothel', 'Renewable energy facility', 'Heliport', 'Caretakers residence', 'Community market', 'Trash and treasure market', 'Dwelling', 'Cinema based entertainment facility', 'Warehouse', 'Store', 'Gambling premises', 'Gaming premises', 'Convenience restaurant', 'Art and craft centre', 'Art gallery', 'Amusement parlour', 'Pleasure park', 'Retirement village' and 'Residential village', 'Restricted retail facility', 'Group accommodation', 'Industry', 'Medical centre', 'Agriculture', 'Bed and breakfast', 'Night club', 'Hotel', 'Retail', 'Accommodation', , 'Place of assembly', 'Restaurant', 'Earth and energy resources' and 'Stone extraction', 'Materials recycling', and 'Transfer Stations'. Review Land Use Terms to investigate removing terms within the land use table that do not have definitions as is consistent with Clause 71.	Land use terms are a common source of confusion and dispute, and have not kept pace with changes in businesses and communities. The survey suggested widespread support for a holistic review of land use terms, especially from local government planners. The VPP seeks to categorise how land is used into defined and, at times, very specific terms. Many of the terms are now outdated. In some cases obscure terms are used (tavern) when everyday terms could aid understanding (bar), in other cases very common land uses are not used (café). Where the common term and the planning term depart, this causes uncertainty and confusion among the community and makes it harder for non-professionals to participate in the planning system. In other cases, definitions need updating to reflect shifts in the land use over time. Modernising the land use terms and definitions, and consequential changes to the zone land use tables, would simplify the VPP and improve levels of understanding of the planning system. Please see Proposal 5.1 for more information.

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ID. No.	Clause No.	Name	Modification	Justification
45	74	Land Use Terms	Review Land Use Terms having regard to the following: a) Investigate how the VPP treats commercial battery storage facilities both as stand-alone facilities and those collocated with energy generation projects, including whether new or revised definitions are required and in which zones they are appropriate.	As battery storage facilities are predicted to increase in number and scale in future years, it is important that the VPP is able to define and facilitate their approval. This would increase the relevancy of the VPP and support sustainability policy goals.
46	75	Nesting Diagrams	Review Nesting Diagrams having regard to the following: a) Shift 'Cinema Based Entertainment Facility' from un-nested to within the 'Place of Assembly' group.	Cinema fits more naturally within a 'Place of Assembly' nesting diagram and in doing so would provide clarity to the VPP. Its treatment in the zone land use tables would also need review so that any change is policy neutral.
INCORPORATED DOCUMENTS				
47	81	Incorporated Documents	Review Incorporated Documents having regard to the following: a) Examine whether a standard template can be adopted to ensure consistency across documents b) Address the use of Australian Standards (fee payable for access), moving away from incorporating documents that are not free to access c) Review the usefulness of each incorporated document including whether extracts should be taken from particularly large documents d) Remove obsolete and outdated documents e) Replace document references with updated versions where available.	Ready access to planning documents is a fundamental principle of a modern planning scheme. Documents should be available freely and accessible online, in forms that are readable and capable of 'copy' and 'paste'. Noting the recommendation to implement a Victorian planning library, making all documents free and fully accessible would increase transparency, lead to fewer disputes, and improve confidence in the planning system. Updating the listed incorporated documents with newer versions, and removing outdated documents, would increase the relevance of the VPP.

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ID. No.	Clause No.	Name	Modification	Justification
OTHER				
48	N/A	Practice Notes	Review Planning Practice Notes having regard to the following: a) Repackaging the extent of practice notes to make them easier to navigate. This includes introducing a new VPP manual to support planning authorities (and repositioning appropriate practice notes focussed on implementing and writing provisions into the manual) b) Create a new Practice Note addressing advertising sign provisions, in particular outlining a mechanism by which councils can address concerns about the safety impact of signs on or near state-controlled roads where VicRoads is not a referral authority c) Update Planning Practice Note 59 – The Role of Mandatory Provisions in Planning Schemes - to reflect the circumstances when mandatory provisions should be applied.	Repackaging the (now long) list of practice notes would improve readability and accessibility. In recent years, the practise of applying mandatory controls (as opposed to discretionary controls) has shifted following a series of high profile panel reports and planning scheme amendments. Updating the practice note to reflect government policy and to provide clearer guidance would remove a source of common confusion and uncertainty among applicants, councils and the community.

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ID. No.	Clause No.	Name	Modification	Justification
49	N/A	Technology and the availability of documents	Review planning systems having regard to the following: a) Review processes for accessing planning applications and update Planning Practice Note 74 - Availability of planning documents - to encourage councils to make documents relating to permit applications available freely online via their website b) Provide a plain text version of planning schemes on 'Planning Schemes Online' to allow convenient 'copy and paste' into reports, or deliver through HTML using PSIMS.	Visiting a council office to view a planning application file is an anachronism that acts as a barrier to participation in the planning process. Making applications available online would bring considerable transparency benefits and improve public confidence in the planning system, as well as reducing administrative burden for councils to service requests. Some councils already do this for major applications. The data should be made available for third parties, subject to privacy considerations, to create new and innovative online tools for the community. PDF-based planning scheme provisions, while suited to printing, are difficult to interact with, and make it difficult for council planners and applicants to undertake the common task of 'copying' and 'pasting' into reports. Making a plain text version of each planning scheme would be a simple but effective time saver for practitioners.
50	N/A	Section 173 agreements	Review Section 173 agreements having regard to the following: a) Their role in the planning system and whether they are overused including in local schedules b) The benefits of creating a standard agreement template that would only require minimal amendments for most purposes.	The use of Section 173 agreements has increased in recent years, representing a 32 per cent increase since 2004. This has cost implications for applicants, councils and the titles office. The process of drafting, negotiating and signing agreements is a common source of planning delay. Providing standard agreement templates would focus the parties on the substantive issues and reduce time and cost for all parties.

Attachment 1 - Reforming the Victorian Planning Provisions 20 October

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Appendix 3: The Smart Planning program background information

The Smart Planning program

The proposals set out in this report have been developed as part of the Smart Planning program, the Victorian Government's package of reforms to deliver a more efficient and responsive planning system.

Introduced as part of the 2016-17 Victorian Budget, Smart Planning aims to make the Victorian planning system simpler and more accessible for business, local governments and the community and to improve confidence and trust in planning processes.

Through simplification of planning rules and use of digital tools, the program will make planning processes and services more efficient, accessible and easier to use.

Smart Planning reform is being delivered in two project streams:

- Systems stream – tasked with ensuring that digital tools are developed and utilised to achieve accessible and efficient planning processes. Projects include online ministerial and heritage permit processes, the 'Planning Scheme Information Management System' ('PSIMS'), the Victorian Planning Portal and interactive planning scheme mapping.
- Rules and Policy ('Rules') stream – tasked with delivering targeted planning regulation changes to reduce the size, complexity and duplication of planning controls and policy, including streamlining the planning policy framework to provide better integration across state, regional and local levels.

Preliminary consultation

The proposals in this discussion paper have been informed by preliminary consultation and feedback.

Technical reference groups

State government, local government and industry technical reference groups have been established to provide feedback at a technical level. These groups review documentation and provide specific feedback on proposed changes to the VPP.

Reform Advisory Group

The Reform Advisory Group provides high level, strategic feedback and advice on the reforms. The group comprises representatives from state government, local government and the following industry bodies:

- Municipal Association of Victoria
- Australian Institute of Architects
- Building Designers Association of Victoria
- Housing Industry Association
- Master Builders Association of Victoria

- Planning Institute of Australia
- Property Council of Australia
- Urban Development Institute of Australia
- Victorian Planning and Environmental Law Association

Rules and Policy questionnaire

Key stakeholder groups and government authorities were invited to participate in a targeted Rules and Policy questionnaire in July 2017. In seeking technical, tailored input from each specialised industry group and authority, the questionnaire provided a platform to identify clause-specific opportunities for short or medium-term reforms.

The VPP survey

An online survey undertaken in July 2017 to help direct the focus and scope for VPP reform generated 688 responses over a two-week period.

Previous studies and reforms

The proposals in this discussion paper have also been informed by and build on ideas and principles from previous reviews, including:

- Perrot Committee Review (1993)
- Report of the Advisory Committee on the Victoria Planning Provisions (1997) and Final Report New Formant Planning Schemes (1999)
- Using and Interpreting Local Policy (2002)
- Better Decisions Faster (2003)
- Cutting Red Tape in Planning (2006)
- Making Local Policy Stronger (2007)
- Various advisory committee reviews and reports (2007 – present)
- Pilot Restructure of the Local Planning Policy Framework (2008)
- Victorian Planning System Ministerial Advisory Committee: Initial Report (2011)
- Draft Planning Policy Framework (2014)

Key policy framework and recent initiatives

The below policy frameworks and initiatives have provided context to the proposals in this discussion paper.

Plan Melbourne 2017 — 2050

Plan Melbourne 2017 – 2050 and its Five Year Implementation Plan is the Victorian Government's metropolitan planning strategy, intended to guide Melbourne's development to 2050. The plan sets out directions and policies under nine outcomes to protect and enhance Melbourne's liveability.

Plan Melbourne includes policies to facilitate these desired liveability outcomes by streamlining decision making, and developing and implementing new standards and codified approval processes in key areas such as social housing, housing in strategic locations and secondary dwellings. The plan also includes policies that seek to support and remove regulatory barriers for the development of Melbourne's cultural precincts and creative industries.

The Victorian Auditor General report on Managing Victoria's Planning System for Land Use and Development 2017

The Victorian Auditor-General's report examined the role of DELWP and councils in the Victorian planning system. The Auditor-General concluded that these authorities are not being fully effective in their management and implementation of the planning system.

The Auditor-General recommended that the Smart Planning program pursue initiatives that included simplifying the VPP and the introduction of simpler, risk-based assessment pathways in accordance with community expectations.

Small Business Regulation Review 2017

Small Business Victoria's 'Small Business Regulation Review (Retail Sector)' considered the myriad of regulations and processes that small businesses need to go through to start and operate a business. This wide-ranging review included an evaluation of the full scope of regulation affecting small business and concluded that 'planning approvals carry the highest periodic compliance costs of $35 million across all retail sub sectors excluding the cost of delays.'

This review found that small café/restaurant businesses faced the highest comparative regulatory costs, with multiple start-up approvals taking up to 18 months. The review identified opportunities to significantly reduce and better integrate the range of approvals (including planning) required for small businesses.

VicSmart

VicSmart is a streamlined assessment process for low-risk planning permit applications. As part of the Smart Planning program the Victorian Government recently expanded the role of VicSmart to include additional classes of development application.

Key issues for reform

Through all these inputs a series of key issues have been identified for the reform of the VPP.

Planning schemes are not user friendly

Since the introduction of the VPP the principle of standardised planning scheme provisions has been, and continues to be, strongly supported. However, the principles and philosophy that originally underpinned the VPP have arguably been diluted through successive reforms and a lack of monitoring of how the VPP is being implemented at a local level.

This issue was identified in the Victorian Auditor-General's report, *Managing Victoria's Planning System* (2017):

> *One-off reviews have led to improvements in specific elements of the system's content and streamlining steps in the statutory processes, but have not addressed the systemic issues identified as early as 2000 of overly complex local planning schemes, and weaknesses in the content of the state's framework—the Victoria Planning Provisions (VPP).*
>
> *As a result, planning schemes are difficult to navigate and costly to administer, which delays decision making.*

The Auditor-General further observed that 'Continued addition and variation have made local schemes unwieldy and reliant on planning controls that are often repetitive, out of date and contrary to the intent of state planning policies.'

Correction of outdated and redundant provisions, including updated document references and definitions, also has the potential to substantially improve the usability of planning schemes.

Long and complex assessments

The Victorian planning system continues to be characterised by long and complicated planning assessments, even for smaller and less complex proposals. Only an estimated 65 percent of all applications are processed in the 60-day statutory timeframe (PPARS data).

The increasing complexity of permit applications is reflected in the increase in the average gross assessment time for planning permit applications, which in the 2015-16 financial year exceeded 105 days. For applications where review was sought at VCAT, this figure extended to an average assessment timeframe of 322 days (PPARS data).

Too many permit triggers

As a result of increasing demands being placed on the system, including the gross number of planning permit applications received (up over 6,000 applications annually since 2005/06 (PPARS)) coupled with insufficient monitoring, review and reform, the VPP now applies a layered framework of controls, with permit triggers distributed across zones, overlays and particular provisions.

The modular or layered nature of the VPP means that often lower-risk proposals will still trigger the need for multiple permissions (for example, car parking and liquor licensing) even when a proposal may be consistent with planning and community expectations for an area (for example, a café in an existing shop on an established shopping strip).

While the overall number of permit requirements has continued to increase, the key barrier to usability stems from the scattering of permit triggers across the broad range of VPP provisions, often without any clear pathway or sequence between them. This poses a challenge to even regular users of planning schemes, as demonstrated by the 71 per cent of VPP survey respondents who considered planning permit triggers difficult to locate in planning schemes.

The need for a stronger and clearer policy framework

A founding principle of the VPP was for planning schemes to have a policy focus as the basis for controls. However, since the introduction of new format schemes, large volumes of additional planning policy have made planning schemes increasingly difficult to navigate, understand and maintain. This has resulted in a lack of integration, and at times inconsistency, between state and local planning policy.

Better use of technology to deliver more accessible planning schemes and information

The VPP and planning schemes not only need to be legally effective, but accessible and responsive to the needs of users.

Technology has had profound effects on the ability of Victorians to more easily access and understand regulation and public services that affect their daily lives. Victorians are entitled to expect the equivalent level of progress in terms of their ability to access and interact with the Victorian planning system. Eighty six per cent of VPP survey respondents held the opinion that use of digital platforms would improve planning scheme usability.

Currently, the VPP and local provisions are still stored and processed in a PDF or document-based format. Due to the way planning scheme provisions are drafted, there is currently very limited scope for any future online platforms to process planning scheme provisions in a manner that can respond to user queries.

Appendix 2: Possible reforms of specific provisions – Council response

ID. No. **Zones** 1	**Clause No.** 30	**Name** All zone schedules	**Modification** Review all zone schedules having regard to the following: a) Enhance the Ministerial Direction – The Form and Content of Planning Schemes to limit structural modifications (such as to headings and order, etc) and ensure consistency across the VPP b) Ensure the distinction between the state and local clauses remains clear.	**Justification** Maintaining consistency throughout the VPP and across various council planning schemes would increase certainty for applicants, reduce confusion, and maintain a reliable assessment framework. Local variations should occur within strong parameters to ensure consistency with the purpose and powers of the VPP parent provision, and reduce structural inconsistency between schedules across the state. Digitisation of planning scheme content and the amendment process (PSIMS) would assist in ensuring a consistent structure for schedules.	**Agree**
ID. No. **Zones** 2	**Clause No.** 30	**Name** All zones	**Modification** Review zones having regard to the following: a) Rename zones from being numerical (for example, 'Industrial 1 Zone') to being descriptive and adopting everyday words, such as used for the residential zones b) Examine the role and function of the following zones to establish whether they can be replaced with other VPP tools (such as the Mixed Use Zone or the Commercial 1 Zone and an Incorporated Plan Overlay or Development Plan Overlay), or amalgamate the	**Justification** These reforms are designed to improve the usability and clarity of the VPP, through renaming zones so that they better correspond to their purpose, removing unnecessary zones with more targeted controls, and using consistent terminology to limit common points of confusion.	**Agree**

Attachment 2 - Possible Reforms of specific provisions - Council response

			following zones into a single zone that can be tailored to reflect local circumstances: i. Priority Development Zone ii. Activity Centre Zone c) Create consistency in use of phrasing where a common meaning applies (such as the phrases 'generally in accordance with', 'generally consistent with' and 'in accordance with').		
ID. No. **Zones** 3	**Clause No.** 32	**Name** All Residential Zones	**Modification** Review residential zones having regard to the following: a) Make single dwellings on lots greater than 300sqm exempt from a planning permit by lowering the threshold for a permit from 500 to 300sqm (they are already exempt on lots greater than 500sqm), relying on the building code to address siting and design issues b) Make 'Childcare Centre' a Section 1 (as of right) land use within the Residential Growth Zone, subject to conditions, such as relating to size c) Redraft the following phrase used uniquely in the residential zones as a permit trigger: 'construction and extension of ...' and adopt the more commonly used 'to construct a building or construct and carry out works ...' to create consistency with other zones.	**Justification** The proposed modifications seek to improve the consistency of provisions, remove unnecessary permit triggers and allow for more as of right land uses in residential areas. The package of single dwelling provisions, including Rescode in the VPP and Part 4 of the Building Regulations work together to regulate single dwellings. Relying on the building system to regulate single dwellings (except where an overlay applies) would reduce regulatory burden, and assist homeowners, whilst protecting local amenity through its siting and design provisions. Existing overlays would continue to trigger planning permits where special circumstances apply, such as heritage areas.	**Agree - Council currently has a 500sqm threshold a consistent approach across all Council's should apply.** **Agree subject to conditions, parameters around size, access, car parking – this may be a candidate for a code assessment application.** **Agree to consistent wording across zones.** **Other - Greater clarity around mandatory controls, i.e do building heights include roof terrace balustrades, enclosed stair/lift structure to access a roof terrace.**

Attachment 2 - Possible Reforms of specific provisions - Council response

ID. No. **Zones** 4	**Clause No.** 32.04	**Name** Mixed Use Zone	**Modification** Review the Mixed Use Zone having regard to the following: a) Make more commercial uses in the Mixed Use Zone Section 1 (as of right) land uses where they are low impact, subject to conditions b) Make 'Manufacturing Sales' a Section 1 (as of right) land use with a condition relating to floor area size to support the establishment of small 'makers' and creative industries c) Make 'Childcare Centre' a Section 1 (as of right) land use, subject to conditions, such as relating to size.	**Justification** Providing a greater range of land use exemptions (subject to conditions) in the Mixed Use Zone would facilitate commercial and community-focused activity and streamline the planning application process for applicants. Floor area caps would ensure the beneficiaries of these changes are predominantly small-scale businesses. It is important to ensure the planning system does not unnecessarily burden new small business with costs and timeframes which may be prohibitive and disproportionate.	**Generally agree, subject to conditions, parameters around size, access, car parking – this may be a candidate for a code assessment application.** **Application of EAO to most Mixed Use land may need to be considered in any code assessment application.** **Other – consideration of a less restrictive advertising sign category.**
ID. No. **Zones** 5	**Clause No.** 33.01	**Name** Industrial 1 Zone	**Modification** Review the Industrial 1 Zone having regard to the following: a) Make 'Motor Repairs' a Section 1 (as of right) land use with the standard condition relating to distance to a residential zone b) Make 'Convenience Shop' a Section 1 (as of right) land use.	**Justification** Making 'Motor Repairs' a Section 1 (as of right) land use would allow these uses to locate in areas with limited potential for amenity impacts. Making 'Convenience Shop' a Section 1 land use in the Industrial 1 Zone would facilitate small business activity and allow uses that improve the amenity of these areas by providing day to day services for workers.	**Generally agree, subject to conditions, parameters around size, access, car parking – this may be a candidate for a code assessment application.**
ID. No. **Zones** 6	**Clause No.** 33.03	**Name** Industrial 3 Zone	**Modification** Review the Industrial 3 Zone having regard to the following: a) Make 'Motor Repairs' a Section 1 (as of right) land use with the standard condition relating to distance to a residential zone b) Make 'Office' a Section 1 (as of	**Justification** Making 'Office', 'Indoor Recreation Facility' and 'Take Away Food Premises' Section 1 land uses in the Industrial 3 Zone would facilitate small business activity, provide services for workers and allow for uses that contribute to economic growth without compromising the	**Generally agree, subject to conditions, parameters around size, access, car parking – this may be a candidate for a code assessment application.**

Attachment 2 - Possible Reforms of specific provisions - Council response

			right) land use subject to maximum floor area requirements c) Make 'Indoor Recreation Facility' and 'Take Away Food Premises' Section 1 (as of right) land uses	'buffer' function of the zone. Conditions on the maximum floor area of 'Office' uses are designed to ensure that the zone does not become a de facto commercial precinct. Making 'Motor Vehicle Repairs' a Section 1 (as of right) land use would allow these uses to locate in areas with limited potential for amenity impacts.	
ID. No. **Zones** 7	**Clause No.** 34.02	**Name** Commercial 2 Zone	**Modification** Review the Commercial 2 Zone having regard to the following: a) Make 'Convenience Restaurant' a Section 1 (as of right) land use b) Make 'Manufacturing Sales' a Section 1 (as of right) land use to support the establishment of 'small makers' and creative industries.	**Justification** 'Convenience Restaurant' and 'Manufacturing Sales' are both land uses that are in keeping with the purpose of the zone. This reform would facilitate business activity by removing unnecessary regulatory burden from the planning application process for these land uses.	**Generally agree, both these uses need conditions, definitions and parameters (eg distance to residentially zoned land).**
ID. No. **Zones** 8	**Clause No.** 35	**Name** All rural zones	**Modification** Review the rural zones having regard to the following: a) Remove the need for a buildings and works permit for a dwelling extension or associated outbuilding if in relation to an existing dwelling, by removing the floor area size restriction if necessary.	**Justification** Exempting buildings and works proposals for existing dwelling extensions and existing outbuilding modifications in the rural zones would remove permit applications from the planning system, allowing buildings to be controlled through the building permit process.	
ID. No. **Zones** 9	**Clause No.** 35.07	**Name** Farming Zone	**Modification** Review the Farming Zone having regard to the following: a) Allow more primary produce sales as a Section 1 (as of right) use by increasing the floor area condition and allow a wider range of related goods to be sold.	**Justification** This change would support a use that compatible with agricultural land uses, has relatively low amenity impacts, and facilitates more adaptable business models for farmers. Allowing more 'primary produce sales' as of right (with size conditions) would increase the planning system's responsiveness to new business trends, including the farm-to-table movement which is	

Attachment 2 - Possible Reforms of specific provisions - Council response

				increasing in popularity across the state and is a welcome income stream for many farmers.	
ID. No. **Zones** 10	**Clause No.** 37.03	**Name** Urban Floodway Zone	**Modification** Review the Urban Floodway Zone having regard to the following: a) Assess the role and function of the zone, in the context of the suite of flooding overlays, and consider whether it can be replaced with a flood overlay only (see also Floodway Overlay proposal).	**Justification** The VPP contains four mechanisms which seek to manage use and development in areas liable to flooding. These include a range of zone and overlay controls, the application of which varies between municipalities, and between urban and rural areas. Review of the Urban Floodway Zone seeks to identify whether planning control over flood liable areas could be simplified to reduce confusion and possible duplicate controls within the VPP.	
ID. No. **Zones** 11	**Clause No.** 37.07	**Name** Urban Growth Zone	**Modification** Review the Urban Growth Zone having regard to the following: a) Upon gazettal of a precinct structure plan, land is rezoned to the applied zones specified within the zone, with the PSP implemented using existing VPP tools, and therefore eliminating the concept of applied zones and removing the need for a later planning scheme amendment b) Reduce the complexity of future UGZ schedules through a more limited and rigid structure.	**Justification** At present, upon approval of a precinct structure plan (PSP) in Melbourne's growth areas, land remains zoned Urban Growth and a number of other zones are 'applied' through the provision but not by zone mapping. This represents a departure from the philosophy of the VPP and is a source of confusion particularly among non-professionals. The 'applied' zone is also not recognised when basic queries are made in relation to zoning, such as planning property reports. This change would rezone land to the identified 'applied' zone automatically and reduce cross reference between different parts of the VPP and structure plans. This would ultimately improve useability, promote consistency, reduce the need for future planning scheme amendments, and ensure compliance with the VPP philosophy. Through the PSP negotiation	

Attachment 2 - Possible Reforms of specific provisions - Council response

				process, many UGZ schedules become lengthy and complex, becoming 'planning schemes within a planning scheme', and moving away from the VPP principle that the planning scheme should be read as a whole. Stricter heading structures and a tighter 'head provision' should reduce excessive length and simplify the zone for all users.	
ID. No. **Overlays** 12	**Clause No.** 40	**Name** All overlays	**Modification** Review all overlays having regard to the following: a) Review whether the distinction of overlays controlling development, as opposed consistency across the VPP, and to guide to use, remains valid, and provide updated guidance, acknowledging that some overlays already control use (AEO, SRO, DPO) b) Review the approach of using overlays to identify buffers, such as the Environmental Significance Overlay, and examine how the VPP can transparently and consistently identify and protect significant sites requiring buffers (for example: landfills, treatment plants, water supply catchments and quarries) c) Create consistency in use of terms where a common meaning applies (such as the phrases 'generally in accordance with', 'generally consistent with' and 'in accordance with') and in the use of common assessment techniques (e.g. Determining tree protection zones) d) Clarify that if a permit is not required within the head provision,	**Justification** These reforms aim to holistically increase consistency across the VPP, and to guide municipalities to the correct application of controls. It is recognised that some VPP tools have been re-purposed over time, such as the Environmental Significance Overlay being utilised as a 'buffer' control. Examining whether buffers could, or should, be formalised through proper VPP tools would assist in providing transparency. There would need to be consideration that some uses requiring buffers are short lived, requiring the buffer overlay to be removed at some point. A review of the 'head provision' to clarify that the schedule does not apply if a permit is not triggered would reduce a common source of confusion among non-professionals and increase public confidence in the planning scheme.	**Agree**

Attachment 2 - Possible Reforms of specific provisions - Council response

			then the provisions of the schedule to that control do not apply. This may require holistic review of how the VPP reacts with local provisions.		
ID. No. **Overlays** 13	**Clause No.** 42	**Name** Environmental and landscape overlays	**Modification** Review all environmental and landscape overlays having regard to the following: a) Amend the head provision to relocate the 'Table of exemptions' to Clause 62.02- 3 and insert the following words "No permit is required to remove, destroy or lop vegetation to the minimum extent necessary if any of the exemptions listed in the Table to Clause 62.02-3 apply". b) Increase opportunities for permit exemptions (such as associated with a single dwelling) by ensuring permit triggers are linked to the purpose of the control c) Ensure consistency across all schedules.	**Justification** This change seeks to increase useability by ensuring that all permit exemptions related to vegetation are listed at Clause 62. This provides a central location and reduces lengthy provisions appearing multiple times, thus improving transparency and functionality of the VPP. Other reform suggestions seek to review the consistency between the structures of schedules, and apply a standard approach to the rationale of permit triggers to ensure they are adequately justified in their application.	**Agree**
ID. No. **Overlays** 14	**Clause No.** 43.01	**Name** Heritage Overlay	**Modification** Review the Heritage Overlay having regard to the following: a) Review the proposed reforms to the overlay as proposed by the Heritage Provisions Advisory Committee, such as clarifying whether the overlay recognises precinct-wide or site specific values b) Create consistency in use of words where a common meaning applies, such as 'cultural significance', 'heritage value', 'heritage interest' and so on c) Create a new permit exemption for minor buildings and works, which do not affect heritage values,	**Justification** These items of reform seek to improve the clarity of the Heritage Overlay and the public's understanding of heritage precincts, sites and buildings. This includes implementation of recommendations from the Heritage Provisions Advisory Committee Final Report (2007), and exploring new opportunities for permit exemptions in inappropriate circumstances. In the context of the widespread application of the Heritage Overlay, these changes could result in far fewer permits for minor matters.	**Agree** **More permit exemptions for minor works.**

Attachment 2 - Possible Reforms of specific provisions - Council response

			such as small verandas and pergolas and maintenance and the minor upgrade of railway infrastructure. Consider limiting exemptions to non-contributory buildings d) Review the use of exemptions for certain minor buildings and works, such as those cited in Yarra and Moreland Council incorporated documents, to determine if these exemptions can be introduced more broadly across Victoria and made more transparent and accessible.		
ID. No. **Overlays** 15	**Clause No.** 43.04	**Name** Development Plan Overlay	**Modification** Review the Development Plan Overlay having regard to the following: a) Amend the exemption from notice and review provision to remove the 'catch 22' provision.	**Justification** The 'catch 22' provision is set out in Saunders v Frankston CC (Red Dot) [2009] VCAT 144 (19 February 2009) and concerns the literal translation of notice and review provisions and Section 52(1A) of the *Planning and Environment Act 1987*. Clarifying this clause would remove a source of confusion.	**Agree**
ID. No. **Overlays** 16	**Clause No.** 43.05	**Name** Neighbourhood Character Overlay	**Modification** Review the Neighbourhood Character Overlay having regard to the following: a) Examine the role and function of the Overlay in the context of the new Neighbourhood Residential Zone, and other VPP tools.	**Justification** The Neighbourhood Residential Zone has been applied widely, particularly within many of Melbourne's inner and middle suburbs, to control development and particularly density. In doing so, the role of the Neighbourhood Character Overlay has been reduced, although its function in controlling demolition remains distinct. In this respect, review of the Neighbourhood Character Overlay is warranted to determine if it could be removed to simplify the VPP.	
ID. No. **Overlays** 17	**Clause No.** 44	**Name** Land management overlays	**Modification** Review all land management overlays having regard to the	**Justification** The VPP contains three flooding overlays and a related zone. A	**Agree**

Attachment 2 - Possible Reforms of specific provisions - Council response

			following: a) Review the role and function of the three inundation related overlays (Land Subject to Inundation Overlay, Special Building Overlay, and Floodway Overlay, together with the Urban Floodway Zone) to understand if amalgamations are possible and the distinctions between the overlays and their objectives, are made clearer.	holistic review of the set with a view to reducing their number and making the roles more distinct would assist in reducing complexity and simplifying the VPP. The role of the *Building Act 1993* should be considered in this review with a view to avoiding duplication.	
ID. No. **Overlays** 18	**Clause No.** 44.01	**Name** Erosion Management Overlay	**Modification** Review the Erosion Management Overlay having regard to the following: a) Ensure provisions reflect the level of risk and purpose of the overlay b) Increase opportunities for permit exemptions and ensure permit triggers are linked to the purpose of the control c) Modify the overlay to allow the waiver of a geotechnical risk assessment from minor matters, such as subdivision applications where each proposed lot contains an existing dwelling, and two lot subdivisions in a rural zone.	**Justification** These changes would ensure the overlay remains clear in its intent and that the burden of controls remains proportional to the scale of development proposed. Where possible, permit exemptions should be expanded in appropriate cases, and provisions should reflect the purpose of the overlay.	
ID. No. **Overlays** 19	**Clause No.** 44.02	**Name** Salinity Management Overlay	**Modification** Review the Salinity Management Overlay having regard to the following: a) Amend the head provision to relocate the 'Table of exemptions' to Clause 62.02- 3 and insert the following words "No permit is required to remove, destroy or lop vegetation to the minimum extent necessary if any of the exemptions listed in the Table to Clause 62.02-	**Justification** These changes would ensure the overlay remains clear in its intent and that the burden of controls remains proportional to the scale of development proposed. Where possible, permit exemptions should be expanded in appropriate cases, and provisions should reflect the purpose of the overlay.	

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			3 apply” b) Increase opportunities for permit exemptions and ensure permit triggers are linked to the purpose of the overlay c) Review referral authority requirements.		
ID. No. **Overlays** 20	**Clause No.** 44.03	**Name** Floodway Overlay	**Modification** Review the Floodway Overlay having regard to the following: a) Increase opportunities for permit exemptions and ensure permit triggers are linked to the purpose of the overlay b) Improve access to flood levels required to ensure drawings are compliant prior to submitting a planning permit application.	**Justification** These improvements would streamline the planning process and reduce unnecessary time delays at planning stage by encouraging applicants to obtain information upfront. Under the proposal, permit exemptions would be increased for minor matters or where design mitigates flood risk. Remaining permit triggers would be specific to the purpose of the overlay only, and not a ‘catch all’.	
ID. No. **Overlays** 21	**Clause No.** 44.04	**Name** Land Subject to Inundation Overlay	**Modification** Review the Land Subject to Inundation Overlay having regard to the following: a) Update the purpose of the overlay from referring to a 1-in-100-year flood, to “flooding from a waterway in a 1% Annual Exceedance Probability (AEP) flood event” b) Update the purpose of the overlay to include the words “to provide for the protection of drainage assets”. c) Ensure permit triggers are linked to the purpose of the overlay d) Increase the opportunities for permit exemptions, such as developments not impeding water flow e) Allow greater flexibility by	**Justification** These improvements clarify the purpose of the overlay, increase permit exemptions and in doing so reduce unnecessary planning delays for minor and low risk matters.	**Agree in principle – subject to clarification of terms and allowances/tolerances.**

Attachment 2 - Possible Reforms of specific provisions - Council response

			expanding the floor space allowable for a building extension before a permit is triggered for buildings and works f) Examine whether finished floor level height above flood level should be a planning scheme requirement or a self / code assess mechanism, or a matter for the Building Act.		
ID. No. **Overlays** 22	**Clause No.** 44.05	**Name** Special Building Overlay	**Modification** Review the Special Building Overlay having regard to the following: a) Revise the name of the overlay to better reflect its purpose b) Update the purpose of the overlay to include "to provide for the protection of drainage assets", and remove reference to Clauses 33 and 35 of the SEPP (Waters of Victoria) from the purpose of the overlay c) Make buildings and works (including dwelling extensions and new dwellings) permit exempt where minimum flood levels are met and the Building Act applies d) Increase opportunities for permit exemptions and ensure permit triggers are linked to the purpose of the overlay e) Amend the wording of the overlay so that a planning permit application that is subject to flooding from councils' overland flow paths (less than 60ha catchments) can be assessed solely by council and do not require a referral to Melbourne Water f) Consider the greater use of VicSmart where the Special	**Justification** Renaming of the overlay would increase transparency within the community and promote the understanding that the control mitigates the impact of flooding on development. An updated purpose increases the relevance of the control. Overall, the application process under the Special Building Overlay requires streamlining including through the provision of additional permit exemptions, opportunities to enter into 'fast-track' streams where appropriate, and avoidance of unnecessary referrals as requested by Melbourne Water.	**Mostly agree** **Agree to name change** **Need easy and up to date access to flood levels for permit exemptions to apply.**

Attachment 2 - Possible Reforms of specific provisions - Council response

			Building Overlay is the only trigger g) Ensure schedules are uniform and consolidated across Victoria.		**No to VicSmart applications.** **Agree to consistent schedules.**
ID. No. **Overlays** 23	**Clause No.** 45.02	**Name** Airport Environs	**Modification** Review the Airport Environs Overlay having regard to the following: a) Ensure the overlay reflects the new Federal standards and associated noise contours b) Consider the amalgamation of the overlay with Melbourne Airport Environs Overlay	**Justification** Updating this provision would increase the accuracy and relevance of the overlay. There is an opportunity to simplify the VPP by amalgamating this overlay with the Melbourne Airport Environs Overlay, using a schedule to account for the particular needs of different airports. The overlay could also be repurposed to cater for heliport flight paths rather than the DDO as occurs currently.	
ID. No. **Overlays** 24	**Clause No.** 45.07	**Name** City Link Project	**Modification** Review the City Link Project Overlay having regard to the following: a) Review the role and function of the overlay and consider deletion and replacement with Clause 52.03 Specific Site and Exclusions if a need for special provisions remains, noting the recommendation to map Clause 52.03 items b) Amend the head provision to rename the document as 'Melbourne City Link Project – Advertising Signs Location September 2014' in the Purpose and in Clauses 45.07-2 and 45.07-3.	**Justification** It is considered that the City Link Project may no longer warrant its own overlay, given its completed state, and may be more suitable for inclusion within Clause 52.03 Specific Site and Exclusions. Updating the document reference to the latest version would increase the accuracy of the VPP.	**Agree**
ID. No. **Particular Provisions** 25	**Clause No.** 52.03	**Name** Specific Sites and Exclusions	**Modification** Review Specific Sites and Exclusions having regard to the following: a) Remove outdated provisions	**Justification** Intended to be used sparingly, Clause 52.03 Specific Sites and Exclusions has been increasingly used in recent years. It is used to facilitate projects where other VPP	**Agree**

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			b) Establish clear rules around when it can be used to avoid overuse c) Establish the practicality of mapping all items within a new Specific Provisions Overlay to improve transparency and public awareness.	provisions may be more suitable, to the detriment of the VPP. As one of the more powerful tools, its provisions can set aside the entire scheme. Despite this, it lacks transparency and does not appear in common searches such as a planning property report. As such, it is commonly overlooked. To increase transparency, the sites subject to Clause 52.03 would be mapped through a new overlay. If this is unachievable, this practice should be adopted for all new entries. Removal of an entry where its application is no longer needed (say, because the project is complete) should also take place to reduce the size and complexity of the VPP.	
ID. No. Particular Provisions 26	**Clause No.** 52.06	**Name** Car Parking	**Modification** Review Car Parking having regard to the following: a) Review car parking rates in Table 1 in the context of transport mode shifts, lifestyle and technology changes and densification, and provide rates for those land uses not listed b) Provide car parking exemption in selected zones (commercial zones, Mixed Use Zone, and industrial zones) for Section 1 uses in existing buildings where floor area is not increased (for example change of use applications) c) Assess the recommendations not yet implemented from the Car Parking Provisions Advisory Committee Final Report (2011) including the recommendation to make a Clause 52.06 application exempt from notice and review in all circumstances.	**Justification** There has been much discussion in recent times within industry and communities on the need to improve car parking requirements. These suggestions seek to update the provision having particular regard to the recommendations of the Car Parking Provisions Advisory Committee Final Report (2011). The review of parking rates would reduce costs associated with providing car parking where it is found that the rates are in excess of demand. Combined with a review of bicycle rates, this would support the policy goal of encouraging transport alternatives and reduce the need for car parking dispensation permits in small matters.	**Agree, consider all uses contained with clause 74.** **Agree** **Agree**

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ID. No. Particular Provisions 27	**Clause No.** 52.08	**Name** Earth and Energy Resources Industry	**Modification** Review Earth and Energy Resources Industry having regard to the following: a) Review the role and function of the planning system in earth and energy resources and explore opportunities to minimise conflict and overlap with the Work Authority process under the *Mineral Resources (Sustainable Development) Act 1990* b) Add a new sub-clause to Clause 52.08 to specify that permits cannot be issued with conditions that duplicate or conflict with an approved work plan c) Combine the provision with Clause 52.09 Stone Extraction and Extractive Industry Interest Areas d) Rationalise the permit triggers and permit exemptions.	**Justification** Removing duplicate processes would simplify the planning system and ensure regulation is better targeted. Any change would need to ensure important community issues continue to be addressed. This would implement the 'land use focused' principle of a modern planning scheme. Combining this provision with Clause 52.09 Stone Extraction and Extractive Industry Interest Areas would 'group' similar issues within a single clause. These changes would improve the clarity of the VPP and increase its effectiveness, ensuring that resources are not taken up with duplicated processes.	
ID. No. Particular Provisions 28	**Clause No.** 52.10	**Name** Uses with Adverse Amenity Potential	**Modification** Review Uses with Adverse Amenity Potential having regard to the following: a) Review buffer distances taking into account the Environmental Protection Authority's Recommended Separation Distances for Industrial Residual Air Emissions – Guideline (2013) b) Review and clarify the clause's application in 'reverse amenity' matters.	**Justification** The buffer distances currently referenced within Clause 52.10 are based on an outdated guideline. It is important to update them as industries and their impacts have changed over time, as have community expectations. This would ensure the VPP remains effective and that controls are proportional to the impact of new development. There is also an opportunity to review whether the clause should operate in reverse amenity matters, which is when a sensitive use is proposed near an existing use creating amenity impacts. This would clarify a point of confusion and may reduce land use conflicts between landowners and the	**Agree**

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				community.	
ID. No. Particular Provisions 29	**Clause No.** 52.12	**Name** Service Stations	**Modification** Review Service Stations having regard to the following: a) Ensure the provision is updated to reflect current practices and modern service station designs, including reviewing the site area and crossover dimensions.	**Justification** This update would improve the effectiveness of this provision and better align the provision's purpose with the explicit numerical requirements.	**Agree**
ID. No. Particular Provisions 30	**Clause No.** 52.13	**Name** Car Wash	**Modification** Review Car Wash having regard to the following: a) Ensure the provision is updated to reflect current practices and modern car wash design, including reviewing crossover dimensions.	**Justification** Over time, the design of car washing facilities has changed with the advent of modern technology and changed traffic standards. Updating this provision would improve its relevance and consistency with the remainder of the VPP.	**Agree**
ID. No. Particular Provisions 31	**Clause No.** 52.14	**Name** Motor Vehicle, Boat or Caravan Sales	**Modification** Review Motor Vehicle, Boat or Caravan Sales having regard to the following: a) Review the role and purpose of this provision, and the relevance of the dimensions, with a view to either removing or updating.	**Justification** The standards in this clause are outdated and are often inappropriate given the complexities of urban environments and the inherent variety in the premises themselves. As such, it is considered that this provision may not add value to the VPP, and removing it would simplify the VPP. If deleted, applications for Motor Vehicle, Boat or Caravan Sales may be adequately addressed by the application requirements and decision guidelines of various zone (and overlay) provisions.	**Agree**
ID. No. Particular Provisions 32	**Clause No.** 52.19	**Name** Telecommunications Facility	**Modification** Review Telecommunications Facility having regard to the following: a) Update the Code of Practice for Telecommunications Facilities in Victoria (2004) (an incorporated document in the VPP) and the	**Justification** These updates could make it easier for providers to deliver necessary infrastructure and would improve useability and effectiveness of the VPP.	**Agree**

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			particular provisions to recognise advances in equipment technology. b) Clarify permit triggers and exemptions without requiring cross-referencing to another document.		
ID. No. Particular Provisions 33	**Clause No.** 52.27	**Name** Licensed Premises	**Modification** Review Licensed Premises having regard to the following: a) Review the role and function of the planning system in licensed premises and explore opportunities to minimise conflict and overlap with the Victorian Commission for Gambling and Liquor Regulation licencing process b) Make premises in commercial zones exempt from the need for a planning permit, subject to certain conditions, and relying on the Victorian Commission for Gambling and Liquor Regulation licensing process c) Include and clarify common application requirements, such as 'cumulative impact statements'.	**Justification** There is duplication between the permit process set out at Clause 52.27, and the liquor licencing process as managed by the Victorian Commission for Gambling and Liquor Regulation. This double-up takes valuable resources and creates lengthy timeframes and added costs for applicants, particularly for small business such as cafes and restaurants. Removing duplicate processes would simplify the planning system and ensure regulation is better targeted. Any change would need to ensure important community issues continue to be addressed. This would implement the 'land use focused' principle of a modern planning scheme. Any change would need to maintain consideration of important community issues in relation to licensed premises. Consistent with a number of facilitative changes for small business, it is considered that premises within commercial zones could be exempt from the need for a planning permit for licenced premises, subject to conditions. Consolidation and review of application requirements would also improve useability.	**Agree** **Generally agree, Planning should consider use impacts (not liquor) this would mean uses such as taverns should be section 2 permit required.** **Agree**
ID. No. Particular Provisions 34	**Clause No.** 52.28	**Name** Gaming	**Modification** Review Gaming having regard to the following: a) Review the role and function of	**Justification** Removing duplicate processes would simplify the planning system and ensure regulation is better	**Agree**

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			the planning system in gambling and explore opportunities to minimise conflict and overlap with the Victorian Commission for Gambling and Liquor Regulation licensing process.	targeted. Any change would need to ensure important community issues continue to be addressed. This would implement the 'land use focused' principle of a modern planning scheme.	
ID. No. Particular Provisions 35	**Clause No.** 52.29	**Name** Land Adjacent to a Road Zone Category 1 or a Public Acquisition Overlay for a Category 1 Road	**Modification** Review Land Adjacent to a Road Zone Category 1 or a Public Acquisition Overlay for a Category 1 Road having regard to the following: a) Clarify permit triggers and application requirements, in particular whether an alteration to access can refer to a change in use as well as a physical alteration b) Include a definition for the term 'create or alter access' c) Amend the provision to provide additional permit exemptions d) Explore the possibility of using standard VicRoads conditions to avoid referral e) Make access to a service road (other than an excluded service road) exempt from referral to VicRoads f) Make applications under this clause exempt from normal notice and review provisions.	**Justification** This provision has been the subject of much confusion and a number of 'Red Dot' decisions at VCAT. It is important that this provision is updated to better reflect the current requirements of VicRoads and DELWP and to reduce unnecessary permit triggers and referral requirements. Clarification on the scope of permit triggers would assist councils in understanding how to process applications which fall under this provision, while also creating added transparency for applicants. Adopting standard conditions to avoid referrals could streamline the permit process and produce time savings for applicants and reduce the administrative burden for councils.	**Agree**
ID. No. Particular Provisions 36	**Clause No.** 52.34	**Name** Bicycle Facilities	**Modification** Review Bicycle Facilities having regard to the following: a) Update bicycle rates to reflect environmental sustainability goals, the needs of modern businesses and increased popularity of cycling as a transport mode, particularly with respect to offices	**Justification** As with Clause 52.06 Car Parking, Clause 52.34 Bicycle Facilities requires review to better reflect sustainability initiatives, the needs of modern business and the increased popularity of cycling. This would better implement existing policy, such as encouraging alternative transport modes, and	**Agree – consider all uses contained with clause 74.**

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			b) Provide rates for more types of development.	increase the relevance of the VPP.	
ID. No. Particular Provisions 37	**Clause No.** 52.37	**Name** Post Boxes and Dry Stone Walls	**Modification** Review Post Boxes and Dry Stone Walls having regard to the following: a) Examine the feasibility of removing the provision, identifying historic post boxes and dry stone walls through mapping and protecting them through the Heritage Overlay.	**Justification** The purpose of this provision is to specifically conserve historic post boxes and dry stone walls. Because it is not mapped and is in an obscure location in the VPP, the provision is commonly overlooked, and does not appear on planning property reports. The protection and conservation of items of heritage value is generally managed under the Heritage Overlay and it is therefore considered that this overlay is better suited to this role. This would require mapping of historic post boxes and dry stone walls which would increase the transparency of the VPP. It would also improve understanding and compliance with this provision.	**Agree**
ID. No. Particular Provisions 38	**Clause No.** 54, 55, 56 and 58	**Name** Residential	**Modification** Review Clause 54,55,56 and 58 having regard to the following: a) Clarify the relationship between the standards and objectives, and particularly whether full compliance with the standard means that the objective is also met.	**Justification** This change would aim to remove a development and subdivision provisions common point of confusion among applicants, councils and the community, and address a variety of VCAT decisions on this issue.	**Agree**
ID. No. Particular Provisions 39	**Clause No.** 57	**Name** Metropolitan Green Wedge Land	**Modification** Review Metropolitan Green Wedge Land having regard to the following: a) Assess the practicality of making this provision more transparent by incorporating the requirements into existing VPP zones (such as the Green Wedge Zone) in a way that is policy neutral and does not weaken its controls.	**Justification** The purpose of this reform is to increase the transparency of green wedge controls and reduce the complexity of the VPP by consolidating controls. Clause 57 is a commonly overlooked and 'hidden' provision that acts in addition to zones. It does not appear in basic search queries such as planning property reports. Relying on existing tools, amended as necessary, to manage green	

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				wedge areas in a way that maintains the strength of the controls would improve the transparency of the VPP.	
ID. No. General Provisions 40	**Clause No.** 60	**Name** General Provisions	**Modification** Review General Provisions having regard to the following: a) Consolidate application requirements into a single clause similar to Clause 66 (Referrals and Notice), review all existing requirements, and add common application requirements (such as basic plans) to definitions to reduce duplication of description.	**Justification** Application requirements are currently listed under permit triggers, making them spread across many different parts of the VPP. In practice, they are not used conscientiously by applicants nor are they routinely required by councils. Because of this they have lost their relevance to many permit processes. They also add to complexity by repeatedly describing typical requirements, such as basic site and context plans. These common requirements could be defined in Clause 72 meaning their contents do not need to be restated under every trigger. Many councils have created their own 'checklists' of application requirements based on different application types, practically making the application requirements in the scheme redundant. In some cases excessive application requirements can cause delays to permit processes and add to the cost of an application. A table form with checkboxes for each requirement under each trigger could be a logical method of presentation. Reviewing and consolidating the application requirements would make the VPP clearer and simpler.	**Agree**
ID. No. General Provisions 41	**Clause No.** 65		**Modification** Decision Guidelines Review Decision Guidelines having regard to the following: a) Review all decision guidelines across the VPP and consolidate	**Justification** A review of the decision guidelines across the scheme, would remove obsolete requirements and add much needed requirements that better reflect policy and practice. This would ensure that all decision	**Agree**

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			under Clause 65, similar to Clause 66 Referral and Notice provisions.	guidelines are appropriate and relevant. There is much repetition within decision guidelines as they are scattered in many locations across the planning system. Clause 65 contains overarching decision guidelines, but more specific guidelines are often found under each permit trigger. In the case of common triggers (use, subdivision and building and works), these guidelines are often repeated under each zone, such as "the drainage of the land" appearing in IN1Z, IN2Z, IN3Z, C1Z, C2Z and PZ. A new checkbox table in Clause 65 with each trigger listed could be a more efficient and simpler method	
ID. No. General Provisions 42	**Clause No.** 66	**Name** Referral and Notice Provisions	**Modification** Review Referral and Notice Provisions having regard to the following: a) Remove references to seeking the views and comments of referral authorities throughout the VPP and use formal processes of Clause 66 instead b) Review the classification of referral agencies as 'recommending' authorities or 'determining' authorities c) Encourage more standard agreements with agencies to reduce the need for referral for minor and low risk matters d) Make the Department of Economic Development, Jobs, Transport and Resources a referral authority for land near existing quarries.	**Justification** This reform seeks to clarify and bring consistency to referrals by limiting them to formal referrals only and moving away from informal referrals. It also seeks to remove unnecessary regulatory burden and streamline the referral process for appropriate application types through greater use of standard agreements.	**Agree**
ID. No. General	**Clause**	**Name**	**Modification**	**Justification**	**Agree**

Attachment 2 - Possible Reforms of specific provisions - Council response

Definitions 43	**No.** 72	General Terms	Review General Terms to investigate the inclusion of: a) 'outbuildings normal to a dwelling' b) 'sensitive uses'.	These are terms that are common sources of confusion and dispute. Providing the definitions would bring clarity and make the planning scheme easier to use, as well as improving permit application timeframes.	**Other terms to be reviewed: caretaker dwelling, background noise.**
ID. No. General Definitions 44	**Clause No.** 74	**Name** Land Use Terms	**Modification** Review all VPP land use terms and definitions, and associated treatment in the land use tables, having regard to the following objectives: a) Reduce the number of terms b) Remove obsolete uses c) Separate out common land uses only when necessary to be treated differently in zone tables d) Be less prescriptive by removing overly specific terms e) Broaden terms and definitions to account for rapidly shifting industries and lifestyles f) Use every day and plain-English terms that the community readily understands aid understanding (bar), in other cases g) Modernise definitions including consideration of emerging social, economic and technological trends h) Provide definitions for undefined terms, excluding those where there is an appropriate ordinary dictionary meaning or definition in the Act. Review Land Use Terms to investigate adding the following (only where necessary and in recognition of the objectives above):	**Justification** Land use terms are a common source of confusion and dispute, and have not kept pace with changes in businesses and communities. The survey suggested widespread support for a holistic review of land use terms, especially from local government planners. The VPP seeks to categorise how land is used into defined and, at times, very specific terms. Many of the terms are now outdated. In some cases obscure terms are used (tavern) when everyday terms could aid understanding (bar), in other cases very common land uses are not used (café). Where the common term and the planning term depart, this causes uncertainty and confusion among the community and makes it harder for non-professionals to participate in the planning system. In other cases, definitions need updating to reflect shifts in the land use over time. Modernising the land use terms and definitions, and consequential changes to the zone land use tables, would simplify the VPP and improve levels of understanding of the planning system. Please see Proposal 5.1 for more information.	**Agree**

Attachment 2 - Possible Reforms of specific provisions - Council response

			'Rural workers accommodation', 'Carbon sequestration', 'Contractor's Depot', 'Holiday dwelling', 'Café', 'Music and arts festival', 'Maker', 'Community gardens', 'Storage facility' and 'Animal day care'. Review Land Use Terms to investigate revising the following: 'Tavern', 'Airport' and 'Airfield', 'Primary produce sales', 'Utility installation', 'Minor utility installation', 'Place of worship', 'Anemometer', 'Winery', 'Shop', 'Food and drink premises', 'Leisure and recreation', 'Animal keeping', 'Brothel', 'Renewable energy facility', 'Heliport', 'Caretakers residence', 'Community market', 'Trash and treasure market', 'Dwelling', 'Cinema based entertainment facility', 'Warehouse', 'Store', 'Gambling premises', 'Gaming premises', 'Convenience restaurant', 'Art and craft centre', 'Art gallery', 'Amusement parlour', 'Pleasure park', 'Retirement village' and 'Residential village', 'Restricted retail facility', 'Group accommodation', 'Industry', 'Medical centre', 'Agriculture', 'Bed and breakfast', 'Night club', 'Hotel', 'Retail', 'Accommodation', , 'Place of assembly', 'Restaurant', 'Earth and energy resources' and 'Stone extraction', 'Materials recycling', and 'Transfer Stations'. Review Land Use Terms to investigate removing terms within the land use table that do not have definitions as is consistent with Clause 71.		
ID. No. General	**Clause**	**Name**	**Modification**	**Justification**	

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Definitions 45	**No.** 74	Land Use Terms	Review Land Use Terms having regard to the following: a) Investigate how the VPP treats commercial battery storage facilities both as stand-alone facilities and those collocated with energy generation projects, including whether new or revised definitions are required and in which zones they are appropriate.	As battery storage facilities are predicted to increase in number and scale in future years, it is important that the VPP is able to define and facilitate their approval. This would increase the relevancy of the VPP and support sustainability policy goals.	
ID. No. General Definitions 46	**Clause No.** 75	**Name** Nesting Diagrams	**Modification** Review Nesting Diagrams having regard to the following: a) Shift 'Cinema Based Entertainment Facility' from un-nested to within the 'Place of Assembly' group.	**Justification** Cinema fits more naturally within a 'Place of Assembly' nesting diagram and in doing so would provide clarity to the VPP. Its treatment in the zone land use tables would also need review so that any change is policy neutral.	**Agree**
ID. No. Incorporated Documents 47	**Clause No.** 81	**Name** Incorporated Documents	**Modification** Review Incorporated Documents having regard to the following: a) Examine whether a standard template can be adopted to ensure consistency across documents b) Address the use of Australian Standards (fee payable for access), moving away from incorporating documents that are not free to access c) Review the usefulness of each incorporated document including whether extracts should be taken from particularly large documents d) Remove obsolete and outdated documents e) Replace document references with updated versions where available.	**Justification** Ready access to planning documents is a fundamental principle of a modern planning scheme. Documents should be available freely and accessible online, in forms that are readable and capable of 'copy' and 'paste'. Noting the recommendation to implement a Victorian planning library, making all documents free and fully accessible would increase transparency, lead to fewer disputes, and improve confidence in the planning system. Updating the listed incorporated documents with newer versions, and removing outdated documents, would increase the relevance of the VPP.	**Agree**
ID. No. Other 48	**Clause No.**	**Name** Practice Notes	**Modification** Review Planning Practice Notes	**Justification** Repackaging the (now long) list of practice notes would improve	**Agree**

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	N/A		having regard to the following: a) Repackaging the extent of practice notes to make them easier to navigate. This includes introducing a new VPP manual to support planning authorities (and repositioning appropriate practice notes focused on implementing and writing provisions into the manual) b) Create a new Practice Note addressing advertising sign provisions, in particular outlining a mechanism by which councils can address concerns about the safety impact of signs on or near state-controlled roads where VicRoads is not a referral authority c) Update Planning Practice Note 59 – The Role of Mandatory Provisions in Planning Schemes - to reflect the circumstances when mandatory provisions should be applied.	readability and accessibility. In recent years, the practice of applying mandatory controls (as opposed to discretionary controls) has shifted following a series of high profile panel reports and planning scheme amendments. Updating the practice note to reflect government policy and to provide clearer guidance would remove a source of common confusion and uncertainty among applicants, councils and the community.	
ID. No. Other 49	**Clause No.** N/A	**Name** Technology and the availability of documents	**Modification** Review planning systems having regard to the following: a) Review processes for accessing planning applications and update Planning Practice Note 74 - Availability of planning documents - to encourage councils to make documents relating to permit applications available freely online via their website b) Provide a plain text version of planning schemes on 'Planning Schemes Online' to allow convenient 'copy and paste' into reports, or deliver through HTML using PSIMS.	**Justification** Visiting a council office to view a planning application file is an anachronism that acts as a barrier to participation in the planning process. Making applications available online would bring considerable transparency benefits and improve public confidence in the planning system, as well as reducing administrative burden for councils to service requests. Some councils already do this for major applications. The data should be made available for third parties, subject to privacy considerations, to create new and innovative online tools for the community. PDF-based planning scheme provisions, while suited to printing,	**Agree**

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				are difficult to interact with, and make it difficult for council planners and applicants to undertake the common task of 'copying' and 'pasting' into reports. Making a plain text version of each planning scheme would be a simple but effective time saver for practitioners.	
ID. No. Other 50	**Clause No.** N/A	**Name** Section 173 agreements	**Modification** Review Section 173 agreements having regard to the following: a) Their role in the planning system and whether they are overused including in local schedules b) The benefits of creating a standard agreement template that would only require minimal amendments for most purposes.	**Justification** The use of Section 173 agreements has increased in recent years, representing a 32 per cent increase since 2004. This has cost implications for applicants, councils and the titles office. The process of drafting, negotiating and signing agreements is a common source of planning delay. Providing standard agreement templates would focus the parties on the substantive issues and reduce time and cost for all parties.	**Agree**

11.6 59 - 77 Victoria Parade and 5 - 9 Brunswick Street Street Fitzroy - Heritage Victoria Referral - Partial demolition and construction of a multi storey building associated with St Vincents Private Hospital.

Executive Summary

Purpose

Council has received a referral under Section 71 of the *Heritage Act 1995*, in relation to two applications made to Heritage Victoria by St Vincent's Private Hospital Ltd for the part demolition of The former Eastern Hill Hotel at 77 Victoria Parade, Fitzroy (VHR H0816) and Dodgshun House (Formerly Edensor) at 9 Brunswick Street, Fitzroy (VHR H1706) and construction of a multi storey building associated with the expansion of the St Vincent's Private Hospital.

This report provides Council with information regarding the proposal and makes recommendations for a response to the Heritage Victoria Referral.

Key Issues

As this report results from a Heritage Victoria referral, consideration in this referral request is limited to matters of heritage, and thus only the Heritage Overlay and heritage policies are relevant. Other landuse and development aspects will be determined by VCAT due to the current appeal lodged by the applicant.

Financial Implications

There are no financial implications associated with this heritage referral response.

Separate to this, cost will be incurred at the forthcoming VCAT hearing relevant to the St Vincent's Hospital planning application.

PROPOSAL

The proposal seeks to demolish elements of both State registered buildings to facilitate the redevelopment and expansion of the St Vincent's Private Hospital.

11.6 59 - 77 Victoria Parade and 5 - 9 Brunswick Street Street Fitzroy - Heritage Victoria Referral - Partial demolition and construction of a multi storey building associated with St Vincents Private Hospital.

Trim Record Number: D17/182805
Responsible Officer: Director Planning and Place Making

Purpose

1. Council has received a referral under Section 71 of the *Heritage Act 1995*, in relation to two applications made to Heritage Victoria by St Vincent's Private Hospital Ltd for the part demolition of The former Eastern Hill Hotel at 77 Victoria Parade, Fitzroy (VHR H0816) and Dodgshun House (Formerly Edensor) at 9 Brunswick Street, Fitzroy (VHR H1706) and construction of a multi storey building associated with the proposed expansion of the St Vincent's Private Hospital.
2. This report provides Council with information regarding the proposal and makes recommendations for a response to the Heritage Victoria Referral.

Background

3. Council received both written referrals and architectural plans from Heritage Victoria on 9 October 2017s both sites are included on the Heritage Register.
4. External heritage advice was sought from GJM Heritage and was received on 15 November 2017. The advice in full is included as an attachment (Attachment 3) to this report and referred to within the assessment section of this report.
5. For the purpose of this report, Council's role is limited to providing heritage comments on the proposal with Heritage Victoria ultimately deciding on the heritage merits of the heritage applications.
6. Relevantly, a planning application (PLN16/0925) was lodged with Council in October 2016 seeking approval for:

   'Development of the land for construction of a multi storey building as an extension to the existing hospital, including part demolition and alterations to the existing buildings on the site and streetscape works, reduction in the car parking requirement and provision of car parking on another site.

7. The planning application was determined at the Internal Development Approvals Committee meeting of 12 July 2017 were Council determined to support the application subject to a number of conditions which in effect sought to reduce the impact on the surrounding heritage buildings.
8. Subsequently, an appeal against a number of conditions has been lodged by the Applicant and a 5 day hearing is scheduled to commence 15 January 2018.

Subject Site

9. Broadly, the subject site can be described as the St Vincents Private Hospital complex of buildings which includes the block bound by Fitzroy Street to the west, Victorian Parade to the south and Brunswick Street to the east in Fitzroy.
10. More specifically, the subject sites relevant to the Heritage Victoria referrals are limited to the blue highlighted buildings as shown in the aerial photo below identified as the former Eastern Hill Hotel at 77 Victoria Parade, Fitzroy (VHR H0816) and Dodgshun House (Formerly Edensor) at 9 Brunswick Street, Fitzroy (VHR H1706).

Figure 1: Aerial photo showing location of the two heritage listed buildings.

Figure 2: The former Eastern Hill Hotel

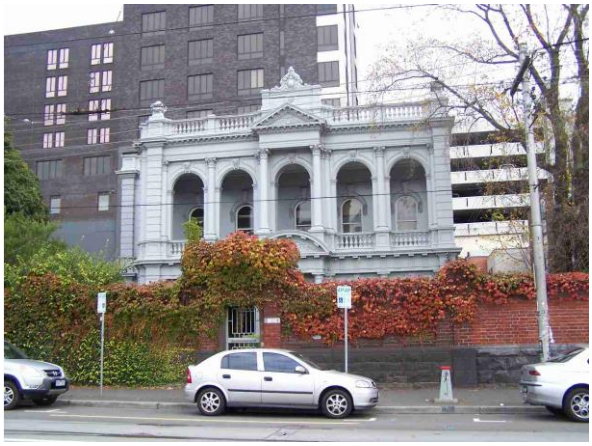

Figure 3: Dodgshun House

The Proposal

11. The proposal is in effect the same proposal already determined by Council through the planning permit process but now subject to the VCAT appeal.:

12. In more detail as relevant to this referral the proposed works include the demolition of:

    (a) The north-western corner of No. 77 Victoria Parade known as the Former Eastern Hill Hotel; and

    (b) an outbuilding within the rear of 7 Brunswick Street known as Dodgshun House as well as part of the brick fence along the southern boundary.

13. The hospital seek to construct a multi-storey addition and alterations to the existing hospital building. Relevant to this referral, the building proposes to be:

    (a) An 11 storey (plus plant room) tower above the podium levels up to 47.3m in height. The tower would be setback at least 10.1 from Brunswick Street from Level 3 and above over the retained portion of the former Eastern Hill Hotel, 9.1m from Victoria Parade from Level 4 and above (the staircase in the south-east corner would be setback 7.2m), 6.5-6.8m from the southern wall of the Dodgshun House and 22.25m

from the subject site's northern boundary (eastern half). Up to Level 5, the new and existing towers would abut one another forming a continuous wall, setback 9.1m from Victoria Parade. From level 6 and above the towers would be separated by 12m at the southern end and 8m at a setback of 16.5m from Victoria Parade. A new link would be constructed between the two towers up to level 9 setback 29m from Victoria Parade;

(b) An open courtyard on the northern side of the ground floor including new paving and seating within No. 7 Brunswick Street where the proposed building would cantilever over with a staggered setback from the southern wall of Dodgshun House between 1m at the western end 15m at the eastern end up to level 2. At level 3 and above the tower would be setback 6.5m-6.8m encroaching into the land within the VHR registration by approximately 5.5m;

14. The proposal is described in more detail in the plans and Heritage Impact Statements prepared by Billard Leece Partnership and Lovell Chen which are provided at Attachments 1 & 2.

Planning Scheme Provisions

15. The subject sites (as determined by the Heritage Victoria Referrals) are contained within the Commercial 1 Zone and Mixed Use Zone and are also affected by the Heritage Overlays (Schedules 150 (Dodgshun House), 190 (Former Eastern Hill Hotel) and 334, South Fitzroy Precinct) and partly by the Design and Development Overlay, Schedule 2 (Main Roads and Boulevards)

Commercial 1 Zone

16. A planning permit is required pursuant to clause 34.01-04 to construct a building or construct or carry out works. A planning permit is not required for the hospital use as it benefits from establishing existing use rights, and the remaining proposed uses do not require a permit or are ancillary to a hospital.

Mixed Use Zone

17. A planning permit is required pursuant to clause 32.04-8to construct a building or construct or carry out works. A planning permit is not required for the hospital use as it benefits from establishing existing use rights planning permit.

Design and Development Overlay, Schedule 2 (Main Roads and Boulevards)

18. Pursuant to clause 43.02-2 a permit is required to construct a building or construct and carry out works.

Heritage Overlay

19. Pursuant to clause 43.01-1, a permit is required to demolish or remove a building and to construct a building or construct or carry out works.

20. As both Eastern Hill Hotel and Dodgshun house are included on the Heritage Register, Heritage Victoria is the decision maker pursuant to the heritage Clause 43.01-2 of the Yarra Planning Scheme.

21. As this report results from a Heritage Victoria referral, **consideration in this matter is restricted to matter of heritage only**, and thus only the Heritage Overlay and heritage policies are of relevance to this particular report.

22. In terms of the Municipal Strategic Statement and Local Planning Policies, Clauses 21.05-1 and 22.02 provide general guidance on the development of heritage places.

Assessment

23. Attached to this report is the detailed heritage assessment undertaken by GJM Heritage who have assessed the proposal on behalf of Council with specific regard to impact to the two state significant buildings.

24. There recommendations are outlined below:

(a) *'The scale of development that is proposed in close proximity to the highly significant southern elevation of Dodgshun House combined with the loss of garden wall fabric identified as being of 'primary' significance in the CMP, will diminish the cultural heritage significance of the place. The application should not be supported in its current form.*

(b) *The scale of development that is proposed in close proximity to the former Eastern Hill Hotel will diminish the cultural heritage significance of the place. The application should not be supported in its current form.*

25. The two recommendations outlined above are generally consistent with the Council's decision to support the application subject to conditions which sought to reduce the impact on the surrounding heritage buildings.

26. While Council did not as part of the planning application assess the impact on the two state register buildings, the setbacks imposed by permit conditions were to ensure the heritage context of the area was appropriately respected.

27. Additionally, seven additional findings were made which either request additional information or suggest changes that are required to be made to the plans, these are outlined below:

(a) *The full impact of the development cannot be adequately assessed from the architectural drawings submitted with the permit application. 3D modelling from key public realm viewpoints should be provided by the applicant to enable a full assessment.*

(b) *The archaeological potential of the two registered places should be understood. If appropriate, processes and procedures should be developed to manage the potential for artefacts on registered land and the broader subject site.*

(c) *The sections of the brick garden wall identified as being or 'primary' and 'contributory' heritage significance in the CMP should be retained unless specific and compelling reasons under sections 73(1)(b), 73(1)(f) and/or 73(1A)(b) can be provided to justify demolition.*

(d) *Greater setbacks of new built form from the southern elevation of Dodgshun House are required to appropriately manage the setting of the residence and the visual impact on the highly significant southern elevation unless specific and compelling reasons under sections 73(1)(b), 73(1)(f) and/or 73(1A)(b) can be provided to justify the proposed development envelope.*

(e) *Alternative options for achieving operational capacity for the hospital that have been considered by the applicant should be addressed as part of the application.*

(f) *The proposal in its full execution, would result in the nearby 'individually significant Easthill House being demolished. This is an undesirable heritage outcome.*

(g) *Increased setbacks, reduction of height or the stepping of new built form – particularly at the southern end of the site – is required to ensure that the new development does not visually dominate or overwhelm the former Eastern Hill Hotel unless specific and compelling reasons under 73(1)(b), 73(1)(f) and/or 73(1A)(b) can be provided to justify the proposed development envelope.*

External Consultation

28. The referral has been assessed by a heritage consultant for review.

29. The application will be advertised by Heritage Victoria as part of their normal processes.

Internal Consultation (One Yarra)

30. No internal consultation has been undertaken.

Financial Implications

31. There are no particular financial implications associated with responding to this heritage referral.

32. Separate to this, significant costs will be incurred at the forthcoming VCAT hearing relevant to the St Vincent's Hospital planning application.

Economic Implications

33. Nil

Sustainability Implications

34. Nil

Social Implications

35. Heritage aspects are outlined in the body of this report.

Human Rights Implications

36. No known human rights implications.

Communications with CALD Communities Implications

37. No CALD communication is required as part this report.

Council Plan, Strategy and Policy Implications

38. Heritage polices of the Yarra Planning Scheme have been appropriately considered in the writing of this report.

Legal Implications

39. There are no particular legal implications associated with this report.

Conclusion

40. In accordance with the expert heritage advice received, it is considered the proposed demolition works and new work and /or additions are not appropriate for buildings of State heritage significance and that further work is required to justify the current proposal and that it should not be supported in its current form.

RECOMMENDATION

1. That Council
   (a) note the officer's report in relation to the Heritage Victoria referral regarding the St Vincent's Private Hospital site.
   (b) authorise officers to write to Heritage Victoria advising of no support for the proposal for the following reasons:
      (i) *'The scale of development that is proposed in close proximity to the highly significant southern elevation of Dodgshun House combined with the loss of garden wall fabric identified as being of 'primary' significance in the CMP, will diminish the cultural heritage significance of the place. The application should not be supported in its current form.*

      (ii) *The scale of development that is proposed in close proximity to the former Eastern Hill Hotel will diminish the cultural heritage significance of the place. The application should not be supported in its current form.*
2. That the additional seven findings contained within the heritage advise as outlined in paragraph 27 of this report also be forwarded to Heritage Victoria for particular consideration.

CONTACT OFFICER: **Mary Osman**
TITLE: **Manager Statutory Planning**
TEL: **9205 5300**

Attachments

1 Heritage Referral - Eastern Hill Hotel
2 Heritage Referral - Dodgshun House
3 St Vincents Heritage Permit Advice - 14 November 2017

Attachment 1 - Heritage Referral - Eastern Hill Hotel

Department of Environment, Land, Water & Planning

Level 7, 8 Nicholson Street
East Melbourne Victoria 3002
Telephone: 03 9938 6894
www.delwp.vic.gov.au
DX210098

Permit Application No: P27681
File No: FOL/17/40755

9 October 2017

The Manager Statutory Planning
Yarra City Council
PO Box 168
RICHMOND VIC 3121

Dear Sir/Madam

RE: PERMIT APPLICATION FOR FORMER EASTERN HILL HOTEL, 77 VICTORIA PARADE FITZROY (H0816)

I am writing to you in accordance with Section 71 of the *Heritage Act 1995* and enclose a copy of an application for works to the above-mentioned registered place.

As part of my consideration of this application, I am able to take into account any relevant heritage issues affecting this place that you identify.

I would appreciate your advice on whether the registered place is within or adjoining a locally significant place or precinct subject to a Heritage Overlay control and whether the application is likely to have an adverse effect on that locally significant place or precinct.

It would also be helpful if you could advise whether the Municipal Strategic Statement or a local policy specifically mentions or relates to the registered place or the area in which the place is located and whether the application is consistent with the MSS or relevant policies.

Please forward any comments you have to Joyce MacLennan at heritage.permits@delwp.vic.gov.au or post to PO Box 500 Melbourne, VIC 8002. If comments are not received by this office within 14 days of the date of this letter I will assume you have no comment to make on the application.

Please contact Janet Beeston on (03) 9534 8963 if you would like to discuss the application or if you require additional time to comment.

Yours sincerely

for **TIM SMITH**
Executive Director
HERITAGE VICTORIA

Encl:

Privacy Statement

Any personal information about you or a third party in your correspondence will be protected under the provisions of the Privacy and Data Protection Act 2014. It will only be used or disclosed to appropriate Ministerial, Statutory Authority, or departmental staff in regard to the purpose for which it was provided, unless required or authorised by law. Enquiries about access to information about you held by the Department should be directed to the Privacy Coordinator, Department of Environment, Land, Water & Planning, PO Box 500, East Melbourne, VIC 8002. Notwithstanding the above, please note that information provided to enable the administration of the Heritage Act 1995 may be disclosed to persons with an interest in the heritage place or object particularly, and information provided as part of a permit application may be made available on-line where the application has been publicly advertised under section 68 of the Heritage Act 1995.

VICTORIA State Government

Attachment 1 - Heritage Referral - Eastern Hill Hotel

HERITAGE IMPACT STATEMENT

EASTERN HILL HOTEL

77 Victoria Parade, Fitzroy

VHR: **H0816**

Prepared for

Billard Leece

On behalf of St Vincent's Health Care

October 2016

Revised October 2017

LOVELL CHEN

ARCHITECTS & HERITAGE CONSULTANTS

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Attachment 1 - Heritage Referral - Eastern Hill Hotel

Attachment 1 - Heritage Referral - Eastern Hill Hotel

1.0 Introduction

This Heritage Impact Statement (HIS) has been prepared for Billard Leece on behalf of St Vincent's Healthcare to accompany and support a heritage permit application to Heritage Victoria for works to be undertaken as part of the St Vincent's Private Hospital redevelopment.

The broader redevelopment involves two separate places included in the Victorian Heritage Register (VHR) under the Heritage Act:

- Eastern Hill Hotel, 77 Victoria Parade Fitzroy (VHR H0816)
- Dodgshun House (formerly Edensor), 9 Brunswick Street Fitzroy (VHR H1706)

Works to both these registered places requires approval under the Heritage Act.

This HIS considers the issues and potential impacts of the proposed works on the Eastern Hill Hotel. Edensor is the subject of a separate permit application to Heritage Victoria and a separate HIS has been prepared to support that application.

While not directly relevant to the two Heritage Victoria applications, it is also noted that works are proposed outside the two registered places on land that is subject to a Heritage Overlay (HO) control under the Yarra Planning Scheme and a separate HIS has been prepared to consider works that require a planning permit under the HO. A key to buildings in the local area is provided at Figure 2.

1.1 City of Yarra planning permit application

A planning permit application for the proposed works was lodged with the City of Yarra in October 2016. A Planning Permit with conditions (PLN16/0925) for the works was issued on 11 August 2017. An appeal against several the conditions has subsequently been lodged with Victorian Civil and Administrative Tribunal (VCAT) and the case is to be heard in January 2018.

During the application process, requests for further information were made by Council and responses were provided by the proponent. These responses took the form of additional sketch plans which clarified or made minor revisions to the original planning permit application drawings. The City of Yarra based their decision on both the lodged plans (the 'Decision Plans') and these additional sketch plans. Both the delegate's report and the planning permit refer to this arrangement. Accordingly, the sketch plans are attached to this application.

The following assessment of heritage impacts was prepared to accompany the application for a planning permit and makes reference to information on the 'Decision Plans' only. The sketch plans have subsequently been reviewed by this office. These identify variations to works in areas removed from the early building fabric and provide additional detail and improved clarity elsewhere. The changes and/or additional information has not affected the nature or scale of the heritage impacts identified previously and no changes to the assessment at Section 5.0 of this HIS have been required.

In summary, the revisions relate to works that will not take place on registered land. The revisions predominantly relate to minor modifications to the design and layout of the new tower. This notwithstanding, it is noted that the design of the new facades to Victoria Parade and Brunswick Street, to the west and north of the Hotel, respectively, have been modified to introduce disjunctions at the building interfaces. A metre-wide rebate has been introduced in the easternmost section of the proposed Victoria Parade podium in response to concerns raised by Council's Heritage Advisor. This will provided provide greater articulation at the interface of the new podium and the early hotel. For similar reasons, the façade of the proposed building to Brunswick Street has been revised to incorporate a chamfered corner element adjacent to the Hotel. In addition, the horizontal elements of this façade has been adjusted to more closely respond to the string course and cornices of the Eastern Hill Hotel. These changes will improve the outcome from a heritage point-of-view and will result in no additional heritage impact over those assessed in Sections 5.0 of this report.

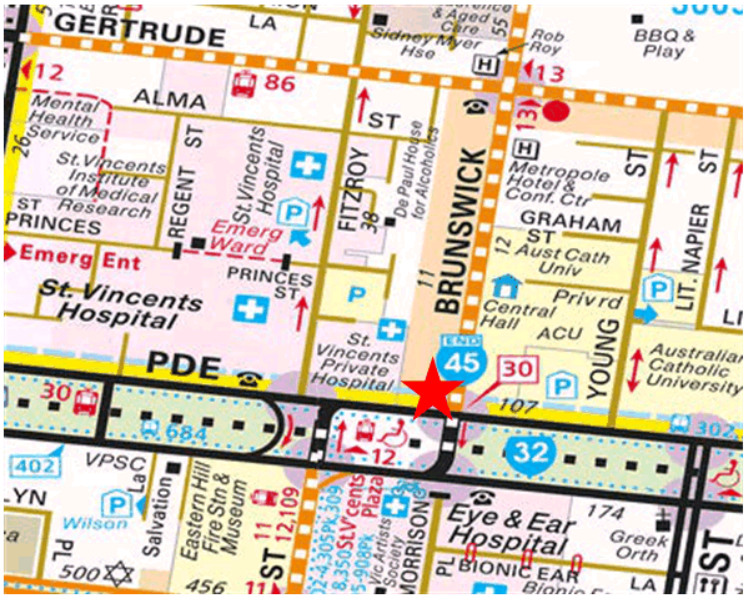

Figure 1 Location of the Eastern Hill Hotel indicated by star
Source: www.street-directory.com.au

1.2 References

This HIS makes reference to drawings prepared by Billard Leece, dated October 2016, including site context plans, precinct plans, demolition plan, existing and proposed levels, and existing and proposed elevations. Reference has also been made to 3D model images and rendered images, again prepared by Billard Leece and landscape drawings prepared by LBA Designs dated September 2016 and numbered TP02 – TP004 (inclusive).

This HIS also makes reference to the Conservation Management Plan (CMP) for the Eastern Hill Hotel prepared by Lovell Chen in draft form in 2012 (and finalised in 2016).

Note that Dodgshun House is referred to in this document under its earlier name, *Edensor*. It is also known as the St Mary of the Cross Centre.

In addition, the following documents are attached to the application:

- Sketch plans prepared by Billard Leece
- City of Yarra Internal Development Application Committee (IADC) Report
- Planning Permit (PLN16/0925)

1.2.1 Planning permit application

Figure 2 Aerial photograph showing subject site and adjacent buildings

2.0 Statutory heritage controls and listings

2.1 Heritage Act 1995

The Eastern Hill Hotel is included on the VHR as H0816. The extent of registration of the hotel is indicated on the plan at Figure 3. The statement of significance for the Eastern Hill Hotel is as follows:

> *What is significant?*
>
> The Former Eastern Hill Hotel, originally known as the Belvidere Hotel, was most likely designed by Joseph Burns and constructed c1854-1856 for Thomas McClelland. The classical facade of the three storey rendered brick building remains almost exactly as it was when built. Alterations to the hotel in 1866 and 1877 seem to have affected the rear and interior. While the ground and first floor interiors have been substantially altered over the years, the third floor retains a largely intact 19th century layout.
>
> *How is it significant?*
>
> The Former Eastern Hill Hotel is of historical and architectural significance to the State of Victoria.

Why is it significant?

The Former Eastern Hill Hotel is of historical significance as one of only a small number of gold-rush era hotels to survive in Victoria and for its associations with the Victorian Eight Hour Day movement. The Former Eastern Hill Hotel is one of the largest and most intact of the few remaining 1850s gold rush era hotels left in inner Melbourne. As such it provides important evidence of the impact of the gold rushes on Melbourne's development. In 1856 and subsequent years the building provided the venue for many functions and meetings concerned with, and allied to, the eight hour day movement. The building unionists supporting the eight hour day, who used the hotel as their headquarters, were known as belviderites. The eight hour movement played a very significant role in the early industrial and political history of the colony, and of Australia, and is still celebrated by the union movement.

The Former Eastern Hill Hotel is of architectural significance as one of the most substantial, elegant and externally intact remaining hotels of the early 1850s and for its connections with two prominent early Victorian architects, Joseph Burns and A.F. Kursteiner. Burns seems likely to have been the original architect. The hotel is a valuable representative example of his extensive hotel work from the gold rush period. The renovations from 1866 and 1876 were the work of A.F. Kursteiner, who was also responsible for several other buildings in Fitzroy, most notably the precinct of 33 single and double storey workers houses in Greeves Street Fitzroy, a most unusual example of 19th century speculative development.[1]

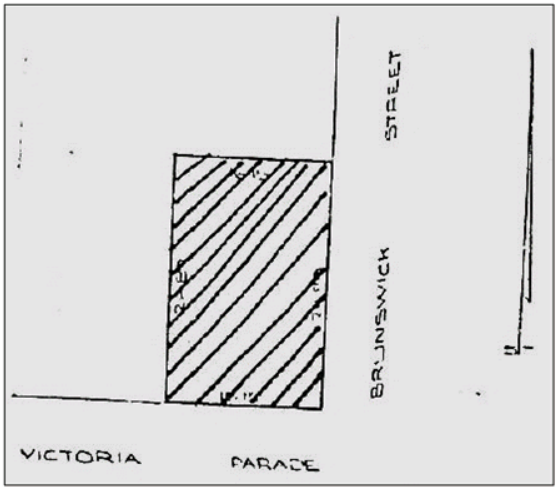

Figure 3 Extent of registration for the Eastern Hill Hotel
Source: Victorian Heritage Database

2.2 Yarra Planning Scheme

In the Yarra Planning Scheme, the Eastern Hill Hotel is identified individually as HO190 in the Schedule to the HO. A short distance to its north, Edensor is also identified individually as HO150. These site-specific HOs reflect the extent of registration for the two places. Both places are also included with the South Fitzroy Precinct identified as HO334 in the Schedule to the HO in the Yarra Planning Scheme and are considered to be 'individually significant' in that context (refer Figure 4. Two other buildings that are affected by the broader redevelopment proposal. These are Easthill House immediately to the west of the hotel and St Vincent's Private Hospital at 59-61 Victoria Parade. These are also identified as 'individually significant' within the precinct.

Individually significant heritage places are defined at Clause 22.02-3 as follows:

> The place is a heritage place in its own right. Within a Heritage Overlay applying to an area each individually significant place is also Contributory.

No permit is required under Clause 43.01 to develop a heritage place which is included on the VHR. Note, however, that local heritage issues may be considered by the Executive Director, Heritage Victoria in considering permit applications, and all applications are referred to the local Council for comment. In that context, this HIS considers the implications for local heritage arising from the works to the Eastern Hill Hotel.

Council's citation for the South Fitzroy Precinct, HO334, describes those aspects of the history and physical fabric of the area which contribute to the significance of the place. Most relevantly, the citation notes the following:

> Along with the early development of the suburb and its proximity to Melbourne City, was the development of major institutions on its fringe, in particular, St Vincent's Hospital and The Convent of Mercy (VHR), both of Roman Catholic origin.
>
> The Convent of Mercy and Academy of Mary Immaculate was founded in 1857 and consists of a number of buildings constructed over a period of thirty years at the corner of Palmer and Nicholson Streets. The complex is significant for its long-term and continuing association with Catholic education in Victoria.
>
> St Vincent's was founded in a Victoria Parade terrace house row by the Irish Order, The Sisters of Charity, in 1893; the complex eventually becoming the suburb's largest charitable institution. In 1905 they moved into a new four-storey hospital building and by 1914 they were the second busiest hospital in Melbourne, benefiting from support provided by Fitzroy Council, the Fitzroy Football Club and the legendary John Wren. The Healy Wing was opened in 1928 and other wings followed, with the current complex covering a site bounded by Victoria Parade, Nicholson Street, Fitzroy Street and Gertrude Street. A notable recent design was the St Vincent's Private Hospital since added to and altered.

In addition, the City of Yarra also has prepared a separate statement of significance for the St Vincent's Private Hospital building at nos 59-61 Victoria Parade, Fitzroy. This statement of significance is as in part:

> *Why is it significant?*
>
> The St Vincent's Private Hospital is significant as a distinctive design by Bogle and Banfield, inspired by the Post-Modern style work of the noted North American architect Philip Johnson, with its glazed manganese brick clad cuboid form, curved corners, punched fenestration, and luxurious hotel-like interior, all as a marked departure from contemporary hospital design. This is a socially important quasi-public building, with many associations for its staff and patients since its construction.[2]

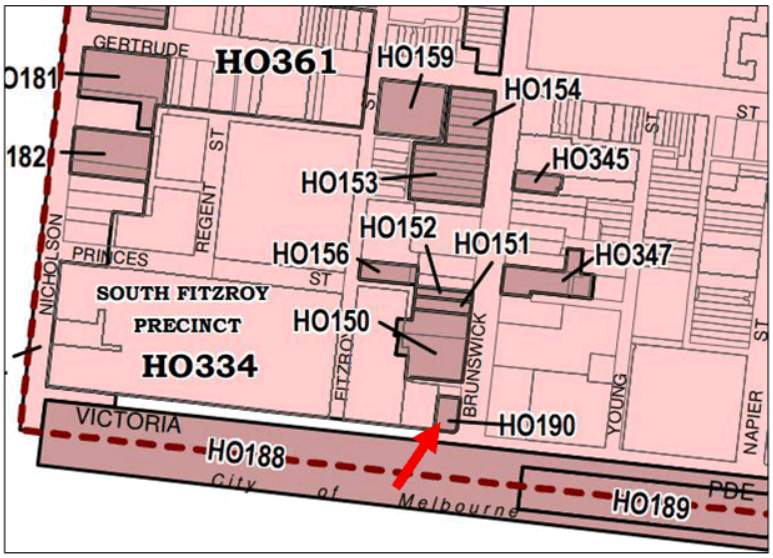

Figure 4 Detail of the HO map with subject site indicated
Source: Yarra Planning Scheme

2.3 National Trust of Australia (Victoria)

The Eastern Hill Hotel is also classified as by the National Trust of Australia (Victoria) as B0172. No statutory controls arise as a result of this classification.

3.0 History and description

3.1 History

The following provides an abridged version of the detailed history of the Eastern Hill Hotel included in the CMP.[3]

3.1.1 The Belvidere Hotel: 1854 to 1884

The Eastern Hill Hotel was the subject of an MCC *Notice of Intent to Build*, dated 28 June 1854. This refers to a 'house' at the corner of Victoria Parade and Brunswick Street, Fitzroy, owned by 'Thomas McLelland' [*sic*] and built by William Dalziel. No architect was named. However, a tender notice that appeared in the *Argus* eight days earlier, described the 'erection of a large hotel at Collingwood [*sic*] for McClelland', to the design of architect Joseph R Burns.[4] Titles indicate that the two notices refer to the same building.

Little is known of Thomas McClelland, who built the new hotel on Victoria Parade. At the time that the *Notice to Intent to Build* was issued in June 1854, he already had a year's prior experience as a licensed victualler in Fitzroy. In May 1853, he had been granted a liquor license for the newly-built Builder's Arms Hotel, at the corner of Gore and Gertrude Streets.[5]

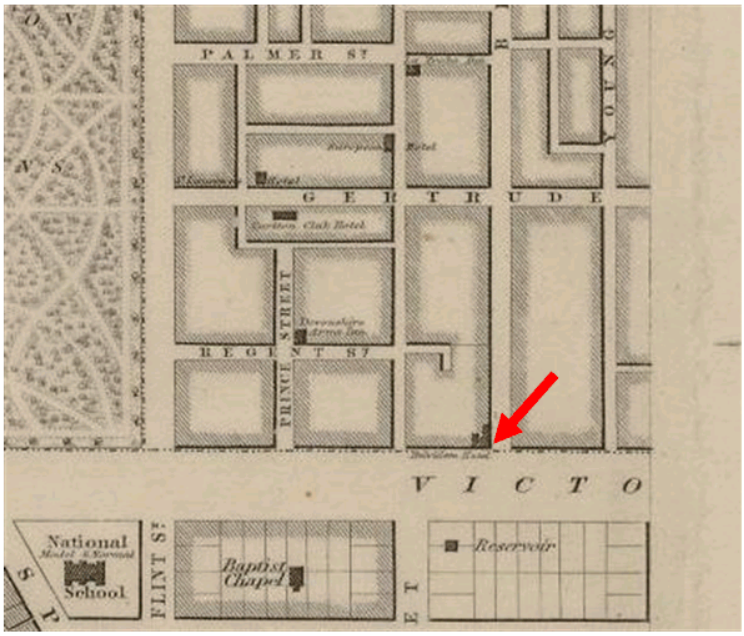

Figure 5 Detail of Kearney's 1855 map of Melbourne, showing the Belvidere Hotel on the western corner of Victoria Parade and Brunswick Street
Source: Map Collection, State Library of Victoria

Joseph Burns, the architect for McClelland's new hotel specialised in the field. He is known to have designed at least a dozen hotels in and around Melbourne between 1852 and 1862. William Dalziel, the contractor, was a local who lived in Gore Street, Fitzroy. Construction of McClelland's new hotel was completed by March 1855, when he applied for a liquor license for his hotel, described as the Belvidere Hotel on Brunswick Street.[6] His application was granted on 26 April.[7] The completed building was described in the 1855 rate book as a 'stone and brick public house, bar, 25 rooms, kitchens and servants rooms'.[8] Its owner was identified as Thomas McLelland [*sic*], and its Assessed Annual Value listed as £600. The new hotel also appeared on James Kearney's *Map of Melbourne and Suburbs*, compiled later in the same year (Refer Figure 5). The building was clearly labelled as the Belvidere Hotel and depicted with a nominal U-shaped footprint.

Like many licensed premises of that era, the Belvidere Hotel was not merely a place for drinking or accommodation, but also acted as a *de facto* meeting hall for all manner of public and private gatherings. The most celebrated of these associations derives from the role of the Belvidere Hotel in the emergence of the Eight Hour Movement. The origins of the Eight Hour Movement can be traced back to early 1856, when a group of Victorian stonemasons met at the Supreme Court Hotel in Russell Street to establish a society. On 4 February, a branch group was founded at Clark's Hotel in Collingwood, where the push to obtain an eight hour working day was initiated. Four weeks later, on 1 March, local bricklayers met at the Belvidere Hotel and resolved to join the masons in their efforts. Four days after that, masons transferred their Central Lodge from the Supreme Court Hotel to the Belvidere Hotel, which thereafter became the headquarters of the movement. The movement gained momentum over the ensuing weeks, with meetings held at the Belvidere Hotel. Two general meetings of the Masons Central Lodge were held there in March 1856, followed by other meetings held to elicit support from the various other tradesmen. While some employers made individual agreements to adopt the new hours, others did not. Finally, the masons announced that the new system would take effect on 21 April. On the morning of that day, masons working at the University of Melbourne downed tools and

began marking in procession through the city, carrying the Union Jack and the 'Three Eights' flag denoting eight hours labour, eight hours rest, eight hours recreation. Many others joined the procession as it passed numerous city building sites, including the Houses for Parliament and the Western Market, before arriving at the Belvidere Hotel (refer Figure 7) where a meeting was convened.

Figure 6 The Belvidere Hotel, photographed by Charles Nettleton in the mid-1860s.
Source: Picture Collection, State Library of Victoria.

In W E Murphy's account of the origins of the Eight Hour Movement, published 40 years after the event, the author provided the following evocative summary of the role that the Belvidere Hotel played in one of the most significant milestones in Victorian labour history:

> The Belvidere at the time was an important hostel. There were few of more striking architectural pretensions in Melbourne, and it was scarcely finished when, through the accident of their new combinations on the Eight Hours' question, the trades laid siege to its capacious meeting rooms.

During 1861, Thomas McClelland stood down as publican of the Belvidere Hotel. Although he retained ownership of the property, his position as hotelkeeper was taken over by Henry Vanrenan. This appears to have been a brief tenure. By March 1863, Vanrenan had already been succeeded by W J Sugden who, in a newspaper advertisement, publicised the premises in these glowing terms:

> BELVIDERE HOTEL, Victoria Parade – gentleman and families visiting Melbourne will find every accommodation at the above hotel, at reduced charges. Gentleman by the week on reasonable terms. Bathrooms. Billiards. W J SUGDEN, proprietor.[9]

In October 1863, another notice stated that the Belvidere Hotel, 'containing upwards of thirty rooms, in reasonable repair', was being offered for lease.[10] Rate records confirm that, by the end of that year, the hotel was under the management of Charles Burton, who held the publican's position for at least two years.[11] During Burton's tenure, it was advertised thus:

> Belvidere Hotel, Victoria Parade. The best situation in Melbourne. To meet the times, the proprietor has considerably reduced the price of BOARD and LODGING. NB – SINGLE BEDROOMS, baths, billiard. NEWS ROOM with English and Colonial papers. Old papers filed for reference.[12]

Burton's period as hotelkeeper ended in early 1866, when McClelland sold the property to John McKenzie, who, since 1853, had owned the adjacent land to the west (with a frontage of 78 feet to Victoria Parade). Succeeding Burton as hotelkeeper was William Stembel, who had taken up residence there by February 1866 (Figure 6).[13] Within a year, Stembel was succeeded by Bartholomew Many, who would serve as a publican for a decade. However Many's years at the Belvidere were tinged by tragedy, and his life spiralled into vagrancy, eventually appearing before a judge in October 1879 where he was 'remanded to the Yarra Bend Asylum'.[14] The hotel was subsequently taken over by Martin Pasquan, late of the Footscray Hotel in Hopkins Street, who re-badged the premises as the *Hotel de Roma*. Pasquan, however, remained for only a short time; by September 1878, he had moved to the Albion Hotel in Therry Street. In October, a lease to the Victoria Parade property was granted to John Brown and the hotel reverted to its original name.[15]

The year 1879 marked the death of long-time landlord John McKenzie, who had acquired the Belvidere Hotel from its original owner back in 1866. The hotel, together with the remainder of McKenzie's sizeable property portfolio, was sold at auction on 14 May. An advertisement for this 'important sale of valuable city and suburban properties' included the following detailed description:

> Belvidere Hotel, substantially built of bluestone stuccoed with slate roof, contains spacious bar and bar parlour, large dining room, about 20 x 16, with private entrance from Brunswick street; two parlours, kitchen, servants' rooms, cool cellar, &c; suitable outbuildings approached by arched entrance, to the right of which is side-bar and parlour. Upstairs, on two flats, are large billiard room, 42 x 24; two parlours, and 25 bedrooms, spacious and well ventilated. The land has a frontage of 53 feet to Victoria Parade and 81 feet, 8 inches, to Brunswick Street. The situation is, without exception, the best in Fitzroy.[16]

The hotel was purchased by John Mulcahy, who retained John Brown as resident publican. Brown subsequently held that position for a few more years, until ownership of the property (and its name) changed again in 1884.

Over the ten years that the Belvidere Hotel was owned by John McKenzie, the property underwent two phases of alteration, both carried out by the same architect. The first of these took place shortly after McKenzie acquired the hotel in early 1866. On 12 March, architect Alfred Kursteiner called tenders for 'alterations to the Belvidere Hotel, corner of Victoria Parade and Brunswick Street, for W Stembel'.[17]

The extent of Kursteiner's work remains unclear, and contemporary records provide few clues. The rate books 1865-66 (dated 8 November 1865) and 1866-67 (dated 9 January 1867) provide the same physical description of the hotel but a slightly-reduced GAV of £250. The consistency between these entries suggests that Kursteiner's work consisted of internal and/or external refurbishment that did not expand the size of the hotel itself. However, the matter remains in dispute.

A decade later, on 12 May 1876, Kursteiner called for tenders for 'additions and alterations to the Belvidere Hotel'.[18] Again, the extent of this work remains unclear, with entries in the successive rate books for 1875-76 (dated 10 March 1876), 1876-77 (dated 19 March 1877) and 1877-78 (dated 16 January 1878) consistently identifying the building as a brick hotel of 25 rooms, with a Net Annual Value of £250.

3.1.2 The Commercial Hotel: 1884 to 1928

In January 1884, the title to the property was acquired by Thomas Mulcahy (presumably a relative of the previous owner, John Mulcahy), who had operated hotels in Melbourne since the 1860s.[19] One of the first changes was the name of the hotel, which, after thirty years as the Belvidere, became the

Commercial Hotel (refer Figure 7). While the Certificate of Title shows that Mulcahy transferred the lease to Matthew Vaughan in December 1884, the *Sands & McDougall Directory* identifies Charles Graham as resident hotelkeeper of the Commercial Hotel from 1885 to 1887, and then Charles Goodman from 1888 to 1889. Goodman was succeeded by Phillip O'Neill, who formally took over the lease in August 1890. After Thomas Mulcahy died in a buggy accident two years later, the property remained in the hands of his executors for the next six years, during which time, O'Neill carried on as publican. Photographic evidence shows that, during this period, the premise bore external signage that specifically designated it as 'Phil O'Neill's Commercial Hotel' (Figure 7).

Figure 7 'Phil O'Neill's Commercial Hotel', photographed (with passing tram), c.1895.
Source: Picture Collection, State Library of Victoria.

In 1898, the hotel was acquired by Samuel Gillott, a prominent Melbourne solicitor, property investor and politician who lived nearby at *Edensor*, a large Victorian house at no. 9 Brunswick Street.

Under Gillott's ownership, Phillip O'Neill remained as publican until June 1901, when the lease to William Henry Rendell, who was identified as the hotelkeeper in the *Sands & McDougall Directory* for 1902. The following year, the same source indicated that Rendell had been succeeded by David Garratt, who, in May 1906, formally took over the lease. After Gillott died in 1913, the hotel remained in the hands of his widow, Lady Elizabeth Gillott, until her own death in 1922. The following year, the property was finally purchased outright by David Garratt, who, by that time, had served as its hotelkeeper for almost twenty years. Garratt subsequently remained as both owner and publican until 1928.

There were no further published tender notices for alterations to the hotel after 1876. In fact, the only reference to further architectural works during the building's long incarnation as the Commercial Hotel (from 1884 to 1928) is contained in the MMBW property file, which includes a drainage plan dated between October 1900 and July 1901 (Figure 9). This plan identifies Samuel Gillott as the owner of the

hotel, and Hyndman & Bates as the architects for the alterations. During the 1890s, Gillott enjoyed a particularly profitable association with that firm; not only did Hyndman & Bates design Gillott's country house at Dandenong (1894) and an additional wing to his city house in Fitzroy (1899), but also undertook maintenance work to at least of dozen of the investment properties that Gillott owned in central Melbourne and the inner suburbs. It has been surmised that the works were 'general renovation' rather than additions or extensions.

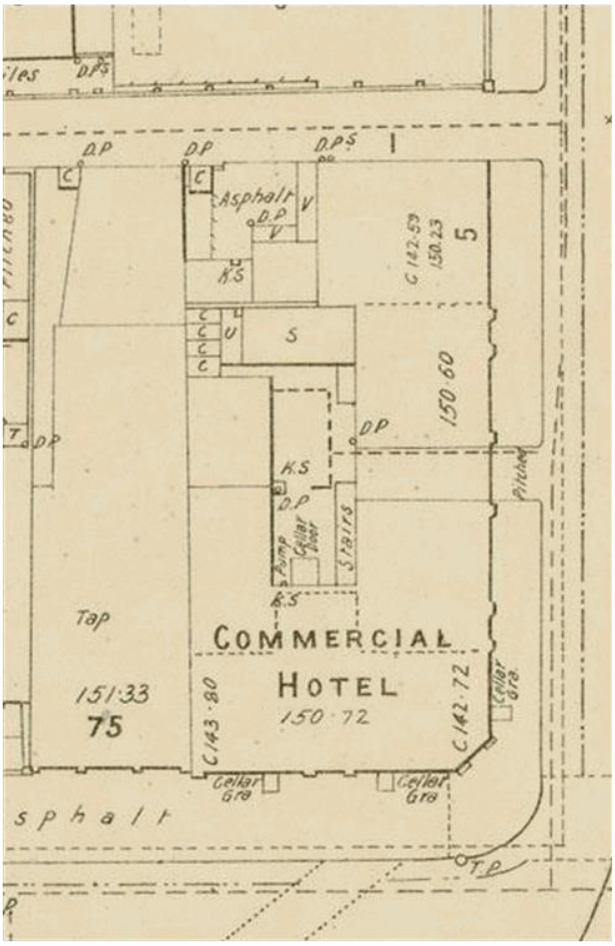

Figure 8 Detail, MMBW Detail Plan No. 1206, 1898, showing the U-shaped building envelope with stables to the northern end of the courtyard and external stairs in the position of the current lift.

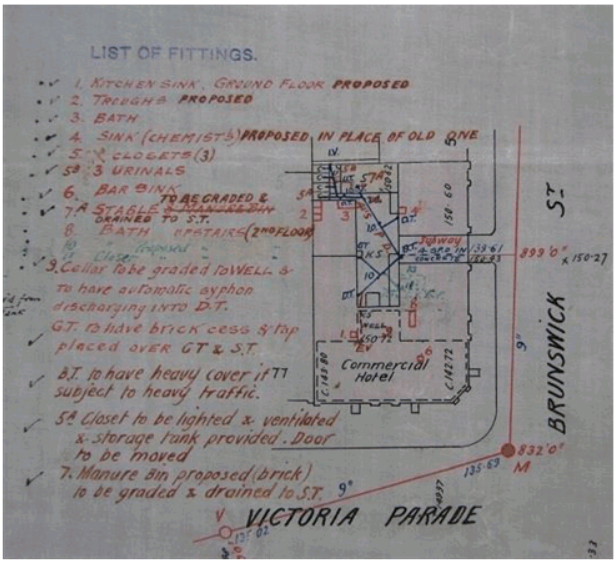

Figure 9 Detail of MMBW property service plan No 21,563, dated July 1901, showing extent of alterations undertaken by Hyndman & Bates for Samuel Gillott.
Source: Bates, Smart & McCutcheon Papers, University of Melbourne Archives.

3.1.3 The Eastern Hill Hotel: 1928 to 1989

In 1928, the hotel was acquired by a public company, the Eastern Hill Hotel Pty Ltd, which, in July, applied to the licensing court for permission to change the name of the premises.[20] Thus, after more than four decades as the Commercial Hotel, it re-emerged as the Eastern Hill Hotel (refer Figure 10, Figure 11). The first publican of the newly-renamed hotel was Mrs K Roper, who is recorded in the *Sands & McDougall Directory* for 1929. Her tenure, however, was brief; by the following year, she had been succeeded by Mrs C A Hoban. Christina Agatha Hoban, *nee* Monaghan (1877-1967) came from a family of hotel owners. She and her husband ran the Oddfellows' Hotel in Williamstown for many years. After her husband's death in 1922, she entered into partnership with another woman, and, as Hoban & Walker, owned and operated a number of suburban hotels. Although the *Sands & McDougall Directory* lists Hoban as the proprietor of the Eastern Hill Hotel from 1930 until 1950, other sources reveal that, during that period, she transferred the licence to others, including her presumed relative Alice Monaghan (by November 1935) Marjorie Stirling (September 1936) and William John Henly (by 1949).[21]

In May 1949, Hoban briefly took over the licence herself, then, three months later, transferred it to Mary Sertori, who was identified as publican in the *Sands & McDougall Directory* from 1951 to 1954.[22] She, in turn, was succeeded by George Ingram.

In December 1955, during Ingram's tenure, the hotel was subjected to an audit by the Victorian Licensing Court. The accompanying report, which concluded that the building was 'sound, but maintenance neglected', provides a useful overview of its layout and fit out at that time.[23] It was pointed out that, although the street facades had been repainted two years ago, the interior spaces had not been redecorated for 'possibly 15 or 20 years'. The condition of the kitchen, servery and upstairs bathrooms was reportedly 'very poor', while the dining room and bedrooms 'require redecoration'. Two lounge areas – one on the ground floor for ladies and another on the first floor for hotel guests – were deemed to be 'adequate', albeit with threadbare carpet and depressing furniture.

Figure 10 Detail, Souvenir of the National Eucharistic Congress, Melbourne, 1934, H M Walker, photographer, showing Easthill House (left), Bayford Hotel and Eastern Hill Hotel (right)
Source: State Library of Victoria, Accession no. H37549

Figure 11 The Eastern Hill Hotel, 1949, Colin Caldwell, photographer. Note alterations to ground floor (infilling of door/window arches) and roof-mounted neon sign
Source: State Library of Victoria, Picture Collection

Perhaps discouraged by the damning report from the licensing court, Christina Hoban elected to dispose of the premises and in early 1958, the hotel's leasehold was purchased by Mark Patrick Whitty for the sum of £28,000. Then, in July, hotelkeeper George Ingram applied to transfer the licence to the new owner's mother, Mrs Margaret Whitty.[24] Like Christina Hoban before her, Mrs Whitty (1884-1970) was a widow with considerable experience in the hotel business. For more than thirty years, she ran the Palace Hotel at Newport, and, from 1947, had been assisted by her only son, Mark (1923-2012).

The Whittys went on to operate the Eastern Hill Hotel for more than a decade. After Margaret's death in 1970, her son Mark continued as sole owner and licensee for another seven years. When the property was offered for sale in May 1977, a write-up in the *Age* property column noted that the ground floor of the hotel then comprised three bars (saloon, lounge and public bar), dining room, kitchen, bottle shop and toilets, while the first floor contained the licensee's quarters (four bedrooms, bathroom, office and lounge room) and staff changing rooms, and the second floor was occupied by eleven guest bedrooms and two bathrooms.[25]

In August 1977, the property title was transferred to Hillside Hotel Pty Ltd.[26] Ownership of the hotel subsequently passed through a string of other public companies: the Eastern Hill Hotel Pty Ltd (May 1986), Pincott Hotels Pty Ltd (March 1988) and Motel Accommodation Pty Ltd (November 1988).

Physically, the hotel appears to have undergone relatively little change during the first eight decades of the twentieth century (refer Figure 11). Records of the former MMBW confirm that minor plumbing works were undertaken, across all levels of the building, in early 1929.[27] This work was undertaken for Christina Hoban, who had then recently taken the property from David Garratt. The works included alterations to the bar on the ground floor, and the installation and relocation of baths and toilets on the two upper floors. As suggested by the damning inspection report of 1955, cited above, there would be no further improvements to the hotel's kitchens and bathrooms for another three decades. Two further MMBW plans, dated March 1959 and July 1961, indicate that plumbing upgrades were finally undertaken by Margaret Whitty, who had then recently taken over running of the hotel.

External alterations seem to have been relatively minor. Photographic evidence indicates that, by 1949, a rooftop neon sign, advertising Foster's Lager) had been erected (refer Figure 11) and the ground floor openings along the Victoria Parade frontage partly infilled, converting their round-arched heads into flat lintels. By 1963, the remaining arched openings on Brunswick Street were similarly reconfigured to create rectangular openings (refer Figure 12). The neon sign had been removed by the mid-1970s, replaced with a smaller rotating illuminated sign on the roof, in alignment with the splayed corner.

Figure 12 The Eastern Hill Hotel, c. 1953; note arched windows and gateway still mainly intact along Brunswick Street frontage.
Source: Maie Casey et al, Early Melbourne Architecture.

Figure 13 The Eastern Hill Hotel, 1963, John Collins, photographer, showing changes to openings on Brunswick Street, and new painted signage along ground floor cornice.
Source: Picture Collection, State Library of Victoria

3.1.4 'Corner pub' culture in the 1980s

Like many other inner suburban hotels, the Eastern Hill Hotel became a centre for live music performances during the 1980s. Well-known performers to appear at the Eastern Hill Hotel during the 1980s included Peter Caulton and The Pickups (December 1981), the Flying Emus (October 1986), Weddings, Parties, Anything (February 1987) and folk artist Broderick Smith, who performed his farewell gig there in February 1987 prior to returning to England.[28] The following month, the hotel served as the venue for two live shows associated with that year's Comedy Festival, entitled 'Something Chronic' (9 March) and 'Baked in the Head' (20 March).[29]

During the 1970s and '80s, awareness of the hotel's significance in the emergence of the Eight Hour Movement was not lost. In 1976, the 120th anniversary of the original procession was commemorated by the installation of two plaques on the wall of the hotel's public bar 'to make its historical past known to this and future generations'.[30] These plaques were unveiled by Clyde Holding, then Leader of the Opposition, in March 1976.[31] Twelve years later, a special dinner was held at the hotel, taking place at precisely the same time, on the same date, and in the same place as the one that followed the procession back in 1856.

3.1.5 St Vincent's Hospital: 1989 to the present

In June 1989, the hotel was offered for sale at auction, and it was purchased by the Sisters of Charity, owners of the adjacent St Vincent's Hospital. As was reported at the time, 'the 400-square-metre hotel went under the hammer at $2 million in 'very keen bidding'.[32] It was further stated that 'a spokesman for the hospital said that there was an extended settlement period in which to make a decision on the hotel's future'. In May 1990, it was reported the St Vincent's Hospital intended to cease operating the hotel at a licensed premises, and to use the building as a storage facility.[33] This proposed change of use prompted the nomination of the hotel for inclusion on the Historic Buildings Register (now VHR), which was approved and gazetted later that year.

3.2 Description

3.2.1 Eastern Hill Hotel

The former Eastern Hill Hotel is located on the western corner of Victoria Parade and Brunswick Street, Fitzroy (Figure 14). It is a three-storey rendered brick and bluestone building constructed on a U-shaped plan. The southern and eastern wings address Victoria Parade and Brunswick Street respectively (Figure 15 and Figure 16). A western wing is not visible from the street and is an extension of an original but much smaller wing as shown on the plan at Figure 5. The three wings enclose a partially open courtyard.

Constructed of rendered brick with rendered dressings, the principal elevations to Brunswick Street and Victoria Parade feature classical detailing over three levels with a splayed corner. There is a hierarchy in the facade detailing reflecting the functions of the former hotel; with the bar and lounge on the ground floor visually separated by a dentilated stringcourse from the hotel rooms on the first and second levels. The detailing is simplified on the second floor, where more modest hotel rooms were located.

On the ground floor, the facade is divided into bays by pairs of Doric pilasters flanking door openings on the southern and eastern elevations and to the splayed corner. The doorway architraves comprise moulded archways, fitted with keystones of mascaron masks. The architrave treatment is repeated around the arched windows that are set in pairs between the pilasters although without the keystones. A larger arched opening to the eastern, Brunswick Street elevation was the original carriage entry providing access to the courtyard and stables (as shown on the MMBW plan of 1898 at Figure 8). The carriageway is now enclosed by metal-framed glazed screens and door, set back from the street boundary. The entry is paved in modern stone tiles and is enclosed by a non-original metal palisade gate.

Internally the building has been extensively altered in the course of its adaptation for use as medical consulting suites. The western wing of the former hotel was extended when it was acquired by the hospital connecting the hotel to adjacent hospital buildings.

3.2.2 Location and context

The Eastern Hill Hotel is located at the intersection of Victoria Parade and Brunswick Street. The former hotel is built to the street boundaries to its south and east.

The former hotel occupies a prominent site in the Victoria Parade streetscape that combines nineteenth century buildings, such as the VHR-registered c. 1893 Eastern Hill Fire Station on the opposite side of Victoria Parade at 108-122 and post-war buildings, such as the c. 1980s brown brick Royal Victorian Eye and Ear Hospital Smorgon Wing directly opposite. Large-scale contemporary developments associated with St Vincent's Public and Private hospitals characterise the streetscapes to the west of the hotel. Buildings associated with the Australian Catholic University at a variety of scales are located to the east of the hotel. These include the recent two-storey development at 81-89 Victoria Street, opposite the subject site and the 10-11-storey Daniel Mannix Building and multi-story carpark alongside to its north and east respectively. Some modest structures surviving from the Melbourne Metropolitan Tramways Board association with the site survive a little to the east.

Immediately to its north, the hotel abuts no. 5 Brunswick Street, a three-storey rendered building dating from c.1960. This building forms part of the broader hospital campus. This building, in turn, addresses a bluestone lane along its northern elevation. The lane is enclosed by an automated steel gate to Brunswick Street. The VHR-registered former residence, Edensor, is located to the north of the laneway.

On the western side of the hotel, the building adjoins the St Vincent's Private Hospital Ancillary Services Building, at 75 Victoria Parade. This is a four-storey building created through the adaptation of the Bayford Hotel visible in Figure 10. The building at no. 5 Brunswick Street is accessed via the first floor balcony of the western wing of the hotel and the Ancillary Services Building to the west is accessed through a second floor addition to the western wing. Further to the west of no.75 Victoria Parade is Easthill House at 71 Victoria Parade. Originally comprising two nineteenth century houses, the pair were substantially altered c.1930 and unified by an interwar façade. To its west is the St Vincent's Private Hospital constructed in 1972-5 to designs by architects Bogle and Banfield, with its later (c. 1990s) alterations to the east and to the street edge.

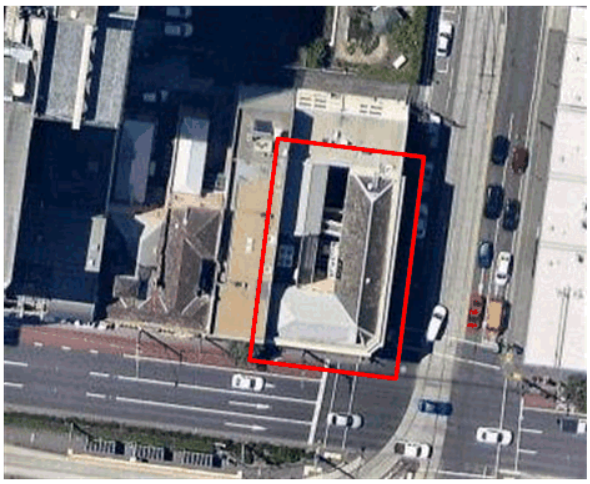

Figure 14 Aerial photograph, with the extent of the Eastern Hill Hotel indicated
Source: Nearmap

Figure 15 Southern elevation of the former Eastern Hill Hotel

Figure 16 Eastern elevation of the Eastern Hill Hotel and adjacent infill building at 5 Brunswick Street

Figure 17 Former Easthill House (left), former Bayford Hotel (extensively modified) and Eastern Hill Hotel viewed from Victoria Parade

Figure 18 Portico of St Vincent's Private Hospital constructed c. 1990s

Figure 19 Eastern Hill Hotel looking from the west; the existing St Vincent's Private Hospital tower is visible behind the hotel

Figure 20 Buildings associated with the Australian Catholic University to the east of the hotel

4.0 Proposed works

4.1.1 Overview

The St Vincent's Private Hospital redevelopment project proposes an expansion of the hospital. A new tower is to be constructed to the east of the existing multi-storey buildings. The original buildings comprise the original Bogle and Banfield-designed building of 1972-5 plus additions dating from c. 1990s (refer Figure 2). The new buildings are to be linked back to the existing hospital buildings to the west. The expansion is intended to provide capacity for additional hospital facilities and services.

As identified in the introduction to this HIS, the St Vincent's Private Hospital redevelopment project involves a number of VHR and HO-listed heritage places and triggers approval requirements under both the Heritage Act and the Yarra Planning Scheme. While separate applications are required, and works are addressed in separate HIS documents, a summary of the overall redevelopment proposal is provided here to provide context.

The proposed works include demolition of several existing buildings on the site, partial demolition of other buildings and the construction of a new 11-storey hospital building. The new building will be located immediately to the east of, and be connected back to, the existing 1970s hospital building. The new building will incorporate four level podia to Brunswick Street and Victoria Parade, respectively. The construction of the building variously requires the full or partial demolition of several of the other buildings on the site.

4.1.2 Demolition

In terms of demolition, it is proposed to fully demolish three buildings. These are nos 63-71 Victoria Parade (Easthill House), which is identified as individually significant under the Yarra Planning Scheme and nos 75 Victoria Parade and 5 Brunswick Street, both of which are not contributory buildings under the scheme. Limited demolition works of the individually significant 1972-5 hospital building and the additions of c. 1990s, is proposed. It is also proposed to demolish (remove) the laneway a little to the north of the hotel on Brunswick Street.

It is also proposed to demolish the western wing of the former Eastern Hill Hotel along with modern elements constructed within the courtyard to the rear of the Brunswick Street façade of the hotel. These works include the removal of the existing lift which will be replaced by a new lift in the same location. No changes are proposed to the first and second floors of the hotel. Internal, non-original, partitions to the consulting rooms of the ground floor of the Eastern Hill Hotel are also to be removed.

To the north of the hotel, sections of the brick property boundary wall on the south side of Edensor and a small portable building to the north-west of Edensor are also to be demolished. These works are addressed in a separate HIS.

4.1.3 New works external to the Eastern Hill Hotel curtilage

The new works involve construction of a new 11-storey hospital building, to the east of the original 1970s hospital building, with four-level podia to Brunswick Street and Victoria Parade. The modest scale at the key frontages will reflect the scales of existing buildings on Victoria Parade and Brunswick Street, with an additional tower element rising to 11 storeys plus rooftop plant elements at greater setbacks from key street interfaces. The proposed upper levels will be set back 9.1m from Victoria Parade and 10.1m to Brunswick Street. A new stairwell will sit forward of the tower to be set back 7.2m from the Victoria Parade frontage. This will result in its being offset slightly from the northern elevation of the southern wing of the hotel. The new building will have no structural connection to retained sections of the Eastern Hill Hotel. As discussed below, the tower and a basement below will extend into the registered land.

The proposed building will adopt a contemporary form, with a strongly-expressed stair bay located at the south-eastern corner of the new building. The tower element of the proposed building is to present a curtain wall to the Victoria Parade with glazed spandrel panels and aluminium window frames. The

new building elevations will incorporate a regular and repetitive pattern of fenestration as part of a balanced composition of glazed and solid walling. The side elevations and stairwell are to be finished in compressed fibre cement sheet with aluminium-framed windows flanked by Alucabond® panels in midnight copper. The rear façade, addressing Edensor, will be clad in compressed fibre cement sheeting, in grey and charcoal, with aluminium sunshade elements.

The podia to Victoria Parade and Brunswick Street will differ in their form, detailing and materials.

On Victoria Parade, the podium will rise to four storeys, with the fourth level at the eastern end set back from the façade, above a more-strongly expressed three-storey façade. The Victoria Parade podium will largely comprise porcelain cladding in clay and amber colours. Windows will take the form of punched openings. At the entry, walls comprised of purple glass wall panels are proposed.

On Brunswick Street, the podium will have a more overtly contemporary form and expression, with glazed walls and expressed floor plates extending as eaves and an awning over another entrance to the hospital. The facade height will generally match that of the adjoining historic hotel, with a fourth level plant area and set back from the street. This building component will also have high visibility to its north elevation, across the southern setback of the adjoining Edensor. The north elevation, in part, maintains the three storey podium scale along its interface with Edensor to the north. The Brunswick Street podium will largely be comprised of glazed elements, framed in aluminium. Elsewhere, this section of the building is to be finished in aluminium composite cladding in 'Alcubond® natural' in a copper colour.

4.1.4 New works within the Eastern Hill Hotel registration

As noted above, the greater part of the proposed tower element is to be situated to the west of the Eastern Hill Hotel adjacent to the original Bogle and Banfield-designed building of 1972-5. However, the easternmost sections of the tower are to be constructed within the extent of registration in the location of the existing the western wing of the hotel. Consequently, the easternmost sections of the tower and a basement below will extend into registered land associated with the hotel forming a backdrop to its Brunswick Street and Victoria Parade wings. A proposed stairwell in the south-eastern corner of the proposed tower forms the closest element to Victoria Parade. As noted above, this is to be set back 7.2m from Victoria Parade and will be situated immediately to the rear of the Victoria Parade wing. However, the new building will have no structural connection to retained sections of the Eastern Hill Hotel being offset 215 millimetres from the northern elevation of the Victoria Parade wing. The tower would be situated further from the Brunswick Street frontage, creating a courtyard space between the existing and proposed building volumes.

It is also proposed to introduce a glazed roof above the existing courtyard between the new building and the hotel at second floor level. The new roof will be cantilevered from the proposed tower and will have no structural connection to the Eastern Hill Hotel. The courtyard is proposed to be used as seating for a proposed café. A new lift shaft is proposed in the same location as the existing lift shaft. This lift will utilise the same openings in the hotel building as the existing lift.

4.1.5 Conservation works

A visual inspection of the former Eastern Hill hotel from the ground and roof of the adjacent buildings was undertaken by Lovell Chen in October 2016. Limited internal inspection to confirm the extent of structural cracking was also undertaken. No invasive or destructive investigation was undertaken.

The building was generally found to be in good condition but appeared to have undergone substantial works within the last 15 years. Investigation suggests that the building has been skimmed with an acrylic render and that old structural cracks in the facades have been filled and repaired. It is noted that these cracks have re-opened indicating that the south east corner of the building is rotating. The assessment recommended that the following works to be undertaken within 1 year:

- Monitor the cracking and movement of the façade and internal walls to determine the rate of movement.

- Monitor changes in cracking with respect to possible works vibration or excavation on the adjacent works site.
- Engage a Structural Engineer to provide advice on the possible remediation of the movement and provide temporary propping or bracing if determined to be required by the Engineer.
- Confirm in detail the condition of the slate roof and patch repair slates that have dislodged by clipping in new slates.

It identified the following works to be undertaken as part of the overall development:

- Confirm on site prior to demolition the extent of remediation required to the north elevation within the courtyard as a part of the demolition of the western wing.
- Cut back the wall of the west wing a minimum of 300mm north of the retained heritage building and dismantle the remnant wall by hand and rebuild the bluestone wall with salvaged bluestone rubble.
- Confirm the arrangement of existing window and door openings within the imbedded north wall and rebuild infill openings with bonded bluestone to match the external appearance.
- Replaster internal walls to match existing adjacent where rebuilding works are required, prepare and paint.
- Where existing windows within the north wall will be externally covered over by the new development works, install new interlayer frosted glazing to existing timber windows.
- Prepare and paint the total extent of the north elevation

5.0 Assessment of heritage impact

5.1 Conservation Management Plan

This following assessment of significance makes reference to the CMP for the Eastern Hill Hotel prepared by Lovell Chen in 2012 (finalised 2016). In addition to the VHR statement of significance, this identifies the key heritage values of the hotel and provides detailed conservation policies to be applied to support that significance.

5.1.1 Levels of significance

The CMP identified two levels of significance at the Eastern Hill Hotel. The levels of significance are shown on the plans at Figure 21, Figure 22 and Figure 23. The definitions of *primary* and *little or no* significance area are as follows:

> *Elements of primary significance*
>
> Elements of primary significance contribute in a fundamental way to an understanding of the cultural significance of the place. They are also largely intact to their period of construction with generally minimal modification; where this has occurred, it is limited in extent and sympathetic to the original design, detailing and execution of the building.
>
> Elements of primary significance include the external elevations to the building to the eastern and southern wings and the roof forms. Internally, elements of primary significance include the former carriageway alignment and the staircase and the entire basement.
>
> The significance of the elements resides in their ability to demonstrate the early internal layout of the building rather than their level of intactness.
>
> These spaces and elements should be retained and conserved, subject also to other relevant policies in this CMP.
>
> *Elements of little or no significance*
>
> Spaces, elements and fabric of little or no heritage significance are those which were originally very minor or supporting in nature; contribute little to the cultural

significance of the place; have been so altered that they have lost most or all of the significance they might once have had; and/or are later elements and fabric.

Generally, spaces, elements and fabric of little or no significance can be altered, adapted or removed/replaced as required.

5.1.2 Conservation policies

The Eastern Hill Hotel CMP includes a suite of conservation policies intended to guide the ongoing management of the heritage place.

The most relevant policies are reproduced below:

> **Policy 4:** Future conservation works which affect fabric and elements of significance should be carried out having regard for the principles of the Australia ICOMOS Charter for the Conservation of Places of Cultural Significance (The Burra Charter) as amended.
>
> **Policy 8:** Any future change or modification to the use of the former Eastern Hill Hotel should be sympathetic to the heritage values of the place.
>
> The former Eastern Hill Hotel has been subject to successive phases of development and use since its construction. While the usage of the building has predominantly been for hotel accommodation and entertainment, the former Eastern Hill Hotel has in more recent times accommodated medical suites associated with the adjacent hospitals. The current use has instigated the most substantial changes to the place, however, continued use in this manner will likely result in little or no further change. Further change can be contemplated, subject to the changes (and works) being sympathetic to the heritage constraints identified here, and guided by the policies and recommendations also included in this report.
>
> **Policy 9:** Physical change to the former Eastern Hill Hotel to support the ongoing operational and functional requirements should be sympathetic to the significant heritage values, presentation of the place and physical constraints.
>
> [..] adaptive reuse of the building involving physical alteration should concentrate firstly on areas of little or no significance, which in this case are extensive within the interior of the building. Components and elements that have been identified as being of little or no significance can generally be altered and adapted as required. The adaptation works themselves must not impact on significant fabric or adjacent areas of primary significance.
>
> New work should not erode the detail, layout and spatial arrangement of areas of primary. Where alteration or adaptation is proposed it should be soundly justified and executed in a manner which does not diminish the significance of the affected area or element such that it is irreversibly or unacceptably compromised. Works should not adversely affect the significant exteriors of the building, and internally should be sympathetic to the building.
>
> **Policy 10:** New works or development should not impact on or diminish the historic presentation of the former Eastern Hill Hotel.
>
> The former Eastern Hill Hotel is located on a constrained site at the corner of Victoria Parade and Brunswick Street, Fitzroy. It is immediately abutted by buildings of a broadly similar scale, with no setbacks, to Victoria Parade and Brunswick Street respectively. Both the abutting buildings are not of heritage value. In this context, the corner presentation of the heritage building is important, with the focus on the south (Victoria Parade) and east (Brunswick Street) facades.

Regarding potential future development on the site, an important consideration will be maintaining a sense of the depth of the building behind these facades. This could be achieved through not building or adding works immediately behind the facades, and in effect retaining the original south and east wings to their current depth. This is also consistent with retaining the exteriors or external elevations of these building components, including the rear elevations and roof form, which are the elements of primary significance.

The former hotel is not located in a generous setting, meaning the space available for new development is also constrained. An exception is the area of the site, as included in the VHR, which is currently occupied by the heavily modified wing which extends northward from Victoria Parade (the west wing). As a component of the building which is of little or no significance, this wing can be demolished, and its site used for a new building or works. The central courtyard, between the west and east wings, can provide an opportunity for separation or transition between any new building and the retained hotel wings. This space already accommodates a modern external lift and an elevated connecting bridge or walkway, and could reasonably continue to be used in this way for vertical access and/or a connection with a new building. However, the courtyard space also provides an opportunity – albeit not public - to view the original stone south and west walls of the historic hotel, which face the courtyard. The views of these walls generally should be maintained, even if internalised by a future building programme, such as roofing over the courtyard. Generally retaining the courtyard as a space is also important for maintaining evidence of the early layout and function of the hotel building/property, including the relationship between the carriageway and the courtyard.

Regarding the height and scale of a new building, either on the site of the demolished former hotel west wing, or for that matter adjoining the VHR place, setting back the higher components of any new building from the hotel will assist in retaining the hotel's prominence to the corner. Setbacks to Victoria Parade and Brunswick Street will allow a continued reading of the corner building form; they will also assist the building to continue to be read with its three-dimensional form, notwithstanding its current presentation is focused on the two facades, with no public views of side, much less rear, elevations.

While outside the VHR registered area, the height of any new building where it adjoins on Victoria Parade or Brunswick Street is also a heritage consideration. The façade or streetscape heights of new buildings in these locations should be sympathetic to that of the hotel, again to assist it to remain prominent.[1]

1 Lovell Chen, *Eastern Hill Hotel Conservation Management Plan,* 2012 (finalised 2016), pp. 86-88.

Attachment 1 - Heritage Referral - Eastern Hill Hotel

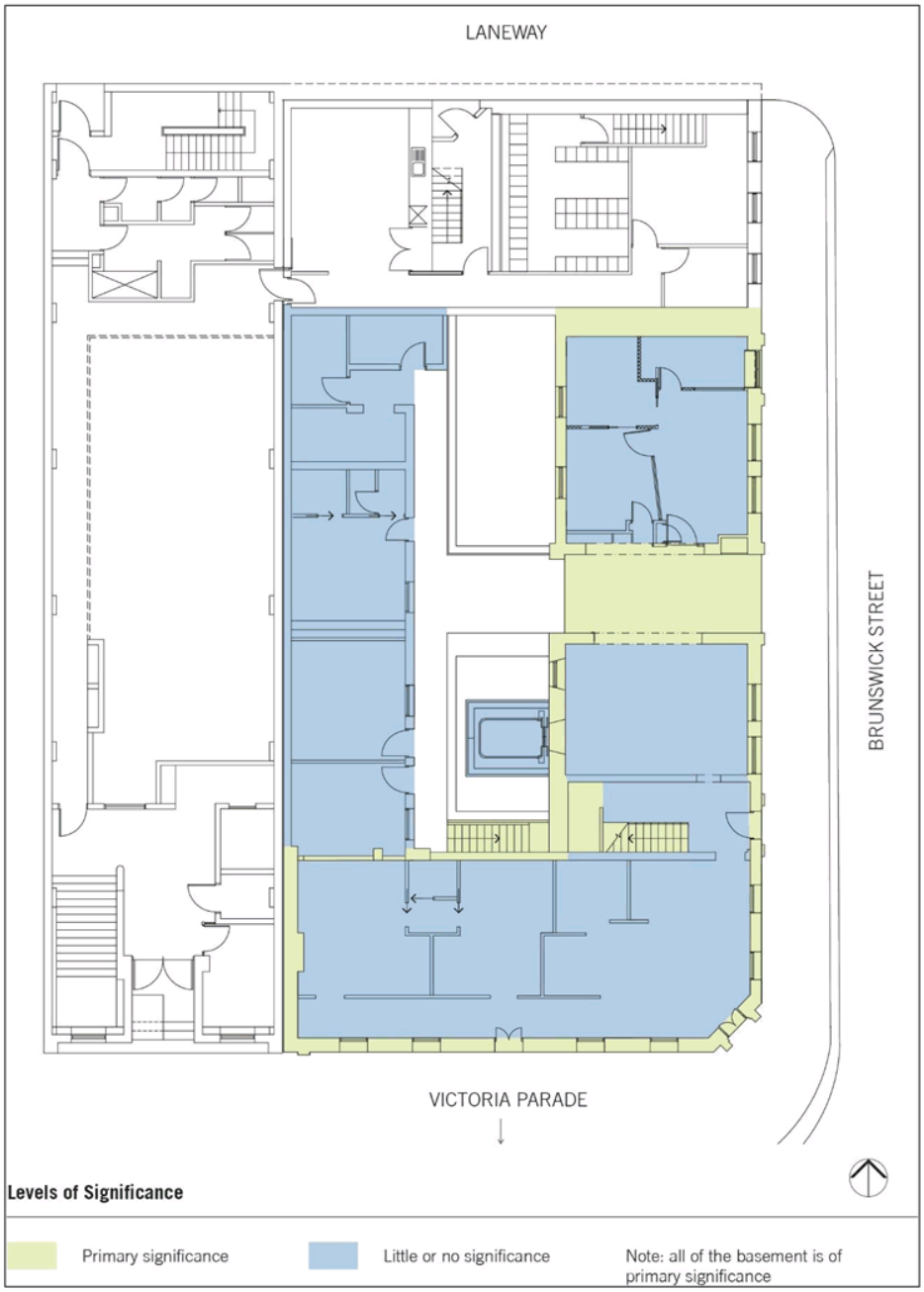

Figure 21 Levels of significance: ground level
Source: Eastern Hill Hotel CMP

Attachment 1 - Heritage Referral - Eastern Hill Hotel

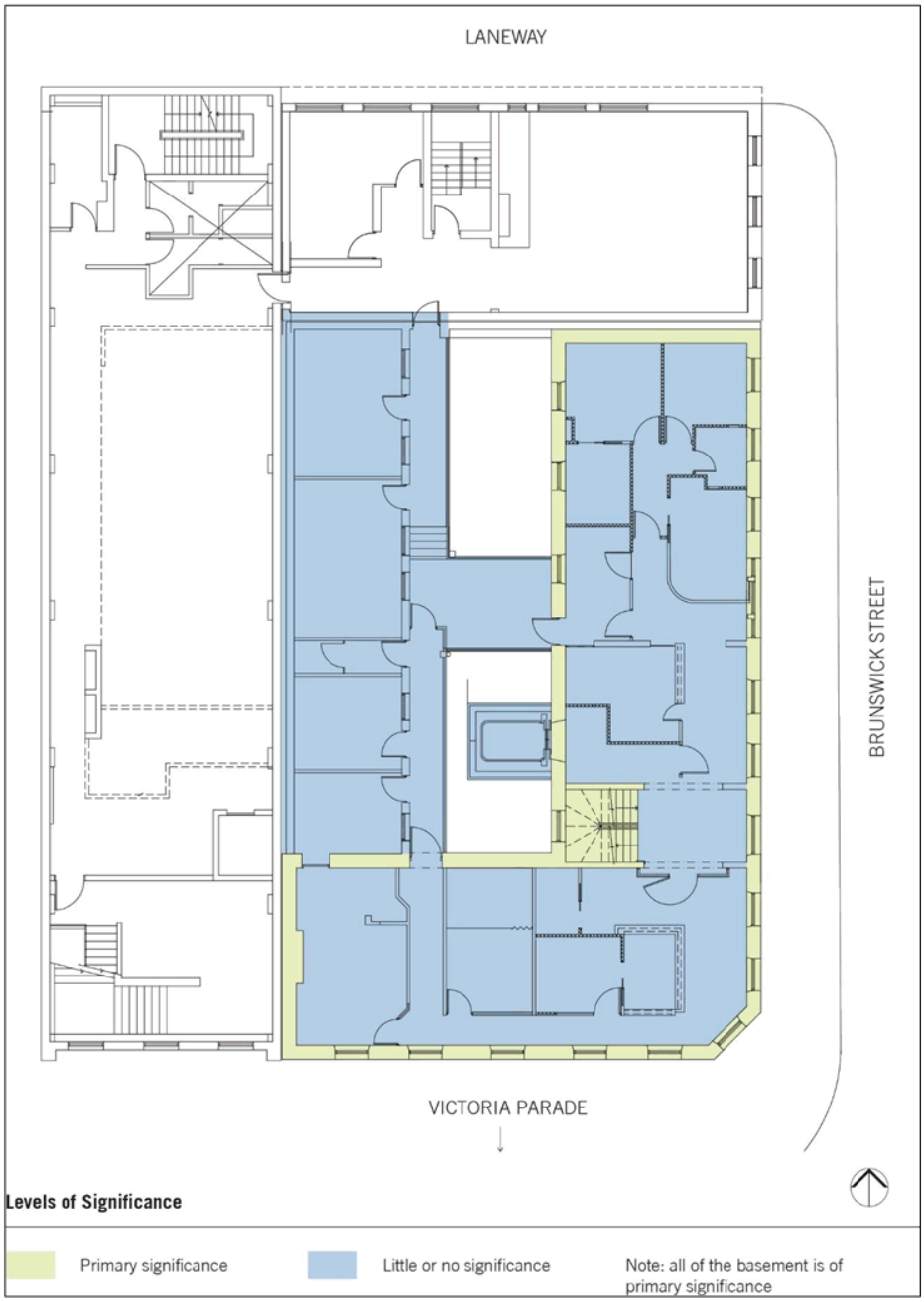

Figure 22 Levels of significance: Level 1
Source: Eastern Hill Hotel CMP

Attachment 1 - Heritage Referral - Eastern Hill Hotel

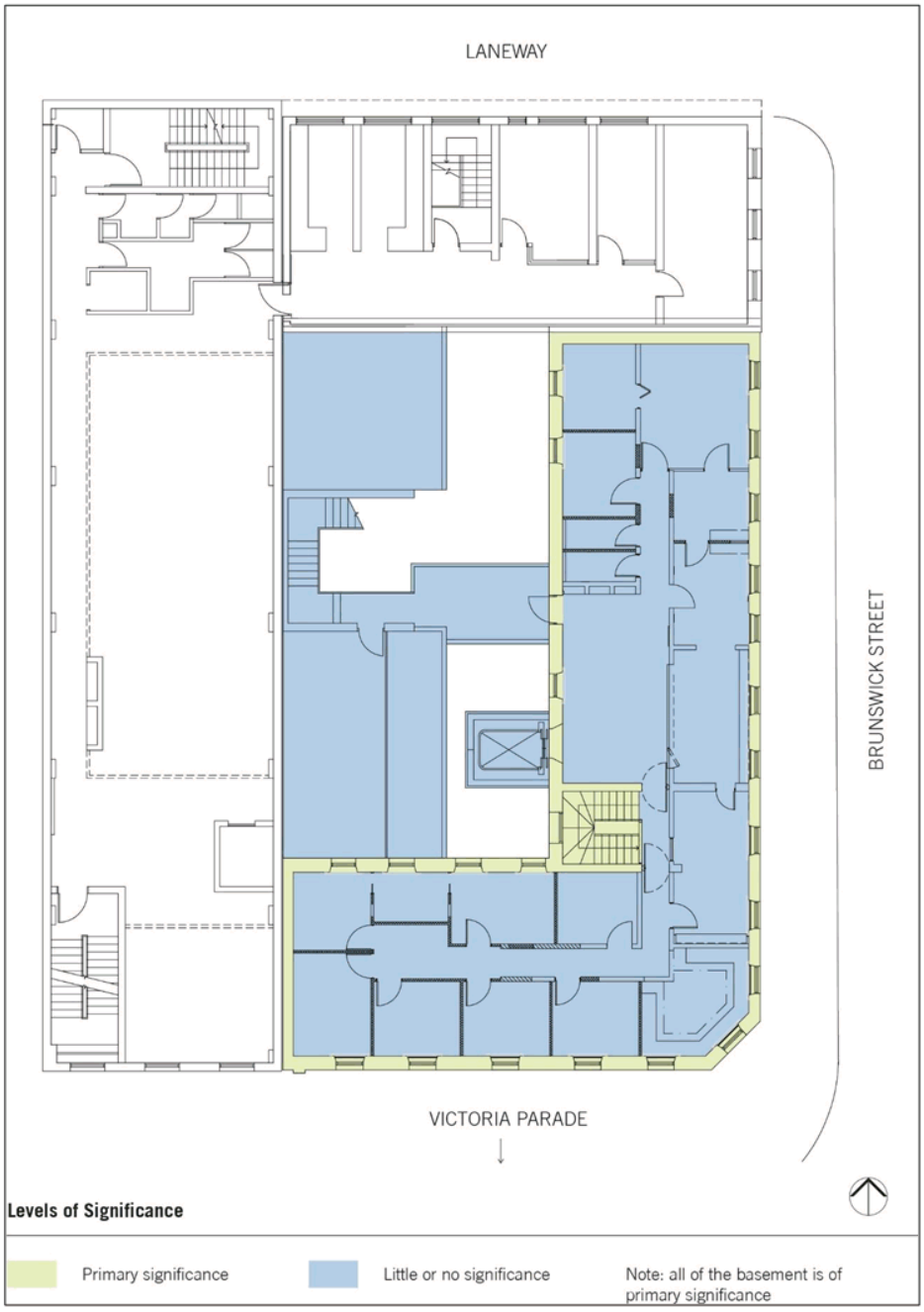

Figure 23 Levels of significance: Level 2
Source: Eastern Hill Hotel CMP

5.2 Impact assessment

Section 73 of the Heritage Act, 1995 notes the following:

> In determining an application for a permit, the Executive Director must consider the extent to which the application, if approved, would affect the cultural heritage significance of the registered place or registered object.

This section of the HIS provides assessment of heritage impacts and the extent to which the application, if approved, would affect the cultural heritage significance of the former Eastern Hill Hotel. Specifically, it considers the potential heritage impacts arising from demolition of the western wing of the former hotel and the partial loss of the existing courtyard space and implications for the context and legibility of the hotel arising from the presence of the proposed tower and associated basement within the extent of registration to the west of the hotel.

There is no permit policy as part of the VHR registration. In the assessment of heritage impacts, consideration has been given to the values identified in the statement of significance. Reference is also made to the CMP policies as relevant.

5.2.1 Internal works

Proposed internal works to the Eastern Hill Hotel are limited in their extent. Non-original partitions are proposed to be demolished as part of this proposal. None of these partitions are of identified heritage significance and their demolition will have no heritage impact. The new lift will utilise existing openings, ensuring that the fabric of the western wall of the Brunswick Street wing is not affected by the proposal. It is proposed that the ground floor of the former hotel will be used as retail spaces or provide back-of-house spaces for the proposed café. All of the significant fabric to the ground floor is to be retained as part of this proposal. No internal or external works are proposed at first or second floor of the building.

5.2.2 Demolition of the western wing

The MMBW plan of 1898 (Figure 8) shows a 'pitched' carriageway leading to the internal courtyard with stables, a urinal and 'closets' at the north end and a cellar door at the southern end (Figure 8). An external stair is shown on the east wall at the southern end. With exception of the cellar, all traces of these early elements has been lost. In addition, new elements have been introduced. New fabric associated with the elevated walkways, constructed to connect the east and western wings across the courtyard and the external lift, attached to the eastern wing in the position of the demolished staircase, have diminished the legibility of the space. The northern and western walls of the original hotel, facing the courtyard, are constructed of bluestone with a rock-faced finish (Figure 24). The stone has been overpainted. Each wall is punctuated by simple timber-framed double-hung windows with overpainted bluestone sills. Vermiculated stone quoining is present around the windows to the ground floor and the carriageway opening.

By contrast, the western wing, currently presents to the courtyard as a later addition to the building (Figure 24). On the ground floor, the recently-rendered brick wall is punctuated by timber-framed double-hung windows and non-original panelled timber doors with top lights. The western wing rises to three levels at the northern end where a late twentieth century extension connects the building to the adjacent Ancillary Services Building at no. 75 Victoria Parade. The roof is clad in Colorbond® steel or similar. A balcony has been added at first floor level, enclosed by tinted glass screening at the southern end. The balcony connects to the rear of no. 5 Brunswick Street at its northern end and is connected to the Brunswick Street wing, across the courtyard, by an open-air elevated walkway. Another 'bridge' at second floor level connects the western wing to the main eastern wing of the former hotel across the courtyard.

Figure 24 View over the roof looking south showing roof forms to the Brunswick Street wing (left) Victoria Parade wing (centre) and western wing (right); the modern lift structure and stairs are evident in the courtyard
Source: Eastern Hill Hotel, Conservation Management Plan, Lovell Chen, 2016

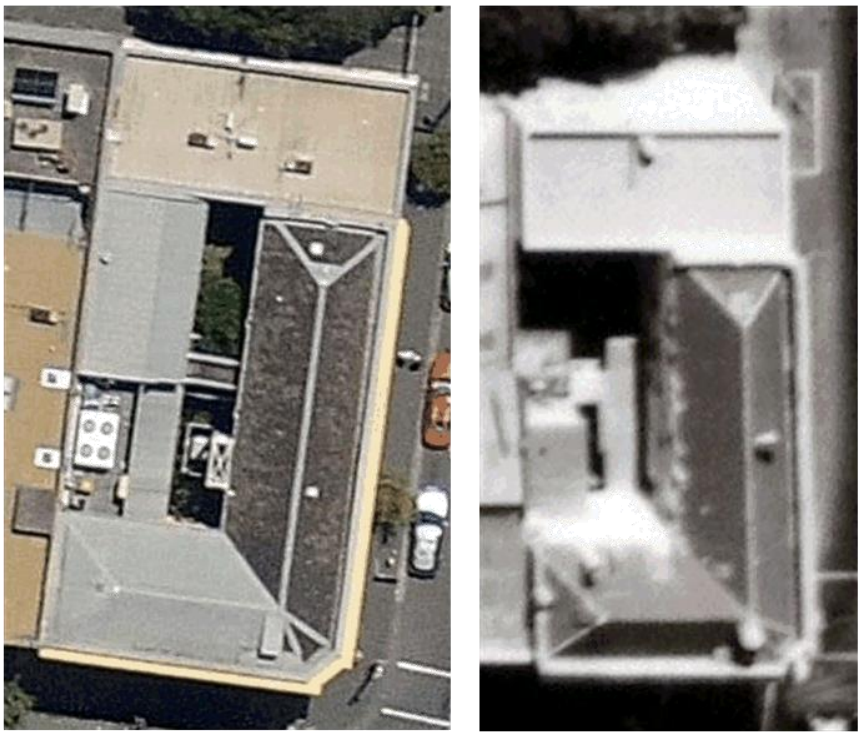

Figure 25 From left: Recent aerial photograph showing the original L-shaped roof form over the eastern and southern wings of the former hotel and the flat roof over the western wing; aerial photograph of the building in 1968
Source: Eastern Hill Hotel, Conservation Management Plan, Lovell Chen 2016

The CMP concluded that the western wing of the hotel was almost entirely comprised of modern or very substantially-altered fabric to the extent that it no longer made a useful contribution to the character or significance of the building. Consequently, it was identified as being of 'little or no' significance. External walls of the hotel immediately adjacent to these areas were identified as being of primary significance.

The CMP noted:

> ... adaptive reuse of the building involving physical alteration should concentrate firstly on areas of little or no significance, which in this case are extensive within the interior of the building. Components and elements that have been identified as being of little or no significance can generally be altered and adapted as required. The adaptation works themselves must not impact on significant fabric or adjacent areas of primary significance.

In considering the potential for new development on the site, the CMP noted:

> ... the space available for new development is ... constrained. An exception is the area of the site, as included in the VHR, which is currently occupied by the heavily modified wing which extends northward from Victoria Parade (the west wing). As a component of the building which is of little or no significance, this wing can be demolished, and its site used for a new building or works. The central courtyard, between the west and east wings, can provide an opportunity for separation or transition between any new building and the retained hotel wings.

On this basis, demolition of the western wing is considered to be an acceptable action with no impacts on the heritage values of the place.

At policy 10, which addresses site development, the CMP recommends that no new built form building immediately behind the facades and the retention of the original south and east wings to their current depth. The current proposal achieves these objectives. The proposed separation between proposed and existing forms will enable the heritage building to retain its presence and three-dimensional corner form. While new built form to the rear of the hotel will be visible a range of local vantage points, this will be understood as a distinct built entity removed from the Victoria Parade and Brunswick Street wings and the hotel will continue to hold the corner as it has done for over 150 years. Internal and external facades of primary significance will not be altered (other than conservation works identified at 4.1.5 above) and will be no less visible than from external and internal vantage points than is currently the case. The courtyard will be reduced in terms of its extent but will provide a transition between the retained hotel wings and new built form. In this light, the proposed works are consistent with the direction provided by the CMP.

Figure 26 Existing view of northern elevation of southern wing
Source: Lovell Chen site inspection, 2012

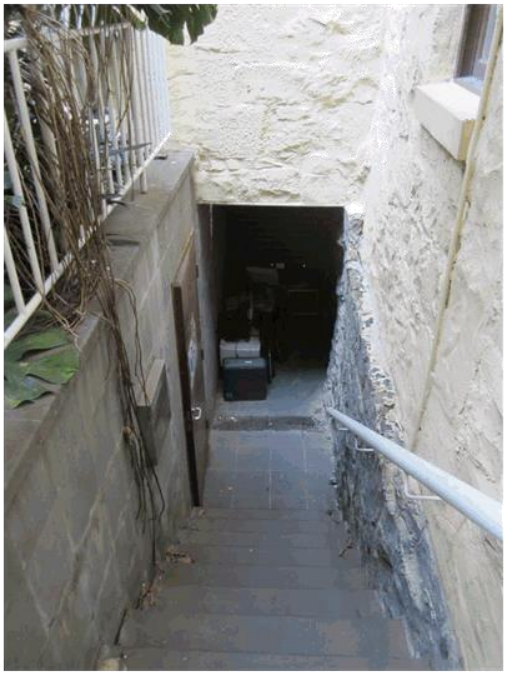

Figure 27 View of stairs leading to cellar
Source: Lovell Chen site inspection, 2012

5.2.3 Proposed basement and impacts on the existing cellar

In the south-eastern corner of the courtyard, a set of bluestone steps lead down to a cellar. The southern wall below ground floor to the staircase is unpainted, showing the rock-faced finish of the exposed bluestone. The existing cellar was identified as an element of primary significance by the CMP. It is noted that a new basement of up to two levels is proposed beneath the new tower. In the vicinity of the former hotel, the basement would comprise a single level accommodating a new plant room. In most locations, walls to the new basement would be situated over a metre from the retained walls of the existing cellar. In the vicinity of the existing stairs to the hotel cellar (refer Figure 27) - also of primary significance - a slightly reduced separation between existing and proposed fabric is proposed.

No part of the proposed basement will be evident from the hotel or other vantage points. It is proposed to retain the existing cellar and associated stairs from the courtyard without alteration. As noted above, some cracking has developed throughout the former hotel in recent years. It is intended to monitor changes in cracking with through the construction process in order to respond quickly to changes arising from vibration or excavation on the adjacent works site. No works that would affect the character, fabric or significance of the existing cellar or stairs are proposed and the construction of the basement will produce no heritage impacts.

5.2.4 Courtyard

As noted, the courtyard inside the Brunswick Street wing is to be partially retained. It will be experienced as an 'atrium' space, roofed over with glass, but still understood as a courtyard. The new lift core and stairwell will obscure some views to the southern, Victoria Parade wing, however these views are currently obscured by the existing lift and the western wing of the former hotel. The proposed atrium treatment will allow for views of the 'internal' bluestone walls to the retained Brunswick Street wing of the hotel building. This will also allow for continued appreciation of the carriageway from Brunswick Street. The proposed roof will be cantilevered from the new tower and will have no structural connection to the hotel, ensuring there is no impact on the heritage fabric of the eastern wall of the Brunswick street wing. The roof will sit above the window hoods of the second floor of the hotel, ensuring that no inappropriate visual impact arise internally as a consequence of the new roof.

No changes to the walls of the hotel to the courtyard are proposed other than restoration works following the removal of the western wing. However, the potential for views to the northern elevation of the southern (Victoria Parade) wing will, to a limited extent, be reduced. Views to the southern wing are currently constrained by the existing lift core and the western wing of the hotel (Figure 26). Following demolition of the western wing, new construction associated with the proposed tower will further reduce the potential for views of the southern wall of the courtyard. However, these are not are not key to an appreciation of the space and the reduced potential for these views is not considered to have a substantial heritage impact.

As noted above, a set of bluestone steps in the south-eastern corner of the courtyard lead down to the cellar. As noted above, the staircase and cellar are located in the south-eastern corner of the courtyard. These are to be retained, ensuring that there is no impact on this significant fabric.

5.2.5 Proposed Tower

Policy 10 of the CMP notes:

> Regarding potential future development on the site, an important consideration will be maintaining a sense of the depth of the building behind these facades. This could be achieved through not building or adding works immediately behind the facades, and in effect retaining the original south and east wings to their current depth. This is also consistent with retaining the exteriors or external elevations of primary significance.

The success of the relationship between the new tower and the historic hotel hinges mainly on issues of scale and proximity. In regard to the first issue, clearly a significant contrast in scale will result from the proposal. In looking at the hotel, especially from the east, the 1970s hospital already forms a dominant backdrop in views and a readily-appreciated contrast in scale. In this context, the setting back of the new building from the retained historic building is an important consideration in managing proximity and the potential for the new building to dominate and reduce the legibility of the hotel. To this end, the new tower element is to be set back over ten metres from the Brunswick Street façade of the building. While it will be in some proximity – set off by some 2.8 metres from the western wall of the Brunswick Street wing – the space between will achieve a distinct separation from vantage points both internal and external to the building. The Brunswick Street volume of the former hotel will survive as an independent entity detached from the proposed tower. Setbacks of a similar order (9.1m) from Victoria Parade are proposed. Only the stair well in the south western corner of the tower would be located immediately to the rear of the hotel in views from Victoria Parade. This element would be set back and separated from the hotel by a 215 millimetres. Setbacks from both wings of the former hotel to the proposed tower are sufficient to allow a suitable transition from the early building to the tower to occur.

5.3 Yarra Planning Scheme

Section 73(1A) of the Heritage Act notes:

> (1A) In determining an application for a permit, the Executive Director may consider -
>
> (a) the extent to which the application, if approved, would affect the cultural heritage significance of any adjacent or neighbouring property that is—
>
> (i) subject to a heritage requirement or control in the relevant planning scheme; or
>
> (ii) included in the Heritage Register; and

As noted at 2.2 above, the former Eastern Hill Hotel is identified individually as HO150 in the Schedule to the HO. To its north, the Eastern Hill Hotel is also identified individually as HO190. These site-specific HOs reflect the extent of registration for the two places. These places and the hospital site more broadly are also included with the South Fitzroy Precinct identified as HO334 in the Schedule to the HO in the Yarra Planning Scheme and are considered to be 'individually significant' in that context.

While the proposed works will introduce a significant new building in the western sections of the registered land associated with former hotel, the greater part of the works will occur in areas further to its west on sites included in HO334 of the Yarra Planning Scheme. The works at the former hotel are not distinct from those across the site more broadly and will result in little additional impact. Nonetheless, the Executive Director may have regard to the impact of works on registered sites on adjacent sites subject to the HO.

As noted above, local sections of HO334 are particularly mixed. The broader setting of the former hotel is one which has changed considerably in the past fifty years, and is in a process of flux at the time of writing. Nearby development and expansion over time of the adjoining St Vincent's Private Hospital and, more recently, the nearby Australian Catholic University (ACU) has had impact upon HO334 in the vicinity of the hotel.

The City of Yarra's heritage policies, including the local heritage policy at Clause 22.02 Development Guidelines for Sites Subject to the HO, are addressed and commented on below. By way of preliminary comment, it is noted that the strict application of the policy considerations to this site, and to this particular redevelopment project, is not necessarily of assistance in all cases. St Vincent's Private Hospital is already an atypical property within the heritage precinct. It is a large institutional property and complex, in an area of South Fitzroy which has undergone significant transformation in recent

decades. It is also an area where large buildings have been constructed, or are approved for construction, and in this way it differs very substantially from the more typical lower-scale and finer grained Victorian development of much of the remainder of South Fitzroy, to which the heritage policy more readily applies.

Accepting this, the statement of significance for the precinct (see 2.2 above) makes reference to St Vincent's on Victoria Parade (mainly the public hospital component), with the hospital development generally in this south-west corner of the suburb appropriately recognised as making a contribution to the precinct.

Turning briefly to Clause 43.01 Heritage Overlay, the proposed redevelopment overall can be introduced into the heritage place (South Fitzroy Precinct), with for the most part no adverse impact particularly in the context of other balancing actions which provide a community benefit in the form of expansion of the private hospital. As noted at section 2.2 of this HIS, the hospital has been identified as being of 'social importance' at a local level. The proposed works will assist in the maintenance of the hospital's valued use and identified social importance.

As discussed above, the potential impacts of taller built form in views to the former Eastern Hill Hotel have been mitigated through careful management of the scale and proximity of the proposed tower in relation to the former hotel. Consequently, its value as a significant element within the South Fitzroy Precinct (HO334) will be undiminished by the presence of the tower as a backdrop to the hotel. Similarly, the tower as a new element within the local sections of the HO area will not affect the identified significance of the HO more broadly. As noted, the area has already been subject to a degree of change and buildings of a range of scales and construction dates currently characterise the locale. Consequently, the heritage 'significance, character or appearance' of the precinct will not be impacted or diminished by the 'location, bulk, form or appearance of the proposed building' as constructed within the extent of registration. The proposed works are seen to be acceptable in this context.

It is also noted that City of Yarra's Landmarks and Tall Structures Policy at Clause 22.03 identifies the silhouette/profile of St Patricks Cathedral as seen from the intersection of Brunswick Street and St Georges Road as a significant landmark view. The broad view corridor of Brunswick Street will be unaffected by the proposed works. Taller built form on the hotel site would be visible along this view corridor. However it would be located over 10 metres to the west of the Brunswick Street boundary and would not impede views to St Patricks directly. It is noted that the existing Eye and Ear Hospital at no. 32 Gisborne Street is constructed to ten storeys at its Brunswick Street boundary. That building will have greater presence in views to St Patrick's Cathedral from the north, than the proposed development.

6.0 Conclusion

The works have been undertaken with due regard for the identified cultural heritage significance of the Eastern Hill Hotel. Works are limited to areas of little of no significance and the scale and siting of new built form has been managed to limit impacts on its setting. Consequently, no adverse heritage impacts on the registered place will arise as a consequence of the proposed works.

---

1 Victorian Heritage Database, *Eastern Hill Hotel H0816*, http://vhd.heritagecouncil.vic.gov.au/places/489/download-report.

2 Graeme Butler and Associates, *City of Yarra Review of Heritage Overlay Areas Appendix 7,* 2007, p. 490.

3 Lovell Chen, *Eastern Hill Hotel Conservation Management Plan,* 2012 (finalised 2016), pp. 7-23.

4 'Notices', *Argus*, 20 June 1854, p.3.

5 'Annual licensing meeting for the City of Melbourne', *Argus*, 28 April 1853, p.4; 'Adjourned licensing sessions', *Argus*, 13 May 1853, p.7.

6 'Quarterly Licensing Day', *Argus*, 7 March 1855, p.5.

7 'Annual License Meeting', *Argus*, 26 April 1855, p.5.

8 *MCC Rate Book* (Fitzroy Ward), entry 21. Public Record Office Victoria.

9 'Hotels', *Age*, 28 March 1863, p.1.

10 'Hotels to let or for sale', *Age*, 13 October 1863, p.1.

11 *Borough of Fitzroy Rate Book*, 1863-64, entry 23; 1864-65, entry 23; 1965-66, entry 23. Public Record Office Victoria. C.f. *R K Cole Collection of Hotel Records*, Volume 4, p.99, held by the State Library of Victoria, which identifies the publican of the Belvidere Hotel as William (not Charles) Burton for the period from December 1863 to December 1865.

12 'Belvidere Hotel', *Age*, 7 April 1865, p.1.

13 *R K Cole Collection of Hotel Records*, Volume 4, p.99. State Library of Victoria.

14 'Police', *Mercury and Weekly Courier*, 4 October 1879, p.2.

15 Timothy Hubbard Pty Ltd, 'Submission to the Classifications Committee of the Historic Buildings Council: Eastern Hill Hotel, 77 Victoria Parade (corner Brunswick Street), Fitzroy', unpublished report prepared for the City of Fitzroy, June 1990, pp.12-13.

16 'Sales by auction', *Argus*, 3 May 1879, p 3.

17 'Tenders', *Argus*, 12 March 1866, p.3.

18 'Tenders', *Argus*, 12 May 1876, p.2.

19 Certificate of Title, Volume 1525, Folio 893, created 29 January 1884.

20 'Name changed', *Argus*, 3 July 1928, p.6.

21 'Fitzroy licensee fined', *Argus*, 5 November 1935, p.14; 'Licenses transferred', *Argus*, 8 September 1936, p.5; 'Hotel licenses transferred', *Argus*, 30 May 1949, p.4.

22 'Hotel transfers', *Argus*, 31 August 1949, p.19.

23 Crone, J, 'Re: Eastern Hill Hotel, Fitzroy', 2 pp. typescript, dated 22 December 1955. Licence Case File No 190492, Unit 86, VPRS 7712/P2, Public Record Office Victoria.

24 'Application for transfer of license', *Age*, 5 July 1958.

25 Strang, Deirdre, 'Three grand hotels to be sold', Age, 28 May 1977, p.35.

26 Certificate of Title, Volume 4672, Folio 230, created 26 August 1977.

27 MMBW Property Service Plan No 21,563, dated 19 January 1929. Reproduced in Miles Lewis, 'Eastern Hill Hotel, 77 Victoria Parade, Fitzroy', unpublished report, dated 12 June 1990, p.28.

28 'Emus flying high', *Age*, 31 October 1986, EG p.2; 'Rhythms', *Age*, 12 February 1987, EG p.12; 'Highlights: Rock', *Age*, 16 January 1987, EG p.9.

29 'Comedy Festival Diary', *Age*, 10 March 1987, p.14; 'Comedy Festival', *Age*, 20 March 1987, EG p.8.

30 Strang, Deirdre, 'Three grand hotels to be sold', Age, 28 May 1977, p.35.

31 Sagazio, Celestina, file note, 25 May 1990. File B0172, National Trust of Australia (Victoria). This source noted that, at the time of writing, the plaques had been removed.

32 'Price of $2 million for a pub isn't charity', *Herald*, 27 June 1989.

33 Letter, Douglas Hill (National Trust) to H O'Kraglik (Historic Buildings Council), 2 May 1990. File Bo172, National Trust of Australia (Victoria).

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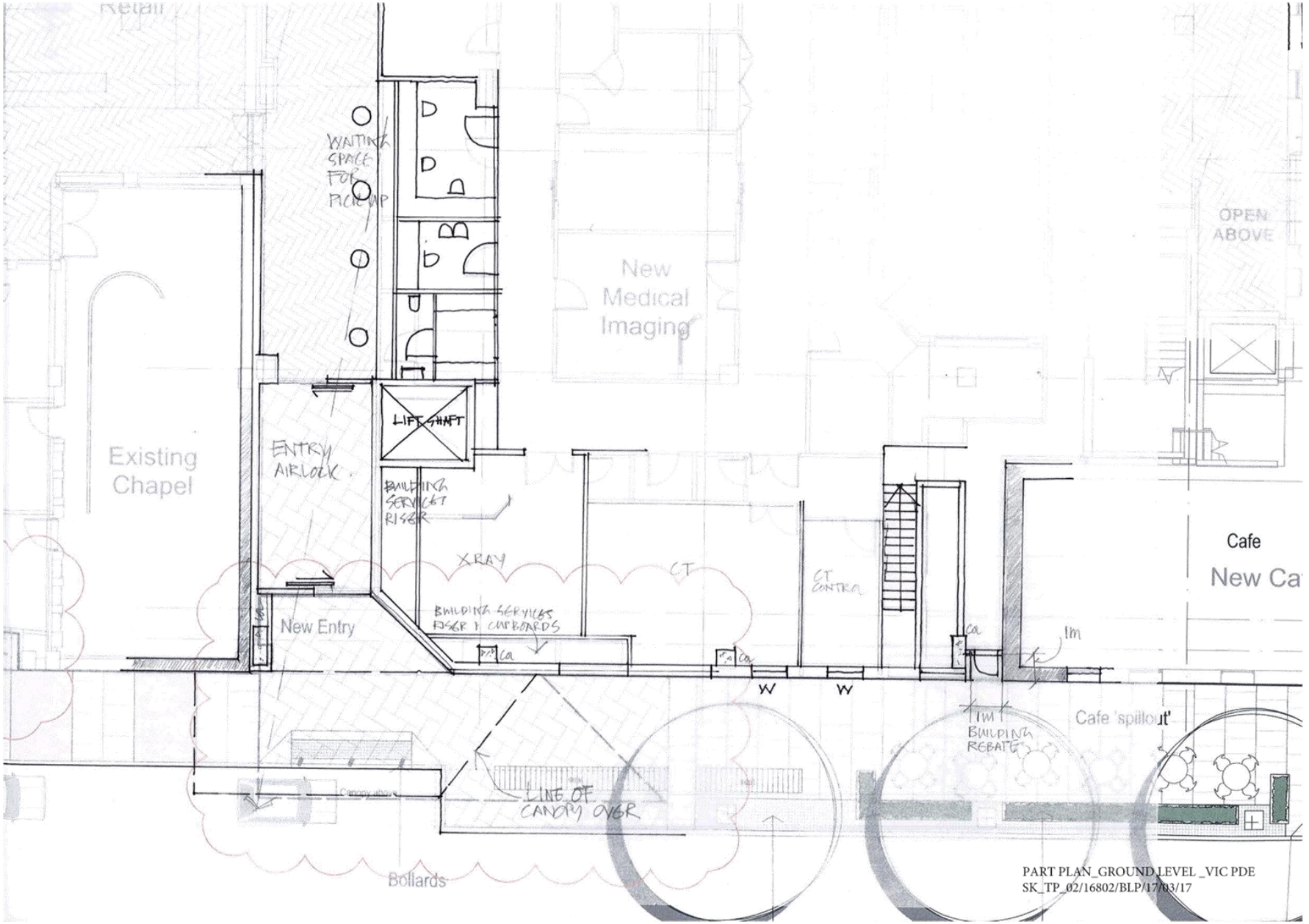

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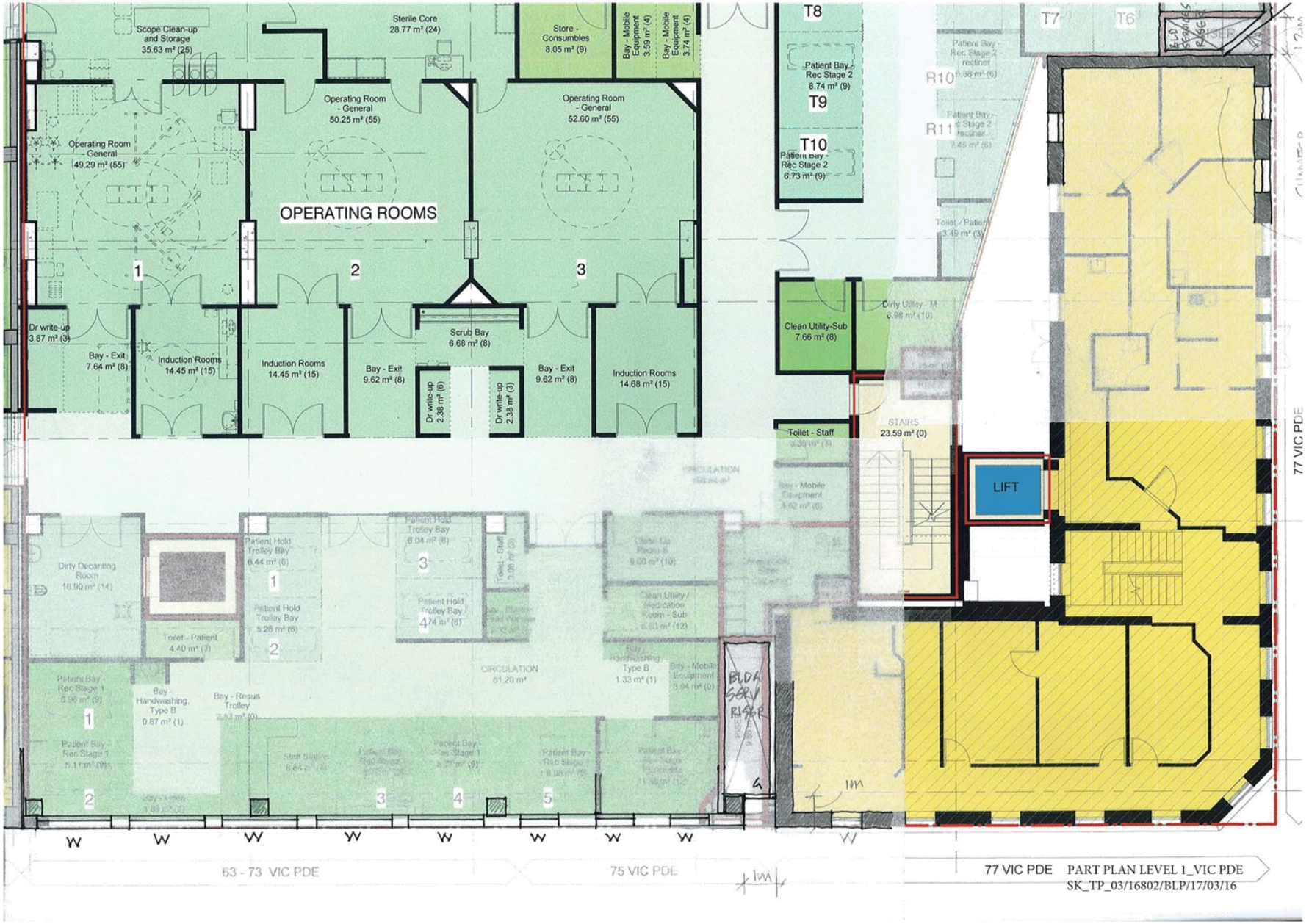

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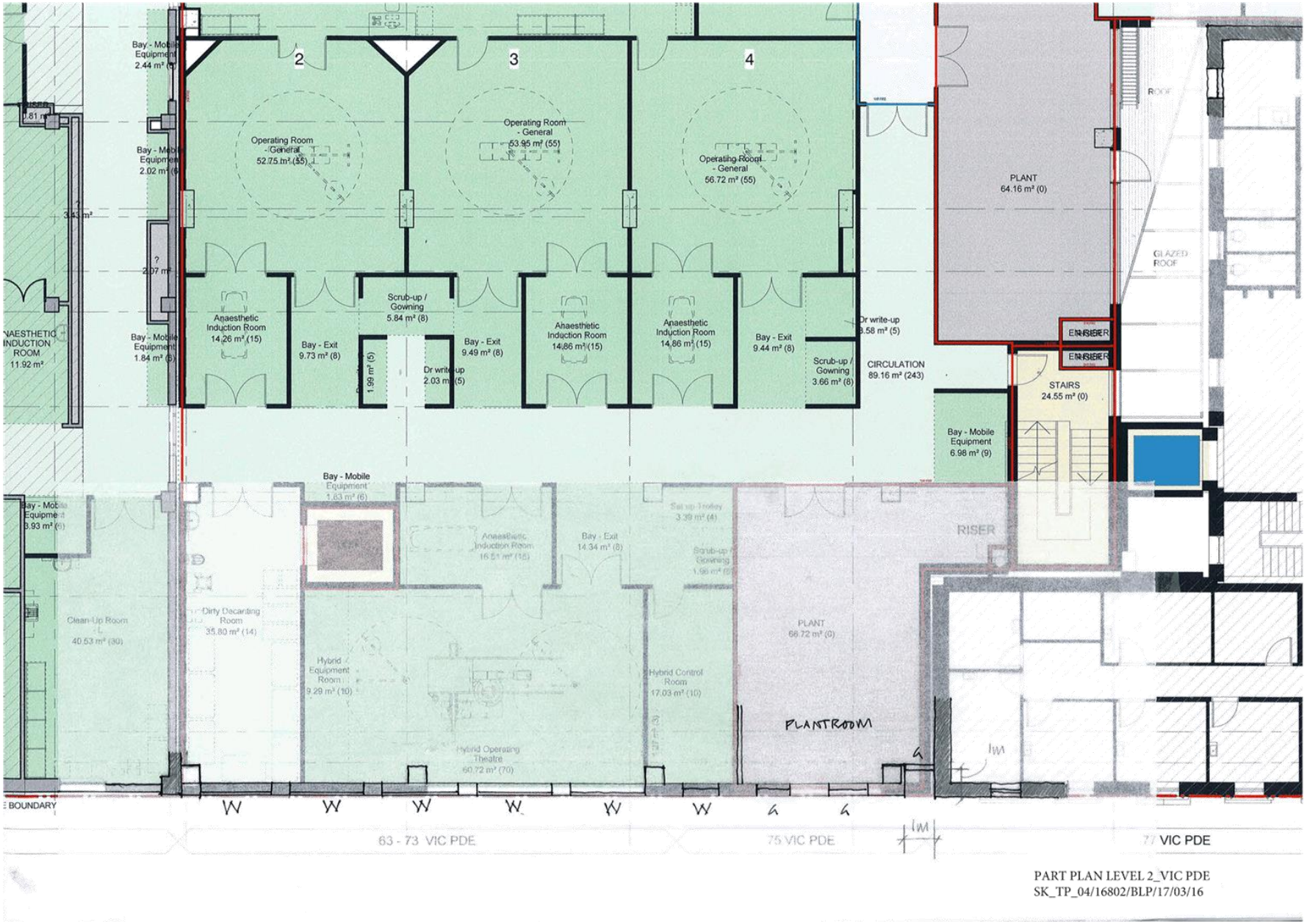

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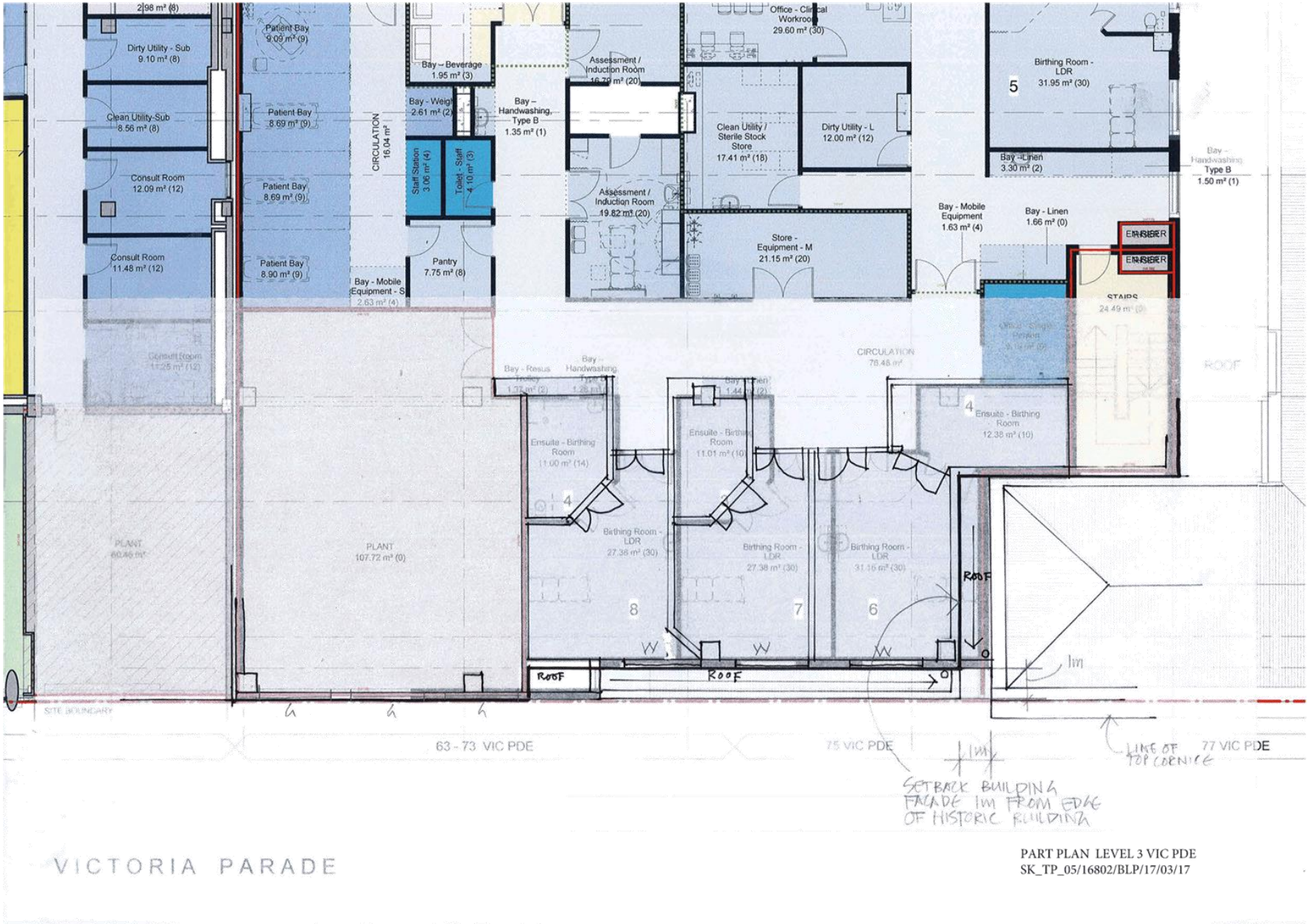

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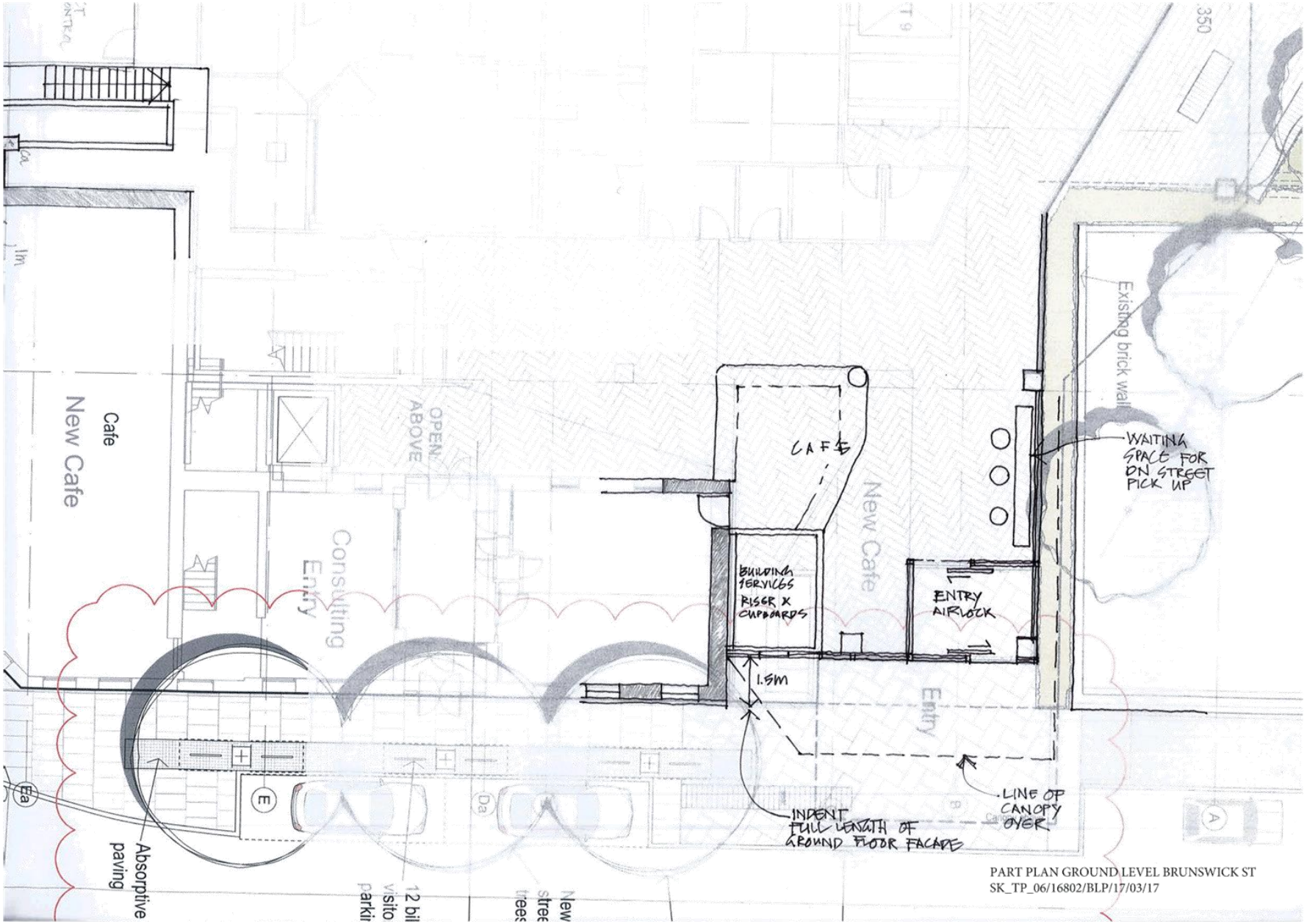

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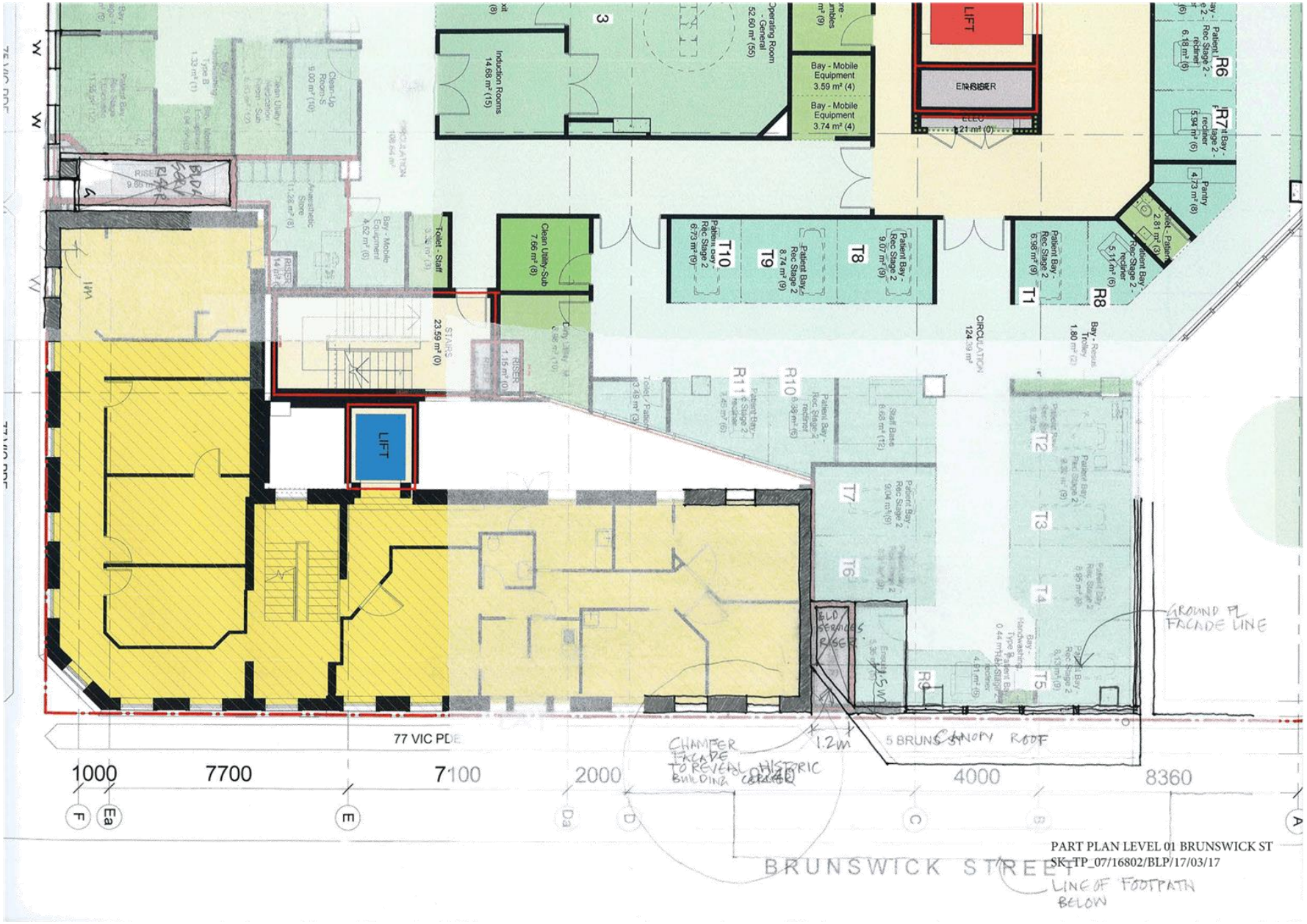

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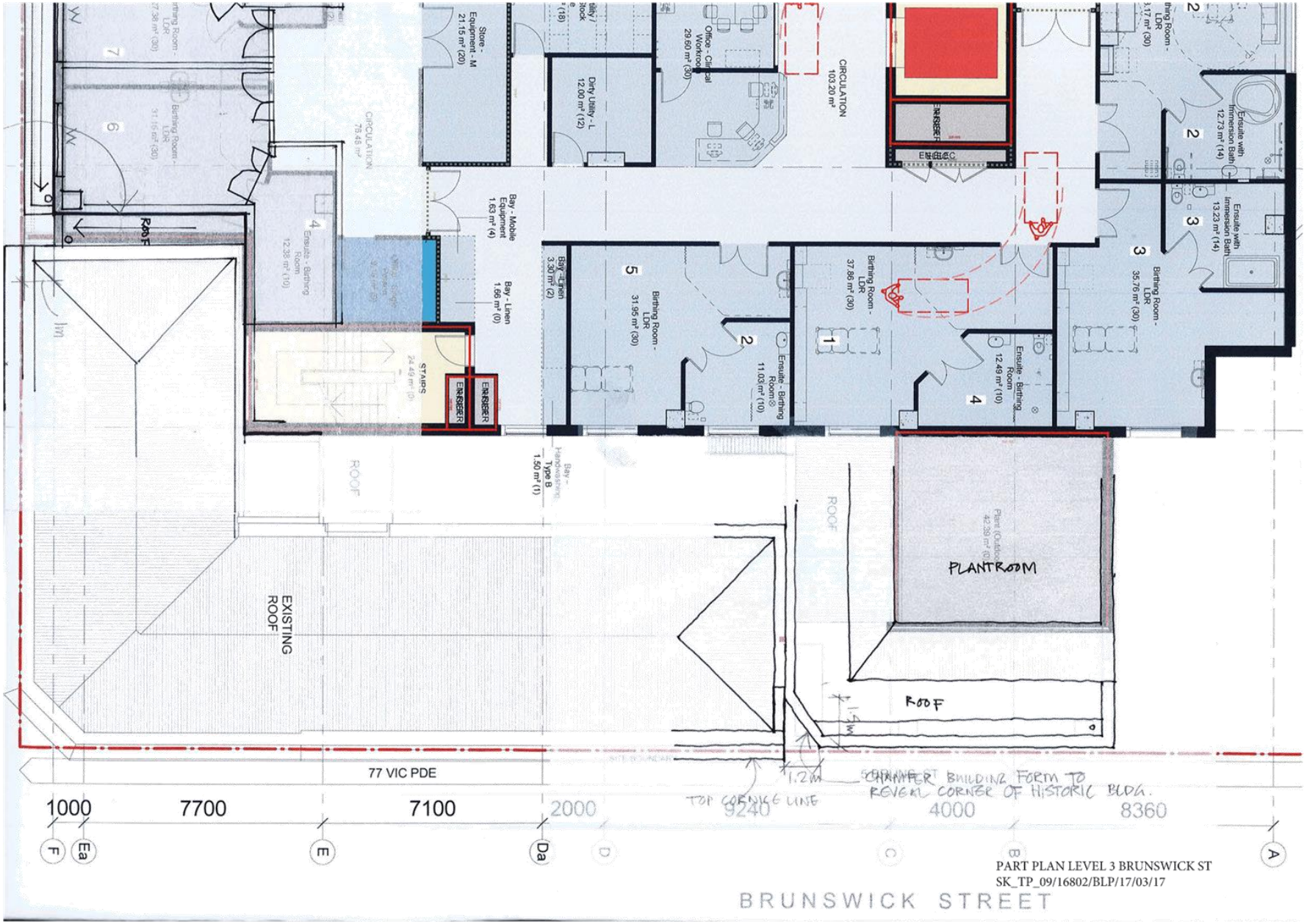

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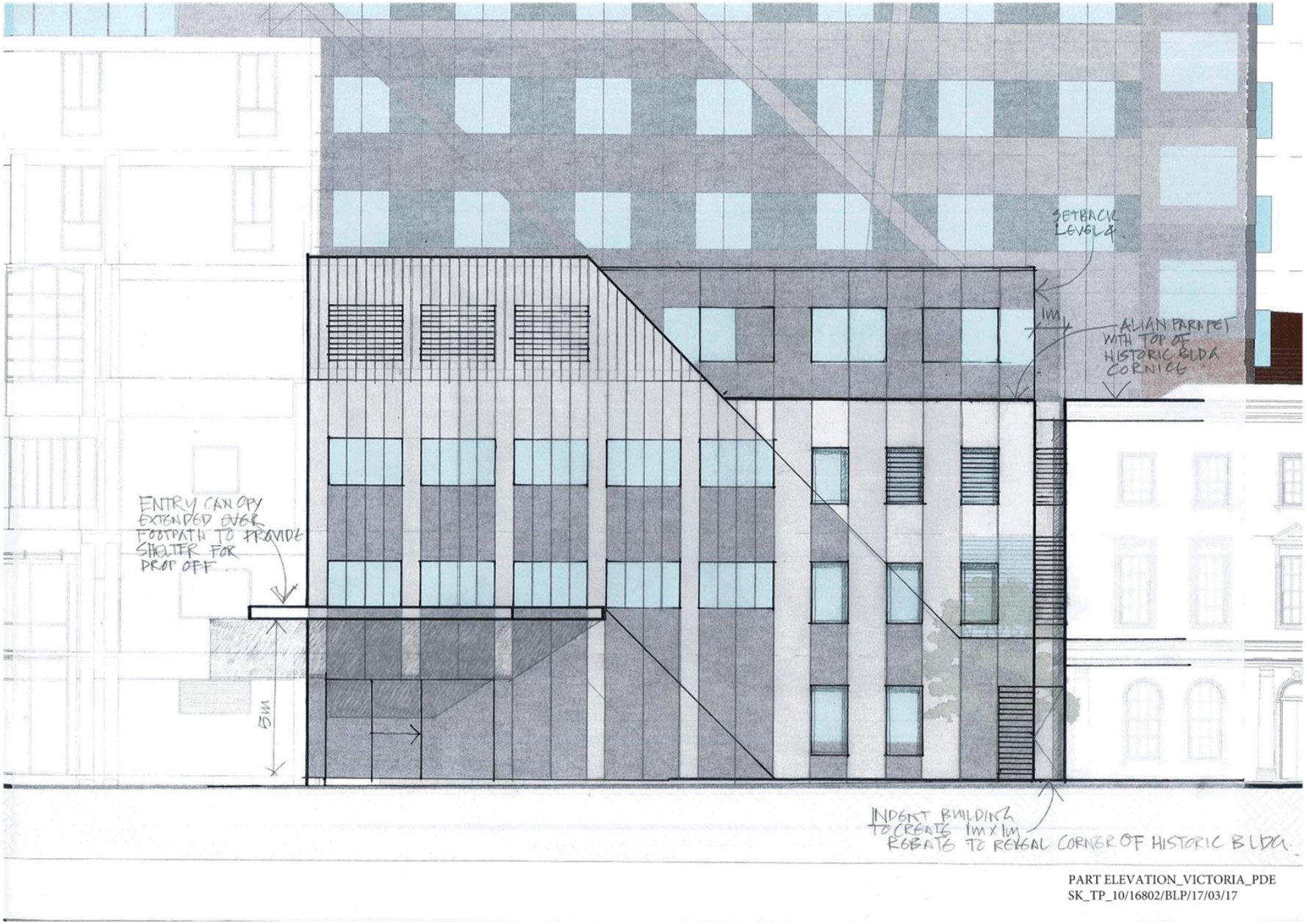

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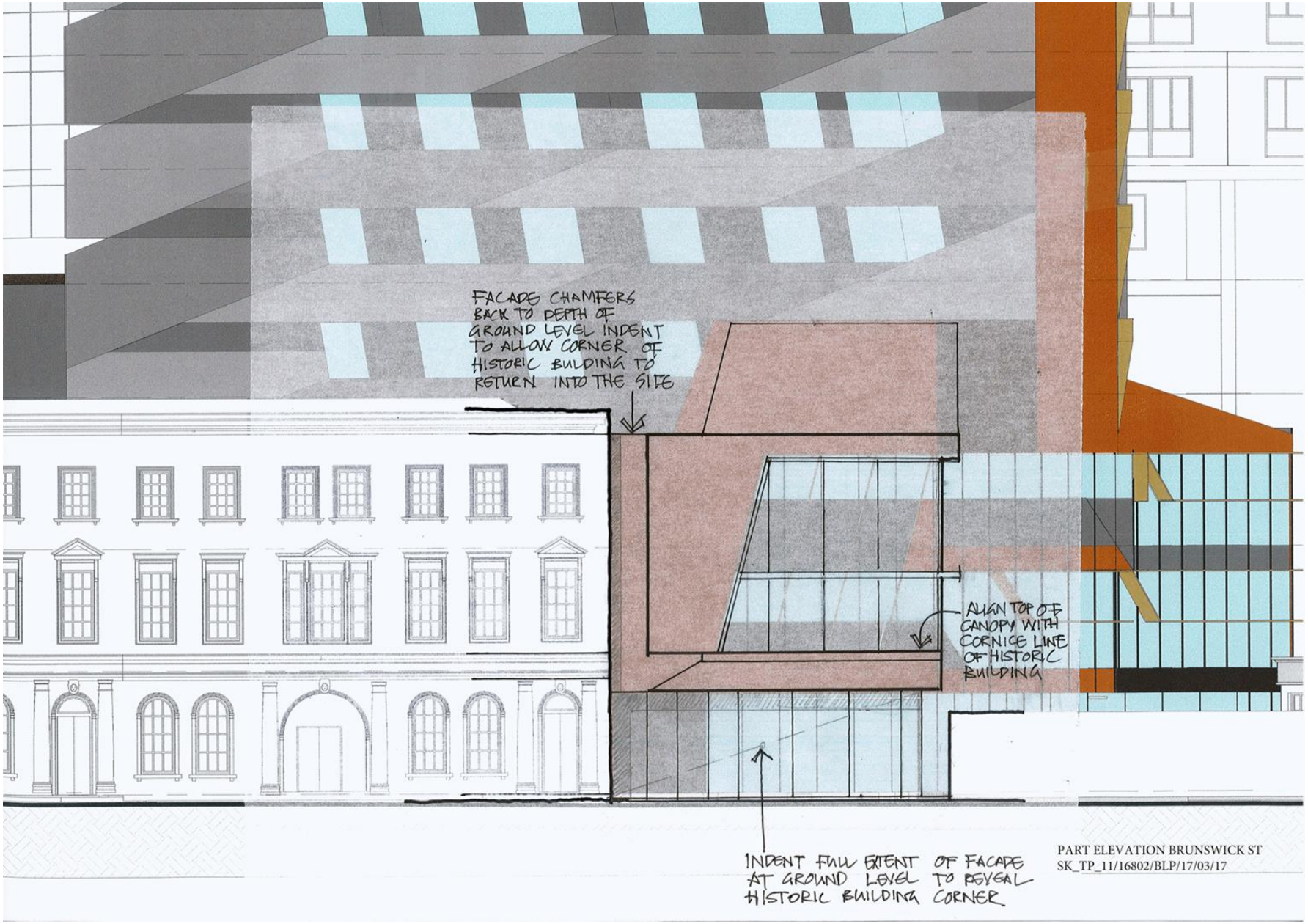

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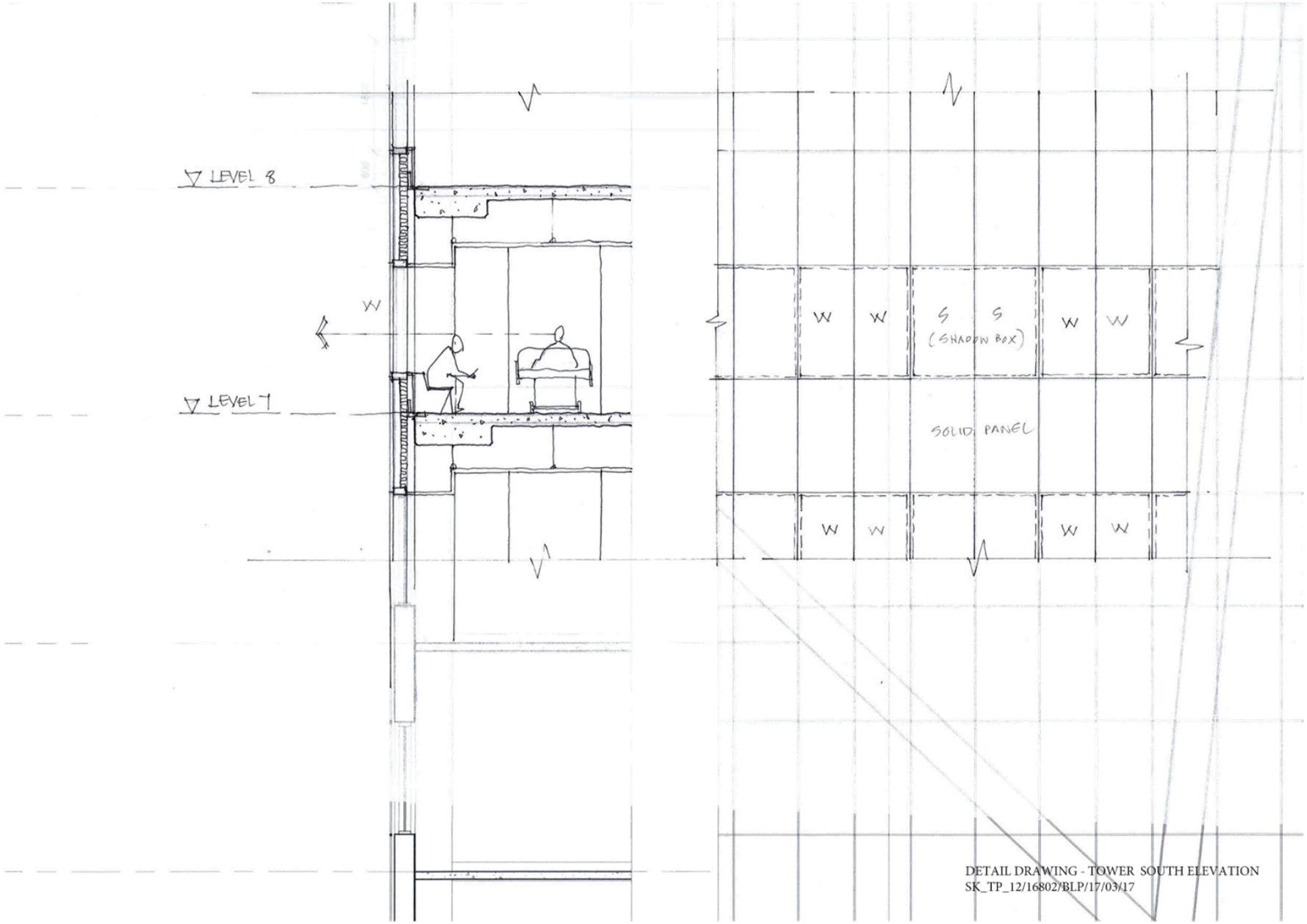

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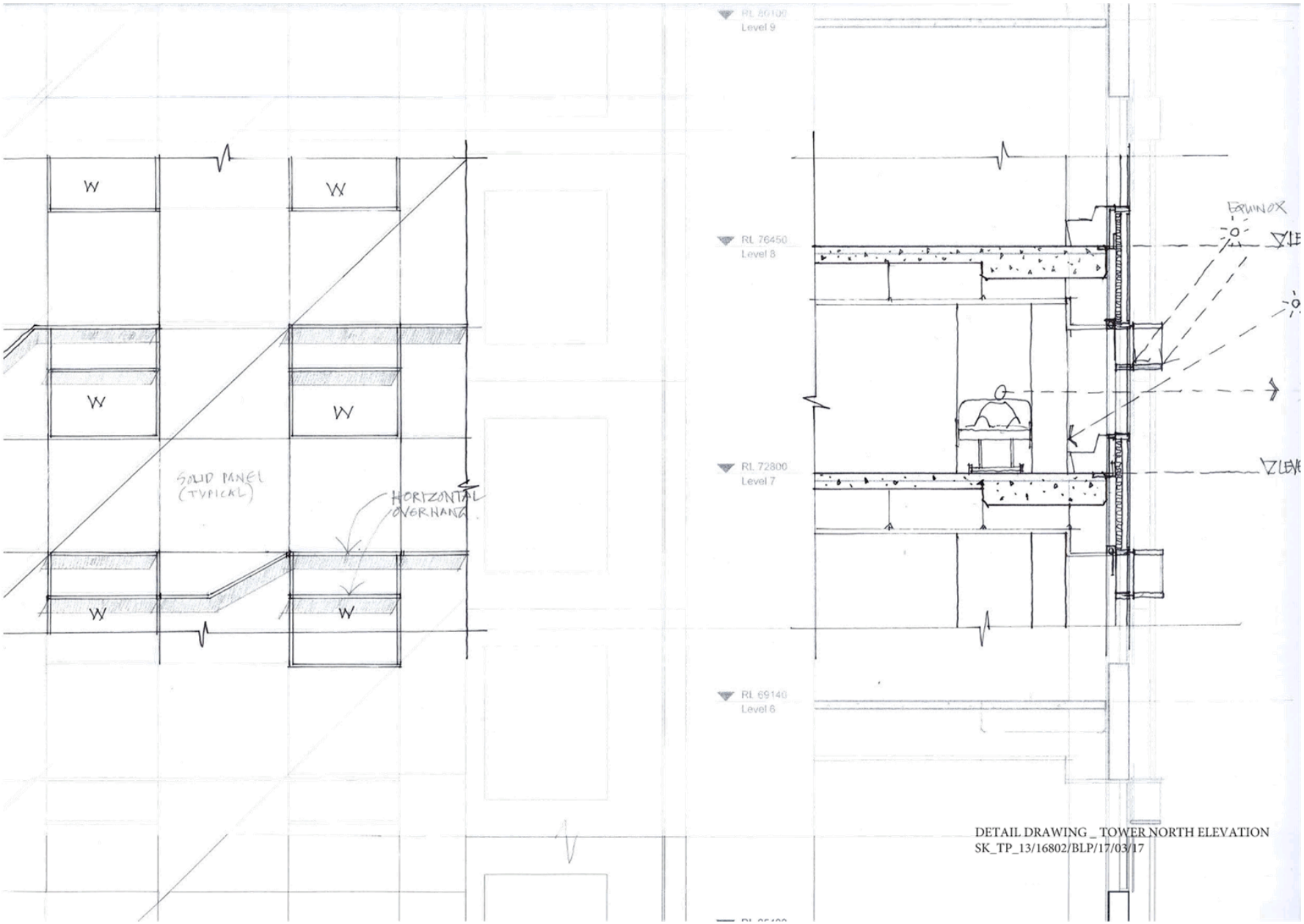

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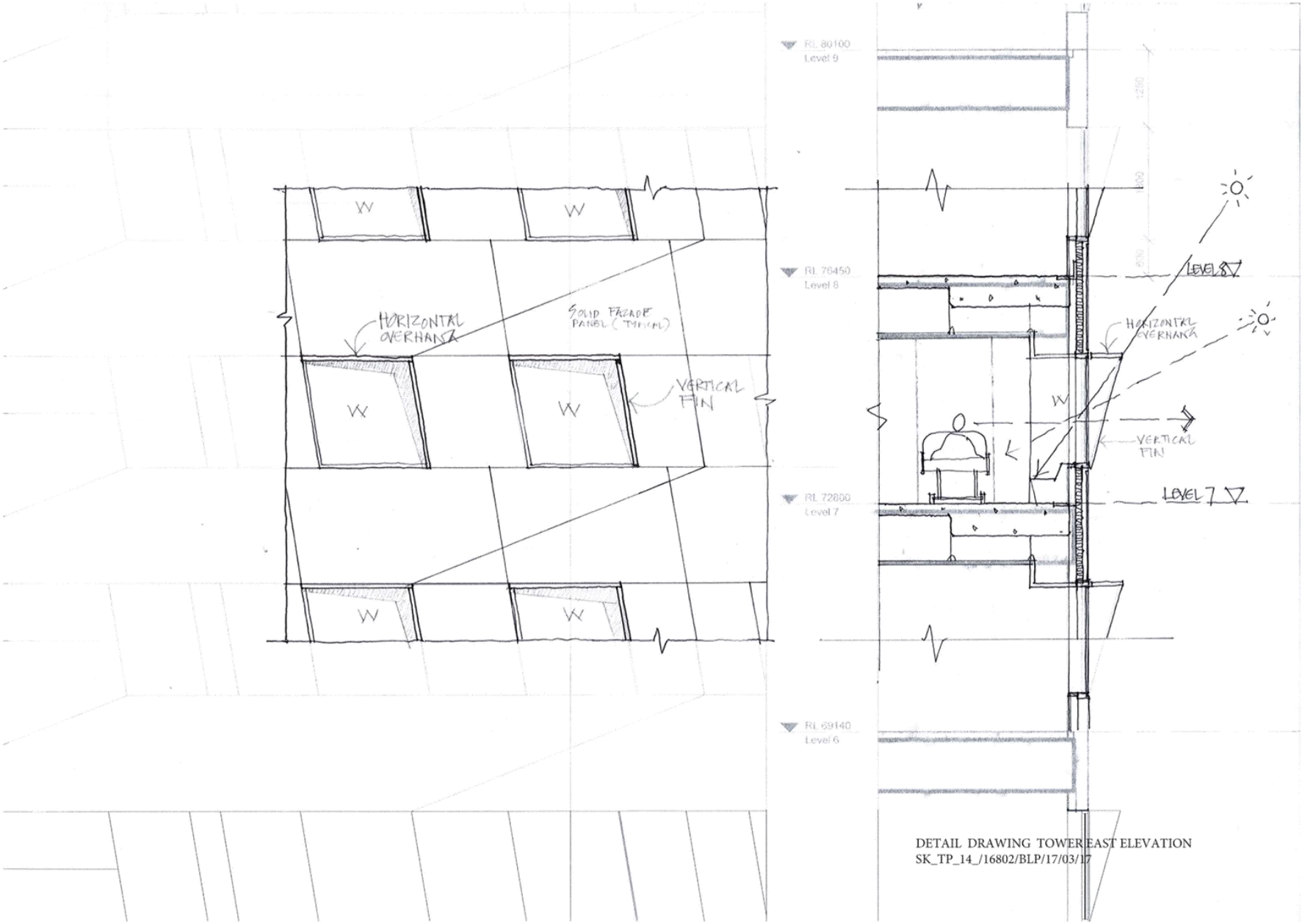

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Attachment 2 - Heritage Referral - Dodgshun House

Department of Environment, Land, Water & Planning

Level 7, 8 Nicholson Street
East Melbourne Victoria 3002
Telephone: 03 9938 6894
www.delwp.vic.gov.au
DX210098

Permit Application No: P27682
File No: 603463

9 October 2017

The Manager Statutory Planning
Yarra City Council
P.O. Box 168
RICHMOND VIC 3121

Dear Sir/Madam

RE: PERMIT APPLICATION FOR DODGSHUN HOUSE, 9 BRUNSWICK STREET FITZROY (H1706)

I am writing to you in accordance with Section 71 of the *Heritage Act 1995* and enclose a copy of an application for works to the above-mentioned registered place.

As part of my consideration of this application, I am able to take into account any relevant heritage issues affecting this place that you identify.

I would appreciate your advice on whether the registered place is within or adjoining a locally significant place or precinct subject to a Heritage Overlay control and whether the application is likely to have an adverse effect on that locally significant place or precinct.

It would also be helpful if you could advise whether the Municipal Strategic Statement or a local policy specifically mentions or relates to the registered place or the area in which the place is located and whether the application is consistent with the MSS or relevant policies.

Please forward any comments you have to Joyce MacLennan at heritage.permits@delwp.vic.gov.au or post to PO Box 500 Melbourne, VIC 8002. If comments are not received by this office within 14 days of the date of this letter I will assume you have no comment to make on the application.

Please contact Janet Beeston on (03) 9534 8963 if you would like to discuss the application or if you require additional time to comment.

Yours sincerely

JMacLennan

for **TIM SMITH**
Executive Director
HERITAGE VICTORIA

encl:

Privacy Statement

Any personal information about you or a third party in your correspondence will be protected under the provisions of the Privacy and Data Protection Act 2014. It will only be used or disclosed to appropriate Ministerial, Statutory Authority, or departmental staff in regard to the purpose for which it was provided, unless required or authorised by law. Enquiries about access to information about you held by the Department should be directed to the Privacy Coordinator, Department of Environment, Land, Water & Planning, PO Box 500, East Melbourne, VIC 8002. Notwithstanding the above, please note that information provided to enable the administration of the Heritage Act 1995 may be disclosed to persons with an interest in the heritage place or object particularly, and information provided as part of a permit application may be made available on-line where the application has been publicly advertised under section 68 of the Heritage Act 1995.

VICTORIA State Government

Attachment 2 - Heritage Referral - Dodgshun House

EDENSOR (DODGSHUN HOUSE)

VHR NUMBER: H1706

9 Brunswick Street, Fitzroy

Prepared for
Billard Leece

October 2016
Revised, 2017

LOVELL CHEN
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Attachment 2 - Heritage Referral - Dodgshun House

Attachment 2 - Heritage Referral - Dodgshun House

1.0 Introduction

This Heritage Impact Statement (HIS) has been prepared for Billard Leece on behalf of the Roman Catholic Trusts Corporation for the Diocese of Melbourne to accompany a permit application to Heritage Victoria for work to be undertaken as part of the St Vincent's Private Hospital redevelopment.

The broader redevelopment involves two separate places included in the Victorian Heritage Register (VHR) under the Heritage Act:

- Dodgshun House (formerly Edensor), 9 Brunswick Street Fitzroy (VHR H1706)
- Eastern Hill Hotel, 77 Victoria Parade Fitzroy (VHR H0816)

Works to both of these registered places require approval under the Heritage Act.

This HIS considers the issues and potential impacts of the proposed works on Edensor. Works to the Eastern Hill Hotel are the subject of a separate permit application to Heritage Victoria and a separate HIS has been prepared to support that application.

This HIS makes reference to drawings prepared by Billard Leece, dated October 2016, including site context plans, precinct plans, demolition plans, existing and proposed levels, and existing and proposed elevations. Reference has also been made to 3D model images and rendered images, again prepared by Billard Leece and landscape drawings prepared by LBA Designs

The HIS also makes reference to the Conservation Management Plan (CMP) for Edensor prepared by Lovell Chen in 2012 and finalised in 2016.

Note that Dodgshun House is referred to in this document under its earlier name, *Edensor*. It is also known as the St Mary of the Cross Centre.

1.1 City of Yarra planning permit application

A planning permit application for the proposed works was lodged with the City of Yarra in October 2016. A Planning Permit with conditions (PLN16/0925) for the works was issued on 11 August 2017. An appeal against several the conditions has subsequently been lodged with Victorian Civil and Administrative Tribunal (VCAT) and the case is to be heard in January 2018.

During the application process, requests for further information were made by Council and responses were provided by the proponent. These responses took the form of additional sketch plans which clarified or made minor revisions to the original planning permit application drawings. The City of Yarra based their decision on both the lodged plans (the 'Decision Plans') and these additional sketch plans. Both the delegate's report and the planning permit refer to this arrangement. Accordingly, the sketch plans are attached to this application.

The following assessment of heritage impacts was prepared to accompany the application for a planning permit and makes reference to information on the 'Decision Plans' only. The sketch plans have subsequently been reviewed by this office. These identify variations to works in areas removed from the early building fabric and provide additional detail and improved clarity elsewhere. The changes and/or additional information has not affected the nature or scale of the heritage impacts identified previously and no changes to the assessment at Section 5.0 of this HIS have been required.

In summary, the revisions relate to works that will not take place on registered land. The revisions predominantly relate to minor modifications to the design and layout of the new tower. This notwithstanding, it is noted that the design of the new facades to Victoria Parade and Brunswick Street, to the west and north of the Hotel, respectively, have been modified to introduce disjunctions at the building interfaces. A metre-wide rebate has been introduced in the easternmost section of the proposed Victoria Parade podium in response to concerns raised by Council's Heritage Advisor. This will provided provide greater articulation at the interface of the new podium and the early hotel. For similar reasons, the façade of the proposed building to Brunswick Street has been revised to incorporate a

chamfered corner element adjacent to the Hotel. In addition, the horizontal elements of this façade has been adjusted to more closely respond to the string course and cornices of the Eastern Hill Hotel. These changes will improve the outcome from a heritage point-of-view and will result in no additional heritage impact over those assessed in Section 5.0 of this report.

1.2 References

This HIS makes reference to drawings prepared by Billard Leece, dated October 2016, including site context plans, precinct plans, demolition plans, existing and proposed levels, and existing and proposed elevations. Reference has also been made to 3D model images and rendered images, again prepared by Billard Leece and landscape drawings prepared by LBA Designs dated September 2016 and numbered TP02 – TP004 (inclusive).

The HIS also makes reference to the Conservation Management Plan (CMP) for Edensor prepared by Lovell Chen in 2012 and finalised in 2016.

In addition, the following documents are attached to the application:

- Sketch plans prepared by Billard Leece
- City of Yarra Internal Development Application Committee (IADC) Report
- Planning Permit (PLN16/0925)

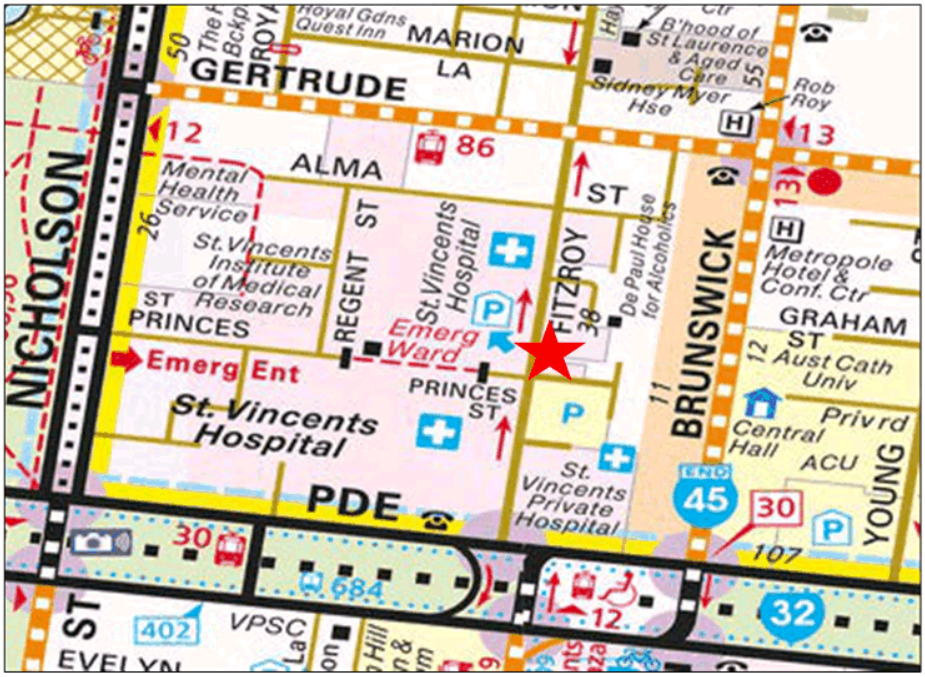

Figure 1 Location of Edensor indicated by star
Source: www.street-directory.com.au

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Figure 2 Aerial photograph showing subject site and adjacent buildings

2.0 Statutory heritage controls and listings

2.1 Heritage Act 1995

Edensor is included on the VHR as H0816 but is not included on the Victorian Heritage Inventory (VHI). VHR documentation identifies the property as Dodgshun House. The extent of registration of Edensor is reflected at Figure 3 and is as follows:

> 1. All the buildings known as Dodgshun House, including the garden wall and gatehours [sic], being the buildings marked B1 and B2 on diagram 603463, held by the Executive Director.
>
> 2. All of the land marked L1 on diagram 603463 held by the Executive Director, being all the land described in PS 318688K.

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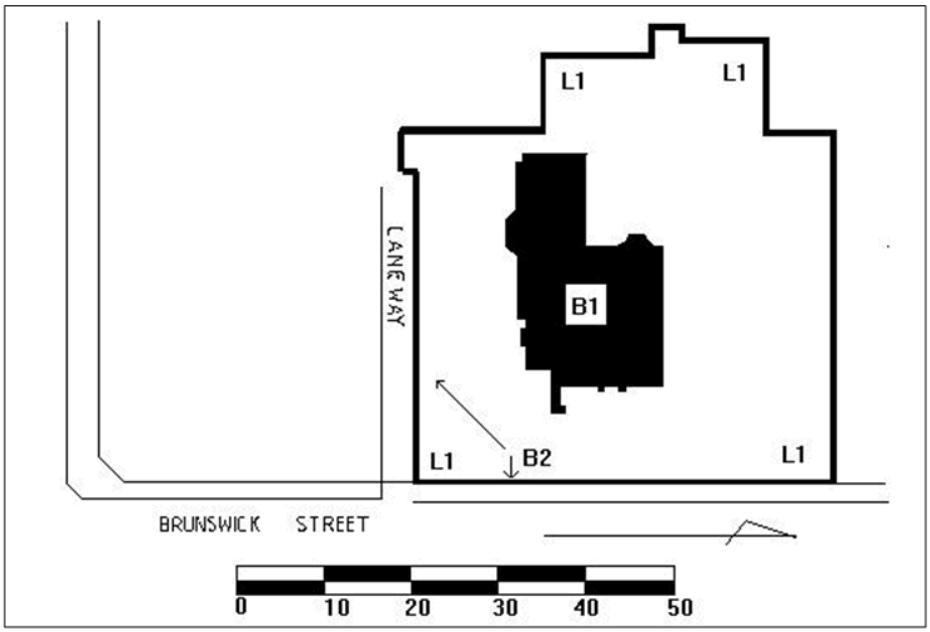

Figure 3 Extent of Victorian Heritage Registration for Edensor
Source: Victorian Heritage Database

The statement of significance included in the VHR citation is as follows:

> *What is significant?*
>
> Dodgshun House (formerly Edensor) stands on land first acquired by Sydney merchant Thomas Walker as part of a 25-acre allotment in May 1839. Jane Minton, who purchased part of the Lot in 1840 and is believed to have constructed the first building on the site, sold part of her 1/2 acre to Alexander Mackillop, father of Mary Mackillop, in October 1840. The land bought by Mackillop contained a dwelling known as Marino Cottage. Mackillop experienced financial difficulties and sold the land to stockbroker Johnathon [sic] Binns Were in 1842. Were sold the land the following year to John H. H. Spencer and eventually the site was acquired c. 1864 by lawyer and politician, Samuel Gillott. At the time of Gillott's purchase the site contained a cottage known as Como. Gillott built a house called Edensor c. 1865 and in 1899 demolished Como to allow for a southern extension. The property was sold to the Victorian Eye and Ear Hospital in 1927 and became known as Dodgshun House from that time on. Gillott enlarged a 3 room brick dwelling on the site to nine rooms c.1865 and extended again in 1899 to create a 13 room residence. The rendered Italianate facade is believed to have been added in the mid-1870s and in 1899 the side wing and rear extension were added by architects Hyndman and Bates. The two storey villa has a symmetrically arranged facade and an arcaded verandah on the upper verandah and lower porch. Balustrading is present on the first floor level and the central doorway is crowned by an entablature. The high brick wall, which runs the length of the Brunswick Street frontage and along the southern boundary fronting the laneway, was constructed during Gillott's occupation and now incorporates a 20th century gatehouse.

How is it significant?

Dodgshun House (formerly Edensor) and its surrounding land is of historical, social and architectural importance to the State of Victoria.

Why is it significant?

The site on which Dodgshun House (formerly Edensor) now stands is of great historical and social significance as the birth place of Mary Mackillop. Mary Mackillop, later pronounced Blessed Mary Mackillop, was born at 9 Brunswick Street, Fitzroy, in 1842 to Alexander and Flora (nee MacDonald) Mackillop, Scottish Catholic emigrants. Mary, the first of eight children, was born at Marino Cottage and lived there with her parents until Alexander Mackillop's plunging fortunes necessitated the sale of the cottage and land to Jonathan Binns Were, the founder of J B Were and Son. In 1866, at the age of 24, Mary Mackillop established the first Josephite school in Penola and by the time of her death in 1909 at the age of 67 had instituted a 650 strong order, teaching over 12,000 children throughout Australia. The beatification of Mary Mackillop occurred in 1995 when Pope John Paul II pronounced her to be "Blessed", the final stage before sainthood. While Marino Cottage has long since disappeared, possibly incorporated into the fabric of Dodgshun House, 9 Brunswick Street Fitzroy has become historically and socially significant as a site of great religious pilgrimage.

Dodgshun House (formerly Edensor) is of historical importance for its association with Samuel Gillott, a prominent lawyer and politician who was elected Mayor in 1900, holding office for two terms. In 1901, the year of Federation, Gillott was knighted by the visiting Duke and Duchess of Cornwall and York and his office distinguished by the title Lord Mayor. Gillott made 9 Brunswick Street his home c.1864, building Edensor to provide "all the convenience of a town residence combined with the quiet of a country house". The house, with its fence and gatehouse, is of significance as one of the few large residences surviving in the area. Dodgshun House (formerly Edensor) is of architectural significance for its side elevation which is a fine example of late Classicism with a distinctively-composed series of bays. The house is a representative example of townhouse composition and is finely decorated. The house's significance is accentuated by the fact that the front fence is original and parts of the garden survive.

2.2 Yarra Planning Scheme

In the Yarra Planning Scheme, Edensor is identified individually as HO150 in the Schedule to the HO. To its south, the Eastern Hill Hotel is also identified individually as HO190. These site-specific HOs reflect the extent of the VHR registration for the two places. Both places are also included with the South Fitzroy Precinct identified as HO334 in the Schedule to the HO in the Yarra Planning Scheme and are considered to be 'individually significant' in that context. Two other 'individually significant' buildings are affected by the broader redevelopment proposal. Easthill House at nos 63-71 Victoria Parade and the earliest sections of St Vincent's Private Hospital, at 59 61 Victoria Parade, constructed in 1972-5 to designs by Bogle & Banfield, are also identified as 'individually significant' within the precinct. These buildings are located to the west of the Eastern Hill Hotel (refer Figure 2).

Individually significant heritage places are defined at Clause 22.02-3 as follows:

> The place is a heritage place in its own right. Within a Heritage Overlay applying to an area each individually significant place is also Contributory.

Council's citation for the South Fitzroy Precinct (HO334) outlines those aspects of the history and physical fabric of the area that contribute to the significance of the place. Most relevantly, the citation notes the following:

Along with the early development of the suburb and its proximity to Melbourne City, was the development of major institutions on its fringe, in particular, St Vincent's Hospital and The Convent of Mercy (Victorian Heritage Register), both of Roman Catholic origin.

The Convent of Mercy and Academy of Mary Immaculate was founded in 1857 and consists of a number of buildings constructed over a period of thirty years at the corner of Palmer and Nicholson Streets. The complex is significant for its long-term and continuing association with Catholic education in Victoria.

St Vincent's was founded in a Victoria Parade terrace house row by the Irish Order, The Sisters of Charity, in 1893; the complex eventually becoming the suburb's largest charitable institution. In 1905 they moved into a new four-storey hospital building and by 1914 they were the second busiest hospital in Melbourne, benefiting from support provided by Fitzroy Council, the Fitzroy Football Club and the legendary John Wren. The Healy Wing was opened in 1928 and other wings followed, with the current complex covering a site bounded by Victoria Parade, Nicholson Street, Fitzroy Street and Gertrude Street. A notable recent design was the St Vincent's Private Hospital since added to and altered.

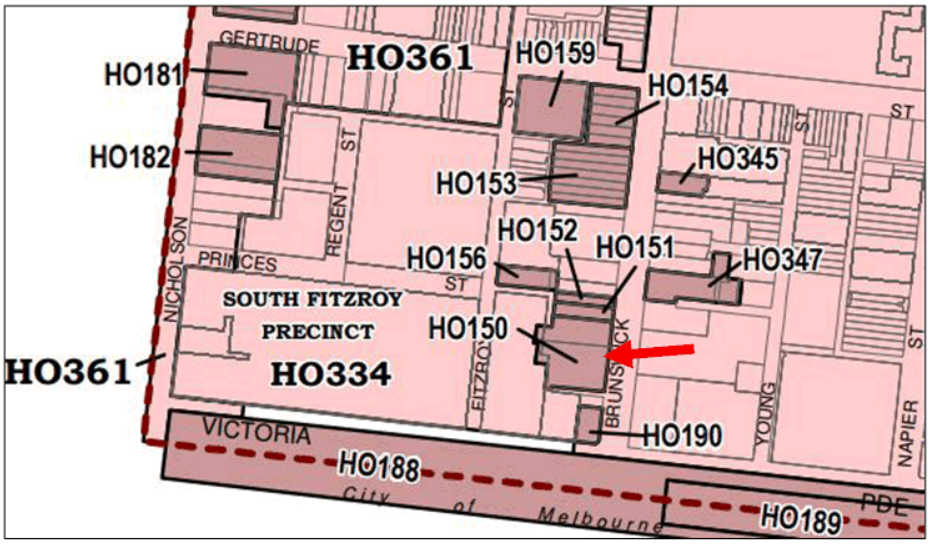

Figure 4 Detail, Map 5HO with location of Edensor indicated
Source: Yarra Planning Scheme

No permit is required under Clause 43.01 to develop a heritage place which is included on the VHR. However, local heritage issues may be considered by the Executive Director, Heritage Victoria in considering permit applications. Consequently, all applications are referred to the local Council for comment. In that context, this HIS considers the implications for local heritage arising from the works to Edensor.

In addition, the City of Yarra also has prepared a separate statement of significance for the St Vincent's Private Hospital building at nos 59-61 Victoria Parade, Fitzroy. This statement of significance is as in part:

Why is it significant?

The St Vincent's Private Hospital is significant as a distinctive design by Bogle and Banfield, inspired by the Post-Modern style work of the noted North American architect Philip Johnson, with its glazed manganese brick clad cuboid form, curved corners, punched fenestration, and luxurious hotel-like interior, all as a marked departure from contemporary hospital design. This is a socially important quasi-public building, with many associations for its staff and patients since its construction.[1]

2.3 National Trust of Australia (Victoria)

Edensor is also classified by the National Trust of Australia as B0535. No statutory controls arise as a result of this classification.

3.0 History and description

3.1 History

The following is an abridged version of the detailed history included in the CMP.[2]

Edensor is located on land first acquired by Sydney merchant Thomas Walker as part of a 25-acre allotment in May 1839. Jane Minton, purchased part of the Lot in 1840 and is believed to have constructed the first building on the site. She sold part of her half acre to Alexander Mackillop, in October 1840. The land bought by Mackillop contained a dwelling known as Marino Cottage.[3]

Born in Perthshire, Alexander MacKillop (1812-1868) had originally intended to become a priest. However, after studying in Aberdeen and Rome he decided instead to emigrate, arriving in Melbourne in 1837. He engaged in various business activities and aligned himself with the fledgling Roman Catholic community. In June 1840, MacKillop became acquainted with the McDonald family - an elderly woman and her two adult children - who came to live with him at Marino Cottage in Brunswick Street. On 14 July, MacKillop married the daughter, Flora McDonald (1816-1886) and three months later, purchased Marino Cottage from Jane Minton for the sum of £700. The couple's first child, born there on 15 January 1842, was Mary Helen MacKillop – later to become a nun and co-founder of the Sisters of St Joseph of the Sacred Heart. After beatification in 1995 and canonisation in 2010, Mary Mackillop became Australia's first native-born Roman Catholic Saint.[4]

Alexander Mackillop soon experienced financial difficulties and sold the land to stockbroker Jonathon Binns Were in 1842. Were sold the land the following year to John H. H. Spencer and eventually the site was acquired c. 1864 by the successful lawyer and politician, Samuel Gillott. At the time of Gillott's purchase the site contained a cottage known as Como Villa. Gillott built a house called Edensor c. 1865 and in 1899 demolished Como to allow for a southern extension. The works were carried out to designs by noted architects, Hyndeman and Bates.

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1 Graeme Butler and Associates, *City of Yarra Review of Heritage Overlay Areas Appendix 7,* 2007, p. 490.

2 Lovell Chen, *Edensor Conservation Management Chapter 2,* 2016, pp. 7-23.

3 Victorian Heritage Database

4 Lovell Chen, *Edensor Conservation Management Chapter 2,* 2016, pp. 7-23.

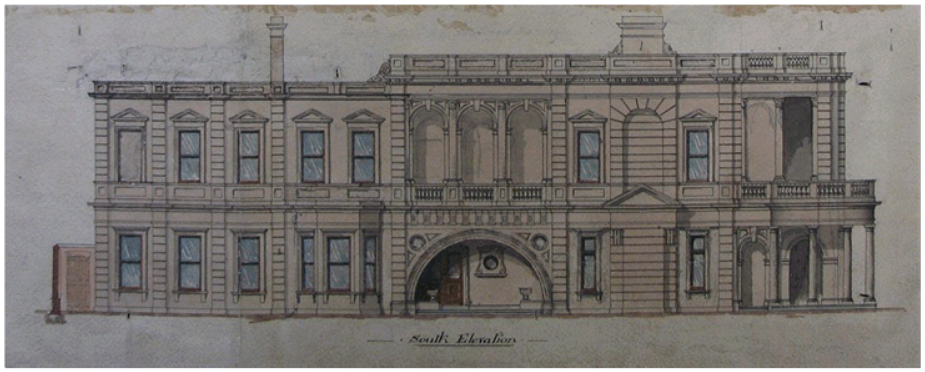

Figure 5 Detail, contract drawings for 1899 additions to Edensor, Hyndman & Bates
Source: Bates, Smart & McCutcheon Collection, University of Melbourne Archives

The extension and renovation of Edensor in 1899-1900 coincided with Gillott's election to the Melbourne City Council in 1896. He failed – by one vote – to become Mayor in 1899, but succeeded in the following year. Also during 1899, he was elected to the Legislative Assembly (representing the seat of East Melbourne) and became president of the Law Institute of Victoria. Knighted in May 1901 and bestowed with the newly-created title of Lord Mayor in December 1902, Gillott also enjoyed a twelve-month stint as Attorney-General in the new Peacock government.

Gillott was involved in a number of scandals during the mid-1900s and In December 1906, he resigned from his political posts and left for England, where he remained for almost a year. Notwithstanding the dramatic downward spiral of Gillott's political career, he was held in high regard and, following his death on 29 June 1913, it was reported that 'Edensor, the residence of the late Sir Samuel and Lady Gillott, in Brunswick Street, was surrounded by a large number of persons on the day of the funeral'.[5]

The property was sold to the Victorian Eye and Ear Hospital in 1927 and was known as Dodgshun House from that time on. The building now forms part of St Vincent's Private Hospital and has become a site of pilgrimage as a result of the connection to Mary McKillop.

3.2 Description

3.2.1 Context

Edensor is located in a mixed streetscape at the southern end of Brunswick Street to the north of its intersection with Victoria Parade. In this area, the west side of Brunswick Street retains a large number of significant heritage buildings and a high level of intactness to its earlier, late-Victorian character and state. The former Eastern Hill Hotel (1854) at the intersection of Brunswick Street and Victoria Parade forms a substantial three-storey element. A three-storey infill building at no. 5 Brunswick Street provides a polite insertion dating from the mid-twentieth century. This is separated from Edensor by a bluestone laneway and the southern (side) garden to Edensor. To the north of Edensor, the De Paul House (2004) at 9a Brunswick Street is another polite two-storey modern infill building. Further to the north the streetscape comprises a generally-intact collection of Victorian and Edwardian dwellings incorporating freestanding villas and long terrace rows to three storeys in height.

The eastern (opposite) side of Brunswick Street comprises modern buildings at a variety of scales associated with the Australian Catholic University (ACU). These are arranged around the generous open space and setback of the Mary of the Cross Square, and include the very substantial Daniel Mannix

5 'Briefs', *Fitzroy City Press*, 29 November 1913, p.2.

building. A planning permit has been issued for another substantial ACU development to the corner of Victoria Parade and Brunswick Street.

3.2.2 Edensor

Edensor is a two-storey rendered brick mansion residence, constructed in three phases. Initially, the property comprised an eight-roomed brick dwelling known as Belgrave House, constructed in 1866. Further works were undertaken in 1874-75 to the design of, architect, William J Ellis, which increased the size of the property to 12 rooms. A further phase of works, including the construction of the south wing, was undertaken in 1899, to the design of Hyndman and Bates.

The residence presents a two-storey arcaded volume to Brunswick Street. This primary elevation is a combination of the 1866 and 1874-5 works with some modifications from the 1899 phase of works. The facade incorporates arcades at ground and first floor level set behind an elaborate two-storey portico. These enclose verandah spaces at both levels. The portico incorporates a segmental pediment above the ground floor entrance with a triangular pediment crowning the portico at parapet level. The arcades of round-headed arches are flanked by massive rusticated quoins extending for the full height of the façade and further elaborated by engaged columns between the arches. Those to the ground floor arcades are of the Doric order while those to the first floor are of the Corinthian order. These elements recur as freestanding columns to ground and first floor of the portico. Rendered surfaces at ground floor level are rusticated while those at first floor façade have an ashlar-ruled finish. On the south side the colonnade, the verandah return incorporates both an open arch and a blind arch, thought to be a later modification dating from the 1899 scheme of works. Within the ground floor colonnade, there is an intact encaustic tessellated tile floor, enclosed by smooth sawn basalt at the verandah edge.

Figure 6 Edensor, as seen in a photograph from the brochure for the 1924 auction.
Source: Sydney Arnold & Company Collection, University of Melbourne Archives.

Windows adopt an elongated, painted, timber-framed, double-hung sash form, some of which have handles fitted to the underside of the top sash, enabling them to be lowered from the outside. Those to the ground floor have square heads, and those to the first floor have arched heads, enclosed by label moulds, supported on elaborate brackets and with faceted keystones.

The south elevation was modified by the 1899 scheme of works depicted at Figure 5. These works replaced the single-storey rear wing and incorporated a new a two-storey service wing towards the rear of the property. The treatment of this elevation knits sympathetically with that of the original scheme, with the parapet extending the form at the façade, albeit without balusters. The decoration to the service wing is more restrained.

Formal modern landscaping has been introduced within a tall brick wall along the Brunswick Street frontage of the site. No original landscaping features survive. The southern sections of the grounds adjacent to the ROW are paved with asphalt and used as car parking accessed from the laneway.

Figure 7 Aerial photograph of Edensor, with the De Paul House (2004) to the north and car park to the south indicated
Source: Nearmap

As noted above, a tall brick wall extends along the front boundary of the site and returns along the bluestone ROW to its south (Figure 10). A non-original opening is located in the wall towards the western end of the laneway, which is secured by an automatic metal gate. This provides access to a car park located in the south-western sections of the Edensor site. Modern brick piers are located to either side of the opening. These modern elements are located a little to the east of a second pair of earlier brick piers (Figure 14) differentiated by bluestone elements incorporated into their bases and capitals (refer Figure 12). It is evident that these piers originally flanked an earlier entrance from the laneway. A panel of infill brickwork between the early piers dates from a later period (Figure 11) and the fixings points of the original gates are visible to the inside face of these piers. It is possible that these brick piers predate the 1899 scheme of works, being of a different design to the laneway walling closer to Brunswick Street. They may previously have flanked a side entrance to Como Villa - although this has not been substantiated. A section of the brick wall further to the west of the original gate piers has been rebuilt at a later date. This is evidenced by the different profile to the cement coping on top of the wall, compared to that of the earlier sections of the brick walling.

A new building was constructed on the former garden/tennis court area located to the north of the house in 2004. This known as De Paul House. A small portable outbuilding was constructed to the rear of Edensor in c. 2012.

Figure 8 View of Edensor from Brunswick Street showing the existing hospital buildings to the rear; note the front brick fence is almost entirely obscured by the creeping plant

Figure 9 Elevated view of Edensor, from the south showing the roofscape
Source: Edensor, Conservation Management Plan, Lovell Chen 2012 (finalised 2016)

Figure 10 Bluestone laneway and brick wall to the south of Edensor viewed from Brunswick Street, with non-original opening indicated

Figure 11 View from the ROW looking north-west with entry to car park and Edensor visible at right. An earlier entry between two brick and bluestone piers (indicated) has been infilled with later brickwork.

Figure 12 Remnant bluestone element at base of early pier

4.0 Proposed works

4.1.1 Overview

The St Vincent's Private Hospital redevelopment project proposes an expansion of the hospital. A new tower is to be constructed to the east of the existing multi-storey buildings. These comprise the original Bogle and Banfield-designed building of 1972-5 plus additions dating from c. 1990s co-located at nos 59-61 Victoria Parade. The new buildings are to be linked back to the existing hospital buildings to the west. The expansion is intended to provide capacity for additional hospital facilities and services.

As identified in the introduction to this HIS, the St Vincent's Private Hospital redevelopment project involves a number of VHR and HO-listed heritage places and triggers approval requirements under both the Heritage Act and the Yarra Planning Scheme. While separate applications are required, and works are addressed in separate HIS documents, a summary of the overall redevelopment proposal is included here to provide context.

The proposed works include demolition of several existing buildings on the site, partial demolition of other buildings and the construction of a new 11-storey hospital building. The new building will be located immediately to the east of, and be connected to, the original hospital building of 1972-5. The new building will incorporate four level podia to Brunswick Street and Victoria Parade, respectively.

4.1.2 Demolition

In terms of demolition, it is proposed to fully demolish three buildings. These are nos 63-71 Victoria Parade (Easthill House), which is identified as individually significant under the Yarra Planning Scheme and nos 75 Victoria Parade and 5 Brunswick Street, both of which are not contributory buildings under the scheme. Limited demolition works are proposed to the individually significant 1972-5 hospital building. It is also proposed to remove and build over the ROW to the south of Edensor.

It is also proposed to demolish the west wing of the former Eastern Hill Hotel along with modern elements constructed within the rear courtyard of the hotel. As noted above, these works are the subject of a separate application to Heritage Victoria and a separate HIS. As discussed in greater detail below, a section of the brick wall along the southern boundary of Edensor is to be demolished along with a small portable outbuilding, constructed to the rear of Edensor in c. 2012. The existing car park in the south western corner of the Edensor site is to be removed to allow the construction of a new basement extending under this area.

4.1.3 New works external to the Edensor extent of registration

The new works involve construction of a new 11-storey hospital building, to the east of the 1970s hospital building, with four-level podia to Brunswick Street and Victoria Parade respectively. The modest scale of the podia at the key frontages will reflect the scales of existing buildings on Victoria Parade and Brunswick Street. The tower will adopt greater setbacks from key street interfaces with upper levels set back 9.1m from Victoria Parade and 10.1m to Brunswick Street. A new stairwell will sit forward of the tower to be set back 7.2m from the Victoria Parade frontage. As discussed below, the northernmost sections of the tower and the Brunswick Street podium will extend into the extent of registration for Edensor.

The new building will adopt a contemporary form, with a strongly-expressed stair bay located at the south-eastern corner of the new building. The tower element of the proposed building is to present a curtain wall to the Victoria Parade with glazed spandrel panels and aluminium window frames. The new building elevations will incorporate a regular and repetitive pattern of fenestration as part of a balanced composition of glazed and solid walling. The side elevations and stairwell are to be finished in compressed fibre cement sheet with aluminium-framed windows flanked by Alucabond® panels in midnight copper. The rear façade, addressing Edensor, will be clad in compressed fibre cement sheeting, in grey and charcoal, with aluminium sunshade elements.

The podia to Victoria Parade and Brunswick Street will differ in their form, detailing and materials. On Victoria Parade, the podium will rise to four storeys, with the fourth level at the eastern end slightly set back from the façade, above a more-strongly expressed three-storey façade.

On Brunswick Street, the podium will have a lighter and more contemporary form and expression, with glazed walls and expressed floor plates extending as eaves and an awning over another entrance to the hospital. The three-storey facade height will generally match that of the adjoining former Eastern Hill Hotel. A fourth floor plant area is to be set back from Brunswick Street and will take the broad form of a roof element. The podium will also have high visibility to its north elevation, across the southern setback of the adjoining Edensor. The north elevation, in part, maintains the three-storey podium scale along its interface with Edensor to the north. As discussed below, new built form along the northern elevation will extend into the Edensor curtilage. The Brunswick Street podium will largely be comprised of glazed elements, framed in aluminium. Elsewhere, this section of the building is to be finished in aluminium composite cladding in 'Alcubond® natural' in a copper colour.

It is proposed to introduce a glazed roof above the existing courtyard of the Eastern Hill Hotel. The new roof is to be cantilevered from the new tower and will have no structural connection to the Eastern Hill Hotel. A new lift is proposed in the same location as an existing lift shaft. This lift will utilise the same openings as the existing lift. Some conservation and restoration works to the hotel are to be undertaken in conjunction with the redevelopment. These works are discussed in detail in a separate HIS.

4.1.4 New works within the Edensor extent of registration

As noted above, it is proposed to construct a new eleven-storey hospital building to the south and south-west of Edensor. The majority of the proposed building works are to be located outside of the registered land. However, some sections of the works will extend into the extent of registration, principally, the northern sections of the three storey podium to Brunswick Street and parts of the tower

volume. A stair well rising to the height of the tower is to be situated in the south-western corner of the Edensor site. In the new ground floor level, parts of the southern section of the Edensor curtilage are to be developed as a café with an open landscaped area between the new built form and the early dwelling. New built form to the upper levels of the podium will project over these areas. A basement to the new building is to be constructed below the café, also within the extent of registration.

Further into the site, a new walkway is to provide an undercover link between the proposed stairwell and the rear of Edensor

5.0 Assessment of heritage impact

5.1 Conservation management plan

This following assessment of significance makes reference to the Conservation Management Plan (CMP) for Edensor prepared by Lovell Chen, 2016. This identifies the key heritage values that underpin the significance of the hotel and provides detailed conservation policies to be applied to support that significance into the future.

5.1.1 Levels of significance

The CMP identified three levels of significance at the Edensor. The levels of significance are shown at Figure 13. The definitions of 'primary', 'contributory' and 'little or no' significance area are as follows:

> *Elements of primary significance*
>
> Elements of primary significance at Edensor contribute in a fundamental way to an understanding of the cultural significance of the place. They are also largely intact to their period of construction with generally minimal modification; where this has occurred, it is limited in extent and sympathetic to the original design, detailing and execution of the building.
>
> *Elements of contributory significance*
>
> Spaces or elements of contributory significance are those that are considered to make a secondary or supporting contribution to the overall significance of Edensor. Elements of contributory significance can include original or early elements which are not necessarily of individual distinction with regard to the original form, fabric or function; or they may retain original plan form in part or in full and some surviving original fabric but have undergone varying degrees of alteration through the removal or replacement of original fabric and/or the introduction of later elements, such as partitioning. These elements include spaces and rooms which were originally of a secondary nature and are not distinguished by their decoration, as well as those that have undergone a degree of alteration as part of later works.
>
> *Elements of little or no significance*
>
> Spaces, elements and fabric of little or no heritage significance are those which were originally very minor in nature; contribute little to the cultural significance of the place; have been so altered that their significance is diminished; and/or are later elements and fabric.

Attachment 2 - Heritage Referral - Dodgshun House

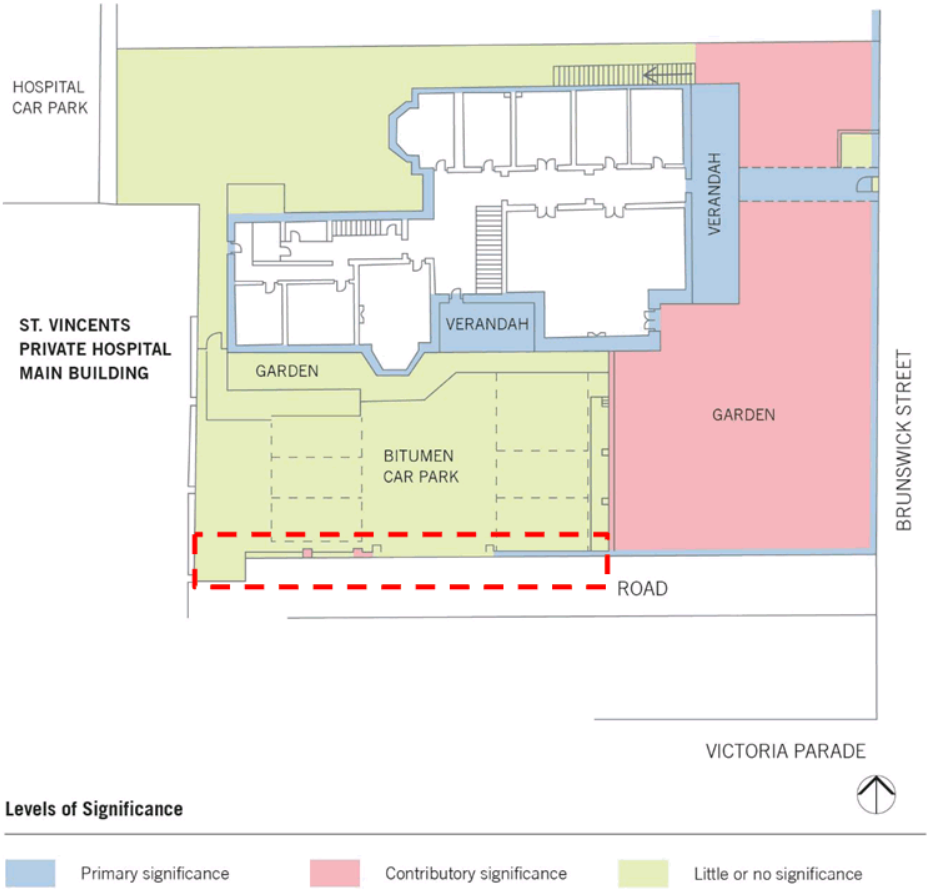

Figure 13 Ground floor plan showing levels of significance with sections of southern wall to be demolished indicated.
Source: Edensor, Conservation Management Plan, Lovell Chen, 2012 (finalised 2016).

The CMP includes policies relevant to new development on the site, including a comment on the landscaping and brick wall. These policies are as follows:

> **Policy 1:** The retention and conservation of significant heritage fabric should be a key consideration in the future management of Edensor.
>
> **Policy 3:** Future conservation works which affect fabric and elements of significance should be carried out having regard for the principles of the Australia ICOMOS Charter for the Conservation of Places of Cultural Significance (The Burra Charter) as amended.
>
> **Policy 8:** Where future works are to occur, the approach should first be to conserve significant elements of fabric.
>
> **Policy 9:** Adaptation of and new works to significant spaces or elements should not detract from the overall cultural significance of the place.

> **Policy 10:** Any future development of Edensor and its site should have regard to the assessed significance of the place and the need to balance functional and operational requirements with the conservation imperatives. Any new works or development should not impact on or diminish the historic presentation of Edensor.
>
> In terms of the setting of Edensor, while the extant garden plantings are not of any heritage value, the eastern portion of the garden is defined as being of contributory significance in recognition of the historic relationship between the residence and its grounds. Landscape elements such as the tessellated garden path and substantial stone and brick fence are defined as being of primary significance and contribute to the setting and interpretation of the heritage place. As such, alteration to the garden plantings to the east and the introduction of soft landscaping to the currently hard paved area to the south side of Edensor is encouraged, in tandem with the removal of the non-original brick wall which divides the garden area from the existing car parking area. The landscaped areas offer many opportunities to enhance and reinforce the setting of the Edensor.[6]

5.2 Impact assessment

Edensor is included on the VHR as place No H0816. As such it is subject to the provisions of the Heritage Act. Section 73 of the Heritage Act, 1995 notes the following:

> In determining an application for a permit, the Executive Director must consider the extent to which the application, if approved, would affect the cultural heritage significance of the registered place or registered object

This section of the HIS provides an assessment of heritage impacts and the extent to which the application, if approved, would affect the cultural heritage significance of Edensor. Specifically, it considers the potential heritage impacts arising from the partial demolition of the southern boundary wall to the ROW and a modern outbuilding to its north; the loss of open areas within the existing curtilage; the presence of new built form, notably, the podium to Brunswick Street and the tower with its associated stairwell; and the construction of a walkway between the new building and the rear of Edensor. These matters are discussed separately below.

There is no permit policy as part of the VHR registration. In the assessment of heritage impacts, consideration has been given to the values identified in the statement of significance. Reference is also made to the CMP policies as relevant.

5.2.1 Partial demolition of brick wall to the ROW

The sections of the brick wall proposed to be demolished are variously identified as being of primary, contributory and of little or no significance in the CMP. Policies provided by the CMP accept that elements of little or no significance can be altered and adapted as required. However, the same policies note that works to elements of contributory significance 'should in preference retain … as much significant fabric as possible'. In relation to fabric of primary significance the CMP notes that elements of primary significance 'should generally be retained and restored and/or reconstructed' and that, 'where alterations are proposed, these should be undertaken with minimal impact on the fabric'.

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6 Lovell Chen, *Edensor Conservation Management Plan,* 2016, p. 92.

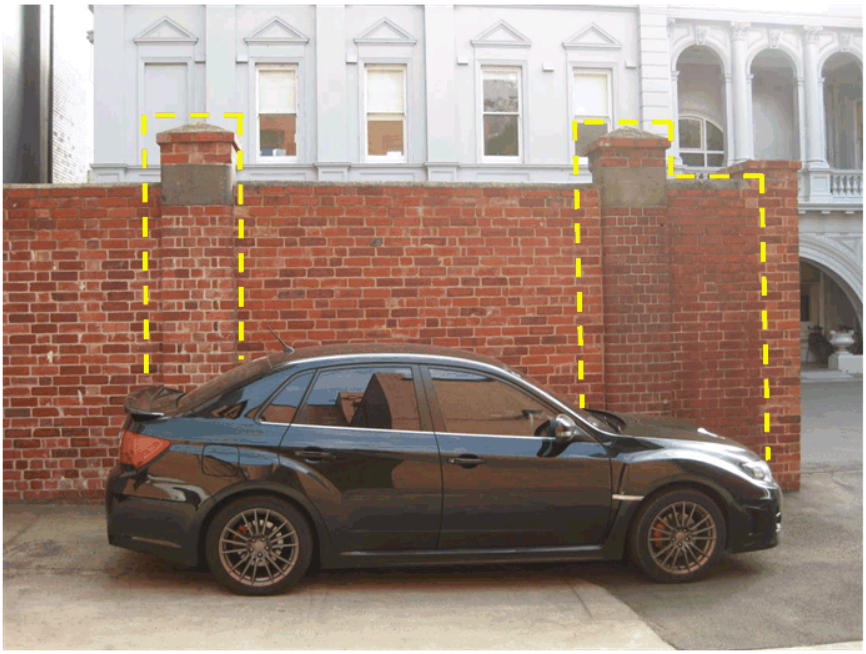

Figure 14 Western sections of brick fence with elements of contributory significance indicated; the balance of the wall is of little or no significance

As noted above, the western sections of the wall to the ROW are to be demolished. However, these have been substantially altered. An original opening has been infilled and a new opening, flanked by modern piers, created. The most westerly sections of the wall have been rebuilt. Consequently, the original form and appearance of the wall in this area are no longer legible. This section of the wall has generally been identified as being of little or no significance. However, two early gate piers survive and have been identified as being of contributory significance. These are located some distance from Brunswick Street and are not visible - other than by way of a narrow view corridor along the ROW to the south of Edensor. The laneway is privately owned and falls outside of the extent of registration and is to be built over as part of the current works. Consequently, this view corridor will be closed (although other vantage points from which Edensor can be experienced will be created). While some early and very-altered fabric survives in the western sections of the wall, this is limited to remnants of early fabric which contributes relatively little to the character or significance of the building. No impacts on the character or significance of the building will arise as a consequence of the works.

In addition, a further (middle) section of this wall is proposed for removal. This is located to the east of the existing opening. This was identified as being of primary significance in the 2016 CMP. The CMP recommends that works to fabric of primary significance should be undertaken with 'minimal impact on the fabric'. While the proposed works anticipate the removal some fabric of primary significance, it is generally limited in extent, and does not involve the majority of the retained eastern section of wall, again of primary significance, which are more visible from Brunswick Street and contributes to the setting and context of Edensor to a greater extent. While the proposal involves the loss of some significant fabric, this is localised to a small area of the property, in its south setback, with more prominent sections of the wall, closer to Brunswick Street, retained. The works will not detract in a significant way from the heritage character and values of the property overall

5.2.2 Removal of portable building

A small portable outbuilding, constructed to the rear of Edensor in c. 2012 is to be removed. This was transported onto the site after the survey for the CMP was completed and was, consequently, not assessed. It contributes nothing to the identified significance of Edensor and can reasonably be considered an element of little or, more reasonably, no significance. Its removal raises no heritage issues.

5.2.3 New built form within the Edensor site

New built form within the Edensor curtilage is to comprise a number of elements. These comprise

- a new single-level basement
- a three-storey podium to Brunswick Street at a variety of setbacks from Edensor and the street
- the northernmost section of the new hospital tower
- a stairwell located in the south-western corner of the Edensor curtilage
- a lightweight link connecting the stairwell to the rear door of Edensor

It is noted that each of these elements would be constructed in, above or below the existing car park area to the south and south-east of Edensor or in a rear service area. These were both identified as areas of little or no significance in the CMP which notes that these areas can be 'altered and adapted as required'. This notwithstanding new elements constructed within this area, particularly elements of scale, will need to have regard to their impacts on the setting of Edensor and the visual relationship between new fabric and the early building.

Basement

The basement would be constructed below the car park area immediately to the south and south-west of Edensor. The parking area was constructed in recent decades and contains no fabric of significance. Consequently, excavation to allow the construction of the basement raises no heritage issues. In addition, there would be no impacts on the context of the building. The construction of the basement would not affect the significance of Edensor.

As noted in 2.1 above, Edensor is not included on the VHI. Nonetheless, both Heritage Inventory sites, as well as sites that have yet to be discovered, are subject to the requirements the Victorian Heritage Act 1995. There may be potential for archaeological material to be discovered during excavation. Works are to be undertaken with due regard for the Heritage Act as it related to archaeology.

Podium

A three-storey podium is to be constructed along the southern boundary of the registered site. Its northern elevation will present a cranked facade to Edensor providing wide view corridors at the street interface, reducing towards the rear of the site.

At ground floor level, the existing car park areas are to be redeveloped as a café with an open courtyard between Edensor and the new building. New built form associated with the podium would be located outside of the extent of registration in the vicinity of Brunswick Street. It would project into the registered area to the west of the retained sections of the southern boundary wall - around 18m from the street. At ground floor levels, the podium would extend no more than 2m into the curtilage and would be located, a minimum of 9m from Edensor.

The upper levels are to adopt the same broad profile but would project into space above the ground floor courtyard area and would, consequently be located closer to Edensor than the ground floor volume. Again, the most easterly sections of the northern elevation of the podium would be located outside of the registered land. Around 11m from the street, the upper levels would project over the retained southern boundary wall, extending for 5.5m into the registered land at a setback in the order of 16m from the street. At this point, the upper levels would be located 6.5 m from Edensor. Towards the

rear of the site, the upper levels would cantilever out to meet the proposed stairwell. At this point, the new fabric would be located approximately 1m from Edensor.

The key issue in relation to the podium relates to its proximity to Edensor and the extent to which it could dominate the early building or interrupt key views into the site. The CMP noted the following at Policy 10, of relevance to new built form to the south of Edensor.

> The construction of the St Vincent's Private Hospital in 1972 and its subsequent extension in 1997 encroached on the rear of the property, throwing the residence into relief against the east wall of the Hospital building. The construction of DePaul House directly adjoining Edensor to the north, while close to the building, is generally respectful of the scale and orientation of the property, adopts the same setback from Brunswick Street, and is contained within the garden walling. The construction of a similarly-scaled building to the south of Edensor, utilising the car parking area could be proposed, provided it is set off from the south elevation of the property, and set well back into the land holding, preferably no further forward of the non-original north-south brick walling.

The podium as currently proposed provides an outcome that generally accords with the direction provided by the CMP.

The stepped façade arrangement presenting to Edensor has been devised to manage the physical impacts on the registered site in particular, those relating to views, context and proximity. The design seeks to maintain a broad uninterrupted frontage to Brunswick Street allowing the sense of an open garden setting to the dwelling to be preserved. The full width of the early wall to the street would be unaffected by the proposed work. In addition, the graduated arrangement of façade planes will allow views deep into the site. New built form would be located deep within the southern carpark area at setbacks from Brunswick Street that are greater than those to Edensor. As a consequence, the southern wing, to designs by Hyndeman and Bates, will continue to be visible and to be understood from the public realm. Further to this, it is noted that the redevelopment of the ground floor areas between the new building and Edensor as a publicly-accessible courtyard will increase the accessibility and legibility of the southern wing of Edensor and has the potential to increase public appreciation of Edensor.

While not a heritage consideration, it is noted that the area of the floor plates at first and second floor levels have been determined on the basis of operational requirements. The expansion of the hospital is predicated on the delivery of eight additional operating theatres – three on the first floor and five on the second floor. These are required to integrate with the existing theatres on first and second floors of the existing hospital. It is not possible to provide new theatres on upper floors as these do not have the required functional connections with the existing theatres or adequate floor to ceiling heights. The proposed theatres will require a range of ancillary spaces such as preparation areas and recovery beds. Numbers and areas are determined by regulation. The floor plates as currently proposed provide slightly fewer beds than are required under the regulation and a dispensation is to be sought. That is, the floor plates at first and second floor levels would ideally be slightly larger than is currently proposed. However, this could only have been achieved though greater utilisation of the space above the southern setback to Edensor or by extending over the courtyard or roof of the former Eastern Hill hotel. Neither of these approaches was considered acceptable from a heritage point of view. In light of the above, the current arrangement of spaces in the vicinity of Edensor is seen to meet the operational requirements of the hospital while achieving a satisfactory heritage outcome.

In summary, while the proposed works would be reasonably substantial, they have been confined to the least sensitive sections of the Edensor curtilage. Generous distances between new and existing built form have been provided in all but the most distant (western) sections of the site in the vicinity of the former service wing. The statement of significance ascribes no architectural or aesthetic significance to the service wing (although it fabric is seen to be of primary significance). Construction of the podium will result in no impacts on primary or contributory fabric apart from those associated with the brick

wall to the ROW discussed above. On this basis, the design is seen to accord with the direction provided in the CMP and reproduced above.

It noted that the proposed works will reduce the area of open land associated with Edensor. However the existing car park areas retain no significant fabric and are not visible from the street. In their current form, they contribute little to the setting of the building. At ground floor level, it is proposed to introduce open landscaped seating areas between the new building and Edensor as part of a proposed cafe. This will take the form of paved areas for tables and chairs with less formal bench seating set within understory plantings and hedges. Existing trees are to be retained. These works will enhance the setting of Edensor when compared with the existing hardstand car park.

Tower

The northern sections of the proposed 11-storey tower would be situated at a modest setback from the podium below extending approximately 5.4 m into the registered land. A separation of around 6.8m from the southern façade of Edensor would be maintained. While not substantially set back from the podium, the upper levels associated with the tower would adopt a different form and be understood as a separate entity of a lower presence than that of the podium element below.

The south-western sections of the site are currently characterised by the tall eastern wall to the existing hospital (refer Figure 8). The abrupt transition from the low scale of the early building to modern built form is an existing characteristic of the site and the proposed tower will not alter this situation to any substantial extent. It is to be constructed above sections of the Edensor site identified as being of little or no significance. The tower will not affect key views to Edensor. It will be understood as a separate element with a lower order of impact on the early dwelling than the podium discussed above. The proposed tower element will not affect views to Edensor from Brunswick Street and will result in no impacts on the setting.

The CMP noted that 'any future development of Edensor and its site should have regard to the assessed significance of the place and the need to balance functional and operational requirements with the conservation imperatives'. While presence of taller built form within the extent of registration will affect the context of Edensor, the works provide a satisfactory setting for Edensor while also meeting the operational requirements of the hospital.

Stairwell

The stair well is to be located in the south-eastern corner of the site adjacent to the eastern wall of the existing hospital tower. It would be located immediately to the rear of the podium and tower discussed above and would rise to the height of the tower and would be concealed by these elements from most key vantage points.

Link structure

A new link with a glazed roof is proposed. This is to provide undercover access between the rear of Edensor and the stair well discussed above. This is to pass through a rear service area adjacent to the car park. As for the car park, this has been identified as an area of little of no significance. The link will provide undercover access to an existing rear door at Edensor. However there are to be no impacts on fabric within the extent of registration. The proposed glazed roof is to be cantilevered off of the existing hospital building to the west and will have no structural connection to the heritage fabric.

This element would located to the rear of Edensor where it would be largely concealed by the substantial built form of the early building. The link is to take the form of a light-weight element suspended from the eastern wall of the existing hospital building to the west. Its construction would affect no early fabric. The link raises no heritage issues.

5.3 City of Yarra

Section 73(1A) of the Heritage Act notes:

> (1A) In determining an application for a permit, the Executive Director may consider -
>
> (a) the extent to which the application, if approved, would affect the cultural heritage significance of any adjacent or neighbouring property that is—
>
> (i) subject to a heritage requirement or control in the relevant planning scheme; or
>
> (ii) included in the Heritage Register; and

As noted at 2.2 above, Edensor is identified individually as HO190 in the Schedule to the HO. To its south, the Eastern Hill Hotel is also identified individually as HO150. These site-specific HOs reflect the extent of registration for the two places. These places and the hospital site more broadly are also included with the South Fitzroy Precinct identified as HO334 in the Schedule to the HO in the Yarra Planning Scheme and are considered to be 'individually significant' in that context.

While the proposed works will introduce a significant new building in the southern sections of the Edensor registration, the greater part of the works will occur in areas further to its south and west on sites included in HO334 of the Yarra Planning Scheme. The works at Edensor are not distinct from those across the site more broadly and will result in little additional impact. Nonetheless, the Executive Director may have regard to the impact of works on registered sites on adjacent sites subject to the HO.

As noted above, local sections of HO334 are particularly mixed. The broader setting of Edensor is one which has changed considerably in the past fifty years, and is in a process of flux at the time of writing. Nearby development and expansion over time of the adjoining St Vincent's Private Hospital and, more recently, the nearby Australian Catholic University (ACU) has had impact upon HO334 in the vicinity of Edensor.

The City of Yarra's heritage policies, including the local heritage policy at Clause 22.02 Development Guidelines for Sites Subject to the Heritage Overlay, are addressed and commented on below. By way of preliminary comment, it is noted that the strict application of the policy considerations to this site, and to this particular redevelopment project, is not necessarily of assistance in all cases. As noted above, St Vincent's Private Hospital is already an atypical property within the heritage precinct. It is a large institutional property and complex, in an area of South Fitzroy which has undergone significant transformation in recent decades. It is also an area where large buildings have been constructed, or are approved for construction, and in this way it differs very substantially from the more typical lower-scale and finer grained Victorian development of much of the remainder of South Fitzroy, to which the heritage policy more readily applies.

Accepting this, the statement of significance for the precinct (refer 2.2 above) makes reference to St Vincent's on Victoria Parade (mainly the public hospital component), with the hospital development generally in this south-west corner of the suburb appropriately recognised as making a contribution to the precinct.

Turning briefly to Clause 43.01 Heritage Overlay, the proposed redevelopment overall can be introduced into the heritage place (South Fitzroy Precinct), with for the most part no 'adverse' impact particularly in the context of other balancing actions which provide a community benefit in the form of expansion of the private hospital; and maintenance of the private hospital's identified social significance.

As discussed above, the potential impacts of taller built form on the setting of the former dwelling been mitigated through careful management of the scale and proximity of the proposed new building in relation to Edensor. Consequently, its value as a significant element within the South Fitzroy Precinct

(HO334) will be undiminished by the presence of the tower as a backdrop to the former dwelling. Similarly, the tower as a new element within the local sections of the HO area will not affect the identified significance of the HO more broadly. As noted, the area has already been subject to a degree of change and buildings of a range of scales and construction dates currently characterise the locale. Consequently, the heritage 'significance, character or appearance' of the precinct will not be impacted or diminished by the 'location, bulk, form or appearance of the proposed building' as constructed within the extent of registration. The proposed works are seen to be acceptable in this context.

It is also noted that City of Yarra's Landmarks and Tall Structures Policy at Clause 22.03 identifies the silhouette/profile of St Patricks Cathedral as seen from the intersection of Brunswick Street and St Georges Road as a significant landmark view. The broad view corridor of Brunswick Street will be unaffected by the proposed works. Taller built form on the Edensor site would be visible along this view corridor. However it would be located over 10 m to the west of the Brunswick Street boundary and would not impede views to St Patricks directly. It is noted that the existing Eye and Ear Hospital at no. 32 Gisborne Street is constructed to ten storeys at its Brunswick Street boundary. That building will have greater presence in views to St Patrick's Cathedral from the north, than the proposed development.

6.0 Conclusion

The broader setting of Edensor is one which has changed considerably in the past fifty years and continues to change today. Nonetheless, the building remains legible to its early state. While nearby development and expansion over time of the adjoining St Vincent's Private Hospital has changed the way in which the early dwelling is perceived, its significance is undiminished. Its significance generally and its ongoing role as place of pilgrimage will be conserved and enhanced by the proposed works and the cultural heritage significance of the registered place will not be diminished.

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ST VINCENT'S PRIVATE HOSPITAL
FITZROY REDEVELOPMENT

Cover Page Sheet List	
Sheet Number	Sheet Name
A00	
AA00-0001	COVER SHEET
A03 - SITE CONTEXT	
AA03-0001	SITE CONTEXT PLAN - EXISTING
AA03-0011	SITE CONTEXT PLAN - PROPOSED
A05 - Precinct - Existing	
AA05-0000	PRECINCT PLAN -EXISTING -SITE
AA05-0001	PRECINCT PLAN -EXISTING -GROUND
AA05-0101	PRECINCT PLAN -EXISTING -LEVEL 1
AA05-0201	PRECINCT PLAN -EXISTING -LEVEL 2
AA05-0301	PRECINCT PLAN -EXISTING -LEVEL 3
AA05-0401	PRECINCT PLAN -EXISTING -LEVEL 4
AA05-0501	PRECINCT PLAN -EXISTING -LEVEL 5
AA05-0601	PRECINCT PLAN -EXISTING -LEVEL 6
AA05-0701	PRECINCT PLAN -EXISTING -LEVEL 7
AA05-0801	PRECINCT PLAN -EXISTING -LEVEL 8
AA05-0901	PRECINCT PLAN -EXISTING -LEVEL 9
AA05-1001	PRECINCT PLAN -EXISTING -LEVEL 10
AA05-B101	PRECINCT PLAN -EXISTING -BASEMENT
A06 - Precinct - Demo	
AA06-0000	PRECINCT PLAN -PROPOSED DEMOLITION -SITE

Cover Page Sheet List	
Sheet Number	Sheet Name
A07 - Precinct - Proposed	
AA07-0000	PRECINCT PLAN -PROPOSED -SITE
AA07-0001	PRECINCT PLAN -PROPOSED -GROUND
AA07-0101	PRECINCT PLAN -PROPOSED -LEVEL 1
AA07-0201	PRECINCT PLAN -PROPOSED -LEVEL 2
AA07-0301	PRECINCT PLAN -PROPOSED -LEVEL 3
AA07-0401	PRECINCT PLAN -PROPOSED -LEVEL 4
AA07-0501	PRECINCT PLAN -PROPOSED -LEVEL 5
AA07-0601	PRECINCT PLAN -PROPOSED -LEVEL 6
AA07-0701	PRECINCT PLAN -PROPOSED -LEVEL 7
AA07-0801	PRECINCT PLAN -PROPOSED -LEVEL 8
AA07-0901	PRECINCT PLAN -PROPOSED -LEVEL 9
AA07-1001	PRECINCT PLAN -PROPOSED -LEVEL 10
AA07-1101	PRECINCT PLAN -PROPOSED -LEVEL 11
AA07-B101	PRECINCT PLAN -PROPOSED -BASEMENT
AA07-B201	PRECINCT PLAN -PROPOSED -BASEMENT 2
A08	
AA08-0001	PRECINCT ELEVATION -SOUTH
AA08-0002	PRECINCT ELEVATION -EAST
AA08-0003	PRECINCT ELEVATION -WEST
AA08-0004	PRECINCT ELEVATION -NORTH
AA08-2001	PRECINCT SECTION
A09	
AA09-0001	PLAN - DEMO - GROUND
AA09-0002	PLAN - DEMO - GROUND CARPARK
AA09-B101	PLAN - DEMO - BASEMENT

Cover Page Sheet List	
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A96	
AA96-1001	EXTERNAL FINISHES & MATERIALS - EAST ELEVATION
AA96-1002	EXTERNAL FINISHES & MATERIALS - SOUTH ELEVATION
AA96-1003	EXTERNAL FINISHES & MATERIALS - WEST ELEVATION
AA96-1004	EXTERNAL FINISHES & MATERIALS - NORTH ELEVATION
A97	
AA97-0001	PERSPECTIVE
AA97-0002	PERSPECTIVE - ST VINCENT'S PLAZA
AA97-0003	PERSPECTIVE - VICTORIA PARADE
AA97-0004	PERSPECTIVE - NORTHEAST AERIAL
AA97-0005	PERSPECTIVE - OVERALL
AA97-0006	PERSPECTIVE - STREET
AA97-0007	PERSPECTIVE - INTERIOR

ST VINCENTS HEALTH

ST VINCENT'S PRIVATE HOSPITAL REDEVELOPMENT

COVER SHEET

AA00-0001

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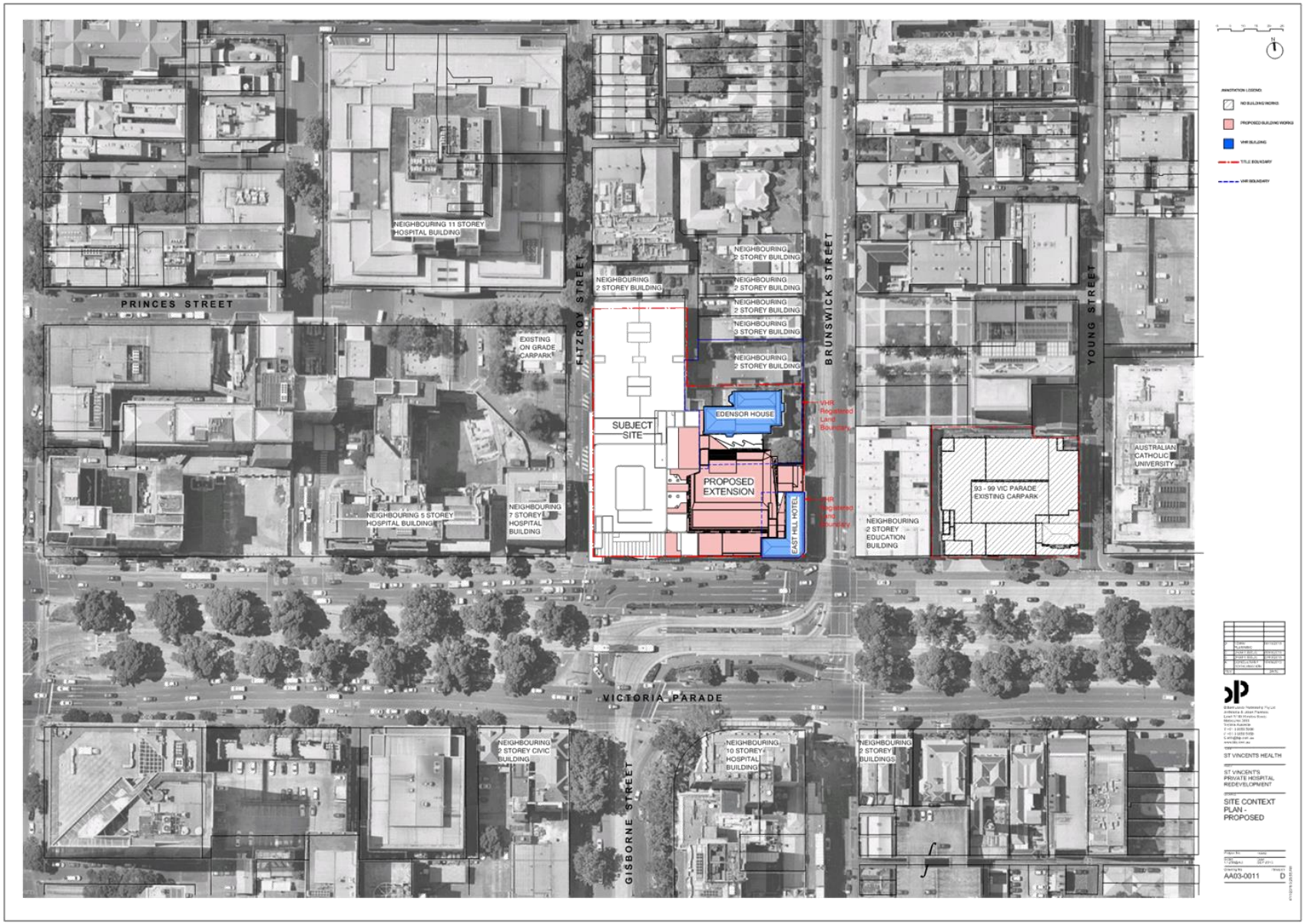

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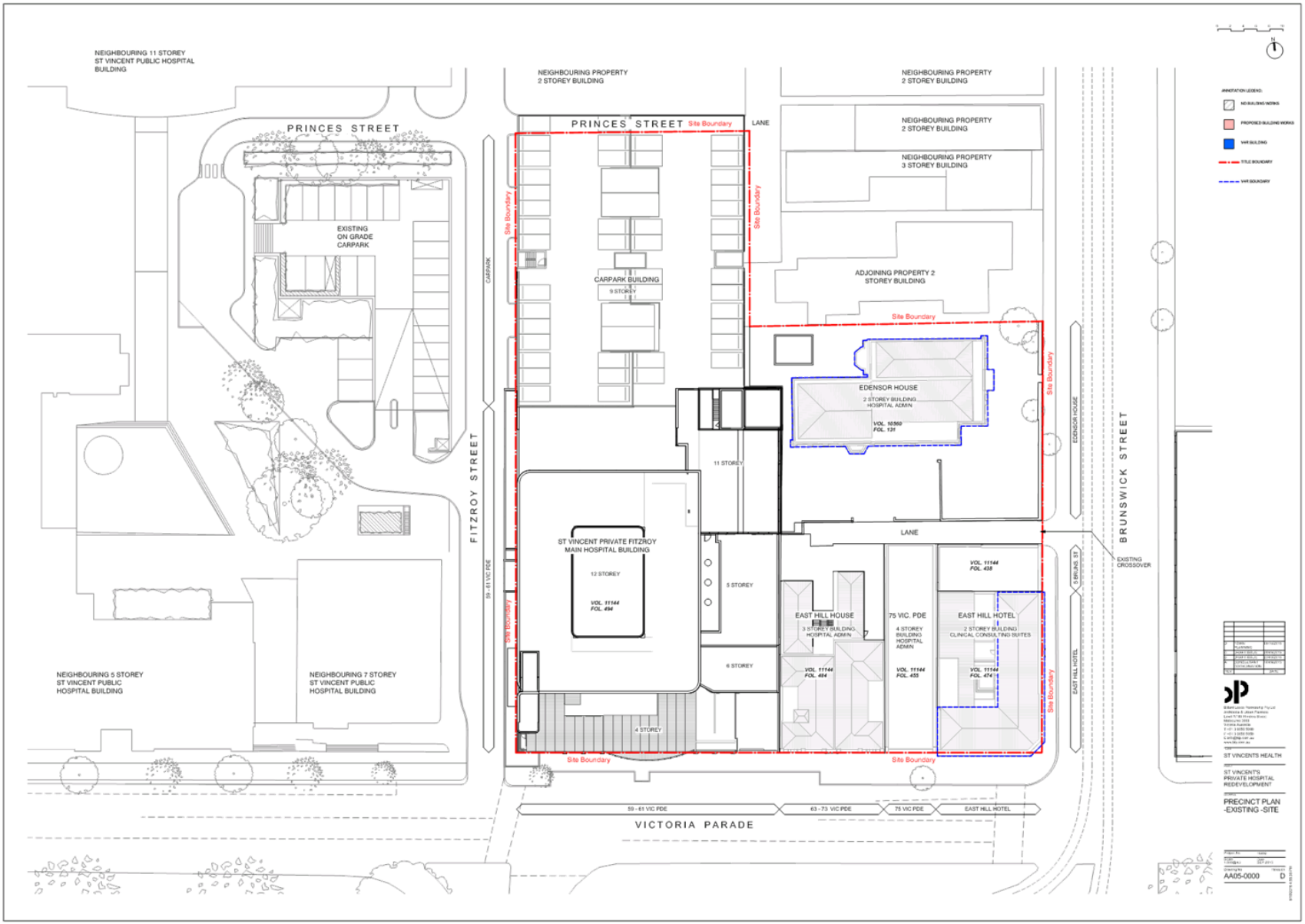

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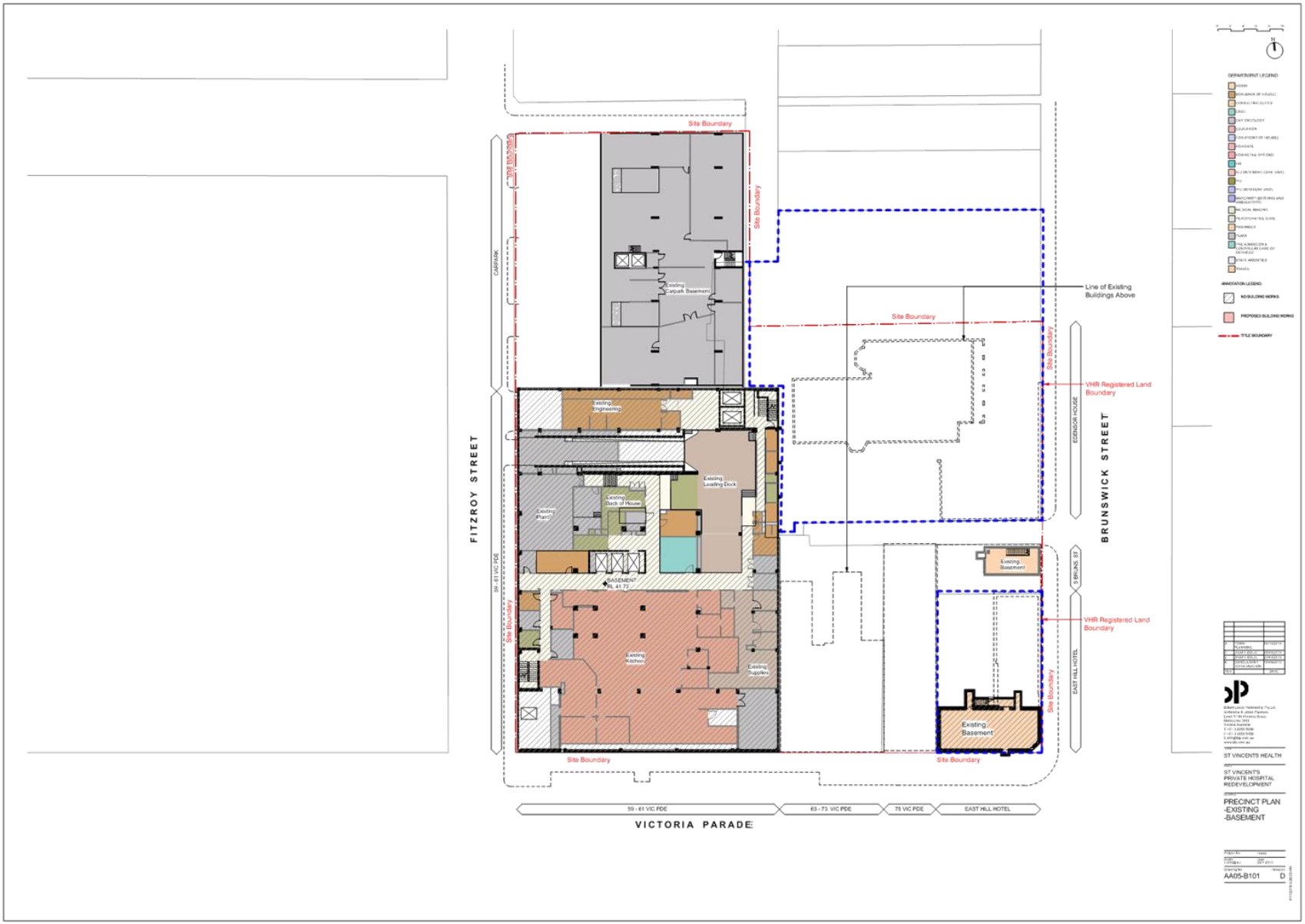

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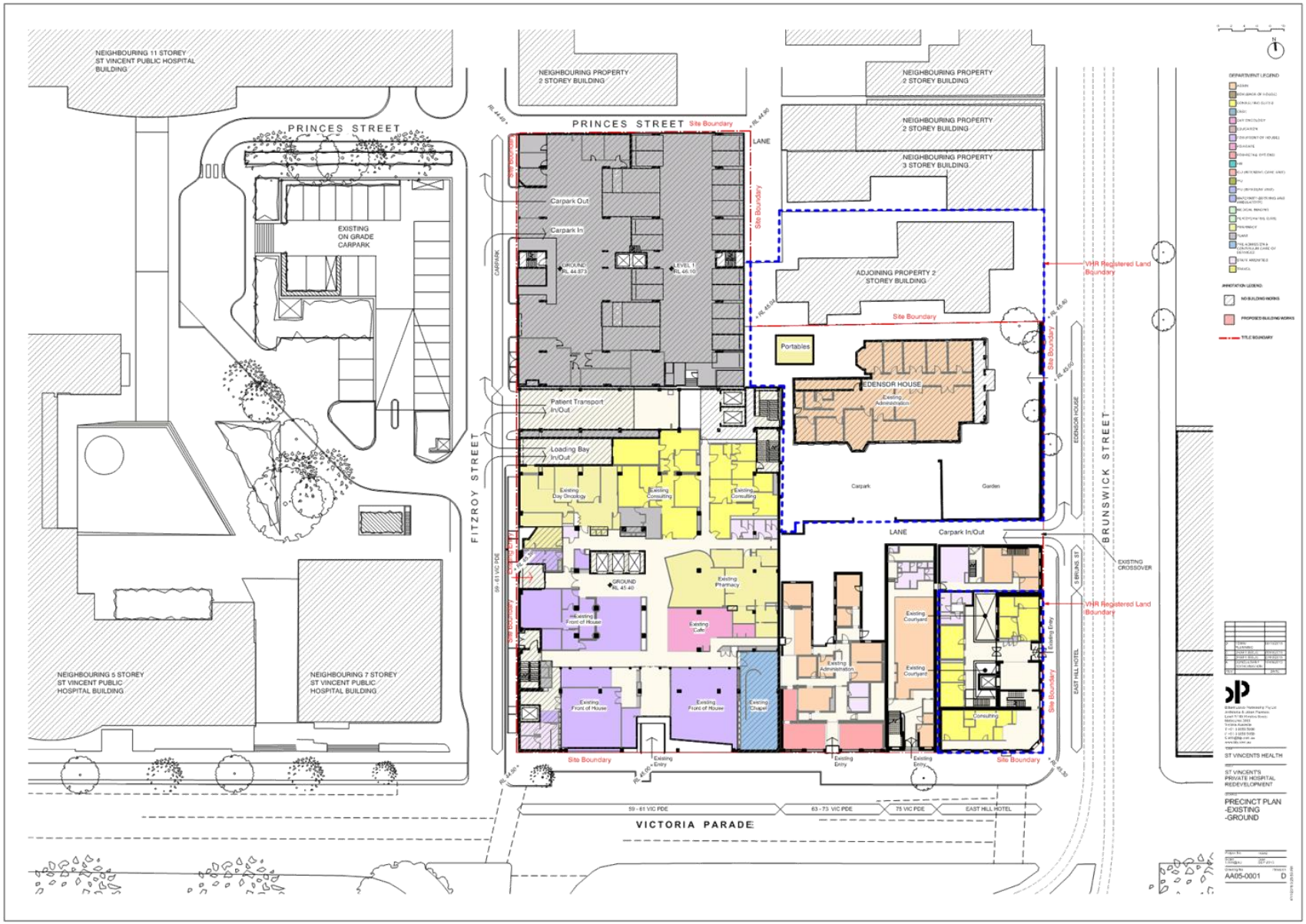

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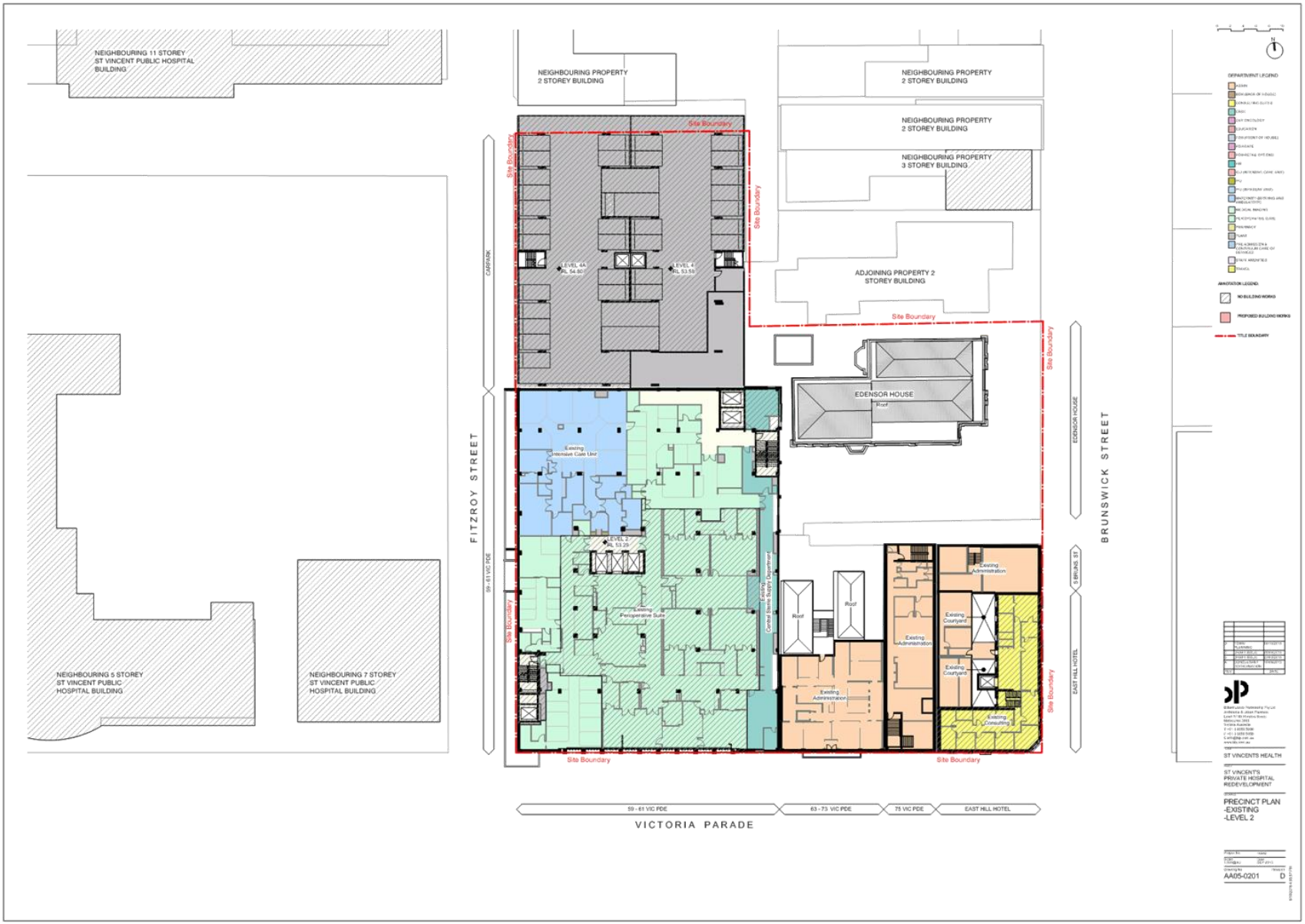

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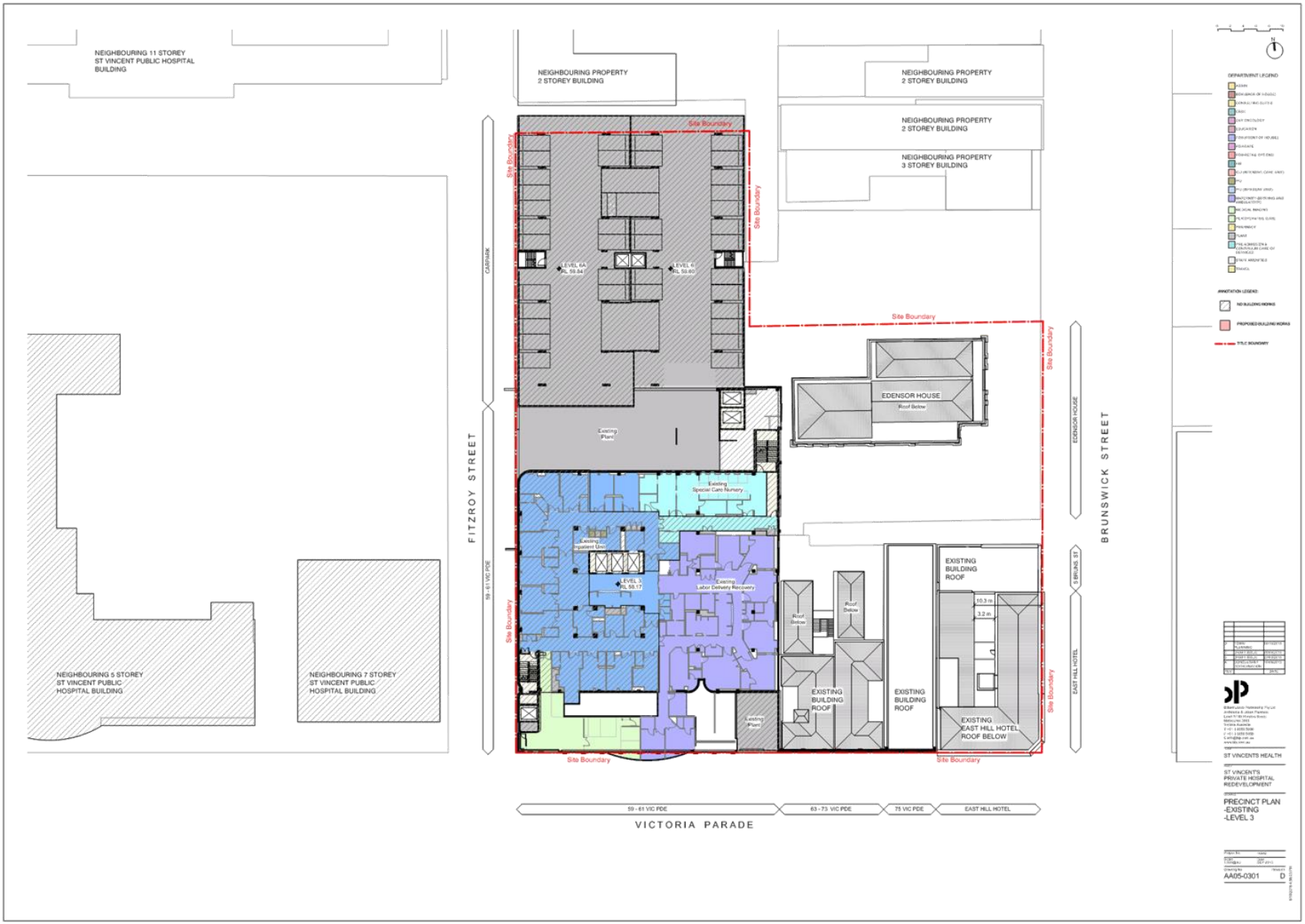

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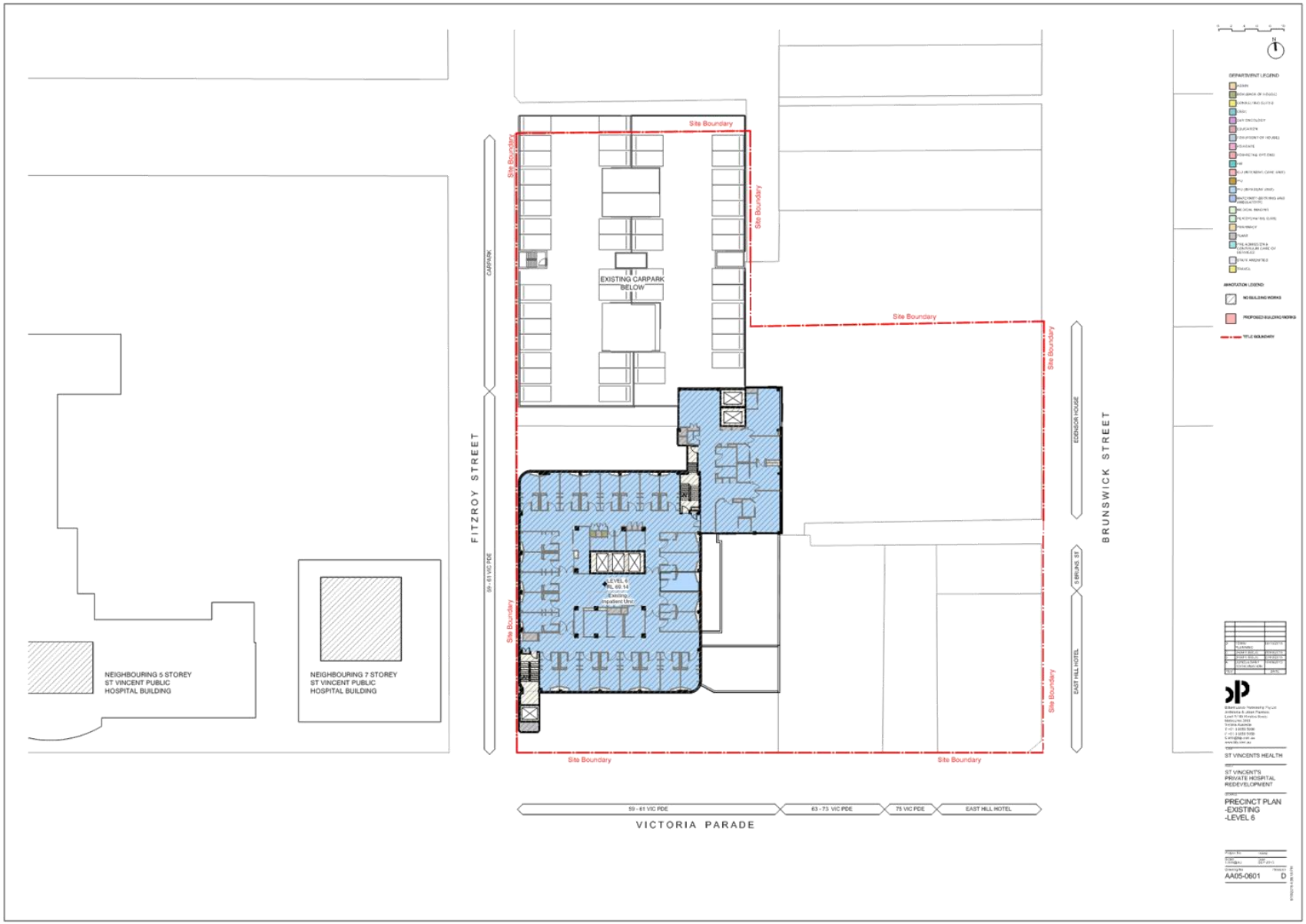

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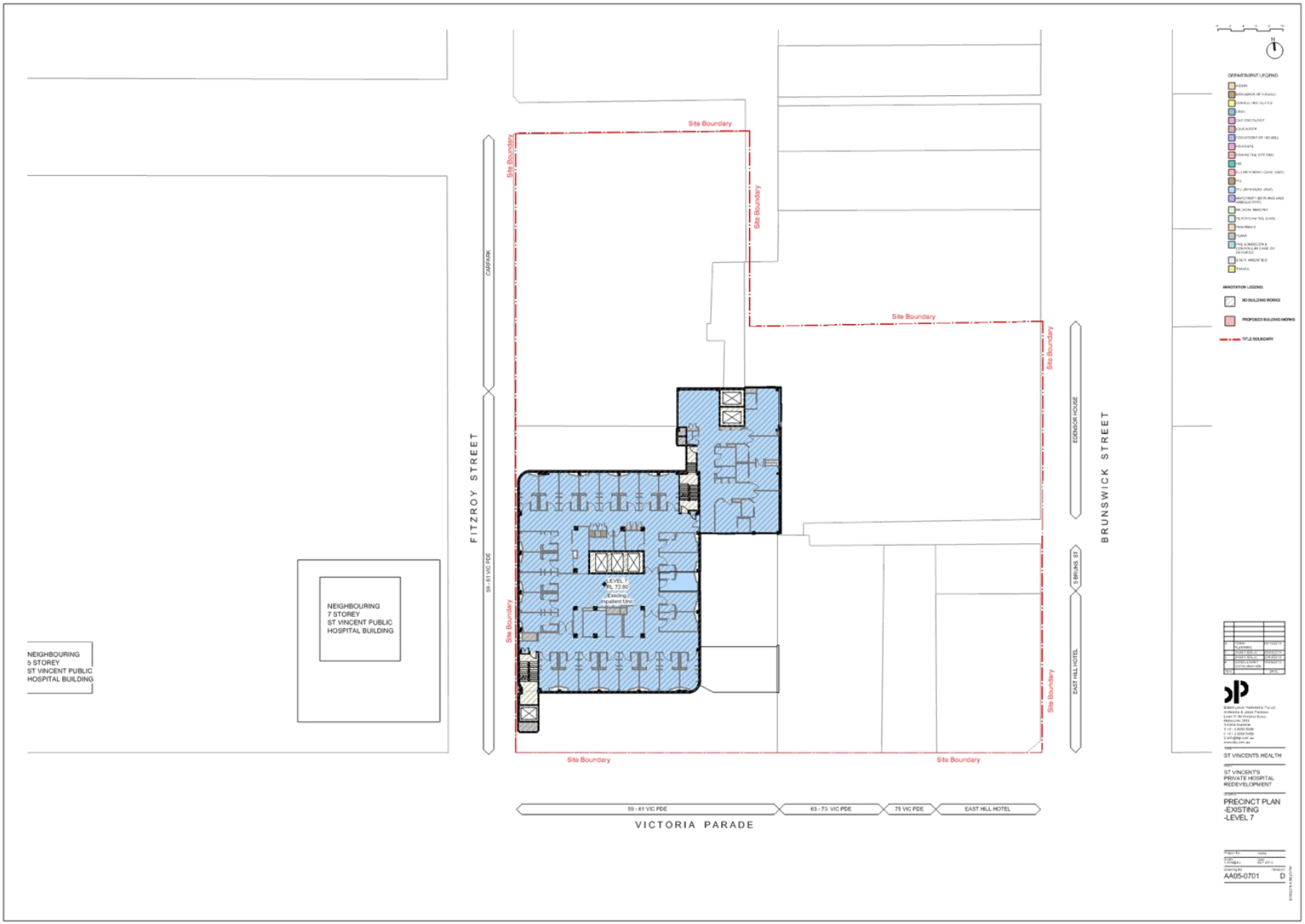

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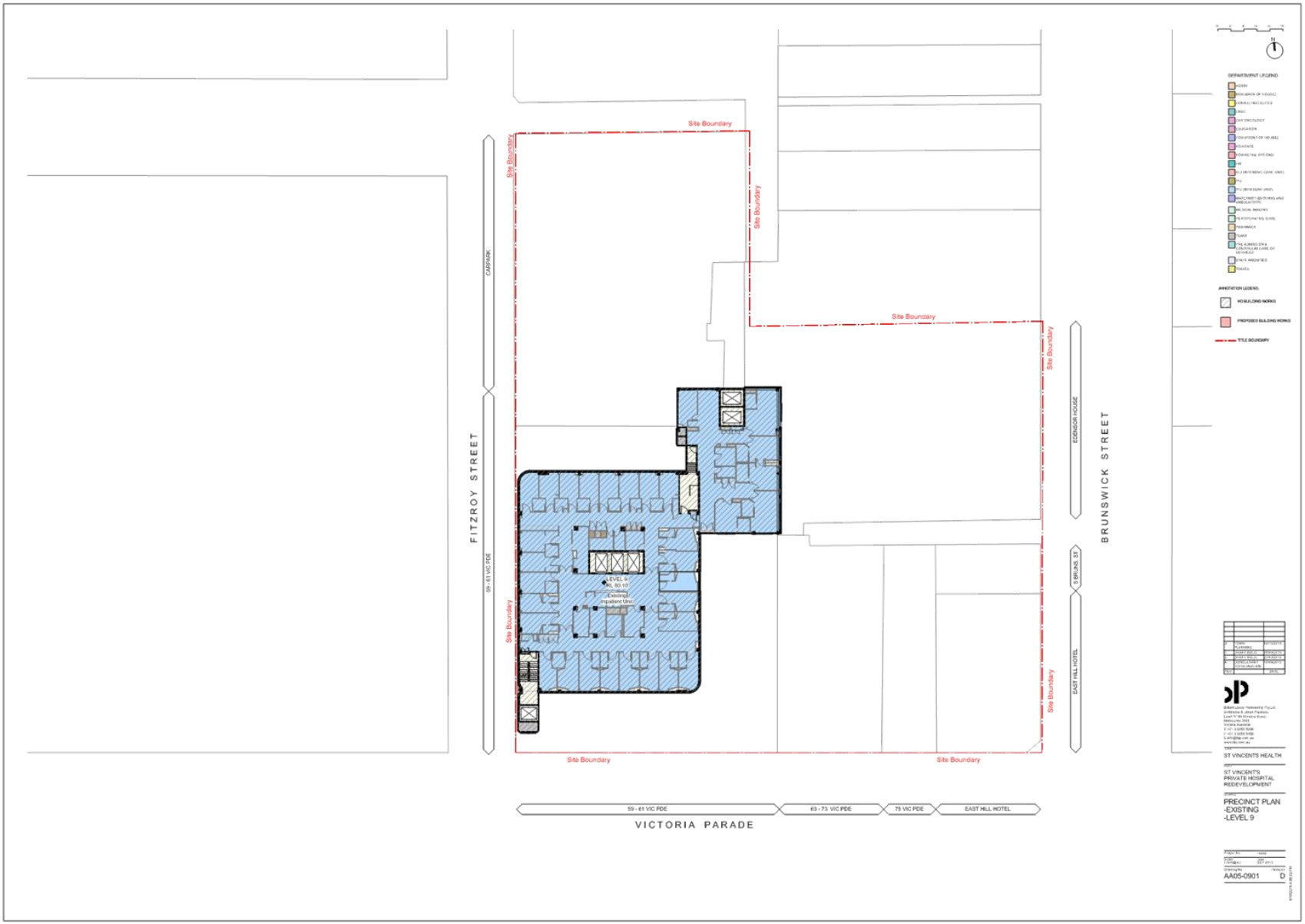

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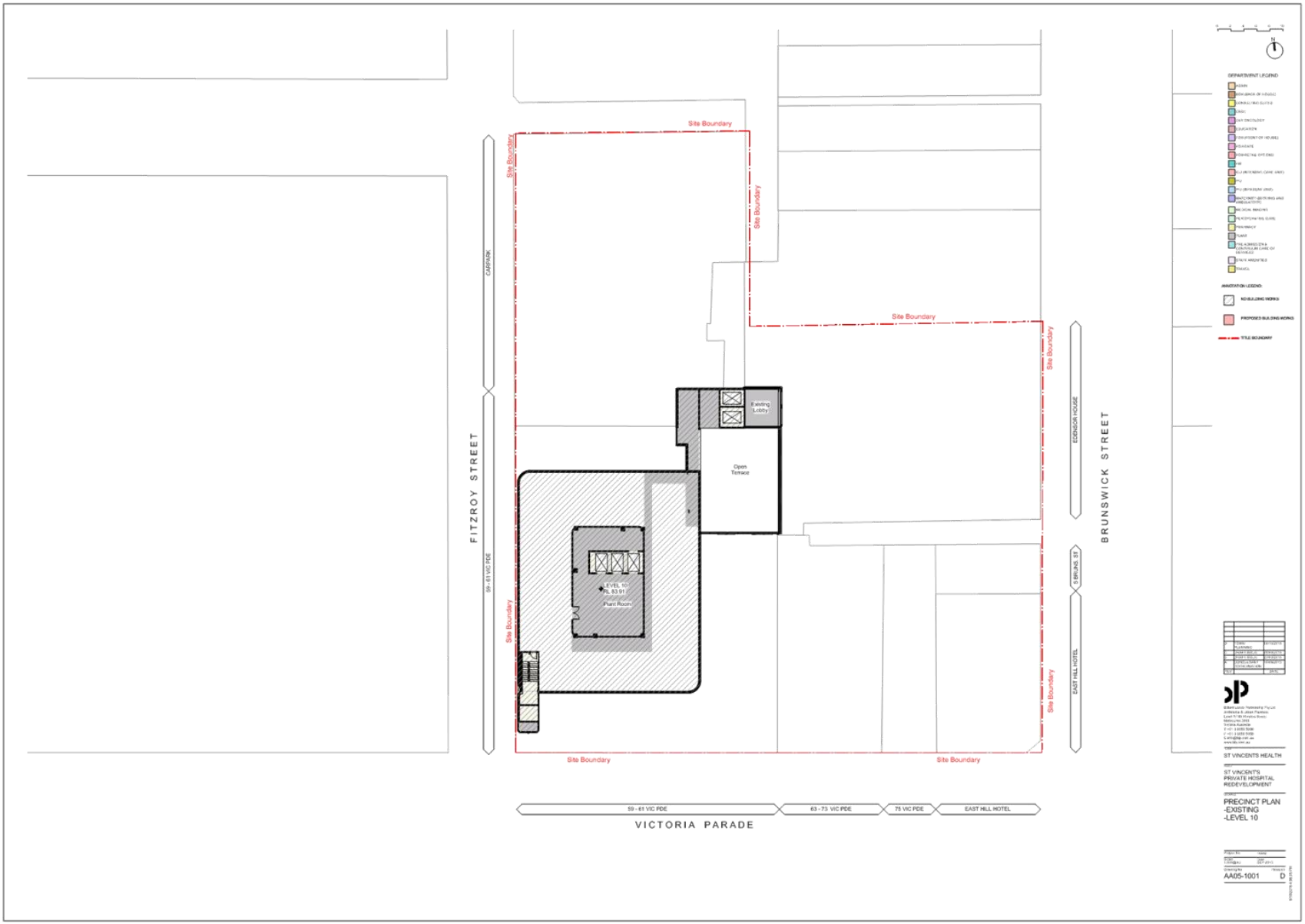

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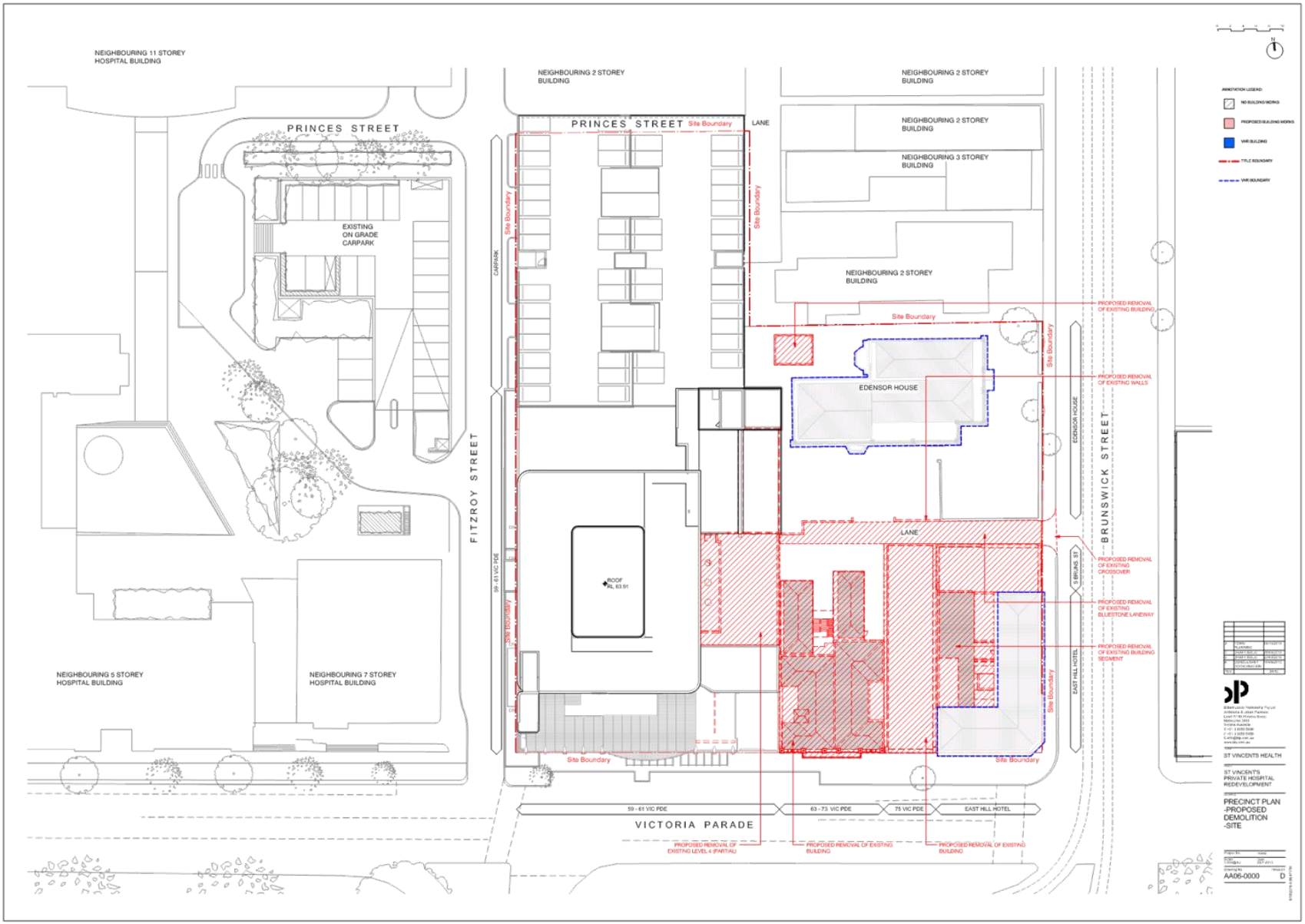

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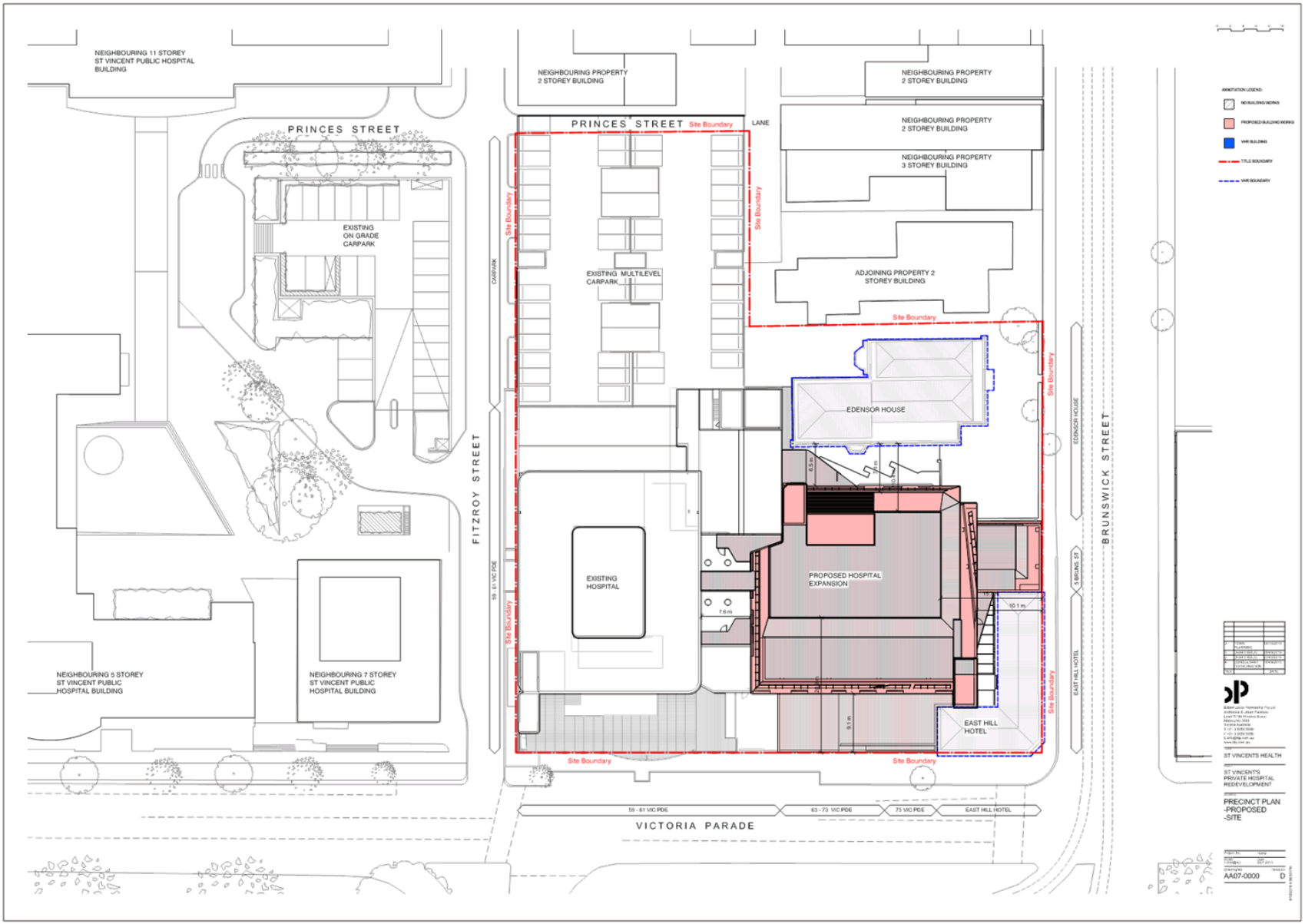

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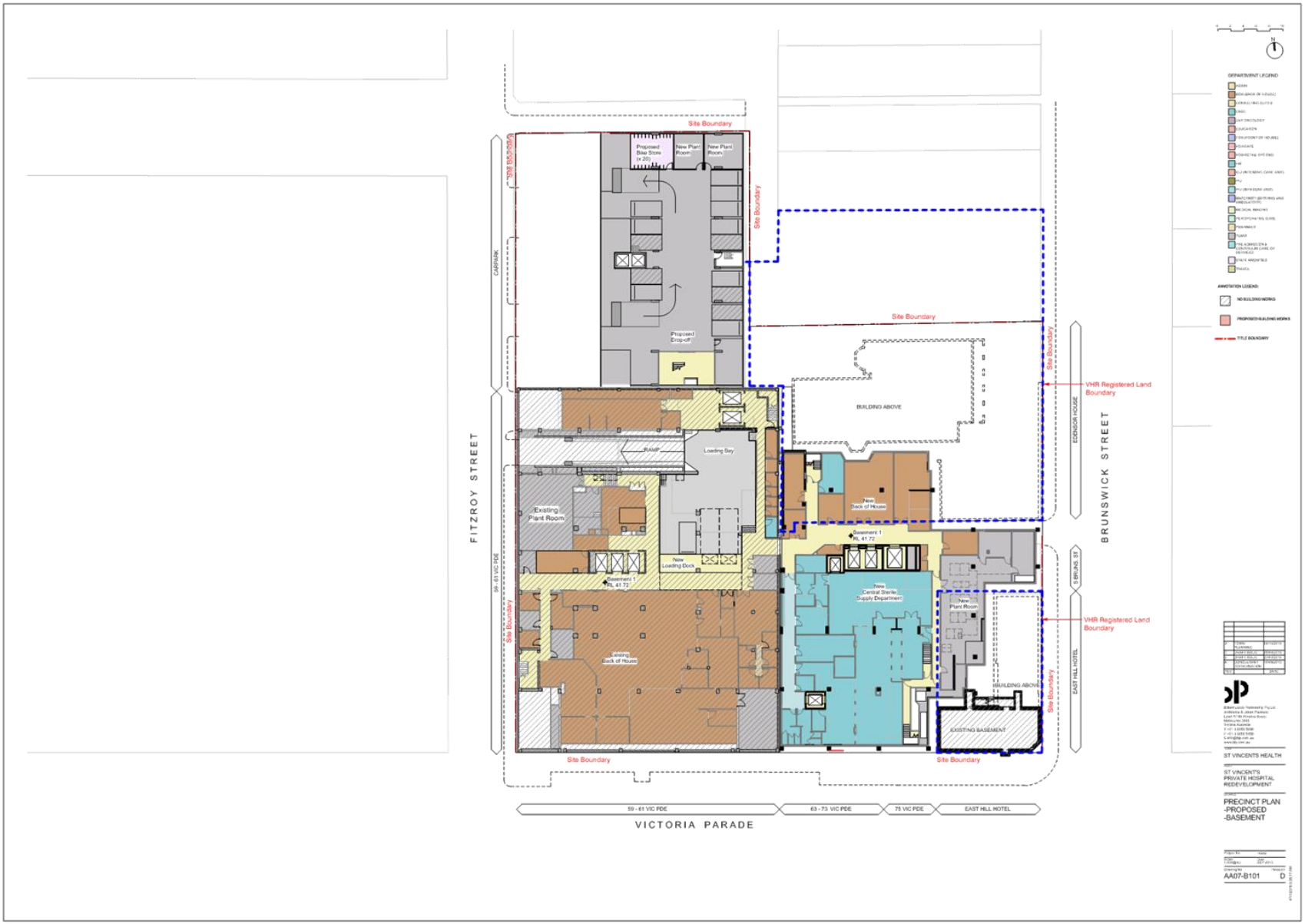

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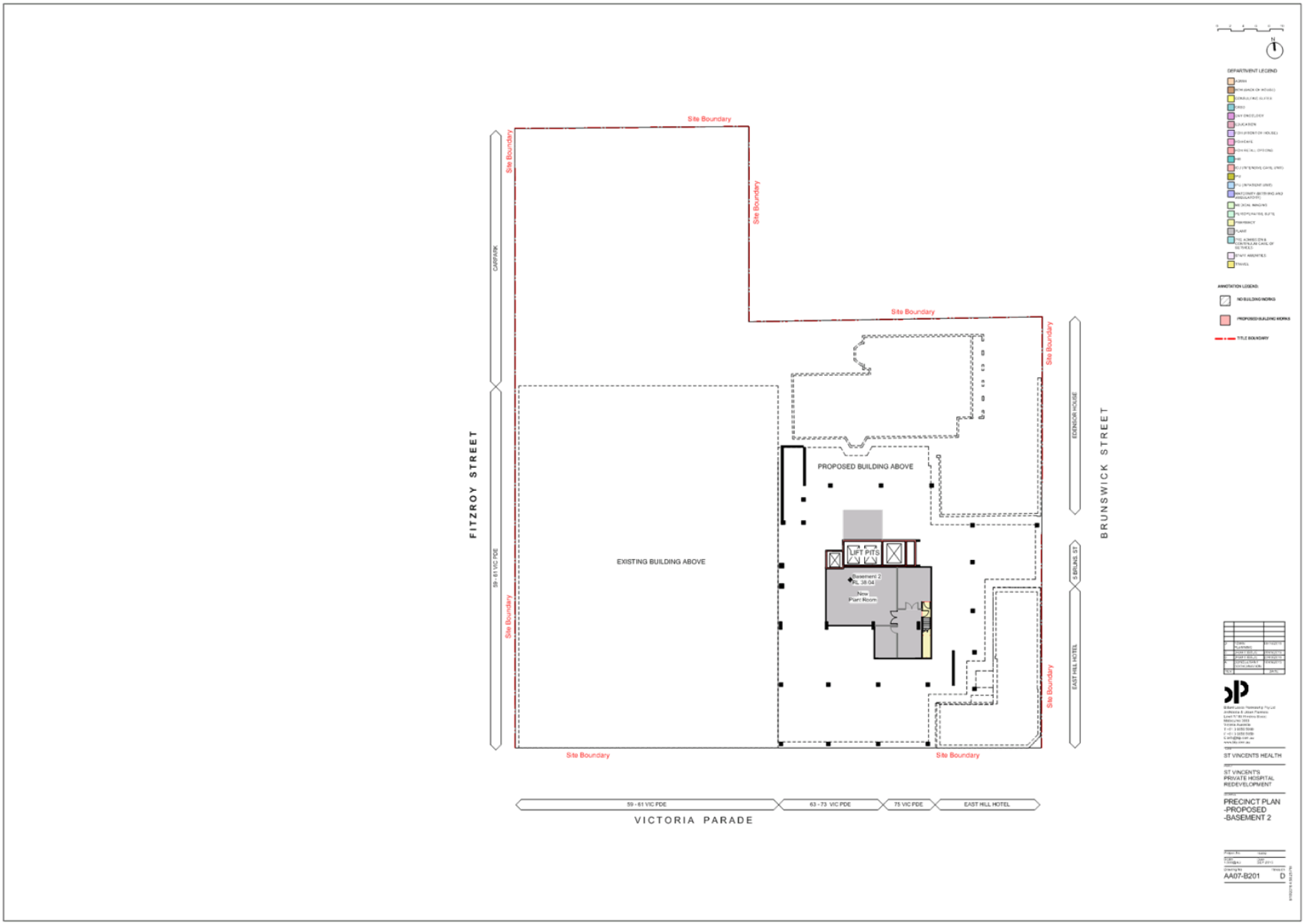

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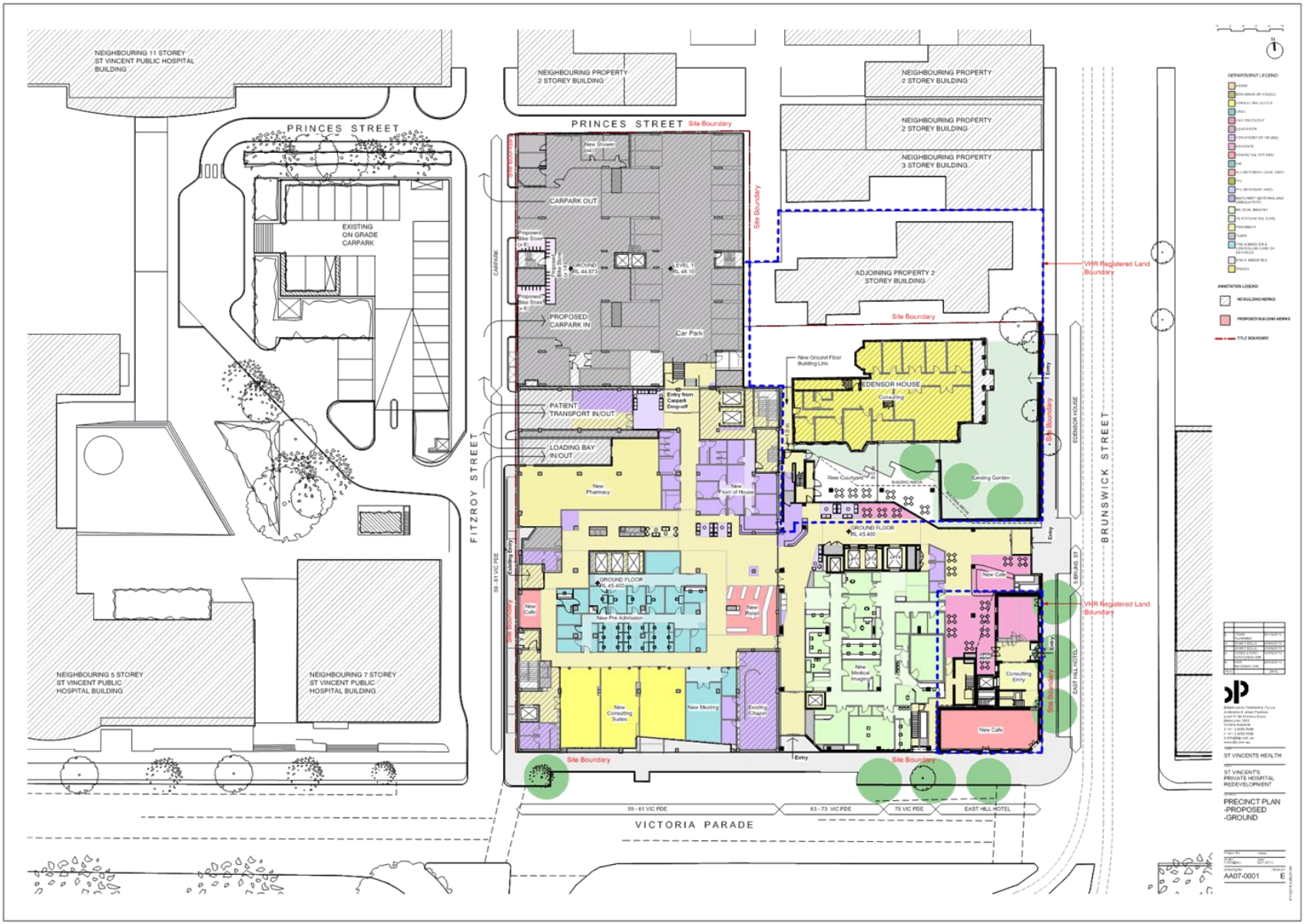

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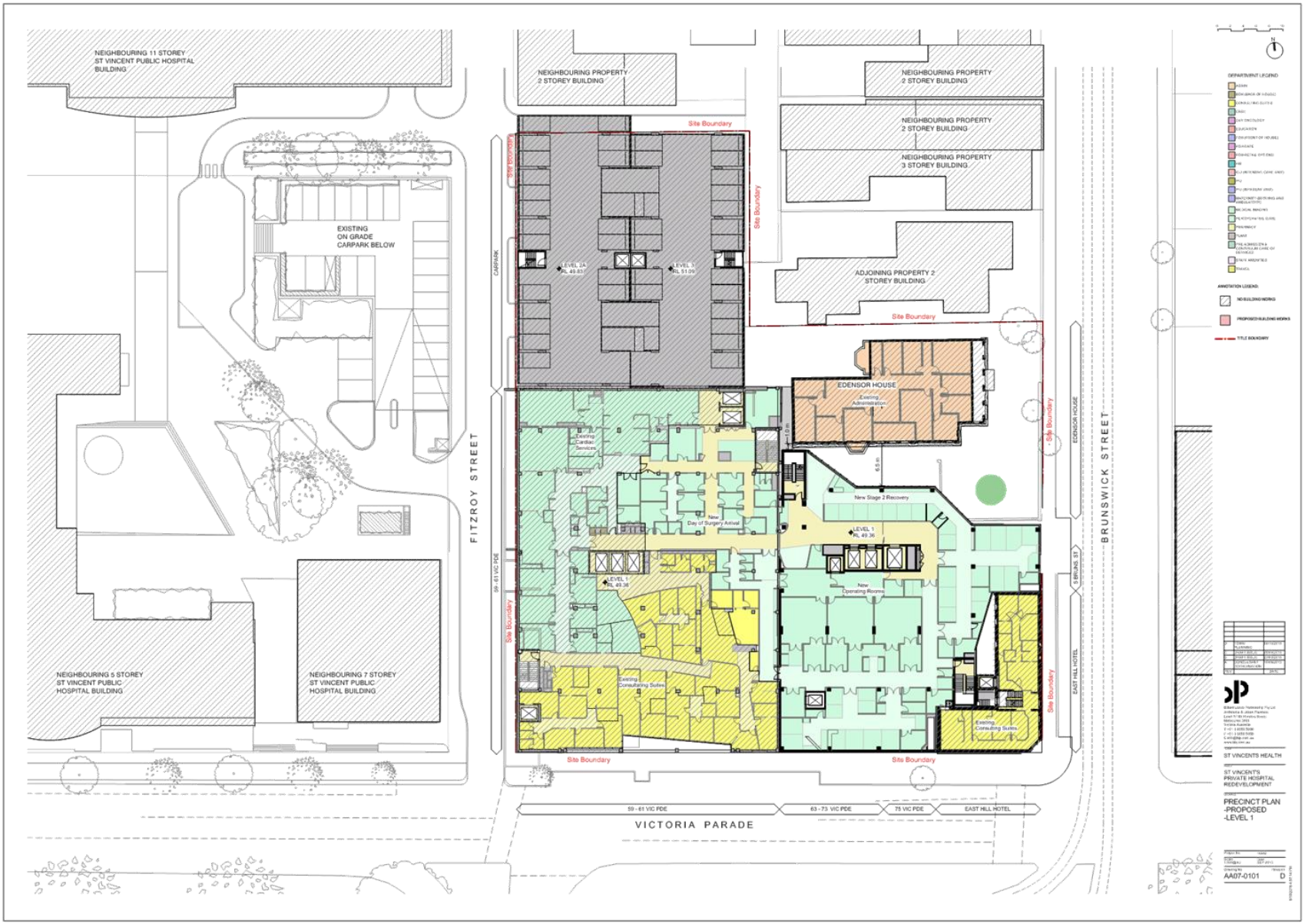

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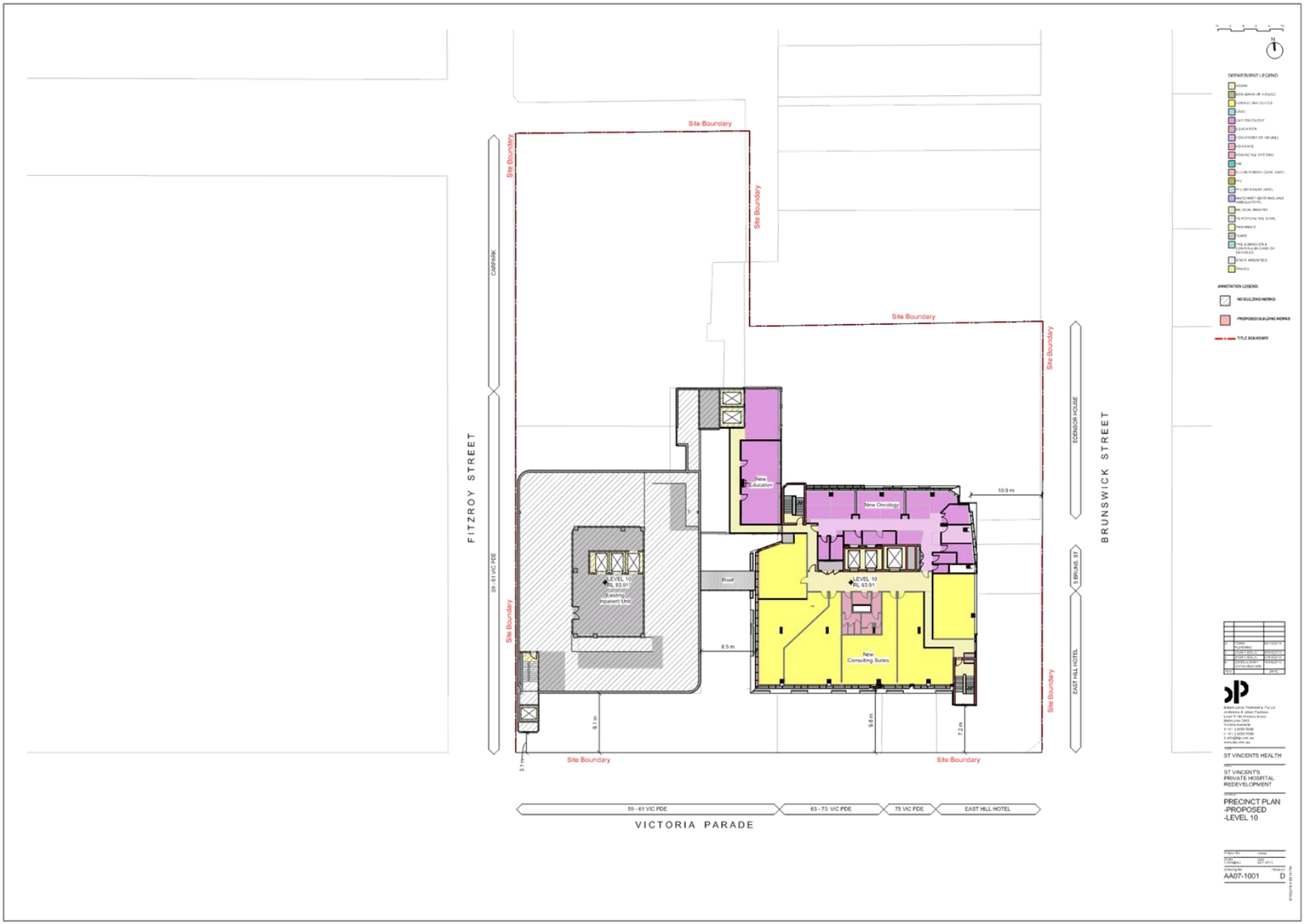

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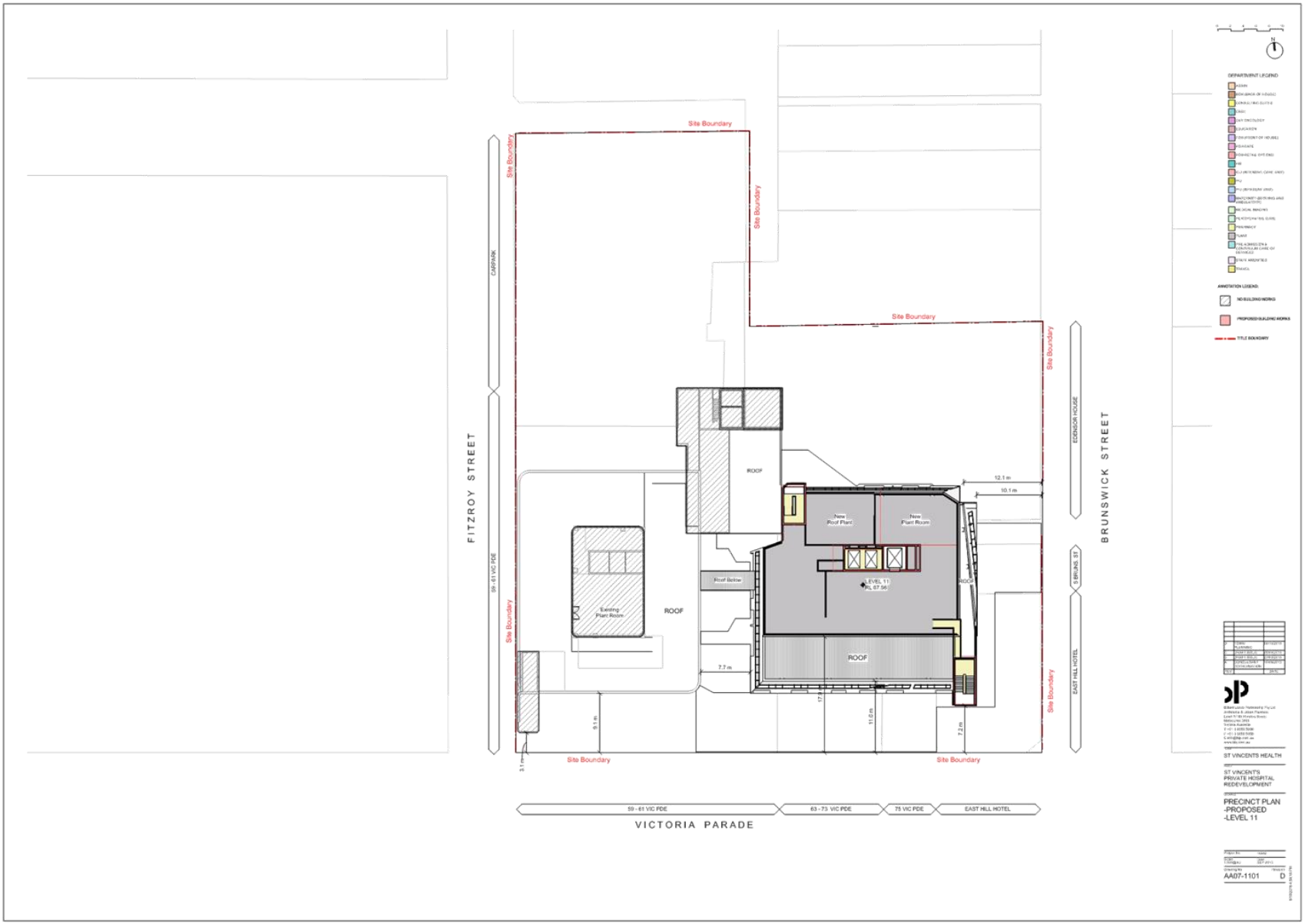

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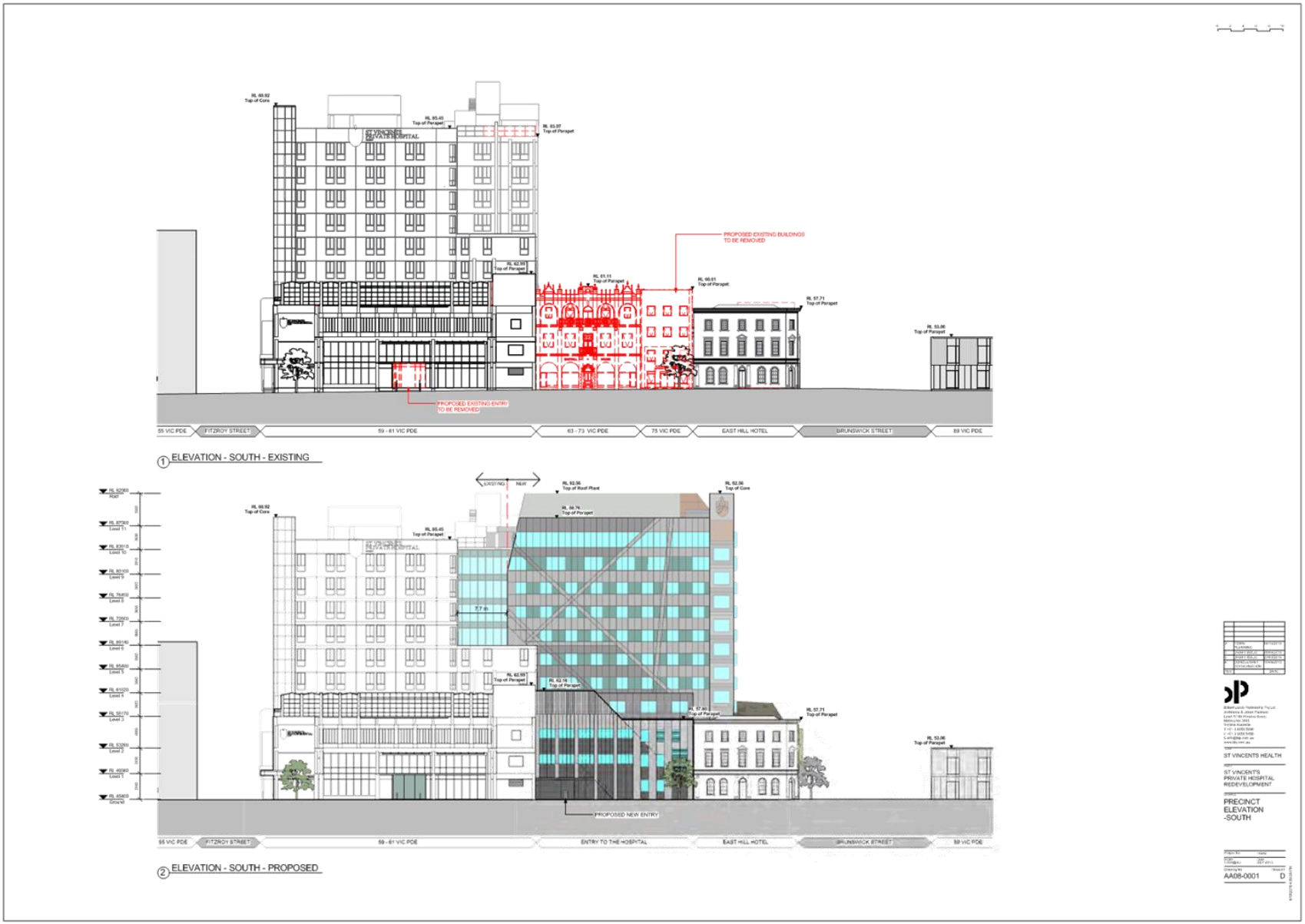

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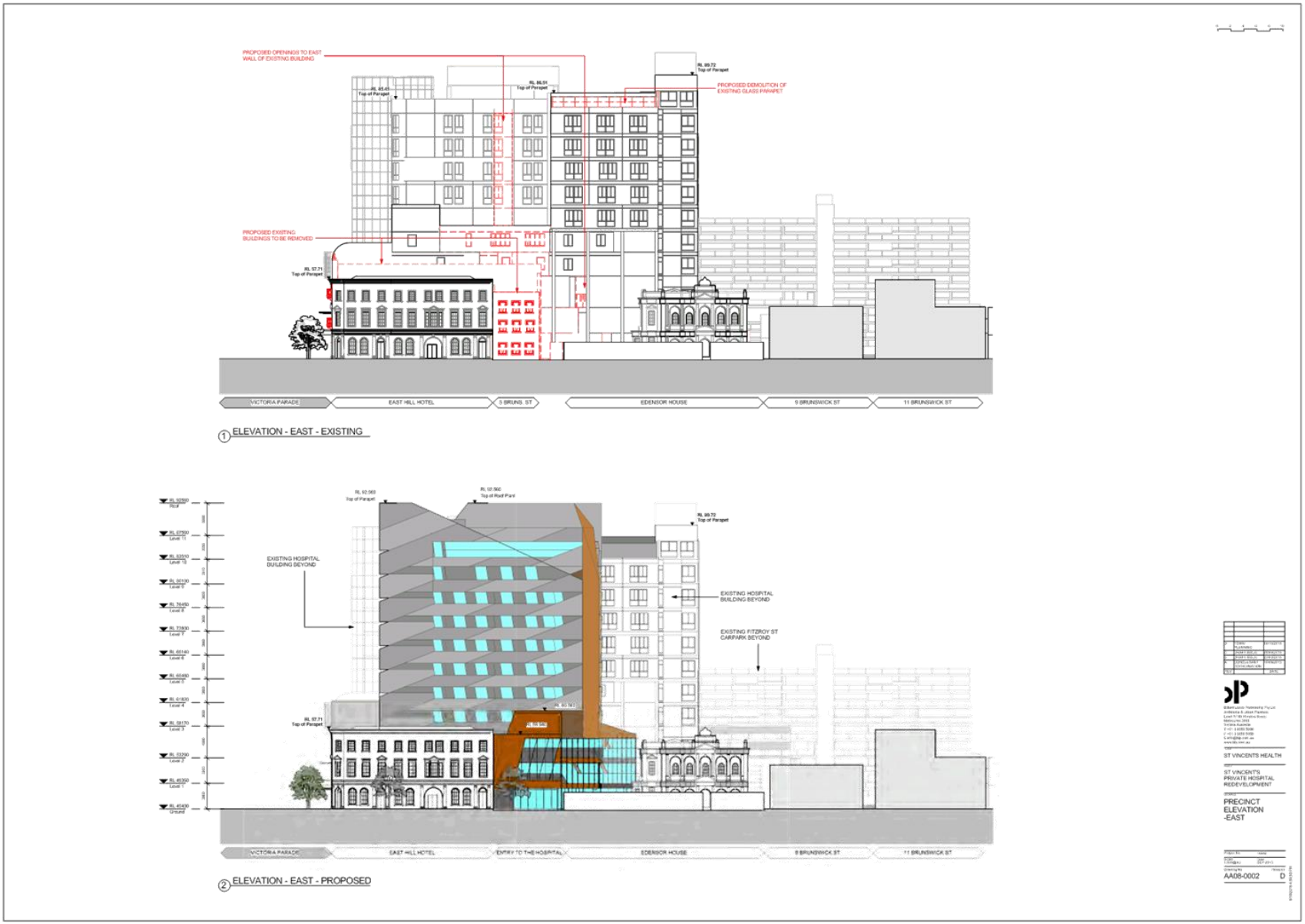

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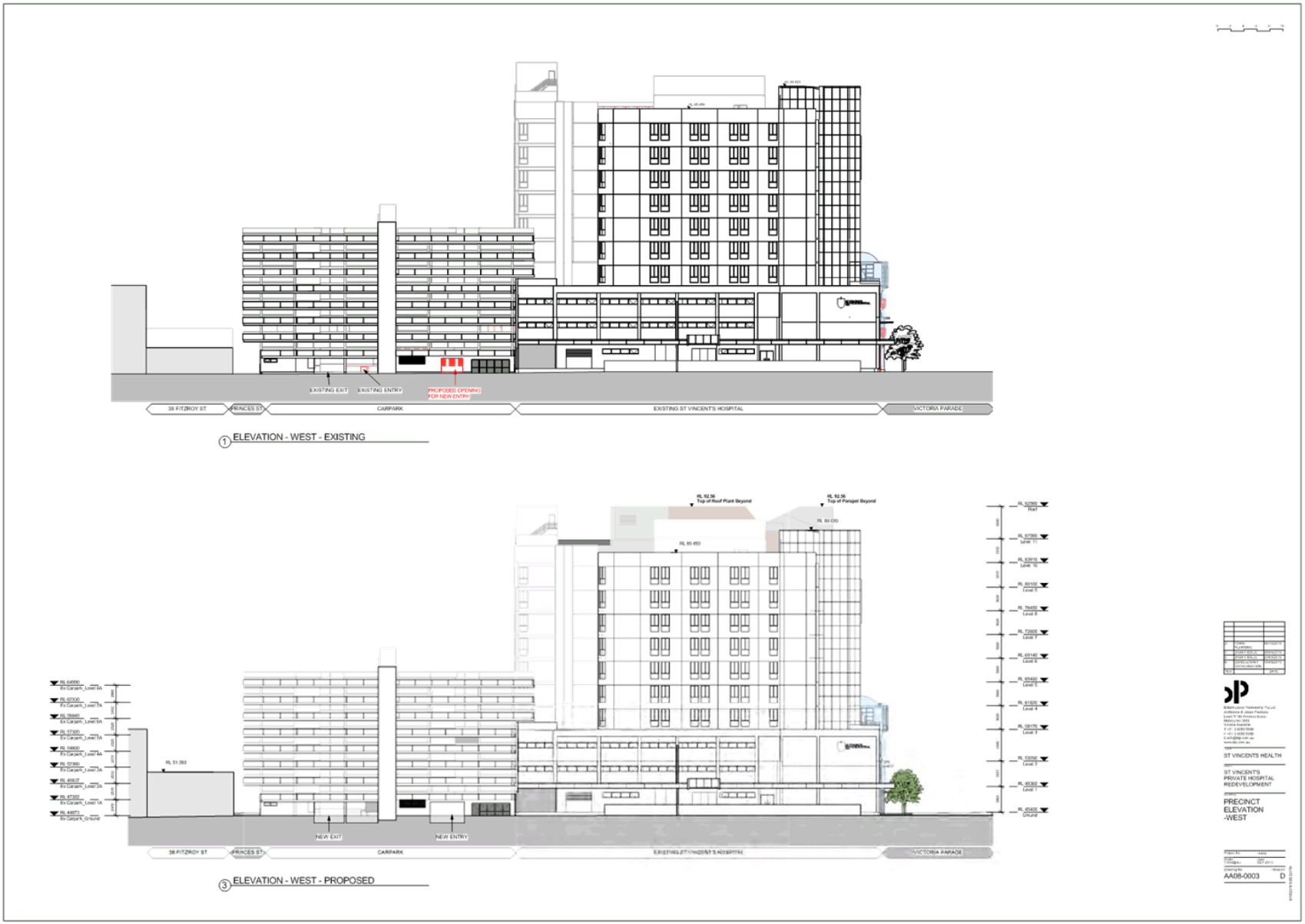

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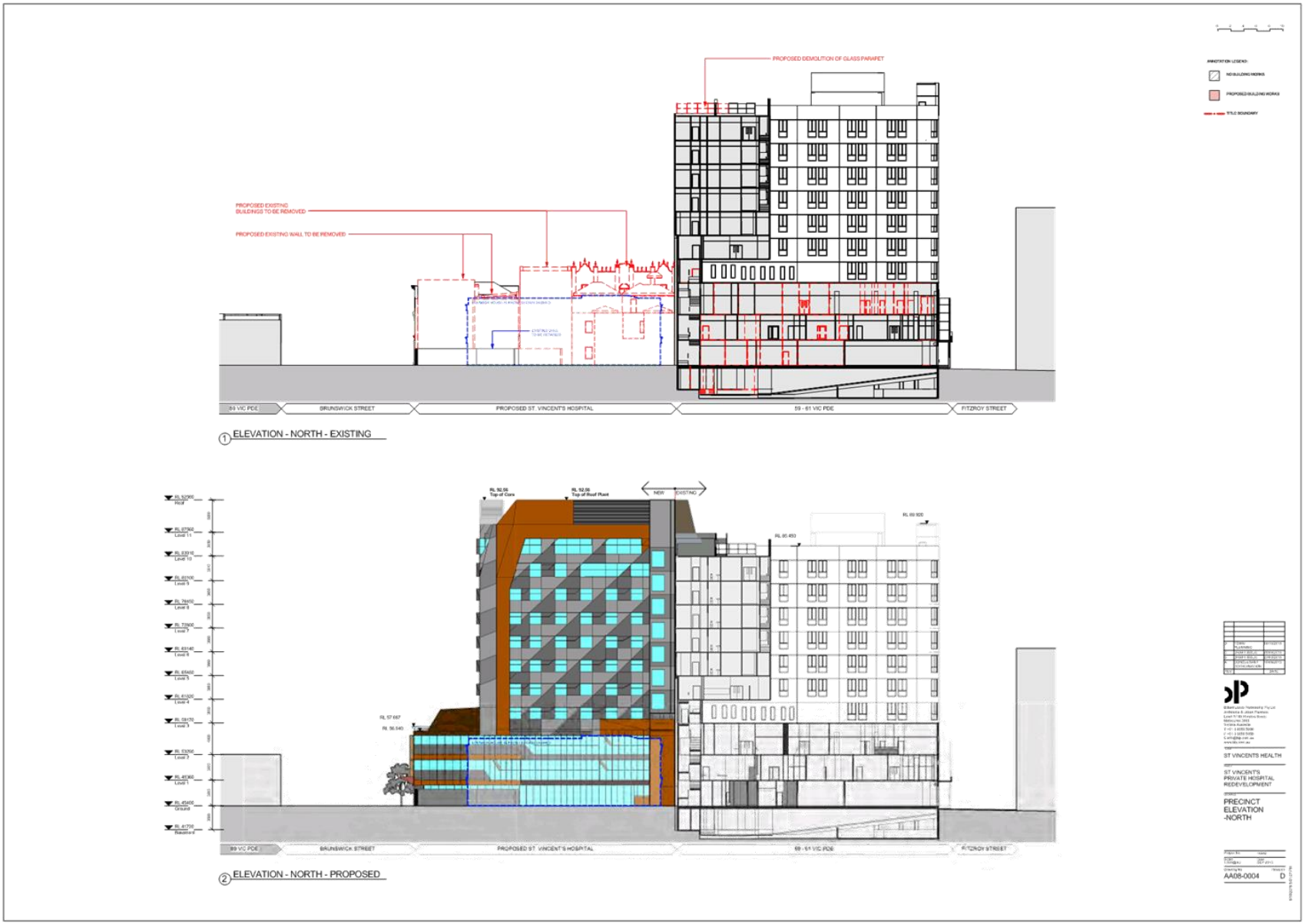

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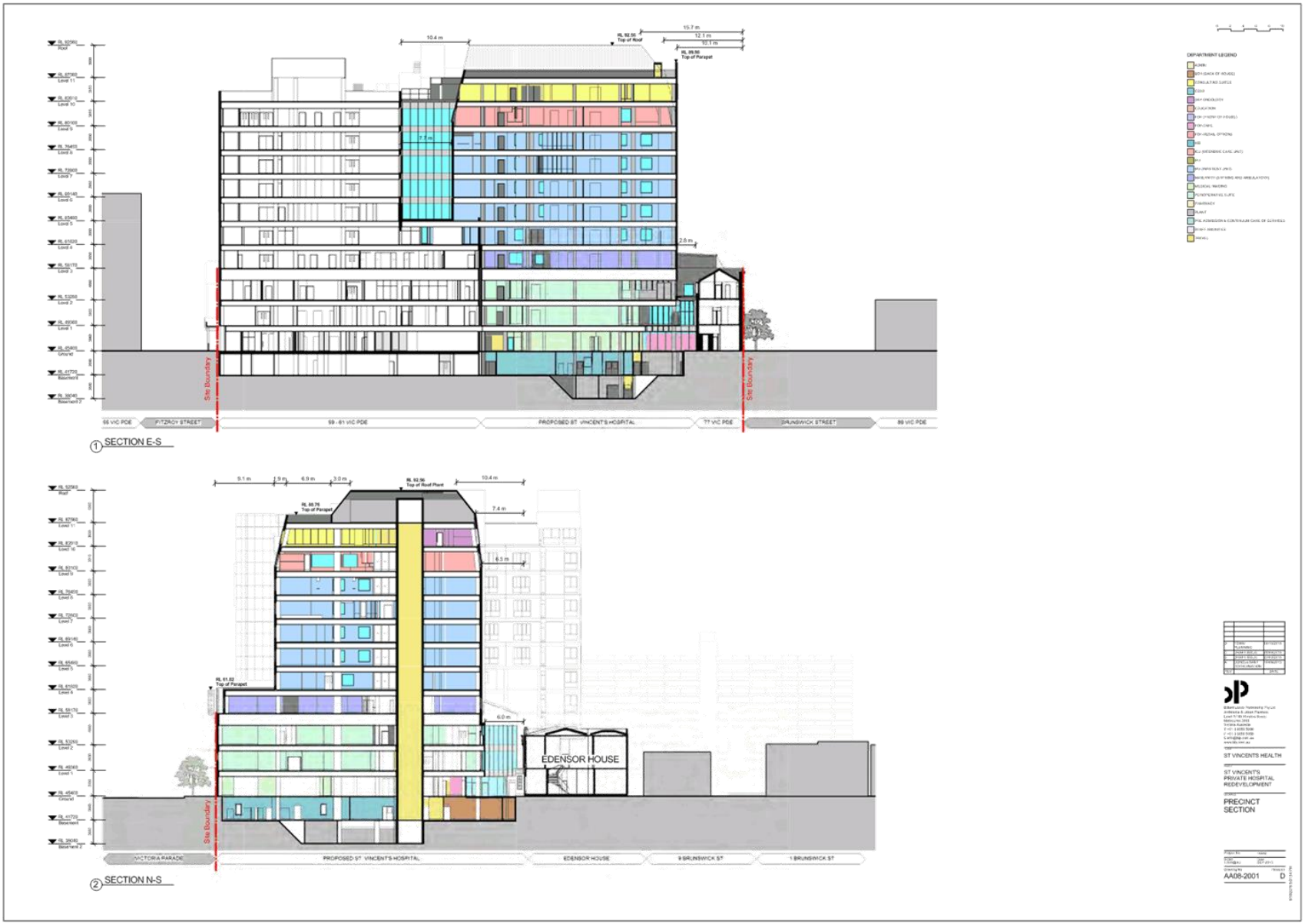

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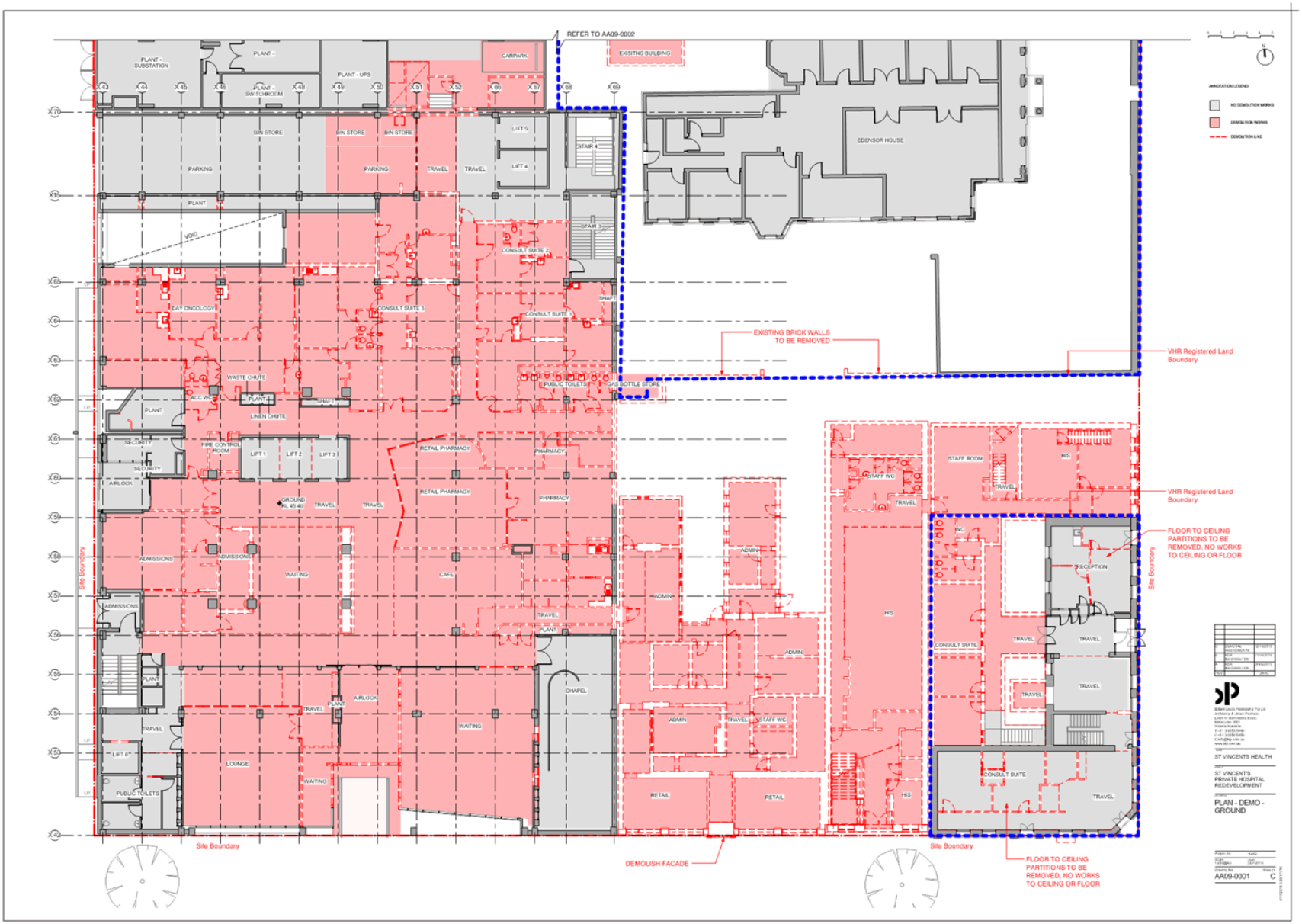

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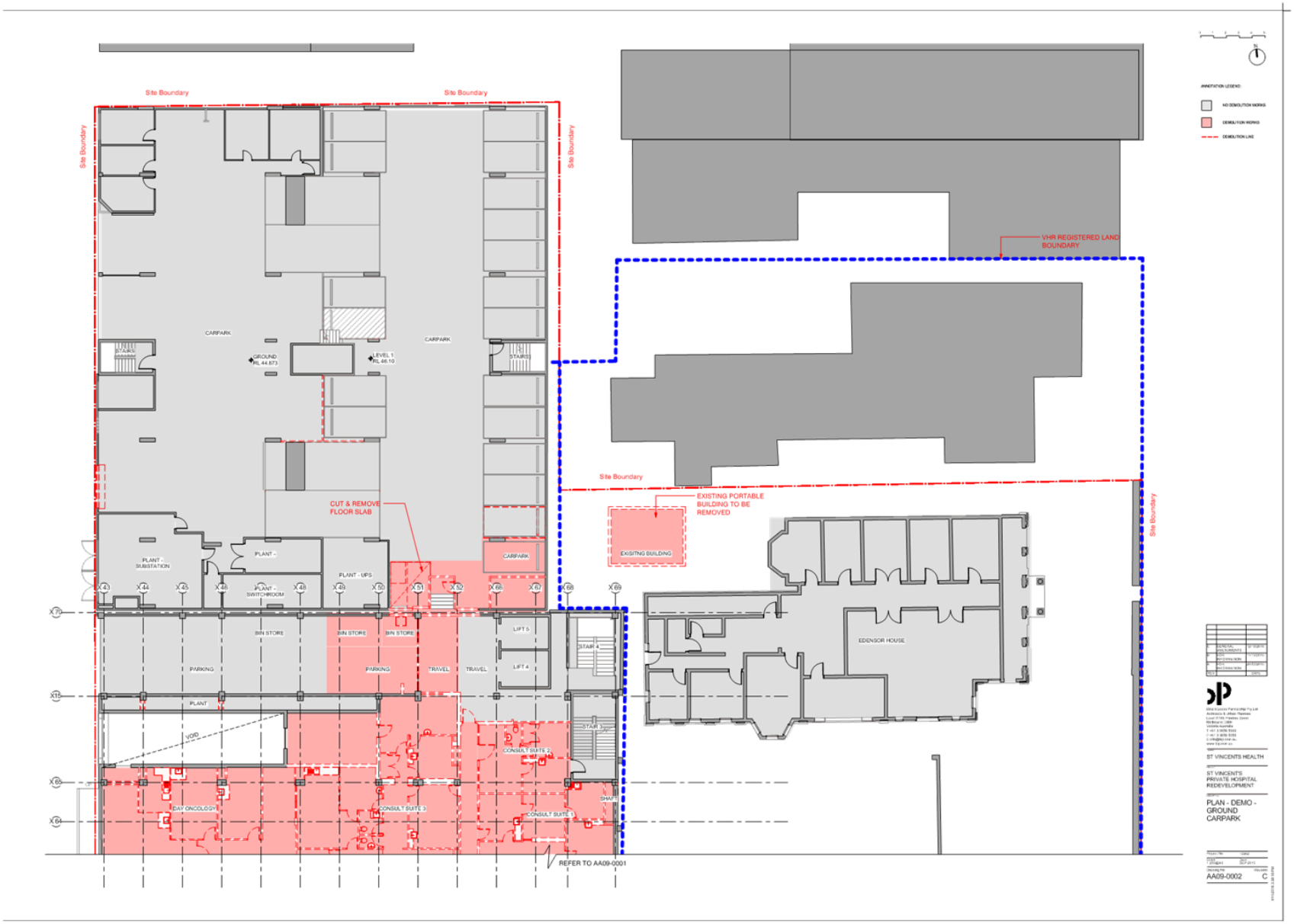

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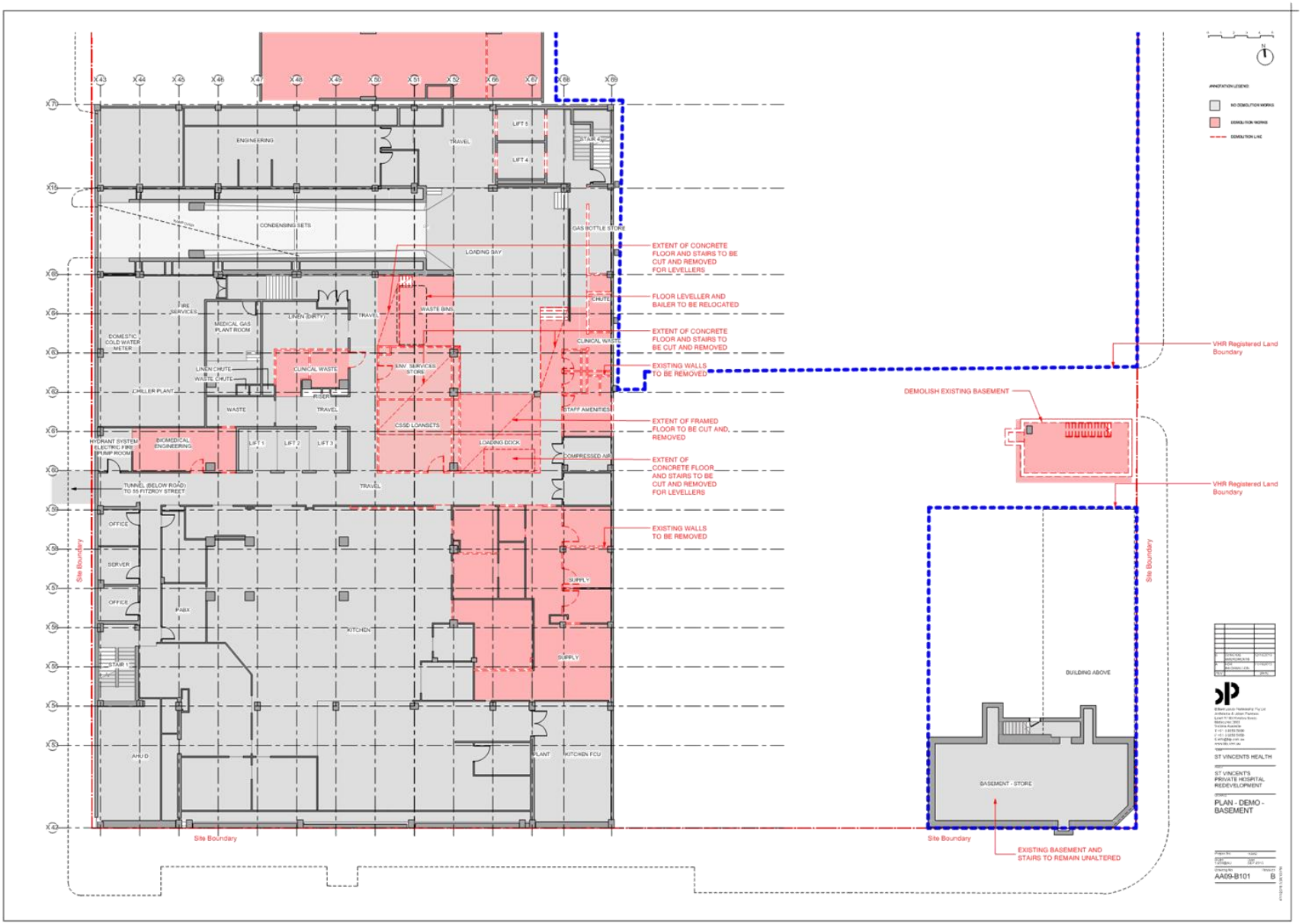

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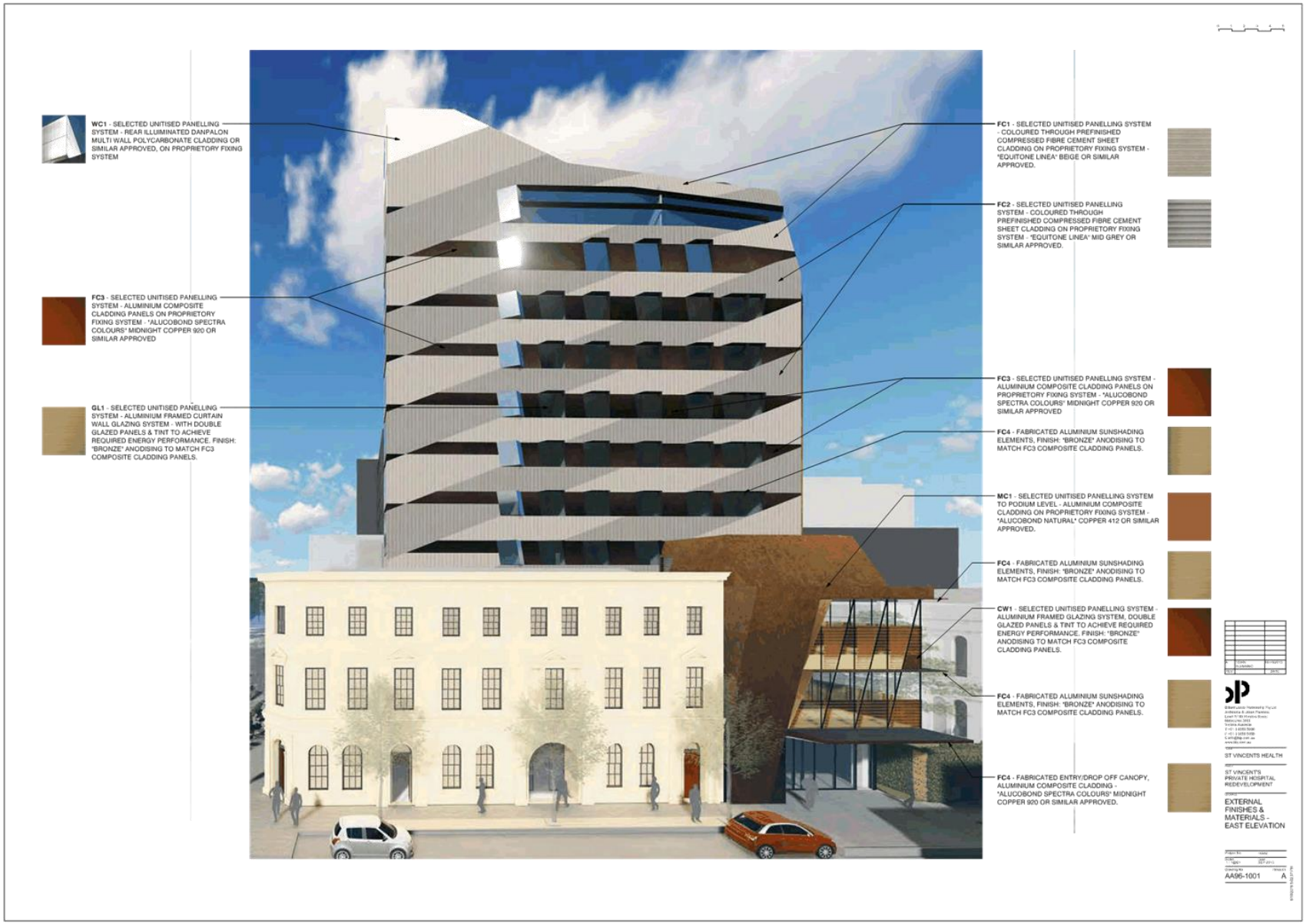

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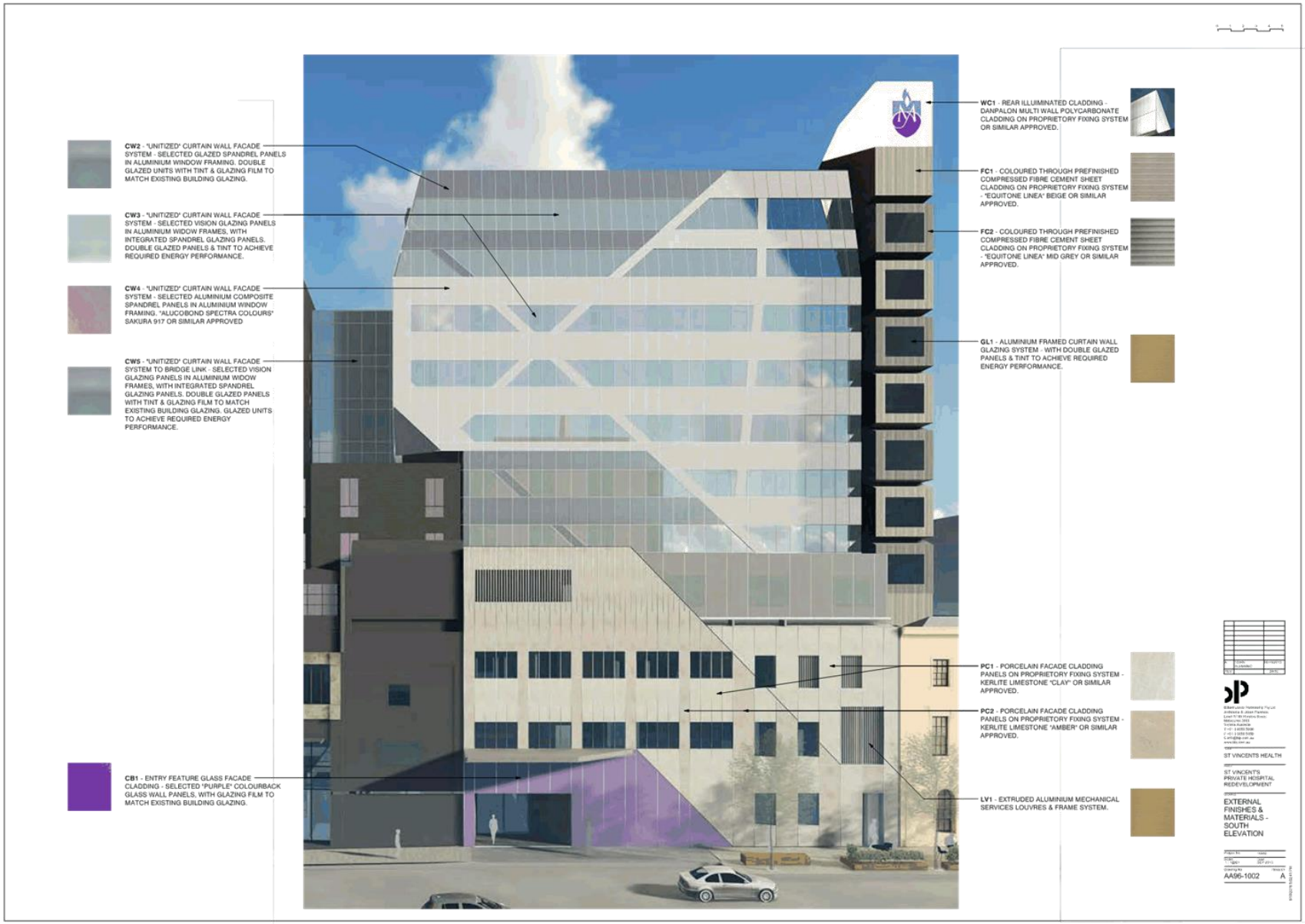

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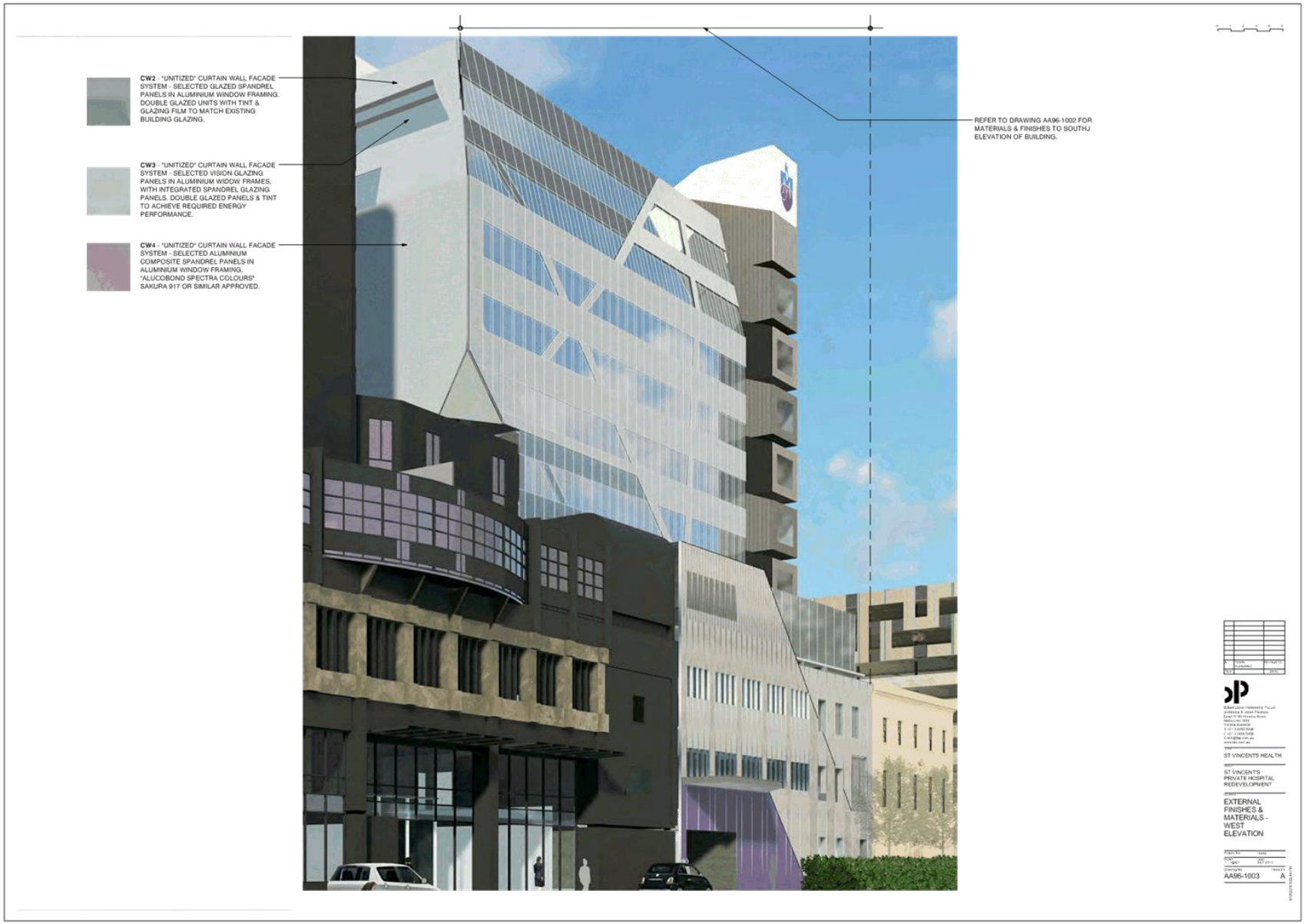

Attachment 2 - Heritage Referral - Dodgshun House

Attachment 2 - Heritage Referral - Dodgshun House

3D VIEW - CORNER BRUNSWICK STREET AND VICTORIA PARADE

ST VINCENTS HEALTH

ST VINCENT'S PRIVATE HOSPITAL REDEVELOPMENT

PERSPECTIVE

AA97-0001 A

Attachment 2 - Heritage Referral - Dodgshun House

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ST VINCENTS HEALTH

ST VINCENT'S PRIVATE HOSPITAL REDEVELOPMENT

PERSPECTIVE - VICTORIA PARADE

AA97-0003 A

Attachment 2 - Heritage Referral - Dodgshun House

AERIAL - NORTHEAST

ST VINCENTS HEALTH

ST VINCENT'S PRIVATE HOSPITAL REDEVELOPMENT

PERSPECTIVE - NORTHEAST AERIAL

AA97-0004 A

Attachment 2 - Heritage Referral - Dodgshun House

3D VIEW - EAST VIEW

AERIAL - SOUTHWEST

3D VIEW - BRUNSWICK ST TOWARDS VICTORIA PARADE

AERIAL - SOUTHEAST

ST VINCENTS HEALTH

ST VINCENT'S PRIVATE HOSPITAL REDEVELOPMENT

PERSPECTIVE - OVERALL

AA97-0005 A

Attachment 2 - Heritage Referral - Dodgshun House

3D VIEW - EDENSOR HOUSE

3D VIEW - CORNER VICTORIA PARADE & BRUNSWICK ST

3D VIEW - EAST ENTRANCE

3D VIEW - SOUTH ENTRANCE

ST VINCENTS HEALTH

ST VINCENT'S PRIVATE HOSPITAL REDEVELOPMENT

PERSPECTIVE - STREET

AA97-0006 A

Attachment 2 - Heritage Referral - Dodgshun House

3D INTERIOR - COURTYARD

3D INTERIOR - EAST ENTRANCE

3D INTERIOR - SOUTH ENTRANCE

3D INTERIOR - WAITING

ST VINCENTS HEALTH

ST VINCENT'S PRIVATE HOSPITAL REDEVELOPMENT

PERSPECTIVE - INTERIOR

AA97-0007 A

Attachment 2 - Heritage Referral - Dodgshun House

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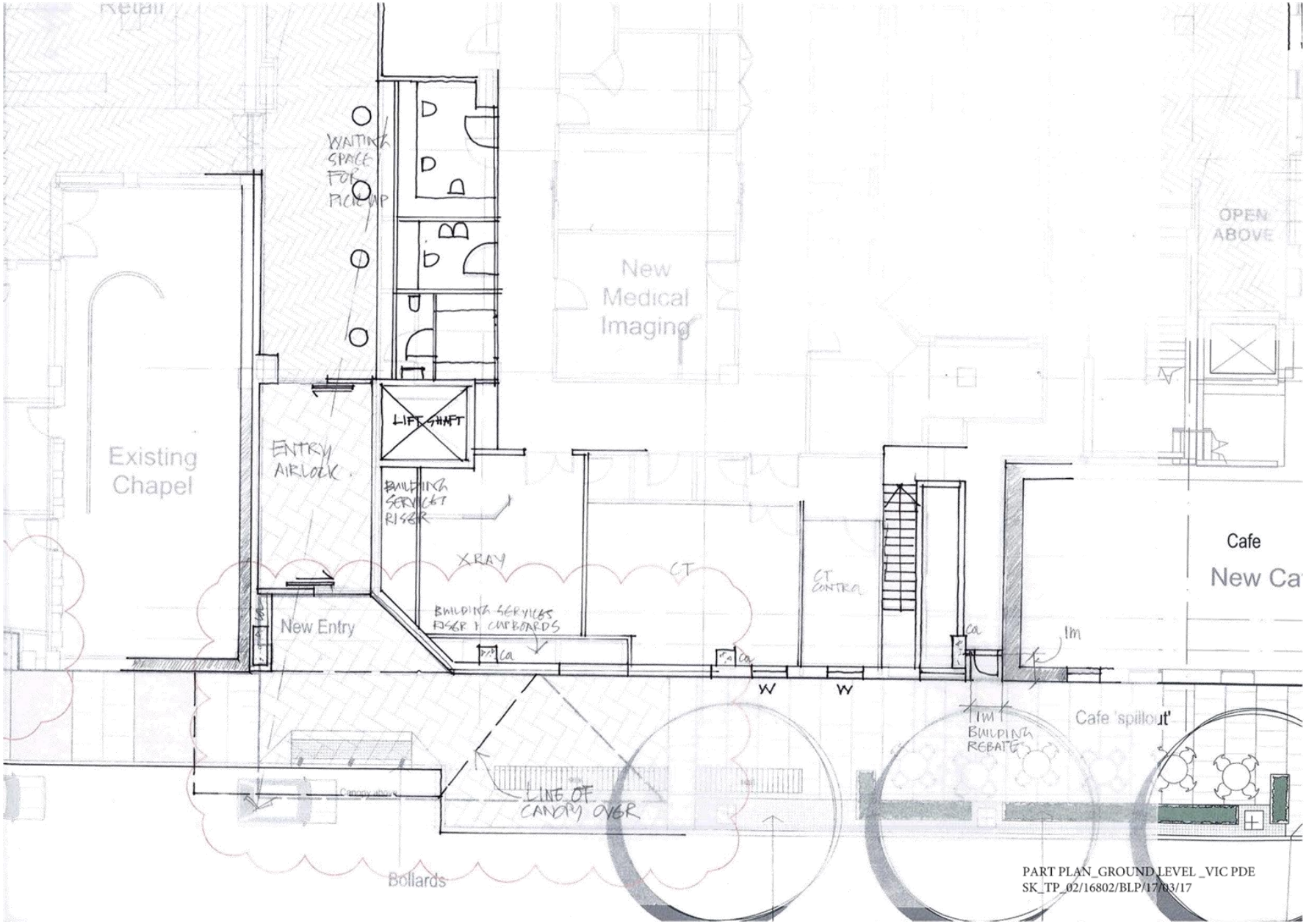

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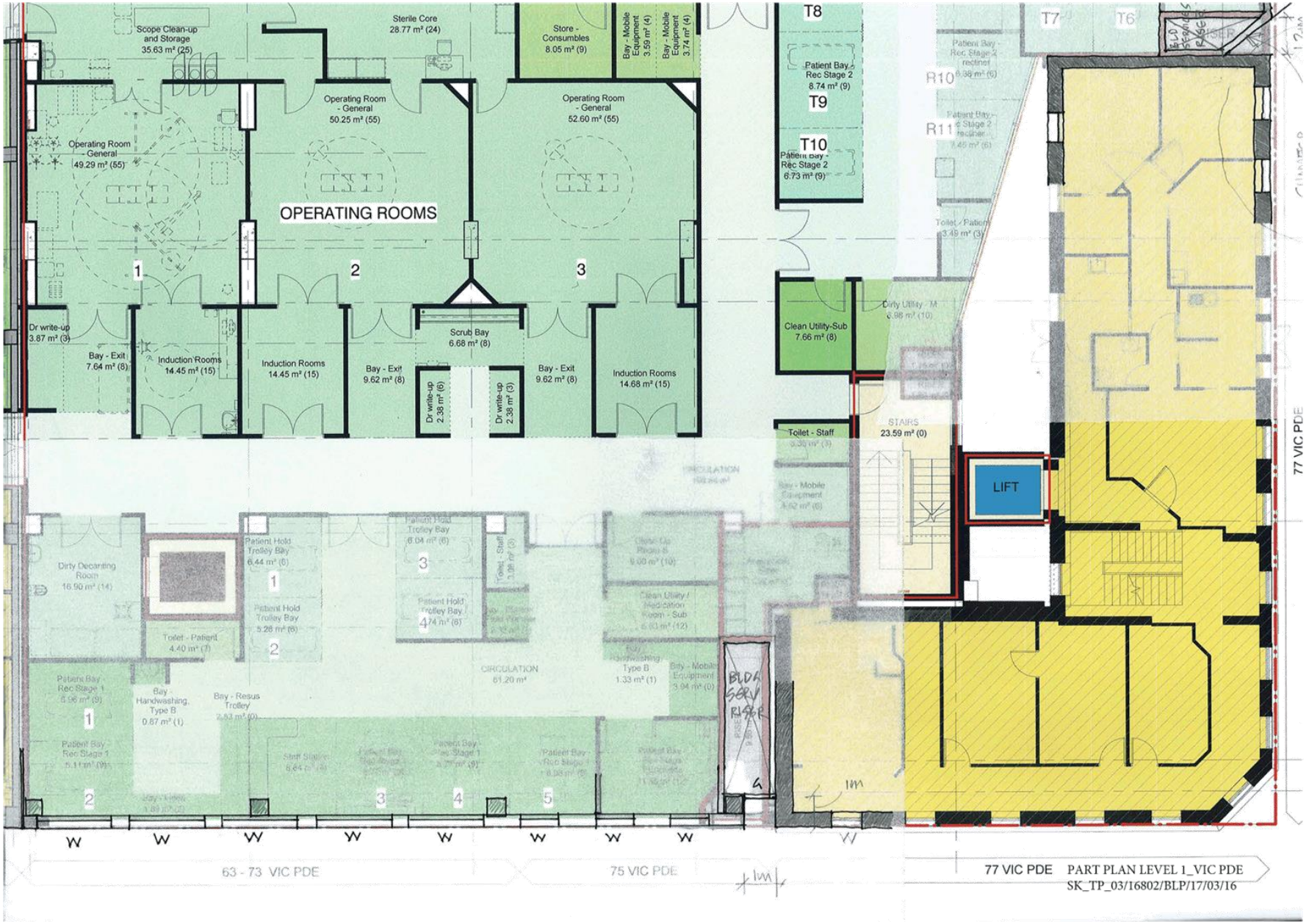

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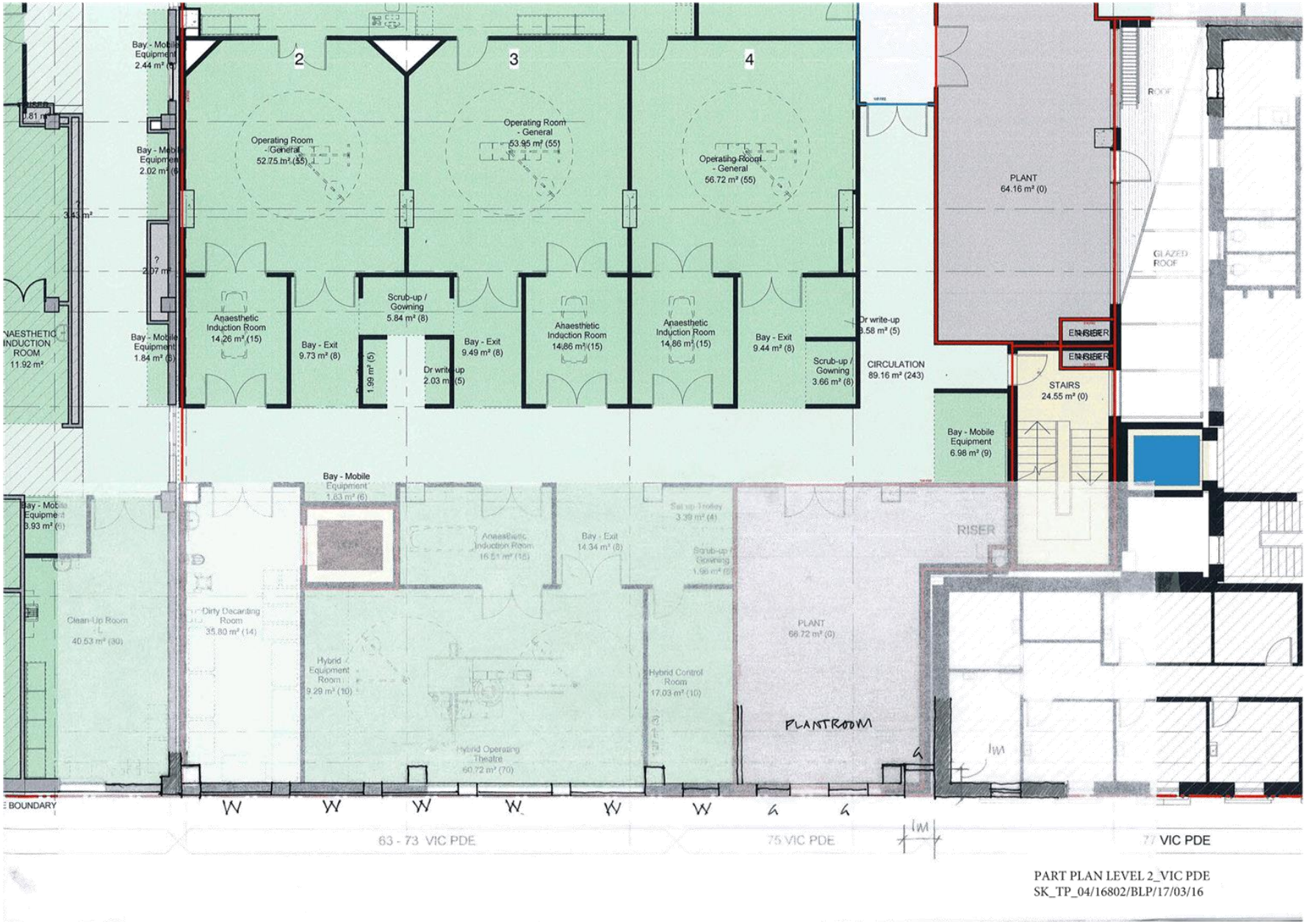

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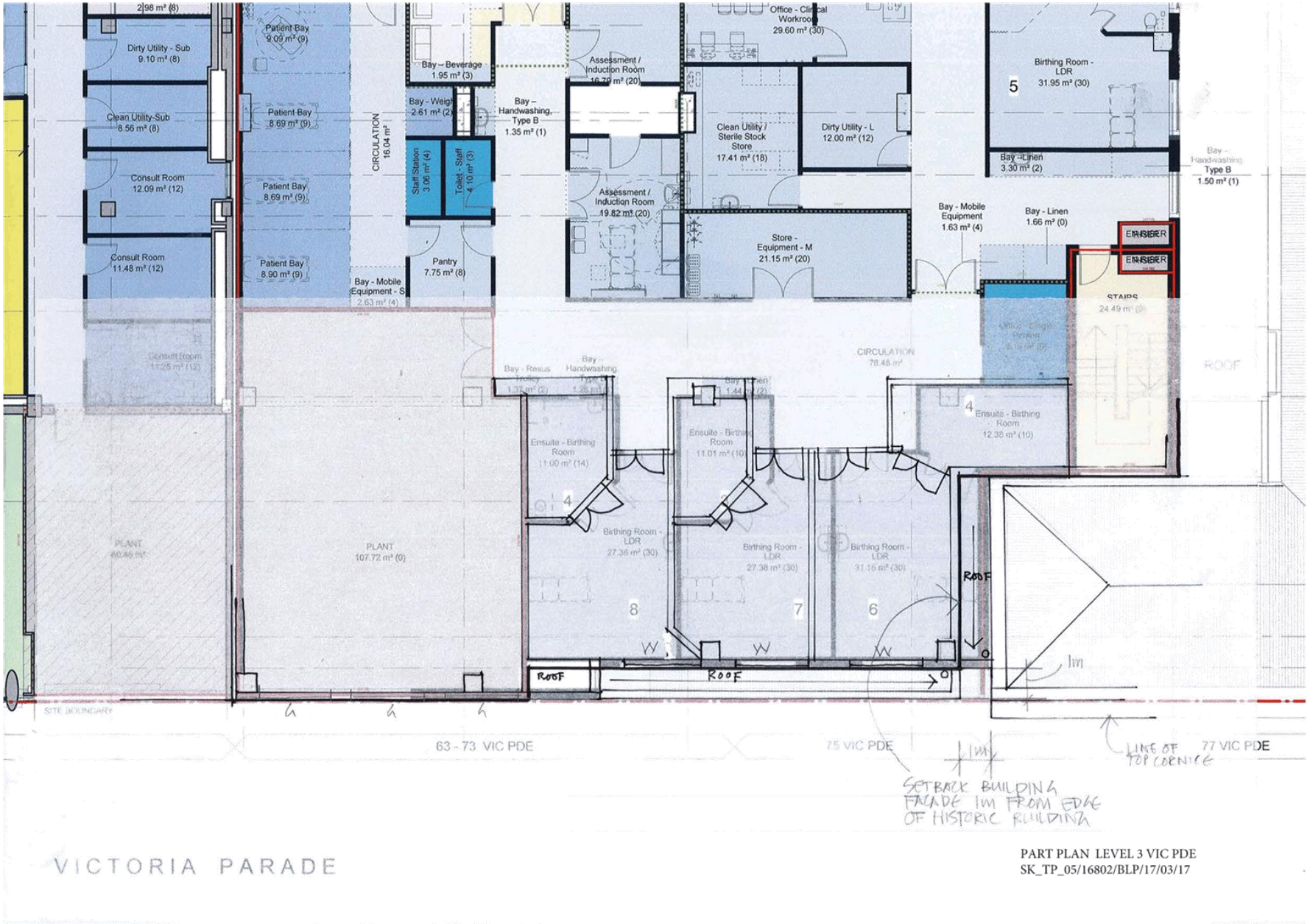

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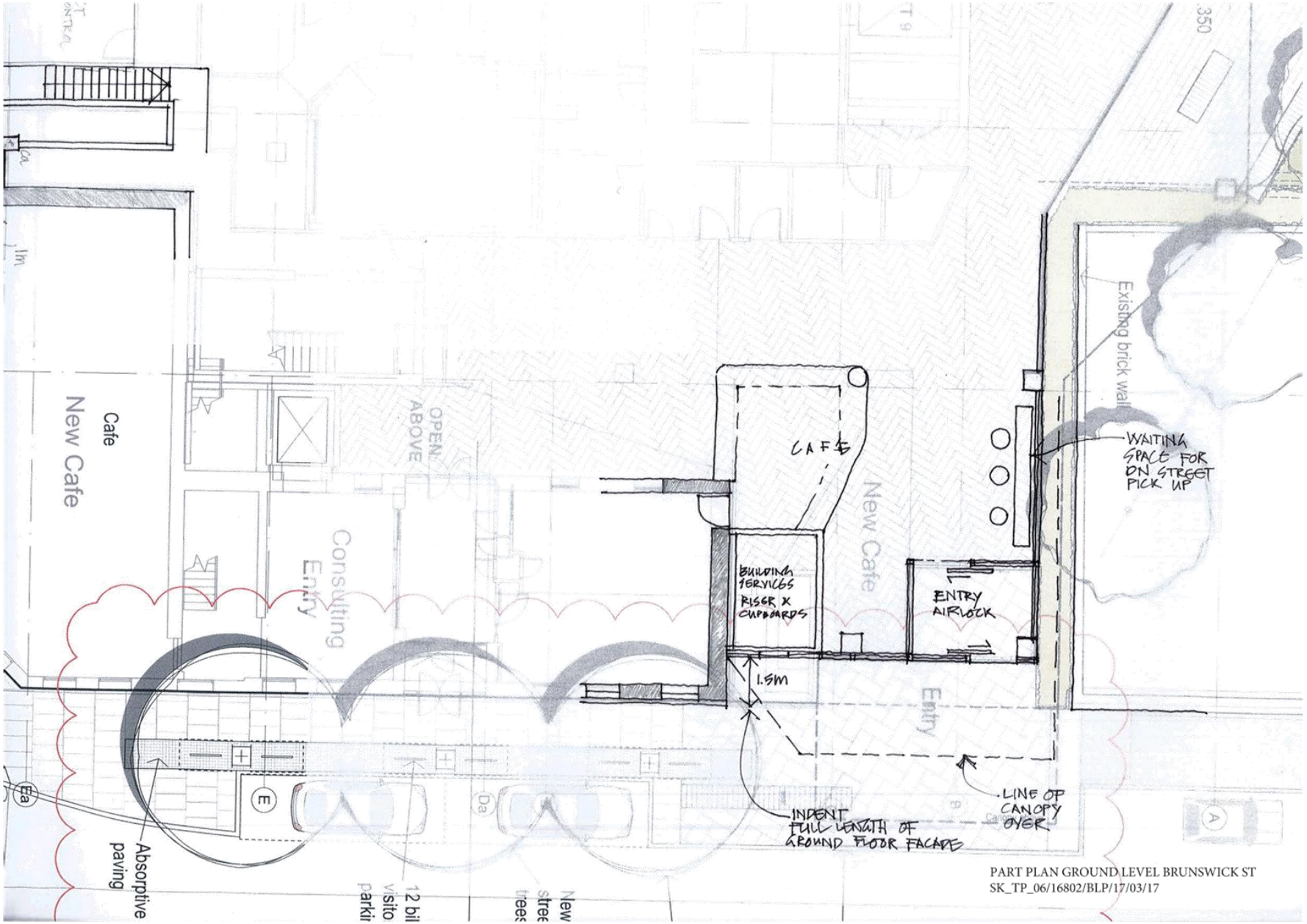

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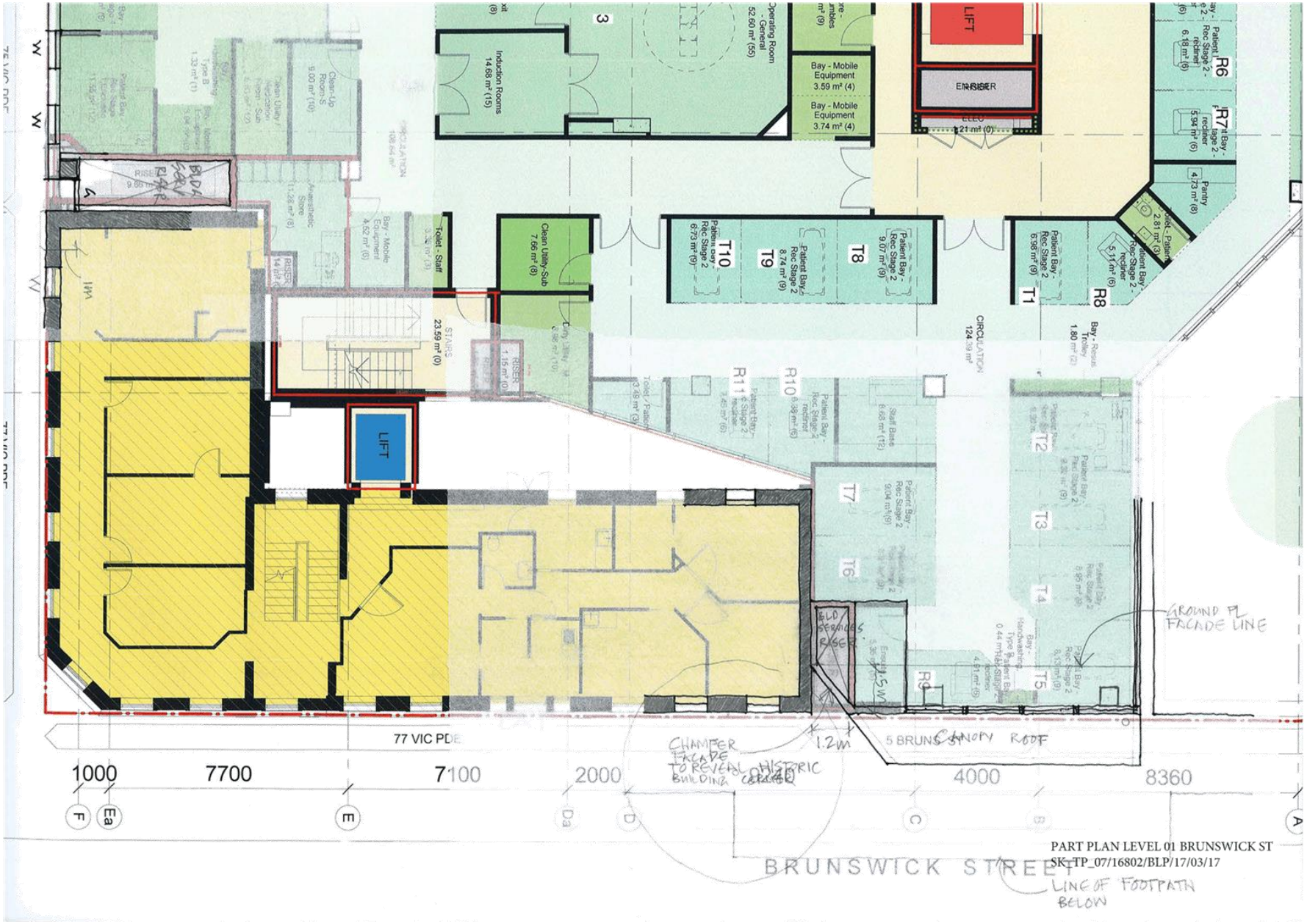

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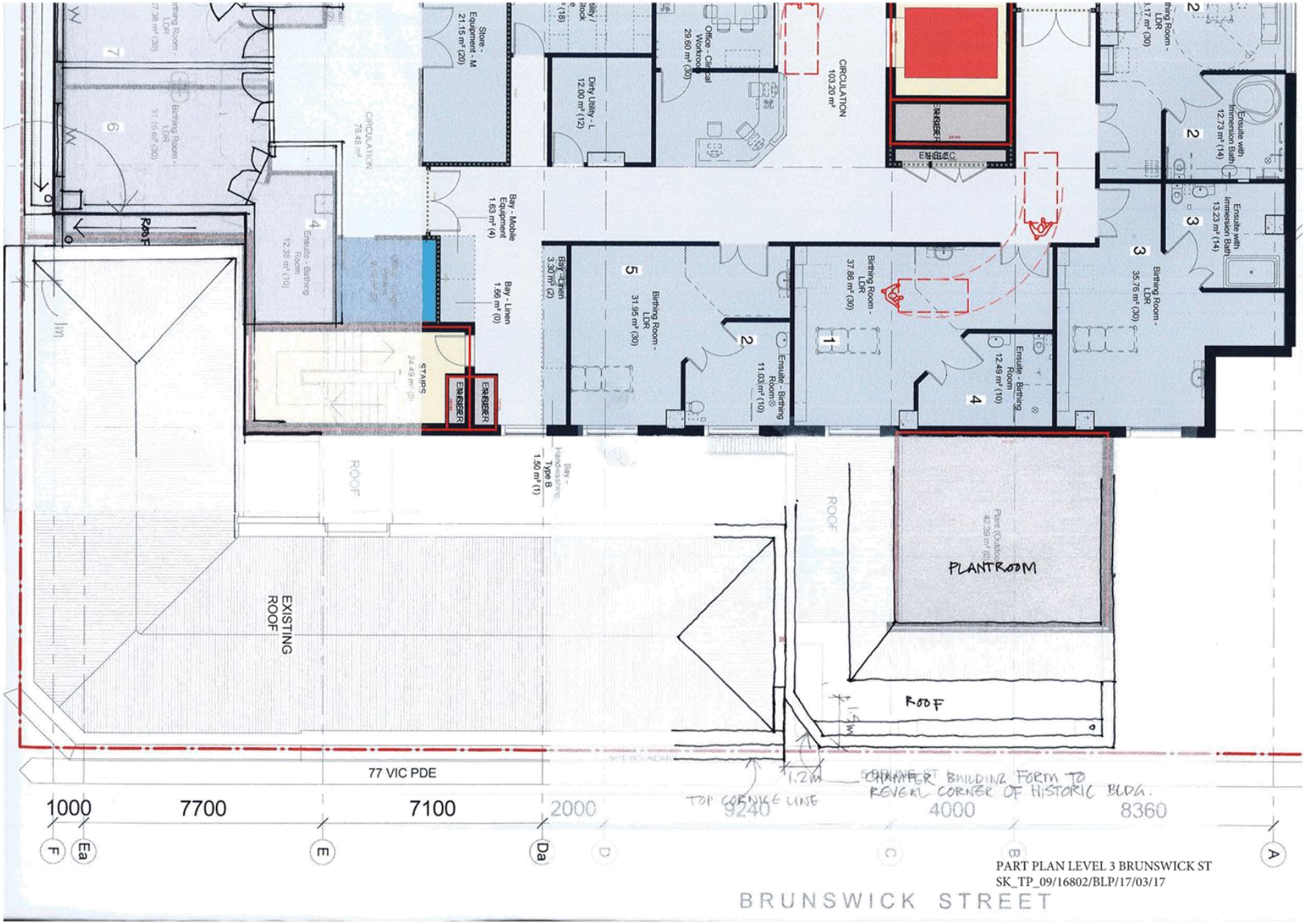

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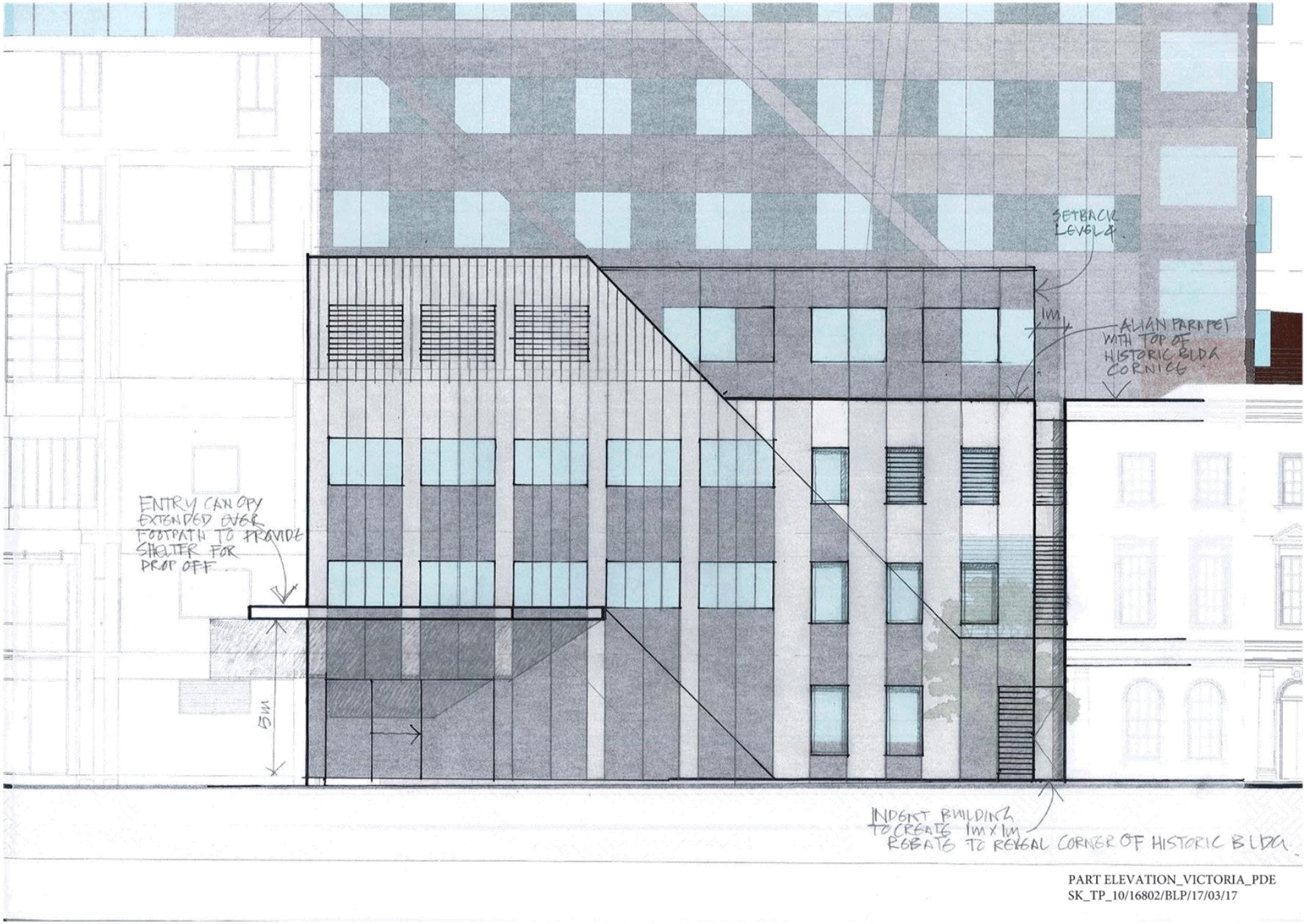

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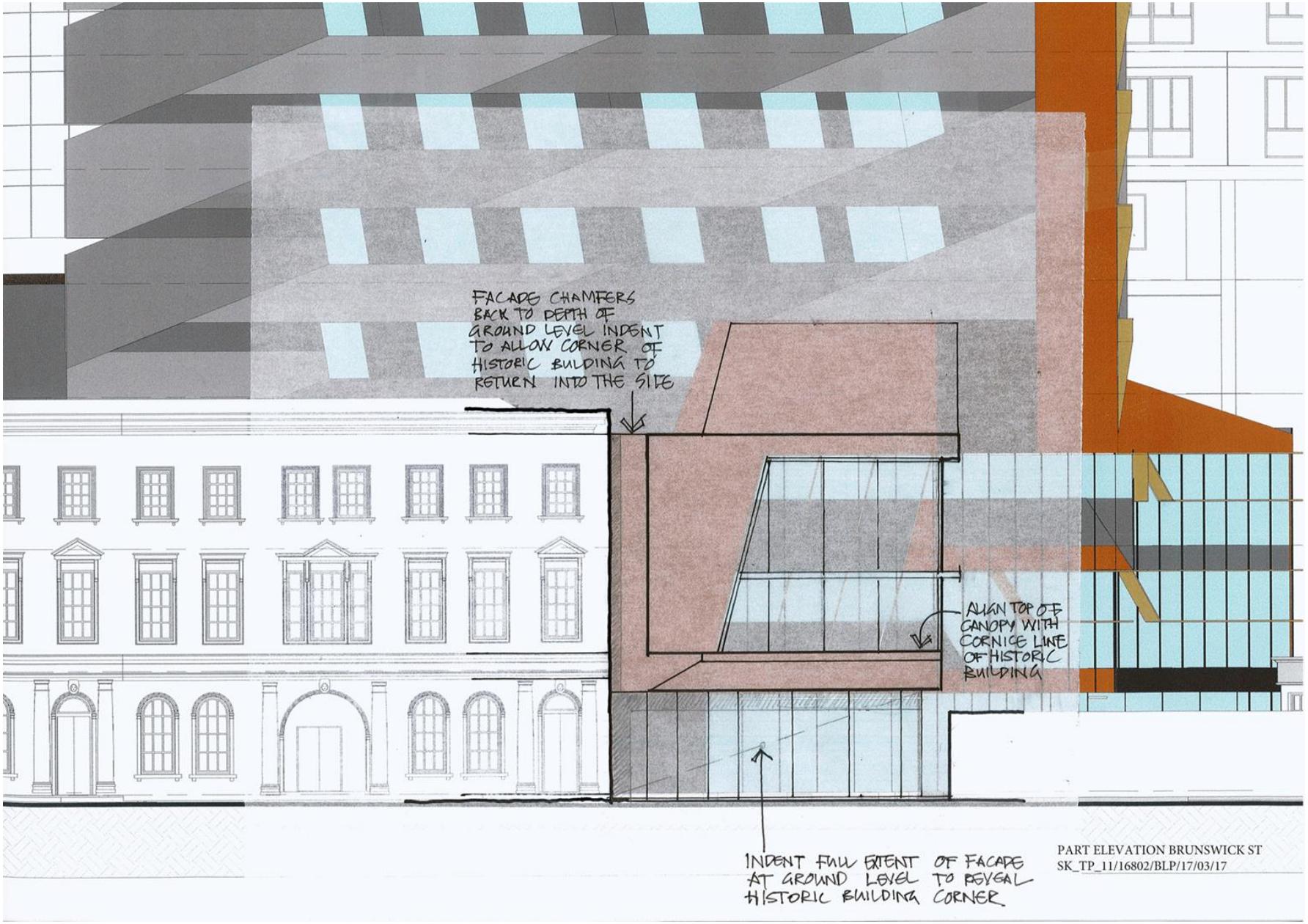

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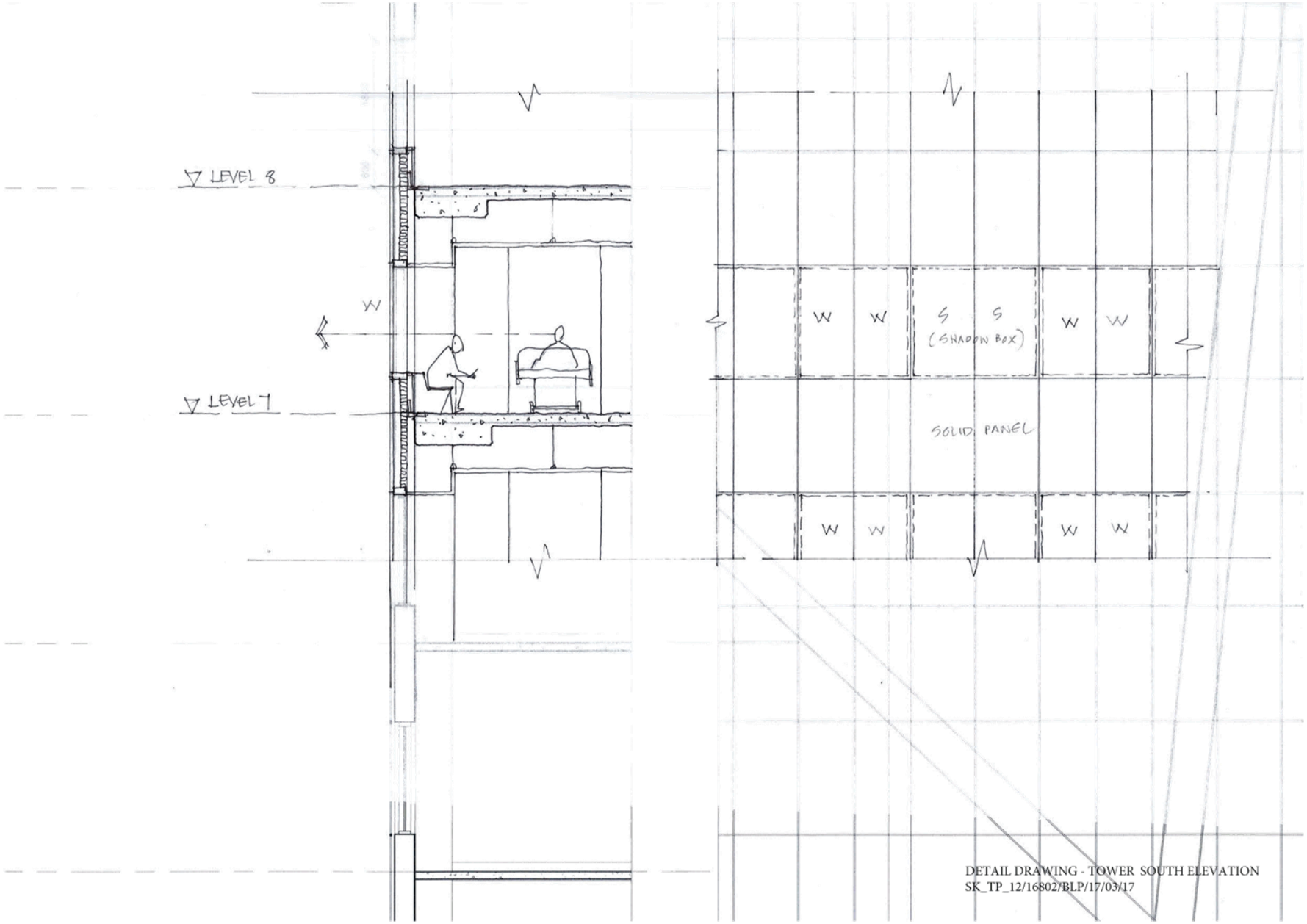

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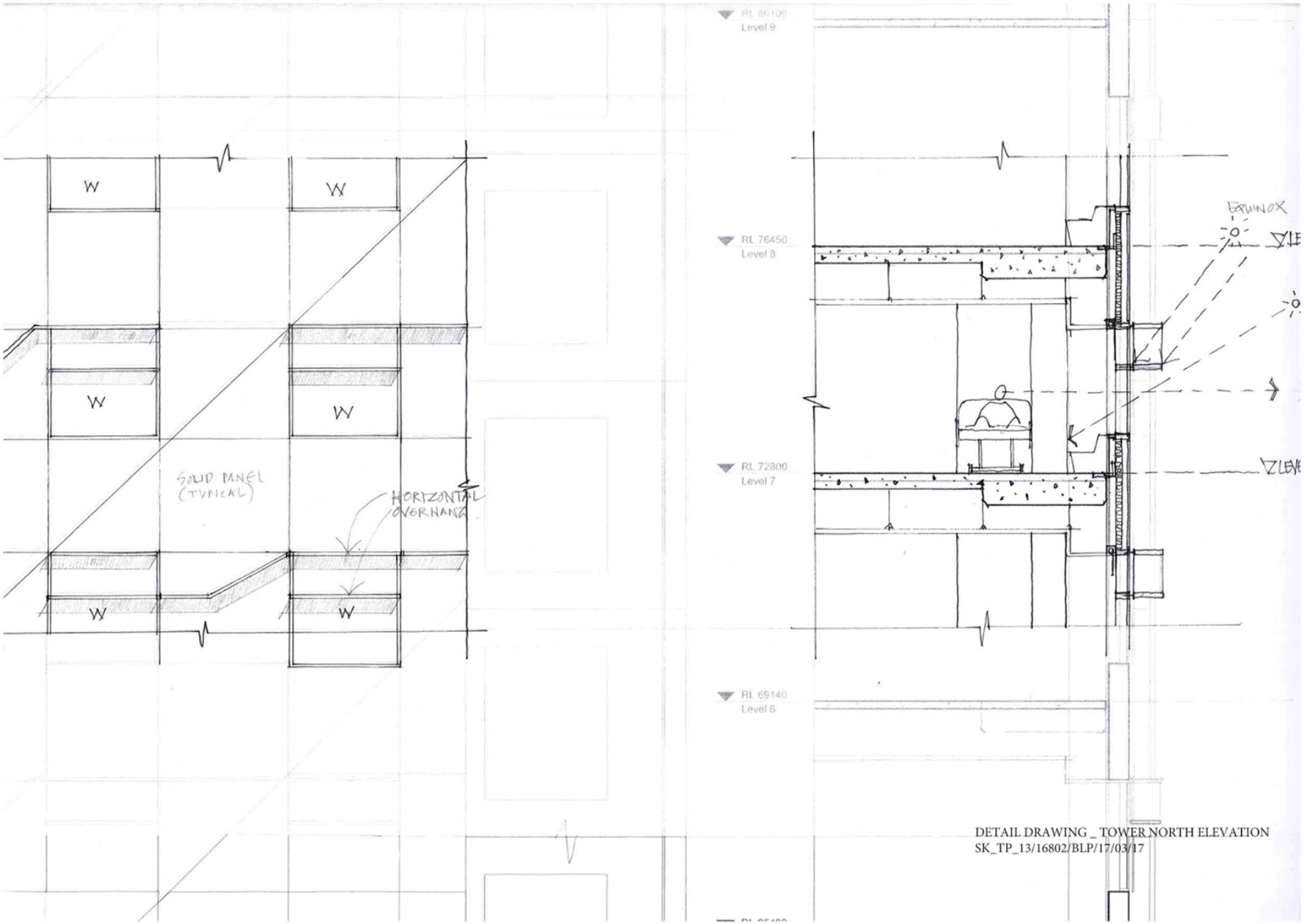

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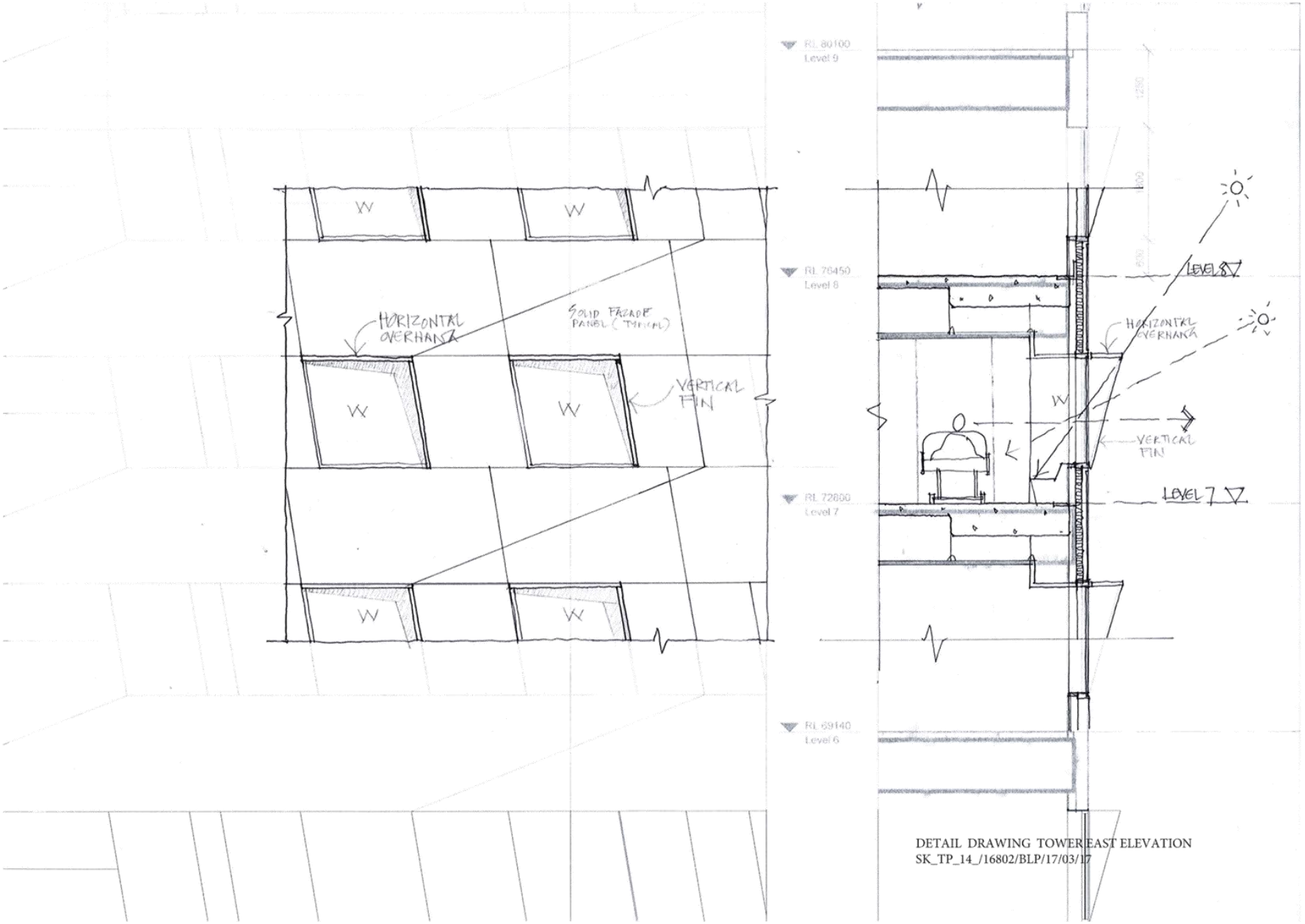

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Memorandum of Advice

Heritage Advice: St Vincent's Hospital heritage permit applications in relation to:

- Eastern Hill Hotel, 77 Victoria Parade, Fitzroy (VHR H0816)
- Dodgshun House, 9 Brunswick Street, Fitzroy (VHR H1706)

Prepared for: City of Yarra

Date: 14 November 2017 **File:** 2017-069

1. Introduction

St Vincent's Healthcare Limited proposes to extend its private hospital facilities at 59 – 77 Victoria Parade, 5 — 7 Brunswick Street and 20 – 32 Fitzroy Street, Fitzroy (the subject site). Two places included on the Victorian Heritage Register (VHR) are located – at least in part – within the subject site.

The City of Yarra (Council) has requested that GJM Heritage provide advice on the works and activities proposed in the permit applications made under Section 67 of the *Heritage Act 1995* (the Heritage Act) by St Vincent's Healthcare Limited in relation to the two properties on the VHR:

1. The former Eastern Hill Hotel, 77 Victoria Parade, Fitzroy (VHR H0816) – a three-storey gold-rush era hotel constructed in c.1854-1856. The place was used by unionists and was the headquarters for the eight hour day movement. The Former Eastern Hill Hotel is of historical and architectural significance to the State of Victoria.
2. Dodgshun House (formerly Edensor), 9 Brunswick Street, Fitzroy (VHR H1706) – a two-storey Italianate mansion dating from 1865 with alterations in 1870 and an addition made in 1899. The site is also the location of Marino Cottage in which Saint Mary McKillop was born in 1842. The house and its surrounding land is of historical, social and architectural importance to the State of Victoria.

This memo assesses the proposed works and activities against the provisions of s.73 of the Heritage Act to inform the Council's submission to the Executive Director. No advice is provided in relation to the heritage provisions of the Yarra Planning Scheme as they pertain to the development of other properties within HO334 – South Fitzroy Precinct that fall within the subject site.

The following documents have been reviewed in preparing this advice:

- Victorian Heritage Database report for the former Eastern Hill Hotel, 77 Victoria Parade, Fitzroy (VHR H0816)
- Victorian Heritage Database report for Dodgshun House (formerly Edensor), 9 Brunswick Street, Fitzroy (VHR H1706) and permit exemptions
- Architectural Drawings prepared by Billard Leece Partnership Pty Ltd – Town Planning issue (6 Oct 2016)
- Landscape Drawings prepared by LBA Design – TP002 – TP004 (as revised September 2016)
- 'Sketch Plans' SK_TP02-TP14 (undated)

- Heritage Permit Application P27682 affecting Dodgshun House for 'Demolition of sections of parts of brick wall to south side of property and part construction of new building' dated 8 September 2017.
- Heritage Impact Statement prepared by Lovell Chen titled 'EDENSOR (DODGSHUN HOUSE) VHR NUMBER: H1706, 9 Brunswick Street, Fitzroy' dated October 2016 (revised 2017)
- Heritage Permit Application P27681 affecting the former Eastern Hill Hotel for 'Part demolition and construction of part of new building in the registered land area' dated 27 September 2017.
- Heritage Impact Statement prepared by Lovell Chen entitled 'EASTERN HILL HOTEL VHR NUMBER: H0816, 77 Victoria Parade, Fitzroy' dated October 2016 (revised October 2017)
- Yarra City Council – Internal Development Approvals Committee Agenda (Item 1.1) – Wednesday 12 July 2017
- Yarra City Council – Internal Development Approvals Committee Minutes (item 1.1) – Wednesday 12 July 2017
- Application for Review at the Victorian Civil and Administrative Tribunal (VCAT) including Statement of Grounds – Norton Rose Fulbright dated 11 August 2017
- VCAT Major Cases List Order dated 18 August 2017

1.1 Summary Recommendations & Findings

Recommendation 1:	*The scale of development that is proposed in close proximity to the highly significant southern elevation of Dodgshun House, combined with the loss of garden wall fabric identified as being of 'primary' significance in the CMP, will diminish the cultural heritage significance of the place. The application should not be supported in its current form.*
Recommendation 2:	*The scale of development that is proposed in close proximity to the former Eastern Hill Hotel will diminish the cultural heritage significance of the place. The application should not be supported in its current form.*
Finding 1:	*The full impact of the development cannot be adequately assessed from the architectural drawings submitted with the permit application. 3D modelling from key public realm viewpoints should be provided by the applicant to enable a full assessment.*
Finding 2:	*The archaeological potential of the two registered places should be understood. If appropriate, processes and procedures should be developed to manage the potential for artefacts on registered land and the broader subject site.*
Finding 3:	*The sections of the brick garden wall identified as being of 'primary' and 'contributory' heritage significance in the CMP should be retained unless specific and compelling reasons under sections 73(1)(b), 73(1)(f) and/or 73(1A)(b) can be provided to justify demolition.*
Finding 4:	*Greater setbacks of new built form from the southern elevation of Dodgshun House are required to appropriately manage the setting of the residence and the visual impact on the highly significant southern elevation unless specific and compelling reasons under sections 73(1)(b), 73(1)(f) and/or 73(1A)(b) can be provided to justify the proposed development envelope.*
Finding 5:	*Alternative options for achieving operational capacity for the hospital that have been considered by the applicant should be addressed as part of the application.*

Finding 6: *The proposal, in its full execution, would result in the nearby 'individually significant' Easthill House being demolished. This is an undesirable heritage outcome.*

Finding 7: *Increased setbacks, reduction of height or the stepping of new built – particularly at the southern end of the site – is required to ensure that the new development does not visually dominate or overwhelm the former Eastern Hill Hotel unless specific and compelling reasons under sections 73(1)(b), 73(1)(f) and/or 73(1A)(b) can be provided to justify the proposed development envelope.*

1.2 'Without Prejudice' Permit Conditions

If a permit is issued for works to Dodgshun House and/or the former Eastern Hill Hotel, it is considered appropriate to condition the following:

- The preparation of measured drawings and the photographic recording of heritage fabric to be demolished in accordance with the current Heritage Victoria guidance on archival recording.
- The preparation of detailed documentation for all connections between the new development and existing fabric, and any internal alterations.
- The preparation of a schedule of conservation works to the Executive Director's satisfaction and the delivery of these works prior to the occupation of the development.

2. Background

On 12 July 2017 the Internal Development Approvals Committee of Council considered a planning permit application for development of the subject site. Council issued a planning permit (PLN16/0925) on 11 August 2017 for the construction of a 3-11 storey extension to the existing hospital, including demolition and alterations to the existing buildings on the site and streetscape works, subject to conditions.

On 11 August 2017 Norton Rose Fulbright on behalf of St Vincent's Healthcare Limited made an application for review at VCAT (P1852/2017) against Conditions 1(d), 1 (h)-(l), 4, 5, 16, 17 and 20(a). The VCAT matter is set to be heard in January 2018.

On 6 October 2017 Heritage Victoria received an application for works and activities to the VHR places within the subject site.

3. The Subject Site

The subject site is bound by existing two-storey buildings to the north, Victoria Parade to the south, Fitzroy Street to the west and Brunswick Street to the east. It is made up of seven discrete buildings, the form and heritage status of which are described in Table 1. The two heritage places subject to this memorandum (former Eastern Hill Hotel and Dodgshun House) form part of the larger site (Figure 1) that has been subject of planning permit PLN16/0925 and the subsequent application for review at VCAT (P1852/2017).

The subject size is part within the Commercial 1 Zone (C1Z), Mixed Use Zone (MUZ) and Neighbourhood Residential Zone (NRZ1). The entire site with the exception of the two places on the VHR is included within HO334 – South Fitzroy Precinct. No part of the subject site is included on the Heritage Inventory for its archaeological potential.

Figure 1. Extract of Site Context Plan - Existing AA03-0001 – the subject site is outlined in red and the VHR registered land outlined in blue and registered buildings shaded in blue (©Billard Leece Partnership Pty Ltd)

Table 1: The buildings that make up the subject site

Address	Name	Existing Height	Heritage Status	Comments
59-61 Victoria Parade	St Vincent's Private Hospital	10-storey	Individually Significant within HO334	1972-75 with additions in 1990s
71 (63-73) Victoria Parade	East Hill House	3-storey	Individually Significant within HO334	Constructed 1880s, converted to flats c.1930
75 Victoria Parade	St Vincent's Private Hospital Ancillary Services wing (Former Bayfield Hotel)	4-storey	Not Contributory within HO334	Constructed 1920s, altered 1970s
77 Victoria Parade	Eastern Hill Hotel	3-storey	VHR H0816 (HO190)	1854
30-32 Fitzroy Street	Car parking structure	8-storey	Assumed to be not-contributory within HO334	-

5 Brunswick Street	Office building	3-storey	Not-contributory within HO334	c.2000s
7 Brunswick Street	Dodgshun House (Edensor), later Mary McKillop Centre	2-storey	VHR H1706 (HO150)	1866-75

Note: The information in the table has been obtained from VHR citations and the Lovell Chen Heritage Impact Statements for the Eastern Hill Hotel and Dodgshun House.

Figure 2. Aerial photograph showing subject site (dotted in red) and adjacent buildings (adapted from Lovell Chen Heritage Impact Statement for Edensor (Dodgshun House) (October 2016 as revised 2017))

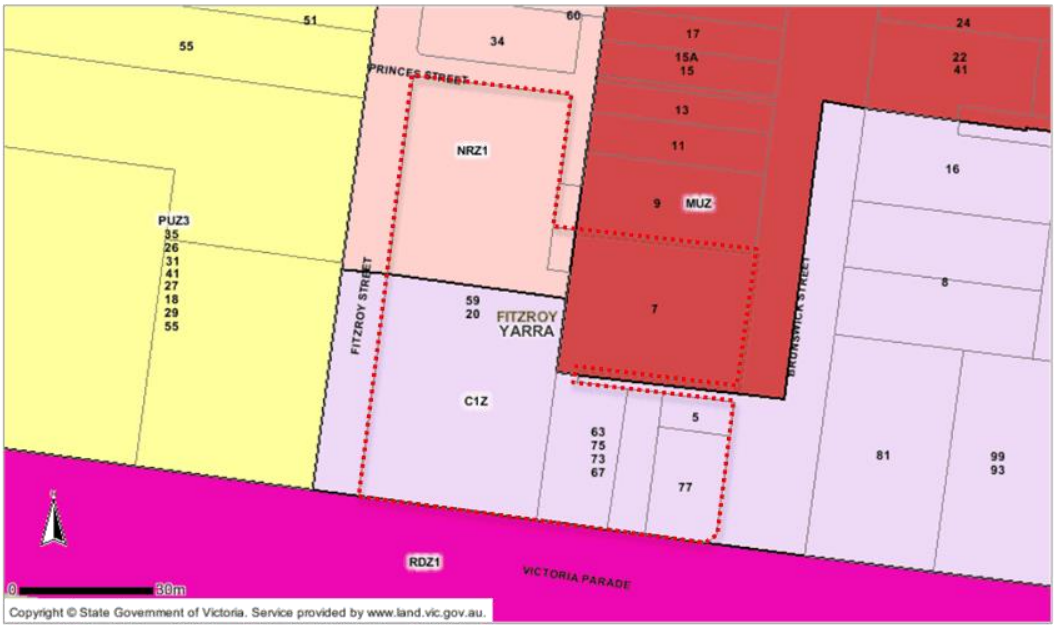


Figure 3. Zoning map with the subject site dotted in red

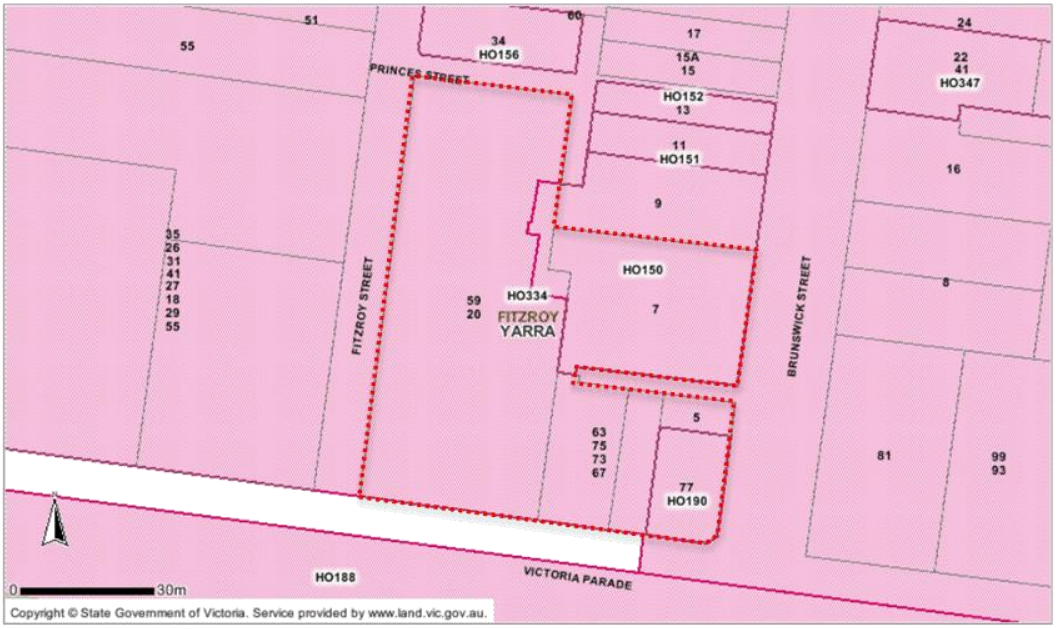


Figure 4. Heritage Overlay map with the subject site dotted in red

Figure 5. Victorian Heritage Register map with the subject site dotted in red – the extent of registration of Dodgshun House (H0816) shaded in yellow and the former Easter Hill Hotel (H1706) shaded in orange.

4. Context

The subject site is located in the southwestern corner of the suburb of Fitzroy within an area of highly mixed built form. The area is dominated by the St Vincent's Hospital complex, which includes buildings of up to 12-storeys in height to the west of the subject site. On Fitzroy Street, to the immediate north of the site, is the VHR-listed former Devonshire Arms Hotel at 34-38 Fitzroy Street (VHR H0528) and beyond that is the four-storey O'Brien Institute building. To the north of the subject site on Brunswick Street is the two-storey De Paul House at 9 Brunswick Street that was recently constructed on land within the extent of registration of Dodgshun House. Further north are substantial and intact nineteenth century residential buildings some of which are included on the VHR. The Australian Catholic University is located on the opposite side of Brunswick Street and the Victoria Parade boulevard separates the subject site from East Melbourne.

The wider area contains a large number of important facilities and institutions associated with the Catholic Church.

5. VHR Heritage Places

Detailed descriptions of the history of Dodgshun House (Edensor) and the former Eastern Hill Hotel are provided in the relevant Heritage Impact Statement (HIS).

5.1 Dodgshun House (Edensor)

This two-storey Italianate house currently houses administration offices. An earlier cottage on the site was the birthplace of Saint Mary MacKillop and Dodgshun House's garden setting and memorial plaques are a site of pilgrimage. The house (B1 in Figure 6), perimeter garden wall and gate piers (B2 in Figure 6) and associated

land (L1) (including the land on which De Paul House had been constructed) are included on the VHR (H1706) (Figure 6).

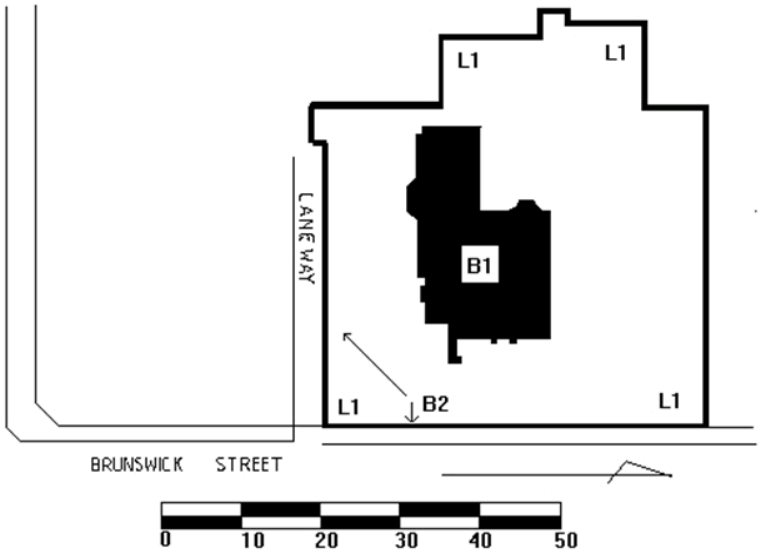


Figure 6. Extent of Registration (Victorian Heritage Database entry 448)

The Statement of Significance for Dodgshun House is as follows:

> *What is significant?*
>
> *Dodgshun House (formerly Edensor) stands on land first acquired by Sydney merchant Thomas Walker as part of a 25-acre allotment in May 1839. Jane Minton, who purchased part of the Lot in 1840 and is believed to have constructed the first building on the site, sold part of her 1/2 acre to Alexander Mackillop, father of Mary Mackillop, in October 1840. The land bought by Mackillop contained a dwelling known as Marino Cottage. Mackillop experienced financial difficulties and sold the land to stockbroker Johnathon Binns Were in 1842. Were sold the land the following year to John H. H. Spencer and eventually the site was acquired c. 1864 by lawyer and politician, Samuel Gillott. At the time of Gillott's purchase the site contained a cottage known as Como. Gillott built a house called Edensor c. 1865 and in 1899 demolished Como to allow for a southern extension. The property was sold to the Victorian Eye and Ear Hospital in 1927 and became known as Dodgshun House from that time on. Gillott enlarged a 3 room brick dwelling on the site to nine rooms c.1865 and extended again in 1899 to create a 13 room residence. The rendered Italianate facade is believed to have been added in the mid 1870s and in 1899 the side wing and rear extension were added by architects Hyndman and Bates. The two storey villa has a symmetrically arranged facade and an arcaded verandah on the upper verandah and lower porch. Balustrading is present on the first floor level and the central doorway is crowned by an entablature. The high brick wall, which runs the length of the Brunswick Street frontage and along the southern boundary fronting the laneway, was constructed during Gillott's occupation and now incorporates a 20th century gatehouse.*

How is it significant?

Dodgshun House (formerly Edensor) and its surrounding land is of historical, social and architectural importance to the State of Victoria.

Why is it Significant?

The site on which Dodgshun House (formerly Edensor) now stands is of great historical and social significance as the birth place of Mary Mackillop. Mary Mackillop, later pronounced Blessed Mary Mackillop, was born at 9 Brunswick Street, Fitzroy, in 1842 to Alexander and Flora (nee MacDonald) Mackillop, Scottish Catholic emigrants. Mary, the first of eight children, was born at Marino Cottage and lived there with her parents until Alexander Mackillop's plunging fortunes necessitated the sale of the cottage and land to Jonathan Binns Were, the founder of J B Were and Son. In 1866, at the age of 24, Mary Mackillop established the first Josephite school in Penola and by the time of her death in 1909 at the age of 67 had instituted a 650 strong order, teaching over 12,000 children throughout Australia. The beatification of Mary Mackillop occurred in 1995 when Pope John Paul II pronounced her to be "Blessed", the final stage before sainthood. While Marino Cottage has long since disappeared, possibly incorporated into the fabric of Dodgshun House, 9 Brunswick Street Fitzroy has become historically and socially significant as a site of great religious pilgrimage.

Dodgshun House (formerly Edensor) is of historical importance for its association with Samuel Gillott, a prominent lawyer and politician who was elected Mayor in 1900, holding office for two terms. In 1901, the year of Federation, Gillott was knighted by the visiting Duke and Duchess of Cornwall and York and his office distinguished by the title Lord Mayor. Gillott made 9 Brunswick Street his home c.1864, building Edensor to provide "all the convenience of a town residence combined with the quiet of a country house". The house, with its fence and gatehouse, is of significance as one of the few large residences surviving in the area. Dodgshun House (formerly Edensor) is of architectural significance for its side elevation which is a fine example of late Classicism with a distinctively-composed series of bays. The house is a representative example of townhouse composition and is finely decorated. The house's significance is accentuated by the fact that the front fence is original and parts of the garden survive.

The heritage place is not included on the Heritage Inventory and archaeology is not referenced within the Statement of Significance.

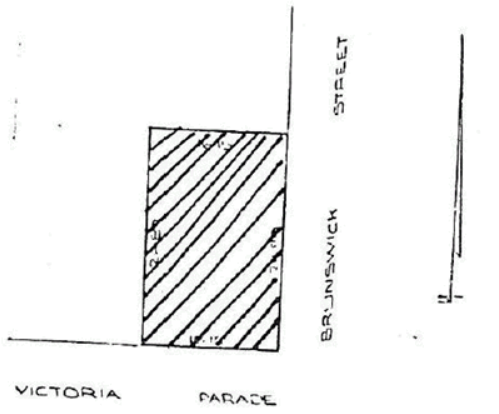
A Conservation Management Plan (CMP) was prepared for the heritage place by Lovell Chen in 2012 and finalised in 2016, which is referred to in the HIS. The CMP has not been provided to GJM Heritage.

There are a series of permit exemptions adopted by Heritage Council for the heritage place, which are provided at Appendix 1. There are no permit policies specific to this property.

5.2 Former Eastern Hill Hotel

The former Eastern Hill Hotel is a three-storey Gold-rush era hotel, which is highly intact on its elevations to Brunswick Street and Victoria Parade. It is currently in use as medical consulting rooms. The southern and eastern wings that address Victoria Parade and Brunswick Street respectively are included on the VHR (Figure 8). The western wing, which is not visible from the street and is an extension of an original smaller wing, is not included on the VHR; however, more recent additions and the central courtyard are included within the land included on the VHR (H0816) (Figure 7).

APPENDIX A



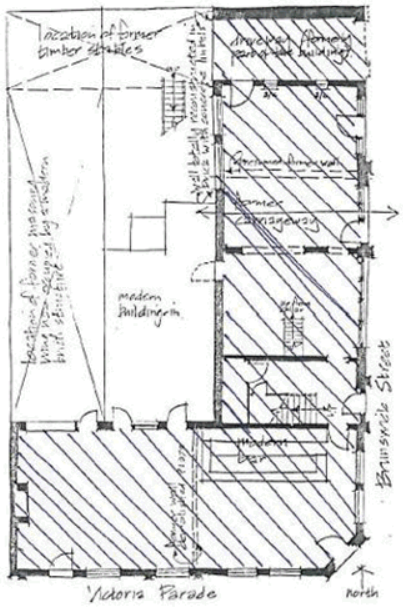


Figure 7. Extent of registed land (VHD entry 489)

Figure 8. Extent of registed building (VHD entry 489)

The Statement of Significance for the former Eastern Hill Hotel is as follows:

What is significant?

The Former Eastern Hill Hotel, originally known as the Belvidere Hotel, was most likely designed by Joseph Burns and constructed c1854-1856 for Thomas McClelland. The classical facade of the three storey rendered brick building remains almost exactly as it was when built. Alterations to the hotel in 1866 and 1877 seem to have affected the rear and interior. While the ground and first floor interiors have been substantially altered over the years, the third floor retains a largely intact 19th century layout.

How is it significant?

The Former Eastern Hill Hotel is of historical and architectural significance to the State of Victoria.

Why is it Significant?

The Former Eastern Hill Hotel is of historical significance as one of only a small number of gold-rush era hotels to survive in Victoria and for its associations with the Victorian Eight Hour Day movement. The Former Eastern Hill Hotel is one of the largest and most intact of the few remaining 1850s gold rush era hotels left in inner Melbourne. As such it provides important evidence of the impact of the gold rushes on Melbourne's development. In 1856 and subsequent years the building provided the venue for many functions and meetings concerned with, and allied to, the eight hour day movement. The building

unionists supporting the eight hour day, who used the hotel as their headquarters, were known as 'belviderites'. The eight hour movement played a very significant role in the early industrial and political history of the colony, and of Australia, and is still celebrated by the union movement.

The Former Eastern Hill Hotel is of architectural significance as one of the most substantial, elegant and externally intact remaining hotels of the early 1850s and for its connections with two prominent early Victorian architects, Joseph Burns and A.F. Kursteiner. Burns seems likely to have been the original architect. The hotel is a valuable representative example of his extensive hotel work from the gold rush period. The renovations from 1866 and 1876 were the work of A.F. Kursteiner, who was also responsible for several other buildings in Fitzroy, most notably the precinct of 33 single and double storey workers houses in Greeves Street Fitzroy, a most unusual example of 19th century speculative development.

The heritage place is not included on the Heritage Inventory and archaeology is not referenced within the Statement of Significance.

A CMP was prepared for the heritage place by Lovell Chen in 2012 and finalised in 2016, which is referred to in the HIS. The CMP has not been provided to GJM Heritage.

There are no permit exemptions or permit policy adopted for the heritage place.

6. Proposed works to VHR Heritage Places

Following is a summary of the works proposed to the buildings and land included within the VHR.

6.1 Dodgshun House (Edensor)

The proposed works include the demolition of a section of the brick wall along the southern boundary of Edensor including former gate piers, a small portable outbuilding (constructed to the rear of Edensor in c.2012) and the existing at-grade car park in the southwestern corner of the Edensor site.

The HIS identifies the following new works affecting Dodgshun House:

…it is proposed to construct a new eleven-storey hospital building to the south and south-west of Edensor. The majority of the proposed building works are to be located outside of the registered land. However, some sections of the works will extend into the extent of registration, principally, the northern sections of the three storey podium to Brunswick Street and parts of the tower volume. A stair well rising to the height of the tower is to be situated in the south-western corner of the Edensor site. In the new ground floor level, parts of the southern section of the Edensor curtilage are to be developed as a café with an open landscaped area between the new built form and the early dwelling. New built form to the upper levels of the podium will project over these areas. A basement to the new building is to be constructed below the café, also within the extent of registration.

Further into the site, a new walkway is to provide an undercover link between the proposed stairwell and the rear of Edensor. (Edensor HIS, p.14-15)

Our review confirms that the works described in the HIS accurately reflect those shown on the architectural drawings and supplementary sketches. We note that the length of wall proposed to be demolished (and identified in the CMP as being of primary significance) is approximately 7m, however, an exact distance that is not stated in the HIS.

The separation of new built form from Dodgshun House at ground floor level is 1m at the southwestern corner of the house, which increases to 9m beyond the new stairwell. At first and second floor levels this separation remains 1m at the western end of the south elevation of the house tapering to 6m approximately one-third

along that elevation. From the third to ninth floors the separation between the new hospital tower and the southern elevation of Dodgshun House is between 6.5m and 6.8m.

The landscape architecture drawings show a café terrace under the new building south of Dodgshun House and new soft and hard landscaping over the former car park. No changes are shown to the garden facing Brunswick Street.

Neither the architectural drawings nor the HIS indicate any conservation or other works to Dodgshun House itself beyond the new single-storey link structure at ground floor level between the existing hospital building and the southern elevation of the house. It is assumed that the interior of Dodgshun House is not being altered as part of its adaptation to consulting rooms on the ground floor.

6.2 Former Eastern Hill Hotel

The HIS identifies the following demolition works affecting the former Eastern Hill Hotel:

> *It is … proposed to demolish the western wing of the former Eastern Hill Hotel along with modern elements constructed within the courtyard to the rear of the Brunswick Street façade of the hotel. These works include the removal of the existing lift which will be replaced by a new lift in the same location. No changes are proposed to the first and second floors of the hotel. Internally, non-original, partitions to the consulting rooms of the ground floor of the Eastern Hill Hotel are also to be removed.* (Former Eastern Hill Hotel HIS, p.21)

The works on registered land are described in the HIS as:

> *…the easternmost sections of the tower are to be constructed within the extent of registration* [of the former Eastern Hill Hotel] *in the location of the existing the western wing of the hotel. Consequently, the easternmost sections of the tower and a basement below will extend into registered land associated with the hotel forming a backdrop to its Brunswick Street and Victoria Parade wings. A proposed stairwell in the south-eastern corner of the proposed tower forms the closest element to Victoria Parade. As noted above, this is to be set back 7.2m from Victoria Parade and will be situated immediately to the rear of the Victoria Parade wing. However, the new building will have no structural connection to retained sections of the Eastern Hill Hotel being offset 215 millimetres from the northern elevation of the Victoria Parade wing. The tower would be situated further from the Brunswick Street frontage, creating a courtyard space between the existing and proposed building volumes.*
>
> *It is also proposed to introduce a glazed roof above the existing courtyard between the new building and the hotel at second floor level. The new roof will be cantilevered from the proposed tower and will have no structural connection to the Eastern Hill Hotel. The courtyard is proposed to be used as seating for a proposed café. A new lift shaft is proposed in the same location as the existing lift shaft. This lift will utilise the same openings in the hotel building as the existing lift.* (Former Eastern Hill Hotel HIS, p.22)

Internal works are not documented in detail but will be required on the ground floor to create a new entry for the consulting suites and two cafes on the ground floor.

The main form of the new 11-storey tower is set back 9.1m from the Victoria Parade boundary and 10.1m from the Brunswick Street boundary. A new stairwell is located immediately behind the southern wing of the former hotel, which is set back 7.2m from the Victoria Parade boundary. No new built form cantilevers over the roof forms of the retained registered buildings. Our review confirms that the works described in the HIS accurately reflect those shown on the architectural drawings.

The 'Sketch Plans' alter the junctions between the former Eastern Hill Hotel and the new podium building that replaces the buildings at 75 Victoria Parade and 5 Brunswick Street. The amended design includes a 1m wide by 1m deep glazed recess at the junction between the new podium building and the western end of the Victoria Parade façade of the former hotel and a 1.2m wide, 45° chamfer at the junction with the northern end of the Brunswick Street façade. It appears these details have been designed to assist in creating a visual separation between the new built form and the heritage fabric, even if it does not reflect the historic relationship between the former Eastern Hill Hotel and its immediate neighbours (refer Figures 9, 10 and 11 – taken from the Former Eastern Hill Hotel HIS).

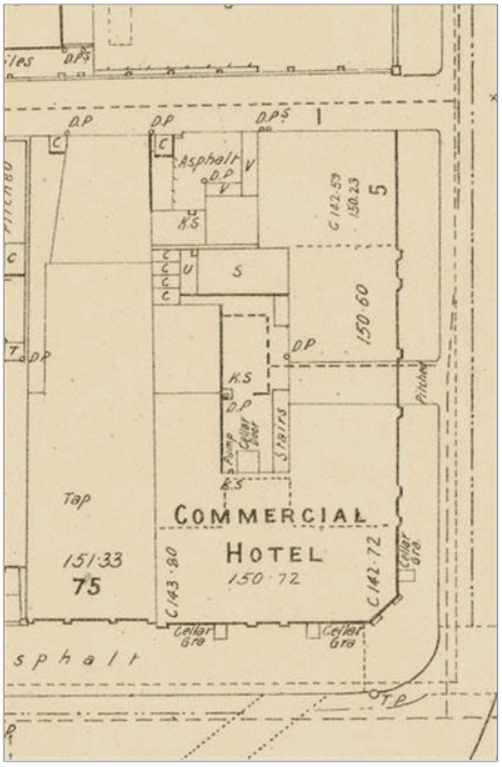


Figure 9. Detail, MMBW Detail Plan No. 1206, 1898.

Figure 10. Detail, Souvenir of the National Eucharistic Congress, Melbourne, 1934, H M Walker, photographer

Figure 11. The Eastern Hill Hotel, c. 1953; Source: Maie Casey et al, Early Melbourne Architecture

The HIS provides an analysis of works undertaken over the past 15 years and identifies that a thin acrylic render has been applied to the façades and that historic structural cracks in the façade have been filled and repaired, some of which have re-opened indicating structural movement. Although not documented on the architectural drawings, the HIS recommends that the following works to be undertaken within 1 year:

- *Monitor the cracking and movement of the façade and internal walls to determine the rate of movement.*
- *Monitor changes in cracking with respect to possible works vibration or excavation on the adjacent works site. Engage a Structural Engineer to provide advice on the possible remediation of the movement and provide temporary propping or bracing if determined to be required by the Engineer.*

- *Confirm in detail the condition of the slate roof and patch repair slates that have dislodged by clipping in new slates.*

The HIS also identifies the following works to be undertaken as part of the overall development:

- *Confirm on site, prior to demolition, the extent of remediation required to the north elevation within the courtyard as a part of the demolition of the western wing.*
- *Cut back the wall of the west wing a minimum of 300mm north of the retained heritage building and dismantle the remnant wall by hand and rebuild the bluestone wall with salvaged bluestone rubble.*
- *Confirm the arrangement of existing window and door openings within the imbedded north wall and rebuild infill openings with bonded bluestone to match the external appearance.*
- *Replaster internal walls to match existing adjacent where rebuilding works are required, prepare and paint.*
- *Where existing windows within the north wall will be externally covered over by the new development works, install new interlayer frosted glazing to existing timber windows.*
- *Prepare and paint the total extent of the north elevation.*

These works are not indicated on the application drawings.

7. Matters to be considered in determination of permits under the *Heritage Act 1995*

As the application was lodged prior to the enactment of the new *Heritage Act 2017*, the Executive Director's determination of the two permits is guided by s.73(1) of the Heritage Act, which states:

> ***73. Matters to be considered in determining applications***
>
> *(1) In determining an application for a permit, the Executive Director must consider—*
>
> *(a) the extent to which the application, if approved, would affect the cultural heritage significance of the registered place or registered object; and*
>
> *(ab) if the application relates to a listed place or to a registered place or registered object in a World Heritage Environs Area, the extent to which the application, if approved, would affect—*
>
> *(i) the world heritage values of the listed place; or*
>
> *(ii) any relevant Approved World Heritage Strategy Plan; and*
>
> *(b) the extent to which the application, if refused, would affect the reasonable or economic use of the registered place or registered object, or cause undue financial hardship to the owner in relation to that place or object; and*
>
> *(c) any submissions made under section 69; and*
>
> *(d) any decision of the Heritage Council under section 72 which has been received; and*
>
> *(e) if the applicant is a public authority, the extent to which the application, if refused, would unreasonably detrimentally affect the ability of the public authority to carry out a statutory duty specified in the application; and*
>
> *(f) any matters relating to the protection and conservation of the place or object that the Executive Director considers relevant.*

In addition, section 73(1A) enables the Executive Director to consider the impact of the application on the cultural heritage significance of an adjacent or neighbouring property included on the VHR or subject to the Heritage Overlay:

> *(1A) In determining an application for a permit, the Executive Director may consider—*
>
> *(a) the extent to which the application, if approved, would affect the cultural heritage significance of any adjacent or neighbouring property that is—*
>
> *(i) subject to a heritage requirement or control in the relevant planning scheme; or*
>
> *(ii) included in the Heritage Register; and*
>
> *(b) any other relevant matter.*

In this case, adjacent or neighbouring properties would include those within the immediate vicinity that are subject to HO334 and the properties at 11 and 13 Brunswick Street, which are included on the VHR.

To help inform decision-making, the Executive Director and the Heritage Council adopted the policy guidance *Matters To Be Considered In Determining A Permit Application Under Section 73(1)(B) Of The Heritage Act 1995* in March 2012.

In determining a heritage permit application, the Executive Director must have regard to the matters included in section 73(1) and may have regard to the matters included in section 73(1A) and it is incumbent on the Executive Director to balance these matters on a case by case basis.

8. Review of Heritage Impacts

This review of the heritage impacts of the proposed development on Dodgshun House (Edensor) and the former Eastern Hill Hotel uses the headings suggested in Heritage Victoria's *Guidelines for preparing Heritage Impact Statements*; however the following sections have already been discussed above, namely: 'Existing condition of the registered place', 'Current use of the registered place', 'The proposed works' and 'The cultural heritage significance of the place or object, including setting and any archaeological values or potential (relates to s.73(1)(a) of the Heritage Act)'.

Commentary in relation to the conclusions drawn in the HIS is provided where relevant. Where it is considered that further information is required to properly assess the proposed works, these are identified.

8.1 Permit Documentation

Photomontages from 3D modelling would assist in understanding the impact of the new development on the two heritage places. It is difficult from two-dimensional architectural drawings and the "aerial" perspectives provided to understand the impacts of the proposal on the setting and context of Dodgshun House and the former Eastern Hill Hotel.

Finding 1: The full impact of the development cannot be adequately assessed from the architectural drawings submitted with the permit application. 3D modelling from key public realm viewpoints should be provided by the applicant to enable a full assessment.

8.2 Overall form and content of the Heritage Impact Statements

The HIS prepared for both Dodgshun House (Edensor) and the former Eastern Hill Hotel are comprehensive in relation to the description of the VHR places and their history but they do not fully address the recommended headings within the Heritage Victoria HIS guidelines or the relevant considerations identified under section 73(1) of the Heritage Act.

The physical and historical descriptions provided for each heritage place appear thorough and reasonable and are not disputed. In the absence of having access to the CMP prepared for each place, the analysis of the CMP within the HIS and their identification of fabric of 'primary', 'contributory' and 'little or no' significance is assumed to be reasonable and accurate.

The Heritage Victoria guidance indicates that as well as summarising the cultural heritage significance of the place and its setting, the HIS should identify "any archaeological values or potential". Although neither place is included on the Victorian Heritage Inventory, they are both early inner Melbourne properties that include land that has not been subject to development since the mid to late-nineteenth century. This may indicate a potential for subsurface archaeological artefacts to be present. It is noted that there is likely to be particular interest in any archaeological material within the vicinity of Dodgshun House due to the links with the birthplace of Australia's only Saint. As all archaeological material in excess of 75 years of age is automatically protected under the Heritage Act, it is considered appropriate that any permit application for the excavation of registered land considers its archaeological potential.

It is also noted that it is an offence under section 123(1) of the *Heritage Act 2017* "…to knowingly or negligently deface, damage or otherwise interfere with, or carry out an act, likely to endanger … an archaeological site which is not recorded in the Heritage Inventory". In effect, if archaeological artefacts were found during excavation of the subject site, works would need to stop while an archaeological consent was sought from the Executive Director under section 124 of the *Heritage Act 2017*.

Finding 2: The archaeological potential of the two registered places should be understood. If appropriate, processes and procedures should be developed to manage the potential for artefacts on registered land and the broader subject site.

8.3 Dodgshun House (Edensor)

Although a series of permit exemptions are provided for Dodgshun House (refer Appendix 1) none of these enable any of the proposed works to be undertaken without a heritage permit from the Executive Director.

The assessment below is set out under the headings (in bold) from Heritage Victoria's *Guidelines for preparing Heritage Impact Statements*:

What physical and/or visual impacts will result from the proposed works? i.e. what will be the affect on the cultural heritage significance of the place (relates to s.73(1)(a) of the Heritage Act)

Demolition is limited to an outbuilding and part of the brick garden wall and former gate piers on the southern boundary of the heritage place. The demolition will result in the loss of part of the brick wall, which is identified as 'B2' in the extent of registration. Approximately 7m of the wall proposed for demolition is identified as being of 'primary significance' in the Lovell Chen CMP and the former gate piers west of this section of wall is identified as being of 'contributory' significance.

While not offering any specific justification for the demolition of significant heritage fabric, the HIS concludes that: "The [proposed demolition] works will not detract in a significant way from the heritage character and values of the property overall".

It is our view that the loss of fabric of primary and contributory significance will have a detrimental impact on the cultural heritage significance of the place. The brick wall was constructed between 1865 and 1899 for Samuel Gillott and the southern length proposed for partial demolition is specially identified in the Statement of Significance under 'What is Significant?'.

Finding 3: The sections of the brick garden wall identified as being of 'primary' and 'contributory' heritage significance in the CMP should be retained unless specific and compelling reasons under sections 73(1)(b), 73(1)(f) and/or 73(1A)(b) can be provided to justify demolition.

The demolition of the altered western section of the wall, the small outbuilding and the removal of at-grade car parking will have no detrimental impact on the heritage place.

The majority of the visual impact on the heritage place will be the development of an 11-storey building with a three-storey podium to the south of Dodgshun House. The new podium, although recessed at ground floor level, is located as little as 1m away from the southwest corner of Dodgshun House. At the first and second floors the separation tapers from 1m to 6m. Rising 11-storeys, the tower is located between 6.5m and 6.8m from the south elevation of the heritage building. The erection of the proposed building in such close proximity to the elaborately detailed and highly significant southern elevation of the heritage building will have an adverse impact on the house's setting and the ability to view and appreciate its architectural form and detail. The Statement of Significance for Dodgshun House specifically references "…its side [south] elevation which is a fine example of late Classicism with a distinctively-composed series of bays" and the CMP identifies this façade as being of 'primary' significance.

While acknowledging the varied context in which the heritage place is located and the existing 10-storey St Vincent's Private Hospital building immediately west of Dodgshun House, the relationship between the two-storey scale of the heritage fabric and the new building with such a small setback (described as "modest" in the HIS) will visually dominate and overwhelm the heritage place, reducing its imposing presence within Brunswick Street.

This assessment contrasts with the HIS, which concludes that: "The proposed tower element will not affect views to Edensor from Brunswick Street and will result in no impacts on the setting".

Finding 4: Greater setbacks of new built form from the southern elevation of Dodgshun House are required to appropriately manage the setting of the residence and the visual impact on the highly significant southern elevation unless specific and compelling reasons under sections 73(1)(b), 73(1)(f) and/or 73(1A)(b) can be provided to justify the proposed development envelope.

The proposed linking element between the existing St Vincent's Private Hospital and the west elevation of Dodgshun House is modest in scale and is unlikely to impact on the cultural heritage significance of the place. It would however be appropriate for Heritage Victoria to require that the detailing of any new junctions between new built form and Dodgshun House be approved by the Executive Director in the form of a secondary consent condition on a heritage permit (if issued).

Is the registered place or object in a World Heritage Environs Area? If yes, how does the proposal affect the world heritage values of the listed place or any relevant Approved World Heritage Strategy Plan? (relates to s.73(1)(ab) of the Heritage Act)?

No.

If there are detrimental impacts on the cultural heritage significance of the place or object, provide reasons why the proposal should be permitted (relates to s.73(1)(b), (e) and (f) and s.73(1A) of the Heritage Act)

The response to this consideration should address section 73(1)(b) [reasonable and economic use of the place], section 73(1)(f) [matters relating to the protection and conservation of the place] and section 73(1A)(b) [any other relevant matter]. Section 73(1)(e) [a public authority undertaking a statutory duty] is not relevant in this case.

The HIS does not address these matters in any detail but discussion is provided about the operational and regulatory requirements of the proposed hospital facility. Although not related to the 'reasonable or economic use' of the heritage place, this argument may be relevant under s.73(1A)(b) 'any other relevant matter'.

The HIS asserts that the following benefits accrue from the proposed development:

> *At ground floor level, it is proposed to introduce open landscaped seating areas between the new building and Edensor as part of a proposed cafe. This will take the form of paved areas for tables and chairs with less formal bench seating set within understory plantings and hedges. Existing trees are to be retained. These works will enhance the setting of Edensor when compared with the existing hardstand car park.*

While the landscaping represents an improvement of the immediate setting of the southern elevation of Dodgshun House the wider setting is significantly diminished, and there is, in our opinion, a net negative impact on the cultural heritage significance of the place.

If there are detrimental impacts on the cultural heritage significance of the place or object, detail alternative proposals that were considered and reasons why these were dismissed (relates to s.73(1)(b), (e) and (f) and s.73(1A) of the Heritage Act)

No alternative proposals have been advanced in the HIS. It is noted that the multi-storey car park building at 30-32 Fitzroy Street would - if the site was not subject to the Neighbourhood Residential Zone - provide an opportunity for the development of additional hospital facilities without requiring medium-rise development within the curtilage of the two places on the VHR. It is not known whether this or other options have been explored.

Finding 5: Alternative options for achieving operational capacity for the hospital that have been considered by the applicant should be addressed as part of the application.

What measures are being proposed to avoid, limit or manage the detrimental impacts?

The HIS does not address this matter.

Has the proposal been influenced by, or does it address any Local Planning Scheme or Building Act 1993 requirements? (relates to s.73(1)(f) and s.73(1A) of the Heritage Act)

The HIS does not address this matter.

If the registered place is adjacent or neighbours another heritage registered place or a place included in a Heritage Overlay, or if the registered place sits within a Heritage Overlay precinct, an assessment of the affect of the proposal on the cultural heritage significance of those adjacent places is required (relates to s.73(1)(f) and s.73(1A) of the Heritage Act).

The HIS discusses the impact of the development on adjacent or neighbouring places included on the VHR or subject to the Heritage Overlay and notes the mixed character of this part of the South Fitzroy Precinct (HO334). The HIS concludes that the proposed development on the subject site - as well as within the extent of the heritage place - will not have an adverse impact on the 'significance, character or appearance' of HO334. This assessment is appropriate given the existing scale of buildings within the St Vincent's Hospital precinct and other large-scale institutional uses in the immediate vicinity such as the Australian Catholic University and the large size of the heritage precinct. Notwithstanding the above, we note that the proposal involves the loss of the nearby 'individually significant' Easthill House, which would result in the complete destruction of the heritage values of that individual place.

Finding 6: The proposal, in its full execution, would result in the nearby 'individually significant' Easthill House being demolished. This is an undesirable heritage outcome.

The impact of the proposed development on nearby places on the VHR - that is the residence at 11 Brunswick Street (VHR H0149), the shop and residence at 13 Brunswick Street (VHR H0150), and the Former Devonshire Arms Hotel, 34-38 Fitzroy Street (VHR H0528) has not been specifically considered; however the approximately 40m distance between 11 and 13 Brunswick Street and the proposed new tower means that the cultural heritage significance of these places are not adversely affected. The former Devonshire Arms Hotel is located in an area of medium rise (3 to 12 storey) late twentieth century buildings and the proposed development will have no adverse affect on the cultural heritage significance of this heritage place.

The HIS considers Council's Landmarks and Tall Structures Policy at Clause 22.03 in relation to the silhouette/profile of St Patricks Cathedral as seen from the intersection of Brunswick Street and St Georges Road and identifies that "the broad view corridor of Brunswick Street will be unaffected by the proposed works". This appears to be a reasonable analysis given the siting of the proposed development and its immediate context.

The HIS also addresses the impact of the development on "its [Dodgshun House's] value as a significant element within the South Fitzroy Precinct". We note that this is not a relevant matter for consideration. As detailed in *Planning Practice Note 1: Applying the Heritage Overlay* (PPN1), the inclusion of the place in the Heritage Overlay is purely 'as an alert to planning scheme users of restrictions that might apply to land under the Heritage Act' and 'places on the Victorian Heritage Register are subject to the requirements of the *Heritage Act 1995* and not the planning provisions of the Heritage Overlay'.

Conclusion

The HIS concludes with the statement:

> *The broader setting of Edensor is one which has changed considerably in the past fifty years and continues to change today. Nonetheless, the building remains legible to its early state. While nearby development and expansion over time of the adjoining St Vincent's Private Hospital has changed the way in which the early dwelling is perceived, its significance is undiminished. Its significance generally and its ongoing role as place of pilgrimage will be conserved and enhanced by the proposed works and the cultural heritage significance of the registered place will not be diminished.*

There is no dispute that substantial change has occurred within the broader setting of Dodgshun House. Within the extent of registration for the place, change has already occurred to the rear of the site and a two-storey scaled development has been approved and constructed to the north of the site, adjacent to the less sensitive northern elevation of the residence. The further incursion into the registered area – at the scale of development that is proposed, and along the highly significant southern elevation – combined with the loss of parts of the garden wall identified as being of 'primary' significance in the CMP, will diminish the cultural heritage significance of the place.

Recommendation 1: The scale of development that is proposed in close proximity to the highly significant southern elevation of Dodgshun House, combined with the loss of garden wall fabric identified as being of 'primary' significance in the CMP, will diminish the cultural heritage significance of the place. The application should not be supported in its current form.

8.4 Former Eastern Hill Hotel

No permit exemptions are provided for the former Eastern Hill Hotel so a heritage permit from the Executive Director is required for all works on the registered land.

The assessment below is set out under the headings (in bold) from Heritage Victoria's *Guidelines for preparing Heritage Impact Statements*:

What physical and/or visual impacts will result from the proposed works? i.e. what will be the affect on the cultural heritage significance of the place (relates to s.73(1)(a) of the Heritage Act)

Demolition of the western wing and later structures within the courtyard is proposed. The HIS references the CMP when it notes that the western wing of the hotel was almost entirely comprised of modern or very substantially-altered fabric to the extent that it no longer made a useful contribution to the cultural heritage significance of the heritage place. As these structures are not included within the extent of registered building, demolition is considered appropriate under the Heritage Act.

The existing lift will be demolished to accommodate a new lift and other alterations to convert the ground floor into an entry for the consulting suites on the upper floors and the two cafes will require internal demolition. However, all the fabric identified as being of primary significance in the CMP is being retained and the already altered interior of the building suggests that the proposed internal demolition will not have a detrimental affect on the cultural heritage significance of the place. The existing basement under the southern wing and the associated stairs are retained.

The majority of the impact on the heritage place will be the development of an 11-storey tower immediately behind the southern (Victoria Parade) wing of the former hotel. The new building extends approximately 6.5m into the approximately 9m width of the existing courtyard. This provides a 10.1m setback of the new building from the Brunswick Street façade of the former hotel.

While acknowledging the varied context in which the heritage place is located, the juxtaposition of scale between the heritage fabric and the new 11-storey building with an approx. 7.2m setback from Victoria Parade may visually dominate the scale of the heritage place and detrimentally affect the cultural heritage significance of the place. Having said this, some development of the scale sought may be acceptable if the 11-storey building was set back further from the retained southern wing of the former hotel and/or if the new built form stepped down from 11-storeys to a lower, transitional scale on the registered land. Photomontages from 3D modelling of the new development in the context of the heritage place would assist in the assessment of the visual impact of new built form on the cultural heritage significance of the place.

The HIS notes that the siting of the new built form is consistent with the policies contained within the CMP and that the new built form does not detrimentally affect the significance of the place. It is our view that the proposed siting, massing and scale of development will have an adverse affect of the cultural heritage significance of the place which is identified in the Statement of Significance "…as one of the most substantial, elegant and externally intact remaining hotels of the early 1850s."

Finding 7: Increased setbacks, reduction of height or the stepping of new built – particularly at the southern end of the site – is required to ensure that the new development does not visually dominate or overwhelm the former Eastern Hill Hotel unless specific and compelling reasons under sections 73(1)(b), 73(1)(f) and/or 73(1A)(b) can be provided to justify the proposed development envelope.

The proposed internal alterations, new lift and glazed roof over the retained courtyard will not have any adverse impact on the heritage place. It would however be appropriate for Heritage Victoria to require that detailed specifications for this work be approved by the Executive Director in the form of a secondary consent condition on the heritage permit (if issued).

Is the registered place or object in a World Heritage Environs Area? If yes, how does the proposal affect the world heritage values of the listed place or any relevant Approved World Heritage Strategy Plan? (relates to s.73(1)(ab) of the Heritage Act)?

No.

If there are detrimental impacts on the cultural heritage significance of the place or object, provide reasons why the proposal should be permitted (relates to s.73(1)(b), (e) and (f) and s.73(1A) of the Heritage Act)

The response to this consideration should address section 73(1)(b) [reasonable and economic use of the place], section 73(1)(f) [matters relating to the protection and conservation of the place] and section 73(1A)(b) [any other relevant matter]. Section 73(1)(e) [a public authority undertaking a statutory duty] is not relevant in this case.

The HIS does not specifically address these matters, but the conservation works identified in the HIS would form part of the "…matters relating to the protection and conservation of the place…" (s.73(1)(f)) that the Executive Director would consider in determining the permit application. While a range of beneficial works are identified in the HIS these are not indicated on the architectural drawings and it would be necessary to include a permit condition that required these works be undertaken prior to completion of the new development or the occupation of the buildings. If appropriate, a bank guarantee could be required to ensure compliance. In addition to these works the reinstatement of the slate roof to the south (Victoria Parade) wing to match the east (Brunswick Street) wing would also be a positive benefit to the heritage place and its presentation.

While there are conservation works identified in the HIS, these do not appear to form part of the application and are in themselves relatively modest in nature. In our opinion, these conservation works do not balance the adverse impact of the proposed new built form on the registered land.

If there are detrimental impacts on the cultural heritage significance of the place or object, detail alternative proposals that were considered and reasons why these were dismissed (relates to s.73(1)(b), (e) and (f) and s.73(1A) of the Heritage Act)

As with Dodgshun House, no alternative proposals have been advanced in the HIS, so it is not possible to comment on this matter. As mentioned previously, it is not known whether redevelopment of the car park – or other options – have been explored.

What measures are being proposed to avoid, limit or manage the detrimental impacts?

The HIS does not address this matter.

Has the proposal been influenced by, or does it address any Local Planning Scheme or Building Act 1993 requirements? (relates to s.73(1)(f) and s.73(1A) of the Heritage Act)

The HIS does not address this matter.

If the registered place is adjacent or neighbours another heritage registered place or a place included in a Heritage Overlay, or if the registered place sits within a Heritage Overlay precinct, an assessment of the affect of the proposal on the cultural heritage significance of those adjacent places is required (relates to s.73(1)(f) and s.73(1A) of the Heritage Act).

The HIS discusses the impact of the development on adjacent or neighbouring places included on the VHR or subject to the Heritage Overlay and notes the mixed character of this part of the South Fitzroy Precinct (HO334). The HIS concludes that the proposed development on the broader subject site - as well as within the extent of the heritage place - will not have an adverse impact on the 'significance, character or appearance' of HO334.

As noted under Dodgshun House, it is our view that the complete demolition of the nearby Easthill House is a negative impact on the broader heritage context.

As with Dodgshun House, the HIS considers Council's Landmarks and Tall Structures Policy at Clause 22.03 in relation to the silhouette/profile of St Patricks Cathedral as seen from the intersection of Brunswick Street and St Georges Road and identifies that "the broad view corridor of Brunswick Street will be unaffected by the

proposed works". This appears to be a reasonable analysis given the siting of the proposed development and its immediate context.

The HIS also addresses the impact of the development on the "[the Former Eastern Hill Hotel's] value as a significant element within the South Fitzroy Precinct (HO334)". As noted under Dodgshun House above, this is not a relevant consideration.

Conclusion

The HIS concludes with the statement:

> *The works have been undertaken with due regard for the identified cultural heritage significance of the Eastern Hill Hotel. Works are limited to areas of little of no significance and the scale and siting of new built form has been managed to limit impacts on its setting. Consequently, no adverse heritage impacts on the registered place will arise as a consequence of the proposed works.*

On the material and perspectives provided, it is our position that the siting of an 11-storey tower immediately behind the south wing (and with an approximately 3m setback from the rear of the east wing) will visually dominate the existing building and will adversely affect the cultural heritage significance of the heritage place. While the conservation works identified in the HIS will be a positive heritage outcome, they are not considered to be of a sufficient scale to offset the negative impacts of the proposal. It is our view that increased setbacks, reduction in the height and/or stepping back the higher build form on the registered land may result in an acceptable outcome under section 73 of the Heritage Act. However, this will need to be tested through modeling to ensure that the former Eastern Hill Hotel retains its prominence "... as one of the most substantial, elegant and externally intact remaining hotels of the early 1850s".

Recommendation 2: The scale of development that is proposed in close proximity to the former Eastern Hill Hotel will diminish the cultural heritage significance of the place. The application should not be supported in its current form.

9. Conclusion

Section 73 of the Heritage Act requires that the Executive Director must balance the impact on the cultural heritage significance of the heritage place against the reasonable or economic use of the place and other matters.

The two HIS provided as part of the application have found that the proposed works do not detrimentally affect the two VHR places. Having reached this conclusion, neither HIS substantially addresses the other matters under section 73 of the Heritage Act.

Contrary to the findings of the two HIS, it is our opinion that the proposed works will adversely affect the cultural heritage significance of both Dodgshun House and the former Eastern Hill Hotel. In the absence of any material or evidence on the other section 73 considerations, it is our view that the application cannot be supported in its current form.

We believe that there remains an opportunity to undertake development on the registered land, but this would require amendments to the design to reduce the loss of significant fabric in the case of Dodgshun House, and to mitigate the impact of new built form by increasing setbacks and/or reducing height and/or stepping new built form to improve the physical and visual relationship between the two heritage buildings and new medium-rise development.

GJM Heritage

Appendix 1: Permit Exemptions for Dodgshun House (VHR H0816)

EXEMPTIONS FROM PERMITS:
(Classes of works or activities which may be undertaken without a permit under Part 4 of the Heritage Act 1995)

General Conditions:
All alterations are to be planned and carried out in a manner which prevents damage to the fabric of the registered place or object.

- Should it become apparent during further inspection or the carrying out of alterations that original or previously hidden or inaccessible details of the place or object are revealed which relate to the significance of the place or object, then the exemption covering such alteration shall cease and the Executive Director shall be notified as soon as possible.
- If there is a conservation policy and plan approved by the Executive Director, all works shall be in accordance with it.
- Nothing in this declaration prevents the Executive Director from amending or rescinding all or any of the permit exemptions.
- Nothing in this declaration exempts owners or their agents from the responsibility to seek relevant planning or building permits from the responsible authority where applicable.

Exterior:

- Minor repairs and maintenance which replace like with like.
- Removal of extraneous items such as air conditioners, pipe work, ducting,wiring, antennae, aerials etc, and making good.
- Installation or repair of damp-proofing by either injection method or grouted pocket method.
- Regular garden maintenance.
- Installation, removal or replacement of garden watering systems.
- Removal, refurbishment or replacement of the existing tennis court.

Interior:

- Painting of previously painted walls and ceilings provided that preparation or painting does not remove evidence of the original paint or other decorative scheme.
- Removal of paint from originally unpainted or oiled joinery, doors, architraves, skirtings and decorative strapping.
- Installation, removal or replacement of carpets and/or flexible floor coverings.
- Installation, removal or replacement of curtain track, rods, blinds and other window dressings.
- Installation, removal or replacement of hooks, nails and other devices for the hanging of mirrors, paintings and other wall mounted artworks.
- Refurbishment of bathrooms, toilets and or en suites including removal, installation or replacement of sanitary fixtures and associated piping, mirrors, wall and floor coverings.
- Installation, removal or replacement of kitchen benches and fixtures including sinks, stoves, ovens, refrigerators, dishwashers etc and associated plumbing and wiring.

- Installation, removal or replacement of ducted, hydronic or concealed radiant type heating provided that the installation does not damage existing
  skirtings and architraves and provided that the location of the heating unit is concealed from view.
- Installation, removal or replacement of electrical wiring provided that all new wiring is fully concealed and any original light switches, pull cords, push buttons or power outlets are retained in-situ. Note: if wiring original to the place was carried in timber conduits then the conduits should remain in-situ.
- Installation, removal or replacement of bulk insulation in the roof space.
- Installation, removal or replacement of smoke detectors.

11.7 2018 Extension of Leases/Licences for Council Owned or Managed Land

Trim Record Number: D17/163251
Responsible Officer: Group Manager Chief Executive's Office
http://intranet.yarra.int/Divisions/Governance/Pages/Home.aspx?RootFolder=%2FDivisi
E754EA257CFA%7d

Purpose

1. To review the status of leases and licences on or in Council owned or managed land or buildings for the period ending 31 December 2018.

Background

2. Council resolved on 17 June 2008 with regard to the extension of leases/licences or other occupancy agreements for Council properties:

   That Council:

   (a) require the process for assessment of renewals or extensions of leases, licences or any other form of occupancy Agreements, ensures that the renewal or extension is not approved unless there has been proper compliance by the occupying body, with any conditions contained within the particular occupancy Agreement. (This will require that on-site inspections are made of the property as part of the assessment process and a record kept that any prescribed monitoring processes have been carried out); and

   (b) adopt the process whereby any temporary occupancy of Council property be recorded on a formal basis, in order that both occupancy and vacation dates are monitored and enforced by the appropriate Council staff.

3. Council resolved on 17 June 2008, with regard to community access principles to apply to leasing of council properties to community organisations:

   (a) that the allocation of use of Council properties be subject to public notice in terms of offering occupancy of any status to Council property; and

   (b) that in instances of "subsidised" or "concessional" rent applying, Council require enhanced "Community Access" principles into the process of allowing occupancy of Council property by Yarra community organisations whether by means of leasing/licensing/or other form of occupancy document. This requirement - of giving public invitation to any expression of interest in a lease or license, - shall apply in the instances of a" subsidised" or "concessional" rental, and not to occupancies where commercial rental applies.

External Consultation

4. Fifteen leases/licences located in council-owned or managed land or buildings which house community organisations are due for expiry by 31 December 2018.

5. Three leases/licences located in Council owned or managed land or buildings which house community organisations expired during 2017. These agreements should have been captured in the 2017 report but were not and are presented here for consideration.

6. An additional five Council lease/licences remain in over-holding from prior resolutions and these agreements will be considered within this report.

7. One agreement will not be renewed. This is an agreement with the Department of Education for use of 319 Bridge Rd (ex-Richmond Police Station) as an enrolment office. It is anticipated that the office will be vacated upon opening of the Richmond High School.

8. Three organisations have more than one agreement with Council; being St Vincent de Paul (two sites), St John Ambulance (two sites) and the Richmond Community Learning Centre (three sites).

9. Of the 19 organisations, 15 are incorporated associations, one is a cooperative and 3 are public companies, with 11 registered with the Australian Charities and Not-For-Profits Commission.

10. The specific leases/licences are individually noted below:

Holdover Agreements		
Address	**Lessee or Licensee**	**Term Expiry Date**
Level 1, Jack Dyer Pavilion, Citizens Park, Richmond	St John Ambulance	21/6/2016
Alphington Park	Alphington Park Bowls Club	31/7/2015
George Knott Reserve and Ray Coverdale Pavilion	Collingwood Harriers	17/10/2016
Fairfield Park	Ivanhoe and Northcote Canoe Club	7/5/2016
117 Vere St Abbotsford	Contemporary Sculptors Association	31/12/2010
2017 Expiries		
Address	**Lessee or Licensee**	**Term Expiry Date**
Alphington Park	Northcote Obedience Dog Club	31/8/17
Ground Floor, The Stables, 21 Duke St Richmond	Richmond Community Learning Centre	30/9/2017
92 Lord St Richmond (Lord St Neighbourhood House)	Richmond Community Learning Centre	30/9/2017
2018 Expiries		
Address	**Lessee or Licensee**	**Term Expiry Date**
Collingwood Senior Citizens Centre (Willowview)	St Vincent De Paul	19/2/2018
Brick Storage Shed – Eddy Court Abbotsford	St Vincent De Paul	30/9/2018
Brick Storage Shed – Eddy Court Abbotsford	Royal District Nursing Service	30/9/2018
Rear 213 Church St Richmond (Richmond Family Centre)	Visionary Images	22/11/2018
Level 4, Fitzroy Town Hall	Fitzroy Legal Service	31/8/2018
Level 2 & 3, Fitzroy Town Hall	Australian Communities Foundation	31/8/2018
Level 2, Fitzroy Town Hall	Print Council of Australia	31/8/2018
Level 1, 126 Moor St Fitzroy	Project Respect	31/8/2018
Ground Floor, Jack Dyer Pavilion, Citizens Park, Richmond	Richmond Harriers	30/4/2018
Stanton St Hall, Abbotsford	U3A	31/7/18
Stanton St Hall, Abbotsford	Collingwood Youth Boxing Club	31/7/18
2 x carbays at rear 213 Church St Richmond	St John Ambulance	28/2/2018

128 Holden St North Fitzroy	Holden St Neighbourhood House	30/6/2018
5A Belgium Av Richmond	Belgium Av Neighbourhood House	30/6/2018
Unit 3, 32 Bendigo St, Richmond (Studio 1)	Richmond Community Learning Centre	4/10/2018

11. The tenancies will be considered in detail below:

St John Ambulance	Level 1, Jack Dyer Pavilion, Citizens Park Richmond – Office and Training 2 x Carbays at rear 213 Church St Richmond – Ambulance Parking
Current arrangements	Lease expired in June 2016. The Lease has remained in holdover pending conclusion of the planning issues within the larger Citizens Park Precinct. The agreement for the car bays expires at the end of Feb 2018.
Community benefit	Provides a training and office space for St John Ambulance.
Funding	Membership Fees/Donations
Term offered	A new term is not recommended until the plan for the larger Citizens Park area has been approved.
History	The Yarra Division of St John Ambulance has utilised an office and meeting/training space upstairs on the first floor of the pavilion for over 15 years. Access and egress to the upstairs space is via an external metal staircase. This space does not comply with current the Building Code of Australia for disability access and would require a significant upgrade to meet the required standards
Other	Council has allocated $50,000 in its 2017/18 Budget for the design works associated with the redevelopment of the pavilion. As part of the design works associated with the redevelopment of the building, Council will be conducting a usage assessment of the pavilion and nearby former MCH building that is located within the park on Church St. The scope of the project will also have consideration of the new Richmond High School, to ensure an integrated approach to pavilion use and ground use. A community infrastructure plan will be developed to inform the decision-making process, having regard to the two buildings, the multiple user groups, and the Richmond High School.
Review of previous term's KPIs	No KPI's are associated with this occupancy.
Recommendation	Due to planned capital works at the Jack Dyer Pavilion it is recommended not to offer a new lease agreement for the office and training space and for the car bays until the plans are more established and future needs of the facility are better understood. Retain in holdover until the future use of the larger area is better scoped.

Alphington Bowls Club (ABC)	Alphington Park
Current arrangements	Licence expired on 31/7/2015. The licence has remained in holdover in light of the community planning within Alphington emanating from the Amcor project.
Community benefit	ABC is a well-respected local not for profit sporting club providing social and competition lawn bowls to the local community.

Funding	Membership Fees, Sponsorship, Venue Hire & Council contributions.
Term offered	5 years
History	The club has been a tenant at the site since 1921.
Other	Council is responsible for capital and maintenance costs of clubrooms and some external communal areas of the facility. Rent to be based on actual annual reactive maintenance cost, less discounts for community benefits as per Yarra Sports Strategy 2008-2012. The Club entered into an agreement with Council to repay rent and rates arrears, to which they are adhering. The current licence provides for Council to subsidise the cleaning of the building.
Review of previous term's KPIs	Club provides annual KPI report of actions undertaken during the year to improve participation and membership activities. Club maintains its areas of responsibilities with improvements to common areas and facilities.
Recommendation	Offer new five year licence with ABC as head tenant; Licence fee to increase by 5%; Council to provide ABC with permission to sublet to local not for profit organisations. Establish new KPI's. As a condition of the licence, ABC must make the clubrooms available to other local not for profit organisations. Club to adopt and publish a set of community not-for–profit hire charges for use of the clubrooms in line with council charges for community venues. ABC is responsible for maintenance of the greens, all assets related to the enjoyment and provision of lawn bowls and payment of utilities. ABC to take full responsibility for cleaning of the building.

Collingwood Harriers Athletics Club	George Knott Athletics Track & Ray Coverdale Pavilion
Current arrangements	The current licence expired on 17/10/2016 and is in holdover due to pending completion of the works to the track.
Community benefit	The Collingwood Harriers manage the facility on the behalf of the Collingwood Little Athletics Club and Collingwood Masters Athletics. The club hire the facility to local schools, commercial hire groups and sports clubs. The centre track and infield is open to the public for use when not booked for hire.
Funding	Membership Fees, Commercial Venue Hire.
Term offered	5 years
History	The club has operated from the site for over 40 years.
Other	Track Renewal & Maintenance (External) – Council has budgeted in FY17/18 to invest $750,000 to renew the existing athletics track. Council is committed to maintaining a public facility and is investing in the new track with a 10-15 year lifespan. There are elements of the track that are primarily for the benefit/use of the club, its members and private hire groups (pole vault, high jump, steeplechase, 100m start line) with limited public use. These areas also have a tendency to wear quicker than other areas. We have an opportunity to ensure that the ongoing maintenance and health of the track continues by seeking an additional fee schedule and agreed replacement schedule for the club to contribute financially towards these areas. The club receives income from commercial and community hire activities. With all other income coming from membership, canteen and fundraising activities. Membership numbers remain stable.

Review of previous term's KPIs	Club provides annual KPI report of actions undertaken during the year to improve participation and membership activities. Club maintains its areas of responsibilities including improvements to common areas and facilities.
Recommendation	Offer new five year licence with Collingwood Harriers Athletics Club as head tenant; provide CHAC with permission to sublet to local not for profit organizations. Establish KPI's. As a condition of the licence, CHAC must make the clubrooms available to other local not for profit organisations. Club to adopt and publish a set of community not-for–profit hire charges for use of the clubrooms in line with council charges for community venues. Maintenance Responsibilities (Building) – Review of existing responsibilities with more responsibilities for minor maintenance to be negotiated with the club. Fees and charges – Working with the club to set a schedule of fees for venue hire. Winter access and summer pre-season access to the facility for soccer (football) to be continued and managed by council. The Club has agreed to invest in capital improvements to the track.

Ivanhoe Northcote Canoe Club (INCC)	Fairfield Park
Current arrangements	Lease Agreement expired on 7/5/2016. Currently in holdover.
Community benefit	The Ivanhoe Northcote Canoe club is the only publicly owned canoe facility in Yarra. It provides canoe and kayaking opportunities plus storage space for large canoe equipment that is unique in Yarra. It has currently 400 members from Yarra and surrounding municipalities.
Funding	Membership Fees and canoe storage fees.
Term offered	5 years
History	The club have been located within Fairfield Park since the 1970's.
Other	Council is responsible for capital and agreed maintenance costs of clubrooms. Rent to be based on actual annual reactive maintenance cost, less discounts for community benefits as per Yarra Sports Strategy 2008-2012.
Review of previous term's KPIs	Club provides annual KPI report of actions undertaken during the year to improve participation and membership activities. Club maintains its areas of responsibilities including improvements to common areas and facilities.
Recommendation	Offer new five year lease with INCC; provide INCC with permission to sublet to local not for profit organisations. Establish KPI's.

Contemporary Sculptors Association	117 Vere St Abbotsford
Current arrangements	The Contemporary Sculptors Association has been in hold over since their lease expired in 2011.
Community benefit	The CSA is a not for profit arts organisation dedicated to promoting contemporary sculpture and the spatial arts in contemporary Australia.
Funding	Membership Fees
Term offered	Allow the occupier to remain on site in hold over on the same terms and conditions as the current lease.
History	The building within which the CSA are located could potentially be demolished and incorporated into a larger development along Vere St. As such a long term lease on this site is not recommended.
Other	
Review of previous term's KPIs	There are no KPI's currently associated or proposed to be associated with this tenancy.

Recommendation	Allow the occupier to remain on site in a hold over pending a decision regarding the proposed development of site.

St Vincent de Paul at Willowview	2 Eddy Court, Abbotsford
Current arrangements	Licence expired 19/2/17.
Community benefit	Provides nutritional support to people who are at risk of poor health for nutritional reasons. The funding targets people who are homeless or living in insecure housing and over 50 years of age; frail aged and other people with disabilities; indigenous aged; and CALD aged.
Funding	CHSP - meals service to support this activity. It operates on the basis of volunteers and management supervision provided by St Vincent de Paul. The Nutritional Support Funding Program is delivered by Council and
Term offered	The term offered will be to the 30 June 2019, with an option to extend for a further term at Council's option should CHSP funding continue. The dates for this agreement will align with the dates for the agreement with St Vincent de Paul for the use of the Brick Storage Shed.
History	St Vincent de Paul utilise the Collingwood Senior Centre (Willowview) Kitchen to prepare meals (sandwiches, soups etc) to distribute through the Margaret Oates Soup Van. This is a long standing arrangement. Supplies are stored at the Centre and the activity occurs between approximately 6.00pm and 10.00pm. Long-standing user - over 17 years.
Other	Aged Care Reforms are currently occurring. There is no guarantee that this funding will continue long term.
Review of previous term's KPIs	The Margaret Oats Soup Van with funding from Council through the Nutritional Support Funding Program provides meals six evenings per week (not Saturday) to approximately 400 individuals in Yarra's boarding houses, high rises and parks. Most individuals receive 2 – 3 meals – equating to 900 delivered meals per week. Current funding arrangements expire on 30 June 2019.
Recommendation	Renew the Licence until 30 June 2019, and contain in the agreement an option to extend the agreement for a further year if funding (Commonwealth Home Support Program (CHSP) continues. The Nutritional Support Funding Program and the CHSP will encapsulate the Service requirements for St Vincent de Paul's use of the site.

St Vincent de Paul at the Brick Storage Shed at rear of CTH	2 Eddy Court, Abbotsford
Current arrangements	Licence expires 30/9/18. The space is used for storage and shared with the Royal District Nursing Service.
Community benefit	The St Vincent de Paul provides nutritional support to people who are at risk of poor health for nutritional reasons. Having a storage shed on site allows items to be kept on premises negating the need for transporting larger / heavy items.
Funding	In–kind from Council for storage only.
Term offered	The term offered will be to the 30 June 2019, with an option to extend for a further term at Council's option should CHSP funding continue. The dates for this agreement will align with the dates for the agreement with St Vincent de Paul for the use of the Willowview kitchen.

History	St Vincent de Paul utilise the Collingwood Senior Centre (Willowview) Kitchen to prepare meals (sandwiches, soups etc) to distribute through the Margaret Oates Soup Van. This is a long standing arrangement. Supplies are stored at the Centre and the activity occurs between approximately 6.00pm and 10.00pm. Long-standing user - over 17 years.
Other	Aged Care Reforms are currently occurring. There is no guarantee that this funding will continue long term.
Review of previous term's KPIs	There are no KPI's associated with this storage space, however the storage is used for the Margaret Oats Soup Van which receives funding from Council through the Nutritional Support Funding Program. This provides meals six evenings per week (not Saturday) to approximately 400 individuals in Yarra's boarding houses, high rises and parks. Most individuals receive 2 – 3 meals – equating to 900 delivered meals per week. Current funding arrangements expire on 30 June 2019.
Recommendation	Renew the Licence until 30 June 2019. No Service Agreement required as the use of the space is for storage only.

Royal District Nursing Service - the Brick Storage Shed at rear of CTH	2 Eddy Court, Abbotsford
Current arrangements	Licence expires 30/9/2018. The space is used for storage and shared with the St Vincent de Paul.
Community benefit	Assists the community through the provision of outreach nursing services. Storage enables local service provision.
Funding	In–kind from Council for storage only.
Term offered	3 years
History	The RDNS has used the brick storage shed for the storage of equipment associated with the RDNS since approximately 2007
Other	May need further review over next 12 months to ensure service is meeting community needs.
Review of previous term's KPIs	Not required as use is for storage only.
Recommendation	Renew the Licence for 3 years from the 1/10/2018.

Visionary Images	Rear of 213-215 Church St, Richmond 3121
Current arrangements	The current lease expires on 23/11/2018.
Community benefit	Visionary Images is a well-respected local not for profit arts organisation providing opportunities via engagement with the local and broader community. Visionary Images is a youth arts organisation dedicated to the engagement and development, through creativity, of young people including those who experience of hardship.
Funding	Grant funding from Councils, Commissions, Philanthropic contributors and Government authorities
Term offered	3 years
History	The building was previously occupied by North Richmond Community Health Centre (NRCHC) as the primary tenant and sub-leased to Visionary Images to utilise a room at the back of the facility for arts and cultural activities from 2006. Once NRCHC moved to their new site at Lennox St in 2012, Visionary Images were the sole occupants at the facility.
Other	Council recognises the importance of affordable spaces for arts and cultural activities (Room to Create Program) and is committed to continue the strategic management of Council properties allocated for arts and cultural uses such as Visionary Images.

Review of previous term's KPIs	Visionary Images continues on its mission to work with artists and young people to develop, produce and exhibit public art, offering opportunities for the creative and personal development of young people from all walks of life, many of whom have experienced hardship. Principal participants in key projects in the last year were middle-year children living on and around the housing estates in Yarra. Visionary Images in the last year: • engaged 130+ community members in the creation and exhibition of artwork (exceeding minimum KPI of 100) • outcome work viewed by 5,000 + community members • produced four projects that resulted in the exhibition of work (exceeding the minimum KPI of two projects per year) • produced projects focused on key themes around anti-bullying, environment and response to place • produced a site specific work as part of Gertrude Street Projection Festival • participants had the chance to explore and be mentored in a range of media including a range of art making media, animation, projection, lightboxes and light art.
Recommendation	Renew the lease for a term of 3 years with agreed KPI's.

Fitzroy Legal Service	Level 4, Fitzroy Town Hall
Current arrangements	Lease expires on 31/8/2018.
Community benefit	FLS deliver a free legal advice service, free and fee paying representation, drug outreach lawyer, family violence outreach, Community Legal Education and advocacy. Within the leased premises Social Security Rights Victoria are a sub-tenant. SSRV provide legal information in relation to social security law, ie. issues related with Centrelink.
Funding	Ongoing funding is provided by Victorian Legal Aid, the Commonwealth Attorney-General's Department, various Statutory, Governmental, Not for Profit Organisations, Philanthropic community members and Pro Bono support.
Term offered	It is recommended that a new term is not offered to FLS at this point pending the proposed Fitzroy Town Hall precinct planning project. FLS to be advised that they can remain in hold over under the same terms and conditions as the current lease.
History	FLS lease commenced in July 2016.
Other	
Review of previous term's KPIs	There are no KPI's or Service Agreement attached to this Lease.
Recommendation	That the lease be placed in holdover pending conclusion of the proposed Fitzroy Town Hall Precinct Planning project.

Australian Communities Foundation	Level 2 Offices G26,28,29 and 33 and Level 3 Office, Fitzroy Town Hall
Current arrangements	A Council Lease is in place for the Level 2 Offices and another Council Lease is in place for the Level 3 Office. Both Leases expire on the 31/8/2018.

Community benefit	ACF helps donors establish a charitable fund. Donors can establish a named sub-fund under ACF's legal structure and all contributions are pooled and invested. ACF then works with donors to make grants to the causes, organisations and issues they want to support. ACF's role is to encourage and make it easy for people and organisations to support charitable giving. As such, they provide all the necessary structures, systems and tax and compliance environments within which individuals, families, groups and organisations can establish named charitable funds. ACF work with our donors and funds to make sure they achieve their objectives, by matching donor interests and passions with the needs of the community. To ensure they can do this effectively, ACF constantly monitor what's happening at grass-roots level across Australia – where the needs are, what the emerging trends and issues are. ACF works collectively to build healthy resilient communities and positive social change.
Funding	ACF's major source of income to cover operating expenses is the management fee charged to sub-funds. ACF also offers a fee-for-service option to provide grant making and consulting research and advice to individuals and other organisations. This includes private trusts and foundations. In addition, it relies on gifts and donations from supporters and Board members.
Term offered	It is recommended that a new term is not offered to ACF at this point pending the proposed Fitzroy Town Hall precinct planning project. ACF to be advised that they can remain in hold over under the same terms and conditions as the current lease.
History	The group have been located at the site since 2012.
Other	
Review of previous term's KPIs	There are no KPI's or Service Agreement attached to this Lease.
Recommendation	That the leases are placed in holdover pending conclusion of the proposed Fitzroy Town Hall Precinct Planning project.

Print Council of Australia	Level 2 Office G21, Fitzroy Town Hall
Current arrangements	Lease expires on 31/8/2018.
Community benefit	The PCA is a national not-for-profit member organisation that promotes contemporary Australian fine art printmaking and print media, including artist books, zines and works on paper, and provides support and advocacy for artists. Through publications, commissioned editions, exhibitions and other events they work to foster a greater appreciation of original prints and knowledge of the history of Australian printmaking amongst their members, collectors and the wider community.
Funding	PCA is funded through member subscriptions, donations, sponsorships and sale of its magazine and print commissions.
Term offered	It is recommended that a new term is not offered to PCA at this point pending the proposed Fitzroy Town Hall precinct planning project. PCA to be advised that they can remain in hold over under the same terms and conditions as the current lease.
History	The group have been located at the site since 2012.
Other	
Review of previous term's KPIs	There are no KPI's or Service Agreement attached to this Lease.

Recommendation	That the leases are placed in holdover pending conclusion of the proposed Fitzroy Town Hall Precinct Planning project.

Project Respect	Level 1, 126 Moor Street Fitzroy
Current arrangements	Lease expires on 31/8/2018.
Community benefit	Project Respect is a support service and community for women trafficked for sexual exploitation and women in the sex industry. They support women one-on-one and provide access to essential services. Guided entirely by their needs, Project Respect places no limits on the length or type of support offered. They connect women together in social spaces - supporting them to support one another, in their shared experiences.
Funding	Grants (Government and Philanthropic) and Fundraising
Term offered	It is recommended that a new term is not offered to Project Respect at this point pending the proposed Fitzroy Town Hall precinct planning project. Project Respect to be advised that they can remain in hold over under the same terms and conditions as the current lease.
History	Project Respect has been located at this site for over 10 years.
Other	
Review of previous term's KPIs	Project Respect has achieved its stated aims of supporting women in the sex industry, including women who have been trafficked for sexual exploitation. The funding allowed Project Respect to grow their accessibility and the support services available for women within the City of Yarra. They visited licensed brothels in the City of Yarra and had in-depth engagement with working women in licensed brothels whilst providing them with information. Project respect also monitored and reported unlicensed brothels within Yarra
Recommendation	That the leases are placed in holdover pending conclusion of the proposed Fitzroy Town Hall Precinct Planning project.

Richmond Harriers Athletics Club	Part Jack Dyer Pavilion, Citizens Park
Current arrangements	Lease expires on 30/4/2018.
Community benefit	The Richmond Harriers Athletics club is an established not- for profit athletics club for primarily adults. The club provides a low cost sports option for adults with 45 registered athletes in 2017. Most members utilize the space for access to the gym equipment at any time.
Funding	Membership Fees
Term offered	Allow the occupier to remain on site in hold over on the same terms and conditions as the current lease.
History	The RHAC have been based in Richmond for over 100 years. The space used by the club is primarily a meeting and gym space for members to gather and use. Membership numbers continue to remain low due to the lack of a track and other athletics infrastructure and access restrictions on community sport using the Citizens Park oval. The suitability of the venue due to lack of change facilities for multi-tenant facilities has been noted, with adults and juniors from RHAC and Richmond Junior Football club sharing change facilities. Current capital budget planning has identified the following amounts to progress the redevelopment of the building; FY17/18 - $50,000 FY18/19- $200,000* FY19/20- $800,000* (subject to budget process).

Other	Due to the planned capital works at the Jack Dyer Pavilion, it is recommended not to offer a new lease until the plans are more established and the future needs and purpose of the facility are better understood
Review of previous term's KPIs	Richmond harriers have not fulfilled all formal reporting on KPI's as of the time this report has been produced. Officers have been provided verbal reports on club initiatives to increase female participation and the challenges of not being a track based club to attract athletes. Retain in holdover until further scoping and plans are developed on the future use of the Jack Dyer Pavilion and Citizens Park sporting precinct. With the option of consolidating the space available to encourage greater community use over a single use gym facility.
Recommendation	Retain in holdover until further scoping and plans are developed for the future use of the Jack Dyer Pavilion and Citizens Park sporting precinct.

Northcote Obedience Dog Club	Part Alphington Park Lower Meadow and Clubroom
Current arrangements	Lease Agreement expired on the 31st August 2017. Annual rent of $1000 +GST.
Community benefit	450 members with 65% female membership
Funding	Membership Fees
Term offered	5 years
History	The club has been a tenant at the site since 1988. The club facilitate a number of dog programs and have linked with Council's Local Animal Management Unit to encourage good pet behaviour and ownership. The club use a part of the lower meadow of Alphington Park for the purpose of running classes and dog trials. In 2014 the club facilities were upgraded to a small pavilion with office and storage space. Subsequently the rent was increased from peppercorn to the current $1000 +GST per year. The tenant is responsible for the connection and payment of all utilities at the asset.
Other	Council is responsible for capital and maintenance costs of clubrooms. Rent to be based on actual annual reactive maintenance cost, less discounts for community benefits as per Yarra Sports Strategy 2008-12.
Review of previous term's KPIs	The Club satisfies all KPI reporting requirements.
Recommendation	Offer new 5 year lease with renegotiated KPI's. All utility charges and responsibilities remain the domain of the tenant. Sports Club Conditions of Use Agreement to be included in special conditions with annual application for use of the open space to be provided by club to council. Increase annual rent to $1,100 + GST with annual CPI increases.

Collingwood Youth Boxing Club	Rear 17 Stanton St, Abbotsford
Current arrangements	Licence expires on 31/72018

Community benefit	The Collingwood Youth Boxing Club is a not for profit community club that provides boxing classes and pathways up to Commonwealth and Olympic representation for young people interested in the sport. The club provides a low cost membership for young people and has developed a strong multi-cultural focus through engagement with the local African community and young women looking to take up the sport in a safe and supported environment. It has currently 187 members.
Funding	Membership Fees
Term offered	5 years. Peppercorn rent with annual CPI increases. The occupier is also charged an annual amount of $1,011 for subsidised cleaning.
History	The CYBC has occupied the rear of Stanton Street Hall for over 15 years with no negative impact on the local community. The club also provides classes and training programs for approximately 13 local community services across mental health, drug and alcohol recovery, youth education and juvenile justice sectors. The club share the premises with Yarra Table Tennis and U3A
Other	Council is responsible for capital and maintenance costs of clubrooms.
Review of previous term's KPIs	Club is fulfilling its current KPI's and reporting same to Council.
Recommendation	Offer a 5 year Licence with the following condition that is the club develops boot camps/PT/fitness classes that the rent be renegotiated to reflect commercial opportunity and income. Review and agree on new KPI's.

U3A	Front 17 Stanton St, Abbotsford
Current arrangements	Licence expires 31st July 2018.
Community benefit	Yarra U3A is a community-based Incorporated organization providing a life-long learning programmes and interests for older Yarra residents. The office space is a central facility for both administration of the municipalities U3A program and for delivery of weekly classes.
Funding	Annual Membership Fees
Term offered	5 year licence. Peppercorn rent with annual CPI increases.
History	Yarra U3A has been operating for approximately 15 years within Yarra and for nearly 6 years at the Stanton Street Hall. The group have a positive effect on local amenity and residents and currently share the facility with Yarra Table Tennis club and Collingwood Youth Boxing Club.
Other	Council is responsible for capital and maintenance costs of clubrooms.
Review of previous term's KPIs	U3A have not fulfilled all formal reporting on KPI's as of the time this report has been produced
Recommendation	Offer new 3year license at peppercorn rate inclusive of new KPI's.

Holden Street Neighbourhood House	128 Holden St, North Fitzroy
Current arrangements	The current licence expires on 30/6/18.
Community benefit	Holden Street Neighbourhood House is a local well utilised not for profit community organisation. They provide educational, recreational, child care and skills based programs at low cost. They also offer information and social support which endeavour to meet the needs of people of all ages, backgrounds, abilities and cultures.
Funding	Multiple sources:- State Government provides core funding, Federal

	Government, Yarra Neighbourhood House funding program, philanthropic, donations, fundraising, user contributions.
Term offered	3 years
History	The Holden Street Neighbourhood House has been operating as a neighbourhood house for many years (since 1970s).
Other	Council is responsible for capital and maintenance costs of building. The House is responsible for maintenance of the ground and the payment of utilities.
Review of previous term's KPIs	Holden St deliver the following: Yarra U3A program French speaking playgroup, Auspice for Woodside Street Community Composting Project Community Gardening workshops/Produce swap programs Community gym memberships Seniors groups Digital story telling Computer Literacy- email, PowerPoint, publisher, excel Sessional child care/three year old kindergarten English conversation classes Movies in the park program – collaborative event with Yarra libraries
Recommendation	Offer new three year lease inclusive of a Service Agreement

Belgium Av Neighbourhood House – the portable	5a Belgium Avenue, Richmond – the portable adjacent to the House.
Current arrangements	The current Lease expires 30/6/18. The lease is a ground lease only.
Community benefit	The portable next to the Belgium Ave NH is a well utilised space as part of the Belgium Neighbourhood House. The space is used for educational, and skills based programs for the local community. The House also provides information, referrals and social support to meet the needs of people of all ages, backgrounds, abilities and cultures.
Funding	Multiple sources:- State Government provides core funding, Federal Government, Yarra Neighbourhood House funding program, philanthropic, donations, fundraising, user contributions.
Term offered	3 years
History	The portable was paid for by the House and was installed by Council in 2009 to alleviate the limited space of the House at 9 Belgium Ave.
Other	Council charges an annual peppercorn rent for the portable. The house is responsible for all maintenance and payment of utilities.
Review of previous term's KPIs	BANH delivers the following: Auspicing of various CALD groups eg, African women's wellness group, Oromo Women's Group. Facilitating the development of a food truck and work for the dole programs English language classes/Language and Literacy programs/ Computer Literacy programs/Playgroups for CALD communities "Vocal Boogie" community singing groups The "Factory" community art space Production of "The Link" newsletter promoting activities/programs/events across the three housing estates Cultural Catering Social Enterprise Program Community meals program/community garden program Underground carpark community events- for music and art displays. Annual community events eg, harmony day, white ribbon day, harvest festival.
Recommendation	Offer new three year lease, inclusive of a Service Agreement.

Richmond Community Learning Centres	The Stables - Ground Floor, Duke Street Richmond Studio 1 – Richmond 92 Lord Street Richmond
Current arrangements	The Stables – licence expires 30/9/2017 Studio 1 – Richmond – licence expires 4/10/2018 92 Lord Street Richmond – lease expires 30/9/2017

Community benefit	RCLC across 4 sites in Richmond deliver a range of inclusive programs, activities and events.
Funding	Multiple sources:- State Government provides core funding, Federal Government, Yarra Neighbourhood House funding program, philanthropic, donations, fundraising, user contributions.
Term offered	No term is proposed to RCLC at this point in time, to allow the group to consider its approach to managing the sites collectively.
History	The Stables – RCLC manage the ground floor and Council manages the first floor through the Venues and Events Unit. Studio 1 – RCLC manage the space during the week during daytime, and Council manage the space after hours through the Venues and Events Unit.
Other	Council is responsible for capital and maintenance costs of all buildings. Council is also responsible for cleaning and utility charges for both The Stables and Studio 1. For Studio 1, Council also funds a Community Support Officer for RCLC.
Review of previous term's KPIs	Studio 1 - The KPI results for Studio 1 could be improved upon. It is proving challenging managing the facility and there is an opportunity to grow the use of the space, especially during daylight hours. The Stables – The Hall does not run to capacity and noise is a consideration in the 2 level building Lord St – the service is predominantly Occasional Care, which is well patronized.
Recommendation	Allow all agreements at the 3 sites to remain in or move to holdover, pending further discussions with the group as to their capacity to manage the facilities in a manner which strengthens community amenity.

12. All users groups have been consulted in relation to the Recommendations presented above.

Internal Consultation (One Yarra)

13. The information presented has been provided by the various Service Managers throughout the organisation and in many cases, responds to the previously agreed upon service outcomes.

Financial Implications

14. The following table shows the current and proposed rental charges. All lessees/licensees are required to pay GST which is charged in addition to the current rental. The current annual peppercorn rental increased from $208.00 per annum plus GST to $312.00 per annum plus GST at the start of 2016.

15. The next peppercorn rental increase for new agreements will be $416.00 per annum plus GST and will commence from 1 January 2019.

16. The Melbourne All Groups CPI for 2015/2016 was 1.6% (from the previous financial year).

17. For those tenancies where the use is for storage space only, a 50% reduction on the annual peppercorn is proposed.

18. For Sports Groups, the proposed fees are set annually, but are discounted in accordance with the Yarra Sports Strategy.

19. For storage spaces, the rental is 50% of the current peppercorn rental.

TENANT	CURRENT ANNUAL RENTAL (excl GST)	PROPOSED ANNUAL RENTAL (excl GST)
St John Ambulance - Office	$208.00	$312.00
St John Ambulance – Car Bays	$312.00	$312.00
Alphington Park Bowls Club	$4,500.00	$4,725.00
Collingwood Harriers	$5,036.00	$5,250.00

Ivanhoe and Northcote Canoe Club	$1,247.00	$1,310.00
Contemporary Sculptors Association	$1,200.00	$1,200.00
St Vincent De Paul - Willowview	$208.00	$312.00
St Vincent De Paul – Brick Shed	$208.00	$156.00
Royal District Nursing Service – Brick Shed	$208.00	$156.00
Visionary Images	$208.00	$312.00
Fitzroy Legal Service	$115,000.00	$115,000.00
Australian Communities Foundation	$27,916.00	$27,916.00
Print Council of Australia	$9,644.00	$9,644.00
Project Respect	$8,896.00	$8,896.00
Richmond Harriers	$208.00	$312.00
Northcote Obedience Dog Club	$1,000.00	$1,100.00
Collingwood Youth Boxing Club	$208.00	$312.00
U3A	$208.00	$312.00
Holden St Neighbourhood House	$208.00	$312.00
Belgium Av Neighbourhood House	$208.00	$312.00
Richmond Community Learning Centre – The Stables	$208.00	$312.00
Richmond Community Learning Centre – 92 Lord St	$208.00	$312.00
Richmond Community Learning Centre – Studio 1	$208.00	$312.00

20. The following Council grants for FY16/17 and FY17/18 have been received by the groups:

Address	Lessee or Licensee	Grants FY16/17	Grants FY17/18
Level 1, Jack Dyer Pavilion, Citizens Park, Richmond	St John Ambulance	$0.00	$0.00
Alphington Park	Alphington Park Bowls Club	$2,950.00	$3,500.00
George Knott Reserve and Ray Coverdale Pavilion	Collingwood Harriers	$0.00	$0.00
Fairfield Park	Ivanhoe and Northcote Canoe Club	$0.00	$0.00
117 Vere St Abbotsford	Contemporary Sculptors Association	$0.00	$0.00
Collingwood Senior Citizens Centre (Willowview)	St Vincent De Paul	$0.00	$0.00
Brick Storage Shed – Eddy Court Abbotsford	St Vincent De Paul	$0.00	$0.00
Brick Storage Shed – Eddy Court Abbotsford	Royal District Nursing Service	$15,000.00	$0.00
Rear 213 Church St Richmond (Richmond Family Centre)	Visionary Images	$20,000.00	$7,000.00
Level 4, Fitzroy Town Hall	Fitzroy Legal Service	$65,000.00	$67,000.00
Level 2 & 3, Fitzroy Town Hall	Australian Communities Foundation	$0.00	$0.00
Level 2, Fitzroy Town Hall	Print Council of Australia	$0.00	$1,000.00
Level 1, 126 Moor St Fitzroy	Project Respect	$10,000.00	$8,000.00
Ground Floor, Jack Dyer Pavilion, Citizens Park, Richmond	Richmond Harriers	$0.00	$0.00
Alphington Park	Northcote Obedience Dog Club	$0.00	$0.00

128 Holden St North Fitzroy	Holden St Neighbourhood House	$60,650.00	$61,730.00
Ground Floor, The Stables, 21 Duke St Richmond	Richmond Community Learning Centre (The Stables)	$0.00	$0.00
Stanton St Hall, Abbotsford	Collingwood Youth Boxing Club	$0.00	$0.00
Stanton St Hall, Abbotsford	U3A	$1,000.00	$0.00
92 Lord St Richmond (Lord St Neighbourhood House)	Richmond Community Learning Centre (Lord St)	$66,300.00	$67,490.00
Unit 3, 32 Bendigo St, Richmond (Studio 1)	Richmond Community Learning Centre (Studio One)	$95,783.00	$95,783.00
5A Belgium Av Richmond	Belgium Av Neighbourhood House	$87,650.00	$89,200.00

Economic Implications

21. There are no economic implications associated with this report.

Sustainability Implications

22. There are no sustainability implications associated with this report.

Social Implications

23. The aforementioned lessees or licensees are well regarded within the Yarra and larger communities. By offering assistance by way of land and buildings, Yarra continues to strengthen ties with community organisations.

Human Rights Implications

24. There are no human rights implications associated with this report.

Communications with CALD Communities Implications

25. There are no CALD Communities implications associated with this report.

Council Plan, Strategy and Policy Implications

26. The matter addresses the Council Plan strategy of ensuring that all Council's assets are managed, planned for, acquired, disposed or, used, maintained, renewed and replaced to meet the needs of current and future generations.

Legal Implications

27. There are no legal implications deriving from the Local Government Act 1989 associated with the extension of leases or licences for the Council owned or managed land contained in this report.

28. In issuing a Crown lease or licence, the Council as Committee of Management for the Crown will first need to seek approval from the Crown for the granting of the lease or licence in accordance with the Crown Land (Reserves) Act 1978.

Other Issues

29. All new agreements, where appropriate will contain a service agreement, which will outline the agreed upon service to be delivered from the leased/licensed site.

30. Many organisations recognise Council's partnership through their published information and Council's logo is often prominently displayed. All new service agreements will require the organisations to recognise Council's involvement on their website through application of Council's logo.

RECOMMENDATION

1. That Council resolve to enter into a new Crown lease or licence (subject to approval from the Crown) or a Council lease or licence with the following community organisations on the terms and conditions noted in this report and subject to a public notice being given in the form required under Section 190 of the *Local Government Act* 1989:

   (a) Alphington Park Bowls Club – enter into a new Council licence for the Alphington Parks Bowls Club Building for five years from 1 August 2018;

   (b) Collingwood Harriers Athletics Club – enter into a new Crown licence for the Ray Coverdale Pavilion and George Knott Athletic Track for five years from 18 October 2018;

   (c) Ivanhoe and Northcote Canoe Club – enter into a new Crown lease for the Fairfield Park Canoe Club building for five years from 8 May 2018;

   (d) Northcote Obedience Dog Club – renew the Council lease for part Alphington Park and use of the lower meadow for five years from 1 September 2018;

   (e) St Vincent de Paul – renew the Council licence for use of the Collingwood Senior Citizens Centre for five years from 20 February 2018;

   (f) St Vincent de Paul – renew the Council licence for use of the brick storage shed at the rear of Collingwood Town Hall for storage purposes for five years from 1 October 2018;

   (g) Royal District Nursing Service – renew the Council licence for use of the brick storage shed at the rear of Collingwood Town Hall for storage purposes for five years from 1 October 2018;

   (h) Visionary Images – renew the Crown lease for use of rear 213 Church St Richmond for five years from 23 November 2018;

   (i) U3A – renew the Council licence for use of the front of 17 Stanton St Abbotsford for five years from 1 August 2018;

   (j) Collingwood Youth and Boxing Club – renew the Council licence for use of the rear of 17 Stanton St Abbotsford for five years from 1 August 2018;

   (k) Holden Street Neighbourhood House – renew the Council lease for 128 Holden St North Fitzroy for five years from 1 July 2018;

   (l) Belgium Avenue Neighbourhood House – renew the Council lease for 5A Belgium Av Richmond for five years from 1 July 2018.

CONTACT OFFICER: **Karen Hayes**
TITLE: **Unit Manager, Property Services**
TEL: **9205 5711**

Attachments
There are no attachments for this report.

11.8 Yarra City Council Audit Committee Annual Report 2016/2017

Trim Record Number: D17/181875
Responsible Officer: Director Corporate, Business and Finance

Purpose

1. To present for Council's noting the Annual Report of the Yarra City Council's Audit Committee for audit year 2016/2017. The audit year is 1 October to 30 September as it corresponds with the annual financial and performance statements lodgement process and the annual cycle of election of Councillor members to the Audit Committee.

Background

2. Under the Committee's Charter, the Audit Committee must report annually to Council, describing its responsibilities and how they were discharged during the period and any other information considered pertinent or which is required by regulation.

External Consultation

3. The Chairperson of the Audit Committee and other members of the committee.

Internal Consultation (One Yarra)

4. A draft of the report was circulated to the Chief Executive Officer and Acting Director Corporate, Business and Finance.

Financial Implications

5. No financial implications

Economic Implications

6. No economic implications

Sustainability Implications

7. No sustainability implications

Social Implications

8. No social implications

Human Rights Implications

9. No human rights implications

Communications with CALD Communities Implications

10. No CALD communities' implications

Council Plan, Strategy and Policy Implications

11. The Annual Report records the work of the Audit Committee for 2016/2017 as required by the Local Government Act 1989; the Local Government Performance Reporting Framework (LGPRF) and guidelines issued by the Victorian Auditor-General's Office.

Legal Implications

12. No legal implications

Other Issues

13. No other issues

Options

14. No options required

Conclusion

15. The Audit Committee was able to fulfil its mandate under unrestricted conditions. The Committee's focus has been to provide advice and assurance on the key business areas of risk management; internal controls and governance processes; accounting and financial reporting; performance reporting; and any fraud or corrupt behaviour identified and whether external agencies should be notified.

RECOMMENDATION

1. That Council:
   (a) note the Audit Committee Annual Report 2016/2017; and
   (b) publish the Audit Committee Annual Report 2016/2017 on Council's website.

CONTACT OFFICER: **Kathy Duffy**
TITLE: **Manager Audit and Internal Controls**
TEL: **9205 5112**

Attachments
1 Audit Committee Annual Report

Attachment 1 - Audit Committee Annual Report

YARRA CITY COUNCIL

AUDIT COMMITTEE ANNUAL REPORT 2016/2017

FOREWORD

I am pleased to present the Annual Report of the Yarra City Council's Audit Committee. The report reflects a summary of the oversight work carried out by the Committee and the matters dealt with during 2016/2017.

On behalf of the Audit Committee (AC) members I would like to express our appreciation for the support provided by Council's Chief Executive Officer, members of the Executive team, Managers and, in particular, the Corporate, Business & Finance Division for their continued work for the AC. I would also like to express our sincere gratitude to our Independent Member Michael Said whose extended terms of appointment concluded at our September 2017 meeting. Michael was a particularly strong contributor to the Audit Committee particularly the financial analysis and reporting.

David Ashmore
Independent Member and
Chairman, Audit Committee

1.0 INTRODUCTION

This report is pursuant to the approved Audit Committee Charter (2015) – reference item 4 of Charter.

In carrying out its work, the AC maintains appropriate independent oversight while building relationships with:

- Council's senior management staff;
- Pitcher Partners, Council's Internal Auditors; and
- HLB Mann Judd representing the Victorian Auditor-General's Office

Our focus has been to provide advice and assurance on the key business areas of risk management; internal controls and governance processes; accounting and financial reporting; performance reporting; and any fraud or corrupt behaviour identified and whether external agencies should be notified.

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1.1 Membership of the Committee

The AC is composed of the following members:

- David Ashmore, Chair and external independent member
- Vincent Philpott, external independent member
- Michael Said, external independent member
- Cr Amanda Stone, Mayor, Councillor representative
- Cr Misha Coleman, Councillor representative

In addition, the following Council staff attend all of 2016/2017 AC meetings:

- Vijaya Vaidyanath, Chief Executive Officer
- Andrew Day, Director, Corporate, Business & Finance
- Ange Marshall, Chief Financial Officer
- Secretary to the AC - Kathy Duffy, Manager, Audit & Internal Control

Council's Internal Auditor, Pitcher Partners also attended all meetings and was represented by Graham Noriskin, Executive Director and Natalie James, Director.

Council's External Auditors VAGO also attended AC meetings represented by their appointed agents Mark Peters, Partner, HLB Mann Judd and Chris Venn, Assistant Manager, Audit & Assurance, HLB Mann Judd.

2.0 SUMMARY OF 2016/2017 AUDIT COMMITTEE ACTIVITIES

2.1. Meetings

The AC held five meetings during the year as follows:

- 13 December 2016, 14 March 2017, 30 May 2017, 22 August 2017 and 12 September 2017

At the start of each AC meeting under "*Corporate Governance*":

- Council's CEO gave a verbal update on key risk issues which may impact on Council and any significant budgetary, performance or legal issues; and
- The Chairman asks five Standard Questions in the interest of sound corporate governance with a specific question relating to "*any instances of suspected, alleged, or proven fraud or corruption to report".* Each AC member, Internal and External Auditors and Council staff present are given the opportunity to respond.

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2.2 Transparency

AC information is publicly available on the Yarra City Council's website. This includes details of AC members; the Committee's Charter; and the Annual Report.

The membership of the AC together with appointment dates and attendance at meetings is set out in the following table:

Members/Qualifications	*Committee member since*	*Attendance at full meetings for the year 2016/2017 (5 meetings in total)*
David Ashmore (Chairman) CA, FCA	2015	Yes
Vincent Philpott CMIIA, CIA, CCSA	2015	Attended 3 meetings and an apology for 2 meetings due to overseas travel
Michael Said CPA, RCA	2009	Yes
Cr Amanda Stone (Mayor)	2016	Yes
Cr Misha Coleman	2016	Attended 4 meetings

2.3. The Committee's Work-plan and Charter

The main focuses of the Committee's work was to:

- Overview the work of the Internal and External Auditors.
- Monitor the implementation of Auditors control improvement recommendations.
- Assess the appropriateness of the Council's Risk Management protocols and the function of the internal control framework.
- Overview the regular internal financial reporting and the formal annual statutory financial and performance reporting.

The soundness of Council's financial and performance reporting practices is evidenced by the auditing of controls and clean reports and audit opinions by HLB Mann Judd representing the Victorian Auditor-General's Office (VAGO).

2.4 Annual Committee Self-Evaluation

At the AC meeting of December 2016 members reviewed their response to a self-evaluation questionnaire seeking an assessment on their functioning and performance. The three independent members completed the questionnaire. The overall score was positive and the results did not indicate any immediate action with regard to the Committee's tasks, or with regard to the content, frequency or procedure of its meeting.

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2.5 Matters reported to the Victorian Ombudsman and IBAC

During the year the AC was made aware of two incidents that required special audits by the Internal Auditors.

Incident One - related to a potential "conflict of interest" procurement matter within Council's Information Systems (IS) Branch.

This matter was raised with the Director, Corporate, Business & Finance who referred the matter to Council's Internal Auditors for investigation.

This matter was also noted, separately, by the Victorian Ombudsman via a letter sent to the office of the Ombudsman.

The special audit report noted that the matter was about the "perception" of conflict of interest and not actual conflict of interest. The audit report also mandated that all staff within the IS Branch should participate in a special training program to address the issues raised in the audit report.

Incident Two - involved a member of staff using Council's Purchasing Card inappropriately and providing incorrect documentation to support some of the purchases. The matter was investigated by Council's Internal Auditors and Council's CEO referred the matter to IBAC as required by legislation.

IBAC indicated it was comfortable with Council continuing with its own internal investigation and has, therefore, left the investigation for Council to complete and present the findings and recommendations to Council's Executive and Audit Committee. The inappropriate use of Council's Purchasing Card was by a member of staff (the Cardholder). The Cardholder and the Approver of the Cardholder's monthly transactions are both part of the internal investigation.

2.6 Financial Reporting

HLB Mann Judd (Council's External Auditors appointed by VAGO) provided advice and completed audits during the course of the year-end cycle in relation to Annual Financial Statements and Performance Statements.

HLB Mann Judd representatives presented at the AC meeting on 22 August 2017 VAGO's Closing Report for year end 30 June 2017. The AC recommended Council adopt the 2016/2017 Annual Financial Statements and Performance Statements 'in principle' and nominate two Council representatives to certify those statements in their final form.

In addition, HLB Mann Judd forwarded to Council for presentation at the Committee meeting on 12 September 2017 VAGO's Final Management Letter for year end 30 June 2017and Council noted that there are a number of low and medium risks from prior years that require newly-appointed officers to close.

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2.7 Internal Audit Projects

Council's twelve-month Internal Audit plan is part of a rolling three-year strategic audit plan which is reviewed and updated annually by the Executive and Audit Committee with input from Pitcher Partners, Council's Internal Auditors.

Internal Audit Reports agreed to by the AC at the commencement of the audit year and presented at the AC during 2016/2017 were:

- Project Management initiation (including Capital Works Planning)
- Permit Framework
- Asset Management
- IT Environment
- Risk Management
- Fleet Management
- Contract Management (Continuous audit)
- Purchasing Cards (Continuous audit)

(Continuous audits are business functions/processes/systems that are selected for auditing annually)

It was noted by the AC that Council's purchase of an Open Windows Contract Management System has significantly assisted with the management of tenders, suppliers and contract management. The new system is an end to end software process and ensures all aspects relating to Procurement and Contract Management are completed on-line, including authorisation steps.

2.8 Follow-up on Management Action Plans

As in prior years, the AC continues to place strong emphasis on the attention to agreed Management Action Plans, particularly those relating to high risk areas.

At the December 2016 meeting, the Internal Auditors presented their Follow-up Report covering internal audits for – Council Depot; Cashing Handling; and Purchasing Cards. Our Internal Auditor's report confirmed that all Management Actions had been implemented to their satisfaction.

At the September 2017 meeting, the Follow-up Report covering internal audits for – Procurement; Supplier Management; Tendering & Contract Management was deferred to the November 2017 meeting. However, the results in the Follow-up Report indicate that of the 46 actions to be implemented, 32 had been implemented to the satisfaction of our Internal Auditors; 12 were in progress, and the auditors suggested that 2 be deferred as they relate to the Local Government Act which is currently in revision and, as such, may result in changes to the proposed management actions.

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3.0 Looking Ahead - 2017/2018

Over the coming AC work year (1 October 2017 to 30 September 2018), the Committee will be:

- Welcoming a new external independent member, Helen Lanyon. Helen has had extensive experience in local government at executive level roles and her appointment adds further executive experience and strategic, long-term thinking to the advice and assurance the AC will provide to Council and its CEO.
- Considering the outcomes of the "*Review of the Local Government Act 1989*" and the implications for the Audit Committee of the proposed reform directions articulated in "*Act for the future – directions for a new Local Government Act – 2016*".
- Monitoring the implementation of the Risk Management Audit (2017) recommendations. Implementing the management actions documented in the audit report will ensure Yarra City Council continues with its risk maturity, internal controls and its continuous business improvement culture.
- Working to better understand how digitisation and social media will transform and impact on Council's services and operations, as well as business-changing technologies of the cloud and data analytics.

4.0 CONCLUSION

The Audit Committee was able to fulfil its mandate under unrestricted conditions.

With reference to the Financial Statements and Performance Statements for end of financial year 2016/2017, the AC was satisfied that:

- Audit assurance was obtained during a number of meetings and corroborated by the review of all relevant documentation together with the AC's own analyses; and
- HLB Mann Judd (the Victorian Auditor-General's representative) was able to provide an unqualified opinion on the integrity of Council's Financial Statements and Performance Statements for 2016/2017.

On this basis, two external independent members (David Ashmore – Chairman and Vince Philpott) met with Councilors' at a Briefing Session on 4 September 2017 to confirm the AC's assurance of the integrity of the documentation that they would be asked to review and approve.