



# Ordinary Meeting of Council Agenda

**to be held on Tuesday 21 August 2018 at 7.00pm  
Richmond 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 Daniel Nguyen (Mayor)
- Cr Misha Coleman (Deputy Mayor)
- Cr Danae Bosler
- Cr Mi-Lin Chen Yi Mei
- Cr Jackie Fristacky
- Cr Stephen Jolly
- Cr Mike McEvoy
- Cr James Searle
- Cr Amanda Stone

### Council officers

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

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

## 4. Confidential business reports

### **Item**

- 4.1 The personal hardship of a resident or ratepayer
- 4.2 Proposed developments; AND Matters relating to legal advice

## **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:
  - (a) the personal hardship of a resident or ratepayer;
  - (b) proposed developments; and
  - (c) matters relating to legal advice.
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 7 August 2018 be confirmed.

That the minutes of the Special Council Meeting held on Monday 13 August 2018 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; and
- 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	Bridge Road Precinct Special Charge - Notice of Decision	7	16	David Walmsley – Manager City Strategy
11.2	Amendment C220 - Consideration of Submissions	81	92	David Walmsley – Manager City Strategy
11.3	Draft Access & Inclusion Strategy and Draft Active Healthy Ageing Strategy	135	145	Adrian Murphy – Manager Aged and Disability Services
11.4	NELA Project - Proposed MoU	196	197	Jane Waldock – Assistant Director Planning and Place Making

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

Item		Page	Rec. Page	Report Presenter
12.1	Notice of Motion No.11 of 2018 - Support for the 2018 Movember Campaign	215	215	Cr Misha Coleman

## 13. Urgent business

Nil

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## 11.1 Proposed declaration of Bridge Road Precinct Special Charge

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### Executive Summary

#### Purpose

The purpose of this report is to:

- (a) consider the submissions and take into account the objections received by Council in accordance with sections 163A, 163B and 223 of the *Local Government Act 1989 (Act)*; and
- (b) consider whether (or not) to declare a Special Charge for the Bridge Road Precinct.

#### Key Issues

Council at its ordinary meeting held on 5 June 2018, resolved to commence statutory procedures under section 163(1) of the Act to renew the Special Charge Scheme for the Bridge Road Precinct.

Notice of Council's intention to declare the Scheme, at its meeting on 21 August 2018 was published in *The Age* newspaper on 12 June 2018 and written submissions and/or objections were invited from property and business owners in the nominated Bridge Road Precinct (the **Scheme**).

A total of 37 written submissions have been received, however 2 submissions were received for the same property and therefore are to be counted as one, reducing the total number of written submissions to 36. From these 36 submissions, 18 were in support of the Scheme.

Issues specifically raised in opposition to the Scheme include concerns regarding the benefit of the Scheme for some properties or businesses within the Precinct, the Scheme area, the involvement of Council in promoting commerce, the additional financial burden that the Charge will place on business, the effectiveness of the marketing activities and the lack of need for the Charge (see report).

A total of two people who had made a written submission and/or objection requested to be heard in person in support of their written submissions at the ordinary meeting of the Council held on 7 August 2018. A presentation was made at that meeting.

The Act specifies that if Council receives a majority (at least 51%) of objections from person who are required to pay the Special Charge, Council is prohibited from making the declaration of the Special Charge. The number of objections received represent only 3% of the rateable properties in the proposed Bridge Road Scheme area.

If Council resolves to declare the Scheme the following steps will occur:

- (a) The Bridge Road Mainstreet Inc. (**BRMS**) will be advised of Council's decision;
- (b) Council will advise by letter, all of the affected property and business owners, and also all of those persons who lodged a submission, of Council's decision regarding the Special Charge for the Bridge Road Precinct;
- (c) Persons liable to pay have 30 days after receipt of the levy notice in which those persons may lodge an appeal with Victorian Civil & Administrative Tribunal (**VCAT**) under section 185 of the Act and exercise any rights under section 185AA of the Act; and if no VCAT challenge; and
- (d) Council then enters into a funding agreement with the BRMS, which would commence on 1 October 2018.

### **Financial Implications**

The proposal would involve Council contributing \$60,000 annually in addition to the funds generated by the Special Charge for the duration of the Charge. This is in recognition of the additional costs associated in administering the review recommendations (see report). The funding agreement will outline the specific requirements. This has been incorporated into the 2018/2019 annual operating budget and is proposed to be included in future operating budgets

### **PROPOSAL**

That Council declares the Special Charge for the Bridge Road Precinct and undertakes all the necessary associated administrative tasks as advised by Council's solicitor and detailed within the Recommendation.

## 11.1 Bridge Road Precinct Special Charge - Notice of Decision

Trim Record Number: D18/120719

Responsible Officer: Director Planning and Place Making

### Purpose

1. The purpose of this report is to:
  - (a) consider the submissions and take into account the objections received by Council in accordance with section 163A, 163B and 223 of the *Local Government Act 1989*(**Act**); and
  - (b) consider whether (or not) to declare a Special Charge for the Bridge Road Precinct.

### Background

2. The process to declare a Special Charge for the Bridge Road Precinct began with a pre-statutory phase of consultation and review between March and August 2017. Both the BRMS and Council were committed to a review of the performance of the current Scheme in order to accommodate future improvements and to assist with setting new directions should the Scheme be renewed.
3. The Bridge Road Main Street Special Charge Evaluation Report 2017 (Report) concluded that Bridge Road is a precinct that has benefited from the collective marketing and promotion, and although success has been inconsistent at times and business engagement has varied, the fundamentals for a program are in place and are well supported by Council's management and governance approaches.
4. As a result of the evaluation, it was determined that further improvement is required if BRMS is to pursue a renewal of the program. An improvement plan outlined within the Report detailed a range of specific actions from BRMS.
5. On 4 May 2018, the BRMS made a formal request to Council to commence the statutory process to renew the Scheme for a further six years commencing 1 October 2018 and ending 30 September 2024.
6. The purpose of the Scheme to be declared by Council is to defray promotional, advertising, marketing and business development expenses associated with the encouragement of commerce retail, professional activity and employment in the Bridge Road Precinct.
7. Council will continue to work with the BRMS under the proposed Scheme. The BRMS will act on Council's behalf in relation to the expenditure of the funds raised by the Scheme for the purposes listed above. The expenditure of funds by the BRMS must always be approved by Council in accordance with the funding agreement between Council and the BRMS.
8. The BRMS has developed a draft Business Plan for the first three years of the Scheme which will then at its conclusion be reviewed to inform a new Business Plan for the remaining three years of the Scheme. The Business Plan incorporates the recommended actions outlined with the Report and will form the framework and will guide the actions of the BRMS (**Attachment 3**).
9. BRMS has also prepared a strategic plan for the first 12 months of the proposed Scheme (**Attachment 4**).
10. Council resolved at its ordinary meeting on 5 June 2018, to commence the statutory procedures under section 163(1) of the Act to renew the Special Charge Scheme for the Bridge Road Precinct.
11. In accordance with Council's statutory obligations under the Act, a public notice outlining the details of the Proposed Declaration of the Special Charge for the Bridge Road Precinct was published in *The Age* newspaper on 12 June 2018 (**Attachment 5**), and displayed at the Richmond and Collingwood Town Halls and Council's website. The closing date for receipt of submissions and objections by Council was 5pm on Monday 16 July 2018.

12. The proposed Scheme boundary map (**Attachment 1**) to this report remains relatively unchanged from the current Scheme, which ends on 30 September 2018.
13. The key components of the proposed Scheme are:
  - (a) The Special Charge would apply to properties from 2 – 662 Bridge Road, 196 to 280 Church Street, 172 – 195 Lennox Street, 2a Waltham Street, 174 Burnley Street Richmond.
  - (b) The Special Charge would apply differentially as follows:
    - (i) \$300 per annum per ground floor property in Bridge Road;
    - (ii) \$200 per annum for other than ground floor properties in Bridge Road; and
    - (iii) \$100 per annum for properties located in streets other than Bridge Road; and
  - (c) The Special Charge would be introduced for a period of six years.
14. It is expected that the Scheme would raise an amount of \$157,000 per annum, raising in total an amount of \$942,000 over the six year period of the Scheme.
15. On Wednesday 13 June 2018, Council sent letters to all affected property owners included in the Scheme, and in the same week Council Officers hand delivered letters to all affected occupiers included in the Scheme. The letters advised of Council's intention to declare a Special Charge for the Bridge Road Precinct, Council's commencement of the statutory process (and included a copy to the public notice, special charge boundary map and the levy amount that would be applied to the property) (**Attachment 6**).
16. A total of 37 submissions were received during the statutory exhibition period. However, 2 submissions were received for the same property and therefore are to be counted as one, reducing the total number of written submissions to 36. This included 18 written submissions of support and 18 written objections.
17. A Hearing of Submissions in relation to Council's Notice of Intention to Declare a Special Charge for the Bridge Road Precinct was provided at Council's ordinary meeting on 7 August 2018. One verbal submission of support for the Scheme was presented to Council.

### External Consultation

18. Consultation for this Scheme has been extensive throughout the various stages of both the pre statutory and statutory process. Council's commitment to supporting a thorough review facilitated numerous opportunities for property and business owners to provide feedback.
19. The key developments in the statutory process for the declaration of the Special Charge have been as follows:
  - (a) Council report – Notice of Intention to Declare a Special Charge – 5 June 2018;
  - (b) Public Notice of Proposed Declaration of Special Charge in *The Age* – 12 June;
  - (c) Notice of Intention to Declare letter mailed to all property owners and hand delivered to business occupiers with a copy of the Proposed Declaration of Special Charge Notice 13 – 16 June;
  - (d) Invitation for submissions and objections from 12 June to 5pm on 16 July; and
  - (e) Hearing of submissions and objections at Council meeting – 7 August.
20. The statutory processes undertaken by Council, allowed for all the property owners and occupiers to be informed of the Council's intentions for the Scheme, their rights and obligations and also the opportunity they have to provide comment and formal feedback through each stage of the proposal.
21. Following this report all property owners and occupiers will be advised of Council's decision and the reasons for its decision.
22. If the Special Charge is adopted, notice of the levy will be sent to the business and property owners. Property owners then have 30 days to appeal to VCAT.

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

23. Specific advice on the renewal process has been sought from officers from Council's Geographical Information Systems, Revenue and Rates, Governance and Communications.

### **Financial Implications**

24. The BRMS has requested and Council officers agree that the proposed Scheme raise an amount of \$157,000 per annum, which is a moderate decrease (approximately 14%) in relation to the current Scheme.
25. It is proposed that Council continues to contribute but at a reduced fixed rate of \$60,000 per annum for the life of the Scheme.
26. The reduction in Council's contribution from the current amount of \$70,481 to \$60,000 is proportional (approximately 15%) to the reduction of the total annual amount raised by the charge to the properties levied.
27. BRMS has requested that the proposed Scheme raise \$217,000 per annum, which is \$35,322 less than the amount raised by the current Scheme.
28. With Council's annual contribution of \$60,000, a total of \$1,302,000 would be raised over the period of the Scheme.

### **Economic Implications**

29. The renewal of the Special Charge will assist with the continuation of marketing and promotional activities to support the ongoing business development for the precinct to which the proposed Special Charge will apply.
30. Bridge Road is a major shopping precinct serving the local Richmond community as well as regional, interstate and international visitors.
31. Collective approaches to the management of main streets, and the role and value of sustainable funding and representative associations is recognised nationally and internationally. When businesses come together with a common goal, or interest, they can band together in any number of ways to create an influence and a presence that is greater than the sum of its parts. There are over 100 formalised main street associations in Victoria, with approximately 50 individual Special Rate and Charge programs.

### **Sustainability Implications**

32. There are no relevant sustainability implications in relation to the subject matter of this report.

### **Social Implications**

33. If declared, the Special Charge will enable Council and the BRMS to provide a cohesive network of support and participation for businesses within the precinct.
34. Collaborative programs funded through a Special Rate or Charge Scheme are considered an effective means of facilitating engagement between stakeholders, and promote an integrated and agreed approach to marketing and management of the main street. It is built on a premise that working together to identify collective strengths and opportunities, and with the business community taking a lead role will build offer, appeal and performance of a precinct.

### **Human Rights Implications**

35. The "right to take part in public life" is of notable relevance to the BRMS Special Charge.

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

36. There were no known CALD Communities implications.

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

37. Council's Economic Development Strategy 2015 – 2020 provides the strategic context for working in partnership with BRMS. The purpose of the Agreement with the BRMS relates to the theme Vibrant and Thriving Precincts, in particular the objective: *Working with local traders to strengthen the viability of precincts by enhancing the customer experience, improving the business mix, and offering an authentic and continually evolving experience.*

## Legal Implications

38. If the Special Charge Scheme is implemented, Council would enter into a formal agreement with the BRMS to pay two six monthly instalments or 4 quarterly instalments per annum of the proceeds of the Special Charge. The Agreement would:
- (a) Specify that the role of the BRMS in expending the monies raised by the Special Charge on behalf of Council is of an administrative nature only and at all times under the direction of, and for Council;
  - (b) Detail performance indicators for expenditure of funds on an annual basis; and
  - (c) Detail that Council reserves the right to apply the proceeds of the Special Charge.

### Submissions

39. Any person can make a submission under section 223 of the Act in relation to Council's proposal to make a declaration under section 163 of the Act.
40. Since the commencement of the statutory process for the Bridge Road Special Charge Scheme a total of 37 written submissions have been received (**Attachment 7**). However, 2 submissions were received for the same property and therefore are to be counted as one, reducing the total number of written submissions to 36. From these 36 submissions 18 were in support of the Special Charge.
41. The following is a summary of the benefits identified by those supporting the renewal of the Special Charge Scheme:
- (a) provides value for money;
  - (b) Bridge Road needs a digital presence and promotion as a destination;
  - (c) Provides access to marketing of the entire precinct;
  - (d) Provides effective advocacy;
  - (e) Access to a range of promotional activities and events; and
  - (f) Provides a much needed collaborative approach between business and Council to address issues such as vacancies.
42. A summary of the key issues raised in the 18 objections lodged appears below.

### Objections

43. Under section 163B of the Act persons who will be required to pay the Special Charge can make an objection. The right of objection is in addition to the right to make a submission under section 163A.
44. The Act specifies that if Council receives a majority (at least 51%) of objections from persons who are required to pay the Special Charge, Council is prohibited from proceeding with the proposed Scheme under section 163B based on the number of objections that have been received.
45. Information regarding the objections are as follows:
- (a) 18 written objections were received before the closing date 16 July 2018;
  - (b) 4 objections have been received from property owners 3 have been received from people who are both property owner and business operator and 11 from business operators;
  - (c) Objecting business owners (as they are required to do under the Act) have not submitted documentary evidence which shows that it is a condition of their lease that they are required to pay the Special Charge; however for the purpose of accepting their objection, they have been acknowledged to be the occupier and that they are required to pay the Special Charge under the lease, and this approach is recommended to Council; and
  - (d) 17 are for Bridge Road properties and 1 is from a side street property.



46. The key issues raised in the objections, by way of general summary; are as follows:

(a) *There would be no special benefit for some properties;*

**Officer comment:** Council is advised that there will be a potential benefit to businesses located within the Bridge Road precinct (even if this is only a future and indirect benefit) as the purpose of the Special Rate and Charge Scheme is to enhance the overall viability and vitality of the shopping precinct.

On this basis, it is considered that there will be a benefit to businesses located within the Bridge Road precinct, despite the business believing that these benefits are not 'needed' by the business and that the Special Rate and Charge otherwise offers "very little benefit or value" and merely constitutes an "extra impost".

The Special Charge is proposed to apply to commercial, retail or professional properties in the Bridge Road Precinct which are considered to receive a special benefit from being part of the Special Charge Scheme. All properties within the Precinct that area being used for these purposes, or are reasonably capable of being used for these purposes, are considered to receive a special benefit (because the value and/or the use, occupation or enjoyment of the properties will be maintained or enhanced), however a differential charge is proposed to reflect the nature and extent of indirect and direct benefits to different properties within the Scheme area, with a higher charge for ground floor properties in Bridge Road (\$300), and lower charges for other than ground floor properties in Bridge Road (\$200), and properties located in streets other and Bridge Road (\$100). It is also considered that the Scheme area should remain as originally proposed by Council, in that it should include all properties in Bridge Road.

The funds will be utilised by the BRMS for the development and implementation of an integrated marketing and promotion program which would benefit all properties within the Bridge Road Precinct.

(b) *Council should not be in the business of promoting commerce or retail activity;*

**Officer comment:** Under the Local Government Act 1989, Council is required to have regard to the promotion the social, economic and environmental viability and sustainability of the municipal district and promoting appropriate business and employment opportunities in order to facilitate its primary objective of endeavouring to achieve the best outcomes for the local community having regard to the long term and cumulative effects of decisions. The Act also provides that a Council may declare a Special Charge for the defraying any expenses in relation to the performance of a function of the exercise of a power of the Council, if the Council considers that the performance of the function or the exercise of power is or will be of special benefit to the persons required to pay the Special Charge. In this instance, it is considered that Council is encouraging retail activity, commerce and employment in the Special Charge area, which will produce flow on effects to the local economy.

(c) *The charge is unnecessary and unfair and Council should pay;*

**Officer comment:** The Special Charge has been requested by the BRMS to support marketing and promotion of the Bridge Road Precinct, and beyond this, Council has sought to engage the relevant property owners and business community throughout the statutory notification and consultation process. The BRMS has been particularly active in representing the interests of local businesses in advocating for better pedestrian access, streetscape improvements and reduced parking fees. If the Special Charge is declared Council would also contribute \$60,000 per annum to the Scheme. It is otherwise the view of officers that the proposed Special Charge is fair and necessary, in terms of Council seeking to take a proactive stance to improve the local economy.

(d) *The charge places extra taxation on the owners of property and should be voluntary and not mandatory;*

**Officer comment:** The Special Charge is proposed to apply to commercial, retail or professional properties in the Bridge Road Precinct which it is considered will receive a special benefit from being part of the Scheme. Under the provisions of the Local Government Act the owner of the property is primarily liable to pay the Special Charge. However some landlords have leasing arrangements which allow the Charge to be passed on to the tenant and the decision about who is ultimately liable is a matter between the landlord and the tenant under the terms of any lease arrangements. The BRMS has requested that the charge amount applied to each property be at a reduced amount in recognition of the impact of sustained high vacancies in the precinct.

(e) *Cannot see the benefit of the marketing activities;*

**Officer comment:** Bridge Road comprises of a diverse business mix and is over 2km in length, so it is reasonable to assume that not all marketing activities will be suited to every business and across the entire precinct. BRMS provide the following opportunities for businesses and property owners to provide feedback and input to help shape the direction of the marketing program:

- (i) committee meetings are held monthly and are open to all business operators in the precinct;
- (ii) each year, BRMS send AGM notices and invitations to all property owners and business operators inviting them to become members of the committee; and
- (iii) annual feedback surveys are sent to businesses registered on their email database.

Council in partnership with BRMS conducted an external review of the marketing activities in early 2017, to identify opportunities for improvements. The review involved extensive consultation which resulted in the development of a number of recommendations for further improvements which included the area of marketing. BRMS has prepared a draft Business Plan that has a stronger focus on market segmentation, digital media including improvements to the [bridgerd.com.au](http://bridgerd.com.au) website and social media channels, along with strategic events and partnerships which aim to highlight the evolving offering.

In recognition, of the difficulty in meeting all business needs BRMS has requested that Council levy a differential charge to reflect the nature and extent of indirect and direct benefits to different properties within the Scheme area, with a higher charge for ground floor properties in Bridge Road (\$300), and lower charges for other than ground floor properties in Bridge Road (\$200), and properties located in streets other and Bridge Road (\$100).

## Other Issues

47. The BRMS has indicated that the \$60,000 contribution from Council is critical to their ability to deliver an effective marketing program that reflects the expectations that has been identified through the review process. Therefore, it would be unlikely that the BRMS would enter into a new partnership agreement with Council without this funding, thus putting the Scheme into jeopardy.

## Options

48. Following the consideration of submissions, and having taken into account objections received, Council may resolve to adopt, modify or abandon the Special Charge Scheme.

### Option 1 – Abandon the renewal of the Special Charge Scheme for the Bridge Road Precinct Richmond

49. By not proceeding with the renewal of the Special Charge, Council would minimise its contribution in terms of staff and monetary resources required for the establishment and management of the Scheme. However, with no source of funding the BRMS would be unable to continue its integrated marketing and promotional program for the Bridge Road Precinct as a visitor and commercial destination as well as a local destination.

Option 2 – To implement a modified Special Charge for the Bridge Road Precinct Richmond that removes a residential property that has been incorrectly included in the Scheme in accordance with the present request by the BRMS, but without providing a Council Contribution

50. The modified Scheme would vary from that specified in the Notice of Intention to Declare a Special Charge for the Bridge Road Precinct by the removal of 2 Hunter Street (private residence);
51. Without the \$60,000 Council contribution, it is unlikely that the BRMS will be able to deliver on the Report recommendations.
52. It would be unlikely that the BRMS would enter into a new partnership agreement with Council, thus putting the Scheme in jeopardy.

Option 3 – To implement a modified Special Charge for the Bridge Road Precinct Richmond that removes a residential property that has been incorrectly included in the Scheme and provide a Council Contribution in accordance with the present request by the BRMS

53. There is a strong expectation from BRMS that Council will continue to contribute funding to the amount raised from the Special Charge. The BRMS has in good faith, proposed to Council a significant reduction in the amounts collected from both the levy and Council's contribution.
54. The reduction in Council's contribution from the current amount of \$70,481 to \$60,000 is proportional (approximately 15%) to the reduction of the total annual amount raised by the charge to the properties levied.
55. BRMS has requested that the proposed Scheme raise \$217,000 per annum, which is \$35,322 less than the amount raised by the current Scheme.
56. As a result of the evaluation conducted on the Bridge Road Main Street Special Charge Scheme, it was determined that further improvement is required by BRMS. An improvement plan outlined within the Report detailed a range of specific and practical actions for BRMS to implement. It would be reasonable to expect that Council contribute to offset the costs associated with the implementation of additional administrative requirements such as increased stakeholder engagement and communication, website improvements, as well as increased compliance related initiatives such as conducting annual reviews of the Business plan and marketing strategy, and a thorough review of the three year business plan and the subsequent development of a new three year business plan.
57. Council's separate contributions further strengthens the partnership between Council and the BRMS, which is critical to achieving a more strategic and integrated approach to supporting effective marketing activities for Bridge Road.

## **Conclusion**

58. In accordance with the relevant provisions of the Act, Council may declare a Special Charge for the purposes of performance of a function or power of Council (in this case the encouragement of employment opportunities and encouragement of commerce and retail activity) if it considers that the performance of the function or the exercise of the power is or will be of special benefit to the persons required to pay the Special Charge.
59. Having considered the submissions and taken account of the objections received in response to Council's notice of intention to declare a Special Charge for the Bridge Road Precinct, it is recommended that Council proceed to implement the Special Charge Scheme for the Bridge Road with minor modifications described in option 3 above.
60. It is considered that the use of a Special Charge to defray marketing, promotional, management, business and incidental costs associated with the encouragement and development of commerce and trade in the Bridge Road commercial precinct would be of special benefit to all those properties (and for that matter, the businesses (trader) occupying those properties), being all those properties in the precinct which it is presently considered are being used or are reasonably capable of being used for commercial, retail or professional purposes.

61. It is also considered that a differential charge should be applied in relation to properties at ground floor level in Bridge Road, properties at other than ground floor level in Bridge Road, and properties located in the intersecting streets in order to provide for fairer and more reasonable distribution of the levy and the nature and extent of direct and indirect benefit.

*Implementation*

62. If Council resolves to declare the Scheme, the following steps will occur:
- (a) The BRMS will be advised of Council's decision;
  - (b) Council will advise, by letter, all of the affected property and business owners, and also all of those persons who lodged a submission, of Council's decision regarding the Special Charge Scheme for the Bridge Road Precinct;
  - (c) If Council resolves to declare the Special Charge, then those persons liable to pay have 30 days after receipt of the levy notice in which those persons may lodge an appeal with VCAT under section 185 of the Act and exercise any rights under section 185AA of the Act; and if no VCAT appeal,
  - (d) Council then enters into a funding agreement with the BRMS, which will commence on 1 October 2018.

## RECOMMENDATION

1. That:
- (a) Council, having considered all submissions received and all objections lodged and having complied with the requirements of sections 163A, 163B and 223 of the *Local Government Act 1989 (Act)*, declares a Special Charge (**Special Charge**) under section 163(1) of the Act for the purposes of defraying expenses to be incurred by Council in providing funds to the incorporated body known and operating as the Bridge Road Mainstreet Inc. (**BRMS**), which funds, subject always to the approval, direction and control of Council, are to be used for the purposes of contracted support, promotional, advertising, marketing, business development and other incidental expenses as approved by Council and agreed to from time to time between Council and the BRMS, all of which are associated with the encouragement of commerce, retail and professional activity and employment in the Bridge Road Precinct (**Precinct or Scheme**);
  - (b) the criteria which form the basis of the declaration of the Special Charge are the ownership of rateable land used, or reasonably capable of being used, for commercial, retail or professional purposes, which rateable land is situated within the geographical area in which the properties described in paragraphs (f) and (g) of this declaration are included;
  - (c) in declaring the Special Charge, Council is performing functions and exercising powers in relation to the peace, order and good government of the municipal district of the City of Yarra, in particular the encouragement of commerce, retail activity and employment opportunities within the area for which the Special Charge is declared;
  - (d) total cost of the performance of the function and the exercise of the power by Council (in relation to activities associated with the encouragement of commerce, retail activity and employment opportunities in the area for which the Special Charge is declared) and also the total of the Special Charge to be levied by Council is referable to an amount of \$157,000, which amount will be levied in each year of the Scheme and which in total will raise an amount of \$942,000 over the six year period of the Scheme;
  - (e) the period for which the Special Charge is declared and will remain in force is a period of six years commencing 1 October 2018 and ending on 30 September 2024;
  - (f) the area for which the Special Charge is declared is all the land referred to as the Bridge Road Precinct, as identified and shown on the plan set out in the attachment forming part of the declaration (being **Attachment 1**);

- (g) the land and the properties in relation to which the Special Charge is declared (reflecting minor modifications to the Scheme as originally proposed, by way of removal of the property at 2 Hunter Street, Richmond and the re-apportionment of special charge contributions for those properties that are not at ground level in Bridge Road or which do not meet the Scheme criteria as otherwise set out in (**Attachment 2**) are as follows:
  - (i) Bridge Road 2 – 662 inclusive;
  - (ii) Church Street 196 to 280 inclusive;
  - (iii) Lennox Street 172 to 195 inclusive;
  - (iv) Waltham Street 2a; and
  - (v) Burnley Street 174;
- (h) the land in relation to which the Special Charge is declared is all that rateable land described in the listing of rateable properties set out in the attachment forming a part of this declaration;
- (i) the contributions to the proposed Special Charge will be declared and assessed and levied differentially, as follows:–
  - (i) properties located on a Bridge Road address and situated at ground level - \$300 per annum;
  - (ii) properties located on a Bridge Road address and situated other than at ground level - \$200 per annum; and
  - (iii) properties located on an address other than Bridge Road - \$100 per annum;
- (j) the Special Charge will be levied by sending a notice of levy in the prescribed form annually to the person who is liable to pay the Special Charge, which will require that the Special Charge must be paid in the following manner:-
  - (i) By one annual payment to be paid in full by the due date fixed by Council in the notice, which will be a date not less than 30 days after the date of issue of the notice; or
  - (ii) By four instalments, to be paid by the dates which are fixed by Council in the notice;
- (k) Council will consider cases of financial and other hardship and may reconsider other payment options for the Special Charge;
- (l) no incentives will be given for payment of the Special Charge before the due date for payment;
- (m) Council considers that there will be a special benefit to the persons required to pay the Special Charge because there will be a special benefit to those persons that is over and above, or greater than, the benefit that is available to persons who are not subject to the Special Charge, and directly and indirectly as a result of the expenditure of the Special Charge the viability of the Precinct as a business, commercial and retail area, and the value and the use, occupation and enjoyment of the properties and the businesses included in the Special Charge Scheme area will be maintained or enhanced through increased economic activity;
- (n) for the purposes of having determined the total amount of the Special Charge to be levied under the Scheme, Council further considers and formally determines for the purposes of sections 163(2)(a), (2A) and (2B) of the Act that the estimated proportion of the total benefits of the Scheme to which the performance of the function and the exercise of the power relates (including all special benefits and community benefits) that will accrue as special benefits to all of the persons who are liable to pay the Special Charge is in a ratio of 1:1 (or 100%). This is on the basis that, in the opinion of Council, all of the services and activities to be provided from the expenditure of the Special Charge are marketing, promotion and advertising related and will accordingly only

benefit those properties and businesses, included in the Scheme that are used, or reasonably capable of being used, for retail, commercial or professional purposes;

- (o) the BRMS be authorised to administer the proceeds of the Special Charge on the express condition that the BRMS enters into a funding agreement with Council for the period of the Special Charge;
  - (p) Council authorises the CEO, or nominated delegate for the purposes of paragraph (o), of this resolution, to sign the funding agreement between Council and BRMS by which administrative arrangements in relation to the Special Charge are confirmed, such an agreement being a precondition to the payment by Council to the BRMS of any of the funds to be obtained by the Special Charge. Council is, and remains legally responsible for approving, directing and controlling the expenditure of the proceeds of the Special Charge in accordance with its obligations under the Act to do so;
  - (q) Council notes the funding implications of the proposed Special Charge, and further, that, if implemented, that these are part of Council's 2018/2019 Budget, or such other Budget as Council may subsequently adopt;
  - (r) notice be given to all owners and occupiers of properties included in the Scheme and all person who have lodged a submission and/or an objection in writing of the decision of Council to declare and levy the Special Charge commencing on 1 October 2018, and the reasons for the decision;
  - (s) for the purposes of paragraph (q), the reasons for the decision of Council to declare the Special Charge are that:–
    - (i) having only received 18 objections to the Scheme - there is minimal objection to the Scheme and it is otherwise considered that there is a broad level of support for the Special Charge from all property owners and occupiers;
    - (ii) Council considers that it is acting in accordance with the function and powers conferred on it under the *Local Government Act* 1989, having regard to its role, purpose and objectives under the Act, particularly in relation to the encouragement of commerce, retail activity and employment opportunities in and around the Scheme area;
    - (iii) all persons who are liable or required to pay the Special Charge and the properties respectively owned or occupied by them will receive a special benefit in the form of an enhancement or maintenance in the use, occupation and enjoyment of the properties; and
    - (iv) the basis of distribution of the Special Charge amongst those persons who are liable or required to pay the Special Charge is considered to be fair and reasonable; and
  - (t) the BRMS be advised of the matters specified in paragraphs (a), (o) and (p) of this resolution.
2. That Council makes a separate contribution of \$60,000 per annum in recognition of the additional costs associated in administering the improvement plan outlined within the Bridge Road Main Street Special Charge Evaluation Report 2017.
  3. That Council notes the Bridge Main Street Inc. Business Plan – 2018 -2021 (being **Attachment 3**) and the Bridge Road Marketing Strategy for 2018 -2019 (being **Attachment 4**).

**CONTACT OFFICER:** Kim Swinson  
**TITLE:** Coordinator Economic Development  
**TEL:** 9205 5303

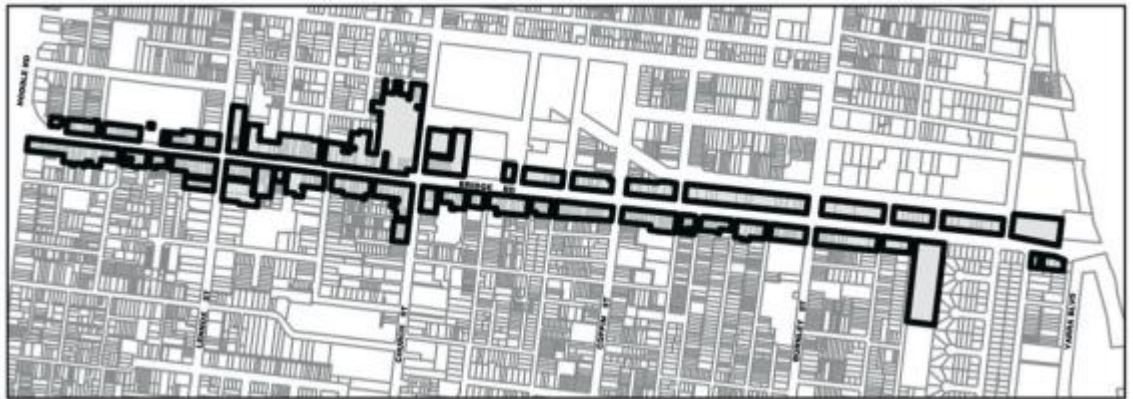
**Attachments**

- 1 [↓](#) Scheme Boundary
- 2 [↓](#) Proposed list of Special Charge properties
- 3 [↓](#) Bridge Road Main Street Business Plan 2018 to 2021
- 4 [↓](#) Bridge Road Strategic and Marketing Plan
- 5 [↓](#) Public Notice
- 6 [↓](#) Letter to Business and Property Owners
- 7 [↓](#) Submissions

## Attachment 1 - Scheme Boundary

### Attachment 1: Scheme Boundary

#### Scheme Area Plan





## **Attachment 2 - Proposed list of Special Charge properties**

### **Attachment 2**

#### **Proposed list of Special Charge Properties**

The key components of the scheme as proposed by BRMS are:

- (a) The Special Charge would apply to properties from:
  - (i) Bridge Road: 2 to 662 inclusive;
  - (ii) Church Street: 196 to 280 inclusive;
  - (iii) Lennox Street: 172 to 195 inclusive;
  - (iv) Waltham Street: 2a; and
  - (v) Burnley Street: 174.

## Attachment 3 - Bridge Road Main Street Business Plan 2018 to 2021

# BRIDGE ROAD MAIN STREET INC BUSINESS PLAN – 2018 TO 2021



A plan to:

Direct and communicate our vision, role and focus on priorities.

Drive our key directions and expenditure and support effective key decision-making.

Lay the foundations to implement our annual marketing plan.

Maximise our partnership, communication and engagement with businesses, community and Council.

Provide a framework from which we can measure performance and continually improve.

## Attachment 3 - Bridge Road Main Street Business Plan 2018 to 2021

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**Attachment 3 - Bridge Road Main Street Business Plan 2018 to 2021****1. Executive Summary**

Bridge Road Main Street Incorporated has been in existence for 20 years, taking a lead role and working to support the businesses with a collective marketing and management program that builds the offer, appeal and performance of Bridge Road. We have been able to produce and deliver events, marketing, branding and tourism initiatives, as well as perform an advocacy role to Council and stakeholders. There have been significant challenges, with Bridge Road experiencing the full brunt of the change in traditional retail strips, compounded by changes in consumer behaviour, outer centre developments, GFC, the growth of e-commerce, cheaper imports and fierce international competition from big brand retailers.

Bridge Road continues to evolve and transform with a number of major projects and significant high-density residential development, which will add population and expenditure within the precinct. This offers the potential to support considerable growth in everyday retailing, food and personal services retailing. Promotions, marketing and events can build relationships and loyalty with customers and community, and create interest and reasons for visiting and experiencing Bridge Road. These new opportunities are exciting and the appeal of Bridge Road as a precinct for working, playing and living will be very much a part of the new story and one that BRMS is keen to capitalise on.

We present this business plan to communicate the key directions that will be pursued to drive BRMS focus, budget and resources over the next three years. The directions are underpinned by a recognition by BRMS that future marketing and management of the program requires some re-thinking and new approaches to take advantage of the opportunities and help build the new story for Bridge Road. Essentially, the directions for the next three years will be underpinned by a focus on the following:

**Re-engaging** – making genuine connections with our business community – owners and operators to motivate their involvement and interest in engaging with BRMS, generating their participation in activities and delivering value.

**Re-positioning** – building a new story and communicating a new dialogue for Bridge Road that is supported by targeted, responsive marketing, new branding, events and campaigns that attracts customers and community and excites businesses.

## Attachment 3 - Bridge Road Main Street Business Plan 2018 to 2021

**Re-invigorating** – developing the relevance of the BRMS association and building membership to support inclusiveness, ownership, shared responsibility and workload.

**Re-imagining** – working with property owners, businesses, Council and other key stakeholders on how Bridge Road 'works' as a commercial precinct and can deliver in the future as a great place to work, live and play.

### 2. Introduction

Businesses working together for the collective benefit of a main street precinct or town centre can produce positive outcomes, as experienced by many active business associations throughout Victoria, Australia and overseas. Supported by sustainable funding streams, the capacity of these associations to strategically market, promote and represent the broader businesses can be achieved. With increasing challenges being faced by main streets, the rise of alternative retail formats – including the Internet and changing consumer preferences – mean that now, more than ever, business association activation can be a key ingredient in the ability for a main street to be proactive to challenges, build on opportunities and develop success.

This model of marketing and management for main streets has existed for main streets and shopping precincts in Victoria for nearly 30 years, where there is a diversity of ownership, uses and public and private spaces.

Bridge Road Mains Street (BRMS) is one of nearly 50 incorporated business associations in Victoria that are supported by a Special Charge, to which all businesses in the defined precinct contribute. BRMS has been in existence since 1998, and a Special Charge program has been in existence since 2002, with the current 10-year program expiring in 2018. BRMS have always operated with a business plan to guide expenditure, and it is also a key requirement of the Partnership Agreement that exists with the City of Yarra.

## Attachment 3 - Bridge Road Main Street Business Plan 2018 to 2021

### 3. About BRMS Business Plan 2018–2021

This business plan sets the framework for how BRMS will manage, operate and deliver outcomes as a business association over the next three years. It is an important organisational tool to communicate to businesses, Council and other key stakeholders the purpose and intentions of BRMS, along with key focuses for strategies and expenditure.

Specifically, the business plan will:

- direct and communicate our vision, role and focus on priorities for BRMS to our businesses and stakeholders
- drive our key directions and expenditure and support effective key decision-making
- lay the foundations to implement our annual marketing plan as well as other operational, management and governance matters
- maximise our partnership, communication and engagement with businesses, community and Council
- provide a framework from which we can measure performance outcomes and continually improve

It is a planned approach that provides key strategies around the key areas of:

- marketing
- management
- business engagement and support
- environment and amenity (placemaking)

The diagram below illustrates how the business plan relates to and supports our yearly and operational planning and delivery:

## Attachment 3 - Bridge Road Main Street Business Plan 2018 to 2021



### 3.1 Developing the Plan

In developing this plan, we have drawn considerably on the feedback provided from the recent review of the 2008–2018 Special Charge. A number of elements were considered as part of this report. The results and feedback from businesses has been used to reset the directions and focus, to position BRMS to deliver a more compelling, relevant and engaging program that will gain greater support and interest from businesses. Key recommendations that have had influence include:

- clarifying and communicating the role, purpose and funding of BRMS
- creating a more strategic focus to build and measure responsive, targeted, engaging and relevant marketing, communications and management
- clearly communicating a 12-month marketing plan
- increasing communication mechanisms and engaging with business operators and owners in all BRMS activities
- further developing capacity to measure and review BRMS outputs and seek formal feedback from participants and businesses
- working with Council and advocating on the importance of an activated, well presented, accessible and vibrant precinct

In addition to the review report and recommendations, the following was also considered:

- customer and business feedback from previous events and campaigns
- previous business and marketing plans
- social media engagement and website analytics
- feedback from one-on-one consultation and meetings with BRMS committee and interested businesses

## Attachment 3 - Bridge Road Main Street Business Plan 2018 to 2021

- relevant social, economic and demographic data
- relevant main street, retail, placemaking and business trends
- assessment of budget expenditure and program outputs
- discussion with Council

### 3.2 SWOT Analysis

These key considerations informing the plan have been grouped into strengths, weaknesses, opportunities and threats, and are presented as follows to provide a snapshot:

#### Strengths

- high customer recognition of Bridge Road as a commercial location
- increasing growth of residential apartments
- sound social media and website presence
- successful execution of most events and marketing campaigns
- experienced President and committee, supported by a professional Marketing Coordinator
- sound annual budget that Council contributes to annually (\$64,000)
- best practice systems and processes to support accountability, transparency and good governance, including a partnership agreement with Council

#### Weaknesses

##### **Marketing:**

- sense from some businesses that there is a lack of sophistication and strategic intent in the marketing
- absence of a clearly communicated marketing plan and calendar
- dissatisfaction with the branding for BRMS including colour and positioning statement – “What a find”



## Attachment 3 - Bridge Road Main Street Business Plan 2018 to 2021

- challenge of engaging the different business sectors in the marketing, especially non-food businesses

### **Communication and Engagement:**

- lack of scheduled face-to-face communication opportunities with all businesses – sharing and distributing information, advising businesses of intentions, plans, and what BRMS are up to, including advocacy
- challenges associated with attracting new committee members to BRMS
- perception of lack of inclusiveness and inaccessibility of BRMS – relatively small committee, stable committee representation over a long period of time

### **BRMS management and governance:**

- lack of awareness by businesses of BRMS role and their capacity as a volunteer committee, perception that agenda of BRMS being driven by too few
- lack of a strong sense of leadership being felt by businesses (from Council and BRMS)
- lack of understanding about the purpose of Special Charge funds (marketing, promotion, business development)
- lack of understanding of Council's role in the program – businesses can't separate Council from the association – their anger on Council issues is clouding their reality of what BRMS can deliver
- confusion and mixed opinions about the advocacy role of BRMS
- lack of formal performance review for Marketing Coordinator
- perception by some businesses that Council is directing the funds or that the association is wasting money which is impacting negatively on program

### **Council:**

- lack of awareness about Council's financial support to the program
- lack of awareness about the supportive, leadership and capacity building role that Council facilitates through Economic Development

## Attachment 3 - Bridge Road Main Street Business Plan 2018 to 2021

- considerable amount of angst and anger directed at Council, mainly fuelled by the parking fees, vacancies, tram stops and decision-making in general. Perception that Council is anti-business, just making it harder for business
- tendency to blame Council for everything that is wrong with Bridge Road, including business performance

### Opportunities

- capitalise on the emerging new story for Bridge Road given the business mix shift and increase in residential which will see new opportunities for customer growth and marketing focus
- development of new Bridge Road streetscape plan
- opening of the new High School
- new and growing retail mix:
  - health and wellbeing
  - café and restaurants
  - home and living
- developing the amenity and appeal of Bridge Road to become a place for community interaction
- strengthening social and digital media to engage with customers, community and business
- the importance of building on local area marketing and community connections

### Threats

- misconceptions growing about the program, making it difficult to position positively for business support and engagement
- declining active retail street frontages diminish the appeal
- allowing too much emphasis on BRMS being a lightning rod for all complaints – taking the focus away from the business marketing and promotion
- advocacy focus of BRMS jeopardising or polarising the business community
- BRMS committee members lacking energy and interest to sustain BRMS
- Council's shifting budget commitments that may result in cutting, or removal of, contribution funding

### Attachment 3 - Bridge Road Main Street Business Plan 2018 to 2021

- lack of business interest in committee involvement , burning out existing executive members

## Attachment 3 - Bridge Road Main Street Business Plan 2018 to 2021

### 4. BRMS – The Organisation

Bridge Road Main Street is a not-for-profit incorporated association that exists to support and represent the business community of the Bridge Road Main street precinct. We are a separate entity from Yarra Council that is managed by an annually elected committee that includes a President, Vice President, Secretary, Treasurer and up to 6 general committee members. The committee is drawn from members of the association. To be eligible as a member, a person must be an owner, operator or business representative of a Bridge Road main street business. The committee is supported by a contracted Marketing Coordinator two days per week.

#### **BRMS Mission**

Work collectively with business owners, operators and key stakeholders to ensure that Bridge Road remains a commercially viable and vibrant shopping precinct that supports and attracts community and visitors. Specifically, our role is to:

- develop and coordinate the various marketing, promotion, events and networking activities
- be inclusive, engage with the businesses and represent interests that produce collective outcomes and benefits for the precinct
- work collaboratively with our Council and other key stakeholders who influence the role, function and look of the precinct
- raise the profile, value and appeal of Bridge Road to residents, community and visitors
- manage the Special Charge program that is collected by City of Yarra and dispersed to BRMS for the purposes of marketing, promotion and business development

#### **Our Values – What Drives Our Decision-making?**

BRMS provides the following key values to support our focus and decisions:

- viable successful businesses that bring customers, income, activity and create interest
- connections with local community and residents

## Attachment 3 - Bridge Road Main Street Business Plan 2018 to 2021

- activated street frontages that promote vibrancy
- well-maintained and presented streetscape that is designed for public interactions, socialising and activations
- convenience and accessibility for our customers by car, foot and public transport
- positive working relationship with Council and a keen sense of common purpose
- engaged businesses who understand the value of working collectively and want to work help themselves
- day and night-time economies that activate the precinct and appeal to a diversity of people
- interesting authentic experiences that connect people to Bridge Road
- accountable, transparent decision-making that is driven by the business community and their aspirations

### 5. BRMS Special Charge Program

#### Background Special Charge Program – What Is It?

The *Local Government Act* enables Councils to levy a special rate and/or charge (separate to property rates) to help pay for a service, works or activities that will be of special benefit to a particular group of properties within a defined area. A 'special benefit' is a benefit that is additional to, or greater than, the benefit generally available to the other people outside of the area.

For over 25 years, many businesses associations in Victoria have been relying on and benefiting from this legislation to support the collective marketing and management of main street precincts. With this program, the business association determines the projects and activities that will be delivered, and the associated budget required. The funds are then collected by Council and forwarded to the business association annually at a fixed term, based on the delivery of agreed projects that are stipulated in a funding agreement.

BRMS have had a special charge in place since 2002. In 2017, the scheme raised a total of approximately \$168,000. Council supplements the charge, contributing approximately \$65,000, creating a total annual budget of \$233,000 for BRMS to expend for the purposes of marketing and management. The Special Charge declaration stipulates the purposes of the funds as follows:

## Attachment 3 - Bridge Road Main Street Business Plan 2018 to 2021

*Funding a part-time Centre Coordinator, promotional, advertising, marketing, business development and other incidental expenses to be approved by the Council and agreed to from time to time between the Council and BRMS, for the encouragement of commerce and retail activity in the Bridge Road precinct, being the section of Bridge Road between Punt Road and the Yarra Boulevard.*

### What Do Businesses Contribute?

Each of the 587 businesses will contribute a fixed charge per annum, depending on their location in the precinct. This is a reduced amount from the current 10 year program in recognition of:

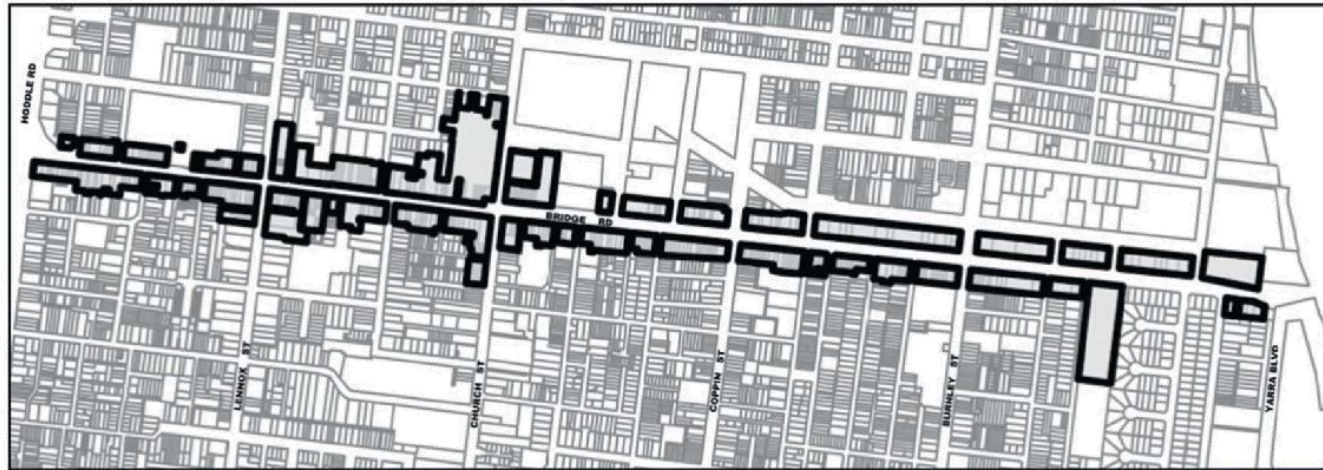
- impact of global trends on fashion retail that has resulted in sustained high vacancies;
- taking a more strategic approach to marketing activities as outlined within the recent review;
- greater focus on instore based marketing events as opposed to expensive large street-based activities;
- restraints associated with delivering a marketing program that is able to attract high level engagement from all business given the diverse business mix and length of street..

Location	No. of Properties	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6
Ground Floor	462	\$300	\$300	\$300	\$300	\$300	\$300
1st Level	59	\$200	\$200	\$200	\$200	\$200	\$200
Side Streets	66	\$100	\$100	\$100	\$100	\$100	\$100
		157,000	157,000	157,000	157,000	157,000	157,000

The charge is payable by the property owner, but in most cases, it is passed on to the tenant to pay as part of outgoings.

## Attachment 3 - Bridge Road Main Street Business Plan 2018 to 2021

### Map of Area



### Relationship with Yarra Council

Council collects the funds on behalf of BRMS through their rate system, and hence have very clear processes and expectations regarding expending funds for the correct purpose, as per the declaration. This is monitored and managed through a formal

## Attachment 3 - Bridge Road Main Street Business Plan 2018 to 2021

partnership agreement, which clearly defines the association's obligations in terms of financial management, planning and reporting. This includes the requirements for:

- submission of an annual budget with business plan for Council's approval
- submission of an annual independent audited financial report
- quarterly reporting to Council on budget and activities
- identifying and reporting on performance indicators

These requirements provide the systems and processes to facilitate a best practice approach to the expenditure, where there is clear transparency and accountability of funds.

Clearly the focus of the funds is on marketing, promotion and the encouragement of commerce and retail activity, so this drives the committee focus as well. BRMS are not a part of Council, therefore the impact and decisions we have on other matters within Council's direct control and management is limited at times (for example; parking, streetscape, vacancies, local laws, permits, and planning). We can and do have a voice to advocate to Council, and we express our views and opinions on these matters where they impact the street and business and customer activity. We are one of many Council stakeholders, and whilst these Council matters are very important, we must focus largely on the elements that we can control and that are stipulated in the purpose of funds.

### 6. BRMS – The Precinct

#### Story and Evolution

Bridge Road is one of Melbourne's oldest retail precincts and was first established in 1837, just two years after European settlement of the colony of Victoria. An iconic fashion-focused strip in the late 1990s, Bridge Road was where many people headed for choice, value and an array of amazing fashion bargains. 20 years on and Bridge Road is different, having experienced the full



**Attachment 3 - Bridge Road Main Street Business Plan 2018 to 2021**

brunt of the shift experienced by many traditional retail strips, compounded by changes in consumer behaviour, outer centre developments, GFC, the growth of e-commerce, cheaper imports and fierce international competition from big brand retailers. Bridge Road was particularly vulnerable because of the dominance of fashion and reliance on it as a key attractor for visitors and community, so the changes were felt hard and sharp through increasing vacancies, declining offer, loss of destination retailers and declining customers.

Today, however, the story is changing and a new one is emerging, fuelled by significant increase in residential apartment living in and around Bridge Road, the expansion of the Epworth hospital, the proposed development of Coles, and the opening of the Richmond Hill School. Fashion is still present, but there is new growth in businesses aligned with food, cafes, restaurants, health and wellbeing, and homewares. This new story is filled with optimism that Bridge Road has new opportunities and is on the 'up', which has certainly been reinforced by economists and property experts. PWC inaugural 2018 CityPulse report declared Richmond the best suburb to live, and in the top 10 for work and play. "It's a balance of good things like access to great services and transport, and also about price. Some of the suburbs were marked down because they had become so expensive and the size of properties are very large – like Toorak and Armadale. But in Richmond, at least it's got a great liveability because the lot sizes are smaller ... and it's more affordable to locate there."

These factors of work, play and living will be very much a part of the new story and one that BRMS and the business community must capitalise on to continue to positively shape the new story for Bridge Road.

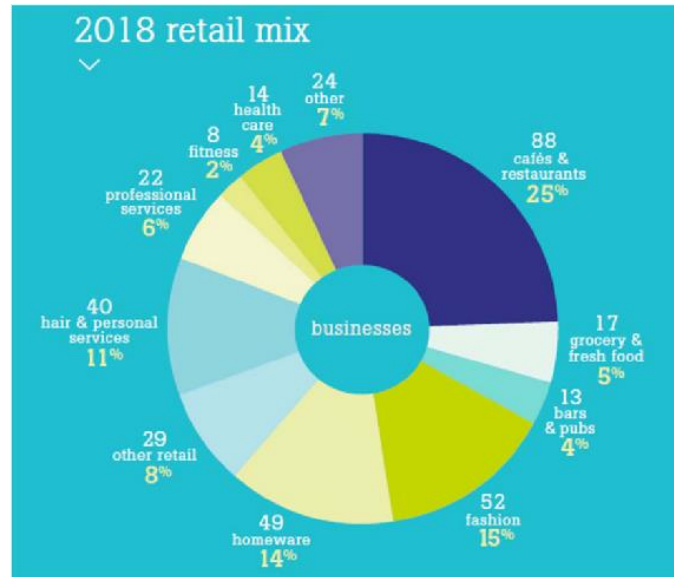
**Attachment 3 - Bridge Road Main Street Business Plan 2018 to 2021****Retail Mix**

Today, the precinct is home to over 580 businesses offering a diverse mix of fashion, retail, homewares, restaurants and cafes in addition to a growing number of health and wellbeing providers, including the Epworth Hospital. Bridge Road is characterised by three precincts: Richmond Hill, the Town Centre and the River End. Richmond Hill is anchored by a major private city hospital that has undergone significant expansion of its facilities, and a Coles supermarket plaza, which is about to undergo significant refurbishment in 2018. The new Coles supermarket will pave the way for a new food hall, laneway cafes and supporting retail shops and increased public parking amenities. Apartment towers are planned to be constructed above the supermarket. The Town Hall precinct is predominantly defined by food shops and bars. This area is anchored by the Council Town Hall and administration buildings, the new High School precinct, sporting complexes and the weekend Gleadell Street fresh food market.

The River End of Bridge Road is anchored by an industrial area and is defined by big box retailing such as Dan Murphy's, hardware and homeware retailing. The area is also anchored by a hotel and conference facilities and green space recreational areas.

The graph below illustrates the current retail mix for Bridge Road, where cafes and restaurants are the main category (25%), followed by fashion (15%). There have been significant changes in the mix since the 1990s where fashion retailers dominated. Since 2014 there has been a 54% decline in fashion. Other considerable shifts in the last four years include; 48% increase in hair and personal services, 100% increase in healthcare and 700% increase in fitness (1 to 8 businesses).

## Attachment 3 - Bridge Road Main Street Business Plan 2018 to 2021



### Our Customers

We identify the following key customer groups to assist us with our business planning and marketing:

Workers	<ul style="list-style-type: none"> <li>May or may not live locally but work on or around Bridge Road. Places of work include Epworth hospital, retail premises, professional services and a variety of first floor businesses.</li> <li>Receptive to special offers, price point a key driver with many employed within the retail space.</li> <li>Proximity of retail and services offer a key benefit.</li> </ul>
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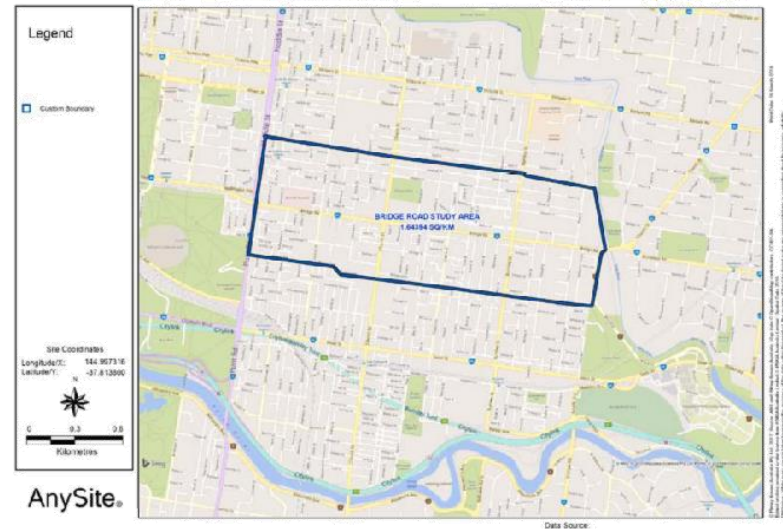
### Attachment 3 - Bridge Road Main Street Business Plan 2018 to 2021

Players	<ul style="list-style-type: none"> <li>• May or may not live locally but more likely to come from surrounding suburbs of Kew, Hawthorn, Abbotsford or Camberwell.</li> <li>• Attracted to play, enjoyment, and relaxation aspects of Bridge Road – restaurants, bars, massage, shopping, exercising.</li> <li>• Accessibility important – public transport or car.</li> <li>• Likes to try new things, will seek out experiences.</li> </ul>
'Livers' Established	<ul style="list-style-type: none"> <li>• Lives within 2-3 blocks to the north or the south of Bridge Road. Have lived in and around Bridge Road for a number of years.</li> <li>• Concern for environment and sustainable practices and are invested and protective of their community.</li> <li>• Likes walking their dog to local parks and enjoying their neighbourhood.</li> <li>• Like to 'share' their neighbourhood with family and friends.</li> </ul>
'Livers' New	<ul style="list-style-type: none"> <li>• Affluent professionals seeking the inner city lifestyle or aspiring 'up and comers' seeking the inner city experience and appeal.</li> <li>• Reside in a new development on or near Bridge Road.</li> <li>• Spoilt for choice when it comes to retail and/or services, so proximity to home not necessarily a key driver, but preference to go local.</li> <li>• Significant disposable income, likely to eat out or order in regularly, outsource tasks and invest in health and wellbeing.</li> </ul>
Travellers	<ul style="list-style-type: none"> <li>• Likely to be from interstate or overseas.</li> <li>• They read about Bridge Road in the OVG, the tourist map or other collateral they come across in the Visitor Centre and/or their hotel.</li> <li>• They may also see information online as part of their pre-holiday planning.</li> <li>• The precinct is within walking distance or a short tram ride from their inner city accommodation.</li> </ul>

## Attachment 3 - Bridge Road Main Street Business Plan 2018 to 2021

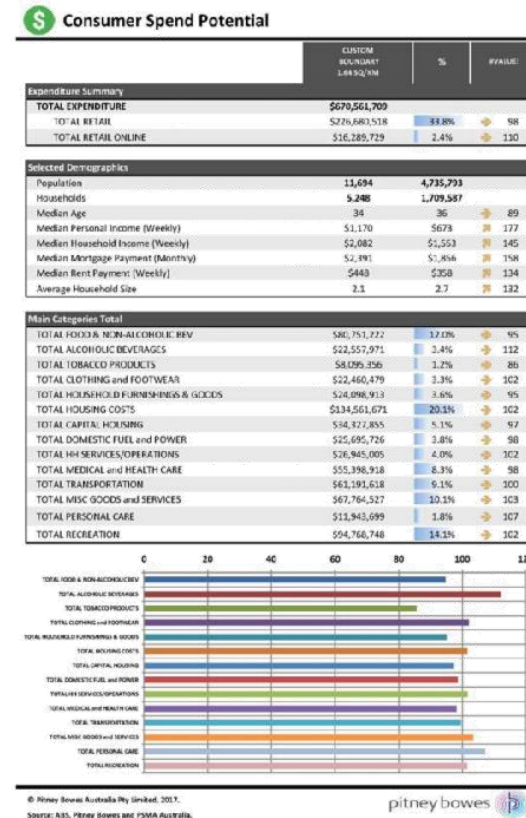
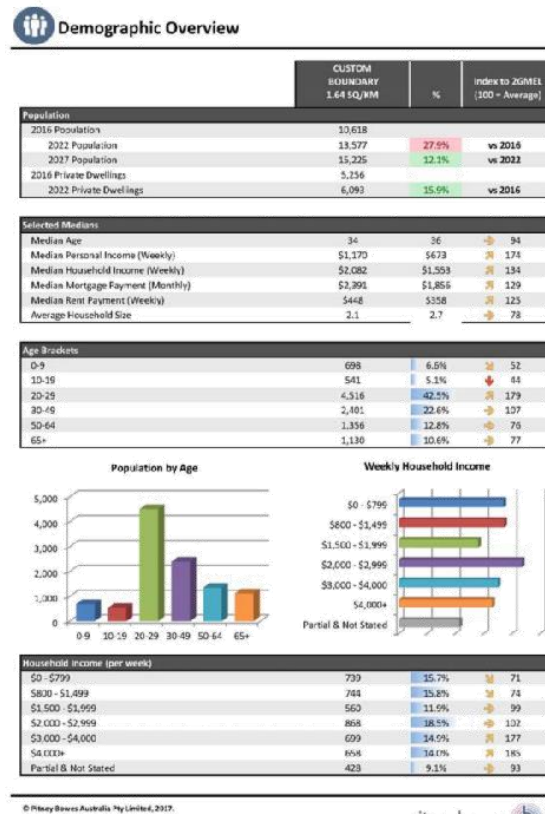
### Our Community

The following information is provided to highlight some key local demographic and consumer spend as it relates to the map and geographical area boundary depicted below.



**Attachment 3 - Bridge Road Main Street Business Plan 2018 to 2021**

## Attachment 3 - Bridge Road Main Street Business Plan 2018 to 2021



## Attachment 3 - Bridge Road Main Street Business Plan 2018 to 2021

### Part B – Business Plan

#### 7. Key Strategic Directions and Focus

This section communicates the key directions that will be pursued to drive BRMS focus, budget and resources. The directions are underpinned by a recognition by BRMS that the future marketing and management of the program requires some re-thinking and new approaches to take advantage of the opportunities and help build the new story for Bridge Road. Essentially the directions for the next three years will be underpinned by a focus on the following:

**Re-engaging** – making genuine connections with our business community – owners and operators to motivate their involvement and interest in engaging with BRMS, generating their participation in activities and delivering value.

**Re-positioning** – building a new story and communicating a new dialogue for Bridge Road that is supported by targeted, responsive marketing, events and campaigns that attracts customers and community and excites businesses

**Re- invigorating** – developing the relevance of the BRMS association and building membership to support inclusiveness, ownership, shared responsibility and workload.

**Re-imagining** – working with property owners, businesses, Council and other key stakeholders on how Bridge Road 'works' as a commercial precinct and can deliver in the future as a great place to work, live and play.

The strategic directions are grouped under the following areas with key actions:

- marketing
- management
- business engagement and support
- environment and amenity (placemaking and appeal)



## Attachment 3 - Bridge Road Main Street Business Plan 2018 to 2021

### 7.1 Marketing

Area and Action	Outcomes	Time Frame
1. Develop a new logo and positioning statement for Bridge Road to replace current pink logo and 'What a find' positioning statement.	<ul style="list-style-type: none"> <li>a brand image that is more on-trend, aspirational and reflective of the emerging story for Bridge Road</li> <li>logo that is more flexible and adaptive to different uses and applications</li> </ul>	Year 2
2. Develop an annual Marketing Plan that is communicated in advance annually, to allow time for businesses to plan for participation and integration with their own marketing. Key aspects: involving key segments, event based, activations, social media, community focus, promotional campaigns, and tourism.	<ul style="list-style-type: none"> <li>increased awareness of what BRMS has planned</li> <li>increase ability for businesses to participate in activities that are relevant to them</li> </ul>	Yearly
3. Review event-based marketing events – Wellness Week and Bridge Road gathering to ensure that they are an effective use of resources, delivering a range of experiences and meeting business and customer expectations.	<ul style="list-style-type: none"> <li>events or campaigns that target key business categories, continue to evolve and are meeting objectives</li> <li>maximising use of budget and resources for key categories</li> </ul>	Year 2
4. Build use of digital media and engagement. Includes: <ul style="list-style-type: none"> <li>develop inbound marketing content to attract and appeal to visitors and travellers</li> </ul>	<ul style="list-style-type: none"> <li>improved digital content that sells the businesses, experiences and appeal of Bridge Road</li> <li>connected and engaged businesses</li> </ul>	Yearly

### Attachment 3 - Bridge Road Main Street Business Plan 2018 to 2021

Area and Action	Outcomes	Time Frame
<ul style="list-style-type: none"> <li>greater emphasis on trader profiles and local community stories to build connections</li> <li>revamp of website to be more engaging and visually appealing</li> <li>generating increased content supplied by businesses</li> <li>supporting businesses to leverage from one another's social media</li> </ul>	<ul style="list-style-type: none"> <li>and community</li> <li>engaging and informative website that communicates relevant information</li> <li>increased digital footprint and social media profile</li> </ul>	
5. Continue to market Bridge Road to tourist and visitor market through Destination Melbourne and other tourism partners and initiatives.	<ul style="list-style-type: none"> <li>increase awareness of Bridge Road offer and appeal to tourist market</li> <li>increased engagement with destination-type businesses</li> <li>development of working partnerships with government and private sectors</li> </ul>	Yearly
6. Explore local marketing and event partnership opportunities that develop community connections. Consider partnering with: <ul style="list-style-type: none"> <li>Epworth Hospital</li> <li>Local sporting clubs</li> <li>Local schools</li> <li>Local charities</li> </ul>	<ul style="list-style-type: none"> <li>developing local connections and loyalty</li> <li>exposure to potential new customers</li> <li>enhancing community relations</li> <li>developing social responsibility</li> </ul>	Year 1
7. Conduct customer analysis and research to further support targeted marketing program.	<ul style="list-style-type: none"> <li>clearer understanding of who customers are, where they are</li> </ul>	Year 2

## Attachment 3 - Bridge Road Main Street Business Plan 2018 to 2021

Area and Action	Outcomes	Time Frame
	coming from, what they are coming for and what makes them come more often	

### Business Engagement and Support

Area and Action	Outcomes	Time-frame
1. Conduct an annual network session that invites all businesses and members to reflect on the year and input into initiatives/calendar for following year. Consider inviting guest speaker to attract attendees.	<ul style="list-style-type: none"> <li>businesses have more opportunity to participate, increased ownership in program and on-going engagement</li> </ul>	Yearly
2. Produce up to three newsletters per year (available in hard copy and digitally) to highlight key achievements, seek feedback and report on marketing outcomes and directions.	<ul style="list-style-type: none"> <li>improved communication and awareness of BRMS activities</li> <li>increased opportunity for interaction</li> </ul>	Yearly
3. Further develop communication channels with businesses through email bulletins, business Facebook page, coffee catch-ups and one-on-one visits.	<ul style="list-style-type: none"> <li>increased interactions and opportunities for information exchange</li> </ul>	Yearly
4. Implement a meet and greet program for new businesses where they are welcomed by committee member or Marketing Coordinator and provided with copy	<ul style="list-style-type: none"> <li>Awareness-raising of BRMS, the program and how they can get</li> </ul>	Year 1

### Attachment 3 - Bridge Road Main Street Business Plan 2018 to 2021

Area and Action	Outcomes	Time-frame
of business plan and marketing calendar.	involved and benefit	
5. Facilitate informal and formal networking to stimulate social interaction, business referrals and relationships between businesses.	<ul style="list-style-type: none"> <li>a more inclusive, connected business community that leverages from one another</li> </ul>	
6. Conduct a membership drive highlighting the benefits of being a member.	<ul style="list-style-type: none"> <li>increase in membership base and improved engagement in matters of the association</li> </ul>	Year 1
7. Continue with annual business survey and conduct surveys on all key campaigns and events to gain business feedback and areas for improvement.	<ul style="list-style-type: none"> <li>increased opportunity for feedback and expressing of ideas and opinions to help improve outputs and guide BRMS</li> </ul>	Yearly and as required

#### Management of BRMS

Area and Action	Outcomes	Time-frame
1. BRMS operates in accordance with their rules of association and partnership agreement with Council.	<ul style="list-style-type: none"> <li>a well-governed association that is complying with its legal duties and responsibilities and is accountable</li> </ul>	Yearly

## Attachment 3 - Bridge Road Main Street Business Plan 2018 to 2021

Area and Action	Outcomes	Time-frame
	to its members and stakeholders	
<p>2. Develop a recruitment campaign to attract new committee members to BRMS. Includes:</p> <ul style="list-style-type: none"> <li>communication of information that informs roles and purpose of BRMS and benefits of being involved</li> <li>identifying any skill or business gaps in committee</li> <li>exploring other options around working groups as an alternative to joining committee and attending regular meetings</li> </ul>	<ul style="list-style-type: none"> <li>broader representation of businesses on committee from a range of businesses</li> <li>improve understanding about the role of the committee members and what is actually required</li> <li>enables businesses to contribute without the formal commitment of being a committee member</li> <li>supports succession planning</li> </ul>	Year 1
<p>3. Engage a qualified/experienced Marketing Coordinator to assist BRMS committee with the marketing and management program and ensure that this role is supported by a clear job description, performance objectives and annual review.</p>	<ul style="list-style-type: none"> <li>expectations about the role and focus are clear and understood</li> <li>commitment to continuous improvement process for coordinator and committee</li> </ul>	Yearly
<p>4. Provide information about the role of committee and office bearers and ensure that all members undertake governance training to support them in their roles.</p>	<ul style="list-style-type: none"> <li>skilled committee members who are clear about their legal requirements and the partnership agreement requirements</li> </ul>	Year 1
<p>5. Report annually to businesses on marketing and business plan actions through AGM and hard copy newsletter.</p>	<ul style="list-style-type: none"> <li>greater awareness of the program and outputs</li> </ul>	Ongoing

## Attachment 3 - Bridge Road Main Street Business Plan 2018 to 2021

Area and Action	Outcomes	Time-frame
	<ul style="list-style-type: none"> <li>showcase achievements</li> </ul>	

### Amenity and Placemaking

Area and Action	Outcomes	Time-frame
1. Continue to advocate to Council on the implementation of the streetscape plan and the value and importance of an accessible, vibrant, well-maintained precinct. Includes more street trees, informal gathering spaces, accessible pedestrian access, active street fronts, convenient and affordable parking, arts and cultural elements, and street furniture.	<ul style="list-style-type: none"> <li>street environment that looks good, creates vibrancy and encourages people to shop and interact with one another</li> <li>safe, inspiring, and pedestrian-friendly so people stay longer and experience what Bridge Road has to offer</li> </ul>	Ongoing
2. Work with Police, Council and Community to create a safe environment and support community safety initiatives	<ul style="list-style-type: none"> <li>reduction in anti-social behaviour</li> <li>improved community safety</li> </ul>	Ongoing
3. Continue to advocate to Council to address the car parking issues. In particular, looking at: <ul style="list-style-type: none"> <li>the number and location of spaces available</li> <li>the fees, mix and amount of time limits</li> </ul>	<ul style="list-style-type: none"> <li>reduction of business angst and concerns regarding impacts</li> <li>access to parking improved for customers</li> <li>greater efficiency and effectiveness</li> </ul>	Ongoing

### Attachment 3 - Bridge Road Main Street Business Plan 2018 to 2021

Area and Action	Outcomes	Time-frame
<ul style="list-style-type: none"> <li>current use, future use and demands</li> <li>improving public transport and cycling alternatives</li> </ul>	<ul style="list-style-type: none"> <li>of car parking</li> <li>customers and community have viable and convenient modes of travel to Bridge Road</li> </ul>	
4. Support place activation events and activities that create experiences, and the capacity for social interaction. A good example of this is the lighting of the Town Hall for Grand Final and Christmas celebrations.	<ul style="list-style-type: none"> <li>increased street animation and authentic experiences building connections and a sense of belonging</li> </ul>	Ongoing
5. Working with Council and other key stakeholders to ensure that business interests and impacts are considered when major infrastructure works are being undertaken in the street.	<ul style="list-style-type: none"> <li>communication channels are in place and inconvenience and disruption is kept to a minimum</li> </ul>	Ongoing
6. Engage with owners, developers, real estate managers and Council to ensure that vacant buildings do not have a detrimental effect on streetscape and amenity. Consider: temporary activations and leasing, artistic murals, decals, and temporary hoarding.	<ul style="list-style-type: none"> <li>activated and vibrant street frontages</li> <li>minimise the empty look of vacancies</li> </ul>	Ongoing
7. Explore options to develop and implement environmental and sustainability initiatives that reflect and support community and business aspirations. This can include: <ul style="list-style-type: none"> <li>greening of street environment</li> <li>business and street recycling</li> <li>business education</li> </ul>	<ul style="list-style-type: none"> <li>development of shopping strip that cares for environment</li> <li>increase in positive environmental practises</li> <li>increase education</li> <li>support community initiatives and</li> </ul>	Year 1

## Attachment 3 - Bridge Road Main Street Business Plan 2018 to 2021

Area and Action	Outcomes	Time-frame
<ul style="list-style-type: none"> <li>community campaigns</li> <li>environmental shopping bags (boomerang bags)</li> <li>transport and travel</li> </ul>	focus	

### 8. How Will We Measure?

This business plan will guide the first three years of a new six-year Special Charge program should it be renewed in 2018. The plan will be reviewed on an annual basis and adjusted accordingly, as key actions are achieved or modified. In the third year, a more thorough review will be undertaken with consideration of other external factors, changes in environment, and future opportunities. A revised business plan will be developed to guide the final three years of the six-year program. Measuring the outcomes of the key strategies is very important for continuous improvement and ensuring that the focus of the strategies and activities remains relevant and successful. Particular measurement and recording strategies can include:

- recording membership figures and attendance at meetings
- tracking of website visits and usage
- photographic documentation of marketing activities and events
- recording business participation in activities
- pedestrian counts to measure foot traffic (key times throughout the year – cost involved)
- business and customer surveys to measure awareness, attitudes, issues, opportunities and obtain ideas
- recording the number of meetings that BRMS was represented at with Council and other key industry bodies/stakeholders
- collating copies of all media and media releases
- summary report of key activities and outputs presented annually to members of the association and Council – the Annual General Meeting is a good opportunity to present this, along with any financial reports



## Attachment 3 - Bridge Road Main Street Business Plan 2018 to 2021

### 9. Budget

The following provides an indicative budget for 2018/2019. The budget will be reviewed annually and adjusted according to yearly priorities as identified in plan.

CAMPAIGN TYPE	PROJECTED COST	
<b>Advertising</b>	<b>SUBTOTAL</b>	<b>\$18,000.00</b>
OVG	\$	9,000.00
Where Magazine	\$	9,000.00
<b>Bridge Road Brochure</b>	<b>SUBTOTAL</b>	<b>\$18,000.00</b>
Brochure Graphic Design	\$	3,000.00
Brochure Printing	\$	10,000.00
Brochure Distribution	\$	5,000.00
<b>Special Rate Compliance</b>	<b>SUBTOTAL</b>	<b>\$ 7,500.00</b>
Trader Engagement & Meetings	\$	2,500.00
Newsletters	\$	1,000.00
AGM Documents	\$	4,000.00
<b>Social Media</b>	<b>SUBTOTAL</b>	<b>\$ 17,000.00</b>
SEO	\$	1,500.00
Facebook	\$	10,000.00
Instagram	\$	5,500.00

### Attachment 3 - Bridge Road Main Street Business Plan 2018 to 2021

<b>General</b>	<b>SUBTOTAL</b>	<b>\$ 9,700.00</b>
Photography	\$	1,500.00
Video	\$	1,500.00
<b>Web</b>	<b>SUBTOTAL</b>	<b>\$ 4,500.00</b>
Refresh	\$	3,000.00
Website Updates and Subscriptions	\$	500.00
Website Hosting	\$	1,000.00
<b>Market Research</b>	<b>SUBTOTAL</b>	<b>\$ 900.00</b>
Surveys	\$	300.00
Annual Business Survey	\$	300.00
Customer Feedback	\$	300.00
<b>Tourist Brochure</b>	<b>SUBTOTAL</b>	<b>\$18,000.00</b>
Brochure Graphic Design	\$	3,000.00
Brochure Printing	\$	10,000.00
Brochure Distribution	\$	5,000.00
<b>Other</b>	<b>SUBTOTAL</b>	<b>\$63,000.00</b>
New Branding	\$	1,500.00
Marketing Consultant	\$	55,000.00
Concierge Famil	\$	1,500.00
Christmas Activation	\$	5,000.00

**Attachment 3 - Bridge Road Main Street Business Plan 2018 to 2021**

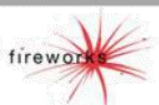
**Attachment 4 - Bridge Road Strategic and Marketing Plan**



## **STRATEGIC PLAN**

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PREPARED BY FIREWORKS PR  
Studio 115, 87 Gladstone Street, South Melbourne



CONNECT | LISTEN | ENGAGE | TELL | REPORT

## Attachment 4 - Bridge Road Strategic and Marketing Plan



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### BRIDGE ROAD MAIN STREET STRATEGIC PLAN AUGUST 2018

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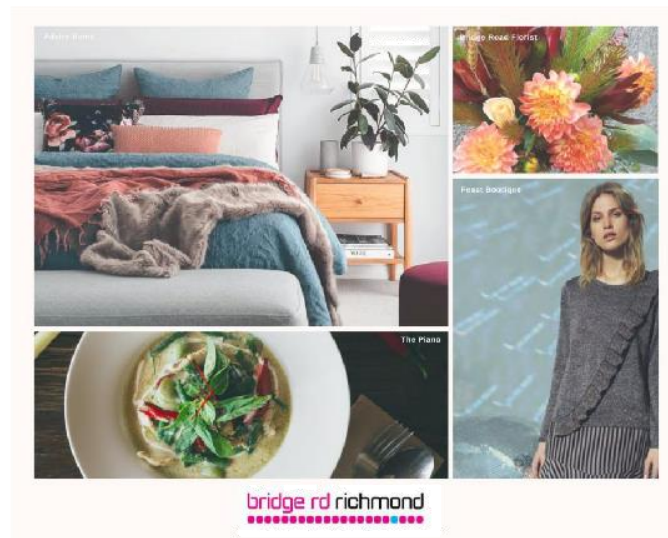
## Attachment 4 - Bridge Road Strategic and Marketing Plan

### EXECUTIVE SUMMARY

FireWorks PR has been engaged on a project basis over a number of years by Bridge Road Main Street (BRMS), initially to conceptualise, event manage and promote the inaugural Bridge Road Gathering in 2015 as part of the Melbourne Food and Wine Festival. Since then, FireWorks PR has created the two highly successful *Bridge Road Gathering - After Dark* events, run in 2017 and again in 2018, including all concept development, event management, publicity and social media for this year's event.

With a thorough understanding of Bridge Road, its offerings and its traders, FireWorks PR has been engaged to prepare a Strategic Plan to sit underneath the existing planned marketing activity and budget and support the organisation's Business Plan 2018 – 2021.

Considering the feedback from traders' post-events, and in consultation with the BRMS President and Marketing Co-ordinator, the time has come to commit to a consistent and strategic plan to keep Bridge Road on the map over the whole year, utilising the planned events and activations as leverage for publicity. There is a story on one of Melbourne's oldest and most iconic thoroughfares that needs to be told.



## Attachment 4 - Bridge Road Strategic and Marketing Plan

### SITUATIONAL ANALYSIS

After some successful events and activations along the street for the past few years, and some subsequent research amongst traders, it appears that a new and fresh approach is required. With a Business Plan in place for the next 12 months, and off the back of substantial publicity for this year's *Bridge Road Gathering – After Dark* event, it is time to be more consistent with messaging.

Previously, publicity and profiling has peaked around events, which has contributed immensely to their success, but it is time for a more consistent approach. As detailed in the SWOT Analysis\*, undertaken as part of the Business Plan (3.2 SWOT Analysis, BRMS Business Plan), some of the weaknesses need to be addressed. These include changing the positioning of Bridge Road as a 'find' and rather changing the narrative to tell the stories behind the facades. We need to address the changing traditional retail mix from fashion retail to cafes and restaurants, highlighting the rise in homewares, personal services and professional services as part of the diverse offering along Bridge Road.

We need to build on the strong publicity generated by the events that have been run and make sure Bridge Road stays front and centre in the minds of consumers, whether they be local or from further afield.

A snapshot of some of the good work profiling Bridge Road that has already been done...



The time is right to undertake a strategic and consistent approach to communications for Bridge Road Main Street, encompassing a range of tactics designed to keep Bridge Road at the forefront of main street profiling and the place to be!



## Attachment 4 - Bridge Road Strategic and Marketing Plan

### VISION AND MISSION

#### VISION

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Bridge Road is a vibrant, iconic and exciting strip that offers a rich retail mix and a range of services that consumers want and need. It is accessible, diverse and is a destination that offers a unique range of experiences.

#### MISSION:

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To engage with all stakeholders via a comprehensive Strategic Plan that supports Bridge Road Main Street's Business Plan 2018 – 2021 to drive profile and underpin Bridge Road's long term commercial viability.





## Attachment 4 - Bridge Road Strategic and Marketing Plan

### GOALS AND OBJECTIVES FOR THE STRATEGIC PLAN

#### GOAL

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To re-engage, re-position, re-invigorate and re-imagine all communications and activities about the hub that is Bridge Road, Richmond.

#### OBJECTIVES

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To create a Strategic Plan that includes a range of tactics and outcomes to be rolled out to achieve our goal.

In order to do this, we will create a number of communications 'pillars' which will form the basis of all communications. These include:

##### IMBIBE

Continuing to build Bridge Road's reputation as a quality dining and drinking destination

##### STYLE

Reiterating the classic fashion story, noting that Bridge Road still has a range of fashion options for shoppers and not just high street brands

##### HOME

Highlighting that Bridge Road has become a 'homewares hub' with a range of interesting and unique suppliers and designer products

##### ME

A range of professional, personal, health and fitness options are available on Bridge Road

##### RELATE

Tell the stories of the people behind the shop facades



## Attachment 4 - Bridge Road Strategic and Marketing Plan

### ASPIRATIONS FOR THE STRATEGIC PLAN

In order to support the goals and objectives of the plan, the ‘aspirations’ for Bridge Road Main Street have been identified. Listed below, they include the reason for inclusion and comprehensive Strategy will approach the issue to drive outcomes:

#### ASPIRATIONS

---

To strengthen engagement with customers, community and businesses

Reason: To ensure buy-in from all stakeholders

How: Sharing plans transparently and share generated publicity to illustrate outcomes of Communications Plan

To have a dynamic business mix and an increasing demand for local service businesses

Reason: To keep the street vibrant and evolving and catering to stakeholders’ needs

How: PR/profiling and business storytelling to attract new tenants

Engaging and connecting with Richmond’s changing demographic

Reason: To position Bridge Road as the heart of Richmond

How: PR/storytelling of the vibrancy of Richmond as a place to be

Promote general retail, cafes, bars and restaurants

Reason: Lead with our strongest retail sector to create destination visitation

How: PR/storytelling/social media/events (Bridge Road Gathering) as one of our pillars of communication

Promote the extensive range of home and living specialty and box retailers

Reason: To highlight the diversity of the offering on the strip

How: PR/profiling/storytelling/social media

Develop the amenity and appeal of Bridge Road as a social interaction space

Reason: To position Richmond as a buzzy community and ‘the place to be’

How: PR/storytelling/social media



## Attachment 4 - Bridge Road Strategic and Marketing Plan

### TARGET AUDIENCES

As identified in the Business Plan 2018-2021, the following key customer groups have been named as:

- Workers
- Players
- 'Livers' Established
- 'Livers' New
- Travelers

However, there is a number of other key stakeholder groups who will be engaged by a Communications Plan and roll out. These include:

- Tenants and business owners
- Landlords
- Council officers and colleagues

All stakeholders are consumers of 'media' whether it be traditional or social. They will be captured by any resulting publicity, profiling and messaging outcomes. Our aim is to develop a sense of pride around Bridge Road and their involvement in it.



## Attachment 4 - Bridge Road Strategic and Marketing Plan

### KEY MESSAGES

- *Bridge Road Richmond is 'the' place to live and work*
- *Bridge Road is open for business*
- *Bridge Road offers a rich and diverse range of drinking and dining experiences*
- *There is a growing offering of health care, fitness and personal services available to me along Bridge Road*
- *Bridge Road's proximity to the city and its exciting and eclectic offering makes it a destination for visitors to Melbourne*

### BRAND VALUE

In keeping with its historic and iconic personality, Bridge Road, Richmond is a dynamic and evolving shopping and dining strip with a diverse range of experiences on offer. With a strong place in Melburnians' hearts, Bridge Road deserves our attention.



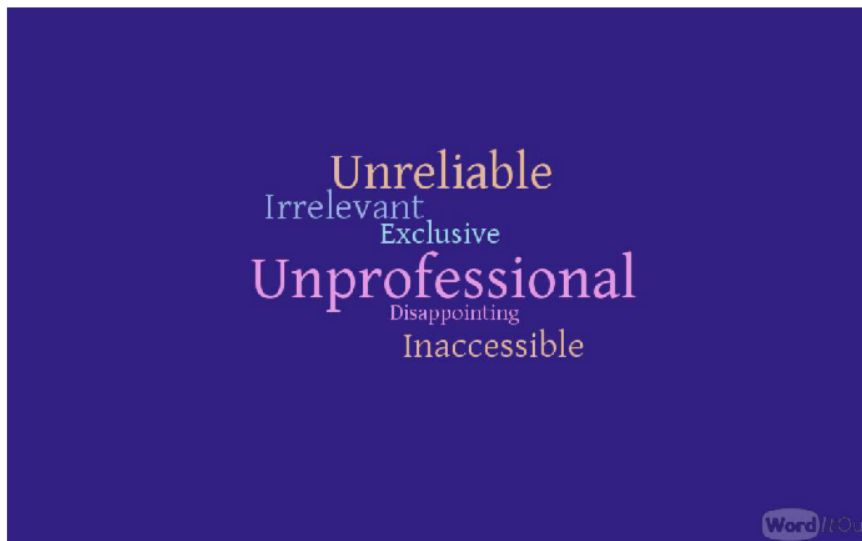
## Attachment 4 - Bridge Road Strategic and Marketing Plan

### TONE OF VOICE

It is important in any Strategic Plan to establish a 'tone of voice'. The following have been suggested as the most relevant and will be mindfully included in all communications:



What we're NOT:



## Attachment 4 - Bridge Road Strategic and Marketing Plan

### TACTICS

In order to achieve our overarching goals and objectives, and to support the confirmed activity in the broader Marketing Budget, FireWorks PR has identified a number of tactics. Not all of the tactics will be appropriate to all of our activity however, there will be an element of customizing required according to the target audience and the activity being promoted.

#### PUBLIC RELATIONS & COMMUNICATIONS

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Utilising the five pillars of communication detailed in the Goals and Objectives above, we would undertake a consistent profiling and messaging campaign. This means monthly media liaison either promoting any activity along Bridge Road, telling the stories of the people of the road, highlighting any positive developments (greening, school opening etc.) or activating a photo opportunity.

Previously we have relied on irregular event activity to drive publicity rather than an ongoing and consistent approach. By undertaking monthly media relations, the aim is to keep Bridge Road in the 'news' – to build profile and create top of mind awareness utilising traditional and digital media platforms.

The steps to roll out this plan include:

- Brainstorming some possible stories for 'telling' across all pillars of communication
- Putting together comprehensive media lists relevant to the 'story'
- Pitching media stories to relevant media
- Creating ideas for activations and photo opportunities, leveraging what else is happening in town (particular 'days', 'weeks', festivals, conventions and conferences for e.g.)
- Driving publicity via media releases about any activity and good news developments along Bridge Road

Any media campaigns will work in concert with social media to ensure solid and consistent messaging to the broadest possible audience.

#### SOCIAL MEDIA MANAGEMENT

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No modern plan encompassing communications is complete without taking social media management into account. On the back of the success of the *Bridge Road Gathering* social media management, managed by FireWorks PR, it is our recommendation that the Bridge Road Main Street's social media form part of this strategic communications approach.



## Attachment 4 - Bridge Road Strategic and Marketing Plan

We recommend a program of monthly social media campaigns to support the day to day social media function which would continue to be managed by Pauline Keays as part of her current remit.

### MONTHLY CAMPAIGNS

Campaign Concept including:

- Think, research and planning time!
- Creation of an engaging campaign concept
- Each campaign would run for a one-week period
- Concept presentation for approval
- Campaigns could include – prize giveaways, videos, competitions, special events, holiday periods, tag to win etc

Campaign Set Up & Scheduling including

- Campaign scheduling
- Campaign logistics i.e. curating content and existing assets
- General logistics – communications, sorting prizes, contacting winners etc

Monitoring & Communications

- Online monitoring during week of campaign
- Follower engagement and communications during week of campaign
- Reposting during week of campaign

Reporting

- Annual report to Bridge Road including dashboard analysis

### ADDITIONAL PAID ADVERTISING SUPPORT (IF REQUIRED)

Paid Advertising & Scheduling

- 1 additional paid post per week of campaign
- 2 platforms – Facebook and Instagram

Scheduling Paid Advertising

- Producing paid advertising schedule
- Monitoring paid advertising during the week of the campaign



## Attachment 4 - Bridge Road Strategic and Marketing Plan

### DRAFT BUDGET

1 Oct 2018 - 30 Sept 2019

Draft Budget: **\$212,600.00**

ACTIVITY	ESTIMATE
<b>MARKETING</b>	\$ 15,000.00
Logo - new	
Website - update and hosting	
Photography and video production	
Market Research - surveys including Annual Business Survey and Customer Data Collection	
<b>DIGITAL MARKETING</b>	\$ 22,900.00
Monthly Social Media campaigns - Facebook & Instagram	
Paid Advertising Campaign Support - Facebook & Instagram	
Google & Website SEO	
<b>ADVERTISING</b>	\$ 27,000.00
Tourist Brochure (Fed Square) - graphic design, printing and distribution	
Where Magazine (hotel, convention centres etc distribution)	
<b>TRADER ACTIVATIONS/EVENTS</b>	\$ 85,200.00
Wellness Week	
Christmas	
Bridge Road Gathering (or other F&B event)	
Town Hall Light Projection	
Concierge Famil	
Various other Bridge Road Trader activations (TBA) - providing an ongoing monthly program of activations and publicity across the five pillars of communications highlighted in the strategic plan	
<b>SPECIAL RATE COMPLIANCE</b>	\$ 7,500.00
Trader Engagement and Meetings	
Newsletters	
AGM Documents	
<b>WAGES</b>	\$ 55,000.00
Marketing Wages (Co-ordinator and/or Management fee)	
<b>TOTAL:</b>	<b>\$ 212,600.00</b>





## Attachment 4 - Bridge Road Strategic and Marketing Plan

### STRATEGIC ACTIONS & RECOMMENDATIONS

When putting together this Strategic Plan, it was necessary to consider the planned Marketing activity's strategic actions and ensure that the Communications tactics support them to drive outcomes. We needed to reconcile our pillars of communication with the way the original budget has been allocated to ensure alignment. And we are conscious that the key to success of any Communications as a support to the Marketing activities is the management of traders' expectations given the low level of financial support that they provide.

Having said that, and with some recommendations requested based on the knowledge we possess (which not be ALL there is to know!), our comments on the planned budget are:

#### ADVERTISING

Tourist brochure and Where Magazine have been successful in the past and should remain as part of the marketing mix.

#### BRIDGE ROAD GATHERING

It was our recommendation post event 2017 to simplify the logistics, seek efficiencies and rework the concept as it is a very 'time heavy' exercise. This will be done for the 2019 event. However, as the biggest retail sector, and with Melburnians' obsession with food and drinks (Imbibe pillar of communication), we believe this is an important event on the annual calendar.

#### SOCIAL MEDIA

This is a vital part of the mix and has been successful in building community and driving engagement. A mix of organic and sponsored posts will be included in planning. A strategic plan and calendar just for social media is necessary given its importance in the overall plan.

#### LIGHT PROJECTION

A winner last year (as were the Tigers!), generating huge crowds, atmosphere, attention and publicity at short notice. This will be included on this year's plan and deployed to create Richmond as the 'heartland' of football.



## Attachment 4 - Bridge Road Strategic and Marketing Plan

### WEBSITE

Requires constant review and time investment.

### MARKET RESEARCH

Very important and a low-cost item.

### WELLNESS WEEK

A great addition to the calendar last year, this is an area that will continue to build. The logistics and roll out warrant some discussion, planning and thought however a positive event to support this growing sector as part of the precinct mix.

### OTHER

New branding is vital as it appears dated, irrelevant and inappropriate given the changing face of the street and retail mix. This is slated for Year 2 in the Business Plan, but we would see this as a matter of priority. A new identity is an opportunity to relaunch Bridge Road, drive some publicity outcomes and storytelling opportunities.

Concierge famil appeared to work but almost impossible to measure. Reasonably low-cost activity to keep them engaged and Bridge Road front of mind.

Christmas activation needs to be creative and spectacular. A feel-good factor to create colour, movement and goodwill.

We conclude that with a consistent and strategic Communications approach to support planned Marketing activity and some revisit and rethink of current plans, that this is a solid initiative for Bridge Road moving forward. Using our pillars of communication to drive profiling and storytelling, and in concert with the events and activations, we have a strong vision for promoting one of Melbourne's most loved and iconic strips.



## Attachment 4 - Bridge Road Strategic and Marketing Plan

### Bridge Road Marketing Plan 2018- 2019

**Vision** - Bridge Road is a vibrant, iconic and exciting strip that offers a rich retail mix and range of service that consumers want and need. It is accessible, diverse and is a destination that offers a unique range of experiences

**Mission** - To engage with all stakeholders via a comprehensive Strategic Plan that supports Bridge Road Main Street's Business Plan 2018 -2021 to drive profile and underpin Bridge Road's long term commercial viability

MARKETING OBJECTIVE/ASPIRATIONS	MARKETING ACTIVITY	PRIMARY TRADER GROUP	TARGET CUSTOMER	KPI's	KEY TASKS
<b>Tourist Brochure</b>					
To increase the number of tourists to Bridge Road	Produce and distribute an annual tourism brochure that features product and services that are unique/distinctive to Bridge Road.	Food, fashion and entertainment	Traveller	10,000 copies distributed via: -concierges; -hotels; -VICs	Facilitate focus group targeting relevant business mix to provide input into content and design Engage and brief graphic designer Print and distribute
<b>Advertising</b>					
Build strong publicity generated by the events that have been run and make sure that Bridge Road stays front and centre in the minds of consumers	Promote key campaigns and profile new and emerging businesses and special offers and link with most relevant advertising platform.	Fashion, furniture, health; business services	Traveller	At least two paid advertising campaigns that aligned with the most relevant communication channel	Liaise with at least 4 businesses from each sector to identify the most relevant platform that represents their product/service Source space and images for platform Review and evaluate to inform next 12 months
<b>Website</b>					
The 'go to' destination for current information on offers, events and what's happening on Bridge Road	Create a compelling website that is up to date, featuring all key attractions and new offerings to the Precinct this also includes: * revamp website to be more engaging and visually appealing * encourage all businesses to register on the directory * review and upgrade the business directory to enhance navigation * generate increased content supplied by businesses – business profiles and featured offerings from each business * Publish dynamic images for the home page that is linked to key campaigns	All traders and property owners of vacant properties	'Livers' New Workers Players □	At least 90% of businesses are listed in the directory  Website is bench marked against industry average and achieving comparable metrics using dash board analysis	Hire a web developer that will improve website appearance and searchability Promote website through all other channels Target and meet with businesses to encourage listing in directory Develop and track campaign and promote outcomes to businesses and property owners in newsletter and AGM report
<b>Trader Engagement</b>					
Create a sense of pride around Bridge Road and their involvement in the promotion of Bridge Road	Provide timely information to traders on marketing opportunities to gain trader support for various marketing campaigns and to increase trader awareness of the work of BRMS by: -Producing up to three newsletters per year (available in hard copy and digitally) to highlight key achievements, seek feedback and report on marketing outcomes and directions; -Conducting an annual network session that invites all businesses and members to reflect on the year and input into initiatives/calendar for following year. Consider inviting guest speaker to attract attendees refer to Business Showcase Marketing activity; -Inviting targeted businesses to participate in focus groups to contribute in the development of annual tourist brochure/campaign events and advertising activities; -Profiling new businesses in newsletter; -Developing welcome kit for new businesses arriving in the Precinct; -Developing a recruitment campaign to attract new committee members; and -Reporting annually to business on marketing and business plan actions through AGM and newsletter.	All traders		Recruited 50 new members  At least 20 businesses participated in the focus groups  Networking events are well attended and attracting a broad range of business sectors	Prepare schedule of implementation for: - production and distribution of 3 newsletters; - promotion of AGM; - meeting and greeting businesses; - recruiting new members; - hosting at least 3 catch ups type events
<b>Social Media</b>					

## Attachment 4 - Bridge Road Strategic and Marketing Plan

The following communications "pillars" will form the basis of all communications: <b>Imbibe</b> - continuing to build Bridge Road's reputation as a quality dining and drinking destination; <b>Style</b> - reiterating the classic fashion story, noting that Bridge Road still has a range of fashion options for shoppers and not just high street brands; <b>Home</b> - highlighting that Bridge Road has become a 'homewares hub' with a range of interesting and unique suppliers and designer products; <b>Me</b> - A range of professional, personal, health and fitness options are available on Bridge Road; <b>Relate</b> - Tell the stories of the people behind the shop facades	Build use of digital media and engagement by: • conducting monthly social media campaigns to support the day to day social media function which would continue to be managed by the Coordinator • placing greater emphasis on trader profiles and local community stories to build connections • generating increased content supplied by businesses • supporting businesses to leverage from one another's social media • engaging a creative agency to do regular postings on all social media platforms	all traders	social media is aligned with website and platform is determined by campaign activity	Social media strategy developed Monthly social media campaigns implemented  Actively engaged audience and trader engagement sharing content	Review current platforms
					engage creative agency to develop strategy and execute posts
					implement strategy and review annually
Trader Activations/ Events					
Highlight the diversity of the offering on the strip and to position Bridge Road as a social "buzzy" community and the place to be'	Deliver activations that target either specific market segments/industry sectors such as wellbeing (wellness week), hospitality (global gathering) and other segments as outlined within the communication pillars or geographic segmentation of the street (light projection around civic center)	five communication pillars	Workers Livers established and new Players	At least 100 traders actively participated in campaigns	
Market Research					
abreast of customer and business needs and opportunities	Conduct surveys on all key campaigns and events seeking feedback from business owners, customers to inform future marketing activities.		customers	at least one survey conducted annually	Survey participating businesses and attendees at events
			Business Owners	at least one survey conducted annually	Undertake annual business survey to help shape the future direction for BRMS and marketing campaigns
Marketing Coordination					
To re-engage, re-position, re-invigorate and re-imagine all communications and activities about the hub that is Bridge Road	Engage a qualified/experienced Marketing Coordinator to assist BRMS committee with development, implementation and review of the marketing and engagement program. This role will be supported by a clear job description, performance objectives and annual review.			refer to position description	refer to position description

**SPORT**  
THE AGE.COM.AU

TUESDAY, JUNE 12, 2018 THE AGE 31

# Flag error mars Vettel's GP win

## MOTOR SPORT

Sebastian Vettel won the Canadian Grand Prix as Australian Daniel Ricciardo finished fourth in a bizarre ending to the race.

Vettel capped an emotional weekend for Ferrari with the clinical pole-to-flag win to retake the lead in the Formula One world championship from Mercedes' Lewis Hamilton by a point.

But the German's 50th career

victory, which left him on 121 points after seven races, was marked with some consternation when the chequered flag was waved a lap early by model Winnie Harlow.

"Tell them not to wave the flag when it's not done," the Ferrari driver said over the radio.

Red Bull's Ricciardo was denied the fastest lap by the early flag waving which meant that did not count.

Vettel's victory put Ferrari back on top in Canada for the first time

since seven-times world champion Michael Schumacher claimed the last of his record seven wins on the Circuit Gilles Villeneuve in 2004.

Putting Ferrari on pole in Montreal for the first time since 2001 with a track-record time, Vettel powered into the lead and was never challenged as he charged home seven seconds clear of Mercedes' Valtteri Bottas. It was the German's third win of the season and second in Canada, the first coming in 2013 with Red Bull.

Red Bull's Max Verstappen, who dominated much of practice, turned in a mature, error-free effort to take third and quiet criticism swirling around him following a string of errors and crashes, including one at the Azerbaijan Grand Prix with Ricciardo in April.

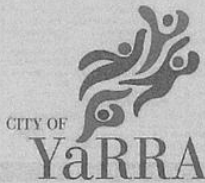
The timing of Vettel's win could not have been better, coming on the 40th anniversary of the late Gilles Villeneuve's victory for the Italian team in 1978.

"Perfect is probably a good way to

describe it. It's unbelievable. I said yesterday how much this place means to Ferrari and to have a race like we had today is unbelievable," said Vettel. "It's 50 for me but after a long stretch that Ferrari didn't win here, I saw the people around and they were super happy."

Running against rivals who had upgraded power units, unlike Mercedes, the fifth-placed Hamilton was unable to match the pace or rhythm on a circuit he touts as a favourite.

Reuters



## Public Notice of Intention to Declare a Special Charge 'Bridge Road Precinct'

In accordance with a resolution of the Yarra City Council (Council) made at its ordinary meeting held on 5 June 2018, notice is hereby given that at the ordinary meeting of the Council to be held on 21 August 2018, it is the intention of the Council to declare a Special Charge (Special Charge) under section 163(1) of the Local Government Act 1989 (Act) for the purposes of defraying expenses to be incurred by the Council in, administratively only and subject always to the approval and direction of the Council, providing funds to the incorporated body operating and known as the Bridge Road Main Street Incorporated (BRMS), which funds are to be used for the purposes of contracted support, promotional, advertising, marketing, business development and other incidental expenses to be approved by the Council and agreed to from time to time between the Council and the BRMS, all of which are associated with the encouragement of commerce, retail and professional activity and employment in the 'Bridge Road Precinct' (Precinct or Scheme), being the section of Bridge Road, Richmond, between Punt Road and the Yarra Boulevard respectively. A plan of the Scheme area appears below.

The Special Charge will be based on geographic criteria, having regard to the location of those rateable properties in the Bridge Road Precinct, which rateable land is being used, or is reasonably capable of being used, for commercial, retail or professional purposes.

The properties to be included in the Scheme are –

Roads or streets	Property Numbers
Bridge Road	2 to 662 inclusive
Church Street	196 to 280 inclusive
Lennox Street	172 to 195 inclusive
Waltham Street	2a
Burnley Street	174
Hunter Street	2

The Council considers that each rateable property and each business included in the Scheme area that is liable or required to pay the Special Charge will receive a special benefit because the viability of the Bridge Road Precinct as a commercial, retail and professional area will be maintained or enhanced through increased economic activity.

In performing functions and exercising powers in relation to activities associated with the encouragement of commerce and retail activity in and around the area for which it is proposed the Special Charge will be declared, the Council intends to declare, levy and spend an amount of \$157,000 per annum, raising in total an amount of \$942,000 over the six year period of the Scheme, such amount being the total cost of the performance of the functions and the exercise of the powers of the Council and the total amount of the Special Charges to be levied.

The Special Charge is to be declared and will remain in force for the period commencing 1 October 2018 and ending 30 September 2024.

For the period of the Scheme, the Special Charge will be assessed and levied differentially, as follows –

- Properties with a Bridge Road address and situated at ground level - \$300 per annum;
- Properties with a Bridge Road address and situated other than at ground level - \$200 per annum; and
- Properties with an address other than Bridge Road - \$100 per annum.

The Special Charge will be levied by the Council sending a notice annually to the persons who are liable to pay the Special Charge, which will require that the Special Charge must be paid –

- By one annual payment to be paid in full by the date fixed by the Council in that notice, which will be a date not less than 30 days after the date of issue of the notice; or
- By four instalments, to be paid by the dates which are fixed by the Council in the notice.

The Council will consider cases of financial and other hardship and may reconsider other payment options for the Special Charge.

For the purposes of having determined the total amount of the Special Charge to be levied under the Scheme, the Council considers and formally determines for the purposes of sections 163(2)(a), (2A) and (2B) of the Act that the estimated proportion of the total benefits of this Scheme to which the performance of the function and the exercise of the power relates (including all special benefits and community benefits) that will accrue as special benefits to all of the persons who are liable or required to pay the Special Charge is in a ratio of 1:1 (or 100%). This is on the basis that, in the opinion of the Council, all of the services and activities to be provided from the proceeds of the expenditure of the Special Charge are marketing, promotion and advertising related and will accordingly only benefit those properties and businesses included in the Scheme that are used, or reasonably capable of being used, for retail, commercial or professional purposes.

Copies of the proposed declaration of Special Charge (which includes a detailed map of all the properties included in the Scheme area) are available for inspection at the offices of the Yarra City Council, 140 Hoddle Street Abbotsford and 333 Bridge Road Richmond, during normal office hours, and on the Council's website, for a period of at least 28 days after the publication of this notice, and being until 16 July 2018.

Any person may make a written submission to the Council under sections 163A and 223 of the Act.

In addition, any person who will be required to pay the Special Charge to be imposed by the proposed declaration, whether an owner or an occupier of a property included in the Scheme, has a right to object to the proposed declaration and may also make a written objection to the Council under section 163B of the Act. An occupier is entitled to exercise the right of objection if they submit documentary evidence with the objection which shows that it is a condition of the lease under which the person is an occupier that the occupier is required to pay the Special Charge.

Written submissions under section 223 of the Act and/or written objections to be lodged with the Council under section 163B of the Act must be received by the Council by 5 pm on 16 July 2018. Submissions and/or objections must be in writing and addressed. They can be made by visiting [www.yarracity.vic.gov.au/chargebridged](http://www.yarracity.vic.gov.au/chargebridged) or sent by mail to Simon Osborne, Senior Project Officer, Yarra City Council, PO Box 168 Richmond VIC 3121.

Any person who has made a written submission under section 223 of the Act and requested to be heard in support of their written submission is entitled to appear in person or to be represented by a person specified in the submission at the ordinary meeting of the Council to be held on 7 August 2018, the time and place of which will be advised in writing.

All submissions and personal information in submissions will be handled as authorised or required by law, including under the Privacy and Data Protection Act 2014.

Council will consider any written submissions and take into account any objections in accordance with sections 163A, 163B and 223 of the Act.

Any person requiring further information concerning the proposed declaration of the Special Charge should in the first instance contact Simon Osborne, Senior Project Officer, on telephone (03) 9205 5398 or by e-mail at [simon.osborne@yarracity.vic.gov.au](mailto:simon.osborne@yarracity.vic.gov.au).

**VIJAYA VAIDYANATH**  
CHIEF EXECUTIVE OFFICER

## Attachment 6 - Letter to Business and Property Owners

Our Ref:  
File:

Contact Officer:  
Simon Osborne  
Tel 9205 5398

Dear

**Re: Notice of Intention to Declare a Special Charge Scheme 2018 to 2024  
Bridge Road**

**Property Address: Insert**  
**Proposed Amount Payable per Year – insert relevant amount**

As you are probably aware, the current Special Charge Scheme for the Bridge Road precinct expires on 30 September, 2018. The Bridge Road Mainstreet Inc. (**BRMS** or **Association**) has formally requested that Council renew the current Special Charge for a further six year period, commencing on 1 October 2018. Council has considered, and agrees, with the request from BRMS.

BRMS, in partnership with Council, has undertaken a review of their current program to identify future activities that will guide the expenditure of any future Special Charge funds for Bridge Road. This has included:

- Trader association committee meetings;
- Meetings with individual businesses;
- A survey distributed to all businesses with a summary of achievements;
- Information received via social and other forms of digital media; and
- Research and data analysis.

The information obtained by the Association has been used to assist in the development of a Draft Business Plan for the Bridge Road precinct. Based on the review, consultation and initial indication of support, Council resolved, on 5 June 2018, of its intention to declare a Special Charge for the Bridge Road shopping precinct in accordance with Section 163 of the *Local Government Act 1989 (Act)*. A copy of the Council report in relation to this matter can be viewed on Council's website at [www.yarracity.vic.gov.au/about-us/council-information](http://www.yarracity.vic.gov.au/about-us/council-information).

### **The Special Charge: An investment fund to facilitate effective business and marketing activities**

The re-establishment of the Special Charge, raising approximately \$157,000 per annum over the next six years, will be a partnership between the business operators, property owners and Council. The partnership will proactively encourage commerce and business activity within the Bridge Road shopping precinct. Council considers that this will enable the entire shopping precinct to be strongly positioned through joint promotion, marketing and business development activities. A Special Charge can, and it is considered will, play a critical role in helping to fund these activities and initiatives.

### **What is the proposed amount per property?**

The key components of the scheme as proposed by BRMS would apply as follows:

- (a) The Special Charge would apply to properties from:



## **Attachment 6 - Letter to Business and Property Owners**

- (i) Bridge Road, 2 to 662 inclusive;
  - (ii) Church Street, 196 to 280 inclusive;
  - (iii) Lennox Street, 172 to 195 inclusive;
  - (iv) Waltham Street, 2a; and
  - (v) Burnley Street, 174.
- (b) The Special Charge would apply differentially as follows:
- (i) \$300 per annum per ground floor property in Bridge Road;
  - (ii) \$200 per annum for other than ground floor properties in Bridge Road; and
  - (iii) \$100 per annum for properties located in streets other than Bridge Road.
- (c) It is expected that such a Scheme would raise \$157,000 per annum.
- (d) The Special Charge would be introduced for a period of 6 years and would raise a total amount of \$942,000

It is considered that a 'differential' Special Charge would provide for a fairer and more reasonable distribution of the levy and the nature and extent of direct and indirect special benefit.

In establishing the criteria as the basis for the declaration of the Special Charge, the Council considers the appropriate criteria to be:

*"ownership or occupation of rateable land that is used, or reasonably capable of being used for commercial, retail or professional purposes".*

The Council believes that the property which you own or occupy (together with all of the other properties and businesses included in the Scheme) will derive a 'special benefit' from the expenditure of the Special Charge funds.

If Council proceeds to declare the Special Charge, each person liable to pay the Special Charge will receive a levy notice to pay the amount of the Special Charge each year over a period of six years. This is in addition to the normal Council General Rates and Charges.

### **What will the money be spent on?**

The expenditure of the proceeds of the Special Charge will be guided by the Bridge Road Business Plan, which is currently in final draft format. The Business Plan identifies strategic directions for the entire precinct, and there is a range of marketing, promotion, events, business support and advocacy identified which include:

- Ongoing marketing, branding and promotion of the Bridge Road Precinct;
- Effective communication with all businesses and stakeholders;
- Supporting initiatives that influence the shopping environment;
- Advocating for improvements;
- Focus on digital marketing;
- Encouraging community involvement in the Bridge Road precinct; and

## **Attachment 6 - Letter to Business and Property Owners**

- Business development and support.

The Association has been appointed by Council to administer the proceeds of the Special Charge and Council requires the Association to have a high level of financial and management accountability. This will include requirements such as the submission of an annual budget at the beginning of each year, quarterly reports and an audited financial report at the conclusion of each year. Additionally, the Association will be required to enter into a funding agreement with Council to confirm that the Association will be acting:

- In an administrative capacity only on behalf of Council; and
- Only in accordance with the requirements and purposes for which the Special Charge Scheme has been declared.

### **Who will pay the Special Charge?**

The owner of a property is primarily liable to pay the Special Charge. However, many landlords have leasing arrangements which allow the Special Charge to be passed on to the tenant (for example, if the tenant is responsible for all out-goings). The decision about who is ultimately liable to pay the Special Charge is a matter between the landlord and the tenant under the terms of any lease arrangements.

### **Council wants you to be fully informed**

Enclosed for your information is a copy of the (as published) Public Notice of Intention to Declare the Special Charge that appeared in *"The Age"* on 12 June 2018. The Public Notice outlines the purposes for which the Special Charge is being raised, and the manner in which it will be collected. Furthermore, Council has written to all property owners and tenants in the Bridge Road precinct and has provided them with a copy of the Public Notice.

### **It is important that you tell Council how you feel about this proposal now**

Council would like to hear from as many persons as possible in relation to this proposal, so that it is able to make an informed decision about whether or not to declare the Special Charge.

You can give your opinion to Council about the proposal by making a written submission under sections 163A and 223 of the Act and/or an objection in writing under section 163B of the Act in relation to the proposal.

### **You can make a written submission or objection to the Council**

Please make your submission and/or objection in relation to the proposed declaration of Special Charge in writing and lodge it with the Council by **Monday 16 July 2018 at 5pm**. Submissions and/or objections must be in writing and addressed. They can be made by visiting [www.yarracity.vic.gov.au/specialcharge](http://www.yarracity.vic.gov.au/specialcharge) or sent by mail to Simon Osborne, Senior Project Officer, Yarra City Council, PO Box 168 Richmond VIC 3121. Please note that a decision not to respond to this letter cannot be interpreted by Council as either an indication of support or objection to the proposal.

### **You can also make a verbal submission at a Council Meeting on 7 August 2018**

Council will formally consider any written submissions and take into account any objections received at a meeting of Council to be held at the Richmond Town Hall



**Attachment 6 - Letter to Business and Property Owners**

333 Bridge Road on **Tuesday, 7 August 2018**. If you lodge a written submission and request in that submission that you also wish to be heard in support of your written submission, you are entitled to speak on this item at the Council meeting. We ask that you kindly indicate on your submission whether you would like to speak to your written submission at the Council meeting.

**Council will make a decision at its meeting on 21 August 2018**

Following the consideration of any submissions and the taking into account of any objections, it is proposed that Council will decide whether or not to declare the Special Charge at its meeting on **21 August 2018**. You are welcome to attend this meeting and will be advised, in due course, of Council's decision.

**Do you need more information?**

Please contact Simon Osborne or a member of the Economic Development Unit on 9205 5398 for further information regarding this matter.

Yours sincerely,

**Simon Osborne**  
**Senior Projects Officer – Retail, Tourism and Marketing**

**Enc. Copy Public Notice**

Bridge Road Special Charge Renewal Submissions under Section 223				
Date of submission	Property Owner or Tenant	Type of business	Support Yes or No	Feedback (with personal information redacted)
12-Jun	Tenant	Retail	Yes	the value that BRMS provide for such life time money is vital to the Road's continuing life and growth from it's lowest ever condition from the impact of years of neglect, currency, internet and DFO's. Where else can we get experienced volunteers to provide their time and expertise, for no pay, to contribute to the road for such the tiny amount of money we are charged, to benefit from several promotional events and media. It's a bargain. Even I were not on the committee, I would still be saying the same thing.
14-Jun	Tenant	Retail	No	I don't support the special charge because the business in Richmond Plaza are not good and the Plaza will be closed not very long.
14-Jun	Tenant	Trade Services	No	None
15-Jun	Owner	Food and Beverage	No	As you know business is not good in Bridge Road, Richmond, Vic. 3121. We both are on aged pension to help us get by but to no avail. Regards XXXX XXXX I have paying too much expenses for this building I own... which we just bought on 2016. I have to pay council rate which \$4124 per year and council rate increase every single year. 2. I have to pay Land tax \$2800 per year and the government increase land tax every single year. In here I have too much expense for this bridge road property... and myself as a self employed we can't really afford another extra \$300 / year... because if we want to expand, invest fund to facilitate or marketing ...there is nothing to do with us. why have to be bridge road not other road around richmond ? we also couldnt increase our tenant rent because of this matter, our tenant may left and is not far if many shop become vacant, empty, no one want to rent around bridge road, I more recommend if Youself can walk around bridge road & do research ... many people complain about the rent so expensive... they not longer can afford, and of course owner have to pay too much outgoing fee and no choice... have to blame it all to COUNCIL & GOVERNMENT... so here in not support this special charge, if I need fund help I more suggest u to ask help from government /ATO not from small business owner / property owners.
15-Jun	Owner	Fashion/Retail	No	None
19-Jun	Tenant	Retail	No	None
19-Jun	Owner	Trade Services	No	As a nature of our business is not an everyday retail. We believe that there's no benefit that Bridge Road Association can provide to us. we don't feel that it's fair that all businesses should pay to benefit some businesses
20-Jun	Tenant	Retail	No	None
21-Jun	Tenant	Food and Beverage	Yes	None
21-Jun	Owner	Fashion/Retail	Yes	None
22-Jun	Tenant	Food and Beverage	Yes	None
22-Jun	Owner	Hairdresser	No	Too expensive and a waste of money and we have never supported this special charge. Ever since this levy was introduced when the family ran the hairdressing business we feel that it did not benefit our property or our business. There are already too many expenses and many businesses are struggling. The present tenant feels the same and does not support this special charge as she cannot afford it. The \$300 can be better spent and needed to pay for other expenses. We cannot afford this special levy, and we do not support the continuation of this special levy. this should not be a compulsory levy imposed on all property owners or traders. Those who support it or feel that they can afford it or will benefit from it, let them pay for it. We do not need this levy to help us promote our business, we do that ourselves successfully via our own promotions and social media. I feel that we should have a right to say No to this Levy if we do not want to pay for it. This special levy is a complete waste of hard earned money with no benefits. We do not support this levy!
25-Jun	Owner	Bank	Yes	None
25-Jun	Tenant	Bank	Yes	Bridge Road Main Street provide an option for focusing the street, the businesses on the street, that would not be available if the levy did exist.
26-Jun	Owner & Tenant	Fashion/Retail	Yes	I would be in support of this if there was also a focus on retail fashion stores, instead of alot of focus going on restaurants and bars in the area.
27-Jun	Tenant	Retail	Yes	No comment
27-Jun	Owner & Tenant	Food and Beverage	No	No comment
27-Jun	Tenant	Trade Services	Yes	No comment
27-Jun	Tenant	Retail	Yes	No comment
27-Jun	Tenant	Retail	Yes	The council should be funding this not us
28-Jun	Owner & Tenant	Design Services	No	We are a small graphic design studio located with the 'ARK' apartment development. We are not on Bridge Road and locked away with the development. Given the nature of what we do, I expect there to be no benefit to my business contributing to this fund. Therefore, I am NOT happy to pay the special charge and feel the council rates should cover this initiative!
02-Jul	Tenant	Tattoo Services	No	I am writing to you in reference to your letter regarding Notice of intention to declare a Special Charge Scheme 2018 to 2024 Bridge Rd. Unlike traditional tattoo studios Fine Line Tattoos caters to a much different market with 90% of our clientele being female. With that said, demand is high, my business has been open on Bridge Rd for 12 months, in that time I have personally built a strong clientele with over 273k followers on social media. XXXXXXXXXXXX has an average 20 people a day walk through its doors in which at least 70% of those people will visit a café near by before or after their appointment. In a most recent example a café a few doors down was considering closing its doors, unable to maintain their business. Due to the high traffic flow from our business we sent many clients to them in which they now operate as one of the reasons why their business has been able to remain open. After talking with many of my fellow business owners, I know that I speak for many. Instead of adding to our ever-increasing 'costs' we would prefer a more collaborative approach. Unfortunately I do not see, and have not seen the value in the items that you quote such as 'ongoing marketing, branding & promotion' & how they have benefited my business in any way. These items are vague & based on history I do not recall anytime where my business has benefited from a council lead marketing initiative. I therefore, object to the 'special Charge Scheme 2018 to 2024 Bridge Rd'. I would ask that the council's focus should be on maintaining the fantastic business's you have on Bridge Rd rather than pushing them away. Please look in more detail why there is an increasing amount of 'non-occupied' shops on bridge Rd & why many continue to close. I am available to talk anytime, being a local resident I personally love Richmond and Bridge Rd and will continue to build relationships with fellow business owners & drive traffic through my own social media channels. Sincerely,
02-Jul	Tenant	Retail	Yes	It is important for Bridge Road to maintain a digital presence and also to promote itself as a destination. There is a lot to do to promote the area. In my time here I have seen BRMS gaining traction and trying various things to promote. I am sure more could be done in future provided they exist.
05-Jul	Tenant	Fashion/Retail	No	As a retailer on the strip for 45 years, I find your "special charge" arrogant at best. We have been advertising and marketing our own business and do not require council to step in and show us how it's done. If you want to advertise your plans for Richmond, you should do it out of your own pocket and not force others to pay.
05-Jul	Tenant	Fashion/Retail	No	I do not believe that retailers should pay this charge which has been forced by council to business owners. We have made our own arrangement for advertising our own business. And we have not been satisfied with the way council has marketed Bridge Rd in the past years.

## Attachment 7 - Submissions

10-Jul	Owner & Tenant	Trade Services	No	I don't believe we benefit in any way from this program. We are a Specialized business, that does not draw on local customers. Our customers are from far a field, and travel to us as a destination. I also don't believe that the business selection area for the program is correct. The Hawthorn end (Burnley Street to the Yarra) of Bridge Road are taken up by larger businesses that would not benefit, like the smaller local traders, at the west end.
12-Jul	Owner & Tenant	Retail	No	<p>We are writing to object to the proposed special charge being levied on our property at XXX Church Street, Richmond.</p> <p>We run a XXXXXXX business from this address and are the property owners.</p> <p>The City of Yarra have been imposing a special charge for "Bridge Road" on us for several years now, and we have seen nothing from it. The first communication we have received in all that time is a glossy newsletter announcing the proposed extending of the charge. We have not heard from nor seen anyone representing the Bridge Road Main Street Inc. in the six years we have been operating at this address.</p> <p>There is no signage on Bridge Road pointing to where our shop is, or to any of the other shops near us.</p> <p>Our property is located near the corner of Church Street and Cameron Street, Richmond about 200metres north of Bridge Road and is situated in a small group of shops that are not related to any trade in Bridge Road.</p> <p>The area between our group of properties (196 - 208 Church St) and Bridge Road is totally taken up by the Richmond Plaza complex, which currently is a barren wasteland of empty shops and when it eventually is demolished and redeveloped will be a major disruption to trading for us for an extended time.</p> <p>The Special Charge is in itself may be a good idea for the businesses in Bridge Road to raise funds to promote themselves. We feel that we should not be compelled to contribute to a scheme that does not give any benefit to our Recycling shop.</p> <p>We know that the majority of our customers are from the opposite direction from Bridge Road as we engage with them to find out why they are in Richmond.</p> <p>Here is a list of where our customers are from.</p> <ol style="list-style-type: none"> <li>1. The high rise Public Housing complex, who are going to Coles Supermarket or to McDonalds.</li> <li>2. Patients staying at the Melbourne Clinic out on supervised leave.</li> <li>3. "Traders" getting their beer from the bottle shop next door after work.</li> <li>4. Students for Lymall Hall School in Highett Street.</li> <li>5. Occasionally we meet people who are filling in time whilst a family member is in the Epworth Hospital having an operation.</li> <li>6. Locals going to the Coles supermarket or just doing "Coffee"</li> </ol> <p>Clearly the list above indicates that our customer base has nothing at all to do with coming to Bridge Road for the shopping experience.</p> <p>Our business is a hobby business about Recycling and not about making money, we do not draw a wage from the business.</p> <p>So, Please do not impose upon us the "Special Charge" levied to help the businesses in Bridge Road.</p> <p>We would like to know what the funds from the "Special Charge" that have been collected over the years have been spent on. We have never received any information of where the money has been spent.</p> <p>XXXX XXXX From XXX-XXXX</p>
13-Jul	Tenant	Accommodation Provider	Yes	None
13-Jul	Tenant	Food and Beverage	No	It is unclear what sort of benefit the special charge has brought to a gentrifying (but oddly decaying) strip. The benefits, if any, is non-tangible and no visible. The business plan that was issued to traders lists the core functions of the BRMS (Marketing, BRMS management and governance, Communication and Engagement) as its weaknesses, which is a major concern and does not offer the special charge much confidence moving forward. The approach taken by the committee cheapens the image of Bridge Rd (constant offers of special deals that do not promote the gentrifying image of Bridge Road; it will forever be the discount warehouse), there is poor visibility of the official social media account to promote Bridge Rd despite an annual \$10,000 spent on it (it is in the shadows of social media accounts run by local residents through the content of those accounts tend to promote a more cynical side of Bridge Road); there is poor planning and consideration around the needs of traders - why schedule meetings during dinner time when some traders are unable to attend and if you are trying to promote Bridge Road as the next food hub? Our business would be in support of the special charge only if fundamental changes were made to how BRMS has been run. To issue a business plan now for the next three years is 2 years too late. Trader involvement is half-hearted at best - the self-acknowledged "lack of understanding about the purpose of Special Charge funds" is a very painful admission of the committee's failure despite having had the last 10 years to communicate its purpose!
13-Jul	Tenant	Florist	Yes	None
14-Jul	Tenant	Food and Beverage	No	Object to the special charge. I do not want to pay for this service, as I believe it is non-existent.
15-Jul	Tenant	Food and Beverage	No	<p>We opened our restaurant on XXX Bridge Road in 1998 and therefore it has already been 20 years. Our restaurant has been very busy since we opened however for the last 5/6 years, the business has been very slow. As you know, the whole Bridge Road was very busy during both day and night during that period long ago. However as I said previously, the business has been very slow and our sales has been decreasing from 5/6 years ago until now. The whole Bridge Road has been very quiet for many years already and a lot of shops were closed down and have been emptied. The Council initiated the Bridge Road special charge as an investment fund to facilitate effective business and marketing activities. This has occurred for the last 6 years but I believe it hasn't provided positive change as our business is still same very slow and there are hardly any customers. As a result, there are many more stores closing constantly on Bridge Road. We are all struggling to pay our high rent, high electricity bill, high council rates and ongoing fees. That's why we do not wish to pay any other extra fees such as the Bridge Road special charge. Also as we have found out that the Bridge Road special charge has not benefited our lacking business in the last 6 years. So my decision in relation to this proposal is not to declare the Special Charge.</p>
16-Jul	Owner	Fashion/Retail	Yes	We say the special charge has been and continues to be important initiative to protect and build the Bridge Rd brand, especially at a time of significant disruption and transition.
16-Jul	Owner	Fashion/Retail	Yes	<p>We also say that Bridge Rd Main Street inc has been a successful manager of the special charge and also in advocating and communicating with the wider community and statutory authorities.</p> <p>We also commend the accountability and transparency by BRMS and the many meetings and extensive social media coms offered to participants.</p> <p>We have been very impressed with the many festivals and promotions, and in particular last year's grand final lighting of the town hall, which we would look forward to seeing as an annual tradition.</p>

## Attachment 7 - Submissions

16-Jul	Owner	Retail	Yes	<p>Our daughter XXXX XXXX is writing this submission on our behalf as we are both elderly and speak very limited English. We think it is important to support the traders of the bricks and mortar businesses of the Bridge Road precinct to succeed. We hope this scheme will continue to evolve and flourish further, ultimately impacting and reducing the high vacancy rates, particularly on Richmond Hill. The traders can't reverse this situation on their own. It is hoped that with having such an association as the BRMS specifically dedicated to continuing with the task of revitalising the Bridge Road trading precinct in a collective manner, a more successful outcome will be achieved which will flow onto all the businesses within the precinct. The past decade or so has been extremely challenging for the traders, particularly those in the retail fashion and foot ware sectors, and we hope that sufficient focus is placed on revitalisation of these important retail sectors as well. We think council needs the assistance of a dedicated body such as this which has accountability to council and is able to focus on the task at hand. The proposition of revitalising the Bridge Road precinct and surrounds is too large for council to manage alone without partnering up with such an organisation as BRMS. Ultimately with payment of a Special Levy to achieve this outcome, it is hoped an overall benefit and strengthening of the Bridge Road precinct is achieved. It is stated that the property which we own ..... will derive a 'special benefit' from the expenditure of the Special Charge funds". How measurable this is in real terms, we are unsure of however we need to show good will and faith in the scheme. Without such a scheme in place, we believe the chances of Bridge Rd being strongly positioned for the future would be far less likely. As we understand it, the current Bridge Road Special Charge amount appearing on previous rate notices, is being replaced by this Special Charge Scheme 2018 to 2024 amount paid according to property type. It would be helpful if access to information obtained by the Association was also reported to us, or we can access it via the internet, so we could quantify its progress and the resultant outcomes in relation to the precinct and our property seeing there is a Special Levy being charged. It would also be helpful to be notified in more detail what the money from the Special Charge will be spent on and of upcoming street events beforehand. Yours Sincerely, XXXX XXXX on Behalf of XXXX and XXXX XXXX</p>
16-Jul	Tenant	Food and Beverage	No	<p>I am writing this email in regards to the special charge that every business owner is paying on bridge Rd</p> <p>I am against this special levy, I think the council should stop paying money to Bridge Rd traders association as it has not achieved anything in the last 10 years.</p> <p>It will be much better if council can have some dedicated full time marketing staff working at the council, who can work for the betterment of the street.</p>

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## 11.2 Amendment C220 - Consideration of Submissions

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### Executive Summary

#### Purpose

The purpose of the report is to outline:

- (a) the key themes in the submissions received during the exhibition of Amendment C220;
- (b) officers response and recommended changes to the amendment in response to these key themes;
- (c) the key recommendation that Council request the appointment of an independent planning panel to consider the submissions; and
- (d) the next steps for advancing the amendment in accordance with the requirements of the *Planning and Environment Act 1987*.

#### Key Issues

Council exhibited Amendment C220 relating to Johnston Street and surrounds from 16<sup>th</sup> November to 18<sup>th</sup> December 2017. A total of 28 submissions were received. A number of the submissions seek competing changes to the amendment.

As the submissions seeking changes to the amendment cannot be resolved to the satisfaction of all submitters, Council has two options under Section 23 of the *Planning and Environment Act 1987*:

- (a) refer the submissions to an independent planning panel; or
- (b) abandon the amendment or part of the amendment.

Officers recommend that Council resolves to request the appointment of a planning panel to consider the submissions and to provide recommendations to Council.

#### Financial Implications

There are fees associated with the planning panel process. These include: the costs and fees of the planning panel, the engagement of experts who provide evidence on behalf of Council, and legal representation.

#### PROPOSAL

In summary, that Council:

- (a) note the officer report regarding the exhibition of Amendment C220;
- (b) note the submissions received in respect to the exhibition period of Amendment C220;
- (c) endorse the recommended changes to Amendment C220 including the recommended changes to DDO15 as shown in Attachment 3;
- (d) having considered the submissions received in relation to Amendment C220 to the Yarra Planning Scheme, in accordance with Section 22 of the Planning and Environment Act 1987 (the Act):
  - (i) request that the Minister for Planning appoints a panel to consider the submissions received for Amendment C220 in accordance with Section 23 of the Act; and
  - (ii) notify the submitter parties of the post-exhibition changes to the amendment outlined in the report.

That officers advise all submitters of Council's decision.

## 11.2 Amendment C220 - Consideration of Submissions

Trim Record Number: D18/140133

Responsible Officer: Director Planning and Place Making

### Purpose

1. The purpose of the report is to outline:
  - (a) the key themes in the submissions received during the exhibition of Amendment C220;
  - (b) officers response and recommended changes to the amendment in response to these key themes;
  - (c) the key recommendation that Council request the appointment of an independent planning panel to consider the submissions; and
  - (d) the next steps for advancing the amendment in accordance with the requirements of the *Planning and Environment Act 1987*.

### Background

2. In May 2016, Council resolved to seek *authorisation* to prepare and exhibit Amendment C220 from the Minister for Planning. The Amendment sought to implement the Johnston Street Local Area Plan (JSLAP), which was adopted by Council in December, 2015.
3. The Amendment considered by Council in May 2016 proposed to:
  - (a) rezone sections of Johnston Street and Sackville Street from Commercial 2 Zone to Commercial 1 Zone;
  - (b) apply a Design Development Overlay (DDO15);
  - (c) introduce a Local Policy at Clause 22 that sets out the preferred future land use and character for the Johnston Street activity centre; and
  - (d) apply a new Heritage Overlay (HO505 – Johnston Street East) to cover the section of Johnston Street between Hoddle Street and the railway bridge (including the railway bridge).
4. The proposed DDO contained mandatory controls, including mandatory maximum building heights across the entire activity centre.
5. In March 2017, the Minister for Planning provided conditional authorisation (Attachment 1) which advised that the amendment could be prepared and exhibited if particular conditions were met. These conditions included a requirement for Council to “*limit the application of mandatory controls to confined locations where there are exceptional circumstances as outlined in Practice Note 60 – Height and Setback controls for Activity Centres.*”
6. Following receipt of the conditional authorisation officers prepared further built form analysis (Amendment C220 Supporting Document, October 2017) to identify where mandatory controls may meet the exceptional circumstances in the *Practice Note 60 – Height and setback controls for activity centres* (PN60) and other comments within the conditional authorisation letter from the Minister for Planning. This work had close regard to the principles that underpin the JSLAP and regard to recently approved permits where the JSLAP and appropriate building heights have been closely considered. This informed changes to Amendment C220.
7. On 31<sup>st</sup> October 2017, Council resolved to authorise officers to exhibit the revised Amendment C220 in accordance with Section 19 of the *Planning and Environment Act 1987*.
8. The amendment was exhibited from 16<sup>th</sup> November to 18<sup>th</sup> December 2017. All affected parties were notified and an information session was held on 29<sup>th</sup> November 2017. A total of 28 submissions were received.

9. In parallel with the exhibition, Council submitted a request to the Minister for Planning to introduce DDO15 and HO505 on an interim basis for 2 years. This request was supported and the Minister introduced both overlays into the Yarra Planning Scheme on 2<sup>nd</sup> March 2018 with one key change – a mandatory maximum height requirement was applied to 23-33 Johnston Street to manage the impacts on the adjacent Collingwood Arts Precinct.
10. The Johnston Street Activity Centre and this amendment forms part of an Activity Centre Pilot Project that the Department of Environment Water Land and Planning (DELWP) is undertaking to explore ways to improve and provide certainty in planning controls for activity centres, which may include changes to the practice notes on mandatory maximum heights.

### **Discussion**

11. A total of 28 submissions have been received:
  - (a) submissions are supportive of the amendment and seek no changes;
  - (b) 17 submissions are supportive of the amendment and seek changes;
  - (c) 7 submissions object to the amendment and seek changes; and
  - (d) submissions seek changes.
12. Of the submissions:
  - (a) 15 were from planning consultants/developers;
  - (b) 8 were landowners with interests in the area;
  - (c) were from residents;
  - (d) 1 submission from a community group (Collingwood Historical Society); and
  - (e) 1 submission was from Vic Roads.
13. The submissions that are supportive of the amendment are generally from planning consultants/developers and landowners who are supportive of the rezoning from Commercial 2 Zone to Commercial 1 Zone to enable greater residential development. Some submissions were also supportive of the introduction of the DDO to provide guidance on future built form.
14. The submissions objecting to the amendment were generally from planning consultants/developers who objected to the use of mandatory controls or to particular requirements in the DDO that affect their landholdings. There are, however, two objections from residents that consider the scale of development that could be allowed for in the DDO is too large.

### **Changes Sought to the Amendment**

15. The changes being sought to the amendment can be grouped into a number of common themes:
  - (a) Objection to mandatory controls;
  - (b) Requirements to exceed preferred heights (with suggested changes);
  - (c) Objection to a height limit at all (whether preferred or mandatory);
  - (d) Interpretation of the height range for mid-rise development;
  - (e) Objection to taller buildings;
  - (f) Requests for a different sub-precinct control to be applied;
  - (g) Requests from landowners to be included in the amendment;
  - (h) Objection to 45 degree building envelope;
  - (i) Upper level side setbacks (on all sites);
  - (j) Request for greater setbacks for individually significant heritage buildings;
  - (k) Uncertainty on the requirements for corner sites;
  - (l) Object to HO being applied;

- (m) Objection to requirements for floor to floor ceiling heights at lower levels to support commercial development; and
  - (n) Protection of the Collingwood Arts Precinct.
16. In response to these themes and the specific submissions, officers have consulted with an urban design expert, a heritage expert and a legal advocate.
  17. Whilst officers have not been able to fully resolve submissions, officers have identified 'post exhibition' changes to the amendment, particularly DDO15, aimed at addressing elements of the submissions. Other changes are recommended to improve interpretation of the requirements in DDO15 and to incorporate recommendations from the experts where appropriate.
  18. A copy of the recommended 'post exhibition' version of DDO15 is provided in Attachment 3 (clean version) and Attachment 4 (track change version).
  19. Each theme is discussed in turn below. A summary of the submissions and officers response is provided in Attachment 2.

#### Objection to Mandatory Controls

20. The most significant theme in submissions is an objection to the inclusion of mandatory requirements in DDO15, particularly mandatory maximum overall building height requirements.
21. Submissions request that some or all of the mandatory controls be removed and replaced with discretionary controls. Submitters provide a range of reasons in support of their objection to the mandatory controls as follows:
  - (a) The lack of exceptional circumstances to justify the use of mandatory controls;
  - (b) The need for mandatory controls has not been demonstrated to be necessary to prevent unacceptable built form outcomes;
  - (c) Mandatory controls do not allow contextual design opportunities that respond to State and Local policy;
  - (d) Mandatory controls do not allow design flexibility and ensure optimum development outcomes can be achieved; and
  - (e) Mandatory controls are too inflexible and do not recognise differences in site context, design response and land use requirements.
22. All of these reasons relate directly to the advice in the State Government Planning Practice Notes 59 and 60 (see Attachment 6) which provide only limited support for mandatory controls from a State point of view and are a barrier to their introduction into the Yarra Planning Scheme.

#### *Officers Response to Submissions*

23. The purpose for applying a Design and Development Overlay (DDO) to this part of Johnston Street is to provide a greater degree of certainty in the face of current and future development pressure and to ensure appropriate built form outcomes for both heritage and non-heritage parts of the street.
24. Officers are aware that there is a push from sections of the community for greater certainty in the Yarra Planning Scheme regarding future development outcomes, particularly in Yarra's heritage rich activity centres. Mandatory controls offer the best opportunity to provide this certainty.
25. Throughout the preparation of DDOs across Yarra, officers have identified the likelihood of strong opposition to mandatory controls, particularly from developers, and the barriers presented by the current State Government Planning Practice Notes 59 and 60.
26. Officers have sought to pursue community aspirations for certainty, whilst managing opposition to mandatory controls, by targeting mandatory controls to the following specific locations:



- (a) In locations of intact heritage streetscape; and
  - (b) In locations with a sensitive interface with low scale residential properties where taller form could have adverse visual bulk and overshadowing impacts.
27. These are the locations where it is considered that the requirements of the State planning practice notes could be met and where the loss of flexibility in building design could be justified.
28. Officers remain of the view that the locations in Johnston Street that have been specified for mandatory controls in DDO15 remain suitable and can be justified.
29. Officers recommend that Council should continue to pursue mandatory controls at this time in Johnston Street given:
- (a) the known community desire for greater certainty in planning controls in Yarra;
  - (b) the fact the conditional authorisation from the DELWP identified that Council could consider a mix of mandatory and discretionary controls;
  - (c) the importance of this amendment to the pilot project exploring potential improvements and changes to provide certainty in planning controls for activity centres; and
  - (d) the potential for changes to the State Planning Practice Notes 59 and 60 in the life of this amendment that may remove barriers to the introduction of mandatory controls.
30. Officers recommend that no changes are made to DDO15 in response to submissions objecting to the use of mandatory controls. However, minor changes are recommended to be made to DDO15 to increase the setback above the street wall from a discretionary 3m to a discretionary 6m in precincts 2C, 2D, 2E and 2F – see Attachments 3 and 4. This change is recommended by the expert urban designer.

#### Requirements to Exceed the Preferred Height

31. A number of submissions from developers/landowners have challenged the inclusion of criteria for exceeding the preferred maximum overall building height. Some submissions object in principle to the criteria, some submissions object to specific criteria and some submissions seek to add new criteria. The key conclusion from the submissions is that developers/landowners consider that the criteria is too onerous.

#### *Officers Response to Submissions*

32. The criteria has been included in DDO15 to incentivise developments to comply with the preferred maximum building heights and to also ensure that taller development achieves a high standard of design outcome, including housing diversity, environmental sustainability and amenity. This approach of seeking improved design outcomes and community benefit when the preferred building height is exceeded is consistent with Strategy 17.2 of the current Yarra Planning Scheme.
33. The interim DDO15 that was approved by the Minister for Planning includes the criteria suggesting an acceptance of this form of control. Similar criteria have been supported by the planning panel for the amendment to introduce a DDO to the area of Arden Maccauley in the City of Melbourne.
34. Officers do not consider that the criteria are too onerous and recommend that the criteria be retained in DDO15 at this stage and tested further at a planning panel.

#### Objection to a height limit at all (whether preferred or mandatory)

35. There were two submissions that objected to there being a height limit applied (as it relates to their site) at all in DDO15.

*Officers Response to Submissions*

36. One of the key purposes of Amendment C220 and any DDO is to provide clarity on the preferred and/or mandatory maximum overall building heights of development that would be supported. The overall preferred and maximum building heights being proposed in the amendment have been based on thorough technical analysis and are a considered response to the context of the centre and future development opportunities.
37. Officers recommend that DDO15 continue to identify a preferred and/or mandatory overall building height for each property in the DDO area.

Interpretation of the height range for mid-rise development

38. Some submissions identify varying interpretations of the term “mid-rise” within the objectives in DDO15 and the implications it has for future maximum building heights. Some suggested that the indicative height range of 5 to 12 storeys could potentially be used to justify buildings up to 12 storeys throughout the centre.
39. One submission recommended that the height range be amended to 10 storeys given this is the maximum height identified in the DDO.

*Officers Response to Submissions*

40. Officers have used the term ‘mid-rise’ consistently across DDOs in Yarra to indicate the preferred scale and form of new development, and particularly to distinguish it from a ‘high rise’ development typology.
41. Including an indicative height range helps provide certainty about the preferred scale of development. It reflects the JSLAP and supporting background documents that demonstrate that properties could be developed to different heights owing to their attributes and their context. Officers do not agree that this allows development to go to the upper limit of the indicative height range. If this were the case, there would be no lower scale suggested and there would be no mandatory heights included in the DDO that would limit development to below this height.
42. Officers do agree with the submission that the indicative height range should be lowered to 10 storeys.
43. Officers recommend that changes should be made to DDO15 to amend the indicative height range in the objectives to 5 to 10 storeys – see Attachments 3 and 4.

Objection to taller buildings

44. Two resident submissions object to the requirements relating to the street wall height and overall building height of development. One submission objected to the height of development owing to its potential impact on their property, particularly solar access to their property in winter months. The other considered that the scale of recent development and the proposed heights was creating an extreme change to the current scale.

*Officers Response to Submissions*

45. Officers understand that proposed heights of new development would represent a significant change from the current scale of buildings in the area. However, the heights in DDO15 are consistent with the JSLAP that was subject to three rounds of consultation and are supported by expert urban designers. They are consistent with the scale of development being planned for across other centres in Yarra and more broadly across inner Melbourne.
46. DDO15 includes objectives and requirements to minimise impacts on the adjoining residential properties, including overshadowing impacts. Current standards for solar access to adjoining residential properties are based on the equinox. Changes to these standards would almost certainly not be supported by a planning panel or DELWP.
47. Officers recommend that no changes are made to DDO15 in response to submissions objecting to the proposed maximum street wall or overall building heights.

Requests for a different sub-precinct control to be applied

48. DDO15 has different controls for different sub precincts along Johnston Street to reflect the current qualities and the preferred future character of the different parts of Johnston Street. A number of submissions request that an alternative sub-precinct control apply to their site owing to their interpretation of the existing qualities or preferred future character. Often, these submissions seek changes that would allow them to develop to a greater height.

*Officers Response to Submissions*

49. Officers have reviewed these submissions closely with input from an expert urban designer.
50. Officers recommend that the following changes only should be made to DDO15 in response to the submissions – see Attachments 3 and 4:
- (a) amend the controls for 220-222a Johnston Street; 153-155 and 165 Sackville Street to reflect that these sites are currently in common ownership and should reasonably have the same provisions applied to all the properties; and
  - (b) change 288-296 Johnston Street from Sub Precinct 2D to Sub Precinct 2C to reflect the recommendations in the JSLAP and to acknowledge that the site does not share the same level of sensitivity at the rear interface as properties to the east in sub-precinct 2D.

Requests from landowners to be included in the amendment

51. A number of submissions are from properties that sit outside of the area affected by the Amendment and who wish to be included in the Amendment in order to have their property rezoned to Commercial 1 Zone.

*Officers Response to Submissions*

52. The boundary of the amendment reflects the recommendations of the JSLAP. It is not considered that there is strategic justification to include the additional properties and in some cases this would have adverse impacts.
53. Officers recommend that no changes are made to the extent of the land that is included in the amendment in response to submissions.

Objection to 45 degree envelope

54. DDO15 includes a requirement for development above the front street wall and above the rear wall to be set back and not protrude outside of a '45 degree envelope'.
55. A number of submissions object to this requirement and contend that it is not necessary to manage amenity impacts. The submissions also contend that the requirement is too restrictive and stifles flexibility and design innovation.

*Officers Response to Submissions*

56. Officers do not agree with the submissions and consider that the requirement is necessary to ensure development achieves the preferred future character and principles outlined in the JSLAP, notably:
- (a) a prominent (heritage) street wall;
  - (b) recessive upper levels;
  - (c) a human scale to development;
  - (d) solar access to the street; and
  - (e) a transition in setbacks and heights to low scale residential properties.
57. The importance of the requirement in achieving these principles, and a good built form outcome more generally, is supported by the expert urban designer.

58. The requirement is a discretionary one and is not mandatory. This means that development that does not completely comply with the requirement may be permitted as long as key design objectives and the preferred character are met. Officers consider that this gives sufficient flexibility and potential design innovation for developers whilst at the same time giving strong direction on the form of development that is needed to achieve the preferred character.
59. Officers recommend that the requirement for the '45 degree envelope' be retained in DDO15 and minor changes should be made to the wording of DDO15 to improve interpretation of the requirement – see Attachments 3 and 4.

Upper level side setbacks (on all sites)

60. Some submissions have objected to the requirement for setbacks from the side boundary where windows are proposed. The submissions contend that these setback requirements are unnecessary and would make development on some sites undevelopable as they are not of sufficient size to accommodate these setbacks.

*Officers Response to Submissions*

61. The setbacks from the side boundary are proposed to provide breaks between buildings at upper levels to avoid development overwhelming the street and to provide views to the sky from the street level. The setbacks also avoid the need for screening where two windows face each other, help to provide daylight to apartments and offices, and help to achieve equitable development outcomes. The expert urban designer has confirmed the importance of this setback.
62. The minimum setback distances of 4.5 metres and 3.0 metres are standards that are applied regularly by Council's Statutory Planning Team and by VCAT.
63. The requirements may make development unviable on a very small number of sites unless they are consolidated but officers consider that this is justified given the importance and value of the setbacks. Officers note that by including the requirement (that would likely be applied without the DDO) in the DDO this provides greater certainty to future developers and enables them to find solutions, notably through site consolidation.
64. Officers recommend that the requirements for upper level side setbacks be retained in DDO15 and minor changes should be made to ensure that these are consistently provided to minimise the visual bulk of developments – see Attachments 3 and 4.

Request for greater setbacks for individually significant heritage buildings

65. A submission from the Collingwood Historical Society requests that the setbacks for individually significant buildings be increased from 6 metres to 8 metres to reflect the version of DDO15 that was originally submitted for authorisation in May 2016.

*Officers Response to Submissions*

66. Council received a conditional authorisation in March 2017 that required a comprehensive review of the proposed DDO15 and a scaling back of the mandatory provisions was required to comply with the authorisation. Reflecting this authorisation, officers reviewed the adopted JSLAP. The JSLAP specifies a 6 metre setback for heritage buildings and the expert urban designer and the heritage expert have confirmed that a minimum 6 metre setback is appropriate.
67. Officers consider this to be an appropriate control that achieves the necessary balance between heritage protection and enabling new development that is required by panels, DELWP and the Planning Minister. Importantly, the control is a minimum setback so the controls do not prevent a greater setback being provided or required if considered necessary having regard to the heritage values in the Statement of Significance for the heritage place and to achieve the first objective of the DDO:

*"To preserve the valued heritage character of the streetscape and ensure that the predominantly two storey Victorian and Edwardian-era heritage street-wall remains the visually prominent built form of Johnston Street west of the railway line bridge."*

68. Officers recommend that no changes are made to DDO15 to address submissions seeking an 8 metre upper level setback to individually significant buildings.

Uncertainty on the requirements for corner sites

69. Some submissions identified uncertainty on how the requirements for upper level setbacks would apply on corner sites.

*Officers Response to Submissions*

70. Officers recognise that there is ambiguity in how the requirements in DDO15 would apply to corner sites and also how the 45-degree is applied (the exhibited DDO only requires this from the front and rear of sites).
71. To address this, officers recommend that changes should be made to DDO15 to require that the street wall height “wrap” around corners into side streets in some situations, and include a requirement for a minimum 3 metre setback of upper levels above the street wall on side streets – see Attachments 3 and 4. This is supported by the expert urban designer.

Objection to introduction of heritage overlay

72. There was one submission objecting to the introduction of a new Heritage Overlay (HO505) east of Hoddle Street to the railway bridge due to the impact on the development potential of their property.

*Officers Response to Submissions*

73. The inclusion of properties east of Hoddle Street to the railway bridge was recommended in a report prepared by Context (expert heritage consultants) and has been supported by the heritage expert.
74. There was one submission, from Collingwood Historical Society, that supports the inclusion of these properties.
75. Officers recommend that no changes are made to the amendment to address submissions regarding the introduction of HO505 other than re-classifying 270 Johnston Street to “Not Contributory” as it has been demolished in the absence of an HO and an older permit application that has allowed demolition.

Objection to requirements for floor to floor ceiling heights at lower levels to support commercial development

76. One submission objects to the DDO including a requirement for minimum floor to floor heights of 4m in the lower two floors of developments (where heritage constraints permit) to support commercial development. They submit that such floor heights should only apply to the ground floor of Johnston Street.
77. They contend that such floor heights are not necessary or appropriate along Sackville Street as it does not exhibit the same commercial character as Johnston Street.

*Officers Response to Submissions*

78. Officers have included these requirements across the DDOs in Yarra to promote commercial development in the immediate term and to ensure that buildings are designed with the flexibility to support commercial development in the future. It is a common approach in DDOs across Melbourne and has been supported by planning panels and the Minister for Planning.
79. Whilst Sackville Street does have a different character, its proximity to Johnston Street and the Easey Street Employment Precinct makes it a suitable location for commercial development.
80. The requirement is discretionary and can therefore be varied if necessary to support viability of developments.
81. Officers recommend that no changes are made to DDO15 to address submissions seeking changes to the requirements relating to the provision of commercial space.

Protection of the Collingwood Arts Precinct

82. Tract Consultants have put in a submission on behalf of the “Contemporary Arts Precinct”, the body that manages the Collingwood Arts Precinct site at 35 Johnston Street. The submission requests changes to the proposed DDO and local policy (Clause 22.12) to protect the site from potential impacts (mainly overshadowing, as well as visual dominance) of future built form on neighbouring properties.
83. The CAP’s primary concern is the potential for new development to overshadow particular outdoor areas on the site that are proposed to accommodate community/public events related to the creative activities occurring on the site.

*Officers Response to Submissions*

84. Council officers acknowledge the aspirations of the CAP and the significant investment that has occurred in refurbishing the heritage buildings on the site, which is still in process.
85. The site was rezoned to the Special Use Zone (SUZ6) in 2017, as part of a Government Land Standing Advisory Committee process in order to facilitate the desired activities on the site by making a number of uses “as of right” under the Section 1 uses within the zone schedule, and identifying the site as being of “state significance”.
86. When the Minister for Planning approved the interim DDO15, a mandatory maximum height limit of 28m (8 storeys) at 23-33 Johnston Street was applied and a new objective was added:  
*“To ensure that new development does not compromise the operation of the state significant Collingwood Arts Precinct from unreasonable loss of amenity through visual bulk, overlooking, overshadowing and vehicle access.”*
87. Officers consider that these changes would address the submission and should be supported.
88. Officers recommend that changes should be made to DDO15 to reflect the changes made by the Minister for Planning to ensure new development does not overshadow particular outdoor areas on the Collingwood Arts Precinct – see Attachments 3 and 4.

Submissions relating to the Amendment C220 Supporting Document dated October 2017

89. Submissions from Tract Consultants (submissions 17 and 20) comment on minor errors in the supporting document that should be corrected, as well as making some suggestions for changes.
90. A number of submissions, as well as the VCAT decision for 23-33 Johnston Street, also highlight that there is an opportunity to further reinforce the rationale for the design requirements within the DDO by drawing stronger links to the adopted JSLAP.
91. Officers recommend that changes should be made to the Amendment C220 supporting document to correct minor errors and make refinements to some diagrams and some text additions within the document.

**Other Minor Changes to the Amendment**

92. In reviewing the amendment, officers have reviewed the proposed local policy at Clause 21.12 to ensure that changes made to DDO15 in response to submissions, and expert advice, are also broadly reflected in the local policy. Only minor changes have been made to the proposed Local Policy at Clause 21.12 – see Attachment 5.
93. In response to the submission from VicRoads, changes have been made to the proposed planning scheme maps to remove both the Heritage Overlay and Design Development Overlay from road space managed by VicRoads. In addition to this a minor mapping error has been corrected in the proposed HO map – these changes are found in Attachment 6.

### **Next Steps**

94. If Council resolves to request the appointment of an independent planning panel to consider the submissions and the changes to the amendment proposed as recommended, Planning Panels Victoria will arrange the panel hearing and invite the submitters to make further representations.
95. Following the planning panel hearing, the panel will prepare a report with recommendations for Council to consider. Officers will consider the report and provide advice to Council on the options available (see Options below).

### **External Consultation**

96. The JSLAP was subject to consultation through three phases: initial consultation in the form of workshops in October 2011 to February 2012; consultation on a draft plan in June to July 2012; and consultation on a revised plan in early 2015. At each stage approximately 30 to 40 submissions were received on the draft plans.
97. Amendment C220 was exhibited from 16<sup>th</sup> November to 18<sup>th</sup> December 2017. All affected parties notified and an information session was held on 29<sup>th</sup> November 2017. A total of 28 submissions were received.

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

98. Both the strategic and statutory planning teams in Council have been involved in the preparation of Amendment C220.

### **Financial Implications**

99. There are fees associated with the planning panel process. These include: the costs and fees of the planning panel, the engagement of experts who provide evidence on behalf of Council, and legal representation.

### **Economic Implications**

100. There are no economic implications of considering the submissions and referring the submissions to a planning panel.

### **Sustainability Implications**

101. There are no sustainability implications of considering the submissions and referring the submissions to a planning panel.

### **Social Implications**

102. There are no social implications of considering the submissions and referring the submissions to a planning panel.

### **Human Rights Implications**

103. There are no known human rights implications.

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

104. There are no known CALD communities implications.

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

105. The DDO supports the following strategy in the Council Plan:

*(a) Manage change in Yarra's built form and activity centres through community engagement, land use planning and appropriate structure planning processes.*

### **Legal Implications**

106. The approach outlined in this report is in accordance with the requirements of the Planning and Environment Act 1987.

### **Options**

107. As the submissions seeking changes to the amendment cannot be resolved, Council has two options under Section 23 of the Planning and Environment Act 1987:

- (a) Refer the submissions to an independent planning panel; or
  - (b) Abandon the amendment or part of the amendment.
108. Officers recommend that Council resolves to request the appointment of a planning panel to consider the submissions and to provide recommendations to Council.
109. Following the planning panel, Council will have the opportunity to consider the amendment again with the benefit of the planning panel recommendations. At that point, Council would then have three options under the Planning and Environment Act 1987:
- (a) Adopt the amendment as exhibited;
  - (b) Adopt the amendment with changes; and
  - (c) Abandon the amendment or part of the amendment.

### **Conclusion**

110. Council exhibited Amendment C220 and received 28 submissions. Some of the submissions support the amendment but many seek changes, a large number of which are competing changes.
111. As the submissions seek changes to the amendment that cannot be resolved to the satisfaction of all submitters, officers recommend that Council resolves to request the appointment of a planning panel in accordance with the Planning and Environment Act 1987. This will provide further advice to the Council.
112. Officers recommend that a number of 'post exhibition' changes should be made to the requirements and wording in DDO15 to respond: to address elements of the submissions; improve the interpretation of the requirements in DDO15, and to reflect the advice of experts.

### **RECOMMENDATION**

1. That:
  - (a) note the officer report regarding the exhibition of Amendment C220;
  - (b) note the submissions received in respect to the exhibition period of Amendment C220;
  - (c) endorse the recommended changes to Amendment C220, including the recommended changes to DDO15 as shown in Attachment 3; and
  - (d) having considered the submissions received in relation to Amendment C220:
    - (i) request that the Minister for Planning appoints a panel to consider Amendment C220 in accordance with Section 23 of the Planning and Environment Act; and
    - (ii) notify the submitters of the post-exhibition changes to the amendment outlined in the report.
2. That officers advise all submitters of Council's decision.
3. That council receive a further report from officers after the Planning Panel report is received from Panels Victoria to enable further Council consideration of Amendment C220.

**CONTACT OFFICER:** Evan Burman  
**TITLE:** Strategic Planner  
**TEL:** 9205 5075



## **Attachments**

- 1** [↓](#) Letter of Conditional Authorisation
- 2** [↓](#) Summary of Submissions and Officers Response to Submissions
- 3** [↓](#) Post Exhibition DDO15 (track changes included)
- 4** [↓](#) Post Exhibition DDO15 (clean version)
- 5** [↓](#) Clause 21 Policy
- 6** [↓](#) Map
- 7** [↓](#) Planning Practice Notes 59 to 60

## Attachment 1 - Letter of Conditional Authorisation



Hon Richard Wynne MP  
Minister for Planning

8 Nicholson Street  
East Melbourne, Victoria 3002  
Telephone: 03 8683 0965  
DX210098

Ref: MBR032538



Ms Vijaya Vaidyanath  
Chief Executive Officer  
Yarra City Council  
PO Box 168  
**RICHMOND VIC 3121**

Att: [Evan.burman@yarracity.vic.gov.au](mailto:Evan.burman@yarracity.vic.gov.au)

Dear Ms Vaidyanath

### **PROPOSED YARRA PLANNING SCHEME AMENDMENT C220 JOHNSTON STREET ACTIVITY CENTRE**

I refer to your council's application for authorisation to prepare Amendment C220 to the Yarra Planning Scheme to implement the land use and built form objectives and strategies of the *Johnston Street Local Area Plan*.

In accordance with section 8A of the *Planning and Environment Act 1987* (the Act), I authorise your council as planning authority to prepare the amendment subject to the following condition;

- Council must limit the application of mandatory controls to confined locations where there are exceptional circumstances as outlined in Planning Practice Note 60 -Height and setback controls for Activity Centres.

In addition to the above condition, Council may consider the following:

- In locations where discretionary controls are applied, Council could nominate both a preferred maximum height and an absolute mandatory maximum height and outline the requirements which must be met to enable development to exceed the preferred maximum height.

This places the onus on the applicant to demonstrate that a proposal which exceeds discretionary controls:

- a) achieves the objectives of the Design and Development Overlay;
- b) provides a demonstrable community benefit specified by Council e.g public realm improvements, environmentally sustainable design, affordable housing; and
- c) is limited to a specified height.

The preferred height nominated should be no lower than the heights nominated in Council's authorisation request. The extent of difference between the preferred maximum height and absolute maximum height should be determined by Council and be based on the strategic context of the location.



## Attachment 1 - Letter of Conditional Authorisation

For example in many locations the extent of variation may allow an incremental increase in height variation e.g 30 per cent. In strategic redevelopment areas such as to the east of Victoria Park Station, a greater difference should be applied.

These controls will allow council to direct and accommodate growth to its higher order activity centres, while allowing flexibility for site-specific design.

Please note that DELWP has recently commenced work on a pilot project with Moonee Valley City Council to review the role of mandatory and discretionary height controls in the Moonee Ponds Activity Centre. Following this process, I will consider how the lessons learnt from the pilot can be applied to other activity centres across metropolitan Melbourne. I encourage City of Council to engage with DELWP officers on this program in the coming months.

Amendment C220 must be submitted to me for approval.

The authorisation to prepare the amendment is not an indication of whether or not the amendment will ultimately be supported.

Please note that Ministerial Direction No. 15 sets times for completing steps in the planning scheme amendment process. This includes council:

- giving notice of the amendment within 40 business days of receiving authorisation; and
- before notice of the amendment is given, setting Directions Hearing and Panel Hearing dates with the agreement of Planning Panels Victoria. These dates should be included in the Explanatory Report. Practice Note 77: Pre-setting panel hearing dates provides information about this step).

The Ministerial Direction also sets out times for subsequent steps of the process following exhibition of the amendment.

I may decide to grant an exemption from requirements of this Direction. Each exemption request will be considered on its merits. Circumstances in which an exemption may be appropriate are outlined in Advisory Note 48: Ministerial Direction No.15 – the planning scheme amendment process.

In accordance with sections 17(3) and (4) of the Act the amendment must be submitted to me at **least 10 business days** before council first gives notice of the amendment.

Please submit the amendment electronically to [planning.amendments@delwp.vic.gov.au](mailto:planning.amendments@delwp.vic.gov.au).

If you have any queries, please contact Alison Glynn, Director, State Planning Service, Department of Environment, Land, Water and Planning on (03) 8392 5511.

Yours sincerely



HON RICHARD WYNNE MP  
Minister for Planning

8 / 3 / 17

## Attachment 2 - Summary of Submissions and Officers Response to Submissions

### Amendment C220 Submissions

Submission No.	TRIM No.	Name	Stakeholder	Email	Precinct	Property Address (if relevant)	Submission Summary	Submission Position	Discussion	Recommended Change(s)
1	D17/194667	Saul Siritzky	Urbis	ssiritzky@urbis.com.au	Sub-Precinct 2D	378-380 Johnston Street, Abbotsford.	<p><b>Key Issue: Remove Mandatory Provisions</b></p> <p>The submission is supportive of the proposed rezoning of the land from the Commercial 2 Zone (C2Z) to the Commercial 1 Zone (C1Z) for the following reasons:</p> <ul style="list-style-type: none"> <li>Will increase land use and development opportunities for both the site and broader Johnston Street area;</li> <li>Current zoning is too restrictive; and</li> <li>Rezoning the area will facilitate the rejuvenation and revitalisation of the area (as envisaged by the Johnston Street Local Area Plan (JSLAP)).</li> </ul> <p>Requests flexibility within the controls by removing mandatory requirements.</p>	Supportive with changes	<p>Mandatory provisions have been applied in locations where sensitive interfaces exist and/or where the character of the heritage streetscape is sought to be preserved and development that exceeds the requirements is considered to compromise either the character of the streetscape and/or the amenity of adjacent low-scale residential properties.</p> <p>The Johnston Street Local Area Plan (JSLAP) sets a preferred height limit of 6-7 storeys for Precinct 2. The site conditions have been further assessed through the more recent supporting document which identifies this section of Johnston Street as sub-precinct 2D.</p> <p>In Sub-precinct 2D a mandatory upper limit of 9 storeys is considered necessary to protect the amenity (in terms of visual impacts and outlook) of properties to the north.</p> <p>The recent trend has been for approvals of 6-8 storeys. Development above 9 storeys has a significant impact on the Johnston Street streetscape and amenity impacts (visual impacts) to low-scale residential properties to the north.</p> <p>The conditional authorisation for the amendment provides Council with the option of establishing an upper (mandatory) height limit which has been applied to manage amenity impacts for properties to the north (and south) of this section of Johnston Street.</p>	No recommended change.
2	D17/196382	Andrew Clarke	Matrix Planning	adlarke@matrixplanning.com.au	Sub-Precinct 1A (140A Johnston Street)  18 (95-97 Sackville Street)	140A Johnston Street, Collingwood and 95-97 Sackville Street, Collingwood	<p><b>Key Issue: Requiring commercial activity above ground floor in new buildings</b></p> <p>The submission is supportive of the Amendment based on the following reasons:</p> <ul style="list-style-type: none"> <li>Strategically supported by the adopted JSLAP;</li> <li>Change in zoning from C2Z to C1Z will provide greater choice of land use outcomes, including residential activity in area close to services and public transport.</li> <li>Built form controls in DDO15 are reasonable and not complex.</li> </ul> <p>The submission recommends that the Amendment is changed to <u>only</u> discourage residential uses at the ground floor of Johnston Street as:</p> <ul style="list-style-type: none"> <li>Restricting residential development at first floor along Johnston Street is commercially unviable and threatens to constrain the increase in activity sought by the Amendment.</li> <li>Sackville Street does not exhibit the same level of commercial character, through traffic and availability of public transport as Johnson Street.</li> <li>Sackville Street is not a preferred location for retail or commercial activities and such activities are potentially likely to affect residential amenity.</li> </ul>	Supportive with changes	<p>Sackville Street currently accommodates low-scale commercial activity and the JSLAP envisions the area (Precinct 1) accommodating a more diverse mix of activities but also retaining an employment/commercial focus.</p> <p>The DDO requires new development to be <u>designed to accommodate</u> commercial activity at the lowest two levels of a building, as a discretionary requirement. Through the DDO and local policy, the amendment aims to encourage commercial use and development for the lower levels (ground and first floor) of new development and this is considered appropriate in a Commercial 1 Zone. It is not a mandatory requirement but should be a consideration for future permit applications under the proposed provisions.</p> <p>Council has engaged SGS Economics and Planning to undertake research to produce the (Draft) Yarra Spatial Economic and Employment Strategy (SEES). The report provides a comprehensive overview of the economic environment in which the City of Yarra sits within the broader metropolitan context of Melbourne. The SEES highlights the important role that commercial land plays in an evolving economy. Whilst the amendment facilitates a rezoning element to facilitate residential growth, the amendment also seeks to retain and expand on commercial opportunities.</p> <p>The research shows that there is increasing demand for office space within the inner city, beyond the CBD. Collingwood and Cremorne are emerging as two of Yarra's most important employment/commercial areas with a number of recently approved office applications in both areas, and there is a need to facilitate a diversity of office spaces for future demand.</p>	Minor change to wording within DDO noting that this applies to building design and <u>not</u> to land use.

## Attachment 2 - Summary of Submissions and Officers Response to Submissions

Sub mission No.	TRIM No.	Name	Stakeholder	Email	Precinct	Property Address (if relevant)	Submission Summary	Submission Position	Discussion	Recommended Change(s)
3	D17/195309	Janet Taylor	Collingwood Historical Society	janettaylor@inet.net.au	Sub-Precinct 1AA	Collingwood Arts Precinct – 35 Johnston Street, Collingwood	<p><b>Key Issues: Preservation of heritage character/fabric; building heights</b></p> <p>The submission supports:</p> <ul style="list-style-type: none"> <li>Built form requirements, which will control development within the important heritage streetscape.</li> <li>Inclusion of heritage places in the HO between Hoddle St and the railway line.</li> </ul> <p>The submission recommends that DDO15 is altered to:</p> <ul style="list-style-type: none"> <li>Define mid-rise as “5 to 7 storeys” and not “5 to 12 storeys,” as none of the building heights requirements extend to 12 storeys. The majority of places are a preferred maximum height of 6 or 7 storeys.</li> <li>Vary the setback from heritage buildings to 8m, as per the previous iteration of the DDO15.</li> <li>Include 23-33 Johnston St as part of 1A (not 1AA,) as per the original DDO15. The increase in from 23m to 28m not only affects the heritage streetscape (HO 324), but also overshadows the public open space of the Contemporary Arts Precinct.</li> </ul>	Supportive with Changes	<p>The term “mid-rise” is an urban design term that has been used to distinguish the envisaged scale of development from the ‘low rise’ scale of adjoining heritage and traditional residential neighbourhoods (1 to 3 storeys) and from the ‘high rise’ (12+ storeys) typical of the CBD. It refers generally to the overall scale of development for the area affected by the amendment. The height range is intended to provide an indication of what “mid-rise” means and does not mean that all development should automatically go up to the maximum height within that range. The proposed DDO specifies the heights that are appropriate in specific locations based on site context and hence, the identification of the various sub-precincts for the area based on site conditions/context.</p> <p>The previous DDO that was submitted for authorisation in May 2016, proposed a mandatory 8m setback for individually significant buildings. Council received a conditional authorisation in March 2017 that required a comprehensive review of the proposed DDO and a scaling back of the mandatory provisions was required to comply with the authorisation. The adopted JSLAP specifies a 6m setback (for heritage buildings generally) and subsequent heritage advice confirms that this is an appropriate setback.</p> <p>In March this year, Amendment C237 was approved by the Minister for Planning, introducing an interim DDO to Johnston Street and redefining the height controls over 23-33 Johnston Street by making the maximum height mandatory and introducing a new Design Objective that identifies 35 Johnston Street as a state significant site.</p>	Change the height range to reflect the overall range of heights (5-10 storeys) proposed by the DDO.
4	D17/190333	Ilias Gouletsas	Land owner	ilias@gouletsas.com	Sub-Precinct 2A	272 Johnston Street, Abbotsford	<p><b>Key Issue: New Heritage Overlay</b></p> <p>The submission states that 272 Johnston St is the one of the owner’s main sources of income (rental income) and strongly opposes the application of the Heritage Overlay (HO) for the following reasons:</p> <ul style="list-style-type: none"> <li>Will devalue the property, as its use will be limited.</li> <li>Owner will gain nothing in return for the place’s inclusion in HO.</li> <li>Buildings in the HO precinct are dilapidated and the owners should be encouraged to extend, renovate or demolish and rebuild without needing to seek a planning permit.</li> <li>Facades of the buildings have no consistency / theme and are nothing special and as such, they should not be preserved.</li> </ul>	Objection	<p>The objection is noted and heritage issues will be resolved through the Panel process.</p> <p>The heritage qualities have been assessed by Context (heritage consultants) and found to comprise a number of contributory buildings that warrant the application of a precinct overlay, in addition to the recently applied overlays to individually significant buildings in this section of Johnston Street.</p> <p>The background report (Heritage Gap Study: Review of Johnston Street East, May 2016) by Context assesses the buildings between Hoddle Street and the railway bridge and supports the proposed Heritage Overlay.</p> <p>In response to one of the points, in accordance with the provisions of Clause 43.01 and Clause 22.02, property owners are allowed (and encouraged) to extend, renovate, refurbish heritage buildings and would be able to redevelop their property in accordance with the proposed DDO and current heritage policies.</p>	No recommended change other than re-classifying 270 Johnston Street to “Not Contributory” as it has been demolished in the absence of an HO and an older permit application that has allowed demolition.
5	D17/191799	Kate O'Neill	Grange Development Consulting	kate.oneill@grangedevelopment.com	Sub-Precinct 2D	400 Johnston Street, Abbotsford	<p><b>Key Issue: Requirements to exceed the preferred maximum height</b></p> <p>The submission is supportive of the proposed rezoning of the 400 Johnston St and adjoining land to C12 and generally supports the introduction of the DDO to facilitate appropriate built form outcomes.</p> <p>The submission considers that the specific design requirements in DDO15 are too rigid as it necessitates that all the requirements be achieved to exceed preferred maximum high limit. The submission also considers that the design requirements do not allow a proponent to put forward an alternative solution for achieving net community benefit.</p> <p>The submission recommends a sixth design requirement: “Or other design features or elements that deliver a net community</p>	Supportive with Changes	<p>The requirements have been assessed and are considered reasonable to achieve in total.</p> <p>The wording put forward in the submission is something that should be achieved in any permit application put forward to Council where the development requires a balance of competing objectives – e.g. enabling increased development and achieving preferred urban character. The wording does not preclude a proponent putting forward alternative solutions if they are in addition to those elements listed in the DDO.</p>	No recommended change.



## Attachment 2 - Summary of Submissions and Officers Response to Submissions

Submission No.	TRIM No.	Name	Stakeholder	Email	Precinct	Property Address (if relevant)	Submission Summary	Submission Position	Discussion	Recommended Change(s)
							<i>benefit to the satisfaction of the Responsible Authority."</i>			
6	D17/197272	Mark Naughton	Planning & Property Partners	naughton@pppartners.com.au	1AA	23-33 Johnston Street, Collingwood	<p><b>Key Issues: Objects to mandatory and preferred building heights</b></p> <p>The submission objects to C220 for the following reasons:</p> <ul style="list-style-type: none"> <li>Council has not prepared C220 in compliance with the Minister for Planning's conditional authorisation (dated 8 March 2017), insofar as: <ul style="list-style-type: none"> <li>Exhibited C220 includes mandatory controls applying to sub-precinct 1AA;</li> <li>There are no exceptional circumstances justifying the use of mandatory controls in sub-precinct 1AA;</li> <li>Mandatory controls have not been demonstrated by Council to be "absolutely necessary" to prevent unacceptable built form outcomes in sub-precinct 1AA.</li> </ul> </li> <li>The preferred maximum height a sub-precinct 1AA does not go far enough in implementing: <ul style="list-style-type: none"> <li>Policy settings for Activity Centres in the State Planning Policy Framework;</li> <li>Plan Melbourne 2017-2050;</li> <li>Policy intent of DDO15, which allows for up to 12 storeys of building height; and</li> <li>Strategic statements in the JSLAP.</li> </ul> </li> </ul>	Objection	<p>The conditional authorisation letter suggests that there is an opportunity for Council to explore an upper limit to the preferred heights.</p> <p>It is not a "policy intent" of DDO15 to encourage development of twelve storeys throughout the centre. The DDO sets out a height range (mid-rise), and further specifies the appropriate heights for each sub-precinct, supported by the JSLAP, Appendix B and more recent analysis.</p> <p>Mandatory street wall heights and setbacks have been applied to heritage areas to ensure that the heritage streetscape is maintained as a prominent feature in the streetscape and to ensure that heritage buildings maintain their three dimensional form and are not overwhelmed by new upper level development. Mandatory street wall heights and setbacks also ensure that the preferred character of a prominent street wall with recessive upper levels is achieved.</p> <p>After exhibition of the Amendment, Amendment C237 was gazetted in February, 2018. The interim DDO was modified by the Minister and applied a mandatory height limit to the site, on the basis that it is neighbouring a state significant site and to protect the site at 35 Johnston Street from overshadowing and other impacts from any future development at 23-33 Johnston Street.</p>	See changes related to Submission 20 and the adoption of changes made via Amendment C237.
7	D17/200394	Timothy Neilson	Land owner	timdneilson@bigpond.com	Sub-Precinct 2E	54 Stafford Street, Abbotsford	<p><b>Key Issues: Objects to excessive building heights and the potential for inappropriate development</b></p> <p>Submission objects to C220 for the following reasons:</p> <ul style="list-style-type: none"> <li>If the south side of Johnston Street were developed to the heights, and with the setbacks, proposed, 54 Stafford St and other properties on the north side of Stafford St would be permanently in shadow for weeks in the depths of winter.</li> <li>It is not reasonable to exercise planning powers to compel residents to live in darkness for weeks on end at the coldest and darkest time of the year.</li> </ul> <p>Submission also notes that that 54 Stafford St is in a HO and effectively cannot be developed above two storeys.</p>	Objection	<p>The ResCode standards in the Planning Scheme for overshadowing of private open space are measured at the equinox (22 September) only and not winter. The building height and rear interface requirements have been developed with regard to minimising overshadowing of private open space at the equinox.</p> <p>A key objective of the DDO is to "to ensure that the overall scale and form of new buildings is mid-rise (5 to 10 storeys) and provides a suitable transition to low scale residential areas, protecting surrounding residential properties from unreasonable loss of amenity through visual bulk, overlooking and overshadowing". The extent to which the proposed development meets this objective will inform the approval of a planning permit.</p> <p>The proposed DDO sets stricter parameters where height limits are currently not specified in the Yarra Planning Scheme, as well as applying rear interface requirements to reduce visual bulk and overshadowing.</p> <p>In the absence of height limits along Johnston Street, and being within a Commercial 1 Zone there is currently the potential for larger scale proposals to be received by Council and the DDO will more effectively manage development proposals and outcomes.</p>	No recommended change
8	D17/200661	Catherine Hales, Patrick Guinness and Brendan Hales	Land owners	cathy.hales@inet.net.au brendan.hales@gmail.com patrick.guinness@anu.edu.au	Sub-Precinct 2A	248 Johnston Street, Abbotsford	<p><b>Key Issues: Heritage concerns [issues not covered in amendment]</b></p> <p>The submission supports the intent of the Amendment to preserve the Victorian and Edwardian era heritage of Johnston Street.</p> <p>The submission recommends the following changes to the Amendment, to ensure that the structural integrity of the heritage buildings is maintained:</p> <ul style="list-style-type: none"> <li>Reduce the preferred maximum building height for Sub-Precinct 2A [21m (with basement car parking)]; and</li> <li>Update the Amendment to prevent disturbance of sub-soils in Sub-Precinct 2A, possibly making alternative options available for the provisions of car parking to minimise the potential for disruptive</li> </ul>	Supportive with changes	<p>The amendment and DDO do not require that proposals provide basement car parking. The impact of any proposed car parking on the heritage place would be considered against the provisions of the Heritage Overlay and Clause 22.02. Entries from Johnston Street are strongly discouraged and would generally be unachievable for heritage frontages.</p> <p>Fortunately, the properties have rear access from a laneway and new development can consider alternative options for the provision of car parking such as reduced parking rates or car stackers, in accordance with the provisions of the planning scheme.</p>	No recommended change

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							excavation works.  The submission also requests that, if the above unachievable, Council should not apply the HO to Sub-Precinct 2A.			
9	D17/200735	Kon Koulouris	Resident	konkoulouris@hotmail.com	Sub-Precinct 2F	329, 329A Johnston Street Abbotsford, 37 Hunter Street Abbotsford and 236 Nicholson Street Abbotsford	<p><b>Key Issues: Design requirements within DDO specific to 329 Johnston Street</b></p> <p>The Submission seeks clarification on the following issues:</p> <ul style="list-style-type: none"> <li>How C220 is to apply to any corner or island sites. For example, how will C220 apply to the property at 329, 329A Johnston Street Abbotsford (zoned Commercial Zone 2) together with 37 Hunter Street Abbotsford and 236 Nicholson Street Abbotsford (zoned Residential 2)?</li> <li>Why is C220 silent as to what the height wall should be in Nicholson Street and Hunter Streets?</li> <li>Is it proposed that the ratio of 1:1 be applied to the height of the street wall façade in these streets with upper levels to be set back at an angle of 45 degrees?</li> <li>If Hunter Street is 9 meters wide will C220 mandate that the maximum street wall façade facing Hunter Street be 9 meters so as to safeguard against an unreasonable sense of enclosure?</li> <li>Will C220 strictly apply to commercially zoned portion of the proposed development and not to the portion of the development zoned residential? <ul style="list-style-type: none"> <li>i.e. would a developer be forced to taper the building from its highest point to 8 metres on the boundary between the former car yard and the properties that it has acquired at 37 Hunter Street Abbotsford and 236 Nicholson Street Abbotsford?</li> </ul> </li> </ul>	Neutral	<p>The submission poses a number of design-related questions in terms of how the DDO would affect this site (which has a current planning permit).</p> <p>The key issues raised relate to street-wall for corner sites and the application of 45 degree envelope. The questions posed are answered below:</p> <ol style="list-style-type: none"> <li>C220 applies to this site as it would to any other site whereby the 45 degree envelope applies to the frontage of Johnston Street. Although the site is irregular in shape, the street-wall requirement and setback requirements still apply. The DDO is not being applied to residentially zoned land.</li> <li>The exhibited DDO specifies a street-wall height generally applicable along side streets, consistent with those along Johnston Street</li> <li>A 1:1 ratio has not been applied in terms of either street-wall or overall height.</li> <li>As above. The DDO only applies to land either currently, or proposed to be rezoned to, Commercial 1 Zone.</li> <li>The amendment (particularly the DDO) applies to the area as indicated by the exhibited maps. There is no scope to apply the controls beyond the area to which it is proposed to apply. The provisions of the General Residential Zone (Schedule 2) apply to the properties to the south.</li> </ol>	Provide more specific guidelines in the proposed DDO for corner sites.
10	D17/201613	Paul Kniest	Resident	pkniest@nteu.org.au	All Precincts	n/a	<p><b>Key Issues: General concerns about application of planning scheme provisions – not specifically related to proposed provisions</b></p> <p>The submission generally supports the Amendment, including the use of the 45 degree setback envelope contained in DD015, as the existing planning framework for Johnston Street is overly convoluted.</p> <p>The submission states that Council should:</p> <ul style="list-style-type: none"> <li>Develop user friendly resources to help developers and resident appreciate the critical parameters of the planning framework.</li> <li>Provide a page summary outlining some of the critical aspects of the planning envelope that applies to different sites.</li> <li>Strongly support and uphold the new planning controls, once approved as Council has history of disregarding its own policies and plans at VCAT.</li> </ul>	Supportive	<p>Supportive with changes but not to the amendment but administrative suggestions to enforce the new planning control.</p> <p>Council's stat planning department are obliged to apply the provisions of the DDO to all permit applications, once the amendment is approved (in the form that it is approved).</p>	No recommended change.
11	D17/201627	Ashley Pirovich	Pirovich Developments	as@pirovich.com	Sub-Precinct 2F	329 Johnston Street, Abbotsford 236 Nicholson Street, Abbotsford 37 Hunter Street, Abbotsford	<p><b>Key Issues: Site specific request to rezone/consolidate other properties into C1Z; Objects to Sub-precinct allocation and 45 degree requirement</b></p> <p>The submission is supportive of the rezoning of No. 329 Johnston St to the C1Z and also seeks for 236 Nicholson St and 37 Hunter St to be rezoned from General Residential Zone (GRZ) to C1Z for the following reasons:</p> <ul style="list-style-type: none"> <li>All of the above sites are within single ownership.</li> <li>If rezoned, the whole landholding can efficiently redeveloped (appropriate to the role and function of the activity centre) and will become available for a wide range of uses in accordance with provisions of the zone.</li> </ul> <p>The submission also recommends the following changes to the specific design requirements:</p> <ul style="list-style-type: none"> <li>Amend phrase "the proposal will achieve each of the following" to</li> </ul>	Supportive with changes	<p>The amendment is not proposing to rezone the properties currently within the GRZ and until this time, Council has not received a request to do so. A permit application has been assessed and approved under the current zoning.</p> <p>The Commercial 1 Zone generally applies to the land fronting Johnston Street which has an established commercial role. The purpose of rezoning sites from the Commercial 2 Zone, and sites that are General Residential Zone fronting Johnston Street, is to enable an appropriate mix of commercial and upper levels of residential, as well as an appropriate scale of development to a Neighbourhood Centre like Johnston Street. This is not appropriate in the established low-scale residential areas which the JSLAP aims to protect.</p> <p>The 45 degree envelope provides a specific (measurable)</p>	No recommended change.

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							<p>read, "the proposal can achieve specific benefits, such as".</p> <ul style="list-style-type: none"> <li>Delete the fourth dot point as "minimal" is not a quantifiable measure of amenity impacts and will cause confusion.</li> </ul> <p>The submission objects to the inclusion of the site at 329 Johnston St in Sub-Precinct 2F and the application of mandatory requirements, for the following reasons:</p> <ul style="list-style-type: none"> <li>Landholding is one of the largest in the Johnston Street area, which provides a unique redevelopment opportunity.</li> <li>Landholding can accommodate larger heights and smaller setbacks without affecting residential amenity or compromising the character of any of the streetscapes.</li> <li>Landholding does not abut sensitive interfaces.</li> <li>JSLAP 2015 nominates a preferred height of 6-7 storeys or 23 metres for this part of Johnston Street while DDO15 nominates a mandatory height of 21 metres.</li> </ul> <p>The submission also objects to the 45 degree setback envelope as prescribed in DDO15 for the following reasons:</p> <ul style="list-style-type: none"> <li>Amenity impacts can be managed without the need to conform to a 45 degree angle measurement.</li> <li>Blanket approach to all designs, and does not allow for design variation for individual site circumstances and interfaces.</li> <li>Upper level 45 degree setback envelope is a departure from JSLAP 2015.</li> </ul>		<p>requirement that implements what the JSLAP refers to in terms of "transition" to lower scale residential properties (sensitive interfaces) as well as achieving visual recessiveness for upper levels along the main streetscape.</p> <p>The 45 degree setback is not considered a departure from the JSLAP as it builds on the following built form objectives found within the JSLAP and further illustrated in Appendix B of the JSLAP (pages 19-21):</p> <ul style="list-style-type: none"> <li>Avoid overshadowing the southern footpath between 10am and 2pm at the equinox.</li> <li>Upper levels should be setback appropriately and be visually recessive in the streetscape.</li> <li>Taller building should minimise off site impacts and be recessive in design in respect to the street wall façade.</li> <li>Design of new higher development should be recessive and compliment the heritage fabric.</li> <li>Heritage facades should dominate streetscape views.</li> <li>Provide a scale transition where new development is adjacent to fine grained residential areas.</li> </ul>	
12	D17/203286	Gillian Menegas	VicRoads	Gillian.Menegas@roads.vic.gov.au	All Precincts	n/a	<p><b>Key Issue: Inclusion of a VicRoads road in mapping</b></p> <p>The submission objects to the Amendment, as it requires VicRoads to apply for planning permits to undertake routine works and maintenance to the road reserve of Johnston Street.</p> <p>VicRoads recommends the following changes to the Amendment:</p> <ul style="list-style-type: none"> <li>Alter the alignment of HO and DDO15 so that they no longer applied to the arterial road reserve width of the exception of the Railway Bridge which has identified heritage significance; and / or</li> <li>Modify the provisions, overlay or schedules to provide planning permit exemptions to include: <ul style="list-style-type: none"> <li>crossovers</li> <li>roadworks other than traffic signals or signs;</li> <li>bicycle paths and trails; and</li> <li>maintenance, which changes the appearance of the heritage place or use different materials to the exiting conditions.</li> </ul> </li> </ul>	Objection	The submission from VicRoads is noted and maps will be amended to exclude road reserve.	Change Zone and HO maps to exclude road reserve.
13	D17/203349	Kellie Burns	SJB Planning	kburns@sjbplanning.com.au	N/a	436-438 Johnston Street, Abbotsford	<p><b>Key Issues: Rezoning Request</b></p> <p>The submission seeks to include 436-438 Johnston St in the proposed rezoning from C22 to C12 for the following reasons:</p> <ul style="list-style-type: none"> <li>436-438 Johnston Street's major frontage presentation is to Johnston Street;</li> <li>Site has been redeveloped for the purposes of an office building therefore its economic vitality of the activity centre is assured without needing the limitations of the C22 to control land use;</li> <li>All properties within Trenerry Crescent have, or are in the process of being rezoned to the C12.</li> <li>Maintaining the eastern properties within the C22, is not reflective of the evolution of the Johnston Street area, nor of the Council's strategic planning for this centre, which is otherwise providing for the rezoning of all other surrounding commercial land to the Commercial 1 Zone.</li> </ul>	Supportive with changes	<p>Council has engaged SGS Economics and Planning to undertake research to produce the (Draft) Yarra Spatial Economic and Employment Strategy (SEES). The report provides a comprehensive overview of the economic environment in which the City of Yarra sits within the broader metropolitan context of Melbourne. The SEES highlights the important role that commercial land plays in an evolving economy. Whilst the amendment facilitates a rezoning element to facilitate residential growth, the amendment also seeks to retain and expand on commercial opportunities.</p> <p>Whilst the majority of properties are being rezoned to the Commercial 1 Zone, there are two large sites at the eastern end of Johnston Street that operate successfully under the Commercial 2 Zone and it is the intention that it remains that way. The SEES recommends that the sites remain within the Commercial 2 Zone.</p> <p>The properties at the eastern end of Johnston Street are not included in Amendment C220. The property in question is currently an office building, recently constructed (2008-10). Rezoning is not required at this point in time.</p>	No recommended change.
14	D17/203354	Malcolm Jack and	Land owners	mcjack@bigpond.	Sub-Precinct 2D	424 Johnston Street,	<b>Key Issues: Objects to building heights (generally); requests a different sub-precinct (2C)</b>	Supportive with	The majority of properties in Sub-Precinct 2D have the same characteristics and do not share the same circumstances as 2C	No recommended change.



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		Carrolyn Jack		net.au ianjack3000@gmail.com ejack@atais.com		Abbotsford	<p>The submission is supportive of the proposed rezoning of 424 Johnston St to C1Z, as the rezoning will facilitate the best use of the site.</p> <p>The submission requests that the Amendment be changed to:</p> <ul style="list-style-type: none"> <li>Remove requirements for building heights or setbacks for Sub-Precinct 2D and part of Sub-Precinct 2C on the north side of Johnston St, and that Table 1 be revised to reflect this.</li> </ul> <p>Should Council not support the above, the submission requests that 422-430 Johnston St be removed from Sub-Precinct 2D and included in Sub-Precinct 2C. Sub-Precinct 2C and 424 Johnston Street, Abbotsford are sufficiently similar characteristics to warrant the height limits and setbacks being the same.</p>	changes	which has less sensitive interfaces to the north, and the properties on the south side are considerably deeper lots, with an approved permit at 247-259 Johnston Street.	
15	D17/204888	Brendon Pang	SIB Planning	bpang@sjbplanning.com.au	Sub - Precinct 1A (166-168 and 174-176 Sackville Street, Collingwood)	166-168, 174-176 Johnston Street and 121 Sackville Street, Collingwood	<p><b>Key Issues: Mandatory Provisions (street-wall and setback)</b></p> <p>The submission supports:</p> <ul style="list-style-type: none"> <li>Rezoning 166-168, 174-176 Johnston, and 121 Sackville Streets to Commercial 1 Zone, as it is consistent with the directions of State Planning Policy and Plan Melbourne 2017-2050.</li> <li>Discretionary building heights, street-wall heights, and minimum upper level setbacks of Precinct 1B.</li> </ul> <p>The submission recommends removing the mandatory building and street wall heights and setback requirements of Precinct 1A to allow for contextual design opportunities, better responding to State and Local policy.</p>	Supportive with changes	<p>The mandatory provisions relating to Sub-precinct 1A relate to the required setback behind the heritage street-wall and the street-wall height for infill sites and are considered appropriate.</p> <p>The purpose of the mandatory street-wall height (11m) is to maintain the scale of development at the street edge to preserve the heritage character of the streetscape. This mandatory height is taller than any heritage parapet and it is preferred that new development matches the street-wall height of any neighbouring two storey parapet/façade, as well as being designed to blend into the streetscape.</p> <p>The mandatory 6m setback is also required to preserve the prominence of the heritage streetscape by pushing new development back from the street edge, reducing the visual impact of upper levels.</p> <p>State and local planning policies also seek to preserve the integrity of heritage place</p>	No recommended change.
16	D17/204665	Tony Wang	Urban Planning Mediation	urbanplanningmediation@hotmail.com	Sub - Precinct 1A	8-10 Johnston Street, Collingwood	<p><b>Key Issues: Rezoning Request</b></p> <p>The submission supports rezoning 8-10 Johnston St to C1Z and seeks for Council to also rezone sites to the rear (north) of the site, fronting Sackville Street, to C1Z for the following reasons:</p> <ul style="list-style-type: none"> <li>There is no planning reason why the southern side of Sackville is not included as part of the proposed changes as the immediate interface to the north are non-sensitive commercial properties.</li> <li>There is also no strategic basis for splitting the block with an artificial mid-block.</li> <li>Current rezoning proposal does not encourage future consolidation of land for improved planning outcomes and more comprehensive developments options.</li> </ul>	Supportive with Changes	<p>Council has engaged SGS Economics and Planning to undertake research to produce the (Draft) Yarra Spatial Economic and Employment Strategy (SEES). The report provides a comprehensive overview of the economic environment in which the City of Yarra sits within the broader metropolitan context of Melbourne. The SEES highlights the important role that commercial land plays in an evolving economy. Whilst the amendment facilitates a rezoning element to facilitate residential growth, the amendment also seeks to retain and expand on commercial opportunities.</p> <p>The properties to the north, that have a frontage to Sackville Street, are a part of the broader "Easey Street Precinct" which is a viable commercial precinct and one which Council seeks to retain for future commercial activity..</p> <p>The Easey Street Precinct functions as a viable commercial precinct and the activities occurring along Johnston Street are considered separate to that activity. It is logical to retain as much of the economic component of this precinct as possible.</p> <p>The SEES recognises the importance of the Easey Street Precinct in providing commercially zoned land for future commercial activity.</p>	No recommended change.

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17	D17/204666	Luke Chamberlain	Tract Consultants	<a href="mailto:LChamberlain@tract.net.au">LChamberlain@tract.net.au</a>	Sub - Precinct 2A	.398 Johnston Street, Abbotsford	<p><b>Key Issues: Side setbacks; 45 degree requirement</b></p> <p>The Submission supports:</p> <ul style="list-style-type: none"> <li>Rezoning 398 Johnston Street, Abbotsford from C2Z to C1Z, as it will encourage diverse mix use development.</li> <li>Preferred build height requirement of 7 storeys (24m) with a 9 storey (31m) mandatory limit on sites able to accommodate upper levels setbacks.</li> </ul> <p>The Submission recommends that the Supporting Document (October 2017) is corrected to identify 398 Johnston Street, Abbotsford as having a frontage of 10m (not less than 10m).</p> <p>The submission does not support:</p> <ul style="list-style-type: none"> <li>Upper level side setbacks as it would render many sites in this precinct incapable of viable development above street wall.</li> <li>Application of the 45-degree setback envelope, particularly at the Johnston Street interface as it is not based on sound principles and is inflexible. The 45-degree setback envelope should be removed and replaced with broader performance-based objectives.</li> </ul>	Supportive with changes	<p>The (discretionary) upper level side setback requirement is triggered when a window to either a habitable or non-habitable room is proposed.</p> <p>Due to the north-south (narrow) orientation of the blocks in this sub-precinct, it is possible for apartments to have either a northern or southern outlook and due to the development potential of other sites, potentially undesirable to locate windows on side walls.</p> <p>The 45 degree requirement above the street wall reduces the impacts of taller development on the streetscape through visually recessive development and ensures that the street wall is a dominant feature of the streetscape as envisioned in the JSLAP. It also helps to achieve solar access to the southern footpath of Johnston Street.</p> <p>It is a sound and necessary requirement to achieve these outcomes that is supported by an urban design expert from Ethos Urban and is a requirement in other DDOs in Melbourne, and indeed overseas, to achieve good urban design and built form outcomes. As it is a discretionary requirement it is not considered to be inflexible.</p>	No recommended change.
18	D17/204731	Jason Black	Insight Planning Consultants	<a href="mailto:admin@insightplanning.com.au">admin@insightplanning.com.au</a>	Sub-Precincts 1A and 1AA	40 Johnston Street, Collingwood & 35-37 Sackville Street, Collingwood	<p><b>Key Issues: Rezoning Request</b></p> <p>Submission is supportive of the intent of the JSLAP.</p> <p>The submission recommends the following:</p> <ul style="list-style-type: none"> <li>Amend the Precinct 1 boundary to include all of Sackville Street.</li> <li>Rezoned Sackville Street to C1Z so that development in the area can be maximised.</li> <li>Amend the Supporting Document (October 2017) and DDO15 to remove all preferred and mandatory heights.</li> <li>Council undertake an assessment of ownership on all properties within Precinct 1.</li> <li>Include large landholdings in precincts that allow for more intensive redevelopment (such as Sub-Precinct 1AA).</li> <li>Amend Supporting Document (October 2017) and DDO15 to allow for alternate development scenarios where there are non-sensitive land uses opposite a site and where there is no heritage building located along Johnston Street.</li> </ul>	Supportive with changes	<p>Council has engaged SGS Economics and Planning to undertake research to produce the (Draft) Yarra Spatial Economic and Employment Strategy (SEES). The report provides a comprehensive overview of the economic environment in which the City of Yarra sits within the broader metropolitan context of Melbourne. The SEES highlights the important role that commercial land plays in an evolving economy. Whilst the amendment facilitates a rezoning element to facilitate residential growth, the amendment also seeks to retain and expand on commercial opportunities.</p> <p>The reference to the BILS (Business and Industrial Land Strategy) is worth considering in terms of the timing of the adoption of the BILS (2012) as the JSLAP was being drafted and the original intent of the JSLAP which primarily sought to create a plan that gave direction to how Johnston Street should evolve as an activity centre, once the designated areas of C2Z were rezoned to C1Z (which was previously Business 3 being rezoned to Business 1, with the zones having a different emphasis on retail activity and shops at that time).</p> <p>The rationale for the boundary between Precinct 1 and Precinct 5 within the JSLAP can be found at page 29 of the BILS, where it states:</p> <p><i>"The interface with CIB 2 precinct west of Wellington Street may involve conflicts between future housing and industry. The future zone/precinct boundary could be the property boundaries midway between Sackville and Johnston Streets rather than Sackville Street."</i></p> <p>This logic was also expressed in the "Yarra Industrial and Business Land Strategy Review" (2004) which stated:</p> <p><i>Between Smith Street and Wellington Street a more extensive concentration of business uses exist to the north of Johnston Street, extending through to Keele Street. It is not the intention to introduce the opportunity for residential uses into this precinct.</i></p> <p><i>Accordingly between Smith Street and Wellington Street, any rezoning to Business 1 should only apply to properties fronting Johnston Street, and should not extend through to Sackville Street.</i></p>	No recommended change.

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									<p>The JSLAP adopted this rationale/approach as the basis for the rezoning of Johnston Street in order to activate the activity centre whilst retaining the commercial precinct to the north.</p> <p>The Easey Street Precinct functions as a viable commercial precinct and the activities occurring along Johnston Street are considered separate to that activity. It is logical to retain as much of the economic component of this precinct as possible.</p> <p>The SEES recognises the importance of the Easey Street Precinct in providing commercially zoned land for future commercial activity.</p>	
19	D17/204737	Anthony De Luca	DPG	<a href="mailto:anthony@dfgcorp.com.au">anthony@dfgcorp.com.au</a>	Sub-Precinct 1AA	196-202 Johnston Street, Collingwood	<p><b>Key Issues: Mandatory provisions; 45 degree requirement</b></p> <p>The submission is generally supportive of the Amendment and rezoning 196-202 Johnston Street, Abbotsford to C1Z.</p> <p>The submission objects to the following aspects of the Amendment:</p> <ul style="list-style-type: none"> <li>Introduction of mandatory built form controls of any kind. Built form controls should provide design flexibility to ensure optimum development outcomes can be achieved.</li> <li>Application of a 45 degree setback envelope for new developments on sites with a north south orientation, including 196-202 Johnston Street, Abbotsford as there is little strategic justification for the uses of this principle and it precludes site-specific innovative design.</li> </ul>	Supportive with changes	<p>Mandatory controls have been applied in circumstances where an unacceptable built form outcome could occur as a result of lesser setbacks or greater building height than the mandatory provision specifies. Protection of the heritage streetscape is one such circumstance.</p> <p>The 45 degree (discretionary) requirement above the street wall reduces the impacts of taller development on the streetscape through visually recessive development and ensures that the street wall is a dominant feature of the streetscape as envisioned in the JSLAP. It also helps to achieve solar access to the southern footpath of Johnston Street.</p> <p>It is a sound and necessary requirement to achieve these outcomes that is supported by an urban design expert from Ethos Urban and is a requirement in other DDOs in Melbourne, and indeed overseas, to achieve good urban design and built form outcomes. As it is a discretionary requirement it is not considered to be inflexible.</p>	No recommended change.
20	D17/204937	Ben Daly	Tract Consultants	<a href="mailto:BDaly@tract.net.au">BDaly@tract.net.au</a>	Sub-Precinct 1AA	Collingwood Arts Precinct – 35 Johnston Street, Collingwood	<p><b>Key Issues: Seeks specific protection for 35 Johnston Street</b></p> <p>The submission is generally supportive of the Amendment and commends the Council's initiative to apply built form controls to Johnston Street.</p> <p>The Submission recommends the followings change to the Amendment:</p> <ul style="list-style-type: none"> <li>Amend the Supporting Document (October 2017) to reflect the following: <ul style="list-style-type: none"> <li>Site is actually zoned to SUZ6 21 July 2017 not MUZ at noted on pg. 12.</li> <li>SUZ6 can accommodate accommodation and as such is not a "non-sensitive commercial (or other) interface" (pg. 17).</li> <li>Susceptibility of the site's open space to be overshadowed.</li> <li>Acknowledgment of 67-71 Johnston Street's interface with the Collingwood Arts Precinct and its potential to overshadow the 'shared zone' access point into 35 Johnston Street, Collingwood.</li> </ul> </li> <li>Amend DDO15 to: <ul style="list-style-type: none"> <li>Expand the 'Overshadowing and Solar Access' section to include the following paragraph: <i>Development in Sub-Precinct Sub-Precincts 1AA and 1 should be designed to ensure no additional overshadowing of 35 Johnston Street measured from 10am to 2pm at the equinox (september 22).</i></li> <li>Reconsider the heights proposed in DDO15 for Sub-Precinct 1A and 1AA as they apply to 67-71 Johnston Street and 23-33 Johnston Street respectively to protect the sites outdoor space from overshadowing.</li> </ul> </li> <li>Amend the Local Areas Policy to include the following edit (in bold): <i>"Foster and support education, arts and community based activities at 35 Johnston Street (Collingwood Arts Precinct)"</i></li> </ul>	Supportive with changes	<p>The submission requests changes to the amendment that specifically seek to protect outdoor areas on the CAP site from loss of amenity through overshadowing. The site was (as correctly pointed out) rezoned to the Special Use Zone through (GLSAC) process in 2017.</p> <p>Whilst the Special Use Zone makes reference to a Masterplan being created for the site, one hasn't yet been created. Therefore, it is difficult to assess which parts of the site have importance in terms of outdoor areas and whether these areas have a need to be protected or not.</p> <p>Amendment C237 has brought in an interim control (DDO15) that applies a mandatory height limit for the site and includes new design objective within the DDO that addresses the concerns raised in the submission.</p>	<p>Modify background document to correct error on zone map (was taken from original work on JSLAP)</p> <p>Adopt the changes made via Amendment C237 by the Minister for Planning for 23-33 Johnston Street, recognising the state significant role of 35 Johnston Street.</p> <p><u>The changes brought in by Amendment C237 include:</u></p> <p>Application of a mandatory height limit to 23-33 Johnston Street; and an additional Design Objective recognising the state significance of the site and to protect the future use and operation of the site as an arts precinct.</p>

## Attachment 2 - Summary of Submissions and Officers Response to Submissions

Sub mission No.	TRIM No.	Name	Stakeholder	Email	Precinct	Property Address (if relevant)	Submission Summary	Submission Position	Discussion	Recommended Change(s)
							<i>including through the protection of its outdoor space from any additional overshadowing."</i>			
21	D17/205020	Ken Cronin	Land Owner	<a href="mailto:k.s.cronin@gmail.com">k.s.cronin@gmail.com</a>	All precincts	n/a	<p><b>Key Issues: Housing diversity</b></p> <p>The submission is generally supportive of the Amendment.</p> <p>The submission notes that the Amendment calls for mixed housing to suit a variety of needs but fails to set any specific guidelines. The submission recommends there be guidelines on the number of each bedroom type with an emphasis on dwellings that can support families living in the area.</p>	Supportive with changes	<p>The wording of the DDO requires that developments which exceed the preferred maximum building height provide for a diversity of housing, including families.</p> <p>It is not considered appropriate to specify (within the DDO or local policy at Clause 21.12) specific percentages or numbers of dwellings of specific sizes, or bedroom numbers. This is not current practice in Victoria and will require updating should housing needs change.</p>	No recommended change.
22	D17/204417	Vu Nguyen	K7 Developments Pty Ltd	<a href="mailto:vn.guyen@asiapacificlawyers.com.au">vn.guyen@asiapacificlawyers.com.au</a>	Sub-Precinct 2D	288 - 296 Johnston Street Collingwood	<p><b>Key Issues: Objects to mandatory building height and allocation into sub-precinct 2D; 45 degree requirement</b></p> <p>The submission objects to the Amendment stating that DDO15 provisions are based on a flawed interface analysis and lack strategic justification.</p> <p>The submission objects to the following aspects of the Amendment:</p> <ul style="list-style-type: none"> <li>Removal of the 288 - 296 Johnston Street Collingwood from the Activity Node (as outlined in the JSLAP) and its relocation to Precinct 2D. Given the C1Z of the land to the north, and the proximity of the subject site to the Railway Station there is no strategic justification to remove the subject site from the Activity Node;</li> <li>Application of mandatory built form controls including the proposed mandatory maximum building height of 31 metres and the mandatory maximum street wall height of 18 metres;</li> <li>Upper level 45 degree setback envelope requirement;</li> <li>Absence of transitional provisions in draft DDO15 to protect current planning permit applications.</li> </ul> <p>The submission also notes that a planning permit application to develop land at 288 - 296 Johnston Street Collingwood is currently being assessed by Council. The submission notes that it would not be fair to approve the DDO15 in its current form given the planning permit application was prepared in accordance with the existing provisions (with guidance provided by the adopted JSLAP) and the significant investment associated with the acquisition of 296 Johnston Street Collingwood.</p>	Objection	<p>The rationale for the departure from the JSLAP was based on how proponents would then interpret a height limit stated as 8-10 storeys, which was then interpreted as a preferred overall ten storey maximum height limit in the DDO. As evidenced by a more recent permit application for 288-296 Johnston Street for a 12 storey building, a preferred maximum height limit is usually interpreted by proponents as a starting point, rather than a height limit.</p> <p>It was considered that the site could be inserted into sub-precinct 2D because it shared similar characteristics with the rest of 2D and the site (which consist of two properties) has an existing permit for an 8 storey development. Upon review, and considering that the JSLAP identifies the two properties as within a distinct precinct referred to as "Victoria Park Station Activity Node", it is logical to include the sites in 2C as requested in the submission.</p> <p>Building height and amenity impacts are addressed through various requirements within the DDO. This includes the mandatory street wall height and preferred setbacks within a 45 degree envelope which will reduce the visual impact of upper levels as well as overshadowing impacts on the southern footpath.</p> <p>Transitional provisions were considered for the interim DDO (Amendment C237) but based on advice from DELWP as well as the delayed authorisation for Amendment C220, it was considered that built form controls were well overdue for Johnston Street. As the interim DDO15 has been approved it cannot be considered as part of Amendment C220.</p>	Place 288-296 Johnston Street into sub-precinct 2C as originally identified in the JSLAP
23	D17/203535	Mathew Furness	Message Consultants Australia	<a href="mailto:matthew@messageconsultants.com">matthew@messageconsultants.com</a>	Sub-Precincts 1A, 1AA and 1B.	220, 222 and 222A Johnston Street, 153-155 and 165 Sackville Street, Collingwood	<p><b>Key Issues: Site specific response required for the submitter's collection of properties forming a large site.</b></p> <p>The Submission supports The proposed rezoning of 220, 222 and 222A Johnston Street, 153-155 and 165 Sackville Street, Collingwood to the C1Z and the intent of DDO15.</p> <p>The submission recommends the following changes to DDO15:</p> <ul style="list-style-type: none"> <li>Include whole landholding within a single sub-precinct rather than a mix of Sub-Precincts (1A, 1AA and 1B), to encourage/facilitate a coherent and comprehensive built form outcome for the area and avoid a compromised design response.</li> <li>Make the building height requirement for the landholding reflect the upper level of the 5-12 storey range referenced in the DDO15 design objectives, given the suitability of the landholding for a taller building.</li> <li>Remove mandatory street wall height, as it is preferable for there to be some flexibility to depart from a preferred street wall height where the site context, design response and land use requirements support this.</li> <li>Exempt the landholding from the 45-degree setback envelope requirement, at least as it relates to the Johnston Street frontage.</li> </ul>	supportive with changes	<p>It is acknowledged that the consolidation of a number of various sized parcels makes up a significant redevelopment opportunity for the corner of Johnston, Sackville and Hoddle Streets. For this reason, the site was appropriately designated as Sub-precinct 1AA with a preferred height limit of 8 storeys.</p> <p>However, future development of the site should be considered in the broader context of Johnston Street and how the street could develop over time and the preferred future character of the street that sees it retaining the prominence of the heritage streetscape, accommodating upper level development that is visually recessive in design.</p>	Place the identified parcels in the submission into Sub-precinct 1AA. Verify land ownership of all parcels as submission seems to incorrectly identify one parcel that is potentially owned by VicRoads.

## Attachment 2 - Summary of Submissions and Officers Response to Submissions

Sub mission No.	TRIM No.	Name	Stakeholder	Email	Precinct	Property Address (if relevant)	Submission Summary	Submission Position	Discussion	Recommended Change(s)
							Application of the 45-degree envelope to the landholding is likely to undermine the built form response to Hoddle Street and ignores the potential for a building to include upper level elements which 'hold the corner' at the Johnston Street and Hoddle Street intersection.			
24	D17/204504	Melissa and Tim Fitzgerald	Land Owners	<a href="mailto:mf.perrystreet@gmail.com">mf.perrystreet@gmail.com</a>	All Precincts	13 Perry Street in Collingwood	<p><b>Key Issues: Building heights; housing diversity</b></p> <p>The submission supports the height limitations proposed by the JSLAP, which will provide a good balance between the desirable developments of under-utilised sites.</p> <p>The submission notes that the western end of the Amendment sits at the top of a rise, making tall buildings in this location have an even greater actual height and therefore greater amenity impacts (including visual bulk and overshadowing), particularly for their down-hill side neighbours. The Submission recommends that topography should be considered when considering height limits within the precinct.</p> <p>The Submission also notes that what constitutes an acceptable amount of "housing for diverse household types" and "additional amenity impacts to residentially zoned properties" (as outlined in the specific design requirements of DDO15) is open to interpretation by developers.</p>	Supportive with changes	<p>New development that is located on the sloped part of Johnston Street towards Smith Street will appear more prominent from some viewpoints, notably to the east. The slope of the land north south is less significant and so the amenity impacts on neighbouring residential properties will be not be sufficiently greater that specific controls are required</p> <p>It is not considered appropriate to specify (within the DDO or local policy at Clause 21.12) specific percentages or numbers of dwellings of specific sizes, or bedroom numbers. This is not current practice in Victoria and will require updating should housing needs change.</p>	No recommended change.
25	D17/204503	Daniel Stevens	Zero Nine Pty Ltd / land owner	<a href="mailto:daniel@zeronine.com.au">daniel@zeronine.com.au</a>	Sub-Precinct 1D	105-107 Johnston Street, Collingwood	<p><b>Key Issues: Objects to a number of requirements within DDO</b></p> <p>The submission objects to aspects of the amendment including:</p> <ul style="list-style-type: none"> <li>Proposed 45 degree upper level setbacks, as it is not suitable in this context.</li> <li>Proposed "building separation", side wall setbacks of 4.5m, 3.0m and mid-point of laneways, as it is not suitable in this context.</li> <li>Proposed "overshadow and solar access" detailed requirements in relation to the Southern alignment of Johnston Street, as it is not suitable in this context.</li> <li>Proposed "building height and setbacks" as it is not a suitable requirement in this context.</li> </ul>	Objection	<p>The submission provides no reasons for the objections other than to say it is not suitable in this context. All of the requirements within the DDO are based on analysis of the context and conditions of Johnston Street, which has a variety of site conditions, strong heritage character (west of the rail bridge) and an east-west orientation/alignment with the potential for overshadowing of southern footpaths from new development on the northern side of the street.</p> <p>The 45 degree (discretionary) requirement above the street wall reduces the impacts of taller development on the streetscape through visually recessive development and ensures that the street wall is a dominant feature of the streetscape as envisioned in the JSLAP. It also helps to achieve solar access to the southern footpath of Johnston Street.</p> <p>The requirements for building separation are dependent on whether windows to habitable rooms are proposed on common boundaries and are also driven by the need for equitable development opportunities from site to site.</p> <p>Southern side footpaths are an important component of the public realm as solar access is received throughout the year (currently). Taller development will inevitably reduce the amount of solar access during winter months and restricting the amount of overshadowing to the September equinox is a common measure to reduce the overall impact of taller buildings.</p> <p>Maximum building heights and minimum setbacks have been based on rigorous analysis and are either discretionary or mandatory depending on the context of the sub-precinct and the presence of sensitive interfaces. The overall mid-rise character that is envisaged for Johnston Street is based on analysis of lot sizes, street-width, amenity impacts and past and present permit applications, including VCAT decisions.</p>	No recommended change.
26	D17/203671	Tanya Tescher	Land Owner	<a href="mailto:tanyatescher@gmail.com">tanyatescher@gmail.com</a>	Sub-Precinct 1A	116-120 Johnston Street, Collingwood	<p><b>Key Issues: Supporting</b></p> <p>The submission is supportive of the Amendment and commends Council for taking action to inject life into Johnston Street, which is underutilised given its proximity to the university and to the city.</p> <p>The submission notes that rezoning land from C2Z to C1Z and by virtue allowing residential development will help commercial uses in the street</p>	Supportive	n/a	n/a

## Attachment 2 - Summary of Submissions and Officers Response to Submissions

Sub mis sion No.	TRIM No.	Name	Stakeholder	Email	Precinct	Property Address (if relevant)	Submission Summary	Submission Position	Discussion	Recommended Change(s)
							Including, shops and restaurants and give a new feel to the area. It will allow the first floor areas above shops to be utilised to provide much-needed residences close to the CBD.			
27	D18/45509	Julia deVille	Land Owner		Not in a precinct	73 Harmsworth Street Collingwood	<p><b>Key Issues: Rezoning request</b></p> <p>Requests to be rezoned from the General Residential Zone to the Commercial 1 Zone</p>	Requesting a change	The property sits outside of the area subject to the amendment. The JSLAP seeks to protect the low-scale residential areas north and south of Johnston Street	No recommended change.
28	D18/51287	Chris Gersch	Resident	<a href="mailto:Chris.gersch@gmail.com">Chris.gersch@gmail.com</a>		Stafford Street	<p><b>Key Issues: Scale of development / building heights</b></p> <p>Late submission from local resident.</p> <p>Expresses concern about the development trends and scale of development within the local area (along Johnston Street).</p> <p>Objects to the preferred and mandatory height limits within the DDO as the heights are an extreme change from the current scale of the area. The 18m street-wall height is too high. Supports having clear and mandatory height limits (at an appropriate scale).</p> <p>States that preferred limits should be the mandatory limit. Development above 4 storeys will still impact local residents.</p> <p>Concerned about overshadowing in the winter months and the impacts on residential properties.</p>		<p>The re-draft of the DDO from the original proposal has had strong regard to the conditional authorisation which discourages the use of mandatory controls unless considered necessary. The authorisation also specified that preferred heights should not be lowered. The heights are based on those found in the JSLAP being the basis for the amendment which is underpinned by a built form analysis (Appendix B).</p> <p>Within the amendment, building height and amenity impacts are addressed through various requirements within the DDO. This includes the mandatory street wall height and preferred setbacks within a 45 degree envelope which will reduce the visual impact of upper levels as well as overshadowing impacts on the southern footpath.</p> <p>Urban Design advice has recommended increasing the setback from the street-wall, east of the railway bridge, to 6m. This will assist in reducing the impact of upper levels beyond the street-wall height.</p>	Increase preferred setback to 6m for upper levels for sub-precincts east of railway line.



# Attachment 3 - Post Exhibition DDO15 (track changes included)

## YARRA PLANNING SCHEME

1.0  
C-

### SCHEDULE 15 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO15**.

#### JOHNSTON STREET ACTIVITY CENTRE

#### 1.0

##### Design objectives

1.0  
C-

- To preserve the valued heritage character of the streetscape and ensure that the predominantly two storey ~~Victorian and Edwardian era~~ heritage street-wall remains the visually prominent built form of Johnston Street west of the railway line bridge, ensuring that upper levels are visually recessive.
- To ensure that the overall scale and form of new buildings is mid-rise (5 to ~~10~~ storeys) and provides a suitable transition to low scale residential areas, protecting surrounding residential properties from unreasonable loss of amenity through visual bulk, overlooking and overshadowing.
- To ensure that new development does not compromise the operation of the state significant Collingwood Arts Precinct from unreasonable loss of amenity through visual bulk, overlooking, overshadowing of open space areas and vehicle access.
- To activate the street edge, provide passive surveillance opportunities and accommodate commercial activity at the lower levels of new development ~~and to~~ enhance the public realm through high quality buildings and protect footpaths and public spaces on the southern side of Johnston Street from loss of amenity from overshadowing.
- To provide for equitable development outcomes through built form design that responds to the development opportunities of neighbouring properties, and through the consolidation of finer grain sites.

#### 2.0

2.0  
C-

##### Buildings and works

##### Definitions

**Building height** is measured as the vertical distance between the footpath at the centre of the frontage and the highest point of the building. It does not include architectural features and service equipment including plant rooms, lift overruns, structures associated with green roof areas and other such equipment provided that the following criteria are met for the equipment or structure:

- Less than 50% of the roof area is occupied by the equipment (other than solar panels);
- Any equipment is located in a position on the roof so as to avoid additional overshadowing;
- Any equipment does not extend higher than 3.6 metres above the maximum building height; and
- Any equipment and any screening is integrated into the design of the building to the satisfaction of the Responsible Authority.

**Heritage Building** refers to any building subject to a heritage overlay, graded as either Contributory or Individually Significant.

**Rear interface** is the rear wall of any proposed building or structure at any level, whether on the property boundary or set back from the property boundary.

**Setback** is the shortest horizontal distance from a building, including projections such as balconies, building services and architectural features, to the property boundary.

**Street wall** is the façade of a building at the street boundary.

## Attachment 3 - Post Exhibition DDO15 (track changes included)

### YARRA PLANNING SCHEME

Street wall height is measured as the vertical distance between the footpath at the centre of the frontage and the highest point of the building at the street edge, with the exception of architectural features ~~and building services~~.

Upper Level Development refers to the levels of buildings that are above the street wall.

~~Corner site is a site with a frontage to both a main street and side street.~~

### Design Requirements

#### Building Heights and Setbacks (including street-wall height and rear interface Height)

~~The maximum building height, street-wall height and minimum setback requirements are set out at Table 2 of this schedule.~~

~~The building height and setback requirements are set out at Table 1 of this schedule.~~

~~A development must comply with the mandatory building heights and street wall heights, and the mandatory minimum setbacks specified in Table 2 outlined in Table 1.~~

~~A permit must not be granted or amended (unless the amendment would not increase the extent of non-compliance) for buildings and works which exceed the mandatory maximum building height, mandatory maximum street wall height or are less than the mandatory minimum upper level setback for a relevant sub-precinct specified in Table 2 to this Schedule.~~

A permit may be granted to exceed the preferred maximum ~~building~~ height ~~and/or preferred maximum street-wall height~~ specified in Table 24 if the following criteria are met to the satisfaction of the ~~R~~esponsible ~~A~~uthority:

- the built form outcome as a result of the proposed variation satisfies the ~~design~~ objectives of Clause 1.0 and the provisions of Clause 21.12-1 ~~are satisfied~~;
- the proposed building height ~~achieves the preferred future mid rise character within Johnston Street for the sub-precincts consistent with the preferred mid-rise character for Johnston Street of generally 5 to 12 storeys~~;
- the proposal will achieve each of the following:
  - housing for diverse households types, including people with disability, older persons, and families, through the inclusion of varying dwelling sizes and configurations;
  - universal access, and communal and/or private open space provision that exceeds the minimum standards in Clauses 55.07 and 58;
  - ~~excellence for environmental sustainable design measured as a minimum BESS project score of 70% or 5 Star Green Standard~~;
  - ~~greater building separation than the minimum requirement in this schedule~~;
  - ~~no~~ additional amenity impacts to residentially zoned properties, beyond that which would be generated by a proposal that complies with the preferred building height;
  - for ~~Contributory or Individually Significant buildings under the Heritage Overlay~~ ~~Heritage Buildings~~, the proposed development enhances the heritage fabric of the building (primarily through ~~full~~ restoration of the front façade and external features visible from the street).

~~A permit may be granted to vary the preferred maximum street wall height and preferred minimum setbacks requirements in Table 1 if the development meets the Design Objectives to the satisfaction of the Responsible Authority. In addition to the overall building height requirements specified in Table 1 and Map 1, development above 18m (5 storeys) must be on a site, consisting of one or more titles, that has the following parameters:~~

- ~~A minimum lot depth of 20m~~
- ~~A minimum street frontage width of 10m~~



## Attachment 3 - Post Exhibition DDO15 (track changes included)

### YARRA PLANNING SCHEME

#### **Building Envelope Requirement**

New development on sites with a north-south orientation fronting either Johnston Street or Sackville Street, should be setback from the front and rear property boundary, as illustrated in Figure 1 and as specified in Table 1.

The front and rear setback/envelope requirements are also illustrated in Figure 1.

In complying with the 45-degree envelope requirement, development should provide incremental setbacks of at least two storeys to avoid repetitive stepped form and 'wedding cake' outcomes.

In addition to the setbacks required by Table 1, new development on sites with a north-south orientation fronting either Johnston or Sackville Street, should be setback within a 45-degree envelope measured from above the street wall height and the rear interface height to the maximum overall height as shown in Figure 1. This does not apply to development in Precincts 1A, 1B, 2A and 2C (for the site on the northern side of Johnston Street), where new development should be setback within a 45-degree envelope from the primary street frontage only.

In Precincts 1A, 1B and 2B, the rear interface of new development should be designed to enable daylight and/or solar access to primary outlooks for existing or potential future residential development and to consider future development opportunities on neighbouring sites.

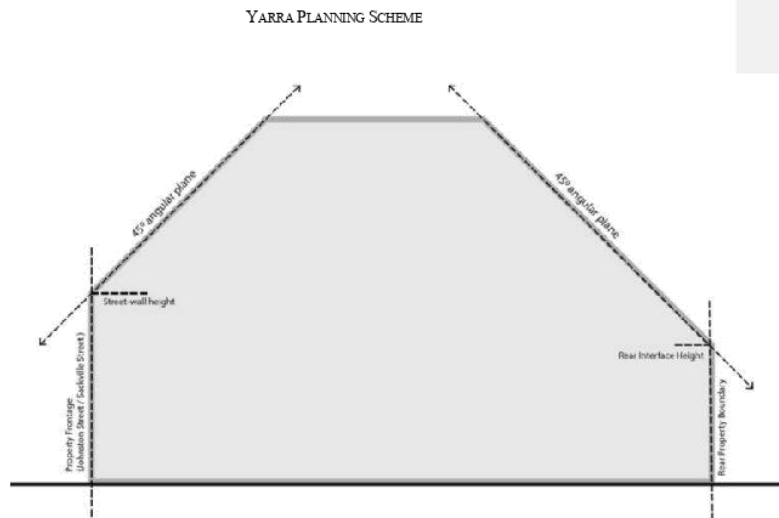
Development should avoid repetitive stepped form within the 45-degree envelope.

**Table 1: 45° Envelope and Setback Requirements**

Sub-precinct	Preferred upper level setback/envelope from property frontage (measured as the distance above ground level as specified below)	Preferred Minimum setback/envelope above from rear property boundary (measured from maximum rear interface height 11m above ground level, above 9m for 2F)
1A	45° above 11m	4.5m
1AA	45° above 11m	4.5m
1AAA	45° above 11m	4.5m
1B	45° above 11m	4.5m
1C	45° above 11m	45°
1D	45° above 11m	45°
2A	45° above 11m	4.5m
2B	45° above 11m	4.5m
2C	45° above 18m	4.5m / 45° (Stafford Street)
2D	45° above 18m	45°
2E	45° above 18m	45°
2F	45° above 18m	45° above 9m

**Figure 1 – Upper-Level Setback Requirement Building Envelope Requirement**

# Attachment 3 - Post Exhibition DDO15 (track changes included)



## Building Separation Requirement

An application for development should provide a design response that considers the future development opportunities of adjacent properties in terms of outlook, daylight and solar access to windows, as well as managing visual bulk. Development should be setback from common side boundaries to provide separation between buildings at the upper levels to avoid a "wall" of development above the street wall when viewed from the opposite side of Johnston Street and Sackville Street:

Where development shares a common boundary, upper level development should:

- be set back a minimum of 4.5m from the side-common boundary where a habitable room window is proposed
- be set back a minimum of 3m from the side-common boundary where a non-habitable room window or commercial window is proposed.

Where the common side boundary is a laneway, the setback is measured from the centre of the laneway.

Development above 21m should provide an appropriate side setback to provide spacing between buildings in order to maintain views to the sky from Johnston and Sackville Streets and from residential properties adjacent to the development.

## Corner Site Requirements

New development on a corner site (a site with a frontage to a side street) should:

- continue the street wall height established at the primary frontage with a transition in height to match the rear interface where required
- upper level development along the side street of a corner site should be setback a minimum of 3m.

## Overshadowing and Solar Access Requirements

New development must not overshadow the southern footpath of Johnston Street, measured as 3.0m from the boundary of Johnston Street, between 10am and 2pm at September 22. A permit cannot be granted to vary this requirement.

Development in Sub-Precincts 1C, 1D, 2C, 2E and 2F should be designed to minimise avoid additional overshadowing of residential zoned properties to the south measured from 10am to 2pm at the equinox (September 22).

## Attachment 3 - Post Exhibition DDO15 (track changes included)

### YARRA PLANNING SCHEME

#### Street Frontage Requirements

New development should:

- be built to the front property boundary on in-fill (non-heritage) sites along Johnston Street and Sackville street.
- ensure that heritage facades remain the visually prominent feature in the streetscape.
- ~~respond to the rhythm and pattern of the heritage streetscape and adjoining heritage buildings~~
- ~~match the parapet height of a neighbouring Contributory or Individually Significant buildings identified under the Heritage Overlay.~~
- address the primary street frontage and, where heritage elements are not a constraint, incorporate design elements that contribute to the provision of a continuous, visible and active frontage at ground level.
- provide passive surveillance and active/visually interesting interface(s) with the public realm, areas of public open space and public transport stops from upper levels.
- be designed to ~~allow for~~accommodate commercial activity at the lowest two levels (as a minimum) incorporating ~~commercial~~ floor to floor heights suitable for commercial activity of at least 4m, where heritage elements are not a constraint.
- be designed to locate service entries/access doors away from the primary street frontage, or where not possible, be sensitively designed to integrate into the façade of the building.

West of the railway line bridge, new infill development should ensure that heritage facades remain the visually dominant feature in the streetscape. Facade treatments and articulation of new infill development within this area should:

- ~~respond to the rhythm and pattern of the heritage streetscape and adjoining heritage buildings~~
- ~~match the parapet height of a neighbouring Contributory or Individually Significant buildings identified under the Heritage Overlay.~~

In Sub-Precincts 2C, 2D, 2E and 2F, new development should:

- ~~contribute to a new, well-designed, contemporary urban character that provides articulation in building façades, reinforcing a finer grain street pattern~~

East of the railway bridge, new development should:

- contribute to a new, well-designed, contemporary urban character that provides articulation in building façades, reinforcing a finer grain street pattern; and
- provide a transitional street wall height (maximum one storey higher, but not less than 8m) on sites that are adjacent to Individually Significant heritage properties.
- ~~provide a transitional street wall height on sites that are adjacent to Individually Significant heritage properties and respect the scale and character of the heritage building.~~

West of the railway bridge, new development should provide a street-wall façade height that matches the parapet height of a neighbouring heritage building, where present, for a minimum distance of 6m.

New development on Sackville Street should be setback 3m to accommodate landscaping, or incorporate a high quality public realm treatment into the design of the building to address and improve the amenity of the streetscape.

## Attachment 3 - Post Exhibition DDO15 (track changes included)

## YARRA PLANNING SCHEME

**Upper Level Development Design Requirements**

Upper level development should be designed so that all façades, including side walls, are employ a high standard of architectural design and are well-articulated, and to be read as part of the overall building design and do not detract from the character of the streetscape when viewed from direct and oblique views along either Johnston Street or Sackville sStreetscape.

Upper level development above retained heritage building façades and on sites adjacent to a heritage building should. Within areas, and on individual properties covered by the Heritage Overlay, upper level development should:

- Ensure that heritage facades remain the visually prominent feature within the streetscape when viewed from ground level.
- Be visually recessive in mass, scale and materiality, incorporating materials and finishes that are sympathetic and in keeping with the character of the heritage streetscape.

**Vehicle Access and Car Parking**

New development should be designed to:

- Avoid providing vehicle access from Johnston Street and provide access from a side street or laneway where practical.
- Conceal the provision of car parking within the building or by providing basement car parking.
- Avoid providing recessed parking spaces at the ground floor level of buildings and onsite parking spaces at the front of properties.

**3.0 Subdivision**

~~3.0~~  
C- None specified.

**4.0 Advertising signs**

~~4.0~~  
C- None specified

**5.0 Application requirements**

~~5.0~~  
C- None specified.

**65.0 Decision guidelines**

~~65.0~~  
C- The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The extent to which the proposal satisfies the Design Objectives at Clause 1.0.
- The architectural quality of the proposal, which includes the design, scale, height, materials, mass and visual bulk of the development in relation to the surrounding built form.
- The profile and impact of development on the vista along Johnston Street.
- How the proposal responds to the presence of heritage buildings either on, or in close proximity to the site and whether an increased upper level setback is required having regard to the heritage significance and contributory features of the site.
- The design response at the interface with existing low-scale residential properties and the potential amenity impacts to neighbouring residential properties.

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### Attachment 3 - Post Exhibition DDO15 (track changes included)

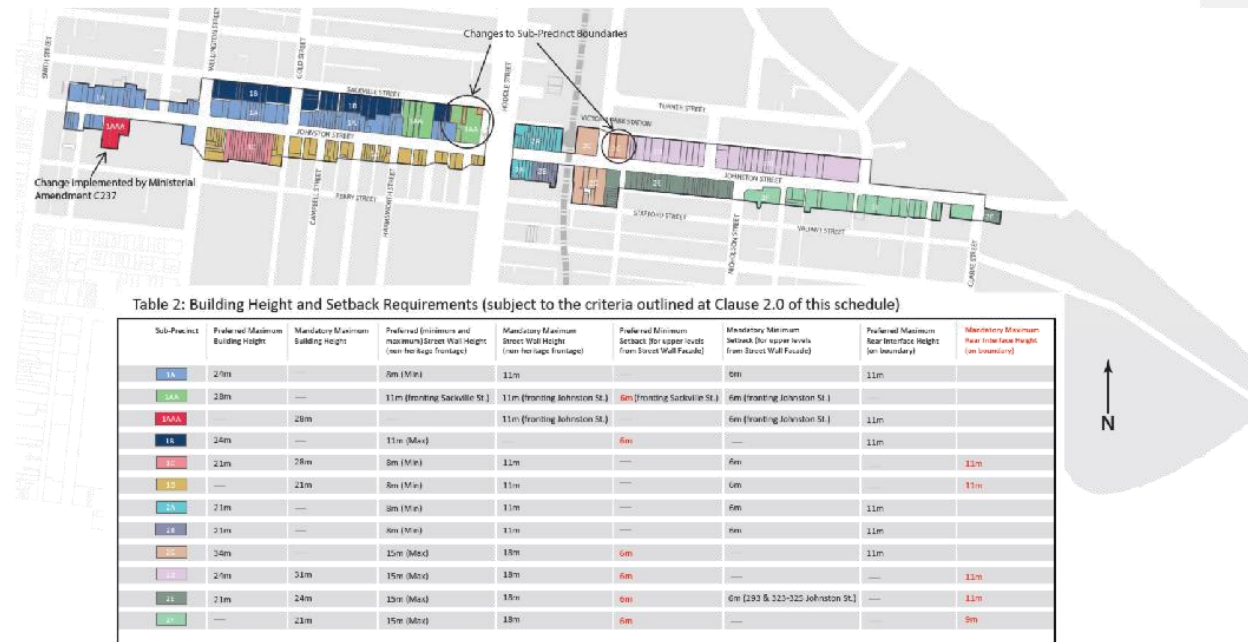
#### YARRA PLANNING SCHEME

- Whether the proposal provides an active street interface to Johnston Street and contributes positively to the pedestrian environment and other areas of the public realm.
- Whether new buildings cause overshadowing of southern side footpaths and public spaces along the south side of Johnston Street when measured 10am to 2pm at the spring equinox (September 22).
- Whether the design of the building addresses the potential for Whether the proposal provides an active street interface to Johnston Street and contributes positively to the pedestrian environment wind impacts.
- The wind impacts of the proposed development.

# Attachment 3 - Post Exhibition DDO15 (track changes included)

## YARRA PLANNING SCHEME

Map 1: Johnston Street Sub-Precincts Plan



## Attachment 4 - Post Exhibition DDO15 (clean version)

## YARRA PLANNING SCHEME

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## SCHEDULE 15 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO15**.

### JOHNSTON STREET ACTIVITY CENTRE

#### 1.0 Design objectives

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C--

- To preserve the valued heritage character of the streetscape and ensure that the predominantly two storey heritage street-wall remains the visually prominent built form of Johnston Street west of the railway line bridge, ensuring that upper levels are visually recessive.
- To ensure that the overall scale and form of new buildings is mid-rise (5 to 10 storeys) and provides a suitable transition to low scale residential areas, protecting surrounding residential properties from unreasonable loss of amenity through visual bulk, overlooking and overshadowing.
- To ensure that new development does not compromise the operation of the state significant Collingwood Arts Precinct from unreasonable loss of amenity through visual bulk, overlooking, overshadowing of open space areas and vehicle access.
- To activate the street edge, provide passive surveillance opportunities and accommodate commercial activity at the lower levels of new development and enhance the public realm through high quality buildings and protect footpaths and public spaces on the southern side of Johnston Street from loss of amenity from overshadowing.
- To provide for equitable development outcomes through built form design that responds to the development opportunities of neighbouring properties, and through the consolidation of finer grain sites.

#### 2.0 Buildings and works

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##### Definitions

**Building height** is measured as the vertical distance between the footpath at the centre of the frontage and the highest point of the building. It does not include architectural features and service equipment including plant rooms, lift overruns, structures associated with green roof areas and other such equipment provided that the following criteria are met for the equipment or structure:

- Less than 50% of the roof area is occupied by the equipment (other than solar panels);
- Any equipment is located in a position on the roof so as to avoid additional overshadowing;
- Any equipment does not extend higher than 3.6 metres above the maximum building height; and
- Any equipment and any screening is integrated into the design of the building to the satisfaction of the Responsible Authority.

**Heritage Building** refers to any building subject to a heritage overlay, graded as either *Contributory* or *Individually Significant*.

**Rear interface** is the rear wall of any proposed building or structure at any level, whether on the property boundary or set back from the property boundary.

**Setback** is the shortest horizontal distance from a building, including projections such as balconies, building services and architectural features, to the property boundary.

**Street wall** is the façade of a building at the street boundary.

**Street wall height** is measured as the vertical distance between the footpath at the centre of the frontage and the highest point of the building at the street edge, with the exception of architectural features.

## Attachment 4 - Post Exhibition DDO15 (clean version)

### YARRA PLANNING SCHEME

**Upper Level Development** refers to the levels of buildings that are above the street wall.

#### **Building Heights and Setbacks (including street-wall height and rear interface Height)**

The maximum building height, street-wall height and minimum setback requirements are set out at Table 2 of this schedule.

A permit must not be granted or amended (unless the amendment would not increase the extent of non-compliance) for buildings and works which exceed the mandatory maximum building height, mandatory maximum street wall height or are less than the mandatory minimum upper level setback for a relevant sub-precinct specified in Table 2 to this Schedule.

A permit may be granted to exceed the preferred maximum building height and/or preferred maximum street-wall height specified in Table 2 if the following criteria are met to the satisfaction of the responsible authority:

- the built form outcome as a result of the proposed variation satisfies the design objectives of Clause 1.0 and the provisions of Clause 21.12-1;
- the proposed building height achieves the preferred future mid rise character within Johnston Street for the sub-precinct;
- the proposal will achieve each of the following:
  - housing for diverse households types, including people with disability, older persons, and families, through the inclusion of varying dwelling sizes and configurations;
  - universal access, and communal and/or private open space provision that exceeds the minimum standards in Clauses 55.07 and 58;
  - excellence for environmental sustainable design measured as a minimum BESS project score of 70% or 5 Star Green Standard;
  - greater building separation than the minimum requirement in this schedule;
  - no additional amenity impacts to residential zoned properties, beyond that which would be generated by a proposal that complies with the preferred building height;
  - for *Heritage Buildings*, the proposed development enhances the heritage fabric of the building (primarily through restoration of the front façade and external features visible from the street).

#### **Building Envelope Requirement**

New development on sites with a north-south orientation fronting either Johnston Street or Sackville Street, should be setback from the front and rear property boundary, as illustrated in Figure 1 and as specified in Table 1.

The front and rear setback/envelope requirements are also illustrated in Figure 1.

In complying with the 45-degree envelope requirement, development should provide incremental setbacks of at least two storeys to avoid repetitive stepped form and 'wedding cake' outcomes.



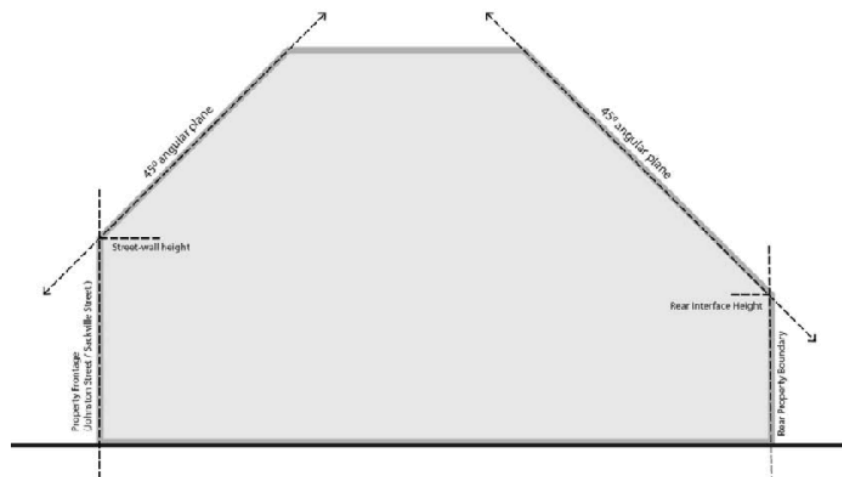
## Attachment 4 - Post Exhibition DDO15 (clean version)

## YARRA PLANNING SCHEME

Table 1: 45° Envelope and Setback Requirements

Sub-precinct	Preferred upper level setback/envelope from property frontage (measured as the distance above ground level as specified below)	Preferred Minimum setback/envelope from rear property boundary (measured from 11m above ground level, above 9m for 2F)
1A	45° above 11m	4.5m
1AA	45° above 11m	4.5m
1AAA	45° above 11m	4.5m
1B	45° above 11m	4.5m
1C	45° above 11m	45°
1D	45° above 11m	45°
2A	45° above 11m	4.5m
2B	45° above 11m	4.5m
2C	45° above 18m	4.5m / 45° (Stafford Street)
2D	45° above 18m	45°
2E	45° above 18m	45°
2F	45° above 18m	45° above 9m

Figure 1 – Building Envelope Requirement

**Building Separation Requirement**

An application for development should provide a design response that considers the future development opportunities of adjacent properties in terms of outlook, daylight and solar access to windows, as well as managing visual bulk.

Where development shares a common boundary, upper level development should:

- be set back a minimum of 4.5m from the common boundary where a habitable room window is proposed

## Attachment 4 - Post Exhibition DDO15 (clean version)

### YARRA PLANNING SCHEME

- be set back a minimum of 3m from the common boundary where a non-habitable room window or commercial window is proposed.

Where the common boundary is a laneway, the setback is measured from the centre of the laneway.

Development above 21m should provide an appropriate side setback to provide spacing between buildings in order to maintain views to the sky from Johnston and Sackville Streets and from residential properties adjacent to the development.

#### Corner Site Requirements

New development on a corner site (a site with a frontage to a side street) should:

- continue the street wall height established at the primary frontage with a transition in height to match the rear interface where required.
- upper level development along the side street of a corner site should be setback a minimum of 3m.

#### Overshadowing and Solar Access Requirements

New development must not overshadow the southern footpath of Johnston Street, measured as 3.0m from the boundary of Johnston Street, between 10am and 2pm at September 22. A permit cannot be granted to vary this requirement.

Development in Sub-Precincts 1C, 1D, 2C, 2E and 2F should be designed to avoid additional overshadowing of residential zoned properties to the south measured from 10am to 2pm at the equinox (September 22).

#### Street Frontage Requirements

New development should:

- be built to the front property boundary on in-fill (non-heritage) sites along Johnston Street and Sackville street.
- ensure that heritage facades remain the visually prominent feature in the streetscape.
- address the primary street frontage and, where heritage elements are not a constraint, incorporate design elements that contribute to the provision of a continuous, visible and active frontage at ground level.
- provide passive surveillance and active/visually interesting interface(s) with the public realm, areas of public open space and public transport stops.
- be designed to accommodate commercial activity at the lowest two levels incorporating floor to floor heights suitable for commercial activity of at least 4m, where heritage elements are not a constraint.
- be designed to locate service entries/access doors away from the primary street frontage, or where not possible, be sensitively designed to integrate into the façade of the building.

East of the railway bridge, new development should:

- contribute to a new, well-designed, contemporary urban character that provides articulation in building façades, reinforcing a finer grain street pattern; and
- provide a transitional street wall height (maximum one storey higher, but not less than 8m) on sites that are adjacent to Individually Significant heritage properties.

West of the railway bridge, new development should provide a street-wall façade height that matches the parapet height of a neighbouring heritage building, where present, for a minimum distance of 6m.

#### Upper Level Design Requirements

Upper level development should be designed so that all façades, including side walls, employ a high standard of architectural design and are well-articulated, to be read as part of the overall building design and do not detract from the character of the streetscape when viewed from direct and oblique views along either Johnston Street or Sackville Street.

## Attachment 4 - Post Exhibition DDO15 (clean version)

## YARRA PLANNING SCHEME

- Upper level development above retained heritage building façades and on sites adjacent to a heritage building should ensure that heritage facades remain the visually prominent feature within the streetscape when viewed from ground level.
- Be visually recessive in mass, scale and materiality, incorporating materials and finishes that are sympathetic and in keeping with the character of the heritage streetscape.

**Vehicle Access and Car Parking**

New development should be designed to:

- Avoid providing vehicle access from Johnston Street and provide access from a side street or laneway where practical.
- Conceal the provision of car parking within the building or by providing basement car parking.
- Avoid providing recessed parking spaces at the ground floor level of buildings and onsite parking spaces at the front of properties.

**3.0 Subdivision**

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None specified.

**4.0 Advertising signs**

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None specified

**5.0 Application requirements**

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None specified.

**6.0 Decision guidelines**

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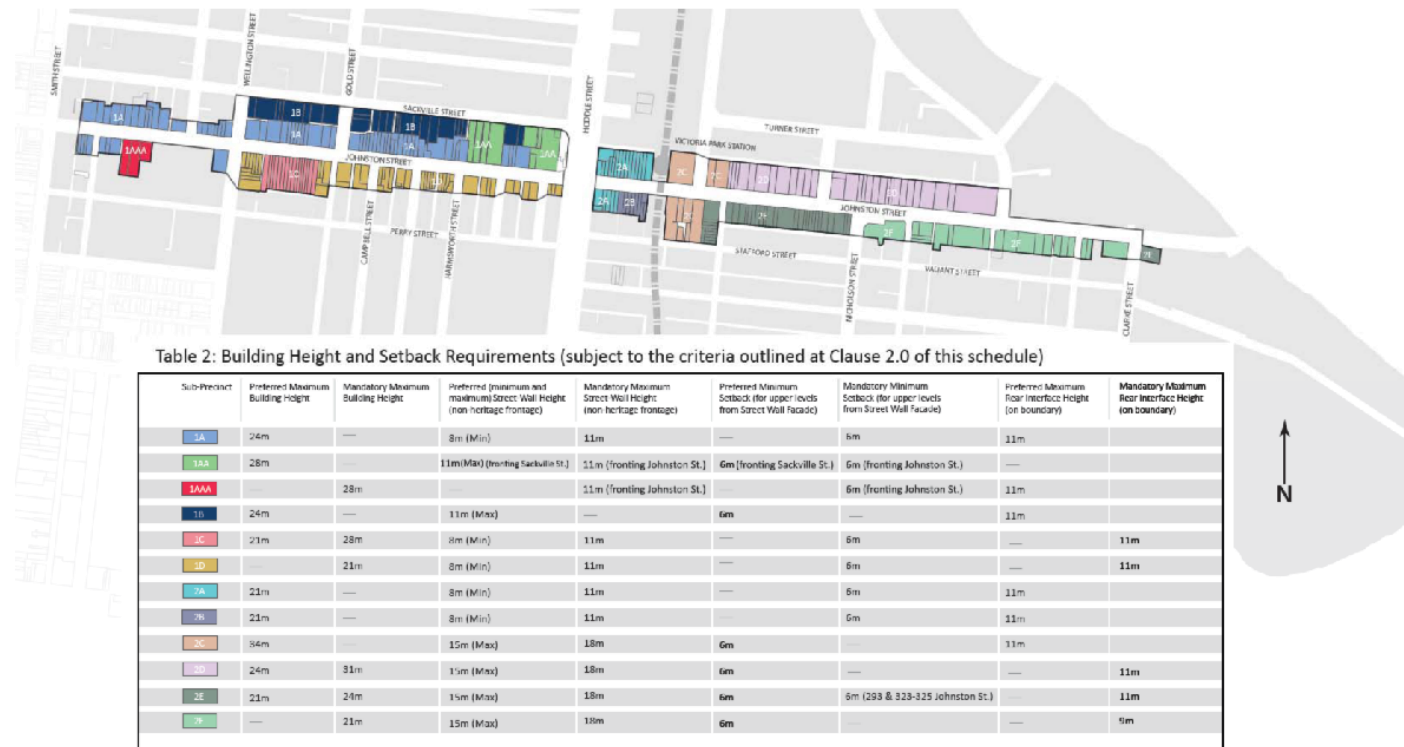
The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The extent to which the proposal satisfies the Design Objectives at Clause 1.0.
- The architectural quality of the proposal, which includes the design, scale, height, materials, mass and visual bulk of the development in relation to the surrounding built form.
- The profile and impact of development on the vista along Johnston Street.
- How the proposal responds to the presence of heritage buildings either on, or in close proximity to the site and whether an increased upper level setback is required having regard to the heritage significance and contributory features of the site.
- The design response at the interface with existing low-scale residential properties and the potential amenity impacts to neighbouring residential properties.
- Whether the proposal provides an active street interface to Johnston Street and contributes positively to the pedestrian environment and other areas of the public realm.
- The wind impacts of the proposed development.

Attachment 4 - Post Exhibition DDO15 (clean version)

YARRA PLANNING SCHEME

Map 1: Johnston Street Sub-Precincts Plan



## Attachment 5 - Clause 21 Policy

## YARRA PLANNING SCHEME

## 21.12 LOCAL AREAS

21.12-1  
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This Clause focuses on the local area implementation of the objectives and strategies set out in the MSS. Each Section relates to a particular precinct within the municipality and should be read in conjunction with the rest of the Municipal Strategic Statement and not in isolation.

The sections are organised under the Local Area headings.

## 21.12-1 Johnston Street Activity Centre (east of Smith Street)

21.12-1  
C--

This policy applies to the section of Johnston Street (and Sackville Street) in Collingwood and Abbotsford, shown on Map 1 to this schedule, extending east from Smith Street through to the Yarra River, which is characterised by a range of commercial activities including a mix of service industries, offices, artist studios, galleries, retail, cafés and bars. Higher density residential uses are starting to emerge within the Commercial 1 Zone and this trend is expected to continue.

## Vision

Johnston Street will continue to evolve into a vibrant activity centre that serves the day to day needs of the local community whilst supporting employment, business and creative opportunities. The area will accommodate a diverse and growing population, well connected by sustainable forms of transport, with activity focussed around Victoria Park Station.

High quality corner buildings at the intersection of Johnston and Hoddle Streets will create a point of entry into Precincts 1 and 2, complemented by streetscape improvements.

Table 1 – Precinct Vision Statements

Precinct	Precinct Vision Statement
Precinct 1: Johnston Street Central	<p>The celebrated Victorian and Edwardian-era heritage character will remain the prominent feature of the streetscape west of Hoddle Street, with taller built form set back from the street edge to provide separation between the heritage streetscape and newer built form.</p> <p>Precinct 1 will continue to become a vibrant, mixed-use precinct which comprises medium scale (mid-rise) buildings that contribute positively to the active footpaths of Johnston Street. New buildings will respect the heritage qualities of the precinct and reinforce a consistent street edge through generous building setbacks from the street-wall.</p> <p><del>The</del>A mix of uses along Johnston Street will include including retail shops, offices, cafés and gallery/studio spaces <del>will that</del> provide activity and visual engagement for people on the street.</p>
Precinct 2: Johnston Street East	<p>The celebrated Victorian and Edwardian-era heritage character will remain the prominent feature of the streetscape between Hoddle Street and the railway line, with taller built form set back from the street edge to provide separation between the heritage streetscape and newer built form.</p> <p>East of the railway line bridge at Victoria Park Station, a more prominent, well-designed and contemporary built form character will emerge with well-designed buildings with well-activated ground floor frontages and articulated façades to break up the mass of buildings. Taller built form will be appropriately set back from the main façades.</p> <p>The vibrant mixed-use strip will link Hoddle Street to Victoria Park Station and through to the Yarra River and associated activities of the Abbotsford Convent and Collingwood Children's Farm.</p>

## Attachment 5 - Clause 21 Policy

## YARRA PLANNING SCHEME

	A vibrant hub of shops, residential, commercial and entertainment activities, cafes and bars will contribute to the lively street environment, particularly around the train station entrance.
--	--

**Local area implementation**

Ensure that any proposed use or development within the Johnston Street Activity Centre is generally consistent with the following policy objectives:

**Land Use and Character***Heritage Character*

- Protect the celebrated Victorian and Edwardian-era heritage streetscape character of Johnston Street as a significant part of its urban fabric, where the Heritage Overlay is present.
- Encourage the sensitive, adaptive re-use and restoration of heritage buildings.

*Commercial and Creative Industries*

- Promote Johnston Street [and Sackville Street](#) as a sustainable and economically viable activity centre.
- Foster new business opportunities and facilitate spaces for creative industries [along Johnston Street and Sackville Street](#).
- Strengthen the role of Johnston Street in providing employment and business opportunities.
- Foster and support education, arts and community based activities at 35 Johnston Street (Collingwood Arts Precinct).
- Encourage commercial uses at the lower levels of new development in addition to ground floor commercial uses.

*Population and Mix of Uses*

- Accommodate a growing population by integrating higher density residential and commercial uses as part of new mixed use developments.
- Provide a range of retail, entertainment and services that cater for local residents [along Johnston Street](#).
- Encourage land uses that generate street activity and increase pedestrian engagement [along Johnston Street](#).
- Discourage residential activity at the ground floor of new or existing buildings.

**Access and Amenity**

- Facilitate development close to Victoria Park Station that enhances the role and function of the station.
- Provide active interfaces and passive surveillance of public spaces, as part of new development close to [the Victoria Park station and public transport stops](#).
- Reinforce connections and access to public transport stops and [Victoria Park stations](#) through well designed ground floor frontages, accommodating active uses.
- Improve pedestrian amenity along the length of Johnston Street and adjoining side streets through well-designed ground floor frontages, accommodating active uses.
- Improve interfaces along the southern side of Sackville Street through improved building design and/or landscape treatments.
- Minimise potential conflicts between residential amenity and commercial uses.
- Limit vehicle access to new development from Johnston Street and discourage car parking in developments that only have access from Johnston Street.
- Encourage sustainable transport measures in new development.

## Attachment 5 - Clause 21 Policy

### YARRA PLANNING SCHEME

#### Equitable Development

- Ensure that new development considers the future development opportunities of adjacent properties.
- Encourage consolidation of finer grain sites to achieve more efficient and equitable built form outcomes.
- Ensure that built form is spaced appropriately at the upper levels to maintain views to the sky from [the street and](#) adjacent residential areas.

#### Reference Documents

*Johnston Street Local Area Plan – December, 2015*

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## Attachment 5 - Clause 21 Policy

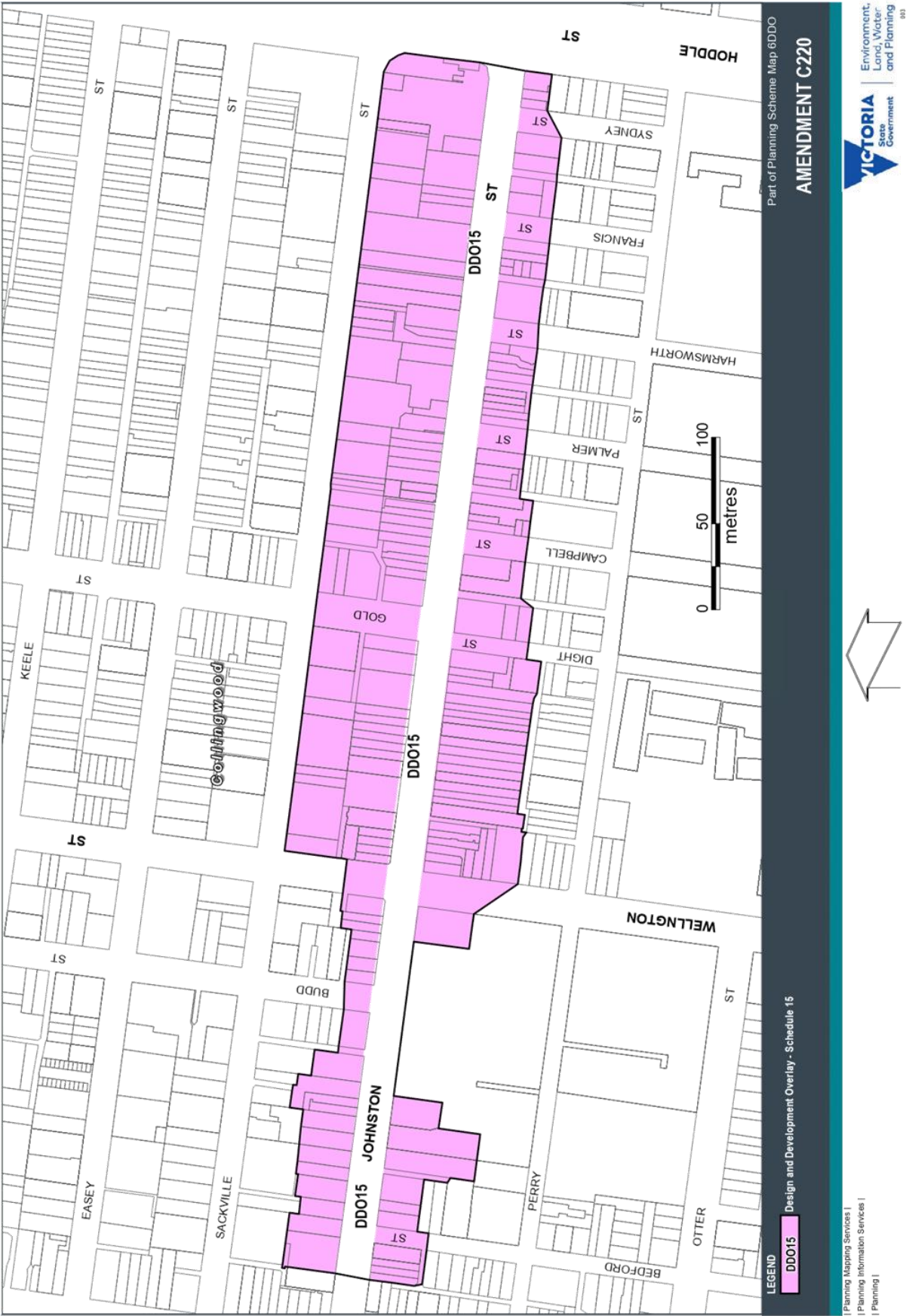
### YARRA PLANNING SCHEME

**Map 1 – Johnston Street Local Area Plan (Precincts 1 and 2)**

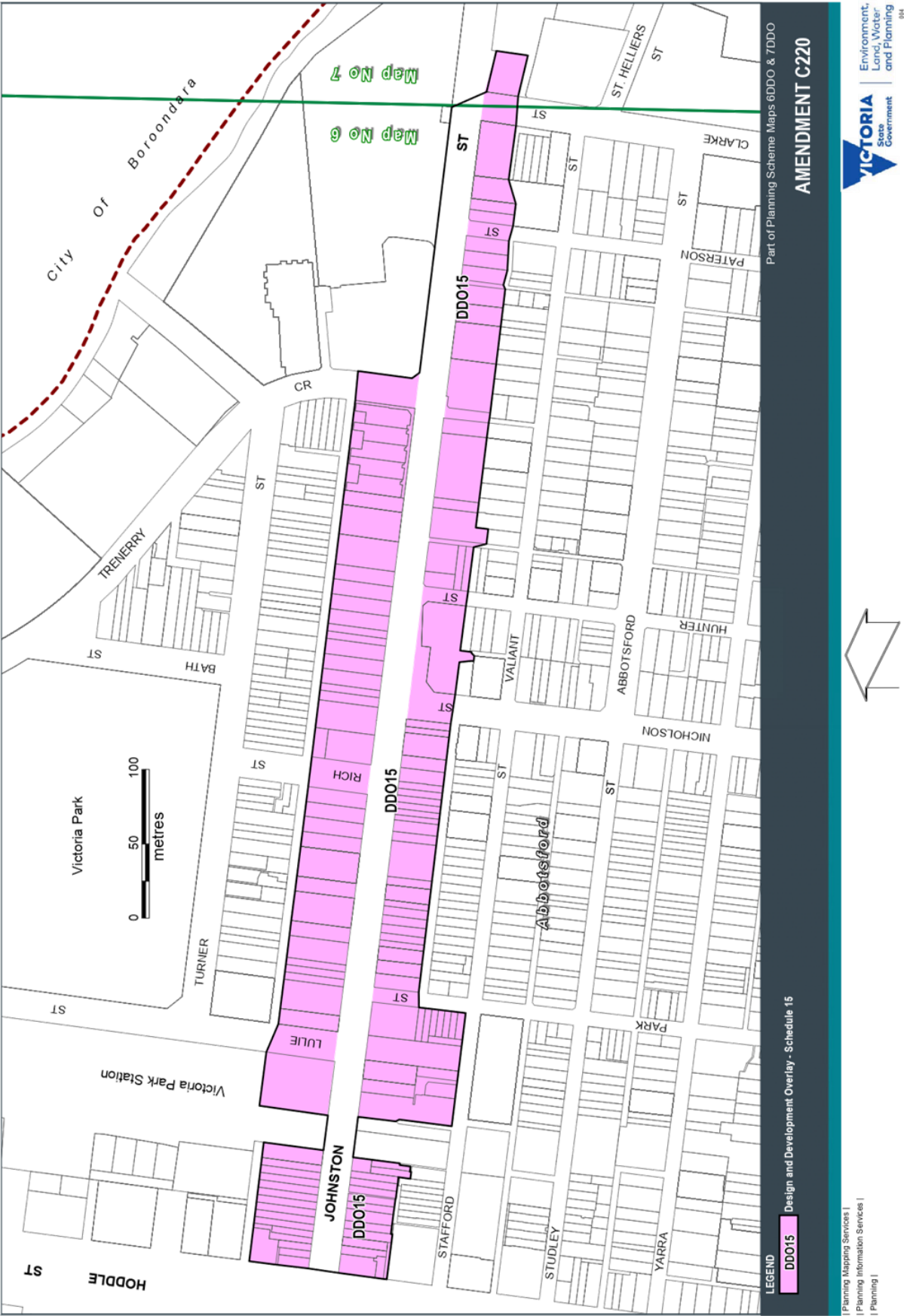




Attachment 6 - Map



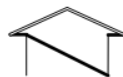
Attachment 6 - Map



# Attachment 6 - Map



| Planning Mapping Services |  
| Planning Information Services |  
| Planning |



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# The role of mandatory provisions in planning schemes

Planning Practice Note | 59

JUNE 2015

The purpose of this practice note is to set out criteria that can be used to decide whether mandatory provisions may be appropriate in planning schemes.

## Introduction

Planning schemes based on the *Victoria Planning Provisions* (VPP) are predominantly performance based. Planning schemes specify the objective that needs to be achieved and provide a degree of freedom on how it is achieved.

Performance based schemes require a judgement. The decision maker must undertake an assessment of the proposal and decide whether the proposal meets the relevant planning objectives or achieves an appropriate balance between competing planning policies.

A performance based planning scheme is able to accommodate variation, innovation, unforeseen uses and development or circumstances peculiar to a particular application to produce results beneficial to the community.

Mandatory provisions in the VPP are the exception. The VPP process is primarily based on the principle that there should be discretion for most developments and that applications are to be tested against objectives and performance outcomes rather than merely prescriptive mandatory requirements.

Nevertheless, there will be circumstances where a mandatory provision will provide certainty and ensure a preferable and efficient outcome. Although these circumstances cannot be common practice, they may include areas of high heritage value, strong and consistent character themes, or sensitive environmental locations such as along the coast.

A balance must be struck between the benefits of a mandatory provision in the achievement of an objective against any resulting loss of opportunity for flexibility in achieving the objective.

## What is a mandatory provision?

A *mandatory provision* is a requirement or control that must be met and provides for no opportunity to vary the requirement.

A *performance based provision* provides for flexibility in the approaches or variation in the measure to achieve the required outcome.



## Attachment 7 - Planning Practice Notes 59 to 60

### When are mandatory provisions appropriate?

Mandatory provisions usually specify a maximum or a minimum built form requirement. The majority of mandatory provisions requested by councils are for building height controls, however they can also relate to such matters as:

- site coverage
- plot ratio
- setbacks to buildings
- lot sizes
- open space areas
- sight lines.

Mandatory provisions will only be considered in circumstances where it can be clearly demonstrated that discretionary provisions are insufficient to achieve desired outcomes.

The criteria below should be used to assess whether or not the benefits of any proposed mandatory provision outweigh any loss of opportunity and the flexibility inherent in a performance based system.

- **Is the mandatory provision strategically supported?**
  - Does the proposed measure have a sound strategic basis having regard to the planning objective to be achieved and the planning policy framework generally?
  - Does the proposed mandatory measure clearly implement a policy or achieve an objective rather than just being a prescriptive tool?
- **Is the mandatory provision appropriate to the majority of proposals?**
  - Has the scope of the proposed mandatory provision been carefully considered to ensure that it will be appropriate in the vast majority of cases to limit the unnecessary loss of the flexibility and opportunity available in a performance based system?
  - Will the considered application of planning policy to be implemented by the proposed measure lead to the outcome prescribed by the measure in the vast majority of cases or is it merely one of a number of possible outcomes?

- **Does the mandatory provision provide for the preferred outcome?**
  - Does a proposed mandatory provision resolve divergent opinions within the community as to a preferred outcome when a consistent outcome is necessary?
  - Does a proposed mandatory provision avoid the risk of adverse outcomes in circumstances where there is likely to be constant pressure for development inconsistent with planning policy?
  - Is there real evidence of development exceeding the proposed control?
- **Will the majority of proposals not in accordance with the mandatory provision be clearly unacceptable?**
  - Will the majority of proposals not in accordance with the requirements fail to meet the objectives of the control?
  - Will the majority of proposals not in accordance with the requirements lead to unacceptable planning outcomes?
- **Will the mandatory provision reduce administrative costs?**
  - Will the proposed mandatory provision reduce costs imposed on councils, applicants and the community to the extent that it significantly outweighs the benefit of a performance based provision?

### How to write mandatory requirements in planning schemes

In writing a mandatory provision, it is important that the provision should:

- implement an objective
- be clear in its intent to users
- be able to achieve consistent and predictable results
- be as measurable as possible using a quantifiable measure
- be expressed in plain English using common terms.

The Design and Development Overlay is the most appropriate tool for the expression of mandatory built form requirements. Opportunities may also exist in some other zones and overlays to mandate controls.



## Attachment 7 - Planning Practice Notes 59 to 60

### Local policy and mandatory requirements

A local planning policy is not a control. Local planning policies have a defined role to guide the exercise of discretion created by a zone, overlay or particular provision.

Local planning policy cannot remove the discretion under the relevant planning control that triggers its consideration. Mandatory requirements cannot be included in local planning policy as to do so would remove the very discretion created by the planning provision. Hence mandatory requirements must be in a zone or overlay.

It is not uncommon for planning provisions in zones, overlays and in planning policy to prescribe preferred building heights. These provisions are not mandatory. But, at times, these provisions are mistakenly considered by councils and the community as mandatory requirements. Consequently this leads to the view that the controls or policy have been disregarded. It is desirable that the use and language of discretionary controls be clearly expressed and also be subject to a rigorous strategic assessment.

### Further reading

Proposals for mandatory provisions have been dealt with by Planning Panels Victoria in numerous reports. Helpful panel reports include:

- Bayside Planning Scheme Amendment C2
- Stonnington Planning Scheme Amendment C58
- Port Phillip Planning Scheme Amendment C52
- Queenscliffe Planning Scheme Amendment C7
- Melbourne Planning Scheme Amendment C20
- Hobsons Bay Planning Scheme Amendment C11.

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# Height and setback controls for activity centres

Planning Practice Note | 60

JUNE 2015

This practice note provides guidance on the department's preferred approach to the application of height and setback controls for activity centres.

This practice note supersedes Practice Note 60: Height and setback controls for activity centres dated April 2010.

## Activity centres

Activity centres are a focus for commercial, retailing, employment, community, transport, entertainment and other services, and are places where people shop, work, meet, relax and live. State planning policy directs the further expansion of these services within activity centres, and recognises that activity centres are ideally placed to provide for growth in household numbers. As such, activity centres are a major focus for change in metropolitan Melbourne.

A key strategy of metropolitan development policy in the Victoria Planning Provisions (VPP) is to build up activity centres as a focus for housing and economic growth by ensuring Metropolitan Activity Centres and Activity Centres:

- can accommodate ongoing investment and change in retail, office, service and residential markets
- have a mix of activities that generate high numbers of trips including business, retail, services and entertainment
- have the potential to grow sustainably and support intensive housing developments without conflicting with surrounding land-uses
- provide for services and infrastructure to support population growth
- identify areas for urban renewal.

The Activity Centre Zone (ACZ) is the preferred tool to guide and facilitate the use and development of land in an activity centre. The schedule to the zone is the Development Framework, which can be tailored to the individual needs of the relevant activity centre.

## Attachment 7 - Planning Practice Notes 59 to 60

### The role of height and setback controls in activity centres

Change in and around activity centres is anticipated and encouraged by state planning policy but needs to be managed appropriately. This will ensure that new development maintains amenity, and integrates with existing land-uses and built forms. State policy seeks to manage change in and around activity centres through structure planning.

Structure planning is the process of developing a framework for the integrated development of an activity centre and surrounds. Structure plans provide the foundation for activity centre change by clarifying preferred directions for future growth and articulating how this change will be managed.

As part of this process, structure plans may propose preferred built form outcomes including minimum or maximum building heights and setbacks. Height and setback controls can be appropriate so long as they are not aimed at restricting the built form, but at facilitating good design outcomes. Clarification of when it is appropriate to use height and setback controls is provided below.

### Appropriate use of height and setback controls

Proposed height and setback controls, whether maximum or minimum, must be soundly based on the outcomes of strategic research that includes a **comprehensive built form analysis** that is **consistent with State policy**.

### Comprehensive built form analysis

A council will need to demonstrate that proposed height controls are based on identifiable objectives or outcomes. Proposed height controls must be selected through a comprehensive built form analysis that achieves the following:

- identifies significant opportunities for change within an activity centre
- explores alternative built form objectives and outcomes to accommodate this change. This should include an analysis of visual and amenity impacts
- selects appropriate heights and built form outcomes at a precinct level through evaluation of built form objectives, land use outcomes and economic growth consistent with State policy.

A comprehensive built form analysis should be completed as part of the structure planning process.

### Consistency with State policy

A council will need to demonstrate that proposed height controls are consistent with State policy. Height controls must not encumber a centre's ability to accommodate community requirements for retail, commercial, housing, community, health, educational and other essential requirements, as consistent with the metropolitan development policy in the *Victoria Planning Provisions*.

### Form of height and setback controls

The application of discretionary controls, combined with clear design objectives is the preferred form of height and setback controls. Discretionary controls are more likely to facilitate appropriate built form outcomes than mandatory controls by providing more flexibility to accommodate contextual variations and innovative design. This preferred form of height control has been supported through a number of planning panels, more so than mandatory controls.

When appropriate maximum and minimum height and setback controls are identified, they should be included in the relevant planning scheme as discretionary controls with clear design objectives.

Mandatory height and setback controls (that is, controls that cannot be exceeded under any circumstance) will only be considered in exceptional circumstances.

### Exceptional circumstances

Exceptional circumstances may be identified for individual locations or specific and confined precincts, and might include:

- sensitive coastal environments where exceeding an identified height limit will unreasonably detract from the significance of the coastal environment
- significant landscape precincts such as natural waterways, regional parks and areas where dense tree canopies are the dominant feature
- significant heritage places where other controls are demonstrated to be inadequate to protect unique heritage values



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- sites of recognised State significance where building heights can be shown to add to the significance of the place, for example views to the Shrine of Remembrance and major waterways
- helicopter and aeroplane flight paths and other aeronautical needs.

Even where exceptional circumstances are identified, mandatory height and setback controls should only be applied where they are absolutely necessary to achieve the built form objectives or outcomes identified from the comprehensive built form analysis. Where mandatory controls are proposed, it will need to be demonstrated that discretionary controls could result in an unacceptable built form outcome.

Where identified, it is more than likely that exceptional circumstances will apply to particular sections of an activity centre and not the entire activity centre. In some situations, it may be appropriate to include a mix of discretionary and mandatory height and setback controls over one precinct.

Where blanket mandatory height and setback controls are proposed over most or the entire activity centre, rigorous strategic justification has to be provided. The level of strategic work required is:

- a Housing Strategy which examines the city's future housing needs and the role of activity centres (including neighbourhood centres) in accommodating these needs
- an activity centre/economic strategy which examines the role of the centre as part of a network of centres
- an analysis of the capacity and constraints of each centre where planning controls are proposed
- a comprehensive built form analysis of each centre where planning controls are proposed
- identification and analysis of key sites within each centre which can accommodate more intense development when compared with the remainder of the centre.

### Statutory implementation of height and setback controls

The Activity Centre Zone (ACZ) is the preferred tool to guide and facilitate the use and development of land in an activity centre.

In most instances, height and setback controls would be applied at the precinct level within the Activity Centre Zone schedule.

The Design and Development Overlay (DDO) is the preferred planning instrument for implementing discretionary and mandatory building heights and setbacks on an interim basis or at neighbourhood centres.

The design objectives and decision guidelines contained within the ACZ or DDO must be well structured and carefully worded to provide clear guidance to both decision makers and designers. This will ensure that any proposal to depart from the nominated heights and setbacks will be able to be rigorously assessed against a clear set of criteria, thereby minimising the likelihood of approval of a proposal which does not implement the design objectives of the ACZ or DDO.

The preferred expression of heights and setbacks is in metres and should be in reference to a defined point such as the footpath at the frontage or Australian Height Datum. If height is measured in terms of storeys, this should be expressed in relation to a preferred height provision of metres as well.

### Planning publications

The following publications provide best practice guidance on planning for new urban communities, statutory planning processes and drafting statutory documents (as relevant).

#### Planning for urban communities

- Ministerial Direction No. 9 Metropolitan Strategy
- *Guidelines for Higher Density Residential Development* (Department of Sustainability and Environment 2004)
- *Activity Centre Design Guidelines* (Department of Sustainability and Environment 2005)
- *Safer Design Guidelines* (Department of Sustainability and Environment 2005)
- *Public Transport Guidelines for Land Use and Development* (Department of Transport 2008)

## Attachment 7 - Planning Practice Notes 59 to 60

- *Victorian Cycling Strategy* (VicRoads 2009)
- *Structure Planning for Activity Centres Practice Note 58* (Department of Environment, Land, Water and Planning 2015)
- *Assessment and Response to the Report of the Advisory Committee on Activity Centre Boundaries* (Minister for Planning June 2009)
- *Activity Centre Zone Practice Note 56* (Department of Environment, Land, Water and Planning June 2015)

### Further information

All practice and advisory notes are available on the department's website:

[www.delwp.vic.gov.au/planning/publications](http://www.delwp.vic.gov.au/planning/publications)

Further information in relation to planning for activity centres is available on the department's website: [www.delwp.vic.gov.au/planning](http://www.delwp.vic.gov.au/planning)

### Statutory planning processes

- *Using Victoria's Planning System* (Department of Environment, Land, Water and Planning)
- *Planning Practice Note 46: Strategic Assessment Guidelines* (Department of Environment, Land, Water & Planning 2015)

### Using VPP tools and statutory drafting

- *Writing Schedules VPP Practice Note* (Department of Infrastructure 2000)
- *Planning Practice Note 13: Incorporated and Reference Documents* (Department of Environment, Land, Water & Planning 2015)

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**11.3 Draft Access & Inclusion Strategy and Draft Active Healthy Ageing Strategy**

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## **Executive Summary**

### **Purpose**

To present to Council the:

- (a) Draft Active & Healthy Ageing Strategy 2018 - 2024;
- (b) Draft Access & Inclusion Strategy 2018 - 2024;
- (c) The first of two year draft Action Plans to be included with each draft Strategy; and
- (d) Seek endorsement to place the draft strategies and action plans on public exhibition and seek additional feedback, prior to final adoption by Council in October 2018.

### **Key Issues**

Council is committed to supporting older residents and people with disability to live full and active lives. Older people and people with disability are a significant part of Yarra's diverse population and make an important contribution to our community.

The development of strategies and action plans that respond to the needs of citizens and identify how Council will work with the community is an important demonstration of this commitment.

### **Financial Implications**

The development of the draft strategies and action plans has been undertaken in-house and through existing budget allocations.

The draft actions across 2018 – 2020 are funded primarily from within existing resources, reflecting the current budget cycle and the need to clarify future directions under the national aged care reforms. It is proposed to explore funding opportunities external to Council in some instances and propose new initiatives within the 2019 – 2020 budget.

### **PROPOSAL**

It is proposed that Council endorse the draft Strategies and Action Plans to be placed on public exhibition for a four week period. Following the completion of the exhibition, final submissions, together with any proposed changes to the draft strategies and action plans will be presented to Council for final adoption on 16 October 2018.

## 11.3 Draft Access & Inclusion Strategy and Draft Active Healthy Ageing Strategy

Trim Record Number: D18/129798

Responsible Officer: Manager Aged and Disability Services

### Purpose

1. To present to Council the:
  - (a) Draft Active & Healthy Ageing Strategy 2018 - 2024;
  - (b) Draft Access & Inclusion Strategy 2018 - 2024; and
  - (c) The first of two year draft Action Plans to be included with each draft Strategy.

### Background

2. Council plays a special role in supporting older residents and people with disability to live full and active lives. Older people and people with disability are a significant part of Yarra's diverse population and make an important contribution to our community.
3. According to the 2016 Census, 24.7% of Yarra's population was aged over 50 years and 11% was aged over 65 years.
4. It is estimated that 14.8% of Yarra residents (almost 14,000 people) have a disability. Of those people, more than 3,000 residents reported needing help with their day-to-day lives.
5. The draft Active & Healthy Ageing Strategy 2018-2024 (AHA Strategy) and the draft Access and Inclusion Strategy 2018-2024 (A&I Strategy) will provide direction to Council over the next six years to reduce barriers and increase opportunities for people to participate in the life of their community.
6. The draft strategies and action plans have been developed within the following context:
  - (a) In 2016, Council signed the Municipal Association of Victoria's "Age-Friendly Victoria Declaration". The declaration commits to better planning for the creation of age-friendly communities and is underpinned by the World Health Organisation's "Global Age-Friendly Cities Guide";
  - (b) Local government plays a key role in supporting people with a disability to be involved in civic life, including decision making processes and finding employment in local government. All Victorian councils are required under the *Victorian Disability Act (2006)* to develop a strategy and action plan for how they will achieve this; and
  - (c) The social reforms of the National Disability Insurance Scheme (NDIS) and My Aged Care (MAC) have a significant impact on the role of local government in supporting people with disability and older residents. In light of the NDIS and MAC reforms, Council is reviewing its role in service delivery, and this may in turn influence the focus Council has on creating an accessible and inclusive Yarra.
7. The reforms will impact on Council's direct involvement in providing services for individual older residents and residents with disability. Council maintains a key role in planning; facilitation; community development and taking direct action relating to improving local infrastructure, and building the capacity of the community.
8. It is accepted that strong social connections and neighbourhood engagement are important to living well, and the draft strategies identify these areas as a priority for Council regardless of any changes to service delivery. The development of the draft strategies at this time has provided the opportunity for Council to review its role in supporting older residents and people with disability to live well in Yarra, and where and how it invests its resources into the future.
9. The key steps in the development of the draft strategies include:
  - (a) Review of previous strategies (achievements; strengths; outstanding issues);

- (b) Development of Background & Issues Papers;
- (c) Community, client, service provider and internal staff consultations;
- (d) Analysis of consultation outcomes; policy environment review (including alignment to aged and disability care reforms);
- (e) Preparation and endorsement of draft strategies and actions plans; and
- (f) Final public exhibition, consideration of any submissions and adoption by Council.

Active & Healthy Ageing - Age Friendly City approach

- 10. Under the Local Government Act 2010, Council has an important role in influencing community well-being and facilitating healthy, just and inclusive communities. Council planning, practices, policies and actions have a direct impact on how people live across all ages.
- 11. Council has a significant investment in supporting older people with a history of involvement with senior citizens centres, neighbourhood houses, community transport, meals, home and community care services, socialisation activities, recreation facility provision and programs, and support for clubs and organisations.
- 12. In 2016, the Commissioner for Senior Victorians released “Ageing is Everyone’s Business: A report on isolation and loneliness among senior Victorians”. The report examines the causes for loneliness and social isolation amongst older people, and proposes opportunities for tackling the problems with a joined-up approach. The report contends that local government has a “vital role as an enabler” of joined-up local community responses to isolation and loneliness and connecting local needs with local resources such as volunteering, use of venues and coordination support.
- 13. In 2016, Council signed the Municipal Association of Victoria’s “Age-Friendly Victoria Declaration”. The declaration commits to better planning for the creation of age-friendly communities and is underpinned by the World Health Organisation’s (WHO) “Global Age-Friendly Cities Guide”.
- 14. An age-friendly community is one that values the contribution of people 50+, and enables citizens to actively participate in all aspects of community life. In particular, an age-friendly city ensures people 50+ are free from age-related barriers that prevent community participation.
- 15. Age Friendly cities foster opportunities for older people to enjoy social and economic participation, good health, and a sense of belonging and contributing. To achieve this, partnerships between older people and government, community organisations, businesses, services and other agencies are critical in building the fabric of an Age Friendly City.

Access & Inclusion - a Social Model Approach

- 16. Australia has been a signatory to the United Nations Assembly *Convention on Human Rights of Persons with Disabilities (2006)* since 2008: The UN Convention affirms the right of all people with disability to an adequate standard of living and it guarantees equality, dignity, and liberty, and full and equal access to justice, education, quality healthcare and to participation in public and cultural life.
- 17. The principles of the UN Convention are reflected in the *Victorian Charter of Human Rights and Responsibilities Act (2006)* which provides a set of rights, freedoms and responsibilities that governments must observe when creating laws, public policy or delivering services.
- 18. As a public authority, Council is required and is committed to demonstrate that it has properly considered human rights in all its decisions when making laws, developing policy and providing services.
- 19. Local government plays a key role in supporting people with a disability to be involved in civic life, including decision making processes and finding employment in local government.
- 20. A Disability Action Plan is required (*Victorian Disability Act 2006*) to be developed by all Victorian Councils for the purpose of:

- (a) Reducing barriers for persons with disabilities accessing information, goods, services and facilities;
- (b) Reducing barriers to persons with disabilities obtaining or maintaining employment;
- (c) Promoting inclusion and participation in the community; and
- (d) Achieving tangible changes in attitudes and practices that discriminate against persons with disabilities.

### **External Consultation**

21. The development of the draft strategies and action plans has been informed by the outcomes of an extensive community consultation process. The process and outcomes of the consultation was presented at the Councillor Briefing on 18 June 2018.

#### Living Well in Yarra Consultation

22. Living Well in Yarra utilised a variety of consultation processes to ensure a broad range of participation. Consultation occurred in a mix of formats and a multitude of locations throughout Yarra. On completion of the consultation stage, the following had been undertaken:

- (a) 252 individual surveys completed; two public forums; 12 workshops;
- (b) Seven pop up sessions/on-site visits (distribution of surveys); and
- (c) Consultation and survey details distributed to over 20 organisations and networks.

23. Members of the Active Ageing Advisory Committee (AAAG) and Disability Advisory Committee (DAC) participated through-out the development process providing advice and attending/participating in various consultations, including providing input and reviewing the draft strategies and action plans.

#### Active Ageing Advisory Group – Final feedback on draft A & HA Action Plan

24. Members of the AAAG provided written and verbal feedback on the draft Action Plan at its last meeting held on 9 August 2018 (AAAG had previously reviewed and endorsed the Strategy). This has resulted in the following additions to the draft Action Plan:

- (a) change terminology under Action 3.3.1, with removal of term 'frail aged'; and
- (b) Additional Outcome Measures included under Actions 8.1.1. and 8.1.2. to include reference to webpage links and E-newsletter.

#### Disability Advisory Committee – Final Feedback on draft A & I Action Plan

25. Members of the DAC provided written and verbal feedback on the draft Action Plan at its last meeting held on 14 August 2018 (DAC had previously reviewed and endorsed the Strategy). The DAC is supportive of the draft Strategy and Action Plan however is seeking additional actions within the following areas:

- (a) Additional actions focussed on supporting and providing employment opportunities within Council;
- (b) Addressing accessibility of housing to ensure all new housing meets the highest standard;
- (c) Improving access to shops and businesses;
- (d) Improving access to public events with temporary /accessible changing places facilities; and
- (e) Addressing access to public transport and parking bays.

26. It is proposed to review the actions relating to these areas in the action plan with relevant Branches during the public exhibition phase. Any proposed changes or additions would then be presented to Council, along with public submissions, at its meeting on 16 October 2018.

### Key Consultation Themes

27. Key themes (Freedom; Life Experiences; Independence; and Knowledge) and issues for consideration were identified from the Living Well in Yarra Consultation, together with existing knowledge identified through the Background papers and research.
28. The top six key factors identified through the survey as impacting on the ability to access and be involved in the life of the Yarra community included:
  - (a) Physical health;
  - (b) Mobility;
  - (c) Walking paths/footpaths;
  - (d) Public transport (not accessible);
  - (e) Concern for personal safety; and
  - (f) Financial cost/stress.
29. It was also very clear that the majority of participants in the consultation phase placed a high value on Council's Parks and Gardens, Libraries, Leisure Centres, and Social and Community Programs and see these areas as important to living well in Yarra.

### Survey of Residents receiving Commonwealth Home Support Program (CHSP) services

30. As part of the review of Council's future directions in the CHSP / My Aged Care service system, a research company was commissioned to undertake a telephone interview with clients of Council's CHSP, with a focus on clients receiving Home Care, Personal Care, Social Support, Individual and Respite Care, to understand their needs and concerns with regard to the national changes to funding and service delivery.
31. The sample consisted all of Council's English speaking clients along with clients speaking the top 5 community languages: Italian, Mandarin, Greek, Vietnamese and Cantonese (who were surveyed in their preferred language). A total of 379 participants (246 English speaking and 133 non-English speaking) completed the survey, giving a very high response rate of 74% overall.
32. Ten (10) key themes and issues for consideration regarding future directions as a result of My Aged Care Reforms were identified.
33. Of the ten key themes and issues for consideration regarding future directions, four aligned to what the community had said through the Living Well in Yarra consultation, and have direct relevance for consideration in the Active & Healthy Ageing Strategy and Access & Inclusion Strategy and associated Action Plans. These four key issues are:
  - (a) Knowledge of Change - A very high proportion of respondents (72%) answered that they 'don't know anything' about the upcoming changes to aged care services and only 5% felt they knew a lot;
  - (b) Access to Information - If they needed to find out more about the coming changes, about half of respondents said they would contact Council (with a quarter specifically naming Council's Aged & Disability Services). Just under 1 in 3 would talk to family or friends, however notably, among non-English speaking respondents it was closer to 2 in 3 (61%);
  - (c) Community Transport - Council providing more community transport options was considered very important to more than 1 in 3 respondents. About a quarter also valued exercise and socialisation programs highly as regular activities provided by Council; and
  - (d) Health Information - sessions were considered the most important from a list of one-off initiatives that Council could provide.

Draft Active & Healthy Ageing Strategy 2018 – 2024 – Attachment 1

34. The draft Active & Healthy Ageing 2018-2024 vision is for an Age Friendly Yarra, which is welcoming and inclusive of people of all ages. Encompassing the Age Friendly Cities Framework to ensure our community supports adults 50+ by designing policies, services and structures to ensure the physical and social environments of our City will enable people 50+ to live safely, enjoy good health and stay involved.
35. Key to living well in Yarra is the ability to independently access a variety of programs and support services which allow citizens to connect to other people and experience the health (mental and physical) benefits of socialisation and exercise. Key areas to address identified for inclusion in the Active & Healthy Ageing Strategy are:
  - (a) improve safety and accessibility for people 50+ to increase socialisation/participation in community life;
  - (b) embed Universal Design principles in new developments, increase social housing options and ensure equitable access to shops and amenities;
  - (c) improve people's sense of safety and wellbeing via raising awareness (promotion) and programming;
  - (d) increase safer access and improved mobility through public realm improvement;
  - (e) community inclusion opportunities and activities that can be easily accessed and cater for the diverse interests of residents aged 50+;
  - (f) ensure those that are wishing to access services/programs are able to do so (address financial, physical access and health barriers);
  - (g) empower the community through information (accessible formats, web accessibility, and how information is disseminated);
  - (h) reduce social isolation of people 50+ by removing barriers to social inclusion;
  - (i) increase independence and community connection through provision of volunteering opportunities; and
  - (j) provide variety of accessible channels of communicating information; i.e. apply "older person's" lens to all Council communication.
36. When analysing the feedback from the community consultation the issues raised by our community reflected the eight domain areas of the WHO Age-Friendly Cities Framework, with four key overarching themes emerging: Freedom, Life Experiences, Knowledge and Independence.
37. As a result, strategic goals included in the draft Active Healthy Ageing Strategy 2018 – 2024 correlate with the overarching themes identified during the consultation phase, and the eight domains of the WHO Age-Friendly Cities Framework. The eight domains and associated strategic goals will remain constant for the life of the plan and are as follows:
  - (a) Outdoor Spaces and buildings: People 50+ live in an environment that includes open spaces, buildings, public toilets, shaded areas and walkways that are safe and easy to navigate;
  - (b) Transport: People 50+ can get out and about, using a range of affordable, accessible and user friendly transport services;
  - (c) Housing: Housing options for people aged 50+ are affordable, secure, accessible and close to transport, shops and community services;
  - (d) Community Support and health services: People 50+ are supported to stay healthy, active and independent through community support and health services, including services responding to elder abuse and fraud;
  - (e) Civic participation and employment: People 50+ participate in employment, training, lifelong learning and volunteering opportunities and are engaged and involved in decision making;



- (f) Respect and social inclusion: People 50+ from all backgrounds are valued and appreciated, and no one is excluded based on race, geography, culture, language, sexuality, ability or socio economic status;
- (g) Social participation: People 50+ are supported to be active in their community, doing the things they enjoy; and
- (h) Communication and knowledge: People 50+ are able to access information they need in a variety of formats to stay informed and connected with their community, families and friends.

38. The draft Active & Healthy Ageing Strategy 2018-24 sets the future direction for Council in continuing to create an Age Friendly City. The draft strategy is underpinned by three action plans that each span two years. This allows for some agility in how Council will respond to the key themes in the context of a shifting service delivery environment.

Draft Access & Inclusion Strategy 2018 – 2024 – Attachment 2

- 39. The draft Access & Inclusion Strategy 2018-2024 and Action Plan was developed based on the social model of disability which views disability as a result of the way society is organised, societal attitudes and environmental barriers that may hinder the person with a disability, rather than the medical model which views disability as a “problem” that belongs to the individual.
- 40. Council’s planning, programs and operations will continue to focus on creating an enabling environment for people with disability through the social model.
- 41. Council recognises that barriers experienced by people with disability arise primarily from societal attitudes, structures and practices that prevent people with disability from experiencing equal status, economic participation and social inclusion.
- 42. The Access & Inclusion Strategy vision is for ‘an inclusive and accessible Yarra that enables people with disability to participate, contribute and be represented in our community as equal citizens’.
- 43. In creating an enabling environment, the social model recognises that these barriers, constructed by the society in which people with disability live, restrict their capabilities and opportunities by prejudice, discrimination, inaccessible environments and inadequate supports that have potential to be reversed.
- 44. A whole of community approach is required to empower people with disability to participate and contribute, feel valued, differences are respected, and where the needs of people are met so they can live with dignity.
- 45. Key areas to address identified for inclusion in the Access & Inclusion Strategy are:
  - (a) improve safety and accessibility for people with disability to increase socialisation/ participation in community life;
  - (b) embed Universal Design principles in new developments, increase social housing options and ensure equitable access to shops and amenities;
  - (c) improve people’s sense of safety and wellbeing via raising awareness (promotion) and programming;
  - (d) increase safer access and improved mobility through public realm improvement;
  - (e) community inclusion opportunities and activities can easily be accessed and cater for the diverse interests of people with disability;
  - (f) strengthen the focus on creating an enabling environment for people with disability and ensure they can access appropriate support services/programs and are able to do so (address financial, physical access and health barriers);
  - (g) empower the community through information (accessible formats, web accessibility, and how information is disseminated);

- (h) reduce social isolation of people with disability by removing barriers to social inclusion; and
  - (i) increase independence and community connection through provision of employment and volunteering opportunities.
46. The feedback from the community consultation have been aligned to the *Victorian Disability Act* (2006) requirements, and with four key overarching themes emerging: Freedom, Life Experiences, Knowledge and Independence.
47. The strategies included in the draft Access & Inclusion Strategy correlate with the overarching themes identified during the consultation phase, and the social model of disability, and these key goals and strategies will remain constant for the life of the plan and are as follows:
- (a) Improve accessibility to infrastructure, facilities and amenities:
    - (i) promote and encourage the application of Universal Design and Universal Access within, and external to Council;
    - (ii) advocate to create an accessible, well-networked public transport system in the City of Yarra;
    - (iii) develop/extend incentive programs to local businesses to maximize their accessibility;
    - (iv) increase safe access and mobility through the public realm;
    - (v) improve accessibility to City of Yarra buildings and facilities, including ensuring adequate amenities are available (accessible toilets, seating etc.);
    - (vi) advocate and work collaboratively to ensure greater provision of accessible and affordable housing; and
    - (vii) create Neighbourhood's that are safe and promote a sense of belonging.
  - (b) Promote and encourage mainstream participation, representation and community leadership:
    - (i) provide and/or support the community to provide a diverse range of accessible community services and arts, cultural, sport and recreational activities and events that are creative and fun for all abilities and ages;
    - (ii) investigate opportunities and implement initiatives to address financial and transport barriers to access; and
    - (iii) ensure people with disability have the same opportunities as other people to participate in public meetings/consultations and events organised by the City of Yarra.
  - (c) Support employment and career development opportunities:
    - (i) work within Council, and with businesses and community groups to advance the rights of people with a disability to participate equally in the: Workforce, Education and Training, and Volunteering opportunities; and
    - (ii) enhance opportunities for people with disability to obtain and maintain employment with the City of Yarra; and
  - (d) Create welcoming and inclusive practices and culture:
    - (i) ensure information provided by Council is in a format (including pictorial) that will enable people with disability to access as readily as other people are able to access it;
    - (ii) develop and deliver initiatives to achieve positive changes in attitudes and structural discrimination about disability; and
    - (iii) raise community awareness of people living with invisible disabilities.

48. The draft Access & Inclusion Strategy sets the future direction for Council in creating an inclusive and accessible Yarra. As with the draft Active & Healthy Ageing Strategy, it will be underpinned by three Action Plans that each span two years. This allows for some agility in how Council will respond to the key themes in the context of a shifting service delivery environment.

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

49. Concurrent with the community engagement and consultation stage Aged & Disability Services staff conducted a thorough consultation and engagement process with all areas of Council from September 2017 to June 2018. Information from the internal consultations assisted in developing the associated action plan aligned to each strategy.

### **Financial Implications**

50. The development of the draft strategies and action plans has been undertaken in-house and through existing budget allocations.
51. The draft actions across 2018 – 2020 are funded primarily from within existing resources, reflecting the current budget cycle and the need to clarify future directions under the national reforms. It is proposed to explore funding opportunities external to Council in some instances and propose new initiatives within the 2019 – 2020 budget.
52. Actions requiring a financial commitment in future years (post 2019) will be proposed as part of the new initiatives process for those years.

### **Economic Implications**

53. Making the Yarra community more accessible, inclusive and age-friendly is good economic sense. Good access and age friendly environments benefit everyone – families; young people and visitors. Benefits can include:
- (a) lower public and personal costs related to illness and health care;
  - (b) prevention or delayed onset of many chronic and preventable illnesses;
  - (c) added social and economic 'value' to communities when older people and people with disability are better able to contribute to and participate in their communities; and
  - (d) opportunity for Council, businesses and community groups to advance the rights of people with disability to participate equally in life, particularly with regard to employment.

### **Sustainability Implications**

54. Project management will continue to incorporate green procurement policy and procedures as per Council policy. Environmental sustainability will be considered as part of the preparation and implementation of each of the three, two yearly action plans.
55. Many of the actions – improving pedestrian routes and walkability; encouraging use of community transport; providing local places to meet and greet, looking at opportunities for volunteering and advocating for better public transport support a "sustainable" Yarra.

### **Social Implications**

56. Council plays a fundamental role in supporting people with disability and older people to live full and active lives. Both draft strategies focus on creating a more inclusive, accessible and connected community and recognise the strengths, capacity and wisdom of Yarra's diverse community.

### **Human Rights Implications**

57. The development of the draft strategies and action plans is consistent with the rights enshrined in the *United Nations Convention on the Human Rights of Persons with Disabilities* (2006) and the *Victorian Charter for Human Rights and Responsibilities* (2006).

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

- 58. Communication with CALD communities was addressed as part of the community consultation. Specific focus group sessions were conducted to include the voices of a broad cross section of the community and through Council's Advisory Committee's.
- 59. The survey of residents in receipt of CHSP services ensured participation of all residents from the five main community languages and it was pleasing to see this was achieved with a similar participation rate as with the English speaking cohort (75% participation rate).

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

- 60. The draft strategies are consistent with the 2017 – 2021 Council Plan, and align with the following objectives included in the Council Plan:
  - (a) Objective 1: A healthy Yarra- *'Community health, safety and wellbeing are a focus in everything we do'*;
  - (b) Objective 2: An inclusive Yarra- *'Inclusion, diversity and uniqueness are welcomed, respected and celebrated'*;
  - (c) Objective 6: A connected Yarra; *'Connectivity and travel options are environmentally sustainable, integrated and well-designed'*; and
  - (d) Objective 7: A leading Yarra- *'Transparency, performance and community participation drive the way we operate'*.
- 61. The draft strategies do not pre-determine any decision on Council's on-going role in service provision under the CHSP. The draft strategies do however provide a framework when considering Council's future role in service provision and where it may invest resources to support people with disability and older people.
- 62. There are a number of other Council strategies and plans that complement these draft strategies, including:
  - (a) 0 – 25 Plan (Family, Youth and Children's Services);
  - (b) Homelessness Strategy; Multicultural Strategy; and
  - (c) Annual Plan; Yarra Planning Scheme.
- 63. The two year draft Action Plans do not cover all issues raised in the consultation, and a number of issues have been referred to other areas in Council where these issues are being considered.

### **Legal Implications**

- 64. There are no legal implications for consideration at this point.

### **Other Issues**

- 65. Nil

### **Options**

- 66. The option proposed is for Council to endorse the draft strategies and action plans for public exhibition.

### **Conclusion**

- 67. The community consultation sought input on what constitutes "Living Well in Yarra" and to obtain feedback from residents on issues of importance. Combined with knowledge from past strategies, identification of emerging issues and input from Council's Disability Advisory Committee and the Active Ageing Advisory Committee, the draft strategies endeavour to set key directions for the next six years.
- 68. The framework for the Active & Healthy Ageing Strategy reflects:
  - (a) The eight domains of the WHO Age-Friendly cities framework, encompassing Outdoor Spaces and Buildings; Transport; Housing; Community Support and Health Services;

Civic Participation and Employment; Respect and social inclusion; Social Participation and Communication and Knowledge;

- (b) Council's commitment, through signing the Municipal Association of Victoria's "Age-Friendly Victoria Declaration", to planning for the creation of age-friendly communities; and
- (c) The overarching themes identified locally, being Freedom; Life Experiences, Knowledge and Independence.

69. The framework for the Access & Inclusion Strategy reflects the:

- (a) Principles of the UN Convention reflected in the *Victorian Charter of Human Rights and Responsibilities Act* (2006) which provides a set of rights, freedoms and responsibilities that governments must observe when creating laws, public policy or delivering services;
- (b) *Victorian Disability Act 2006*, requiring Council's to:
  - (i) reduce barriers to accessing information, goods, services and facilities;
  - (ii) reduce barriers to obtaining or maintaining employment;
  - (iii) promote inclusion and participation in the community; and
  - (iv) achieve tangible changes in attitudes and practices that discriminate against persons with disabilities; and
- (c) Overarching themes identified locally, being Freedom; Life Experiences, Knowledge and Independence.

70. The draft Action Plans identify key commitments from a whole of organisation perspective to address the issues identified through the planning process. The draft Action Plans cover an initial two year period. This period aligns with Branch and annual budget planning processes and allows for some agility in how Council will respond to the key themes in the context of a shifting service delivery environment.

71. The responsibility for implementing actions will sit with relevant Council Branches, and this will support age-friendly, inclusive and accessible principles to be further embedded across Council. The plans will be monitored through Council's Advisory Committees, and with an annual evaluation conducted.

## RECOMMENDATION

1. That:

- (a) Council endorse the draft Active Healthy Ageing Strategy & Action Plan and the draft Access & Inclusion Strategy & Action Plan to go out for public exhibition for a four week period; and
- (b) Following the completion of the public exhibition phase, any final submissions, together with proposed changes be presented to Council for final adoption of the draft strategies and action plans on 16 October 2018.

**CONTACT OFFICER:** Cheryle Gray  
**TITLE:** Coordinator Community Planning  
**TEL:** 9205 5175

## Attachments

- 1 [↓](#) Draft Active Healthy Ageing in Yarra Strategy 2018 - 2024
- 2 [↓](#) Draft Access Inclusion Strategy 2018 - 2024 and Action Plan 2018 - 2020

## Attachment 1 - Draft Active Healthy Ageing in Yarra Strategy 2018 2024

### Attachment 1



## Active & Healthy Ageing in Yarra Strategy 2018 – 2024

### Acknowledgement of Country

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 ELDERS PAST AND PRESENT.

### Mayors Foreword

To be inserted

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## Attachment 1 - Draft Active Healthy Ageing in Yarra Strategy 2018 2024

### Attachment 1

#### Our Vision

*The City of Yarra is an Age Friendly City; a welcoming and inclusive community for people of all ages, race, culture, gender, sexual orientation and lifestyles. We respect the strong voices of older people in our community, value their continuing contribution to civic life; and their right to make decisions on their own behalf. Our environments and public spaces are safe and supportive and our programs, services and policies are responsive to the needs of older residents, with benefits to all ages.*

#### Council's Commitment to Active & Healthy Ageing

While the process of ageing has been viewed from a deficit model in the past, Council focuses on the positive aspects of growing older, both for the individual and from the community perspective. With some academics now proposing that 'Middle Age' begins at 50 and extends until your 75<sup>th</sup> birthday, the opportunity to harness the benefits of an older population is more visible<sup>1</sup>. The social and economic contributions that older people make to their families and communities strengthens our City.

Council values the contribution people 50+ make to the community and the economy and adopts policies and provides services to encourage residents to age well in Yarra. To achieve this goal, Council has worked in a variety of fields to ensure that Yarra is an Age Friendly City, including reviewing local infrastructure planning, health care and social planning.

Council, in 2006 endorsed the [River of Life Positive Ageing Strategy 2007-2016 with a five year action plan 2007 - 2012](#). In 2014 Council consulted again with the community to develop Stage Two Action Plan, 2014 – 2017, adopting the vision of 'A City for All Ages', which was endorsed by Council in August 2014.

#### Active Ageing Advisory Committee (AAAG)

The River of Life Positive Ageing Strategy 2007-2016 included establishing the AAAG in 2007 to provide advice to Council on matters impacting on the lives and well-being of Yarra's residents 50+ years.

The Advisory Committee consists of eight residents from across Yarra, with a diversity of interests, cultural background and geographic location.

The AAAG guiding principle is to collaborate with Council and the community in raising awareness of ageing issues and promoting a Yarra culture that responds to the needs and aspirations of all residents 50+ years.

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<sup>1</sup> <http://www.patriciaedgaranddonedgar.com/>

## Attachment 1 - Draft Active Healthy Ageing in Yarra Strategy 2018 2024

### Attachment 1

The AAAG:

- Provide information and advice to Council on matters affecting the needs, interests and well-being of Yarra's older adults.
- Act as a conduit for the exchange of information and views between community, Council and other representative bodies on issues affecting the lives of older people.
- Represent the community broadly.

The AAAG will have a continuing role in supporting Council to implement the revised Strategy and consecutive Action Plans.

#### **Council's Commitment to the Age-Friendly Victoria Declaration & the World Health Organisation's Global Age-Friendly Cities Guide**

In 2016, Council signed the Statement of Support and Partner Endorsement of the Municipal Association of Victoria's Age-Friendly Victoria Declaration. The Age-Friendly declaration is underpinned by the World Health Organisation's Global Age-Friendly Cities Guide, which identifies eight domains that directly influence the quality of life and wellbeing of people 50+.



*Helping to shape local communities across all of the life stages is core business of local government; Age-friendly embraces much of what councils already do*

*Age-Friendly Cities -Eight domains of influence*



## Attachment 1 - Draft Active Healthy Ageing in Yarra Strategy 2018 2024

### Attachment 1

An age-friendly community is one that values the contribution of people 50+, and enables them to actively participate in all aspects of community life. In particular, an age-friendly community ensures people 50+ are free from age-related barriers that prevent participation.

Age Friendly Cities foster opportunities for older people to enjoy social and economic participation, good health, and a sense of belonging and contributing. To achieve this, partnerships between older people and government, community organisations, businesses, services and other agencies are critical in building the fabric of an Age Friendly City.

Under the Local Government Act 2010, Council has an important role in influencing community well-being and facilitating healthy, just and inclusive communities. Council planning, practices, policies and actions have a direct impact on how people can live across all ages.

Council makes a significant investment in supporting older people with a history of involvement with senior citizens centres, community transport, meals, Home and Community Care Services, socialisation activities, recreation facility provision and programs, and support for clubs and organisations.

The eight domains of the WHO Age-friendly cities framework capture the breadth and depth of council business and are used as the framework for the Active & Healthy Ageing Strategy (AHA) 2018-2024.

The AHA 2018-2024 vision is for an Age Friendly Yarra, which is welcoming and inclusive for people of all ages. Encompassing the Age Friendly Cities Framework to ensure our community supports adults 50+ by designing policies, services and structures to ensure the physical and social environments of our City will enable people 50+ to live safely, enjoy good health and stay involved.

Based on the community voice expressed during the consultation, and internal contributions from Council Officers, consecutive Action Plans developed under this Strategy will reflect the needs and aspirations of people 50+.

#### An Integrated Approach

The strong connections among the different aspects of city living demonstrates that an age-friendly city can only result from an integrated approach centred on how older people live.

#### *Age-friendly promotes:*

- *A Human Rights based approach*
- *An integrated approach to ageing from government and community*
- *A civil society where people of all ages and abilities are included and respected*
- *The social and economic contributions and value that older people make to families and communities*
- *Independence, well-being and quality of life for all people as they age*

## Attachment 1 - Draft Active Healthy Ageing in Yarra Strategy 2018 2024

### Attachment 1

Taking this approach means coordinating actions across different areas of Council policy and services so that they are mutually reinforcing.

There are six essential elements of an integrated approach as depicted below:



Yarra is well served by a dynamic and well connected community support and health services sector. Many state-wide and local agencies are located in Yarra; including community health centres, neighbourhood houses,

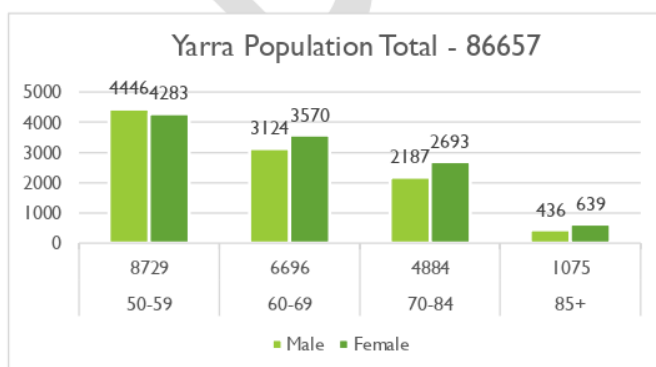
disability support services, housing and mental health agencies, hospitals and drug and alcohol agencies, churches, material and financial support agencies.

These key services offers Council significant capacity for collaboration and engagement with multiple stakeholders within the community to build service and community capacity and resilience.

#### Ageing is Everyone's business

In 2016 the Commissioner for Senior Victorians released "Ageing is Everyone's Business: A report on isolation and loneliness among senior Victorians". The report examines the causes for loneliness and social isolation amongst older people, and proposes opportunities for tackling the problems with a joined up approach. The report contends that local government has a "vital role as an enabler" of joined-up local community responses to isolation and loneliness and connecting local needs with local resources such as volunteering, use of venues and coordination support.

#### Yarra at a Glance



Residents aged 50+ make up approximately 24.7% of the total Yarra population and greatly influence the diversity of Yarra, not just in age, but also ethnicity, lifestyles and their contribution to the community.

## Attachment 1 - Draft Active Healthy Ageing in Yarra Strategy 2018 2024

### Attachment 1

As the above graph highlights, there are slightly more males than females in the 50-59 year age range; however, from 60+ years the number of females compared to males increases.

Gender imbalance tends to become more pronounced in older age groups, following a similar pattern to Victoria and Australia generally. The implications of this gender imbalance are significant as many women experienced reduced capacity to save over time because of reduced income due to their family responsibilities impacting on employment.

In regards to income, 28.4% of females and 22% of males had a weekly income of less than \$500, and 47.7% of females and 38.3% of males had a weekly income ranging from \$500 to \$999.

#### 2016 ABS Census

##### Overseas born

**City of Yarra 29%**

Greater Melbourne 34%

Victoria 28%

Australia 26%

Cultural diversity among older age-groups varies from Victoria wide diversity, reflecting significant earlier waves of migration. In the City of Yarra, 22% of people speak a language other than English at home (ABS Census 2016); with the highest CALD groups being Vietnamese, Greek and Italian.

In the City of Yarra, 4,451 people who were able to speak another language in 2016 reported difficulty speaking English.

13,357 females and 11,970 males who were living in the City of Yarra in 2016 were born overseas, and 28% arrived in

Australia within 5 years prior to 2016.

#### 2016 ABS Census

**In the City of Yarra, 16.4%** of the total female population earned an income of \$1,750 or more per week in 2016, compared to **26.8%** of males

### Housing-Ageing in Place

Ageing in place is also an important aspect of housing and often refers to the capacity of older people to remain living as independently as possible in their homes where they feel connected to services and amenities Council's AAAG have consistently discussed the issue of the lack of affordable and suitable housing available for older residents in Yarra, especially residents who are homeless, or are renting privately or who are asset rich and income poor.

Between 2011 and 2016, nearly 7,500 people aged 50+ moved to Yarra either from overseas or elsewhere in Australia. Of this group, 39% were living in high density dwellings. This presents an opportunity for services and Council to

#### 2016 ABS Census

##### Households renting

**City of Yarra 50%**

Greater Melbourne 29%

Victoria 28%

Australia 29%

## Attachment 1 - Draft Active Healthy Ageing in Yarra Strategy 2018 2024

### Attachment 1

2016 ABS Census	
Medium & High density housing	
City of Yarra	85%
Greater Melbourne	33%
Victoria	27%
Australia	27%

better engage with this cohort of residents who may have a wealth of experience to share in Yarra and who also may be vulnerable to social isolation.

#### **The Role of Council's Active & Healthy Ageing in Yarra Strategy in light of National Reform**

In 2017 the national portal, My Aged Care (MAC), was introduced as the main entry point to the aged care system in Victoria. Once the reforms are fully implemented, the delivery of care can be provided by a range of organisations,

of which Council may be just one of many. The MAC system is based on an open and competitive market model for providers and is designed to increase individual consumer choice. This may have implications for vulnerable groups in being able to access care and having equity of access to services in the future.

In light of the MAC reforms, Council will review its role in service delivery, and this may in turn influence the approach and resources available in creating an Age Friendly Yarra.

In developing the Action Plans that underpin this strategy in the changing context, Council will review the wealth of opportunities to advocate for, support, or directly run initiatives to grow the liveability in Yarra for older people. Council will closely observe the impact of the National Reforms on all residents over the six year period of the Strategy, and in particular the more vulnerable cohorts, and ensure that the strategic actions in each two year action plan reflect the developing needs of the community.

Council is also reviewing the way in which we partner in our Strategy development and implementation. We are currently exploring greater synergies with other Council Action Plans- for example the Access & Inclusion Strategy and the 0 - 25 Strategy (children and young people aged 0-25 and their families) as well as the Housing Strategy, looking for ways we can leverage off common actions to create a city that is inclusive for all. Not only will this deliver on actions that support people 50+, people with disability and families, children and young people but it will also strengthen advocacy calls for mutually beneficial initiatives. This is underlined by a view to extending collaboration across Council to build an Age Friendly City for all embedded in the principles of Universal Design, and inter-generational connection.

Although the cessation of driving has a significant impact on an older person's health and ability to maintain their independence, and depression and anxiety is the most common mental health problem among older people we understand that people can experience social isolation or limited mobility at any age. We are working to ensure our responses to these issues support residents through all life stages.

## Attachment 1 - Draft Active Healthy Ageing in Yarra Strategy 2018 2024

### Attachment 1

#### Our Consultation and Engagement Process

Council undertook an extensive consultation and engagement process to ensure that this strategy is reflective of a broad range of stakeholders and benefits from the breadth of input from people who experience ageing from diverse perspectives.

The consultation process was a shared approach, with the consultation and survey questions designed to capture information relevant to people 50+, and people with disability. Consultation occurred in a mix of formats and a multitude of locations throughout Yarra.

An online consultation in parallel with the forums, workshops and pop-up sessions provided interested residents (e.g. family members of older parents) with the opportunity to share their views and contribute towards Council's development of services and infrastructure for the target groups via a quantitative survey. This survey was also available in hard copy and distributed via email groups and promoted at Council facilities and the Council webpage.

Members of the Active Ageing Advisory Group (AAAG) participated throughout the consultation period, providing advice and attending/participating in various consultations. On completion of the consultation stage, the following had been undertaken:

- 252 surveys;
- Two (2) forums;
- 12 workshops;
- Seven (7) pop up sessions/on-site visits (distribution of surveys);
- Bi monthly AAAG committee meeting sessions,
- Consultation and survey details distributed to over 20 organisations and networks and;
- Internal staff consultations, including branch and Council wide.

#### Key themes derived from the Community Consultation

The value that the majority of participants in the consultation placed on Council's parks and gardens, libraries, leisure centres, and social and community programs provides a clear picture of what people 50+ are looking for in 2018 and beyond.

Key to living well in Yarra is the ability to independently access a variety of programs and support services which allow them to connect to other people and experience the health (mental and physical) benefits of socialisation and exercise.

Key areas to address identified for inclusion in the Active & Healthy Ageing Strategy are:

- To improve safety and accessibility for people 50+ to increase socialisation/participation in community life.
- Embed Universal Design principles in new developments, increase social housing options and ensure equitable access to shops and amenities.

## Attachment 1 - Draft Active Healthy Ageing in Yarra Strategy 2018 2024

### Attachment 1

- Improve people's sense of safety and wellbeing via raising awareness (promotion) and programming.
- To increase safer access and improved mobility through public realm improvement.
- Community inclusion opportunities and activities can easily be accessed and cater for the diverse interests of residents aged 50+.
- To ensure those that are wishing to access services/programs are able to do so (address financial, physical access and health barriers).
- To empower the community through information (accessible formats, web accessibility, and how information is disseminated).
- Reduce social isolation of people 50+ by removing barriers to social inclusion.
- To increase independence and community connection through provision of volunteering opportunities.
- To provide variety of accessible channels of communicating information; i.e. apply "older person's" lens to all Council communication.

Ideas and recommended actions under each of the above areas will be followed up with the relevant internal branches and potential external partners and form the basis of the three x two year Action Plans to be developed for the Strategy.

By focusing on our community's priorities and developing appropriate actions and solutions to address their concerns, Council will be working towards the development of an Age Friendly City. As previously detailed, the WHO Age Friendly Cities Framework is providing guidance in the development of the AHA Strategy, with a particular focus on the eight domains:

- Outdoor Spaces and buildings
- Transport
- Housing
- Community Support and health services
- Civic participation and employment
- Respect and social inclusion
- Social participation
- Communication and knowledge

When analysing the feedback from the community consultation the issues raised by our community reflected the eight domain areas of the WHO Age-Friendly Cities Framework, with four key overarching themes emerging: Freedom, Life Experiences, Knowledge and Independence.

## Attachment 1 - Draft Active Healthy Ageing in Yarra Strategy 2018 2024

### Attachment 1

#### Future Steps and Action Plans

This Active & Healthy Ageing in Yarra Strategy 2018-24 sets the future direction for Council in creating an Age Friendly City. The strategy will be underpinned by three Action Plans that each span two years. This allows for some agility in how Council will respond to the key themes in the context of a shifting service delivery environment. In each action plan, responsibility will sit with different Council branches to ensure that an Age Friendly City approach is embedded across Council.

The following provides an overview of the key components of the strategy, the Key overarching themes, the WHO Age Friendly Cities eight domain areas and the Strategic goals.

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# Attachment 1 - Draft Active Healthy Ageing in Yarra Strategy 2018 2024

## Attachment 1

FREEDOM	LIFE EXPERIENCES
<p><b>GOAL 1: Outdoor Spaces and buildings</b>            People 50+ live in an environment that includes open spaces, buildings, public toilets, shaded areas and walkways that are safe and easy to navigate</p> <p><b>Strategies:</b></p> <ul style="list-style-type: none"> <li>1.1 Investigate infrastructure improvements to support walking and use of public spaces.</li> <li>1.2 Review open spaces and buildings through an Age Friendly Lens, to increase mobility and decrease car dependency.</li> <li>1.3 Address safety concerns of older residents in accessing open spaces in Yarra.</li> </ul> <p><b>GOAL 2: Transport</b>            People 50+ can get out and about, using a range of affordable, accessible and user friendly transport services</p> <p><b>Strategies:</b></p> <ul style="list-style-type: none"> <li>2.1 Advocate for, and support, accessible and affordable public and community transport.</li> </ul>	<p><b>GOAL 3: Social participation</b>            People 50+ are supported to be active in their community, doing the things they enjoy</p> <p><b>Strategies:</b></p> <ul style="list-style-type: none"> <li>3.1 Develop the community capacity by encouraging groups to apply for Council's Community Grants Program.</li> <li>3.2 Promote neighbourliness across the municipality using a place based approach.</li> <li>3.3 Address perceptions of safety in encouraging greater social participation.</li> <li>3.4. Facilitate Council and community initiated activities and events to build social connections.</li> </ul> <p><b>GOAL 4: Respect and social inclusion</b>            People 50+ from all backgrounds are valued and appreciated, and no one is excluded based on race, geography, culture, language, sexuality, gender, ability or socio-economic status</p> <p><b>Strategies:</b></p> <ul style="list-style-type: none"> <li>4.1 Acknowledge the diversity amongst older people by promoting a range of activities and groups that cater for diverse interests.</li> <li>4.2 Ensure the voice of older people is captured through Council wide consultation and engagement processes for all Council services.</li> <li>4.3 Promote intergenerational dialogue through meaningful engagement opportunities.</li> <li>4.4 Develop engagement approaches which focus on the vulnerable and those experiencing barriers to participation.</li> </ul>



## Attachment 1 - Draft Active Healthy Ageing in Yarra Strategy 2018 2024

### Attachment 1

INDEPENDENCE	KNOWLEDGE
<p><b>GOAL 5: Housing</b></p> <p>Housing options for people aged 50+ are affordable, secure, accessible and close to transport, shops and community services</p> <p><b>Strategies:</b></p> <p>5.1 Advocate for diverse, affordable housing options for people 50+ that support a city for all ages.</p> <p><b>GOAL 6: Civic participation and employment</b></p> <p>People 50+ participate in employment, training, lifelong learning and volunteering opportunities and are engaged and involved in decision making</p> <p><b>Strategies:</b></p> <p>6.1 Support older people to continue employment, participate in volunteering, life-long learning and civic participation.</p> <p>6.2. Ensure Older People are actively considered in the development of Council's policies, programs and services</p> <p><b>GOAL 7: Community Support &amp; Health Services</b></p> <p>People 50+ are supported to stay healthy, active and independent through community support and health services, including services responding to elder abuse and fraud.</p> <p><b>Strategies:</b></p> <p>7.1 Educate and inform people 50+ in the community of programs and Services available support their independence</p>	<p><b>GOAL 8: Communication and information</b></p> <p>People 50+ are able to access information they need in a variety of formats to stay informed and connected with their community, families and friends</p> <p><b>Strategies:</b></p> <p>8.1 Ensure that older people are aware of the diversity of programs and activities available, with a particular focus on socially excluded and vulnerable people.</p>

## Attachment 1 - Draft Active Healthy Ageing in Yarra Strategy 2018 2024



## Attachment 1

## Active &amp; Healthy Ageing in Yarra 2018-2020

FREEDOM				
GOAL 1: Outdoor Spaces and Buildings - People 50+ live in an environment that includes open spaces, buildings, public toilets, shaded areas and walkways that are safe and easy to navigate				
Strategy 1.1 Investigate infrastructure improvements to support walking and use of public spaces.				
Action	Outcome Measures	Responsibility	Timeframe	Resources
1.1.1 Promote to businesses and the community the requirements of the Footpath Trading Policy, to maintain continuous path of travel along the property line and achieve safe footpaths.	Information about the Footpath Trading Policy requirements featured in Yarra News, with information how community members can report related hazards.	Compliance and Parking Branch	June 2019	Within existing resources
1.1.2 Conduct upgrades of the footpaths and construct continued path of travel on crossings on the nominated streets in key activity centres, to make them safer.	Upgrades to footpaths and construction of level crossings delivered on six nominated streets (three per financial year) in key activity centres, as part of the Local Area Place Making Scheme.	City Works	June 2020	Within existing resources
1.1.3 Include new seating for people of all ages and abilities as part of public realm improvements along Bridge Road and Victoria Street.	New seating for people of all ages and abilities as part of public realm improvements along Bridge Road and Victoria Street.	City Strategy	2018 - 2019	Within existing resources

## Attachment 1 - Draft Active Healthy Ageing in Yarra Strategy 2018 2024

### Attachment 1

Strategy 1.2 Review open spaces and buildings through an Age Friendly Lens, to increase mobility and decrease car dependency.					
Action	Outcome Measures	Responsibility	Timeframe	Resources	
1.2.1 Identify priority precincts, including open space sites for best practice universal design upgrades, to improve walkability and recreational opportunities for people of all abilities.	Active Aging Advisory Group consulted on the nominated area for upgrades. Nominated sites approved by the Urban Design and Open Space Units	Aged and Disability Services	December 2019	Within existing resources	
1.2.2 Ensure the development of the new Yarra Open Space Strategy considers universal design principles and its recommendations include the development of accessible spaces.	Recommendations in the new Yarra Open Space Strategy reflect best practice universal design principles. Deliverable actions in the Yarra Open Space Strategy relate to improvements in accessibility for all members of the community.	Open Space Planning and Design	December 2019	Within existing resources	
1.2.3 Identify and deliver improvements to existing Council venues used by Seniors Groups, and encourage use of new venues that offer better facilities.	Include improvements in the Capital Works / Forecaster system. Seniors Groups encouraged to attend locally based alternate venues	Aged & Disability Services	August 2018	Within existing resources	
1.2.4 Support groups to access multi-purpose Council spaces / venues to develop an integrated and shared interest approach.	Groups using multi-use venues, accessing services and to remove stigma around 'age' specific' centres.	Aged & Disability Services	On-going	Within existing resources	
1.2.5 Consideration is given to Universal Design Principles at the time of preparation of a new Heritage Strategy.	A&DS representatives are engaged regarding universal access aspects of heritage buildings and infrastructure during the consultations on the new Heritage Strategy.	Senior Advisor City Heritage	June 2019	Within existing resources	

# Attachment 1 - Draft Active Healthy Ageing in Yarra Strategy 2018 2024

## Attachment 1

Strategy 1.3 Address safety concerns of older residents in accessing open spaces in Yarra.				
Action	Outcome Measures	Responsibility	Timeframe	Resources
1.3.1 Review pedestrian signal phase timing to assist pedestrians unable to complete crossing within usual allocated time and identify opportunities to implement demand-responsive signal technology.	Review completed within timeline. Options for signal technology included in traffic management and place making projects.	Traffic and Civil Engineering	June 2020	Within existing resources

# Attachment 1 - Draft Active Healthy Ageing in Yarra Strategy 2018 2024

## Attachment 1

GOAL 2: Transport - People 50+ can get out and about, using a range of affordable, accessible and user-friendly transport services.				
Strategy 2.1 Advocate for, and support, accessible and affordable public and community transport.				
Action	Outcome Measures	Responsibility	Timeframe	Resources
2.1.1 Continue to facilitate partnership with PTV towards construction of Easy Access Tram Stops on Route 96.	Construction of four stops completed by Dec 2018.  Agreement between PTV and Council on remaining stops reached in regard to location, design and the site preparation.	Strategic Transport	December 2018  June 2020	Within existing resources
2.1.2 Investigate options to improve the Community Transport service to align with emerging needs.	More flexible service that increase social connections.	Aged & Disability Services	December 2019	New Initiative proposal 2019-2020
2.1.3 Advocate for the construction of additional Easy Access Tram Stops on Bridge Road.	Concept work developed and adopted.	Strategic Transport	December 2019	Within existing resources
2.1.4 Facilitate Streamlining Hoddle St Project for better connectivity of transport network in Yarra, including construction of an Easy Access Tram Stop on Swan St, Richmond.	Construction completed by March 2019.	Strategic Transport	March 2019	Within existing resources

# Attachment 1 - Draft Active Healthy Ageing in Yarra Strategy 2018 2024

## Attachment 1

LIFE EXPERIENCES				
<b>GOAL 3: Social Participation</b> - People 50+ are supported to be active in their community, doing the things they enjoy.				
Strategy 3.1 Develop the community capacity by encouraging groups to apply for Council's Community Grants Program.				
Action	Outcome Measures	Responsibility	Timeframe	Resources
3.1.1 Promote availability of grants to community groups and host information sessions.	Number of information sessions held and groups informed. Number of applications received Number of groups applying that haven't previously applied.	Aged & Disability Services	Ongoing	Within existing resources
3.1.2 Investigate funding opportunities to enable local groups to provide group based physical activity programs.	Funding sought through the Federally funded Let's Get Physical grants program. Increase in groups providing physical exercise in weekly programs.	Aged & Disability Services	March 2019	Within existing resources
Strategy 3.2 Promote "Neighbourliness" across the municipality using a place-based approach.				
Action	Outcome Measures	Responsibility	Timeframe	Resources
3.2.1 Provide library services to older person's groups in their Neighbourhoods (e.g. Sewing, IT, etc.)	Four older person groups become engaged with Library services at their clubs.	Aged & Disability Services & Library Services	June 2019	Within existing resources
3.2.2 Pilot age friendly approach to develop new initiatives in identified neighbourhoods (i.e. Casserole Club; Skill sharing opportunities; Information seminars).	Number of community members engaged. Number of sessions held (seminars on topics of interest, pilot programs). Outcomes of initiative's (participants report increased social connections, increased support networks, increase in knowledge). Number of partnerships established.	Aged and Disability Services	December 2019	New Initiative proposal 2019-2020

# Attachment 1 - Draft Active Healthy Ageing in Yarra Strategy 2018 2024

## Attachment 1

	Report to Council on outcomes of pilot place based approach.			
3.2.3 Develop a network of 'Welcoming Age Friendly' community groups to create an inclusive environment for socially isolated people.	Conduct workshops with local 50+ groups to develop resources; approaches and actions to engage socially isolated people.	Aged & Disability Services	March 2020	New Initiative proposal - 2019
Strategy 3.3 Address perceptions of safety in encouraging greater social participation.				
<b>Action</b>	<b>Outcome Measures</b>	<b>Responsibility</b>	<b>Timeframe</b>	<b>Resources</b>
3.3.1 Increase awareness of Council's Graffiti Management Framework which allows for removal of graffiti from private property at no cost to older people unable to remove graffiti from their property .	Graffiti Management Framework has been widely promoted to frail aged.	Aged & Disability Services	2019	Within existing resources
Strategy 3.4. Facilitate Council and community initiated activities and events to build social connections				
<b>Action</b>	<b>Outcome Measures</b>	<b>Responsibility</b>	<b>Timeframe</b>	<b>Resources</b>
3.4.1 Facilitate a Residential Aged Care work group with local providers to increase opportunities for residents to participate in community events.	Work Group established and meeting regularly. Celebration of Life and similar events supported.	Aged & Disability Services	October 2018	Within existing resources
3.4.2 Continue to support community groups to undertake activities that support residents (including isolated/vulnerable people) to connect.	On-going support (funding) provided to U3A's; Men's Shed; Companion Animals program; Participation Grants; Neighbourhood Houses. Identify cost to Council and community benefit to enable Participation Grants funding support to continue in light of the impact of Aged Care Reforms to block funding.	Aged & Disability Services	2018 - 2020  2018  January 2019	Within existing resources Within existing resources  New initiative proposal

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	New initiative proposal submitted.			
<b>GOAL 4: Respect &amp; Social Inclusion</b> - People 50+ from all backgrounds are valued and appreciated, and no one is excluded based on race, geography, culture, language, sexuality, gender, ability or socio economic status.				
Strategy 4.1 Acknowledge the diversity amongst older people by promoting a range of activities and groups that cater for diverse interests.				
Action	Outcome Measures	Responsibility	Timeframe	Resources
4.1.1 Prepare a capital works budget bid for the installation of exercise equipment within an open space to encourage exercise, promote wellbeing and create social connection. The project will be guided by recommendations in the adopted Yarra Open Space Strategy.	Submit a 2020/21 budget bid for exercise infrastructure as per recommendations of the Yarra Open Space Strategy.	Open Space Planning and Design	September 2019	Within existing resources
4.1.2 Continue to develop the swim teaching staff and increase the level of skill and experience in teaching people of varying ages, skills and abilities.	Proposal developed with the aim to secure funding to pay for swim teachers to obtain the additional qualification required to deliver access and inclusion programs.	Yarra Leisure	December 2018 – June 2020	Within existing resources
Strategy 4.2 Ensure the voice of older people is captured through Council wide consultation and engagement processes for all Council services.				
Action	Outcome Measures	Responsibility	Timeframe	Resources



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4.2.1	Ensure representation of Yarra's diverse community (e.g. people with a disability, seniors, LGBTIQ) in Councils communications imagery.	A balanced representation of Yarra's community in images and stories.	Advocacy & Communications, Engagement All Yarra staff	Ongoing	Support from all Yarra staff
4.2.2	Promote annual scheduled meetings of the Active Ageing Advisory Group (AAAG) to branches across Council, to consult and share knowledge.	Number of consultations Number of information sessions	Age and Disability Services	Ongoing	Within existing resources
Strategy 4.3 Promote intergenerational dialogue through meaningful engagement opportunities.					
<b>Action</b>		<b>Outcome Measures</b>	<b>Responsibility</b>	<b>Timeframe</b>	<b>Resources</b>
4.3.1	Facilitate opportunities for residents 50+ and young people attending Yarra Youth Services to connect via intergenerational program activities	Number of ADS and Yarra Youth Services intergenerational activities (with a focus on arts and/or music)	Age and Disability Services Yarra Youth Services	2019 – 2020	Within existing resources
4.3.2	Facilitate opportunities for residents 50+ to engage in intergenerational activities at libraries, Willowview and outreach (pop ups).	Number of ADS and Libraries intergenerational activities. Feedback from participants aligned to wellbeing measures.	Aged and Disability Services Library Services	2019 - 2020	Within existing resources
Strategy 4.4 Develop engagement approaches which focus on the vulnerable and those experiencing barriers to participation.					
<b>Action</b>		<b>Outcome Measures</b>	<b>Responsibility</b>	<b>Timeframe</b>	<b>Resources</b>
4.4.1	Extend the Home Library Service, through engaging the Digital Team by identifying opportunities to deliver "I'll be connected" to isolated residents in their homes.	A business Plan is developed identifying needs, ways to provide the service and supporting residents to engage with IT technology, building their social connectedness	Library Services & Age and Disability Services	2018 - 2019	Within existing resources

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4.4.2	Review the customer information available within Yarra Leisure venues and online regarding entitlements of companion card holders at Yarra Leisure venues.	The Companion Card is promoted to the Yarra Leisure Services community.	Yarra Leisure	Ongoing	Within existing resources
4.4.3	The Hirers information Template will include a section on accessibility requirements, and say Council is committed to making all events hosted in its venues fully accessible.	Accessibility requirements are included on the hirer's template, which includes a statement on Council's commitment to its venues being fully accessible.	Arts, Culture & Venues	2018	Within existing resources

## INDEPENDENCE

**GOAL 5: Housing** - Housing options for people aged 50+ are affordable, secure, accessible and close to transport, shops and community services.

Strategy 5.1 Advocate for diverse, affordable housing options for people 50+ that support a city for all ages.

Action	Outcome Measures	Responsibility	Timeframe	Resources
5.1.1 In collaboration with other councils and Municipal Association of Victoria (MAV), advocate to State Government on behalf of pensioners, to obtain greater rate subsidies and other rebates associated with the cost of living.	Workshop conducted at MAV with Interested councils. Submission (i.e. with case studies) forwarded to the State Government.	Age and Disability Services (in conjunction with Social Policy and Research and Business and Finance)	June 2020	Within existing resources
5.1.2 Include policy in the Yarra Planning Scheme that encourages development that is inclusive and accessible for people of all ages and abilities.	Draft policy included in the draft planning scheme.	City Strategy	2018 - 2019	Within existing resources

## Attachment 1 - Draft Active Healthy Ageing in Yarra Strategy 2018 2024

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5.1.3	Help improve the availability of affordable, appropriate and accessible housing for those aged 50 and over through land use planning, community partnerships and strategic advocacy.	Implementation of the Housing Strategy (2018) and developing and implementing the related Social Housing Strategy, scheduled for completion in early 2019.	Social Policy and Research	2018 - 2022	Within existing resources
5.1.4	Facilitate the provision of housing for low-to-moderate income households at major redevelopment sites in Yarra.	Application of the Policy Guidance Note: Affordable Housing Outcomes at Significant Redvelopments (2017)	Social Policy and Research	ongoing	Within existing resources
5.1.5	Continue to support local affordable housing initiatives through the provision of the Yarra Affordable Housing Fund (YAHF) within the broader Council Community Grants Program.	Yarra City Council Community Grants Program	Community Partnerships	ongoing	Within existing resources
5.1.6	Continue to work with public and community housing providers to establish a shared understanding of supply and demand within the municipality; and advocate to meet the needs of low-to-moderate income households with persons aged 50.	Quarterly meetings are held with key housing stakeholders delivering housing and accommodation in Yarra to discuss the emerging and critical issues	Social Policy and Research	2018-2022	Within existing resources
5.1.7	Promote innovative models of residential care that maintain independence and connections to community.	Increased community awareness of different approaches to residential / supported care.	Aged & Disability Services	June 2020	New Initiative proposal 2019-2020

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<b>GOAL 6: Civic Participation &amp; Employment</b> - People 50+ participate in employment, training, lifelong learning and volunteering opportunities and are engaged and involved in decision making.				
Strategy 6.1 Support older people to continue employment, participate in volunteering, life-long learning and civic participation.				
Action	Outcome Measures	Responsibility	Timeframe	Resources
6.1.1 Ensure Council's employment practices value, promote and encourage older workers contribution to the workplace and community.	Cross organizational Working Group established to identify barriers, opportunities and actions to support older workers continue employment.  Identification of actions to encourage older workers to seek employment with Yarra to maintain a diverse workforce.	People & Culture	2018 - 2020	Within existing resources
6.1.2 Work with Community Partnerships Unit to support the development of Council's volunteering strategy.	Council strategy includes consideration of feedback from older people on volunteering.	Aged & Disability Services	June 2019	Within existing resources
Strategy 6.2 Ensure Older People are actively considered in the development of Council's policies, programs and services.				
Action	Outcome Measures	Responsibility	Timeframe	Resources
6.2.1 The AHA Strategy aligns to relevant Council's Plans and Strategies, and where other strategies and plans are being developed they consider the domains of Age Friendly Cities where relevant.	Alignment of the AHA to current Council Plans/Strategies: <ul style="list-style-type: none"> <li>• Municipal Health Plan</li> <li>• Council Plan</li> </ul> Community engagement of people 50+ where relevant in development of Council Strategies and Plans.	Aged & Disability Services	Ongoing	Within existing resources
6.2.2 Continue to resource, support and engage the Active Ageing Advisory Group (AAAG).	Number of meetings held and attendance.  Number of topics AAAG have been consulted on.	Aged & Disability Services	On-going	Within existing resources

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GOAL 7: Community Support and Health Services - People 50+ are supported to stay healthy, active and independent through community support and health services, including services responding to elder abuse and fraud.					
Strategy 7.1 Educate and inform older people in the community of programs and services available to support their independence.					
Action	Outcome Measures	Responsibility	Timeframe	Resources	
7.1.1 Provide information sessions, attend groups and engage with local agencies to support residents understand and navigate the My Aged Care system.	Sessions held through CALD groups; and with local agencies supporting socially isolated people.  One to one navigation support offered and available, especially for most disadvantaged.	Aged & Disability Services	2018 - 2020	Within existing resources - 2018.  New Initiative proposal - 2019	
7.1.2 Advocate through the MAV and others for greater promotion and availability of local resources to assist people, especially the most disadvantaged, understand the My Aged Care system.	Issues raised and presented through MAV and to Federal Government.	Aged & Disability Services	2018 - 2020	Within existing resources	
7.1.3 Determine Council's future direction in the provision of the Commonwealth Home Support and Assessment Service.	Analysis and community engagement undertaken.  Decision determined having regard to final State and Federal Government policy positions and system design.	Aged & Disability Services	June 2019	Within existing resources	
7.1.4 Coordinate the Yarra Aged Care Services Forum to maintain information sharing; identify gaps in the service system and opportunities to work together	Regular attendance by Community Health Centres and Aged Services providers.  Feedback from attendee's on the value of network.	Aged & Disability Services	2018 - 2020	Within existing resources	

## Attachment 1 - Draft Active Healthy Ageing in Yarra Strategy 2018 2024

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7.1.5 Promote and support State-wide annual events to enable older people to make informed decisions.	Promotion of events such as: Dying to Know Day; Elder Abuse Awareness Day; Dementia Day; Good Neighbour Day; Seniors Week.	Age and Disability Services	2018 - 2020	Within existing resources
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## KNOWLEDGE

**GOAL 8: Communication and Information** - People 50+ are able to access information they need in a variety of formats to stay informed and connected with their community, families and friends.

Strategy 8.1 Ensure that older people are aware of the diversity of programs and activities available, with a particular focus on socially excluded and vulnerable people.

Action	Outcome Measures	Responsibility	Timeframe	Resources
8.1.1 Aged & Disability Services webpage has links to information on the diversity of programs, activities and events provided by the City of Yarra with a particular focus on Yarra Leisure, Libraries and Events.	Evidence that the web page is regularly reviewed and updated. Visits to webpages and links E-newsletter inclusion of information specifically for older people	Aged & Disability Services	2018-2020	Within existing resources
8.1.2 Information is provided through a variety of channels to ensure the community has access to information on the range of programs, activities and events provided by the City of Yarra- with a particular focus on Aged & Disability Services, Yarra Leisure, Libraries and Events	Information has been made available through: <ul style="list-style-type: none"> <li>Facebook / Twitter</li> <li>Yarra Council web</li> <li>E-newsletter</li> <li>Yarra News</li> <li>Posters/postcards</li> </ul>	Aged & Disability Services	2018-2020	Within existing resources

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**Access & Inclusion Strategy 2018 – 2024**

**Acknowledgement of Country**

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 ELDERS PAST AND PRESENT.

**Mayor's Foreword**

To be inserted

*The Convention on the Rights of Persons with Disabilities states that 'disability is an evolving concept and that disability results from the interaction between persons with impairments and attitudinal and environmental barriers that hinders their full and effective participation in society on an equal basis with others'.*

## **Attachment 2**

### **Our Vision**

*An inclusive and accessible Yarra that enables people with disability to participate, contribute and be represented in our community as equal citizens.*

### **Council's Commitment to Access and Inclusion**

Council plays a fundamental role in supporting people with disability to live full and active lives. People with a disability are a significant part of Yarra's diverse population and make an important contribution to our community.

Australia has been a signatory to the United Nations Assembly *Convention on Human Rights of Persons with Disabilities (2006)* since 2008: The UN Convention affirms the right of all people with disability to an adequate standard of living and it guarantees equality, dignity, and liberty, and full and equal access to justice, education, quality healthcare and to participation in public and cultural life.

The principles of the UN Convention are reflected in the Victorian *Charter of Human Rights and Responsibilities Act 2006*. The Act provides a set of rights, freedoms and responsibilities that governments must observe when creating laws, public policy or delivering services.

As a public authority, Council is required and is committed to demonstrate that it has properly considered human rights in all its decisions when making laws, developing policy and providing services.

The Access & Inclusion Strategy 2018-2024 vision is for an inclusive and accessible Yarra, encompassing a broad, strengths based approach to contribute towards self-actualisation of people with disability by improving access to information, built environment and facilities; engaging people with disability in consultations and events; and by creating a diverse and inclusive workforce. Universal Access and mainstream participation can bring solid and lasting change in the quality of lives of people with disability.

Based on the community voice and internal contributions, consecutive Action Plans developed under this Strategy will reflect the needs and aspirations of people with disability and their families, build on Council's strengths, and build community capacity.

This is underpinned by a principle that greater representation of people with disability across community will increase social cohesion and benefit all Yarra communities. Disability Action Plans are required (Victorian Disability Act 2006) to be developed for the purpose of:



## Attachment 2

1. Reducing barriers for persons with disabilities accessing information, goods, services and facilities;
2. Reducing barriers to persons with disabilities obtaining or maintaining employment;
3. Promoting inclusion and participation in the community; and
4. Achieving tangible changes in attitudes and practices that discriminate against persons with disabilities.

*(Legal requirements as per Section 38, Victorian Disability Act 2006)*

It is documented that the most common barriers preventing people with disability from social participation are discrimination (including unintentional discrimination), lack of awareness and poor attitudes, lack of affordability, and poor accessibility to information, services, built environment, public transport and community events. A whole of community approach is required to empower people with disability to participate, contribute and be represented in society the same as any other citizens.

*Out of 29 OECD countries, Australia was 27<sup>th</sup> regarding employment outcomes for people with disability. Only 53% of people with disability of working age in Australia are employed, compared to 83% of people without disability in the workforce. A third of workers with disability are in part time positions and are seeking more hours.*

Council's planning, programs and operations need to continue to strengthen the focus on creating an enabling environment for people with disability and ensure they can access appropriate support services. At the same time Council needs to support mainstream organisations to become more inclusive and develop skills and capacity to meet the needs of people with disability.

Yarra needs to support its workforce, businesses, community organisations and individuals, to view disability as a natural part of life that may affect anyone.

### **The Disability Advisory Group (DAC)**

In 1999 Yarra City Council initiated a resident based Disability Advisory Committee (DAC) to provide advice and support to Council on how it can improve the wellbeing of people with disability and their carers, including:

- Universal access;
- Inclusion principles;
- Best practice in Yarra City Council core activities; and,
- Assisting in our advocacy role to promote access and inclusion at the broader level.

The committee's membership includes people with disability, carers or family members of people with disability, who are able to represent the views of Yarra residents with disability.

Over the past twenty years DAC has played a pivotal role in advancing the rights of people with disability and providing advice to Council from the perspective of own experiences and

## Attachment 2

areas of expertise. The DAC will have a continuing role in supporting Council to implement this Strategy and the consecutive Action Plans.

### Yarra at a Glance

A broad definition of disability includes a range of permanent and temporary, physical and mental conditions of impairments. Council recognises that barriers experienced by people with disability arise primarily from attitudes, structures and practices that prevent people with disability from experiencing equal status, economic participation and social inclusion. These barriers, constructed by the society in which people with disability live, restrict their capabilities and opportunities by prejudice, discrimination, inaccessible environments and inadequate supports have potential to be reversed.

The interplay of environmental and individual factors are reflected in the strategic planning of Council that aims to protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities (and other diverse groups); and to promote respect for their inherent dignity and equal opportunity.

The age group percentage of Yarra residents with disability who require assistance with core activities is as follows:

- 0-14 years olds equates 2%
- 15-64 years old equates to 2%
- 65+ years old equates to 20%

However, it should be noted that the Census captures only those people who have identified as having a disability; through our knowledge and experience not all people with disability, or who have a child in their care with disability under-report.

*Only 1 in ten of people with disability (nation-wide) reported that their needs in social connection and community participation are met (Shut Out Report 2009)*

The percentage of persons with disability requiring assistance progressively increases between the ages of 65-94.

The vast majority of working age people (15 to 60 years old) with need for assistance are not in the labour force and only 8% are employed as compared to 75% for people who do not require assistance.

Of those requiring assistance, 44% do not speak English at home, compared to 24% for people who do not need assistance with core activities.

*"In Yarra, 14.8% of the population has a disability and 7.2% of the Yarra population are unpaid carers assisting their family members.*

*This totals 21% of Yarra's population - a large proportion of our community that face challenges to actively participate in community life."*

**Attachment 2****Strategy Development and Community Engagement & Consultation**

Council undertook an extensive consultation and engagement process to ensure that this Strategy is reflective of a broad range of stakeholders and benefits from the breadth of input from people with disability, their carers and other key stakeholders.

The consultation process was shared across this Strategy and Council's Active & Healthy Ageing Strategy, and this generated an opportunity to reflect on synergies within our work in these fields, and also the uniqueness of each approach.

The key steps in the development of this strategy were:

- Evaluation of the Inclusion for All Access and Inclusion Plan 2014-2017: successes, challenges and emerging priorities;
- Development of a Background & Issues Paper, including demographics, policy direction and reforms (specifically the National Disability Strategy, National Disability Insurance Scheme and My Aged Care reforms);
- Living Well in Yarra on line survey- 265 completed surveys;
- Living Well in Yarra focus groups and pop-up's;  
Service Provider and staff consultation and engagement; and,
- Consultation with the Disability Advisory Committee in each aspect of the consultation, including the development of Project Methodology

Refer Community and Council Consultation and Engagement Report for full details

**The Role of Council's Access and Inclusion Strategy in light of National Reforms**

The National Disability Care (NDIS) and My Aged Care reforms have a significant impact on the role of local government in supporting people with disability. Implementation of the NDIS is occurring on a regional basis and Council was part of the first transition region. Council determined not to be an NDIS service provider in June 2016, following a review of options and consideration of the implications of a new market driven model. Existing clients have been supported during the transition to NDIS.

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In 2017 the national portal, My Aged Care (MAC), was introduced as the main entry point to the aged care system in Victoria. Once the reforms are fully implemented, the delivery of care can be provided by a range of organisations, of which Council may be just one of many. The MAC system is based on an open and competitive market model for providers and is designed to increase individual consumer choice. This may have implications for vulnerable groups in being able to access care and having equity of access to services in the future. In light of the MAC reforms, Council is reviewing its role in service delivery.

Given the changes happening through the NDIS, the Action Plans that underpin this strategy will be kept under review to identify new opportunities to advocate for, support, or directly run initiatives to grow livability in Yarra for people with disability. Council will closely observe the impact of the National Reforms on all residents, and in particular the more vulnerable cohorts, and ensure that the strategic actions reflect the needs of the community.

Council is also reviewing the way in which we partner on our Strategy development and implementation. We are currently exploring synergies with other Council Action Plans – such as the Active and Healthy Ageing Strategy and the 0 to 25 Strategy and looking for ways we can leverage common actions to create a city that is inclusive for all. Not only will this deliver on actions that support people with disability but it will also strengthen advocacy for the mutual benefit of all. The principles that underpin Universal Design, Accessible & Friendly Cities, Inclusive Communities and Intergenerational Connections apply across all ages and abilities. We understand that people can, for example, experience social isolation or limited mobility at any age, and we are working to ensure our responses to these issues and support residents at different life stages.

*An estimated 4.3 million Australians aged 16-65 have a disability, but the majority will not qualify for NDIS-funded packages. Approximately 460,000 people will participate in the NDIS across Australia by 2020. People who do not meet eligibility criteria need to rely on state and local supports*

### Key themes derived from Community and Council Consultation & Engagement

*I feel there is nothing out there for me. I am 59 years old and have mobility issues, so therefore spend most of my time at home- I feel isolated as now all of my friends have either died or moved out of the area.*

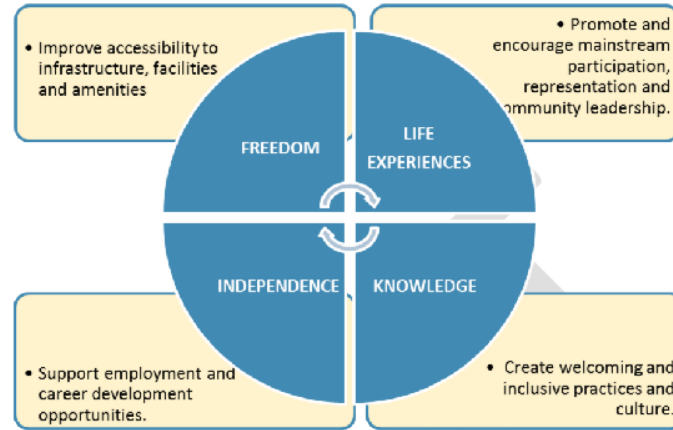
When analyzing the feedback from the community consultation four key themes emerged: Freedom, Life Experiences, Knowledge and Independence. The diagram below confirms how clearly the issues raised by our community (in the circle) aligns to the legislative requirements – see paragraph 1 p.3).

Therefore, by focusing on our community's priorities and developing appropriate actions and solutions to address their concerns, Council will be working towards the development of an Accessible and Inclusive City.

## Attachment 2

### Future Steps and Action Plans

This Access and Inclusion Strategy 2018-24 sets the future direction for Council in creating an inclusive and accessible Yarra that enables people with a disability to fulfill their potential as equal citizens. The strategy will be underpinned by three Action plans that each span two years:



This allows for some agility in how Council will respond to the key themes in the context of a shifting service delivery environment. In every action plan, responsibility will sit with a variety of Council branches to ensure that an Accessible and Inclusive approach is embedded across Council.

The Access & Inclusion Strategy 2018 –2024 will influence the overall Council Plan and annual action plan. Community feedback will also be used to inform other specific purpose plans, such as open space, walking, and library action plans.

## Attachment 2

### Key Goals and Strategies



#### **1. Improve accessibility to infrastructure, facilities and amenities**

##### **Strategies:**

- 1.1 Promote and encourage the application of Universal Design and Universal Access within, and external to Council.
- 1.2 Advocate to create an accessible, well-networked public transport system in the City of Yarra.
- 1.3 Develop/extend incentive programs to local businesses to maximize their accessibility
- 1.4 Increase safer access and mobility through public realm improvement.
- 1.5 Improve accessibility to City of Yarra buildings and facilities, including ensuring adequate amenities are available.
- 1.6 Advocate and work collaboratively to ensure greater provision of accessible and affordable housing.
- 1.7 Create Neighborhood's that are safe and promote a sense of belonging.



#### **2. Promote and encourage mainstream participation, representation and community leadership.**

##### **Strategies:**

- 2.1 Provide and/or support the community to provide a diverse range of accessible community services and arts, cultural, sport and recreational activities that are creative and fun for all abilities and ages.
- 2.2 Investigate opportunities and implement initiatives to address financial and transport barriers to access.
- 2.3 Ensure people with disability have the same opportunities as other people to participate in public meetings/consultations and events organised by the City of Yarra.



## Attachment 2

INDEPENDENCE

### 3. Support employment and career development opportunities.

#### Strategies:

- 3.1 Work within Council, and with businesses and community groups to advance the rights of people with a disability to participate equally in the: Workforce, Education and training, and Volunteering opportunities
- 3.2 Enhance opportunities for people with disability to obtain and maintain employment with the City of Yarra.

KNOWLEDGE

### 4. Create welcoming and inclusive practices and culture.

#### Strategies:

- 4.1 Information is provided by Council in a format (including pictorial) to enable people with disability to access easily.
- 4.2 Develop and deliver initiatives to achieve positive changes in attitudes about disability, as well as structural discrimination.
- 4.3 Raise community awareness of people living with invisible disability.

## Attachment 2 - Draft Access Inclusion Strategy 2018 2024 and Action Plan 2018 - 2020

## Attachment 2

## Access &amp; Inclusion Action Plan 2018-2020

FREEDOM					
GOAL 1: Improve Accessibility to Infrastructure, Facilities and Amenities					
Strategy 1.1 Promote and encourage the application of Universal Design and Universal Access within, and external to Council.					
Action	Outcome Measures	Responsibility	Timeframe	Resources	
1.1.1 Ensure the development of the new Yarra Open Space Strategy considers Universal Design Principles and its recommendations include the development of accessible spaces.	Recommendations in the new Yarra Open Space Strategy reflect best practice universal design principles.  Deliverable actions in the Yarra Open Space Strategy relate to improvements in accessibility for all members of the community.	Open Space Planning and Design	December 2019	Within existing resources	
1.1.2 Consideration is given to Universal Design Principles at the time of preparation of a new Heritage Strategy.	A&DS representatives are engaged regarding universal access aspects of heritage buildings and infrastructure during the consultations on the new Heritage Strategy.	City Heritage	June 2019	Within existing resources	
1.1.3 Conduct redevelopment of the entrance to the Richmond Town Hall that exceeds, where possible, the <i>Disability (Access to Premises – Buildings) Standards 2010</i> , to ensure universal access, including safe access by persons using wheelchairs, scooters and walking frames.	Project implemented as per the design by Access and Architecture consultants.	Buildings and Assets	June 2020	Within allocated resources	



## Attachment 2 - Draft Access Inclusion Strategy 2018 2024 and Action Plan 2018 - 2020

### Attachment 2

Strategy 1.2 Advocate to create an accessible, well-networked public transport system in the City of Yarra.				
Action	Outcome Measures	Responsibility	Timeframe	Resources
1.2.1 Continue to facilitate partnership with PTV towards construction of Easy Access Tram Stops on Route 96.	Construction of four stops completed by Dec 2018.  Agreement between PTV and Council on remaining stops reached in regard to location, design and the site preparation.	Strategic Transport	December 2018  June 2020	Within existing resources
1.2.2 Advocate for the construction of Easy Access Tram Stops on Bridge Road.	Concept work developed and adopted.	Strategic Transport	December 2019	Within existing resources
1.2.3 Facilitate Streamlining Hoddle St Project for better connectivity of transport network in Yarra, including construction of an Easy Access Tram Stop on Swan St, Richmond.	Construction completed by March 2019.	Strategic Transport	March 2019	Within existing resources
Strategy 1.3 Develop/extend incentive programs to local businesses to maximize their accessibility.				
Action	Outcome Measures	Responsibility	Timeframe	Resources
1.3.1 Explore the availability of funds to support businesses to improve accessibility to their shops, services and entertainment venues.	An opportunity of funding is identified and an application is submitted	Aged and Disability Services	2018 - 2019	New Initiative proposal 2019 – 2020 and/or alternative funds.

## Attachment 2 - Draft Access Inclusion Strategy 2018 2024 and Action Plan 2018 - 2020

### Attachment 2

Strategy 1.4 Increase safer access and mobility through public realm improvement.					
Action	Outcome Measures	Responsibility	Timeframe	Resources	
1.4.1 Identify priority precincts, including open space sites for best practice universal design upgrades, to improve walkability and recreational opportunities for people of all abilities.	Disability Advisory Committee consulted on the nominated area for upgrades. Nominated sites approved by the Urban Design and Open Space Units	Aged and Disability Services	December 2019	Within existing resources	
Strategy 1.5 Improve accessibility to City of Yarra buildings and facilities, including ensuring adequate amenities are available.					
Action	Outcome Measures	Responsibility	Timeframe	Resources	
1.5.1 Promote to businesses and the community the requirements of the Footpath Trading Policy, to maintain continuous path of travel along the property line, and achieve safe footpaths.	Information about the Footpath Trading Policy requirements featured in Yarra News, with information how community members can report related hazards.	Compliance and Parking Branch	June 2019	Within existing resources	
1.5.2 Conduct upgrades of the footpaths and construct continued path of travel on crossings on the nominated streets in key activity centres, to make them safer.	Upgrades to footpaths and construction of level crossings delivered on six nominated streets (three per financial year) in key activity centres, as part of the Local Area Place Making Scheme.	City Works	June 2020	Within existing resources	
1.5.3 Review pedestrian signal phase timing to assist pedestrians unable to complete crossing within usual allocated time and identify opportunities to implement demand-responsive signal technology	Review completed within timeline. Options for signal technology included in traffic management and place making projects.	Traffic and Civil Engineering	June 2020	Within existing resources	
1.5.4 Deliver upgrades of at least 10 Disability Access parking bays in activity centres over	A list of Disability Access parking bays for upgrades compiled for 2018/19 & then for 2019/20.	Traffic and Civil Engineering	June 2019 June 2020	Within existing resources	

## Attachment 2 - Draft Access Inclusion Strategy 2018 2024 and Action Plan 2018 - 2020

### Attachment 2

a period of two years, including provision of street signage.	Upgrade a minimum of 5 Disability Access parking bays in activity centres per financial year.			
1.5.5 Include new seating for people of all ages and abilities as part of public realm improvements along Bridge Road and Victoria Street.	Additional seating is provided in these Centres.	City Strategy	2018 - 2019	Within existing resources
Strategy 1.6 Advocate and work collaboratively to ensure greater provision of accessible and affordable housing.				
Action	Outcome Measures	Responsibility	Timeframe	Resources
1.6.1 Continue to work with public and community housing providers to establish a shared understanding of supply and demand within the municipality; and advocate to meet the needs of low-to-moderate income households and people with disability.	Quarterly meetings are held with key housing stakeholders delivering housing and accommodation in Yarra to discuss the emerging and critical issues	Social Policy and Research	2018-2022	Within existing resources
1.6.2 Include policy in the Yarra Planning Scheme that encourages development that is inclusive and accessible for people of all ages and abilities.	Draft policy included in the draft planning scheme.	City Strategy	2018 - 2019	Within existing resources

## Attachment 2 - Draft Access Inclusion Strategy 2018 2024 and Action Plan 2018 - 2020

### Attachment 2

Strategy 1.7 Create Neighbourhoods that are safe and promote a sense of belonging.				
Action	Outcome Measures	Responsibility	Timeframe	Resources
1.7.1 Increase awareness of Council's Graffiti Management Framework which allows for removal of graffiti from private property at no cost to people with a disability.	Graffiti Management Framework has been widely promoted to people with disability.	Aged & Disability Services	2019	Within existing resources
1.7.2 Raise awareness to staff about the availability of the Changing Places at the Bargoonga Nganijin and promote the facility.	Staff familiar with the concept, purpose and promotion of the Changing Places facility. International Changing Places sticker displayed at the information desk.	Library Services	2018 – 2020	Within existing resources

## Attachment 2 - Draft Access Inclusion Strategy 2018 2024 and Action Plan 2018 - 2020

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LIFE EXPERIENCES				
GOAL 2: Promote and Encourage Mainstream Participation, Representation and Community Leadership				
Strategy 2.1 Provide and/or support the community to provide a diverse range of accessible community services and arts, cultural, sport and recreational activities and events that are creative and fun for all abilities and ages.				
Action	Outcome Measures	Responsibility	Timeframe	Resources
2.1.1 Establish cross Council working group to investigate opportunities in developing a suite of programs for people with a disability (all ages and intergenerational).	Increased range of programs available and accessible for people with disability- All Ages, All Abilities to reduce social isolation  Diversity of representation across Council branches and external partners  Suite and number of programs developed  Results Based Accountability evaluation of programs to measure social outcomes impact (Wellbeing)	Aged and Disability Services	2019-2020	New Initiative Proposal 2019 - 2020
2.1.2 The Hirers information Template will include a section on accessibility requirements, and say Council is committed to making all events hosted in its venues fully accessible.	Accessibility requirements are included on the hirer's template, which includes a statement on Council's commitment to its venues being fully accessible.	Arts, Culture & Venues	2018	Within existing resources
2.1.3 Raise awareness and improve accessibility to the Leaps and Bounds Festival	Leaps and Bounds Music Festival will identify events which accept the Companion Card and encourage Venues to note on their website that they accept the Card.  Event venues have noted on their website that they accept Companion Cards	Arts, Culture & Venues	July 2019	Within existing resources

**Attachment 2 - Draft Access Inclusion Strategy 2018 2024 and Action Plan 2018 - 2020****Attachment 2**

2.1.4	Implement the Support of Carers initiative to provide additional one-off activity to increase social engagement.	One-off activities provided across Libraries, Children and Youth Services, Disability Services and Arts & Culture provided		2018 - 2019	Funding provided by State Government
2.1.5	Extend the Home Library Service, through engaging the Digital Team by identifying opportunities to deliver "I'll be connected" to isolated residents in their homes.	A business Plan is developed identifying needs, ways to provide the service and supporting residents to engage with IT technology, building their social connectedness	Library Services & Aged & Disability Services	2018 - 2019	Within existing resources
2.1.6	Continue to review the sessions and identify opportunities to increase 'Access All Abilities' lessons and sessions, including during varied hours and weekends.	Conduct a program service review of the current Access All Abilities offerings, identifying current and future opportunities to grow the program and its offerings.	Yarra Leisure	December 2018 – June 2020	Within available resources
2.1.7	Continue to develop the swim teaching staff and increase the level of skill and experience in teaching people of varying ages, skills and abilities.	Proposal developed with the aim to secure funding for swim teachers to obtain the additional qualification required to deliver access and inclusion programs.	Yarra Leisure	December 2018 – June 2020	Within existing resources

## Attachment 2 - Draft Access Inclusion Strategy 2018 2024 and Action Plan 2018 - 2020

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Strategy 2.2 Investigate opportunities and implement initiatives to address financial and transport barriers to access.				
Action	Outcome Measures	Responsibility	Timeframe	Resources
2.2.1 Commence investigation of an app (to be developed or existing) that identifies accessible routes between places (like Google maps/directions/ travel smart). It should note accessible toilets, rest stops, recharge points, shops that have happy hours for seniors, accessible cafes etc.).	Improve safety & accessibility for people with disability to increase social connection and participation	Aged & Disability Services	2019 - 2020	Within existing resources. Any proposal subject to New Initiative.
2.2.2 Investigate options to improve the Community Transport service to align with emerging needs	More flexible service that increase social connections	Aged & Disability Services	December 2019	New Initiative proposal 2019-2020
2.2.3 In collaboration with other councils and Municipal Association of Victoria (MAV), advocate to State Government on behalf of people with disability, to obtain greater rate subsidies and other rebates associated with the cost of living.	Workshop conducted at MAV with Interested councils. Submission (i.e. with case studies) forwarded to the State Government.	Social Policy and Research Business and Finance Age and Disability Services	June 2020	Within existing resources
2.2.4 Conduct a review of the customer information available within Yarra Leisure venues and online regarding entitlements of companion card holders at Yarra Leisure venues.	The Companion Card is promoted to the Yarra Leisure Services community.	Yarra Leisure	Ongoing	Within existing resources

## Attachment 2 - Draft Access Inclusion Strategy 2018 2024 and Action Plan 2018 - 2020

### Attachment 2

Strategy 2.3 Ensure people with disability have the same opportunities as other people to participate in public meetings/consultations and events organised by the City of Yarra.				
Action	Outcome Measures	Responsibility	Timeframe	Resources
2.3.1 Where appropriate, add a contact person for 'specific requirements' on event communication	Information is added to relevant events	Advocacy, and Engagement, Communications	Ongoing	Support from all Yarra staff
2.3.2 Continue to resource, support and engage the Disability Advisory Committee (DAC).	Number of meetings held and attendance. Number of topics DAC have been consulted on.	Aged & Disability Services	On-going	Within existing resources
2.3.3 Determine Council's future role in the Home & Community Care – Program for Young People program.	Clarity on Council's role and future direction in support of young people with disability through home based service provision. Decide on Council's role in navigation and support outside of NDIS structure.	Aged & Disability Services	2018 - 2020	Within existing resources
2.3.4 Continue to monitor access and navigation to the NDIS and advocate where necessary for CALD, Aboriginal, people with mental health needs and vulnerable community members.	Ongoing advocacy of issues and risks to groups highlighted in submission, forums and in follow up with agencies.	Aged & Disability Services	2018 - 2020	Within existing resources – 2018.
2.3.5 Advocate to State Government for the continuation of the MetroAccess program, scheduled for closure 30 June 2019.	Commitment to maintain MetroAccess program on an on-going basis. Key community capacity building program maintained.	Aged & Disability Services	2018 - - 2019	Within existing resources



**Attachment 2 - Draft Access Inclusion Strategy 2018 2024 and Action Plan 2018 - 2020****Attachment 2**

2.3.6 Promote annual scheduled meetings of the Disability Advisory Committee (DAC) to branches across Council, inviting them to attend a meeting to consult with the DAC, or to inform them of what is happening.	Number of consultations Number of information sessions	Age and Disability Services	Ongoing	Within existing resources
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## Attachment 2 - Draft Access Inclusion Strategy 2018 2024 and Action Plan 2018 - 2020

### Attachment 2

INDEPENDENCE				
GOAL 3: Support Employment and Career Development Opportunities				
Strategy 3.1 Work within Council, and with businesses and community groups to advance the rights of people with a disability to participate equally in the: Workforce, Education and Training, and Volunteering opportunities.				
Action	Outcome Measures	Responsibility	Timeframe	Resources
3.1.1 Develop content for an e-learning module on building inclusive workforce practice environments. Develop the e-learning module on line, based on the content provided by ADS	Content for e-learning module completed  e-learning module up online	Aged & Disability Services  People and Culture	2019	Within existing resources
Strategy 3.2 Enhance opportunities for people with disability to obtain and maintain employment with the City of Yarra.				
Action	Outcome Measures	Responsibility	Timeframe	Resources
3.2.1 To Continue Yarra's 'Silver' membership of the Australian Network on Disability (AND) and incorporate offered benefits into organisational programs.	Evidence that Council's employment processes has benefited from its membership of AND, through on-going support for Internship program	Aged & Disability Services and People and Culture	2019 - 2020	Within existing resources
3.2.2 On a yearly basis submit a new initiative bid to fund AND's 'Stepping Into' Internship for tertiary students with a disability	Two Interns are offered paid positions in Council	Aged & Disability Services & People and Culture	2019 - 2020	Subject to availability of new initiative funding
3.2.3 Work with Community Partnerships Unit to support the development of Council's volunteering strategy.	Council strategy includes consideration of feedback from older people on volunteering.	Aged & Disability Services	June 2019	Within existing resources

**Attachment 2 - Draft Access Inclusion Strategy 2018 2024 and Action Plan 2018 - 2020**

**Attachment 2**

3.2.4 Seek funding to offer a traineeship opportunity for an applicant with a disability.	Appropriate funding source identified. Application for funding submitted.	Aged & Disability Services & People and Culture	December 2019	Subject to successful funding submission.
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## Attachment 2 - Draft Access Inclusion Strategy 2018 2024 and Action Plan 2018 - 2020

### Attachment 2

KNOWLEDGE					
GOAL 4: Create Welcoming and Inclusive Practices and Culture					
Strategy 4.1 Information provided by Council is in a format (including pictorial) to enable people with disability to access easily.					
Action	Outcome Measures	Responsibility	Timeframe	Resources	
4.1.1 Provide regular refresher training on accessible communication to maintain accreditation with SCOPE.	Training provided to customer service staff. Customer Service Branch maintains SCOPE accreditation.	Access Yarra	June 2019	Within existing resources	
4.1.2 Produce communication materials which promote activities and events in Yarra in accessible formats.	Produce 3 x promotional materials each year which meet the needs of a specific community group.	Advocacy and Engagement, Communications	Ongoing	Budget required for converting into an accessible format	
4.1.3 Provide documents on website, and in particular Your Say Yarra that are accessible to people who use adaptive reading software (i.e. JAWS)	Electronic files on website are uploaded in an accessible format.	Advocacy and Engagement, Communications	2018 - 2020	Within existing resources	
4.1.4 Develop a guide for creating accessible communication materials.	Guide is published on the intranet and promoted to staff	Advocacy and Engagement, Communications Aged and Disability Services	March 2019	Within existing resources	
4.1.5 Update the Communications and Engagement plan template to include accessibility requirements.	Template is updated and distributed to staff	Advocacy and Engagement, Communications	December 2018	Within existing resources	

**Attachment 2 - Draft Access Inclusion Strategy 2018 2024 and Action Plan 2018 - 2020****Attachment 2**

4.1.6	The 'Pick Me Up Booklet' will be made available in accessible formats on Council's website	The Booklet is available in accessible formats on Council and ADS website page.	Arts, Culture & Venues Aged & Disability Services	2018	Within existing resources
4.1.7	Investigate SCOPE accreditation for communicating with patrons with a speech difficulty.	Relevant process for accreditation instigated. Communication access symbols are placed in customer service area of the Library Services.	Library Services	2018 – 2022	Within existing resources
4.1.8	Produce the 'What's On' event information booklets in an accessible format on the webpage.	'What's On' booklet is uploaded in a format accessible to the reading software.	Library Services	December 2018	Within existing resources
4.1.9	Disability Services webpage has links to information on the diversity of programs, activities and events provided by the City of Yarra with a particular focus on Yarra Leisure, Libraries and Events.	Evidence that the web page is regularly reviewed and updated.	Aged & Disability Services	2018- 2020	Within existing resources
4.1.10	Information is provided through a variety of channels to ensure the community has access to information on the range of programs, activities and events provided by the City of Yarra- with a particular focus on Aged & Disability Services, Yarra Leisure, Libraries and Events	Information has been made available through: <ul style="list-style-type: none"> <li>• Facebook / Twitter</li> <li>• Yarra Council web</li> <li>• Yarra News</li> <li>• Posters/postcards</li> </ul>	Aged & Disability Services	2018- 2020	Within existing resources

**Attachment 2 - Draft Access Inclusion Strategy 2018 2024 and Action Plan 2018 - 2020****Attachment 2**

Strategy 4.2 Develop and deliver initiatives to achieve positive changes in attitudes about disability as well as structural discrimination.					
Action	Outcome Measures	Responsibility	Timeframe	Resources	
4.2.1 Ensure that the reviewed Procurement Policy has a requirement that products and services purchased by Yarra are inclusive of the needs of people with disability.	Yarra staff and/or community members with disability are able to access products and services procured by Council.	Procurement	June 2020	Within existing resources	
4.2.2 Promote Disability Access Guide for Meetings, Festivals and Events to businesses and event organisers on how to make their events accessible and inclusive.	Link through to document clicked more than 100 times	Advocacy and Engagement, Communication	Ongoing	Support from the economic development and arts teams.	
4.2.3 Promote Council's Disability Access Guide for Meetings, Festivals & Events among Council staff responsible for organising public meetings and events.	Council staff are provided with guidelines and requested to implement these when organising public meeting or events	Advocacy and Engagement, Communication	December 2019	Within existing resources	
4.2.4 Ensure representation of Yarra's diverse community (e.g. people with a disability, seniors, LGBTIQ) in communications imagery.	A balanced representation of Yarra's community in images.	Advocacy and Engagement, Communication	Ongoing	Within existing resources	

## Attachment 2 - Draft Access Inclusion Strategy 2018 2024 and Action Plan 2018 - 2020

### Attachment 2

4.2.5	Continue MetroAccess programs that link individuals with mainstream activity and reduce barriers to community participation.	Bandmates program continued to increase access to entertainment opportunities. Good Business – Good Access activity is encouraged and promoted.	Aged & Disability Services	2018 - 2020	Within existing resources
4.2.6	Work with North East Metropolitan councils, and Brotherhood of St Laurence to map regional community capacity building	Map regional capacity building initiatives through MetroAccess program Strengths and gaps identified to influence Information, Linkages and Capacity Building submissions.	Aged & Disability Services	2018 - 2019	Within existing resources
Strategy 4.3 Raise community awareness of people living with invisible disabilities.					
<b>Action</b>		<b>Outcome Measures</b>	<b>Responsibility</b>	<b>Timeframe</b>	<b>Resources</b>
4.3.1	Support local forums to increase awareness of understanding of invisible disabilities.	Three information sessions held annually targeting staff and community members to raise awareness. Increased awareness demonstrated through follow-up evaluation.	Aged & Disability Services	2018 - 2020	Within existing resources
4.3.2	Maintain participation in the Yarra Mental Health Alliance.	Regular attendance and contribution to the work of the Alliance.	Aged & Disability Services	2018 - 2020	Within existing resources

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## **11.4 NELA Project - Proposed MoU**

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Trim Record Number: D18/137016

Responsible Officer: Director Planning and Place Making

### **Purpose**

1. For Council to authorise the CEO to sign a Memorandum of Understanding with North East Link Authority (NELA) concerning officer participation in NELA meetings.

### **Background**

2. The North East Link Authority (NELA) is progressing with its design and development of the North East Link (NEL) project based on the State Government decision to adopt corridor Option A (which connects EastLink to the M80 via the Eastern Freeway, Bulleen Road and a tunnel to Greensborough Road).
3. The NELA project scope of the works also includes creation of dedicated bus lanes along the Eastern Freeway between the Doncaster Park and Ride and Hoddle Street, Part of these works will be in Yarra.
4. Yarra officers have been invited to participate in various technical working groups. This provides an opportunity to review and assess the impact of the project on works such as sustainable transport infrastructure and urban design elements within Yarra. Other elements include heritage, environment and landscape.
5. To further accommodate Council officers' input into the project design, NELA has requested that Council's CEO enter into a Memorandum of Understanding (MoU) with the Authority. The MoU outlines the guiding objectives for the co-operation, co-ordination and support that NELA and Council will commit to provide in relation to the Project. It is attached as Attachment 1.
6. While the North East Link project will have an impact on Yarra, it also provides an opportunity to advocate for enhancements to achieve some benefits for the Yarra community, such as increased sustainable transport infrastructure along and across the project, and to protect the potential outcome of a rail link to Doncaster.
7. It is therefore recommended that Council authorise the CEO to sign the MoU, to enable both parties to work collaboratively to achieve the best possible outcome for the Yarra community.

### **External Consultation**

8. No external consultation has been undertaken.

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

9. No internal communications has been undertaken.

### **Financial Implications**

10. There are no financial implications in signing the MOU.

### **Economic Implications**

11. There are no economic implications in signing the MOU.

### **Sustainability Implications**

12. Signing the MOU will allow officers to more effectively advocate for increased sustainable transport infrastructure to be included in the scope of the project.

### **Social Implications**

13. There are no social implications in signing the MOU.



### **Human Rights Implications**

14. There are no human rights implications in signing the MOU.

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

15. There are no CALD communities implications in signing the MOU.

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

16. Signing the MOU will allow officers to more effectively advocate for Doncaster rail compatibility in the design criteria of the NELA project.

### **Legal Implications**

17. There are no known legal implications.

### **Other Issues**

18. There are no other issues.

### **Options**

19. Council may determine whether or not to authorise the CEO to sign the MOU.

### **Conclusion**

20. Authorising the CEO to sign the NELA MOU will allow officer to be able to assess all available project information, and advocate in accordance with actions outlined in Council's Plan.

## **RECOMMENDATION**

1. That Council:
  - (a) note the report of officers regarding the Memorandum of Understanding (MoU) proposed by the North East Link Authority (NELA);
  - (b) note the proposed MoU as shown in **Attachment 1**; and
  - (c) authorise the CEO to sign the MoU with NELA.

**CONTACT OFFICER:** Jane Waldock  
**TITLE:** Assistant Director Planning and Place Making  
**TEL:** 9205 5300

### **Attachments**

- 1 [↓](#) Memorandum of Understanding - NELA

**Attachment 1 - Memorandum of Understanding - NELA**

**Memorandum of Understanding  
between  
North East Link Authority  
and  
City of Yarra**

## Attachment 1 - Memorandum of Understanding - NELA

### Memorandum of Understanding

#### 1. Purpose

- (a) The North East Link Authority (**NELA**) has been established to develop and deliver the North East Link Project (**Project**) on behalf of the State of Victoria.
- (b) The City of Yarra (**Council**) is a municipal council established under the *Local Government Act 1989* (Vic).
- (c) The Project will be partially constructed within the municipal district under the local government of the Council.
- (d) The Project Team acknowledges the unique position of the Council in relation to the Project, particularly as the Council does not support the Project. Notwithstanding, the Council has committed to working cooperatively with the Project Team in order to achieve the best possible outcome within the municipal district under the local government of the Council.
- (e) Interface and cooperation between the Project Team and the Council will be required to assist in achieving the successful design, planning, assessment, procurement and delivery of the Project.
- (f) This Memorandum of Understanding sets out the co-operation, co-ordination and support that the North East Link Project Team comprising a specialist team of representatives from the NELA and Victorian government agencies and departments (**Project Team**) and Council have committed to provide in relation to the Project.

#### 2. Definitions

In this Memorandum of Understanding, unless expressed or implied to the contrary:

- (a) **Business Day** means Monday to Friday excluding public holidays in Victoria.
- (b) **Commencement Date** means the date specified in item 1 of Schedule 1.
- (c) **Council's Representative** means the person nominated by the Council in writing from time to time, initially being the person named in item 3 of Schedule 1.
- (d) **Individual Confidentiality Undertaking** means the confidentiality undertaking in the form attached in Schedule 2.
- (e) **Intellectual Property** means all copyright, patents and all rights in relation to inventions, registered and unregistered trademarks (including services marks) and registered designs trade secrets and know-how, all rights under the *Circuit Layouts Act 1989* (Cth), and all other intellectual or intangible property.
- (f) **NELA's Representative** means the person nominated by the NELA in writing from time to time, initially being the person holding the position specified in item 2 of Schedule 1.
- (g) **Memorandum of Understanding** means this document, including any Schedules, Annexures and documents incorporated by reference.

## Attachment 1 - Memorandum of Understanding - NELA

- (h) **Term** means the period specified in clause 3 or such lesser period if this Memorandum of Understanding is terminated earlier pursuant to clause 17.

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### 3. Term

This Memorandum of Understanding commences on the Commencement Date and ends on 31 December 2019 (**Expiry Date**) unless terminated in accordance with clause 17 or extended by agreement between the parties.

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### 4. Nature of relationship

The parties acknowledge and agree that:

- (a) this Memorandum of Understanding does not create a relationship of employment or partnership between them; and
- (b) it is the express intention of the parties that any relationship of partnership or employment between them is denied.

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### 5. Roles and responsibility of each party in relation to the Project

- (a) Project Team responsibilities will include:
  - (i) to cooperate and work with the Council to achieve the successful delivery of the Project;
  - (ii) to arrange and attend planning and co-ordination meetings with the Council;
  - (iii) to manage and maintain interaction with the Council and other stakeholders regarding the broader development and implementation of the Project;
  - (iv) where required, attend co-ordination meetings with any nominated advisers or consultants; and
  - (v) to make all payments required to be made to the Council in accordance with the Memorandum of Understanding.
- (b) The Council's responsibilities will include:
  - (i) in consultation with the Project Team, to manage the Project's interface with the business as usual activities and responsibilities of the Council;
  - (ii) to attend planning and co-ordination meetings with the Project Team and, where requested by the Project Team, with other stakeholders;
  - (iii) to monitor, manage and co-ordinate the integration of its activities related to the Project with the Project Team and, where relevant, other stakeholders; and
  - (iv) cooperating and working with the Project Team; and
  - (v) keeping the Project Team informed in relation to any activity proposed to be carried out by the Council which may have a direct or indirect impact on the Project.
- (c) Each of the Project Team and the Council must, to the extent that it is reasonable:

## Attachment 1 - Memorandum of Understanding - NELA

- (i) co-operate and work together in good faith to assist in achieving the successful design, planning, assessment and procurement of the Project (as applicable);
  - (ii) share information relevant to the Project openly, honestly, efficiently and proactively;
  - (iii) perform its respective obligations under the Memorandum of Understanding and any further agreements related to the Project in a diligent and prompt manner; and
  - (iv) co-operate and work together to develop a culture of collaboration, transparency in dealings, innovation and outstanding performance.
- (d) Nothing in the Memorandum of Understanding is intended to derogate from or limit:
- (i) either party's ability to exercise or fulfil its statutory or other legal functions, powers or obligations including in relation to the assessment and approval of the Project; and
  - (ii) any other memorandum of understandings entered into by the Council with a Victorian government department, agency or body in relation to any other project.

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## 6. Project Delivery Objectives

- (a) The Project delivery objectives in relation to the design, planning, assessment, procurement and delivery of the Project are:
- (i) **Best for Project Outcome** - acting in a manner that makes a positive contribution to the successful delivery of the Project;
  - (ii) **Quality and Functionality** - ensuring that the Project delivers the appropriate functional outcome for the metropolitan transport network and a high quality urban design outcome;
  - (iii) **Value for Money** - ensuring cost effective solutions, including competitive pricing with a high degree of cost certainty;
  - (iv) **Minimising Disruption** - to the extent practicable, minimising disruption to existing transport networks, commuters and the local community;
  - (v) **Council and Community Relations** - creating positive relations and communications with stakeholders and the community;
  - (vi) **Time** - delivery of the Project in accordance with the Project Team's procurement timeline; and
  - (vii) **Net Benefit** – using reasonable endeavours to deliver the best possible outcomes for the community and minimising negative community impacts arising from the Project having regard to the achievement of the other Project delivery objectives outlined above,

**(Project Delivery Objectives).**

## **Attachment 1 - Memorandum of Understanding - NELA**

- (b) To the extent reasonable, the Project Team and the Council agree to perform their obligations and any activities related to the Project in a manner which is consistent with:
  - (i) the Project Delivery Objectives; and
  - (ii) the level of care, skill and diligence required, having regard to the nature of the roles and responsibilities under the Memorandum of Understanding.

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### **7. Parties Representative**

- (a) The parties will each appoint a representative, as specified in Schedule 1, to exercise the duties, discretions and powers vested in the parties arising out of or in any way connected with this Memorandum of Understanding.
- (b) Both parties' representatives will be available at all reasonable times for consultation in connection with any matter arising under this Memorandum of Understanding.
- (c) Either party may at any time replace its representative, in which event that party will appoint another person as its representative and notify the other party of that appointment.
- (d) Nothing in this clause 7 limits either party's right to exercise any of its, or its representative's, powers or functions under this Memorandum of Understanding.

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### **8. Review Process**

- (a) The Project Team may from time to time provide the Council with documents and material for review and comment.
- (b) Where provided with documents or material by the Project Team for review and comment, the Council must review and provide comment to the Project Team within 10 Business Days' of receipt (or such other agreed timeframe).
- (c) The Project Team will endeavour to provide the Council with reasonable notice of when the Project Team expects it will provide documents and other material to the Council for review and comment, in order to give the Council sufficient time to adequately plan and manage its resources.

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### **9. Council Project impacts**

Where an activity proposed to be carried out by the Council may have a direct or indirect impact on the Project, the Council agrees to:

- (a) provide the Project Team with timely notice of the proposed activity;
- (b) provide any information that the Project Team may reasonably require from the Council in relation to the activity and in such reasonable detail that the Project Team may advise the Council; and
- (c) consult with the Project Team and give the Project Team a reasonable opportunity to have input into the proposed activity to ensure that the activity is not carried out in a manner which is inconsistent with the Project Delivery Objectives and the Project Team's decisions in relation to the design and implementation of the Project.

## Attachment 1 - Memorandum of Understanding - NELA

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### 10. Resourcing requirements for the Project

- (a) The Project Team may request the Council to appoint a dedicated resource or dedicated resources to support the design development, assessment, approval and procurement of the Project (**Dedicated Resource**).
- (b) Where the Project Team issues the Council with a request for a Dedicated Resource, the Council must provide a written proposal to the Project Team setting out the following:
  - (i) the name(s) of the Dedicated Resource;
  - (ii) the proposed scope of the Dedicated Resource's responsibilities;
  - (iii) the proposed remuneration for the Dedicated Resource; and
  - (iv) the term of the Dedicated Resource,**(Dedicated Resource Proposal)**.
- (c) Upon receipt of a Dedicated Resource Proposal from the Council, the Project Team must confirm in writing whether the Project Team approves or rejects the terms of the Dedicated Resource Proposal.
- (d) Where the Project Team:
  - (i) approves the Dedicated Resource Proposal, the Council may utilise such Dedicated Resource and will be reimbursed in accordance with clauses 11(a)(ii) and 11(e); or
  - (ii) rejects the Dedicated Resource Proposal, the Council may issue the Project Team with an alternative Dedicated Resource Proposal and clauses 10(b) and 10(c) will apply again.

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### 11. Cost reimbursement

- (a) The Project Team will reimburse the Council for:
  - (i) subject to clauses 11(b) to 11(d), specified categories of preliminary and administrative costs to be incurred by the Council during the design development, assessment, approval and procurement of the Project; and
  - (ii) cost identified in the Dedicated Resource Proposal approved by the Project Team subject to an agreed cost cap.
- (b) Before incurring any costs described in clause 11(a)(i), the Council must provide the Project Team with a written proposal setting out details of the proposed cost item (**Cost Proposal**).
- (c) The Project Team must confirm in writing whether it approves or rejects the Cost Proposal (**Cost Proposal Response**).
- (d) Where the Project Team:
  - (i) approves a Cost Proposal, the Project Team will reimburse the Council those costs; or

## Attachment 1 - Memorandum of Understanding - NELA

- (ii) rejects a Cost Proposal, the Council may issue the Project Team with an alternative cost proposal and clauses 11(b) to 11(d) will apply again.
- (e) The Project Team will only be required to pay costs, in accordance with this clause 11, which have been reasonably, directly and actually incurred by the Council upon receipt of an appropriate tax invoice.

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## 12. Intellectual Property

- (a) The parties acknowledge and agree that the ownership of all Intellectual Property created specifically and exclusively in relation to the Project (**Project Intellectual Property**) vests in the NELA upon creation.
- (b) Clause 12(a) does not apply to Background Intellectual Property belonging to the Council, the NELA, the Project Team or others employed in relation to the Project.
- (c) For the purposes of this clause 12, "Background Intellectual Property" means Intellectual Property owned or controlled by a party, including but not limited to Intellectual Property developed prior to or independently of this Memorandum of Understanding, which the party determines, in its sole discretion, to make available for the design, planning, assessment, procurement and delivery of the Project.
- (d) The Council warrants to the NELA that any Intellectual Property provided by the Council and embodied in or used in connection with the Project is the sole property of the NELA or the NELA is legally entitled to use the Intellectual Property for the purposes of the Project.
- (e) Intellectual Property in all documents, materials, manuals, drawings, computer programs and other information provided to the Council by the NELA or the Project Team for reproduction or guidance in relation to the Project remains vested in the NELA. This information must not be used or reproduced for any other purpose without the prior written approval of NELA's Representative.
- (f) The Council must procure from any of its employees or agents that produce or contribute to the production of any document any moral rights consents required by the NELA.
- (g) The Council must ensure that any consent it obtains pursuant to clause 12(f) is given genuinely and is not obtained by duress or as a result of a false or misleading statement.
- (h) The Council's obligations pursuant to this clause 12 survive the suspension, expiration or termination of this Memorandum of Understanding.

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## 13. Confidentiality

- (a) To promote effective consultation and cooperation regarding the Project between the Project Team and the Council, there will be a need to share and have access to each other's confidential information, being information (whether written, electronic, graphic or some other form) that is not in the public domain which is either directly or indirectly disclosed, provided or made available by or on behalf of the:
  - (i) Project Team to Council; or
  - (ii) Council to the Project Team,

in the course of, in respect of, or in connection with the Project (**Confidential Information**).
- (b) The Project Team and Council each agree that they will, and to procure that any person who has access to Confidential Information will:



## Attachment 1 - Memorandum of Understanding - NELA

- (i) only use the Confidential Information for purposes in relation to the design, preparation, planning, assessment, procurement and delivery of the Project (**Permitted Purpose**);
- (ii) restrict access to Confidential Information to those people who need to know for the Permitted Purpose;
- (iii) treat all Confidential Information as confidential except to the extent it is otherwise required to disclose the whole or part of the Confidential Information in accordance with:
  - A. the *Freedom of Information Act 1982* (Vic), the *Ombudsman Act 1973* (Vic) or as otherwise required by law;
  - B. the requirements of Parliamentary accountability;
  - C. the disclosure requirements of the Victorian Auditor General;
  - D. in the case of any Minister of the Crown, to fulfil his or her duties of office;
  - E. the requirement to satisfy public accountability or transparency of obligations of a government agency or the requirements of government policy (including concerning Partnerships Victoria projects); or
  - F. the requirement to satisfy any conditions of a funding agreement with the Commonwealth Government or any other disclosure requirements of the Commonwealth Government or Infrastructure Australia;
- (iv) unless the prior written consent of the other party is obtained, not copy, produce or disclose Confidential Information (or any part of it) except as required for the Permitted Purpose;
- (v) take all necessary steps to prevent unauthorised persons gaining access to or copying Confidential Information;
- (vi) promptly notify and consult with each other in respect of any requests received under the *Freedom of Information Act 1982* (Vic) that may relate to the Confidential Information; and
- (vii) immediately notify each other upon becoming aware of any breach of these Confidentiality provisions or any unauthorised access to the Confidential Information,

### (Confidentiality Protocols).

- (c) The Council must ensure that prior to any of its servants, employees, agents or contractors obtaining access to any information relating to or arising from this Memorandum of Understanding those servants, employees, agents or contractors have executed an Individual Confidentiality Undertaking in the form attached in Schedule 2.
- (d) The Council acknowledges and agrees that, for the purpose of clause 13(b)(ii), the Project Team may need to provide Confidential Information to tenderers for the Project, NELA's professional advisors for the Project, Victorian government agencies or departments, and utilities companies for the Permitted Purpose.

## Attachment 1 - Memorandum of Understanding - NELA

- (e) The Project Team acknowledges that Council staff have a duty to brief elected representatives of the Council (**Councillors**). Without limiting the Confidentiality provisions contained in this Memorandum of Understanding, the Council must:
  - (i) consult with the Project Team regarding the scope and content of any Confidential Information which it intends to use to brief any Councillors; and
  - (ii) obtain the prior written approval of the Project Team before undertaking any briefing to any Councillors which contains any Confidential Information.
- (f) The Council's obligations pursuant to this clause 13 survive the expiration or termination of this Memorandum of Understanding.

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### 14. Community and public relations material

Each of NELA and the Council agree that their respective communications teams will, to the extent that it is reasonable and practicable:

- (a) collaborate with each other regarding proposed community and public relations materials, including public announcements, promotional material or media statements, in relation to the Project; and
- (b) share all relevant information, documentation and assistance to manage community and public relations in relation to the Project.

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### 15. Issue resolution

- (a) Any dispute, difference or issue (**Issue**) between the parties in connection with this Memorandum of Understanding, must be resolved in accordance with the process set out in this clause 15.
- (b) Where an Issue arises, it must first be referred to NELA's Representative and Council's Representative, who must meet and use all reasonable endeavours to resolve the Issue as soon as practicable.
- (c) If any Issue fails to be resolved within 14 days from the date the Issue is referred for resolution in accordance with clause 15(b), the Issue must then be referred to NELA's Director, Technical and Council's [insert], who must meet and use all reasonable endeavours to resolve the Issue as soon as practicable.
- (d) If any Issue referred to NELA's Director, Technical and Council's [insert] in accordance with clause 15(c) fails to be resolved within 14 days from the date the Issue is referred, NELA's Director, Technical and Council's [insert] must refer the issues to the NELA Chief Executive Officer and Council Chief Executive Officer, who must meet and use all reasonable endeavours to resolve the Issue as soon as practicable.

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### 16. Variation

This Memorandum of Understanding may only be varied or replaced by written agreement duly executed by the parties.

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### 17. Termination

- (a) Either party may terminate this Memorandum of Understanding at any time before the end of the Term by giving the other party 20 Business Days' notice in writing of

## Attachment 1 - Memorandum of Understanding - NELA

its intention to terminate this Memorandum of Understanding, after which this Memorandum of Understanding is at an end.

- (b) Where this Memorandum of Understanding is terminated pursuant to clause 17(a), Council acknowledges and agrees that its sole entitlement will be the payment of Approved Dedicated Resource Proposal costs and Approved Cost Proposal costs which have been reasonably, directly and actually incurred by Council prior to the date of termination.

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### 18. Contact details

The address and email address of each party is:

- (a) the address and email address set out below; or
- (b) where the intended recipient notifies the sender of another address or email address, the last address or number so notified by that recipient to the sender.

#### **Project Team**

Attention:

Address: North East Link Authority, Level 14, 121 Exhibition St, Melbourne VIC 3000

Email:

#### **Council**

Attention:

Address:

Email:

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### 19. General

- (a) This Memorandum of Understanding contains the entire understanding between the parties as to the subject matter contained in it. All previous agreements, representations, warranties, explanations and commitments, expressed or implied, affecting this subject matter are superseded by this Memorandum of Understanding and have no effect.
- (b) Each party must pay its own legal costs and expenses in relation to the negotiation, preparation and execution of this Memorandum of Understanding and other documents referred to in it, unless expressly stated otherwise.
- (c) No party to this Memorandum of Understanding has the power to obligate or bind any other party. Nothing in this Memorandum of Understanding will be deemed to authorise or empower any of the parties to act as agent for or with any other party.
- (d) In the interpretation of this Memorandum of Understanding, no rule of construction applies to the disadvantage of the party preparing the Memorandum of Understanding on the basis that it put forward this Memorandum of Understanding or any part of it.
- (e) This Memorandum of Understanding may be executed in any number of counterparts all of which taken together constitute one instrument.

**Attachment 1 - Memorandum of Understanding - NELA**

- (f) This Memorandum of Understanding is binding on the parties on the exchange of counterparts. A copy of a counterpart sent by email:
  - (i) must be treated as an original counterpart;
  - (ii) is sufficient evidence of the execution of the original; and
  - (iii) may be produced in evidence for all purposes in place of the original.
- (g) Each party irrevocably submits to the non-exclusive jurisdiction of the courts of Victoria, and the Courts competent to determine appeals from those Courts, with respect to any proceedings which may be brought at any time relating in any way to this Memorandum of Understanding.

## Attachment 1 - Memorandum of Understanding - NELA

### Executed as a Memorandum of Understanding

**Executed by** ..... )  
a duly authorised officer of the North East )  
Link Authority, an administrative office of )  
the Department of Economic  
Development, Jobs, Transport and  
Resources, for and on behalf of the  
**Crown in right of the State of Victoria,**  
in the presence of:

.....  
Signature of witness

.....  
Signature of duly authorised officer

.....  
Full name of witness (print)

.....  
Full name of duly authorised officer (print)

Date: .....

**Signed** for and on behalf of **[full name in** )  
**bold]** by its duly authorised officer in the )  
presence of: )

.....  
Signature of witness

.....  
Signature of duly authorised officer

.....  
Full name of witness (print)

.....  
Full name of duly authorised officer (print)

Date: .....

## Attachment 1 - Memorandum of Understanding - NELA

### Schedule 1 – Details

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#### Details

1. **Commencement Date:** The date of signature of the last party to sign this Memorandum of Understanding.
2. **NELA's Representative:**  
Stuart Beaton  
Project Director  
Level 14, 121 Exhibition Street, Melbourne, 3000  
Email: stuart.y.beaton@northeastlink.vic.gov.au
3. **Council's Representative:**  
[Name]  
[Position]  
[Address]  
Mobile: [mobile]  
Email: [email]

## Attachment 1 - Memorandum of Understanding - NELA

### Schedule 2 – Individual Confidentiality Undertaking

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**THIS DEED** is made the \_\_\_\_\_ day of \_\_\_\_\_ 2018.

**BY**

\_\_\_\_\_ of  
\_\_\_\_\_ (the “**Covenantor**”)

**TO**

**NORTH EAST LINK AUTHORITY; THE DEPARTMENT OF ECONOMIC DEVELOPMENT, JOBS, TRANSPORT AND RESOURCES FOR AND ON BEHALF OF THE CROWN IN RIGHT OF THE STATE OF VICTORIA (“NELA”)**

**WHEREAS**

- A. The Covenantor is or shall be involved in performing various duties and/or providing services (“**Project Services**”) in relation to the North East Link Project (the “**Project**”).
- B. In the course of undertaking various duties and/or services the Covenantor shall have access to Confidential Information.
- C. NELA will allow the Covenantor access to that Confidential Information provided that confidentiality can be maintained and the Covenantor has entered into this Deed in order to acknowledge the conditions under which access to the Confidential Information will be granted.

**IT IS AGREED AS FOLLOWS:**

**1. Undertakings by the Covenantor**

The Covenantor shall-

- (i) treat as secret and confidential all Confidential Information to which he or she has access and which is disclosed to him or her before or during the course of carrying out the Project Services;
- (ii) only use the Confidential Information for the purpose of providing the Project Services and not disclose or suffer or allow access to the Confidential Information or any part of it to any person, other than to a person authorised for the purpose of the relevant Project to receive it or as required by law;
- (iii) except as may be reasonably necessary for the purposes of the provision of Project Services or as required by law, not copy, produce or disclose Confidential Information (in whole or in part) without the written permission of NELA;
- (iv) take all necessary precautions to prevent unauthorised persons from gaining access to, or copying Confidential Information;
- (v) immediately notify NELA if the Covenantor is aware of any breach of this Deed or of any unauthorised person gaining access to Confidential Information;
- (vi) deliver up to NELA upon completion or earlier termination of the Project Services or upon receipt by the Covenantor of any demand to do so made by NELA, all Confidential Information which is in the possession or under the power or control of the Covenantor.

**2. Survival of obligations**

This Deed shall survive termination of the Project Services and shall remain in force in respect of each part of the Confidential Information until that part of the Confidential Information becomes part of the public domain.

## **Attachment 1 - Memorandum of Understanding - NELA**

### **3. Retention of Property and Relief**

**3.1** All Confidential Information shall remain the property of NELA.

**3.2** NELA shall be entitled (in addition to any entitlement to damages) to an injunction or other equitable relief with respect to any actual or threatened breach by the Covenantor of the Deed and without the need of NELA (as the case requires) to prove any special damage.

### **4. Jurisdiction**

The Deed shall be governed by the laws of Victoria and the parties submit to the non-exclusive jurisdiction of the courts of the State of Victoria.

### **5. Variation**

This Deed may only be varied by the written agreement of the Covenantor and NELA.

### **6. Interpretation**

**6.1** In this Deed:

**“Confidential Information”** means any Information which is not in the public domain and which-

- (i) is either directly or indirectly disclosed provided or made available by or on behalf of NELA to the Covenantor, (whether orally, electronically, in writing or by any other means) in the course of, in respect of, or in connection with the Project Services, whether before or after the signing of this Deed; and
- (ii) pertains to or is connected in any way with a Project, including but not limited to:
  - (a) Information about NELA or those involved in the activities of the NELA;
  - (b) information relating to the internal management and structure of NELA, or the clients, client lists, client identities and contacts of NELA;
  - (c) information concerning documentation, systems, technology and affairs, operations, processes, plans or inventions and product information (whether customers, suppliers or otherwise);
  - (d) financial, technological, strategic or business information, concepts, plans, strategies, directions or systems;
  - (e) research, development, operational, legal, marketing or accounting information, concepts, plans, strategies, directions or systems;
  - (f) technology, source and object codes for computer software;
  - (g) information comprised in or relating to any intellectual property rights of NELA, or a client of NELA or third parties to whom NELA owes a legal obligation;
  - (h) know-how relating to computer software, financial techniques and products of NELA;

**“Information”** includes information or data, whether:

- (i) written, graphical, electronic, oral or in any other form, irrespective of the form in which it was originally provided;
- (ii) provided in writing, graphically, electronically, orally or in any other way; or
- (iii) denoted as Confidential Information or not.

**6.2** In this Deed, unless the context otherwise requires or a contrary intention appears:

- (i) the singular includes the plural and vice versa and words importing a gender include other genders;
- (ii) terms importing natural persons include partnerships and bodies corporate;
- (iii) other grammatical forms of defined words or phrases have corresponding meanings;
- (iv) where a party comprises two or more persons provisions of this Deed that bind that party shall bind those persons jointly and severally; and
- (iv) a reference to a person includes its successors and permitted assigns.



**Attachment 1 - Memorandum of Understanding - NELA**

**Attachment 1 - Memorandum of Understanding - NELA**

Executed as a Deed on the date set out at the commencement of this Deed.

**SIGNED SEALED and DELIVERED**

By:

**PRINT NAME OF CONVENANTOR:**

\_\_\_\_\_

\_\_\_\_\_  
*Signature of Covenantor*

in the presence of:

**PRINT NAME OF WITNESS:**

\_\_\_\_\_

\_\_\_\_\_  
*Signature of Witness*

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## 12.1 Notice of Motion No.11 of 2018 - Support for the 2018 Movember Campaign

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Trim Record Number: D18/140104

Responsible Officer: Group Manager Chief Executive's Office

I, Councillor Misha Coleman, hereby give notice that it is my intention to move the following motion at the Ordinary Meeting of Council to be held on 21 August 2018:

1. *That in this fifteenth year of The Movember Foundation dedicating itself to tackling men's health, Council express its support for the 2018 Movember campaign.*
2. *That Council authorise officers to meet with representatives of The Movember Foundation and commit Council to support the campaign, including (but not necessarily limited to):*
  - (a) *granting permission to hang a 'Giant Mo' at Richmond Town Hall;*
  - (b) *supporting the campaign through Council's Yarra News, Yarra Life e-newsletter Council website and social media channels;*
  - (c) *placing promotional material in Council's Customer Service Centres; and*
  - (d) *adding a moustache to the Council website profile pictures of Councillors and the Executive Team throughout the month of November;*

*provided that such support comes at a minimal cost to Council.*

### BACKGROUND

The Movember Foundation is a world-wide charity with a mission to change the face of men's health on a global scale, and tackling the subject on a year round basis. The architecture of the now 15 year old Movember campaign was the vision of two men who were then and still remain Yarra residents.

The goals of the Movember campaign closely mirror the principles in the City of Yarra's Council Plan and its Health and Wellbeing Strategy.

The Movember Foundation have approached the City of Yarra with a proposal to support the 2018 Movember campaign and to assist them in raising awareness and understanding of prostate cancer, testicular cancer, mental health and suicide prevention.

### RECOMMENDATION

1. That in this fifteenth year of The Movember Foundation dedicating itself to tackling men's health, Council express its support for the 2018 Movember campaign.
2. That Council authorise officers to meet with representatives of The Movember Foundation and commit Council to support the campaign, including (but not necessarily limited to):
  - (a) granting permission to hang a 'Giant Mo' at Richmond Town Hall;
  - (b) supporting the campaign through Council's Yarra News, Yarra Life e-newsletter Council website and social media channels;
  - (c) placing promotional material in Council's Customer Service Centres; and
  - (d) adding a moustache to the Council website profile pictures of Councillors and the Executive Team throughout the month of November;

provided that such support comes at a minimal cost to Council.