

Agenda

Council Meeting

7.00pm, Tuesday 8 March 2022

Richmond Town Hall

www.yarracity.vic.gov.au

Council Meetings

Council Meetings are public forums where Councillors come together to meet as a Council and make decisions about important, strategic and other matters. The Mayor presides over all Council Meetings, and they are conducted in accordance with the City of Yarra Governance Rules 2020 and the Council Meetings Operations Policy.

Council meetings are decision-making forums and only Councillors have a formal role. However, Council is committed to transparent governance and to ensuring that any person whose rights will be directly affected by a decision of Council is entitled to communicate their views and have their interests considered before the decision is made.

There are two ways you can participate in the meeting.

Public Question Time

Yarra City Council welcomes questions from members of the community.

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

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

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

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

When you are invited by the Mayor to ask your question, please come forward, take a seat at the microphone, state your name clearly for the record and:

- direct your question to the Mayor;
- refrain from making statements or engaging in debate
- don’t raise operational matters which have not previously been raised with the Council administration;
- not ask questions about matter listed on the agenda for the current meeting.
- refrain from repeating questions that have been previously asked; and
- if asking a question on behalf of a group, explain the nature of the group and how you are able to speak on their behalf.

Once you have asked your question, please remain silent unless called upon by the Mayor to make further comment or to clarify any aspects.

Public submissions

Before each item is considered, the meeting chair will ask people in attendance if they wish to make submission. If you want to make a submission, simply raise your hand and the Mayor will invite you to come forward, take a seat at the microphone, state your name clearly for the record and:

- Speak for a maximum of five minutes;
- direct your submission to the Mayor;
- confine your submission to the subject under consideration;
- avoid repetition and restating previous submitters;
- refrain from asking questions or seeking comments from the Councillors or other submitters;
- if speaking on behalf of a group, explain the nature of the group and how you are able to speak on their behalf.

Once you have made your submission, please remain silent unless called upon by the Mayor to make further comment or to clarify any aspects.

Once all submissions have been received, the formal debate may commence. Once the debate has commenced, no further submissions, questions or comments from submitters can be received.

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.

Order of business

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

1. Acknowledgment of Country

"Yarra City Council acknowledges the Wurundjeri Woi Wurrung people as the Traditional Owners and true sovereigns of the land now known as Yarra.

We acknowledge their creator spirit Bunjil, their ancestors and their Elders.

We acknowledge the strength and resilience of the Wurundjeri Woi Wurrung, who have never ceded sovereignty and retain their strong connections to family, clan and country despite the impacts of European invasion.

We also acknowledge the significant contributions made by other Aboriginal and Torres Strait Islander people to life in Yarra.

We pay our respects to Elders from all nations here today—and to their Elders past, present and future."

2. Attendance, apologies and requests for leave of absence

Attendance

Councillors

• Cr Sophie Wade	Mayor
• Cr Edward Crossland	Deputy Mayor
• Cr Gabrielle de Vietri	Councillor
• Cr Stephen Jolly	Councillor
• Cr Herschel Landes	Councillor
• Cr Anab Mohamud	Councillor
• Cr Claudia Nguyen	Councillor
• Cr Bridgid O'Brien	Councillor
• Cr Amanda Stone	Councillor

Council officers

• Chris Leivers	Interim Chief Executive Officer
• Brooke Colbert	Group Manager Advocacy and Engagement
• Malcolm Foard	Acting Director Community Wellbeing
• Ivan Gilbert	Group Manager Chief Executive's Office
• Lucas Gosling	Director City Works and Assets
• Gracie Karabinis	Group Manager People and Culture
• Diarmuid McAlary	Director Corporate, Business and Finance
• Bruce Phillips	Director Planning and Place Making
• Rhys Thomas	Senior Governance Advisor
• Mel Nikou	Governance Officer

Municipal Monitor

• Yehudi Blacher	Municipal Monitor

Leave of absence

• Cr Gabrielle de Vietri	Councillor

3. Announcements

An opportunity is provided for the Mayor to make any necessary announcements.

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

Any Councillor who has a conflict of interest in a matter being considered at this meeting is required to disclose that interest either by explaining the nature of the conflict of interest to those present or advising that they have disclosed the nature of the interest in writing to the Chief Executive Officer before the meeting commenced.

5. Confidential business reports

Nil

6. Confirmation of minutes

RECOMMENDATION

That the minutes of the Council Meeting held on Tuesday 15 February 2022 be confirmed.

7. Public question time

An opportunity is provided for questions from members of the public.

8. Council business reports

Item		Page	Rec. Page	Report Presenter
8.1	Councillor Code of Conduct Review	9	12	Ivan Gilbert - Group Manager Chief Executive's Office
8.2	Statutory Planning - Delegations	13	20	Mary Osman – Manager Statutory Planning
8.3	433 Smith Street, North Fitzroy (former Gasworks site) Development Plan	22	53	Geoff Glynn – Executive Planner
8.4	Local Liveable Streets	56	61	Susan Stanes – Senior Coordinator Design and Place Making
8.5	Place Making Framework	62	68	Susan Stanes – Senior Coordinator Design and Place Making
8.6	Yarra Transport Strategy - Moving Forward: Exhibition Draft	69	76	Simon Exon – Unit Manager Strategic Transport
8.7	Brunswick Street Oval Precinct Redevelopment Update	77	91	Graham Davis – Manager Building and Asset Management
8.8	Proposed Discontinuance of Road at 1 Stephenson Street, Cremorne	92	95	Bill Graham – Coordinator Valuations
8.9	Motions for ALGA National General Assembly	97	98	Rhys Thomas - Senior Governance Advisor
8.10	Audit and Risk Committee Biannual Activity Report	99	101	Rhys Thomas - Senior Governance Advisor

9. Notices of motion

Item		Page	Rec. Page	Report Presenter
9.1	Notice of Motion No.2 of 2022 - Collingwood Children's Farm Committee of Management Pledge	102	103	Stephen Jolly – Councillor

10. Petitions and joint letters

An opportunity exists for any Councillor to table a petition or joint letter for Council's consideration.

11. Questions without notice

An opportunity is provided for Councillors to ask questions of the Mayor or Chief Executive Officer.

12. Delegate's reports

An opportunity is provided for Councillors to table or present a Delegate's Report.

13. General business

An opportunity is provided for Councillors to raise items of General Business for Council's consideration.

14. Urgent business

An opportunity is provided for the Chief Executive Officer to introduce items of Urgent Business.

8.1 Councillor Code of Conduct Review

Reference	D22/45494
Author	Ivan Gilbert - Group Manager Chief Executive's Office
Authoriser	Group Manager Chief Executive's Office

Purpose

1. To consider and adopt:
   (a) a revised Councillor Code of Conduct (refer ***Attachment 1*** hereto); and
   (b) a Councillor's Social Media Policy (refer ***Attachment 2*** hereto).

Critical analysis

History and background

2. In February 2021, Council in responding to the requirements of Part 6, Division 5 of the 2020 Local Government Act, which set out the new and specific requirements for a Councillor Code of Conduct, determined to:
   (a) adopt an interim Councillor Code of Conduct (in compliance with the 2020 legislative requirement); and then;
   (b) under-take a comprehensive formal review of the Councillor Code of Conduct and present same back to Council for consideration/adoption.
3. Noting the prevalence of social media as a preferred mode of communication from many, and the lack of any guidance for the use of social media in the role of a Councillor, a Social Media Policy has also been drafted for consideration.

Discussion

Councillor Code of Conduct Review

4. The review of the Councillor Code of Conduct has involved a number of stages:

Benchmarking	Reviewing other Councillor Codes of Conduct and examples of best practice.
Engagement	Both via extensive discussions and a number of workshops with Councillors, including discussions on and consideration of principles and guidelines on a number of elements for possible inclusion in a revised Code. These discussions and requests included Councillors seeking additional information and more specific guidelines on topics including:- interactions with staff, use of social media and disclosure of gifts. The information sought re: (i) interactions with staff, will be addressed via the "Councillors and Staff Interaction Policy" which will be enacted by the Chief Executive Officer in compliance with the Local Government Act 2020, as referenced in clause 7 below; (ii) use of social media will be addressed in the draft of a suggested "Councillors Social Media Policy" which is included as ***Attachment 2.***
Drafting	Compilation of all requests and contributions into draft documents and examination of such draft documents for issues of consistency and the appropriateness of clauses included. This process included the presentation of a number of draft versions of such documents to the Councillor Workshops, for feed-back.
Legal Review	Review of draft versions by Council's solicitors – primarily to ensure compliance with the Local Government Act 2020, and to not infringe upon the Standards of Conduct (particularly the requirement that it not 'limit, restrict or detract from robust public debate in a democracy') and that the resolution process is consistent with the principles of procedural fairness.
Adoption	The final draft of the: (i) Councillor Code of Conduct is now presented to Council for formal consideration and to also note, the legislative requirement for adoption of the Code is a two-thirds majority vote; (ii) Councillors Social Media Policy is now presented to Council for formal consideration and adoption.

5. The revised draft of the Councillor Code of Conduct as now presented, incorporates a range of changes as identified and considered in the above referenced review process, can be found at ***Attachment 1***.

6. The Code of Conduct review also provided an opportunity for Councillors and staff to collaboratively consider the protocol required to be developed by the Chief Executive Officer under section 46(3)(c) of the 2020 Local Government Act, which protocol is required to "support arrangements for interaction between members of Council staff and Councillors". This document, namely the "Councillor and Staff Interactions Policy", is required to be formally prepared and approved / implemented, by the Chief Executive Officer – which will occur following the adoption of the Code of Conduct.

7. The draft of the Councillors Social Media Policy as now presented, incorporates a range of issues and guidelines as identified and considered in the above referenced review processes, can be found at ***Attachment 2***.

Options

8. To now consider and determine on the adoption of:

   (a) the revised Councillor Code of Conduct as presented in ***Attachment 1*** hereto; and

(b) the draft Councillors Social Media Policy as presented in ***Attachment 2*** hereto.

Community and stakeholder engagement

9. While the process has been informed by benchmarking from other municipalities, community consultation is by the usual publication of the draft Code in the Council Agenda papers.

10. The development of the final draft Code of Conduct and the draft Councillor Social Media Policy is the result of an extensive, collaborative effort between staff and Councillors, with the benefit of an independent legal review.

Policy analysis

Alignment to Council Plan

11. As part of Objective 7: A leading Yarra, the City of Yarra Council Plan 2017-2021 contains the strategy *"Maintain a culture of transparency, governance, ethical practice and management of risks that instils a high level of community respect and confidence in Council decision-making"*.

12. The development of a Councillor Conduct of Conduct and its subsequent adoption by a two-thirds majority of Council is entirely consistent with this strategy, as well as enlivening the governance principles of the Local Government Act 2020 and the Standards of Conduct in the Local Government (Governance and Integrity) Regulations 2020.

Climate emergency and sustainability implications

13. There are no climate emergency considerations identified in this report.

Community and social implications

14. A transparent governance framework which sets out clear expectations of Councillors will enable community confidence in Council's decision-making processes. While it can be expected that the Councillor Code of Conduct and the Councillors Social Media Policy will each set out what the community can expect by way of Councillor behaviour, it will also make clear to community members the limitations of Councillor's individual power and contribute to moderating those sometimes-unrealistic expectations.

Economic development implications

15. There are no economic development considerations identified in this report.

Human rights and gender equality implications

16. A significant consideration in the development of a Councillor Code of Conduct and the Councillors Social Media Policy included establishing a framework that fosters good governance but does not stifle robust community debate. Indeed, this is one of the fundamental Standards of Conduct in the 2020 Act. The human right of a Councillor to engage in political discourse (and members of the community – to the extent that the Councillor Code of Conduct impacts them) was a primary consideration in the development of the attached draft.

Operational analysis

Financial and resource impacts

17. The review and development of both the Councillor Code of Conduct and the Councillors Social Media Policy were generally undertaken by Councillors and Council staff within existing resources with some guidance from an external facilitator as part of a Councillors and Executive Workshop.

18. The legal review of the Councillor Code of Conduct and the Councillor Social Media Policy were within Council's adopted budget.

19. No additional financial implications are anticipated as a result of this report.

Legal Implications

20. When the Councillor Code of Conduct is presented to Council for adoption, the Local Government Act 2020 is unusual in that it requires a two-thirds majority of the Council (in Yarra's case, six votes) to support the motion.

21. When the matter is put to a vote, it is recommended that a division be called under Council's Governance Rules, so that the fact it has the support of six or more Councillors can be formally recorded in the meeting minutes.

Conclusion

22. This report is presented to enable the consideration and formal adoption of a revised Councillor Code of Conduct and the Councillor's Social Media Policy separately as:

    (a) the Code of Conduct requires at least 6 Councillors voting "for"; and

    (b) the Councillor's Social Media Policy requires a majority of Councillors voting "for".

RECOMMENDATION 1.

1. That Council:

    (a) note the report; and

    (b) determine to adopt the revised Councillor Code of Conduct being ***Attachment 1*** hereto.

RECOMMENDATION 2.

1. That Council:

    (a) note the report; and

    (b) determine to adopt the Councillor Social Media Policy being ***Attachment 2*** hereto.

Attachments

1 Attachment 1 - Councillor Code of Conduct - March 2022

2 Attachment 2 - Councillor's Social Media Policy - March 2022

Maddocks

ATTACHMENT 1

City of Yarra

Councillor Code of Conduct

[##INSERT DATE]

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COUNCILLOR CODE OF CONDUCT

1. INTRODUCTION

The *Local Government Act 2020* (**Act**) requires a council to develop and maintain a Councillor Code of Conduct. The Councillor Code of Conduct is required to be periodically reviewed. This Councillor Code of Conduct has been adopted by Council to comply with the requirements of the Act.

A Councillor Code of Conduct:

- must include the Standards of Conduct prescribed by the *Local Government (Governance and Integrity) Regulations 2020* (**Regulations**) expected to be observed by Councillors; and
- must include any provisions prescribed by the Regulations; and
- must include provisions addressing any matters prescribed by the Regulations; and
- may include any other matters which Council considers appropriate, other than any other Standards of Conduct.

The Standards of Conduct with which Councillors are required to comply are specified in Schedule 1 to the Regulations.

Failure by a Councillor to comply with the Standards of Conduct constitutes misconduct under the Act. Allegations of misconduct may be referred by a Councillor, a group of Councillor or Council resolution to the statutory internal arbitration process.

If, after completing the internal arbitration process, the arbiter makes a finding of misconduct against the Councillor, the arbiter may impose sanctions on the Councillor.

2. PURPOSE AND OPERATION OF THE COUNCILLOR CODE OF CONDUCT

The role of Council is to provide good governance in its municipal district for the benefit and wellbeing of the municipal community. This extends to Council performing its functions and exercising its powers as conferred by or under the Act, the *Local Government Act 2020* and any other Act.

Good governance is fundamental to Council being able to perform its role. Good governance relies on, among other things, good working relationships between Councillors.

This Code sets out the Standards of Conduct with which Councillors must comply and:

- endeavours to foster good working relationships between Councillors to enable Councillors to work constructively together in the best interests of the municipal community; and
- seeks to lift the standard of behaviour of Councillors during Council meetings, Councillor briefings and any other meetings which Councillors participate in from time to time; and
- sets out Councillor conduct, in addition to the Standards of Conduct, that is designed to build constructive and respectful relationships between Councillors and public confidence in the integrity of local government.

We acknowledge that the internal arbitration procedure set out in Part 9.3 of this Code only applies to, and can only be pursued in respect of, alleged contraventions of the Standards of Conduct set out in Part 5 of this Code.

3. COUNCILLOR COMMITMENT TO THE CODE OF CONDUCT

As elected representatives of the City of Yarra, we are committed to undertaking the duties and responsibilities of our office by working together with one another in a positive and constructive manner to achieve the goals and vision for our City.

Councillors acting together constitute the Council. As individuals, Councillors cannot bind the Council to any actions or decisions. All Councillors will act to ensure that decision making is only exercised in Council meetings; formal Council decisions are not made in Council briefings, strategic discussion forums, or in meetings with the CEO, Executive Team and other Council officers (as appropriate to the Councillor function).

We will uphold the highest standards of governance, demonstrating integrity and pursuing honest, accountable and effective leadership in the interests and advancement of Council and its community.

We acknowledge that our behaviour towards our colleagues, Council staff and the community impacts Council's ability to be a successful and highly functioning public authority and the ability of Council staff to feel pride in the organisation, and the community to feel pride in the City, they belong to.

Each of us has read and understood, and undertakes to abide by, this Code of Conduct.

4. BACKGROUND

A council must, within four months after a general election, review and adopt the Councillor Code of Conduct by a formal resolution passed by at least two-thirds of the total number of Councillors elected to the Council.

A person elected to be a Councillor is not capable of acting as a Councillor until the person has made a declaration stating that they will abide by the Councillor Code of Conduct and uphold the Standards of Conduct set out in the Councillor Code of Conduct.

It is the personal responsibility of Councillors to ensure that they are conversant with, and comply with, the provisions of this Code.

4.1 Role of Mayor and Councillors

4.1.1 Section 28 of the Act provides that the role of a Councillor is:

- to participate in the decision-making of Council; and
- to represent the interests of the municipal community in that decision-making; and
- to contribute to the strategic direction of Council through the development and review of key strategic documents of the council, including the Council Plan.

4.1.2 In performing the role of a Councillor, a Councillor must:

- consider the diversity of interests and needs of the municipal community; and
- support the role of Council; and
- acknowledge and support the role of the Mayor; and
- act lawfully and in accordance with the oath or affirmation of office; and
- act in accordance with the Standards of Conduct; and

- comply with Council procedures required for good governance.

4.1.3 The role of a Councillor does not include the performance of any responsibilities or functions of the Chief Executive Officer.

Section 18 of the Act provides that the role of the Mayor is to:

- chair Council meetings; and
- be the principal spokesperson for Council; and
- lead engagement with the municipal community on the development of the Council Plan; and
- report to the municipal community, at least once each year, on the implementation of the Council Plan; and
- promote behaviour among Councillors that meets the Standards of Conduct set out in the Councillor Code of Conduct; and
- assist Councillors to understand their role; and
- take a leadership role in ensuring the regular review of the performance of the Chief Executive Officer; and
- provide advice to the Chief Executive Officer when the Chief Executive Officer is setting the agenda for Council meetings; and
- perform civic and ceremonial duties on behalf of Council.

5. STANDARDS OF CONDUCT

Below are the Standards of Conduct prescribed by the Regulations that Councillors are required to observe.

Failure to comply with any of the Standards of Conducts constitutes 'misconduct' under the Act. Allegations of misconduct will, if they cannot be resolved informally, be determined by an arbiter and may result in the imposition of sanctions.

5.1 Treatment of others

A Councillor must, in performing the role of a Councillor, treat other Councillors, members of Council staff, the municipal community and members of the public with dignity, fairness, objectivity, courtesy and respect, including by ensuring that the Councillor:

- takes positive action to eliminate discrimination, sexual harassment and victimisation in accordance with the *Equal Opportunity Act 2010*; and
- supports Council in fulfilling its obligation to achieve and promote gender equality; and
- does not engage in abusive, obscene or threatening behaviour in their dealings with members of the public, Council staff and Councillors; and
- in considering the diversity of interests and needs of the municipal community, treats all persons with respect and has due regard for their opinions, beliefs, rights and responsibilities.

5.2 Performing the role of Councillor

A Councillor must, in performing the role of a Councillor, do everything reasonably necessary to ensure that the Councillor performs the role of a Councillor effectively and responsibly, including by ensuring that the Councillor:

- undertakes any training or professional development activities that Council decides it is necessary for all Councillors to undertake in order to effectively perform the role of a Councillor; and
- diligently uses Council processes (e.g. attend Briefings and Information Sessions, seek information/reports from the administration) to become informed about matters which are / or will become, subject to Council decisions; and
- is fit to conscientiously perform the role of a Councillor when acting in that capacity or purporting to act in that capacity; ~~and~~
- represents the interests of the municipal community in performing the role of a Councillor by considering and being responsive to the diversity of interests and needs of the municipal community;
- must consider issues impartially and fairly by taking into consideration all relevant facts known to them.
- must have regard to the specific merits of each case and must not take irrelevant matters or circumstances into consideration when making decisions;
- must consider issues consistently, promptly and fairly. Councillors must deal with matters in accordance with established procedures, in a non-discriminatory manner;
- must take all relevant facts known to them, or that they should be reasonably aware of, into consideration and have regard to the particular merits of each case; and
- must not take irrelevant matters or circumstances into consideration when making decisions.

An act or omission in good faith, whether or not it involves error, will not constitute a breach.

5.3 Compliance with good governance measures

A Councillor, in performing the role of a Councillor, to ensure the good governance of Council, must diligently and properly comply with the following:

- any policy, practice or protocol developed and implemented by the Chief Executive Officer in accordance with s 46 of the Act for managing interactions between members of Council staff and Councillors; and
- the Council expenses policy adopted and maintained by Council under s 41 of the Act; and
- the Governance Rules developed, adopted and kept in force by Council under s 60 of the Act; and
- any directions of the Minister for Local Government issued under s 175 of the Act (governance directions).

5.4 Councillor must not discredit or mislead Council or public

In performing the role of a Councillor, a Councillor must ensure that their behaviour does not bring discredit upon Council.

In performing the role of a Councillor, a Councillor must not deliberately mislead Council or the public about any matter related to the performance of their public duties.

5.5 Standards do not limit robust political debate

Nothing in the Standards of Conduct is intended to limit, restrict or detract from robust public debate in a democracy. So, while Councillors must always meet these Standards of Conduct, participation in vigorous and respectful debate of matters before Council for decision should not be viewed as being inconsistent with them.

5.6 Councillors as Prospective Candidates in State or Federal Elections

A Councillor who becomes an endorsed candidate of a registered political party or publicly expresses an intention to run as an independent candidate for a state or federal election (a Prospective Candidate) is to accord with the Policy Position as adopted by the Municipal Association of Victoria from time to time.

NOTE: Clause 5.6 shall be read as the then current Policy Position adopted by the Municipal Association of Victoria from time to time. (Current clauses are from version of February 2022**.)**

5.6.1 A Councillor who becomes an endorsed candidate of a registered political party or publicly expresses an intention to run as an independent candidate for a state or federal election (a Prospective Candidate), should provide written advice to the CEO, as soon as practicable, who should then provide written advice to all Councillors.

5.6.2 A Councillor who is a Prospective Candidate, should declare their intended candidacy at a meeting of the Council as soon as practicable after notifying the CEO pursuant to clause 5.6.1.

5.6.3 A Councillor who nominates as a candidate for a State or Federal election (a Nominated Candidate), should apply for leave of absence from the Council and this leave of absence should commence no later than the date of their nomination as a candidate with the relevant electoral commission for the election (Nomination Date) and conclude no earlier than the close of voting for the election. During this period, a Councillor who is on a leave of absence should not attend meetings of the Council or otherwise act as a Councillor.

5.6.4 Any Councillor / staff relationship protocol which the Council has in place in respect of the election period prior to a Council election, should be observed by a Nominated Candidate and this should apply from their Nomination Date until the close of voting for the election.

5.6.5 A Council, upon receiving an application for a leave of absence from a Councillor who is a Nominated Candidate or who intends to become a Nominated Candidate, should consider this as a reasonable request and approve that application.

5.6.6 A Councillor who is a Prospective Candidate or a Nominated Candidate should take care to declare conflicts of interest that may pertain to their conflicting role as a candidate.

5.6.7 A Councillor who is a Prospective Candidate or a Nominated Candidate, should take care to differentiate between their role as a state or federal election candidate and role as a Councillor when making public comment.

5.6.8 A Councillor who is a Prospective Candidate or a Nominated Candidate, should not use Council resources, including Council staff, equipment and facilities in relation to their candidacy.

5.6.9 A Councillor who is a Prospective Candidate or a Nominated Candidate, should not use Council activities, including Council meetings, events, network meetings and Council-related external activities in relation to their candidacy.

5.6.10 A Councillor must resign immediately if they are successful in a state or federal election.

6. OTHER CATEGORIES OF MISCONDUCT

6.1 We acknowledge that the Act creates two other categories of misconduct, being 'serious misconduct' and 'gross misconduct'. In the case of allegations of conduct constituting:

- 'serious misconduct', application can be made to convene a Councillor Conduct Panel to hear the allegation by a Councillor, a group of Councillors, a Council resolution or the Chief Municipal Inspector; and
- 'gross misconduct', application can be made to the Victorian Civil and Administrative Tribunal by the Chief Municipal Inspector.

6.2 Although allegations of conduct constituting 'serious misconduct' and 'gross misconduct' might not be addressed as a contravention of this Code, we recognise that a Councillor who feels that they have been subject of conduct that might form the basis of allegations of 'serious misconduct' or 'gross misconduct' and, in particular, conduct that might constitute bullying or sexual harassment, may:

- access Council's Employee Assistance Program for confidential support, with contact details available from the Councillor Conduct Officer; and/or
- make an allegation of 'serious misconduct' by way of an application to convene a Councillor Conduct Panel in accordance with the Act, with details of that process available from the Councillor Conduct Officer; and/or
- make a complaint to an appropriate external body, such as the Local Government Inspectorate, the Victorian Equal Opportunity and Human Rights Commission and Victoria Police.

6.3 We also acknowledge that a Councillor who feels that they have been subjected to conduct that might constitute bullying or sexual harassment by another Councillor may not be comfortable pursuing any of the informal or internal dispute resolution procedures set out in this Code. Those informal and internal dispute resolution procedures are not compulsory in the case of alleged 'serious misconduct' or 'gross misconduct' and there is no expectation that they will be followed in those circumstances.

7. GOOD GOVERNANCE

7.0.1 Nothing in this section of the Code is intended to impose a binding Standard of Conduct on Councillors. These matters are expressed as operating in addition to the Standards of Conduct. Further, nothing in this section of the Code is intended to modify or derogate from the Standards of Conduct.

7.0.2 This section of the Code sets out conduct that we, as Councillors, agree will contribute to the good governance, integrity and responsible operation of Council.

7.0.3 Where an allegation is made that a Councillor has contravened anything in this Part 7 of the Code, the Councillors party to the allegation will attempt to resolve the allegation between themselves. The Councillors may utilise the dispute resolution procedures set out in Parts 9.1 and 9.2 of this Code in respect of such a contravention, noting that it will not trigger the internal arbitration process set out in Part 9.3.

7.0.4 As Councillors, we commit to:

- working together and being accountable to achieving the aspirations and best interests of our community; and
- effective good governance and to ensuring the diversity of community views and opinions are properly balanced in the decision-making process; and
- working constructively with the community and to take a strategic forward-thinking approach to their long-term aspirations, having always a high regard for our environment, our heritage and the liveability of our city, whilst fostering employment opportunity; and
- discharging our responsibilities to the best of our skill and judgement.

7.1 Overarching governance principles

7.1.1 We will support the role of Council by ensuring that Council gives effect to the overarching governance principles.

7.1.2 The overarching governance principles are:

- Council decisions are to be made and actions taken in accordance with the relevant law; and
- priority is to be given to achieving the best outcomes for the municipal community, including future generations; and
- the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted; and
- the municipal community is to be engaged in strategic planning and strategic decision making; and
- innovation and continuous improvement are to be pursued; and
- collaboration with other Councils and Governments and statutory bodies is to be sought; and
- the ongoing financial viability of the Council is to be ensured; and
- regional, state and national plans and policies are to be taken into account in strategic planning and decision making; and
- the transparency of Council decisions, actions and information is to be ensured.

7.2 Respecting the functions of the Chief Executive Officer

7.2.1 Section 46 of the Act sets out the functions of the Chief Executive Officer, which include:

- supporting the Mayor and the Councillors in the performance of their roles; and

- o ensuring the effective and efficient management of the day to day operations of the Council; and
- o ensuring that Council receives timely and reliable advice about its legal obligations; and
- o supporting the Mayor in the performance of the Mayor's; and
- o setting the agenda for Council meetings after consulting the Mayor; and
- o when requested by the Mayor, reporting to Council in respect of the implementation of a Council decision; and
- o carrying out Council's obligations as an employer with respect to Councillors as deemed employees under the workplace health and safety legislation; and
- o establishing and maintaining an organisational structure for Council; and
- o being responsible for all staffing matters, including appointing, directing, managing and dismissing members of Council staff; and
- o managing interactions between members of Council staff and Councillors and ensuring that policies, practices and protocols that support arrangements for interaction between Council staff and Councillors are developed and implemented.

7.2.2 In addition to our obligations under the Standards of Conduct, we undertake to respect the functions of the Chief Executive Officer and to comply with the policies, practices and protocols defining appropriate arrangements for interaction between Council staff and Councillors that are put in place by the Chief Executive Officer.

7.3 Relationship with staff

7.3.1 We will not seek to improperly direct or influence a member of Council staff in the exercise of any power or in the performance of any duty or function.

7.3.2 As a collective, we appoint and instruct the Chief Executive Officer, who in turn is responsible for the day to day operations of the organisation and for implementing protocols for the interaction between Council staff and Councillors.

7.3.3 We acknowledge that individual Councillors cannot direct members of Council staff to undertake specific duties. In the case of routine inquiries and other requests for information, we will only interact with staff in accordance with the protocols and arrangements implemented by the Chief Executive Officer.

7.3.4 We recognise that a resolution of Council is the appropriate mechanism to establish or amend Council policy.

7.3.5 We agree that workplace bullying can and should be prevented. As a collective, we will collaborate with the Chief Executive Officer, staff and unions to institute and uphold policies to facilitate an environment free from physical and psychological violence.

7.4 Relationship with the public

7.4.1 Councillors recognise:
- the community's high expectations of Councillors as their representatives, who they have elected into a position of public trust;

~~We recognise~~ - that our role as Councillors is to represent the interests of the municipal community in Council decision-making and necessarily involves interacting with our constituents, ratepayers and residents to ensure that their views are heard and responded to.

7.4.2 Accordingly, Councillors are expected to observe the standards of conduct and the principles of good governance and integrity. Central to both of these are transparency and accountability:
• transparency achieved through following proper processes that are open to public scrutiny; and
• accountability achieved through being accessible and responsive to the needs of the whole Yarra community.

7.4.3 We will engage with members of the public in a way that is respectful, courteous and professional and which engenders trust in Council and in us individually as Councillors.

7.4.4 We acknowledge the role of the Chief Executive Officer in providing a workplace that is safe and free from risks of harm. If members of the public engage with any of us in a way that is abusive, threatening or harassing, we will refer those communications to the Chief Executive Officer to be managed as a risk to occupational health and safety.

7.4.5 If any of us feels unsafe because of specific abusive or threatening behaviour, this conduct may be notified to Victoria Police and dealt with as a criminal matter. The Chief Executive Officer will endeavour to provide appropriate support to a Councillor in such a position.

7.5 Use of Council resources

We commit to using Council resources effectively and economically. We will:

- maintain adequate security over Council property, facilities and resources provided to us to assist in performing our role and will comply with any Council policies applying to their use; and
- ensure any expense claims that we submit are in compliance with the relevant legislative provisions and Council policy; and
- not use Council resources, including services of Council staff, for private purposes, unless legally or properly authorised to do so, and payments are made where appropriate; and
- not use public funds or resources in a manner that is improper or unauthorised.

7.6 Gifts and benefits

7.6.1 We will scrupulously avoid situations giving rise to the appearance that a person or body, through the provision of gifts, benefits or hospitality of any kind, is attempting to gain favourable treatment from any of us as individual Councillors or from Council.

7.6.2 We will take all reasonable steps to ensure that our immediate family members (parents, spouse, children and siblings) do not receive gifts or benefits that give rise to the appearance of an attempt to gain favourable treatment.

7.6.3 We will observe our obligations with respect to gifts, including the obligations imposed by:

- the Local Government Act; and
- Council's Gift Disclosure Policy, as amended from time to time; and
- such other policies relating to gifts as may be adopted by Council from time to time and which apply to Councillors.

7.7 Communications and Social Media

7.7.1 As representatives of the local community, we will be responsive to community views and to adequately and accurately communicate the position and decisions of Council.

7.7.2 Councillors may have personal or public office social media accounts but must operate such accounts and any posts or comments that are made in a respectful and appropriate way that accords with this Code of Conduct.

7.7.3 While respecting the rights of each Councillor to hold and express opinions that differ from agreed Council policy, we will comply with Council's Media and Social Media Policies, as adopted from time to time, by:

a. respecting the function of the Mayor as spokesperson of Council in accordance with the Local Government Act;

b. recognising and respecting the role of the Chief Executive Officer in communicating with the media on behalf of Council;

c. not making any false statements about Council, Councillors, Council staff or members of the public and ensuring that all comments are professional;

d. not making any defamatory, derogative, offensive or insulting statements about Councillors, Council staff or members of the public;

e. not misrepresenting the position of Council;

f. not prejudicing or undermining Council decisions, procedures or policies;

g. complying with all internal procedures (as outlined in the Media and Social Media Policies) for dealing with media enquiries, including by referring any media enquiries to the Council's Communications and Engagement Branch who manage all media enquiries to ensure accurate, consistent, and clear messaging;

7.7.4 . Where we choose to express personal opinions and if it is relevant in the circumstances, we will make it clear that such comment is a personal view and does not represent the position of Council. We undertake to ensure that any such comment is devoid of comments that could reasonably be construed as being unreasonably derogatory, offensive or insulting to any person.

7.7.5 We also acknowledge that individual Councillors are entitled to, and do, maintain their own personal or public office **social media** accounts.

7.7.6 Where we do, we will ensure that the use of social media and comments posted on those social media accounts minimises exposure of Council and Councillors to legal and reputational risk. In this regard, we recognise that this Code applies to comments made on social media in the same way as it does to other written or verbal communications between Councillors and others. Councillors will be respectful, fair and open minded and accurate in their social media publishing and interactions.

7.7.7 Councillors:

a. must not use their personal or public office social media accounts to undermine or criticise or denigrate Council, fellow Councillors, Council staff, or members of the community. Any such behaviour would be a breach of the Code of Conduct;

b. must not use social media to host, post or share comments, photos, videos, electronic recordings or other information that:

i. is abusive, defamatory, obscene, offensive, humiliating, threatening or intimidating to others;

ii. contains content about the Council that is misleading or deceptive;

iii. contains, or alludes to, confidential or sensitive Council information;

iv. breaches ~~the~~ privacy;

v. could be perceived to be an official comment on behalf of the Council where you have not been authorised to make such comment; and

vi. refers to Council staff by name or title

7.7.8 Without limiting the generality of the above, we are committed to communicating with each other, Council staff and members of the public in a courteous, respectful and professional way befitting the office of Councillor. In particular, while we accept that views will differ with respect to Council decisions, we will:

- not undermine Council decisions;
- give due respect to Council decisions; and
- engage with one another, Council staff and members of the public on Council decisions in all forums in a respectful and courteous manner,

even where we disagree with those Council decisions or the views of others.

7.8 Personal dealings with Council

When we deal with Council in our private capacity (e.g. as a ratepayer, recipient of a Council service or applicant for a permit) we do not expect, nor will we request, preferential treatment in relation to any such private matter. We will conduct those dealings in accordance with the same processes, and through the same channels, as those which are available to and used by any other member of the public. We will avoid any action that could lead Council staff or members of the public to believe that we are seeking, or have received, preferential treatment.

7.9 Planning process

7.9.1 We agree to avoid any occasion or situation where there may be a suspicion or perception of improper conduct in the exercise of land use planning, development assessment and other planning and regulatory functions.

7.9.2 In exercising land use planning, development assessment and other planning and regulatory functions, we must ensure that no action, statement or communication between ourselves and others conveys any suggestion of willingness to improperly provide concessions or preferential or unduly unfavourable treatment and is otherwise consistent with any procedures adopted by Council from time to time for these purposes.

7.10 Conduct at Council meetings

7.10.1 We recognise that, as representatives of the local community, we have an important responsibility to act reasonably at Council meetings and in a way which facilitates rather than frustrates the efficient and effective transaction of Council business. Further, we recognise that, when a Councillor ignores, disregards, speaks over or denigrates the Mayor or person chairing a meeting, it sets an unacceptable example of conduct for the community and often encourages poor and disrespectful conduct from persons in the Public Gallery.

7.10.2 When we attend Council meetings and other meetings conducted under the auspices of Council (including Councillor briefings, advisory committee meetings and any other meetings convened by Council relating to our role), we will respect the role of the Mayor or person chairing the meeting, as well as each other, and will comply with the following:

- Council's Governance Rules; and
- Council's Meeting Operations Policy; and
- any other applicable meeting procedures adopted by Council from time to time; and
- all rulings of the Mayor or person chairing the meeting; and
- all requests by the Mayor or person chairing the meeting to cease speaking.

7.11 Council decision-making

7.11.1 We recognise the importance of transparency in Council decision-making. To that end, we will reserve debate and decisions on matters for properly constituted Council meetings.

7.11.2 At the same time, it is expected that we will have informal discussions about matters coming before Council for decision outside the forum of properly constituted Council meetings, and that those informal discussions have an important part in informed and responsible decision-making. These discussions may be had privately between Councillors, or in Councillor briefings.

7.11.3 In all cases, we will conduct ourselves in a manner that:

- engenders trust in one another and Council staff; and
- respects the confidentiality of sensitive information ahead of Council meetings; and
- creates and maintains a safe space for one another, Council staff and members of the public to engage in a courteous and respectful way.

7.11.4 Notwithstanding our broader policy positions, we will endeavour to keep an 'open mind' when researching, hearing submissions on, considering and finally making a decision regarding a specific matter. We acknowledge that, in the event that a Councillor is not capable of being persuaded from a pre-determined viewpoint, the Councillor should consider excusing themselves from consideration of the matter.

7.12 Other policy requirements

7.12.1 We recognise that Council has adopted, and will in future adopt, various policies which are designed to ensure that Council conducts itself in accordance with its legal and ethical obligations. These policies include, or will include, Council's:

- Privacy Policy; and
- policies relating to access to and use of Council facilities, including mobile phones and internet (Councillor Support Policy); and
- policies relating to use of social media (Communications – Yarra Council Social Media Policy); and
- policies relating to complaints handling.

7.12.2 We undertake to become familiar with those policies which may apply to Councillors and to act consistently with them.

8. PROHIBITED CONDUCT

8.0.1 The Local Government Act has specific provisions that prohibit Councillors from certain conduct. This conduct relates to:

- misuse of position; and
- improper direction and improper influence; and
- confidential information; and
- conflict of interest; and
- electoral conduct.

8.0.2 These matters are set out below in order to provide a complete picture of the obligations imposed on us and with which we must comply.

8.0.3 While these matters are not Standards of Conduct and are not of a nature to be addressed as a contravention of the Councillor Code of Conduct, we undertake to comply with the prohibitions on Councillor conduct set out below.

8.0.4 In the case of non-compliance, these matters could be the subject of an application to a Councillor Conduct Panel, or of complaints to the Local Government Inspectorate, the Independent Broad-based Anti-corruption Commission or Victoria Police, depending on the nature of the allegation.

8.1 Misuse of position

8.1.1 A Councillor must not misuse their position:

- to gain or attempt to gain, directly or indirectly, an advantage for themselves or for any other person; or
- to cause, or attempt to cause, detriment to the Council or another person.

8.1.2 Circumstances involving the misuse of position by a Councillor include, but are not limited to:

- making improper use of information acquired as a result of the position they hold (or held); and
- disclosing information that is confidential information; and
- directing, or improperly influencing, or seeking to direct or improperly influence, a member of Council staff; and
- exercising or performing, or purporting to exercise of perform, a power, duty or function that they are not authorised to exercise or perform; and
- using public funds or resources in a manner that is improper or unauthorised; and
- participating in a decision on a matter in which they have a conflict of interest.

8.2 Directing a member of Council staff

A Councillor must not intentionally direct, or seek to direct, a member of Council staff:

- in the exercise of a delegated power, or the performance of a delegated duty or function of Council; or
- in the exercise of a power or the performance of a duty or function exercised or performed by the staff member as an authorised officer under the Act or any other Act; or
- in the exercise of a power or the performance of a duty or function the staff member exercises or performs in an office or position the staff member holds under the Act or another Act; or
- in relation to advice provided to Council or a delegated committee, including advice in a report to Council or delegated committee.

8.3 Confidential information

8.3.1 A Councillor must not intentionally or recklessly disclose information that they know, or should reasonably know, is confidential information.

8.3.2 For the purposes of the Act 'confidential information' means the following information:

- Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released; and
- security information, being information that if released is likely to endanger the security of Council property or the safety of any person; and
- land use planning information, being information that if prematurely released is likely to encourage speculation in land values; and
- law enforcement information, being information which if released would be reasonably likely to prejudice the investigation into an alleged breach of the law or the fair trial or hearing of any person; and
- legal privileged information, being information to which legal professional privilege or client legal privilege applies; and
- personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs; and
- private commercial information, being information provided by a business, commercial or financial undertaking that:
  - relates to trade secrets; or
  - if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage; and
- confidential meeting information, being the records of meetings closed to the public under the Act; and
- internal arbitration information, being information specified in s 145 of the Act; and
- Councillor Conduct Panel confidential information, being information specified in s 169 of the Act; and
- information prescribed by regulations to be confidential information for the purposes of the Act; and

- information that was confidential information for the purposes of s 77 of the *Local Government Act1989.*

8.3.3 A Councillor may disclose information that would be considered 'confidential information' if the information that is disclosed is information that Council has determined should be publicly available.

8.3.4 Otherwise, a Councillor may disclose information that the they know is confidential information in the following circumstances:

- for the purposes of any legal proceedings arising out of the Act; and
- to a court or tribunal in the course of legal proceedings; and
- pursuant to an order of a court or tribunal; and
- in the course of an internal arbitration and for the purposes of the internal arbitration process; and
- in the course of a Councillor Conduct Panel hearing and for the purposes of the hearing; and
- to a Municipal Monitor to the extent reasonably required by the Municipal Monitor; and
- to the Chief Municipal Inspector to the extent reasonably required by the Chief Municipal Inspector; and
- to a Commission of Inquiry to the extent reasonably required by the Commission of Inquiry; and
- to the extent reasonably required for any other law enforcement purposes.

8.4 Conflict of interest

8.4.1 If a Councillor has a conflict of interest in a matter which is to be considered or discussed at a meeting of Council or a delegated committee, a meeting of a community asset committee, or any other meeting conducted under the auspices of Council, the Councillor must, if they are attending the meeting, disclose the conflict of interest in accordance with the Governance Rules (unless any of the exemptions apply).

8.4.2 A Councillor who has a conflict of interest in a matter being considered at a Council meeting, a delegated committee meeting, a community asset committee meeting or any other meeting conducted under the auspices of Council at which they are present must disclose that conflict of interest by:

- disclosing that conflict of interest by explaining the nature of the conflict of interest to those present at the Council meeting before the matter is considered; or
- providing to the Chief Executive Officer before the meeting commences a written notice:
  - advising of the conflict of interest; and
  - explaining the nature of the conflict of interest; and
  - detailing, if the nature of the conflict of interest involves a Councillor's relationship with or a gift from another person, the:
    - name of the other person; and

- nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and
- nature of that other person's interest in the matter,

and then immediately before the matter is considered announcing to those present that they have a conflict of interest and that a written notice has been given to the Chief Executive Officer under the applicable rule.

8.4.3 A Councillor who has a conflict of interest in a matter being considered at any other meeting conducted under the auspices of Council at which they are present must disclose that conflict of interest by:

- o explaining the nature of the conflict of interest to those present at the meeting before the matter is considered; and
- o providing to the Chief Executive Officer a written notice recording that the disclosure was made and accurately summarising the explanation given.

8.4.4 In all cases, the Councillor must leave the relevant meeting before the matter is considered and not return to the meeting until after the matter has been disposed of.

8.4.5 A Councillor may have a 'general' or a 'material' conflict of interest in a matter.

8.4.6 A Councillor has a 'general' conflict of interest in a matter if an impartial, fair-minded person would consider that the Councillor's private interests could result in the Councillor acting in a manner that is contrary to their public duty.

8.4.7 For the purposes of general conflict of interest:

- o 'private interests' means any direct or indirect interest of a Councillor that does not derive from their public duty and does not include an interest that is only a matter of personal opinion or belief; and
- o 'public duty' means the responsibilities and obligations that a Councillor has to members of the public in their role as a relevant person.

8.4.8 A Councillor has a 'material' conflict of interest in respect of a matter if an affected person would gain a benefit or suffer a loss depending on the outcome of the matter.

8.4.9 The benefit may arise or the loss incurred:

- o directly or indirectly; or
- o in a pecuniary or non-pecuniary form.

8.4.10 For the purposes of a material conflict of interest, any of the following is an 'affected person':

- o the Councillor; and
- o a family member of the Councillor; and
- o a body corporate of which the Councillor or their spouse or domestic partner is a Director or a member of the governing body; and
- o an employer of the Councillor, unless the employer is a public body; and
- o a business partner of the Councillor; and

- a person for whom the Councillor is a consultant, contractor or agent; and
- a beneficiary under a trust or an object of a discretionary trust of which the Councillor is a trustee; and
- a person from whom the Councillor has received a disclosable gift (i.e. exceeding $500 in value).

8.4.11 We undertake to be clear about our associations with parties external to Council and to avoid conflicts between those associations and our role as Councillors.

8.5 Electoral conduct

8.5.1 The Act includes requirements in relation to Councillor eligibility, electoral conduct and the election period ('caretaker period'). Allegations in relation to contravention of these provisions should be directed to the Victorian Electoral Commission or the Local Government Inspectorate, depending on the nature of the allegation, for investigation and any consequent action.

8.5.2 We undertake to comply with the various provisions relating to these matters.

9. DISPUTE RESOLUTION

9.0.1 Before commencing any formal dispute resolution process, the Councillors who are parties to an interpersonal dispute or allegation of a contravention of the Code undertake to use their best endeavours to resolve the matter in a courteous and respectful manner between themselves. Where, after these endeavours have been exhausted, the matter remains unresolved, the parties may resort to any or all of Council's three phase dispute resolution process.

9.0.2 Council's three phase dispute resolution process involves:

- direct negotiation between the parties to the allegation with the Mayor in attendance to provide guidance; and/or
- external mediation by an independent mediator engaged by the Chief Executive Officer; and/or
- internal arbitration involving an independent arbiter, subject to approval of the Principal Councillor Conduct Registrar.

9.0.2 The two initial phases are not mandatory and are intended to provide an informal means of resolving interpersonal disputes between Councillors and allegations of contraventions of this Code. A Councillor may decline to participate in either of the two initial phases without consequence.

9.0.3 The third phase is available only in respect of an alleged contravention of the Standards of Conduct.

9.1 Phase 1 – Direct negotiation

9.1.1 Where Councillors who are parties to an interpersonal dispute or allegation of a contravention of this Code (including the Standards of Conduct) have been unable to resolve the matter, either party (or both parties) may request the Mayor to convene a meeting between them.

9.1.2 An allegation referred for direct negotiation may relate to:

- an interpersonal conflict between Councillors where the conflict is or is likely to affect the operations of the Council; or

- an alleged contravention of this Code, including a contravention of the Standards of Conduct.

9.1.3 The party requesting the direct negotiation meeting is to provide the Mayor with the name of the other Councillor and the details of the allegation in writing. The written request is to indicate that it is for a 'direct negotiation' process. Where the request relates to an alleged contravention of the Standards of Conduct, the request must:

- specify the name of the Councillor alleged to have contravened the Standards of Conduct; and
- specify the particular Standards of Conduct that are alleged to have been contravened; and
- specify the misconduct that is alleged to have resulted in the contravention of the relevant Standards of Conduct; and
- include evidence in support of the allegation; and
- where the request is made by a group of Councillors, name the Councillor appointed to be their representative; and
- be signed and dated (or emailed) by the requestor or the requestors' representative.

9.1.4 The requestor is to notify the other party of the request and provide him or her with a copy of the written request, either at the same time as it is provided to the Mayor or as soon as practicable thereafter.

9.1.5 The Mayor is to ascertain whether the other party is prepared to attend a 'direct negotiation' meeting within five working days of receiving the details of the allegation.

9.1.6 If the other party is not prepared to attend a 'direct negotiation' meeting, or does not respond to the Mayor's request within five working days of the Mayor receiving it, the Mayor is to advise the requestor forthwith. No further action is required of the Mayor.

9.1.7 Declining to participate in a 'direct negotiation' meeting does not constitute a contravention of this Code. At this stage, either party may have recourse to external mediation or seek to escalate the matter to internal arbitration, if the matter relates to an alleged contravention of the Standards of Conduct.

9.1.8 If the other party consents to a 'direct negotiation' meeting, the Mayor is to convene a meeting of the parties at the earliest available opportunity. Unless one or both parties are unavailable, this must be within five working days of receiving the consent of the other party.

9.1.9 The Mayor may present the parties with guidelines, in advance of, or at, the 'direct negotiation' meeting, to help facilitate its progress.

9.1.10 The role of the Mayor at the 'direct negotiation' meeting is to provide guidance to the Councillors present about what is expected of a Councillor, including in relation to the role of a Councillor under s 28 of the Act, and the observation of the Standards of Conduct and this Code.

9.1.11 The Mayor is to document any agreement reached at the 'direct negotiation' meeting and provide a copy of the agreement to both parties. Where one party does not comply with the agreement, the other party has recourse to external mediation or internal arbitration (where the matter relates to an alleged contravention of the Standards of Conduct and is permitted by the Act).

9.1.12 If the parties cannot resolve the matter at the 'direct negotiation' meeting, a further meeting may be convened with the consent of both parties not later than five working days after the previous meeting. Where the dispute remains unresolved, or the further meeting does not proceed for

whatever reason, either or both of the parties have recourse to external mediation or internal arbitration (where the matter relates to an alleged contravention of the Standards of Conduct and is permitted by the Act).

9.1.13 Where the Mayor is a party to the matter, the request is to be made to the Deputy Mayor or, where the Mayor and the Deputy Mayor are parties to the matter, the immediate past Mayor. The Deputy Mayor or the immediate past Mayor will perform the functions ascribed to the Mayor.

9.2 Phase 2 – External mediation

9.2.1 A Councillor or a group of Councillors may request that an interpersonal dispute or allegation of a contravention of this Code (including the Standards of Conduct) be referred for external mediation, whether or not the dispute has been the subject of a 'direct negotiation' meeting.

9.2.2 A request for an interpersonal dispute or allegation of a contravention of this Code (including theStandards of Conduct) to be referred for external mediation may relate to:

- an interpersonal conflict between Councillors where the conflict is or is likely to affect the operations of the Council; or
- an alleged contravention of this Code, including a contravention of the Standards of Conduct.

9.2.3 The Councillor is to submit a written request to the Councillor Conduct Officer setting out the name of the Councillor and the details of the allegation. The request is to indicate that it is for an 'external mediation'. Where the request relates to an alleged contravention of the Standards of Conduct, the request must:

- specify the name of the Councillor alleged to have contravened the Standards of Conduct; and
- specify the particular Standards of Conduct that are alleged to have been contravened; and
- specify the misconduct that is alleged to have resulted in the contravention of the relevant Standards of Conduct; and
- include evidence in support of the allegation; and
- where the request is made by a group of Councillors, name the Councillor appointed to be their representative; and
- be signed and dated (or emailed) by the requestor or the requestors' representative.

9.2.4 The Councillor making the request is to notify the other party of the request and provide him or her with a copy of it either at the same time that it is submitted to the Councillor Conduct Officer or as soon as practicable thereafter.

9.2.5 The Councillor Conduct Officer is to ascertain (in writing) whether the other Councillor is prepared to attend an 'external mediation' within five working days of receiving the request. If the other party declines to participate in an 'external mediation', they are to provide their reasons for doing so in writing to the Councillor Conduct Officer. If the matter concerns allegations of serious misconduct, these reasons may be taken into account if the matter is, subsequently, the subject of an application for a Councillor Conduct Panel.

9.2.6 If a Councillor the subject of a request for 'external mediation' does not advise the Councillor Conduct Officer of their willingness or otherwise to participate in 'external mediation' within five days of the request being received by the Councillor Conduct Officer, the Councillor will be taken to have declined to participate.

9.2.7 Declining to participate in an external mediation does not constitute a contravention of this Code. At this stage, if the matter relates to an alleged contravention of the Standards of Conduct, the matter may be escalated to internal arbitration, if permitted under the Act.

9.2.8 If the other Councillor agrees to participate in an external mediation, the Councillor Conduct Officer is to advise the Councillor who made the request, the Mayor and Chief Executive Officer forthwith.

9.2.9 The Chief Executive Officer is to engage the services of an external mediator to conduct the mediation at the earliest practicable opportunity.

9.2.10 The mediator is to document any agreement reached at the external mediation. Copies of the agreement are to be provided to both Councillors. Where one Councillor does not comply with the agreement, the other Councillor has recourse to the internal arbitration process where the matter relates to an alleged contravention of the Standards of Conduct and is permitted by the Act.

9.2.11 If the parties cannot resolve the matter at the external mediation, a further meeting with the mediator may be convened with the consent of both parties. Where the matter remains unresolved, the Councillor who made the request has recourse to the internal arbitration process where the matter relates to an alleged contravention of the Standards of Conduct and is permitted by the Act.

9.3 Phase 3 - Internal arbitration

A contravention of the Standards of Conduct constitutes 'misconduct' for the purposes of the Act which may be referred to an arbiter for determination.

The internal arbitration process is a statutory process set out in Part 6 of the Act and r 11 of the Regulations.

Information provided to an arbiter or produced by an arbiter for the purpose of an internal arbitration process, other than the findings and the reasons, is confidential information for the purposes of the Act.

9.3.1 *Commencing arbitration*

An application for an internal arbitration process may be made by a resolution of Council, or by one Councillor or a group of Councillors. Applications must be made within three months of the alleged misconduct occurring.

An application for internal arbitration will be given to Council's Councillor Conduct Officer for delivery to the Principal Councillor Conduct Registrar and must specify:

- the name of the Councillor alleged to have breached the Standards of Conduct; and
- the clause of the Standards of Conduct that the Councillor is alleged to have breached; and
- the misconduct that the Councillor is alleged to have engaged in that resulted in the breach.

Upon receipt of an application for internal arbitration, Council's Councillor Conduct Officer will deliver the application to the Principal Councillor Conduct Registrar and provide a copy of the application to the Councillor who is the subject of the application.

All applications for internal arbitration will be examined by the Principal Councillor Conduct Registrar before the matter can proceed to arbitration. Applications will only be referred to an arbiter if the Principal Councillor Conduct Registrar is satisfied that:

- the application is not frivolous, vexatious, misconceived or lacking in substance; and
- there is sufficient evidence to support an allegation of a breach of the Councillor Code of Conduct.

It is the responsibility of the Councillor submitting the application for internal arbitration, or the representative of Council (in the case of a Council resolution) or group of Councillors, to ensure that the application meets the requirements stated above.

9.3.2 *Proceeding to arbitration*

If the Principal Councillor Conduct Registrar is satisfied that an application for internal arbitration should be accepted, they will appoint an arbiter from a panel list compiled by the Secretary to the Department of Jobs, Precincts and Regions.

In conducting an arbitration the arbiter must:

- ensure that the parties involved are given an opportunity to be heard; and
- ensure that a Councillor who is a party does not have a right to representation, unless the arbiter considers that representation is necessary to ensure that the process is conducted fairly; and
- conduct the hearing with as little formality and technicality as the proper consideration of the matter permits; and
- ensure that the hearing is not open to the public.

Additionally, in conducting an arbitration the arbiter:

- may hear each party to the matter in person or solely by written or electronic means of communication; and
- is not bound by the rules of evidence and may be informed in any manner the arbiter sees fit; and
- may at any time discontinue the hearing if the arbiter considers that:
  - the application is vexatious, misconceived, frivolous or lacking in substance; or
  - the applicant has not responded, or has responded inadequately, to a request for further information.

9.3.3 *Arbiter's decision and available sanctions*

If the arbiter determines that a Councillor has failed to comply with the Standards of Conduct, the arbiter may make a finding of misconduct against the Councillor and impose any one or more of the following sanctions:

- direct the Councillor to make an apology; and/or
- suspend the Councillor from the office of Councillor for a period specified by the arbiter (not exceeding one month); and/or
- direct that the Councillor be removed from any position where the Councillor represents Council for the period determined by the arbiter; and/or

- direct that the Councillor is removed from being the chair of a delegated committee for the period determined by the arbiter; and/or

- direct a Councillor to attend or undergo training or counselling specified by the arbiter.

Failure by a Councillor to comply with the internal arbitration process or a direction given to the Councillor by an arbiter is 'serious misconduct' for the purposes of the Act. Allegations of 'serious misconduct' are heard by a Councillor Conduct Panel.

The arbiter must provide a written copy of the arbiter's decision and statement of reasons to:

- Council; and
- the applicant(s) and the respondent; and
- the Principal Councillor Conduct Registrar.

A copy of the arbiter's decision and statement of reasons must be tabled at the next Council meeting after the arbiter's decision and statement of reasons are provided. If the arbiter's decision and statement of reasons contain any confidential information, the confidential information must be redacted before they are tabled.

9.4 Responsibility of Councillors

Councillors understand that responsibility for the dispute resolution processes set out in this Code is ours. While Council staff may provide some administrative support, that support will not extend to assisting Councillors with preparing the substance of an application.

10. ADOPTION OF THE COUNCILLOR CODE OF CONDUCT

This Councillor Code of Conduct was adopted by a resolution of Council made at the Council meeting held on [##insert date], with a majority of at least two thirds of all Councillors voting in favour of it.

1. Related Documents

- Local Government Act 2020
- Councillor Gift Disclosure Policy
- Council Meetings Operation Policy
- Governance Rules (including Election Period Policy)
- Privacy Policy
- Governance - Councillor Support Policy
- Communications – Yarra Council Social Media Policy

Councillor Social Media Policy

Title	**Councillor Social Media Policy**
Description	A policy to establish the standards which Councillors are expected to observe under the Councillor Code of Conduct in relation to the use of social media.
Category	Council
Type	Policy
Approval authority	Council
Responsible officer	Group Manager Advocacy, Engagement and Communications
Approval date	8 March 2022
Review cycle	Every four years
Review date	8 March 2026
Document Reference	
Human Rights compatibility	This policy has been assessed and is compatible with the Victorian Charter of Human Rights and Responsibilities

1. Purpose

1.1. Councillors are required to act in accordance with the Standards of Conduct set out in the Local Government (Governance and Integrity) Regulations 2020 and further described in the Councillor Code of Conduct.

1.2. This policy sets out the standards which Councillors are expected to observe in relation to the use of social media and other online platforms.

1.3. A failure to adhere to these standards constitutes a breach of the Councillor Code of Conduct and may also breach the Standards of Conduct.

2. Guiding principles

2.1. Yarra City Council recognises:

2.1.1. the value and importance of social media in engaging with our community

2.1.2. that social media plays an important role in informing the community and engaging residents, as well as nurturing the reputation of Council and its values

2.1.3. that social media provides the opportunity to listen to and, where appropriate, be part of conversations that are occurring in our community.

3. Purpose, scope and application

3.1. This policy applies to all Councillors when they are using social media in the performance of, or in connection with, their functions as a Councillor, or otherwise in relation to Council matters. This policy:

3.1.1. outlines protocols for the appropriate usage of social media and publishing standards as an elected representative

3.1.2. aligns with the provisions of the Councillor Code of Conduct.

3.1.3. reminds Councillors that breaching this policy may result in disciplinary action.

3.2. This policy does not apply to personal accounts operated by Councillors or to comments made in a personal capacity, except where such comments relate to Council matters and could be interpreted as a comment made in the Councillor's official capacity.

Example

A Councillor is a member of a local sporting club and regularly posts on matters involving the club's training schedule, the community activities and the progress of various teams. A thread appears suggesting the club should seek funding from Council for the installation of training lights, and the Councillor posts "I think that's a great idea – we have a lot of new members and I think the Council would support it". Although the Councillor is posting in a personal capacity, the comment could easily be interpreted as the Councillor making a statement about their view of the project in their capacity as a Councillor and would therefore fall within the scope of this policy.

4. Definitions

4.1. 'Social media' applies to digital spaces where people post, comment, like and share content, including (but not limited to):

4.1.1. social networking sites (e.g. Facebook, LinkedIn)

4.1.2. microblogging sites (e.g. Twitter, Reddit)

4.1.3. video and photo sharing sites (e.g. Instagram, YouTube)

5. Social media posting expectations and standards

5.1. Council supports and encourages appropriate use of social media for engaging and communicating with the community. Social media is an effective tool to publicise outcomes, services, events, initiatives, and projects that matter to the municipality.

5.2. Councillors with social media accounts that are used in the performance of, or in connection with, their functions as a Councillor, or otherwise in relation to Council matters, must operate and administer such accounts, including posts and comments on them, in a respectful and appropriate way that accords with the standards expected of Councillors under the Councillor Code of Conduct and this policy.

5.3. When utilising social media, Councillors must ensure that their conduct does not expose the Council to legal and reputational risk.

5.4. Council recognises that, while Councillors are free to operate social media accounts as one means of expressing their views to the community, posting must be consistently respectful across these mediums. It is important to the reputation of Council that Councillor communications on official Council matters do not undermine or misrepresent Council or its adopted or established positions.

5.5. Councillors are reminded of their obligations under the Councillor Code of Conduct and relevant organisational policies when engaging with social media in the performance of, or in connection with, their functions as a Councillor, or otherwise in relation to Council matters.

5.6. These requirements will also apply to any future social media platforms taken up by Council or Councillors.

6. Social media guidelines:

6.1. Councillors on social media must act in accordance with these guidelines. The purpose of these guidelines is to provide Councillors clear guidance for the appropriate use of online and social media platforms when utilised in the performance of, or in connection with, their functions as a Councillor, or otherwise in relation to Council matters.

7. Social Media Expectations

7.1. It is each Councillor's responsibility to manage any social media accounts they hold, including when creating and sharing content and when monitoring comments, so as to meet the requirements of relevant legislation.

7.2. Councillors must, when using social media, identify expressions of their personal opinions so as to make it clear that they are not speaking for or on behalf of Council. When contributing to public comment on social media, Councillors will have regard to, and act in accordance with, the Councillor Code of Conduct and the Media Policy when discussing Council matters.

7.3. Councillors who wish to have a social media presence for the purpose of Council-related activity are encouraged to have a dedicated Councillor account separate to any other personal or business accounts they might hold.

7.4. Councillors should ensure that they have appropriate privacy settings on all social media sites moderated, managed or operated by them, bearing in mind that all social media posts will be public to some degree.

7.5. Councillors are encouraged to reshare/retweet social media posts that are published on the official Yarra City Council pages.

8. When using social media, do:

8.1. Present Council as effective and cohesive, regardless of differing opinions.

8.2. Be respectful, fair, open minded and accurate in all social media interactions.

8.3. Disclose that you are a Councillor in the biography for any social media accounts that are used in the performance of, or in connection with, your functions as a Councillor, or otherwise in relation to Council matters.

8.4. Be accurate, informative and truthful.

8.5. Ensure social media commentary does not misrepresent Council's adopted or established positions and be seen to treat any decision taken by Council respectfully, even if disagreeing with it.

8.6. Identify expressions of your personal opinions so as to make it clear that you are not speaking for or on behalf of Council. Councillors are entitled to express views that differ from the position adopted at Council meetings, however, you must make it clear that those views are expressed as your personal views and do not represent a position adopted by Council as a whole. This

expression of personal view should be in the post itself and the Councillor should not rely on a general disclaimer in their online biography or similar.

Example

Council has attracted significant media attention following a decision to close a street to vehicular traffic. A Councillor who did not support the decision retweets a media article on the subject with the comment "we've made a big mistake here and the sooner we return this street to the way it was before, the better." The Councillor relies on the fact that their Twitter profile includes the sentence "all views my own". Notwithstanding the profile disclaimer, this tweet is likely to be misleading and if the Councillor wished to tweet, the Councillors could tweet "speaking for myself, I think the Council has made a big mistake but sadly, this is the position that was endorsed.

8.7. Be aware that "liking" or "sharing" a post can be considered to be endorsing the position.

8.8. Ensure posts are devoid of comments that could reasonably be construed as being derogatory, offensive or insulting to any person, group of people or organisation.

8.9. Provide individual Council email address and phone number for resident/ratepayer's enquiries.

9. When using social media, don't:

9.1. Misrepresent Council or actively undermine Council or its adopted or established positions.

Example

A Councillor comments on a social media thread hosted by a local community group who are upset about a Council decision to remove parking from one side of a local street. The Councillor makes multiple posts, including "this is the thin end of the wedge – the plan is to remove the other side later in the year" and "wait until you see the budget which will double the cost of parking fees as well" and encourages residents to "spread the word that Council is planning to make the whole neighbourhood car-free". These statements actively undermine Council's adopted position. Instead, the Councillor could post "while Council has decided to remove parking in the street, I voted against it and believe we should look for a more balanced approach to this issue that accommodates the needs of residents with our goals to create a more sustainable municipality."

Example

A new supermarket development has been endorsed by Council. A Councillor who opposed the development and voted against it posts "Council was on the side of big business and put commercial gain over local community interests." Instead the Councillor could post "it's disappointing that more community facilities could not be incorporated into the design, I strongly advocated for this and would have liked to have seen a community first approach on this matter."

9.2. Express a predetermined view or convey an opinion that could prejudice a decision of Council.

Example

A report is coming to Council recommending the sale of a parcel of land. A councillor who does not support the plan posts "There's no way I will ever support the sale of any block of land in Richmond". It is likely that in the event of a close vote, that Councillor's vote would be subject to legal challenge and place Council's decision at risk. Instead, the Councillor could post "I haven't heard any good arguments for the sale of this land, and until I do, I won't support it."

Example

A development proposal is being considered at it's next PDC a councillor posts "this proposal is in complete contradiction to what should be done on this site, I vow to oppose this outright at our upcoming meeting." Instead the Councillor could post "there are a number of important decisions being considered by this weeks PDC, any interested residents who wish to share their view should do so by lodging their submissions through the following process."

9.3. Be seen to endorse any commercial operation or product, on behalf of Council.

Example

A Councillor is live tweeting from an annual awards ceremony at the Collingwood Town Hall and posts online "I just had another great lunch here at Yarra delivered by Community Caterers and can't recommend them highly enough. There's a reason why they are the City of Yarra's caterer of choice." This comment suggests that Council itself is officially endorsing the commercial operation concerned, rather than it being the Councillor's individual view. Instead, the Councillor could tweet "I just enjoyed lunch provided by Community Caterers. I think they make the tastiest chicken schnitzel sandwich I've ever had."

9.4. Promote Council decisions or initiatives using political party branding (text/images).

Example

At a recent Council meeting, Councillors endorsed the opening of a new community hub. A Councillor wishes to post about the exciting project and should post, "As a member of XYZ party, this decision is important to me so I voted for it" with an accompanying image of the hub location, however the Councillor should not apply party political text, colours, images that give it the appearance that it is was a party based decision rather than one of the City of Yarra.

9.5. Attribute a Council decision or action to themselves or a third party.

Example

Council hosts a music festival in Victoria Street and attracts worldwide media attention. The headline acts are members of Live Performance Australia, but the organisation itself had nothing to do with organising the event. A Councillor posts online "Well done LPA – another great event with your members front and centre" – falsely suggesting the event was affiliated with LPA.

9.6. Publish or share confidential Council business.

9.7. Comment, like, post or share content that is malicious, offensive, prejudiced or knowingly inaccurate.

9.8. Post, like or comment on abusive or inappropriate content, or materials that would breach applicable laws (e.g. Defamation Act 2005 (Vic), Copyright Act 1986 (Cth), Spam Act 2003 (Cth), Crimes Act 1914 (Cth)).

9.9. Discuss or share internal operational or organisational matters, issues or correspondence.

> **Example**
>
> A Councillor posts a screen shot of an email sent to them by a member of Council staff providing an update on the progress of a capital works project in their ward. The screen shot is accompanied by the message "good news". Instead of posting the internal correspondence, the Councillor could provide an update on the project without providing the email itself.

9.10. Operate anonymous or deceptive accounts to surreptitiously engage in public discussion of matters with which Council is concerned.

9.11. Post or comment using staff names or titles to protect their privacy.

10. Legal obligations

10.1. In addition to the obligations that arise from holding office as a Councillor, social media activity must be undertaken lawfully. Councillors must keep themselves informed of all relevant legislations. Just some (but not all) of the laws applicable to social media use are:

Privacy and Data Protection Act 2014 (Vic)

10.2. Council and, in most cases, Councillors are required to comply with the Information Privacy Principles in its treatment of personal information of individuals, including members of the community, staff and Councillors. Among other things, this places limitations on the publication of private details online, the use of information collected from social media posts of others and the sharing of information about third parties.

10.3. Similarly, the Health Records Act 2001 (Vic) establishes a series of Health Privacy Principles that apply to health information collected and handled by Council. Health information should never be disclosed on social media.

> **Example**
>
> A Councillor assists a member of the public who had their letterbox vandalised. The Councillor publishes a post online reading "Since her mobility issues meant she couldn't do it herself, I was happy to help this 86 year old resident of High Street repair her letterbox after it was attacked by vandals." The post included a photograph of the letterbox that showed the number on the letterbox. While the Councillor did not name the complainant, their identity is readily discernible from the photograph and the Councillor has described their personal and health circumstances. A breach of the Privacy and Data Protection Act 2014 (Vic) has occurred.

Copyright Act 1968 (Cth)

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10.4. The Copyright Act 1968 (Cth) regulates copyright in Australia in relation to original literary, dramatic, musical and artistic works, as well as subject matter other than works. Copyright is infringed if a person does, or authorises the doing, of, any act which infringes on the copyright in a work without the copyright owner's permission.

> **Example**
>
> A Councillor wishes to post an artist's impression of a proposed new building on Twitter. The image is part of an officer's report coming before an upcoming meeting of the Planning Decisions Committee. Unless the Councillor receives express permission from the copyright holder (the architect), they cannot publish the image without breaching the Copyright Act 1968 (Cth). Instead, an option would be to post a link to the meeting agenda on Council's website where the image appears with the implied consent of the copyright holder.

Defamation Act 2005 (Vic)

10.5. Defamation in Victoria is the publication of material that has a negative impact on the reputation of an individual, and the statements in the publication are not substantiated by facts. Publication includes online postings in words, drawings, audio or video, and the person responsible for posting or sharing the content will generally be considered to be the 'publisher'.

10.6. A person who owns a social media account on which defamatory matter is published by a third party (e.g. in comments on a post) may also be considered to be the 'publisher' of that defamatory matter, even though they did not author it. Councillors need to actively monitor the comments on their social media posts.

> **Example**
>
> A Councillor publishes a Facebook post that names another Councillor and describes them as "dodgy, corrupt and in bed with developers". There is no evidence to suggest any of the claims are true. The Councillor may be subject to defamation proceedings.

Spam Act 2003 (Cth)

10.7. The Spam Act 2003 (Cth) prohibits the sending of bulk unsolicited commercial email messages.

> **Example**
>
> A Councillor, who owns a pet store, receives a petition on an online platform containing details of 200 persons opposed to the introduction of new Local Law provisions regarding cat ownership. The Councillor responds to the petitioners by email and provides them with a coupon for a discount at the Councillor's store. These messages could be contrary to the Spam Act 2003 (Cth).

Crimes Act 1958 (Vic)

10.8. Section 21A of the Crimes Act contains specific provisions relating to the stalking of another person. These include contacting a person online, publishing information about a person online, as well as a number of other provisions.

> **Example**

A Councillor posts comments on the Twitter feed of a community group, criticising the group's convenor and describing them as 'uninformed' and 'hopeless'. The posts are repeated, threatening and go on for many months. The group's convenor reports the conduct to the Police on the basis that they are fearful of their safety. This conduct could expose the Councillor to a charge of stalking.

11. Breaches of this policy

11.1. A breach of or non-compliance with this policy and related documents will constitute a breach of the Councillor Code of Conduct and may also breach the Standards of Conduct.

12. Related Documents

12.1. Councillor Code of Conduct

12.2. Media Policy

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8.2 Statutory Planning - Delegations

Reference	D22/44481
Author	Mary Osman - Manager Statutory Planning
Authoriser	Director Planning and Place Making

Purpose

1. The purpose of this report is for Council to consider:
   (a) adopting a revised Instrument of Delegation by the Council to the Planning Decisions Committee; and
   (b) a revised Protocols for the use of delegated authority (Planning Protocols).

Critical analysis

History and Background

2. In late 2019, a report was presented to Council seeking variations to the 'Instrument of Delegation' regarding planning application items that are to be presented to the Planning Decisions Committee (PDC). This instrument is the formal delegation from the Yarra City Council to the members of the Planning Decisions Committee.
3. The subject of the report at that time related to:
   (a) options to change the criteria relating to the number of objections qualifying an application to proceed to the Planning Decisions Committee (PDC);
   (b) clarifying the processes for settlement of a compulsory conference matter at VCAT (including 'Consent Orders'); and
   (c) an option for a new criteria for referral of an application to the Planning Decisions Committee regarding heights in design and development overlays (DDO's).
4. Changes were made to the Instrument of Delegation at that time which added the words 'from different properties' to the number of objections criteria, and also added a further trigger relating to where building height exceeds the preferred maximum height by more than one storey in a design and development overlay.
5. Further, forming part of the ongoing process improvement program in statutory planning functions, and ongoing discussion with Councillors, information was requested to facilitate a discussion regarding a further review of delegation at Yarra.
6. This report includes a comparison of delegations in statutory planning functions with other inner city and nearby Councils, and provides suggestions for amendments to the Instrument of Delegation to enable greater efficiencies in the planning process.

Discussion

7. The most triggered aspect of the current Instrument of Delegation for a referral of a planning application for determination to the Planning Decisions Committee is:
   (a) any application with six or more objections from different properties which officers believe warrants support.
8. Other matters that result in an application proceeding to the Planning Decisions Committee includes the following planning applications:
   (a) where building height exceeds the preferred maximum height by more than one storey (not including plant equipment and roof terraces) specified in a design and development overlay);

(b) that are within the world heritage environ area and buffer area where they propose works that are taller than the highest point of the existing building, excluding all applications which qualify as a VicSmart application;

(c) that require a settlement at a compulsory conference with six or more parties (in addition to Council and the applicant);

(d) that are relevant to electronic gaming machines;

(e) that involve street setback to a heritage building that do not meet the preferred minimum setback requirements specified in a Design and Development Overlay; or

(f) that have been called up by a Councillor.

Context

9. The statutory planning branch has an on-going process improvement program which, more, has transformed the internal processing of applications to a fully electronic process for all statutory planning applications.

10. This work was, in part, facilitated by a service review program in recent years.

11. Additionally, information has been sought regarding the existing number of applications dealt with by the Planning Decisions Committee and a comparison of this with other Councils.

12. A review of the number of applications being determined by IDAC / PDC shows that over the last three years, the number of applications has increased annually.

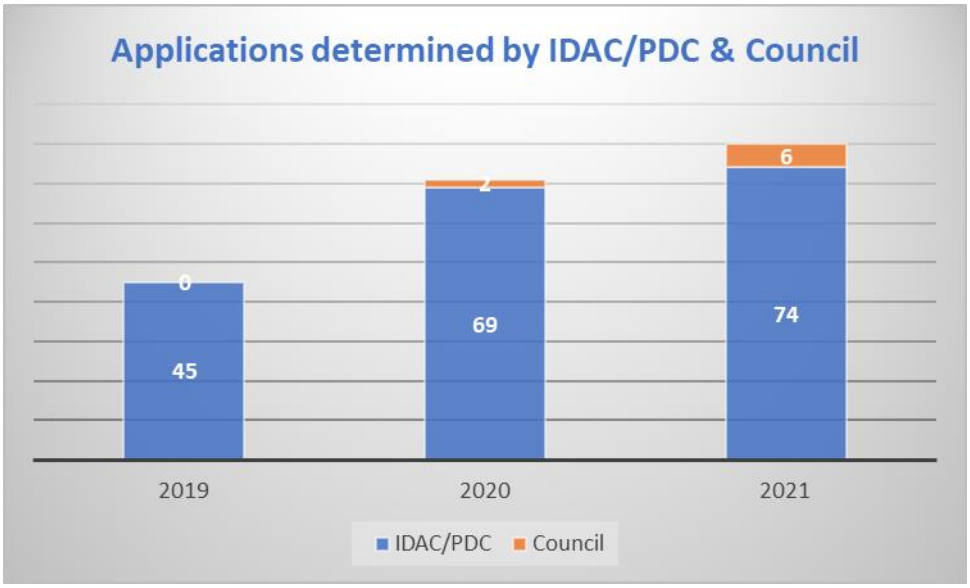


Figure 1

13. As outlined earlier, the primary trigger for referral an application to the Planning Decisions Committee is generally based on the number of objections received in relation to an application.

14. When reviewing the 74 applications determined by the Planning Decisions Committee last year, and more specifically, the number of objections received for each application, the analysis shows that the largest grouping was in the range of 6 to 10 objections received; which applied to 22 applications (see chart below).

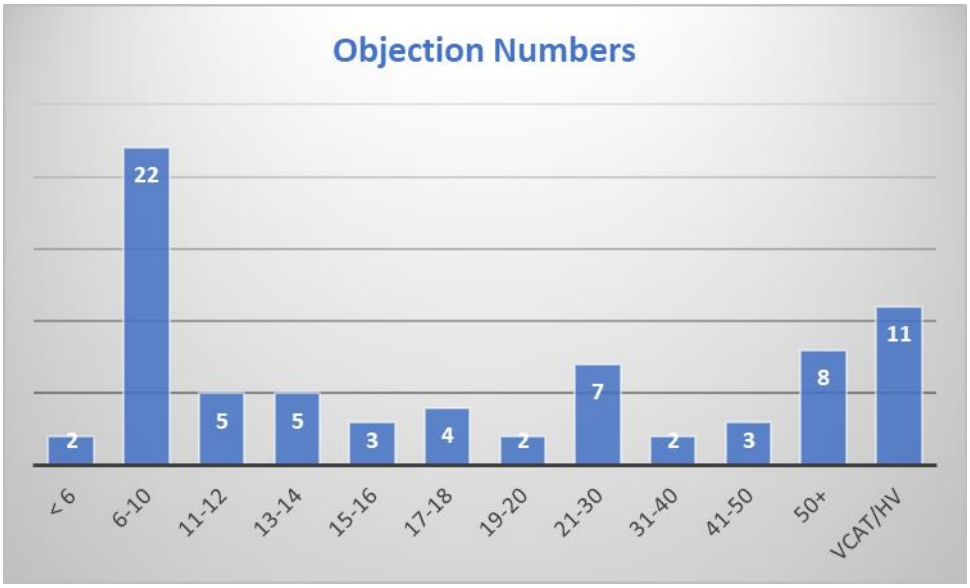


Figure 2

Comparisons with other Councils

15. Further, analysis was also undertaken with a review of nine similar Councils specifically looking at the number of applications determined by either full Council or a delegated committee (as distinct from officer level).

16. The results (see below) clearly show that Yarra has by far the greatest number of applications determined by Councillors; being a total of 80 applications compared to the next closest being Stonnington and Melbourne at 46 and 45 application respectively.

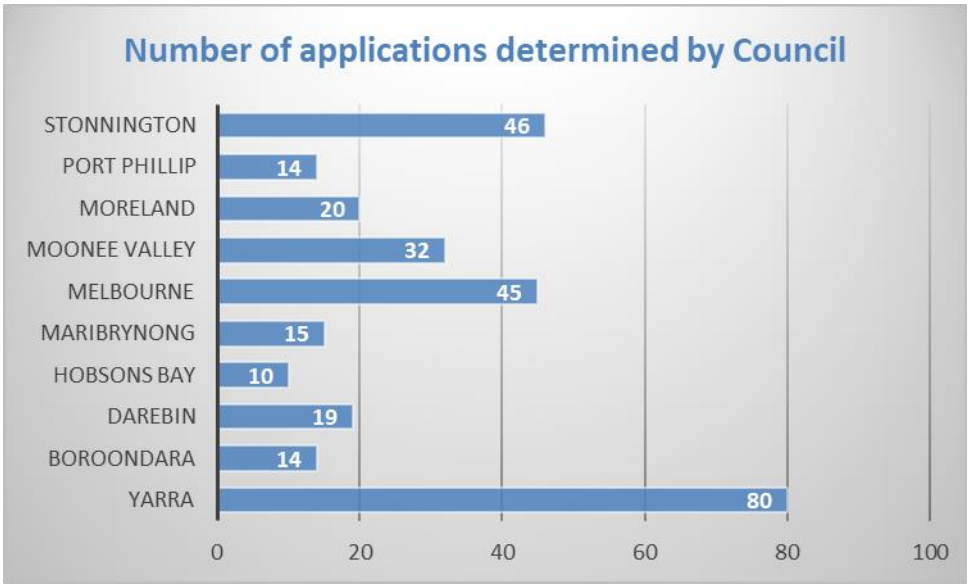


Figure 3

17. The Councils contacted for this analysis, and to obtain information regarding their delegation (for benchmarking purposes) were:

    (a) Boroondara;

    (b) Hobsons Bay;

    (c) Maribyrnong;

    (d) Melbourne;

    (e) Mooney Valley;

    (f) Moreland;

(g) Port Phillip; and

(h) Stonnington.

Summary Comment from benchmarking

18. **Attachment One** to this report provides a summary of each Councils delegation, including Yarra.

(a) of the eight Councils (including Yarra), five of the Councils count objections from different properties, not individual objections;

(b) where individual objections are counted, Hobsons Bay is based on 11, Boroondara is based on 12, Melbourne and Port Phillip are based in 16 triggering a Council report process;

(c) multiple Councils count proforma objections or petitions as one objection;

(d) all have provisions for Councillor 'call ups' to their respective Planning Committees or Council; and

(e) processes vary across all Councils with respect to 'consent order' settlements and or compulsory conferences.

Proposed Delegation changes

19. After undertaking a review of the existing YCC delegations, and a comparison with neighbouring Councils, officers suggest the following changes to enable improved efficiency in the planning process whilst continuing to provide transparent and inclusive decision making.

20. It is suggested that the Council determine that the Planning Decisions Committee should consider planning applications where the suggested new delegations are triggered.

21. The table below shows the current delegation, the suggested delegation and an officer comment for consideration by Council.

Current Delegation to PDC	Suggested Delegation to PDC	Comment
That involve planning applications which are subject to six or more objections from different properties, and where the recommendation form officers is for support	*AMENDED* That involve planning applications which are subject to 15 or more objections from different properties, and where the recommendation from officers is for support: except in the case of the following applications, which would be considered and determined by officers: • extension to a dwelling and or construction of up to 3 dwellings on a lot inclusive of any permission required pursuant to the heritage overlay; • buildings and works in a Commercial zone up to the value	The numeric value has been identified from a review of other Council delegations and reflective of a workload that would be more commensurate with other Council's. The list of applications that would be exempt from PDC is reflective of a more moderate scale that is capable of being determined under delegation.

	of $1 Million; • buildings and works in an Industrial zone up to the value of $2 Million; • liquor licence applications that comply with the hours of operation outlined within clause 22.09 of the Yarra Planning Scheme and do not propose more than 200 patrons; • all signage applications	
Where building height exceeds the preferred maximum height by more than one storey (not including plant equipment and roof terraces) specified in a Design and Development Overlay)	No change	
That are within the world heritage environ area and buffer area where they propose works that are taller than the highest point of the existing building, excluding all applications which qualify as a VicSmart application	No change	
That require a settlement at a compulsory conference with six or more parties (in addition to Council and the applicant)	*Amend* That where a matter requires settlement at a compulsory conference or consent order with 15 or more parties in addition to Council and the Applicant, the Appeals Advocate, or Manager, emails the Ward Councillor(s) and outlines the agreement reached at the Compulsory Conference/Consent Order and seeks Councillor consent to sign off the matter within a timeframe of 48 hours. NB. Where there is no objection received from Councillors within this 48 hour period to the settlement of the matter on the terms suggested, then the above	It is noted that PDC meetings have been scheduled less frequently this calendar year with a 3 weeks timetable. This will create issues with Compulsory Conferences and consent orders with potential delays of 3 weeks in Council advising VCAT if it consents to an agreement which all other parties have signed.

	officers would settle the matter.	
That are relevant to electronic gaming machines	No change	
That involve street setback to a heritage building that do not meet the preferred minimum setback requirements specified in a Design and Development Overlay	No change	
That have been called to PDC by a single Councillor.	*Amend* That have been called to PDC by at least two Councillors	In consultation with Councillors

22. It is further recommended that the meeting frequency described in the Instrument of Delegation be changed from "generally convened on a fortnightly basis" to "convened as determined by Council'.

23. A revised Instrument of Delegation, reflecting the incorporation of all of these recommendations can be found at **Attachment Two**.

24. It is also recommended that there be an amendment to the *Protocols for the use of Delegated Authority (Planning Protocols)* to delete the current Heritage Victoria Referrals and Heritage Council Application Process which currently requires the following:

Heritage Victoria Referrals	
Process All Heritage Victoria referrals received are listed on the Council's website. All Heritage Victoria referrals including Council's responses to Heritage Victoria Referrals are published on Council's website. All Heritage Victoria referrals are emailed to all Councillors by the Manager Statutory Planning or delegate as soon as heritage advice has been received from Council's Heritage Advisors. Councillors have the authority to request any Heritage Referral be dealt with by the Internal Development Approvals Committee (now the Planning Decisions Committee) within three working days of receiving notification from the Manager Statutory Planning.	
Response to *Heritage Victoria referrals* where no request has been received from a Councillor within three working days of the email notification from the Manager Statutory Planning.	Manager Statutory Planning
Response to *Heritage Victoria referrals* where a request has been received from a Councillor within three working days of the email notification from the Manager Statutory Planning.	IDAC/PDC
Notification to Heritage Victoria where Council intends to make a submission within the allotted 14 day period but this will not be possible as the matter needs to be considered by the Internal Development Approvals Committee (now the Planning Decisions Committee).	Chief Executive Officer
Heritage Council Applications	
Process Where a matter is before the Heritage Council, the Manager Statutory Planning or delegate will advise Councillors of this in writing, including advice regarding the future conduct of the Heritage Council hearing. Councillors have the authority to request a Heritage Council report be deal with by the Planning Decisions Committee within three working days of receiving notification from the Manager Statutory Planning.	

Response to *Heritage Council applications* where no request has been received from a Councillor within three working days of the email notification from the Manager Statutory Planning.	Manager Statutory Planning
Response to *Heritage Council applications* where a request has been received from a Councillor within three working days of the email notification from the Manager Statutory Planning.	IDAC/PDC

25. The officer suggestion is that the above be changed to that as outlined below:

Heritage Victoria Referrals
Process All Heritage Victoria referrals are managed under delegation with only 'significant' applications referred to Council as determined by the Manager Statutory Planning and or the Director Planning and Place Making. A copy of all Heritage Victoria referrals be provided to Councillors for their information.
Heritage Council Applications
Process All Heritage Council matters are managed under delegation with only 'significant' applications referred to Council as determined by the Manager Statutory Planning and or the Director Planning and Place Making. A copy of all Heritage Council applications be provided to Councillors for their information.

26. In this regard, it is noted that Heritage Victoria has a process of providing notice of an application. The duplication of having this information on Council's website is unnecessary as Council is not the Responsible Authority for these matters.

27. The current process of responding to a *Heritage Victoria* referral has an impact on the efficient processing of a referral back to *Heritage Victoria* (who only provide 14 days for a response). Dependant on what additional reporting Council seeks, this impacts on the unit in terms of resourcing (cost implications), and also an impact on timeframes for statutory planning applications.

Options

28. The report content above provides suggestions on possible changes to the Instrument of Delegations.

29. Council has the following options in this matter:

    (a) change the delegations and the 'triggers' for a planning application to be referred to the Planning Decisions Committee (PDC), or

    (b) make no change to the delegations or, at this point in time, and seek more information from officers' or

    (c) make no changes to the delegations or triggers.

30. Officers consider that Option A is appropriate for Council consideration; the report provides some suggestions for Council consideration.

Community and stakeholder engagement

31. This is a decision for Council in terms of Delegations; no community engagement has been undertaken. This report has been informed by ongoing discussion with Councillors, CEO, Director Planning and Placemaking and Governance Office.

Policy analysis

Alignment to Community Vision and Council Plan

32. All planning assessments have regard to the Yarra Planning Scheme and other relevant legislation.

Climate emergency and sustainability implications

33. N/A

Community and social implications

34. The proposed changes to delegations seek to improve efficiencies within the Statutory Planning Unit while maintaining transparent and inclusive decision making.

Economic development implications

35. Efficiency improvements to turnaround times of Statutory Planning applications.

Human rights and gender equality implications

36. There are no human rights or gender equality implications; delegations in statutory planning from a Council to a Committee or officers is common.

Operational analysis

Financial and resource impacts

37. Efficiency and effectiveness are both important in the statutory planning process for all parties the proposed changes will improve workloads for staff.

Legal Implications

38. N/A, all planning assessments have regard to the Yarra Planning Scheme and other relevant legislation.

Conclusion

39. This report has built on the recommendations of the service review and recommends a series of changes to further improve efficiencies within the Statutory Planning Branch and the effectiveness of the *Planning Decisions Committee*.

40. Officers recommend Option (A):

> *consideration of some further changes to the Deed of Delegation and the 'triggers' for a planning application to be referred to the Planning Decisions Committee (PDC).*

41. The suggested changes are outline in the recommendation below.

RECOMMENDATION

1. That Council:

   (a) note the Officer's report regarding existing delegations and protocols for processing of planning applications, including an analysis of the level of applications determined at the Planning Decisions Committee;

   (b) note that as part of the implementation of the Statutory Planning Service Review 2019, that the internal planning processes are now fully electronic, which are assisting in the efficiency of processing planning applications;

   (c) note that further ongoing process improvements are being pursued by the Statutory Planning office to further improve overall service delivery and customer service;

   (d) note the existing delegation and protocols, as outlined in the report and attachments, which currently guide and direct which planning applications are presented to the Planning Decisions Committee for determination; and

   (e) note the benchmarking which has recently been carried out with nearby Councils regarding the level of applications that are dealt with by the equivalent of a Planning Decision Committee at those Councils.

2. That in the context of the report, the ongoing Service Review intent of assessing further efficiency improvements and the benchmarking provided, that Council consider the current Deed of Delegation to determine if any refinements or changes to delegations to the Planning Decisions Committee are assessed to be appropriate.
3. That Council note that in the officers opinion, as outlined in the report, that some changes and refinements to the Instrument of Delegation to the Planning Decision Committee would create some further overall service improvements to the statutory planning processes, and that the recommendations in this report are presented for Council consideration.
4. That in the exercise of the power conferred by s11(1)(a) of the Local Government Act 2020 Council resolves:
   (a) there be delegated to the members of the Planning Decisions Committee the powers, duties and functions set out in the Instrument of Delegation to Members of the Planning Decisions Committee at **Attachment Two**, subject to the conditions and limitations specified in that Instrument;
   (b) the instrument comes into force immediately once the Instrument of Delegation is signed by the Council and remains in force until Council determines to vary or revoke it; and
   (c) the duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.
5. That Council amend and adopt the Protocols for use of Delegated Authority (Planning Protocols) subject to:
   (a) amendment of the clause relating to Heritage Victoria Referrals to read:

   <u>All Heritage Victoria referrals are managed under delegation with only 'significant' applications referred to Council as determined by the Manager Statutory Planning and or the Director Planning and Place Making</u>

   <u>A copy of all Heritage Victoria referrals be provided to Councillors for their information.;</u> and
   (b) amendment of the clause relating to Heritage Council Applications to read:

   <u>All Heritage Council Applications are managed under delegation with only 'significant' applications referred to Council as determined by the Manager Statutory Planning and or the Director Planning and Place Making</u>

   <u>A copy of all Heritage Council Applications be provided to Councillors for their information.</u>

Attachments

1 Council Delegation – Summary Document

2 Instrument of Delegation to the Planning Decisions Committee

Council Delegation – Summary Document

Councils	Statutory Planning Delegations	Compulsory Conferences
Yarra	6 or more objections from separate properties More than 1 storey above the preferred DDO height Development applications within the World Heritage Environs Ares or Buffer zone which exceeds the highest point of the existing building excluding all applications which qualify as a VicSmart application Councillor call-up Any application that is relevant to electronic gaming machines; Any application that involves street setbacks to a heritage building that do not meet the preferred minimum setback requirements specified in a Design and Development Overlay; Consider Heritage Victoria referrals that have been called up by a Councillor.	Any application that requires a settlement at a compulsory conference with six or more parties (in addition to Council and the applicant);
Boroondara	Any app with more than 12 objections is presented at Urban Planning Special Committee (Council meeting) Applications with 1-5 objections for multi-dwellings and 3 storey buildings an internal briefing of Councillors	
Hobsons Bay	11 or more individual objections (multiple objections that are identical copies of each other (proformas) and petitions will only be counted as one objections)	Any VCAT consent order, which was a result of a DPC decision, must go back to DPC for approval of the consent order by the DPC

Maribyrnong	10 or more objections from different properties and the Officer is recommending Support; Any application exceeding 4 storey s in a residential zone (including Mixed Use Zone) Any significant application (value exceeding $10Million) Any application exceeding the height of any adopted structure plan or exceeding the preferred height of a DDO Councillor call up	Officer delegated to settle
Melbourne	16 or more non-identical submissions, Raises an issue of significant public interest; Raises an issue of policy or process not covered by existing policy or practice. Could set an undesirable precedent in terms of height, bulk, scale etc that could create an undesirable policy direction. Is innovative and raises the possibility of a new or unexpected desirable policy direction that Council wants to encourage. Provides for a development which is anticipated by, or contrary to, a proposed major amendment to the MPS which is supported by Council. Proposes the demolition or significant redevelopment of a heritage building graded 'significant' (or equivalent). That is a Ministerial application related to development proposals with gross floor area exceeding 25,000sqm.	

	Which would be or could reasonably appear to be inconsistent with a previous decision or decisions by the Council. Where the City of Melbourne is the applicant Councillor call up	
Moonee Valley	10 or more objections from different properties and the Officer is recommending Support; Major developments (exceeding 10 Million, more than 20 dwellings and more than 4 storeys above ground Applications where limited policy guidance or controversial Councillor call up	Ward Councillor majority agreement
Moreland	10 or more different properties except in the case of proposals involving development of land with less than 4 dwellings. At least 2 Councillors request; Any application for development in an Activity Centre with an overall height, in excess of those set out in the Moreland Planning Scheme for the Activity Centre; Any application to amend a planning permit for development in an Activity Centre which would further increase the overall height, of a building in excess of those set out in the Moreland Planning Scheme for the Activity Centre;	Officer delegated in consultation with the Mayor, the Councillor responsible for Planning.

	The Director or Group Manager responsible for planning decision-making considers the application to be sensitive or warrant determination by the Council.	
Port Phillip	Councillor Call-In 16 or more objections with a recommendation for approval (prior to the council consideration a consultation meeting must occur and attended by one Ward Councillor, Planning Officer/s, applicant and objectors) Tower developments located within Fishermans Bend Any application at the St Kilda Baths complex Any development that exceed 6 storeys in height in Precinct 2, DDO26 (St Kilda North Precinct).	
Stonnington	7 or more objections from different properties and the Officer is recommending Support; 4 or more storeys and the Officers is recommending Support; and Councillor call-up	VCAT Coordinator emails the Ward Councillors and outlines the agreement reached and asks for consent for officers to sign off on the matter.

INSTRUMENT OF DELEGATION BY THE COUNCIL TO THE PLANNING DECISIONS COMMITTEE

In exercise of the power conferred by section 11 (1) (a) of the Local Government Act 2020 and section 188 (1) of the Planning and Environment Act 1987, the Yarra City Council ("Council") delegates to the members of the Planning Decisions Committee, the powers, duties and functions set out in the Schedule to this Instrument of Delegation, and declares that:

1. this Instrument of Delegation is authorised by a Resolution of Council passed on 8 March 2022;
2. the delegation
   - 2.1 comes into force immediately;
   - 2.2 is subject to any conditions and limitations set out in the Schedule;
   - 2.3 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
   - 2.4 remains in force until Council resolves to vary or revoke it.

The Common Seal of the Yarra City Council was affixed hereto in the presence of:

Cr Sophie Wade
Mayor
Yarra City Council

8 March 2022

Chris Leivers
Interim Chief Executive Officer
Yarra City Council

SCHEDULE

The power to:

1. consider planning applications which require formal consideration (and an opportunity for community consultation) but do not require referral to the Council;

2. consider planning applications:

   2.1 that involve planning applications which are subject to 15 or more objections from different properties and where the recommendation from officers is for support, except in the case of the following applications, which would be considered and determined by officers:

      2.1.1 extension to a dwelling and or construction of up to 3 dwellings on a lot inclusive of any permission required pursuant to the heritage overlay;

      2.1.2 buildings and works in a Commercial zone up to the value of $1 Million;

      2.1.3 buildings and works in an Industrial zone up to the value of $2 Million;

      2.1.4 liquor licence applications that comply with the hours of operation outlined within clause 22.09 of the Yarra Planning Scheme and do not propose more than 200 patrons;

      2.1.5 all signage applications

   2.2 where building height exceeds the preferred maximum height by more than one storey (not including plant equipment and roof terraces) specified in a Design and Development Overlay;

   2.3 that are within the world heritage environs area and buffer are where they propose works that are taller than the highest point of the existing building, excluding all applications which qualify as a VicSmart application;

   2.4 that where a matter requires settlement at a compulsory conference or consent order with 15 or more parties in addition to Council and the Applicant, the Appeals Advocate, or Manager, emails the ward Councillor(s) and outlines the agreement reached at the compulsory conference/consent order and seeks Councillor consent to sign off the matter within a timeframe of 48 hours and where there is no objection received from Councillors within this 48 hour period to the settlement of the matter on the terms suggested, then the above officers would settle the matter;

   2.5 that are relevant to electronic gaming machines;

   2.6 that involve street setbacks to a heritage building that do not meet the preferred minimum setback requirements specified in a Design and Development Overlay; or

   2.7 that have been called up by two or more Councillors

3. determine on town planning applications received pursuant to the provisions of the Planning and Environment Act 1987.

4. consider Heritage Victoria referrals that have been called up by a Councillor.

Conditions and Limitations

1. Membership

All nine Yarra City Councillors are appointed to the Planning Decisions Committee, with membership for each meeting comprising three Councillors as rostered on a quarterly basis (or their substitute Councillor), to meet as the scheduled Planning Decisions Committee, such roster being determined by the Chief Executive Officer in consultation with the Councillors.

The Planning Decisions Committee shall appoint its chair.

2. Substitute Councillors

In selecting a substitute Councillor, in the first instance, preference is to be given to a Councillor who represents the same ward as the rostered Councillor.

3. Voting

Voting by the Planning Decisions Committee members shall be in accordance with Council's Governance Rules.

Councillors other than the committee members are permitted to attend and participate at meetings of the Planning Decisions Committee, however they do not have a voting entitlement.

4. Quorum

The quorum for meetings of the Planning Decisions Committee is two Councillors.

5. Meeting Frequency

Meetings of the Planning Decisions Committee shall be convened as determined by Council.

8.3 433 Smith Street, North Fitzroy (former Gasworks site) Development Plan

Executive Summary

Purpose

The purpose of this report is to consider the 'Development Plan' (DP) for the redevelopment of 433 Smith Street, Fitzroy North, also known as the 'Gasworks site'.

Key Issues

There is a *Development Plan Overlay – Schedule 16 (DPO16)* in the *Yarra Planning Scheme* which controls what development occurs at the Gasworks site and there are 39 requirements in it that the DP must address.

The DP provides indicative plans / layout of the overall site / parameters, at the front end of the planning process to 'shape' the planning permit applications that are still required as part of the overall approvals process for the site as it is developed over a number of years.

Council's feedback on the Development Plan will be considered by the Department of Environment, Land, Water and Planning (DELWP) and the Minister for Planning, being the Responsible Authority.

There are a number of key issues and concerns in the Development Plan highlighted throughout the report; the report addresses these by a series of suggested changes to the Development Plan. In summary, the key issues are:

(a) building heights and setbacks along Gore Street and Smith Street in the Development Plan differ to the DPO16 and should be altered to adhere;

(b) improvements to the public open space provided, to ensure better functionality;

(c) advocating for Victorian Big Housing Build (VBHB) funding to deliver the first stage of the affordable housing;

(d) providing stronger emphasise in the Development Plan for the provision of affordable housing into the future by using a Section 173 agreement;

(e) improvements to adjacent streets to ensure safe pedestrian and bicycle path infrastructure, including public realm improvements and undergrounding of overhead services;

(f) improved public transport infrastructure around the site with upgrades to the bus stop in Queens Parade and tram stop in Smith Street, and

(g) strengthening of the Environmental Sustainable Design requirements.

(see full report for analysis)

Financial Implications

Council is being asked to be responsible to manage and maintain the public realm under Council management. This would require further specific consideration and analysis.

Note: The indoor stadium / spaces, which Council will obtain management rights, will have operational costs and income sources, which have been previously considered by Council.

PROPOSAL

Summary of recommendations

(see full officer recommendations at the end of this report).

1. That the Council note:
   (a) the officer report and the attached 'Development Plan' submitted by Development Victoria to the Department of Environment, Land, Water and Planning for consideration;
   (b) the concerns expressed by Council officers on a number of elements as outlined in the report and in the Attachment 8.
2. That Council write to the Department of Environment, Land, Water and Planning outlining the concerns of the Council in relation to the Development Plan lodged under the *Development Plan Overlay* provisions of the Yarra Planning Scheme.
3. That Council continue to advocate for improvements to the Development Plan being considered by the Minister for Planning.

8.3 433 Smith Street, North Fitzroy (former Gasworks site) Development Plan

Reference	D22/41308
Author	Geoff Glynn - Executive Planner
Authoriser	Director Planning and Place Making

Purpose

1. The purpose of this report is to consider the 'Development Plan' for the redevelopment of 433 Smith Street, Fitzroy North.

Critical analysis

History and background

2. The site at 433 Smith Street (the site), Fitzroy North (also known as the 'Gasworks site') is bound by Alexandra Parade, Smith Street, Queen's Parade and Gore Street and is approximately 3.9ha in area. Most of this site (3.05 ha) is the former Gas and Fuel land which has been managed by the Department Treasury & Finance (DTF); the remainder of the site (0.85 ha) was previously occupied by Council's Fitzroy Depot which was relocated in May 2019.

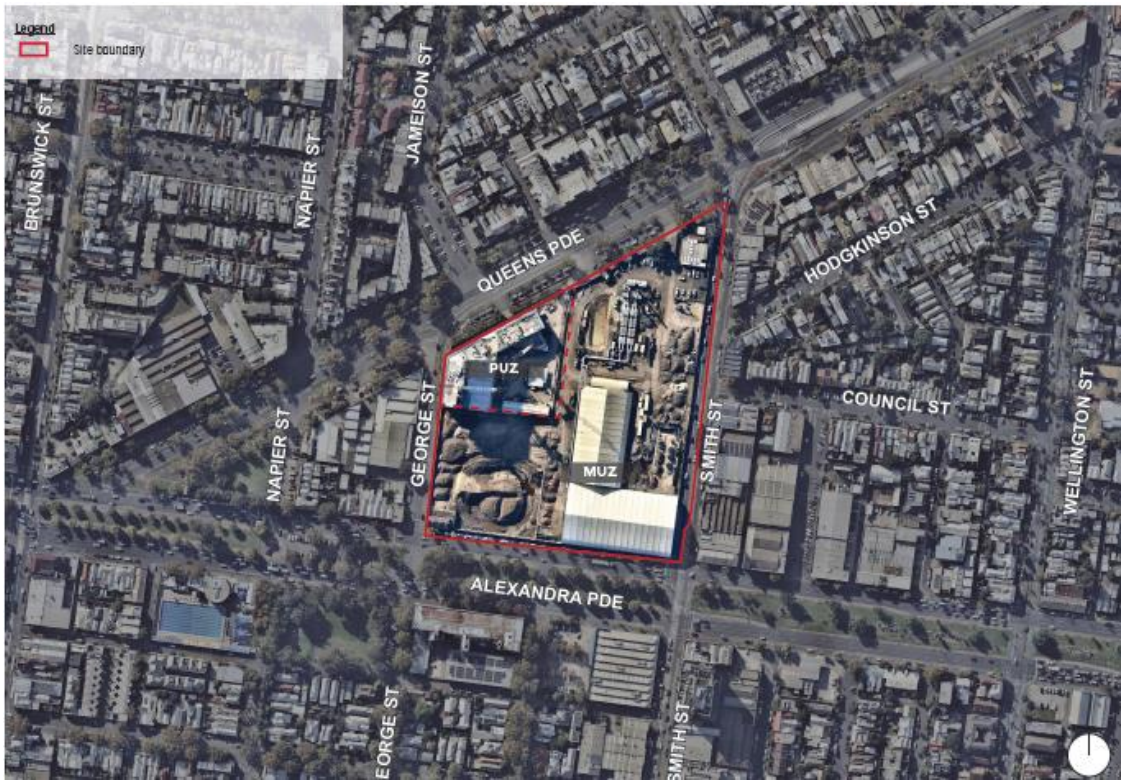


Figure 1. - 433 Smith Street, Fitzroy North, (Gasworks Site)

3. *Development Victoria* is delivering the redevelopment of the site of behalf of the State Government. The stated key outcomes by the State are:

   (a) approximately 1,200 apartments, 20 per cent of which will be Affordable Housing;

   (b) flexible spaces at ground level, capable of accommodating Disability Accommodation (SDA), commercial, office and community uses;

   (c) a community facility to be developed in consultation with Council;

(d) most long term parking to be located underground;

(e) two bicycle spaces per dwelling;

(f) 8% of the site to be offered as public open space with additional communal space associated with residential development;

(g) a comprehensive suite of sustainable development features; and

(h) the 'Valve House' to be retained and enhanced.

4. Further, the State say that additional elements will be implemented through separate approval processes including:

(a) a 650-student senior high school campus for Collingwood College and Fitzroy High School (now built and operational);

(b) a six court sports facility integrated with the school that caters for a range of sports (in a procurement stage by the State);

(c) an accessible tram stop on Smith Street abutting the site;

(d) a new pedestrian crossing (completed) and traffic management works on Queens Parade and service land; and

(e) relocation and restoration of the Porter Iron Store (completed).

5. The site has been significantly contaminated and is currently in the final stages of being remediated, as required by a notice from the Environment Protection Authority (EPA). It is expected that the remediation will be completed by mid-2022.

6. The construction of the Wurun Senior Campus, the new senior school for Collingwood College and Fitzroy High School has been completed and operational for use in the first school term in January 2022.

7. Associated traffic works along Queens Parade, including traffic lights at the corner of Queens Parade and George Street, have been completed to improve safety for the school. Works in the service lane of Queens Parade are yet to be undertaken by the State – that is being programmed by the Department of Transport.

8. The multi-purpose indoor sports centre is expected to start construction in mid-2022, with completion estimated towards the end of 2023. The centre will comprise of four multipurpose courts over two levels and a multi-purpose space and gymnasium which will all integrate with the two courts provided in the school to provide a six court facility.

9. *Development Victoria* has been working on the Development Plan for the site over the past 3 years as required by the planning controls and the *Development Plan Overlay Schedule 16 (DPO16)* for the site.

10. The Development Plan provides indicative plans / layout of the overall site / parameters, at the front end of the planning process to 'shape' the planning permit applications that are still required as part of the overall approvals process for the site as it is developed over the years. NB. At the planning application stage, there is no advertising of the particular applications as there are no 'third party rights' under the DPO 16.

11. Development Victoria released the draft DP to the community on the 10 November 2021 to seek community feedback and the consultation closed on 8 December 2021.

12. The Minister for Planning is the Responsible Authority for the site and is authorised to approve the Development Plan.

13. On the 14 February 2022, the *Department of Environment, Land, Water and Planning* (DELWP) received the 'Development Plan' from *Development Victoria* – DELWP referred the Development Plan to Council for consideration on 14 February, 2022.

14. Council's feedback on the Development Plan will be considered by DELWP and the Minister for Planning, being the Responsible Authority.

Discussion

Development Plan Overlay – Schedule 16 (DPO16)

15. There is a *Development Plan Overlay – Schedule 16 (DPO16)* in the *Yarra Planning Scheme* which controls what development occurs at the Gasworks site. The DPO16 is attached as Attachment 2.

16. The Development Plan prepared by *Development Victoria* has been prepared as required by Schedule 16 to the Development Plan Overlay in the Yarra Planning Scheme (DPO16).

17. The Development Plan is required to meet the 39 requirements listed in the DPO16 in addition to the concept plan and the building height and setback table.

18. The Development Plan responds to the 39 requirements under various sub heading throughout the document.

19. A concept plan was developed as part of the DPO16 and during the formulation of the Development Plan it has evolved into the final concept plan as indicated below.

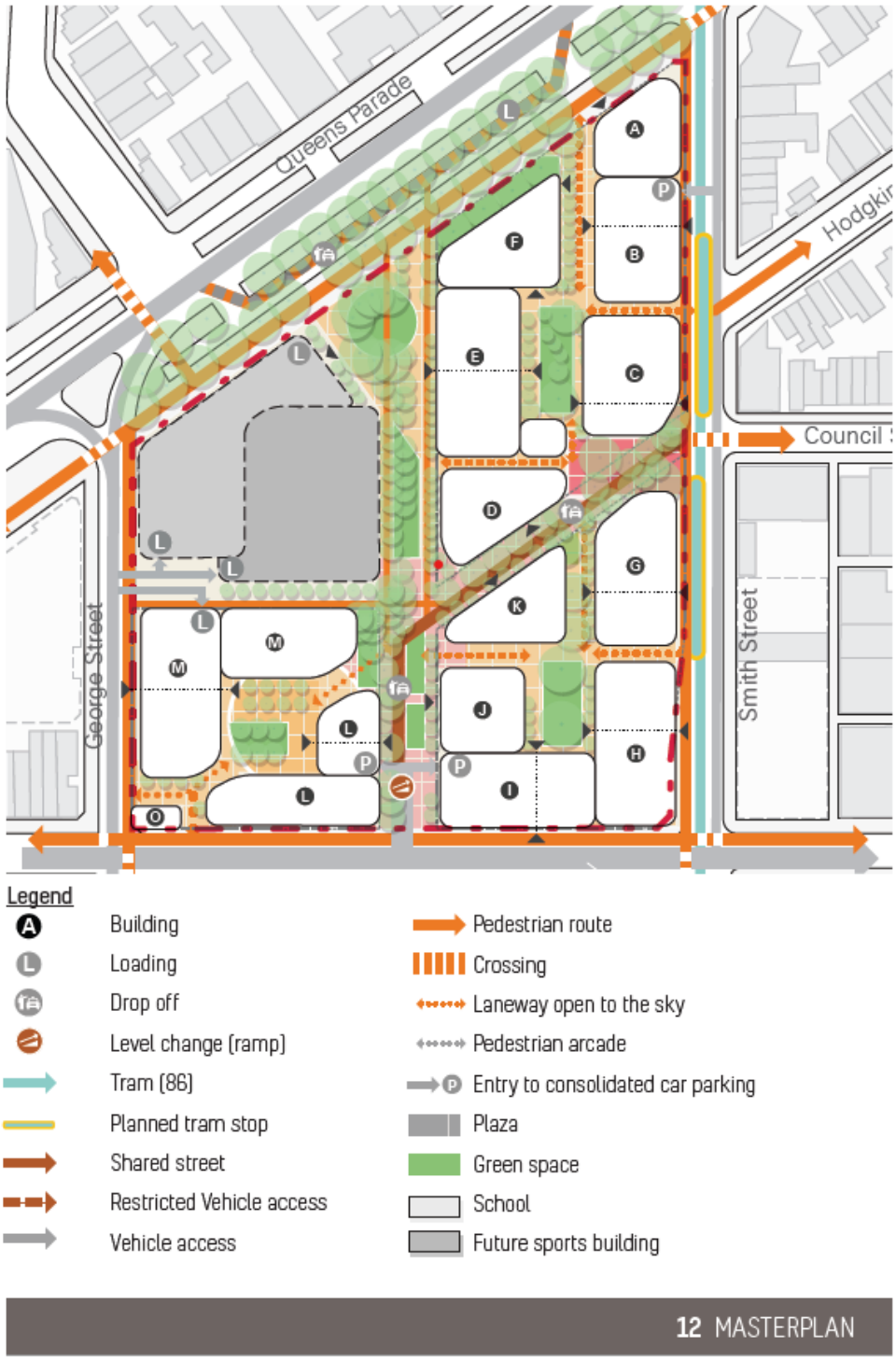


Figure 2. Final Concept Plan of the Development Plan (extracted from page 21 of the DP)

Development Plan

20. In the creation of the DP, *Development Victoria* has used a number of design principles that underpin the development plan which will tested at the planning permit application stage. These are stated below by *Development Victoria*:

    (a) Context:

        (i) Speak the local language in terms of built form, materiality and uses. A materials palette that is suited to the local character and context will be used across the precinct;

(ii) Create high-quality pedestrian and tram links that stitch into the surrounding community;

(iii) Respond to the local amenity conditions, such as the noise from surrounding streets.

(b) Access:

(i) Create a pedestrian priority neighbourhood with consolidated car parking and minimal reliance on private vehicles;

(ii) Create a high-quality 'Village Street' at the heart of the precinct for bicycles, pedestrians and vehicular pick up and drop off;

(iii) Encourage permeability through fine-grain pedestrian connections and lane ways.

(c) Public Realm and Landscape:

(i) Create shared courtyards at the heart of each parcel and maximise solar access to these spaces;

(ii) Establish a central community heart linking together diverse public spaces with places to play;

(iii) Maximise urban greening by introducing trees, ground cover, vertical and roof top vegetation.

(d) Built Form and Use:

(i) Create open perimeter block forms that respond to local context and ensure permeability through the site;

(ii) Encourage variety in building heights, forms and materiality in keeping with each parcel's identity;

(iii) Curate ground floor uses that showcase a variety of activities and that emphasise interaction and the human scale.

(e) Sustainability:

(i) Maximise potential for energy generation on site, with solar panels to most rooftops;

(ii) Maximise thermal performance of buildings for lower living costs over time; and

(iii) Minimise waste produced on site, with consolidated collection points and diversion targets.

21. There are 5 key themes in the DP which will be discussed in this report with suggested changes to strengthen the DP.

22. The themes are:

(a) Land Use;

(b) Built form;

(c) Affordable Housing;

(d) Movement; and

(e) Environmentally Sustainable Design.

23. The report below outlines:

(a) the Development Plan Overlay (DPO) requirements;

(b) provides commentary on what *Development Victoria* has inserted into the 'Development Plan; and

(c) provides officer comments in relation to each key theme, and suggested changes where considered appropriate.

Land use

The Development Plan Overlay Schedule 16 (DPO16)

24. The DPO16 requirements in relation to Land Use are:

(a) Develop a mixed use precinct comprising a variety of housing types, community facilities and public open space;

(b) Address Smith Street to strongly encourage the use of tram services in connection with development of the site, and to contribute to the streetscape character and vitality of the activity strip along the length of Smith Street;

(c) Provide community infrastructure to service the needs of the local area ensuring they complement the adjoining proposed indoor sports courts and integration of the site with the adjoining proposed education facility;

(d) Create usable, safe and accessible public spaces to meet local needs and improve resident amenity and usability;

(e) Develop a coherent and identifiable precinct;

(f) Design to address and activate the public realm, without privatising its amenity;

(g) A minimum of 8% of the site to be provided as public open space;

(h) Position the school to front Queens Parade and centre the sports courts on the site as a key community node with ease of access to public transport;

(i) Support retail, office and other uses at street level;

(j) Promote urban legibility and high quality public access to and through the site including clear site lines and a choice of routes;

(k) Minimise over shadowing effects within the site and on adjoining land;

(l) Design public open spaces to have good solar amenity, good passive surveillance;

(m) Avoid buildings that disproportionately overwhelm public spaces;

(n) Provide landscaping to reduce the visual impact of development, improve liveability and mitigate impacts of the urban heat island effect;

(o) Provision of street trees, high quality lighting and other streetscape enhancements;

(p) Retain the visual prominence of at least the top third of the individually significant Shot Tower from primary views when viewed from or through the site;

(q) Provide wind climate design to ameliorate wind conditions at street level, public spaces, balconies and adjoining properties; and

(r) Provide acoustic design treatments that addresses the impact of existing and potential noise particularly from road traffic and trams.

The Development Plan

25. The following is the intent of the ‘Development Plan’ as expressed in the document.

26. The development is designed to create a mixed use precinct that comprises a variety of housing types, community facilities and public open space.

27. The document says ground floor spaces will have high floor to ceilings to allow for a variety of public-facing uses to occur and flexible spaces have been located for ease of access and in locations that have increased foot traffic; and that these spaces may include retail, hospitality, office and co-working spaces, affordable workspaces for creative industries, galleries, grocery stores and gyms.

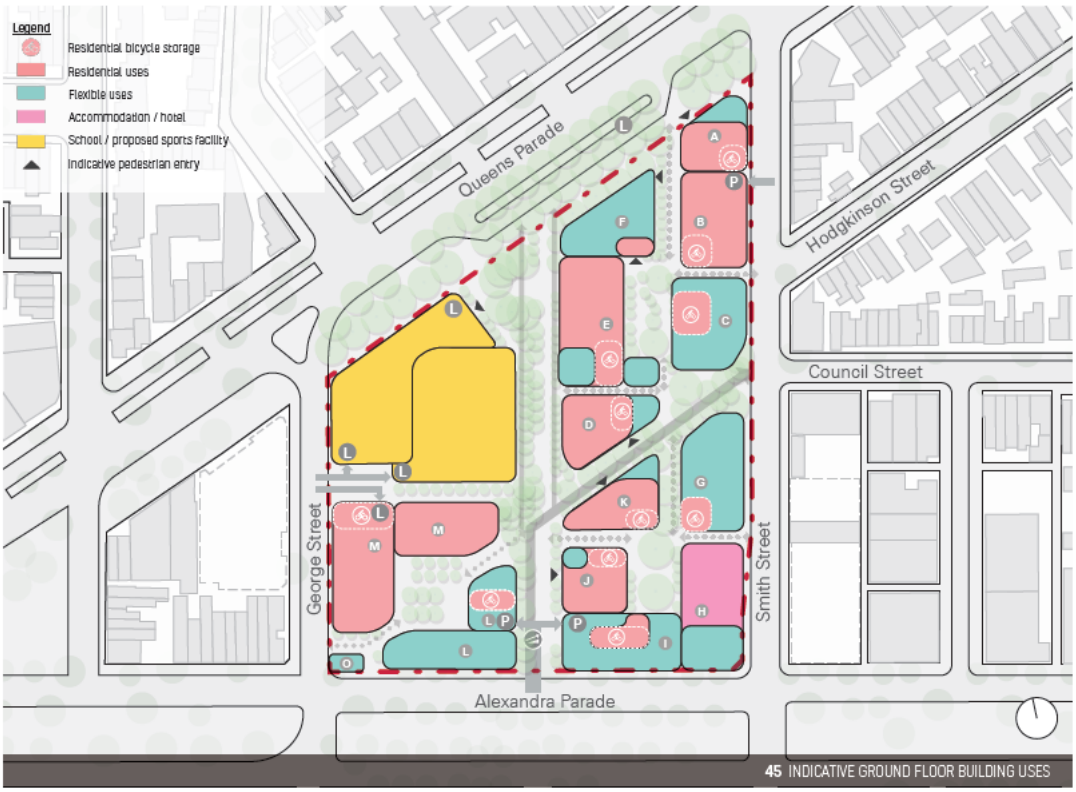


Figure 3. Indicative ground floor building uses (extracted from page 39 of the DP)

28. The podium level uses of the buildings are primarily residential use. Subject to the commercial viability, Building H, on the corner of Alexandra Parade and Smith Street is identified as a potential opportunity for a hotel or short-stay accommodation with public facing facilities on the ground floor, activating this prominent corner.

29. The upper levels are of the buildings are predominantly residential uses with shared common spaces on the rooftops, with the exception of Building H which has been identified as a hotel or short-stay accommodation.

30. Section 5.4 indicates that the 'Valve House' will be retained and enhanced as part of the development and a detailed plan of the interpretation scheme will be prepared and included at the Parcel A Planning Permit stage of the development.

31. Section 5.5 of the DP outlines the community infrastructure for the development. The provision of the Indoor sports facility is stated as a key component of this infrastructure. (NB: it is noted that no dedicated off street carparking has been allocated to this facility).

32. Section 5.6 of the DP states that it will deliver 8% of the site as new public open space that will be vested in Yarra City Council; and that careful consideration will be given to ensure all public spaces are designed to be safe and accessible to meet the needs of the local area. It further states that this open space will be supplemented by:

    (a) open space areas accessible to the community on the school site;

    (b) pedestrian prioritised access ways throughout the site and beyond to designated public transport nodes;

    (c) privately owned communal spaces that will be accessible to the community;

    (d) entryways and landscape treatments, clear sightlines and wayfinding signage, and

    (e) furniture and fixtures in the public realm that will be robust and easy to maintain.

33. The following diagram indicates where open space, both public and private is proposed to be located across the site, noting that public open space has been broken up into three sections, highlighted as dark green.



Figure 4 - Public Realm Plan – (Extract form page 43 of DP)

34. The Landscape Master Plan describes a series of key public and private spaces that together form the proposed open space network for the Fitzroy Gasworks site as outlined in the following diagram.



Figure 5 Landscape Master Plan (Extract form page 44 of DP)

35. *Development Victoria* say that, throughout the open space network, the Development Plan refers to a series of generous paths and limited vehicular access that will help reinforce walking as the dominant mode of travel through the site, creating a pedestrian priority neighbourhood.

36. Pedestrian movements are said to be facilitated through a permeable network of shared streets, shared use footpaths and laneways. The following diagram shows a cross section of the 'Village green' (the main open space areas) showing two 3m wide shared user pathways and landscape buffer adjacent to the development on the east side.

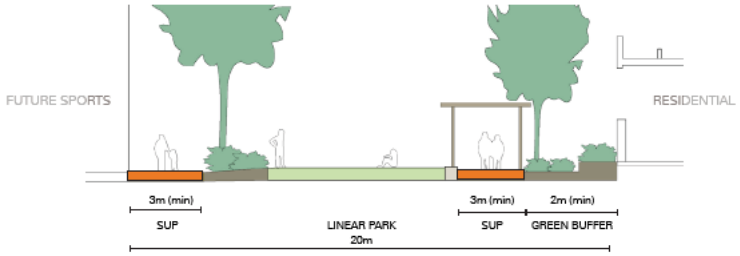


Figure 6 - Cross section through the village green open space, south of Queens Parade (Extract form page 45 of DP)

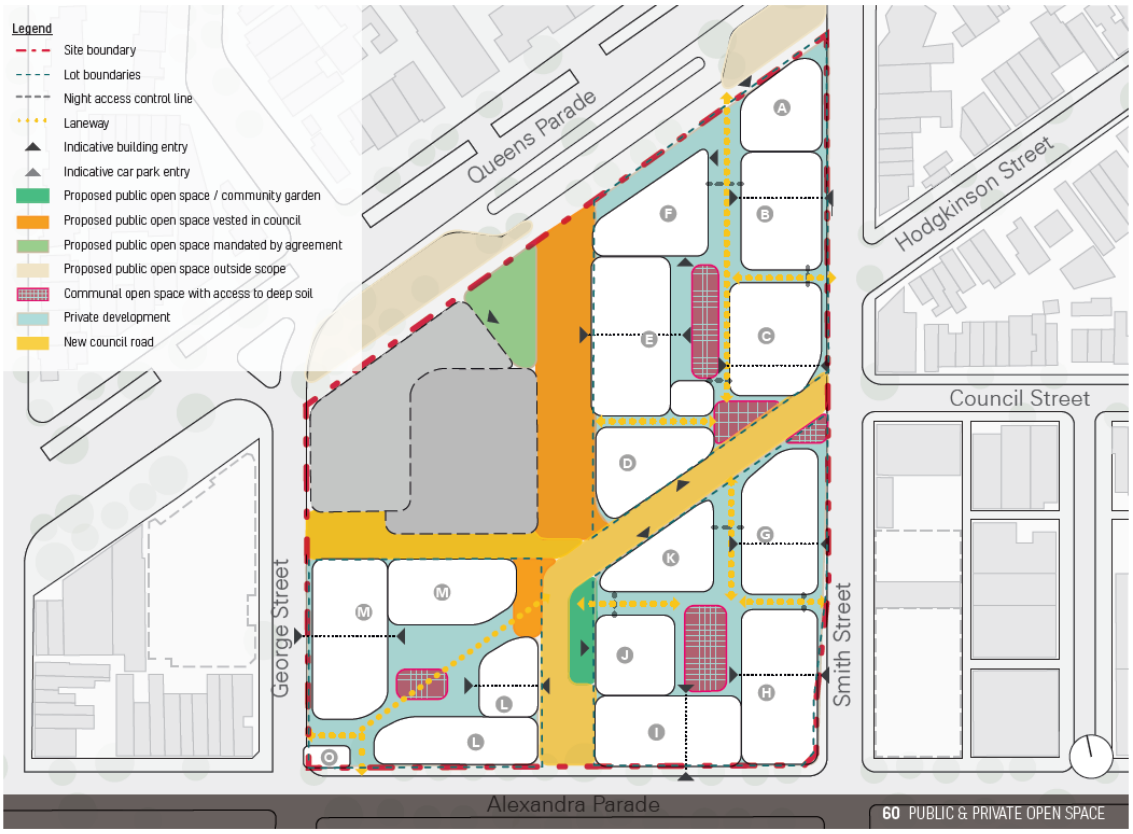


Figure 7- Public and Private open space plan showing building entrances (extract pg. 46 of DP)

37. Section 5.8.3 states how urban greening has many benefits including reducing urban heat island effect, increasing biodiversity and improving the health and well-being of residents. Minimum standards for urban greening have been targeted, with each parcel achieving a Green Factor rating.

YCC Officer comment

38. The following are YCC officers comments in relation to the proposed 'Development Plan' lodged by *Development Victoria*.

39. Smith Street ground level use in buildings A and B should be modified to include some commercial retail uses which would complement the existing commercial use of Smith Street. In this regard, Diagram 45 on page 39 should be modified to show some commercial uses in Building A and B.

40. Section 5.5 of the DP outlines the community infrastructure for the development and that the provision of the Indoor sports facility is a key component of this infrastructure; however it is noted that no dedicated off street carparking has been allocated to this facility. There should be an addition to this section to add that appropriate parking is provided on the overall estate to cater for this facility.

41. Section 5.5 also notes that a dedicated community space will also be provided for use by Yarra City Council. The details and location of this space is still being worked through with *Development Victoria*.

42. Section 5.6 should be modified and strengthened to say that:

> *"The Development Plan will deliver 8% of the site as new public open space that will be vested in Yarra City Council. ~~Careful consideration will be given to ensure~~ all public spaces are designed to be safe and accessible to meet the needs of the local area."*

43. The 8% of public open space has been spread over three areas in the development; and the main portion is a 20 metre wide portion in the 'Village Green' area. It is noted that this portion of land has a number of major underground services on the east side (former road space) which places encumbrances on this land as to what can be placed on it or within it.

44. Council has resolved previously on the 21 August 2021, that while the site is being developed, the services on the adjacent streets to the site should be undergrounded to improve the *public realm of the area.* Attachments 4,5 and 6 has the letters sent to the various ministers on a range of issues including this issue. This can be added to Section 5.6 to incorporate a dot point:

    "undergrounding of services in the adjacent streets to the site."

45. Section 5.7 describes the 'Landscape Master plan' at a very high level. This section needs to be strengthened by adding a new paragraph:

    "The detailed landscape plan needs to clearly address how the open space and public realm design responds to the projected demographics of the new community, how it considers other facilities currently provided with the catchment of existing open space and how it aligns with Yarra Open Space Strategy 2020."

46. The functionality of the 'Village Green' appears to be very limited and does not reflect precedent images and description. It seems that the primary focus of the 'Village Green' is the provision of the site's access requirements to adjacent uses. The current spatial typology proposed is akin to a streetscape with a large median of 12 metres in width. (Note: Pigdon Street has a similar 12+m wide median)

47. The cross section of the 'Village Green', graphic 54 (p45), also shows two 3m minimum width Shared User Paths (SUP) running through this 20m wide Linear Park. Two paths is unnecessary,, and this cross section should be modified to show one shared use path and consider the alignment in relation to the underground services.

48. The proposed functional layout plans must be approved by the Responsible Road Authority prior to any commencement of works on works within the site. This should also include a staging plan for the proposed works and sitewide Construction Management Plan.

49. The cross section of the 'Village Green', graphic 54 (p45), shows a two m (min) wide 'green buffer' in the public open space adjacent to the building on the east side to provide privacy and screening for the adjacent building. This reduces the quality and provision of facilities offered within Open Space. Section 5.7 should therefore, at minimum, be strengthen by adding a new paragraph:

    "Any required screening to built form (landscape buffer) should be delivered through built form setbacks rather than intrusions into Public Open Space."

50. Vehicle access is also being proposed within the Public Open Space. Access requirements compromise / reduce the quantum and type of open space facilities and should be removed or rationalised where possible. Section 5.7 should be strengthen with the addition of:

    "With exception to Emergency Vehicle and Maintenance access (Service Authorities and Council's Open Space maintenance) all vehicles are prohibited from entering Public Open Space."

51. The Public Realm Plan on page 43 of the Development Plan shows a building entry off the 'Village Green' public open space. Primary building entries should not be directly located adjacent to Public Open Space as these access ways reduces the opportunity for permeable surfaces / soft landscaping and useable open space. The Public Realm Plan should be modified to remove this accessway, or alternatively access pathways to main building entries should not be considered as Public Open Space.

52. Section 5.8.3 outlines the many benefits of urban greening in the development. To ensure mature tree canopy cover is achieved, it is essential however, that suitable growing volumes of soil are provided for individual trees based on their mature size and growing requirements.

With the public open space having limited widths there may be a limitation on tree planting in regard to tree numbers, canopy size and spacings without impacting on adjacent structures.

53. The viability of all green infrastructure as a long term greening solution, and the tree canopy cover conceptually shown, is required – which needs to include suitable growing volumes of soil and consider all required offsets from infrastructure and building structures.

54. Section 5.8.3 should be strengthened by the inclusion of:

> *"All garden beds need to be suitably sized and located to ensure that they are sustainable for optimum plant growth and high use grassed areas in open space require irrigation to achieve a high quality and durable outcome".*

55. Section 5.8.4 outlines the provision of a community garden of 220m2 of agricultural space in the development which is a good initiative. The garden should, however, not be located on public open space as it has a different function to open space and should not be included in the 8% public open space provision. This section should be amended to articulate this as follows:

> *A community precinct.*
>
> *This Community Garden should be located within Communal Open Space rather than Public Open Space as this facility is specifically catering to the needs of the development's occupants. (not to be part of the 8% public open space provision).*
>
> *The community garden will be accessible to the residential community, have access to sunlight throughout the year as well as appropriate drainage.*
>
> *The introduction of 220m2 of accessible agricultural space satisfies 'Credit 14.2 Local Food Production' as part of the 'Green Star Communities' rating.*

56. Section 5.10.1 of the Development Plan provides the shadowing description and the diagrams 66 to 73 illustrate shadows cast by proposed building envelopes at both the equinox and winter solstice. There are no diagrams of the 9-00am, 10-00 am and 3-00 pm equinox shadows provided and the Development Plan should be updated to provide them.

57. Section 5.10.1 should include a clear commitment that future development will be designed to have little to no shadow on the footpaths on the opposite side of each street.

58. Section 5.10.2 should have a firm commitment to ensuring that each application stage is compliant with the most up-to-date acoustic criteria as these apply at the time of each planning permit application submission to Council.

Built Form

The Development Plan Overlay Schedule 16 (DPO16)

59. The DPO16 requirement in relation to built form is:

(a) respond to the significance of Queens Parade and Alexandra Parade with built form that considers the design, height and visual bulk of the development in relation to surrounding land uses and developments and contributes to their significance as formal boulevards;

(b) provide a transition in buildings by reducing heights and increasing setbacks along sensitive interfaces with increased heights at the centre of the site;

(c) create high quality architectural frontages with a sense of articulation, streetscape scale and rhythm;

(d) articulate buildings to provide variety, visual breaks and promote a human scale to existing and new streets;

(e) activate street frontages with windows at upper levels, building entries from main lobbies and ground floor apartments to contribute to street life and safety through passive surveillance;

(f) avoid visually dominant buildings through use of discontinuous forms, well-articulated facades and high quality materials that weather well and are environmentally sustainable;

(g) a habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views and provide maximum sunlight to these spaces;

(h) avoid buildings taller than six storeys creating a 'canyon' effect to streets by distributing height and providing breaks in built form;

(i) provide internal courtyards, supported by communal roof terraces and balconies facing out to the street in mixed use developments;

(j) design all development parcels as perimeter blocks. Perimeter blocks should be defined by groups of buildings, with a range of building heights, to create a fine grain and articulated streetscape; and

(k) avoid podium and tower typologies.

The Development Plan

60. The Development Plan includes an 'indicative heights' diagram and 'preferred heights' and 'set back' table as detailed below.

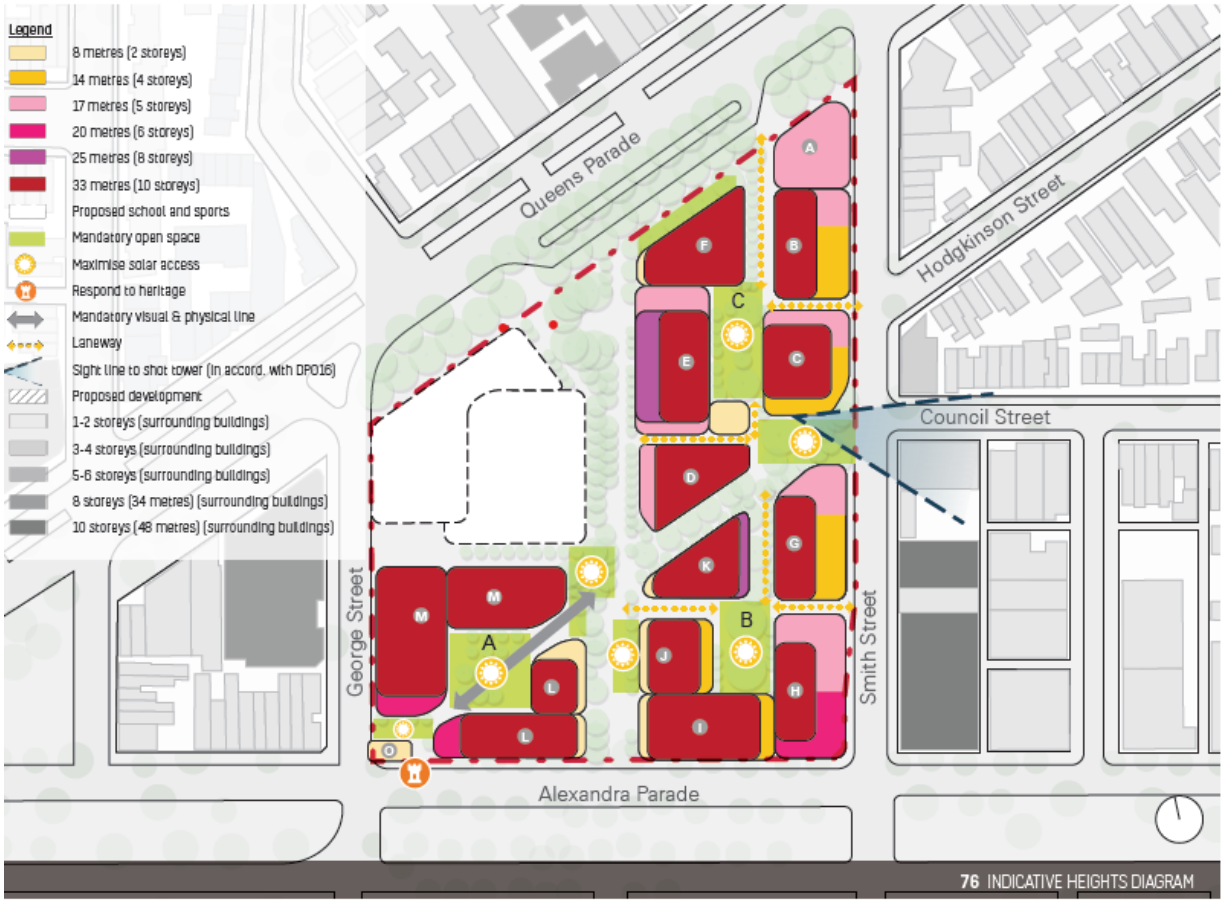


Figure 8 Indicative heights diagram (Extract from DP on page 53)

61. The Figure 9 below **- Preferred heights and setback controls (extract from pg. 56 and 57 of DP)** is the table that Development Victoria has inserted into the 'Development Plan' with the comment on compliance or otherwise of the 'Development Plan' to the *Development Plan Overlay* requirements.

Table 1 - Preferred Height and Setback Controls

Street Interface	Distance from Boundary	Maximum Height within Setback	DP Response
Queens Parade	0-8 metres	20 metres (6 storeys)	Compliant
	Greater than 8 metres	33 metres (10 storeys)	Compliant
Smith Street between Queens Parade and Council Street	0-3 metres	0m	Compliant
	3-8 metres	17 Metres (5 storeys)	Compliant
	Greater than 8 metres	33 metres (10 storeys)	Compliant
Smith Street between Council Street and Alexandra Parade	0-3 metres	0m	Compliant
	3-11.5 metres	33 metres (10 storeys)	Average of 17 metres (5 storeys), with a mix of 14 metres (4 storeys), 17 metres (5 storeys) and 20 metres (6 storeys) on the corner of Smith Street and Alexandra Parade
	Greater than 11.5 metres	33 metres (10 storeys)	Compliant
Alexandra Parade between Smith Street and Village Street	0-22 metres	33 metres (10 storeys)	Compliant
	Greater than 22 metres	33 metres (10 storeys)	Compliant
Alexandra Parade between Village Street and George Street	0-1 metres	0m	Compliant
	1-22 metres	33 metres (10 storeys)	Compliant
	Greater than 22 metres	33 metres (10 storeys)	Compliant
George Street	0-2 metres	0m	Compliant
	Greater than 2 metres	33 metres (10 storeys)	Compliant
Gore Street easement	0-3 metres	Average of 8 metres (2 storeys), with a mix of 5 metres (1 storeys), 8 metres (2 storeys) and 11 metres (3 storeys)	Compliant
	Greater than 3 metres	33 metres (10 storeys)	Compliant
Northern facade of valve house	0-10 metres	0m	Compliant
	10-18 metres	20 metres (6 storeys)	Compliant
Eastern facade of valve house	0-9 metres	0m	Compliant
	9-20 metres	20 metres (6 storeys)	Compliant

Figure 9 - Preferred heights and setback controls (extract form pg. 56 and 57 of DP)

Officer comment

62. The building heights and setbacks are 'generally in accordance with' the DPO16, with one significant change in George Street, and one minor change in Smith Street as shown in the table below.

	DPO16 provisions		Proposed Development Plan	
Street Interface	**Distance from Boundary**	**Maximum height within setback**	**Distance from Boundary**	**Maximum height within setback**
George Street	0 -12.5 metres	20 metres (6 storeys)	0 -2 metres	0 m
	Greater than 12.5 metres	33 metres (10 storeys)	Greater than 2 metres	33 metres (10 storeys)
Smith Street between Council Street and Alexandra Parade	0-11.5m	17 metres (5 storeys)	0 -3 metres	0 m
	Greater than 11.5 metres	33 Metres (10 storeys)	3 – 11.5 metres	33 metres (10 storeys)
			Greater than 11.5 metres	33 metres (10 storeys)

Figure 10 – changes between the DPO16 and the Development Plan

63. In the DPO16, the George Street frontage had a designated distance from boundary between 0 and 12.5 m of 20 metres (6 storeys) height. This has been changed in the Development Plan to having zero height between 0-2 metres and greater than 2 metres of 33 metres (10 storeys).

64. In the DPO16, the Smith Street, between Council Street and Alexandra Parade had a designated distance from the boundary of 0 -11.5m of 17 metres (5 storeys). This has been changed in the Development Plan to 20 metres (6 storeys).

65. There also appears to be a mistake in Table 1 *Preferred Heights and Setback Controls for Smith Street, between Council Street and Alexandra Parade,* where the 3 metres to 11.5 metres height of 33 metres (10 Storeys) should be 17 metres (5 storeys) to match the 'Indicative Heights' Diagram on page 53.

66. It is noted that the Wurun Senior Campus that has been built in the north west corner of the site is approximately 33 metres in height (10 storeys) with no setback from the property line. (shown below). This has created a poor interface with the existing narrow footpath in a high pedestrian area and is inconsistent with the requirements of the *Transport Integration Act (see photo below).*



Figure 11 - George Street looking South adjacent to the Wurun Senior Campus

67. The Development Plan is proposing that this height continue down George Street with a 2 metre setback from the boundary line. This 2 metre setback from the boundary would provide for a better pedestrian environment than what exists presently.

68. The recommended changes to the Development Plan 'Preferred Height' and 'Setback' provisions to Smith St and George Street as reflected in the table below; and adjust figure the Figure 76 – 'Indicative Heights' Diagram on page 53 of the Development Plan to reflect the changed heights.

Street Interface	Proposed **Distance from Boundary**	**Officer recommended maximum height within setback**
Smith Street between Council Street and Alexandra Parade	0 -3 metres	0 m
	3 – 11.5 metres	~~33 metres (10 storeys)~~ 17 Metres (5 storeys)
	Greater than 11.5 metres	33 metres (10 storeys)
George Street	0 -2 metres	0 m
	2 -12.5 metres	~~33 metres (10 storeys)~~ 20 metres (6 storeys)
	Greater than 12.5 metres	33 metres (10 storeys)

Figure 12 - Officer recommended changes to the preferred heights and setback controls

Affordable housing

The Development Plan Overlay Schedule 16 (DPO16)

69. The DPO16 requirement in relation to affordable housing is:

    (a) Provide a range of dwelling types to cater for a variety of housing needs including the provision of 20% of dwellings as Affordable Housing (as defined at section 3AA of the Planning and Environment Act 1987).

The Development Plan

70. The DPO16 requirement in relation to affordable housing is:

    (a) Provide a range of dwelling types to cater for a variety of housing needs including the provision of up to 20% of dwellings as Affordable Housing (as defined at section 3AA of the Planning and Environment Act 1987).

71. The Development Plan states that the Affordable Housing Strategy for this site targets delivery of 20% of dwellings as 'Affordable Housing'. It states that the strategy comprises two primary delivery models:

    (a) *Social Housing*, that is, subject to State funding, will be either owned by the State and operated by a Registered Housing Agency, or owned and operated by a Registered Housing Agency; and

    (b) *Market Affordable Housing* comprising market products such as affordable rental and affordable purchase products with flexibility for a range of delivery models and tenures.

72. The Development Plan states that to ensure Affordable Housing appropriately responds to estimates of current and forecast demand, the following dwelling mix is suggested for the Affordable Housing components of the development (noting that the final mix may vary from building to building or between delivery models):

    (a) up to 60% 1-bedroom and studio apartments with no more than 25% of the total being studio apartments;

    (b) up to 60% 2-bedroom apartments, and

    (c) up to 10% 3-bedroom (or larger) apartments.

73. Given the significant need for housing diversity within the City of Yarra, and specifically in response to the agreed statistic that 1 in 4 rental households are in housing stress, *Development Victoria* has committed to ensuring that 75% of all 'Affordable Housing' dwellings will be affordable rental, all of which will be delivered by *Development Victoria* in the early stages of the project (see Parcel A shown below).

74. The allocation of these dwellings is said to be as follows:

    (a) 120 dwellings as *Social Housing*. These dwellings will be under the control of the Director of Housing, and provided in perpetuity for Victorians on the Victorian Housing Register; and

    (b) 60 dwellings as *Affordable Housing* (rental). Delivered through Development Victoria's Affordable Build to Rent (ABTR) pilot. The DP says the Affordability of these rental dwellings is committed for a period of 10 years, at which point a financial review will determine future use and possible divestment strategy.

75. The remaining 25% Affordable Housing dwellings is said will be delivered by the market, prior to the final planning permit, and it is expected that these housing types will include a range of affordable rental and purchase products (to be delivered in Parcel B and C).

76. *Development Victoria* say that they are confident that the delivery of the ABTR pilot will offer significant public benefit to the communities of the City of Yarra and the State.

77. *Development Victoria* further say that, successful delivery of the ABTR pilot will validate the use of the 'Build to Rent' asset class with an inclusion of 30% of contained dwellings as affordable rental. The 'Development Victoria Board' is said to be committed to supporting the ABTR pilot for an operating period of 10 years, which it says, would guarantee:

    (a) long term supply of 60 Affordable Housing (rental) outcomes available to Affordable Income households;

    (b) delivery of targeted financial outcomes;

    (c) scheduled reporting and validation of the Affordable Housing outcomes to the Responsible Authority; and

    (d) investment in a wider market acceptance of our model (BTR including 30% affordable dwellings).

78. *Development Victoria* say that the 'divestment strategy' for the Affordable Build to Rent (ABTR) pilot will be resolved by *Development Victoria* on or near the tenth operating year, with the final recommendation agreed by the Board.

79. *Development Victoria* says that resolution of the divestment strategy will ensure consideration will be given to financial performance, ongoing viability of Affordable Housing outcomes, future investment, and market forces.

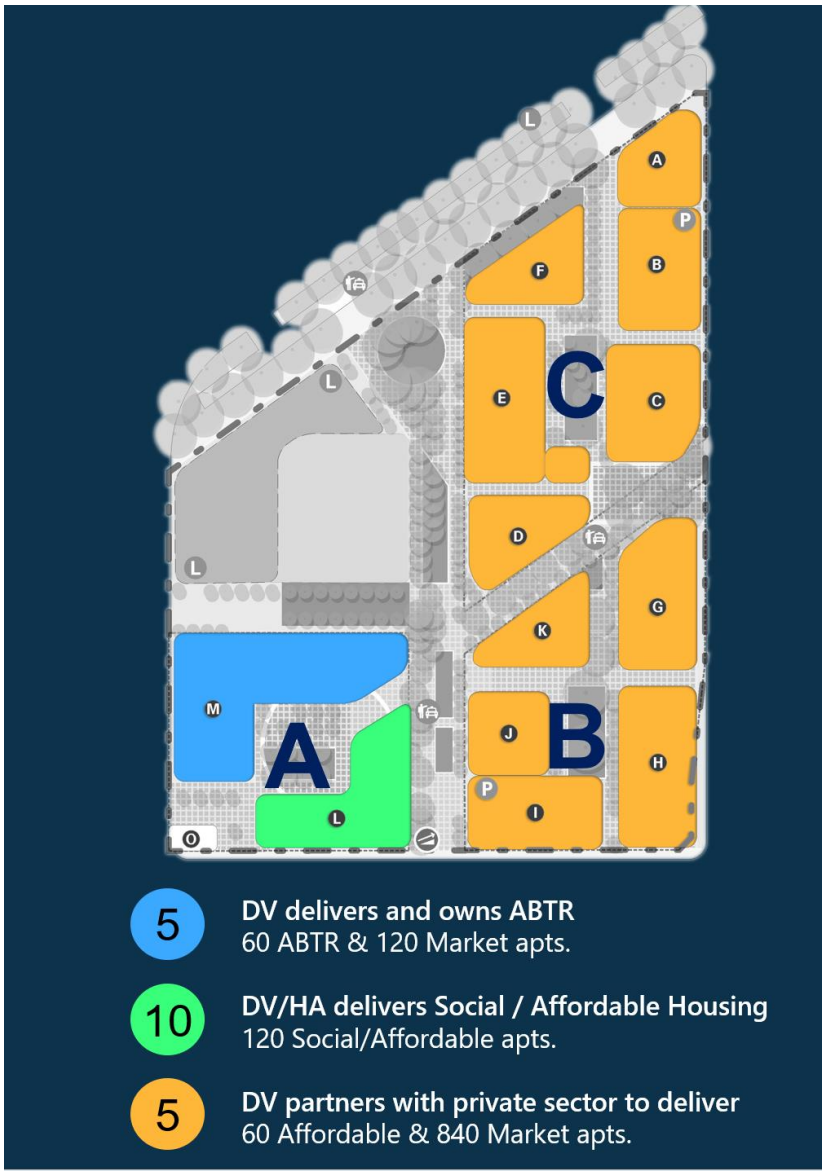


Figure 13 Proposal from Development Victoria on the spread of affordable housing across the site.

Officer comment

80. Section 7.1 of the Development Plan reads as an aspirational statement rather than a solid commitment to the 20% of dwellings as affordable Housing. This should be strengthened to say:

> *Section 7.1 – first line - The Affordable Housing Strategy for this site will deliver ~~targets delivery of~~ 20% of dwellings as Affordable Housing. The strategy comprises two primary delivery models.*

81. Section 7.1 of the Development Plan also states that the 'social housing' component of the development is subject to Victorian State Government funding. This should be removed to ensure the longevity of social and affordable housing on the site, and a requirement be added that:

> *before granting any permit in accordance with an approved* Development Plan*, the owner/s of the land must enter into an agreement with the Responsible Authority under Section 173 of the Planning and Environment Act 1987.*

82. Section 7.2.7 of the Development Plan states that dwellings will be of 'high design quality'. This should be strengthened to say:

> Section 7.2.7 – first line - Affordable *Housing dwellings will be of high design quality (accessible, access to adequate daylight and private open space, and energy efficient' as a minimum) and tenure-blind, and integrated within the site either:*

83. Section 7.2.7 of the Development Plan should be strengthened to include a new clause:

    (a) Section 7.2.7 New clause - *Provision of either adaptable or fully accessible wheelchair housing in accordance with Australian Standards (AS) representing 5% of the total number of apartment dwellings to be developed (including within the affordable housing component) to the satisfaction of the Responsible Authority.*

84. *Development Victoria* has indicated that they will retain ownership of the ABTR apartments in Parcel A for the first 10 years, after which time it is unclear as to the ownership, management and retention of the dwellings as ABTR.

85. It is recommended that Section 7.2.3 'Longevity of Benefit' state that for Market Affordable Housing, a binding Development Agreement will require the selected developers to deliver a minimum proportion of Affordable Housing on their site in a form that is consistent with the Planning and Environment Act 1987, and that satisfies the Responsible Authority.

86. Section 7.2.3 of the Development Plan should be changed to ensure the binding Development Agreement addresses and provides assurances that the ABTR dwellings will be provided in perpetuity for the exclusive use of eligible households earning within the Victorian Government-defined income bands, updated annually by the Governor in Council Order. In this regard Section 7.2.3 second paragraph should be changed to read as follows:

> *For Market Affordable Housing a binding Development Agreement will require the selected developers to deliver a minimum proportion of Affordable Housing, in perpetuity for the exclusive use of eligible households earning within the Victorian Government-defined income bands, updated annually by the Governor in Council Order, on their site in a form that is consistent with the Planning and Environment Act 1987, and that satisfies the Responsible Authority.*

87. It is said that to ensure the longevity of social and affordable housing on the site, before granting any permit in accordance with an approved Development Plan, the owner/s of the land must enter into an agreement with the Responsible Authority under Section 173 of the Planning and Environment Act 1987. This should be strengthened to include a new clause:

Section 7.2.3 new section - *before granting any permit in accordance with an approved development plan, the owner/s of the land must enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987 which must provide, to the satisfaction of the responsible authority that the owners will:*

(i) *Provide within Parcel A, a minimum of 5% of the total number of dwellings in the development for the purpose of social housing, developed in association with the Department of Families, Fairness and Housing and a minimum of 10% of the total number of dwellings in the development for the purpose of affordable housing, developed in association with an accredited housing association; and*

(ii) *Provide within Parcels B & C a minimum of 5% of the total number of dwellings in the development for the purpose of affordable housing developed in association with an accredited housing association.*

88. In addition to the Development Plan changes, it is important that Council continues to advocate to the State Government to secure 'Victorian Big Housing Build' (VBHB) funding to deliver the first stage of the affordable housing (15% of the total) within Development Victoria's nominated time frame of conclusion at the end of 2024.

Movement

The Development Plan Overlay Schedule 16 (DPO16)

89. The DPO16 requirement in relation to Movement is:

(a) create pedestrian and bicycle access into and through the precinct to support its development and integrate activity in the area with surrounding neighbourhoods;

(b) design effective traffic management and car parking to service the whole site;

(c) Innovative approaches to car parking provision will be considered;

(d) provide for safe and convenient pedestrian, cyclist and vehicular access;

(e) minimise vehicle entries to reduce impact on footpaths;

(f) provide a new tram stop on Smith Street which is compliant with the requirements of the Disability Discrimination Act 1992 (DDA);

(g) provide two bicycle spaces per dwelling; and

(h) design vehicle access and egress to and from the site to avoid tram delays along Smith Street.

The Development Plan

90. The Development Plan highlights that careful consideration will be given to the design of pedestrian, cycling and vehicular connections throughout the site to create safe and convenient access, support development and integrate activity between the site and surrounding neighbourhood.

91. It is said that the site will make the most of its location close to major bicycle paths on Queens Parade, Napier Street and Wellington Road, and the high provision of bicycle parking on the site to make cycling a preferred transport method for residents within the precinct.

92. Two bicycle parking spaces are provided per dwelling.

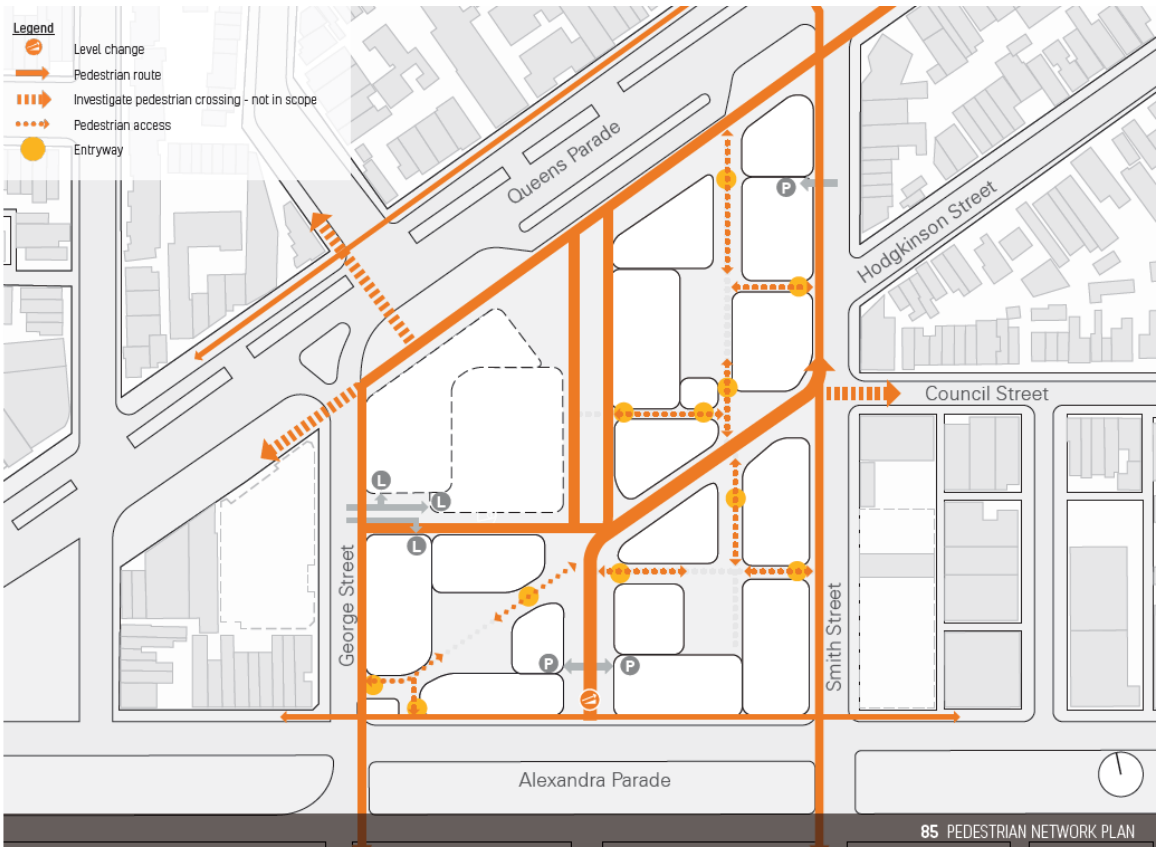


Figure 14 – Pedestrian Network Plan (extract from diagram 856 on pg. 67 of the DP)

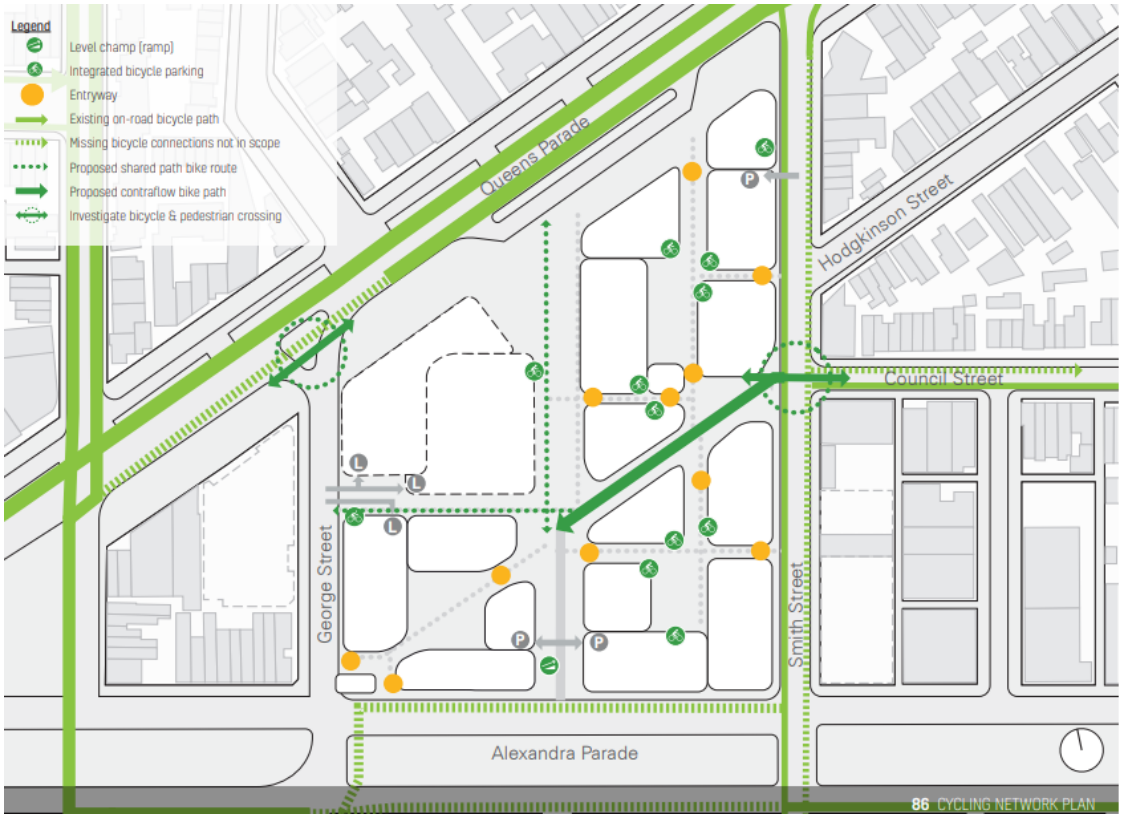


Figure 14 - Cycling network plan (extract from diagram 86 on pg. 68 of the DP)

93. The Development Plan states that the site is served by the 'Route 86' Bundoora RMIT - Waterfront Docklands tram along Smith Street and while development will be designed to support a planned new tram stop located on Smith Street, the planned tram stop works fall outside of the scope of this Development Plan.

94. Underground car park entrances have been limited to three across the site, with pick-up and drop-off along 'Village Street 'and one-way access along 'Village Street', thereby it is said to reduce impacts on pedestrian footpaths and avoiding delays to Smith Street trams. There will be approximately 790 car spaces provided.

95. Waste collection, loading and utility access is said to be preferred to occur in basements and is subject to further design detail and assessment at the time of lodgement of individual planning applications or alternatively, secure refuse locations can be provided at ground floor within private developments.

96. Service access for the school and future sports will be provided via a two-way lane immediately south of the school. Restricted access will be provided on paved paths that are engineered to take the weight of vehicles in the 'Gore Street easement', controlled via bollards. This will allow intermittent access for loading, maintenance, setting up events and emergency access and provides effective management of traffic and parking across the whole site.

Officer comment

Pedestrian and Bicycle access

97. Prioritising pedestrian and bicycle assess to the precinct can only be achieved with the provision of infrastructure to support safe access and movement.

98. Based on the information provided within the Development Plan, there is significant doubt whether safe pedestrian and cyclist access and amenity can be achieved from the current proposals put forward. This includes:

    (a) there is no cycling infrastructure provided for the southern end of the site, despite the 'Integrated Transport Plan' included in the Development Plan, noting that most travel will be towards the CBD (see below plan);

    (b) there appears to be no continuous cyclist connection along the full length of 'Village Street'. The current arrangement of stopping the contra-flow bicycle lane abruptly is considered unsafe and a poor access outcome;

    (c) access through laneways and access ways may be restricted to certain hours;

    (d) there is limited recognition of the space requirements for streetscape infrastructure required for a street (drainage, street trees, street lighting, kerbs/channels etc). This is often overlooked when setting boundaries and results in compromised access for people movement;

    (e) footpath widths appear to be narrow (within the proposed road reserves, the footpaths would be some of the narrowest in Yarra) – whilst additional space may be provided privately, this may be encumbered by activity uses and underground basements;

    (f) there has been no assessment to determine whether the widths of footpaths and cycle facilities are sufficient to cater likely demand and whether there is adequate space to provide this publicly within the road reserve;

    (g) there is no information on how possible pedestrian and cyclist conflicts can be managed within the space available within the road reserve, and

    (h) there is a need for a shared path that provides safe pedestrian and cyclist connections to the northern area of the site

99. The Development Plan requirement is to promote urban legibility and high quality public access throughout the site and to do this there needs to be:

(a) safe, continuous and unobstructed infrastructure for pedestrians and cyclists within the site along 'Village Street';

(b) safe, continuous and unobstructed infrastructure for pedestrians and cyclists along the site boundaries;

(c) safe crossing facilities on boundary roads, and

(d) universally accessible public transport infrastructure including tram stops on Smith Street and bus access on Queens Parade.

100. The new signals at the Queens Parade / George Street intersection provide the potential for a possible safe route between Napier Street and the northwest side of the site via the Queens Parade service road to the west of the site. However, there is no current safe or legal cycle facility along Queens Parade connecting Napier Street and the site. The Development Plan also considers this to be outside of scope even though the new infrastructure is currently encouraging / facilitating this movement.

101. This route is considered to only be an option for a limited area of the site. The most direct route to low traffic and safe bicycle streets the south of Alexandra Parade will be via Queens Parade and George Street signalised intersection.

102. The new school building has been constructed to the boundary of the site on George Street. There has been limited consideration of the impact of doing this and the required infrastructure requirements for a street (i.e. street lighting). This is considered unsafe and not accessible for many pedestrians in this hostile high vehicle environment and is inconsistent with the requirements of the *Transport Integration Act.* It is critically important that this is avoided for the remaining site boundaries.

103. The missing cyclist link on Alexandra Parade is not within scope.

104. The Development Plan is indicating that the buildings will be constructed up to the boundary of the existing footpath on Alexandra Parade and there will be a requirement to install a deceleration lane on Alexandra Parade to cater for site vehicle access. This will further reduce the existing footpath width on Alexandra Parade.

105. There has been no consideration of infrastructure requirements such as street lighting which, will further reduce pedestrian and cyclist accessibility.

106. The existing footpath on Alexandra Parade is insufficient for safe access for both pedestrians and cyclists. Given the importance of this route, pedestrians and cyclists should be separated into a footpath and bi-directional bicycle path. It is important that this facility is an unobstructed space and any required set back into the site is provided in line with current standards and best practice.

107. The current signalised crossing at Smith Street and Queens Parade is substandard for pedestrians and provides no crossing for cyclists. A commitment to upgrade this crossing to provide safe pedestrian and cyclist access to the site along the priority cycle corridor is required.

108. A commitment to safe pedestrian and cyclist crossing on Smith Street is also required at or near the location of the proposed tram stops. This is required for tram stop access, safe access to Wellington Street bicycle corridor and provide a safe linkage between the school campuses – noting that this development will increase significantly traffic on Smith Street and the surrounding streets.

109. The indicative cross sections for 'Village Street' indicate that narrow footpaths are provided within the road reserve.

110. It appears that additional space may be provided within private titles that may be publicly accessible, however, the cross sections indicate that basement car parks will be located directly underneath this extended space.

111. In practice, the provision of basements at these locations restrict what can delivered above ground, meaning that infrastructure (street lighting, drainage, strata cells), loading and vegetation is pushed into the public areas which in turn reduces space for people movement.

112. The required space for people movement and streetscapes should not be restricted by privatised space below ground. The required space for people movement and streetscapes needs to be determined by demand for movement and activity above ground.

Public Transport

113. The Bus stop on Queens Parade and the tram stop on Smith Street are key transport interchanges for the site and will be critical to achieving safe access and reduced need for travel by car. Having a statement in the Development Plan saying they are outside the scope is inadequate.

114. The Development Plan should include requirement for an accessible bus stop upgrade on the Queens Parade service road and given the development of this size, and further a review of the bus services to increase the use of public transport to the site.

115. There is limited detail provided outside of indicative cross sections and examples of accessible tram stops. The success of accessible tram stops has been varied usually because of inadequate space provided for pedestrians and cyclists at existing stops resulting in poor access and safety outcomes.

116. This will likely be the case at Smith Street particularly as space requirements within the existing road reserve are constrained and don't consider the range of infrastructure required to deliver the infrastructure for trams, vehicles, vulnerable road users and streetscapes. There is likely to be congested footpaths, conflicting movements and there is no commitment to safe crossings, noting that existing conditions for pedestrians and cyclists are currently more limited than described in the 'Integrated Transport Plan' and will not safely cater for increased demand generated by the site.

117. Further, it is noted that in regards to the Smith Street Tram, Council at its meeting 21 August 2021, resolved to wrote to the relevant Ministers (attached as Attachments 4,5,6 and 7) stating that:

    (a) [there should be] the provision of a single central island tram stop on Smith St (as previously resolved by Council on 17 July 2018 (a "super tram stop");

    (b) that the tram tracks in Smith Street should be the realigned to the west (through a reallocation of the Smith Street road space), in order to facilitate this centre island tram stop, and to also facilitate the provision of a wider footpath on the east side of Smith St; and

    (c) that from the new street frontage in Smith St (due to (b) above), the setback of buildings on the eastern side of the former gas and fuel site be setback a minimum of 2.0 m to facilitate an improved pedestrian interface to Smith Street.

118. It is noted that the current setback for the site along Smith Street is 3 metres for the entire length.

119. The Development Plan needs to determine the required width of the Smith Street road reserve for the safe movement of all transport modes, the required supporting infrastructure and include the required set back(s) within the site – or alternatively, make allowances for updates to boundaries as subsequent stages when concept and detailed design is being developed.

120. The Development Plan needs to include the requirement for signalised crossings for pedestrians and cyclists to be incorporated within the new tram stops, noting that the location proposed within the Development Plan also has been identified as the key cyclist connection between local schools using the new school facility.

121. The Development Plan needs to recognise that the design of the street should be carried out to the satisfaction of the Responsible Road Authority.

122. These changes need to be made in section 8.3.2 and at all locations within the Development Plan where there is reference to streetscape, movement and interfaces with current and proposed uses on Smith Street.

Private Vehicle parking and access

123. The general concept of shared zones or shared streets is supported in principle. There will be a need to provide traffic calming and a streetscape environment to achieve this vision. This will need to be done to the satisfaction of the 'Responsible Road Authority'.

124. Restricting on-street parking within the development to disabled parking and short-term loading is supported in principle.

125. The requirements of loading vehicles need to be considered as part of the required road reserve widths for Village Street. Based on the limited information available at this stage, there is concern that loading vehicles could block safe pedestrian, cyclist and vehicle access through the site based on current widths of the road reserve.

126. The introduction of tram stops on Smith Street, bus stop and shared path improvements on Queens Parade and deceleration lane and required pedestrian/cyclists upgrades on Alexandra Parade would most probably result in the removal of large numbers of existing on-street parking on roads around the site.

127. It is important that none of the proposed future uses relies on existing on-street parking for its parking demand and that any parking needs of the development are catered for off-street within the development.

128. There needs to be a coordinated site-wide approach to the provision of parking to ensure that there is no parking overspill into neighbouring residential areas or activity centres.

129. Street infrastructure such as trees, high quality lighting and other streetscape enhancements are essential to the safe movement of people, amenity and street activation. The space requirements to incorporate this infrastructure within available road reserves is often not considered in enough detail during the Development Plan stage. In practice, this means that this infrastructure is compromised by location of buildings, underground basements and underground services. This results in streetlights within pedestrian or cycling movement space, insufficient space to provide supporting infrastructure such as strata cells to achieve adequate tree growth etc.

130. In this regard, Section 8.4 of the Development Plan needs to change to address:

    (a) the required width of the internal road reserves for the safe movement of all transport modes, the required supporting infrastructure and include the required set back(s) within the site – or alternatively make allowances for updates to boundaries as subsequent stages when concept and detailed design is being developed;

    (b) recognise that the design of the internal streets should be done to the satisfaction of the Responsible Road Authority; and

    (c) include requirement for a site-wide parking management plan.

Environmentally Sustainable Design

The Development Plan Overlay Schedule 16 (DPO16)

131. The DPO16 requirement is that the development will

    "Incorporate sustainable design features to address water management, solar access and innovative energy saving initiatives".

The Development Plan

132. The Development Plan has outlined a suite of sustainable design features that are proposed to address energy conservation, water conservation, water sensitive urban design, waste management, and demolition and construction practices.

133. In addition the building layout has been generally designed to allow sunlight access to open spaces, which are generally laid out in a north-south orientation.

Officer comment

134. Section 1.3.7 in the Overview of the Development Plan provides an overview of the sustainable design and commitment to the 6 Star Green Star Communities rating. This section can be made clearer by inserting more detail on how it will be achieved. Section 1.3.7 should be changed to delete the last line and add the following three sentences, as follows:.

> ~~*These features will allow for any future development to achieve a fully certified 6 Star Green Star Communities rating."*~~
>
> *Green Star Communities 6 Star rating has been achieved for the masterplan. Development Victoria will now manage delivery of commitments made through to recertification at 5 years, including any pass-through obligation to development partners via development agreements.*
>
> *The whole site will achieve a fully certified 6 Star Green Communities Rating. Development Victoria will manage implementation of Green Star Communities rating commitments across the precinct.*
>
> *Buildings delivered by Development Victoria will achieve a minimum 5 Star Green Star Buildings certified rating. Green Star will not be mandated as a rating tool for private developments, however certification to a 5 Star Green Star equivalent will be required, with the selection of final rating tools to be adopted for each building to be locked into development agreements.*

135. Section 9.1.1 of the Development Plan has a range of dot points that can be strengthened to improve clarity of what is being proposed. The changes are as follows:

(a) *Installation of solar photovoltaic (PV) arrays for energy generation via roof mounted systems to most buildings onsite. As part of the project's Green Star submission, the project is providing a modelled 30% of total energy use for the precinct to be from onsite solar generation. This will be from at least 850 kW of solar PV across the site. The specific arrangement for each building will be subject to refinement during detailed design. Implementation strategy for solar PV to private development parcels to be proposed by development partners, and evaluated by Development Victoria during competitive process prior to being locked into development agreements which Development Victoria will then manage;*

(b) *Non-residential Buildings to exceed the minimum standards set in the NCC 2019 for insulation and glazing. A specific % improvement has not yet been agreed due to the limited industry application of the 2019 requirements on the type of retail and commercial tenancies likely to be built on this site. Hence the site has, at least initially, opted for the high amount of renewable energy from solar PV (as outlined above) as this commitment can be well understood;*

(c) *Apartment buildings to be provided with openable windows ~~where technically possible, particularly for~~ to all habitable spaces e.g. bedroom and living rooms of apartments. This allows occupants to utilise natural ventilation to cool passively when conditions are suitable, reducing reliance on HVAC energy use. Office and other non-residential spaces will also have effective natural ventilation via operation windows; and*

(d) *Development Victoria will achieve zero carbon operations for buildings delivered by Development Victoria, consistent with corporate strategy. Development Victoria will leverage the competitive market engagement process to also deliver zero carbon operations for private developments and will lock commitments into development agreements.*

136. Section 9.1.2 of the Development Plan on water conservation should be strengthened to remove the vague statements *"where technically possible"*. It should read as follows:

Rainwater tank(s) are to be mandated for each apartment building to harvest rainwater for onsite non-potable water use e.g. toilet flushing and irrigation ~~where technically possible~~. This will not only reduce potable water use but also reduce and attenuate the stormwater flows from roof areas to the local stormwater system. The specific sizing of rainwater tanks is beyond the scope of this master planning stage.

Native and drought tolerant plants (e.g. xeriscaping) to be introduced ~~where technically possible~~ for the planter boxes and landscaped areas on-site.

137. WSUD infrastructure required to achieve the development's sustainability requirements should not be positioned within the public areas. The proposed sustainability measures should be located within private property boundaries and managed and maintained by the relevant property owners i.e. through Owner's Committee agreements.

138. The storm water management plan and legal points of discharge are to be approved by the responsible authority as part of the planning permit process and prior to any beginning on site. All stormwater design (pipe network and any overland flow) need to be consistent with Melbourne Water design and modelling requirements.

139. Section 9.1.4 of the Development Plan on waste management conservation should be strengthened to include glass recycling and provision of appropriate recycling points in common areas of buildings – it should read as follows:

    (a) The project will be including the following operational waste initiatives in addition to standard landfill waste collection:

        (i) Public place recycling scheme;

        (ii) A residential recycling scheme;

        (iii) Residential composting or Green Waste scheme, which is likely to take the form of a FOGO (Food Organics and Garden Organics) system;

        (iv) <u>Glass recycling; and</u>

        (v) <u>All waste disposal points within the common areas of buildings are to include both recycling and general waste, FOGO and glass recycling.</u>

140. Section 9.1.6 of the Development Plan on landscape should be strengthened to remove the vague statements and exclusions.

    (a) Provision of habitat, green spaces and climate control will be ~~considered~~ <u>delivered</u> throughout the development as appropriate. Strategies to achieve this are:

    (b) Mitigating urban heat island effect through providing green space in public areas, plus rooftops of buildings to comprise one or more of the following (~~excluding services areas and where not practical~~). The preferred option, or mix of options, will include one or more of the following:

141. Section 9.1.7 of the Development Plan on transport should be strengthened on the provision of bicycle parking and the inclusion of electric vehicle capacity into buildings as follows:

    The proposed development ~~intends to~~ <u>will</u> provide two bicycle parking spaces per residential unit which exceeds the minimum requirement and is a generous provision within the residential developments.

    Electric Vehicle (EV) electrical capacity will be included as part of electrical headworks to each lot. Development Victoria will leverage the competitive market engagement process to seek EV, car share and other sustainable transport proposals from development partners to be locked into development agreements.

142. Section 9.1.8 of the Development Plan on innovation should be strengthened on the commitment to the 6 star communities by insertion of an additional dot point as follows:

Development Victoria is committed to sustainability outcomes as a core policy object and has already achieved the first certified 6 star Communities rated precinct in Yarra. Development Victoria will leverage the competitive market engagement process to seek sustainability innovation proposals, and evaluation of these proposals will be assessed and weighted as part of evaluation.

Options

143. The Council has the following options:

    (a) Option 1 – provide comments to the Department of Environment, Land, Water and Planning on what points Council seeks to make regarding the Development Plan; and

    (b) Option 2 – not provide comments to the Department of Environment, Land, Water and Planning.

Community and stakeholder engagement

144. *Development Victoria* has undertaken various community engagement processes since 2016.

145. *Development Victoria* established a 'Community Reference Group' which continues to meet to provide community feedback on proposals.

146. The draft 'Development Plan' was released for community consultation on the 10 November and closed on the 8 December 2021.

147. *Development Victoria* has finalised the 'Development Plan' on 14 February 2022 and submitted it to DELWP for assessment and the Minister for Planning to assess.

148. The Minister for Planning is the 'Responsible Authority' for this site.

149. Council has informally been provided a copy of the 'Development Plan' by DELWP on 14 February, 2022.

Policy analysis

Alignment to Community Vision and Council Plan

150. Due to the scale and components of the site redevelopment there are many Council strategies and polices that are relevant to the development.

151. The Council Plan supports advocacy for a six court indoor sports stadium on this site and the earlier Urban Design Framework for the site supports the redevelopment of the site and the provision of a six court indoor stadium.

Climate emergency and sustainability implications

152. The overall site has been contaminated and is now close to being fully decontaminated.

153. Redevelopment of the site should conform to best practice in terms of building sustainability and sustainable transport.

154. The planning controls implemented for the site require the inclusion of sustainability principles in the preparation of the 'Development Plan'.

155. The Development Plan has outlined a suite of sustainable design features that are proposed to address energy conservation, water conservation, water sensitive urban design, waste management, and demolition and construction practices.

Community and social implications

156. Redevelopment of the site will result in additional demand on Council's services.

157. The redevelopment of the site will include a 20% affordable housing component and 8 % open space provision.

Economic development implications

158. The redevelopment of the overall site will create a number of employment opportunities during construction with different employment opportunities arising once the development is completed.

Human rights and gender equality implications

159. There are no known human rights or gender equality implications.

Operational analysis

Financial and resource impacts

160. Council is being asked to be responsible to manage and maintain public realm under council management which will have ongoing operational costs. This requires some further specific consideration.

161. Council will be offered to operate the indoor stadium and associated spaces which will have operational costs and income sources.

162. Planning applications that are ultimately lodged with the Department of Environment, Land, Water and Planning will possibly be referred to Council for comment – this will require statutory planning officer time.

163. The civil engineering aspects regarding public roads and any public realm areas that Council are being asked to manage into the future will require considerable officer time to assess and manage.

Legal Implications

164. *Development Victoria* has indicated that a 'Memorandum of Understanding' for the continued development of the site may be required which will require legal involvement.

Conclusion

165. The Development Plan does not need all the final detailing of the development as that will come when planning permits are applied for. Rather the Development Plan must be at a 'higher level'; in order to set the broad directions but leave the detailing to later.

166. *Development Victoria* have concluded the community consultation on the 'Development Plan' for the site and has finalised the 'Development Plan' for the site and submitted it to DELWP for assessment and approval by the Minister for Planning.

167. DELWP has forwarded the Development Plan to Council for comment prior to the Minister for Planning authorising it.

168. There are a number of amendments suggested to the Development Plan as outlined in report and summarised in Attachment 8 that should be forwarded to DELWP for consideration as part of the assessment of the Development Plan for this site.

169. It is also recommended that the Mayor write to the Minister for Planning advising of the concerns regarding the provisions of the Development Plan as it is currently provided, and further that Council also advocate to the Treasurer and the Minister for Housing to seek to secure Victorian Big Housing Build (VBHB) funding to deliver the affordable housing.

RECOMMENDATION

1. That Council:
   (a) notes the officer report in relation to the site known as 433 Smith Street, North Fitzroy, commonly referred to as the former 'Gasworks site';
   (b) notes that a 'Development Plan Overlay' exists in the *Yarra Planning Scheme* for this site requiring the approval of a 'Development Plan';
   (c) note that the Minister for Planning is the Responsible Authority for this site under the Yarra Planning Scheme provisions and has the authority to approve the required 'Development Plan' for the site;
   (d) note that *Development Victoria* has prepared and lodged the attached 'Development Plan' in relation to this site to the Department of Environment, Land, Water and Planning on 14 February, 2022 for assessment and endorsement by the Minister for Planning; and
   (e) note that the Department of Environment, Land, Water and Planning on 14 February, 2022 has provided a copy of the lodged 'Development Plan' to Council for comment prior to the Minister for Planning making a determination to approve the 'Development Plan'.
2. That Council further notes:
   (a) that Development Victoria has held consultations with the local community over a number of years including a Community Reference Group and a reporting of those consultation results;
   (b) that it has previously received update reports from Council officers at various times in relation to certain aspects of this site (such as the stadium), and that officers have been engaged with Development Victoria over this period holding dialogue on various elements;
   (c) that Council officers have over this period expressed concerns to Development Victoria with some of the concepts being developed up for the purpose of the Development Plan; in particular the open space provision in both dimensions and suitability for a redevelopment site producing a vast number of dwellings, and the various setbacks and interfaces of buildings from existing roads surrounding the site, and in the proposed internal street network; and
   (d) that the Mayor, on behalf of Council resolutions from August 2021, has formally written to various Ministers regarding specific matters regarding the interfaces with abutting roads including the Smith Street interface with the tram stop, the need for a DDA tram stop in Smith Street, undergrounding of overhead services on abutting streets and other pedestrian and bicycle matters as outlined in the Attachments 4,5,6 and 7.
3. That Council note the officer commentary in the report providing comparisons of the lodged 'Development Plan' against the provisions of the 'Development Plan Overlay' in the Yarra Planning Scheme.
4. That Council note the sections in the officer comments of the report, under the various key themes of the lodged 'Development Plan', which have been assembled through discussions with officers of relevant disciplines within Council.
5. That Council note that the key issues identified by officers are related to the following matters:
   (a) Land Use and Open Space:
      (i) the quality and proposed layout of the public open space for the site in both dimensions and suitability for a redevelopment site producing a vast number of dwellings is not considered adequate;

(ii) the provision of the indoor sports facility is a key component of the site and dedicated off street carparking to the facility has not been clearly identified as yet;

(iii) the undergrounding of services in the adjacent streets to the site has been ignored in the Development Plan;

(b) Built Form:

(i) the indicative heights and setbacks of buildings in the Development Plan differ to the approved DPO16 requirements in George Street and Smith Street, and

(ii) concerns of the height and setback of buildings along the George Street frontage and the poor pedestrian interface in that location.

(c) Affordable Housing:

(i) the *Affordable Build to Rent* (ABTR) part of the affordable housing offer is under Development Victoria management for the first 10 years, after which time it is unclear as to the ownership, management and retention of the dwellings as affordable housing;

(ii) the State Government funding commitment to the deliver the social housing has not been fully committed.

(d) Movement:

(i) there are a number of improvements to the pedestrian and cycling provision across the site, and in adjacent streets, that should be committed to in the Development Plan to ensure a safe and accessible infrastructure is catered for and provided;

(ii) public transport infrastructure adjacent to the site is said to be 'out of scope' of the Development Plan, but should be considered in the design of the development to ensure a good design outcome (e.g. Smith Street Tram stop design and functionality);

(iii) the internal road network functional design has not been developed sufficiently at this stage to ensure that the proposed functions can adequately be provided in the width of streets identified;

(e) Environment Sustainable Development:

(i) there are a number of improvements that should occur to the Development Plan to remove ambiguous or vague language that would improve the sustainability outcomes.

6. That Council resolve to write to the Department Environment, Land, Water and Planning advising of the expressed Council concerns and the requested changes as outlined in the table in Attachment 8, and also provide a copy to Development Victoria.

7. That the Mayor write to the Minister for Planning advising of the following particular concerns regarding the provisions of the Development Plan as outlined in this recommendation.

8. That Council advocate to the Treasurer and the Minister for Housing to seek to secure Victorian Big Housing Build (VBHB) funding to deliver the affordable housing for the development.

Attachments

1. Fitzroy Gasworks Development Plan – 433 Smith Street, North Fitzroy.
2. Development Plan Overlay Schedule 16 for 433 Smith Street, North Fitzroy
3. Indicative program for the redevelopment provided by Development Victoria on 14 February 2022
4. Letter to the Minister for Planning from City of Yarra - 10 Sept. 2021
5. Letter to the Minister for Transport Infrastructure from City of Yarra - 10 Sept. 2021
6. Letter to the Minister for Roads and Road Safety from the City of Yarra - 10 Sept. 2021
7. Letter to the Minister for Planning re Multi-purpose sports stadium from City of Yarra - 10 Sept. 2021
8. Officer recommended changes to the Development Plan

FITZROY GASWORKS

Development Plan

433 Smith Street, North Fitzroy 3068

DEVELOPMENT VICTORIA

VICTORIA State Government

Acknowledgement of Country

In the spirit on reconciliation, Development Victoria respectfully acknowledges the Traditional Custodians of Country throughout Victoria and recognises and respects their continuing cultural heritage, beliefs and connection to land. We pay our respects to their Elders past and present.

Yinga Biik Birranga-ga (Sing land and Country) Steve Ulula Parker

Development Victoria is the Victorian State Government Development agency and master developer for the Fitzroy Gasworks precinct. Development Victoria will play a key ongoing role in delivering the precinct through its own development, and also partnering with the private sector. When partnering with the private sector to deliver, Development Victoria will use Development Agreements and other processes to reinforce the key principles of the Development Plan to ensure the precinct vision is realised on behalf of the State Government and Community.

Contact

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Glossary

Term	Definition
Amenity	Physical components of development that provide inherent environmental, social and economic advantages. This can include building quality, provision of services and open spaces and an increased sense of community.
Active Frontage	Refers to a street frontage where there is an active visual engagement between people in the street and those within the building, particularly on the ground floor level.
Affordable Housing	As defined under Section 3 of the Planning and Environment Act 1987, Affordable Housing is "housing, including social housing, that is appropriate for the housing needs of very low, low and moderate income households" . Maximum income bands for each household group are published annually by the State Government. Affordable Housing must be appropriate for a very low, low or moderate income household's needs, which is established by Governor in Council Order as requiring consideration of a range of matters including housing need, affordability, dwelling type, tenure, location, allocation, integration and longevity of benefit.
Affordable Housing Report	Refers to a report to be submitted by an Applicant that addresses how a proposal meets the Affordable Housing objectives and aligns to the Development Plan.
Built Form	A physical description of a development that can include building mass and height, cohesiveness with surrounding character, setbacks, fencing and parking structures.
Communal Area	An area within a private site providing for informal recreation activities for common use by building occupants and, in some cases, visitors. It is distinct from private open space.
Development Plan Site	Refers to the area of land bounded by Alexandra Parade, Queens Parade, Smith Street and George Street that is subject to the requirements of DPO16.
DPO16	Yarra Planning Scheme, Clause 43.04 - Development Plan Overlay, Schedule 16: 111 Queens Parade and 433 Smith Street, Fitzroy North (former Fitzroy Gasworks).
Dwelling Diversity	Refers to the different types of residential dwellings that are provided as part of the development. Specific to the Fitzroy Gasworks Development, dwelling diversity refers to apartments of differing sizes (e.g. 1, 2 & 3 bedrooms).
Environmentally Sustainable Design	Components of a development that reduce negative impacts on the environment, improve the health and comfort of building occupants as well as overall building performance.
Equivalent Value	Equivalent value refers to the value that is equal to or greater than the contribution the landowner would otherwise make if 20 per cent of dwellings were provided as Moderate Affordable Housing.
Eligible Household	An Eligible Household is a household whose gross annual income by household type is within the Affordable Housing income ranges as prescribed under Section 3AB of the Planning and Environment Act 1987 (P&E Act) from time to time, with reference to their family status at the point of dwelling allocation (sale or rent).
Family Friendly Housing	Housing that is suitable for households with one or two adults and child(ren) and comprises of two or more bedrooms.
FGW	Fitzroy Gasworks.
Public Open Space	Under the Subdivision Act 1988 - SECT 18, public open space is intended as a place of public resort or recreation. A public open space may be provided as a plaza, park and square.
Public Realm	Spaces that are open to the public including parks, plazas, footpaths and roads.
Registered Housing Agency	A not-for-profit charitable organisation regulated by the Victorian Housing Registrar with a purpose to own, manage and/or develop affordable rental housing. An organisation may be registered as a Housing Association or a Housing Provider.
Setbacks	Refers to the distance that a building is constructed from either a front, side or rear boundary. Building setbacks can also be implemented in upper levels of multi-storey developments.
School Site	The north-western portion of the Development Plan Site that is owned by the Department of Education and Training and which is to be developed by the Victorian School Building Authority.
Social Housing	Social Housing is housing owned and/or managed by the State Government (public housing) or a Registered Housing Agency where the dwelling is allocated to households that meet the Victorian Housing Register eligibility requirements.
SRI	Solar Reflectance Index.
Victorian Housing Register	The Victorian Housing Register is a register of households that have applied for Social Housing in Victoria. Income and asset tests apply.

Not in Use

Fitzroy Gasworks will be a whole of government approach to Urban Renewal, delivering an integrated, sustainable and thriving urban village that showcases the revitalisation of a strategic inner-city site for a growing Melbourne.





01 ARTIST'S INTERPRETATION (INDICATIVE ONLY)

Development Plan Response

Part 1.0 Introduction

1.1 Vision

This Development Plan applies to land known as the former Fitzroy Gasworks (FGW) at 111 Queens Parade, and 433 Smith Street, Fitzroy North (Crown Allotments A5, A7 and 2025, Parish Jika Jika, County of Bourke). The FGW site is an important part of Fitzroy North's industrial and social heritage. The four hectare site is bounded by Queens Parade to the north, Smith Street to the east, Alexandra Parade to the south and George Street to the west.

The site is of both state and local significance, presenting as an opportunity to direct urban housing growth to a location with high levels of amenity and access to public transport and surrounding activity centres. At a local level, the site currently exists as a 'blockage' in the urban fabric. The redevelopment and renewal of the site will provide an opportunity to establish links to missing connections, open space and a safe and welcoming environment. The general vision and intent of the DP will be adhered to however may be further updated and refined by more detailed submissions at time of planning application lodgment based on the market and learnings at the time.

The revitalisation of the precinct will include:

- Approximately 1,200 apartments, 20 per cent of which will be Affordable Housing.
- Flexible spaces at ground level, capable of accommodating Disability Accommodation (SDA), commercial, office and community uses.
- A community facility to be developed in consultation with Council.
- Most long term car parking to be located underground.
- Two bicycle spaces per dwelling.
- 8% per cent of the site to be offered as public open space, with additional communal open space associated with residential development.
- A comprehensive suite of sustainable development features.
- Valve House to be retained and enhanced.

Additional elements will be implemented through separate approval processes:

- A 650-student senior high school campus is being built for Collingwood College and Fitzroy High School, scheduled to open Term 1, 2022.
- A six-court sports facility integrated with the school that caters for a range of sports.
- Planning an accessible tram stop on Smith Street.
- A new pedestrian crossing and traffic management works on Queens Parade.
- Relocation and restoration of the Porter Iron Store.

1.2 Engagement Process

The preparation of this Development Plan has been supported by extensive engagement that has taken place since the inception of the project in 2016.

1.2.1 Community Reference Group

In 2017, a Community Reference Group (CRG) was established with members from a variety of local interest groups. The CRG has played a key role providing input into the formulation of the masterplan and development plan for the site. It is expected that the CRG will continue to play an important role through the life of the development.

1.2.2 Referral Authorities

In preparing the Development Plan, Development Victoria has engaged heavily with numerous referral authorities including, Department of Transport, City of Yarra, Heritage Victoria, Department of Environment, Land, Water and Planning, Melbourne Water, Yarra Trams and the Department of Education and Training.

1.2.3 Community Engagement (2016)

In 2016, the initial vision for the Fitzroy Gasworks Site was taken out to the community, where they were given the opportunity to provide important feedback on the planning process. Key themes emerging from this initial round of engagement included:

- Recreation and open space
- Built form and land use mix
- Community facilities and amenity
- Transport and permeability
- Heritage
- Environment
- Planning and engagement processes

1.2.4 Community Engagement (2017)

In response to the exhibition of the draft Master Plan in 2017, the following feedback was received from the community:

- Community members regard open space as crucial to the future design. They would like opportunities for recreation.
- Concerns were heard relating to density and over development. Community members would like to see the height of buildings restricted to keep with the character of the local area.
- Active transport is highly valued by community members. Engagement participants have strongly advocated for a design that facilitates walking and cycling. There is a desire to see the design connect with existing public transport.
- The proposed community facilities and spaces are valued by community members. Aged care/supporting living and childcare/kindergarten were most frequently cited as 'essential' or 'important' in survey results.



02 2019 COMMUNITY ENGAGEMENT

1.2.5 Draft Development Plan Engagement (2019)

In October 2019, community feedback was provided for the draft Development Plan via an online survey, pop-up information sessions, and two drop-in sessions. Key findings included:

- A need for careful consideration of parking provisions to both manage impacts on surrounding residential areas and to increase active transport use.
- A desire to see strong connections between existing communities and public spaces to the site with participants recognising the challenges associated with the site being bounded by major road networks.
- Public art is considered a key opportunity to activate the site and to be considered in the future use of the Valve House.
- Height and building mass are a concern for some local residents and the impact it will have on the existing neighbourhood character, however many participants were in support of the building heights having been reduced from what was presented as part of the initial concept plans for the site in 2017.
- Much support was received for the increase and design of the public open space to allow greater use by the broader community.





04 ARTIST'S INTERPRETATION (INDICATIVE ONLY)

1.3 Overview

This Development Plan has been prepared in accordance with the requirements of Development Plan Overlay - Schedule 16 (DPO16) encompassed by the Yarra Planning Scheme. The document sets out the overall vision and addresses the key requirements of DPO16. At a high level, the Development Plan responds to the following requirements:

1.3.1 Development of a Mixed-Use Precinct

The proposed land use mix will consist of both residential and flexible Specialist Disability Accommodation (SDA), commercial and community uses, to ensure the creation of a vibrant mixed-use precinct that offers a variety of housing typologies, community facilities and opportunities for open space.

1.3.2 Responding to the Significance of Queens and Alexandra Parade

Development will ensure that the appropriate consideration is given to existing built form and vegetation that contribute to the heritage and character significance of Queens Parade and Alexandra Parade. This will include the stepping back of built form from the boundary line, as well as heights that vary to avoid creating a dominant wall of development. Active land uses will front both Queen Parade and Alexandra Parade to ensure that the pedestrian amenity and transparency of the ground level interface enhances the significance of both boulevards.

1.3.3 Enhancing Public Transport and Pedestrian Amenity on Smith Street

The development plans to include a new tram stop adjacent to the site entry along the Smith Street corridor to encourage use of existing tram services in connection with the development. Proposed works in Smith Street and Queens Parade sit outside the Development Plan Overlay and will be subject to separate community engagement and approval processes.

1.3.4 Create Useable and Safe Public Spaces and Pedestrian Links

A network of public and private open spaces across the precinct, connected by internal pedestrian pathways will guarantee useable, safe and accessible public spaces that will meet local needs and improve overall resident amenity and usability. Key pedestrian routes and integrated bicycle parking and additional on-road bicycle parks situated along internal roads will ensure that pedestrian and bicycle access into and through the precinct will support the proposed development and integrate activity with the surrounding neighbourhoods.

1.3.5 Provision of Affordable Housing

The Development Plan stipulates that 20% of dwellings (or equivalent) will be Affordable Housing. In response to the high and growing percentage of lone-person and couple without children households across the City of Yarra, a mix of studios, 1, 2 and 3 bedroom dwellings should be provided. This dwelling mix would be expected to cater towards a diversity of household structures including singles, couples, small families and share houses.

1.3.6 Community Infrastructure

The development will include a dedicated space for community infrastructure and other associated uses. Located immediately adjacent to the school site, this space will enable additional community infrastructure to be delivered as part of this proposed development. It will also ensure that any associated community uses complement the adjoining indoor sports courts and educational facility.

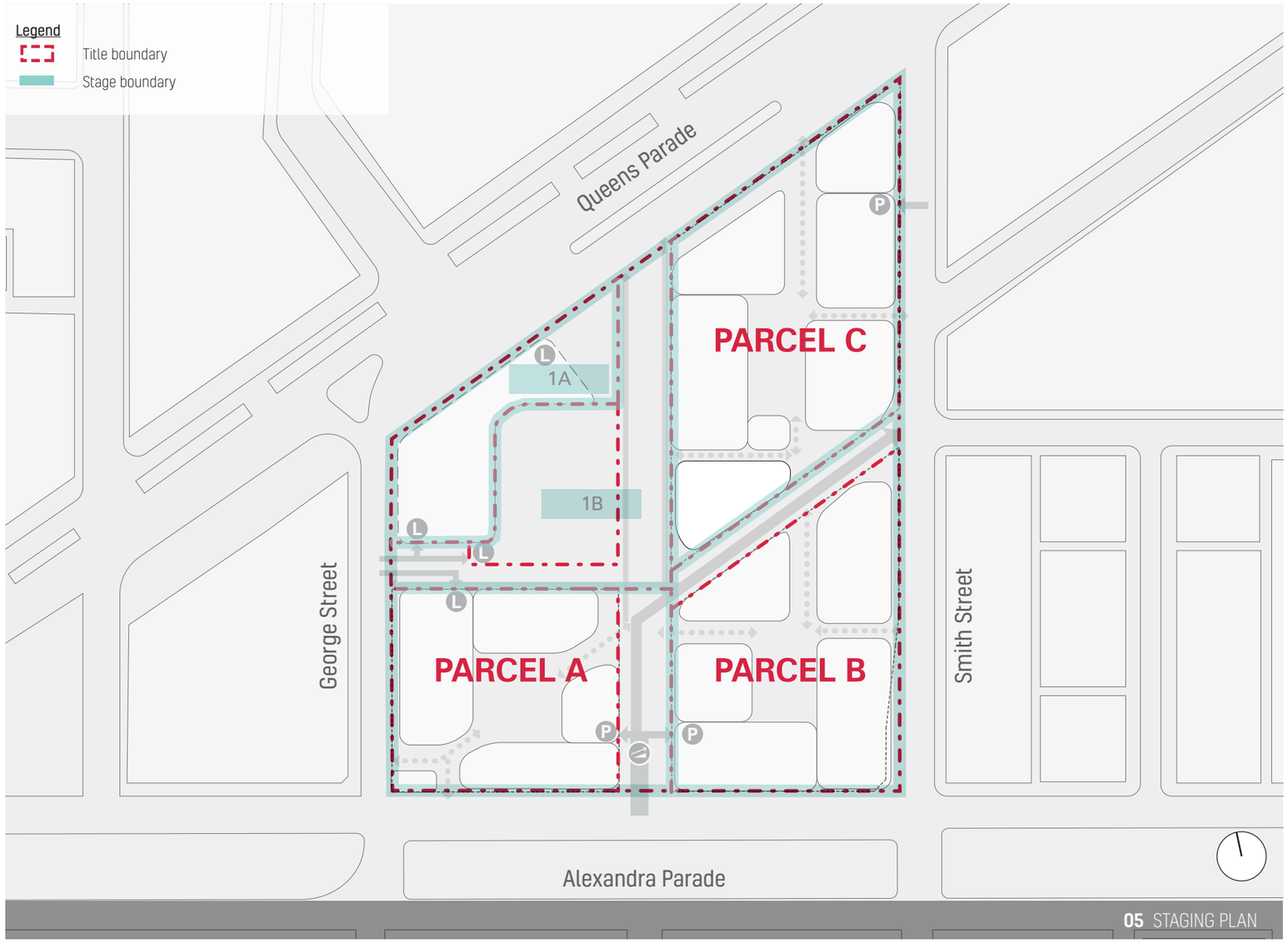
1.3.7 Sustainable Design

The development will include a number of key sustainable design features that aim to address water management, solar access and energy saving. These features will allow for any future development to achieve a fully certified 6 Star Green Star Communities rating.

1.3.8 Development Staging

The site will be delivered by a variety of parties over time. The approach to staging is to build the infrastructure and open space required at each stage up front in order to ensure each stage is able to be completed and operate without reliance on subsequent stages.

One or more planning applications / consents may be required to secure the required approvals for the one parcel / development staging.



05 STAGING PLAN

Not in Use





06 ARTIST'S INTERPRETATION (INDICATIVE ONLY)

Development Plan Response

Part 2.0 Planning Considerations

2.1 Overview

This Development Plan has been prepared in accordance with the requirements of Schedule 16 to the Development Plan Overlay within the Yarra Planning Scheme (DPO16).

This plan outlines an overarching master plan and design framework that will guide future development of the Fitzroy Gasworks site. Any future permit applications may slightly deviate from the DP. Where this is the case, expert reports will be provided to set out how the proposed deviation from the DP will not compromise the delivery of the DP Vision captured under 1.1 and 1.3 respectively. The document provides a guidance for future landowners and other stakeholders about the land uses, built form, landscaping, movement and infrastructure required on the site. This plan addresses the requirements of DPO16 in relation to;

- Development plan components; Site design and land use, Built form; and Movement.

This Development Plan has been informed by background documents that were prepared in accordance with DPO16:

- Community Engagement Strategy.
- Site Analysis and Design Response.
- Planning Report.
- Heritage Assessment.
- Landscape and Public Realm.
- Integrated Transport Plan.
- Environmentally Sustainable Design Strategy.
- Community Needs Assessment.
- Services and Infrastructure Plan.
- Stormwater and Flooding Management Strategy.
- Dwelling Diversity and Affordable Housing Report.



07 SITE AERIAL

2.2 Planning Zones

This section provides a summary of the Planning Zones and Overlays that apply to the Fitzroy Gasworks site.

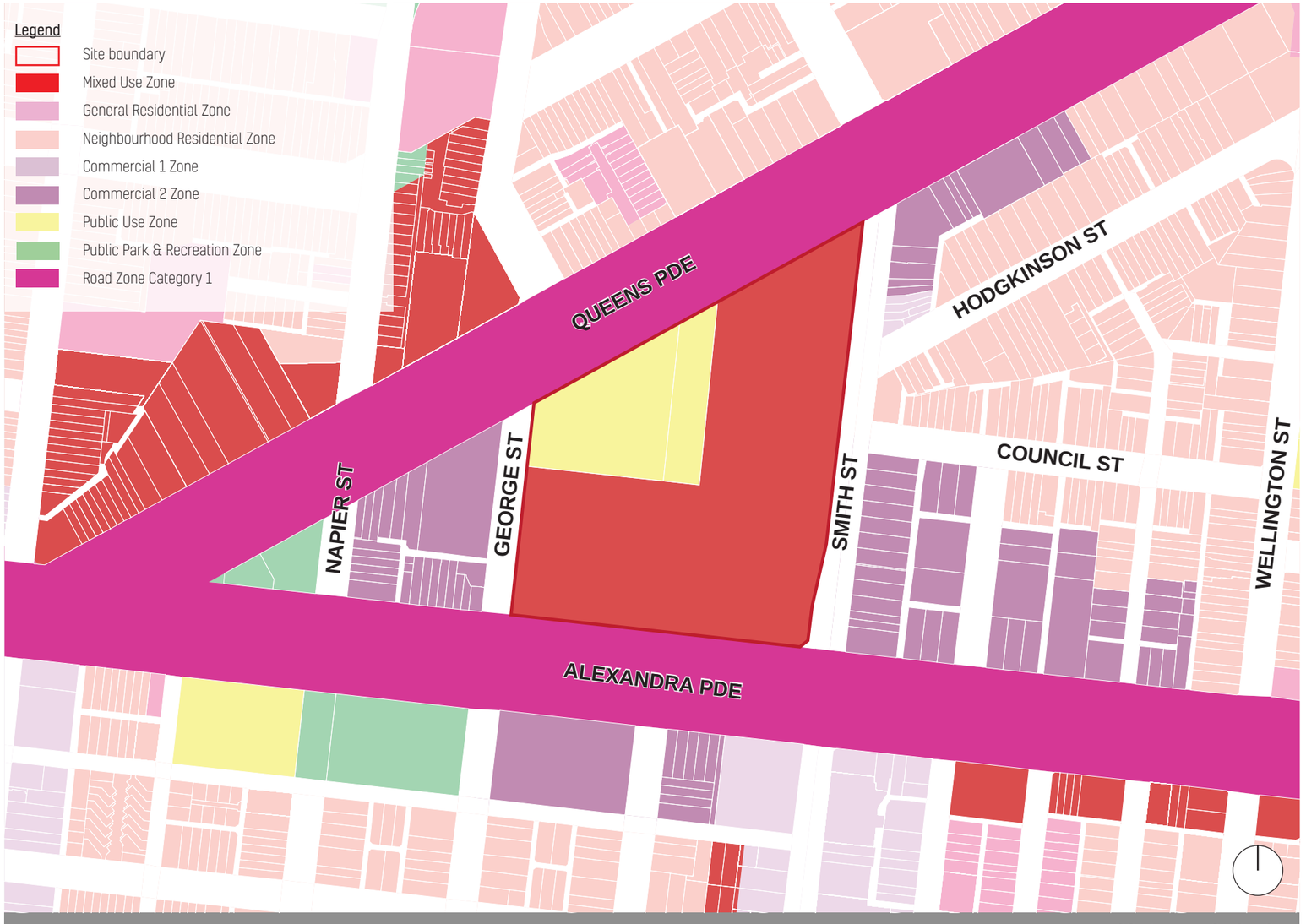
2.1.1 Mixed Use Zone (MUZ)

The MUZ provides for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality, as well as providing for housing at higher densities. The zone also encourages development that responds to the existing or preferred neighbourhood character of the area. The MUZ applies to south western, south, eastern and north-eastern parts of the subject site.

2.1.2 Public Use Zone - Schedule 2 (PUZ2)

The PUZ2 recognises public land use for public utility and community services and facilities. PUZ2 outlines the intent of the land to be used for the purposes of education.

The PUZ2 applies to the north-western portion of the site and is the location for the development of the recently constructed school.



08 PLANNING ZONES

2.3 Planning Overlays

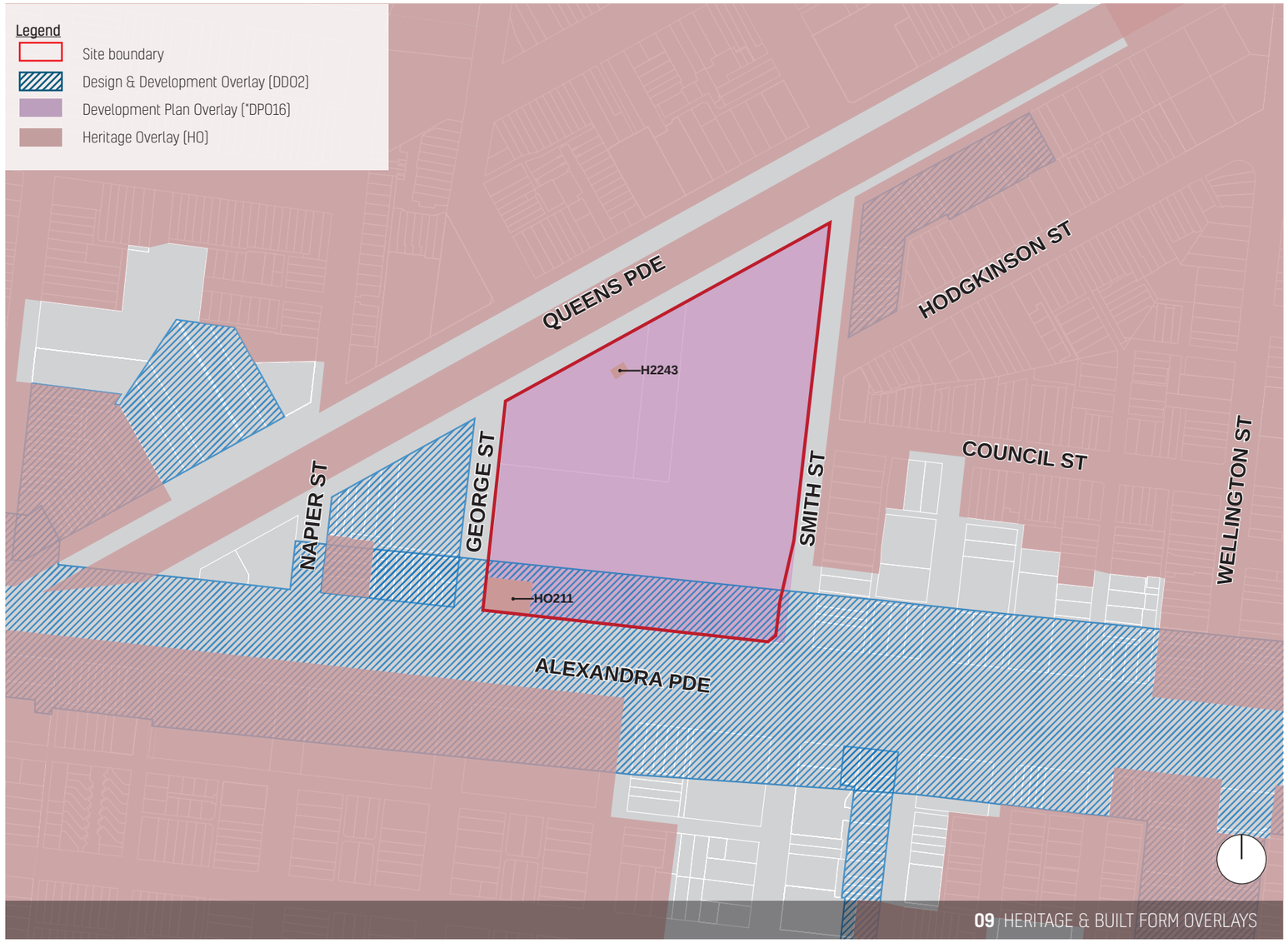
2.3.1 Heritage Overlay (HO)

The HO seeks to conserve and enhance heritage places of natural or cultural significance. It also ensures that development does not adversely affect the significance of heritage places.

Schedule HO211 identifies the Former Fitzroy Gasworks Valve House and Store, including an incorporated plan under the provisions of Clause 43.01. Work is underway to update the Planning Scheme to remove reference to the "Store" (H2243) as this has since been removed from the site.

2.3.2 Design and Development Overlay - Schedule 2 (DDO2)

DDO2 applies along the southern boundary of the site, along Alexandra Parade. This overlay seeks to recognise the importance of main roads to the image of the City and to retain existing streetscapes and places of cultural heritage significance and encourage retention of historic buildings and features which contribute to their identity.



09 HERITAGE & BUILT FORM OVERLAYS

2.3.3 Environmental Audit Overlay (EAO)

The EAO applies to the whole site. This overlay seeks to ensure that potentially contaminated land is suitable for a use which could be significantly adversely affected by any contamination. Site decontamination is currently underway, and will be completed prior to the development of any sensitive uses on site.

Remediation will require excavation and removal of soil to a depth of up to 10 metres in some areas of the site. Excavation works will be conducted via a staged approach, across the entire site. An estimated 50,000m3 of gasworks impacted materials will be removed from the site. Remediation works are ongoing and will be completed prior to construction.

2.3.4 Special Building Overlay (SBO)

The SBO applies to the western and southern boundaries of the site. This overlay seeks to identify land in urban areas susceptible to inundation by overland flows from the urban drainage system as determined by, or in consultation with, the floodplain management authority. The SBO also ensures that development maintains the free passage and temporary storage of flood-waters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.

Floor and basement levels of proposed buildings will need to be designed to respond to flooding. Details of floor levels (AHD) and indicative cross sectional details will need to be provided as part of the detailed design at Planning Permit Stage.



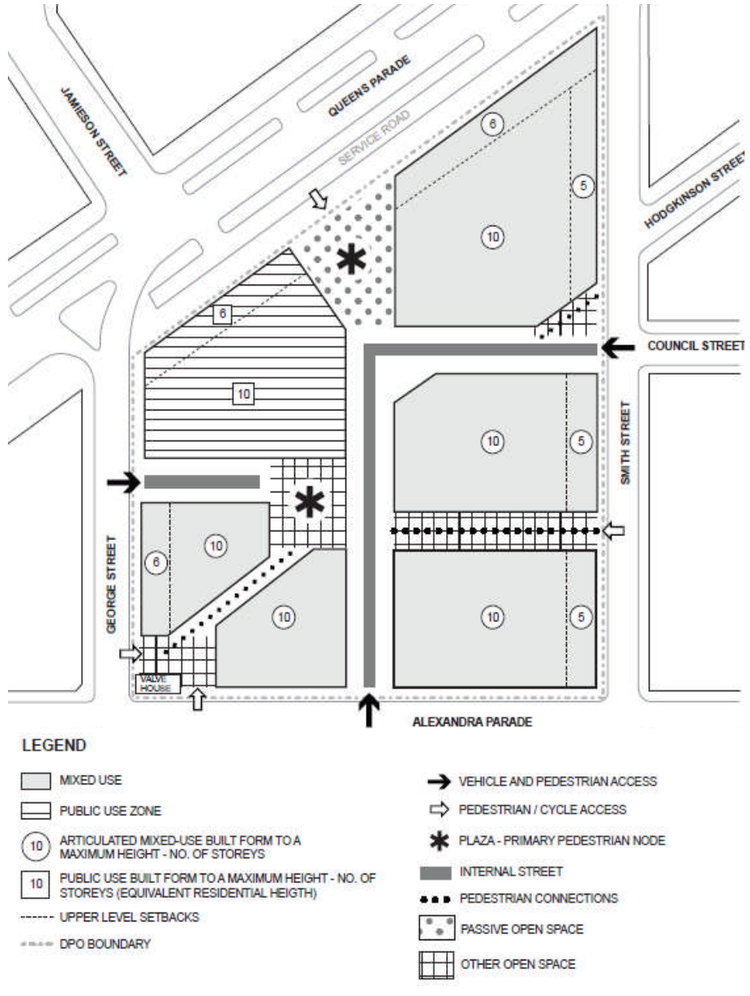
2.3.5 Development Plan Overlay - Schedule 16 (DPO16)

DPO16 sets out the requirements of this Development Plan and its relevant background documents. The Summary table in Part 10.0 Development Plan Requirements outlines each of the requirements and explains how the plan and documents address them. Overall, the components of this Development Plan as required by DPO16 are to:

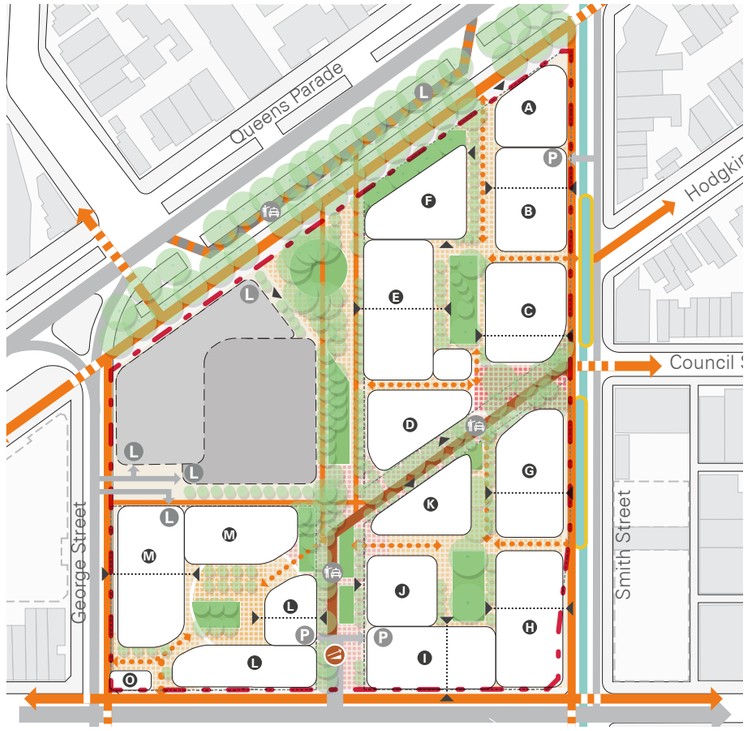
- Develop a mixed use precinct comprising a variety of housing types, community facilities and public open space.
- Respond to the significance of Queens Parade and Alexandra Parade with built form that considers the design, height and visual bulk of the development in relation to surrounding land uses and developments and contributes to their significance as formal boulevards. It is noted that DPO16 requires the Development Plan to be 'generally in accordance with the building height and setback requirements outlined within the schedule.
- Address Smith Street to strongly encourage the use of tram services in connection with development of the site, and to contribute to the streetscape character and vitality of the activity strip along the length of Smith Street.
- Create useable, safe and accessible public spaces to meet local needs and improve resident amenity and usability.
- Create pedestrian and bicycle access into and through the precinct to support its development and integrate activity in the area with surrounding neighbourhoods.
- Provide a range of dwelling types to cater for a variety of housing needs including the provision of 20% of dwellings as Affordable Housing (as defined at section 3AA of the Planning and Environment Act 1987).
- Provide community infrastructure to service the needs of the local area ensuring they compliment the adjoining proposed indoor sports courts and integration of the site with the adjoining proposed education facility.
- Incorporate sustainable design features to address water management, solar access and innovative energy saving initiatives.

The following sections of this Development Plan demonstrate how these requirements will be met. For a full list of all DPO16 requirements, refer to the DPO16 Requirements Summary Table at the end of the document.

The Concept Plan located at Clause 3.0 of DPO16 is shown in Figure 11. The design of the Development Plan has evolved to respond to this Concept Plan, as outlined in Figure 12. Full details of the design response are provided in the following sections of this Development Plan.



11 DEVELOPMENT PLAN - SCHEDULE 16 MAP



Legend

- A Building
- L Loading
- Drop off
- Level change (ramp)
- Tram (86)
- Planned tram stop
- Shared street
- Restricted Vehicle access
- Vehicle access
- Pedestrian route
- Crossing
- Laneway open to the sky
- Pedestrian arcade
- P Entry to consolidated car parking
- Plaza
- Green space
- School
- Future sports building

Development Plan Response

Part 3.0 Context and Site Analysis



14 ARTIST'S INTERPRETATION (INDICATIVE ONLY)

3.1 Neighbourhood Context

3.1.1 Neighbourhood Features

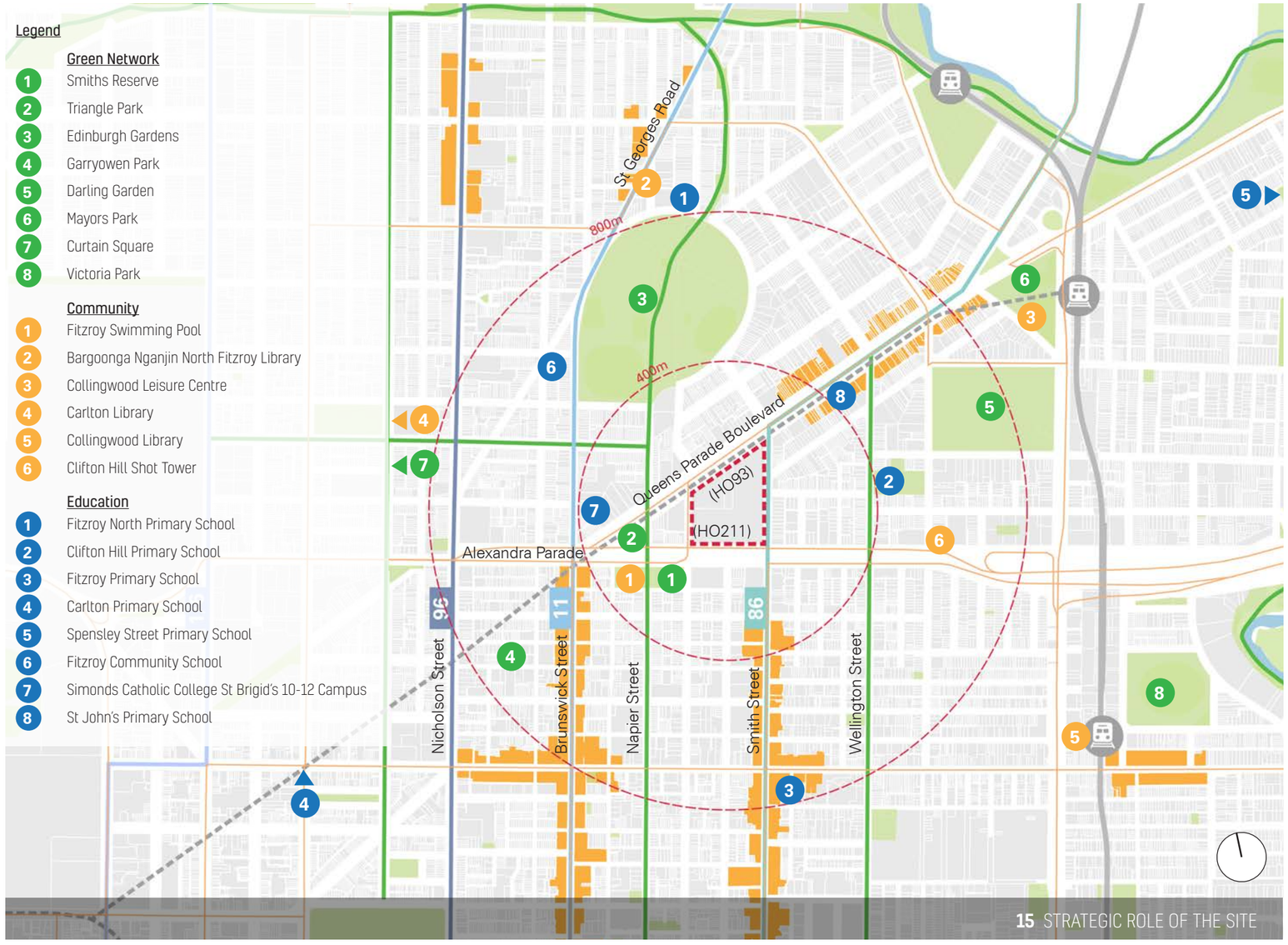
The site is located in a high-amenity area at the intersection of Fitzroy, Collingwood, Fitzroy North and Clifton Hill. Within a 800m walking radius, the site has four primary schools, and one year 10-12 campus. The site is within easy walking distance to the major parks such as Edinburgh Gardens and its associated facilities. It is also close to the Fitzroy Pool and Bargoonga Nganjin North Fitzroy Library. The site benefits from its proximity to the well-established shopping and hospitality neighbourhood centres of Smith Street, Brunswick Street, St Georges Road and Queens Parade.

3.1.2 Built Form and Heritage Context

The site is located in a rich and fine-grain urban context, with a variety of building typologies and building heights in the surroundings areas. Queens Parade Boulevard (HO93) creates a significant heritage interface at the northern boundary of the site, notable for its established street trees and diversity of architecture. This heritage context is further strengthened by the emporium character of Smith Street and a number of 20th Century brick warehouses located close to the site. The Fitzroy Gasworks Valve House (HO211) is located within the site, and the Clifton Hill Shot Tower is a local landmark in the vicinity of Fitzroy Gasworks.

3.1.3 Transport

The site is located in an active and public transport rich area. It is close to two major cycling corridors - along Napier and Wellington Streets. Whilst not in walking distance of a train station, it is close to tram 86 (Smith Street), tram 11 (Brunswick Street) and tram 96 (Nicholson Street). Whilst the site has a rich range of destinations within walking distance, the immediate vicinity of the site is dominated by major roads, such as Alexandra Parade, creating a barrier for pedestrians.

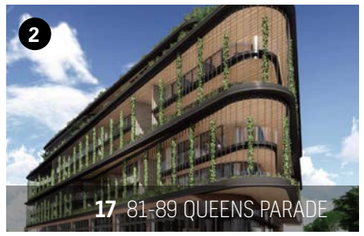


15 STRATEGIC ROLE OF THE SITE

3.2 Areas of Change

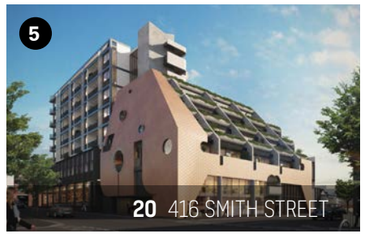
While the surrounding neighbourhoods are generally characterised as fine-grain heritage built form, in recent years new development has occurred on larger sites, such as new apartment buildings at 416 and 450 Smith Street. Several large sites within 400m of the site have received planning approval to redevelop. 25-58 Queens Parade has a permit for three apartment buildings of up to 10 storeys in height. Developments have also been approved for 81-89 Queens Parade and The Foundry (600 Smith Street) immediately adjacent to the site. They both comprise a mix of uses - each proposing a supermarket, hospitality and office. Other large sites have the potential to be redeveloped in the near future, such as Fye's Storage to the south of the site.

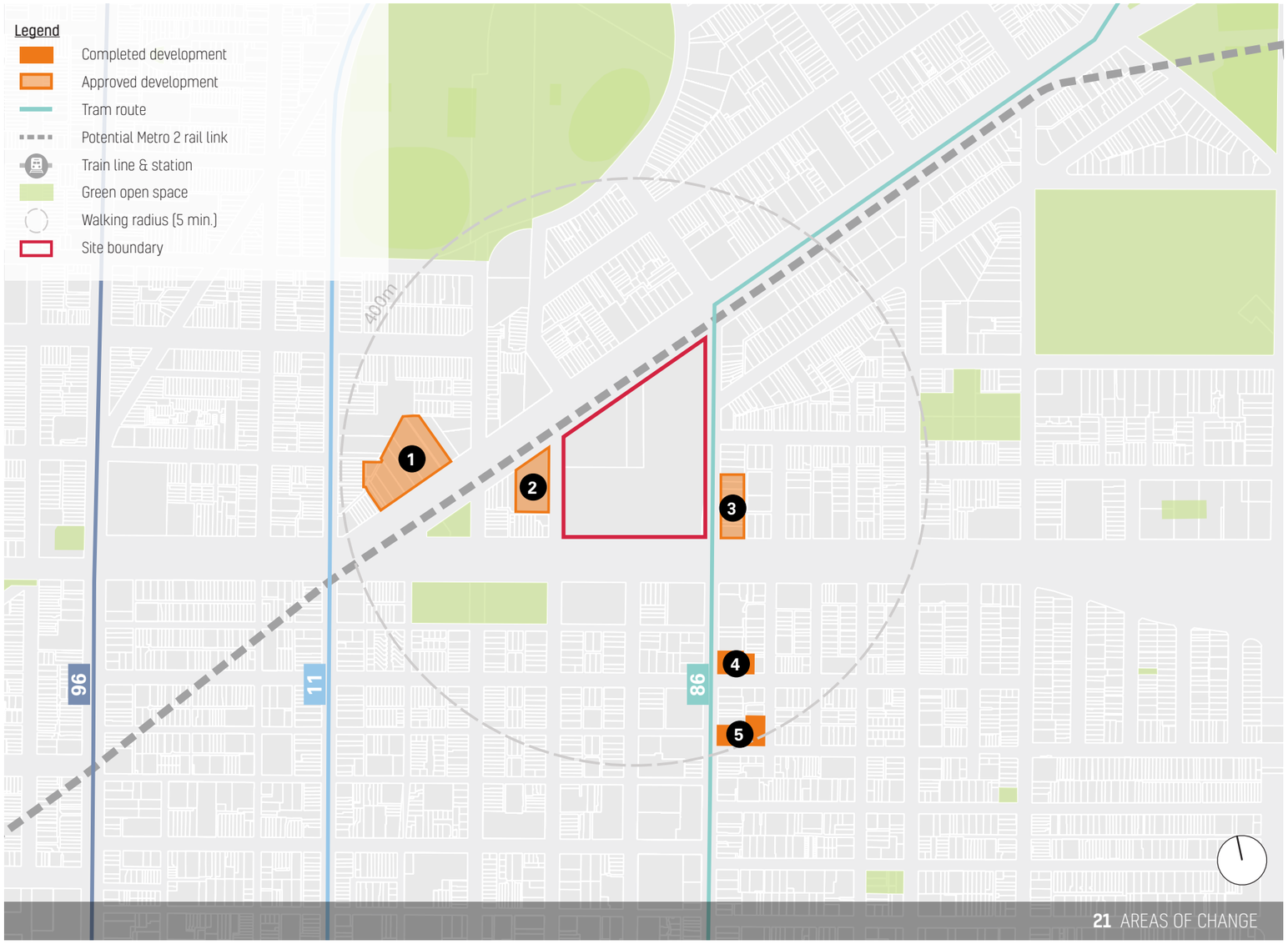










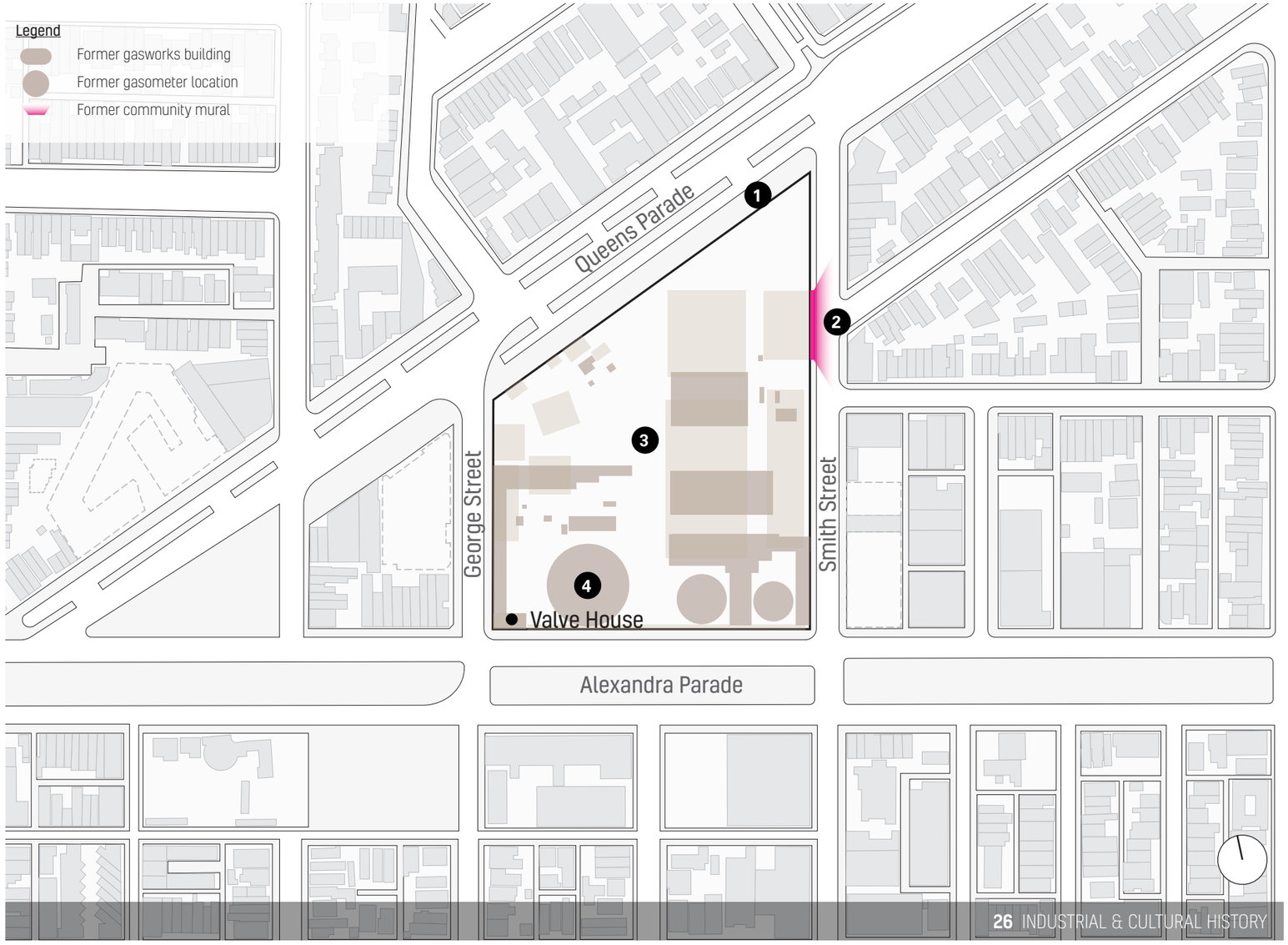


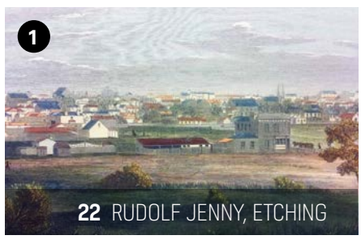
3.3 Cultural History

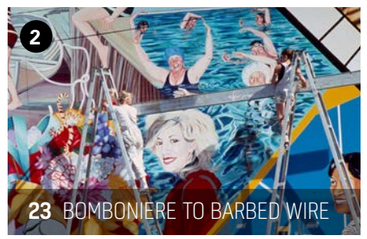
The traditional owners of the site are the Wurundjeri people of the Kulin Nation, who have an ongoing and living connection to the country on which the site is situated.

The former gasworks on the site was established in 1860 and was an important part of Melbourne's gas infrastructure. Gas production ceased in 1927, with the three large gasometers remaining local landmarks. These were demolished following conversion to natural gas in the 1970s. As part of remediation works the Fitzroy Gasworks Valve House (HO211) was retained on site, while the former Porter Shed was relocated to Fairfeld Park.

In 1986, Eve Glenn and Megan Evans painted the feminist mural Bomboniere to Barbed Wire on a Smith Street building facing Hodgkinson Street. It remained a local landmark until the 2010s when it was severely defaced by vandals. The building and mural were ultimately demolished during remediation works.











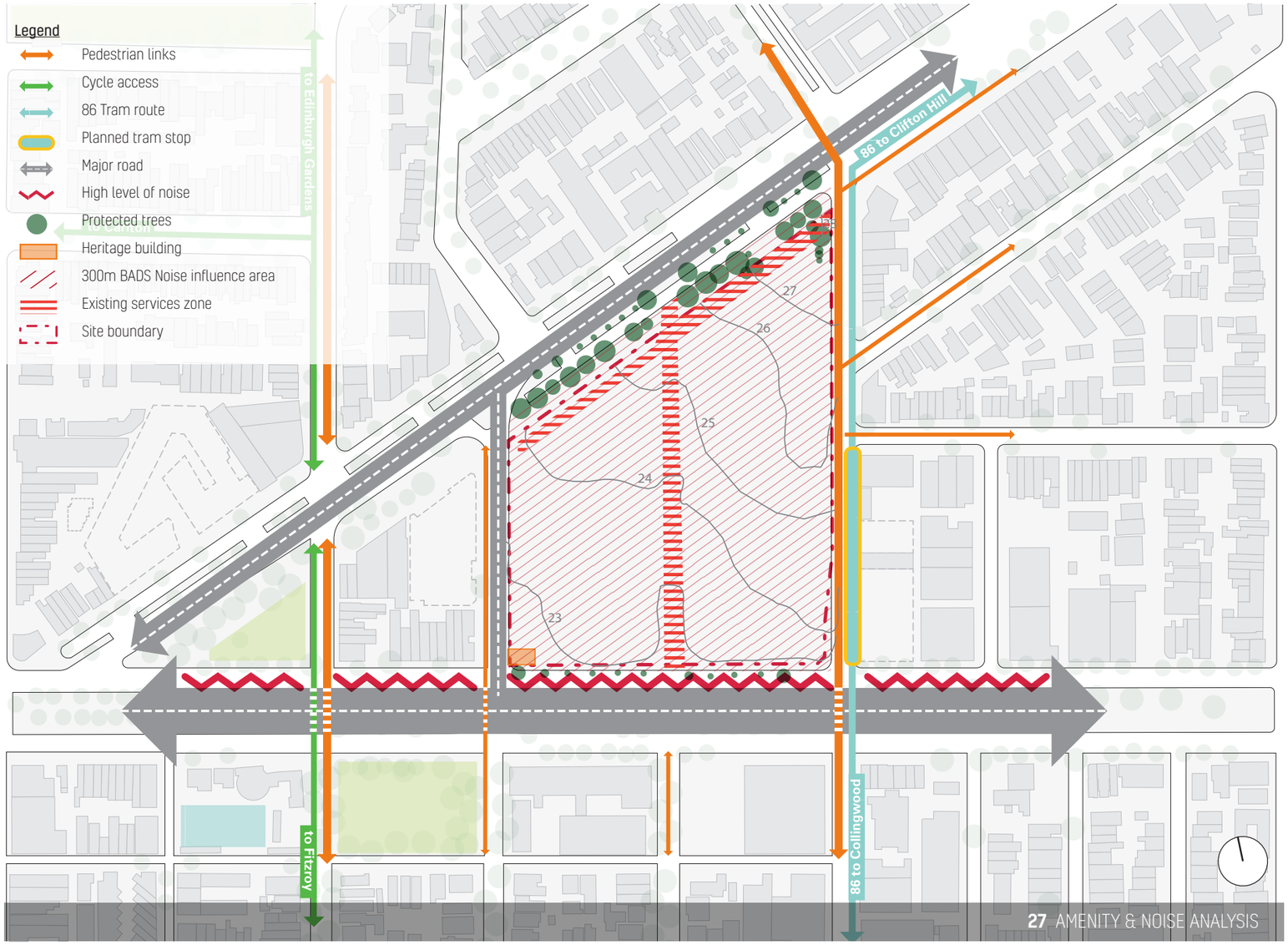
3.4 Traffic, Noise and Amenity

The site acts as an 'island' between the major roads of Alexandra Parade, Smith Street, Queens Parade and George Street. These streets are currently dominated by cars, with narrow footpaths, few street trees and low amenity pedestrian crossings.

The Better Apartment Design Standards (BADS) defines a building to be within a 'noise influence area' if it is within 300m of a freeway or tollway, or 300m of another road that is carrying 40,000 Annual Average Daily Traffic Volume. Buildings within this area typically require an acoustic report and should mitigate noise through the design. In 2019 the streets surrounding the site had the following Annual Average Daily Traffic Volumes:

- Alexandra Parade: 65,000.
- Smith Street: 7,200.
- Queens Parade: 13,000.
- George Street: 17,000.

Only Alexandra Parade meets the BADS definition of a 'noise influence area', however the entire site falls within 300 metres and therefore noise mitigation is a consideration throughout.



27 AMENITY & NOISE ANALYSIS





28 ARTIST'S INTERPRETATION (INDICATIVE ONLY)

Development Plan Response

Part 4.0 Design Principles

4.1 Design Principles

A number of design principles have informed the design concepts that underpin the development plan. The community engagement process played an important role in identifying and refining these principles. The principles set out below are indicative and design responses are subject to further testing at the planning permit application stage.

4.1.1 Context

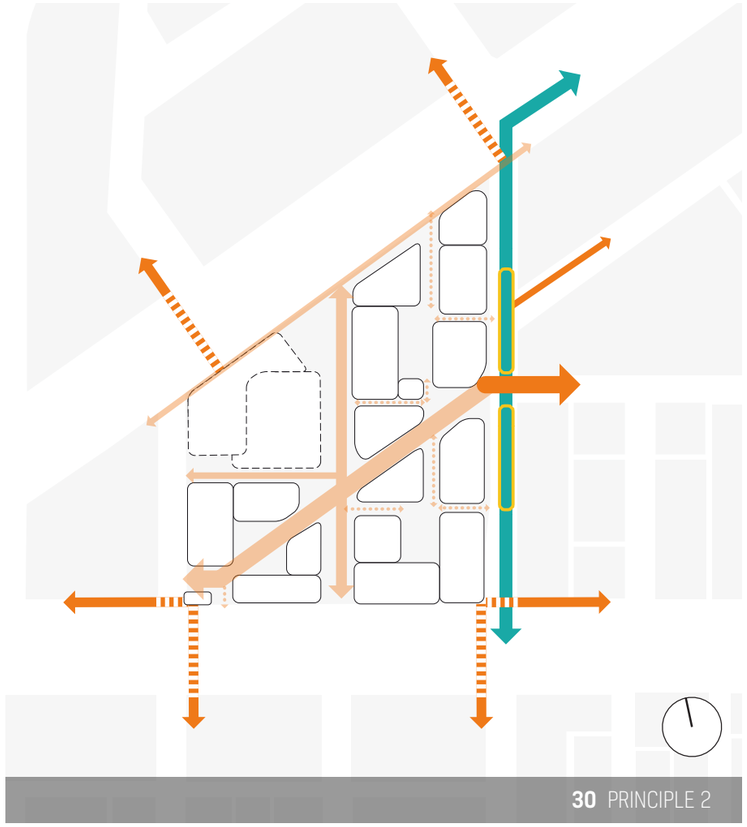


29 PRINCIPLE 1

Speak the local language in terms of built form, materiality and uses. A materials palette that is suited to the local character and context will be used across the precinct.

Legend

- School and Sports
- Village relating to Clifton Hill
- Village relating to Fitzroy
- Village relating to Collingwood

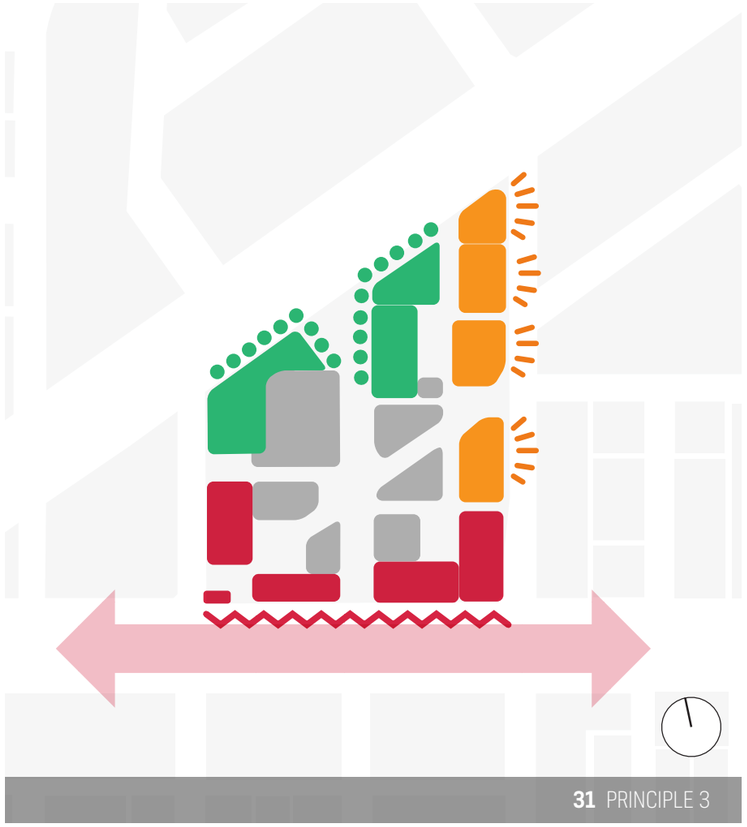


30 PRINCIPLE 2

Create high-quality pedestrian and tram links that stitch into the surrounding community.

Legend

- Tram stop
- Pedestrian connection
- Pedestrian crossing
- Pedestrian priority street



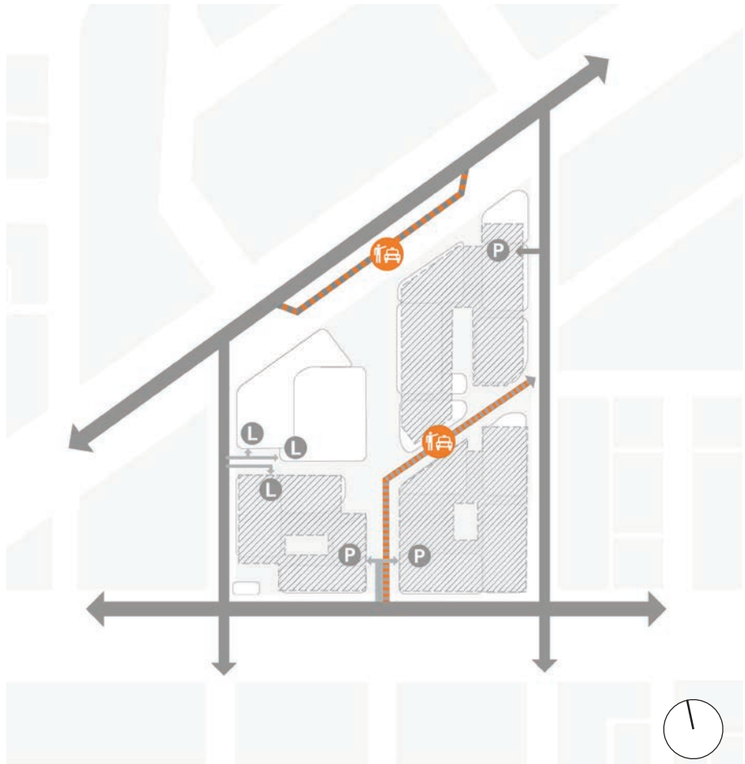
31 PRINCIPLE 3

Respond to the local amenity conditions, such as the noise from surrounding streets.

Legend

- Queens Parade green interface
- Manage noise on Victoria Street
- Minimise tram noise on Smith Street

4.1.2 Access

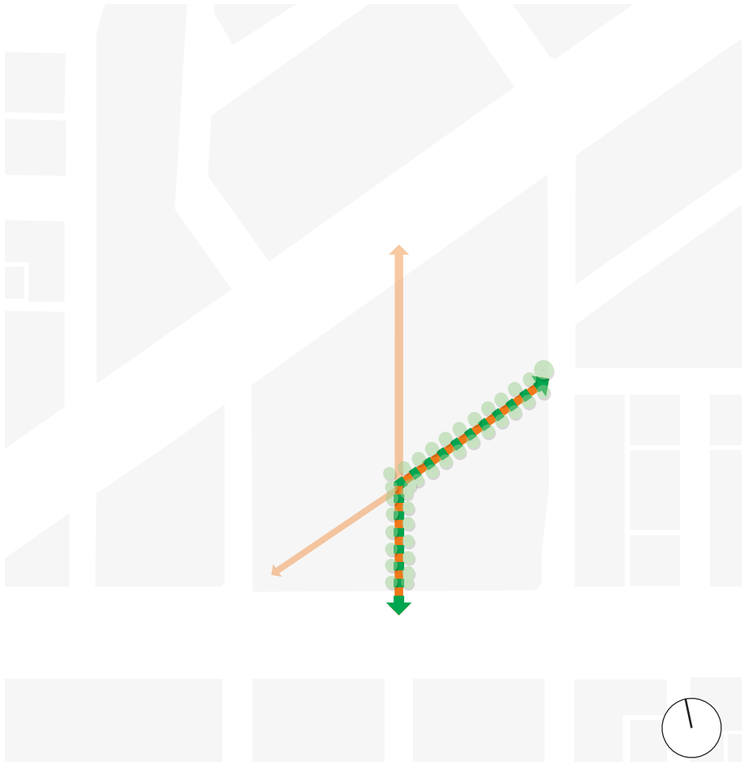


32 PRINCIPLE 4

Create a pedestrian priority neighborhood with consolidated car parking and minimal reliance on private vehicles.

Legend

- Major road
- Shared pedestrian street
- Underground carpark entrance
- Drop-off point

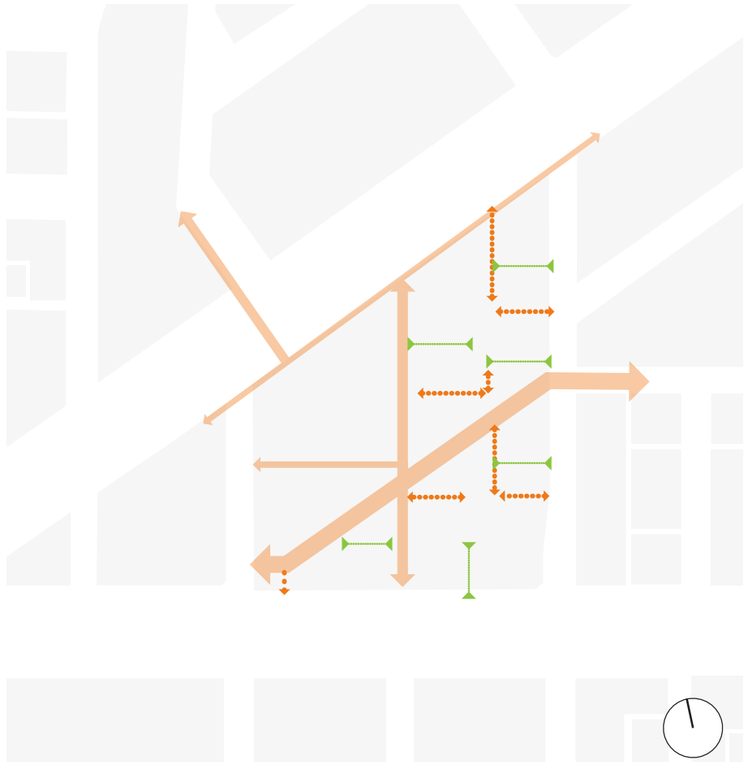


33 PRINCIPLE 5

Create a high-quality 'Village Street' at the heart of the precinct for bicycles, pedestrians and vehicular pick up and drop off.

Legend

- Pedestrian connection
- Village Street
- Trees



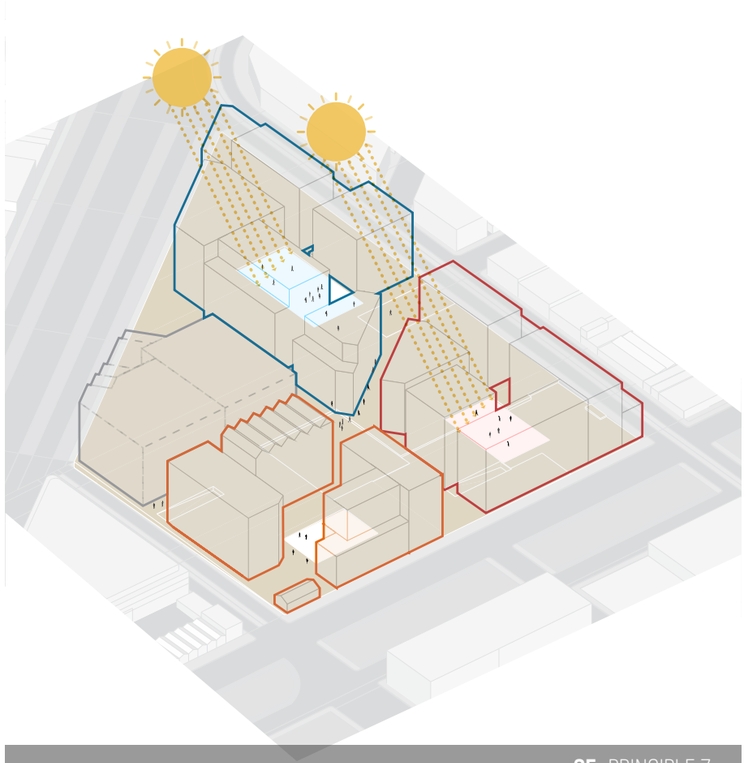
34 PRINCIPLE 6

Encourage permeability through fine-grain pedestrian connections and lane ways.

Legend

- Main pedestrian connection
- Local pedestrian connection
- Visual connection

4.1.3 Public Realm and Landscape

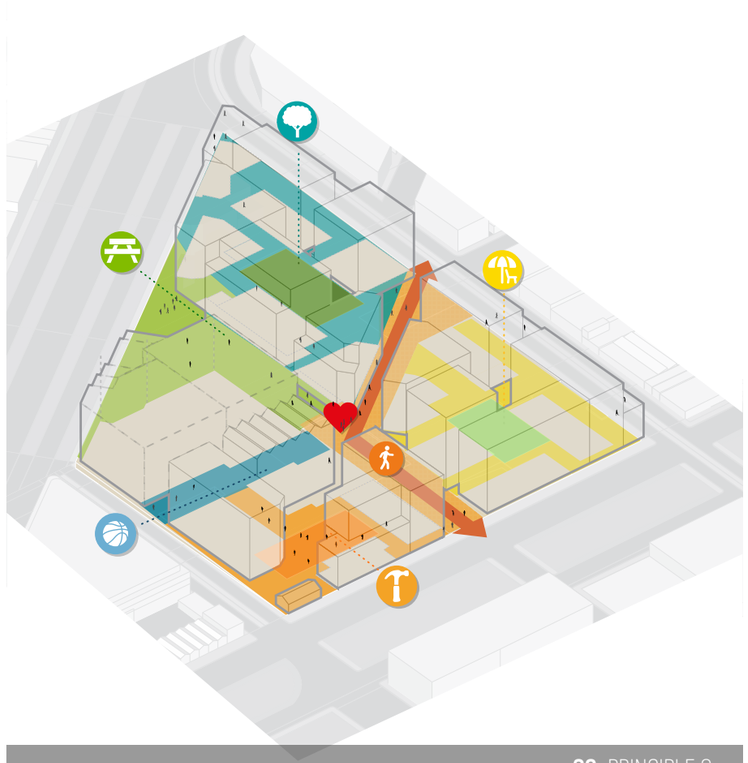


35 PRINCIPLE 7

Create shared courtyards at the heart of each parcel and maximise solar access to these spaces.

Legend

- Parcel A open space
- Parcel B open space
- Parcel C open space



36 PRINCIPLE 8

Establish a central community heart linking together diverse public spaces with places to play.

Legend

- Shared pedestrian street
- Village heart
- Parcel C
- Active recreation
- Passive recreation
- Green connection



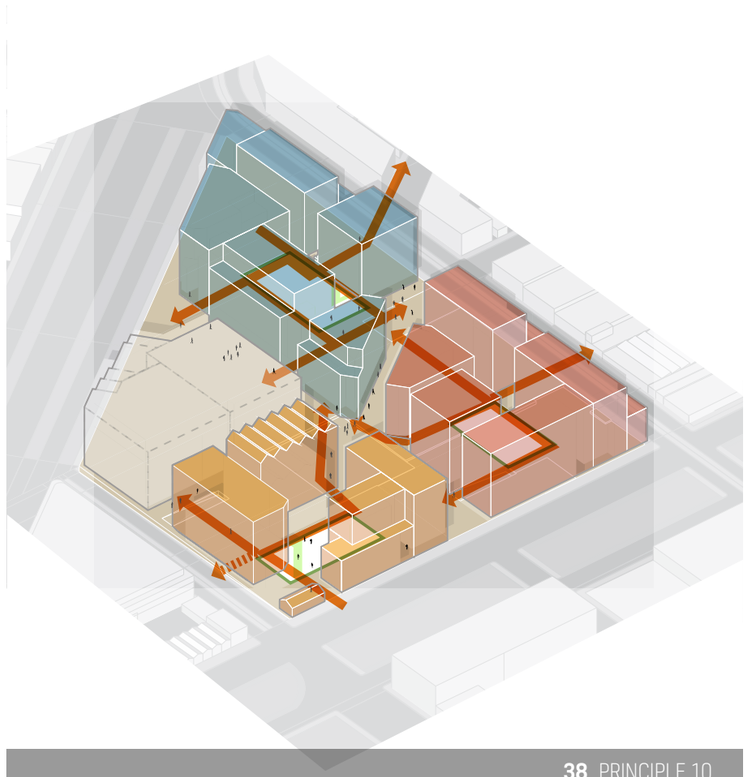
37 PRINCIPLE 9

Maximise urban greening by introducing trees, ground cover, vertical and roof top vegetation.

Legend

- Shared Street
- Deep soil planting
- Vertical greening

4.1.4 Built Form and Use

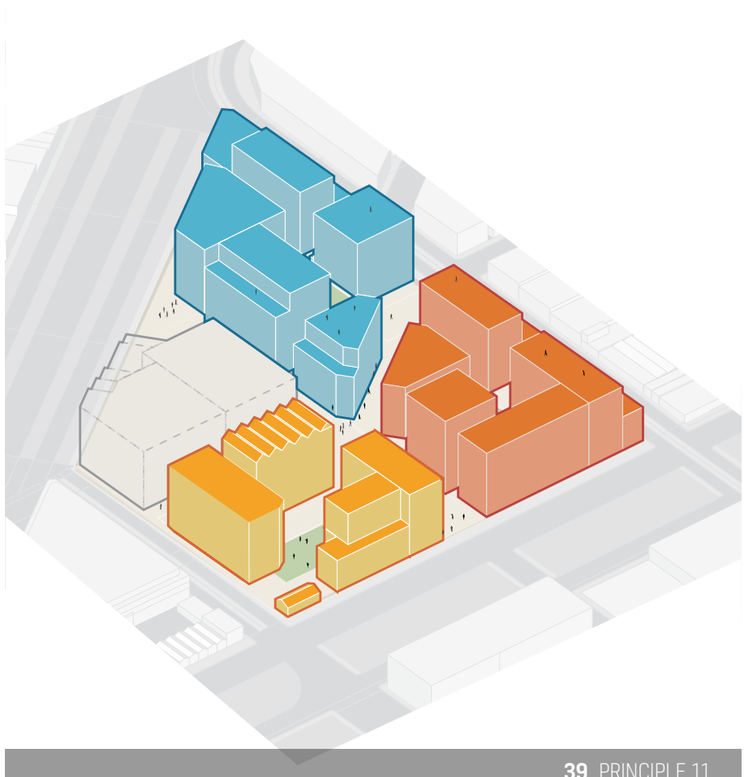


38 PRINCIPLE 10

Create open perimeter block forms that respond to local context and ensure permeability through the site.

Legend

- Pedestrian connection
- Local open space

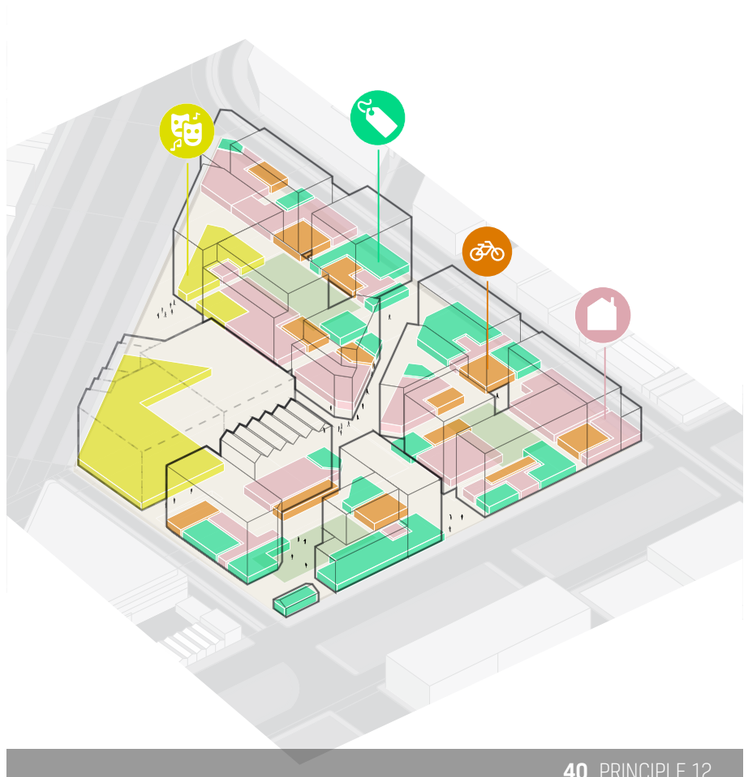


39 PRINCIPLE 11

Encourage variety in building heights, forms and materiality in keeping with each parcel's identity.

Legend

- Parcel A
- Parcel B
- Parcel C



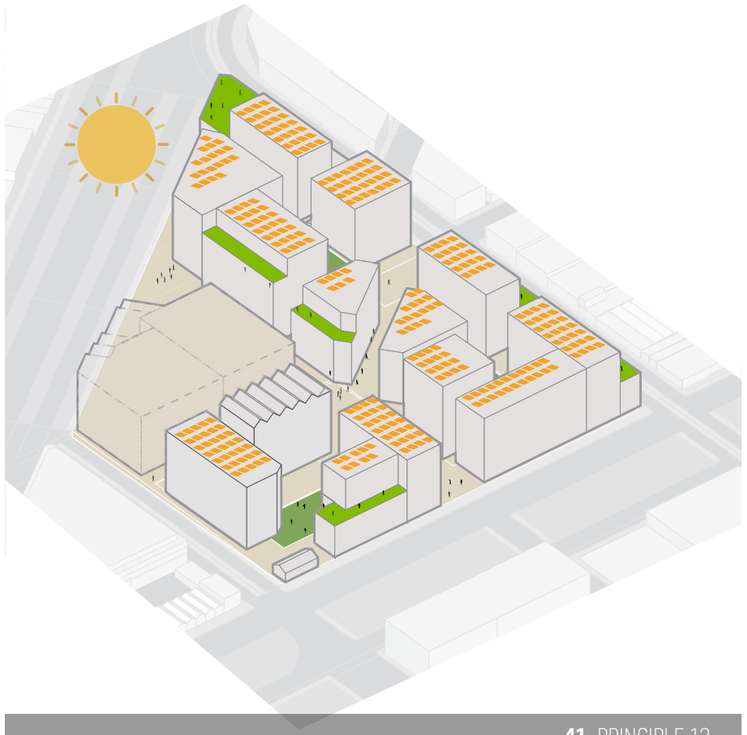
40 PRINCIPLE 12

Curate ground floor uses that showcase a variety of activities and that emphasise interaction and the human scale.

Legend

- Community facilities
- Flexible space (including retail and common spaces)
- Bike parking
- Residential

4.1.5 Sustainability



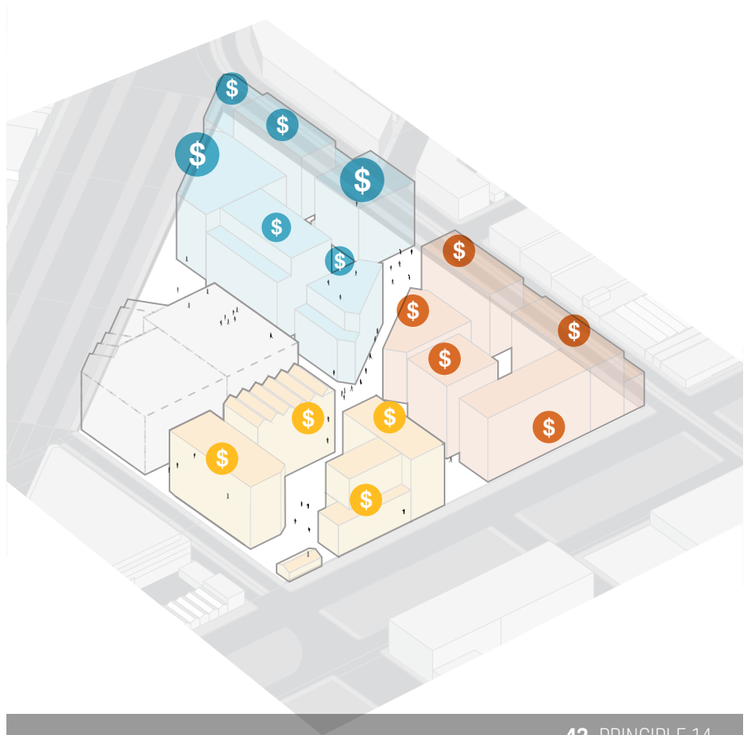
41 PRINCIPLE 13

Maximise potential for energy generation on site, with solar panels to most rooftops.

Legend

Rooftop garden

Solar panels

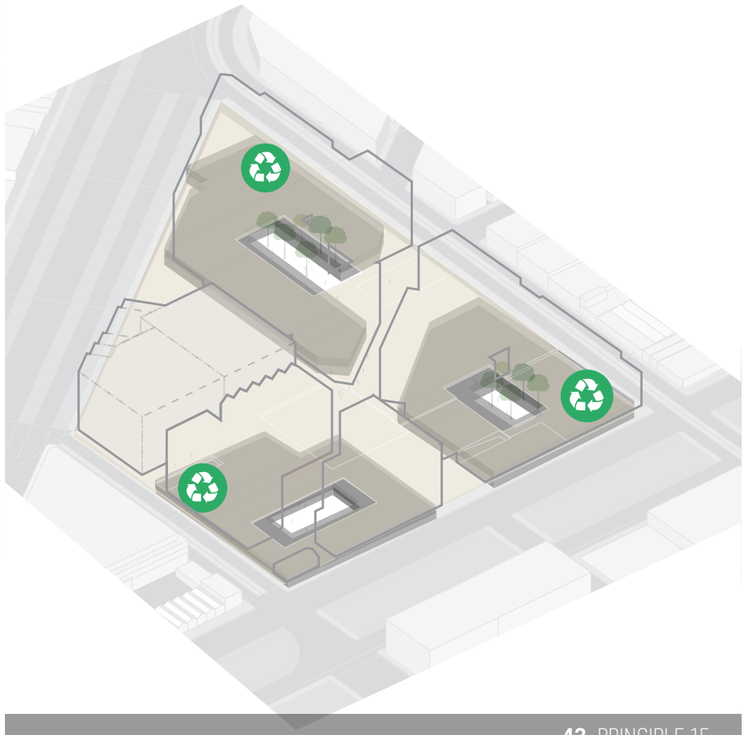


42 PRINCIPLE 14

Maximise thermal performance of buildings for lower living costs over time.

Legend

Coast saving through increased thermal performance



43 PRINCIPLE 15

Minimise waste produced on site, with consolidated collection points and diversion targets.

Legend

Local recycling

Not in Use

Development Plan Response

Part 5.0 Land Use

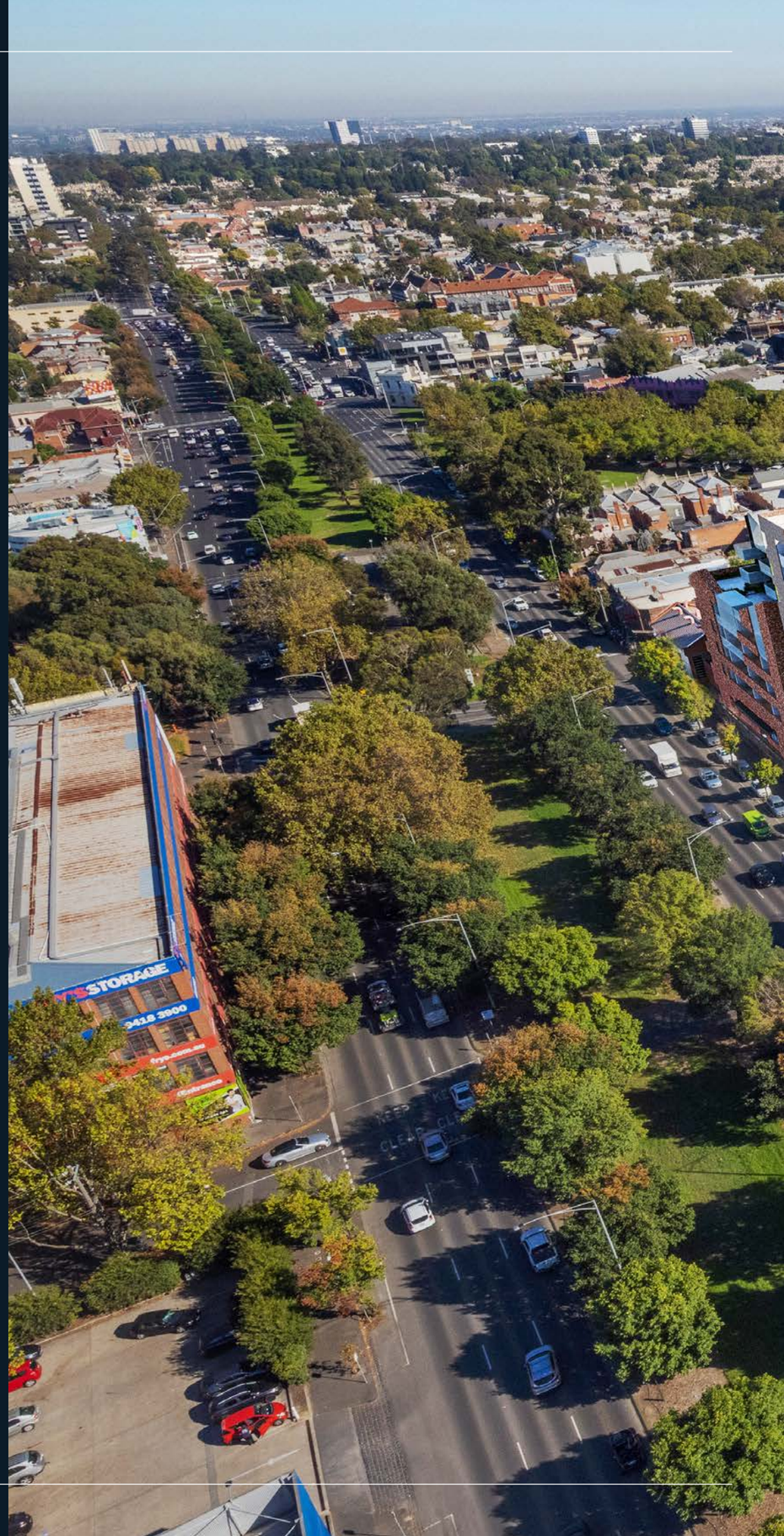
This section outlines how the Development Plan responds to the following requirements of DPO16:

Development Plan Components

- Develop a mixed use precinct comprising a variety of housing types, community facilities and public open space.
- Address Smith Street to strongly encourage the use of tram services in connection with development of the site, and to contribute to the streetscape character and vitality of the activity strip along the length of Smith Street.
- Provide community infrastructure to service the needs of the local area ensuring they complement the adjoining proposed indoor sports courts and integration of the site with the adjoining proposed education facility.
- Create usable, safe and accessible public spaces to meet local needs and improve resident amenity and usability.

Site Design and Land Use

- Develop a coherent and identifiable precinct.
- Design to address and activate the public realm, without privatising its amenity.
- A minimum of 8% of the site to be provided as public open space.
- Position the school to front Queens Parade and centre the sports courts on the site as a key community node with ease of access to public transport.
- Support retail, office and other uses at street level.
- Promote urban legibility and high quality public access to and through the site including clear site lines and a choice of routes.
- Minimise over shadowing effects within the site and on adjoining land.
- Design public open spaces to have good solar amenity, good passive surveillance.
- Avoid buildings that disproportionately overwhelm public spaces.
- Provide landscaping to reduce the visual impact of development, improve liveability and mitigate impacts of the urban heat island effect.
- Provision of street trees, high quality lighting and other streetscape enhancements.
- Retain the visual prominence of at least the top third of the individually significant Shot Tower from primary views when viewed from or through the site.
- Provide wind climate design to ameliorate wind conditions at street level, public spaces, balconies and adjoining properties.
- Provide acoustic design treatments that addresses the impact of existing and potential noise particularly from road traffic and trams.





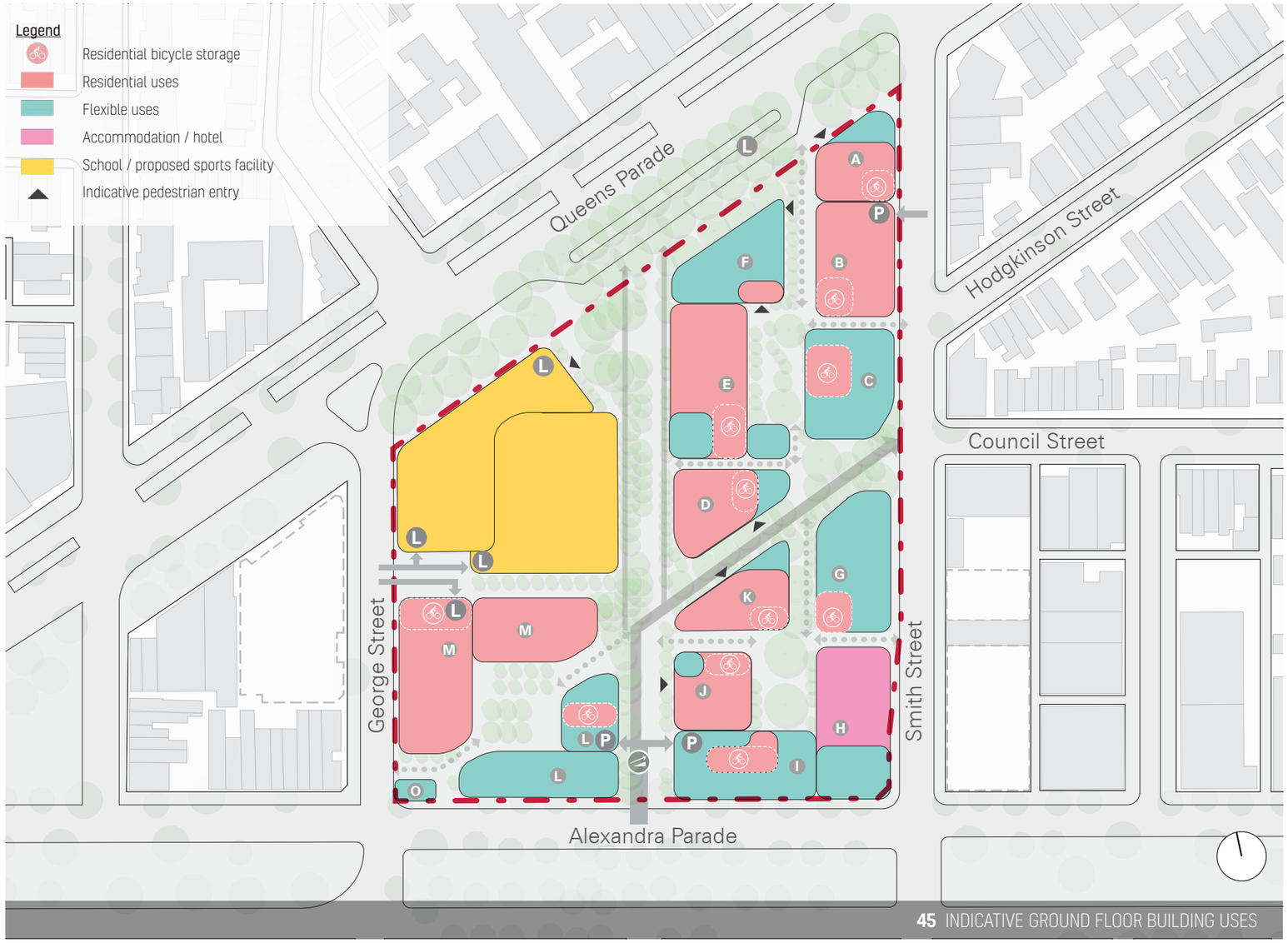
44 ARTIST'S INTERPRETATION (INDICATIVE ONLY)

5.1 Ground Floor Uses

Development will be designed to create a mixed use precinct that comprises a variety of housing types, community facilities and public open space. This section outlines how this will be achieved in accordance with requirements of DPO16. The location and type of uses should be generally in accordance with the indicative uses plans. The location and mix of uses across the site can only be varied if market demand exists for a different mix of uses so as to avoid vacant tenancies.

All ground floor spaces will have high floor to ceilings to allow for a variety of public-facing uses to occur. Flexible spaces have been located for ease of access and in locations that have increased foot traffic. These spaces may include retail, hospitality, office and co-working spaces, affordable workspaces for creative industries, galleries, grocery stores and gyms. There is the potential to partner with organisations to curate creative workplace and exhibition spaces. In addition, there is an opportunity to provide community-oriented spaces, including for child care, maternal and child health, and for small events, such as children's birthday parties or neighbourhood group meetings. Within Development Agreements for each site, developer partners will specify how vacant spaces will be avoided through programming of spaces and reduced rent for creative and community uses. Flexible uses may include up to 50% communal residential uses, provided that these uses are not for individual dwellings or allow for the provision of Specialist Disability Accommodation (SDA). An opportunity for a hotel or short-stay accommodation is located at the corner of Alexandra Parade and Smith Street, with public facing facilities on the ground floor, activating this prominent corner.

Flexible ground floor uses will contribute to the vitality and activation of Smith Street, which will encourage pedestrian activity. Residential entrances will be located on the ground floor, with individual access to ground floor apartments activating select locations that are quiet and more protected. Where possible, residential entrances



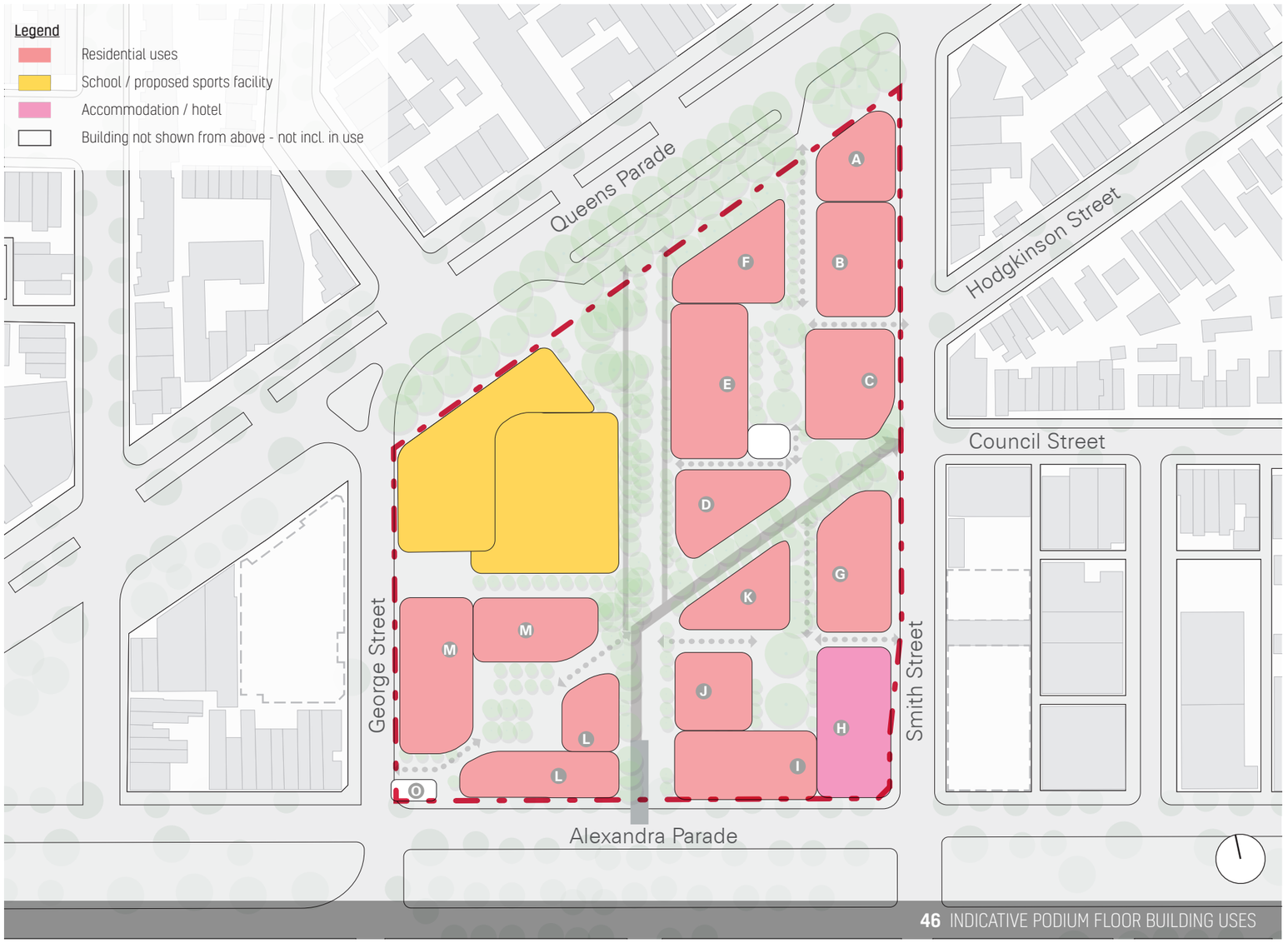
45 INDICATIVE GROUND FLOOR BUILDING USES

along Smith Street should provide direct visual connections to internal courtyards, all of which contribute to the urban legibility, passive surveillance and high quality public access to and through the site, while contributing to the streetscape character and vitality of Smith Street. Foyer-type spaces should be minimised. There is a preference for 50% of Bicycle parking to be accommodated on the ground floor to prioritise this mode of transport. These consolidated bicycle parking areas for each apartment will be secure but visible on the ground floor.

The school site, identified in yellow in Figure 45 and Figure 44, will be positioned in the north-western corner of the site to appropriately address Queen's Parade, as required by DPO16.

5.2 Podium Level Uses

The podium level uses of the buildings are primarily residential use. Subject to the commercial viability, Building H, on the corner of Alexandra Parade and Smith Street is identified as a potential opportunity for a hotel or short-stay accommodation.



46 INDICATIVE PODIUM FLOOR BUILDING USES

5.3 Upper Level Uses

The upper levels of the buildings are predominantly residential uses, with some shared common spaces on rooftops. There is also an option for a hotel or short-stay accommodation on upper levels of the building on the corner of Alexandra Parade and Smith Street.

Upper levels have also been designed to have consideration of views to and from the significant Shot Tower, where possible.



47 INDICATIVE UPPER FLOOR BUILDING USES

The below table outlines the approximate GFA by building and development parcel, based on the building envelopes available for future development in accordance with Figure 76 Indicative Heights Diagram. The indicative total GFA provides for a total apartment yield of approximately 1,200.

Final yield for each building will be determined at Planning Permit stage based on more developed design in response to the Development Plan.

Building	GFA (sqm.)		
	Residential / Hotel / Accom.	Flexible	Total
A	3,805	120	3,925
B	8,919	90	9,009
C	7,860	720	8,580
D	6,823	140	6,963
E	11,385	210	11,895
F	8,034	736	8,770
Sub-total Parcel C	46,826	2,016	49,142
G	9,013	1,000	10,013
H	11,390	570	11,960
I	5,619	650	6,269
J	7,195	150	7,345
K	7,177	95	7,272
Subtotal Parcel B	40,394	2,465	42,859
L	10,810	1,035	11,845
M	18,274	760	19,034
O	-	144	144
Sub-total Parcel A	29,084	1,939	31,023

48 APPROXIMATE BUILDING GFA

5.4 Cultural (Industrial) Heritage

Valve House will be retained and enhanced as part of the Development Plan. This will be achieved by designing spaces and sightlines to highlight the structure within the development.

A detailed plan of the interpretation scheme of the Valve House will be prepared and included at the Parcel A Planning Permit stage of the development. This should include explanatory principles behind the scheme and an indication of the form, content and locations of interpretation elements. The site's layered history will be celebrated through appropriate material selections.

New development should include integration and inclusion of historical and cultural interpretation. These interpretative elements should also serve as wayfinding elements that orient and direct users through the site.

5.5 Community Infrastructure

The key piece of community infrastructure that will be delivered is the school and indoor sports facility located on the school site in the north-western corner of the development site. This development process is being run concurrently by the Victorian School Building Authority, the Department of Education and Training and the Department of Transport. Construction of the school is now in the final stages and government funding for the sports facility has been confirmed.

A dedicated space to be made available for use by Yarra City Council for community use will be provided within the Development Plan Site. Additionally, flexible spaces have been allowed for throughout the ground level of the proposed development may accommodate further community uses. Generous public open space areas will be provided throughout the development, with the highly permeable building layout providing access to the surrounding community. All of which contribute to servicing the needs of the site and the surrounding local area.



49 INDICATIVE SENIOR SCHOOL DESIGN (VSBA)

5.6 Public Realm

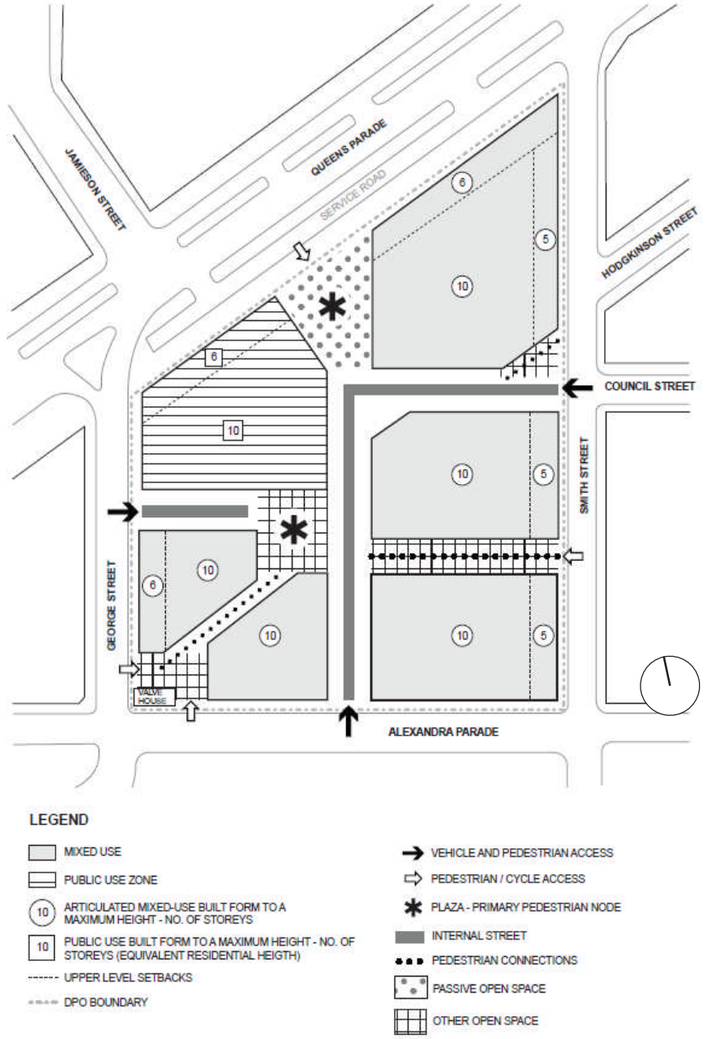
The public realm strategy for the site seeks to integrate the rich surrounding neighbourhood context through a layering of indigenous, pre-colonial and industrial histories.

The Development Plan will deliver 8% of the site as new public open space that will be vested in Yarra City Council. Careful consideration will be given to ensure all public spaces are designed to be safe and accessible to meet the needs of the local area.

The dedicated areas of public open space will be supplemented by:

- Open space areas accessible to the community on the school site.
- Pedestrian prioritised access ways throughout the site and beyond to designated public transport nodes.
- Privately owned communal spaces that will be accessible to the community.
- Entryways and landscape treatments, clear sightlines and wayfinding signage.
- Furniture and fixtures in the public realm that will be robust and easy to maintain.

Planting of vegetation within the public realm should be done in conjunction with the City of Yarra's preferred species list. Public realm lighting will support night-time social and recreational activity, amenity, wayfinding and safety.



50 DP016 Concept Plan



51 PUBLIC REALM PLAN

5.7 Landscape Master Plan

The Landscape Master Plan describes a series of key public and private spaces that together form the open space network for the Fitzroy Gasworks site.

These spaces comprise:

- Village Green - A proposed linear park to the north of the site interfacing with Queens Parade, the High School, and the north eastern development lot.
- Community Heart - A community plaza in the centre of the site that links the public realm across the site.
- Places to Play - Play area located to the east of the school within the public realm as a primary place for play activities.
- Streets for People - Pedestrian priority shared streets allowing for slow vehicle access.
- Permeable Lanes and Shared Courtyards - Private laneways between developments providing permeability, blurring the line between the public and private realm and offering pedestrian connections to the broader development during the day combined with central courtyards for communal use.

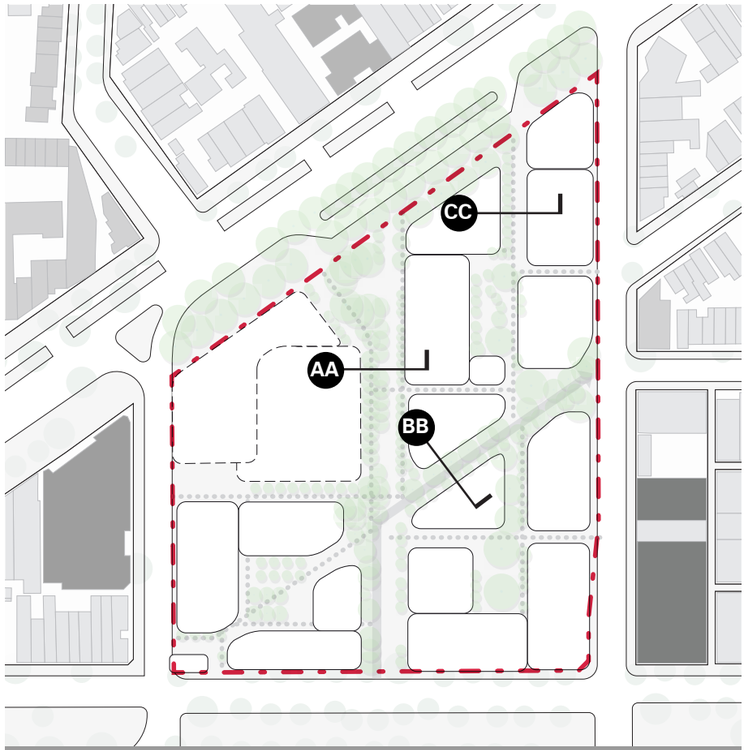
Appropriate vegetation selection will ensure longevity and vitality of planting in the public realm, and the ongoing maintenance of new vegetation will be factored in to landscape design.

Throughout the open space network, generous shared user paths will be provided.

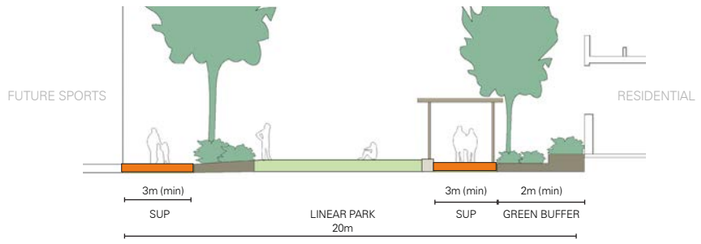


52 LANDSCAPE MASTER PLAN

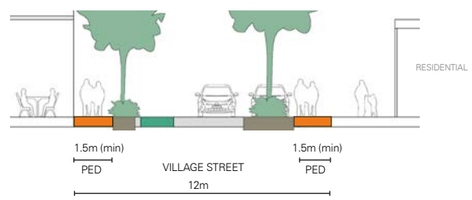
A network of generous paths and limited vehicular access will help reinforce walking as the dominant mode of travel through the site, creating a pedestrian priority neighbourhood. Pedestrian movements will be facilitated through a permeable network of shared streets, shared use footpaths and laneways. The use of well connected internal paths with multiple access points on each street frontage will help to promote active travel to and through the site. Only one public street is provided through the development which will be subject to low vehicle numbers and speeds.



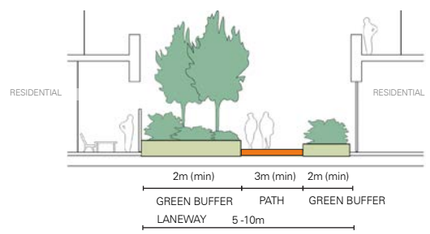
53 SECTION LOCATIONS PLAN



54 SECTION AA: SHARED USER PATHS SECTION



55 SECTION BB: SHARED STREET SECTION

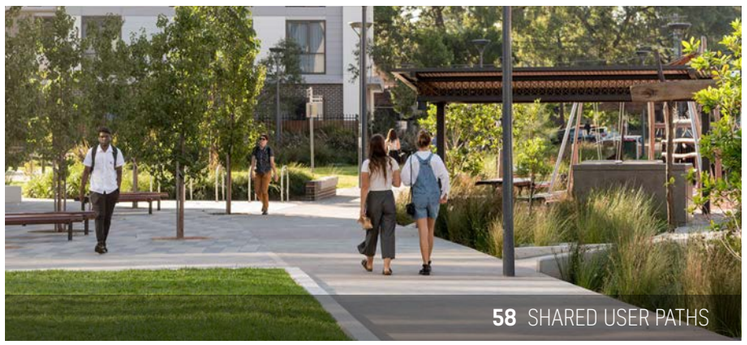


56 SECTION CC: PERMEABLE LANDWAY SECTION



57 SHARED STREET

Kensington Street by Turf Design Studio



58 SHARED USER PATHS

Hudson Street Park by Arcadia Landscape Architecture



59 PERMEABLE LANEWAYS

Boulogne Billancourt by Mutabilis Landscape Architecture

5.8 Laneways and Urban Greening

5.8.1 Laneways and Arcades

Laneways have been designed to be spaced every 45-65 metres along the development's perimeter, providing access and visual connections from surrounding streets to open spaces within the development which reduces the visual impact of the development and improves liveability. Laneways are a minimum of 3m wide. Arcades are at least 3m wide and 6m tall, and provide access to internal courtyards. Entryways will ensure that key points of entry into parcels are framed, allowing views and access into central courtyards and reflecting the identity of that courtyard.

5.8.2 Laneway Maintenance

Maintenance of laneways and connections will be formalised in a Section 173 agreement or equivalent. Public realm materials will be carried through the permeable lanes of the development lots as a connective thread that links each of the parcels together.

5.8.3 Urban Greening

Urban greening has many benefits including reducing urban heat island effect, increasing biodiversity and improving the health and well-being of residents. Minimum standards for urban greening have been targeted, with each parcel achieving a Green Factor rating. One important way to increase urban greening and the Green Factor rating is to provide deep soil planting areas to allow for large canopy trees and permeability of soil. Indicative locations for deep soil planting have been shown in key locations within each parcel - for example, in central courtyards. Consideration will be made to maximise sunlight access in these locations. Planting of vegetation within the public realm should be done in conjunction with the City of Yarra's preferred species list.



5.8.4 Community Garden

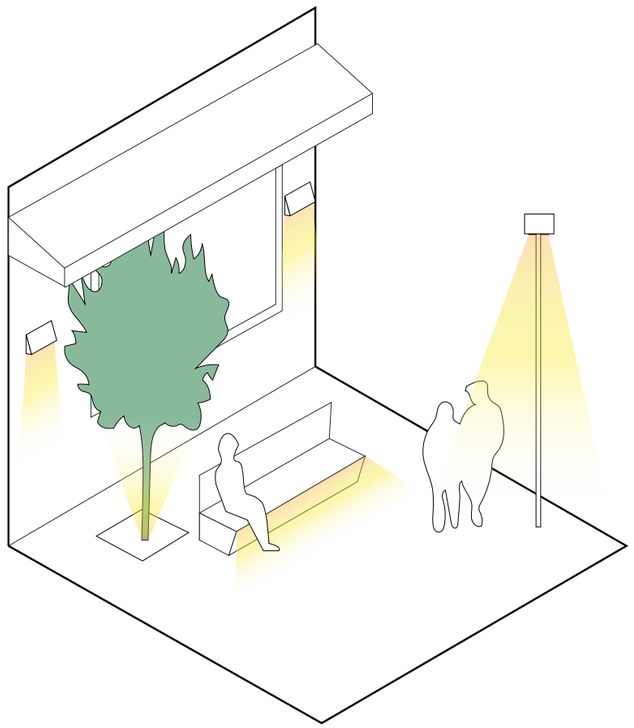
A community garden with 220m2 of agricultural space is incorporated into the precinct. This may be spread across public areas or roofs. The community garden will be accessible to the residential community, have access to sunlight throughout the year as well as appropriate drainage. The introduction of 220m2 of accessible agricultural space satisfies 'Credit 14.2 Local Food Production' as part of the 'Green Star Communities' rating.

5.8.5 Light Pollution

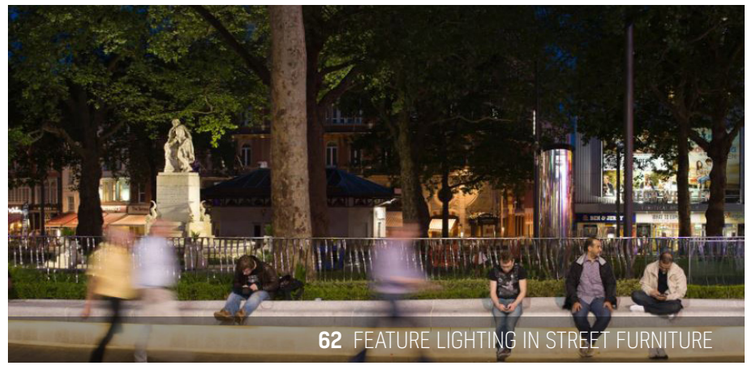
In order to reduce light pollution, 95% of all external public lighting luminaries within the project site boundary have an upward light output ratio less than 5%. Mitigation of light pollution is required in 'Credit 32.1 Light Pollution' as part of the 'Green Star Communities' rating. As part of this credit, a manufacturer's data sheet for each luminaire type will be installed, showing photometric data and illumination diagrams, including horizontal and vertical light distribution.

5.8.6 Lighting

Lighting throughout the precinct will perform a number of functions, from supporting way-finding, orientation and safe movement at night, to providing a decorative effect for building façades, landmarks and paths. Lighting in the precinct should create a public realm that is safe and inviting for users with well located lighting that enables the use of public spaces for active recreation during the evening, especially in winter.



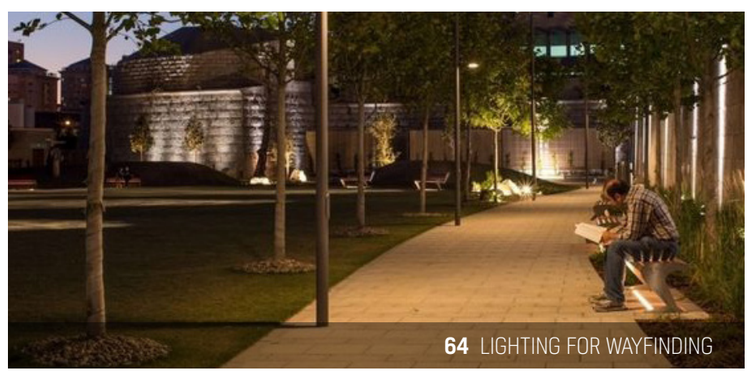
61 INDICATIVE LIGHTING DIAGRAM



62 FEATURE LIGHTING IN STREET FURNITURE



63 LIGHTING SUPPORTING NIGHT TIME ACTIVITY



64 LIGHTING FOR WAYFINDING

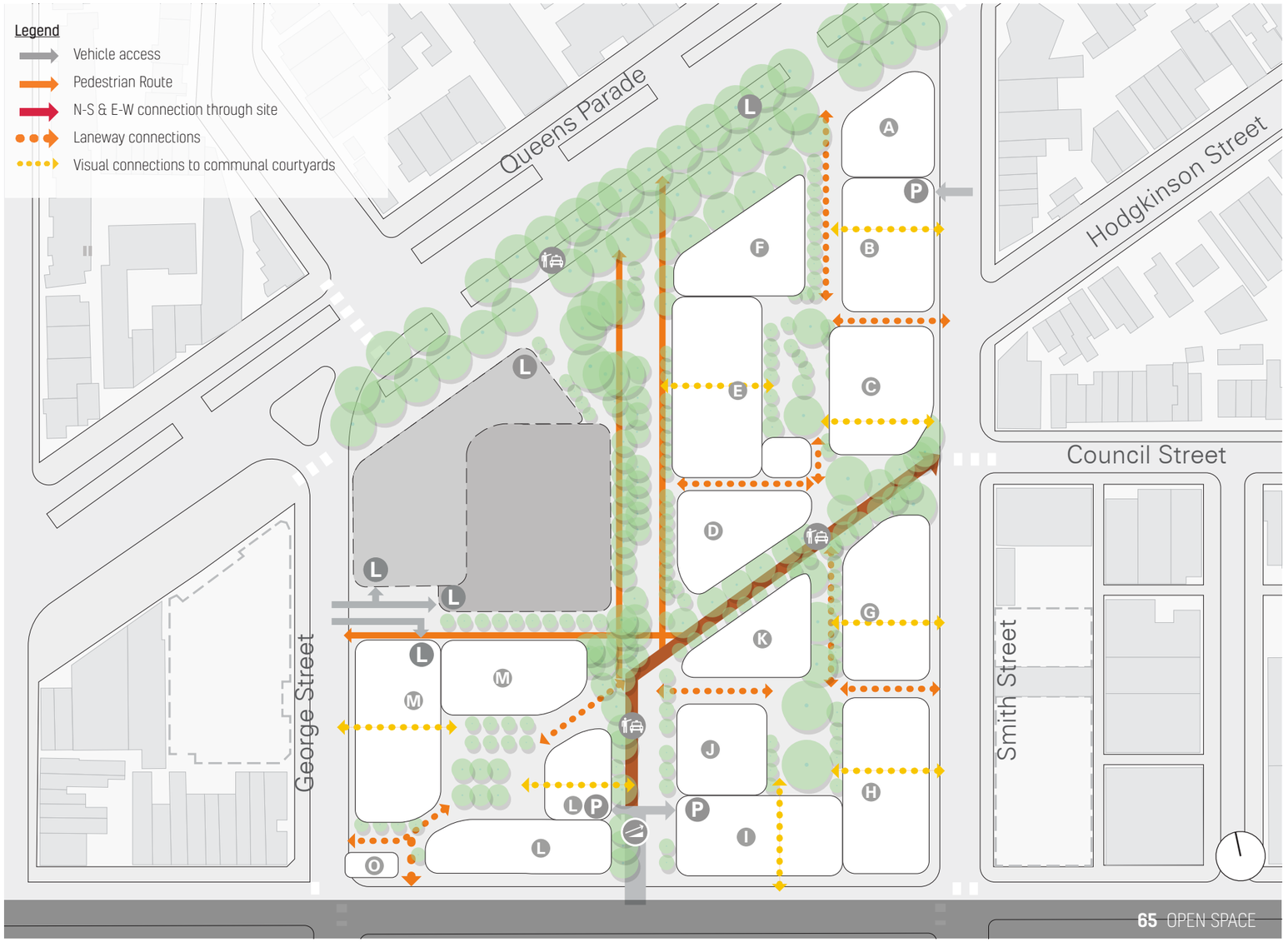
5.9 Public and Private Open Space

The Development Plan Overlay specifies a minimum of 8% of the site is to be provided as public open space through a series of plazas throughout the site, with a more generous passive open space to the north.

The Public Realm Plan highlights a series of spaces that capture DPO16 requirements, and inform potential new sites for open space (see Figure 51). As a part of the Public Realm Strategy, a low-speed, pedestrian-prioritised shared street, Village Street, provides further opportunities to incorporate typical elements of public open spaces, linking the public realm together.

Further open spaces above basement car parking with capacity to accommodate deep soil planting offer the potential to increase the amount of public open space within the development site.

Private development lots provide more intimate communal open spaces for residents, with daylight access to these spaces for the general public. The interface between private lots and public open space and streets is integral to these spaces serving as an extension of the public realm during key daylight hours.A sense of transition between public and private space will ensure adequate privacy for residents.



5.10 Microclimate

The following requirements relating to external noise and wind are consistent with the requirements of Clause 58 Apartment Developments.

5.10.1 Overshadowing

Building forms have been orientated to minimise overshadowing to internal streets, parks, internal courtyards and surrounding properties providing good solar amenity and ensuring buildings do not disproportionately overwhelm public spaces.

The following diagrams illustrate the shadows cast by proposed building envelopes at the equinox and winter solstice. Shadows cast from future development to be generally in accordance with the shadows shown.

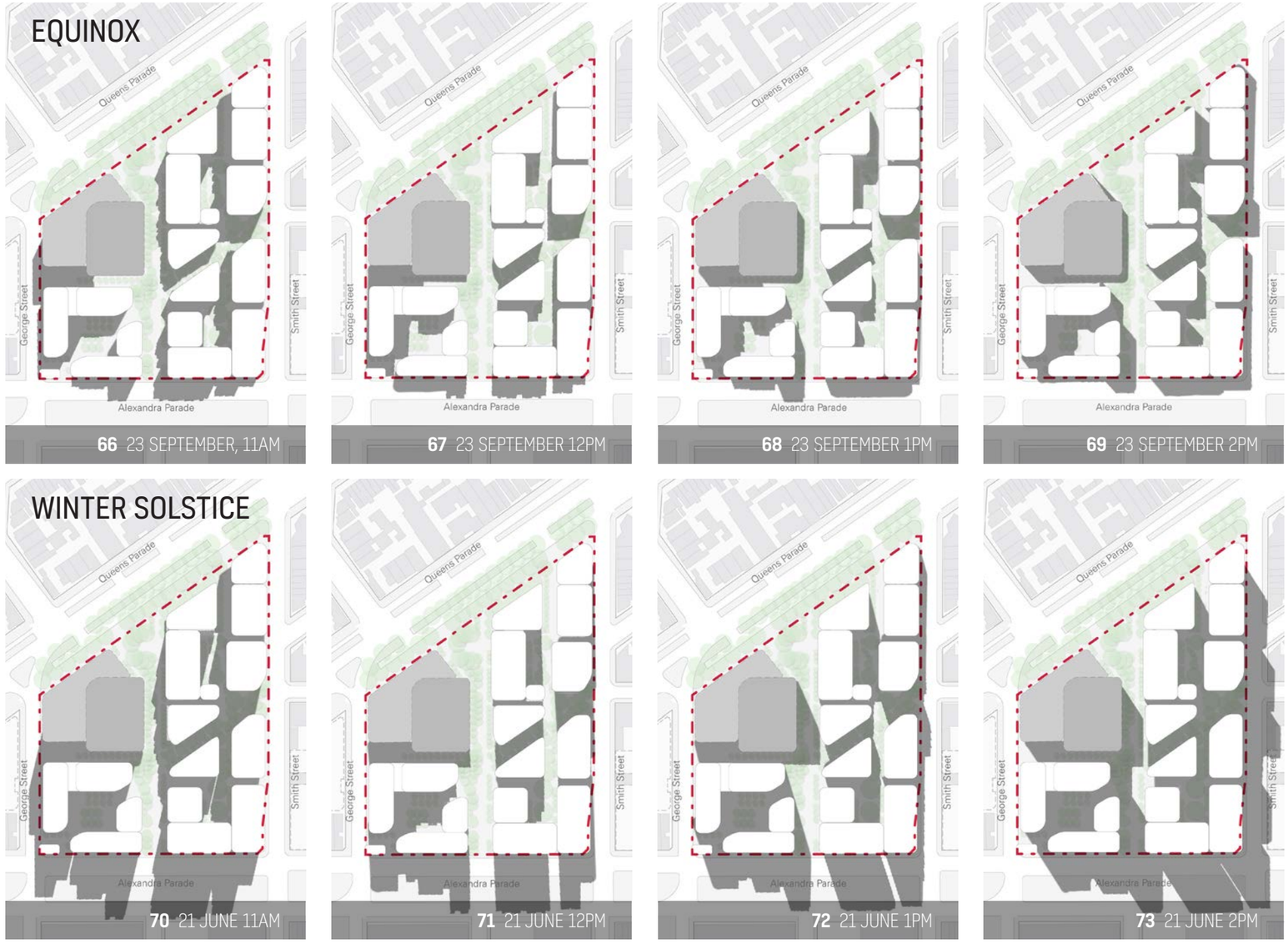
5.10.2 External Noise

The entire site falls within the Better Apartment Design Standards (BADS) definition of a 'noise influence area'. This is because the entire site is within 300m of Alexandra Parade.

Minimum standards of acoustic treatment will therefore need to be adhered to and incorporated into any further development design in accordance with the BADS standards. Minimum requirements include:

- Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am
- Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm.

Consideration should also be given to noise mitigation of the Smith Street tram, particularly where the tram turns on to Queens Parade.



5.10.3 Wind Conditions

Given that Fitzroy Gasworks is a pedestrian-prioritised precinct, wind conditions should not make for an uncomfortable or unsafe public realm. Buildings and works constructed on site should achieve comfortable wind conditions across all areas within the development plan. Wind amelioration measures will be integrated into the design and architecture of buildings. The design should demonstrate that it complies with the following wind levels:

- A wind speed not exceeding 5m/s for areas appropriate for walking and a wind speed not exceeding 3m/s for areas appropriate for sitting.

5.10.4 Heat Island Effect

The urban heat island effect must be mitigated through urban greening and the selection of roof sheeting material. This is a requirement of 'Credit 31.1 Heat Island Effect' as part of the 'Green Star Communities' rating. At least 50% of the total project site area, in plan view, will comprise of one or a combination of the following:

- Vegetation and landscaping that is climate responsive;
- Green roofs;
- Roofing materials, including shading structures (where three year SRI for products is not available, use for pitched roof <15° an initial SRI > 82. Alternatively, for roof pitched >15°: an initial SRI > 39;
- Unshaded hardscaping elements with a three year SRI> 34 or an initial SRI >39;
- Hardscaping elements shaded by overhanging vegetation or roof structures;
- Water bodies and/or water courses; and
- Areas directly to the south of vertical building elements, including green walls and areas shaded at the summer solstice.



74 WIND & NOISE PLAN





75 ARTIST'S INTERPRETATION (INDICATIVE ONLY)

Development Plan Response

Part 6.0 Built Form

This section outlines how the Development Plan responds to the following requirements of DPO16:

Development Plan Components

- Respond to the significance of Queens Parade and Alexandra Parade with built form that considers the design, height and visual bulk of the development in relation to surrounding land uses and developments and contributes to their significance as formal boulevards.

Site Design and Land Use

- Provide a transition in buildings by reducing heights and increasing setbacks along sensitive interfaces with increased heights at the centre of the site.
- Create high quality architectural frontages with a sense of articulation, streetscape scale and rhythm.
- Articulate buildings to provide variety, visual breaks and promote a human scale to existing and new streets.
- Activate street frontages with windows at upper levels, building entries from main lobbies and ground floor apartments to contribute to street life and safety through passive surveillance.
- Avoid visually dominant buildings through use of discontinuous forms, well articulated facades and high quality materials that weather well and are environmentally sustainable.
- A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views and provide maximum sunlight to these spaces.
- Avoid buildings taller than six storeys creating a 'canyon' effect to streets by distributing height and providing breaks in built form.
- Provide internal courtyards, supported by communal roof terraces and balconies facing out to the street in mixed use developments.
- Design all development parcels as perimeter blocks. Perimeter blocks should be defined by groups of buildings, with a range of building heights, to create a fine grain and articulated streetscape.
- Avoid podium and tower typologies.

6.1 Building Heights and Setbacks

The development will give careful consideration to the design, height and visual bulk of future development in order to appropriately respond to the significance of Alexandra and Queen's Parade, and the wider local context.

The Development Plan Overlay sets out preferred height controls for the development of the precinct. Careful consideration will be made to ensure that this plan meets these requirements. Setbacks along Smith Street and Queens Parade will ensure an appropriate response to the significance of these road corridors. This Development Plan further refines the controls to respond to the surrounding context and the Masterplan vision and principles.

Figure 76 provides details of potential built form elements including preferred maximum building heights, set backs, open space areas and solar access in accordance with the requirements of DPO16.

As a result, the development will avoid visually dominant buildings, instead promoting discontinuous forms, well articulated facades and high quality, environmentally sustainable materials.

6.1.1 Siting and Orientation

The indicative siting and orientation of the buildings within this precinct have responded to the original intent of the concept plan referenced in the DPO16, the relationship to buildings on land adjacent to the site, and to passive energy considerations.

Overarching design considerations are stipulated within DPO16, whereby a series of courtyard blocks providing clearly defined new street walls to external and internal streets. A break running north-south through the site acting as a continuation of Gore Street, beginning as a street, before becoming a linear park.

The updated concept plan integrates with the surrounding area by establishing a visual link running from Council Street in the



76 INDICATIVE HEIGHTS DIAGRAM

northeast to the Valve House in the south-east. Additionally, laneways will provide access into the central courtyards, turning the closed courtyard blocks into 'open block' typology, in order to respond to the less continuous building forms typical of buildings in the surrounding area and increase pedestrian permeability.

The generous central courtyards allow for passive heating and cooling and cross ventilation. Rather than long continuous buildings, each building is no longer than 60 metres in length, with light wells and indents allowing for cross-ventilation to meet the Better Apartment Design Standards (BADS).

6.1.2 Queens Parade

The Queens Parade interface is consistent with the Development Plan Overlay. The first 8 metres from the boundary has a parapet height of 6 storeys, with 10 storeys beyond that.

6.1.3 Smith Street

As the existing footpath is currently very narrow, and will become increasingly busy once the planned tram stop works are undertaken and the site is developed, there is a 3 metre setback from the boundary along the length of Smith Street.

The Development Plan Overlay suggests a uniform height of 5 storeys along Smith Street. While this provides an important transition down in scale towards Smith Street, a uniform 5 storey parapet height along the length of the street would create an unrelenting interface with this important shopping street. The Development Plan proposes instead a variety of parapet heights along Smith Street to provide diversity and grain, with a range of 4, 5 and 6 storey elements, achieving an average of 5 storeys across the length of the frontage. No additional GFA or overshadowing will be created. This concept was supported in community consultation of the draft proposal in September 2019.

6.1.4 Alexandra Parade

The Alexandra Parade interface is consistent with the Development Plan Overlay, with a 10 storey parapet height along its length. However the section of Alexandra parade between Village Street and George Street is set back 1 metre to allow for overland flow. This has been requested by Melbourne Water.

6.1.5 George Street

The existing footpath along George Street is very narrow. As foot traffic along this section will significantly increase as the site is developed, a 2 metre setback from the boundary along George Street is proposed subject to suitable flood inundation management provisions and would be more appropriate. The indicative building massing along George Street is generally consistent with DPO16.

6.1.6 Gore Street Easement

A 20 metre wide easement runs through the site from north to south as the former location of Gore Street. The southern part of the easement will host Village Street, with a linear park to the north. In order for the development to moderate the taller buildings within each parcel and provide diversity and grain, the first 3 metres from the Gore Street boundary will host a range of 1, 2 and 3 storey elements, achieving an average of 2 storeys across the length of the frontage.

Careful consideration will be made to buildings facing Gore Street easement, to ensure a human scale is achieved. Buildings will be articulated and provide variety with visual breaks. Further information is provided in the sub-sections "building interfaces and vertical rhythm" and "transition zone" below.

6.1.7 Courtyards

Each parcel must have a central courtyard, in order to improve daylight access and ventilation to the surrounding apartments and provide a semi-public central gathering space. A courtyard must be provided in the southwest corner of the site, in order to respond to the existing Valve House building.

6.1.8 Shot Tower View

A new open space will be provided at the intersection of Smith Street and the new Village Street. This open space will provide a welcoming entrance for visitors entering the precinct from Smith Street. This open space will also allow a view back towards the historic Shot Tower on Alexandra Parade.

6.1.9 Open Block Typology

Rather than closed courtyards that are not accessible to the public, this precinct will use an 'open block' typology. A series of open air laneways will be introduced to provide access to each central courtyard, and separate the buildings.

6.1.10 Building Length

Buildings are broken down in order to relate to the surrounding urban context, improve the pedestrian experience, and improve internal apartment amenity. Each building is not longer than 60 metres in length.

6.1.11 Building Interfaces and Vertical Rhythm

The façades of each building will be carefully considered to provide a high quality architectural frontage with a fine-grain rhythm that promotes a pedestrian priority precinct and a human scale to new streets. Vertical articulation with vertical breaks are encouraged, helping to define building entrances, light wells or urban greening, and helping to visually break down long continuous buildings so that they appear to be separate forms. Wind climate design will ameliorate wind conditions at street level and within public spaces,

and acoustic treatments will address the impact of existing and potential noise.

Building openings such as windows, doors and balconies will create a sense of depth, rather than a two dimensional surface. Where appropriate, internal uses can be visible from the street, showcasing the activity inside. Habitable room windows and balconies will be located and designed to avoid direct views to other habitable spaces, and will ensure maximum sunlight to these spaces.

Active street frontages and windows at upper levels will enhance passive surveillance opportunities, contributing to street life and safety throughout the site.

Development will allow for a coordinated strategy for ground floor uses that creates vibrant and active street frontages and diversity of economic activity and avoids vacancies. This will ensure high levels of public interaction and diversity of activity.

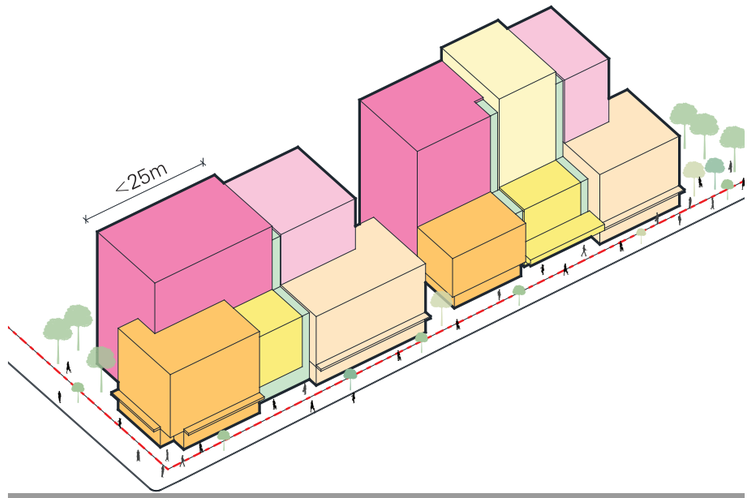
The design and curation of ground floor interfaces should ensure a high-quality pedestrian experience. This should be achieved by:

- Creating vibrant and active street frontages that provide for high levels of public interaction and diversity of activity.
- Ensuring a legible street with easily distinguishable points of entry, threshold and refuge.
- Ensuring adequate passive surveillance of the public realm.
- Providing a sense of transition between public and private space and ensure adequate privacy for residents.
- Ensuring that retail and commercial tenancies are designed to be fit for their purpose and can be adapted over time.
- Ensuring pedestrian connections are legible throughout the site and between uses, with easily distinguishable points of entry, threshold and refuge.
- Providing visual and physical connections between residential entrances and open space.
- Providing for weather protection, landscape and greenery in building façades and thresholds.

6.1.12 Transition Zone

Each building should have a 'transition zone'. Within this zone, building façades may cantilever and step out, but only to respond to the functional use inside, creating a more robust building that can adapt over time as needs change. Superficial articulation that does not respond to the internal uses should be avoided.

Within the transition zone, balconies, canopies, pergolas, built-in seating, frameworks for sun-shading and urban greening help soften the building interface. Additional elements will serve a functional purpose rather than being applied as mere decoration.



77 VERTICAL UNDULATION



78 ACTIVE GROUND FLOOR INTERFACES



79 ACTIVE GROUND FLOOR INTERFACES

6.1.13 Building Heights and Setback Controls

Table 1 outlines preferred height and setback controls which provide guidance for future development and are generally in accordance with the DPO16. The preferred heights and setbacks are shown indicatively at Figure 76 and provide an example of how building massing may be distributed across the site.

At the planning permit stage, building heights and setbacks may be varied (height increased and or setbacks reduced) from Table 1, to respond to the site's evolving context and subject to detailed design analysis demonstrating that an appropriate urban design outcome is achieved, including:

- A transition between buildings;
- The avoidance of a 'canyon' effect within new and existing streets; and
- Generally locating taller components of the development toward the centre of the site.

Table 1 - Preferred Height and Setback Controls

Street Interface	Distance from Boundary	Maximum Height within Setback	DP Response
Queens Parade	0-8 metres	20 metres (6 storeys)	Compliant
	Greater than 8 metres	33 metres (10 storeys)	Compliant
Smith Street between Queens Parade and Council Street	0-3 metres	0m	Compliant
	3-8 metres	17 Metres (5 storeys)	Compliant
	Greater than 8 metres	33 metres (10 storeys)	Compliant
Smith Street between Council Street and Alexandra Parade	0-3 metres	0m	Compliant
	3-11.5 metres	33 metres (10 storeys)	Average of 17 metres (5 storeys), with a mix of 14 metres (4 storeys), 17 metres (5 storeys) and 20 metres (6 storeys) on the corner of Smith Street and Alexandra Parade
	Greater than 11.5 metres	33 metres (10 storeys)	Compliant
Alexandra Parade between Smith Street and Village Street	0-22 metres	33 metres (10 storeys)	Compliant
	Greater than 22 metres	33 metres (10 storeys)	Compliant
Alexandra Parade between Village Street and George Street	0-1 metres	0m	Compliant
	1-22 metres	33 metres (10 storeys)	Compliant
	Greater than 22 metres	33 metres (10 storeys)	Compliant

Table 1 - Preferred Height and Setback Controls (continued)

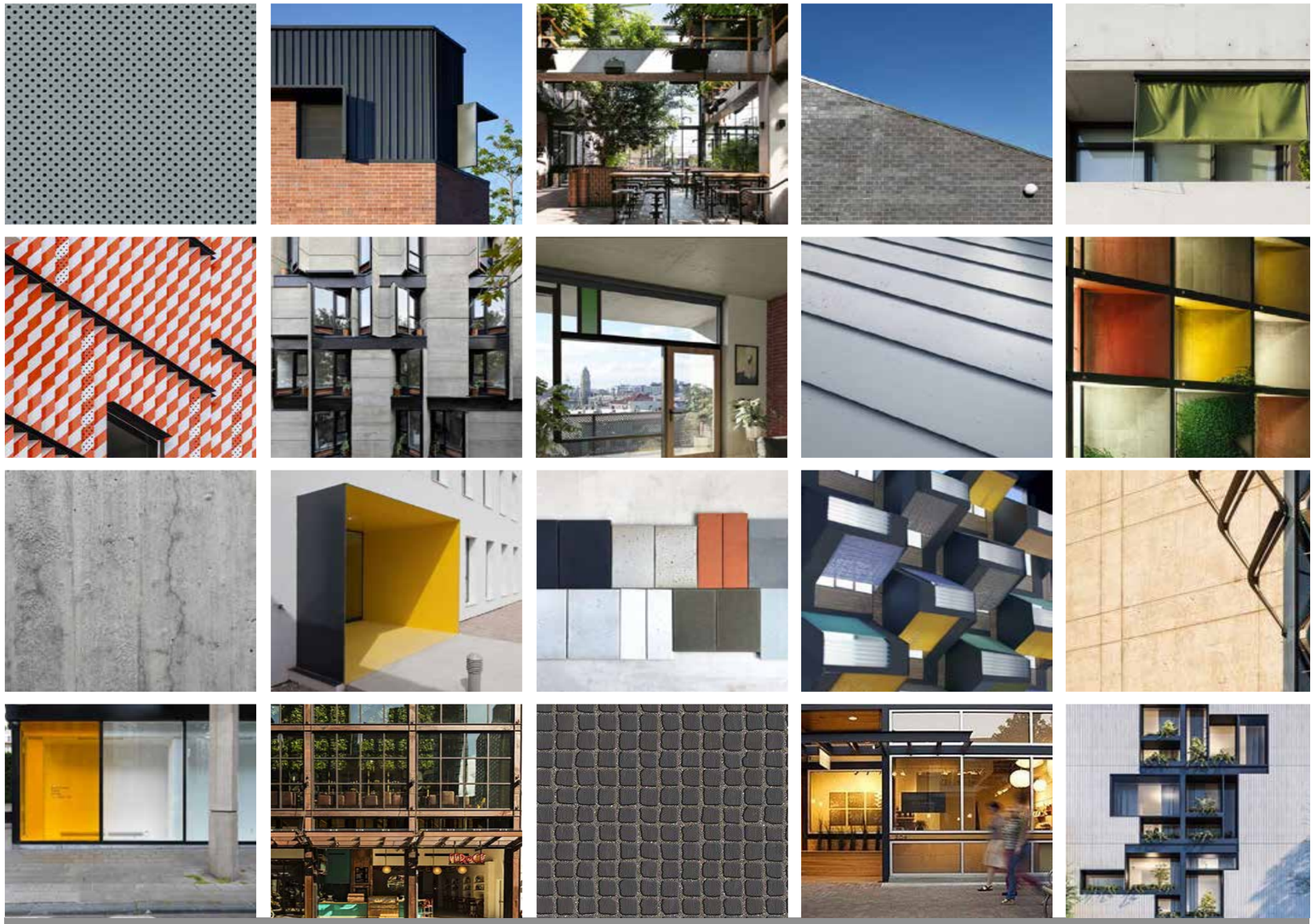
Street Interface	Distance from Boundary	Maximum Height within Setback	DP Response
George Street	0-2 metres	0m	Compliant
	Greater than 2 metres	33 metres (10 storeys)	Compliant
Gore Street easement	0-3 metres	Average of 8 metres (2 storeys), with a mix of 5 metres (1 storeys), 8 metres (2 storeys) and 11 metres (3 storeys)	Compliant
	Greater than 3 metres	33 metres (10 storeys)	Compliant
Northern facade of valve house	0-10 metres	0m	Compliant
	10-18 metres	20 metres (6 storeys)	Compliant
Eastern facade of valve house	0-9 metres	0m	Compliant
	9-20 metres	20 metres (6 storeys)	Compliant

6.2 Parcel Visions

6.2.1 Parcel A

Parcel A is located to the south-west corner of the precinct and has a frontage to Alexandra Parade and George Street. Its identity will draw on the character of Fitzroy and Collingwood. The retention of the historic Valve House and the robustness of the architectural language and materials speaks of the industrial heritage of these neighbourhoods. The materials and character of Parcel A will be honest and robust, providing a background that highlight the neighbourhoods industrial and creative history.

Northern and eastern entryways to this precinct should reference the industrial framing that provides moments for urban greening. Western and southern entryways to this precinct should reference the former brick wall that ran along Alexandra Parade and George Streets, but provide contemporary cuts and openings or breeze blocks to allow glimpses of the activity inside.

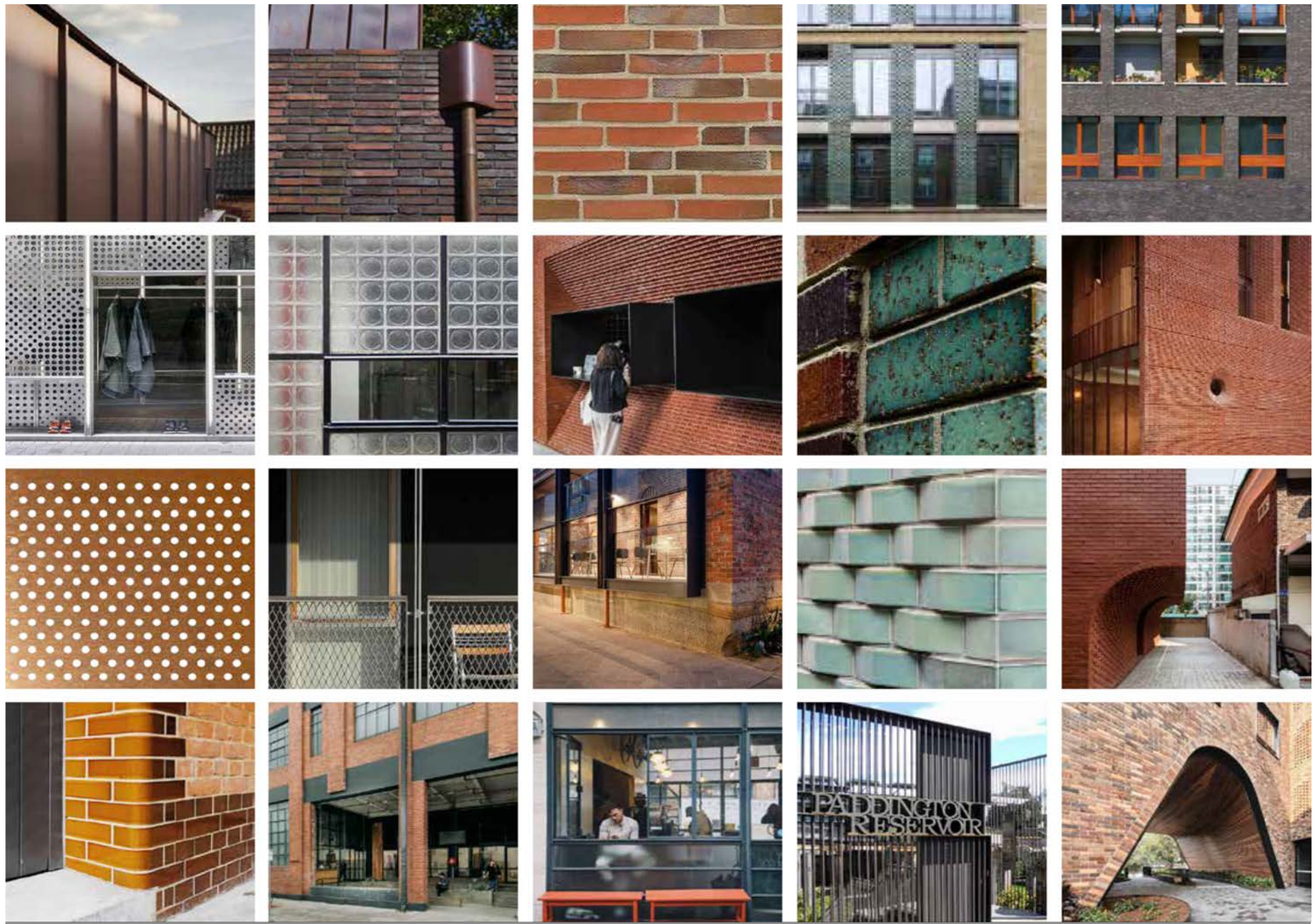


80 INDICATIVE PARCEL A MATERIAL PALETTE

6.2.2 Parcel B

Parcel B to the South East interface of Alexandra Parade and Smith Street should draw on the character of Collingwood and Fitzroy. Parcel B borrows from the urban industrial heritage of Collingwood and elevates the precinct through the introduction of steel framing and urban greening. The materials and character of Parcel B should reflect Collingwood's urban and 20th Century industrial character. Materials should reference industrial elements, such as the brick warehouses and industrial steel elements. Robust mixed-batch brick should be heavily referenced in this quarter, with red and brown tones complemented by copper green entrances, canopies and other finely crafted details at the ground floor. Moments of vertical greening and roof terraces soften and bring life to an austere base.

Entryways to this precinct should reference the use of brick and structural masonry elements, such as archways. Entryways may also be made of black steel, with steel lettering spelling out the name of the precinct, building names or other important wayfinding elements.

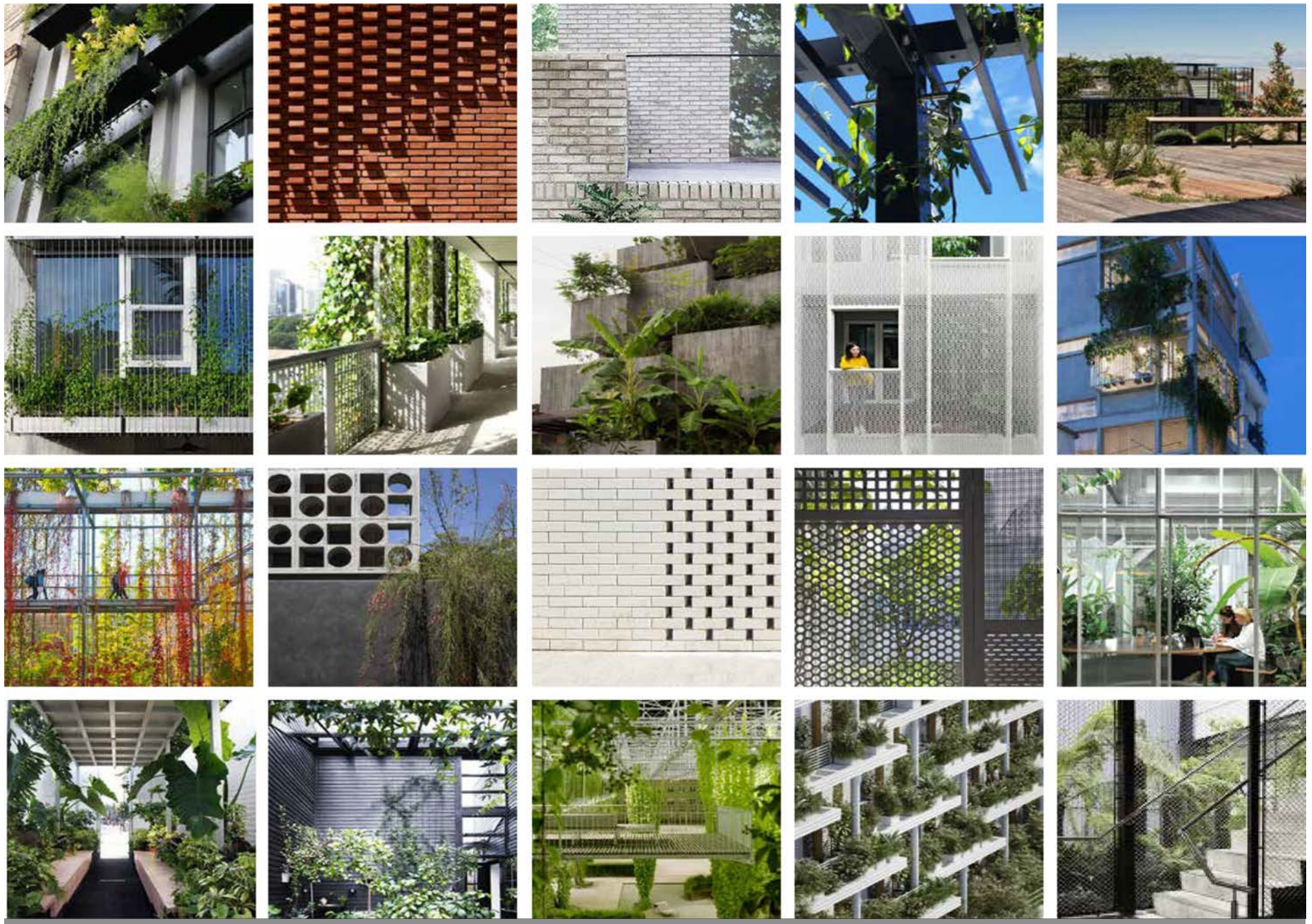


81 INDICATIVE PARCEL B MATERIAL PALETTE

6.2.3 Parcel C

Parcel C to the north-east interface of Queens Parade and Smith Street should draw on the parklands and backyards of Fitzroy North and Clifton Hill. Parcel C links to the Edinburgh and Darling Gardens as a lush, green village that engages with the local community. The materials and character of Parcel C should reflect the leafy character of Fitzroy North and the nearby Edinburgh Gardens, with high-quality materials and finishes throughout. A textured brick base of terracotta and cream is layered with lightweight screens, balconies, walkways, canopies and rooftops, providing ample opportunities to intergrate lush greenery.

Entryways to this precinct should incorporate light framework elements that provide opportunities for lush greenery.



82 INDICATIVE PARCEL C MATERIAL PALETTE

Development Plan Response

Part 7.0 Affordable Housing

This section outlines how the Development Plan responds to the following requirements of DP016:

Development Plan Components

- Provide a range of dwelling types to cater for a variety of housing needs including the provision of 20% of dwellings as Affordable Housing (as defined at section 3AA of the Planning and Environment Act 1987).



83 ARTIST'S INTERPRETATION (INDICATIVE ONLY)

7.1 Affordable Housing Strategy

The Affordable Housing Strategy for this site targets delivery of 20% of dwellings as Affordable Housing. The strategy comprises two primary delivery models:

- Social Housing, that is subject to State funding will be either; owned by the State and operated by a Registered Housing Agency, or owned and operated by a Registered Housing Agency; and
- Market Affordable Housing comprising market products such as affordable rental and affordable purchase products with flexibility for a range of delivery models and tenures.

The ability of the site to deliver any significant amount of Social Housing is entirely dependent on securing State funding support. If State funding is not secured, the targeted delivery of 20% of dwellings as Affordable Housing will be met primarily through affordable market products with the flexibility for other innovative Affordable Housing models to be applied.

7.2 Development Response

7.2.1 Allocation

Affordable Housing is to be allocated according to the adopted delivery model:

- Social Housing : 100% of Social Housing dwellings is to be allocated to eligible households on the Victorian Housing Register (VHR).
- Market Affordable Housing: Market Affordable Housing dwellings will be allocated to eligible households earning within the Victorian Government-defined income bands, updated annually by the Governor in Council Order. An assessment will be made to validate that households earn within the designated Affordable Housing income bands.

7.2.2 Affordability

The measure of affordability is dependent on the adopted delivery model:

- Social Housing: No more than 25% of household income is spent on rent and is only provided to eligible tenants from the VHR.
- Market Affordable Housing, rental product: Affordable rents are calculated assuming 30% of household income is spent on rent.
- Market Affordable Housing, purchase product: No more than 30% of household income is spent on mortgage. Price points are to be within the purchasing capacity of target households.

For other Affordable Housing models not captured within these three broad categories, affordability is assumed to mean that housing costs (either mortgage or rent) will be no more than 30% of household income. As specified in Section 7.2.1 Allocation, to be eligible for Affordable Housing households must earn within the Victorian Government-defined income bands. In all delivery models the dwelling is to be appropriate to the needs of the household occupying it.

7.2.3 Longevity of Benefit

Social Housing dwellings must be provided in perpetuity for the use of tenants from the VHR, or as otherwise agreed by the Director of Housing.

For Market Affordable Housing a binding Development Agreement will require the selected developers to deliver a minimum proportion of Affordable Housing on their site in a form that is consistent with the Planning and Environment Act 1987, and that satisfies the Responsible Authority.

7.2.4 Tenure

The tenure of Affordable Housing is to be secure and provided to eligible households as defined by the Planning and Environment Act:

- Social Housing: Where Social Housing is delivered, it must be operated by a Registered Housing Agency (RHA), as per the requirements set by the Director of Housing and the Victorian Housing Registrar.
- Affordable Housing as a rental product: Secured through a lease agreement as provided for in the Residential Tenancy Act 1997.
- Affordable Housing as a purchase product: Available to owner occupier households that meet the specified income eligibility thresholds.

7.2.5 Type (Built Form)

To ensure Affordable Housing appropriately responds to estimates of current and forecast demand, the following dwelling mix is suggested for the Affordable Housing components of the development (noting that the final mix may vary from building to building or between delivery models):

- Up to 60% 1-bedroom and studio apartments with no more than 25% of the total being studio apartments.
- Up to 60% 2-bedroom apartments.
- Up to 10% 3-bedroom (or larger) apartments.

7.2.6 Location

Affordable Housing is proposed to be located throughout the development. Where Social Housing is delivered, subject to State funding, it will likely be delivered in a single building.

7.2.7 Integration

Affordable Housing dwellings will be of high design quality and tenure-blind, and integrated within the site either:

- As single purpose Affordable Housing buildings distributed within the site; or
- As Affordable Housing within mixed tenure building.

7.2.8 Staged Delivery

- Where Affordable Housing is to be delivered on a staged basis, the developer is required to ensure that a minimum of 80% of the proposed Affordable Housing within their site is delivered to the satisfaction of the Responsible Authority, prior to the final planning permit approval being granted.

7.3 Implementation

Any future planning permit application is to be supported by a report that sets out how the development response aligns with the requirements of section 7.2, and at a minimum specify the following:

- The Report must set out how the development will respond to the following requirements:
- Affordable Housing response including percentage of total dwellings, number and proportion of studio, 1 bedroom, 2 bedroom and 3+ bedroom dwellings and alignment with assessed housing need.
- The indicative location within the development and individual buildings, including confirmation that the dwellings will be externally indistinguishable from other dwellings, and the proposed maximum number of Affordable Housing units for any single floor.
- Evidence establishing that the arrangement is expected to result in an appropriate affordability outcome for an Eligible Household, defined in accordance with the Planning and Environment Act 1987.
- Demonstrate how the proposed ownership, management and/or legal agreements supports the delivery of Affordable Housing.
- Status of Affordable Housing delivery across the Fitzroy Gasworks Precinct.


Fitzroy Gasworks



84 ARTIST'S INTERPRETATION (INDICATIVE ONLY)

Development Plan Response

Part 8.0 Movement

This section outlines how the Development Plan responds to the following requirements of DPO16:

Development Plan Components

- Create pedestrian and bicycle access into and through the precinct to support its development and integrate activity in the area with surrounding neighbourhoods.

Site Design and Land Use

- Design effective traffic management and car parking to service the whole site.
- Innovative approaches to car parking provision will be considered.
- Provide for safe and convenient pedestrian, cyclist and vehicular access.
- Minimise vehicle entries to reduce impact on footpaths.
- Provide a new tram stop on Smith Street which is compliant with the requirements of the Disability Discrimination Act 1992 (DDA).
- Provide two bicycle spaces per dwelling.
- Design vehicle access and egress to and from the site to avoid tram delays along Smith Street.

8.1 Pedestrians

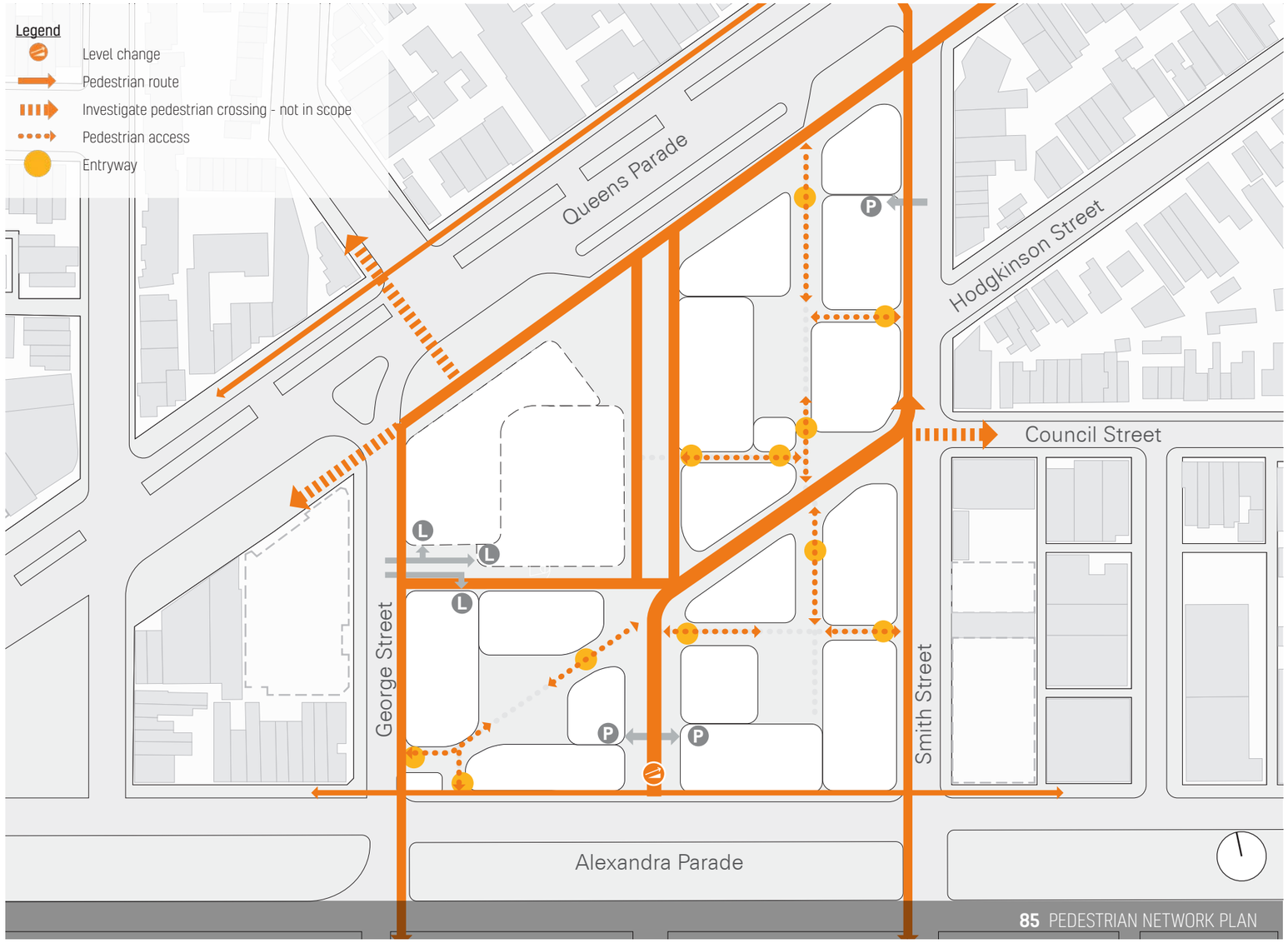
The Fitzroy Gasworks development will incorporate a mix of residential, commercial and community spaces. The commercial and residential developments will be distributed across three different parcels of land. The following transport related strategies have been proposed on the basis of approximate land use allocation across the site, it should be noted that these are subject to change and should be treated as indicative:

- 1,114 dwellings;
- 112 hotel rooms / accommodation;
- Community space; and
- 6,420 sqm. of flexible space.

Careful consideration will be given to the design of pedestrian, cycling and vehicular connections throughout the site to create safe and convenient access, support development and integrate activity between the site and surrounding neighbourhood.

This precinct will be a pedestrian-prioritised neighbourhood. The new internal road (Village Street) will be a shared street, with slow traffic speeds and high pedestrian amenity. A series of clear pedestrian walks will be created through the site, complemented by a network of laneways providing access through internal courtyards.

All footpaths must be designed and delivered in accordance with the principles outlined in the Australian Model Code for Residential Development (AMCORD) for pedestrian facilities.

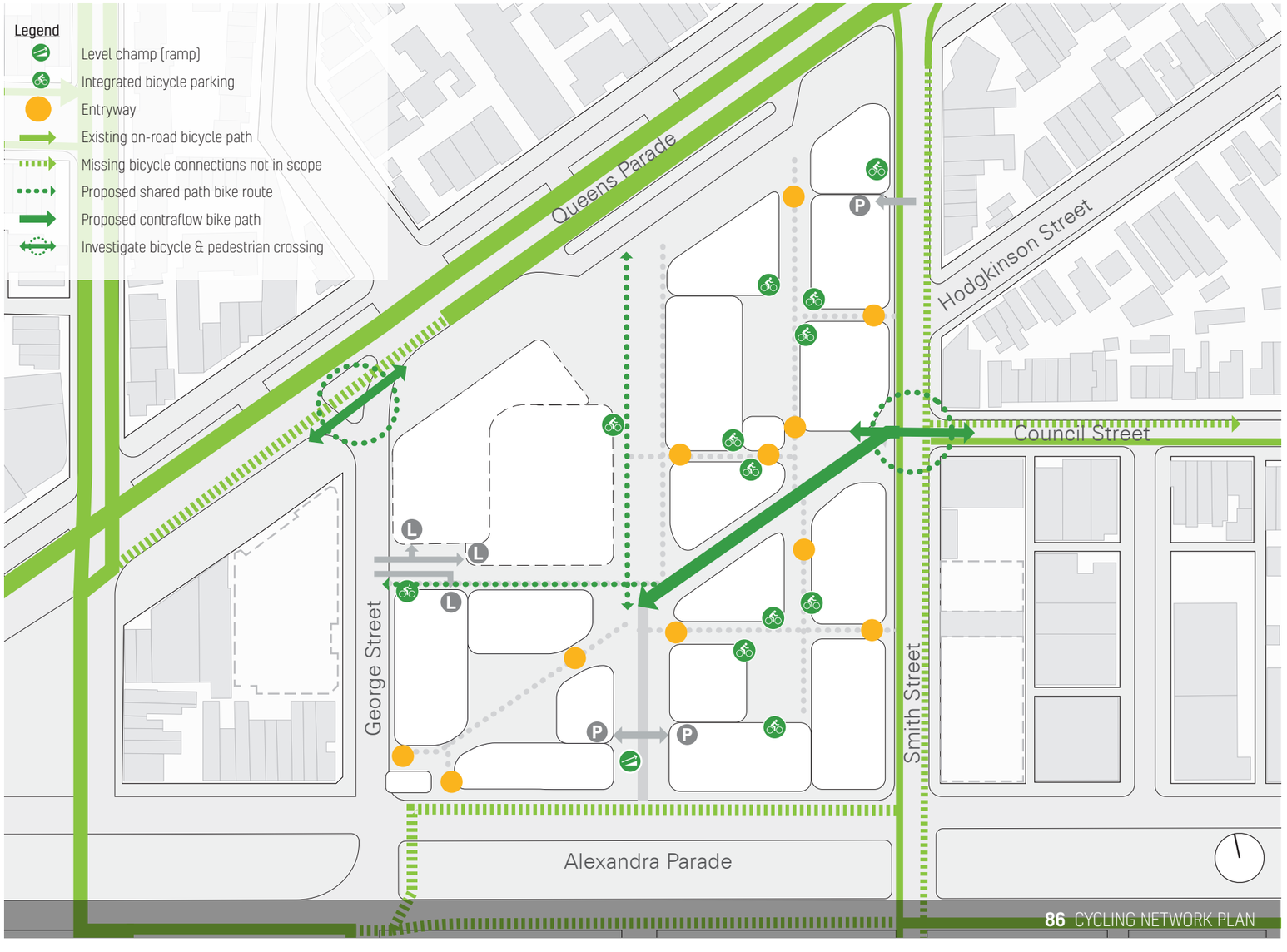


85 PEDESTRIAN NETWORK PLAN

8.2 Cycling

This precinct will make the most of its location close to major bicycle paths on Queens Parade, Napier Street and Wellington Road, and the high provision of bicycle parking on the site to make cycling a preferred transport method for residents within the precinct. Cycling access will be provided throughout the site through a series of primary and secondary bicycle connections. Slow speed cycle access will be encouraged through the site in the design of the shared street and pedestrian connections, encouraging local travel. High-speed cycling through the site will be discouraged, to minimise potential conflicts with pedestrians.

Two bicycle parking spaces are provided per dwelling.



86 CYCLING NETWORK PLAN

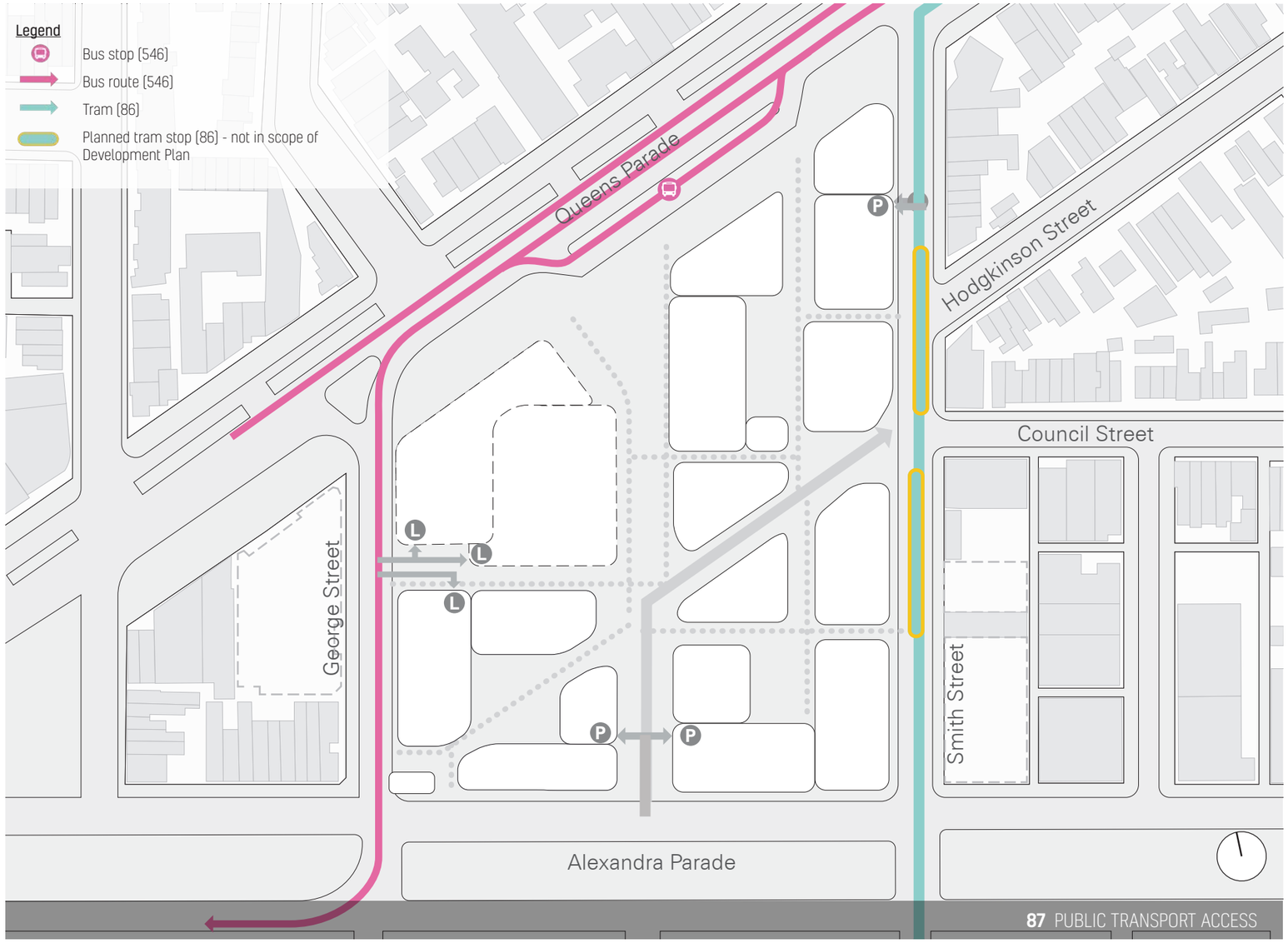
8.3 Public Transport

8.3.1 Bus

An existing bus stop on Queens Parade will service the school, sports courts and the whole precinct. This stop currently serves the 546 Heidelberg Station - Melbourne University - Queen Victoria Market bus.

8.3.2 Tram

The site is served by the 86 Bundoora RMIT - Waterfront Docklands tram along Smith Street. While development will be designed to support a planned new tram stop located on Smith Street, the planned tram stop works fall outside of the scope of this Development Plan and are subject to separate approval processes and negotiations with other authorities.



87 PUBLIC TRANSPORT ACCESS

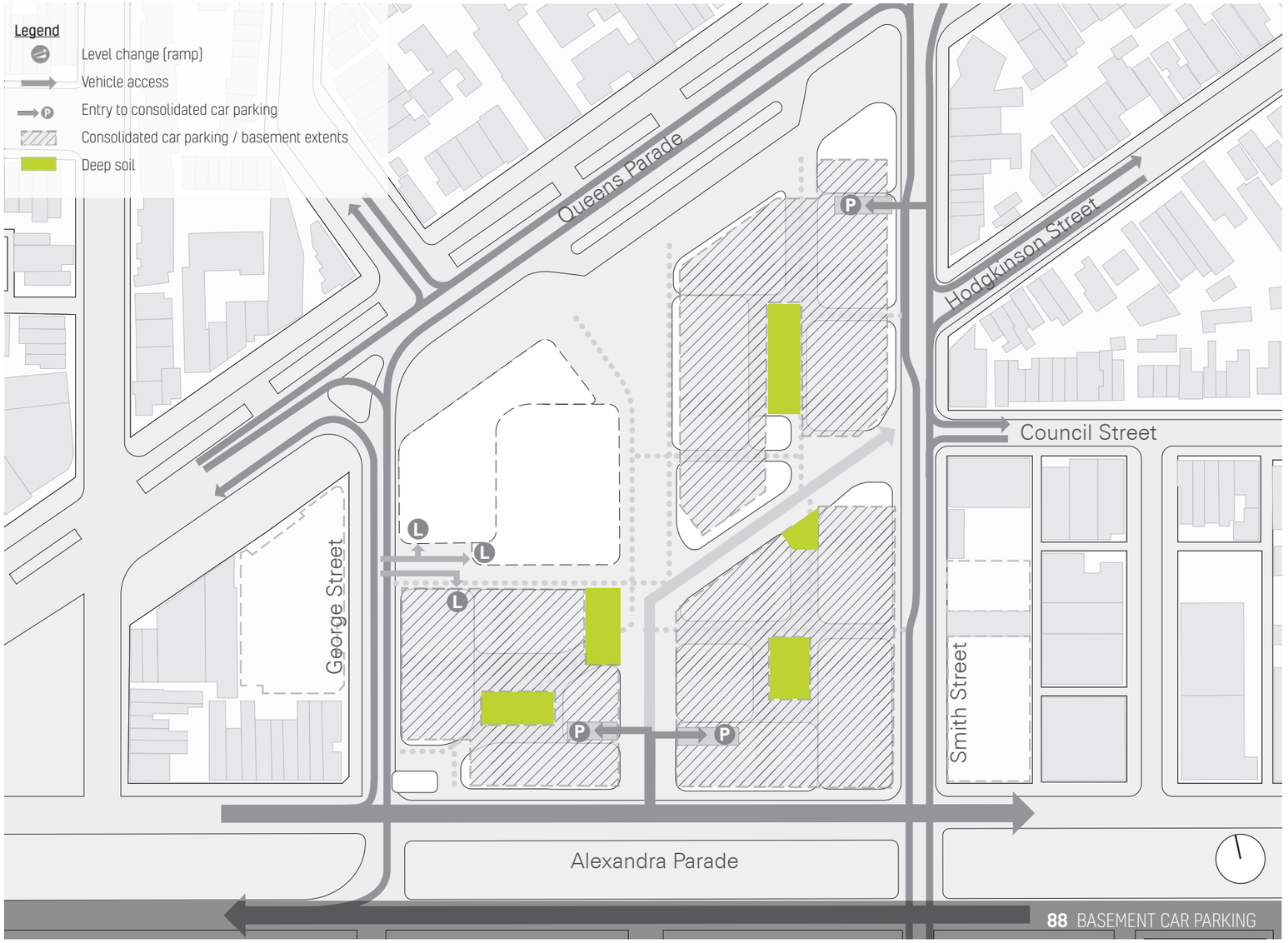
8.4 Private Vehicle Access and Car Parking

Car park entrances will be limited to three across the site, with pick-up and drop-off along Village Street and one-way access along Village Street, thereby reducing impacts on pedestrian footpaths and avoiding delays to Smith Street trams. There will be approximately 790 car spaces provided within the precinct boundary. These will be consolidated on the site to improve the efficiency of use of the car parking asset and to minimise cross-overs throughout the precinct.

Most of these car parking spaces will be provided within the basement of the various development parcels across the site. Only DDA and short-term drop-off is to be provided along Village Street.

Vehicle access points within the site should be designed to prioritise pedestrian movement as well as minimise conflict between pedestrians, bicycles and vehicles. Private vehicular access is to be limited. To achieve this, the following design requirements should be met:

- access points to car parking, loading and unloading and pick-up/ drop-off areas as shown in Figure 87 and Figure 88.
- a shared street with bike paths and clear pedestrian routes as per Figure 85 Pedestrian Network Plan and Figure 86 Cycling Network Plan.
- all private car parking located in basements.
- extent of possible basement limited as shown in Figure 88 Basement Car Parking.



88 BASEMENT CAR PARKING

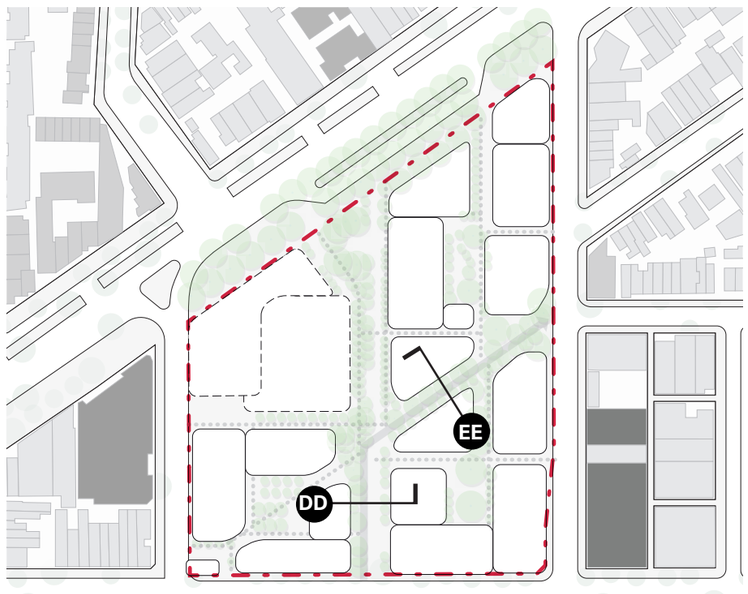
The precinct will prioritise pedestrian access and amenity throughout and minimise the impacts of vehicular movement by creating a shared village street. Materiality and plantings will emphasise pedestrian priority and limit vehicular movement within the precinct.

Design of vehicle access should:

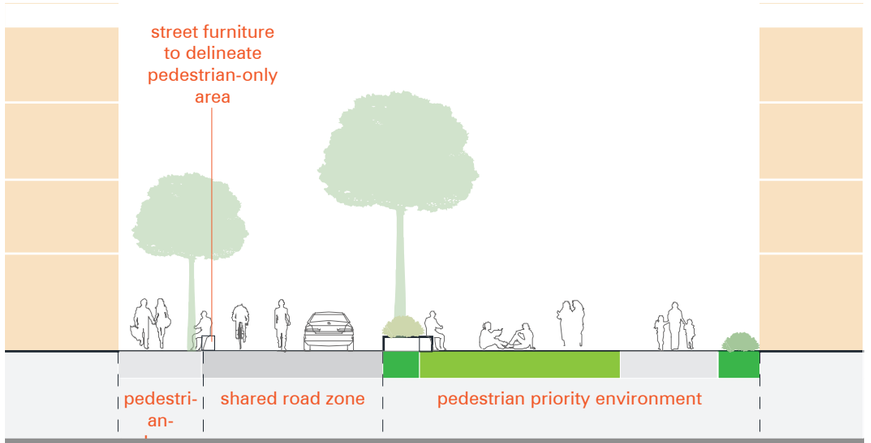
- Create a high-quality 'Village Street' that prioritises the movement of pedestrians and cyclists over motorists.
- Use landscaping, street furniture and public realm treatments to control vehicle movement and signal to motorists entering the precinct that they are entering a pedestrian priority environment.
- Ensure legible streets and pedestrian connections with easily distinguishable points of entry and thresholds.
- Provide for local traffic access at low volumes only, with loading access and DDA compliant parking.
- Ensure vehicle loading within the development is accessible and safe, while prioritising pedestrian and cyclist movement within the development.
- Provide temporary access to vehicles for maintenance, servicing, emergency access and events within the development.

Visitor and disabled car parking should:

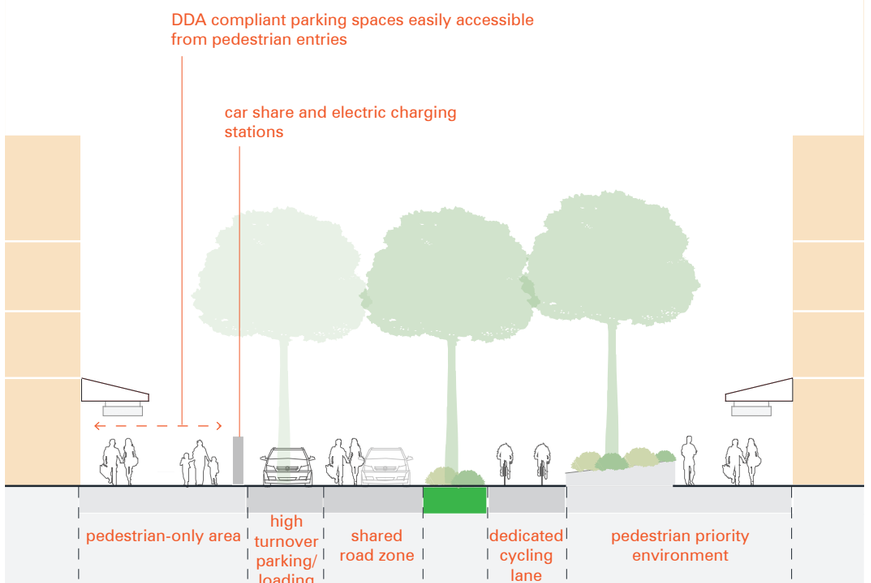
- Prioritise green and sustainable modes of travel, including the provision of infrastructure and initiatives to reduce reliance on private vehicle travel.
- Use landscaping, street furniture and public realm treatments to delineate between designated parking areas and the rest of the street.
- Use landscaping, street furniture and public realm treatments to signal to motorists entering the precinct that they are entering a pedestrian priority environment.
- Ensure car parking and loading access within the development facilitates high turnover.
- Ensure DDA compliant parking spaces are easily accessible from pedestrian entries to residential buildings and community facilities.
- Ensure vehicle loading within the development is accessible and safe, while prioritising pedestrian and cyclist movement within the development.
- Provide temporary access to vehicles for maintenance, servicing, emergency access and events within the development.



89 SECTION LOCATIONS PLAN



90 SECTION DD: INDICATIVE STREET CROSS SECTION



91 SECTION EE: INDICATIVE DDA CROSS SECTION

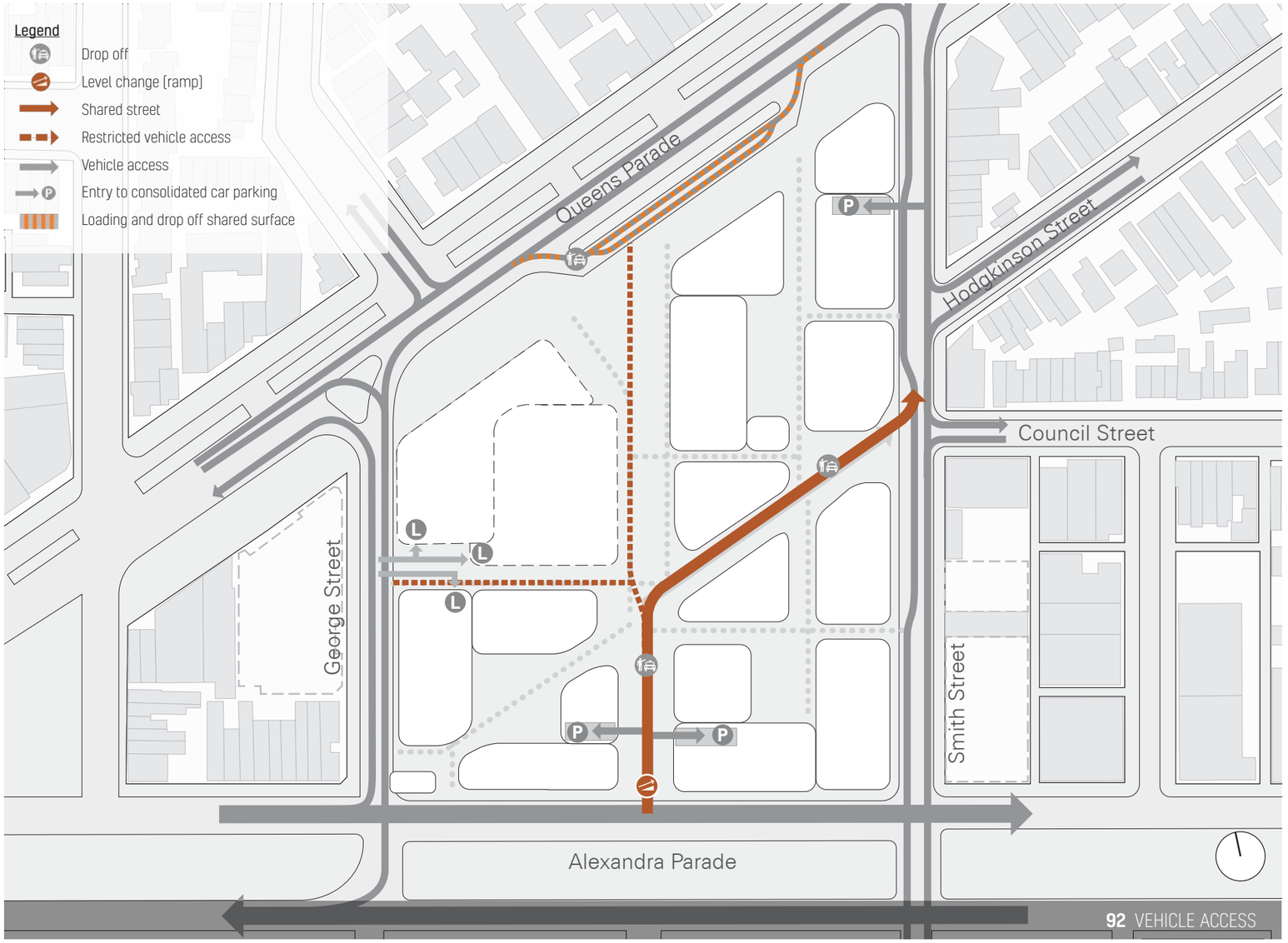
8.5 Service and Emergency Access

Service and emergency access will be provided throughout the site. Waste collection, loading and utility access is preferred to occur in basements and is subject to further design detail and assessment at the time of lodgement of individual planning applications.

Alternatively, secure refuse locations can be provided at ground floor within private developments to enable waste collection by larger vehicles via the internal streets. Under no circumstances are waste bins to be stored or collected from within the public realm.

Service access for the school and future sports will be provided via a two-way lane immediately south of the school. Restricted access will be provided on paved paths that are engineered to take the weight of vehicles in the Gore Street easement, controlled via bollards. This will allow intermittent access for loading, maintenance, setting up events and emergency access and provides effective management of traffic and parking across the whole site.

Wherever building services are located at ground level careful consideration is to be given to the design of the enclosures to minimise negative impact on the public realm.



Development Plan Response

Part 9.0 Environmentally Sustainable Design

This section outlines how the Development Plan responds to the following requirements of DP016:

Development Plan Components

- Incorporate sustainable design features to address water management, solar access and innovative energy saving initiatives.



93 ARTIST'S INTERPRETATION (INDICATIVE ONLY)

9.1 Environmentally Sustainable Design

In order to ensure delivery of Fitzroy Gasworks Sustainability Objectives, the following measures are required to be met across the site.

9.1.1 Energy Conservation

The following strategies aim to reduce the site's operational energy use and associated greenhouse gas emissions and resource use, as well as limit the site's peak electricity demand.

- Installation of solar photovoltaic (PV) arrays for energy generation via roof mounted systems to most buildings onsite. As part of the project's Green Star submission, the project is providing a modelled 30% of total energy use for the precinct to be from onsite solar generation. This will be from at least 850 kW of solar PV across the site. The specific arrangement for each building will be subject to refinement during detailed design.
- All infrastructure lighting (traffic lights, streetlights etc.) to be LEDs.
- Utilise lighting controls systems (e.g. occupancy sensors, daylight sensors etc.), where technically possible and appropriate.
- The future apartment blocks will be required to meet an average minimum of 7 Stars NatHERS Energy Rating. This is above the minimum National Construction Code (NCC) requirement of an average 6 Stars and indicates that apartment blocks will still maintain high level of energy ratings. Higher energy ratings generally imply more sustainable design i.e. the higher the rating, the less energy is consumed by the building. This also helps to improve occupant thermal comfort and affordability through reduced energy bills.
- Buildings to exceed the minimum standards set in the NCC 2019 for insulation and glazing. A specific % improvement has not yet been agreed due to the limited industry application of the 2019 requirements on the type of retail and commercial tenancies likely to be built on this site. Hence the site has, at least initially, opted for the high amount of renewable energy from solar PV (as outlined above) as this commitment can be well understood.
- Apartment buildings to be provided with openable windows where technically possible, particularly for habitable spaces e.g. bedroom and living rooms of apartments. This allows occupants to utilise natural ventilation to cool passively when conditions are suitable, reducing reliance on HVAC energy use.
- Future buildings to achieve good passive design through:
  - The masterplan layout enables opportunities for passive design in the buildings; it is noted that the building design and layout will be under the scope of the developer for each lot, and the project at this stage has opted to stipulate performance standards for passive design in the form of increased NatHERS ratings. However, the current masterplan indicates apartment building designs that minimise the extent of south facing apartments to promote passive heating, and balcony placement to these façade orientations to assist in shading the peak solar gains.
  - External shading devices such as eaves and overhang.
  - Above min. NCC insulation and glazing requirement.
- The project's design towards net zero emissions is based on:
  - Significant onsite renewables generation as outlined above, and;
  - Demand reduction as outlined above.
  - No natural gas provided to the development lots as part of the masterplan: The use of all electric fuel sources (for non-vehicle energy use) onsite which are in line with a trajectory to zero carbon in conjunction with a decarbonising grid.

9.1.2 Water Conservation

Water resources will be utilised efficiently throughout the development. It is noted that specific sizing or committed percentage reductions in water usage are related to the design of the buildings themselves, which is a level of detail beyond the master planning stage. It is targeted that a 30% reduction potable water demand be met through fixtures selection and on-site rainwater systems. Strategies to achieve this are:

- Reduce potable water usage through the inclusion of efficient fittings and fixtures to reduce the volume of mains water used. Water appliances and fixtures will be selected within one star of the Water Efficiency Labelling Scheme (WELS) rating of the best available.
- Rainwater tank(s) are to be mandated for each apartment building to harvest rainwater for onsite non-potable water use e.g. toilet flushing and irrigation, where technically possible. This will not only reduce potable water use but also reduce and attenuate the stormwater flows from roof areas to the local stormwater system. The specific sizing of rainwater tanks is beyond the scope of this master planning stage.
- Native and drought tolerant plants (e.g. xeriscaping) to be introduced where technically possible for the planter boxes and landscaped areas on-site.
- Selection of water efficient irrigation systems, where irrigation systems are required.

9.1.3 Water Sensitive Urban Design

Stormwater impacts on catchments are to be reduced, consistent with the general principles as detailed in Urban Stormwater Best Practice Environmental Management Guidelines (Melbourne Water). Strategies to achieve this are:

- Rainwater tanks will be included on the site which help to manage the stormwater runoff volumes.
- Raingardens will be adopted which are proposed to take the form of tree pits. Additional treatment options may also be considered in detailed design.
- Permeable pavement to selected areas. The project is targeting at least 8% of area as pervious space.
- Through preliminary MUSIC modelling the project is achieving over and above the compliance levels of the Green Star Communities Stormwater credit for best practice levels pollutant reduction and runoff volume management i.e. reduction in Total Phosphorus (TP), Total Nitrogen (TN), Total Suspended Solids (TSS) and gross pollutants. These requirements are consistent, and in some areas higher than, the Melbourne Water requirements.
- 25% permeable area and 30.5m2 of bioretention in the form of raingarden areas within the public realm.

Stormwater management under the construction stage will fall within the Construction Environmental Management Plans (CEMP) of the Contractors. These plans will be mandated to meet the best practice requirements under the Green Star Communities Environmental Management credit.

9.1.4 Waste Management

The total amount of waste sent to landfill during both construction and operation will be reduced. Strategies to achieve this are:

- The project will be including the following operational waste initiatives in addition to standard landfill waste collection:
  - Public place recycling scheme;
  - A residential recycling scheme, and
  - Residential composting or Green Waste scheme, which is likely to take the form of a FOGO (Food Organics and Garden Organics) system.
- Implement Waste Management Plan or relevant section within the general construction management plan, which includes the provision of appropriate recycling and waste stream segregation during construction works as per the relevant Green Star credit.
- Project to achieve 80% of construction waste to be recycled or reused.
- All waste disposal points within the common areas of buildings are to include both recycling and general waste.

9.1.5 Sustainability Practices in Demolition and Construction

Environmental impacts of demolition and construction will be limited through the use of materials/products with a favourable life cycle assessment in terms of recycled or reused content, likely end-of-life disposal, embodied energy, biodiversity and human health. Strategies to achieve this are:

- All timber used in the development encompassing both built form and the public precinct areas will be Forest Stewardship Council (FSC) or Program for the Endorsement of Forest Certification (PEFC) certified.
- All steel used in the development for built form and in public precinct areas will be sourced from a Responsible Steel Maker.
- Buildings within the project will have the following as benchmark:
  - All thermal insulants and refrigerants used in the project are to be zero Ozone Depletion Potential (ODP) in their manufacture and composition.
  - Preference will be given to local building materials where these are available to fulfil the required performance and value parameters.
  - Permeable paying should be utilised to reduce stormwater overland flows and pollutants via ground infiltration.
- To manage impacts during construction practices, the head contractor is to implement an environmental management system and project specific environmental management plan in line with Green Star compliance standards.

9.1.6 Landscape

Provision of habitat, green spaces and climate control will be considered throughout the development as appropriate. Strategies to achieve this are:

- Mitigating urban heat island effect through providing green space in public areas, plus rooftops of buildings to comprise one or more of the following (excluding services areas and where not practical). The preferred option, or mix of options, will include one or more of the following:
  - Low solar absorbance roof finishes with solar reflectance index (SRI)>60%;
  - Hardscaping elements shaded by overhanging vegetation or roof structures;
  - Water bodies and/or water courses;

  - Solar panels; and/or
  - Roof gardens.
- At least 50% of the total project site area, in plan view will comprise of the final 'mix' of options listed above, which will include minimum areas of each to meet project targets (e.g. Green Star Urban Heat Island effect benchmarks, the project's solar PV mandate, and the food production requirement). It is beyond the scope of this masterplan to specify the exact mix of these three items.
- Productive food gardens will be included onsite. The exact area and management arrangement are still being established, however at least 220 square metres of productive growing area will be included. This will be refined on an appropriate square metre per occupant basis (220 square metres is based on the Green Star rate relative to the number of occupants).
- Project to provide, as a minimum, net improvement in ecological value (as calculated under Green Star) compared to previous development.
- Permeable pavements to selected areas.
- Increased canopy cover to achieve 30% of public space coverage (at maturity). This is in line with the 'Landscape and Public Realm' Report.
- Development lots to submit a Green Factor scorecard and achieving a target score of 0.55. This is a new tool developed by the City of Melbourne to assess green infrastructure (e.g. vertical greening, green façade and planters) in new developments.
- Use of native and local flora species to at least 90% of public realm planting.

9.1.7 Transport

Built environment design will promote the use of walking, cycling and public transport. Strategies to achieve this are:

- The proposed development intends to provide two bicycle parking spaces per residential unit which exceeds the minimum requirement and is a generous provision within the residential developments.
- On-street bicycle parking opportunities via public hoops will also be provided at various locations through the roads and paths within the site.
- The project achieves the maximum possible score under Green Star for 'Walkable Access to Amenities' and 'Access to Fresh Food' through a combination of onsite and existing adjacent facilities and services.
- The site is well served by existing public transport networks, and a new tram stop is being planned to serve the development.

9.1.8 Innovation

The development will consider design features and initiatives that go beyond standard practice. Strategies to achieve this are:

- Financial Transparency – Promote transparency on the costs and benefits of sustainable building practices.
- High quality staff support - Promote positive mental and physical health outcomes of site activities and culture of site workers, through programs and solutions onsite.
- Considerations of car share schemes and electric vehicle parking facilities through the development of Green Travel Plan.
- Employment of community development officer and establishing community group and events to engage and facilitate the development of the project's community.
- Provision of wireless local area network at every activity centre within the development.

Not in Use

Development Plan Response

Part 10.0 Development Plan Requirements

Summary Table

DPO16 Requirement	How Addressed
Develop a mixed use precinct comprising a variety of housing types, community facilities and public open space.	The development will deliver a true 'mixed use' precinct, comprising: • Dwellings • Flexible spaces capable of accommodating Specialist Disability Accommodation (SDA), commercial, retail and community uses • A dedicated space for community use • Accommodation/Hotel uses • A secondary school • A future sports facility • Public open space • Communal private open space (courtyards). Refer to **Chapter 5.0 Land Use.**
Respond to the significance of Queens Parade and Alexandra Parade with built form that considers the design, height and visual bulk of the development in relation to surrounding land uses and developments and contributes to their significance as formal boulevards.	The Development Plan Overlay sets out height controls for the development of the precinct. Careful consideration has been made to ensure that this plan meets these requirements. Setbacks along Smith Street, Queens Parade and George Street, which will ensure an appropriate response to the significance of these road corridors. Refer to **Chapter 6.0 Built Form**.
Address Smith Street to strongly encourage the use of tram services in connection with development of the site, and to contribute to the streetscape character and vitality of the activity strip along the length of Smith Street.	Flexible ground floor uses will contribute to the vitality and activation of Smith Street, which will encourage pedestrian activity and the use of the planned future Smith Street tram stop by residents. Refer to **5.0 Land Use**.

DPO16 Requirement	How Addressed
Create useable, safe and accessible public spaces to meet local needs and improve resident amenity and usability.	The proposed Landscape Master Plan provides for a variety of highly accessible, attractive, and useable public realms. Public open space will be provided along and adjacent to the north-south central spine to maximise sunlight access. This space, to be vested in Council, will occupy 8% of the total site area. It will be supplemented by publicly accessible space on the school site, shared street spaces, and communal private open space (courtyards). It will be a requirement that communal private open space at ground level be accessible to the public between sunrise and sunset. The public realm network will be readily accessible to the surrounding community via entryway and laneway treatments along each of the external street frontages. Refer to **Chapter 5.0 Land Use**.
Create pedestrian and bicycle access into and through the precinct to support its development and integrate activity in the area with surrounding neighbourhoods.	The development will be highly permeable to pedestrians and cyclists, with new streets and laneways punctuating each of the external street frontages. Aside from car park entrances, only one trafficable street will be provided through the development. This will facilitate the prioritisation of pedestrian and bicycle movements. Half of the bicycle parking provided on site will be located at ground level to encourage use. Refer to **Chapter 8.0 Movement**.
Provide a range of dwelling types to cater for a variety of housing needs including the provision of 20% of dwellings as Affordable Housing (as defined at section 3AA of the Planning and Environment Act 1987).	A mixture of studios, 1, 2 and 3-or-more bedroom dwellings will be provided across the development. An indicative mix of dwelling sizes has been identified, allowing for some flexibility depending on whether the housing is market priced or affordable to moderate income households. 20% of housing (or equivalent) will be provided as Affordable Housing for moderate income households. Refer to **Chapter 7.0 Affordable Housing**

DPO16 Requirement	How Addressed
Provide community infrastructure to service the needs of the local area ensuring they compliment the adjoining proposed indoor sports courts and integration of the site with the adjoining proposed education facility.	In addition to the school and sports courts (which are subject to separate approvals and Government funding processes), a tenancy is to be provided for community use. Refer to **Chapter 5.0 Land Use**.
Incorporate sustainable design features to address water management, solar access and innovative energy saving initiatives.	A comprehensive suite of sustainable design features is proposed. These address energy conservation, water conservation, water sensitive urban design, waste management, and demolition and construction practices. The building layout has been designed to allow sunlight access to open spaces, which are generally laid out in a north-south orientation. Refer to chapter **9.0 Environmentally Sustainable Design**.
Site Design and Land Use	
Develop a coherent and identifiable precinct.	This Development Plan has been designed to create a coherent and identifiable mixed use precinct comprising a variety of housing types, community facilities and public open spaces. Spaces and sightlines through the site will highlight the restored Valve House which will create a sense of identity for the precinct, linking back to its historic use as the Fitzroy Gasworks. Refer to **Chapter 5.0 Land Use**
Design to address and activate the public realm, without privatising its amenity.	Flexible ground floor uses, suitable for a range of Specialist Disability Accommodation (SDA), commercial, office or community activities, are proposed at the public realm interfaces with Alexandra Parade, Smith Street, Queens Parade and the proposed internal streets. Tenancies in these locations will have active frontages to help activate the public realm. Refer to **Chapters 5.0 Land Use**
A minimum of 8% of the site to be provided as public open space.	8% of the site is to be set aside as public open space vested in Council. This will be supplemented by communal private open spaces (courtyards) and pedestrian-prioritised streets and shared paths. Refer to **Chapter 5.0 Land Use.**

DPO16 Requirement	How Addressed
Position the school to front Queens Parade and centre the sports courts on the site as a key community node with ease of access to public transport.	The school site is located to the north-west of the precinct at the corner of Queens Parade and George Street. The sports courts are to be located immediately to the west of the proposed Village Green and adjacent to the precinct core. Refer to **Chapter 5.0 Land Use.**
Support retail, office and other uses at street level.	Ground floor space will be designated as 'flexible tenancies', suitable for a variety of Specialist Disability Accommodation (SDA), commercial, office and community uses. These have been located to assist in activating existing and proposed street frontages. Additional space has been identified for community use; and for hotel, accommodation or residential in Building H at the corner of Alexandra Avenue and Smith Street. Refer to **Chapter 5.0 Land Use.**
Promote urban legibility and high quality public access to and through the site including clear site lines and a choice of routes.	The precinct will be highly permeable with streets punctuating each of the existing frontages. These will provide pedestrian and bicycle-prioritised access into and through the site. Legibility will be afforded through entryway treatments, clear sightlines through major axes, wayfinding signage and landscape treatments. Refer to **Chapters 5.0 Land Use**
Minimise over shadowing effects within the site and on adjoining land.	Built form has been oriented in a north-south direction with open courtyards to optimise sunlight penetration into ground level open spaces. Refer to **Chapter 5.0 Land Use**
Design public open spaces to have good solar amenity, good passive surveillance.	Public open space areas have been located along and adjacent to the central north-south spine at the centre of the precinct. Buildings have been orientated to avoid excessive overshadowing and afford passive surveillance across these areas. Refer to **Chapter 5.0 Land Use**

DPO16 Requirement	How Addressed
Avoid buildings that disproportionately overwhelm public spaces.	Buildings fronting the eastern side of the proposed Linear Park have reduced heights of 5-8 storeys to soften the interface with the public space. Similarly, the street wall heights interfacing Smith Street undulate between 4 and 6 storeys to reduce the impact on the public street interface. The built form interface of Buildings M and L to the Valve House have been designed with reduced heights. Refer to **Chapter 5.0 Land Use**
Provide landscaping to reduce the visual impact of development, improve liveability and mitigate impacts of the urban heat island effect.	A landscape masterplan has been prepared to enhance the liveability, legibility and environmental performance of the development, and will provide for the greening of public realm, internal courtyards and rooftops (see Figure 51). Refer to **Chapter 5.0 Land Use**
Provision of street trees, high quality lighting and other streetscape enhancements.	The landscape master plan includes provision for street trees and lighting to support amenity and safety, which will be planted in laneways throughout the site. Refer to **Chapter 5.0 Land Use**
Retain the visual prominence of at least the top third of the individually significant Shot Tower from primary views when viewed from or through the site.	A wide entryway treatment is proposed at the centre of the Smith Street frontage. This will open views towards to shot tower from within the site. Refer to **Chapters 5.0 Land Use**
Built Form	
Provide a transition in buildings by reducing heights and increasing setbacks along sensitive interfaces with increased heights at the centre of the site in accordance with Table 1.	Building heights are reduced adjacent to the sensitive interfaces of Smith Street, Queens Parade and the Valve House. Setbacks and height controls that achieve this outcome are outlined in Table 1 - Height and Setback Controls. Refer to **Chapter 6.0 Built Form**

DPO16 Requirement	How Addressed
Create high quality architectural frontages with a sense of articulation, streetscape scale and rhythm.	The proposed setbacks and building heights, along with appropriate spacing and transitioning between buildings, will ensure that the streetscape scale and rhythm of the development is consistent with the surrounding neighbourhood context. Flexible ground floor uses will promote activity and vibrancy across all street frontages. Refer to **Chapter 6.0 Built Form**
Articulate buildings to provide variety, visual breaks and promote a human scale to existing and new streets.	As above, the proposed setbacks and building heights, along with appropriate spacing and transitioning between buildings, will ensure that the streetscape scale and rhythm of the development is consistent with the surrounding neighbourhood context. Refer to **Chapter 6.0 Built Form**
Activate street frontages with windows at upper levels, building entries from main lobbies and ground floor apartments to contribute to street life and safety through passive surveillance.	Active street frontages and windows at upper levels will enhance passive surveillance opportunities, contributing to street life and safety throughout the site. Refer to **Chapter 6.0 Built Form**
Avoid visually dominant buildings through use of discontinuous forms, well-articulated facades and high-quality materials that weather well and are environmentally sustainable.	Setbacks along Smith Street, Queens Parade and the built form adjacent with Valve House have been designed to avoid continuous built form as outlined in Section 6.1.12. The proposed multi-building layout connected by pedestrian laneways promotes discontinuous forms and environmentally sustainable materials will ensure an articulated facade that ages well. Refer to **Chapter 6.0 Built Form**
A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views and provide maximum sunlight to these spaces.	Habitable room windows and balconies will be located and designed to avoid direct views to other habitable spaces, and will ensure maximum sunlight to these spaces. Refer to **Chapter 6.0 Built Form**

DPO16 Requirement	How Addressed
Provide wind climate design to ameliorate wind conditions at street level, public spaces, balconies and adjoining properties.	The Development Plan identifies areas where wind protection will be required in order to protect pedestrian comfort and sets relevant standards for wind amelioration. Refer to **Chapter 4.0 Land Use.**
Provide acoustic design treatments that addresses the impact of existing and potential noise particularly from road traffic and trams.	As the entire site is within 300 metres of Alexandra parade it is defined as a noise influence area under the Better Apartments Design Standards. Noise assessments and potential mitigation will be required for all dwellings. Refer to **Chapter 4.0 Land Use.**
Avoid buildings taller than six storeys creating a 'canyon' effect to streets by distributing height and providing breaks in built form.	The proposed building heights, setbacks and breaks between buildings will provide variety and visual permeability throughout the development, avoiding a canyon effect. Refer to **Chapter 6.0 Built Form**
Provide internal courtyards, supported by communal roof terraces and balconies facing out to the street in mixed use developments.	The mixed-use component of the development is designed around three major parcels, each featuring an open central courtyard. The courtyards are designed to be open to encourage pedestrian access and sunlight penetration. Refer to **Chapter 6.0 Built Form**
Design all development parcels as perimeter blocks. Perimeter blocks should be defined by groups of buildings, with a range of building heights, to create a fine grain and articulated streetscape.	Each of the three development parcels is designed as a perimeter block. The proposed design differs by increasing the north-south orientation and the number of access laneways. These modifications are intended to optimise sunlight penetration into the courtyards and increase overall permeability. They have been the subject of previous community engagement. Refer to **Chapter 6.0 Built Form.**

DPO16 Requirement	How Addressed
Avoid podium and tower typologies.	The proposed building typologies are consistent with the intent of DPO16, providing reduced heights at sensitive interfaces to Smith Street, Queens Parade. In each case the reduced heights are between 50 and 60% of the overall height of the building, therefore avoiding a podium and tower typology. Refer to **Chapter 6.0 Built Form.**
Movement	
Design effective traffic management and car parking to service the whole site. Innovative approaches to car parking provision will be considered.	Long term car parking for all residential and non-residential uses is to be consolidated into three large underground car parks that correspond with each of the development parcels. Access to these car parks will be provided directly from Smith Street and near Alexandra Parade, thereby minimising crossover points and avoiding the need for vehicle to traverse the internal road network. Street level parking will be restricted to accessible spaces, short-term parking and loading. Refer to **Chapter 8.0 Movement.**
Provide for safe and convenient pedestrian, cyclist, and vehicular access.	The development has been designed to prioritise pedestrian and cycle movements. The precinct will be highly permeable, facilitating pedestrian and cycle movements into and across it; and providing connections to the existing network. A variety of measures will be incorporated into the design to promote amenity and safety: lighting, wayfinding signs, shared paths, a contraflow bike path, low vehicle speed limits and parking restrictions. Refer to **Chapter 8.0 Movement.**
Minimise vehicle entries to reduce impact on footpaths.	Vehicle entrance points will be restricted to a single through street that connects Alexandra Parade with Smith Street. The use of consolidated car parking areas for each parcel will limit the number of access points. Refer to **Chapter 8.0 Movement.**

DPO16 Requirement	How Addressed
Provide a new tram stop on Smith Street which is compliant with the requirements of the Disability Discrimination Act 1992 (DDA).	A new accessible tram stop is planned on Smith Street adjacent to the precinct. As it sits outside the Development Plan area it will be subject to a separate approvals process. Refer to **Chapter 8.0 Movement.**
Provide two bicycle spaces per dwelling.	Two bicycle spaces will be provided per dwelling, 50% of which are to be located at ground level in highly visible locations. Refer to **Chapter 8.0 Movement.**
Design vehicle access and egress to and from the site to avoid tram delays along Smith Street.	The through street proposed to link Alexandra Parade with Smith Street will be 'exit only' on Smith Street, thereby avoiding the potential for vehicles to delay trams by queuing in Smith Street. Similarly, the basement car park entrance proposed on Smith Street to Parcel C will be designed to prevent right hand turns to access or egress the site. This design will prevent vehicles from crossing or queuing along the tram line. Refer to **Chapter 8.0 Movement.**

DEVELOPMENT VICTORIA

VICTORIA State Government

19/07/2018
C243

SCHEDULE 16 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO16**.

111 QUEENS PARADE AND 433 SMITH STREET, FITZROY NORTH (FORMER FITZROY GASWORKS)

This schedule applies to the former Fitzroy Gasworks site at 111 Queens Parade and 433 Smith Street, Fitzroy North bound by Smith Street, Queens Parade, George Street and Alexandra Parade.

1.0 Requirements before a permit is granted

19/07/2018
C243

A permit may be granted before a development plan has been approved for the following:

- Any buildings and works associated with the remediation of the land in accordance with or for the purpose of obtaining a certificate or Statement of Environmental Audit under the Environmental Protection Act 1970.
- Minor buildings or works.
- Consolidation of land or Subdivision.
- Removal or creation of easements or restrictions.

Before granting a permit, the responsible authority must be satisfied that the permit will not prejudice the future use and development of the land in an integrated manner and in accordance with the objectives for the site contained in this schedule.

The development plan must be prepared for the entire site as indicated on the indicative concept plan. The land may be developed in stages.

2.0 Conditions and requirements for permits

19/07/2018
C243

The following conditions and requirements apply to permits.

Except for a permit granted before a development plan has been approved in accordance with Clause 1.0, a permit must contain conditions that give effect to the provisions and requirements of the approved development plan.

Except for a permit granted before a development plan has been approved, a permit must contain the following condition:

- A construction management plan must be submitted to and approved which:
  - Details the measures to be implemented to minimise adverse impacts during construction on environmental values, including habitat, water quality, sites of biological and cultural significance and vegetation to be retained on site.
  - Details the measures to be implemented to minimise the generation of sediment on the site, the transport of sediment onto public roads and into drains and waterways and the generation of dust.
  - Shows the designation of tree protection zones for any canopy trees to be retained on the land.
  - Shows the location of site offices, site access and off-street vehicle parking for construction vehicles and employees, and traffic management.
  - Details the methods to be used for the collection and disposal of construction waste and the storage of construction materials.
  - Details the hours of construction on the site.
  - Details staging of construction.
  - Details the management of public access and linkages around the site during construction.

  - Includes any works within the Smith Street, Queens Parade, George Street and Alexandra Parade road reserve.
  - Any measures required by an environmental auditor with respect to the site.
  - Describes the methodology for responding to complaints associated with the construction works.
  - Includes the site manager contact details.
- All works conducted on the land must be in accordance with the approved construction management plan to the satisfaction of the responsible authority.

3.0 Requirements for development plan

19/07/2018
C243

A development plan must be prepared, generally in accordance with Table 1 and Figure 1, to the satisfaction of the responsible authority.

Development plan components

A development plan must include the following requirements and demonstrate how it responds to the following for the land:

- Develop a mixed use precinct comprising a variety of housing types, community facilities and public open space.
- Respond to the significance of Queens Parade and Alexandra Parade with built form that considers the design, height and visual bulk of the development in relation to surrounding land uses and developments and contributes to their significance as formal boulevards.
- Address Smith Street to strongly encourage the use of tram services in connection with development of the site, and to contribute to the streetscape character and vitality of the activity strip along the length of Smith Street.
- Create useable, safe and accessible public spaces to meet local needs and improve resident amenity and usability.
- Create pedestrian and bicycle access into and through the precinct to support its development and integrate activity in the area with surrounding neighbourhoods.
- Provide a range of dwelling types to cater for a variety of housing needs including the provision of up to 20% of dwellings as affordable housing (as defined at section 3AA of the *Planning and Environment Act 1987*).
- Provide community infrastructure to service the needs of the local area ensuring they compliment the adjoining proposed indoor sports courts and integration of the site with the adjoining proposed education facility.
- Incorporate sustainable design features to address water management, solar access and innovative energy saving initiatives.

Site design and land use

- Develop a coherent and identifiable precinct.
- Design to address and activate the public realm, without privatising its amenity.
- A minimum of 8% of the site to be provided as public open space.
- Position the school to front Queens Parade and centre the sports courts on the site as a key community node with ease of access to public transport.
- Support retail, office and other uses at street level.
- Promote urban legibility and high quality public access to and through the site including clear site lines and a choice of routes.

- Minimise over shadowing effects within the site and on adjoining land.
- Design public open spaces to have good solar amenity, good passive surveillance.
- Avoid buildings that disproportionately overwhelmed public spaces.
- Provide landscaping to reduce the visual impact of development, improve liveability and mitigate impacts of the urban heat island effect.
- Provision of street trees, high quality lighting and other streetscape enhancements.
- Retain the visual prominence of at least the top third of the individually significant Shot Tower from primary views when viewed from or through the site.

Built form

- Provide a transition in buildings by reducing heights and increasing setbacks along sensitive interfaces with increased heights at the centre of the site in accordance with Table 1 and Figure 1.
- Create high quality architectural frontages with a sense of articulation, streetscape scale and rhythm.
- Articulate buildings to provide variety, visual breaks and promote a human scale to existing and new streets.
- Activate street frontages with windows at upper levels, building entries from main lobbies and ground floor apartments to contribute to street life and safety through passive surveillance.
- Avoid visually dominant buildings through use of discontinuous forms, well articulated facades and high quality materials that weather well and are environmentally sustainable.
- A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views and provide maimum sunlight to these spaces.
- Provide wind climate design to ameliorate wind conditions at street level, public spaces, balconies and adjoining properties.
- Provide acoustic design treatments that addresses the impact of existing and potential noise particularly from road traffic and trams.
- Avoidbuildings taller than six storeys creating a ‘canyon’ effect to streets by distributing height and providing breaks in built form.
- Provide internal courtyards, supported by communal roof terraces and balconies facing out to the street in mixed use developments.
- Design all development parcels shown on Figure 1 as perimeter blocks. Perimeter blocks should be defined by groups of buildings, with a range of building heights, to create a fine grain and articulated streetscape.
- Avoid podium and tower typologies.

Movement

- Design effective traffic management and car parking to service the whole site.. Innovative approaches to car parking provision will be considered.
- Provide for safe and convenient pedestrian, cyclist and vehicular access.
- Minimise vehcile entries to reduce impact on footpaths.
- Provide a new tram stop on Smith Street which is compliant with the requirements of the *Disability Discrimination Act 1992 (DDA)*.
- Provide two bicycle spaces per dwelling.
- Design vehicle access and egress to and from the site to avoid tram delays along Smith Street.

Required documents, plans and reports

Prior to the preparation of a development plan the following must be prepared to the satisfaction of the responsible authority:

- A **community engagement strategy** which:
  - Establishes the mechanisms by which the residents and the community will be provided with information and opportunities for feedback during the preparation of the development plan.
  - Includes a requirement that the development plan be made available for public inspection prior to its consideration by the responsible authority.
- A **Site analysis and design response** which shows how the development responds to the development plans requirements that includes:
  - A site analysis that identifies the key attributes of the land, its context, the surrounding area and its relationship with existing and proposed uses on adjoining land.
  - A context analysis identifying neighbourhood features such as public transport, neighbourhood centres, walking and cycling connections.
  - Site plans which show:
  - The location of heritage buildings
  - The location of significant vegetation.
  - The siting and orientation of proposed buildings and the relationship to buildings on land adjacent to the site.
  - Treatments for key interface areas within the site and between the site and adjoining development, including interfaces to public realm and open space areas, interfaces to all existing and proposed streets and between different land uses.
  - The proposed uses of each building and estimated floor area for each use.
  - The location of open space and recreation facilities to be provided on the site broken down to show areas available to the public and private areas.
  - Key access points including proposed vehicle and pedestrian crossovers.
  - Movement networks vehicles, bicycles and pedestrians and their linkages to the adjacent movement networks.
  - The proposed internal street network and layout.
  - Indicative building entry and servicing points.
  - Building heights and setbacks that are generally in accordance with the Table 1 and Figure 1.
  - Elevations and cross sections for all buildings.
  - Siting and orientation of buildings having regard to passive energy and spacing between buildings.
  - Shadow diagrams for the equinox and winter solstice between 11am and 2am based on the building envelopes.
- A **planning report** that includes:
  - The site's urban context, including its physical surrounds, social and economic environment, a strategic view of the area in which it is located and its role over time.
  - An assessment of adverse amenity impacts of and to nearby land uses and how these are to be managed.

  - An assessment of the development plan response to the state and local planning provisions within the Yarra Planning Scheme.

- A **heritage assessment** to assess the cultural heritage of the site and identify sites, buildings or structures of significance, which includes:
  - Identify sites, buildings or structures which have been assessed as significant.
  - Assess the extent to which a significant site, building or structure can be incorporated in the sites redevelopment.
  - Identify how the site heritage is to be interpreted in the future development of the site.
  - Provide guidance on the ongoing maintenance and management of the heritage places to be retained.
- A **landscape and public realm** concept plan which includes the following:
  - An overall landscape master plan for the site and adjacent areas, including a street tree master plan for the site.
  - An indicative plant and materials schedule.
  - A written description of the management of landscaped areas including sustainable irrigation treatments.
  - Principles for how future development will contribute to improving the public realm and promoting inviting, pedestrian public spaces.
  - Proposed use, management and ownership for public and private open spaces.
  - Details of how the plan responds to the requirements of any site remediation of the land.
- An **integrated transport plan**, prepared in consultation with Transport for Victoria, VicRoads and Yarra City Council which includes.
  - The likely traffic generation of the proposed uses and development including results from traffic modelling showing the likely traffic impacts on surrounding sites, the broader road network and public transport services.
  - Any works necessary to mitigate unacceptable impacts on the road network and unacceptable delays to public transport services caused by traffic generated by the proposed development, including the implementation and indicative timing of such works.
  - Details of a DDA compliant tram stop on Smith Street, at the full cost of the permit holder.
  - The indicative location of on-site car and bicycle parking for the land uses shown on the development plan.
  - Movement networks within the development plan area for vehicles, bicycles and pedestrians.
  - The indicative internal street network including the layout and proposed reservation widths.
  - Existing and proposed public transport routes and stops in the vicinity of the development plan area.
  - The location of bicycle and pedestrian paths in the vicinity of and connections to the development plan area.
  - Points of access to the site from adjoining roads, including any treatments necessary to enable access to the site.
  - Loading bays.
  - Techniques proposed to promote reduced car use and sustainable travel including investigation of a car share system and green travel plan initiatives.

  - Details of infrastructure to safety connect the users of the site to public transport, cycle routes, neighbouring residential streets and activity centres.

- An **environmentally sustainable design strategy** which identifies sustainability performance standards, based on the following principles:
  - Energy conservation to contribute to local, national and international efforts to reduce energy usage and green-house gas emissions.
  - Water conservation, ensuring that water resources are managed in a sustainable way.
  - Water sensitive urban design and reducing the impacts of stormwater on catchments consistent with general principles as detailed in Urban Stormwater Best Practice Environmental Management Guidelines (Melbourne Water).
  - Reduction of the amount of waste generated and encouragement of increased reuse and recycling of waste materials.
  - Sustainability options in demolition and construction practices.
  - Landscaping considering the provisions of habitat, green spaces and climate control as appropriate.
- A **community needs assessment** which identifies:
  - Existing and planned services in the surrounding area and the impact the development will have on these services.
  - The need to provide additional community facilities on site or whether any existing community facility in the local areas should be upgraded or extended.
  - Funding and implementation mechanisms for the provision of required community infrastructure.
  - The location of any new community facilities on site or in the surrounding area.
- A **services and infrastructure plan** to identify:
  - Existing and proposed infrastructure requirements and easements (water, sewerage, gas, electricity, telecommunications, drainage, storm water overland flow points and water sensitive urban design) to service the proposed development plan area.
  - Any services that will require relocation.
  - The potential to place above-ground services underground.
- A **stormwater and flooding management strategy** prepared in consultation with Melbourne Water which includes:
  - The boundaries and dimensions of the site.
  - Relevant existing and proposed ground levels, to Australian Height Datum, taken by or under the direction or supervision of a licensed land surveyor.
  - The layout, size and use of existing and proposed buildings and works, including vehicle parking areas.
  - Floor levels of the proposed buildings to Australian Height Datum.
  - Indicative cross sectional details of any basement entry ramps and other basement entries to Australian Height Datum, showing floor levels of entry and exit areas and drainage details.
- A **dwelling diversity and affordable housing report** which includes:
  - A demographic analysis of the types of people and households anticipated to live within the development.

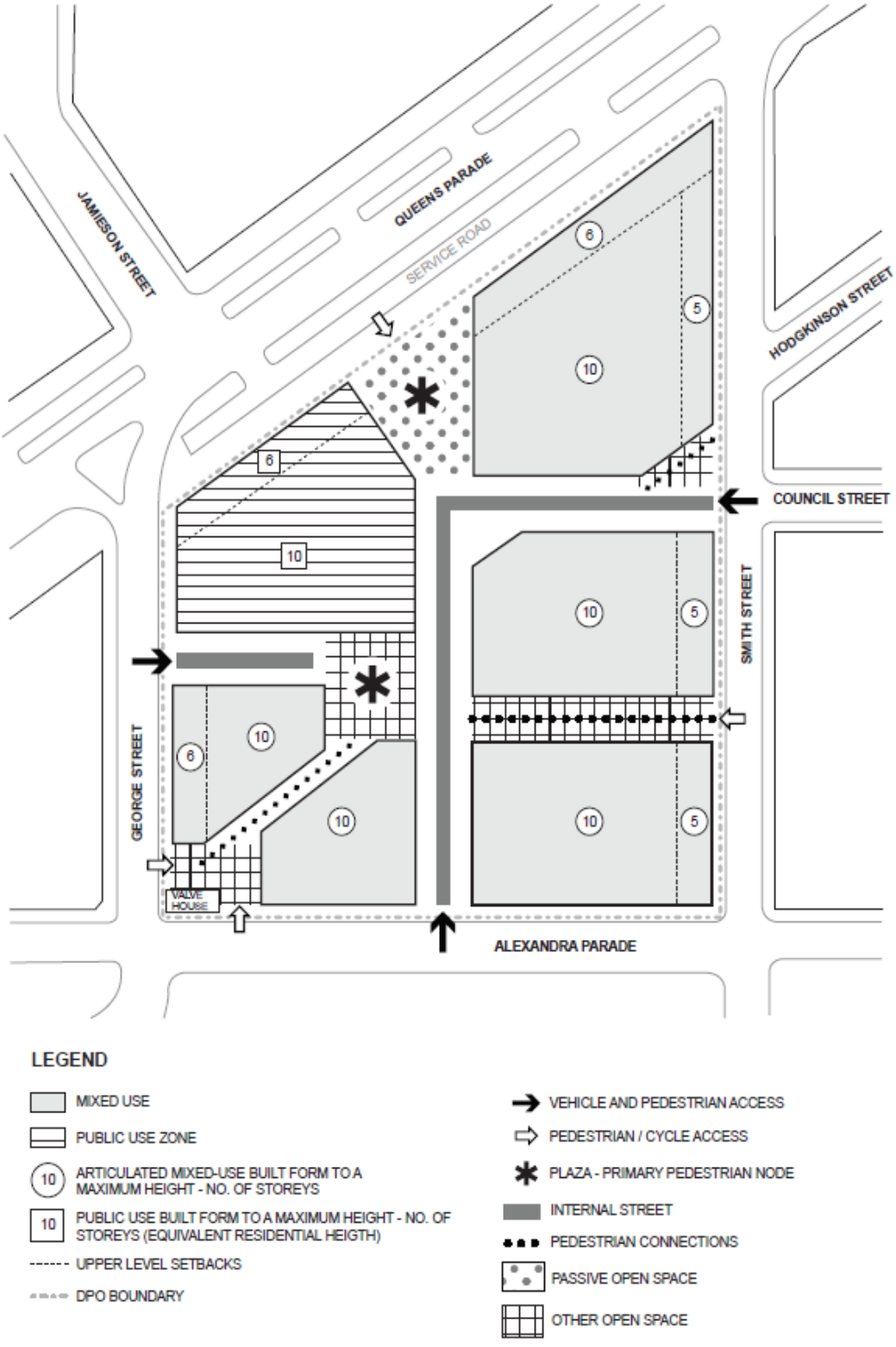
- How the development will support the existing and future population of the area.
- Proposed dwelling typologies for the development.
- How the development proposes to provide affordable housing and family friendly housing.

Table 1: Building heights and street wall setbacks

Street	Distance from boundary	Maximum height within setback*
Queens Parade	0 – 8 metres	20 metres (6 storeys)
	Greater than 8 metres	33 metres (10 storeys)
Smith Street between Queens Parade and Council Street	0 – 8 metres	17 metres (5 storeys)
	Greater than 8 metres	33 metres (10 storeys)
Smith Street between Council Street and Alexandra Parade	0 – 11.5 metres	17 metres (5 storeys)
	Greater than 11.5 metres	33 metres (10 storeys)
Alexandra Parade	0 – 22 metres	33 metres (10 storeys)
	Greater than 22 metres	33 metres (10 storeys)
George Street	0 – 12.5 metres	20 metres (6 storeys)
	Greater than 12.5 metres	33 metres (10 storeys)

** Height in metres is the primary measure of height. Storey measure provides a guideline.*

Figure 1: Concept Plan



Attachment 3– Indicative program of the redevelopment provided by Development Victoria to Council on the 14 February 2022.



Program

DEVELOPMENT VICTORIA

	2022	2023	2024	2025	2026	2027
Planning	DP / Parcel A PP	Parcel B & C PP				
Affordable Housing	SH funding agreed / Market Engagement		15% AH Delivered		20% AH Delivered	
Sustainability	Delivery Strategy / Market Engagement	Parcel B/C Building Certification			Communities Recertification	
Parcel A	SH funding agreed / Design	Construction		ABTR and SH Operations		
Parcel B & C	Parcel B/C Market Engagement	Parcel B/C Design and Planning		Parcel B/C Deliver via DA		
Public Realm	TO Engagement / Detailed Design	Stage 1 Delivery	Stage 2 Delivery		Stage 3 Delivery / Council Handover	
Governance	MOU				Man. Committee Establishment	

In reply please quote: *D21/111498*
Our reference: F15/15464
Contact: Bruce Phillips 9205 5300

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10 September 2021

The Hon. Richard Wynne,
Minister for Planning,
Level 16, 8 Nicholson Street,
East Melbourne, VIC 3002

By email: Richard.wynne@parliament.vic.gov.au

Dear Minister,

Community infrastructure in the redevelopment of the former Gasworks site (433 Smith Street, Fitzroy North)

At its confidential meeting of 24 August 2021, the Council considered an item in relation to this site which the State Government are redeveloping.

The Council noted in its deliberations that the redevelopment of this whole site will constitute a very substantial development that will dramatically change the townscape of this particular precinct.

In this regard, Council resolved that there are key improvements that need to be addressed by the State Government in relation to the sustainable transport matters and local amenity of the area.

Council resolved to inform you that its expectation is that the following matters should be included as part of the State Government works:

(a) the provision of a single central island tram stop on Smith Street (as previously resolved by Council on 17 July 2018 (a “super tram stop”);

(b) that the tram tracks in Smith Street should be the realigned to the west (through a reallocation of the Smith Street road space), in order to facilitate this centre island tram stop, and to also facilitate the provision of a wider footpath on the east side of Smith Street;

(c) that from the new street frontage in Smith Street (due to (b) above), the setback of buildings on the eastern side of the former gas and fuel site be setback a minimum of 2.0 m to facilitate an improved pedestrian interface to Smith Street;

(d) that there be a provision of a consistent minimum 1.5 m ground floor setback on any street frontage (where active use is proposed), with no permanent structures (such as water meters and the like) be located in this space, or walls on boundary;

(e) that there be a chamfering of all building corners abutting streets and lanes in the development;

…/2

(f) that undergrounding of overhead services occur on all abutting streets to the length of the frontages of the site;

(g) that the State upgrade bicycle infrastructure on Jamieson Street, Grant Street and associated intersections with Queens Parade, and the intersections of George Street, Gore Street, and Council Street to allow for continuous and safe cycling infrastructure to and through the gas works site, and

(h) that female figures on pedestrian crossing lights be used where lights will be upgraded or new crossings established.

If you any further information please contact Bruce Phillips, Director Planning and Place Making on bruce.phillips@yarracity.vic.gov.au

Yours sincerely



Gabrielle de Vietri

MAYOR

In reply please quote: *D21/111515*
Our reference: F15/15464
Contact: Bruce Phillips 9205 5300

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10 September 2021

The Hon. Jacinta Allan,
Minister for Transport Infrastructure,
Level 20, 1 Spring Street,
Melbourne, VIC 3000

By email: Jacinta.allan@parliament.vic.gov.au

Dear Minister,

Community infrastructure in the redevelopment of the former Gasworks site (433 Smith Street, Fitzroy North)

At its confidential meeting of 24 August 2021, the Council considered an item in relation to this site which the State Government are redeveloping.

The Council noted in its deliberations that the redevelopment of this whole site will constitute a very substantial development that will dramatically change the townscape of this particular precinct.

In this regard, Council noted the very substantial number of dwellings (over 1,000 and hence some 2,500 residents), and also commercial and retail space, on the larger 433 Smith Street, Fitzroy North redevelopment site; and also the anticipated significant further residential developments within a 15 minute walk to these multi purpose courts and gymnasium.

In noting this significant redevelopment by the State Government, Council resolved that there are key improvements that need to be addressed by the State Government in relation to the sustainable transport matters and local amenity of the area.

Council resolved to inform you that its expectation is that the following matters should be included as part of the State Government works:

(a) the provision of a single central island tram stop on Smith Street (as previously resolved by Council on 17 July 2018 (a “super tram stop”);

(b) that the tram tracks in Smith Street should be the realigned to the west (through a reallocation of the Smith Street road space), in order to facilitate this centre island tram stop, and to also facilitate the provision of a wider footpath on the east side of Smith Street;

(c) that from the new street frontage in Smith Street (due to (b) above), the setback of buildings on the eastern side of the former gas and fuel site be setback a minimum of 2.0 m to facilitate an improved pedestrian interface to Smith Street;

…/2

(d) that there be a provision of a consistent minimum 1.5 m ground floor setback on any street frontage (where active use is proposed), with no permanent structures (such as water meters and the like) be located in this space, or walls on boundary;

(e) that there be a chamfering of all building corners abutting streets and lanes in the development;

(f) that undergrounding of overhead services occur on all abutting streets to the length of the frontages of the site;

(g) that the State upgrade bicycle infrastructure on Jamieson Street, Grant Street and associated intersections with Queens Parade, and the intersections of George Street, Gore Street, and Council Street to allow for continuous and safe cycling infrastructure to and through the gas works site, and

(h) that female figures on pedestrian crossing lights be used where lights will be upgraded or new crossings established.

A letter has also been provided to the local member of Parliament, the Hon Richard Wynne outlining this Council resolution.

If you any further information please contact Bruce Phillips, Director Planning and Place Making on bruce.phillips@yarracity.vic.gov.au

Yours sincerely



Gabrielle de Vietri
MAYOR

In reply please quote: *D21/111516*
Our reference: F15/15464
Contact: Bruce Phillips 9205 5300

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10 September 2021

The Hon. Ben Carroll,
Minister for Roads and Road Safety,
Level 20, 1 Spring Street,
Melbourne, VIC 3000

By email: ben.carroll@parliament.vic.gov.au

Dear Minister,

Community infrastructure in the redevelopment of the former Gasworks site (433 Smith Street, Fitzroy North)

At its confidential meeting of 24 August 2021, the Council considered an item in relation to this site which the State Government are redeveloping.

The Council noted in its deliberations that the redevelopment of this whole site will constitute a very substantial development that will dramatically change the townscape of this particular precinct.

In this regard, Council noted the very substantial number of dwellings (over 1,000 and hence some 2,500 residents), and also commercial and retail space, on the larger 433 Smith Street, Fitzroy North redevelopment site; and also the anticipated significant further residential developments within a 15 minute walk to these multi purpose courts and gymnasium.

In noting this significant redevelopment by the State Government, Council resolved that there are key improvements that need to be addressed by the State Government in relation to the sustainable transport matters and local amenity of the area.

Council resolved to inform you that its expectation is that the following matters should be included as part of the State Government works:

(a) the provision of a single central island tram stop on Smith St (as previously resolved by Council on 17 July 2018 (a “super tram stop”);

(b) that the tram tracks in Smith Street should be the realigned to the west (through a reallocation of the Smith Street road space), in order to facilitate this centre island tram stop, and to also facilitate the provision of a wider footpath on the east side of Smith St;

(c) that from the new street frontage in Smith St (due to (b) above), the setback of buildings on the eastern side of the former gas and fuel site be setback a minimum of 2.0 m to facilitate an improved pedestrian interface to Smith Street;

…/2

National Relay Service
TTY 133 677 then (03) 9205 5055

Languages 中文 9280 1937 Italiano 9280 1931 Tiếng Việt 9280 1939
العربية 9280 1930 Ελληνικά 9280 1934 Español 9280 1935 Other 9280 1940

(d) that there be a provision of a consistent minimum 1.5 m ground floor setback on any street frontage (where active use is proposed), with no permanent structures (such as water meters and the like) be located in this space, or walls on boundary;

(e) that there be a chamfering of all building corners abutting streets and lanes in the development;

(f) that undergrounding of overhead services occur on all abutting streets to the length of the frontages of the site;

(g) that the State upgrade bicycle infrastructure on Jamieson St, Grant Street and associated intersections with Queens Parade, and the intersections of George St, Gore St, and Council St to allow for continuous and safe cycling infrastructure to and through the gas works site, and

(h) that female figures on pedestrian crossing lights be used where lights will be upgraded or new crossings established.

A letter has also been provided to the local member of Parliament, the Hon Richard Wynne (Minister for Planning) outlining this Council resolution. In that letter, for your information, the Council has stated that:

- the Council notes the changes to the proposal by the State Government from earlier concepts, particularly that no specific off-street carparking is being provided for the stadium and that two of the six multi-purpose courts would be occupied by the school during school hours, but available after school hours as part of the overall facility;
- adequate off-street carparking for the multi-purpose courts / stadium / gym needs to be provided on the broader 433 Smith Street (former gasworks site) redevelopment; and
- Council also expresses concern regarding the possible proposal by Development Victoria for the reallocation of the Alexandra Pde central median for car parking, due to loss of green space and impact on established trees.

If you any further information please contact Bruce Phillips, Director Planning and Place Making on bruce.phillips@yarracity.vic.gov.au

Yours sincerely



Gabrielle de Vietri
MAYOR

In reply please quote: *D21/112538*
Our reference: F15/15464
Contact: Bruce Phillips 9205 5300

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10 September 2021

The Hon. Richard Wynne
Minister for Planning
Level 16, 8 Nicholson Street,
East Melbourne, VIC 3002

By email: Richard.wynne@parliament.vic.gov.au

Dear Minister,

Multi-purpose Sports Stadium Gasworks site 433 Smith Street Fitzroy North

At its confidential meeting of 24 August 2021, the Council resolved to contribute $5 million to the development of a multi-purpose court indoor sports stadium with an 1,000m2 indoor roof top gym on the Gasworks site at 433 Smith Street Fitzroy North.

In coming to this decision the Council recognised:

- the overall community benefit of the new school to the local community and of the multi-purpose indoor courts to both the local community and the broader community;

- the very substantial number of dwellings (over 1,000 and hence some 2,500 residents), and also commercial and retail space, on the larger 433 Smith Street, Fitzroy North redevelopment site; and also,

- the anticipated significant further residential developments within a 15 minute walk to these multi purpose courts and gymnasium.

The Council also noted:

- the significant changes to the proposal over time, including:

    (a) to the original proposal, under which the stadium would be fully funded by the State Government;
    (b) the request for a $5 million contribution made after Council agreed to changes in the Planning Scheme in 2018; and
    (c) more recently, the reduction in access to the six courts and reduction in 107 car parking spaces, and

- the changes to the proposal by the State Government, particularly that no specific off street carparking is being provided for the stadium and that two of the six multi-purpose courts would be occupied by the school during school hours, but available after school hours as part of the overall facility.

…/2

The Council further resolved to write to you:

- stating that the adequate off street carparking for the multi purpose courts / stadium / gym needs to be provided on the broader 433 Smith Street (former gasworks site) redevelopment, and
- expressing concern regarding the possible proposal by Development Victoria for the reallocation of the Alexandra Parade central median for car parking, due to loss of green space and impact on established trees.

In the context of the above, Council did resolve to make a contribution of $5 Million towards the construction of a sports stadium (multi-purpose indoor courts) at this site, subject to reaching satisfactory agreement on:

(a) an appropriate payment schedule to provide maximum benefits and outcomes for the Council;
(b) the construction of a minimum of 1,000m² space for a gymnasium (fitted out) above the sports courts;
(c) the agreed management arrangements to Council of both the stadium and gymnasium;
(d) the length of tenure to Council of both the management of the stadium and gym for 20 years, and
(e) the inclusion of the responsibility of the State Government for major capital works / upgrades to the stadium building and gymnasium structure.

The CEO will now liaise with the Department of Education, Department of Transport and Sport and Recreation and Development Victoria to arrange the paperwork for these arrangements in a formal and binding agreement to the satisfaction of the Yarra City Council.

Further, the Council did resolve on some other matters regarding the redevelopment of the site (sustainable transport and amenity aspects) which I will write to you separately.

If you require any further information please contact the CEO (Vijaya Vaidyanath) on Vijaya.Vaidyanath@yarracity.vic.gov.au

Yours sincerely



Gabrielle de Vietri

MAYOR

433 Smith Street, North Fitzroy , Gasworks site

Officer recommended changes to the Development Plan

Section of the lodged Development Plan	Recommended changes to the Development Plan
LAND USE	
Sect 5.1	Diagram 45 on page 39 should be modified to show some commercial uses in Building A and B.
Sect 5.5	First paragraph to be updated to *"The key piece of community infrastructure that will be delivered is the school and indoor sports facility <u>and associated suitable carparking</u> located on the school site in the north-western corner of the development site.*
Sect 5.6	Second paragraph to be changed to: *"The Development Plan will deliver 8% of the site as new public open space that will be vested in Yarra City Council. ~~Careful consideration will be given to ensure~~ all public spaces are designed to be safe and accessible to meet the needs of the local area."*
Sect 5.6	New dot point *"undergrounding of services in the adjacent streets to the site."*
Sect 5.6	New paragraph *The proposed functional layout plans must be approved by the Responsible Road Authority prior to any commencement of works on works within the site. This should also include a staging plan for the proposed works and sitewide construction management plan.*
Sect 5.6	The Public Realm Plan graphic 51 on page 43 of the DP to be modified to remove pedestrian accessway onto the public open space or alternatively add a new dot point that *"if access pathways to building entries are off public open space, then the public open space used as accessways should be compensated with additional public open space elsewhere."*

Sect 5.7	New paragraph to say *"The detailed landscape plan needs to clearly address how the open space and public realm design responds to the projected demographics of the new community, how it considers other facilities currently provided with the catchment of existing open space and how it aligns with Yarra Open Space Strategy 2020."*
Sect 5.7	Update the cross section of the village green, graphic 54 (p45), to show only one 3m min width Shared User Paths (SUP) and consider the alignment in relation to the underground services.
Sect 5.7	New paragraph to say *" Any required screening to built form (landscape buffer) should be delivered through built form setbacks rather than intrusions into Public Open Space."* Update the cross section of the village green, graphic 54 (p45), to show the 2 m wide landscape buffer not to be provided on the public open space land.
Sect 5.7	New dot point to be added *" With exception to Emergency Vehicle and Maintenance access (Service Authorities and Council's Open Space maintenance) all vehicles are prohibited from entering Public Open Space."*
5.8.3	New paragraph to say *"All garden beds need to be suitably sized and located to ensure that they are sustainable for optimum plant growth and high use grassed areas in open space require irrigation to achieve a high quality and durable outcome".*
5.8.4	First paragraph to be updated *"A community garden with 220m2 of agricultural space is incorporated into the precinct. This Community Garden should be located within Communal Open Space rather than Public Open Space as this facility is specifically catering to the needs of the development's occupants. (not to be part of the 8% public open space provision). The community garden will be accessible to the residential community, have access to sunlight throughout the year as well as appropriate drainage. The introduction of 220m2 of accessible agricultural space satisfies 'Credit 14.2 Local Food Production' as part of the 'Green Star Communities' rating.*
5.10.1	Provide shadow diagrams of the 9am, 10am and 3pm equinox shadows in with the other diagram 66 to 73 on page 49 of the DP.

<table>
<tr><td>5.10.1</td><td>New paragraph to say

“that future development will be designed to have no shadow on the footpaths on the opposite side of each street.”</td></tr>
<tr><td>5.10.2</td><td>New paragraph to say

“each application stage is compliant with the most up-to-date acoustic criteria as these apply at the time of each planning permit application submission to Council.”</td></tr>
<tr><td></td><td></td></tr>
<tr><td colspan="2">BUILT FORM</td></tr>
<tr><td>Sect 6.1.13</td><td>Change the Preferred Height and Setback controls in table 1 on pages 56 and 57 of the DP as follows

<table>
<tr><th>Street Interface</th><th>Distance from Boundary</th><th>Maximum height within setback</th></tr>
<tr><td>Smith Street between Council Street and Alexandra Parade</td><td>0 -3 metres</td><td>0 m</td></tr>
<tr><td></td><td>3 – 11.5 metres</td><td><s>33 metres (10 storeys)</s>
<u>17 Metres (5 storeys)</u></td></tr>
<tr><td></td><td>Greater than 11.5 metres</td><td>33 metres (10 storeys)</td></tr>
<tr><td>George Street</td><td>0 -2 metres</td><td>0 m</td></tr>
<tr><td></td><td><u>2 -12.5 metres</u></td><td><s>33 metres (10 storeys)</s>
20 metres (6 storeys)</td></tr>
<tr><td></td><td><u>Greater than 12.5 metres</u></td><td><u>33 metres (10 storeys)</u></td></tr>
</table></td></tr>
<tr><td>Sect 6.1</td><td>Adjust Figure 76 - Indicative Heights Diagram on page 53 to reflect the changed heights and setbacks in the table above.</td></tr>
<tr><td></td><td></td></tr>
<tr><td></td><td></td></tr>
<tr><td colspan="2">AFFORDABLE HOUSING</td></tr>
<tr><td>Sect 7.1</td><td>In the first line – change to

The Affordable Housing Strategy for this site <u>will deliver</u> <s>targets delivery of</s> 20% of dwellings as Affordable Housing. The strategy comprises two primary delivery models:</td></tr>
<tr><td>Section 7.2.3</td><td>In the second paragraph – For Market Affordable Housing, add

A binding Development Agreement will require the selected developers to deliver a minimum proportion of Affordable Housing, <u>in perpetuity for the exclusive use of eligible households earning within the Victorian Government-defined income bands, updated annually by the Governor in Council Order</u>, on their site in a form that is consistent with the Planning and Environment Act 1987, and that satisfies the Responsible Authority.</td></tr>
</table>

Sect 7.2.3	Add a new section Before granting any permit in accordance with an approved development plan, the owner/s of the land must enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987 which must provide, to the satisfaction of the responsible authority that the owners will: • Provide within Parcel A, a minimum of 5% of the total number of dwellings in the development for the purpose of social housing, developed in association with the Department of Families, Fairness and Housing and a minimum of 10% of the total number of dwellings in the development for the purpose of affordable housing, developed in association with an accredited housing association; • Provide within Parcels B & C a minimum of 5% of the total number of dwellings in the development for the purpose of affordable housing developed in association with an accredited housing association. •
Sect 7.2.7	In the first line - Affordable Housing dwellings, add *will be of high design quality (accessible, access to adequate daylight and private open space, and energy efficient' as a minimum) and tenure-blind, and integrated within the site either:*
Sect 7.2.7	Add a new clause Provision of either adaptable or fully accessible wheelchair housing in accordance with Australian Standards (AS) representing 5% of the total number of apartment dwellings to be developed (including within the affordable housing component) to the satisfaction of the responsible Authority.
MOVEMENT	
Sect 8.1	Add new paragraph *The provision of a wide footpath and bidirectional bicycle paths on Alexandra Parade along the length of the site needs to be included in the design for the safe movement of pedestrians and cyclists by including appropriate setbacks or alternatively make allowances for updates to boundaries as subsequent stages when concept and detailed design is being developed.* *The location of underground basements does not encroach into space that is required for the public realm on all internal streets. Appropriate boundaries need to be set to ensure that all road and streetscape infrastructure can be provided within public space with basements appropriately set back.* *The current signalised crossing at Smith Street and Queens Parade requires an upgrade to provide safe pedestrian and cyclist access to the site along the priority cycle corridor is required.*

Sect 8.3.2	Add new paragraph *The design of the Smith Street Tram stop will impact the interface of the development site and as part of the design of the site the following must be allowed for:* • *determine the required width of the Smith Street road reserve for the safe movement of all transport modes, the required supporting infrastructure and include the required set back(s) within the site – or alternatively make allowances for updates to boundaries as subsequent stages when concept and detailed design is being developed.* • *signalised crossings for pedestrians and cyclists to be incorporated within the new tram stops, noting that the location proposed within the DP also has been identified as the key cyclist connection between local schools using the new school facility.* • *the design of all internal streets will be done to the satisfaction of the Responsible Authority.* *These changes need to be made at all locations within the DP where there is reference to streetscape, movement and interfaces with current and proposed uses on Smith Street.*
Sect 8.3.1	Add new paragraph *An accessible bus stop upgrade is required on Queens Parade service road and given the development of this size, a review of the bus services to increase the use of public transport to the site.*
Sect 8.4	Add dot points • *The design of Village Street needs to determine the required width of the road reserve for the safe movement of all transport modes, the required supporting infrastructure and include the required set back(s) within the site – or alternatively make allowances for updates to boundaries as subsequent stages when concept and detailed design is being developed.* • *the design of the internal streets should be done to the satisfaction of the Responsible Authority.* • *A site-wide parking management plan is required*
ENVIRONMENTALLY SUSTAINABLE DESIGN	
Sect 1.3.7	Change to the following: ~~*These features will allow for any future development to achieve a fully certified 6 Star Green Star Communities rating.*~~" *Green Star Communities 6 Star rating has been achieved for the masterplan. Development Victoria will now manage delivery of commitments made through to recertification at 5 years, including any pass-through obligation to development partners via development agreements.* *The whole site will achieve a fully certified 6 Star Green Communities Rating. Development Victoria will manage implementation of Green Star Communities rating commitments across the precinct.* *Buildings delivered by Development Victoria will achieve a minimum 5 Star Green Star Buildings certified rating. Green Star will not be mandated as a rating tool for private developments, however certification to a 5 Star Green Star equivalent will be required, with the selection of final rating tools to be adopted for each building to be locked into development agreements.*

Sect 9.1.1	Change to read as follows: a. *Installation of solar photovoltaic (PV) arrays for energy generation via roof mounted systems to most buildings onsite. As part of the project's Green Star submission, the project is providing a modelled 30% of total energy use for the precinct to be from onsite solar generation. This will be from at least 850 kW of solar PV across the site. The specific arrangement for each building will be subject to refinement during detailed design. Implementation strategy for solar PV to private development parcels to be proposed by development partners, and evaluated by Development Victoria during competitive process prior to being locked into development agreements which Development Victoria will then manage.* b. *Non-residential Buildings to exceed the minimum standards set in the NCC 2019 for insulation and glazing. A specific % improvement has not yet been agreed due to the limited industry application of the 2019 requirements on the type of retail and commercial tenancies likely to be built on this site. Hence the site has, at least initially, opted for the high amount of renewable energy from solar PV (as outlined above) as this commitment can be well understood.* c. *Apartment buildings to be provided with openable windows ~~where technically possible, particularly for~~ to all habitable spaces e.g. bedroom and living rooms of apartments. This allows occupants to utilise natural ventilation to cool passively when conditions are suitable, reducing reliance on HVAC energy use. Office and other non-residential spaces will also have effective natural ventilation via operation windows.* d. *Development Victoria will achieve zero carbon operations for buildings delivered by Development Victoria, consistent with corporate strategy. Development Victoria will leverage the competitive market engagement process to also deliver zero carbon operations for private developments and will lock commitments into development agreements.*
Sect 9.1.2	Add that *Rainwater tank(s) are to be mandated for each apartment building to harvest rainwater for onsite non-potable water use e.g. toilet flushing and irrigation ~~where technically possible~~. This will not only reduce potable water use but also reduce and attenuate the stormwater flows from roof areas to the local stormwater system. The specific sizing of rainwater tanks is beyond the scope of this master planning stage.* *Native and drought tolerant plants (e.g. xeriscaping) to be introduced ~~where technically possible~~ for the planter boxes and landscaped areas on-site.*

Sect 9.1.3	Add additional paragraphs *WSUD infrastructure required to achieve the development's sustainability requirements must not be positioned within the public areas. The proposed sustainability measures must be located within private property boundaries and must be managed and maintained by the relevant property owners i.e. through Owner's Committee agreements.* *The storm water management plan and legal points of discharge are to be approved by the responsible authority as part of the planning permit process and prior to any beginning on site.* *All stormwater design (pipe network and any overland flow) are consistent with Melbourne Water design and modelling requirements.*
Sect 9.1.4	Change to *The project will be including the following operational waste initiatives in addition to standard landfill waste collection:* - *Public place recycling scheme;* - *A residential recycling scheme, and* - *Residential composting or Green Waste scheme, which is likely to take the form of a FOGO (Food Organics and Garden Organics) system.* - *Glass recycling* - *All waste disposal points within the common areas of buildings are to include both recycling and general waste, FOGO and glass recycling.*
Sect 9.1.6	Change to *Provision of habitat, green spaces and climate control will be ~~considered~~ delivered throughout the development as appropriate. Strategies to achieve this are:* *a) Mitigating urban heat island effect through providing green space in public areas, plus rooftops of buildings to comprise one or more of the following (~~excluding services areas and where not practical)~~. The preferred option, or mix of options, will include one or more of the following:*
Sect 9.1.7	Change to: *The proposed development ~~intends to~~ will provide two bicycle parking spaces per residential unit which exceeds the minimum requirement and is a generous provision within the residential developments.* *a) Electric Vehicle (EV) electrical capacity will be included as part of electrical headworks to each lot. Development Victoria will leverage the competitive market engagement process to seek EV, car share and other sustainable transport proposals from development partners to be locked into development agreements.*

Sect 9.1.8	Change to *Development Victoria is committed to sustainability outcomes as a core policy object and has already achieved the first certified 6 star Communities rated precinct in Yarra. Development Victoria will leverage the competitive market engagement process to seek sustainability innovation proposals, and evaluation of these proposals will be assessed and weighted as part of evaluation.*

8.4 Local Liveable Streets

Reference	D22/39503
Author	Hayley McNicol - Senior Urban Designer
Authoriser	Director Planning and Place Making

Purpose

1. To present the *Local Liveable Streets* document and recommend its adoption by Council.

Critical analysis

History and background

2. The *Road Safety Study Policy* and the *Place Making Framework* were presented at a Council meeting on 5 October 2021.
3. At that Council meeting, the *Road Safety Study Policy* was adopted which focusses principally on addressing traffic safety issues on local streets. Council also decided to defer consideration of the *Place Making Framework* to another Council meeting pending the preparation of a document regarding 'Local Liveable Streets'.
4. The *Local Liveable Streets* document has been developed and is now provided for Council consideration alongside the *Place Making Framework*.
5. The *Local Liveable Streets* document outlines the various qualities and attributes of the different types of local streets in the municipality. It is also intended to enable community members to better understand the different roles, opportunities and constraints of local streets; and also provides a process how community members can seek to influence possible changes in local streets.
6. The *Place Making Framework* (see other agenda item) sets out a 'place making approach' for 'key spatial areas' of the municipality that need a specific, integrated and coordinated planning and delivery approach.
7. Importantly, it is noted that any proposed projects in streets need to be well designed and coordinated, and in this regard, it is highlighted that there are a suite of Council policies, standards and procedures that are also relevant to projects in streets. Those are, and would continue to be considered carefully in any projects.

Context - *Local Liveable Streets* preparation

8. It is useful to provide the basis of the work undertaken on the *Local Liveable Streets* document.
9. Council at the October 2021 meeting resolved that officers prepare:

   "a broader Framework for Local Liveable Streets which clearly articulates:

   (i) Yarra's aspiration for local streets;

   (ii) the elements which contribute to a sense of place in local streets;

   (iii) the different functions that local streets perform;

   (iv) the council strategies and plans which impact on local streets;

   (v) how implementation of these strategies and plans in Yarra's local streets will be coordinated within the organisation;

   (vi) how Yarra's residents and businesses can have a say about the future of their streets and can initiate positive change in their street; and

(vii) how new developments can contribute to improving movement and place in local streets."

10. Following this resolution, the Urban Design team, in discussion with other relevant Council staff, has led the preparation of a *Local Liveable Streets* document, which responds to each point in the Council resolution.

11. A specific purpose of this document is to provide greater clarity for how improved outcomes can be achieved on local streets in Yarra.

12. It is a high-level document that sets the expectations for achieving coordinated and quality street environments in Yarra. It builds on, (rather than replaces), other Council policies and strategies that apply to local streets.

13. It sets out the 'principles' and provides examples of good design in local streets and also explains the various (and often competing) functions of local streets, which sometimes will influence what is possible.

14. This document also clarifies how the community can submit ideas and suggestions, and contribute to improved outcomes in their local street.

15. It is important to note that this document is focused on local streets - this excludes the arterial roads (including main roads, boulevards and major retail streets), which are generally covered by other strategic work, Department of Transport policies and have a range of other factors to consider. However, the 'principles' set out in this document are universal and are broadly relevant for all streets and public spaces in Yarra.

Discussion

16. The *Local Liveable Streets* document is structured under the following chapters:

    (a) Introduction: sets out the purpose of the document and clarifies what are local streets;

    (b) What are Local Liveable Streets?: explains the various functions and responsibilities of local streets, as well as a definition of 'Local Liveable Streets';

    (c) Relevant policies and strategies: provides a comprehensive list of the many Council adopted policies/strategies that impact local streets;

    (d) Aspiration for local streets: builds on the Community Vision and sets out Council's aim for local streets;

    (e) Local street typologies: sets out the broad types of streets that exist in Yarra (which are based on the physical width of the street), and provides examples of these types of streets;

    (f) Good design and sense of place: describes the elements that contribute to a sense of place, and provides examples of these. It also sets out principles and examples of good design and explains how the Council coordinates on projects in local streets;

    (g) How private land and developments can contribute to improved local streets: sets out the various design outcomes and benefits that can be negotiated through development applications (informed by the Planning Scheme). It also explains how owners and occupiers can positively contribute to the street environment (e.g. well maintained front gardens, activation of building frontages); and

    (h) How the community can influence and initiate changes in local streets: sets out the range of different initiatives that the community can explore for their street. It clarifies that some are covered by existing programmes and funding streams, while others do not have any dedicated funds and would require budget consideration.

17. Expanding on the last point, the *Local Liveable Streets* document provides information on the range of ways that the community may seek to initiate ideas in their street. This includes:

    (a) community offerings (e.g. shared produce, street libraries);

    (b) activation and events (e.g. community street event, artwork);

(c) education and research (e.g. Citizen Science, education projects);

(d) food growing (e.g. planter boxes, temporary laneway gardens);

(e) minor parking changes (e.g. new accessible bay, changes to parking restrictions);

(f) minor changes and upgrades (e.g. new tree, seat, maintenance of Council assets);

(g) medium scale changes in the street (e.g. kerb outstand, garden beds in the road space, median tree planting); and

(h) larger scale changes in the street (e.g. new pocket park in the road space, new crossing, whole street redesign).

18. This section of the *Local Liveable Streets* document provides direct links to how the community can find out more, or contact officers in relation to each of the above initiatives. From the list above:

(a) items (a) to (f) above are (in most cases) potentially covered by existing budgets and programmes, or can be covered by 'business as usual' activities;

(b) medium scale changes (item (g) above) would normally not be covered by existing budgets and programmes, and so Appendix A of the *Local Liveable Streets* document provides a broad flowchart for how these types of ideas could be considered by officers; and

(c) larger scale changes (item (h) above) relate to major works that would require significant budget, resources, and design/feasibility work and would ordinarily take a few years (or more) to deliver. Community members would be able to write to the relevant teams at Council about these ideas, however, they would need to be assessed against other strategic work, budgets and priorities.

19. The document outlines a process for how officers would consider proposals for medium and larger scale changes in the street (e.g. kerb outstands, new garden beds, median tree planting for instance). This is to provide transparency for the community on how their ideas would be assessed and timeframes that Council would work towards.

20. The *Local Liveable Streets* document would also be supported by a webpage to assist people in learning more about the processes for community led ideas. This would be updated and refined as required.

21. It is not proposed to set aside any dedicated funds to deliver medium or large scale proposals. These more ambitious changes to the street (e.g. reallocation of road space, road discontinuous) would require thorough investigation and also need to be considered as part of the Council budget processes and project priorities.

22. In this regard, this document aims to provide an incremental approach to achieving improved outcomes on local streets. The document is high level and sets the scene to allow for more detailed work to be carried out as possible projects are identified, and if considered feasible, then taken forward in the future.

23. At this stage Council does not have a policy in place to deal with planted nature strips and verges. Council may want to pursue this at a later stage, and once a policy is in place, this could be added to the above list. In the meantime, the *Local Liveable Streets* document does clarify under this section that prior permission is required for any planted verges/nature strips in front of properties. It also clarifies that 'planting out' of Council managed assets by the community (e.g. the area around trees or in Council maintained garden beds) is not permitted.

Options

24. Council has the following options:

(a) it could endorse the document, with or without changes, or

(b) not pursue the matter further and leave it up to existing and future strategies, procedures and budget initiatives for any improvements to specific local streets.

Community and stakeholder engagement

25. The following teams have been involved during the preparation of the document:
    (a) City Works;
    (b) Infrastructure, Traffic and Civil Engineering;
    (c) Strategic Transport;
    (d) Open Space Services;
    (e) Urban Agriculture;
    (f) Community Grants;
    (g) Statutory Planning;
    (h) Parking; and
    (i) Communications.
26. The wording of the October 2021 Council resolution, and the required timescales, have defined the scope of work and the level of consultation.
27. This document is high level and provides a reference point for achieving good design in local streets.
28. Any detailed work that comes from the *Local Liveable Streets* document, or capital works in local streets, would utilise processes consistent with the Council's Community Engagement Policy.
29. The *Local Liveable Streets* document includes a section on how the community can have a say and seek to initiate improvements in their local street. This provides a useful one-stop shop of how the community can get involved and subscribe to Council's future consultations, and the range of different initiatives they can explore in their street.

Policy analysis

Alignment to Community Vision and Council Plan

30. The aspiration for *Local Liveable Streets* directly aligns with the Community Vision. This includes creating high quality places that people feel safe and comfortable in and enable people to make connections with their community and their local area.
31. The principles and practices of the *Local Liveable Streets* document align with the Council Plan 2021-25. This includes:
    (a) promoting tree planting, greenery and improved water management in streets (Strategic Objective one: *Climate and Environment*);
    (b) providing information on community led ideas for streets to enable people to contribute to and make connections with their community (Strategic Objective two: *Social equity and Health);*
    (c) setting out principles for well designed, safe and welcoming streets that contribute to a sense of place (Strategic Objective four: *Place and Nature*);
    (d) providing principles for well-designed streets to encourage sustainable transport and prioritise more vulnerable road users such as people walking, wheeling and cycling, people with a disability, children, and older people (Strategic Objective five: *Transport and Movement);* and
    (e) providing information on community-led ideas and setting out a process for how Council would consider medium scale ideas in local streets (Strategic Objective six: *Democracy and Governance*).

Climate emergency and sustainability implications

32. The *Local Liveable Streets* document promotes maximising opportunities for tree planting, greenery and improved water management, and improved amenity and safety to encourage people to travel by more sustainable modes of transport.

Community and social implications

33. The document sets out how the community can contribute ideas regarding improved outcomes on local streets, and provides the 'principles' for good design and sense of place in local streets, to encourage people to spend time in and make connections with their community.

Economic development implications

34. The document applies to local streets, some of which contain businesses and local shops.

35. The 'principles' set out in this document promote high amenity street environments. This will encourage people to spend more time in their neighbourhood and use their local shops and businesses, supporting the local economy.

Human rights and gender equality implications

36. There are no known human rights implications from the report.

37. The document promotes safe, welcoming and inclusive local streets and places. These 'principles' also seek to make local streets feel safer for more vulnerable members of the community, by creating high quality and accessible environments that encourage more people to use them and result in more passive surveillance.

38. Any projects taken forward through the Council budget process, procurement, design and delivery phases, would consider accessibility, gender equality and child safety requirements.

Operational analysis

Financial and resource impacts

39. Any community led ideas for medium and larger scale projects would be considered under the annual capital works budget.

40. Depending on the size and costs of these ideas, they may compete with other important projects or budget bids that Council need to consider.

Legal Implications

41. There are no identified legal implications from the report.

Conclusion

42. The *Local Liveable Streets* document provides high-level principles and information to help achieve good outcomes in local streets.

43. The document provides a comprehensive section on how the community can initiate suggestions and contribute to improvements in their street.

44. It is recommended that Council adopt the *Local Liveable Streets* document to help guide and support future improvements and projects to local streets.

RECOMMENDATION

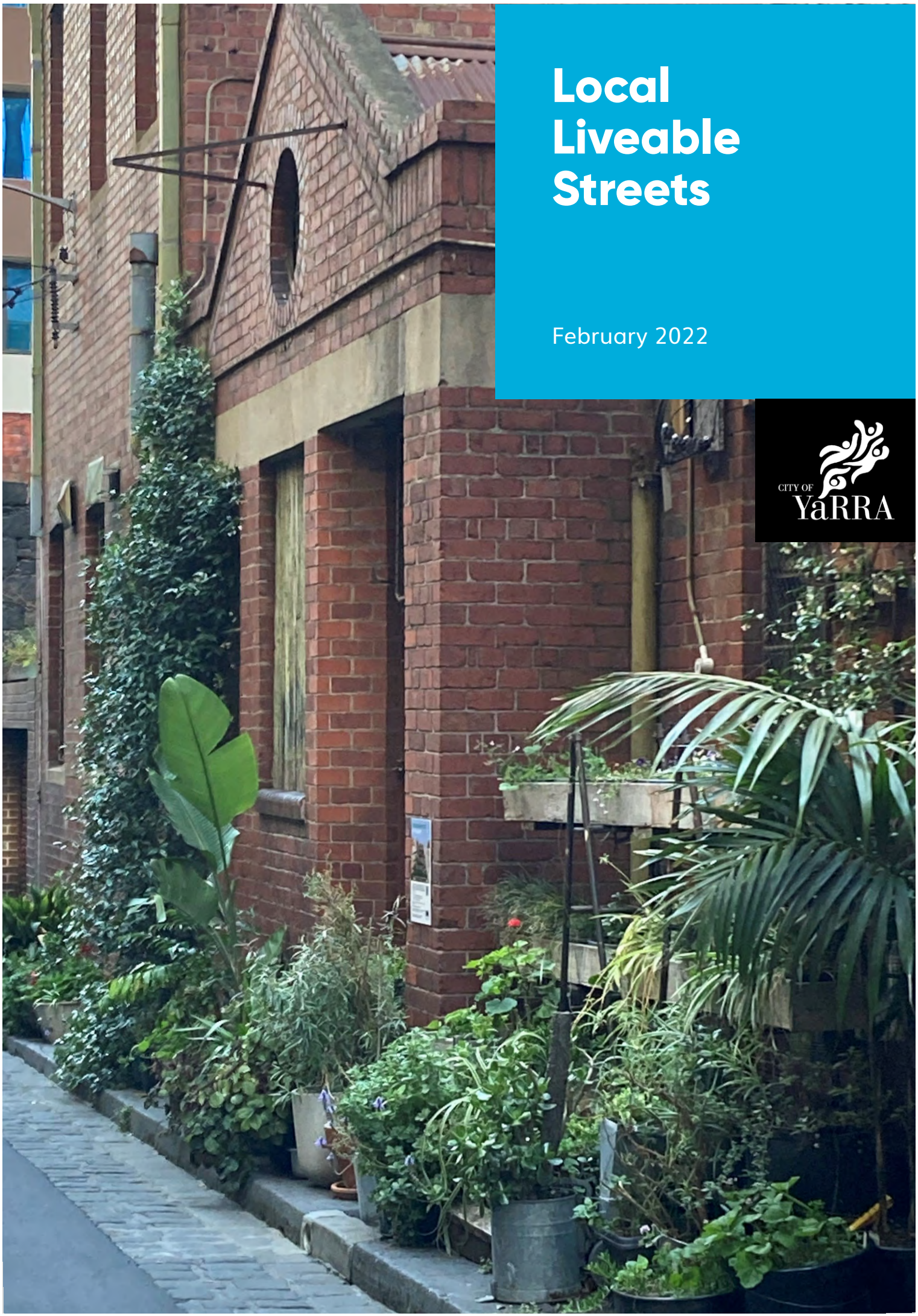
1. That Council:
   (a) note the officer report regarding the proposed *Local Liveable Streets* document;
   (b) note the *Local Liveable Streets* document and its content as shown in Attachment 1;
   (c) note that the *Local Liveable Streets* document is high level and allows for further work consistent with other Council strategies and policies to be undertaken as projects are identified and taken forward for more detailed design work;
   (d) note that the *Local Liveable Streets* document sets out a range of possible community led ideas, some of which are covered by existing programmes and budgets, and
   (e) note the process for assessing medium and larger scale ideas from the community, and that any of those eligible projects would need to run through the annual budget process for consideration and determination regarding budget allocation.
2. That Council adopt the attached *Local Liveable Streets* document as shown in Attachment 1, to help guide and support future improvements and projects to local streets.

Attachments

1 Local Liveable Streets document

Local Liveable Streets

February 2022



Yarra City Council acknowledges the Wurundjeri Woi Wurrung people as the Traditional Owners and true sovereigns of the land now known as Yarra. We also acknowledge the significant contributions made by other Aboriginal and Torres Strait Islander people to life in Yarra. We pay our respects to Elders from all nations and to their Elders past, present and future.

This publication is available in alternative accessible formats on request.

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Introduction

This Local Liveable Streets document provides guidance on principles and practices for place making in local neighbourhood streets, to achieve collaborative and good design outcomes. It builds upon, rather than replaces, other Council plans and strategies.

Local streets are fundamental to supporting people's quality of life and connection with place. They also play an important role in addressing issues such as environmental, social, cultural and economic sustainability.

'Local Liveable Streets' are about improving the amenity and resilience of streets, so that they can continue to support their communities in years to come. It is an incremental approach based on the local conditions and needs, and supported by strategic policies and goals.

Any changes to streetscape infrastructure needs to consider all of the competing needs, and can be costly to deliver. Some actions will be easier to implement than others. Partnerships between Council and other key players such as VicRoads, infrastructure providers, developers, the community and local businesses are essential in order to maximise opportunities.

The purpose of this document is to provide greater clarity for how improved outcomes can be achieved on local streets in Yarra. It is a high level document that sets the expectations for achieving coordinated and high-quality street environments in Yarra.

It sets out the principles and examples of good design in local streets and also explains the various (and often competing) functions of local streets, which sometimes will influence what is possible.

This document also clarifies how the community can initiate and contribute to improved outcomes in their local street.

This document is focused on local streets in Yarra. This excludes the arterial roads (including main roads, boulevards and major retail streets), which are generally covered by other strategic work and have other factors to consider. However, the principles set out in this document are universal and are relevant for all streets and public spaces in Yarra.

This document sits alongside the draft Yarra Place Making Framework 2022 which identifies the key priority precincts in Yarra for a whole of Council approach to improving the public realm. The Framework does not address local streets therefore this document aims to provide guidance for improvements in these valuable community spaces.

Improving local streets as liveable and dynamic spaces is important in supporting resilient communities and providing a lasting legacy for future generations. Shaping great streets is fundamental to shaping great cities.



What are Local Liveable Streets?

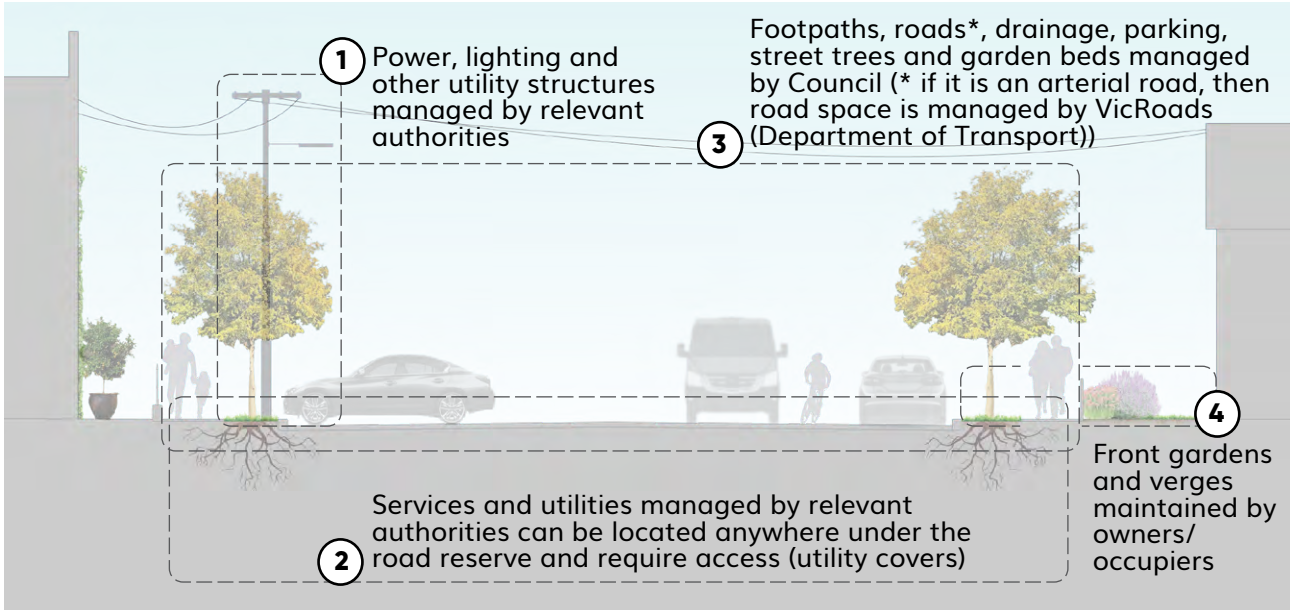
Function of local streets

Our local streets perform many functions to serve the needs of the community. This involves sharing space at street level as well as in the air and below the ground surface with services and infrastructure.

- They provide space for people to move to and from their homes and other places. This may be on foot, by wheelchair/mobility scooter, by bike, or by electric/motor vehicle.
- They provide access for emergency vehicles, waste collection, deliveries, and other services.
- They provide space for residents, workers and visitors to park on street on a short or long-term basis.
- They carry services and utilities to people's homes, businesses and other places, both above and below ground. This includes delivering power, water, gas and telecommunications, and taking away waste water and sewerage.
- They carry stormwater away from private properties and help to mitigate flooding.
- They provide space for trees to grow, including accommodating canopies above ground and roots below ground.
- They provide space for plantings and habitat to support a range of fauna and micro-organisms.
- They provide space for people to spend time, relax, gather, meet their neighbours, grow food and exercise.

Not all functions are dealt with by Council - many aspects relating to services and utilities are dealt with by other agencies. Private land can also contribute to the amenity of local streets.

Local streets have to work hard to accommodate these functions. Many of Yarra's streets are typically narrow and have a higher density population, making our streets even more important. Streets are contested spaces and will become even more crucial for the community as the population grows.



Cross-section showing the different responsibilities and functions of a street

Local Liveable Streets

Local streets are an important part of the public realm. They are the public 'face' of every area and the doorstop to people's homes and businesses. Most importantly, they are the places in which people connect and interact. Streets are much more than just transport corridors, they are the places where the Yarra community lives, works and plays.

Local Liveable Streets are places where people can safely and comfortably live their lives. They are multidimensional and dynamic spaces that adapt over time to support environmental sustainability, public health, economic activity, heritage and cultural significance.

Achieving Local Liveable Streets means reimagining the road space as places for people. It recognises the base functions of the road (such as utilities, access, car parking and drainage), but considers opportunities to adapt the space to serve its context and achieve other benefits such as:

- Space for tree planting and garden beds to offer improved amenity, shade, permeability, habitat and biodiversity
- Space for people to meet, relax and play
- Space for people to grow food
- Improved stormwater management
- Unencumbered paths and crossing points
- Adequate connections for people cycling
- Road space shared safely between people cycling and driving
- Slow traffic speeds.

Supporting Local Liveable Streets will help to build more resilient communities through stronger social connections, good physical health, improved guardianship and sense of pride in local areas.

Relevant policies and strategies

Council documents

A number of policies and strategies are already in place to deal with future use and planning of local streets and address specific issues. This document builds on these existing policies and provides some additional guidance for achieving good outcomes in local streets.

- The **Yarra 2036 Community Vision** sets out the community's hopes, aspirations and priorities for the next 15 years.
- The **Council Plan** sets out the priorities and direction for the next four years (2021-25) to meet the Community Vision.
- The **draft Transport Action Plan** provides a plan to respond to various transport challenges in Yarra.
- The **Road Safety Study Policy** analyses road safety issues in locations across Yarra and proposes treatments to address these issues.
- The **draft Place Making Framework** sets out a place making approach for Yarra, and outlines the key spatial areas of the municipality that would benefit from coordinated planning and delivery.
- The **Urban Forest Strategy** guides the delivery of new trees across the municipality to increase canopy cover, improve amenity and address urban heat.
- The **Integrated Water Management Plan** guides Council's operations in relation to water use, drainage, stormwater management and waterway health.
- The **Nature Strategy** seeks to increase the diversity, connectivity and resilience of Yarra's natural environment.
- The **Climate Emergency Plan** provides actions to respond to the climate emergency.
- The **Urban Agriculture Policy** guides the future expansion of food growing in streets and other public places.
- The **Domestic Animal Management Plan** promotes responsible pet ownership in Yarra.
- The **General Local Laws** provides regulations relating to the use of public land in Yarra.
- The **Car Share Policy** guides future increase of car sharing in Yarra.
- The **Parking Strategy** guides the management of on-street parking in Yarra.
- The **Embedding Green Infrastructure Best Practice Toolkit** helps Council's assess their own practices against best practice green infrastructure guidance.

Other policies and papers

- The **Movement and Place Framework** (Department of Transport (DoT)) provides an overview of 'movement and place' thinking for the future planning and management of roads in Victoria. It also provides an overview of street types based on their movement and place function, which can influence what future changes are possible.
- The **Urban Street Design Guide** (NACTO) provides a recommended approach for design of streets to make them safer, more liveable and more economically vibrant.
- The **Living Streets** Discussion Paper (AILA, AIA, PIA) sets out an approach for achieving 'living streets' and reallocating road space, particularly in areas experiencing rapid infill development.

Aspiration for local streets

The **Yarra 2036 Community Vision** underpins what we want to achieve in our local streets:

"Yarra is a vibrant, safe and inclusive environment. We celebrate and embrace our diversity and connection to each other and the land. Our community is empowered to work together and support one another with respect and trust."

Building on this vision, our aspiration for local streets is to:

- Create high quality places where people want to spend time in, feel safe and feel connected to their local area and to their community
- Enable safe and comfortable movement for people on streets, including people walking, wheeling and cycling, people with a disability, children, young people, women, LGBTQIA+ community and older people
- Increase tree planting and greening of streets to improve amenity and biodiversity, and address issues such as urban heat and water management
- Support the community in contributing to their local streets through initiatives such as food growing, activation and events
- Allow for necessary car parking and access, but create environments that encourage people to use sustainable modes of travel.
- Ensure future design responds to the character and heritage, and is well coordinated and designed to provide a lasting legacy and resilient places that communities can be proud of.



Local street typologies

Not all local streets in Yarra are the same. They present different typologies which contribute to the character of the area, reflect the local history, and present different opportunities and challenges.

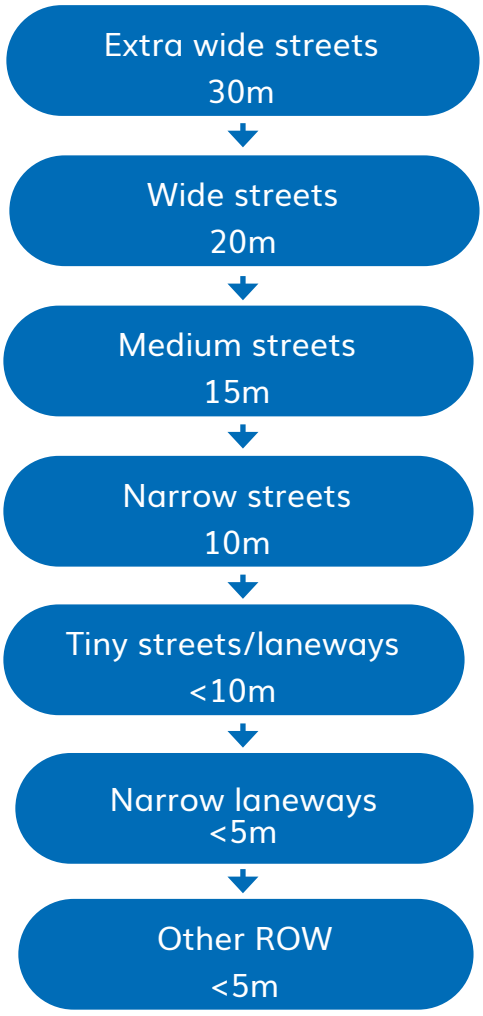
Yarra's main roads, boulevards and major retail corridors form the structure of the road network in Yarra. In some cases these are arterial roads managed by VicRoads (Department of Transport), which make them subject to other requirements and regulations. Many of these streets are also covered by other strategic work.

Within this main street network lies Yarra's local streets, an intricate network of access roads and local streets that provide local connections and where communities are established. Various typologies exist in the local street network – these can fall in the following general categories which are summarised on the right. These broad street types are described in more detail with example photos on pages 11-15.

There are other features that might impact the character and opportunities/constraints within each street typology, such as a park/open space on one side, dead end road, and no footpaths. Adjacent buildings, including their scale, frontages and any heritage features, also influence the character of the street.

It is noted that these typologies do not always reflect the function of the road; for example Rathdowne and Canning Streets have the same width and general characteristics however have been adapted differently over time to change the traffic function of the road.

Local street typologies



Extra wide streets
Typically 30 metres wide

These broad streets are typically found in some of Yarra's first residential suburbs such as North Carlton and North Fitzroy however are in other places too. The width creates an open character and provides more flexibility in terms of space for tree planting, footpaths, cycle lanes, parking and traffic. A proportion of these streets include generous central medians which allow for continuous tree planting and reduce the extent of asphalt.





Wide streets
Typically 20 metres wide

These wide streets are common in most parts of Yarra and provide a generally open character, particularly in established heritage neighbourhoods with lower scale buildings and front setbacks. The width provides some flexibility for parking, tree planting, garden beds and central medians.





Medium streets
Typically 15 metres wide

The medium streets are typical in former industrial areas and established residential neighbourhoods. The character varies through building scale and setbacks, historic width of footpaths and trees/verges. These streets can still accommodate two-way traffic however other items such as footpaths, cycle routes, on-street parking start to get tight and space is more contested.





Narrow streets
Typically 10 metres wide

The narrow streets are commonly found in Yarra's former industrial areas. Many of these streets are one-way in traffic flow and with some on-street parking and narrow footpaths. Tree planting has generally been placed in between car parking bays or sometimes on the footpaths where possible. These streets are tight and footpaths are more difficult to negotiate, particularly where there are power poles and other obstructions.





Tiny streets and laneways
Less than 10 metres wide

Yarra's laneways and tiny streets are very constrained given that they still accommodate parking, traffic and entrances of properties. Many of these streets are in former industrial areas and have a more urban character. Whilst there are more limited opportunities for tree planting, some properties provide small building setbacks which allow for added greening of the street.





Narrow laneways
Less than 5 metres wide

These narrow laneways were historically planned to manage drainage and waste water from properties, and are also important access points for properties. Most properties are built to the boundary or have high fences, limiting opportunities for passive surveillance. However some newer developments have turned to face these types of laneways.





Other Rights of Way (ROW)
Less than 5 metres wide

These other Rights of Way are typically very narrow laneways that only service a few properties. They are commonly dead end laneways with no through access, and sometimes appear more as a private driveway. These spaces provide a break in the buildings on a street and can potentially create points of interest, depending on how they are used.





Good design and sense of place

Sense of place

Sense of place relates to someone's belonging and connection to a place, and can be influenced by:

- People and community
- Distinctiveness and unique character
- History and social significance
- Feeling comfortable and safe
- Connection to nature.

There are many elements that contribute to a sense of place in a local area or street, and every place may have its own unique combination of elements that make it different from the next. Also, how people connect with a place can vary from person to person.

However, every street can have a good foundation to provide a high amenity, comfortable and safe space, to encourage people to spend time in their local streets and form connections with the place and its people.



Examples of elements that contribute to a sense of place

Connection to nature such as trees, garden beds, food growing, verges, gardens, medians and links to open space / water.






Public spaces to gather such as wider footpaths, parks, play space, medians, and community gardens.






Community centres, local businesses, important sites, events and initiatives that bring people together.






Safe and comfortable movement, including footpaths, crossings, cycle lanes and traffic calming.






Urban character including scale and architecture of buildings, heritage, frontages, setbacks and public art.






Well cared for streets with adequate street furniture and lighting, and clean and well maintained footpaths.






Elements of well-designed streets

Any upgrades or improvements in streets should be appreciated for their usefulness but also their aesthetics. Their design should reflect the character and values of the local neighbourhood through which they pass, and provide enhancements where possible. They should aim to make our streets more liveable and achieve the best possible public realm design outcome by addressing issues of:

- Aesthetics and quality design
- Simple and refined design detail appropriate for civic public realm spaces
- Materiality appropriate to the site and any heritage character
- Design that is fit for purpose
- Respecting the surrounding character, including heritage
- Maximising opportunities for street tree planting as a priority or if not feasible then other plantings to increase greening
- Lighting to provide safer and more functional spaces and to consider wildlife
- An acknowledgement of a hierarchy of movement including but not limited to people walking and wheeling, cycling and driving (including car parking)
- Integration with other capital works or tree planting projects in the vicinity.



Examples of good design in local streets



Traffic calming incorporates greenery and seating next to the school use to create a new space to rest/gather.



Garden bed with mass planting and bluestone edge maximises greenery whilst maintaining footpath access.



New garden bed in the road space includes slotted kerbing to help capture runoff.



Flush cut garden beds appropriately placed in between car parking bays and protected by corner tree.



Pedestrian crossing with seats, trees and bike hoops are well integrated and positioned next to library entrance.



New crossing incorporates WSUD and high quality materials to improve amenity and performance of space.

Coordination of streetscape projects

Coordination of streetscape projects in local streets is important in achieving good design and outcomes, responding to place and maximising additional benefits in a local area.

The draft Place Making Framework outlines the processes for ensuring coordination of capital works projects across Yarra and this model is also appropriate for all streetscape projects, including in local streets. This includes opportunities to collaborate through the annual capital works programme and through working groups.



How private land and developments can contribute to improved local streets

Private land can greatly contribute to the quality of local streets, including the design of buildings and how they are presented and maintained to the street. For new proposed buildings, some of this can be influenced by planning controls but once built, is the ongoing responsibility of owners and occupiers.

For new proposed buildings, there are a number of ways they can be designed to provide an engaging and positive frontage to the street. This includes the following where possible, which are influenced by the Planning Scheme where a planning application is required:

- Front setbacks (reflecting the character of the area or on larger sites) to provide greening and tree planting, soften the hard building materials, offset urban heat, provide habitat, and provide colour and interest
- Clear front entrances to provide address to and activate the street
- Engaging frontages with windows and active uses at ground floor to allow views into the development
- Minimising car parking and garages along the frontage to provide a positive interface with the street
- Lower front fences to allow views into the site
- Seating along the property line (within the site) which can be accessed from the footpath.

For larger developments, it may be possible to negotiate additional improvements to adjoining local streets, depending on the size and nature of the development. This includes the following where possible:

- New street trees
- New street furniture (e.g. seats and bike hoops)
- Incorporating public art into a development
- Footpath widening
- Improvements to crossing points
- Creating pedestrian priority streets (e.g. shared zones)
- Potentially under grounding power / consolidating services infrastructure.

Once built, owners and occupiers can contribute to improved local streets by:

- Providing well maintained front gardens and verges
- Designing front gardens to provide permeable area and habitat
- Including trees to provide shade for footpaths
- Providing creeping plants along buildings and fences to add further greening of the street
- Offering something to the community from their front garden, such as street libraries and produce
- Maintaining buildings on a regular basis
- Considering the use of the building during the day and evening (including use of lights and opening blinds in rooms facing the street).

How the community can influence and initiate changes in local streets

This section sets out the various ways the community can influence and initiate improvements in their street. There are currently several avenues and programmes (some with funding) which community can explore if they are interested in community-led initiatives.

Changes to council infrastructure, minor requests (for example a new tree, seat or accessible parking bay) can be processed through Council's customer request system (see table on page 25).

Medium and larger scale changes to Council's roads require significant funding and resources. Some of these changes require detailed feasibility work, particularly if they impact kerbs, drainage, parking and utilities. Suggestions from the community are welcomed, however these need to be carefully considered against strategic policies, priorities and available funding.

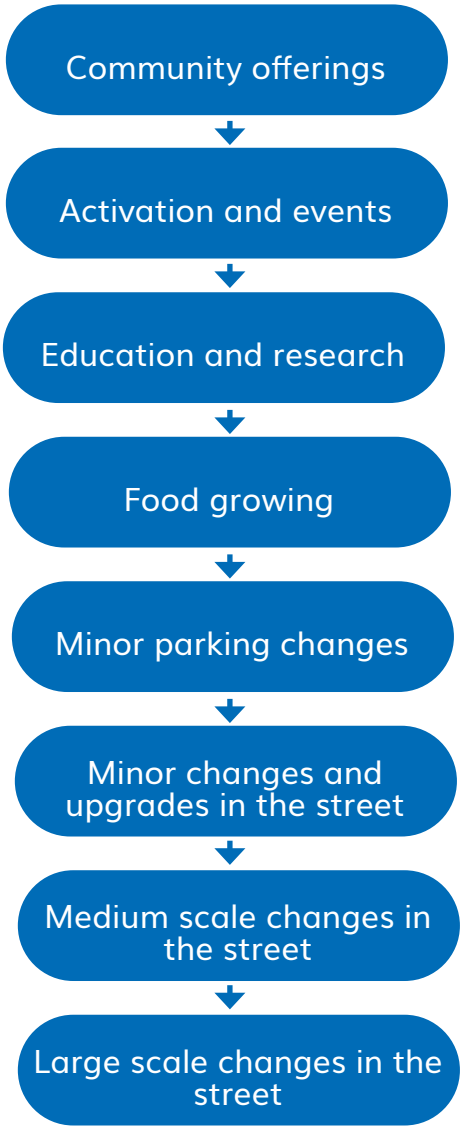
The community is also able to influence changes to streets (in projects led by Council) through the Council's Your Say Yarra engagement platform. You can subscribe to yoursayyarra.com.au to stay up to date on decision making and place making projects happening in your area.

The community are notified directly of new streetwide tree planting proposed through Council's street tree planting program and invited to contact Council with any concerns or questions.

Prior permission from Council is required for any planted verges/ nature strips in front of properties.

Planting out of Council managed assets (e.g. the area around trees or in Council maintained garden beds) is not permitted.

This diagram below summarises a range of potential community initiated ideas. See the table on page 25 for more information on these and advice on how they are considered by council.



Examples of community led initiatives in streets

Type of change	Examples	Considerations and links to more information
Community offerings	• Green walls and fences • Shared produce • Street libraries	• Offerings from within the community members property are welcomed. • Consider any permissions required to use public/private land or street space. The design and/or location of the proposal may trigger the need for a permit so check with Council beforehand.
Activation and events	• Community events • Street stalls • Garage sales • Community artwork	• Consider any permissions required to use public/private land or street space. The design and/or location of the proposal may trigger the need for a permit so check with Council beforehand. • Some proposals of this type may be eligible for funding under the Annual Grants Programme.
Education and research	• Citizen Science Projects • Community education	• Citizen Science projects allow community members to collect data (e.g. local flora and fauna, urban heat) and contribute to research. • Some educational/research projects may be eligible under the Annual Grants Programme
Food growing	• Food growing planter boxes • Temporary laneway gardens • Development or upgrade to community gardens • Community compost hub	• On-street planter boxes and temporary laneway gardens may be eligible through Council's Urban Agriculture programme. • Speak to the Urban Agriculture team for any requests about community gardens or community compost hubs set up to support local food gardens. • Consider any permissions required to use public/private land or street space. The design and/or location of the proposal may trigger the need for a permit so check with Council beforehand.

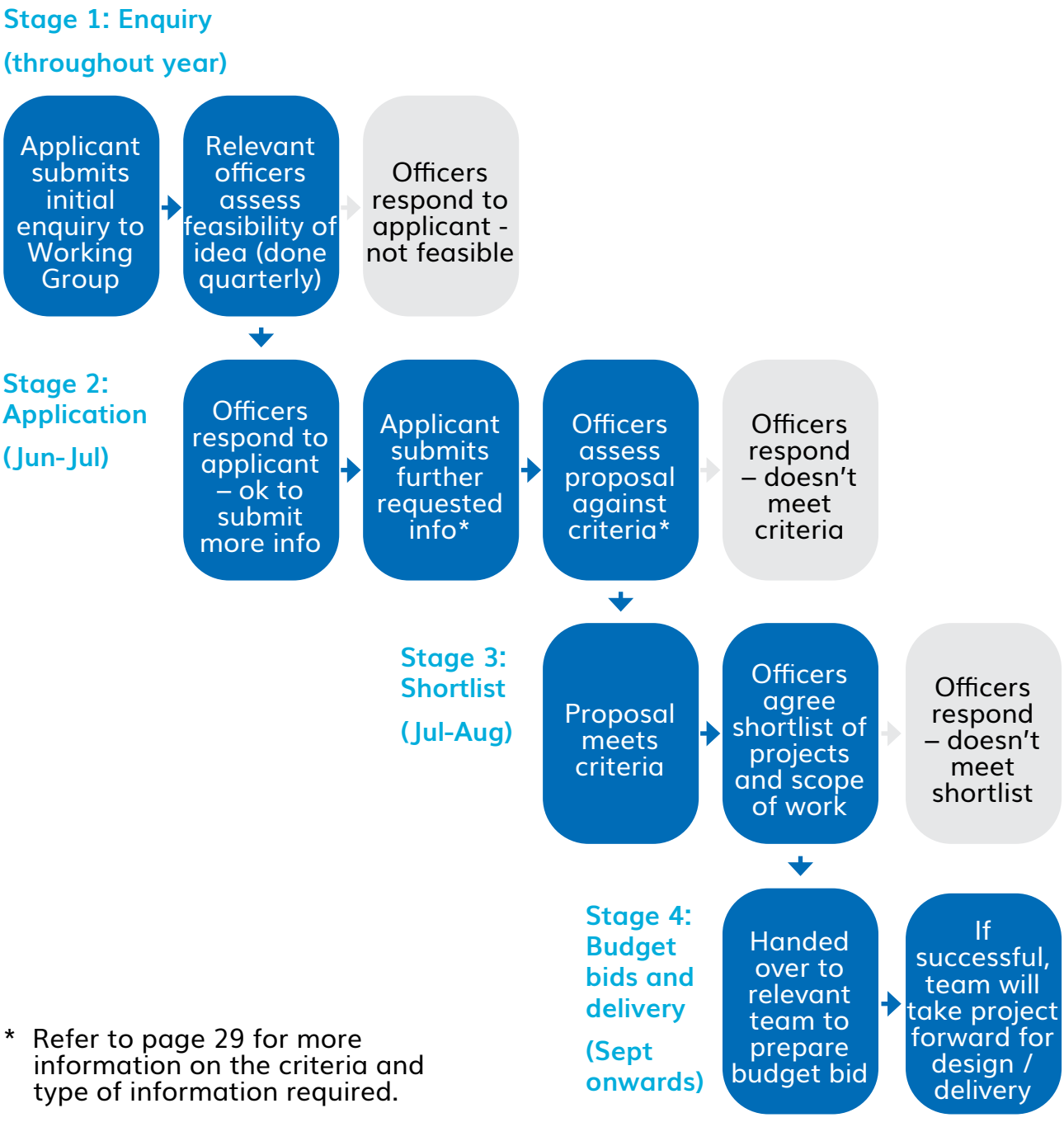
Type of change	Examples	Considerations and links to more information
Minor parking changes	• Accessible parking bay • Car share bay • Changes to parking restrictions • Loading zone	• Requests for minor changes to parking/ loading bays can be lodged on Council's website.
Minor changes and upgrades in the street	• Street tree • Seats • Bike hoops • Maintenance • Minor upgrades	• Minor requests can be lodged with Council by submitting an Enquiry Form, which will be forwarded to the relevant officer to consider. • Requests for new seats can be sensitive if they are in residential areas, so support from neighbours will help demonstrate it's in the right location.
Medium scale changes in the street	• Tree planting and garden beds in the road space • Kerb outstand • Non-standard traffic calming treatments	• These types of changes will require feasibility work to determine if they are technically possible (e.g. in terms of drainage). • Any requests of this type should be lodged with Council by submitting an Enquiry Form, which will be forwarded to the relevant officers to consider. **Appendix A** sets out a broad process for how officers will assess these types of proposals. • There are no dedicated funds for these types of works, therefore any eligible proposals would be subject to Council's annual budget process and would be considered amongst a range of other Council projects and priorities. • In assessing these types of proposals, Council will consider a number of criteria such as how they align with the Council Plan, Community Vision and other relevant policies and strategies; the level of community benefit/support; if the works can be delivered in one financial year; and how it scores against the assessment tools from the annual capital works budget process (e.g. climate adaptation, quadruple bottom line (QBL) and others as they are adopted).

Type of change	Examples	Considerations and links to more information
Large scale changes in the street	• Larger kerb outstands • Footpath widening • New crossing • New pocket park • Whole street redesign (reallocation of road space)	• Larger scale projects generally require more significant changes to the kerbs, drainage, parking and traffic flow. These types of interventions are expensive and require extensive design and feasibility work as well as consultation with the community. These projects usually require multiple stages and can sometimes take at least one to two years to deliver. • Requests from the community for these types of projects would be considered by the relevant officers to establish if they align with strategic plans and priorities and are feasible to pursue. Any requests of this type should be lodged with Council by submitting an Enquiry Form, which will be forwarded to the relevant officers to consider.



Appendix A
Process for assessing any medium scale proposals in local streets

The following flowchart sets out the broad process for how community ideas in streets will be assessed by Council officers. This is subject to review and revisions as needed.



* Refer to page 29 for more information on the criteria and type of information required.

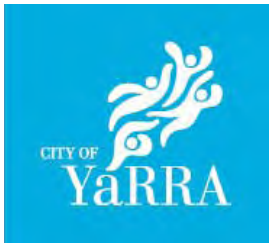
Information to support your application

If an idea proceeds to Stage 2 in the process, Council will provide guidance and templates on what information is required to support an application. This includes but is not limited to the following:

- Location plan showing the extent of the works and any additional images/drawings to support the idea
- Description of the proposal
- Description of the issue that the proposal will respond to, and the benefits it will bring
- Description of who will benefit from the project
- Identification of potential supporters and objectors
- Response to Council Plan and relevant policies.

Evaluation Criteria

If an idea proceeds to Stage 2 in the process, Council will provide guidance on how applications will be assessed. This will include considerations such as how the proposal aligns with the Council Plan, Community Vision and other relevant policies and strategies; the level of community benefit/ support; if the works can be delivered in one financial year; and how the proposal scores against the assessment tools from the annual capital works budget process (e.g. climate adaptation, quadruple bottom line (QBL) and others as they are adopted).



Yarra City Council
PO Box 168, Richmond, VIC 3121
9205 5555
info@yarracity.vic.gov.au
yarracity.vic.gov.au

Customer service centres

Richmond Town Hall
333 Bridge Road, Richmond

Collingwood Town Hall
140 Hoddle Street, Abbotsford

Connie Benn Centre
160 Brunswick Street, Fitzroy

Bargoonga Nganjin, North Fitzroy Library
182 St Georges Road, Fitzroy North

8.5 Place Making Framework

Reference	D22/39520
Author	Susan Stanes - Senior Coordinator Design and Place Making
Authoriser	Director Planning and Place Making

Purpose

1. To provide an update on the *Place Making Framework* and to recommend its adoption by Council.

Critical analysis

History and background

Key Associated Documents

2. The *Road Safety Study Policy* and the *Making Framework* were presented at a Council meeting on 5 October 2021 where the *Road Safety Study Policy* was adopted.
3. At the meeting on 5 October 2021, the endorsement of the *Place Making Framework* was deferred and a resolution adopted by Council that it be presented back to Council in conjunction with a *Local Liveable Streets* document.
4. The *Local Liveable Streets* document outlines how improved outcomes can be achieved on local streets in Yarra.
5. It is a high-level document that sets the expectations for achieving coordinated and quality street environments. It also clarifies how the community can initiate and submit ideas and suggestions, and contribute to possible improved outcomes in their local street.
6. The *Place Making Framework* sets out a place making approach for Yarra, and outlines the key spatial areas of the municipality that would benefit from specific, coordinated planning and delivery.

Context

7. Council is responsible for Yarra's public realm including its streets, parks and public spaces.
8. Many aspects of Council's work, across various teams, are involved with creating 'places' through various activities such as planning, designing, constructing, activating and maintaining the public realm as places for people to use and enjoy.
9. In recent times, the term *'place making'* has been broadly used to encompass all these aspects of creating places that attract people.
10. This has led to various specialist design and engagement practitioners promoting *place making;* and now the term is commonly used by the community when referring to the design of the public realm.
11. 'Place making' can be described as a collaborative and integrated design approach to creating quality public places where people want to live, work, play and learn.
12. The key defining elements of 'place making' are:
    (a) adopting a people-based approach with a focus on providing places for people;
    (b) understanding and thinking of places holistically and collaborating across multiple technical disciplines; and
    (c) incorporating community engagement and involvement in 'place making' that may include community initiated design ideas.

13. The benefits of 'place making' include improved social, economic, sustainable and health and wellbeing outcomes of communities. Ultimately, it is about creating well designed, safe and comfortable places.

14. A way of thinking about 'place making' is the creation of vibrant places for people comprising:

    (a) the 'hard' physical infrastructure; forming the *'stage'*, and

    (b) the 'soft' infrastructure (e.g. programming of spaces); forming the *'use and activation'* of places.

Discussion

15. While Council has expressed significant support for 'place making', and a number of projects have been either delivered or in progress, there is currently no overall organisational guide to its approach.

16. The *Place Making Framework* provides an approach for Yarra, and in particular, outlines the key spatial areas of the municipality that would benefit from specific and coordinated planning and delivery approaches to enhance the public realm, due to their particular importance to the ambience and vitality of the municipality.

17. It is important to note that a dedicated 'place making' approach cannot be provided to each and every street in the municipality, due to limited capacity and resources of the organisation to do so.

18. In this regard, the *Place Making Framework* needs to be targeted (in its full approach), to pursue key public realm improvements in specific areas of the municipality.

19. Improvements to various local streets in the municipality is, however, important through other programs of Council such as *Liveable Local Streets, Road Safety Study*, traffic calming processes, landscaping and street tree planting for instance; and these improvements need to have particular regard to good integrated urban design outcomes, and where possible, some further greening and the like.

Place Making Framework

20. The *Place Making Framework* (PMF) sets out to define what 'place making' is, Council's role and identify its priorities. In this regard, the aims include:

    (a) provide a consistent approach and application to place making strategies, projects and initiatives;

    (b) be forward thinking and plan proactively;

    (c) provide a shared understanding of priorities to inform budgeting, community engagement, project planning and coordinated implementation;

    (d) provide a long term vision for the public realm;

    (e) inform decision making in relation to priorities and resources;

    (f) provide efficiencies and ensuring consistency by working in unison; and

    (g) collate and coordinate existing work across multi-disciplinary Council teams.

21. An internal review identified opportunities for improving the way in which 'place making' occurs at Yarra by building on existing practices, knowledge and processes. It identified the successful 'place making' that has occurred and the officer capabilities and capacity to undertake this work.

22. The *Place Making Framework* (refer **Attachment 1**) identifies processes and opportunities to improve 'place making' planning and outcomes.

23. A Place Making Continuum has been used to understand the breadth of Council's projects and activities and their relationship to 'place making'. This shows the range of projects from strategic place-based work and local designs through to activation and place management.

24. The elements of the *place making continuum* helps to understand how the various work across Council fits together and contributes to the overall 'place making'.

25. In response to the need for clearer priorities, the *Place Making Framework* (PMF) sets out sixteen strategic 'Priority Project Locations' based on existing projects, adopted urban design strategies and upcoming work. This demonstrates the wide distribution and extent of place making projects and activities across Yarra.

Key priorities areas for Place Making

26. The key areas for a focus on significant place making are:

    (a) the Yarra's activity centres;

    (b) the civic precincts;

    (c) the areas that attract people;

    (d) the precincts experiencing significant development and change; and

    (e) the employment/economic precincts of Cremorne and Gipps Street.

27. In the future, as opportunities or needs are identified, these precincts may alter.

28. The range of projects include precinct-wide strategic directions and also more specific localised designs. In the case of Cremorne, Victoria Street and North Richmond significant State Government projects are also underway which requires a coordinated approach.

29. As part of the 'place making continuum', there are other more operational programs, such as street tree planting, urban agriculture initiatives, playground renewals and community street parties that all contribute to Council's efforts in place making through design and activation.

Community Involvement

30. The involvement of the community is also a key element of good *place making* and *place management* practice.

31. The community's interest can often, however, be less about strategic projects and more about localised projects for improving the design of the public realm.

32. The Yarra community has shown a strong interest of 'place making' and, increasingly, have suggested proposals for Council's consideration, and in some instances sought involvement in the design process through 'co-design' and community-led place making practices.

33. Most council projects already include some form of community engagement. The *Place Making Framework* proposes the use of Council's *Community Engagement Policy* (based on the IAP2) to guide the appropriate practices to suit individual projects.

34. The intention is to continue to support the community's involvement in projects and activities, but with an understanding that, in many situations, Council will need to lead the design process given the range of technical design issues and potential implications for future asset management and budget impacts.

35. Further, Council often receives ideas from the community for improving the design of the public realm and, in particular, for increasing greenery and achieving more sustainable design outcomes. The community's ideas can come through representations to Councillors, petitions and submissions as well as via customer requests to the organisation.

36. Ideas can range from simple requests, such as additional tree planting, through to (at times), more complex suggestions and ideas to the design of local areas.

37. The simpler requests often can be accommodated through existing resources and programs, such as the annual tree planting program and maintenance programs, while other proposals can be complex and possibly have wider implications for Council, in particular, asset management and resourcing.

38. The *Local Liveable Streets* document (see other Agenda item) outlines how the community can influence and seek to initiate changes in local streets and also sets out the range of different initiatives that the community can explore for their street.

39. The *Local Liveable Streets* document also provides direct links to how the community can find out more, or contact officers to a range of initiatives including:

    (a) community offerings (e.g. shared produce, street libraries);

    (b) activation and events (e.g. community street event, artwork);

    (c) education and research (e.g. Citizen Science, education projects);

    (d) food growing (e.g. planter boxes, temporary laneway gardens);

    (e) minor parking changes (e.g. new accessible bay, changes to parking restrictions);

    (f) minor changes and upgrades (e.g. new tree, seat, maintenance of Council assets);

    (g) medium scale changes in the street (e.g. kerb outstand, garden beds in the road space, median tree planting), and

    (h) large scale changes in the street (e.g. new pocket park in the road space, new crossing, whole street redesign).

40. The assessment and delivery of the more complex community initiated ideas is a matter that requires an approach by Council where these are evaluated for their feasibility, practicality, suitability against Council Plan objectives and also budget considerations.

Implementing Place Making in Yarra

41. The challenge for Council is to develop a 'place making approach' which is:

    (a) responsive to the great diversity of places in Yarra;

    (b) achievable within the current capacity and resources;

    (c) can adapt to changing priorities as specified by Council;

    (d) involves the community; and

    (e) provides a longer term capital works program for projects.

42. A key challenge is the resourcing of public realm improvements, particularly where some projects can take a number of years to come to fruition.

43. Ongoing collaboration and coordination across Council teams is a focus – and needs to continue to enable projects to be seen through a number of perspectives that are required to deliver integrated outcomes.

44. Amongst Council officers there is a sound general awareness of the concept of 'place making' and the range of Council work that contributes towards the design and use of public spaces in Yarra. This can be further enhanced through training and application of the principles outlined in the attachment and also be promoted across the organisation.

45. It is noted that a 'Collaborative Group', comprising senior officers across the Planning and Place Making and City Works and Assets Divisions, was established a few years ago to promote a "One Yarra" approach - and has proved successful in supporting greater project collaboration and more coordinated integrated outcomes.

46. The *Place Making Framework* also provides some key principles for the application of the *'Road Safety Plan Policy'*, including particular attention to urban design aspects and including elements of greening where possible.

47. The *Local Liveable Streets* document sets out principles and examples of good design and explains how the Council coordinates on projects in local streets.

48. Council's capital works program and processes focuses on a coordinated approach to implement projects within the priority precincts with this 'place making' lens.

Options

49. Council can either:

    (a) adopt the *Place Making Framework*, with or without changes;

    or

    (b) not adopt a *Place Making Framework*, and rely on other strategies and practices to coordinate works in the key areas identified.

Community and stakeholder engagement

50. The *Place Making Framework* has been prepared as an internal working document and has not involved external community engagement. Consultation has occurred internally across an extensive range of teams including:

    (a) Traffic Engineering;

    (b) Sustainable Transport;

    (c) Arts and Culture;

    (d) Social Policy;

    (e) Community Grants;

    (f) Sustainability;

    (g) Libraries;

    (h) Urban Agriculture;

    (i) Heritage;

    (j) Recreation and Leisure;

    (k) City Works;

    (l) Open Space Planning and Design;

    (m) Urban Design;

    (n) Strategic Planning;

    (o) Economic Development;

    (p) Buildings;

    (q) City Lab; and

    (r) Strategic Planning.

Policy analysis

Alignment to Community Vision and Council Plan

51. A *Place Making Framework* would support various directions and actions within the 'Council Plan' and help consolidate a 'One Yarra' approach to public realm design.

52. It is noted that at times, some matters need to be reconciled amongst various Council strategy intents. In these instances, the *best fit* approach amongst all strategy intents is what is required.

Climate emergency and sustainability implications

53. A coordinated approach, and integrated thinking to the design of the public realm supports Council's response to the climate emergency through such things as green infrastructure and use of recycled and sustainable materials.

Community and social implications

54. Council's place making approaches will continue to engage the community in various ways through particular projects.

55. A holistic approach to thinking about places and clear priorities support Council's efforts to address the community needs.

Economic development implications

56. The priority locations set out in the *Place Making Framework* largely refers to several of Yarra's activity centres and two of the major employment and economic precincts.

57. It is noted that 'place making' can contribute to improved economic and business activity through increased amenity and vitality of spaces and better identity of centres; and also through place activation (the place management aspect) and establishing collaborations with the business communities.

Human rights and gender equality implications

58. There are no identified human right implications from this report.

59. The intention of 'place making' is to provide places for people to enjoy.

Operational analysis

Financial and resource impacts

60. There are no financial or resource impacts from adopting the *Place Making Framework*.

61. There are, however, ongoing budget aspects for the successful delivery of place making projects and their place management. These possible projects would be considered by the Council via budget preparation, consideration of new initiative bids and formal Council consideration of key projects.

Legal Implications

62. There are no legal implications from this report.

Conclusion

63. Addressing place making priorities, resourcing and continuing to improve project coordination and collaboration would help achieve more integrated and holistic approaches to Yarra's public space design and use.

64. The *Place Making Framework* provides guidance to staff and will also inform the community as to the 'One Yarra' approach for public realm projects, particularly in the key priority areas.

65. The *Place Making Framework* sits alongside the *Local Liveable Streets* document to ensure quality design outcomes in Yarra's public spaces including local neighbourhood streets.

66. It is recommended that Council adopt the *Place Making Framework* as the guiding document for the organisation to plan, develop, implement and manage significant place making projects into the future.

RECOMMENDATION

1. That Council:
   (a) note the officer report regarding the proposed final *Place Making Framework* document;
   (b) note the *Place Making Framework* document and content as shown in Attachment 1.
   (c) note that the *Place Making Framework* sits alongside the *Local Liveable Streets* document to ensure quality design outcomes in Yarra's public spaces including local neighbourhood streets;
   (d) note that the *Place Making Framework* (PMF) sets out to define what 'place making' is, the Council's role and identify its priorities; and
   (e) note that the *Place Making Framework* sets out a place making approach for Yarra, and outlines the key spatial areas of the municipality that would benefit from specific coordinated planning and delivery.
2. That Council adopt the final *Place Making Framework* document as shown in Attachment 1 to serve as the guiding document for the organisation to plan, develop, implement and manage place making projects.

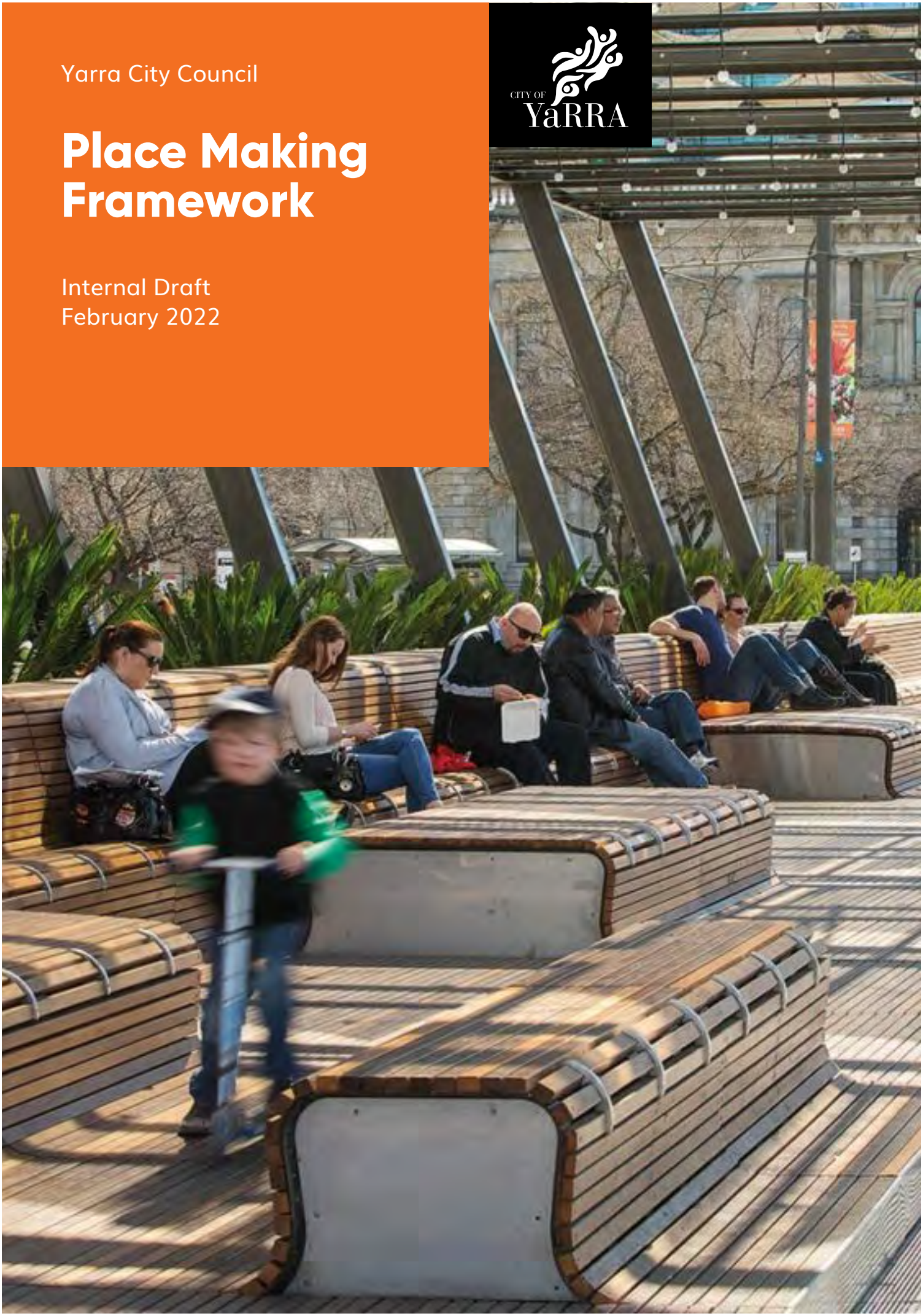
Attachments

1 Draft Place Making Framework February 2022

Yarra City Council

Place Making Framework

Internal Draft
February 2022





Acknowledgments

Yarra City Council acknowledges the Wurundjeri Woi Wurrung people as the Traditional Owners and true sovereigns of the land now known as Yarra. We also acknowledge the significant contributions made by other Aboriginal and Torres Strait Islander people to life in Yarra. We pay our respects to Elders from all nations —and to their Elders past, present and future.



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Appendix 1 **14**

Place Making Examples – Small and large scale

1 Introduction

1.1 What is Place Making

The Place Making Framework is an internal document that provides guidance to Council on place making principles and practices to lead to coordinated and quality public realm outcomes in Yarra.



Place making is a collaborative and integrated design approach to creating quality public places where people want to live, work, play and learn.

It is a multi-disciplinary process for planning and developing places that involves understanding the culture, the qualities and opportunities of the place and the ideas of its communities. The key defining elements of place making are:

- Adopting a people-based design approach with a focus on providing places for people;
- Understanding and thinking of places holistically and collaborating across multiple technical disciplines;
- Incorporating community engagement and involvement in place making that may include community initiated design ideas.

The benefits of place making include improved social, economic, sustainable and health and well being outcomes of communities.

Ultimately, it is about creating well designed, safe and comfortable places.

1.2 Place Making Vision

Council and the community working together to grow the pride, ownership and sense of identity in local places in Yarra. We will collaborate to foster creative sustainable and liveable places that reflect and nurture what we love about Yarra.





1.3 'Hard' and 'Soft' Place Making

One way of conceiving place making is as 'hard' physical infrastructure and 'soft' place making elements, such as activation. Also referred to as the 'stage' and the 'show', this delineation points to the different ways various players can engage to create vibrant places. Diagram 1 provides a brief snapshot:

Hard / Stage
Public Realm improvements and Public Spaces (including materials and features)
Tree Planting
Traffic Management Treatments
New Open Spaces and improvements to existing Open Spaces
Community Gardens

Activations and Place Management
Community events
Pop-up and temporary or trial installations
Markets
Street parties
Place management and curation

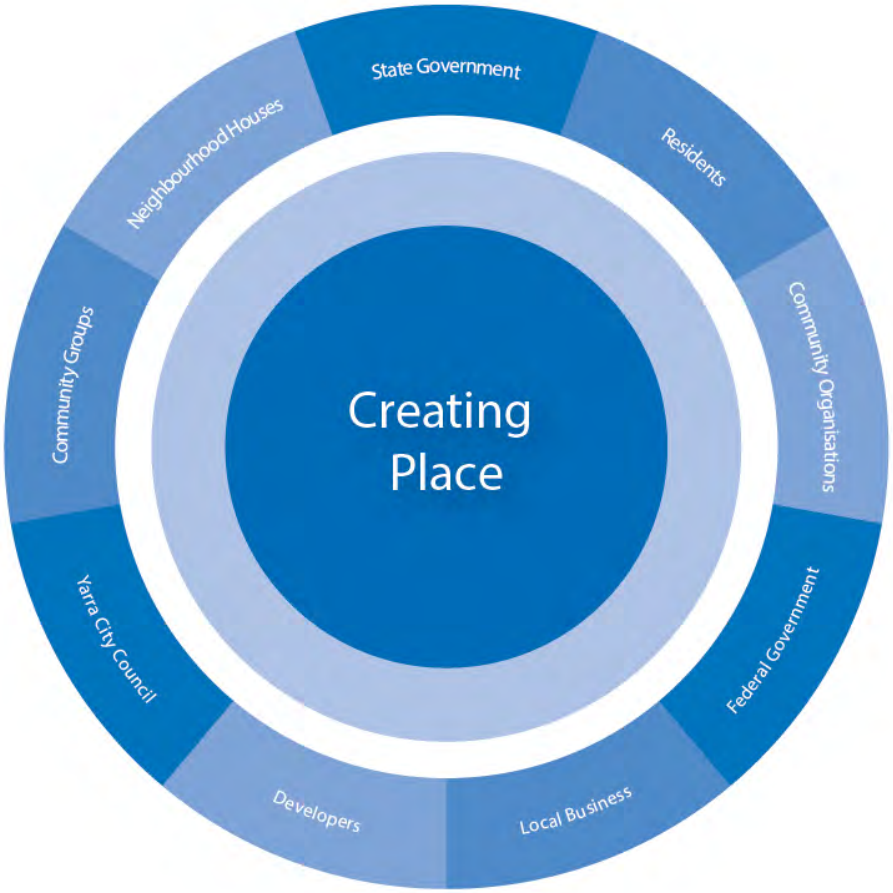


Diagram 1 – Creating Places







2 Council Led Place Making



Diagram 2 - Place Making Influences at Yarra

So much of Council's work and activities are directed towards creating great public spaces, including Yarra's streets, parks, and other public realm. Council has developed expectations that a place-based design approach and place making practices are used in designing public places in Yarra.

Diagram 2 illustrates the range of multi disciplinary areas within Council that input into public realm design and place making.

It is about developing place making partnerships to work together to plan, design, develop, activate and manage places and programs.



Bargoonga Nganjin Library, North Fitzroy. (www.booksandpublishing.com.au/)

3 Purpose of the Place Making Framework

Yarra's Place Making Framework is focused on the design and creation of Yarra's public realm, place activation and community engagement to shape the public realm in identified precincts. The role of the Framework is to:

- Provide a consistent approach and application to place making strategies, projects and initiatives;
- Be forward thinking and plan pro-actively;
- Provide a shared understanding of priorities to inform budgeting, community engagement, project planning and coordinated implementation;
- Provide a long term vision for the public realm;
- Inform decision making in relation to priorities and resources;
- Provide efficiencies and ensuring consistency by working in unison; and
- Collate and coordinate existing work across multi-disciplinary Council teams.



Malop Street, Geelong - Outlines Landscape Architects (www.outlinesla.com.au)

4 Place Making Continuum for Developing Spaces and Places



Diagram 3 – Place Making Continuum

Council's projects and activities can be seen as occurring along a 'Place Making Continuum' ranging from strategies through to more localised design projects and in some instances the activation of spaces and place management. The elements of the place making continuum help to understand how the various work across council fit together and contribute to place making, these include:

a. **Strategic Directions -** municipal and larger area based strategies and directions.

b. **Precinct and Smaller Area Plans -** more detail but still conceptual and at a local level.

c. **Specific Place-Based Projects -** detailed design and construction projects.

d. **Place Activation -** programming of events and curating of spaces.

e. **Place Management -** working with businesses and community to coordinate activities and curate places.

5 Priority Places in Yarra

With so many areas of Yarra undergoing change through development, as well as the need for Yarra to adapt to the impacts of climate change and be a more sustainable municipality, there is no shortage of potential place making projects and opportunities.

From a strategic perspective there is a focus and a high priority on areas that:

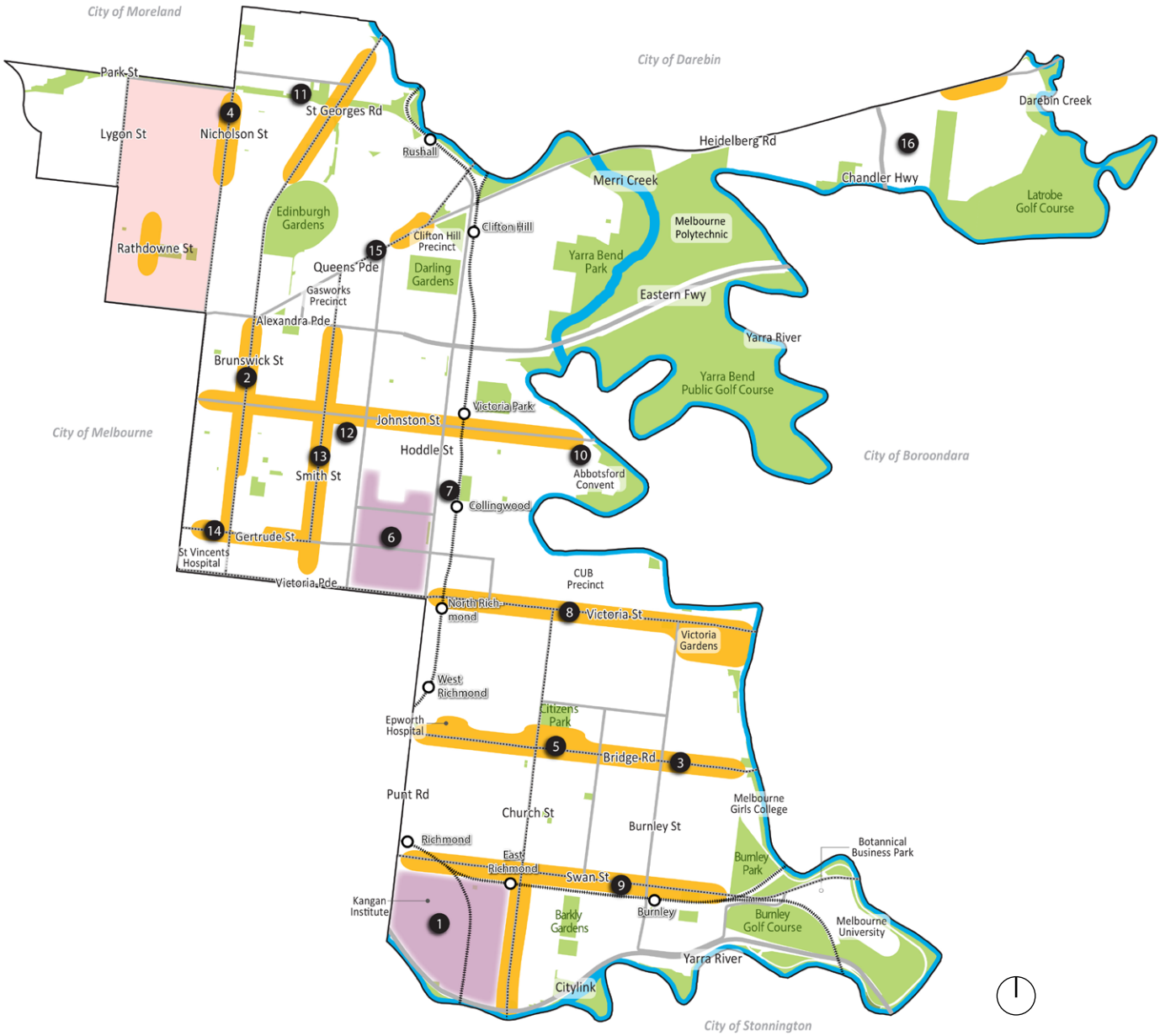
- attract people with shops, community centres and other facilities and spaces where people like to gather;
- offer the potential for improvements and present the greatest need for infrastructure upgrades;
- areas undergoing significant development and change that brings about a need to improve and adapt the public realm to accommodate greater activity, changing function and create a new sense of place; and
- offer opportunities for activation to engage the community.

A map has been prepared (Map 1), informed by the place making continuum and criteria outlined above, to provide an understanding of the spatial relationships of the current key locational priorities for place making work. Of course, over time new places and priority areas will develop.

Other smaller projects and activities can still occur as part of Council's place making approach, outside of the priority areas.



5.1 Map 1 Current Priority Locations (Subject to change as projects are implemented)



Map 1 (NTS)

1. Cremorne Enterprise Precinct – This precinct has grown to attract a wealth of new creative and digital enterprises, becoming one of Australia's premier locations for technology and innovation. The Cremorne Implementation Plan has been prepared in conjunction with the Victorian Planning Authority. It is likely that this will generate localised public realm improvements ideas to achieve a greener Cremorne with more public realm and open space improvements.
2. Brunswick Street Activity Centre – Council's adopted streetscape masterplan was developed with community input and internal cross team involvement, and identified public realm improvements for future design work and budget bids.
3. Bridge Road Activity Centre – Council's adopted Bridge Road Masterplan sets out a range of street improvements with proposed projects including upgrades to Richmond Town Hall precinct, including the proposed redesign of Gleadell and Griffith Streets.
4. Nicholson Street Village – The economic development unit led collaboration with local traders in response to Route 96 tram works that included a shop local campaign, Halloween promotion and Christmas campaign. Additional urban design work is underway for improvements using $400k Department of Transport (DoT) funding.
5. Richmond Town Hall Precinct (includes Gleadell/Griffith streets) - Identified in the Bridge Road Streetscape Master Plan and other strategic documents, this civic precinct has the potential for improved public spaces, upgraded and widened pedestrian and cycle connections and greening.
6. Gipps Street Precinct (Employment Area) – An identified major employment precinct undergoing significant redevelopment which will require the reassessment of the design and function of the public realm within the precinct.
7. Collingwood Town Hall Precinct – presents opportunities for redevelopment as a community and civic precinct.
8. Victoria Street Activity Centre – The North Richmond Revitalisation initiative is sponsored by the state government and Yarra City Council. This is likely to lead to an action plan for revitalising the Victoria Street activity centre.
9. Swan Street Activity Centre – Preparation of a masterplan for street improvements that would guide design and delivery of future capital works program. The document is intended to form basis for negotiations with private development and State Government agencies to achieve public realm outcomes that will provide benefits to the wider community.
10. The Abbotsford Convent and the Collingwood Children's Farm has been identified as a location for place making, given it is a major visitor attractor in Yarra.
11. Proposed Linear Park Masterplan, North Fitzroy.
12. Collingwood Arts precinct including the Collingwood yards is a vital part of the creative community of artists, creative and community organisations.
13. Smith Street - A vibrant Activity Centre attracting large numbers of people. Has the highest growth rate of co-working spaces in Yarra.
14. Gertrude Street - Active and engaged business community with the largest concentration of parklets in Yarra. Low vacancy rates and a popular destination for visitors.
15. Queens Parade Activity Centre - Attracts a loyal local patronage and offers the full complement of neighbourhood services. Renowned for its strong heritage character.
16. Former AMCOR Site - Urban renewal brown field project in progress on 16.5 hectares land, to create a new community adjacent to the Yarra River. It will include a mix of residential, retail, commercial and public spaces.

6 Place Making in Yarra

6.1 Integrated design and decisions

The challenge for Yarra is to develop a place making approach which:

- is responsive to the great diversity of places in Yarra;
- can adapt to changing priorities;
- involves the community;
- is achievable within resources; and
- considers the priority precincts when allocating the capital works program.

Collaborative Working Group

Early in 2019 a Collaborative Working Group was established, drawing from the leadership across the main divisions involved in strategic planning and capital works, and this now meets regularly. These meetings have provided a single point of reference and have been instructive in bringing about greater understanding and awareness of projects and their inter-relationships. This group has cultivated and will continue to apply a 'One Yarra' mindset around place making in Yarra.

Road Safety Study

The primary objective of the Road Safety Study is to improve road safety and is managed by the Traffic Unit within Yarra's Infrastructure, Traffic and Civil Engineering Branch. Internal collaboration with other teams within Council is provided through a working group, who are consulted throughout the process to inform the overall plan.

This enables consideration of broader issues and ensures that Council priorities are addressed wherever practical.

The Place Making Framework has been prepared having regard to the new directions of the Road Safety Study where road safety designs incorporate urban design elements and an integrated design approach.

Local Liveable Streets

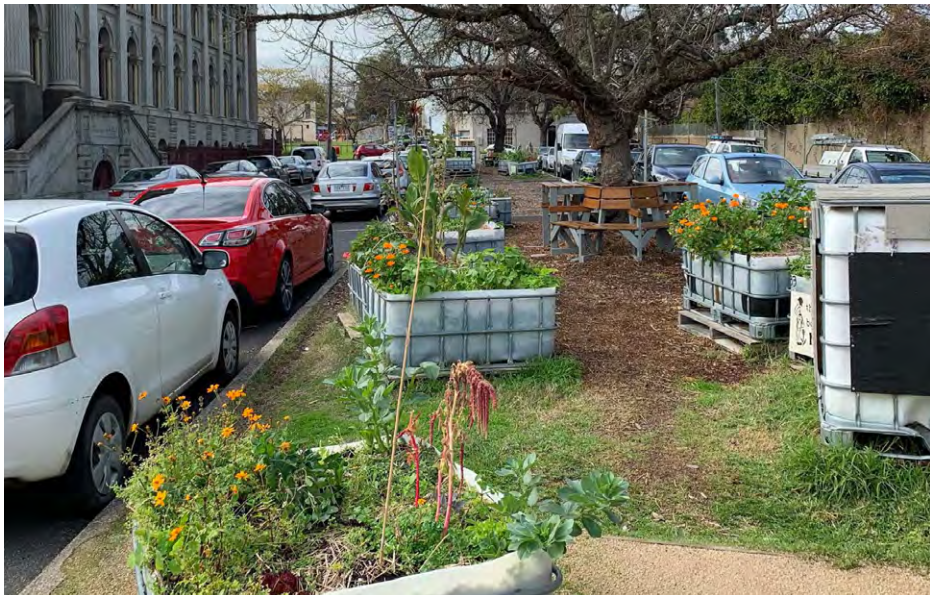
The Draft Yarra Placemaking Framework sits alongside the Local Liveable Street document which focuses on opportunities and good design within local streets in Yarra. It sets out the principles of good design in local streets. It also clarifies how the community can initiate and contribute to improved outcomes in their local street.

Yarra's Capital Works Programme

Council's capital works program will take into consideration a coordinated approach to implement projects within the priority precincts.







6.2 Community Expectations

From the community's perspective, place making is probably less about the strategic projects and more about the design of localised places and their opportunity to initiate projects and be involved in the design process such as through "co-design" and community led design practices. The extent and type of community engagement will vary according to the type of place making project and will be guided by Council's Engagement Strategy.

The community has a strong interest in place making and increasingly wanting to be able to utilise the public realm for community initiated projects.

Council can take an enabling role facilitating community involvement and use of the public realm through permits, grants and publicity, whilst having regard to issues of public safety, maintenance, cleansing, risk and generally ensuring good amenity.

A place making approach will need to be responsive to the community interest and should facilitate the community's engagement in projects while understanding the role that Council may need to undertake, which will vary depending upon the nature of the project or activity. Some community activities require minimal council involvement while other projects involving the redesign of the public realm will require council's involvement due to the range of technical design issues and potential implications for future asset management and budget impacts.

The intention is to continue supporting existing programs that promote the community's use of public space. There is a clear interest within parts of the community to initiate public realm design projects and often these come to Council through specific representation and via the annual budget process.

7.0 Evaluation

Evaluation will be undertaken to help measure the effectiveness of place making projects and processes in the priority precincts identified in Yarra. This will enable improvements to be made as required. Some evaluation techniques may include:

- Reviewing the internal collaboration process across respective teams;
- Surveys to capture the community's views on the design and use of the space;
- Observations on site to see how the spaces are being used; and
- Reviewing the effectiveness of the community engagement process.



8 Implementing Place Making in Yarra

8.1 Requirements for Successful Place Making

Yarra's Place Making Framework is focused on the design and creation of Yarra's public realm, place activation and community engagement to shape the public realm in identified precincts.

The following are important requirements for successful place making across Yarra.

1. A spatial understanding of key place making locations. An organisational understanding of how the projects and activities occurring across the organisation fit within the concept of place making.

2. Identification of key place making projects and priorities to concentrate Yarra's place making efforts.

3. Coordination of projects to align with the priorities.

4. Organisational awareness and staff skills and knowledge of place making practices.

5. Collaborative integrated design thinking and place-based approach on public realm projects.

6. Leadership and oversight to support place making.

Place making requires a One Yarra approach now and into the future to meet the priority needs of the City and the community.



8.2 Place Making Practices Moving Forward for Yarra

Council and the community working together to grow the pride, ownership and sense of identity in local places in Yarra. We will collaborate to foster creative sustainable and liveable places that reflect and nurture what we love about Yarra.

Place making in Yarra will build upon existing design approaches. The practice of place making in Yarra will:

1. Prioritise place making projects to align with the priority precincts in Map 1. Priority locations will adapt over to time to reflect changing needs;
2. Consider the Place Making Continuum model when planning and implementing projects in priority precincts;
3. Use Council's Community Engagement Policy and the IAP2 as the framework for guiding the type of engagement appropriate to a project, recognise the high level of community interest in place making activities and in co-design approaches and look to incorporate approaches to key projects where appropriate;
4. Undertake internal and external communications to promote Yarra's place making priorities and projects;
5. Utilise the cross-divisional leadership role of the current Collaboration Working Group with a key purpose of coordinating design and civil work programs and priorities across teams;
6. Resource the implementation of the Road Safety Strategy and Local Liveable Streets through urban design advice for relevant projects with place making opportunities;
7. Be responsive to the community interest in place making projects and continue to provide opportunities for community grants for localised place making projects, such as activation;
8. Where appropriate apply a place-based lens over the annual budget bids (Capital Works and New Initiatives) to align resources, priorities and improve coordination;
9. Acknowledge that place making is design based and that the urban design team has a leadership role in providing an overall design perspective to the public realm and providing technical advice and support to other teams; and
10. Support organizational training and education in place making practices. Council is responsible for Yarra's public realm – including its streets, parks and public spaces. Many aspects of Council's work, across various teams are involved with creating 'places' through various activities such as planning, designing, constructing, activating and maintaining the public realm as places for people to use and enjoy.

1 Appendix

Place Making Examples – Small and large scale

The images are aspirational outcomes from local, national and international examples. In a Yarra context, projects will be dependant on budget resources and allocation, including maintenance considerations and costs.

Public Seating –

responsive to the character and needs of the community particularly for places to sit, socialise, rest and watch









Kerb Outstands –

small incremental increase in public space and greening that is of high quality design



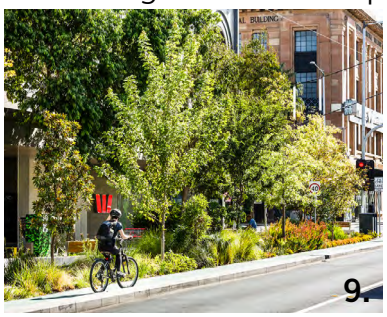






Greening –

increasing the tree canopy cover and maximising planting opportunities









1. & 2. Victoria Square, Tarntanyangga - Adelaide - TCL **3.** Greville St and Grattan Gardens, Prahran - Melbourne - Rush Wright Associates **4.** Red Stair Amphitheatre, Southbank - Melbourne - Marcus O'Reilly Architects **5.** Kensington Train Station, Kensington - Melbourne **6.** Curtain Street, Carlton North - Melbourne **7.** Dawson Street, Brunswick - Melbourne **8.** McIlwraith Street, Princes Hill - Melbourne **9.** Malop Street, Geelong - Victoria - Outlines Landscape Architects **10.** Greening Dyeworks Park, South Yarra - Melbourne **11.** Pedestrian Link, Newton Street, Cremorne - Melbourne **12.** Napier Street, Fitzroy - Melbourne

Traffic Infrastructure –

quality and considered design outcomes including maximising opportunities for greening and public benefit


1.


2.


3.

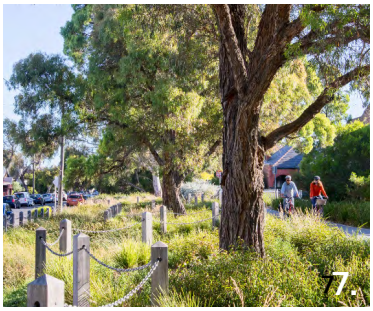

4.

Bike Paths –

incorporating well designed and functional bike paths into our streets and public spaces


5.

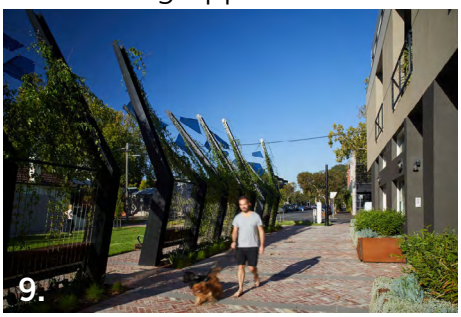

6.


7.


8.

Converting Roads to Parks –

maximising opportunities to convert road space into public open space


9.


10.


11.

1. Lennox Street, Richmond - Melbourne **2.** Richardson Street, Carlton North - Melbourne **3.** City of Snohomish, USA - ReidMiddleton **4.** Hobsons Bay City Council - Melbourne **5.** Wellington Street, Collingwood - Melbourne **6.** Capital City Trail, Carlton North - Melbourne **7.** Inner Circle, Mark Street Reserve, Fitzroy North - Melbourne **8.** Main Yarra Trail, Cremorne - Melbourne **9.** Charles & Mollison Street Pocket Park, Abbotsford - Melbourne **10.** Saxon Street, Brunswick (Town Hall) - Melbourne **11.** Gardiner Reserve, Dryburgh St, North Melbourne - Melbourne

Smart Technology –

consider opportunities to include smart technology in public realm projects


1.


2.

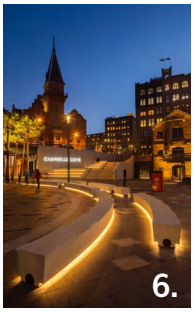

3.

Lighting –

consideration of appropriate lighting to create ambiance and character


4.


5.


6.


7.

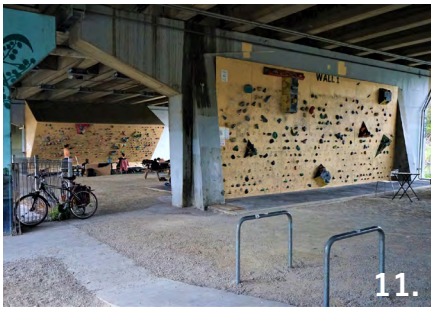

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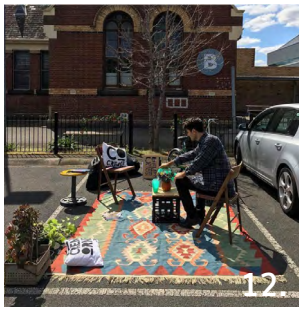
Play Space –

places to play, engage and have fun


9.


10.


11.


12.

1. Smart Poles, Geelong Waterfront - City of Greater Geelong **2. & 3.** Victoria Street – Richmond; Perceptions of Safety, Concept Design Document - ARUP **4.** Gronnegade Square - Denmark - Torben-Eskerod (Landezine) **5.** Darling Harbour - Sydney - HASSELL (Landezine) **6.** Campbells Cove, Sydney - Context Landscape Architecture (Landezine) **7.** Light beacon Gateway, Windsor Plaza - Melbourne - ASPECT Studios (aila.org) **8.** Pitt Street Mall, Sydney (Landezine) **9.** Slowdown Installation; Landscape Festival - Moscow **10.** Skinny Playscape, Kalvebod Brygge Copenhagen - Denmark - JDS Architects **11.** Bouldering Wall, Burnley - Melbourne **12.** Global Parking Day (Cremorne.co)

Performance / Events –

activates places through performance, art and activities







Public Art –

opportunity to showcase public art and create new experiences in public spaces







Laneways –

maximising the greening, play and aesthetic opportunities in laneways to provide people friendly spaces







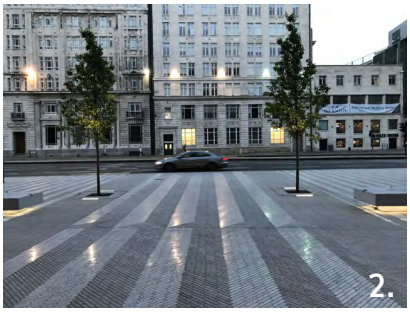


1. MPavillion, Melbourne - Victoria **2.** Gertrude Projections Festival, Fitzroy - Melbourne **3.** Projection Program, Peel Street Park, Collingwood - Melbourne **4.** Mural by Robert Young , Charcoal Lane, Fitzroy - Melbourne **5.** Remember Me by Reko Rennie, Atherton Gardens, Fitzroy - Melbourne **6.** Brunswick Street, Fitzroy - Melbourne **7.** Coromandel Place, Melbourne CBD **8.** Bridge Lane, Sydney CBD **9. Passageways Installation, Chattanooga Tennessee - US 10.** Hastings West Laneway, Vancouver - Canada

Gateways –

opportunity to reflect the character of the place


1.


2.


3.

Urban Agriculture –

provide opportunities for locals to participate in urban agriculture



4.



5.


6.

Parklets / Footpath Trading –

parklets and footpath trading provide vibrancy to streets and attract people


7.


8.



9.


10.

1. Victoria Street, Abbotsford/Richmond - Melbourne - Gregory Burgess Architects **2.** The Voyage, Liverpool - UK - BCA Landscape (Landezine) **3.** Wellington Waterfront - NZ - ISTHMUS (Landezine) **4.** Acre Farmhouse Restaurant, Burwood East - Melbourne **5.** FareShare gardens, Abbotsford, Melbourne **6.** Acre Farmhouse Restaurant, Burwood East - Melbourne **7.** Brunswick / Hanover Streets, Fitzroy - Melbourne **8.** River Street, Richmond - Melbourne **9.** Lulie Street, Abbotsford - Melbourne **10.** Stanley Street, Collingwood - Melbourne

Community Led Temporary Road Closures –

short term activation of streets for street parties, play streets and events etc.







1. Mark Street Feast; Community Project, Fitzroy North - Melbourne **2.** Playstreets Australia, Melbourne - CoDesign Studio initiative with VicHealth and City of Melbourne (Westpac / Matthew Deutscher) **3.** Residential Street, Sydney (BDAA)

CITY OF YARRA

Design & Place Making

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8.6 Yarra Transport Strategy - Moving Forward: Exhibition Draft

Executive Summary

Purpose

To provide to Council the draft *Yarra Transport Strategy - Moving Forward* and seek permission to place it on public exhibition to seek community comment.

Key Issues

In recent times, Council has adopted a Community Vision, Council Plan, Annual Plan, Road Safety Plan, and Climate Emergency Plan which set certain directions. As a consequence, Council also needs to update its strategies relating to transport in order to align with these new strategies.

The draft *Yarra Transport Strategy* (the Strategy) provided at Attachment 1 provides for a 10 year multi modal strategy. It provides a recommended transport vision, objectives, policies and other supporting activities to meet the aspirations of the local community as outlined in the *Yarra 2036 Community Vision* and other recent community consultation processes.

It is intended that the draft Strategy be placed on public exhibition for four weeks. Officers would then bring a revised final draft back to Council which considers the submissions from the consultation process. The further report from officers would be accompanied by 'consultation feedback paper' detailing comments from the community and other key stakeholders.

A range of inclusive approaches is proposed to be used to publicise the draft strategy and encourage a broad range of people to provide feedback. Channels for communication would include the Councils *Your Say Yarra* website, email contact lists, newsletters, radio, social media and posters.

Targeted information is also proposed to encourage people to submit from linguistically diverse backgrounds and other groups such as people with a disability and youth.

Financial Implications

There are no financial implications directly associated with placing the draft strategy on exhibition other than 'material' to engage the public.

If the strategy is adopted there would need to be substantial financial allocation by Council over a decade to make the vision a reality.

Advocacy to the State and Federal Government (and funding requests) would also occur as part of an implementation plan.

PROPOSAL

That Council:

(a) notes the officer report regarding the draft *Yarra Transport Strategy* as shown in the attachment which includes a vision, objectives, policies and other supporting activities to advance improvements to the transport network;

(b) notes that the draft strategy aligns with the key aspects of the *Yarra 2036 Community Vision and* Strategic Objective 5 of the *Council Plan 2021-2025*;

(c) note that the draft strategy would provide specific policy direction for the progression of future actions to progress transport outcomes in the municipality;

(d) note the recommended consultation approach as outlined in the report to engage with the community and seek comments for Council consideration;

(e) authorises the Interim CEO to place the attached draft *Yarra Transport Strategy* on public exhibition for a period of 4 weeks;

(f) require officers to bring back a further report after the exhibition period outlining the submissions, officers comments and a revised *Yarra Transport Strategy* for further Council consideration; and

(g) note that following the adoption of a *Yarra Transport Strategy* that officers will prepare an action plan for Council consideration.

8.6 Yarra Transport Strategy - Moving Forward: Exhibition Draft

Reference	D22/39487
Author	Simon Exon - Unit Manager Strategic Transport
Authoriser	Director Planning and Place Making

Purpose

1. To provide to Council the draft *Yarra Transport Strategy - Moving Forward* and seek permission to place it on public exhibition to seek community comment.

Critical analysis

2. Transport topics are very important to the local Yarra community for many reasons. This relates to traffic management, strategic transport initiatives, public transport, forms of active transport, new mobility devices and also amenity and safety.
3. With Yarra's location in Melbourne there is very significant through vehicle traffic – Yarra seeks to manage the impacts of this traffic via road safety plans, active transport actions and also advocacy to State Government for actions.
4. Whilst there is a number of fixed rail routes (train and tram routes); the capacity of public transport has been of concern in pre pandemic times and this is likely to occur again once travel trends return more akin to previous situations. The growth of Melbourne and also development pressure in Yarra adds to this situation.
5. Over the past 2 decades, Yarra has had various strategies relating to both broad and specific transport aspects. These need updating to align with current Council directions.
6. The draft *Yarra Transport Strategy* is designed as a new way forward to align with the direction of the Council as expressed in its corporate statements (see below).

Community Vision and Council Plan

7. The draft *Yarra Transport Strategy Exhibition* is provided at Attachment 1 and responds to the both the *Yarra 2036 Community Vision* and Strategic Objective 5 of the *Council Plan 2021-2025.*
8. In this regard, the recently adopted ***Community Vision*** (developed through a deliberative process with the community) states that Yarra needs to have:

> *"A transport system that is innovative, efficient, sustainable and accessible".*

9. Further, a *Strategic Objective* of the ***Council Plan*** ('Strategic Objective Five: *Transport and Movement')* states:

> *"Yarra's transport network is sustainable and recognises that streets are important shared public spaces. Transport and movement is accessible, safe and well connected"*
>
> *Yarra prioritises sustainable and active transport, to help people move safely and sustainably through and within our municipality. Council is committed to creating a city that is accessible to all, irrespective of levels of personal mobility, to support a fulfilling life without the need for a car. It is an integral part of our climate emergency response to reduce transport emissions towards net-zero emissions by 2030".*

10. In this regard, the draft Strategy recommends a transport *vision, objectives, policies* and other supporting activities to meet the aspirations of the Yarra community as outlined in both the *Yarra 2036 Community Vision and the Council Plan 2021-2025*.

Context

11. Yarra and Metropolitan Melbourne is now changing rapidly, possibly more rapidly than ever due to various factors including sustained high levels of population growth, underlying economic trends, technology, lifestyle trends and most recently a global pandemic.

12. This dynamic is challenging, but there are also many opportunities for Council through its transport related strategies, policies and processes to consistently strive for better transport and liveability outcomes (on balance) for the wider community.

13. In some cases there are opportunities for Council to deliver projects more quickly, with more flexibility, and cheaply using increasingly established new delivery approaches and having clearly defined definitions of success. These are better aligned with the various challenges Council faces when it comes to projects, implementing change and effective engagement with the community.

14. The broad banner of the draft Strategy is 'Moving Forward'. This relates to both moving the conversation on transport forward with the community and having a forward-looking transport network that is aligned with the needs of a modern inner-city area. The Strategy recognises that the transport topic is often very difficult to navigate on multiple levels and this does create a degree of complexity, but there is still a need to find a way of moving forward.

15. On this basis, 'moving forward' is about Council taking proactive steps using a new, fit-for-purpose transport strategy to maintain and enhance its position as a successful and liveable inner-city area over the next ten years.

16. The 'moving forward' banner is also intended to highlight the key role that each project delivered, or decision made in Yarra can play in the wider strategic picture. This is important as no single decision or project is going to respond to every transport issue in Yarra or satisfy all demands. Instead, issues will need to be addressed by lots of coordinated decision making from the micro to large scale across all modes of transport. There are many examples from cities throughout the world where high-quality outcomes have been achieved using this approach. There are also a number of effective outcomes in Yarra that have already been obtained that the Strategy would build upon.

17. Once formally adopted, the Strategy would supersede the following documents:

    (a) Strategic Transport Statement 2006 and Strategic Transport Statement Status Report and Recommended Changes and Actions 2012–2016;

    (b) Bicycle Strategy 2010–2015 and Bike Strategy 2016 Refresh; and

    (c) Encouraging and Increasing Walking 2005.

18. In summary, the Strategy sets out:

    (a) the purpose of the document and its relationship with other Yarra documents;

    (b) the role of Council and other organisations when it comes to transport planning;

    (c) the 2050 vision for Yarra and its transport 'story' using available data;

    (d) existing and emerging issues and opportunities;

    (e) what the community tell us regarding the transport topic;

    (f) strategic directions and objectives; and

    (g) transport polices covering all modes.

19. The key objectives of the Strategy are to:

    (a) raise community awareness of strategic transport challenges and move discussions forward on Council responses to these. This would be achieved through both the content of the document itself and the engagement of the community through a public exhibition process;

(b) ensure that Council's strategic objectives regarding transport are widely understood. This includes acknowledging the trade-offs that need to be considered when delivering change;

(c) provide Council with a recently endorsed strategic transport document that is aligned with other more recent Council documents including the Community Vision, Council Plan, Climate Emergency Plan, Road Safety Strategy and the draft Placemaking Framework and draft Local Liveable Streets documents. It would also be a key input during decision making on projects, processes, resourcing and budgets;

(d) guide decision making on the scope and content of new Council documents and strategies that are adopted over the next ten years; and

(e) encourage other levels of government and other third parties to invest in Yarra's transport network by clearly setting out what Council will support and what it wants to achieve.

20. The structure and tone of the draft Strategy has been informed by similar transport strategies produced by neighbouring councils and other cities across Australia, all of whom are facing similar transport challenges to Yarra.

21. The fifteen policies set out would deliver the vision and other outcomes that many community members (as expressed in the *Community Vision*) have been asking Council for – other consultation processes have also flagged many transport related matters that the Council is being asked to address.

22. The fifteen policies recommended in the draft document are:

P1. Prioritise walking, cycling and using public transport over car use;

P2. Implement a New Deal for Schools – support active travel by children and families;

P3. Implement a New Deal for Walking – make the network suitable for all;

P4. Implement a New Deal for Cycling – make the network useable for bike riders of all ages and abilities;

P5. Use innovative approaches to deliver projects;

P6. Use good urban design principles in transport projects;

P7 Manage car parking in a way that supports the use of active and public transport and the role of cars in an urban environment;

P8. Reduce, delay or remove vehicle turning movements where these create safety issues for other road and path users;

P9. Reduce traffic volumes, particularly where they are excessive;

P10. Lower traffic speeds;

P11. Encourage the use of shared transport;

P12. Support use of streets for community development activities;

P13. Encourage investment in new public transport services and improvements to existing services;

P14. Encourage transition to zero emission road vehicles; and

P15. Deliver transport projects as per the Yarra's Community Engagement Policy

23. The draft strategy is ambitious and focuses on what Council and the community can do and influence most. This is important as transport has been a high-profile subject at all levels of government for many years. A focused approach as set out in the strategy is needed to make best use of available resources and identify priorities to strive for and achieve.

24. As a strategic document, it is not possible or desirable for the Strategy to consider and seek to resolve every transport issue throughout Yarra in detail. Instead, it provides a 'strategic framework' to inform decisions as and when they are required on a site-specific project by project basis.

25. The draft Strategy identifies where further, more detailed policy and study work is required for larger and more complex topics.

26. Strategic terms of reference and guiding principles for further work are included where appropriate to ensure alignment with strategic transport objectives.

27. An exhibition period of the draft strategy is recommended to run for four weeks. Further detail on the consultation activity planned is provided under the Community and Stakeholder Engagement heading of this report. Following the exhibition period, a draft final Strategy would be presented to Council for consideration and adoption – this is anticipated in May 2022.

Options

28. There are two options for Council at this point in time:

    (a) Option 1 – the attached draft is 'endorsed' by Council for exhibition to seek community comment

    or

    (b) Option 2 - Councillors request changes to the exhibition draft and for it to be brought be back to Council for consideration with a view to it than being place on exhibition.

Community and stakeholder engagement

29. The following Council teams have been involved during the preparation of the Strategy:

    (a) City Works;

    (b) Infrastructure, Traffic and Civil Engineering;

    (c) Strategic Transport;

    (d) Open Space Services;

    (e) Urban Design

    (f) Economic Development

    (g) Strategic Planning;

    (h) Environment

    (i) Parking; and

    (j) Communications.

30. There has been no external consultation on this draft Strategy to date.

31. The contents of the draft, however, have been heavily informed by considerable community engagement undertaken by Council on a range of projects over several years where many responses have been received. These responses collectively provide insights into community desires and expectations regarding transport. For example, most recently in late 2021, approximately 700 community members responded to a survey as part of engagement for the development of the *Yarra 2036 Community Vision*.

32. A four week public exhibition process for this draft Strategy is recommended. This would focus on the community generally, plus subsets and groups within that including CALD communities, advisory groups and other community groups.

33. Other key external Stakeholders would also be included such State Government, public transport operators, neighbouring Councils, sub regional entities and other interest groups.

34. Specific efforts would also be made to engage sections of the community who are typically underrepresented in consultation processes, including renters, commuters and young people.

35. A range of media tools would be used to promote engagement with the strategy including the Yarra website, QR codes, email lists, radio, news outlets, and social media. The Yarra communications team have scoped a process for the engagement activity with support from key Council teams.

Policy analysis

Alignment to Community Vision and Council Plan

36. The draft Strategy aligns with a suite of Council policy documents.

37. Should the strategy be adopted (post submission stage), an action plan would also be developed for Council consideration.

Climate emergency and sustainability implications

38. No implications in putting out the exhibition draft of the Strategy.

39. More broadly, the Strategy seeks to respond to climate emergency challenges in the transport context.

Community and social implications

40. The strategy seeks to make Yarra's transport network more inclusive.

41. Exhibition of the draft strategy to enable community comment is recommended as further input to the Council.

Economic development implications

42. There are no economic implications directly associated with putting out the exhibition draft of the Strategy.

43. The strategy seeks to provide Yarra with a transport network that supports economic activity in the short, medium and longer term.

Human rights and gender equality implications

44. The Strategy has been drafted with a human rights and gender equity lens.

45. This includes under the Victorian Charter of Human Rights and the *Gender Equity Act 2020*.

46. Having access to safe, reliable and appropriate transport options is essential to enabling many rights and responsibilities. Decreasing transport disadvantage is a key aim of the Strategy.

Operational analysis

Financial and resource impacts

47. There are no particular financial implications with putting out the exhibition draft of the Strategy, other than 'materials' for the exhibition.

48. It is important to note however, that if adopted (post the submission stage), that delivering the Strategy would require very substantial ongoing financial allocation by Council over a decade to make the vision a reality.

49. It would be hoped that the State Government would also invest significantly in Yarra as part of the mobility plans for Melbournians and visitors.

Legal Implications

50. None directly associated with putting out the exhibition draft of the Strategy.

51. The *Road Management Act 2004*, *Transport Integration Act 2010* and *Local Government Act 2021* outline Council's powers and responsibilities to manage its road network.

52. In particular, the *Road Management Act 2004* and *Transport Integration Act 2010* require that governments prioritise active and public transport and ensure the safety of road users.

53. Council has the authority to make changes to its road and path network. However, some interventions require approval from the Department of Transport or other authorities.

Conclusion

54. The draft *Yarra Transport Strategy* responds directly to the **Yarra 2016 Community Vision** and also key objectives of the **Council Plan 2021-2025** which states that Yarra prioritises sustainable and active transport, to help people move safely and sustainably through and within our municipality.

55. A public exhibition period would provide an opportunity for the community and other stakeholders to read and comment on the exhibition draft as further input to the Council.

56. This would provide useful community feedback for Council as it considers its approaches to responding to the transport issues impacting the community. It would also promote engagement with the Strategy with the intention of also building ownership of its content and policies following any adoption by the Council.

57. A final draft Strategy which considers community feedback would then be brought back before Council for consideration in mid-year.

RECOMMENDATION

1. That Council:

   (a) notes the officer report regarding the draft *Yarra Transport Strategy* as shown in the attachment which includes a vision, objectives, policies and other supporting activities to advance improvements to the transport network;

   (b) notes that the draft strategy aligns with the key aspects of the *Yarra 2036 Community Vision and* Strategic Objective 5 of the *Council Plan 2021-2025*;

   (c) note that the draft strategy would provide specific policy direction for the progression of future actions to progress transport outcomes in the municipality;

   (d) note the recommended consultation approach as outlined in the report to engage with the community and seek comments for Council consideration;

   (e) authorises the Interim CEO to place the attached draft *Yarra Transport Strategy* on public exhibition for a period of 4 weeks;

   (f) require officers to bring back a further report after the exhibition period outlining the submissions, officers comments and a revised *Yarra Transport Strategy* for further Council consideration; and

   (g) note that following the adoption of a *Yarra Transport Strategy* that officers will prepare an action plan for Council consideration.

Attachments

1 YTS Draft For Exhibition Final

Moving Forward>>

Yarra's Transport Strategy 2022

DRAFT – For exhibition and community feedback

HOW TO ADD AN IMAGE

1. Click on the light blue background.
2. On the ribbon under **Drawing Tools** click **Format** > **Shape Fill** > **Picture**. Select your picture and press Insert.
3. On the ribbon under Picture Tools click **Format** > **Crop** > **Fill**. This will resize the picture so that the entire picture area is filled, while maintaining the original aspect ratio. Any area of the picture that falls outside of the picture area will be cropped. You can also now resize your picture manually and drag it into the desired position in the window.
4. Lastly, on the ribbon under **Picture Tools**, click **Format** > **Compress Pictures** > and select either **220ppi** or Document Resolution.

Note: Portrait photos will work best in this placeholder.

CITY OF YARRA

Yarra City Council acknowledges the Wurundjeri Woi Wurrung people as the Traditional Owners and true sovereigns of the land now known as Yarra. We also acknowledge the significant contributions made by other Aboriginal and Torres Strait Islander people to life in Yarra. We pay our respects to Elders from all nations and to their Elders past, present and future.

DRAFT - For exhibition

Mayor’s foreword

Mayors foreword to be inserted in the Draft for Adoption.

DRAFT - For exhibition

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DRAFT - For exhibition

About this Transport Strategy

This *Transport Strategy* (the Strategy) is a 10-year multi-modal strategy that seeks to deliver an innovative, efficient, sustainable and accessible transport system for Yarra. It outlines Yarra City Council's policies, priority infrastructure outcomes and other supporting activities to meet the aspirations of our community outlined in the *Yarra 2036 Community Vision*.

> "A transport system that is innovative, efficient, sustainable and accessible"
>
> ***Yarra 2036 Community Vision***

This Strategy is identified as an initiative under Strategic Objective five in Yarra Council's *Council Plan 2021–2025*.

> "Yarra's transport network is sustainable and recognises that streets are important shared public spaces. Transport and movement is accessible, safe and well connected"
>
> Yarra prioritises sustainable and active transport, to help people move safely and sustainably through and within our municipality. Council is committed to creating a city that is accessible to all, irrespective of levels of personal mobility, to support a fulfilling life without the need for a car. It is an integral part of our climate emergency response to reduce transport emissions towards net-zero emissions by 2030.
>
> ***Council Plan 2021-2025*, Strategic Objective five: Transport and movement**

Once adopted, this Strategy supersedes the following documents:

- *Strategic Transport Statement 2006* and *Strategic Transport Statement Status Report and Recommended Changes and Actions 2012–2016*
- *Bicycle Strategy 2010–2015* and *Bike Strategy 2016 Refresh*
- *Encouraging and Increasing Walking 2005*

This Strategy identifies policies and actions that will deliver outcomes that the community is consistently asking us for. It is ambitious and focuses on what we as a council and community can do and influence most. Advocacy to State Government for transport action is also included so it is very clear on the outcomes we want and will support to encourage investment in Yarra's transport network.

Transport is a big and complex topic with lots of threads at global, federal, state and local levels all competing for our time and attention. There is always a lot going on and as a geographically small council with limited resources it is not possible for us to be all things to all people. On this basis a focused approach from us is required to get key outcomes for our community, and it will be important to consider the following questions before council resources are committed to something:

- To what extent will advocacy by Yarra Council specifically influence the decision-making of external organisations (for example, the State Government, private companies or others)?
- To what extent will a topic or project directly impact people or businesses in Yarra's community specifically in the foreseeable future?
- What is the likelihood of a topic advancing satisfactorily without council involvement, or with minimal council involvement?

- What is the potential for topics to be advanced more effectively by leveraging the resources of others (for example, better-resourced larger councils and State Government, subregional bodies and the private sector)?

Who this Strategy is for

The three primary audience groups, their role and what this Strategy gives them is summarised below.

Our community as stakeholders

- Information on existing and emerging transport issues and how Yarra Council plans to address them.
- Information on strategic council objectives and how these relate to this Strategy.
- Information on transport policies and how we will apply these going forward at the local level when delivering projects.
- Feedback on how our plans, policies and actions are being implemented in local areas.

Our councillors as decision-makers

- A formally adopted Strategy which has been through a statutory process that provides support for making decisions that implement policy and deliver projects.
- A reference document to inform other decision-making on resourcing and budgeting, work priorities and supporting processes.

Federal and state governments and other third parties as investors in and managers of the transport network

- A one-stop shop for external parties to understand the transport policies, projects and approaches that Yarra Council will support as either a key stakeholder or a project partner.

How this Strategy relates to other policies and strategies

This Strategy is a strategic document containing strategic directions and policies to deliver our preferred transport future.

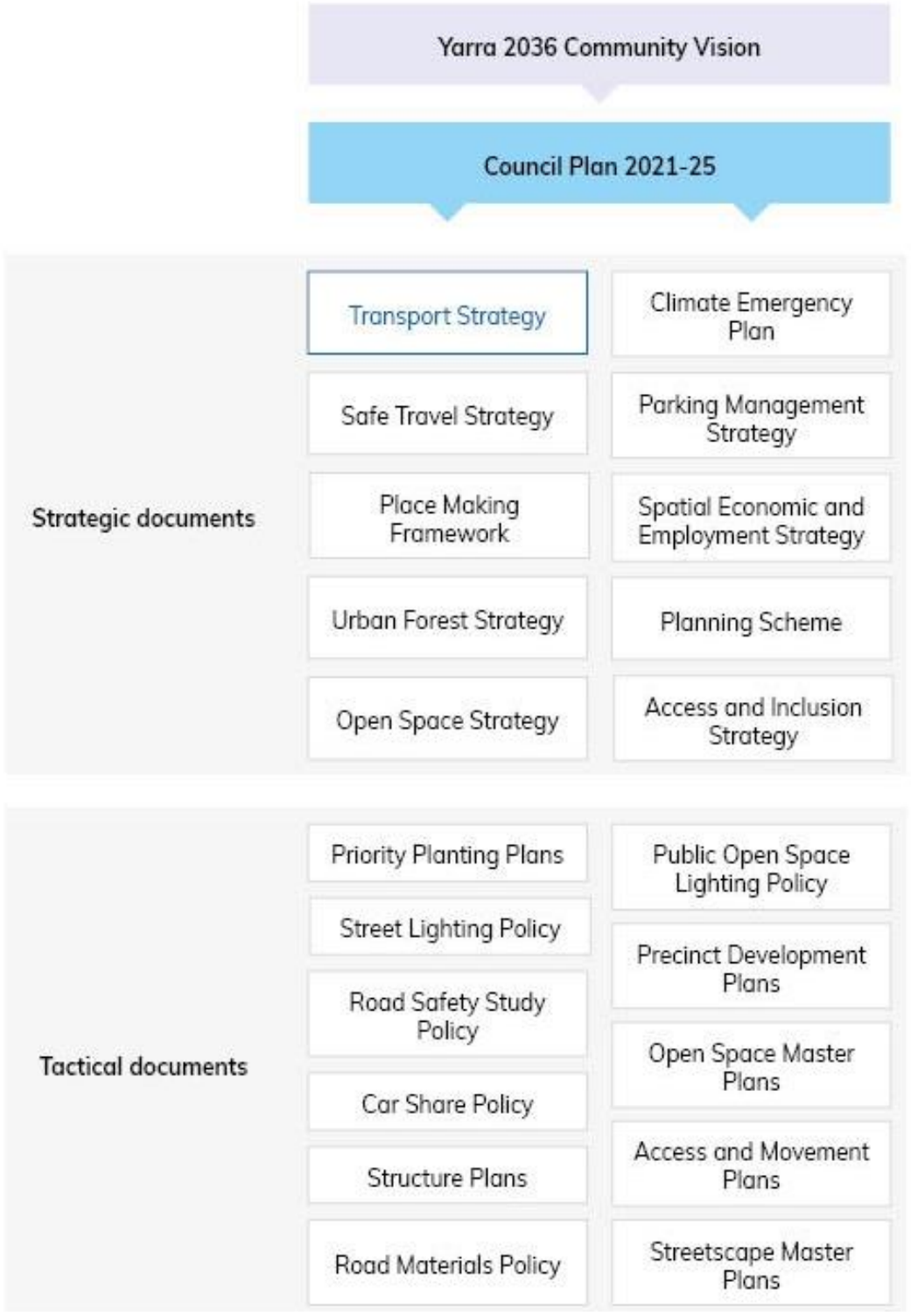
It is one of several Yarra Council strategies, plans and policies which impact streets and the broader transport system. Figure 1 shows how the Strategy relates to these other Yarra Council policy documents.

We have legal and legislative obligations under several pieces of legislation. These include the *Transport Integration Act 2010*, *Road Management Act 2004* and the *Planning and Environment Act 1987*. There are other key State Government strategies and policies that guide decision-making by Yarra. These include the *Victorian Cycling Strategy*, *Plan Melbourne* and the *Victorian Road Safety Strategy*.

The policies and strategies of other entities, such as neighbouring councils and the Municipal Association of Victoria are also taken into consideration.

DRAFT - For exhibition

Figure 1. Overview of related Yarra City Council policies, strategies and other documents showing the *Transport Strategy* in context



Roles and responsibilities for transport in Yarra

Many authorities, government organisations and other entities are involved in the construction, maintenance and operation of transport in Yarra. Some key examples of jurisdictional division are shown below.

Table 1. Roles and responsibilities regarding transport in Yarra

	Local government	State government	Federal government	Private sector
Streets	Providing, managing and maintaining 225km of local roads and 85km of laneways in Yarra. Providing, managing and maintaining public on-street amenities, such as seating, bins, trees, other landscaping, lighting, bicycle parking and signage. Reviewing applications and issuing business and community permits such as outdoor dining, car share and events. Advocacy on issues affecting community outside the jurisdiction of local government.	The arterial road network and components like clearways, speed limits and road layout. Installation, operation and maintenance of most traffic signals. Road laws and other relevant legislation such as speed limits, clearways, truck bans and requirements for bike helmets. Victoria Police are responsible for enforcing road rules like speed limits, bike riders on footpaths and temporary turn bans. Setting strategic direction for transport, such as the *Victorian Cycling Strategy* and the Movement and Place Framework.	Providing intermittent funding for specific projects, such as the Roads to Recovery Program. Oversight and management of heavy vehicle operations through the National Heavy Vehicle Regulator.	Some developments include thoroughfares that are privately-owned and managed. Use of public roads for businesses so long as such use complies with road rules and relevant regulations (for example, ride share services, food delivery services, car share, bike share and scooter share).
Off-road paths and trails	Providing, managing and maintaining footpaths and shared paths for people walking and cycling.	Providing, managing and maintaining some shared paths, bridges and crossings (for example, Yarra Bend Park, Collins Bridge, Darebin Yarra Link).		Some publicly accessible paths are privately-owned and managed.

	Local government	State government	Federal government	Private sector
Parking	Reviewing applications and issuing parking permits, and managing and enforcing on-street parking.	Implementation, enforcement and management of clearways.		Some publicly accessible off-street carparks are privately-owned and managed.
Public transport	Advocacy on issues affecting community outside the jurisdiction of local government. Provision of public transport priority infrastructure on local roads.	Planning, construction and management of public transport infrastructure (for example, Metro 1, tram tracks). Railway stations, tram stops and bus stops are owned by the State Government and managed by third-party operators. Public transport vehicles and depot infrastructure are owned and managed by the State Government.	Providing intermittent funding for specific projects, such as the Melbourne Airport Rail Link.	Public transport is planned by the State Government and run by privately-owned third-party operators (including Yarra Trams, Metro Trains and Kinetic). Railway stations, tram stops and bus stops are owned by the State Government and managed by third-party operators.
Land use	Reviewing applications and issuing permits for new developments and changes to land use, including the amount of car and bicycle parking to be provided in new developments. Reviewing applications and issuing construction and maintenance-related permits, including related traffic management. Advocacy on and proposing changes to provisions in the Planning Scheme.	Oversight and overall control of the planning system through mechanisms such as VCAT and the Victorian Planning Scheme.	The Federal Government is responsible for national policies and legislation such as climate and trade agreements which can have major impacts on land use patterns.	Yarra Council does not have a direct influence over the ownership or use of private land beyond statutory mechanisms, such as levers in the Planning Scheme. Development is often driven by market forces with the local government planning process used to help influence outcomes.

Looking forward – What we want to achieve

Yarra's 2050 transport vision

Yarra is a successful inner city community and our transport system has played a key role in achieving this vision. Opportunities to change and improve have been actively pursued and implemented to make the city a liveable, economically prosperous and environmentally sustainable place.

Yarra's 2050 transport network is robust, highly functional, and multi-modal. This allows people and goods to move efficiently on its historic network of streets, rails and paths. Although Melbourne's population is now over 8 million people, it is now easier, faster and safer for people of all ages and abilities to get around Yarra than it was in 2020.

Yarra's transport network provides genuinely attractive travel options for everyone. Those who can and want to live without owning a car can do so with ease due to widely available car share and ride share.

Well-connected train, tram and bus services provide convenient connections across the city so people can easily get where they need. Trams and buses are on time and travel quickly as they not delayed by traffic, giving the community confidence that the public transport network can be relied upon.

Parking revenue and a user-pays model provides essential funding that provides alternatives to car travel for everyone. Reforms to planning regulations mean that people are free to choose their parking arrangements and are no longer forced to build or purchase car parking that they do not want or need. This results in improved housing affordability, better building design, reduced building heights and enhanced street amenity. High-quality bicycle parking facilities and provision for zero-emissions private cars is standard in new developments and retrofitted into old ones.

Electric and other zero-emissions road vehicles are now common and a dense network of publicly and privately available chargers exists throughout Yarra, Melbourne and Victoria. Advances in technology mean that all public transport is carbon positive or neutral.

There are lots of choices for people who want to walk or use a bicycle or scooter at any time of day and night due to a well-developed network of safe paths and bike lanes which are comparable to those of Europe and North America's most liveable cities.

This has been all been achieved by the council:

- managing traffic growth and keeping through traffic off local streets. Streets are no longer dominated by cars. Active and public transport, place making, outdoor trading and trees have been consistently prioritised
- supporting local living so residents have services, jobs, and leisure facilities within 20 minutes of their home easily accessible by active or public transport
- facilitating an inclusive transport system that supports access and movement by people of all ages and abilities
- working with the State Government and others to deliver a connected network of bicycle routes that people of all ages and abilities feel safe and choose to use. This network is used by bikes of all types and other micro transport like electric scooters
- addressing long standing safety issues, particularly for vulnerable road users, so that there are zero deaths on Yarra's transport network and the number of people injured in crashes trends downwards
- working with the State Government to deliver a world-class street-based public transport network
- supporting the State Government in its rollout of high-capacity trains, accessible tram stops and new rail lines, including Melbourne Metro 2
- supporting zero-emissions vehicles through promotion and assistance in the operation of schemes to encourage uptake
- implementing parking management approaches that actively discourage non-essential car ownership and car travel, while also continuing to provide convenient parking for those who need it

Achieving all this has not been easy, however, Yarra City Council continues to build on its success by implementing policy to deliver the outcomes requested by the community.

What the community has told us

At the strategic level there is very strong support for active and sustainable transport

This Strategy is informed by considerable community engagement undertaken on a range of projects over several years. We have received tens of thousands of responses to various projects, strategies and processes, directly and indirectly. These responses collectively provide clear and comprehensive insights into community desires and expectations about transport.

In 2021, approximately 700 community members responded to a survey as part of engagement for the development of the *Yarra 2036 Community Vision*. The feedback from this most recent process was that greening and sustainable transport are very high priority and providing for cars and parking are very low priority.

- 86% of respondents want to see “a lot more active and sustainable transport options”, rather than “a lot more cars and parking spaces”
- 85% of respondents want to see “a lot more trees and greenery”, rather than “a lot more cars and parking spaces”

Survey for community vision in 2021

The community expects us to provide more active transport and public transport and acknowledges that this will be at the expense of provision for cars given space is finite and cars take up a lot of this space so this is the primary way of getting this outcome.

Other strategic engagement exercises like Liveable Yarra in 2015, the *Climate Emergency Plan 2020*, the parking forum in 2019, various Planning Scheme amendments, as well as localised engagement on streetscape master plans, local area traffic management studies and bike network upgrades all show support for improving non-car modes of transportation. These processes stressed to the community that it is often not physically possible to provide more space for everything so trade-offs need to be made and clear priorities identified. The wider community acknowledges these trade-offs and is clear in what it wants prioritised.

At the local level there are competing expectations and a desire for consensus

While there is strong support for active and public transport, there are and always will be competing desires and interests. These are more prominent at the local level as individuals consider their own personal circumstances in the context of a specific project on a specific street. In some cases, people can feel a project is impacting them unfairly or more significantly than others as their street or neighbourhood is changed to deliver a broader strategic benefit. There is a strong desire for full agreement on all aspects of projects at all levels which can make design and delivery of projects very challenging for the council, State Government and other parties.

Outcomes that consistently appear in local community input to specific projects are set out in Table 2.

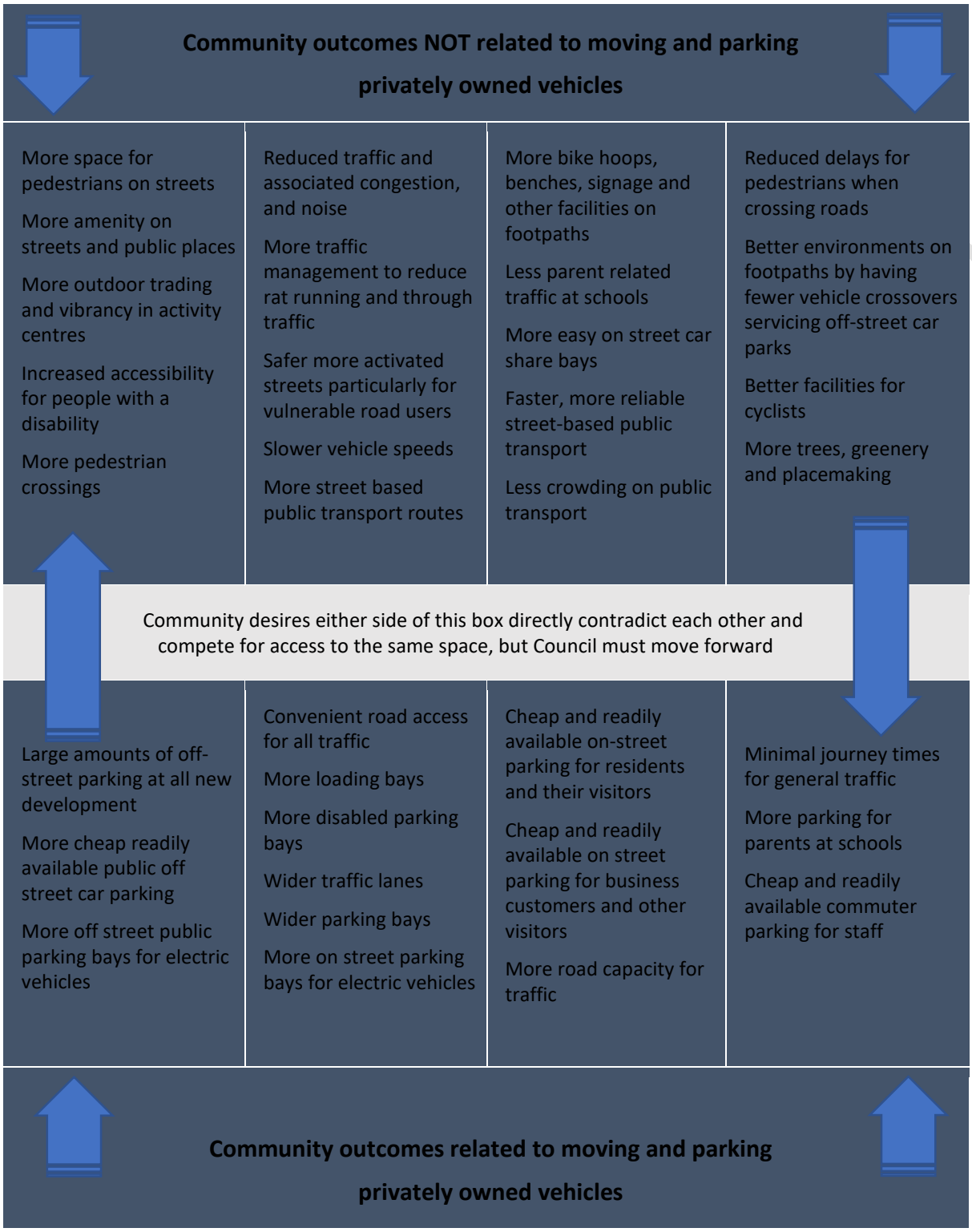
Unfortunately, it is often not possible for the council to deliver all these outcomes as some directly contradict others. For example, it is not possible to have less traffic and more car parking. This is a common and obvious request as naturally people would like to get where they are going quickly with easy parking at the destination. The want for these two specific outcomes is understood, however, more car parking equals more traffic. Experience and best practice research over decades show that no city in the world has reduced traffic by providing more car parking.

Another challenge is that many requested outcomes also compete for the same limited space in Yarra’s streets and public spaces. For example, it is not possible to provide bike lanes, multiple traffic lanes, on-street car parking, dedicated tram lanes, trees, street furniture, outdoor dining and wide pedestrian footpaths all in one space – particularly on Yarra’s narrow streets.

This competition for space is a critical challenge and a question of prioritisation and trade-offs. We must all acknowledge that meeting everyone’s wide net of expectations and desires is simply not possible. This applies whatever action we take, be it reallocating road space or leaving streets as they are.

DRAFT - Public Exhibition

Table 2. Conflicting community desires regarding transport outcomes



The need to ‘get on with it’

Frustrations that things take too long to do is another theme that consistently emerges from community engagement. This frustration is understood and there are opportunities for us to get more done more quickly through decisive decision-making and project delivery innovations.

In some cases, external factors beyond the council’s control are the main barrier to rapid progress – such as statutory approvals from State Government for council projects. In other instances, projects such as tram stop upgrades are led and funded by State Government so timescales for all aspects of a project are set by them. Finally, other practical factors like large scale redevelopment projects can mean that it makes more sense to hold off on new projects at a particular location rather than have them damaged and worn early in their lifecycle due to large construction vehicles and associated debris.

Communication with the community that explain these aspects more clearly on a project-by-project basis can play a key role in reducing frustration due to lack of knowledge about what is happening or not happening and why.

DRAFT - For exhibition

Yarra data summary

Yarra is a growing and unique community. As an inner-urban city, we face pressing issues for existing and future residents, workers and visitors.

These factors are not new. Localised parking pressure from an increasing number of cars, degraded local amenity due to air and noise pollution, and crowded roads, public transport and bike lanes have all been experienced for many years.

We also know that there is great diversity within Yarra. From modern apartment complexes to historic shopping strips, all have different transport needs. Some people need cars to get around, while others would prefer to use active or public transport for all or some of their trips. We need to recognise these differences in our actions.

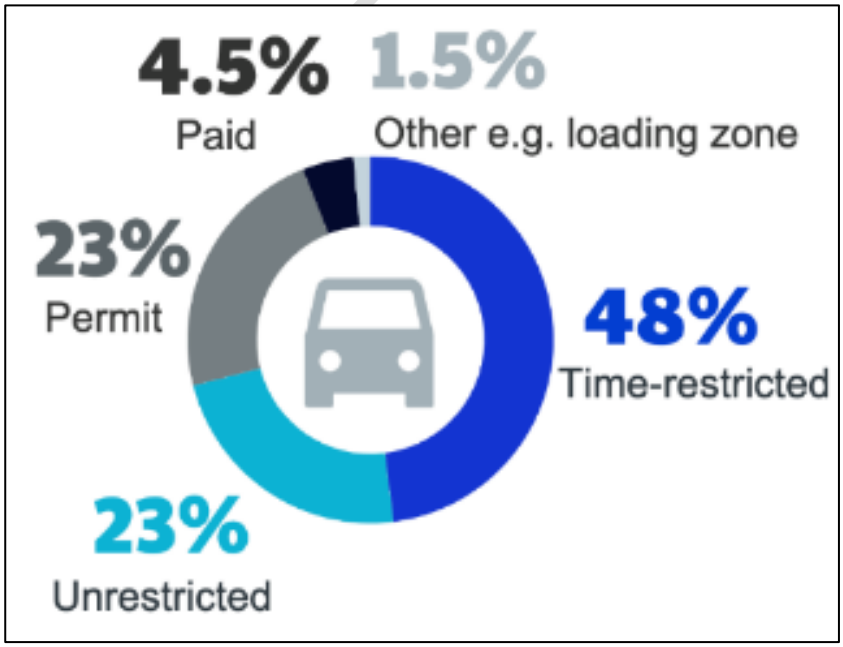
Increasing demand for street space

There are many competing needs and wants for Yarra's limited space. These include car parking, vegetation and trading area. Street space is limited and it is not possible to accommodate all requests. From a transport perspective, it is important to prioritise the efficient movement of people and goods. For example, in peak times, Bridge Road at Punt Road carries double the number of people in trams as private cars, despite no dedicated street space being allocated to trams.

For the past 70 years, the storage and movement of private cars has been allocated the most space on Melbourne's streets. Cities around the world now recognise that it is vital to prioritise the efficient movement of people and goods instead to ensure the efficiency and amenity of places.

The impacts of the COVID-19 pandemic have highlighted how street space is allocated or claimed for different uses. Less than 30% of parking in Yarra has a charge for access which drives up demand. Permit parking is available at relatively very low cost at less than a dollar a week and households can obtain multiple permits with ease which further drives up demand. Time restrictions are used to encourage turnover and manage high demand for longer stay parking (over 2 hours). There is no provision for commuters who are looking for long stay on street parking, value convenience and have a high propensity to pay for it. Instead commuters use free parking in Yarra be it unrestricted parking or 4-hour parking (which requires commuters to move cars at lunch time).

Figure 2. On-street car parking management in Yarra is primarily about cheap parking and free parking with time restrictions.



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Plateauing mode shift

Since the early 1990s, rates of cycling in Yarra and inner Melbourne have increased. However, this increase has begun to slow. Most people who feel comfortable riding bikes in current conditions are already cycling. However, the other 78% of people who live in Yarra and are 'interested but concerned' in riding do not feel safe to do so.[1] As a result, women are still significantly underrepresented in cycling in Yarra[2] and further mode shift will not be possible without improvements in safety and infrastructure.

Figure 3. Mode share has not changed too much in this recent 10-year period, with most people travelling by non-car modes of transport

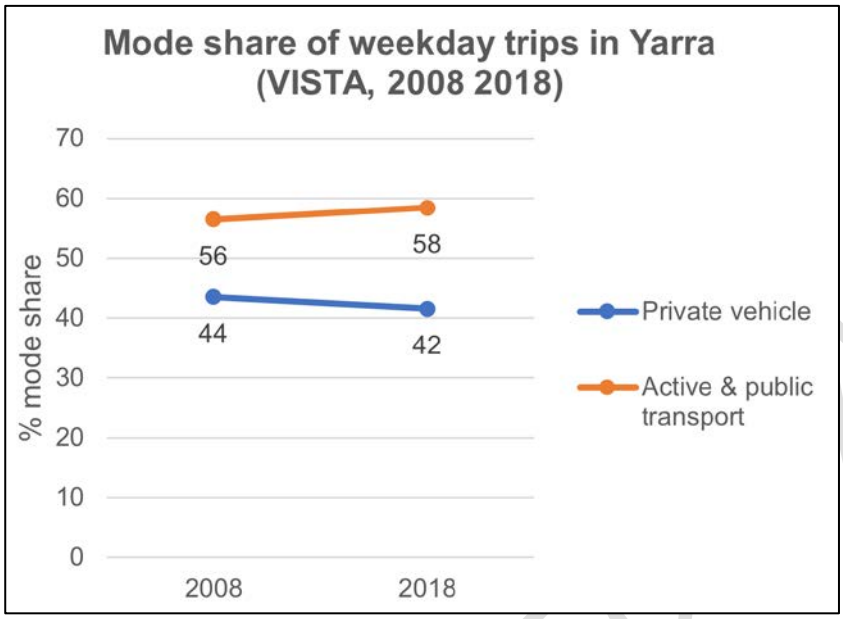
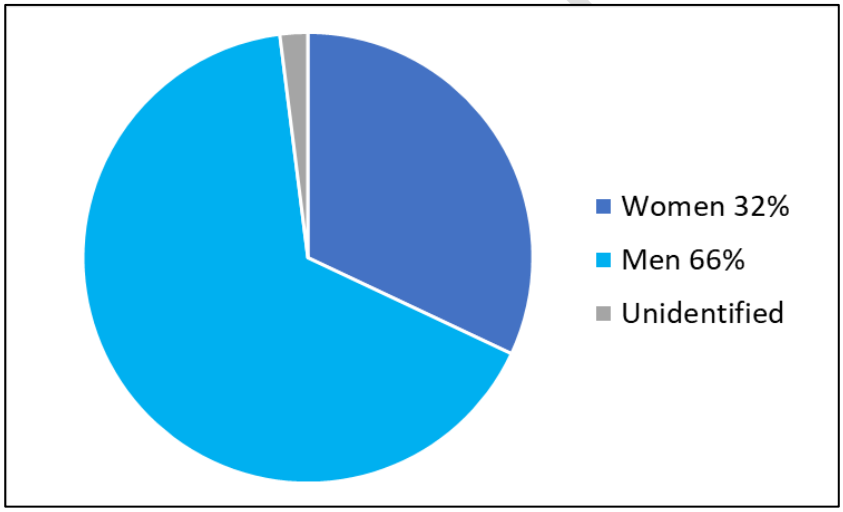


Figure 4. Gender split of people cycling in Yarra



[1] Monash University and VicHealth, 2020.

[2] Bicycle Network Super Tuesday, 2021.

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Fragmented bicycle network

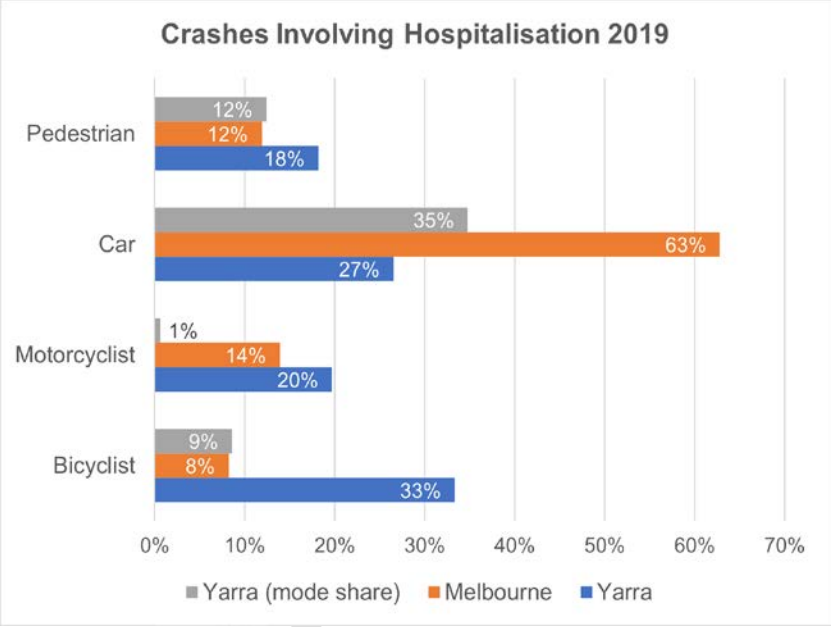
Local, national and international experience and research show that a connected 'grid' of direct and safe cycling routes is essential to increasing bicycle mode share. While Yarra does have some high-quality routes, safe connections between them are limited. This means that the benefits of our cycling investment cannot be fully realised as people are unable to safely get to them.

Road and path safety

Between 2010 and 2019, the number of fatal and serious injury crashes in Yarra has overall remained stable. However, compared to Greater Melbourne, Yarra has a significantly higher share of crashes involving vulnerable road users.[3] For example, crash rates involving people on bikes in Yarra is more than four times higher than the metropolitan average and mode share.[4] Vulnerable road users are also overrepresented in fatal crashes, with pedestrian deaths making up 43% (n=6) of fatal crashes, and motorcyclists 29% (n=4) in 2011 to 2021. Yarra fully endorses the Victorian Government's 'Vision Zero' strategy.

One issue that is particularly prevalent in Yarra is perceptions of safety on our shared path network. Conflicts between path users are reported to the council, such as between people walking, wheeling and cycling.

Figure 5. Crashes involving hospitalisation in 2019



Yarra also has some of the highest rates of collisions between cars and trams in Melbourne. There has been an increase of 10% between 2014 and 2018, with 97% of those being the fault of motorists.[5] This disproportionately affects older people, with 72% of serious injuries in these crashes affecting people aged 60 years or more.[6] Only 27% of tram tracks in Yarra are separated from traffic.[7] [8]

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[3] Road Trauma Statistics – Hospitalisations and Fatal 2010–2021, Transport Accident Commission, 2022.
[4] Victorian Integrated Survey of Travel & Activity (VISTA). Victorian Department of Transport, 2018.
[5] 2018 Annual Incident Statistics, Transport Safety Victoria, 2019.
[6] Transport Safety Victoria, 2019.
[7] PTV Tram Track Centreline, Department of Environment, Land, Water & Planning, February 2022.
[8] Yarra GIS aerial imagery, December 2021.



Bridge Road has one the highest number of tram-to-vehicle collisions of any street in Melbourne due to a high number of vehicle crossings and a lack of separation between trams and cars. This results in injuries to people on the trams and in the vehicles, and can cause significant delays for all road users.

Through traffic

Most road traffic in Yarra does not have a destination within the municipality. This means that residents and businesses suffer significant impacts and incur costs with little benefit in return.

Congestion

Yarra faces significant increases in road traffic. This is primarily from external sources and influences, such as the expansion of roads and increasing car use in other areas of Melbourne. Local factors also play a large role, with the number of cars owned by Yarra households continuing to increase.[9]

[9] ABS Census, 1991–2016

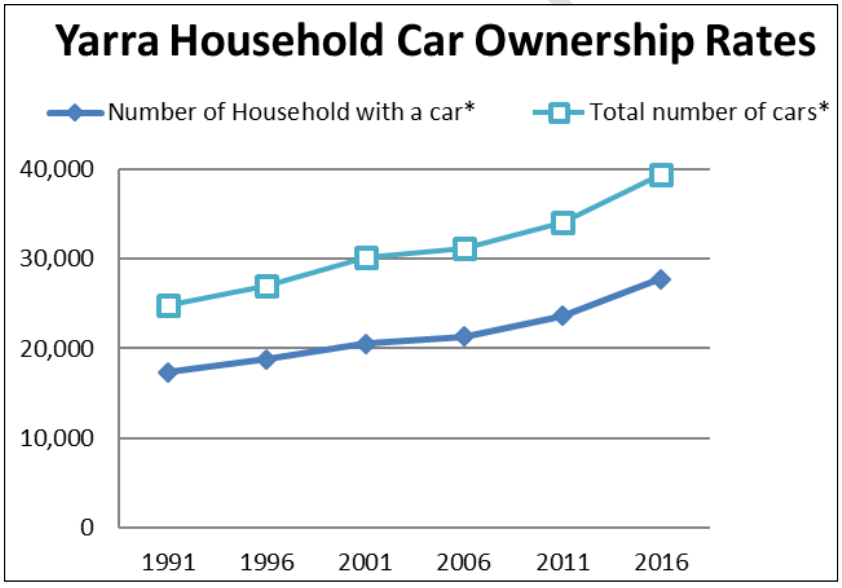
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Traffic congestion in Yarra is partly due to trips originating outside Yarra

Demand for road space for use by cars will always be high particularly in Melbourne which is one of the fastest growing cities in the world. The community need alternatives to sitting in traffic if liveability and economic objectives are to be met.

Figure 6. Yarra household car ownership rates



Congestion on both arterial and local roads has been increasing for many years and is forecast to continue.[10] If current trends persist, Yarra will see a 48% increase in the number of car trips on our roads.[11] We know from local, national and international experience and research that building more parking and roads does not reduce congestion – it only increases it.[12]

Bicycle and footpath congestion are also becoming issues. Rapid increases in rates of cycling and concentrated pedestrian activity combined with limited safe route options has meant that crowding and congestion is now experienced in some locations.

Overcrowded public transport

Due to the radial nature of the public transport network and Melbourne's CBD structure, passenger loadings on trams, trains and buses are often at their peak by the time they reach Yarra. This means that Yarra residents are among the least likely to find a seat on public transport in Victoria during peak times. This makes it difficult for our residents, workers and visitors to get around. The COVID-19 pandemic has resulted in a temporary decrease in public transport use. However, some crowding is still experienced and will return at some point in the future due to population growth and other factors.

Unreliable on-road public transport

Most of Yarra's bus and tram routes do not have dedicated rights of way. This means that they are often delayed by private road vehicles – Melbourne's tram network is the slowest in the world. This in turn discourages people from using public transport and increases car use, which further delays public transport.



Where there is no on-road priority for trams they, too, get stuck in traffic

[10] *Victoria's Infrastructure Strategy 2021–2051*, Infrastructure Victoria, August 2021.

[11] *Yarra Climate Emergency Plan 2020–2024*, Yarra City Council, 2020.

[12] Goodwin

Land use change

Yarra is continuing to change in many ways. Locations like Cremorne, Victoria Gardens and the Alphington Paper Mill are undergoing rapid shifts in their functions – significantly contributing to the 50% population increase that is expected in Yarra by 2036.[13]

As land uses change, so do transport needs. For example, changing job opportunities may mean greater demand for trips to a particular area which may not currently be well-serviced by public or active transport.

Increasing transport emissions

Transport is one of the largest and fastest-growing sources of greenhouse gas emissions in Yarra, with 15% of community emissions coming from transport – mostly from private cars.[14] It will not be possible to meet the local, state, national or international targets needed to mitigate dangerous climate change if current trends continue.

The COVID-19 pandemic

The pandemic has been challenging for everyone on many levels and has significantly affected how, why, when and where we travel. Its medium and longer-term impacts are unknown currently and difficult to predict as there is so much uncertainty. For now, it seems to have dramatically accelerated various trends around how people live, work and socialise that have long been in the making.

The pandemic has provided opportunities for us to really look at how street space is used and how it can best serve the community and support local businesses. Yarra has delivered a lot of projects as an emergency response which have been successful in terms of meeting their objectives and generally received favourable feedback from the community. Many of these have required road space reallocation which has given the community a firsthand opportunity to see the outcomes that are possible through street environment changes.

Necessity has meant that these changes have had to occur quickly in many instances so people become more familiar and comfortable with change and adapting quickly as needed. In some cases projects delivered on a temporary basis have garnered significant support for remaining as they are and there is opposition to going back to how things were.

The pandemic as a watershed event has increased the appetite to question how all aspects of cities should function moving forward so they best respond to the needs of the community. This presents opportunities for better outcomes more quickly and more consistently.

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[13] Forecast. Id. Estimated Resident Population Forecast, 2019–2036.

[14] *Yarra Climate Emergency Plan 2020–2024*, Yarra City Council, 2020.

The daily transport issues we face

Transport is a highly complex, difficult and sensitive subject with a very high profile at the federal, state and local levels of government. The transport topic in Yarra is no exception to this and consistently ranks as a top area of concern for the community in survey work. There are many issues and solutions that need to be found that respond to the needs of a modern, densely developed and growing inner city area if things are to get better for everyone as time passes.

Almost all streets in Yarra have been the same width for over 150 years and it is not practical or desirable to widen them regardless of the increases in travel demand that have occurred to date and that will occur in the future.

The objective is to unlock the potential of the street space we do have to support Yarra as a great place to live, work and visit.

Yarra has a diverse network of streets and no streets are the same, however, the Brunswick Street highlights many of the common transport issues. In many cases these have existed for many years and are obvious to people as they travel. On this basis it is important to understand not only what the issues are but why they persist, and what the challenges are in order to resolve them.

These issues and challenges facing us are not particularly unique to Yarra and are experienced elsewhere in Melbourne, Australia and internationally. There are proven and effective solutions that have been rolled out elsewhere. In many cases, we have already delivered effective solutions and are seen by other councils as a national leader. On this basis we will build on the good work that has already been done in Yarra as there are lots of opportunities to do more.



Many of Yarra's local area transport issues are experienced by people using Brunswick Street

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Walking in Yarra

Pedestrians are often given narrow and cluttered footpaths to use next to busy roads.

Brunswick Street is an example of an area with relatively poor pedestrian amenity despite it being a popular and heavily used street. There can be long delays when crossing roads at traffic signals which causes frustration and encourages people to cross the road in a gap in the traffic without signal protection.



Space for pedestrians and café visitors to sit outside is limited despite a policy context which supports these types of activities in strip shopping centres

At busy intersections like Brunswick Street and Johnston Street crowds of waiting pedestrians can form which block the footpath and make it difficult for pedestrians to navigate street. Packed pathways and crowding also result in an unpleasant experience for people waiting at tram and bus stops or using outdoor dining facilities.

Pathways can be widened to give people more space and, in some cases, this has been done quickly and cheaply by the council during the pandemic as an emergency response. Road space reallocation is a requirement, and this is a challenge particularly on busy streets.

"Mode shift away from cars is required. More space needs to be provided for people travelling by active transport modes".

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Policy consistently states that walking should be encouraged. There are opportunities for footpaths to function better for the community by reducing clutter and reallocating road space.



Narrow and cluttered footpaths often push pedestrians on to roads.

Cycling in Yarra

People riding bikes in Yarra are overrepresented in formally recorded annual crash statistics. Official statistics also significantly underrepresent the number and extent of crashes and near misses.[15] These incidents and perceptions of safety put many people off cycling. This limits travel options and encourages more people to use cars, which in turn creates conditions that discourage active transport.

The picture of Brunswick Street shows people on bikes have narrow lanes for much of the day despite it being a key strategic corridor for cycling. As a result, they are at risk of being hit by car doors to the left and passing or turning vehicles to the right. Space for people riding can be particularly limited at intersections, creating an intimidating environment that actively discourages cycling.



Large numbers of people in Yarra would like to ride a bike but are very concerned about safety.

A key issue across Yarra is that bicycle routes vary in quality. Studies show that most people need to feel reasonably safe along a whole route when looking to ride. Any cycle route is only as attractive as its worst section. Even a short 200 metre section of cycling where people feel unsafe and anxious will put many people off using a whole four-kilometre route no matter how good the rest of the route is. The off-road trail network is available and allows people to avoid busy roads in some cases. However, trails are often indirect, increasingly crowded, poorly lit, have stair access in some places and are limited in number.

Other cities around the world have proven that investment in cycling facilities increases cycling, particularly when the focus is on building a grid of genuinely attractive and safe routes. The costs of delivering this network are relatively low when compared to those of new road and rail tunnels. There are now opportunities to use innovative treatments that make attractive cycleways even cheaper to deliver.

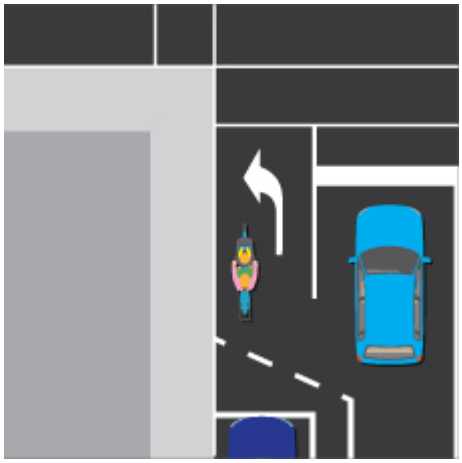
Scooters and electric scooters, electric bikes and cargo bikes are becoming increasingly easy to use, robust, affordable and popular. Traffic congestion, rising fuel prices, difficulties with parking and concerns about using public transport and COVID mean that more people than ever are actively looking to ride a bike or

[15] 'Under-reporting bicycle accidents to police in the 'COST TU1101 international survey: Cross-country comparisons and associated factors', Shinar, et al. *Accident Analysis & Prevention*, 110, pp.177–186, January 2018. https://doi.org/10.1016/j.aap.2017.09.018

scooter. A wide cross section of the community just needs to feel comfortable and safe when using these cheap, space-efficient, environmentally friendly and highly convenient modes of transport.

Though there are some opportunities to further improve the popular off-road trail network, there are practical environmental, amenity and cost considerations which limit the role they can play. Therefore, the main opportunities lie with delivering improvements to the Yarra road network to better accommodate people riding.

Figure 7. Rider confidence levels for different intersection designs, Bicycle User Confidence Survey for City of Melbourne, 2017



16% of people riding bikes are confident using this layout



73% of people riding bikes are confident using this layout

An inclusive transport network is about providing all people with an infrastructure network that they can use with confidence that they will not be injured. This cannot be achieved in many cases without reallocating road space away from parked cars and traffic.



An intermittent advisory bike lane, with no protection, is a low-cost project that unfortunately will not encourage anyone but the most fearless cyclists to use this road.

Public transport in Yarra

Yarra has some of the best public transport access of any municipality in Victoria. However, there are still significant challenges and issues that need to be addressed in order to meet current and future needs.

Increasing public transport capacity, priority and stop/station access can require road space reallocation away from cars and traffic. It can also be expensive and relies on sustained State Government planning and funding as the responsible authority.

There are many opportunities for us to clearly set out the public transport outcomes we desire. These include an acceptance of the need for road space reallocation and other trade-offs so outcomes can be delivered.

Public transport speed and reliability

People on trams and buses face long journey times and poor travel conditions due to the movement of cars often being prioritised over on-road public transport.

Melbourne has the slowest tram network in the world. The picture of Brunswick Street shows how car traffic mixes with trams and causes delay for everyone.

Public transport safety

A lack of dedicated on-road tram facilities increases the risks of tram-to-car collisions. Yarra has some of the most collision-prone sections of tram tracks in Melbourne.

Public transport accessibility

In Victoria, 17% of the population lives with some form of disability. However, people with a disability are prevented from using most public transport due to inaccessible infrastructure.

A lack of accessible stops means that people in wheelchairs, carrying shopping bags or children, and older people can find it very difficult or impossible to board or alight trams. This not only causes social exclusion but is contrary to legal requirements for tram stops to have level access so everyone can use them under the *Disability Discrimination Act* (DDA).

Public transport capacity

Public transport can move large numbers of people quickly and efficiently so will need to play a key role in meeting increased travel demand as Melbourne grows. The State Government is aware of this and knows it needs to invest in public transport to support the economy and maintain liveability.

Accessing shared transport in Yarra

Shared transport includes car share, bike share and scooter share schemes and has the potential to provide convenient transport options for the community. Sharing reduces resource use which is good for the environment and saves people money and hassle. Using shared transport is not the answer to every issue but it can play an important role in Yarra's transport story.

Building on new approaches as a result of the COVID-19 pandemic

Heidelberg Road is a busy arterial road with fast moving traffic. The significant issues for cyclists on this road have been consistently recognised due to its narrow, non-continuous non-protected bike lanes.

In 2020, State Government made a commitment to deliver 100km's of bike routes upgrades via trials in response to the pandemic. Heidelberg Road was included in this program and wide protected bike lanes were installed. Since its installation the bike lane has carried 300,000 cyclists over an 18-month period despite multiple lockdowns and work from home orders reducing the numbers of people moving around.

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Shared electric scooters are a shared transport mode that could have a place in Yarra's transport system.

Road space reallocation will sometimes be required to provide space is provided for car share, bikes and scooters which can be challenging.

There is an education aspect to this emerging area of transport as it is a new concept. The benefits of shared transport are not always obvious at first glance, however, the potential for sharing to address transport needs will become more commonly understood as these options are increasingly taken up by the community.

Travelling by car in Yarra

Car movement

Cars have played an important role in the movement of people and goods in Yarra for many decades. Most of the available street space has been allocated for their movement and storage but many drivers today face increasing delays and frustration due to congestion.

These delays often result in requests for more roads to be built, more lanes to be created and more parking to be constructed to move ever-increasing volumes of cars and trucks as quickly as possible. However, we know that this approach does not work and is not going to meet the current or future transport needs of Yarra as a growing city with limited space. As more roads are built, more people choose to drive. Any temporary benefits are then offset and overall congestion on the road network becomes even worse than before.[16] No city can or has built its way out of congestion.

Today, there are more cars in Yarra than ever before. A lack of strategic traffic management and land use planning across Victoria means that many cars are making longer distance trips across Melbourne that go through Yarra. These are often on local roads which are used as 'rat run' shortcuts to circumvent arterial

[16] 'The Road Ahead', Infrastructure Victoria.

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roads. Brunswick Street, for example, is used as a shortcut to avoid using Punt Road and Nicholson Street nearby. This is compounded by rising rates of car ownership by households in Yarra, all scrambling to use the same amount of space. Moreover, various studies have shown that around 20% of all car trips in peak hour in inner Melbourne are non-essential.[17] This strongly suggests that more could be done to get people to really think about when and how they travel, rather than only relying on the high cost and high frustration deterrent of traffic congestion or difficulties finding parking.

As traffic increases, so does the length of peak times which can go for most of the day. This causes or exacerbates a range of safety, amenity and environmental issues for everyone. This is shown by the fact that the highest net traffic flows on major roads in Yarra is now on Saturday afternoons.[18] This increased traffic has severe negative impacts on local areas, such as increased risk of asthma in young children,[19] impacts on residential amenity due to noise pollution, and even decreased life expectancy caused by local air pollution.[20]



The policy context states Brunswick Street is a local road, with trams, pedestrians and cyclists being the priority. Placemaking which makes Brunswick Street a unique and pleasant historical precinct to visit is another objective. Outcomes on the street need to better reflect the aspirations of policy.

Car storage

Most cars are parked for more than 90% of a typical day, if space is occupied by a parked car it cannot be used for anything else. With the high volume of cars using Yarra's streets, those who really need to drive and park compete for a space with people who would choose another form of transport if the conditions were

[17] Victorian Integrated Survey of Travel & Activity (VISTA), Victorian Department of Transport, 2018.
[18] Ibid. Infrastructure Victoria.
[19] 'Traffic pollution near childcare centres in Melbourne', Walter, Schneider-Futschik & Irving, *Australian and New Zealand Journal of Public Health*, 43(5), pp.410-412, October 2019.
[20] 'Particulate Matter and Premature Mortality: A Bayesian Meta-Analysis', Waidyatillake, et al., *International Journal of Environmental Research and Public Health*, 18(4), 2021.

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right for them to do so. This competition creates artificial scarcity and demand for parking and makes it more difficult for everyone to park.

The current situation has other far-reaching consequences and, importantly, impacts the journeys of other people and economic activity. This includes further increases to congestion on roads due to parked cars blocking lanes, or blocking sightlines making it more dangerous for pedestrians and cyclists. Or people being discouraged from visiting businesses in Yarra due to streets being parked out by people who occupy parking spaces because they exist rather than genuinely needing and valuing it. In this scenario, nobody appears to benefit.

There are potential solutions from both the supply and demand sides of managing parking. Building more parking is expensive and our city does not have the resources or space to continue doing this at the rate it has been. There are now well over 100,000 car parking spaces in Yarra including 48,000 on-street spaces. Over the coming years, tens of thousands of additional car parking spaces will be built because of new developments. Despite this, if the current trajectory continues, perceptions that there is not enough car parking will persist, unless changes are made to how parking is managed.

Other solutions involve reallocating space that is currently used for parking cars to other things that reduce demand for car travel and align with what the broader community have told us they want to achieve. These projects can be controversial given ongoing perceptions that there is not enough car parking.

One final issue to consider is the financial implications of car parking in Yarra. Approximately half of Yarra's on-street car parking has some form of charge associated with accessing it. Car parking is a community asset that generates a key revenue stream for the council's work so it needs be managed in a way that gets the best results of the wider community.

Using a zero-emissions car in Yarra

Electric cars are becoming an increasingly prominent topic globally, including in Yarra. At this stage, take up of electric cars in Australia is relatively low for a number of strategic reasons that are nothing to do with Yarra or local government more broadly. Notwithstanding this, zero emission cars have the potential to significantly reduce emissions.

There are significant opportunities for private businesses to fund charging infrastructure to get the benefits of electric cars at minimal cost to us. Changing technology, falling costs and uncertainty around which e-car is the best long-term investment may mean that some people seek a circuit breaker from car ownership. This provides a once in a generation opportunity to get people to really look at all their options before making the decision to just replace one car with another car.



Electric cars are beneficial and can significantly reduce greenhouse gas emissions. However, transitioning hundreds of thousands of car trips per day in Yarra from fossil fuel propulsion to electric propulsion will not address other transport issues.

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How we will achieve our vision

In light of the key issues identified, and *Yarra's 2050 Transport Vision,* the following outcomes and strategic directions have been identified for this Strategy.

Outcomes

O1. Increased use of space-efficient and environmentally sustainable forms of transport in Yarra

O2. Enhanced places for people on Yarra's streets

O3. Increased independent mobility for vulnerable road users in Yarra

O4. Reduced car use for trips within or through Yarra

Strategic directions

D1. Allocate road space to preferred transport modes and other activities

Reallocate some of the large amounts of space given to car movement and storage on Yarra's streets to significantly improve conditions for people using space-efficient modes of transport.

D2. Reduce traffic speeds and volumes on Yarra's streets

Manage traffic volumes, turning movements and speeds on streets in Yarra where these are excessive given the function of the street, and/or where they create significant safety issues, particularly on council-managed local streets.

D3. Eliminate and reduce barriers to movement for all members of the community

Reduce obstacles that physically make it difficult for people of all ages and abilities to use the transport network in Yarra. Make it easier and safer for people to board public transport, cross major physical barriers, and to move through and around large development sites.

D4. Be agile in responding to transport needs

Use trials and pilot schemes to test designs or new treatments and to deliver change more innovatively, quickly and cheaply.

D5. Embrace partnerships

Work in partnership with State Government and others to identify and deliver transport improvements in Yarra.

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The basis for our decisions

Policies

Fifteen policies covering all modes of transport are outlined in this Strategy. These align with various State transport planning documents, strategies and legislation. They also consider the all other Council strategies, policies and other documents that interface with the transport topic in Yarra as set out in figure 1 including directly relevant documents like the Placemaking Framework, and Road Safety Studies.

P1. Prioritise walking, cycling and using public transport over car use

The transport mode hierarchy in Figure 8 illustrates levels of priority by transport mode that is applied in all projects and policy decisions.

Figure 8. Yarra's transport mode hierarchy

Transport mode	Priority
Active transport modes (walking, cycling, scooters) Public transport Vehicles facilitating access for people with a disability Freight, construction and servicing vehicles Car share Taxis and rideshare Local traffic Through traffic	High  Low

P2. Implement a New Deal for Schools – support active travel by children and families

Each year, schools will be selected for the New Deal for Schools program.

Yarra Council staff will form a working group for each selected school over the course of a semester, comprising of our staff, school staff, interested parents and students.

A travel behaviour event will occur so transport challenges and opportunities at each school can be understood. Infrastructure projects will then be identified in partnership with the reference group to help with local school travel.

"The New Deal for Schools is a focused approach looking at transport solutions for specific schools."

P3. Implement a New Deal for Walking – make the network suitable for all

A New Deal for Walking focuses on measures that maximise space to allow more people of all ages and abilities to walk around Yarra.

The preferred minimum width for a footpath in Yarra is 1.5 metres of unobstructed clear path. This is enough for people in wheelchairs or pushing a pram to navigate a street and pass each other. In busy areas it is desirable to have wide footpaths that provide comfort and space not only for people walking but for other fixtures and fittings that make a place that people use like bins, bike hoops, plantings, benches and out door trading. Widening footpaths by moving kerbs is complex and extremely expensive – even over very short distances. These costs present a significant practical challenge so Council has to look at opportunities to make the absolute best of the extensive pedestrian space that already exists by looking at opportunities to:

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- Minimise street clutter, such as signage poles, guard rails, crash barriers and bins
- Relocate infrastructure that can clutter footpaths onto road carriageway, such as bicycle parking, scooter parking, trees, seating, bins and landscaping
- Provide more kerb outstands to compliment paths that contain trees, landscaping and street furniture, such as bike hoops and seats
- Remove slip lanes and other suburban road design solutions that marginalise pedestrians and that are not appropriate for Yarra
- Standardise the installation of tactile paving
- Embed the need to provide good outcomes for pedestrians in all Council transport projects and study work
- Relocate storage of household bins on narrow footpaths on collection days
- Prevent parked vehicles from obstructing footpaths
- Ensure that outdoor trading does not create an obstruction and complies with permits
- Install scramble crossings at busy four-way locations such as Brunswick Street and Johnston Street, and Bridge Road and Church Street
- Expand outdoor trading onto street space rather than footpaths
- Work with State Government to implement public transport stops on kerb outstands or on central island platforms to keep footpaths clear
- Reduce wait times at traffic signal crossings to keep busy footpaths clear of pedestrians
- Look to plant trees and install landscaping in road space to keep footpaths clear
- Proactively repair and improve existing footpath surfaces, particularly in high-use areas near schools and shops
- Ensure that crossings are level with the street. Where this is not possible, ensure that any bridges and subways are DDA-compliant and well lit
- Improve statutory planning practices to ensure that new developments – particularly public buildings such as schools, universities and medical facilities – prioritise the needs of pedestrians and accessibility requirements
- Work with schools to look at opportunities to make it easier for children to walk to school
- Work with businesses to keep busy footpaths clear of queuing customers, banners, promotional materials and other temporary signage
- Work with construction firms to ensure that safe and direct arrangements are made for pedestrians and cyclists during temporary footpath occupations
- Work with utility service providers to ensure that footpaths are reinstalled correctly after construction
- Lower speed limits on local streets, in activity centres and at other appropriate locations
- Ensure all street lighting complies with luminosity standards

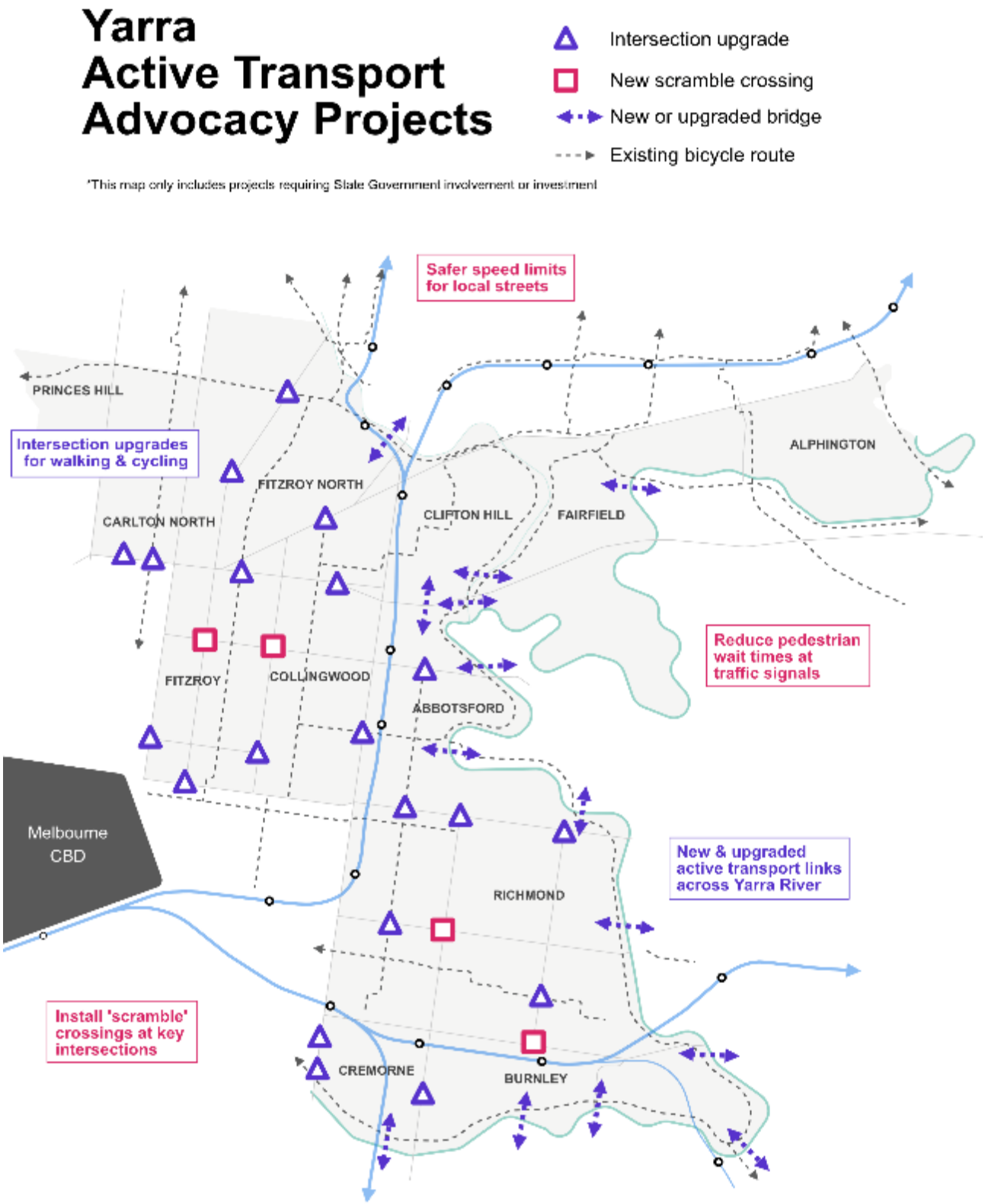
Priority areas for New Deal for Walking interventions are:

- Residential streets with high volumes of pedestrians, narrow footpaths and high traffic flows
- Residential streets subject to significant redevelopment or renewal
- Activity centres
- Station precincts and public transport stops
- Employment precincts
- Childcare centres, schools and education centres
- Hospitals
- Recreation and community centres

State Government has a vital role to play in encouraging walking and cycling in Yarra as a road asset owner. Specifically, when it comes to pedestrian crossings on arterial roads, and other infrastructure for people walking, wheeling and cycling that crosses rivers, railways and freeways.

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Figure 9. Active transport advocacy projects under the New Deal for Walking Program that Yarra wants State Government to fund and deliver



P4. Implement a New Deal for Cycling – make the network useable for bike riders of all ages and abilities

A New Deal for Cycling is a key commitment to providing appropriate bicycle infrastructure on Yarra's street and path network. This fulfils our own stated objectives as well as state legislative obligations, such as the requirement to give priority to bicycles on specified roads under the *Road Management Act*.

It provides a minimum level of service, having considered the trade-offs to make cycling a safe and viable transport option for anyone who wants to ride a bike. This approach is now being used in towns and cities around the world.

Under the New Deal program, the volume and speed of traffic dictates the type of cycling infrastructure that is needed. This means that high-volume and high-speed roads will generally require protected lanes and other infrastructure to meet the minimum standard. If protect lanes are a requirement given traffic volumes, then parking may need to be removed. Alternately if parking is critical then it can be retained so long as traffic volumes are reduced to an appropriate level.

For lower traffic volume and lower-speed roads, lower-cost and lower-impact solutions such shared bike and traffic lanes can often be enough to meet the minimum standard.

This approach:

- standardises the way that we assess bike project options on the New Deal Network
- allows all options for getting bike infrastructure in to be on the table at the outset
- is cheap and easy to use given decisions are made using a standard, evidence-based process informed by data collected on traffic volumes, speeds and parking demand
- allows solutions to be tailored to local circumstances while still ensuring that facilities for people riding bikes are satisfactory and cycling is clearly and consistently treated as a priority in line with our strategic objectives
- is flexible and can allow for on-street parking or existing traffic volumes to be retained if one is significantly more sensitive than the other on a case-by-case basis
- increases the opportunities to look at lower costs over the lifecycle of assets and the trade-offs associated with that as part of a wider assessment process

The assessment guide in Figure 10 shows the traffic volume and speed parameters for the associated interventions. Illustrations of the relevant bike treatments for each situation are shown in Figure 11.

The first part of the New Deal for Cycling is a proposed network made up of a focused number of key routes and is shown in Figure 12. A 'traffic light' system shows existing levels of compliance on the New Deal network, with red being non-compliant and green being fully compliant. The map shows extensive areas of non-compliance that we need to address in cooperation with other stakeholders.

Several New Deal for Cycling Routes are on State Roads. State Government has a key role to play in making a world class cycle network in Yarra a reality. Installing upgraded bike facilities on State Roads has various practical challenges. Council will work with State Government to resolve these, this includes identifying new routes on local roads where these will meet the practical requirements of cyclists. Council will work with State and Federal Governments to explore funding opportunities to deliver the new deal network.

Beyond the New Deal network, all roads in Yarra should actively consider the transport needs of bicycles as a prioritised mode of transport.

'The New Deal for Cycling is an ambitious policy that will deliver a bike network in Yarra that is of a world class standard.'

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Figure 10. New Deal for Cycling assessment guide

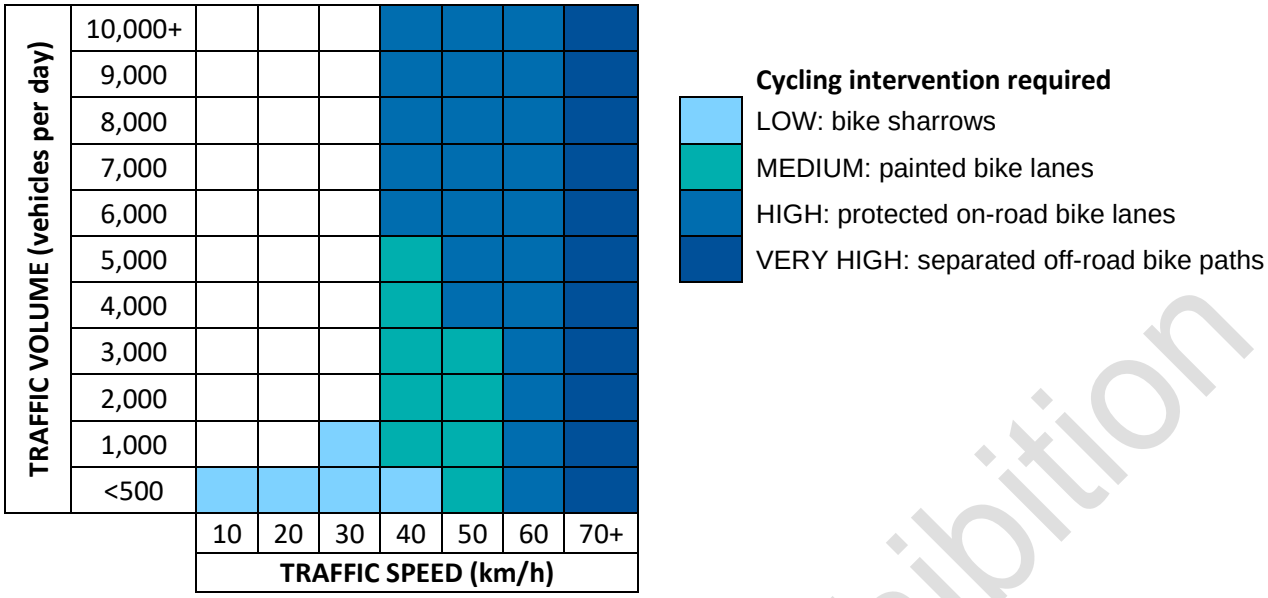
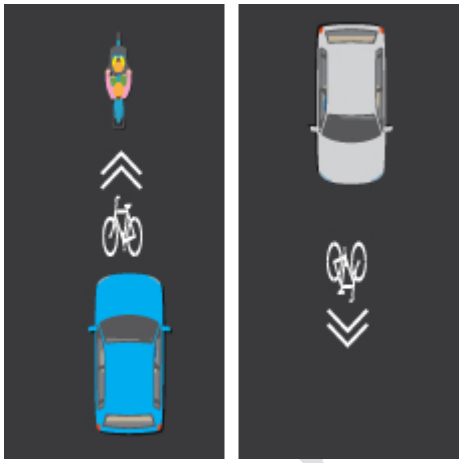
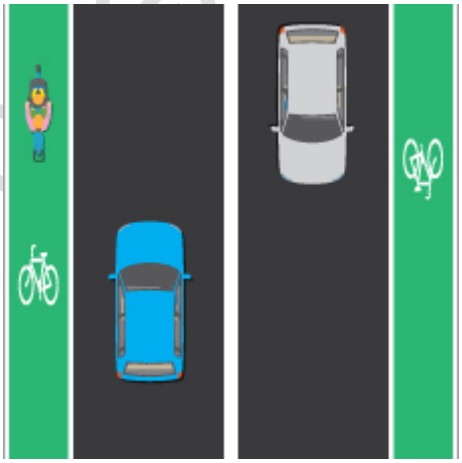


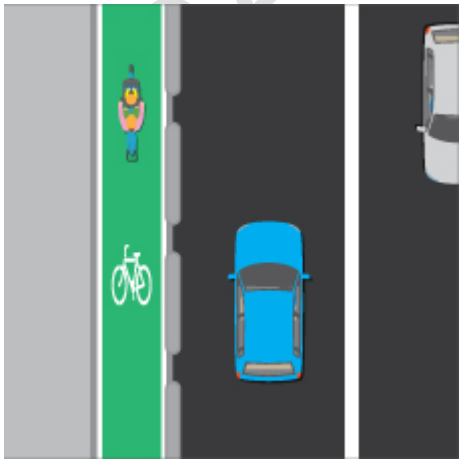
Figure 11. New Deal for Cycling interventions



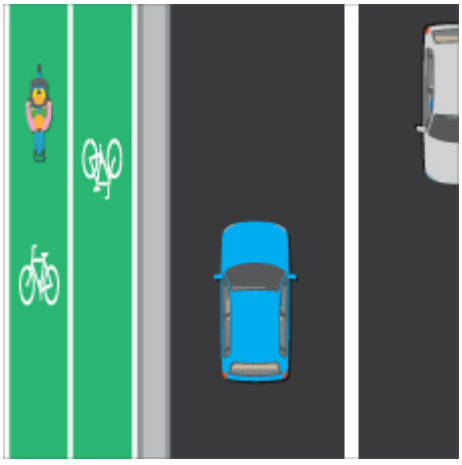
LOW: Bike sharrows



MEDIUM: Painted bike lanes



HIGH: Protected bike lanes



VERY HIGH: Protected off-road bike paths

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Figure 12. The New Deal for Cycling Network, and existing compliance levels



Increasing the number of green lines and reducing the number of red lines on the New Deal for Cycling Network map will significantly increase the attractiveness of cycling in Yarra for many people including women, children and older people

The second stage of the New Deal for Cycling is to phase out angled car parking and replace it with safer parallel parking on the streets in Yarra that have a formal cycle function, whether it is bike lanes or bike symbols, as part of a project or other renewal works. This will reduce instances of cars reversing out into the path of on-coming bicycles and other vehicles with poor visibility. Streets that are on the New Deal for Cycling Network and have a high turnover of cars parking are the priority for upgrade to reduce regular instances of cars reversing into people riding.

In some instances, the amount of car parking will need to be reduced to improve safety, access and amenity. To mitigate this, we will look at opportunities to improve parking restrictions in the local area under the parking management framework so the remaining parking spaces are used appropriately.

‘The policies within this strategy regarding transport and its relationship with the street environment align with State Government Movement and Place framework and Council’s own Placemaking Framework’.

P5. Use innovative approaches to deliver projects

Techniques such as pilots, pop-ups and trials allow projects to be delivered faster and in greater number than standard permanent delivery techniques. They can also result in more functional outcomes as lessons can be learnt as part of a project design process itself rather than after a final project when it is difficult to make changes.

There are three primary categories of innovative approaches available to us as a council:

1. Pilot
2. Pop-up
3. Trial

Table 3. Innovative project delivery options

	Definition	Examples
Pilot	An established design or idea that is planned to be permanent but is being evaluated in a specific context before the design is finalised.	Implement a proven design to evaluate its success in a particular context. For example, checking that new a bike lane on a potentially busy route is going to be wide enough before a permanent width is decided and installed.
Pop-up	Infrastructure that is installed using ‘quick build’ materials that can be changed or removed easily.	Respond quickly to a community need. For example, providing more outdoor dining space in response to COVID-19.
Trial	Testing new designs and ideas in a real world setting for a fixed period of time.	Evaluate the demand for, and operational effectiveness of, something new. For example, the trial of electric scooters.

These innovative approaches to delivery are useful because they allow:

- users and other affected parties to actually experience a project outcome rather than having an opinion based on designs or descriptions
- adjustment to the design or other aspects of a project in response to issues raised or observed in real time by the community
- new or innovative interventions, that have not been well-tested previously, to be tested in real world circumstances
- testing of different options before decisions on a preferred final option are made

Innovative approaches are not always suitable or practical. They should not be used when:

- projects cannot be delivered using cheaper, temporary infrastructure

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- the cost of using an innovative approach is excessive or does not offer good value for money
- projects require permanent works of a significant nature (for example, the removal of healthy, mature trees)
- when there are no negotiable elements to a project or ways to change the proposal
- parameters cannot be agreed upon

P6. Use good urban design principles in transport projects

Transport infrastructure should be functional and positively contribute to the urban realm. As such, decision-making on transport projects, policies and operations will be made using the following principles:

- Respect the character of the surrounding area.
- Consider aesthetics and broader values in design of infrastructure.
- Use simple and refined design suitable for our public spaces.
- Use materials that best suit a specific location, including those identified in any applicable streetscape or urban design guidance.
- Maximise opportunities to plant trees and other landscaping on streets to make our public spaces greener.
- Incorporate features that promote activity on streets, such as seating and good lighting.
- Incorporate opportunities for deep planting and water infrastructure in design, with design for future delivery.

P7. Manage car parking in a way that supports the use of active and public transport and the role of cars in an urban environment

Decision-making on projects, policies and operations will be made using the following principles:

- The cost of parking or ease of access to parking should not encourage people to travel by car, particularly over short distances.
- The cost of parking or ease of access to parking should not encourage people to own more cars than they need.
- Parking demand should be managed in a way that reduces the amount of circulating traffic looking for a parking space.
- Parking supply should be managed to ensure that spaces can be accessed by those who need them.
- Circulating traffic throughout the day should be minimised by ensuring that parking management approaches do not encourage people to shuttle a car between different parking spaces in the same area all day.
- Maintaining existing on-street car parking should not be a primary reason for failing to implement policies in this Strategy.
- Loss of car parking revenue should not be a primary reason for failing to implement policies in this Strategy.
- Off-street parking levels in new developments should be restraint-based.
- On-street car parking management should support car-free development.
- The number of vehicle crossovers on footpaths to access off-street car parking should be minimised, particularly on footpaths with high pedestrian volumes.
- Other new ways of managing parking should be considered on merit.

P8. Reduce, delay or remove vehicle turning movements where these create safety issues for other road and path users

In some cases, a relatively small number of vehicle movements can cause significant safety issues and delay for everyone else. This particularly applies where:

- turning vehicles block tram and bus lanes
- vehicles reverse blindly from angled parking into the path of people riding bikes
- left-turning vehicles cross busy bike lanes and pedestrian crossings at intersections
- turning vehicles collide with trams and buses causing severe disruption, delay and cost

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- right-turning vehicles with poor forward visibility cut across approaching traffic and people riding on busy bike lanes
- vehicles pulling out of minor side streets and off-street car parks constantly hinder the movement of large volumes of people walking, wheeling and riding bicycles along a street

Decision-making on projects, policies and operations will seek to:

- minimise the number of legal vehicle turns across tram and bus lanes
- prioritise tram and bus movements at crossing points with cars
- deliver infrastructure to physically prevent illegal vehicle turns across tram and bus lanes
- minimise turning movements on key cycling and/or pedestrian routes where these cause safety issues
- minimise vehicle crossovers on busy pedestrian and cycle routes
- introduce measures which are effective without requiring heavy police or council enforcement

For some projects, State Government approval to get better outcomes will be required, and Yarra Council will work in partnership with the government and other agencies to secure these approvals.

P9. Reduce traffic volumes, particularly where it is excessive

Traffic volumes on roads in Yarra should reflect their role and function. Traffic management can ensure that major arterial roads are preferred routes for car and heavy vehicle traffic and local streets are not used as shortcuts. Actively managing traffic will also play a key role in encouraging active transport, improving safety, improving the quality of the environment and creating a sense of place.

We will implement traffic management measures as required through one or a combination of the following and other measures:

- turning bans
- full or partial permanent or temporary road closures
- one-way systems
- signal priority changes
- reducing speed limits
- physically slowing vehicles down via speed humps, chicanes and other treatments
- implementing restraint-based off-street car parking controls at new developments and redevelopments
- working with Victoria Police to ensure traffic rules are enforced
- regularly reviewing the function of Yarra's streets

For some projects, State Government approval will be required, and Yarra Council will work in partnership with the government and other agencies to secure these approvals. We will review the current road hierarchy and street function to achieve the vision and objectives of this Strategy.

P10. Lower traffic speeds

Lower speed limits and lower actual vehicle speeds improve safety and amenity for all, particularly for vulnerable road users. Lower speeds also allow roads to be designed in a more compact way creating opportunities for more shared space, trees, trading space for businesses and bike infrastructure.

We support reduced traffic speeds, including reduced speed limits. We are proud to have led the implementation of 40km/h speed limits in all areas and we support the introduction of safer 30km/h speed limits.

P11. Encourage the use of shared transport

Shared transport includes car share, bike share and scooter share. Sharing gives everyone more transport options without the hassle, cost and material consumption of ownership.

We support shared transport schemes. Decision-making on projects, policies and operations will be made using the following principles:

- Shared transport should not unreasonably disrupt or discourage other, higher priority modes of transport like walking and cycling.

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- Shared transport will be required to consistently comply with relevant local laws and legislation, MOUs and any applicable agreements.
- Our fees and charges for shared transport installation and management will be set at a revenue neutral level to support shared transport as a viable commercial activity and keep user costs as low as possible.
- The role of the council is to facilitate investment in shared transport from other parties.

P12. Support use of streets for community development activities

Streets are public places and form an essential part of the public realm, the spaces between homes and businesses that we share. Pop-up activities like festivals, play streets, street parties and parklets all contribute to community development.

We support these activities and the use of our streets. However, movement for active and public transport needs to be maintained wherever possible. We acknowledge that traffic movement and car parking is likely to be disrupted.

P13. Encourage investment in new public transport services and improvements to existing services

We will work with the State Government and operators as a key stakeholders on public transport projects in Yarra and nearby that:

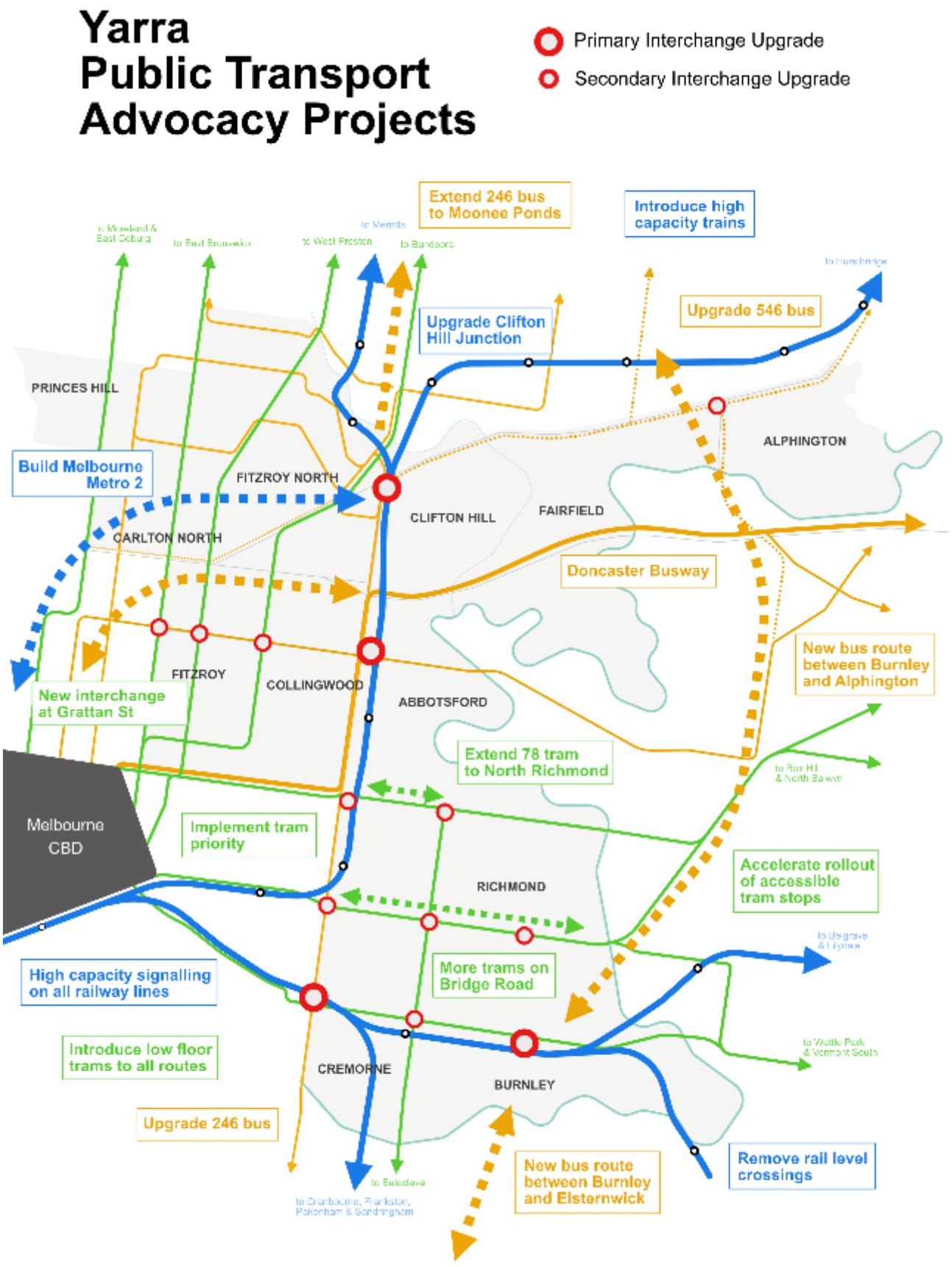
- increase the frequency and reliability of trains, trams and buses
- increase accessibility and reduce door-to-door journey times
- provide new and improved interchange opportunities in Yarra
- reduce pressure on the central city for interchange
- increase capacity generally and redistribute demand to relieve pressure on the Hoddle Grid
- improve network resilience (in the event of planned system maintenance, an upgrade or incident)
- support urban strategic renewal precincts including the Amcor site, the Cremorne employment precinct and the Gas and Fuel site

The key projects that Yarra supports and wishes to see delivered are shown Figure 13 and set out below:

- construction of Melbourne Metro 2
- upgraded bus route 246 and its extension to Moonee Ponds
- extension of Church Street trams to North Richmond Station
- running ‘short’ trams to provide more capacity on busy route sections such as Bridge Road
- introduction of high-capacity trains on the Clifton Hill and Burnley group train lines
- introduction of a new bus service between Amcor and Burnley Station via Chandler Bridge
- better integration of parallel tram lines into the north of the city via an interchange at Grattan Street in Parkville
- upgrade of all remaining non-DDA complaint tram stops so they are complaint
- removal of the Madden Grove level crossing in Burnley
- introduction of Bus Rapid Transit on the Eastern Freeway linking Manningham to the CBD
- introduction of a new bus service between Burnley Station and Elsternwick
- upgrade of Yarra’s primary existing and emerging interchange hubs, specifically:
  - Clifton Hill
  - Richmond
  - Burnley
  - Victoria Park
- upgrade of Yarra’s secondary existing and emerging interchange hubs at the following intersections:
  - Bridge Road and Punt Road
  - Church Street and Victoria Street
  - Swan Street and Punt Road
  - Victoria Street and Hoddle Street
  - Victoria Street and Punt Road
  - Victoria Street and Church Street
  - Swan Street and Church Street
  - Bridge Road and Church Street
  - Johnston Street and Smith Street
  - Johnston Street and Brunswick Street
  - Heidelberg Road and Chandler Highway
  - Nicholson Street and Johnston Street
  - Nicholson Street and Gertrude Street
  - Bridge Road and Burnley Street

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Figure 13. Public transport advocacy projects



P14. Encourage transition to zero emission road vehicles

Walking and cycling are the best transport modes for reducing greenhouse gas emissions. Beyond this, the use of public transport has low energy usage per passenger and has the potential to be zero emission, depending on the energy source used.

Electric cars, buses and other low emission vehicles are supported by Yarra Council as they have the potential to reduce noise and emissions if implemented well. The electric road vehicle sector is undergoing constant change due to new technology, increases in production capacity and emerging commercial possibilities. For the foreseeable future, our role is primarily one of facilitation and promotion of electric vehicle infrastructure where possible rather than direct operation. We will develop policies and strategies to manage this transition in a fair and sustainable way.

P15. Deliver transport projects and other policy work as per the Yarra's *Community Engagement Policy*

Engagement with the community on decisions made under this Strategy will be completed in accordance with Yarra's *Community Engagement Policy* and tailored to the decision or project. In accordance with our policy, we will engage based on the principles of being:

- representative
- accessible
- meaningful
- transparent
- accountable
- respectful
- flexible
- supportive
- prepared

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How we will measure success

Yarra's *Council Plan 2021–2025* identifies the nine indicators through which we will monitor progress against reaching *Council Plan* objectives.

i. Kilometres of separated cycling lanes delivered
ii. Cycling projects delivered
iii. Percentage increase in bicycle counts (agency data)
iv. Percentage increase of bicycle parking hoops and corrals
v. Number of pedestrian improvement related projects
vi. Number of new shared zones
vii. Number of 30km speed zones
viii. Number of dedicated car share parking spaces
ix. Method of travel to work (ABS JTW)

***Council Plan 2021–2025*, Strategic Objective five: Transport and movement, Indicators**

These *Council Plan* indicators have been refined further to create indicators and measures for monitoring towards achieving the outcomes of this Strategy.

Most indicators and measures relate to actions taken by Yarra Council, and how we have delivered on the actions outlined in this Strategy. Some indicators and measures (in *italics*) relate to travel behaviours that should be affected by these actions.

Unfortunately, indicators and measures that relate to behaviour will be affected by the COVID-19 pandemic, both directly and indirectly. Caution should be used in interpreting the indicators and measures that relate to travel behaviours, until a 'new normal' has been achieved.

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Table 4. Transport Strategy measures and targets

***Council Plan* indicator**	**Transport Strategy measure**	***Transport Strategy* target**	**Data source**
i. Kilometres of separated cycling lanes delivered	1. Total length of cycling routes upgraded to comply with the New Deal for Cycling	15km more compliant routes by 2027 30km more compliant routes by 2032	Yarra Council
ii. Cycling projects delivered	2. Number of other spot improvements to cycling	25 cycling projects by 2027 50 cycling projects by 2032	Yarra Council

iii.	*Percentage increase in cycling **	*3. Percent change in total number of bike trips counted at key intersections* *4. Percentage share of female riders in total number of trips counted at key intersections*	*20% more cycling or scooter trips by 2027* *40% more cycling or scooter trips by 2032* *50% female riders by 2032 (from 32% in 2021[21])*	*Bike counts*
iv.	Percentage increase of bicycle parking hoops and corrals	5. Percent increase in total number of bike hoops (including corrals) located in public spaces	30 hoops each year 1 bike corral per year	Yarra Council
v.	Number of pedestrian improvement related projects	6. Number of additional pedestrian improvement projects completed	25 pedestrian projects by 2027 50 pedestrian projects by 2032	Yarra Council
vi.	Number of new shared zones	7. Number of additional shared zones	20 additional shared zone projects by 2032	Yarra Council
vii.	Number of 30km speed zones	8. Number of additional 30 kph zones	5 more 30km/h zones by 2032	Yarra Council
viii.	Number of dedicated car share parking spaces	9. Total number of car share spaces	283 spaces by end FY2024[22]	Yarra Council
ix.	*Method of travel to work **	*10. Percent of commuters travelling by walking and cycling* *11. Percent of commuters travelling by public transport*	*30% walking or cycling in 2026, 40% by 2032* *(20% in 2016[23])* *35% public transport in 2026, 40% by 2032* *(29% in 2016[24])*	*ABS Census*

* Indicators that measure travel behaviour will be affected by the COVID-19 pandemic

[22] Targets from *Yarra's Car Share Policy 2019–2024*.
[23] ABS Census, 2016.
[24] ABS Census, 2016

Glossary

Term	Meaning
active transport	Refers to walking, cycling and scooting, as well as wheeling and other environmentally friendly travel methods of people with a disability.
angled parking	On-street car parking that is designed for vehicles to be stored at an angle other than parallel to the road. Usually designed at a 45 degree or 90 degree angle but can also be installed at other angles.
bicycle route / cycle route	A route between locations that is preferred for use by people riding bicycles.
bike box	A bike box, or a bike head start box, is a marked space behind the stop line at a signalised intersection where bikes can stop ahead of cars while waiting for a green signal. A bike box separates people riding from, and makes them more visible to, other traffic at the intersection, while also giving them a head start at the signal.
crossover	Vehicle access to a property provided from a street or road. Commonly referred to as a 'driveway'.
kerb outstand	An extension of the footpath or nature strip into the road space to allow extra space for pedestrians or bike riders, or to narrow the road.
mode share	The proportion of trips that are taken using a transport mode (for example, bike or tram).
micro-mobility	Micro-mobility includes all personal, self-propelled, non-motorised modes of transport. Typically, these modes are for transporting one person at a time. They do not require registration, nor does the user need a licence to use it. They are non-motorised but can be powered by electricity. They are particularly useful and popular for short trips, including those just beyond the capacity of the user to walk. Examples include bikes and electric bikes, scooters and electric scooters, skateboards, hoverboards, roller skates, roller blades and segways. The term can also include wheelchairs and other mobility devices that support personal transport for people with disabilities.
painted bike lane	A painted bike lane is one that is allocated space in the carriageway but is not physically seperated from general traffic, only by painted lane markings. A painted bike lane can be temporary or permanent.
pedestrian route / walking route	A route between locations that is preferred for use by people travelling on foot or using a personal mobility device. A pedestrian route may include sections of footpath, shared paths, off-road paths, bridges and underpasses, and may cross streets, roads, railway lines and rivers.

personal mobility device	A device to assist a person with a disability to move independently. A personal mobility device is typically non-motorised. Examples include wheelchairs, walking frames, walking sticks, crutches and mobility scooters.
pilot	A pilot, in local transport terms, means a treatment, project or other intervention that is delivered using temporary infrastructure, but where the project is intended to ultimately be permanent. Pilots are used when the time or costs associated with permanent infrastructure are too great at the time of implementation, and where the intervention is intended to be constructed using permanent infrastructure when budget and time allow. Examples include protected bike lanes constructed with rubber and plastic bollards in advance of the final concrete bollards, or a shared zone being installed with paint in advance of a permanent raised roadway. A pilot intervention might be adjusted to respond to issues or opportunities that arise, but this is not the primary purpose for the pilot process. See also Pop-up and Trial.
protected bike lane	A protected bike lane is one that is allocated space in the carriageway (road) but is physically protected from general traffic by hard infrastructure, such as a median or island. A protected bike lane can be temporary, but the temporary infrastructure must still provide physical protection to people riding using the protected bike lane.
scramble crossing	A scramble crossing is a signalised pedestrian crossing that allows crossing all at once of all legs of an intersection, as well as in a diagonal direction. A scramble crossing can be useful when many pedestrians seek to cross more than one leg of an intersection. In this case it reduces the amount of waiting time, and therefore the number of pedestrians waiting to cross. Also referred to as a 'Barnes crossing'.
separated bike lane	See 'protected bike lane'.
shared transport	Shared transport is vehicles or trips that are owned by one entity but made available, typically for a fee, for multiple people to use. Shared transport is usually managed through membership schemes or a pay-per-use model. Shared vehicles can be owned by a single person, by a company or by a group. Shared transport includes ride share, car share, bike share and scooter share.
shared space	A street designated as a 'shared zone' under the Victorian road rules is a street where road vehicles must give way to people walking, wheeling and cycling. Usually installed with low speed limits, most commonly 10km/h. Also known as a 'living street'.
sharrow	A sharrow, a portmanteau of 'shared' and 'arrow', is a form of line marking that reinforces that bicycles share the lane with cars and other vehicles in particular locations. It is also used as a wayfinding aid to assist people riding bikes to follow a specific route or find a destination. This type of treatment is only suitable where volume and speed of traffic is suitable for bicycles.
sustainable transport	Active transport and public transport when referred to together.

temporary infrastructure	Temporary infrastructure is infrastructure that can readily be changed or moved. It is typically constructed with lightweight materials, such as rubber and plastic, that are bolted into place. Temporary infrastructure is typically cheaper and quicker to construct than permanent infrastructure. It is typically used for pop-up interventions and trial interventions. It is sometimes also used for permanent interventions.
vulnerable road user	A user of the road who is suspectable to injury and fatality in a collision, or who may be more likely to be involved in a collision because of reduced physical or cognitive capacity to avoid dangerous situations. For example, older people and children are considered more vulnerable than adults; people with disabilities are consider more vulnerable than able-bodied people; and people walking or wheeling are considered more vulnerable than people riding.

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Appendices

Appendix 1. Community engagement activities that informed the Strategy

Further details of specific activities and projects where Yarra Council has received community and stakeholder feedback on the topic of transport are provided below.

Yarra transport and related studies and policies

Yarra Council has recently prepared, or is the in process of preparing, multiple studies, policies, strategies and plans where community feedback has been considered in preparing this Strategy. These include:

- Yarra's *Council Plan 2021–2025*
- *Yarra 2036 Community Vision*
- Review of *Local Area Place Making Policy*, and Draft *Road Safety Studies Policy 2021*
- Draft *Place Making Framework 2021*
- Draft *Swan Street Streetscape Master Plan*
- *Brunswick Street Streetscape Master Plan 2020*
- Draft *Cremorne Streets and Movement Strategy 2020* (under the Cremorne Place Implementation Plan)
- *Open Space Strategy 2020*
- *Climate Emergency Plan 2020*
- Parking Forum (and pre-survey) 2019
- *Bridge Road Streetscape Master Plan 2018*
- *Car Share Policy 2019–2024*
- *Access and Inclusion Strategy 2018–2024*
- *Urban Forest Strategy 2017*
- *Bicycle Strategy Refresh 2015*
- Liveable Yarra 2015
- Draft Local Liveable Streets Framework 2022
- *Priority Planting Plans*
- *Road Management Plan*
- Yarra Council's annual budgets
- Various Local Area Traffic Management and Local Area Place Making studies
- Various *Yarra Planning Scheme* amendments

Yarra transport and related projects

Yarra Council has delivered, or is the in process of delivering, multiple infrastructure projects and other interventions where community feedback has been considered when preparing this Strategy. These include:

- COVID response bike lane trials 2020
- COVID response outdoor dining trials 2020
- Elizabeth Street bike lane upgrades
- Local area place making projects
- Trial of 30km/h streets 2018
- Rathdowne Street bike lane upgrades
- Wellington Street bike lane upgrades
- Other council pedestrian and cycling improvement projects
- Shared zones, such as Walnut Street and Stewart Street
- Rose Street Feet First project
- Parklets, including the conversion of road space to parks
- COVID response via Street Dining Program
- Other projects and budget streams that respond to community feedback, such as the Safety Around Schools program

State Government transport and related projects

The State Government has delivered, or is in the process of delivering, several infrastructure projects in Yarra where community feedback has been considered in preparing this Strategy. These include:

- Nicholson Street tram stop upgrades 2019
- Victoria Street tram stop upgrades 2017
- Bridge Road tram stop upgrades 2014
- Chandler Bridge duplication 2016
- North East Link 2019
- Abbotsford Convent signals 2018
- Smith Street tram priority upgrades 2019
- Brunswick Street tram priority upgrades 2020
- Streamlining Hoddle Street 2017
- Walmer Street Bridge Upgrade (ongoing)
- Gipps Street bridge upgrade (ongoing)
- Strategic bike corridors and COVID response (multiple projects 2020–21 and ongoing)

Appendix 2. Overview of effectiveness of various cycling treatments in different environments

Figure 14. Effectiveness versus cost for different cycling treatments

	LOW EFFECTIVENESS	HIGH EFFECTIVENESS
LOW COST	Lower cost, lower effectiveness projects. *These are tokenistic projects as they don't do much to encourage cycling:* • Painted bike lanes next to kerb on high-speed / high traffic volume roads • Painted bike lanes next to parked cars on moderate or high-speed / high traffic volume roads • Bike sharrows on moderate or high-speed / high traffic volume roads • Advisory bike lane symbols on a moderate or high-speed / high traffic volume road • Wayfinding signage as a standalone measure in any road environment	Lower cost, higher effectiveness projects. *These have merit and are particularly useful if encouraging cycling is genuinely a priority, but infrastructure cost is a constraint:* • Traffic calming on low speed / reduced speed / low traffic volume roads (for example, in mixed traffic environments) • Protected bike lanes with bollards on moderate speed / moderate-to-high traffic volume roads • Painted bike lanes next to the kerb on moderate speed / low-to-moderate traffic volume roads • Painted bike lanes next to parked cars on moderate speed / low-to-moderate traffic volume roads
HIGH COST	Higher cost, lower effectiveness projects. *These offer poor value for money and should be avoided:* • Narrow protected bikes lanes with kerbs on high-speed / high traffic volume roads • Narrow protected bikes lanes with bollards on high-speed / high traffic volume roads	Higher cost, higher effectiveness projects. *These have merit in encouraging cycling, but carry significant infrastructure costs:* • Protected bike lanes with kerb separators on moderate speed / moderate-to-high traffic volume roads • Protected bike lanes with kerb separators on high-speed / low traffic volume roads • Off-road bicycle paths on high-speed / high traffic volume roads

DR

8.7 Brunswick Street Oval Precinct Redevelopment Update

Executive Summary

Purpose

The purpose of this report is to provide Council with an update on the revised design and proposed staging of the Brunswick Street Oval Precinct Redevelopment project, and proposed next steps including community consultation on the revised design.

Key Issues

The design for the redevelopment has been revised to address heritage concerns with the original design, and now features a proposed new sports pavilion to the north-west side of the oval, and a far lighter touch on the heritage grandstand.

A staged approach to project construction is proposed, with the announced State funding of $6.5 million applied to the Stage 1 development of the sports pavilion, and further State funding support sought to enable Stage 2 construction, which will include the tennis/community pavilion, tennis courts and grandstand works.

The revised design is supported by project stakeholders and a broad-based community consultation on the revised design is recommended as the next step.

A planning approval approach based on clause 52.30 (State projects) of the Yarra Planning Scheme is recommended, subject to the further approval of Council.

Financial Implications

The estimated total project cost for the revised design is $15.65 million.

Stage 1 costs are $6.65 million, and will be fully externally funded excepting for a modest $50,000 contribution from Council.

Stage 2 costs are $9.0 million. Council has an allocation of $2.685 million able to be applied to Stage 2, meaning a further State contribution of $6.315m is needed to enable Stage 2 to proceed.

PROPOSAL

That Council:

(a) note the revised design for the Brunswick Street Oval Precinct (BSOP) Redevelopment and support for the design by the Edinburgh Gardens Sporting Community (EGSC), Sport and Recreation Victoria (SRV) and internal project stakeholders;

(b) note that a two stage approach to project delivery is proposed as being necessary to allow the Stage 1 (Sports Pavilion) construction to proceed in the near term, subject to the further approval of Council and planning approval;

(c) note the proposal of the State to apply the announced $6.5 million of funding towards the construction of Stage 1, which (subject to further Council approval and planning approval) could commence construction in early 2023, and that officers have applied to SRV for a funding agreement for Stage 1 activities;

(d) note that Stage 2 is currently not fully funded and requires a further contribution from the State of $6.315 million (along with Council's allocated contribution of $2.685m) to be viable;

(e) note EGSC's reservations about the staging and in particular the concerns of Fitzroy Tennis Club that Stage 2 (Tennis/Community Pavilion, Tennis Courts and Grandstand works) is currently not fully funded;

(f) endorse the undertaking of community consultation on the BSOP Redevelopment revised design and staging to obtain feedback from the general community on the revised proposal;

(g) note that officers will provide a further report to Council (anticipated in late May 2022) that will provide an overview of the outcomes of the consultation and seek further direction from Council on proceeding with a planning application for the project;

(h) note the officer recommendation supporting a Yarra Planning Scheme clause 52.30 (State Project) planning approval approach, subject to Council's support for the project as project proponent and the planning approach; and

(i) note that officers have applied to Department of Environment Land Water and Planning (DELWP) to confirm whether the project has “State Project” status and are liaising on the requirements to ensure that the proposed further community consultation by Council on the revised design will meet the consultation requirements of the prospective clause 52.30 planning process.

8.7 Brunswick Street Oval Precinct Redevelopment Update

Reference	D22/39582
Author	Ann Limbrey - Building Projects Manager
Authoriser	Acting Director City Works and Assets

Purpose

1. The purpose of this report is to provide Council with an update on:
   (a) the revised design for the Brunswick Street Oval Precinct Redevelopment project;
   (b) the estimated costs for the revised design and funding implications;
   (c) a proposed two stage approach and rationale for staging;
   (d) options for the planning approval of the project; and
   (e) proposed next steps including broad-based community consultation on the revised design.

Critical analysis

History and background

General

2. The Brunswick Street Oval Precinct within Edinburgh Gardens, North Fitzroy provides some of the premium sporting facilities in the City of Yarra, and was home to the historical Fitzroy Football Club, playing in the VFA and VFL, at this location from the 1880's to the 1960's.
3. The Brunswick Street Oval Grandstand is listed as a significant object/place in the Victorian Heritage Register (VHR, registration number H0751). This building is also known to Council as the Fitzroy Football Club Grandstand.
4. The Yarra Planning Scheme includes relevant heritage overlays HO215 (grandstand and surrounds) which reflects the VHR H0751 listing, and HO213 (Edinburgh Gardens) which applies to the balance of the project area that is outside the extent of the VHR registration.

2019 Concept Plan

5. The Brunswick Street Oval Precinct is defined as the area containing the following sporting and community facilities immediately adjacent to the WT Peterson Community Oval (also known as Brunswick Street Oval) within Edinburgh Gardens, Fitzroy North:
   (a) Brunswick Street Oval Grandstand (including undercroft building);
   (b) Fitzroy Community Room; and
   (c) Fitzroy Tennis Club courts and clubhouse.
6. The community room is the second busiest bookable community facility in Yarra.
7. The Edinburgh Gardens Sporting Community (EGSC) is a coalition of sporting clubs utilising sporting facilities in the precinct; the member clubs are:
   (a) Edinburgh Cricket Club;
   (b) Fitzroy Football Club;
   (c) Fitzroy Junior Football Club; and
   (d) Fitzroy Tennis Club.

8. On 18 September 2018, Council supported a request by the EGSC to reallocate $50,000 from the 2018/19 Council budget to a project to explore redevelopment of the sports and community facilities in this precinct.

9. The State Government allocated $50,000 matching funding for Brunswick Street Oval precinct planning, with a further $50,000 contributed by the Clifroy Community Bank.

10. EGSC commissioned a feasibility study for the precinct, which proposed a precinct master plan for the site, with an indicated probable cost of $6.5 million. Following advocacy by the EGSC, on 5 October 2018 the Hon. Richard Wynne MP (Member for Richmond) announced a $6.5 million of State Government funding for the re-development of sporting facilities in the precinct as a 2018 State election commitment.

11. The EGSC feasibility study was undertaken without the involvement of Council officers at that stage, and did not consider in detail Council requirements, sporting association standards, universal access requirements, nor the implications of the heritage registration of the grandstand. The feasibility study undertaken by EGSC, whilst including the community room, excluded works to the heritage grandstand, civil infrastructure improvements to the precinct and major landscaping.

12. Following the State Government funding approval, a Project Control Group (PCG) was established that includes representation from:

    (a) each of the EGSC member clubs;

    (b) Sport and Recreation Victoria (SRV); and

    (c) Council officers from the Recreation, Buildings, Open Space and Venues and Events teams.

13. A Needs Analysis and Concept Plan was developed which included engagement with EGSC clubs, internal stakeholders, as well as the public, with the concept plan being mindful of the needs of the greater community as well as the EGSC stakeholders and also the heritage planning requirements.

14. Council received a report on the Needs Analysis and Concept Plan on 27 August 2019 and resolved to proceed to a community engagement on the concept plan.

15. Following a broad-based community engagement on the concept plan undertaken in October 2019, a report on the engagement outcomes and a final proposed concept plan were presented to Council on 17 December 2019.

16. The 2019 concept plan included a new building incorporating the community room located to the rear of the grandstand interfaced with the grandstand containing redeveloped change rooms and a club room integrated into the upper area of the grandstand, having views over WT Peterson Oval.

17. A quantity surveyor's cost estimate based on the 2019 concept plan indicated a total project cost of $10.45 million. The funding sources identified were $6.5 million of announced State funding, $2.6 million of Council funding (being planned amounts previously included within Council's long-term capital works plan and adopted Long Term Financial Strategy for the renewal of assets within the precinct), with the source of funding for the balance of $1.35 million still to be confirmed.

18. Council resolved on 17 December 2019 to endorse the finalised concept plan and authorise officers to proceed to the next stage of design development, subject to inclusion of provisions for best practice in Environmentally Sustainable Design and Performance.

Rough Sleeping in the Grandstand

19. Historically, the grandstand has been a well-known rough sleeping site, with a number of tents set up on the upper-level platform of the grandstand behind the top tier of seating.

20. Some of the concerns relating to historic use of the site for rough sleeping included:

(a) regular heavy cleaning of the upper level due to occupation by rough sleepers, and the likely deterioration of the heritage building fabric as a result of this;

(b) modifications by rough sleepers to affix shade cloth, and illegal and dangerous electrical modifications to tap into electrical power wiring in the grandstand;

(c) the fire risk potential posed by occupation, being a risk to people and the grandstand itself, noting the timber construction of the grandstand, and the destruction of the adjacent 1905 timber grandstand by fire in 1977; and

(d) safety concerns related to rough sleeping in the grandstand were also expressed by users of the park during the community consultation.

21. In April 2020, due to the on-going safety concerns, Yarra's Municipal Building Surveyor issued an Emergency Order prohibiting the occupation of the grandstand, and the Homelessness and Rough Sleeping team worked with Council's outreach partner to find safer accommodation for the people occupying the grandstand at that time, with a number of people accepting an offer of alternative accommodation.

22. Temporary fencing was erected around staircase entrances to the grandstand, and temporary hoarding was erected on the top platform of the grandstand to prevent its occupation (a heritage permit exemption was applied for and granted for this).

23. These controls remain in place; the temporary fencing is opened during the course of organised sporting events at the oval to allow use of the grandstand during the event.

Original Design Development

24. Officers applied to SRV in early 2020 for a funding agreement to give effect to the State Government's announced $6.5 million funding for the project.

25. SRV did not seek ministerial approval for the funding agreement, citing concerns with the identified funding shortfall and the possible impact of the then-emerging coronavirus (COVID-19) pandemic on Council's budget position.

26. SRV indicated a preference to finalise the funding agreement based on a confirmed scope and construction tender prices.

27. To enable the project to proceed, the design development phase under this contract has been fully funded to date by Council utilising funding allocated in Council's adopted 2020/21 and 2021/22 budgets with a view to progressing the project through to a construction tender. Council's total net project expenditure through to December 2021 is approximately $452K, after accounting for the $100K in external contributions already received.

28. Following a competitive tender process, CO.OP Studio Pty Ltd was awarded a contract in August 2020 for the BSOP Major Redevelopment Consultancy Services, to provide architectural and engineering sub-consultancy services for:

(a) design development;

(b) progressing the project through planning and heritage permit processes;

(c) preparation of detailed documentation for a construction tender; and

(d) on-going architectural and engineering services support during construction.

29. Lovell Chen have been retained by Council as part of the project team to continue provide advice and services on specialist heritage architectural matters.

30. The BSOP redevelopment is subject to two distinct approval processes:

(a) A statutory planning approval process under the Yarra Planning Scheme and Planning and Environment Act 1987 – this applies to all elements of the development outside the extent of the VHR H0751 registration and includes consideration of relevant heritage overlays in the Yarra Planning Scheme; and

(b) A heritage approval process under the Heritage Act 2017, with the application being determined by the Executive Director, Heritage Victoria – this applies to elements of the development within the extent of the VHR H0751 registration.

31. From August through to December 2020 the original design was developed to prepare for the planning and heritage application processes. Whilst the design detail was necessarily refined and fleshed out as part of this design development, in broad terms the original proposed design was consistent with the endorsed concept plan.

Heritage Victoria Issues

32. As is normal practice for complex permit applications, pre-application meetings were sought and held with both Yarra Statutory Planning (for the planning application) and Heritage Victoria (HV, for the heritage application).

33. At the Yarra planning permit pre-application meeting held in December 2020, in which the entire development proposal was presented inclusive of the grandstand, Yarra Statutory Planning officers, and the consultant advising on local planning scheme heritage aspects, raised no concerns with the original design proposal.

34. At the heritage permit pre-application meeting also held around the same time, which focussed on the development as it pertains to the grandstand and within the extent of the heritage registration, HV officers expressed a number of concerns regarding the design, which in summary chiefly related to the activation of the heritage grandstand with a clubroom having views of the oval and the proximity of the proposed new building to the rear of the grandstand (which would have contained the community room and provided universal access to the proposed redeveloped grandstand and the sporting clubroom within).

35. Some amendments to the heritage grandstand treatment were proposed with a view to ameliorating the concerns raised by HV, and the matter discussed between Heritage Victoria officers (including the Executive Director) and senior officers of Council in the period leading up to early April 2021.

36. Council officers also engaged a third-party heritage and architectural consultant to undertake an independent peer review of the proposed design. This peer review was broadly supportive of the proposed design as being a “design solution that is both sensitive to the cultural heritage significance of the place and to the changing community needs”.

37. Notwithstanding this and whilst HV acknowledged some positive changes in the amended plans, HV provided following further written feedback from the Executive Director on 8 April 2021 which in essence advised that the heritage application associated with original design (even with amendment) would not be supported by HV.

38. Based on the feedback from HV, officers regarded that the original design in accordance with the concept plan as not being feasible, since it would be highly unlikely to receive heritage approval. On this basis officers commenced the investigation of alternative locations for the clubroom that included views of the oval, a primary requirement of the oval sporting users being the football and cricket clubs.

39. One of the options that HV encouraged Council to investigate was a freestanding clubroom building to the immediate west of the heritage grandstand, noting that there was a precedent for this in the 1905 grandstand (as noted destroyed by fire in 1977) that stood to the west of the existing grandstand.

Discussion

Revised Design

40. After consideration of various design alternatives, the best alternative option identified by the project team (in consultation with PCG stakeholders) was based upon a new sports pavilion located to the north-west of the oval.

41. The key reasons for the proposed location of the sports pavilion in the revised design are:

    (a) Least impact on established trees and path networks as compared to other possible locations; and

    (b) Least impact on heritage aspects of the park including the Sportsman's War Memorial and oval spectator mound.

42. The revised design is consistent with the requirements established in the original needs analysis undertaken.

43. The revised design has been further developed by the project team including the lead design consultant CO.OP and supporting consultants, and is shown in Attachment 1.

44. Page 2 of Attachment 1 provides the overview of the revised design, which features:

    (a) A new sports pavilion to the north-west of the oval including club room, commercial kitchen and amenities on the first floor, a kiosk, four change rooms and amenities on the ground floor [10];

    (b) A tennis/community pavilion with the tennis club and associated amenities on the ground floor, and a new community room and amenities on the first floor [11];

    (c) A modest and lighter-touch upgrade of the heritage grandstand, including public toilets to the eastern end of the building, replacement compliant and secure stairs at the front of the building replacing the existing non-original stairs, and retention of the tiered grandstand seating in its current form [9];

    (d) Eight tennis courts [7]; and

    (e) An extensive program of landscaping is proposed as well as civil works to facilitate better paths and DDA access throughout the site [1, 2, 3, 5, 6, 8].

45. Overall the design will greatly improve the amenity of the area around the grandstand, with the removal of the existing community room allowing the heritage grandstand to be appreciated in the round, and with improved park views now gained from multiple aspects.

Revised Project Costs

46. The revised design project cost has been estimated by the project quantity surveyor (in December 2021) as $15.65 million, based upon a two-stage project delivery with contract award of stage 1 works in early 2023.

47. The rise in project costs from the $10.45 million cost estimate (December 2019) for the original design is due primarily to the following factors:

    (a) The proposed new standalone sport pavilion and associated landscaping and civil works, incorporating many of the elements previously proposed to be included within the redeveloped heritage grandstand, in a location within the park without existing building utility connections;

    (b) The need to rework the design due to the absence of Heritage Victoria support for the original design, including additional design and project management costs as well as the rise in construction prices in the intervening period, which has been more than the recent usual rate of price escalation with construction material and labour prices rising sharply during the coronavirus (COVID-19) pandemic; and

    (c) The proposed staging of the project over two stages, which is explained further below.

Proposed Project Staging

48. Based on revised project design and the estimated cost for that design, and allowing for the $6.5 million announced contribution from the State and a total of $2.735 million of Council funding allocated in the Long Term Financial Plan, the funding gap is now $6.315m.

49. The State representatives on the Project Control Group have suggested staging the project construction over two stages (as depicted in Attachment 1 page 3):

(a) Stage 1 – is the western side of the project area and includes the new sports pavilion and surrounding landscaping and civil infrastructure – estimated cost $6.65 million (and also includes lead-in precinct design and planning/heritage approval activities); and

(b) Stage 2 – is the balance and central/eastern side of the project area and includes the new tennis/community pavilion, the tennis courts, works to the heritage grandstand and surrounding landscaping and civil infrastructure – estimated cost $9.0 million.

50. The State have further indicated that they are willing to apply the full $6.5 million of announced funded to Stage 1, to allow this stage to commence construction (subject to Council approval and required planning approval), and seek opportunities to provide further funding to enable Stage 2 to proceed, possibly through the 2022 State Budget.

51. On this basis, Council officers were asked to submit project documentation to SRV to support an application for a funding agreement for Stage 1, and this documentation was submitted on 8 February 2022, and officers are waiting for confirmation from SRV of the funding agreement.

52. Stage 1 construction, subject to Council and planning approval, could potentially be undertaken in the period from early 2023 through to mid-2024.

53. The Stage 2 construction period is less certain, but with favourable and timely further funding support from the State, could potentially be undertaken from mid-2023 through to mid-2025.

Engagement on Revised Design

54. The key project stakeholders including SRV and the EGSC member clubs have been closely consulted in the development of the revised design and proposed project staging.

55. The EGSC has endorsed the revised design (Attachment 2), reflecting the comments of the representatives of each member clubs.

56. The EGSC has indicated their preference for the project not to be staged. Officers note that a staged approach is necessary if the project is to proceed at this juncture given the current funding shortfall for Stage 2. In particular, the Fitzroy Tennis Club have understandably expressed their disappointment that the elements of the project that will benefit their club are not fully funded at this stage and therefore not yet able to proceed.

57. It is noted that the general community has not yet been consulted on the elements of the revised design that were amended from the original concept plan, in particular the newly proposed sports pavilion. On this basis, officers recommend that a community engagement is undertaken on the revised design and to subsequently bring back a further report to Council on the outcomes from that engagement and to obtain Council direction on proceeding with planning and heritage approvals for the project.

Planning Approval

58. Amendment VC194 was gazetted on 25 March 2021 into the Yarra Planning Scheme (and other Victorian planning schemes), which introduced clauses 52.30 (State Projects) and 52.31 (Local Government Projects).

59. Three distinct options for the planning approval under the Yarra Planning Scheme and the Planning and Environment Act 1987 have been identified, and are presented in the options section below.

Heritage Approval and Considerations

60. Regardless of the planning approach and option chosen, a heritage approval is required for the project elements within the VHR H0751 registration (the grandstand and curtilage surrounding) by application to Heritage Victoria (HV) as the Responsible Authority for these elements.

61. The heritage approval process will involve extensive review of the plans and a Heritage Impact Statement prepared by Lovell Chen on behalf of Council as the applicant. It includes a public consultation process run by HV with public advertising in the newspaper and local signage inviting comments within a 60-day period. The focus of the comments are heritage considerations only, and these are reviewed and considered by HV in its determination. The process also allows for a referral to Yarra City Council as a referral authority. Council planners and heritage advisory officers will prepare a response based on the heritage impact for consideration by HV. This process is governed by the Heritage Act 2017.

62. The works to the grandstand (which are within the VHR extent) are far more modest than originally proposed. By removing the current community room, Council will reinstate the pre-eminence of the heritage grandstand within the landscape. Lovell Chen heritage advisors feel confident that heritage approval can be obtained for the revised design, including removal of the existing community rooms, repainting of the facility, refreshing of the forecourt and improvement of the rear landscaping.

63. A design area still the subject of some discussion with Heritage Victoria is the proposed securing of the access to the seating in the grandstand. This is a proposed lightweight steel finish fixed to replacement stairs and with limited impact to the original building, which can be opened for use during sporting events. A similar solution is proposed on the western end of the upper level to avoid intrusion over the skillion roof at the western end of the grandstand.

64. The security solution has been proposed to facilitate the reactivation of the tiered seating for its intended use to view sporting activities, noting that the grandstand stairs at the present time still have temporary fencing around them based on the order of the Municipal Building Surveyor proscribing rough-sleeping accommodation as an activity that poses a hazard to persons and to the asset itself.

65. The applicable heritage overlays in the Yarra Planning Scheme (which are considered as part of the planning approval) have been addressed in the design consideration. Retention of part of the berm in the west and the enhancement of significant trees and heritage paths to the precinct add to the design response. Moreover, the brick finish of the tennis and sports pavilion and the fit with the ticket box to the south promote the heritage context of the overall sports precinct.

Options

66. There are three distinct options identified for planning approval of this project under the Yarra Planning Scheme, which are described in the sub-sections below.

67. For each option, the planning approval(s) apply to the majority of the project area being that which is outside the extent of the VHR H0751 registration.

Option 1 – approval under Clause 52.30 (State Projects)

68. This option has been signalled as of interest by the State, noting that the project is a joint project of the State and Council with majority funding coming from the State.

69. This option requires several steps:

    (a) Step 1 – pre-application discussion;

    (b) Step 2 – assessment of whether the project has “State project” status by the Department of Environment Land Water and Planning (DELWP);

    (c) Step 3 – application by Council to DELWP for the assessment of the project for approval under clause 52.30. This involves submission and assessment of comprehensive project documentation similar to that which would accompany a normal planning application; and

    (d) Step 4 – a decision by the Minister for Planning (or under delegation) as to the outcome of the application.

70. Officers have held step 1 pre-application discussions with the DELWP Major Projects Facilitation team to understand the process, and to confirm that the project is potentially able to be considered under this clause.

71. To validate whether this approach is possible, on 24 February 2022 the project team submitted a request to DELWP for the step 2 “State project” assessment, noting that this status assessment does not commit Council to proceeding with an application under clause 52.30.

72. Notice and review requirements do not apply to the 52.30 process, although there is a requirement that the proponent (Council) has undertaken a consultation/engagement process, and details of this must be provided as part of the application.

73. A separate heritage approval application to Heritage Victoria is required for the elements of the project within the extent of the VHR H0751 registration, which is subject to notice and review provisions under the Heritage Act 2017.

74. Noting that Major Projects Facilitation and Heritage Victoria are both teams within DELWP, there would be some advantages in having DELWP coordinate the planning and heritage approvals under this approach.

Option 2 – approval for Stage 1 under Clause 52.31 (Local Government Projects)

75. This option will apply if an initial application was made to Yarra Statutory Planning (as the Responsible Authority for the Yarra Planning Scheme) for Stage 1 only, should that be the only stage to proceed.

76. In this case, as the value of Stage 1 is less than $10 million and the project is being carried out by or on behalf of a municipal councils, then it is expected that Yarra Statutory Planning would determine that clause 52.31 applies.

77. Notice and review requirements do not apply to the 52.31 process.

78. As the Stage 1 construction is entirely outside the extent of the VHR H0751 registration, no heritage approval by Heritage Victoria is required to accompany a planning approval for Stage 1 only.

79. In this option, Stage 2 could be the subject of a subsequent separate planning application, noting that Yarra Statutory Planning would not support artificial splitting of the project planning application.

80. A separate heritage approval application to Heritage Victoria will be required for Stage 2, for the elements of the Stage 2 within the extent of the VHR H0751 registration, including notice and review under the Heritage Act 2017.

Option 3 – standard approval under the Yarra Planning Scheme

81. This option will apply if an application was made to Yarra Statutory Planning (as the Responsible Authority for the Yarra Planning Scheme) for the entire project.

82. In this case, the value of the project is in excess of $10 million and on that basis clause 52.31 would not apply, and the project will be assessed according to the standard provisions of the Yarra Planning Scheme, including the application notice and review requirements under provisions under the Planning and Environment Act 1987.

83. A separate heritage approval application to Heritage Victoria is required for the elements of the project within the extent of the VHR H0751 registration, including notice and review under the Heritage Act 2017.

Analysis and Preferred Option

84. It is noted that regardless of planning approval approach a broad-based community engagement on the revised design is recommended by officers to Council to obtain broad-based community views on the revised design, and to obtain community feedback that might influence the final design proposal.

85. The ability to commence the Stage 1 construction utilising the State announced funding of $6.5 million is predicated on planning approval being obtained for the project. Option 1 (52.30 approval), subject to Council's receipt of the community engagement information and approval to proceed, will provide the most certainty that Council will be able to access that funding.

86. Furthermore, the planning approval process under clause 52.30 (and associated heritage approval) gives the most certainty of obtaining approvals for the entire project in a timely fashion, and will maximise the likelihood that Council can receive the required further State funding of $6.315 million that would allow Stage 2 to proceed.

87. Whilst Council has allocated a total of $2.735 million towards this project in its Long Term Financial Plan (based on standalone renewals for individual assets within the project area) – if either the $6.5 million of announced State funding for Stage 1 and/or the opportunity to attract further State funding for Stage 2 is lost, then Council could in time expect to face greatly higher costs for the basic renewal of assets within the project area, and still not be in a position to deliver the level of value to the sporting clubs and general community offered by the proposed redevelopment.

88. On this basis, the Option 1 approach – subject to Council approval based on the outcomes from the community engagement on the revised design – is expected to maximise the likelihood of a highly positive outcome for both the sporting clubs, the general community, and financially for Council.

Community and stakeholder engagement

89. Key stakeholders including the EGSC member clubs have continued to be engaged through regular meetings of the PCG and direct discussions with project team as required.

90. The EGSC have affirmed the current plans for the buildings and landscape and are keen to move forward on the project. The principal issue remaining is the detail of the tennis court surfaces. This matter continues to be the subject of discussion and value management once the total budget is understood. There are no implications on the project timeframes, at this stage.

91. Other internal stakeholders that represent the regular users of the community room and community users such as the Venues and Events team, and the Aged and Disability services team have been engaged in the finalisation of the design to ensure that the project meets the requirements of this extensive range of users of the site facilities. Considerations include the DDA access, appropriate storage, suitable commercial kitchen, public lighting and safety in design of public amenities.

92. An upgraded vehicle entry off Brunswick Street in the west will also service the Fitzroy Victoria Bowling & Sports Club, with the driveway at the back of the bowling club integrated to form an entry and exit driveway which will be safer for all vehicles and deliveries, particularly tray trucks delivering to the bowls club that currently need to reverse blindly into the apex of the Brunswick Street/St Georges Road junction. On this basis these changes are anticipated to be positive for the bowls club, and further direct engagement with the bowls club will be undertaken.

93. It is proposed that the community engagement for the revised design is conducted in a manner similar to the 2019 consultation on the concept plan, utilising:

    (a) postcard drops;

    (b) social media;

    (c) email to previous submitters;

    (d) "Your Say Yarra" on-line engagement; and

    (e) on-site drop-in sessions at project site.

94. The 52.30 planning approval process requires that community consultation has occurred in a way that meets DELWP's requirements (or otherwise is separately undertaken by DELWP). Officers will ensure that that consultation will at least meet (and likely exceed) the DELWP consultation requirements, which will avoid the need for a subsequent consultation by DELWP Major Projects Facilitation.

95. The consultation is proposed to run for a five week period from 28 March 2022 through to 1 May 2022, to allow for a thorough engagement with the local community. Following the consultation, officers will provide further report to Council (anticipated in late May 2022) that will provide an overview of the outcomes of the consultation and seek further direction from Council on proceeding with a planning application for the project.

96. Subject to Council's approval to proceed, a further public consultation process will occur as part of the heritage permit application process. Submissions are reviewed and HV advise that a decision on the application "usually takes about 60 days". Under this process:

    (a) notices for the heritage application are displayed on site (likely to be at several locations around the park and near the sports precinct); and

    (b) the public can review the heritage application online and lodge submissions online. In this context, the submissions can only be about heritage matters.

Policy analysis

Alignment to Community Vision and Council Plan

97. The Council Plan 2021-25 includes the following strategic objectives and strategies which apply to this project:

    (a) Strategic objective one – Climate and environment:

        (i) Strategy 1.1 – Take urgent action to respond to the climate emergency and extend our impact through advocacy and partnerships;

    (b) Strategic objective two – Social equity and health:

        (i) Strategy 2.2 – Build a more resilient, inclusive, safe and connected community, which promotes social, physical and mental wellbeing;

    (c) Strategic objective four – Place and nature:

        (i) Strategy 4.1 –Create safe, accessible active spaces that provide diverse physical activity opportunities for the whole community; and

        (ii) Strategy 4.2 – Plan and manage community infrastructure that responds to growth and changing needs.

98. The following health and wellbeing themes of the Municipal Public Health and Wellbeing Plan incorporated within the Council Plan 2021-25 are supported by these strategies:

    (a) Promoting community safety (strategy 4.1);

    (b) Promoting physical wellbeing (strategies 2.2 and 4.1); and

    (c) Promoting mental wellbeing (strategy 2.2).

99. The Access and Inclusion Strategy 2018-2024 includes these relevant strategies:

    (a) Strategy 1.1 – Promote and encourage the application of Universal Design and Access within and external to Council;

    (b) Strategy 1.5 – Improve accessibility to City of Yarra buildings and facilities, including ensuring adequate amenities are available; and

    (c) Strategy 2.1 – Provide and/or support the community to provide a diverse range of accessible community services and arts, cultural, sports and recreational activities that are creative and fun for all abilities and ages.

Climate emergency and sustainability implications

100. A review of the proposed design features indicates the project will achieve a 6-star green star equivalent. The sustainable features in the design include increased lighting efficiencies, hot water heat pumps, R4-rated ceiling and roofing, additional 10kW solar panels and water harvesting (50,000 litres) to support the watering of the tennis courts and public toilets, and to reduce Council's overall environmental footprint.
101. Council's Climate Adaptation tool has been utilised in the design development.
102. Gas usage will be removed from the site.
103. The features and attributes of the new sports pavilion is designed with sustainability outcomes for 6-star green star rating. The thermal massing provided by the setting of the rear ground floor of the sports pavilion into the existing mound will have a significant positive contribution to the thermal performance of the building.

Community and social implications

104. The project will benefit the broader community with a new and improved community room as part of the tennis pavilion, additional public toilets and upgrading of landscaping in and around the precinct.
105. The project will benefit sporting clubs users (including community members attending as spectators) by improving the sporting facilities and amenities.
106. The landscaping works will provide a more valued entry to the Sportsman's War Memorial and the revised arrangements for vehicle movements will enhance the safety of park users.

Economic development implications

107. There are no known specific economic development implications.

Human rights and gender equality implications

108. Increasing participation and inclusion is consistent with the Charter of Human Rights and Responsibilities Act 2006. Council has a responsibility to meet its obligations through appropriate and accessible community infrastructure.
109. The introduction of further change rooms to the facilities specifically allows for increased female participation in sports at the oval.
110. Universal access to covered and elevated spectating positions of the oval will be provided at the new sports pavilion and tennis/community pavilion.
111. An accessible toilet to "Changing Places" standard is proposed as part of the redevelopment, which will provide universal access to safe and private toilet facilities in the precinct.

Operational analysis

Financial and resource impacts

112. The estimated total project cost for the revised design is $15.65 million.
113. The estimated total project costs are inclusive of project activities since the commencement of budget year 2019/20.
114. The Stage 1 estimated costs are $6.65 million, and include both the construction of the western side of the project area (new sports pavilion and associated civil infrastructure and landscaping) and the overall design precinct design and planning/heritage approval activities, commencing at the beginning of budget year 2019/20.
115. The Project Quantity Surveyor's assessment (dated 14 Dec 2021) of Stage 1 estimated costs is $6.65 million. Based on this, and accounting for prior contributions of $50,000 each from Sport & Recreation Victoria and Clifroy Community Bank, and the further $6.5 million to be provided by the State, Council's net contribution toward Stage 1 activities will be $50,000.

116. Stage 1 costs incurred to date (July 2019 through December 2021) are $488,920 which, excepting the prior $100,000 of external contributions, have been borne by Council. These costs include architects, consultants, project manager, heritage advisors and other specialists.

117. The implication of this is, subject to confirmation of the Stage 1 funding agreement from SRV, Council approval to proceed, and planning approval, that Council is expected to recover all but $50,000 of project expenditure based on external funding receipts associated with Stage 1.

118. The December 2019 report identified $2.6 million of funding in Council's long-term financial plan that was able to be allocated to the project (based on the renewal of individual assets within the project area). A further relevant project to the value of $135K has been identified in the long-term plan since then, bringing the available Council funds (without further allocation by Council) to $2.735 million. $50,000 of this will be applied to the Stage 1 expenditure, with the remaining $2.685 million available for Stage 2.

119. The Project Quantity Surveyor's assessment of Stage 2 estimated costs is $9.0 million. Accounting for the Council funds available for Stage 2, a further $6.315 million is required from the State to enable Stage 2 to proceed, and the calculation of this amount has been provided to the State.

120. In addition, Council expended a further $62,811 (funded in Council's 2018/19 budget) on needs analysis, concept planning and associated reports for the precinct in 2018/19, which is outside the scope of the Quantity Surveyor's estimated $16.65m cost.

Legal Implications

121. No specific legal implications are identified.

Conclusion

122. This project has been delayed by the issue encountered with Heritage Victoria indicating that it fundamentally objected to key elements of the originally proposed treatment of the heritage grandstand, and the need to substantially revise the project design to avoid this issue.

123. The estimated project costs have substantially increased as a result of the re-design including the proposed new sports pavilion and due the passage of time, including higher than usual building industry price escalations during the pandemic.

124. The revised design is supported by the key project stakeholders, and a two stage approach has been developed that will allow the Stage 1 process to commence (subject to Council and planning approvals) funded by the announced State funding of $6.5 million, and there is the prospect of further State funding being provided for Stage 2.

RECOMMENDATION

1. That Council:

   (a) note the revised design for the Brunswick Street Oval Precinct (BSOP) Redevelopment and support for the design by the Edinburgh Gardens Sporting Community (EGSC), Sport and Recreation Victoria (SRV) and internal project stakeholders;

   (b) note that a two stage approach to project delivery is proposed as being necessary to allow the Stage 1 (Sports Pavilion) construction to proceed in the near term, subject to the further approval of Council and planning approval;

   (c) note the proposal of the State to apply the announced $6.5 million of funding towards the construction of Stage 1, which (subject to further Council approval and planning approval) could commence construction in early 2023, and that officers have applied to SRV for a funding agreement for Stage 1 activities;

   (d) note that Stage 2 is currently not fully funded and requires a further contribution from the State of $6.315 million (along with Council's allocated contribution of $2.685m) to be viable;

   (e) note EGSC's reservations about the staging and in particular the concerns of Fitzroy Tennis Club that Stage 2 (Tennis/Community Pavilion, Tennis Courts and Grandstand works) is currently not fully funded;

   (f) endorse the undertaking of community consultation on the BSOP Redevelopment revised design and staging to obtain feedback from the general community on the revised proposal;

   (g) note that officers will provide a further report to Council (anticipated in late May 2022) that will provide an overview of the outcomes of the consultation and seek further direction from Council on proceeding with a planning application for the project;

   (h) note the officer recommendation supporting a Yarra Planning Scheme clause 52.30 (State Project) planning approval approach, subject to Council's support for the project as project proponent and the planning approach; and

   (i) note that officers have applied to Department of Environment Land Water and Planning (DELWP) to confirm whether the project has “State Project” status and are liaising on the requirements to ensure that the proposed further community consultation by Council on the revised design will meet the consultation requirements of the prospective clause 52.30 planning process.

Attachments

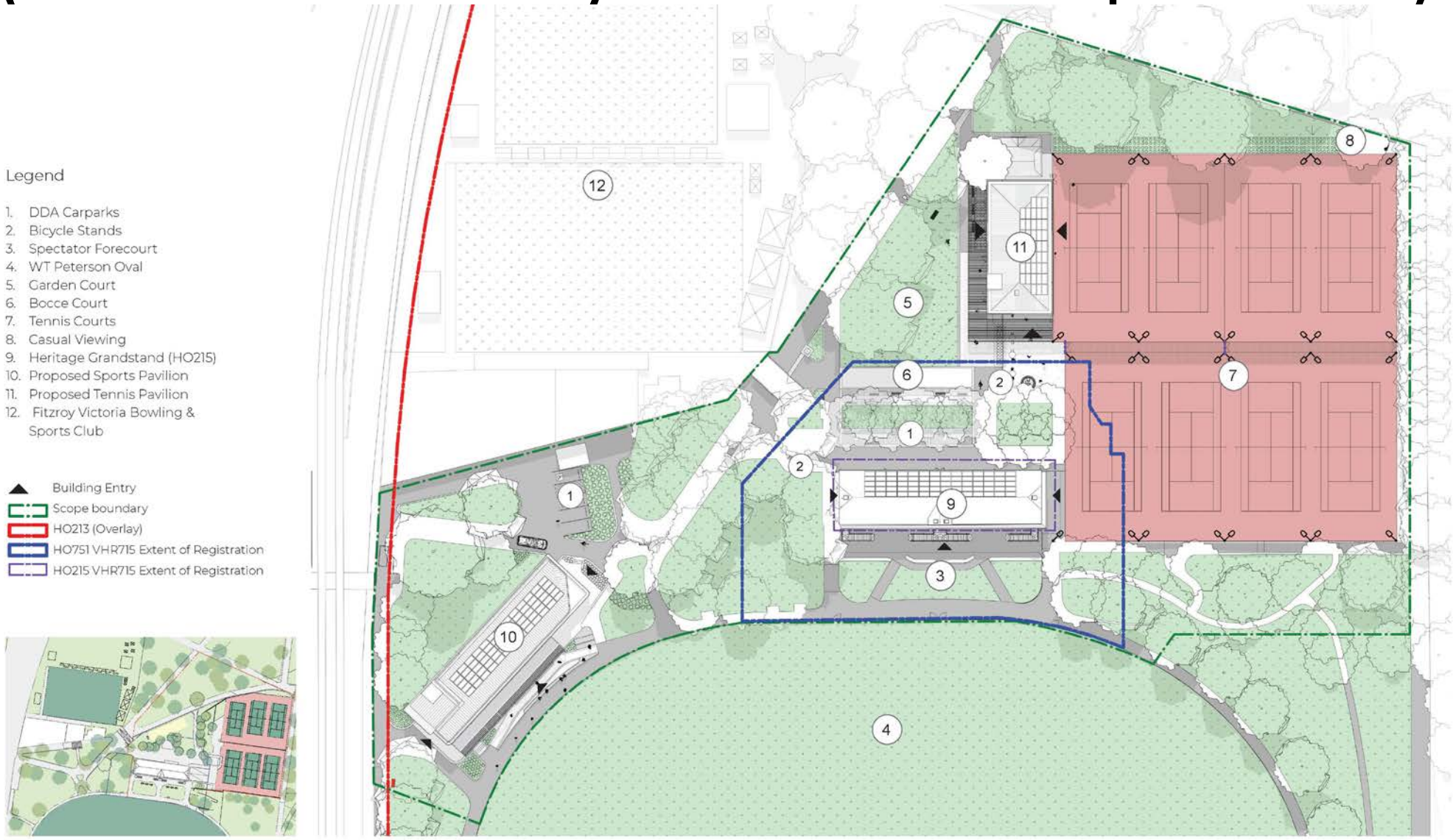
1 BSOP revised design and staging

2 EGSC support for revised BSOP design

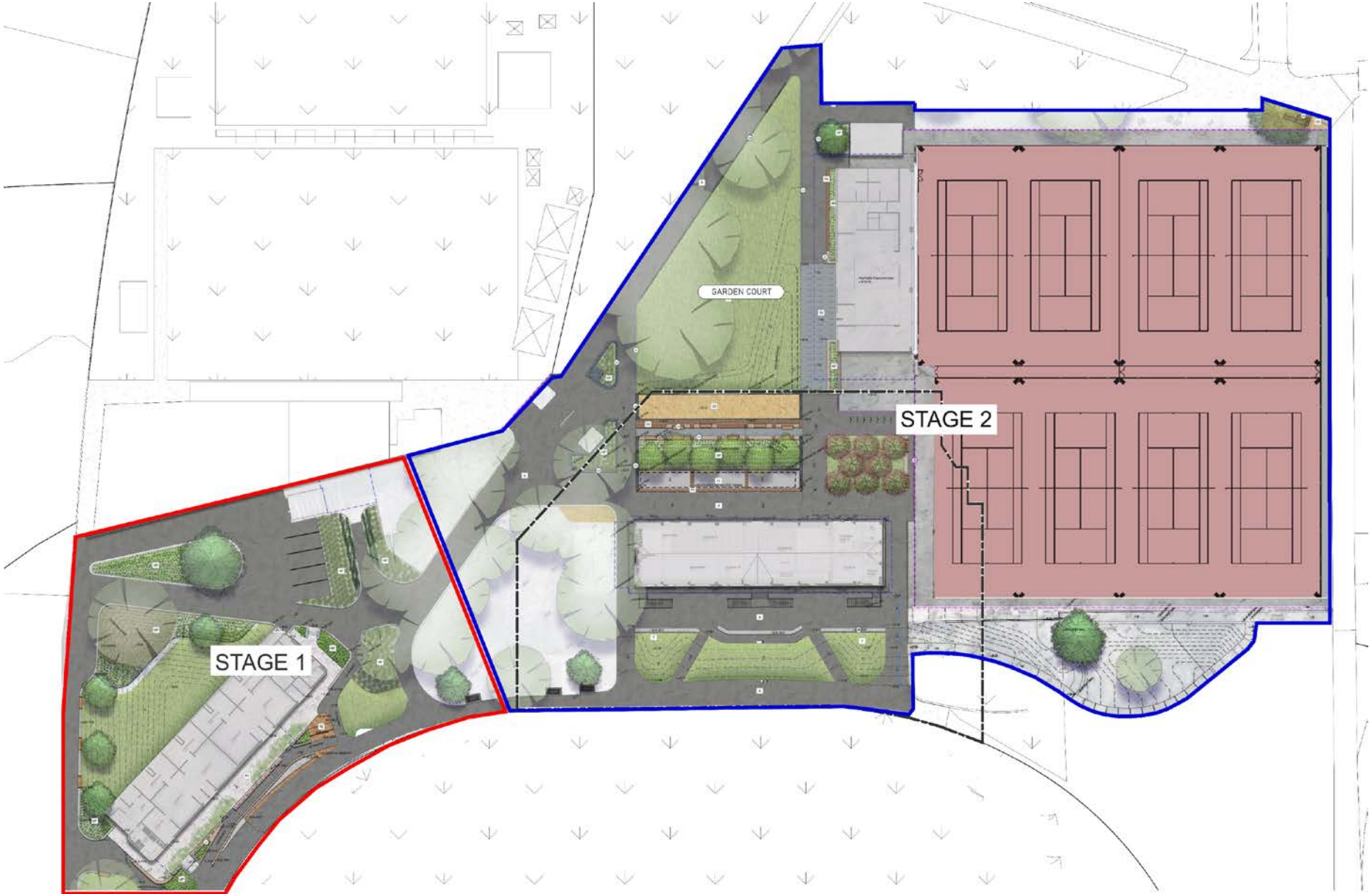
Brunswick Street Oval Precinct
Existing Conditions



BSOP Revised Design 2021
(meets Needs Analysis in Council Report 2019)



BSOP Two Stages redevelopment



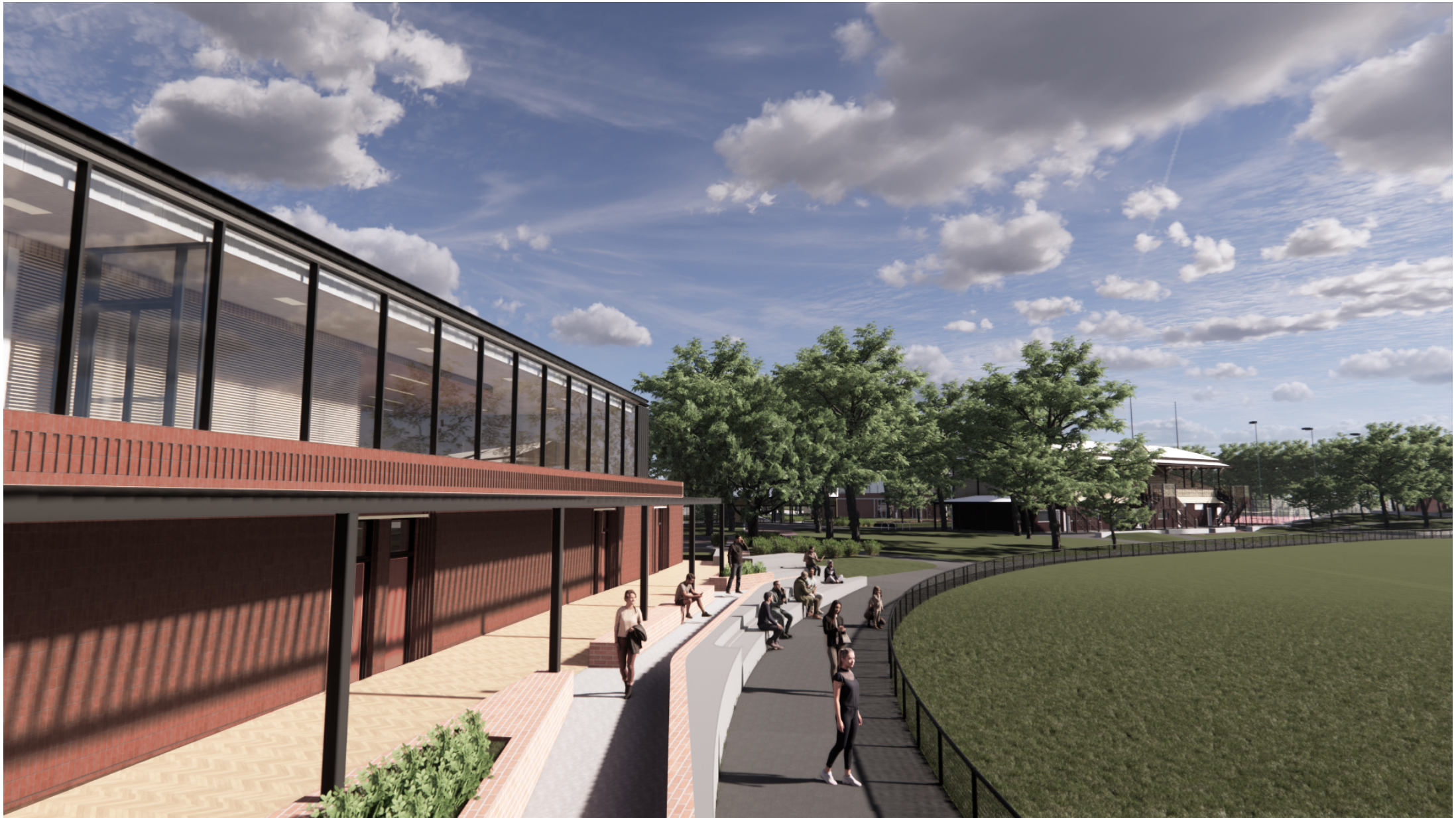
Stage 1
Sports Pavilion, associated landscaping, parking & access



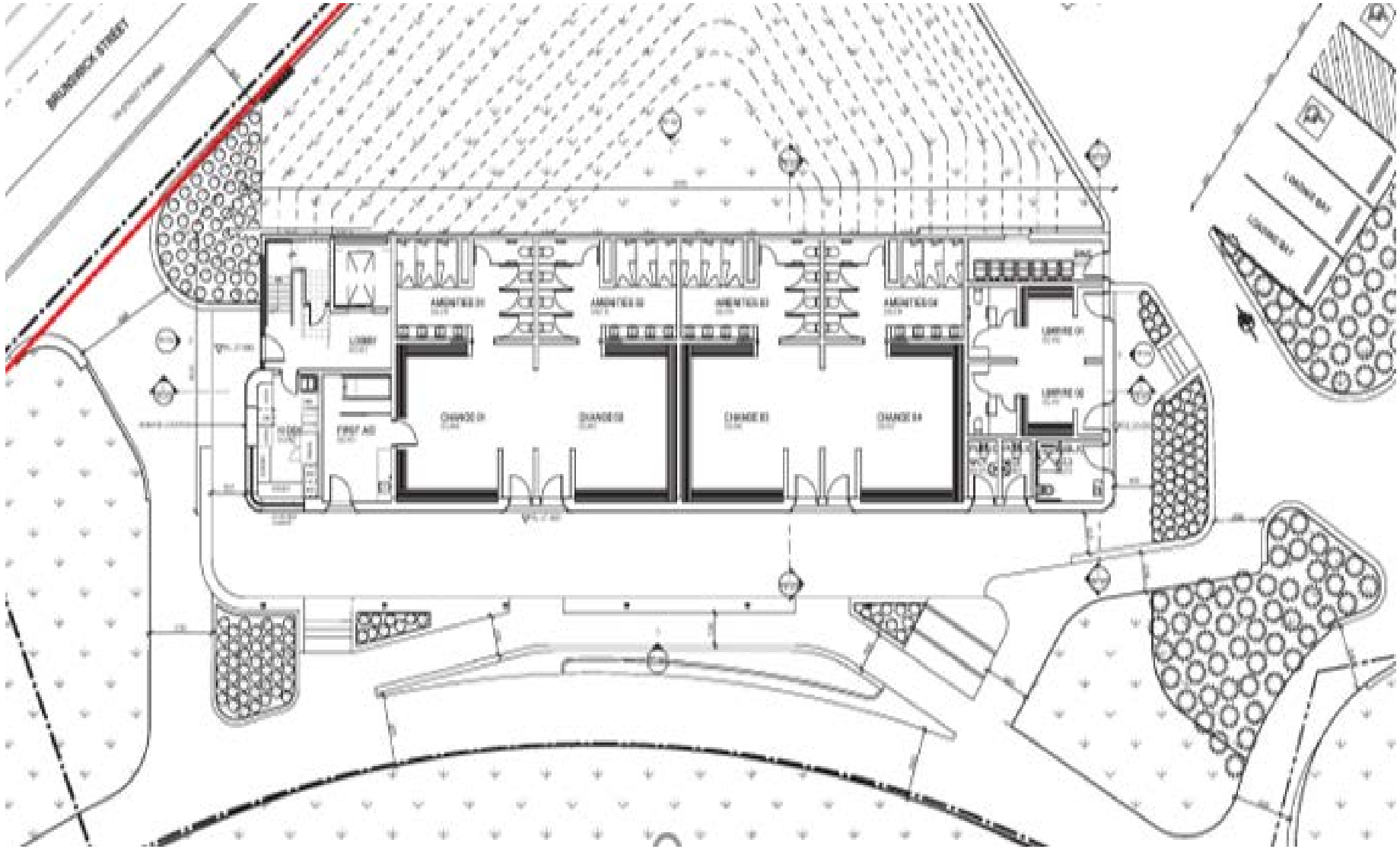




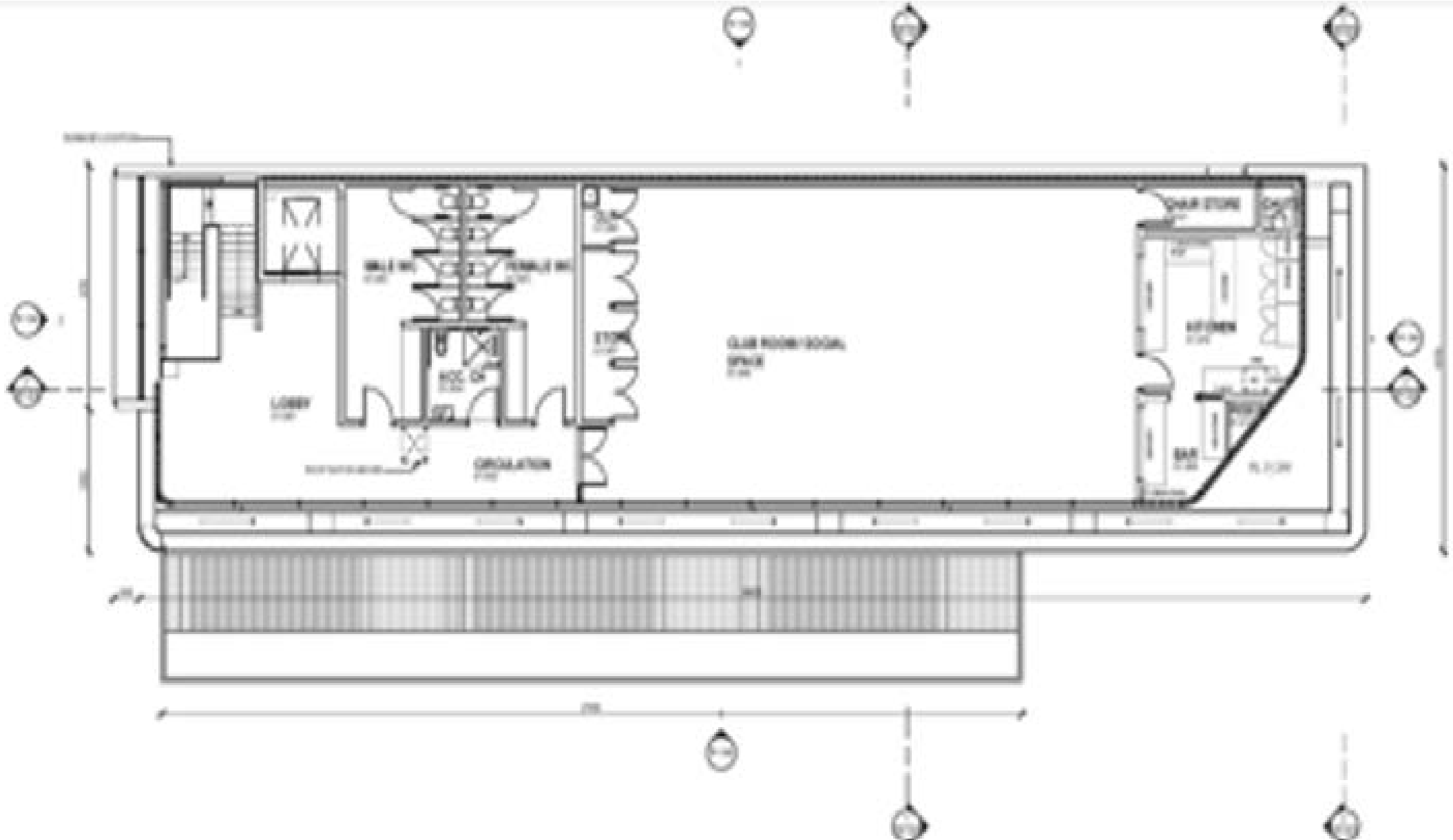
View to the east from the sports pavilion



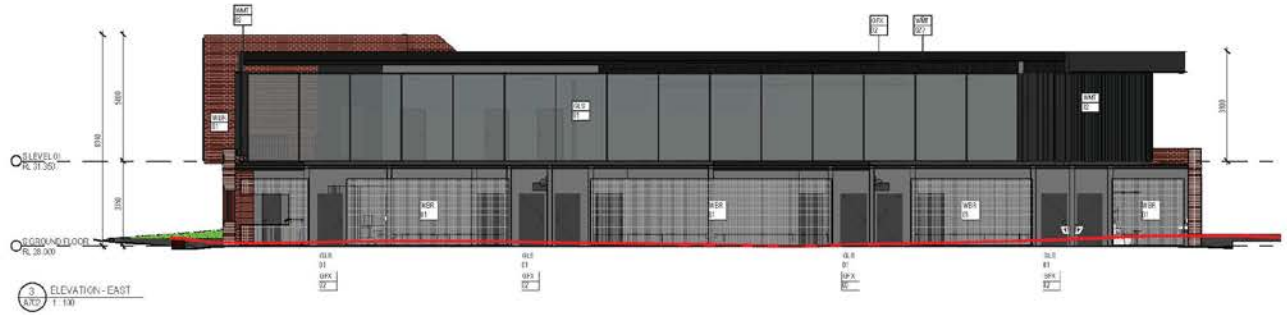
Sports Pavilion Floorplan – Ground Floor



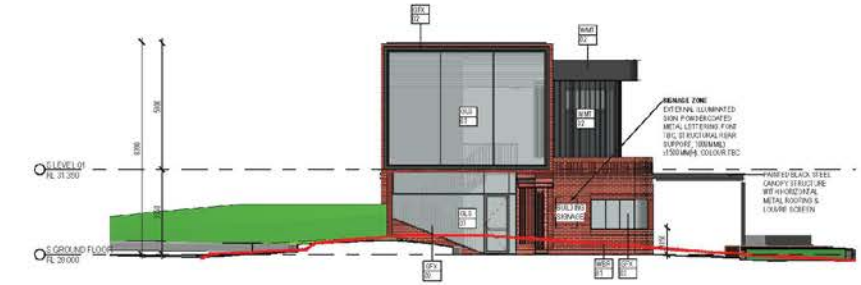
Sports Pavilion Floorplan – Level 1



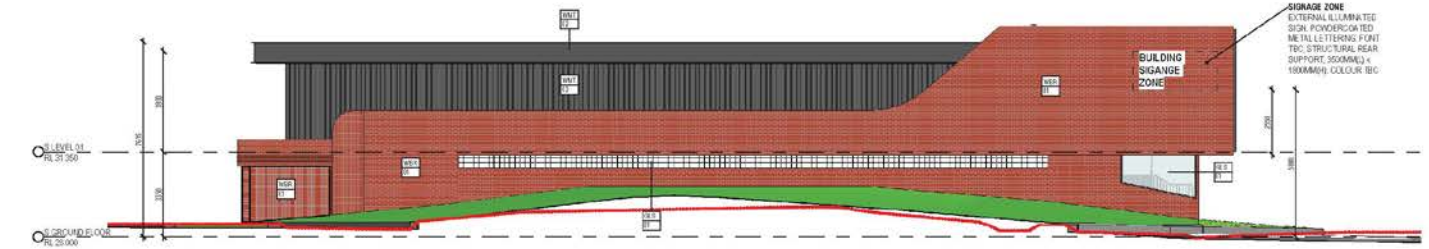
Sports Pavilion Elevations



3 ELEVATION - EAST
1 : 100



2 ELEVATION - SOUTH
1 : 100



1 ELEVATION - WEST
1 : 100



4 ELEVATION - NORTH
1 : 100

ELEVATION MATERIAL LEGEND

WBR 01	BRICKWORK - RED
RMT 01	PROFILE METAL CLADDING - LIGHT GREY
WFC 01	WALL CLADDING - WHITE
LVR 01	LOUVRE SCREEN - TIMBER GRAIN
GFX 01	ALUMINUM DOOR FRAMES - WHITE
GFX 02	ALUMINUM GLAZING FRAMES - DARK GREY
GLS 01	GLAZING
WMT 02	WALL CLADDING - DARK GREY
LVR 02	LOUVRE SCREEN - TIMBER
WTM 03	EXISTING WEATHER BOARDS - PAINTED (COLOUR MATCH
	INDICATIVE EXISTING SITE LEVEL

BSOP Stage 1 - Landscape plan



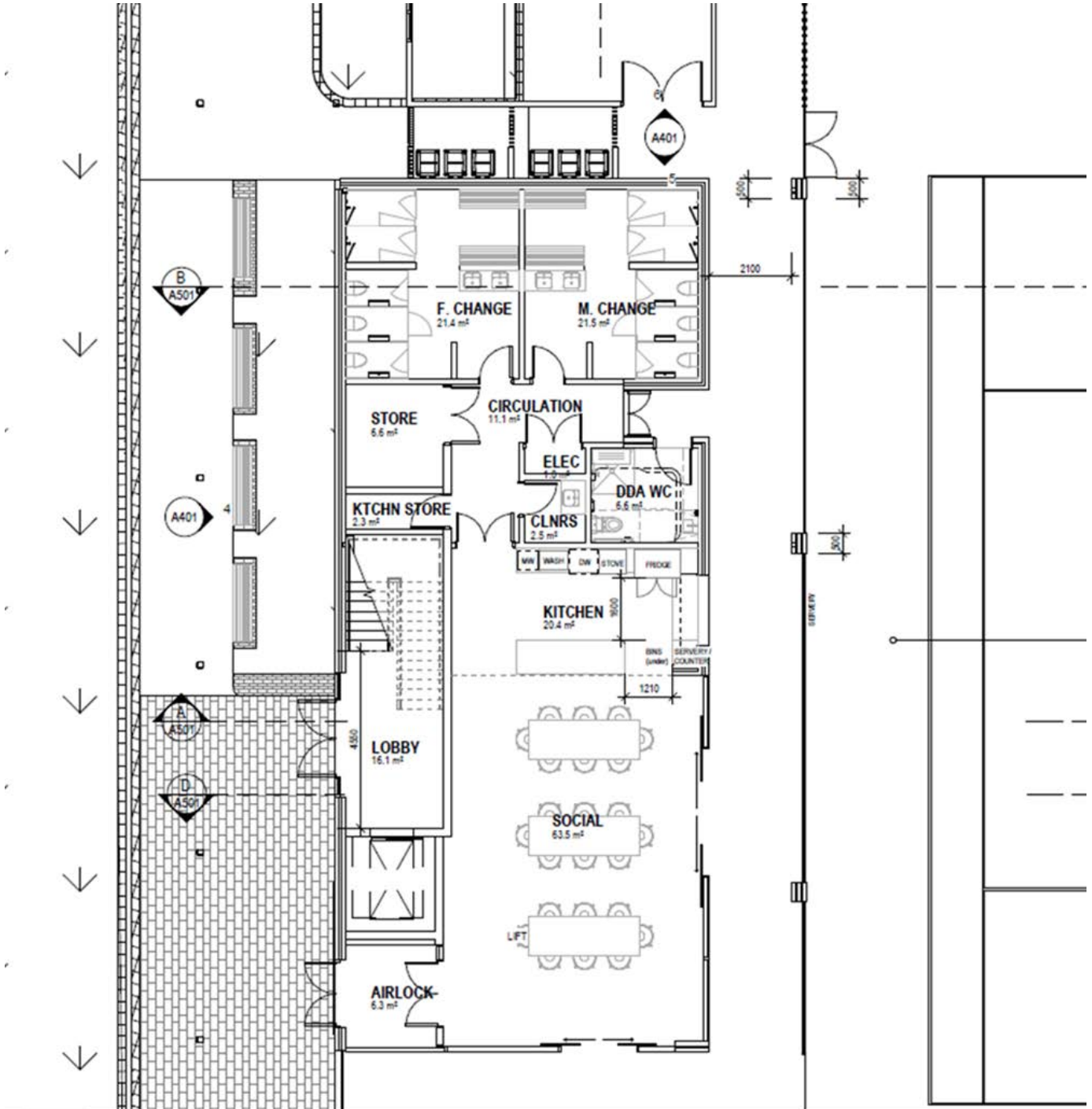
Tennis Pavilion, Courts & Community Room





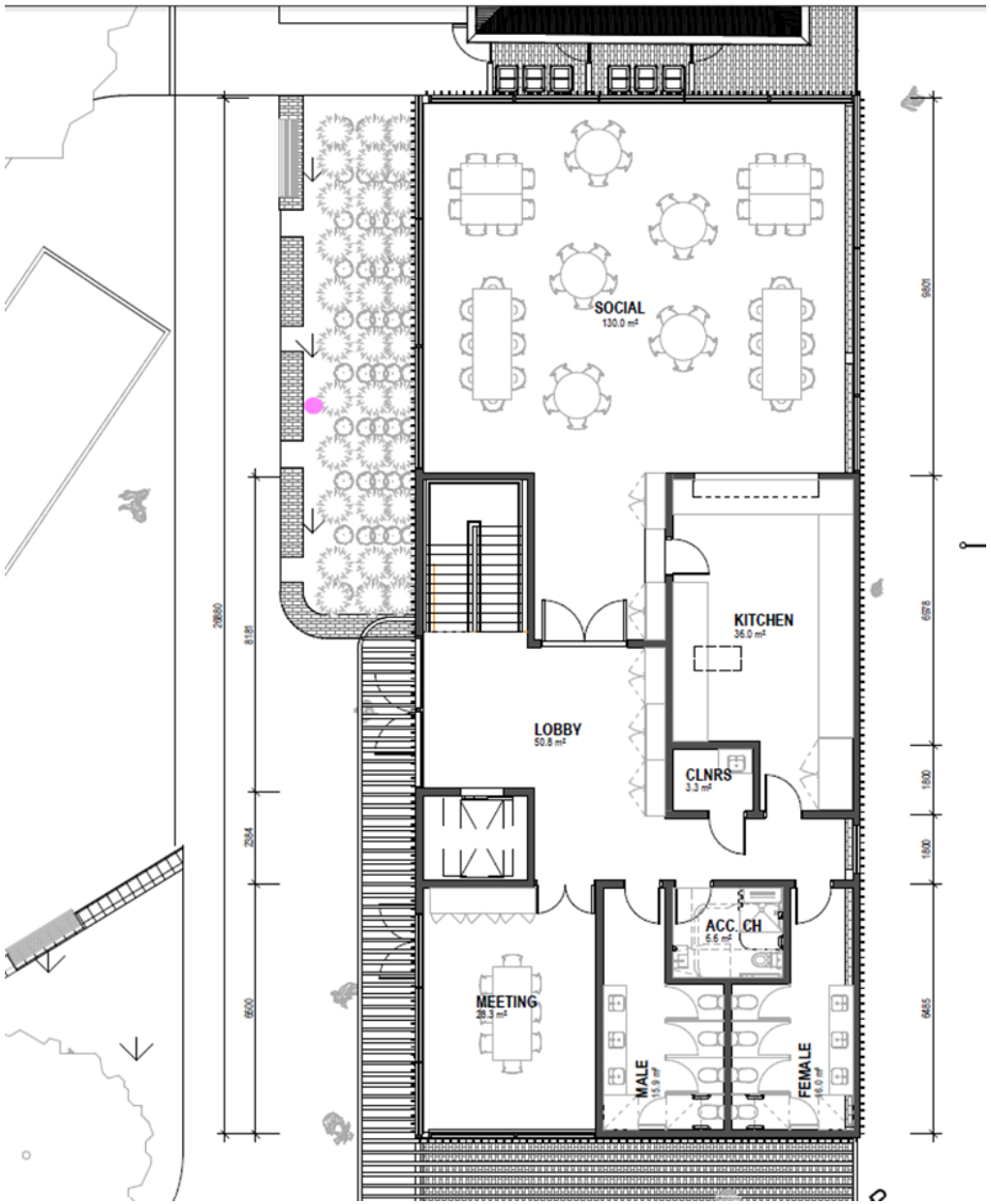
Stage 2

Tennis Social Room and Lift lobby – Ground floor

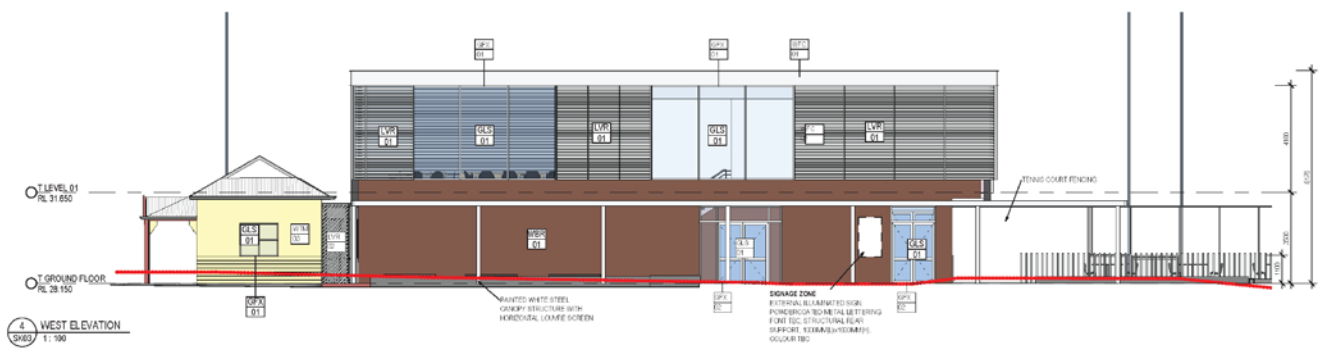


Stage 2

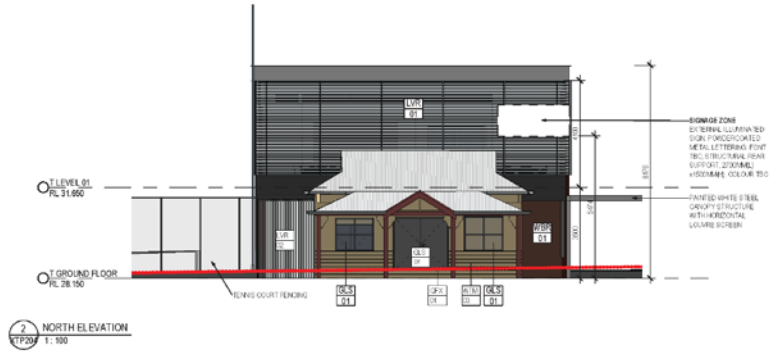
Community Room Lobby & amenities –first floor



Tennis/Community Proposed Elevations



4 SK03 WEST ELEVATION
1 : 100



2 TP20 NORTH ELEVATION
1 : 100



1 SK05 EAST ELEVATION
1 : 100



3 SK05 SOUTH ELEVATION
1 : 100

ELEVATION MATERIAL LEGEND

WBR 01	BRICKWORK - RED
RMT 01	PROFILE METAL CLADDING - LIGHT GREY
WFC 01	WALL CLADDING - WHITE
LVR 01	LOUVRE SCREEN - TIMBER GRAIN
GFX 01	ALUMINIUM DOOR FRAMES - WHITE
GFX 02	ALUMINIUM GLAZING FRAMES - DARK GREY
GLS 01	GLAZING
WMT 02	WALL CLADDING - DARK GREY
LVR 02	LOUVRE SCREEN - TIMBER
WTM 03	EXISTING WEATHER BOARDS - PAINTED (COLOUR MATCH
	INDICATIVE EXISTING SITE LEVEL

Upgraded Brunswick Street Oval Grandstand

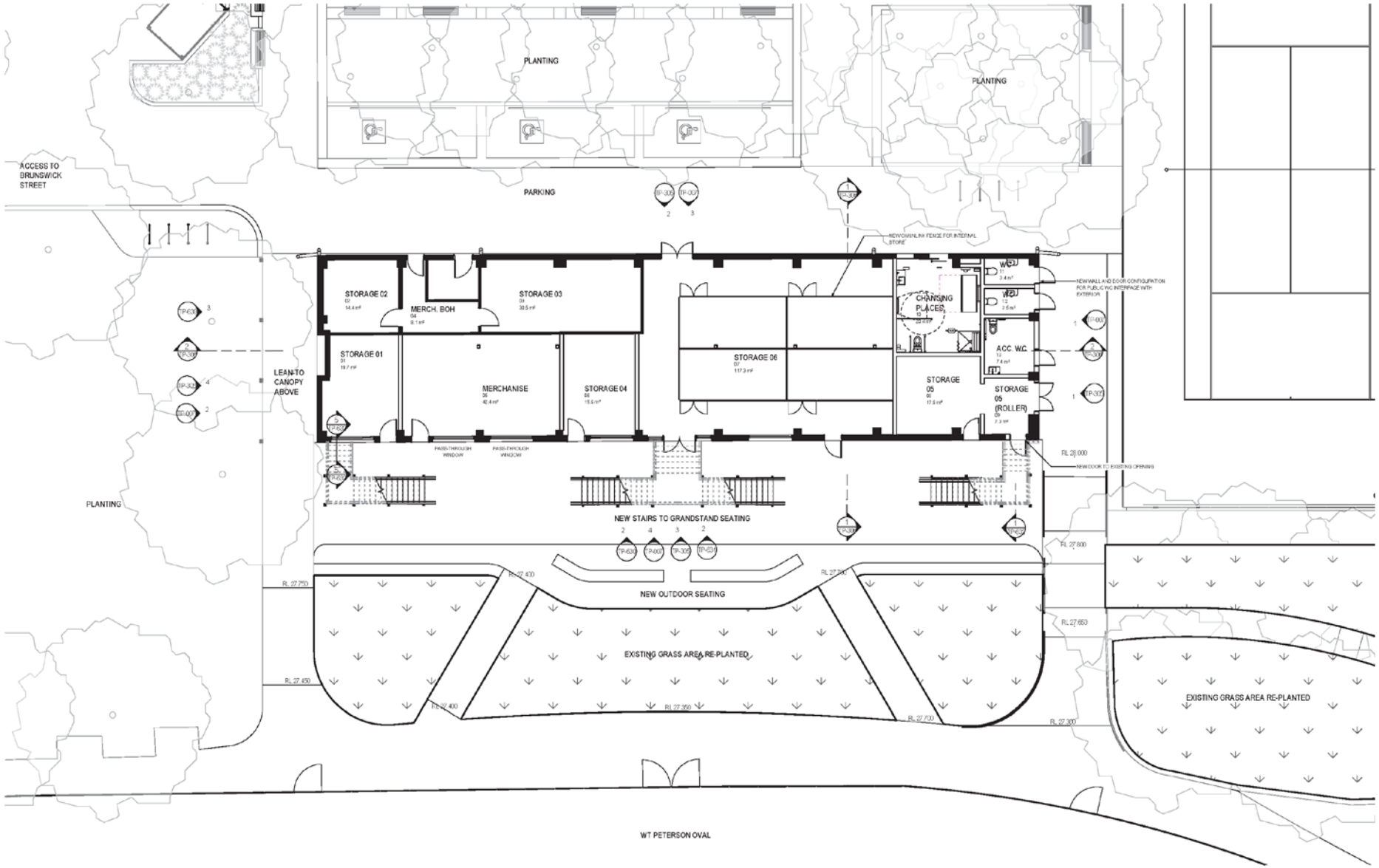


Upgraded Brunswick Street Oval Grandstand

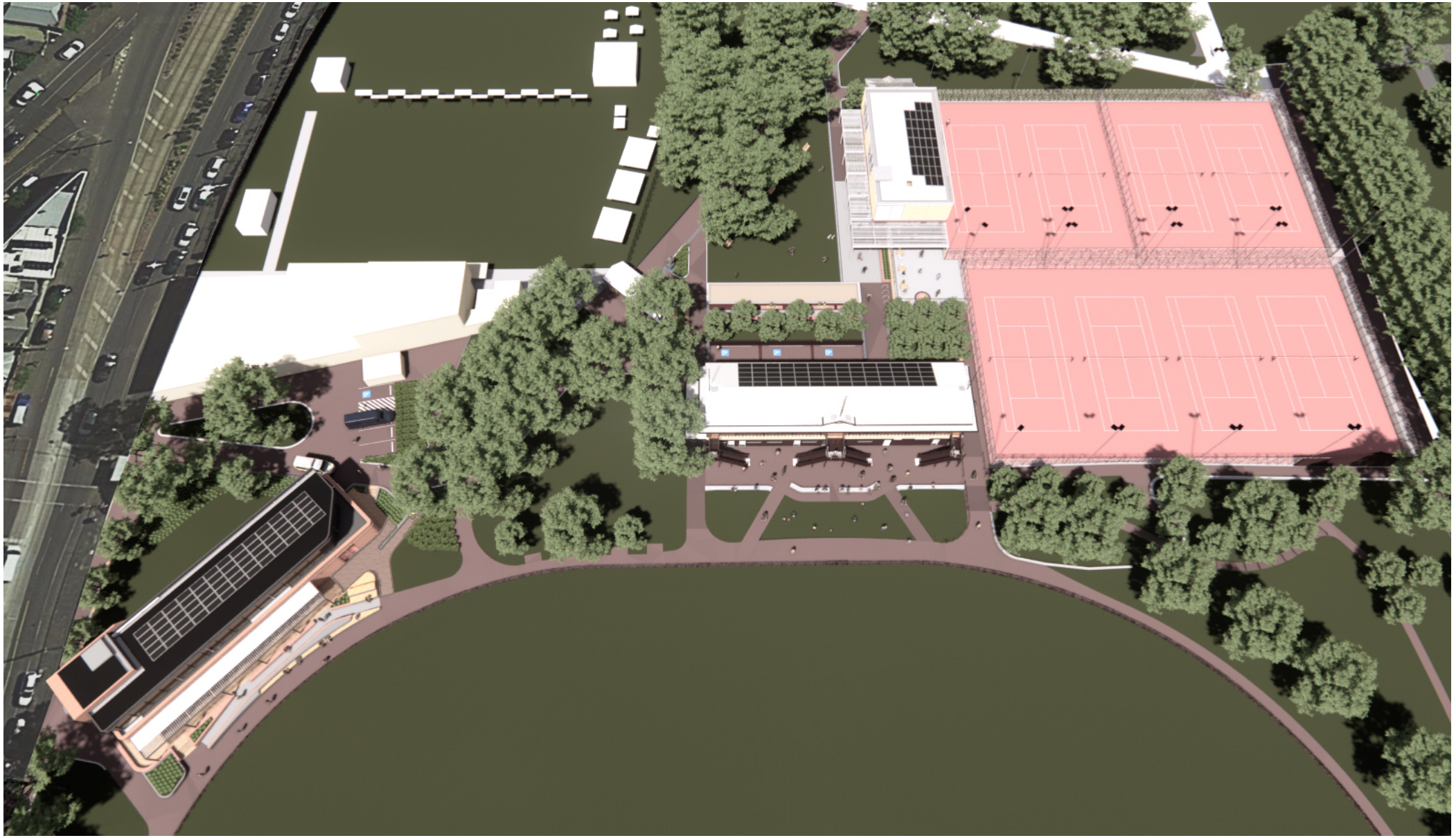




Grandstand Proposed Floorplan – Ground Floor



BSOP Site Context – Aerial View



BSOP site redevelopment – Proposed Amenities



Heritage overlay - New developments working within the heritage requirements



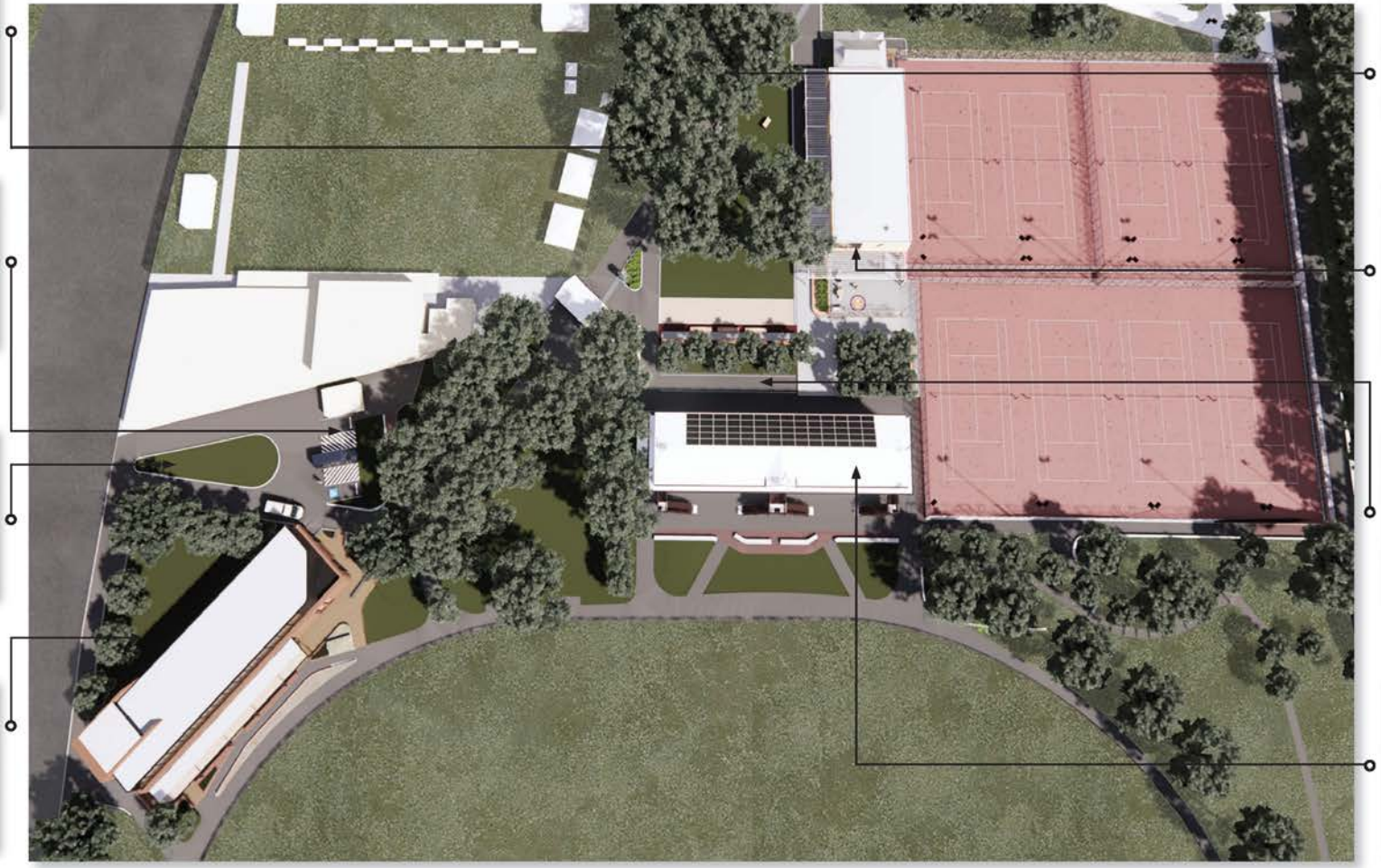
Accessible carparks - Providing carparking adjacent to the facilities for ease-of-use



New entry & exit - Revised landscaping and drive access for better access



Retention of Existing Berm - Sinking the building into the berm to retain the existing landform and relationship to the Oval





Public Lighting - Providing an integrated lighting approach to the public interface



Existing Colour Match - Utilising the existing Ticketing Box for colour matching of façade materials



Traffic Intergration - Connection through the park for accessibility / community programme use



Accessible WCs - The inclusion of Changing Places and Accessible WCs within the facility

BSOP site redevelopment – Proposed Amenities



Signage Improvements - New wayfinding and signage to the park and clubs



Brunswick Street Interface - Establishing a new connection to the surrounding roads with adjacent sports infrastructure



Improved paths and circulation



Oval Surround Reshaping - Reintegration of public amenity through activity





Additional public seating - Providing considered and staggered seating throughout the park



Bocce Court - Community focused activities for the public



Community Room Relocation - The shifting and elevation of the community room to allow for Edinburgh Garden Views



Community Room Relocation - The shifting and elevation of the community room to allow for Edinburgh Garden Views

BSOP site redevelopment – Proposed ESD Strategies



Native land, water sensitive landscaping



Indoor spaces designed for enhanced air quality, noise control, daylighting, and glare mitigation



High performance insulation (min. R4) and glazing to roof and walls



Careful use of skylights deliver more natural light to the building





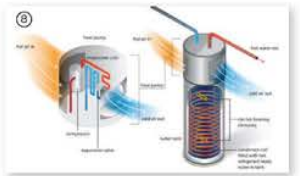
Shading



Secure cyclists facilities provided



Solar PV array covering the roof of the building



An all-electric facility utilising electric heat pumps

Environmental Sustainable Design (ESD) Initiatives

ENERGY EFFICIENCY

- An all-electric facility alleviates the need for gas and allows for a 100% renewable energy supply.
- Glazing extent to suit the orientation of the building.
- The buildings will be supplied by solar power with PV panels across all the roofs. Including the existing PV panels on the Grandstand.
- The mechanical air conditioning system is among the most efficient available.
- Heat is recovered from exhaust air to replenish the heat to incoming fresh air.
- The buildings are designed for a high degree of air tightness.
- Efficient lighting and control technology implemented throughout the site.
- Operation waste efficiency.

WATER EFFICIENCY

- Rainwater is harvested from the roof for reuse in toilet flushing and irrigation.
- Smart controls, monitoring, metering and technology to minimise water consumption and achieve high level of WELS ratings including timer controls.
- Stormwater discharge and pollution targets to achieve climate change scenarios in accordance with YCC policy documents.

RESPONSIBLE MATERIALS

- Use of sustainable materials and responsibly sourced materials to avoid adverse impacts from materials such as steel, timber, PVC and concrete and finishes.
- Lower emission and embodied energy in design of construction.

OCCUPANT SENSITIVE DESIGN

- Trees on site are being retained where possible and new landscaping will enhance the site ecology.
- Shade structures over the outdoor areas to provides UV protection for patrons.
- Robust evaluation of indoor environmental quality measures including fresh air, acoustics, lighting comfort, and indoor air quality.

23 December 2021

To whom it may concern

On behalf of the Edinburgh Gardens Sporting Community (an alliance of the Edinburgh Cricket Club, the Fitzroy Football Club, the Fitzroy Junior Football Club and the Fitzroy Tennis Club), we formally endorse the latest comprehensive design for redevelopment of the Brunswick Street Oval precinct as meeting the documented requirements of EGSC members.

We believe the redevelopment, as designed, will meet the needs of the community not currently able to be addressed within the Brunswick Street Oval precinct and will significantly enhance engagement with and the wellbeing of the local and wider community.

Yours faithfully



Director, Volunteers
Fitzroy Football Club
For and on behalf of Edinburgh Gardens Sporting Community

8.8 Proposed Discontinuance of Road at 1 Stephenson Street, Cremorne

Reference	D22/33171
Author	Bill Graham - Coordinator Valuations
Authoriser	Director Corporate, Business and Finance

Purpose

1. For Council to consider whether the road shown as the 56m2 parcel on the title plan attached as Attachment 1 to this report (**Road**), being part of the land contained in certificate of title volume 3193 folio 521, should be discontinued pursuant to the Local Government Act 1989 (**Act**) and sold to Victorian Rail Track (**VicTrack**).

Critical analysis

History and background

2. The Road is shown as the area coloured red on the plan attached as Attachment 2 to this report (**Site Plan**). A copy of the title search of the Road is attached as Attachment 3 to this report.
3. VicTrack has requested that Council discontinue the Road and sell the Road to it (**Proposal**). Council has the power to discontinue and sell roads provided it follows the discontinuance requirements set out in the Act.
4. 1 Stephenson Street, Cremorne is a triangular land parcel owned by VicTrack and used for public carparking. Council (Former City of Richmond) leased the land from the Railways/VicTrack (since the early 1960's) and provided public carparking. The parking spaces were created by Council when the land was surfaced. The subject road has not been used as a road since that time.
5. Council has been in various negotiations with VicTrack about numerous parcels of land in the precinct including others with road status. These negotiations will continue, are complex and there remains potential in future for land swaps and other consideration within the precinct.
6. Council (CEO under delegation) and VicTrack entered into a deed of agreement dated 14 September 2021 (**Deed**), under which Council agreed that if it resolves to discontinue and sell the Road to VicTrack, it will sell the road for an agreed market value of $600,000 plus GST. This was in accordance with the valuation provided by the Valuer-General Victoria, as required by the Victorian Government Land Monitor (**VGLM**).
7. As a Statutory Body VicTrack were required to agree a valuation before applying for the discontinuance. The Deed provided some certainty around the time frame of the discontinuance, which was required by VicTrack to confirm their funding of the proposal. The Deed was compiled by Council's Lawyers and VicTrack Lawyers (working in conjunction).
8. VicTrack is the registered proprietor of all of the parcels of land which abut the Road shown delineated blue on the site plan, and being the land contained in certificates of title: volume 3656 folio 146; volume 6144 folio 729; volume 3578 folio 961; and volume 3295 folio 961. The current boundary of the Stephenson Street road reservation is shown hatched on the site plan.
9. Council has agreed to bear its own costs and disbursements associated with the proposed discontinuance of the Road.
10. VicTrack have lodged a plan of consolidation, which will fulfil council's requirements for the transfer and sale of the Road. VicTrack has sold the Land by public tender.

Road Status

11. The Road is:

    (a) known to title as a 'R of W' (right of way) and is registered in the name of National Trustee Executors and Agency Company of Australasia Ltd, personal representatives of Denis Wadick (deceased) dated 15 April 1907;

    (b) currently constructed as part of an open-air carpark;

    (c) constructed of asphalt and concrete including concrete kerbing; and

    (d) is not listed on Council's register of public roads.

12. It is considered that the Road is not reasonably required for public use as the road is not currently being used or accessed by the general public as a road and is being used as part of an open-air car park only.

13. On the 19 October 2021, the proposal was inspected by Cardno TGM Surveying. They were required to answer the question; is the road open and available/required for use by the public?

14. Cardno advised that the road is not open or required for use. Their report is attached to this report as Attachment 4.

15. The Road is a 'right of way' and is therefore a 'road' for the purposes of the Act, and Council has the statutory power to consider discontinuing the Road. If the Road is discontinued it will vest in Council.

16. On 30 November 2021, Council's Chief Executive Officer decided under delegated authority to commence the statutory procedures and give notice pursuant to section 207A and 223 of the Act of its intention to discontinue and sell the Road to VicTrack.

Public Notice

17. The public notice of the proposal as required by the Act was placed in the Age Newspaper on 6 December 2021. The notice was also displayed on-site by the Applicant. The notice requested that interested parties should lodge a submission regarding the proposal by the 7 January 2022. The public notice stated that if the Road is discontinued, Council proposes to sell the road to VicTrack for the price of $600,000 plus GST, which is the market value determined by the Valuer-General under VGLM guidelines. A copy of the public notice is attached as Attachment 5 to this report.

18. One submission was received by Council in response to the public notice.

19. The submission raised the following general issues:

    (a) Council undervalued the sale of the road;

    (b) VicTrack sold the land prior to Council considering the discontinuance;

    (c) insufficient public notice was given; and

    (d) that Council's former CEO "stood down" from council in October 2021 and the notice was displayed in December.

20. Officer Response to the submission is as follows:

    (a) the valuation of the Road was determined by the Valuer-General pursuant to VGLM requirements, both VicTrack and Council must follow these requirements;

    (b) the sale of the land is entirely up to VicTrack. The Road is notated on the title documents;

    (c) the public notice was advertised in the Age Newspaper on the 6 December 2021, the notice advised perspective submitters that the submission period closed on the 7 January 2022, the time frame fully complies with the 28-day public notice period required in the Act; and

(d) Council's former CEO did not leave Council until the 14 January 2022 and was the CEO at the time of the placement of the Public Notice.

21. A copy of the submission received by Council is attached as Attachment 6 to this report.

Adjoining Owners

22. There are no adjoining Owners as VicTrack is the owner of all properties adjoining the Road.

Statutory/Public Authorities

23. The following statutory/public authorities have been advised of the Proposal and have been asked to respond to the question of whether they have any existing assets in the Road which should be saved under section 207C of the Act: General Western Water; Melbourne Water; CitiPower; United Energy; Multinet Gas; Telstra; Optus; APA Gas; AusNet Services; and Yarra City Council.

24. Melbourne Water, CitiPower, United Energy, Multinet Gas, Optus, Ausnet Services and Council have advised that they have no assets in or above the Road and no objection to the Proposal.

25. On 4 September 2021, Telstra advised that it has no assets within the near vicinity of the Road, and would not object to the proposal provided that the landowner, prior to carrying out any works in the vicinity of the Road:

(a) requests the normal location of Telstra plant via 'Dial Before You Dig; and

(b) obtains a Telstra-accredited Asset Plant Locator to confirm the actual location of the plant.

26. On 13 October 2021, APA Gas advised that it has no distribution gas mains within the Road, and no objection to the Proposal provided that:

(a) no property service lines for adjacent allotments are located within the Road; and

(b) if any property service lines are located within the Road and require relocation as a result of the proposal, VicTrack liaises with APA Gas to arrange relocation at VicTrack's expense.

27. On 19 October 2021, Greater Western Water advised that it has sewer assets in the Road. Greater Western Water advised that it did not object to the Proposal, subject to the following conditions:

(a) a 2-metre-wide sewerage easement is created on the title plan over the sewer main located in the Road in favour of Greater Western Water, and the title plan must be referred to Greater Western Water for approval;

(b) any proposed fences must be located a minimum distance of 800mm clear of the centreline of the existing sewer mains;

(c) any proposed fence lines must be located a minimum of 1 metre from sewer manholes and/or inspection shafts; and

(d) any proposal to build over Greater Western Water assets requires Greater Western Water's prior written consent.

28. The title plan for the Road was prepared to include the easement in favour of Greater Western Water as requested by Greater Western Water.

29. On 8 November 2021, Greater Western Water approved the title plan.

Community and stakeholder engagement

30. Public Notice of the proposal was given on the 6 December 2021.

Economic development implications

31. VicTrack have agreed to purchase the discontinued Road for $600,000 plus GST.

Financial and resource impacts

32. Council has agreed to bear its own costs and disbursements associated with the Proposal.

Legal Implications

33. The road discontinuance process requires a new title to be created for the discontinued road. The new title is then transferred to the applicant.

34. Both Council and VicTrack are bound by the Deed of Agreement.

35. VicTrack have a statutory obligation to pay the amount set by the Valuer-General as required by the VGLM.

36. VicTrack has sold 1 Stephenson Street, Cremorne by public tender. The purchaser is aware of the status of the road and that the discontinuance is a decision of Council.

37. Council can decide to or not to discontinue the road. Council must consider the relevant facts available to it (including any submissions received in response to the public notice).

Conclusion

38. Council must now determine whether the Road is reasonably required for public use in order to decide whether the Road should be discontinued and sold pursuant to clause 3 of schedule 10 of the Act.

RECOMMENDATION

1. That Council, acting under clause 3 of schedule 10 0f the *Local Government Act 1989* (**Act**):

   (a) resolves, having followed all the required statutory procedures pursuant to sections 207A and 223 of the Act pursuant to its power under clause 3 of Schedule 10 of the Act, and being of the opinion that the road at 1 Stephenson Street, Cremorne, and being part of the land contained in certificate of title volume 3193 folio 521 (shown marked as the 56m2 parcel on the title plan attached a schedule 1 to this report) (**Road**) is not reasonably required for public use for the reasons set out in this report;

   (b) directs that a notice pursuant to the provisions of clause 3(a) of Schedule 10 of the Act is to be published in the *Victoria Government Gazette*;

   (c) directs that once discontinued, the Road be transferred to Victorian Rail Track (**VicTrack**) for an agreed market value of $600,000 plus GST;

   (d) directs that the Interim CEO sign any transfer or transfers of the Road and any other documents required to be signed in connection with the discontinuance of the Road and its subsequent transfer to VicTrack;

   (e) directs that any easements, rights or interests required to be created or saved over the Road by any authority be done so and not be affected by the discontinuance and sale of the Road; and

   (f) directs that VicTrack be required to consolidate the title to the discontinued Road with the land contained in the certificates of title to the surrounding land, by no later than 6 months after the date of transfer of the discontinued Road.

Attachments

1 Title Plan

2 Site Plan

3 Title Search

4 Surveyor's Report

5 Public Notice

6 Submission

TITLE PLAN

LOCATION OF LAND

PARISH : JIKA JIKA

TOWNSHIP : - - - -

SECTION : - - - -

CROWN ALLOTMENT : - - - -

CROWN PORTION : 3 (PART)

TITLE REFERENCE : VOL.3193 FOL.521

LAST PLAN REFERENCE : LP5344 (R1)

NOTATIONS

EASEMENT INFORMATION

LEGEND A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)

Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
ALL LAND IN THIS PLAN	AS PROVIDED FOR IN SEC 207C LGA 1989	SEE PLAN	SEC 207C LGA 1989	GREATER WESTERN WATER



ORIGINAL SHEET SIZE: A3

SCALE 1:100

1 0 1 2 3 4
LENGTHS ARE IN METRES

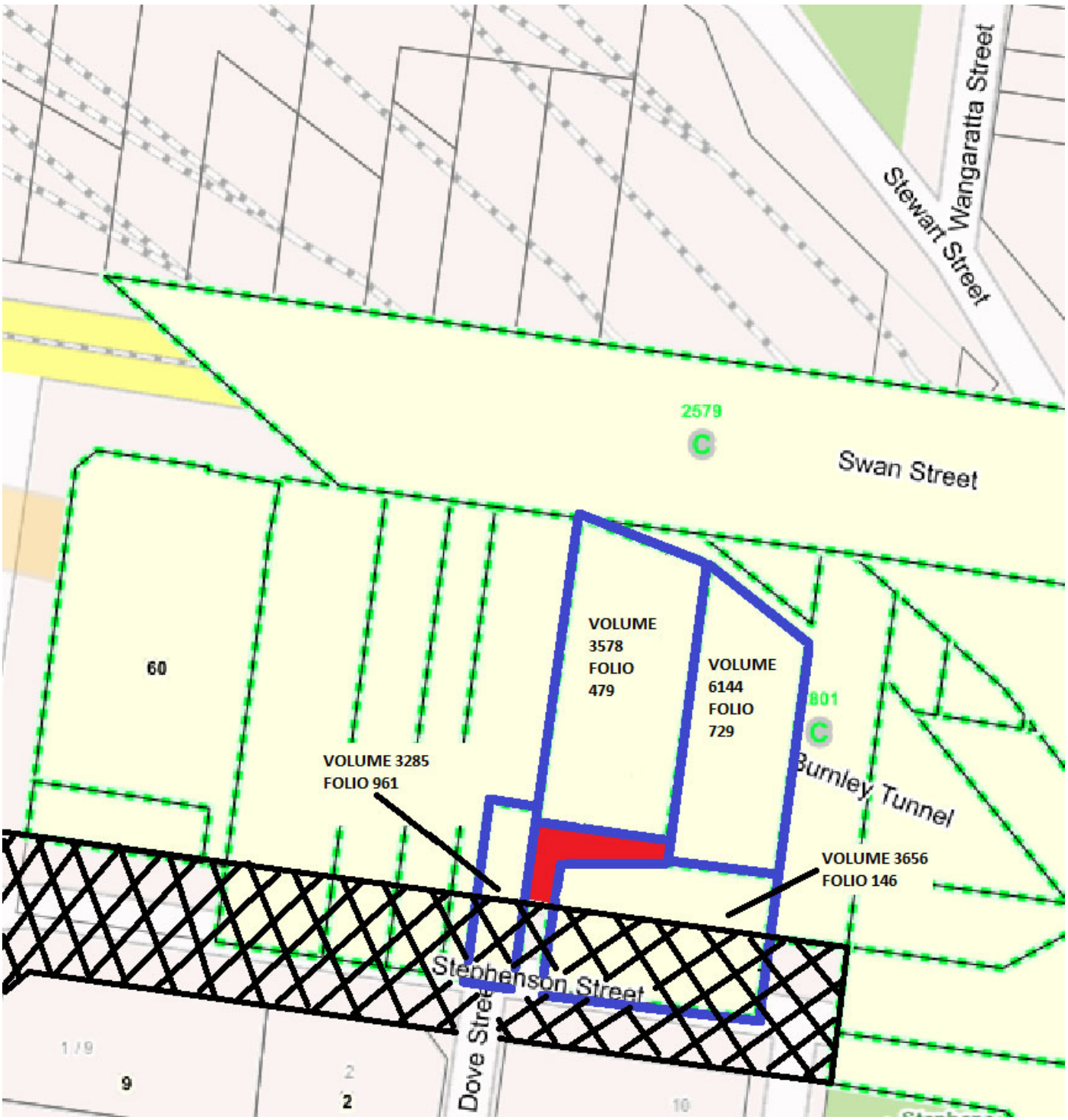
SURVEYORS FILE REF: 17662-01-02 TP

CERTIFICATION BY SURVEYOR

SHEET 1 OF 1

Cardno TGM
ABN 11 125 568 461
Level 4, 501 Swanston Street, Melbourne, VIC Australia 3000
Tel: 03 8415 7777 Fax: 03 8415 7788
Email: victoria@cardno.com.au Web: www.cardno.com.au

BRENT KEVIN O'GRADY / VERSION No.1


Wangaratta Street
Stewart Street
2579
C
Swan Street
60
VOLUME
3578
FOLIO
479
VOLUME
6144
FOLIO
729
801
C
Burnley Tunnel
VOLUME 3285
FOLIO 961
VOLUME 3656
FOLIO 146
Stephenson Street
Dove Stre
1 / 9
9
2
2
10

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The Victorian Government acknowledges the Traditional Owners of Victoria and pays respects to their ongoing connection to their Country, History and Culture. The Victorian Government extends this respect to their Elders, past, present and emerging.

REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 03193 FOLIO 521 Security no : 124093738139W
Produced 15/11/2021 02:40 PM

LAND DESCRIPTION

Road R1 on Plan of Subdivision 005344.
PARENT TITLE Volume 01279 Folio 619
Created by instrument 1230596R 15/04/1907

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
NATIONAL TRUSTEES EXECUTORS AND AGENCY COMPANY OF AUSTRALASIA LTD of 454 COLLINS STREET MELBOURNE VIC 3000 Legal Personal Representative(s) of DENIS WADICK deceased
1230596R 15/04/1907

ENCUMBRANCES, CAVEATS AND NOTICES

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE LP005344 FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

DOCUMENT END

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PLAN OF SUBDIVISION OF PART OF CROWN ALLOTMENTS 2&3 AT RICHMOND PARISH OF JIKA JIKA

COUNTY OF BOURKE

VOL 3193 FOL 521

Measurements are in Feet & Inches

Conversion Factor

FEET x 0.3048 = METRES

LP5344

EDITION 2

PLAN MAY BE LODGED

10 – 10 - 1910

COLOUR CODE

E-1 = YELLOW
R1 = BROWN
E-3 = PURPLE
E-4 = GREEN
E-5 = BLUE
E-6 = PURPLE HATCHED
E-7 = YELLOW HATCHED

ROADS COLOURED BROWN

STREET NAME AMENDED

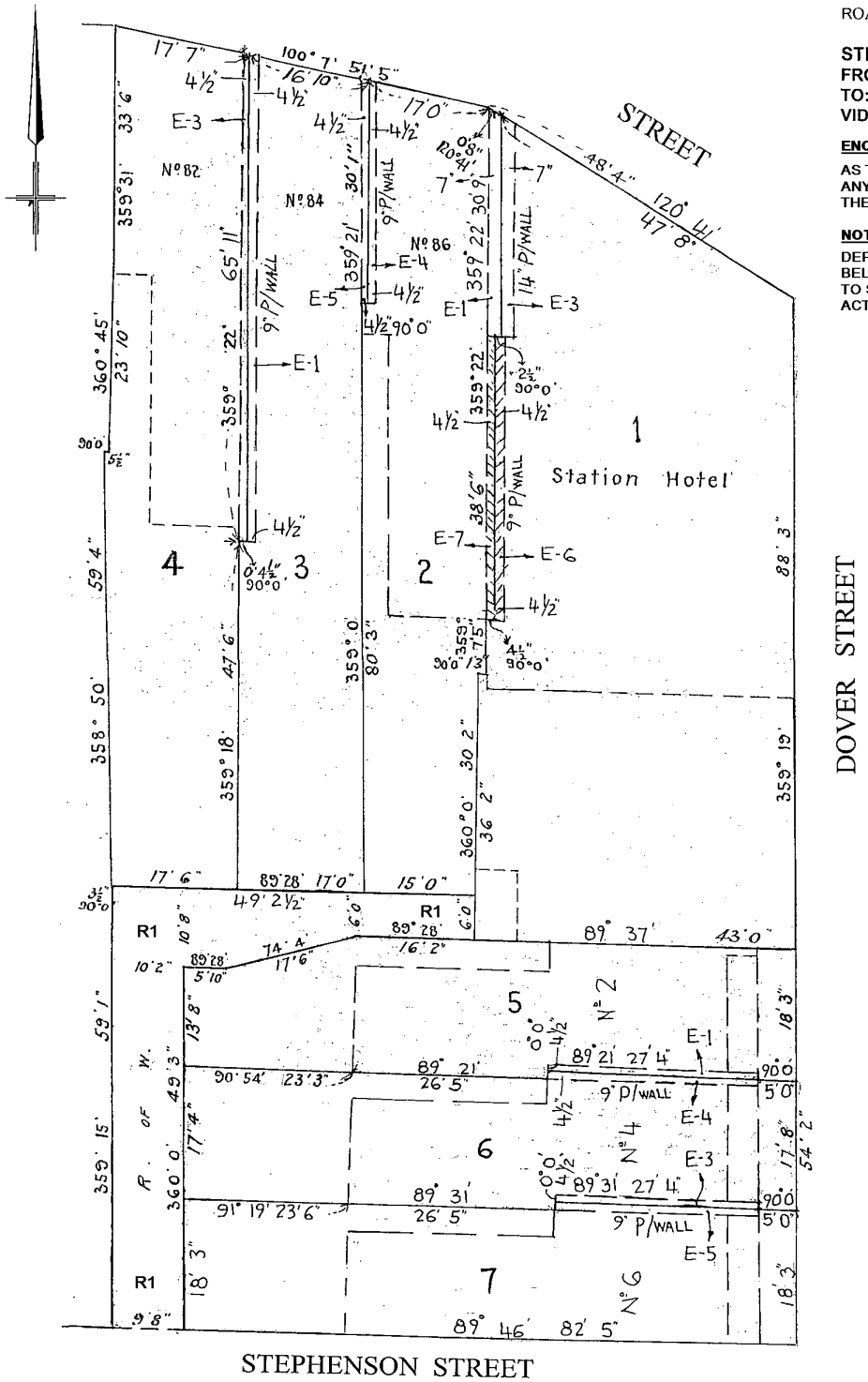
FROM : DOVE STREET
TO: STEPHENSON STREET
VIDE: GAZ 1960 P 399

ENCUMBRANCES

AS TO THE LAND COLOURED BROWN ANY EASEMENTS AFFECTING THE SAME.

NOTATION

DEPTH LIMITATION 15.24 METRES BELOW THE SURFACE PURSUANT TO SEC. 67(2) MELBOURNE CITYLINK ACT. 1995 V433144V.



MODIFICATION TABLE

RECORD OF ALL ADDITIONS OR CHANGES TO THE PLAN

PLAN NUMBER

LP 5344

WARNING: THE IMAGE OF THIS DOCUMENT OF THE REGISTER HAS BEEN DIGITALLY AMENDED. NO FURTHER AMENDMENTS ARE TO BE MADE TO THE ORIGINAL DOCUMENT OF THE REGISTER.

AFFECTED LAND/PARCEL	LAND/PARCEL IDENTIFIER CREATED	MODIFICATION	DEALING NUMBER	DATE	EDITION NUMBER	ASSISTANT REGISTRAR OF TITLES
ROAD	R1	EASEMENTS ENHANCED			2	AD

Maddocks

Ref: MAN:JKOZ:8661072

Maddocks
Lawyers
Collins Square, Tower Two
Level 25, 727 Collins Street
MELBOURNE 3000

Yarra City Council
Proposed discontinuance and sale of road abutting Stephenson Street, Cremorne

DATE OF INSPECTION: **19/10/2021**

PHOTOGRAPHS OF THE ROAD: **Attached at Annexure A**

IS THE ROAD OPEN AND AVAILABLE FOR USE BY THE PUBLIC? **NO**

WHAT OBSTRUCTIONS ARE OVER OR IN THE ROAD?

Fencing	☐ Yes	☒ No	Vegetation*	☐ Yes	☒ No
Rubbish	☐ Yes	☒ No	Services*#	☐ Yes	☒ No
Other*	☒ Yes	☐ No	(# Including fire hydrants/plugs.)		

* Provide Details:
The Road forms part of an open-air car-park. Refer to the plan at Annexure B for details of the current built-form.

THE MATERIAL WITH WHICH THE ROAD IS CONSTRUCTED:

☐ Nil
☐ Bluestone
☐ Bitumen
☒ Other **Various hard surfaces. Refer photos.**

EVIDENCE OF THE ROAD BEING USED:

☒ **Nil**
☐ Tyre marks
☐ Worn grass
☐ Gates opening onto the road
☐ Garages opening onto the road
☐ Other

TYPE OF TRAFFIC:

☐ Pedestrian ☐ Vehicular ☐ Animal ☒ Nil

There is no traffic using the land as a Road.

WHAT IS THE ROAD PROVIDING ACCESS TO?

☐ Adjoining properties @ ☐ Reserve/Park

☐ Main Road ☐ Shops

☒ Other **The Road provides no access to any of the abovementioned classifications. It is currently being used as a carpark.**

DETAILS OF OTHER SUITABLE MEANS OF ACCESS NEARBY.
Nil

DETAILS OF FENCES, BUILDINGS AND/OR LANDSCAPING PLACED ON OR OVER ANY PORTION OF THE ROAD BY ABUTTING PROPERTY OWNERS, AND THE EXTENT OF SUCH ENCROACHMENT.
Nil

IS THE ROAD REQUIRED FOR PUBLIC ACCESS? Yes ☐ **No** ☒

OTHER OBSERVATIONS:

Signed: **Brent O'Grady** Date: **19/10/2021**

Title/Position: **Business Leader – Geospatial/ Licensed Surveyor** Company: **Cardno TGM**

ATTACH ADDITIONAL PAGES IF THERE IS NOT ENOUGH SPACE ON THIS FORM

ANNEXURE A – Photographs










PUBLIC
PARKING
PARKING RATE
5am - 5pm
$5.00 Per H
$13.00 Max
After 5pm
& Weekends $12.00 Flat rate
PARKING INSTRUCTIONS
1. Park your vehicle
4. Comply with signage & conditions
YOU ARE ENTERING INTO A CONTRACT
CONTRACTUAL TERMS AND CONDITIONS
HOURS OF OPERATION
24 Hours

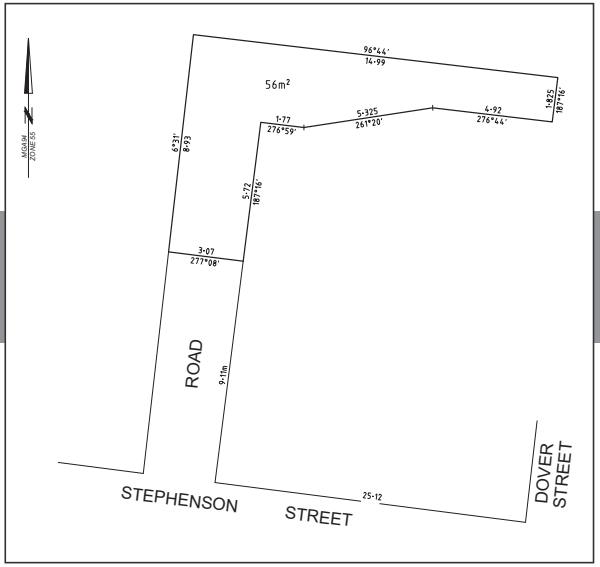
YARRA CITY COUNCIL

PROPOSED ROAD DISCONTINUANCE

PUBLIC NOTICE INVITING SUBMISSIONS UNDER SECTION 223

Yarra City Council (**Council**), acting under clause 3 of schedule 10 to the *Local Government Act 1989* (**Act**), proposes to discontinue the road abutting Richmond Station, Stephenson Street, Richmond, shown as the 56m^2 parcel on the plan below, being part of the land contained in certificate of title volume 3193 folio 521 (**Road**).

The proposal is that Council discontinue the Road and transfer the land comprising the Road to Victorian Rail Track for a price of $600,000 plus GST.



Any person may make a submission on the proposal.

Any person wishing to make a submission under section 223 of the Act must do so in writing by 7 January 2022.

All submissions will be considered in accordance with section 223 of the Act. Submissions should be addressed to the Chief Executive Officer, and can be hand delivered to Council's Municipal Office at 333 Bridge Road, Richmond or posted to the following address:

Vijaya Vaidyanath, Chief Executive Officer,
Yarra City Council - PO Box 168, RICHMOND VIC 3121

Any person requesting to be heard in support of his or her submission is entitled to be heard before Council (or its committee established by Council for this purpose) or be represented by a person acting on his or her behalf, and will be notified of the time and date of the hearing.

Following consideration of submissions, Council may resolve not to discontinue the Road or to discontinue the Road and sell the land from the Road to Victorian Rail Track.

For more information on the proposal, please contact Bill Graham on 03 9205 5270 or bill.graham@yarracity.vic.gov.au.

Vijaya Vaidyanath, Chief Executive Officer, Yarra City Council

CITY OF YARRA

G12620867AA-020921

CITY OF YARRA
10 JAN 2022
RECEIVED

[redacted]

7 January 2022

Mr Chris Leivers
Acting Chief Executive Officer
Yarra City Council
PO Box 168
RICHMOND VIC 3121

Dear Mr Leivers

I am writing to lodge my objection to the proposed sale of 56m^2 of road abutting Richmond Station (certificate of title volume 3193 folio 521).

My objection is based on the following four points:

- The council is proposing to sell the land to Victorian Rail Track (VicTrack) for $600,000 which is $10,714 per square metre. I understand that VicTrack has a contract to sell the entire site on Stephenson Street for $14,861 per square metre. This means that Yarra Council has undervalued the sale of the land by $4,147 per square metre which is a lost opportunity of revenue worth $232,232.

- It would appear that VicTrack advertised and sold the land on Stephenson Street, which would include the 56m^2, prior to the Council considering the discontinuance of the road and the sale of the land to VicTrack. This would appear not the correct way to dispose of Crown land.

- There was insufficient public notice given in relation to the proposed sale. The public notice was displayed on one pole in the middle of the carpark area and the period for objections was over the Christmas and New Year period when many people are away and not noticing this type of proposal. I have also been unable to find any information about the proposed discontinuance on the Council's website.

- The notice that was displayed in the carpark on Stephenson Street is given under the direction of Ms Vijaya Vaidyanath who stood down from the Yarra Council in October 2021 and the notice was displayed in late December 2021.

I look forward to being able to discuss this matter in more detail when the Council considers the proposed sale.

I can be contacted on [redacted] or [redacted]

[redacted]

8.9 Motions for ALGA National General Assembly

Reference	D21/21705
Author	Rhys Thomas - Senior Governance Advisor
Authoriser	Group Manager Chief Executive's Office

Purpose

1. To provide an opportunity for Council to consider submitting motions to the Australian Local Government Association (ALGA) National General Assembly to be held in Canberra on 19-22 June 2022.

Critical analysis

History and background

2. The ALGA National General Assembly is an opportunity to further Council's policy positions at a national and state level, particularly in relation to advocacy matters. Once submitted, the motions are taken to National General Assembly, and debated by the members. If adopted, they become the formal position of the ALGA.

Discussion

3. Council has an opportunity to submit motions for consideration by the ALGA National General Assembly. To be eligible for inclusion in the National General Assembly Business Papers, and subsequent debate on the floor, motions must meet the following criteria:

   (a) Be relevant to the work of Local Government nationally;

   (b) Not be focussed on a specific location or region – unless the project has national implications;

   (c) Be consistent with the themes of the National General Assembly;

   (d) Complement or build on the policy objectives of your state and territory local government association;

   (e) Be submitted by a council which is a financial member of their state or territory local government association;

   (f) Propose a clear action and outcome i.e. call on the Australian Government to do something; and

   (g) Not be advanced on behalf of external third parties that may seek to use the NGA to apply pressure to Board members, or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.

4. Motions must be submitted to the ALGA Secretariat by 25 March 2022.

Options

5. Council has the option of determining whether or not to submit a motion (or motions) the National General Assembly in 2022.

Community and stakeholder engagement

6. There has been no external consultation in the preparation of this report.

7. Invitations have been extended to all Councillors to consider preparation of motions for consideration by Council for submission to the National General Assembly.

Policy analysis

Alignment to Council Plan

8. Any submitted proposed motion should be consistent with Council's established policy position on the relevant subject, including the Council Plan.

Climate emergency and sustainability implications

9. There are no sustainability implications associated with this report.

Community and social implications

10. There are no community or social implications associated with this report.

Economic development implications

11. There are no economic implications associated with this report.

Human rights and gender equality implications

12. There are no human rights or gender equality implications associated with this report.

Operational analysis

Financial and resource impacts

13. As the National General Assembly is interstate, the attendance of Councillors requires approval by Council and will be the subject of a future report. There are no financial implications of submitting motions to the National General Assembly.

Legal Implications

14. There are no legal issues associated with this report.

Conclusion

15. This report provides Councillors an opportunity for Council endorsement of motions for submission to the Australian Local Government Association (ALGA) National General Assembly.

RECOMMENDATION

1. That Council endorse the following motions for submission to the Australian Local Government Association (ALGA) National General Assembly to be held on 19-22 June 2022, as tabled:

   (a) _____

   (b) _____

Attachments

There are no attachments for this report.

8.10 Audit and Risk Committee Biannual Activity Report

Reference	D22/41938
Author	Rhys Thomas - Senior Governance Advisor
Authoriser	Group Manager Chief Executive's Office

Purpose

1. To provide Council with the Audit and Risk Committee Biannual Activity Report as required by section 54(5) of the Local Government Act 2020.

Critical analysis

History and background

2. Section 54(5) of the Local Government Act 2020 provides that an Audit and Risk Committee:

   "prepare a biannual audit and risk report that describes the activities of the Audit and Risk Committee and includes its findings and recommendations; and provide a copy of the biannual audit and risk report to the Chief Executive Officer for tabling at the next Council meeting."

3. The previous Biannual Activity Report covered the period 1 July 2021 to 31 December 2021 and was presented to Council on 7 September 2021.

Discussion

4. Tabling of the attached Biannual Activity Report at a public meeting of Council provides transparency to the community on the operation of the committee, as well as highlighting the high level considerations of the committee.

5. The nature of the matters considered by the Audit and Risk Committee is such that the attached report can provide a summary of the matters considered, but cannot set out the detailed findings or recommendations in relation to Council's control framework, as to do so would expose Council to undue risk.

6. In addition to the attached activity report, all Councillors are provided with the full agendas and minutes of Audit and Risk Committee meetings, and are invited to attend any meeting in an observer capacity.

7. In addition to the attached report, the Audit and Risk Committee's oversight role is primarily discharged by providing advice and direction to Council's Chief Executive Officer and senior management, particularly those within the finance, risk management and governance portfolios. That said, it is recognised that there may be circumstances where the Committee may wish to provide advice direct to the Council.

8. There are three mechanisms for the committee to provide this advice:

   (a) Firstly, the Council has authorised the Audit and Risk Committee through its Charter to request that the Chief Executive Officer table a report from the Committee at a meeting of the Council;

   (b) Secondly, the Local Government Act 2020 provides that the Chief Executive Officer must table a report of the Committee at a meeting of the Council where requested by the Committee Chair; and

   (c) Thirdly, the Local Government Act 2020 provides that a Committee may make formal recommendations to Council in this biannual activity report.

9. In the period 1 January to 30 June 2020, neither the Committee nor the Committee Chair requested that the Chief Executive Officer table a report at a Council meeting.

10. At its meeting on 24 February 2022, the Audit and Risk Committee requested that the Chief Executive Officer present the following recommendation to Council along with this biannual activity report:

    1. That Council note the position of the Audit and Risk Committee that:

    (a) Council is currently in a tight financial position arising from the impact of the COVID-19 pandemic and existing debt levels;

    (b) given the difficult situation, Council is encouraged to give careful consideration to ongoing financial viability when structuring the 2022/2023 Budget and the associated update of the Long Term Financial Plan.

11. This recommendation is presented separately for Council's consideration.

Options

12. There are no options presented in this report.

Community and stakeholder engagement

13. The Audit and Risk Committee Biannual Activity Report was endorsed by the Audit and Risk Committee at its meeting on 24 February 2022.

Policy analysis

Alignment to Council Plan

14. The City of Yarra Council Pan 2017-2021 contains a strategic objective that Council *"maintain a culture of transparency, governance, ethical practice and management of risks that instils a high level of community respect and confidence in Council decision-making."*

15. The presentation of Audit and Risk Committee Biannual Activity Reports to a public Council meeting supports a culture of transparency and good governance.

Climate emergency and sustainability implications

16. No climate emergency or sustainability implications are considered in this report.

Community and social implications

17. No community or social implications are considered in this report.

Economic development implications

18. No economic development implications are considered in this report.

Human rights and gender equality implications

19. No human rights or gender equality implications are considered in this report.

Operational analysis

Financial and resource impacts

20. No finance or report impacts are considered in this report.

Legal Implications

21. The tabling of this Biannual Activity Report by the Chief Executive Officer is required by section 54(5)(b) of the Local Government Act 2020.

Conclusion

22. The Audit and Risk Committee Biannual Activity Report was endorsed by the Audit and Risk Committee at its meeting on 24 February 2022 and has been tabled by the Chief Executive Officer to provide Council with the Audit and Risk Committee Biannual Activity Report as required by section 54(5) of the Local Government Act 2020.

OFFICER RECOMMENDATION

1. That Council:

   (a) receive the Audit and Risk Committee Biannual Activity Report for the period 1 July to 31 December 2021 at **Attachment One**;

   (b) note that in the period 1 July to 31 December 2021, neither the Committee nor the Committee Chair requested that the Chief Executive Officer table a report at a Council meeting; and

   (c) note that at its meeting on 24 February 2022, the Audit and Risk Committee made a recommendation to Council.

AUDIT AND RISK COMMITTEE RECOMMENDATION

1. That Council note the position of the Audit and Risk Committee that:

   (a) Council is currently in a tight financial position arising from the impact of the COVID-19 pandemic and existing debt levels; and

   (b) given the difficult situation, Council is encouraged to give careful consideration to ongoing financial viability when structuring the 2022/2023 Budget and the associated update of the Long Term Financial Plan.

Attachments

1 Audit and Risk Committee biannual activity report - July to December 2022

Audit and Risk Committee Biannual Activity Report

July to December 2021

The Audit and Risk Committee

The role of the Audit and Risk Committee (Committee) is set out in the Audit and Risk Committee Charter, adopted by Council on 18 August 2020.

The Committee provides independent and objective assurance and assistance to the Yarra City Council and its Chief Executive Officer on Council's risk management, control and compliance framework, and its external financial and performance accountability and responsibilities. In addition, the Committee provides advice to Council that will assist Council in fulfilling its corporate governance and oversight responsibilities.

The Committee does not have executive powers or authority to implement actions in areas over which management has responsibility and does not have any delegated authority. The Committee does not have any management functions and is therefore independent of management.

The Council has authorised the Committee, within the scope of its role and responsibilities to:

- obtain any information it needs from any employee and/or external party;
- discuss any matters with the external or internal auditor, or other external parties;
- request the attendance of any Council Officer, Councillors, and/or the internal and external auditors;
- request that Council Officers obtain external legal or other professional advice, as the Committee considers necessary to meet its responsibilities, at Council's expense;
- require reports from Council Officers, the internal auditors and external auditors on any significant proposed regulatory, accounting or reporting issue, to assess the potential impact upon the Council's financial reporting process; and
- request that the Chief Executive Officer table a report from the Committee at a meeting of the Council.

Purpose of the biannual activity report

This report meets the reporting requirements to Council as required by section 54(5) of the Local Government Act 2020 (Act).

The report provides Council and the community with a summary of the matters that the Audit and Risk Committee has addressed in the reporting period in discharging its responsibilities under its Charter and under the Act. Further, the report provides Council with the Committee's findings and recommendations for the period.

This report provides an overview of the activity of the Audit and Risk Committee from 1 July to 31 December 2022.

Committee Membership

The Committee comprises five members, three of which are independent members and two Councillors.

During the period, the Committee members were:

Current Members

Helen Lanyon, Chair	Helen Lanyon is a Fellow of CPA Australia and is a graduate of the Australian Institute of Company Directors. Over a 40-year career, Ms Lanyon has held numerous senior executive roles, primarily in local government and has broad experience in the corporate services portfolio disciplines. Ms Lanyon also has extensive experience on a range of advisory committees.
David Ashmore	David Ashmore is a Fellow of the Institute of Chartered Accountant and was in public practice working predominately as an Audit Partner. He is also a graduate of the Australian Institute of Company Directors and a Fellow of the Financial Services Institute of Australia. Mr Ashmore has for the past 15 years been appointed to a variety of Audit Committees mainly for Local Government entities and also has an appointment as Chairman for an ASX listed public Company.
Cr Herschel Landes	Cr Herschel Landes was elected to Yarra City Council in October 2020. Cr Landes was appointed to the Audit and Risk Committee in November 2020.
Kylie Maher (from 7/9/2021)	Kylie Maher has over 25 years' experience in providing Finance, Risk and Governance advisory services. As the partner in charge of a Governance and Risk Advisory practice, Kylie leads risk and audit consulting services in education, government, community services and the aged care sector and is a member of a number of public sector audit committees. Kylie holds a Bachelor of Business (Accounting) and is a Graduate, Australian Institute of Company Directors, a Certified Practicing Accountant and a member of the Institute of Internal Auditors.
Cr Sophie Wade (from 23/11/2021)	Cr Sophie Wade was elected to Yarra City Council in October 2020 and was elected Mayor in November 2021. Cr Wade was appointed to the Audit and Risk Committee in November 2021.

Former Members

Vince Philpot (to 2/9/2021)	Vince Philpot had a varied and interesting career across global operations in the Oil and Gas industry, moving later into the Non-Governmental aid agency space and finally into the social services sector. As a Certified Internal Auditor, he brings his subject matter expertise in enterprise risk management, internal control frameworks and internal audit to his committee work. Mr Philpot also has wide experience on a range of advisory committees in Local Government and Public Service entities.
Cr Gabrielle de Vietri (to 23/11/2021)	Cr Gabrielle de Vietri was elected to the Yarra City Council in October 2020 and was elected Mayor in November 2020. Cr de Vietri was appointed to the Audit and Risk Committee in November 2020.

Committee Attendance

The Committee met three times during the period.

Current Members	Meetings attended
Helen Lanyon	3 of 3
David Ashmore	3 of 3
Kylie Maher	1 of 1
Cr Sophie Wade	*
Cr Herschel Landes	3 of 3
Former Members	
Vincent Philpot	2 of 2
Cr Gabrielle de Vietri	3 of 3

* *The committee has not met since Cr Wade's appointment, although she participated in the workshop on 30 November 2021 and the circular resolution of 13 December 2021.*

In addition to the appointed members, all Councillors receive Audit and Risk Committee meeting papers and have a standing invitation to attend meetings as an observer. No Councillors took up this opportunity during the period.

Committee Activity

The tables below set out the activity of the committee during the period of this report, including a summary of the matters discussed and any recommendations made by the Committee to the Council. It should be noted that only recommendations from the Committee to the Council are reported here – recommendations and actions agreed to by management do not form part of this activity report.

19 August 2021

Matter considered	Summary
Report by the Chief Executive	The CEO provided a verbal report to the Committee on a range of matters including the Council plan, end of year accounts, COVID impacts, M9 group of Councils, 433 Smith Street and the Councillor Code of Conduct.
Review of actions arising from previous meetings	The Committee reviewed the status of actions arising as a result of matters raised at previous Committee meetings.
Review of actions arising from previous internal audits	The Committee reviewed the status of the implementation of agreed management actions arising from previous internal audits.

Matter considered	Summary
Internal Audit - Status Report	Council's internal auditors presented a report on the status of the internal audit program. The Committee requested management present a report setting out the implications of the VAGO report into sexual harassment in Local Government.
Internal Audit - Review of Human Resource Management	Council's internal auditors presented its findings following an internal audit into Council's human resource management. The report resulted in five agreed management actions being added to the database for monitoring.
Internal Audit – Penetration Testing	Council's internal auditors presented its findings following an internal audit into penetration testing. The report resulted in three agreed management actions being added to the database for monitoring.
Internal Audit – Review of Councillor Expenses and Purchasing Cards	Council's internal auditors presented its findings following an internal audit into Councillor expenses and the use of purchasing cards. The report did not result in any management actions being added to the database for monitoring.
Victorian Child Safe Standards Compliance	The Manager Organisational Culture, Capability and Diversity outlined Council's project to ensure compliance with the new Victorian Child Safe Standards. The Committee noted Council's compliance and recommended a number of improvements.
VAGO Report - Sexual Harassment in Local Government	The Group Manager People and Culture provided a response to the matters in raised in the VAGO report into sexual harassment across the local government sector.
Audit and Risk Committee Biannual Activity Report	The Senior Governance Advisor presented the first biannual activity report for the committee's review. The Committee endorsed the report, subject to some changes to the format and process.
Councillor Expense Policy Annual Report	The Senior Governance Advisor provided an annual report setting out Councillor expense reimbursements. The Committee noted the report with no concerns.
Strategic Risk Report August 2021	The Manager Risk and Safety presented the Strategic Risk Report. The Committee acknowledged the improvements and made a number of further suggestions.
Operational Risk Register	The Manager Risk and Safety presented the Operational Risk Register and provided an update on the assessment of the remaining risks.
Occupational Health and Safety Project Plan	The Manager Risk and Safety provided the committee an overview of the roadmap and project plan for the ongoing occupational health and safety project.

Matter considered	Summary
Recent Reports and Publications - Management response	The Committee received a standing quarterly report from the internal auditor presenting a number of recent reports and publications relevant to the local government sector. The Committee noted the management responses to these reports.
Fraud and Corruption Policy and Control Plan	The Manager Risk and Safety provided an update on the review of the Fraud and Corruption Policy and Control Plan.
Purchase Order Compliance	The Committee noted a quarterly report on compliance with the obligation to raise purchase orders as part of the procurement process.
Local Government Act 2020 deliverables	The Committee noted a standing quarterly report setting out Council's achievement of the milestones in the transition to the Local Government Act 2020.
City of Yarra Annual Budget 2021/2022	The Chief Financial Officer presented the adopted City of Yarra Annual Budget 2021/2022 and Rating and Revenue Plan 2021-2025 to the Committee.
Insurances Renewal	The Manager Risk and Safety provided a report confirming Council's insurance coverage.
End of financial year accounts	The Chief Financial Officer provided a progress report on the finalisation of the end of year financial accounts
Audit and Risk Committee recruitment	The Director Corporate, Business and Finance provided an update on the recruitment of a new committee member following the departure of Vincent Philpot.

3 September 2021

Matter considered	Summary
2020-21 Annual Financial Statements, Performance Statement, and Audit Results	The Victorian Auditor General's agent provided an overview of the audit outcomes as set out in the closing report and presented the final management letter. The Committee congratulated management on the outcome. The financial and performance statements were endorsed by the Committee, subject to the incorporation of a number of suggestions.
Annual budget and long term financial plan.	The Director Corporate, Business and Finance presented Council's Annual Budget 2021/2022 and Long Term Financial Plan 2021/22 to 2030/31.

Matter considered	Summary
Acknowledgement	The Committee and management acknowledged the service of Vincent Philpot upon the conclusion of his terms as a member of the Audit and Risk Committee. The Committee and management expressed their thanks to him for his contribution to the organisation and community. The Committee also acknowledged and thanked Kathy Teasdale of RSD Audit who is concluding her engagement with the City of Yarra.
Meeting with External Auditor	The Committee met with the external auditors in the absence of management.

18 November 2021

Matter considered	Summary
Report by the Chief Executive	The CEO provided a verbal report to the Committee on a range of matters including the Council Plan, 433 Smith Street, the 2022/2023 Budget process, the Mayoral election, the Audit and Risk Committee strategic workshop and her resignation and appointment by Council of an external advisor to assist in the recruitment of the new CEO.
COVID-19 organisational impacts update	The Committee discussed the ongoing organisational impacts of the pandemic as well as the implications of mandatory vaccination for staff and some customers.
Review of actions arising from previous meetings	The Committee reviewed the status of actions arising as a result of matters raised at previous Committee meetings.
Review of actions arising from previous internal audits	The Committee reviewed the status of the implementation of agreed management actions arising from previous internal audits.
Internal Audit - Status Report	Council's internal auditors presented a report on the status of the internal audit program.
Internal Audit - Review of rates revenue (including data analytics)	Council's internal auditors presented its findings following an internal audit into the management of rates revenue. The report resulted in two agreed management actions being added to the database for monitoring.
Internal Audit - Review of Information Technology General Controls	Council's internal auditors presented its findings following an internal audit into Council's information technology general controls. the report resulted in six agreed management actions being added to the database for monitoring.
Internal Audit Report - Review of payroll (data analytics only)	Council's internal auditors presented its findings following an internal audit into Council's payroll data. The report did not result in any management actions being added to the database for monitoring.

Matter considered	Summary
eLearning Update	The Coordinator Organisational Culture and Capability provided a briefing on the progress of the implementation of a new eLearning system.
Organisational Hazard Register – Update Nov 2021	The Manager Risk and Safety provided an update on improvements to Councils organisational hazard register.
Business Continuity Plan - Update	The Manager Risk and Safety provided an update on Council's business continuity planning plan and processes.
Strategic and Operational Risk Register - Update	The Manager Risk and Safety provided an overview of the risk register.
Refinancing of $32.5M Loan	The Chief Financial Officer provided a report on options for the re-financing of Council's borrowings.
Yarra City Council Investment Policy 2021	The Chief Financial Officer presented the draft Investment Policy. The Committee endorsed the policy subject to the incorporation of some feedback.
Fraud and Corruption Policy and Plan - Update	The Manager Risk and Safety provided an update on the Fraud and Corruption policy and plan.
Recent Reports and Publications - Management response	The Committee received a standing quarterly report from the internal auditor presenting a number of recent reports and publications relevant to the local government sector. The Committee noted the management responses to these reports.
Local Government Act 2020 deliverables	The Committee noted a standing quarterly report setting out Council's achievement of the milestones in the transition to the Local Government Act 2020.
Quarterly Finance Report - September 2021	The Committee noted a standing quarterly report including the quarterly finance dated September 2021.
Effectiveness of the external audit	In the absence of its auditors, the Committee discussed the effectiveness of the 2021 external audit process with management.

30 November 2021

An informal workshop was held on 30 November 2021 of Audit and Risk Committee members, Councillors and Council's Executive Management Team. The workshop was an opportunity to collectively gain a shared understanding of the state of Council's finances and Long Term Financial Plan. Importantly, it provided an opportunity for Councillors and Executive to hear some independent feedback, counsel and advice from the three experienced members of the Audit and Risk committee.

The workshop included an examination of Council's Long Term Financial Plan and the key assumptions underlying it, as well as a look at the risks to Council's finances, including the ongoing impact of the COVID-19 pandemic. The workshop also looked at Council's cash position, the capital works program and the development of strategic options for addressing the challenges.

13 December 2021

A meeting was originally scheduled for 6 December 2021 to deal with a number of year end matters. This meeting was cancelled and a small number of matters were dealt with by circular resolution on 13 December 2021 instead. These are show below for completeness.

Matter considered	Summary
Strategic Internal Audit Plan	The Committee approved to City of Yarra Strategic Internal Audit Plan – Draft 2020–2022 (2022 Focus) in principle, noting that a discussion will be held at the first meeting of the Audit and Risk Committee in 2022.
Meeting Dates	The Committee endorsed a program of meetings in 2002, with meetings scheduled for February, May, August, September and November.
Chairperson	The committee endorsed the appointment of David Ashmore as the Committee Chair for the 2022 calendar year and requested management to present this recommendation for appointment at the next Council meeting.

Recommendations to Council

The Audit and Risk Committee's oversight role is primarily discharged by providing advice and direction to Council's Chief Executive Officer and senior management, particularly those within the finance, risk management and governance portfolios. That said, it is recognised that there may be circumstances where the Committee may wish to provide advice direct to the Council.

There are three mechanisms for the committee to provide this advice:

- Firstly, the Council has authorised the Audit and Risk Committee through its Charter to request that the Chief Executive Officer table a report from the Committee at a meeting of the Council;
- Secondly, the Local Government Act 2020 provides that the Chief Executive Officer must table a report of the Committee at a meeting of the Council where requested by the Committee Chair; and
- Thirdly, the Local Government Act 2020 provides that a Committee may make formal recommendations to Council in this biannual activity report.

In the period 1 July to 31 December 2021, neither the Committee nor the Committee Chair requested that the Chief Executive Officer table a report at a Council meeting.

At its meeting on 24 February 2022, the Audit and Risk Committee requested that the Chief Executive Officer present the following recommendation to Council along with this biannual activity report:

Recommendation

1. That Council note the position of the Audit and Risk Committee that:

(a) Council is currently in a tight financial position arising from the impact of the COVID-19 pandemic and existing debt levels;

(b) given the difficult situation, Council is encouraged to give careful consideration to ongoing financial viability when structuring the 2022/2023 Budget and the associated update of the Long Term Financial Plan.

9.1 Notice of Motion No.2 of 2022 - Collingwood Children's Farm Committee of Management Pledge

Reference	D22/41904
Author	Ivan Gilbert - Group Manager Chief Executive's Office
Authoriser	Group Manager Chief Executive's Office

I, Councillor Stephen Jolly, hereby give notice that it is my intention to move the following motion at the Ordinary Meeting of Council to be held on 8 March 2022:

"1. That Council:

(a) is alarmed by a requirement requested by the Committee of Management of the Collingwood Children's Farm for Council's elected representative to sign a Loyalty Pledge (refer copy – **Attachment 1** hereto)*as a precondition for attendance at meetings;*

(b) believes these unprecedented requirements would, if accepted, force a Councillor to ignore their responsibilities under the Local Government Act and is counter-posed to the most basic understanding of the principles of transparency, accountability and democracy;

(c) supports any Councillor refusing to sign this loyalty pledge and believes that signing this pledge should not be a precondition for attendance at Committee of Management meetings; and

(d) asks for its Governance officers to meet with the Collingwood Children's Farm Committee of Management to seek changes to the Loyalty Pledge so as to allow further participation of Councillors on this Committee without such participation breaching the most minimum standards of good governance and the Local Government Act."

Background

Yarra Council values its participation in various external bodies via the election of Councillors to their Committees for annual terms, such as the Municipal Association of Victoria, Yarra Energy Foundation, Merri Creek Management Committee and Collingwood Children's Farm.

This participation allows Council to have its voice heard on important local or Statewide organisations, as well as Council to be kept up to date on issues pertaining to these Committees.

Our participation in the MAV, for example, allows for Council to advocate for important policy issues that otherwise may not be raised at this level.

Therefore, Council should be alarmed by a requirement requested by the Committee of Management (CofM) of the Collingwood Children's Farm for Council's elected representative to sign a Loyalty Pledge (refer copy – **Attachment 1** hereto) as a precondition for attendance at meetings. This requirement is more in line with a dictatorship rather than the democratic norms we enjoy in Australia.

Point 9 of the Loyalty Pledge calls on its Committee of Management members, including Councillors elected by the public: *"…to support ALL actions taken by the Committee of Management even when I am in a minority position on such actions."*

Point 7 of the Loyalty Pledge calls for Committee of Management members to *"refrain from intruding on administrative issues that are the responsibility of management"*, despite the fact that the Farm Manager is constitutionally bound to report to the Committee of Management.

These unprecedented requirements would, if accepted, force a Councillor to ignore their responsibilities under the Local Government Act. It also is counter-posed to the most basic understanding of the principles of transparency, accountability and democracy.

On this basis, Council should support any Councillor refusing to sign this loyalty pledge and signing this pledge should not be a precondition for attendance at CofM meetings.

Council's Governance officers should meet with the CCF CofM to seek changes to the Loyalty Pledge so as to allow further participation of Councillors on this Committee without such participation breaching the most minimum standards of good governance and the Local Government Act.

RECOMMENDATION

1. That Council:

   (a) is alarmed by a requirement requested by the Committee of Management of the Collingwood Children's Farm for Council's elected representative to sign a Loyalty Pledge as a precondition for attendance at meetings;

   (b) believes these unprecedented requirements would, if accepted, force a Councillor to ignore their responsibilities under the Local Government Act and is counter-posed to the most basic understanding of the principles of transparency, accountability and democracy;

   (c) supports any Councillor refusing to sign this loyalty pledge and believes that signing this pledge should not be a precondition for attendance at Committee of Management meetings; and

   (d) asks for its Governance officers to meet with the Collingwood Children's Farm Committee of Management to seek changes to the Loyalty Pledge so as to allow further participation of Councillors on this Committee without such participation breaching the most minimum standards of good governance and the Local Government Act.

Attachments

1 Attachment 1 - Pledge

Attachment 1.

Collingwood Children's Farm

Committee of Management Pledge

I will exercise the duties and responsibilities of this office with integrity, collegiality and care.

I pledge:

1. To establish as a high priority my attendance at all meetings of the committee and sub-committees on which I serve.

2. To come prepared to discuss the issues and business to be addressed at scheduled meetings, having read the agenda and relevant background material.

3. To work with and respect the opinions of my peers who serve this committee, and leave my personal prejudices out of all committee discussions.

4. To always act for the good of Collingwood Children's Farm.

5. To represent the organisation in a positive and supportive manner at all times and in all places.

6. To observe procedures, and display courteous conduct in all committee and subcommittee meetings.

7. To refrain from intruding on administrative issues that are the responsibility of management, except to monitor the results and prohibit methods that conflict with committee policy.

8. To avoid conflicts of interest between my position as a committee member and my personal or professional life. If such conflict does arise, I will declare that conflict before the committee and refrain from voting on matters in which I have conflict.

9. To support in a positive manner all actions taken by the Committee of Management even when I am in a minority position on such actions.

10. To agree to serve on at least one subcommittee, attend all meetings and participate in the accomplishment of its objective.

If I chair the committee or subcommittee, I will:

a. call meetings as necessary until objectives are met

b. seek to ensure that the agenda and support materials are communicated to all members in advance of the meetings

c. conduct the meetings in an orderly, fair, open and efficient manner

d. make committee program report/minutes to the committee at its scheduled meetings

11 . As a CoM member, I will endeavour to:

a. attend all strategic planning days

b. participate in committee self-evaluation programs

c. participate in committee development workshops, seminars, and other educational events which enhance my skills as a committee member

d. participate as required in fund raising and ensuring Collingwood Children's Farm has adequate funding for its programs

Signed: .....

Name: ..... Date:.....

Patrons: The Honourable Linda Dessau, AM, Governor of Victoria and His Honour Judge Anthony Howard

The Collingwood Children's Farm respectfully acknowledges the Wurundjeri of the Kulin Federation as the traditional owners of the Abbotsford Precinct Heritage Farmlands, the lands we respect, care for and farm on behalf of all Victorians. The Farm thanks all Wurundjeri Elders past and present, for their guardianship of these lands.