

Agenda

Council Meeting

7.00pm, Thursday 23 June 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	Director Community Wellbeing
• Ivan Gilbert	Group Manager Chief Executive's Office
• Geoff Glynn	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
• Mel Nikou	Governance Officer

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

The following items were deemed by the Chief Executive Officer to be suitable for consideration in closed session in accordance with section 66(2)(a) of the Local Government Act 2020. In accordance with that Act, Council may resolve to consider these issues in open or closed session.

RECOMMENDATION

1. That the meeting be closed to members of the public, in accordance with section 66(2)(a) of the Local Government Act 2020, to allow consideration of confidential information

Item

5.1 **C1613 Provision of Structural Relining of Stormwater Drains and Associated Works**

This item is to be considered in closed session to allow consideration of 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.

These grounds are applicable because the report contains information that has been submitted on a commercial in confidence basis as part of a tender process.

6. Confirmation of minutes

RECOMMENDATION

That the minutes of the Council Meeting held on Tuesday 31 May 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	Adoption of Annual Budget 2022/23 and Long Term Financial Plan 2022/23 to 2031/32	9	12	Wei Chen – Chief Financial Officer
8.2	2022/23 Annual Plan	171	173	Julie Wyndham – Manager Corporate Planning and Performance
8.3	Asset Plan 2022-2032 and Asset Management Policy (2022)	208	212	Graham Davis – Manager Building and Asset Management
8.4	Victorian Election Advocacy Priorities	259	262	Justin Kann – Senior Advisor, Advocacy and Partnerships
8.5	Yarra Planning Scheme Amendment C293yara - Collingwood South	267	284	Leonie Kirkwood – Project and Policy Coordinator, Strategic Planning
8.6	PPE22/0085 - 9-13 Stewart Street, Richmond	439	477	Mary Osman – Manager Statutory Planning
8.7	Fairlea Netball Precinct, Yarra Bend	767	773	Sally Jones – Manager Recreation and Leisure Services
8.8	Yarra Libraries Strategic Plan 2022-2026	777	780	Felicity Macchion – Manager Yarra Libraries
8.9	Environment Advisory Committee Membership	790	793	Michael Oke – Sustainability Unit Manager
8.10	Appointment of Authorised Officers under the Planning and Environment Act 1987	795	796	Rhys Thomas - Senior Governance Advisor

9. Notices of motion

Nil

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 Adoption of Annual Budget 2022/23 and Long Term Financial Plan 2022/23 to 2031/32

Reference	D22/140689
Author	Dennis Bastas - Manager Financial Services
Authoriser	Chief Financial Officer

Purpose

1. The purpose of this report is to present for adoption the:
   (a) Annual Budget 2022/23 (Budget) (**Attachment One**);
   (b) Long Term Financial Plan 2022/23 to 2031/32 (Financial Plan) (**Attachment Two**); and
   (c) Updated Financial Hardship Policy (**Attachment Three**).

Critical analysis

History and background

2. Section 94 of the Local Government Act 2020 provides that Council must prepare and adopt a Budget for each financial year and the subsequent three financial years.
3. Section 96 of the Local Government Act 2020 provides that Council must develop the Budget in accordance with its community engagement policy.
4. Section 91 of the Local Government Act 2020 provides that Council must prepare and adopt a Financial Plan for a period of at least the next 10 financial years.
5. The Financial Plan will be updated annually as part of the budget preparation process. Together with the budget document, it is subject to ongoing review and may be updated during the budget year through a revised budget process.
6. On 19 April 2022, Council resolved to adopt the draft Budget and draft Financial Plan for the purpose of seeking community feedback.
7. On 30 May 2022, Council held a Special Council Meeting to hear any person who wishes to speak in support of written feedback to the draft Budget and draft Financial Plan.

Discussion

8. Yarra enters this financial plan with significant challenges, as its operating environment and financial position has been impacted significantly by the COVID-19 pandemic with a loss in excess of $50 million. While Council has sufficient funds at present, our Financial Plan highlights the potential strain on available and unrestricted cash in future years. There is a need for urgent and meaningful change now, to ensure we can keep providing for our community in the future.
9. To continue to deliver the breadth and quality of services, as well as continuing to deliver on our strategic vision, the Council and community may need to make some tough decisions. To ensure our financial sustainability now and into the future, consideration has to be given to improving our operations and making them as efficient as possible, managing costs, attracting external funding and expanding opportunities to generate revenue.
10. The Budget and Financial Plan includes efficiency benefits over the next ten years, investment in our information technology and data to improve customer experience and changes to parking and leisure fees which were shared via the draft budget and remain detailed within the budget and financial plan. Council has also commissioned an independent strategic review of its operations.

11. This Budget and Financial Plan are updated to reflect some changes that have occurred since the draft Budget in April 2022. The budgeted operating surplus for 2022/23 has increased from $9.1m to $12.2m, although the majority of the movement is merely due to changes in expected timing for certain external grants.

12. The draft Budget released in April 2022 utilised preliminary valuations from the Valuer-General Victoria (VGV). Final valuations of all properties in the municipality have now been received, and adjustments have been made to the “rate in $” to ensure compliance with the Fair Go Rates System. Total rates and charges has increased from the initial draft budget of $125,111,946 to $125,163,270 as the valuations of all properties has been finalised.

13. The 2021/22 budget allowed capacity for Council to borrow an additional $20m. However, the assessment of cash requirements has identified that the additional borrowings are not required during 2020/21. Instead, we have allowed capacity for Council to borrow up to $20m during 2022/23 to support Council in delivering our significant program of capital works.

14. In response to community feedback, $37,000 was added to the Budget for preliminary design and consultation work for a potential new shared zone in the Perry Street precinct in Collingwood. Council is undertaking these preliminary works with the intention of advocating to the State Government to fund the remainder of the project.

15. Council’s current COVID-19 Financial Hardship Policy expires on 30 Jun 2022, and this report seeks to revert back to Financial Hardship Policy, which has also been updated to ensure continuation of support to ratepayers experiencing financial hardship.

16. Under the updated Financial Hardship Policy, Council will encourage those ratepayers and service users experiencing hardship to set up a payment plan with Council tailored specifically to the ratepayers needs to reduce the amount of debt owing and not have accumulating debt.

17. Between 1st July 2022 and 31st December 2022, penalty interest charges will apply to outstanding Rates and Charges for the financial year of 2022/2023. From the 1st January 2023 penalty interest charges will apply to all outstanding Rates and Charges for past and current financial years. However, Council could hold or waive penalty interest charges as part of payment plan arrangements for ratepayers experiencing financial hardship.

18. Council may engage legal and debt collection agencies to recover unpaid council fees and charges, but only when ratepayers and service users refuse to engage, and all other options have been exhausted.

19. The Victorian Government has introduced the Local Government Legislation Amendment (Rating and Other Matters) Bill 2022 into Parliament on 8 June 2022. This Bill seeks to empower the Minister for Local Government to make Ministerial Guidelines on unpaid rates and charges and hardship to ensure greater consistency across councils in how they deal with ratepayers experiencing financial hardship. Further review and update will be made to the Financial Hardship Policy once new legislation and ministerial guidelines are issued.

Options

20. There are no options to be considered in this report.

Community and stakeholder engagement

21. Significant community engagement was undertaken in November and December 2021 inviting the community to share their priorities and aspirations for the future of Yarra. The community engagement was facilitated via online Your Say Yarra page and pop-up in person events. It was also prompted via e-mail campaign, Yarra Life eNews, social media and postcards at all neighbourhood houses. We heard from approximately 376 participants and the results have assisted the in development of the draft Budget and Financial Plan.

22. The draft Budget and Financial Plan was presented at the Ordinary Council meeting on 19 April 2022, and was adopted in principle, to seek community feedback.

23. Engagement during the exhibition period between Friday 22 April and Friday 6 May 2022 was facilitated online, in person and via email and hard copy. The following methods were used to encourage and facilitate the Yarra community to engage in our budget consultation process:

    (a) yoursayyarra.com.au/budget2223 – Feedback tool – Go live: Friday 22 April 2022;

    (b) Mayor's video – Introducing the Budget – Available via yoursayyarra.com.au/budget2223;

    (c) Hard copy draft budgets available at town halls and posted if requested; and

    (d) Three information sessions were promoted to the broad community. They included an online webinar, one in person session and another in person session dedicated for youth. The webinar was recorded so our community could watch in their own time during the exhibition period.

24. Council received feedback from 162 contributors. Some contributors raised multiple issues in their feedback with 178 comments being received across 22 themes.

25. A special council meeting was held on Monday 30 May 2022 to hear feedback from community members who wished to speak in support of their submission.

Policy analysis

Alignment to Council Plan

26. The Council Plan 2021-25 and Yarra Vision – Yarra 2036 has been adopted in accordance with the *Local Government Act 2020*.

27. The Budget and Financial Plan has been structured according to the Strategic Objectives in the Council Plan 2021-25 and Yarra Vision 2036.

Climate emergency and sustainability implications

28. The Budget and Financial Plan preparation and adoption process shows a commitment to continue funding appropriate environmental initiatives.

Community and social implications

29. The Budget and Financial Plan supports Council's social policies and services.

Economic development implications

30. The Budget and Financial Plan preparation and adoption process has wide-ranging economic implications for Yarra's citizens, particularly those reliant on Council infrastructure, services and funding, which in turn continue to support and contribute to economic activity in the municipality.

Human rights and gender equality implications

31. There are no human rights and gender equality implications considered in this report.

Operational analysis

Financial and resource impacts

32. The Budget and Financial Plan has major financial implications for Council's current and future operations and financial direction into the future.

Legal Implications

33. The Budget and Financial Plan have been prepared in accordance with the Local Government Act 2020.

Conclusion

34. Council's 2022/23 Budget and Financial Plan process commenced in November 2021 and has involved numerous meetings with Councillors and Officers over the past several months.

35. Council ran an early community engagement process in late 2021 and this initial round of consultation assisted Council to understand a range of community suggestions and priorities for the budget.

36. The draft Budget and Financial Plan was made available for feedback between Friday 22 April and Friday 6 May 2022. Engagement during this period was facilitated online, in person and via email and hard copy.

37. Council received feedback from 162 contributors. Some contributors raised multiple issues in their feedback with 178 comments being received across 22 themes.

38. Council has satisfied the legislative requirements of the process and is now in a position to adopt its Annual Budget 2022/23 and Long Term Financial Plan 2022/23 to 2031/32.

39. Any further changes resulting from the budget deliberation and resolution will be incorporated in the final version of the documents.

40. Council's Financial Hardship Policy has been updated to ensure continuation of support to ratepayers experiencing financial hardship.

RECOMMENDATION

1. That Council, following a community engagement process conducted in accordance with its community engagement policy:

   (a) notes that the Budget and Financial Plan are updated to reflect the changes that have occurred since mid-April 2022. The budgeted operating surplus for 2022/23 has increased from $9.1m to $12.2m, majority of which is merely due to changes in timing for certain external grants;

   (b) notes that the current Council Plan 2021-2022 and Yarra Vision 2036 was used to develop this budget and Financial Plan;

   (c) adopts the Annual Budget 2022/23 as its budget for the 2022/23 financial year and the subsequent 3 financial years (**Attachment One**);

   (d) adopts the Long Term Financial Plan 2022/23 to 2031/32 (**Attachment Two**);

   (e) endorses the updated Financial Hardship Policy (**Attachment Three**);

   (f) declares rates and charges as per pages 33-35 of the budget document (**Attachment One**). In summary, an amount of $125,163,270 (or such greater amount as is lawfully levied as a consequence of this resolution) as the amount which Council intends to raise by General Rates and other charges, which is calculated as follows:

General Rates	$123,640,040
Special Rates & other charges	$526,490
Supplementary Rates	$1,500,000
Pensioner rate rebate and other rate offsets	($503,260)
Total Rates and Charges	$125,163,270

   (g) advises in respect to General Rates:

      (i) a general rate be declared in respect of and for the entire duration of the 2022/23 financial year;

      (ii) it further be declared that the general rate be raised by application of a uniform rate;

      (iii) a percentage of 0.035680990 be specified as the percentage of the uniform rate which may be alternatively expressed as $ 0.035680990 cents in the NAV dollar:

(iv) it be confirmed that no amount is fixed as the minimum amount payable by way of a general rate in respect of each rateable property within the municipality; and

(v) the Council funded Pensioner Rate Rebate be declared at $197.20 for 2022/23;

(h) declares no Annual Service Charge in respect of the 2022/23 financial year;

(i) declares no Municipal Charge in respect of the 2022/23 financial year; and

(j) authorises the Chief Executive Officer to effect administrative and wording changes to the Annual Budget 2022/23, Financial Plan 2022/23 to 2031/32 and Financial Hardship Policy, which may be required.

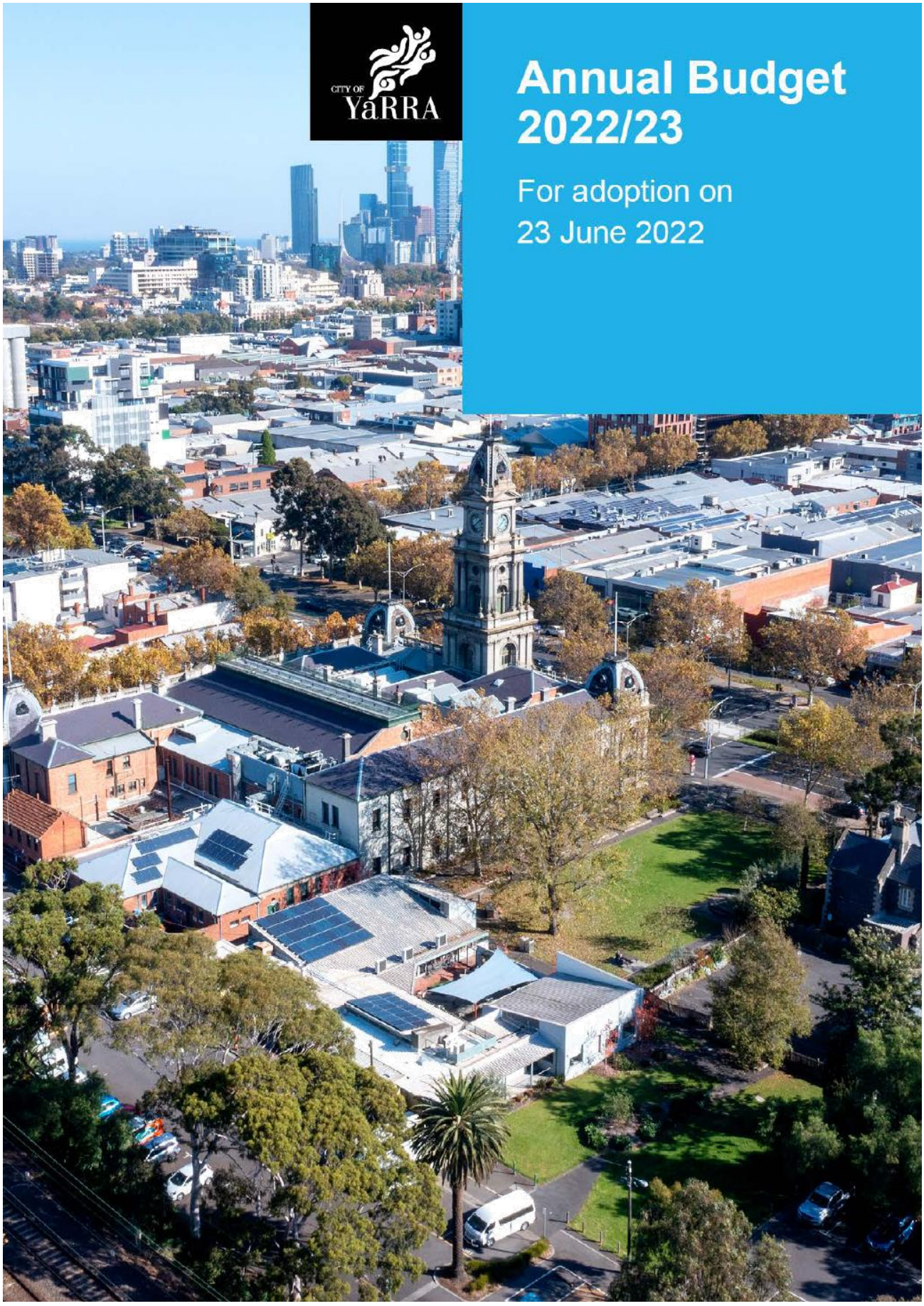
Attachments

1⇩ Attachment 1 - Annual Budget 2022-23

2⇩ Attachment 2 - Long Term Financial Plan 2022-23 to 2031-32

3⇩ Attachment 3 - Updated Financial Hardship Policy

Attachment 1 - Attachment 1 - Annual Budget 2022-23



Contents

	Page
Message from the Mayor	03
Executive Summary	05
Budget Influences	09

Budget Reports

1. Link to the Council Plan	10
2. Services and service performance indicators	12
3. Financial statements	24
4. Notes to the financial statements	33
5. Financial Performance Indicators	55
6. Schedule of fees and charges	56

Message from the Mayor

We are pleased to present our 2022-23 Budget.

Like all councils across Victoria, Yarra has been impacted financially by the COVID-19 pandemic, both through increased spending to support our local community and businesses and loss of revenue.

At Yarra City Council, we made a deliberate and considered decision to step up and assist our community, and businesses during the pandemic. This included significantly expanding our rates hardship policy, waiving all footpath and outdoor trading fees to support Yarra businesses, and providing more than $1.5m in additional grants. As a result, our operating environment and financial position has been impacted with losses in excess of $50 million. Rising inflation also presents a risk to Council's Budget outcomes given the global and local impacts of events over the past three years and uncertainties with the future economic outlook.

In addition to this, we have had to manage the financial challenges associated with a growing population, ageing infrastructure, rate capping, cost-shifting and the need to repay debt and build cash reserves in the short to medium term.

In order to continue to deliver what our community wants and expects, as well as continuing to deliver on our vision, we have needed and will need to make some strategic decisions. Urgent consideration has been given to improving operational efficiencies, managing costs, attracting external funding and expanding opportunities to generate revenue.

Our Budget 2022-23 focuses on addressing our current and future priorities, whilst also being realistic about our financial position.

Council expects to deliver financial improvements and efficiencies over the next 10 years of at least $23 million. In addition to this we are currently undertaking a strategic review of our operations.

Council is also seeking to maximise the public value of its existing assets.

Despite the challenging times we are in, I am proud to present a Budget that has a strong focus on sustainability, both in terms of our fiscal responsibilities and the types of infrastructure we are delivering.

This is a Budget that focuses on improving efficiencies while still delivering what our community needs and expects.

We have worked hard to provide a Budget which aligns with our Council Plan 2021-25. It looks at ensuring we achieve our strategic direction in the areas of climate and the environment, social equity and health, local economy, place and nature, transport and movement and democracy and governance. It continues to support the provision of a wide range of high-quality services and outlines a range of projects and initiatives that will help us achieve our community's vision for Yarra.

Council will continue to support its more vulnerable community members through its Hardship Policy and Pensioner Rebate, and we will support the broader community through the following projects:

- Continuing to transition Council buildings off gas, including making significant progress in relation to getting our Town Halls off gas.
- Collingwood College Early Childhood Centre development (funded primarily by the Department of Education, in partnership with Collingwood College). Council will deliver a refurbished building and outdoor area for the purpose of Council operating three and four-year-old funded kindergarten, playgroups and occasional care.
- Designing a new pocket park in Charlotte Street, Richmond which will be delivered in a following year.
- A range of improvements across Yarra's bicycle network.

- Road safety improvements via programs agreed with the community in Carlton North, Fitzroy North, Clifton Hill, Abbotsford and Richmond.
- Delivering programs to support households and businesses to reduce carbon emissions to work towards a zero carbon Yarra.
- Continuation of master planning for Inner Circle Linear Parklands including community consultation.
- The introduction of a CALD digital literacy learning program. Council is engaging officers with community language skills, particularly Cantonese, Mandarin, Vietnamese and Somali, to support our
- Acceleration of Yarra's tree planting program to support the planting of 500 additional trees above the approximate1000 trees we usually plant each year.

In addition, we will also be commencing a significant IT investment which will enhance and improve our customer experience, providing our community with online access to Council services, anywhere, at any time.

The Budget includes a rate increase of 1.75 per cent which is in line with the 2022-23 rate cap implemented by the Victorian Government, which the Essential Services Commission set based on CPI.

In response to community submissions, we have added $37,000 to this Budget for preliminary design and consultation work for a potential new shared zone in the Perry Street precinct in Collingwood. Council is undertaking these preliminary works with the intention of advocating to the State Government to fund the remainder of the project.

This change has been made in acknowledgment of the major upgrades that have happened and are happening in neighbouring public facilities including Collingwood Yards and Melbourne Polytechnic. The aim is to create a safer, more welcoming space for those travelling to and between these facilities and neighbouring organisations, businesses and residences.

A change to the Budget has also been made to specify that of the $150,000 earmarked for open space design, some will be allocated to investigating possible options in Cremorne, and initial consideration of a possible community space at the western end of Cameron St in Richmond.

I am proud to deliver a responsible Budget that balances current priorities with future needs. It also identifies financial improvements and efficiencies needed over the next 10 years which will ensure Council's financial stability well into the future.

Warm regards,

Mayor Cr Sophie Wade
Yarra City Council

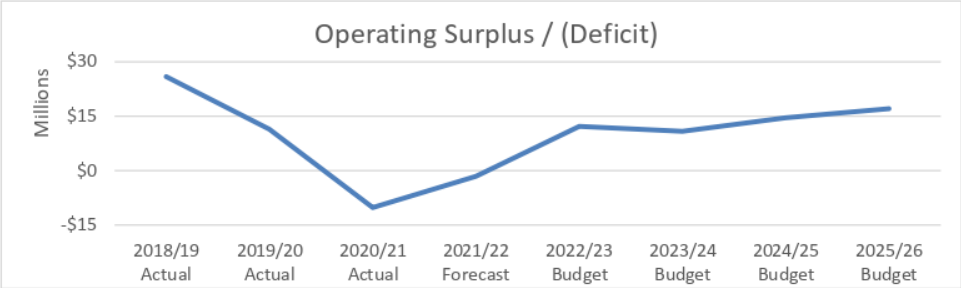
Executive Summary

The Budget 2022/23 focuses on addressing our current and future priorities, whilst also being realistic about the challenging financial environment.

Key statistical information and analysis is provided below comparing the 2021/22 Forecast to the 2022/23 Budget. The 2021/22 financial year continues to be significantly impacted by COVID-19. While this budget assumes a return to some degree of economic normality for 2022/23, it is recognised that this assumption remains a risk to our budget projections.

The projected forecast for 2021/22 will be $1.6m deficit whilst the 2022/23 budget returns us to a modest $12.2m surplus. This surplus is necessary in future years in order to fund our capital works and other programs in the future.

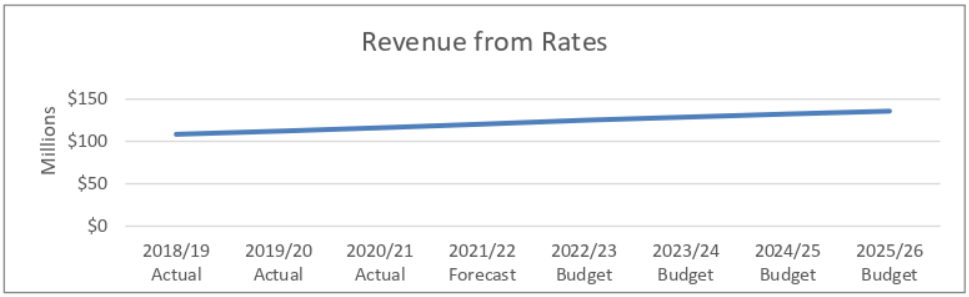
1. Operating Result



The expected operating result for 2022/23 is a surplus of $12.2m, an improvement of $13.9m compared to the 2021/22 Forecast ($1.6m). This is partly due to the assumption of a return to pre COVID activities in 2022/23. The impact of COVID-19 on Council finances is clearly demonstrated in the graph above. As loss of revenue and importantly our investment in COVID-19 support and relief packages for the community has seen a marked effect on our financial results in the past three years.

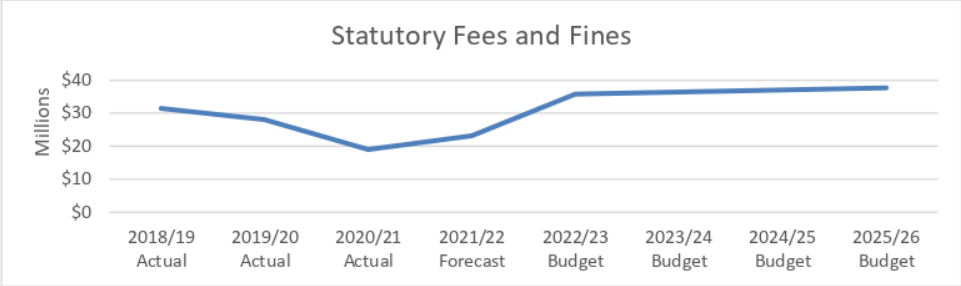
2. Rates and Charges

Total revenue from rates and charges is projected to be $125.2m which incorporates the average rate increase of 1.75%. This is in line with the Fair Go Rates System (FGRS) which caps rates increase by Victorian councils for the 2022/23 financial year.



It is important to note, the actual rate increases experienced by individual ratepayers may differ from the 1.75% increase due to revaluations. Rate increases are impacted by the average rate increase (1.75%) and the property valuation increases (or decreases) of individual properties relative to the average across the municipality. If your property value increased by less than the average for the Council your rates will increase by less than 1.75% and may in fact reduce from the previous year. If your property increased in value by more than the average, your rates will increase by more than 1.75%.

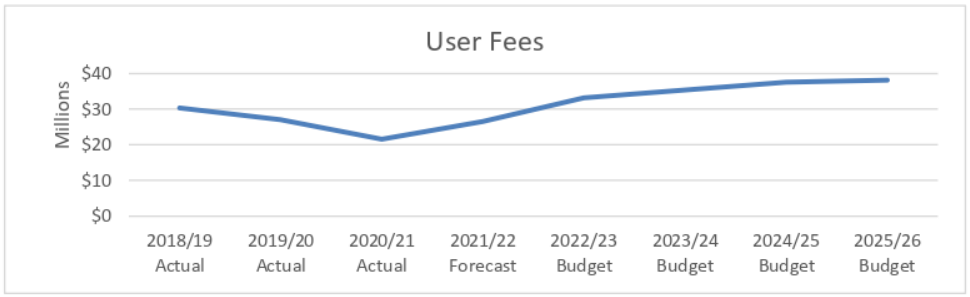
3. Statutory Fees and Fines



Revenue from Statutory Fees and Fines are expected to be $35.8m, an increase of 43% on the 2021/22 Forecast. This reflects the drop in revenue from 2019/20 to 2021/22 (particularly parking revenue) due to COVID-19 and a budgeted return to pre COVID-19 activities in 2022/23.

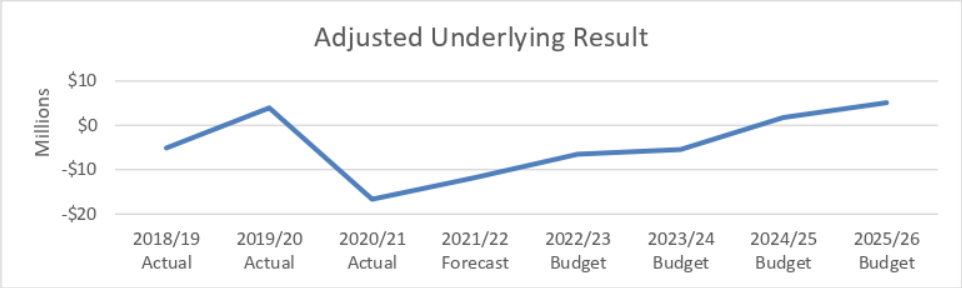
For the first time in six years, Council will increase metered parking and permit fees in 2022/23. The cost of Yarra's resident parking permits will still remain among the lowest in inner-city Melbourne, and we are also maintaining our significant concession discounts (including retaining a free first permit for concession holders). We are also moving towards a more demand driven parking model that considers demand for parking spaces in price setting. The increase in parking revenue will help Council to continue to provide the services and projects the community wants us to invest in.

4. User Fees



Revenue from User Fees are expected to be $33.2m which is an increase of 20% on the 2021/22 Forecast. This is again related to the assumption of a return to pre COVID-19 activity levels in 2022/23.

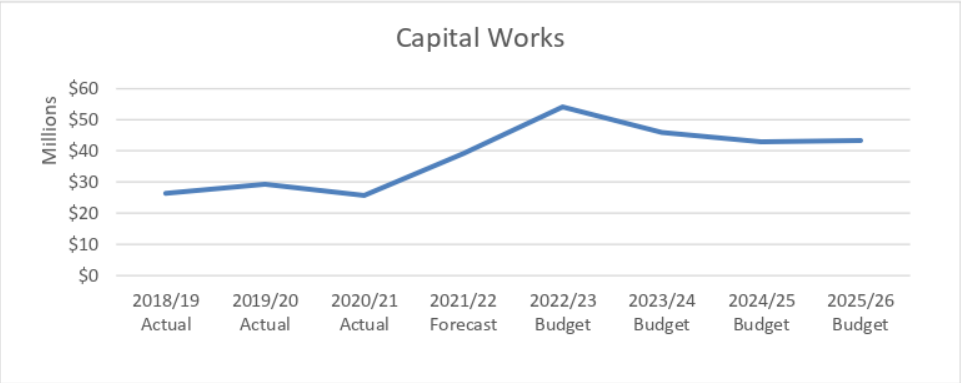
5. Financial Sustainability



The adjusted underlying result is the surplus/deficit for the year adjusted for capital grants and contributions. This is a measure of financial sustainability, and it shows a marginal improvement over the term of the Budget, although this measure remains negative during 2022/23 and 2023/24.

The budget has been prepared for the four year period ending 30 June 2026. It is set within a Financial Plan, which assists Council adopting a budget within a longer term financial framework. The key objective of the Financial Plan is to maintain financial sustainability in the medium to long term, while still achieving the Council's strategic objectives.

6. Capital Works



Our Capital works spend has been impacted over the past three financial years by COVID-19. We are pleased to provide a budget that shows a major lift in capital investment across the next four years. Our 2022/23 capital investment comprises $38.9m of new projects (as detailed throughout this budget document). We are also expecting a further $15.2m carried forward projects from the 2021/22 financial year.

7. Borrowing

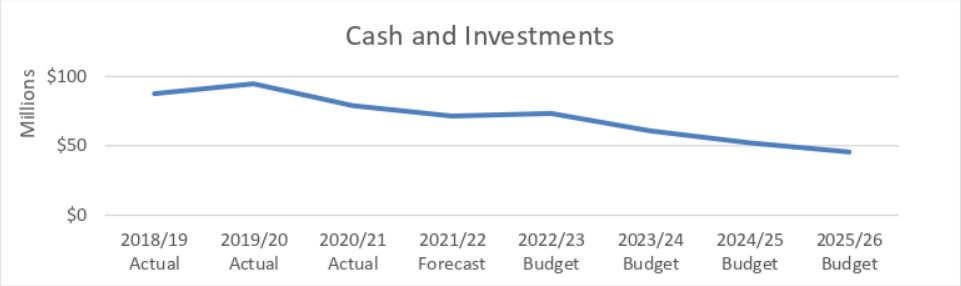
Council borrowed $32.5m in 2013/14 to settle the Vision Super unfunded defined benefit liability and fund major capital projects. This borrowing was interest only and the full principal amount was refinanced in February 2022.

The 2021/22 budget allowed capacity for Council to borrow an additional $20m. However, the assessment of cash requirement has identified that the additional borrowings was not required during 2020/21. Instead, we have allowed capacity for Council to borrow up to $20m during 2022/23 to support Council in delivering our significant program of capital works.

Council recognises that long term borrowings can be a useful tool for funding renewal of existing and major new assets. It also recognises while borrowings enhance the capacity of Council's short term capital program, debt repayment and borrowing costs may potentially limit the capacity of future capital programs. It is, therefore, important the utilisation of debt as a funding tool is applied judiciously.

This budget provides Council will repay principal and interest on all borrowed funds (new and renewed) on an annual basis with a long term reduction in borrowings across the next ten years. Our principal repayments will allow Council, depending on prevailing circumstances in the future, to have capacity to borrow further in later years, should that be required.

8. Cash and Investments



Cash and investments, including term deposits, are expected to increase by $1.9m during the year to $73.4m at 30 June 2023. Future cash balances will decline as council expands its capital works program as well as repay debts.

Council must maintain a reasonable amount of cash to meet the requirements of Council business, to ensure timely payment of all liabilities. Council also hold funds for trust and reserves. This ensures all reserves can be accessed at any time to fund the purpose of the reserve. The open space reserve is an example of funds received from developers specifically set aside for future investment in open spaces within our municipality. Council's unrestricted cash reserves comprise $39.4m of the $73.4m described above.

Budget Influences

The four years represented within the Budget are 2022/23 through to 2025/26. In preparing the 2022/23 budget, a number of influences have been taken into consideration. These are outlined below:

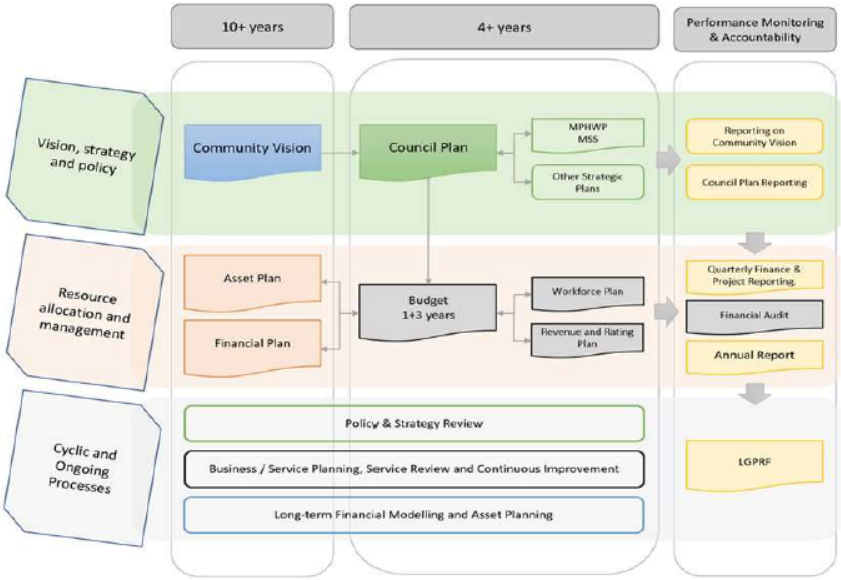
- The City of Yarra is a vibrant inner metropolitan municipality which is home to a diverse community.
- Population Growth – As of 2022, the resident population is estimated at 108,632 residents living across 40,000 households. The average household size is 2.1 people. Half of households rent their home, well above the Greater Melbourne average (29%). 10% of Yarra's residents live in public housing, well above the Greater Melbourne average (2.6%). Almost 4 in 10 Yarra households are in the highest income quartile earning over $2,395 per week. 1 in 5 households are in the lowest quartile group earning up to $740 per week. 29% of Yarra's residents were born overseas. By 2041, the population for the City of Yarra is forecast to increase to 157,607 residents by 2041.
- Location – Yarra's 19.5 square kilometres include the suburbs of: Abbotsford, Alphington (south of Heidelberg Road), Burnley, Carlton North, Clifton Hill, Collingwood, Cremorne, Fairfield (south of Heidelberg Road), Fitzroy, Fitzroy North, Princes Hill and Richmond.
- Coronavirus – COVID-19 has presented a fast-evolving significant challenge to businesses, households, and the economy worldwide. Council has acted in the interest of keeping our community, residents and workforce safe. Council's financial position has been impacted significantly by the COVID-19 pandemic with a loss in excess of $50 million.
- Rising inflation presents a risk to Council's budget outcomes given the global and local impacts of events over the past three years and uncertainties with the future economic outlook.
- Waste Disposal Costs – The Environment Protection Agency (EPA) regulation has a sustained impact on Council with regards to compliance with existing and past landfills sites. Waste disposal costs are also impacted by industry changes such as levies and negotiation of contracts e.g. recycling sorting and acceptance. For example, effective 01 July 2021, the State Government waste levy (formerly landfill levy) has increased by $40.00 per metric tonne (from $65.90 to $105.90). A further $20.00 increase is planned for 2022/23.
- Cost shifting - this occurs where Local Government provides a service to the community on behalf of the State and Federal Government. Over time, the funds received by Local Governments does not increase in line with real cost increases, such as school crossing or library services, resulting in a further reliance on rate revenue to meet service delivery expectations.
- Enterprise Agreement (EA) – Council successfully negotiated the 2022 enterprise agreement (EA). The impacts of the EA have been included in current and future budgets.
- Superannuation – Council has an ongoing obligation to fund any investment shortfalls in the Defined Benefits Scheme, which has been closed to new members since 1993. The last call on Local Government was in the 2012-2013 financial year where Council was required to pay $11.3m to top up its share of the Defined Benefits Scheme. The amount and timing of any liability is dependent on the global investment market. At present the actuarial ratios are at a level that additional calls from Local Government are not expected in the next 12 months
- Financial Assistance Grants – The largest source of government funding to Council is through the annual Victorian Grants Commission allocation. The overall state allocation is determined by the Federal Financial Assistance Grant.
- Capital Grant Funding – Capital grant opportunities arise continually.
- Rate Capping – The Victorian State Government continues to apply a cap on rate increases. The cap for 2022/23 has been set at 1.75%. The budget assumes the rate cap to remain the same in future years, noting that a new cap will be announced each year.
- Supplementary Rates – Supplementary rates are additional rates received after the budget is adopted each year, for the part of the year when a property value increases in value (e.g. due to improvements made or change in land class), or new residents become assessable. Importantly, supplementary rates recognises that new residents require services on the day they move into the municipality and Council is committed to providing these. Supplementary rates income is based on historical and forecast data and is set at anticipated levels. Supplementary rates become part of the general rates in the following year.
- Development Contributions – The rate of growth and flow of development contributions income depends on land sales and the desire of developers to construct new developments within the municipality. As Yarra's Development Contribution scheme only formally commenced in early 2021, development contributions income is based on forecast data and is set at anticipated levels.

1. Link to the Integrated Strategic Planning and Reporting Framework

This section describes how the Budget links to the achievement of the Community Vision and Council Plan within an overall integrated strategic planning and reporting framework. This framework guides the Council in identifying community needs and aspirations over the long term (Community Vision and Financial Plan), medium term (Council Plan, Workforce Plan, and Revenue and Rating Plan) and short term (Budget) and then holding itself accountable (Annual Report).

1.1 Legislative planning and accountability framework

The Budget is a rolling four-year plan that outlines the financial and non-financial resources that Council requires to achieve the strategic objectives described in the Council Plan. The diagram below depicts the integrated strategic planning and reporting framework that applies to local government in Victoria. At each stage of the integrated strategic planning and reporting framework there are opportunities for community and stakeholder input. This is important to ensure transparency and accountability to both residents and ratepayers.



Source: Department of Jobs, Precincts and Regions

The timing of each component of the integrated strategic planning and reporting framework is critical to the successful achievement of the planned outcomes.

Council adopted Yarra 2036 Community Vision on 20 July 2021 in accordance with the Local Government Act 2020. Yarra's first Community Vision sets out our community's hopes, aspirations and priorities for a 15 year period. It provides a future lens to guide Council's planning and decision making. The Vision is the product of an extensive two staged engagement approach which started with broad community engagement in November 2020, and a community panel in May 2021.

The Council Plan 2021-25 addresses Yarra 2036 Community Vision and was adopted by Council on 19 October 2021 in accordance with the Local Government Act 2020.The annual budget 2022/23 has been structured according to the Strategic Objectives in the Council Plan 2021-25.

1.1.2 Key planning considerations

Service level planning

Although councils have a legal obligation to provide some services— such as animal management, local roads, food safety and statutory planning—most council services are not legally mandated, including some services closely associated with councils, such as libraries, building permits and sporting facilities. Further, over time, the needs and expectations of communities can change. Therefore councils need to have robust processes for service planning and review to ensure all services continue to provide value for money and are in line with community expectations. In doing so, councils should engage with communities to determine how to prioritise resources and balance service provision against other responsibilities such as asset maintenance and capital works. Community consultation needs to be in line with a councils adopted Community Engagement Policy and Public Transparency Policy.

1.2 Our purpose

Our Vision

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.

Our values

We aim to achieve the greatest outcomes for the community through delivering our Council Plan and working with, and for, all in Yarra. Our values guide our conduct and working relationships with colleagues and the community.

ACCOUNTABILITY

We own what we do and expect others to as well.

RESPECT

We include all. Diversity is our strength.

COURAGE

We are intentional in our actions. We seek the brave path.

1.3 Strategic objectives

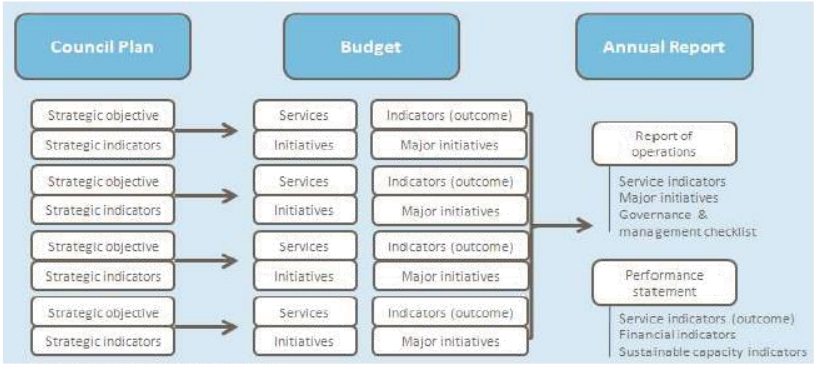
Council delivers services and initiatives across a number of Branches and Business Units. Each contributes to the achievement of one of the Strategic Objectives as set out in the Council Plan incorporating the Municipal Public Health and Wellbeing Plan for the years 2021-25.

The following table lists the six Strategic Objectives as described in the Council Plan 2021-25.

Strategic Objective	Description
1 Climate and environment	Yarra urgently mitigates climate change while also adapting to its impacts and developing resilience in everything we do. The community, business and industry are supported and encouraged to do the same.
2 Social equity and health	Yarra's people have equitable access and opportunities to participate in community life. They are empowered, safe and included.
3 Local economy	Yarra's neighbourhoods and major activity centres, nightlife and employment precincts are thriving, accessible and connected. They support and inspire diverse creative communities, cultural activities, businesses, and local employment.
4 Place and nature	Yarra's public places, streets and green open spaces bring our community together. They are planned to manage growth, protect our unique character and focus on people and nature.
5 Transport and movement	Yarra's transport network is sustainable and recognises that streets are important shared public spaces. Transport and movement is accessible, safe and well connected.
6 Democracy and governance	Yarra is smart, innovative and sustainable. Our decisions and advocacy are built on evidence and meaningful engagement. Good governance is at the heart of our processes and decision-making.

2. Services and service performance indicators

This section provides a description of the services and initiatives to be funded in the Budget for the 2022/23 year and how these will contribute to achieving the strategic objectives outlined in the Council Plan. It also describes several initiatives and service performance outcome indicators for key areas of Council's operations. Council is required by legislation to identify major initiatives, initiatives and service performance outcome indicators in the Budget and report against them in their Annual Report to support transparency and accountability. The relationship between these accountability requirements in the Council Plan, the Budget and the Annual Report is shown below



Source: Department of Jobs, Precincts and Regions

2.1 Strategic Objective 1

Climate and environment:
Yarra urgently mitigates climate change while also adapting to its impacts and developing resilience in everything we do. The community, business and industry are supported and encouraged to do the same.

Services

Service area	Description of services provided		2020/21 Actual $'000	2021/22 Forecast $'000	2022/23 Budget $'000
Sustainability Services	Sustainability Services delivers overarching environment and sustainability policy, programs, engagement and communications, focused strongly on responding to the climate emergency.	*Inc*	25	-	170
		Exp	3,153	3,915	4,017
		Surplus / (deficit)	**(3,128)**	**(3,915)**	**(3,847)**
City Works	City Works oversees the delivery of all waste services and waste minimisation. Key Services: • Waste and recycling services, policy and planning • Waste minimisation	*Inc*	585	-	-
		Exp	24,263	25,724	26,056
		Surplus / (deficit)	**(23,678)**	**(25,724)**	**(26,056)**

Major Initiatives

1) **Transition Council buildings off gas ($3.6M)**
Council is undertaking design for the renewal of building services at Richmond Town Hall . A major component of this is Heating, Ventilation and Airconditioning (HVAC) , which will include full electrification to enable retirement of the use of gas at the facility, along with renewal of lighting, power/data cabling and fire systems.

Other Initiatives

2) **Support transition to zero carbon households and business ($272K)**
Council is delivering targeted programs and engagement to support households and businesses to reduce carbon emissions.

Service Performance Outcome Indicators

Service	Indicator	2020/21 Actual	2021/22 Forecast	2022/23 Budget
Waste collection*	Waste diversion	33.03%	33.03%	33.03%

** refer to table at end of section 2.6 for information on the calculation of Service Performance Outcome Indicators*

2.2 Strategic Objective 2

Social equity and health

Yarra's people have equitable access and opportunities to participate in community life. They are empowered, safe and included.

Services

Service area	Description of services provided		2020/21 Actual $'000	2021/22 Forecast $'000	2022/23 Budget $'000
Aboriginal Partnerships	The Aboriginal Partnerships team connects Yarra City Council to the Yana Ngargna Advisory Group, the Wurundjeri Woi Wurrung and the broader Aboriginal and Torres Strait Islander community, brokering relationships and embedding Aboriginal community concerns in Council policy. The partnerships team implements and oversees the development of plans and ensures that Council supports, respects and maintains ongoing conversations with the Aboriginal community. Key services: •Development and implementation of the Yana Ngargna Plan •Administration of Yana Ngargna Advisory Group and other networks •Facilitation of internal RAP Working Group •Promotion and celebration of Aboriginal culture	*Inc*	15	-	-
		Exp	268	294	301
		Surplus/ (deficit)	**(253)**	**(294)**	**(301)**
Aged and Disability Services	Aged and Disability Services provides a range of services to assist older adults and people with disabilities to live independently in their homes. The services include home care, personal care, home maintenance, meals and social support to older people, younger people with disability and their carers. The Branch carries out community development and strategic planning roles to support the inclusion of older adults and people with disability in community life. Key Services: • Delivering community care services • Community Development • Support for Older Persons Groups • Strategy planning and development for Disability, Access & Inclusion and Active Ageing • Community Transport • Contract Management	*Inc*	3,879	4,174	4,054
		Exp	5,619	6,005	6,296
		Surplus/ (deficit)	**(1,740)**	**(1,830)**	**(2,241)**
Community Development	Community Development strengthens civic participation, champions social inclusion and cohesion and supports community groups and organisations through programs including the Community Grants Program, Neighbourhood Houses Partnership Strategy and MOU, Social Justice Charter, Homelessness & Rough Sleeping Engagement, Volunteering Strategy, Multicultural Partnerships Plan and Community Strengthening Policy Framework. Key Services: • Community capacity building initiatives (community events, training and education) • Supporting multicultural community networks (Multicultural Advisory Group, Yarra Settlement Forum Yarra and Interfaith Network) • Manage relationships and funding agreements with Neighbourhood Houses and community centres • Grant making (applications, assessment, recommendation, awarding, monitoring and return measurement) • Engagement with rough sleepers and service coordination	*Inc*	50	60	-
		Exp	4,280	3,581	3,425
		Surplus/ (deficit)	**(4,230)**	**(3,521)**	**(3,425)**

Service area	Description of services provided		2020/21 Actual $'000	2021/22 Forecast $'000	2022/23 Budget $'000
Compliance Services	Compliance Services is responsible for a range of statutory enforcement services to maximise the health, safety and harmony of the City. Key services: • Animal Management • Local Laws Enforcement • School Crossing Management • Temporary Liquor Licensing referrals • Local Law permits • Litter Enforcement • Construction Enforcement • Planning Enforcement • Health Protection • Gleadell Street Market	*Inc*	3,223	4,233	4,578
		Exp	7,229	6,452	6,553
		Surplus/ (deficit)	**(4,007)**	**(2,219)**	**(1,975)**
Family, Youth and Children's Services	Family, Youth and Children's Services provides a diverse range of contemporary, affordable, responsive and accessible quality frontline services to children, young people and families aged 0-25 years and is also responsible for municipal wide planning for children and young people. Key services: • Education and Care / Children's Services • Maternal & Child Health • Family Support and Programs • Youth & Middle Years support programs • Service Planning and Development • Connie Benn Community Hub	*Inc*	11,382	11,519	13,101
		Exp	17,422	18,333	20,440
		Surplus/ (deficit)	**(6,039)**	**(6,814)**	**(7,339)**
Library Services	Yarra Libraries provides a place for all people to connect with others, discover new things and find inspiration, both within the library walls and beyond. Key Services: • Free core public library services • Authoritative, accessible information services • Collections and services to support individual and collective quality of life • Development and delivery of activities and events to support reader development and social inclusion • Quality service which we develop and evaluate to pursue excellence • Places and spaces for the community to come together – both real and virtual.	*Inc*	709	956	763
		Exp	5,909	6,461	6,389
		Surplus/ (deficit)	**(5,200)**	**(5,505)**	**(5,626)**
Recreation and Leisure Services	Recreation and Leisure Services operates three major leisure and aquatic facilities, a public golf course and a community gymnasium and provides a range of high quality facilities and programs that encourage participation from a broad cross section of the community. The branch is also responsible for developing and maintaining multiple sporting facilities, grounds and pavilions. Key Services: • Collingwood Leisure Centre • Richmond Recreation Centre • Fitzroy Swimming Pool • Collingwood Estate Gym • Burnley Golf Course • Recreation planning, club development and sports field allocation	*Inc*	4,215	6,859	11,865
		Exp	12,130	12,187	13,319
		Surplus/ (deficit)	**(7,914)**	**(5,328)**	**(1,454)**

Service area	Description of services provided		2020/21 Actual $'000	2021/22 Forecast $'000	2022/23 Budget $'000
Social Strategy	Social Strategy has responsibility for developing and implementing strategies on affordable housing and homelessness, alcohol and other drugs, gambling, community safety and population health and wellbeing. Key services: • Social policy advice • Strategic advocacy • Stakeholder management (government and commissioned agencies in justice, planning, health and human services, et.al) • Qualitative and quantitative survey research • Demography and population forecasts, social and health statistics • Geospatial analysis • Literature reviews	*Inc*	69	40	-
		Exp	476	744	866
		Surplus/ (deficit)	**(407)**	**(704)**	**(866)**

Major Initiatives

1) **Collingwood College Early Childhood Centre ($3.2M)**
Funded primarily by the State Government Building Blocks Program, in partnership with Collingwood College, Council will deliver a refurbished building and outdoor area for the purpose of Council operating 3 and 4 year old funded kindergarten, playgroups and occasional care.

2) **Community Grants ($2.4M)**
Council distributes more than $2M to strengthen our community and promote health and wellbeing. The grant program ranges across several areas including community development, arts and culture, environment, sport and recreation, youth and families.

Other Initiatives

3) **CALD digital learning program ($82K)**
Council is engaging officers with community language skills, particularly Cantonese, Mandarin, Vietnamese and Somali, to support our ongoing community and digital learning programs including foundational digital literacy, job/employment and life skills.

Service Performance Outcome Indicators

Service	Indicator	2020/21 Actual	2021/22 Forecast	2022/23 Budget
Animal Management*	Health and safety	100%	100%	100%
Aquatic Facilities*	Utilisation	3.57	3.57	3.57
Food Safety*	Health and safety	99.54%	99.54%	99.54%
Libraries	Participation	15.10%	15.10%	15.10%
Maternal and Child Health*	Participation	84.63%	84.63%	84.63%
Maternal and Child Health*	Participation in the MCH service by Aboriginal children.	97.34%	97.34%	97.34%

** refer to table at end of section 2.6 for information on the calculation of Service Performance Outcome Indicators*

2.3 Strategic Objective 3

Local economy

Yarra's neighbourhoods and major activity centres, nightlife and employment precincts are thriving, accessible and connected. They support and inspire diverse creative communities, cultural activities, businesses, and local employment.

Services

Service area	Description of services provided		2020/21 Actual $'000	2021/22 Forecast $'000	2022/23 Budget $'000
Arts, Culture and Venues	Arts, Culture and Venues facilitates creative, vibrant and connected communities through place making, community building, capacity building and direct service delivery. Key services: • Venues bookings • Service delivery for the operation of three civic buildings and community spaces • Events permits • Parks and open spaces bookings • Arts development • Community arts • Festivals and events • Art and heritage collections • Room to Create (creative spaces support) program • Civic halls and events management	*Inc*	162	309	522
		Exp	3,781	4,045	4,349
		Surplus/ (deficit)	**(3,619)**	**(3,736)**	**(3,827)**
Economic Development	Economic Development develops programs to support Yarra's economy and promote local businesses and key retail precincts. Key Services: • Providing advice, support and services to local businesses • Undertaking tourism and marketing programs	*Inc*	717	2,778	-
		Exp	1,970	3,180	804
		Surplus/ (deficit)	**(1,253)**	**(402)**	**(804)**

Major Initiatives

1) **Arts and Cultural Grants ($675K)**
   As part of Council's $2.4M grants program, $675K is allocated to projects that support and celebrate arts and culture in Yarra.

Service Performance Outcome Indicators

* refer to table at end of section 2.6 for information on the calculation of Service Performance Outcome Indicators

2.4 Strategic Objective 4

Place and nature

Yarra's public places, streets and green open spaces bring our community together. They are planned to manage growth, protect our unique character and focus on people and nature.

Services

Service area	Description of services provided		2020/21 Actual $'000	2021/22 Forecast $'000	2022/23 Budget $'000
Building Services	Building Services ensures the safety of the public in the built environment, maintains building permit documentation and fulfils Councils statutory functions under the Building Act. Key services: • Statutory Compliance for buildings and structures • Building Customer Service	*Inc*	654	636	697
		Exp	1,628	1,932	2,283
		Surplus/ (deficit)	**(974)**	**(1,296)**	**(1,586)**

Service area	Description of services provided		2020/21 Actual $'000	2021/22 Forecast $'000	2022/23 Budget $'000
City Strategy	City Strategy plans for Yarra's future growth, sustainability and liveability, guides the design of key public spaces and increases and improves Yarra's open space network. Key Services: • Strategic Planning • Urban Design and Place Making • Open Space Planning and Design	*Inc*	64	-	-
		Exp	3,699	4,747	4,800
		Surplus/ (deficit)	**(3,635)**	**(4,747)**	**(4,800)**
Heritage Services	Heritage Services covers all aspects of cultural heritage and heritage places and includes sites, buildings (including interiors), landscapes, streets, laneways, objects, collections, documents and records of the City. Key services: • Providing strategic advice to Council • Managing the Heritage Restoration Fund • Heritage Strategy development and implementation • Coordination of the Heritage Advisory Committee	*Inc*	-	-	-
		Exp	199	401	434
		Surplus/ (deficit)	**(199)**	**(401)**	**(434)**
Open Space Management	City Works oversees the delivery of all street cleaning, open space maintenance and urban agriculture. Key Services: • Street cleaning • Open space maintenance • Services improvement	*Inc*	276	136	138
		Exp	8,105	8,015	9,090
		Surplus/ (deficit)	**(7,829)**	**(7,879)**	**(8,953)**
Statutory Planning	Statutory Planning makes balanced and reasonable decisions about the use and development of land which give effect to state and local planning policies and manages change to respect the liveability of the city. These decisions are to be based on clear procedures, appropriate public participation and coordination with other Branches of Council and the policies and controls outlined with the Yarra Planning Scheme. Key Services: • Planning Applications • VCAT and Panel Hearings • Advice on planning and specialist heritage and environmental sustainability issues • Subdivision compliance	*Inc*	7,026	9,208	8,070
		Exp	6,963	8,609	6,569
		Surplus/ (deficit)	**63**	**598**	**1,501**

Major Initiatives

1) **Yambla Pavilion and public toilets ($1.1M)**
Part funded by the State Government World Game Facilities Fund, Council is renewing Yambla Street Pavilion and public toilets in Quarries Park.

2) **Brunswick Street Oval Precinct Redevelopment ($930K)**
Primarily funded by the State Government through Sport & Recreation Victoria , Council will continue work on the redevelopment of Brunswick Street Oval sporting and community facilities. The redevelopment includes upgraded facilities to enable better participation of women and girls, fit-for-purpose meeting rooms for community use, more public toilets and improved access and safety.

Other Initiatives

3) **New pocket park – Charlotte Street, Richmond ($180K)**
Council will commence design and documentation for a new pocket park in Charlotte Street in response to the identified gap in open space provision in this precinct of Richmond and opportunity identified in the Swan Street Masterplan.

4) **Inner Circle Linear Parklands Masterplan ($200K)**
The Inner Circle Linear Parklands Masterplan will set the strategic direction for the Inner Circle Linear Parklands and guide its future maintenance, development, and improvement over the next ten years.

5) **Tree planting and measure tree canopy ($153K)**
Council will continue to accelerate its tree planting program and also undertake a 5 year review to measure the canopy cover of Yarra's trees and vegetation using infrared imagery consistent with the Urban Forest Strategy actions.

6) **Nature Strategy implementation ($155K)**
Council is allocating funding to continue the implementation of the Year 2 Nature Strategy Action Plan including establishing monitoring locations targeting higher quality habitat and also low-quality areas for key indicator fauna groups, collaborate with the Wurundjeri Woi Wurrung Council Narrap Team to consider alternative indicators of ecosystem health, design and deliver a monitoring program that measures diversity in fauna focussing on key indicator fauna groups and invest in a project that focuses on the long-term sustainability of locally rare flora and fauna.

7) **Integrated Water Management Plan implementation ($175K)**
Council is allocating funding to continue the implementation of the Integrated Water Management Plan including ongoing community engagement programs relating to integrated water management, implementing priority actions from the Stormwater Management Framework Review and priority Water Sensitive Urban Design maintenance.

Service Performance Outcome Indicators

Service	Indicator	2020/21 Actual	2021/22 Forecast	2022/23 Budget
Statutory Planning*	Decision making	58.67%	58.67%	58.67%

** refer to table at end of section 2.6 for information on the calculation of Service Performance Outcome Indicators*

2.5 Strategic Objective 5

Transport and movement

Yarra's transport network is sustainable and recognises that streets are important shared public spaces. Transport and movement is accessible, safe and well connected.

Services

Service area	Description of services provided		2020/21 Actual $'000	2021/22 Forecast $'000	2022/23 Budget $'000
Infrastructure, Traffic and Civil Engineering	Infrastructure, Traffic and Civil Engineering provides technical assessment, planning, community consultation, design and project management of all road infrastructure and development works throughout the municipality. Key Services: • Road Services • Development and Civil Engineering • Capital project delivery • Drainage and Stormwater • Traffic (including LAPMS) • Construction Management	*Inc*	7,604	7,954	7,737
		Exp	7,446	7,074	6,940
		Surplus/ (deficit)	**158**	**880**	**797**
Parking Services	Parking Services is responsible for a range of statutory enforcement services to maximise the safety, compliance and harmony of the City and for the management of limited parking resources. Key Services: • Parking Enforcement Program • Processing Parking Infringements • Parking Permit Scheme • Prosecutions	*Inc*	19,260	23,205	35,788
		Exp	12,756	13,184	14,924
		Surplus/ (deficit)	**6,504**	**10,021**	**20,864**
Strategic Transport	Strategic Transport focuses on advocacy and policy and delivers cycling infrastructure projects. Key Services: • Advocating for improved public transport services • Improving bicycle infrastructure • Developing initiatives to increase number of cyclists • Delivering road safety projects for cyclists and pedestrians	*Inc*	- 6	41	15
		Exp	673	759	799
		Surplus/ (deficit)	**(679)**	**(718)**	**(784)**

Major Initiatives

1) **Transport Action Plan implementation ($1.2M)**
Council is allocating funding to commence implementation of the Transport Action Plan that will deliver a range of bicycle projects and network improvements.

2) **LAPM Program ($1.1M)**
Council is delivering traffic calming and placemaking measures to improve safety and encourage walking and cycling in North Carlton, North Fitzroy, Clifton Hill, Abbotsford and Richmond.

Other Initiatives

3) **New and upgraded pedestrian provisions ($150K)**
Various new and upgraded pedestrian crossings and infrastructure will be delivered.

4) **Road safety spot treatments ($380K)**
Road safety spot treatments, including to support a new pocket park in Otter Street, Collingwood, will be delivered.

Service Performance Outcome Indicators

Service	Indicator	2020/21 Actual	2021/22 Forecast	2022/23 Budget
Roads*	Satisfaction	73	73	73

** refer to table at end of section 2.6 for information on the calculation of Service Performance Outcome Indicators*

2.6 Strategic Objective 6

Democracy and governance

Yarra is smart, innovative and sustainable. Our decisions and advocacy are built on evidence and meaningful engagement. Good governance is at the heart of our processes and decision-making.

Services

Service area	Description of services provided		2020/21 Actual $'000	2021/22 Forecast $'000	2022/23 Budget $'000
Advocacy and Engagement	Advocacy and Engagement provides an end-to-end communications function (internal, external, media, brand, digital channels, civic events, brand management, marketing, graphic design, speeches, consultation). Key Services: • Communications and engagement • Digital communications and marketing • Strategic advocacy	*Inc*	-	-	-
		Exp	2,429	2,900	3,548
		Surplus/ (deficit)	**(2,429)**	**(2,900)**	**(3,548)**
Building and Asset Management	Building and Asset Management is responsible for Council's building assets as well as coordinating asset management and capital works planning and reporting activities across all of Council's asset classes. Key Services: • Strategic Asset Management • Capital Works planning, development, delivery, monitoring and reporting • Building Services and Facilities Maintenance • Building Projects delivery • Development Contribution Plan administration	*Inc*	46	160	1,552
		Exp	7,944	7,483	7,748
		Surplus/ (deficit)	**(7,898)**	**(7,323)**	**(6,197)**
CEO Office	The CEO Office includes the Governance and Support Office, Office of Mayor and Councillors and the Property Management Unit. It is responsible for a range of professional services to internal and external clients, with an emphasis on governance related issues including compliance, regulation, transparency probity and Internal Audit. It is also responsible for managing Councils property portfolio including leases, licences and management agreements. Internal Audit ensures the organisation has policies and procedures in place to manage its risks and engender confidence in our corporate governance. It is responsible for oversight of the organisation's Internal Audit Program and provides the Secretariat function for Council's Audit Committee. Key Services: • Council agendas and minutes • Freedom of Information • Internal ombudsman • Mayor and Councillors Office • Place naming • Property Management • Public Registers • Management of Legal Services • Audit Committee • Internal Audit program	*Inc*	1,635	1,565	1,473
		Exp	7,170	7,238	6,536
		Surplus/ (deficit)	**(5,535)**	**(5,673)**	**(5,063)**

Service area	Description of services provided		2020/21 Actual $'000	2021/22 Forecast $'000	2022/23 Budget $'000
Corporate Planning and Performance	The Corporate Planning and Performance Branch's purpose is to provide leadership and resources to support and enable the organisation to achieve Council's service delivery objectives, legislative requirements and strategic objectives. A key purpose of the Branch is to support Councillors and the community to develop their long and medium term strategic direction, through the Community Vision and Council Plan, and achieve their stated goals and outcomes. Key Services: • Corporate planning and reporting • Community Vision and Council Plan development • Project Management Office • Community Infrastructure Planning • Business Improvement • Council Plan development, monitoring and implementation	*Inc*	-	-	-
		Exp	1,360	1,408	1,146
		Surplus/ (deficit)	**(1,360)**	**(1,408)**	**(1,146)**
Customer Service	The Customer Service Branch is responsible for engaging and assisting customers/community with information, issues and business transactions across all corporate channels. Key Services: • Customer Service • Customer Relationship Management system and Customer Experience Strategy • Records management	*Inc*	-	-	-
		Exp	3,157	3,456	3,464
		Surplus/ (deficit)	**(3,157)**	**(3,456)**	**(3,464)**
Finance	The Finance Branch provides high quality financial services across Council, ensuring that robust systems and processes are in place to safeguard the integrity of Council's assets and to ensure the long-term financial sustainability of Council. Key Services: • Management Accounting • Revenue Management • Rates and Valuation Services • Financial Accounting • Financial Audit • Contracts and Procurement	*Inc*	5,088	4,349	2,541
		Exp	4,170	4,468	4,623
		Surplus/ (deficit)	**918**	**(118)**	**(2,082)**
Human Resources Services and Support	HR Services and Support manages the employee lifecycle (this includes, on boarding and off boarding) and administering employee benefits whilst enabling the organisation to get the most out of their employees and enhance the overall employee experience. Key Services: • HR Business Partnering • Industrial Relations • Payroll	*Inc*	2,738	264	-
		Exp	4,206	2,889	2,046
		Surplus/ (deficit)	**(1,468)**	**(2,625)**	**(2,046)**
Information and Communication Technology	Information and Communication Technology facilitates the acquisition, maintenance, retirement and usage of all information systems maintained or used by the operations and staff of the City of Yarra including fixed and mobile hardware, installed and cloud sourced software and telecommunications equipment. Key Services: • Business Analysis • Support of business applications and process improvements • Administration and maintenance of the IS Infrastructure • GIS Administration	*Inc*	-	-	-
		Exp	8,630	10,671	13,376
		Surplus/ (deficit)	**(8,630)**	**(10,671)**	**(13,376)**

Service area	Description of services provided		2020/21 Actual $'000	2021/22 Forecast $'000	2022/23 Budget $'000
Organisational Culture, Capability and Diversity	The Organisational Culture, Capability and Diversity Team works with leadership, individuals, teams and across the whole of Yarra to ensure that Yarra offers a safe, vibrant and inclusive culture where everyone can make a positive difference in our community. Key Services: • Diversity & Inclusion • Safeguarding Children & Young People • Culture & Organisational Development • Leadership, Learning & Development	*Inc*	12	-	-
		Exp	1,457	1,415	1,546
		Surplus/ (deficit)	**(1,445)**	**(1,415)**	**(1,546)**
Risk and Safety	The Risk and Safety team provides both strategic and operational guidance, advice and resources to support and enable the organisation in minimising risk and safety exposure in Council's service delivery objectives, legislative requirements and strategic objectives. Key Services: • Risk Management • Occupational Health and Safety • Emergency Management	*Inc*	-	-	-
		Exp	2,693	3,438	4,000
		Surplus/ (deficit)	**(2,693)**	**(3,438)**	**(4,000)**

Major Initiatives

1) **Website Redevelopment Project ($566K)**
Council's website will be redeveloped to provide an excellent user experience, support the community to intuitively access information, easily complete transactions and genuinely engage with Council.

Service Performance Outcome Indicators

Service	Indicator	2020/21 Actual	2021/22 Forecast	2022/23 Budget
Governance*	Satisfaction	66	66	66

** refer to table at end of section 2.6 for information on the calculation of Service Performance Outcome Indicators*

Service Performance Outcome Indicators

Service	Indicator	Performance Measure	Computation
Governance	Satisfaction	Satisfaction with Council decisions. (Community satisfaction rating out of 100 with how Council has performed in making decisions in the best interests of the community)	Community satisfaction rating out of 100 with the performance of Council in making decisions in the best interests of the community
Statutory planning	Decision making	Council planning decisions upheld at VCAT. (Percentage of planning application decisions subject to review by VCAT and that were not set aside)	[Number of VCAT decisions that did not set aside Council's decision in relation to a planning application / Number of VCAT decisions in relation to planning applications] x100
Roads	Satisfaction	Satisfaction with sealed local roads. (Community satisfaction rating out of 100 with how Council has performed on the condition of sealed local roads)	Community satisfaction rating out of 100 with how Council has performed on the condition of sealed local roads.

Service	Indicator	Performance Measure	Computation
Libraries	Participation	Active library borrowers. (Percentage of the population that are active library borrowers)	[The sum of the number of active library borrowers in the last 3 financial years / The sum of the population in the last 3 financial years] x100
Waste collection	Waste diversion	Kerbside collection waste diverted from landfill. (Percentage of recyclables and green organics collected from kerbside bins that is diverted from landfill)	[Weight of recyclables and green organics collected from kerbside bins / Weight of garbage, recyclables and green organics collected from kerbside bins] x100
Aquatic Facilities	Utilisation	Utilisation of aquatic facilities. (Number of visits to aquatic facilities per head of population)	Number of visits to aquatic facilities / Population
Animal Management	Health and safety	Animal management prosecutions. (Percentage of animal management prosecutions which are successful)	Number of successful animal management prosecutions / Total number of animal management prosecutions
Food safety	Health and safety	Critical and major non-compliance outcome notifications. (Percentage of critical and major non-compliance outcome notifications that are followed up by Council)	[Number of critical non-compliance outcome notifications and major non-compliance outcome notifications about a food premises followed up / Number of critical non-compliance outcome notifications and major non-compliance outcome notifications about food premises] x100
Maternal and Child Health	Participation	Participation in the MCH service. (Percentage of children enrolled who participate in the MCH service)	[Number of children who attend the MCH service at least once (in the financial year) / Number of children enrolled in the MCH service] x100
		Participation in the MCH service by Aboriginal children. (Percentage of Aboriginal children enrolled who participate in the MCH service)	[Number of Aboriginal children who attend the MCH service at least once (in the financial year) / Number of Aboriginal children enrolled in the MCH service] x100

2.7 Reconciliation with budgeted operating result

	Surplus/ (Deficit)	Expenditure	Revenue
	$'000	$'000	$'000
Climate and environment	(29,902)	30,072	170
Social equity and health	(23,227)	57,588	34,361
Local economy	(4,631)	5,153	522
Place and nature	(14,271)	23,175	8,905
Transport and movement	20,877	22,663	43,540
Democracy and governance	(42,467)	48,033	5,565
Total	**(93,621)**	**186,684**	**93,063**
Expenses added in:			
Depreciation	(24,837)		
Amortisation - right of use assets	(1,163)		
Finance costs - Borrowings	(1,050)		
Finance costs - Leases	(58)		
Other Expenses	(4,920)		
Surplus/(Deficit) before funding sources	**(125,649)**		
Funding sources added in:			
Rates and charges revenue	125,163		
Capital Grants	11,825		
Other Income	872		
Total funding sources	**137,860**		
Operating surplus/(deficit) for the year	**12,210**		

3. Financial Statements

This section presents information in regard to the Financial Statements and Statement of Human Resources. The budget information for the year 2022/23 has been supplemented with projections to 2025/26.

This section includes the following financial statements prepared in accordance with the *Local Government Act 2020* and the *Local Government (Planning and Reporting) Regulations 2020*.

Comprehensive Income Statement
Balance Sheet
Statement of Changes in Equity
Statement of Cash Flows
Statement of Capital Works
Statement of Human Resources

Comprehensive Income Statement

For the four years ending 30 June 2026

	NOTES	Forecast Actual 2021/22 $'000	Budget 2022/23 $'000	Projections 2023/24 $'000	2024/25 $'000	2025/26 $'000
Income						
Rates and charges	4.1.1	120,750	**125,163**	128,845	132,591	136,103
Statutory fees and fines	4.1.2	23,171	**35,754**	36,379	37,016	37,664
User fees	4.1.3	26,556	**33,174**	35,355	37,546	38,203
Grants - operating	4.1.4	21,569	**16,234**	16,518	16,807	17,102
Grants - capital	4.1.4	4,550	**11,825**	7,395	3,881	3,000
Contributions - monetary	4.1.5	5,660	**6,934**	8,900	8,900	8,900
Net gain/(loss) on disposal of property, infrastructure, plant and equipment		650	**80**	50	50	50
Other income	4.1.6	2,100	**1,758**	1,758	1,758	1,758
Total income		205,005	**230,922**	235,201	238,549	242,778
Expenses						
Employee costs	4.1.7	96,236	**103,092**	106,047	107,637	109,804
Materials and services	4.1.8	78,326	**82,691**	85,308	83,227	82,495
Depreciation	4.1.9	24,550	**24,837**	25,337	25,837	26,337
Amortisation - right of use assets	4.1.11	1,275	**1,163**	217	46	46
Bad and doubtful debts		4,213	**5,075**	5,000	5,000	5,000
Borrowing costs		1,200	**1,050**	1,696	1,495	1,288
Finance costs - leases		126	**58**	11	5	3
Other expenses	4.1.12	685	**746**	759	772	786
Total expenses		206,612	**218,712**	224,376	224,020	225,759
Surplus/(deficit) for the year		(1,607)	**12,210**	10,825	14,529	17,020
Other comprehensive income						
Items that will not be reclassified to surplus or deficit in future periods						
Net asset revaluation increment /(decrement)		82,087	**-**	86,025	-	90,928
Total other comprehensive income		**82,087**	**-**	**86,025**	**-**	**90,928**
Total comprehensive result		**80,480**	**12,210**	**96,849**	**14,529**	**107,948**

Balance Sheet

For the four years ending 30 June 2026

	NOTES	Forecast Actual 2021/22 $'000	Budget 2022/23 $'000	Projections 2023/24 $'000	2024/25 $'000	2025/26 $'000
Assets						
Current assets						
Cash and cash equivalents		71,470	**73,385**	60,763	52,087	45,682
Trade and other receivables		18,295	**15,047**	11,973	12,001	12,128
Inventories		95	**95**	95	95	95
Other assets		1,402	**1,402**	1,402	1,402	1,402
Total current assets	4.2.1	91,262	**89,929**	74,233	65,585	59,307
Non-current assets						
Trade and other receivables		5	**5**	5	5	5
Property, infrastructure, plant & equipment		2,121,853	**2,150,614**	2,256,686	2,273,202	2,380,557
Right-of-use assets	4.2.4	1,294	**324**	107	61	15
Total non-current assets	4.2.1	2,123,152	**2,150,942**	2,256,798	2,273,268	2,380,577
Total assets		2,214,414	**2,240,871**	2,331,032	2,338,853	2,439,884
Liabilities						
Current liabilities						
Trade and other payables		15,737	**15,737**	15,737	15,737	15,737
Trust funds and deposits		12,432	**12,432**	12,432	12,432	12,432
Unearned income/revenue		5,125	**5,125**	5,125	5,125	5,125
Provisions		18,139	**18,139**	18,139	18,139	18,139
Interest-bearing liabilities	4.2.3	4,271	**6,060**	6,261	6,468	6,683
Lease liabilities	4.2.4	1,241	**229**	46	49	17
Total current liabilities	4.2.2	56,944	**57,722**	57,740	57,950	58,133
Non-current liabilities						
Provisions		3,667	**3,267**	2,867	2,467	2,067
Interest-bearing liabilities	4.2.3	34,900	**48,834**	42,573	36,105	29,422
Lease liabilities	4.2.4	176	**112**	66	17	-
Total non-current liabilities	4.2.2	38,743	**52,213**	45,506	38,589	31,489
Total liabilities		95,688	**109,935**	103,246	96,538	89,622
Net assets		2,118,726	**2,130,937**	2,227,786	2,242,315	2,350,263
Equity						
Accumulated surplus		650,372	**659,852**	669,582	682,711	698,781
Reserves		1,468,354	**1,471,084**	1,558,204	1,559,604	1,651,482
Total equity		2,118,726	**2,130,937**	2,227,786	2,242,315	2,350,263

Statement of Changes in Equity

For the four years ending 30 June 2026

	NOTES	Total $'000	Accumulated Surplus $'000	Revaluation Reserve $'000	Other Reserves $'000
2022 Forecast Actual					
Balance at beginning of the financial year		2,038,246	656,661	1,362,635	18,950
Surplus/(deficit) for the year		(1,607)	(1,607)	-	-
Net asset revaluation increment/(decrement)		82,087	-	82,087	-
Transfers to other reserves		-	(5,000)	-	5,000
Transfers from other reserves		-	318	-	(318)
Balance at end of the financial year		**2,118,726**	**650,372**	**1,444,722**	**23,632**
2023 Budget					
Balance at beginning of the financial year		2,118,726	650,372	1,444,722	23,632
Surplus/(deficit) for the year		12,210	12,210	-	-
Net asset revaluation increment/(decrement)		-	-	-	-
Transfers to other reserves	4.3.1	-	(5,000)	-	5,000
Transfers from other reserves	4.3.1	-	2,270	-	(2,270)
Balance at end of the financial year	4.3.2	**2,130,937**	**659,852**	**1,444,722**	**26,362**
2024					
Balance at beginning of the financial year		2,130,937	659,852	1,444,722	26,362
Surplus/(deficit) for the year		10,825	10,825	-	-
Net asset revaluation increment/(decrement)		86,025	-	86,025	-
Transfers to other reserves		-	(7,000)	-	7,000
Transfers from other reserves		-	5,905	-	(5,905)
Balance at end of the financial year		**2,227,786**	**669,582**	**1,530,747**	**27,457**
2025					
Balance at beginning of the financial year		2,227,786	669,582	1,530,747	27,457
Surplus/(deficit) for the year		14,529	14,529	-	-
Net asset revaluation increment/(decrement)		-	-	-	-
Transfers to other reserves		-	(7,000)	-	7,000
Transfers from other reserves		-	5,600	-	(5,600)
Balance at end of the financial year		**2,242,315**	**682,711**	**1,530,747**	**28,857**
2026					
Balance at beginning of the financial year		2,242,315	682,711	1,530,747	28,857
Surplus/(deficit) for the year		17,020	17,020	-	-
Net asset revaluation increment/(decrement)		90,928	-	90,928	-
Transfers to other reserves		-	(7,000)	-	7,000
Transfers from other reserves		-	6,050	-	(6,050)
Balance at end of the financial year		**2,350,263**	**698,781**	**1,621,675**	**29,807**

Statement of Cash Flows

For the four years ending 30 June 2026

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	Notes	Forecast Actual 2021/22 $'000	Budget 2022/23 $'000	Projections 2023/24 $'000	2024/25 $'000	2025-26 $'000
		Inflows (Outflows)	**Inflows (Outflows)**	Inflows (Outflows)	Inflows (Outflows)	Inflows (Outflows)
Cash flows from operating activities						
Rates and charges		119,542	**126,912**	130,556	131,265	134,742
Statutory fees and fines		20,854	**32,178**	32,741	33,314	33,897
User fees		26,556	**33,174**	35,355	37,546	38,203
Grants - operating		21,569	**16,234**	16,518	16,807	17,102
Grants - capital		4,550	**11,825**	7,395	3,881	3,000
Contributions - monetary		5,660	**6,934**	8,900	8,900	8,900
Other receipts		2,100	**1,758**	1,758	1,758	1,758
Employee costs		(96,236)	**(103,092)**	(106,047)	(107,637)	(109,804)
Materials and services		(79,411)	**(83,837)**	(86,467)	(84,399)	(83,680)
Other payments		-	**-**	-	-	-
Net cash provided by/(used in) operating activities	4.4.1	25,183	**42,086**	40,709	41,436	44,117
Cash flows from investing activities						
Payments for property, infrastructure, plant and equipment		(39,145)	**(54,105)**	(45,886)	(42,853)	(43,264)
Proceeds from sale of property, infrastructure, plant and equipment		1,150	**580**	550	550	550
Net cash provided by/ (used in) investing activities	4.4.2	(37,995)	**(53,525)**	(45,336)	(42,303)	(42,714)
Cash flows from financing activities						
Finance costs		(1,200)	**(1,050)**	(1,696)	(1,495)	(1,288)
Proceeds from borrowings		32,500	**20,000**	-	-	-
Repayment of borrowings		(34,532)	**(4,271)**	(6,060)	(6,261)	(6,468)
Interest paid - lease liability		(126)	**(58)**	(11)	(5)	(3)
Repayment of lease liabilities		(1,290)	**(1,268)**	(229)	(46)	(49)
Net cash provided by/(used in) financing activities	4.4.3	(4,648)	**13,354**	(7,996)	(7,808)	(7,808)
Net increase/(decrease) in cash & cash equivalents		(17,460)	1,915	(12,622)	(8,676)	(6,405)
Cash and cash equivalents at the beginning of the financial year		88,930	**71,470**	73,385	60,763	52,087
Cash and cash equivalents at the end of the financial year		71,470	**73,385**	60,763	52,087	45,682

Statement of Capital Works

For the four years ending 30 June 2026

	NOTES	Forecast Actual 2021/22 $'000	Budget 2022/23 $'000	Projections 2023/24 $'000	2024/25 $'000	2025-26 $'000
Property						
Buildings		14,704	**14,479**	17,832	20,460	17,595
Total buildings		14,704	**14,479**	17,832	20,460	17,595
Total property		14,704	**14,479**	17,832	20,460	17,595
Plant and equipment						
Plant, machinery and equipment		2,000	**2,188**	1,767	2,041	2,066
Fixtures, fittings and furniture		150	**150**	239	140	140
Computers and telecommunications		1,966	**2,001**	1,789	1,705	2,040
Library books		640	**640**	650	660	670
Total plant and equipment		4,756	**4,979**	4,445	4,546	4,916
Infrastructure						
Roads		6,114	**7,060**	5,200	5,410	6,328
Bridges		2	**-**	50	50	50
Footpaths and cycleways		2,968	**2,381**	1,875	1,371	2,196
Drainage		4,041	**3,752**	2,316	1,728	1,277
Waste management		75	**100**	80	85	85
Parks, open space and streetscapes		4,471	**3,935**	11,075	7,470	8,950
Off street car parks		-	**-**	58	60	60
Other infrastructure		2,014	**2,174**	2,955	1,674	1,806
Total infrastructure		19,685	**19,401**	23,609	17,848	20,752
Total capital works expenditure	4.5.1	39,146	**38,859**	45,886	42,853	43,264
Represented by:						
New asset expenditure		5,886	**9,376**	17,734	15,322	15,667
Asset renewal expenditure		29,024	**26,572**	22,906	18,787	25,664
Asset upgrade expenditure		4,236	**2,912**	5,246	8,744	1,932
Total capital works expenditure	4.5.1	39,146	**38,859**	45,886	42,853	43,264
Funding sources represented by:						
Grants		4,935	**10,844**	7,483	8,981	10,248
Contributions		1,057	**2,700**	6,445	6,145	6,595
Council cash		33,154	**25,316**	31,957	27,727	26,421
Total capital works expenditure	4.5.1	39,146	**38,859**	45,886	42,853	43,264

Statement of Human Resources

For the four years ending 30 June 2026

	Forecast Actual 2021/22 $'000	Budget 2022/23 $'000	Projections 2023/24 $'000	2024/25 $'000	2025-26 $'000
Staff expenditure					
Employee costs - operating	97,485	**104,340**	107,331	108,940	111,133
Employee costs - capital	(1,249)	**(1,248)**	(1,284)	(1,303)	(1,329)
Total staff expenditure	96,236	**103,092**	106,047	107,637	109,804
	FTE	**FTE**	FTE	FTE	FTE
Staff numbers					
Employees	906.0	**906.0**	906.0	906.0	906.0
Employee - capital	(9.9)	**(9.9)**	(9.9)	(9.9)	(9.9)
Total staff numbers	896.1	**896.1**	896.1	896.1	896.1

A summary of human resources expenditure categorised according to the organisational structure of Council is included below:

Department	Budget 2022/23 $'000	Comprises Permanent Full Time $'000	Permanent Part time $'000	Casual $'000	Temporary $'000
CEO Division	**8,450**	7,365	823	158	105
Corporate, Business and Financial Services	**20,409**	17,566	1,908	564	371
Planning and Placemaking	**12,277**	11,370	720	107	80
Community Wellbeing	**30,316**	19,776	8,316	1,822	402
City Works and Assets	**26,686**	21,262	1,439	3,920	65
Total permanent staff expenditure	98,138	77,338	13,207	6,570	1,023
Other employee related expenditure	**(1,248)**				
Capitalised labour costs	**103,092**				
Total expenditure	**103,092**				

A summary of the number of full time equivalent (FTE) Council staff in relation to the above expenditure is included below:

Department	Budget 2022/23	Comprises Permanent Full Time	Permanent Part time	Casual	Temporary
CEO Division	**69.9**	55.0	7.3	6.6	1.0
Corporate, Business and Financial Services	**177.4**	150.7	23.1	0.6	3.0
Planning and Placemaking	**97.2**	89.0	6.6	0.6	1.0
Community Wellbeing	**305.8**	196.1	88.2	17.7	3.9
City Works and Assets	**255.7**	195.0	18.4	41.7	0.6
Capitalised labour	**(9.9)**				
Total staff	**896.1**	685.7	143.6	67.1	9.5

Summary of Planned Human Resources Expenditure
For the four years ended 30 June 2026

	2022/23 $'000	2023/24 $'000	2024/25 $'000	2025/26 $'000
CEO Division				
Permanent - Full time	7,365	7,576	7,690	7,844
Women	5,789	5,955	6,045	6,166
Men	1,575	1,621	1,645	1,678
Persons of self-described gender	-	-	-	-
Permanent - Part time	823	846	859	876
Women	363	373	379	386
Men	460	473	480	490
Persons of self-described gender	-	-	-	-
Total CEO Division	**8,188**	**8,422**	**8,548**	**8,721**
Corporate, Business and Financial Services				
Permanent - Full time	17,566	18,069	18,340	18,709
Women	6,412	6,596	6,694	6,829
Men	11,154	11,474	11,646	11,880
Persons of self-described gender	-	-	-	-
Permanent - Part time	1,908	1,963	1,992	2,032
Women	1,199	1,233	1,252	1,277
Men	709	729	740	755
Persons of self-described gender	-	-	-	-
Total Corporate, Business and Financial Services	**19,474**	**20,032**	**20,332**	**20,742**
Planning and Placemaking				
Permanent - Full time	11,370	11,696	11,871	12,110
Women	6,274	6,454	6,551	6,683
Men	5,096	5,242	5,321	5,428
Persons of self-described gender	-	-	-	-
Permanent - Part time	720	741	752	767
Women	596	613	622	635
Men	124	128	130	132
Persons of self-described gender	-	-	-	-
Total Planning and Placemaking	**12,090**	**12,437**	**12,623**	**12,878**
Community Wellbeing				
Permanent - Full time	19,776	20,343	20,647	21,063
Women	15,092	15,524	15,757	16,074
Men	4,684	4,818	4,891	4,989
Persons of self-described gender	-	-	-	-
Permanent - Part time	8,316	8,555	8,683	8,858
Women	7,007	7,208	7,316	7,464
Men	1,309	1,347	1,367	1,394
Persons of self-described gender	-	-	-	-
Total Community Wellbeing	**28,092**	**28,897**	**29,330**	**29,921**
City Works and Assets				
Permanent - Full time	21,262	21,871	22,199	22,646
Women	6,387	6,570	6,668	6,803
Men	14,875	15,301	15,531	15,843
Persons of self-described gender	-	-	-	-
Permanent - Part time	1,439	1,481	1,503	1,533
Women	645	664	674	687
Men	794	817	829	846
Persons of self-described gender	-	-	-	-
Total City Works and Assets	**22,701**	**23,352**	**23,702**	**24,179**
Casuals, temporary and other expenditure	13,795	14,191	14,403	14,693
Capitalised labour costs	(1,248)	(1,284)	(1,303)	(1,329)
Total staff expenditure	**103,092**	**106,047**	**107,637**	**109,804**

	2022/23 FTE	2023/24 FTE	2024/25 FTE	2025/26 FTE
CEO Division				
Permanent - Full time	55.0	55.0	55.0	55.0
Women	43.8	43.8	43.8	43.8
Men	11.2	11.2	11.2	11.2
Persons of self-described gender	-	-	-	-
Permanent - Part time	7.3	7.3	7.3	7.3
Women	3.3	3.3	3.3	3.3
Men	4.0	4.0	4.0	4.0
Persons of self-described gender	-	-	-	-
Total CEO Division	**62.3**	**62.3**	**62.3**	**62.3**
Corporate, Business and Financial Services				
Permanent - Full time	150.7	150.7	150.7	150.7
Women	56.4	56.4	56.4	56.4
Men	94.3	94.3	94.3	94.3
Persons of self-described gender	-	-	-	-
Permanent - Part time	23.1	23.1	23.1	23.1
Women	13.6	13.6	13.6	13.6
Men	9.5	9.5	9.5	9.5
Persons of self-described gender	-	-	-	-
Total Corporate, Business and Financial Services	**173.8**	**173.8**	**173.8**	**173.8**
Planning and Placemaking				
Permanent - Full time	89.0	89.0	89.0	89.0
Women	50.1	50.1	50.1	50.1
Men	38.9	38.9	38.9	38.9
Persons of self-described gender	-	-	-	-
Permanent - Part time	6.6	6.6	6.6	6.6
Women	5.6	5.6	5.6	5.6
Men	1.0	1.0	1.0	1.0
Persons of self-described gender	-	-	-	-
Total Planning and Placemaking	**95.6**	**95.6**	**95.6**	**95.6**
Community Wellbeing				
Permanent - Full time	196.1	196.1	196.1	196.1
Women	152.8	152.8	152.8	152.8
Men	43.2	43.2	43.2	43.2
Persons of self-described gender	-	-	-	-
Permanent - Part time	88.2	88.2	88.2	88.2
Women	72.9	72.9	72.9	72.9
Men	15.3	15.3	15.3	15.3
Persons of self-described gender	-	-	-	-
Total Community Wellbeing	**284.3**	**284.3**	**284.3**	**284.3**
City Works and Assets				
Permanent - Full time	195.0	195.0	195.0	195.0
Women	57.5	57.5	57.5	57.5
Men	137.5	137.5	137.5	137.5
Persons of self-described gender	-	-	-	-
Permanent - Part time	18.4	18.4	18.4	18.4
Women	7.7	7.7	7.7	7.7
Men	10.7	10.7	10.7	10.7
Persons of self-described gender	-	-	-	-
Total City Works and Assets	**213.4**	**213.4**	**213.4**	**213.4**
Casuals and temporary staff	76.6	76.6	76.6	76.6
Capitalised labour	(9.9)	(9.9)	(9.9)	(9.9)
Total staff numbers	**896.1**	**896.1**	**896.1**	**896.1**

4. Notes to the financial statements

This section presents detailed information on material components of the financial statements. Council needs to assess which components are material, considering the dollar amounts and nature of these components.

4.1 Comprehensive Income Statement

4.1.1 Rates and charges

Rates and charges are required by the Act and the Regulations to be disclosed in Council's budget.

As per the Local Government Act 2020, Council is required and has a Revenue and Rating Plan which is a four year plan for how Council will generate income to deliver the Council Plan, program and services and capital works commitments over a four-year period.

In developing the Budget, rates and charges were identified as an important source of revenue. Planning for future rate increases has therefore been an important component of the financial planning process. The Fair Go Rates System (FGRS) sets out the maximum amount councils may increase rates in a year. For 2022/23 the FGRS cap has been set at 1.75%. The cap applies to both general rates and municipal charges and is calculated on the basis of council's average rates and charges.

The level of required rates and charges has been considered in this context, with reference to Council's other sources of income and the planned expenditure on services and works to be undertaken for the community.

To achieve these objectives while maintaining service levels and a strong capital expenditure program, the average general rate and the municipal charge will increase by 1.75% in line with the rate cap.

Council will also continue to offer an additional pensioner rate rebate which for the 2022/23 year will be $197.20 (2021/22: $193.80).

This will raise total rates and charges for 2022/23 to $125,163,270

4.1.1(a) The reconciliation of the total rates and charges to the Comprehensive Income Statement is as follows:

	2021/22 Forecast Actual $'000	2022/23 Budget $'000	Change $'000	%
General Rates	118,869	**123,640**	4,771	**4.01%**
Service rates and charges	49	**49**	-	-
Special rates and charges	141	**143**	2	**1.49%**
Supplementary rates and rate adjustments	2,137	**1,500**	(637)	**(29.80%)**
Interest on rates and charges	-	**300**	300	**100.00%**
Revenue in lieu of rates	35	**35**	1	**1.45%**
Less Council Pension Rebate	(465)	**(473)**	(8)	**1.75%**
Cultural & Recreational Lands and EPUs	(15)	**(30)**	(15)	**100.00%**
Total rates and charges	120,750	125,163	4,413	**3.66%**

**General Rates are subject to the rate cap established under the FGRS. Please refer to section 4.1.1(I) for the reconciliation of compliance with the FGRS.*

4.1.1(b) The rate in the dollar to be levied as general rates under section 158 of the Act for each type or class of land compared with the previous financial year

Type or class of land	2021/22 cents/$NAV	2022/23 cents/$NAV*	Change
General rate for rateable residential properties	0.0396395700	**0.035680990**	**(9.99%)**
General rate for rateable commercial properties	0.0396395700	**0.035680990**	**(9.99%)**
General rate for rateable industrial properties	0.0396395700	**0.035680990**	**(9.99%)**

4.1.1(c) The estimated total amount to be raised by general rates in relation to each type or class of land, and the estimated total amount to be raised by general rates, compared with the previous financial year

Type or class of land	2021/22	2022/23	Change	
	$'000	$'000	$'000	%
Residential	88,839	**91,552**	2,713	**3.05%**
Commercial	22,789	**25,055**	2,266	**9.94%**
Industrial	7,241	**7,033**	(208)	**(2.87%)**
Total amount to be raised by general rates	118,869	**123,640**	4,771	**4.01%**

4.1.1(d) The number of assessments in relation to each type or class of land, and the total number of assessments, compared with the previous financial year

Type or class of land	2021/22	2022/23	Change	
	Number	Number	Number	%
Residential	49,263	**49,681**	418	**0.85%**
Commercial	6,316	**7,149**	833	**13.19%**
Industrial	1,392	**1,352**	(40)	**(2.87%)**
Total number of assessments	56,971	**58,182**	1,211	**2.13%**

4.1.1(e) The basis of valuation to be used is the Net Annual Value (NAV)

4.1.1(f) The estimated total value of each type or class of land, and the estimated total value of land, compared with the previous financial year

Type or class of land	2021/22	2022/23	Change	
	$'000	$'000	$'000	%
Residential	2,241,172	**2,565,846**	324,674	**14.49%**
Commercial	574,904	**702,186**	127,281	**22.14%**
Industrial	182,680	**197,120**	14,440	**7.90%**
Total value of land	2,998,757	**3,465,152**	466,395	**15.55%**

4.1.1(g) The municipal charge under Section 159 of the Act compared with the previous financial year

Council does not have a municipal charge.

Type of Charge	Per Rateable Property 2021/22	Per Rateable Property 2022/23	Change	
	$	$	$	%
Municipal	-	-	-	-

4.1.1(h) The estimated total amount to be raised by municipal charges compared with the previous financial year

Council does not have a municipal charge.

Type of Charge	2021/22	2022/23	Change	
	$	$	$	%
Municipal	-	-	-	-

4.1.1(i) The rate or unit amount to be levied for each type of service rate or charge under Section 162 of the Act compared with the previous financial year

Type of Charge	Per Rateable Property 2021/22 $	Per Rateable Property 2022/23 $	Change $	Change %
Non-Rateable Garbage charge	396	**403**	7	**1.77%**
Bridge Road Special Charge Side Streets	100	**100**	-	-
Bridge Road Special Charge First Level	200	**200**	-	-
Bridge Road Special Charge Ground Floor	300	**300**	-	-

4.1.1(j) The estimated total amount to be raised by each type of service rate or charge, and the estimated total amount to be raised by service rates and charges, compared with the previous financial year

Type of Charge	2021/22 $	2022/23 $	Change $	Change %
Non-Rateable Garbage charge	48,690	**48,690**	-	**0.00%**
Bridge Road Special Charge Side Streets	5,000	**5,400**	400	**8.00%**
Bridge Road Special Charge First Level	11,200	**11,400**	200	**1.79%**
Bridge Road Special Charge Ground Floor	124,500	**126,000**	1,500	**1.20%**
Total	135,700	**137,400**	1,700	**1.25%**

4.1.1(k) The estimated total amount to be raised by all rates and charges compared with the previous financial year

	2021/22 $'000	2022/23 $'000	Change $'000	Change %
Rates and Charges	118,869	**125,163**	6,294	**5.29%**
Total Rates and charges	118,869	**125,163**	6,294	**5.29%**

4.1.1(l) Fair Go Rates System Compliance

Yarra City Council is required to comply with the State Government's Fair Go Rates System (FGRS). The table below details the budget assumptions consistent with the requirements of the Fair Go Rates System.

	2021/22	2022/23
Total Rates (rates raised 1 July plus annualised supplementary rates)	$ 117,112,768	$ 121,513,553
Number of rateable properties	56,971	58,182
Base Average Rate	$ 2,055.66	$ 2,088.51
Maximum Rate Increase (set by the State Government)	**1.50%**	**1.75%**
Capped Average Rate	$ 2,086.49	$ 2,125.06
Maximum General Rates and Municipal Charges Revenue	$ 118,869,457	$ 123,640,040
Budgeted General Rates and Municipal Charges Revenue	$ 118,869,434	$ 123,640,040
Budgeted Supplementary Rates	$ 878,271	$ 1,500,000
Budgeted Total Rates and Municipal Charges Revenue	$ 119,747,705	$ 125,140,040

4.1.1(m) Any significant changes that may affect the

There are no known significant changes which may affect the estimated amounts to be raised by rates and charges. However, the total amount to be raised by rates and charges may be affected by:

- The making of supplementary valuations
- The variation of returned levels of value (e.g. valuation appeals)
- Changes of use of land such that rateable land becomes non-rateable land and vice versa
- Changes of use of land such that residential land becomes business land and vice versa.

4.1.1(n) Differential rates

Council does not have any differential rates.

4.1.2 Statutory fees and fines

	Forecast Actual 2021/22 $'000	Budget 2022/23 $'000	Change $'000	Change %
Infringements and costs*	18,750	**29,481**	10,731	**57.23%**
Court recoveries	2,474	**4,096**	1,622	**65.56%**
Permits	1,948	**2,177**	229	**11.77%**
Total statutory fees and fines	23,171	**35,754**	**12,582**	**54.30%**

**including parking meters.*

4.1.3 User fees

	Forecast Actual 2021/22 $'000	Budget 2022/23 $'000	Change $'000	Change %
Aged and health services	287	**278**	(9)	**(3.14%)**
Leisure centre and recreation	6,859	**11,865**	5,006	**72.98%**
Child care/children's programs	3,224	**3,885**	661	**20.50%**
Registration and other permits	2,470	**2,861**	392	**15.85%**
Building Services and Construction Management	8,473	**8,676**	203	**2.39%**
Statutory Planning	2,877	**3,070**	193	**6.71%**
Lease income	1,453	**1,361**	(92)	**(6.30%)**
Other fees and charges	913	**1,178**	265	**29.05%**
Total user fees	26,556	**33,174**	961	**3.62%**

4.1.4 Grants

Grants are required by the Act and the Regulations to be disclosed in Council's budget.

	Forecast Actual 2021/22 $'000	Budget 2022/23 $'000	Change $'000	Change %
Grants were received in respect of the following:				
Summary of grants				
Commonwealth funded grants	12,118	11,532	(586)	(4.8%)
State funded grants	14,001	16,527	2,526	18.0%
Total grants received	**26,119**	**28,059**	1,940	7.4%
(a) Operating Grants				
Recurrent - Commonwealth Government				
Victorian Grants Commission	3,384	2,049	(1,335)	(39.5%)
Children Services	4,282	5,649	1,366	31.9%
General home care	3,050	3,057	6	0.2%
Recurrent - State Government				
Aged care	258	241	(18)	(6.8%)
School crossing supervisors	324	329	5	1.5%
Family and children	1,183	1,102	(80)	(6.8%)
Libraries	880	740	(140)	(15.9%)
Maternal and child health	717	619	(98)	(13.6%)
Community programs	348	274	(74)	(21.3%)
Health Protection	33	33	0	1.5%
Social Strategy	40	-	(40)	(100.0%)
Children Services	2,040	1,827	(213)	(10.5%)
Community planning	231	205	(26)	(11.3%)
Total recurrent grants	**16,771**	**16,124**	**(646)**	(3.9%)
Non-recurrent - Commonwealth Government				
Non-recurrent - State Government				
City Strategy	1,575	-	(1,575)	(100.0%)
Statutory Planning	1,331	-	(1,331)	(100.0%)
Economic Development	1,203	-	(1,203)	(100.0%)
Human Resources	264	-	(264)	(100.0%)
Waste & Cleansing Services	142	-	(142)	(100.0%)
Arts and Culture	75	76	1	1.5%
Building Services	75	-	(75)	(100.0%)
Community Development	60	-	(60)	(100.0%)
Library Services	53	-	(53)	(100.0%)
Youth & Middle years	20	19	(2)	(8.5%)
Strategic Transport	-	15	15	100.0%
Total non-recurrent grants	**4,798**	**110**	(4,689)	(97.7%)
Total operating grants	**21,569**	**16,234**	(5,335)	(24.7%)
(b) Capital Grants				
Recurrent - Commonwealth Government				
Roads to recovery	259	259	0	0.0%
Total recurrent grants	**259**	**259**	0	0.0%
Non-recurrent - Commonwealth Government				
Roads	1,142	518	(623)	(54.6%)
Non-recurrent - State Government				
Roads	559	1,037	478	85.4%
Buildings	864	9,320	8,456	978.7%
Other	1,726	690	(1,035)	(60.0%)
Total non-recurrent grants	**4,291**	**11,566**	7,275	169.5%
Total capital grants	**4,550**	**11,825**	7,275	159.9%
Total Grants	**26,119**	**28,059**	**1,940**	**7.4%**

4.1.5 Contributions

	Forecast Actual 2021/22 $'000	Budget 2022/23 $'000	Change $'000	Change %
Monetary & Other	5,660	6,934	1,275	22.53%
Total contributions	5,660	6,934	1,275	22.53%

4.1.6 Other income

	Forecast Actual 2021/22 $'000	Budget 2022/23 $'000	Change $'000	Change %
Interest	200	180	(20)	(10.00%)
Reimbursements	1,107	966	(141)	(12.74%)
Other	793	612	(181)	(22.82%)
Total other income	2,100	1,758	(342)	(16.28%)

4.1.7 Employee costs

	Forecast Actual 2021/22 $'000	Budget 2022/23 $'000	Change $'000	Change %
Wages and salaries	80,518	84,217	3,699	4.59%
WorkCover	646	1,000	354	54.89%
Superannuation	8,209	9,102	893	10.88%
Other	6,863	8,774	1,910	27.84%
Total employee costs	96,236	103,092	6,856	7.12%

4.1.8 Materials and services

	Forecast Actual 2021/22 $'000	Budget 2022/23 $'000	Change $'000	Change %
Contract payments	27,563	24,282	(3,281)	(11.90%)
Building maintenance	5,307	5,363	56	1.06%
General maintenance	2,601	2,883	282	10.85%
Utilities	3,789	4,245	457	12.05%
Office administration	3,617	3,902	284	7.86%
Information technology	4,924	5,557	632	12.84%
Insurance	2,578	2,595	16	0.63%
Consultants	4,222	7,971	3,750	88.82%
Other materials and services	23,725	25,893	2,168	9.14%
Total materials and services	78,326	82,691	4,365	5.57%

4.1.9 Depreciation

	Forecast Actual 2021/22 $'000	Budget 2022/23 $'000	Change $'000	Change %
Property	3,197	2,980	(217)	(6.80%)
Plant & equipment	4,310	4,343	32	0.75%
Infrastructure	17,043	17,515	472	2.77%
Total depreciation	24,550	24,837	287	1.17%

4.1.10 Amortisation - Right of use assets

	Forecast Actual 2021/22 $'000	Budget 2022/23 $'000	Change $'000	Change %
Right of use assets	1,275	**1,163**	(112)	**(8.81%)**
Total amortisation - right of use assets	1,275	**1,163**	(112)	**(8.81%)**

4.1.11 Other expenses

	Forecast Actual 2021/22 $'000	Budget 2022/23 $'000	Change $'000	Change %
Auditors Remuneration	306	**309**	3	**0.84%**
Councillor Allowances	379	**437**	58	**15.29%**
Total other expenses	685	**746**	61	**8.84%**

4.2 Balance Sheet

4.2.1 Assets

Council's cash and cash equivalents will decrease from $71.47m to $45.68m over the four years of the budget, this in part reflects the repayment of borrowings. Non-current assets of property, infrastructure, plant and equipment is expected to increase from $2.12b to $2.38b over the four years of the budget.

4.2.2 Liabilities

Council's current liabilities are expected to increase marginally over the four years of the budget, increasing from $56.94m to $58.13m. Council's non-current liabilities are expected to decrease from $38.74m to $31.49m, as Council continues to reduce its loan borrowings over the longer term.

4.2.3 Borrowings

The table below shows information on borrowings specifically required by the Regulations.

	Forecast Actual 2021/22 $	Budget 2022/23 $	Projections 2023/24 $	2024/25 $	2025/26 $
Amount borrowed as at 30 June of the prior year	41,203	**39,171**	54,900	48,840	42,579
Amount proposed to be borrowed	32,500	**20,000**	-	-	-
Amount projected to be redeemed	(34,532)	**(4,271)**	(6,060)	(6,261)	(6,468)
Amount of borrowings as at 30 June	**39,171**	**54,900**	**48,840**	**42,579**	**36,111**

4.2.4 Leases by category

As a result of the introduction of *AASB 16 Leases*, right-of-use assets and lease liabilities have been recognised as outlined in the table below.

	Forecast Actual 2021/22 $	Budget 2022/23 $
Right-of-use assets		
Plant and equipment	1,294	**324**
Total right-of-use assets	1,294	**324**
Lease liabilities		
Current lease Liabilities		
Plant and equipment	1,241	**229**
Total current lease liabilities	1,241	**229**
Non-current lease liabilities		
Plant and equipment	176	**112**
Total non-current lease liabilities	176	**112**
Total lease liabilities	1,417	**341**

4.3 Statement of changes in Equity

4.3.1 Reserves

Within the equity section of the balance sheet, Council has Asset Revaluation Reserves, Statutory Reserves, and General Reserves. The asset revaluation reserve reflects movements in the value of Council's property and infrastructure assets. It is a non-cash reserve, backed by the value of Council's non-current property and infrastructure assets. The statutory reserves comprise funds received from external parties for specific purposes such as open space. They are restricted funds and cash backed.

4.3.2 Equity

Council's equity will increase from $2.12b to $2.35b over the four years of the budget.

4.4 Statement of Cash Flows

4.4.1 Net cash flows provided by/used in operating activities

Council's net cash provided by operating activities will increase from $25.18m to $44.12m over the four years of the budget.

4.4.2 Net cash flows provided by/used in investing activities

Net cash outflows for investing activities is expected to increase from $38.00m to $42.71m over the four years of the budget. The majority of this outflow is for the Capital Works program each year.

4.4.3 Net cash flows provided by/used in financing activities

Net cash flow from financing activities is anticipated to change from a net outflow of $4.65m to $7.81m over the four years of the budget.

4.5 Capital works program

This section presents a listing of the capital works projects that will be undertaken for the 2022/23 year, classified by expenditure type and funding source. Works are also disclosed as current budget or carried forward from prior year.

4.5.1 Summary

	Forecast Actual 2021/22 $'000	Budget 2022/23 $'000	Change $'000	%
Property	14,704	**14,479**	(225)	**(1.53%)**
Plant and equipment	4,756	**4,979**	223	**4.69%**
Infrastructure	19,685	**19,401**	(284)	**(1.44%)**
Total	39,146	**38,859**	(286)	**(0.73%)**

	Project Cost	Asset expenditure types				Summary of Funding Sources			
		New	Renewal	Upgrade	Expansion	Grants	Contrib.	Council cash	Borrowings
	$'000	$'000	$'000	$'000	$'000	$'000	$'000	$'000	$'000
Property	**14,479**	4,930	8,731	818	-	9,938	-	4,541	-
Plant and equipment	**4,979**	-	4,979	-	-	-	430	4,549	-
Infrastructure	**19,401**	4,446	12,861	2,094	-	906	2,270	16,225	-
Total	**38,859**	9,376	26,572	2,912	-	10,844	2,700	25,316	-

4.5.2 Current Budget

Capital Works Area	Project Cost	Asset expenditure types				Summary of Funding Sources			
		New	Renewal	Upgrade	Expansion	Grants	Contrib.	Council cash	Borrowings
	$'000	$'000	$'000	$'000	$'000	$'000	$'000	$'000	$'000
PROPERTY									
Buildings									
Richmond Town Hall - HVAC design & construction stage 1	**1,900**	-	1,900	-	-	-	-	1,900	-
Fitzroy Town Hall - HVAC works, floor sanding & courtyard screens	**1,720**	-	1,720	-	-	-	-	1,720	-
Yambla St Pavilion & Public Toilets, Quarries Park - Pavilion renewal construction (year 1 of 2)	**1,071**	-	1,071	-	-	250	-	821	-
Community Early Childhood Centre E M Dauber Building - Refurbishment works	**400**	-	400	-	-	400	-	-	-
Buildings (Minor Urgent Works Program) - Urgent building remediation works	**390**	-	390	-	-	-	-	390	-
North Carlton Children's Centre - Courtyard carport replacement, other refurbishment & remediation works	**339**	-	339	-	-	339	-	-	-
Carlton Hall - Compliance and universal access works	**334**	-	334	-	-	-	-	334	-
Collingwood Library - Heritage preservation works and CCTV/access control	**300**	-	300	-	-	-	-	300	-
Bob Rose Stand, Victoria Park - Remedial works, public toilets design	**280**	-	280	-	-	-	-	280	-
Ryder Stand, Victoria Park - fit out of changerooms	**275**	-	275	-	-	-	-	275	-

Capital Works Area	Project Cost	Asset expenditure types				Summary of Funding Sources			
		New	Renewal	Upgrade	Expansion	Grants	Contrib.	Council cash	Borrowings
	$'000	$'000	$'000	$'000	$'000	$'000	$'000	$'000	$'000
Buildings Preliminary Investigations Program -Investigation and design for future renewal works	**260**	-	260	-	-	-	-	260	-
Buildings Minor Urgent Works Program - Ventilation systems remediation	**200**	-	200	-	-	-	-	200	-
Public Toilets (Exeloo), Otter St - Automated toilet supply & install	**170**	-	170	-	-	-	-	170	-
Malcolm Graham Pavilion, Kevin Bartlett Reserve - Laundry wall, social room insulation , window replacement and minor kitchen works	**150**	-	150	-	-	-	-	150	-
Collingwood Leisure Centre - Pool plant equipment renewal	**136**	-	136	-	-	-	-	136	-
Main Pool Plant Room, Fitzroy Swimming Pool - Pool plant equipment renewal	**136**	-	136	-	-	-	-	136	-
Richmond Recreation Centre - Pool plant equipment renewal	**136**	-	136	-	-	-	-	136	-
Collingwood Senior Citizens Centre - Renew southern ramp & detailed design for refit	**132**	-	132	-	-	-	-	132	-
Public Toilets North Unisex Disabled Lulie St, Victoria Park - Toilet refurbishment	**95**	-	95	-	-	-	-	95	-
Buildings - Asbestos removal program (various sites)	**80**	-	80	-	-	-	-	80	-
Fitzroy Library, Fitzroy Town Hall - Staff kitchen/tea point & meeting room renewal	**65**	-	65	-	-	-	-	65	-
Main Building, Fitzroy Swimming Pool - Floor works to reception and entrances to change rooms	**64**	-	64	-	-	-	-	64	-
Child Care Centres, General Regulation Compliance Program - Renewal works per annual DHHS accreditation compliance checks	**26**	-	26	-	-	-	-	26	-
Buildings signage replacement program (with DDA requirements)	**25**	-	25	-	-	-	-	25	-
Keele St Child Care Centre - Replacement fencing	**20**	-	20	-	-	-	-	20	-
Sherrin Stand, Victoria Park - Shower partitions	**15**	-	15	-	-	-	-	15	-
Gold Street Children's Centre - Awning in courtyard	**11**	-	11	-	-	-	-	11	-
Barkly Gardens Pavilion & Public Toilets upgrade, LRCIP Phase 3 funded	**518**	-	-	518	-	518	-	-	-
Alphington Bowls Club - Staged pavilion redevelopment works	**300**	-	-	300	-	-	-	300	-
Collingwood College Early Childhood Centre - Council works	**3,200**	3,200	-	-	-	1,456	-	1,744	-
Brunswick Street Oval Precinct Redevelopment, Stage 1 - New Sports Pavilion	**930**	930	-	-	-	6,175	-	- 5,245	-
Atherton Gardens Kindergarten - Council contribution to works	**700**	700	-	-	-	700	-	-	-
Depot Redevelopment Project - Design and planning	**100**	100	-	-	-	100	-	-	-
TOTAL PROPERTY	**14,479**	4,930	8,731	818	-	9,938	-	4,541	-

Capital Works Area	Project Cost	Asset expenditure types				Summary of Funding Sources			
		New	Renewal	Upgrade	Expansion	Grants	Contrib.	Council cash	Borrowings
	$'000	$'000	$'000	$'000	$'000	$'000	$'000	$'000	$'000
PLANT AND EQUIPMENT									
Plant, Machinery and Equipment									
Ticket / Parking machines	**283**	-	283	-	-	-	-	283	-
Passenger Cars	**1,190**	-	1,190	-	-	-	400	790	-
Trucks	**535**	-	535	-	-	-	30	505	-
Replacement of small mechanical equipment (for roads)	**60**	-	60	-	-	-	-	60	-
Bicycle replacement program	**15**	-	15	-	-	-	-	15	-
Leisure Centre Equipment	**105**	-	105	-	-	-	-	105	-
Fixtures, Fittings and Furniture									
Furniture (Chairs, desks. Etc)	**100**	-	100	-	-	-	-	100	-
Miscellaneous and small equipment purchases	**20**	-	20	-	-	-	-	20	-
Whitegoods and Appliances	**30**	-	30	-	-	-	-	30	-
Computers and Telecommunications									
PC replacement rolling program	**1,066**	-	1,066	-	-	-	-	1,066	-
Network Infrastructure replacement	**410**	-	410	-	-	-	-	410	-
Unified Communications (AV rollout)	**200**	-	200	-	-	-	-	200	-
Mobile devices (phones and the like)	**153**	-	153	-	-	-	-	153	-
Mobile computing devices	**95**	-	95	-	-	-	-	95	-
General Software purchases	**50**	-	50	-	-	-	-	50	-
Printer / Copier Hardware	**28**	-	28	-	-	-	-	28	-
Library books									
Library Resources (books and the like)	**640**	-	640	-	-	-	-	640	-
TOTAL PLANT AND EQUIPMENT	**4,979**	-	4,979	-	-	-	430	4,549	-
INFRASTRUCTURE									
Roads									
Development/Utility works, all over Yarra - Road Pavement	**250**	-	250	-	-	-	-	250	-
Wilson St, North Carlton (Pigdon St to Paterson St) - Road Pavement	**227**	-	227	-	-	-	-	227	-
Risk Mitigation Works, all over Yarra - Road Pavement	**220**	-	220	-	-	-	-	220	-
Queens Pde, all over Yarra (Michael St to Rushall Cres) - Root Barrier Works	**207**	-	207	-	-	-	-	207	-
Lane No. 2064 - Reconstruction lane rear of 1 Batman St, Fitzroy North	**191**	-	191	-	-	-	-	191	-
Duke St, Richmond (Swan St to Wall St) - Kerb & Channel	**169**	-	169	-	-	-	-	169	-
Brunswick St, Fitzroy (Scotchmer St to Tranmere St) - Road Pavement	**168**	-	168	-	-	-	-	168	-
Fitzroy St, Fitzroy (Rose St to Kerr St) - Road Pavement	**163**	-	163	-	-	-	-	163	-
Wangaratta St, Richmond (Stewart St to Tanner St) - Road Pavement	**160**	-	160	-	-	-	-	160	-
Station St, North Carlton (Pigdon St to Richardson St) - Road Pavement	**156**	-	156	-	-	156	-	-	-
Station St, North Carlton (Park St to Pigdon St) - Road Pavement	**151**	-	151	-	-	104	-	48	-

Capital Works Area	Project Cost	Asset expenditure types				Summary of Funding Sources			
		New	Renewal	Upgrade	Expansion	Grants	Contrib.	Council cash	Borrowings
	$'000	$'000	$'000	$'000	$'000	$'000	$'000	$'000	$'000
Little Abbot St, Collingwood (Gold St to End Of Street) - Road Pavement	**144**	-	144	-	-	-	-	144	-
Rathdowne St, North Carlton (Mary St to Pigdon St) - Root Barrier Works	**143**	-	143	-	-	-	-	143	-
Wangaratta St, Richmond (Stewart St to Tanner St) - Kerb & Channel	**140**	-	140	-	-	-	-	140	-
Coppin St, Richmond (Abinger St to Wall St) - Kerb & Channel	**139**	-	139	-	-	-	-	139	-
Langridge St, Abbotsford (Wellington St to Rokeby St) - Road Pavement	**125**	-	125	-	-	-	-	125	-
Little Smith St, Fitzroy (Little Victoria St to Gertrude St) - Road Pavement	**120**	-	120	-	-	-	-	120	-
Pigdon St, North Carlton (Mcilwraith St to Lygon St) - Kerb & Channel	**112**	-	112	-	-	-	-	112	-
Canning St, North Carlton (Macpherson St to Richardson St) - Road Pavement	**109**	-	109	-	-	-	-	109	-
Wilson St, North Carlton (Paterson St to Richardson St) - Kerb & Channel	**105**	-	105	-	-	-	-	105	-
Wilson St, North Carlton (Pigdon St to Paterson St) - Kerb & Channel	**105**	-	105	-	-	-	-	105	-
Wilson St, North Carlton (Richardson St to Macpherson St) - Road Pavement	**105**	-	105	-	-	-	-	105	-
Brunswick St, Fitzroy (Reid St to St Georges Rd) - Road Pavement	**103**	-	103	-	-	-	-	103	-
Buckingham St, Richmond (Johnson St to Lambert St) - Kerb & Channel	**100**	-	100	-	-	-	-	100	-
Designs for future works, all over Yarra - Kerb & Channel	**100**	-	100	-	-	-	-	100	-
Lane No. 1906 - Reconstruction of bluestone Lane rear of 470 Brunswick St, Fitzroy North	**98**	-	98	-	-	-	-	98	-
Young St, Fitzroy (Cecil St to Westgarth St) - Road Pavement	**95**	-	95	-	-	-	-	95	-
Moor St, Fitzroy (Napier St to George St) - Road Pavement	**90**	-	90	-	-	-	-	90	-
South Audley St, Abbotsford (Victoria St to Nelson St) - Kerb & Channel	**90**	-	90	-	-	-	-	90	-
Wellington St, Collingwood (Council St to Hodgkinson St) - Root Barrier Works	**89**	-	89	-	-	-	-	89	-
Richardson St, North Carlton (Rathdowne St to Amess St) - Root Barrier Works	**88**	-	88	-	-	-	-	88	-
Firebell Lane, Richmond (Lennox St to End Of Street) - Road Pavement	**87**	-	87	-	-	-	-	87	-
Church St, Fitzroy North (Nicholson St to St Georges Rd) - Kerb & Channel	**87**	-	87	-	-	-	-	87	-
Bond St, Abbotsford (Southampton Cres to Victoria St) - Road Pavement	**85**	-	85	-	-	-	-	85	-

Capital Works Area	Project Cost	Asset expenditure types				Summary of Funding Sources			
		New	Renewal	Upgrade	Expansion	Grants	Contrib.	Council cash	Borrowings
	$'000	$'000	$'000	$'000	$'000	$'000	$'000	$'000	$'000
Montgomery St, Richmond (Lennox St to End Of Street) - Road Pavement	**85**	-	85	-	-	-	-	85	-
Moor St, Fitzroy (Young St to Napier St) - Road Pavement	**85**	-	85	-	-	-	-	85	-
Lane No. 158.1 - Reconstruction of asphalt Lane rear of 1 Hotham St, Clifton Hill	**85**	-	85	-	-	-	-	85	-
Solly Ave, North Carlton (Arnold St to Wilson St) - Road Pavement	**84**	-	84	-	-	-	-	84	-
Wilson St, North Carlton (Richardson St to Macpherson St) - Kerb & Channel	**84**	-	84	-	-	-	-	84	-
Lane No. 7 - Reconstruction of asphalt Lane off Hodgkinson St, Clifton Hill	**81**	-	81	-	-	-	-	81	-
Fordham Crt, Richmond (Goodwood St to End Of Street) - Kerb & Channel	**80**	-	80	-	-	-	-	80	-
Brighton St, Richmond (Yorkshire St to Cotter St) - Kerb & Channel	**77**	-	77	-	-	-	-	77	-
Queens Pde, all over Yarra (Rushall Cres to Brennand St) - Road Pavement	**74**	-	74	-	-	-	-	74	-
Bedford St, Collingwood (Johnston St to Perry St) - Kerb & Channel	**73**	-	73	-	-	-	-	73	-
Langridge St, Abbotsford (Cromwell St to Islington St) - Road Pavement	**70**	-	70	-	-	-	-	70	-
Langridge St, Abbotsford (Rupert St to Cromwell St) - Road Pavement	**70**	-	70	-	-	-	-	70	-
Lane No. 1403 - Reconstruction of bluestone Lane off Richardson St, Carlton North	**69**	-	69	-	-	-	-	69	-
Fitzroy St, Fitzroy (Rose St to Kerr St) - Kerb & Channel	**68**	-	68	-	-	-	-	68	-
Lane No. 1908 - Reconstruction of bluestone Lane rear of 484 Brunswick St North, Fitzroy North	**68**	-	68	-	-	-	-	68	-
Lane No. 714 - Reconstruction of asphalt Lane near 25 Crown St, Richmond	**66**	-	66	-	-	-	-	66	-
South Audley St, Abbotsford (Nelson St to Southampton Cres) - Kerb & Channel	**63**	-	63	-	-	-	-	63	-
Reid St, Fitzroy North (Rae St to Brunswick St) - Road Pavement	**63**	-	63	-	-	-	-	63	-
Lane No. 624 - Reconstruction of asphalt Lane near 15 Muir St, Richmond	**62**	-	62	-	-	-	-	62	-
Reid St, Fitzroy North (Brunswick St to Alfred St) - Road Pavement	**58**	-	58	-	-	-	-	58	-
Lane No. 332.2 - Reconstruction of asphalt Lane behind 17 Hunter St, Abbotsford	**57**	-	57	-	-	-	-	57	-
Lane No. 359.1 - Reconstruction of bluestone Lane off Bloomburg St, Abbotsford	**51**	-	51	-	-	-	-	51	-
Lane No. 3061 - Reconstruction of Lane next to 19 Crown St, Richmond	**49**	-	49	-	-	-	-	49	-

Capital Works Area	Project Cost	Asset expenditure types				Summary of Funding Sources			
		New	Renewal	Upgrade	Expansion	Grants	Contrib.	Council cash	Borrowings
	$'000	$'000	$'000	$'000	$'000	$'000	$'000	$'000	$'000
Lane No. 644 - Reconstruction of asphalt Lane rear of 2 Ellis St, Richmond	**48**	-	48	-	-	-	-	48	-
Lesney St, Richmond (Mary St to Brighton St) - Road Pavement	**45**	-	45	-	-	-	-	45	-
Solly Ave, North Carlton (Arnold St to Wilson St) - Kerb & Channel	**45**	-	45	-	-	-	-	45	-
Lane No. 2153 - Reconstruction of bluestone Lane rear of 19 Kneen St, Fitzroy North	**44**	-	44	-	-	-	-	44	-
Lane No. 330.1 - Reconstruction of bluestone Lane off Yarra St, Abbotsford	**42**	-	42	-	-	-	-	42	-
Lane No. 1302 - Reconstruction of asphalt Lane off Lang St, Carlton North	**40**	-	40	-	-	-	-	40	-
Lesney St, Richmond (Brighton St to Church St) - Road Pavement	**40**	-	40	-	-	-	-	40	-
Pavement Bicycle Lanes, all over Yarra - Road Pavement	**40**	-	40	-	-	-	-	40	-
Lane No. 237Reconstruction of asphalt Lane next to 58 Perry St, Collingwood	**37**	-	37	-	-	-	-	37	-
Bedford St, Collingwood (Johnston St to Perry St) - Road Pavement	**36**	-	36	-	-	-	-	36	-
Chestnut St, Richmond (Adelaide St to Balmain St) - Road Pavement	**35**	-	35	-	-	-	-	35	-
Brighton St, Richmond (Cotter St to Barkly Ave) - Kerb & Channel	**34**	-	34	-	-	-	-	34	-
Lane No. 1192 - Reconstruction of bluestone Lane behind 96 Madden Gve) Burnley	**32**	-	32	-	-	-	-	32	-
Lane No. 562 - Reconstruction of asphalt Lane near 1/4 Little Buckingham St, Richmond	**31**	-	31	-	-	-	-	31	-
Hunter St, Abbotsford (Johnston St to Valiant St) - Road Pavement	**30**	-	30	-	-	-	-	30	-
Porter St, Fitzroy North (Railway St to End Of Street) - Road Pavement	**26**	-	26	-	-	-	-	26	-
Gold St, Collingwood (Alexandra Pde to Noone St) - Kerb & Channel	**25**	-	25	-	-	-	-	25	-
Reid St, Fitzroy North (Brunswick St to Alfred St) - Kerb & Channel	**24**	-	24	-	-	-	-	24	-
Reid St, Fitzroy North (Rae St to Brunswick St) - Kerb & Channel	**23**	-	23	-	-	-	-	23	-
Lane No. 131.1 - Reconstruction of asphalt next to 58 Hotham St, Clifton Hill	**22**	-	22	-	-	-	-	22	-
Paterson St, Abbotsford (Valiant St to Johnston St) - Kerb & Channel	**20**	-	20	-	-	-	-	20	-
Capital City Trail/St Georges Road Signalised Crossing remodelling works	**100**	100	-	-	-	-	-	100	-
Dean/Barkly Street Zebra Crossing and Intersection Upgrade	**100**	100	-	-	-	-	-	100	-

Capital Works Area	Project Cost	Asset expenditure types				Summary of Funding Sources			
		New	Renewal	Upgrade	Expansion	Grants	Contrib.	Council cash	Borrowings
	$'000	$'000	$'000	$'000	$'000	$'000	$'000	$'000	$'000
Footpaths and Cycleways									
Pigdon St, North Carlton (Lygon St to Drummond St) - Footpath	**161**	-	161	-	-	-	-	161	-
Wangaratta St, Richmond (Stewart St to Tanner St) - Footpath	**146**	-	146	-	-	-	-	146	-
Gertrude St, Fitzroy (George St to Gore St) - Footpath	**127**	-	127	-	-	-	-	127	-
Duke St, Richmond (Swan St to Wall St) - Footpath	**100**	-	100	-	-	-	-	100	-
Gertrude St, Fitzroy (Young St to Napier St) - Footpath	**92**	-	92	-	-	-	-	92	-
Pigdon St, North Carlton (Garton St to Arnold St) - Footpath	**88**	-	88	-	-	-	-	88	-
Fitzroy St, Fitzroy (Rose St to Kerr St) - Footpath	**87**	-	87	-	-	-	-	87	-
Albert St, Abbotsford (Murray St to Victoria Cres) - Footpath	**86**	-	86	-	-	-	-	86	-
Pigdon St, North Carlton (Station St to Nicholson St) - Footpath	**83**	-	83	-	-	-	-	83	-
Johnston St, Abbotsford (Clarke St to River) - Footpath	**75**	-	75	-	-	-	-	75	-
Coppin St, Richmond (Abinger St to Wall St) - Footpath	**75**	-	75	-	-	-	-	75	-
Bowen Cr, North Carlton (Pigdon St to Holtom St West) - Footpath	**66**	-	66	-	-	-	-	66	-
Pigdon St, North Carlton (Drummond St to Rathdowne St) - Footpath	**66**	-	66	-	-	-	-	66	-
Bedford St, Collingwood (Johnston St to Perry St) - Footpath	**58**	-	58	-	-	-	-	58	-
Buckingham St, Richmond (Johnson St to Lambert St) - Footpath	**56**	-	56	-	-	-	-	56	-
Gold St, Collingwood (Alexandra Pde to Noone St) - Footpath	**54**	-	54	-	-	-	-	54	-
Reid St, Fitzroy North (Brunswick St to Alfred St) - Footpath	**45**	-	45	-	-	-	-	45	-
Brighton St, Richmond (Yorkshire St to Cotter St) - Footpath	**45**	-	45	-	-	-	-	45	-
Fordham Crt, Richmond (Goodwood St to End Of Street) - Footpath	**45**	-	45	-	-	-	-	45	-
Reid St, Fitzroy North (Rae St to Brunswick St) - Footpath	**44**	-	44	-	-	-	-	44	-
Young St, Fitzroy (Cecil St to Westgarth St) - Footpath	**35**	-	35	-	-	-	-	35	-
Church St, Fitzroy North (Nicholson St to St Georges Rd) - Footpath	**32**	-	32	-	-	-	-	32	-
Paterson St, Abbotsford (Valiant St to Johnston St) - Footpath	**27**	-	27	-	-	-	-	27	-
Brighton St, Richmond (Cotter St to Barkly Ave) - Footpath	**20**	-	20	-	-	-	-	20	-
Activity Centres design program - Retail Footpath	**50**	-	-	50	-	-	-	50	-
Brunswick Street Protected Bike Lane	**189**	189	-	-	-	-	-	189	-
Alfred Crescent Bi-Directional Bike Lane	**160**	160	-	-	-	-	-	160	-
Balmain/Cotter/Church Intersection Upgrade	**80**	80	-	-	-	-	-	80	-

Capital Works Area	Project Cost	Asset expenditure types				Summary of Funding Sources			
		New	Renewal	Upgrade	Expansion	Grants	Contrib.	Council cash	Borrowings
	$'000	$'000	$'000	$'000	$'000	$'000	$'000	$'000	$'000
Wellington/Johnston Street (North) Intersection works	**80**	80	-	-	-	-	-	80	-
Moor Street Bike Corral and Kerb Outstand	**60**	60	-	-	-	-	-	60	-
Coppin Street Intersections Improvements	**30**	30	-	-	-	-	-	30	-
Nicholson/Victoria (North) Intersection Upgrade Pilot Trial	**20**	20	-	-	-	-	-	20	-
Drainage									
Drain Pipe Rehabilitation program - Drainage	**1,000**	-	1,000	-	-	-	-	1,000	-
Newry St, Fitzroy North (Brunswick St to Napier St) - Drainage	**210**	-	210	-	-	-	-	210	-
Risk Mitigation (add hoc/emergency) works - Drainage	**200**	-	200	-	-	-	-	200	-
Gertrude St, Fitzroy (Gore St to Smith St) - Drainage	**170**	-	170	-	-	-	-	170	-
Drainage rectification works in laneways - Drainage	**140**	-	140	-	-	-	-	140	-
Stawell St, Richmond (Stillman St to Bridge Rd) - Drainage	**135**	-	135	-	-	-	-	135	-
Tranmere St, Fitzroy North (Brunswick St to St Georges Rd) - Drainage	**135**	-	135	-	-	-	-	135	-
Madden Gr, Richmond (Stawell St to Gibdon St) - Drainage	**120**	-	120	-	-	-	-	120	-
Designs for future stormwater works - Drainage	**110**	-	110	-	-	-	-	110	-
Kipling St, Richmond (Swan St to End Of Street) - Drainage	**110**	-	110	-	-	-	-	110	-
Duke St, Richmond (Wall St to End Of Street) - Drainage	**65**	-	65	-	-	-	-	65	-
Cecil St, Fitzroy (Napier St to George St) - Drainage	**60**	-	60	-	-	-	-	60	-
Curtain Square Stormwater Harvesting Scheme	**1,297**	1,297	-	-	-	647	-	650	-
Waste Management									
Replace street bins	**100**	-	100	-	-	-	-	100	-
Parks, Open Space and Streetscapes									
Open Space Children Services - Child care facility playground renewals based on condition and compliance audits	**305**	-	305	-	-	-	-	305	-
Open Space Minor Works - Minor horticultural renewals	**170**	-	170	-	-	-	-	170	-
Burnley Golf Course, Richmond - Resod fairway H1, H2 , H4 and renew chipping green	**125**	-	125	-	-	-	-	125	-
Open Space Minor Works - Minor furniture renewals in response to audits and damage.	**120**	-	120	-	-	-	-	120	-
George Knott Reserve, Clifton Hill - Track repairs and discus cage renewal	**100**	-	100	-	-	-	-	100	-
Open Spaces Signage Renewal Program - Supply & install park signage	**80**	-	80	-	-	-	-	80	-
Open Space Minor Works - Minor sports equipment renewals (goals, nets, surfaces) due to damaged & safety issues	**75**	-	75	-	-	-	-	75	-

Capital Works Area	Project Cost	Asset expenditure types				Summary of Funding Sources			
		New	Renewal	Upgrade	Expansion	Grants	Contrib.	Council cash	Borrowings
	$'000	$'000	$'000	$'000	$'000	$'000	$'000	$'000	$'000
Open Space Minor Works - Minor renewals for fences, retaining walls, walls (respond to damage and ageing)	**70**	-	70	-	-	-	-	70	-
Merri Ck Parklands Quarries Park, Clifton Hill - Replace furniture near picnic area & playground	**60**	-	60	-	-	-	-	60	-
Golden Square, Richmond - Park & playground design	**50**	-	50	-	-	-	10	40	-
Merri Ck Parklands Quarries Park, Clifton Hill - Renewal of Quarries Park Adventure Playground (structure and elements)	**50**	-	50	-	-	-	-	50	-
Open Space Minor Works - Minor irrigation renewals due to damaged/failed equipment and water efficiency initiatives	**50**	-	50	-	-	-	-	50	-
Open Space Minor Works - Minor playground works due to equipment failure and vandalism	**50**	-	50	-	-	-	-	50	-
Open Space Minor Works - Minor repairs to park paths (safety issues)	**50**	-	50	-	-	-	-	50	-
Open Space Minor Works - Minor turf renewals in response to audits, community requests and wear & tear	**50**	-	50	-	-	-	-	50	-
Inner Circle Park, Hardy Gallagher Reserve, Carlton Nth - Path renewal	**40**	-	40	-	-	-	5	35	-
McConchie Reserve, Richmond - Planting of mulched garden beds	**35**	-	35	-	-	-	-	35	-
Merri Ck Parklands - Hall Reserve, Clifton Hill - Labyrinth wetland design	**35**	-	35	-	-	-	-	35	-
Burnley Park, Richmond - Playground design	**30**	-	30	-	-	-	-	30	-
Merri Ck Parklands/ Hall Reserve, Clifton Hill - Renew seating and picnic equipment	**30**	-	30	-	-	-	-	30	-
Smith Reserve, Fitzroy - Playground design & documentation	**30**	-	30	-	-	-	15	15	-
Land Purchase (via the OSR) - Purchase of Land	**2,000**	2,000	-	-	-	-	2,000	-	-
New Pocket Park - Charlotte Street Design and Documentation (Road Discontinuance to create new pocket park)next to the Richmond Library	**180**	180	-	-	-	-	90	90	-
Design works for Implementation of the Open Space Strategy - Consultation, design and approvals for new open space in Yarra including investigating possible options in Cremorne, and initial consideration of a possible community space at the western end of Cameron St, Richmond.	**150**	150	-	-	-	-	150	-	-

Capital Works Area	Project Cost	Asset expenditure types				Summary of Funding Sources			
		New	Renewal	Upgrade	Expansion	Grants	Contrib.	Council cash	Borrowings
	$'000	$'000	$'000	$'000	$'000	$'000	$'000	$'000	$'000
Other Infrastructure									
Replacement of Street Furniture (Seats, bollards. Etc)	**80**	-	80	-	-	-	-	80	-
Replacement of Public /Street Lights	**25**	-	25	-	-	-	-	25	-
Street Signs - rolling program to replace signs	**25**	-	25	-	-	-	-	25	-
LAPM 3- Scotchmer(Area bounded by May St, St Georges Rd, Brunswick St, Nicholson St, and Alexandra Pde)	**340**	-	-	340	-	-	-	340	-
LAPM 2- North Carlton(Area bounded by Park St, Lygon St, Princes Str and Nicholson St.)	**369**	-	-	369	-	-	-	369	-
LAPM 13- Abbotsford(Area bounded by Johnston St, Hoddle St, Victoria St and the Yarra River.)	**145**	-	-	145	-	-	-	145	-
Spot Safety infrastructure upgrades	**380**	-	-	380	-	-	-	380	-
Bicycle Network upgrades (various works)	**340**	-	-	340	-	-	-	340	-
LAPM 9- Rose(Area bounded by Alexandra Pde, Nicholson St, Johnston St and Smith St.)	**220**	-	-	220	-	-	-	220	-
Pedestrian Provisions	**150**	-	-	150	-	-	-	150	-
LAPM 15- Highett(Area bounded by Victoria St, Church St, Bridge Rd, and Burnley St.)	**30**	-	-	30	-	-	-	30	-
LAPM 6- East Clifton Hill(Area bounded by the Yarra River, Heidelberg Rd, Hoddle St, Johnston St and Merri Crk.)	**30**	-	-	30	-	-	-	30	-
Safety around Schools	**30**	-	-	30	-	-	-	30	-
LAPM 19- Bendigo(Area bounded by Bridge Rd, Burnley St, Swan St, and the Yarra River.)	**10**	-	-	10	-	-	-	10	-
TOTAL INFRASTRUCTURE	**19,401**	4,446	12,861	2,094	-	906	2,270	16,225	-
TOTAL NEW CAPITAL WORKS	**38,859**	**9,376**	**26,572**	**2,912**	**-**	**10,844**	**2,700**	**25,316**	**-**

4.5.3 Works carried forward from the 2021/22 year

Capital Works Area	Project Cost	Asset expenditure types				Summary of Funding Sources			
		New	Renewal	Upgrade	Expansion	Grants	Contrib.	Council cash	Borrowings
	$'000	$'000	$'000	$'000	$'000	$'000	$'000	$'000	$'000
PROPERTY									
Buildings									
Dights Mill Site (inc. Pump Station, Sluice Valve & Deck)	**170**	-	170	-	-	-	-	170	-
Richmond Town Hall- Walls	**1,025**	-	1,025	-	-	-	-	1,025	-
Collingwood Town Hall- External works	**150**	-	150	-	-	-	-	150	-
Fitzroy Town Hall- Structural repairs	**450**	-	450	-	-	-	-	450	-
Fitzroy Town Hall- Mechanical	**1,020**	-	1,020	-	-	-	-	1,020	-
Richmond Town Hall - Plumbing	**100**	-	100	-	-	-	-	100	-
Workshop and Administration - Clifton Hill Depot- Electrical	**158**	-	158	-	-	-	-	158	-
Carlton Hall- Master Plan works	**314**	-	314	-	-	-	-	314	-

Capital Works Area	Project Cost	Asset expenditure types				Summary of Funding Sources			
		New	Renewal	Upgrade	Expansion	Grants	Contrib.	Council cash	Borrowings
	$'000	$'000	$'000	$'000	$'000	$'000	$'000	$'000	$'000
Richmond Town Hall- Mechanical and various works	275	-	275	-	-	-	-	275	-
Panther Pavilion - Fairfield Park	440	-	440	-	-	-	-	440	-
Brunswick Street Oval Precinct Redevelopment	70	70	-	-	-	-	-	70	-
Collingwood Leisure Centre- Electrification works	100	-	-	100	-	-	-	100	-
Pavilion - Ryan's Reserve	200	-	-	200	-	200	-	-	-
TOTAL PROPERTY	4,472	70	4,102	300	-	200	-	4,272	-
PLANT AND EQUIPMENT									
Computers and Telecommunications									
IS - Inter/Intranet software	130	-	130	-	-	-	-	130	-
IS - Unified Communications	175	-	175	-	-	-	-	175	-
IS - Network infrastructure	152	-	152	-	-	-	-	152	-
IS - PC Replacement program	254	-	254	-	-	-	-	254	-
Plant, Machinery and Equipment									
Trucks	500	-	500	-	-	-	-	500	-
TOTAL PLANT AND EQUIPMENT	1,212	-	1,212	-	-	-	-	1,212	-
INFRASTRUCTURE									
Roads									
Brunswick Street North (Park St and Scotchmer St), Footpath	150	-	150	-	-	-	-	150	-
Bosisto St, Richmond (Bridge Rd To Cameron St)- Pavement	150	-	150	-	-	-	-	150	-
Brunswick Street North (Holden St and Park St), Pavement	135	-	135	-	-	-	-	135	-
Brunswick Street North (Park St and Scotchmer St), Pavement	141	-	141	-	-	-	-	141	-
Bridges									
Holden Street Bridge (Koonda Lat)	58	-	58	-	-	-	-	58	-
Gipps Street (Collins Bridge)	50	-	50	-	-	-	-	50	-
Footpaths and Cycleways									
Brunswick St, Fitzroy (Park St To Scotchmer St), Footpath	50	-	50	-	-	-	-	50	-
Nicholson Street Activity Centre	57	-	57	-	-	-	-	57	-
Parks, Open Space and Streetscapes					-				
Langdon Reserve, Fitzroy North- Playground	30	-	30	-	-	-	5	25	-
Smith Reserve, Fitzroy- Playground	30	-	30	-	-	-	25	5	-
Curtain Square, Carlton Nth- Playground	50	-	50	-	-	-	-	50	-
Golden Square, Richmond- Playground	45	-	45	-	-	-	10	35	-
Alphington Park, Fairfield- Playground	115	-	115	-	-	-	30	85	-
Citizens Park, Richmond- Playground	160	-	160	-	-	-	-	160	-
Cairns Reserve, Richmond- Playground	63	-	63	-	-	-	-	63	-
Batman St Reserve- Playground, Fitzroy North	50	-	50	-	-	-	-	50	-
Edinburgh Gardens, Fitzroy North- Sports	318	-	318	-	-	135	-	183	-
Atherton Reserve, Fitzroy-Sports facilities	70	-	-	70	-	-	40	30	-
Ramsden St Oval, Clifton Hill- Sports	45	-	45	-	-	-	-	45	-

Capital Works Area	Project Cost	Asset expenditure types				Summary of Funding Sources			
		New	Renewal	Upgrade	Expansion	Grants	Contrib.	Council cash	Borrowings
	$'000	$'000	$'000	$'000	$'000	$'000	$'000	$'000	$'000
Burnley Golf Course, Richmond- Irrigation	**115**	-	115	-	-	-	-	115	-
Burnley Golf Course, Richmond- Walls and Fences	**195**	-	195	-	-	-	-	195	-
Burnley Golf Course, Richmond- Pathway	**167**	-	167	-	-	-	-	167	-
Edinburgh Gardens, Fitzroy North- Raingarden works	**115**	-	115	-	-	-	-	115	-
Burnley Golf Course, Richmond- Major works	**1,500**	-	1,500	-	-	-	-	1,500	-
Burnley Golf Course, Richmond- Turf	**110**	-	110	-	-	-	-	110	-
Cambridge Street Reserve, Collingwood- Turf	**1,554**	1,554	-	-	-	1,300	350	- 96	-
Coate Park, Fairfield- Park Furniture	**20**	-	20	-	-	-	-	20	-
Otter Street Pocket Park	**900**	900	-	-	-	1,092	-	- 192	-
Other Infrastructure									
Federal Spot Safety Program	**772**	-	-	772	-	772	-	-	-
Pedestrian Infrastructure in Cremorne	**95**	95	-	-	-	-	-	95	-
Gleadell St/Highett St Threshold Treatment	**150**	150	-	-	-	-	-	150	-
LAPM 3- Traffic management works	**320**	-	-	320	-	-	-	320	-
LAPM 13- Traffic management works	**1,336**	-	-	1,336	-	448	-	888	-
Safety Around Schools	**60**	-	-	60	-	-	-	60	-
LATM 15 - Traffic management works	**50**	-	-	50	-	-	-	50	-
LATM 19 - Traffic management works	**338**	-	-	338	-	250	-	88	-
TOTAL INFRASTRUCTURE	**9,562**	2,699	3,917	2,946	-	3,997	460	5,105	-
TOTAL CARRIED FORWARD CAPITAL WORKS 2021/22	**15,246**	2,769	9,231	3,246	-	4,197	460	10,589	-

Summary of Planned Capital Works Expenditure

For the years ending 30 June 2024,
2025 & 2026

2023/24	Asset Expenditure Types					Funding Sources				
	Total	New	Renewal	Expansion	Upgrade	Total	Grants	Contributions	Council Cash	Borrowings
	$'000	$'000	$'000	$'000	$'000	$'000	$'000	$'000	$'000	$'000
Property										
Buildings	17,832	9,680	5,752	-	2,400	17,832	6,043	-	11,789	-
Total Buildings	17,832	9,680	5,752	-	2,400	17,832	6,043	-	11,789	-
Total Property	**17,832**	**9,680**	**5,752**	-	**2,400**	**17,832**	**6,043**	-	**11,789**	-
Plant and Equipment										
Plant, machinery and equipment	1,767	155	1,612	-	-	1,767	-	540	1,227	-
Fixtures, fittings and furniture	239	-	239	-	-	239	-	-	239	-
Computers and telecommunications	1,789	10	1,779	-	-	1,789	-	-	1,789	-
Library books	650	-	650	-	-	650	-	-	650	-
Total Plant and Equipment	**4,445**	**165**	**4,280**	-	-	**4,445**	-	**540**	**3,905**	-
Infrastructure										
Roads	5,200	-	5,200	-	-	5,200	259	-	4,941	-
Bridges	50	-	50	-	-	50	-	-	50	-
Footpaths and cycleways	1,875	180	1,674	-	21	1,875	-	-	1,875	-
Drainage	2,316	359	1,957	-	-	2,316	181	-	2,135	-
Waste management	80	-	80	-	-	80	-	-	80	-
Parks, open space and streetscapes	11,075	7,350	3,725	-	-	11,075	1,000	5,905	4,170	-
Off street car parks	58	-	58	-	-	58	-	-	58	-
Other infrastructure	2,955	-	130	-	2,825	2,955	-	-	2,955	-
Total Infrastructure	**23,609**	**7,889**	**12,874**	-	**2,846**	**23,609**	**1,440**	**5,905**	**16,264**	-
Total Capital Works Expenditure	**45,886**	**17,734**	**22,906**	-	**5,246**	**45,886**	**7,483**	**6,445**	**31,957**	-

2024/25	Asset Expenditure Types					Funding Sources				
	Total	New	Renewal	Expansion	Upgrade	Total	Grants	Contributions	Council Cash	Borrowings
	$'000	$'000	$'000	$'000	$'000	$'000	$'000	$'000	$'000	$'000
Property										
Buildings	20,460	10,172	3,088	-	7,200	20,460	8,622	-	11,838	-
Total Buildings	20,460	10,172	3,088	-	7,200	20,460	8,622	-	11,838	-
Total Property	**20,460**	**10,172**	**3,088**	-	**7,200**	**20,460**	**8,622**	-	**11,838**	-
Plant and Equipment										
Plant, machinery and equipment	2,041	-	2,041	-	-	2,041	-	545	1,496	-
Fixtures, fittings and furniture	140	-	140	-	-	140	-	-	140	-
Computers and telecommunications	1,705	-	1,705	-	-	1,705	-	-	1,705	-
Library books	660	-	660	-	-	660	-	-	660	-
Total Plant and Equipment	**4,546**	-	**4,546**	-	-	**4,546**	-	**545**	**4,001**	-
Infrastructure										
Roads	5,410	-	5,410	-	-	5,410	259	-	5,151	-
Bridges	50	-	50	-	-	50	-	-	50	-
Footpaths and cycleways	1,371	-	1,371	-	-	1,371	-	-	1,371	-
Drainage	1,728	-	1,728	-	-	1,728	-	-	1,728	-
Waste management	85	-	85	-	-	85	-	-	85	-
Parks, open space and streetscapes	7,470	5,150	2,320	-	-	7,470	100	5,600	1,770	-
Off street car parks	60	-	60	-	-	60	-	-	60	-
Other infrastructure	1,674	-	130	-	1,544	1,674	-	-	1,674	-
Total Infrastructure	**17,848**	**5,150**	**11,154**	-	**1,544**	**17,848**	**359**	**5,600**	**11,889**	-
Total Capital Works Expenditure	**42,853**	**15,322**	**18,787**	-	**8,744**	**42,853**	**8,981**	**6,145**	**27,727**	-

Attachment 1 - Attachment 1 - Annual Budget 2022-23

2025/26	Asset Expenditure Types					Funding Sources				
	Total	New	Renewal	Expansion	Upgrade	Total	Grants	Contributions	Council Cash	Borrowings
	$'000	$'000	$'000	$'000	$'000	$'000	$'000	$'000	$'000	$'000
Property										
Buildings	17,595	10,507	6,958	-	130	17,595	9,889	-	7,706	-
Total Buildings	17,595	10,507	6,958	-	130	17,595	9,889	-	7,706	-
Total Property	**17,595**	**10,507**	**6,958**	-	**130**	**17,595**	**9,889**	-	**7,706**	-
Plant and Equipment										
Plant, machinery and equipment	2,066	-	2,066	-	-	2,066	-	545	1,521	-
Fixtures, fittings and furniture	140	-	140	-	-	140	-	-	140	-
Computers and telecommunications	2,040	10	2,030	-	-	2,040	-	-	2,040	-
Library books	670	-	670	-	-	670	-	-	670	-
Total Plant and Equipment	**4,916**	**10**	**4,906**	-	-	**4,916**	-	**545**	**4,371**	-
Infrastructure										
Roads	6,328	-	6,328	-	-	6,328	259	-	6,069	-
Bridges	50	-	50	-	-	50	-	-	50	-
Footpaths and cycleways	2,196	-	2,090	-	106	2,196	-	-	2,196	-
Drainage	1,277	-	1,277	-	-	1,277	-	-	1,277	-
Waste management	85	-	85	-	-	85	-	-	85	-
Parks, open space and streetscapes	8,950	5,150	3,800	-	-	8,950	100	6,050	2,800	-
Off street car parks	60	-	60	-	-	60	-	-	60	-
Other infrastructure	1,806	-	110	-	1,696	1,806	-	-	1,806	-
Total Infrastructure	**20,752**	**5,150**	**13,800**	-	**1,802**	**20,752**	**359**	**6,050**	**14,343**	-
Total Capital Works Expenditure	**43,264**	**15,667**	**25,664**	-	**1,932**	**43,264**	**10,248**	**6,595**	**26,421**	-

5. Financial performance indicators

The following table highlights Council's current and projected performance across a range of key financial performance indicators. These indicators provide a useful analysis of Council's financial position and performance and should be interpreted in the context of the organisation's objectives.

The financial performance indicators below are the prescribed financial performance indicators contained in Part 3 of Schedule 3 of the *Local Government (Planning and Reporting) Regulations 2020*. Results against these indicators will be reported in Council's Performance Statement included in the Annual Report.

Indicator	Measure	Notes	Actual	Forecast	Budget	Projections			Trend
			2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	+/o/-
Operating position									
Adjusted underlying result	Adjusted underlying surplus (deficit) / Adjusted underlying revenue	1	(0.30%)	(6.07%)	(3.09%)	(2.50%)	0.77%	2.22%	+
Liquidity									
Working Capital	Current assets / current liabilities	2	184.56%	160.26%	155.80%	128.56%	113.18%	102.02%	-
Unrestricted cash	Unrestricted cash / current liabilities	3	86.02%	65.91%	68.39%	44.61%	27.06%	14.32%	-
Obligations									
Loans and borrowings	Interest bearing loans and borrowings / rate revenue	4	48.67%	32.44%	43.86%	37.90%	32.11%	26.53%	+
Loans and borrowings	Interest and principal repayments on interest bearing loans and borrowings / rate revenue		2.70%	29.59%	4.25%	6.02%	5.85%	5.70%	o
Indebtedness	Non-current liabilities / own source revenue		29.62%	22.37%	26.65%	22.48%	18.47%	14.73%	+
Asset renewal	Asset renewal and upgrade expense / Asset depreciation	5	142.63%	142.63%	118.71%	111.11%	106.56%	104.78%	o
Stability									
Rates concentration	Rate revenue / adjusted underlying revenue	6	62.11%	60.24%	57.13%	56.56%	56.50%	56.76%	o
Rates effort	Rate revenue / CIV of rateable properties in the municipality		0.20%	0.20%	0.19%	0.19%	0.19%	0.18%	o
Efficiency									
Expenditure level	Total expenses/ no. of property assessments		$3,486.41	$3,562.27	$3,770.90	$3,802.98	$3,733.67	$3,641.27	+
Revenue level	Total rate revenue / no. of property assessments		$2,036.85	$2,079.47	$2,155.53	$2,181.39	$2,207.47	$2,192.90	+

Key to Forecast Trend:

+ Forecasts improvement in Council's financial performance/financial position indicator

o Forecasts that Council's financial performance/financial position indicator will be steady

- Forecasts deterioration in Council's financial performance/financial position indicator

Notes to indicators

1. Adjusted underlying result

An indicator of the sustainable operating result required to enable Council to continue to provide core services and meet its objectives. Improvement in financial performance expected over the period, although continued losses means reliance on Councils' cash reserves or increased debt to maintain services.

2. Working Capital

The proportion of current liabilities represented by current assets. Working capital is forecast to increase in the forward periods.

3. Debt compared to rates

Trend indicates Council's reducing reliance on debt against its annual revenue through redemption of long term debts.

4. Asset renewal

This percentage indicates the extent of Council's renewal of assets against its depreciation charge (an indication of the decline in value of its existing capital assets). A percentage greater than 100% indicates Council is maintaining its existing assets, while a percentage les than 100% means its assets are deteriorating faster than they are being renewed and future capital expenditure will be required to renew assets.

5. Rates concentration

Reflects extent of reliance on rate revenues to fund all of Councils' on-going services.

6. Schedule of Fees and Charges

This appendix presents the fees and charges of a statutory/non-statutory nature which will be charged in respect to various goods and services during the financial year 2022/23. The non-statutory fees and charges are based on information available at the time of publishing and may vary during the financial year subject to any changes in Council's policy. The statutory fees are set by statute and are made in accordance with legislative requirements. These fees are updated as of 1 July 2022 and will be reflected on Council's website.

Attachment 1 - Attachment 1 - Annual Budget 2022-23



Table Of Contents

City of Yarra 6
Property & Rating Fees 6
Governance Support 6
Libraries 6
Library Merchandise 6
Photocopies 7
Book Sales 7
Finance 7
Aged & Disability Services 7
Home Care, Personal Care and Respite Care 7
Personal Care 8
Respite Care 9
Home Maintenance 10
Delivered / Centre Meals 11
Willowview 11
Community Transport 12
Home Care Packages (HCP) 12
Parking Services 12
Parking Meter Rates 12
Parking Permits 13
Parking Occupation Fees 13
Towing & Impounding Fees 13
Parking Offence Fees 14
Local Laws / Legislative Services 14
Public Space Licences 15
Animal Control 16
Community Amenity (Local Laws and Animal Control) 16
Food Premises 17
Class 1 or Class 2 Premises 17
Class 3 and Not for Profit Class 1 and 2 Food Premises 18
Not for Profit Class 3 Food Premises 18
Temporary and Mobile Food Premises 18
Aquatic Facilities 19
Prescribed Accommodation Premises 19
Commercial 19
Not For Profit 19
Premises Providing Personal Services 20
Other Fees 20
Information/Service Fees 20
Recreation 20
Multi-purpose Sporting Facilities 20

continued on next page ...

Table Of Contents [continued]

Construction Management Support Unit 23
Permit Inspections 23
Asset Protection Permit 23
Vehicle Crossing Permit 23
Road / Footpath Occupation Permit 23
Skip Bin Permit 24
Filming & Commercial Still Photography Permit 24
Road / Footpath Openings 24
Child Care 25
Late Fee – Childrens Services 25
Outside School Hours Care 26
Long Day Care 26
Pre School 3 Year Olds 26
Funded Kindergarten 26
Occasional Child Care 26
Youth Services 26
Hire of Meeting Rooms – Connie Benn Centre 26
Hire of Community Facility - The Stables 27
Maternal & Child Health 28
Vaccine 28
Vaccine – No Charge 28
Planning & Subdivision 28
Amendments to Planning Scheme 28
Applications for permits Reg 9 Type of Permit Application 29
Reg 9 Single Dwellings 29
Reg 9 VICSMART Applications 29
Reg 9 Other Development 29
Reg 9 Subdivision 30
Certification 30
Revised Plans Amend an application for a permit after notice has been given – Reg 12 30
Other Applicable Statutory Fees 30
Planning schedule of permit application revision fees under section 57a – Reg 12 Type of Permit Application 31
Reg 12 Single Dwellings 31
Reg 12 Other Development 31
Reg 12 Subdivision 31
Reg 11 Permit Amendment Fees 32
Reg 11 Single Dwellings 32
Reg 11 VICSMART Applications which meet the VicSmart criteria 33
Reg 11 Other Development 33
Reg 11 Subdivision 33
Reg 8 Recertification 33

continued on next page ...

Table Of Contents [continued]

Reg 12 Revised Plans Amend an application for an amendment to a permit after notice has been given....33
Other Applicable Statutory Fees....33
Reg 12 Planning schedule of permit amendment revision fees under Section 57A Type of Permit Amendment....34
Reg 12 Single Dwellings....34
Reg 12 Other Development....34
Reg 12 Subdivision....35
Other Fees....35
Request to extend expiry date of a permit....35
Request to amend a permit/plans Secondary Consent (other than under s72)....36
If the estimated cost of any additional development to be permitted by the amendment is....36
Planning Scheme Amendment....36
Archive Request....37
Building Control/Regulation....37
Lodgement Fees (building work permit)....37
Building Permit Fees....37
Hire of Town Halls....40
Community Halls....41
Small Community Spaces....41
Medium Community Spaces....41
Large Community Spaces....41
Performance Spaces (Richmond Theatrette)....42
Parks and Open Space....42
Site Fees, Occupation Charges & Other Usage Charges....42
Fairfield Amphitheatre....42
Burnley Circus Site....43
Permits....43
Yarra Leisure Centres....44
Casual Entry....44
Bulk Tickets....44
Lane Hire....44
Debit Fees....45
Program Classes....45
Gym....45
Personal Training....46
Swim Lessons....46
Programs – Myotherapy....47
Yarra Triathlon Programs....47
Miscellaneous....47
Burnley Golf Course....47
Engineering Planning....48
Drainage Fees (Levy)....48

continued on next page ...

Table Of Contents [continued]

Waste Management 48
Urban Agriculture 48

Name	Unit of measure	GST	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase $	Statutory
City of Yarra							
Property & Rating Fees							
Land information certificates	Per Certificate	N	$27.00	$27.00	0.00%	$0.00	Y
Land information certificates – 24 hour turnaround (online application only)	Per Certificate	N	$72.80	$74.10	1.79%	$1.30	N
Non-Rateable Garbage Charge	Per service	N	$395.85	$403.00	1.81%	$7.15	N
Retrospective Valuation Certificate	Per Certificate	Y	$106.00	$108.00	1.89%	$2.00	N
Payment Arrangement fee (Rates – Referred for Legal Action)	Per Arrangement	Y	$6.20	$6.30	1.61%	$0.10	N
Rate Notice reproduction	Per Notice	N	$27.90	$28.40	1.79%	$0.50	N
Debt Recovery Field Call	Per Notice	N	$60.90	$62.00	1.81%	$1.10	N
Debt Recovery Administration	Per Referral	N	$45.70	$46.50	1.75%	$0.80	N
Debt Recovery Administration Summons Trace successful	Per Trace	N	$152.00	$154.50	1.64%	$2.50	N
Debt Recovery Administration Summons Trace unsuccessful	Per Trace	N	$101.50	$103.50	1.97%	$2.00	N
Debt Recovery Title Search	Per Search	N	$26.00	$26.45	1.73%	$0.45	N
Debt Recovery Company Search	Per Search	N	$26.00	$26.45	1.73%	$0.45	N
Governance Support							
Freedom of information requests		N	$30.10	$30.10	0.00%	$0.00	Y
Libraries							
Book delivery	per delivery	Y	$12.70	$15.00	18.11%	$2.30	N
Damaged / Lost Books	Per item	Y			Cost + $13.00 (incl. GST) Min. Fee excl. GST: $11.64		N
Damaged / Lost Magazines	Per item	Y			Cost + $4.00 (incl. GST) Min. Fee excl. GST: $4.00		N
Lost Card	Per item	Y	$4.00	$4.00	0.00%	$0.00	N
Inter Library Loans	Per item	Y	$28.50	$28.80	1.05%	$0.30	N
Reservations	Per item	N				No Charge	N
Word Processing	Per Session	Y				No Charge	N
Internet Access	Per Session	Y				No Charge	N
Library Merchandise							
Library Bags	Per Bag	Y	$3.50	$4.00	14.29%	$0.50	N
Library USBs	Per USB	Y	$8.00	$8.10	1.25%	$0.10	N
Library Keep Cups	Per Cup	Y	$15.00	$15.00	0.00%	$0.00	N

Name	Unit of measure	GST	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase $	Statutory
Photocopies							
Photocopies A4	Per Copy	Y	$0.20	$0.20	0.00%	$0.00	N
Photocopies A3	Per Copy	Y	$0.40	$0.40	0.00%	$0.00	N
Photocopies A4 (colour)	Per Copy	Y	$1.10	$1.10	0.00%	$0.00	N
Photocopies A3 (colour)	Per Copy	Y	$2.10	$2.10	0.00%	$0.00	N
Book Sales							
Book delivery	per delivery	N	$12.50	$15.00	20.00%	$2.50	N
Hardbacks	Per Sale	Y	$3.00	$3.00	0.00%	$0.00	N
Paperbacks	Per Sale	Y	$1.50	$1.55	3.33%	$0.05	N
Magazines	Per Sale	Y	$0.50	$0.50	0.00%	$0.00	N
Bag of Books	Per Bag	Y	$5.00	$5.00	0.00%	$0.00	N
Finance							
Credit Card Surcharge	Per Transaction	Y	0.5% to payments made via Credit Card				N
Dishonoured Cheque Administration Fee	Per Cheque	Y	$37.00	$37.65	1.76%	$0.65	N
Dishonoured Direct Debit Administration Fee	Per Cheque	Y	$37.00	$37.65	1.76%	$0.65	N
Aged & Disability Services							
Home Care, Personal Care and Respite Care							
Home Care General – Low Fee Range							
Home Care General Low fee range – Single Up to $28,605	Per hour	N	$4.30	$4.40	2.33%	$0.10	N
Home Care General Low fee range – Single $28,605 to $39,089 (CHSP)	Per hour	N	$6.65	$6.75	1.50%	$0.10	N
Home Care General Low fee range – Single $28,605 to $39,089 (HACCPYP)	Per hour	N	$6.30	$6.30	0.00%	$0.00	N
Home Care General Low fee range – Couple Up to $59,802 (CHSP)	Per hour	N	$6.70	$6.80	1.49%	$0.10	N
Home Care General Low fee range – Couple Up to $59,802 (HACCPYP)	Per hour	N	$6.30	$6.30	0.00%	$0.00	N
Home Care General Low fee range – Family Up to $66,009 (CHSP)	Per hour	N	$6.70	$6.80	1.49%	$0.10	N
Home Care General Low fee range – Family Up to $66,009 (HACCPYP)	Per hour	N	$6.30	$6.30	0.00%	$0.00	N
Home Care General – Medium Fee Range							
Home Care General Medium fee range – Single $39,089 to $54,795	Per hour	N	$9.50	$9.65	1.58%	$0.15	N

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Name	Unit of measure	GST	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase $	Statutory
Home Care General – Medium Fee Range [continued]							
Home Care General Medium fee range – Single $54,795 to $70,501	Per hour	N	$12.30	$12.50	1.63%	$0.20	N
Home Care General Medium fee range – Single $70,501 to $86,208	Per hour	N	$15.00	$15.25	1.67%	$0.25	N
Home Care General Medium fee range – Couple $59,802 to $78,283	Per hour	N	$11.15	$11.35	1.79%	$0.20	N
Home Care General Medium fee range – Couple $78,283 to $96,764	Per hour	N	$14.15	$14.40	1.77%	$0.25	N
Home Care General Medium fee range – Couple $96,764 to $115,245 (CHSP)	Per hour	N	$16.70	$17.00	1.80%	$0.30	N
Home Care General Medium fee range – Couple $96,764 to $115,245 (HACCPYP)	Per hour	N	$15.70	$15.70	0.00%	$0.00	N
Home Care General Medium fee range – Family $66,009 to $83,521	Per hour	N	$11.15	$11.35	1.79%	$0.20	N
Home Care General Medium fee range – Family $83,521 to $101,033	Per hour	N	$14.15	$14.40	1.77%	$0.25	N
Home Care General Medium fee range – Family $101,033 to $118,546 (CHSP)	Per hour	N	$16.70	$17.00	1.80%	$0.30	N
Home Care General Medium fee range – Family $101,033 to $118,546 (HACCPYP)	Per hour	N	$15.70	$15.70	0.00%	$0.00	N
Home Care General – High Fee Range							
Home Care General High Range – Single Above $86,208	Per hour	N	$36.50	$37.15	1.78%	$0.65	N
Home Care General High Range – Couple Above $115,245	Per hour	N	$36.50	$37.15	1.78%	$0.65	N
Home Care General High Range – Family Above $118,546	Per hour	N	$36.50	$37.15	1.78%	$0.65	N
Personal Care							
Personal Care – Low Fee Range							
Personal Care Low fee range – Single Up to $28,605	Per hour	N	$4.20	$4.25	1.19%	$0.05	N
Personal Care Low fee range – Single $28,605 to $39,089	Per hour	N	$4.95	$5.05	2.02%	$0.10	N
Personal Care Low fee range – Couple Up to $44,309	Per hour	N	$4.20	$4.25	1.19%	$0.05	N
Personal Care Low fee range – Couple $44,309 to $59,802	Per hour	N	$4.95	$5.05	2.02%	$0.10	N
Personal Care Low fee range – Family Up to $44,309	Per hour	N	$4.20	$4.25	1.19%	$0.05	N
Personal Care Low fee range – Family $44,309 to $66,009	Per hour	N	$4.95	$5.05	2.02%	$0.10	N

Name	Unit of measure	GST	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase $	Statutory
Personal Care – Medium Fee Range							
Personal Care General Medium fee range – Single $39,089 to $54,795	Per hour	N	$7.85	$8.00	1.91%	$0.15	N
Personal Care General Medium fee range – Single $54,795 to $70,501	Per hour	N	$8.25	$8.40	1.82%	$0.15	N
Personal Care General Medium fee range – Single $70,501 to $86,208	Per hour	N	$9.05	$9.20	1.66%	$0.15	N
Personal Care General Medium fee range – Couple $59,802 to $78,283	Per hour	N	$7.85	$8.00	1.91%	$0.15	N
Personal Care General Medium fee range – Couple $78,283 to $96,764	Per hour	N	$8.25	$8.40	1.82%	$0.15	N
Personal Care General Medium fee range – Couple $96,764 to $115,245	Per hour	N	$9.05	$9.20	1.66%	$0.15	N
Personal Care General Medium fee range – Family $66,009 to $83,521	Per hour	N	$7.85	$8.00	1.91%	$0.15	N
Personal Care General Medium fee range – Family $83,521 to $101,033	Per hour	N	$8.25	$8.40	1.82%	$0.15	N
Personal Care General Medium fee range – Family $101,033 to $118,546	Per hour	N	$9.05	$9.20	1.66%	$0.15	N
Personal Care – High Fee Range							
Personal Care General High Range – Single Above $86,208	Per hour	N	$40.80	$41.50	1.72%	$0.70	N
Personal Care General High Range – Couple Above $115,245	Per hour	N	$40.80	$41.50	1.72%	$0.70	N
Personal Care General High Range – Family Above $118,546	Per hour	N	$40.80	$41.50	1.72%	$0.70	N
Respite Care							
Respite Care – Low Fee Range							
Respite Care Low fee range – Single Up to $28,605	Per hour	N	$2.90	$2.95	1.72%	$0.05	N
Respite Care Low fee range – Single $28,605 to $39,089	Per hour	N	$3.35	$3.40	1.49%	$0.05	N
Respite Care Low fee range – Couple Up to $44,309	Per hour	N	$2.90	$2.95	1.72%	$0.05	N
Respite Care Low fee range – Couple $44,309 to $59,802	Per hour	N	$3.35	$3.40	1.49%	$0.05	N
Respite Care Low fee range – Family Up to $44,309	Per hour	N	$2.90	$2.95	1.72%	$0.05	N
Respite Care Low fee range – Family $44,309 to $66,009	Per hour	N	$3.35	$3.40	1.49%	$0.05	N
Respite Care – Medium Fee Range							
Respite Care General Medium fee range – Single $39,089 to $54,795	Per hour	N	$3.90	$3.95	1.28%	$0.05	N
Respite Care General Medium fee range – Single $54,795 to $70,501	Per hour	N	$4.75	$4.85	2.11%	$0.10	N

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Name	Unit of measure	GST	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase $	Statutory
Respite Care – Medium Fee Range [continued]							
Respite Care General Medium fee range – Single $70,501 to $86,208	Per hour	N	$4.85	$4.95	2.06%	$0.10	N
Respite Care General Medium fee range – Couple $59,802 to $78,283	Per hour	N	$3.90	$3.95	1.28%	$0.05	N
Respite Care General Medium fee range – Couple $78,283 to $96,764	Per hour	N	$4.75	$4.85	2.11%	$0.10	N
Respite Care General Medium fee range – Couple $96,764 to $115,245	Per hour	N	$4.85	$4.95	2.06%	$0.10	N
Respite Care General Medium fee range – Family $66,009 to $83,521	Per hour	N	$3.90	$3.95	1.28%	$0.05	N
Respite Care General Medium fee range – Family $83,521 to $101,033	Per hour	N	$4.75	$4.85	2.11%	$0.10	N
Respite Care General Medium fee range – Family $101,033 to $118,546	Per hour	N	$4.85	$4.95	2.06%	$0.10	N
Respite Care – High Fee Range							
Respite Care General High Range – Single Above $86,208	Per hour	N	$37.70	$38.35	1.72%	$0.65	N
Respite Care General High Range – Couple Above $115,245	Per hour	N	$37.70	$38.35	1.72%	$0.65	N
Respite Care General High Range – Family Above $118,546	Per hour	N	$37.70	$38.35	1.72%	$0.65	N
Home Maintenance							
Home Maintenance – Low Fee Range							
Home Maintenance Low fee range – Single Up to $28,605	Per hour	N	$4.70	$4.80	2.13%	$0.10	N
Home Maintenance Low fee range – Single $28,605 to $39,089	Per hour	N	$7.35	$7.50	2.04%	$0.15	N
Home Maintenance Low fee range – Couple Up to $44,309	Per hour	N	$4.70	$4.80	2.13%	$0.10	N
Home Maintenance Low fee range – Couple $44,309 to $59,802	Per hour	N	$8.75	$8.90	1.71%	$0.15	N
Home Maintenance Low fee range – Family Up to $44,309	Per hour	N	$4.70	$4.80	2.13%	$0.10	N
Home Maintenance Low fee range – Family $44,309 to $66,009	Per hour	N	$8.75	$8.90	1.71%	$0.15	N
Home Maintenance – Medium Fee Range							
Home Maintenance Medium Fee Range Single – $39,089 to $86,208	Per hour	N	$18.30	$18.60	1.64%	$0.30	N
Home Maintenance Medium Fee Range Couple – $59,802 to $115,245	Per hour	N	$18.30	$18.60	1.64%	$0.30	N
Home Maintenance Medium Fee Range Family – $66,009 to $118,546	Per hour	N	$18.30	$18.60	1.64%	$0.30	N

Name	Unit of measure	GST	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase $	Statutory
Home Maintenance – High Fee Range							
Home Maintenance High Range – Single Above $86,208 (CHSP)	Per hour	N	$52.60	$53.50	1.71%	$0.90	N
Home Maintenance High Range – Single Above $86,208 (HACCPYP)	Per hour	N	$50.40	$50.40	0.00%	$0.00	N
Home Maintenance High Range – Couple Above $115,245 (CHSP)	Per hour	N	$52.60	$53.50	1.71%	$0.90	N
Home Maintenance High Range – Couple Above $115,245 (HACCPYP)	Per hour	N	$50.40	$50.40	0.00%	$0.00	N
Home Maintenance – Family Above $118,546 (CHSP)	Per hour	N	$52.60	$53.50	1.71%	$0.90	N
Home Maintenance – Family Above $118,546 (HACCPYP)	Per hour	N	$50.40	$50.40	0.00%	$0.00	N
Delivered / Centre Meals							
Delivered / Centre Meals – Low Fee Range							
Delivered / Centre Meals Single Up to $39,089	Per meal	N	$6.90	$7.00	1.45%	$0.10	N
Delivered / Centre Meals Couple Up to $59,802	Per meal	N	$6.90	$7.00	1.45%	$0.10	N
Delivered / Centre Meals Family Up to $66,009	Per meal	N	$6.90	$7.00	1.45%	$0.10	N
Delivered / Centre Meals – Medium Fee Range							
Delivered / Centre Meals Single – $39,089 to $86,208	Per meal	N	$8.95	$9.10	1.68%	$0.15	N
Delivered / Centre Meals Couple – $59,802 to $115,245	Per meal	N	$8.95	$9.10	1.68%	$0.15	N
Delivered / Centre Meals Family – $66,009 to $118,546	Per meal	N	$8.95	$9.10	1.68%	$0.15	N
Delivered / Centre Meals – High Fee Range							
Delivered / Centre Meals – Single Above $86,208	Per meal	N	$23.25	$23.65	1.72%	$0.40	N
Delivered / Centre Meals – Couple Above $115,245	Per meal	N	$23.25	$23.65	1.72%	$0.40	N
Delivered / Centre Meals – Family Above $118,546	Per meal	N	$23.25	$23.65	1.72%	$0.40	N
Willowview							
Willowview – High Care							
Willowview – Outing Group							
Willowview – Low Fee Range Single Up to $39,089	Per session	N	$8.65	$8.80	1.73%	$0.15	N

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Name	Unit of measure	GST	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase $	Statutory
Willowview – Outing Group [continued]							
Willowview – Low Fee Range Couple Up to $59,802	Per session	N	$8.65	$8.80	1.73%	$0.15	N
Willowview – Low Fee Range Family Up to $66,009	Per session	N	$8.65	$8.80	1.73%	$0.15	N
Willowview – Medium Fee Range Single – $39,089 to $86,208	Per session	N	$8.65	$8.80	1.73%	$0.15	N
Willowview – Medium Fee Range Couple – $59,802 to $115,245	Per session	N	$8.65	$8.80	1.73%	$0.15	N
Willowview – Medium Fee Range Family – $66,009 to $118,546	Per session	N	$8.65	$8.80	1.73%	$0.15	N
Willowview – High Fee Range – Single Above $86,208	Per session	N	$21.65	$22.05	1.85%	$0.40	N
Willowview – High Fee Range – Couple Above $115,245	Per session	N	$21.65	$22.05	1.85%	$0.40	N
Willowview – High Fee Range – Family Above $118,546	Per session	N	$21.65	$22.05	1.85%	$0.40	N
Community Transport							
Social Support Group Outing	per session	N	$1.00	$1.00	0.00%	$0.00	N
Community Transport General	Per trip	N	$1.00	$1.00	0.00%	$0.00	N
Home Care Packages (HCP)							
Community Transport	Per trip	N	$25.00	$25.00	0.00%	$0.00	N
All Meals	Per meal	Y	$21.55	$21.95	1.86%	$0.40	N
Home/Personal/Respite Care (8.00am to 6.00pm Monday to Friday)	Per hour	Y	$50.10	$51.00	1.80%	$0.90	N
Home/Personal/Respite Care (6.00pm to 8.00am Monday to Friday)	Per hour	Y	$106.50	$108.50	1.88%	$2.00	N
Home/Personal/Respite Care (6.00pm Friday to 8.00am Monday)	Per hour	Y	$106.50	$108.50	1.88%	$2.00	N
Adult Day Care	Per session	Y	$36.90	$37.55	1.76%	$0.65	N
*Based upon HACC services used and other services as negotiated							
Parking Services							
Parking Meter Rates							
Parking Fees – meters/ticket machines (per hour) spread from 0.00 to $12.00 max	per hour	N		$ 0.00 - $ 12.00 - default price $5.00 **Last year fee** $ 0.00 - $ 10.00 - default price $4.00			N
All Day Parking (various locations)	Per Day	Y	$12.00	$14.40	20.00%	$2.40	N
Half Day Parking (4 Hours, various locations)	Per 4 Hours	Y	$6.00	$7.20	20.00%	$1.20	N
Night parking rate	Per Night	Y	$12.00	$14.40	20.00%	$2.40	N

Name	Unit of measure	GST	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase $	Statutory
Parking Permits							
Parking Permits – 1st Resident permit concession or 1st Visitor permit concession	Per permit	N				FREE	N
Parking Permits – 2nd Resident permit concession or 2nd Visitor permit concession	Per permit	N	$41.60	$50.00	20.19%	$8.40	N
Parking Permits – 3rd Resident permits concession or 3rd Visitor permit concession	Per permit	N	$41.60	$50.00	20.19%	$8.40	N
Replacement Parking permit fee		N	$0.00	$20.00	∞	$20.00	N
Tradesperson permit monthly fee- non metered	Per bay	N	$0.00	$200.00	∞	$200.00	N
Parking Permits – 1st Resident permit	Per Permit	N	$41.60	$50.00	20.19%	$8.40	N
Parking Permits – 2nd Resident permits	Per Permit	N	$101.50	$122.00	20.20%	$20.50	N
Parking Permits – 3rd Resident permits	Per Permit	N	$191.00	$229.00	19.90%	$38.00	N
Parking Permits – Business – 1st permit	Per Permit	N	$139.00	$141.50	1.80%	$2.50	N
Parking Permits – Business – 2nd and subsequent permits	Per Permit	N	$258.00	$262.50	1.74%	$4.50	N
Parking Permits – Disabled	Per Permit	N				No Charge	N
Parking Permits – 1st Visitor permit	Per Permit	N	$41.60	$50.00	20.19%	$8.40	N
Parking Permits – 2nd Visitor permits	Per Permit	N	$101.50	$122.00	20.20%	$20.50	N
Parking Permits – 3rd Visitor permits	Per Permit	N	$191.00	$229.00	19.90%	$38.00	N
Installation of Loading Zone	Per Loading zone	Y	$218.00	$230.00	5.50%	$12.00	N
Parking Permit – Car Share Bay	Per Permit	N	$609.00	$620.00	1.81%	$11.00	N
Installation of Car Share Bay	Per Bay	Y	$660.00	$672.00	1.82%	$12.00	N
Tradesperson permit per day- non metered	Per Bay	N	$20.00	$20.00	0.00%	$0.00	N
Tradesperson permit per week- non metered	Per Bay	N	$60.00	$60.00	0.00%	$0.00	N
Parking Occupation Fees							
Occupation of parking bays – parking meter/first day – Non Commercial Street	Per Day	Y	$66.50	$80.00	20.30%	$13.50	N
Occupation of parking bays – parking meter/subsequent day – Non Commercial Street	Per Day	Y	$33.50	$40.00	19.40%	$6.50	N
Occupation of parking bays – parking meter/first day – Commercial Street	Per Day	Y	$111.50	$120.00	7.62%	$8.50	N
Occupation of parking bays – parking meter/subsequent day – Commercial street	Per Day	Y	$58.90	$70.00	18.85%	$11.10	N
Towing & Impounding Fees							
Vehicle tow-away – impounding fee	Per item	Y	$450.50	$460.00	2.11%	$9.50	N

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Name	Unit of measure	GST	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase $	Statutory
Towing & Impounding Fees [continued]							
Derelict vehicles/pound fee – abandoned/unregistered vehicle	Per Vehicle	Y	$450.50	$460.00	2.11%	$9.50	N
Parking Offence Fees							
Parking offences set out in Schedule 6 of the Road Safety (General) Regulations 2019	Of a Penalty Unit	N			0.5 of a penalty unit		N
Local Laws / Legislative Services							
Parklet Application and Inspection - Neighbourhood	Per application	N	$0.00	$275.00	∞	$275.00	N
Parklet Application and Inspection - Primary	Per application	N	$0.00	$275.00	∞	$275.00	N
Parklet Application and Inspection - Secondary	Per application	N	$0.00	$275.00	∞	$275.00	N
Parklet Permit 12 Month - Neighbourhood	Per permit	N	$0.00	$2,250.00	∞	$2,250.00	N
Parklet Permit 12 Month - Primary	Per permit	N	$0.00	$5,000.00	∞	$5,000.00	N
Parklet Permit 12 Month - Secondary	Per permit	N	$0.00	$3,000.00	∞	$3,000.00	N
Parklet Permit 1st Quarter - Neighbourhood	Per permit	N	$0.00	$417.38	∞	$417.38	N
Parklet Permit 1st Quarter - Primary	Per permit	N	$0.00	$937.50	∞	$937.50	N
Parklet Permit 1st Quarter - Secondary	Per permit	N	$0.00	$562.50	∞	$562.50	N
Parklet Permit Summer 6 Month - Neighbourhood	Per permit	N	$0.00	$1,125.00	∞	$1,125.00	N
Parklet Permit Summer 6 Month - Primary	Per permit	N	$0.00	$2,500.00	∞	$2,500.00	N
Parklet Permit Summer 6 Month - Secondary	Per permit	N	$0.00	$1,500.00	∞	$1,500.00	N
Footpath Trading – Application/ Inspection fee (Non-refundable)	Per application	N	$57.90	$58.90	1.73%	$1.00	N
Footpath heaters	Annual fee	N	$112.50	$114.50	1.78%	$2.00	N
Footpath awning fee	Annual fee	N	$223.50	$227.50	1.79%	$4.00	N
Local laws Permit refund fee	Per fee	N	$112.50	$114.50	1.78%	$2.00	N
Planter Box/Tubs (Excludes Tables & Chairs) Footpath trading only	Annual fee	N	$57.90	$58.90	1.73%	$1.00	N
Additional miscellaneous item Footpath trading	Per item	N	$57.90	$58.90	1.73%	$1.00	N
Mobile Food Vans – Normal Rate	Per Van	N	$2,670.00	$2,715.00	1.69%	$45.00	N
Mobile Food Vans – Concession Rate (Yarra Resident Only)	Per Van	N	$1,895.00	$1,930.00	1.85%	$35.00	N
Mobile Food Van – small private events permit 1 day or less	Per Van	N	$111.50	$113.50	1.79%	$2.00	N
Mobile Food Van – Charity or Non for profit event	Per Van	N	$0.00	$0.00	0.00%	$0.00	N
Significant Tree Application fee (Non-refundable)	Per application	N	$157.50	$160.50	1.90%	$3.00	N
Significant Tree Permit – Removal	Per Permit	N	$223.50	$227.50	1.79%	$4.00	N

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Name	Unit of measure	GST	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase $	Statutory
Local Laws / Legislative Services [continued]							
Significant Tree Permit – Pruning only	Per Permit	N	$112.50	$114.50	1.78%	$2.00	N
Excess Animal Permit – Application Fee (Non Refundable)	Per Permit	N	$58.90	$59.90	1.70%	$1.00	N
Cat trap – rental per week	Per Week	N	$23.35	$23.75	1.71%	$0.40	N
Commercial dog walking permit (annual permit)	Annual Permit	N	$112.50	$114.50	1.78%	$2.00	N
Excess Animal Permit – Fee	Annual Permit	N	$58.90	$59.90	1.70%	$1.00	N
Temporary Public Space Licence (prescribed event area) multi max 5 stalls/promotional activities Charity or Non for profit	Per Permit	N	$0.00	$0.00	0.00%	$0.00	N
Temporary Public Space Licence (prescribed event area) multi max 5 stalls/promotional activities	Per Permit	N	$106.50	$108.50	1.88%	$2.00	N
Temporary Public Space Licence (prescribed event area) each additional stall/promotional activity over 5 for Charity or Non for profit	Per Permit	N	$0.00	$0.00	0.00%	$0.00	N
Temporary Public Space Licence (prescribed event area) each additional stall/promotional activity over 5	Per Permit	N	$32.50	$33.05	1.69%	$0.55	N
Temporary Public Space Licences up to 7 days	Per Permit	N	$71.00	$72.20	1.69%	$1.20	N
Local law permit application fee (As required)	Annual Permit	N	$57.90	$58.90	1.73%	$1.00	N
Busking Permit (Monthly charge)	Per Month	N	$15.25	$15.50	1.64%	$0.25	N
Planter box/tubs – Laneway garden permit fee	Per Permit	N	$57.90	$58.90	1.73%	$1.00	N
General Local Law Permit	Per Permit	N	$350.00	$356.00	1.71%	$6.00	N
Temporary Public space permit – Promotional Short Term (1) 0-3 days	Per Permit	N	$112.50	$114.50	1.78%	$2.00	N
Temporary Public space permit – Promotional Short Term (2) 3-7 days where admin/detailed review required	Per Permit	N	$179.50	$182.50	1.67%	$3.00	N
Local Laws permit Inspection fee – After hours	Per Permit	N	$166.50	$170.00	2.10%	$3.50	N
Miscellaneous / Impound release Fee	Per item	N	$116.50	$118.50	1.72%	$2.00	N
Shopping Trolley Release fees	Per trolley	N	$68.00	$69.00	1.47%	$1.00	N
Public Space Licences							
Items on Footpath							
Advertising Sign – per sign (licensed)	Annual Permit	N	$184.50	$187.50	1.63%	$3.00	N
Advertising Sign – per sign (unlicensed)	Annual Permit	N	$126.00	$128.00	1.59%	$2.00	N
Goods Display	Annual Permit	N	$429.50	$437.00	1.75%	$7.50	N

Name	Unit of measure	GST	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase $	Statutory
Tables & Chairs							
Licenced premises – per table over 800mm (Including benches)	Annual Permit	N	$94.40	$96.00	1.69%	$1.60	N
Licensed Premises – per table up to 800mm	Annual Permit	N	$83.20	$84.70	1.80%	$1.50	N
Licensed Premises – per chair (600mm = 1 Chair)	Annual Permit	N	$76.60	$77.90	1.70%	$1.30	N
Unlicensed Premises – per table over 800mm (including benches)	Annual Permit	N	$94.40	$96.00	1.69%	$1.60	N
Unlicensed Premises – per table up to 800mm	Annual Permit	N	$83.20	$84.70	1.80%	$1.50	N
Unlicensed Premises – per chair (600mm = 1 Chair)	Annual Permit	N	$23.35	$23.75	1.71%	$0.40	N
Real Estate Sign License	Annual Permit	N	$824.00	$838.00	1.70%	$14.00	N
Mobile Food Van (prescribed event area) multi max. 5 vans	Per Permit	N	$350.00	$356.00	1.71%	$6.00	N
Mobile Food Van (prescribed event area) each additional food van/stall over 5 vans	Per Permit	N	$350.00	$356.00	1.71%	$6.00	N
Mobile Food Van public land (once-off day rate)	Per Permit	N	$350.00	$356.00	1.71%	$6.00	N
Kerb Market							
Gleadell Street Market (per stall)	Per Stall weekly charge	Y	$93.40	$95.00	1.71%	$1.60	N
Other							
Miscellaneous / Impound Fee	Per item	Y	$114.50	$116.50	1.75%	$2.00	N
Planning Enforcement							
Liquor Licensing Advice Requests	Per advise	Y	$168.50	$171.50	1.78%	$3.00	N
Animal Control							
Community Amenity (Local Laws and Animal Control)							
Dog Registration							
Standard Maximum Fee	Per dog	N	$213.00	$216.50	1.64%	$3.50	N
Standard Reduced Fee	Per dog	N	$71.00	$72.00	1.41%	$1.00	N
Foster care – Dog	Per dog	N	$8.00	$8.00	0.00%	$0.00	Y
Concessional Maximum Fee	Per dog	N	$106.50	$108.00	1.41%	$1.50	N
Dogs & cats currently registered at another Council – transfer and 1st registration	Per animal	N	No charge – 1st year only				N
Dogs & Cats under 6mths of age	Per animal	N	No charge – 1st year only				N
Concessional Reduced Fee	Per dog	N	$21.30	$21.65	1.64%	$0.35	N

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Name	Unit of measure	GST	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase $	Statutory
Dog Registration [continued]							
Registration – Declared menacing, dangerous & restricted breed dogs	Per dog	N	$416.00	$423.50	1.80%	$7.50	N
Cat Registration							
Standard Maximum Fee	Per cat	N	$122.00	$124.00	1.64%	$2.00	N
Standard Reduced Fee	Per cat	N	$40.60	$41.00	0.99%	$0.40	N
Concessional Maximum Fee	Per cat	N	$60.90	$62.00	1.81%	$1.10	N
Concessional Reduced Fee	Per cat	N	$15.25	$15.50	1.64%	$0.25	N
Foster care – Cat	Per cat	N	$8.00	$8.00	0.00%	$0.00	Y
Animal Registration refund	Per registration	N	50% refund prior to 1 October each year				N
Replacement Animal Registration tag	Per tag	Y	$6.10	$6.20	1.64%	$0.10	N
Animal Pound Release Fees							
Release fee – Dog	Per animal	Y	$162.50	$165.50	1.85%	$3.00	N
Release fee – Cat	Per animal	Y	$111.50	$113.50	1.79%	$2.00	N
Livestock (small)	Per animal	Y	$188.00	$191.50	1.86%	$3.50	N
Livestock (large)	Per animal	Y	$254.00	$258.50	1.77%	$4.50	N
Registration of Domestic Animal Business							
Annual Registration Fee	Per animal	Y	$426.50	$434.00	1.76%	$7.50	N
Transfer Fee	Per Permit	Y	$31.50	$32.00	1.59%	$0.50	N
Request for copy of dog/cat registration certificate (per entry)	Per entry	Y	$109.50	$111.50	1.83%	$2.00	N
Service Requests – Animal Control	Per animal	Y	$81.20	$82.60	1.72%	$1.40	N
Inspection of Dog/Cat register (per entry)	Per entry	N	$24.35	$24.80	1.85%	$0.45	N
Deposit Cat trap (Refundable)	Per trap	N	$113.50	$115.50	1.76%	$2.00	N
Food Premises							
Class 1 or Class 2 Premises							
Renewals	Annual Permit	N	$613.00	$624.00	1.79%	$11.00	N
Additional fee for each employee over 10 (Max fee is for 61+ employees)	Per employee	N	$31.50	$32.05	1.75%	$0.55	N
New Registrations – Application fee	Per application	N	$306.50	$312.00	1.79%	$5.50	N
New Registrations – Registration fee	Per registration	N	Pro-rata of renewal fee				N
Transfer Fee	Per registration	N	$306.50	$312.00	1.79%	$5.50	N
Re-inspection Fee	Per inspection	N	$153.50	$156.00	1.63%	$2.50	N
Additional Assessment Fee (Section 19H)	Per assessment	N	$306.50	$312.00	1.79%	$5.50	N

Name	Unit of measure	GST	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase $	Statutory
Class 3 and Not for Profit Class 1 and 2 Food Premises							
Renewals	Per renewal	N	$306.50	$312.00	1.79%	$5.50	N
Additional fee for each employee over 10 (Max fee is for 61+ employees)	Per employee	N	$16.25	$16.50	1.54%	$0.25	N
Seasonal (6 month operation) sporting clubs – Registration is for annual period	Per registration	N	$153.50	$156.00	1.63%	$2.50	N
New Registrations – Application fee	Per application	N	$153.50	$156.00	1.63%	$2.50	N
New Registrations – Registration fee	Per registration	N			Pro-rata of renewal fee		N
Transfer Fee	Per transfer	N	$153.50	$156.00	1.63%	$2.50	N
Re-inspection Fee	Per inspection	N	$77.00	$78.00	1.30%	$1.00	N
Additional Inspection Fee Under 19(H)	Per inspection	N	$153.50	$156.00	1.63%	$2.50	N
Not for Profit Class 3 Food Premises							
Renewals	Per renewal	N	$153.50	$156.00	1.63%	$2.50	N
Additional fee for each employee over 10 (Max fee is for 61+ employees)	Per employee	N	$8.00	$8.00	0.00%	$0.00	N
Seasonal (6 month operation) sporting clubs – Registration is for annual period	Per registration	N	$77.00	$78.00	1.30%	$1.00	N
New Registrations – Application fee	Per application	N	$77.00	$78.00	1.30%	$1.00	N
New Registrations – Registration fee	Per registration	N			Pro-rata of renewal fee		N
Transfer Fee	Per transfer	N	$77.00	$78.40	1.82%	$1.40	N
Re-inspection Fee	Per inspection	N	$77.00	$78.00	1.30%	$1.00	N
Additional Inspection Fee Under 19(H)	Per inspection	N	$153.50	$156.00	1.63%	$2.50	N

Temporary and Mobile Food Premises

Registered via "Streatrader" and Short Term Registrations of Food Premises (on request of proprietor)

Once-off Events

No more than two consecutive days operation.

Component/s (per component) attached to a fixed registered (not Class 4) premises.

Class 1 and 2	Per Permit	N	$77.00	$78.00	1.30%	$1.00	N
Class 3	Per Permit	N	$38.50	$39.00	1.30%	$0.50	N
Not for profit organisations – all classes	Per Permit	N				No Charge	N

Short Term Registrations

Less than 12 months.

Note: new approval fee does not apply.

Temporary and mobile food premises that are not "once off" events or components of a fixed registered premises, components of notified (Class 4) premises.

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Name	Unit of measure	GST	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase $	Statutory
Short Term Registrations [continued]							
Registrations for a period of up to 3 months	Per registration	N			1/4 annual renewal fee		N
Registrations for a period of 3 to 6 months	Per registration	N			1/2 annual renewal fee		N
Registrations for a period of more than 6 months will be treated as a 12 month registration	Per registration	N			Full annual renewal fee		N
Re-inspection Fee (temp and mobile food premises)	Per inspection	N	$77.00	$78.00	1.30%	$1.00	N
Aquatic Facilities							
New registration - Application fee	Per registration	N	$99.50	$101.00	1.51%	$1.50	N
New registration fee	Per registration	N			Pro-rata of renewal fee		N
Renewal - Additional fee for each additional facility in premises in excess of one (1)	Per renewal	N	$10.00	$10.00	0.00%	$0.00	N
Renewal fee	Per renewal	N	$199.00	$202.00	1.51%	$3.00	N
Transfer fee	Per transfer	N	$99.50	$101.00	1.51%	$1.50	N
Prescribed Accommodation Premises							
Commercial							
Renewal for premises accommodating not more than 5 persons	Per Person	N	$306.50	$312.00	1.79%	$5.50	N
Renewals - Additional fee for each additional person than can be accommodated in excess of 5 (Max fee for 61+ persons)	Per Person	N	$16.25	$16.50	1.54%	$0.25	N
New registrations - Application fee	Per registration	N	$153.50	$156.00	1.63%	$2.50	N
New registrations - Registration fee	Per Transfer	N			Pro-rata of renewal fee		N
Transfers	Per Transfer	N	$153.50	$156.00	1.63%	$2.50	N
Not For Profit							
Renewals for premises accommodating not more than 5 persons	Per renewal	N	$153.50	$156.00	1.63%	$2.50	N
Renewals - Additional fee for each additional person than can be accommodated in excess of 5 (Max fee for 61+ persons)	Per registration	N	$8.00	$8.25	3.13%	$0.25	N
New registrations - Application fee	Per application	N	$77.00	$78.00	1.30%	$1.00	N
New registrations - Registration fee	Per registration	N			Pro-rata of renewal fee		N
Transfers	Per transfer	N	$77.00	$78.00	1.30%	$1.00	N

Name	Unit of measure	GST	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase $	Statutory
Premises Providing Personal Services							
Hairdressers, Beauty Salons, Ear Piercing, Tattooing, Skin Penetration							
Pro rata of renewal fee – Registration in Q1 = full renewal fee, Q2 = 3/4 of renewal fee, Q3 = 1/2 renewal fee, Q4 = 1/4 renewal fee							
If proprietor is a not for profit/charitable organisations above will be discounted by 50%. No current applicant are NFP.							
Renewals	Per renewal	N	$199.00	$202.00	1.51%	$3.00	N
Pro rata of renewal fee – Registration in Q1 = full renewal fee, Q2 = 3/4 of renewal fee, Q3 = 1/2 renewal fee, Q4 = 1/4 renewal fee							
New Registrations	Per registration	N	$199.00	$202.00	1.51%	$3.00	N
Excluding low risk premises where the full renewal fee applies as registration is not subject to renewal. Pro rata of renewal fee – Registration in Q1 = full renewal fee, Q2 = 3/4 of renewal fee, Q3 = 1/2 renewal fee, Q4 = 1/4 renewal fee							
New registrations - Registration fee – higher risk services	Per registration	N				Pro-rata of renewal fee	N
New registration - Registration fee – lower risk services (note that registration is not subject to renewal)	Per registration	N	$199.00	$202.00	1.51%	$3.00	N
Transfer Fee (transfers not applicable to lower risk services)	Per transfer	N	$99.50	$101.00	1.51%	$1.50	N
Other Fees							
Overdue Registration Renewal Fee	Per renewal	N	$153.50	$156.00	1.63%	$2.50	N
Waste Water System Approval	Per approval	N	$306.50	$312.00	1.79%	$5.50	N
Information/Service Fees							
Copy of Certificate of Analysis for person from whom sample obtained		Y				No Charge	N
Copy of Registration Certificate – Only available to current proprietor	Per certificate	Y	$55.00	$56.00	1.82%	$1.00	N
Extract of premises register		N				No Charge	N
Professional services (EHO) as requested	Per Hour	Y	$153.50	$156.00	1.63%	$2.50	N
Recreation							
Multi-purpose Sporting Facilities							
Victoria Park – Casual Fees							
Commercial fee	Per Hour	Y	$293.00	$298.00	1.71%	$5.00	N
Concession 1*	Per Hour	Y	$86.80	$88.30	1.73%	$1.50	N
Concession 2*	Per Hour	Y	$40.20	$40.90	1.74%	$0.70	N
Concession 3*	Per Hour	Y				No Charge	N
*Concession 1 = Non Yarra Based – Not For Profit Community Organisations & Yarra Based Private Schools Concession 2 = Registered Not for profit Yarra Community Groups and sporting clubs Concession 3 = Yarra based State and Catholic primary schools							

Name	Unit of measure	GST	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase $	Statutory
Victoria Park Sherrin Stand Change Rooms – Casual Fees							
Commercial fee	Per Hour	Y	$117.00	$119.00	1.71%	$2.00	N
Concession 1*	Per Hour	Y	$34.70	$35.30	1.73%	$0.60	N
Concession 2*	Per Hour	Y	$27.80	$28.30	1.80%	$0.50	N
Concession 3*	Per Hour	Y	$21.15	$21.50	1.65%	$0.35	N
*Concession 1 = Non Yarra Based – Not For Profit Community Organisations & Yarra Based Private Schools Concession 2 = Registered Not for profit Yarra Community Groups and sporting clubs Concession 3 = Yarra based State and Catholic primary schools							
Casual Sports Ground A Hire							
Bastow Reserve 1, Fletcher Reserve 1, Yambla Reserve, Ramsden Street Reserve, Fairfield Park Reserve, Burnley Oval, W.T. Peterson, Loughnan Oval, Citizens Park Oval, Alphington Park Oval – per 3 hour session (pro-rata hour fee available)							
Commercial fee	Per Hour	Y	$117.50	$119.50	1.70%	$2.00	N
Concession 1*	Per Hour	Y	$28.95	$29.45	1.73%	$0.50	N
Concession 2*	Per Hour	Y	$10.50	$10.70	1.90%	$0.20	N
Concession 3*	Per Hour	Y				No Charge	N
*Concession 1 = Non Yarra Based – Not For Profit Community Organisations & Yarra Based Private Schools Concession 2 = Registered Not for profit Yarra Community Groups and sporting clubs Concession 3 = Yarra based State and Catholic primary schools							
Casual Sports Ground B Hire							
Bastow Reserve 2, Fletcher Reserve 2, Coulson Reserve, Alfred Crescent Oval, Walker Street, Alain Bain Reserve, Atherton Reserve – per 3 hour session (pro-rata hour fee available)							
Commercial fee	Per Hour	Y	$59.60	$60.60	1.68%	$1.00	N
Concession 1*	Per Hour	Y	$16.65	$16.95	1.80%	$0.30	N
Concession 2*	Per Hour	Y	$5.60	$5.70	1.79%	$0.10	N
Concession 3*	Per Hour	Y				No Charge	N
*Concession 1 = Non Yarra Based – Not For Profit Community Organisations & Yarra Based Private Schools Concession 2 = Registered Not for profit Yarra Community Groups and sporting clubs Concession 3 = Yarra based State and Catholic primary schools							
Casual Pavilion Hire							
Alfred Crescent, Alphington, Burnley, Coulson, Fairfield, Gillon, Graham, Johnson, Ramsden, Ryans Reserve							
Commercial fee	Per Hour	Y	$117.00	$119.00	1.71%	$2.00	N
Concession 1*	Per Hour	Y	$34.70	$35.30	1.73%	$0.60	N
Concession 2*	Per Hour	Y	$27.80	$28.30	1.80%	$0.50	N
Concession 3*	Per Hour	Y	$21.20	$21.55	1.65%	$0.35	N
*Concession 1 = Non Yarra Based – Not For Profit Community Organisations & Yarra Based Private Schools Concession 2 = Registered Not for profit Yarra Community Groups and sporting clubs Concession 3 = Yarra based State and Catholic primary schools							
Casual Hire – Tennis, Netball, Basketball Court							
Commercial^	Per Hour	Y	$31.10	$31.65	1.77%	$0.55	N
Concession 1*^	Per Hour	Y	$15.55	$15.80	1.61%	$0.25	N
Concession 2*^	Per Hour	Y	$6.25	$6.35	1.60%	$0.10	N

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Name	Unit of measure	GST	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase $	Statutory
Casual Hire – Tennis, Netball, Basketball Court [continued]							
Concession 3*^	Per Hour	Y				No Charge	N
*Concession 1 = Non Yarra Based – Not For Profit Community Organisations & Yarra Based Private Schools Concession 2 = Registered Not for profit Yarra Community Groups and sporting clubs Concession 3 = Yarra based State and Catholic primary schools **^Tennis court hire is for half hour blocks**							
Pavilions							
Seasonal Fee Per Team							
Category A							
Graham, Johnson, Coulson, Ramsden, Fairfield, Burnley, Alfred Cres, Fitzroy Grandstand, Gillon							
Senior Team	Per Team	Y	$462.50	$470.50	1.73%	$8.00	N
Junior Team	Per Team	Y	$342.00	$348.00	1.75%	$6.00	N
Category B							
Yambla, Citizens, Bain and Alphington, George Knott							
Senior Team	Per Team	Y	$232.00	$236.00	1.72%	$4.00	N
Junior Team	Per Team	Y	$171.50	$174.50	1.75%	$3.00	N
Sportsgrounds							
Seasonal Fee Per Team							
Turf Cricket							
Loughnan, Citizens (Summer Turf Wicket)							
Senior Team	Per Team	Y	$3,515.00	$3,575.00	1.71%	$60.00	N
Cricket Synthetic							
Senior Team	Per Team	Y	$1,410.00	$1,435.00	1.77%	$25.00	N
Junior Team	Per Team	Y	$375.50	$382.00	1.73%	$6.50	N
Football							
Senior Team	Per Team	Y	$1,190.00	$1,210.00	1.68%	$20.00	N
Junior Team	Per Team	Y	$647.00	$658.00	1.70%	$11.00	N
Soccer							
Senior Professional Team SeniorNPL/ FV Senior State League 1 (fenced facility)	Per Team	Y	$4,655.00	$4,735.00	1.72%	$80.00	N
Senior Team FV NPL & State 1 Reserves, State League 2, and below/ VicSoccer	Per Team	Y	$831.00	$846.00	1.81%	$15.00	N
Junior Team	Per Team	Y	$323.50	$329.00	1.70%	$5.50	N

Name	Unit of measure	GST	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase $	Statutory
Registered Yarra Sports Clubs out of season hire							
Pre & Post Season Training	Per Hour	Y	$25.90	$26.35	1.74%	$0.45	N
Practice Game		Y	$93.40	$95.00	1.71%	$1.60	N
Single use of Bastow 1 charging fee for entry	Per Hour	Y	$117.50	$119.50	1.70%	$2.00	N
Permit to hire Park for Commercial Fitness Trainers							
Annual Licence Fee	Per Year	N	$316.40	$316.40	0.00%	$0.00	N
Construction Management Support Unit							
Counter Fast Track Assessment Fee	Per Assessment	N	$132.00	$134.50	1.89%	$2.50	N
Permit Inspections							
Private single dwelling and local shop traders	Per Inspection	Y	$157.00	$159.50	1.59%	$2.50	N
Commercial – includes house modules	Per Inspection	Y	$279.50	$284.50	1.79%	$5.00	N
Out of Hours	Per Inspection	Y	$476.50	$485.00	1.78%	$8.50	N
Out of Hours Permit	Per Permit	Y	$203.00	$206.50	1.72%	$3.50	N
Asset Protection Permit							
Permit – Works up to $10k*	Per Permit	Y				No Charge	N
Permit – Works between $10,001 and $500K Application Fee*	Per Permit	Y	$255.50	$260.00	1.76%	$4.50	N
Permit – Works more than $501K Application Fee*	Per Permit	Y	$770.00	$783.00	1.69%	$13.00	N
*Additional drainage inspection charges may apply							
Vehicle Crossing Permit							
Inspection - Commercial/Industrial Vehicle Crossing		N	$0.00	$284.50	∞	$284.50	N
Inspection - Private single dwelling Vehicle Crossing	159.35	N	$0.00	$160.00	∞	$160.00	N
Permit – Private Single Dwelling Vehicle Crossing	Per Permit	N	$476.50	$168.00	-64.74%	-$308.50	N
Permit – Commercial/Industrial Vehicle Crossing	Per Permit	N	$704.00	$284.50	-59.59%	-$419.50	N
Profile Design Service	Per Permit	Y	$373.50	$380.00	1.74%	$6.50	N
Road / Footpath Occupation Permit							
Permit – work area / public protection occupation	Per Permit	N	$86.10	$87.60	1.74%	$1.50	N
Occupancy Fee – Private single dwelling and local shop trader	Per Square Metre Per Week	Y	$5.20	$5.30	1.92%	$0.10	N

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Name	Unit of measure	GST	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase $	Statutory
Road / Footpath Occupation Permit [continued]							
Occupancy Fee – Commercial License/ Occupancy	Per Square Metre Per Week	Y	$9.50	$9.80	3.16%	$0.30	N
Permit – Plant and Equipment – Private single dwelling and local shop traders.	Per Day	N	$165.00	$168.00	1.82%	$3.00	N
Permit – Plant and Equipment – Commercial – No road closure	Per Day	Y	$279.50	$284.50	1.79%	$5.00	N
Plant and Equipment Permit – Commercial – Local road – Full road closure	Per Day	Y	$424.50	$432.00	1.77%	$7.50	N
Skip Bin Permit							
Skip Bin Permit – Skip placement – unmetered	Per Day	N	$24.40	$24.85	1.84%	$0.45	N
Skip Bin Permit – Skip placement – metered	Per Day	N	$66.20	$67.40	1.81%	$1.20	N
Skin Bin Permit – Container placement	Per Day	N	$142.00	$144.50	1.76%	$2.50	N
Filming & Commercial Still Photography Permit							
Application fee – Commercial Profit Making (non refundable)	Per Permit	Y	$106.00	$108.00	1.89%	$2.00	N
Commercial Profit Making – Film/Ad Producers – Major impact: Permit	Per Permit	Y	$1,295.00	$1,320.00	1.93%	$25.00	N
Filming (incl ads/still photography) inspection (Mon to Fri)	Per Inspection	Y	$124.50	$126.50	1.61%	$2.00	N
Filming inspection (incl ads/still photography) – Out of hours	Per Inspection	Y	$477.00	$485.50	1.78%	$8.50	N
Permit – Commercial Profit Making – Minor impact/small budget productions (incl films & ads)	Per Permit	Y	$433.50	$441.00	1.73%	$7.50	N
Permit – Student Filming (incl still photography)	Per Permit	N				No Charge	N
Permit – Non Profit Making Filming (incl still photography)	Per Permit	N				No Charge	N
Road / Footpath Openings							
Consent (RMA 2004)							
Consent fee*	Per Consent	N	$88.90	$88.90	0.00%	$0.00	Y
Minimum charge *Areas greater than 40m2 or greater than 30 lineal metres Council may consider a reduced charge							
Inspection	Per Inspection	Y	$157.00	$159.50	1.59%	$2.50	N
Inspection – Out of hours	Per Inspection	Y	$476.50	$485.00	1.78%	$8.50	N
Minimum charge							

Name	Unit of measure	GST	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase $	Statutory
Drainage Cleaning and Inspection							
Admin Fee – Organising CCTV inspection or drain cleaning for one occurrence	Per Inspection	Y	$157.00	$159.50	1.59%	$2.50	N
CCTV inspection (Traffic management not included)	Per Hour	Y	$229.50	$233.50	1.74%	$4.00	N
Minimum charge $800							
Drain/Pit Cleaning – Jet/Educator Cleaning (Traffic management and tipping fees not included)	Per Hour	Y	$242.50	$246.50	1.65%	$4.00	N
Minimum charge $800							
Road Reinstatement							
In accordance with the Road Management Act 2004							
Road – deep lift asphalt/concrete/ bluestone	Per Square Metre	N	$325.50	$331.00	1.69%	$5.50	N
Minimum charge $800							
Road – asphalt/concrete <100mm	Per Square Metre	N	$217.00	$221.00	1.84%	$4.00	N
Minimum charge $500							
Footpath – residential – asphalt (as per YSD33 RAF) – less than 60mm	Per Square Metre	N	$195.50	$199.00	1.79%	$3.50	N
Minimum charge $500							
Footpath – industrial – asphalt / concrete (as per YSD33 IAF & CF) greater than 60mm & less than equal to 100mm	Per Square Metre	N	$271.50	$276.50	1.84%	$5.00	N
Minimum charge $800							
Footpath – industrial – concrete with asphalt surface (as per YSD33 ICAF) <=170mm	Per Square Metre	N	$304.00	$309.50	1.81%	$5.50	N
Minimum charge $800							
Traffic Management	Per Square Metre	N	$543.00	$553.00	1.84%	$10.00	N
Parking sensor removal/ reinstatement	Per Sensor	Y	$106.50	$108.50	1.88%	$2.00	N
Urgent removal/reinstatement	Per Sensor	Y	$150.50	$153.00	1.66%	$2.50	N
Child Care							
Late Fee – Childrens Services							
Late Fee for Vac Care, ASC, LDC, Kinder	Initial 10mins	N	$27.20	$27.70	1.84%	$0.50	N
Late Fee for Vac Care, ASC, LDC, Kinder	Per Minute	N	$1.35	$1.35	0.00%	$0.00	N

Name	Unit of measure	GST	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase $	Statutory
Outside School Hours Care							
Casual Booking Fee	per booking	N	$2.00	$2.00	0.00%	$0.00	N
Outside School Hours Care Fee	per hour	N	$6.65	$6.65	0.00%	$0.00	N
Vacation Care Excursion Fee	Per day	N				$15 per day Min. Fee excl. GST: $15.00	N
Vacation Care Fee – Late booking	Per day	N				$10 per day Min. Fee excl. GST: $10.00	N
Long Day Care							
Long Day Care	per hour	N	$0.00	$12.53	∞	$12.53	N
Pre School 3 Year Olds							
Funded Kindergarten							
July to December	Per Term	N	$406.00	$413.00	1.72%	$7.00	N
January to June	Per Term	N	$414.00	$421.00	1.69%	$7.00	N
Term Fee Concession	Per Term	N	$0.00	$0.00	0.00%	$0.00	N
Occasional Child Care							
Occasional Care	per hour	N	$0.00	$12.53	∞	$12.53	N
Youth Services							
Teenage Holiday Programs	Per Day	Y	$21.20	$21.55	1.65%	$0.35	N
Teenage Holiday Programs – Concession	Per Day	Y	$3.85	$3.90	1.30%	$0.05	N
Hire of Meeting Rooms – Connie Benn Centre							
Community Meeting Room							
Concessional Rate Half Day	Per Half Day	Y	$33.40	$34.00	1.80%	$0.60	N
Concessional Rate Full Day	Per Day	Y	$55.60	$56.60	1.80%	$1.00	N
Commercial Rate Half Day	Per Half Day	Y	$111.00	$113.00	1.80%	$2.00	N
Commercial Rate Full Day	Per Day	Y	$200.00	$203.50	1.75%	$3.50	N
Community Kitchen							
Concessional Rate Half Day	Per Half Day	Y	$44.50	$45.25	1.69%	$0.75	N
Concessional Rate Full Day	Per Day	Y	$77.90	$79.30	1.80%	$1.40	N
Commercial Rate Half Day	Per Half Day	Y	$111.00	$113.00	1.80%	$2.00	N
Commercial Rate Full Day	Per Day	Y	$200.00	$203.50	1.75%	$3.50	N

Name	Unit of measure	GST	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase $	Statutory
Training Room							
Concessional Rate Half Day	Per Half Day	Y	$55.60	$56.60	1.80%	$1.00	N
Concessional Rate Full Day	Per Day	Y	$111.00	$113.00	1.80%	$2.00	N
Commercial Rate Half Day	Per Half Day	Y	$111.00	$113.00	1.80%	$2.00	N
Commercial Rate Full Day	Per Day	Y	$200.00	$203.50	1.75%	$3.50	N
Consultation Room							
Concessional Rate per hour	Per Hour	Y	$33.40	$34.00	1.80%	$0.60	N
Concessional Rate Full Day	Per Day	Y	$89.00	$90.60	1.80%	$1.60	N
Commercial Rate per hour	Per Hour	Y	$44.50	$45.25	1.69%	$0.75	N
Commercial Rate Full Day	Per Day	Y	$167.00	$170.00	1.80%	$3.00	N
Playgroup Room 2							
Concessional Rate per 2 hour session	Per 2hr Session	Y	$44.50	$45.25	1.69%	$0.75	N
Commercial Rate per hour	Per Hour	Y	$33.40	$34.00	1.80%	$0.60	N
Commercial Rate Full Day	Per Day	Y	$167.00	$170.00	1.80%	$3.00	N
Front Room							
Concessional Rate Half Day	Per Half Day	Y	$22.25	$22.65	1.80%	$0.40	N
Concessional Rate Full Day	Per Day	Y	$41.40	$42.15	1.81%	$0.75	N
Commercial Rate Half Day	Per Half Day	Y	$66.70	$67.90	1.80%	$1.20	N
Commercial Rate Full Day	Per Day	Y	$111.00	$113.00	1.80%	$2.00	N
Foyer Room							
Concessional Rate Half Day	Per Half Day	Y	$66.70	$67.90	1.80%	$1.20	N
Concessional Rate Full Day	Per Day	Y	$111.00	$113.00	1.80%	$2.00	N
Commercial Rate Half Day*	Per Half Day	Y	$89.00	$90.60	1.80%	$1.60	N
Commercial Rate Full Day	Per Day	Y	$167.00	$170.00	1.80%	$3.00	N
Groups auspiced by Council business units		N				No Charge	N
* Evening and weekend hire only							
Hire of Community Facility - The Stables							
Top Floor							
After hours call out fee	per hour	Y	$83.24	$84.70	1.75%	$1.46	N
Commercial Rate hourly	per hour	Y	$62.00	$63.10	1.77%	$1.10	N
Community hall public liability insurance	per event	Y	$33.50	$34.10	1.79%	$0.60	N
Concession Rate hourly	per hour	Y	$21.30	$21.65	1.64%	$0.35	N
Groups out spaced by Council business units	per event	N	$0.00	$0.00	0.00%	$0.00	N

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Name	Unit of measure	GST	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase $	Statutory
Top Floor [continued]							
Late booking fee	per event	Y	$48.72	$49.55	1.70%	$0.83	N
Security deposit (bond)	per event	N	$100.00	$102.00	2.00%	$2.00	N
* Minimum $100							
Maternal & Child Health							
Vaccine							
Bexsero	per vaccine	N	$117.00	$120.00	2.56%	$3.00	N
Boostrix	per vaccine	N	$48.00	$47.00	-2.08%	-$1.00	N
Engerix B Adult	per vaccine	N	$25.50	$25.00	-1.96%	-$0.50	N
Havrix Adult	per vaccine	N	$66.00	$67.20	1.82%	$1.20	N
Havrix Junior	per vaccine	N	$49.00	$49.85	1.73%	$0.85	N
Influenza vaccine	per vaccine	N	$18.30	$18.00	-1.64%	-$0.30	N
Nimenrix	per vaccine	N	$79.50	$70.00	-11.95%	-$9.50	N
Varilrix	65	N	$71.00	$65.00	-8.45%	-$6.00	N
Immunisation – vaccinations	Per vaccine	N	Fee varies with Vaccine				N
Immunisation – alternative vaccinations	Per vaccine	N	Fee varies with Vaccine				N
Vaccine – No Charge							
Planning & Subdivision							
Amendments to Planning Scheme							
Request to amend planning scheme	Per application	N	$3,096.20	$3,096.20	0.00%	$0.00	Y
a) Considering a request to amend a planning scheme; and b) Taking action required by Division 1 of Part 3 of the Act; and c) Considering any submissions which do not seek a change to the amendment; and d) If applicable, abandoning the amendment							
Consideration of submissions to Amendment and reference to panel							
a) up to and including 10 submissions which seek a change to an amendment and where necessary referring the submissions to a panel	Per application	N	$15,345.60	$15,345.60	0.00%	$0.00	Y
b) 11 to (and including) 20 submissions which seek a change to an amendment and where necessary referring the submissions to a panel	Per application	N	$30,661.20	$30,661.20	0.00%	$0.00	Y
c) Submissions that exceed 20 submissions which seek a change to an amendment, and where necessary referring the submissions to a panel	Per application	N	$40,986.80	$40,986.80	0.00%	$0.00	Y

Name	Unit of measure	GST	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase $	Statutory
Other							
Adoption of an Amendment	Per application	N	$488.50	$488.50	0.00%	$0.00	Y
Approval of an Amendment	Per application	N	$488.50	$488.50	0.00%	$0.00	Y
Amendments under 20A	Per application	N	$977.00	$977.00	0.00%	$0.00	Y
Amendments under 20(4)	Per application	N	$4,058.10	$4,058.10	0.00%	$0.00	Y
Under section 96A(4)(a) of the Act: The sum of the highest of the fees which would have applied if separate applications were made and 50% of each of the other fees which would have applied if separate applications							
For an agreement to a proposal to amend or end an agreement under section 173 of the Act	Per application	N	$688.80	$688.80	0.00%	$0.00	Y
For the first 12 months from commencement of the regulations (13 October 2016), the fees for planning scheme amendments will be charged at 50% of the fees set out in regulations							
Applications for permits Reg 9 Type of Permit Application							
Class 1 Use only/reduction of car parking/loading bay requirements/ liquor licence	Per application	N	$1,337.70	$1,337.70	0.00%	$0.00	Y
Reg 9 Single Dwellings							
To develop land for a single dwelling per lot or use and develop land for a single dwelling per lot and undertake development ancillary to the use of land for a single dwelling per lot included in the application (other than a class 7 or 8 permit or a permit to subdivide or consolidate land) if the cost of development is:							
Class 2 < $10,000	Per application	N	$202.90	$202.90	0.00%	$0.00	Y
Class 3 > $10,001 – $100,000	Per application	N	$638.80	$638.80	0.00%	$0.00	Y
Class 4 > $100,001 – $500,00	Per application	N	$1,307.60	$1,307.60	0.00%	$0.00	Y
Class 5 > $500,001 – $1,000,000	Per application	N	$1,412.80	$1,412.80	0.00%	$0.00	Y
Class 6 > $1,000,001 – $2,000,000	Per application	N	$1,518.00	$1,518.00	0.00%	$0.00	Y
Reg 9 VICSMART Applications							
Class 7 < $10,000	Per application	N	$202.90	$202.90	0.00%	$0.00	Y
Class 8 > $10,000	Per application	N	$435.90	$435.90	0.00%	$0.00	Y
Class 9 VICSMART application to subdivide or consolidate land	Per application	N	$202.90	$202.90	0.00%	$0.00	Y
Class 10 VICSMART A permit that is a VicSmart Application (other than a Class 7, 8 or 9)	Per application	N	$202.90	$202.90	0.00%	$0.00	Y
Reg 9 Other Development							
Class 11 < $100,000	Per application	N	$1,164.80	$1,164.80	0.00%	$0.00	Y
Class 12 > $100,001 – $1,000,000	Per application	N	$1,570.60	$1,570.60	0.00%	$0.00	Y
Class 13 > $1,000,001 – $5,000,000	Per application	N	$3,464.40	$3,464.40	0.00%	$0.00	Y
Class 14 > $5,000,001 – $15,000,000	Per application	N	$8,830.10	$8,830.10	0.00%	$0.00	Y
Class 15 > $15,000,001 – $50,000,000	Per application	N	$26,039.50	$26,039.50	0.00%	$0.00	Y

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Name	Unit of measure	GST	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase $	Statutory
Reg 9 Other Development [continued]							
Class 16 > $50,000,001	Per application	N	$58,526.80	$58,526.80	0.00%	$0.00	Y
Reg 9 Subdivision							
Class 17 Subdivide an existing building	Per application	N	$1,337.70	$1,337.70	0.00%	$0.00	Y
Class 18 Subdivide land into 2 lots	Per application	N	$1,337.70	$1,337.70	0.00%	$0.00	Y
Class 19 To effect a realignment of a common boundary between lots or to consolidate two or more lots	Per application	N	$1,337.70	$1,337.70	0.00%	$0.00	Y
Class 20 Subdivide land (per 100 lots created)	Per application	N	$1,337.70	$1,337.70	0.00%	$0.00	Y
Class 21	Per application	N	$1,337.70	$1,337.70	0.00%	$0.00	Y
To: a) Create, vary a restriction within the meaning or the Subdivision Act 1988, or b) Create or remove a right of way; or c) Create, vary or remove an easement other than a right of way; or d) Vary or remove a condition in the nature of an easement (other than right of way) in a Crown grant							
Class 22 A permit not otherwise provided for in the regulation	Per application	N	$1,337.70	$1,337.70	0.00%	$0.00	Y
Certification							
Reg 6 Certification of a plan of subdivision	Per application	N	$177.40	$177.40	0.00%	$0.00	Y
Reg 7 Alteration of a plan under section 10 (2) of the Act	Per application	N	$112.70	$112.70	0.00%	$0.00	Y
Any instance where Council requires a change to the plan to make it suitable for certification whether it be conditioned on the permit or prior							
Revised Plans Amend an application for a permit after notice has been given – Reg 12							
Reg 12	Per application	N	40% of application fee for that class of application				Y
a) Under section 57A(3)(a) of the Act the fee to amend an application for a permit after notice is given is 40% of the application fee for that class of permit set out in the Table at regulation 9 c) If an application to amend an application for a permit or amend an application to amend a permit has the effect of changing the class of that permit to a new class, having a higher application fee set out in the Table to regulation 9, the applicant must pay an additional fee being the difference the original class of application and the amended class of permit							
Other Applicable Statutory Fees							
Reg 15 Application for Certificate of Compliance	Per application	N	$330.70	$330.70	0.00%	$0.00	Y
Reg 18 Where a planning scheme specifies that a matter must be done to the satisfaction of a responsible authority, Minister, public authority or municipal council	Per application	N	$330.70	$330.70	0.00%	$0.00	Y
Including lodging plans to comply if the first submission to Council was unsatisfactory							

Name	Unit of measure	GST	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase $	Statutory
Planning schedule of permit application revision fees under section 57a – Reg 12 Type of Permit Application							
Class 1 Use only/reduction of car parking/loading bay requirements/ liquor licence	Per application	N	$535.10	$535.10	0.00%	$0.00	Y
Reg 12 Single Dwellings							
To develop land for a single dwelling per lot or use and develop land for a single dwelling per lot and undertake development ancillary to the use of land for a single dwelling per lot included in the application (other than a class 7 or 8 permit or a permit to subdivide or consolidate land) if the cost of development is:							
Class 2 – Less than $10,000	Per application	N	$81.20	$81.20	0.00%	$0.00	Y
Class 3 – More than $10,000 and not more than $100,000	Per application	N	$255.50	$255.50	0.00%	$0.00	Y
Class 4 – More than $100,000 and not more than $500,000	Per application	N	$523.00	$523.00	0.00%	$0.00	Y
Class 5 – More than $500,000 and not more than $1,000,000	Per application	N	$565.10	$565.10	0.00%	$0.00	Y
Class 6 – More than $1,000,000 and not more than $2,000,000	Per application	N	$607.20	$607.20	0.00%	$0.00	Y
Reg 12 Other Development							
To develop land (incl single dwelling per lot) if the estimated cost of development is:							
Class 11 – Less than $100,000	Per application	N	$465.90	$465.90	0.00%	$0.00	Y
Class 12 – More than $100,000 and not more than $1,000,000	Per application	N	$628.20	$628.20	0.00%	$0.00	Y
Class 13 – More than $1,000,000 and not more than $5,000,000	Per application	N	$1,385.80	$1,385.80	0.00%	$0.00	Y
Class 14 – More than $5,000,000 and not more than $15,000,000	Per application	N	$3,532.00	$3,532.00	0.00%	$0.00	Y
Class 15 – More than $15,000,000 and not more than $50,000,000	Per application	N	$10,415.80	$10,415.80	0.00%	$0.00	Y
Class 16 – More than $50,000,000	Per application	N	$23,410.70	$23,410.70	0.00%	$0.00	Y
Reg 12 Subdivision							
Class 17 To subdivide an existing building (other than a class 9 permit)	Per application	N	$535.10	$535.10	0.00%	$0.00	Y
Class 18 To subdivide land into two lots (other than a class 9 or class 17 permit)	Per application	N	$535.10	$535.10	0.00%	$0.00	Y
Class 19 To effect a realignment of a common boundary between lots or to consolidate two or more lots (other than a class 9 permit)	Per application	N	$535.10	$535.10	0.00%	$0.00	Y

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Name	Unit of measure	GST	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase $	Statutory
Reg 12 Subdivision [continued]							
Class 20 To subdivide land (other than a class 9, class 17, class 18 or class 19 permit)	Per application	N		$535.10 per 100 lots created Min. Fee excl. GST: $535.10 **Last year fee** $514.40 per 100 lots created Min. Fee excl. GST: $535.10			Y
Class 21	Per application	N	$535.10	$535.10	0.00%	$0.00	Y
To: a) create, vary or remove a restriction within the meaning of the Subdivision Act 1988; or b) create or remove a right of way; or c) create, vary or remove an easement other than a right of way; or d) vary or remove a condition in the nature of an easement (other than right of way) in a Crown grant.							
Class 22 A permit not otherwise provided for in the regulation	Per application	N	$535.10	$535.10	0.00%	$0.00	Y
Reg 11 Permit Amendment Fees							
Class 1 Use only/reduction of car parking/loading bay requirements/ liquor licence	Per application	N	$1,337.70	$1,337.70	0.00%	$0.00	Y
Class 2 Application to amend a permit (other than a permit to develop land for a single dwelling per lot, use & develop land for a single dwelling per lot, or to undertake development ancillary to the use of land for a single dwelling per lot) to: To change the statement of what the permit allows or to change any or all of the conditions	Per application	N	$1,337.70	$1,337.70	0.00%	$0.00	Y
Reg 11 Single Dwellings							
To develop land for a single dwelling per lot or use and develop land for a single dwelling per lot and undertake development ancillary to the use of land for a single dwelling per lot included in the application (other than a class 7 or 8 permit or a permit to subdivide or consolidate land) if the estimated cost of any additional development is:							
Class 3 Amendment to a Class 2, 3, 4, 5 or 6 permit – Less than $10,000	Per application	N	$202.90	$202.90	0.00%	$0.00	Y
Class 4 Amendment to a Class 2, 3, 4, 5 or 6 permit – More than $10,000 and not more than $100,000	Per application	N	$638.80	$638.80	0.00%	$0.00	Y
Class 5 Amendment to a Class 2, 3, 4, 5 or 6 permit – More than $100,000 and not more than $500,000	Per application	N	$1,307.60	$1,307.60	0.00%	$0.00	Y
Class 6 Amendment to a Class 2, 3, 4, 5 or 6 permit – More than $500,000	Per application	N	$1,412.80	$1,412.80	0.00%	$0.00	Y

Name	Unit of measure	GST	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase $	Statutory
Reg 11 VICSMART Applications which meet the VicSmart criteria							
Class 7 Amendment to a Class 7 permit	Per application	N	$202.90	$202.90	0.00%	$0.00	Y
If the estimated cost of any additional development is less than $10,000							
Class 8 Amendment to a Class 8 permit	Per application	N	$435.90	$435.90	0.00%	$0.00	Y
If the estimated cost of any additional development is more than $10,000							
Class 9 Amendment to a Class 9 permit – Subdivide or consolidate land	Per application	N	$202.90	$202.90	0.00%	$0.00	Y
Class 10 Amendment to a Class 10 permit (other than a class 7, class 8 or class 9 permit)	Per application	N	$202.90	$202.90	0.00%	$0.00	Y
Reg 11 Other Development							
Amendment to a Class 11, 12, 13, 14, 15 or 16 permit – Less than $100,000	Per application	N	$1,164.80	$1,164.80	0.00%	$0.00	Y
Amendment to a Class 11, 12, 13, 14, 15 or 16 permit – More than $100,000 and not more than $1,000,000	Per application	N	$1,570.60	$1,570.60	0.00%	$0.00	Y
Amendment to a Class 11, 12, 13, 14, 15 or 16 permit – More than $1,000,000	Per application	N	$3,464.40	$3,464.40	0.00%	$0.00	Y
Reg 11 Subdivision							
Class 14 – Class 19 Amendments	Per application	N	$1,337.70	$1,337.70	0.00%	$0.00	Y
Reg 8 Recertification							
Reg 8 Recertification of a plan of subdivision	Per application	N	$142.80	$142.80	0.00%	$0.00	Y
Reg 12 Revised Plans Amend an application for an amendment to a permit after notice has been given							
Fee to amend an application for a permit after notice is given	Per application	N	40% of application fee for that class of application				Y
If an application to amend an application for a permit or amend an application to amend a permit has the effect of changing the class of that permit to a new class, having a higher application fee set out in the Table to regulation 9, the applicant must pay an additional fee being the difference the original class of application and the amended d class of permit							
Other Applicable Statutory Fees							
Reg 16 For an agreement to a proposal to amend or end an agreement under S173 of the Act	Per application	N	$668.80	$668.80	0.00%	$0.00	Y

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Name	Unit of measure	GST	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase $	Statutory
Other Applicable Statutory Fees [continued]							
Reg 18 Where a planning scheme specifies that a matter must be done to the satisfaction of a responsible authority, Minister, public authority or municipal council Including lodging plans to comply if the first submission to Council was unsatisfactory	Per application	N	$330.70	$330.70	0.00%	$0.00	Y
Reg 12 Planning schedule of permit amendment revision fees under Section 57A Type of Permit Amendment							
Class 1 Use only/reduction of car parking/loading bay requirements/ liquor licence	Per application	N	$535.10	$535.10	0.00%	$0.00	Y
Class 2 Application to amend a permit (other than a permit to develop land for a single dwelling per lot, use & develop land for a single dwelling per lot, or to undertake development ancillary to the use of land for a single dwelling per lot) to: To change the statement of what the permit allows or To change any or all of the conditions	Per application	N	$535.10	$535.10	0.00%	$0.00	Y
Reg 12 Single Dwellings							
To develop land for a single dwelling per lot or use and develop land for a single dwelling per lot and undertake development ancillary to the use of land for a single dwelling per lot included in the application (other than a class 7 or 8 permit or a permit to subdivide or consolidate land) if the estimated cost of any additional development is:							
Class 3 Amendment to a Class 2, 3, 4, 5 or 6 permit – Less than $10,000	Per application	N	$81.20	$81.20	0.00%	$0.00	Y
Class 4 Amendment to a Class 2, 3, 4, 5 or 6 permit – More than $10,000 and not more than $100,000	Per application	N	$255.50	$255.50	0.00%	$0.00	Y
Class 5 Amendment to a Class 2, 3, 4, 5 or 6 permit – More than $100,000 and not more than $500,000	Per application	N	$523.00	$523.00	0.00%	$0.00	Y
Class 6 Amendment to a Class 2, 3, 4, 5 or 6 permit – More than $500,000	Per application	N	$565.10	$565.10	0.00%	$0.00	Y
Reg 12 Other Development							
Class 10 Amendment to a Class 11, 12, 13, 14, 15 or 16 permit – Less than $100,000	Per application	N	$465.90	$465.90	0.00%	$0.00	Y
Class 11 Amendment to a Class 11, 12, 13, 14, 15 or 16 permit – More than $100,000 and not more than $1,000,000	Per application	N	$628.20	$628.20	0.00%	$0.00	Y
Class 12 Amendment to a Class 11, 12, 13, 14, 15 or 16 permit – More than $1,000,000	Per application	N	$1,385.80	$1,385.80	0.00%	$0.00	Y

Name	Unit of measure	GST	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase $	Statutory
Reg 12 Subdivision							
Class 14 Amendment to a Class 17 permit – To subdivide an existing building (other than a class 9 permit)	Per application	N	$535.10	$535.10	0.00%	$0.00	Y
Class 15 Amendment to a Class 18 permit – To subdivide land into two lots (other than a class 9 or class 17 permit)	Per application	N	$535.10	$535.10	0.00%	$0.00	Y
Class 16 Amendment to a Class 19 permit – To effect a realignment of a common boundary between lots or to consolidate two or more lots (other than a class 9 permit)	Per application	N	$535.10	$535.10	0.00%	$0.00	Y
Class 17 Amendment to a Class 20 permit – To subdivide land (other than a class 9, class 17, class 18 or class 19 permit)	Per application	N	$535.10 per 100 lots created Min. Fee excl. GST: $535.10				Y
Class 18 Amendment to a Class 21 permit - To: a) create, vary or remove a restriction within the meaning of the Subdivision Act 1988; or b) create or remove a right of way; or c) create, vary or remove an easement other than a right of way; or d) vary or remove a condition in the nature of an easement (other than right of way) in a Crown grant.	Per application	N	$535.10	$535.10	0.00%	$0.00	Y
Class 19 Amendment to a Class 22 permit – A permit not otherwise provided for in the regulation	Per application	N	$535.10	$535.10	0.00%	$0.00	Y
Other Fees							
Application for certificate of compliance	Per request	N	$330.70	$330.70	0.00%	$0.00	Y
Application for a planning certificate	Per request	N	$20.90 (hard copy) or $7.00 (Electronic) Min. Fee excl. GST: $7.00				Y
Determination whether anything is to Council's satisfaction	Per request	N	$330.70	$330.70	0.00%	$0.00	Y
Request to extend expiry date of a permit							
Vicsmart	Per request	Y	$101.50	$103.50	1.97%	$2.00	N
Single Dwelling	Per request	Y	$487.00	$495.50	1.75%	$8.50	N
2 to 0 Dwellings	Per request	Y	$761.00	$774.00	1.71%	$13.00	N
10 or more Dwellings	Per request	Y	$1,015.00	$1,035.00	1.97%	$20.00	N
Subdivision	Per request	Y	$487.00	$495.50	1.75%	$8.50	N
Use only	Per request	Y	$487.00	$495.50	1.75%	$8.50	N
Other Development less than 5M	Per request	Y	$1,270.00	$1,290.00	1.57%	$20.00	N
Other Development more than 5M	Per request	Y	$2,030.00	$2,065.00	1.72%	$35.00	N

Name	Unit of measure	GST	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase $	Statutory
Request to amend a permit/plans Secondary Consent (other than under s72)							
De-scaling a project	Per request	Y	$558.00	$568.00	1.79%	$10.00	N
If the estimated cost of any additional development to be permitted by the amendment is							
Single Dwelling							
Class 2 < $10,000	Per request	Y	$203.00	$206.50	1.72%	$3.50	N
Class 3 > $10,001 – $100,000	Per request	Y	$639.00	$650.00	1.72%	$11.00	N
Class 4 > $100,001 – $500,00	Per request	Y	$1,310.00	$1,335.00	1.91%	$25.00	N
Class 5 > $500,001 – $1,000,000	Per request	Y	$1,415.00	$1,440.00	1.77%	$25.00	N
Class 6 > $1,000,001 – $2,000,000	Per request	Y	$1,520.00	$1,545.00	1.64%	$25.00	N
VicSmart							
Class 7 < $10,000	Per request	Y	$203.00	$206.50	1.72%	$3.50	N
Class 8 > $10,000	Per request	Y	$436.00	$443.50	1.72%	$7.50	N
Class 9 VICSMART application to subdivide or consolidate land	Per request	Y	$203.00	$206.50	1.72%	$3.50	N
Class 10 VICSMART A permit that is a VicSmart Application (other than a Class 7, 8 or 9)	Per request	Y	$203.00	$206.50	1.72%	$3.50	N
Other Development							
Amendment to a Development Plan Approval		Y	$0.00	$3,465.00	∞	$3,465.00	N
Application for Development Plan Approval		Y	$0.00	$3,465.00	∞	$3,465.00	N
$100,000 or less	Per request	Y	$1,165.00	$1,185.00	1.72%	$20.00	N
More than $100,001 and not more than $1,000,000	Per request	Y	$1,570.00	$1,595.00	1.59%	$25.00	N
$1,000,001 and above	Per request	Y	$3,465.00	$3,525.00	1.73%	$60.00	N
Subdivision	Per request	Y	$1,340.00	$1,365.00	1.87%	$25.00	N
Property enquiry	Per request	Y	$304.50	$327.50	7.55%	$23.00	N
Advertising Letters and Notices (5 or more notices)	Per requirement	Y	$6.25	$6.35	1.60%	$0.10	N
On site notices	Per requirement	Y	$73.10	$74.40	1.78%	$1.30	N
Notice in a Newspaper	Per requirement	Y	$1,260.00	$1,280.00	1.59%	$20.00	N
Plans to comply with Condition 1 of the permit – Second and subsequent assessments	Per request	Y	$330.50	$336.50	1.82%	$6.00	N
Public Photocopier (per copy)	On demand	N				Standard Fee	N
Plan photocopying (larger than A3)	On demand	Y				Standard Fee	N
Planning Scheme Amendment							
Advertising Letters and Notices	On demand	Y	$5.70	$5.80	1.75%	$0.10	N

Name	Unit of measure	GST	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase $	Statutory
Archive Request							
Residential	Per request	Y	$152.00	$154.50	1.64%	$2.50	N
Commercial	Per request	Y	$406.00	$413.00	1.72%	$7.00	N
Building Control/Regulation							
Lodgement Fees (building work permit)							
Value $5,000 and greater (Statutory fee)	Per application	N	$123.70	$123.70	0.00%	$0.00	Y
Building permit levy for a Building greater than $10,000 (Statutory fee) – Residential Only	Per application	N				Cost x 0.00128	Y
Certificate S327 (incl. Flood Certificate)	Per application	N	$47.95	$47.95	0.00%	$0.00	Y
Property information request (incl Solicitor 's request fee) (Statutory Fee) (incl inspections owner/builder projects)	Per application	N	$47.95	$47.95	0.00%	$0.00	Y
Urgent fee	Per certificate	N	$94.40	$94.40	0.00%	$0.00	N
Building Permit Fees							
Class 1 & 10							
Demolish – detached dwelling	Per application	Y	$743.00	$756.00	1.75%	$13.00	N
Demolish – attached dwelling	Per application	Y	$849.00	$864.00	1.77%	$15.00	N
Demolish – commercial building	Per application	Y	$914.00	$930.00	1.75%	$16.00	N
Min $500							
Swimming Pools	Per application	Y	$743.00	$756.00	1.75%	$13.00	N
Fences (Class 10 Structure)	Per application	Y	$531.00	$540.00	1.69%	$9.00	N
Carports, Garages, Shed etc. (Class 10 Structure)	Per application	Y	$743.00	$756.00	1.75%	$13.00	N
Alterations & Additions – Up to $10,000	Per application	Y	$743.00	$756.00	1.75%	$13.00	N
Alterations & Additions – $10,001-$20,000	Per application	Y	$955.00	$972.00	1.78%	$17.00	N
Alterations & Additions – $20,001-$100,000	Per application	Y	$1,275.00	$1,295.00	1.57%	$20.00	N
Alterations & Additions – $100,001-$300,000	Per application	Y	$1,590.00	$1,620.00	1.89%	$30.00	N
Alterations & Additions – $300,001-$400,000	Per application	Y	$2,120.00	$2,155.00	1.65%	$35.00	N
New dwellings: single	Per application	Y	$1,910.00	$1,945.00	1.83%	$35.00	N
New dwellings: 2 attached	Per application	Y	$2,120.00	$2,155.00	1.65%	$35.00	N
New Multiple Class 1 developments (Quotation)	Per application	Y	$1,825.00	$1,855.00	1.64%	$30.00	N

Name	Unit of measure	GST	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase $	Statutory
Class 2, 3, 4, 5, 6, 7, 8 and 9							
Miscellaneous commercial work e.g. remove hydrant hose	Per application	Y	$531.00	$540.00	1.69%	$9.00	N
Up to $30,000	Per application	Y	$849.00	$864.00	1.77%	$15.00	N
$30,001-$100,000	Per application	Y	$1,590.00	$1,620.00	1.89%	$30.00	N
$100,001-$300,000	Per application	Y	$2,120.00	$2,155.00	1.65%	$35.00	N
$300,001-$500,000	Per application	Y	$3,185.00	$3,240.00	1.73%	$55.00	N
Class 2 (Residential fit outs)	Per application	Y	$1,060.00	$1,080.00	1.89%	$20.00	N
Over $500,000 (quotation based on consulting building surveyors schedule)	Per application	Y			Quotation + 10%		N
Extension of permit/application 3/6/12 months	Per application	Y			$418/$522/$627 Min. Fee excl. GST: $418.00		N
VBA cladding rectification levy Classes 2 – 8 (works $800,000 to $1M) (Statutory fee)	Per application	N			$1.28/$1,000 cost in works ($0.00128 x cost of works)		Y
VBA cladding rectification levy Classes 2 – 8 (works $1M - $1.5M) (Statutory fee)	Per application	N			$2.56/$1,000 cost in works ($0.00256 x cost of works)		Y
VBA cladding rectification levy Classes 2 – 8 (over $1.5M) (Statutory fee)	Per application	N			$8.20/$1,000 cost in works ($0.00820 x cost of works)		Y
Miscellaneous							
Consent & Report applications (other than demolition) (Reg 116)		N	$299.10	$299.10	0.00%	$0.00	Y
Building Record search Class 1 & 10	Per application	N	$152.00	$152.00	0.00%	$0.00	N
Building Record search Class 2-9	Per application	N	$406.00	$406.00	0.00%	$0.00	N
Consent & Report applications (other than demolition)	Per application	N	$294.70	$294.70	0.00%	$0.00	Y
Consent & Report applications Reg 116	Per application	N	$294.70	$294.70	0.00%	$0.00	N
Report and consent advertising	Per application	Y	$101.20	$101.20	0.00%	$0.00	Y
Consulting charge out rate p/hr i.e. dilapidation surveys	Per application	Y	$216.00	$220.00	1.85%	$4.00	N
Variation to Building Permit (change of details)	Per application	Y	$318.50	$324.00	1.73%	$5.50	N
Variation to Building Permit (amended documentation)	Per application	Y	$530.00	$539.00	1.70%	$9.00	N
Minimum charge							
Additional Occupancy Permits	Per application	Y	$159.50	$159.50	0.00%	$0.00	N
Siting Approval Public Entertainment Fast – Track Assessment Fee (<10 business days notice)	Per application	Y	$500.00	$509.00	1.80%	$9.00	N
Siting Approval Public Entertainment – 1 Structure	Per application	Y	$418.20	$418.20	0.00%	$0.00	N
Siting Approval Public Entertainment – 2-5 Structures	Per application	Y	$1,000.00	$1,000.00	0.00%	$0.00	N
Siting Approval Public Entertainment – 6-9 Structures	Per application	Y	$1,500.00	$1,500.00	0.00%	$0.00	N

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Miscellaneous [continued]

Name	Unit of measure	GST	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase $	Statutory
Siting Approval Public Entertainment – 10+ Structures	Per application	Y	$2,500.00	$2,545.00	1.80%	$45.00	N
Public Entertainment Permits Fast Track Fee Assessment Fee (<10 business days notice)	Per application	Y	$750.00	$750.00	0.00%	$0.00	N
Public Entertainment Permits (temporary) Site up to 1,000m2 (Max. 5 structures. Max 2hrs inspection time)	Per application	Y	$1,000.00	$1,000.00	0.00%	$0.00	N
Public Entertainment Permits (temporary) Site 1,001 m2 to 5,000m2 (Max. 5 structures. Max 2hrs inspection time)	Per application	Y	$1,500.00	$1,500.00	0.00%	$0.00	N
Public Entertainment Permits (temporary) Site 5,001 m2 to 15,000m2 (Max. 5 structures 2. Max 3hrs inspection time)	Per application	Y	$2,500.00	$2,500.00	0.00%	$0.00	N
Public Entertainment Permits (temporary) Site 15,001m2+ (Max.30 structures. Max. 4 hrs inspection time)	Per application	Y	$4,000.00	$4,000.00	0.00%	$0.00	N
Public Entertainment Permits (temporary) Site 25,001m2+ (Max.50 structures. Max. 6 hrs inspection time)	Per application	Y	$6,025.00	$6,025.00	0.00%	$0.00	N
Public Entertainment Permits (temporary) additional Inspection per hour	Per Hour	Y	$145.00	$145.00	0.00%	$0.00	N
Public Entertainment Permits (temporary) additional Inspection per hour (out of hours)	Per Hour	Y	$250.00	$250.00	0.00%	$0.00	N
Public Entertainment Permits – Charity or other Council specific endorsed Public Entertainment events	Per application	Y				No Charge	N
Liquor Licence Reports (site check and measure up to 500m2 of building)	Per application	Y	$1,280.00	$1,300.00	1.56%	$20.00	N
Change of Use/Combined Allotment Statements	Per application	Y				Quotation + 10%	N
A1 Copies – per copy	Per Copy	Y	$17.35	$17.65	1.73%	$0.30	N
A3 Copies – per copy	Per Copy	Y	$2.05	$2.10	2.44%	$0.05	N
A4 Copies – per copy	Per Copy	Y	$0.85	$0.85	0.00%	$0.00	N
Emergency work/cost recovery	Per submission	Y				Cost + 20%	N
Additional Consulting Services re Building Permits	Per application	Y				Quotation + 10%	N
Final Inspection – (Class 1 & 10) Lapsed Building Permit – No Works	Per application	Y	$414.00	$421.00	1.69%	$7.00	N
Final Inspection – (Class 2-9) Lapsed Building Permit – No Works	Per application	Y	$572.00	$582.00	1.75%	$10.00	N
Inspection – per inspection	Per Inspection	Y	$208.50	$212.00	1.68%	$3.50	N
Inspection – per inspection (out of hours)	Per Inspection (out of hrs)	Y	$430.50	$438.00	1.74%	$7.50	N
Computation checking	Per application	Y				Quotation + 10%	N

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Name	Unit of measure	GST	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase $	Statutory
Miscellaneous [continued]							
Certification fee	Per application	Y	$3,955.00	$4,025.00	1.77%	$70.00	N
Building Permit fee x 350% with a minimum charge of $3,896.75 – Refer C.O.W							
Adjoining Property Owners Details (search)	Per property	Y	$10.00/property Min. Fee excl. GST: $9.09				N
Alternative Solution/ Dispensation/ Change of Use determination	Per application and item	Y	$694.30 for first determination + $69.55 per additional item Min. Fee excl. GST: $631.18				N
Pool & Spa Register related fees							
Registration & Search Fee for each pool/spa built before 1 November 2020	Per registration	N	$80.30	$80.30	0.00%	$0.00	Y
Registration Fee for each pool/spa built after 1 November 2020	Per registration	N	$32.30	$32.30	0.00%	$0.00	Y
Lodgement of each certificate of pool and spa barrier compliance	Per lodgement	N	$20.70	$20.70	0.00%	$0.00	Y
Lodgement of each certificate of pool and spa barrier non-compliance	Per lodgement	N	$390.80	$390.80	0.00%	$0.00	Y
Hire of Town Halls							
Overtime - past 2am	per hour	N	$500.00	$500.00	0.00%	$0.00	N
Hourly hire – Full (min 3 hourly hire)	Per Hour	Y	$266.00	$270.00	1.50%	$4.00	N
Hourly hire – Not-for-Profit (min 3 hourly hire)	Per Hour	Y	$128.00	$130.00	1.56%	$2.00	N
Kitchen Use Only – per day	Per Day	Y	$282.00	$287.00	1.77%	$5.00	N
Balcony (per day)	Per Day	Y	$445.00	$453.00	1.80%	$8.00	N
Security Deposit (Bond)	Per Event	N	$1,000.00	$1,000.00	0.00%	$0.00	N
* Minimum value $1,000							
Town Hall Public Liability Insurance (per day)	Per Day	Y	$87.00	$88.00	1.15%	$1.00	N
Late Booking Fee	Per Event	Y	$48.00	$50.00	4.17%	$2.00	N
Late Booking Change Administration Fee	Per Change	Y	$21.00	$22.00	4.76%	$1.00	N
Sound Technician (per hour)	Per Hour	Y	$53.00	$54.00	1.89%	$1.00	N
Hire of Sound System - per day * requires sound technician	Per Day	Y	$213.00	$215.00	0.94%	$2.00	N
*requires sound technician							
Hire of Inbuilt Projector - per day	Per Day	Y	$160.00	$163.00	1.88%	$3.00	N
Hire of Portable Projector (per day)	Per Day	Y	$54.00	$55.00	1.85%	$1.00	N
Hire of Piano - per day	Per Day	Y	$160.00	$163.00	1.88%	$3.00	N
Site Induction (additional)	Per Occurrence	Y	$83.00	$84.00	1.20%	$1.00	N
After Hours Call-Out Fee per hour	Per Hour	Y	$83.00	$84.00	1.20%	$1.00	N

Name	Unit of measure	GST	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase $	Statutory
Community Halls							
Small Community Spaces							
Library meeting rooms, Williams Reserve Community Room, Hugo Wertheim Room, Radio Room							
Hourly hire – Full	Per Hour	Y	$34.00	$35.00	2.94%	$1.00	N
Hourly hire – Not-for-Profit	Per Hour	Y	$7.00	$7.00	0.00%	$0.00	N
Groups auspice by Council business units		Y				No Charge	N
Security Deposit (Bond)	Per Event	N	$100.00	$100.00	0.00%	$0.00	N
^Minimum value $100							
Community Hall Public Liability Insurance (per day)	Per Day	Y	$33.00	$34.00	3.03%	$1.00	N
After Hours Call-Out Fee per hour	Per Hour	Y	$83.00	$84.00	1.20%	$1.00	N
Late Booking Fee	Per Event	Y	$48.00	$50.00	4.17%	$2.00	N
Late Booking Change Administration Fee	Per Change	Y	$22.00	$22.00	0.00%	$0.00	N
Medium Community Spaces							
Hourly hire – Full (min 3 hourly hire)	Per Hour	Y	$63.00	$64.00	1.59%	$1.00	N
Hourly hire – Not-for-Profit (min 3 hourly hire)	Per Hour	Y	$22.00	$22.00	0.00%	$0.00	N
Groups auspiced by Council business units		N				No Charge	N
Security Deposit (Bond)	Per Event	N	$100.00	$100.00	0.00%	$0.00	N
^ Minimum value $100							
Community Hall Public Liability Insurance - per day	Per Day	Y	$33.00	$35.00	6.06%	$2.00	N
After Hours Call-Out Fee per hour	Per Hour	Y	$83.00	$84.00	1.20%	$1.00	N
Late Booking Fee	Per Event	Y	$48.00	$50.00	4.17%	$2.00	N
Late Booking Change Administration Fee	Per Change	Y	$22.00	$22.00	0.00%	$0.00	N
* Loughnan Hall, Mark Street Hall, Richmond Senior Citizens Centre							
Large Community Spaces							
Hourly hire – Full (min 3 hourly hire)	Per Hour	Y	$71.00	$72.00	1.41%	$1.00	N
Hourly hire – Not-for-Profit (min 3 hourly hire)	Per Hour	Y	$25.00	$26.00	4.00%	$1.00	N
Groups auspiced by Council business units		Y				No Charge	N
Security Deposit (Bond)	Per Event	N	$100.00	$100.00	0.00%	$0.00	N
* ** Minimum value $100							
Community Hall Public Liability Insurance (per day)	Per Day	Y	$33.00	$35.00	6.06%	$2.00	N
Sound Technician - per hour	Per Hour	Y	$53.00	$54.00	1.89%	$1.00	N

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Name	Unit of measure	GST	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase $	Statutory
Large Community Spaces [continued]							
After Hours Call-Out Fee per hour	Per Hour	Y	$83.00	$84.00	1.20%	$1.00	N
Site Induction (additional)	Per Occurrence	Y	$83.00	$84.00	1.20%	$1.00	N
Late Booking Fee	Per Event	Y	$48.00	$50.00	4.17%	$2.00	N
Late Booking Change Administration Fee	Per Change	Y	$22.00	$22.00	0.00%	$0.00	N
* Collingwood Senior Citizens Centre, Edinburgh Gardens Community Room, Studio 1, Community Space at Bargoonga Nganjin							
Performance Spaces (Richmond Theatrette)							
Hourly Hire - Full rate		N	$71.00	$70.00	-1.41%	-$1.00	N
Hourly Rate - Non for profit		N	$25.00	$20.00	-20.00%	-$5.00	N
Day Rate – Full	Per Day	Y	$1,080.00	$775.00	-28.24%	-$305.00	N
Day Rate – Not-for-Profit	Per Day	Y	$596.00	$200.00	-66.44%	-$396.00	N
7 Day Rate – Full	Per Week	Y	$5,415.00	$5,000.00	-7.66%	-$415.00	N
7 Day Rate – Not-for-Profit	Per Week	Y	$2,700.00	$1,350.00	-50.00%	-$1,350.00	N
Security Deposit (Bond)	Per Event	N	$200.00	$200.00	0.00%	$0.00	N
* Minimum value $200							
Community Hall Public Liability Insurance - per day	Per Day	Y	$33.00	$35.00	6.06%	$2.00	N
Sound Technician - per hour	Per Hour	Y	$53.00	$54.00	1.89%	$1.00	N
Site Induction (additional)	Per Occurrence	Y	$83.00	$84.00	1.20%	$1.00	N
Late Booking Fee	Per Event	Y	$48.00	$50.00	4.17%	$2.00	N
Late Booking Change Administration Fee	Per Change	Y	$22.00	$22.00	0.00%	$0.00	N
Parks and Open Space							
Site Fees, Occupation Charges & Other Usage Charges							
Site fee for use of Parks, Reserve or Rotunda – Full	Per Day	Y	$168.50	$171.50	1.78%	$3.00	N
Site fee for use of Parks, Reserve or Rotunda – Not-for-Profit	Per day	Y				No Charge	N
Occupation of public land (parks, roads, footpaths etc.) for events (commercial)	For every 5m2	Y	$3.85	$3.90	1.30%	$0.05	N
Power	Per Day	Y	$109.00	$111.00	1.83%	$2.00	N
Event Inspection Charge	Per Event	Y	$249.00	$253.50	1.81%	$4.50	N
Fairfield Amphitheatre							
Day Rate – Full	Per Day	Y	$380.00	$386.50	1.71%	$6.50	N
Day Rate – Concession	Per Day	Y	$119.00	$121.00	1.68%	$2.00	N
Power	Per Day	Y	$109.00	$111.00	1.83%	$2.00	N
Kiosk	Per Day	Y	$97.00	$98.70	1.75%	$1.70	N

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Name	Unit of measure	GST	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase $	Statutory
Fairfield Amphitheatre [continued]							
Change Rooms	Per Day	Y	$97.00	$98.70	1.75%	$1.70	N
Bond	Per Event	Y				From $100 Min. Fee excl. GST: $100.00	N
Burnley Circus Site							
Day Rate – Concession (Not-for-Profit)	Per day	Y	$0.00	$550.00	∞	$550.00	N
Weekly Rate - Concession (Not-for-Profit)		Y	$0.00	$2,750.00	∞	$2,750.00	N
Weekly Rate - Full (Commercial)		Y	$0.00	$8,250.00	∞	$8,250.00	N
Day Rate – Full (Commercial)	Per Day	Y	$1,030.00	$1,650.00	60.19%	$620.00	N
Power	Per Day	Y	$109.00	$111.00	1.83%	$2.00	N
Bond	Per Event	Y				Up to $10,000 **Last year fee** Up to $4,000	N
Permits							
Event Application Fee	Per Event	Y	$66.00	$67.20	1.82%	$1.20	N
Event Permit Application Fee for events of 500 or more persons or with significant structures or risks, as assessed by council officer, less than 12 weeks prior to event	Per Event	Y	$259.00	$263.50	1.74%	$4.50	N
Market Permit (One Off fee) – Full	Per Event	Y	$434.00	$441.50	1.73%	$7.50	N
Market Permit (One Off fee) – Concession	Per Event	Y	$174.00	$177.00	1.72%	$3.00	N
Minor Sound Permit	Per Event	Y	$54.00	$54.90	1.67%	$0.90	N
Event Permit – Up to 100 persons with no structures and minimum risks							
Small Event Permit (per event day) – Full	Per Event Day	Y	$114.00	$116.00	1.75%	$2.00	N
Small Event Permit (per event day) – Concession	Per Event Day	Y				No Charge	N
Event Permit – 100 persons 500 or with minimal structures and risks							
Medium Event Permit (per event day) – Full	Per Event Day	Y	$282.00	$287.00	1.77%	$5.00	N
Medium Event Permit (per event day) – Concession	Per Event Day	Y	$114.00	$116.00	1.75%	$2.00	N

Name	Unit of measure	GST	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase $	Statutory
Event Permit – 500 or more persons or with significant structures or risks, as assessed by Council Officer							
Major Event Permit (per event day) – Full	Per Event Day	Y	$488.00	$496.50	1.74%	$8.50	N
Major Event Permit (per event day) – Concession	Per Event Day	Y	$119.00	$121.00	1.68%	$2.00	N
Yarra Leisure Centres							
Casual Entry							
Adult Swim, Spa & Sauna		N	$14.20	$14.00	-1.41%	-$0.20	N
Child Swim		N	$3.80	$4.90	28.95%	$1.10	N
Concession Swim		N	$4.40	$4.90	11.36%	$0.50	N
Family Swim		N	$16.90	$20.00	18.34%	$3.10	N
Locker		N	$3.00	$3.00	0.00%	$0.00	N
Swim Upgrade to S/S/S		N	$6.80	$5.90	-13.24%	-$0.90	N
Swim Upgrade to S/S/S Concession		N	$4.00	$3.50	-12.50%	-$0.50	N
Swim, Spa & Sauna (concession)		N	$8.40	$8.40	0.00%	$0.00	N
Adult Swim	Per Adult	Y	$7.40	$8.10	9.46%	$0.70	N
Bulk Tickets							
10 Adult Swims		N	$66.60	$72.90	9.46%	$6.30	N
10 Child Swims		N	$34.20	$44.10	28.95%	$9.90	N
10 Concession Swim		N	$39.60	$44.10	11.36%	$4.50	N
25 Adult Swims		N	$148.00	$162.00	9.46%	$14.00	N
25 Adult Swims Concession		N	$88.00	$98.00	11.36%	$10.00	N
25 Child Swims		N	$76.00	$98.00	28.95%	$22.00	N
10 Swim, Spa, Sauna & Steam	10 Visits	Y	$128.00	$126.00	-1.56%	-$2.00	N
10 Swim, Spa, Sauna & Steam Concession	10 Visits	Y	$76.10	$75.60	-0.66%	-$0.50	N
25 Swim, Spa, Sauna & Steam	25 Visits	Y	$284.00	$280.00	-1.41%	-$4.00	N
25 Swim, Spa, Sauna & Steam Concession	25 Visits	Y	$169.00	$168.00	-0.59%	-$1.00	N
10 Group Fitness	10 Visits	Y	$160.00	$162.00	1.25%	$2.00	N
10 Group Fitness Concession	10 Visits	Y	$97.30	$97.20	-0.10%	-$0.10	N
25 Group Fitness	25 Visits	Y	$356.00	$360.00	1.12%	$4.00	N
25 Group Fitness Concession	25 Visits	Y	$216.00	$216.00	0.00%	$0.00	N
Lane Hire							
Commercial Lane Hire 25 metres (per hour)	Per lane	Y	$60.90	$65.00	6.73%	$4.10	N
Community Groups Lane Hire 25 Metres (per hour)	Per lane	Y	$40.80	$40.20	-1.47%	-$0.60	N
Commercial Lane Hire 50 metres (per hour)	Per lane	Y	$81.20	$85.00	4.68%	$3.80	N

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Name	Unit of measure	GST	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase $	Statutory
Lane Hire [continued]							
Community Groups Lane Hire 50 Metres (per hour)	Per lane	Y	$55.80	$55.00	-1.43%	-$0.80	N
Commercial Lane Hire Learn to Swim Pool (per hour)	Per lane	Y	$20.30	$49.00	141.38%	$28.70	N
Community Groups Lane Hire Learn to Swim Pool (per hour)	Per lane	Y	$15.25	$35.00	129.51%	$19.75	N
Commercial Pool Hire 25 metres (per hour)	Per booking	Y	$254.00	$275.00	8.27%	$21.00	N
Community Groups Pool Hire 25 Metres (per hour)	Per booking	Y	$203.00	$220.00	8.37%	$17.00	N
Commercial Pool Hire 50 metres (per hour)	Per booking	Y	$457.00	$299.00	-34.57%	-$158.00	N
Community Groups Pool Hire 50 Metres (per hour)	Per booking	Y	$355.00	$239.00	-32.68%	-$116.00	N
Commercial Pool Hire Learn to Swim Pool (per hour)	Per booking	Y	$50.70	$99.00	95.27%	$48.30	N
Community Groups Pool Hire Learn to Swim Pool (per hour)	Per booking	Y	$40.60	$75.00	84.73%	$34.40	N
Debit Fees							
Bronze Concession		N	$0.00	$575.70	∞	$575.70	N
Bronze FULL	Per Adult	N	$0.00	$959.40	∞	$959.40	N
Burnley Concession Membership		N	$0.00	$837.00	∞	$837.00	N
Burnley Full Membership		N	$0.00	$1,395.00	∞	$1,395.00	N
Burnley Intermediate Membership		N	$0.00	$837.00	∞	$837.00	N
Burnley Junior Membership		N	$0.00	$419.00	∞	$419.00	N
Burnley Practise Membership		N	$0.00	$140.00	∞	$140.00	N
Gold Concession		N	$0.00	$959.00	∞	$959.00	N
Gold FULL		N	$0.00	$1,599.00	∞	$1,599.00	N
Joining Fee		N	$99.00	$99.00	0.00%	$0.00	N
Silver Concession		N	$0.00	$767.00	∞	$767.00	N
Silver FULL		N	$0.00	$1,279.00	∞	$1,279.00	N
Program Classes							
Group Fitness	Per class	Y	$17.80	$18.00	1.12%	$0.20	N
Group Fitness (Concession)	Per class	Y	$10.80	$10.80	0.00%	$0.00	N
Gym							
10 x Empower sessions		N	$0.00	$90.00	∞	$90.00	N
10 x Empower sessions concession		N	$0.00	$54.00	∞	$54.00	N
10 x Move of Life Sessions		N	$0.00	$90.00	∞	$90.00	N
10 x Move of Life Sessions Concession		N	$0.00	$54.00	∞	$54.00	N
25 x Empower Sessions		N	$0.00	$200.00	∞	$200.00	N
25 x Empower sessions concession		N	$0.00	$120.00	∞	$120.00	N

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Name	Unit of measure	GST	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase $	Statutory
Gym [continued]							
25 x Move of Life Sessions		N	$0.00	$200.00	∞	$200.00	N
25 x Move of Life Sessions Concession		N	$0.00	$120.00	∞	$120.00	N
Empower + Session		N	$0.00	$10.00	∞	$10.00	N
Empower + Session Concession		N	$0.00	$6.00	∞	$6.00	N
Empower Session		N	$0.00	$10.00	∞	$10.00	N
Empower Session Concession		N	$0.00	$6.00	∞	$6.00	N
Gym Casual Access		N	$0.00	$22.00	∞	$22.00	N
Gym Casual Access Concession		N	$0.00	$13.20	∞	$13.20	N
Gym Facility Hire		N	$0.00	$109.00	∞	$109.00	N
Move for Life and Empower Programs Initial Assessment Fee		N	$0.00	$48.00	∞	$48.00	N
Move for life session		N	$0.00	$10.00	∞	$10.00	N
Move for life session concession		N	$0.00	$6.00	∞	$6.00	N
Casual Centre Access Pass	Per visit	Y	$26.60	$27.00	1.50%	$0.40	N
Centre Visit Pass Concession	Per visit	Y	$16.00	$16.15	0.94%	$0.15	N
Personal Training							
½ hr (Casual)	Per 1/2 Hour	Y	$58.90	$58.90	0.00%	$0.00	N
½ hr (Member)	Per 1/2 Hour	Y	$49.60	$49.60	0.00%	$0.00	N
1 hr (Casual)	Per Hour	Y	$95.40	$95.40	0.00%	$0.00	N
1 hr (Member)	Per Hour	Y	$76.30	$76.30	0.00%	$0.00	N
10 Visit Pass Casual – 1/2 Hr	10 Visits	Y	$530.10	$530.10	0.00%	$0.00	N
10 Visit Pass Member – 1/2 Hr	10 Visits	Y	$446.40	$446.40	0.00%	$0.00	N
10 Visit Pass Casual – 1 Hr	10 Visits	Y	$860.00	$860.00	0.00%	$0.00	N
10 Visit Pass Member – 1 Hr	10 Visits	Y	$690.00	$690.00	0.00%	$0.00	N
Swim Lessons							
Advanced Swim Clinic		N	$34.00	$31.00	-8.82%	-$3.00	N
Beginner Swim Clinic		N	$27.00	$31.00	14.81%	$4.00	N
Intermediate Swim Clinic		N	$31.00	$31.00	0.00%	$0.00	N
Learn to Swim - Term		N	$0.00	$22.00	∞	$22.00	N
Learn to Swim - Term Concession		N	$0.00	$13.20	∞	$13.20	N
Member - Stroke Improvement Course		N	$128.00	$128.00	0.00%	$0.00	N
Non-Member Stroke Improvement		N	$140.00	$140.00	0.00%	$0.00	N
Start Up Fee (All Aquatic Programs)	Per person	Y	$32.70	$33.25	1.68%	$0.55	N
Swim Lessons Child - per lesson	Per Lesson	N	$19.70	$22.00	11.68%	$2.30	N
Child – Concession per lesson	Per Lesson	N	$11.90	$13.20	10.92%	$1.30	N
One on One Lessons	Per Lesson	Y	$56.80	$59.00	3.87%	$2.20	N
Two on One Lessons	Per Lesson	Y	$98.00	$89.00	-9.18%	-$9.00	N
Swim Lesson Child Fortnightly Debit**	Per Lesson	N	$31.10	$44.90	44.37%	$13.80	N

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Name	Unit of measure	GST	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase $	Statutory
Swim Lessons [continued]							
Swim Lesson Child – Concession Fortnightly Debit**	Per Lesson	N	$18.70	$26.90	43.85%	$8.20	N
School Lessons	Per Lesson	N	$9.90	$13.40	35.35%	$3.50	N
School Lessons Concession	Per Lesson	N	$6.00	$8.10	35.00%	$2.10	N
Programs – Myotherapy							
½ hr (Member)	Per 1/2 Hour	Y	$53.30	$54.20	1.69%	$0.90	N
½ hr (Casual)	Per 1/2 Hour	Y	$63.60	$64.70	1.73%	$1.10	N
1 hr (Member)	Per Hour	Y	$96.40	$98.10	1.76%	$1.70	N
1 hr (Casual)	Per Hour	Y	$110.50	$112.50	1.81%	$2.00	N
Yarra Triathlon Programs							
Miscellaneous							
Replacement RFID band/key fob (New fee)	Per band	Y	$6.00	$6.00	0.00%	$0.00	N
Lost Locker RFID key fob	Per Key Fob	Y	$11.40	$11.40	0.00%	$0.00	N
Shower	Per visit	Y	$4.00	$4.00	0.00%	$0.00	N
Burnley Golf Course							
18 Holes Weekend Concession		N	$0.00	$19.20	∞	$19.20	N
9 Hole Midweek		N	$21.80	$25.00	14.68%	$3.20	N
9 Hole Midweek Concession		N	$16.40	$15.00	-8.54%	-$1.40	N
9 Holes Weekend Concession		N	$24.00	$16.80	-30.00%	-$7.20	N
Community Golf (Affiliated Organisations)		N	$0.00	$0.00	0.00%	$0.00	N
Junior 9 Holes		N	$0.00	$15.00	∞	$15.00	N
18 Hole Midweek	Per Adult	Y	$27.90	$29.00	3.94%	$1.10	N
18 Holes Midweek Concession	Per Junior	Y	$21.30	$17.20	-19.25%	-$4.10	N
9 Holes – Weekend	9 holes	Y	$23.00	$28.00	21.74%	$5.00	N
18 Holes Weekend	18 holes	Y	$29.50	$32.00	8.47%	$2.50	N
1 Hour Lesson	Per Hour	Y	$122.00	$124.00	1.64%	$2.00	N
1/2 Hour Lesson	Per 1/2 Hour	Y	$60.00	$61.10	1.83%	$1.10	N
6 Lesson Voucher	Per pass	Y	$300.00	$305.00	1.67%	$5.00	N
Clinic	Per clinic	Y	$122.00	$124.00	1.64%	$2.00	N
Mini Clinic	Per clinic	Y	$22.00	$22.30	1.36%	$0.30	N
Buggy Hire	One cart	Y	$5.60	$5.70	1.79%	$0.10	N
9 Hole Cart Hire	9 holes	Y	$29.00	$29.50	1.72%	$0.50	N
9 Hole Single Cart Hire	9 holes	Y	$19.80	$20.10	1.52%	$0.30	N
18 Hole Cart Hire	18 holes	Y	$48.70	$49.50	1.64%	$0.80	N
18 Hole Single Cart Hire	18 holes	Y	$32.50	$33.00	1.54%	$0.50	N
Practice Fees	Per visit	Y	$4.00	$5.00	25.00%	$1.00	N

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Name	Unit of measure	GST	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase $	Statutory
Burnley Golf Course [continued]							
Hire Set	Per set	Y	$15.70	$15.90	1.27%	$0.20	N
Engineering Planning							
Traffic Surveys – classified counts	Per count	N	$271.50	$276.50	1.84%	$5.00	N
Parking signs – sign changes	Per sign	Y	$201.00	$204.50	1.74%	$3.50	N
Drainage Fees (Levy)							
0-400m2	Per m2	N	$12.80	$13.00	1.56%	$0.20	N
401-500m2	Per m2	N	$16.75	$17.05	1.79%	$0.30	N
501-600m2	Per m2	N	$21.20	$21.55	1.65%	$0.35	N
601-700m2	Per m2	N	$22.80	$23.20	1.75%	$0.40	N
701-800m2	Per m2	N	$25.05	$25.50	1.80%	$0.45	N
801-900m2	Per m2	N	$26.75	$27.20	1.68%	$0.45	N
901-1,000m2	Per m2	N	$27.80	$28.30	1.80%	$0.50	N
1,001m2 + (negotiable fee)	Per m2	N	$27.80	$28.30	1.80%	$0.50	N
Waste Management							
Compost Bins 220lt BMW	Per Bin	Y	$38.60	$39.30	1.81%	$0.70	N
Hungry Bin	Per Bin	Y	$304.50	$310.00	1.81%	$5.50	N
Worm Farms RELN	Per Bin	Y	$92.40	$94.00	1.73%	$1.60	N
Garbage 80lt MGB	Per Bin	N	$120.00	$122.00	1.67%	$2.00	N
Garbage 120lt MGB	Per Bin	N	$158.50	$161.50	1.89%	$3.00	N
Garbage 240lt MGB	Per Bin	N	$282.00	$287.00	1.77%	$5.00	N
Residential and Commercial (and Multi-Unit Developments per unit/ apartment) MRB 120lt plus 80lt MGB	Per Bin	N	$196.00	$199.50	1.79%	$3.50	N
Relocation of Street Litter Bins	Per Bin	Y	$508.00	$517.00	1.77%	$9.00	N
Urban Agriculture							
Footpath/nature strip garden permit fee	Per Permit	Y	$20.80	$21.15	1.68%	$0.35	N
Footpath/nature strip planter box yearly rental fee	Per year	Y	$57.80	$58.80	1.73%	$1.00	N
Footpath/nature strip planter box yearly rental fee – concession	Per year	Y	$28.45	$28.95	1.76%	$0.50	N

Index of all Fees

Fee Name	Parent Name	Page
0		
0-400m2	[Drainage Fees (Levy)]	48
1		
1 Hour Lesson	[Burnley Golf Course]	47
1 hr (Casual)	[Personal Training]	46
1 hr (Casual)	[Programs – Myotherapy]	47
1 hr (Member)	[Personal Training]	46
1 hr (Member)	[Programs – Myotherapy]	47
1,001m2 + (negotiable fee)	[Drainage Fees (Levy)]	48
1/2 Hour Lesson	[Burnley Golf Course]	47
10 Adult Swims	[Bulk Tickets]	44
10 Child Swims	[Bulk Tickets]	44
10 Concession Swim	[Bulk Tickets]	44
10 Group Fitness	[Bulk Tickets]	44
10 Group Fitness Concession	[Bulk Tickets]	44
10 or more Dwellings	[Request to extend expiry date of a permit]	35
10 Swim, Spa, Sauna & Steam	[Bulk Tickets]	44
10 Swim, Spa, Sauna & Steam Concession	[Bulk Tickets]	44
10 Visit Pass Casual – 1 Hr	[Personal Training]	46
10 Visit Pass Casual – 1/2 Hr	[Personal Training]	46
10 Visit Pass Member – 1 Hr	[Personal Training]	46
10 Visit Pass Member – 1/2 Hr	[Personal Training]	46
10 x Empower sessions	[Gym]	45
10 x Empower sessions concession	[Gym]	45
10 x Move of Life Sessions	[Gym]	45
10 x Move of Life Sessions Concession	[Gym]	45
18 Hole Cart Hire	[Burnley Golf Course]	47
18 Hole Midweek	[Burnley Golf Course]	47
18 Hole Single Cart Hire	[Burnley Golf Course]	47
18 Holes Midweek Concession	[Burnley Golf Course]	47
18 Holes Weekend	[Burnley Golf Course]	47
18 Holes Weekend Concession	[Burnley Golf Course]	47
2		
2 to 0 Dwellings	[Request to extend expiry date of a permit]	35
25 Adult Swims	[Bulk Tickets]	44
25 Adult Swims Concession	[Bulk Tickets]	44
25 Child Swims	[Bulk Tickets]	44
25 Group Fitness	[Bulk Tickets]	44
25 Group Fitness Concession	[Bulk Tickets]	44
25 Swim, Spa, Sauna & Steam	[Bulk Tickets]	44
25 Swim, Spa, Sauna & Steam Concession	[Bulk Tickets]	44
25 x Empower Sessions	[Gym]	45
25 x Empower sessions concession	[Gym]	45
25 x Move of Life Sessions	[Gym]	46
25 x Move of Life Sessions Concession	[Gym]	46
4		
401-500m2	[Drainage Fees (Levy)]	48
5		
501-600m2	[Drainage Fees (Levy)]	48
6		
6 Lesson Voucher	[Burnley Golf Course]	47
601-700m2	[Drainage Fees (Levy)]	48

Fee Name	Parent Name	Page
7		
7 Day Rate – Full	[Performance Spaces (Richmond Theatrette)]	42
7 Day Rate – Not-for-Profit	[Performance Spaces (Richmond Theatrette)]	42
701-800m2	[Drainage Fees (Levy)]	48
8		
801-900m2	[Drainage Fees (Levy)]	48
9		
9 Hole Cart Hire	[Burnley Golf Course]	47
9 Hole Midweek	[Burnley Golf Course]	47
9 Hole Midweek Concession	[Burnley Golf Course]	47
9 Hole Single Cart Hire	[Burnley Golf Course]	47
9 Holes – Weekend	[Burnley Golf Course]	47
9 Holes Weekend Concession	[Burnley Golf Course]	47
901-1,000m2	[Drainage Fees (Levy)]	48
a		
a) up to and including 10 submissions which seek a change to an amendment and where necessary referring the submissions to a panel	[Consideration of submissions to Amendment and reference to panel]	28
A		
A1 Copies – per copy	[Miscellaneous]	39
A3 Copies – per copy	[Miscellaneous]	39
A4 Copies – per copy	[Miscellaneous]	39
Additional Assessment Fee (Section 19H)	[Class 1 or Class 2 Premises]	17
Additional Consulting Services re Building Permits	[Miscellaneous]	39
Additional fee for each employee over 10 (Max fee is for 61+ employees)	[Class 1 or Class 2 Premises]	17
Additional fee for each employee over 10 (Max fee is for 61+ employees)	[Class 3 and Not for Profit Class 1 and 2 Food Premises]	18
Additional fee for each employee over 10 (Max fee is for 61+ employees)	[Not for Profit Class 3 Food Premises]	18
Additional Inspection Fee Under 19(H)	[Class 3 and Not for Profit Class 1 and 2 Food Premises]	18
Additional Inspection Fee Under 19(H)	[Not for Profit Class 3 Food Premises]	18
Additional miscellaneous item Footpath trading	[Local Laws / Legislative Services]	14
Additional Occupancy Permits	[Miscellaneous]	38
Adjoining Property Owners Details (search)	[Miscellaneous]	40
Admin Fee – Organising CCTV inspection or drain cleaning for one occurrence	[Drainage Cleaning and Inspection]	25
Adoption of an Amendment	[Other]	29
Adult Day Care	[Home Care Packages (HCP)]	12
Adult Swim	[Casual Entry]	44
Adult Swim, Spa & Sauna	[Casual Entry]	44
Advanced Swim Clinic	[Swim Lessons]	46
Advertising Letters and Notices	[Planning Scheme Amendment]	36
Advertising Letters and Notices (5 or more notices)	[Other Development]	36
Advertising Sign – per sign (licensed)	[Items on Footpath]	15
Advertising Sign – per sign (unlicensed)	[Items on Footpath]	15
After hours call out fee	[Top Floor]	27
After Hours Call-Out Fee per hour	[Hire of Town Halls]	40
After Hours Call-Out Fee per hour	[Small Community Spaces]	41
After Hours Call-Out Fee per hour	[Medium Community Spaces]	41
After Hours Call-Out Fee per hour	[Large Community Spaces]	42
All Day Parking (various locations)	[Parking Meter Rates]	12
All Meals	[Home Care Packages (HCP)]	12
Alterations & Additions – $10,001-$20,000	[Class 1 & 10]	37
Alterations & Additions – $100,001-$300,000	[Class 1 & 10]	37
Alterations & Additions – $20,001-$100,000	[Class 1 & 10]	37
Alterations & Additions – $300,001-$400,000	[Class 1 & 10]	37
Alterations & Additions – Up to $10,000	[Class 1 & 10]	37
Alternative Solution/ Dispensation/ Change of Use determination	[Miscellaneous]	40

continued on next page ...

Fee Name	Parent Name	Page
A [continued]		
Amendment to a Class 11, 12, 13, 14, 15 or 16 permit – Less than $100,000	[Reg 11 Other Development]	33
Amendment to a Class 11, 12, 13, 14, 15 or 16 permit – More than $1,000,000	[Reg 11 Other Development]	33
Amendment to a Class 11, 12, 13, 14, 15 or 16 permit – More than $100,000 and not more than $1,000,000	[Reg 11 Other Development]	33
Amendment to a Development Plan Approval	[Other Development]	36
Amendments under 20(4)	[Other]	29
Amendments under 20A	[Other]	29
Animal Registration refund	[Cat Registration]	17
Annual Licence Fee	[Permit to hire Park for Commercial Fitness Trainers]	23
Annual Registration Fee	[Registration of Domestic Animal Business]	17
Application fee – Commercial Profit Making (non refundable)	[Filming & Commercial Still Photography Permit]	24
Application for a planning certificate	[Other Fees]	35
Application for certificate of compliance	[Other Fees]	35
Application for Development Plan Approval	[Other Development]	36
Approval of an Amendment	[Other]	29
b		
b) 11 to (and including) 20 submissions which seek a change to an amendment and where necessary referring the submissions to a panel	[Consideration of submissions to Amendment and reference to panel]	28
B		
Bag of Books	[Book Sales]	7
Balcony (per day)	[Hire of Town Halls]	40
Beginner Swim Clinic	[Swim Lessons]	46
Bexsero	[Vaccine]	28
Bond	[Fairfield Amphitheatre]	43
Bond	[Burnley Circus Site]	43
Book delivery	[Libraries]	6
Book delivery	[Book Sales]	7
Boostrix	[Vaccine]	28
Bronze Concession	[Debit Fees]	45
Bronze FULL	[Debit Fees]	45
Buggy Hire	[Burnley Golf Course]	47
Building permit levy for a Building greater than $10,000 (Statutory fee) – Residential Only	[Lodgement Fees (building work permit)]	37
Building Record search Class 1 & 10	[Miscellaneous]	38
Building Record search Class 2-9	[Miscellaneous]	38
Burnley Concession Membership	[Debit Fees]	45
Burnley Full Membership	[Debit Fees]	45
Burnley Intermediate Membership	[Debit Fees]	45
Burnley Junior Membership	[Debit Fees]	45
Burnley Practise Membership	[Debit Fees]	45
Busking Permit (Monthly charge)	[Local Laws / Legislative Services]	15
c		
c) Submissions that exceed 20 submissions which seek a change to an amendment, and where necessary referring the submissions to a panel	[Consideration of submissions to Amendment and reference to panel]	28
C		
Carports, Garages, Shed etc. (Class 10 Structure)	[Class 1 & 10]	37
Casual Booking Fee	[Outside School Hours Care]	26
Casual Centre Access Pass	[Gym]	46
Cat trap – rental per week	[Local Laws / Legislative Services]	15
CCTV inspection (Traffic management not included)	[Drainage Cleaning and Inspection]	25
Centre Visit Pass Concession	[Gym]	46
Certificate S327 (incl. Flood Certificate)	[Lodgement Fees (building work permit)]	37
Certification fee	[Miscellaneous]	40

continued on next page ...

C [continued]

Fee Name	Parent Name	Page
Change of Use/Combined Allotment Statements	[Miscellaneous]	39
Change Rooms	[Fairfield Amphitheatre]	43
Child – Concession per lesson	[Swim Lessons]	46
Child Swim	[Casual Entry]	44
Class 1 and 2	[Once-off Events]	18
Class 1 Use only/reduction of car parking/loading bay requirements/liquor licence	[Applications for permits Reg 9 Type of Permit Application]	29
Class 1 Use only/reduction of car parking/loading bay requirements/liquor licence	[Planning schedule of permit application revision fees under section 57a – Reg 12 Type of Permit Application]	31
Class 1 Use only/reduction of car parking/loading bay requirements/liquor licence	[Reg 11 Permit Amendment Fees]	32
Class 1 Use only/reduction of car parking/loading bay requirements/liquor licence	[Reg 12 Planning schedule of permit amendment revision fees under Section 57A Type of Permit Amendment]	34
Class 10 Amendment to a Class 10 permit (other than a class 7, class 8 or class 9 permit)	[Reg 11 VICSMART Applications which meet the VicSmart criteria]	33
Class 10 Amendment to a Class 11, 12, 13, 14, 15 or 16 permit – Less than $100,000	[Reg 12 Other Development]	34
Class 10 VICSMART A permit that is a VicSmart Application (other than a Class 7, 8 or 9)	[Reg 9 VICSMART Applications]	29
Class 10 VICSMART A permit that is a VicSmart Application (other than a Class 7, 8 or 9)	[VicSmart]	36
Class 11 – Less than $100,000	[Reg 12 Other Development]	31
Class 11 < $100,000	[Reg 9 Other Development]	29
Class 11 Amendment to a Class 11, 12, 13, 14, 15 or 16 permit – More than $100,000 and not more than $1,000,000	[Reg 12 Other Development]	34
Class 12 – More than $100,000 and not more than $1,000,000	[Reg 12 Other Development]	31
Class 12 > $100,001 – $1,000,000	[Reg 9 Other Development]	29
Class 12 Amendment to a Class 11, 12, 13, 14, 15 or 16 permit – More than $1,000,000	[Reg 12 Other Development]	34
Class 13 – More than $1,000,000 and not more than $5,000,000	[Reg 12 Other Development]	31
Class 13 > $1,000,001 – $5,000,000	[Reg 9 Other Development]	29
Class 14 – Class 19 Amendments	[Reg 11 Subdivision]	33
Class 14 – More than $5,000,000 and not more than $15,000,000	[Reg 12 Other Development]	31
Class 14 > $5,000,001 – $15,000,000	[Reg 9 Other Development]	29
Class 14 Amendment to a Class 17 permit – To subdivide an existing building (other than a class 9 permit)	[Reg 12 Subdivision]	35
Class 15 – More than $15,000,000 and not more than $50,000,000	[Reg 12 Other Development]	31
Class 15 > $15,000,001 – $50,000,000	[Reg 9 Other Development]	29
Class 15 Amendment to a Class 18 permit – To subdivide land into two lots (other than a class 9 or class 17 permit)	[Reg 12 Subdivision]	35
Class 16 – More than $50,000,000	[Reg 12 Other Development]	31
Class 16 > $50,000,001	[Reg 9 Other Development]	30
Class 16 Amendment to a Class 19 permit – To effect a realignment of a common boundary between lots or to consolidate two or more lots (other than a class 9 permit)	[Reg 12 Subdivision]	35
Class 17 Amendment to a Class 20 permit – To subdivide land (other than a class 9, class 17, class 18 or class 19 permit)	[Reg 12 Subdivision]	35
Class 17 Subdivide an existing building	[Reg 9 Subdivision]	30
Class 17 To subdivide an existing building (other than a class 9 permit)	[Reg 12 Subdivision]	31
Class 18 Amendment to a Class 21 permit - To: a) create, vary or remove a restriction within the meaning of the Subdivision Act 1988; or b) create or remove a right of way; or c) create, vary or remove an easement other than a right of way; or d) vary or remove a condition in the nature of an easement (other than right of way) in a Crown grant.	[Reg 12 Subdivision]	35
Class 18 Subdivide land into 2 lots	[Reg 9 Subdivision]	30

continued on next page ...

C [continued]

Fee Name	Parent Name	Page
Class 18 To subdivide land into two lots (other than a class 9 or class 17 permit)	[Reg 12 Subdivision]	31
Class 19 Amendment to a Class 22 permit – A permit not otherwise provided for in the regulation	[Reg 12 Subdivision]	35
Class 19 To effect a realignment of a common boundary between lots or to consolidate two or more lots	[Reg 9 Subdivision]	30
Class 19 To effect a realignment of a common boundary between lots or to consolidate two or more lots (other than a class 9 permit)	[Reg 12 Subdivision]	31
Class 2 – Less than $10,000	[Reg 12 Single Dwellings]	31
Class 2 (Residential fit outs)	[Class 2, 3, 4, 5, 6, 7, 8 and 9]	38
Class 2 < $10,000	[Reg 9 Single Dwellings]	29
Class 2 < $10,000	[Single Dwelling]	36
Class 2 Application to amend a permit (other than a permit to develop land for a single dwelling per lot, use & develop land for a single dwelling per lot, or to undertake development ancillary to the use of land for a single dwelling per lot) to: To change the statement of what the permit allows or to change any or all of the conditions	[Reg 11 Permit Amendment Fees]	32
Class 2 Application to amend a permit (other than a permit to develop land for a single dwelling per lot, use & develop land for a single dwelling per lot, or to undertake development ancillary to the use of land for a single dwelling per lot) to: To change the statement of what the permit allows or To change any or all of the conditions	[Reg 12 Planning schedule of permit amendment revision fees under Section 57A Type of Permit Amendment]	34
Class 20 Subdivide land (per 100 lots created)	[Reg 9 Subdivision]	30
Class 20 To subdivide land (other than a class 9, class 17, class 18 or class 19 permit)	[Reg 12 Subdivision]	32
Class 21	[Reg 9 Subdivision]	30
Class 21	[Reg 12 Subdivision]	32
Class 22 A permit not otherwise provided for in the regulation	[Reg 9 Subdivision]	30
Class 22 A permit not otherwise provided for in the regulation	[Reg 12 Subdivision]	32
Class 3	[Once-off Events]	18
Class 3 – More than $10,000 and not more than $100,000	[Reg 12 Single Dwellings]	31
Class 3 > $10,001 – $100,000	[Reg 9 Single Dwellings]	29
Class 3 > $10,001 – $100,000	[Single Dwelling]	36
Class 3 Amendment to a Class 2, 3, 4, 5 or 6 permit – Less than $10,000	[Reg 11 Single Dwellings]	32
Class 3 Amendment to a Class 2, 3, 4, 5 or 6 permit – Less than $10,000	[Reg 12 Single Dwellings]	34
Class 4 – More than $100,000 and not more than $500,000	[Reg 12 Single Dwellings]	31
Class 4 > $100,001 – $500,00	[Reg 9 Single Dwellings]	29
Class 4 > $100,001 – $500,00	[Single Dwelling]	36
Class 4 Amendment to a Class 2, 3, 4, 5 or 6 permit – More than $10,000 and not more than $100,000	[Reg 11 Single Dwellings]	32
Class 4 Amendment to a Class 2, 3, 4, 5 or 6 permit – More than $10,000 and not more than $100,000	[Reg 12 Single Dwellings]	34
Class 5 – More than $500,000 and not more than $1,000,000	[Reg 12 Single Dwellings]	31
Class 5 > $500,001 – $1,000,000	[Reg 9 Single Dwellings]	29
Class 5 > $500,001 – $1,000,000	[Single Dwelling]	36
Class 5 Amendment to a Class 2, 3, 4, 5 or 6 permit – More than $100,000 and not more than $500,000	[Reg 11 Single Dwellings]	32
Class 5 Amendment to a Class 2, 3, 4, 5 or 6 permit – More than $100,000 and not more than $500,000	[Reg 12 Single Dwellings]	34
Class 6 – More than $1,000,000 and not more than $2,000,000	[Reg 12 Single Dwellings]	31
Class 6 > $1,000,001 – $2,000,000	[Reg 9 Single Dwellings]	29
Class 6 > $1,000,001 – $2,000,000	[Single Dwelling]	36

continued on next page ...

C [continued]

Fee Name	Parent Name	Page
Class 6 Amendment to a Class 2, 3, 4, 5 or 6 permit – More than $500,000	[Reg 11 Single Dwellings]	32
Class 6 Amendment to a Class 2, 3, 4, 5 or 6 permit – More than $500,000	[Reg 12 Single Dwellings]	34
Class 7 < $10,000	[Reg 9 VICSMART Applications]	29
Class 7 < $10,000	[VicSmart]	36
Class 7 Amendment to a Class 7 permit	[Reg 11 VICSMART Applications which meet the VicSmart criteria]	33
Class 8 > $10,000	[Reg 9 VICSMART Applications]	29
Class 8 > $10,000	[VicSmart]	36
Class 8 Amendment to a Class 8 permit	[Reg 11 VICSMART Applications which meet the VicSmart criteria]	33
Class 9 Amendment to a Class 9 permit – Subdivide or consolidate land	[Reg 11 VICSMART Applications which meet the VicSmart criteria]	33
Class 9 VICSMART application to subdivide or consolidate land	[Reg 9 VICSMART Applications]	29
Class 9 VICSMART application to subdivide or consolidate land	[VicSmart]	36
Clinic	[Burnley Golf Course]	47
Commercial	[Archive Request]	37
Commercial – includes house modules	[Permit Inspections]	23
Commercial dog walking permit (annual permit)	[Local Laws / Legislative Services]	15
Commercial fee	[Victoria Park – Casual Fees]	20
Commercial fee	[Victoria Park Sherrin Stand Change Rooms – Casual Fees]	21
Commercial fee	[Casual Sports Ground A Hire]	21
Commercial fee	[Casual Sports Ground B Hire]	21
Commercial fee	[Casual Pavilion Hire]	21
Commercial Lane Hire 25 metres (per hour)	[Lane Hire]	44
Commercial Lane Hire 50 metres (per hour)	[Lane Hire]	44
Commercial Lane Hire Learn to Swim Pool (per hour)	[Lane Hire]	45
Commercial Pool Hire 25 metres (per hour)	[Lane Hire]	45
Commercial Pool Hire 50 metres (per hour)	[Lane Hire]	45
Commercial Pool Hire Learn to Swim Pool (per hour)	[Lane Hire]	45
Commercial Profit Making – Film/Ad Producers – Major impact: Permit	[Filming & Commercial Still Photography Permit]	24
Commercial Rate Full Day	[Community Meeting Room]	26
Commercial Rate Full Day	[Community Kitchen]	26
Commercial Rate Full Day	[Training Room]	27
Commercial Rate Full Day	[Consultation Room]	27
Commercial Rate Full Day	[Playgroup Room 2]	27
Commercial Rate Full Day	[Front Room]	27
Commercial Rate Full Day	[Foyer Room]	27
Commercial Rate Half Day	[Community Meeting Room]	26
Commercial Rate Half Day	[Community Kitchen]	26
Commercial Rate Half Day	[Training Room]	27
Commercial Rate Half Day	[Front Room]	27
Commercial Rate Half Day*	[Foyer Room]	27
Commercial Rate hourly	[Top Floor]	27
Commercial Rate per hour	[Consultation Room]	27
Commercial Rate per hour	[Playgroup Room 2]	27
Commercial^	[Casual Hire – Tennis, Netball, Basketball Court]	21
Community Golf (Affiliated Organisations)	[Burnley Golf Course]	47
Community Groups Lane Hire 25 Metres (per hour)	[Lane Hire]	44
Community Groups Lane Hire 50 Metres (per hour)	[Lane Hire]	45
Community Groups Lane Hire Learn to Swim Pool (per hour)	[Lane Hire]	45
Community Groups Pool Hire 25 Metres (per hour)	[Lane Hire]	45
Community Groups Pool Hire 50 Metres (per hour)	[Lane Hire]	45
Community Groups Pool Hire Learn to Swim Pool (per hour)	[Lane Hire]	45
Community hall public liability insurance	[Top Floor]	27
Community Hall Public Liability Insurance - per day	[Medium Community Spaces]	41
Community Hall Public Liability Insurance - per day	[Performance Spaces (Richmond Theatrette)]	42
Community Hall Public Liability Insurance (per day)	[Small Community Spaces]	41
Community Hall Public Liability Insurance (per day)	[Large Community Spaces]	41
Community Transport	[Home Care Packages (HCP)]	12
Community Transport General	[Community Transport]	12
Compost Bins 220lt BMW	[Waste Management]	48

continued on next page ...

C [continued]

Fee Name	Parent Name	Page
Computation checking	[Miscellaneous]	39
Concession 1*	[Victoria Park – Casual Fees]	20
Concession 1*	[Victoria Park Sherrin Stand Change Rooms – Casual Fees]	21
Concession 1*	[Casual Sports Ground A Hire]	21
Concession 1*	[Casual Sports Ground B Hire]	21
Concession 1*	[Casual Pavilion Hire]	21
Concession 1*^	[Casual Hire – Tennis, Netball, Basketball Court]	21
Concession 2*	[Victoria Park – Casual Fees]	20
Concession 2*	[Victoria Park Sherrin Stand Change Rooms – Casual Fees]	21
Concession 2*	[Casual Sports Ground A Hire]	21
Concession 2*	[Casual Sports Ground B Hire]	21
Concession 2*	[Casual Pavilion Hire]	21
Concession 2*^	[Casual Hire – Tennis, Netball, Basketball Court]	21
Concession 3*	[Victoria Park – Casual Fees]	20
Concession 3*	[Victoria Park Sherrin Stand Change Rooms – Casual Fees]	21
Concession 3*	[Casual Sports Ground A Hire]	21
Concession 3*	[Casual Sports Ground B Hire]	21
Concession 3*	[Casual Pavilion Hire]	21
Concession 3*^	[Casual Hire – Tennis, Netball, Basketball Court]	22
Concession Rate hourly	[Top Floor]	27
Concession Swim	[Casual Entry]	44
Concessional Maximum Fee	[Dog Registration]	16
Concessional Maximum Fee	[Cat Registration]	17
Concessional Rate Full Day	[Community Meeting Room]	26
Concessional Rate Full Day	[Community Kitchen]	26
Concessional Rate Full Day	[Training Room]	27
Concessional Rate Full Day	[Consultation Room]	27
Concessional Rate Full Day	[Front Room]	27
Concessional Rate Full Day	[Foyer Room]	27
Concessional Rate Half Day	[Community Meeting Room]	26
Concessional Rate Half Day	[Community Kitchen]	26
Concessional Rate Half Day	[Training Room]	27
Concessional Rate Half Day	[Front Room]	27
Concessional Rate Half Day	[Foyer Room]	27
Concessional Rate per 2 hour session	[Playgroup Room 2]	27
Concessional Rate per hour	[Consultation Room]	27
Concessional Reduced Fee	[Dog Registration]	16
Concessional Reduced Fee	[Cat Registration]	17
Consent & Report applications (other than demolition)	[Miscellaneous]	38
Consent & Report applications (other than demolition) (Reg 116)	[Miscellaneous]	38
Consent & Report applications Reg 116	[Miscellaneous]	38
Consent fee*	[Consent (RMA 2004)]	24
Consulting charge out rate p/hr i.e. dilapidation surveys	[Miscellaneous]	38
Copy of Certificate of Analysis for person from whom sample obtained	[Information/Service Fees]	20
Copy of Registration Certificate – Only available to current proprietor	[Information/Service Fees]	20
Counter Fast Track Assessment Fee	[Construction Management Support Unit]	23
Credit Card Surcharge	[Finance]	7

D

Damaged / Lost Books	[Libraries]	6
Damaged / Lost Magazines	[Libraries]	6
Day Rate – Concession	[Fairfield Amphitheatre]	42
Day Rate – Concession (Not-for-Profit)	[Burnley Circus Site]	43
Day Rate – Full	[Performance Spaces (Richmond Theatrette)]	42
Day Rate – Full	[Fairfield Amphitheatre]	42
Day Rate – Full (Commercial)	[Burnley Circus Site]	43
Day Rate – Not-for-Profit	[Performance Spaces (Richmond Theatrette)]	42
Debt Recovery Administration	[Property & Rating Fees]	6
Debt Recovery Administration Summons Trace successful	[Property & Rating Fees]	6

continued on next page ...

Fee Name	Parent Name	Page
D [continued]		
Debt Recovery Administration Summons Trace unsuccessful	[Property & Rating Fees]	6
Debt Recovery Company Search	[Property & Rating Fees]	6
Debt Recovery Field Call	[Property & Rating Fees]	6
Debt Recovery Title Search	[Property & Rating Fees]	6
Delivered / Centre Meals – Couple Above $115,245	[Delivered / Centre Meals – High Fee Range]	11
Delivered / Centre Meals – Family Above $118,546	[Delivered / Centre Meals – High Fee Range]	11
Delivered / Centre Meals – Single Above $86,208	[Delivered / Centre Meals – High Fee Range]	11
Delivered / Centre Meals Couple – $59,802 to $115,245	[Delivered / Centre Meals – Medium Fee Range]	11
Delivered / Centre Meals Couple Up to $59,802	[Delivered / Centre Meals – Low Fee Range]	11
Delivered / Centre Meals Family – $66,009 to $118,546	[Delivered / Centre Meals – Medium Fee Range]	11
Delivered / Centre Meals Family Up to $66,009	[Delivered / Centre Meals – Low Fee Range]	11
Delivered / Centre Meals Single – $39,089 to $86,208	[Delivered / Centre Meals – Medium Fee Range]	11
Delivered / Centre Meals Single Up to $39,089	[Delivered / Centre Meals – Low Fee Range]	11
Demolish – attached dwelling	[Class 1 & 10]	37
Demolish – commercial building	[Class 1 & 10]	37
Demolish – detached dwelling	[Class 1 & 10]	37
Deposit Cat trap (Refundable)	[Registration of Domestic Animal Business]	17
Derelict vehicles/pound fee – abandoned/ unregistered vehicle	[Towing & Impounding Fees]	14
De-scaling a project	[Request to amend a permit/plans Secondary Consent (other than under s72)]	36
Determination whether anything is to Council's satisfaction	[Other Fees]	35
Dishonoured Cheque Administration Fee	[Finance]	7
Dishonoured Direct Debt Administration Fee	[Finance]	7
Dogs & cats currently registered at another Council – transfer and 1st registration	[Dog Registration]	16
Dogs & Cats under 6mths of age	[Dog Registration]	16
Drain/Pit Cleaning – Jet/Educator Cleaning (Traffic management and tipping fees not included)	[Drainage Cleaning and Inspection]	25
E		
Emergency work/cost recovery	[Miscellaneous]	39
Empower + Session	[Gym]	46
Empower + Session Concession	[Gym]	46
Empower Session	[Gym]	46
Empower Session Concession	[Gym]	46
Engerix B Adult	[Vaccine]	28
Event Application Fee	[Permits]	43
Event Inspection Charge	[Site Fees, Occupation Charges & Other Usage Charges]	42
Event Permit Application Fee for events of 500 or more persons or with significant structures or risks, as assessed by council officer, less than 12 weeks prior to event	[Permits]	43
Excess Animal Permit – Application Fee (Non Refundable)	[Local Laws / Legislative Services]	15
Excess Animal Permit – Fee	[Local Laws / Legislative Services]	15
Extension of permit/application 3/6/12 months	[Class 2, 3, 4, 5, 6, 7, 8 and 9]	38
Extract of premises register	[Information/Service Fees]	20
F		
Family Swim	[Casual Entry]	44
Fee to amend an application for a permit after notice is given	[Reg 12 Revised Plans Amend an application for an amendment to a permit after notice has been given]	33
Fences (Class 10 Structure)	[Class 1 & 10]	37
Filming (incl ads/still photography) inspection (Mon to Fri)	[Filming & Commercial Still Photography Permit]	24
Filming inspection (incl ads/still photography) – Out of hours	[Filming & Commercial Still Photography Permit]	24
Final Inspection – (Class 1 & 10) Lapsed Building Permit – No Works	[Miscellaneous]	39

continued on next page ...

Fee Name	Parent Name	Page
F [continued]		
Final Inspection – (Class 2-9) Lapsed Building Permit – No Works	[Miscellaneous]	39
Footpath – industrial – asphalt / concrete (as per YSD33 IAF & CF) greater than 60mm & less than equal to 100mm	[Road Reinstatement]	25
Footpath – industrial – concrete with asphalt surface (as per YSD33 ICAF) <=170mm	[Road Reinstatement]	25
Footpath – residential – asphalt (as per YSD33 RAF) – less than 60mm	[Road Reinstatement]	25
Footpath awning fee	[Local Laws / Legislative Services]	14
Footpath heaters	[Local Laws / Legislative Services]	14
Footpath Trading – Application/ Inspection fee (Non-refundable)	[Local Laws / Legislative Services]	14
Footpath/nature strip garden permit fee	[Urban Agriculture]	48
Footpath/nature strip planter box yearly rental fee	[Urban Agriculture]	48
Footpath/nature strip planter box yearly rental fee – concession	[Urban Agriculture]	48
For an agreement to a proposal to amend or end an agreement under section 173 of the Act	[Other]	29
Foster care – Cat	[Cat Registration]	17
Foster care – Dog	[Dog Registration]	16
Freedom of information requests	[Governance Support]	6
G		
Garbage 120lt MGB	[Waste Management]	48
Garbage 240lt MGB	[Waste Management]	48
Garbage 80lt MGB	[Waste Management]	48
General Local Law Permit	[Local Laws / Legislative Services]	15
Gleadell Street Market (per stall)	[Kerb Market]	16
Gold Concession	[Debit Fees]	45
Gold FULL	[Debit Fees]	45
Goods Display	[Items on Footpath]	15
Group Fitness	[Program Classes]	45
Group Fitness (Concession)	[Program Classes]	45
Groups auspice by Council business units	[Small Community Spaces]	41
Groups auspiced by Council business units	[Foyer Room]	27
Groups auspiced by Council business units	[Medium Community Spaces]	41
Groups auspiced by Council business units	[Large Community Spaces]	41
Groups out spaced by Council business units	[Top Floor]	27
Gym Casual Access	[Gym]	46
Gym Casual Access Concession	[Gym]	46
Gym Facility Hire	[Gym]	46
H		
Half Day Parking (4 Hours, various locations)	[Parking Meter Rates]	12
Hardbacks	[Book Sales]	7
Havrix Adult	[Vaccine]	28
Havrix Junior	[Vaccine]	28
Hire of Inbuilt Projector - per day	[Hire of Town Halls]	40
Hire of Piano - per day	[Hire of Town Halls]	40
Hire of Portable Projector (per day)	[Hire of Town Halls]	40
Hire of Sound System - per day * requires sound technician	[Hire of Town Halls]	40
Hire Set	[Burnley Golf Course]	48
Home Care General High Range – Couple Above $115,245	[Home Care General – High Fee Range]	8
Home Care General High Range – Family Above $118,546	[Home Care General – High Fee Range]	8
Home Care General High Range – Single Above $86,208	[Home Care General – High Fee Range]	8
Home Care General Low fee range – Couple Up to $59,802 (CHSP)	[Home Care General – Low Fee Range]	7
Home Care General Low fee range – Couple Up to $59,802 (HACCPYP)	[Home Care General – Low Fee Range]	7

continued on next page ...

H [continued]

Fee Name	Parent Name	Page
Home Care General Low fee range – Family Up to $66,009 (CHSP)	[Home Care General – Low Fee Range]	7
Home Care General Low fee range – Family Up to $66,009 (HACCPYP)	[Home Care General – Low Fee Range]	7
Home Care General Low fee range – Single $28,605 to $39,089 (CHSP)	[Home Care General – Low Fee Range]	7
Home Care General Low fee range – Single $28,605 to $39,089 (HACCPYP)	[Home Care General – Low Fee Range]	7
Home Care General Low fee range – Single Up to $28,605	[Home Care General – Low Fee Range]	7
Home Care General Medium fee range – Couple $59,802 to $78,283	[Home Care General – Medium Fee Range]	8
Home Care General Medium fee range – Couple $78,283 to $96,764	[Home Care General – Medium Fee Range]	8
Home Care General Medium fee range – Couple $96,764 to $115,245 (CHSP)	[Home Care General – Medium Fee Range]	8
Home Care General Medium fee range – Couple $96,764 to $115,245 (HACCPYP)	[Home Care General – Medium Fee Range]	8
Home Care General Medium fee range – Family $101,033 to $118,546 (CHSP)	[Home Care General – Medium Fee Range]	8
Home Care General Medium fee range – Family $101,033 to $118,546 (HACCPYP)	[Home Care General – Medium Fee Range]	8
Home Care General Medium fee range – Family $66,009 to $83,521	[Home Care General – Medium Fee Range]	8
Home Care General Medium fee range – Family $83,521 to $101,033	[Home Care General – Medium Fee Range]	8
Home Care General Medium fee range – Single $39,089 to $54,795	[Home Care General – Medium Fee Range]	7
Home Care General Medium fee range – Single $54,795 to $70,501	[Home Care General – Medium Fee Range]	8
Home Care General Medium fee range – Single $70,501 to $86,208	[Home Care General – Medium Fee Range]	8
Home Maintenance – Family Above $118,546 (CHSP)	[Home Maintenance – High Fee Range]	11
Home Maintenance – Family Above $118,546 (HACCPYP)	[Home Maintenance – High Fee Range]	11
Home Maintenance High Range – Couple Above $115,245 (CHSP)	[Home Maintenance – High Fee Range]	11
Home Maintenance High Range – Couple Above $115,245 (HACCPYP)	[Home Maintenance – High Fee Range]	11
Home Maintenance High Range – Single Above $86,208 (CHSP)	[Home Maintenance – High Fee Range]	11
Home Maintenance High Range – Single Above $86,208 (HACCPYP)	[Home Maintenance – High Fee Range]	11
Home Maintenance Low fee range – Couple $44,309 to $59,802	[Home Maintenance – Low Fee Range]	10
Home Maintenance Low fee range – Couple Up to $44,309	[Home Maintenance – Low Fee Range]	10
Home Maintenance Low fee range – Family $44,309 to $66,009	[Home Maintenance – Low Fee Range]	10
Home Maintenance Low fee range – Family Up to $44,309	[Home Maintenance – Low Fee Range]	10
Home Maintenance Low fee range – Single $28,605 to $39,089	[Home Maintenance – Low Fee Range]	10
Home Maintenance Low fee range – Single Up to $28,605	[Home Maintenance – Low Fee Range]	10
Home Maintenance Medium Fee Range Couple – $59,802 to $115,245	[Home Maintenance – Medium Fee Range]	10
Home Maintenance Medium Fee Range Family – $66,009 to $118,546	[Home Maintenance – Medium Fee Range]	10
Home Maintenance Medium Fee Range Single – $39,089 to $86,208	[Home Maintenance – Medium Fee Range]	10
Home/Personal/Respite Care (6.00pm Friday to 8.00am Monday)	[Home Care Packages (HCP)]	12
Home/Personal/Respite Care (6.00pm to 8.00am Monday to Friday)	[Home Care Packages (HCP)]	12

continued on next page ...

Fee Name	Parent Name	Page
H [continued]		
Home/Personal/Respite Care (8.00am to 6.00pm Monday to Friday)	[Home Care Packages (HCP)]	12
Hourly hire – Full	[Small Community Spaces]	41
Hourly hire – Full (min 3 hourly hire)	[Hire of Town Halls]	40
Hourly hire – Full (min 3 hourly hire)	[Medium Community Spaces]	41
Hourly hire – Full (min 3 hourly hire)	[Large Community Spaces]	41
Hourly Hire - Full rate	[Performance Spaces (Richmond Theatrette)]	42
Hourly hire – Not-for-Profit	[Small Community Spaces]	41
Hourly hire – Not-for-Profit (min 3 hourly hire)	[Hire of Town Halls]	40
Hourly hire – Not-for-Profit (min 3 hourly hire)	[Medium Community Spaces]	41
Hourly hire – Not-for-Profit (min 3 hourly hire)	[Large Community Spaces]	41
Hourly Rate - Non for profit	[Performance Spaces (Richmond Theatrette)]	42
Hungry Bin	[Waste Management]	48
I		
Immunisation – alternative vaccinations	[Vaccine]	28
Immunisation – vaccinations	[Vaccine]	28
Influenza vaccine	[Vaccine]	28
Inspection	[Consent (RMA 2004)]	24
Inspection - Commercial/Industrial Vehicle Crossing	[Vehicle Crossing Permit]	23
Inspection – Out of hours	[Consent (RMA 2004)]	24
Inspection – per inspection	[Miscellaneous]	39
Inspection – per inspection (out of hours)	[Miscellaneous]	39
Inspection - Private single dwelling Vehicle Crossing	[Vehicle Crossing Permit]	23
Inspection of Dog/Cat register (per entry)	[Registration of Domestic Animal Business]	17
Installation of Car Share Bay	[Parking Permits]	13
Installation of Loading Zone	[Parking Permits]	13
Inter Library Loans	[Libraries]	6
Intermediate Swim Clinic	[Swim Lessons]	46
Internet Access	[Libraries]	6
J		
January to June	[Funded Kindergarten]	26
Joining Fee	[Debit Fees]	45
July to December	[Funded Kindergarten]	26
Junior 9 Holes	[Burnley Golf Course]	47
Junior Team	[Category A]	22
Junior Team	[Category B]	22
Junior Team	[Cricket Synthetic]	22
Junior Team	[Football]	22
Junior Team	[Soccer]	22
K		
Kiosk	[Fairfield Amphitheatre]	42
Kitchen Use Only – per day	[Hire of Town Halls]	40
L		
Land information certificates	[Property & Rating Fees]	6
Land information certificates – 24 hour turnaround (online application only)	[Property & Rating Fees]	6
Late Booking Change Administration Fee	[Hire of Town Halls]	40
Late Booking Change Administration Fee	[Small Community Spaces]	41
Late Booking Change Administration Fee	[Medium Community Spaces]	41
Late Booking Change Administration Fee	[Large Community Spaces]	42
Late Booking Change Administration Fee	[Performance Spaces (Richmond Theatrette)]	42
Late booking fee	[Top Floor]	28
Late Booking Fee	[Hire of Town Halls]	40
Late Booking Fee	[Small Community Spaces]	41
Late Booking Fee	[Medium Community Spaces]	41
Late Booking Fee	[Large Community Spaces]	42
Late Booking Fee	[Performance Spaces (Richmond Theatrette)]	42
Late Fee for Vac Care, ASC, LDC, Kinder	[Late Fee – Childrens Services]	25
Late Fee for Vac Care, ASC, LDC, Kinder	[Late Fee – Childrens Services]	25

continued on next page ...

L [continued]

Fee Name	Parent Name	Page
Learn to Swim - Term	[Swim Lessons]	46
Learn to Swim - Term Concession	[Swim Lessons]	46
Library Bags	[Library Merchandise]	6
Library Keep Cups	[Library Merchandise]	6
Library USBs	[Library Merchandise]	6
Licenced premises – per table over 800mm (Including benches)	[Tables & Chairs]	16
Licensed Premises – per chair (600mm = 1 Chair)	[Tables & Chairs]	16
Licensed Premises – per table up to 800mm	[Tables & Chairs]	16
Liquor Licence Reports (site check and measure up to 500m2 of building)	[Miscellaneous]	39
Liquor Licensing Advice Requests	[Planning Enforcement]	16
Livestock (large)	[Animal Pound Release Fees]	17
Livestock (small)	[Animal Pound Release Fees]	17
Local law permit application fee (As required)	[Local Laws / Legislative Services]	15
Local Laws permit Inspection fee – After hours	[Local Laws / Legislative Services]	15
Local laws Permit refund fee	[Local Laws / Legislative Services]	14
Locker	[Casual Entry]	44
Lodgement of each certificate of pool and spa barrier compliance	[Pool & Spa Register related fees]	40
Lodgement of each certificate of pool and spa barrier non-compliance	[Pool & Spa Register related fees]	40
Long Day Care	[Long Day Care]	26
Lost Card	[Libraries]	6
Lost Locker RFID key fob	[Miscellaneous]	47

M

Magazines	[Book Sales]	7
Major Event Permit (per event day) – Concession	[Event Permit – 500 or more persons or with significant structures or risks, as assessed by Council Officer]	44
Major Event Permit (per event day) – Full	[Event Permit – 500 or more persons or with significant structures or risks, as assessed by Council Officer]	44
Market Permit (One Off fee) – Concession	[Permits]	43
Market Permit (One Off fee) – Full	[Permits]	43
Medium Event Permit (per event day) – Concession	[Event Permit – 100 persons 500 or with minimal structures and risks]	43
Medium Event Permit (per event day) – Full	[Event Permit – 100 persons 500 or with minimal structures and risks]	43
Member - Stroke Improvement Course	[Swim Lessons]	46
Mini Clinic	[Burnley Golf Course]	47
Minor Sound Permit	[Permits]	43
Miscellaneous / Impound Fee	[Other]	16
Miscellaneous / Impound release Fee	[Local Laws / Legislative Services]	15
Miscellaneous commercial work e.g. remove hydrant hose	[Class 2, 3, 4, 5, 6, 7, 8 and 9]	38
Mobile Food Van – Charity or Non for profit event	[Local Laws / Legislative Services]	14
Mobile Food Van – small private events permit 1 day or less	[Local Laws / Legislative Services]	14
Mobile Food Van (prescribed event area) each additional food van/stall over 5 vans	[Tables & Chairs]	16
Mobile Food Van (prescribed event area) multi max. 5 vans	[Tables & Chairs]	16
Mobile Food Van public land (once-off day rate)	[Tables & Chairs]	16
Mobile Food Vans – Concession Rate (Yarra Resident Only)	[Local Laws / Legislative Services]	14
Mobile Food Vans – Normal Rate	[Local Laws / Legislative Services]	14
More than $100,001 and not more than $1,000,000	[Other Development]	36
Move for Life and Empower Programs Initial Assessment Fee	[Gym]	46
Move for life session	[Gym]	46
Move for life session concession	[Gym]	46

N

New dwellings: 2 attached	[Class 1 & 10]	37
New dwellings: single	[Class 1 & 10]	37
New Multiple Class 1 developments (Quotation)	[Class 1 & 10]	37
New registration - Application fee	[Aquatic Facilities]	19

continued on next page ...

N [continued]

Fee Name	Parent Name	Page
New registration - Registration fee – lower risk services (note that registration is not subject to renewal)	[Premises Providing Personal Services]	20
New registration fee	[Aquatic Facilities]	19
New Registrations	[Premises Providing Personal Services]	20
New registrations - Application fee	[Commercial]	19
New registrations - Application fee	[Not For Profit]	19
New Registrations – Application fee	[Class 1 or Class 2 Premises]	17
New Registrations – Application fee	[Class 3 and Not for Profit Class 1 and 2 Food Premises]	18
New Registrations – Application fee	[Not for Profit Class 3 Food Premises]	18
New registrations - Registration fee	[Commercial]	19
New registrations - Registration fee	[Not For Profit]	19
New Registrations – Registration fee	[Class 1 or Class 2 Premises]	17
New Registrations – Registration fee	[Class 3 and Not for Profit Class 1 and 2 Food Premises]	18
New Registrations – Registration fee	[Not for Profit Class 3 Food Premises]	18
New registrations - Registration fee – higher risk services	[Premises Providing Personal Services]	20
Night parking rate	[Parking Meter Rates]	12
Nimenrix	[Vaccine]	28
Non-Member Stroke Improvement	[Swim Lessons]	46
Non-Rateable Garbage Charge	[Property & Rating Fees]	6
Not for profit organisations – all classes	[Once-off Events]	18
Notice in a Newspaper	[Other Development]	36

O

Occasional Care	[Occasional Child Care]	26
Occupancy Fee – Commercial License/ Occupancy	[Road / Footpath Occupation Permit]	24
Occupancy Fee – Private single dwelling and local shop trader	[Road / Footpath Occupation Permit]	23
Occupation of parking bays – parking meter/first day – Commercial Street	[Parking Occupation Fees]	13
Occupation of parking bays – parking meter/first day – Non Commercial Street	[Parking Occupation Fees]	13
Occupation of parking bays – parking meter/ subsequent day – Commercial street	[Parking Occupation Fees]	13
Occupation of parking bays – parking meter/ subsequent day – Non Commercial Street	[Parking Occupation Fees]	13
Occupation of public land (parks, roads, footpaths etc.) for events (commercial)	[Site Fees, Occupation Charges & Other Usage Charges]	42
On site notices	[Other Development]	36
One on One Lessons	[Swim Lessons]	46
Other Development less than 5M	[Request to extend expiry date of a permit]	35
Other Development more than 5M	[Request to extend expiry date of a permit]	35
Out of Hours	[Permit Inspections]	23
Out of Hours Permit	[Permit Inspections]	23
Outside School Hours Care Fee	[Outside School Hours Care]	26
Over $500,000 (quotation based on consulting building surveyors schedule)	[Class 2, 3, 4, 5, 6, 7, 8 and 9]	38
Overdue Registration Renewal Fee	[Other Fees]	20
Overtime - past 2am	[Hire of Town Halls]	40

P

Paperbacks	[Book Sales]	7
Parking Fees – meters/ticket machines (per hour) spread from 0.00 to $12.00 max	[Parking Meter Rates]	12
Parking offences set out in Schedule 6 of the Road Safety (General) Regulations 2019	[Parking Offence Fees]	14
Parking Permit – Car Share Bay	[Parking Permits]	13
Parking Permits – 1st Resident permit	[Parking Permits]	13
Parking Permits – 1st Resident permit concession or 1st Visitor permit concession	[Parking Permits]	13
Parking Permits – 1st Visitor permit	[Parking Permits]	13
Parking Permits – 2nd Resident permit concession or 2nd Visitor permit concession	[Parking Permits]	13
Parking Permits – 2nd Resident permits	[Parking Permits]	13

continued on next page ...

P [continued]

Fee Name	Parent Name	Page
Parking Permits – 2nd Visitor permits	[Parking Permits]	13
Parking Permits – 3rd Resident permits	[Parking Permits]	13
Parking Permits – 3rd Resident permits concession or 3rd Visitor permit concession	[Parking Permits]	13
Parking Permits – 3rd Visitor permits	[Parking Permits]	13
Parking Permits – Business – 1st permit	[Parking Permits]	13
Parking Permits – Business – 2nd and subsequent permits	[Parking Permits]	13
Parking Permits – Disabled	[Parking Permits]	13
Parking sensor removal/reinstatement	[Road Reinstatement]	25
Parking signs – sign changes	[Engineering Planning]	48
Parklet Application and Inspection - Neighbourhood	[Local Laws / Legislative Services]	14
Parklet Application and Inspection - Primary	[Local Laws / Legislative Services]	14
Parklet Application and Inspection - Secondary	[Local Laws / Legislative Services]	14
Parklet Permit 12 Month - Neighbourhood	[Local Laws / Legislative Services]	14
Parklet Permit 12 Month - Primary	[Local Laws / Legislative Services]	14
Parklet Permit 12 Month - Secondary	[Local Laws / Legislative Services]	14
Parklet Permit 1st Quarter - Neighbourhood	[Local Laws / Legislative Services]	14
Parklet Permit 1st Quarter - Primary	[Local Laws / Legislative Services]	14
Parklet Permit 1st Quarter - Secondary	[Local Laws / Legislative Services]	14
Parklet Permit Summer 6 Month - Neighbourhood	[Local Laws / Legislative Services]	14
Parklet Permit Summer 6 Month - Primary	[Local Laws / Legislative Services]	14
Parklet Permit Summer 6 Month - Secondary	[Local Laws / Legislative Services]	14
Payment Arrangement fee (Rates – Referred for Legal Action)	[Property & Rating Fees]	6
Permit – Commercial Profit Making – Minor impact/ small budget productions (incl films & ads)	[Filming & Commercial Still Photography Permit]	24
Permit – Commercial/Industrial Vehicle Crossing	[Vehicle Crossing Permit]	23
Permit – Non Profit Making Filming (incl still photography)	[Filming & Commercial Still Photography Permit]	24
Permit – Plant and Equipment – Commercial – No road closure	[Road / Footpath Occupation Permit]	24
Permit – Plant and Equipment – Private single dwelling and local shop traders.	[Road / Footpath Occupation Permit]	24
Permit – Private Single Dwelling Vehicle Crossing	[Vehicle Crossing Permit]	23
Permit – Student Filming (incl still photography)	[Filming & Commercial Still Photography Permit]	24
Permit – work area / public protection occupation	[Road / Footpath Occupation Permit]	23
Permit – Works between $10,001 and $500K Application Fee*	[Asset Protection Permit]	23
Permit – Works more than $501K Application Fee*	[Asset Protection Permit]	23
Permit – Works up to $10k*	[Asset Protection Permit]	23
Personal Care General High Range – Couple Above $115,245	[Personal Care – High Fee Range]	9
Personal Care General High Range – Family Above $118,546	[Personal Care – High Fee Range]	9
Personal Care General High Range – Single Above $86,208	[Personal Care – High Fee Range]	9
Personal Care General Medium fee range – Couple $59,802 to $78,283	[Personal Care – Medium Fee Range]	9
Personal Care General Medium fee range – Couple $78,283 to $96,764	[Personal Care – Medium Fee Range]	9
Personal Care General Medium fee range – Couple $96,764 to $115,245	[Personal Care – Medium Fee Range]	9
Personal Care General Medium fee range – Family $101,033 to $118,546	[Personal Care – Medium Fee Range]	9
Personal Care General Medium fee range – Family $66,009 to $83,521	[Personal Care – Medium Fee Range]	9
Personal Care General Medium fee range – Family $83,521 to $101,033	[Personal Care – Medium Fee Range]	9
Personal Care General Medium fee range – Single $39,089 to $54,795	[Personal Care – Medium Fee Range]	9
Personal Care General Medium fee range – Single $54,795 to $70,501	[Personal Care – Medium Fee Range]	9
Personal Care General Medium fee range – Single $70,501 to $86,208	[Personal Care – Medium Fee Range]	9
Personal Care Low fee range – Couple $44,309 to $59,802	[Personal Care – Low Fee Range]	8

continued on next page ...

P [continued]

Fee Name	Parent Name	Page
Personal Care Low fee range – Couple Up to $44,309	[Personal Care – Low Fee Range]	8
Personal Care Low fee range – Family $44,309 to $66,009	[Personal Care – Low Fee Range]	8
Personal Care Low fee range – Family Up to $44,309	[Personal Care – Low Fee Range]	8
Personal Care Low fee range – Single $28,605 to $39,089	[Personal Care – Low Fee Range]	8
Personal Care Low fee range – Single Up to $28,605	[Personal Care – Low Fee Range]	8
Photocopies A3	[Photocopies]	7
Photocopies A3 (colour)	[Photocopies]	7
Photocopies A4	[Photocopies]	7
Photocopies A4 (colour)	[Photocopies]	7
Plan photocopying (larger than A3)	[Other Development]	36
Plans to comply with Condition 1 of the permit – Second and subsequent assessments	[Other Development]	36
Plant and Equipment Permit – Commercial – Local road – Full road closure	[Road / Footpath Occupation Permit]	24
Planter box/tubs – Laneway garden permit fee	[Local Laws / Legislative Services]	15
Planter Box/Tubs (Excludes Tables & Chairs) Footpath trading only	[Local Laws / Legislative Services]	14
Power	[Site Fees, Occupation Charges & Other Usage Charges]	42
Power	[Fairfield Amphitheatre]	42
Power	[Burnley Circus Site]	43
Practice Fees	[Burnley Golf Course]	47
Practice Game	[Registered Yarra Sports Clubs out of season hire]	23
Pre & Post Season Training	[Registered Yarra Sports Clubs out of season hire]	23
Private single dwelling and local shop traders	[Permit Inspections]	23
Professional services (EHO) as requested	[Information/Service Fees]	20
Profile Design Service	[Vehicle Crossing Permit]	23
Property enquiry	[Other Development]	36
Property information request (incl Solicitor 's request fee) (Statutory Fee) (incl inspections owner/builder projects)	[Lodgement Fees (building work permit)]	37
Public Entertainment Permits – Charity or other Council specific endorsed Public Entertainment events	[Miscellaneous]	39
Public Entertainment Permits (temporary) additional Inspection per hour	[Miscellaneous]	39
Public Entertainment Permits (temporary) additional Inspection per hour (out of hours)	[Miscellaneous]	39
Public Entertainment Permits (temporary) Site 1,001 m2 to 5,000m2 (Max. 5 structures. Max 2hrs inspection time)	[Miscellaneous]	39
Public Entertainment Permits (temporary) Site 15,001m2+ (Max.30 structures. Max. 4 hrs inspection time)	[Miscellaneous]	39
Public Entertainment Permits (temporary) Site 25,001m2+ (Max.50 structures. Max. 6 hrs inspection time)	[Miscellaneous]	39
Public Entertainment Permits (temporary) Site 5,001 m2 to 15,000m2 (Max. 5 structures 2. Max 3hrs inspection time)	[Miscellaneous]	39
Public Entertainment Permits (temporary) Site up to 1,000m2 (Max. 5 structures. Max 2hrs inspection time)	[Miscellaneous]	39
Public Entertainment Permits Fast Track Fee Assessment Fee (<10 business days notice)	[Miscellaneous]	39
Public Photocopier (per copy)	[Other Development]	36

R

Rate Notice reproduction	[Property & Rating Fees]	6
Real Estate Sign License	[Tables & Chairs]	16
Reg 12	[Revised Plans Amend an application for a permit after notice has been given – Reg 12]	30

continued on next page ...

R [continued]

Fee Name	Parent Name	Page
Reg 15 Application for Certificate of Compliance	[Other Applicable Statutory Fees]	30
Reg 16 For an agreement to a proposal to amend or end an agreement under S173 of the Act	[Other Applicable Statutory Fees]	33
Reg 18 Where a planning scheme specifies that a matter must be done to the satisfaction of a responsible authority, Minister, public authority or municipal council	[Other Applicable Statutory Fees]	30
Reg 18 Where a planning scheme specifies that a matter must be done to the satisfaction of a responsible authority, Minister, public authority or municipal council Including lodging plans to comply if the first submission to Council was unsatisfactory	[Other Applicable Statutory Fees]	34
Reg 6 Certification of a plan of subdivision	[Certification]	30
Reg 7 Alteration of a plan under section 10 (2) of the Act	[Certification]	30
Reg 8 Recertification of a plan of subdivision	[Reg 8 Recertification]	33
Registration – Declared menacing, dangerous & restricted breed dogs	[Dog Registration]	17
Registration & Search Fee for each pool/spa built before 1 November 2020	[Pool & Spa Register related fees]	40
Registration Fee for each pool/spa built after 1 November 2020	[Pool & Spa Register related fees]	40
Registrations for a period of 3 to 6 months	[Short Term Registrations]	19
Registrations for a period of more than 6 months will be treated as a 12 month registration	[Short Term Registrations]	19
Registrations for a period of up to 3 months	[Short Term Registrations]	19
Re-inspection Fee	[Class 1 or Class 2 Premises]	17
Re-inspection Fee	[Class 3 and Not for Profit Class 1 and 2 Food Premises]	18
Re-inspection Fee	[Not for Profit Class 3 Food Premises]	18
Re-inspection Fee (temp and mobile food premises)	[Short Term Registrations]	19
Release fee – Cat	[Animal Pound Release Fees]	17
Release fee – Dog	[Animal Pound Release Fees]	17
Relocation of Street Litter Bins	[Waste Management]	48
Renewal - Additional fee for each additional facility in premises in excess of one (1)	[Aquatic Facilities]	19
Renewal fee	[Aquatic Facilities]	19
Renewal for premises accommodating not more than 5 persons	[Commercial]	19
Renewals	[Class 1 or Class 2 Premises]	17
Renewals	[Class 3 and Not for Profit Class 1 and 2 Food Premises]	18
Renewals	[Not for Profit Class 3 Food Premises]	18
Renewals	[Premises Providing Personal Services]	20
Renewals - Additional fee for each additional person than can be accommodated in excess of 5 (Max fee for 61+ persons)	[Commercial]	19
Renewals - Additional fee for each additional person than can be accommodated in excess of 5 (Max fee for 61+ persons)	[Not For Profit]	19
Renewals for premises accommodating not more than 5 persons	[Not For Profit]	19
Replacement Animal Registration tag	[Cat Registration]	17
Replacement Parking permit fee	[Parking Permits]	13
Replacement RFID band/key fob (New fee)	[Miscellaneous]	47
Report and consent advertising	[Miscellaneous]	38
Request for copy of dog/cat registration certificate (per entry)	[Registration of Domestic Animal Business]	17
Request to amend planning scheme	[Amendments to Planning Scheme]	28
Reservations	[Libraries]	6
Residential	[Archive Request]	37
Residential and Commercial (and Multi-Unit Developments per unit/apartment) MRB 120lt plus 80lt MGB	[Waste Management]	48
Respite Care General High Range – Couple Above $115,245	[Respite Care – High Fee Range]	10
Respite Care General High Range – Family Above $118,546	[Respite Care – High Fee Range]	10

continued on next page ...

Fee Name	Parent Name	Page
R [continued]		
Respite Care General High Range – Single Above $86,208	[Respite Care – High Fee Range]	10
Respite Care General Medium fee range – Couple $59,802 to $78,283	[Respite Care – Medium Fee Range]	10
Respite Care General Medium fee range – Couple $78,283 to $96,764	[Respite Care – Medium Fee Range]	10
Respite Care General Medium fee range – Couple $96,764 to $115,245	[Respite Care – Medium Fee Range]	10
Respite Care General Medium fee range – Family $101,033 to $118,546	[Respite Care – Medium Fee Range]	10
Respite Care General Medium fee range – Family $66,009 to $83,521	[Respite Care – Medium Fee Range]	10
Respite Care General Medium fee range – Family $83,521 to $101,033	[Respite Care – Medium Fee Range]	10
Respite Care General Medium fee range – Single $39,089 to $54,795	[Respite Care – Medium Fee Range]	9
Respite Care General Medium fee range – Single $54,795 to $70,501	[Respite Care – Medium Fee Range]	9
Respite Care General Medium fee range – Single $70,501 to $86,208	[Respite Care – Medium Fee Range]	10
Respite Care Low fee range – Couple $44,309 to $59,802	[Respite Care – Low Fee Range]	9
Respite Care Low fee range – Couple Up to $44,309	[Respite Care – Low Fee Range]	9
Respite Care Low fee range – Family $44,309 to $66,009	[Respite Care – Low Fee Range]	9
Respite Care Low fee range – Family Up to $44,309	[Respite Care – Low Fee Range]	9
Respite Care Low fee range – Single $28,605 to $39,089	[Respite Care – Low Fee Range]	9
Respite Care Low fee range – Single Up to $28,605	[Respite Care – Low Fee Range]	9
Retrospective Valuation Certificate	[Property & Rating Fees]	6
Road – asphalt/concrete <100mm	[Road Reinstatement]	25
Road – deep lift asphalt/concrete/bluestone	[Road Reinstatement]	25
S		
School Lessons	[Swim Lessons]	47
School Lessons Concession	[Swim Lessons]	47
Seasonal (6 month operation) sporting clubs – Registration is for annual period	[Class 3 and Not for Profit Class 1 and 2 Food Premises]	18
Seasonal (6 month operation) sporting clubs – Registration is for annual period	[Not for Profit Class 3 Food Premises]	18
Security deposit (bond)	[Top Floor]	28
Security Deposit (Bond)	[Hire of Town Halls]	40
Security Deposit (Bond)	[Small Community Spaces]	41
Security Deposit (Bond)	[Medium Community Spaces]	41
Security Deposit (Bond)	[Large Community Spaces]	41
Security Deposit (Bond)	[Performance Spaces (Richmond Theatrette)]	42
Senior Professional Team SeniorNPL/ FV Senior State League 1 (fenced facility)	[Soccer]	22
Senior Team	[Category A]	22
Senior Team	[Category B]	22
Senior Team	[Turf Cricket]	22
Senior Team	[Cricket Synthetic]	22
Senior Team	[Football]	22
Senior Team FV NPL & State 1 Reserves, State League 2, and below/ VicSoccer	[Soccer]	22
Service Requests – Animal Control	[Registration of Domestic Animal Business]	17
Shopping Trolley Release fees	[Local Laws / Legislative Services]	15
Shower	[Miscellaneous]	47
Significant Tree Application fee (Non-refundable)	[Local Laws / Legislative Services]	14
Significant Tree Permit – Pruning only	[Local Laws / Legislative Services]	15
Significant Tree Permit – Removal	[Local Laws / Legislative Services]	14
Silver Concession	[Debit Fees]	45
Silver FULL	[Debit Fees]	45
Single Dwelling	[Request to extend expiry date of a permit]	35
Single use of Bastow 1 charging fee for entry	[Registered Yarra Sports Clubs out of season hire]	23
Site fee for use of Parks, Reserve or Rotunda – Full	[Site Fees, Occupation Charges & Other Usage Charges]	42

continued on next page ...

S [continued]

Fee Name	Parent Name	Page
Site fee for use of Parks, Reserve or Rotunda – Not-for-Profit	[Site Fees, Occupation Charges & Other Usage Charges]	42
Site Induction (additional)	[Hire of Town Halls]	40
Site Induction (additional)	[Large Community Spaces]	42
Site Induction (additional)	[Performance Spaces (Richmond Theatrette)]	42
Siting Approval Public Entertainment – 1 Structure	[Miscellaneous]	38
Siting Approval Public Entertainment – 10+ Structures	[Miscellaneous]	39
Siting Approval Public Entertainment – 2-5 Structures	[Miscellaneous]	38
Siting Approval Public Entertainment – 6-9 Structures	[Miscellaneous]	38
Siting Approval Public Entertainment Fast – Track Assessment Fee (<10 business days notice)	[Miscellaneous]	38
Skin Bin Permit – Container placement	[Skip Bin Permit]	24
Skip Bin Permit – Skip placement – metered	[Skip Bin Permit]	24
Skip Bin Permit – Skip placement – unmetered	[Skip Bin Permit]	24
Small Event Permit (per event day) – Concession	[Event Permit – Up to 100 persons with no structures and minimum risks]	43
Small Event Permit (per event day) – Full	[Event Permit – Up to 100 persons with no structures and minimum risks]	43
Social Support Group Outing	[Community Transport]	12
Sound Technician - per hour	[Large Community Spaces]	41
Sound Technician - per hour	[Performance Spaces (Richmond Theatrette)]	42
Sound Technician (per hour)	[Hire of Town Halls]	40
Standard Maximum Fee	[Dog Registration]	16
Standard Maximum Fee	[Cat Registration]	17
Standard Reduced Fee	[Dog Registration]	16
Standard Reduced Fee	[Cat Registration]	17
Start Up Fee (All Aquatic Programs)	[Swim Lessons]	46
Subdivision	[Request to extend expiry date of a permit]	35
Subdivision	[Other Development]	36
Swim Lesson Child – Concession Fortnightly Debit**	[Swim Lessons]	47
Swim Lesson Child Fortnightly Debit**	[Swim Lessons]	46
Swim Lessons Child - per lesson	[Swim Lessons]	46
Swim Upgrade to S/S/S	[Casual Entry]	44
Swim Upgrade to S/S/S Concession	[Casual Entry]	44
Swim, Spa & Sauna (concession)	[Casual Entry]	44
Swimming Pools	[Class 1 & 10]	37

T

Teenage Holiday Programs	[Youth Services]	26
Teenage Holiday Programs – Concession	[Youth Services]	26
Temporary Public Space Licence (prescribed event area) each additional stall/promotional activity over 5	[Local Laws / Legislative Services]	15
Temporary Public Space Licence (prescribed event area) each additional stall/promotional activity over 5 for Charity or Non for profit	[Local Laws / Legislative Services]	15
Temporary Public Space Licence (prescribed event area) multi max 5 stalls/promotional activities	[Local Laws / Legislative Services]	15
Temporary Public Space Licence (prescribed event area) multi max 5 stalls/promotional activities Charity or Non for profit	[Local Laws / Legislative Services]	15
Temporary Public Space Licences up to 7 days	[Local Laws / Legislative Services]	15
Temporary Public space permit – Promotional Short Term (1) 0-3 days	[Local Laws / Legislative Services]	15
Temporary Public space permit – Promotional Short Term (2) 3-7 days where admin/detailed review required	[Local Laws / Legislative Services]	15
Term Fee Concession	[Funded Kindergarten]	26
Town Hall Public Liability Insurance (per day)	[Hire of Town Halls]	40
Tradesperson permit monthly fee- non metered	[Parking Permits]	13
Tradesperson permit per day- non metered	[Parking Permits]	13
Tradesperson permit per week- non metered	[Parking Permits]	13
Traffic Management	[Road Reinstatement]	25
Traffic Surveys – classified counts	[Engineering Planning]	48
Transfer fee	[Aquatic Facilities]	19
Transfer Fee	[Registration of Domestic Animal Business]	17

continued on next page ...

T [continued]

Fee Name	Parent Name	Page
Transfer Fee	[Class 1 or Class 2 Premises]	17
Transfer Fee	[Class 3 and Not for Profit Class 1 and 2 Food Premises]	18
Transfer Fee	[Not for Profit Class 3 Food Premises]	18
Transfer Fee (transfers not applicable to lower risk services)	[Premises Providing Personal Services]	20
Transfers	[Commercial]	19
Transfers	[Not For Profit]	19
Two on One Lessons	[Swim Lessons]	46

U

Unlicensed Premises – per chair (600mm = 1 Chair)	[Tables & Chairs]	16
Unlicensed Premises – per table over 800mm (including benches)	[Tables & Chairs]	16
Unlicensed Premises – per table up to 800mm	[Tables & Chairs]	16
Up to $30,000	[Class 2, 3, 4, 5, 6, 7, 8 and 9]	38
Urgent fee	[Lodgement Fees (building work permit)]	37
Urgent removal/reinstatement	[Road Reinstatement]	25
Use only	[Request to extend expiry date of a permit]	35

V

Vacation Care Excursion Fee	[Outside School Hours Care]	26
Vacation Care Fee – Late booking	[Outside School Hours Care]	26
Value $5,000 and greater (Statutory fee)	[Lodgement Fees (building work permit)]	37
Variation to Building Permit (amended documentation)	[Miscellaneous]	38
Variation to Building Permit (change of details)	[Miscellaneous]	38
Varilrix	[Vaccine]	28
VBA cladding rectification levy Classes 2 – 8 (over $1.5M) (Statutory fee)	[Class 2, 3, 4, 5, 6, 7, 8 and 9]	38
VBA cladding rectification levy Classes 2 – 8 (works $1M - $1.5M) (Statutory fee)	[Class 2, 3, 4, 5, 6, 7, 8 and 9]	38
VBA cladding rectification levy Classes 2 – 8 (works $800,000 to $1M) (Statutory fee)	[Class 2, 3, 4, 5, 6, 7, 8 and 9]	38
Vehicle tow-away – impounding fee	[Towing & Impounding Fees]	13
Vicsmart	[Request to extend expiry date of a permit]	35

W

Waste Water System Approval	[Other Fees]	20
Weekly Rate - Concession (Not-for-Profit)	[Burnley Circus Site]	43
Weekly Rate - Full (Commercial)	[Burnley Circus Site]	43
Willowview – High Fee Range – Couple Above $115,245	[Willowview – Outing Group]	12
Willowview – High Fee Range – Family Above $118,546	[Willowview – Outing Group]	12
Willowview – High Fee Range – Single Above $86,208	[Willowview – Outing Group]	12
Willowview – Low Fee Range Couple Up to $59,802	[Willowview – Outing Group]	12
Willowview – Low Fee Range Family Up to $66,009	[Willowview – Outing Group]	12
Willowview – Low Fee Range Single Up to $39,089	[Willowview – Outing Group]	11
Willowview – Medium Fee Range Couple – $59,802 to $115,245	[Willowview – Outing Group]	12
Willowview – Medium Fee Range Family – $66,009 to $118,546	[Willowview – Outing Group]	12
Willowview – Medium Fee Range Single – $39,089 to $86,208	[Willowview – Outing Group]	12
Word Processing	[Libraries]	6
Worm Farms RELN	[Waste Management]	48

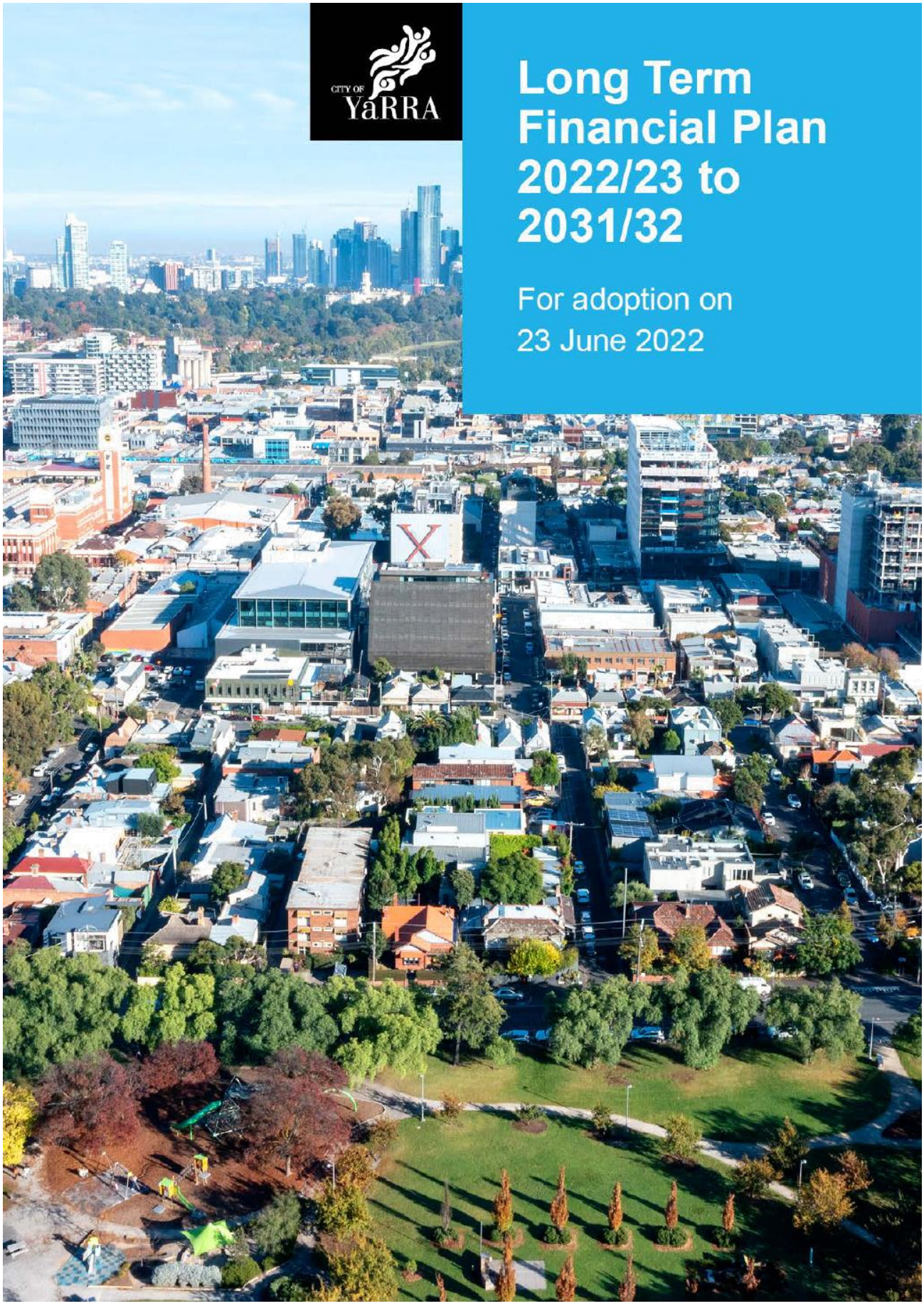
Other

$1,000,001 and above	[Other Development]	36
$100,000 or less	[Other Development]	36
$100,001-$300,000	[Class 2, 3, 4, 5, 6, 7, 8 and 9]	38
$30,001-$100,000	[Class 2, 3, 4, 5, 6, 7, 8 and 9]	38

continued on next page ...

Fee Name	Parent Name	Page
Other [continued]		
$300,001-$500,000	[Class 2, 3, 4, 5, 6, 7, 8 and 9]	38
½ hr (Casual)	[Personal Training]	46
½ hr (Casual)	[Programs – Myotherapy]	47
½ hr (Member)	[Personal Training]	46
½ hr (Member)	[Programs – Myotherapy]	47

Attachment 2 - Attachment 2 - Long Term Financial Plan 2022-23 to 2031-32



Attachment 2 - Attachment 2 - Long Term Financial Plan 2022-23 to 2031-32

City of Yarra Long Term Financial Plan 2022/23 to 2031/32

1. Executive Summary 03
2. Financial Plan Context 05
3. Financial Plan Statements 15
4. Financial Performance Indicators 26
5. Strategies and Plans 28

1. Executive Summary

Yarra City Council has prepared this updated Long Term Financial Plan 2022/23 to 2031/32 (the Financial Plan) to support the Community's Vision and Council Plan. Through the development of the vision, the community has told us their desire for Yarra City Council to be environmentally and financially sustainable and to have a strong and vibrant community. The Council Plan includes actions to deliver on this vision.

Yarra's long-term planning strategy principles are focused on creating a sustainable financial environment to enable Council to continue to provide the community with high quality and required services and infrastructure into the medium and long term, driven by the Yarra 2036 Community Vision.

We have committed to updating the Financial Plan annually in conjunction with the budget. This updated Financial Plan is keeping with that commitment.

The Financial Plan is developed in the context of the following strategic planning principles as required under section 89 of the *Local Government Act 2020*:

- *Integrated approach to planning, monitoring and performance reporting* - The Financial Plan has been developed alongside the Council Plan and in alignment with the Community Vision and other core strategic plans to ensure integration. Council is in the process of developing its integrated strategic planning and reporting framework;
- *Addresses the Community Vision* - The Financial Plan addresses the Community Vision by outlining the resources and funding required to deliver the planned services, initiatives and capital works projects over the next 10 years working towards achieving Yarra's 2036 Community Vision;
- *Takes into account the resources needed for effective implementation* - The Financial Plan statements incorporate the financial resources necessary to implement the Council Plan objectives and strategies over the next 4 years and to work towards achieving the Community Vision over the next 10 years;
- *Identifies and addresses the risks to effective implementation* - Council's strategic planning principles identify and address the risks to effective implementation of the Financial Plan, and
- *Provides for ongoing monitoring of progress and regular reviews to identify and address changing circumstances* - Council reports on its financial performance and position on a quarterly basis and a review of strategic documents is conducted regularly to ensure they remain current.

The Financial Plan is a continuation of Council's responsible financial program and aims to:

- Balance the community's needs and ensuring that Council continues to be financially sustainable in the long term;
- Increase Council's commitment to sustainable asset renewal and maintenance of the community's assets;
- Maintain a strong cash position for financial sustainability;
- Achieve efficiencies through targeted savings and an ongoing commitment to contain costs including transformation programs;
- Include rate and fee increases that are both manageable and sustainable; and
- Provide a framework to deliver balanced budgets including sustainable annual underlying surpluses.

Yarra's Financial Plan outlines the resources required to deliver the Council Plan and ensure we are investing in assets the community values; our services meet the needs and expectations of the community, are affordable and accessible for the community; and our organisation remains financially sustainable.

Yarra continues to grow – our population is currently estimated at 108,632 (2022) and forecast to increase to 157,607 by 2041, an increase of 45%. This growth will provide some additional rate revenue, however additional growth also requires additional investment in assets and services to support the larger population. These additional costs add to what we already invest maintaining our existing $2.1 billion in assets, and to the costs of delivering services our community values.

Like all Councils across Victoria, Yarra has been impacted financially by the COVID-19 pandemic, both through increased spending to support our local community and businesses and loss of revenue. Council made a deliberate and considered decision to step up and assist the community and businesses during the pandemic. This included significantly expanding the rates hardship policy, waiving all footpath and outdoor trading fees to support Yarra businesses, and providing more than $1.5m in additional grants. As a result, Council's operating environment and financial position has been impacted with losses in excess of $50m.

Rising inflation also presents a risk to Council's budget outcomes given the global and local impacts of events over the past three years and uncertainties with the future economic outlook.

In order to continue to deliver what our community wants and expects, as well as continuing to deliver on Yarra's vision, Council needs to make some strategic decisions. Urgent consideration has been given to improving operational efficiencies, managing costs, attracting external funding and expanding opportunities to generate revenue. Council expects to deliver financial improvements and efficiencies over the next 10 years of at least $23m. In addition to this, Council is currently undertaking an independent strategic review of operations.

The 2022/23 budget includes an increase to metered parking and permit fees for the first time in six years. The cost of Yarra's resident parking permits will remain among the lowest in inner-city Melbourne, and we are also maintaining our significant concession discounts (including retaining a free first permit for concession holders). We are moving towards a more demand driven parking model that considers demand for parking spaces in price setting. This increase in parking revenue will help Council to continue to provide the services and projects the community wants us to invest in.

Council will also be investigating the potential introduction of a separate waste charge in the 2023/24 Budget. Yarra is one of only eight councils in Victoria that does not have a separate waste charge and and by the time 2022/2023 commences we will likely be one of only two or three. This investigative work has yet to commence but will be undertaken in close consultation with the community where Council will consider a range of options and the implications of those prior to making any decision about this. A separate waste charge would bring Yarra into line with the overwhelming majority of councils across Victoria and may potentially allow for further investments in its waste collection services to ensure Yarra remain a leader in the sustainability space. It will also assist Council in meeting upcoming legislative requirements.

Council will also be commencing a significant IT investment which will enhance and improve our customer experience, providing our community with online access to Council services, anywhere, at any time.

Yarra must continue to reinvest in our existing assets so our roads, parks, gardens, pools and buildings that we value stay in a condition we are proud of. As we bring on new assets, to remain sustainable we must also review the assets we already have to ensure we are maximising public value.

Services also evolve, and Yarra City will assess the performance and future for current services to understand whether they are relevant and whether Yarra needs to continue to deliver them or whether there is a role for an alternative delivery model. To remain sustainable over the life of this plan, some Yarra services may have to change.

Interest rates are rising fast at this moment and are expected to rise further through the life of this plan, which may impact the capacity of future borrowings. Yarra City will continue a restrained approach to debt and only pursue new borrowings where an intergenerational benefit is apparent. The Financial Plan provides the capacity for Yarra City to borrow and support the delivery of a significant program of capital works.

2. Financial Plan

This section describes the context, principles and considerations in determining the 10 year financial projections and assumptions.

2.1 Introduction

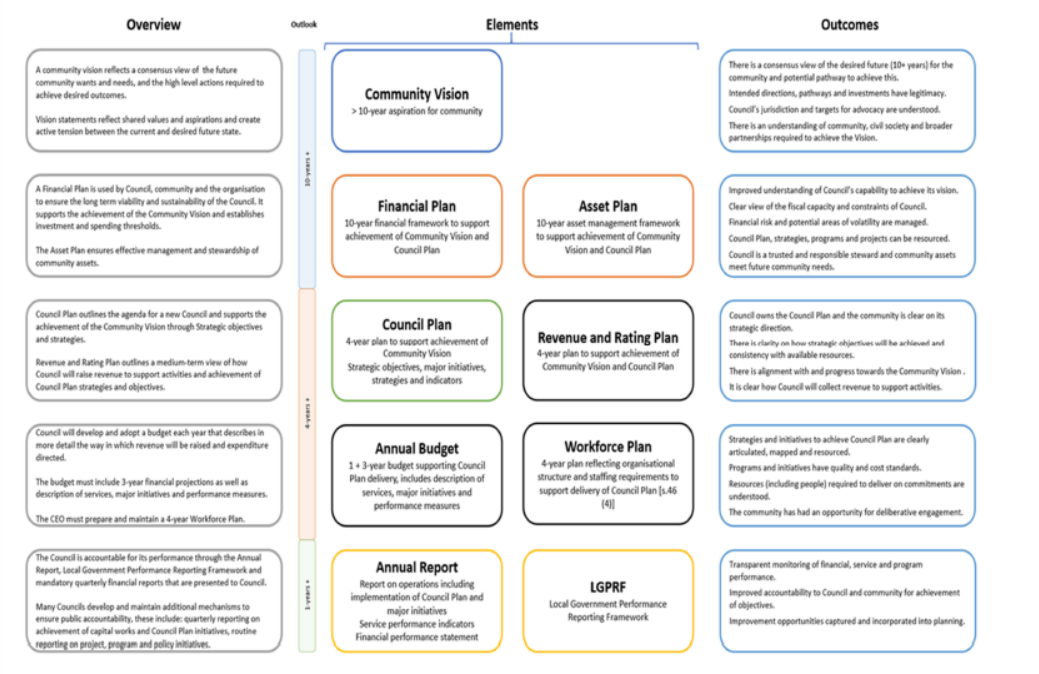
The Long Term Financial Plan 2021-22 to 2030-31 was required to be developed through the *Local Government Act 2020 (LGA)* and provided a ten year financially sustainable projection regarding how the actions of the Council Plan 2021-2025 may be funded to achieve the aspirations in Yarra 2036 Community Vision.

Council is committed to a transparent and accountable budget and financial plan process. Whilst not required under the LGA, Council is updating the Financial Plan document annually as part of the budget preparation process. Together with the budget document, it is subject to ongoing review and may be updated during the budget year through a revised budget process. This updated Long Term Financial Plan 2022/23 to 2031/32 is keeping with that commitment.

This section describes how the Financial Plan links to the achievement of the Community Vision and the Council Plan within the Integrated Strategic Planning & Reporting framework. This framework guides the Council in identifying community needs and aspirations over the long term (Community Vision), medium term (Council Plan) and short term (Annual Budget) and then holding itself accountable (Annual Report).

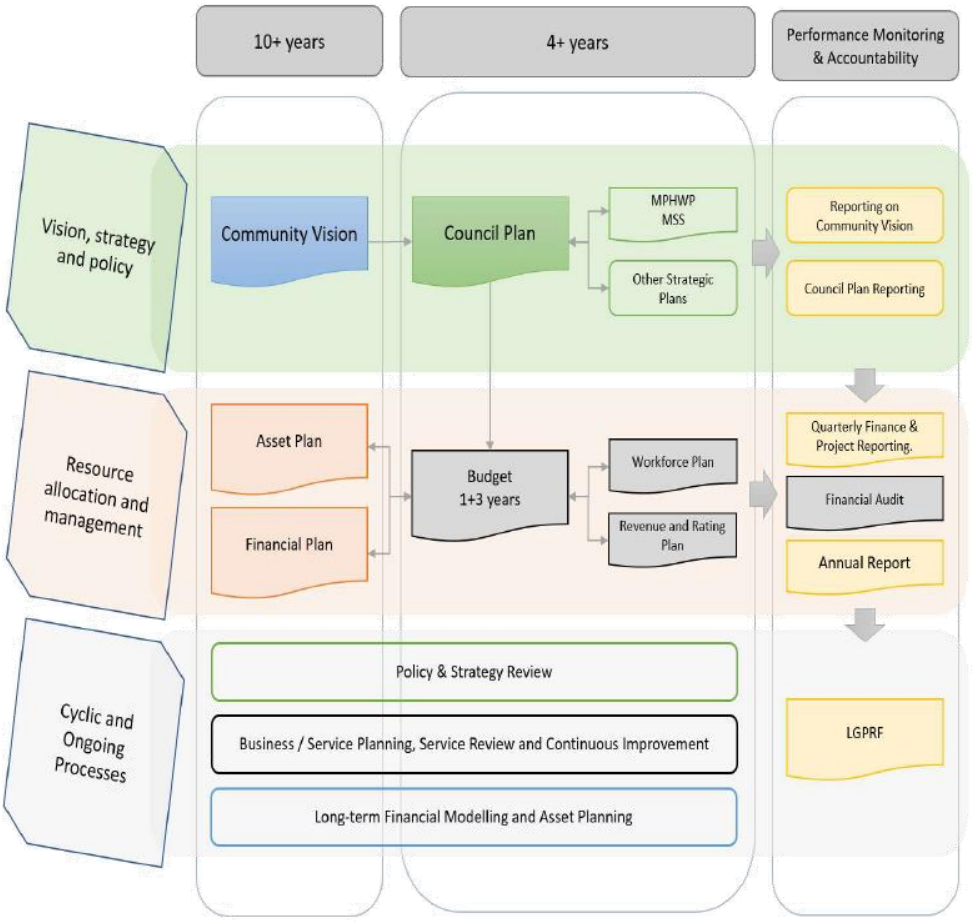
2.2 Integrated Strategic Planning & Reporting Framework

Part 4 of the Local Government Act 2020 addresses planning and financial management and Division 1 covers strategic planning. The Financial Plan is one of the strategic plans subject to the Strategic planning principles. Section 89 of the Act sets out the Strategic planning principles and the following diagram provides an overview of the core legislated elements of an integrated strategic planning and reporting framework and outcomes.



2. Financial Plan Context *Cont.....*

The following figure demonstrates how each element might inform or be informed by other parts of the integrated framework.



2.3 Engagement Principles

Yarra has implemented the following consultation process to obtain input and feedback from stakeholders to help inform the development of the Financial Plan:

The Community Vision informs all planning and decision making for Council and our community. It informs our Council Plan (effective from 1 July 2021 to 30 June 2025) and our 10-year financial and asset management plans. The Vision is the product of a two-staged engagement approach, which started with broad community engagement in November 2020, and a community panel in May 2021.

The community engagement on the 2022/23 Budget and Financial Plan was delivered in line with our Community Engagement Policy. Council ran an early community engagement process in late 2020/early 2021 and this initial round of consultation assisted Council to understand a range of community suggestions and priorities for the Budget and Financial Plan. On 19 April 2022, Council resolved to adopt the draft Budget and Financial Plan for the purpose of seeking community feedback. Both documents were released for public exhibition from 22 April to 6 May 2022. On 30 May 2022, Council held a Special Council Meeting to hear any person who wishes to speak in support of written feedback to the draft Budget and Financial Plan. Community feedback has been review and assessed for the adoption of the final 2022/23 Budget and Financial Plan on 23 June 2022.

2.4 Service Performance Principles

Yarra seeks to provide services on a community needs and value for money basis. The service performance principles are listed below:

• Services are provided in an equitable manner and are responsive to the diverse needs of the community. The Council Plan is designed to identify the key services and projects to be delivered to the community. The Financial Plan shows how the service aspirations within the Council Plan may be funded;
• Services are available to the relevant users within the community;

• Yarra delivers quality services seeking to provide value for money to the community. The Local Government Performance Reporting Framework (LGPRF) is designed to communicate Council's performance regarding the delivery of services, and
• Yarra has a Feedback and Complaints Policy and a Community Engagement Policy enabling Council to consider and respond to community feedback and complaints regarding service provision and provides opportunities to be involved in planning and decision-making respectively. Community involvement in planning and decision making improves Council's planning and delivery of services.

2.5 Asset Plan Integration

Integration to the Asset Plan is a key principle of the Council's strategic financial planning principles. The purpose of this integration is designed to ensure that future funding is allocated in a manner that supports service delivery in terms of the plans and the effective management of Council's assets into the future.

The Asset Plan identifies the operational and strategic practices which will ensure that Council manages assets across their life cycle in a financially sustainable manner. The Asset Plan, and associated asset management policies, provide council with a sound base to understand the risk associated with managing its assets for the community's benefit.

The Asset Plan is designed to inform the 10-year Financial Plan by identifying the amount of capital renewal, backlog and maintenance funding that is required over the life of each asset category. The level of funding will incorporate knowledge of asset condition, the risk assessment issues as well as the impact of reviewing and setting intervention and service levels for each asset class.

In addition to identifying the operational and strategic practices that ensure that Council manages assets across their life cycle in a financially sustainable manner, the Asset Plan quantifies the asset portfolio and the financial implications of those practices. Together the Financial Plan and Asset Plan seek to balance projected investment requirements against projected budgets.

2.6 Financial Management Principles

Financial strategy principles have been developed and provide the framework for the development of Council's Long Term Financial Plan and Annual Budget. The principles enable consistent and informed decision-making by Council. The Financial Strategy Principles as outlined below aim to ensure a balanced and sustainable budget for the Council:

• Implement a sustainable budget and conservative financial strategy that caters for short and long-term requirements;
• Maximisation of grants and subsidies received from Victorian and Commonwealth governments to achieve a better share of government taxes for the community;
• Borrowings are directed towards funding of inter-generational growth infrastructure special projects and major asset renewal that support growth; and
• Trust funds and statutory reserves are fully cash backed.

2.7 Financial Policy Statements

This section defines the measures that demonstrate Council's financial sustainability in order to fund the aspirations of the Community Vision and the Council Plan.

Indicator	Measure	Target	Forecast Actual 2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32
Adjusted underlying result	Adjusted underlying surplus (deficit) /Adjusted underlying revenue	> 5.00%	(6.07%)	(3.09%)	(2.50%)	0.77%	2.22%	3.58%	3.83%	3.81%	4.28%	4.49%	4.71%
Working Capital	Current Assets / Current Liabilities	>1.40	1.60	1.56	1.29	1.13	1.02	1.00	1.00	1.02	1.06	1.14	1.30
Asset renewal	Asset renewal and upgrade expenses / Depreciation	>1.00	1.43	1.19	1.11	1.07	1.05	1.34	1.38	1.34	1.31	1.28	1.15
Indebtedness	Non-current liabilities / own source revenue	<40.00%	22.37%	26.65%	22.48%	18.47%	14.73%	11.81%	9.03%	6.38%	3.78%	1.59%	0.59%

Adjusted underlying result

An indicator of the sustainable operating result required to enable Council to continue to provide core services and meet its objectives. Improvement in financial performance expected over the period within the Financial Plan, as adjusted underlying deficit means reliance on Councils' cash reserves or increased debt to maintain services and invest in capital works.

Working Capital

Sufficient working capital is required to meet Council's obligations as and when they fall due. A high or increasing level of working capital suggests an improvement in liquidity. Council is targeting a working capital ratio of above 1.4.

Asset renewal

Allocate adequate funds towards renewal capital in order to replace assets and infrastructure as they reach the end of their service life. Council is targeting an asset renew ratio of above 1.0.

Indebtedness

That Council applies loan funding to new capital and maintains total noncurrent liabilities in line with own source revenue and growth of the municipality. Debt servicing and debt redemption will be maintained within the financial capacity of Council reflected in a cap on indebtedness of less than 40%.

2.8 Financial Plan Overview and Strategic Actions

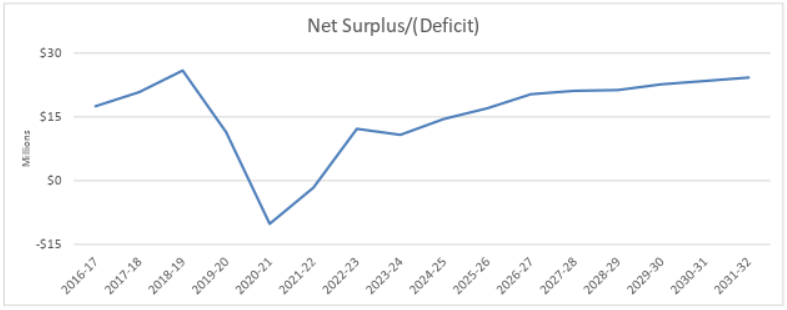
The Financial Plan includes a ten year projection of Council's financial performance and position, cash flows, capital works program, and planned human resources outlining the expected resources that will be required to achieve the Community Vision 2036 and Council Plan 2021-2025. It also includes information about Council's financial management principles, assumptions, strategies and other influences that have had a significant impact on these projections.

COVID-19 has presented a fast-evolving significant challenge to businesses, households, and the economy worldwide. Council has acted in the interest of keeping our community, residents and workforce safe. Council's financial position has been impacted significantly by the COVID-19 pandemic with a loss in excess of $50m up to 30 June 2022. Whilst the Financial Plan assumes the return to normalised business and economic activity, future forecasts could be impacted by further COVID-19 restrictions and any global and local environmental and economic events.

Rising inflation also presents a risk to Council's budget outcomes given the global and local impact of events over the past three years and uncertainties with the future economic outlook.

This overview provides a summary of the 10 year financial outlook and high level strategies.

2.8.1 Net Surplus/(Deficit)



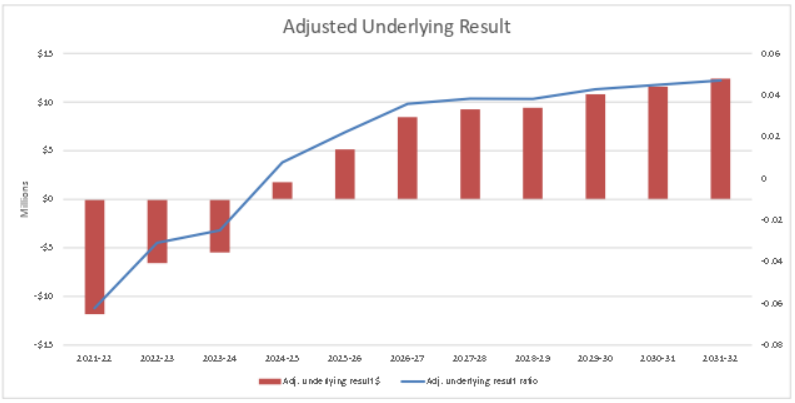
Whilst Council incurred significant losses during COVID-19, it also presented a significant challenge to businesses, households and the local economy. Council will continue to act in the interest of keeping our community, residents and workforce safe.

Planning for a surplus is fiscally responsible to maintain uninterrupted service delivery to our community and to provide essential funding for capital works including the redevelopment of major community facilities. Council has strategically planned for surpluses for the next ten years, after incurring losses in 2020/21 and 2021/22 as a result of COVID-19.

Council will invest in technology infrastructure as it evolves more into the digital transformation space and enhance its the community experience with the community and deliver its services.

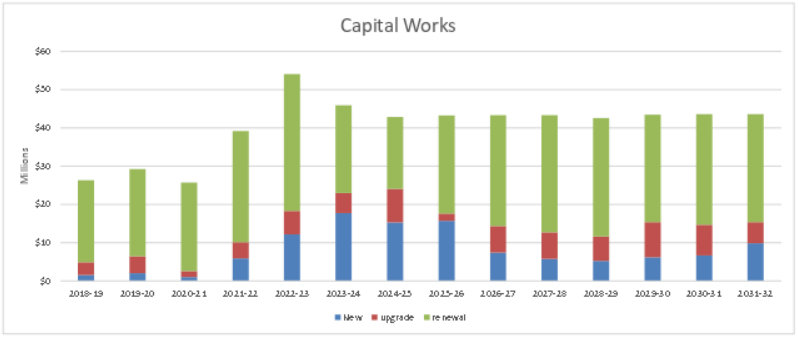
The Financial Plan does not provide for growth in FTE numbers, despite the forecast for an increased population and dwellings. Requirements to fulfil statutory obligations or increased customer demand in a rate capped environment will be a challenge and Yarra will aim to identify efficiency gains in the operating budget with a strategic approach to Service Planning.

2.8.2 Adjusted Underlying Result



The Adjusted underlying result is an important indicator as it measures the level of sustainable operating results, critical to ensure Council can provide core services and meet its objectives. In order to continue to deliver what our community wants and expects, as well as continuing to deliver on Yarra's vision, Council needs to make some strategic decisions. Urgent consideration has been given to improving operational efficiencies, managing costs, attracting external funding and expanding opportunities to generate revenue. As a result, Council is expecting its adjusted underlying results to improve in future years.

2.8.3 Asset Renewal, New and Upgrade expenditure



Council intends to spend $446m to renew, improve and create new community facilities and infrastructure over the next 10 years. This will be funded by a mix of rates, reserves and external funding sources including grants, contributions and proceeds of sale from assets that are no longer required.

Information from Council's Asset Management Plans determines Council's capital expenditure priorities. Funding for capital expenditure is primarily sourced from rates. In addition, Council utilises a Developer Contribution Plan which will contribute towards capital works projects. Contribution levels will depend on land sales and the desire of developers to construct new developments within the municipality. A strategic effort is also undertaken continuously to fund capital projects utilising other funding sources such as grants.

As part of Council's approach to responsible and sustainable asset management, Council's 10 Year Capital Works Program assigns funding priority to the renewal and upgrade of existing infrastructure over the creation of new assets.

Sustainable asset management is necessary for Council to meet its responsibilities to:

- Provide sustainable services to current and future generations;
- Provide and maintain necessary sustainable community

• Encourage and support the economic and social development of

Council's approach to asset management includes:
• the application of Yarra's Asset Management Strategy and Plan;
• defining sustainable service levels that meet sustainable
• an organisational wide information system for asset data management, reporting and works
• a planned and fully funded approach to timely asset renewal driven by a lifecycle management

2.8.4 Council property

In 2018, Council adopted a Property Strategy, which provides a holistic framework for the management of all Council property assets and establishes guiding principles for the alignment of Council's property portfolio with its future community and service delivery requirements. As part of an independent strategic review, council will review and evaluate its property portfolio to ensure that public value is maximised.

2.8.5 Rates and Other Revenue

Rates

Rate increases in accordance with the Fair Go Rates framework (Rate Cap) and Council's Revenue and Rating Plan.

The Minister for Local Government has declared the rate cap level for 2022/23 at 1.75%. This follows rate caps of 1.5% in 2021/22, 2.0% in 2020/21, 2.50% in 2019/20, and 2.25% in 2018/19. If the rate cap increases are less than predicted and additional revenue sources are not available, Council may be required to cease provision of some services, reduce service levels, reduce the capital works program, or undertake some combination of these actions.

Waste management costs (through increases in the State Government Landfill Levy) have increased substantially during the last two years and expected to increase further in future years. Additional costs are also attributed to increased waste service costs, such as recycling processing services, due to recent sector challenges.

Council will also be investigating the potential introduction of a separate waste charge in its 2023/24 Budget. Yarra is one of only eight councils in Victoria that does not have a separate waste charge. From the eight Councils, the majority have stated their intention to introduce waste charges from 2022/23. This investigative work has yet to commence but will be undertaken in close consultation with the community where Council will consider a range of options and the implications of those prior to making any decision about this. A separate waste charge would bring Yarra into line with the overwhelming majority of councils across Victoria and may potentially allow for further investments in its waste collection services to ensure Yarra remain a leader in the sustainability space. It will also assist Council in meeting upcoming legislative requirements.

Other Revenue

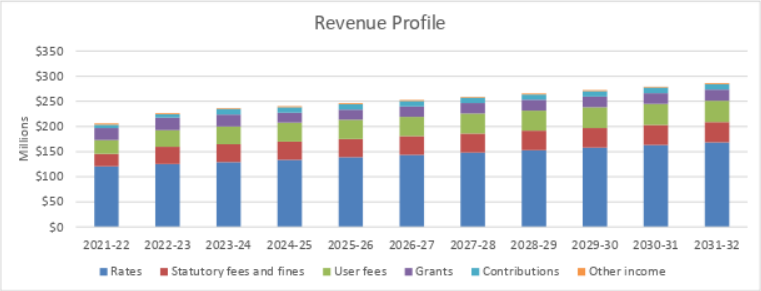
User fees and charges are reviewed annually with consideration given to a range of factors such as cost recovery, community access, equity and affordability and market forces. A list of fees and charges are included within the Budget each year.

Council actively seeks to source external grants and grow its own-sourced revenue, which includes contributions, interest, asset sales and other income. Council will pro-actively advocate to other levels of government for grant funding support to deliver infrastructure and service outcomes for the community.

Council collects revenue from the application of statutory fees and fines under the direction of legislation or other government directions. These can be: Planning and subdivision fees, Building and Inspection fees, infringements and fines and land information certificate fees.

Council is proposing to increase metered parking and permit fees in 2022/23. This is the first time in six years metered parking fees have increased in Yarra. Council is moving towards a more demand driven and flexible parking model.

Rates and Other Revenue Profile



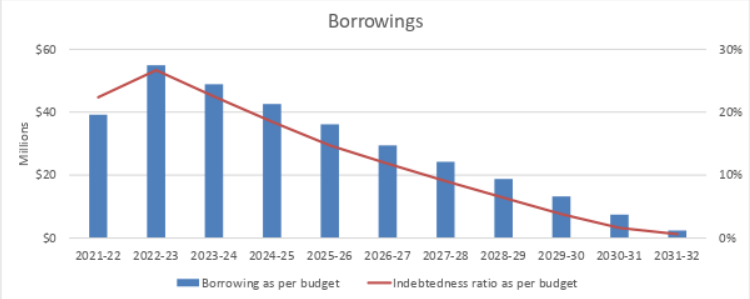
The average rate will increase by 1.75% for the 2022/23 year and the same rate cap is assumed in future years in the Financial Plan. However, the Financial Plan is reviewed annually as part of Council's budget deliberations and future rate increases will be considered in light of prevailing economic conditions, community needs and the rate cap ordered by the Minister for Local Government.

2.8.6 Financial position (working capital ratio)



Council's working capital has been significantly impacted by COVID-19 and is expected to deteriorate further over the next few years while funding the improvement of Council facilities and infrastructure through the Capital Works Program. Council is currently undertaking an independent strategic review of its operations to deliver efficiencies and improvements in working capital. Much of Council's cash reserves are held for specific and allocated purposes, such as open space reserve. The increasing working capital in later years also reflects the increase in open space reserve, which is to fund future investments in much needed Community Open space.

2.8.7 Borrowings



The introduction of rate capping as well as debt required to be repaid in the short term, has had a significant impact on the Financial Plan and challenged Council's financial position. Existing debt is serviced by a $32.5m principal and interest loan, due to be repaid by 2031/32 and a $13.5m principal and interest loan due to be repaid by 2027.

The Victorian Auditor-General has indicated through its recommendation on financial ratios that Indebtedness (Non-current liabilities/Own sourced revenue) above 40% places Council in the medium risk category and 60% in the high risk category. The indebtedness ratio in the Financial Plan is expected to be 22% at the end of the current 2021/22 budget year and will continue to decrease during the life of the Financial Plan, to reduce the already low risk to Council.

Summary

This is a responsible long term financial plan. It includes transformational initiatives such as major technology upgrades, expansion of Council's continuous improvement and efficiency benefit. An increased focus on service planning, maximising the public value of assets and outcomes anticipated from an independent strategic review, will be required to ensure the ongoing financial sustainability of Council into the future.

2.9 Assumptions to the financial plan statements

This section presents information in regard to the assumptions to the Comprehensive Income Statement for the 10 years from 2022/23 to 2031/32. The assumptions comprise the annual escalations/movement for each line items of the Comprehensive Income Statement.

The escalation factors are the main drivers of future estimates of each revenue and expense items. Further adjustments are made for specific movements or factors when needed. CPI fluctuates through the Financial Plan period however, Yarra City Council has applied a consistent and conservative indicators across the 10 year period.

Escalation Factors % movement	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32
Rates and charges	1.75%	1.75%	1.75%	1.75%	1.75%	1.75%	1.75%	1.75%	1.75%	1.75%
Statutory fees, fines and User Fees	1.75%	1.75%	1.75%	1.75%	1.75%	1.75%	1.75%	1.75%	1.75%	1.75%
Grants	1.75%	1.75%	1.75%	1.75%	1.75%	1.75%	1.75%	1.75%	1.75%	1.75%
Employee costs	1.75%	1.85%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%
Materials, services & Other	1.75%	1.75%	1.75%	1.75%	1.75%	1.75%	1.75%	1.75%	1.75%	1.75%
Depreciation & Amortisation	$0.5m	$0.5m	$0.5m	$0.5m	$0.5m	$0.5m	$0.5m	$0.5m	$0.5m	$0.5m

Attachment 2 - Attachment 2 - Long Term Financial Plan 2022-23 to 2031-32

3. Financial Plan Statements

This section presents information in regard to the Financial Plan Statements for the 10 years from 2022/23 to 2031/32.

Comprehensive Income Statement
Balance Sheet
Statement of Cash Flows
Statement of Capital Works
Statement of Human Resources
Statement of Changes in Equity

Attachment 2 - Attachment 2 - Long Term Financial Plan 2022-23 to 2031-32

3.1 Comprehensive Income Statement

	Forecast / Actual 2021/22 $'000	2022/23 $'000	2023/24 $'000	2024/25 $'000	2025/26 $'000	2026/27 $'000	2027/28 $'000	2028/29 $'000	2029/30 $'000	2030/31 $'000	2031/32 $'000
Income											
Rates and charges	120,750	125,163	128,845	132,591	136,103	139,676	143,311	147,011	150,775	154,605	158,501
Statutory fees and fines	23,171	35,754	36,379	37,016	37,664	38,323	38,994	39,676	40,370	41,077	41,796
User fees	26,556	33,174	35,355	37,546	38,203	38,871	39,551	40,244	40,948	41,664	42,393
Grants - Operating	21,569	16,234	16,518	16,807	17,102	17,401	17,705	18,015	18,330	18,651	18,978
Grants - Capital	4,550	11,825	7,395	3,881	3,000	3,000	3,000	3,000	3,000	3,000	3,000
Contributions - monetary	5,000	5,000	7,000	7,000	7,000	7,000	7,000	7,000	7,000	7,000	7,000
Contributions - monetary - other	660	1,934	1,900	1,900	1,900	1,900	1,900	1,900	1,900	1,900	1,900
Net gain/(loss) on disposal of property, infrastructure, plant and equipment	650	80	50	50	50	50	50	50	50	50	50
Other income	2,100	1,758	1,758	1,758	1,758	1,758	1,758	1,758	1,758	1,758	1,758
Total income	**205,005**	**230,922**	**235,201**	**238,549**	**242,778**	**247,978**	**253,270**	**258,653**	**264,131**	**269,705**	**275,376**
Expenses											
Employee costs	96,236	103,092	106,047	107,637	109,804	112,525	115,300	118,131	121,018	123,963	126,967
Materials and services	78,326	82,691	85,308	83,227	82,495	81,386	82,802	84,843	85,709	87,201	88,719
Depreciation	24,550	24,837	25,337	25,837	26,337	26,837	27,337	27,837	28,337	28,837	29,337
Amortisation - right of use assets	1,275	1,163	217	46	46	15	-	-	-	-	-
Bad and doubtful debts	4,213	5,075	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000
Borrowing costs	1,200	1,050	1,696	1,495	1,288	1,073	875	708	537	359	179
Finance Costs - leases	126	58	11	5	3	-	-	-	-	-	-
Other expenses	685	746	759	772	786	800	814	828	842	857	872
Total expenses	**206,612**	**218,712**	**224,376**	**224,020**	**225,759**	**227,636**	**232,128**	**237,347**	**241,443**	**246,217**	**251,074**
Surplus/(deficit) for the year	**(1,607)**	**12,210**	**10,825**	**14,529**	**17,020**	**20,342**	**21,142**	**21,306**	**22,688**	**23,487**	**24,302**
Other comprehensive income											
Items that will not be reclassified to surplus or deficit in future periods											
Net asset revaluation increment /(decrement)	82,087	-	86,025	-	90,928	-	95,862	-	100,888	-	106,076
Total comprehensive result	**80,480**	**12,210**	**96,849**	**14,529**	**107,948**	**20,342**	**117,004**	**21,306**	**123,576**	**23,487**	**130,378**

Attachment 2 - Attachment 2 - Long Term Financial Plan 2022-23 to 2031-32

3.2 Balance Sheet

	Forecast / Actual 2021/22 $'000	2022/23 $'000	2023/24 $'000	2024/25 $'000	2025/26 $'000	2026/27 $'000	2027/28 $'000	2028/29 $'000	2029/30 $'000	2030/31 $'000	2031/32 $'000
Assets											
Current assets											
Cash and cash equivalents	71,470	73,385	60,763	52,087	45,682	42,707	42,359	43,141	45,098	47,940	52,726
Trade and other receivables	18,295	15,047	11,973	12,001	12,128	12,357	12,857	13,295	13,839	14,493	15,258
Inventories	95	95	95	95	95	95	95	95	95	95	95
Other assets	1,402	1,402	1,402	1,402	1,402	1,402	1,402	1,402	1,402	1,402	1,402
Total current assets	**91,262**	**89,929**	**74,233**	**65,585**	**59,307**	**56,561**	**56,713**	**57,933**	**60,435**	**63,930**	**69,481**
Non-current assets											
Investments in associates, joint arrangements and subsidiaries	5	5	5	5	5	5	5	5	5	5	5
Property, infrastructure, plant & equipment	2,121,853	2,150,614	2,256,686	2,273,202	2,380,557	2,396,561	2,507,928	2,522,196	2,637,680	2,651,905	2,771,708
Right-of-use assets	1,294	324	107	61	15	-	-	-	-	-	-
Total non-current assets	**2,123,152**	**2,150,942**	**2,256,798**	**2,273,268**	**2,380,577**	**2,396,566**	**2,507,933**	**2,522,201**	**2,637,685**	**2,651,910**	**2,771,713**
Total assets	**2,214,414**	**2,240,871**	**2,331,032**	**2,338,853**	**2,439,884**	**2,453,127**	**2,564,646**	**2,580,134**	**2,698,120**	**2,715,840**	**2,841,194**
Liabilities											
Current liabilities											
Trade and other payables	15,737	15,737	15,737	15,737	15,737	15,737	15,737	15,337	15,337	15,337	15,337
Trust funds and deposits	12,432	12,432	12,432	12,432	12,432	12,432	12,432	12,432	12,432	12,432	12,432
Unearned income/revenue	5,125	5,125	5,125	5,125	5,125	5,125	5,125	5,125	5,125	5,125	5,125
Provisions	18,139	18,139	18,139	18,139	18,139	18,139	18,139	18,139	18,139	18,139	18,139
Interest-bearing liabilities	4,271	6,060	6,261	6,468	6,683	5,252	5,418	5,590	5,767	5,024	2,371
Lease liabilities	1,241	229	46	49	17	-	-	-	-	-	-
Total current liabilities	**56,944**	**57,722**	**57,740**	**57,950**	**58,133**	**56,685**	**56,851**	**56,622**	**56,799**	**56,057**	**53,403**
Non-current liabilities											
Provisions	3,667	3,267	2,867	2,467	2,067	1,667	1,435	1,435	1,435	1,435	1,435
Interest-bearing liabilities	34,900	48,834	42,573	36,105	29,422	24,170	18,751	13,162	7,395	2,371	-
Lease liabilities	176	112	66	17	-	-	-	-	-	-	-
Total non-current liabilities	**38,743**	**52,213**	**45,506**	**38,589**	**31,489**	**25,837**	**20,187**	**14,597**	**8,830**	**3,806**	**1,435**
Total liabilities	**95,688**	**109,935**	**103,246**	**96,538**	**89,622**	**82,522**	**77,038**	**71,219**	**65,630**	**59,863**	**54,839**
Net assets	**2,118,726**	**2,130,937**	**2,227,786**	**2,242,315**	**2,350,263**	**2,370,605**	**2,487,609**	**2,508,914**	**2,632,490**	**2,655,977**	**2,786,356**
Equity											
Accumulated surplus	650,372	659,852	669,582	682,711	698,781	718,198	738,389	758,745	780,483	803,020	826,502
Reserves	1,468,354	1,471,084	1,558,204	1,559,604	1,651,482	1,652,408	1,749,219	1,750,169	1,852,007	1,852,957	1,959,853
Total equity	**2,118,726**	**2,130,937**	**2,227,786**	**2,242,315**	**2,350,263**	**2,370,605**	**2,487,609**	**2,508,914**	**2,632,490**	**2,655,977**	**2,786,356**

Attachment 2 - Attachment 2 - Long Term Financial Plan 2022-23 to 2031-32

3.3 Statement of Changes in Equity

	Total	Accu Surplus	Revaluation Reserve	Other Reserves
	$'000	$'000	$'000	$'000
2022 Forecast Actual				
Balance at beginning of the financial year	2,038,246	656,661	1,362,635	18,950
Surplus/(deficit) for the year	(1,607)	(1,607)	-	-
Net asset revaluation increment/(decrement)	82,087	-	82,087	-
Transfers to other reserves	-	(5,000)	-	5,000
Transfers from other reserves	-	318	-	(318)
Balance at end of the financial year	**2,118,726**	**650,372**	**1,444,722**	**23,632**
2023				
Balance at beginning of the financial year	2,118,726	650,372	1,444,722	23,632
Surplus/(deficit) for the year	12,210	12,210	-	-
Net asset revaluation increment/(decrement)	-	-	-	-
Transfers to other reserves	-	(5,000)	-	5,000
Transfers from other reserves	-	2,270	-	(2,270)
Balance at end of the financial year	**2,130,937**	**659,852**	**1,444,722**	**26,362**
2024				
Balance at beginning of the financial year	2,130,937	659,852	1,444,722	26,362
Surplus/(deficit) for the year	10,825	10,825	-	-
Net asset revaluation increment/(decrement)	86,025	-	86,025	-
Transfers to other reserves	-	(7,000)	-	7,000
Transfers from other reserves	-	5,905	-	(5,905)
Balance at end of the financial year	**2,227,786**	**669,582**	**1,530,747**	**27,457**
2025				
Balance at beginning of the financial year	2,227,786	669,582	1,530,747	27,457
Surplus/(deficit) for the year	14,529	14,529	-	-
Net asset revaluation increment/(decrement)	-	-	-	-
Transfers to other reserves	-	(7,000)	-	7,000
Transfers from other reserves	-	5,600	-	(5,600)
Balance at end of the financial year	**2,242,315**	**682,711**	**1,530,747**	**28,857**

Attachment 2 - Attachment 2 - Long Term Financial Plan 2022-23 to 2031-32

2026				
Balance at beginning of the financial year	2,242,315	682,711	1,530,747	28,857
Surplus/(deficit) for the year	17,020	17,020	-	-
Net asset revaluation increment/(decrement)	90,928	-	90,928	-
Transfers to other reserves	-	(7,000)	-	7,000
Transfers from other reserves	-	6,050	-	(6,050)
Balance at end of the financial year	**2,350,263**	**698,781**	**1,621,675**	**29,807**
2027				
Balance at beginning of the financial year	2,350,263	698,780	1,621,675	29,807
Surplus/(deficit) for the year	20,342	20,342	-	-
Net asset revaluation increment/(decrement)	-	-	-	-
Transfers to other reserves	-	(7,000)	-	7,000
Transfers from other reserves	-	6,075	-	(6,075)
Balance at end of the financial year	**2,370,605**	**718,197**	**1,621,675**	**30,732**
2028				
Balance at beginning of the financial year	2,370,605	718,197	1,621,675	30,732
Surplus/(deficit) for the year	21,142	21,142	-	-
Net asset revaluation increment/(decrement)	95,862	-	95,862	-
Transfers to other reserves	-	(7,000)	-	7,000
Transfers from other reserves	-	6,050	-	(6,050)
Balance at end of the financial year	**2,487,609**	**738,389**	**1,717,537**	**31,682**
2029				
Balance at beginning of the financial year	2,487,609	738,389	1,717,537	31,682
Surplus/(deficit) for the year	21,306	21,306	-	-
Net asset revaluation increment/(decrement)	-	-	-	-
Transfers to other reserves	-	(7,000)	-	7,000
Transfers from other reserves	-	6,050	-	(6,050)
Balance at end of the financial year	**2,508,915**	**758,745**	**1,717,537**	**32,632**

Attachment 2 - Attachment 2 - Long Term Financial Plan 2022-23 to 2031-32

2030				
Balance at beginning of the financial year	2,508,915	758,745	1,717,537	32,632
Surplus/(deficit) for the year	22,688	22,688	-	-
Net asset revaluation increment/(decrement)	100,888	-	100,888	-
Transfers to other reserves	-	(7,000)	-	7,000
Transfers from other reserves	-	6,050	-	(6,050)
Balance at end of the financial year	**2,632,490**	**780,483**	**1,818,425**	**33,582**
2031				
Balance at beginning of the financial year	2,632,490	780,483	1,818,425	33,582
Surplus/(deficit) for the year	23,487	23,487	-	-
Net asset revaluation increment/(decrement)	-	-	-	-
Transfers to other reserves	-	(7,000)	-	7,000
Transfers from other reserves	-	6,050	-	(6,050)
Balance at end of the financial year	**2,655,978**	**803,020**	**1,818,425**	**34,532**
2032				
Balance at beginning of the financial year	2,655,978	803,020	1,818,425	34,532
Surplus/(deficit) for the year	24,302	24,302	-	-
Net asset revaluation increment/(decrement)	106,076	-	106,076	-
Transfers to other reserves	-	(7,000)	-	7,000
Transfers from other reserves	-	6,180	-	(6,180)
Balance at end of the financial year	**2,786,356**	**826,502**	**1,924,501**	**35,352**

Attachment 2 - Attachment 2 - Long Term Financial Plan 2022-23 to 2031-32

3.4 Statement of Cash Flows

	Forecast / Actual 2021/22 $'000	2022/23 $'000	2023/24 $'000	2024/25 $'000	2025/26 $'000	2026/27 $'000	2027/28 $'000	2028/29 $'000	2029/30 $'000	2030/31 $'000	2031/32 $'000
	Inflows (Outflows)	Inflows (Outflows)	Inflows (Outflows)	Inflows (Outflows)	Inflows (Outflows)	Inflows (Outflows)	Inflows (Outflows)	Inflows (Outflows)	Inflows (Outflows)	Inflows (Outflows)	Inflows (Outflows)
Cash flows from operating activities											
Rates and charges	119,542	126,912	130,556	131,265	134,742	138,279	141,878	145,541	149,267	153,059	156,916
Statutory fees and fines	20,854	32,178	32,741	33,314	33,897	34,491	35,094	35,708	36,333	36,969	37,616
User fees	26,556	33,174	35,355	37,546	38,203	38,871	39,551	40,244	40,948	41,664	42,393
Grants - operating	21,569	16,234	16,518	16,807	17,102	17,401	17,705	18,015	18,330	18,651	18,978
Grants - capital	4,550	11,825	7,395	3,881	3,000	3,000	3,000	3,000	3,000	3,000	3,000
Contributions - monetary- OSR	5,000	5,000	7,000	7,000	7,000	7,000	7,000	7,000	7,000	7,000	7,000
Contributions - monetary- Other	660	1,934	1,900	1,900	1,900	1,900	1,900	1,900	1,900	1,900	1,900
Other receipts	2,100	1,758	1,758	1,758	1,758	1,758	1,758	1,758	1,758	1,758	1,758
Employee costs	(96,236)	(103,092)	(106,047)	(107,637)	(109,804)	(112,525)	(115,300)	(118,131)	(121,018)	(123,963)	(126,967)
Materials and services	(79,411)	(83,837)	(86,467)	(84,399)	(83,680)	(82,586)	(84,016)	(86,071)	(86,551)	(88,058)	(89,591)
Net cash provided by/(used in) operating activities	**25,183**	**42,086**	**40,709**	**41,436**	**44,117**	**47,589**	**48,571**	**48,964**	**50,967**	**51,980**	**53,004**
Cash flows from investing activities											
Payments for property, infrastructure, plant	(39,145)	(54,105)	(45,886)	(42,853)	(43,264)	(43,342)	(43,342)	(42,605)	(43,434)	(43,563)	(43,564)
Proceeds from sale of property,	1,150	580	550	550	550	550	550	550	550	550	550
Net cash provided by/ (used in) investing activities	**(37,995)**	**(53,525)**	**(45,336)**	**(42,303)**	**(42,714)**	**(42,792)**	**(42,792)**	**(42,055)**	**(42,884)**	**(43,013)**	**(43,014)**
Cash flows from financing activities											
Finance costs	(1,200)	(1,050)	(1,696)	(1,495)	(1,288)	(1,073)	(875)	(708)	(537)	(359)	(179)
Proceeds from borrowings	32,500	20,000	-	-	-	-	-	-	-	-	-
Repayment of borrowings	(34,532)	(4,271)	(6,060)	(6,261)	(6,468)	(6,683)	(5,252)	(5,418)	(5,590)	(5,767)	(5,024)
Interest paid - lease liability	(126)	(58)	(11)	(5)	(3)	-	-	-	-	-	-
Repayment of lease liabilities	(1,290)	(1,268)	(229)	(46)	(49)	(16)	-	-	-	-	-
Net cash provided by/(used in) financing activities	**(4,648)**	**13,354**	**(7,996)**	**(7,808)**	**(7,808)**	**(7,772)**	**(6,127)**	**(6,127)**	**(6,126)**	**(6,126)**	**(5,204)**
Net increase/(decrease) in cash & cash equivalents	(17,460)	1,914.93	(12,622)	(8,676)	(6,405)	(2,975)	(348)	782	1,957	2,842	4,786
Cash and cash equivalents at the beginning of the financial year	88,930	71,470	73,385	60,763	52,087	45,682	42,707	42,359	43,141	45,098	47,940
Cash and cash equivalents at the end of	**71,470**	**73,385**	**60,763**	**52,087**	**45,682**	**42,707**	**42,359**	**43,141**	**45,098**	**47,940**	**52,726**

Attachment 2 - Attachment 2 - Long Term Financial Plan 2022-23 to 2031-32

3.5 Statement of Capital Works

	Forecast / Actual 2021/22 $'000	2022/23 $'000	2023/24 $'000	2024/25 $'000	2025/26 $'000	2026/27 $'000	2027/28 $'000	2028/29 $'000	2029/30 $'000	2030/31 $'000	2031/32 $'000
Property											
Buildings	14,704	14,479	17,832	20,460	17,595	10,798	13,233	12,241	13,205	11,058	10,012
Total buildings	14,704	14,479	17,832	20,460	17,595	10,798	13,233	12,241	13,205	11,058	10,012
Total property	**14,704**	**14,479**	**17,832**	**20,460**	**17,595**	**10,798**	**13,233**	**12,241**	**13,205**	**11,058**	**10,012**
Plant and equipment											
Plant, machinery and equipment	2,000	2,188	1,767	2,041	2,066	1,936	2,105	1,787	2,149	2,331	2,091
Fixtures, fittings and furniture	150	150	239	140	140	195	195	190	235	287	250
Computers and telecommunications	1,966	2,001	1,789	1,705	2,040	2,633	1,846	1,861	1,765	1,883	2,517
Library books	640	640	650	660	670	680	680	690	700	710	720
Total plant and equipment	**4,756**	**4,979**	**4,445**	**4,546**	**4,916**	**5,444**	**4,826**	**4,528**	**4,849**	**5,211**	**5,578**
Infrastructure											
Roads	6,114	7,060	5,200	5,410	6,328	6,214	7,700	7,948	8,293	7,923	8,341
Bridges	2	-	50	50	50	50	65	-	100	100	-
Footpaths and cycleways	2,968	2,381	1,875	1,371	2,196	5,053	4,683	4,385	3,777	5,134	8,930
Drainage	4,041	3,752	2,316	1,728	1,277	1,971	2,015	1,620	1,987	2,047	3,277
Waste management	75	100	80	85	85	85	85	85	90	90	90
Parks, open space and streetscapes	4,471	3,935	11,075	7,470	8,950	11,634	8,905	10,865	10,153	10,936	7,019
Off street car parks	-	-	58	60	60	-	50	-	-	-	-
Other infrastructure	2,014	2,174	2,955	1,674	1,806	2,094	1,781	933	980	1,065	319
Total infrastructure	**19,685**	**19,401**	**23,609**	**17,848**	**20,752**	**27,100**	**25,284**	**25,836**	**25,380**	**27,294**	**27,975**
Total capital works expenditure	**39,146**	**38,859**	**45,886**	**42,853**	**43,264**	**43,342**	**43,342**	**42,605**	**43,434**	**43,563**	**43,564**
Represented by:											
New asset expenditure	5,886	9,376	17,734	15,322	15,667	7,387	5,745	5,200	6,192	6,655	9,822
Asset renewal expenditure	29,024	26,572	22,906	18,787	25,664	29,008	30,665	31,022	28,046	28,861	28,223
Asset upgrade expenditure	4,236	2,912	5,246	8,744	1,932	6,947	6,933	6,383	9,196	8,046	5,519
Total capital works expenditure	**39,146**	**38,859**	**45,886**	**42,853**	**43,264**	**43,342**	**43,342**	**42,605**	**43,434**	**43,563**	**43,564**
Funding sources represented by:											
Grants	4,935	10,844	7,483	8,981	10,248	359	359	2,359	259	259	259
Contributions	1,057	2,700	6,445	6,145	6,595	6,615	6,595	6,570	6,570	6,600	6,720
Council cash	33,154	25,316	31,957	27,727	26,421	36,368	36,388	33,676	36,605	36,704	36,585
Total capital works expenditure	**39,146**	**38,859**	**45,886**	**42,853**	**43,264**	**43,342**	**43,342**	**42,605**	**43,434**	**43,563**	**43,564**

3.6 Statement of Human Resources

Staff expenditure	2021/22 $'000	2022/23 $'000	2023/24 $'000	2024/25 $'000	2025/26 $'000	2026/27 $'000	2027/28 $'000	2028/29 $'000	2029/30 $'000	2030/31 $'000	2031/32 $'000
Staff expenditure											
Employee costs - operating	97,485	104,340	107,331	108,940	111,133	113,887	116,696	119,561	122,483	125,463	128,504
Employee costs - capital	(1,249)	(1,248)	(1,284)	(1,303)	(1,329)	(1,362)	(1,396)	(1,430)	(1,465)	(1,501)	(1,537)
Total staff expenditure	**96,236**	**103,092**	**106,047**	**107,637**	**109,804**	**112,525**	**115,300**	**118,131**	**121,018**	**123,963**	**126,967**

Staff numbers	2021/22 FTE	2022/23 FTE	2023/24 FTE	2024/25 FTE	2025/26 FTE	2026/27 FTE	2027/28 FTE	2028/29 FTE	2029/30 FTE	2030/31 FTE	2031/32 FTE
Staff numbers											
Employees	906.0	906.0	906.0	906.0	906.0	906.0	906.0	906.0	906.0	906.0	906.0
Employee - capital	(9.9)	(9.9)	(9.9)	(9.9)	(9.9)	(9.9)	(9.9)	(9.9)	(9.9)	(9.9)	(9.9)
Total staff numbers	**896.1**	**896.1**	**896.1**	**896.1**	**896.1**	**896.1**	**896.1**	**896.1**	**896.1**	**896.1**	**896.1**

A summary of human resources expenditure categorised according to the organisational structure of Council is included below:

Department	Total	Comprises Permanent		Casual	Temporary
		Full Time	Part Time		
	$'000	$'000	$'000	$'000	$'000
CEO Division	**8,450**	7,365	823	158	105
Corporate, Business & Financial Services	**20,409**	17,566	1,908	564	371
Planning & Placemaking	**12,277**	11,370	720	107	80
Community Wellbeing	**30,316**	19,776	8,316	1,822	402
City Works & Assets	**26,686**	21,262	1,439	3,920	65
Total permanent staff expenditure	**98,138**	77,338	13,207	6,570	1,023
Other employee related expenditure	6,202				
Capitalised labour costs	(1,248)				
Total staff expenditure	**103,092**	**77,338**	**13,207**	**6,570**	**1,023**

A summary of the number of full time equivalent (FTE) Council staff in relation to the above expenditure is included below:

Department	Total	Comprises Permanent		Casual	Temporary
		Full Time	Part Time		
	FTE	FTE	FTE	FTE	FTE
CEO Division	69.9	55.0	7.3	6.6	1.0
Corporate, Business & Financial Services	177.4	150.7	23.1	0.6	3.0
Planning & Placemaking	97.2	89.0	6.6	0.6	1.0
Community Wellbeing	305.8	196.1	88.2	17.7	3.9
City Works & Assets	255.7	195.0	18.4	41.7	0.6
Capitalised labour costs	(9.9)				
Total staff	**896.1**	**685.7**	**143.6**	**67.1**	**9.5**

3.7 Summary of Planned Human Resources Expenditure

For the ten years ended 30 June 2032

	2022/23 $'000	2023/24 $'000	2024/25 $'000	2025/26 $'000	2026/27 $'000	2027/28 $'000	2028/29 $'000	2029/30 $'000	2030/31 $'000	2031/32 $'000
CEO Division										
Permanent - Full time	7,365	7,576	7,690	7,844	8,039	8,237	8,439	8,646	8,856	9,071
Women	5,789	5,955	6,045	6,166	6,319	6,475	6,634	6,796	6,962	7,130
Men	1,575	1,621	1,645	1,678	1,720	1,762	1,805	1,849	1,894	1,940
Persons of self-described gender	0	0	0	0	0	0	0	0	0	0
Permanent - Part time	823	846	859	876	898	920	943	966	989	1,013
Women	363	373	379	386	396	406	416	426	436	447
Men	460	473	480	490	502	514	527	540	553	566
Persons of self-described gender	0	0	0	0	0	0	0	0	0	0
Total CEO Division	**8,188**	**8,422**	**8,548**	**8,721**	**8,937**	**9,157**	**9,382**	**9,611**	**9,845**	**10,084**
Corporate, Business & Financial Services										
Permanent - Full time	17,566	18,069	18,340	18,709	19,173	19,646	20,128	20,620	21,122	21,634
Women	6,412	6,596	6,694	6,829	6,998	7,171	7,347	7,527	7,710	7,897
Men	11,154	11,474	11,646	11,880	12,174	12,475	12,781	13,093	13,412	13,737
Persons of self-described gender	0	0	0	0	0	0	0	0	0	0
Permanent - Part time	1,908	1,963	1,992	2,032	2,083	2,134	2,186	2,240	2,294	2,350
Women	1,199	1,233	1,252	1,277	1,309	1,341	1,374	1,407	1,442	1,477
Men	709	729	740	755	774	793	813	832	853	873
Persons of self-described gender	0	0	0	0	0	0	0	0	0	0
Total Corporate, Business & Financial Services	**19,474**	**20,032**	**20,332**	**20,742**	**21,256**	**21,780**	**22,314**	**22,860**	**23,416**	**23,984**
Planning & Placemaking										
Permanent - Full time	11,370	11,696	11,871	12,110	12,410	12,716	13,029	13,347	13,672	14,003
Women	6,274	6,454	6,551	6,683	6,848	7,017	7,189	7,365	7,544	7,727
Men	5,096	5,242	5,321	5,428	5,562	5,699	5,839	5,982	6,128	6,276
Persons of self-described gender	0	0	0	0	0	0	0	0	0 0	
Permanent - Part time	720	741	752	767	786	806	825	846	866	887
Women	596	613	622	635	651	667	683	700	717	734
Men	124	128	130	132	136	139	142	146	149	153
Persons of self-described gender	0	0	0	0	0	0	0	0	0	0
Total Planning & Placemaking	**12,090**	**12,437**	**12,623**	**12,878**	**13,197**	**13,522**	**13,854**	**14,193**	**14,538**	**14,890**
Community Wellbeing										
Permanent - Full time	19,776	20,343	20,647	21,063	21,585	22,117	22,660	23,214	23,779	24,355
Women	15,092	15,524	15,757	16,074	16,472	16,879	17,293	17,716	18,147	18,587
Men	4,684	4,818	4,891	4,989	5,113	5,239	5,367	5,499	5,632	5,769
Persons of self-described gender	0	0	0	0	0	0	0	0	0	0
Permanent - Part time	8,316	8,555	8,683	8,858	9,077	9,301	9,530	9,762	10,000	10,242
Women	7,007	7,208	7,316	7,464	7,649	7,837	8,030	8,226	8,426	8,630
Men	1,309	1,347	1,367	1,394	1,429	1,464	1,500	1,537	1,574	1,612
Persons of self-described gender	0	0	0	0	0	0	0	0	0	0
Total Community Wellbeing	**28,092**	**28,897**	**29,330**	**29,921**	**30,662**	**31,419**	**32,190**	**32,977**	**33,779**	**34,598**
City Works & Assets										
Permanent - Full time	21,262	21,871	22,199	22,646	23,207	23,779	24,363	24,959	25,566	26,186
Women	6,387	6,570	6,668	6,803	6,971	7,143	7,319	7,497	7,680	7,866
Men	14,875	15,301	15,531	15,843	16,236	16,636	17,045	17,461	17,886	18,320
Persons of self-described gender	0	0	0	0	0	0	0	0	0	0
Permanent - Part time	1,439	1,481	1,503	1,533	1,571	1,610	1,649	1,690	1,731	1,773
Women	645	664	674	687	704	722	739	757	776	795
Men	794	817	829	846	867	888	910	932	955	978
Persons of self-described gender	0	0	0	0	0	0	0	0	0	0
Total City Works & Assets	**22,701**	**23,352**	**23,702**	**24,179**	**24,778**	**25,389**	**26,013**	**26,648**	**27,297**	**27,958**
Casuals, temporary and other expenditure	13,795	14,191	14,403	14,693	15,057	15,429	15,807	16,194	16,588	16,990
Capitalised labour costs	(1,248)	(1,284)	(1,303)	(1,329)	(1,362)	(1,396)	(1,430)	(1,465)	(1,501)	(1,537)
Total staff expenditure	**103,092**	**106,047**	**107,637**	**109,804**	**112,525**	**115,300**	**118,131**	**121,018**	**123,963**	**126,967**

Attachment 2 - Attachment 2 - Long Term Financial Plan 2022-23 to 2031-32

	2022/23 FTE	2023/24 FTE	2024/25 FTE	2025/26 FTE	2026/27 FTE	2027/28 FTE	2028/29 FTE	2029/30 FTE	2030/31 FTE	2031/32 FTE
CEO Division										
Permanent - Full time	55.0	55.0	55.0	55.0	55.0	55.0	55.0	55.0	55.0	55.0
Women	43.8	43.8	43.8	43.8	43.8	43.8	43.8	43.8	43.8	43.8
Men	11.2	11.2	11.2	11.2	11.2	11.2	11.2	11.2	11.2	11.2
Persons of self-described gender	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Permanent - Part time	7.3	7.3	7.3	7.3	7.3	7.3	7.3	7.3	7.3	7.3
Women	3.3	3.3	3.3	3.3	3.3	3.3	3.3	3.3	3.3	3.3
Men	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Persons of self-described gender	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total CEO Division	**62.3**	**62.3**	**62.3**	**62.3**	**62.3**	**62.3**	**62.3**	**62.3**	**62.3**	**62.3**
Corporate, Business & Financial Services										
Permanent - Full time	150.7	150.7	150.7	150.7	150.7	150.7	150.7	150.7	150.7	150.7
Women	56.4	56.4	56.4	56.4	56.4	56.4	56.4	56.4	56.4	56.4
Men	94.3	94.3	94.3	94.3	94.3	94.3	94.3	94.3	94.3	94.3
Persons of self-described gender	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Permanent - Part time	23.1	23.1	23.1	23.1	23.1	23.1	23.1	23.1	23.1	23.1
Women	13.6	13.6	13.6	13.6	13.6	13.6	13.6	13.6	13.6	13.6
Men	9.5	9.5	9.5	9.5	9.5	9.5	9.5	9.5	9.5	9.5
Persons of self-described gender	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Corporate, Business & Financial Services	**173.8**	**173.8**	**173.8**	**173.8**	**173.8**	**173.8**	**173.8**	**173.8**	**173.8**	**173.8**
Planning & Placemaking										
Permanent - Full time	89.0	89.0	89.0	89.0	89.0	89.0	89.0	89.0	89.0	89.0
Women	50.1	50.1	50.1	50.1	50.1	50.1	50.1	50.1	50.1	50.1
Men	38.9	38.9	38.9	38.9	38.9	38.9	38.9	38.9	38.9	38.9
Persons of self-described gender	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Permanent - Part time	6.6	6.6	6.6	6.6	6.6	6.6	6.6	6.6	6.6	6.6
Women	5.6	5.6	5.6	5.6	5.6	5.6	5.6	5.6	5.6	5.6
Men	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
Persons of self-described gender	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Planning & Placemaking	**95.6**	**95.6**	**95.6**	**95.6**	**95.6**	**95.6**	**95.6**	**95.6**	**95.6**	**95.6**
Community Wellbeing										
Permanent - Full time	196.1	196.1	196.1	196.1	196.1	196.1	196.1	196.1	196.1	196.1
Women	152.8	152.8	152.8	152.8	152.8	152.8	152.8	152.8	152.8	152.8
Men	43.2	43.2	43.2	43.2	43.2	43.2	43.2	43.2	43.2	43.2
Persons of self-described gender	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Permanent - Part time	88.2	88.2	88.2	88.2	88.2	88.2	88.2	88.2	88.2	88.2
Women	72.9	72.9	72.9	72.9	72.9	72.9	72.9	72.9	72.9	72.9
Men	15.3	15.3	15.3	15.3	15.3	15.3	15.3	15.3	15.3	15.3
Persons of self-described gender	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Community Wellbeing	**284.3**	**284.3**	**284.3**	**284.3**	**284.3**	**284.3**	**284.3**	**284.3**	**284.3**	**284.3**
City Works & Assets										
Permanent - Full time	195.0	195.0	195.0	195.0	195.0	195.0	195.0	195.0	195.0	195.0
Women	57.5	57.5	57.5	57.5	57.5	57.5	57.5	57.5	57.5	57.5
Men	137.5	137.5	137.5	137.5	137.5	137.5	137.5	137.5	137.5	137.5
Persons of self-described gender	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Permanent - Part time	18.4	18.4	18.4	18.4	18.4	18.4	18.4	18.4	18.4	18.4
Women	7.7	7.7	7.7	7.7	7.7	7.7	7.7	7.7	7.7	7.7
Men	10.7	10.7	10.7	10.7	10.7	10.7	10.7	10.7	10.7	10.7
Persons of self-described gender	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total City Works & Assets	**213.4**	**213.4**	**213.4**	**213.4**	**213.4**	**213.4**	**213.4**	**213.4**	**213.4**	**213.4**
Casuals and temporary staff	76.6	76.6	76.6	76.6	76.6	76.6	76.6	76.6	76.6	76.6
Capitalised labour costs	(9.9)	(9.9)	(9.9)	(9.9)	(9.9)	(9.9)	(9.9)	(9.9)	(9.9)	(9.9)
Total staff numbers	**896.1**	**896.1**	**896.1**	**896.1**	**896.1**	**896.1**	**896.1**	**896.1**	**896.1**	**896.1**

Attachment 2 - Attachment 2 - Long Term Financial Plan 2022-23 to 2031-32

4. Financial performance indicators

The following table highlights Council's projected performance across a range of key financial performance indicators. These indicators provide an analysis of Council's 10 year financial projections and should be interpreted in the context of the organisation's objectives and financial management principles.

Indicator	Measure	Notes	Forecast Actual 2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	Trend +/o/-
Operating position														
Adjusted underlying result	Adjusted underlying surplus (deficit) / Adjusted underlying revenue	1	(6.07%)	(3.09%)	(2.50%)	0.77%	2.22%	3.58%	3.83%	3.81%	4.28%	4.49%	4.71%	+
Liquidity														
Working Capital	Current assets / current liabilities	2	160.26%	155.80%	128.56%	113.18%	102.02%	99.78%	99.76%	102.32%	106.40%	114.05%	130.11%	o
Unrestricted cash	Unrestricted cash / current liabilities		65.91%	68.39%	44.61%	27.06%	14.32%	7.81%	5.50%	5.23%	6.99%	10.45%	6.83%	-
Obligations														
Loans and borrowings	Interest bearing loans and borrowings / rate revenue	3	32.44%	43.86%	37.90%	32.11%	26.53%	21.06%	16.87%	12.76%	8.73%	4.78%	1.50%	+
Loans and borrowings	Interest and principal repayments on interest bearing loans and borrowings / rate		29.59%	4.25%	6.02%	5.85%	5.70%	5.55%	4.28%	4.17%	4.06%	3.96%	3.28%	+
Indebtedness	Non-current liabilities / own source revenue		22.37%	26.65%	22.48%	18.47%	14.73%	11.81%	9.03%	6.38%	3.78%	1.59%	0.59%	+
Asset renewal	Asset renewal and upgrade expense / Asset depreciation	4	142.63%	118.71%	111.11%	106.56%	104.78%	133.97%	137.53%	134.37%	131.42%	127.99%	115.01%	o
Stability														
Rates concentration	Rate revenue / adjusted underlying revenue	5	60.24%	57.13%	56.56%	56.50%	56.76%	57.02%	57.26%	57.50%	57.74%	57.97%	58.19%	o
Rates effort	Rate revenue / CIV of rateable properties in the municipality		0.20%	0.19%	0.19%	0.19%	0.18%	0.18%	0.17%	0.17%	0.17%	0.16%	0.16%	o

Attachment 2 - Attachment 2 - Long Term Financial Plan 2022-23 to 2031-32

Indicator	Measure	Notes	Forecast Actual 2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	Trend +/o/-
Efficiency														
Expenditure level	Total expenses/ no. of property assessments		$3,562.27	$3,770.90	$3,802.98	$3,733.67	$3,641.27	$3,613.28	$3,626.99	$3,651.49	$3,658.23	$3,620.84	$3,638.75	o
Revenue level	Total rate revenue / no. of property assessments		$2,079.47	$2,155.53	$2,181.39	$2,207.47	$2,192.90	$2,214.81	$2,237.01	$2,259.51	$2,282.30	$2,271.50	$2,295.05	+

Key to Forecast Trend:
+ Forecasts improvement in Council's financial performance/financial position indicator
o Forecasts that Council's financial performance/financial position indicator will be steady
- Forecasts deterioration in Council's financial performance/financial position indicator

Notes to indicators

1. Adjusted underlying result
An indicator of the sustainable operating result required to enable Council to continue to provide core services and meet its objectives. Improvement in financial performance expected over the period, although continued losses means reliance on Councils' cash reserves or increased debt to maintain services and invest in capital works.

2. Working Capital
Sufficient working capital is required to meet Council's obligations as and when they fall due. A high or increasing level of working capital suggests an improvement in liquidity.

3. Debt compared to rates
Trend indicates Council's reducing reliance on debt against its annual revenue through redemption of long term debts. The level of long-term liabilities is reasonable to the size and nature of a council's activities. A low or decreasing level of long-term liabilities suggests an improvement in the capacity to meet long-term obligations.

4. Asset renewal
This percentage indicates the extent of Council's renewal of assets against its depreciation charge (an indication of the decline in value of its existing capital assets). A percentage greater than 100% indicates Council is maintaining its existing assets, while a percentage les than 100% means its assets are deteriorating faster than they are being renewed and future capital expenditure will be required to renew assets.

5. Rates concentration
Revenue should be generated from a range of sources. Reflects extent of reliance on rate revenues to fund all of Council's ongoing services. A high or increasing range of revenue sources suggests an improvement in stability.

5. Strategies and Plans

This section describes the strategies and plans that support the 10 year financial projections included to the Financial Plan.

5.1 Borrowing Strategy

5.1.1 Current Debt Position

Council recognises that long term borrowings can be a useful tool for funding renewal of existing and major new assets. It also recognises that while borrowings enhance the capacity of Council's short term capital program, debt repayment and borrowing costs may potentially limit the capacity of future capital programs. It is, therefore, important that the utilisation of debt as a funding tool is applied judiciously.

Council borrowed $32.5m in 2013/2014 to settle the Vision Super unfunded defined benefit liability and fund major capital projects. This borrowing was an interest only loan and repaid in full in November 2021. In February 2022, Council re-borrowed $32.5m through Treasury Corporation Victoria (a principal and interest facility) for a term of 10 years.

An additional loan of $13.5 million was drawn down in 2016/17 to fund the construction of Bargoonga Nganjin, North Fitzroy Library. This loan is funded on a principal and interest basis and will be repaid by the end of the Financial Plan.

The 2021/22 budget allowed capacity for Council to borrow an additional $20m. However, the assessment of cash requirement has identified that the additional borrowings was not required during 2020/21. Instead, we have allowed capacity for Council to borrow up to $20m during 2022/23 to support Council in delivering our significant program of capital works.

This Financial Plan assumes Council will repay principal and interest on all borrowed funds (new and renewed) on an annual basis with a long term reduction in borrowings across the next ten years. Our principal repayments will allow us, depending on prevailing circumstances in the future, to have capacity to borrow further in later years, should that be required.

The following table highlights Council's projected loan balance, including new loans and loan repayments for the 10 years of the Financial Plan.

5.1.2 Future Borrowing Requirements

	Forecast / Actual										
	2021/22 $'000	2022/23 $'000	2023/24 $'000	2024/25 $'000	2025/26 $'000	2026/27 $'000	2027/28 $'000	2028/29 $'000	2029/30 $'000	2030/31 $'000	2031/32 $'000
Opening balance	41,203	39,171	54,900	48,840	42,579	36,111	29,428	24,176	18,757	13,168	7,401
Plus New loans	32,500	20,000	-	-	-	-	-	-	-	-	-
Less Principal repayment	(34,532)	(4,271)	(6,060)	(6,261)	(6,468)	(6,683)	(5,252)	(5,418)	(5,590)	(5,767)	(5,024)
Closing balance	**39,171**	**54,900**	**48,840**	**42,579**	**36,111**	**29,428**	**24,176**	**18,757**	**13,168**	**7,401**	**2,377**
Interest payment	1,200	1,050	1,696	1,495	1,288	1,073	875	708	537	359	179

Performance Indicator	Target	Forecast / Actual 2021/22 %	2022/23 %	2023/24 %	2024/25 %	2025/26 %	2026/27 %	2027/28 %	2028/29 %	2029/30 %	2030/31 %	2031/32 %
Total borrowings / Rate revenue	Below 60%	32.44%	43.86%	37.90%	32.11%	26.53%	21.06%	16.87%	12.76%	8.73%	4.78%	1.50%
Debt servicing / Rate revenue	Below 5%	0.99%	0.84%	1.32%	1.13%	0.95%	0.77%	0.61%	0.48%	0.36%	0.23%	0.11%
Debt commitment / Rate revenue	Below 10%	29.59%	4.25%	6.02%	5.85%	5.70%	5.55%	4.28%	4.17%	4.06%	3.96%	3.28%
Indebtedness / Own source	Below 60%	22.37%	26.65%	22.48%	18.47%	14.73%	11.81%	9.03%	6.38%	3.78%	1.59%	0.59%

Attachment 2 - Attachment 2 - Long Term Financial Plan 2022-23 to 2031-32

5.2 Reserves Strategy

5.2.1 Current Reserves

Open Space Reserve

The Open Space Reserve is a statutory reserve holding funds contributed by developers for the purpose of acquiring, developing and improving public open space and recreational facilities within the Municipality. Funds are contributed in accordance with section 18 of the Subdivision Act and transfers are restricted to the purpose of creating open space such as parks, playgrounds, pavilions and other such items where it is deemed that these works should occur at a later point in time than the initial development.

Movements (transfers) to the reserve (inflows) comprise contribution income from subdividers in lieu of the Open Space Requirement. Transfers from the reserve (outflows) are applied to fund Open Space capital projects on an annual basis.

The Yarra Open Space Strategy 2020 was adopted by council on 1 September 2020. The strategy guides how Council manages Yarra's open space network for the next 15 years. Through the implementation of this strategy, open space projects will be identified, prioritised and funded from the Open Space Reserve. Those projects and reserve funding will be reflected in the LTFP accordingly upon the implementation of the Open Space Strategy.

5.2.2 Reserve Usage Projections

The table below discloses the balance and annual movement for each reserve over the 10-year life of the Financial Plan. Total amount of reserves, for each year, is to align with the Statement of Changes in Equity.

Reserves	Restricted	2021/22 $000's	2022/23 $000's	2023/24 $000's	2024/25 $000's	2025/26 $000's	2026/27 $000's	2027/28 $000's	2028/29 $000's	2029/30 $000's	2030/31 $000's	2031/32 $000's
Public Open Space Reserve												
Opening balance		18,950	23,632	26,362	27,457	28,857	29,807	30,732	31,682	32,632	33,582	34,532
Transfer to reserve		5,000	5,000	7,000	7,000	7,000	7,000	7,000	7,000	7,000	7,000	7,000
Transfer from reserve		(318)	(2,270)	(5,905)	(5,600)	(6,050)	(6,075)	(6,050)	(6,050)	(6,050)	(6,050)	(6,180)
Closing balance		**23,632**	**26,362**	**27,457**	**28,857**	**29,807**	**30,732**	**31,682**	**32,632**	**33,582**	**34,532**	**35,352**
Reserves Summary												
Opening balance		18,950	23,632	26,362	27,457	28,857	29,807	30,732	31,682	32,632	33,582	34,532
Transfer to reserve		5,000	5,000	7,000	7,000	7,000	7,000	7,000	7,000	7,000	7,000	7,000
Transfer from reserve		(318)	(2,270)	(5,905)	(5,600)	(6,050)	(6,075)	(6,050)	(6,050)	(6,050)	(6,050)	(6,180)
Closing balance		**23,632**	**26,362**	**27,457**	**28,857**	**29,807**	**30,732**	**31,682**	**32,632**	**33,582**	**34,532**	**35,352**

Attachment 3 - Attachment 3 - Updated Financial Hardship Policy

Financial Hardship Policy

Title	Financial Hardship Policy
Description	Provide financial relief to individuals and business who need assistance. The policy aims to provide ratepayers and service users with a clear and transparent understanding of options and assistance available if currently experiencing financial hardship.
Category	Finance
Type	Policy
Approval authority	Council
Responsible officer	Diarmuid McAlary
Approval date	23 June 2022
Review cycle	
Review date	30 June 2023 or earlier
Document Reference (Trim)	
Human Rights compatibility	This policy has been assessed and is compatible with the Victorian Charter of Human Rights and Responsibilities

1. Purpose

The purpose of this Financial Hardship Policy is to provide Council with a policy framework to provide financial relief to individuals and business who need assistance to pay their Council debts within a practical, reasonable time frame. The policy aims to provide ratepayers and service users with a clear and transparent understanding of options and assistance available if currently experiencing financial hardship.

2. Context

This policy supersedes and replaces previous COVID -19 Financial Hardship Policy and Financial Hardship policy.

Council fees and charges are a secure and reliable source of revenue that Council uses to deliver services to the community. It is important to remember that Council still requires cashflow to deliver critical services to the community, however, it is also recognised that Council can in certain circumstances provide assistance.

2.1. Alignment

The policy aligns with Yarra City Council's Debtor Management Policy

2.2. Organisational Context

- Local Government Act 1989
- Local Government Act 2020
- Yarra City Council Plan 2021-2022
- Victorian Charter of Human Rights and Responsibilities Act 2006

3. Objectives

To provide direction to Council's Officers when collecting and providing for debts owed to Council and to ensure Council takes into consideration the financial hardship of ratepayers and service users. Council will provide assistance to those in financial hardship in accordance with the Local Government Act 1989, while ensuring it does not jeopardise the funding of its operations.

The policy will be guided by the principles of transparency, efficiency, capacity to pay and equity by treating all ratepayers and service users consistently and in a fair manner.

4. Policy details

4.1. Financial Hardship

Financial hardship is a circumstance of experiencing a lack of financial means, which may be either ongoing or temporary.

4.2. Payment plan

Council will encourage those ratepayers and service users experiencing hardship to set up a payment plan with Council tailored specifically to the ratepayers needs to reduce the amount of debt owing and not have accumulating debt.

Council has a range of options regarding payment arrangements, which can be tailored to suit each Rate payer individually and their situation.

4.3. Penalty Interest

Between 1st July 2022 and 31st December 2022 penalty interest charges will apply to outstanding Rates and Charges for the financial year of 2022/2023. From the 1st January 2023 penalty interest charges will apply to all outstanding Rates and Charges for past and current financial years. However, Council could hold or waive penalty interest charges as part of payment plan arrangements for ratepayers experiencing financial hardship.

Interest will continue to accrue on any arrears outstanding until the account is paid in full at the applicable rate fixed under Section 2 of the Penalty Interest Act 1983, which is determined by the Minister.

4.4. Debt recovery

Council will make a reasonable attempt to contact a ratepayers and service users about their overdue account. This may include a reminder letter, account statement, email or phone call.

Council may engage Legal and Debt Collection Agencies to recover unpaid Council Fees and Charges when ratepayers and service users refuse to engage, and all other options have been exhausted. The ratepayers and service users will be liable for all legal costs incurred by Council in the debt collection process.

5. Monitoring, evaluation and review

The Victorian Government has introduced the Local Government Legislation Amendment (Rating and Other Matters) Bill 2022 into Parliament on 8 June 2022. This Bill seeks to empower the Minister for Local Government to make Ministerial Guidelines on unpaid rates and charges and hardship to ensure greater consistency across councils in how they deal with ratepayers experiencing financial hardship. Further review and update will be made to the Financial Hardship Policy once new legislation and ministerial guidelines are issued.

6. Definitions

Term	Definition
Council	Yarra City Council, being a body corporate constituted as a municipal Council under the Local Government Act 1989
Debt	Debt is the amount (of money) owed by a debtor as a result of a transaction with Council.
Service User	Refers to the individual, organisation or other party that owes a debt as a result of a transaction with Council.
Ratepayer	Refers to the individual, organisation or other party that is liable to pay Rates and Charges. This maybe the property owner or a tenant who under the lease agreement is liable to pay rates.

7. Related Documents

Yarra City Council Debtor Management Policy

8.2 2022/23 Annual Plan

Reference	D22/129401
Author	Julie Wyndham - Manager Corporate Planning and Performance
Authoriser	Director Corporate, Business and Finance

Purpose

1. To present the 2022/23 Annual Plan (Annual Plan) to Councillors for endorsement.

Critical analysis

History and background

2. Council produces an Annual Plan alongside each year's Budget, setting out specific projects and activities that Council will undertake towards achieving the Strategic Objectives in the Council Plan 2021-25.
3. The Annual Plan is the organisation's annual response to Initiatives contained in the four-year Council Plan. Council Plan Initiatives are significant projects and activities that are proposed to be worked on over the term of the Council Plan.
4. The Council Plan 2021-25 was adopted on 19 October 2021.

Discussion

5. The attached Annual Plan includes 49 Actions.
6. The Actions respond to the Council Plan 2021-25 Strategic Objectives and Initiatives:

Strategic Objective	Number of actions
Climate and environment	10
Social equity and health	11
Local economy	4
Place and nature	7
Transport and movement	6
Democracy and governance	11
Total	**49**

7. The Annual Plan is built primarily from Initiatives in the adopted Council Plan 2021-25. Noting that the Council Plan is a four-year document and not all Initiatives will feature in every Annual Plan over its four-year term.
8. Actions in the Annual Plan are funded in the 2022/23 Budget (Annual Budget). Any change to the Annual Budget may have a consequent change in the Annual Plan.
9. Progress of the Annual Plan Actions is monitored and reported to Council quarterly in the Annual Plan Progress Report.
10. To ensure the integrity and transparency of the Annual Plan, once endorsed by Council, actions including their descriptions and milestones can only be changed by resolution of Council.

Options

11. This report does not consider any options.

Community and stakeholder engagement

12. The Annual Plan is informed by Initiatives in the adopted Council Plan 2021-21 and community engagement was undertaken during the development of the Council Plan 2021-25.

13. Projects in the Annual Plan are subject to community consultation and engagement on a project-by-project basis.

Policy analysis

Alignment to Community Vision and Council Plan

14. The structure of the Annual Plan is aligned to the six Strategic Objectives of the Council Plan 2021-25 that respond to Yarra 2036 Community Vision.

15. Actions in the Annual Plan are closely aligned to Initiatives in the Council Plan.

Climate emergency and sustainability implications

16. The Council Plan 2021-25 includes a Strategic Objective 'Climate and environment' that addresses climate emergency and sustainability implications. The Annual Plan includes ten actions that respond to Initiatives in this Strategic Objective.

17. Actions in the Annual Plan include work to transition Council buildings off gas, supporting and engaging households and business to transition to zero carbon, progress zero carbon development, continue transition of Council's fleet to low emissions options and programs and initiatives to reduce organic and plastic waste and support circular economy solutions.

18. The Council Plan 2021-25 includes a Strategic Objective 'Transport and movement' that is an integral part of our climate emergency response to reduce transport emissions. The Annual Plan includes six actions that respond to Initiatives in this Strategic Objective.

19. Actions in the Annual Plan include adoption of the Transport Action Plan, delivering active transport projects, advocacy for public transport, designing and implementing road safety studies and supporting shared micro-mobility, car share and ride share schemes.

Community and social implications

20. The Council Plan 2021-25 includes a Strategic Objective 'Social equity and health' that addresses community and social implications. The Annual Plan includes eleven actions that respond to Initiatives in this Strategic Objective.

21. Actions in the Annual Plan include commencing construction of Collingwood College early childhood centre, progressing the Collingwood Town Hall Precinct Community Hub project, programs and initiatives to support children and young people, older people, culturally diverse and LGBTIQ communities.

22. The Council Plan 2021-25 includes a Strategic Objective 'Place and nature' which recognises the important role that public places, streets and green open space have in bringing our community together. The Annual Plan includes seven actions that respond to Initiatives in this Strategic Objective.

23. Actions in the Annual Plan include the Cremorne Urban Design Framework, new parks in Cambridge Street and Otter Street, the redevelopment of Brunswick Street Oval Precinct, renewing Yambla Street Pavilion, direct seeding and cultural burning bushland management, nature engagement programs and greening initiatives including tree planting and measuring tree cover canopy.

24. The Council Plan 2021-25 incorporates the Municipal Health and Wellbeing Plan that guides how Council will promote health and wellbeing across the municipality.

Economic development implications

25. The Council Plan 2021-25 includes a Strategic Objective 'Local economy' that addresses economic development implications. The Annual Plan includes four actions that respond to Initiatives in this Strategic Objective.

26. Actions in the Annual Plan include promotion of arts and culture, supporting new business through the approvals process, developing accessible information for potential businesses to locate vacant properties and work to understand community perceptions of safety.

Human rights and gender equality implications

27. The Council Plan 2021-25 includes a Strategic Objective 'Social equity and health' that addresses human rights and gender equality implications. The Annual Plan includes eleven actions that respond to Initiatives under this Strategic Objective.

28. Actions in the Annual Plan include programs and initiatives to support children and young people, older people, culturally diverse and LGBTIQA+ communities as well as implementation of the Gender Equality Action Plan 2021-25.

Operational analysis

Financial and resource impacts

29. Actions in the Annual Plan are funded in the Annual Budget. Any change to the Annual Budget may have a consequent change in the Annual Plan.

Legal Implications

30. There are no legal implications.

Conclusion

31. The 2022/23 Annual Plan has been developed following a rigorous process and is presented to Council for endorsement.

RECOMMENDATION

1. That:

   (a) Council endorse the 2022/23 Annual Plan

Attachments

1⇩ Attachment 1 - 2022/23 Annual Plan

Attachment 1 - Attachment 1 - 2022/23 Annual Plan

CITY OF YARRA

Annual Plan 2022/23



Introduction

Yarra City Council produces an Annual Plan alongside each year's Budget, setting out specific projects and activities that Council will undertake towards achieving the Council Plan Strategic Objectives. This includes priority projects, actions in response to initiatives in the Council Plan and other Council strategies and plans.

The Council Plan 2021-25 was adopted on 19 October 2021 and addresses the aspirations and priorities identified in the Yarra 2036 Community Vision. For information about how the Council Plan Strategic Objectives respond to the Community Vision Themes please see Council Plan 2021-25.

The Council Plan 2021-25 is an important strategic document that guides all planning and decision making for Council over the Council Plan term as we work towards the Community Vision. It contains Strategic Objectives, Strategies, Initiatives and Indicators.

Council has committed to 48 projects and activities (Actions) in the 2022/23 Annual Plan, from a broad range of services, and contains some but not all Initiatives from the Council Plan 2021-25. The Annual Plan aligns these Actions with one of the six Strategic Objectives in the Council Plan 2021-25.

The following Strategic Objectives represent our Strategic Direction over the Council Plan term:

1.	**Climate and environment**	Yarra urgently mitigates climate change while also adapting to its impacts and developing resilience in everything we do. The community
2.	**Social equity and health**	Yarra's people have equitable access and opportunities to participate in community life. They are empowered, safe and included.
3.	**Local economy**	Yarra's neighbourhoods and major activity centres, nightlife and employment precincts are thriving, accessible and connected. They support and inspire diverse creative communities, cultural activities, businesses, and local employment.
4.	**Place and nature**	Yarra's public places, streets and green open spaces bring our community together. They are planned to manage growth, protect our unique character and focus on people and nature.
5.	**Transport and movement**	Yarra's transport network is sustainable and recognises that streets are important shared public spaces. Transport and movement is accessible, safe and well connected.
6.	**Democracy and governance**	Yarra is smart, innovative and sustainable. Our decisions and advocacy are built on evidence and meaningful engagement. Good governance is at the heart of our processes and decision-making.

Progress of the Actions will be reported in the *2022/23 Annual Plan Quarterly Progress Reports*.

Contents

Introduction 2
1. Climate and environment 5
   1 Working towards zero emissions in the community 5
   2 Accelerating deployment of solar panels 6
   3 Community batteries 6
   4 Community engagement and mobilisation on climate emergency 6
   5 Zero carbon development 7
   6 Transition council buildings off gas 7
   7 Sustainable fleet 8
   8 Reducing organic waste 8
   9 Proudly plastic free 9
   10 Circular economy 9
2. Social equity and health 10
   11 Collingwood College early childhood centre build 10
   12 Collingwood Town Hall Precinct Community Hub Project 11
   13 Delivering health and wellbeing activities 11
   14 Supporting and engaging children and young people 12
   15 Active and Healthy Ageing Strategy and Action Plan 2021-23 12
   16 National aged care reforms 13
   17 Supporting urban agriculture 13
   18 Promote initiatives to celebrate Yarra's cultural diversity 14
   19 Supporting our LGBTIQA+ community 15
   20 Social and affordable housing 15
   21 Supporting vulnerable communities with access to digital resources 16
3. Local economy 17
   22 Promote arts and culture within Yarra 17
   23 Commercial vacancy project 18
   24 Supporting new business 18
   25 Understanding community perceptions of safety 19
4. Place and nature 20
   26 Cremorne Urban Design Framework 20
   27 Cambridge Street reserve expansion and new Otter Street park 21
   28 Brunswick Street oval precinct redevelopment – Edinburgh Gardens 21
   29 Yambla Steet Pavilion and public toilets renewal – Quarries Park 22
   30 Direct seeding and cultural burning 22
   31 Community based education, awareness and nature engagement program 23
   32 Greening Yarra to support biodiversity and increase tree canopy 24
5. Transport and movement 25
   33 Transport Action Plan 25
   34 Active transport 26
   35 Road safety studies and implementation program 26

36 Advocate for improved public transport 27
37 Support shared micro-mobility, car share and ride share schemes 27
38 Parking technology improvements 28
6. Democracy and governance 29
39 Council strategic documents 29
40 Investigate the Sustainable Development Goals 30
41 Review of finance quarterly reporting format 30
42 CX Program 2020-2022 30
43 Communications campaign 31
44 Establish a youth-based forum 31
45 Building strategic partnerships to support Yarra's advocacy priorities 32
46 Investigate innovative and emerging digital tools 32
47 Risk and safety workplace culture 33
48 Gender Equality Action Plan 2021 - 2025 33
49 Governance Rules Review 34

1. Climate and environment

Yarra urgently mitigates climate change while also adapting to its impacts and developing resilience in everything we do. The community, business and industry are supported and encouraged to do the same.

The climate emergency represents an unprecedented challenge – both globally and locally – with devastating consequences now and in the immediate future. Council is renowned for being at the forefront of Local Government action on the climate emergency.

Strategies to implement this Strategic Objective in the Council Plan 2021-25 are:

1. Take urgent action to respond to the climate emergency and extend our impact through advocacy and partnerships
2. Lead and support the community, business and industry to take urgent climate action and transition towards net zero emissions and a circular economy
3. Enhance the resilience of our community to prepare for health-related and other impacts of climate change (MPHWP)
4. Lead, embed and promote the transition towards net zero carbon and a circular economy and extend our impact through advocacy and partnerships

The below Actions demonstrate what we will do over 2022-23 to support climate and environment.

We aspire to achieve zero-net emissions across the entire Yarra community by 2030 and ensure the city is resilient to future pressures. We are committed to mitigate the impacts of climate change and adapt to those impacts.

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1 Working towards zero emissions in the community

Council is mid-way though implementation of the Climate Emergency Plan. The *Roadmap to Zero Emissions in Yarra Advisory Report* was received in early 2022. In 2022/23 Council will implement key initiatives. Council will also use the report as a key input for development of the next Climate Emergency Plan.

Branch	Sustainability

Quarterly Milestones

September	Update Council on the progress of the *Business Renewables Buying Group* being led by Council
December	Incorporate Roadmap to Zero recommendations into mid-plan review of Climate Emergency Plan actions
	Update Council on the success and lessons from supporting small businesses in Yarra to save energy, emissions, and money
March	Update Council on the progress of the *Business Renewables Buying Group* being led by Council
June	

2 Accelerating deployment of solar panels

Solar installations offer the opportunity for Yarra citizens to take charge of their 100% renewable future, however for many residents and businesses the solutions may not be simple. Council can help by focusing on specific audiences and removal of barriers.

Branch	Sustainability

Quarterly Milestones

September	Provide a pathway for households and businesses looking to install solar, and promote this via usual channels
December	Provide programs to at least one residential and commercial target audience to provide specific support for solar
March	Brief Councillors on the opportunities to support further solar uptake
June	

3 Community batteries

Community Batteries provide an opportunity to accelerate uptake of renewable energy in Yarra. Yarra Energy Foundation are launching Australia's first inner-urban community battery in North Fitzroy in June 2022.

Branch	Sustainability

Quarterly Milestones

September	
December	Yarra Energy Foundation to brief Councillors on the performance of the first community battery installation
March	Brief Councillors on the opportunities to support further community batteries
June	Brief Councillors on progress towards supporting additional community batteries in Yarra

4 Community engagement and mobilisation on climate emergency

Council will deliver a targeted programs and activities to key sectors in our community to take climate action. This includes supporting our community to reduce individual and household carbon emissions; bringing people together to be active citizens pushing for change; and helping our community prepare for and cope with worsening climate impacts.

Branch	Sustainability

Quarterly Milestones

September	Commence delivery of a new Arts and Climate Action initiative
December	Work with Aged and Disability Services to embed outcomes of Health Homes project into ongoing service

	Commence delivery of a new initiative to support CALD communities in Yarra take climate action
March	Deliver analysis and recommendations to accelerate renewable energy uptake in apartments in Yarra
	Complete phase 1 of the Arts and Climate Action initiative, and evaluate outcomes
June	Complete phase 1 of a new initiative to support CALD communities in Yarra to take climate action, and evaluate outcomes

5 Zero carbon development

A key action in the Climate Emergency Plan, Council is pursuing a 'zero carbon development' planning scheme amendment and developing further environmentally sustainable development guidelines.

Branch City Strategy, Statutory Planning

Quarterly Milestones

September	Brief Council on the final Planning Scheme Amendment proposed in partnership with the Council Alliance for a Sustainable Built Environment (CASBE)
December	Request Council consent for seeking 'authorisation' from Minister for Planning to place the Amendment on exhibition
	If authorisation is provided by the Minister, commence industry and community engagement, in conjunction with CASBE
March	Undertake advocacy and engagement activities with DELWP and the Minister for Planning to support the progression of the amendment, in conjunction with CASBE
June	

6 Transition council buildings off gas

Council will undertake design for the renewal of building services at Richmond Town Hall. A major component of this is Heating, Ventilation and Airconditioning (HVAC), which will include full electrification to enable retirement of the use of gas at the facility, along with renewal of lighting, power/data cabling and fire systems.

Branch Building and Asset Management

Quarterly Milestones

September	
December	Complete preliminary design
March	
June	Complete detailed specification ready for tender

7 Sustainable fleet

In line with the Climate Emergency Plan and the Corporate Zero Carbon 2030, Council will continue to transition its fleet to a low emissions option. This will include the development of a fleet transition plan that will identify challenges and opportunities.

Branch	City Works

Quarterly Milestones

September	Install a further three electric charging stations at 345 Bridge Road
December	Complete the development of a fleet transition plan that will document in detail the steps and opportunity to transition Councils fleet to low emissions options
March	Identify opportunities to transition plant to low emission options and commence the process to procure
June	Complete the purchase of an additional four electric cars and one electric truck subject to availability

Council is actively working to transition to a circular economy. We recognise the potential environmental and economic benefit of minimising waste, consciously consuming and preserving resources. We are committed to creating and enabling an environment for the circular economy to progress.

8 Reducing organic waste

In 2020, the State Government announced that all Victorian councils would be required to provide a glass service by 2027 and a food and garden organics (FOGO) service by 2030. Council introduced its glass service in November 2020. Local processors need time to develop and prepare for the changes introduced by the State Government. This includes increasing market capacity to meet growing demand. Council is assessing its options and taking time to engage, plan and design a FOGO system that will work long term.

This year, Councill will continue to investigate options for the reduction of organics from the waste stream and opportunities for community drop off points for organic material and determine the best methods to remove, and the best collection method to divert, organics material from landfill.

Branch	City Works

Quarterly Milestones

September	Commence a food waste avoidance education program
	Deliver a report to Council for approval of the preferred service model to reduce organic material to landfill, with timeframes for implementation
December	Investigate opportunities and locations for community drop off points for organic material
March	Determine optimum collection methods to divert organics from household waste
June	Prepare a report and update on the roll out of new initiatives and the resultant reduction of organics to landfill

9 Proudly plastic free

The Proudly Plastic Free program is a behaviour change campaign aimed at reducing the use of single use plastic packaging in food traders and educating the community on plastic waste avoidance. The whole-of-community approach aims to reduce the use of single-use plastic packaging and reduce our plastic waste footprint.

Branch	City Works

Quarterly Milestones

September	
December	Distribute communications and education materials through various mediums and channels including through Eco Dev Ambassadors, and small business officers
March	Promote materials at events hosted by Eco Dev/Sustainability and if resourcing permits, host events to highlight key businesses
June	Prepare evaluation report and look for ongoing opportunities to support businesses to reduce waste and engage with sustainability

10 Circular economy

Council advocates and partners with the waste industry and all levels of government to develop circular economy solutions, encouraging innovative and new technologies.

Council will show leadership by developing an organisation wide Circular Economy Policy and Action Plan. This includes the procurement and management of Council's assets, goods, and services.

Branch	City Works

Quarterly Milestones

September	Trial the use of recycled computers, devices, and digital technologies to support the Smart Public Housing Project
	Develop actions as part the Circular Economy Strategy 2020-30, in consultation with the commercial sector
	Work with state government to influence what is included in bin content standards
	Continue to advocate to the state government to get financial support for the delivery of kerbside reform
December	Develop and deliver a 'lending library of things' program at the libraries e.g., Cake tins, sewing machines etc
March	Develop and deliver Circular Economy training for the Executive team and Councillors
	Work with Yarra's processors and manufacturers to explore opportunities and technology to recycling problematic material
June	Work with Arts Culture and Venues to develop circular catering guidelines
	Deliver the year one actions from the Circular Economy Strategy 2020-30
	Participate in advisory and reference groups to advance the transition to a Circular Economy

2. Social equity and health

Yarra's people have equitable access and opportunities to participate in community life. They are empowered, safe and included.

Participation in community plays a big role in creating a healthy, socially connected and culturally rich Yarra. We value all ages, genders, sexualities, abilities and cultures and work to ensure that diversity and uniqueness are welcomed, respected and celebrated.

Strategies to implement this Strategic Objective in the Council Plan 2021-25 are:

1. Celebrate, respect and embrace Wurundjeri Woi Wurrung, Aboriginal and Torres Strait Islander people and heritage, and reflect this in our decision-making, services and activities
2. Build a more resilient, inclusive, safe and connected community, which promotes social, physical and mental wellbeing (MPHWP)
3. Support vulnerable communities and residents of public housing to thrive in the community
4. Work to reduce the harms associated with the use of alcohol, illicit drugs, gambling and tobacco (MPHWP)
5. Celebrate and respect culturally vibrant and socially diverse communities
6. Leverage opportunities and advocate for increased access to public, social and affordable housing stock in new and significant developments
7. Work actively to prevent and respond to gendered violence and all forms of violence by addressing known contributors to violence and promoting a gender equitable, safe and respectful community (MPHWP)

The below Actions demonstrate what we will do over 2022-23 to support social equity and health.

Council delivers a wide range of inclusive and accessible services and programs. These range from childcare, recreation facilities, libraries, arts and cultural initiatives, services for older persons and people living with a disability. We recognise the broad scope of this important work to create safe, resilient, healthy, inclusive and socially well-connected communities where quality services are accessible to everyone. We will work to promote social, physical and mental wellbeing for our community, and create resilient, safe communities.

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11 Collingwood College early childhood centre build

In partnership with the State Government and Collingwood College, Council will refurbish and re-purpose a set of dis-used buildings on the grounds of Collingwood College. This will provide two kindergarten rooms, playgroups space with occasional care; and an allied health and family service meeting rooms. This will offer greater capacity for the community to access early childhood education programs including 3 and 4 year old kindergarten, extended day care, occasional care and kinder vacation care. The building will offer a single integrated location for families to access integrated early childhood education, health and family services.

Branch	Building and Asset Management

Quarterly Milestones

September	
December	
March	Commence construction
June	

12 Collingwood Town Hall Precinct Community Hub Project

Council has commenced investigations into the Collingwood Town Hall precinct to establish a people and services focused community hub.

Branch	Social Strategy and Community Development

Quarterly Milestones

September	Present a report to Council proposing recommendations for next steps
December	
March	
June	

13 Delivering health and wellbeing activities

The Operational supplement: Health and Wellbeing Activities details the actions Council will deliver towards achieving the Municipal Health and Wellbeing Plan strategies and initiatives as incorporated in the Council Plan 2021-25. Work includes harm minimisation for people who use illicit drugs, gambling harm reduction, research into alcohol-related cultures and harm, research and collaboration with stakeholders and promoting community safety and inclusion.

Branch	Social Strategy and Community Development

Quarterly Milestones

September	Support the State Government in the roll out of the public intoxication health-based response within the City of Yarra
December	Produce a new report related to syringe and cleansing data trends in Yarra Utilise accessible data, including the 'Yourground' data collected in 2021, to inform projects and upgrades within Yarra and apply for funding to trial interventions in specific environments
March	Conduct an initial review into the first year of the local law around public street drinking. Proactively scope and pursue relevant grant and partnership opportunities, particularly those provided by the State Government
June	

14 Supporting and engaging children and young people

Activities delivered across Family, Youth and Children's Services for children and young people to participate in decision making and advocacy to promote positive connections in Yarra.

Branch	Family Youth and Children's Services

Quarterly Milestones

September	Review and update of Council's Strategy for children and young people (0-25 Plan) reflects community aspirations to support promotion of positive social connections for children, young people and parents, and caregivers
December	Provide leadership and development opportunities to young people to help build their advocacy skills, confidence, knowledge, and networks
March	Implement the Phoenix Cups project in Children's Services to provide a positive psychology approach to working with children emphasising equity, child mental health and wellbeing and trauma informed practice Form children's committees in all education and care centres managed by Council
June	Strengthen the voice of the child in family support services through child friendly feedback tools in the service practice

15 Active and Healthy Ageing Strategy and Action Plan 2021-23

The Active and Healthy Ageing 2020-22 Action Plan provides strategic actions to ensure our residents aged 50+ remain engaged, active, and independent. The actions for 2022-23 will be revised, to align with new and emerging priorities and needs as we emerge from COVID-19 (in particular, supporting and enabling older residents to reconnect post Covid-19). With a specific focus on our most vulnerable community members (Seniors groups, including CALD), we will support people with dementia and their carers, and work with the community to implement initiatives that leverages resources and engages community to address social isolation.

Branch	Aged and Disability Services

Quarterly Milestones

September	Implement the Seniors Health and Wellbeing project- engaging community in café style conversations and community connectors Re-establish Dementia alliance group post Covid-19 Consult with service users to identify preferred option/s regarding annual Seniors Festive celebration Re-establish and coordinate the Companion Animal program utilising a volunteer support model
December	Implement mapping of community assets and training of community connectors as part of the Seniors Health and Wellbeing project Conduct annual aged and disability services sector planning forum Deliver Seniors Festive Season celebration
March	
June	

16 National aged care reforms

The National Aged Care reforms are expected to commence in full by 1 July 2023. Across 2022-2023, Council will finalise its role in the new Support at Home program and existing State based Home & Community Care program for Young People. This will include the range of services Council provides directly and areas of re-investment. A key focus will include ensuring residents and service users are supported across this transitional period.

Branch	Aged and Disability Services

Quarterly Milestones

September	Advocate for quality and accessible aged care services, inclusive of people at risk of isolation and homelessness, people from CALD backgrounds, people requiring mental health support, or otherwise vulnerable, as part of the final design of the national Support at Home program
	Determine Council's position on service delivery under the new Support at Home program (home care and home maintenance; meals services; social support; community transport, assessment)
	Identify areas for re-investment and/or re-orientation of service focus
December	Implement any short (to 30 June 2023) or long term (post 1 July 2023) changes resulting from Council decisions
	Provide advice and information to residents and clients as the new Support at Home program roll-out occurs, including access to advice and service options
	Work with the State Department on service options under the Home and Community Care Program for Young People
March	Provide transitional support to residents and clients as they move to the new program (as either users of Council services or in moving to another provider of choice)
	Implement changes required to deliver the Support at Home Program post 1 July 2023
June	Continue to support residents and clients, including offering transitional support, to assist in navigating and accessing services under the new national program

17 Supporting urban agriculture

Deliver actions outlined in the Urban Agriculture Strategy 2019-2023 to support the community to grow, produce and share food as part of a healthy and resilient food system that is better for the climate.

Branch	City Works

Quarterly Milestones

September	Promote and run an online Community Growing Spaces workshop for residents interested in applying for a planter box, productive tree, or laneway garden

December	Maintain productive on-street growing spaces by replacing damaged and deteriorated planter boxes (ongoing, but a minimum of 10 boxes replaced) with recycled plastic boxes installed with water efficient wicking systems
March	Share and promote the 'stories' of community growing spaces via Yarra's communication channels to demonstrate the variety of growing spaces available to participate in
June	Deliver three My Smart Garden Workshops that informs a holistic approach to 'smarter' and more sustainable home gardening across five elements, including food, shelter, waste, water, and habitat

We value our LGBTIQA+ community and culture, and work to ensure everyone is welcomed, engaged and included equitably. Cultural diversity and our public housing residents are fundamental to our unique social fabric. Feeling connected to the community, having social networks and being able to participate and contribute to community life are important factors that promote physical health, mental wellbeing and social inclusion. There is a real and critical need to support our vulnerable and marginalised communities to thrive in the digital age, which in turn supports the attainment of positive health and wellbeing. Council works in close collaboration with our various partners at the local, state and national level to support, facilitate and advocate for increased digital literacy in our community.

18 Promote initiatives to celebrate Yarra's cultural diversity

Deliver initiatives that promote and celebrate the cultural richness of Yarra's community and are developed in direct response to the history of Yarra, the environmental conditions and respond to the aspirations and values of our community. There is a focus of Aboriginal and Torres Strait Islander arts, culture and community, on cultural diversity and on the unique creative community that works and lives in Yarra.

Branch	Arts Culture and Venues, Libraries, Social Strategy and Community Development

Quarterly Milestones

September	Deliver a range of events including Leaps and Bounds Music Festival and Gertrude Projection Festival
	Support events via Council's arts grants program
December	Deliver Johnston Street Fiesta and Christmas Program
	Deliver Yarra Libraries programs/events celebrating cultural diversity
	Deliver Social Strategy and Community Development programs/events celebrating cultural diversity
March	Deliver New Year's Eve Program, Lunar Festival and Summer Music Program
June	Deliver Sorry Day event (26 May)
	Deliver Reconciliation Week events (May/June)
	Celebrate Smith Street Dreaming (June)

	Deliver Yarra Libraries programs/events celebrating cultural diversity
	Deliver Social Strategy and Community Development programs/events celebrating cultural diversity

19 Supporting our LGBTIQA+ community

Yarra is committed to creating an inclusive community and valuing the strength of our diversity. Council will continue to actively work to reduce barriers so that all residents can participate in the community and access services and information by facilitating the rainbow advisory committee, implementation of the LGBTIQA+ Strategy 2021-24, and coordinating/facilitating any activities or actions that arise as a result. We will also conduct an inclusive Gym and Swim event targeted to the LGBTIQ+ community and their allies to provide a safe and welcoming space to learn to swim, relax, and participate in aquatic, gym and group exercise activities.

Branch	Social Strategy and Community Development, Recreation and Leisure Services

Quarterly Milestones

September	Report on the visibility campaign
	Establish cross-organisational event management planning team for swim event
December	Undertake consultation with identified user groups and relevant committees to inform event planning
March	Report on the Pride and MidSumma events
June	Report on the IDAHOBIT event
	Hold inclusive Gym and Swim event at a Yarra Leisure venue

20 Social and affordable housing

Councill will progress the strategic directions of the Social and Affordable Housing Strategy, which includes providing an annual update on outcomes and actions for the year. Advocacy along with cooperation, coordination and communication with stakeholders is also a significant undertaking.

Branch	Social Strategy and Community Development

Quarterly Milestones

September	Facilitate the Yarra Housing and Homelessness Network meetings and report back on emerging issues and themes
December	Provide annual update on activities associated with the progress of the Strategic Directions of the Social and Affordable Housing Strategy
March	Attend and participate in external meetings including the InterCouncil Affordable Housing network meeting and report back on emerging issues and themes
June	

21 Supporting vulnerable communities with access to digital resources

Supporting the Yarra CALD Community, getting connected with services, wellbeing activities, job skills, resume help and bridging the Digital Divide for our vulnerable communities. Seek opportunities to bridge the digital divide by providing public housing residents with access to critical digital resources.

Branch	Library Services, Yarra CityLab

Quarterly Milestones

September	Engage with stakeholders to inform library program activities
	Work in partnership with the Department of Families, Fairness and Housing and Homes Victoria, to facilitate the installation of a smart bench at Collingwood Housing Estate - providing free device charging and Wi-Fi to enable everyone to access the internet and digital services
December	Report on the number of library programs and participants
March	Engage with key education providers around the potential for developing inclusive digital programs, and the provision of industry-led digital technician training for public housing communities
June	Report on the number of library programs and participants
	Explore opportunities to establish a Community Connections Hub to link public housing communities with digital literacy programs and first-language training, fit-for-purpose hardware and devices, and pathways guidance to help individuals prepare for, find and create jobs in the digital economy

3. Local economy

Yarra's neighbourhoods and major activity centres, nightlife and employment precincts are thriving, accessible and connected. They support and inspire creative communities, cultural activities, diverse businesses, and local employment.

Economic development is a primary focus for Council. We foster economic vitality and creativity, supporting our local businesses who form an integral part of our community. From artists and craftspeople to the traders on our shopping strips, through to the increasing number of creative enterprises and technology businesses - the economic capacity of Yarra is diverse and growing.

We deliver a range of enabling infrastructure and work to improve the amenity of the city and build our economic capacity and prosperity. This includes work around community safety such as promoting public amenity and constantly striving to improve feelings of safety in our streets and public spaces.

Strategies to implement this Strategic Objective in the Council Plan 2021-25 are:

1. Support Yarra's employment precincts and drive economic development opportunities
2. Revitalise local retail, arts and culture and night-time economy to enhance Yarra as an economic destination and extend our reach through partnerships and advocacy
3. Support and encourage innovative and entrepreneurial activities across Yarra's employment precincts
4. Facilitate local partnerships which create and promote a range of learning, employment and other pathway opportunities for businesses, workers, and residents
5. Manage access, safety and amenity to enhance people's experience when visiting Yarra (MPHWP)

The below Actions demonstrate what we will do over 2022-23 to support our local economy.

Council is committed to achieve a Yarra where local businesses prosper, and creative and knowledge industries thrive. Over the next year, we will leverage our economic potential to further grow our economy.

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22 Promote arts and culture within Yarra

Council will work to safeguard Yarra's artists' future by providing access to affordable creative spaces, more public art opportunities and supporting artists to develop new skills, build connections and increase innovations through a community of practice. We will continue to provide a range of creative spaces for artistic practice that responds to the needs of the arts community, to ensure that Yarra remains an accessible home for artists.

Branch	Arts Culture and Venues

Quarterly Milestones

September	Complete the public artwork for the Jack Dyer Pavilion
	Complete the Edinburgh Gardens plinth installation (2 year temporary work)
December	Complete the public artwork for the Mary Rogers Pavilion
	Complete the public artwork for the Cambridge Street reserve expansion
	Complete a review of the Events in Public Spaces policy
	Deliver a fundraising and awareness raising event for the Room to Create Fund

March	Complete the trial of a discounted use scheme for community facilities to creative practitioners
	Determine the future of the artist studios at the Collingwood Yards, a partnership with the Lord Mayors Charitable Foundation
June	Progress report on the Creative Neighbourhoods Partnerships Pilot project funded by the Victorian Government
	Complete the public artwork for the new Otter Street Park

23 Commercial vacancy project

Develop an accessible information platform to enable potential business operators to locate vacant properties that may suit their business needs by providing information on the current overlays, required licenses and approvals for the property.

Branch City Strategy

Quarterly Milestones

September	Develop an example of an accessible information platform that can be shared amongst stakeholders
December	Finalise the design of the platform, complete user testing, and deliver a fully functioning site
	Provide updates to the funding agency
March	Partner with the City of Port Phillip to jointly launch the platform
	Commence a three month marketing campaign to promote the platform
June	Present platform to Department of Treasury and Finance and Department of Jobs Precincts and Regions, and suggest roll out to inner metro councils

24 Supporting new business

Develop opportunities for improving support and assistance to businesses through improvement in the development approvals process.

Branch Statutory Planning

Quarterly Milestones

September	Commence discussion with the business community to better understand frustrations with current planning processes and other approval processes
December	Develop Information Sheets on appropriate locations for signage placement on heritage buildings and paint colours

March	Integrate the 'Better Approvals Process' with the Property and Rating system to allow more streamlined referral processes to occur and enable better and clearer advice to potential new businesses.
	Draft review of improvements that could be made to the current process to facilitate business approvals
June	Implement new processes

25 Understanding community perceptions of safety

Activities include internal research and cooperation with stakeholders to investigate localised data and recognise new opportunities to partner on interventions which seek to improve community safety (particularly perceptions of safety) within our community, especially to avoid the exclusion of members of our community.

Branch	Social Strategy and Community Development

Quarterly Milestones

September	Collaborate with local stakeholders and attend/facilitate relevant networks including Local Safety Reference Group, Yarra Drug and Health Forum, Edinburgh Gardens and Smith Street working groups, and the Engage North Richmond reference groups
	Support Department of Health and Department of Families, Fairness and Housing in an education and awareness campaign in relation to appropriate responses to illicit drug use impacts
December	Produce a report related to public amenity and cleansing (including syringes) to assist the State Government with the MSIR evaluation
March	
June	Investigate and analyse Annual Customer Satisfaction Survey results related to perceptions of safety in Yarra including locations of interest and themes of concern
	Deliver the Safe and Liveable Victoria Street project by conducting an evaluation of the intervention

4. Place and nature

Yarra's public places, streets and green open spaces bring our community together. They are planned to manage growth, protect our unique character and focus on people and nature.

Council recognises the pressures and opportunities associated with growth and inner-city life. We are committed to expanding and improving public space and building a network of green spaces that contribute to a liveable and sustainable Yarra.

Strategies to implement this Strategic Objective in the Council Plan 2021-25 are:

1. Create safe, accessible active spaces that provide diverse physical activity opportunities for the whole community (MPHWP)
2. Plan and manage community infrastructure that responds to growth and changing needs
3. Protect and enhance the biodiversity values, connectivity and resilience of Yarra's natural environment
4. Protect, promote and maintain our unique heritage and ensure development is sustainable
5. Encourage people to connect with Yarra's natural and cultural heritage and prioritise the voices of traditional owners

The below Actions demonstrate what we will do over 2022-23 to support place and nature.

We plan, manage and advocate for development, planning and urban design that is shaped by and meets our community's future needs

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26 Cremorne Urban Design Framework

This framework aims to support redevelopment that contributes to Cremorne as a mixed-use area, while supporting strategic aims to develop employment opportunities in the area. It will assist in identifying physical improvements to public transport, roads, footpaths and parks.

Branch	City Strategy

Quarterly Milestones

September	Present draft UDF to Council to be considered for consultation
December	Develop draft Design and Development Overlay planning scheme provisions
March	Report back to Council on submissions on UDF and seeking adoption of UDF
	Brief Councillors on a program to implement the adopted UDF actions
	Seek Council resolution to request the for Minister for Planning approve interim controls and authorise the preparation of permanent controls
June	Brief Councillors on progress

Shared use of public space and flexible community infrastructure is a means to manage community needs whilst the city grows and thrives. Welcoming environments that are planned to enable and promote physical activity and active living are beneficial to health and wellbeing and support community connectedness. We are committed to expanding and improving public space and building a network of green spaces that contribute to a liveable and sustainable Yarra.

27 Cambridge Street reserve expansion and new Otter Street park

Council will continue work to expand the Cambridge Street Reserve and build a new park at Otter Street. This project is part of the State Government's Suburban Parks Program.

Branch	City Strategy

Quarterly Milestones

September	
December	Commence Cambridge Street construction
	Complete Cambridge Street construction
March	Commence Otter Street construction
June	Complete Otter Street construction

28 Brunswick Street oval precinct redevelopment – Edinburgh Gardens

This project will redevelop the sporting and community facilities in the immediate vicinity of the Brunswick Street Oval (WT Peterson Community Oval) within Edinburgh Gardens, North Fitzroy, along with improvements to the landscaping and civil infrastructure in the area. Subject to Council approval of the revised design and provision of a funding agreement by the State, in 2022/23 Council will commence Stage 1 of the project for the construction of a new Sports Pavilion.

Branch	Building and Asset Management

Quarterly Milestones

September	Lodge planning and heritage approval applications
December	
March	Award Stage 1 tender
June	Commence Stage 1 contractor on site

29 Yambla Steet Pavilion and public toilets renewal – Quarries Park

This project will renew the Yambla Street Pavilion and public toilets at Quarries Park, with a modern, accessible and environmentally sustainable facility supporting increased sports participation in particular by females and juniors, as well as providing a venue suitable for general community uses. This project has $500K of funding provided by the State Government World Game Facilities Fund.in 2022/23 Council will commence construction of the replacement facility, with completion due in the second half of 2023.

Branch	Building and Asset Management

Quarterly Milestones

September	
December	
March	Award tender
June	Commence contractor on site

Our parks, reserves, urban spaces and waterways - that people of all ages and abilities can enjoy - are highly valued by our community. Yarra is home to significant biodiversity and bushland - we will work to protect and preserve our natural environment and biodiversity.

30 Direct seeding and cultural burning

Partner with Yarra's Bushland Contractor and Wurrundjeri Woi Wurrung Narrap Team to adopt innovative integrated bushland management approaches to achieve cost effective and efficient bushland management and site-specific targets including:

- reduction in weed cover,
- improvement in overall resilience, functionality, and sustainability,
- increase in a sites Ecological Vegetation Class (EVC) structure and species richness (aka. habitat hectare condition rating).

Novel management approaches will align with the Yarra Nature Strategies goal to increase the diversity, connectivity and resilience of Yarra's natural environment. Two such approaches include broad scale direct seeding and cultural burning to heal country.

Branch	City Works

Quarterly Milestones

September	Undertake a pre-burn habitat hectare assessment of the spring ecological cultural burn site
December	Deliver a spring ecological cultural burn in the endangered Plains Grassy Woodland EVC in Burnley Park to heal country, in conjunction with the Wurrundjeri Woi Wurrung Narrap Team

	Implement 2000m2 of spring direct seeding in Halls Reserve to reinstate endangered Plain Grassy Woodland and Escarpment Shrubland EVCs.
March	Undertake a post-burn habitat hectare assessment of the spring ecological cultural burn site
June	Implement 2000m2 of autumn direct seeding in Halls Reserve to reinstate endangered Plain Grassy Woodland and Escarpment Shrubland EVCs

31 Community based education, awareness and nature engagement program

Deliver actions outlined in the Yarra Nature Strategy Action Plan 2020-2024. The aim is to plant 2500 local indigenous plants to reinstate the endangered Plains Grass Woodland Ecological Vegetarian Classes. A key action in the plan Waterwatch which is a citizen science program that aims to raise knowledge in the community about catchments, aquatic biodiversity and waterway pollution issues.

Branch City Works

Quarterly Milestones

September	Deliver the 2022 National Tree Day Community Event at Hardy Gallagher Reserve on 31 July 2022
	Assist Fitzroy North Primary School to deliver their successful Urban Microbats Grant
December	Design an online communication program for nature-focussed news, initiatives and interactions
March	Deliver two Microbat evenings to connect the community with nocturnal native mammals and record Microbat species richness during summer
June	Expand Yarra's Gardens for Wildlife Program to include 100 households in 2022/23
	Compile results of community frog watch observations held throughout the year

32 Greening Yarra to support biodiversity and increase tree canopy

The Greening Yarra Program aims to reduce the urban heat island effect through the planting of trees, shrubs and grasses to increase the tree canopy cover to improve liveability, and overall biodiversity values within Yarra. Council will undertake a 5-year measure and map of tree canopy cover to determine progress on the Urban Forest Strategy targets.

Branch	City Strategy, City Works

Quarterly Milestones

September	Plant 60 advanced local provenance trees species of 6 different species in open space park and reserves areas
	Complete main planting season for new trees
December	Plant 40 advanced local provenance trees species of 6 different species in open space park and reserves areas
	Commence tree cover canopy measurement
March	Complete tree cover measurement and brief Councillors
June	Plant a minimum of 10,000 locally indigenous plant species
	Consolidate and reinstate areas of strategic biodiversity
	Complete mapping of the tree canopy coverage and infrared imaging

5. Transport and movement

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 and towards net-zero emissions by 2030.

Strategies to implement this Strategic Objective in the Council Plan 2021-25 are:

1. Lead, promote and facilitate the transition to active transport modes for people living and working in Yarra, as well as people moving through Yarra (MPHWP)
2. Advance the transition towards zero-carbon transport by 2030 throughout the municipality
3. Foster strategic partnerships and advocate to improve sustainable and active transport options, integration and accessibility
4. Create a safe, well-connected and accessible local transport network including pedestrian and bike routes through Yarra (MPHWP)

The below Actions demonstrate what we will do over 2022-23 to support transport and movement.

To remain an attractive inner-city destination to live, work and visit, Council will continue to address transport challenges and create opportunities for sustainable and active transport. We will improve our neighbourhoods to make walking and cycling possible as a part of everyday life, support micro-mobility and car share and ride schemes, and advocate for improved public transport.

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33 Transport Action Plan

The Transport Strategy once adopted by Council will provide the key principles to drive an action plan. The Action Plan will provide a list of projects over a 10 year period that will deliver improvements to active transport and sustainable transport in the municipality.

Branch	Strategic Transport

Quarterly Milestones

September	Report to Council recommending adoption of the Policy section having regard to community submissions
	Subject to Council consent, exhibit the draft Actions section seeking community
December	Report to Council post exhibition stage seeking adoption of the Actions Section having regard to community submissions
	Brief Councillors on anticipated program for next 2 years
March	
June	

34 Active transport

Yarra prioritises sustainable and active transport, to help people move safely and sustainably through and within our municipality. Planning, designing, delivering and maintaining a range of high-quality active and sustainable transport infrastructure makes walking and cycling possible as a part of everyday life.

Branch	Strategic Transport

Quarterly Milestones

September	Provide Councillors with a timetable for delivery of active transport projects approved in 22/23 budget allocation
December	Update Councillors on program
March	Update Councillors on program
June	Complete Year 1 actions approved in 22/23 budget and provide update to Councillors

35 Road safety studies and implementation program

Road Safety Studies (RSS) identify and prioritise road safety projects to make Yarra's streets safer. RSS is our approach to manage our road infrastructure responsibly and safely; continuing work previously referred to as Local Area Place Making (LAPM). Studies and reviews will be undertaken to identify projects to address key road safety issues in Richmond and Alphington. Projects from previous LAPMS will progress to the next stage of infrastructure design and delivery in the following precincts/corridor: Carlton North (LAPM 2), Scotchmer (LAPM 3), Rose (LAPM 9), Abbotsford (LAPM 13), Clifton Hill and North Abbotsford (RSS).

Branch	Infrastructure, Traffic and Civil Engineering

Quarterly Milestones

September	Commence Alphington precinct/corridor study
	Commence LAPM and RSS design packages
December	Commence next stage of LAPM infrastructure delivery across each precinct
	Commence Richmond precinct/corridor study
March	Complete Alphington precinct/corridor study
June	Complete LAPM and RSS design packages
	Complete Richmond precinct/corridor study
	Complete next stage of LAPM infrastructure delivery across each precinct

36 Advocate for improved public transport

Advocate to State Government and agencies for increased and well-connected public transport options including DDA tram upgrades and safer cycling facilities.

Branch	Strategic Transport

Quarterly Milestones

September	Update Councillors on advocacy planned and undertaken in the lead up to the State election regarding DDA tram stop implementation and safer cycling facilities
December	Following State election, meet with senior DoT officials to discuss opportunities
March	Develop further advocacy for lead up to State budget Meet with State Government officials to advocate and discuss opportunities
June	Update Councillors on advocacy undertaken

37 Support shared micro-mobility, car share and ride share schemes

Council is committed to supporting shared micro-mobility, car share and ride share schemes to help people get around when other sustainable and active modes of transport aren't available or preferred. For the times when a car is necessary, car sharing is a cost-effective alternative to owning a car and reduces car usage. E-scooter trials are an important step in making E-scooters more readily available as an affordable, convenient and low-emissions alternative form of transport.

Branch	Strategic Transport

Quarterly Milestones

September	Brief Councillors on E-scooter trial Monitor shared micro-mobility schemes and work with operators to identify and manage issues
December	Brief Councillors on car share scheme spaces allocated Brief Councillors on opportunities for ride share schemes
March	Complete assessment of the E-scooter trial in partnership with State Government and other participating Councils Monitor shared micro-mobility schemes and work with operators to identify and manage issues
June	Continue to implement these schemes in accordance with the trial findings including any decisions by State regarding E-scooters

38 Parking technology improvements

Improve parking technology with focus on optimising processes and assets to create efficiency and better customer experience. Better utilise data to enable more strategic and considered short and long term decision making relating to parking throughout the municipality.

Branch	Compliance and Parking

Quarterly Milestones

September	Install and implement new meter technology – cashless meters/paid-parking
December	Commence review of parking strategy
	Benchmark with neighbouring Councils in relation to joint procurement and efficiency options
March	Implement e-permit system for all Council Parking Permits
	Investigate and increase ability for data collection of on street parking assets such as disabled bays and loading bays
June	Brief Councillors on evaluation report on paid parking and e-permit projects

6. Democracy and governance

Yarra is smart, innovative and sustainable. Our decisions and advocacy are built on evidence and meaningful engagement. Good governance is at the heart of our processes and decision-making.

Delivering outcomes for the community requires an agile and responsive organisation. We are proud of our strong advocacy on issues of community importance. We are committed to good governance, financial stewardship, championing authentic community engagement and enhancing our culture of continuous improvement.

Strategies to implement this Strategic Objective in the Council Plan 2021-25 are:

1. Provide opportunities for meaningful, informed and representative community engagement to inform Council's decision-making
2. Manage our finances responsibly and improve long-term financial management planning
3. Maximise value for our community through efficient service delivery, innovation, strategic partnerships and advocacy
4. Practice good governance, transparency and accountable planning and decision-making
5. Progress and embed our culture of organisational continuous improvement and build resilience to adapt to changing requirements in the future

The below Actions demonstrate what we will do over 2022-23 to support democracy and governance.

Over the next year, we will be future-focused, manage our finances responsibly and build the capacity of our community to participate in decisions that affect them. We are committed to making information available that explains how we operate and be a leading local government organisation.

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39 Council strategic documents

Council's Strategies, Plans, Policies and Frameworks have developed over time without a standardised approach. Work be undertaken to better understand the current strategic document landscape and transition to a more holistic and consistent approach that will support integrated planning and reporting. This includes how strategic documents are developed, implemented, reviewed and retired. This is a long-term project that will take a number of years to achieve the desired outcome.

Branch	Corporate Planning and Performance

Quarterly Milestones

September	Report to Executive on proposed project approach
	Engage Councillors in proposed project approach
December	Commence internal engagement on proposed project approach and desired outcomes
March	Commence implementation of 'quick wins'
June	Report to Councillor Briefing on progress

40 Investigate the Sustainable Development Goals

The United Nations Sustainable Development Goals (SDGs) provide a global framework for sustainable development to 2030. Council's work towards sustainability is well established and work to align and measure our contribution to sustainable development using the SDGs as a reference point will be investigated.

Branch	Corporate Planning and Performance

Quarterly Milestones

September	
December	Report to Councillor Briefing on outcome of initial investigation
March	
June	

41 Review of finance quarterly reporting format

Review and improve the format for quarterly finance report to enable greater community understanding of Yarra's Financial performance and situation.

Branch	Finance

Quarterly Milestones

September	
December	Utilise new format report and share with public for September Finance report and forecast in October
March	Share summary of December Finance report and mid-year budget review in February graphically on Yarra's website as easy to read news item
June	

42 CX Program 2020-2022

The CX Strategy is a three-year program of initiatives to realise and deliver the best service value for Yarra's customers, community and internal teams. This is delivered through four strategic objectives Mindset | Systems Discipline | Collaboration | Empathy. This year Council will deliver service experience improvements with the implementation of additional digital channels, service centre enhancements for in person experiences and the evaluation of the CX strategy.

Branch	Customer Service

Quarterly Milestones

September	Implement actions of service centre model review

December	Implement live chat and digital assistance channels
March	
June	Evaluate CX Strategy

43 Communications campaign

Undertake a coordinated communications campaign to promote the work of Council and the ways people can engage in the decision-making process. Actively provide content to the bi-cultural liaison officers so they can disseminate information to their channels and ensure under- represented and hard to reach audiences have opportunities to participate in decision making.

Branch Advocacy and Engagement

Quarterly Milestones

September	Plan for and launch a dedicated membership campaign for Your Say Yarra to bring new users to the platform and encourage greater participation in decision making
December	Implement Your Say Yarra digital campaign targeting under-represented groups within the municipality
March	Implement Your Say Yarra digital campaign targeting under-represented groups within the municipality
June	Engage bicultural liaison officers at in person consultations and work with them on a program of disseminating key Council information and consultation opportunities through their networks and channels

44 Establish a youth-based forum

Establish a new youth-based forum focused on targeted engagement with young people from across Yarra.

Branch Advocacy and Engagement

Quarterly Milestones

September	Develop the project plan/format/structure for a youth forum
December	Work with Yarra's Youth team to identify participants for the youth forum
March	Host a youth forum with a broad cross section of young people from across Yarra
June	Evaluate the forum and develop recommendations for future forums in conjunction with Youth Services

45 Building strategic partnerships to support Yarra's advocacy priorities

Build strategic partnerships with critical stakeholders, including other councils, peak bodies and industry, that supports Yarra's advocacy agenda and aligns to endorsed priorities and projects.

Branch	Advocacy and Engagement

Quarterly Milestones

September	Brief partnership stakeholders, including M9 and the Inner Metropolitan Partnership, on Council's 2022 Budget and key priorities for the Victorian Election
December	Share Yarra City Council's 2023 Victorian Budget submission with partnership stakeholders, including M9 and the Inner Metropolitan Partnership, to support greater collaboration of common projects and priorities
March	Participate in forums such as M9 and the Inner Metropolitan Partnership and foster greater alignment between the work and activities of these groups and that of Council
June	Participate in forums such as M9 and the Inner Metropolitan Partnership and foster greater alignment between the work and activities of these groups and that of Council

46 Investigate innovative and emerging digital tools

Investigate innovative and emerging digital tools that are currently available that will promote better accessibility and encourage broader participation in decision making to ensure Council achieves best practice in this space.

Branch	Advocacy and Engagement

Quarterly Milestones

September	Review the Page Assist accessibility tool and the benefits of introducing this tool through our corporate website
December	Investigate opportunities for the creation of digital reports to assist with enhancing accessibility requirements for key council documents
March	Develop a guide for creating accessible communications materials and provide training to staff
June	Implement accessible communications guide and build capacity through staff capacity building

47 Risk and safety workplace culture

Continue to embed a proactive risk and safety culture across the organisation through:

- implementation of the OHS Management System
- socialisation and promotion of the OHS and Risk Management Roadmaps and Project Plans
- psychological and physical wellbeing practices
- early intervention injury management practices

Branch	Risk and Safety

Quarterly Milestones

September	Establish an annual health and wellbeing program to address the current psychological and physical challenges across the organisation
December	Present Injury Management Plan for adoption to embed an early intervention program
March	
June	Implement milestones as outlined in the OHS and Risk Management Roadmaps and Project Plans and communicate and celebrate the success

48 Gender Equality Action Plan 2021 - 2025

Ensure Yarra City Council meets its obligations under the requirements of the Gender Equality Act (2020) and builds on its previous achievements under the Gender Equity Strategy.

Branch	Organisational Culture, Capability and Diversity

Quarterly Milestones

September	Report to Executive on Year 1 Action Plan
	Seek endorsement of Year 2 Action Plan
	Commence implementation of Year 2 Action Plan
	Commence preparation of first progress report to Commissioner
December	Continue implementation of Year 2 Action Plan
March	Continue implementation of Year 2 Action Plan
June	Finalise implementation of Year 2 Action Plan
	Commence development of Year 3 Action Plan

49 Governance Rules Review

Undertake a review of the City of Yarra Governance Rules to foster a decision-making environment that is conducive to transparent evidence-based governance and provides an opportunity for community participation that is consistent with the Community Engagement Framework.

Branch	Chief Executive's Office

Quarterly Milestones

September	Council endorse Discussion Papers and proposed rule amendments for consultation purposes
	Adopt revised Governance Rules
December	
March	
June	

8.3 Asset Plan 2022-2032 and Asset Management Policy (2022)

Reference	D22/132286
Author	Paul Dwyer - Senior Coordinator Asset Management and Capital Works
Authoriser	Director City Works and Assets

Purpose

1. The purpose of this report is:

   (a) to advise Council of the outcomes from the recent community consultation on the Draft Asset Plan 2022-2032 and Draft Asset Management Policy (2022); and

   (b) to recommend that Council adopt the proposed Asset Plan 2022-2032 and proposed Asset Management Policy (2022).

Critical analysis

History and background

Asset Plan

2. The Local Government Act 2020 introduced a requirement for councils to adopt an Asset Plan by 30 June 2022 as part of an integrated strategic planning approach.

3. The requirements for the Asset Plan are in section 92 of the act and, in summary, include that the Asset Plan:

   (a) is to be adopted by 30 June 2022 (s92(6)), to have effect from 1 July 2022 (s92(7));

   (b) must cover a period of at least 10 financial years (s92(2)); and

   (c) must include information about maintenance, renewal, acquisition, expansion, upgrade, disposal and decommissioning in relation to each class of infrastructure asset under the control of the Council (s92(3)).

4. The act requires Council to subsequently adopt an updated Asset Plan by 31 October in each year following a Council general election (s92(4)).

5. Local Government Victoria provided guidance to councils relevant to the development of the Asset Plans, including:

   (a) Integrated Strategic Planning and Reporting Framework, published in late 2020, showing the relationship of the Asset Plan to other key strategic planning documents including the Community Vision, Council Plan and Financial Plan; and

   (b) Asset Plan Guidance 2022, published February 2022, providing further context to the purpose of the Asset Plan and the key components that it should include.

Asset Management Policy

6. Council first adopted an Asset Management Policy (AM Policy) in October 2004, and it has been updated every four to six years since then. The most recent version was prepared in 2017 and endorsed by the Executive team; the most recent Council adopted version was in 2011.

Discussion

7. The proposed Asset Plan 2022-2032 was developed to comply with legislative requirements and further guidance provided by Local Government Victoria.

8. An Asset Management Policy is not required by the Local Government Act 2020, however in line with guidance from Local Government Victoria and relevant international standards for Asset Management, an updated proposed Asset Management Policy (2022) has been prepared to support the Asset Plan.
9. Attachment 1 – Proposed Asset Plan 2022-2032 and Attachment 2 – Proposed Asset Management Policy (2022) are proposed for adoption by Council.
10. A community engagement was recently undertaken on draft versions of the Asset Plan and Asset Management Policy.
11. The proposed documents include some adjustments arising as a result of that engagement.
12. Some minor adjustments have been made to the financial projections in section 5.1 of the proposed Asset Plan for consistency with the final proposed Annual Budget 2022/23 and proposed Long-Term Financial Plan 2022/23 – 2031/32.
13. Other minor non-substantive editorial changes have been made, including numbering of the policy principles for ease of reference.

Options

14. There are no options identified.

Community and stakeholder engagement

15. The Draft Asset Plan included consideration of the deliberative community engagement undertaken for the Yarra 2036 Community Vision and Council Plan 2021-25, noting that process had included consideration of asset-related topics.
16. An internal consultation process was undertaken in November 2021 on the Draft Asset Management Policy and Asset Management Framework to seek feedback from primary stakeholders involved in asset management, service management, financial management, and people management across the organisation.
17. Further community feedback on the Draft Asset Plan and Draft Asset Management Policy was sought using the Your Say Yarra portal. The engagement page (available at https://yoursayyarra.com.au/draft-asset-plan-2022-2032) was open for submissions from 6 to 20 May 2022.
18. Community members were invited to make submissions in relation to these items:
    (a) Asset Management at Yarra (section 3 of the Draft Asset Plan);
    (b) Our Assets (section 4 of the Draft Asset Plan);
    (c) Financial Information (section 5 of the Draft Asset Plan);
    (d) Priorities and Challenges (section 6 of the Draft Asset Plan);
    (e) any further feedback on the Draft Asset Plan; and
    (f) feedback on Draft Asset Management Policy.
19. A total of seven public submissions were received (with each submitter providing feedback on multiple items). Attachment 3 – Draft Asset Plan 2022-2032 Submissions Overview contains detail of the submissions received, along with an officer response, including whether an associated amendment has been made to the proposed Asset Plan and/or Asset Management Policy.
20. Six of the seven submissions were submitted via the Your Say Yarra portal and one was submitted via email by a representative of Streets Alive Yarra; the full submission from Streets Alive Yarra is included within Attachment 3.

Policy analysis

Alignment to Community Vision and Council Plan

21. The following Yarra 2036 Community Vision future priorities relate to the proposed Asset Plan and Asset Management Policy:

    (a) Community Safety - 3.4 Council actively maintains … and implements infrastructure to ensure our streets and public spaces are free of hazards;

    (b) Environmental Sustainability – 4.2 Lead the way in climate change mitigation and resilience within Yarra and extend our impact through advocacy and innovative partnership;

    (c) Environmental Sustainability – 4.4 A transport system that is innovative, efficient, sustainable and accessible;

    (d) Shared Space – 7.1 All our shared spaces are made physically accessible and welcoming to people of all abilities, linguistic, cultural backgrounds and age groups;

    (e) Shared Space – 7.2 Community meeting spaces, service buildings, and facilities evolve and adapt to reflect changing needs of our diverse community;

    (f) Shared Space – 7.3 Create and innovate solutions to maximise the use of under or unused streets and spaces; and

    (g) Shared Space – 7.4 Increase availability and diversify use of open spaces to address existing shortages and respond to population growth.

22. The following Council Plan 2021-25 strategic objectives and strategies relate to the proposed Asset Plan and Asset Management Policy:

    (a) SO 1 Climate and environment – S1.1 Take urgent action to respond to the climate emergency and extend our impact through advocacy and partnerships;

    (b) SO 4 Place and nature – S4.2 Plan and manage community infrastructure that responds to growth and changing needs;

    (c) SO 5 Transport and movement – S5.4 Create a safe, well-connected and accessible local transport network including pedestrian and bike routes through Yarra (MPHWP);

    (d) SO 6 Democracy and governance – S6.1 Provide opportunities for meaningful, informed and representative community engagement to inform Council's decision-making;

    (e) SO 6 Democracy and governance – S6.2 Manage our finances responsibly and improve long-term financial management planning;

    (f) SO 6 Democracy and governance – S6.3 Maximise value for our community through efficient service delivery, innovation, strategic partnerships and advocacy;

    (g) SO 6 Democracy and governance – S6.4 Practice good governance, transparency and accountable planning and decision-making; and

    (h) SO 6 Democracy and governance – S6.5 Progress and embed our culture of organisational continuous improvement and build resilience to adapt to changing requirements in the future.

Climate emergency and sustainability implications

23. The proposed Asset Management Policy contains the following principles associated with climate emergency and environmental sustainability:

    (a) Principle 3 – Asset management will support the delivery of the Council Plan and the various sub-ordinate strategies of Council (which is inclusive of Council’s Climate Emergency Plan);

    (b) Principle 4 – Asset planning … will include consideration … of climate adaptation;

(c) Principle 5 – Lifecycle asset activities will be considered with the objectives of minimising cost and environmental impact; and

(d) Principle 6 – Levels of service will be defined for asset-based services (including) consideration of … environmental sustainability.

Community and social implications

24. Infrastructure assets are used to deliver services of benefit to the community, including those assets from which a community service is provided (e.g. Council buildings and facilities) and those assets that provide a direct service that benefits the community (e.g. transport, stormwater and open space assets).

Economic development implications

25. The sustainable provision of infrastructure assets, that support the delivery of services to the community, has a direct impact on the economic vitality and development of the municipality.

Human rights and gender equality implications

26. There are no known specific human rights or gender equity implications arising from the Asset Plan or the Asset Management Policy.

Operational analysis

Financial and resource impacts

27. The Asset Plan helps communicate the investments required to acquire, operate, maintain, renew and upgrade Council's infrastructure assets over the next ten years. The Asset Plan provides further detail on the future challenges and priorities over that period to help inform future budgets. This assists the community to understand the costs associated with managing the infrastructure asset lifecycle.

28. The proposed Asset Plan covers the financial years from 2022-23 through to 2031-32, which is the same period covered by the proposed Long Term Financial Plan 2022/23 – 2031/32. The operating and capital expenditure amounts presented in the proposed Asset Plan are consistent with the proposed Long Term Financial Plan.

29. The Asset Management Policy provides guidance on Council's approach to asset management which in turn will impact Council's finances and resources through asset valuation, service level definition and lifecycle funding.

Legal Implications

30. Under the Local Government Act 2020, Council has a legislative obligation to adopt an Asset Plan by 30 June 2020.

Conclusion

31. The proposed Asset Plan 2022-32 will enable Council to comply with the Asset Plan obligations of the Local Government Act 2020.

32. The proposed Asset Management Policy (2022) supports the plan.

RECOMMENDATION

1. That Council:

   (a) notes that a community engagement has been undertaken on the Draft Asset Plan 2022-2032 and Draft Asset Management Policy (2022);

   (b) notes the submissions received and officer responses;

   (c) adopts the proposed Asset Plan 2022-2032 in Attachment 1;

   (d) adopts the proposed Asset Management Policy (2022) in Attachment 2; and

   (e) authorises officers to apply any administrative changes which may be required for consistency with Council's adopted Annual Budget 2022/23 and Long Term Financial Plan 2022/23 – 2031/32.

Attachments

1⇩ Attachment 1 - Proposed Asset Plan 2022-2032

2⇩ Attachment 2 - Proposed Asset Management Policy (2022)

3⇩ Attachment 3 - Draft Asset Plan 2022-2032 Submissions Overview

Attachment 1 - Attachment 1 - Proposed Asset Plan 2022-2032



Attachment 1 - Attachment 1 - Proposed Asset Plan 2022-2032

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.

Table of Contents

1. Introduction 2
1.1. Purpose of the Asset Plan 2
1.2. Scope of the Asset Plan 2
2. Strategic Context 3
2.1. Integrated Strategic Planning and Reporting Framework 3
2.2. Asset Management 5
3. Yarra's Asset Management Approach 6
3.1. Asset Management Framework 6
3.1.1. Asset Management Principles 8
3.1.2. Asset Lifecycle 9
3.1.3. Asset Expenditure Categories 10
4. Our Assets 11
4.1. Our Portfolio 11
4.2. Condition of Our Assets 13
4.2.1. Building Assets 14
4.2.2. Transport Assets 15
4.2.3. Stormwater Assets 17
4.2.4. Open Space Assets 18
5. Financial Information 19
5.1. Projections 20
5.1.1. Building Assets 20
5.1.2. Transport Assets 21
5.1.3. Stormwater Assets 22
5.1.4. Open Space Assets 23
6. Priorities and Challenges 24
6.1. Building Assets 25
6.2. Transport Assets 26
6.3. Stormwater Assets 27
6.4. Open Space Assets 28

1. Introduction

The Asset Plan is a key strategic planning document that shows how Council manages the assets that it is responsible for, to enable the delivery of Council services in line with the *Council Plan 2021-2025* and the *Yarra 2036 Community Vision*.

Yarra City Council is the custodian of infrastructure and other assets valued at over $2 billion. The Asset Plan describes how Council cost-effectively manages assets throughout their lifecycle.

1.1. Purpose of the Asset Plan

The Asset Plan provides the community with information on the infrastructure assets for which Council is the custodian. The Plan aims to facilitate more informed community engagement and a mutual understanding of the best use of Council assets in the interest of the community.

The Asset Plan is a key component of the Integrated Strategic Planning and Reporting Framework (ISPRF) published by Local Government Victoria.

The purpose of the Asset Plan is to:

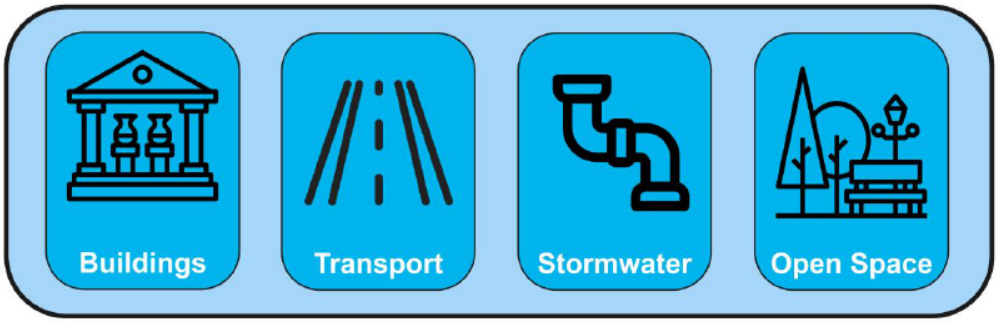
- provide information on asset value and performance
- provide information about the type of assets that Council manages and the costs of managing assets
- embed responsible asset management practices into Council's strategic planning
- contribute to Council's objectives, strategies and financial management
- improve the efficiency and effectiveness of asset management practices
- align decisions about assets to community needs, service levels and financial sustainability
- articulate and communicate the challenges in relation to service levels, costs and risks

The Asset Plan will be adopted by Council every four years in line with the strategic objectives of the Council Plan and lifecycle forecasts updated annually to reflect the annual budget and Finance Plan.

1.2. Scope of the Asset Plan

The Asset Plan applies to the physical infrastructure assets that are managed by Council, and are used to deliver services to our community.

Infrastructure assets are grouped into four key asset classes in this plan:



The *Asset Plan 2022-2032* covers the ten year period from financial years 2022-23 through to 2031-32. The financial amounts presented in the plan are consistent with Council's *Long Term Financial Plan 2022-23 to 2031-32*.

2. Strategic Context

The delivery of services to the community is guided by the *Yarra 2036 Community Vision*, *Council Plan 2021-25*, and Council's other strategic documents including strategies, plans and policies. Assets underpin the delivery of services to the community and the Asset Plan describes our approach to managing these assets throughout their lifecycle in a financially sustainable manner.

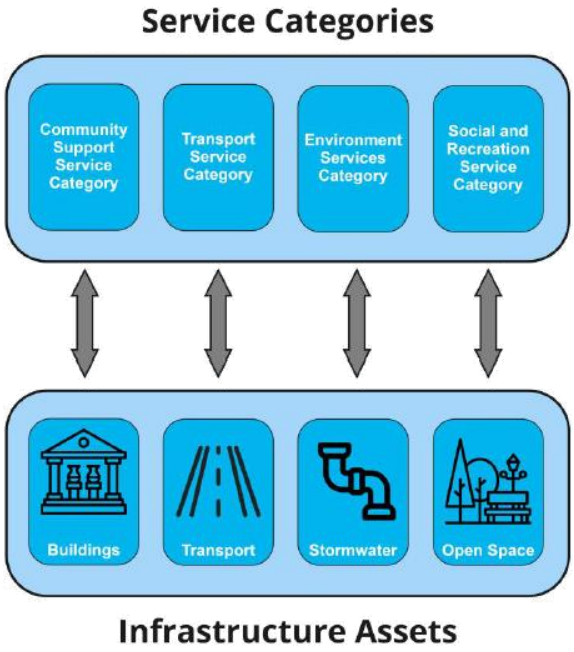


Figure 1 – Showing the interdependency between assets and services

2.1. Integrated Strategic Planning and Reporting Framework

The Local Government Act 2020 requires all Victorian councils to develop, and keep current, an Asset Plan. The plan must cover a period of at least ten financial years and applies to the infrastructure assets under the control of Council.

The Asset Plan is one of a number of documents required by the act, and the Integrated Strategic Planning and Reporting Framework shown in Figure 2 published by Local Government Victoria depicts the relationship between the Asset Plan and other key strategic documents.

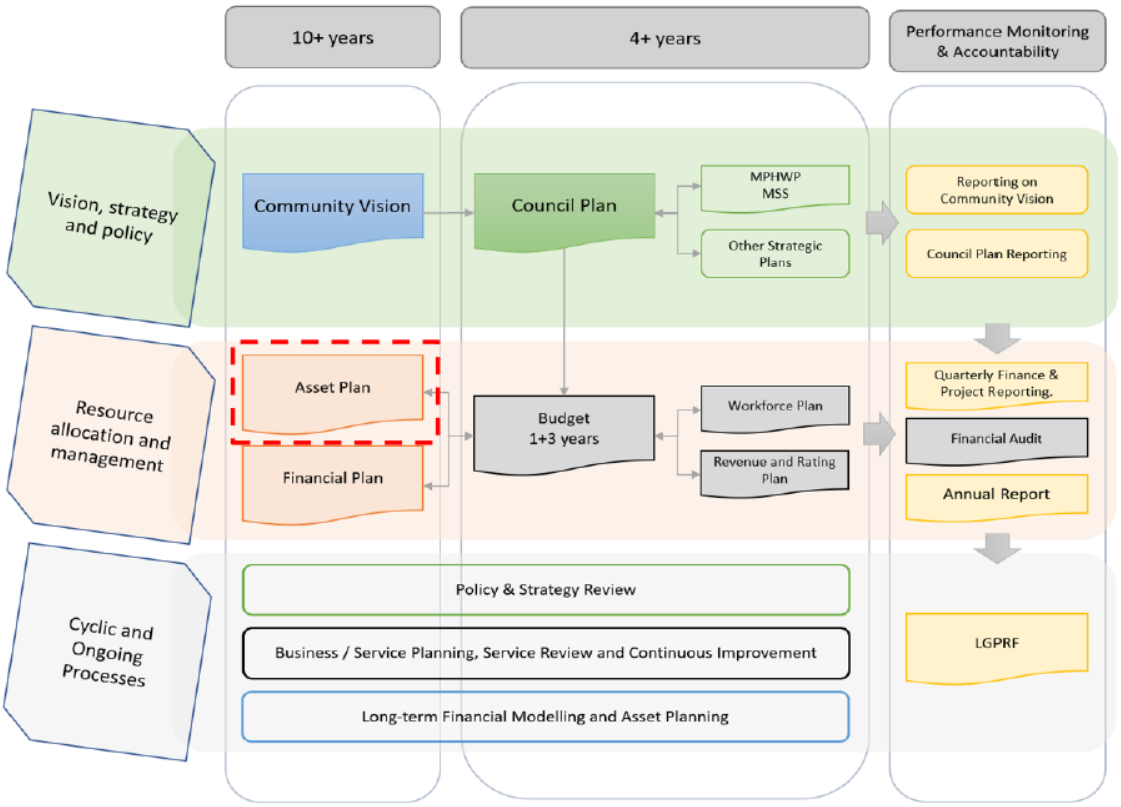


Figure 2 – Integrated Strategic Planning and Reporting Framework

The *Yarra 2036 Community Vision* sets out our community's aspirations and priorities for the next 15 years. It includes a vision statement, a set of eight vision themes representing the key areas of focus and 30 future priorities describing key aspirations for the future of Yarra.

Our *Council Plan 2021-25* addresses the Community Vision. It identifies six strategic objectives, each with supporting strategies and initiatives defining what Council will work to achieve over the next four years as we work towards the Vision.

The *Asset Plan 2022-2032* contains information about how Council, in strategic and financial terms, will manage the portfolio of infrastructure assets under its control. The Asset Plan is intrinsically linked with the budgets and projections outlined in our Financial Plan to ensure the ongoing affordability and financial sustainability of the management of assets.

The *Long Term Financial Plan 2022/23 through 2031/32* describes the financial resources required to give effect to the Council Plan and other strategic plans of Council.

The Community Vision was developed through a deliberative engagement with the local community in line with Council's Community Engagement Policy. The outcomes of this engagement have been used to guide and inform the Council Plan, Asset Plan and Financial Plan.

2.2. Asset Management

Asset Management is the systematic activity of an organisation to realise value from assets. This includes all activities throughout the lifecycle of managing assets including planning, acquisition/construction, operations, maintenance, renewal/replacement, upgrade/expansion and disposal of assets. This involves a balancing of costs, risks and performance of assets.

Asset Management is interdependent with the service planning activities of Council that establish the services that Council provides, the current and future demand for those services, the service delivery approach, the service level to be provided and strategies for the development of those services and/or major changes to services.

The ISO55000 series of standards are the international standards for best practice in Asset Management. The International Infrastructure Management Manual published by the Institute of Public Works Engineering Australasia provides guidance on the application of these standards in a local government context.

Asset Management provides a framework for managing the costs and risks associated with operating, maintaining and renewing aging assets, along with providing upgrades and new assets to meet increasing demand and disposal or rationalisation of assets where appropriate.

Asset Management recognises that organisations operate within an environment of funding limitations, whilst needing to ensure that the limited funding is applied to the areas that matter. Key benefits arising from effective asset management include:

- Reduction of risk to the community and Council
- Effective and efficient service provision
- Flexible and well-utilised infrastructure
- Optimised asset performance
- Minimised lifecycle cost of asset ownership

3. Yarra's Asset Management Approach

3.1. Asset Management Framework

Yarra's Asset Management Framework (the management system for asset management) is aligned to the ISO55000 series of international standards and the International Infrastructure Management Manual. A diagrammatic representation of the framework is shown in Figure 3.

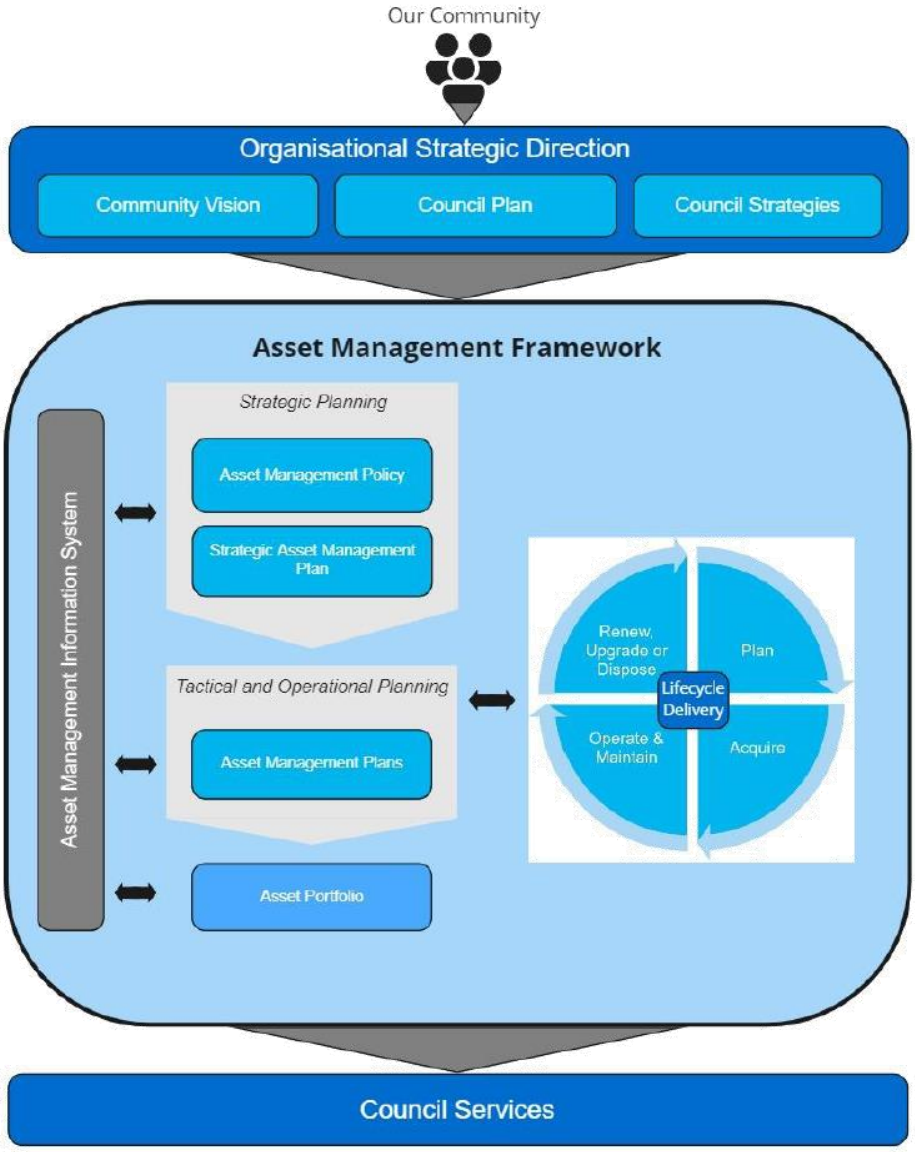


Figure 3 – Asset Management Framework

The framework includes the key documents described in Table 1 below. The management system is enabled by our people, our processes, and our Asset Management Information System (AMIS).

Table 1 – Key Framework Documents

Documents	Purpose and Contents
Asset Management Policy	Outlines the guiding principles for Asset Management and the high-level responsibilities and accountabilities for Asset Management within the organisation
Strategic Asset Management Plan	Links the organisational objectives to the asset management objectives and details the actions and practices required to meet those objectives
Asset Management Plans	Identifies how we intend to manage our assets within the allocated funding envelope to meet the needs of the community while managing risk.
Asset Plan	This is a high-level community facing document which is intended to provide an overview of Asset Management within Yarra.

3.1.1. Asset Management Principles

The *Asset Management Policy (2022)* contains the following key principles, which provide guidance to all aspects of asset management at Yarra.

Yarra's Asset Management Principles
Principle 1 *– We will implement and maintain an asset management framework comprising this Policy, a Strategic Asset Management Plan, asset management plans for each infrastructure asset group and a Council-adopted Asset Plan.*
Principle 2 *– The asset management framework will align with ISO 55001 (Asset Management – Management Systems – Requirements), the International Infrastructure Management Manual and the Asset Plan provisions of the Local Government Act 2020*
Principle 3 *– Asset management will support the delivery of the Council Plan (as it addresses the overarching Community Vision) and the various sub-ordinate strategies of Council.*
Principle 4 *– Asset planning will have a planning horizon of at least ten years, and longer where needed including consideration of the Yarra 2036 Community Vision horizon of fifteen years and climate adaptation considerations.*
Principle 5 *– Lifecycle asset activities (acquisition, operations, maintenance, renewal and disposal) will be considered with the objectives of minimising costs and environmental impact over the whole lifecycle.*
Principle 6 *– Levels of service will be defined for asset-based services in consideration of community needs, financial, social and environmental sustainability.*
Principle 7 *– Funding for renewal of existing assets will be given priority over funding for new assets, asset upgrades and expansions.*
Principle 8 *– Renewal of existing assets will be based on service need, fitness for purpose, asset condition, compliance and risk management considerations.*
Principle 9 *– Proposed new assets, asset upgrades and expansions will be in alignment with the Council Plan, Council strategies, service plans and demand forecasts.*
Principle 10 *– Asset management planning and long-term financial planning will be integrated with the service and risk implications of any divergence between asset and financial plans considered as part of the planning process.*
Principle 11 *– Asset management roles, responsibilities and accountabilities will be clearly defined and resourced appropriately and linked to position descriptions and the Workforce Plan.*
Principle 12 *– Asset management training and skills development will be provided for staff, management and Councillors.*
Principle 13 *– A corporate centralised asset management information system will be utilised for the operational and strategic management of assets.*
Principle 14 *– We will regularly measure and report performance against objectives and strive to continuously improve asset management, including the introduction of innovative technologies for productivity and capability improvements.*

3.1.2. Asset Lifecycle

Our approach to asset management is to provide assets that are safe and fit-for-purpose to meet service needs to agreed service levels, in a manner that is financially sustainable and that minimises costs across the whole asset lifecycle.

The four key stages in the asset lifecycle are shown in Figure 4.

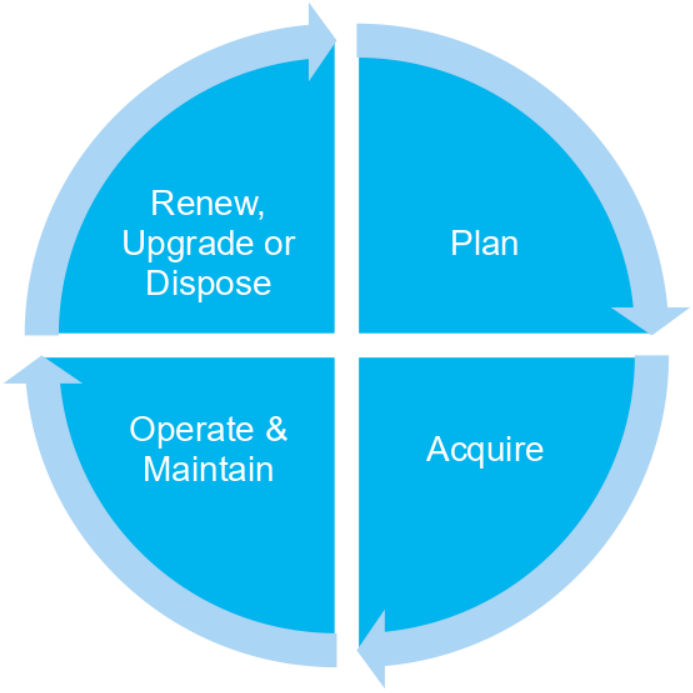


Figure 4 – Asset Lifecycle Stages

The strategies that we employ in each stage of the asset lifecycle are summarised in Table 2.

Table 2 – Asset Lifecycle Strategies

Lifecycle Phase	Strategies
Plan	• Consideration of service needs, service levels, demand forecasts and Council strategies • Long-term capital works program, operations and maintenance needs driven by asset management plans • Attract external funding where possible • Integration with financial planning with focus on financial sustainability • Use of data and modelling in decision making
Acquire	• Clear project definitions and objectives • Design for environmental sustainability • Design to minimise lifecycle costs • Clear handover process to operations & maintenance
Operate & Maintain	• Regular inspections and maintenance to ensure assets are safe, compliant, available and provide the agreed level of service • The asset management information system is used to monitor asset performance and maintenance costs • Regular assessment of asset condition and valuation to assist with planning
Renew, Upgrade or Dispose	• Renewal of assets as needed to restore their condition and service potential where there is an on-going service need • Consideration of asset upgrades or expansions to meet changing service needs and/or additional demand • Disposal or rationalisation of assets not required for on-going service delivery

3.1.3. Asset Expenditure Categories

Our asset and financial planning uses the asset-related expenditure categories as defined in Table 3.

Table 3 – Expenditure Categories

Accounting Treatment	Group	Category	Description
Operating Expenditure (Opex)	Recurrent	Operations	Asset operations e.g. utility provision, cleaning
		Maintenance	Activities to preserve the condition of an asset including preventative maintenance and reactive repairs
Capital Expenditure (Capex)	Renewal	Renewal	Replacement of existing assets (or components thereof) to restore capacity and service potential
	Growth	Upgrade	Increase to the capacity or functionality of existing assets beyond their original design capacity or service potential
		New	Creation of new assets

4. Our Assets

4.1. Our Portfolio

Yarra City Council manages a portfolio of assets that have a combined replacement value[1] of over $2.3 billion dollars with a high-level breakdown of this shown below in Table 4.

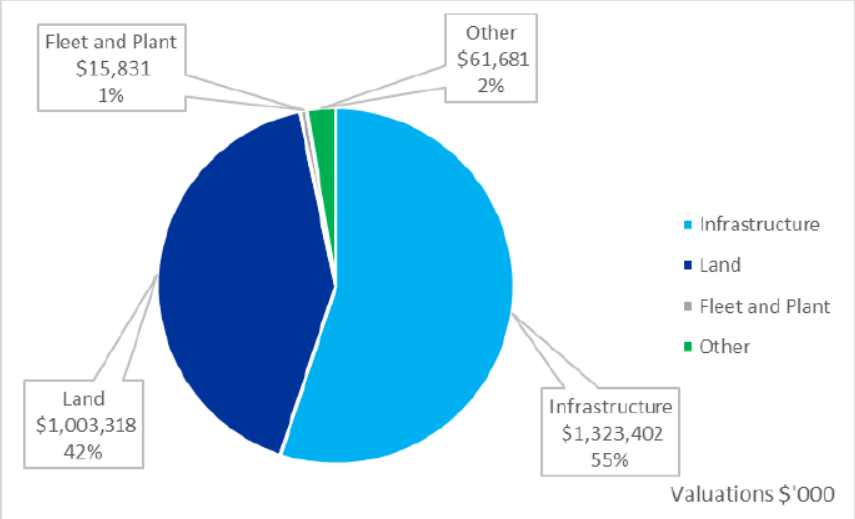


Figure 5 – All assets replacement value ($'000)

Infrastructure assets represent approximately $1 billion of this total, and the breakdown of this into four key infrastructure asset classes is shown in Figure 6, with an overview of these asset classes provided in Table 4.

[1] Replacement value based on asset fair value as at year end 2020/21.

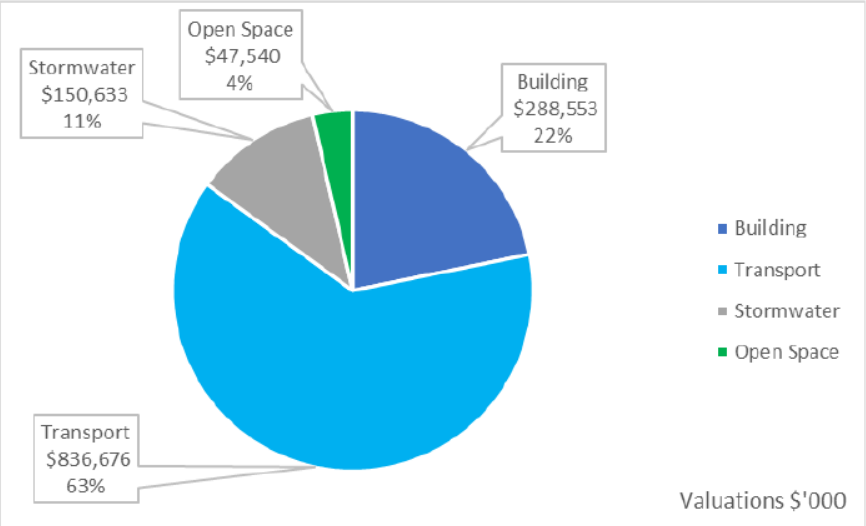


Figure 6 – Infrastructure assets replacement value ($'000)

Table 4 – Infrastructure assets overview

Infrastructure Asset Class	Asset Types	Quantity	Replacement Value[2]
Buildings	Buildings Facilities Structures	162 buildings	$289 million
Transport	Roads Footpaths Kerb and channel Laneways Traffic treatments Bridges	225 km of roads 410 km of kerb and channel 456 km of footpaths 85 km of laneways 7 footbridges	$440 million – roads $391 million – footpaths, laneways and kerb and channel $5 million - bridges
Stormwater	Drainage pits Drainage pipes	10,894 pits 240 km of pipes	$151 million
Open Space	Turf Trees Garden beds Sportsgrounds/ playing fields Paths Barbecues Playgrounds	260 ha of open space 35 playgrounds	$48 million

[2] *Guidance Note: Fair Asset Valuation Methodologies for Victorian Local Governments* (published by Local Government Victoria) requires all Victorian councils use a "greenfield" assumption when determining replacement value.

4.2. Condition of Our Assets

It is important for us to understand the current condition of our assets. Condition data helps us to better manage all aspects of the asset lifecycle and to better allocate funding to ensure that assets are available to our community at an appropriate level of service.

The collection of condition data can be expensive, so it is important that the right amount of data is collected. We do this by ensuring responsibilities for data collection are allocated and that the collection is scheduled and stored in our enterprise asset management IT systems.

Where data collection is difficult, we sometimes use professional opinion to fill the knowledge gap. This is common in organisations that manage large numbers of long-lived infrastructure assets. We will always apply a measure of confidence when we share condition data. This ensures that the reader understands the level of error that may exist.

Table 5 - Measures of Data Confidence

Confidence Level	Description
High	Data based on high quality evidence, such as sound and current records, procedures, investigations, and analysis. Information is complete and estimated to be accurate ± 10%.
Medium	Data based on moderate quality evidence, procedures, investigations, and analysis which is incomplete or unsupported, or extrapolated from a limited sample. Up to 50% estimated with accuracy within ± 25%.
Low	Data is based on expert judgement or low-quality evidence. May be estimated or extrapolated. Accuracy ± 40%.

Yarra utilises a core 1 to 5 scoring system when assessing and communicating the condition of assets. This core approach enables deterioration modelling and is one of three approaches recommended by the International Infrastructure Management Manual (IIMM2015). Table 6 below shows the core condition grading system.

Table 6 - Core Condition Assessment System

Score	Description of Condition
1	Very Good Condition
2	Good Condition – minor defects only
3	Average Condition – maintenance required to return to accepted level of service
4	Poor Condition – consider renewal
5	Very Poor Condition – approaching unserviceable

The following subsections provide insight into the current condition of Yarra's infrastructure.

4.2.1. Building Assets

Data Confidence: Medium

Commentary:

Yarra's building stock contains a relatively high number of buildings that are either at or close to the end of their useful life. This is reflected in the condition profile. Fortunately, these buildings are either unutilised or underutilised and awaiting a decision for further investment or disposal.

Yarra will embark on a programme to better understand building condition, function and capacity over the next ten years.

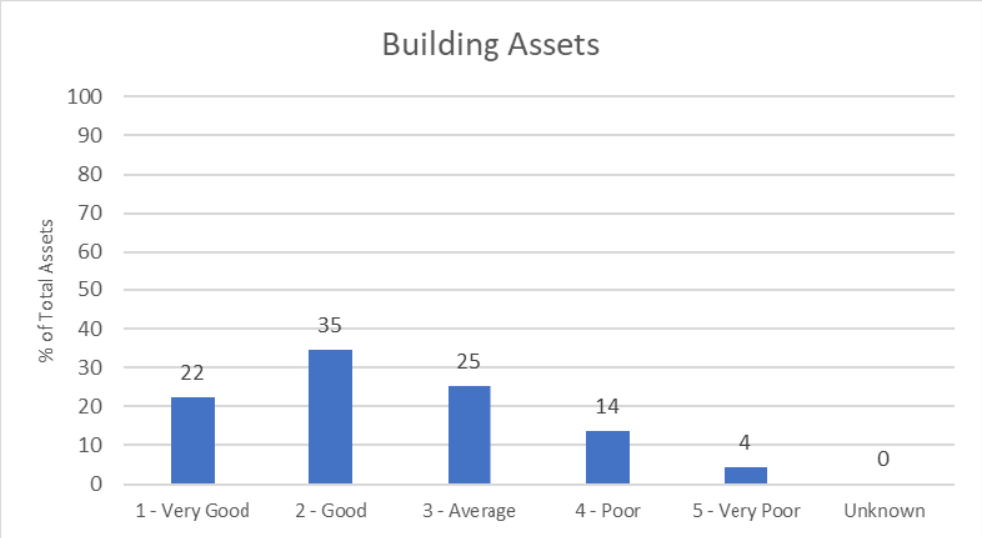


Figure 7 – Building Assets condition summary

Table 7 – Building Assets List

Service	Condition Rating					Total	%
	1	2	3	4	5		
Child & Family	5	9	6	3	0	**23**	14.2%
Commercial	4	3	3	1	1	**12**	7.4%
Community	5	16	7	2	2	**32**	19.8%
Corporate	2	3	0	1	0	**6**	3.7%
Municipal	8	3	6	3	1	**21**	13.0%
Open Space & Sports	6	14	13	7	3	**43**	26.5%
Public	5	8	6	4	0	**23**	14.2%
Social Services	1	0	0	1	0	**2**	1.2%
Total	**36**	**56**	**41**	**22**	**7**	**162**	100.0%
%	22.2%	34.6%	25.3%	13.6%	4.3%	100.0%	

4.2.2. Transport Assets

Data Confidence: High

Commentary:

The condition data for our transport network reflects the high levels of service and investment that our community expects from their transport infrastructure. Further investigation is required to ensure optimal and sustainable allocation of funding to lifecycle activities.

The footbridges in Yarra are relatively old in age. The condition score reflects the remaining useful life of the footbridges rather than the risk of them failing. All Yarra footbridges are regularly inspected to ensure safety.

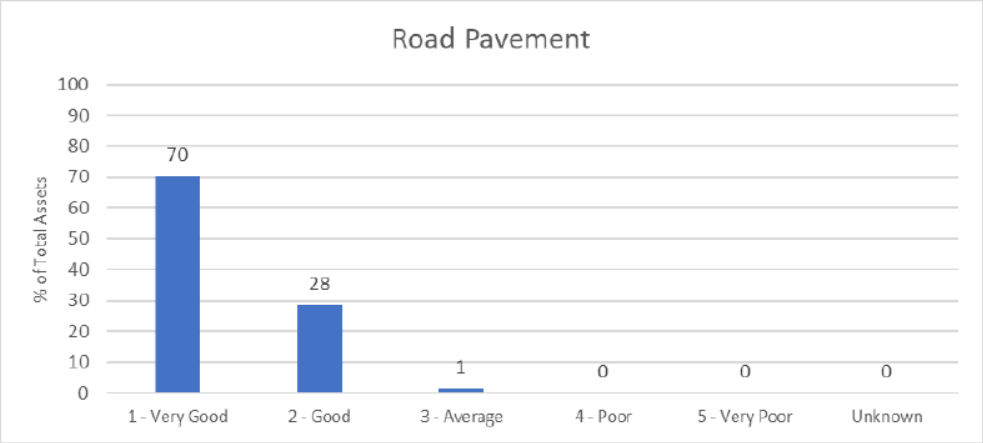


Figure 8 – Transport: Road pavement condition summary

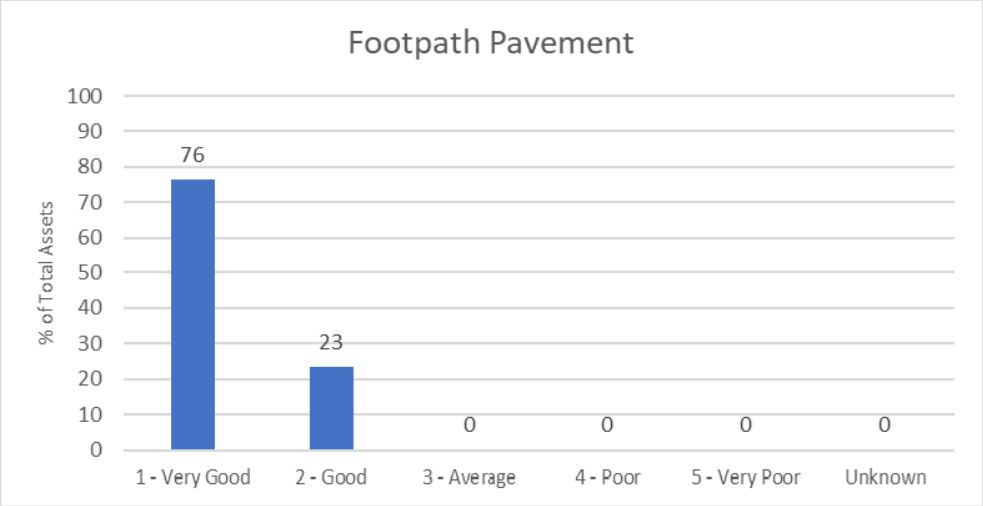


Figure 9 – Transport: Footpath pavement condition summary

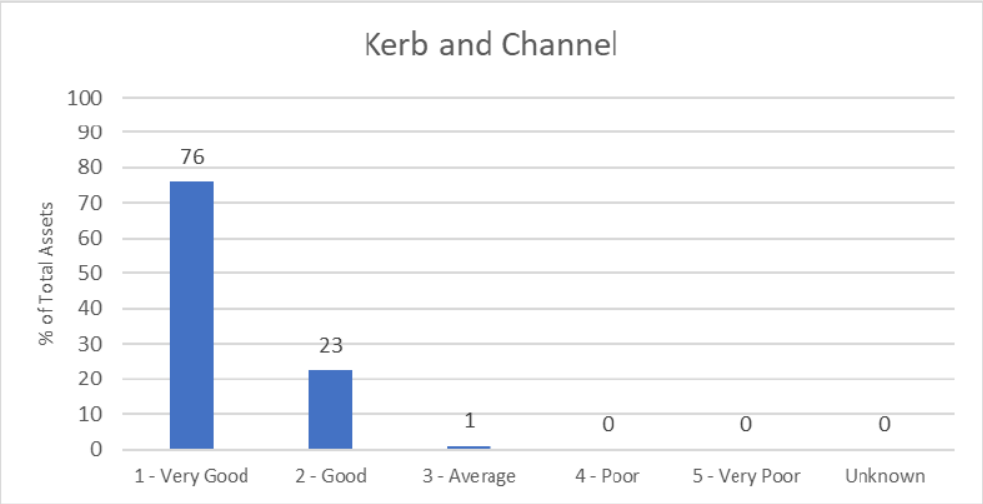


Figure 10 – Transport: Kerb & Channel condition summary

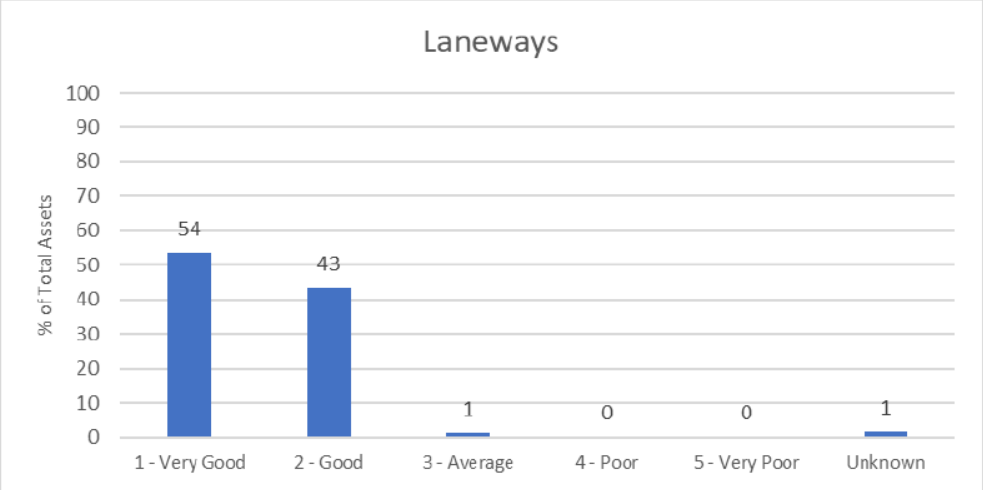


Figure 11 – Transport: Laneway condition summary

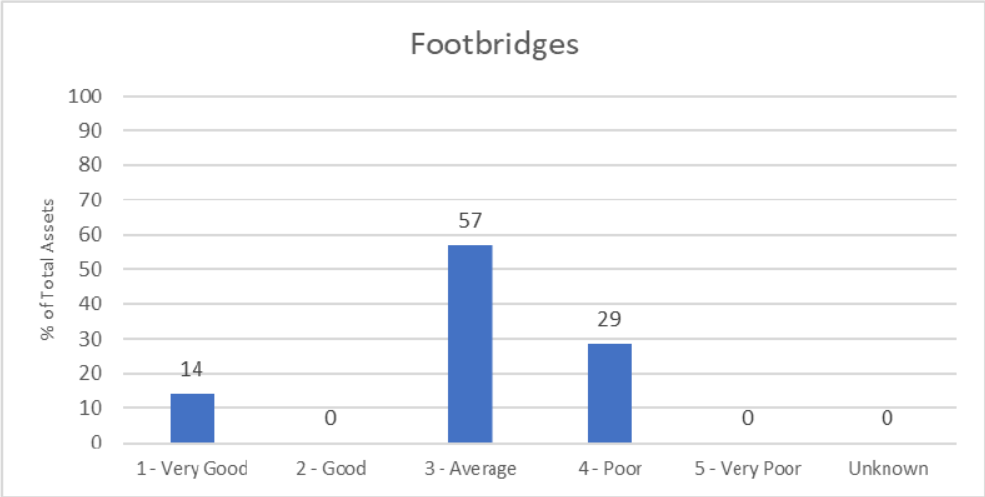


Figure 12 - Transport: Footbridge condition summary

4.2.3. Stormwater Assets

Data Confidence: Low

Commentary:

The City of Yarra is home to some of the oldest suburbs in Australia. Much of Yarra's stormwater infrastructure was constructed at the start of the century long before computers and data management. This coupled with the high cost of capturing underground CCTV video imaging for condition interpretation has resulted in much of Yarra's stormwater infrastructure being unknown.

Yarra is committed to better understanding its stormwater infrastructure condition and has committed significant funding to do this over the next ten years.

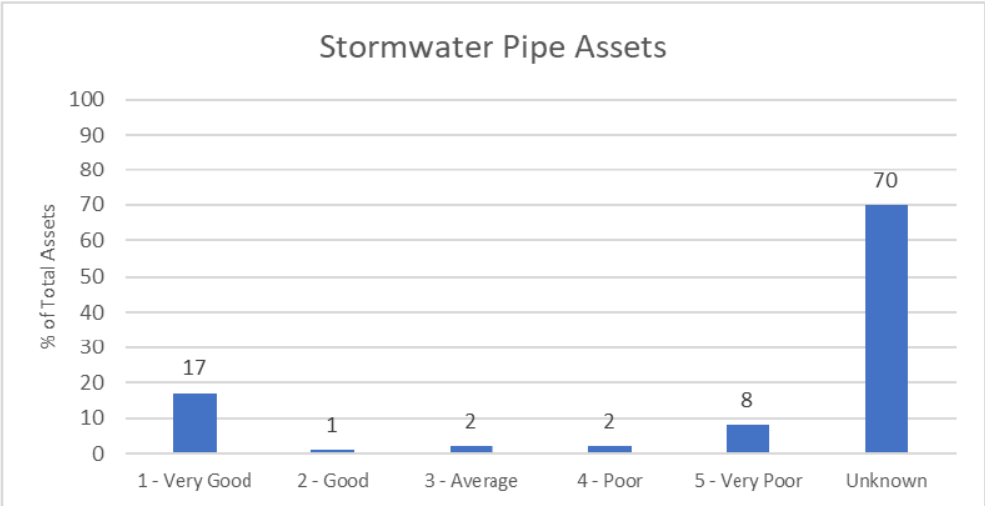


Figure 13 – Stormwater assets condition summary

4.2.4. Open Space Assets

Data Confidence: Medium

Commentary:

The condition data for our Open Space assets reflects the high levels of service and investment that our community expects from their parks and gardens. Yarra commits significant maintenance funding to ensure Open Space assets are available at a high level of service.

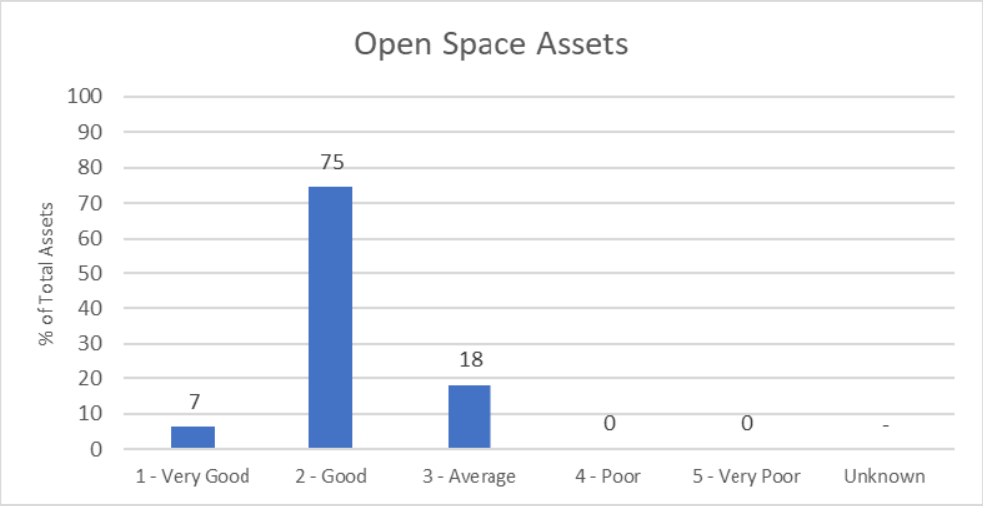


Figure 14 – Open space assets condition summary

5. Financial Information

This section outlines the expenditure on our infrastructure over the next 10 years and details the expected asset specific challenges for the same period. Indicators

Our performance indicators are defined by the Local Government Performance and Reporting Framework (LGPRF). The Framework requests that councils monitor and report on a number of indicators. Three indicators relate to Asset Management and are listed below.

Table 8 - LGPRF Indicators: Asset Management related indicators

Indicator	FY2020–21 result	Comment
Infrastructure per head of municipal population	$9,913.72	Investment in infrastructure is consistent with population changes.
Population density per length of road	327.48	Number is expected to increase with population increases as the ability to construct new roads is limited.
Asset Renewal and Upgrade	107.26%	Yarra is investing in its existing infrastructure at a rate higher than depreciation.

5.1. Projections

Financial outlays have been determined based on the affordability assessments made in our Financial Plan and do not reflect the potential financial requirements to maintain current service levels over the next ten years.

Further analysis will be required to determine appropriate funding levels in the long-term. Scenario, option analysis and gap analysis will be presented in future iterations of the Asset Plan.

5.1.1. Building Assets

Table 9 – Building Assets Projected Ten Year Expenditure ($'000)

	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	10 Year Total
Operations	3,404	3,474	3,545	3,617	3,690	3,764	3,840	3,916	3,994	4,114	**37,357**
Maintenance	4,241	4,285	4,328	4,372	4,415	4,459	4,502	4,545	4,589	4,727	**44,462**
Renewals	8,731	5,752	3,088	6,958	6,805	8,553	7,672	4,612	4,147	8,377	**64,695**
Upgrades	818	2,400	7,200	130	3,416	4,095	5,228	7,927	5,714	490	**37,418**
New	4,930	9,680	10,172	10,507	577	585	40	666	1,197	1,145	**39,499**
Total	**22,124**	**25,590**	**28,333**	**25,584**	**18,903**	**21,455**	**21,282**	**21,666**	**19,641**	**18,852**	**223,430**

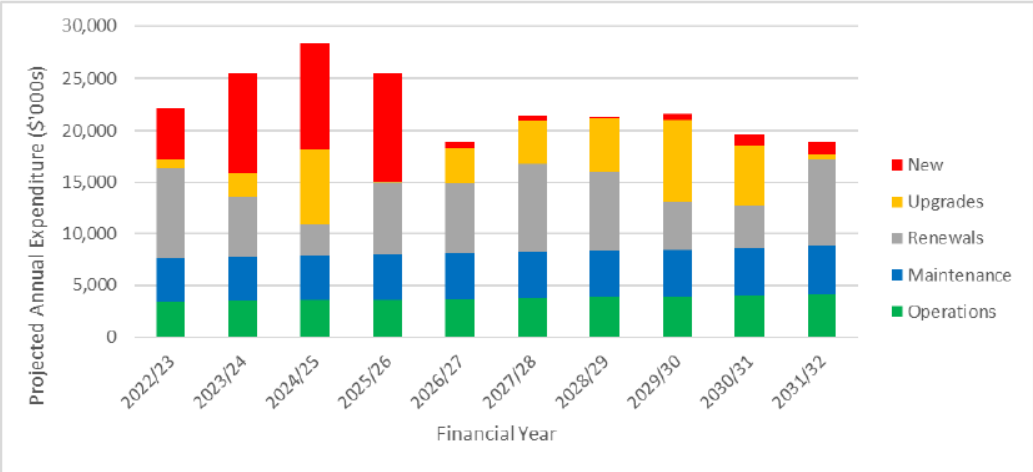


Figure 15 – Building Assets Projected Annual Budget ($'000)

5.1.2. Transport Assets

Table 10 – Transport Assets Projected Ten Year Expenditure ($'000)

	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	10 Year Total
Operations	3,456	3,525	3,595	3,667	3,740	3,815	3,891	3,969	4,049	4,130	**37,838**
Maintenance	4,786	4,882	4,980	5,079	5,181	5,284	5,390	5,498	5,608	5,720	**52,407**
Renewals	8,701	7,062	6,971	8,588	9,885	11,376	11,412	12,113	12,019	11,954	**100,081**
Upgrades	2,094	2,846	1,544	1,802	3,476	2,838	1,854	937	2,103	4,644	**24,137**
New	819	180	0	0	0	0	0	0	0	992	**1,991**
Total	**19,856**	**18,495**	**17,090**	**19,136**	**22,282**	**23,313**	**22,548**	**22,517**	**23,778**	**27,439**	**216,453**

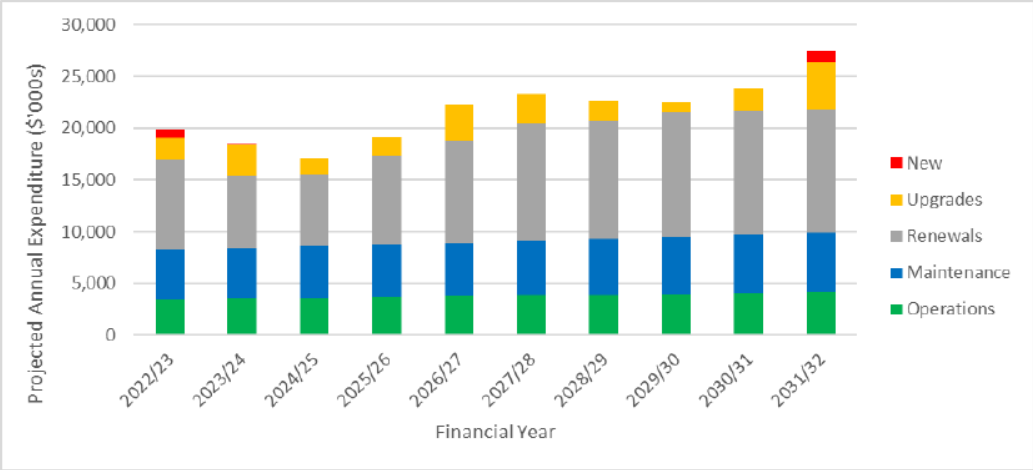


Figure 16 –Transport Assets Projected Annual Budget ($'000)

5.1.3. Stormwater Assets

Table 11 – Stormwater Assets Ten Year Expenditure ($'000)

	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	10 Year Total
Operations	581	593	605	617	629	642	655	668	681	695	6366
Maintenance	224	229	233	238	243	248	253	258	263	268	2457
Renewals	2,455	1,957	1,728	1,277	1,971	2,015	1,620	1,987	2,047	2,100	19,157
Upgrades	0	0	0	0	0	0	0	0	0	0	0
New	1,300	0	0	0	0	0	0	0	0	1,177	2,477
Totals	4,226	2,442	2,228	1,792	2,501	2,561	2,182	2,566	2,643	3,892	27,033

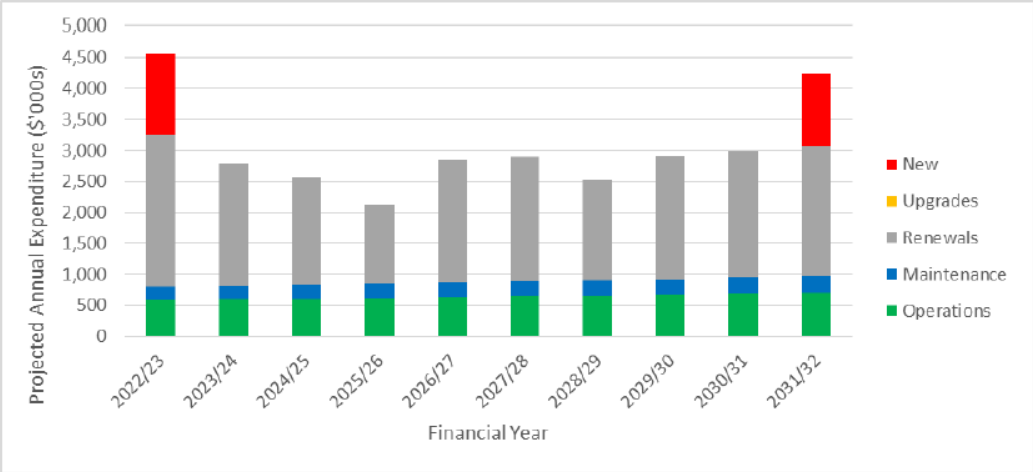


Figure 17 – Stormwater Assets Projected Annual Budget ($'000)

5.1.4. Open Space Assets

Table 12 – Open Space Assets Ten Year Expenditure ($'000)

	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	10 Year Total
Operations	3,969	4,018	4,069	4,120	4,171	4,224	4,276	4,330	4,384	4,439	42,000
Maintenance	3,327	3,369	3,411	3,454	3,497	3,541	3,585	3,630	3,675	3,721	35,210
Renewals	1,735	3,905	2,500	3,960	5,135	3,930	5,810	4,500	5,680	220	37,375
Upgrades	0	0	0	0	55	0	0	332	230	385	1,002
New	2,330	7,350	5,150	5,150	6,604	5,150	5,150	5,516	5,221	6,509	54,129
Totals	11,361	18,642	15,130	16,683	19,462	16,844	18,821	18,308	19,190	15,274	169,716

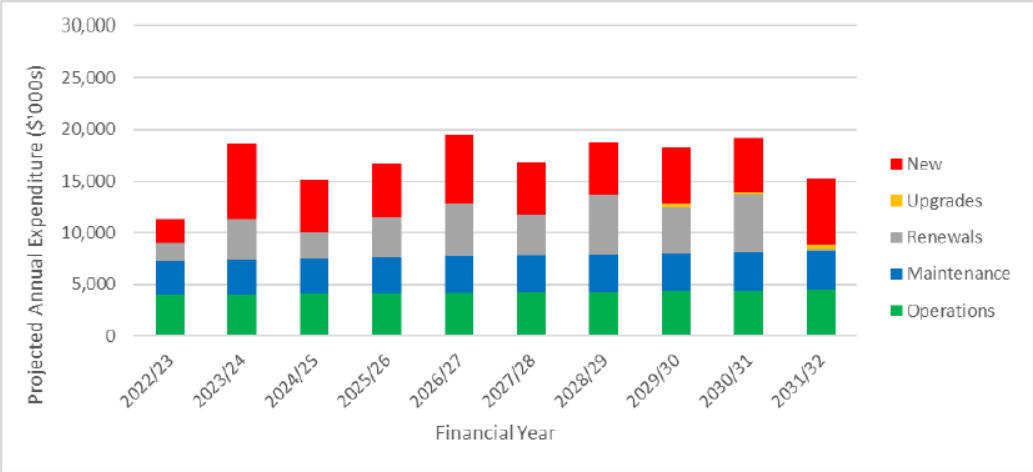


Figure 18 – Open Space Assets Projected Annual Budget ($'000)

6. Priorities and Challenges

The challenges facing Yarra's assets have been grouped into the table below and then applied to each of the asset classes in the following pages.

Table 13 – Asset specific challenges facing Yarra over the next 10 year period

Challenge Category	Description
Climate Change	Climate change is putting additional pressure on asset capacity, utilisation and condition. Hotter climate, wetter climate. Elimination of gas use.
Aging Assets	As assets age their maintenance costs can increase if renewal is not optimised.
Number of Assets	Increasing the asset base without planning for disposal results in long-term sustainability issues as lifecycle costs are still attributable to the asset
Future Demand	Availability of assets and the related service level can change over time as population demographics change. Understanding the future population changes and demographics is critical to ensure assets are available at the correct level of service.
Skills Shortage	Skills shortages are commonplace in Australia and have recently been exacerbated due to the COVID 19. This can have an impact on the efficiency and effectiveness of the lifecycle management activities and can also reduce the ability to secure contracting companies to carry out activities such as renewals and maintenance.
Environmental Demand	Increased environmental controls and targets can result in the need for need for upgrading of existing assets, creation of new assets and or reduced useful life of assets to meet environmental targets
Development	Increased development can have detrimental impact on assets as the useful life can be reduced resulting in higher frequency of renewals. Assets can also be damaged by utility companies and builders as they connect new developments to existing networks. Council has implemented Development Contributions Plan levies to assist with managing the financial impact of this challenge.
Community Expectation	Community expectation can increase Levels of service on lifecycle activities such as renewals, upgrades, maintenance and operations. Levels of service from one municipality can be expected in other municipalities where funding levels are lower.
Economic	Increased costs due to real material and labour cost increases in excess of the Fair Go Rates System rate cap.

6.1. Building Assets

Priorities over the next 10 year period				
• ***Transitioning our buildings from gas to electricity***				
• ***Improving the understanding of service needs through adequate service planning***				
• ***Increasing our current knowledge on the condition of our building assets***				
• ***Developing new standards for maintaining and constructing our buildings in response to climate change***				
Challenge 1	**Challenge 2**	**Challenge 3**	**Challenge 4**	**Challenge 5**
Climate Change	**Aging Assets**	**Number of Assets**	**Economic**	**Future Demand**
Works associated with retrofitting our buildings in response to the Yarra Climate Emergency Plan will require significant additional investment. Limitations with existing building stock will require difficult choices to be made in terms of redevelopment or retrofit.	Yarra has a relatively high proportion of building assets that are at or near the end of their useful life. This coupled with a high number of heritage assets such as townhalls increases lifecycle costs (maintenance and renewal). Financial sustainability of lifecycle funding will continue to be a challenge.	Yarra has several underutilised buildings that continue to attract lifecycle costs. We will need to better rationalise our building stock numbers to justify our lifecycle expenditure if we wish to remain financially sustainable in the longer term.	Material and labour costs are increasing substantially. This increase in costs will put significant impact on our ability to fund our future lifecycle activities and will have an impact on our long term financial sustainability. We may need to reduce service levels in the future to meet the lifecycle funding requirements.	We require longer term planning on our services to justify the investment in lifecycle activities on our buildings. We may need to look at alternatives to owning buildings (such as leasing facilities and buildings) to meet the future demand of our services.

6.2. Transport Assets

Priorities over the next 10 year period				
• ***Ensure that cycling networks are prioritised in future asset planning programmes***				
• ***Implement the Transport Plan without having a long-term impact on revenue***				
• ***Continue to advocate to State Government and other agencies to prioritise transport investment in Yarra***				
• ***Work with State Government to ensure DDA compliance on state assets servicing our community***				
Challenge 1	**Challenge 2**	**Challenge 3**	**Challenge 4**	**Challenge 5**
Future Demand	**Community Expectation**	**Development**	**Economic**	**Climate Change**
Yarra's population is increasing and how the community utilises transport assets is changing. We must rapidly adapt to the future demand by ensuring all transport modes are addressed in future planning.	The expectations of Yarra's community are increased due to Yarra's position as a primary route to the CBD. This puts increased demand on Yarra's long term financial sustainability due to the need for upgrading and new assets to meet community expectation.	Changes in development types sees low density population areas moving to mid-level and high-level population precincts. This change in development puts immediate demands on our transport infrastructure. We may need to increase upgrade and new spending to address this demand now to ensure more controlled capital expenditure in the future	Labour and material costs are increasing. Increased funding levels will be required to maintain current service levels over the 10yr period. We will need to invest in our asset management team to ensure that new strategies are applied to prioritising funding to critical infrastructure.	As well as Climate Change changing how people want to travel, climate change is also pressuring us to adopt alternative methods and materials for managing the lifecycle of our assets. New materials and methods can increase lifecycle costs.

6.3. Stormwater Assets

Priorities over the next 10 year period				
• ***Identify and deliver critical flood mitigation projects***				
• ***Continue investing in understanding the condition of our stormwater infrastructure***				
• ***Identify and deliver future stormwater harvesting projects with external partners***				
• ***Secure skilled staff into Stormwater team***				
Challenge 1	***Challenge 2***	***Challenge 3***	***Challenge 4***	***Challenge 5***
Climate Change	**Skills Shortage**	**Economic**	**Aging Assets**	**Community Expectation**
Climate change is the number one challenge facing the stormwater asset class over the next 10 years. A changing climate will likely result in increased rainfall and an increase in high intensity rainfall events. The Stormwater asset class will require both new assets and upgrades of existing assets. Renewal frequency is also likely to be increased as more assets have a higher utilisation rate.	The current infrastructure development boom in Victoria has put added pressure on an already limited skilled labour pool. This skills shortage is expected to continue over the short to medium turn and will likely increase operational costs as higher salaries are required to attract and retain skilled employees.	Labour and material costs are increasing. Increased funding levels will be required to maintain current service levels over the 10yr period.	Yarra has some of the oldest stormwater assets in Australia due its location and early European history. Aging stormwater pipes may be functionally adequate, but their condition can deteriorate rapidly and can put pressures on future renewal funding.	Community expectations around water ponding after flash flood events can increase the need for additional upgrades beyond what is required.

6.4. Open Space Assets

Priorities over the next 10 year period				
• ***Expansion of the Open Space network to meet growing population needs***				
• ***Improve the facilities in the existing Open Space network to meet increased demand***				
• ***Open Space network is resilient to climate change, extreme weather events and heat island effects***				
• ***Ensuring a secure funding source to enable upgrades and maintenance to the Open Space network to meet community expectations***				
Challenge 1	***Challenge 2***	***Challenge 3***	***Challenge 4***	***Challenge 5***
Future Demand	**Economic**	**Community Expectation**	**Climate Change**	**Development**
Future forecasted population is placing increasing pressure on the existing open space network through increased usage. New strategy work to identify response to future demand and additional lifecycle funding in New and Upgrade expected. The Yarra Open Space Strategy forecasts the need for a significant increase in the amount of open space required.	Labour and material costs are increasing. Increased funding levels will be required to maintain current service levels over the 10yr period. Service levels may decrease in the future to meet the lifecycle funding requirements if funding is unavailable. A significant increase in funding is required to achieve the outcomes of the Yarra Open Space Strategy.	Upgrade and maintenance levels need to respond to increased demand. Community expectations are there is a well-maintained and accessible open space network that caters for all age groups and provides a variety of play spaces that are fit for purpose.	Climate change will be a significant issue impacting the existing open space network, causing loss or degradation of environmental values, and increased use of existing facilities and assets. This will require an increase in renewal frequency and a change in how natural assets are managed.	Increased development is impacting on existing assets through increased demand and use that is unable to be met by renewal and maintenance.

Attachment 2 - Attachment 2 - Proposed Asset Management Policy (2022)

Asset Management Policy

Title	**Asset Management Policy**
Description	Outlines the principles, requirements and responsibilities for undertaking asset management activities across Council in a structured and coordinated way to manage risk, preserve and develop Council assets for the benefit of the community and to support Council services in a sustainable manner.
Category	Assets
Type	Policy
Approval authority	Council
Responsible officer	Senior Coordinator Asset Management and Capital Works
Approval date	23 Jun 2022 (TBC)
Review cycle	Every four years
Review date	22 Jun 2026 (TBC)
HPE CM Ref. No.	D22/137876
Human Rights compatibility	This policy has been assessed and is compatible with the Victorian Charter of Human Rights of Responsibilities

1. Purpose

Asset management ensures that the appropriate infrastructure and other physical assets are available now and into the future for the benefit of the community and to support the delivery of services whilst balancing levels of service, risk and whole-of-lifecycle asset costs.

The purpose of this policy is:

- To define Council's guiding principles for asset management.
- To assist Council to achieve best practice asset management towards delivery of the Yarra Council Plan 2021-25 and Yarra 2036 Community Vision.
- To guide staff in complying with Asset Plan provisions of the *Local Government Act 2020*.

2. Scope

This policy applies to all infrastructure and other physical assets owned or controlled by Council, including land, buildings, open space, urban treatments, transport, stormwater, lighting, fleet/mobile plant and lighting assets.

An asset management plan may cover a set of related asset categories.

2.1. Policy Principles

Yarra City Council's asset management principles are as follows:

- **Principle 1** – We will implement and maintain an asset management framework comprising this Policy, a Strategic Asset Management Plan, asset management plans for each infrastructure asset group and a Council-adopted Asset Plan.
- **Principle 2** – The asset management framework will align with ISO 55001 (Asset Management – Management Systems – Requirements), the International Infrastructure Management Manual and the Asset Plan provisions of the *Local Government Act 2020*.

- **Principle 3** – Asset management will support the delivery of the Council Plan (as it addresses the overarching Community Vision) and the various sub-ordinate strategies of Council.
- **Principle 4** – Asset planning will have a planning horizon of at least ten years, and longer where needed including consideration of the Yarra 2036 Community Vision horizon of fifteen years and climate adaptation considerations.
- **Principle 5** – Lifecycle asset activities (acquisition, operations, maintenance, renewal and disposal) will be considered with the objectives of minimising costs and environmental impact over the whole lifecycle.
- **Principle 6** – Levels of service will be defined for asset-based services in consideration of community needs, financial, social and environmental sustainability.
- **Principle 7** – Funding for renewal of existing assets needed for ongoing service provision will be given priority over funding for new assets, asset upgrades and expansions.
- **Principle 8** – Renewal of existing assets will be based on service need, fitness for purpose, asset condition, compliance and risk management considerations.
- **Principle 9** – Proposed new assets, asset upgrades and expansions will be in alignment with the Council Plan, Council strategies, service plans and demand forecasts.
- **Principle 10** – Asset management planning and long-term financial planning will be integrated with the service and risk implications of any divergence between asset and financial plans considered as part of the planning process.
- **Principle 11** – Asset management roles, responsibilities and accountabilities will be clearly defined and resourced appropriately and linked to position descriptions and the Workforce Plan.
- **Principle 12** – Asset management training and skills development will be provided for staff, management and Councillors.
- **Principle 13** – A corporate centralised asset management information system will be utilised for the operational and strategic management of assets.
- **Principle 14** – We will regularly measure and report performance against objectives and strive to continuously improve asset management, including the introduction of innovative technologies for productivity and capability improvements.

2.2. Policy Alignment

Community Vision

The following Yarra 2036 Community Vision future priorities relate to asset management:

- *Community Safety - 3.4 Council actively maintains … and implements infrastructure to ensure our streets and public spaces are free of hazards.*
- *Environmental Sustainability – 4.2 Lead the way in climate change mitigation and resilience within Yarra and extend our impact through advocacy and innovative partnership.*
- *Environmental Sustainability – 4.4 A transport system that is innovative, efficient, sustainable and accessible.*
- *Shared Space – 7.1 All our shared spaces are made physically accessible and welcoming to people of all abilities, linguistic, cultural backgrounds and age groups.*
- *Shared Space – 7.2 Community meeting spaces, service buildings, and facilities evolve and adapt to reflect changing needs of our diverse community.*

- *Shared Space – 7.3 Create and innovate solutions to maximise the use of under or unused streets and spaces.*
- *Shared Space – 7.4 Increase availability and diversify use of open spaces to address existing shortages and respond to population growth.*

Council Plan

The following Council Plan 2021-25 strategies relate to asset management:

- *SO 1 Climate and Environment – S1.1 Take urgent action to respond to the climate emergency and extend our impact through advocacy and partnerships.*
- *SO 4 Place and nature – S4.2 Plan and manage community infrastructure that responds to growth and changing needs.*
- *SO 5 Transport and movement – S5.4 Create a safe, well-connected and accessible local transport network including pedestrian and bike routes through Yarra (MPHWP).*
- *SO 6 Democracy and governance – S6.1 Provide opportunities for meaningful, informed and representative community engagement to inform Council's decision-making.*
- *SO 6 Democracy and governance – S6.2 Manage our finances responsibly and improve long-term financial management planning.*
- *SO 6 Democracy and governance – S6.3 Maximise value for our community through efficient service delivery, innovation, strategic partnerships and advocacy.*
- *SO 6 Democracy and governance – S6.4 Practice good governance, transparency and accountable planning and decision-making.*
- *SO 6 Democracy and governance – S6.5 Progress and embed our culture of organisational continuous improvement and build resilience to adapt to changing requirements in the future.*

3. Responsibilities

Council

Will make decisions which demonstrate sound stewardship of assets in relation to asset management including consideration of intergenerational equity. Council is responsible for adopting the Asset Management Policy and the Asset Plan, and ensuring that asset management requirements (as documented in the Asset Plan) are given appropriate consideration when considering financial allocations during the annual budget planning process.

CEO

Will ensure that adequate resources are allocated to enable sound asset management practice across the organisation. Will ensure that asset management objectives align with the organisation's objectives, the Council Plan and the Community Vision. They will ensure that an integrated strategic planning framework is developed and implemented to meet the objectives of the Council.

Executive Management Team

Will support the CEO in their decision making, and provide leadership in relation to asset management for any asset-related functions within their division.

Director City Works and Assets

Will provide leadership and direction for implementing Council's asset management framework, including developing the asset management policy, strategic asset management plan and associated asset management plans. Has primary responsibility for the monitoring and implementation of the principles contained within this policy across the organisation.

Director Corporate Business and Finance

Will ensure that the financial projections in asset management plans are a key input into the long-term financial plan and will implement a service planning framework to assist asset managers and Service Managers in predicting future demand associated with assets and services.

All Asset Managers

Will develop, implement and maintain asset management plans using the principles and objectives outlined in the Asset Management Policy in accordance with the further guidance in the Strategic Asset Management Plan. Will ensure that all lifecycle activities are costed in the asset management plan and reflected in annual budgets. Will collaborate with Service Managers to ensure asset management plans are integrated with and respond to service requirements. Will develop asset renewal requirements, risk registers, levels of service tables, maintenance standards and lifecycle costs for inclusion in asset management plans.

Asset Management and Capital Works Unit

Will develop, implement and maintain the asset management framework, including assisting and guiding asset management planning activities by asset managers. Will also coordinate the capital works planning and monitoring process aligned with asset management plans.

4. Related Documents

- Yarra 2036 Community Vision
- Council Plan 2021-25
- Long-Term Financial Plan 2021/22 to 2030/31

5. Relevant Legislation

- Local Government Act 2020

Attachment 3 - Attachment 3 - Draft Asset Plan 2022-2032 Submissions Overview

Draft Asset Plan 2022-2032 Submissions Overview

#	Date Received	How Received	Submission Category	Submission	Officer Response
1.1	6/05/22	Your Say Yarra	Asset Management at Yarra	Approach is fair and represented in the model, however a key missing component in the diagram and in practice is cooperation and sharing with other councils and comparison in performance to other "like councils". Although it does mention that asset management is within local council framework it does not introduce shared approaches and thus skills and costs.	Council's Asset Management team is exploring opportunities to share knowledge and resources with neighbouring councils.
1.2	6/05/22	Your Say Yarra	Our Assets	" The collection of condition data can be expensive, so it is important that the right amount of data is collected. We do this by ensuring responsibilities for data collection are allocated and that the collection is scheduled and stored in our enterprise asset management IT systems." Although there may be individual assets needing data collection, however the function of data collections and storage should be a centralised approach and there seems no mention of this so a reader believes that Yarra has its own separate workforce all duplicated across multiple councils which sounds like a terribly shortsighted view. The method of explaining the strategies is however quite logical.	Refer response to submission 1.1.
1.3	6/05/22	Your Say Yarra	Financial Information	As noted above no evidence of thought going into strategic cost management other than a callout of leasing rather than owning.	Asset management provides a framework for minimising the lifecycle asset costs, whilst also providing data for consideration in strategic cost management considerations as part of ongoing service planning.
1.4	6/05/22	Your Say Yarra	Priorities and Challenges	Stormwater challenges would seem to be significant however noting they have been in place since start of century it is disappointing in that we have known about climate change for decades and yet no thought on working with other councils to share expertise and skills is mentioned, simply that Yarra needs to employ more skills in this area. This seems to be just building empires rather than innovative work solutions to problems that many councils must be experiencing.	Council has an existing program of sharing stormwater asset knowledge, skills and resources including jointly funded projects with partner organisations such as other councils and water authorities.

Attachment 3 - Attachment 3 - Draft Asset Plan 2022-2032 Submissions Overview

#	Date Received	How Received	Submission Category	Submission	Officer Response
1.5	6/05/22	Your Say Yarra	General Feedback	In my reading of the plan which is fine in many aspects of identifying challenges and priorities there seems to be no innovative considerations of ongoing financial challenges. It may be that Yarra just expects that rates can be raised however the danger is that if Yarra has not considered and started to implement ongoing cost management then we will hit a brick wall and be forced to reduced council in one big hit rather than starting to achieve ongoing efficiencies perhaps via sharing of functions with other councils from now into the next 10-20 yrs.	The submission is noted; refer also to the response to submission 1.3.
2.1	8/05/22	Your Say Yarra	Asset Management at Yarra	Unclear where this plan fits within the asset management framework or what its relationship is to several other asset management plans identified in this section.	Changes made to Table 1 of proposed Asset Plan to describe the relationship of the Asset Plan to the other documents in the framework.
2.2	8/05/22	Your Say Yarra	Our Assets	This section could benefit from better data visualisations to communicate a narrative or present (or substantiate) options.	The submission is noted and will be considered in the development of future iterations of the Asset Plan.
2.3	8/05/22	Your Say Yarra	Financial Information	This section seems pretty pointless from a planning perspective, if "further analysis" is needed to determine appropriate funding levels, and scenario/option/gap analysis has yet to be undertaken. While this is slated for inclusion in "future iterations" of the plan (when will these be published?), its absence makes the current draft plan seem premature and incomplete.	The submission is noted. Under the Local Government Act 2020, Council is required to adopt its first Asset Plan by 30 June 2022 and thereafter adopt a new Asset Plan by 31 October in the year following a Council general election.
2.4	8/05/22	Your Say Yarra	Priorities and Challenges	Priorities are largely high-level and do not seem to address the challenges identified immediately underneath. The challenges section contains a variety of suggestions and possibilities - eg. reduce service levels - but it is unclear which of these council is intending to pursue.	The submission is noted and has been referred for consideration in Council's service and budget planning activities.
2.5	8/05/22	Your Say Yarra	General Feedback	Unsure what the purpose of consultation is, given the draft plan seems incomplete and lacks a clearly articulated plan or set of options. One of its stated purposes is "facilitating more informed community engagement", yet I imagine most of the community would find this document inaccessible or have difficulty understanding what they are to provide feedback on. To this end, engagement needs to be better planned and scoped, or else risks being another tick the box exercise.	The submission is noted and will be considered in the community engagement approach for future iterations of the Asset Plan.

Attachment 3 - Attachment 3 - Draft Asset Plan 2022-2032 Submissions Overview

#	Date Received	How Received	Submission Category	Submission	Officer Response
3.1	10/05/22	Your Say Yarra	Our Assets	Not enough public open space. I would re-evaluate the cost of replacing foot bridges, it looks too low. Your cost of footpaths is too low. Sack the person who completed the evaluation, you are not going to get the footpaths replaced in an urban environment for the cost you have. 260 ha of open space = 260 x 10,000 = 2,600,000m2 @ $400/m2 = $1 Billion dollars, so clearly not including the cost of the land. Yarra's parks and playgrounds are of low quality, even Melton has better playgrounds and Melton is the worst suburb in Melbourne. Make assets for ratepayers, not anyone else, don't allow the State government to cost shift looking after those of society that do not look after themselves, (druggies and welfare recipients) Footpath pavement, what no inspection completed in 10 years, with no pavement rated lower than good, you should go for a walk down Davison Street on the West side between 2 and 66. You should also go for a walk through Abbottsford you will find pavements below the good rating. What's the criteria for a kerb, being good, if it is a kerb holding water and not draining, you nailed Davison Street West side and East side at Coles Trc. Laneway assessment is the closes so far. Good to see you have no idea about the drainage in Yarra and most of it would be approaching 100 years old, stop the excuses and complete a review. I can ell you City of Melbourne knows much more about the condition of their drainage and if Yarra was smart, they would do what Com does and get the big developers to complete a CCTV of the local drains when they do a development, Not that is effects me as I don't have stormwater drains that service my house, Yarra was to cheap to install a pipe when they re did the lane 5 years ago, they had the perfect opportunity.	Footnote 2 added to Table 4 of proposed Asset Plan to explain the asset valuation methodology required for Victorian councils. In accordance with guidance from Local Government Victoria, the Asset Plan is intended to focus on physical infrastructure assets. The valuation of land is excluded from the infrastructure asset valuations, although the total value of all land under Council control (valued in line with Accounting Standards) is noted in section 4.1, Figure 5. Footpath condition is assessed along with other transport assets on a four to five year cycle; additionally, defect inspections of all footpaths occur on a more frequent basis in line with Council's Road Management Plan. Council requires developers to undertake CCTV of affected stormwater assets prior to development commencing and after the completion of the development, which provides data to better understand the condition of the existing drainage network.
3.2	10/05/22	Your Say Yarra	Financial Information	Stop wasting money on bike lanes. Stop wasting money on removing parking bays. I would like to see more money spent on upgrading counsel assets, in double the renewal rate from 107% to 114%, do this by reducing useless services like the health clinics, money for druggies.	The submission is noted; the Asset Plan as proposed is intended to be consistent with the adopted plans and strategies of Council.

Attachment 3 - Attachment 3 - Draft Asset Plan 2022-2032 Submissions Overview

#	Date Received	How Received	Submission Category	Submission	Officer Response
3.3	10/05/22	Your Say Yarra	Priorities and Challenges	Yarra can not control climate change and the effect over the next 50 years is going to be minimal with maybe 1'c and a little more storms. Don't make it a challenge when it's not. Ageing assets is only a problem if you are not planning to replace them as they become inoperative, just plan to replace at the appropriate rate. Future demand, it's simple make it user pays, as big developments happen (that we don't want) make them pay for the upgrade of the council infrastructure, being roads, footpaths, drains, public open space. Increased cost due to labour , it's called inflation, it happens, plan for it. Rates go up by the rate cap, which is in line with inflation, so don't make it a big deal (who rote this paper ?, do they have any economic or infrastructure management or building experience ?)	The Asset Plan as proposed is intended to be consistent with the adopted plans and strategies of Council including the Climate Emergency Plan. Table 13 'Development' challenge description amended to note that Council has implemented Development Contributions Plan levies to assist with managing the financial impact of this challenge. Table 13 'Economic' challenge description amended to clarify that the challenge is real cost increases in excess of the Fair Go Rates System rate cap.
3.4	10/05/22	Your Say Yarra	General Feedback	This plan is not going to generate any meaningful feedback their is no detail to allow a proper analysis. Where it the appendix, listing the asset and the assessment on the asset, ? Where is the forecast impact for the so called challenges like climate change ? How did the costing get developed, they appear to be simply wrong ? How did the analysis of asset condition happen, again with no footpaths under good, it is wrong. What is Yarra going to do about the expansion of open space which is a priority, Yarra have collected more than $10M in open space fees from within 800m of my house over the past 10 years, yet no new open space, how can you say it is a priority when you are not purchasing new land for open space despite the massive over development over the past 10 years. Simply this review was a waste of time as Yarra (probably by design) did not give the information needed in the documents to complete a meaningful review. I'm a Building and Construction professional with degrees in Civil Eng and Business admin, who is also the son of a refugee (fathers side) and part Aboriginal (mothers side). Yarra you need to do much better, If one of my team members gave me a paper like this, I would not even accept it as a summary document as it tells you nothing that you need to know.	The proposed Asset Plan is intended to be a summary document and has been authored in line with the guidance from Local Government Victoria for the content of Asset Plans. In relation to new land for open space, refer also to response to submission 4.1.

Attachment 3 - Attachment 3 - Draft Asset Plan 2022-2032 Submissions Overview

#	Date Received	How Received	Submission Category	Submission	Officer Response
4.1	10/05/22	Your Say Yarra	Priorities and Challenges	Over the period of this budget, there will be a significant population increase in Nichols ward. To prepare for this, Abbotsford needs more open parks and garden space in its own right. This also includes, taking the decisive step required for the future purchase of land on Yarra City Council side of the river. In addition there is the need for the purchase and development of new strategic parcels of land for families and children's recreation purposes in Richmond, Abbotsford and Collingwood.	Council's policies for the acquisition of land for open space and expenditure of Public Open Space contributions are outside the scope of the Asset Plan, although the Asset Plan and Long Term Financial Plan include financial provisions for the acquisition of land for new public open space.
5.1	20/05/22	Your Say Yarra	Asset Management at Yarra	Here are my principles - Consider circular economy principles in your asset management plan - Reuse materials, wherever possible - Use recycled content - Explore low carbon asphalt for roads - Design assets for repair rather than replacement, where possible - Support community initiatives such as repair cafe, libraries, equipment to hire before investing in more new council assets - Invest in assets that can have a second life ie donated on to community group, borrowed by community	Council is currently developing a Circular Economy Strategy and Action Plan. Policy principle 5 of the proposed Asset Management Policy has been amended to include the objective of minimising environmental impact as well as cost over the asset lifecycle, and the same change also applied to section 3.1.1 of the proposed Asset Plan.
5.2	20/05/22	Your Say Yarra	Our Assets	More public access to infrastructure and open space would be advantageous to the community. Sharing council spaces (covered and open) for community events, festivals and markets Offer borrowed garden beds for a period of time Using empty space for pop up gardens ie Lourdes carpark in St Heliers Street, Abbotsford	The submission is noted; Council's Events and Urban Agriculture teams actively look for opportunities to leverage existing Council properties.
5.3	20/05/22	Your Say Yarra	Financial Information	Adopt a repair before replace principle Assess community assets before purchase or investment in new council assets Invest in community assets and initiatives - eg mobile wash up trailer for public events	The submission is noted and a repair before replace principle is consistent with the amended policy principle 5 (refer response to submission 5.1).
5.4	20/05/22	Your Say Yarra	Priorities and Challenges	Prioritize recommendations that address climate change issues Support community initiatives Don't cap open space with impenetrable concrete and fixed furniture - leave open space uncluttered and available for community.	The submission is noted and the Asset Plan as proposed is intended to be consistent with the adopted plans and strategies of Council including the Climate Emergency Plan. The comments regarding open space have been referred to the Open Space Planning and Design team for consideration.

Attachment 3 - Attachment 3 - Draft Asset Plan 2022-2032 Submissions Overview

#	Date Received	How Received	Submission Category	Submission	Officer Response
6.1	20/05/22	Your Say Yarra	Asset Management at Yarra	There's no mention of the management of Yarra's most valuable asset class, which is car parking assets, both on and off-street.	The physical assets used for car-parking (on- and off-street) are included within the Transport asset class. A paragraph has been added to section 2.2 to note the interdependency of Asset Management with service planning activities.
6.2	20/05/22	Your Say Yarra	Our Assets	Again there's no mention of car parking assets. The asset value of the land devoted to car parking is into the billions, plus there are parking machines and signs etc.	In accordance with guidance from Local Government Victoria, the Asset Plan is intended to focus on physical infrastructure assets. The valuation of land is excluded from the infrastructure asset valuations.
6.3	20/05/22	Your Say Yarra	Financial Information	We urgently need an asset value and performance review of parking assets, that's more important than anything currently in the draft asset plan. The income foregone by not charging appropriate fees for use of these assets is in effect the City of Yarra's largest use of resources. I have never heard any good explanation of why rates in Yarra are kept so high for everyone, in order that council can afford to give huge subsidies only to those residents who drive, in the form of free and under-priced parking. To have a proper debate on these issues we need to be informed about the financial facts: asset values, potential income under market rates, actual income, costs.	The submission is noted and has been referred for consideration in Council's on-going service planning activities. The Asset Plan is intended to be consistent with the existing Council service delivery model and the adopted strategies of Council.
6.4	20/05/22	Your Say Yarra	Priorities and Challenges	The first two transport priorities: "Ensure that cycling networks are prioritised in future asset planning programmes" and "Implement the Transport Plan without having a long-term impact on revenue" sound good, but we know that not much will happen until the parking issue is addressed. Roughly half of residents get a massive subsidy worth thousands of dollars in near-free parking, and they naturally fight tooth and nail to protect this free unmerited handout against good policies that would use some of that land for better uses such as improved footpaths, bike lanes and green spaces. The fair pricing of parklets should be a model for fair pricing of public land for parking. That will reduce demand and make it easier to free up space for better uses.	Refer to response to submission 6.3.

Attachment 3 - Attachment 3 - Draft Asset Plan 2022-2032 Submissions Overview

#	Date Received	How Received	Submission Category	Submission	Officer Response
7.1	20/05/22	Email	Asset Management at Yarra	Submitter outlines that there may be confusion around the Asset Management Policy being a policy or a strategy. Also unclear if the Asset Plan is supposed to be strategic	Changes made to Table 1 of proposed Asset Plan to describe the relationship of the Asset Plan to the other documents in the framework, remove the Planning Level column from the table and include some additional context into Figure 3.
7.2	20/05/22	Email	Asset Management at Yarra	Submitter requests that Yarra provide a publicly available asset list which include up to 50 years of planning.	Detailed asset planning is currently performed over a minimum ten-year horizon (longer for some key assets) and presented in summary form over a 10-year horizon in the proposed Asset Plan, in accordance with the Local Government Victoria Guidance for the content of Asset Plans.
7.3	20/05/22	Email	Financial Information	Submitter requests that Yarra plan for 50 years of lifecycle forecasts.	Currently, Council does not have the capability, resources or systems in place to plan for 50 years of lifecycle forecasts. The proposed Asset Management Policy (and reflected in the proposed Asset Plan) includes a principle for the continuous improvement of Council's asset management capability; we expect Council's ability to efficiently forecast longer periods will increase over time with development of Council's capability including appropriate supporting technology.
7.4	20/05/22	Email	Our Assets	Submitter requests that Parking assets are included in Asset Plan and that a detailed assessment is carried out on the value of parking assets.	Refer to responses to submissions 6.1 and 6.3.
7.5	20/05/22	Email	Our Assets	Submitter concerned that footpath condition information does not reflect the current condition and that Yarra needs to include function and capacity in its scoring of footpath assets.	The asset condition profile is captured at point in time; footpath condition assessments included in the proposed Asset Plan were performed in 2018, and an updated assessment is due for completion later in 2022.
7.6	20/05/22	Email	General Feedback	Submitter requests that Yarra invest in *Low Traffic Neighbourhoods* in order to reduce the costs associated with managing Transport assets.	The submission has been referred to the Strategic Transport team for consideration, and the likely reduced rate of asset degradation and associated cost savings under the suggested alternative service model is noted.

Attachment 3 - Attachment 3 - Draft Asset Plan 2022-2032 Submissions Overview

RESPONSE TO DRAFT ASSET MANAGEMENT POLICY 2022/26 AND DRAFT ASSET PLAN 2022/32



Streets Alive Yarra

Prepared by: Streets Alive Yarra Inc.

streets-alive-yarra.org

8

Foreword

Streets Alive Yarra is a non-profit, volunteer, resident and ratepayer action group with a vision for more trees, wider footpaths and vibrant businesses in thriving neighbourhoods. We see our streets being used by people from all ages, irrespective of whether they walk, roll on a wheelchair, cycle, use public transport or drive. Residents and shoppers should be able to move safely, comfortably, and conveniently around Yarra; and park near shops.



Image credit: OCULUS Landscape Architecture and Urban Design

Streets Alive Yarra was founded in 2017 and now has over 2,800 followers on Facebook. A network of local champions develops concepts and proposals for how to improve their local street or precinct. Streets Alive Yarra is also a member of the Victoria Walks Walkability Action Group network.

Further information is available at: streets-alive-yarra.org/about.

Coherence

The draft Asset Management Policy 2022-2026 and the draft Asset Plan 2022-2032 lack coherence. For example, it's not clear whether the Asset Management Policy 2022-2026 is intended to be a policy (as per its title) or a strategy (refer to Table 1):

Planning Level	Documents	Purpose and Contents
Strategic	Asset Management Policy	Outlines the guiding principles for Asset Management and the high-level responsibilities and accountabilities for Asset Management within the organisation
Tactical	Strategic Asset Management Plan	Links the organisational objectives to the asset management objectives and details the actions and practices required to meet those objectives
Operational	Asset Management Plans	Identifies how we intend to manage our assets within the allocated funding envelope to meet the needs of the community while managing risk.

Table 1 from draft Asset Plan 2022-2032

Similarly, it's not clear whether the draft Asset Plan 2022-2032 is intended be strategic (quote '*a key strategic planning document*') or tactical (refer to Table 1 above). It may be better to have three separate documents:

- Asset Management Policy
- Asset Management Strategy
- Asset Management Plan (as required by the Local Government Act)

Asset Management Policy

We support the purpose, scope, and principles. We support the principle that '*asset planning will have a planning horizon of at least ten years and longer where needed*'. Specifically, we suggest the policy should clearly state that council will maintain a publicly viewable Asset List within the Asset Management Plan, covering the next 50 years, including a detailed list of each asset with data on:

- the identify of each asset, i.e. each building, street or park is a separately listed asset
- the estimated lifetime of that asset, i.e. typical number of years between renewals; e.g. buildings need a new roof every XX years, high-traffic streets need re-sheeting every YY years, low-traffic streets need re-sheeting every ZZ years
- date the asset was last renewed, e.g. when was the roof last replaced, or the oval re-turfed
- dates for planned renewals, e.g. for buildings: roof, cladding, paint, HVAC, kitchen

We acknowledge that such a list may contain hundreds of items.

Asset Management Plan

The draft Asset Plan 2022-2032 claims to:

- describe how council will *manage assets throughout their lifecycle*,
- provide information on *asset performance* and the *costs of managing assets*
- contribute to *financial management*

Again, the Asset Management Plan should include an Asset List with 50 columns to show the planned expenditure on that asset each year for the next 50 years, showing that:

- council is cognisant of the 'big picture'
- council is able to make minor adjustments to planned renewal dates to smooth out 'lumps' in the required capital works budget for each year
- residents and ratepayers can easily look up when their street is planned to be re-sheeted

In addition to maintaining a publicly viewable list, each row in the list should include data on:

- how council intends to derive income to pay for renewals of that asset, e.g. from rates or from user fees; and
- the target recovery rate for that asset, e.g. ranging from 0% for public green open space to perhaps 100% for a council golf course.

Value of assets

The draft Asset Plan 2022-2032 claims that *Asset Management is the systematic activity of an organisation to realise value from assets*.

Yet, the document fails to include how council realises value from its approximately 47,000 on-street car parking spaces, located on public land. Approximately 3/4 of these parking bays are offered to users at no charge, which is the opposite of realising value.

The Asset Plan should include a detailed assessment of the value of parking assets, including a summary of the costs of managing the assets (surface maintenance, drainage, line markings, signs, and meters) and the potential revenue if the assets were priced at market rates. Clearly, council can determine to offer access to parking services at prices that are lower than market rates; the key point is that stakeholders should be aware of the revenue foregone by that decision.

Condition of assets

We agree that *it is important for us to understand the current condition of our assets*. We don't believe that all our footpath pavements are in 'very good' or 'good' condition. Many footpaths are too narrow, too bumpy, or too sloping (owing to vehicle crossovers) to be considered as either 'very good' or 'good', i.e. useable by a person in a wheelchair.

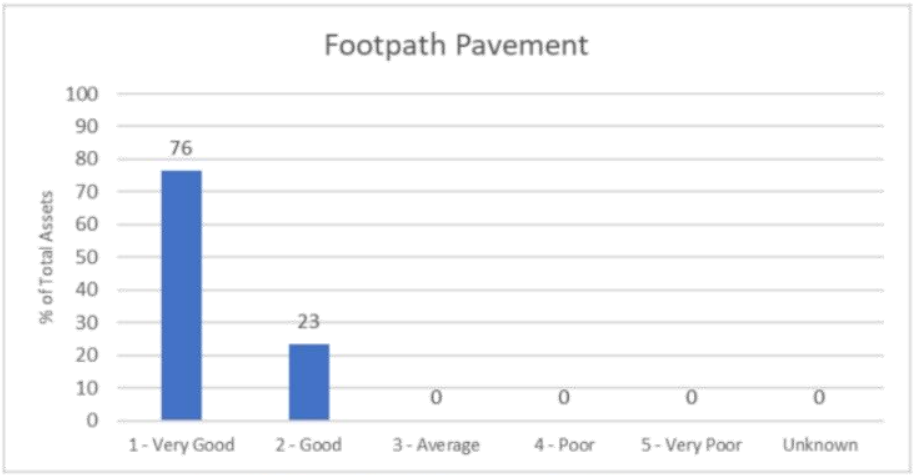


Figure 9 – Transport: Footpath pavement condition summary

Cost of managing assets

Re-sheeting roads costs a significant portion of the council budget. Roads that are subject to high traffic volumes or speeds degrade faster than those subject to low traffic volumes or speeds. The Asset Plan should clearly state that asset management costs can be decreased by reducing the volume and speed of traffic on council-controlled streets. This can be achieved by investing in Low Traffic Neighbourhoods, i.e. treatments such as modal filters that act to keep through traffic on declared arterials that are maintained by the state government.

Concluding remarks

Streets Alive Yarra would be delighted to provide further detail or explanation of the themes raised in this document.

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8.4 Victorian Election Advocacy Priorities

Reference	D22/132294
Author	Justin Kann - Senior Advisor, Strategic Advocacy
Authoriser	Group Manager Advocacy and Engagement

Purpose

1. To consider and seek Council's adoption of its advocacy priorities for the 2022 Victorian Election.

Critical analysis

History and background

2. Advocacy and representing the views and aspirations of the community is a core function of all councils.
3. As the level of government closest to the community, councils are well-placed to understand the needs and views of local residents, business and community groups and work with State and Federal governments to deliver positive outcomes and meaningful policy change.
4. Yarra City Council has a long and proud history of advocating at both a State and Federal level and does so on a regular basis.
5. This advocacy occurs in a manner that seeks a combination of outcomes including policy reform, interventions from government and funding for specific projects or initiatives within the municipality.
6. To achieve these outcomes, Council engages with government at different levels including the Premier, Ministers, Opposition, crossbenchers and local Members of Parliament. It does this through a range of different forums or opportunities including one-on-one engagement or meetings, parliamentary submissions, advocacy by peak bodies or as part of regional groupings like M9.
7. An important opportunity for Council to advocate to other levels of government and to advance its advocacy agenda is during elections when Council can seek commitments from local candidates or political parties seeking to form government or enter the Parliament.
8. The next Victorian Election is scheduled to be held on Saturday, 26 November 2022 and is an opportunity for Council to advocate for a range of policy reforms, projects and initiatives which are integral to Yarra's recovery from the COVID-19 pandemic and to building a fairer, more sustainable future for the local community.
9. The attached *Draft Victorian Election Advocacy Priorities* set out Council's priorities aligned with Victorian Government responsibilities and which Council will pursue with individual candidates, party spokespeople and other key stakeholders during the election.

Discussion

Draft Victorian Election Advocacy Priorities

10. As Victoria continues to meet the challenges of the COVID-19 pandemic and shifts towards the COVID-recovery, the policies, plans and commitments of local candidates and political parties will guide and shape the future of local communities, their residents, businesses, workers and community groups.
11. Council has an important role to play in advocating for policy change and initiatives which support positive local outcomes and align with the aspirations and priorities of the community.

12. Yarra's *Draft Victorian Election Advocacy Priorities* sets out an ambitious list of commitments across a broad range of topics including infrastructure, transport, sustainability, jobs, the economy and the arts. These priorities are drawn from Council's policies, strategies and resolutions as well as direct input with Councillors and Council officers.
13. The document sets out 32 priorities across 7 key actions that support Council's commitment to creating a climate-safe, equitable and liveable Yarra.
14. The actions outlined in the document are:
    (a) Taking real and tangible action to address the climate emergency;
    (b) Creating a safe, inclusive and connected community;
    (c) Investing in local community infrastructure;
    (d) Improving movement and connectivity;
    (e) Supporting growth and liveability in Cremorne;
    (f) Supporting arts and culture in Yarra; and
    (g) Revitalising our precincts, activity centres and suburbs.
15. The priorities under each action take the form of either a policy commitment, such as investing in the collaborative procurement of digital assets, smart technologies and Internet of Things (IoT) services; or a specific funding request, such as $9.3 million for the redesign and diversification of Burnley Golf Course.
16. Overall, the document calls for urgent policy reform, particularly in the area of the climate emergency, as well as substantial funding to be made available to Yarra to invest in local infrastructure and initiatives.
17. Importantly, while not all policy and funding requests are expected to be realised, this document provides a guide for candidates and parties for future investment within the municipality.

Advocacy Strategy

18. If adopted, Council will implement an integrated communications and advocacy strategy to communicate its advocacy priorities to local candidates and political parties at the upcoming election.
19. Following the Victorian electoral redistribution which was finalised in 2021, there will be three State electorates or districts which overlap with the City of Yarra.
20. The three electorates are:
    (a) the electorate of Richmond, currently held by the Australian Labor Party (ALP);
    (b) the electorate of Brunswick, currently held by the Victorian Greens (Greens); and
    (c) the electorate of Northcote, currently held by the ALP.
21. Officers propose Council initially communicates its agreed priorities to individual candidates and parties in all electorates through a letter written by the Mayor and pursues follow-up meetings with candidates to discuss specific policy commitments and projects in greater detail.
22. Council will also work closely with local organisations, peak bodies and other relevant groups to further its advocacy priorities and support key community or sector-led campaigns which align to Council's advocacy agenda and strategy.

Options

23. The options for Council in relation to the Victorian Election advocacy priorities are to adopt the draft list of priorities, amend and adopt the list or reject the list.

Community and stakeholder engagement

24. The priorities, policy reforms and funding requests contained in the *Draft Victorian Election Advocacy Priorities* document have been drawn from a range of Council strategies, plans and resolutions, many of which have undergone extensive community and stakeholder consultation.

Policy analysis

Alignment to Community Vision and Council Plan

25. Many of the priorities, actions and specific policy and funding requests contained in the *Draft Victorian Election Advocacy Priorities* directly relate to the Strategic Objectives outlined in the Council Plan and support the individual strategies and initiatives contained within it. It also supports the themes and aspirations set out in the Yarra 2036 Community Vision.

Climate emergency and sustainability implications

26. As a key focus of Yarra's advocacy agenda, sustainability and the climate emergency - including action on waste and circular economy, electric vehicles and public and active transport – are reflected in the proposed priorities with many individual actions being drawn from Yarra's Climate Emergency Plan.

Community and social implications

27. The draft advocacy priorities support positive community and social outcomes with many individual actions directly relating to Council's commitment to social justice and creating a fairer, more inclusive Yarra.

Economic development implications

28. Many of the priorities, actions and specific policy and funding requests contained in the *Draft Victorian Election Advocacy Priorities* directly relate to economic development with individual actions addressing local economic recovery and economic development across the City of Yarra.

Human rights and gender equality implications

29. There are no specific human rights or gender equality implications associated with this report.

Operational analysis

Financial and resource impacts

30. There are no specific financial or resource impacts from this report.

31. The implementation and operationalisation of the Victorian Election advocacy strategy is expected to be delivered through existing budgets and resources.

Legal Implications

32. There are no specific legal implications associated with this report.

Conclusion

33. Advocacy and representing the views and aspirations of the community is a core function of all councils.

34. As the level of government closest to the community, councils are well-placed to understand the needs and views of local residents, business and community groups and work with State and Federal governments to deliver positive outcomes and meaningful policy change that benefits the community.

35. Yarra City Council has a long and proud history of advocating at both a State and Federal level.

36. The next Victorian Election is scheduled to be held on Saturday, 26 November 2022 and is an opportunity for Council to advocate for a range of policy reforms, projects and initiatives which are integral to Yarra's recovery from the COVID-19 pandemic and to building a fairer, more sustainable future for the local community.

RECOMMENDATION

1. That Council:

   (a) notes that the next Victorian Election is scheduled for Saturday, 26 November 2022;

   (b) notes the officer report regarding Yarra's Victorian Election advocacy priorities, including the proposed advocacy strategy to communicate these priorities to local candidates and parties; and

   (c) adopts the advocacy priorities as shown in the *Draft Victorian Election Advocacy Priorities* (Attachment 1).

Attachments

1⇩ Attachment 1 - Draft Victorian Election Advocacy Priorities

Draft Victorian Election Advocacy Priorities

Yarra City Council

This election is an important opportunity for candidates and political parties to set out their vision for Victoria and how we – as a state – look to recover from the pandemic and invest in a healthy and sustainable future.

Yarra City Council is seeking a commitment on 32 individual projects or initiatives that support positive outcomes in the community and help create a climate-safe, equitable and liveable Yarra.

Taking real and tangible action to address the climate emergency

Council recognises that the climate emergency presents an unprecedented challenge – both globally and locally.

As part of a growing movement who have declared a climate emergency - over 1,400 jurisdictions across 30 countries — Yarra City Council recognises that a collective, global effort is needed across all levels of government, businesses and communities to address the climate crisis.

Council recognises that we need transformational change to rapidly reduce carbon emissions across the community and ensure our homes, business, community infrastructure and services are both sustainable and resilient to a changing climate.

To achieve this, Council is seeking a commitment from candidates and parties to act on a number of key priorities that respond to and support real and tangible ways to address the climate emergency, including:

- Declaring a climate emergency at a State-level.
- Committing to incorporate a Zero Carbon Development Planning Scheme amendment into the planning scheme.
- Increasing investment in community-scale batteries, with a commitment to deliver a new community-scale battery in the City of Yarra.
- Increasing funding for public-use electric vehicle chargers, including a commitment to deliver $250,000 for five new EV chargers across Yarra.
- Extending grants and funding programs to allow household heating and cooling upgrades to energy efficient appliances; and additional rebates for both households and business to install rooftop solar and solar batteries.
- Delivering a new funding program to support clean energy upgrades and improvements to community facilities and municipal infrastructure, such as town halls, pools and community centres.
- Investing in sustainable water solutions with $4.9 million for Council's Gipps Street Flood Mitigation Project to find a long-term and sustainable flood mitigation solution.
- Providing increased funding to support innovation and market development in the circular economy sector, as well as funding for councils to develop and deliver local processing solutions.

DRAFT

Creating a safe, inclusive and connected community

Yarra City Council is committed to creating a safe, inclusive and connected community where everyone is welcome and where all members of society have the opportunity to participate and receive the support and services they need.

To achieve this, Council is seeking a commitment from candidates and parties to support initiatives that improve digital skills and literacy, foster community resilience and connectiveness, and address racism and discrimination in all its forms, including:

- Providing $250,000 for Yarra's "digital-ready" pilot to provide targeted digital literacy and skills training, and access to an accredited Certificate III in Information, Digital Media and Technology for residents in Yarra's public housing estates.
- Local Government funding program to support collaborative procurement of digital assets, smart technologies and Internet of Things (IoT) services that promote positive community outcomes.
- Investing in community-based training and education to tackle racism and discrimination in the community.

Investing in local community infrastructure

Investing in and upgrading local community infrastructure is an important way in which local, state and federal governments can improve sustainability, liveability, opportunity and movement.

In recent years, Yarra City Council has partnered with the Victorian Government to deliver upgrades to many key community facilities and centres across the municipality. This includes the redevelopment of Jack Dyer Pavilion, Brunswick Street Oval and Ryan's Reserve.

At this election, Council is seeking a commitment from candidates and parties to continue this work and increase the Victorian Government's investment in local infrastructure and ensuring we can meet the needs of the Yarra community now and into the future, including:

- $9.3 million for the redesign and diversification of Burnley Golf Course.
- $3.9 million for the redevelopment of Alphington Bowls Club to include a new community space, club facilities and public access.
- $2.8 million to redevelop Gillon Pavilion in Burnley to improve facilities for female players, officials and visitors.
- $2.5 million for ground, lighting and scoreboard improvements at Victoria Park to cater for elite women's sport, including national broadcasting of games.

DRAFT

Improving movement and connectivity

Yarra City Council is committed to creating a city that is climate-safe, equitable and liveable for all residents and visitors. To do this and remain an attractive inner-city destination, Council must work with the Victorian Government to improve movement and connectivity across our municipality and ensure we create an accessible and reliable transport network that meets the needs of locals and broader metropolitan Melbourne.

This election is an important opportunity to invest initiatives which will deliver on-the-ground improvements for locals while setting up our transport network to meet the needs of the future. Specifically, Council is seeking a commitment from candidates and parties to support:

- A new, fit-for-purpose pedestrian and cycling bridge at Walmer Street.
- The redevelopment of Burnley Station as part of broader transport corridor and interchange improvements within the Swan Street precinct.
- Scoping and planning for an additional cycling and pedestrian river crossing aligned to new or improved priority cycling routes.
- A new bus route travelling between Burnley Station and La Trobe University along the Chandler Bridge.
- Delivering DDA-compliant tram stops across the municipality with a priority for urgent investments along Swan Street and Bridge Road.
- Partnering with Council to deliver 15km of new or improved cycling infrastructure, as well as the delivery of permanent cycling infrastructure along Heidelberg Road.

Supporting growth and liveability in Cremorne

Cremorne is considered one of Australia's premier digital and online enterprise precincts and is an important part of the Yarra economy and community. The precinct, which is located south of Richmond abutting the Yarra River, is home to more than 2,000 residents, 700 businesses and accommodates more than 10,000 workers each day. It is home to many globally-renowned businesses in the digital and online services sector, as well as many long-term residents, and is experiencing significant growth as our wider economy shifts and evolves to take advantage of new technology and its uses.

In 2020, Council and the Victorian Government partnered to produce the Cremorne Place Implementation Plan (CPIP) which outlined a shared vision for Cremorne's future. This vision articulated a future where Cremorne continues to grow and thrive as both a business and residential area; and does so in a sustainable and liveable way.

To achieve this, Council is seeking to partner with the Victorian Government, local business and stakeholders to deliver improvements to the streetscape and infrastructure within the precinct and make Cremorne a place where everyone is welcome and where people love to work, live and visit.

Council is seeking a commitment from candidates and parties to invest in the projects which support the growth and improved liveability of Cremorne, including:

- Funding the Cremorne Revitalisation Project (Stage 1) which will invest in streetscape, public realm transport and traffic upgrades along Cremorne Street.
- Partnering with Council and local stakeholders to deliver significant new open space in the precinct and improve pedestrian connectivity both within the precinct and its connections to transport, open space and nearby activity centres.

DRAFT

Supporting arts and culture in Yarra

The arts and culture sector is important to Yarra, its economy and community. Yarra is known for its live music, with over 75 music venues across the municipality. It is also home to numerous galleries and visual arts studios, theatres, performance and literature venues, and public art.

Council is committed to supporting local arts and culture and ensuring that it can rebound and thrive following the impacts of the COVID-19 pandemic. In recent years, Council has worked closely with the Victorian Government to deliver new and innovative festivals and events, particularly in difficult and challenging circumstances.

As we recover from the pandemic, the arts community will play a vital role in re-establishing the things people love about Yarra and Melbourne more broadly.

Council is therefore seeking to continue its partnership with government to grow and enhance local arts and culture in Yarra with a commitment from candidates and parties to support local initiatives, including:

- $1.5 million over four years to grow Yarra's Leaps and Bounds festival.
- $1.2 million to grow and establish new Aboriginal arts, culture and design initiatives across the City of Yarra.
- $500,000 to make the new and hugely successful Garden State Festival a regular and continuing event held in the City of Yarra.

Revitalising our precincts, activity centres and suburbs

As an inner-city municipality, Yarra's infrastructure and services are used by many residents and visitors. Yarra's precincts and activity centres attract thousands of visitors from outside the municipality each week, while its great transport links, thriving economy and arts and culture scene continues to attract new residents and development across the municipality.

As a result, Council continues to work closely with local residents, business and the community to identify opportunities to invest in urban revitalisation and make our local precincts, activity centres and neighbourhoods better – through improved transport, streetscape design and connectivity, economic development and targeted activations and placemaking initiatives.

Council is seeking a commitment from candidates and parties to invest in urban revitalisation projects that put economic growth, liveability and community outcomes at their centre, including:

- $8.5 million to deliver new pocket parks in Richmond and Collingwood.
- $5.2 million to support revitalisation of local suburbs and precincts, including streetscape improvements and targeted activations in Gleadell Street and along Bridge Road in Richmond.
- $600,000 to deliver a shared zone and pedestrian, cycling and street improvements in Perry Street, Collingwood.
- $500,000 over three years to support tree planting across the municipality and help reduce the urban heat island effect, while improving biodiversity and liveability.
- Establishing a precinct structure plan for North Richmond to holistically plan for the future of the North Richmond area and both revitalise and better meet the needs of the current and future community.
- $150,000 to complete scoping and business case development for a Future of Retail study that investigates future trends and changes in the retail, hospitality and service industries in local activity centres.

DRAFT

8.5 Yarra Planning Scheme Amendment C293yara - Collingwood South

Executive Summary

Purpose

The purpose of this meeting is for Councillors to:

(a) note the report of the *Yarra Activity Centres Standing Advisory Committee* (the Committee) concerning draft Amendment C293yara (Amendment C293) regarding Collingwood South; and

(b) consider the officer recommendations in respect of the Committee Report.

Key Issues

Council prepared Amendment C293 to:

(a) better manage and respond to increased development activity within the Collingwood South area;

(b) provide a higher level of clarity and certainty for Council and the community regarding development parameters for the area; and

(c) facilitate and guide the scale, massing and bulk of new development so that it appropriately considers the impacts on the heritage qualities, streetscapes, public realm, and amenity within the area.

As required in the Committee's Terms of Reference, the report from the Committee that considered Amendment C293 has been received by both Council and the Minister for Planning.

The Committee supported the Amendment, with changes largely as advocated for by Council during the public hearing, and recommended it be approved under Section 20(4) of the *Planning and Environment Act 1987*.

Council has the opportunity to form a final position on the Amendment which would be considered by the Minister for Planning before he makes a decision on Amendment C293yara.

Financial Implications

Costs associated with the Committee process have been met through the City Strategy Branch and Governance budgets.

PROPOSAL

Council could adopt the amendment with or without changes and provide its adopted version to the Minister for approval. Alternatively, it could request the Minister not pursue the amendment.

The officer recommendation is to adopt the Amendment with changes based on the justification outlined in this report and request the Minister for Planning prepare, adopt and approve a formal planning scheme amendment in the same form as the draft Amendment using his powers under 20(4) of the Act.

8.5 Yarra Planning Scheme Amendment C293yara - Collingwood South

Reference	D22/132288
Author	Madeline Riseborough - Strategic Planner
Authoriser	Project and Planning Coordinator

Purpose

1. The purpose of this meeting is for Councillors to:
   (a) note the report of the *Yarra Activity Centres Standing Advisory Committee* (the Committee) concerning draft Amendment C293yara (Amendment C293) regarding Collingwood South; and
   (b) consider the officer recommendations in respect of the Committee Report.

Critical analysis

History and background

2. The Collingwood South Precinct has a valued and unique heritage character of both commercial and residential properties of varied scale and architecture.
3. Council resolved to progress planning controls for the Collingwood South Mixed-Use Precinct via *Yarra Activity Centres Standing Advisory Committee* established under Part 7 Section 151 of the *Planning and Environment Act 1987* (the Act) at its meeting on 18 May 2021.

Amendment C293yara

4. Council has prepared Amendment C293yara to:
   (a) better manage and respond to increased development activity within the Collingwood South area;
   (b) provide a higher level of clarity and certainty for Council and the community regarding development parameters for the area; and
   (c) facilitate and guide the scale, massing and bulk of new development so that it appropriately considers the impacts on the heritage qualities, streetscapes, public realm, and amenity within the area.
5. The land affected by the Amendment is outlined on the map below (Figure 1).



Figure 1. Collingwood South Precinct Area

6. The Amendment has taken a comprehensive approach to planning the centre, consistent with the expectations for activity centre planning across Metropolitan Melbourne.

7. Amendment C293yara implements findings of the following strategic work:

   (a) the *Brunswick Street and Smith Street Built Form Review: Collingwood Built Form Framework,* (Hansen Partnership June 2018);

   (b) the *Supplementary Heritage Report: Collingwood South (Mixed Use) Precinct, May 2021* (Heritage Report Update, GJM) and the *Collingwood Mixed Use Pocket Heritage Analysis and Recommendations 2018* (GJM Heritage June 2018); and

   (c) the *Traffic Engineering Assessment: Brunswick Street and Smith Street Activity Centres* (Traffix November 2019).

8. Specifically, the Amendment proposes to:

   (a) insert a new Schedule to Clause 43.02 Design and Development Overlay (DDO23) on a **permanent** basis to apply street wall and overall height controls, as well as setback and other requirements to the land;

   (b) amend Clause 21.11 Reference Documents to include the *Brunswick Street and Smith Street Built Form Review: Collingwood Built Form Framework 2018, Collingwood Mixed Use Pocket Heritage Analysis and Recommendations 2018 and Supplementary Heritage Report: Collingwood South (Mixed Use) Precinct, 2021* as reference documents in the planning scheme; and

   (c) amend Planning Scheme Map No.6 DDO to:

      (i) remove the rear of property at 32 Smith Street, Collingwood from DDO23; and

      (ii) remove Schedule 2 to Clause 43.02 Design and Development Overlay from the western side of Wellington Street where the new DDO23 would apply.

9. Amendment C293yara is intended to replace the interim built form controls, which currently apply, with permanent controls. The interim controls have been in place since 22 November 2018.

10. As interim DDO23 has an expiry date, Council needs to progress permanent provisions to manage change and provide as much certainty as possible about future development outcomes. Officers formally requested an extension of the interim controls. This has been approved by the Department of Environment, Land, Water and Planning (DELWP) under delegation from the Minister and was gazetted on 16 June 2022. The interim DDO has been extended until March 2023.

The Amendment Process

11. The Minister for Planning gave consent to exhibit draft Amendment C293yara in August 2021. It was publicly exhibited from 14 September to 27 October 2021 (six weeks), during which Council received 102 submissions.

12. Key issues raised in submissions included:

    (a) excessive building height in certain areas;

    (b) use of mandatory versus discretionary controls;

    (c) the importance of maintaining and being sensitive towards heritage fabric;

    (d) the need for more public open space;

    (e) traffic and parking issues;

    (f) impacts of new development on the public realm;

    (g) overshadowing of public open space, footpaths, and street trees, and

    (h) impact of new development on neighbourhood character.

13. On 21 December 2021, Council considered the 102 submissions and resolved to request the Minister refer the amendment and submissions to the *Yarra Activity Centres Standing Advisory Committee.*

14. At the December Council meeting, Council adopted a set of proposed changes to the Amendment in response to submissions to advocate for at the Committee hearing. These included:

    (a) a reduction in street wall height along the eastern boundary of Oxford Street Reserve from 14 metres to 11 metres;

    (b) strengthened requirements relating to the overshadowing of public open spaces;

    (c) new requirements relating to landscaping and building design to provide for wider entry areas and the flexible use of lower floor levels; and

    (d) minor amendments to wording of the requirements to improve clarity, in response to submissions.

15. Council also resolved to request that the Committee particularly consider the submissions that raised concerns with potential heights in two areas. These submissions related to the block bound by Langridge Street, Oxford Street Reserve, Derby and Cambridge Streets and properties between 23-31 Derby Street, east of Oxford Street.

16. Following the Council meeting, additional notice was sent out to owners and occupiers potentially affected by a possible reduction in maximum built form heights in these two areas.

17. One additional submission was received and referred to the Committee.

Standing Advisory Committee Hearing

18. The Committee consisted of two members and the hearing occurred between 28 March 2022 and 1 April 2022.

19. Council was represented by Barrister Sarah Porritt and instructed by Maddocks Lawyers, with assistance from Council officers.

20. Council's Part A and B submissions to the Committee were based on the position endorsed at the Council meeting on 21 December 2021.

21. At the close of the hearing, Council was directed to submit a final version of DDO23, to the Committee and all parties, indicating the changes suggested by submitters and experts which officers support (Part C version).

22. Together with Part A, Part B and Part C submissions, Council provided evidence from the following expert witnesses:

    (a) Alastair Campbell, Hansen Partnership (Urban Design);

    (b) Jim Gard'ner, GJM Heritage (Heritage);

    (c) Charmaine Dunstan, Traffix Group (Traffic);

    (d) Julian Szafraniec, SGS Economics and Planning (Capacity Analysis); and

    (e) Sandra Rigo, Hansen Partnership (Planning).

23. Five residents presented to the Committee at the hearing.

24. The Committee considered the submissions and all amendment documentation, including Council's preferred version of DDO23, endorsed by Council at its 21 December 2021 meeting.

25. The Amendment was rigorously reviewed, scrutinised, and tested during the Committee Hearing process.

26. The *'Committee preferred version of the planning provisions'*, is set out in Appendix F of the Committee Report and is based on Council's Preferred DDO23.

Standing Advisory Committee Report

27. The Committee Report was received by Council on 19 May 2022 and publicly released on 30 May 2022. A copy of the Amendment C293 Committee Report can be viewed at Attachment 1.

28. The Committee:

    (a) determined that Amendment C293yara is well founded and strategically justified;

    (b) supported key aspects of the Amendment such as the majority of proposed mandatory provisions specified for building heights, street wall heights and setbacks, upper level setbacks and overshadowing;

    (c) determined that the application of mandatory controls as proposed will not inappropriately compromise the future growth of the precinct;

    (d) found that the Amendment would provide sufficient capacity within the Precinct and the broader Smith Street Activity Centre to facilitate expected residential and employment growth over the next 15 years; and

    (e) found that:

> *"[…] the proposed DDO23 is based on sound strategic planning. Council has completed a range of comprehensive studies regarding urban design, heritage and transport matters and there is a clear link between the provisions in DDO23 and the recommendations in these strategic planning studies."* (Page 21)

29. The Committee recommended that the Amendment should be approved subject to recommended changes as shown in Appendix F to the Committee Report.

30. The current step in the process is the final step for Council (Figure 2).

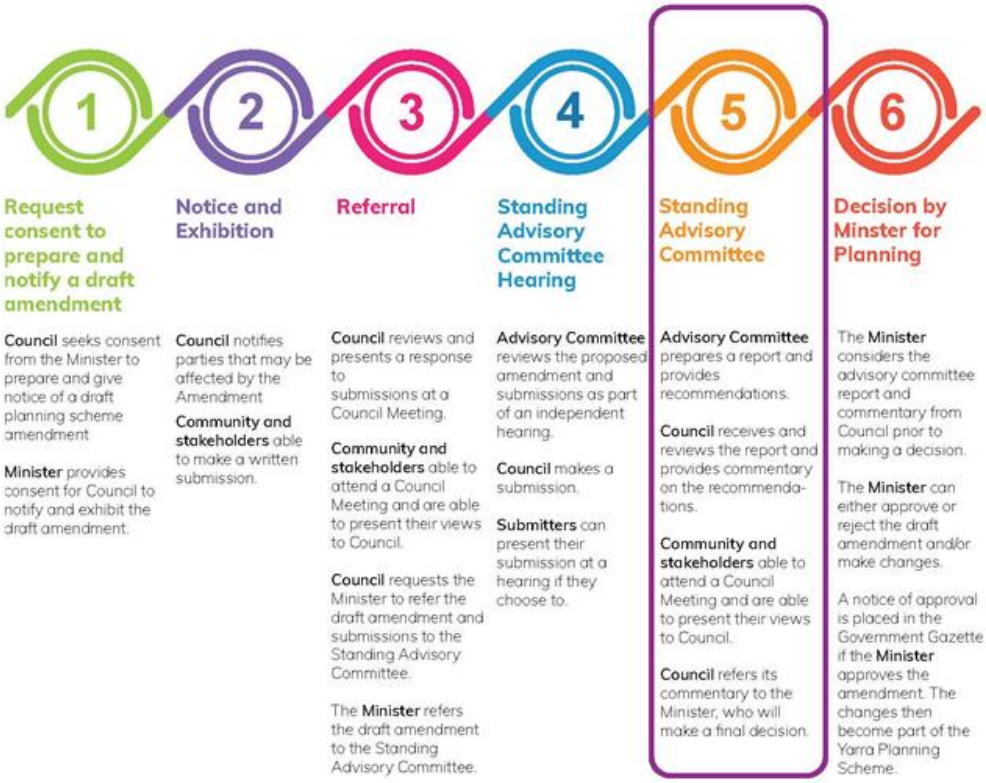


Figure 2. Steps in the amendment process

31. Council needs to now consider the Committee Report and form a final position on the amendment so the Minister for Planning can consider it before making a decision on Amendment C293.

32. Following Council's consideration of the final form of the amendment, and in order to progress the amendment, Council would need to request the Minister for Planning prepare, adopt, and approve the draft amendment via a Ministerial Amendment as set out in Section 20 (4) of the Act.

Discussion

Committee recommendations and officer response

33. The Committee report supported the Amendment, with changes largely as advocated for by Council during the hearing, and recommended it be approved with changes, without further notice, under Section 20(4) of the Act.

34. A summary of the officer response to the Committee's recommendations is provided at Attachment 2. It outlines all the changes recommended by the Committee and provides the officer response to each recommended change and should be read in conjunction with this report.

35. Attachment 3 provides an annotated version of DDO23 outlining whether officers support the Committee's specific recommendation and including officer recommended changes.

36. Officers agree with the recommendations made by the Committee, except the proposed deletion of two criteria for assessing preferred (discretionary) building heights - the BESS (Built Environment Sustainability Scorecard) standard requirement and private / communal open space requirement.

37. The vast majority of other changes to the preferred DDO23 were minor, mainly arising from expert advice. They are supported by officers and reflect the Part C version of the Amendment submitted to the Committee.

Precinct-wide issues

Mandatory and discretionary provisions

38. The Committee supported the majority of the mandatory controls proposed by Council in the preferred version of DDO23. The preferred DDO23 proposes a mix of *discretionary* and *mandatory* provisions.

39. While discretionary provisions are the tool preferred by the State Government in the Victorian planning system, the Committee concluded that Council had made an appropriate case for introducing mandatory controls, consistent *with Planning Practice Notes 59: The Role of Mandatory Provisions in Planning Schemes* (PPN59) and *60: Height and Setback Controls for Activity Centres* (PPN60).

40. Council's heritage, urban design and planning experts gave evidence during the hearing to support the implementation of mandatory controls as shown in the preferred DDO23.

41. Practice note PPN59 requires that mandatory controls must be strategically justified, suitable for the majority of proposals and whether they provide for the preferred outcome.

42. PPN59 also requires an assessment of the likely outcome and the administrative burden in the absence of a mandatory control.

43. PPN60 considers whether mandatory controls are 'absolutely necessary' to achieve the preferred built form outcomes, whether they are supported by robust and comprehensive strategic work or where 'exceptional circumstances' warrant their introduction.

44. The Standing Advisory Committee concluded that mandatory controls were applied in circumstances where they were absolutely necessary having regard to heritage fabric, streetscape amenity and sensitive interfaces. The Committee found the controls were based on comprehensive strategic planning, including the capacity analysis and the Supplementary Heritage Report, which provides a *'compelling case for the introduction of the proposed mandatory provisions in Clauses 2.3, 2.4 and 2.5 of DDO23'.* (Page 24)

45. The Committee supported the mandatory overshadowing provisions for specified footpaths because:

    (a) they are vulnerable to the cumulative impacts of site-specific planning applications, and additional shadowing may impact the comfort of pedestrians (noting that walking is a stated priority mode of transport for the Precinct);

    (b) they are important places for people to congregate and enjoy the outdoors (including for ground floor hospitality uses), and

    (c) it is consistent with the *Built Form Framework* recommendations.

46. The Committee also found that the proposed mandatory and discretionary provisions would enable an appropriate level of growth and change and are aimed at facilitating good design outcomes and sensitively respond to identified heritage.

Building separation, amenity, and equitable development requirements

47. The Committee recommended changing Clause 2.7 Building separation, amenity, and equitable development requirements from *mandatory* (as exhibited) to *preferred* (discretionary) requirements. They considered there is no strategic justification for mandatory controls to this clause as this would have unintended consequences for developing narrow lots.

Criteria for varying discretionary maximum building heights

48. The preferred DDO23 includes performance-based criteria which should be considered where development proposals seek to exceed preferred (discretionary) maximum building heights. They include design objectives, overshadowing, building separation, accessibility provisions, diverse household types, communal and private open space, and sustainable design requirements.

49. As part of the consent to prepare and exhibit C293, the Minister specifically requested that the Committee investigate the appropriateness of performance-based measures which are not directly built form related.

50. The Committee has recommended the deletion of the performance-based measures relating to accessibility provisions, diverse household types, communal and private open space, and sustainable design on the basis that these objectives do not have a nexus to built form outcomes. They are concerned that "*unlinked criteria*" could create an 'opaque' and inconsistent planning framework.

51. Officers do not support the Committee's recommendation to delete two of the criteria shown below, and propose to retain them in DDO23:

    (a) the environmentally sustainable design requirements *("excellence for environmentally sustainable design measured as a minimum BESS project score of 70%");* and

    (b) the requirement for buildings which exceed the preferred height in DDO23 to provide private/communal open space in excess of the minimum standards of Clause 55.07 and/or 55.08, as relevant.

52. Officers consider that both of these requirements are built form related, as a taller proposals can lead to increased impacts on the environment and demand on open space. Considering these matters at an early stage of the proposal is important as they can have an impact on the external built form of the proposal. Retaining these two requirements would ensure that the impacts of proposal are being mitigated.

53. Officers agree with the Committee that the other requirements it recommended to be deleted are not directly built form related. They mainly relate to the internal layout of a proposal and have less of an impact on the external form.

54. Officers do not support the Committee's recommendation to delete the BESS requirement for the following reasons:

    (a) the implementation of the requirement for a *minimum BESS project score of 70%* under Clause 2.5 of DDO23 seeks to help mitigate the environmental impact of intensified development that proposes to exceed the preferred height;

    (b) the minimum 70% BESS project score requirement aligns with Council's strategic objectives, including the *Council Plan 2021-2025* is 'Climate and Environment' objectives, which under Initiative (e) seeks to *'Complete work to introduce zero carbon standards into the planning scheme for new commercial and residential developments and seek change to the Victorian Planning Provisions via Ministerial approval';*

    (c) the requirement is also consistent with Amendment C269yara (adopted by Council on 19 April 2022) which includes a strategic direction under Clause 02.03-3 *Environmental risks and amenity* seeking to (amongst other things):

        > *Embed sustainable environmental practices to Yarra's buildings, infrastructure, places, and spaces, including a framework for early consideration of environmental sustainability at the early building design stage;* and

    (d) the requirement was recently approved and is included in DDO25-28 which apply to the Swan Street Major Activity Centre.

55. Officers do not support the Committee's recommendation to delete the requirement to provide additional private/communal open space for the following reasons:

    (a) the area of DDO23 has limited public open space areas. Council received many submissions which raised concerns in relation to increased population and demand upon the public open spaces in Collingwood South;

    (b) a building which exceeds the preferred height of DDO23 is likely contain more residents / workers and place more demand on already constrained public open spaces. Provision of additional private open space and communal open space within private property would alleviate some pressure on the limited public open spaces;

(c) Council's expert evidence on capacity projections (from Julian Szafraniec of SGS) noted "*post-pandemic, it is likely many workers (who are able to) will shift to a hybrid working model (i.e., not always in the office nor always working from home). This means work location will still be important to many, but it will be balanced against the quality and size of their home and the amenity and services in their local area. […] these trends are also likely to shift dwelling type preferences toward larger forms, in terms of additional bedrooms/space.";*

(d) the requirement is consistent with policy in Amendment C269yara (adopted by Council on 19 April 2022) which includes a strategic direction under Clause 02.03-4 Built environment and heritage to *'Design development and locate land uses to create people-oriented places with high standard of amenity on-site.';* and

(e) the requirement was recently approved and is included in DDO25-28 which apply to the Swan Street Major Activity Centre.

Heritage

56. Exhibited DDO23 includes objectives and requirements relating specifically to the heritage buildings within the precinct.

57. At the Committee hearing, Council's heritage expert gave evidence to support changes within DDO23 in relation to protection of the heritage buildings and wider heritage streetscape. These changes generally sought to clarify the exhibited built form requirements. No new requirements were proposed by Council's heritage expert.

58. The Committee concluded that the minor word changes to heritage related provisions improve the clarity of the requirements and that DDO23 provides a comprehensive suite of objectives and specific requirements that consider heritage issues. The proposed changes are shown in Attachment 3 as Nos. 5 and 39.

Infrastructure Capacity

59. At the Committee hearing, the matter of infrastructure capacity was discussed, particularly in relation to public open space and transport.

60. A number of submissions expressed concern that the Precinct has insufficient public open space and transport infrastructure to accommodate projected population growth.

61. Council acknowledged the need for more public space within the area, however this matter is not able to be addressed through DDO23. The Committee concludes that exhibited DDO23 includes planning provisions that protect the amenity of existing areas of public open space, and that the future growth of the Precinct should not be limited because of the extent of existing public open space. The Committee did not recommend any changes to exhibited DDO23 in relation to public open space provision.

62. At the Committee hearing, Council submitted a number of recently completed and ongoing projects which seek to improve transport infrastructure for all modes of travel through the Precinct (i.e. the separated bike lanes along Wellington Street and a revised Transport Action Plan).

63. Council's traffic expert gave traffic evidence to show the exhibited DDO23 includes appropriate traffic engineering controls and built form provisions which ensure the street network (including laneways) enable appropriate vehicle access and circulation.

64. The Committee concludes that the DDO23 provisions to manage access and transport are generally appropriate and the Amendment has considered a wide range of traffic and access issues associated with the further development of the Precinct. The Committee did not recommend any changes in relation to transport infrastructure.

DDO23 specific issues

Design objectives

65. DDO23, as exhibited, includes five design objectives. The proposed design objectives were supported by the Committee subject to the minor wording change to the second objective as proposed by Council – the addition of the word 'rise' after the word 'low' (Proposed change No. 1 in Attachment 3).

Street wall height requirements

66. DDO23, as exhibited, includes both mandatory and discretionary provisions regarding street wall height and front setbacks. The Committee's position on mandatory controls is discussed above.

67. Street wall height and front setbacks in several locations were raised in written submissions and at the hearing; and were considered by the Committee:

(a) Land bound by Oxford Street Reserve, Langridge, Cambridge, and Derby Streets

Exhibited DDO23 proposed a preferred street wall height of 14 metres on the eastern side of the Oxford Street Reserve. Many submissions raised concern with the potential impact of future built form on Oxford Street Reserve.

Council undertook further shadow testing to determine the potential impact upon the Oxford Street Reserve. At its meeting on 21 December 2021, Council proposed to reduce the *preferred* street wall height from 14 metres to 11 metres. This change is supported by Council's urban design and planning experts.

The Committee supports the reduction of the street wall height from 14 metres to 11 metres to ensure the amenity of the park is better protected (proposed change No. 27 in Attachment 3).

(b) 64 - 66 Oxford Street

Exhibited DDO23 proposed a *preferred* maximum street wall height of 14 metres for this site. Council's urban design expert gave evidence to support an increased maximum street wall height of 20 metres at the corner of the site. Council's heritage expert did not agree because the site is flanked by heritage building and a 20m street wall height would not provide an appropriate transition to places of heritage significance. Council relied on the evidence of its heritage expert on this issue.

The Committee concludes the exhibited street wall heights of this site are appropriate and recommends no change.

(c) 23 - 31 Derby Street

Exhibited DDO23 proposed a *preferred* maximum street wall height of 14 metres for part of the block east of Oxford Street, south side of Derby Street. Several submitters sought a lower street wall height for this location.

At the hearing, Council submitted the exhibited street wall heights were appropriate given the existing street wall heights of neighbouring buildings (i.e. 13.8 metres and 14.2 metres).

The Committee concludes there is no compelling reason to modify the street wall heights for this site and recommends no changes.

(d) 10 – 22 Derby Street

Exhibited DDO23 proposed a mandatory maximum street wall height of 11 metres for the rear of this site fronting Langridge Street. A submission sought a reduced maximum street wall height of two storeys (equivalent).

Council submitted the exhibited street wall heights were appropriate and relied on the evidence of its heritage expert. He stated the 11m street wall height, together with the 11m maximum building height for this site, would ensure that the two-storey Victorian-era buildings at this site would retain their heritage values and character.

The Committee concludes there is no compelling reason to modify the street wall height for this site and recommended no change.

Upper Level Setbacks

68. Exhibited DDO23 included a minimum upper level setback of 6 metres (mandatory minimum for heritage buildings) for all sites within Areas 1 and 2 (as shown on Map 1 of the DDO). Additional site-specific setback requirements were also exhibited for heritage properties at 57-63 Oxford Street, 13-15 Peel Street, 14-34 Cambridge Street, and 58-62 Oxford Street.

69. A minimum 3 metre upper level setback applies to development sites (not heritage) in Area 3 (on Map 1).

70. A submission from the Yarra Planning Coalition sought a minimum setback of 10 metres from the street wall. Council's heritage expert gave evidence that the exhibited 6 metre setback (mandatory for heritage buildings) is appropriate.

71. Council's planning expert also supported the exhibited setbacks (of 6 metres and 3 metres), but recommended wording clarifications and suggested a re-ordering of the provisions to ensure a clearer distinction between requirements for heritage and non-heritage buildings. Council supports this proposed change (proposed changes No. 6-12, 14 and 16-17 in Attachment 3).

72. The Committee concluded Clause 2.4 should be re-worded to improve its clarity and intent and recommends rewording as outlined in Attachment 3.

73. The Committee agreed that the exhibited 6 metre setback is sufficient and recommended no change in this regard.

Realignment of area boundaries within the DDO

74. Many submissions requested that Map 1 be modified to show the block east of Oxford Street Reserve, bound by Langridge, Cambridge, and Derby Streets within 'Area 2' rather than 'Area 3'.

75. Council's planning, urban design and heritage experts supported the retention of this land in Area 3 as the conditions of this location are a close match to those of Area 3 (larger allotments, less heritage fabric). The Committee supported this position having regard to its location and site context and did not recommend any change.

76. During the Committee Hearing, the Committee queried the difference between Areas 1 and 2 in DDO23. Council's urban design expert explained there was no distinction between Areas 1 and 2 as exhibited as both areas have upper level setbacks of 6 metres. The Committee concluded there was merit to combining Areas 1 and 2 into a single area – to be called 'Area A'. Area 3 would be renamed 'Area B'.

77. Officers support this recommendation, as it simplifies the DDO but does not have an effect on any built form requirements. (See proposed changes No. 13, 15 and 25-26 in Attachment 3).

Building Height Requirements

78. Exhibited DDO23 applied a range of *mandatory* and *preferred* building heights within the Precinct. Many submissions requested lower building heights, concerned the exhibited building heights would adversely impact on neighbourhood character and heritage streetscapes, and affect amenity through overshadowing and wind tunnelling.

79. In its 21 December 2021 Council resolution, Council asked the Committee to specifically consider building heights in two locations:

    (a) Land bound by Oxford Street Reserve, Langridge, Cambridge, and Derby Streets

        Exhibited DDO23 proposed a preferred maximum building height of 27 metres. There were no submissions from the owners of this land but many submissions from surrounding buildings. Many submitters requested the height be reduced to 14 metres.

        Council's urban design expert found that the preferred maximum height of 27 metres was appropriate and consistent with the recommendations in the *Built Form Framework*. Council's planning and heritage experts did not support a reduction in height – given the absence of heritage interfaces to the north and east, its location as an island site and the other extensive requirements in the DDO to mitigate impacts on public spaces, footpaths, and residential properties.

        The Committee considered that given the size and location of this site it has the potential to support more intensive development without adversely impacting nearby development. It did not support a reduction in height.

    (b) 23-31 Derby Street

        Exhibited DDO23 shows proposed a preferred maximum height of 20 metres. Submissions objected to this height; concerned about its effects on amenity and liveability, overshadowing of the school playground and impacts on heritage places in Derby Street, west of Cambridge Street. They proposed 14 metres. An owner of one of the sites supported the 20 metre height.

        Council's heritage and planning experts did not support a reduction in height. They considered the height was consistent with existing and emerging built form. They also considered the DDO requirements were adequate to address amenity and overshadowing and would ensure any development would be moderated in height towards the two-storey heritage fabric.

        The Committee supported a preferred maximum building height of 20 metres for this site. It was satisfied that a building height of 20 metres would sit comfortably within the existing and emerging built form character and any amenity concerns can be managed. It saw no compelling reason to lower the preferred building height to 14 metres.

80. The Committee also considered the exhibited preferred maximum building heights of other sites raised in submissions:

    (a) 9-13 Derby Street;

    (b) Oxford Street and Cambridge Street (between Peel Street and Langridge Street); and

    (c) north side of Mason Street.

81. Council's experts supported the exhibited potential building heights proposed for these sites. They considered the range and application of preferred (discretionary) building heights would facilitate a building form outcome consistent with the objectives sought and the valued characteristics of the area.

82. The Committee is satisfied the proposed heights reflect the existing and emerging character of the area, the significance of heritage buildings and amenity considerations. The off-site impact of development on these sites is appropriately managed through a range of requirements in DDO23 and other parts of the Planning Scheme.

83. Council's planning witness recommended clarification of the term 'architectural features' and whether it was intended to apply in areas where there are preferred (discretionary) and mandatory heights. At the hearing, Council clarified the exemption was intended to apply to both mandatory and discretionary height limits. It also clarified the term does not include 'service equipment or structures'. The Committee agrees and recommended changes shown as No. 24 in Attachment 3.

Overshadowing and solar access requirements

84. Submitters raised concerns with the potential for overshadowing of public open spaces in the Precinct. Council in its preferred version of the Amendment (considered in December 2021) made the following wording changes to strengthen this provision:

    (a) As exhibited: *'Development should be designed to minimise the amount of overshadowing of the following areas of open space and/or public realm between 10am and 2pm on 22 September, to the satisfaction of the Responsible Authority';* and

    (b) Revised wording: *'Development should not increase the amount of overshadowing as caused by existing conditions, measured between 10am and 2pm on 22 September for the following areas of open space and/or public realm'.*

85. This change was supported by Council's urban design and planning experts at the hearing. The Committee also supports this change as it improves clarity and certainty of the provisions (see proposed change no. 33 in Attachment 3).

86. Council's urban design expert also gave evidence that DDO23 should include overshadowing protection of the Peel Street Park. Council submitted the sites which have the potential to overshadow this park are outside the Precinct, and controls should be considered under a separate Amendment. The Committee agreed and recommended no change.

87. Submissions raised concern with overshadowing to properties on the south side of Mason Street. Given the proposed street wall and building heights (11 and 14 metres) and upper level setback requirements (6 metres) for the northern side of Mason Street, testing showed that overshadowing is unlikely to occur upon the properties on the south side of Mason Street. The Committee is satisfied that the requirements in DDO23 are sufficient to mitigate impacts along Mason Street and recommended no change in this regard.

Other Design Requirements

88. When considering submissions in December 2021, Council proposed additional requirements to ensure new development provides landscaping and has greater potential to accommodate different uses over time:

    Lower levels of development should:

    - *Incorporate adaptable building structures, layouts, and non-residential unit sizes so as to allow for a variety of uses over time;*

    Development should provide for landscaping that provides a positive contribution to the public realm, such as canopy trees where possible, green walls or planter boxes."

89. Council's planning witness supported these requirements in principle. No party objected to these proposed changes. The Committee concludes it is appropriate to include an additional requirement regarding adaptable building structures and layouts to allow for a variety of uses over time, and the additional landscaping requirement, and recommends changes No. 36 and 42 be made to DDO23 as shown in Attachment 3.

Access, parking and loading bay requirements

90. In response to questions from the Committee regarding the requirement in Clause 2.9 for a setback and headroom clearance in laneways to accommodate vehicles, Council's traffic expert agreed that the requirement could be reworded to improve its clarity as follows:

    Where a ground level setback is provided to achieve practicable vehicle access to a laneway, a minimum headroom clearance of 3.6 metres should be provided to any overhang of the first floor.

91. Council submitted revised wording, supported by Council's traffic expert, in its closing submission. The Committee supports the rewording to improve its clarity and intent as shown in proposed change No. 46 in Attachment 3.

92. Council's planning witness also suggested changes to two requirements:

(a) To add the wording '*where practicable'* to the requirement for naturally lit and ventilated lobby areas of new buildings, and

(b) To add the wording '*where alternative access exists*' to the requirement for vehicle access to be achieved from laneways and side streets.

93. Council did not support these changes and relied on the evidence of Council's traffic witness who supported the exhibited version of these requirements. The Committee concludes there was no compelling need to include the additional qualifications proposed by Council's planning witness as they are discretionary requirements. The Committee recommended no changes to these requirements.

Drafting issues

94. Multiple additional small changes were also proposed by Council to the exhibited DDO23 which sought to provide clarity to exhibited requirements. These changes were supported by Council's planning witness and included in her evidence statement. These changes were included in Council's closing submission and the revised officer version of DDO23. No parties objected to these changes.

95. The Committee supports these drafting changes which help clarify expression and provide certainty to the intent of the requirements and recommends they be adopted. (See Attachment 3).

96. Upon final review of the wording of DDO23, officers have identified further improvements and clarifications to the wording in the DDO. They do not change the outcome or intent of the requirements and are indicated as 'Officer recommended changes' in Attachment 3.

Mapping

97. The Committee recommended a number of changes be made to Map 1 in DDO23 to enhance its clarity and readability.

98. It agreed with the evidence of Council's planning witness who noted the colours in the map were difficult to distinguish. The Committee considers the colours in Map 1 should be reviewed to make sure there is greater distinction between different colours.

99. A number of other minor changes to Map 1 were suggested by Council officers at the hearing in response to evidence from Council's urban design witness, including:

(a) labelling 'Little Oxford Street';

(b) adding 'Public Open Space' to the legend; and

(c) showing the extension of the Cambridge Street Reserve in a different colour green to 'Public Open Space' and adding 'Potential future open space under investigation' to the legend.

100. The Committee recommends all of the above changes are made to Map 1 (shown as proposed changes Nos. 25 – 32 in Attachment 3).

Background Documents

101. The letter of referral from the Minister for Planning to the Committee included a request that the Committee give:

> *Consideration of where reference documents (Clause 21.11) will be located within the Yarra Planning Scheme when the Planning Policy Framework translation occurs.*

102. The exhibited version of Clause 21.11 included two new documents:

(a) under the heading 'Heritage' - *Supplementary Heritage Report: Collingwood South (Mixed Use) Precinct, 2021; and*

(b) under the heading 'Built form character' - *Brunswick Street and Smith Street Built Form Review: Collingwood Built Form Framework 2018.*

103. Amendment C269 – Local Policy Rewrite (which is currently being considered by the Minister) proposes to delete Clause 21.11. Reference / background documents from this clause would be included in the Schedule to Clause 72.08.

104. The Committee recommends the following documents should be included in the Schedule to Clause 72.08 as part of the approval consideration by the Minister for Planning for Amendment C269:

    (a) *Brunswick Street and Smith Street Built Form Review: Collingwood Built Form Framework, 2018;*

    (b) *Collingwood Mixed Use Pocket Heritage Analysis and Recommendations, 2018; and*

    (c) *Supplementary Heritage Report: Collingwood South (Mixed Use) Precinct, 2021.*

Amendment C293yara – Version for adoption

105. The version of Amendment C293yara recommended for adoption is included at Attachment 4.

106. A marked-up version of the amendment that highlights the changes since exhibition is at Attachment 3.

107. Attachment 2 describes the Committee's recommended changes between the exhibited Amendment and the version of the Amendment for adoption and sets out the reasons for each change.

Options

108. In line with the Committee's Terms of Reference, the report from the Committee that considered Amendment C293 has been received by Council and the Minister for Planning.

109. Council has the opportunity now to form a final position on the amendment which would be considered by the Minister for Planning before making a decision on Amendment C293yara.

110. After considering the Committee's report, Council has the option to either:

    (a) either abandon all or part of the Amendment; or

    (b) adopt all or part of the Amendment with or without changes.

111. Section 9 of the *Planning and Environment Regulations 2015* (the Regulations) sets out the information to be submitted to the Minister for Planning under Section 31 of the Act. Council must provide the following:

    (a) the reasons why any recommendations of a Committee were not adopted; and

    (b) a description of and the reasons for any changes made to the Amendment before adoption.

112. Attachment 2 to this report sets out what the Committee recommended and explains why the recommendations are supported.

113. With the expiry date of the interim DDOs, abandoning the amendment would mean there would be no permanent built form provisions, as the Minister for Planning has indicated that he would be unlikely to further extend the interim without substantial progress on permanent provisions.

114. The Committee recommends the Draft Yarra Planning Scheme Amendment C293yara should proceed subject to the changes shown in Appendix F to its report in accordance with section 20(4) of the Act.

115. A 20(4) Ministerial amendment would occur without further public notice. The Committee supported this approach outlining the public notification and submission process that had been undertaken by Council. It noted:

"In these circumstances, there is little utility in processing the Draft Amendment as a 'standard' Planning Scheme Amendment involving notification, consideration of submissions and potentially a Panel Hearing to consider submissions. Following a 'standard' process from this point would be an unnecessary duplication of procedure that is unlikely to change the ultimate outcome or be of any significant benefit." (Page 73)

Community and stakeholder engagement

External Consultation

116. Amendment C293yara was publicly exhibited from 14 September to 27 October 2021 (six weeks). Notification and exhibition of the Amendment was carried out via the following measures:
    (a) emails sent on Tuesday 14 September 2021 to Fitzroy and Collingwood resident groups and societies, advising of Council's intent to exhibit Amendment C293yara;
    (b) sent letters dated Monday 6 September 2021 that included notice of preparation and a brochure, sent to over 5,000 owners and occupiers, government agencies and prescribed authorities;
    (c) notice placed in *The Age* on Tuesday 14 September 2021;
    (d) package of Amendment documentation placed on Council's and the Department of Environment, Land, Water and Planning's websites on Sunday 12 September 2021. Council's Amendment webpage received 644 unique views;
    (e) hard copies of the Amendment documentation made available to view at Richmond Town Hall, Collingwood Town Hall, and the Fitzroy Library during standard business hours; and
    (f) interactive online map on Council's website.
117. Following the 21 December 2021 Council meeting, Council gave additional notice of its resolution by:
    (a) informing all submitters of the Council's resolution to request C293 be referred to the Committee; and
    (b) sending a letter to landowners and occupiers of land at 23-31 Derby Street, 30-34 Oxford Street, and 53-57 Cambridge Street.
118. The letter noted additional submissions could be made until by Friday 4 February 2022. Council subsequently received one additional submission. All submissions were considered by the Committee.

Internal Consultation (One Yarra)

119. There has been consultation with officers from Statutory Planning, Sustainable and Strategic Transport Planning, Transport Engineering, Urban Design and with the Senior Advisor Heritage.

Policy analysis

Alignment to Community Vision and Council Plan

120. The Amendment supports the following strategies in the Council Plan:
    (a) *Manage change in Yarra's built form and activity centres through community engagement, land use planning and appropriate structure planning processes*; *and*
    (b) *Protect, promote, and maintain our unique heritage and ensure development is sustainable.*

Climate emergency implications

121. The Amendment would facilitate the redevelopment of the land which would provide for an opportunity to address climate emergency objectives including:

    (a) opportunity for greater levels of sustainability through the redevelopment of land in keeping with Council's ESD policy; and

    (b) facilitate sustainable communities that are walking distances to sustainable transport options, employment, and services.

Sustainability implications

122. The officer recommendation to retain the BESS requirement within Clause 2.5 (under the criteria for varying preferred (discretionary) maximum building heights would ensure excellent sustainable design is implemented where a site is developed. Specific ESD aspects of planning applications would be considered at the planning permit stage.

Community and social implications

123. There are no significant social implications. The planning provisions would provide greater certainty in relation to future development in the Precinct.

Economic development implications

124. The Amendment would provide clearer expectations and increased certainty with regard to acceptable built form design, which would generally reduce planning application processing timeframes. No other economic implications are apparent.

Human rights and gender equality implications

125. There are no known human rights implications.

Communications with CALD Communities Implications

126. Public exhibition of the Amendment contained information for CALD communities including how to access translator services.

Operational analysis

Financial and resource impacts

127. The financial costs of Scheme amendments have been included in Council's Legal and Strategic Planning Budget in 2021/2022.

Legal Implications

128. The approach outlined in this report accords with the requirements of the *Planning and Environment Act 1987.*

Other Issues

129. Council must ensure natural justice to all parties and to maintain the integrity of the Amendment process per Section 32 of the *Terms of Reference*.

130. Under section 4(6) of *Ministerial Direction No. 15: The Planning Scheme Amendment Process*, Council needs to decide whether to abandon or adopt an Amendment within 40 business days of the date the planning authority receives the Committee's report, which is 14 July 2022.

Conclusion

131. Council has received the Committee Report in relation to Amendment C293yara.

132. The Committee is supportive of the Amendment. The Committee found that Amendment C293yara is well founded, strategically justified, and would deliver net community benefit and sustainable development, as required by Clause 71.02-3 of the Scheme.

133. Based on the reasons set out in its report, the Committee recommended that Amendment C293yara be approved as exhibited, subject to recommended changes.

134. Officers support all but two of the Committee's recommendations. Officers do not support the removal of two criteria used in assessing variations to preferred (discretionary) building heights - BESS requirements, and private / communal open space requirements.

135. Council now has the opportunity to form a final position on the amendment for the Minister for Planning to consider it before making a decision on Amendment C293yara.

136. The Committee recommended it is appropriate to progress Draft Amendment C293yara subject to the changes recommended by the Committee, without notice, in accordance with section 20(4) of the Act.

137. The next step in the process, should Council choose to progress the amendment, would be to adopt a final version of the amendment (with or without changes) and request the Minister for Planning prepare, adopt, and approve a formal planning scheme amendment in the same form as Amendment C293 using his powers under 20(4) of the Act.

138. Officers consider that the implementation of built form provisions and controls through Amendment C293 provides added certainty and clarity for development within Collingwood South.

RECOMMENDATION

1. That Council:

   (a) notes the officer report regarding draft Amendment C293yara (Amendment), officer recommendations and Attachments 1, 2, 3 and 4;

   (b) notes the public release of the Committee Report for the Amendment under Section 40 of the *Yarra Activity Centres Standing Advisory Committee Terms of Reference*;

   (c) having considered the Standing Advisory Committee report, adopts the Amendment with the changes as set out in Attachments 3 and 4 to this report;

   (d) delegates to the CEO the authority to finalise the Amendment in accordance with Council's resolution (1)(c), and to make any administrative or formatting changes to the Amendment documentation and maps required to give effect to Council's resolution;

   (e) submits the Amendment to the Minister for Planning and requests he prepare, adopt, and approve a formal planning scheme amendment in the same form as the Amendment adopted under resolution (1)(c) and (d), in accordance with section 20(4) of the *Planning and Environment Act 1987*; and

   (f) notifies all submitters of this Council resolution.

Attachments

1⇩ Attachment 1 - C293yara Standing Advisory Committee Report

2⇩ Attachment 2 - C293yara Panel recommendations and officer response table

3⇩ Attachment 3 - C293yara Marked-up preferred version DDO23

4⇩ Attachment 4 - C293yara Clean version of documents for adoption

Attachment 1 - Attachment 1 - C293yara Standing Advisory Committee Report

Planning Panels Victoria

Collingwood South Mixed Use Precinct
Draft Yarra Planning Scheme Amendment C293yara

Yarra Activity Centres Standing Advisory Committee Report 2

Planning and Environment Act 1987

19 May 2022

VICTORIA State Government

Planning and Environment Act 1987

Yarra Activity Centres Standing Advisory Committee Report 2 pursuant to section 151 of the PE Act

Collingwood South Mixed Use Precinct

Draft Yarra Planning Scheme Amendment C293yara

19 May 2022

John Roney, Chair

Peter Boyle, Member

Planning
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Contents

Page

1 Introduction 1

1.1 Referral to the Committee 1
1.2 Draft Amendment 1
1.3 Background 3
1.4 Submissions and key issues 8
1.5 Procedural issues 9
1.6 The Committee's approach 10
1.7 Limitations 11

2 Strategic issues 12

2.1 Planning Scheme provisions 12
2.2 Background studies 13
2.3 Population and economic forecasts 17
2.4 Policy support 19
2.5 Associated changes to planning controls 20
2.6 Discussion 20
2.7 Conclusions 21

3 Precinct wide issues 22

3.1 Mandatory versus discretionary controls 22
3.2 Criteria for varying discretionary maximum building heights 26
3.3 Heritage 32
3.4 Infrastructure capacity 37

4 Design and Development Overlay Schedule 23 41

4.1 Design objectives 41
4.2 Street wall height and front setback requirements 42
4.3 Upper level setback requirements 46
4.4 Building height requirements 50
4.5 Overshadowing and solar access requirements 62
4.6 Other design requirements 65
4.7 Access, parking and loading bay requirements 67
4.8 Drafting issues 68

5 Background documents 71

6 The Amendment process 73

Appendix A Letter of referral

Appendix B Chronology of events

Appendix C Submitters to the Amendment

Appendix D Parties to the Committee Hearing

Planning Panels Victoria

Appendix E **Document list**

Appendix F **Committee preferred version of the Design and Development Overlay Schedule 23**

List of Tables

Page

Table 1 Comparison of exhibited and Day 1 versions of DDO23 6

Table 2 Summary of issues 9

Table 3 How report addresses the Terms of Reference and referral requirements 10

Table 4 Zone and overlay purposes 12

Table 5 Heritage Overlays within the Collingwood South Mixed Use Precinct 32

List of Figures

Page

Figure 1 Subject land 3

Figure 2 Location of Heritage Overlays within the Collingwood South Mixed Use Precinct 34

Figure 3 Exhibited DDO23 Map 1 51

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Glossary and abbreviations

Amendment	Draft Yarra Planning Scheme Amendment C293yara
Built Form Framework	*Brunswick Street and Smith Street Built Form Review: Collingwood Built Form Framework*, June 2018
Committee	Yarra Activity Centres Standing Advisory Committee
Committee Report 1	Yarra Activity Centres Standing Advisory Committee Report 1 – Overarching Report
Council	Yarra City Council
DDO	Design and Development Overlay
DELWP	Department of Environment, Land, Water and Planning
Heritage Analysis Report	*Collingwood Mixed Use Pocket Heritage Analysis and Recommendations*, June 2018
MUZ	Mixed Use Zone
PE Act	*Planning and Environment Act 1987*
Plan Melbourne	*Plan Melbourne 2017-2050*
Precinct	Collingwood South Mixed Use Precinct
Supplementary Heritage Report	*Supplementary Heritage Report: Collingwood South (Mixed Use) Precinct*, May 2021
Traffic Assessment Report	*Traffic Engineering Assessment: Brunswick Street and Smith Street Activity Centres*, November 2019
VCAT	Victorian Civil and Administrative Tribunal
VHR	Victorian Heritage Register

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Overview

Amendment summary	
The Amendment	Yarra Planning Scheme Draft Amendment C293yara
Common name	Collingwood South Mixed Use Precinct
Brief description	Draft Amendment C293yara proposes to implement permanent built form provisions to the Collingwood South Mixed Use Precinct through a Design and Development Overlay (DDO23)
Subject land	Land within the Collingwood South Mixed Use Precinct includes portions of Peel Street, Langridge Street, Cambridge Street, Oxford Street, Little Oxford Street, Derby Street, Mason Street and Wellington Street, Collingwood South
Council	Yarra City Council
Planning Authority	Minister for Planning
Authorisation	20 August 2021
Exhibition	14 to 27 September 2021
Submissions	103 submissions

Committee process	
The Committee	John Roney (Chair), Peter Boyle
Supported by	Chris Brennan, Project Officer, Planning Panels Victoria
Directions Hearing	Video conference Directions Hearing 25 February 2022
Committee Hearing	Video conference Hearing 28, 29, 30 March, 1 April 2022
Site inspections	23 March 2022
Parties to the Hearing	Refer to Appendix D
Citation	Yarra Activity Centres (SAC) [2022] PPV
Date of this report	19 May 2022

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Executive summary

Draft Yarra Planning Scheme Amendment C293yara (the Amendment) proposes to implement the recommendations of the following strategic planning work:

- *Brunswick Street and Smith Street Built Form Review: Collingwood Built Form Framework*, June 2018 (Built Form Framework)
- *Collingwood Mixed Use Pocket Heritage Analysis and Recommendations*, June 2018 (Heritage Analysis Report)
- *Supplementary Heritage Report: Collingwood South (Mixed Use) Precinct*, May 2021 (Supplementary Heritage Report)
- *Traffic Engineering Assessment: Brunswick Street and Smith Street Activity Centres*, November 2019 (Traffic Assessment Report).

The Amendment proposes to insert a new Schedule 23 to the Design and Development Overlay (DDO23) on a permanent basis to apply street wall and overall height controls, as well as setback and other requirements to the land.

The Amendment applies to land within the Collingwood South Mixed Use Precinct (the Precinct) and includes portions of Peel Street, Langridge Street, Cambridge Street, Oxford Street, Little Oxford Street, Derby Street, Mason Street and Wellington Street, Collingwood South.

A total of 103 submissions were received. Key issues raised in submissions include:

- urban consolidation and accommodating growth
- impact of COVID-19
- use of mandatory versus discretionary controls
- the importance of maintaining heritage fabric
- sensitivity of new development to heritage fabric
- the need for more public open space
- traffic and parking issues
- impacts of new development on the public realm
- overshadowing of public open space, footpaths and street trees
- blocking of light and sun
- increased noise
- landscaping within the private and public realm
- wind impacts
- impact of new development on neighbourhood character
- proposed metrics of building heights and setbacks.

The Committee accepts it is appropriate to apply a DDO to the area. The proposed DDO23 will provide specific policy guidance regarding appropriate heights, setbacks and other built form outcomes for the Precinct. This is consistent with the approach adopted in other Activity Centres in Yarra.

The Committee is satisfied that the proposed DDO23 is based on sound strategic planning. Council has completed a range of comprehensive studies regarding urban design, heritage and transport matters and there is a clear link between the provisions in DDO23 and the recommendations in these strategic planning studies.

The reports underpinning the Amendment have been based on contemporary analysis. Where necessary, reports have responded appropriately to the learnings and outcomes from other similar built form processes within Yarra and this has led to the evolution of a generally well-structured set of DDO23 provisions.

The Amendment has adequately considered the impacts of COVID-19, accepting that the impacts of the pandemic are still being understood and future adjustments may be required.

The Committee is satisfied that there is sufficient capacity within the Precinct and the broader Smith Street Activity Centre to facilitate expected residential and employment growth over the next 15 years. The proposed mandatory and preferred building height controls will not inappropriately compromise the future growth of the Precinct.

The Amendment strikes an appropriate balance in facilitating higher density development appropriate to its strategic location and providing built form certainty where there are heritage, amenity and public realm sensitivities.

The Committee is satisfied the Amendment is consistent with the principles of net community benefit and sustainable development.

The Committee concludes:

Mandatory provisions

- The mandatory provisions for specified building heights, street wall heights and setbacks, upper level setbacks and shadowing of specified footpaths are justified and supported.
- The mandatory provision regarding building separation, amenity and equitable development should be modified to a discretionary requirement.
- Clauses regarding 'Street wall height and front setback requirements' and 'Building height requirements' should be redrafted to clarify the application of discretionary and preferred requirements.

Criteria for varying discretionary maximum building heights

- There should be a nexus between criteria to exceed the preferred maximum building height and built form outcomes.
- The following criteria do not relate to built form outcomes:
  - the proposal will achieve each of the following:
    - excellence for environmentally sustainable design measured as a minimum BESS project score of 70%
    - provision of end-of-trip facilities, including secure bicycle parking, locker and shower facilities and change rooms in excess of the requirements of Clause 52.34
  - where the proposal includes dwellings, it also achieves each of the following:
    - housing for diverse households types, including people with disability, older persons, and families, through the inclusion of varying dwelling sizes and configurations
    - accessibility provision objective that exceeds the minimum standards in Clauses 55.07 and/or 58 as relevant
    - communal and/or private open space provision that exceeds the minimum standards in Clauses 55.07 and/or 58, as relevant.
- Criteria regarding environmentally sustainable design, end of trip facilities, dwelling types and open space do not help to implement the objectives and other provisions in DDO23.
- Although these criteria may have merit to the extent that they are seeking good planning outcomes, they do not directly relate to built form outcomes resulting from a building that exceeds a preferred maximum building height.

Heritage

- Council has completed extensive heritage analysis of the Precinct and this has been effectively translated into the exhibited DDO23.
- The exhibited DDO23 includes a comprehensive suite of objectives and specific requirements that appropriately manage built form outcomes that consider heritage issues.

Infrastructure capacity

- The Amendment adequately protects the amenity of existing areas of public open space.
- The creation of additional areas of public open space is beyond the scope of the Amendment.
- The Amendment has appropriately considered a wide range of traffic and access issues associated with the further development of the Precinct.
- The DDO23 provisions to manage access and movement are generally appropriate.
- The construction of transport infrastructure is beyond the scope of the Amendment.

DDO23 requirements

Design objectives

- The 'Design objectives' are based on sound strategic planning and are appropriate, subject to a minor wording change to the second design objective.

Street wall height and front setback requirements

- The street wall heights and front setback requirements are justified and appropriate.
- The street wall height metrics are appropriate except that the preferred maximum street wall height for land on the east side of the Oxford Street Reserve should be reduced from 14 metres to 11 metres.

Upper level setback requirements

- The minimum metric requirements for upper level setbacks are appropriate.
- It is appropriate to include the land bound by the Oxford Street Reserve, Langridge, Cambridge and Derby Streets within 'Area 3'.
- The land shown on Map 1 as Area 1 and Area 2 should be combined to form 'Area A'.
- The land shown on Map 1 as Area 3 should be renamed 'Area B'.
- References in Clause 4.2 to Areas 1, 2 and 3 should be modified to Areas A and B.
- The drafting of Clause 4.2 should be modified to clearly distinguish the provisions applying to heritage and non-heritage buildings and to improve the clarity and intent of the provisions.

Building height requirements

- The exhibited mandatory and preferred maximum building heights are justified and appropriate.
- The land bound by Oxford Street Reserve, Langridge, Cambridge and Derby Streets should have a preferred maximum building height of 27 metres.
- 23-31 Derby Street should have a preferred maximum building height of 20 metres.
- 64-66 Oxford Street should have a preferred maximum building height of 14 metres.
- The building height exemptions for 'architectural features' and 'service equipment' should relate to mandatory and preferred maximum building heights.

- It is appropriate to clarify that the term 'architectural features' does not include 'service equipment or structures'.
- The exemption regarding service equipment is not discretionary.
- It is appropriate for service equipment and structures to exceed the mandatory or preferred maximum building heights provided that the equipment or structures are no higher than 2.6 metres above the maximum height and that a lift over-run can be adequately constructed within this dimension.

Overshadowing and solar access requirements

- The measure for shadowing should be at the equinox (22 September).
- The changes to the requirements for shadowing of public open space suggested by Council are supported because they improve the clarity and certainty of the provisions.
- The Peel Street Park should not be included in the list of open spaces to be protected by shadowing controls as part of this Amendment.
- The front yards of the properties on the south side of Mason Street do not require specific protection from shadowing as part of DDO23.

Other design requirements

- It is appropriate to include additional requirements regarding:
  - adaptable building structures, layouts and non-residential unit sizes on lower levels of buildings to allow for a variety of uses over time
  - landscaping.
- A variety of drafting changes should be made to several requirements to improve their clarity and intent.

Access, parking and loading bay requirements

- The access loading and parking bay requirements are generally acceptable.
- The requirement regarding 'laneway headroom clearance' should be reworded to improve its clarity and intent.

Drafting issues

- A range of minor drafting changes should be made to the text and Map 1 in DDO23 to improve the clarity and intent of the requirements.

Background documents

- The proposed Reference Documents should be located within Clause 21.11.
- Following implementation of the Planning Policy Framework translation the proposed Reference documents should be included in the Schedule to Clause 72.08 (Background documents).

Amendment process

- It is appropriate to progress Draft Amendment C293yara subject to the changes recommended by the Committee in accordance with section 20(4) of the *Planning and Environment Act 1987*.

Recommendations

Based on the reasons set out in this Report, the Committee recommends that Draft Yarra Planning Scheme Amendment C293yara be approved as exhibited subject to the following:

1. Amend Design and Development Overlay Schedule 23, as shown in Appendix F, to:
   a) replace the word 'must' with the word 'should' in the second paragraph of the 'Building separation, amenity and equitable development requirements'
   b) to clarify the application of mandatory and preferred maximum street wall heights and mandatory and preferred maximum building heights
   c) delete after the words "*the proposal will achieve each of the following:*":
      - *"excellence for environmentally sustainable design measured as a minimum BESS project score of 70%"*
      - *"provision of end-of-trip facilities, including secure bicycle parking, locker and shower facilities and change rooms in excess of the requirements of Clause 52.34"*
   d) delete the words "*where a proposal includes dwellings, it also achieves each of the following:*
      - *housing for diverse households types, including people with disability, older persons, and families, through the inclusion of varying dwelling sizes and configurations*
      - *accessibility provision objective that exceeds the minimum standards in Clauses 55.07 and/or 58 as relevant*
      - *communal and/or private open space provision that exceeds the minimum standards in Clauses 55.07 and/or 58, as relevant."*
   e) to refer to 'low-rise to mid-rise' in the second design objective
   f) to change Map 1 to show the preferred maximum street wall height for the land abutting the east side of the Oxford Street Reserve with a street wall height of 11 metres
   g) to show on Map 1:
      - Area 1 and Area 2 combined to form Area A
      - Area 3 renamed Area B.
   h) to clearly distinguish the upper level setback requirements applying to heritage and non-heritage buildings and to improve the clarity and intent of the provisions
   i) modify 'Building height requirements' to state:
      a) *"Architectural features (except service equipment or structures) may exceed the mandatory or preferred maximum building height."*
      b) *"Service equipment and/or structures ... may exceed the mandatory or preferred maximum building height provided that: ..."*
   j) to state "*Development should not increase the amount of overshadowing as caused by existing conditions measured between 10am and 2pm on 22 September for the following areas of open space and/or public realm: ...*"
   k) to include an additional dot point that requires lower levels of development should "*incorporate adaptable building structures, layouts and non-residential unit sizes so as to allow for a variety of uses over time*"
   l) to include an additional requirement that "*Development should provide for landscaping that provides a positive contribution to the public realm such as canopy trees where possible, green walls or planter boxes*"
   m) to include an range of minor drafting changes to improve the clarity and intent of the 'Other design requirements'

n) to modify the second last requirement to state "*Where a ground level setback is provided to achieve practicable vehicle access to a laneway, a minimum headroom clearance of 3.6 metres should be provided to any overhang of the first floor*"
o) include a range of drafting changes to improve the clarity and intent of some requirements.
p) show in Map 1:
   - greater differentiation between colours and consideration of other cartographic tools to improve the map's legibility
   - reference to 'Preferred maximum building heights', 'Mandatory maximum building heights' and 'Mandatory maximum street wall heights' in the legend headings and text
   - the name 'Little Oxford Street' on the map
   - 'Public Open Space' on the legend
   - the extension of the Cambridge Street Reserve in a different colour green to 'Public Open Space' and adding 'Potential future open space under investigation' to the legend.

13. Following the implementation of the Planning Policy Framework translation process, the following documents should be included in the Schedule to Clause 72.08 (Background documents):
    a) *Brunswick Street and Smith Street Built Form Review: Collingwood Built Form Framework*, 2018
    b) *Collingwood Mixed Use Pocket Heritage Analysis and Recommendations,* 2018
    c) *Supplementary Heritage Report: Collingwood South (Mixed Use) Precinct,* 2021.

14. Draft Amendment C293yara should proceed subject to the changes recommended by the Committee without further notice and in accordance with section 20(4) of the *Planning and Environment Act 1987*.

1 Introduction

This Report must be read in conjunction with the *Yarra Activity Centres Standing Advisory Committee Report 1 – Overarching Report* (Committee Report 1).

1.1 Referral to the Committee

10 June 2021	The Minister for Planning appointed the Yarra Activity Centres Standing Advisory Committee (the Committee) to advise on referred planning matters and associated draft Yarra Planning Scheme provisions for activity centres and other areas of urban change. The Minister released Terms of Reference for the operation of the Committee. Further details are provided in Committee Report 1.
23 December 2021	Council wrote to the Minister for Planning to request that draft Amendment C293yara be referred to the Committee in accordance with the Terms of Reference.
6 February 2022	The Minister for Planning referred the draft amendment to the Committee. A copy of the letter of referral is included in Appendix A.

The letter of referral dated 6 February 2022 deals with draft Yarra Planning Scheme Amendments C291yara and C293yara.

At the Directions Hearing, officers from the Department of Environment, Land, Water and Planning (DELWP) clarified to the Committee that some aspects of the letter of referral did not apply to draft Amendment C293yara. These matters included:

- consideration of whether mandatory provisions on all properties on the south side of Victoria Street between Church Street and Johnson Street (DDO50) are strategically justified
- consideration of the following criteria to vary discretionary height controls:
  - referral to a design review panel
  - housing affordability.

These matters are to be addressed by the Committee considering draft Amendment C291yara.

Regarding draft Amendment C293yara, the Committee has considered the Terms of Reference and the matters in the letter of referral except as noted above.

1.2 Draft Amendment

(i) Amendment description

Draft Yarra Planning Scheme Amendment C293yara (the Amendment) proposes to implement the recommendations of the following strategic planning work:

- *Brunswick Street and Smith Street Built Form Review: Collingwood Built Form Framework*, June 2018 (Built Form Framework)
- *Collingwood Mixed Use Pocket Heritage Analysis and Recommendations*, June 2018 (Heritage Analysis Report)

- *Supplementary Heritage Report: Collingwood South (Mixed Use) Precinct*, May 2021 (Supplementary Heritage Report)
- *Traffic Engineering Assessment: Brunswick Street and Smith Street Activity Centres*, November 2019 (Traffic Assessment Report).

Specifically, the Amendment proposes to:

- insert a new Schedule 23 to the Design and Development Overlay (DDO23) on a permanent basis to apply street wall and overall height controls, as well as setback and other requirements to the land
- amend Clause 21.11 (Reference Documents) to include the *Brunswick Street and Smith Street Built Form Review: Collingwood Built Form Framework* 2018, *Collingwood Mixed Use Pocket Heritage Analysis and Recommendations* 2018 and *Supplementary Heritage Report: Collingwood South (Mixed Use) Precinct,* 2021 as Reference Documents in the Planning Scheme
- amend Planning Scheme Map (Number 6 DDO) to remove the rear of the property at 32 Smith Street, Collingwood from DDO23
- amend Planning Scheme Map (Number 6 DDO) to remove Schedule 2 to the Design and Development Overlay from the western side of Wellington Street where the new DDO23 would apply.

Interim Design and Development Overlay Schedule 23 (interim DDO23) currently applies to the Collingwood South Mixed Use Precinct. The proposed DDO23 replaces the interim DDO23.

(ii) The subject land

The Amendment applies to land within the Collingwood South Mixed Use Precinct (the Precinct) and includes portions of Peel Street, Langridge Street, Cambridge Street, Oxford Street, Little Oxford Street, Derby Street, Mason Street and Wellington Street, Collingwood South.

The Precinct forms part of a larger mixed use area that extends to Little Wellington Street to the north, however the northern portion of the area (generally between Peel Street and Little Wellington Street) comprises land covered by the Foy and Gibson heritage precinct and is not included in the Amendment.

The land subject to the Amendment is a robust and diverse inner urban area. Its urban fabric reflects its various phases of development, which has resulted in a very mixed built form character and varied land uses. A large proportion of the Precinct is of heritage significance which is typically defined by a finer grain residential and small-scale commercial fabric. Pockets of taller development are outside the Heritage Overlay. The street network is relatively permeable.

There is a fall across the site of approximately 15 metres from Smith Street to Wellington Street.

There are three small pocket parks within the Precinct including:

- the Peel Street Park on the corner of Peel Street and Oxford Street
- the Cambridge Street Reserve on Cambridge Street
- the Oxford Street Reserve between Langridge Street and Derby Street.

A walkway at the southern end of Oxford Street connects Mason Street to Victoria Parade.

The Amendment applies to land shown in Figure 1.

Figure 1 **Subject land**



Source: Explanatory Report

1.3 Background

(i) Context

The Explanatory Report accompanying the Amendment states:

> Draft Amendment C293yara is required to manage and respond to increased development activity in the Collingwood South Mixed Use Precinct.

The scale and density of development approved and currently being proposed within the area has increased substantially in recent years. In November 2018, the Minister for Planning approved Amendment C250 to the Yarra Planning Scheme to apply interim built form controls to the area. These interim controls have been used to manage development while permanent controls were progressed. Amendment C251yara introduced interim heritage overlays (HO) to the area and under C245yara these interim HOs were made permanent.

The Collingwood South Mixed-Use Precinct is part of Smith Street Major Activity Centre which has been identified as an area suitable for further development and housing growth as per Plan Melbourne 2017- 2050 and Council's Housing Strategy.

To ensure appropriate and orderly planning, these interim built form controls have been revised to better facilitate and guide the scale, massing and bulk of new development. Amongst other things, permanent built form planning controls would ensure that new development appropriately considers the impacts on the heritage qualities, streetscapes, public realm and amenity within the area.

(ii) Chronology of events

Council provided a detailed chronology of events associated with the Amendment. This is reproduced in Appendix B.

(iii) Interim DDO23

Amendment C250yara was gazetted by the Minister for Planning (with changes) on 22 November 2018. It inserted interim DDO23 into the Planning Scheme, applying a mix of mandatory and discretionary height, street wall height and setback requirements to land in the Precinct.

Interim DDO23 was informed by:

- the Built Form Framework
- the Heritage Analysis Report.

Interim DDO23 was not exhibited and has been extended multiple times through various further amendments (described in Appendix B) and is due to expire on 30 June 2022.

(iv) Exhibited DDO23

In addition to the Built Form Framework and the Heritage Analysis, preparation of the exhibited DDO23 was also informed by further detailed investigations including:

- the Supplementary Heritage Report
- the Traffic Assessment Report
- a review of recent Planning Scheme amendments regarding DDO built form provisions, (including Panel Reports where relevant) regarding:
  - Amendment C191yara - Swan Street Activity Centre (final provisions gazetted 10 February 2022)
  - Amendment C220yara – Johnson Street Activity Centre (final provisions gazetted 18 June 2020)
  - Amendment C231yara – Queens Parade Activity Centre (final provisions for Parts 1 and 3 gazetted 1 October 2020)
  - Amendment C245yara – Heritage Overlay and Zone fix-up (gazetted 11 February 2021)
  - Amendment C270yara – Fitzroy /Collingwood Stage 1 (interim provisions gazetted 27 August 2021)

  - Amendment C288yara – Alexandra Parade, Victoria Parade and Fitzroy West Mixed Use Precinct (interim provisions gazetted 22 October 2021)
  - Amendment C291yara – Victoria Street and Bridge Road Activity Centres (interim provisions in place; exhibited provisions referred to Yarra Activity Centres Standing Advisory Committee)
- consideration of strategic planning work associated with the re-write of local policies (Amendment C269yara)
- a review of recent development applications in the Precinct
- comments from Council's statutory planning department and Heritage Advisory Committee
- a review of DDO2 where it overlaps with DDO23
- a review of Clause 21.11 (Reference Documents).

In broad terms, the differences between the interim DDO23 and the exhibited DDO23 can be summarised as including:

- minor adjustment to the DDO boundary to remove 32-34 Smith Street, Collingwood which is covered by both interim DDO23 and the requested interim DDO37 for Smith Street North and South
- refinement of objectives 2 and 4 and additions to objective 3 relating to the mixed built form character of Collingwood South (industrial, residential, institutional and heritage buildings with emerging contemporary form)
- deletion of the reference to storeys in the objectives
- changes to definitions
- clarification that a requirement expressed with the word 'must' is mandatory and cannot be varied with a permit, and a requirement expressed with the word 'should' is discretionary
- changes to street wall heights and front setbacks:
  - street wall heights for some infill properties adjoining heritage buildings have been reduced
  - a number of requirements relating to street wall heights and front setbacks have been inserted
- changes to upper level setbacks:
  - the sightline test has been removed and replaced with specified upper level setbacks
  - upper level setbacks above heritage buildings have been modified so they are now a mandatory minimum 6 metres
  - upper level guidance has been inserted to recognise specific needs of certain heritage buildings
- changes to overall building heights:
  - a mandatory maximum height of 11 metres has been applied to residential heritage buildings
  - the height for 54-56 Oxford Street has been reduced from 14 metres to 11 metres and a mandatory street wall height of 8 metres applied
  - requirements for development on some infill sites adjoined by heritage buildings have been lowered from 20 metres to 14 metres
- overshadowing requirements have been modified
- upper level setback requirements have been modified:

- for development that shares a common boundary within the overlay and/or adjoins a Commercial 1 Zone and/or Mixed Use Zone outside of the overlay
- where development consists of multiple buildings and/or separate upper levels

- other building design requirements have been inserted
- access, parking and loading bay requirements have been inserted
- a number of application requirements and decision guidelines have been modified and inserted
- specific heritage building design requirements have been deleted.

(v) Council Day 1 version of DDO23

After the Amendment was exhibited, Council proposed to modify the exhibited version of DDO23 to respond to submissions and improve the clarity and intent of the provisions.

These changes were confirmed at a Council meeting on 21 December 2021 and was the preferred version presented by Council to the Committee on Day 1 of the Hearing.

Table 1 summarises the key changes made to the exhibited version of DDO23. New text is shown underlined and deleted text shown with ~~strikethrough~~.

Table 1 Comparison of exhibited and Day 1 versions of DDO23

Clause	Exhibited DDO23	Day 1 version of DDO23
2.1 Definitions		Definition of 'Upper level' inserted: **Upper level** means development above the height of the street wall
2.3 Street wall height and front setback requirements **Requirement 1**	Development must not exceed the street wall heights as shown on Map 1	Development must not exceed the mandatory maximum building heights as shown on Map 1
2.5 Building height requirements **Requirement 1**	Development on sites shown as hatched on Map 1 must not exceed the building height shown on Map 1	Development on sites shown as hatched on Map 1 must not exceed the mandatory maximum building height shown on Map 1
2.5 Building height requirements **Requirement 2**	Development should not exceed the building heights shown on Map 1	Development should not exceed the preferred maximum building heights shown on Map 1
Map 1 **Eastern boundary of Oxford Street Reserve**	Street wall height: 14 metres	Street wall height: 11 metres
2.6 Overshadowing and solar access requirements **Requirement 5**	Development should be designed to minimise overshadowing of the following areas of open space and/or public realm between 10am and 2pm on 22 September, to the satisfaction of the responsible authority: • Cambridge Street Reserve	Development should not increase the amount of ~~be designed to minimise~~ overshadowing as caused by existing conditions, measured ~~of the following areas of open space and/or public realm~~ between 10am and 2pm on 22 September, for the following areas of open space and/or public realm: ~~to the~~

Clause	Exhibited DDO23	Day 1 version of DDO23
	(including any future extension of the reserve) • Oxford Street Reserve • the outdoor space of the Collingwood English School • any kerb outstands, seating or planting areas on the opposite side of the street, as applicable.	~~satisfaction of the responsible authority:~~ • Cambridge Street Reserve (including any future extension of the reserve) • Oxford Street Reserve • the outdoor space of the Collingwood English School • any kerb outstands, seating or planting areas on the opposite side of the street, as applicable.
2.8 Other design requirements		Additional requirement inserted: Development should provide for landscaping that provides a positive contribution to the public realm, such as canopy trees where possible, green walls or planter boxes.
2.8 Other design requirements	Lower levels of development should: • be designed to accommodate commercial activity at the ground floor, incorporating a suitable commercial floor height of 4 metres floor to floor height • avoid floor to ceiling glass with limited entries for large expanses of the ground floor • ...	Additional requirement inserted: Lower levels of development should: • be designed to accommodate commercial activity at the ground floor, incorporating a suitable commercial floor height of 4 metres floor to floor height • building structures, layouts and non-residential unit sizes should be adaptable so as to allow for a variety of uses over time • avoid floor to ceiling glass with limited entries for large expanses of the ground floor ...

Source: Council Part A Submission

The Committee has considered the exhibited version of DDO23 as well as the version presented by Council on Day 1 of the Hearing.

The recommended changes to the wording of DDO23 in the Committee preferred version of the controls (Appendix F) is based on the exhibited version of the provisions.

(vi) Council Part C version of DDO23

On the final day of the Hearing, Council submitted an updated version of DDO23 as part of its closing submission (Part C version).

The changes suggested by Council in its Part C version responded to further issues raised in submissions, evidence and by the Committee throughout the Hearing. These changes are discussed in this Report and have been applied, where appropriate, in the Committee preferred version of DDO23.

1.4 Submissions and key issues

Initially, there were 102 submissions made to the exhibited Amendment.

Following the Council meeting on 21 December 2021, notice of the Council resolution was issued to all submitters and relevant landowners. A further submission was received as part of this process.

A total of 103 submissions were made to the draft Amendment (Appendix C).

All submissions were referred to the Committee by the Minister for Planning including the supportive submissions.

A large number of submissions came from three locations:

- 55 submissions were from owners and occupiers at 68 Cambridge Street (the Holme Apartments)
- 10 submissions were from owners and occupiers at 27 Oxford Street (the XO Building)
- 7 submissions were from owners and occupiers at 88 Cambridge Street.

These submissions objected to the Amendment on various grounds, including:

- concerns about the proposed height of buildings on land bounded by the Oxford Street Reserve, Langridge Street, Cambridge Street and Derby Street and the impact of development on this site with respect to:
  - overshadowing of the Oxford Street Reserve, footpaths and the public realm
  - blocking of light and sun
  - loss of views, outlook and sky
  - increased noise
  - the 'facing off' of residents into nearby apartments
- concerns about the proposed height of buildings on the southeast corner of Oxford Street and Derby Street
- lack of public open space in the area
- concerns about increased traffic
- the need for infrastructure to keep pace with development in the area
- the poor quality of recent development
- concerns about disruption from construction works.

Table 2 includes a summary of all submissions against key themes or Amendment elements, and where these are addressed in this Report.

Table 2 Summary of issues

Theme	Issues	Report section
Strategic issues	• Urban consolidation • Accommodating growth • Impact of COVID-19	Chapter 2
Mandatory provisions	• Use of mandatory versus discretionary provisions	Chapter 3.1
Heritage	• The importance of maintaining heritage fabric • Sensitivity of new development to heritage fabric	Chapter 3.2
Infrastructure capacity	• The need for more public open space • Traffic and parking issues	Chapter 3.3
Amenity considerations	• Impacts on the public realm • Overshadowing of public open space, footpaths and street trees • Blocking of light and sun • Increased noise • Landscaping within the private and public realm • Wind impacts • Impact on neighbourhood character	Chapter 4
Building heights and setbacks	• Proposed metrics of building heights and setbacks	Chapter 4

1.5 Procedural issues

(i) Department of Environment, Land, Water and Planning

The Committee invited DELWP to make a brief statement at the beginning of the Hearing to inform all parties about the background and context for the establishment of the Yarra Activity Centres Standing Advisory Committee.

The Committee thanks Jason Close, Manager Planning Services in the Statutory Planning Services section of DELWP for attending and addressing the Committee on this issue.

DELWP did not make a submission about the content of the Amendment or express any view regarding the proposed provisions.

(ii) Withdrawal of parties to the Hearing

The Committee was advised that three submitters who initially requested to be heard at the Hearing did not want to appear at the Hearing. The submitters indicated they wanted their original submissions to be considered by the Committee.

These submitters were:

- D Skitt (Submission 42)
- S Hughes and K Saunders (Submission 61)
- K Churchill (Submission 70).

1.6 The Committee's approach

The Committee has assessed the Amendment against the principles of net community benefit and sustainable development, as set out in Clause 71.02-3 (Integrated decision making) of the Planning Scheme.

The Committee considered all written submissions made in response to the exhibition of the Amendment, observations from site visits, and submissions, evidence and other material presented to it during the Hearing. It has reviewed a large volume of material, and has had to be selective in referring to the more relevant or determinative material in the Report. All submissions and materials have been considered by the Committee in reaching its conclusions, regardless of whether they are specifically mentioned in the Report.

This Report deals with the issues under the following headings:

- Strategic issues
  - Planning Scheme provisions
  - Background studies
  - Population and economic forecasts
  - Policy support
  - Associated changes to planning controls
- Precinct wide issues
  - Mandatory versus discretionary controls
  - Criteria for varying discretionary maximum building heights
  - Heritage
  - Infrastructure capacity
- Design and Development Overlay Schedule 23
  - Consideration of specific provisions
- Background documents
- The Amendment process.

Table 3 sets out the Committee's Terms of Reference and referral requirements for its report and the location in this Report where these matters are addressed.

Table 3 How report addresses the Terms of Reference and referral requirements

Terms of Reference report requirements	Report section
An assessment of the proposed draft planning scheme amendment and any recommended changes to the proposed provisions	Chapter 4
An assessment of submissions to the Committee and any other relevant matters raised in the course of the Committee process	Chapters 2, 3 and 4
Advice on any relevant strategic planning matters	Chapter 2
A recommendation on whether the draft planning scheme amendment is strategically justified and could be approved by the Minister without notice, using his powers under section 20(4) of the Act	Chapter 6
A recommendation on whether the draft planning scheme amendment or any part of it should be subject to the requirements of sections 17, 18 and 19 and the regulations of the Act and processed as a 'standard' amendment	Chapter 6

Terms of Reference report requirements	Report section
Record of the date, location, attendees and purpose of any forum, meeting or workshop it held	Overview
A list of persons who made submissions to the Committee	Appendix C and D
Letter of referral report requirements	
Consideration of whether the capacity of the Activity Centre for further growth will be inappropriately compromised by the introduction of mandatory controls and whether a revised capacity analysis is required to support these provisions should form part of the Committee process	Chapter 2
Consideration of whether performance-based measures for the variation of discretionary height limits that do not have a nexus to built form outcomes are an appropriate use of planning tools or result in duplication of material in other parts of the Yarra Planning Scheme	Chapter 3.2
Consideration of where reference documents (Clause 21.11) will be located within the Yarra Planning Scheme when the Planning Policy Framework translation occurs	Chapter 5
Consideration of appropriate building heights	Chapter 4.4

1.7 Limitations

Many submissions raised issues that were beyond the scope of the Amendment, such as:

- loss of views to the city
- amenity impacts (such as noise, dust and traffic disruptions) associated with construction activity in the area
- greater emphasis on environmentally sustainable design
- the need for improved community consultation regarding planning scheme amendments
- impact on property values
- additional landscaping in public spaces.

The Committee has not addressed these issues in the Report. Many of these matters are dealt with in other parts of the Planning Scheme or as conditions on planning permits. No evidence was presented to justify claims that the Amendment would devalue properties. Other matters are beyond the planning process or are issues for Council to address.

2 Strategic issues

2.1 Planning Scheme provisions

A common zone and overlay purpose is to implement the Municipal Planning Strategy and the Planning Policy Framework.

(i) Zone

All of the land within the Precinct is in the Mixed Use Zone (MUZ). The Schedule to the MUZ is 'blank'. As a consequence, there is no specified maximum building height in the MUZ.

(ii) Overlays

All of the land is subject to:

- Development Contributions Plan Overlay Schedule 1 (DCPO1)
- Design and Development Overlay Schedule 23 (interim DDO23)

Part of the land is subject to:

- Design and Development Overlay Schedule 2 (DDO2)
- Environmental Audit Overlay (EAO)
- Heritage Overlay.

Table 4 Zone and overlay purposes

Zones	
Mixed Use	To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality. To provide for housing at higher densities. To encourage development that responds to the existing or preferred neighbourhood character of the area. To facilitate the use, development and redevelopment of land in accordance with the objectives specified in a schedule to this zone.
Overlays	
Development Contributions Plan	To identify areas which require the preparation of a development contributions plan for the purpose of levying contributions for the provision of works, services and facilities before development can commence.
Design and development	To identify areas which are affected by specific requirements relating to the design and built form of new development.
Heritage	To conserve and enhance heritage places of natural or cultural significance. To conserve and enhance those elements which contribute to the significance of heritage places. To ensure that development does not adversely affect the significance of heritage places. To conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.
Environmental Audit	To ensure that potentially contaminated land is suitable for a use which could be significantly adversely affected by any contamination.

DDO2 (Main Roads and Boulevards) applies to land along Wellington Street and includes a range of design objectives but does not include any specific design requirements.

The interim DDO23 will be replaced by the proposed DDO23.

The land includes various places included within the Heritage Overlay. Further details of these places are provided in Chapter 3.3.

2.2 Background studies

Council submitted the Amendment was based on a variety of Precinct based strategic planning investigations regarding built form, heritage and traffic issues. It was also consistent with broader strategic planning completed by Council regarding housing growth areas and activity centres.

(i) Brunswick Street and Smith Street Built Form Review: Collingwood Built Form Framework, June 2018

The Built Form Framework underpins the urban design approach for the Precinct and forms part of broader urban design analysis for the Brunswick Street and Smith Street areas.

The Built Form Framework includes a number of principles, influences and propositions for the future planning of the Precinct. These are intended to be realised through detailed controls and requirements relating to building heights, street wall heights, setbacks, solar access, and building design.

Preparation of the recommended controls included consideration of:

- State Planning Policy Framework
- Local Planning Policy Framework, including Zones and Overlays
- Practice Note No. 60 – Height and Setback Controls for Activity Centre
- Practice Note No. 59 – The Role of Mandatory Provisions in Planning Schemes
- Urban Design Guidelines for Victoria, 2017
- Anticipated scale and form of development outside the study area (i.e. within Residential and Employment Zones)
- Views to existing landmarks from the public realm
- Recognition of Yarra's heritage skyline
- Recent development approvals (including those currently under- construction)
- 3D computer modelling of built form testing for the study area
- Independent heritage advice and existing character considerations, consistent with the expert heritage advice provided by Council's heritage advisors (GJM Heritage)
- Extensive site inspections and workshops with Council's officers.[1]

The built form objectives for the Precinct include:

- To foster an emerging, contemporary, mixed use character whilst supporting redevelopment that defines the Wellington and Langridge Street junction with a gradual transition down towards Smith Street.
- To encourage sensitive infill and recessive upper level additions behind either retained heritage facades and new forms.

[1] Built Form Framework, page 22

- To respect and reinforce the heritage value of the precinct and support the retention of the traditional street frontages, including street setbacks, facades and subdivision pattern.
- To promote and encourage pedestrian activity through street activation and protection of solar access to southern footpaths and public open spaces.
- To ensure equitable development outcomes through building separation and gradual transitions to neighbouring heritage properties.[2]

The Built Form Framework breaks the Precinct into three distinct parts based on subdivision pattern, heritage and existing built form:

Oxford/Cambridge Street (OC2) – referred to in the Amendment as '**Area 1**', is described as:

> The most diverse sub-precinct with every street having a unique character and has experienced limited change to date. This area will continue to comprise a diverse built form character. Oxford Street and Peel Street contain moderate non-heritage properties abutting dispersed 1-2 storey residential heritage and the former Cordial factory. Development will need to ensure that it does not overwhelm and transitions in scale to heritage forms.
>
> Cambridge Street presents predominantly non-heritage moderate lots. The properties with direct abuttal to residential properties need to provide transition in scale along the interfaces.

Derby Street (D1) – referred to in the Amendment as '**Area 2**', is described as:

> The urban block comprises the properties along the southern side of Derby Street, which present a predominantly consistent 2 storey presentation. A recent approval of 8 storeys, with a 4 storey street wall will introduce a higher street wall character. The block between Oxford and Cambridge Streets benefits from a rear laneway which separate it from the school grounds to the south and also comprises a number of heritage buildings which are not subject to heritage protection. Development on Derby Street will need to provide transition in scale at the interface of these heritage buildings. The sites on southern side of Derby Street also need to avoid unreasonably overshadowing on the existing outdoor play area of the school.
>
> Mason Street and Oxford Street are narrow streets. To the south side of Mason Street are single storey attached cottages, set behind small front gardens. Development along Mason Street and Oxford Street will need to not overwhelm the fine grain heritage and the street. The northern side of Mason Street comprises warehouse forms, and the former St Saviour's Church building.

Wellington Street (W2) – referred to in the Amendment as '**Area 3**' is described as:

> With the exceptions of the Peel and Vine Hotel buildings these urban blocks are devoid of heritage sensitives and comprise generally larger size lots. The Wellington Street frontage consists number of approvals ranging from 8-14 storey presenting an emerging new built form along the street and marking the junction of Wellington and Langridge Street movement corridors. The western 'island' block along Langridge Street presents a development opportunity that needs to respond sensitively to Derby Street and open space frontage.
>
> Cambridge Street comprises approvals with street wall and upper form typology that provides a clear street definition without visually dominating the streetscape. Developments along this street will follow the emerging development pattern while giving consideration to equitable development and public realm amenities.

The Built Form Framework makes a range of recommendations regarding:

- building heights and setbacks
- solar access to public open space and footpaths
- transition in scale of development

[2] Built Form Framework, page 24

- street walls and upper level setbacks
- building separation, amenity and equitable development
- interfaces with low scale residential development, public open space and laneways
- a range of other built form issues
- development of heritage places and the properties adjoining heritage places (based on the Heritage Analysis Report).

(ii) Collingwood Mixed Use Pocket Heritage Analysis and Recommendations, June 2018

The Heritage Analysis Report provided expert heritage input into the Built Form Framework to ensure that the Built Form Framework took account of the heritage values of the recognised heritage precincts and buildings within the Precinct.

The Heritage Analysis Report for Collingwood South considered:

- the suitability and extent of Heritage Overlay on places and precincts within the Precinct
- the heritage grading of each property subject to the Heritage Overlay
- the currency of the existing statements of significance for places and/or precincts to ensure they provide adequate guidance for protection of heritage features
- places which were not included on the Victorian Heritage Register (VHR) but which may warrant nomination to the VHR
- built form parameters necessary to appropriately manage increased mixed use development within the context of heritage places or precincts.

The Heritage Analysis includes a number of built form parameters and recommendations that describe the outcomes for heritage buildings in the precinct, including ensuring that alterations and additions to heritage buildings are visually recessive, retain the primacy of the three-dimensional form of the heritage building as viewed from the public realm to avoid 'facadism', and retain the visual prominence of the return façades of buildings on corner sites.

(iii) Supplementary Heritage Report: Collingwood South (Mixed Use) Precinct, May 2021

The Supplementary Heritage Report updates the recommendations in the Heritage Analysis Report and was informed by a variety of matters following the preparation of the original advice, including:

- the findings of planning panels considering the following Planning Scheme amendments:
  - C191yara–Swan Street Activity Centre
  - C220yara–Johnston Street Built Form Controls
  - C231yara–Queens Parade Built Form Review
- changes made to the relevant Planning Practice Notes (PPN):
  - PPN59: The Role of Mandatory Provisions in Planning Schemes (September 2018)
  - PPN60: Height and Setback Controls for Activity Centres (September 2018).
- the new proposed local policies at Clauses 15.01-1L – Urban Design and 15.03-1L – Heritage (Amendment C269yara)
- amendments to the application of the Heritage Overlay on land subject to DDO23 (Amendment C245yara)
- development recently constructed, under construction, approved or under assessment within the land subject to DDO23.

The Supplementary Heritage Report recommended a number of changes to the interim DDO23 controls including:

- the sightline test replaced with a consistent metric measure to determine appropriate upper level setbacks
- lowered overall building heights for pockets of consistent heritage character and most sites adjoining heritage buildings (infill sites)
- lowered mandatory street wall heights for infill sites adjoining heritage buildings
- mandatory provisions for upper level setbacks to all heritage places
- mandatory provisions for overall building heights to pockets of consistent heritage character.

(iv) Traffic Engineering Assessment: Brunswick Street and Smith Street Activity Centres, November 2019 (Traffic Assessment Report)

The Traffic Assessment Report was prepared to inform various DDO controls in Fitzroy and Collingwood. With respect to Collingwood South Precinct, it focussed on outcomes to achieve safe and efficient vehicular and pedestrian access in the area having regard to the anticipated level of change in accordance with the Built Form Framework.

This work involved:

- detailed site inspections of the study area
- reviewing and categorising laneways into 3 categories (unconstrained, partially constrained or highly constrained) in order to better understand their potential to accommodate additional traffic under their existing configurations and conditions
- reviewing (at a high level) the development changes forecast in the Built Form Framework in relation to traffic impacts and the intensity and circulation of traffic movements through the Activity Centres
- reviewing the capacity for laneways and local roads to accommodate the forecast level of traffic based on development potential and existing configurations
- considering what configurations or adjustments may be necessary to laneways or local roads in order to accommodate the expected increase in vehicle movements and to minimise potential for vehicle conflicts
- liaising with stakeholders, including representatives from Council to understand the relevant concerns relating to safety and efficiency
- recommendations as to the location and form of new, altered and retained access arrangements and laneways required to provide appropriate access to future developments
- preparing draft wording for traffic engineering aspects of future DDO provisions – including design objectives and outcomes, permit application requirements and decision guidelines for assessing future planning permit applications.

(v) Yarra Housing Strategy

An overview of the Yarra Housing Strategy is provided in Committee Report 1.

The Yarra Housing Strategy identifies the Precinct:

- within the Smith Street Major Activity Centre (page 52)
- having future Urban Development Program sites in the Precinct (page 61)

- containing areas of 'High Change' (around Langridge and Wellington Streets) and 'Incremental Change' (generally covering parts of the Precinct with heritage value) (page 69).

(vi) Activity Centres Roles and Boundaries

An overview of the Activity Centres Report is provided in Committee Report 1.

Under the current Clause 21.08 the Precinct is not located within the Smith Street Major Activity Centre.

The Activity Centres Report identifies the Precinct within the Smith Street Major Activity Centre. This is proposed to be formalised in the re-write of the Local Planning Policies in Amendment C269yara.

2.3 Population and economic forecasts

An overview of the Yarra Spatial Economic and Employment Strategy (YSEES) is provided in Committee Report 1.

Submitters raised concerns that the COVID-19 pandemic may result in significantly altered demand for residential and commercial floor space in the Precinct. They said population projections and employment patterns based on pre-COVID-19 assumptions should be reviewed and the built form controls adjusted accordingly.

The referral letter to the Committee from the Minister for Planning requested consideration of whether the capacity of the Activity Centre for future growth will be inappropriately compromised by introducing the proposed mandatory provisions and whether a revised capacity analysis is required to support these provisions.

Mr Szafraniec, an experienced urban economist from SGS Economics and Planning, gave evidence for Council regarding:

- the impact of the proposed Amendment on residential and commercial development in the Precinct, the Smith Street Activity Centre and for the municipality as a whole
- the potential impact of the COVID-19 pandemic on population and employment growth forecasts.

With respect to the impact of COVID-19, Mr Szafraniec stated:

> We are still very much within the influence of the COVID-19 pandemic and the final direct and lasting impacts on dwelling demand in the City of Yarra are still uncertain.
>
> Current available data suggests the shift out of Melbourne to peri-urban communities, while significant for these small towns, has been relatively modest for the large cities and was primarily driven by people in the regions not migrating into the city – rather than large amounts of people leaving the city per se. In addition, it is currently unclear if this reflects a pause or lasting shift in behaviour. Post-pandemic, it is likely many workers (who are able to) will shift to a hybrid working model (i.e. not always in the office nor always working from home). This means work location will still be important to many, but it will be balanced against the quality and size of their home and the amenity and services in their local area.
>
> Given this, Yarra still presents a compelling offer and will likely continue to be a place of high demand. However, these trends are also likely to shift dwelling type preferences toward larger forms, both in terms of additional bedrooms/space and away from apartments to (semi) detached forms. This may impact the capacity of areas and the distribution of housing.

> Given these various competing trends, I believe it is reasonable to assume Yarra City Council's population growth (and associated housing demand) is likely to be reduced (compared to pre- COVID forecast) by a similar proportion as is projected for Greater Melbourne (-6 to -8 per cent at 2036). This will predominately be driven by the loss in population growth (largely from the loss of overseas migrants) during the pandemic period which is then never recovered. This effectively represents demand being 'paused' or 'pushed out' 3 to 4 years (i.e. demand previously projected in 2026 will now be realised by 2028 or 2029).[3]

In preparing his evidence, Mr Szafraniec:

- reviewed previous relevant work completed by his company regarding the YSEES and a variety of recent planning scheme amendments including C220yara (Johnston Street), C231yara (Queens Parade), C191yara (Swan Street) and C269yara (re-write of local policies)
- reviewed, updated and spatially disaggregated (to align with the Collingwood South Precinct) housing demand forecasts originally included in the Yarra Housing Strategy and which were revised in his evidence statement for Amendment C269yara
- estimated the total floor space capacity within the Amendment C293yara area – accounting for land available for development and relevant built form controls
- considered a range of development scenarios varying the average dwelling size and mix of floor space that might be realised for employment and residential uses
- compared the demand forecasts with the capacity estimates.

Mr Szafraniec said that that potential yield calculations were based on a model that took account of site coverage, setback, building heights, floor space mix (residential versus non-residential), net usable floor space ratios and average dwelling sizes. He said for the purposes of the capacity analysis, there was no numerical difference between preferred and mandatory height controls. That is, it was assumed that buildings were constructed to the nominated preferred height.

The analysis included various scenarios including:

- average dwelling sizes at 80 square metres
- average dwelling sizes at 100 square metres – resulting in a slightly lower overall dwelling yield but providing for possible demand for larger sized dwellings in response to increased work from home trends post-COVID-19
- new buildings consisting of entirely residential development
- new buildings consisting of ground floor employment uses and the balance as residential.

The application of these different assumptions resulted in a range of potential supply for residential dwellings and employment floor space.

In summary, Mr Szafraniec concluded:

- from 2016 to 2020, the 2020 Urban Development Program identified 331 new dwellings were built within the Collingwood South Precinct
- based on available forecasts, recent development trends and an understanding of the impacts of COVID-19, the Collingwood South Precinct will need to accommodate demand for between an additional 112 to 436 new dwellings over the period from 2021 to 2036
- total demand from 2016 to 2036 is estimated to be between 443 and 767 dwellings

[3] Mr Szafraniec's evidence statement, paragraphs 35-39

- revised housing capacity analysis which incorporates the proposed DDO23 controls indicate there is potential capacity for between 990 and 1,980 additional dwellings (depending on the average size of dwellings and the amount of non-residential employment uses included in developments)
- this represents a small increase in capacity in the Smith Street Activity Centre (between 340 and 430 dwellings) compared to previous estimates used for the Housing Strategy (which included broad height controls for the area based on strategic policy at that time)
- the Amendment will have minimal impact to the existing housing capacity of Yarra City Council and the 12 largest Activity Centres as a whole
- the Amendment provides sufficient housing capacity to accommodate housing demand over the next 15 years within the Collingwood South Precinct.

With respect to the impact of the Amendment on the supply and demand of employment land, Mr Szafraniec concluded:

- the Collingwood South Precinct is not identified as a significant employment area and is not required to accommodate significant amounts of new employment uses to support the local and broader economy
- most of the Smith Street Activity Centre employment floorspace will be accommodated in locations outside of the Collingwood South Precinct
- employment uses should still be supported within the Collingwood South Precinct
- the capacity for employment floor space in the Collingwood South Precinct is estimated as ranging from 0 to 39,800 square metres (depending on the balance between employment and residential floor space)
- employment uses may take the form of a number of small-scale ground floor shops within mixed use development and/or through purely commercial office developments on selected sites
- the proposed Amendment provides sufficient capacity to accommodate potential employment demand over the next 15 years within the Collingwood South Precinct.

2.4 Policy support

Council submitted the Amendment was consistent with the policies and intent of the Planning Policy Framework and *Plan Melbourne 2017-2050* by:

- providing a sound framework for the orderly planning of this part of the Smith Street Activity Centre
- encouraging a diversity of housing types at higher densities in and around activity centres
- seeking to accommodate future housing growth at an appropriate scale
- facilitating opportunities for a mix of office, retail, and residential uses throughout the Precinct, consistent with its Mixed Use zoning
- introducing planning controls which seek to ensure development of a high quality, which responds appropriately to the valued social and physical character of the Precinct including its many sensitive heritage interfaces
- applying specific design requirements in order to achieve development outcomes that are respectful of the industrial, residential and commercial built heritage of the Precinct
- facilitating development outcomes underpinned by a comprehensive transport assessment, in an area well serviced by public transport.

Council also submitted that the Amendment was consistent with the Local Planning Policies:

- Clause 21.04 Land use
- Clause 21.05 Built form
- Clause 21.06 Transport
- Clause 21.08 Neighbourhoods.

Council said the Amendment was consistent with the proposed strategies in Clause 11.03-1L (as proposed in Amendment C269yara) with respect to the Smith Street Activity Centre:

> ...
> Encourage development that responds to the different built form conditions in Collingwood South precinct, with taller built form towards Wellington St and south of Peel Street and retain the visual dominance and integrity of the existing industrial warehouse buildings north of Peel Street.
> ...
> Retain the visual prominence of the Victorian and Edwardian heritage streetscape, including local landmarks, street corner sites and former department stores, particularly in the traditional retail core[4]
> ...

Council submitted that the DDO was the appropriate 'tool' within the Victoria Planning Provisions and said no submissions objected to the use of a DDO to manage built form outcomes.

2.5 Associated changes to planning provisions

The Amendment includes two minor changes associated with the introduction of DDO23.

Council submitted the portion of DDO2 that applies to the west side of Wellington Street is proposed to be deleted because the DDO23 provisions will apply to this land and they are more comprehensive than DDO2.

The property at 32 Smith Street, Collingwood is within two zones. The front part of the site is within the Commercial 1 Zone and the rear portion is within the Mixed Use Zone. Interim DDO23 currently applies to land at the rear of 32 Smith Street. Council submitted the Amendment proposes to exclude 32 Smith Street from DDO23 because the entire property should be included within the DDO that deals with the properties fronting Smith Street. It said the zoning of the property and the application of a future DDO to Smith Street would be addressed in a separate Planning Scheme amendment.

These were no submissions regarding these matters.

2.6 Discussion

The Committee accepts it is appropriate to apply a DDO to the area. Decision makers are currently exercising discretion within the context of fragmented and general policy settings that do provide an integrated strategy for the Precinct. The proposed DDO will provide specific policy guidance regarding appropriate heights, setbacks and other built form outcomes for the Precinct. This is consistent with the approach adopted in other Activity Centres in Yarra - for example, Johnston Street, Queens Parade and Swan Street. It is also consistent with the expectations of Amendment C269yara.

[4] Yarra PSA C269yara [2022] PPV, page 241

The Committee is satisfied that the proposed DDO23 is based on sound strategic planning. Council has completed a range of comprehensive studies regarding urban design, heritage and transport matters and there is a clear link between the provisions in the proposed DDO23 and the recommendations in these strategic planning studies.

The reports underpinning the Amendment have been based on contemporary analysis. Where necessary reports have responded appropriately to the learnings and outcomes from other similar built form processes within Yarra and this has led to the evolution of a generally well-structured set of DDO provisions.

The Amendment has adequately considered the impacts of COVID-19, accepting that the impacts of the pandemic are still being understood and future adjustments may be required.

The Committee is satisfied that there is sufficient capacity within the Precinct and the broader Smith Street Activity Centre to facilitate expected residential and employment growth over the next 15 years. The evidence from Mr Szafraniec clearly shows that the application of the proposed mandatory and preferred building height provisions will not inappropriately compromise the future growth of the precinct.

The Committee considers the Amendment is consistent with the PE Act, Plan Melbourne, is supported by and implements the relevant sections of the PPF and has generally been prepared in accordance with relevant Ministerial Directions and Practice Notes.

It is appropriate to delete the portion of DDO2 from the west side of Wellington Street and to delete the rear of 32 Smith Street from DDO23, for the reasons put by Council.

The Amendment strikes an appropriate balance in facilitating higher density development appropriate to its strategic location and providing built form certainty where there are heritage, amenity and public realm sensitivities.

The Committee is satisfied the Amendment is consistent with the principles of net community benefit and sustainable development.

2.7 Conclusions

For the reasons set out above, the Committee concludes that the Amendment:

- is well founded and strategically justified
- is supported by, and implements, the relevant sections of the Planning Policy Framework including Plan Melbourne
- is generally consistent with the relevant Ministerial Directions and Practice Notes
- has appropriately considered the likely impact of the COVID-19 pandemic on population forecasts and demand for dwellings and employment floor space
- will provide sufficient capacity within the Precinct and the broader Smith Street Activity Centre to facilitate expected residential and employment growth over the next 15 years
- will deliver net community benefit and sustainable development, as required by Clause 71.02-3
- should proceed subject to addressing the more specific issues raised in submissions as discussed in the following chapters.

3 Precinct wide issues

3.1 Mandatory provisions

(i) The issue

The issue is whether the proposed mandatory provisions are justified and appropriate.

(ii) What does the Amendment propose?

The exhibited Amendment proposes to include a combination of discretionary and mandatory built form provisions. Mandatory provisions are distinguished by use of the word 'must' whereas discretionary provisions use the word 'should'.

The exhibited Amendment includes the following mandatory provisions:

> Clause 2.3 - Development must not exceed the street wall heights as shown in Map 1
>
> Clause 2.3 - Development at 54 and 56 Oxford St must match the front setback of the heritage building at 58 Oxford St
>
> Clause 2.4 - Upper levels above the street wall...must be set back by a minimum of 6 metres for heritage buildings
>
> Clause 2.5 - Development on sites shown as hatched on Map 1 must not exceed the building height shown on Map 1
>
> Clause 2.6 - Development must not overshadow any part of the southern side footpath from property boundary to kerb of Peel, Langridge and Derby streets between 10am and 2pm on 22 September
>
> Clause 2.6 - For streets that extend in a north- south direction (except for Little Oxford St), development must not overshadow any part of the opposite side footpath from property boundary to kerb between 10am and 2pm on 22 September
>
> Clause 2.7 - Where development shares a common boundary within the overlay and/or adjoins a Commercial 1 Zone and/or Mixed Use Zone outside of the overlay, upper level development must:
>
> - for buildings up to 27 metres, be setback a minimum of 4.5 metres from the common boundary, where a habitable window or balcony facing the common boundary is proposed on the subject site and/or exists on the adjoining property; and
> - for buildings up to 27 metres, be setback a minimum of 3.0 metres from the common boundary where a commercial or non-habitable window facing the common boundary is proposed on the subject site and/or exists on the adjoining property; and
> - where buildings exceed 27 metres in height, the development above 27 metres be set back a minimum of 6 metres from the common boundary, whether or not windows are proposed on the subject site
>
> Clause 2.8 – Development at the rear of the properties at 10-22 Derby Street must be designed to address Langridge Street.

(iii) Evidence and submissions

Council submitted that mandatory provisions have been prepared having regard to previous Panel Reports, the Supplementary Heritage Report, PPN59 and PPN60. It stated:

- mandatory provisions are supported by comprehensive strategic analysis such as the Built Form Framework, the Heritage Analysis and the Supplementary Heritage Report
- the Heritage Analysis and Supplementary Heritage Report contain detailed assessments of previous Planning Scheme Amendments (both within the City of Yarra and in other

municipalities) which have proposed, and resulted in the gazettal of, mandatory requirements

- the mandatory provisions regarding building heights, street wall heights and upper level setbacks:
  - protect heritage streetscapes
  - ensure the significance of identified heritage places are not overwhelmed by inappropriate development
  - ensure that heritage places are able to be understood within a three-dimensional context and avoids facadism
  - address built form outcomes with sensitive interfaces
  - ensure that unacceptable outcomes are avoided
- not all heritage places are proposed to have mandatory requirements
- mandatory provisions have been applied selectively and most built form requirements are discretionary
- opposite footpaths have been protected with mandatory provisions to ensure the limited and valuable public space is free from additional overshadowing
- upper level building separation requirements are proposed to be mandatory in order to ensure sensitive residential interfaces are protected from overwhelming visual bulk and receive sufficient daylight.

Mr Gard'ner gave evidence that the mandatory provisions in Clauses 2.3. 2.4 and 2.5 related to ensuring the appropriate protection of heritage places. He said the requirements were consistent with the recommendations in the Supplementary Heritage Report and concluded that:

> The provision of mandatory controls is informed thorough strategic work, is consistent with the guidance provided in PPN59 and PPN60 and is necessary to protect the heritage significance of small-scale heritage buildings within the land subject to DDO23.

Mr Campbell gave evidence regarding urban design and generally supported the application of the proposed mandatory requirements; however, he did not agree with the mandatory provision regarding side and rear upper level setback requirements within Clause 2.7 of DDO23. Mr Campbell said there was no basis for such a provision within the Built Form Framework and recommended that it be revised to refer to 'should' rather than 'must'.

Ms Rigo gave planning evidence and agreed with Mr Campbell that Clause 2.7 should be amended to refer to this provision as discretionary. She noted that although these setback requirements may be appropriate on consolidated or larger lots in the Precinct, no modelling had been prepared to provide an understanding of how these provisions can be applied on narrower sites. Ms Rigo recommended these requirements should be discretionary and said this would be consistent with the approach applied in Amendment C191yara (Swan Street Activity Centre).

Ms Rigo said there was clear strategic justification for the application of all other proposed mandatory provisions and provided a detailed assessment in her evidence statement addressing each of the requirements with respect to the issues in PPN60.

TAL GP Projects No. 1 Pty Ltd and Gurner objected to Clause 2.7 as a mandatory requirement but supported the provision if it was changed to a discretionary provision.

In response to evidence and submissions, Council agreed to change the mandatory requirement at Clause 2.7 to a discretionary provision.

Several submissions requested minor wording changes in various clauses to clarify the difference between mandatory and discretionary heights and setbacks. For example, in Clause 2.5 (building height requirements) the exhibited Amendment states:

> Development on sites shown as hatched on Map 1 must not exceed the building height shown on Map 1.
>
> Development should not exceed the building heights shown on Map 1.

Submissions said it is unclear from these clauses which building heights are discretionary and which are mandatory and recommended that the clause be amended to state:

> Development on sites shown as hatched on Map 1 must not exceed the mandatory maximum building height shown on Map 1.
>
> Development should not exceed the preferred maximum building heights shown on Map 1.

A similar modification was suggested for Clause 2.3 (street wall height and front setback requirements):

> Development must not exceed the mandatory maximum street wall heights as shown in Map 1.

These changes were supported by Council in association with similar changes to the legend on Map 1.

Many other submitters wanted more mandatory provisions – especially mandatory building heights. They submitted that discretionary height requirements were too readily exceeded and that greater certainty would be provided if all height controls were mandatory.

Some submissions also wanted the mandatory shadowing provisions for footpaths to refer to the winter solstice (June 21) rather than the equinox.

(iv) Discussion

Council has generally applied an acceptable combination of discretionary and mandatory built form provisions to manage the future growth of the Precinct. It has applied a range of discretionary provisions where appropriate and the use of mandatory provisions in circumstances where absolutely necessary having regard to heritage fabric, streetscape amenity and sensitive interfaces.

The Committee notes that the exhibited Amendment includes a more selective use of mandatory requirements than the interim DDO23 and this is supported.

The Committee accepts that comprehensive strategic planning underpins the proposed mandatory building height, street wall and upper level setback provisions. It has given significant weight to the extensive heritage analysis associated with the Amendment. In particular, the Supplementary Heritage Report provides a compelling case for the introduction of the proposed mandatory provisions in Clauses 2.3, 2.4 and 2.5 of DDO23. The Committee is satisfied that these mandatory provisions are not aimed at restricting development. Rather, they aim to facilitate good design outcomes and sensitively respond to identified heritage.

The mandatory building height, street wall height and upper level setback provisions will enable an appropriate level of growth and change. The Precinct has experienced, and will continue to experience, substantial change and the provisions recognise and facilitate a high level of change in many parts of the centre. The application of selected mandatory height and setback provisions will not compromise the potential for significant growth and this was confirmed by a detailed capacity analysis.

Council has made an appropriate case for introducing selected mandatory height and setback provisions consistent with PPN59 and PPN60.

The Committee accepts that mandatory shadowing provisions for specified footpaths are appropriate and the Built Form Framework provides a reasonable basis for the introduction of these requirements.

That said, the Committee was surprised that more detailed shadow modelling was not presented in the documentation accompanying the Amendment or during the Hearing. The Committee was referred to various cross sections in the Built Form Framework that demonstrated the impact of shadowing on the street. This was fairly rudimentary and the Committee expected more detailed analysis for this issue.

Although it is more common for mandatory shadow provisions for footpaths to be applied in busy 'high streets' with substantial retail and hospitality uses, the Committee accepts there is a compelling need for mandatory shadow provisions of footpaths in this instance because:

- public places with solar access are a finite and highly valued resource and irreplaceable once lost
- the amenity of footpaths should be protected within the context of the area having limited public open space and, in these circumstances, footpaths will be important places for people to congregate and enjoy the outdoors
- walking is a stated priority mode of transport for the Precinct and the comfort of pedestrians should be acknowledged
- the land is within the Mixed Use Zone and a wide variety of non-residential uses are possible, including ground floor hospitality uses that can benefit from high quality footpath spaces for outdoor dining
- the mandatory shadowing controls should be seen within the context of largely discretionary building height and setback controls and the relationship between these provisions need to be considered as a whole
- footpaths are vulnerable to cumulative impacts where site specific planning applications are decided on an individual basis and any one proposal only results in a small amount of additional shadow
- the proposed date and time of the equinox and 10am to 2pm are reasonable and reflect when many people will be using the street for outdoor leisure.

The Committee agrees with the submissions and expert evidence regarding Clause 2.7 (building separation, amenity and equitable development requirements). Applying this as a mandatory provision is not strategically justified and may have significant unintended consequences for developing narrow lots. The Committee agrees that the proposed mandatory provision regarding side setbacks should be discretionary and notes that Council supported this change in its Part C version of DDO23[5].

The various minor changes to clauses 2.3 and 2.5 raised in submissions and supported by Council that clarify the application of mandatory versus discretionary provisions are appropriate.

The Committee has considered the need for mandatory provisions in the Precinct based on its specific circumstances. It has reviewed the various other Panel Reports referred to by Council and

[5] Document 40

expert witnesses, but notes that every circumstance is unique and built form provisions need to be carefully considered with respect to the nuanced differences and similarities between locations and the material presented to justify the requirements.

(v) Conclusions and recommendations

The Committee concludes:

- The mandatory provisions for specified building heights, street wall heights and setbacks and upper level setbacks are justified and supported.
- The mandatory provisions regarding shadowing of specified footpaths are justified and supported.
- The mandatory provision regarding building separation, amenity and equitable development should be modified to a discretionary requirement.
- The drafting of the clauses regarding 'Street wall height and front setback requirements' and 'Building height requirements' should be modified to clarify the application of discretionary and preferred requirements.

The Committee recommends:

1. **Amend Design and Development Overlay Schedule 23, as shown in Appendix F, to:**
   a) **replace the word 'must' with the word 'should' in the second paragraph of the 'Building separation, amenity and equitable development requirements'**
   b) **clarify the application of mandatory and preferred maximum street wall heights and mandatory and preferred maximum building heights.**

3.2 Criteria for varying discretionary maximum building heights

(i) The issue

The issue is whether the criteria for exceeding the discretionary maximum building heights are appropriate.

(ii) Background

The Minister for Planning has asked the Committee to consider:

> …whether performance-based measures for the variation of discretionary height limits that do not have a nexus to built form outcomes are an appropriate use of planning tools or result in duplication of material in other parts of the Yarra Planning Scheme.[6]

(iii) What does the Amendment propose?

The Amendment includes a range of criteria to be met when an application to construct a building or construct or carry out works exceeds the preferred maximum building height. Clause 2.5 (Building height requirements) states:

> A permit should only be granted to construct a building or construct or carry out works which exceeds the building height shown in Map 1 where all the following requirements are met to the satisfaction of the responsible authority:
>
> - the built form outcome as a result of the proposed variation satisfies:
>   - the Design Objectives in Clause 1.0;

[6] Refer Appendix A – Letter of referral

- the Overshadowing and Solar Access Requirements in Clause 2.6;

- the proposal will achieve each of the following:
  - greater building separation than the minimum requirement in this schedule;
  - excellence for environmental sustainable design measured as a minimum BESS project score of 70%.
  - no additional overshadowing impacts to residentially zoned properties, beyond that which would be generated by a proposal that complies with the preferred building height;
  - provision of end-of-trip facilities, including secure bicycle parking, locker and shower facilities and change rooms in excess of the requirements of Clause 52.34.
- where the proposal includes dwellings, it also achieves each of the following:
  - housing for diverse households types, including people with disability, older persons, and families, through the inclusion of varying dwelling sizes and configurations;
  - accessibility provision objective that exceeds the minimum standards in Clauses 55.07 and/or 58m as relevant; and
  - communal and/or private open space provision that exceeds the minimum standards in Clauses 55.07 and/or 58, as relevant.

(iv) Evidence and submissions

Council acknowledged that not all of the criteria in Clause 2.5 relate to built form and that some of these matters are addressed elsewhere in the Planning Scheme. It submitted:

> The additional criteria here appropriately support the provision of taller built forms which exceed minimum requirements of the planning scheme or meet identified criteria. This approach is an appropriate way to ensure that the provisions of the planning scheme work together to both clearly guide development but also ensure those elements of proposed developments which are highly valued in the City of Yarra and within this area are reflected in developments which exceed discretionary height limits.[7]

Council said planning panels have considered arguments in relation to similar provisions in previous amendments. It referred to other examples where similar provisions exist, including:

- Amendment C191yara (Swan Street Activity Centre)
- Amendment C220yara (Johnson Street Neighbourhood Activity Centre)
- Stonnington Planning Scheme Activity Centre Zone
- Moreland Planning Scheme Activity Centre Zone
- Melbourne Planning Scheme, DDO63 (Macaulay Urban Renewal Area, Kensington and North Melbourne).

Council submitted that the differentiation between residential and non-residential development referred to in the Amendment C191yara Panel Report (and ultimately gazetted) was not applied in the interim DDO23 but it has been in the exhibited DDO23. It noted that with respect to a proposal that included dwellings:

- the Amendment C191yara Panel Report recommended the requirement include *"housing for diverse household types"*
- the gazetted version of Amendment C191yara does not include that requirement (or any similar wording)
- the interim and exhibited DDO23 include wording that specify *"housing for diverse households types, including people with disability, older persons, and families, through the inclusion of varying dwelling sizes and configurations."*

[7] Document 25, Council Part B Submission, paragraph 39

Council said it has not sought to amend or remove the requirement regarding housing diversity on the basis that promoting such diversity is considered appropriate and in line with the Council's strategic vision.

Council noted VCAT considered the criteria in the interim DDO23 in *S & Giggles Pty Ltd v Yarra CC* [2019] VCAT 181 in respect of a proposed development at 33 Peel Street, Collingwood. It said the Tribunal considered the tests and allowed the approval of a building exceeding the preferred height finding that it met the relevant criteria. Council said this was a practical example of the application of the criteria and demonstrated that the controls (in interim DDO23) have not been interpreted in a way that has precluded development exceeding the preferred maximum height in an overly restrictive manner.

Ms Rigo gave evidence that:

> Performance-based measures for the variation of discretionary height that reference other provisions already in the Planning Scheme are appropriately used because they seek to exceed the minimum requirements rather than repeat them. They seek to elevate the built form outcomes to demonstrate design excellence and assist in understanding what high quality urban design outcomes means for this Precinct and thus have a nexus with the Design objectives of DDO23.[8]

Some submissions said that the criteria should be applied to all development – not just those that seek to exceed the preferred building height.

TAL GP Projects No. 1 Pty Ltd supported the refinement of the criteria from the interim DDO23 to the exhibited version with respect to:

- requirements to be met to the satisfaction of the responsible authority
- the differentiation of requirements for residential compared to non-residential development.

It objected to the wording of the requirement that states:

> - no additional overshadowing impacts to residentially zoned properties, beyond that which would be generated by a proposal that complies with the preferred building height

It was submitted that if the intention of the requirement is to consider residentially zoned land within DDO23 then the future development opportunity of the potentially impacted property or properties must also be considered. It recommended the requirement be varied to state:

> - no additional overshadowing impacts to residentially zoned properties, beyond that which would be generated by a proposal that complies with the preferred building height. The future development opportunity of residentially zoned property within DDO23 and the shadow cast by the resultant built form is to be considered as part of the proposed design response.

Ms Rigo considered the issue raised in this submission:

> is inconsistent with the manner in which overshadowing of adjoining residential zoned land is currently considered in the Planning Scheme. That is, overshadowing of adjoining land is considered on the basis of what exists on adjoining land, rather what may (or may not) exist in the future. On this basis, I do not support the suggested change to this requirement.[9]

[8] Document 18, Rigo Evidence Statement, paragraph 9
[9] Document 18, Rigo Evidence statement, paragraph 137

(v) Discussion

In accordance with the letter of referral, the Committee has considered whether performance-based measures for the variation of discretionary height limits that do not have a nexus to built form outcomes:

- are an appropriate use of planning tools, or
- result in duplication of material in other parts of the Planning Scheme.

The Committee has reviewed the various examples of similar provisions referred to by Council and acknowledges that VCAT has applied the criteria in interim DDO23.

After careful analysis, the Committee considers there should be a nexus between criteria to exceed the preferred maximum building height and built form outcomes.

All provisions in the Planning Scheme should have a sound strategic foundation. This is consistent with various published Victorian planning guides, Practice Notes and numerous reports prepared by Planning Panels Victoria over a long period. Importantly, this approach ensures that the Planning Scheme requirements are not conceived on a whim or include matters that are not relevant to the use or development of a site.

Within this context, it is appropriate for requirements in the Planning Scheme to ensure that a building above the preferred maximum height does not significantly impact the amenity of the surrounding area. For example, this might include requirements to limit further overshadowing or the need for increased setbacks to help minimise the visual bulk of a building. These types of requirements provide guidance to ensure the amenity impacts of taller buildings are appropriately managed. They should explicitly ensure that a building should only exceed the preferred maximum building height if the identified performance criteria to minimise amenity impacts are met.

In this case, the Committee considers the following exhibited criteria relate to built form outcomes:

- the built form outcome as a result of the proposed variation satisfies:
  - the Design Objectives in Clause 1.0;
  - the Overshadowing and Solar Access Requirements in Clause 2.6.
- the proposal will achieve each of the following:
  - greater building separation than the minimum requirement in this schedule
  - no additional overshadowing impacts to residentially zoned properties, beyond that which would be generated by a proposal that complies with the preferred building height.

Criteria to exceed the preferred maximum building height that do not relate to built form outcomes associated with an increase in building height are inconsistent with a transparent and evidence based planning scheme. For example, there is no strategic justification for permitting a taller building provided that the proposal includes more end of trip facilities for cyclists than would ordinarily be required. Although provision of more end of trip facilities may be a positive outcome, there is no direct link with the impact of a taller building. A taller building should provide the amount of end of trip facilities specified in Clause 52.34 of the Planning Scheme.

The Committee notes this is different from circumstances where decision makers need to consider competing policies within a planning scheme and net community benefit. For example, it may be appropriate to consider the reduction in the number of car parking spaces for a particular site in order to facilitate the development of a renewable energy facility. That is, without a reduction in the number of car parks then the renewable energy facility could not fit on the site and could not

proceed. This is distinct from a requirement that states, for example, that a reduction in car parking will only be considered if the proposal includes a renewable energy facility. The balancing of competing policies is different to requiring a development to include specified matters.

In this case, the Committee considers the following criteria do not relate to built form outcomes:

- the proposal will achieve each of the following:
  - excellence for environmentally sustainable design measured as a minimum BESS project score of 70%
  - provision of end-of-trip facilities, including secure bicycle parking, locker and shower facilities and change rooms in excess of the requirements of Clause 52.34
- where the proposal includes dwellings, it also achieves each of the following:
  - housing for diverse households types, including people with disability, older persons, and families, through the inclusion of varying dwelling sizes and configurations
  - accessibility provision objective that exceeds the minimum standards in Clauses 55.07 and/or 58 as relevant
  - communal and/or private open space provision that exceeds the minimum standards in Clauses 55.07 and/or 58, as relevant.

The Committee was not presented with any compelling reason to include these criteria in DDO23 Clause 2.5. It is unclear how these criteria help to implement the objectives and other provisions in DDO23.

Although these criteria may have merit to the extent that they are seeking good planning outcomes, they do not directly relate to built form outcomes resulting from a building that exceeds a preferred maximum building height. The intent to achieve greater environmentally sustainable design, more end of trip facilities, increased housing diversity, greater accessibility and open space may be noble, however there is no nexus with these matters and a taller building.

If Council wants to pursue these matters, they should be implemented in other parts of the Planning Scheme. As worthy as some of these matters may be in their own right, it is inappropriate to conflate them with the construction of a building that exceeds a specified preferred maximum building height.

The Committee is concerned about the broader implications of having 'unlinked criteria' as requirements in discretionary provisions. This approach has potential to undermine sound planning and to provide an opaque and inconsistent planning framework. All provisions in the Planning Scheme should have a strong strategic justification and be based on a logical nexus between the requirement and the outcome. They should not be used as a 'backdoor' way to implement unrelated planning matters.

In response to the second part of the Minister's question, the proposed criteria generally do not duplicate other requirements in the Planning Scheme. The Committee accepts that many of the provisions in Clause 2.5 require a proposal to *exceed* the measures specified in other Clauses and this is different to meeting the minimum requirement. The exception to this is the requirement to provide housing for diverse household types. The Committee considers this requirement is a duplication of other policy and detailed provisions and for this reason is of limited utility.

As discussed above, however, it is the lack of nexus between the performance-based measures and the built form outcome that most concerns the Committee and it is for this reason that they are not supported. The provision regarding housing for diverse household types fails on both counts.

The Committee is satisfied the recommended criteria do not duplicate other requirements in the Planning Scheme.

The Committee does not accept the submission requesting changes to the wording of the 'no additional overshadowing' provision. It agrees with the assessment of Ms Rigo and considers the exhibited wording appropriate.

(vi) Conclusions and recommendations

The Committee concludes:

- There should be a nexus between criteria to exceed the preferred maximum building height and built form outcomes.
- Criteria regarding environmentally sustainable design, end of trip facilities, dwelling types and open space do not help to implement the objectives and other provisions in DDO23.
- Although these criteria may have merit to the extent that they are seeking good planning outcomes, they do not directly relate to built form outcomes resulting from a building that exceeds a preferred maximum building height.
- It is inappropriate to conflate unrelated planning provisions with a building that exceeds a specified preferred maximum building height.
- Planning Scheme provisions should have a strong strategic justification and should not be used as a 'backdoor' way to implement unrelated planning matters.
- The proposed criteria generally do not duplicate other requirements in the Planning Scheme except for the requirement to provide housing for diverse household types.
- The requirement regarding no additional overshadowing impacts to residentially zoned properties is acceptable.

The Committee recommends:

2. **Amend Design and Development Overlay Schedule 23, as shown in Appendix F, to:**
   a) **delete after the words "*the proposal will achieve each of the following:*":**
      - ***"excellence for environmentally sustainable design measured as a minimum BESS project score of 70%"***
      - ***"provision of end-of-trip facilities, including secure bicycle parking, locker and shower facilities and change rooms in excess of the requirements of Clause 52.34"***
   b) **delete the words "*where a proposal includes dwellings, it also achieves each of the following:***
      - ***housing for diverse households types, including people with disability, older persons, and families, through the inclusion of varying dwelling sizes and configurations***
      - ***accessibility provision objective that exceeds the minimum standards in Clauses 55.07 and/or 58 as relevant***
      - ***communal and/or private open space provision that exceeds the minimum standards in Clauses 55.07 and/or 58, as relevant."***

3.3 Heritage

(i) The issues

The issue is whether DDO23 recognises and protects the valued heritage places in the Precinct.

(ii) Evidence and submissions

Many submissions considered the unique character of the Precinct needed to be protected, especially the variety of heritage buildings that are generally of low scale. They noted the area included a mix of residential and commercial buildings within Heritage Overlays and said the planning controls should protect those places from inappropriate development that would overwhelm those sites and the heritage streetscapes.

Submissions said the existing built form enhances the liveability and unique character which brings in visitors and tourists and it was important to retain this character. They were concerned that heritage buildings were at risk of 'facadism' without strict controls.

Submissions pointed to various examples within the Precinct where inappropriate development had occurred and that the proposed building heights should be lower to ensure the protection of these valued places. Many submitters said the impact of the 'excessive' height of buildings along Wellington Street demonstrated the need for lower building heights to ensure the character of the area was not 'destroyed'. They said DDO23 should require new development to enhance the character of the area through 'respectful and careful design additions'.

Submitters said there was a need for clearer objectives and mandatory provisions to protect and enhance all heritage buildings in the area. This included preparation of a neighbourhood character study for the Precinct and a 'statement of intent' to clearly define the area and describe its unique features that must be conserved and the type of development needed to ensure this occurs.

Council responded that the Amendment has been prepared having regard to extensive heritage analysis. It said the detailed built form requirements address the unique typologies, heritage and character of the Precinct and was informed by the Built Form Framework, Heritage Analysis and Supplementary Heritage Report.

The Precinct includes a large number of heritage places within a variety of existing individual and precinct Heritage Overlays. Mr Gard'ner provided a summary of these places, including a map showing their location, in his evidence statement.

Table 5 Heritage Overlays within the Collingwood South Mixed Use Precinct

Individual Heritage Places				
HO Map Reference	**Name**	**Address**	**Grading**	**Date**
HO98	Derby House	1 Derby Street	Individually significant	1876
HO100	Terrace	3-7 Derby Street	Individually significant	1876
HO101	Johnston House	8 Derby Street	Individually significant	1871
HO121	House	37 Oxford Street	Individually significant	1869
HO122	Crisp House	39-41 Oxford Street	Individually significant	1869
HO123	Terrace	50-52 Oxford Street	Individually significant	1864-77

HO124	Terrace	51-55 Oxford Street	Individually significant	1858-64
HO125	Terraces	57-63 Oxford Street	Individually significant	1873-78
HO126	Terrace	58-62 Oxford Street	Individually significant	1858-64
HO140	The Vine Hotel	59 Wellington Street	Individually significant	1915-25
HO142	Sir Robert Peel Hotel	125 Wellington Street	Individually significant	1912
HO417	Former Dyason and Co Cordial factory	63 Cambridge Street and 44 Oxford Street	Individually significant	1889
Heritage Precincts				
HO Map Reference	**Name**	**Address**	**Grading**	**Date**
HO102	Terrace	10-22 Derby Street and 7 Langridge Street	Various	1868-72
HO318	Collingwood Slope Precinct	Cambridge, Little Oxford, Oxford and Peel Streets	Various	1850-1940
HO336	Victoria Parade Precinct	Cambridge, Derby and Mason Streets	Various	1850-1940

Source: Gard'ner evidence statement, paragraph 28

Figure 2 Location of Heritage Overlays within the Collingwood South Mixed Use Precinct



Source: Gard'ner evidence statement, paragraph 28

Mr Gard'ner provided extensive discussion regarding the heritage significance of the Precinct and this is not repeated here. It is beyond dispute that the Precinct represents an important period in the settlement of Collingwood and the broader Melbourne area.

Mr Gard'ner noted:

- the Precinct is not a 'pristine' heritage area, but it has important heritage values that should be protected
- the built form character of the area is changing but this should be seen within the context of an area that has traditionally had a mixed built form character consisting of fine grain terrace housing on small lots sitting next to a variety of larger commercial and industrial buildings on larger lots
- there are a large number of 'individually significant' heritage places within the Precinct and most of these are small-scale residential buildings
- many of the larger industrial sites were developed in the 20th century and are not of heritage significance
- many former industrial and commercial sites have been redeveloped for residential use in the 21st century
- the residential buildings of heritage significance are particularly vulnerable to the impact of new development because of their scale and justify specific controls (including some mandatory provisions) to ensure they are not overwhelmed by new development on or adjacent to those sites.

Mr Gard'ner said the exhibited DDO23 provisions appropriately addressed relevant heritage issues. He said these requirements were consistent with the heritage advice in the Heritage Analysis Report and the Supplementary Heritage Report and included provisions relating to:

- design objectives
- street wall height and front setbacks
- upper level setbacks
- building heights
- other design requirements.

Mr Gard'ner concluded that:

> The exhibited version of DDO23 appropriately addresses the character, appearance and significance of the identified heritage places within the proposed extent of land affected by Amendment C293yara.
>
> The built form controls provided in the preferred version of DDO23 will encourage improved heritage and built form outcomes in comparison with Interim DDO23 and reflect the advice provided in the Supplementary Heritage Report prepared by GJM Heritage in May 2021.
>
> The provision of mandatory controls is informed by thorough strategic work, is consistent with the guidance provided in PPN59 and PPN60 and is necessary to protect the heritage significance of small-scale heritage buildings within the land subject to DDO23.[10]

In its Part C submission, Council suggested a number of minor changes to the wording of several heritage related provisions. Mr Gard'ner supported these changes.

(iii) Discussion

The Committee acknowledges the concerns expressed by submitters and agrees that development of, and adjacent to, places of heritage significance should be carefully managed. It is important that heritage places are protected and that suitable site specific built form requirements guide development to ensure acceptable design outcomes are achieved.

[10] Document 14, Gardner evidence statement , paragraph 24

Council has completed extensive heritage assessment and analysis of the Precinct and the Committee accepts that this work has been thorough and has had regard to contemporary best practice. The Precinct has a complex urban structure and the proposed requirements reflect an appropriate balance between the protection of heritage and the opportunities for further development.

The Committee considers the detailed provisions in the exhibited DDO23 are an acceptable and appropriate response to the heritage issues within the Precinct. Many of the requirements address the concerns expressed by submitters. In response to these submissions, the Committee notes:

- detailed built form character elements were identified in the strategic work and were translated into the exhibited DDO23
- the exhibited DDO23 includes requirements to ensure new development responds sensitively towards heritage places
- the majority of taller buildings within the Precinct were approved before the Supplementary Heritage Report was prepared and interim DDO23 was in place
- the Supplementary Heritage Report recommended lower overall heights for heritage places in more consistent heritage settings (mandatory maximum height of 11 metres) and adjoining infill sites (ranging between 14 metres to 20 metres)
- the exhibited DDO23 includes reduced mandatory heights, mandatory upper level setbacks and design requirements to ensure new development respects heritage places in terms of built form transition and design
- a mandatory minimum 6-metre upper level setback behind the heritage building façade will help avoid facadism, assist to retain the key heritage elements and architectural features and to maintain the legibility of the three-dimensional form of the heritage place
- the exhibited DDO23 includes maximum building heights that moderate built form adjacent to heritage places
- the DDO23 provisions should be read in conjunction with other policy and design requirements in the Planning Scheme, including the heritage strategies in Clause 15.03 and the Heritage Overlay.

The minor wording changes to heritage related provisions are explained in further detail in Chapter 4. The Committee is satisfied that these changes improve the clarity of the requirements and do not change the intent or outcome of the exhibited provisions.

(iv) Conclusions

The Committee concludes:

- Council has completed extensive heritage analysis of the Precinct and this has been effectively translated into the exhibited DDO23.
- The exhibited DDO23 includes a comprehensive suite of objectives and specific requirements that appropriately manage built form outcomes that consider heritage issues.

3.4 Infrastructure capacity

(i) The issues

The issues are:

- whether there is sufficient public open space in the Precinct to meet the needs of the future population
- whether there is sufficient transport infrastructure to meet future demand.

(ii) Evidence and submissions

Public open space

Many submissions expressed concern that the Precinct has insufficient public open space to meet the needs of existing residents and employees. They noted that there were only three small parks within the Precinct and these were already heavily used. Larger areas of open space were located too far away to be of practical benefit.

Submitters considered:

- DDO23 would facilitate further substantial population growth and this would exacerbate the shortage of open space in the area
- there was a need for Council to increase the amount of public open space in Precinct
- the Oxford Street Reserve should be extended to the east.

In response, Council submitted that:

- the three small parks within the Precinct serve the immediate local area and are identified in Council's Open Space Strategy
- it is currently considering options to increase the size of the Cambridge Street Reserve by extending it into part of the Cambridge Street road reserve
- there are a number of larger open space areas within 400 metres of the Precinct, including:
  - Atherton Reserve and Condell Street Reserve to the northwest
  - Fitzroy Gardens and Powlett Reserve to the south
- it is currently pursuing Amendment C286yara which seeks to increase the public open space contributions associated with future developments from 4.5 percent to 10.1 percent
- the need for more public open space within the area is acknowledged but this is a matter for separate processes and is not able to be addressed through DDO23.

Council stated:

> … it would not be appropriate to constrain growth within an activity centre on the basis of open space without clear and compelling evidence that existing provision is unable to accommodate reasonable localised demand. There is no such evidence before the SAC, and it is submitted that the Council's measured and considered approach to open space should be supported by the [Committee] at a high level and does not constitute a reason to alter the Amendment.[11]

[11] Document 25, Council Part B submission, paragraph 100

Transport

Many submissions were concerned that a range of transport infrastructure was insufficient to cope with expected future demand, including:

- increased traffic generation associated with further intensive development of the area would create unacceptable impacts on the area
- on-street car parking was already in limited supply and future development would make this even worse
- public transport services were already 'at capacity' and would be further impacted by increases in population or employment in the area
- there is a need for improvements to bicycle and pedestrian infrastructure to meet the needs of increased population density.

In response to these issues, Council submitted:

- it was working on a revised Transport Action Plan which will identify key capacity issues and outline how these could be addressed
- the management of on-street parking cannot be addressed through a DDO schedule
- all new developments since 2003 are not entitled to on-street car parking permits
- the provision of car parking in new developments is guided by Clause 52.06 as well as Local Transport Policy at Clause 18 of the Planning Scheme, which encourages the prioritisation of sustainable modes of transport including cycling and public transport
- it continues to advocate for more frequent public transport services as part of its ongoing discussions with the Department of Transport
- it completed separated bike lanes (Copenhagen-style) along Wellington Street in 2019 and these works have improved cyclist safety and capacity between Victoria Parade and Johnston Street
- it is outside the scope of the Amendment to require wider public footpaths
- the exhibited DDO23 includes requirements for development to enhance and support the public realm
- the exhibited DDO23 includes a number of built form provisions and design guidelines which would ensure the street network (including laneways) enables appropriate vehicle access and circulation.

Ms Dunstan gave traffic evidence and stated that:

- the Traffic Assessment Report provides a thorough review of the transport context of the study area and the likely transport impacts of the Amendment
- the additional traffic generated by additional development within the area (vehicular, public transport, walking and cycling demand) can be accommodated by the nearby transport network
- sustainable transport options (walking, cycling and public transport) will be the predominate travel modes that will accommodate these additional trips
- the Amendment focuses on how the built form provisions can assist in managing the impacts of vehicle access to new developments within the Precinct and how this can benefit sustainable transport outcomes, particularly pedestrians and cyclists
- most pedestrians and cyclists (aside from those specifically accessing properties) should be encouraged to travel through the higher order road network (Wellington Street and Langridge Street), where the level of safety and amenity will be higher and travel paths more legible and direct

- Wellington Street and Langridge Street are Strategic Cycling Corridors and provide high quality cycling infrastructure
- the primary purpose of the laneways in the wider Fitzroy/Collingwood area should be to provide rear vehicle access to abutting properties
- the focus on using lower order roads for vehicle access protects the pedestrian safety/amenity on the footpath and protecting cyclists on the road
- the exhibited DDO23 includes appropriate traffic engineering controls and ensures the safety and operation of laneways are adequately addressed.

Having reviewed the submissions, Ms Dunstan said no changes were necessary to the proposed DDO23 provisions.

(iii) Discussion

Public open space

The Committee acknowledges that there is limited public open space within the Precinct. Council has indicated it is exploring opportunities for additional open space, although the details of these initiatives have not been finalised. It is also noted there are several additional areas of open space within a reasonable walking distance of the Precinct.

The adequate provision of public open space is a complex issue and should be seen within the context of the location of the area. The provision of additional areas of open space is beyond the scope of the Amendment.

That said, the Committee is satisfied that the Amendment includes planning provisions that protect the amenity of the existing areas of public open space. These provisions are appropriate and are supported.

The future growth of the Precinct should not be limited because of the extent of existing public open space. The future needs of residents, visitors and employees in the Precinct are matters that should be addressed as part of separate processes having regard to the intended future for the Precinct and the surrounding area.

Transport

The Committee is satisfied that Council has considered a wide range of transport issues associated with the development of the Precinct. The Traffic Assessment Report provides a comprehensive assessment of traffic and access constraints and opportunities. It appropriately balances the needs of vehicles, cyclists and pedestrians and these recommendations have been translated into numerous design guidelines in DDO23.

The Traffic Assessment Report emphasises sustainable transport options and prioritises cyclist and pedestrian movements above the motor vehicle. This is an appropriate response and the built form design requirements are generally reasonable. The detailed wording of provisions in Clause 2.9 (access, parking and loading bay requirements) are discussed in Chapter 4.7.

The Committee considers the Amendment emphasises walking and cycling as important modes of transport. This is consistent with the broader vision for sustainable transport and should help to provide further support for the expansion and enhancement of walking and cycling infrastructure in the area. The construction of transport infrastructure is beyond the scope of the Amendment.

(iv) Conclusions

The Committee concludes:

- The Amendment adequately protects the amenity of existing areas of public open space.
- The creation of additional areas of public open space is beyond the scope of the Amendment.
- The Amendment has appropriately considered a wide range of traffic and access issues associated with the further development of the Precinct.
- The DDO23 provisions to manage access and movement are generally appropriate.
- The construction of transport infrastructure is beyond the scope of the Amendment.

4 Design and Development Overlay Schedule 23

4.1 Design objectives

(i) The issue

The issue is whether the 'Design objectives' in Clause 1 of DDO23 are appropriate.

(ii) What does the Amendment propose?

The exhibited Amendment includes the following 'Design objectives':

> To foster an emerging, contemporary, mixed-use form on infill sites with a prominent street-wall edge, incorporating upper level setbacks and high-quality design features that create a distinction between lower and upper levels.
>
> To ensure that the overall scale and form of new buildings is low- to mid-rise and responds to the topography of the precinct, by providing a suitable transition in height as the land slopes upwards, whilst minimising amenity impacts on existing residential properties, including visual bulk, overlooking and overshadowing.
>
> To protect the industrial, residential and institutional built heritage of the precinct through maintaining the prominence of the corner heritage buildings on Wellington Street, and respecting both individual and groups of low-scale heritage buildings through recessive upper level development and a transition in scale from taller form towards the interface with heritage buildings.
>
> To promote and encourage pedestrian-oriented, high quality urban design outcomes through street edge activation and the protection of footpaths and public open spaces from loss of amenity through overshadowing.
>
> To ensure that development provides for equitable development outcomes through building separation and a design response that considers the development opportunities of neighbouring properties.

(iii) Evidence and submissions

Regarding the design objectives, there were submissions that said:

- the second objective was unlikely to be achieved because the proposed maximum heights would not enable a suitable transition in height between new development in the north and east and heritage properties in the south and west
- the aim should be to preserve the unique character of the Precinct with low rise development to enhance heritage of the area
- adaptive re-use of heritage places is very important and should be encouraged
- the design objectives should include a broader statement about protection of open space, including not allowing any additional overshadowing of the existing open space during the winter solstice
- the equitable development principle should be expanded to include the effect of any new proposal on adjoining developments already constructed
- there needs to be greater emphasis given to the fourth objective.

Mr Gard'ner, Mr Campbell and Ms Dunstan supported the proposed objectives. Ms Rigo supported the objectives and suggested a minor wording change to the second objective to refer to "... *low-rise to mid-rise* ...". Council supported this change.

(iv) Discussion

The Committee is satisfied that the design objectives are appropriate. They are based on sound strategic work and reflect the extensive background analysis associated with the preparation of the Amendment.

Ministerial Direction 7(5) limits the number of objectives in a DDO schedule to no more than five. Within this context, the proposed objectives cover important issues dealing with overall built form, transition in building heights, heritage considerations, public amenity and equitable development. These are relevant and appropriate matters to be included in design objectives.

There is a clear nexus between the design objectives and the detailed provisions in DDO23. The objectives reflect the key intent of DDO23 and they will be useful in assisting decision makers in exercising discretion.

The various suggestions expressed in submissions are either not required or are not justified. For example, other provisions within the Planning Scheme deal adequately with the re-use of heritage buildings. The strategic work completed by Council does not support limiting all development to low-rise or requiring no shadowing of public open space at the winter solstice.

The Committee supports the proposed design objectives subject to the minor wording change to the second objective as proposed by Council in its closing submission.

(v) Conclusion and recommendation

The Committee concludes:

- The 'Design objectives' are based on sound strategic planning and are appropriate, subject to a minor wording change to the second design objective.

The Committee recommends:

3. **Amend Design and Development Overlay Schedule 23, as shown in Appendix F, to refer to 'low-rise to mid-rise' in the second design objective.**

4.2 Street wall height and front setback requirements

(i) The issues

The exhibited DDO23 includes mandatory provisions regarding street wall height and front setbacks. These issues have been discussed in chapter 3.1 and are not repeated here.

This chapter deals with the other provisions in Clause 2.3 (Street wall heights and front setbacks).

The issues are:

- whether the street wall heights and front setback requirements are justified and appropriate
- whether the street wall height metrics for several sites are appropriate.

(ii) Evidence and submissions

Council submitted that street wall height and setback requirements were based on the analysis and recommendations in the Built Form Framework and the Supplementary Heritage Report. It said the requirements dealt with matters such as:

- specified mandatory and preferred maximum street wall heights

- criteria to be met for proposals that exceed the preferred maximum street wall height
- street walls of infill development adjoining a heritage building
- street walls on corner buildings.

Mr Gard'ner noted the Supplementary Heritage Report included recommendations to modify the interim DDO23 by:

- reducing some maximum street wall heights to ensure new built form responds to the heritage context to avoid visually dominating heritage places
- the application of mandatory street wall height requirements for infill development between heritage sites.

Ms Rigo supported the exhibited requirements.

Some submissions supported the reduction of street wall heights recommended in the Supplementary Heritage Report.

A submission objected to the requirement that:

> Development should have no front or side street setback, unless an immediately adjoining heritage building is set back from the street, in which case infill development should match the front setback of the adjoining heritage building from the same street, excluding lane way frontages.

The submission said that "*if new developments have lane way frontages that face a residential property or business, they should be setback to preserve the privacy of the adjacent occupant.*"

In response, Mr Gard'ner said:

- there are a very small number of laneways within the land affected by DDO23
- the character of the unnamed laneway located between Cambridge and Wellington Streets has already been irrevocably altered by the 11 storey Wellington and Vine development
- maximum street wall heights (and minimum upper level setbacks and maximum building heights) are provided along the 'little' streets that have a laneway-like character to moderate new built form - including Mason Street, Little Oxford Street and the southern part of Oxford Street.

A submission suggested that street wall heights on sloping sites such as 53-57 Cambridge Street have the potential to exceed the preferred maximum heights due to the change in level across the site. It said the street wall heights of future buildings should not exceed the existing street wall heights.

Several submissions objected to the proposed street wall heights on specific sites. These are discussed below.

Land bound by Oxford Street Reserve, Langridge, Cambridge and Derby Streets

The exhibited DDO23 proposes a preferred street wall height of 14 metres on the eastern side of the Oxford Street Reserve. Many submissions were concerned about the impact this height (and the proposed building height on the land to the east of the park) will have on the amenity of the Oxford Street Reserve.

In response to these submissions, Council completed further shadow testing of the impact of different development scenarios on the Oxford Street Reserve. Council supported the preferred street wall height being reduced from 14 metres to 11 metres in association with other changes to the shadowing provisions (discussed in chapter 4.5).

Mr Campbell and Ms Rigo supported the changes. Ms Rigo said:

> In my opinion, the reduction in street wall height should be supported given the existing low scale built form along the eastern boundary of the Reserve and it complements the requirements regarding overshadowing of the Reserve, providing clarity and certainty around the future built form of this interface. It also highlights the important amenity value of this space in the public realm of the Precinct and for its residents, as reflected in many submissions which raise concerns about the inadequacy of public open space in the area.[12]

Mr Gard'ner did not disagree with the change and noted that the site is not of heritage significance.

64-66 Oxford Street

64-66 Oxford Street is on the southeast corner of Oxford Street and Derby Street. The land is within a Heritage Overlay (part of a heritage precinct) but the buildings at 64-66 Oxford Street are not of heritage significance. Land to the east and south contain heritage buildings.

The exhibited DDO23 shows 64-66 Oxford Street having a preferred maximum street wall height of 14 metres. No submissions objected to this metric.

Mr Campbell gave evidence that although the site abuts heritage terraces to either side:

> I believe it could successfully accommodate a 6 storey contemporary form, much like the development opposite (to its north at 20 Peel Street) and still be able to appropriately step down and transition its mass to its abutting lower scale heritage neighbours.
>
> I also believe it could accommodate a higher street wall height to 'mark' and 'hold' its corner position and broadly reflect the contemporary profile to its north, across Peel Street. A relatively small portion of a 6 storey (20m) street wall could be contemplated at the corner, before stepping down to 4 storeys (14m) on transition to abutting heritage forms.[13]

Mr Gard'ner did not agree with Mr Campbell's recommendation because the site was flanked by heritage buildings and the street wall should be moderated in height to provide an appropriate transition to places of heritage significance. He said there was a change in the character of Oxford Street south of Peel Street and this is reflected in the proposed metrics for the site.

Council did not support the view of Mr Campbell and preferred to rely on the evidence of Mr Gard'ner with respect to this issue.

23-31 Derby Street

23-31 Derby Street is located on the southeast corner of Derby Street and Oxford Street. The buildings on the land are not of heritage significance, however the Heritage Overlay applies to land to the east. The Collingwood English Language School is to the south.

The exhibited DDO23 shows 23-31 Derby Street having a preferred maximum street wall height of 14 metres.

Some of the residents living in the 'XO Building' on the southwest corner of Derby Street and Oxford Street objected to the proposed street wall height and noted:

- Oxford Street is a very narrow street and their apartments would be overshadowed by development to the east
- a street wall height of 14 metres would be inconsistent with the low street wall of the heritage buildings to the east

[12] Document 18, Evidence statement of Ms Rigo, paragraph 121
[13] Document 15, Evidence statement of Mr Campbell, paragraphs 149 and 150

- a street wall height of 14 metres on the corner would spoil the look of the streetscape.

Council advised the Committee that the 'XO Building' has a street wall 13.8 metres high on Oxford Street and 14.2 metres high on Derby Street.

Mr Gard'ner supported the exhibited street wall heights and said:

> Any proposed new built form at 23-31 Derby Street will be moderated to step down towards the two-storey heritage fabric through the application of the street wall height and setback requirements in Section 2.3 of DDO23 and the policy at Clause 22.10-3.3 and this is considered sufficient to address the adjacent heritage fabric.[14]

Council submitted that the exhibited street wall heights were appropriate.

10-22 Derby Street

A submission did not support the proposed 11 metres maximum street wall height at the rear of 10-22 Derby Street and wanted a maximum street wall height of no more than two storeys.

Mr Gard'ner supported the exhibited street wall heights and said:

> The proposed street wall height in both the interim and exhibited versions of DDO23 at the rear of 10-22 Derby Street is shown as 11m. The maximum building height of 14m (preferred) included in the interim DDO has been reduced to 11m (mandatory) in the exhibited version. In my view this addresses this submitter's concerns and will ensure that the two-storey Victorian-era buildings at 10-22 Derby Street will retain their heritage values and character.

Council submitted that the exhibited street wall heights were appropriate.

(iii) Discussion

The Committee considers the proposed street wall height requirements are based on sound analysis and it supports the exhibited requirements. The evidence of Mr Gard'ner was compelling and the Committee is satisfied that the issues raised in submissions are adequately addressed through the detailed provisions in DDO23.

The Committee supports the change to the street wall height on the east side of the Oxford Street Reserve as recommended by Council. A preferred maximum street wall height of 11 metres will ensure the amenity of the park is better protected.

The Committee does not support the change to the street wall heights to 64-66 Oxford Street recommended by Mr Campbell. In this instance, the Committee prefers the evidence of Mr Gard'ner and agrees that the exhibited heights are appropriate.

The Committee does not see any compelling reason to modify the street wall heights for 10-22 Derby Street and 23-31 Derby Street. It considers the exhibited street wall heights are appropriate having regard to the location of the sites and their context. Appropriate protection of heritage places is provided in various requirements in DDO23 dealing with transitional heights. The Committee fails to understand how a street wall of 14 metres would 'spoil' the streetscape when the 'XO Building' (opposite 23-31 Derby Street) has a similar street wall. It considers the street wall of the 'XO Building' does not diminish the Derby Street streetscape.

[14] Document 14, Evidence statement of Mr Gard'ner, paragraph 101

(iv) Conclusions and recommendation

The Committee concludes:

- The street wall heights and front setback requirements are justified and appropriate.
- The street wall height metrics are generally appropriate.
- The preferred maximum street wall height for land on the east side of the Oxford Street Reserve should be reduced from 14 metres to 11 metres.

The Committee recommends:

4. **Amend Design and Development Overlay Schedule 23, as shown in Appendix F, to change Map 1 to show the preferred maximum street wall height for the land abutting the east side of the Oxford Street Reserve with a street wall height of 11 metres.**

4.3 Upper level setback requirements

(i) The issues

The issues are:

- whether the upper level setback metric requirements are sufficient
- whether the upper level and setback requirements clearly distinguish between heritage and non-heritage buildings
- whether Map 1 should be modified to show the block east of Oxford Street Reserve and bounded by Langridge, Cambridge and Derby Streets within 'Area 2' rather than 'Area 3'
- whether it is necessary to distinguish between 'Area 1 and 'Area 2'.

(ii) What does the Amendment propose?

In the exhibited Amendment, Clause 2.4 (Upper level setback requirements) proposes:

> Upper levels above the street wall:
>
> - must be set back by a minimum of 6 metres for heritage buildings;
> - should be placed behind the front two rooms and/or principle roof form, whichever is the greater, for properties at 50-52 Oxford Street, 57-63 Oxford Street, 13-15 Peel Street and 14- 34 Cambridge Street, Collingwood;
> - should be placed behind the heritage fabric of 58-62 Oxford Street, Collingwood, as identified in the relevant Statement of Significance;
> - should be set back by a minimum of 6 metres for other development sites in Areas 1 and 2 as shown on Map 1;
> - should be set back by a minimum of 3 metres for other development sites in Area 3 as shown on Map 1.
>
> Upper levels should:
>
> - be visually recessive when viewed from the public realm to ensure development does not overwhelm the streetscape and minimises upper level bulk;
> - contain upper level setbacks above the street wall within a maximum of two steps (including the setback above the street wall below as one step) to avoid repetitive steps in the built form.
>
> For heritage buildings, upper level setbacks in excess of the minimum upper level setback requirements should be provided where:
>
> - it would facilitate the retention of a roof form and/or chimneys that are visible from the public realm, or a roof or any feature that the relevant statement of significance identifies as contributing to the significance of the heritage building or streetscape;
> - it would maintain the perception of the three-dimensional form and depth of the building;

- a lesser setback would detract from the character of the streetscape when viewed directly or obliquely along the street.

(iii) Evidence and submissions

A few submissions questioned the metrics associated with the upper level setback requirements.

The Yarra Planning Coalition said upper levels should be setback a minimum of 10 metres from the street wall.

Another submission supported the requirement for a 6-metre upper level setback above the street wall, but queried why there is no specified distance for any further upper level setbacks.

Mr Gard'ner gave evidence that a 6-metre minimum upper level setback was appropriate for heritage buildings. He said this would ensure a clear distinction between lower and upper levels, retain the key heritage elements and architectural features and maintain the legibility of the three-dimensional form of heritage places.

Mr Gard'ner noted that a number of heritage-listed residential buildings within the Precinct require setbacks that exceed 6 metres to achieve acceptable heritage outcomes and the provisions make specific reference to these circumstances. Mr Campbell and Mr Gard'ner supported a discretionary upper level minimum setback of 3 metres for non-heritage buildings and noted a general requirement that upper levels should be setback above the street wall within a maximum of two steps to avoid repetitive steps in the built form.

Ms Rigo generally supported the approach to upper level setbacks, however she was concerned that there may be some confusion regarding the application of the controls because of ambiguous wording. For example, she noted that the first dot point required a mandatory 6-metre upper level setback for heritage buildings and then the second and third points were discretionary requirements that did not clearly express these setbacks were greater than 6 metres. Ms Rigo also suggested that there be a re-ordering of the provisions to ensure a clearer distinction between requirements for heritage and non-heritage buildings.

Many submissions requested that Map 1 should be modified to show the block east of Oxford Street Reserve and bounded by Langridge, Cambridge and Derby Streets within 'Area 2' rather than 'Area 3'.

In response to questions from the Committee, Mr Campbell and Ms Rigo agreed that the only difference in the three 'Areas' shown on Map 1 in DDO23 relate to upper level setbacks. They understood the intent is that non-heritage buildings in Areas 1 and 2 should have an upper level setback of 6 metres and non-heritage buildings in Area 3 should have an upper level setback of 3 metres.

There is no other reference in DDO23 to any of the three nominated Areas.

Mr Campbell explained that the designation and boundaries of the three 'Areas' originate from the Built Form Framework.

Mr Gard'ner, Mr Campbell and Ms Rigo all considered that the land bound by the Oxford Street Reserve, Langridge, Cambridge and Derby Streets should remain within Area 3. They noted that the land is not within a Heritage Overlay and said a 3-metre upper level setback was appropriate.

Mr Campbell agreed that as there was no distinction between Area 1 and Area 2 (they both have a discretionary upper level setback of 6 metres) there would be some logic to combine these two Areas into a single Area.

In its closing submission, Council agreed that combining Area 1 and Area 2 into a single Area "*may aid legibility of the DDO*".

In its closing submission, Council proposed the following rewording of Clause 2.4 (Upper level setback requirements):

> Upper levels above the street wall:
>
> Heritage buildings
>
> - must be set back by a minimum of 6 metres ~~for heritage buildings~~;
> - should be setback more than 6 metres so as to be placed behind the front two rooms and/or principle roof form, whichever is the greater, for properties at 50-52 Oxford Street, 57-63 Oxford Street, 13-15 Peel Street and 14-34 Cambridge Street, Collingwood
> - should be setback more than 6 metres so as to be placed behind the heritage fabric of 58-62 Oxford Street, Collingwood, as identified in the relevant Statement of Significance;
>
> Other Buildings
>
> - should be setback by a minimum of 6 metres for ~~other development~~ sites in Areas 1 and 2 as shown on Map 1;
> - should be setback by a minimum of 3 metres for ~~other development~~ sites in Area 3 as shown on Map 1.
>
> Upper levels should:
>
> - be visually recessive when viewed from the public realm to ensure development does not overwhelm the streetscape and minimises upper level bulk;
> - contain upper level setbacks above the street wall within a maximum of two steps (including the setback above the street wall below as one step) to avoid repetitive steps in the built form.
>
> For heritage buildings, upper level setbacks in excess of the minimum upper level setback requirements should be provided where:
>
> - it would facilitate the retention of a roof form and/or chimneys that are visible from the public realm, or a roof or any feature that the relevant statement of significance identifies as contributing to the significance of the heritage building or streetscape;
> - it would maintain the perception of the three-dimensional form and depth of the building;
> - a lesser setback would detract from the character of the streetscape when viewed directly or obliquely along the street.

In response to questions from the Committee, Council acknowledged the clause could be further refined to make it clearer that:

- the two dot points under the words 'Upper levels should:' apply to both heritage and non-heritage buildings
- the last three dot points under the words 'For heritage buildings, upper level setbacks in excess of the minimum …' could be relocated to sit under the 'Heritage buildings' provisions.

(iv) Discussion

The Committee considers the proposed metrics for upper level setbacks are appropriate. It agrees with Mr Gard'ner that a mandatory minimum upper level setback of 6 metres for heritage buildings will ensure a clear distinction between lower and upper levels and retain key heritage elements. A 6-metre setback will avoid facadism by maintaining the legibility of the three-

dimensional form of heritage places. There are a few places where an upper level setback greater than 6 metres may be required and these are appropriately identified in the provisions.

A discretionary 6-metre minimum upper level setback for non-heritage buildings in Areas 1 and 2 is appropriate having regard to the heritage streetscapes in these areas.

A 3-metre minimum upper level setback is appropriate in Area 3 because this area has few heritage places and the rationale for the upper level setback is different.

The provisions include a discretionary requirement for all buildings to contain upper level setbacks above the street wall within a maximum of two steps (including the setback above the street wall below as one step) to avoid repetitive steps in the built form. This is an appropriate guideline to avoid 'wedding cake' outcomes.

The Committee considers it is appropriate for the land bound by the Oxford Street Reserve, Langridge, Cambridge and Derby Streets to remain within Area 3. There is no compelling reason to include the land within Area 2. The only reason to include the land in Area 2 would be to require a minimum 6-metre upper level setback. The land is not within a Heritage Overlay and a minimum 3-metre upper level setback is appropriate having regard to its location and site context. This approach is consistent with other similar areas in the Precinct.

As there is no difference in the controls between Area 1 and Area 2 in DDO23, the Committee considers there is merit in modifying Map 1 to combine Area 1 and Area 2 into a single area. This would be simpler and avoid misleading users of the Planning Scheme. To avoid confusion with the areas described in the Built Form Framework, Areas 1 and 2 should be combined into a new 'Area A' and Area 3 should be renamed 'Area B'. These changes should be made to Map 1 and the relevant parts of Clause 2.4.

The Committee agrees with Council and Ms Rigo that the drafting of Clause 4.2 should be modified to improve its clarity and intent. The version of the clause presented by Council in its closing submission addressed some, but not all, of the drafting issues. The Committee considers the following version is appropriate:

> Upper levels above the street wall:
>
> Heritage buildings:
>
> - must be set back by a minimum of 6 metres ~~for heritage buildings~~;
> - should be setback more than 6 metres so as to be placed behind the front two rooms and/or ~~principle~~ principal roof form, whichever is the greater, for properties at 50-52 Oxford Street, 57-63 Oxford Street, 13-15 Peel Street and 14-34 Cambridge Street, Collingwood
> - should be setback more than 6 metres so as to be placed behind the heritage fabric of 58-62 Oxford Street, Collingwood, as identified in the relevant Statement of Significance;
> - should be setback in excess of the minimum upper level setback requirement where:
>   - it would facilitate the retention of a roof form and/or chimneys that are visible from the public realm, or a roof or any feature that the relevant statement of significance identifies as contributing to the significance of the heritage building or streetscape;
>   - it would maintain the perception of the three-dimensional form and depth of the building;
>   - a lesser setback would detract from the character of the streetscape when viewed directly or obliquely along the street.
>
> Other buildings:
>
> - should be setback by a minimum of 6 metres for ~~other development~~ sites in Area~~s~~ A ~~1 and 2~~ as shown on Map 1;

- should be setback by a minimum of 3 metres for ~~other development~~ sites in Area B~~3~~ as shown on Map 1.

Heritage and Other buildings:

~~Upper levels should:~~

- should be visually recessive when viewed from the public realm to ensure development does not overwhelm the streetscape and minimises upper level bulk;
- should contain upper level setbacks above the street wall within a maximum of two steps (including the setback above the street wall below as one step) to avoid repetitive steps in the built form.

~~For heritage buildings, upper level setbacks in excess of the minimum upper level setback requirements should be provided where:~~

- ~~it would facilitate the retention of a roof form and/or chimneys that are visible from the public realm, or a roof or any feature that the relevant statement of significance identifies as contributing to the significance of the heritage building or streetscape;~~
- ~~it would maintain the perception of the three-dimensional form and depth of the building;~~
- ~~a lesser setback would detract from the character of the streetscape when viewed directly or obliquely along the street.~~

(v) Conclusions and recommendations

The Committee concludes:

- The minimum metric requirements for upper level setbacks are appropriate.
- It is appropriate to include the land bound by the Oxford Street Reserve, Langridge, Cambridge and Derby Streets within 'Area 3'.
- The land shown on Map 1 as Area 1 and Area 2 should be combined to form 'Area A'.
- The land shown on Map 1 as Area 3 should be renamed 'Area B'.
- References in Clause 4.2 to Areas 1, 2 and 3 should be modified to Areas A and B.
- The drafting of Clause 4.2 should be modified to clearly distinguish the provisions applying to heritage and non-heritage buildings and to improve the clarity and intent of the provisions.

The Committee recommends:

5. **Amend Design and Development Overlay Schedule 23, to:**
   a) **show on Map 1:**
      - **Area 1 and Area 2 combined to form Area A**
      - **Area 3 renamed Area B**
   b) **clearly distinguish the upper level setback requirements applying to heritage and non-heritage buildings and to improve the clarity and intent of the provisions.**

4.4 Building height requirements

(i) The issues

The exhibited DDO23 includes mandatory provisions regarding building heights and criteria for varying preferred maximum building heights. These issues have been discussed in chapter 3.1 and 3.2 and are not repeated here.

This chapter deals with the other provisions in Clause 2.5 (Building height requirements).

The issues are:

- whether the proposed metrics for maximum building heights are appropriate

- whether exemptions for architectural features, service structures and equipment to exceed the nominated building heights are appropriate.

(ii) What does the Amendment propose?

The proposed building heights are included on Map 1 in DDO23 and sites are designated with either mandatory or preferred maximum heights.

Figure 3 Exhibited DDO23 Map 1



As exhibited, Clause 2.5 (Building height requirements) states:

> Architectural features may exceed the building height.
>
> Service equipment and/or structures including balustrades, unenclosed pergolas for communal areas, roof terraces, shading devices, plant rooms, lift overruns, stair wells, structures associated with pedestrian access, green roof areas and other such equipment may exceed the height provided that:
>
> - the equipment/structures do not cause additional overshadowing of secluded private open space to residential land, opposite footpaths, kerb outstands or planting areas in the public realm; and
> - the equipment/structures are no higher than 2.6 metres above the proposed building height; and
> - the equipment/structures occupy less than 50 per cent of the roof area (solar panels and green roof excepted).

(iii) Evidence and submissions

Council submitted the proposed maximum building heights were based on the extensive assessment and analysis competed in the Built Form Framework and the heritage studies.

Mr Gard'ner gave evidence that the Supplementary Heritage Report made a number of recommendations regarding building heights that varied interim DDO23, including:

- a mandatory maximum height of 11 metres for residential heritage buildings
- reducing the discretionary maximum height for the following infill sites south of Peel Street from 20 metres to 14 metres:
  - 4-6 Derby Street
  - 43-49 Oxford Street
  - 64-66 Oxford Street
  - the vacant land on Cambridge Street at the rear of 1-35 Wellington Street.

Mr Gard'ner noted that DDO23 includes a range of design requirements in addition to the specified maximum building heights and these needed to be read together to understand the full suite of controls that apply to a particular site. In addition, the Heritage Policy at Clause 22.02 (and proposed Clause 15.03-1L) encourages new development that respects the scale of existing heritage buildings and streetscapes.

Mr Gard'ner said the majority of taller buildings subject to DDO23 were approved before the preparation of the Supplementary Heritage Report and interim DDO23 was in place. The strategic work since the introduction of interim DDO23 has resulted in lower proposed building heights and strengthened height requirements.

Ms Rigo supported the proposed building height provisions in the Precinct given the background reports prepared and the nature and scale of redevelopment occurring in the Precinct. She was satisfied that the range and application of preferred building heights will facilitate a built form outcome consistent with the objectives sought and the valued characteristics of the area.

Building heights were the most contested issue with the Amendment. Many submissions wanted lower building heights and stated a range of views including:

- new buildings should be built no higher than the ones they replace
- Area 1 and Area 2 should have maximum heights of 3-5 storeys
- Area 3 should have a maximum height of 8 storeys
- maximum building heights should be reduced across all areas
- the maximum building height should preferably be 3 storeys and an absolute maximum of 6 storeys
- Derby Street should have maximum building heights of 14 metres (4 storeys)
- there are too many 10-12 storey buildings in the area
- the maximum height controls are irrelevant because they are too late and they should have been in place many years ago.

Some submissions wanted lower heights specified on sites that had already been developed such as the northeast corner of Oxford and Peel Street and the west side of Wellington Street.

Other submissions supported the proposed heights and were *"fully supportive of Council's goals of creating higher density living in the area"*. One submission said Council had *"struck the right balance"* and another said it was *"deeply hypocritical"* for residents who live in the tallest building

in the Precinct (the Holme Apartments building is 14 storeys) to object to preferred maximum building heights that were lower than their own building.

Many submissions objected to the proposed maximum building heights on specific sites. These are discussed below.

Land bound by Oxford Street Reserve, Langridge, Cambridge and Derby Streets

This site is an 'island' of over 1500 square metres and includes multiple titles bounded on all sides by 20 metre wide road reserves. The Heritage Overlay does not apply to the land.

Buildings have recently been built to the north (11 storeys), north-east (10 storeys), east (14 storeys) and south-west (8 storeys).

The exhibited DDO23 proposes a preferred maximum building height of 27 metres (8 storeys).

There were no submissions from the owners of land within this site.

Many submissions objecting to the proposed height came from residents at 68 Cambridge Street (the Holme Apartments), 88 Cambridge Street and 27 Oxford Street (the XO Building). Submissions objected to the proposed maximum building height and expressed concerns including:

- the height is out of character with nearby heritage streetscapes and buildings
- a building at a height of 27 metres will overshadow the heritage buildings on the opposite (south) side of Derby Street
- the maximum height should be reduced to allow a transition to the lower scale pocket park and adjoining heritage areas
- a building 27 metres tall would cause shadowing of open space, wind tunnelling, a loss of privacy and would block sunlight and impact views to the city from 68 Cambridge Street (the Holme Apartments).

Most submissions wanted the maximum building height reduced to 14 metres (4 storeys). Some submissions said a height of 20 metres (6 storeys) would be acceptable.

In response to these submissions, Mr Campbell said the preferred maximum height of 27 metres was appropriate and consistent with the recommendations in the Built Form Framework. He said the concerns expressed in submissions can be suitably addressed by existing provisions within the Planning Scheme, in addition to those proposed within DDO23, which protect the amenity of existing residents. In Mr Campbell's view, submissions that sought "*to limit built form to a maximum of 14 metres, when living in a recently constructed 42.6 metres building (above Wellington Street) and 39.7 metres (above Cambridge Street) on the other side of a street, with the same Zone and Overlay controls have no planning basis*".[15]

Ms Rigo stated that planning policy encourages this island site to contribute to the growth of the Precinct, whilst responding to its sensitive interface with the Oxford Street Reserve, the scale of existing built form and the amenity of existing residents on the opposite side of the streets. She concluded:

> The proposed preferred building height of 27 metres equates to an approximate 8 storey building which sits comfortably between the 14 storeys to its east and the 11 storeys to the north.

[15] Document 15, Evidence statement of Mr Campbell, paragraph 134

> In my opinion, this island site provides a key opportunity for new development in the Precinct given its physical separation from adjoining land, provided a design response is sensitive to its interface with the Reserve. In my opinion, the extensive requirements under Section 2.0 of DDO23 gives me confidence that the future built form of this land will be appropriately managed, particularly in relation to its interface with Derby Street and the Oxford Street Reserve, overshadowing and residential amenity.
>
> I do not support a reduction to the preferred maximum building height for this land.[16]

Mr Gard'ner gave evidence that:

> This land is separated from identified heritage fabric by the approximately 20m wide Oxford Street Reserve to the west and Derby Street to the south. Further, there are no sensitive heritage interfaces to the north or east. It is therefore my view that development on these sites of the scale envisaged in the proposed DDO can be accommodated without unreasonably adversely affecting the heritage values of nearby heritage places.[17]

Council supported the evidence of Ms Rigo and Mr Gard'ner. It also supported the evidence of Mr Campbell but defended the rights of residents in the Holme Apartments to make submissions regarding the Amendment.

64-66 Oxford Street

This land is on the southeast corner of Oxford and Peel Streets and currently comprises a 1-2 storey brick warehouse building with under croft car parking fronting Peel Street. The land is within a Heritage Overlay (part of a heritage precinct) but the buildings at 64-66 Oxford Street are not of heritage significance. Land to the east and south contain heritage buildings.

Interim DDO23 shows a preferred height of 20 metres (6 storeys) for the site. In response to recommendations in the Supplementary Heritage Report, the preferred maximum height in the exhibited DDO23 was reduced to 14 metres (4 storeys) to better protect the abutting heritage properties and to reflect the distinct built form character south of Peel Street.

Mr Campbell gave evidence that, in his opinion, it was appropriate to retain a preferred maximum height of 20 metres for this site. He said this was consistent with the recommendations of the Built Form Framework and reflected the height of existing development on the northeast corner of Oxford and Peel Streets (20.2 metres) opposite 60-64 Oxford Street. In his view, a 6 storey contemporary building on the site could "*step down and transition its mass*" to the abutting lower scale heritage buildings.

Mr Gard'ner did not agree with Mr Campbell's recommendation because the site was flanked by heritage buildings and building height should be moderated to provide an appropriate transition to places of heritage significance. He said this was consistent with the recommendations in the Supplementary Heritage Report which was based on a more detailed analysis on the impact of development on the adjoining heritage sites.

Mr Gard'ner acknowledged the existing development on the northeast corner of Oxford and Peel Street, however he said there was a change in the character of Oxford Street south of Peel Street and this is reflected in the proposed metrics for the site.

There were no submissions from the owners of this site.

[16] Document 18, Evidence statement of Ms Rigo, paragraphs 131-133
[17] Document 14, Evidence statement of Mr Gard'ner, paragraph 99

Council did not support the view of Mr Campbell and preferred to rely on the evidence of Mr Gard'ner with respect to this issue.

23-31 Derby Street

This land is on the southeast corner of Oxford and Derby Streets and contains a row of non-heritage commercial buildings fronting Derby Street. A rear lane separates the site from the Collingwood English Language School to the south.

The exhibited DDO23 shows the site with a preferred maximum height of 20 metres (6 storeys).

The Heritage Overlay applies to a range of commercial buildings to the east of the site. This land has a preferred maximum building height of 14 metres (4 storeys).

To the west of the site is a recently constructed 8 storey (26.2 metres) apartment building known as the 'XO Building' located on the southwest corner of Oxford and Peel Street (27-29 Oxford Street and 15-21 Derby Street).

To the north of the site is the Oxford Street Reserve and to the east of the park the land is proposed to have a preferred maximum building height of 27 metres.

Submissions objected to the proposed preferred maximum building height for 23-31 Derby Street and stated a building height of 20 metres:

- would "*totally destroy*" the amenity and liveability for residents in the 'XO Building'
- would overshadow the adjacent school playground
- should be lowered to reflect the preferred building heights for heritage sites in Derby Street west of Cambridge Street.

Many of the objections came from residents in the 'XO Building'.

Submissions generally wanted the maximum building height lowered to 14 metres.

The owner of 29-31 Derby Street made a submission in response to the notification of the Council resolution on 21 December 2021. This submission supported the exhibited preferred maximum building height of 20 metres and objected to any consideration of lowering the building height to 14 metres. It said a lower maximum building height would be inconsistent with the 8 storey 'XO Building' to the west.

Ms Rigo gave evidence that:

> … I am of the opinion that the proposed preferred height of 20 metres, together with the design requirements in DDO23 regarding setbacks and interfaces with heritage buildings and laneways, as well as overshadowing requirements, is appropriate in this context. At the proposed preferred building height, I would anticipate a built form that appropriately transitions up from the lower scale heritage buildings to its east to the new 8 storey building at 15-21 Derby Street. This recent building visually breaks the continuity of finer grain buildings along the southern side of Derby St (west of Cambridge Street) to Smith Street. An infill development of 23- 31 Derby Street should have the capacity to transition between these two built forms along this part of Derby Street, subject to satisfying the requirements of Section 2.0 of DDO23. I am of the opinion that a further reduction in preferred building height along this part of Derby Street is not necessary.[18]

Mr Gard'ner noted that:

- 23-31 Derby Street are not subject to the Heritage Overlay

[18] Document 18, Evidence statement of Ms Rigo, paragraph 126

- while a lower maximum height limit would be consistent with the land subject to the Heritage Overlay to the east, this should also be seen within the context of the recently constructed 8 storey 'XO Building' to the west
- a proposed 20 metres maximum height is consistent with existing and emerging built form within the area
- any proposed new built form at 23-31 Derby Street will be moderated to step down towards the 2 storey heritage fabric through the application of other requirements in Section 2.3 of DDO23 and the policy at Clause 22.10-3.3 and this is considered sufficient to address the adjacent heritage fabric.

Council supported the expert evidence presented and did not propose any variation to building heights for this site.

9-13 Derby Street

The land at 9-13 Derby Street is to the west of the 'XO Building' and is occupied by three, 2 storey dwellings. The Heritage Overlay does not apply to these properties.

The exhibited DDO23 shows this land with a preferred maximum building height of 20 metres (6 storeys).

The owners of these properties did not make a submission.

A submission from residents to the south (rear) of the properties objected to the proposed maximum building height because a building 20 metres tall would reduce the amount of northern sunlight they currently enjoy and impact on their privacy. The submission wanted to maintain a 2 storey maximum height for any new building at 9-13 Derby Street.

Council did not propose any change to the exhibited heights for 9-13 Derby Street.

Oxford Street and Cambridge Street (between Peel Street and Langridge Street)

Submissions objected to a range of sites in Oxford Street and Cambridge Street between Peel Street and Langridge Street. They were concerned about the number of sites identified with a preferred maximum building height of 20 metres. They wanted a maximum building height of 14 metres to apply and said this would be more sympathetic to the lower scale heritage buildings, particularly in Oxford Street. It was also suggested that building heights in Cambridge Street should transition from 14 metres at the northern end (near Peel Street) to 20 metres at the southern end (near Langridge Street).

In response, Mr Gard'ner noted:

- the Heritage Overlay does not apply to a substantial part of this area
- the areas containing heritage fabric have a mandatory maximum building height of 11 metres
- the southern parts of Cambridge Street have been developed with heights of 10 and 11 storeys
- a maximum preferred height of 20 metres will provide for a transition between the taller built form to the south and the heritage fabric to the north
- this transition will also be moderated through the design requirements in DDO23 and the policy at Clause 22.10-3.3 (or proposed Clause 15.01-1L).

Council supported the exhibited provisions and did not propose to vary building heights in this area.

North side of Mason Street

The section of Mason Street within DDO23 contains a number of narrow fronted, low scale heritage properties on the south side. The Amendment proposes a mandatory maximum building height of 11 metres for almost all of these properties. The balance of the properties on the south side have preferred maximum building height of 11 metres.

Land on the north side of Mason Street consists of 1-2 storey commercial buildings on larger lots that are not within a Heritage Overlay. They have a proposed preferred maximum building height of 14 metres. A single parcel further north has a maximum height of 20 metres.

Several submissions expressed concerns that tall buildings on the north side of Mason Street would overwhelm the heritage buildings to the south and create a sense of enclosure within the streetscape. They were concerned about the impact of visual bulk and the potential for overlooking.

The submissions sought a maximum building height of 11 metres on the north side of Mason Street.

Mr Gard'ner was comfortable the suite of requirements in DDO23 and elsewhere in the Planning Scheme would provide sufficient protection for the heritage buildings on the south side of Mason Street. He saw no reason to lower the proposed heights on the north side of Mason Street.

Council did not propose any change to the exhibited heights for Mason Street.

Building height exceptions

Ms Rigo questioned whether there should be a definition of '*architectural features*' permitted to exceed height limits under the proposed DDO23 and sought clarification as to when they are intended to apply. She said it was unclear if this exception and the exception relating to service equipment applies to preferred and mandatory maximum building heights.

Council submitted the intention of the exhibited DDO23 was that the exception for architectural features and service equipment are intended to apply to both mandatory and discretionary height requirements. It included revised wording in its closing submission to clarify this point:

> Architectural features (except service equipment or structures) may exceed the mandatory or preferred building height.
>
> Service equipment and/or structures including balustrades, unenclosed pergolas for communal areas, roof terraces, shading devices, plant rooms, lift overruns, stair wells, structures associated with pedestrian access, green roof areas and other such equipment may exceed the mandatory or preferred height provided that:
>
> - the equipment/structures do not cause additional overshadowing of secluded private open space to residential land, opposite footpaths, kerb outstands or planting areas in the public realm; and
> - the equipment/structures are no higher than 2.6 metres above the proposed building height; and
> - the equipment/structures occupy less than 50 per cent of the roof area (solar panels and green roof excepted).

A submission objected to the height of service equipment limited to 2.6 metres above the proposed building height. It said a height of 2.6 metres would be insufficient for a lift inclusive of its over-run to carry passengers to a roof terrace or similar roof top destination. A height of 3.6 to 4 metres was submitted to be "*more realistic and achievable*". The submission noted that interim DDO23 nominates a height of 3.6 metres in the equivalent provision.

Ms Rigo responded to this submission by stating that in her opinion:

- … the requirement is discretionary in its language and does not exclude the consideration of additional height for a specific purpose.
- … no change is required to this requirement per se, other than consideration of the word 'generally' no higher than 2.6 metres or 'preferably' not higher than 2.6 metres to acknowledge there may be genuine circumstances where additional height is necessary.[19]

Council submitted the interaction of the terms 'building', 'building height' and 'architectural features' are complex and have been considered in various VCAT and Supreme Court decisions. It referred the Committee to *Aitken Properties Pty Ltd v Hobsons Bay CC* [2016] VCAT 1484 and *SGRC Pty Ltd v Melbourne City Council* [2014] VSC 238. Council concluded with respect to this issue:

> In view of the form in which the Amendment has been advertised and its consistency with other DDOs approved, it is submitted that it would not be appropriate to make significant changes to this Amendment without careful consideration and notice of a particular form of words. This is particularly so where a submission has been received in relation to whether the 2.6m "proviso" is appropriate.[20]

(iv) Discussion

Building heights in general

The Committee acknowledges that the proposed DDO23 building heights is a highly contentious issue in the local community. This issue attracted passionate debate from many residents in the area and the Committee appreciates and understands the concerns of the submitters. It was clear from the content of many submissions that local residents have a keen interest in their neighbourhood and a desire to protect and enhance the amenity of the area.

The Committee is, however, satisfied that the proposed building heights are appropriate and are based on sound strategic planning. It has come to this view having considered a range of matters.

First, Plan Melbourne is clear about the role of activity centres and strategic locations in consolidating housing growth in areas well served by services and facilities, economic development and employment and community infrastructure. The Collingwood South Mixed Use Precinct is a location that is, in principle, well suited to more intensive housing growth and this is reflected in the Housing Strategy and other high level strategic planning documents prepared by Council.

Second, Council has completed a detailed assessment of the Precinct and this work has informed the proposed heights in the area. The range of proposed building heights are underpinned by urban design and heritage expertise, which has sought to balance the broad policy framework for growth in the Precinct with other policies which call for new development to be sensitive to the heritage and identified character of the area, high quality urban design outcomes and amenity considerations.

The Built Form Framework articulates a clear strategy of directing taller buildings to larger lots at locations without heritage buildings or heritage interfaces and on relatively lower topography. This has resulted in taller buildings generally directed towards the east of the Precinct and generally stepping down in height to the east. Lower heights are also proposed on sites of

[19] Document 18, Evidence statement of Ms Rigo, paragraph 137
[20] Document 41, Council Part C submission, paragraph 28

heritage significance and adjacent to sites of heritage significance. The Committee considers this is a sound approach.

Third, the Precinct has historically had a mixed use and mixed built form and the character of the Precinct is defined by a range of building heights and types. For example, single storey narrow fronted heritage houses sit next to larger warehouses and factories. The proposed building heights have been considered within this context and maintain this mixed built form, although at a different scale. This difference in scale has been carefully analysed in the detailed assessment of the Precinct and has resulted in a nuanced application of building heights across the Precinct.

Fourth, DDO23 is much more than just maximum building heights, and the full suite of requirements in the overlay should be read as a 'package'. The Committee notes a key purpose of DDO23 is to ensure the policy imperative for growth is managed so that new development is sensitive to the valued built form character of the Precinct, its heritage and its amenity. The building heights are complemented with design requirements and guidelines that address building design and amenity related matters. A range of provisions address matters such as overshadowing, development adjacent to heritage properties, building separation and a wide range of detailed design considerations. Importantly, some of these provisions are mandatory requirements. The Committee is satisfied that the detailed content of DDO23 addresses many of the concerns expressed by residents with respect to the proposed building heights.

Fifth, many submissions advocated lower building heights without articulating a sound basis for change. In many cases, submissions wanted the building height for a specific location to be significantly less than the height of the building where the submitter lived. The Committee sees no compelling reason to accept this approach. It notes the Holme Apartments are designated the tallest preferred maximum building height (40 metres) in the Precinct.

The Precinct has experienced extensive development in recent years and pressure for further development is expected to continue in the future. The frustrations expressed in submissions about the built form outcomes in the area, including building heights, should be seen within the context that a large proportion of this development occurred prior to interim DDO23. In addition, the exhibited Amendment makes further changes to interim DDO23 and these changes generally strengthen the requirements and lower building heights in sensitive locations. The Committee supports the application of DDO23 and considers that it has an important role to play in the implementation of good built form outcomes, including the management of building height, for the further development of the Precinct.

Land bound by Oxford Street Reserve, Langridge, Cambridge and Derby Streets

The Committee considers the size and location of this site distinguish it with potential to support more intensive development without adversely impacting nearby development. The land has no heritage constraints, is surrounded by wide road reserves and has substantial existing development to the east (14 storeys), north (11 storeys) and southwest (8 storeys). Within this context, the Committee accepts that a preferred maximum building height of 27 metres (8 Storeys) is appropriate.

The Committee notes design objectives require development to:

- incorporate upper level setbacks and high quality design features that create a distinction between lower and upper levels
- ensure that the overall scale and form of new buildings is low-rise to mid-rise and responds to the topography of the precinct

- provide a suitable transition in height as the land slopes upwards
- minimise amenity impacts on existing residential properties, including visual bulk, overlooking and overshadowing
- promote and encourage pedestrian-oriented, high quality urban design outcomes through street edge activation
- protect footpaths and public open spaces from loss of amenity through overshadowing.

The interface with the Oxford Street Reserve has been appropriately managed by reducing the preferred maximum street wall height on the west side of the site from 14 metres to 11 metres. Additional requirements in DDO23 ensure that development should not increase the amount of overshadowing that currently exist at the park at the equinox and a wide range of other design requirements should ensure that the built form in this location does not impact the amenity of the park. The Committee notes the provision in Clause 2.8 that states:

> Development interfacing with areas of public open space should:
> - provide a suitable transition in scale to the interface with the public open space;
> - ensure that development does not visually dominate the public open space;
> - provide passive surveillance from lower and upper levels of the building.

The Committee is satisfied that the suite of design controls can appropriately manage the impact of development with a preferred maximum height of 27 metres on the surrounding area. This was the view of all of the relevant expert witnesses and Mr Gard'ner was satisfied there would be no impact on any surrounding heritage fabric.

Having regard to all of the above, the Committee does not consider there is a need to reduce the building height for this site and supports the application of a preferred maximum building height of 27 metres.

64-66 Oxford Street

The Committee does not agree with Mr Campbell that the preferred maximum building height for this site should be increased to 20 metres. It prefers to rely on the evidence of Mr Gardner, who considered a preferred maximum height of 14 metres sat more comfortably within the context of the surrounding heritage buildings south of Peel Street.

That said, the detailed design of a future building on this site may have potential for some part of the building to exceed 14 metres in height. A preferred maximum building height of 14 metres provides sufficient flexibility for this to occur subject to achieving the acceptable design outcomes described in DDO23.

23-31 Derby Street

The Committee supports a preferred maximum building height of 20 metres for this site. It sees no compelling reason to lower the preferred building height to 14 metres.

The proposed maximum building height for land at 23-31 Derby Street should be seen within the context of the site. The land is not within a Heritage Overlay and there is a 26 metres tall building to the west of the site. Land to the north has a preferred maximum building height of 27 metres. Although the Heritage Overlay applies to buildings to the east, they have a preferred maximum building height of 14 metres. The Committee is satisfied that a building height of 20 metres will sit comfortably within the existing and emerging built form character.

The Committee considers that the variety of amenity concerns expressed by submitters such as shadowing, building bulk and overlooking can be appropriately managed. It agrees with Mr Gard'ner that any proposed new built form will be moderated to step down towards the two-storey heritage fabric through the application of various requirements in DDO23 (and other parts of the Planning Scheme).

Other sites

The Committee considers that the exhibited preferred maximum building heights for the following sites are appropriate:

- 9-13 Derby Street
- Oxford Street and Cambridge Street (between Peel Street and Langridge Street)
- north side of Mason Street.

The Committee is satisfied the proposed heights reflect the existing and emerging character of the area, the significance of heritage buildings and amenity considerations. The off-site impact of development on these sites is appropriately managed through a range of requirements in DDO23 and other parts of the Planning Scheme.

Building height exemptions

The Committee generally accepts the submissions from Council with respect to the building height exemptions in Clause 2.5. It agrees that the exemptions should relate to mandatory and preferred maximum building heights and the wording regarding 'architectural features' and 'service equipment' should be changed to reflect this intent. The Council version of these clauses in its closing submission (Document 40) referred to *"... mandatory or preferred building height ..."*. The Committee considers this should be modified to refer to *"... mandatory or preferred maximum building height ..."*.

The Committee supports clarification that the term 'architectural features' does not include 'service equipment or structures'.

The Committee considers the exemption regarding service equipment is not discretionary. The provision states that service equipment and structures may exceed the mandatory and preferred maximum building height "*provided that*" three criteria are met. It is not clear how discretion could be exercised to permit service equipment or structures that do not comply with all of the criteria.

Within this context, the metric of the second criteria becomes very important. Service equipment and structures are limited to a maximum of 2.6 metres above the building height. The Committee is satisfied with this metric provided that a lift over-run can be adequately constructed within this dimension. No evidence was presented to the Committee to verify or contradict this assertion. If it can be established that a height of 2.6 metres is insufficient to adequately cater for a lift over-run then consideration should be given to including a modification to the wording to provide for the minimum additional height necessary for this purpose. Any further exemption should be limited to lift over-runs.

(v) Conclusions and recommendations

The Committee concludes:

- The exhibited mandatory and preferred maximum building heights are justified and appropriate.

- The land bound by Oxford Street Reserve, Langridge, Cambridge and Derby Streets should have a preferred maximum building height of 27 metres.
- 23-31 Derby Street should have a preferred maximum building height of 20 metres.
- 64-66 Oxford Street should have a preferred maximum building height of 14 metres.
- The building height exemptions for 'architectural features' and 'service equipment' should relate to mandatory and preferred maximum building heights.
- It is appropriate to clarify that the term 'architectural features' does not include 'service equipment or structures'.
- The exemption regarding service equipment is not discretionary.
- It is appropriate for service equipment and structures to exceed the mandatory or preferred maximum building heights provided that the equipment or structures are no higher than 2.6 metres above the maximum height and that a lift over-run can be adequately constructed within this dimension.

The Committee recommends:

6. **Amend Design and Development Overlay Schedule 23, as shown in Appendix F, to modify 'Building height requirements' to state:**
   a) ***"Architectural features (except service equipment or structures) may exceed the mandatory or preferred maximum building height."***
   b) ***"Service equipment and/or structures ... may exceed the mandatory or preferred maximum building height provided that: ..."***

4.5 Overshadowing and solar access requirements

(i) The issues

The exhibited DDO23 includes mandatory provisions regarding shadowing of specified footpaths. These issues have been discussed in chapter 3.1 and are not repeated here.

This chapter deals with the other provisions in Clause 2.6 (Overshadowing and solar access requirements).

The issues are:

- whether the measure for shadowing should be at the equinox (22 September) or the winter solstice (21 June)
- whether new development should increase the amount of overshadowing of public open space
- whether the Peel Street Park should be included in the list of open spaces to be protected by shadowing controls
- whether properties on the south side of Mason Street should be protected by shadowing controls.

(ii) What does the Amendment propose?

Among other shadowing provisions, the exhibited DDO23 included the following:

> Development should be designed to minimise overshadowing of the following areas of open space and/or public realm between 10am and 2pm on 22 September, to the satisfaction of the Responsible Authority:
>
> - Cambridge Street Reserve (incl. any future extension of the reserve); ▪ Oxford Street Reserve;

- The outdoor space of the Collingwood English Language School;
- Any kerb outstands, seating or planting areas on the opposite side of the street, as applicable.

(iii) Evidence and submissions

Many submissions raised concerns about future development unreasonably overshadowing existing public open space. Some submissions also noted that developments that have been recently constructed, recently approved or are currently under construction will result in unreasonable shadowing of open space areas.

The Yarra Planning Coalition submitted that "*no increased overshadowing of public parks should be allowed*".

Many submissions said the overshadowing provisions should be measured at the winter solstice rather than at the equinox.

In response, Council submitted that the purpose of the overshadowing controls was to ensure a reasonable balance between facilitating development that is consistent with the emerging built form in an activity centre and preserving amenity to parks and key street locations for important parts of the day.

Council noted that the *Urban Design Guidelines for Victoria* contain the following relevant Objective and associated guideline:

> Objective 5.1.3 To ensure buildings in activity centres provide equitable access to daylight and sunlight.
>
> 5.1.3a Locate and arrange the building to allow daylight and winter sun access to key public spaces and key established street spaces.

Council said the exhibited DDO23 and the *Yarra Open Space Strategy* (Amendment C286yara) do not identify any of the open space areas in the Precinct as 'key public spaces'.

The proposed policy in Clause 22.12-4 as part of C286yara states that built form:

> Must have no additional overshadowing beyond any 9 metre built form height between 10am and 3pm on June 21.

Council said this is only applicable to new public open spaces.

Council submitted the equinox is proposed because:

- this is consistent with the recommendations in the Built Form Framework and other recent planning scheme amendments
- additional testing showed that the public open spaces are already subject to overshadowing from existing buildings (or approvals)
- application of the winter solstice would significantly constrain development in locations where development expectations are set at a significantly higher level by existing built form and having regard to the site context
- the open space to be protected is neither new open space nor identified as 'key' open space.

In response to submissions and its own further testing, Council submitted that the provision regarding the protection of open space from overshadowing should be modified to state:

> Development should ~~be designed to minimise~~ not increase the amount of overshadowing as caused by existing conditions, measured between 10am and 2pm on 22 September ~~of~~ for

the following areas of open space and/or public realm ~~between 10am and 2pm on 22 September, to the satisfaction of the Responsible Authority~~:

- Cambridge Street Reserve (incl. any future extension of the reserve);
- Oxford Street Reserve
- The outdoor space of Collingwood English Language School
- Any kerb outstands, seating or planting areas on the opposite side of the street, as applicable."

Mr Campbell and Ms Rigo supported the overshadowing provisions, including the proposed changes by Council.

Mr Campbell also suggested that:

- the Peel Street Park should be added to the list of open spaces to be protected by the shadowing provisions
- properties on the south side of Mason Street should be protected by shadowing provisions.

Council did not support the inclusion of the Peel Street Park because the buildings that have any potential to overshadow the park are outside the DDO23 boundary. It said any protection of the Peel Street Park should be achieved through a separate Planning Scheme amendment.

In response to questions from the Committee, Mr Campbell retracted his concerns regarding the shadowing impacts on Mason Street once he realised that he had misread the proposed maximum heights for the northern side of the street.

(iv) Discussion

The Committee accepts the need for overshadowing provisions for footpaths and public open spaces and considers that the proposed requirements are consistent with the recommendations of the Built Form Framework. The detailed provisions are supported by the design objectives in the clause and this helps in the exercise of discretion.

Council has struck the right balance with respect to applying these provisions. In this instance, it is appropriate to apply the shadowing provisions based on the equinox. Further strategic work would be required to justify the application of the winter solstice.

The Committee considers the minor changes suggested by Council are acceptable. The changes provide greater clarity to the provisions and will result in more certain outcomes.

The Committee agrees with Council that it is inappropriate to include overshadowing provisions for the Peel Street Park as part of this Amendment because shadowing provisions for this park would need to be applied to buildings that are outside the boundary of DDO23. Any shadowing controls for the Peel Street Park should be considered as part of a separate Planning Scheme amendment process.

The Committee does not support the inclusion of shadow provisions for properties on the south side of Mason Street and notes that ultimately Mr Campbell did not support his own idea either.

(v) Conclusions and recommendation

The Committee concludes:

- The measure for shadowing should be at the equinox (22 September).

- The changes to the requirements for shadowing of public open space suggested by Council are supported because they improve the clarity and certainty of the provisions.
- The Peel Street Park should not be included in the list of open spaces to be protected by shadowing controls as part of this Amendment.
- The front yards of the properties on the south side of Mason Street do not require specific protection from shadowing as part of DDO23.

The Committee recommends:

7. **Amend Design and Development Overlay Schedule 23, as shown in Appendix F, to state *"Development should not increase the amount of overshadowing as caused by existing conditions measured between 10am and 2pm on 22 September for the following areas of open space and/or public realm: ..."***

4.6 Other design requirements

(i) The issues

The issues are:

- whether there should be an additional requirement regarding adaptable building structures, layouts and non-residential unit sizes on lower levels of buildings to allow for a variety of uses over time
- whether there should be an additional requirement regarding landscaping.

(ii) Evidence and submissions

Some submissions raised concern about loss of economic diversity and small businesses which attracts creative uses and local businesses.

In response, Council noted that the purpose of a DDO is to guide the built form and design of new development. Land use is controlled through the zoning of the land (which in this case is the Mixed Use Zone) and cannot be controlled through a DDO.

The exhibited DDO23 includes the following requirement in Clause 2.8 (Other Design Requirements) to ensure new development supports commercial activity in the Precinct:

> Lower levels of development should:
>
> - be designed to accommodate commercial activity at the ground floor, incorporating a suitable commercial floor height of 4 metres floor to floor height
> - ...

Council proposed an additional requirement to complement this provision. It said this helped ensure new development has greater potential to accommodate different uses over time. Ms Rigo supported the principle of the additional control but suggested a slight rewording to improve clarity. Council supported the changes proposed by Ms Rigo:

> Lower levels of development should:
>
> - ...
> - incorporate adaptable building structures, layouts and non-residential unit sizes so as to allow for a variety of uses over time
> - ...

No party objected to including the new requirement.

Some submissions suggested that a landscaping requirement should be included that provides for landscape setbacks for deep tree planting, green frontages and roof tops.

In response, Council said that although historically the Precinct has had limited opportunities for substantial areas of landscaping within the private realm, new development should provide for landscaping where possible to soften the built form. It proposed an additional requirement in Clause 2.8 that states:

> Development should provide for landscaping that provides a positive contribution to the public realm, such as canopy trees where possible, green walls or planter boxes.

This requirement was supported by Mr Campbell and Ms Rigo.

No party objected to including the requirement.

Ms Rigo recommended a number of minor drafting changes to improve the clarity and intent of several requirements in Clause 2.8. Mr Campbell and Mr Gard'ner supported these changes and they were also supported by Council in its closing submission.[21]

(iii) Discussion

The Committee accepts the additional requirement that ensures lower levels of buildings have adaptable structures to accommodate a range of uses over time. This is a sensible approach that provides for flexibility and change. It is noted that this is a discretionary requirement and this approach is supported.

The Committee agrees the inclusion of an additional requirement regarding landscaping is appropriate. It is a discretionary requirement and does not prescribe how the landscaping is to be provided. This approach is supported.

The Committee supports the various drafting changes to the requirements in Clause 2.8 recommended by Council in its closing submission. These changes are sensible and provide greater clarity and understanding of the provisions without changing their intent.

(iv) Conclusions and recommendations

The Committee concludes:

- It is appropriate to include an additional requirement regarding adaptable building structures, layouts and non-residential unit sizes on lower levels of buildings to allow for a variety of uses over time.
- It is appropriate to include an additional requirement regarding landscaping.
- A variety of drafting changes should be made to several requirements to improve their clarity and intent.

The Committee recommends:

8. **Amend Design and Development Overlay Schedule 23, as shown in Appendix F, to include:**
   a) **an additional dot point that requires lower levels of development should "*incorporate adaptable building structures, layouts and non-residential unit sizes so as to allow for a variety of uses over time*"**

[21] Document 40

b) **an additional requirement that "*Development should provide for landscaping that provides a positive contribution to the public realm such as canopy trees where possible, green walls or planter boxes*".**
c) **a range of minor drafting changes to improve the clarity and intent of the 'Other design requirements'.**

4.7 Access, parking and loading bay requirements

(i) The issues

A consideration of a range of general transport issues is discussed in chapter 3.4.

This chapter deals with the specific wording of several requirements.

The issue is whether the wording of the requirements in Clause 2.9 (Access, parking and loading bay requirements) are appropriate.

(ii) Evidence and submissions

Ms Rigo suggested changes to two requirements:

> The common pedestrian areas of new buildings should be designed with legible and convenient access, with hallway and lobby areas of a size that reflects the quantity of apartments serviced and which can be naturally lit and ventilated where practicable.
>
> Vehicle access should be achieved from laneways or side streets (in that order of preference). Vehicle access from Wellington Street and Langridge Street should be avoided where alternative access exists.

Council did not support these changes. It said it relied on the evidence of Ms Dunstan who supported the exhibited version of the requirements.

Clause 2.9 includes the following requirement:

> Development with laneway access may require a ground level set back in order to achieve practicable vehicle access. Between ground level and first floor, a headroom clearance of 3.5 metres minimum should be achieved.

In response to questions from the Committee, Ms Dunstan agreed that the requirement could be reworded to improve its clarity. Council submitted a revised version of this requirement in its closing submission. It said it had consulted Ms Dunstan and she had supported the revised wording:

> Where a ground level setback is provided to achieve practicable vehicle access to the laneway; a headroom clearance of 3.6 metres minimum should be provided to any overhang of the first floor.

No other parties made submissions on these issues.

(iii) Discussion

The Committee does not see a compelling need to include the additional qualifications proposed by Ms Rigo. It notes the exhibited requirements are discretionary and so there is already some flexibility should circumstances arise where it is not practicable to meet the requirements.

Although the revised 'laneway headroom clearance' requirement submitted by Council in its closing submission improves the exhibited version, the Committee considers there is still some fine tuning required, as follows:

> Where a ground level setback is provided to achieve practicable vehicle access to ~~the~~ a laneway~~;~~, a minimum headroom clearance of 3.6 metres ~~minimum~~ should be provided to any overhang of the first floor.

The Committee supports the remaining requirements in Clause 2.9 and notes they were not contested at the Hearing.

(iv) Conclusions and recommendation

The Committee concludes:

- The access loading and parking bay requirements are generally acceptable.
- The requirement regarding 'laneway headroom clearance' should be reworded to improve its clarity and intent.

The Committee recommends:

9. **Amend Design and Development Overlay Schedule 23, as shown in Appendix F, to modify the second last requirement to state "*Where a ground level setback is provided to achieve practicable vehicle access to a laneway, a minimum headroom clearance of 3.6 metres should be provided to any overhang of the first floor*".**

4.8 Drafting issues

(i) Discussion

In addition to changes already discussed in this report, the Day 1 version of DDO23 included a number of drafting changes to the exhibited DDO23 such as:

- Clause 2.1 (Definitions) - the inclusion of a definition for 'Upper level'
- Clause 2.7 (Building separation, amenity and equitable development) – the addition of the word 'site' to the third dot point of the second requirement
- Clause 2.9 (Access, parking and loading bay requirements) – the addition of the word 'metres' to the second last dot point
- Map 1: reference to 'Preferred maximum building heights', 'Mandatory maximum building heights' and 'Mandatory maximum street wall heights' in the legend.

At the Hearing, many further drafting changes were proposed. Many of these were recommended by Ms Rigo and were included in her evidence statement.[22] Council supported many of these drafting changes and they were included in the version of DDO23 presented in Council's closing submission. No parties objected to these drafting changes.

The Committee supports the drafting changes recommended by Council unless otherwise discussed in this report. These minor changes help to clarify expression and provide greater certainty to the intent of the requirements. The Committee is satisfied that the drafting changes do not transform the requirements or add new provisions.

These various drafting changes are included in the Committee preferred version of DDO23 in Appendix F.

The Committee has considered the drafting of DDO23 Map 1. Ms Rigo noted that the colour tones indicating 14 metres, 20 metres and 27 metres preferred maximum building heights were difficult

[22] Document 32

to distinguish. The Committee agrees with her observation and it also had some difficulty in matching the colour on the map with the colour on the legend. This issue was highlighted in the Hearing when Mr Campbell confused the colours on the map and legend in his evidence statement.

The Committee considers the colours in Map 1 should be reviewed to make sure there is greater distinction between different colours. At the Hearing, Council referred to DDO27 for the Swan Street Activity Centre. The Committee observes that the map in DDO27 benefits from the use of numbers and letters (as well as colours) to help readers understand the control. The Committee encourages Council to consider a similar approach to DDO23, noting and accepting that the structure of DDO27 is different to DDO23.

A number of other minor changes to Map 1 were suggested by Council in response to evidence from Mr Campbell. These include:

- adding the label 'Little Oxford Street'
- adding 'Public Open Space' to the legend
- showing the extension of the Cambridge Street Reserve in a different colour green to 'Public Open Space' and adding 'Potential future open space under investigation' to the legend.

The Committee supports these changes to Map 1.

The Committee notes that the text under two of the headings in the legend should be modified to ensure consistency with the heading and avoid any misunderstanding that they are mandatory heights rather than mandatory maximum heights:

> Mandatory Maximum Building Heights
>
> Properties as marked by the dotted diagonal lines have a 11m mandatory maximum building height
>
> Mandatory Maximum Street Wall heights
>
> Properties as marked by the dashed lines have a mandatory maximum street wall height

The changes to Map 1 described above (and elsewhere in the report) have not been shown in Appendix F.

(ii) Conclusion and recommendations

The Committee concludes:

- A range of minor drafting changes should be made to the text and Map 1 in DDO23 to improve the clarity and intent of the requirements.

The Committee recommends:

10. **Amend Design and Development Overlay Schedule 23, as shown in Appendix F, to:**
    a) **include a range of drafting changes to improve the clarity and intent of some requirements.**
    b) **show in Map 1:**
        - **greater differentiation between colours and consideration of other cartographic tools to improve the map's legibility**
        - **reference to 'Preferred maximum building heights', 'Mandatory maximum building heights' and 'Mandatory maximum street wall heights' in the legend headings and text**
        - **the name 'Little Oxford Street' on the map**

- **'Public Open Space' on the legend**
- **the extension of the Cambridge Street Reserve in a different colour green to 'Public Open Space' and adding 'Potential future open space under investigation' to the legend.**

5 Background documents

(i) Minister's referral

The letter of referral from the Minister for Planning included a request that the Committee give:

> Consideration of where reference documents (Clause 21.11) will be located within the Yarra Planning Scheme when the Planning Policy Framework translation occurs.

(ii) What does the Amendment propose?

The Explanatory Report accompanying the exhibited Amendment states that:

> Draft Amendment C293yara seeks to:
>
> - …
> - Amend Clause 21.11 Reference Documents to include the Brunswick Street and Smith Street Built Form Review: Collingwood Built Form Framework 2018, Collingwood Mixed Use Pocket Heritage Analysis and Recommendations 2018 and Supplementary Heritage Report: Collingwood South (Mixed Use) Precinct, 2021 as reference documents in the planning scheme
> - …

The Committee notes that:

- the *Collingwood Mixed Use Pocket Heritage Analysis and Recommendations,* 2018 appears to already be listed as a Reference document in Clause 21.11 (Reference Documents)
- the exhibited version of Clause 21.11 shows the inclusion of two new documents:
  - under the heading 'Heritage' - *Supplementary Heritage Report: Collingwood South (Mixed Use) Precinct,* 2021
  - under the heading 'Built form character' - *Brunswick Street and Smith Street Built Form Review: Collingwood Built Form Framework* 2018.

(iii) Submissions

Council submitted that:

> … the appropriate location for the documents proposed to be included as Reference Documents is now in the schedule to LPP 72.08 – Schedule to Background Documents.[23]

No other party made submissions with respect to this matter.

(iv) Discussion

The Committee accepts it is appropriate to include the Built Form Framework and the Supplementary Heritage Report as Reference Documents in Clause 21.11. It assumes that the Heritage Analysis Report is already listed as a Reference document in Clause 21.11, however if for some reason this is not the case, then it accepts that it should be.

The Committee understands that in accordance with Amendment VC148, implementation of the Planning Policy Framework translation process will involve the deletion of Clause 21.11. This is expected to occur with the approval of Amendment C269yara.

[23] Document 25, Council Part B submission, paragraph 50

Amendment C269yara proposes to include various Reference documents currently within Clause 21.11 in a Schedule to Clause 72.08 (Background documents). The Committee understands this is consistent with the approach recommended in Amendment VC148.

In this context, the Committee considers that until such time as the Planning Policy Framework translation occurs it is appropriate to include the proposed Reference Documents in Clause 21.11. Once the Planning Policy translation occurs (through the approval of Amendment C269yara or some other process) then it is appropriate to include the proposed reference documents as background documents in the Schedule to Clause 72.08.

(v) Conclusions and recommendations

The Committee concludes:

- The proposed Reference Documents should be located within Clause 21.11.
- Following implementation of the Planning Policy Framework translation the proposed Reference Documents should be included in the Schedule to Clause 72.08 (Background documents).

The Committee recommends:

11. **Following the implementation of the Planning Policy Framework translation process, the following documents should be included in the Schedule to Clause 72.08 (Background documents):**
    a) ***Brunswick Street and Smith Street Built Form Review: Collingwood Built Form Framework*, 2018**
    b) ***Collingwood Mixed Use Pocket Heritage Analysis and Recommendations*, 2018**
    c) ***Supplementary Heritage Report: Collingwood South (Mixed Use) Precinct*, 2021**

6 The Amendment process

(i) Terms of Reference and letter of referral

The Terms of Reference issued by the Minister for Planning state that the report must include:

> A recommendation on whether the draft planning scheme amendment is strategically justified and could be approved by the Minister without notice, using his powers under section 20(4) of the Act.
>
> A recommendation on whether the draft planning scheme amendment or any part of it should be subject to the requirements of sections 17, 18 and 19 and the regulations of the Act and processed as a 'standard' amendment.

The letter of referral also seeks the advice of the Committee with respect to whether the Minister:

> … should proceed with the Council's preferred version of the draft Amendment to the Yarra Planning Scheme under section 20(4) of the *Planning and Environment Act 1987*.

(ii) Discussion

No party made submissions with respect to this issue.

The Committee has considered this issue having regard to the following:

- The 'Draft Amendment' was exhibited and all of the relevant documentation was made available to the community for review.
- The exhibition process resulted in 102 submissions from the community, including local residents inside and outside of the Precinct, community groups and developers.
- Following Council's consideration of submissions, Council resolved to recommend a number of changes to DDO23 and then wrote to all landowners and occupiers directly affected by the recommended changes and gave them an opportunity to provide comments.
- The process of further notification resulted in one additional submission.
- The Committee generally supports the Council preferred version of the Amendment (as expressed in the Day 1 version) subject to a number of changes that respond to submissions and evidence and some drafting changes to improve the clarity and intent of the requirements and to correct minor errors.

In these circumstances, there is little utility in processing the Draft Amendment as a 'standard' Planning Scheme Amendment involving notification, consideration of submissions and potentially a Panel Hearing to consider submissions. Following a 'standard' process from this point would be an unnecessary duplication of procedure that is unlikely to change the ultimate outcome or be of any significant benefit.

(iii) Conclusions and recommendation

The Committee concludes:

- It is appropriate to progress Draft Amendment C293yara subject to the changes recommended by the Committee in accordance with section 20(4) of the *Planning and Environment Act 1987*.

The Committee recommends:

12. **Draft Yarra Planning Scheme Amendment C293yara should proceed subject to the changes recommended by the Committee without further notice and in accordance with section 20(4) of the *Planning and Environment Act 1987*.**

Appendix A Letter of referral

Hon Richard Wynne MP

Minister for Planning
Minister for Housing

8 Nicholson Street
East Melbourne, Victoria 3002

Mr Con Tsotsoros
Lead Chair, Yarra Activity Centres Standing Advisory Committee
Planning Panels Victoria
Level 5, 1 Spring Street
MELBOURNE VIC 3000
planning.panels@delwp.vic.gov.au

Ref: [redacted]

Dear Mr Tsotsoros

REFERAL OF DRAFT YARRA PLANNING SCHEME AMENDMENTS C291 AND C293 TO THE YARRA ACTIVITY CENTRES STANDING ADVISORY COMMITTEE

On 21 December 2021, Yarra City Council requested that I refer draft Planning Scheme Amendments C291 and C293 to the Yarra Activity Centres Standing Advisory Committee (SAC) for consideration and advice. Draft Amendment C291 seeks to implement permanent built form controls along the Bridge Road and Victoria Street Activity Centres and draft Amendment C293 seeks to implement permanent built form provisions to the Collingwood South Mixed Use Precinct. Interim built form controls currently apply to both draft amendment areas and are due to expire on 30 June 2022.

The council has requested that I refer the draft amendments, the associated submissions, the council's response to those submissions and the preferred versions of the draft amendments to the Yarra Activity Centres SAC in accordance with Stage 2 of the Yarra Activity Centres SAC Terms of Reference (10 June 2021). Stage 1 of the process included the preparation and notification of the draft amendments.

The council received 118 submissions for draft Amendment C291 and 102 submissions for draft Amendment C293.

I have decided to refer the draft amendments to the Yarra Activity Centres SAC to consider the submissions and make recommendations on whether I should proceed with the council's preferred version of the draft amendment to the Yarra Planning Scheme under section 20(4) of the *Planning and Environment Act 1987*. I request your specific advice on the following matters for the draft amendments:

1. The draft amendments include a number of additional mandatory provisions when compared to the interim controls: consideration of whether the capacity of the Activity Centre for future growth will be inappropriately compromised by the introduction of these controls and whether a revised capacity analysis is required to support these provisions should form part of the SAC process.
2. Consideration of whether the proposed changes as part of draft Amendment C291 to implement mandatory controls to all properties on the south side of Victoria Street, between Church and Johnson Streets (DDO50) are strategically justified.
3. Consideration of whether performance-based measures for the variation of discretionary height limits that do not have a nexus to built form outcomes are an appropriate use of planning tools or result in duplication of material in other parts of the Yarra Planning Scheme.
4. Consideration of where reference documents (Clause 21.11) will be located within the Yarra Planning Scheme when the Planning Policy Framework translation occurs.

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I have also decided to refer the councils' request that the SAC consider the means of establishing greater clarity of what must be facilitated when preferred heights are exceeded and the appropriateness of the following criteria to vary discretionary height limits:

1. Require or encourage applications that are a significant departure from the preferred height to be subject to the Office of the Victorian Government Architect (OVGA) State Design Review Panel or a council design review panel; and
2. Address housing affordability.

The council also seeks your attention to issues raised in many submissions relating to building heights as part of draft Amendment C293. I believe that these matters could be considered in conjunction with the SACs consideration of the appropriateness of measures for the variation of discretionary height limits.

Should the SAC see merit in introducing additional requirements relating to OVGA or council design review and housing affordability, the council would need to form a view about whether it wishes to proceed with these types of changes to its preferred form of the draft amendments. Before making a decision on whether to approve the draft amendments using my powers under section 20(4) of the *Planning and Environment Act 1987*, I would need to consider how landowners and occupiers may be affected by such inclusions which did not form part of the exhibition of the draft amendments. I would appreciate the SAC's views on this.

I note that in response to the submissions received, the council resolved to recommend changes to some elements of the draft amendments before requesting that I refer the draft amendments to the SAC. The council decided to write again to all landowners and occupiers directly affected by the recommended changes and has requested that any submissions be lodged by 4 February 2022.

Any new or varied submissions received will be referred to the SAC by the Department of Environment, Land, Water and Planning (DELWP) before the directions hearing scheduled for 4 March 2022. The submissions received and the council's response to those submissions will be provided to you, along with the draft amendment documents.

If you would like more information, please contact Dr Jane Homewood, Executive Director, Statutory Planning Services, DELWP, on email [redacted]

Yours sincerely

HON RICHARD WYNNE MP
Minister for Planning
6 / 2 / 22

[redacted]

Page 2

Appendix B Chronology of events

Date	Event / Description
March 2017	The State Government releases *Plan Melbourne 2017-2050*
6 June 2018	*Collingwood Mixed Use Pocket Heritage Analysis and Recommendations* issued by GJM Heritage
7 June 2018	*Brunswick Street and Smith Street Built Form Review Collingwood Built Form Framework* issued by Hansen Partnership
25 June 2018	Council requests a Ministerial amendment (Amendment C250yara) under 20(4) of the *Planning and Environment Act 1987* to introduce: • Schedule 21 to the Design and Development Overlay (DDO21) – Bridge Road • Schedule 22 to the Design and Development Overlay (DDO22) – Victoria Street • Schedule 23 to the Design and Development Overlay (DDO23) – Collingwood South
4 September 2018	*Yarra Spatial Economic and Employment Strategy* adopted by Council
4 September 2018	*Yarra Housing Strategy* adopted by Council
10 October 2018	The Minister for Planning issues new *Ministerial Direction No 19* and a new Ministerial Requirement for information to ensure that a planning authority seeks early advice from the EPA
30 October 2018	The Minister for Planning advises Council that Amendment C250yara has been approved under section 20(4) of the *Planning and Environment Act 1987*
22 November 2018	Amendment C250yara gazetted by the Minister for Planning, introducing DDO23 into the Yarra Planning Scheme on an interim basis
19 November 2019	*Traffic Engineering Assessment* issued by Traffix Group (relates to Brunswick Street and Smith Street Activity Centres but also includes Collingwood South Precinct)
13 August 2020	Council requests a prescribed amendment (Amendment C284yara) under section 20(4) of the *Planning and Environment Act 1987* to extend the controls of the interim DDO23 for an additional 12 months from 16 October 2020
29 September 2020	The Minister for Planning writes to Council confirming that the interim DDO23 has been extended from the original expiry date (November 2020) to a new expiry date of 30 June 2021
2 March 2021	At the Ordinary Council meeting, Council resolves to request the appointment "*of an Advisory Committee to assist Council formalise necessary planning scheme amendments to best manage the development pressure currently occurring and likely to continue into the foreseeable future*" and provide a draft Terms of Reference
5 May 2021	*Supplementary Heritage Report* issued by GJM Heritage
18 May 2021	Council resolves to refer proposed Amendment C293yara to an Advisory Committee under Part 7, section 151 of the *Planning and Environment Act 1987*

24 May 2021	Council requests to refer the proposed Amendment C293yara (implementing the permanent built form provisions for the Collingwood South Mixed Use Precinct), to an Advisory Committee under Part 7, section 151 of the *Planning and Environment Act 1987*
24 May 2021	Council requests a prescribed amendment (Amendment C292yara) under section 20(4) of the *Planning and Environment Act 1987* to extend the controls of interim DDO23 for an additional 12 months from 30 June 2021 (This request was made following the associated Council resolution made at the Ordinary Council Meeting of 18 May 2021)
10 June 2021	Terms of Reference were issued by the Minister for Planning which outlines the process for the Yarra Activity Centres Standing Advisory Committee
24 June 2021	Amendment C292yara was gazetted, extending the operation of interim DDO23 to June 2022
9 August 2021	Minister for Planning appoints the Yarra Activity Centres Standing Advisory Committee (SAC)
20 August 2021	Minister for Planning consents to notice of the Amendment being given subject to a number of conditions
14 September 2021	Notice of the Amendment is given for six weeks from 14 September to 27 October 2021
21 December 2021	Council considers 102 submissions (received by Council at that time) to the Amendment and hears from submitters. At its ordinary meeting, Council resolves that it: • endorses the officer response to the issues raised by submissions • adopts the recommended changes to draft Amendment C293yara for the purposes of Council's advocacy position before the SAC • refers all submissions, responses to those submissions and preferred draft Amendment C293yara to the Minister for Planning with a request to refer the draft Amendment to the SAC
22 December 2021	Submitters were notified of the Council's resolution from 21 December 2021
23 December 2021	Council formally requests referral of the Amendment to the SAC
24 December 2021	Letters were sent to owners and occupiers to notify them of Council resolution 1e), which requested the SAC's attention to the issues raised in submissions regarding height reductions along the south side of Derby Street and between Oxford Street Reserve and Cambridge Street
3 February 2022	One additional submission was received due to the additional notification from 24 December 2021
8 February 2022	Council receives the formal referral of the Amendment to the SAC, signed by the Minister for Planning on 6 February 2022
25 February 2022	Directions Hearing is held for Amendment C293yara
28 March 2022	Committee Hearing commences

Source: Council Part A submission, Attachment A

Appendix C Submitters to the Amendment

No.	Submitter	No.	Submitter
1	M Vitellone	31	P Hastings
2	J Trounce and E Bolger	32	D Smith
3	A Hardeman	33	V Fazio
4	M Landvogt	34	S Cummins
5	E Ozyaba	35	V Korjarunchit
6	R Marsh	36	G Bond
7	J and A Burkhardt	37	Dr H Chan
8	A Zuccala	38	J Doria
9	J Schillier	39	S and N Keogh
10	M Smith	40	G Johnson
11	M Adams and B Cunningham	41	M Matthews
12	J Callahan	42	D Skitt
13	B Jiwa	43	J Gwee
14	P Carter	44	Z Mai
15	D Meares	45	M Fowler
16	C and I Carthew	46	S Killmister
17	A David	47	C O'Neill
18	A Zadoyanov	48	I Weissmann
19	F and A Fiume	49	W Grace
20	P Callaghan	50	S Jones
21	M Gleeson	51	D Clayton-Chubb
22	A Coles	52	D and M Ling Goode
23	R Anderson	53	M Maasdijk
24	E Dimitropoulos	54	A Young
25	Name unknown	55	D Murray and J Edwards
26	E Tsagros	56	A and M Grant
27	D Guy	57	M D'Abaco
28	G Fleming and M Loheni	58	B Reay and A Tsoulis
29	J Vincent and H Shale	59	T Louw and C Easton
30	B Jones	60	R Hogg

No.	Submitter	No.	Submitter
61	S Hughes and K Saunders	84	S Taylor
62	A Radonic	85	J DeSilva
63	Dr A Andrasek	86	S Semmens
64	B Diep and K Chi-Ong	87	J Rizzo
65	X Zhu	88	D Di Sebastiano
66	A and A Lander	89	K McLay
67	C Dennis / South Smith Street Action Group	90	S Banker
68	C Hebard and D Anderson	91	P Viani
69	R Stratford	92	M Vitellone and others
70	C Mackay	93	J Scantlebury and K McKinna
71	K Churchill	94	A Robson
72	S Ellinghaus	95	D Larsson
73	B Davies	96	S Vivian
74	A Mayne	97	Yarra Planning Coalition
75	M Kay	98	Queens Parade Heritage Planning and Traders Group
76	Gurner	99	M Smith and J Hill
77	M Cox	100	TAL GP Projects No 1 Pty Ltd
78	H Rybak	101	V Noonan
79	L Clarke	102	J Wood
80	G Taylor	103	S Gration
81	The 3068 Group		
82	N Bemrose		
83	S-M Hwang		

Appendix D Parties to the Committee Hearing

Submitter	Represented by
Yarra City Council	Ms Sarah Poritt, Counsel instructed by Kristin Richardson of Maddocks Lawyers, who called expert evidence on: - heritage from Jim Gard'ner of GJM Heritage - traffic from Charmaine Dunstan of Traffix Group - capacity analysis from Julian Szafraniec of SGS Economics - urban design from Alastair Campbell of Hansen Partnership - planning from Sandra Rigo of Hansen Partnership
Department of Environment, Land, Water and Planning (DELWP)*	Jason Close, Manager Planning Services, Statutory Planning Services, DELWP
J and A Burkhardt	John Burkhardt
Andrew Coles	
Virginia Fazio	
Heather Shale	

*DELWP was invited by the Committee to provide a brief overview at the beginning of the Hearing regarding the background and context of the establishment of the Yarra Activity Centres Standing Advisory Committee. It did not make a submission regarding the Amendment.

Appendix E Document list

No.	Date	Description	Provided by
1	9 Feb 2022	Letter – From Committee to all submitters regarding Directions Hearing	Planning Panels Victoria (PPV)
2	"	Yarra Activity Centres Standing Advisory Committee Terms of Reference dated 10 June 2021	"
3	"	Letter – Referral of Draft Amendment C293yara from Minister for Planning to Yarra Activity Centres Standing Advisory Committee dated 6 February 2022	"
4	"	Email – From Ms Semmens to PPV advising she does not wish to appear at Hearing	Ms Semmens
5	1 Mar 2022	Letter – From Maddocks on behalf of Council to PPV confirming expert witness details	Maddocks
6	2 Mar 2022	Letter from Committee to all parties confirming Hearing arrangements including Directions, Timetable and Distribution List	PPV
7	4 Mar 2022	Day 1 version of DDO23 (as attached to the Officer Report of 21 December 2022) in track changes	Maddocks
8	"	Day 1 version of Clause 21.11 (Reference Documents) (in track-change)	"
9	"	Planning Scheme map, with area for deletion of interim DDO23 and DDO2 (as exhibited)	"
10	"	Planning Scheme map, with area for permanent DDO23 to be applied (as exhibited)	"
11	18 Mar 2022	Council Part A Submission	"
12	"	Email - From Maddocks on behalf of Council requesting extension of time for circulation of evidence statement	"
13	21 Mar 2022	Email - Committee response to extension request	PPV
14	"	Evidence Statement of Jim Gard'ner of GJM Heritage on heritage	Maddocks
15	"	Evidence Statement of Alastair Campbell of Hansen Partnership on urban design	"
16	"	Evidence Statement of Julian Szafraniec of SGS Economics on economics and capacity analysis	"
17	"	Evidence Statement of Charmaine Dunstan of Traffix Group on traffic and transport	"
18	"	Evidence Statement of Sandra Rigo of Hansen Partnership on planning	"

No.	Date	Description	Provided by
19	22 Mar 2022	Letter – from Maddocks on behalf of Council regarding access to Maddocks Digital	"
20	24 Mar 2022	Email – from Submitter 71 advising she does not wish to appear at the Hearing	Ms Churchill
21	25 Mar 2022	DELWP Background Submission	Department of Environment, Land, Water and Planning (DELWP)
22	"	Attachment 1 – Terms of Reference	"
23	"	Attachment 2 – Consent Letter	"
24	"	Attachment 3 – Referral Letter	"
25	"	Council Part B Submission	Maddocks
26	"	Attachment A - DDO23 Development Booklet - 24 March 2022	"
27	"	Attachment B - Table of constructed and approved development in DDO23 area	"
28	"	Attachment C – Yarra Open Space Strategy 2020 extracts	"
29	"	Attachment D - Public Open Space in Collingwood (map)	"
30	"	Attachment E – Yarra Planning Scheme extract – DDO27 (Swan Street Activity Centre – Precinct 3 Swan Street East)	"
31	28 Mar 2022	PowerPoint presentation by Jim Gard'ner, GJM Heritage to accompany his evidence	"
32	29 Mar 2022	Evidence Statement of Sarah Rigo Hansen Partnership- Attachment 6	"
33	30 Mar 2022	Evidence Statement of Sarah Rigo Hansen Partnership Appendix 4- Context Map- corrected	"
34	"	Evidence Statement of Sarah Rigo Hansen Partnership Appendix 5 – Building Heights Map- corrected	"
35	"	Evidence Statement of Sarah Rigo Hansen Partnership Appendix 2- Aerial image- corrected	"
36	"	Email- Advising that Mr Hughes and Ms Saunders do not wish to be heard	Mr Hughes
37	31 Mar 2022	VCAT Decision- Langridge and Cambridge v Yarra CC [2018] VCAT 703	Maddocks
38	"	VCAT Decision- Oxford Mason Pty Ltd v Yarra CC [2022] VCAT 170	"
39	"	VCAT Decision – S and Giggles Pty Ltd v Yarra CC [2019] VCAT 181	"
40	1 April 2022	Email- from Yarra CC, Preferred DDDO23 with tracked	"

No.	Date	Description	Provided by
		changes- 1 April 2022	
41	"	Council Part C Submission	"
42	"	VCAT Decision- Aitken Properties v Hobsons Bay CC [2016] VCAT 1484	"
43	"	Supreme Court Decision- SGRC v Melbourne CC and Ors [2014] VSC238	"
44	"	Speaking notes for Day 4 submission- Mr Coles	Mr Coles
45	"	Speaking notes for Day 4 submission- Ms Burkhardt	Ms Burkhardt
46	"	Speaking notes for Day 4 submission- Ms Fazio	Ms Fazio

Appendix F Committee preferred version of the Design and Development Overlay Schedule 23

Tracked Added

~~Tracked Deleted~~

The changes shown on the following Committee preferred version of DDO23:

- uses the exhibited version of DDO23 as the base document
- does not include the changes to Map 1 (map or legend) described in the report.

SCHEDULE 23 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO23**

COLLINGWOOD SOUTH (MIXED-USE) PRECINCT

1.0 Design objectives

To foster an emerging, contemporary, mixed-use form on infill sites with a prominent street-wall edge, incorporating upper level setbacks and high-quality design features that create a distinction between lower and upper levels.

To ensure that the overall scale and form of new buildings is low-rise to mid-rise and responds to the topography of the precinct, by providing a suitable transition in height as the land slopes upwards, whilst minimising amenity impacts on existing residential properties, including visual bulk, overlooking and overshadowing.

To protect the industrial, residential and institutional built heritage of the precinct through maintaining the prominence of the corner heritage buildings on Wellington Street, and respecting both individual and groups of low-scale heritage buildings through recessive upper level development and a transition in scale from taller form towards the interface with heritage buildings.

To promote and encourage pedestrian-oriented, high quality urban design outcomes through street edge activation and the protection of footpaths and public open spaces from loss of amenity through overshadowing.

To ensure that development provides for equitable development outcomes through building separation and a design response that considers the development opportunities of neighbouring properties.

2.0 Buildings and works

A permit is required to construct a building or construct or carry out works.

2.1 Definitions

Street-wall means the facade of a building at the street boundary, or, if the existing heritage building is set back from the street boundary, the front of the existing building. Street wall height is measured at the vertical distance between the footpath at the centre of the frontage and the highest point of the building at the street edge, with the exception of architectural features and building services.

Laneway means a road reserve, public highway or right of way 9 metres or less in width.

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

Parapet height does not include features such as brackets, pediments, urns, finials or other decorative elements.

Street boundary means the boundary between the public street and the private property.

Upper level means development above the height of the street wall.

Upper level setback means the minimum distance from development above the height of the street wall to the property boundary, including projections such as balconies, building services and architectural features.

Heritage building means any building subject to a Heritage Overlay, graded as either Contributory or Individually Significant (including properties on the Victorian Heritage Register).

2.2 General Requirements

The requirements below apply to an application to construct a building or construct or carry out works.

A permit cannot be granted to vary a requirement expressed with the term 'must'.

2.3 Street wall height and front setback requirements

Development must not exceed the mandatory maximum street wall heights as shown in Map 1.

Development should not exceed other street wall heights as shown in Map 1, unless all the following requirements are met, to the satisfaction of the Responsible Authority:

- the built form outcome as a result of the proposed variation satisfies the Design Objectives at Clause 1.0 of this schedule;
- the proposed street wall height provides an appropriate transition, scaling down to the interface with a heritage building; and
- the proposed street wall height does not visually overwhelm the adjoining heritage building ~~and provides for an adequate transition towards it~~.

The street wall of infill development adjoining a heritage building should not be higher than the parapet height of the adjoining heritage building to the width of the property boundary or 6m, whichever is the lesser.

Development should have no front or side street setback, unless an immediately adjoining heritage building is set back from the street, in which case infill development should match the front setback of the adjoining heritage building from the same street, excluding laneway frontages.

Development at 54 and 56 Oxford Street must match the front setback of the heritage building at 58 Oxford Street.

The street wall on corner buildings should continue the main frontage street wall height for a minimum of 8 metres to the side street, with a transition in height to match the rear or side interface as required.

Development of non-heritage buildings on street corners should provide a corner splay at minimum of 1 x 1 metre at the site's corner boundaries.

2.4 Upper level setback requirements

Upper levels above the street wall:

Heritage buildings:

- must be set back by a minimum of 6 metres ~~for heritage buildings~~;
- should be setback more than 6 metres so as to be placed behind the front two rooms and/or ~~principle~~ principal roof form, whichever is the greater, for properties at 50-52 Oxford Street, 57-63 Oxford Street, 13-15 Peel Street and 14-34 Cambridge Street, Collingwood;
- should be setback more than 6 metres so as to be placed behind the heritage fabric of 58-62 Oxford Street, Collingwood, as identified in the relevant Statement of Significance;
- should be setback in excess of the minimum upper level setback requirement where:
  - it would facilitate the retention of a roof form and/or chimneys that are visible from the public realm, or a roof or any feature that the relevant statement of significance identifies as contributing to the significance of the heritage building or streetscape;
  - it would maintain the perception of the three-dimensional form and depth of the building;
  - a lesser setback would detract from the character of the streetscape when viewed directly or obliquely along the street.

Other buildings:

- should be set back by a minimum of 6 metres for ~~other development~~ sites in Area~~s 1 and 2~~ A as shown on Map 1;
- should be set back by a minimum of 3 metres for ~~other development~~ sites in Area ~~3~~ B as shown on Map 1.

Heritage and Other buildings:

~~Upper levels should:~~

- should be visually recessive when viewed from the public realm to ensure development does not overwhelm the streetscape and minimises upper level bulk;
- should contain upper level setbacks above the street wall within a maximum of two steps (including the setback above the street wall below as one step) to avoid repetitive steps in the built form.

~~For heritage buildings, upper level setbacks in excess of the minimum upper level setback requirements should be provided where:~~

- ~~it would facilitate the retention of a roof form and/or chimneys that are visible from the public realm, or a roof or any feature that the relevant statement of significance identifies as contributing to the significance of the heritage building or streetscape;~~
- ~~it would maintain the perception of the three-dimensional form and depth of the building;~~
- ~~a lesser setback would detract from the character of the streetscape when viewed directly or obliquely along the street.~~

2.5 Building height requirements

Development on sites shown as hatched on Map 1 must not exceed the mandatory maximum building height shown on Map 1.

Development should not exceed the preferred maximum building heights shown on Map 1.

A permit should only be granted to construct a building or construct or carry out works which exceeds the preferred maximum building height shown in Map 1 where all the following requirements are met to the satisfaction of the responsible authority:

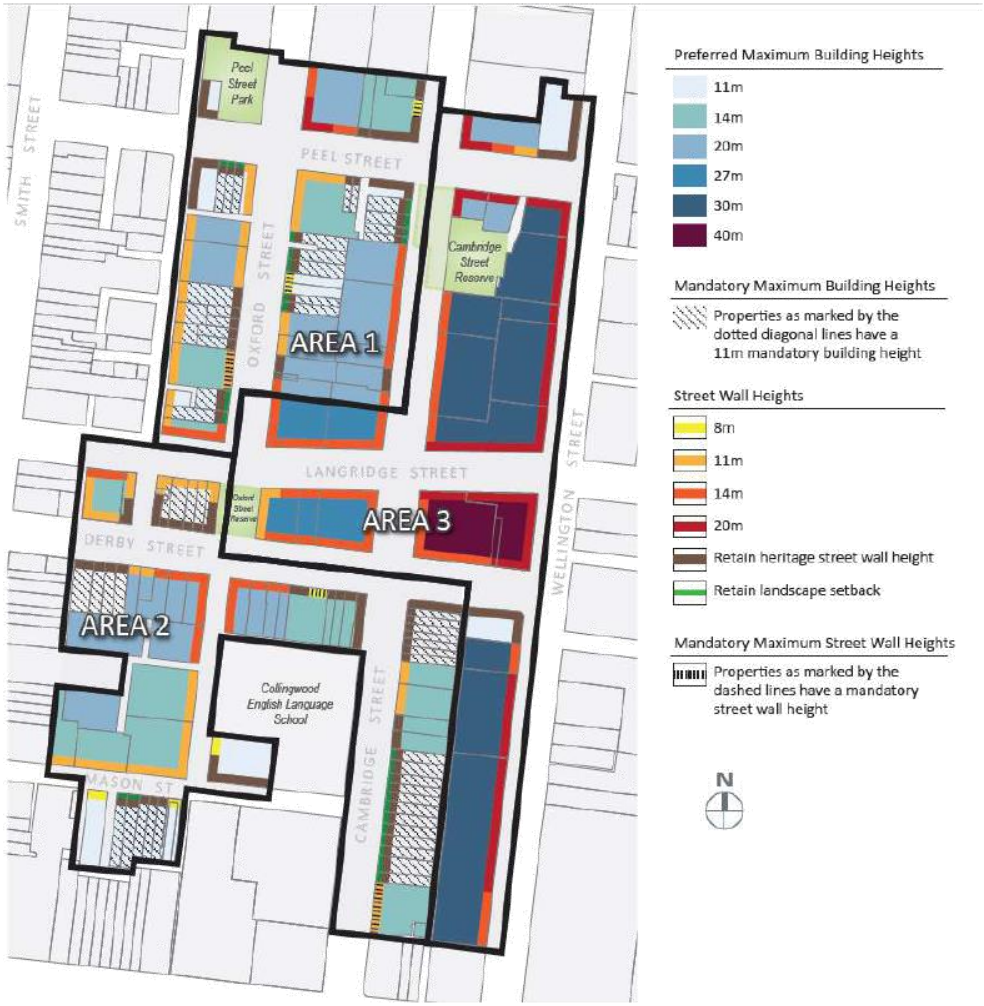
- the built form outcome as a result of the proposed variation satisfies:
  - the Design Objectives in Clause 1.0;
  - the Overshadowing and Solar Access Requirements in Clause 2.6;
- the proposal will achieve each of the following:
  - greater building separation than the minimum requirement in this schedule;
  - ~~excellence for environmental sustainable design measured as a minimum BESS project score of 70%.~~
  - no additional overshadowing impacts to residentially zoned properties, beyond that which would be generated by a proposal that complies with the preferred building height;
  - ~~provision of end-of-trip facilities, including secure bicycle parking, locker and shower facilities and change rooms in excess of the requirements of Clause 52.34.~~
- ~~where the proposal includes dwellings, it also achieves each of the following:~~
  - ~~housing for diverse households types, including people with disability, older persons, and families, through the inclusion of varying dwelling sizes and configurations;~~
  - ~~accessibility provision objective that exceeds the minimum standards in Clauses 55.07 and/or 58m as relevant; and~~
  - ~~communal and/or private open space provision that exceeds the minimum standards in Clauses 55.07 and/or 58, as relevant.~~

Architectural features (except service equipment or structures) may exceed the mandatory or preferred maximum building height.

Service equipment and/or structures including balustrades, unenclosed pergolas for communal areas, roof terraces, shading devices, plant rooms, lift overruns, stair wells, structures associated with pedestrian access, green roof areas and other such equipment may exceed the mandatory or preferred maximum height provided that:

- the equipment/structures do not cause additional overshadowing of secluded private open space to residential land, opposite footpaths, kerb outstands or planting areas in the public realm; and
- the equipment/structures are no higher than 2.6 metres above the proposed building height; and
- the equipment/structures occupy less than 50 per cent of the roof area (solar panels and green roof excepted).

Map 1: Building and Street Wall Heights



2.6 Overshadowing and solar access requirements

Development should meet the objective of Clause 55.04-5 Overshadowing for adjoining land within a residential zone, including where separated by a laneway.

Development must not overshadow any part of the southern side footpath from property boundary to kerb of Peel, Langridge and Derby Streets between 10am and 2pm on 22 September.

For streets that extend in a north-south direction (except for Little Oxford Street), development must not overshadow any part of the opposite side footpath from property boundary to kerb between 10am and 2pm on 22 September.

Development along Little Oxford Street should not overshadow parts of building that are above the ground floor between 10am and 2pm on 22 September.

Development should ~~be designed to minimise~~ not increase the amount of overshadowing as caused by existing conditions, measured between 10am and 2pm on 22 September ~~of~~ for the following areas of open space and/or public realm ~~between 10am and 2pm on 22 September, to the satisfaction of the Responsible Authority~~:

- Cambridge Street Reserve (incl. any future extension of the reserve);
- Oxford Street Reserve;
- The outdoor space of the Collingwood English Language School;
- Any kerb outstands, seating or planting areas on the opposite side of the street, as applicable.

2.7 Building separation, amenity and equitable development requirements

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

Where development shares a common boundary within the overlay and/or adjoins a Commercial 1 Zone and/or Mixed Use Zone outside of the overlay, upper level development ~~must~~ should:

- for buildings up to 27 metres, be setback a minimum of 4.5 metres from the common boundary, where a habitable window or balcony facing the common boundary is proposed on the subject site and/or exists on the adjoining property; and
- for buildings up to 27 metres, be setback a minimum of 3.0 metres from the common boundary where a commercial or non-habitable window facing the common boundary is proposed on the subject site and/or exists on the adjoining property; and
- where buildings exceed 27 metres in height, the development above 27 metres be set back a minimum of 6 metres from the common boundary, whether or not windows are proposed on the subject site.

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

Where development consists of multiple buildings and/or separate upper levels, upper level development should:

- be set back a minimum of 9 metres from each other, where a habitable window or balcony is proposed; and
- be set back a minimum of 6 metres from each other where a commercial or non-habitable window is proposed.

2.8 Other design requirements

Development at the rear of the properties at 10 - 22 Derby Street must be designed to address Langridge Street.

The rear interface of a development abutting a laneway should not exceed a preferred height of 11 metres.

Development should provide for landscaping that provides a positive contribution to the public realm, such as canopy trees where possible, green walls or planter boxes.

Development should achieve good urban design outcomes and architectural excellence by including, but not being limited to:

- achieving active, fine grain design to create a pedestrian-oriented environment and passive surveillance towards the public realm;
- creating ~~a suitable~~ an appropriate ratio of solid and void elements that resemble the industrial past of the area;
- creating visual interest through the arrangement of fenestration, balconies and the application of architectural features ~~such as~~ including external shading devices, windowsills;
- maintaining an appropriate level of design simplicity by avoiding overly busy façades that rely on a multitude of materials and colours;
- avoiding large expanses of glazing with a horizontal emphasis;
- not competing with the more elaborate detailing of the heritage building(s) on the subject site or ~~an adjoining site~~ adjoining land;
- avoiding highly reflective glazing in openings of heritage buildings;
- maintaining existing openings and the inter-floor height of a heritage building and avoid new floor plates and walls cutting through historic openings;
- encouraging the retention of solid built form behind retained heritage façades and avoid balconies behind ~~existing~~ openings so as to avoid facadism; and
- ensuring projections such as balconies, building services, architectural features (other than shading devices, mouldings etc.) do not intrude into a setback and ~~not dominate the façade~~ do not visually dominate the facade.

Lower levels of development should:

- be designed to accommodate commercial activity at the ground floor, incorporating a suitable commercial floor height of 4 metres floor to floor height;
- incorporate adaptable building structures, layouts and non-residential unit sizes so as to allow for a variety of uses over time;
- avoid floor to ceiling glass with limited entries for large expanses of the ground floor;
- allow unobstructed views through openings into the ground floor of buildings;

- include fine grain design that engages the pedestrian and provides detail, articulation, depth, materiality and rhythm that contributes to a high-quality street interface and where appropriate integrates seating perches into street facades;
- on sites abutting narrow footpaths of less than 1.8 metres, provide for front setbacks and/or generous, recessed building entrances to provide space for pedestrian circulation and include space for landscaping, outdoor trading, seating and/or visitor bicycle parking;
- locate building service entries/access doors and cabinets away from the primary street frontage, or where not possible, they should be sensitively designed to integrate into the façade of the building and complement the street frontage and character;
- respond to the topography of the east-west oriented streets through transition and "stepping" of the ground floor to appropriately address the street.

The design of upper levels of development should:

- be well-designed and articulated and where appropriate utilize design techniques such as architectural rebates of sufficient depth and / or a range of parapet heights to break up the building mass across ~~sites with a~~ wide frontages;
- distinguish between the lower and upper levels through materials and articulation, with visually lightweight materials and colours applied above the street wall;
- be designed so that side walls are articulated and read as part of the overall building design and not detract from the streetscape when viewed from direct and oblique views along the streetscape.

Development should avoid blank walls visible to the public realm, including on side street frontages.

Side walls in a mid-block location which are visible permanently or temporarily from adjoining residential sites and/or the public realm should be designed to provide visual interest to passing pedestrians through colour, texture, materials and/or finishes.

Projections such as building services and architectural features (other than shading devices, mouldings etc.), balconies and balustrades should not protrude into a street wall and upper level setback, as applicable.

Development interfacing with areas of public open space should:

- provide a suitable transition in scale to the interface with the public open space;
- ensure that development does not visually dominate the public open space;
- provide passive surveillance from lower and upper levels of the building.

2.9 Access, parking and loading bay requirements

Pedestrian access to buildings should be achieved via streets and avoid primary access from laneways. Where pedestrian access from a laneway is appropriate, it should include a pedestrian refuge or landing.

Ensure pedestrian entrances are clearly visible, secure, ~~be~~ well lit and have an identifiable sense of address.

Residential and commercial pedestrian entrances should be distinguishable from each other.

The common pedestrian areas of new buildings should be designed with legible and convenient access, with hallway and lobby areas of a size that reflects the quantity of apartments serviced and which can be naturally lit and ventilated.

Resident and staff bicycle parking should be located and designed to be secure and conveniently accessible from the street and associated uses.

Vehicle access should be achieved from laneways or side streets (in that order of preference). Vehicle access from Wellington Street and Langridge Street should be avoided.

At the intersection of laneways and footpaths, development to non-heritage buildings should provide a minimum 1 x 1 metre splay to ensure pedestrian safety.

Car parking should be located within a basement or concealed from the public realm.

Avoid separate entries for car parking entries and loading bays.

Vehicle ingress and egress into development, including loading facilities and building servicing, should be designed to ensure a high standard of pedestrian amenity and limit potential conflict between vehicle movements and pedestrian activity and avoid adversely impacting the continuity of the public realm.

Vehicle ingress/egress points should be spaced apart from other existing and/or proposed ingress/egress points to avoid wide crossover points.

Development with redundant vehicle access points should reinstate the kerb, line-marked parking bays, and relocate any parking signs.

~~Development with laneway access may require a ground level set back in order to achieve practicable vehicle access. Between ground level and first floor, a headroom clearance of 3.5 metres minimum should be achieved.~~

Where a ground level setback is provided to achieve practicable vehicle access to a laneway, a minimum headroom clearance of 3.6 metres should be provided to any overhang of the first floor.

Properties on the inside corner of bends in laneways or at intersections between two laneways should provide a minimum 3 metre x 3 metre splay to facilitate vehicle access.

3.0 Subdivision

None specified.

4.0 ~~Advertising~~ Signs

None specified.

5.0 Application requirements

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and should accompany an application, as appropriate, to the satisfaction of the responsible authority:

- a site analysis and urban design context report which demonstrates how the proposal achieves the Design Objectives and requirements of this schedule;
- a desktop wind effects assessment for the proposed development to assess the impact of wind on:
  - the safety and comfort of the pedestrian environment on footpaths and other public spaces while walking, sitting and standing; and
  - the safety and effects on cyclists travelling along bicycle routes that are ~~next to~~ adjacent to the development.
- a Traffic Engineering Report prepared by a suitably qualified traffic engineer that demonstrates how the development:
  - minimises impacts on the level of service, safety and amenity of the arterial road network (including tram services);
  - reduces car dependence and promotes sustainable transport modes; and
  - which includes an assessment of the impacts of traffic and parking in the Precinct including an assessment of the ongoing functionality of laneway/s, where applicable.

6.0 Decision Guidelines

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

- whether the requirements in Clauses 2.2-2.9 are met;
- Whether the proposal provides a high-quality public realm interface that either activates the street edge or provides an engaging and well-designed street interface, and contributes positively to the pedestrian environment and other areas of the public realm;
- whether development retains the prominence of the heritage street wall in the vistas along the main street frontage within the precinct;
- whether heritage buildings on street corners retain their prominence when viewed from the opposite side of the primary and secondary street;
- whether heritage buildings retain their three-dimensional form as viewed from the public realm;
- whether upper level development above the heritage street wall is visually recessive and does not visually overwhelm the heritage buildings;
- whether a strong sense of separation between upper levels and street walls is achieved when viewed from the opposite side of the street;

- whether the proposal responds to the presence of heritage buildings either on, or in close proximity to the site through a suitable transition in scale of street-wall, upper level setbacks and building height;
- whether the development delivers design excellence, including but not limited to building siting, scale, massing, articulation and materials;
- how the proposal responds in terms of scale and transition to the sloping topography of the area;
- whether proposed roof decks are set back from lower levels and are recessive in appearance;
- whether upper side and rear setbacks are sufficient to limit the impact on the amenity of existing dwellings;
- does the design respond to the interface with existing low-scale residential properties, including ~~the~~ avoiding additional overshadowing of secluded private open space;
- ~~W~~whether proposed buildings and works will avoid overshadowing of footpaths and public open spaces;
- ~~W~~whether the proposal has considered the equitable development opportunities ~~rights~~ of neighbouring properties in terms of achieving good internal amenity for future proposals through building separation and design;
- whether the ~~development~~ proposed built form mitigates negative wind effects created by the development;
- the impact of development on traffic and parking in the nearby area, including on the functionality of laneways; and
- whether the layout and appearance of areas set aside for vehicular access, loading and unloading and the location of any proposed car parking is practicable, safe and supports a pedestrian-oriented design outcome.

Panel Recommendations and summary of officer response

Panel recommendation	Officer response
1. Amend Design and Development Overlay Schedule 23, as shown in Appendix F, to: **a) replace the word 'must' with the word 'should' in the second paragraph of the 'Building separation, amenity and equitable development requirements'**	**Officer recommendation:** **Accept** In response to evidence from Council's urban design and planning witnesses and submitters, the Committee supported a change to Clause 2.7 (building separation, amenity and equitable development requirements) from mandatory (as exhibited) to discretionary requirements. The Committee considered there is no strategic justification for mandatory controls to this clause, and they may have unintended consequences for developing narrow lots. Council officers supported this change in its Part C version of DDO23. Refer to the Report and Attachment 3 for the officer response to the changes made in Appendix F of the Committee Report. *See change no. 34 in Attachment 3.*
b) to clarify the application of mandatory and preferred maximum street wall heights and mandatory and preferred maximum building heights.	**Officer recommendation:** **Accept** This proposed change was included in the Preferred version of the amendment considered by Council in December 2021 and referred to the Committee. Proposed changes were made to the legend in Map 1 and in Clause 2.5 to clarify the intent of the provisions. Refer to the Report and Attachment 3 for the officer response to the changes made in Appendix F of the Committee Report. *See changes no. 3, 18 - 20 in Attachment 3.*
c) delete after the words "*the proposal will achieve each* of *the following*:": • ***"excellence for environmentally sustainable design measured as a minimum BESS project score of 70%"*** • ***"provision of end-of-trip facilities, including secure bicycle parking, locker and shower facilities and change***	**Officer recommendation:** **Partially accept** Officers do not support the deletion of the criteria for BESS. The requirement is required in DDO23 to help mitigate the environmental impact of intensified development. It aligns with Council's strategic objectives in the Council Plan and Amendment C269yara in terms of environmental outcomes. Officers

Attachment 2 - Attachment 2 - C293yara Panel recommendations and officer response table

Panel recommendation	Officer response
rooms in excess of the requirements of Clause 52.34"	consider there is strong correlation between the BESS requirement and built form. Officers support the deletion of the requirement in relation to end of trip facilities. Refer to the Report and Attachment 3 for the officer response to the changes made in Appendix F of the Committee Report. *See change no. 21-22 in Attachment 3.*
d) **delete the words "*where a proposal includes* dwellings*, it also achieves each of the following:*** • ***housing for diverse households types, including people with disability, older persons, and families, through the inclusion of varying dwelling sizes and configurations*** • ***accessibility provision objective that exceeds the minimum standards in Clauses 55.07 and/or 58 as relevant*** • ***communal and/or private open space provision that exceeds the minimum standards in Clauses 55.07 and/or 58, as relevant."***	**Officer recommendation:** **Partially accept** Officers do not support the deletion of the private and communal open space criterion. The requirement is required in DDO23 to help mitigate the increased demand for open space, increased dwelling sizes, and amenity impacts of intensified development. It aligns with Council's strategic objectives in the Council Plan and Amendment C269yara in terms of creating high standards of amenity on-site. Officers consider there is strong correlation between the private /communal open space requirement and built form. Officers support the deletion of the criteria in relation to diverse housing types and accessibility. Refer to the Report and Attachment 3 for the detailed officer response to the changes made in Appendix F of the Committee Report. *See change no. 23 in Attachment 3.*
e) to refer to 'low-rise to mid-rise' in the second design objective	**Officer recommendation:** **Accept** This wording was supported by officers and included in the officer Part C version of the DDO submitted at the end of the hearing. It is a minor change adding the word 'rise' after 'low'. Refer to the Report and Attachment 3 for the detailed officer response to the changes made in Appendix F of the Committee Report. *See change no. 1 in Attachment 3.*
f) to change Map 1 to show the preferred maximum street wall height for the land abutting the east side of the Oxford Street	**Officer recommendation:** **Accept** In response to submissions, Council undertook further shadow testing to determine the

Panel recommendation	Officer response
Reserve with a street wall height of 11 metres	potential impact upon the Oxford Street Reserve. At its meeting on 21 December 2021, Council proposed to reduce the *preferred* street wall height from 14 metres to 11 metres. The reduction in street wall height was included in Council's preferred version of DDO23. Refer to the Report and Attachment 3 for the detailed officer response to the changes made in Appendix F of the Committee Report. *See change no. 27 in Attachment 3.*
g) to show on Map 1: • **Area 1 and Area 2 combined to form Area A** • **Area 3 renamed Area B.**	**Officer recommendation:** **Accept** The issue was identified at the hearing. Officers support the change as there is little distinction between Area 1 and 2. Refer to the Report and Attachment 3 for the detailed officer response to the changes made in Appendix F of the Committee Report. *See changes no. 13, 15 & 25-26 in Attachment 3.*
h) to clearly distinguish the upper level setback requirements applying to heritage and non-heritage buildings and to improve the clarity and intent of the provisions	**Officer recommendation:** **Accept** The issue was identified at the hearing. Changes were proposed to Clause 2.4 by officers in the Part C version. The clause has been restructured to divide the requirements into those applying to heritage and non-heritage buildings. Officers support the change. Refer to the Report and Attachment 3 for the officer response to the changes made in Appendix F of the Committee Report. *See changes no. 6 - 12, 14 & 16 - 17 in Attachment 3.*
i) modify 'Building height requirements' to state: • ***"Architectural features (except service equipment or structures) may exceed the mandatory or preferred maximum building height."*** • ***"Service equipment and/or structures ... may exceed the mandatory or***	**Officer recommendation:** **Accept** The issue was identified at the hearing. Officers support the change as it clarifies the intent of the requirement and that the exemption applies to mandatory and preferred building heights. Refer to the Report and Attachment 3 for the officer response to the changes made in Appendix F of the Committee Report.

Attachment 2 - Attachment 2 - C293yara Panel recommendations and officer response table

Panel recommendation	Officer response
preferred maximum building height provided that: …"	*See change no. 24 in Attachment 3.*
j) to state "*Development should not increase the amount of overshadowing as caused by existing conditions measured between 10am and 2pm on 22 September for the following areas of open space and/or public realm: …"*	**Officer recommendation:** **Accept** This proposed change was included in the Preferred version of the amendment considered by Council in response to submissions in December 2021 and referred to the Committee. Proposed changes were made to Clause 2.6 to remove the reference to satisfaction of the Responsible Authority and clarify the intent of the provisions. Refer to the Report and Attachment 3 for the detailed officer response to the changes made in Appendix F of the Committee Report. *See change no. 33 in Attachment 3.*
k) to include an additional dot point that requires lower levels of development should ***"incorporate adaptable building structures, layouts and non-residential unit sizes so as to allow for a variety of uses over time"***	**Officer recommendation:** **Accept** This proposed change was included in the Preferred version of the amendment considered by Council in response to submissions in December 2021 and referred to the Committee. Proposed changes were made to Clause 2.8 to promote adaptable building layouts. Refer to the Report and Attachment 3 for the detailed officer response to the changes made in Appendix F of the Committee Report. *See change no. 42 in Attachment 3.*
l) to include an additional requirement that "*Development should provide for landscaping that provides a positive contribution to the public realm such as canopy trees where possible, green walls or planter boxes*"	**Officer recommendation:** **Accept** This proposed change was included in the Preferred version of the amendment considered by Council in response to submissions in December 2021 and referred to the Committee. Proposed changes were made to Clause 2.8 to ensure landscaping is integrated into the building design and provides for a softening of the building edge towards the public realm. Refer to the Report and Attachment 3 for the detailed officer response to the changes made in Appendix F of the Committee Report.

Attachment 2 - Attachment 2 - C293yara Panel recommendations and officer response table

Panel recommendation	Officer response
	See change no. 36 in Attachment 3.
m) to include a range of minor drafting changes to improve the clarity and intent of the 'Other design requirements'	**Officer recommendation:** **Accept** Officers accept the Committee's drafting recommendations in 'Other design requirements' outlined in Appendix F and have made the proposed changes to the DDO text to aid in readability and clarity. Refer to the Report and Attachment 3 for the detailed officer response to the changes made in Appendix F of the Committee Report. *See changes no. 37-41 & 43-45 in Attachment 3.*
n) to modify the second last requirement to state "*Where a ground level setback is provided to achieve practicable vehicle access to a laneway, a minimum headroom clearance of 3.6 metres should be provided to any overhang of the first floor*"	**Officer recommendation:** **Accept** Officers accept the Committee's proposed wording. The wording was proposed by Council's traffic expert and included in the officer Part C version of the DDO submitted at the end of the hearing. Refer to the Report and Attachment 3 for the detailed officer response to the changes made in Appendix F of the Committee Report. *See change no. 46 in Attachment 3.*
o) include a range of drafting changes to improve the clarity and intent of some requirements.	**Officer recommendation:** **Accept** Officers accept the Committee's drafting recommendations in Appendix F and have made the proposed changes to the DDO text to aid in readability and clarity. Refer to the Report and Attachment 3 for the detailed officer response to the changes made in Appendix F of the Committee Report. *See changes no. 2, 4, 5, 35, 47 – 52 in Attachment 3.*
p) show in Map 1: • **greater differentiation between colours and consideration of other cartographic tools to improve the map's legibility** • **reference to 'Preferred maximum building heights', 'Mandatory maximum building heights' and**	**Officer recommendation:** **Accept** Officers accept the Committee's recommendations and have made the proposed changes to Map 1 to aid in readability and clarity.

Attachment 2 - Attachment 2 - C293yara Panel recommendations and officer response table

Panel recommendation	Officer response
'Mandatory maximum street wall heights' in the legend headings and text • **the name 'Little Oxford Street' on the map** • **'Public Open Space' on the legend** • **the extension of the Cambridge Street Reserve in a different colour green to 'Public Open Space' and adding 'Potential future open space under investigation' to the legend.**	Refer to the Report and Attachment 3 for the detailed officer response to the changes made in Appendix F of the Committee Report. *See changes no. 28-32 in Attachment 3.*
13. Following the implementation of the Planning Policy Framework translation process, the following documents should be included in the Schedule to Clause 72.08 (Background documents): • ***Brunswick Street and Smith Street Built Form Review: Collingwood Built Form Framework*, 2018** • ***Collingwood Mixed Use Pocket Heritage Analysis and Recommendations*, 2018** • ***Supplementary Heritage Report: Collingwood South (Mixed Use) Precinct*, 2021.**	**Officer recommendation:** **Accept** Officers accept the Panel's recommendation and following the implementation of the Planning Policy Framework will request the insertion of the background documents into Clause 72.08. Refer to the Report and Attachment 3 for the detailed officer response to the changes made in Appendix F of the Committee Report.

Attachment 3 - Attachment 3 - C293yara Marked-up preferred version DDO23

SCHEDULE 23 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO23**

COLLINGWOOD SOUTH (MIXED-USE) PRECINCT

1.0 Design objectives

To foster an emerging, contemporary, mixed-use form on infill sites with a prominent street-wall edge, incorporating upper level setbacks and high-quality design features that create a distinction between lower and upper levels.

To ensure that the overall scale and form of new buildings is low-rise to mid-rise and responds to the topography of the precinct, by providing a suitable transition in height as the land slopes upwards, whilst minimising amenity impacts on existing residential properties, including visual bulk, overlooking and overshadowing.

Commented [YCC]: Panel Recommendation 1e:
From Appendix F; Committee preferred version of the Design and Development Overlay Schedule 23.
Change No. 1. Insert "-rise".
Change supported by Council Officers.

To protect the industrial, residential and institutional built heritage of the precinct through maintaining the prominence of the corner heritage buildings on Wellington Street, and respecting both individual and groups of low-scale heritage buildings through recessive upper level development and a transition in scale from taller form towards the interface with heritage buildings.

To promote and encourage pedestrian-oriented, high quality urban design outcomes through street edge activation and the protection of footpaths and public open spaces from loss of amenity through overshadowing.

To ensure that development provides for equitable development outcomes through building separation and a design response that considers the development opportunities of neighbouring properties.

2.0 Buildings and works

A permit is required to construct a building or construct or carry out works.

2.1 Definitions

Street-wall means the facade of a building at the street boundary, or, if the existing heritage building is set back from the street boundary, the front of the existing building. Street wall height is measured at the vertical distance between the footpath at the centre of the frontage and the highest point of the building at the street edge, with the exception of architectural features and building services.

Laneway means a road reserve, public highway or right of way 9 metres or less in width.

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

Parapet height does not include features such as brackets, pediments, urns, finials or other decorative elements.

Street boundary means the boundary between the public street and the private property.

Upper level means development above the height of the street wall.

Upper level setback means the minimum distance from development above the height of the street wall to the property boundary, including projections such as balconies, building services and architectural features.

Heritage building means any building subject to a Heritage Overlay, graded as either Contributory or Individually Significant (including properties on the Victorian Heritage Register).

2.2 General Requirements

The requirements below apply to an application to construct a building or construct or carry out works.

A permit cannot be granted to vary a requirement expressed with the term 'must'.

2.3 Street wall height and front setback requirements

Development must not exceed the mandatory maximum street wall heights as shown in Map 1.

Development should not exceed other street wall heights as shown in Map 1, unless all the following requirements are met, to the satisfaction of the Responsible Authority:

- the built form outcome as a result of the proposed variation satisfies the Design Objectives at Clause 1.0 of this schedule;
- the proposed street wall height provides an appropriate transition, scaling down to the interface with a heritage building; and
- the proposed street wall height does not visually overwhelm the adjoining heritage building ~~and provides for an adequate transition towards it.~~

The street wall of infill development adjoining a heritage building should not be higher than the parapet height of the adjoining heritage building to the width of the property boundary or 6m, whichever is the lesser.

Development should have no front or side street setback, unless an immediately adjoining heritage building is set back from the street, in which case infill development should match the front setback of the adjoining heritage building from the same street, excluding laneway frontages.

Development at 54 and 56 Oxford Street must match the front setback of the heritage building at 58 Oxford Street.

The street wall on corner buildings should continue the main frontage street wall height for a minimum of 8 metres to the side street, with a transition in height to match the rear or side interface as required.

Development of non-heritage buildings on street corners should provide a corner splay at minimum of 1 x 1 metre at the site's corner boundaries.

Commented [YCC]: Panel Recommendation 1o:
From Appendix F; Committee preferred version of the Design and Development Overlay Schedule 23.
Change No. 2. Insert upper level definition.
Change supported by Council Officers.

Commented [YCC]: Panel Recommendation 1b:
From Appendix F; Committee preferred version of the Design and Development Overlay Schedule 23.
Change No. 3. Insert "mandatory maximum".
Change supported by Council Officers.

Commented [YCC]: Panel Recommendation 1o:
From Appendix F; Committee preferred version of the Design and Development Overlay Schedule 23.
Change No. 4. Insert "an appropriate".
Change supported by Council Officers.

Commented [YCC]: Panel Recommendation 1o:
From Appendix F; Committee preferred version of the Design and Development Overlay Schedule 23.
Change No. 5. Insert "visually" and delete last section of this requirement.
Change supported by Council Officers.

Attachment 3 - Attachment 3 - C293yara Marked-up preferred version DDO23

2.4 Upper level setback requirements

Upper levels above the street wall:

Heritage Buildings:

- must be set back by a minimum of 6 metres ~~for heritage buildings;~~
- should be setback more than 6 metres so as to be placed behind the front two rooms and/or ~~principle~~ principal roof form, whichever is the greater, for properties at 50-52 Oxford Street, 57-63 Oxford Street, 13-15 Peel Street and 14-34 Cambridge Street, Collingwood;
- should be setback more than 6 metres so as to be placed behind the heritage fabric of 58-62 Oxford Street, Collingwood, as identified in the relevant Statement of Significance;
- should be setback in excess of the minimum upper level setback requirements where:
  - it would facilitate the retention of a roof form and/or chimneys that are visible from the public realm, or a roof or any feature that the relevant statement of significance identifies as contributing to the significance of the heritage building or streetscape.
  - it would maintain the perception of the three-dimensional form and depth of the building;
  - a lesser setback would detract from the character of the streetscape when viewed directly or obliquely along the street.

Commented [YCC]: Panel Recommendation 1h:
From Appendix F; Committee preferred version of the Design and Development Overlay Schedule 23. Change No. 6. Upper level setback requirements separated into 'heritage buildings' and 'other buildings'.
Change supported by Council Officers.

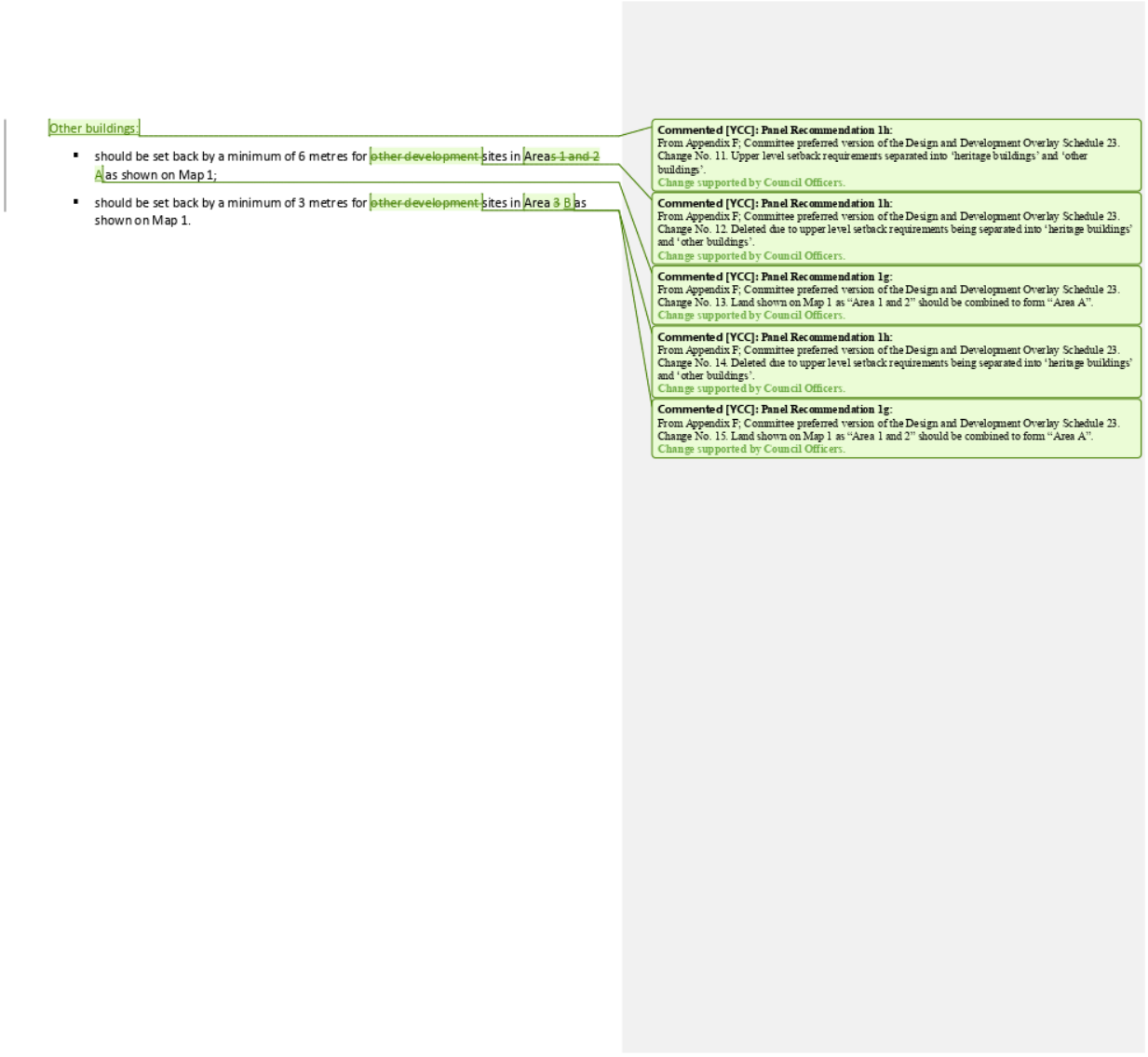
Commented [YCC]: Panel Recommendation 1h:
From Appendix F; Committee preferred version of the Design and Development Overlay Schedule 23. Change No. 7. Setback distance specified.
Change supported by Council Officers.

Commented [YCC]: Panel Recommendation 1h:
From Appendix F; Committee preferred version of the Design and Development Overlay Schedule 23. Change No. 8. Spelling correction.
Change supported by Council Officers.

Commented [YCC]: Panel Recommendation 1h:
From Appendix F; Committee preferred version of the Design and Development Overlay Schedule 23. Change No. 9. Setback distance specified.
Change supported by Council Officers.

Commented [YCC]: Panel Recommendation 1h:
From Appendix F; Committee preferred version of the Design and Development Overlay Schedule 23. Change No. 10. Requirements moved to sit under heritage buildings sub-heading.
Change supported by Council Officers.

Attachment 3 - Attachment 3 - C293yara Marked-up preferred version DDO23



Attachment 3 - Attachment 3 - C293yara Marked-up preferred version DDO23

Heritage and Other buildings:

~~Upper levels should:~~

- should be visually recessive when viewed from the public realm to ensure development does not overwhelm the streetscape and minimises upper level bulk;
- should contain upper level setbacks above the street wall within a maximum of two steps (including the setback above the street wall below as one step) to avoid repetitive steps in the built form.

~~For heritage buildings, upper level setbacks in excess of the minimum upper level setback requirements should be provided where:~~

- ~~it would facilitate the retention of a roof form and/or chimneys that are visible from the public realm, or a roof or any feature that the relevant statement of significance identifies as contributing to the significance of the heritage building or streetscape;~~
- ~~it would maintain the perception of the three-dimensional form and depth of the building;~~
- ~~a lesser setback would detract from the character of the streetscape when viewed directly or obliquely along the street.~~

Commented [YCC]: Panel Recommendation 1h:
From Appendix F; Committee preferred version of the Design and Development Overlay Schedule 23. Change No. 16. Sub-heading changed.
Change supported by Council Officers.

Commented [YCC]: Panel Recommendation 1h:
From Appendix F; Committee preferred version of the Design and Development Overlay Schedule 23. Change No. 17. Requirements amended to be grammatically correct.
Change supported by Council Officers.

Commented [YCC]: Panel Recommendation 1h:
From Appendix F; Committee preferred version of the Design and Development Overlay Schedule 23. Change No. 10. Requirements moved to sit under heritage buildings sub-heading.
Change supported by Council Officers.

Attachment 3 - Attachment 3 - C293yara Marked-up preferred version DDO23

2.5 Building height requirements

Development on sites shown as hatched on Map 1 must not exceed the mandatory maximum building height shown on Map 1.

Development should not exceed the preferred maximum building heights shown on Map 1.

A permit should only be granted to construct a building or construct or carry out works which exceeds the preferred maximum building height shown in Map 1 where all the following requirements are met to the satisfaction of the responsible authority:

- the built form outcome as a result of the proposed variation satisfies:
  - the Design Objectives in Clause 1.0;
  - the Overshadowing and Solar Access Requirements in Clause 2.6;
- the proposal will achieve each of the following:
  - greater building separation than the minimum requirement in this schedule;
  - excellence for environmental sustainable design measured as a minimum BESS project score of 70%.
  - no additional overshadowing impacts to residentially zoned properties, beyond that which would be generated by a proposal that complies with the preferred building height;
  - ~~provision of end-of-trip facilities, including secure bicycle parking, locker and shower facilities and change rooms in excess of the requirements of Clause 52.34.~~
- where the proposal includes dwellings, it also achieves each of the following:
  - ~~housing for diverse households types, including people with disability, older persons, and families, through the inclusion of varying dwelling sizes and configurations;~~
  - ~~accessibility provision objective that exceeds the minimum standards in Clauses 55.07 and/or 58m as relevant; and~~
  - communal and/or private open space provision that exceeds the minimum standards in Clauses 55.07 and/or 58, as relevant.

Architectural features (except service equipment or structures) may exceed the mandatory or preferred maximum building height.

Service equipment and/or structures including balustrades, unenclosed pergolas for communal areas, roof terraces, shading devices, plant rooms, lift overruns, stair wells, structures associated with pedestrian access, green roof areas and other such equipment may exceed the mandatory or preferred maximum height provided that:

- the equipment/structures do not cause additional overshadowing of secluded private open space to residential land, opposite footpaths, kerb outstands or planting areas in the public realm; and
- the equipment/structures are no higher than 2.6 metres above the proposed building height; and

Commented [YCC]: Panel Recommendation 1b:
From Appendix F; Committee preferred version of the Design and Development Overlay Schedule 23. Change No. 18. Added for clarity.
Change supported by Council Officers.

Commented [YCC]: Panel Recommendation 1b:
From Appendix F; Committee preferred version of the Design and Development Overlay Schedule 23. Change No. 19. Added for clarity.
Change supported by Council Officers.

Commented [YCC]: Panel Recommendation 1b:
From Appendix F; Committee preferred version of the Design and Development Overlay Schedule 23. Change No. 20. Added for clarity.
Change supported by Council Officers.

Commented [YCC]: Panel Recommendation 1c:
From Appendix F; Committee preferred version of the Design and Development Overlay Schedule 23. Change No. 21. Deleted BESS requirements.
Change not supported by Council officers.

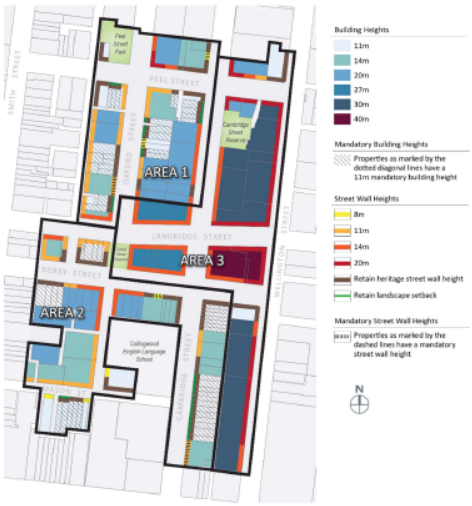
Commented [YCC]: Panel Recommendation 1c:
From Appendix F; Committee preferred version of the Design and Development Overlay Schedule 23. Change No. 22. Deleted requirements.
Change supported by Council Officers.

Commented [YCC]: Panel Recommendation 1d:
From Appendix F; Committee preferred version of the Design and Development Overlay Schedule 23. Change No. 23. Deleted requirements.
Change not supported by Council officers.

Commented [YCC]: Panel Recommendation 1i:
From Appendix F; Committee preferred version of the Design and Development Overlay Schedule 23. Change No. 24. Inserted for clarity.
Change supported by Council Officers.

- the equipment/structures occupy less than 50 per cent of the roof area (solar panels and green roof excepted).

Map 1: Building and Street Wall Heights



2.6 Overshadowing and solar access requirements

Development should meet the objective of Clause 55.04-5 Overshadowing for adjoining land within a residential zone, including where separated by a laneway.

Development must not overshadow any part of the southern side footpath from property boundary to kerb of Peel, Langridge and Derby Streets between 10am and 2pm on 22 September.

For streets that extend in a north-south direction (except for Little Oxford Street), development must not overshadow any part of the opposite side footpath from property boundary to kerb between 10am and 2pm on 22 September.

Development along Little Oxford Street should not overshadow parts of building that are above the ground floor between 10am and 2pm on 22 September.

Development should ~~be designed to minimise~~ not increase the amount of overshadowing as caused by existing conditions, measured between 10am and 2pm on 22 September ~~of~~ for the following areas of open space and/or public realm ~~between 10am and 2pm on 22 September, to the satisfaction of the Responsible Authority~~:

- Cambridge Street Reserve (incl. any future extension of the reserve);

Commented [YCC]: Panel Recommendations 1f, 1g & 1p:
Changes to map recommended by Panel Report (not shown on map):
- The land shown on Map 1 as Area 1 and Area 2 should be combined to form 'Area A' (Change No. 25).

The land shown on Map 1 as Area 3 should be renamed 'Area B' (Change No. 26).
- to change Map 1 to show the preferred maximum street wall height for the land abutting the east side of the Oxford Street Reserve with a street wall height of 11 metres (Change No. 27).
- greater differentiation between colours and consideration of other cartographic tools to improve the map's legibility (Change No. 28).
- reference to 'Preferred maximum building heights', 'Mandatory maximum building heights' and 'Mandatory maximum street wall heights' in the legend headings and text (Change No. 29).
- the name 'Little Oxford Street' on the map (Change No. 30).
- 'Public Open Space' on the legend (Change No. 31).
- the extension of the Cambridge Street Reserve in a different colour green to 'Public Open Space' and adding 'Potential future open space under investigation' to the legend (Change No. 32).

Changes to Map 1 supported by Council Officers.

Commented [YCC]: Panel Recommendation 1j:
From Appendix F; Committee preferred version of the Design and Development Overlay Schedule 23. Change No. 33. Amended following public submissions.
Change supported by Council Officers.

- Oxford Street Reserve;
- The outdoor space of the Collingwood English Language School;
- Any kerb outstands, seating or planting areas on the opposite side of the street, as applicable.

2.7 Building separation, amenity and equitable development requirements

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

Where development shares a common boundary within the overlay and/or adjoins a Commercial 1 Zone and/or Mixed Use Zone outside of the overlay, upper level development ~~must~~ should:

- for buildings up to 27 metres, be setback a minimum of 4.5 metres from the common boundary, where a habitable window or balcony facing the common boundary is proposed on the subject site and/or exists on the adjoining property; and
- for buildings up to 27 metres, be setback a minimum of 3.0 metres from the common boundary where a commercial or non-habitable window facing the common boundary is proposed on the subject site and/or exists on the adjoining property; and
- where buildings exceed 27 metres in height, the development above 27 metres be set back a minimum of 6 metres from the common boundary, whether or not windows are proposed on the subject site..

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

Where development consists of multiple buildings and/or separate upper levels, upper level development should:

- be set back a minimum of 9m from each other, where a habitable window or balcony is proposed; and
- be set back a minimum of 6m from each other where a commercial or non-habitable window is proposed.

2.8 Other design requirements

Development at the rear of the properties at 10 - 22 Derby Street must be designed to address Langridge Street.

The rear interface of a development abutting a laneway should not exceed a preferred height of 11 metres.

Development should provide for landscaping that provides a positive contribution to the public realm, such as canopy trees where possible, green walls or planter boxes.

Development should achieve good urban design outcomes and architectural excellence by including, but not being limited to:

Commented [YCC]: Panel Recommendation 1a:
From Appendix F; Committee preferred version of the Design and Development Overlay Schedule 23.
Change No. 34. Upper level separation amended to preferred
Change supported by Council Officers.

Commented [YCC]: Panel Recommendation 1o:
From Appendix F; Committee preferred version of the Design and Development Overlay Schedule 23.
Change No. 35. Amended for clarity.
Change supported by Council Officers.

Commented [YCC]: Panel Recommendation 11:
From Appendix F; Committee preferred version of the Design and Development Overlay Schedule 23.
Change No. 36. Added to strengthen landscaping requirements, following public submission.
Change supported by Council Officers.

- achieving active, fine grain design to create a pedestrian-oriented environment and passive surveillance towards the public realm;
- creating ~~a suitable~~ an appropriate ratio of solid and void elements that resemble the industrial past of the area;
- creating visual interest through the arrangement of fenestration, balconies and the application of architectural features ~~such as~~ including external shading devices, windowsills;
- maintaining an appropriate level of design simplicity by avoiding overly busy façades that rely on a multitude of materials and colours;
- avoiding large expanses of glazing with a horizontal emphasis;
- not competing with the more elaborate detailing of the heritage building(s) on the subject site or ~~an adjoining site~~ adjoining land;
- avoiding highly reflective glazing in openings of heritage buildings;
- maintaining existing openings and the inter-floor height of a heritage building and avoid new floor plates and walls cutting through historic openings;
- encouraging the retention of solid built form behind retained heritage façades and avoid balconies behind ~~existing~~ openings so as to avoid facadism; and
- ensuring projections such as balconies, building services, architectural features (other than shading devices, mouldings etc.) do not intrude into a setback and ~~not dominate the façade~~ do not visually dominate the façade.

Lower levels of development should:

- be designed to accommodate commercial activity at the ground floor, incorporating a ~~suitable~~ commercial floor height of approximately 4 metres floor to floor height;
- incorporate adaptable building structures, layouts and non-residential unit sizes so as to allow for a variety of uses over time;
- avoid floor to ceiling glass with limited entries for large expanses of the ground floor;
- allow unobstructed views through openings into the ground floor of buildings;
- include fine grain design that engages the pedestrian and provides detail, articulation, depth, materiality and rhythm that contributes to a high-quality street interface and where appropriate integrates seating perches into street facades;
- on sites abutting narrow footpaths of less than 1.8 metres, provide for front setbacks and/or generous, recessed building entrances to provide space for pedestrian circulation and include space for landscaping, outdoor trading, seating and/or visitor bicycle parking;
- locate building service entries/access doors and cabinets away from the primary street frontage, or where not possible, they should be sensitively designed to integrate into the façade of the building and complement the street frontage and character;
- respond to the topography of the east-west oriented streets through transition and "stepping" of the ground floor to appropriately address the street.

Commented [YCC]: Panel Recommendation 1m:
From Appendix F; Committee preferred version of the Design and Development Overlay Schedule 23. Change No. 37. Amended for clarity recommended by heritage expert.
Change supported by Council Officers.

Commented [YCC]: Panel Recommendation 1m:
From Appendix F; Committee preferred version of the Design and Development Overlay Schedule 23. Change No. 38. Amended for clarity.
Change supported by Council Officers.

Commented [YCC]: Panel Recommendation 1m:
From Appendix F; Committee preferred version of the Design and Development Overlay Schedule 23. Change No. 39. Amended for clarity.
Change supported by Council Officers.

Commented [YCC]: Panel Recommendation 1m:
From Appendix F; Committee preferred version of the Design and Development Overlay Schedule 23. Change No. 40. Amended for clarity recommended by heritage expert.
Change supported by Council Officers.

Commented [YCC]: Panel Recommendation 1m:
From Appendix F; Committee preferred version of the Design and Development Overlay Schedule 23. Change No. 41. Amended for clarity.
Change supported by Council Officers.

Commented [YCC]: Officer recommended change:
Clarification of intent.

Commented [YCC]: Panel Recommendation 1k:
From Appendix F; Committee preferred version of the Design and Development Overlay Schedule 23. Change No. 42. Amended for clarity.
Change supported by Council Officers.

The design of upper levels of development should:

- be well-designed and articulated and where appropriate utilize design techniques such as architectural rebates of sufficient depth and / or a range of parapet heights to break up the building mass across ~~sites with a~~ wide frontages;
- distinguish between the lower and upper levels through materials and articulation, with visually lightweight materials and colours applied above the street wall;
- be designed so that side walls are articulated and read as part of the overall building design and not detract from the streetscape when viewed from direct and oblique views along the streetscape.

Development should avoid blank walls visible to the public realm, including on side street frontages.

Side walls in a mid-block location which are visible permanently or temporarily from adjoining residential sites and/or the public realm should be designed to provide visual interest to passing pedestrians through colour, texture, materials and/~~-~~or finishes.

Projections such as building services and architectural features (other than shading devices, mouldings etc.), balconies and balustrades should not protrude into a street wall and upper level setback, as applicable.

Development interfacing with areas of public open space should:

- provide a suitable transition in scale to the interface with the public open space;
- ensure that development does not visually dominate the public open space;
- provide passive surveillance from lower and upper levels of the building;

2.9 Access, parking and loading bay requirements

Pedestrian access to buildings should be achieved via streets and avoid primary access from laneways. Where pedestrian access from a laneway is appropriate, ~~it~~the building setback should include a pedestrian refuge or landing.

Ensure pedestrian entrances are clearly visible, secure, be well lit and have an identifiable sense of address.

Residential and commercial pedestrian entrances should be distinguishable from each other.

The common pedestrian areas of new buildings should be designed with legible and convenient access, with hallway and lobby areas of a size that reflects the quantity of apartments serviced and which can be naturally lit and naturally ventilated.

Resident and staff bicycle parking should be located and designed to be secure and conveniently accessible from the street and associated uses.

Vehicle access should be achieved from laneways or side streets (in that order of preference). Vehicle access from Wellington Street and Langridge Street should be avoided.

Commented [YCC]: Panel Recommendation 1m:
From Appendix F; Committee preferred version of the Design and Development Overlay Schedule 23. Change No. 43. Amended for clarity.
Change supported by Council Officers.

Commented [YCC]: Panel Recommendation 1m:
From Appendix F; Committee preferred version of the Design and Development Overlay Schedule 23. Change No. 44. Amended for clarity.
Change supported by Council Officers.

Commented [YCC]: Panel Recommendation 1m:
From Appendix F; Committee preferred version of the Design and Development Overlay Schedule 23. Change No. 45. Amended for clarity.
Change supported by Council Officers.

Commented [YCC]: Officer recommended change:
Clarification of intent.

Commented [YCC]: Officer recommended change:
Clarification of intent.

At the intersection of laneways and footpaths, development to non-heritage buildings should provide a minimum 1 x 1 metre splay to facilitate pedestrian sightlines~~ensure pedestrian safety~~.

Car parking should be located within a basement or concealed from the public realm.

Avoid separate entries for car parking entries and loading bays.

Vehicle ingress and egress into development, including loading facilities and building servicing, should be designed to ensure a high standard of pedestrian amenity and limit potential conflict between vehicle movements and pedestrian activity and avoid adversely impacting the continuity of the public realm.

Vehicle ingress/egress points should be spaced apart from other existing and/or proposed ingress/egress points to avoid wide crossover points.

Development with redundant vehicle access points should reinstate the kerb, line-marked parking bays, and relocate any parking signs.

~~Development with laneway access may require a ground level set back in order to achieve practicable vehicle access. Between ground level and first floor, a headroom clearance of 3.5 meters minimum should be achieved.~~

Where a ground level setback is provided to achieve practicable vehicle access to a laneway, a minimum headroom clearance of 3.6 metres should be provided to any overhang of the first floor.

Properties on the inside corner of bends in laneways or at intersections between two laneways should provide a minimum 3m x 3m splay to facilitate vehicle access.

3.0 Subdivision

None specified.

4.0 ~~Advertising~~ Signs

None specified.

5.0 Application requirements

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and should accompany an application, as appropriate, to the satisfaction of the responsible authority:

- a site analysis and urban design context report which demonstrates how the proposal achieves the Design Objectives and requirements of this schedule;
- a desktop wind effects assessment for the proposed development to assess the impact of wind on:
  - the safety and comfort of the pedestrian environment on footpaths and other public spaces while walking, sitting and standing; and

Commented [YCC]: Officer recommended change:
Clarification of intent.

Commented [YCC]: Panel Recommendation 1n:
From Appendix F; Committee preferred version of the Design and Development Overlay Schedule 23. Change No. 46. Amended for clarity.
Change supported by Council Officers.

Commented [YCC]: Panel Recommendation 1o:
From Appendix F; Committee preferred version of the Design and Development Overlay Schedule 23. Change No. 47. Amended for consistency with other DDOs.
Change supported by Council Officers.

- the safety and effects on cyclists travelling along bicycle routes that are ~~next to~~ adjacent to the development.

- a Traffic Engineering Report prepared by a suitably qualified traffic engineer that demonstrates how the development:
  - minimises impacts on the level of service, safety and amenity of the arterial road network (including tram services and bicycle lanes);
  - reduces car dependence and promotes sustainable transport modes; and
  - which includes an assessment of the impacts of traffic and parking in the Precinct including an assessment of the ongoing functionality of laneway/s, where applicable.

Commented [YCC]: Panel Recommendation 1o:
From Appendix F; Committee preferred version of the Design and Development Overlay Schedule 23. Change No. 48. Amended for clarity.
Change supported by Council Officers.

Commented [YCC]: Officer recommended change:
Clarification of intent.

6.0 Decision Guidelines

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

- whether the requirements in Clauses 2.2-2.9 are met;
- Whether the proposal provides a high-quality public realm interface that either activates the street edge or provides an engaging and well-designed street interface, and contributes positively to the pedestrian environment and other areas of the public realm;
- whether development retains the prominence of the heritage street wall in the vistas along the main street frontage within the precinct;
- whether heritage buildings on street corners retain their prominence when viewed from the opposite side of the primary and secondary street;
- whether heritage buildings retain their three-dimensional form as viewed from the public realm;
- whether upper level development above the heritage street wall is visually recessive and does not visually overwhelm the heritage buildings;
- whether a strong sense of separation between upper levels and street walls is achieved when viewed from the opposite side of the street;
- whether the proposal responds to the presence of heritage buildings either on, or in close proximity to the site through a suitable transition in scale of street-wall, upper level setbacks and building height;
- whether the development delivers design excellence, including but not limited to building siting, scale, massing, articulation and materials;
- how the proposal responds in terms of scale and transition to the sloping topography of the area;
- whether proposed roof decks are set back from lower levels and are recessive in appearance;
- whether upper side and rear setbacks are sufficient to limit the impact on the amenity of existing dwellings;

Attachment 3 - Attachment 3 - C293yara Marked-up preferred version DDO23

- does the design respond to the interface with existing low-scale residential properties, including ~~the~~ avoiding additional overshadowing of secluded private open space;
- ~~Whether~~ whether proposed buildings and works will avoid overshadowing of footpaths and public open spaces;
- ~~Whether~~ whether the proposal has considered the equitable development opportunities ~~rights~~ of neighbouring properties in terms of achieving good internal amenity for future proposals through building separation and design;
- whether the ~~development~~ proposed built form mitigates negative wind effects created by the development;
- the impact of development on traffic and parking in the nearby area, including on the functionality of laneways and bicycle lanes; and
- whether the layout and appearance of areas set aside for vehicular access, loading and unloading and the location of any proposed car parking is practicable, safe and supports a pedestrian-oriented design outcome.

Commented [YCC]: Panel Recommendation 1o:
From Appendix F; Committee preferred version of the Design and Development Overlay Schedule 23. Change No. 49. Amended for clarity.
Change supported by Council Officers.

Commented [YCC]: Panel Recommendation 1o:
From Appendix F; Committee preferred version of the Design and Development Overlay Schedule 23. Change No. 50. Grammar corrections.
Change supported by Council Officers.

Commented [YCC]: Panel Recommendation 1o:
From Appendix F; Committee preferred version of the Design and Development Overlay Schedule 23. Change No. 51. Amended for legal reasons.
Change supported by Council Officers.

Commented [YCC]: Panel Recommendation 1o:
From Appendix F; Committee preferred version of the Design and Development Overlay Schedule 23. Change No. 52. Amended for clarity.
Change supported by Council Officers.

Commented [YCC]: Officer recommended change:
Clarification of intent

SCHEDULE 23 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO23**

COLLINGWOOD SOUTH (MIXED-USE) PRECINCT

1.0 Design objectives

To foster an emerging, contemporary, mixed-use form on infill sites with a prominent street-wall edge, incorporating upper level setbacks and high-quality design features that create a distinction between lower and upper levels.

To ensure that the overall scale and form of new buildings is low-rise to mid-rise and responds to the topography of the precinct, by providing a suitable transition in height as the land slopes upwards, whilst minimising amenity impacts on existing residential properties, including visual bulk, overlooking and overshadowing.

To protect the industrial, residential and institutional built heritage of the precinct through maintaining the prominence of the corner heritage buildings on Wellington Street, and respecting both individual and groups of low-scale heritage buildings through recessive upper level development and a transition in scale from taller form towards the interface with heritage buildings.

To promote and encourage pedestrian-oriented, high quality urban design outcomes through street edge activation and the protection of footpaths and public open spaces from loss of amenity through overshadowing.

To ensure that development provides for equitable development outcomes through building separation and a design response that considers the development opportunities of neighbouring properties.

2.0 Buildings and works

A permit is required to construct a building or construct or carry out works.

2.1 Definitions

Street-wall means the facade of a building at the street boundary, or, if the existing heritage building is set back from the street boundary, the front of the existing building. Street wall height is measured at the vertical distance between the footpath at the centre of the frontage and the highest point of the building at the street edge, with the exception of architectural features and building services.

Laneway means a road reserve, public highway or right of way 9 metres or less in width.

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

Parapet height does not include features such as brackets, pediments, urns, finials or other decorative elements.

Street boundary means the boundary between the public street and the private property.

Upper level means development above the height of the street wall.

Upper level setback means the minimum distance from development above the height of the street wall to the property boundary, including projections such as balconies, building services and architectural features.

Heritage building means any building subject to a Heritage Overlay, graded as either Contributory or Individually Significant (including properties on the Victorian Heritage Register).

2.2 General Requirements

The requirements below apply to an application to construct a building or construct or carry out works.

A permit cannot be granted to vary a requirement expressed with the term 'must'.

2.3 Street wall height and front setback requirements

Development must not exceed the mandatory maximum street wall heights as shown in Map 1.

Development should not exceed other street wall heights as shown in Map 1, unless all the following requirements are met, to the satisfaction of the Responsible Authority:

- the built form outcome as a result of the proposed variation satisfies the Design Objectives at Clause 1.0 of this schedule;
- the proposed street wall height provides an appropriate transition, scaling down to the interface with a heritage building; and
- the proposed street wall height does not visually overwhelm the adjoining heritage building.

The street wall of infill development adjoining a heritage building should not be higher than the parapet height of the adjoining heritage building to the width of the property boundary or 6m, whichever is the lesser.

Development should have no front or side street setback, unless an immediately adjoining heritage building is set back from the street, in which case infill development should match the front setback of the adjoining heritage building from the same street, excluding laneway frontages.

Development at 54 and 56 Oxford Street must match the front setback of the heritage building at 58 Oxford Street.

The street wall on corner buildings should continue the main frontage street wall height for a minimum of 8 metres to the side street, with a transition in height to match the rear or side interface as required.

Development of non-heritage buildings on street corners should provide a corner splay at minimum of 1 x 1 metre at the site's corner boundaries.

2.4 Upper level setback requirements

Upper levels above the street wall:

Heritage Buildings:

- must be set back by a minimum of 6 metres
- should be setback more than 6 metres so as to be placed behind the front two rooms and/or principal roof form, whichever is the greater, for properties at 50-52 Oxford Street, 57-63 Oxford Street, 13-15 Peel Street and 14-34 Cambridge Street, Collingwood;
- should be setback more than 6 metres so as to be placed behind the heritage fabric of 58-62 Oxford Street, Collingwood, as identified in the relevant Statement of Significance;
- should be setback in excess of the minimum upper level setback requirements where:
  - it would facilitate the retention of a roof form and/or chimneys that are visible from the public realm, or a roof or any feature that the relevant statement of significance identifies as contributing to the significance of the heritage building or streetscape.
  - it would maintain the perception of the three-dimensional form and depth of the building;
  - a lesser setback would detract from the character of the streetscape when viewed directly or obliquely along the street.

Other buildings:

- should be set back by a minimum of 6 metres for sites in Area A as shown on Map 1;
- should be set back by a minimum of 3 metres for sites in Area B as shown on Map 1.

Heritage and Other buildings:

- should be visually recessive when viewed from the public realm to ensure development does not overwhelm the streetscape and minimises upper level bulk;
- should contain upper level setbacks above the street wall within a maximum of two steps (including the setback above the street wall below as one step) to avoid repetitive steps in the built form.

2.5 Building height requirements

Development on sites shown as hatched on Map 1 must not exceed the mandatory maximum building height shown on Map 1.

Development should not exceed the preferred maximum building heights shown on Map 1.

A permit should only be granted to construct a building or construct or carry out works which exceeds the preferred maximum building height shown in Map 1 where all the following requirements are met to the satisfaction of the responsible authority:

- the built form outcome as a result of the proposed variation satisfies:
  - the Design Objectives in Clause 1.0;
  - the Overshadowing and Solar Access Requirements in Clause 2.6;

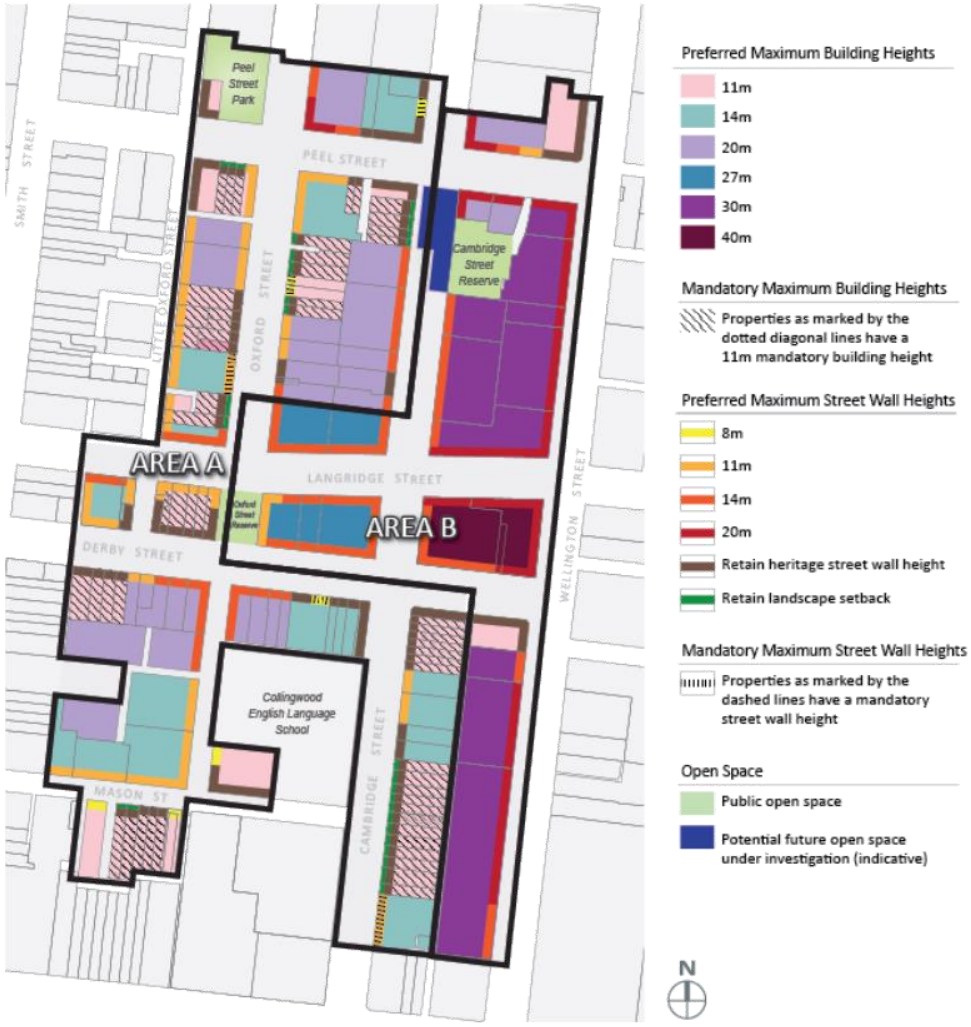
- the proposal will achieve each of the following:
  - greater building separation than the minimum requirement in this schedule;
  - excellence for environmental sustainable design measured as a minimum BESS project score of 70%;
  - no additional overshadowing impacts to residentially zoned properties, beyond that which would be generated by a proposal that complies with the preferred building height;
- where the proposal includes dwellings, it also achieves each of the following:
  - communal and/or private open space provision that exceeds the minimum standards in Clauses 55.07 and/or 58, as relevant.

Architectural features (except service equipment or structures) may exceed the mandatory or preferred maximum building height.

Service equipment and/or structures including balustrades, unenclosed pergolas for communal areas, roof terraces, shading devices, plant rooms, lift overruns, stair wells, structures associated with pedestrian access, green roof areas and other such equipment may exceed the mandatory or preferred maximum height provided that:

- the equipment/structures do not cause additional overshadowing of secluded private open space to residential land, opposite footpaths, kerb outstands or planting areas in the public realm; and
- the equipment/structures are no higher than 2.6 metres above the proposed building height; and
- the equipment/structures occupy less than 50 per cent of the roof area (solar panels and green roof excepted).

Map 1: Building and Street Wall Heights



2.6 Overshadowing and solar access requirements

Development should meet the objective of Clause 55.04-5 Overshadowing for adjoining land within a residential zone, including where separated by a laneway.

Development must not overshadow any part of the southern side footpath from property boundary to kerb of Peel, Langridge and Derby Streets between 10am and 2pm on 22 September.

For streets that extend in a north-south direction (except for Little Oxford Street), development must not overshadow any part of the opposite side footpath from property boundary to kerb between 10am and 2pm on 22 September.

Development along Little Oxford Street should not overshadow parts of building that are above the ground floor between 10am and 2pm on 22 September.

Development should not increase the amount of overshadowing as caused by existing conditions, measured between 10am and 2pm on 22 September for the following areas of open space and/or public realm:

- Cambridge Street Reserve (incl. any future extension of the reserve);
- Oxford Street Reserve;
- The outdoor space of the Collingwood English Language School;
- Any kerb outstands, seating or planting areas on the opposite side of the street, as applicable.

2.7 Building separation, amenity and equitable development requirements

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

Where development shares a common boundary within the overlay and/or adjoins a Commercial 1 Zone and/or Mixed Use Zone outside of the overlay, upper level development should:

- for buildings up to 27 metres, be setback a minimum of 4.5 metres from the common boundary, where a habitable window or balcony facing the common boundary is proposed on the subject site and/or exists on the adjoining property; and
- for buildings up to 27 metres, be setback a minimum of 3.0 metres from the common boundary where a commercial or non-habitable window facing the common boundary is proposed on the subject site and/or exists on the adjoining property; and
- where buildings exceed 27 metres in height, the development above 27 metres be set back a minimum of 6 metres from the common boundary, whether or not windows are proposed on the subject site.

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

Where development consists of multiple buildings and/or separate upper levels, upper level development should:

- be set back a minimum of 9m from each other, where a habitable window or balcony is proposed; and
- be set back a minimum of 6m from each other where a commercial or non-habitable window is proposed.

2.8 Other design requirements

Development at the rear of the properties at 10 - 22 Derby Street must be designed to address Langridge Street.

The rear interface of a development abutting a laneway should not exceed a preferred height of 11 metres.

Development should provide for landscaping that provides a positive contribution to the public realm, such as canopy trees where possible, green walls or planter boxes.

Development should achieve good urban design outcomes and architectural excellence by including, but not being limited to:

- achieving active, fine grain design to create a pedestrian-oriented environment and passive surveillance towards the public realm;
- creating an appropriate ratio of solid and void elements that resemble the industrial past of the area;
- creating visual interest through the arrangement of fenestration, balconies and the application of architectural features including external shading devices, windowsills;
- maintaining an appropriate level of design simplicity by avoiding overly busy façades that rely on a multitude of materials and colours;
- avoiding large expanses of glazing with a horizontal emphasis;
- not competing with the more elaborate detailing of the heritage building(s) on the subject site or adjoining land;
- avoiding highly reflective glazing in openings of heritage buildings;
- maintaining existing openings and the inter-floor height of a heritage building and avoid new floor plates and walls cutting through historic openings;
- encouraging the retention of solid built form behind retained heritage façades and avoid balconies behind openings so as to avoid facadism; and
- ensuring projections such as balconies, building services, architectural features (other than shading devices, mouldings etc.) do not intrude into a setback and do not visually dominate the façade.

Lower levels of development should:

- be designed to accommodate commercial activity at the ground floor, incorporating a commercial floor height of approximately 4 metres floor to floor height;
- incorporate adaptable building structures, layouts and non-residential unit sizes so as to allow for a variety of uses over time;
- avoid floor to ceiling glass with limited entries for large expanses of the ground floor;
- allow unobstructed views through openings into the ground floor of buildings;
- include fine grain design that engages the pedestrian and provides detail, articulation, depth, materiality and rhythm that contributes to a high-quality street interface and where appropriate integrates seating perches into street facades;
- on sites abutting narrow footpaths of less than 1.8 metres, provide for front setbacks and/or generous, recessed building entrances to provide space for pedestrian circulation and include space for landscaping, outdoor trading, seating and/or visitor bicycle parking;

- locate building service entries/access doors and cabinets away from the primary street frontage, or where not possible, they should be sensitively designed to integrate into the façade of the building and complement the street frontage and character;
- respond to the topography of the east-west oriented streets through transition and "stepping" of the ground floor to appropriately address the street.

The design of upper levels of development should:

- be well-designed and articulated and where appropriate utilize design techniques such as architectural rebates of sufficient depth and / or a range of parapet heights to break up the building mass across wide frontages;
- distinguish between the lower and upper levels through materials and articulation, with visually lightweight materials and colours applied above the street wall;
- be designed so that side walls are articulated and read as part of the overall building design and not detract from the streetscape when viewed from direct and oblique views along the streetscape.

Development should avoid blank walls visible to the public realm, including on side street frontages.

Side walls in a mid-block location which are visible permanently or temporarily from adjoining residential sites and/or the public realm should be designed to provide visual interest to passing pedestrians through colour, texture, materials and/or finishes.

Projections such as building services and architectural features (other than shading devices, mouldings etc.), balconies and balustrades should not protrude into a street wall and upper level setback, as applicable.

Development interfacing with areas of public open space should:

- provide a suitable transition in scale to the interface with the public open space;
- ensure that development does not visually dominate the public open space;
- provide passive surveillance from lower and upper levels of the building.

2.9 Access, parking and loading bay requirements

Pedestrian access to buildings should be achieved via streets and avoid primary access from laneways. Where pedestrian access from a laneway is appropriate, the building setback should include a pedestrian refuge or landing.

Ensure pedestrian entrances are clearly visible, secure, be well lit and have an identifiable sense of address.

Residential and commercial pedestrian entrances should be distinguishable from each other.

The common pedestrian areas of new buildings should be designed with legible and convenient access, with hallway and lobby areas of a size that reflects the quantity of apartments serviced and which can be naturally lit and naturally ventilated.

Resident and staff bicycle parking should be located and designed to be secure and conveniently accessible from the street and associated uses.

Vehicle access should be achieved from laneways or side streets (in that order of preference). Vehicle access from Wellington Street and Langridge Street should be avoided.

At the intersection of laneways and footpaths, development to non-heritage buildings should provide a minimum 1 x 1 metre splay to facilitate pedestrian sightlines.

Car parking should be located within a basement or concealed from the public realm.

Avoid separate entries for car parking entries and loading bays.

Vehicle ingress and egress into development, including loading facilities and building servicing, should be designed to ensure a high standard of pedestrian amenity and limit potential conflict between vehicle movements and pedestrian activity and avoid adversely impacting the continuity of the public realm.

Vehicle ingress/egress points should be spaced apart from other existing and/or proposed ingress/egress points to avoid wide crossover points.

Development with redundant vehicle access points should reinstate the kerb, line-marked parking bays, and relocate any parking signs.

Where a ground level setback is provided to achieve practicable vehicle access to a laneway, a minimum headroom clearance of 3.6 metres should be provided to any overhang of the first floor.

Properties on the inside corner of bends in laneways or at intersections between two laneways should provide a minimum 3m x 3m splay to facilitate vehicle access.

3.0 Subdivision

None specified.

4.0 Signs

None specified.

5.0 Application requirements

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and should accompany an application, as appropriate, to the satisfaction of the responsible authority:

- a site analysis and urban design context report which demonstrates how the proposal achieves the Design Objectives and requirements of this schedule;
- a desktop wind effects assessment for the proposed development to assess the impact of wind on:

  - the safety and comfort of the pedestrian environment on footpaths and other public spaces while walking, sitting and standing; and
  - the safety and effects on cyclists travelling along bicycle routes that are adjacent to the development.

- a Traffic Engineering Report prepared by a suitably qualified traffic engineer that demonstrates how the development:

  - minimises impacts on the level of service, safety and amenity of the arterial road network (including tram services and bicycle lanes);
  - reduces car dependence and promotes sustainable transport modes; and
  - which includes an assessment of the impacts of traffic and parking in the Precinct including an assessment of the ongoing functionality of laneway/s, where applicable.

6.0 Decision Guidelines

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

- whether the requirements in Clauses 2.2-2.9 are met;
- Whether the proposal provides a high-quality public realm interface that either activates the street edge or provides an engaging and well-designed street interface, and contributes positively to the pedestrian environment and other areas of the public realm;
- whether development retains the prominence of the heritage street wall in the vistas along the main street frontage within the precinct;
- whether heritage buildings on street corners retain their prominence when viewed from the opposite side of the primary and secondary street;
- whether heritage buildings retain their three-dimensional form as viewed from the public realm;
- whether upper level development above the heritage street wall is visually recessive and does not visually overwhelm the heritage buildings;
- whether a strong sense of separation between upper levels and street walls is achieved when viewed from the opposite side of the street;
- whether the proposal responds to the presence of heritage buildings either on, or in close proximity to the site through a suitable transition in scale of street-wall, upper level setbacks and building height;
- whether the development delivers design excellence, including but not limited to building siting, scale, massing, articulation and materials;
- how the proposal responds in terms of scale and transition to the sloping topography of the area;
- whether proposed roof decks are set back from lower levels and are recessive in appearance;

- whether upper side and rear setbacks are sufficient to limit the impact on the amenity of existing dwellings;
- does the design respond to the interface with existing low-scale residential properties, including avoiding additional overshadowing of secluded private open space;
- whether proposed buildings and works will avoid overshadowing of footpaths and public open spaces;
- whether the proposal has considered the equitable development opportunities of neighbouring properties in terms of achieving good internal amenity for future proposals through building separation and design;
- whether the proposed built form mitigates negative wind effects created by the development;
- the impact of development on traffic and parking in the nearby area, including on the functionality of laneways and bicycle lanes; and
- whether the layout and appearance of areas set aside for vehicular access, loading and unloading and the location of any proposed car parking is practicable, safe and supports a pedestrian-oriented design outcome.

Attachment 4 - Attachment 4 - C293yara Clean version of documents for adoption

AMENDMENT C293YARA

System Note: The following ordinance will be modified in Clause:21 MUNICIPAL STRATEGIC STATEMENT

AMENDMENT C293YARA

21.11 REFERENCE DOCUMENTS

C293yara

General

Council Plan 2005-2009.

Inner Melbourne Action Plan (October 2005).

Yarra City Council Access and Inclusion Policy (November 2004)

City of Yarra Access and Inclusion strategy 2004-2009

Disability Action Plan 2001—2004

Land Use

Yarra Residential Interface Study 2001 (City of Yarra, 2001)

Accommodation and housing

Inner Regional Housing Statement (January 2006)

Retail, entertainment and the arts

Yarra City Council Arts and Cultural Plan, 2005-2009

Inner City Entertainment Precincts Taskforce "A Good Night for All"

Industry, office and commercial

Yarra Economic Development Strategy 2001-2004

Yarra Industrial and Business Land Strategy Review (Hansen Partnerships & Charter, Keck, Cramer, September 2004).

Parks, gardens and public open space

Yarra City Council Recreation Strategy Plan 2003/2008

Built Form

Heritage

Heritage Citation: 18-22 Derby Street, Collingwood, Anthemion Consultancies (2018)

Heritage Citation: 33-45 Derby Street, Collingwood, GJM Heritage (2018)

Heritage Citation: Queens Parade, Fitzroy North Street Trees, John Patrick Landscape Architects Pty. Ltd. (2018)

Collingwood Mixed Use Pocket, Heritage Assessment & Recommendations, GJM Heritage (2018)

Supplementary Heritage Report: Collingwood South (Mixed Use) Precinct 2021

Yarra High Streets (Victoria Street and Bridge Road) Statements of Significance: Reference Document (May 2020)

Swan Street Built Form Study Heritage Assessments & Analysis, October 2017 (GJM Heritage)

Yarra High Streets: Statements of Significance, October 2017 (GJM Heritage)

Heritage Citation: 112-124 Trenerry Crescent, Abbotsford. GJM Heritage, July 2016.

Heritage Citation: 20-60 Trenerry Crescent, Abbotsford. GJM Heritage, July 2016.

Heritage Gap Study: Review of Johnston Street East, Context Pty Ltd 2016.

Heritage Gap Study: Review of 17 Precincts Stage 2 Report, Context Pty Ltd 2014, revised 2016.

Heritage Review of Predefined Areas In Abbotsford & Collingwood Stage 2 Report, Context Pty Ltd 2015.

Heritage Gap Study: Review of Central Richmond, Stage 2 Final Report, Context Pty Ltd 2014.

City of Yarra Heritage Gaps Study – Smith Street South, Anthemion Consultancies 2014.

City of Yarra Heritage Gaps – 233-251 Victoria Street Abbotsford Anthemion Consultancies, 2012.

City of Yarra Heritage Gaps Stage Two, Graeme Butler and Associates 2009.

City of Yarra Heritage Gaps Stage One, Graeme Butler and Associates 2008.

City of Yarra Heritage Gaps Review One 2013 [Appendix A and B includes Statements of Significance] Incorporated Plan under the provisions of clause 43.01 Heritage Overlay - methodology report, Lovell Chen 2014.

City of Yarra Heritage Gaps Review Two 2013.

City of Yarra Heritage Gaps Study – 233-251 Victoria Street, Abbotsford, Anthemion Consultancies 2012.

World Heritage Environs Area Strategy Plan: Royal Exhibition Building and Carlton Gardens, Department of Planning and Community Development 2009.

City of Yarra Review of Heritage Overlay Areas [Appendix 7 includes Statements of Significance], Graeme Butler and Associates 2007 updated 2013.

Yarra Heritage Database 2007 including photos, Allom Lovell and Associates 1998.

Development Guidelines for Heritage Places (City of Yarra, 1999).

City of Yarra Heritage Review, Volumes 1-4, Allom Lovell and Associates 1998.

Protecting Archaeological Sites in Victoria, Heritage Victoria 1998.

The Burra Chater. Australian ICOMOS Charter for the Conservation of Places of Cultural Significance, as updated from time to time.

Fitzroy Urban Conservation Study Review, Allom Lovell and Associates 1992.

Collingwood Conservation Study, Andrew Ward and Associates 1989.

Richmond Conservation Study, J and T O'Connor and Coleman and Wright Architects 1985.

Carlton, North Carlton and Princes Hill Conservation Study, Nigel Lewis and Associates 1984.

City of Northcote Urban Conservation Study, Graeme Butler Architect 1982.

South Fitzroy Conservation Study, Jacob Lewis Vines Architects 1979.

North Fitzroy Conservation Study, Jacob Lewis Vines Architects 1978.

Built form character

Brunswick Street and Smith Street Built Form Review: Collingwood Built Form Framework 2018.

Urban Design Guidelines for the YarraRiver Corridor (City of Yarra, 1998), as amended April 2004

City of Yarra Built Form Review 2003

Transport

Yarra Strategic TransportStatementCity of Yarra 2006

Encouraging and increasing walking strategy, City of Yarra 2005

Environmental Sustainability

The Yarra Environment Strategy: Our Sustainable Future (City of Yarra, November 2000).

Review of Policies and Controls for the Yarra River Corridor: Punt Road to Burke Road: Consultant Report (Planisphere and Jones & Whitehead, June 2005).

Middle Yarra Concept Plan (Dept. of Planning and Urban Growth, Dept. of Conservation and Environment, 1990)

Lower Yarra (Punt Road to Dights Falls) Concept Plan (Ministry for Planning and Environment, 1986)

Lower Darebin Creek Concept Plan (Darebin Creek Co-ordinating Committee, 1995)

Merri Creek Management Plan (Merri Creek Management Committee, 1997)

Merri Creek Concept Plan (Draft) (Merri Creek Management Committee, 1997)

Yarra River Corridor Strategy (City of Yarra, 1999)

Yarra Catchment Action Plan (YarraCare, 1996)

Port Phillip and Western Port Regional Catchment Strategy 2004 – 2009 (Port Phillip and Westernport Catchment Management Authority 2004)

Herring Island Enhancement Plan (Acer Wargon Chapman and EDAW AUST, 1995)

Environmental Guidelines for Major Construction Sites (Environment Protection

Authority, 1996)

Yarra Bend Park Strategy Plan (Parks Victoria, 1998)

Yarra Bend Park Environmental Action Plan (Parks Victoria, April 2000)

Yarra Bend / Fairfield Area: Development Opportunities (Chris Dance Land Design and Fulcrum Town Planners, 1997)

City of Yarra Stormwater Management Plan (AWT, December 2000)

Neighbourhood Plans

Smith / Wellington Streets Mixed Use Precinct Urban Design Framework, March 2005

Victoria Street Activity Precinct Urban Design Framework, July 2004;

Victoria Street East Precinct, Richmond, Urban Design Framework prepared for the City of Yarra 16 November 2005 (mgs in association with Jones and Whitehead Pty Ltd)

Structure Plans and Local Area Plans

Johnston Street Local Area Plan, 2015

Planning and Environment Act 1987

YARRA PLANNING SCHEME

DRAFT AMENDMENT C293YARA

EXPLANATORY REPORT

Who is the planning authority?

This Draft Amendment has been prepared by Yarra City Council, for the Minister for Planning who is the planning authority for this Draft Amendment.

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

Land affected by the Draft Amendment

The Draft Amendment applies to land within the area named "Collingwood South Mixed-Use Precinct" (Collingwood South MUZ Precinct), as shown in Figure 1. The proposed Design and Development Overlay (DDO) affects portions of the following streets in Collingwood:

- Peel Street;
- Langridge Street;
- Cambridge Street;
- Oxford Street;
- Little Oxford Street;
- Derby Street;
- Mason Street; and
- Wellington Street.

What the Amendment does

Interim Design and Development Overlay - Schedule 23 (interim DDO23) currently applies to the Collingwood South MUZ Precinct.

Council has undertaken a review of interim DDO23 to test its suitability for translation into permanent provisions; to recommend any necessary refinements to enhance the clarity and workability of the provisions; and to ensure it achieves the development outcomes sought for the area.

Draft Amendment C293yara proposes to implement the recommendations of the following strategic planning work:

- *Brunswick Street and Smith Street Built Form Review: Collingwood Built Form Framework, June 2018*;
- *Collingwood Mixed Use Pocket Heritage Analysis and Recommendations, June 2018*;
- *Supplementary Heritage Report: Collingwood South (Mixed Use) Precinct, May 2021;* and
- *Traffic Engineering Assessment: Brunswick Street and Smith Street Activity Centres, November 2019.*

Draft Amendment C293yara seeks to:

- Insert a new Schedule to Clause 43.02 Design and Development Overlay (DDO23) on a permanent basis to apply street wall and overall height controls, as well as setback and other requirements to the land. This will replace interim DDO23.

- Amend Clause 21.11 Reference Documents to include the *Brunswick Street and Smith Street Built Form Review: Collingwood Built Form Framework 2018, Collingwood Mixed Use Pocket Heritage Analysis and Recommendations 2018* and *Supplementary Heritage Report: Collingwood South (Mixed Use) Precinct, 2021* as reference documents in the planning scheme.
- Amend Planning Scheme Map No.6ddo to remove the rear of property at 32 Smith Street, Collingwood from Schedule 23 to Clause 43.02 Design and Development Overlay (DDO23).
- Amend Planning Scheme Map No.6ddo to remove Schedule 2 to Clause 43.02 Design and Development Overlay from the western side of Wellington Street where the new DDO23 would apply.

Figure 1: Land affected by the Amendment - Collingwood South (Mixed Use) Precinct



Strategic assessment of the Amendment

Why is the Draft Amendment required?

Draft Amendment C293yara is required to manage and respond to increased development activity in the Collingwood South Mixed-Use Precinct.

The scale and density of development approved and currently being proposed within the area has increased substantially in recent years. In November 2018, the Minister for Planning approved Amendment C250 to the Yarra Planning Scheme to apply interim built form controls to the area. These interim controls have been used to manage development while permanent controls were progressed. Amendment C251yara introduced interim heritage overlays (HO) to the area and under C245yara these interim HOs were made permanent.

The Collingwood South Mixed-Use Precinct is part of Smith Street Major Activity Centre which has been identified as an area suitable for further development and housing growth as per Plan Melbourne 2017-2050 and Council's Housing Strategy.

To ensure appropriate and orderly planning, these interim built form controls have been revised to better facilitate and guide the scale, massing and bulk of new development. Amongst other things, permanent built form planning controls would ensure that new development appropriately considers the impacts on the heritage qualities, streetscapes, public realm and amenity within the area.

Design and Development Overlay Schedule 23

Draft Amendment C293yara proposes to implement the built form recommendations of the *Brunswick Street and Smith Street Built Form Review: Collingwood Built Form Framework*, June 2018 (Framework) and the *Supplementary Heritage Report: Collingwood South (Mixed Use) Precinct, May 2021* (Heritage Report Update) through the introduction of Schedule 23 to the Design and Development (DDO23) on a permanent basis. The Framework has been prepared by Hansen Partnership (urban design) with extensive input from GJM Heritage (heritage) and Traffix Group (access, movement and parking). These reports provide a strong strategic basis for the future planning of the area.

Through the application of a mix of discretionary provisions and mandatory controls DDO23 provides an appropriate balance that will assist to achieve adequate development outcomes in the higher change area. It includes requirements that respond to the mixed industrial and residential heritage character and the topography of the precinct. Mandatory heights and upper level setbacks are proposed to be applied to the majority of lower-scale heritage buildings in response to the Precinct's valued and unique heritage character. Mandatory overshadowing requirements to opposite footpaths will ensure that the limited amount of public realm in the centre is protected, given the increase in density and limited amount of public space in the area make the public realm a highly valued resource. Discretionary provisions are applied to infill sites and selected heritage buildings to guide development outcomes that are appropriate to the character of the area whilst also allowing for flexible design responses. Where discretionary heights and setbacks are proposed, a range of performance-based provisions are included within the DDO to provide certainty and ensure appropriate development.

Importantly, the DDO provides built form certainty where there are heritage, amenity and public realm sensitivities and protects the character of the area. Draft Amendment C293yara will facilitate development appropriate to a major activity centre, whilst ensuring that new development is site responsive, and improved amenity outcomes are achieved.

Mapping changes

Draft Amendment C293yara proposes to correct a mapping error. The property at 32 Smith Street, Collingwood has two zones applied to a single site. The front section of the site is in the Commercial Zone (C1Z) and the rear is in a Mixed-Use Zone (MUZ). Interim DDO23 currently applies to the rear of the site. Draft Amendment C293yara proposes to exclude 32 Smith Street from DDO23. It is anticipated the entire property would be included in the proposed permanent DDO which would apply to properties fronting Smith Street. The zoning of the property and application of a future DDO to Smith Street would be addressed in a separate planning scheme amendment.

Draft Amendment C293 also proposes to remove Schedule 2 to Clause 43.02 – Design and Development Overlay from the western side of Wellington Street where it would overlap with DDO23. DDO2 – Main Roads and Boulevards seeks amongst other things to *'reinforce and enhance the distinctive heritage qualities of main roads and boulevards'* and recognise and '*reinforce the pattern of development and the character of the street.'*. It is superseded by the specific design objectives and built form provisions which are proposed in DDO23.

How does the Draft Amendment implement the objectives of planning in Victoria?

The Draft Amendment implements the objectives in Section 4 of the *Planning and Environment Act 1987* (the Act), in particular:

a) to provide for the fair, orderly, economic and sustainable use, and development of land;
c) to secure a pleasant, efficient and safe working, living and recreational environment; and
d) to conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value;
g) to balance the present and future interests of all Victorians.

The Draft Amendment will facilitate housing growth as well as economic growth and create a more economically viable mixed-use precinct that has economic benefits for the local area.

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

The Draft Amendment is consistent with the overarching goal in the planning scheme to:

Integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development.

The Draft Amendment is expected to generate positive social and economic benefits as it will facilitate development within the area, providing opportunities for economic development, housing and employment growth. The Draft Amendment will also respond to the local demand for housing and provide housing and employment in a location, which has strong access to public transport infrastructure and social services.

Does the Draft Amendment address relevant bushfire risk?
The land affected by the Draft Amendment is not located within an identified area of bushfire risk.

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

The Draft Amendment complies with Ministerial Direction No. 9 in addressing and responding to the Metropolitan Planning Strategy, Plan Melbourne 2017-2050.

The Draft Amendment complies with the Direction on the form and content of planning schemes.

Draft Amendment C293 is consistent with the following Directions contained in *Plan Melbourne 2017-2050*:

Direction 1.1 - Create a city structure that strengthens Melbourne's competitiveness for jobs and investment, which seeks to strengthen the competitiveness of Melbourne's employment land. The Draft Amendment provides appropriate policy direction for the planning and development of the Collingwood South Mixed-Use Precinct to ensure that the activity centre continues to meet community needs.

Direction 5.1 - Create a city of 20-minute neighbourhoods which aims to cluster new housing in activity centres and other places that offer good access to jobs, services and public transport and includes policy for local governments to prepare structure plans for activity centres to accommodate growth.

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

The Draft Amendment supports and implements the Planning Policy Framework in responding to the following clauses:

Clause 11.02-2S - Structure planning
To facilitate the orderly development of urban areas.

Clause 13.03-1 - Contaminated and potentially contaminated land
To ensure that potentially contaminated land is suitable for its intended future use and development, and that contaminated land is used safely.

Clause 15.01-1S - Urban Design
To create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity.

Clause 15.01-5S - Neighbourhood character
To recognise and protect neighbourhood character and sense of place.

Clause 15.03-1 S– Heritage Conservation
To ensure the conservation of places of heritage significance.

Clause 16.01 – Residential development
To locate new housing in or close to activity centres and employment corridors and at other strategic redevelopment sites that offer good access to services and transport.

Clause 17.02-1S - Business
To encourage development which meet the community's' needs for retail, entertainment, office and other commercial services.

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

The vision for the City of Yarra in the existing Municipal Strategic Statement in relation to built form is that by 2020, all new development will demonstrate design excellence.

The Draft Amendment is consistent with and facilitates the following Clauses of the Local Planning Policy Framework:

Clause 21.03 Vision
The vision for the City of Yarra in the existing Municipal Strategic Statement in relation to built form is that by 2020, all new development will demonstrate design excellence.

Clause 21.04-2 - Activity centres

Objective 4 - To maintain a balance between local convenience and regional retail roles in Yarra's activity centres.

Strategy 4.1 Increase the range of retail, personal and business services, community facilities, and recreation activities, within individual centres.

Strategy 4.3 Support the role of all activity centres, including Neighbourhood Activity Centres, in providing local day-to-day needs of residents of all abilities.

Objective 5 - To maintain the long-term viability of activity centres.

Strategy 5.2 Support land use change and development that contributes to the adaptation, redevelopment and economic growth of existing activity centres.

Strategy 5.3 Discourage uses at street level in activity centres which create dead frontages during the day.

Strategy 5.4 Permit residential development that does not compromise the business function of activity centres.

Clause 21.05-1 Heritage

Objective 14 - To protect and enhance Yarra's heritage places.

Strategy 14.1 - Conserve, protect and enhance identified sites and areas of heritage significance including pre-settlement ecological heritage.

Strategy 14.2 - Support the restoration of heritage places.

Strategy 14.3 - Protect the heritage skyline of heritage precincts.

Strategy 14.6 - Protect buildings, streetscapes and precincts of heritage significance from the visual intrusion of built form both within places and from adjoining areas.

Clause 21.05-2 Urban design

Objective 16 To reinforce the existing urban framework of Yarra.

Strategy 16.2 - Maintain and strengthen the preferred character of each Built Form Character Type within Yarra.

Objective 19 To create an inner-city environment with landscaped beauty.

Strategy 19.1 - Require well resolved landscape plans for all new development.

Strategy 19.2 - Encourage opportunities for planting suitable trees and landscape areas in new development.

Objective 20 To ensure that new development contributes positively to Yarra's urban fabric.

Strategy 20.1 - Ensure development is designed having particular regard to its urban context and specifically designed following a thorough analysis of the site, the neighbouring properties and its environs.

Objective 21 - To enhance the built form character of Yarra's activity centres.

Strategy 21.1 Require development within Yarra's activity centres to respect and not dominate existing built form.

Strategy 21.2 Require new development within an activity centre to consider the context of the whole centre recognising that activity centres may consist of sub-precincts, each of which may have a different land use and built form character.

Strategy 21.3 Support new development that contributes to the consolidation and viability of existing activity centres.

The Draft Amendment is consistent with and supported by the following local policies under Clause 22:

- 22.02 Development guidelines for sites subject to the Heritage Overlay
- 22.05 Interface uses policy
- 22.07 Development abutting laneways
- 22.10 Built form and design policy
- 22.12 Public open space contribution policy

How does the draft amendment support or implement the Municipal Planning Strategy?

Currently the City of Yarra is in the process of translating its Local Planning Policy Framework into the new Planning Policy Framework via Amendment C269yarra.

The Draft Amendment is generally consistent with and supported by the following proposed local policies as in C269yara:

- Clause 02.03 Strategic Directions
- Clause 02.04 Strategic Framework Plan
- Clause 11.03-1L Activity Centres
- Clause 15.01-1L Urban Design
- Clause 15.01-2L Building Design
- Clause 15.03-1L Heritage
- Clause 16.01-2L Location of Residential Development

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

The Draft Amendment is consistent with the Victoria Planning Provisions. A Design and Development Overlay (DDO) is considered the best tool to control future built form.

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

Council sought the views of the Department of Transport, the Department of Environment, Land, Water and Planning (DELWP) and YarraTrams in the drafting this Draft Amendment.

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

The Draft Amendment is consistent with the requirements of the Transport Integration Act 2010 and will facilitate development outcomes that promote the principles of transit-oriented development.

Resource and administrative costs

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

The Draft Amendment will have some impact on the general operation of Council's statutory planning department which is covered by Council's budget.

The application of planning controls is considered to provide a more consistent assessment of planning permit applications. This is considered to ultimately reduce costs by providing more certainty to the community.

Standing Advisory Committee hearing

In accordance with the Terms of Reference for the Yarra Activity Centre Standing Advisory Committee, the Amendment was publicly exhibited between 14 September and 27 October 2021 and subject to a public hearing. The hearing was conducted between the 28 March and 1 April 2022.

For more information on the Committee, please visit planning.vic.gov.au/panels-and-committees/browse-panels-and-committees/projects/yarra-activity-centres-standing-advisory-committee

Where you may inspect this Draft Amendment

The Draft Amendment can be inspected free of charge at the Department of Environment, Land, Water and Planning's website at https://www.planning.vic.gov.au/schemes-and-amendments/browse-planning-schemes and at the City of Yarra's website at www.yarracity.vic.gov.au/amendmentC293.

The Draft Amendment is available for public inspection, free of charge, during office hours at the following Yarra City Council locations:

Information Counter
Collingwood Town Hall
140 Hoddle Street
Abbotsford VIC 3067

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

Planning and Environment Act 1987

YARRA PLANNING SCHEME

DRAFT AMENDMENT C293yara

INSTRUCTION SHEET

The planning authority for this draft amendment is Yarra City Council.

The Yarra Planning Scheme is amended as follows:

Planning Scheme Maps

The Planning Scheme Maps are amended by a total of 1 attached map sheet.

Overlay Maps

1. Delete interim DDO23 and amend Planning Scheme Map No. 6 in the manner shown on the 2 attached maps marked "Yarra Planning Scheme, Amendment C293".

Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows:

2. In Municipal Strategic Statement – Clause 21, replace Clause 21.11 Reference Documents with a new Clause in the form of the attached document.

3. In Overlays – Clause 43.02 replace interim Schedule 23 with a new Schedule 23 in the form of the attached document.

End of document

Attachment 4 - Attachment 4 - C293yara Clean version of documents for adoption



Attachment 4 - Attachment 4 - C293yara Clean version of documents for adoption



8.6 PPE22/0085 - 9-13 Stewart Street, Richmond

Executive Summary

Purpose

This report provides the Council with information relating to a Draft Yarra Planning Scheme Amendment C303 and draft Planning Permit PA2201605 as part of a combined amendment and permit process under Part 4, Division 5 of the Planning and Environment Act 1987 (the Act).

Draft Amendment C303 proposes to make the Minister for Planning the responsible authority for administering planning permit PA2201605.

The Minister for Planning received the request from Contour Consultants Australia (on behalf of Hines 9 Stewart Property Pty Ltd) to facilitate the proposal through the Development Facilitation Program (DFP).

The proposal is for partial demolition and construction of a multi-storey mixed-use building, comprising office, retail and a food and drink premises, and a reduction in car parking requirements.

The Minister for Planning is considering whether to prepare, adopt and approve Yarra Planning Scheme Amendment C303 and grant planning permit PA2201605.

To inform the Minister's decision, consultation is being undertaken under section 20(5) of the Planning and Environment Act 1987 about the draft amendment and the draft planning permit.

Following the consultation period, the Minister may decide to refer this matter to the Priority Projects Standing Advisory Committee for further advice before making a decision about whether to prepare, adopt and approve the amendment and permit.

This report provides an assessment of the application and recommends that Council advise the Minister for Planning that a permit should not be granted.

Key Planning Considerations

Key planning considerations include:

(a) Amendment C269;

(b) Clause 15.01 – Urban Environment;

(c) Clause 22.02 – Development Guidelines for Sites Subject to the Heritage Overlay;

(d) Clause 22.05 – Interface uses policy;

(e) Clause 32.04 – Mixed Use Zone;

(f) Clause 43.01 – Heritage Overlay; and

(g) Clause 52.06 – Car Parking

Key Issues

The key issues for Council in considering the proposal relate to:

(a) The Victorian Civil and Administrative Tribunal (VCAT) decision of 4 March 2021 to refuse to grant a permit for a similar proposal by the same applicant (*Hines 9 Stewart Property Pty Ltd* v Yarra CC [2021] VCAT 185);

(b) Strategic justification;

(c) Built form, urban design and heritage;

(d) Off-site amenity impacts;

(e) Environmentally sustainable design;

(f) Car parking and traffic; and

(g) Bicycle facilities and sustainable transport.

Conclusion

Based on the following report, the proposal is not considered to comply with the relevant planning policy in the Scheme or the seriously entertained planning policy to be introduced into the Scheme as part of Amendment C269 and therefore a permit should not be granted.

CONTACT OFFICER: **Katrina Thomas**
TITLE: **Planning Appeals Advocate**
TEL: **9205 5306**

8.6 PPE22/0085 - 9-13 Stewart Street, Richmond

Reference	D22/113277
Author	Katrina Thomas - Planning Appeals Advocate
Authoriser	Manager Statutory Planning

Ward:	Melba
Proposal:	Part demolition and construction of a multi-storey building, use as office, retail, food and drink premises, and a reduction in the car parking requirements.
Existing use:	Vacant
Applicant:	Contour Consultants Australia (on behalf of Hines 9 Stewart Property Pty Ltd)
Zoning / Overlays:	Mixed Use Zone (MUZ) Development Contributions Plan Overlay Schedule 1 (DCPO1) Environmental Audit Overlay (EAO) Heritage Overlay Schedule 332 (HO332)
Date of Consultation:	11 May 2022
Council reference no:	PPE22/0085

Planning History

1. The subject site has a long planning history relevant to this most recent application.
2. On 9 August 2012, VCAT affirmed Council's decision and refused an application for construction of a 14 storey mixed use building on the site which also included the parcel of land at No. 5 Stewart St (*ACCC Pty Ltd tas AWC Property v Yarra CC (includes summary)(Red Dot) VCAT 1180*). The building had a proposed height of 40m-41m high to the roof terrace parapet and a maximum height of 44.5m high. In its decision, the Tribunal said:

   [122] The review site presents a good opportunity for redevelopment, despite a number of constraints. Given its attributes, the use of the land for commercial uses and apartments is appropriate. However, we find that in this particular location, the design, height and setbacks are not appropriate. They do not respond acceptably to the existing built form and heritage context. There are also other issues relating to car parking and internal amenity that need to be addressed. We consider that the design as a whole should be reconsidered and a new proposal devised
3. Planning Permit PLN13/0417 issued on 20 November 2014 by Council for an 8 storey (mixed use building on the site which also included the parcel of land at No. 5 Stewart St. The building had a maximum height of 28m high. This permit was not acted upon and has since expired.
4. On 4 March 2021, VCAT affirmed Council's decision and refused an application for construction of a 10 storey mixed use commercial building (*Hines 9 Stewart Property Pty Ltd* v Yarra CC [2021] VCAT 185). The building had a proposed height of 38.28m high (to the roof terrace parapet) and a maximum height of 39.53m high. The Tribunal said:

[7] Overall, we have decided to affirm the Council's decision that it would have refused to grant a permit. Our principal concerns with the proposal are the extent of demolition and the design of the proposed building in relation to its height and its setbacks, particularly Stewart Street. We have made a number of findings on a number of other matters as well in order to assist the parties in the event that a new planning permit application is prepared/lodged for this site.

Background

5. The Minister for Planning has received a request from Contour Consultants Australia (on behalf of Hines 9 Stewart Property Pty Ltd) to facilitate a proposal through the Development Facilitation Program (DFP).

6. The proposal is similar to the proposal refused by VCAT on 4 March 2021 in *Hines*. The key changes that have been made to the proposal are:

   (a) a reduction in building height by one storey (by 3.6m);

   (b) a reduction in the size of the rooftop plant;

   (c) the deletion of the external stairwell to Margaret Street;

   (d) retention of 18m of heritage façade along Margaret Street; and

   (e) a varied façade composition.



Figure 1: *VCAT Proposal – NW view to site from Stewart St*



Figure 2: *DFP Proposal - NW view to site from Stewart St*

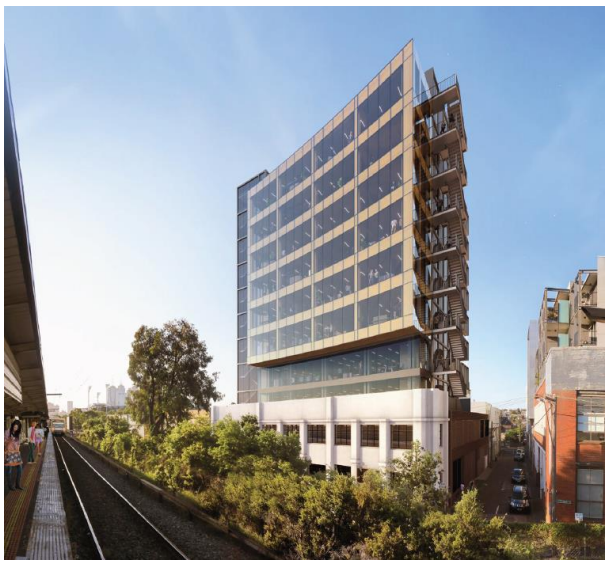


Figure 3: *VCAT Proposal – View from Train Station*



Figure 4: *DFP Proposal – View from Train Station*



Figure 5: *VCAT Proposal – View south from Tyre St*



Figure 6: *DFP Proposal – View south from Tyre St*



Figure 7: *VCAT Proposal – View south along Margaret St*



Figure 8: *DFP Proposal – View south along Margaret St*



Figure 9: *VCAT Proposal – View from Punt Rd*



Figure 10: *DFP Proposal – View from Punt Rd*

7. There has been no material change to the physical context of the site since VCAT's decision. In relation to planning policy, Amendment C269 (Local Policy Re-write) was submitted to the Minister for Planning on 12 May 2022 and is therefore now seriously entertained planning policy and relevant to the consideration of this proposal. Notably, the site is no longer proposed to be included within the Swan Street Major Activity Centre.

8. In summary, the overall height and setbacks to Stewart Street remain unacceptable and do not address the Tribunal's concerns in *Hines*. It is considered the overall building height is visually intrusive and does not fit with the existing or emerging built form character in this industrial heritage precinct.

The Proposal

9. The application seeks approval for partial demolition and construction of a multi-storey mixed-use building comprising a retail tenancy and a food and drinks premises at ground floor with office tenancies above, and a reduction in car parking requirements.

10. In summary, the application proposes:

    (a) partial demolition of the existing double-storey warehouse building incorporating retention of the Stewart Street façade and the return heritage façade to Margaret Street;

    (b) buildings and works to construct a mixed-use building comprising a maximum building height of 9 storeys (35.34m to roof parapet and 39.19m to lift overrun);

    (c) above the street wall:

        (i) the building is setback 2.5m from Stewart Street except Level 08 is setback 4.5m and the screened rooftop is setback 7.0m;

        (ii) the building is setback 2.5m from Margaret Street except Level 08 is setback 4.0m and the screened rooftop is setback 6.5m;

        (iii) the building is setback 3.0m from the northern boundary except Level 08 is setback 4.0m and the screened rooftop is setback 6.0m;

        (iv) the building is setback 4.5m from the western boundary except for the lift core which is constructed to boundary;

    (d) overall, the development comprises of:

        (i) 4,201 sqm of office space at Levels 01 to 08 with a main lobby accessed off Stewart Street;

        (ii) 113 sqm of retail at ground floor with a separate pedestrian entry off Stewart Street;

        (iii) 157 sqm of food and drink premise at ground floor;

    (e) 7 car parking spaces (including 1 DDA space) are provided within a basement level car park accessed via a car lift and a new vehicle crossover on Margaret Street;

    (f) 45 employee bicycle spaces and 201 sqm of end of trip facilities (containing 57 lockers and 10 showers) are located at ground floor with the bicycle entry off Margaret Street and 7 visitor spaces proposed on Margaret Street;

    (g) external materials and finishes include glass, powdercoated steel, precast concrete, corten steel and face brick;

    (h) the food and drinks premise is proposed to operate between 7am – 7pm, 7 days a week; and

    (i) the office hours and retail tenancy hours are not specified.

Existing Conditions

Subject Site

11. The subject site is located on the northern side of Stewart Street, between Stewart Place and Margaret Street in Richmond. Opposite the site to the south is Richmond Train Station.

12. The site has a frontage to Stewart Street of 30.1m and a frontage to Margaret St of 31.95m, yielding a total site area of approximately 899sqm. The site is occupied by a double storey, painted brick, Interwar building which is graded ‘Contributory’ to Heritage Overlay 332. The building is currently vacant.



Figure 11: *Aerial Photo of subject site and surrounds (Source: Contour Town Planning Report)*



Figure 12: *Photo of subject site showing the Stewart St and Margaret St frontages (Source: Officer photo May 2022)*

Surrounding Land

13. The subject site is located within a mixed use area that was formerly a light industrial precinct in the area between Hoddle, Tanner, Wangaratta and Stewart Streets. This discrete former industrial precinct comprises a number of large former warehouse/factory buildings of heritage significance. Over the years these buildings have been converted into residential apartments and/or offices. Some parts of these buildings are new and others utilise part of the existing heritage building stock. Heights of the newer buildings range between three to nine storeys. The low scale residential area of Richmond Hill is located to the north of Tanner Street and to the east of Botherambo Street.

14. The site's immediate interfaces are as follows:

South

15. To the south across Stewart Street are the elevated platforms of Richmond Train Station, with a high retaining wall presenting to the street.



Figure 13: *Access to train station from Stewart St (Source: Officer photo May 2022)*

East

16. On the opposite side of Margaret Street is the Express Apartment building, a former warehouse converted into an apartment building rising to seven storeys in height and comprising 92 dwellings. Apartments within this building (No. 1 Margaret Street) either have a northern, southern, eastern or western orientation with a number of balconies/terraces fronting Margaret Street from levels 1 and above.

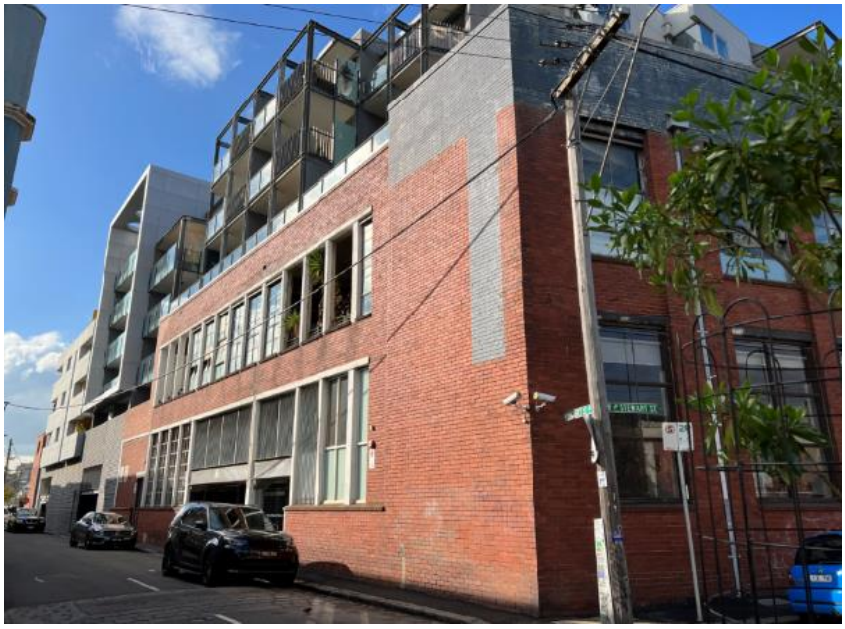


Figure 14: *No. 1 Margaret St – Margaret St façade (Source: Officer photo May 2022)*



Figure 15: *View to No. 1 Margaret St showing upper level setback from Stewart St (Source: Officer photo May 2022)*

17. To the immediate east of this building (No. 33-35 Stewart Street) are two double storey warehouse buildings. Planning Permit PLN16/0807 was amended at the direction of VCAT on 20 November 2020 to allow construction of a 9 storey mixed use commercial building. The approved maximum building height is 28.75m high (to roof slab) and 31.76m (to lift overrun). Above the retained existing building façade to Stewart St, the approved building envelope is generally setback 2.8m – 3.8m.



Figure 16: *Proposed 9 storey development at 33-35 Stewart St (Source: Advertised Plan Perspective 1)*

18. Further east at No. 55-57 Stewart Street, Council refused Planning Application PLN21/0074 on 4 May 2022 which proposed full demolition and construction of an 8 storey mixed use commercial building. The proposed building height is 28.5m high (to roof parapet) and 30.9m high (to lift overrun). On 25 May 2022, Council received notice that an application to review the Council's decision has been lodged with VCAT. The matter is listed for a 6 day hearing commencing 8 November 2022.

North

19. To the immediate north of the subject site (No. 4 Margaret Street) is a three storey residential townhouse development constructed to the common boundary with the subject site. Pedestrian and vehicle access is gained via a private driveway which connects Margaret Street with Stewart Place. Dwellings are provided with outlook to either Margaret Street or to the north.



Figure 17: *No. 4 Margaret St northern elevation and private driveway (Source: Officer photo May 2022)*

20. To the north of the private driveway, a 3 storey townhouse development (4-16 Tanner Street) has dwellings with an outlook to either Tanner Street, Margaret Street or Stewart Place.



Figure 18: View south-west to *No. 4-16 Tanner St Margaret St (Source: Officer photo May 2022)*

West

21. To the immediate west (No. 5 Stewart St), is a double storey commercial building with 100% site coverage and frontages to Stewart Street and Stewart Place. The building is unoccupied.



Figure 19: *View north-east to No. 5 Stewart St (Source: Officer photo, May 2022)*

22. To the north of this building (1-7 Stewart Pl) is a three storey apartment building which shares a common boundary with subject site. There are balconies and habitable room windows facing the subject site at proposed Level 02.



Figure 20: *No. 1-7 Stewart Place (Source: Officer photo, May 2022)*

23. On the western side of Stewart Place with a frontage to Stewart Street is a double storey commercial building (3 Stewart Street), occupied as an office. To its north is an open air car park with frontages to Stewart Place and Tanner Street.



Figure 21: *View north-west to No. 3 Stewart St (Source: Officer photo, May 2022)*



Figure 22: *View south to the car park at the rear of No. 3 Stewart St and to the rear of the row of double storey terraces on Punt Rd (Source: Officer photo, May 2022)*

General

24. The site is very well located in terms of its access to public transport, retail, entertainment, international sporting facilities and other services and facilities in the Swan Street MAC. The site is 3.5km from the CBD.

Planning Scheme Provisions

Zoning

Clause 32.04 – Mixed Use Zone (MUZ)

25. The purposes of this zone are:

    (a) To implement the Municipal Planning Strategy and the Planning Policy Framework

    (b) To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality;

    (c) To provide for housing at higher densities;

(d) To encourage development that responds to the existing or preferred neighbourhood character of the area; and

(e) To facilitate the use, development and redevelopment of land in accordance with the objectives specified in a schedule to this zone.

26. Pursuant to Clause 32.04-2 of the Yarra Planning Scheme [Scheme]:

(a) a permit is required for use of the site for a 'Food and drinks premises' (leasable floor area exceeding 150sqm);

(b) a permit is required for use of the site for 'Office' (leasable floor area exceeding 250sqm); and

(c) a permit is required for use of the site for 'Retail'.

27. Pursuant to Clause 32.04-8 of the Scheme, a permit is required to construct a building or construct or carry out works for a use in section 2.

Overlays

Clause 43.01 – Heritage Overlay – Schedule 332 (HO332)

28. The site is affected by HO332. The relevant purposes are:

(a) To implement the Municipal Planning Strategy and the Planning Policy Framework;

(b) To conserve and enhance heritage places of natural or cultural significance;

(c) To conserve and enhance those elements which contribute to the significance of heritage places; and

(d) To ensure that development does not adversely affect the significance of heritage places.

29. Pursuant to Clause 43.01-1:

(a) a permit is required to demolish or remove a building, construct a building or construct or carry out works.

Clause 45.03 – Environmental Audit Overlay (EAO)

30. The site is affected by an EAO which applies to a sensitive use. Pursuant to Clause 45.03-1 of the Scheme, an office use is not a sensitive use and therefore the provisions of this Clause do not apply.

Clause 45.06 – Development Contributions Plan Overlay - Schedule 1 (DCPO1)

31. The site is affected by DPCO1. Pursuant to Clause 45.06-1 a permit granted must:

(a) Be consistent with the provisions of the relevant development contributions plan; and

(b) Include any conditions required to give effect to any contributions or levies imposed, conditions or requirements set out in the relevant schedule to this overlay.

Particular Provisions

Clause 52.06 – Car parking

32. Pursuant to Clause 52.06-3, a permit is required for a reduction of 128 car spaces as set out in the table overleaf.

Land Use	Quantity/ Size	Statutory Parking Rate*	No. of Spaces Required	No. of Spaces Allocated
Office	4,201sqm	3 spaces per 100sqm of net floor area	126	7
Food and drink premises/Retail	270sqm	3.5 spaces per 100sqm of leasable floor are	9	0
Total			**135 spaces**	**7 spaces**

* Note: The site is located within the Principal Public Transport Network Area, therefore parking rates in Column B of Clause 52.06-5 apply.

Clause 52.34 – Bicycle facilities

33. Pursuant to Clause 52.34-3 of the Scheme, the development's bicycle parking requirements are as follows:

Land Use	Units/Area proposed	Rate for staff	Rate for visitors/ shoppers	No. required	No. proposed	Reduction sought
Office	4,201sqm	1 to each 300sqm of net floor area if the net floor area exceeds 1000sqm	1 to each 1000sqm of net floor area if the net floor area exceeds 1000sqm	14 staff 4 visitor	45 staff 7 visitor	None
Retail **(includes Food and drink premises)**	157sqm	1 to each 300sqm of leasable floor area	1 to each 500sqm of leasable floor area	0 staff 0 visitor		
Shop	113sqm	1 to each 600sqm of leasable floor area if the net floor area exceeds 1000sqm	1 to each 500sqm of leasable floor area if the net floor area exceeds 1000sqm	0 staff 0 visitor		
Total				**14staff 4 visitor**	**45 staff 7 visitor**	**None**

34. The proposal exceeds the requirements of this clause.

Clause 53.18 – Stormwater Management in Urban Development

35. This clause applies to an application under a provision of a zone to construct a building or construct or carry out works. An application to construct a building or to construct or carry out works:

    (a) Must meet all of the objectives of Clauses 53.18-5 and 53.18-6; and

    (b) Should meet all of the standards of Clauses 53.18-5 and 53.18-6.

General Provisions

Clause 65 – Decision Guidelines

36. The decision guidelines outlined at clause 65 of the Scheme are relevant to all applications.

Clause 71.02-3 - Integrated Decision Making

37. The principles of integrated decision making apply to all applications and require decision makers to integrate the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations.

Planning Policy Framework (PPF)

38. The following clauses of the PPF are relevant:

    (a) Clause 11.01 – Victoria;

    (b) Clause 11.02 – Managing growth;

    (c) Clause 11.03 – Planning for Places;

    (d) Clause 15.01 – Built Environment;

    (e) Clause 15.02 – Sustainable development;

    (f) Clause 15.03 – Heritage;

    (g) Clause 17.01 – Employment;

    (h) Clause 17.02 – Commercial; and

    (i) Clause 18.02 – Movement networks.

Clause 11.01-1S (Settlement)

39. This clause has the following strategies:

    (a) Promote and capitalise on opportunities for urban renewal and infill redevelopment;

    (b) Develop compact urban areas that are based around existing or planned activity centres to maximise accessibility to facilities and services; and

    (c) Ensure retail, office-based employment, community facilities and services are concentrated in central locations.

Clause 11.01-1R (Settlement Metropolitan Melbourne)

40. This clause has the following strategies:

    (a) Develop a network of activity centres linked by transport; consisting of Metropolitan Activity Centres supported by a network of vibrant major and neighbourhood activity centres of varying size, role and function; and

(b) Create mixed-use neighbourhoods at varying densities, including through the development of urban-renewal precincts that offer more choice in housing, create jobs and opportunities for local businesses and deliver better access to services and facilities.

Clause 11.02-1S (Supply of Urban Land)

41. This clause has the objective:

(a) To ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.

Clause 11.03-1S (Activity Centres)

42. The relevant objectives of this clause include:

(a) To encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community.

Clause 11.03-1R (Activity centres – Metropolitan Melbourne)

43. Relevant strategies are:

(a) Support the development and growth of Metropolitan Activity Centres be ensuring they:

(i) Are able to accommodate significant growth for a broad range of land uses;

(ii) Are supported with appropriate infrastructure;

(iii) Are hubs for public transport services;

(iv) Offer good connectivity for a regional catchment; and

(v) Provide high levels of amenity.

Clause 15.01-1S (Urban design)

44. This clause has the objective:

(a) To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.

Clause 15.01-2S (Building design)

45. This clause has the objective:

(a) To achieve building design outcomes that contribute positively to the local context and enhance the public realm.

Clause 15.01-5S (Neighbourhood character)

46. This clause has the objective:

(a) To recognise, support and protect neighbourhood character, cultural identity, and sense of place.

Clause 15.02-1S (Energy Efficiency)

47. This clause has the objective:

    (a) To encourage land use and development that is energy and resource efficient, supports a cooler environment and minimises greenhouse gas emissions.

Clause 15.03 (Heritage)

48. This clause has the objective:

    (a) To ensure the conservation of places of heritage significance.

Clause 17.01-1S (Diversified economy)

49. This clause has the objective:

    (a) To strengthen and diversify the economy.

Clause 17.01-1R (Diversified economy – Metropolitan Melbourne)

50. This clause has the objective:

    (a) Plan for the redevelopment of Major Urban-Renewal Precincts in and around the Central City to deliver high-quality, distinct and diverse neighbourhoods offering a mix of uses.

Clause 17.02-1S (Business)

51. This clause has the objective:

    (a) To encourage development that meets the communities' needs for retail, entertainment, office and other commercial services.

Clause 18.02-2S (Cycling)

52. This clause has the objective:

    (a) To facilitate an efficient and safe bicycle network and increase the proportion of trips made by cycling.

Clause 18.02-3S (Public Transport)

53. This clause has the objective:

    (a) To facilitate an efficient and safe public transport network and increase the proportion of trips made by public transport.

Clause 18.02-3R (Principle Public Transport Network)

54. This clause includes the following strategy:

(a) Maximise the use of existing infrastructure and increase the diversity and density of development along the Principal Public Transport Network, particularly at interchanges, activity centres and where principal public transport routes intersect.

Clause 18.02-4S (Roads)

55. This clause includes the following strategies:

(a) Plan an adequate supply of car parking that is designed and located to:

(i) Protect the role and function of nearby roads;

(ii) Facilitate the use of public transport; and

(iii) Protect residential areas from the effects of road congestion created by on-street parking.

Local Planning Policy Framework (LPPF)

56. Within the Municipal Strategic Statement (MSS), the following clauses are relevant to the Tribunal's consideration:

(a) Clause 21.04 – Land use;

(b) Clause 21.05 – Built form;

(c) Clause 21.06 – Transport; and

(d) Clause 21.08 – Neighbourhoods.

Clause 21.04-2 (Activity Centres)

57. The relevant objectives of this clause are:

(a) To maintain the long term viability of activity centres.

58. Relevant strategies to achieve this objective include:

(a) Strategy 5.2 – Support land use change and development that contributes to the adaptation, redevelopment and economic growth of existing activity centres; and

(b) Strategy 5.3 – Discourage uses at street level in activity centres which create dead frontages during the day.

Clause 21.04-3 (Industry, Office and Commercial)

59. This clause has the objective:

(a) Objective 8: To increase the number and diversity of local employment opportunities.

Clause 21.05-1 (Heritage)

60. This clause includes the following objective and strategies:

(a) Objective 14: To protect and enhance Yarra's heritage places:

(i) Strategy 14.3: Protect the heritage skyline of heritage precincts; and

(ii) Strategy 14.6: Protect buildings, streetscapes and precincts of heritage significance from the visual intrusion of built form both within places and from adjoining areas.

Clause 21.05-2 (Urban design)

61. This clause describes the municipality as having low-rise urban form with pockets of higher development. Relevant objectives and strategies include:

    (a) Objective 17: To retain Yarra's identity as a low-rise urban form with pockets of higher development:

        (i) Strategy 17.1: Ensure that development outside activity centres and not on Strategic Redevelopment Sites reflects the prevailing low-rise urban form;

        (ii) Strategy 17.2: Development on strategic redevelopment sites or within activity centres should generally be no more than 5-6 storeys unless it can be demonstrated that the proposal can achieve specific benefits such as:

            - Significant upper level setbacks

            - Architectural design excellence

            - Best practice environmental sustainability objectives in design and construction

            - High quality restoration and adaptive re-use of heritage buildings

            - Positive contribution to the enhancement of the public domain

            - Provision of affordable housing.

    (b) Objective 20: To ensure that new development contributes positively to Yarra's urban fabric;

        (i) Strategy 20.1: Ensure development is designed having particular regard to its urban context and specifically designed following a thorough analysis of the site, the neighbouring properties and its environs.

Clause 21.05-4 (Public environment)

62. This clause includes the following objective and strategies:

    (a) Objective 28 - To a provide a public environment that encourages community interaction and activity:

        (i) Strategy 28.1: Encourage universal access to all new public spaces and buildings; and

        (ii) Strategy 28.2: Ensure that buildings have a human scale at street level.

Clause 21.06-3 (The road system and parking)

63. This clause includes the following objective and strategies:

    (a) Objective 32: To reduce the reliance on the private motor car; and

    (b) Objective 33: To reduce the impact of traffic.

Clause 21.07-1 (Environmentally sustainable development)

64. This clause includes the following objective and strategies:

    (a) Objective 34 To promote ecologically sustainable development that has the following strategy:

        (i) Strategy 34.1 Encourage new development to incorporate environmentally sustainable design measures in the areas of energy and water efficiency, greenhouse gas emissions, passive solar design, natural ventilation, stormwater

reduction and management, solar access, orientation and layout of development, building materials and waste minimisation.

Clause 21.08-2 (Burnley, Cremorne, South Richmond)

65. This clause includes the following description of the neighbourhood of relevance:

    (a) This neighbourhood is largely an eclectic mix of commercial, industrial and residential land use. With two railway lines and both north south, and east west tram routes, the neighbourhood has excellent access to public transport. The Cremorne commercial area functions as an important metropolitan business cluster which must be fostered; and

    (b) The Swan Street major activity centre lies along the northern boundary of this neighbourhood. Within this major activity centre there are three recognisable precincts:

        (i) The Richmond Station precinct - Richmond Station is a nodal interchange and the largest station outside the City Loop. The precinct represents a major opportunity to improve the amenity of the area and encourage more local use of the Station.

66. At the local policy levels, the following policies are relevant:

    (a) Clause 22.02 – Development Guidelines for Sites Subject to the Heritage Overlay;

    (b) Clause 22.03 – Landmarks and Tall Structures;

    (c) Clause 22.05 – Interface Uses Policy;

    (d) Clause 22.16 – Stormwater Management (Water Sensitive Urban Design); and

    (e) Clause 22.17 – Environmentally Sustainable Development.

Clause 22.02 (Development Guidelines for Sites Subject to the Heritage Overlay)

67. The objectives of this policy are:

    (a) To retain significant view lines to, and vistas of, heritage places;

    (b) To preserve the scale and pattern of streetscapes in heritage places; and

    (c) To ensure that additions and new works to a heritage place respect the significance of the place.

68. The policy includes development guidelines relevant to demolition and new works which will be considered in the assessment section of this report.

Clause 22.03 (Landmarks and Tall Structures)

69. This policy applies to all new development. It is policy to:

    (a) Maintain the prominence of Yarra's valued landmark signs.

    (b) Protect views to the silhouette and profile of Yarra's valued landmarks to ensure they remain as the principal built form reference.

    (c) Ensure the profile and silhouette of new tall structures adds to the interest of Yarra's urban form and skyline.

70. The Ball Tower of Dimmeys, Swan Street, is the nearest identified landmark.

Clause 22.05 – Interface Uses Policy

71. This policy applies to all development and use applications and aims to reduce conflict between commercial, industrial and residential activities. The policy acknowledges that the mix of land uses and development that typifies inner city areas can result in conflict at the interface between uses.

Clause 22.16 - Stormwater Management (Water Sensitive Urban Design)

72. This policy applies to new buildings and extensions to existing buildings which are 50sqm in floor area or greater. Clause 22.16-3 requires development to improve the quality and reduce the flow of water discharge to waterways; manage the flow of litter being carried off-site in stormwater flows; and encourage the use of green roofs, walls and facades in buildings where practicable.

Clause 22.17 – Environmentally Sustainable Development

73. This policy applies to non-residential development with a gross floor area of 100sqm or greater. The overarching objective is that development should achieve best practice in environmentally sustainable development from the design stage through to construction and operation. The policy considerations are energy performance, water resources, indoor environment quality, storm water management, transport, waste management and urban ecology.

Other Relevant Documents

Plan Melbourne 2017-2050

74. The Plan outlines the vision for Melbourne's growth to the year 2050. It seeks to define what kind of city Melbourne will be and identifies the infrastructure, services and major projects which need to be put in place to underpin the city's growth. It is a blueprint for Melbourne's future prosperity, liveability and sustainability.

75. The 'Flinders Street Station to Richmond Station Corridor' is identified as a Major Urban Renewal Precinct which 'will play an important role in accommodating future housing and employment growth and making better use of existing infrastructure.' The 'Richmond - Swan Street' area is identified as a Major Activity Centre. Activity centres are identified as playing an important role in delivering more housing closer to jobs and transport.

Urban Design Guidelines

76. Clause 15.01-2S requires consideration to be given to this document, as relevant.

    (a) Urban Design Guidelines for Victoria (Department of Environment, Land, Water and Planning, 2017).

Swan Street Structure Plan

77. The Swan Street Structure Plan was adopted by Council at its meeting on 17 December 2013. This led to the development of Amendment C191 for the activity centre which was gazetted into the Scheme on 10 February 2022. Of note, Amendment C191 replaces Design and Development Overlay Schedule 17 with revised schedules 25, 26, 27 and 28 on a permanent basis. DDO25 includes planning provisions relevant to Precinct 1 (Richmond Station) and DDO26 includes planning provisions relevant to Precinct 2 (Swan Street Retail Centre). The MUZ parcel of land between Hoddle, Stewart and Wangaratta Streets (including the subject site) does not fall within either precinct.

78. In the Structure Plan, the site falls within the Richmond Station Precinct in an area which recommends building height at 7-10 storeys high (a maximum height of 30m).

PLANNING SCHEME AMENDMENTS

Amendment C269 (Local Policy Rewrite)

79. Amendment C269 proposes to update the local policies in the Yarra Planning Scheme by replacing the MSS at Clause 21 and Local Planning Policies at Clause 22 with a Municipal Planning Strategy (MPS) and Local Policies within the Planning Policy Framework (PFF), consistent with the structure recently introduced by the State Government.

80. The amendment was on public exhibition between 20 August 2020 and 4 December 2020. Amendment C269 was adopted by Council on 3 August 2021 and proceeded to a panel hearing in October 2021. The Panel report was released on 18 January 2022. Of note, the Panel found Amendment C269 to be 'well founded and strategically justified and should proceed subject to addressing the more specific issues raised in submissions as discussed in this Report.'

81. At its Council meeting on 19 April 2021, Council adopted Amendment C269 and on 12 May 2022 it was submitted to the Minister for Planning for approval, in accordance with section 31(1) of the Act. As such, Amendment C269 is seriously entertained planning policy and relevant to the consideration of this application.

82. Of particular relevance to this application, Amendment C269 proposes:

    (a) Clause 11 (Settlement) – Introduces policy that defines Yarra's hierarchy of activity centres and sets out the vision for each centre consistent with its capacity. The boundaries of activity centres have also been redefined;

    (b) Clause 15 (Built environment and heritage) – Introduces policy that defines where mid-rise development is to be located. Strengthens the existing heritage policy guidelines relating to demolition and commercial/industrial heritage places;

    (c) Clause 17 (Economic development) – Identifies Cremorne and Gipps Street as major employment precincts for intensification; and

    (d) Clause 18 (Transport) – Promotes sustainable travel by introducing a transport hierarchy that favours walking, cycling and public transport over car based transport. Also identifies in what circumstances a parking reduction and car sharing will be considered.

83. Proposed Clause 02.03 (Strategic directions) in relation to activity centres states:

> *Activity centres are a focus of growth in Yarra with the addition of mid-rise commercial development and apartments. They will continue to accommodate most of the city's growth because of their proximity to transport infrastructure, shops and services making them the most suitable locations for development.*
>
> *These activity centres generally contain highly valued streetscapes and commercial buildings included on the Heritage Overlay and must balance the requirements for growth with the retention of heritage significance.*

84. Proposed Clause 02.03-1 seeks to (among other things) 'promote development that is of a scale appropriate to the role and capacity of the centre'.

85. Proposed Clause 11.03-1L (Activity centres) has the following strategies:

> *Support development within activity centres that is consistent with the capacity for each centre as identified in the Strategic Housing Framework Plan at clause 16.01-1L.*
>
> *Support high quality mid-rise buildings in major and neighbourhood activity centres as specified in a Design and Development Overlay.*
>
> *Support development that improves the built form character of activity centres, whilst conserving heritage places, streetscapes and views to identified landmarks.*
>
> *Support development that transitions to and is sensitive to the interfaces with low-rise residential neighbourhoods.*

86. In relation to the Swan Street MAC the Panel said at page 52:

> *The Panel agrees with Council that further strategic work is required for the mixed use land. This is consistent with the conclusions and recommendations in the Panel Report for Amendment C191. This further work should explore the relationship between the mixed use land and the Swan Street Activity MAC, including:*

- *whether the mixed use land forms part of the Swan Street MAC or some other precinct*
- *the boundary of the precinct*
- *strategies in local policies to help guide the development of the area*
- *appropriate built form controls for the precinct.*

The Panel makes no judgement about these matters. It is premature to suggest whether the mixed use land should be included within the Swan Street MAC at this stage.

The Panel does not agree that the heritage significance of the precinct should determine whether the land is included within the Swan Street MAC. There are many parts of MACs within Yarra that are of heritage significance, and heritage character is a matter that needs to be considered when formulating strategies and built form controls for an area.

The Panel is concerned with Council's approach to include the mixed use land within the Swan Street MAC without any specific strategies within the activity centres policy at Clause 11.03-1L that address this important precinct. It is desirable to have appropriate planning strategies for the site (and associated built form controls) simultaneous with its inclusion within the Swan Street MAC (or other specified precinct). There would be further confusion and uncertainty if the land was included within the MAC with no strategies or built form controls to help understand the intentions for the precinct.

On this basis, the Panel does not support the mixed use land being included within the Swan Street MAC at this stage. The land should be included subject to further strategic work foreshadowed by Council and considered as part of a separate Planning Scheme amendment.

87. In relation to building height, the proposed MPS and various planning policies refer to building height by the terms 'low-rise', 'mid-rise' and 'high-rise'. The Panel supported the terms and that they be relative rather than prescriptive. Proposed Clause 02.03 contains the following strategic directions relevant to building height:

    - *Ensure mid-rise buildings are in accordance with any building height requirements set out in the relevant zone or overlay, or, where there are no building height requirements specified, having regard to the physical and strategic context of the site.*

88. Proposed Clause 15.01-2L (Building design) states:

    Direct mid-rise development to the following locations:

    - *Appropriate locations within major and neighbourhood activity centres; major employment precincts, commercial and industrial land (as defined in clauses 2.01 and 11.03-1L).*

    Support mid-rise development that:

    - *Contributes to a high-quality built form.*
    - *Demonstrates architectural design excellence.*
    - *Provides a transitional scale to the buildings in adjoining low-rise neighbourhoods to protect amenity and avoid visual bulk.*
    - *Improves movement through the site.*
    - *Provides active frontages at street level.*
    - *Contributes to an improved public realm.*

89. Having regard to the strategic directions above, the site is not in a location where mid-rise development is directed because the site is in a MUZ (not a commercial or industrial zone) and it is not defined as being in an activity centre or a major employment precinct.

90. In relation to heritage, proposed Clause 15.03-1L relevantly includes the following objectives:

> *To conserve and enhance Yarra's natural and cultural heritage.*
>
> *To preserve the scale and pattern of streetscapes in heritage places.*
>
> *To ensure the adaptation of heritage places is consistent with the principles of good conservation practices.*

91. Proposed Clause 15.03-1L relevantly includes the following strategies:

> ***New development, alterations or additions***
>
> *Promote development that is high quality and respectful in its design response by:*
>
> - *Maintaining the heritage character of the existing building or streetscape.*
> - *Respecting the scale and massing of the existing heritage building or streetscape.*
> - *Retaining the pattern and grain of streetscapes in heritage places.*
> - *Not visually dominating the existing heritage building or streetscape.*
> - *Not detracting from or competing with the significant elements of the existing heritage building or streetscape.*
> - *Maintaining the prominence of significant and contributory elements of the heritage place.*
>
> *Set back additions:*
>
> - *To avoid facadism, where only the visible façade is retained and the remaining fabric is demolished.*
> - *To maintain the visibility of the three-dimensional form and depth of a building.*
>
> ***Industrial heritage places***
>
> *Encourage new development on small scale one or two storey industrial buildings that does not visually dominate the historic form when viewed from the public realm.*

92. In relation to car parking, the Panel found '[t]he car parking policy is appropriate'. Clause 18.02-4L proposes (amongst other matters):

> *Support a reduction in the required number of car parking spaces where:*
>
> - *The site has high public transport accessibility and is located within walking or cycling distance to shops, jobs and amenities;*
> - *The development or use is unlikely to result in unreasonable impacts on existing on-street parking;*
> - *The development provides adequate bicycle parking.*

Referrals

External Referrals

93. DELWP have referred the application to Head, Transport for Victoria.

Internal Referrals

94. The application was referred to the following units within Council:

(a) Heritage Advisor;

(b) Environmentally Sustainable Design (ESD) Advisor;

(c) City Works Unit;

(d) Engineering Services Unit; and

(e) Strategic Transport Unit.

95. The application was referred to the following external consultants:

(a) Urban Design (MGS).

96. Referral comments have been included as attachments to this report.

OFFICER ASSESSMENT

97. The primary considerations for this application are as follows:

(a) Policy and strategic support;

(b) Built form, urban design and heritage;

(c) Off-site amenity impacts;

(d) Environmentally sustainable design;

(e) Car parking and traffic; and

(f) Bicycle facilities and sustainable transport.

VCAT History, Policy and Strategic Support

98. The Tribunal in both *ACCC* and *Hines* assessed the subject site as being within the Swan Street MAC. In *Hines* the Tribunal endorsed the following comments in *ACCC* as still being relevant to the current physical and planning context of the site:

> *[5] The State and local planning policies are consistent in their message that the subject land is located in an area where an intensity of development is encouraged. Based on the local planning policy framework, it is our finding that the subject land is within the Swan Street Major Activity Centre. The recent inclusion of the Richmond Station precinct in State planning policy that encourages high scale and high density mixed residential and commercial developments further identifies the area around the station as one where an intensity of development is encouraged. However, this does not create a 'free-for-all' situation in regard to the height and form of development that is acceptable for this land. There are other considerations that come into play through the planning policies and controls that are relevant in this case.*
>
> *The subject land is a site with constraints as it is within a Heritage Overlay in a discrete industrial sub-precinct; and it has interfaces with a number of other properties and adjoins a major railway station, Richmond Station.*
>
> *This is an area where heritage is clearly manifest in its built form….*

99. In *Hines*, the Tribunal did however acknowledge that the future designation of the site's location in the Swan Street MAC is unclear having regard to Amendment C191 and C269.

100. Since *Hines*, C191 has been gazetted into the Scheme and relevantly the subject site is not included in the DDO's affecting the activity centre. Amendment C269 has also now been through a panel hearing process since *Hines* and the adopted C269 which has been submitted to the Minister for Planning for approval also does not include the site in the Swan Street MAC.

101. As to whether the site should be assessed as being within the MAC or not, in *Hines* the Tribunal said:

> *[22] The consequence of whether the site is within the MAC relates to what local planning policies are relevant and the extent of strategic support at a State and local level for this area to accommodate increased development.*

> *[23] Our decision must be based on the current version of the planning scheme as at the date of this decision. Nothing has changed in the planning scheme Nothing has changed in the planning scheme since the previous Tribunal decision that relates to the extent of the Swan Street MAC. Clause 21.08 in particular includes figures for Burnley, Cremorne, South Richmond and for Central Richmond that illustrate at least part of the site is within the conceptual bubble of the MAC. Hence, at this time, this site remains part of the MAC.*

102. As such, the Tribunal on two occasions has assessed the site as being in the MAC and found that despite the very high level of policy support for intensive development in activity centres, the proposed building height could not be supported.

103. In relation to the level of strategic support for the proposal under Plan Melbourne, in *Hines* the Tribunal said:

> *[29] The applicant's submission highlights that Plan Melbourne describes the Flinders Street Station to Richmond Station corridor as a 'major urban renewal precinct' and a place of 'state significance that will be the focus for investment and growth'. The applicant acknowledges that there are no publicly available plans or details about development in this precinct/corridor yet. The applicant refers to the Swan Street structure plan 2013 that includes reference to the precinct becoming a major catalyst for revitalisation. The applicant submits these documents, taken together, provide clear support for the intensive redevelopment of this site and an expectation for substantial change. We are not persuaded of this.*
>
> *[30] Despite State and local level policies locating this site in a MAC and adjacent to a 'priority precinct', there is no clear policy guidance about how new development should be achieved, particularly in regard to the scale or intensity of new development. Also, the planning scheme makes it clear that the range of planning policies should be integrated and conflicting objectives should be balanced in favour of net community development and sustainable development for the benefit of present and future generations. In this case, in addition to being in a MAC and a priority precinct, this includes:*
>
> - *The State level planning policies seek for development to respond to its context, including to the character.*
> - *The local planning statement at clause 21.05-2 (Urban design) provides the clearest guidance as to the expected built form outcomes. Strategy 20.1 seeks development that has particular regard to its urban context. Strategy 21.1 requires development in activity centres to respect and not dominate existing built form. Strategy 21.1 requires new development in activity centres to consider the context of the centre including that it may consist of sub-precincts that each have their own built form character. Strategy 17.2 states:*
> - *Development on strategic redevelopment sites or within activity centres should generally be no more than 5-6 storeys unless it can be demonstrated that the proposal can achieve specific benefits such as:*
>   - *Significant upper level setbacks*
>   - *Architectural design excellence*
>   - *Best practice environmental sustainability objectives in design and construction*
>   - *High quality restoration and adaptive re-use of heritage buildings*
>   - *Positive contribution to the enhancement of the public domain*

- *Provision of affordable housing*

- *The purpose of the MUZ seeks 'to provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality'. This purpose gives no guidance about scale or intensity of development.*
- *The character of this mixed use precinct is heavily influenced by and impacted on by the heritage fabric recognised and protected in Heritage Overlay HO332. The site is within the 'south industrial sub-area' of the Richmond Hill heritage precinct…..*
- *Other aspects of the local planning policy framework seek to protect and enhance the City's heritage places including supporting their restoration, protect the heritage skyline and subdivision patterns, and protect buildings, streetscapes and precincts from the visual intrusion of built form.*
- *The Swan Street Structure Plan adopted by Council in 2013 contains some built form guidelines and preferred maximum building heights for each precinct. The Richmond Station precinct (containing this site) has a preferred building height of 7-10 storeys (a maximum of 30 metres). Mr Barlow acknowledges this structure plan is of 'limited statutory weight' in the consideration of this application as it has not progressed to the formal planning scheme amendment stage in the last seven years (since its adoption).*

[31] Overall, our conclusions in regard to the relevant policies are that there is policy support for new development on this site of at least 5-6 storeys. There is no guidance as to how much greater the intensity of development can or should be. Rather there is a recognition of the heritage significance of this mixed use area/precinct, and the need to protect and enhance this significance. The form and scale of any development on this site must respond to these relevant planning controls and policies as well as the physical context of the site and surrounds.

104. In summary, it is clear from the Tribunal's most recent assessment in *Hines* that the strategic context of the site enjoys policy support for an intensive development of the site, however this does not override the need for the proposed built form to be respectful of the surrounding heritage context.

105. Under Amendment C269, the site is not identified as being in a location where mid-rise development is directed. This is because the site is in a MUZ (not a commercial or industrial zone) and the site it is not defined as being in an activity centre or major employment precinct. Having regard to the proposed MPS, the strategic context of the site is one where new development in this MUZ precinct is required to be of a building height that fits with the surrounding physical context.

Land use

106. The proposed mix of land uses is the same as what was proposed in *Hines* and is appropriate for the context and will complement the mixed-use function of the locality. Of note, in *Hines* the Tribunal did not support restricting the office hours of operation to address light spill and said:

[107] ….in an evolving and diversifying economy and in a Mixed Use Zone in a Major Activity Centre, we consider it is acceptable to anticipate and expect that an office premises use may extend beyond traditional business hours

107. In *17 Wangaratta Street Pty Ltd v Yarra CC* [2021] VCAT 167, relating to a proposed 8 storey mixed use commercial development, in the MUZ in this same precinct, the Tribunal said:

> *[50] Whilst understanding the residents' concerns, normal activities of people coming and going to an office and shop are part and parcel of an everyday experience within a MUZ. Similarly, in my view, the luminesce of office lighting that may operate into the evening hours is unlikely to extend beyond a background visibility, which in the context of an inner city site such as this, is a reasonable expectation. I am unpersuaded that there are any unreasonable amenity implications that will arise from the luminescence of office lighting.*
>
> *[51] Had I been of a mind to grant a permit, I accept the need for a Management Plan condition that would limit the hours of operation of the ground level shops, and also set in place amenity protections from the office use (as the application sought a 24 hour operation for the office use). I agree that these limitations, which were discussed at the hearing, are necessary as the land is within a zone that is within the residential suite of zones and the amenity expectations of nearby residents should be managed via this method.*

108. In relation to the proposed food and drinks premise, given that the site is not included in the MAC under Amendment C269 and the MUZ is a residential zone and not a commercial zone, it is considered that the hours of operation of the food and drinks premise should be regulated on a permit given its proximity to the train station entry and potential for off-site amenity impacts on surrounding residential land use. The proposed hours of operation are 7am to 7pm, seven days a week which is appropriate in a MUZ and ensures no risk of sleep disturbance which is assessed under EPA noise regulations after 10pm.

109. If a permit is to issue, a condition should regulate that deliveries only occur between the hours of 7am and 6pm (as recommended in the acoustic report submitted with the application), with one delivery per day per tenancy. A condition should also require that waste management be carried out in accordance with an amended waste management plan addressing Council's City Works Unit referral comments. Hours for collection should be conditioned to be between 7am and 6pm (as assessed in the acoustic report submitted with the application).

Built form, urban design and heritage

110. In regard to heritage, in *Hines* the Tribunal said:

> *[43] We are not persuaded that retaining the first 4.5 metre bay of the Margaret Street façade retains the contribution this building makes to the significance of this industrial sub-precinct heritage place. Rather, we find that the loss of almost all the Margaret Street façade will adversely impact upon the significance of this industrial sub-precinct, particularly views of the three-dimensional quality of the streetscapes of Stewart and Margaret Streets. This in turn will diminish the overall industrial heritage fabric remaining within Margaret Street…*
>
> *[45] We accept that it is possible for the extent of demolition to be reduced to an acceptable degree through amendments to the plans. Therefore, we have not refused this application for this reason alone.*

111. The proposal has addressed the extent of demolition of the Margaret Street heritage façade by retaining approximately 18m of the façade as shown below.

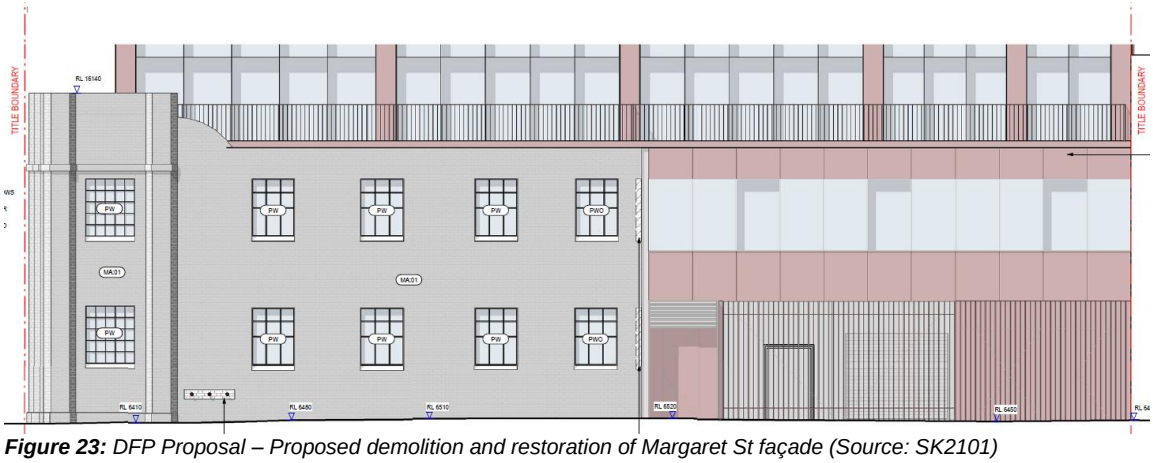


Figure 23: *DFP Proposal – Proposed demolition and restoration of Margaret St façade (Source: SK2101)*

112. In assessing the appropriateness of the addition and the visual impact on the heritage precinct, in *Hines* the Tribunal found:

> *[58] … Whilst Wangaratta Street is part of the broader Richmond Hill heritage precinct, it forms the eastern boundary of this industrial sub-precinct. As these buildings are generally located on the east side of Wangaratta Street, they are not within this sub-precinct. This means their existence is of no relevance to the heritage considerations.*
>
> *[60] We agree with Ms Riddett that the consideration of building height is relevant to heritage skylines, which in this case means understanding its impact from further afield. In this case, we have given greater consideration to the proposed building height within the overall Richmond Hill heritage precinct (within which this site is located) rather than to the west side of Punt Road that is not within this precinct.*
>
> *[62] …We acknowledge that there are new taller buildings emerging in Cremorne and that from various vantage points they form part of the backdrop to the proposed development. However, they are some distance away and obviously do not form part of the urban fabric evident in the industrial sub-precinct of Richmond Hill.*

113. In considering the proposed building height, the Tribunal found:

> *[70] The difference in building height between this proposal and the existing buildings in this industrial sub-precinct will be noticeable as it is in the order of 10 metres. We agree reducing the building height by two or three storeys (as is suggested by the Council's expert witnesses) would mean the height is comparable to the existing and approved buildings in this sub-precinct. Whether a taller building is acceptable on this site is influenced by the amenity impacts and by whether the design can 'successfully knit together' the modern and historic elements in a manner that allows the heritage fabric to stand out and remain prominent. We are not persuaded this design achieves this successful knitting enabling the heritage fabric to remain prominent, particularly in Stewart Street.*
>
> *[71] The difference in the building height between this proposal and the building at 1 Margaret Street is accentuated by the significant difference in the building setbacks from Stewart Street as well (refer to the image on following page illustrating existing setbacks at 1 Margaret Street). The minimum 4.5 metre staggered setback from the Stewart Street frontage (following the curve of the street) ensures that the new part of that building above the heritage façade is visually recessive and does not dominate that building or the Stewart Street streetscape. This is in contrast to this proposal.*

> *[77] Having viewed the subject land from various vantage points along Stewart Street, including those reflected in the photomontages in Mr Wilkinson's evidence statement, we are not persuaded that the combination of the 2.5 and 4.5 metre setbacks are acceptable… More importantly, we are of the view that the proposed setbacks are insufficient to ensure that the new building will be visually recessive in, and not dominate, the existing heritage significant facades in the Stewart Street streetscape, as sought by the policy at clause 22.02-5.7.1. Nor are the proposed setbacks consistent with the requirements at clause 22.02-5.7.2, which seeks for each higher element to be set further back from lower heritage built form. Rather, we find that the shallow 2.5 metre setback from the heritage façade in combination with the building height will result in a visually dominant building.*

114. This proposal has lowered the building height from RL44750 to RL41150 (by 3.6m) but retains the 2.5m setback from Stewart Street, except for the uppermost level which is now setback a further 2m (to 4.5m). Levels 02 and 03 are now setback 2.5m from Stewart Street when previously they were setback 4.5m. The setback from Margaret Street is unchanged at 2.5m except the uppermost level which is now setback a further 1.5m (to 4.0m). Significantly, the external stairwell that was proposed along the Margaret Street frontage has been deleted.

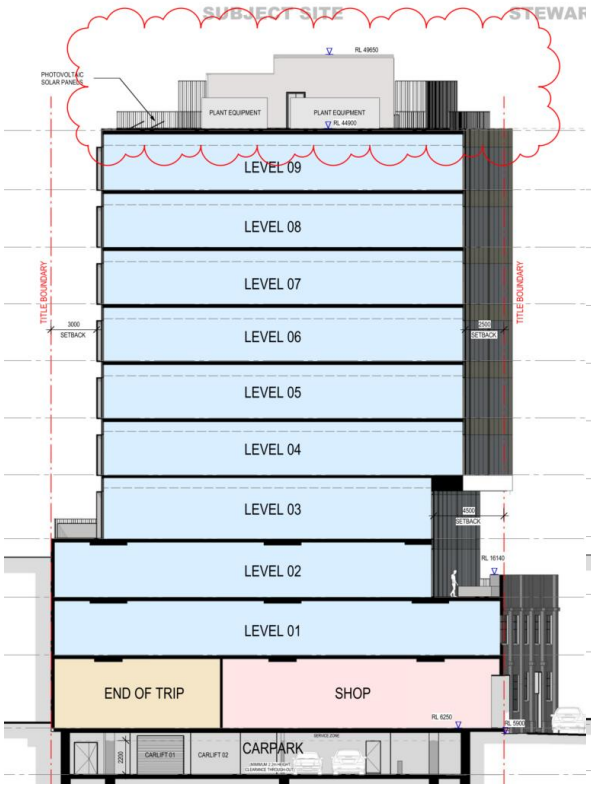


Figure 24: *VCAT Proposal – North-south section*

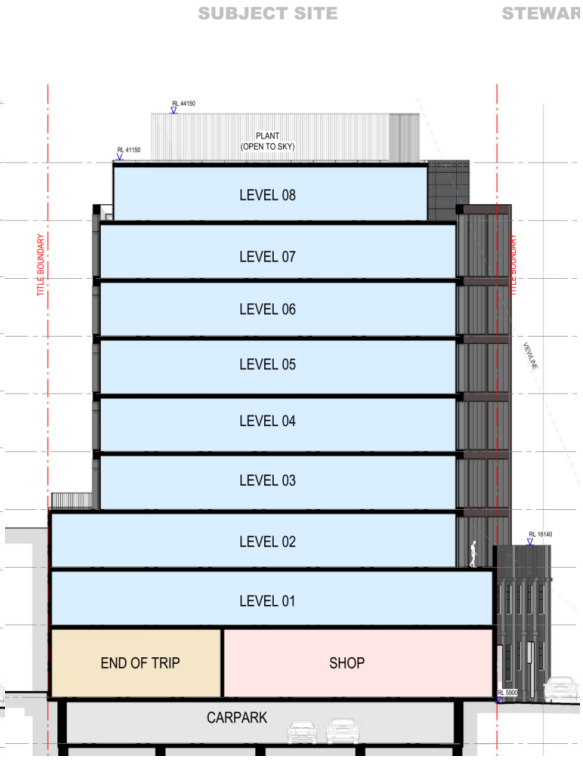


Figure 25: *DFP Proposal – North-south section*

115. Council's urban design consultant, Mr McGauran, who appeared as Council's urban design expert in *Hines* has reviewed this proposal and advised

(a) *the excessive scale of the development above the predominant scale of the neighbourhood continues to be an issue with the development continuing to try to establish a landmark status when the attributes of the precinct relate to its consistency, an attribute affirmed in 2 previous VCAT decisions for the site. The design approach adopted does not support a more ambitious scale or expression indeed quite the contrary;*

(b) *the absence of western setbacks albeit better managed in expression than previously is undermined by the heavier masonry expression to the levels 2 to 7 inclusive; and*

(c) *The adoption of reduced setbacks to levels 2 and 3 has diminished the quality and amenity of open space in the development and amplified the abruptness of the extended tower form and base building.*

116. The proposed building scale is approximately 1/3 higher than that of the balance of the precinct and more than double of its neighbours. Mr McGauran has advised:

> *[114] In addition to seeking this greater height than that characterizing the majority of the Activity Centre and all the adjoining neighbourhood mixed-use area, it also seeks to propose setbacks less than half the mandated minimums in Swan Street from the Stewart Street interface itself a key pedestrian arrival point to the Richmond Station interchange and to adopt materiality and design expression that amplifies the incongruity in a local context of such an approach to valued heritage buildings and precincts.*
>
> *[115] It is not a site or location that in my view promotes characteristics seeking landmark status.*
>
> *[125] With surrounding redevelopments of heights in the order of 6-7 residential mixed-use levels of considerably lesser floor to floor heights typically, it is apparent in my view that the development should in a strategic and physical policy response to context have had more regard to the existing built form character of the area and needs to see substantial reductions in scale to respond to this policy and physical context setting.*

117. Council's heritage expert, Ms Riddett, who gave evidence in *Hines* has reviewed this proposal and advised that her concerns about overall height remain and the building height should be constrained to 8 storeys high. Ms Riddett previously advised:

> *The height in combination with the width of these elevations will make the building dominant and visually conspicuous in views from Richmond Hill to the north, including a viewshed from the west and east, variously from the south, including the platforms of the Richmond Railway Station and probably Punt Road to the south. (Para 80)*
>
> *The impact of the height on the Richmond Hill Precinct in views from the north is an important heritage consideration and the perspectives [provided to VCAT] demonstrate that the visibility of the upper levels will be dominant and intrusive on the skyline depending upon where the viewer stands". (Para. 94)*

118. Ms Riddett considers the Margaret Street elevation is more resolved with the deletion of the external stair but considers 'there is very little difference' with respect to the north, south and west elevations.

119. Mr McGauran has recommended deletion of levels 6 and 7. This will reduce the height of the building by 7.5m to a foreground parapet height of RL 30.7 to the Stewart Street interface and overall height of nearly 31m to the large plant area screen level. This results in a building height similar to the approved development at No. 33-35 Stewart Street.

120. The proposal has not increased the building setback to Stewart Street therefore it is likely the Tribunal's concerns with this interface have not been addressed. It is considered that an increased setback to more closely align with the 4.5m upper level setback at No. 1 Margaret Street was being sought by the Tribunal in order for the proposed building to be respectful of its adjacent context.

121. Deletion of the stairwell along the Margaret Street elevation has largely addressed the bulk of this elevation. With the deletion of Levels 6 and 7 as recommended by Council's Urban Design consultant, it is considered that a 2.5m upper level setback is acceptable, noting that the Tribunal in *ACCC* considered a setback in the order of 3m to be reasonable.

122. Mr McGauran is critical of the revised design concept expression which has adopted a heavy masonry framework expression that borrows from the industrial fabric. He considers this creates a heavy upper level expression that competes with the adjoining heritage industrial buildings and that the previous lightweight upper level expression that contrasted with the heritage setting was a better response to the heritage context. Ms Riddett has not raised a concern with the revised design expression but observed that dark metal cladding is still proposed to the southern end of the western elevation which will not assist in making the elevation visually recessive.



Figure 26: *VCAT Proposal (left) and DFP Proposal (right) (Source: 02 Design Response)*

123. Mr McGauran also remains concerned about the treatment of the western elevation and has advised:

> *[147] This visually prominent aspect of the proposal and treatment of this important façade as a sideage places an excessive expectation on the development potential of its neighbour to screen an aspect clearly intended not to be see. In contrast its neighbour at 31-33 has addressed development in the round. This façade will be the dominant façade visible from the city, Brunton Road and MCG interfaces.*

124. In summary, the combination of the height and setbacks of the proposed building results in a building form that is not respectful of the heritage place and its contributory elements. It is considered the revised proposal has not addressed the Council's or Tribunal's concerns in *Hines* and the proposed development will be visually intrusive within the precinct.

Off-site amenity impacts

125. The relevant policy framework for amenity considerations is contained within clause 22.05 (Interface uses policy) of the Scheme. The decision guidelines at Clause 22.05-6 specify that Council should consider (as appropriate):

> *(a) The extent to which the proposed buildings or uses may cause overlooking, overshadowing, noise, fumes and air emissions, light spillage, waste management and other operational disturbances that may cause unreasonable detriment to the residential amenity of nearby residential properties.*

126. The appropriateness of amenity impacts also needs to be considered within the strategic context of the site. As the Tribunal observed in *Hines,* the decision guidelines of the Mixed Use Zone (MUZ) do not specifically require a commercial development to consider amenity impacts or the compatibility of commercial use or development on adjacent residential properties. The Tribunal did however say that amenity impacts are not irrelevant, but must be considered within the policy context of the site's location being in an area where more intensive development, including higher development, is supported.

Overlooking

127. Clause 22.05-4.2 encourages new development to be designed to minimise 'Minimise the potential for unreasonable overlooking of private open space areas and into habitable room windows of adjoining residential properties, through the use of appropriate siting, setbacks, articulation and possibly screens'.

128. The proposal addresses overlooking to No. 1 – 7 Stewart Place by having fritted glass (maximum 25% visibility) to 1.7m high above finished floor level at Level 02 and fritted glass (maximum 25% visibility) to 1.5m high above finished floor level with horizontal louvres above preventing downward views at Level 03. This is the same screening technique that was applied in *Hines* and was found acceptable by the Tribunal.

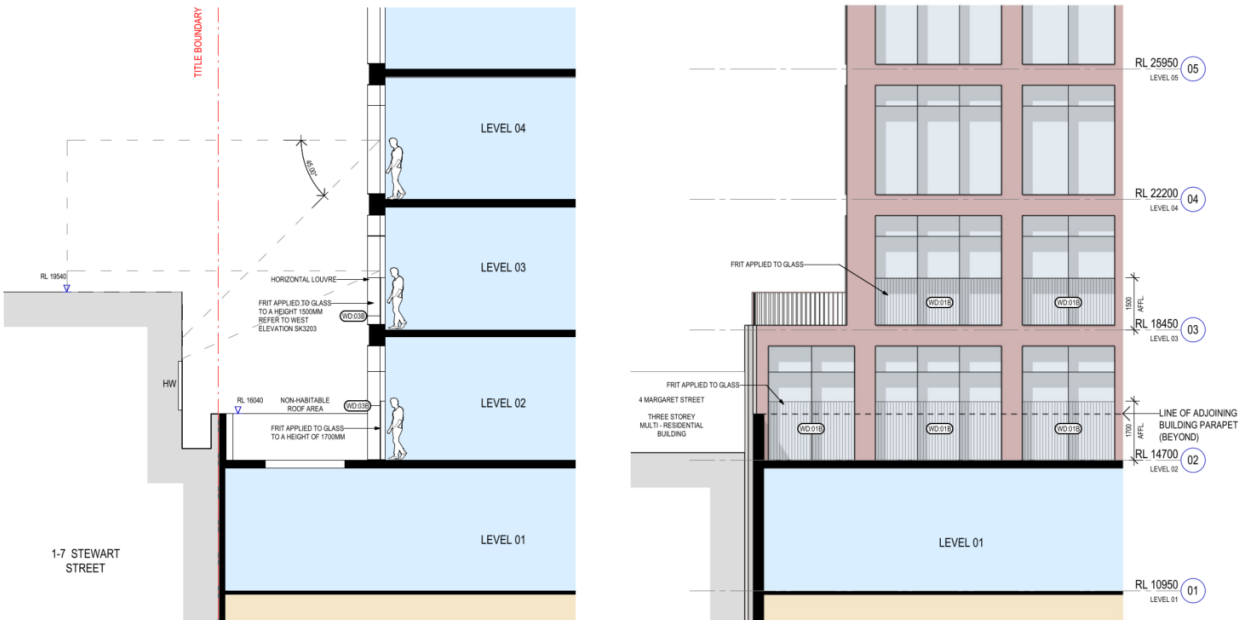


Figure 27: *DFP Proposal – Proposed demolition and restoration of Margaret St façade (Source: SK2101)*

129. In regard to potential overlooking of dwellings in the apartment building across Margaret Street to the east, a 9.0m building separation is achieved at Levels 02 – 09. Level 01 is treated with fritted glass (maximum 25% visibility) to 1.7m high above finished floor level.

130. In regard to potential overlooking to the north, there are no habitable room windows or private open spaces within 9m.

Visual bulk / Loss of daylight / Overshadowing

131. Clause 22.05-4.2 encourages 'The location, length and height of any wall built to a boundary not adversely impact on the amenity of any adjoining residential properties in terms of unreasonable overshadowing of private open space, visual bulk or loss of day light to habitable room windows.'

132. The proposal to construct to the northern boundary at Ground to Level 02 then provide a 3.0m setback from the northern boundary at Levels 03 to 09 is acceptable because as the Tribunal observed in *ACCC Pty*:

> *[67] We note that the design of the 3 storey recently constructed apartments to the north effectively turns its back on the subject land. As such, there would not appear to be any significant impediment to building closer to this boundary…*

133. In relation to the interface with the townhouses at No. 1 – 7 Stewart Place, this proposal provides a minimum 4.5m setback from the west boundary opposite the light courts which is considered acceptable to maintain daylight access and is a greater setback than what the Tribunal considered acceptable in *ACCC.* In regard to overshadowing impacts, the principle private open space to these townhouses are the balconies to the west fronting Stewart Place, which will not be impacted by the development.

134. In *Hines* the Tribunal expressed concern about the location of the proposed western services core which was to be constructed approximately 300mm length along the common boundary with residential property at 7 Stewart Place. The Tribunal said:

> *[90] …Having inspected both dwellings at 5 and 7 Stewart Street we are of the view that the services core will be readily visible from and extend some eight storeys above the windows in the western façade of these dwellings, particularly 7 Stewart Street. Given the location and height of the services core we are of the view that it is inconsistent with the policy guidelines at clause 22.05-4.2 that seek walls built to a boundary to not adversely impact on the amenity of any adjoining dwelling in terms of visual bulk.*
>
> *[91] We cannot say what an acceptable extent of separation is. We note the 2014 permit has a varying setback of 1.3 from 7 Stewart Place's southern side boundary extending into a setback of 4.3 metres from 5 and 7 Stewart Place's eastern rear boundaries. Put simply, the acceptability of the proximity of new building to the Stewart Place residences depends upon the detail of the proposed design. Any future proposal should seek to locate building elements of such a height further away from the boundary with these residential properties or otherwise reduce their height.*

135. The proposal is no longer constructed 300mm along the boundary with No. 7 Stewart Place but aligns with the boundary and existing building of No 5 Stewart Street. It is considered the location of the lift core has not addressed the Tribunal's concerns and the lift core should be located further south.

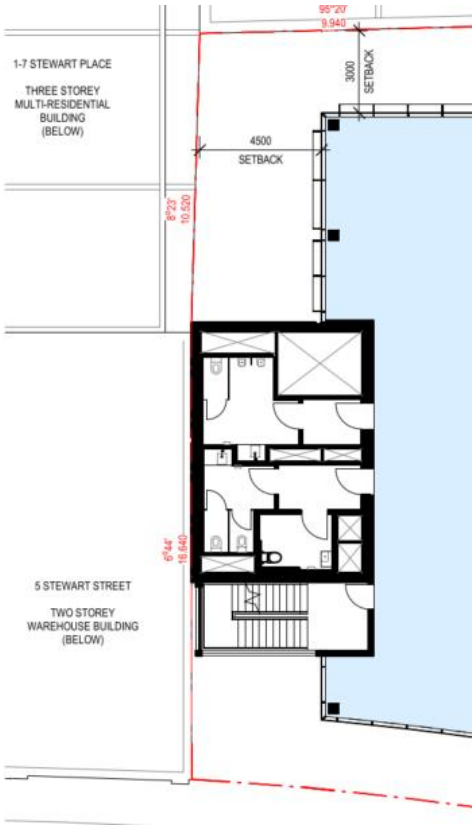


Figure 28: *VCAT Proposal (Source: SK2206)*

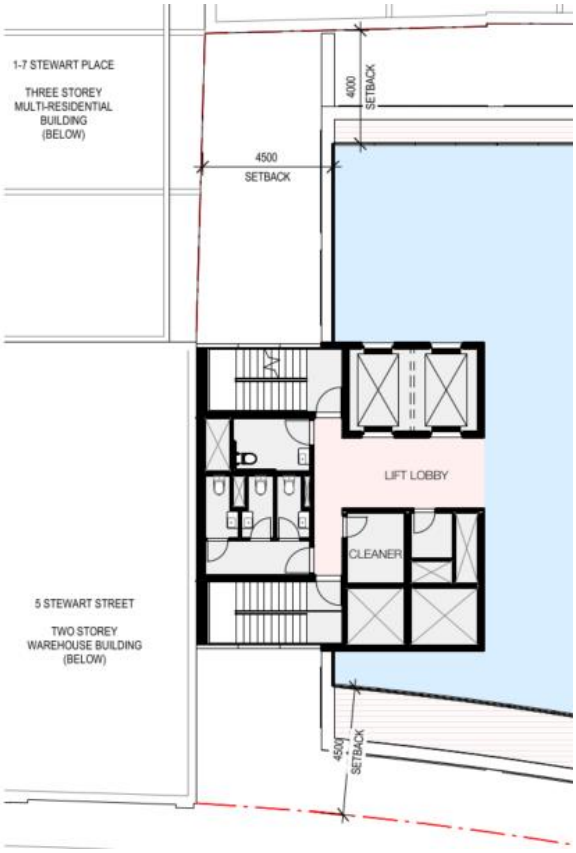


Figure 29: *DFP Proposal (Source: SK2210)*

136. A concern was raised in *Hines* regarding the removal of the existing wall along the boundary of this site, which is adjacent to the properties at 3, 5 and 7 Stewart Place. The Tribunal commented there appeared to be a lack of clarity as to whether the wall on the boundary is part of the existing building on the development site and to what extent their infrastructure will be protected. The Tribunal commented:

> *[117] …it would be desirable for the planning application plans for demolition in any future proposal to be as clear as possible about the extent to which the existing eastern boundary wall on this site is within the Title boundaries of this site and/or is located along the Title boundaries of adjoining properties.*

137. This proposal has not provided greater clarity in relation to the existing wall. If a permit is to issue, greater detail should be provided on the plans.

138. In relation to No. 1 Margaret Street, the Tribunal in *Hines* found there would be no unreasonable loss of daylight to existing windows because the apartments at 1 Margaret Street benefit from the width of the street itself as well as the respective setbacks of the development on either side.

139. In relation to loss of solar access, the Tribunal said:

> *[99] We do not intend to make any findings on the acceptability of the shadow impact given our previous findings raising concerns about the height of the building and the setback(s) from Stewart Street, as well as the need to retain more of the Margaret Street façade that could in turn impact upon setbacks along the east side of the site. Based on the shadow diagrams it appears to us that if the height of the new building was reduced and/or the setbacks from Stewart or Margaret Streets was increased, this will impact on the extent of additional overshadowing,*

particularly between 1.00pm and 2.00pm. Hence, this is an issue that will need to be considered afresh as part of any future planning application for this site.

140. This proposal does not provide any shadow diagrams so the actual overshadowing impacts on No. 1 Margaret Street are unknown, albeit that they will be less than in *Hines.* Council has previously assessed the overshadowing impacts as being acceptable having regard to the Tribunal's findings in *ACCC* that maintaining only 2 hours of sunlight at the Equinox is acceptable in a MUZ in a MAC.

Wind

141. In *Hines,* Council's urban design expert was concerned about the wind impacts based upon the desk top wind assessment report submitted with the planning permit. The Tribunal held that:

> *[110] …in this case, it is important that the implications of wind impacts are considered hand in hand with the consideration of any impacts upon the heritage significance, particularly of visible new works along Stewart Street and Margaret Streets in proximity to the retained heritage facades.*
>
> *[111] In general terms therefore we observe that any future proposal for the development of this site should include the details of any wind deflection devices and how they will be viewed in the context of any original building facades to be retained and the streetscapes.*

142. No wind report has been submitted with the application. Council's urban design consultant has recommended:

> *An updated wind report based on a wind model in accordance with earlier report recommendations, is required demonstrating that the amenity of the public ream, terraces and adjoining residential private open space is not adversely impacted. Plans and elevations then need to be upgraded for assessment by heritage and urban design consultants and found to be to the satisfaction of the responsible authority.*

143. This can be addressed via a permit condition, if a permit is to issue.

Noise / Light Spill

144. The applicant has submitted an acoustic report addressing the noise impacts from the proposed development. Of note, the acoustic report states:

(a) Deliveries should be restricted to within office hours (i.e. between 7am and 6pm);

(b) Waste collection shall occur during the day time period, i.e. between 7am and 6pm;

(c) Treatments are recommended to the car park entry door to reduce the impact of their operation within the internal office area and on neighbouring properties; and

(d) A review and assessment of the mechanical services will need to be conducted in the later stages of the design, following the completion of the mechanical plant layout and equipment selections.

145. If a permit is to issue, a condition would require the recommendations of the acoustic report be implemented. In addition, a condition would require an acoustic report be submitted post-construction demonstrating that noise levels comply with the requirements of the endorsed acoustic report.

146. In relation to light spill, there will be no adverse light spill impacts from vehicular lights because there is no dwelling located at the ground floor in the building opposite the car park entry. In relation to light spill from the office use, *Hines* the Tribunal said '*we do not dismiss the potential for light spill from the internal lights to cause amenity impacts on nearby residential properties*', but resolved it was not appropriate to restrict the hours of operation. It is therefore considered that a condition should require motion sensor lighting for minimising light spill after normal business hours.

Equitable development

147. Similar to the proposal in *Hines,* the proposal provides for an equitable development scenario with the adjoining property to the west with the upper levels setback 4.5m from the boundary and the proposed service core on the boundary allowing for a new building or addition to build up against it.

Waste management

148. Council's City Works Unit have reviewed the submitted WMP and advised the following:

(a) due to changes in waste service systems recently announced by the State Government the site must consider how four waste streams will be separated and ensure adequate space for extra bins that will be required (Glass separation);

(b) details are to be provided of the total footprint suggested for bins in M2;

(c) the size of the bin storage area is not large enough to form an effective waste system and should be expanded;

(d) five collections per stream is an excessive number and should be reduced;

(e) details are required of how hard waste will be managed;

(f) Table 3 has conflicting address in title;

(g) An explanation of how risk will be managed must be provided; and

(h) a clause must be included in the plan regarding potential review into the service if operational requirements change.

149. If a permit is to issue, these matters can be addressed via a permit condition.

Environmentally sustainable design

150. Policy at clauses 15.01-2S, 21.07, 22.16 and 22.17 of the Scheme encourage ecologically sustainable development, with regard to water and energy efficiency, building construction and ongoing management. The application is not accompanied by a Sustainable Management Plan (SMP) and no ESD information has been submitted.

151. An SMP prepared by AECOM, dated 4 March 2020 was submitted with the previous application and was found by Council's ESD Advisor to largely be acceptable. Given the similarities between the proposals and that it is the same applicant and architect, it is considered reasonable to require this proposal to implement the same ESD commitments as set out in the AECOM report dated 4 March 2020. Council's ESD Advisor has advised this would include the provision of a 28W solar array. and amended BESS Energy figures to be provided in be updated in an amended SMP to be consistent with the new proposed building design.

152. The requirement for a SMP can be addressed via a permit condition, if a permit is to issue.

Car parking and traffic

153. The proposal provides 7 car spaces and requires a statutory reduction of 128 car spaces. The proposal in *Hines* provided 7 car spaces and required a reduction of 142 spaces, which was supported by Council. Of note, the Tribunal said:

> *[115] It is not unusual for people to travel to work in an office by public transport, and particularly in central and inner city locations. Whilst there may be some reluctance and concern at present to travel on public transport because of Covid-19, the long term goal of increasing reliance on modes of transport other than cars remains in Victoria's planning schemes. This site is ideally located to support this long term goal. Mr Walsh's evidence is that 'Richmond Station is a premium station, and outside of the CBD is the most accessible station on the metropolitan network'. It is hard to imagine a development site better located to support public transport usage as an alternative to driving.*

154. The car parking reduction is appropriate for the same reasons as set out in the previous officer report, being (in summary):

    (a) the site is within walking distance to high quality public transport networks;

    (b) the site is well connected to dedicated on road bicycle networks and the proposal includes secure bicycle parking spaces and change room facilities in excess of rates specified within the Scheme which will encourage future employees to use this mode of transport to commute to and from the site;

    (c) employees are unlikely to drive to the site due to the scarcity of long term unrestricted car parking in the area and the convenience of public transport options to access the site;

    (d) the food and drinks premises and retail premise would likely heavily rely on walk-up trade for its primary source of customers, attracting employees from nearby businesses as well as local residents;

    (e) it is typical of small inner-city food and drinks premises and retail premises to not provide car parking spaces for visitors but rely on the turnover of short term restricted on-street car parking;

    (f) employee or visitor parking permits will not be issued for the development, which will discourage people from driving to the site given the high utilisation of existing on-street car parking and lack of long term parking in the surrounding area; and

    (g) Council's Engineering Unit has raised no objections.

155. In relation to traffic impacts, directional split assumptions in each peak hour are as follows:

    (a) AM Peak – 10% outbound (1 trip), 90% inbound (6 trips); and

    (b) PM Peak – 90% outbound (6 trips), 10% inbound (1 trip).

156. Council's Senior Traffic Engineer has advised the peak hour traffic volumes generated by the site are considered low and should not adversely impact on the traffic operation of the surrounding road network.

157. In relation to the access arrangements and car park layout, Council's Engineering Unit has advised:

    (a) the swept path diagrams show appropriate access for a B85 design vehicle and a waste collection vehicle (6.4m in length);

    (b) the proposed car lift, which will have a maximum service time of 81 seconds, can adequately operate without adversely impacting Margaret Street;

    (c) headroom clearance and development entrance doorway width should be dimensioned on the plans; and

(d) the existing vehicle crossing on Margaret Street must be demolished and the new vehicle crossing designed in accordance with Council's Standard Drawings.

158. Permit conditions can addressed Council's Engineering Unit's requirements, if a permit is to issue.

Bicycle facilities and sustainable transport

Bicycle parking and facilities

159. The proposal exceeds the requirements of Cluse 52.34. While the residential bicycle parking provision exceeds the statutory requirements of Clause 52.34, the proposal does not meet BESS best practice. Clause 22.17 provides for a BESS best practice bicycle parking rate of:

(a) 1 employee space per 100sqm office floor area; and

(b) 1 visitor space per 500sqm office floor area.

160. There is no specification for retail / food and drinks premise therefore the statutory rate applies of 1 employee space to each 300sqm of leasable floor area and 1 visitor space to each 500sqm of leasable floor area. As such, 45 employee spaces does not meet Council's best practice rate of 48 spaces. Council's Strategic Transport Unit has however advised that a reduction of 3 employee spaces from the best practice rate is acceptable.

161. Council's Strategic Transport Unit has advised that if a permit is to issue, the following should be shown on the plans before endorsement:

(a) All dimensions and locations of the proposed visitor bicycle parking spaces on Margaret Street;

(b) All dimensions for employee bicycle spaces and access ways to demonstrate compliance with Clause 52.34 and AS2890.3; and

(c) Details and numbers of horizontal and vertical bicycle parking spaces to demonstrate compliance with Clause 52.34 and AS2890.3.

162. Subject to conditions it is considered that the bicycle parking and facilities are acceptable for the proposed development.

Conclusion

163. The subject site is a suitable candidate for a mixed use commercial development but not at the scale proposed. Any net community benefit to be delivered from increasing employment opportunities in a well serviced location with excellent connection to a range of public transport networks will be outweighed by the adverse impact on the character and heritage values of the precinct. Two previous VCAT decisions have emphasised that the site is not without constraints and requires a design that appropriately responds to the existing built form and heritage context. The proposed height, scale and massing of the development is not respectful of the heritage context and will result in a building form that will overwhelm the host building and be visually dominating within this discrete former industrial heritage precinct.

RECOMMENDATON

That having considered all relevant planning policies, the Committee resolves to advise the Minister for Planning that planning permit PA2201605 should not be issued on the following ground:

1. The proposed height, scale, massing and design detailing of the development is not respectful of the heritage context and will result in a building form that will overwhelm the host building and be visually dominating within the precinct.

Attachments

1⇩ Attachment 1 - Architectural Drawings

2⇩ Attachment 2 - VCAT Plans

3⇩ Attachment 3 - Hines 9 Stewart Property Pty Ltd v Yarra CC [2021] VCAT 185

4⇩ Attachment 4 - ACCC Pty Ltd tas AWC Property v Yarra CC

5⇩ Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

6⇩ Attachment 6 - External Urban Design Referral Advice

7⇩ Attachment 7- Council Engineering Unit Referral Advice

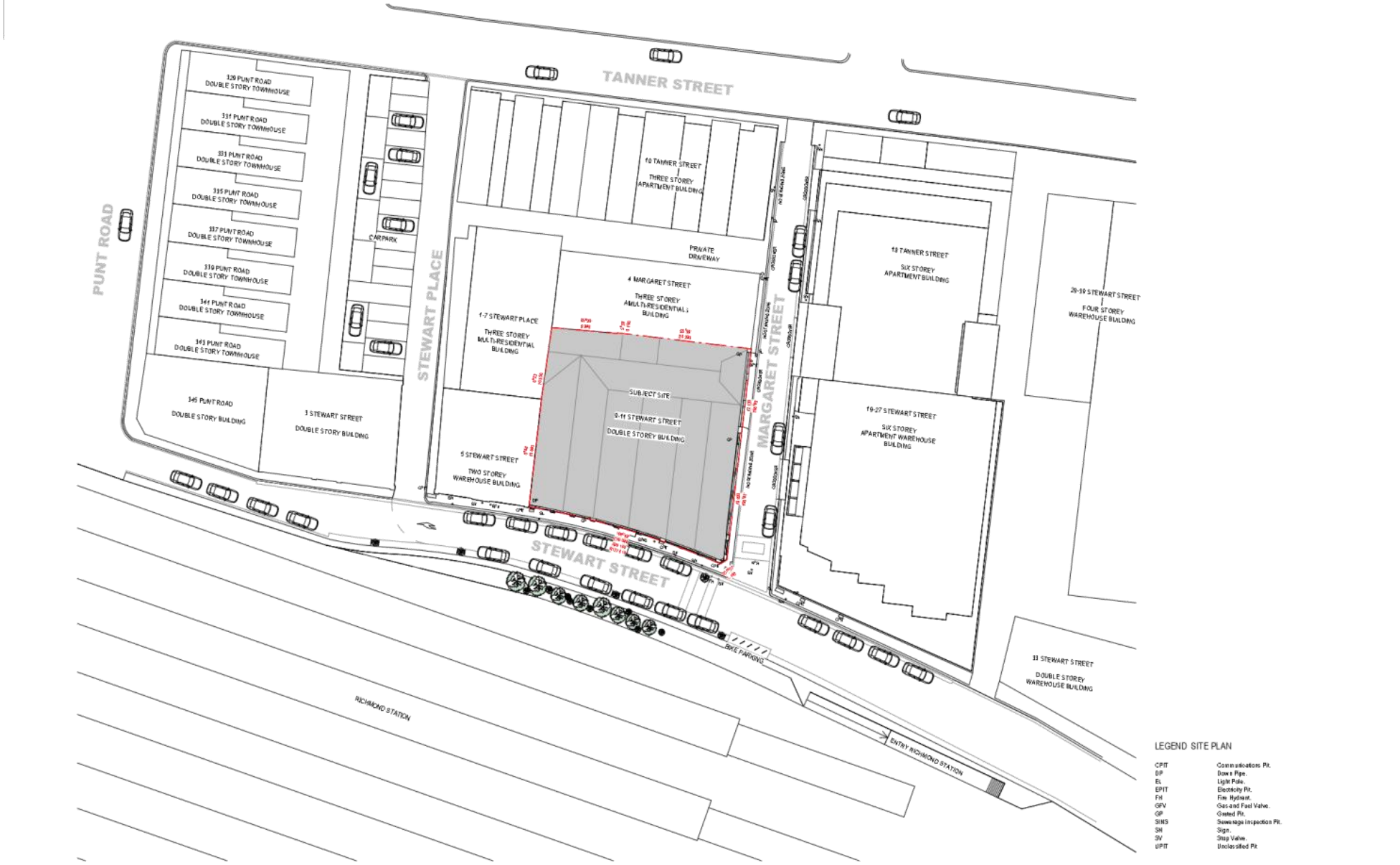
8⇩ Attachment 8 - Council City Works Branch (Waste Management) Referral Advice

9⇩ Attachment 9 - Council ESD Referral Advice

10⇩ Attachment 10 - Council Heritage Referral Advice

11⇩ Attachment 11 - Council Strategic Transport Referral Advice

Attachment 1 - Attachment 1 - Architectural Drawings



WOODS BAGOT

Client: Hines

Project: 9-13 Stewart Street

Sheet title: Site Plan - Existing

Description: REVISED SCHEME - DELWP

Date: 28/02/22

Project no.: 130675

Sheet no.: SK1100

Scale: 1 : 500

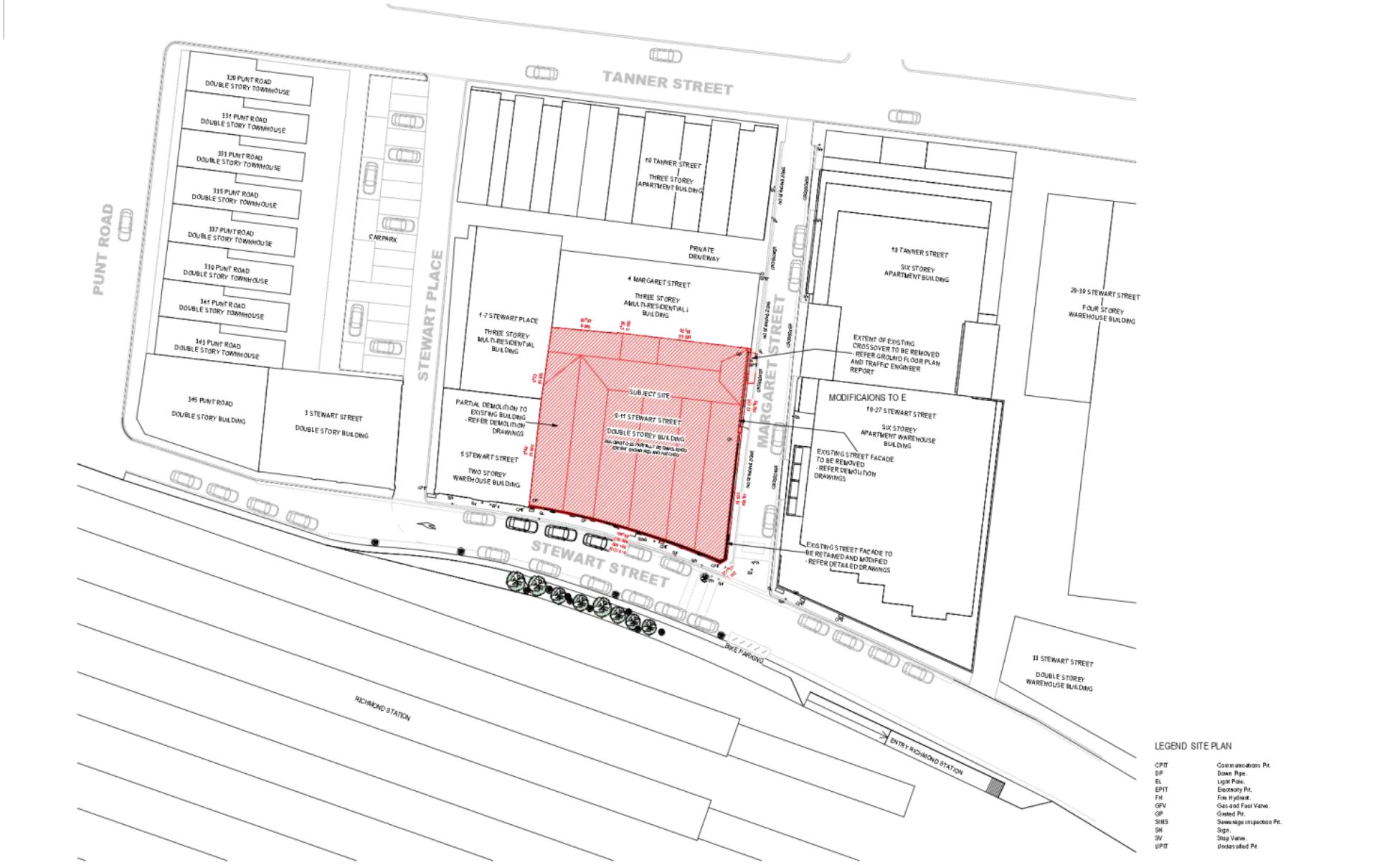
Revision: A

Sheet size: A3

Date: 28/02/22

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Attachment 1 - Attachment 1 - Architectural Drawings



WOODS BAGOT

Client: Hines

Project: 9-13 Stewart Street

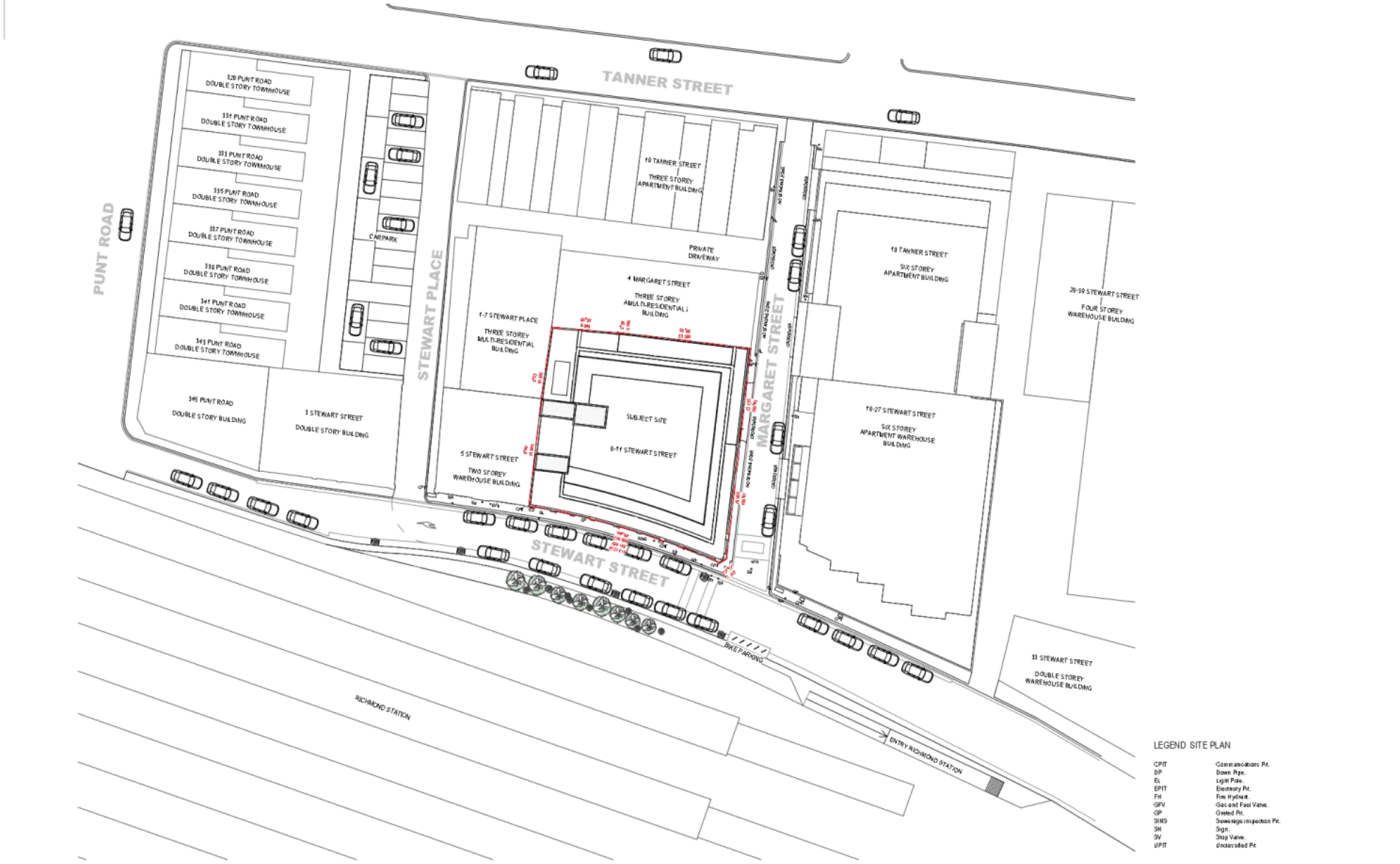
Sheet title: Site Plan - Demolition

Description	Date
REVISED SCHEME - DELWP	28/02/22

Project no. 130675
Sheet no. SK1200
Scale 1 : 500
Revision A
Sheet size A3
Date 28/02/22

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Attachment 1 - Attachment 1 - Architectural Drawings



WOODS BAGOT

Client: Hines

Project: 9-13 Stewart Street

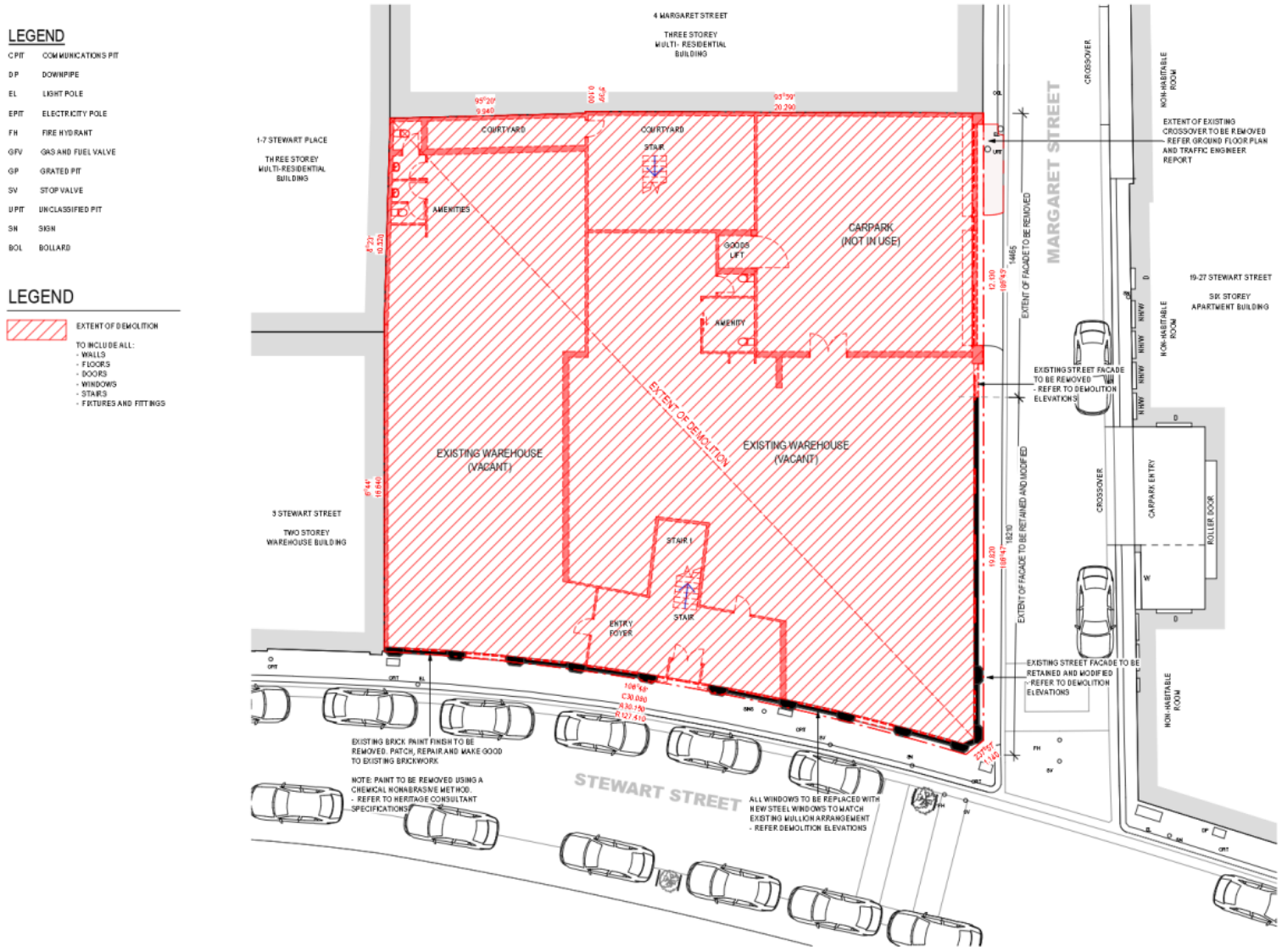
Sheet title: Site Plan - Proposed

Description	Date
REVISED SCHEME - DELWP	28/02/22

Project no. 130675
Sheet no. SK1300
Scale 1 : 500
Revision A
Sheet size A3
Date 28/02/22

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Attachment 1 - Attachment 1 - Architectural Drawings



WOODS BAGOT

Client: Hines

Project: 9-13 Stewart Street

Sheet title: Demolition Plan - Ground Level

Description: REVISED SCHEME - DELWP

Date: 28/02/22

Project no.: 130675

Sheet no.: SK2000

Scale: As indicated

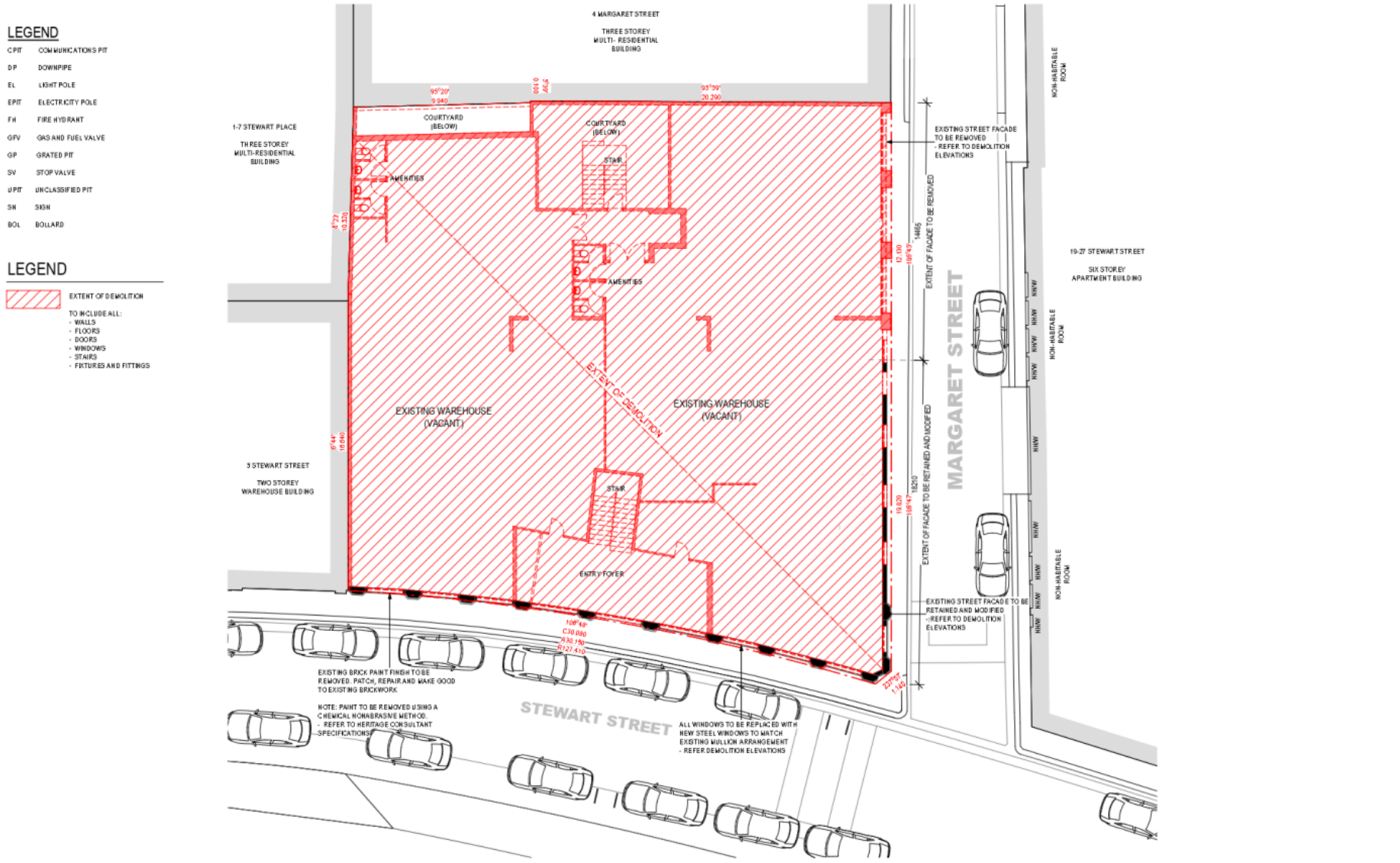
Revision: A

Sheet size: A3

Date: 28/02/22

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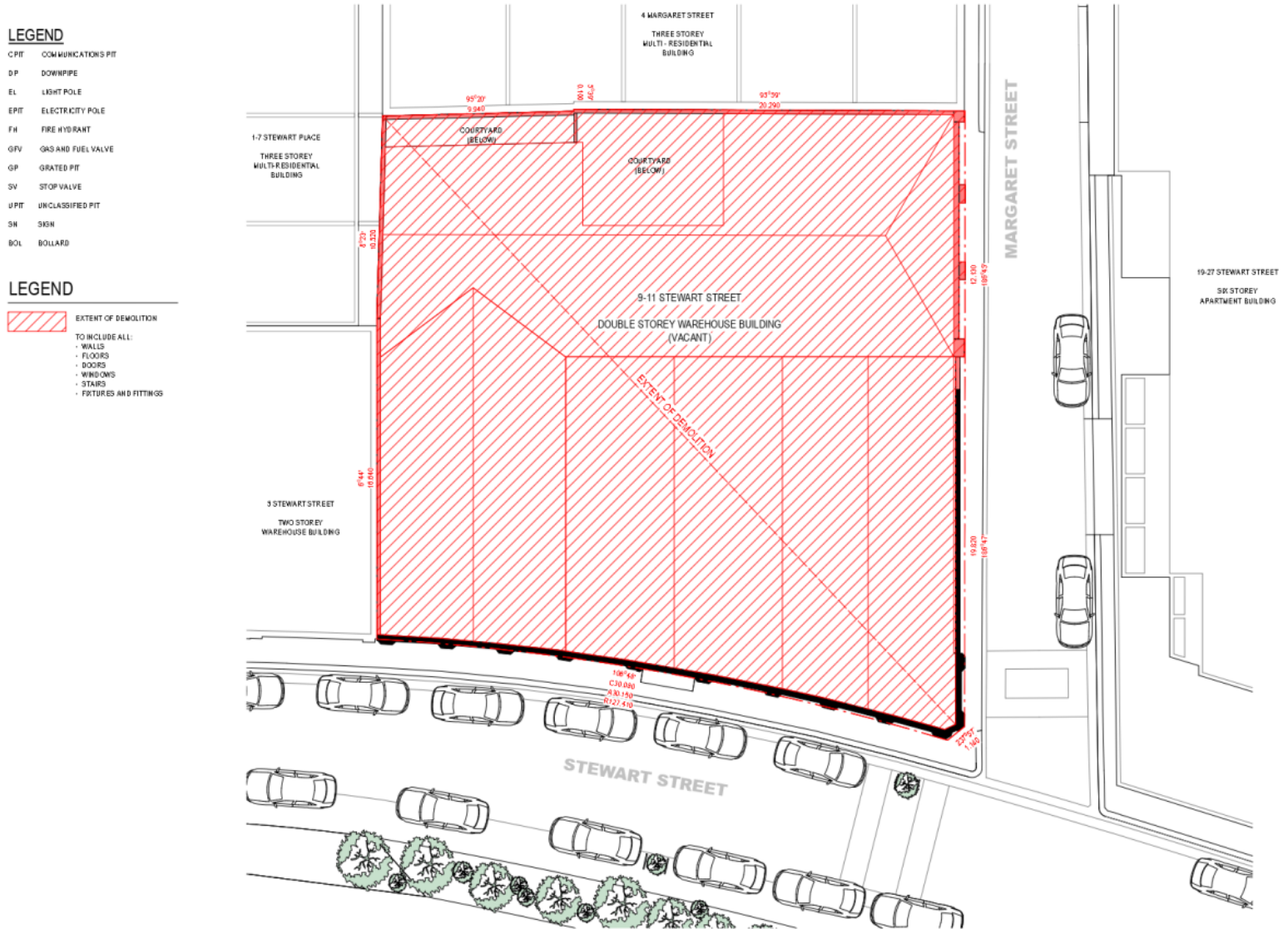
Attachment 1 - Attachment 1 - Architectural Drawings



WOODS BAGOT

Client	Project	Sheet title	Description	Date	Project no.	Scale	Sheet size	© Woods Bagot
Hines	9-13 Stewart Street	Demolition Plan - Level 01	REVISED SCHEME - DELWP	28/02/22	130675	As indicated	A3	
					Sheet no. SK2001	Revision A	Date 28/02/22	

Attachment 1 - Attachment 1 - Architectural Drawings



WOODS BAGOT	Client: Hines	Project: 9-13 Stewart Street	Sheet title: Demolition Plan - Roof	Description: REVISED SCHEME - DELWP	Date: 28/02/22	Project no.: 130675	Scale: As indicated	Sheet size: A3	© Woods Bagot
						Sheet no.: SK2002	Revision: A	Date: 28/02/22	

Attachment 1 - Attachment 1 - Architectural Drawings



WOODS BAGOT

Client	Project	Sheet title	Description	Date	Project no.	Scale	Sheet size	© Woods Bagot
Hines	9-13 Stewart Street	Demolition and Restoration - Stewart Street Elevation	REVISED SCHEME - DELWP	28/02/22	130675 Sheet no. SK2100	1 : 100 Revision A	A3 Date 28/02/22	

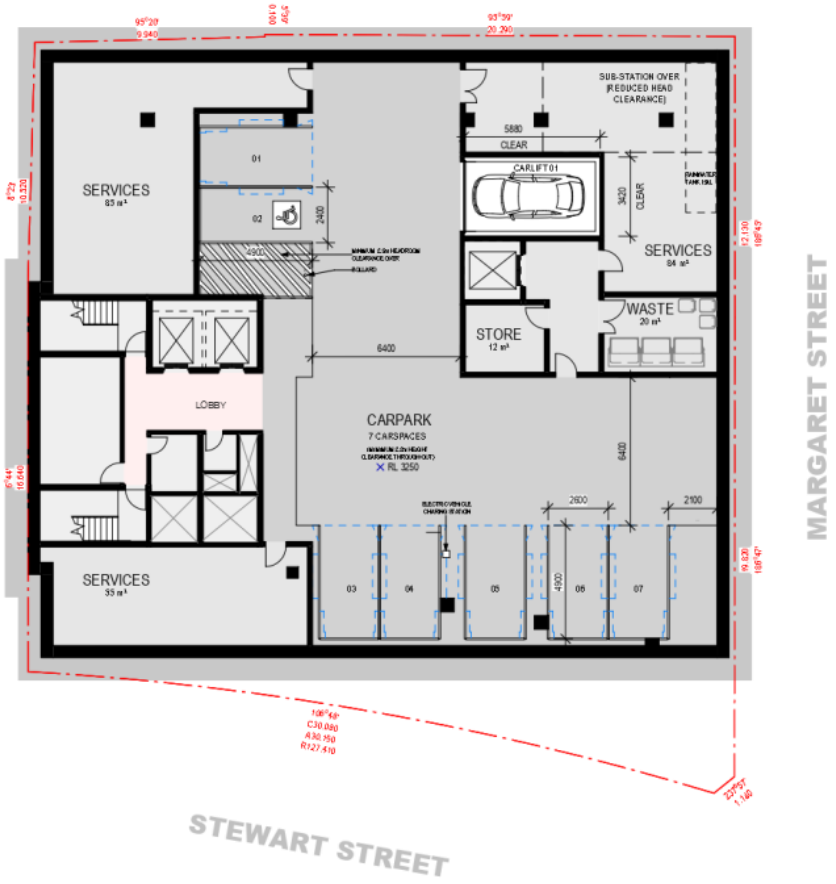
Attachment 1 - Attachment 1 - Architectural Drawings



WOODS BAGOT

Client	Project	Sheet title	Description	Date	Project no.	Scale	Sheet size	© Woods Bagot
Hines	9-13 Stewart Street	Demolition and Restoration - Margaret Street Elevation	REVISED SCHEME - DELWP	28/02/22	130675 Sheet no. SK2101	1 : 100 Revision A	A3 Date 28/02/22	

Attachment 1 - Attachment 1 - Architectural Drawings



Attachment 1 - Attachment 1 - Architectural Drawings



WOODS BAGOT

Client: Hines

Project: 9-13 Stewart Street

Sheet title: Ground Level

Description: REVISED SCHEME - DELWP

Date: 28/02/22

Project no.: 130675

Sheet no.: SK2202

Scale: 1 : 200

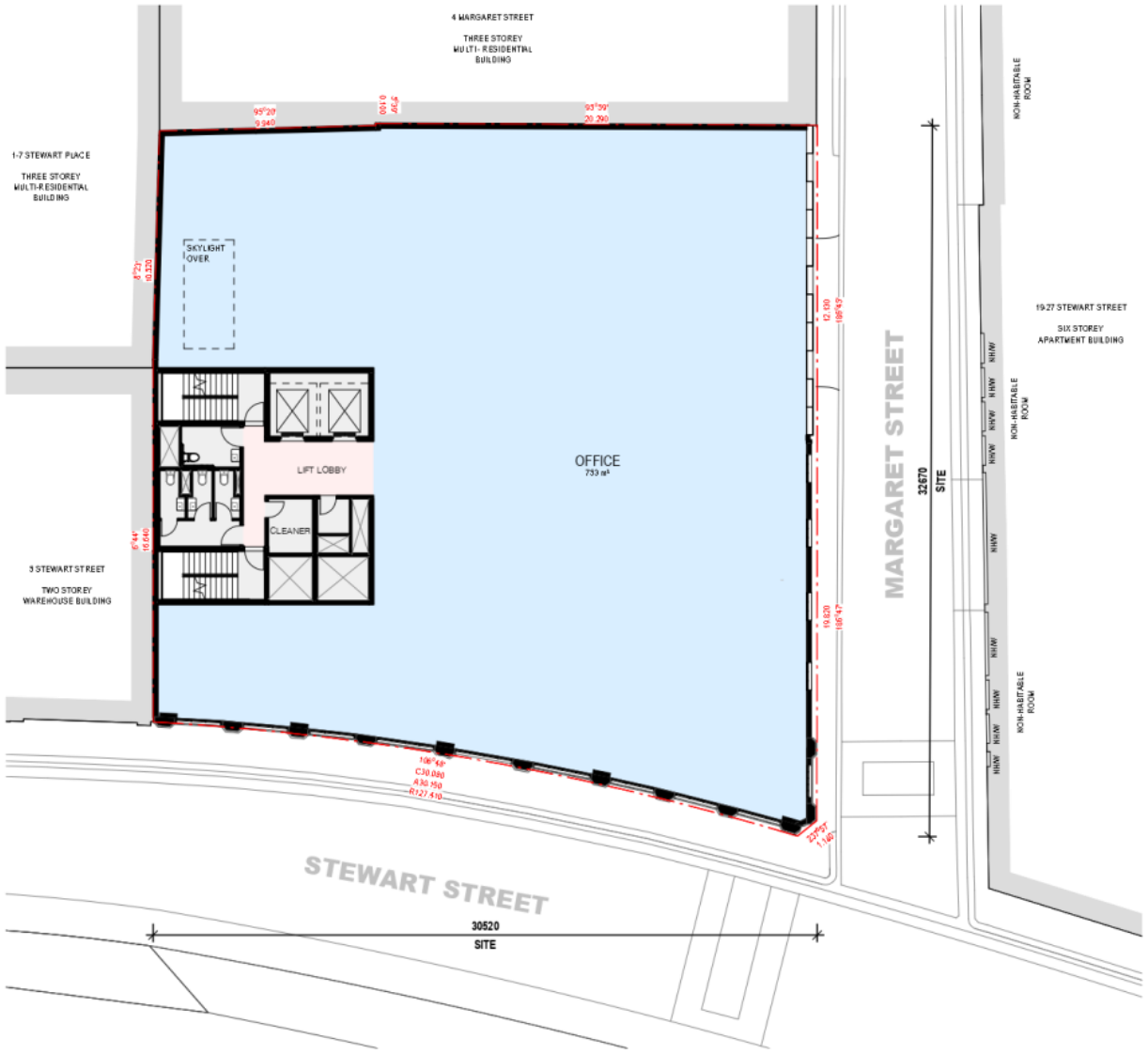
Revision: A

Sheet size: A3

Date: 28/02/22

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Attachment 1 - Attachment 1 - Architectural Drawings



WOODS BAGOT

Client: Hines

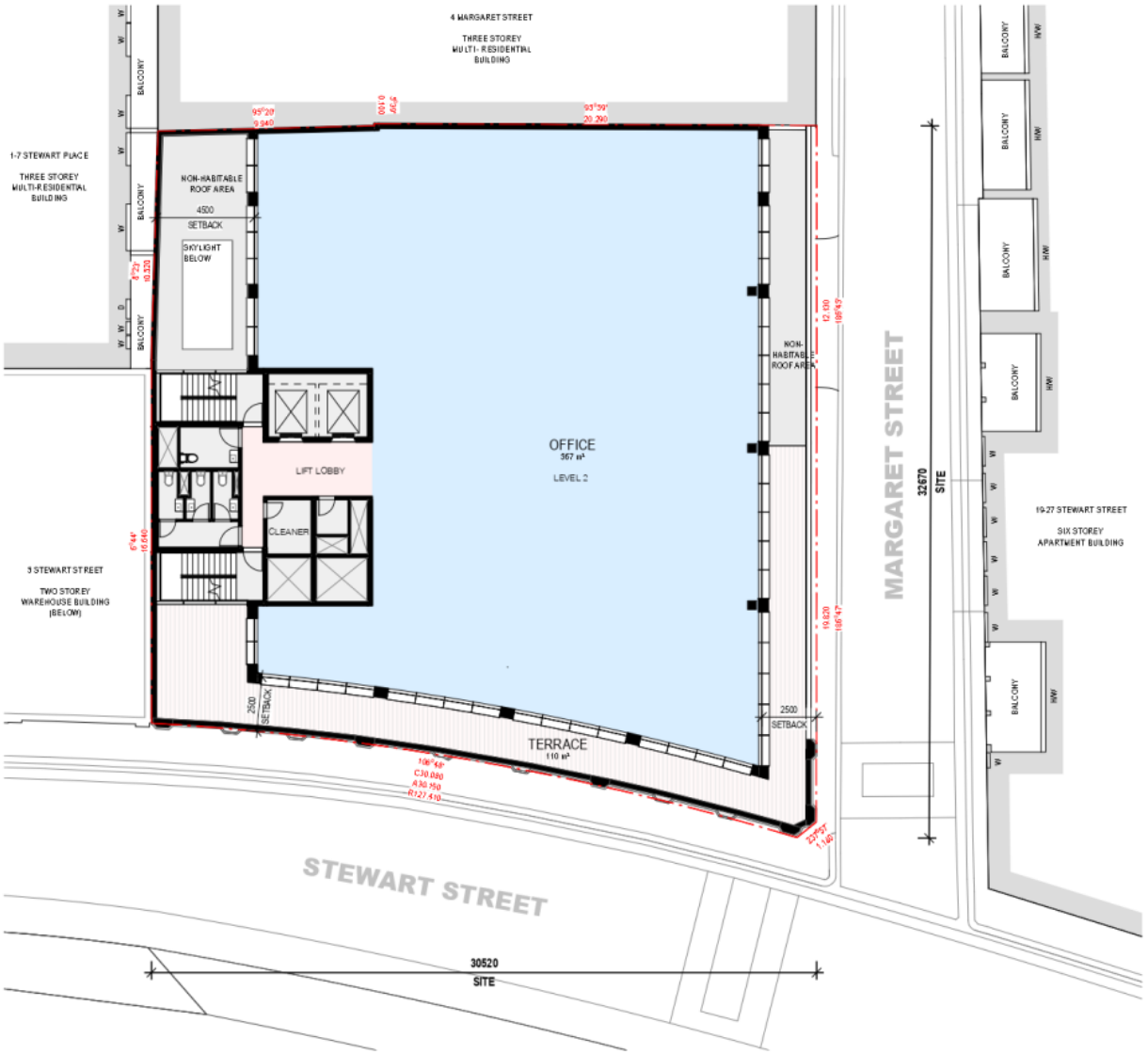
Project: 9-13 Stewart Street

Sheet title: Level 01

Description	Date
REVISED SCHEME - DELWP	28/02/22

Project no. 130675
Sheet no. SK2203
Scale 1 : 200
Revision A
Sheet size A3
Date 28/02/22
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Attachment 1 - Attachment 1 - Architectural Drawings



WOODS BAGOT

Client: Hines

Project: 9-13 Stewart Street

Sheet title: Level 02

Description: REVISED SCHEME - DELWP

Date: 28/02/22

Project no.: 130675

Sheet no.: SK2204

Scale: 1 : 200

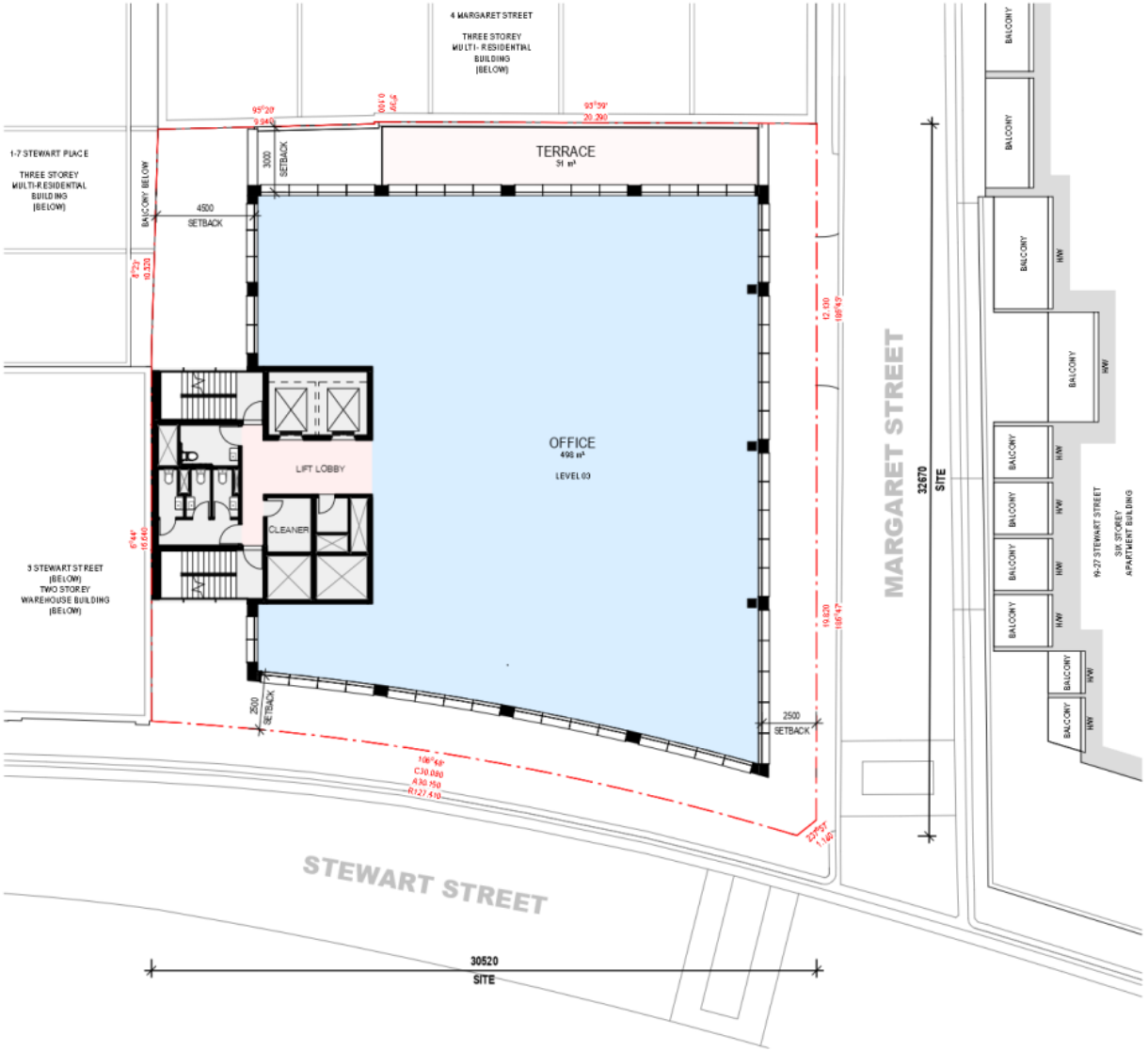
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Sheet size: A3

Date: 28/02/22

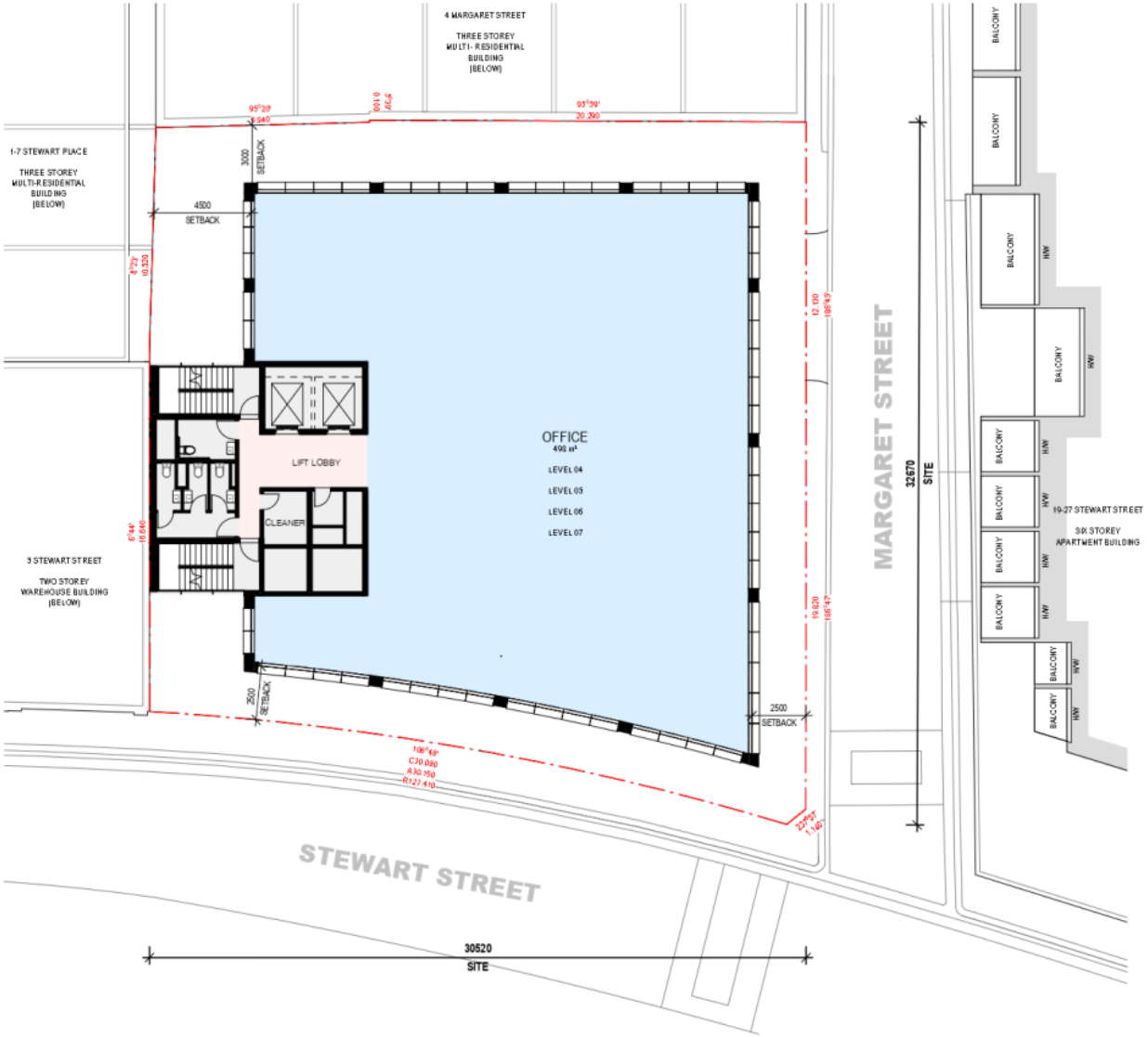
© Woods Bagot

Attachment 1 - Attachment 1 - Architectural Drawings



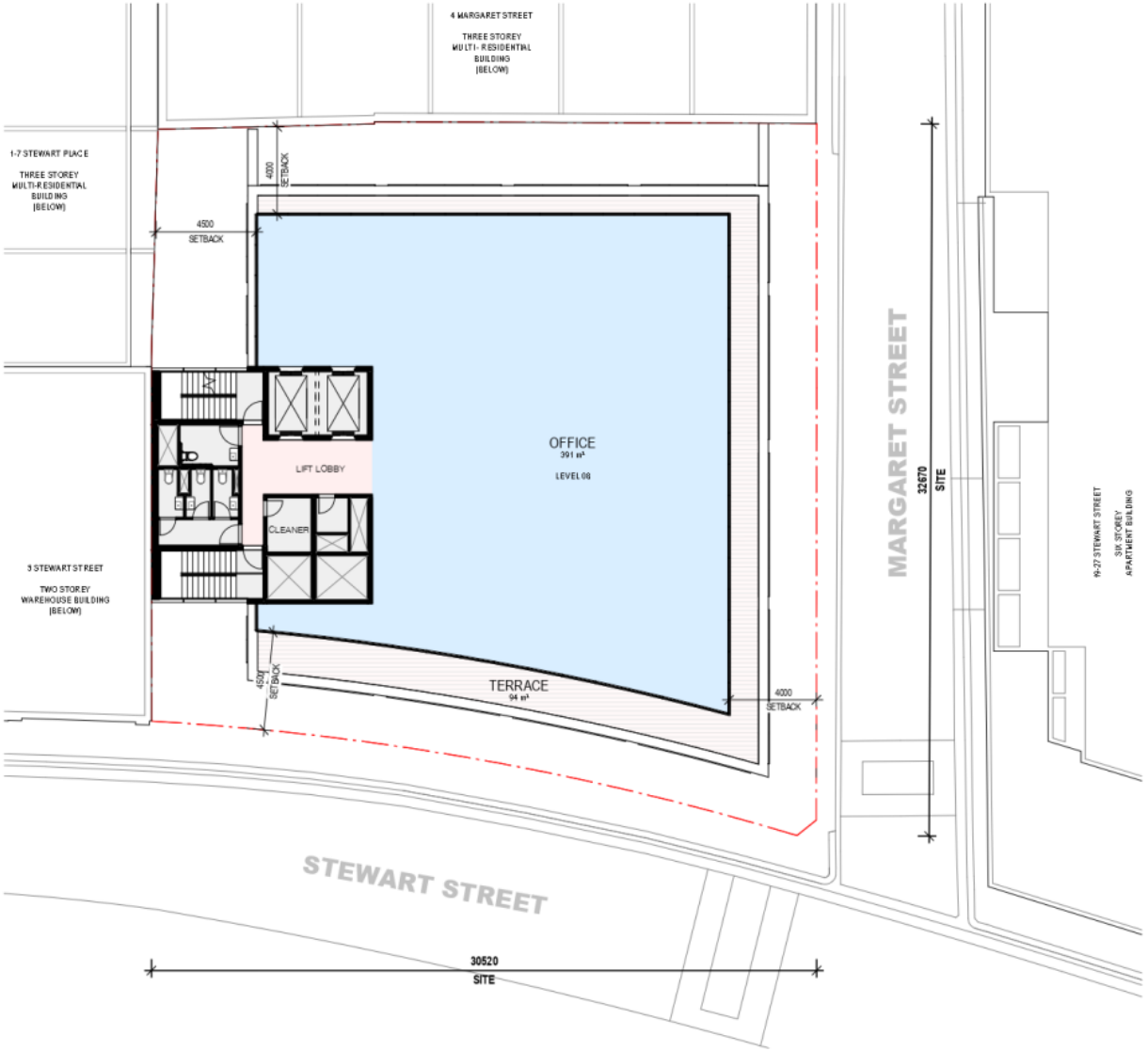
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						Sheet no.: SK2205	Revision: A	Date: 28/02/22	

Attachment 1 - Attachment 1 - Architectural Drawings



WOODS BAGOT	Client: Hines	Project: 9-13 Stewart Street	Sheet title: Level 04 - 07	Description: REVISED SCHEME - DELWP	Date: 28/02/22	Project no.: 130675	Scale: 1 : 200	Sheet size: A3	© Woods Bagot
						Sheet no.: SK2206	Revision: A	Date: 28/02/22	

Attachment 1 - Attachment 1 - Architectural Drawings



WOODS BAGOT

Client: Hines

Project: 9-13 Stewart Street

Sheet title: Level 08

Description: REVISED SCHEME - DELWP

Date: 28/02/22

Project no.: 130675

Sheet no.: SK2210

Scale: 1 : 200

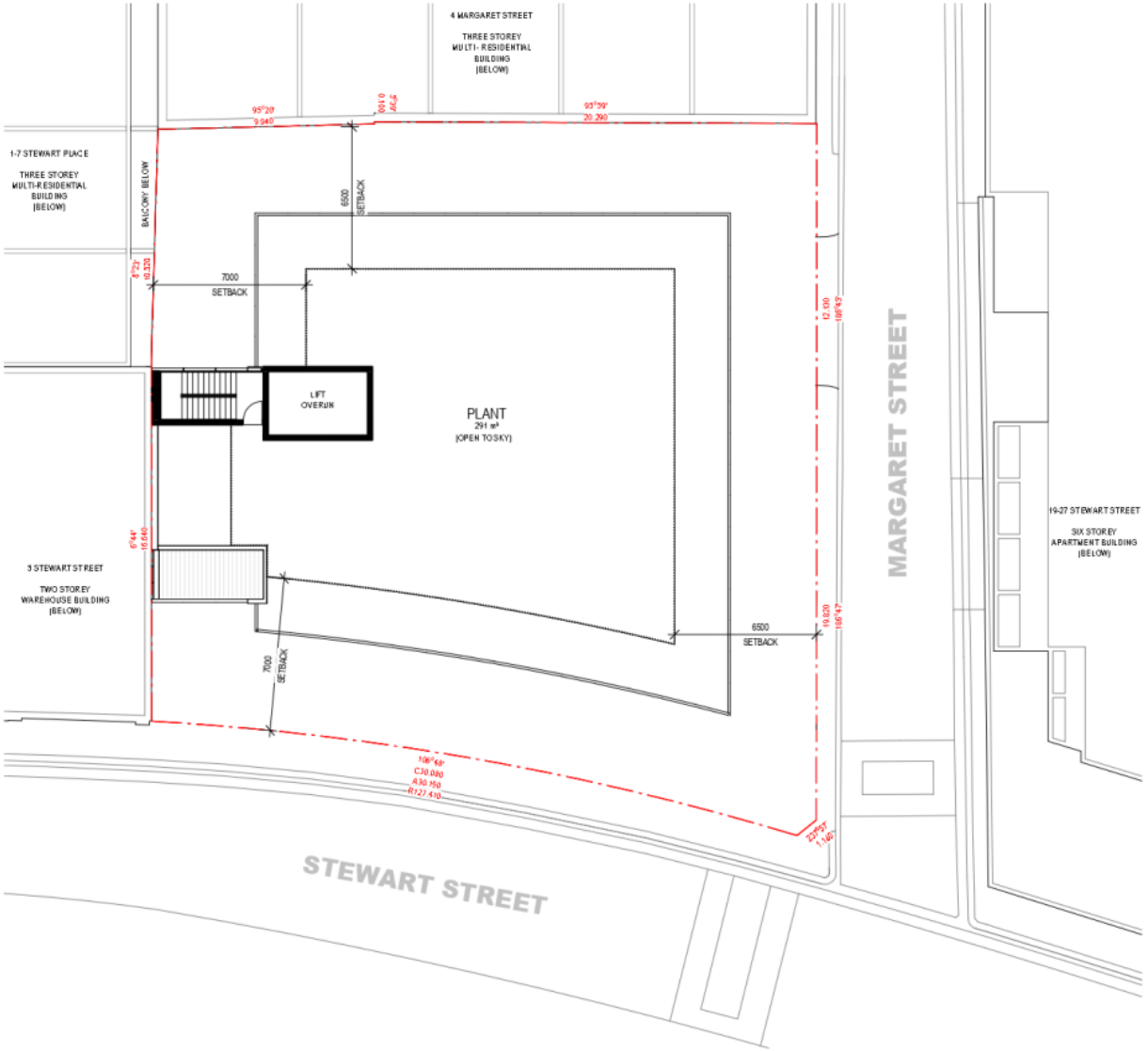
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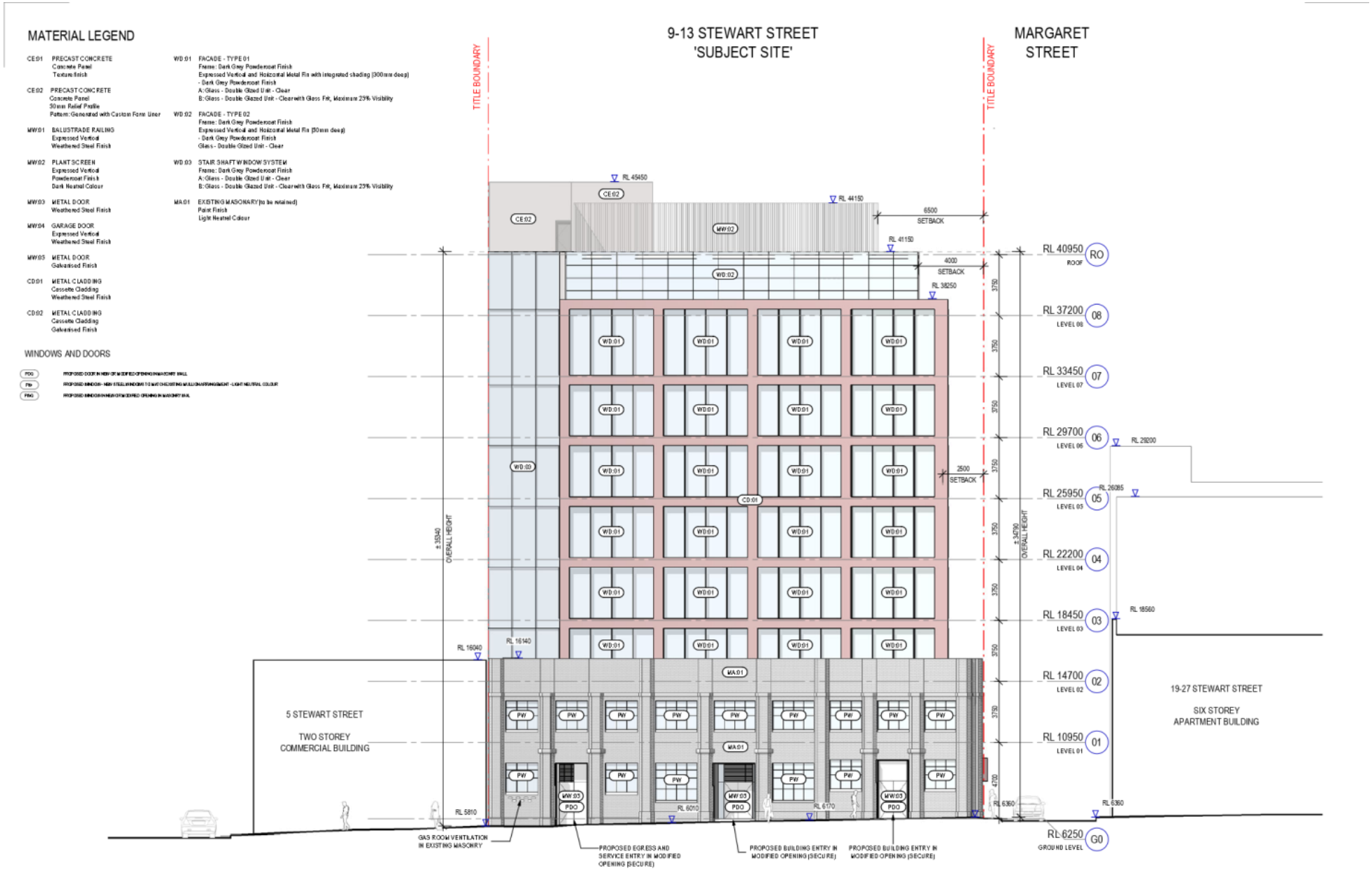
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Attachment 1 - Attachment 1 - Architectural Drawings



WOODS BAGOT	Client: Hines	Project: 9-13 Stewart Street	Sheet title: Roof	Description: REVISED SCHEME - DELWP	Date: 28/02/22	Project no.: 130675	Scale: 1 : 200	Sheet size: A3	© Woods Bagot
						Sheet no.: SK2211	Revision: A	Date: 28/02/22	

Attachment 1 - Attachment 1 - Architectural Drawings



WOODS BAGOT

Client: Hines

Project: 9-13 Stewart Street

Sheet title: Stewart Street Elevation

Description: REVISED SCHEME - DELWP

Date: 28/02/22

Project no.: 130675

Sheet no.: SK3200

Scale: 1 : 200

Revision: A

Sheet size: A3

Date: 28/02/22

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Attachment 1 - Attachment 1 - Architectural Drawings

MATERIAL LEGEND

CE01 PRECAST CONCRETE
Concrete Panel
Texture finish

CE02 PRECAST CONCRETE
Concrete Panel
50mm Relief Profile
Pattern: Generated with Custom Form Liner

MW01 BALUSTRADE RAILING
Expressed Vertical
Weathered Steel Finish

MW02 PLANT SCREEN
Expressed Vertical
Powdercoat Finish
Dark Neutral Colour

MW03 METAL DOOR
Weathered Steel Finish

MW04 GARAGE DOOR
Expressed Vertical
Weathered Steel Finish

MW05 METAL DOOR
Galvanised Finish

CD01 METAL CLADDING
Cassette Cladding
Weathered Steel Finish

CD02 METAL CLADDING
Cassette Cladding
Galvanised Finish

WD01 FACADE - TYPE 01
Frame: Dark Grey Powdercoat Finish
Expressed Vertical and Horizontal Metal Fin with integrated shading (300mm deep)
- Dark Grey Powdercoat Finish
A: Glass - Double Glazed Unit - Clear
B: Glass - Double Glazed Unit - Clearwith Glass Fin, Maximum 25% Visibility

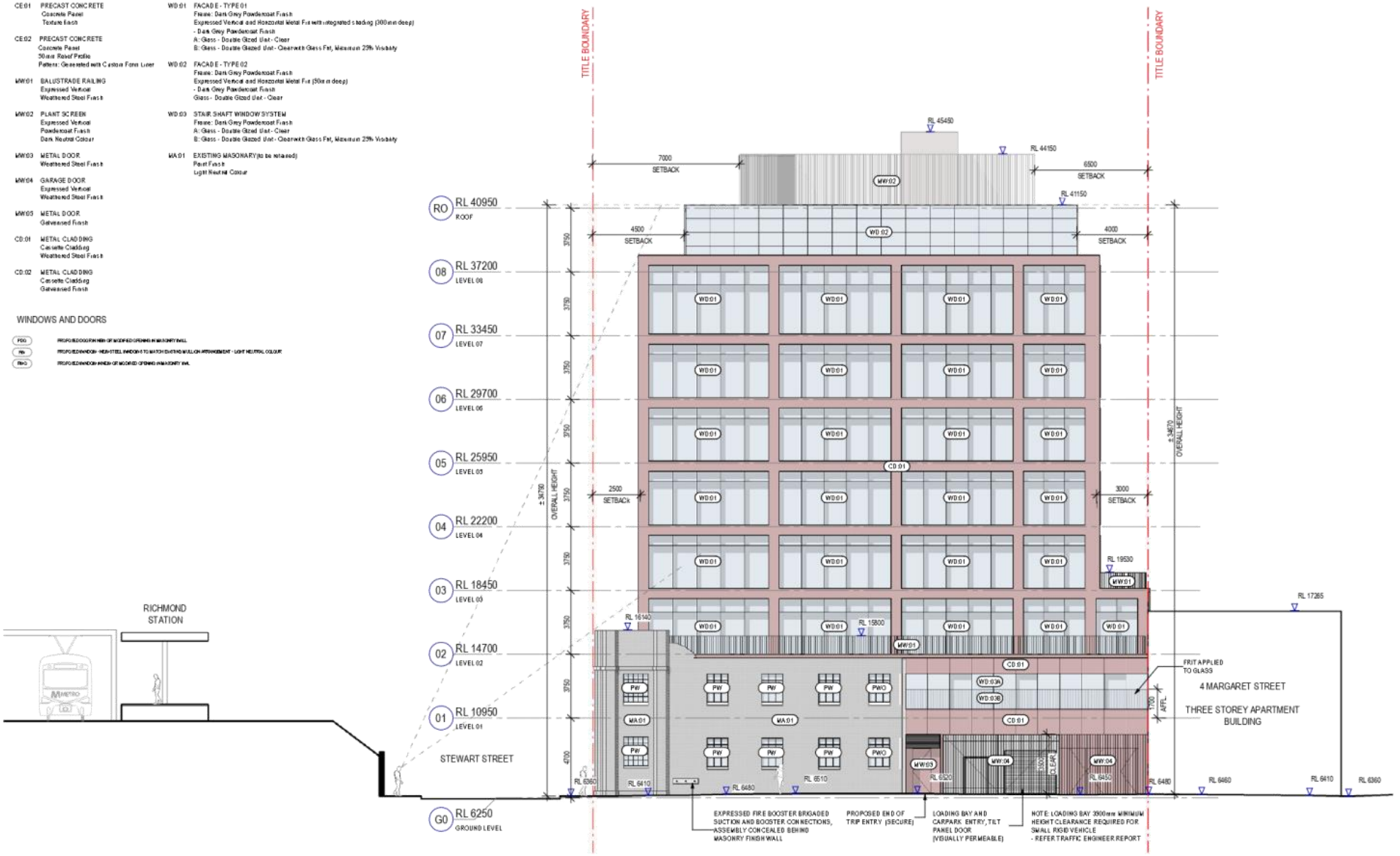
WD02 FACADE - TYPE 02
Frame: Dark Grey Powdercoat Finish
Expressed Vertical and Horizontal Metal Fin (50mm deep)
- Dark Grey Powdercoat Finish
Glass - Double Glazed Unit - Clear

WD03 STAIR SHAFT WINDOW SYSTEM
Frame: Dark Grey Powdercoat Finish
A: Glass - Double Glazed Unit - Clear
B: Glass - Double Glazed Unit - Clearwith Glass Fin, Maximum 25% Visibility

MA01 EXISTING MASONARY(to be retained)
Paint Finish
Light Neutral Colour

WINDOWS AND DOORS

PDG
PW
RWG



WOODS BAGOT

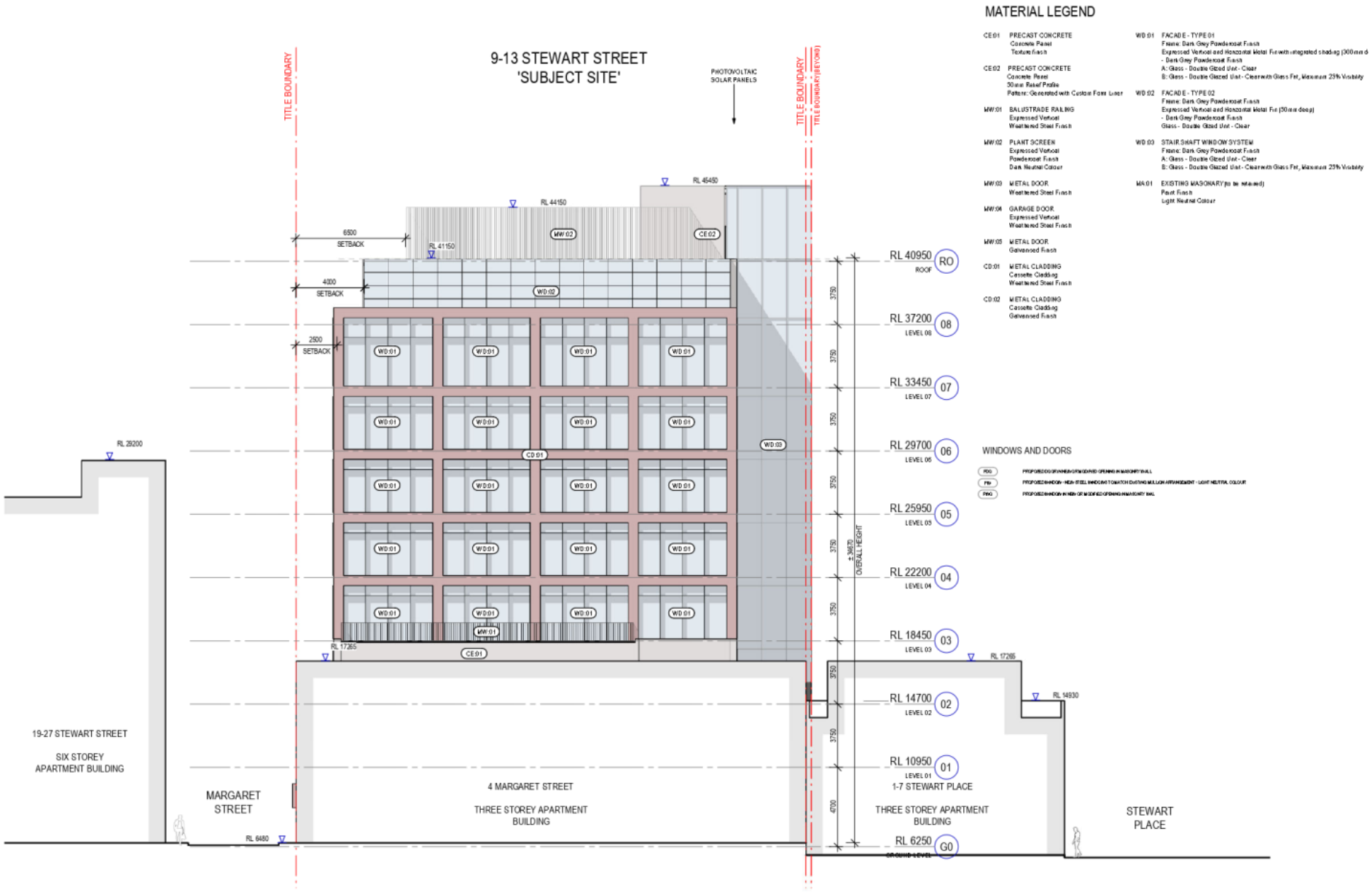
Client: Hines
Project: 9-13 Stewart Street
Sheet title: Margaret Street

Description: REVISED SCHEME - DELWP
Date: 28/02/22

Project no. 130675
Sheet no. SK3201
Scale 1 : 200
Revision A
Sheet size A3
Date 28/02/22

© Woods Bagot

Attachment 1 - Attachment 1 - Architectural Drawings



WOODS BAGOT

Client: Hines

Project: 9-13 Stewart Street

Sheet title: North Elevation

Description: REVISED SCHEME - DELWP

Date: 28/02/22

Project no.: 130675

Sheet no.: SK3202

Scale: 1 : 200

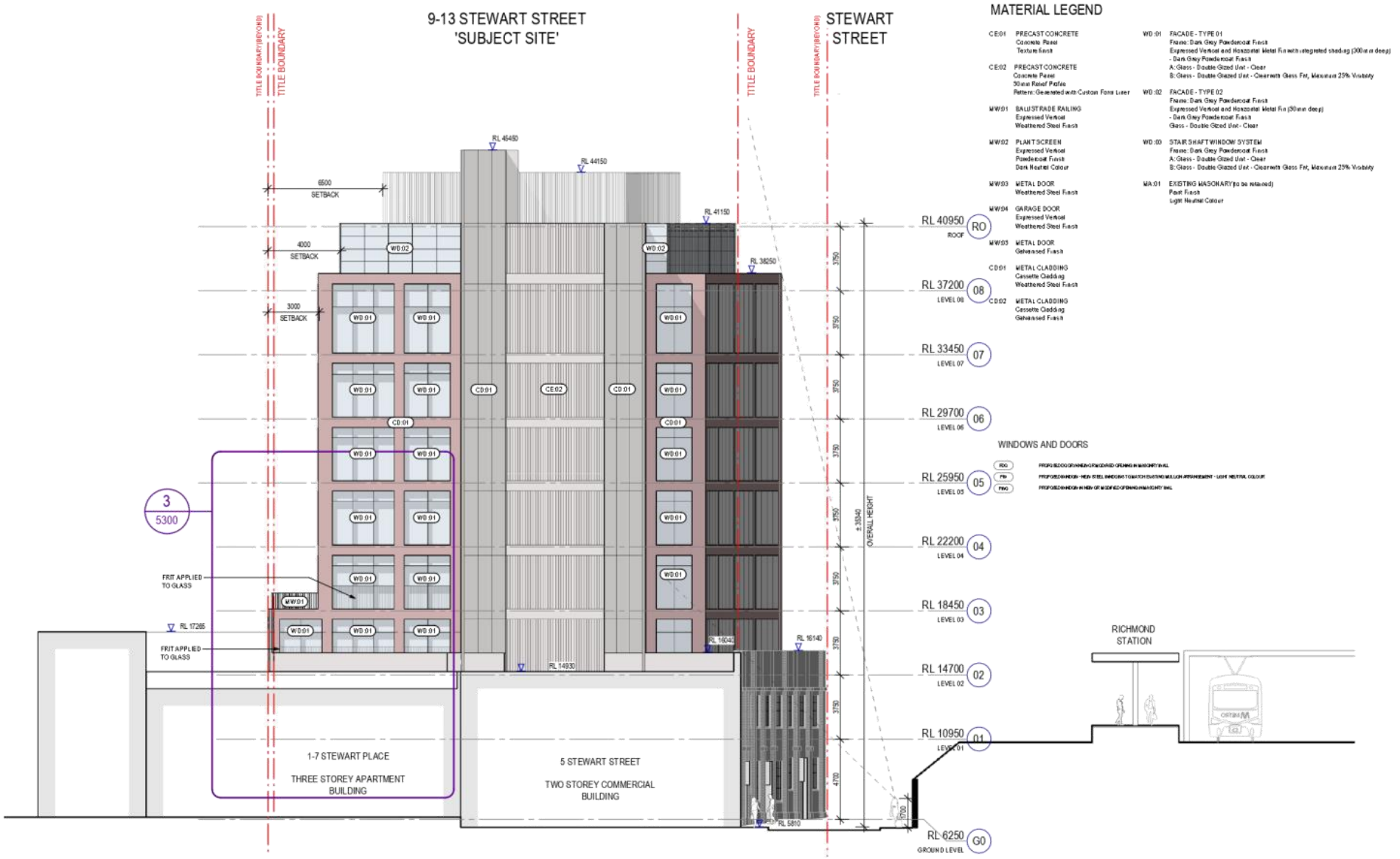
Revision: A

Sheet size: A3

Date: 28/02/22

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Attachment 1 - Attachment 1 - Architectural Drawings



WOODS BAGOT

Client: Hines

Project: 9-13 Stewart Street

Sheet title: West Elevation

Description: REVISED SCHEME - DELWP

Date: 28/02/22

Project no.: 130675

Sheet no.: SK3203

Scale: 1 : 200

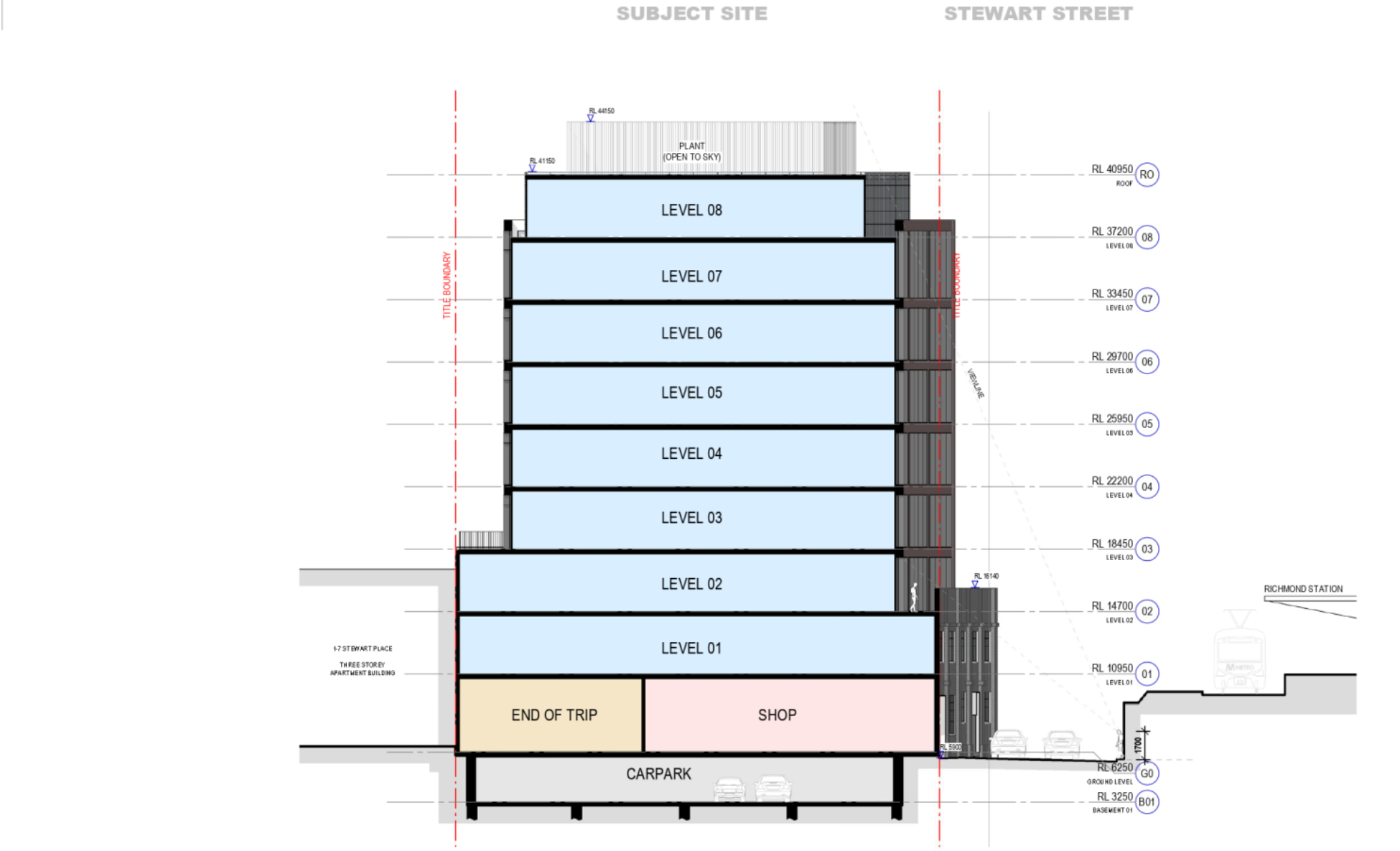
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Sheet size: A3

Date: 28/02/22

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Attachment 1 - Attachment 1 - Architectural Drawings



WOODS BAGOT

Client: Hines

Project: 9-13 Stewart Street

Sheet title: General Section 01 - North to South

Description: REVISED SCHEME - DELWP

Date: 28/02/22

Project no.: 130675

Sheet no.: SK3300

Scale: 1 : 200

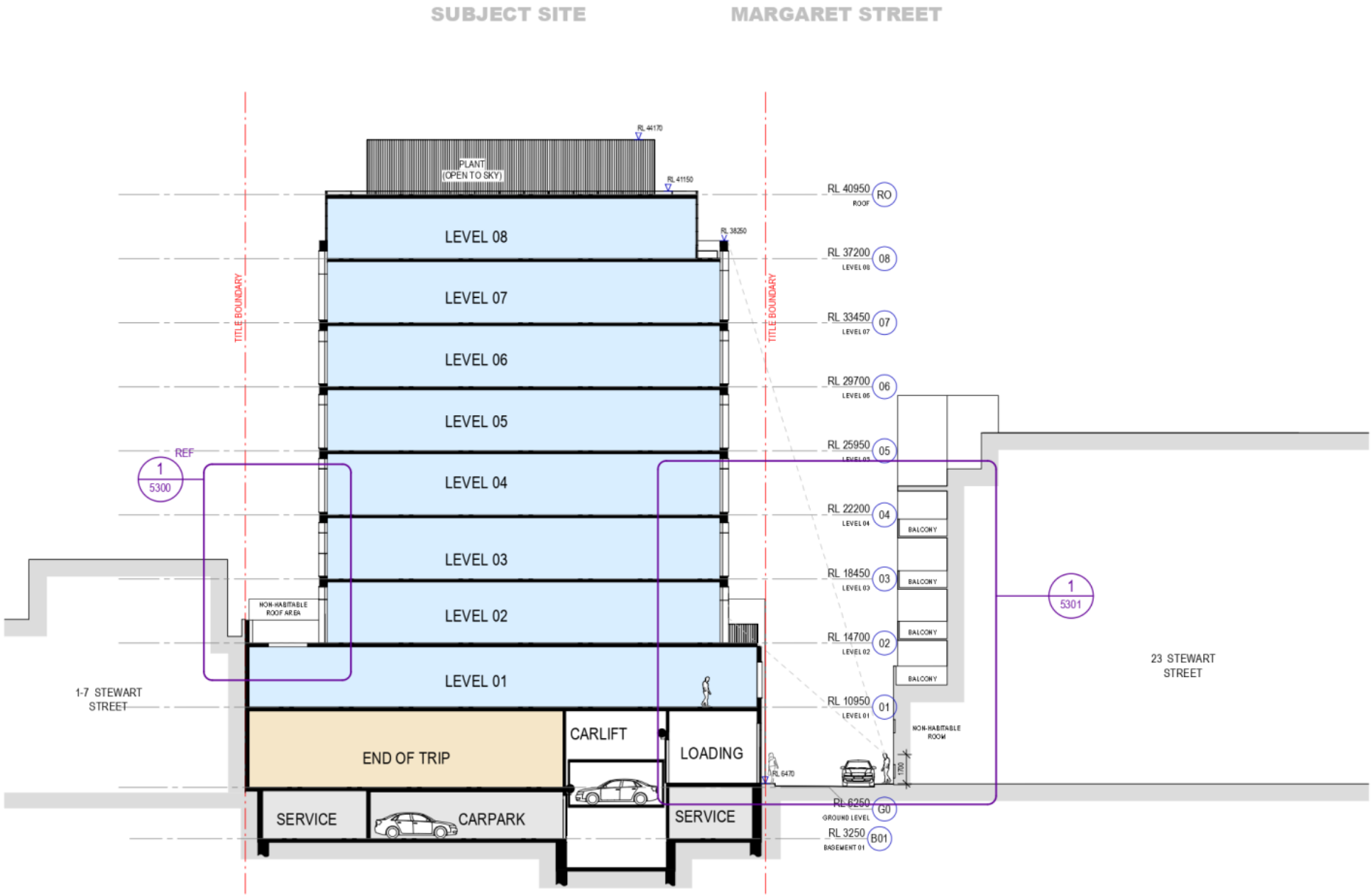
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Sheet size: A3

Date: 28/02/22

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Attachment 1 - Attachment 1 - Architectural Drawings



WOODS BAGOT

Client: Hines

Project: 9-13 Stewart Street

Sheet title: General Section 02 - East to West

Description: REVISED SCHEME - DELWP

Date: 28/02/22

Project no.: 130675

Sheet no.: SK3301

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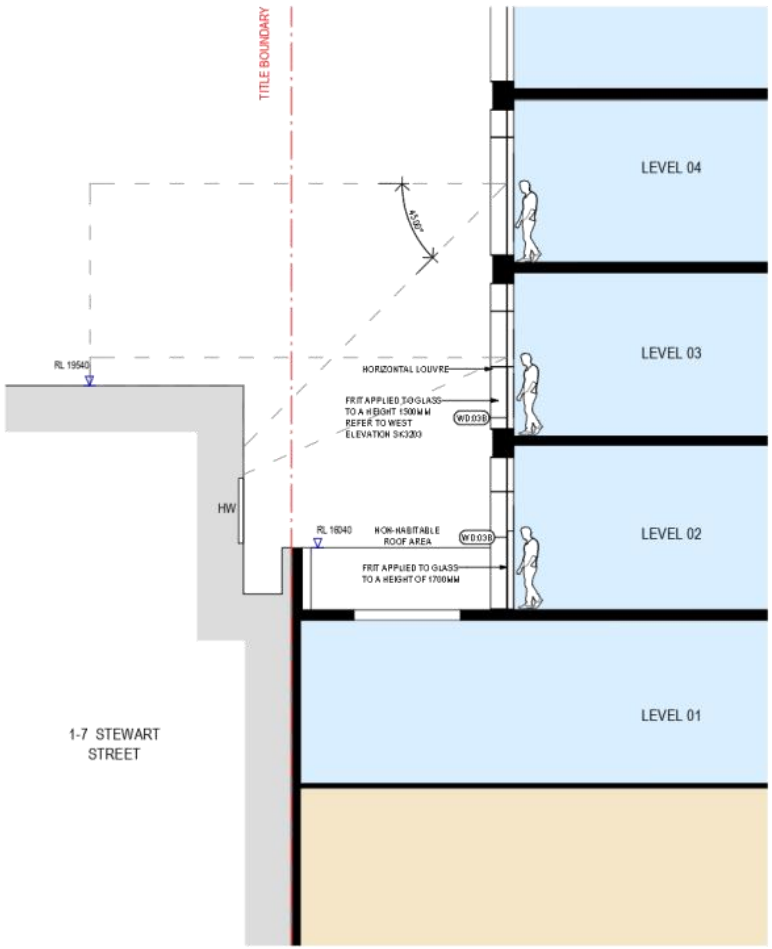
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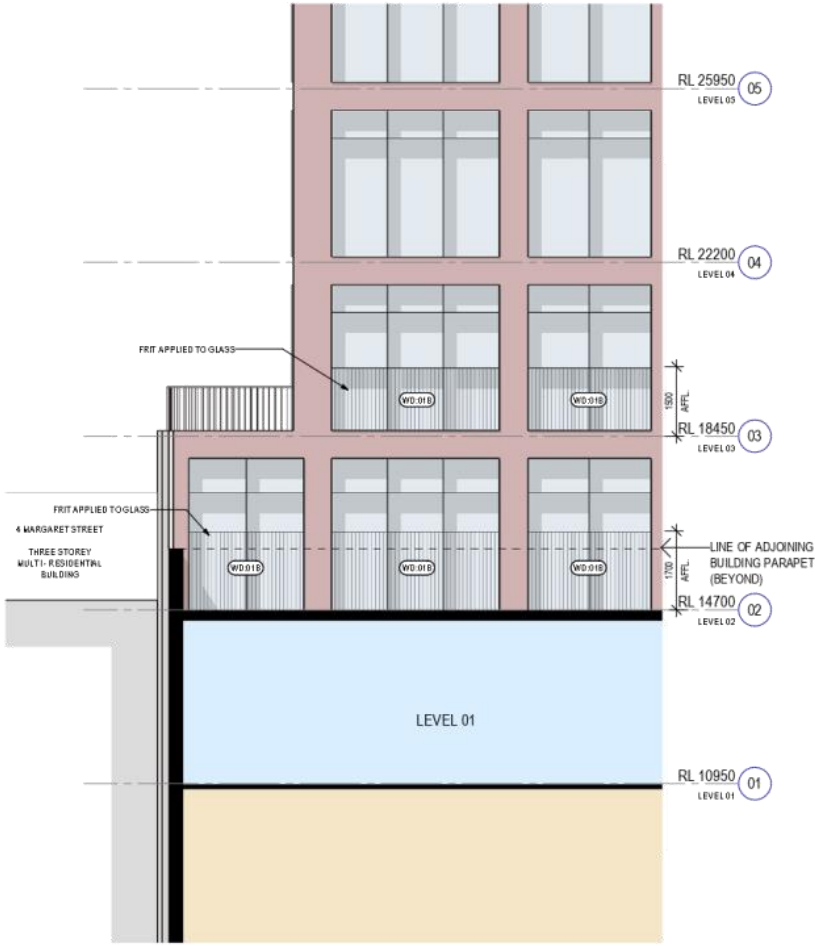
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Date: 28/02/22

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Attachment 1 - Attachment 1 - Architectural Drawings





WOODS BAGOT

Client: Hines

Project: 9-13 Stewart Street

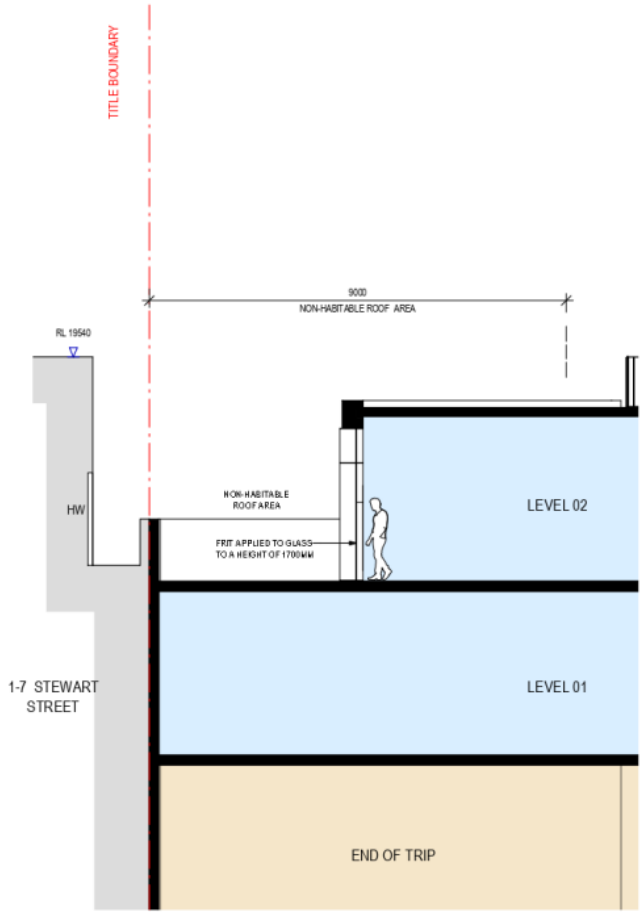
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Description	Date
REVISED SCHEME - DELWP	28/02/22

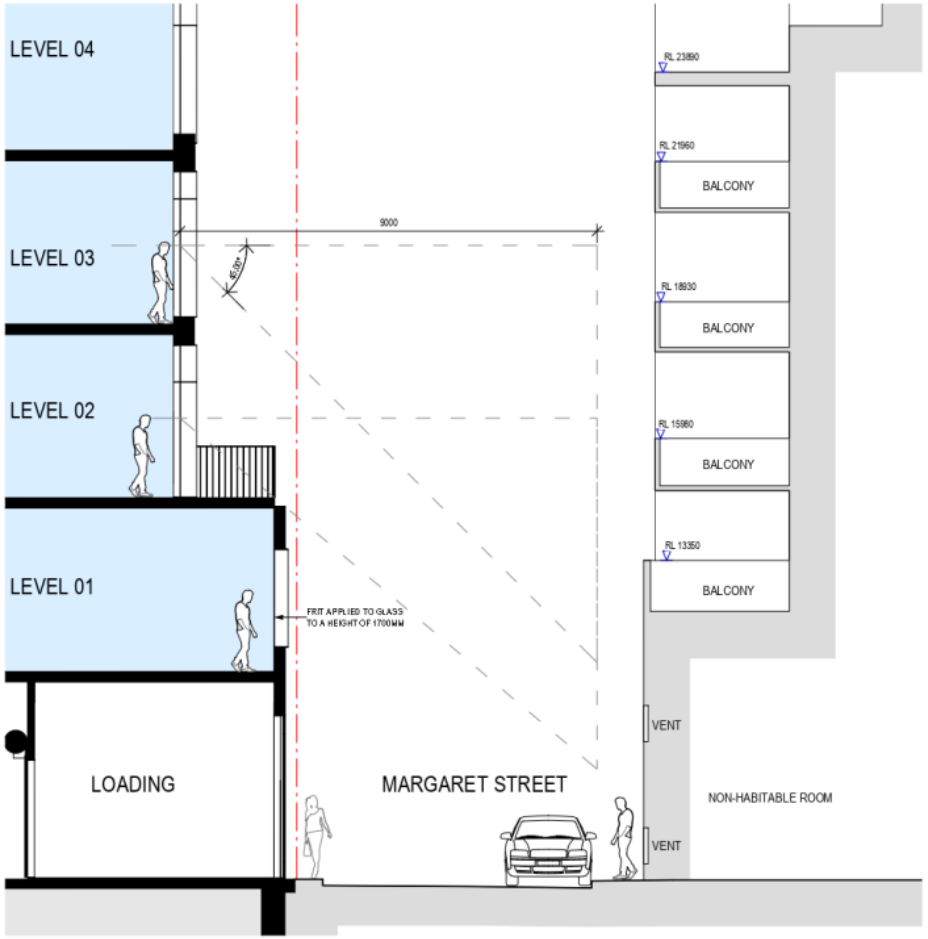
Project no. 130675
Sheet no. SK5300
Scale 1 : 100
Revision A
Sheet size A3
Date 28/02/22

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Attachment 1 - Attachment 1 - Architectural Drawings



2 Section 05 - Overlooking Terrace



1 Section 02 - Overlooking Diagram
SCALE 1 : 100

WOODS BAGOT

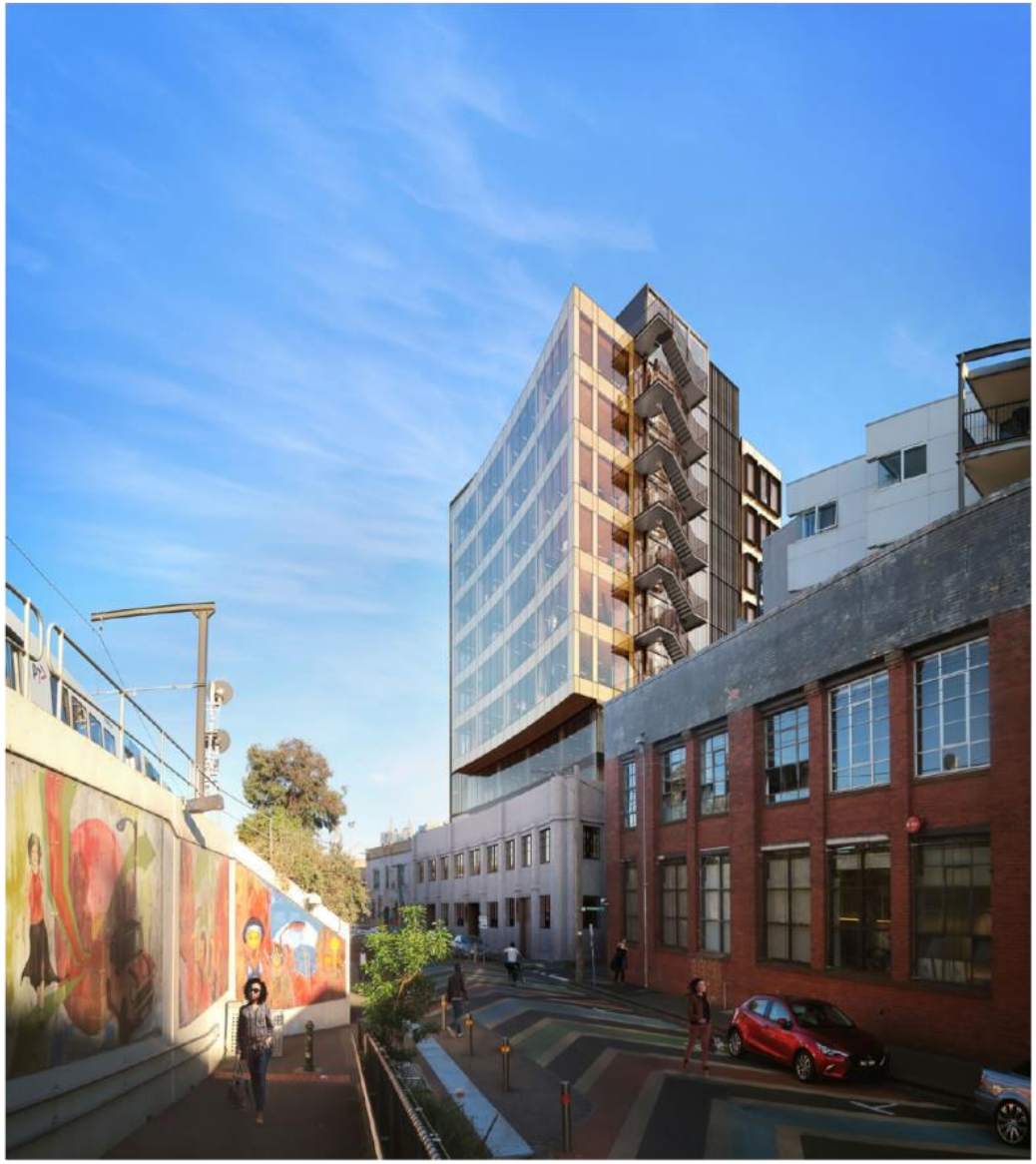
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Project: 9-13 Stewart Street
Sheet title: Detail Section

Description: REVISED SCHEME - DELWP
Date: 28/02/22

Project no.: 130675
Sheet no.: SK5301
Scale: 1 : 100
Revision: A
Sheet size: A3
Date: 28/02/22

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Attachment 2 - Attachment 2 - VCAT Plans



Stewart Street
9 Stewart Street Richmond

TOWN PLANNING DRAWING LIST

	Number	Title	Revision
SK	1000	Cover sheet	C
SK	1100	Site Plan - Existing	B
SK	1200	Site Plan - Demolition	B
SK	1300	Site Plan - Proposed	C
SK	2000	Demolition Plan - Ground Level	A
SK	2001	Demolition Plan - Level 01	A
SK	2002	Demolition Plan - Roof	A
SK	2100	Demolition and Restoration - Stewart Street Elevation	B
SK	2101	Demolition and Restoration - Margaret Street Elevation	B
SK	2201	Basement 01	C
SK	2202	Ground Level	C
SK	2203	Level 01	C
SK	2204	Level 02	C
SK	2205	Level 03	C
SK	2206	Level 04 - 09	C
SK	2210	Roof Terrace	C
SK	2211	Roof	C
SK	3200	Stewart Street Elevation	C
SK	3201	Margaret Street	C
SK	3202	North Elevation	C
SK	3203	West Elevation	C
SK	3300	General Section 01 - North to South	C
SK	3301	General Section 02 - East to West	C
SK	5300	Detail Section	B
SK	5301	Detail Section	A
SK	6300	Shadow Diagram - September 22 - 09.00	C
SK	6301	Shadow Diagram - September 22 - 10.00	B
SK	6302	Shadow Diagram - September 22 - 11.00	B
SK	6303	Shadow Diagram - September 22 - 12.00	C
SK	6304	Shadow Diagram - September 22 - 13.00	B
SK	6305	Shadow Diagram - September 22 - 14.00	B
SK	6306	Shadow Diagram - September 22 - 15.00	C
SK	9000	Materials Legend	A
SK	9001	Summary	B

WOODS BAGOT

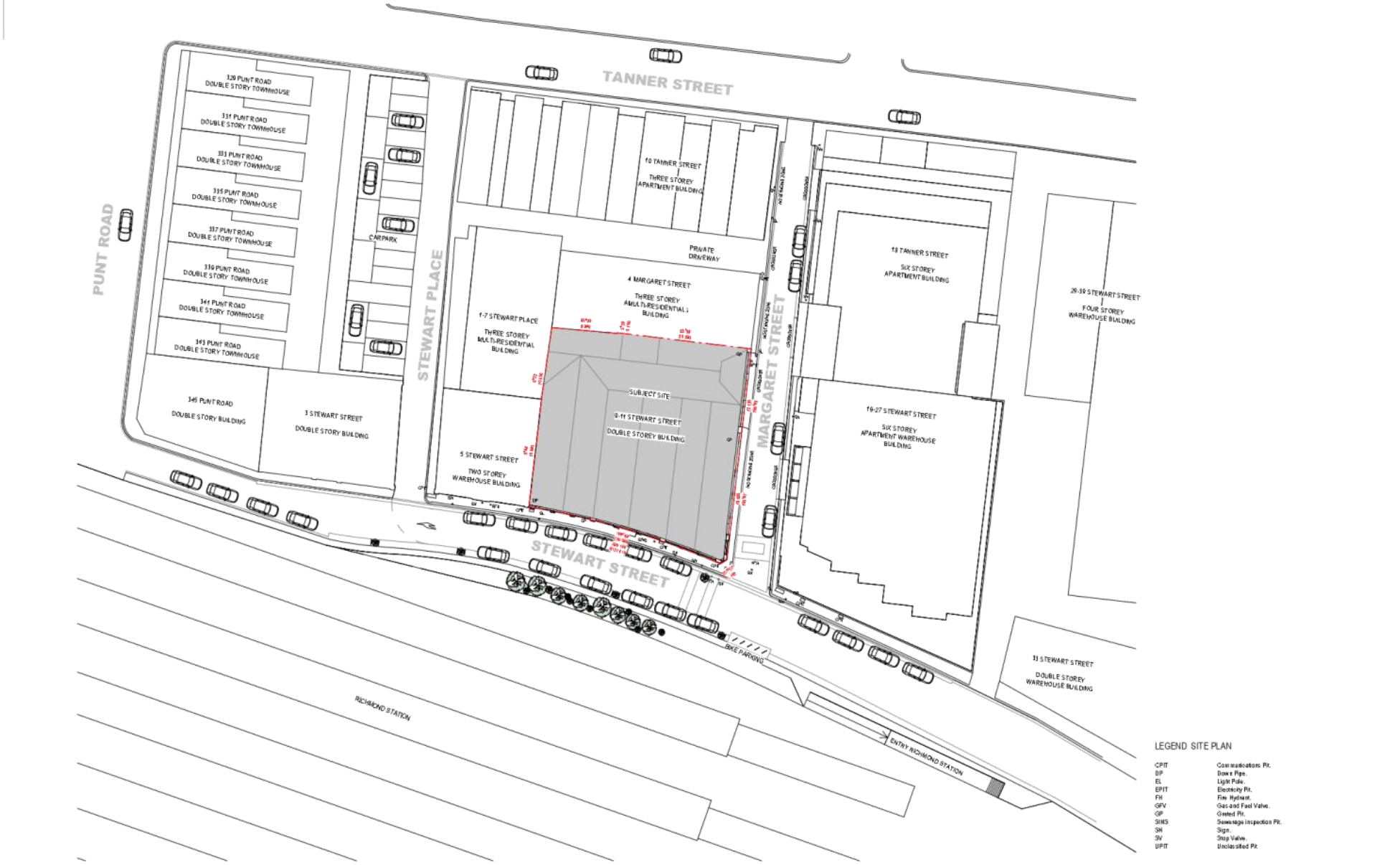
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Project: 9-13 Stewart Street
Sheet title: Cover sheet

Description	Date
Town Planning	16/12/19
Town Planning - RFI	02/02/20
VCAT - Revised Scheme	28/10/20

Project no. 130675
Sheet no. SK1000
Scale
Revision C
Sheet size A3
Date 28/10/20

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Attachment 2 - Attachment 2 - VCAT Plans



WOODS BAGOT

Client: Hines

Project: 9-13 Stewart Street

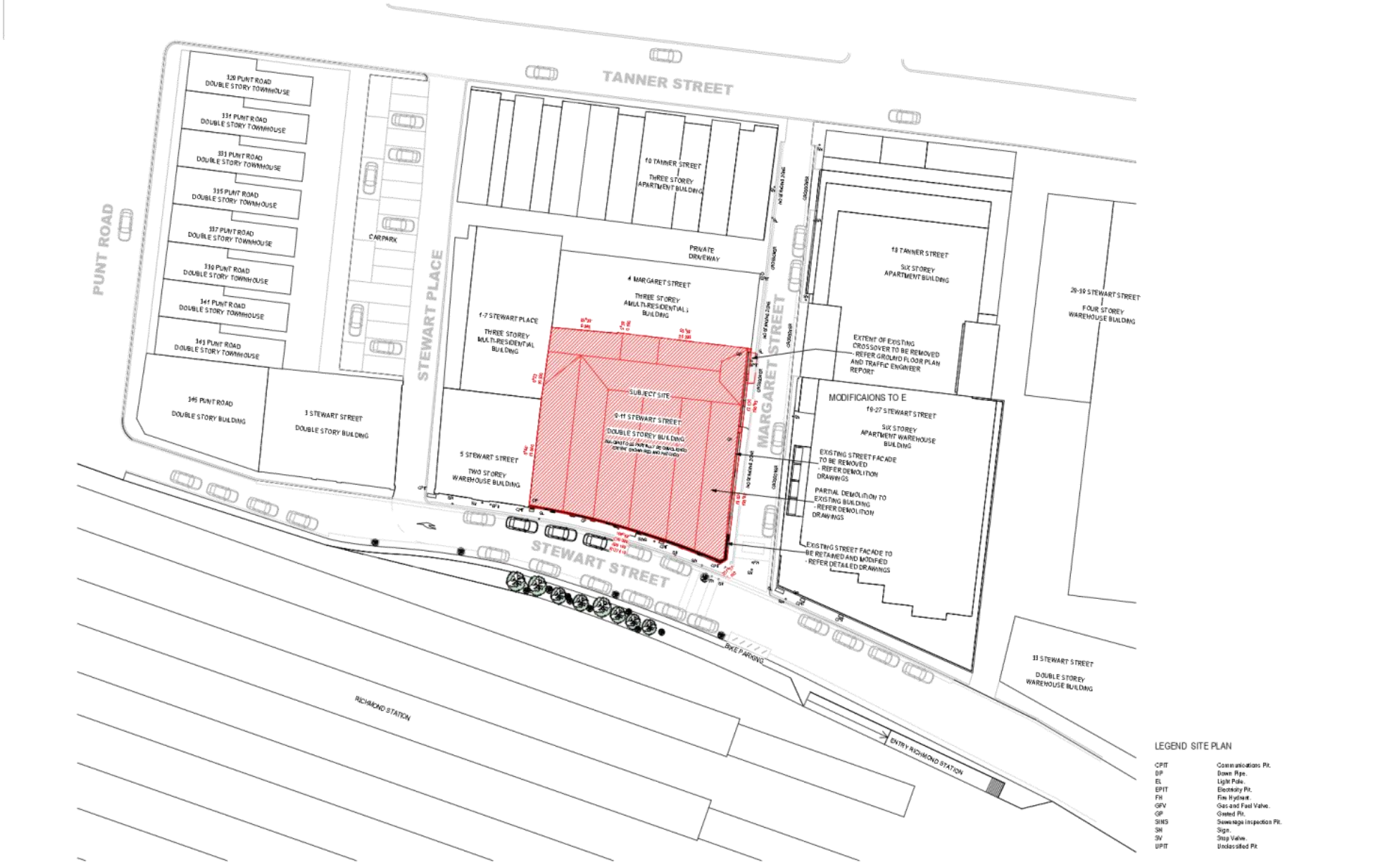
Sheet title: Site Plan - Existing

Description	Date
Town Planning	16/12/19
Town Planning - RFI	02/02/20

Project no. 130675
Sheet no. SK1100
Scale 1 : 500
Revision B
Sheet size A3
Date 02/02/20

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Attachment 2 - Attachment 2 - VCAT Plans



WOODS BAGOT

Client: Hines

Project: 9-13 Stewart Street

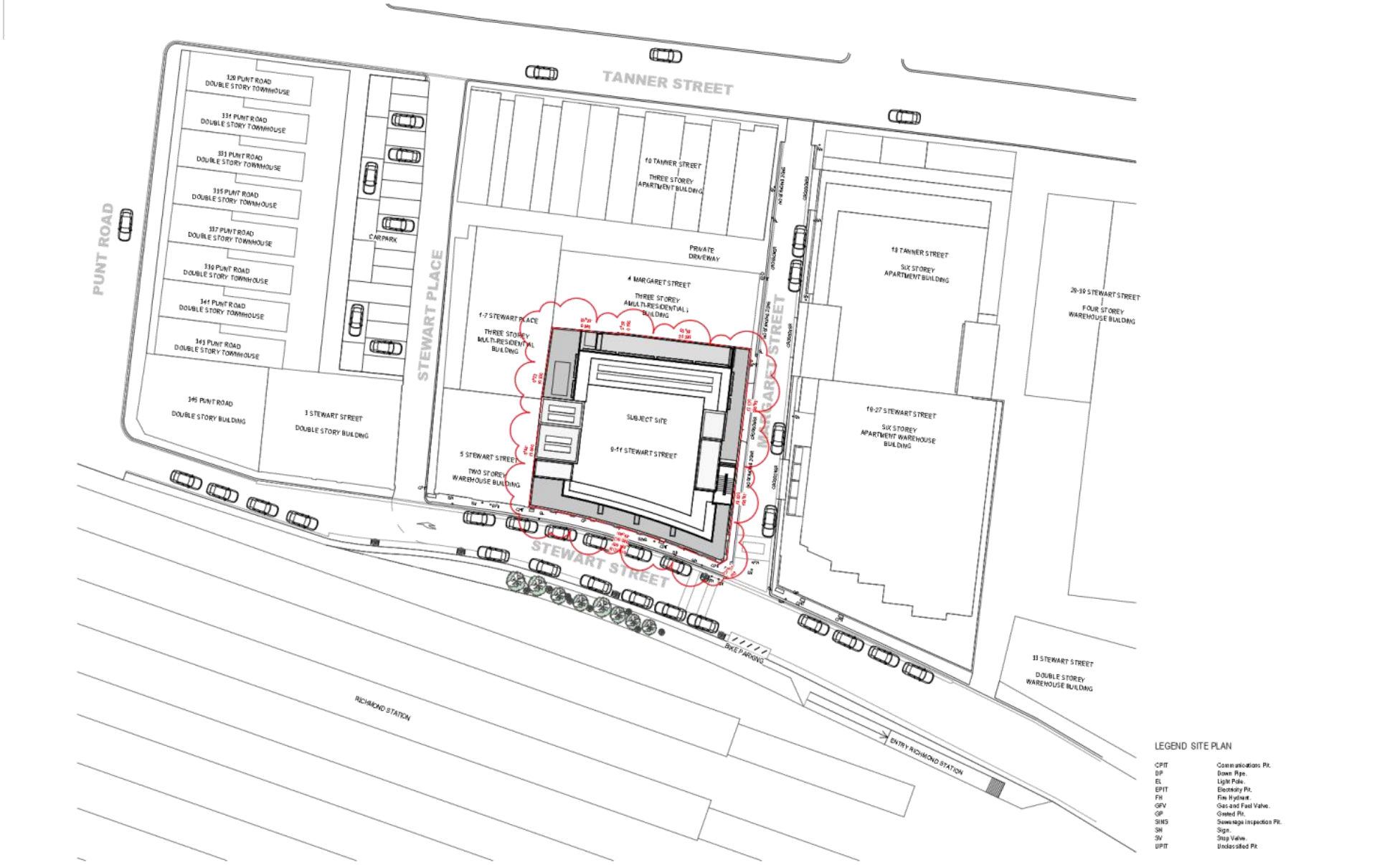
Sheet title: Site Plan - Demolition

Description	Date
Town Planning	16/12/19
Town Planning - RFI	02/02/20

Project no. 130675
Sheet no. SK1200
Scale 1 : 500
Revision B
Sheet size A3
Date 02/02/20

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Attachment 2 - Attachment 2 - VCAT Plans



WOODS BAGOT

Client: Hines

Project: 9-13 Stewart Street

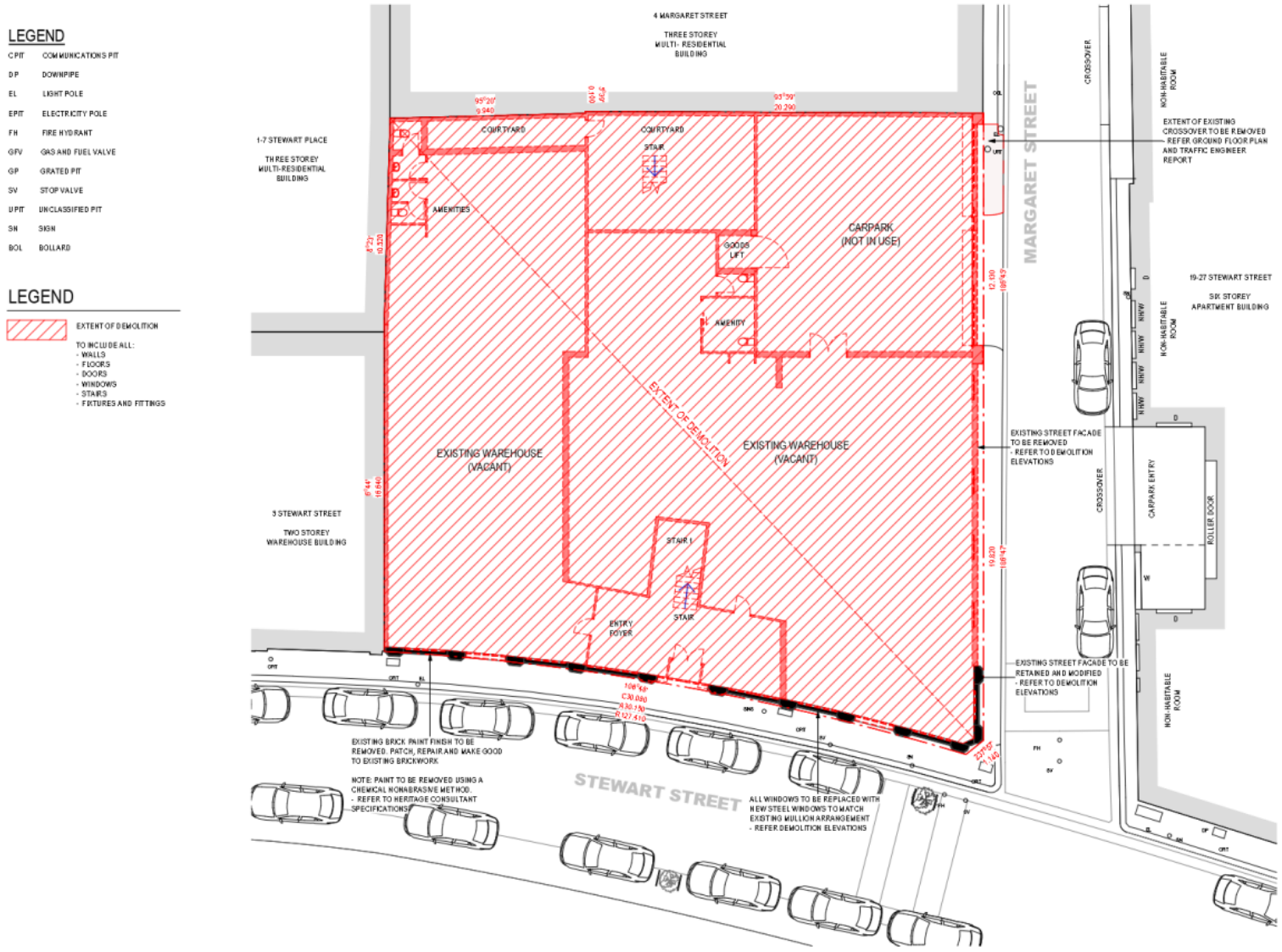
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Description	Date
Town Planning	16/12/19
Town Planning - RFI	02/02/20
VCAT - Revised Scheme	28/10/20

Project no. 130675
Sheet no. SK1300
Scale 1 : 500
Revision C
Sheet size A3
Date 28/10/20

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Attachment 2 - Attachment 2 - VCAT Plans



WOODS BAGOT

Client: Hines

Project: 9-13 Stewart Street

Sheet title: Demolition Plan - Ground Level

Description: Town Planning - RFI

Date: 02/02/20

Project no.: 130675

Sheet no.: SK2000

Scale: As indicated

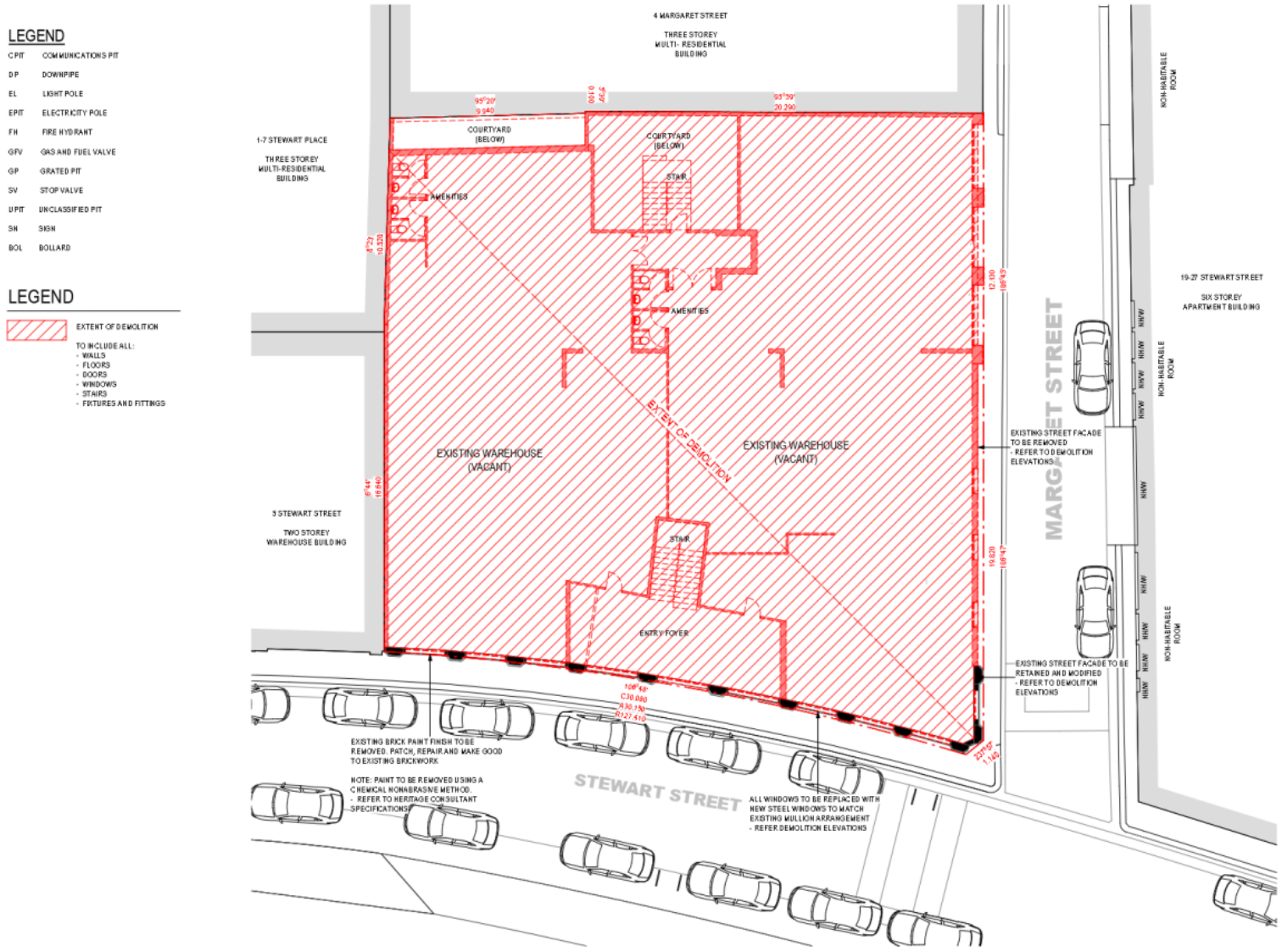
Revision: A

Sheet size: A3

Date: 02/02/20

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Attachment 2 - Attachment 2 - VCAT Plans



WOODS BAGOT

Client: Hines

Project: 9-13 Stewart Street

Sheet title: Demolition Plan - Level 01

Description: Town Planning - RFI

Date: 02/02/20

Project no.: 130675

Sheet no.: SK2001

Scale: As indicated

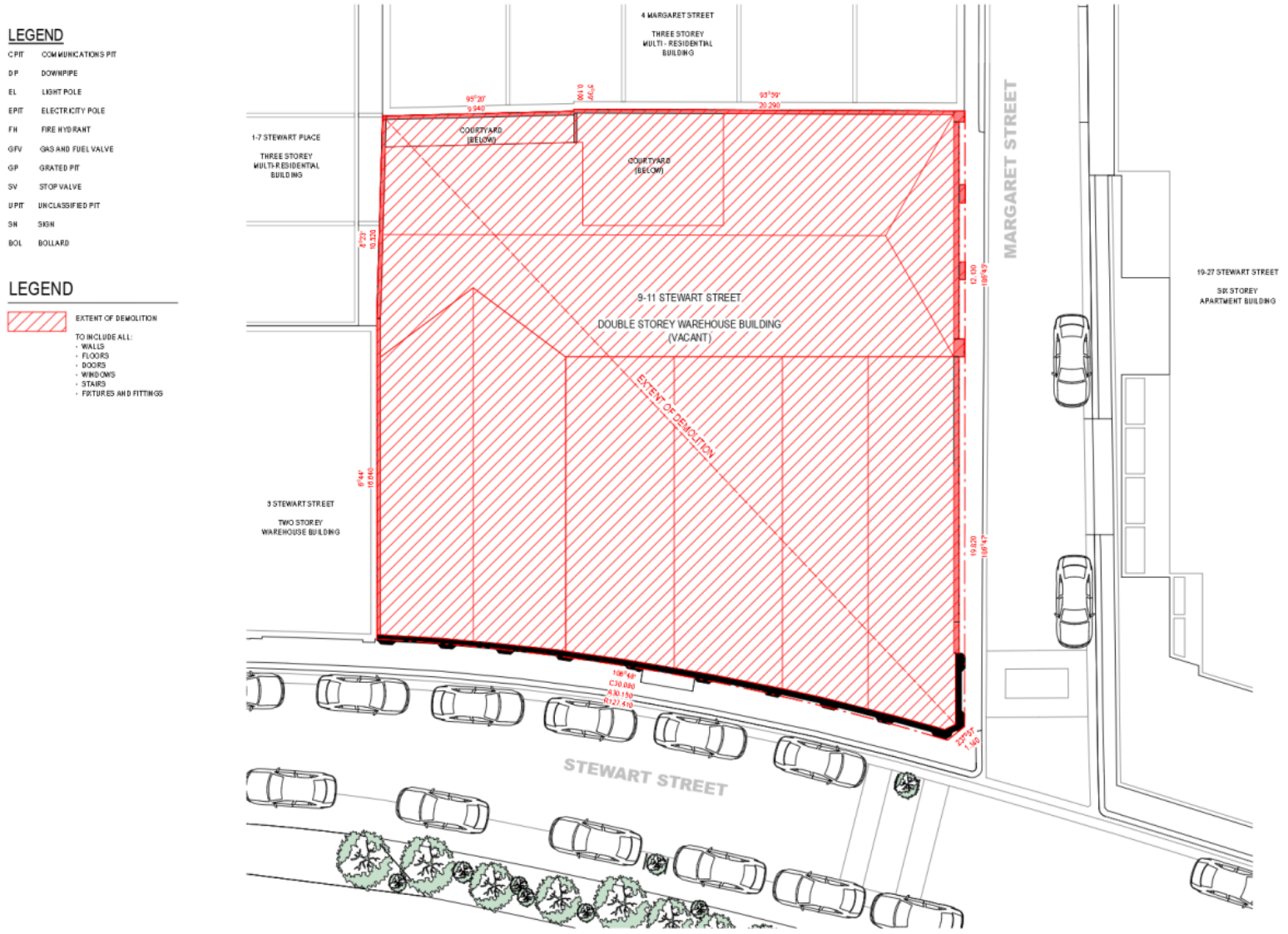
Revision: A

Sheet size: A3

Date: 02/02/20

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Attachment 2 - Attachment 2 - VCAT Plans



WOODS BAGOT

Client: Hines

Project: 9-13 Stewart Street

Sheet title: Demolition Plan - Roof

Description: Town Planning - RFI

Date: 02/02/20

Project no.: 130675

Sheet no.: SK2002

Scale: As indicated

Revision: A

Sheet size: A3

Date: 02/02/20

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Attachment 2 - Attachment 2 - VCAT Plans



WOODS BAGOT

Client: Hines

Project: 9-13 Stewart Street

Sheet title: Demolition and Restoration - Stewart Street Elevation

Description	Date
Town Planning	16/12/19
Town Planning - RFI	02/02/20

Project no. 130675
Sheet no. SK2100
Scale 1 : 100
Revision B
Sheet size A3
Date 02/02/20

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Attachment 2 - Attachment 2 - VCAT Plans



WOODS BAGOT

Client: Hines

Project: 9-13 Stewart Street

Sheet title: Demolition and Restoration - Margaret Street Elevation

Description: Town Planning; Town Planning - RFI

Date: 16/12/19; 02/02/20

Project no.: 130675

Sheet no.: SK2101

Scale: 1 : 100

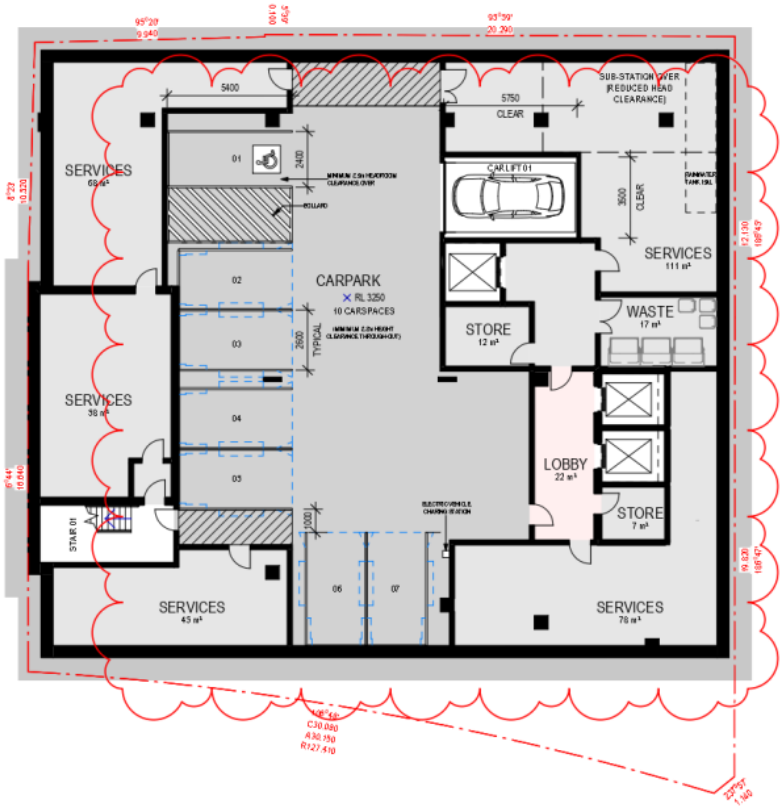
Revision: B

Sheet size: A3

Date: 02/02/20

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Attachment 2 - Attachment 2 - VCAT Plans



Attachment 2 - Attachment 2 - VCAT Plans



WOODS BAGOT

Client: Hines

Project: 9-13 Stewart Street

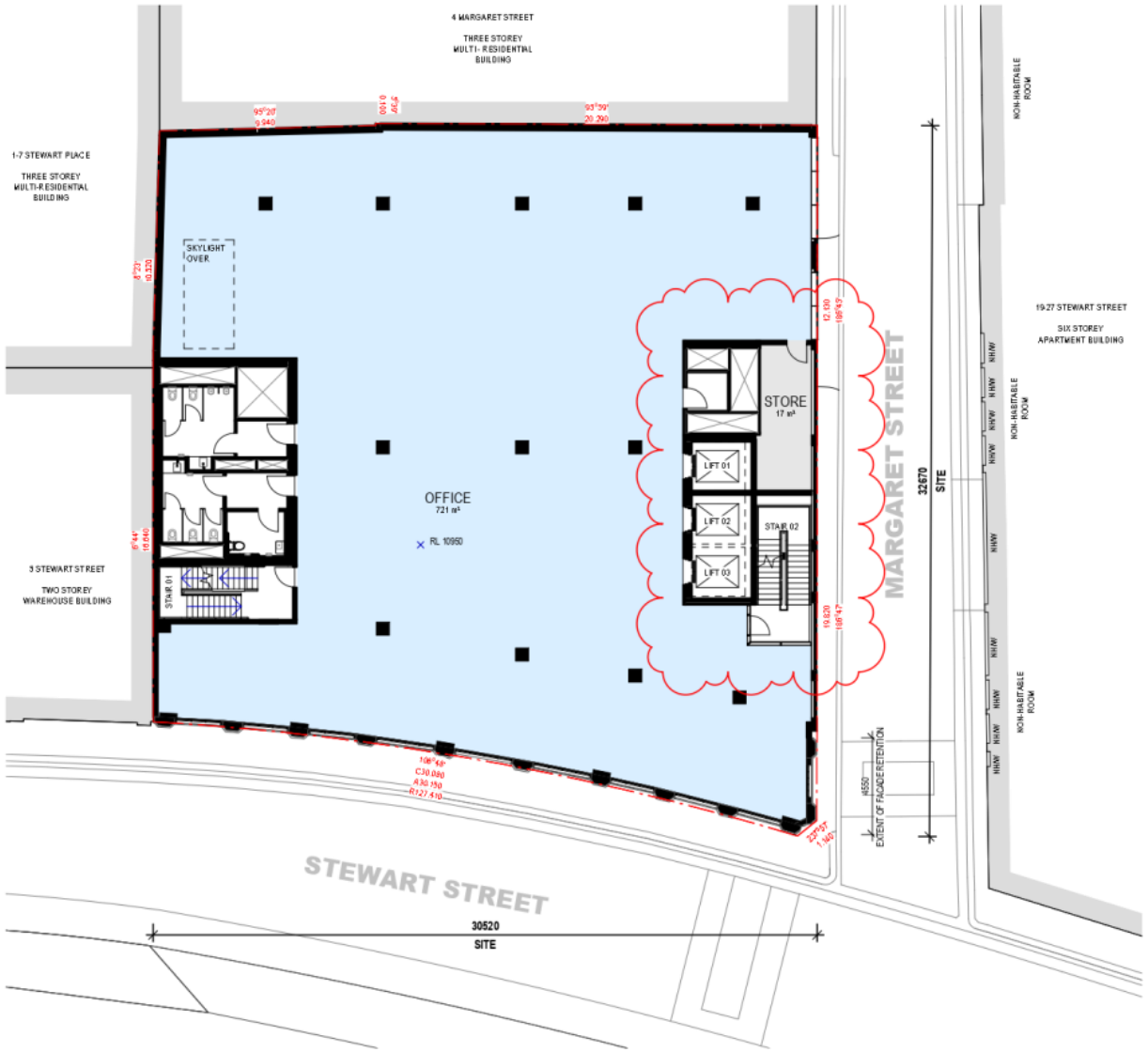
Sheet title: Ground Level

Description	Date
Town Planning	16/12/19
Town Planning - RFI	02/02/20
VCAT - Revised Scheme	28/10/20

Project no. 130675
Sheet no. SK2202
Scale 1 : 200
Revision C
Sheet size A3
Date 28/10/20

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Attachment 2 - Attachment 2 - VCAT Plans



WOODS BAGOT

Client: Hines

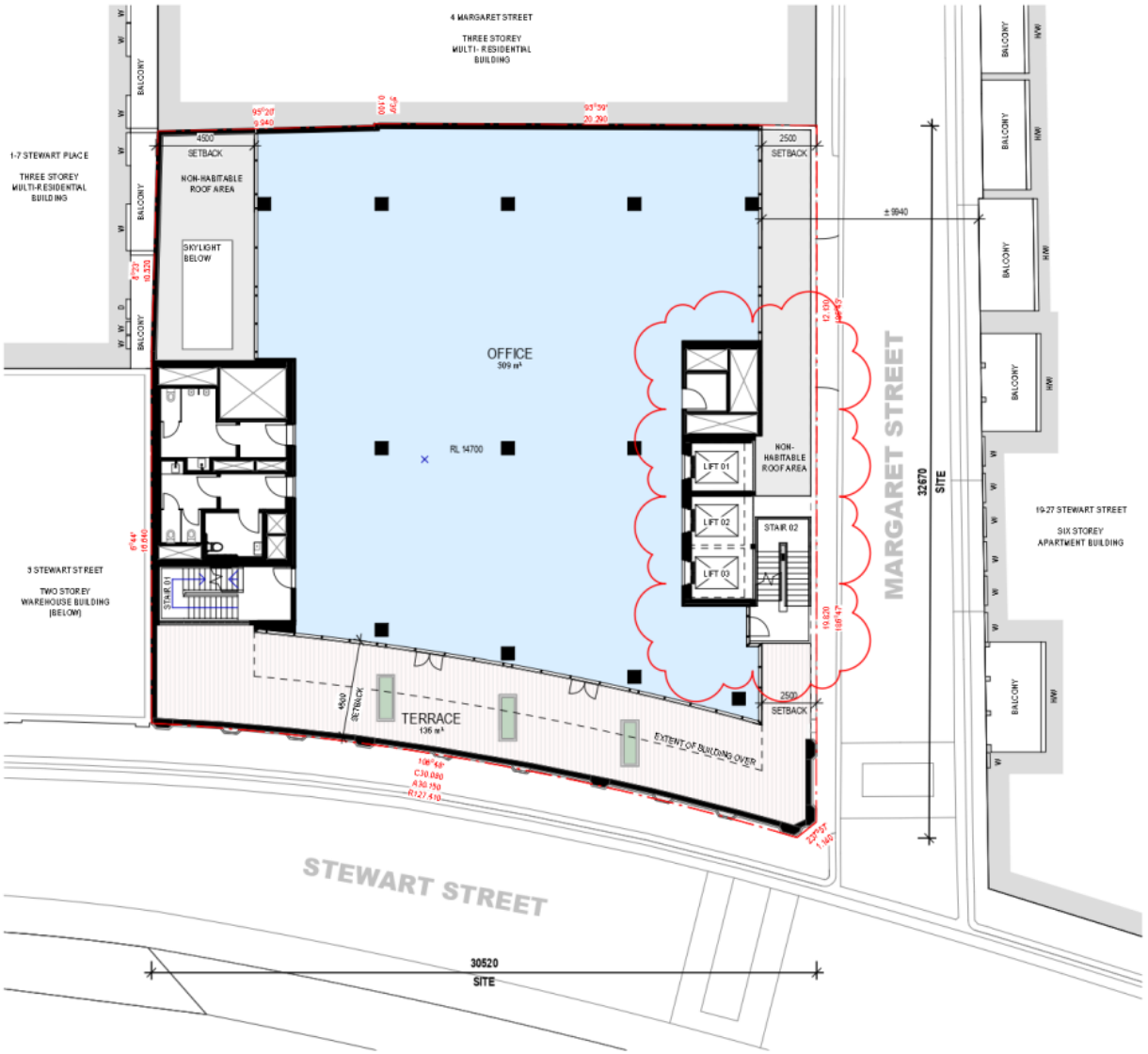
Project: 9-13 Stewart Street

Sheet title: Level 01

Description	Date
Town Planning	16/12/19
Town Planning - RFI	02/02/20
VCAT - Revised Scheme	28/10/20

Project no. 130675
Sheet no. SK2203
Scale 1 : 200
Revision C
Sheet size A3
Date 28/10/20
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Attachment 2 - Attachment 2 - VCAT Plans



WOODS BAGOT

Client: Hines

Project: 9-13 Stewart Street

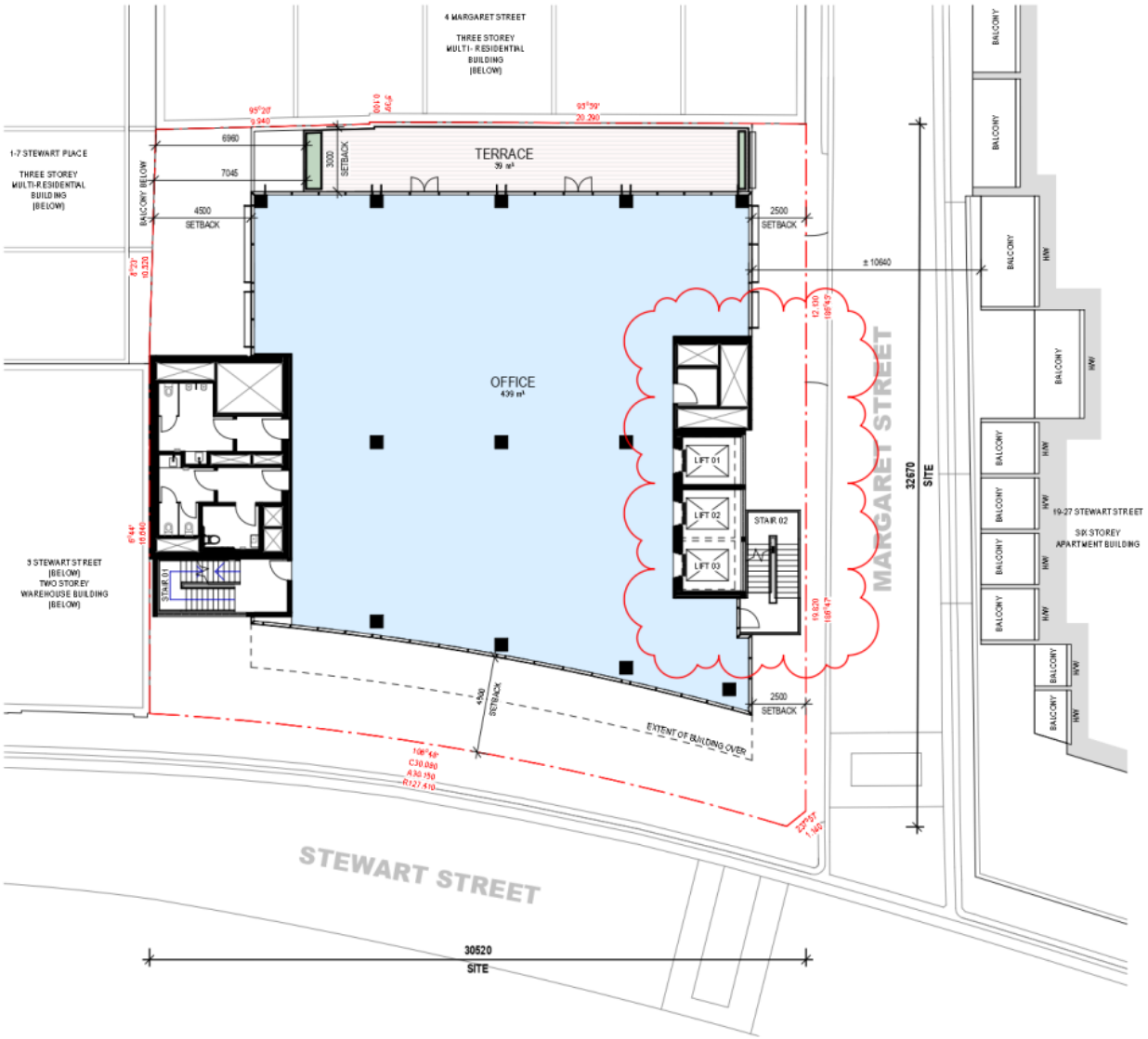
Sheet title: Level 02

Description	Date
Town Planning	16/12/19
Town Planning - RFI	02/02/20
VCAT - Revised Scheme	28/10/20

Project no. 130675
Sheet no. SK2204
Scale 1 : 200
Revision C
Sheet size A3
Date 28/10/20

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Attachment 2 - Attachment 2 - VCAT Plans



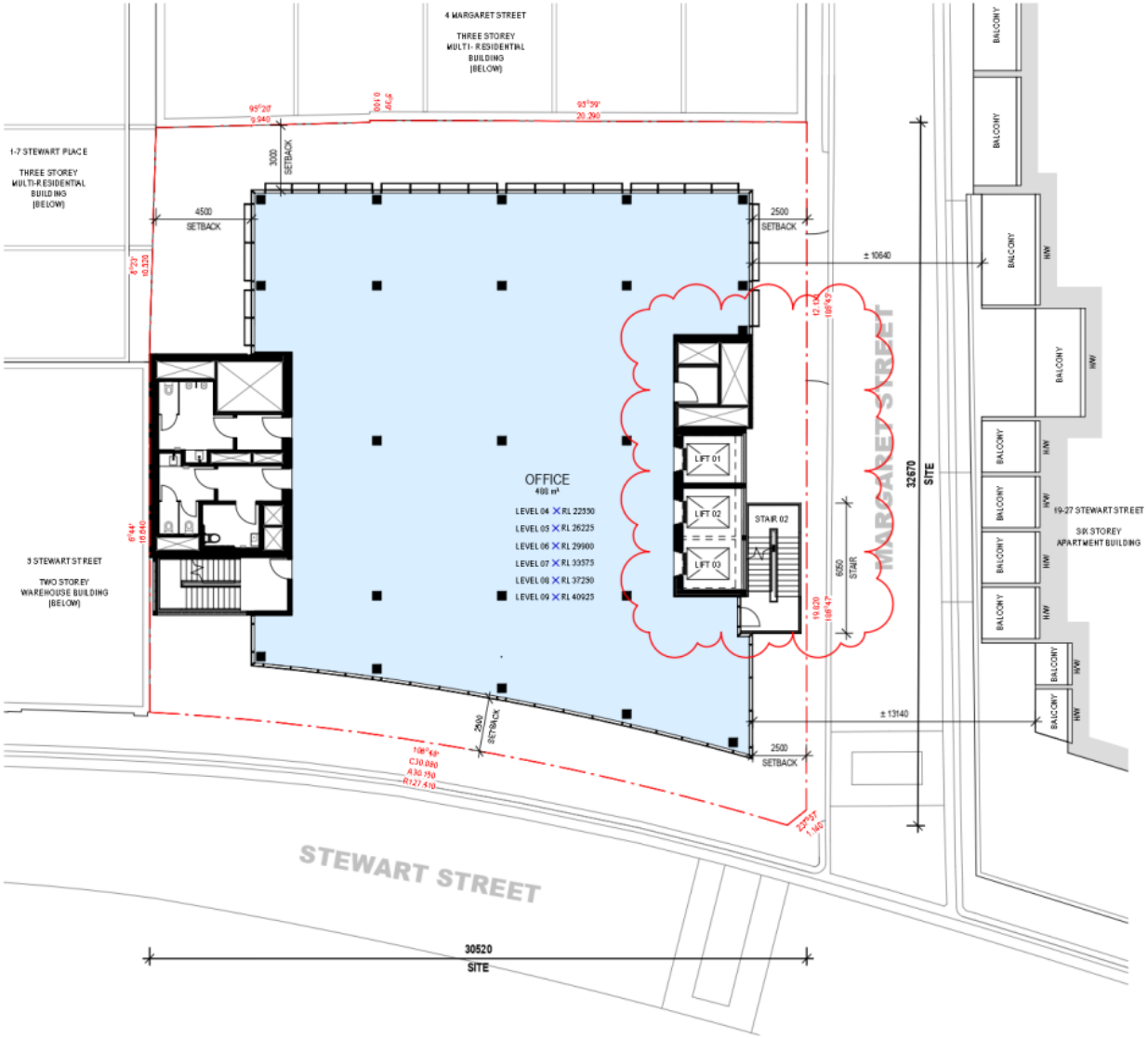
WOODS BAGOT

Client	Project	Sheet title
Hines	9-13 Stewart Street	Level 03

Description	Date
Town Planning	16/12/19
Town Planning - RFI	02/02/20
VCAT - Revised Scheme	28/10/20

Project no.	Scale	Sheet size	© Woods Bagot
130675	1 : 200	A3	
Sheet no.	Revision	Date	
SK2205	C	28/10/20	

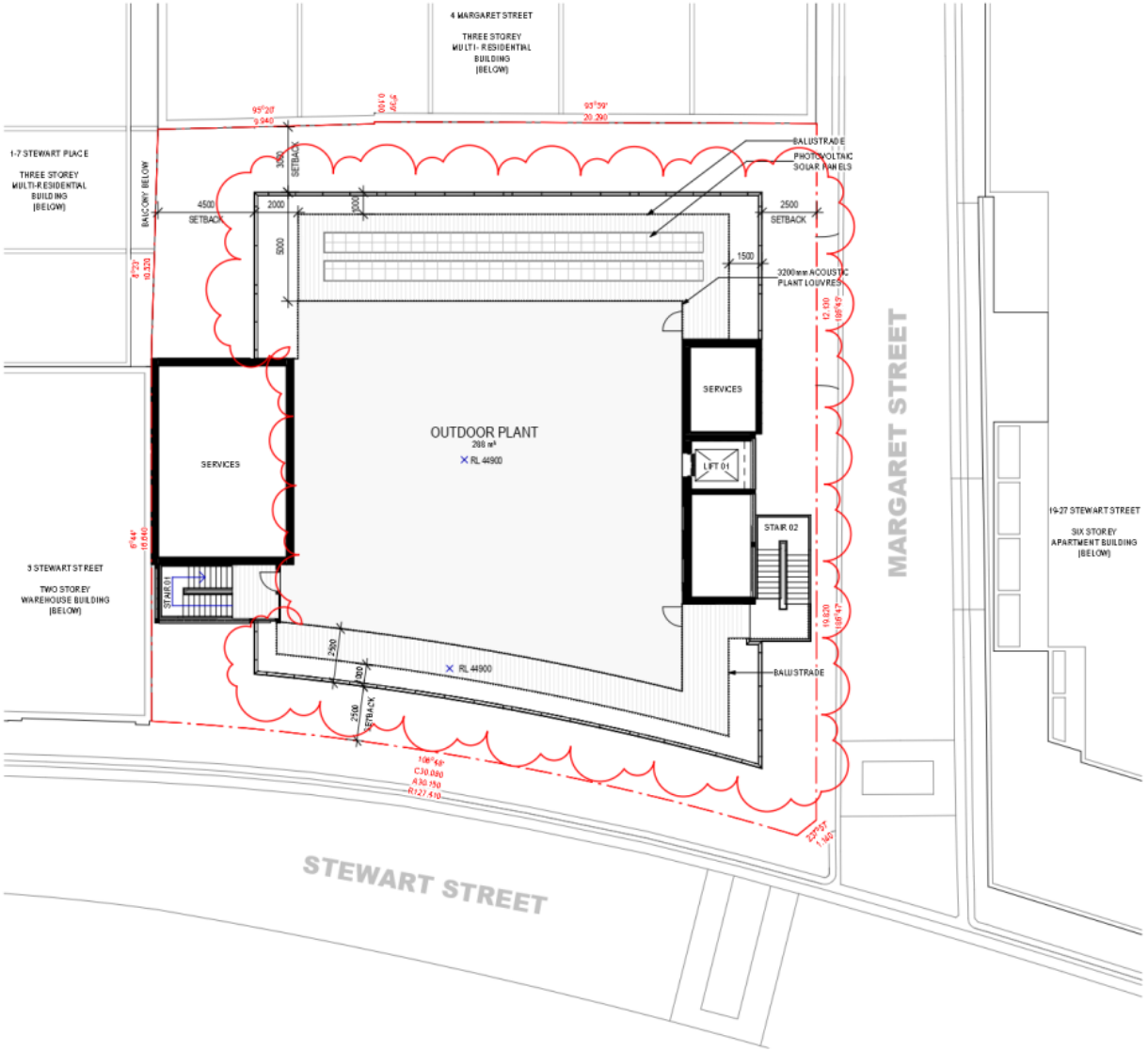
Attachment 2 - Attachment 2 - VCAT Plans



WOODS BAGOT	Client: Hines	Project: 9-13 Stewart Street	Sheet title: Level 04 - 09	Description: Town Planning; Town Planning - RFI; VCAT - Revised Scheme	Date: 16/12/19; 02/02/20; 28/10/20	Project no.: 130675	Scale: 1 : 200	Sheet size: A3
						Sheet no.: SK2206	Revision: C	Date: 28/10/20

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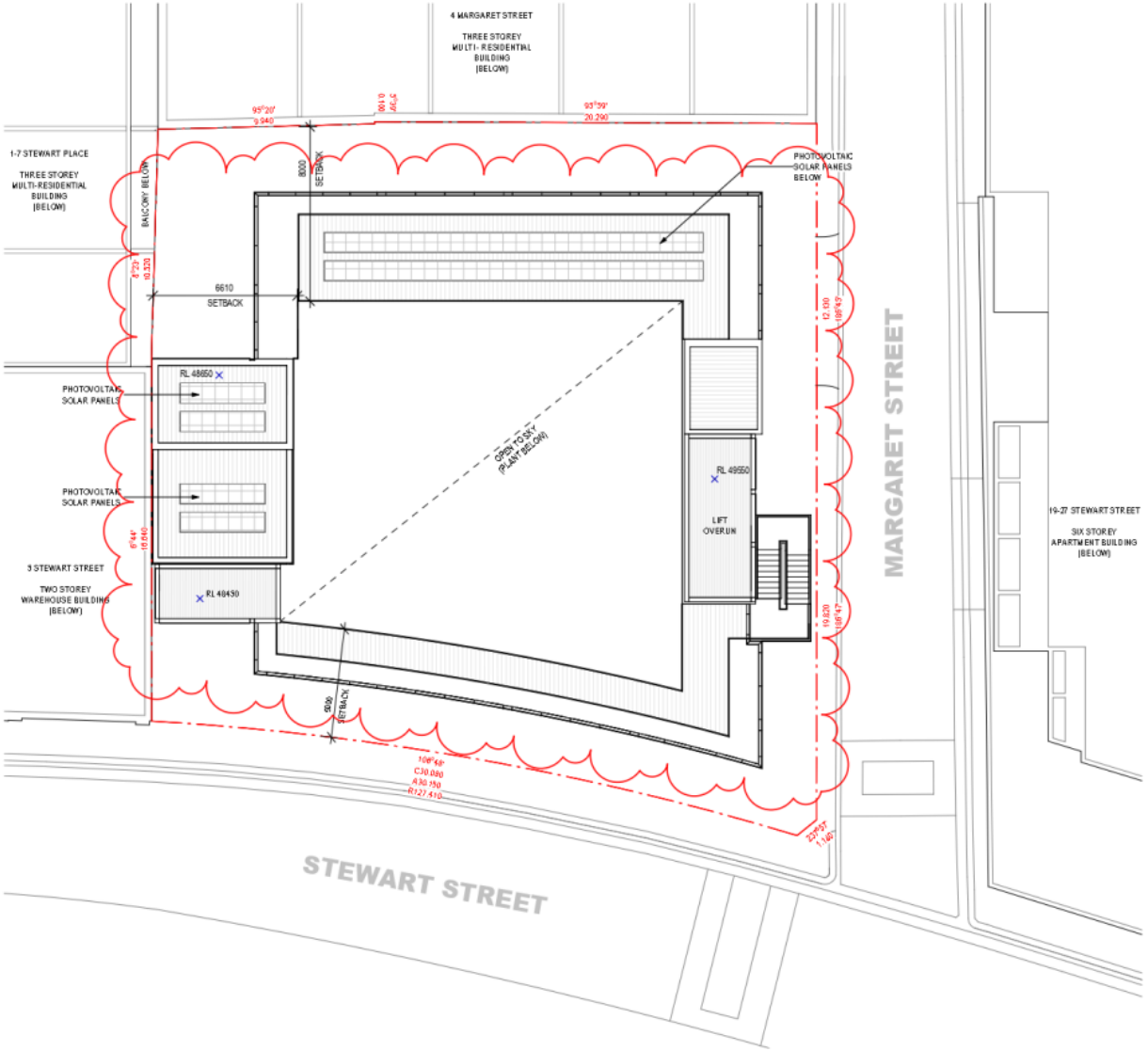
WOODS BAGOT

Client	Project	Sheet title
Hines	9-13 Stewart Street	Roof Terrace

Description	Date
Town Planning	16/12/19
Town Planning - RFI	02/02/20
VCAT - Revised Scheme	28/10/20

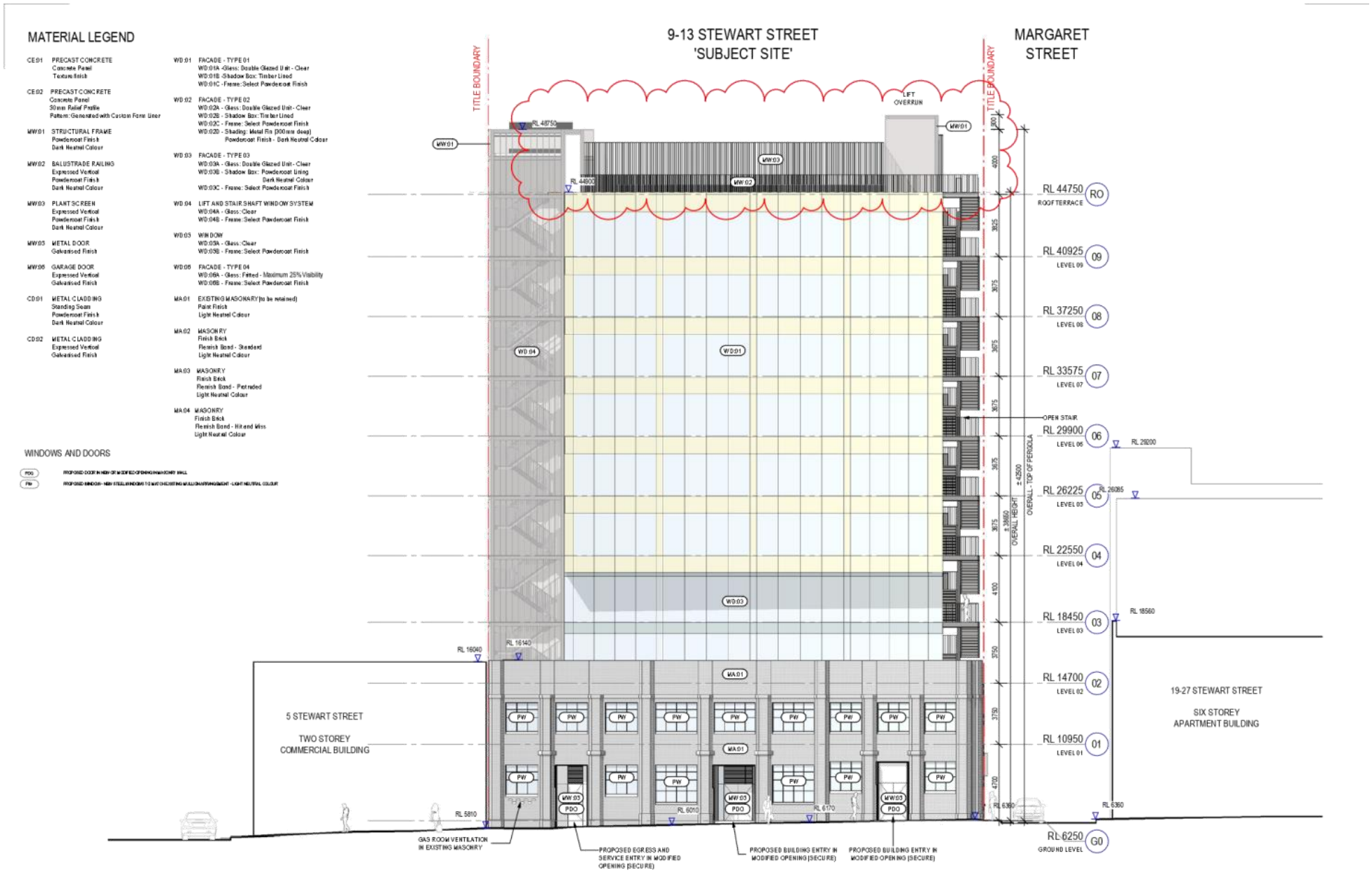
Project no.	Scale	Sheet size	© Woods Bagot
130675	1 : 200	A3	
Sheet no.	Revision	Date	
SK2210	C	28/10/20	

Attachment 2 - Attachment 2 - VCAT Plans



WOODS BAGOT	Client: Hines	Project: 9-13 Stewart Street	Sheet title: Roof	Description: Town Planning; Town Planning - RFI; VCAT - Revised Scheme	Date: 16/12/19; 02/02/20; 28/10/20	Project no.: 130675	Scale: 1 : 200	Sheet size: A3	© Woods Bagot
						Sheet no.: SK2211	Revision: C	Date: 28/10/20	

Attachment 2 - Attachment 2 - VCAT Plans



WOODS BAGOT

Client: Hines

Project: 9-13 Stewart Street

Sheet title: Stewart Street Elevation

Description	Date
Town Planning	16/12/19
Town Planning - RFI	02/02/20
VCAT - Revised Scheme	28/10/20

Project no. 130675
Sheet no. SK3200
Scale 1 : 200
Revision C
Sheet size A3
Date 28/10/20

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Attachment 2 - Attachment 2 - VCAT Plans

MATERIAL LEGEND

CE01 PRECAST CONCRETE
Concrete Panel
Texture finish

CE02 PRECAST CONCRETE
Concrete Panel
50mm Relief Profile
Pattern : Generated with Custom Form Liner

MW01 STRUCTURAL FRAME
Powdercoat Finish
Dark Neutral Colour

MW02 BALUSTRADE RAILING
Expressed Vertical
Powdercoat Finish
Dark Neutral Colour

MW03 PLANT SCREEN
Expressed Vertical
Powdercoat Finish
Dark Neutral Colour

MW05 METAL DOOR
Galvanised Finish

MW06 GARAGE DOOR
Expressed Vertical
Galvanised Finish

CD01 METAL CLADDING
Standing Seam
Powdercoat Finish
Dark Neutral Colour

CD02 METAL CLADDING
Expressed Vertical
Galvanised Finish

WD01 FACADE - TYPE 01
WD 01A - Glass: Double Glazed Unit - Clear
WD 01B - Shadow Box: Timber Lined
WD 01C - Frame: Select Powdercoat Finish

WD02 FACADE - TYPE 02
WD 02A - Glass: Double Glazed Unit - Clear
WD 02B - Shadow Box: Timber Lined
WD 02C - Frame: Select Powdercoat Finish
WD 02D - Shading: Metal Fin (300mm deep)
Powdercoat Finish - Dark Neutral Colour

WD 03 FACADE - TYPE 03
WD 03A - Glass: Double Glazed Unit - Clear
WD 03B - Shadow Box: Powdercoat Lining
Dark Neutral Colour
WD 03C - Frame: Select Powdercoat Finish

WD 04 LIFT AND STAIR SHAFT WINDOW SYSTEM
WD 04A - Glass: Clear
WD 04B - Frame: Select Powdercoat Finish

WD05 WINDOW
WD 05A - Glass: Clear
WD 05B - Frame: Select Powdercoat Finish

WD06 FACADE - TYPE 04
WD 06A - Glass: Fritted - Maximum 25% Visibility
WD 06B - Frame: Select Powdercoat Finish

MA01 EXISTING MASONARY(to be retained)
Paint Finish
Light Neutral Colour

MA02 MASONRY
Finish Brick
Flemish Bond - Standard
Light Neutral Colour

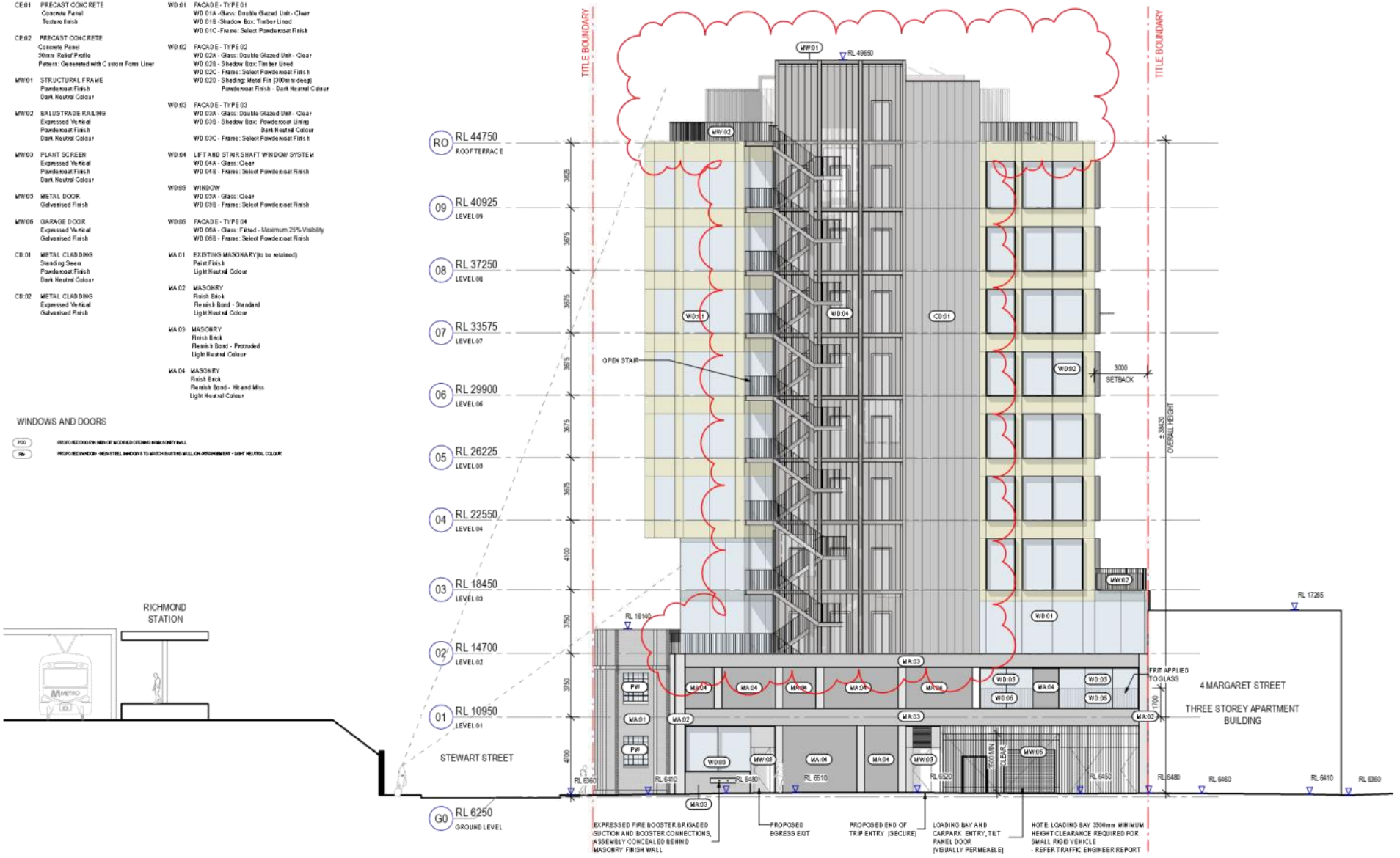
MA03 MASONRY
Finish Brick
Flemish Bond - Protruded
Light Neutral Colour

MA04 MASONRY
Finish Brick
Flemish Bond - Hit and Miss
Light Neutral Colour

WINDOWS AND DOORS

PDG PROPOSED DOOR IN NEW OR WIDENED OPENING IN MASONRY WALL

PW PROPOSED WINDOW - NEW STEEL WINDOWS TO MATCH EXISTING MULLION ARRANGEMENT - LIGHT NEUTRAL COLOUR



WOODS BAGOT

Client: Hines

Project: 9-13 Stewart Street

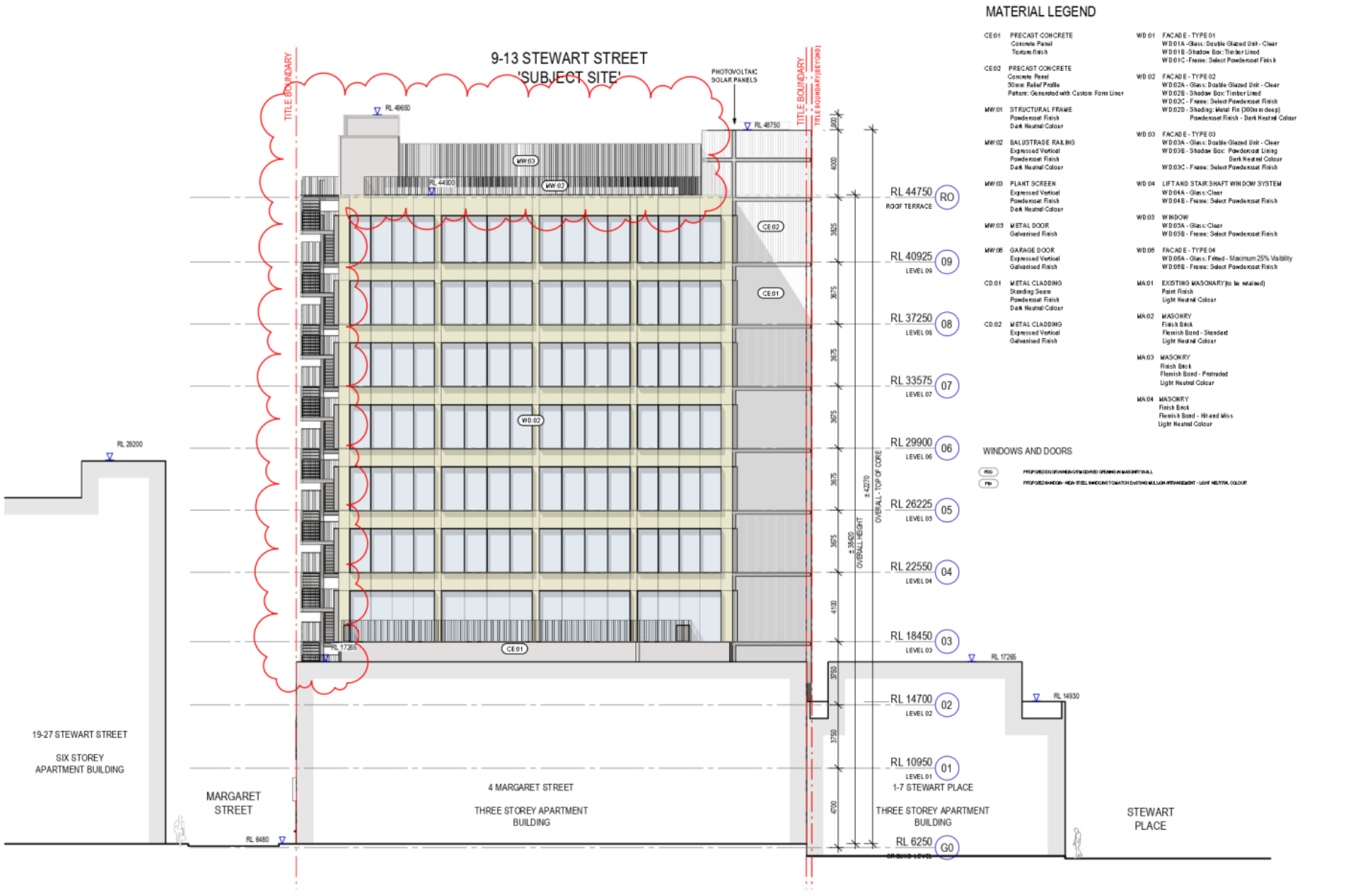
Sheet title: Margaret Street

Description	Date
Town Planning	16/12/19
Town Planning - RFI	02/02/20
VCAT - Revised Scheme	28/10/20

Project no. 130675
Sheet no. SK3201
Scale 1 : 200
Revision C
Sheet size A3
Date 28/10/20

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WOODS BAGOT

Client: Hines

Project: 9-13 Stewart Street

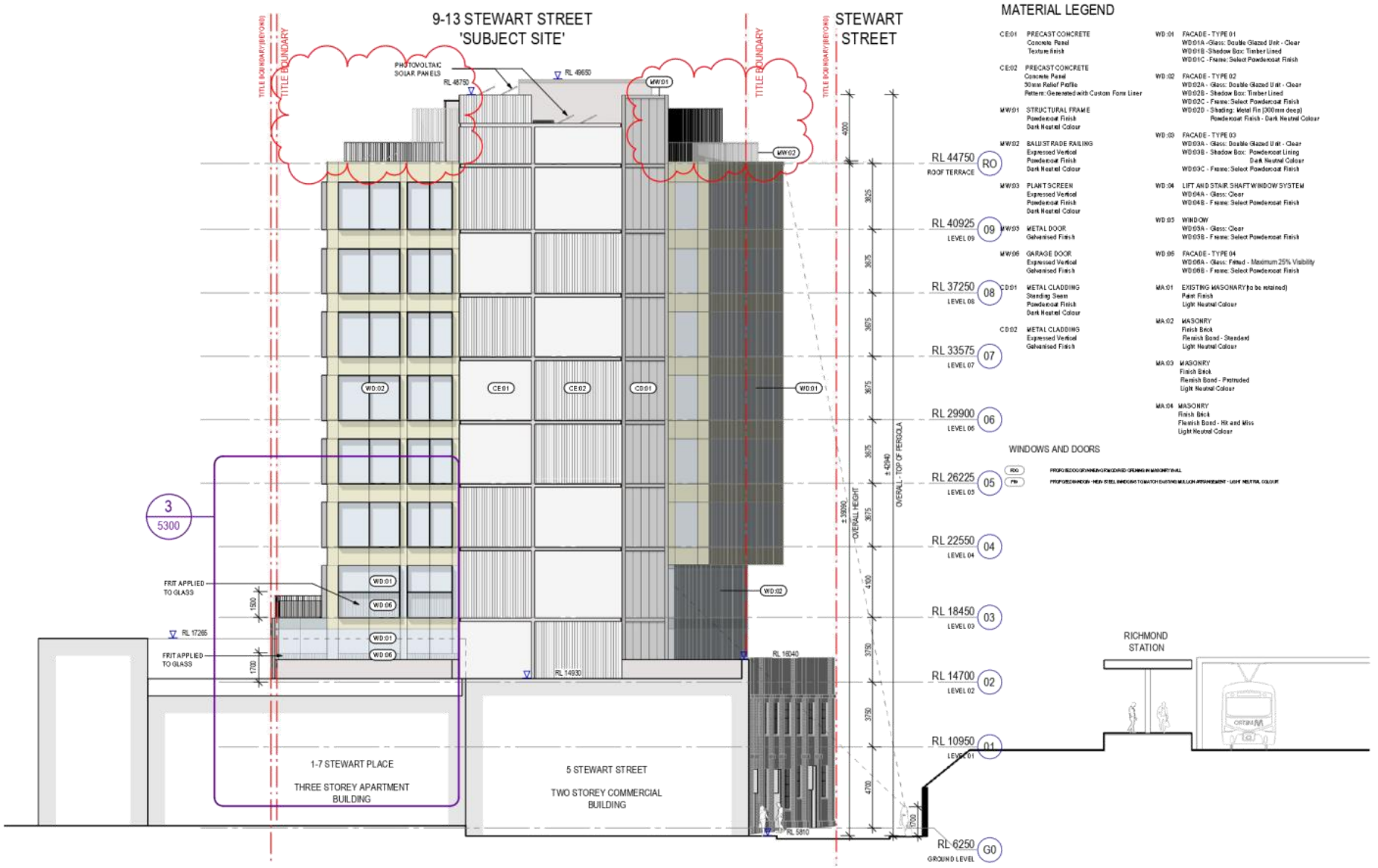
Sheet title: North Elevation

Description	Date
Town Planning	16/12/19
Town Planning - RFI	02/02/20
VCAT - Revised Scheme	28/10/20

Project no. 130675
Sheet no. SK3202
Scale 1 : 200
Revision C
Sheet size A3
Date 28/10/20

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Attachment 2 - Attachment 2 - VCAT Plans



WOODS BAGOT

Client: Hines

Project: 9-13 Stewart Street

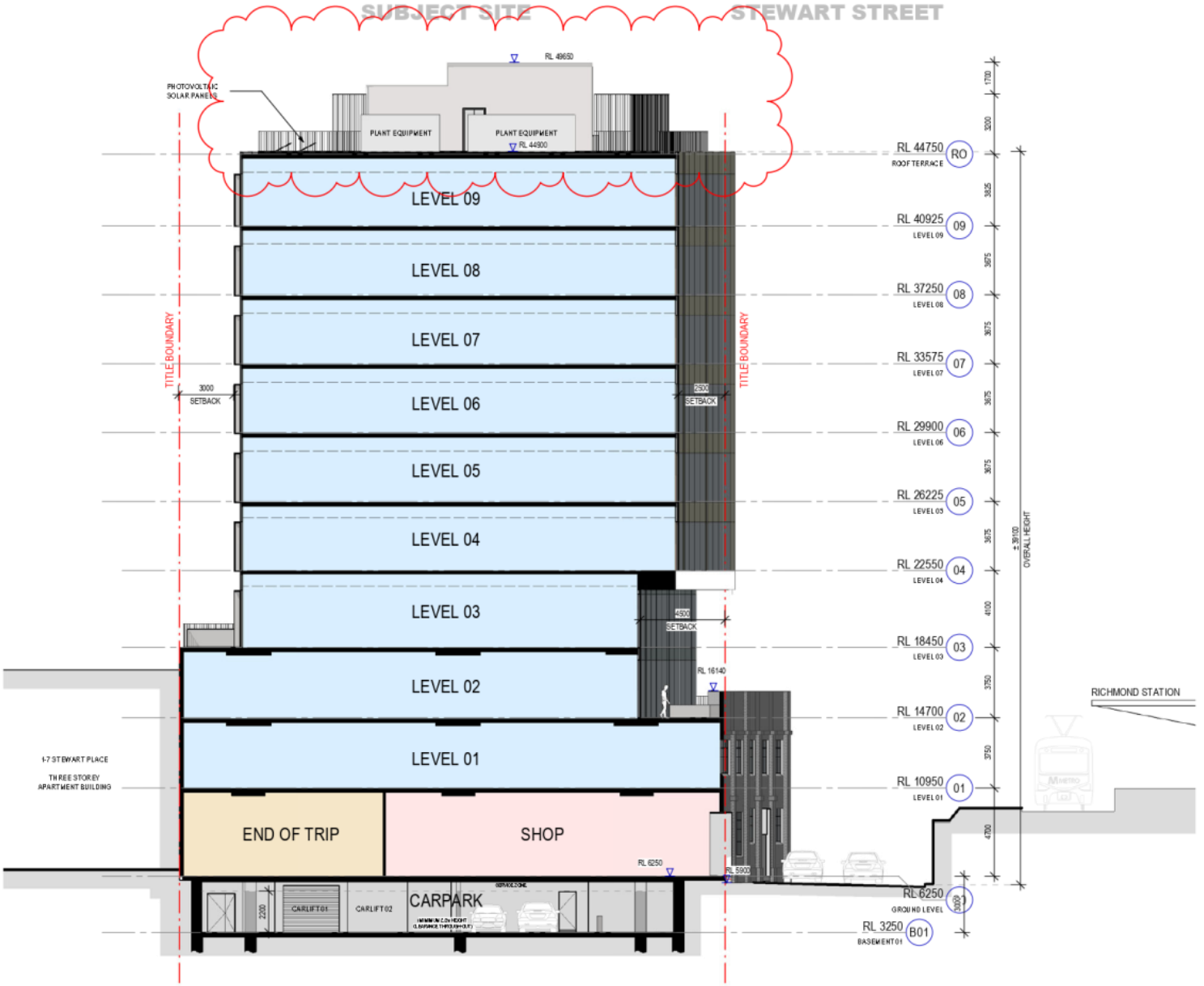
Sheet title: West Elevation

Description	Date
Town Planning	16/12/19
Town Planning - RFI	02/02/20
VCAT - Revised Scheme	28/10/20

Project no. 130675
Sheet no. SK3203
Scale 1 : 200
Revision C
Sheet size A3
Date 28/10/20

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Attachment 2 - Attachment 2 - VCAT Plans



WOODS BAGOT

Client: Hines

Project: 9-13 Stewart Street

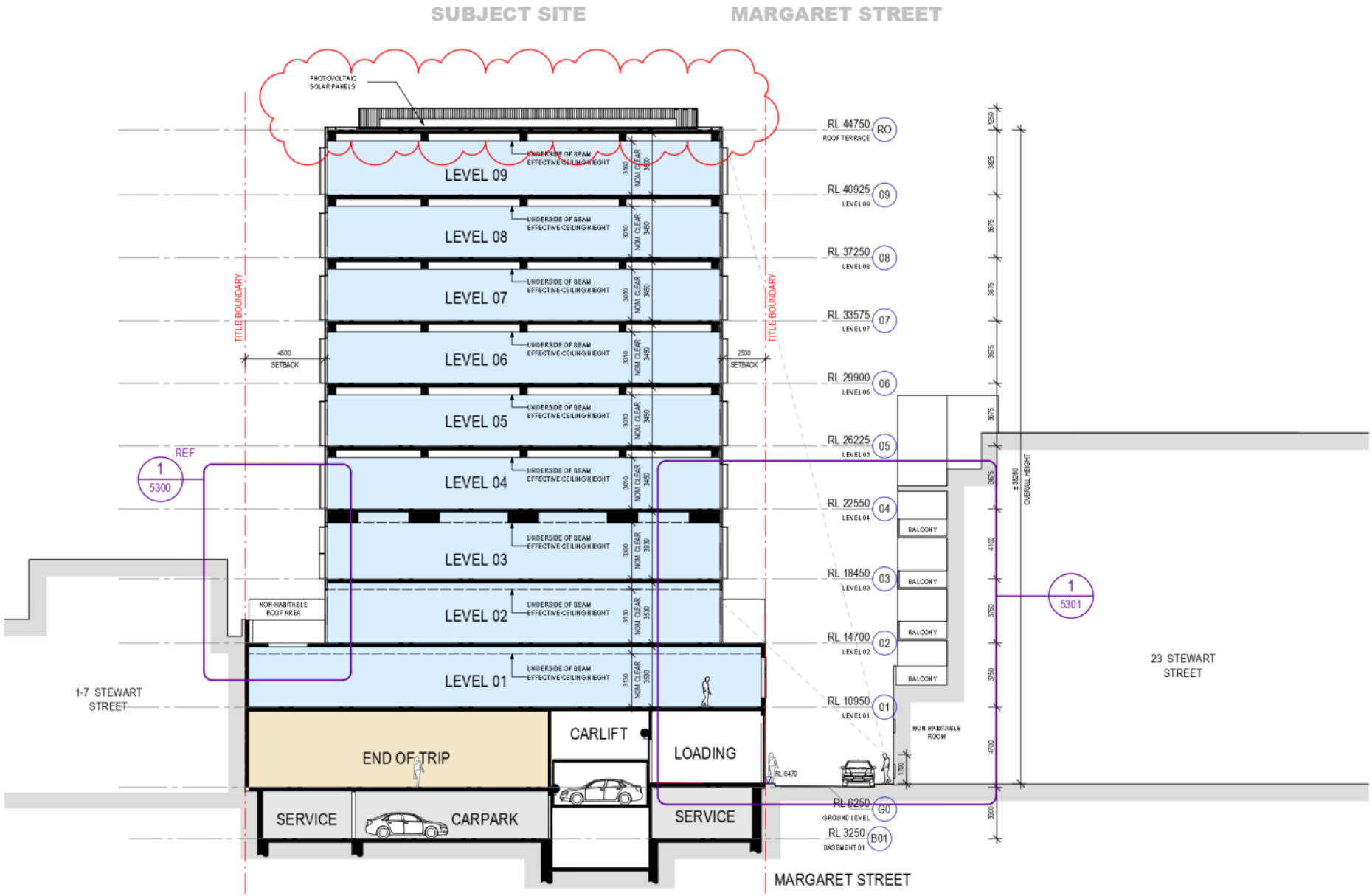
Sheet title: General Section 01 - North to South

Description	Date
Town Planning	16/12/19
Town Planning - RFI	02/02/20
VCAT - Revised Scheme	28/10/20

Project no. 130675
Sheet no. SK3300
Scale 1 : 200
Revision C
Sheet size A3
Date 28/10/20

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Attachment 2 - Attachment 2 - VCAT Plans



WOODS BAGOT

Client: Hines

Project: 9-13 Stewart Street

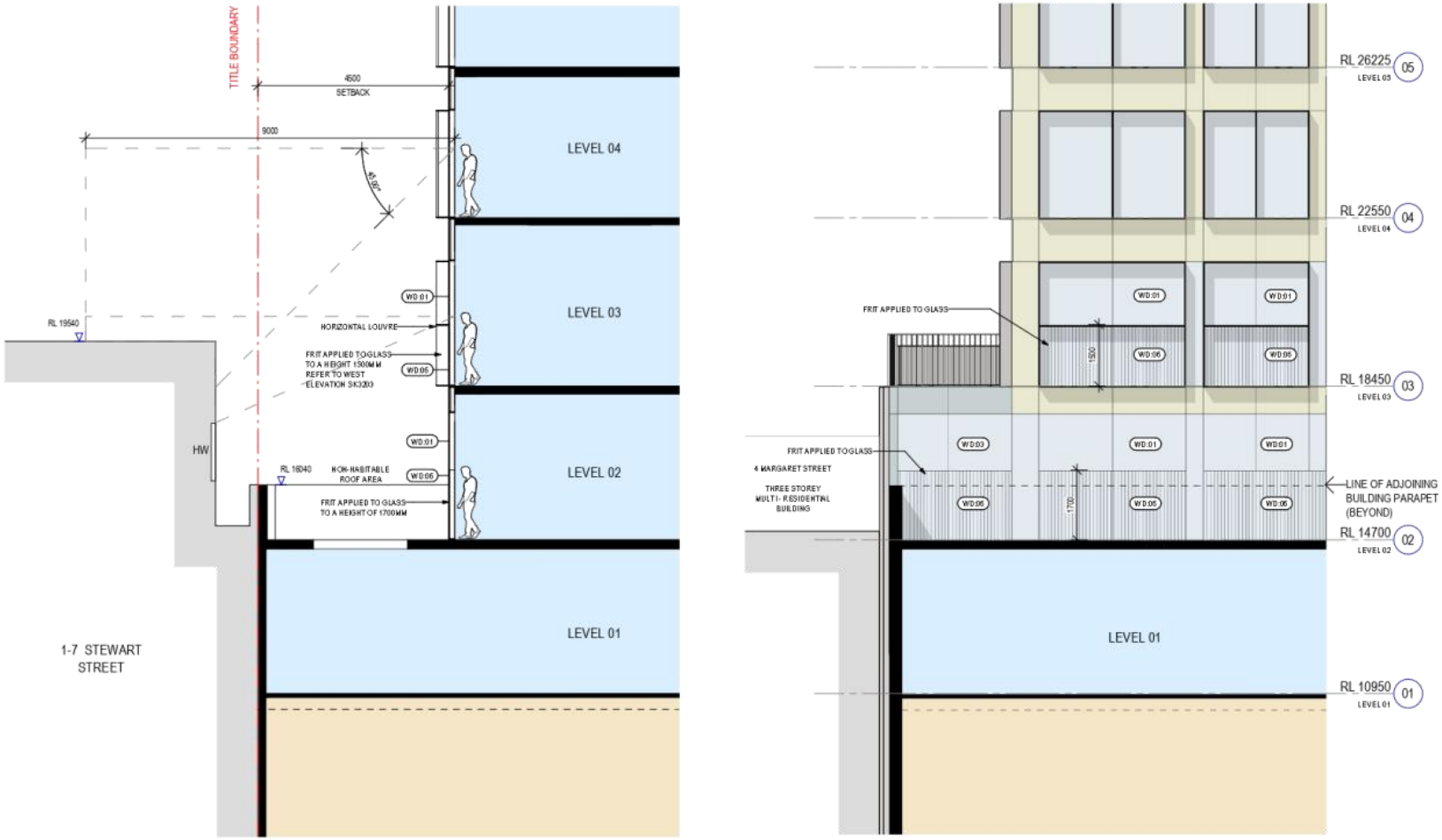
Sheet title: General Section 02 - East to West

Description	Date
Town Planning	16/12/19
Town Planning - RFI	02/02/20
VCAT - Revised Scheme	28/10/20

Project no. 130675
Sheet no. SK3301
Scale 1 : 200
Revision C
Sheet size A3
Date 28/10/20

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Attachment 2 - Attachment 2 - VCAT Plans



WOODS BAGOT

Client: Hines

Project: 9-13 Stewart Street

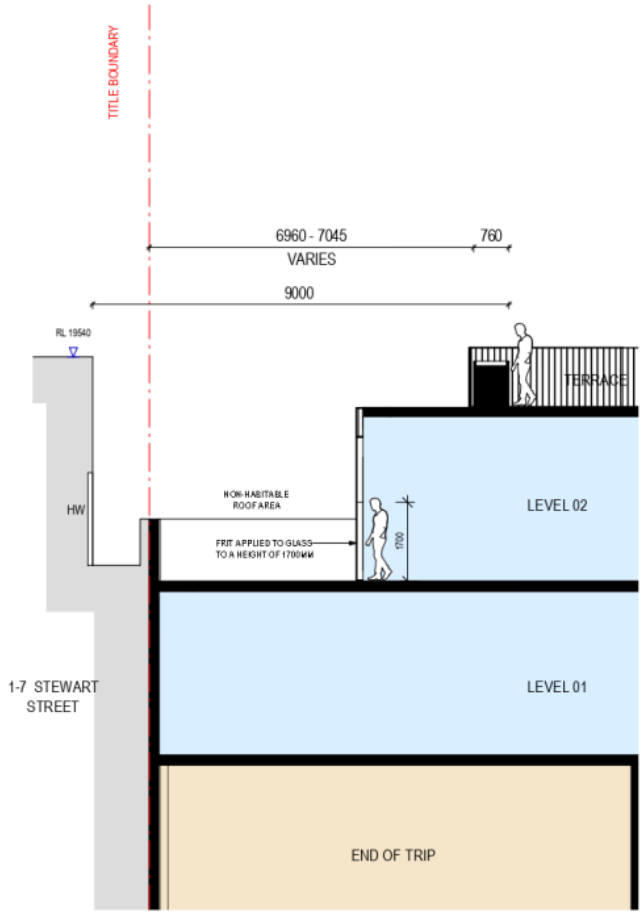
Sheet title: Detail Section

Description	Date
Town Planning	16/12/19
Town Planning - RFI	02/02/20

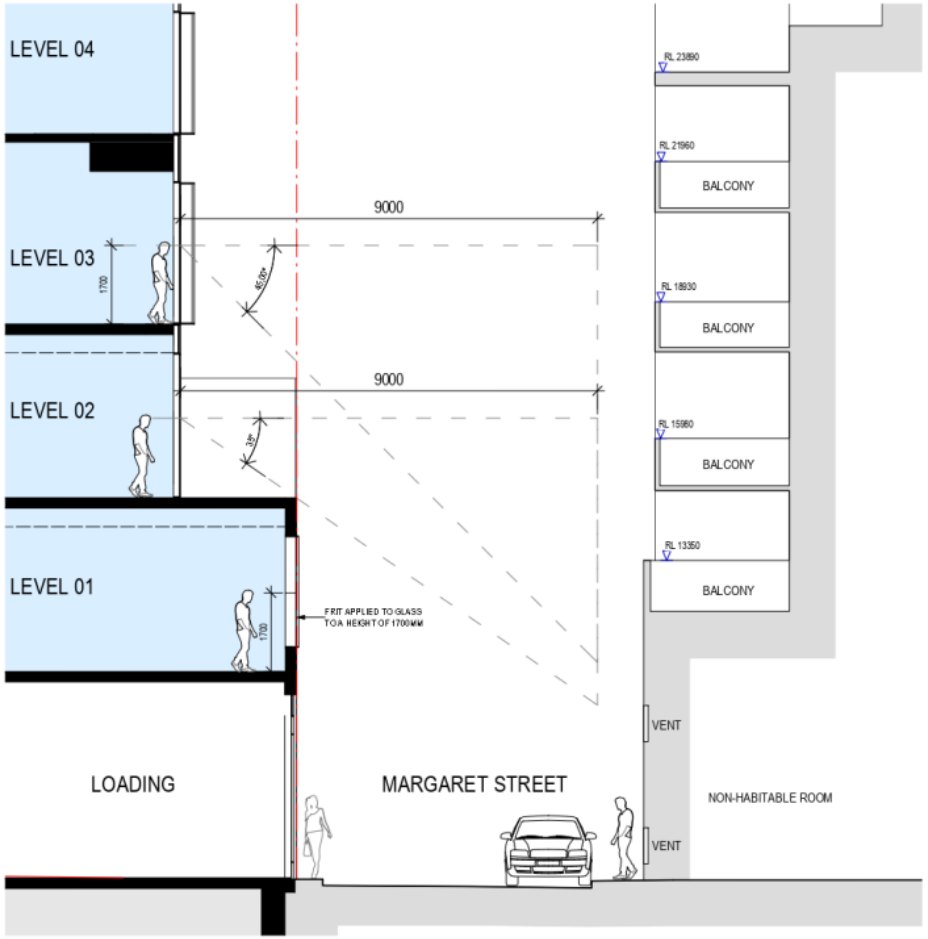
Project no. 130675
Sheet no. SK5300
Scale 1 : 100
Revision B
Sheet size A3
Date 02/02/20

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2 Section 05 - Overlooking Terrace

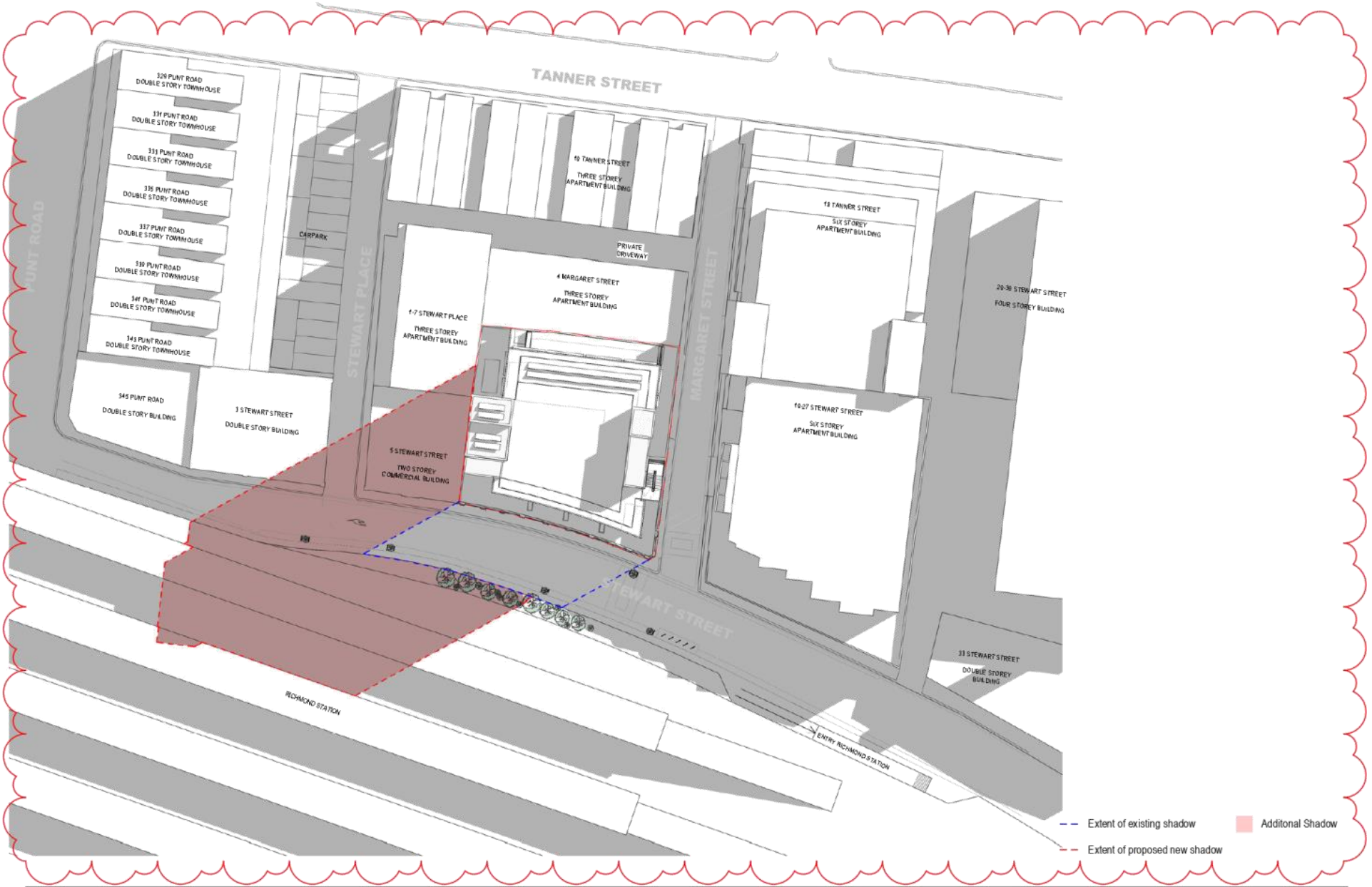


1 Section 02 - Overlooking Diagram
SCALE 1 : 100

WOODS BAGOT

Client: Hines
Project: 9-13 Stewart Street
Sheet title: Detail Section
Description: Town Planning - RFI
Date: 02/02/20
Project no.: 130675
Sheet no.: SK5301
Scale: 1 : 100
Revision: A
Sheet size: A3
Date: 02/02/20
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Attachment 2 - Attachment 2 - VCAT Plans



WOODS BAGOT

Client: Hines

Project: 9-13 Stewart Street

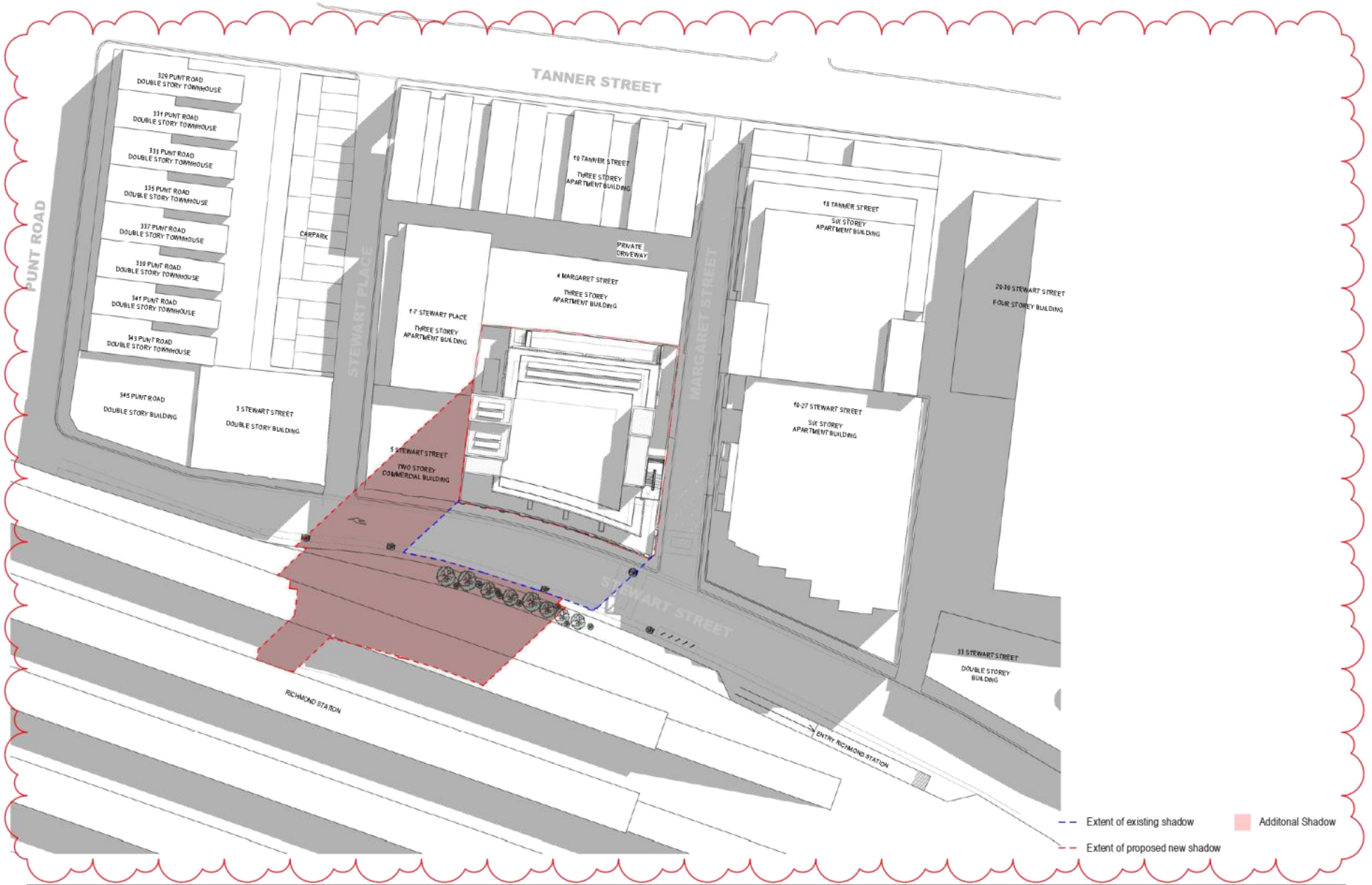
Sheet title: Shadow Diagram - September 22 - 09.00

Description	Date
Town Planning	16/12/19
Town Planning - RFI	02/02/20
VCAT - Revised Scheme	28/10/20

Project no. 130675
Sheet no. SK6300
Scale 1 : 500
Revision C
Sheet size A3
Date 28/10/20

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Attachment 2 - Attachment 2 - VCAT Plans



WOODS BAGOT

Client: Hines

Project: 9-13 Stewart Street

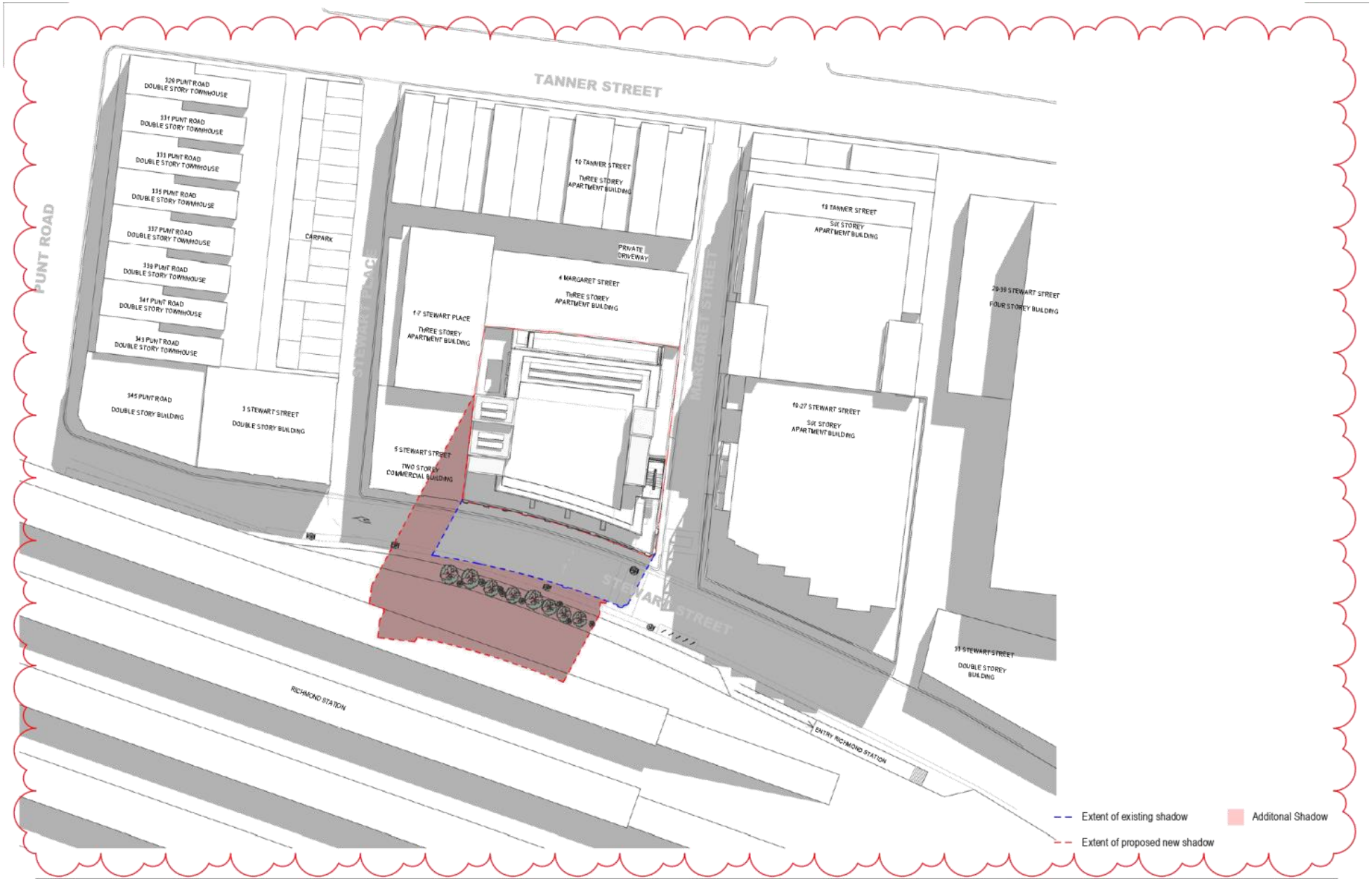
Sheet title: Shadow Diagram - September 22 - 10.00

Description	Date
Town Planning - RFI	02/02/20
VCAT - Revised Scheme	28/10/20

Project no. 130675
Sheet no. SK6301
Scale 1 : 500
Revision B
Sheet size A3
Date 28/10/20

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Attachment 2 - Attachment 2 - VCAT Plans



WOODS BAGOT

Client: Hines

Project: 9-13 Stewart Street

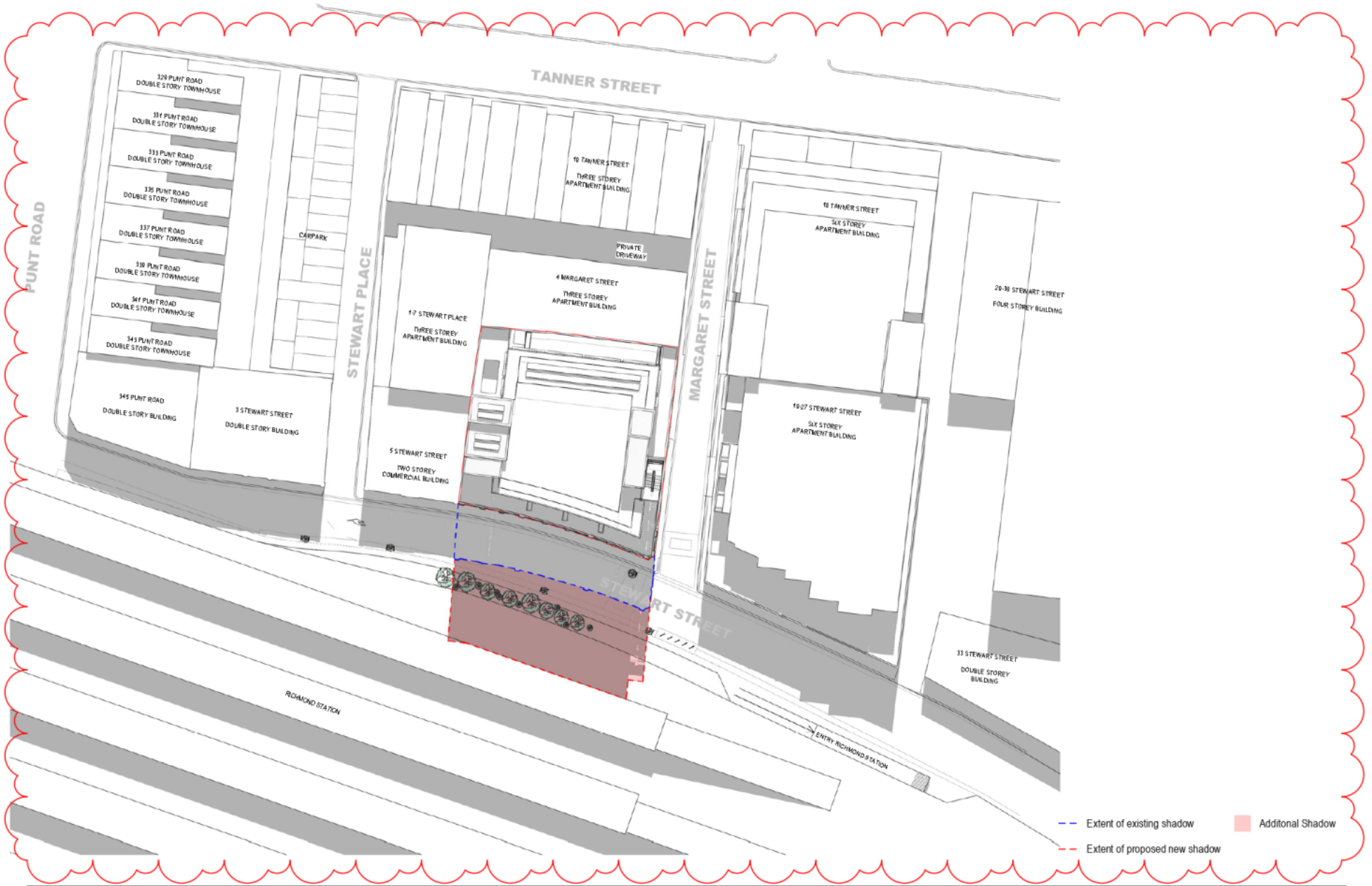
Sheet title: Shadow Diagram - September 22 - 11.00

Description	Date
Town Planning - RFI	02/02/20
VCAT - Revised Scheme	28/10/20

Project no. 130675
Sheet no. SK6302
Scale 1 : 500
Revision B
Sheet size A3
Date 28/10/20

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Attachment 2 - Attachment 2 - VCAT Plans



WOODS BAGOT

Client: Hines

Project: 9-13 Stewart Street

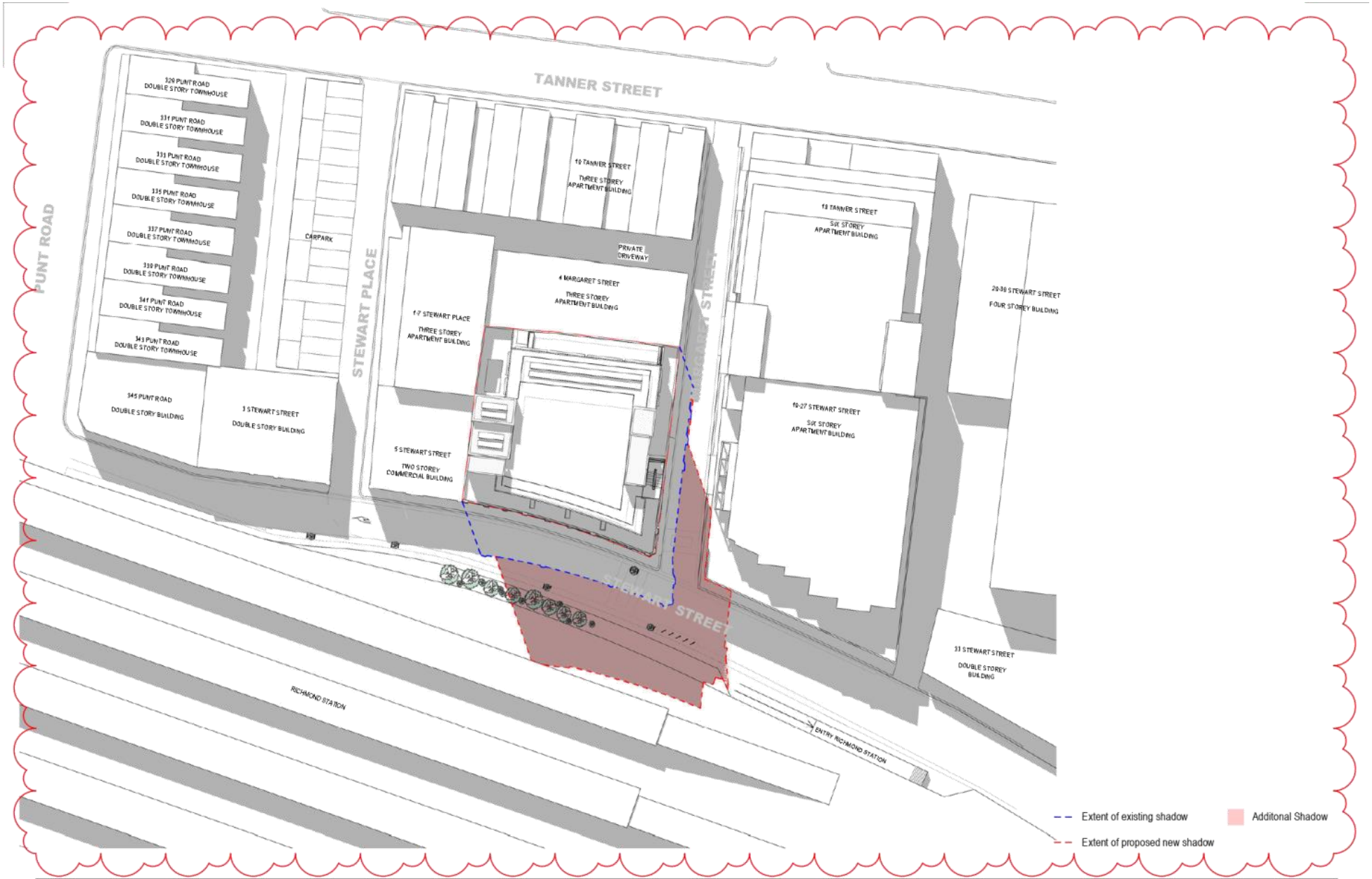
Sheet title: Shadow Diagram - September 22 - 12.00

Description	Date
Town Planning	16/12/19
Town Planning - RFI	02/02/20
VCAT - Revised Scheme	28/10/20

Project no. 130675
Sheet no. SK6303
Scale 1 : 500
Revision C
Sheet size A3
Date 28/10/20

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WOODS BAGOT

Client: Hines

Project: 9-13 Stewart Street

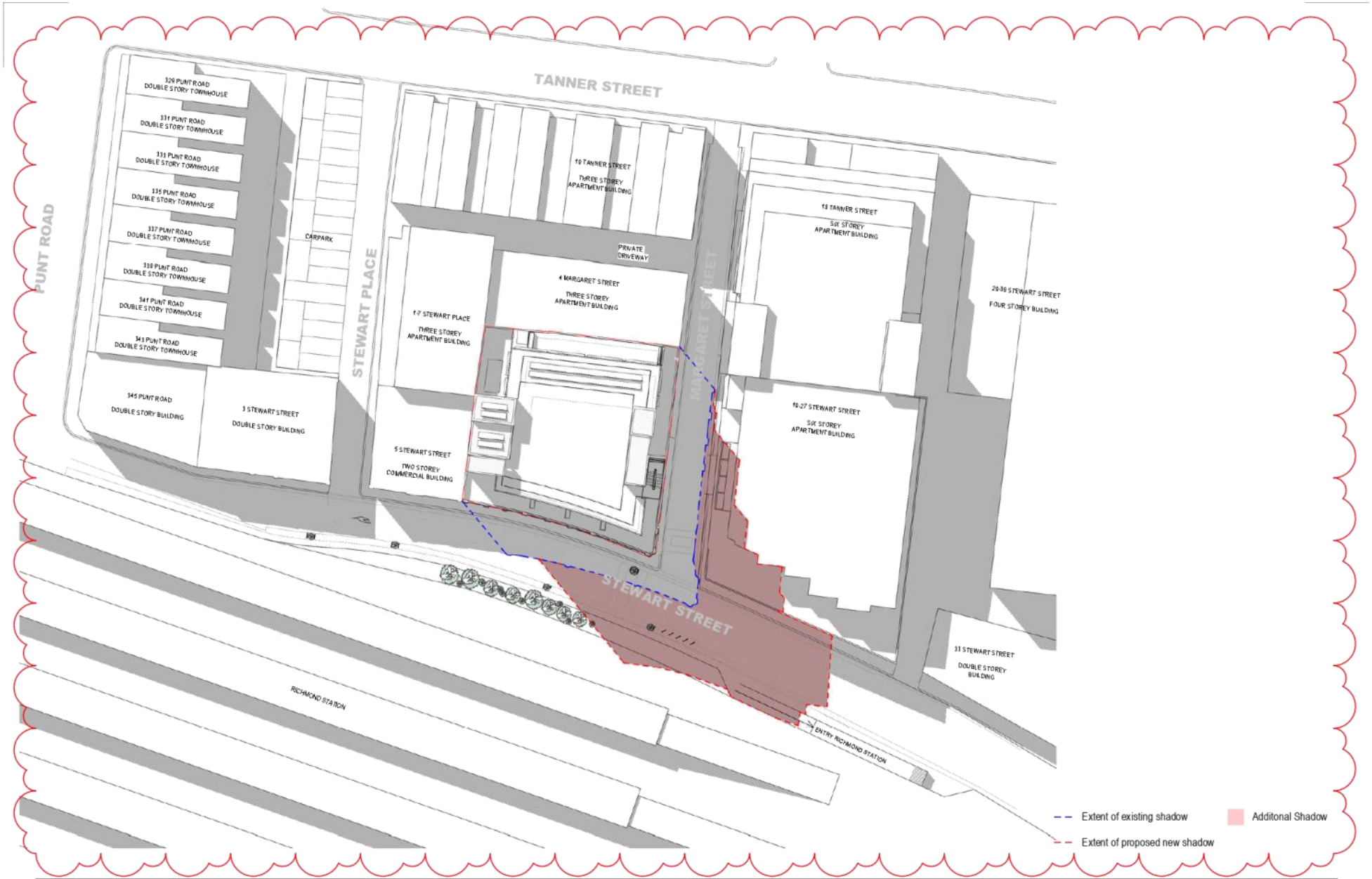
Sheet title: Shadow Diagram - September 22 - 13.00

Description	Date
Town Planning - RFI	02/02/20
VCAT - Revised Scheme	28/10/20

Project no. 130675
Sheet no. SK6304
Scale 1 : 500
Revision B
Sheet size A3
Date 28/10/20

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WOODS BAGOT

Client: Hines

Project: 9-13 Stewart Street

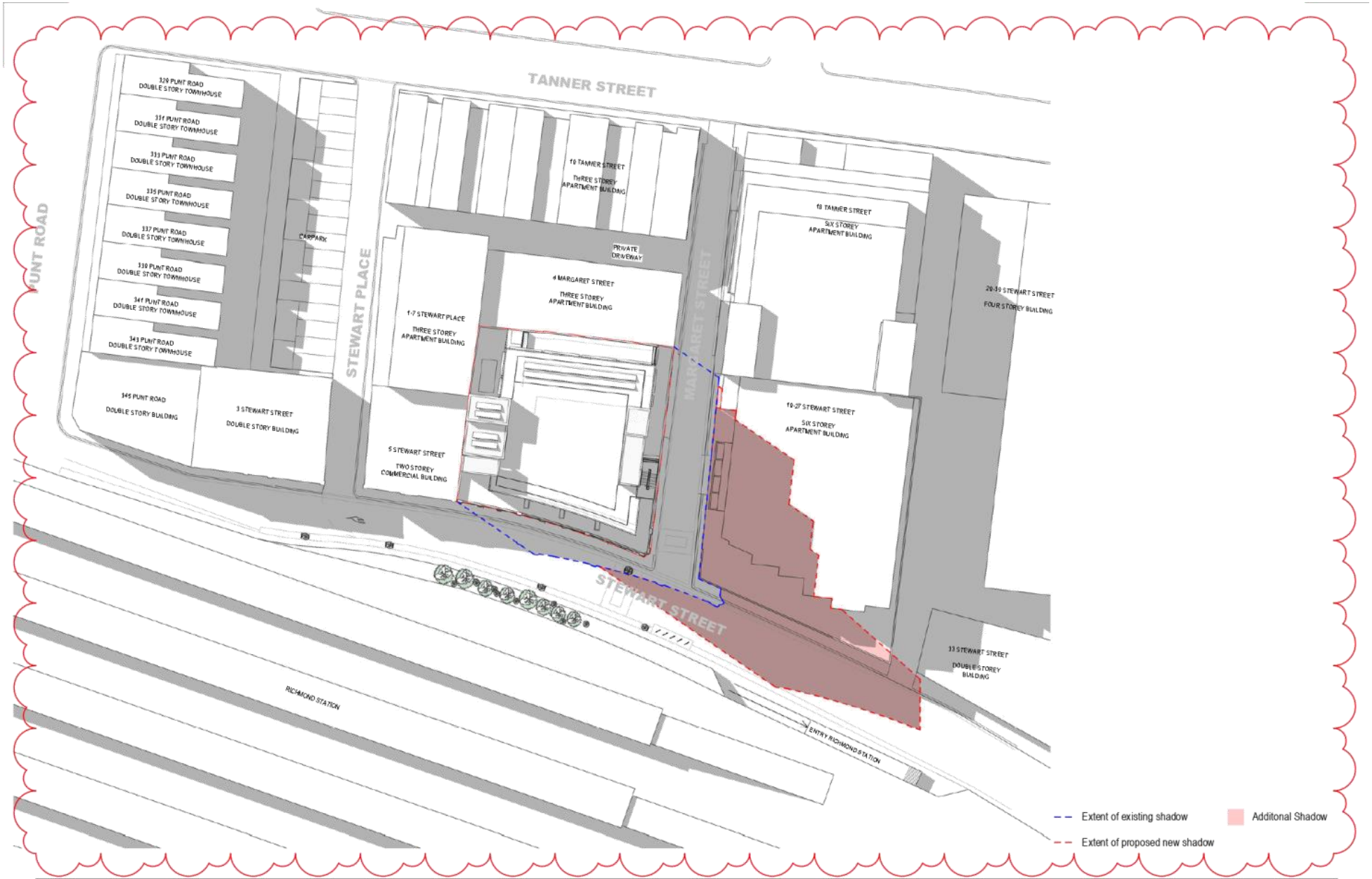
Sheet title: Shadow Diagram - September 22 - 14.00

Description	Date
Town Planning - RFI	02/02/20
VCAT - Revised Scheme	28/10/20

Project no. 130675
Sheet no. SK6305
Scale 1 : 500
Revision B
Sheet size A3
Date 28/10/20

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WOODS BAGOT

Client: Hines

Project: 9-13 Stewart Street

Sheet title: Shadow Diagram - September 22 - 15.00

Description	Date
Town Planning	16/12/19
Town Planning - RFI	02/02/20
VCAT - Revised Scheme	28/10/20

Project no. 130675
Sheet no. SK6306
Scale 1 : 500
Revision C
Sheet size A3
Date 28/10/20

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Attachment 2 - Attachment 2 - VCAT Plans

MATERIAL LEGEND

CE:01 PRECAST CONCRETE
Concrete Panel
Texture finish

CE:02 PRECAST CONCRETE
Concrete Panel
50mm Relief Profile
Pattern: Generated with Custom Form Liner

MW:01 STRUCTURAL FRAME
Powdercoat Finish
Dark Neutral Colour

MW:02 BALUSTRADE RAILING
Expressed Vertical
Powdercoat Finish
Dark Neutral Colour

MW:03 PLANT SCREEN
Expressed Vertical
Powdercoat Finish
Dark Neutral Colour

MW:05 METAL DOOR
Galvanised Finish

MW:06 GARAGE DOOR
Expressed Vertical
Galvanised Finish

CD:01 METAL CLADDING
Standing Seam
Powdercoat Finish
Dark Neutral Colour

CD:02 METAL CLADDING
Expressed Vertical
Galvanised Finish

WD:01 FACADE - TYPE 01
WD:01A -Glass: Double Glazed Unit - Clear
WD:01B -Shadow Box: Timber Lined
WD:01C - Frame: Select Powdercoat Finish

WD:02 FACADE - TYPE 02
WD:02A - Glass: Double Glazed Unit - Clear
WD:02B - Shadow Box: Timber Lined
WD:02C - Frame: Select Powdercoat Finish
WD:02D - Shading: Metal Fin [300mm deep] Powdercoat Finish - Dark Neutral Colour

WD:03 FACADE - TYPE 03
WD:03A - Glass: Double Glazed Unit - Clear
WD:03B - Shadow Box: Powdercoat Lining Dark Neutral Colour
WD:03C - Frame: Select Powdercoat Finish

WD:04 LIFT AND STAIR SHAFT WINDOW SYSTEM
WD:04A - Glass: Clear
WD:04B - Frame: Select Powdercoat Finish

WD:05 WINDOW
WD:05A - Glass: Clear
WD:05B - Frame: Select Powdercoat Finish

WD:06 FACADE - TYPE 04
WD:06A - Glass: Fritted - Maximum 25% Visibility
WD:06B - Frame: Select Powdercoat Finish

MA:01 EXISTING MASONARY (to be retained)
Paint Finish
Light Neutral Colour

MA:02 MASONRY
Finish Brick
Flemish Bond - Standard
Light Neutral Colour

MA:03 MASONRY
Finish Brick
Flemish Bond - Protruded
Light Neutral Colour

MA:04 MASONRY
Finish Brick
Flemish Bond - Hit and Miss
Light Neutral Colour



PRECAST CONCRETE TEXTURED FINISH

CE:01 PRECAST CONCRETE



PRECAST CONCRETE 50MM RELIEF PROFILE

CE:02 PRECAST CONCRETE



POWDERCOAT FINISH DARK NEUTRAL COLOUR

MW:01 STRUCTURAL FRAME
MW:02 BALUSTRADE RAILING
MW:03 PLANT SCREEN
MW:04 PERGOLA FRAME
WD:02D FACADE - TYPE 02 - SHADING: METAL FIN
WD:03B FACADE - TYPE 03 - SHADOW BOX LINING



STANDING SEAM POWDERCOAT FINISH DARK NEUTRAL COLOUR

CD:01 METAL CLADDING



GALVANISED FINISH

MW:05 METAL DOOR
MW:06 GARAGE DOOR
CD:02 METAL CLADDING

CLEAR GLASS

WD:01A FAÇADES - TYPE 01 - GLASS
WD:02A FAÇADES - TYPE 02 - GLASS
WD:03A FAÇADES - TYPE 03 - GLASS
WD:04A LIFT AND STAIR SHAFT WINDOW SYSTEM - GLASS
WD:05A WINDOW - GLASS



TIMBER LINING

WD:01A FAÇADES - TYPE 01 - SHADOW BOX LINING
WD:02A FAÇADES - TYPE 02 - SHADOW BOX LINING



FRITTED GLASS MAXIMUM 25% VISIBILITY

WD:06A FACADE - TYPE 04 - GLASS



PAINT FINISH LIGHT NEUTRAL COLOUR

MA:01 EXISTING MASONRY



FINISH BRICK FLEMISH BOND - STANDARD LIGHT NEUTRAL COLOUR

MA:02 MASONRY



FINISH BRICK FLEMISH BOND - PROTRUDED LIGHT NEUTRAL COLOUR

MA:03 MASONRY



FINISH BRICK FLEMISH BOND - HIT AND MISS LIGHT NEUTRAL COLOUR

MA:04 MASONRY

WOODS BAGOT

Client: Hines

Project: 9-13 Stewart Street

Sheet title: Materials Legend

Description: Town Planning - RFI
Date: 02/02/20

Project no. 130675
Sheet no. SK9000
Scale 1 : 200
Revision A
Sheet size A3
Date 02/02/20

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Attachment 2 - Attachment 2 - VCAT Plans

Site Area 899sqm

LEVEL	OFFICE	SHOP (RETAIL)	FOOD AND DRINK	TERRACE	LOBBY	CORE/ CIRC	SERVICES	END OF TRIP	CARPARK	HARDSCAPE	GFA	CAR PARKS	ACCESSIBLE CAR PARKS	BIKE PARKS
BASEMENT					22	41	396		320		779	6	1	
GROUND LEVEL		215	94		56	108	90	194	87		874			53
LEVEL 01	721					140	17				878			
LEVEL 02	609			136		137					782			
LEVEL 03	439			59		137					635			
LEVEL 04	486					137					625			
LEVEL 05	486					137					625			
LEVEL 06	486					137					625			
LEVEL 07	486					137					625			
LEVEL 08	486					137					625			
LEVEL 09	486					137					625			
ROOF						130	298			205	633			
TOTAL	4597	215	94	195	108	1515	791	194	407	205	7542	6	1 TOTAL = 7	53

WOODS BAGOT

Client: Hines

Project: 9-13 Stewart Street

Sheet title: Summary

Description	Date
Town Planning - RFI	02/02/20
VCAT - Revised Scheme	28/10/20

Project no. 130675

Sheet no. SK9001

Scale

Revision B

Sheet size A3

Date 28/10/20

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VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL

PLANNING AND ENVIRONMENT LIST

VCAT REFERENCE NO. P1090/2020
PERMIT APPLICATION NO. PLN19/0910

CATCHWORDS

Partial demolition of a contributory building; Development of a 10 storey building; Policy support; Heritage character; Height and setbacks; Amenity impacts; Car parking reduction.

APPLICANT	Hines 9 Stewart Property Pty Ltd
RESPONSIBLE AUTHORITY	Yarra City Council
RESPONDENTS	Mr P Stahle, Mr M Phillipson, Mr R Clark, Mr G Brekke & others, Mr P Risk and Mr M Shaw
SUBJECT LAND	9-13 Stewart Street RICHMOND VIC 3121
HEARING TYPE	Hearing
DATES OF HEARING	14, 15, 16 & 17 December 2020
DATE OF ORDER	4 March 2021
CITATION	Hines 9 Stewart Property Pty Ltd v Yarra CC [2021] VCAT 185

ORDER

Amend permit application

1 Pursuant to clause 64 of Schedule 1 of the *Victorian Civil & Administrative Tribunal Act 1998*, the permit application is amended by substituting for the permit application plans, the following plans filed with the Tribunal:

Prepared by:	Woods Bagot
Drawing references:	Revision C plans dated 28/10/2020 comprising plans: SK 1000 Cover sheet, SK 1300 Site Plan – Proposed, SK 2203 Level 01, SK 2204 Level 02, SK 2205 Level 03, SK 2206 Level 04, SK 2210 Roof Terrace, SK 2211 Roof, SK 3201 Margaret Street, SK 3202 North Elevation, SK 3203 West Elevation, SK 3300 General Section 01 - North to South, SK 3301 General Section 02 - East to West, SK 6300 Shadow Diagram - September 22 - 09.00, SK 6303 Shadow Diagram - September 22 - 12.00, and SK

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6306 Shadow Diagram - September 22 - 15.00.

Revision B plans dated 28/10/2020 comprising plans: SK 6301 Shadow Diagram - September 22 - 10.00 B 28/10/2020, SK 6302 Shadow Diagram - September 22 - 11.00, SK 6304 Shadow Diagram - September 22 - 13.00, SK 6305 Shadow Diagram - September 22 - 14.00, and SK 9001 Summary.

Revision D plans dated 12/11/20 comprising plans: Basement 01 SK2201 and Ground level SK2202.

No permit granted

2 In application P1090/2020 the decision of the responsible authority is affirmed.

3 In planning permit application PLN19/0910 no permit is granted.

Rachel Naylor
Senior Member

Sarah McDonald
Member

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APPEARANCES

For applicant	Mr C Canavan QC and Mr S McArdle of counsel instructed by Norton Rose Fulbright They called the following expert witnesses: • Mr M Barlow, town planner of Urbis Pty Ltd; • Mr M O'Dwyer, architect of H2O; • Mr B Raworth, heritage architect of Bryce Raworth Pty Ltd; and • Mr J Walsh, traffic engineer of Traffix Group Pty Ltd. They did not call Mr Wilkinson of Scharp to present his evidence regarding the preparation of the photomontages as no cross-examination was sought
For responsible authority	Mr J Rantino, solicitor of Maddocks assisted by Ms K Thomas, town planner Mr Rantino called the following expert witnesses: • Mr R McGauran, architect of MGS; and • Ms R Riddett, architectural historian of Antheniom Consultancies.
For Mr Stahle	Mr P Stahle
For Mr Phillipson	Mr M Phillipson
For Mr Clark	Mr R Clark (attended 14 & 15 December)
For Mr Brekke & Others	Mr G Brekke (attended 15 December)
For Mr Risk	Written submission received
For Mr Shaw	No appearance

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INFORMATION

Land description	The site is located on the north west corner of Stewart Street and Margaret Street. It is almost square, with a curved southern frontage to Stewart Street of approximately 30 metres and an eastern frontage to Margaret Street of approximately 30 metres. It is approximately 920 square metres in area. The site is currently occupied by a two storey warehouse building built to all site boundaries. Immediately to the south, on the opposite side of Stewart Street, are the elevated platforms of Richmond station. To the north, the site abuts 4 Margaret Street, which is developed with contemporary three storey townhouses. To the east the site abuts Margaret Street and the site opposite at 1 Margaret Street (19-27 Stewart Street) comprises a six storey mixed use (commercial and residential) building. To the west the site abuts 5 Stewart Street which is occupied by a two-storey commercial building. It is also adjacent to light courts servicing 5 and 7 Stewart Place (warehouse conversions to individual dwellings). The low scale residential area of Richmond Hill is to the north of the former industrial precinct, across Tanner Street. The site is very well located in terms of its access to public transport, retail, entertainment and other services and facilities along the Swan Street Major Activity Centre to the south.
Description of proposal	The proposal is for the partial demolition of the existing buildings on the site and construction of a 10 storey mixed use building, comprising commercial offices, ground floor retail tenancies, basement car parking and a reduction in the car parking requirements.

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Nature of proceeding	Application under section 79 of the *Planning and Environment Act 1987* – to review the failure to grant a permit within the prescribed time.[1] The Council subsequently decided that it would have refused to grant a permit because of concerns about the height and setbacks of the proposal.
Planning scheme	Yarra Planning Scheme
Zone and overlays	Mixed Use Zone (MUZ) Heritage Overlay – 332 (HO332)
Permit requirements	Clause 32.04-2: A permit is required to use the land for an office (with a leasable floor area exceeding 250sqm) and shop (with a leasable floor area exceeding 150sqm) in the MUZ. Clause 32.04-9: A permit is required to construct a building or construct or carry out works for a use in section 2 of clause 32.04-2 in the MUZ. Clause 43.01-1: A permit is required to demolish or remove a building in the HO332. Clause 43.01-1: A permit is required to construct a building or construct or carry out works in the HO332. Clause 52.06-3: A permit is required to reduce the number of car parking spaces required under clause 52.06-5.

[1] Section 4(2)(d) of the *Victorian Civil and Administrative Tribunal Act 1998* states a failure to make a decision is deemed to be a decision to refuse to make the decision.

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Amendment C238	Amendment C238 to the Yarra Planning Scheme was gazetted on 1 February 2021. This amendment applies to all land within the City of Yarra and all new development within the municipality. It includes a new Development Contributions Plan Overlay – Schedule 1 (DCPO1) at clause 45.06 of the planning scheme. The DCPO1 provides for the collection of contributions for the provision of essential social and physical infrastructure. Our reading of the amendment documents indicates that a development contribution would be payable for the proposed development in this application. As we have decided to refuse the application, we have not sought submissions from the parties regarding the implications of this amendment for this proposal.

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REASONS[2]

OVERVIEW

1 This is a proposal for the partial demolition of the existing buildings on the site and construction of a 10 storey mixed use building, comprising commercial offices, ground floor retail tenancies, basement car parking and a reduction in the car parking requirements. The proposal is to retain parts of the street walls of the existing building and build a new building on the balance of the site.

2 The Council does not dispute the site is suitable to accommodate some form of increased development due to its locational attributes. However, it submits that the design of the proposed development is not an acceptable planning outcome. It says the design fails to respond to the existing and emerging built form context, having particular regard to its height and setbacks, and adversely affects the significance of the existing heritage building and the heritage precinct within which it sits.

3 The applicant says that this case is about height, and that it seems that if the building were lowered by two to three storeys the Council and its experts may well be content. It submits that its witnesses support the proposed height and see the proposal as making a positive contribution to the site and neighbourhood. They also consider the proposal as having the potential to deliver outcomes strongly supported by the planning scheme, particularly relating to transit-oriented development and office spaces in a major urban renewal priority precinct and in a Major Activity Centre. The applicant says the strategic and policy context means that the potential of this site should be maximised until some clearly unacceptable impact arises, and that to underutilise the potential of this site would be poor planning.

4 Several surrounding property owners/occupiers oppose the proposal. In addition to objecting to the height of the proposed building, they raise additional objections in relation to impacts on amenity and traffic and parking.

5 A previous decision of the Tribunal relating to a different proposal for this site noted that:

> The State and local planning policies are consistent in their message that the subject land is located in an area where an intensity of development is encouraged. Based on the local planning policy framework, it is our finding that the subject land is within the Swan Street Major Activity Centre. The recent inclusion of the Richmond Station precinct in State planning policy that encourages high scale and high density mixed residential and commercial developments

[2] The submissions and evidence of the parties, the supporting exhibits and other material filed during the hearing, the further material and other documents filed after the hearing with the leave of the Tribunal and the statements of grounds filed by non-parties have all been considered in the determination of the proceeding. In accordance with the practice of the Tribunal, not all of this material will be cited or referred to in these reasons.

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> further identifies the area around the station as one where an intensity of development is encouraged. However, this does not create a 'free-for-all' situation in regard to the height and form of development that is acceptable for this land. There are other considerations that come into play through the planning policies and controls that are relevant in this case.
>
> The subject land is a site with constraints as it is within a Heritage Overlay in a discrete industrial sub-precinct; and it has interfaces with a number of other properties and adjoins a major railway station, Richmond Station.
>
> This is an area where heritage is clearly manifest in its built form. …[3]

6 The observations in that decision are still applicable to the site and its physical and planning context as we find it now.

7 Overall, we have decided to affirm the Council's decision that it would have refused to grant a permit. Our principal concerns with the proposal are the extent of demolition and the design of the proposed building in relation to its height and its setbacks, particularly Stewart Street. We have made a number of findings on a number of other matters as well in order to assist the parties in the event that a new planning permit application is prepared/lodged for this site.

BACKGROUND

8 The Applicant has sought this review of the Council's failure to make a decision on the permit application within the prescribed time.

9 The Council subsequently decided it would have refused to grant a permit for the proposal on the ground that the proposed overall height of the development and the building setbacks from Stewart Street and Margaret Street is not respectful of the existing buildings or the surrounding heritage context, and is contrary to objectives at clauses 15.01, 15.03, 22.02 and 43.01 of the Yarra Planning Scheme (the planning scheme).

10 Several surrounding property owners/occupiers, some of whom are parties to this proceeding, oppose the proposal. Their concerns include the extent of demolition, building height, design and heritage, amenity impacts including overshadowing and overlooking, traffic impacts and the reduction in car parking being sought.

11 Before the hearing the Applicant circulated amended plans of the proposal that include changes to the location and setbacks of the eastern core of the proposed building, removal of elements and revision to the layout of the rooftop, revisions to the layout ground floor and upper level floorplates, a reduction in the gross leasable floor area, changes to the layout of the

[3] *ACCC Pty Ltd tas AWC Property v Yarra CC* (Red Dot) [2012] VCAT 1180 (described in these reasons as 'the previous Tribunal decision'), at [4]-[6]. This decision was made by Members Naylor and Keddie.

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basement level and a reduction in the number of car parking spaces to seven, and provision of additional visitor bicycle parking spaces.

12 The positions of the Council and surrounding property owners have not changed as a result of the amended plans.

13 The Tribunal must decide whether a permit should be granted and, if so, what conditions should be applied. In doing so we must consider whether the proposal will produce 'acceptable outcomes', in relation to the relevant policies and provisions of the planning scheme. In having regard to the planning policy framework, we must endeavour to integrate the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations.[4]

14 The key issues to be determined are:

- Is the proposed extent of demolition of the existing building acceptable?
- Is the proposed new building an acceptable response to the heritage and character of the area?
- Are any amenity impacts on adjacent dwellings acceptable?
- Is the proposed reduction in the required car parking acceptable?

HISTORY OF PREVIOUS PROPOSALS FOR THIS SITE

15 There have been two previous proposals for development of land comprising of this site and the adjoining property at 5 Stewart Street.

16 In 2012, the previous Tribunal decision affirmed the Council's refusal of a 14 storey residential development on that land. In its decision, the Tribunal's conclusion included:

> The review site presents a good opportunity for redevelopment, despite a number of constraints. Given its attributes, the use of the land for commercial uses and apartments is appropriate. However, we find that in this particular location, the design, height and setbacks are not appropriate. They do not respond acceptably to the existing built form and heritage context. There are also other issues relating to car parking and internal amenity that need to be addressed. We consider that the design as a whole should be reconsidered and a new proposal devised.[5]

17 In 2014, planning permit PLN13/0417 was issued by the Council for the development of an eight storey mixed use building comprising a food and drinks premises, offices, and 56 apartments (the previous permit). That permit was not acted upon and has since expired.

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4 Clause 71.02-3 (Integrated decision making).
5 At [122].

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18 We agree with the Council and Applicant that this current proposal is not a case of 'forum shopping' or a repeat appeal of a similar proposal. The proposal is materially different in both its land area and design as well as differing extents of proposed land uses.

19 Both the Council and the Applicant acknowledge that the previous decision of the Tribunal is to be given some weight, as some of its proposal and findings continue to have relevance to this site and this proposal. Our approach is consistent with the Applicant's submission that "although the Tribunal will ordinarily give great weight to its previous decisions, it must nonetheless assess the merits of the application before it (along with any changes in policy, physical context and the proposal itself) and attribute weight to various considerations as it finds appropriate."[6]

20 We note that there have been some changes to the planning policy context and the physical context since the previous Tribunal decision and the previous permit. Also, the design of this proposal is different to that previously considered. Hence, our findings necessarily have regard to the current planning policy and physical contexts.

THE PLANNING POLICY SUPPORT FOR DEVELOPMENT ON THIS SITE

The Swan Street Major Activity Centre

21 The previous Tribunal decision made a finding that that site was within the Swan Street Major Activity Centre (the MAC) having regard to the content of the local planning policy framework applicable at that time.[7] The applicant's submission is that this site remains within the MAC. The Council's submission is that this site is within a mixed use area at the north-western edge of the MAC. Mr Phillipson submits the site is not within the MAC.

22 The consequence of whether the site is within the MAC relates to what local planning policies are relevant and the extent of strategic support at a State and local level for this area to accommodate increased development.

23 Our decision must be based on the current version of the planning scheme as at the date of this decision. Nothing has changed in the planning scheme since the previous Tribunal decision that relates to the extent of the Swan Street MAC. Clause 21.08 in particular includes figures for Burnley, Cremorne, South Richmond and for Central Richmond that illustrate at least part of the site is within the conceptual bubble of the MAC. Hence, at this time, this site remains part of the MAC.

24 We do acknowledge that the future designation of this site's location in relation to the MAC is unclear. The parties referred to two proposed amendments to the planning scheme that are contributing to this –

---

6 Applicant's written submission, at [83]. We acknowledge the footnote in the Applicant's submission that refers to relevant cases about repeat applications including Reichert v Banyule City Council (1996) VICCAT 44 and Sprut Pty Ltd v Stonnington CC [2012] VCAT 1675.

7 Refer to paragraphs 19-21 of the previous Tribunal decision.

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Amendments C191 and C269. Mr Barlow acknowledged during Mr Phillipson's cross-examination that there are discrepancies between these amendments.

25 Amendment C191 was adopted by the Council during this hearing, which means it can be described as a seriously entertained planning proposal. This amendment intends to retain this site in the conceptual bubble about the Swan Street MAC in the local policy framework. The amendment is not proposing any changes to the planning controls applying to this site (unlike other areas where new planning controls are proposed to guide future development within the MAC).[8] There is a proposed map to clause 21.12 that identifies the mixed use precinct containing this site as being 'land subject to future work'. This means the planning policies relating to the MAC remain, and with no specific planning controls intended to guide the future development of this site.

26 Amendment C269 seeks to update the local policy framework including the mixed use precinct that this site is located in. The Council explains it is considering the amendment following completion of the exhibition period. Hence, this amendment has not yet reached the status of a 'seriously entertained planning proposal'. During the hearing, the Council acknowledged that there is inconsistency between these two amendments as well as between plans within Amendment C269 about whether this mixed use precinct is within the MAC. The Council intends to correct this as the amendment progresses. The Council advises there is strategic there is strategic justification to include this mixed use precinct in the MAC.

27 From a first principles perspective, the proximity of this site to the Swan Street commercial precinct and various forms of public transport make it a suitable location for increased development. The existing and proposed local planning policies are guidelines, and their implementation must be considered in the context of the planning controls that apply.

A Priority Precinct

28 The Applicant emphasises the site's location in the Flinders Street Station to Richmond Corridor, which is designated as a 'priority precinct' in Plan Melbourne[9] with a focus on employment. We agree with Mr Barlow and Mr McGauran that the available illustrations of the extent of this precinct are only in the form of a 'bubble diagram', and that the precinct appears to follow the rail corridor rather than the areas surrounding the corridor. We also agree with them that this level of information is insufficient to conclude with certainty that the site is within the precinct. Even so, we accept Mr Barlow's evidence that the site would be adjacent to the precinct.

---

8 For example, properties along Swan Street are proposed to have new Design and Development Overlay (DDO) containing guidance about the form of new development behind the heritage shopfront fabric.

9 Plan Melbourne, Map 4, 'Key features in and around Melbourne's Central City', at [26].

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29 The applicant's submission highlights that Plan Melbourne describes the Flinders Street Station to Richmond Station corridor as a 'major urban renewal precinct' and a place of 'state significance that will be the focus for investment and growth'.[10] The applicant acknowledges that there are no publicly available plans or details about development in this precinct/corridor yet. The applicant refers to the Swan Street structure plan 2013 that includes reference to the precinct becoming a major catalyst for revitalisation. The applicant submits these documents, taken together, provide clear support for the intensive redevelopment of this site and an expectation for substantial change. We are not persuaded of this.

30 Despite State and local level policies locating this site in a MAC and adjacent to a 'priority precinct', there is no clear policy guidance about how new development should be achieved, particularly in regard to the scale or intensity of new development. Also, the planning scheme makes it clear that the range of planning policies should be integrated and conflicting objectives should be balanced in favour of net community development and sustainable development for the benefit of present and future generations.[11] In this case, in addition to being in a MAC and a priority precinct, this includes:

- The State level planning policies seek for development to respond to its context, including to the character.[12]
- The local planning statement at clause 21.05-2 (Urban design) provides the clearest guidance as to the expected built form outcomes. Strategy 20.1 seeks development that has particular regard to its urban context. Strategy 21.1 requires development in activity centres to respect and not dominate existing built form. Strategy 21.1 requires new development in activity centres to consider the context of the centre including that it may consist of sub-precincts that each have their own built form character. Strategy 17.2 states:

  Development on strategic redevelopment sites or within activity centres should generally be no more than 5-6 storeys unless it can be demonstrated that the proposal can achieve specific benefits such as:

  - Significant upper level setbacks
  - Architectural design excellence
  - Best practice environmental sustainability objectives in design and construction
  - High quality restoration and adaptive re-use of heritage buildings
  - Positive contribution to the enhancement of the public domain

---

10 The Applicant's submission refers to page 15 of Plan Melbourne.
11 Clause 71.02-3
12 These include the policies at clauses 15.01-1S (Urban design), 15.01-2S (Building design), and 15.01-5S (Neighbourhood character).

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- Provision of affordable housing

- The purpose of the MUZ seeks 'to provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality'. This purpose gives no guidance about scale or intensity of development.
- The character of this mixed use precinct is heavily influenced by and impacted on by the heritage fabric recognised and protected in Heritage Overlay HO332. The site is within the 'south industrial sub-area' of the Richmond Hill heritage precinct.



Refer to precinct E in bottom left hand corner

Its heritage significance is:

- As a distinctive and visually related group of externally well preserved factories and warehouses, associated with the growth of the clothing manufacturing industry in the City, dating from the early decades of the twentieth century and symbolic of Richmond's special role in the development of key manufacturing centres in the first half of the twentieth century.
- For the precinct's strategic location, next to major transport links (railway, Punt Road) and the resultant distinctive angled siting of key buildings to face the railway.

- Other aspects of the local planning policy framework seek to protect and enhance the City's heritage places including supporting their restoration, protect the heritage skyline and subdivision patterns, and protect buildings, streetscapes and precincts from the visual intrusion of built form.
- The Swan Street Structure Plan adopted by Council in 2013 contains some built form guidelines and preferred maximum building heights for each precinct. The Richmond Station precinct (containing this site) has a preferred building height of 7-10 storeys (a maximum of 30

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> metres). Mr Barlow acknowledges this structure plan is of 'limited statutory weight' in the consideration of this application as it has not progressed to the formal planning scheme amendment stage in the last seven years (since its adoption).

31 Overall, our conclusions in regard to the relevant policies are that there is policy support for new development on this site of at least 5-6 storeys. There is no guidance as to how much greater the intensity of development can or should be. Rather there is a recognition of the heritage significance of this mixed use area/precinct, and the need to protect and enhance this significance. The form and scale of any development on this site must respond to these relevant planning controls and policies as well as the physical context of the site and surrounds.

IS THE PROPOSED EXTENT OF DEMOLITION OF THE EXISTING BUILDING ACCEPTABLE?

32 Mr Raworth provides a useful description of the existing building on the site:

> The site contains a double-storey rendered and painted brick former factory. The external appearance is believed to largely date from the c.1933 enlargement of the building. The façade to Stewart Street is articulated into 9 bays by regularly spaced full height pilasters, with larger metal framed windows at each level. The pedestrian entry is located in the central bay and includes a modern canopy. The parapet is smooth rendered, with original or early signage having been removed. The façade appears to have been originally largely face brick, now overpainted. The Stewart Street façade treatment is continued along the Margaret Street frontage to a depth of one bay, the remaining east façade being smooth rendered and inset with metal framed windows. The exterior to the building features very little architectural decoration. The roof comprises a series of pitched volumes and is not visible from street level.

33 The proposal includes the demolition of all of the existing building other than the front wall to Stewart Street and, at the street corner, a 4.55 metre long single bay of the Margaret Street front wall. This extent of demolition is supported by the Council as well as both of the heritage expert witnesses, Ms Riddett and Mr Raworth. Mr Risk points out the site is located on the corner and hence its significance in terms of its heritage fabric is appreciable in and along both streets. He considers this will diminish the heritage presentation and read as a façade. He states:

> This is the worse of facadism and will read as exactly that; retaining only the façade, and making it obvious that that's what was done.

34 For better or worse, facadism can be an accepted form of heritage retention. It can have the effect of reducing the retained building fabric to a minimal

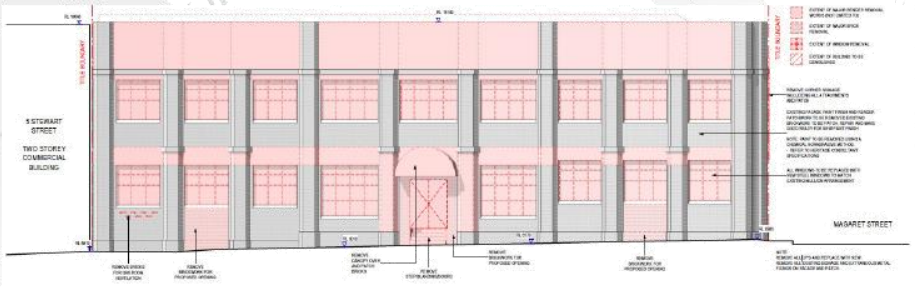
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extent. In this regard, we concur with the comments of the Tribunal in *Denson v Boroondara CC*[13] that:

> It seems to me facadism is minimalistic and, in a heritage context, the absolute least that you can do. Arguably, facadism is a simplistic approach that often achieves no more than a tokenistic retention.

35 In addition to Mr Risk's concern, we noted during the hearing that the proposed elevation demolition plans illustrate a reasonable proportion of the facades being kept will also be demolished. The extent of demolition shown in the plans[14] suggest a necessity to rebuild much of the façades, rather than retain and restore them. For example, the projecting banding across the top of windows and some of the columns are to be removed, whereas these elements would appear to be an integral part of the heritage fabric of the building.



Extract of elevation demolition plan along Stewart Street

36 Mr Raworth relies upon the heritage impact statement prepared by Lovell Chen and submitted with the permit application that the façade will be restored.

37 The applicant tabled amended demolition plans during the hearing to show the banding retained and to clarify some of the intended detailing proposed for the windows to be removed (albeit these plans do not update detail on the Margaret Street elevation). These amendments are welcomed as it is important that the detail of the extent of removal and any necessary replacements or reinstatements are clear in the relevant architectural drawings endorsed as part of any permit issued

38 While both Ms Riddett and Mr Raworth are supportive of the demolition of much of the Margaret Street facade, we are not persuaded of this. For the reasons explained below, the extent of demolition along Margaret Street will adversely affect the significance of the heritage place.

39 This site is identified as being contributory to this industrial sub-precinct, which is explained in the Development Guidelines for sites subject to the Heritage Overlay local planning policy as:

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13 [2016] VCAT 504 at [56].
14 Sheet numbers SK2100 and SK2101.

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> Contributory: The place is a contributory element within a larger heritage place. A contributory element could include a building, building groups and works, as well as building or landscape parts such as chimneys, verandahs, wall openings, rooflines and paving.

40 The objectives of this policy include encouraging the retention of contributory heritage places. This includes encouraging preservation, maintenance and restoration, and conserving historic fabric. The demolition of part of a contributory building or removal of contributory elements is generally discouraged under this local planning policy at clause 22.02-5.1. This policy includes the following circumstances in which demolition may be acceptable:

- That part of the heritage place has been changed beyond recognition of its original or subsequent contributory character(s).
- For a contributory building:
  - that part is not visible from the street frontage (other than a laneway), abutting park or public open space, and the main building form including roof form is maintained; or
  - the removal of the part would not adversely affect the contribution of the building to the heritage place.

41 We are not persuaded by Ms Riddett's oral evidence that the Margaret Street façade is altered and gives no heritage contribution. Nor are we persuaded by Mr Raworth's evidence that the portion of the façade to be removed along Margaret Street is both of a lesser degree of visibility and secondary in character.[15] Rather, we find the Margaret Street façade is largely intact and clearly legible as part of the industrial fabric of this streetscape and the other streets in this industrial sub-precinct.

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15 Bryce Raworth evidence statement, at [5].

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Photograph of the existing street facades in both Stewart and Margaret Streets[16]

42 This industrial fabric is of significance within this sub-precinct of HO332. Further, the Margaret Street façade is the only remaining element of the original industrial streetscape along the western side of Margaret Street. We agree with Mr Risk's submission that the Margaret Street façade provides the existing building with its three-dimensional quality and sense of it being a former factory or warehouse. In this context, we find this aspect of the existing building contributes to the heritage fabric that is of recognised significance.

43 We are not persuaded that retaining the first 4.5 metre bay of the Margaret Street façade retains the contribution this building makes to the significance of this industrial sub-precinct heritage place. Rather, we find that the loss of almost all the Margaret Street façade will adversely impact upon the significance of this industrial sub-precinct, particularly views of the three-dimensional quality of the streetscapes of Stewart and Margaret Streets. This in turn will diminish the overall industrial heritage fabric remaining within Margaret Street. Other than the 4.5 metre bay of the existing building that is to be retained, the only remaining industrial heritage façade in Margaret Street is that of 19-27 Stewart Street (on the opposite side of Margaret Street), which extends along approximately half the length of the eastern side of Margaret Street.

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16 Extracted from the Heritage Impact Statement prepared by Lovell Chen dated December 2019

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44 Overall, we find that the loss of so much of the Margaret Street façade of the existing building on the site is inconsistent with the objectives of the heritage policy at clause 22.02 and the purpose of the HO332.

45 We accept that it is possible for the extent of demolition to be reduced to an acceptable degree through amendments to the plans. Therefore, we have not refused this application for this reason alone. Rather, we have considered whether the proposed development is acceptable and set out our findings on this below.

IS THE PROPOSED NEW BUILDING AN ACCEPTABLE RESPONSE TO THE HERITAGE AND URBAN DESIGN CHARACTERISTICS OF THE AREA?

46 The Council's two concerns with this proposal are the height and the setbacks of the modern addition to the existing building. It submits that the proposed development has not struck the right balance between the urban consolidation and intensification aspirations and the need to provide acceptable urban design and heritage outcomes. It says the overall height, scale and massing of the proposed building is completely out of context with the existing heritage character of the site and its surrounds.

47 The Council submits that the statement of significance for the heritage precinct and the local heritage policy have not changed since the previous Tribunal decision. It also considers that the surrounding physical context has not significantly changed. The applicant and its experts generally agree with this other than to highlight the new development emerging in Cremorne, to the south between Swan Street and the Yarra River.

48 Several of the respondents also oppose the proposed building height. For example, Mr Clark says that the building should be a maximum of five to six storeys to allow it to 'fit in'. Mr Phillipson says that the proposed building will be "well and truly out of character for the zone".[17]

49 The applicant's case is that the strategic and policy context means that the potential of this site should be maximised until some clearly unacceptable impact arises, and that to underutilise the potential of this site would be a poor planning outcome. It submits that 'the task is to integrate the range of considerations relevant under the planning scheme and apply Yarra's somewhat dated reference to 5-6 storey buildings in a flexible manner and to the particulars of the case at hand'.[18]

50 The MUZ purpose and relevant planning policies encourage development that provides an acceptable response to the neighbourhood character and heritage significance:

- The purpose of the MUZ seeks development that responds to the existing or preferred neighbourhood character of the area.

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17 Oral submissions of Mr Phillipson at the hearing.
18 Applicant's written submission, at [73].

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- The strategic statement for built form includes objectives and policies relating to heritage (at clause 21.05-1) and urban design (at clause 21.05-2). Of particular note is strategy 17.2 that seeks for development on strategic redevelopment sites or within activity centres to generally be no more than 5 to 6 storeys unless it can be demonstrated that specific benefits can be achieved.[19]
- The Development Guidelines for Sites Subject to the Heritage Overlay local planning policy seeks, among other things:
  - new development and alterations and additions to a heritage place or a contributory element to a heritage place to 'be visually recessive and not dominate the heritage place' (at clause 22.02-5.7.1); and
  - new upper level additions and works to industrial, commercial and retail heritage places or contributory elements to respect the scale and form of the existing heritage place or contributory elements to the heritage place by being set back from the lower built form elements, and for each higher element to be set further back from lower heritage built forms (at clause 22.02-5.7.2).

51 Our concerns with this proposal relate to both the heritage and urban design characteristics. In our view, the height and setbacks of the new building from an urban design perspective are not completely disengaged from the heritage considerations, and vice versa. We are of the view that the relationship of the new building's height, setbacks, and detailed design with the heritage facade of the existing building and the Stewart Street streetscape impacts with the contribution that this site makes to the heritage significance of this precinct.

52 Overall, we find the combination of the proposed building height and setbacks results in a built form scale that overwhelms the retained heritage fabric and the Stewart Street streetscape more broadly. The outcome is that the proposed new building is not respectful of the urban character of this neighbourhood, which includes its significance as a heritage place. We say this for the following reasons.

Heritage significance

53 Mr Raworth acknowledges that the upper levels of the proposal will be visually prominent and dominant, although he says he does not have an issue with this.[20] This is because Mr Raworth considers the height of the addition is more of an urban design issue than a heritage issue. During the Council's cross-examination, Mr Raworth agreed with the description of the heritage character of the sub-precinct contained in the heritage report that accompanied the planning application:

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19 Clause 21.05-2.
20 Oral evidence of Mr Raworth.

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> Stewart Street comprises large former industrial and warehouse buildings of two to two and a half storeys which are typically constructed to their site boundaries (Figure 11 and Figure 12). These buildings are typically of brick construction (some with render or painted finishes), incorporating facades articulated by regular bays, pilasters and repetitive window openings, with parapets concealing roof forms. While differing in detail, the former industrial buildings along the north side of Stewart Street nevertheless generate a consistent streetscape character. This in turn is emphasised by their regular orientation to the curving street alignment, a distinctive characteristic of the buildings in this area of the precinct.
>
> Another distinguishing characteristic of the sub-area is the existing contrasts, and juxtapositions, of old and new fabric, and historic and contemporary building forms. These tend to be successfully knitted together or integrated, either on individual sites or within streetscapes, enabling the modern materials (glass, concrete, steel, render) to contrast with the historic materials (brick, iron, render), but in a manner which allows the latter to stand out and remain prominent.
>
> In terms of views, when in the sub-area, there is a very limited sense of the lower scale mostly residential development to the north of the broader heritage precinct area. Outside the sub-area, views into it are mostly dominated by the taller built forms (AKM and Kayser development) at the east end of the sub-area. This includes distant views from the north and east while still in the Richmond Hill Precinct; and views from the south and west, outside the precinct. In these distant views, there is no visibility of the lower- scale historic industrial buildings of the sub-area. It is only when in immediate proximity to the sub-area that these lower scale buildings are seen. This includes views from the elevated platforms of Richmond Railway Station. [21]

54 The Applicant submits that no part of the heritage significance of this industrial precinct lies in the skyline created by the buildings or any features on their roofs. It says that whether the proposed addition is seven, eight or 10 storeys will not affect what is significant about this heritage place. It submits that what matters most are the setbacks above the heritage facade, including the proposed 'shadow line' at levels 2 and 3, and the lightweight construction and materiality of the tower element.

55 There is no dispute among the heritage and urban design experts about the intactness of this heritage precinct, particularly the north side of Stewart Street. This streetscape was described by the various experts as unique in Melbourne because of its curved streetscape providing views and appreciation of the heritage facades in a different way to the more typical straight, grid-like streets (for example, the view and appreciation does not fade away at a distance).

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[21] Heritage Impact Statement prepared by Lovell Chen dated December 2019 at [9].

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56 The previous Tribunal decision provided its observations of the south industrial sub-area of the HO332, which we observe remains relevant:

> Our observation is that, somewhat unusually, this precinct clearly demonstrates its heritage to the passer by. The retention of significant proportions of the industrial building fabric has retained and reinforced the remnant heritage evident along all of the streets within this sub-precinct. The subdivision pattern and hard edged buildings speak to a history of manufacturing and warehousing. The extent of remaining fabric and the precinct's discrete area reinforce its cohesion, readily apparent on inspection from any of the streets within the sub-precinct. This is an area where its heritage is clearly expressed in the built form.[22]

57 A planning permit has recently been issued for a development at 33-35 Stewart Street, further to the east. That site is currently occupied by a double storey industrial building, known as the "Slimform Building". That building is also a contributory building in the HO332 precinct. That permit allows for of a nine storey mixed-use[23] building, with the retention of the existing double storey building facade.[24]

58 Reference was variously made by the parties to new and proposed buildings in Wangaratta Street. Whilst Wangaratta Street is part of the broader Richmond Hill heritage precinct, it forms the eastern boundary of this industrial sub-precinct. As these buildings are generally located on the east side of Wangaratta Street, they are not within this sub-precinct. This means their existence is of no relevance to the heritage considerations.

59 Mr Raworth considers visibility outside of the heritage precinct is not a relevant consideration, so views from the west (including the west side of Punt Road) in terms of impact upon the heritage fabric at this end of the heritage precinct is not relevant. This is a different opinion to that of Ms Riddett, who places considerable emphasis on the impact of the proposal when viewed from the west. She also places some emphasis on the need to protect the heritage skyline as sought by strategy 14.3 at clause 21.05-1 in relation to protecting and enhancing Yarra's heritage places. Ms Riddett says the skyline is very much part of the significance of the precinct. Ms Riddett considers that two levels should be deleted.[25] In this regard she says:

> Deletion of two levels accords with [clause] 22.02 in that the integrity of a place of cultural heritage significance will be maintained, significant view lines to a heritage place will be retained and the

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22 *ACCC Pty Ltd tas AWC Property v Yarra CC*, at [43].
23 Office and retail uses.
24 The permit had been issued with a condition requiring the deletion of one level of the proposed building. This condition was deleted on review by the Tribunal in *Slimform Holding Pty Ltd v Yarra CC* [2020] VCAT 1312.
25 Ms Riddett's evidence statement at [25].

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spatial characteristics and heritage character of the surrounding historic streetscape will be more appropriately respected.[26]

60 We agree with Ms Riddett that the consideration of building height is relevant to heritage skylines, which in this case means understanding its impact from further afield. In this case, we have given greater consideration to the proposed building height within the overall Richmond Hill heritage precinct (within which this site is located) rather than to the west side of Punt Road that is not within this precinct.

Urban design characteristics



Extract from Mr O'Dwyer's evidence of 'Built Form in Neighbourhood Character & Context'

61 In regard to urban design characteristics, we agree with the Council that the buildings in Wangaratta Street are not part of the 'experience' of Stewart Street. Also, as acknowledged by Mr Barlow, the buildings in Wangaratta are younger, hence their characteristics differ to those found in the heritage sub-precinct.

62 Mr O'Dwyer and Mr Barlow have both referred to the visibility of new buildings in Cremorne, to the south of Richmond Station and Swan Street, particularly when viewed from the northern (elevated) section of the Richmond Hill heritage precinct. We acknowledge that there are new taller buildings emerging in Cremorne and that from various vantage points they form part of the backdrop to the proposed development. However, they are some distance away and obviously do not form part of the urban fabric evident in the industrial sub-precinct of Richmond Hill. Also, there are considerable differences in the planning framework that applies to that area. For example, Cremorne includes a substantial area of Commercial 2 zoned land and some Comprehensive Development zoned land, as well as large areas unaffected by a Heritage Overlay. These planning controls enable

[26] Ibid., at [91].

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and/or encourage intensive development. The intensity of new development in the Cremorne area is establishing it as one of those areas of higher development anticipated by the Strategic Vision at clause 21.03.

63 The differences in relevant planning framework between the two locations, combined with the physical distance between them and the separation created by Richmond Station and Swan Street all lead us to conclude that the new development in Cremorne is of limited relevance to the consideration of the characteristics of the neighbourhood surrounding Stewart Street.

64 The neighbourhood of relevance in this case is primarily that of the industrial sub-precinct and the quoted descriptions in paragraphs 53 and 56 of these reasons. There is no doubt that the remaining heritage fabric in this precinct is an integral part of the relevant urban design characteristics.

Building height

65 Various comparisons were made between the height of this proposal and that approved by the Council for this site in 2014, as well as to other existing and proposed developments in the sub-precinct. Mr Raworth's evidence is that the proposal represents an incremental shift (increase) in height, as nearby existing or proposed development is in the range of seven to eight storeys. Mr McGauran disagrees as his evidence is that the difference in height is not incremental but substantive.

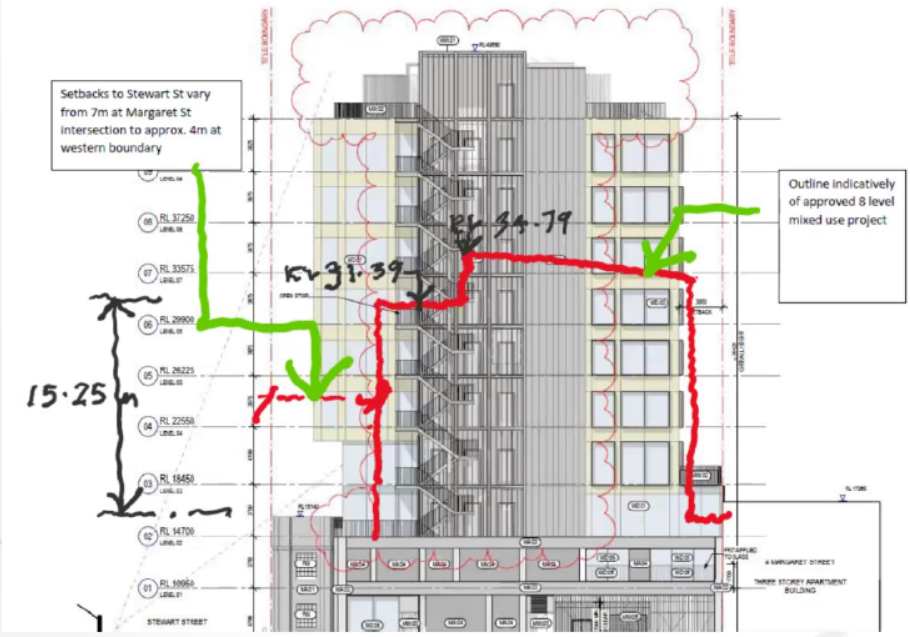
66 We agree with Mr Phillipson that discussing the height of the buildings in this precinct in terms of storeys is misleading. Comparing the storeys of this proposal with surrounding buildings suggests that they are comparable, however the reality is that the height of this proposal is in the order of 10 metres higher than the taller of the surrounding buildings. Mr Phillipson advises the glass top of Kayser building at 28 Tanner Street is in the order of 30.5 metres high (seven storeys). We note the nine storey office/retail building proposed at 33-35 Stewart Street[27] has a height to the roof of 28.75 metres, and an overall maximum height of 31.76 metres.[28] This proposal is described as 10 storeys which appears at face value to be only one storey more in height, but the reality is different. This proposal has a height to the roof of 38.65 metres (almost 10 metres higher than 33-35 Stewart Street), and it has an overall maximum height of 43.17 metres. Mr McGauran's visual comparison[29] of the proposal compared to the eight storey development approved by the 2014 permit also assists to demonstrate how the height of the buildings can be misleading. The approved building in the 2014 permit had a maximum height of around RL34.79 whereas the overall height of this proposed building is RL49.65.

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27 *Slimform Holding Pty Ltd v Yarra CC* [2020] VCAT 1312 at [3].
28 To the top of the lift overrun based on the application plans provided for this hearing.
29 Tabled at the hearing.

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Extract from Mr McGauran's visual comparison illustrations

67 Objective 17 seeks 'to retain Yarra's identity as a low-rise urban form with pockets of higher development'. The strategies that support this objective include:

> Development on strategic redevelopment sites or within activity centres should generally be no more than 5-6 storeys unless it can be demonstrated that the proposal can achieve specific benefits such as:
>
> - Significant upper level setbacks
> - Architectural design excellence
> - Best practice environmental sustainability objectives in design and construction
> - High quality restoration and adaptive re-use of heritage buildings
> - Positive contribution to the enhancement of the public domain
> - Provision of affordable housing.[30]

68 This proposed ten storey building substantially exceeds the preferred five to six storey building height for development. It also exceeds the height of the other higher buildings in this industrial sub-precinct, including the Kayser building and the buildings at 1 Margaret Street (19-27 Stewart St).

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30 Strategy 17.2.

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69 We acknowledge these other buildings were constructed some time ago when different policy objectives no doubt existed. The current policy framework does support change, but we reiterate our earlier finding that there is no guidance as to how much greater the intensity of development can or should be. Rather there is a recognition of the heritage significance of this mixed use area/precinct, and the need to protect and enhance this significance.

70 The difference in building height between this proposal and the existing buildings in this industrial sub-precinct will be noticeable as it is in the order of 10 metres. We agree reducing the building height by two or three storeys (as is suggested by the Council's expert witnesses) would mean the height is comparable to the existing and approved buildings in this sub-precinct. Whether a taller building is acceptable on this site is influenced by the amenity impacts and by whether the design can 'successfully knit together' the modern and historic elements in a manner that allows the heritage fabric to stand out and remain prominent.[31] We are not persuaded this design achieves this successful knitting enabling the heritage fabric to remain prominent, particularly in Stewart Street.

71 The difference in the building height between this proposal and the building at 1 Margaret Street is accentuated by the significant difference in the building setbacks from Stewart Street as well (refer to the image on following page illustrating existing setbacks at 1 Margaret Street). The minimum 4.5 metre staggered setback from the Stewart Street frontage (following the curve of the street) ensures that the new part of that building above the heritage façade is visually recessive and does not dominate that building or the Stewart Street streetscape. This is in contrast to this proposal.

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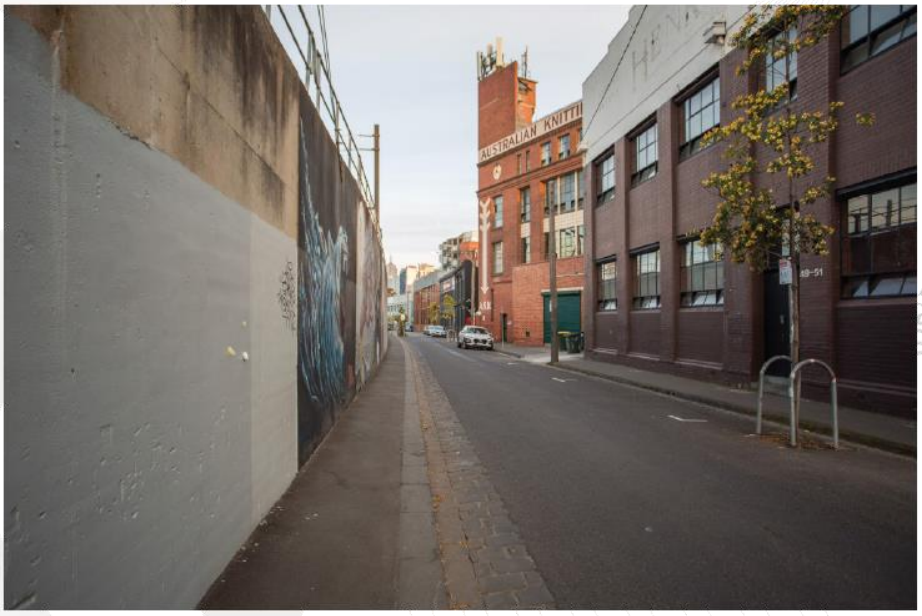
[31] Using the language contained in the Lovell Chen quote in paragraph 53 of these reasons.

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Nearmap illustration of the site and the staggered setbacks of the upper level additions at 1 Margaret Street (circled)



Existing Stewart Street looking west with the site (white façade) in the distance. The red brick façade with rendered concrete panel at top to the east of the site is 1 Margaret Street with some apartments visible above, albeit set back from the heritage façade.

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Stewart Street setback

72 There have only been three planning permits issued for development along the Stewart Street streetscape thus far:

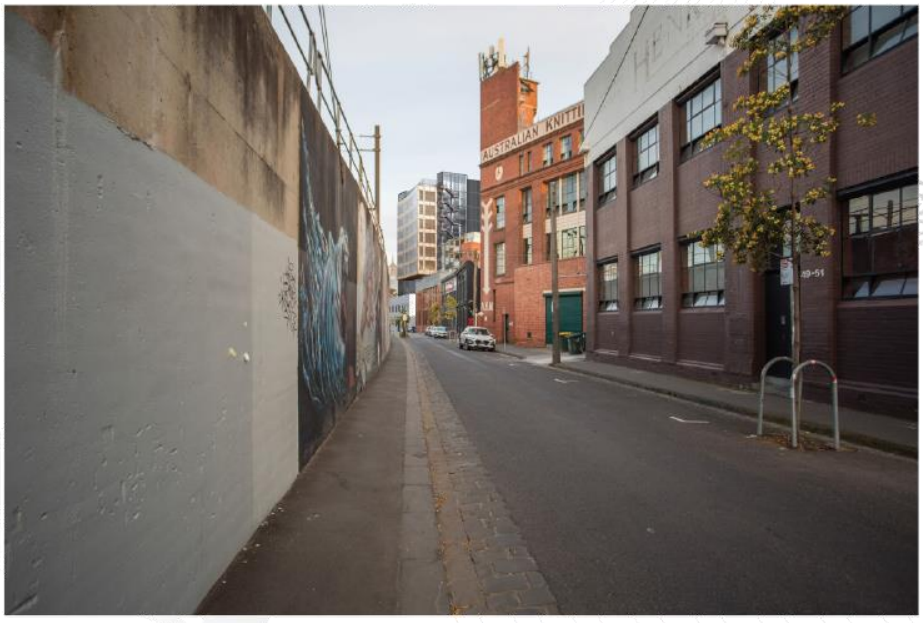
i The completed six storey apartment development at 1 Margaret Street (19-27 Stewart Street) that has a series of staggered setbacks to Stewart Street, with the closest setback being around 4.5 metres;

ii The 2014 permit (that has now lapsed) for an eight storey residential development at 5-13 Stewart Street (including this site) that had a straight building line above the heritage façade, creating a setback from Stewart Street of between 4.4 and 8.6 metres.

iii The recent planning permit approved for a nine storey commercial building at 33-35 Stewart Street that has a slightly curved façade, predominantly of glass with projecting solid elements. These solid elements are described by Council as being set back from Stewart Street between 2.8 and 3.8 metres.

73 It does appear that over the time between the approvals of 1 Margaret Street and 33-35 Stewart Street, the Council has supported a lessening of upper level setbacks to Stewart Street.

74 In this case, the first two new levels of the addition (levels 2 and 3) are set back 4.5 metres from the curving heritage façade and then the upper levels (levels 4 to 9) are set back 2.5 metres from the curving heritage façade. The design of all the new levels also feature a curving form as a consistent street setback is provided at each level.



Extract of photomontage prepared by Mr Wilkinson of Scharp Design.

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75 The greater setback of levels 2 and 3 is deliberate to create a differentiation and a shadow line between the façade of the original building and the tower of the new building. Mr O'Dwyer describes the shadow line as a 'spacer' that disconnects the upper from the lower building form.

76 Mr Raworth and Ms Riddett have no concern with the proposed setbacks of this proposal.

77 Having viewed the subject land from various vantage points along Stewart Street, including those reflected in the photomontages in Mr Wilkinson's evidence statement, we are not persuaded that the combination of the 2.5 and 4.5 metre setbacks are acceptable. The previous Tribunal decision expressed the opinion that reflecting the angled setback pattern would be a more appropriate response to context, and we agree. However, we do not consider the combination of 2.5 metre and 4.5 metre setbacks to be 'significant upper level setbacks' in this Stewart Street context (as is suggested in strategy 17.2 at clause 21.05-2). More importantly, we are of the view that the proposed setbacks are insufficient to ensure that the new building will be visually recessive in, and not dominate, the existing heritage significant facades in the Stewart Street streetscape, as sought by the policy at clause 22.02-5.7.1. Nor are the proposed setbacks consistent with the requirements at clause 22.02-5.7.2, which seeks for each higher element to be set further back from lower heritage built form. Rather, we find that the shallow 2.5 metre setback from the heritage façade in combination with the building height will result in a visually dominant building.

78 We are not persuaded by Mr Barlow's evidence that the shadow line (created by the 4.5 metre setback of levels 2 and 3) "ensures that the heritage building is provided with sufficient breathing room to be appreciated in its three-dimensional form to avoid being visually dominated".[32] The shadow line is unlikely to be a distinguishing feature given this façade faces south and will always have a perception of shadow about it. Given the height of the heritage façade, the proposed building will have limited visibility when viewed from directly in front of the site. However, the 'unique' curved nature of this street means there are clear views to the site as one approaches from the east, and these are of the greatest concern. From our observations, moving along Stewart Street from its eastern end, this site remains a key a focal point to which one's eye is drawn, due to the curve of the street.

79 It is our view that the visual impact of the proposed tower element is accentuated in the views from the east along Stewart Street by the following:

- The alignment of the new building following the curve of Stewart Street exposes more of the front façade when viewed from an acute angle along the street.

[32] Mr Barlow's statement of evidence at [150].

Retrieved from AustLII on 24 May 2022 at 13:24:10 Verify version

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- The site's location on the corner of Margaret Street exposes the side street elevation when viewed from the east along Stewart Street.
- The lower height and greater setback from the Stewart Street frontage of the building at 1 Margaret Street results in a greater proportion of the proposed tower element being exposed.
- We agree with the Council that the external stair proposed along the eastern (Margaret Street) elevation of the tower element of the proposed building accentuates the height along the street frontage.

80 While strategy 17.2 at clause 21.05-2 contemplates building heights greater than five to six storeys, we are not satisfied that the proposal provides an acceptable response to the specified circumstances in which greater height may be contemplated. In this regard we find:

i As outlined above, the proposal does not provide significant upper level setbacks.

ii We accept that there are elements of this proposal that are consistent with architectural design excellence. However, we are not satisfied the quality of the architectural design of the new building ensures the dominance of the heritage elements of the existing building and streetscape.

iii Even though aspects of the proposal's design support environmental sustainability objectives, we are not satisfied these aspects provide an acceptable balance against the unacceptable heritage and urban design outcomes.

Summary

81 Overall, we find that the combination of the height and setbacks of the proposed building comprises a scale and form that does not respect the existing heritage place and its contributory elements. Rather, we find the proposed building will overwhelm the heritage façade that is to be retained and the Stewart Street streetscape more broadly.

82 Our findings in this regard should not be interpreted that we have formed the view that a new building on this site could not exceed five or six storeys, but rather that this particular proposal does not provide an acceptable design response. The scale of this proposal is too great at the minimal setbacks proposed in this heritage context.

ARE THERE ANY OTHER ISSUES?

83 In having found that no permit should be granted for reasons relating to the extent of the demolition and the proposal not providing an acceptable response to the heritage and character, it is not necessary for us to make findings in relation to the other key issues. However, to assist the parties in relation to any future proposal for the use and development of this site, we provide the following findings on some of the other issues raised.

Retrieved from AustLII on 24 May 2022 at 13:24:10 Verify version

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Amenity impacts

84 The neighbours have variously raised concerns about impacts of the proposed development on the amenity of surrounding residential properties. These include visual impacts, overlooking, loss of sunlight, and light spill. Mr McGauran also raised concerns about wind impacts resulting from the proposal. Mr Stahle says that the issue of amenity impacts has been underplayed, and that the building height has direct implications for amenity impacts.

85 The decision guidelines of the Mixed Use Zone (MUZ)[33] do not specifically require a commercial development to consider amenity impacts or the compatibility of commercial use or development on adjacent residential properties. Nor do these decision guidelines require consideration of a commercial use or development's amenity impacts or compatibility with adjacent residential uses. This is in contrast to the General and Neighbourhood Residential Zones that do require consideration of amenity impacts, as does a residential development in a MUZ. This is therefore suggestive that the amenity expectations for residential properties in a MUZ from a commercial development should reasonably be expected to be less than the level of amenity expected in other residential zones. We also consider that in the policy context of the site's location in a MAC supporting more intensive development, including higher development, some impacts on amenity can reasonably be expected as part and parcel of living in such a location.

86 However, this is not to say amenity impacts are irrelevant. Rather, the local 'Interface uses policy' at clause 22.05 provides for consideration of amenity impacts for use and development in the MUZ. The policy basis for this policy includes 'protecting Yarra's diverse land use mix and built form, reducing conflict between commercial, industrial and residential activities, and supporting appropriate industrial and commercial activity'. [34] It also includes that 'in order to maintain the viability of industrial and business areas there is a need to ensure that new residents do not have unrealistic expectations of the level of amenity that can be achieved', but that 'there is also a need to ensure that commercial and industrial activities are well managed having regard to their proximity to residential uses'.[35]

87 In relation to non-residential use and development within the MUZ (and business and industrial zones) the policy seeks to 'minimise noise and visual amenity impacts upon nearby, existing residential properties'.[36] The associated policy considerations[37] include matters such as overlooking, overshadowing, loss of daylight, visual bulk and light spill (among others). Having regard to these considerations, we make the following findings.

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33 Clause 32.04-14 (Decision guidelines).
34 Clause 22.05-1 (Policy Basis).
35 Ibid.
36 Clause 22.05-3 (Policy).
37 Clause 22.05-4.2.

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Visual impact to 7 Stewart Place

88 The wall of the western services core of the proposed new building is to be built along part of the site's western boundary, with approximately 300mm of it abutting the boundary of Mr Munidasa's residential property at 7 Stewart Place. Mr Munidasa[38] wants this part of the building set back from the boundary with his property. Mr Clark's property at 5 Stewart Place does not have a wall along his common boundary, but he shares Mr Munidasa's concerns given the close proximity of this wall. Mr Clark referred to the previous Tribunal decision where a 3.0 metre setback from the interface with these residential properties was found to be preferable.

89 After the hearing, we inspected 5 and 7 Stewart Place unaccompanied (as agreed to with the parties during the hearing). We had the benefit of viewing the existing lightcourt that these properties have adjacent to this site and note the existing infrastructure including balconies that are attached to this existing boundary wall.

90 We share Mr Munidasa's and Mr Clark's concerns about the proximity of the western services core to their properties and the resultant visual impact. This services core extends the full 10 storey height of the new building and above the roof terrace level to be in effect 11 storeys high. Having inspected both dwellings at 5 and 7 Stewart Street we are of the view that the services core will be readily visible from and extend some eight storeys above the windows in the western façade of these dwellings, particularly 7 Stewart Street. Given the location and height of the services core we are of the view that it is inconsistent with the policy guidelines at clause 22.05-4.2 that seek walls built to a boundary to not adversely impact on the amenity of any adjoining dwelling in terms of visual bulk.

91 We cannot say what an acceptable extent of separation is. We note the 2014 permit has a varying setback of 1.3 from 7 Stewart Place's southern side boundary extending into a setback of 4.3 metres from 5 and 7 Stewart Place's eastern rear boundaries. Put simply, the acceptability of the proximity of new building to the Stewart Place residences depends upon the detail of the proposed design. Any future proposal should seek to locate building elements of such a height further away from the boundary with these residential properties or otherwise reduce their height.

Loss of sunlight and daylight to 1 Margaret Street

92 Ms Gelsomino[39] is concerned about the loss of sunlight and daylight into her west facing apartment at 1 Margaret Street (19–27 Stewart Street).

93 There is no unreasonable loss of daylight. This is because the apartments at 1 Margaret Street benefit from the width of the street itself as well as the

[38] Mr Munidasa's statement of grounds formed part of Mr Brekke's statement of grounds as he was representing a number of persons including Mr Munidasa.

[39] Ms Gelsomino provided a statement of grounds through Mr Clark during the hearing.

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respective setbacks of the developments on either side. All of which in combination create a substantial light court.

94 The shadow impact upon the west facing apartments of 1 Margaret Street was a matter of consideration in the previous Tribunal decision. The Tribunal found that the apartments of 1 Margaret Street overshadow themselves in the morning and that the proposed development (in that case) would start to cast a shadow on them about 2 hours later. The Tribunal found that two hours of sunlight at the September Equinox in a MUZ in a MAC was an acceptable level of shadow impact.

95 The planning considerations for what is an acceptable shadow impact in this case are different to the previous decision. This is because in the previous Tribunal decision, the proposal was for a residential development in a residential zone (MUZ) where consideration of the acceptability of the shadow impact was necessary. In this case, the proposal is a non-residential land use and the MUZ does not require any specific consideration of overshadowing impacts upon nearby residential land uses.

96 The Interface Uses local planning policy at clause 22.05 does require consideration of the impact of overshadowing. The policy guidelines at clause 22.05-4.2 require that 'the location, length and height of any wall built to a boundary not adversely impact on the amenity of any adjoining residential properties in terms of unreasonable overshadowing of private open space, visual bulk or loss of day light to habitable room windows'. We note that this policy guideline refers to walls built to a boundary, rather than walls set back from a boundary or on the opposite side of the street to a residential property, as is the case with the property at 1 Margaret Street (19–27 Stewart Street).

97 At our request, the Applicant provided a detailed analysis of the shadow impact on a half hourly basis in the afternoon after the hearing. This analysis demonstrates 1 Margaret Street apartments benefit from direct sunlight from about 12.30pm. This proposal begins to cast shadow on the lower level apartments at the Stewart/Margaret Streets corner at 1.00pm and by 2.00pm a number of the apartments are affected by shadow. Extracts of this analysis are provided on the following page.

98 This proposal therefore casts additional shadow on the west facing apartments of 1 Margaret Street (19–27 Stewart Street) from 1.00pm. However, it must be remembered that these apartments are located within the MUZ where more intensive development is expected, and the zone provisions do not seek to protect residential amenity when a commercial development is proposed. Nor does the policy guideline at clause 22.05-4.2 technically apply to these circumstances, given Margaret Street provides separation between the two properties. We also note that the evidence of Mr Barlow and Mr O'Dwyer is that the overshadowing is acceptable. Conversely, Mr McGauran's evidence includes that the overshadowing impacts arise from the excessive height and modest setbacks in combination

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and are unreasonable and detrimental to the amenity of the occupants of those dwellings.

9-13 Stewart Street - VCAT Amended Scheme
Shadow Diagram - September 22nd - 1.00pm



9-13 Stewart Street - VCAT Amended Scheme
Shadow Diagram - September 22nd - 2.00pm



99 We do not intend to make any findings on the acceptability of the shadow impact given our previous findings raising concerns about the height of the building and the setback(s) from Stewart Street, as well as the need to retain more of the Margaret Street façade that could in turn impact upon setbacks along the east side of the site. Based on the shadow diagrams it appears to us that if the height of the new building was reduced and/or the setbacks from Stewart or Margaret Streets was increased, this will impact on the extent of additional overshadowing, particularly between 1.00pm and

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2.00pm. Hence, this is an issue that will need to be considered afresh as part of any future planning application for this site.

Overlooking to Stewart Place dwellings

100 Mr Clark is concerned about the potential for overlooking and the extent and nature of the screening proposed. He submits that frosting and screens should be provided up to 1.9 or 2.0 metres.

101 The policy guidelines at clause 22.05-4.2 seek to 'minimise the potential for unreasonable overlooking of private open space areas and into habitable room windows of adjoining residential properties, through the use of appropriate siting, setbacks, articulation and possibly screens'.

102 The design relies on a combination of a 4.5 metre building setback, 'fritted' glass to a height of 1.7 metres and horizontal louvres to windows at levels 2 and 3 to limit overlooking into the rear of the dwellings at 1–7 Stewart Place.

103 The evidence of Mr Barlow and Mr O'Dwyer for the applicant and Mr McGauran for the Council all conclude that these measures acceptably manage overlooking.

104 We find no basis for overlooking screening to be higher than 1.7 metres, particularly in a MUZ that allows for lesser amenity expectations. Further, we note that screening up to a height of 1.7 metres is the height specified in the overlooking standards applying to dwellings and apartment buildings considered under clauses 54 and 55 of the planning scheme. Hence, we would not require higher screening.

Light spill impact overnight to surrounding dwellings

105 The Council seeks a condition on any permit issued that the hours of use of the offices be restricted. The Council explains this condition is sought to minimise the potential impact of light spill during the night upon the surrounding dwellings.

106 The policy guidelines at clause 22.05-4-2 seeks to 'minimise the opportunity for light spill due to fixed or vehicular lights, outside the perimeter of the site and on to habitable room windows of nearby residential properties'. It would appear that the term 'fixed lights' could be referable to the internal office lighting.

107 Although we agree with Mr Barlow's evidence that the idea internal office lights "will be blazing all the time" may be overstated, we do not dismiss the potential for light spill from the internal lights to cause amenity impacts on nearby residential properties. However, in an evolving and diversifying economy and in a Mixed Use Zone in a Major Activity Centre, we consider it is acceptable to anticipate and expect that an office premises use may extend beyond traditional business hours. If we had been of a mind to grant a permit, we would not have included such a permit condition.

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Equitable development opportunities for 5 Stewart Street

108 During the hearing, some focus was given to whether this proposal provides for the equitable development of 5 Stewart Street. We find this proposal to have a service core on the boundary with 5 Stewart Street creates an opportunity for any new building/addition on 5 Stewart Street to build up against it. Given there may need to be setbacks from the heritage façade, particularly along Stewart Street, the ability for 5 Stewart Street to construct along much of its eastern side boundary should continue to be provided for in any future proposal.

Wind impacts

109 Mr McGauran is concerned about the wind impacts based upon the wind assessment report submitted with the planning permit application. None of the parties went to the specific details contained in this report in any meaningful way during the hearing. Upon perusal of this report after the hearing, we note that, amongst other things, this report states:

- tall screens would be needed at either end of the southern terrace above the heritage façade;
- screens would be needed to the north side of the northeast terrace with returns on its east and west sides; and
- a wind model needs to be undertaken.

110 The Applicant submits this is a level of detail that can be resolved later in the detailed design phase. We accept this is often the case, but in this case, it is important that the implications of wind impacts are considered hand in hand with the consideration of any impacts upon the heritage significance, particularly of visible new works along Stewart Street and Margaret Streets in proximity to the retained heritage facades.

111 We note that the amended proposal before us has not been assessed specifically in regard to its wind impacts, hence it is unclear to what extent the first two dot points in paragraph 109 remain relevant. In general terms therefore we observe that any future proposal for the development of this site should include the details of any wind deflection devices and how they will be viewed in the context of any original building facades to be retained and the streetscapes.

Car parking provision

112 A car is a luxury for some, a necessity for others and a common transportation mechanism used in many households across Victoria. This proposal seeks to provide very little of the standard required car spaces in the planning scheme, within only seven out of the 149 car spaces required under the provisions of clause 52.06. They are all in a basement level, which is to be accessed via a car lift.

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113 The neighbours are concerned about this level of reduction, particularly given the amended proposal before the Tribunal reduces the car parking even further than the original planning permit application lodged with the Council. Mr Phillipson submits that if approved, the reduction of the required car parking amounts to 'corporate welfare'. Mr Stahle says that to suggest seven car spaces will suffice is incomprehensible. He also submits that the traffic counts in the traffic assessment are deficient because they make no reference to the traffic load and parking issues that arise in the surrounding residential streets when frequent, significant or multiple events are held at the major entertainment and sports venues to the west of Punt Road.

114 The applicant and Mr Walsh emphasise the location of this site is opposite and just 50 metres from Richmond Station; and within easy walking distance of the tram service along Swan Street and the bus service along Punt Road. Furthermore, the site is located just to the east of the sports and entertainment precinct around Rod Laver Arena and the MCG as well as within reasonable proximity of the CBD.

115 It is not unusual for people to travel to work in an office by public transport, and particularly in central and inner city locations. Whilst there may be some reluctance and concern at present to travel on public transport because of Covid-19, the long term goal of increasing reliance on modes of transport other than cars remains in Victoria's planning schemes. This site is ideally located to support this long term goal. Mr Walsh's evidence is that 'Richmond Station is a premium station, and outside of the CBD is the most accessible station on the metropolitan network'.[40] It is hard to imagine a development site better located to support public transport usage as an alternative to driving.

116 It is also important to acknowledge that the retention of parts of the existing building on the land presents some challenges in providing vehicle access and car parking on the site. In this context, we accept it is a reasonable expectation that any future proposal for the use and development of this site will include a reduction in the car parking required to be provided. The extent and acceptability of any such reduction is a matter for consideration under any future application.

Boundary wall to 5 & 7 Stewart Place

117 Mr Clark is concerned about the removal of the existing wall along the boundary of this site, which is adjacent to the properties at 3, 5 and 7 Stewart Place. Mr Clark says that the wall is shared between the buildings and the location of the Title boundary (in relation to the wall) is unknown. Mr Clark's concern is that balconies and other infrastructure are attached to this boundary wall. There appears to be a lack of clarity for the residents as to whether the wall on the boundary is part of the existing building on the

[40] Mr J Walsh's evidence statement at [72].

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development site and to what extent their infrastructure will be protected. It may be that this matter needs to be addressed through the building permit process rather than the planning permit process. However, we consider it would be desirable for the planning application plans for demolition in any future proposal to be as clear as possible about the extent to which the existing eastern boundary wall on this site is within the Title boundaries of this site and/or is located along the Title boundaries of adjoining properties.

CONCLUSION

118 For the above reasons, the decision of the Responsible Authority is affirmed. No permit is granted.

Rachel Naylor
Senior Member

Sarah McDonald
Member

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RED DOT DECISION SUMMARY

The practice of VCAT is to designate cases of interest as 'Red Dot Decisions'. A summary is published and the reasons why the decision is of interest or significance are identified. The full text of the decision follows. This Red Dot Summary does not form part of the decision or reasons for decision.

VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL

ADMINISTRATIVE DIVISION

PLANNING AND ENVIRONMENT LIST

VCAT REFERENCE NO. P339/2012
PERMIT APPLICATION NO. PLN 11/0665

IN THE MATTER OF ACCC Pty Ltd trading as AWC Property v Yarra City Council & Ors

BEFORE Rachel Naylor, Presiding Member
Ann Keddie, Member

NATURE OF CASE	Proposed 14 storey building comprising 10-11 storeys above an existing heritage building opposite Richmond Station
REASONS WHY DECISION IS OF INTEREST OR SIGNIFICANCE	
POLICY – interpretation or application of policy	Analysis of the tension between urban consolidation and central city policy versus the application of a heritage overlay to a small former industrial precinct
APPLICATION – significant, interesting or unusual use or development; application of policy, provision or principle; or circumstances	Consideration of railway noise impact – in this case the horns and announcements from Richmond Station Consideration of car parking provision and traffic in a compact precinct with existing parking and traffic issues

SUMMARY

This case is about the insertion of an additional 10-11 storeys above an existing 1920's manufacturing/warehouse building, located within a well defined heritage precinct, already the subject of considerable redevelopment.

The State and local planning policies are consistent in their message that the subject land is located in an area where an intensity of development is encouraged. Based on the local planning policy framework, it is our finding that the subject land is within the Swan Street Major Activity Centre. The recent inclusion of the Richmond Station precinct in State planning policy that encourages high scale and high density mixed residential and commercial developments further identifies the area around the station as one where an intensity of development is encouraged. However, this does not create a 'free-for-all' situation in regard to the height and form of development that is acceptable for this land. There are other considerations that come into play through the planning policies and controls that are relevant in this case.

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The subject land is a site with constraints as it is within a Heritage Overlay in a discrete industrial sub-precinct; and it has interfaces with a number of other properties and adjoins a major railway station, Richmond Station. This is an area where heritage is clearly manifest in its built form.

We are of the opinion new development in this small heritage precinct between Stewart and Tanner Streets should respond to the existing building form, character and heritage value of the area, and provide for a built form transition to lower scale development to the north on Richmond Hill.

In regard to railway noise, the evidence presented argued for 55 dBA as the appropriate noise level criterion to achieve in bedrooms. Given there is only about 4.5 hours during which there are limited trains and no announcements or train horns, and in light of the evidence that announcement and horn noise can be occasional, random, and annoying, we find the bedrooms should achieve an internal noise level of 50 dBA Lmax.

The evidence about traffic and parking left us with the impression that there is an issue in terms of cumulative parking and traffic impacts given the remaining future development potential that exists within this sub-precinct. If the Council does have a vision for higher density in the balance of this sub-precinct, then it should be taking a precinct wide approach to the benefits and dis-benefits of parking and traffic.

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VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL

ADMINISTRATIVE DIVISION

PLANNING AND ENVIRONMENT LIST

VCAT REFERENCE NO.P339/2012
PERMIT APPLICATION NO.PLN 11/0665

CATCHWORDS

Application under Section 79 of the *Planning and Environment Act 1987* (the Act) to review **a failure to grant a permit within the prescribed time.** Mixed Use Zone. Heritage Overlay-Schedule 332 (Richmond Hill Precinct). Clause 52.06 Car Parking. Fourteen (14) storey building. Mixed uses (ground floor commercial and 80 dwellings). State and Local Planning Policy Framework. Built form & heritage character. Streetscape. Overlooking, overshadowing, daylight. Car parking, traffic.

APPLICANT	ACCC Pty Ltd trading as AWC Property
RESPONSIBLE AUTHORITY	Yarra City Council
RESPONDENTS	A J Flude, A Marasco, R Clark, S Polan, B & L Rutter, D Butler, A Hughes, G Lacey, J Young, G Brekke, E Tzaros, P & K Franklin, L Gelsomino, B Wilson, Dr P Stahle, N Crockford, A Watkins, K Sund, D Gabbedy, B Goad, J Obst, B Batcheler, B Adair, C Berry, G Wilson, L Martin, G Prue and D Gearon
REFERRAL AUTHORITY	Director of Public Transport
SUBJECT LAND	5 & 9-13 Stewart Street, Richmond
WHERE HELD	Melbourne
BEFORE	Rachel Naylor, Presiding Member Ann Keddie, Member
HEARING TYPE	Hearing
DATES OF HEARING	14-18 & 21-23 May 2012
DATE OF DIRECTIONS HEARING	6 August 2012
DATE OF ORDER	9 August 2012
CITATION	ACCC Pty Ltd tas AWC Property v Yarra CC (includes Summary) (Red Dot) [2012] VCAT 1180

ORDER

1 Pursuant to section 127 and clause 64 of Schedule 1 of the *Victorian Civil & Administrative Tribunal Act* 1998, the permit application is amended by

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substituting for the permit application plans, the following plans filed with the Tribunal:

- Prepared by: Plus Architecture Pty Ltd
- Job No. 11321 Drawing numbers:2.12-2.19, 3.2, all revision C,
  SD 0100-SD 0101 revision 7,
  SD 0102-SD 0111 revision 8,
  SD 0112-SD 0114 revision 9,
  SD 0115 revision 12,
  SD 0200 revision 5,
  SD 0201-SD 0203 revision 4,
  SD 0300-SD 0301 revision 6.
- Plot date: 23/3/2012

2 The decision of the Responsible Authority is affirmed.

3 In permit application PLN 11/0665 no permit is granted.

Rachel Naylor
Presiding Member

Ann Keddie
Member

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APPEARANCES:

For Applicant	Mr C Wren SC of counsel, instructed by Best Hooper Solicitors (Ms T Cincotta & Ms S Raso) He called Mr Briggs, design architect of Plus Architecture to explain the plans at the start of the hearing. He also called the following expert witnesses: • Mr M Montgomery, lead visualiser of Urban Angles Pty Ltd; • Mr T Marks, acoustic engineer of Marshall Day Acoustics; • Ms A Brady, heritage consultant of Lovell Chen, • Mr M O'Dwyer, architect of H2O Architects, • Ms C Heggen, town planner of Message Consultants; • Mr J Kiriakidis, traffic engineer of GTA Consultants; and • Mr A Biacsi, town planner of Contour Consultants.
For Responsible Authority	Mr J Rantino, solicitor of Maddocks He called the following expert witnesses: • Ms R Riddett, heritage consultant of Anthemion Consultancies; and • Mr R McGauran, architect of MGS Architects.
For Respondents	Ms E Tzaros, Mr G Brekke & Mrs K Franklin appeared for Save the Face of Urban Richmond Group. They called lay evidence from Ms L Gelsomino Mr R Clark, Mr G Prue and Dr P Stahle appeared in person Mr R Clark also appeared for Mr B Batchelor and Mr D Gearon

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INFORMATION

Land Description	The review site comprises two parcels of land, 5 and 9-13 Stewart Street Richmond which occupy the southern part of the block bounded by Stewart Street, Margaret Street, Tanner Street and Stewart Place. The area of the site is approximately 1,130sqm, with frontages of 44.2m to Stewart Street, 31.9m to Margaret Street and 15.8m to Stewart Place. Two storey brick former industrial/ manufacturing buildings currently occupy the site. Immediately to the south, across Stewart Street, are the elevated platforms of Richmond station. Townhouse style warehouse conversions abut part of the site's north and west boundaries. Apartment buildings abut the site to the north and east, across Margaret Street. Some parts of these buildings are new and others utilise part of the existing heritage building stock. Upper levels are generally set back from the street edge. Heights of the newer buildings range from three to seven storeys. The low scale residential area of Richmond Hill is to the north of the former industrial precinct, across Tanner Street. The site is very well located in terms of its access to public transport, retail, entertainment and other services and faculties.
Description of Proposal	Construction of a 14 storey building comprising 10-11 storeys above the existing buildings, ground floor office and 20 seat café with dwellings on the upper levels. Car parking is provided in two basement levels and on the first and second floors, all accessed by car lifts. Vehicular access is from Margaret Street. A rooftop communal recreation area is provided for residents.
Nature of Proceeding	Application under section 79 of the *Planning and Environment Act* 1987.
Zone and Overlays	**Clause 32.04:** Mixed Use Zone (MUZ) **Clause 43.01** : Heritage Overlay (HO 332 Richmond Hill Precinct) (HO332) **Clause 45.03** : Environmental Audit Overlay

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Permit Requirements	**Clause 32.04-1**: A permit is required to use land as an office and food and drink premise (café) in MUZ. **Clause 32.04-5**: A permit is required to construct 2 or more dwellings on a lot in MUZ. **Clause 43.01-1:** A permit is required to demolish or remove, externally alter or to construct a building or construct or carry out works in HO332. **Clause 52.06-1:** A permit is required for a reduction in the required provision of car parking. **Clause 52.07:** A permit is required to waive the provision of a loading bay
Tribunal Inspection Accompanied by the Parties	16 May 2012

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REASONS

OVERVIEW

1 This case is about the insertion of an additional 10-11 storeys above an existing 1920's manufacturing/warehouse building, located within a well defined heritage precinct, already the subject of considerable redevelopment.

2 The Applicant considers that the new building not only fulfils the expectations for intensive residential development in activity centres but that it is also displays design excellence such that it will become an icon in the not too distant future.

3 Council disputes the design quality and considers that the building form is inappropriate in its heritage setting. The objectors to the application oppose the grant of a permit on a variety of grounds, all related to their primary contention that the proposal represents an overdevelopment of the site. They say the proposal does not respect its location in a heritage precinct, ignores the equitable development opportunities on adjoining sites, and has unacceptable off-site amenity impacts including overshadowing and traffic impacts.

4 The State and local planning policies are consistent in their message that the subject land is located in an area where an intensity of development is encouraged. Based on the local planning policy framework, it is our finding that the subject land is within the Swan Street Major Activity Centre. The recent inclusion of the Richmond Station precinct in State planning policy that encourages high scale and high density mixed residential and commercial developments further identifies the area around the station as one where an intensity of development is encouraged. However, this does not create a 'free-for-all' situation in regard to the height and form of development that is acceptable for this land. There are other considerations that come into play through the planning policies and controls that are relevant in this case.

5 The subject land is a site with constraints as it is within a Heritage Overlay in a discrete industrial sub-precinct; and it has interfaces with a number of other properties and adjoins a major railway station, Richmond Station.

6 This is an area where heritage is clearly manifest in its built form. We have concluded that the retention of much of the existing facades of the host buildings does not in this case justify a further 10-11 storeys on the subject land. Although by its design the tower is clearly distinguishable from the original fabric, we cannot conclude that it achieves local policy to be visually recessive and not dominate the heritage place[1]. Further, although the built form and appearance of the proposed building is separated from

[1] Clause 22.02

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the lower levels that are part of 'the significance of the heritage place'[2], we consider that the striking design and height of the building will adversely affect the physical manifestation and understanding of that significance which is so clearly evident in the precinct today.

7 We are of the opinion new development in this small heritage precinct between Stewart and Tanner Streets should respond to the existing building form, character and heritage value of the area, and provide for a built form transition to lower scale development to the north on Richmond Hill. This proposal fails in these regards.

8 The proximity of the proposed building and its impacts by way of overlooking to the east and west and overshadowing to the west were of particular concern to residents living in townhouses/apartments in Stewart Place and Margaret Street. We are satisfied the setbacks of the proposed building are reasonable, hence we do not consider they need to be increased in order to address amenity concerns or to satisfy the equitable development objective.

9 It is the findings we have made in regard to the proposal's response to the area's heritage significance, coupled with aspects of the building's design that have led us to affirm Council's decision to refuse this proposal. We are cognisant that other issues were raised during the hearing and so we have also provided findings on a number of these, in the hope that it will assist the parties in their consideration of any new planning application for this land.

BACKGROUND

10 ACCC Pty Ltd trading as AWC Property applied to Yarra City Council ('the Council') for a permit to construct a 14 storey building comprising an office and cafe on the ground floor, and dwellings on the upper levels. Notice of the application was given and the Council received 140 objections and 2 letters of support for the proposal.

11 The permit applicant then applied to the Tribunal to review the Council's failure to make a decision within the prescribed time. Subsequently, the Council decided it would have refused the application on the following grounds:

1. The height and bulk of the development is inappropriate for the neighbourhood context and fails to comply with objectives contained in policy at clauses 15.01-1 (Urban Design) and 21.05-2 (Urban Design) of the Yarra Planning Scheme.
2. The height and scale of the development will visually dominate the heritage place, which is contrary to the purpose of the heritage overlay at clause 43.01 and fails to comply with clauses 21.05-1 (Heritage) and 22.02 (Development Guidelines for Sites Subject to the Heritage Overlay).

[2] Clause 43.01

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3. The proposed development fails to adequately respond to the off-site amenity impacts on the immediate neighbours to the west through overlooking, and visual bulk by failing to comply with Objective 2.6 of the former Department of Sustainability and Environments (DSE) Guidelines for Higher Density Residential Development.
4. The development provides an excessive amount of car parking on site and is therefore not consistent with both State and Local policies relating to sustainable transport at clauses 11.01, 18 and 21.06.

12 Subsequent to the Council decision, the Applicant circulated amended plans. The amended plans reduce the number of apartments from 90 to 80; increase the setbacks from Stewart Place and Margaret Street; reduce on-site car parking spaces from 81 to 75; and increase on-site bicycle parking spaces from 29 to 123. There was no objection to the application to substitute amended plans, so we granted leave. Hence it is these plans that form the basis of our decision.

13 A considerable number of further amendments were proposed by the Applicant during the course of the hearing in response to suggestions from expert witnesses and questions of clarification that arose. We acknowledge the detail was of assistance in explaining the design and the suggested changes may create some improvements, but overall these further amendments are not sufficient. We have concluded that the proposal is not an acceptable planning outcome for this site and location. In our opinion, a more sophisticated approach is needed for the design of this site, and this involves a rethink of the whole proposal. Our reasons follow.

REASONS FOR DECISION

14 During this eight day hearing there were many matters raised in submissions and evidence. It is not our intention to deal with all of these in explaining the reasons for our decision. Rather, we have decided to focus upon those issues that have had particular influence in our consideration of the merits of the proposal and our decision to refuse to grant a permit. The issues we wish to make findings on are:

i Is the proposal supported by the planning policy framework, zone, overlay and particular provisions of the planning scheme?

ii Is the building height and form an appropriate response to its context?

15 We have also made findings on some other matters which arose during the hearing in the hope that it will assist all parties in considering any new planning application for the subject land. They are:

- The car parking and traffic;
- The noise from Richmond Station; and
- The amenity impacts.

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The Planning Policies & Controls

16 State planning policy seeks to locate new housing in or close to activity centres and at other strategic redevelopment sites that offer good access to services and transport. None of the parties disputed the fact that the subject land has excellent access to services such as Swan Street commercial centre, the parkland, sports and entertainment facilities, and public transport, particularly Richmond Station and the Swan Street tram.

17 Some of the expert witnesses described the subject land as being located within the Swan Street Major Activity Centre, but the Council officer report states the land is just to the north of the activity centre. Ms Heggen said the Planning Scheme is at best ambiguous or at worst confused, as there are two indicative but contrary maps in the planning scheme. This ambiguity or confusion is a matter of some significance in this case because a Major Activity Centre (MAC) has:

> … the potential to grow and support intensive housing developments without conflicting with surrounding land uses.[3]

18 The words "without conflicting with surrounding land uses" means that potential amenity conflicts, for example, are of lesser importance or significance in a MAC than in an area that is adjacent to the MAC. This therefore influences the weight that we can give to some of the residents concerns, so it is necessary for us to determine whether the subject land is within the Swan Street MAC or not.

Is the Subject Land in a Major Activity Centre?

19 Mr Wren explained the MSS needs to be understood by reading both the indicative maps and the associated text. Whilst clause 21.04-2 provides a broad strategic framework, the Central Richmond and Cremorne neighbourhood areas at clause 21.08 provide greater guidance by including part of the subject land (the Stewart Street frontage) within the MAC bubble. The associated text describes the Richmond Station precinct as part of the MAC as well.

20 We appreciate that this former industrial precinct does not have a visual connection with the Swan Street commercial precinct, and its distinctive built form and emerging character also differentiate it from the Swan Street commercial precinct. Hence the inclusion of this area within the MAC may not be obvious in physical terms. However, planning is not just about the physical but also about providing direction for the future and that is part of the role of the MSS. We agree with Mr Wren that the Council's local planning policy framework does include the subject land or at least parts of it within the MAC both in the conceptual maps and the associated text. Hence, it is our finding that the subject land is within the Swan Street Major Activity Centre.

[3] Extract from Clause 11.04-2 (page 10 of 21)

Retrieved from AustLII on 24 May 2022 at 13:24:51 Verify version

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21 The Tribunal is not the planning policy maker. Rather, the Council makes policy as part of its role as a planning authority. The role of the Tribunal is to consider if a policy is relevant, whether it makes sense, and whether there are any competing policies or any overriding community interest to the contrary. In this case, we find the planning policies are relevant and make sense in the way Mr Wren has explained it. We do not find there are any competing planning policies in this planning scheme about the intensity of development envisaged[4], nor any overriding broad community interest to the contrary (which is not the same as the objections by nearby residents in this case). Hence, we find we should seek to implement the policy framework that includes the subject land or part thereof in a MAC.

High Scale High Density in Richmond Station Precinct

22 During the hearing there was discussion about recent development and opportunities for further development around the subject land. This included the Applicant pointing out that the redevelopment of Richmond Station itself to a height of 20-25 storeys had been mooted.

23 After the hearing, the Minister for Planning changed the planning scheme to include a new objective and strategy in Central Melbourne State planning policy. The objective is to support Central Melbourne's capital city functions through high scale and high density mixed residential and commercial development opportunities. The strategy identifies particular locations for such development including the 'Richmond Railway Station Precinct'[5].

24 The use of the term 'precinct' suggests an area that may be broader than the station itself, however the precinct has not been defined by the Minister or the Department of Planning and Community Development. DPCD states the precinct includes publicly owned land and privately owned properties in the surrounding area, and anticipates higher scale and higher density development in this area 'will result in the critical mass needed to strengthen Central Melbourne's capital city function and private opportunities for growth and investment'.

25 We agree with Mr Wren's submission at the directions hearing we convened in relation to this change to the planning scheme that the State planning policy has heightened the opportunity for substantial growth in this area. However, we are of the opinion not all of the area around the station is or should be considered to provide the same opportunities for

[4] We also note the Council's commitment to this area forming part of the MAC is reinforced through the inclusion of this area within the draft Structure Plan for the Swan Street MAC that has been exhibited for public comment recently. However, we have not given any significant weight to this document (and, indeed, the Council did not seek to rely upon it) as it is in the embryonic stages of its potential implementation into the planning scheme.

[5] This change (Amendment VC92) occurred on 29 June 2012, after the hearing. We provided the parties with the opportunity to respond in writing to these changes and we invited the Minister for Planning to make a submission about this change. We have taken the written responses received into account.

Retrieved from AustLII on 24 May 2022 at 13:24:51 Verify version

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growth. Indeed, this is reflective of the variety of built form which exists in the central city itself as it is not all the same in terms of scale or character.

26 Clearly strategic structure planning will need to be undertaken to define the extent and characteristics of the precinct. We agree with Mr Wren the Council and DPCD might like to revisit the draft Swan Street Structure Plan as part of any structure planning exercise. We are not persuaded the identification of this precinct in the State planning policy means the Council's desire to have an individual identity for Richmond cannot be achieved. Nor does it mean the areas of historic significance around Richmond Station that are recognised through the imposition of a Heritage Overlay can be ignored. In our opinion such characteristics can be incorporated into the future strategic planning of the precinct. For example, there are large areas of under-developed land along Swan Street and Punt Road immediately adjacent to Richmond Station that offer significant opportunities for substantial growth.

27 Hence, it is our finding that this change to State planning policy does not negate the need to consider the development opportunities in light of the particular context of the subject land, including its physical context and the relevant planning controls.

The Intensity of New Development

28 Whilst we have found the subject land is part of the MAC and State planning policy now specifically encourages an intensity of development in this area, this does not mean that there is a 'free-for-all' in regard to the intensity of new development on the subject land. We acknowledge the land is considered to be a strategic redevelopment site despite it not being specifically identified as such in the MSS; and such sites are earmarked as preferred locations for 'the majority of new development'. Nevertheless there are also other considerations that come into play through the planning policies and controls that are relevant in this case. We agree with Mr Rantino's submission that justifying the built form by achievement of urban consolidation and increased housing choice is only one side of the policy ledger.

29 The subject land is within a Mixed Use Zone, a zone which forms part of the suite of residential zones found in the planning scheme. The site is also affected by a Heritage Overlay. The form and scale of any development must respond to these controls as well as the built form policies in the planning scheme and the physical context of the subject land and its surrounds.

30 In regard to the other built form policies in the planning scheme, the Yarra Planning Scheme seeks to protect valued character, including its identity as a low-rise urban form with pockets of higher development, and its heritage places. This area is one such heritage place.

Retrieved from AustLII on 24 May 2022 at 13:24:51 Verify version

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Physical Context of the Subject Land

31 This brings us to Council's view that the proposal fails to respond sufficiently to its context and is therefore not acceptable. In our view, any development, in or out of an activity centre and the central city, should respond to its particular context.

32 In regard to the surrounds, we note a considerable amount of redevelopment has already taken place within this heritage precinct. However, there remains scope for the provision of further housing on sites in the immediate area, both to the west of Stewart Place and to the east near Wangaratta Street. Further to the south, much of Cremorne is identified for redevelopment, and there are also significant, and in our opinion far greater development opportunities on sites on both the north and south sides of Swan Street at the intersection with Punt Road.

33 All of this paints a picture of an area that is undergoing change and this change is already evident between Stewart and Tanner Streets with a number of properties featuring new buildings or additions to former industrial buildings. However, the subject land is constrained by its location within a Heritage Overlay in a discrete and particular industrial sub-precinct; and by its interfaces with a number of other properties, all of which have been developed or redeveloped in recent years for primarily residential purposes.

Higher Development

34 Reference was made during the hearing to clause 21.05 of the MSS and strategy 17.2 that states in part:

> Development on strategic redevelopment sites or within activity centres should generally be no more than 5-6 storeys unless …

35 This is the only reference to a specific building height in clause 21.05 and there is no other such reference to building height in the balance of the local planning policy framework. It must be remembered that strategy 17.2 falls within clause 21.05-2 that relates to urban design and contains the following opening sentence:

> Looking at the built form of the whole municipality, a clear picture emerges of a low-rise urban form punctuated by pockets of higher development.

36 This clause then sets out seven objectives to be achieved, including objective 17:

> To retain Yarra's identity as a low-rise urban form with pockets of higher development.

37 Hence, we find the local planning policy framework envisages that there will be circumstances where new tall buildings (including development higher than 5-6 storeys) may be permitted. We also note that the Landmarks and Tall Structures local planning policy at clause 22.03

Retrieved from AustLII on 24 May 2022 at 13:24:51 Verify version

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includes a policy that acknowledges the possibility of new tall buildings as well.

38 The physical context of this area already contains some buildings that exceed the building height nominated in strategy 17.2. We find this area clearly presents as a distinct precinct that contains buildings that have always been taller than the predominant one to two storey scale found in the residential hinterland to the north. In some cases, they are taller than the nominated 5-6 storey height range. As such, this precinct is already one of the 'pockets of higher development' referred to in the policy framework. Given the recent change to State planning policy, the Richmond Station precinct is likely to further develop as one of the pockets of higher development in the municipality.

Heritage

39 Mr Rantino identified the following 'guiding principles' from the heritage policies and Heritage Overlay in considering whether the proposed development has adequately responded to the heritage considerations:

> 'Conserve and enhance' (Clause 43.01) the 'distinctive' and visually related group of externally well preserved factories and warehouses (statement of significance) for the sub-precinct;
>
> 'Protect the heritage skyline of [the] heritage precincts' (Clause 21.05-1);
>
> 'Protect buildings and streetscapes and heritage significance from the visual intrusion of built form' (Clause 21.05-1 Strategy 14.6);
>
> 'Conserves the historic fabric and maintain the integrity' of the heritage precinct (Clause 22.10).

40 We agree the heritage considerations are important in this case as the intensity of development expected and sought for locations such as this need to be balanced with the significance of this heritage place.

The Design Response

Response to Heritage Significance

41 The site is within Heritage Overlay HO332, the Richmond Hill Precinct. This precinct is further divided into sub-precincts[6]. The subject land and surrounds are contained within the 'south industrial sub-area' circumscribed by the rear of the Punt Road terraces, and Tanner, Wangaratta and Stewart Streets. The statement of the sub-precinct's significance includes the following:

- As a distinctive and visually related group of externally well preserved factories and warehouses, associated with the growth of the clothing manufacturing industry in the City, dating from the early decades of the twentieth century and symbolic of

[6] City of Yarra Review of Overlay Areas, 2007. Graeme Butler and Assoc.

Retrieved from AustLII on 24 May 2022 at 13:24:51 Verify version

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Richmond's special role in the development of key manufacturing centres in the first half of the twentieth century

- For the precinct's strategic location, next to major transport links (railway, Punt Road) and the resultant distinctive angled siting of key buildings to face the railway.

42 As we have already noted, planning policies seek to protect and enhance the City's heritage places, support their restoration, and amongst other things, seek to protect the heritage skyline and subdivision patterns and protect buildings, streetscapes and precincts from the visual intrusion of built form.

43 Our observation is that, somewhat unusually, this precinct clearly demonstrates its heritage to the passer by. The retention of significant proportions of the industrial building fabric has retained and reinforced the remnant heritage evident along all of the streets within this sub-precinct. The subdivision pattern and hard edged buildings speak to a history of manufacturing and warehousing. The extent of remaining fabric and the precinct's discrete area reinforce its cohesion, readily apparent on inspection from any of the streets within the sub-precinct. This is an area where its heritage is clearly expressed in the built form.

44 The strong curve and uniformity of façade heights along Stewart Street as it follows the long wall of the railway reserve reinforces the cumulative impact of this built form. A further clearly visible characteristic is the angled setbacks of the higher portions of the original buildings facing the railway above the Stewart Street facades.

45 The proposal minimises the demolition of the existing external fabric by retaining and restoring the Stewart Street façade and retaining part of each façade that turns down the side streets of Stewart Place and Margaret Street. Both the heritage experts (for the Council and the Applicant) agreed that an approach which largely retains (and restores) the exterior of the existing building is the correct one. Both emphasised the importance of retaining fabric to Stewart Place and Margaret Street.

46 The substituted amended plans propose minimal alteration to existing openings in the façades to be retained. However, Mr Dwyer suggested that increased openings to the street would benefit the operation of the café; and both Mr Biasci and Mr McGauran suggested improving the pedestrian entry from Margaret Street. Ms Heggen acknowledged these changes could be made but pointed out such changes would need to be assessed in terms of their potential impact on the heritage significance of the facades to be retained and of the sub-precinct. We agree, and thus we make no finding on the appropriateness of the suggested changes.

47 Ms Riddett's evidence was that the planning scheme places constraints on development in places where heritage values are seen to be important. Her opinion was that the 'over-scaled and dominant' proposed new building would adversely affect the heritage precinct by its change in scale. In her view, the lower scaled redevelopments in the immediate area are more in accord with the expectations of planning policy.

Retrieved from AustLII on 24 May 2022 at 13:24:51 Verify version

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48 Ms Brady, on the other hand, stressed that very limited views of the new building would be available from within the heritage precinct due to the existing built form. She said that the visibility of the new building from further away is of less concern than that from the immediate streetscapes within the heritage precinct. The retention of most of the host building would continue to 'tell the story' of the significance of the precinct. Her evidence was that the proposal illustrates the tension which exists between new development and the retention of 'heritage fabric and character'. She considers that the impacts on the significance of the heritage precinct are within an acceptable range.

49 We however, are not persuaded that the retention of much of the existing facades is sufficient in this case to justify an additional 10-11 storeys above the existing building on the subject land.

50 In Mr O'Dwyer's design evidence, he emphasised what he considers to be the 'iconographic' nature of the design. This future prominence of the new building as an icon was put as a positive outcome of this proposal. In contrast, Mr McGauran attributed what he saw as a 'dominant' form to its incongruity within the precinct, the absence of a legible setback from Stewart Street, and the lack of a visual break between the old and new parts of the building.

51 We agree with Mr O'Dwyer that the proposed building will be prominent in this location. Indeed it will be highly visible from within the Richmond Hill Precinct, particularly from the more northerly parts, as well as from Punt Road and Brunton Avenue. Although by its design the tower is clearly distinguishable from the original fabric, we cannot conclude that it achieves local policy to be visually recessive and not dominate the heritage place[7]. Further, although the location, built form and appearance of the proposed building is removed from the lower levels that relate to the significance of the heritage place'[8], the striking design and height of the building will adversely affect the physical manifestation and understanding of that significance which is today so clearly evident in the precinct.

52 Thus we find that the proposal, by its appearance and height is not 'in keeping with the character and appearance of adjacent buildings and the heritage place'[9].

Building Height

53 Mr Rantino stated if the proposed building was approved, it would be the tallest building in the municipality. Ms Heggen disputed this and tabled the structure plan that applies to the Nylex sign and a permit in Cremorne. Both envisage similar heights to this proposal. Her evidence was that, as the proposed building is on a site at the southern 'edge' of the Richmond Hill Precinct, it has similar attributes to those developments in Cremorne

[7] Clause 22.02
[8] Clause 43.01
[9] Clause 22.02

Retrieved from AustLII on 24 May 2022 at 13:24:51 Verify version

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which edge the Monash Freeway. Nevertheless, there was no dispute between the parties and their expert witnesses that the proposed building would be taller than any of the other buildings in this industrial precinct. Mr McGauran stated the proposal is about 22 metres higher than the apartment building at 1 Margaret Street and about 10 metres higher than some of the development in Tanner Street.

54 We acknowledge the proposed tower is different in both density and form from that which is generally found in this area. However, the planning policies call for and expect change to occur in this area because of its inclusion in the Major Activity Centre and the recent change to State planning policy to encourage an intensity of development in the Richmond Station precinct.

55 Some witnesses referred to the Swan Street Structure Plan[10] which contemplates built form of 7-10 storeys between Stewart and Tanner Streets. We have already explained why we have given this document limited weight (in footnote 4). We note also that the document is an urban design exercise and it is unclear to what extent it has considered the implications (if any) of tall buildings on identified heritage significance.

56 Whilst we accept that there are circumstances where higher buildings can be accommodated in heritage areas, we have concluded that new development in this precinct between Stewart and Tanner Streets should respond to the existing building form, character and heritage value of the area, and provide for a built form transition to lower scale development to the north on Richmond Hill. The Yarra Planning Scheme specifically identifies protection of 'heritage skyline'[11] and protection from the "visual intrusion" of built form[12] within heritage areas.

57 The Tribunal has on many occasions observed that the strategic imperative to provide housing does not override other considerations. Council considers that the proposal is an inappropriate response to the site, and not just on heritage grounds. There was much discussion at the hearing regarding the retention of Yarra's identity as 'a low rise urban form with pockets of higher development' where strategic development sites should be in the order of 5-6 storeys unless particular benefits can be demonstrated, such as:

- Significant upper level setbacks
- Architectural design excellence
- Best practice environmental sustainability objectives in design and construction
- High quality restoration and adaptive re-use of heritage buildings

[10] David Lock and Associates March 2012- 'revised' draft released for public comment May 2012
[11] At Clause 21.05-1
[12] ibid strategy 14.6

Retrieved from AustLII on 24 May 2022 at 13:24:51 Verify version

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- Positive contribution to the enhancement of the public domain
- Provision of affordable housing

58 Whereas the Applicant argued that the proposal directly addressed each of the above[13], Council disagreed. Mr McGauran's evidence was that the site was not a 'gateway' as it is not freestanding and is located mid-block. He also said the proposal had inadequate setbacks, which in combination with the proposed height resulted in unacceptable off-site amenity impacts, in particular to the pedestrian realm. Interfaces to both the base building and adjoining residential development had been poorly resolved. The proposal could not be said to have achieved design excellence in its planning, external composition or ESD provisions. Nor had it made a contribution to the public realm.

59 Having regard to this evidence and the constant flow of amended or explanatory documents presented during the course of the hearing, we are of the view that the design of the building is unresolved. The basis of Mr O'Dwyer's assurances regarding its design excellence was not evident from the documentation before us. In a precinct characterised by 2-6 storey early 20th century buildings with contemporary additions above and set back, the design incorporates a saw tooth façade to the north, a curved wall to the north west, a column to the west, various setbacks to the south, and a largely flat façade to Margaret Street. It is the combination of this fractured design typology with the material selection, setbacks and height which results in the proposal's unacceptability in this location.

60 There were statements by various experts and submitters about what the building height should be, for example Mr McGauran suggested 6-7 storeys with possibly an additional two levels on the north side subject to the quality of the design resolution. We have not turned our minds to what precise height a building on this site should be because we agree with Mr McGauran that it is the quality of the design resolution that will, in part, determine whether a building height is acceptable or not on the subject land. However, it is clear that the surrounding redevelopments of heights in the order of 6-7 storeys have had more regard to the existing built form character of the area and have contributed to the establishment of a new character that generally utilises the solid heritage base with contemporary additions above. Whilst employing differing design treatments, none seek to dominate the precinct.

61 We think the success or appropriateness of these redevelopments has been achieved by employing an appropriate scale and setbacks, and by the selection of materials that are 'well mannered' in the context. We do not agree with Mr Biasci that the building's wide variety of façade treatments diminishes its overall mass and stimulates visual interest. Rather, for the reasons we have outlined above, we have come to the conclusion that the

[13] Refer to Mr Biasci's evidence report at para 60

Retrieved from AustLII on 24 May 2022 at 13:24:51 Verify version

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proposed 'signature' or iconographic building does not achieve an acceptable planning outcome on the subject land.

Setbacks

62 Another aspect of the design which concerns us is the footprint of the new building on the old. Mr McGauran expressed dissatisfaction with the treatment of the junction between the existing and new parts of the building and the various street setbacks. He said that the design failed to adequately to distinguish the two parts of the building, and that the proposed setbacks adequate to provide a legible differentiation between the two.

63 Setbacks vary around the building. Along Stewart Street, the glazed east and west corner treatments at level 3 appear from the elevation to partially address Mr McGauran's concern and separate the new and old parts of the building. However, it seems from the photomontage that this separation will only be apparent to those on the railway station platforms as it cannot be read from ground level. The setbacks vary between 4 and 6 metres in what appears to be a somewhat random manner, confused further by the 1.7 metre high privacy screens running between the planter and the front façade (not shown clearly on the elevations) that would be seen from the street. It is our view that this interplay between old and new has not been designed in a satisfactory manner.

64 In our opinion, setbacks along Stewart Street which reflect the angled setback pattern identified as part of the distinguishing heritage characteristics of the precinct, successfully incorporated into other redevelopments, would be a more appropriate response to context.

65 Ms Heggen suggested that the interface with Stewart Place would be improved by cutting back the projecting north and south walls to within half a metre of the face of the building, leaving the balconies projecting towards the street. From level 4 and above, dark full height movable louvred screens would enclose them to provide sun screening, with a fixed section along the northern edge preventing overlooking of the upper floor balconies of 1-7 Stewart Place. We agree that these changes would improve this interface but we think a setback of 3 metres to the face of the screens would be a more acceptable interface.

66 There was considerable discussion at the hearing as to the effect that the curved, north west upper portion of the building would have on 1-7 Stewart Place. In regard to the setback from the north boundary with 7 Stewart Place, we are of the view the majority of this interface is not sensitive as it features a solid boundary wall. Hence, we think there is further opportunity to build closer to the majority of this boundary as part of any new design for the land. For reasons we will come to, we have concluded that a setback of 2-3 metres from the rear (east boundary) of 3-7 Stewart Place would result in an acceptable outcome, as the principal private open space to these dwellings is the balconies to the west. We are satisfied that screening devices can minimise any direct overlooking impacts.

Retrieved from AustLII on 24 May 2022 at 13:24:51 Verify version

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67 The north facing sawtooth section of the proposed building has elements set back between 1.5 and 4 metres from the northern boundary. Despite this optimal northern orientation, all apartments have inboard bedrooms and narrow north-south balconies. We note that the design of the 3 storey recently constructed apartments to the north effectively turns its back on the subject land. As such, there would not appear to be any significant impediment to building closer to this boundary, and an improved apartment and balcony layout might be devised on the subject land as a result.

68 The setbacks of around 3 metres to Margaret Street reflect those existing on the other side of the street, although with less variation. These are acceptable.

Equitable Development

69 The Guidelines for Higher Density Residential Development[14] (The HD Guidelines) contain an objective to ensure areas can develop with an equitable access to outlook and sunlight. This objective for 'equitable development' leads to a consideration as to the appropriate set back between buildings, having regard to access to outlook, daylight access and privacy for residents plus sunlight to adjoining private open spaces of dwellings.

70 Mr Prue stated that he wished to retain his development rights. As we see it, the properties surrounding the subject land have all been redeveloped in recent times to create townhouses or apartments. As such, we are of the view any further development of these properties in the short and medium term is unlikely. For example, Mr Prue's warehouse conversion into a townhouse style of development has potential to go up higher in terms of the number of storeys but, without consolidating his land with his neighbours at 1-7 Stewart Place, there is insufficient land for any significant change to this interface.

71 The proximity of the proposed building and its impacts by way of overlooking to the east and west and overshadowing to the west were of particular concern to residents living in townhouses/apartments in Stewart Place and Margaret Street. For reasons that we will come to, we are satisfied these impacts are reasonable in this case, hence we do not consider there needs to be any further changes to the setbacks in regard to the equitable development objective.

Conclusion

72 The findings we have made in regard to the building's response the heritage significance of the precinct, coupled with aspects of the design discussed above are the primary reasons why we have decided to refuse this proposal. There are a number of other issues that were raised during the hearing. In the hope that it will assist the parties in their consideration of any new

[14] DSE 2004. A reference document in the planning scheme providing guidance for the design of buildings over 4 storeys in height.

Retrieved from AustLII on 24 May 2022 at 13:24:51 Verify version

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planning application for this land, we have also provided findings on some of these issues.

The Amenity Impacts

Noise from Richmond Station

73 The HD Guidelines acknowledge the need to consider external noise sources. Richmond Railway Station is located directly opposite the south side of the subject land. It contains 5 dual platforms, with platforms 9 and 10 closest to the subject land. In the Dimmeys decision[15], the Director of Public Transport advised that Richmond Station is the busiest metropolitan railway station apart from the City Loop. It services the Burnley, Frankston, Cranbourne and Sandringham rail corridors as well as diesel passenger and freight trains.

74 Marshall Day Acoustics submitted an acoustic report as part of the planning application which:

a made reference to previous VCAT decisions dating back to 2002 and 2003;

b measured the background noise level at 79 dBA Lmax; and

c recommended acoustic glazing primarily to the south facing living and bedroom windows to achieve internal noise levels of 60 and 55 dBA Lmax respectively.

75 SLR Consulting Australia Pty Ltd peer reviewed this report for Council. It questioned (amongst other things) where and at what height the background noise levels were measured; and why the report contained no reference to the Dimmeys VCAT decision that recommended an internal bedroom noise level of 50 rather than 55 dBA Lmax.

76 Mr Marks of Marshall Day Acoustics gave evidence at the hearing. He expressed disappointment with the Dimmeys decision (he gave acoustic evidence in that case) and said that he remains 'still quite firm' that 55 dBA is the appropriate criterion for bedrooms. He stated at 55 dBA there is a 2% chance of an awakening event and the likelihood is 0%; and at 50 dBA there is a 1% chance of an awakening event, hence a requirement for an internal noise level of 50 dBA is unnecessary. He said that a result of such a low internal noise level is to increase awareness of any noise coming from adjacent apartments. In addition, the cost impost of requiring 50 dBA rather than 55 dBA is 'significant and onerous' having 'a significant adverse effect'. We presume he meant a significant adverse effect as it relates to the cost to the developer.

77 Because of the queries raised in the peer review about the background data, the Tribunal requested Mr Marks to obtain (over a lunch break) the background noise level measurements obtained by his office. The data

[15] *Richmond Icon Pty Ltd v Yarra CC* (includes Summary) (Red Dot) [2011] VCAT 2175

Retrieved from AustLII on 24 May 2022 at 13:24:51 Verify version

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provided demonstrated that the background noise level used in the Marshall Day Acoustics report was incorrect. Mr Marks quite rightly advised us of this after lunch and then corrected his evidence based on a background noise level of 83 dBA Lmax (rather than 79 dBA Lmax).

78 We have given Mr Marks' evidence in this case limited weight because the background noise level relied upon in his expert evidence was incorrect. The acoustic shielding required to the living rooms and bedrooms will need to be increased by an additional 4 dB beyond that recommended in the evidence report. Indeed we note the increase of 4 dB is almost the amount which he had suggested to us would lead to a 'significant and onerous' cost implication. Council cross-examined Mr Marks on this point. He explained that the extra cost occurs because of the need to upgrade the glazing for the bedrooms (or apartments where bedrooms open onto living rooms) that are exposed to the railway. Changes to the other internal/external materials would not be required.

79 The background noise measurements revealed that it is the noise from station announcements and train horns that has caused a background level (83 dB) that is 1 dB higher than that recorded at Dimmeys (82 dB). Mr Marks described this noise as occasional, random, and annoying, but one which is more easily attenuated than the low frequency noise caused by trains running along railway tracks. We asked Mr Marks about the noise levels based on the train timetable for the Belgrave train that uses platforms 9 and 10 closest to this site. The timetable suggests on a Friday night/Saturday morning the last train through Richmond Station is listed at 1.12am and then the first train on Saturday morning is listed at 5.41am. Mr Marks had no specific knowledge of the times of the trains travelling through the station and said the background noise measurements showed no evidence that announcements or train horns have a lowered audibility at such times. Given there is only about 4.5 hours during which there are limited trains and no announcements or train horns, and in light of Mr Marks' view that announcement and horn noise can be occasional, random, and annoying, we find the bedrooms should achieve an internal noise level of 50 dBA Lmax.

Visual Bulk, Daylight and Overlooking to Western Properties

Visual Bulk

80 The scale of the proposed development will change the outlook for the neighbouring properties to both the west and east. As we have found the subject land and indeed surrounding land is included within the Swan Street and Richmond Station MAC and given the recent change to State planning policy about the Richmond Station precinct, an increase in building scale in the form of an apartment building sitting above the heritage building base is appropriate. As such, there will be a visual bulk impact upon the neighbouring properties that will be greater than in areas outside a MAC, and this impact is acceptable given the planning policy context that applies.

Retrieved from AustLII on 24 May 2022 at 13:24:51 Verify version

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Daylight

81 Having inspected each of the townhouse style dwellings at 1-7 Stewart Place, it is clear that the rear light court is important. It provides daylight and ventilation to all levels, and is particularly important to the rear rooms in the lower levels of these dwellings. Mr Clark suggested a greater setback of the lower levels of the new building is needed in order to retain an appropriate level of amenity into their dwellings. He referred to an additional small setback of around 1-1.5 metres at second floor level[16] that is incorporated in the new apartment building to the north of the subject land as an example of what they would like. However, we are persuaded by the expert evidence that a reasonable level of light will be maintained into this light court with the design as proposed, or possibly a lesser setback of 2-3 metres for the following reasons:

- The intensity of development encouraged by planning policy means that a high degree of change is anticipated and this will inevitably create some impacts upon neighbouring properties.
- The test to be applied is not sunlight into rooms, but daylight into rooms. The HD Guidelines suggest spacing between building to provide daylight access. Ms Heggen pointed out the existing light courts have dimensions of around 1 metre by 3 metres and this is already sufficient for daylight access.
- Whilst there will be some new shadow cast in the morning into parts of these light courts, this impact does not result in an unacceptable impact on access to daylight.

82 The residents said they were confused as to whether or not the boundary wall of the existing building on the review site would remain. This is important to them because efforts have been made to integrate this wall into their residential conversions by placing art/sculpture or landscaping on it and by attaching balconies to it.

83 Ms Heggen expressed the view the boundary wall should stay as it forms part of the amenity of this rear boundary, as well as performing a functional role with the balconies and other features attached to it. We agree, should its retention be possible. However, the Applicant explained that the part of the wall that is on the title of the subject land will need to be removed for structural reasons. The part of the wall affected is generally located at the rear of 5 and 7 Stewart Place. Mr Wren advised the Applicant is willing to reinstate the balconies of 5 and 7 Stewart Place as part of the proposed development. If there are structural issues with the retention of this wall, then we think the Applicant's solution is appropriate.

[16] We were provided with the plans of this development that illustrate a setback of 1-1.2 metres (it is not dimensioned).

Retrieved from AustLII on 24 May 2022 at 13:24:51 Verify version

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84 Mr Clark expressed concern about the potential loss of an existing window in the boundary wall to the rear of Mr Batcheler's property at 3 Stewart Place, as it has been integrated into a balcony style outdoor space with landscaping. Mr Wren and Ms Cincotta provided extracts from other legislation to support the Applicant's view that there is no legal right to the maintenance of this window. Mr Wren advised the window at the rear of 3 Stewart Place can remain, but will do so with a wall built behind it. We agree with Mr Rantino's observation at the end of the hearing that it is up to the parties to resolve this legally outside of this planning application. If the Applicant has the legal right to build up against this window, then it can happen.

Overlooking

85 The HD Guidelines contain an objective to maximise residential amenity through the protection of privacy within the subject land and on neighbouring properties. The associated design suggestion refers to minimising the potential for overlooking and the accompanying text suggests existing dwellings be protected in accordance with the requirements of clause 55. The clause 55 objective is to limit views into existing secluded private open space and habitable room windows.

86 What this all means is that it is not the intent to prevent all views from the proposed development into neighbouring residential properties but rather minimise or limit the potential for views. Hence, we have confidence that any new design including one which may bring the building closer to the dwellings at 1-7 Stewart Place can minimise or limit the potential for overlooking by the way in which the proposed dwellings are oriented and/or suitably screened.

Substation

87 The substation is shown on the plans in the northwest corner of the subject land, next to 7 Stewart Place. The location of the substation was a concern to the residents of 1-7 Stewart Place, particularly Mr Prue and Mr Clark. Before the hearing these residents circulated an expert witness statement by Mr Melik, an electrical engineer, in regard to electro-magnetic impacts. At the start of the hearing, Mr Clark advised they would not be calling Mr Melik, but sought to rely upon his statement. Mr Wren opposed this and referred to Tribunal decisions about telecommunications towers where the health risks of electro-magnetic radiation were deemed inadmissible. We agreed with Mr Wren and ruled, as per his request, that the internal configuration of the substation room is not a relevant planning consideration having regard to the issue of electro-magnetic emissions.

88 We dealt with this matter orally at the start of the hearing, but we note it was a matter of specific concern to Mr Prue who was not present to hear the reasons for our ruling. Hence, we wish to provide a brief explanation of our reasons. Whilst we acknowledge this concern, we are bound to consider the merits of a proposal having regard to the relevant standards that apply.

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These standards are set by the Government, not by this Tribunal. There is an Australian Standard that sets out maximum human exposure levels to electro-magnetic emissions; and we adopt the findings of Deputy President Gibson in *Heland Pty Ltd v Kingston CC* [2005] VCAT 2927:

> It is not for the Tribunal to question such standards. In making decisions and imposing conditions the Tribunal should accept standards that are set by relevant Government agencies responsible for controlling the matters addressed by the standards and should not look behind them.

89 If there are negative health effects associated with the substation, it is up to the laws of the land to deal with the issue. It is not the role of the Tribunal to make the law; that is a matter for the Governments of Australia. Rather, it is the role of the Tribunal to apply the law, which includes the standards set by Australian Government agencies. In this case, Mr Melik's statement makes it clear the standard is met. As such, this is not a reason why this proposal should be refused.

90 We made it clear to Mr Clark after making our oral ruling that whilst we could not consider the health effects of the substation, we could consider the appropriateness of the proposed location of the substation as part of our consideration of the merits of the design of the proposal.

91 Mr Clark and the other residents of 1-7 Stewart Place suggested in their submissions that the substation be relocated to the Margaret Street side of the building. At the end of the hearing, Mr Wren tabled a plan suggesting the substation be relocated further to the south, immediately to the north of the ground floor office. From a planning and urban design perspective, either location would be acceptable having regard to the design of the proposal. However, given Mr Prue's concern, if the Applicant can relocate it we consider such a solution would be acceptable.

Sunlight to Properties on the east of Margaret Street

92 We received a number of submissions from residents of apartments on the opposite (east) side of Margaret Street expressing concern about the overshadowing from the proposed building. Ms Gelsomino provided us with an explanation of her particular concerns given her personal circumstances. Whilst we acknowledge her submission, we cannot give it greater weight than that afforded by the planning scheme in our consideration of the merits of the proposal. The planning scheme contains design standards and these must be applied to achieve acceptable outcomes, not the best or optimal outcome. The outcome may indeed not be the best or optimal outcome for an individual.

93 An objective of the HD Guidelines is to provide an equitable access to daylight and sunlight with design suggestions that seek to maintain daylight into dwellings and sunlight into private open space. Hence, in terms of equitable access, the Guidelines provide a distinction in the amenity to be maintained in nearby properties as the maintenance of sunlight into

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apartments is not an expectation of the Guidelines. However, sunlight into private open space is an expectation, which brings into question the shadow impact upon the west facing balconies of the apartments at 1 Margaret Street.

94 The shadow diagrams circulated with the substituted amended plans illustrate the proposed building will cast a shadow at 3pm on the September Equniox. The St Four Group suggested the extent of the illustrated shadows is wrong because of a photograph they had taken of the existing shadow cast across Margaret Street being different to that shown in the shadow diagrams. However, it must be remembered that there is a difference in the shadow cast at the March and September Equinox periods as the March period is during daylight saving time.

95 During the hearing, we requested the Applicant provide a section of the shadow cast onto 1 Margaret Street as the substituted amended plans show the shadow effectively hitting the ground whereas, in reality, the shadow will climb the wall of the 1 Margaret Street apartment building. The information subsequently tabled later in the hearing illustrates there will be a number of balconies in shadow from the 1 Margaret Street building itself until about 1.00pm, and then by the proposed building at 3.00pm. So the question for us is whether the reduction in sunlight to approximately 1-2 hours in the afternoon at the September Equinox is acceptable.

96 Ms Heggen gave evidence that it is acceptable because these apartments are separated from the subject land by the width of Margaret Street, their existing set back, as well as the proposed set back of the new building. She also stated it is acceptable because of the development potential of this site as recognised by the Council's draft Structure Plan reference to up to 10 storeys, Mr McGauran's suggested building height of 7-9 storeys, and her support for 13-14 storeys.

97 We have already found the building height needs to be reduced for other reasons, but it may well be that a new building on this site could be at least 6-7 storeys (like other existing buildings in this precinct) and hence such a height will cause shadow impacts on 1 Margaret Street. Further, the subject land and 1 Margaret Street are within the Swan Street MAC, where a higher intensity of development is encouraged. Given these factors, we find the shadow impact is acceptable.

Internal Amenity

98 Council was critical of aspects of the internal configuration of the building. Mr McGauran suggested various amendments to the plans including relocating lifts to provide improved access to them, improved pedestrian access from Margaret Street, the introduction of natural light and ventilation to corridors, and improvements to the width and configuration of access to apartments. Ms Heggen was generally satisfied that a number of aspects of the design that Mr McGauran saw as reducing amenity in apartments which have deeply inset bedrooms and small balconies were adequately

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compensated by the locational advantages of the site and proposed communal open space on the rooftop. Mr Kiriakidis suggested improvements to the car lift access and had suggestions about the provision of disabled parking. The Tribunal queried whether the amenity of some apartments is compromised by the irregular room shapes resulting from the form of the building; constrained arrangements for service areas and internal corridors; and the orientation and size of balconies.

99 The Applicant produced various documents throughout the hearing which sought to address these deficiencies in the design. However, as we have concluded for other reasons that a permit should not issue, the design will need to change. This is an opportunity to review the various matters raised regarding the internal amenity of the proposal.

Car Parking and Traffic Management

100 All the parties agreed that this area on the north side of Richmond Station is heavily utilised in terms of on-street parking and has the flow on traffic effects associated with this. There was dispute between the parties as to what car parking should be provided on the subject land.

101 The Applicant proposes to provide 75 car spaces comprising 3 office spaces, 1 café space and 74 residential spaces[17]. The Council wants 49 residential car spaces comprising 1 space for each 2 and 3 bedroom apartment and 0.12 visitor spaces per apartment. Dr Stahle said the car parking should meet the planning scheme requirements. The St Four Group stated any increase in residents in this area will create parking, traffic and safety concerns. However, in a practical sense, the St Four Group acknowledged any development on the subject land will and should provide some parking. They suggested capping the parking to the standard rates (residential and visitor) for the total number of dwellings in the lowest three residential levels of the new building regardless of the overall building height.

102 There was no dispute between the Council and the Applicant about the provision of car parking for the office and café components of the proposal and the residents' submissions focussed upon the overall effects of more cars in the area and the provision of residential parking, hence we do not intend to make any findings about the commercial car parking provision.

103 All the parties were in agreement that the residential car parking required by the planning scheme[18] should be reduced. We agree with this, so the question is the number of car spaces that should be provided and how they should be allocated between residents and visitors.

[17] There was discussion during the hearing about some changes to the car park layout that may slightly reduce the residential parking component, but for the purposes of our findings we have decided to refer to the number of spaces contained in the substituted amended plans.
[18] After the hearing the car parking requirements changed as a result of the introduction of a new clause 52.06. We have provided the parties with the opportunity to respond in writing to these changes and we have taken these written responses into account.

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104 In regard to Council's suggested car parking provision, Mr Rantino emphasised the State planning policies about promoting alternatives to reduce private motor vehicle use, particularly in proximity to a MAC. He stated such policies need to be consistently applied, and we agree with this. However, we expressed some doubt as to whether the Council itself is being consistent and contrasted this proposal with the Dimmeys development as an example. In the Dimmeys case, the Council supported just over one car space for each one and two bedroom dwelling and no visitor car parking. Mr Rantino acknowledged the differences but explained this is what the Council wants in this case[19].

105 The Applicant relied upon the evidence of Mr Kiriakidis to support its car parking provision and the resultant traffic impacts upon the surrounding road network. Overall, we are not persuaded by Mr Kiriakidis' evidence and this is due to a number of matters identified predominantly through the cross-examination by the Council and the St Four Group.

Resident Parking

106 Clause 52.06 requires 89 resident car spaces based on one space for 1-2 bedroom dwellings and two spaces for 3 bedroom dwellings. Mr Kiriakidis gave evidence the ABS Census 2006 reveals car ownership of an average of 0.8 spaces per dwelling based on the following:

One bedroom	0.68 per dwelling
Two bedroom	0.90 per dwelling
Three bedroom	1.00 per dwelling

107 These car ownership rates equate to 64 resident spaces for this proposal, which is less than the 71 car spaces proposed. However, the cross-examination by Council and the St Four Group casts some doubt in our mind as to whether this empirical data can be relied upon:

- The census data was for the whole suburb of Richmond and Mr Kiriakidis did not know if the access to public transport is comparable between this suburb and the subject land[20];
- Mr Kiriakidis acknowledged the downward trend of car ownership is not evident in the 2001-2006 Yarra data provided in the hearing;

[19] There was discussion during the hearing about a concurrent hearing for a development on the south side of Swan Street, in Punt Road Cremorne. In that case for an 8 storey building with both resident and visitor on-site parking, we note the Tribunal stated at paragraph 73 of its decision (*A Genser & Associates (Aust) Pty Ltd v Yarra* CC [2012] VCAT 695) that the Council was not opposed to the adequacy of the on-site parking provision. Such provision is different and not consistent with the position of the Council in this case, albeit we note both sites arguably have similar alternative transport attributes.

[20] Mr Kiriakidis' statement was made after Mr Rantino referred to Council's Central Richmond ABS data of all households that reveals 17.4% of households had no vehicles, which is 1 in 6 households and 43.3% have one vehicle. Whereas in the whole of Yarra 20.1% had no vehicles therefore this area has less households with no vehicles than Yarra as a whole.

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- The census data used was that for one or more storey apartments rather than apartments of 3-4 storeys because Mr Kiriakidis said the latter sample size was too small and to rely upon it would be statistically unsatisfactory;
- Mr Kiriakidis also thought 3-4 storeys would be more modern and house residents with higher household incomes, which means car ownership is likely to be higher. This would not further the Council's position of reducing the resident parking; and
- The census data is 2006 and does not include the more recent developments that have occurred in Richmond in the last 5-6 years.

Visitor Parking

108 Clause 52.06 requires 16 visitor spaces. This is a new requirement as, at the time of the hearing, the old clause 52.06 required residential but not visitor parking. During the hearing, Mr Kiriakidis gave evidence there is no visitor car parking required and in his view it should not be required in any event. Mr Kiriakidis' letter received after the hearing stated the empirical assessment in his evidence report 'satisfactorily responds to' the assessment framework to be considered in reducing car parking in clause 52.06. Mr Rantino's letter after the hearing noted the Council's request for visitor parking is:

> … consistent with the State government's decision to continue to prescribe visitor parking for developments regardless of the number of dwellings, the number of storeys and regardless of whether the land is in, in the vicinity of or not in the vicinity of an activity centre.

109 Clause 52.06 requires 0.2 visitor spaces per dwelling and Mr Kiriakidis relies upon surveys undertaken by other consultants of typical peak visitor demands of 0.12 spaces per dwelling. In this case the Council agrees with Mr Kiriakidis' rate. The history to this rate is explained in another case we determined together near the corner of Alma and St Kilda Roads[21], and so is the rationale behind us accepting that rate:

> 50 Ms Dunstan explained this rate was first identified in surveys undertaken by Cardno Grogan Richards in 2003 and November 2010 of two residential developments in Beacon Cove and South Yarra. It found a rate of 0.06 visitor spaces during the day and 0.12 visitor spaces in the evenings and weekends. Ms Dunstan provided a list of VCAT cases where the rate of 0.12 visitor spaces has been considered by the Tribunal in residential developments. However, she acknowledged that does not mean this rate of visitor car parking will always be appropriate.
>
> 51 We asked Ms Dunstan whether the site's proximity to public transport would be a determinative factor in applying a reduced visitor car parking rate. She expressed the view this is less

[21] *Kasment Pty Ltd v Port Phillip CC* [2011] VCAT 1885

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relevant than the proximity to a range of services and facilities and the type and size of the dwelling/household. She explained, for example, a small studio, one or two bedroom apartment household is more likely to go out with visitors due to the small size of the apartment. Whereas a three bedroom apartment or a townhouse is more likely to have visitors coming to the dwelling. Hence, we accept her opinion that a visitor parking rate of 0.12 spaces per dwelling is appropriate in this instance as:

- this proposal predominantly contains bedsits and one and two bedroom dwellings in an apartment style development; and
- there is a range of services and facilities within walking distance.

110 The number of three bedroom apartments proposed is small (9), hence the visitor demand may be different if a higher rate of visitor parking is applied to these apartments, but we accept this is unlikely to be significantly different to the quantum of visitor car parking sought by the Council.

111 There was no dispute between the parties about the range of services and facilities within walking distance of the subject land, but the St Four Group pointed out this has created an on-street car parking problem of its own, including in evenings and on weekends. Reducing or waiving the visitor car parking requirement places a demand on on-street parking. Mr Kiriakidis' analysis of on-street car parking supply was based on two inventories on a typical weekday that revealed 11 vacancies at 1pm and 19 vacancies at 8pm.

112 The St Four Group provided us with infringement notice reporting data over a two year period obtained from the Council that demonstrates, for example, the permit zone infringements dominated 75% of a 24 hour period and there appears to be an infringement notice issued on Stewart Street almost every minute for a 12 hour period from approximately 9.00am. In light of this data, Mr Kiriakidis acknowledged that parking is difficult in this location; he accepted the St Four Group submission that the current situation and this proposal are not fair and equitable; and he pointed out the Council is doing its job by enforcing the parking restrictions.

113 The St Four Group also pointed out Mr Kiriakidis' inventories did not take place on a day when there was an event/events in the sports and entertainment precinct. Mr Kiriakidis acknowledged this but stated one does not design for a 'football Friday night', rather for the 85th percentile design event. In response to Ms Tzaros' question, Mr Kiriakidis stated he has not analysed the number of events in the sports and entertainment precinct.

114 The St Four Group explained the MCG, Olympic Park and AAMI Stadium are all less than one kilometre from the subject land. They stated in 2011 attendance at AFL matches at the MCG (54 events) averaged 56,842 and at the time of this hearing in 2012 the average attendance had been 57,314,

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whereas Yarra Park has a car park capacity of 'a mere 3800 cars'. Further, in 2011 there were 247 events at the Melbourne and Olympic Park venues. In simple terms 247 events over a calendar year is about 67% and 301 events (including AFL matches) is about 82%.

115 Whilst not quite reaching the 85th percentile identified by Mr Kiriakidis, it is our view that the residents have, with their data, quantified the problems that they face. We can only presume that the Council agrees with them to the extent that they have asked for some visitor parking to be provided, thereby acknowledging that there is limited on-street parking available. We think all this suggests that there is merit in the proposition that some visitor car parking should be provided, however that in turn creates another problem for this proposed design. As Mr Kiriakidis pointed out, the design is not conducive to visitor parking because car parking can only be accessed via car lifts.

116 Presumably car lifts operate via some sort of key or automated device that residents would be able to use, the question is whether visitors would also be able to effectively use it. We note design standard 4 in the new clause 52.06 relates to 'mechanical parking' and states in part:

> Mechanical parking may be used to meet the car parking requirement provided ….car parking spaces that require the operation of the system are not allocated to visitors unless used in a valet parking situation.

117 Mr Kiriakidis and the Council's Senior Development Engineer (in the letters we received after the hearing) both state design standard 4 relates to car stackers, but we are not sure this is correct. If that was what was meant it would have been easy for the standard to be headed 'car stacker parking'. It seems to us mechanical parking could include for example car stackers, car turntables or car lifts. Hence, we think this raises another question as to whether and how visitor parking should be accommodated in a development that relies upon mechanical parking.

Conclusion

118 The Council recognises that intensive development should and will occur in this industrial sub-precinct on the subject land and remaining underutilised land. Indeed the draft Structure Plan continues this theme, but we note the Council's advice that this plan appears to only explore urban design ideas and not contemplated the resultant parking and traffic implications.

119 All parties are in agreement some car parking should be provided on the subject land, but how much and for whom is debatable. We think it is desirable for the Council to take a leading role in determining this[22], rather than having situations such as this one with varying information, opinions and submissions. Based on the material and evidence presented, we think

[22] For example, through a Council policy or an amendment to the policies or controls in the planning scheme that clearly identifies the Council's preference for car parking provision in this precinct.

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there is some merit in the provision of a quantum of visitor car spaces on the subject land, but whether this can be achieved in reality is another matter.

120 We think that the inability to provide convenient access to any car parking for the disabled or visitors again indicates a lack of resolution in the design of this proposal.

121 We do not intend to go through the traffic evidence and cross-examination other than to note Mr Kiriakidis' view that there 'remains some capacity' in the surrounding road network for additional traffic. His qualified evidence about this left us with the impression that there is an issue in terms of cumulative parking and traffic impacts given the remaining future development potential that exists within this sub-precinct. We agree with Mr Kiriakidis that if the Council does have a vision for higher density in the balance of this sub-precinct, then it should be taking a precinct wide approach to the benefits and dis-benefits of parking and traffic. We suggest the Council and the Applicant review the parking and traffic implications further as part of any new permit application.

CONCLUSION

122 The review site presents a good opportunity for redevelopment, despite a number of constraints. Given its attributes, the use of the land for commercial uses and apartments is appropriate. However, we find that in this particular location, the design, height and setbacks are not appropriate. They do not respond acceptably to the existing built form and heritage context. There are also other issues relating to car parking and internal amenity that need to be addressed. We consider that the design as a whole should be reconsidered and a new proposal devised.

123 We will therefore affirm Council's decision. No permit is granted.

Rachel Naylor
Presiding Member

Ann Keddie
Member

Retrieved from AustLII on 24 May 2022 at 13:24:51 Verify version

Attachment 5 - Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

YARRA PLANNING SCHEME

02 MUNICIPAL PLANNING STRATEGY

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Proposed C269yara

Attachment 5 - Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

YARRA PLANNING SCHEME

02.01 CONTEXT

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Proposed C269yara

02.01-1 Location

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Proposed C269yara

Yarra stands on the traditional lands of the Wurundjeri people. Yarra acknowledges their creator spirit Bunjil, their ancestors and their Elders. Yarra acknowledges 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. Yarra comprises of approximately 20 square kilometres and is bound by the Cities of Melbourne to the west, Boroondara to the east, Moreland and Darebin to the north and Stonnington to the south. Located between Melbourne's central business district and middle suburbs, it forms a transition between these areas. The Yarra River is the major environmental feature of the municipality, forming its southern and eastern boundaries.

02.01-2 Community and population growth

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Proposed C269yara

Yarra offers proximity to public transport, services, retail, entertainment, jobs and open space, making it an attractive place to live and work.

Over 100,000 people live in Yarra, and this will grow by almost 30,000 to 2031. It is projected that more than 13,000 new homes will be required to accommodate this growth.

The community is diverse in terms of ethnicity, language spoken, socio-economic background, age, household size, tenure and structure.

Household types in Yarra will continue to change, with a higher proportion of dwellings occupied by single occupants and families.

Council is committed to supporting a diverse community, including advancing equitable opportunities for people with disability and promoting the availability of diverse and affordable housing to support social inclusion and maintain Yarra's community into the future. However, managing population growth and change and supporting a diverse community is a challenge for Yarra. In planning for growth and change, Yarra is faced with managing the pressure on the valued heritage and the character of Yarra's buildings and streetscapes, its open space, community facilities, infrastructure, natural environment and transport.

02.01-3 Activity centres

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Proposed C269yara

Yarra's major and neighbourhood activity centres are predominantly along and around the main retail shopping streets. They feature highly intact heritage streetscapes and heritage places that are valued by the community.

Yarra's major, neighbourhood and local activity centres are shown on the Strategic Framework Plan in clause 02.04 and Activity Centre Plans in 11.03-1L.

With access to services, public transport and a walkable, fine grain street network, Yarra's activity centres will continue to be strengthened so that they remain vibrant and liveable places, capable of serving growing local economies and new and changing communities.

02.01-4 Natural environment

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Proposed C269yara

Yarra is an urban environment, with remnant native vegetation located within waterway corridors providing a home for indigenous flora and fauna. Yarra includes three significant water corridors - Yarra River and its tributaries, Darebin Creek and Merri Creek. These corridors are significant environmental assets that have a number of functions, including: providing for leisure and recreation, forming habitats to enhance biodiversity, acting as the city's 'green lungs', and managing water flow and stormwater. The low-lying land around the waterways however means that parts of Yarra are susceptible to flooding. Place new ordinance text here.

YARRA PLANNING SCHEME

02.01-5 Climate change

--/--/---- Proposed C269yara

Increased population in the inner city can bring sustainability benefits through more efficient use of existing infrastructure, more people being able to access existing services, local recreation and employment opportunities, increased use of sustainable transport modes and reduced sprawl on Melbourne's fringe.

Climate change is resulting in the urban environment getting hotter and drier, with more extreme weather events. Inner city areas, such as Yarra are experiencing the urban heat island effect and localised flooding and as such Yarra needs to manage the impact from urban development.

Yarra Council has declared a climate emergency, acknowledging both the scale and urgency of action to avoid the catastrophic impacts of global heating. Yarra will need to continue to mitigate greenhouse gas emissions and act locally. To mitigate its contribution to climate change, Council has reached zero net emissions from its operations and is seeking to achieve zero net emissions in our community by 2030. In doing so, Council will contribute to global climate change commitments -as well as national and state targets.

02.01-6 Built environment and heritage

--/--/---- Proposed C269yara

Yarra is a municipality steeped in history and one that contributes significantly to the story of Melbourne. Yarra includes some of Melbourne's oldest suburbs and shopping strips, with heritage that links its contemporary and progressive inner-city character to its origins.

Heritage is an important feature of Yarra's identity, which comprises historic buildings, landscapes, landmarks, streetscapes, subdivision pattern (made up of its streets, lanes and boulevards), and cultural heritage, including indigenous heritage. Groups of heritage buildings form important heritage places and include the municipality's renowned retail strips and neighbourhoods in some of Melbourne's first suburbs.

Yarra's heritage includes buildings and places of local, state, national and international significance, including part of the Royal Exhibition Buildings and Carlton Gardens World Heritage Environs Area, which provides a setting and context of significant historic character for the World Heritage property. Over 70% of Yarra's properties are covered by a heritage overlay.

The existing scale of development within the municipality is mostly characterised by low to mid-rise buildings, with some taller buildings which are anomalies to the mid-rise character. The residential neighbourhoods that constitute much of the municipality mostly comprise single and double storey dwellings. This scale is also represented by many of the small heritage shopfronts within retail strips. In parts of Yarra there is a strong composition of mid-rise and some taller buildings, notably concentrated in pockets within activity centres, along main roads and in areas transitioning from industrial to commercial / mixed uses. These mid-rise and some taller buildings comprise modern apartments and offices.

Other taller elements in Yarra include towers, spires and signs, high rise social housing and health and education facilities.

Yarra has a range of residential built form types. There are residential areas that present uninterrupted terraced frontages to the street, often with little or no front setback. Other inner areas, while still predominantly small in lot size, present a more suburban appearance with modest front setbacks, often with small front gardens and small gaps between buildings. In Fairfield and Alphington, there is a more spacious, garden character, with generous front and side setbacks and large back yards.

Apartment living is becoming more common in Yarra, to a range of households - singles, couples, families and share households. It will become the predominant form of housing over the next 15 years.

The large public housing estates provide a contrasting built form character of high-rise apartment buildings set in landscaped grounds.

02.01-7 Housing

--/--/---- Proposed C269yara

Managing the impact of housing growth on the city's character and urban form is a key challenge for Yarra as parts of the municipality have experienced rapid rates of development.

New housing predominantly in the form of apartments is concentrated in parts of East Richmond, Richmond, Collingwood, Abbotsford, North Clifton Hill and Fitzroy / North Fitzroy. This has occurred largely through redevelopment in activity centres and former industrial areas. Three major former industrial precincts will also transition to residential and mixed use neighbourhoods – the Alphington Paper Mill, the former Gasworks site in North Fitzroy and south-west Cremorne (south of Gough Street).

New development is bringing change to the scale and density of those areas. Yet despite this, residential areas in Yarra largely continue to consist of separate, semi-detached row and terrace housing.

There has been a rapid increase in house prices and land values in recent years, consistent with other parts of inner Melbourne. As a result, many households cannot afford to rent or purchase a home in the municipality. The past decade has also seen a dramatic increase in the number of private dwellings, while the amount of social housing has remained relatively static. Consequently, the proportion of households living in public and community housing (social housing) in Yarra has declined from 15.5% in 1991 to 12% in 2017.

Facilitating accessible, adaptable, affordable housing options to cater for Yarra's diverse community, now and into the future, is a focus for Yarra.

02.01-8 Economic development

--/--/---- Proposed C269yara

Yarra has a strong and mixed economy, and is well positioned to attract and retain businesses and workers. Contributing to this is Yarra's industrial heritage building stock, transport connectivity, inner-city lifestyle, night-time economy, access to open space and the Yarra River. The high level of transport connectivity allows businesses to access the large metropolitan workforce. Building on these elements will support Yarra's competitive advantage and will help to maintain its vibrant economy.

The municipality has undergone substantial change in recent decades, transitioning from a location for manufacturing to a more diverse economy. The legacy of industrial uses means that areas of Yarra may be potentially contaminated, which requires consideration when redeveloping for dwellings and other sensitive uses.

Yarra's **employment areas** are:

- **Activity centres**: largely on its retail strips which host a range of retail, commercial, entertainment and residential uses. Activity centres are shown on the Strategic Framework Plan in clause 02.04 and plans in clause 11.03-1L;
- **Major employment precincts**: Cremorne Precinct and Gipps Street Precinct, Collingwood. These precincts are shown on the Strategic Framework Plan in clause 02.04. These areas include a diverse mix of offices, creative industries and specialised manufacturing businesses. Their proximity to the central business district, other parts of inner Melbourne and good access to Melbourne's transport network makes them attractive for businesses seeking a location close to a large number of workers, customers, clients and other firms.
  - Cremorne is an enterprise precinct, emerging as Melbourne's premier destination for creative design, particularly in the tech and digital space. It is home to global companies which sit side by side with small to medium sized firms, start-ups and co-working spaces.
  - The Gipps Street Precinct is an emerging precinct attracting creative services such as architecture and design, software and interface design and visual arts.
- **Employment land**: Commercial and industrial land outside of activity centres and major employment precincts, such as CUB, Abbotsford and Botanicca Corporate Park in, Richmond

(as shown on the Strategic Framework Plan in clause 02.04). These areas support employment uses on individual sites or within broader precincts, where employment uses have been maintained through commercial or industrial zoning.

- **Health and education precincts**: Health services based around major hospitals and their allied medical services are a major source of employment. The education sector is also growing. These two precincts are shown on the Strategic Framework Plan in clause 02.04 and plans in clause 11.03-1L, being:
  - St. Vincent's public and private hospitals and Australian Catholic University, Fitzroy (health and education).
  - Epworth Hospital, Richmond (health).

02.01-9 Transport

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Proposed C269yara

Yarra benefits from an extensive transport system that includes public transport (train, tram and bus services); a network of arterial roads and local streets; separated bike routes and a compact urban form and mix of land uses that facilitates walking and cycling. Within the city, local shops and amenities, activity centres and employment areas are accessible by sustainable travel modes. There are also good connections to Melbourne's Central Business District and other parts of the metropolitan area.

Cycling volumes on Yarra's streets and off-road paths have continued to steadily rise over the last ten years and this trend is forecast to continue.

The availability of car parking is important for residents and businesses in Yarra; however unrestricted car use and parking creates pressure in Yarra's streets.

Attachment 5 - Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

YARRA PLANNING SCHEME

02.02 VISION

--/--/----
Proposed C269yara

The Yarra 2036 Community Vision statement is:

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.

The Yarra Planning Scheme forms the spatial response to the council's vision.

The spatial vision for the municipality is:

Yarra will be one of Melbourne's most attractive inner-city municipalities, with a strong sense of history, a diverse population and a dynamic economy. The city's prominent retail strips will attract visitors from across Melbourne and beyond, who are drawn to a vibrant range of shops, artistic and cultural offers and a popular night-time economy. The local economy will include important health and education precincts, businesses seeking to locate in popular activity centres and employment precincts, and a growing number of creative industries and niche manufacturers. Yarra's historic neighbourhoods and heritage assets will be conserved, with development revitalising areas with capacity for change. New housing will provide homes in a range of sizes to meet the needs of the population, and be supported by the necessary community facilities and infrastructure. High quality urban design will respect the city's heritage and built form character, provide new public and open spaces, and improved connections for walking and cycling. Landscape and natural assets will be well managed, with enhanced connections to the waterway corridors and their surrounding parks and recreation areas. Through environmentally sustainable development the municipality will reduce its carbon footprint and become resilient to climate change. Yarra will be a city proud of its history and prepared for the future.

Attachment 5 - Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

YARRA PLANNING SCHEME

02.03 STRATEGIC DIRECTIONS

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Proposed C269yara

02.03-1 Settlement

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Proposed C269yara

Activity centres

Yarra has a well-established network of activity centres, each with their own role and character, including:

- Major activity centres of Swan Street, Bridge Road, Victoria Street, Brunswick Street and Smith Street which are identified in Plan Melbourne 2017-2050 and provide a wide range of goods and services, some serving larger sub-regional catchments.
- Neighbourhood activity centres of Queens Parade, Gertrude Street, Heidelberg Road Alphington, Johnston Street, Nicholson Street, North Fitzroy / Clifton Hill, St Georges Road, North Fitzroy and Rathdowne Street, Carlton North, which provide access to local goods, services and employment opportunities to serve the needs of the surrounding community.
- Local activity centres such as Spensely Street, Clifton Hill, and Berry Street/Ramsden Street, Clifton Hill which provide a more limited range of goods, services and employment opportunities and largely serve the adjoining local community.

Activity centres are a focus of growth in Yarra with the addition of mid-rise commercial development and apartments. They will continue to accommodate most of the city's growth because of their proximity to transport infrastructure, shops and services making them the most suitable locations for development.

These activity centres generally contain highly valued streetscapes and commercial buildings included on the Heritage Overlay and must balance the requirements for growth with the retention of heritage significance.

Support and strengthen the vibrancy and local identity of Yarra's network of activity centres:

- Plan and manage employment and residential opportunities to ensure they strengthen activity centres as primary locations for economic activity, housing, leisure and recreation, tourism, the arts and culture.
- Support a strong and diverse network of activity centres across Yarra by promoting development that:
  - Is of a scale appropriate to the role and capacity of the centre.
  - Supports each centre's unique character.
  - Provides a mix of uses.
- Encourage land use and development opportunities that create diverse and sustainable centres by:
  - Encouraging development that enhances a centre's sense of place, identity and street activity.
  - Encouraging new development to improve the public realm.
  - Providing for residential development within activity centres at a scale appropriate to the role and capacity of the centre.
  - Fostering activity centres as social and community focal points and vibrant night-time and weekend destinations.
- Reinforce Yarra's activity centres as compact, pedestrian-oriented, mixed-use communities, that provide walkable access to daily and weekly shopping and service needs, and are well-served by different modes of transport.

02.03-2 Environmental and landscape values

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Proposed C269yara

Natural environment

Maintaining and enhancing habitat connectivity for both flora and fauna is key to improving and safeguarding biodiversity within Yarra and its environs. The majority of indigenous flora and fauna occur along the water corridors with other large reserves such as the Yarra Bend Park and large canopy trees likely to play a key role in the movement of fauna and providing food and shelter resources.

Protect and enhance Yarra's natural environment:

- Protect the significant natural environment, landscape values and cultural heritage of the Yarra River and the Darebin and Merri Creek corridors.
- Improve and manage public access to Yarra's water corridors.
- Improve pedestrian and cycle links across the Yarra River and Darebin and Merri Creeks to neighbouring municipalities that enhance the natural environment.
- Keep the Yarra River and creeks healthy by reducing impacts on water quality.
- Protect and enhance Yarra's biodiversity within and beyond waterway corridors by creating, improving and connecting new and existing green spaces.

02.03-3 Environmental risks and amenity

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Proposed C269yara

Climate change

Yarra will continue to help mitigate greenhouse gas emissions and increase climate resilience of the city by planning for sustainable development. A highly sustainable urban fabric, both in the public and private realm, will help preserve Yarra's vibrant and liveable places.

Lead on environmental sustainability and seek to manage the long-term effects of climate change:

- Integrate climate adaptation principles, environmental and sustainability policies and strategies.
- Create a built environment that mitigates and adapts to climate change by:
  - Directing growth to activity centres, major employment precincts, and employment land that is close to public transport;
  - Promoting land use and development that support a shift to sustainable modes of transport - walking, cycling and public transport; and
  - Supporting environmentally sustainable development.
- Create a healthy and growing urban forest that includes all trees and plants in Yarra, by greening open spaces, streetscapes and buildings.
- Reduce the urban heat island effect by increasing the tree canopy by 25% (from 2014 levels) by 2040.
- Embed sustainable environmental practices in Yarra's buildings, infrastructure, places and spaces, including a framework for early consideration of environmental sustainability at the building design stage in order to achieve the following efficiencies and benefits:
  - Easier compliance with building requirements through passive design;
  - Reduction of costs over the life of the building;
  - Improved affordability over the longer term through reduced running costs;

- Improved amenity and liveability;
- Reduced greenhouse gas emissions;
- More environmentally sustainable urban form; and
- Integrated water management.

- Reduce and mitigate the impacts of climate change and flooding events.
- Facilitate development that protects and conserves water.

02.03-4 Built environment and heritage

--/--/---- Proposed C269yara

A key challenge in planning for growth is the need to accommodate new development in a built form that is sensitive to the context of the area which includes heritage significance, character and scale of the surrounding area. This needs to be balanced with opportunities to allow for new built form character in major regeneration areas such as - Alphington Paper Mill, the former Gasworks site in North Fitzroy and south-west Cremorne (south of Gough Street).

Conserving and enhancing heritage places and streetscapes while still allowing appropriate development is a key driver in Yarra.

Major employment precincts, employment land, neighbourhoods, streetscapes and activity centres in Yarra all have distinct identities formed by:

- A diverse mix of buildings reflecting different forms and eras of development;
- Open spaces which are integral to the urban structure;
- Fine grain subdivision patterns; and
- A network of laneways and small streets.

If not carefully managed, future development could erode Yarra's valued character.

Manage development and growth in Yarra to maintain and enhance the unique character and heritage of the city:

- Respect Yarra's distinctive features and landmarks, including:
  - The low-rise character of residential neighbourhoods;
  - Historic retail strips;
  - Identified buildings and places of heritage significance - Aboriginal and post-contact;
  - Significant landmarks and tall structures, including church spires, clock towers, industrial structures and heritage signs;
  - Industrial and former industrial buildings;
  - The Yarra River, Darebin and Merri Creeks and adjacent open spaces;
  - Parks and gardens;
  - Municipal buildings in Collingwood, Fitzroy and Richmond;
  - The historic grid of boulevards, streets and laneways;
  - Historic commercial buildings including banks, hotels and post offices; and
  - Historic street and laneway fabric and infrastructure.
- Conserve and enhance the municipality's highly valued heritage places to retain and promote Yarra's distinctive character and sense of history.
- Retain and adapt Yarra's historic industrial buildings as a means of connecting with the past.

- Reinforce Yarra's low-rise neighbourhoods by directing mid-rise buildings to appropriate locations, within major and neighbourhood activity centres, employment areas (as identified in clause 02.01), major regeneration areas (as shown on the Framework Plan in clause 02.04), and along boulevards (Hoddle St, Alexandra Parade, Victoria Parade and the south end of Queens Parade).
- Ensure mid-rise buildings are in accordance with any building height requirements set out in the relevant zone or overlay, or, where there are no building height requirements specified, having regard to the physical and strategic context of the site.
- Manage the scale, intensity and form of development in activity centres to protect highly intact heritage streetscapes and buildings.
- Design development and locate land uses to create people-oriented places with high standards of amenity on-site, for adjoining properties and in the public realm.
- Protect and enhance the built form, character and function of streets and laneways as a feature of Yarra's urban structure and character.
- Improve the built form character and streetscapes of Yarra's boulevards - Alexandra Parade, Hoddle Street, Victoria Parade and the south end of Queens Parade.

02.03-5 Housing

--/--/---- Proposed C269yara

Yarra will continue to manage the scale, intensity and form of residential growth. This will continue to differ across the municipality depending on the capacity of sites to accommodate housing growth and the physical and strategic context of each site.

Council supports the provision of additional and improved social housing (including public and affordable housing) to ensure residents in need of this type of accommodation are supported, and can live in easy access to essential services and nearby employment opportunities.

Plan for future housing growth and for more housing choice to support Yarra's diverse community:

- Direct housing growth to appropriate locations: major regeneration areas (Alphington Paper Mill, the former Gasworks site in North Fitzroy and south-west Cremorne, south of Gough Street) as shown on the Framework Plan in clause 02.04, and areas within activity centres that have good access to public transport, jobs, open space and other services.
- Support Yarra's diverse community by facilitating accessible, adaptable, affordable housing options that:
  - Provide for diverse housing types including shared, sole person, couple and family households.
  - Include housing for people with disabilities, older persons, students and those in need of crisis accommodation.
  - Provide for a range of affordable housing types appropriate to the needs of very low, low and moderate-income households.
  - Include greater housing choice for key workers.
  - Encourages the supply of additional social housing and improvements to existing social housing.

02.03-6 Economic development

--/--/---- Proposed C269yara

Yarra has capacity for employment growth and is committed to supporting this growth in its employment areas in preference to residential development in these areas. There is an identified need to manage pressure for residential conversion of employment land to protect opportunities for economic growth.

Yarra has a vibrant arts scene and prominent cultural and entertainment venues, including the Collingwood Arts Precinct. The Abbotsford Convent and Collingwood Children's Farm are regional tourist destinations and support cultural and creative industries. A key challenge in Yarra is the retention of affordable creative work spaces.

Yarra's night-time economy includes restaurants, bars and live music venues spread across a number of precincts. The abundance of these venues provide important social, cultural and economic benefits and make Yarra an attractive place in which to live, work and visit. Tension however, sometimes develops between licensed premises, residential and other commercial land uses, which need to be appropriately managed.

Yarra's diverse economy means that different land uses often overlap or vary within short distances. This mix of residential, commercial, industrial and entertainment in close proximity creates a challenge as well as opportunities to manage environmental and amenity impacts and enhance activity centres and precincts.

Promote Yarra as an attractive location for economic activities and an important part of Melbourne's inner city economy:

- Strengthen the role and hierarchy of the activity centres by:
  - Promoting them as the preferred locations for retail, services and entertainment;
  - Supporting a diverse land use mix; and
  - Facilitating adaptable and functional commercial spaces.
- Preserve and grow Yarra's employment areas (as identified in clause 02.01) by supporting the:
  - Growth of health and education related employment and services in health and education precincts (as shown on the Strategic Framework Plan in clause 02.04);
  - Economic primacy of Yarra's major employment precincts at Cremorne and the Gipps Street precinct in Collingwood; and
  - Employment land - in the industrial and commercial land shown on the Strategic Framework Plan (Clause 02.04).
- Support a night-time economy and entertainment precincts which provide a diverse range of activities while managing their amenity impacts on residents.
- Minimise pressures for residential conversion of employment precincts.
- Maintain an adequate supply of employment land to accommodate projected economic and employment growth that meets the diversity of business needs.
- Ensure sensitive land uses (such as residential uses) are designed and located to minimise the potential conflict with existing surrounding employment uses (including existing retail, commercial, hospitality, night -time economy, creative and cultural uses).
- Advance Yarra as a desirable location for creative industries and arts by supporting opportunities to increase the number of creative industries and cultural spaces in the municipality.

02.03-7 Transport

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Proposed C269yara

While Yarra is well positioned to facilitate the use of sustainable modes of transport, increasing car use and parking demand continues to create pressure and congestion in Yarra's streets, not just for cars but for other transport modes using the road system. The competition for the limited physical space within streets is an ongoing issue.

Facilitating sustainable journeys on all transport modes will support the productivity, wellbeing and environmental values of the community. Yarra needs to reduce car dependence by promoting walking, cycling and public transport as the preferred forms of transport.

Facilitate connectivity and travel options that are environmentally sustainable, integrated and well-designed:

- Integrate land use and development planning with public and active transport infrastructure and services to create compact, walkable, pedestrian-oriented, mixed-use communities centred around train stations and other key public transport nodes.
- Provide convenient access to public and active transport for all ages and abilities by:
  - Promoting compact and more diverse land use and development in major regeneration areas, major and neighbourhood activity centres (as shown on the Framework Plan in clause 02.04) well served by public transport; and
  - Creating a built environment with public spaces that promote social interaction and are connected to the transport network.
- Enhance Yarra as a safe place to walk and cycle, to increase the number of people walking and cycling.
- Encourage developments to promote and prioritise sustainable transport modes.
- Encourage lower amounts of car parking and increased infrastructure for active transport in developments to encourage reduced use of private motor vehicles.

02.03-8 Infrastructure

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Proposed C269yara

SOCIAL AND PHYSICAL INFRASTRUCTURE

Infrastructure is required to cater for Yarra's growing population and the consequential increased demand on infrastructure.

Respond to Yarra's changing social and physical infrastructure needs:

- Provide, renew or adapt social and physical infrastructure to meet the needs of the growing population and employment base.

02.03-9 Open space

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Proposed C269yara

Open spaces within Yarra make a significant contribution to the distinctive character and amenity of neighbourhoods. They provide passive and active recreation, contribute to the city's tree canopy, and possess cultural values in places of post-contact and indigenous heritage.

Provide attractive and accessible open spaces for people to enjoy:

- Aim to provide the community with access to high quality open space within walking distance of their home or work.
- Seek opportunities to improve and extend Yarra's open space network, particularly in areas currently under-provisioned and with projected population increases.

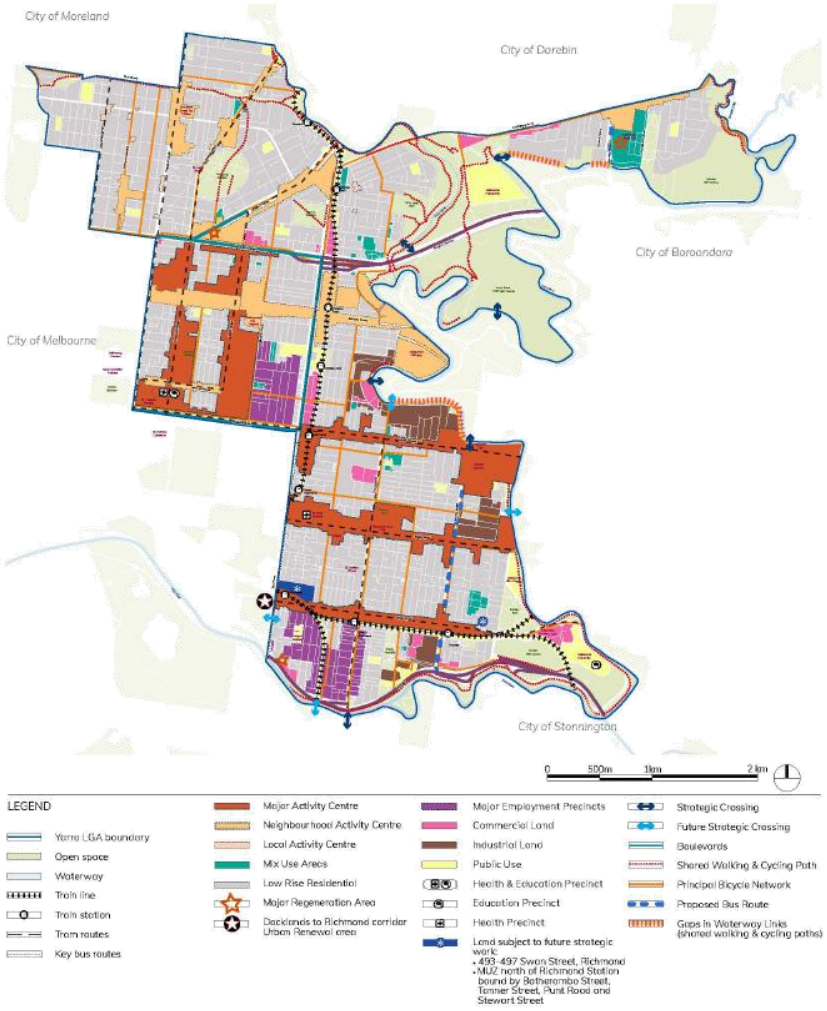
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YARRA PLANNING SCHEME

02.04 STRATEGIC FRAMEWORK PLAN

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Proposed C269yara

The Plan contained in Clause 02.04 is to be read in conjunction with the strategic directions in Clause 02.03.



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AMENDMENT C269YARA

System Note: The following ordinance will be added after 11.03-1R Activity centres - Metropolitan Melbourne

11.03-1L Activity Centres

C269yara

Objective

To manage a sustainable network of activity centres that facilitate appropriate economic and housing growth and provide attractive places for social and community interaction.

Strategies

Encourage uses and development in activity centres that support the employment areas and health and education precincts shown on the Strategic Framework Plan in clause 02.04 by providing retail, service and hospitality offers to their workforces.

Support development within activity centres that is consistent with the capacity for each centre as identified in the Strategic Housing Framework Plan at clause 16.01-1L.

Support high quality mid-rise buildings in major and neighbourhood activity centres as specified in a Design and Development Overlay.

Support development that improves the built form character of activity centres, whilst conserving heritage places, streetscapes and views to identified landmarks.

Support use and development, that make a positive contribution to the night-time economies of activity centres, whilst limiting adverse amenity impacts within the centres and surrounding residential neighbourhoods.

Support development that transitions to and is sensitive to the interfaces with low-rise residential neighbourhoods.

Encourage the sensitive, adaptive re-use and restoration of heritage buildings in activity centres

Promote use and development that support street level activation and passive surveillance of the public realm.

Support development that improves the public realm and positively contributes to the streetscape environment within activity centres.

MAJOR ACTIVITY CENTRES

Brunswick Street, Fitzroy

Promote the metropolitan and local retail and commercial role of the activity centre.

Manage licensed premises and support the precinct's prominent night-time economy including the core entertainment precinct of bars and night-clubs between Alexandra Parade and Gertrude Street.

Support development that responds to the character distinctions between the commercial land with frontage to Brunswick Street and the Mixed Use zone behind.

Retain the visual prominence of the consistent Victorian and Edwardian heritage streetscape, including municipal and local landmarks and street corner sites, with the exception of the Atherton Garden's precinct.

Promote development that retains the consistent low-rise built form and fine grain pattern of the highly intact heritage streetscape and heritage buildings in the precinct between Johnston Street and Leicester Street.

Promote development that supports a low to mid rise character south of Johnston Street to Gertrude Street.

Promote development that supports a mid-rise character above a consistent street wall north of Leicester Street.

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Ensure development retains the dominance and integrity of the 'grand' residential buildings south of Gertrude Street.

Protect primary views to St Patrick's Cathedral and St Luke's Church.

Smith Street, Collingwood / Fitzroy

Promote the metropolitan and local retail and business roles of the activity centre.

Encourage development that responds to the different built form conditions in Collingwood South precinct, with taller built form towards Wellington St and south of Peel Street and retain the visual dominance and integrity of the existing industrial warehouse buildings north of Peel Street.

Encourage taller built form at the northern end (generally north of Hotham and Kerr Streets) and the southern end (generally south of Mason Street) of Smith Street.

Encourage low to mid rise development in the traditional retail core that responds to the varied existing heritage conditions and reinforces the visual prominence of the heritage streetscape, generally between Hotham and Kerr Streets in the north and Mason Street in the south.

Retain the visual prominence of the Victorian and Edwardian heritage streetscape, including local landmarks, street corner sites and former department stores, particularly in the traditional retail core.

Encourage employment through mixed use and commercial development, including in the mixed use zoned land behind Smith Street.

Manage licensed premises and support the precinct's prominent night-time economy including the core entertainment precinct of bars and night-clubs between Alexandra Parade and Gertrude Street.

Retain the visual prominence of the industrial heritage buildings.

AMENDMENT C269YARA

Major and Neighbourhood Activity Centres in Fitzroy / Collingwood Plan



Bridge Road, Richmond

Promote the metropolitan and local retail and commercial roles of the activity centre, including larger format retail at its eastern end.

Support Epworth Hospital by supporting associated health and allied services to locate near the hospital.

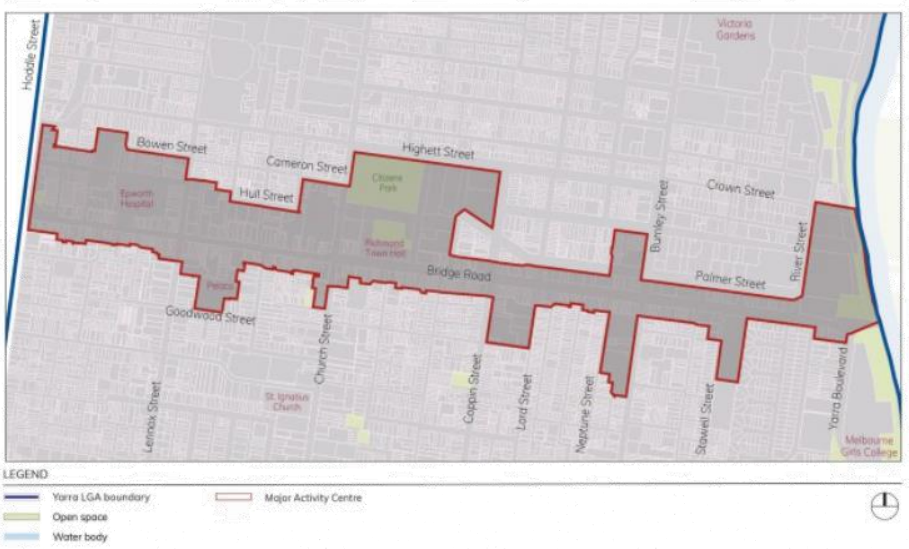
Promote high quality public realm around Richmond Town Hall, to support its civic function.

Support the night-time economy, including the core entertainment precinct west of Burnley Street, while managing the amenity impacts associated with licensed premises.

Protect primary views defined in the clause 15.01-2L to the spire of St Ignatius Cathedral, clock tower of Richmond town hall, and the Pelaco sign.

Retain the visual prominence of the heritage streetscape west of Church Street and the south side of Bridge Road east of Church Street.

Bridge Road Major Activity Centre Plan



Swan Street, Richmond

Promote the distinct character and varying development opportunities defined by the four precincts along Swan Street – Richmond Station, Swan Street Retail Centre, Swan Street East and Burnley Station.

Support the land uses along Swan Street, west of Church Street, as a core entertainment precinct that contains a range of licensed premises that make a significant contribution to the night-time economy.

Support development that responds to and respects the architectural form and qualities of heritage buildings and the significant heritage streetscape.

Ensure development enhances pedestrian links to the Richmond Railway Station in precinct 1 and to Burnley Station in precinct 4 shown in Swan Street Activity Centre Plan to this clause.

Reinforce precinct 3 (shown in Swan Street Activity Centre Plan to this clause) as mixed-use comprising retail, commercial and residential uses.

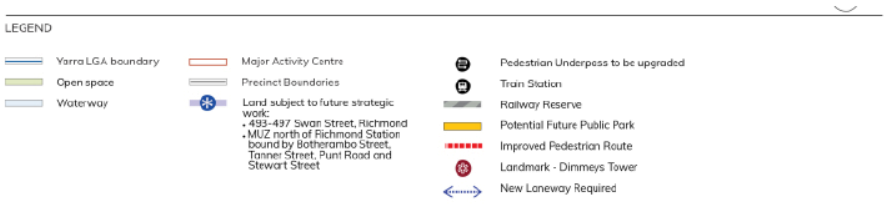
Support high quality development that fosters the transformation of precinct 4 (shown in Swan Street Activity Centre Plan to this clause) into a vibrant mixed-use precinct anchored by Burnley Station.

To ensure that vehicular access to development does not adversely impact the level of service, efficiency, and safety of the arterial and tram network.

Swan Street Activity Centre Plan



AMENDMENT C269YARA



Victoria Street, Abbotsford / Richmond

Promote the metropolitan and local retail and commercial roles of the activity centre.

Capitalise on future opportunities such as provision of open space and links to the Yarra River, provided by commercial and industrial areas in Abbotsford, including the Carlton and United Brewery site.

Manage licensed premises and the precinct's prominent night-time economy including the core entertainment precinct west of Burnley Street.

Retain the visual prominence of the heritage buildings, on the north side of the street west of the railway line.

Retain the visual prominence of the Victoria Street Gateway at the intersection with Hoddle Street.

Support taller built form adjacent to the North Richmond Station to promote accessibility to public transport.

Reinforce the concentration of height, density and mixed uses east of Burnley Street, to provide a visual mark to the east end of Victoria Street.

Encourage development west of Church Street to have low-rise street walls.

Allow for mid-rise development elsewhere in the activity centre that responds to the mix of heritage forms.

Protect primary views, defined in the clause 15.01-2L, to the Skipping Girl sign.

Limit the installation of security shutters or other measures that reduce views into businesses on main retail strips to ensure that they are visually transparent.

AMENDMENT C269YARA

Victoria Street Activity Centre Plan



NEIGHBOURHOOD ACTIVITY CENTRES

Reinforce the role of the neighbourhood activity centres as the local community's destination for services, facilities and social interaction.

Gertrude Street, Fitzroy

Promote the retail role of the activity centre defined in the Major and Neighbourhood Activity Centres in Fitzroy/Collingwood Plan.

Manage licensed premises and interface and amenity impacts with adjacent residential areas.

Retain the low-rise form and the fine grain pattern of the highly intact heritage streetscape and the heritage buildings in the activity centre.

Retain the visual prominence of the existing Victorian and Edwardian heritage streetscape, including local landmarks, and corner sites.

Protect views to the drum dome lantern and flagpole of the Royal Exhibition Building and Carlton Gardens.

Johnston Street (west of Smith St)

Promote the retail and service role of the activity centre defined in the Major and Neighbourhood Activity Centres in Fitzroy/Collingwood Plan.

Manage licensed premises and support the precinct's night-time economy including the many bars, cafes and restaurants.

West of Brunswick Street, retain the visual prominence of the Victorian and Edwardian heritage streetscape and street corner sites, through appropriate upper level setbacks and mid-rise scale.

Between Smith and Brunswick Street, support mid-rise development on the north side of Johnston Street, where there is less heritage constraints.

Between Smith and Brunswick Street, encourage lower mid-rise development on the south side of Johnston Street that responds to the heritage forms and sensitive residential interface.

AMENDMENT C269YARA

Heidelberg Road, Alphington

Promote the retail and community roles of the activity centre.

Support the expansion of the activity centre by directing taller development to its western end within the Alphington Paper Mill major regeneration area.

Support more moderate built form on land outside of the Alphington Paper Mill major regeneration area.

Enhance the quality of the public realm at the intersection of Heidelberg Road and the Chandler Highway.

Minimise direct vehicle access onto Heidelberg Road.

Support development along Heidelberg Road, east of Parkview Avenue that achieves fine grain building frontages and contributes to a positive pedestrian street environment, through appropriate street wall height, upper level setbacks and landscaping.

Heidelberg Road Neighbourhood Activity Centre Plan



Johnston Street, Abbotsford / Collingwood (East of Smith Street)

Promote the retail and community roles of the activity centre.

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In Precincts 1 and 2, as shown in the Johnston St Activity Centre Plan to this clause, foster mid-rise residential and commercial development consistent with the relevant overlay.

In Precinct 3, as shown in the Johnston St Activity Centre Plan to this clause, encourage development:

- To contribute to a fine grained, mixed use precinct with mid-rise development.
- To have an active frontage to Hoddle Street.
- To include a setback of the upper levels.
- To enhance the prominent corner at the intersection of Eastern Freeway and Hoddle Street.

In Precinct 4, as shown in the Johnston St Activity Centre Plan to this clause, encourage development to:

- Contribute to a fine grained, mixed use precinct with mid-rise development.
- Have an active frontage to Hoddle Street.
- Include a setback of the upper levels.
- Provide a transition in scale from Hoddle Street to the adjacent low rise residential area.

In Precinct 5, as shown in the Johnston St Activity Centre Plan to this clause, encourage development to:

- Include a setback of the upper levels.
- Provide for a consistent streetscape, through building setbacks and street wall height.
- Provide a transition in scale to adjacent low rise residential area.
- Maintain the warehouse character of this precinct.

In Precinct 5 shown in the Johnston Street Activity Centre Plan to this clause encourage office, residential and commercial uses that foster the knowledge and creative sectors, including creative spaces and artist studios.

In Precinct 6 shown in the Johnston Street Activity Centre Plan to this clause support education, arts and community based activities to foster a community hub and arts Precinct.

In Precinct 7 shown in the Johnston Street Activity Centres Plan to this clause encourage spacing between buildings to allow for views from Trenerry Crescent to the river.

In Precinct 8 shown in the Johnston Street Activity Centres Plan to this clause encourage new development to be sensitively located and subservient to the existing built form.

AMENDMENT C269YARA

Johnston Street Activity Centre Plan



Nicholson Street, North Fitzroy

Support a mix of uses along Nicholson Street, in particular uses which provide the day to day needs of the local community.

Protect the heritage shopfronts and verandahs.

Retain the visual prominence of the heritage streetscape and buildings.

Encourage the redevelopment of land at 9 - 49 Scotchmer Street in a manner that contributes to an attractive public realm and responds to surrounding heritage area.

Rathdowne Street, Carlton North

Support a mix of uses along Rathdowne Street, in particular uses which provide the day to day needs of the local community.

Support low-rise development where it respects the heritage character of the activity centre.

Protect the historic significance of the precinct, which includes heritage shopfronts and verandahs.

St Georges Road, North Fitzroy

Support a mix of uses along St Georges Road, in particular uses which provide the day to day needs of the local community.

Support development that contributes to attractive pedestrian links to community facilities and Edinburgh Gardens.

Protect the historic significance of the precinct.

AMENDMENT C269YARA

Nicholson Street, Rathdowne Street and St. Georges Road Neighbourhood Activity Centre Plans



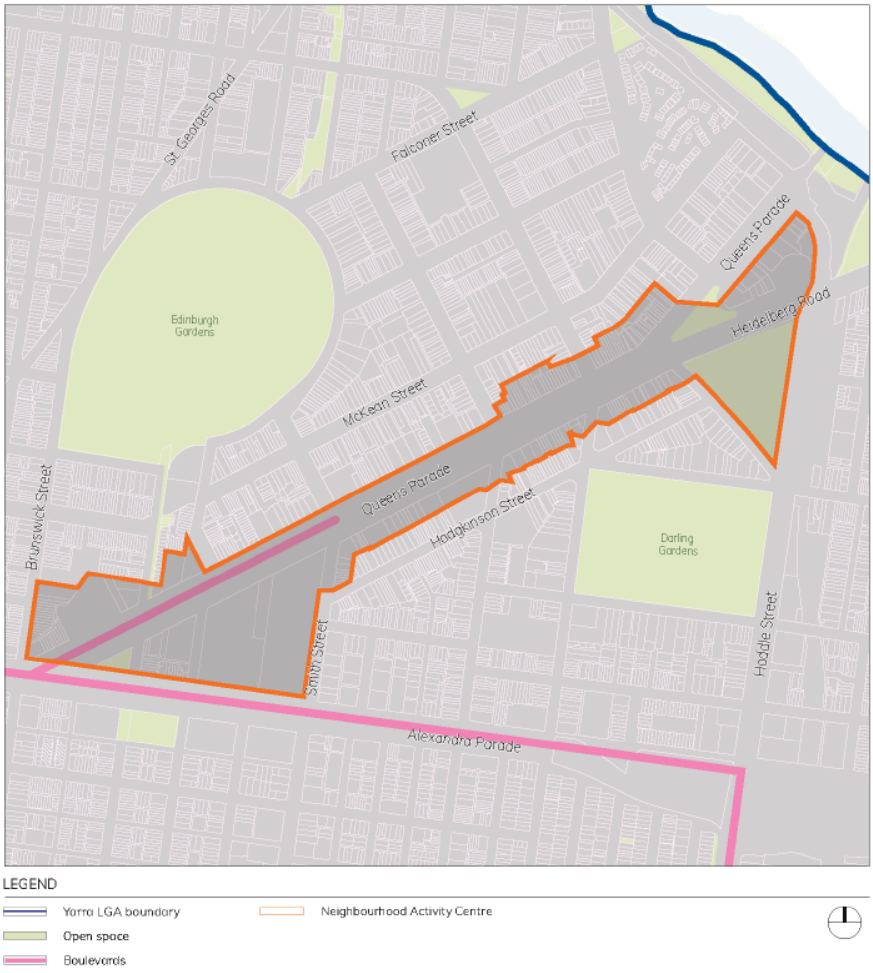
Queens Parade, Clifton Hill and Fitzroy North

Support development that recognises the importance of Queens Parade as a focus for the local community, offering a diverse mix of shopping, business and community services, leisure and residential opportunities.

Support development that recognises Queens Parade as a wide, tree-lined and heritage-rich boulevard with five distinct precincts as shown in the relevant Design and Development Overlay.

AMENDMENT C269YARA

Queens Parade Activity Centre Plan



LOCAL ACTIVITY CENTRES (LACS)

Maintain the local convenience retail role of the municipality's local activity centres as shown on the Local Activity Centre Plans:

- Berry Street/Ramsden Street, Clifton Hill.
- Lygon Street, Carlton North / Princes Hill.
- Nicholson Street (south), Carlton North.
- Rathdowne Street (north), Carlton North (near Richardson St).
- Spensely Street, Clifton Hill.

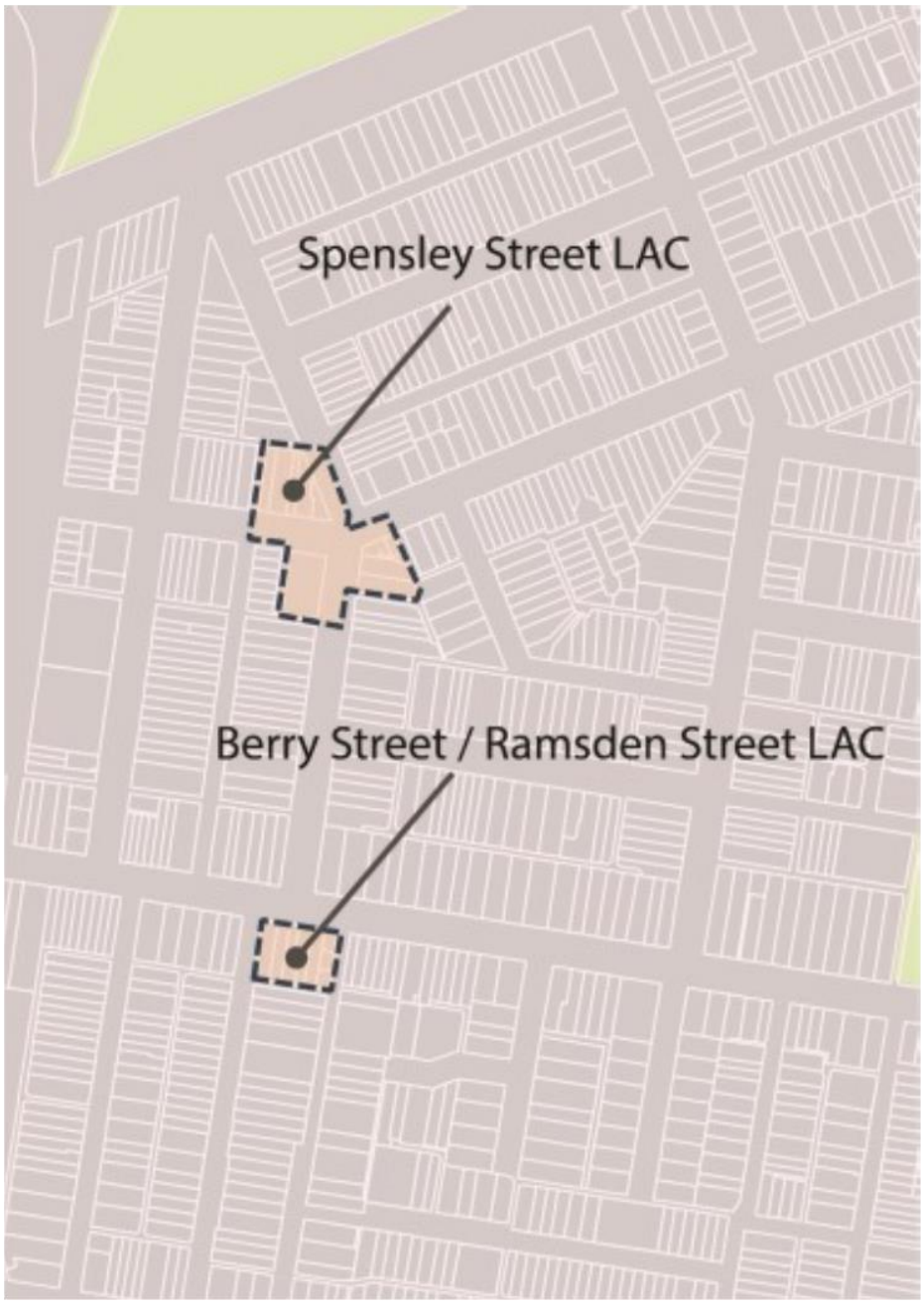
Ensure any development respects the character and heritage significance of the centre.

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AMENDMENT C269YARA

Local Activity Centres

Berry Street/Ramsden Street and Spensley Street Activity Centre Plans



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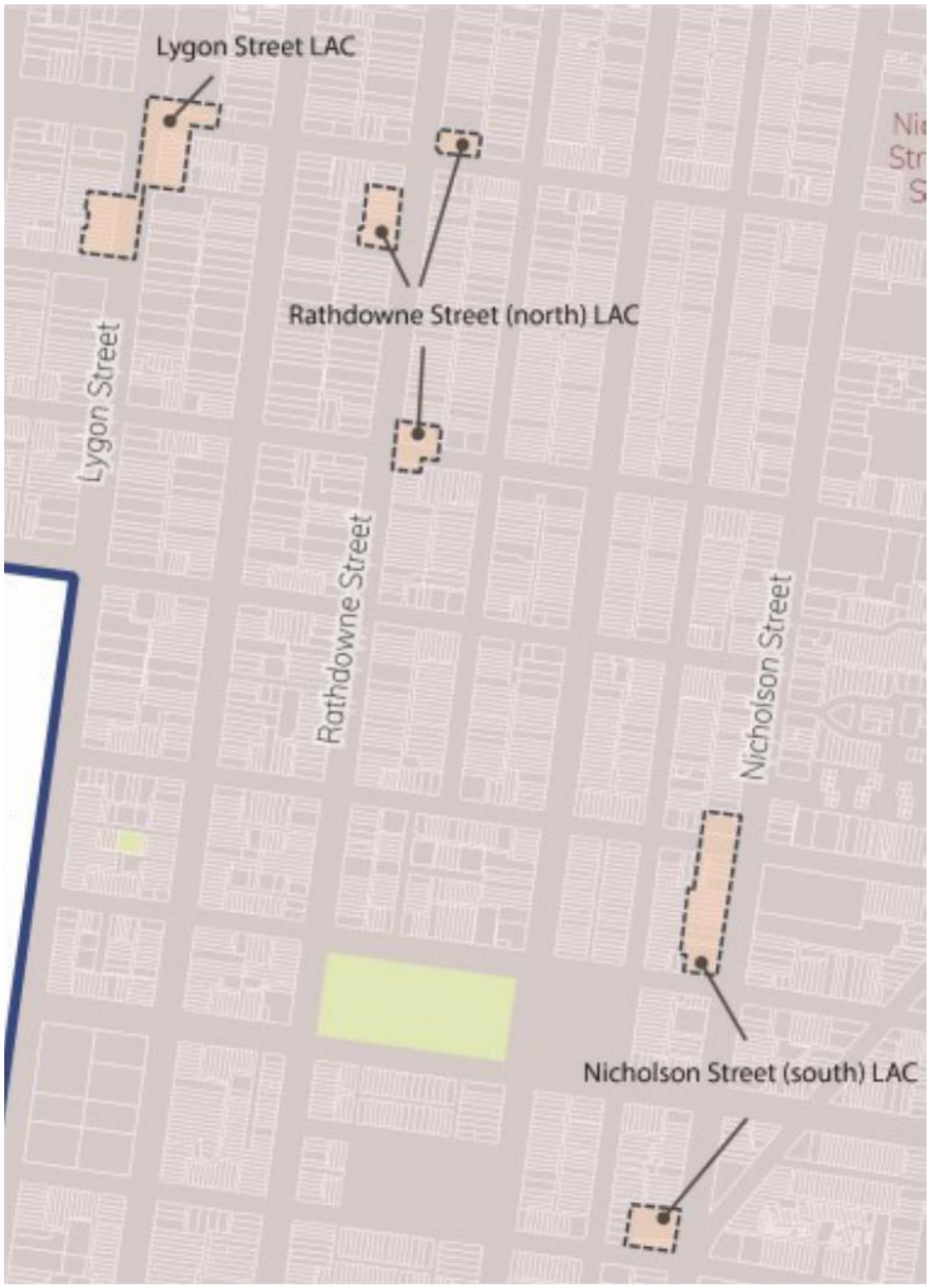
AMENDMENT C269YARA



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AMENDMENT C269YARA

Lygon Street, Nicholson Street and Rathdowne Street north Activity Centre Plans



LEGEND

Yarra LGA boundary
Local Activity Centre
Open space
Waterway

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AMENDMENT C269YARA

System Note: The following ordinance will be added after 11.03-6S Regional and local places

11.03-6L Victoria Street East precinct

C269yara

Policy application

This policy applies to all land in the Victoria Street East Precinct as shown on the Victoria Street East Precinct Framework Plan to this clause.

Yarra River and open spaces

Objectives

To capitalise on the northerly aspect of the Precinct's river environs, while protecting and maintaining the environmental qualities and recreational use of the river corridor.

Strategies

Design development to integrate with the Yarra River environs natural vegetation character by:

- Planting with predominantly indigenous species.
- Screening views of buildings from the Yarra River Main Trail and areas of public open space.
- Providing fencing, retaining walls and terracing that complement the natural landscape setting through design, materials and colours.

Orientate habitable rooms to take advantage of the northerly aspect provided in this area of the river corridor.

Improve natural surveillance, general safety and public accessibility of public spaces within the river environs.

Policy guidelines

Consider as relevant:

Using permeable fences and screen plantings.

Using muted tones and natural colours and materials such as timber, bluestone or other basaltic rocks while avoiding reflective materials.

Installing external lighting in new development:

- To illuminate pedestrian activity areas only, avoiding light spill into tree canopies and other vegetated areas.
- Of white based lighting.
- Avoiding yellow lighting and the illumination of building facades oriented towards the river.

Finishing building bases with graffiti proof paint.

Locating boat landings parallel to the water's edge, constructed of durable heavy timber or concrete in natural weathered colours.

Vehicular access and car parking

Objectives

To provide for adequate access to, from and within redevelopment sites that contributes to an integrated pedestrian and cycling network within the Precinct.

To ensure priority is given to tram services in Victoria Street.

Strategies

Improve Doonside Street as a major vehicular entry to Victoria Gardens and the area to the south.

Provide a vehicular link between Southhampton and Flockhart Streets to improve local access as an alternative to Victoria Street.

Use existing signalised intersections where possible for vehicle access to new development, with priority given to minimising impacts on the Route 109 tram.

Provide principal vehicular access to the Yarra Gardens precinct and Walmer Street sites via the Walmer Street intersection and Flockhart Street to minimise impacts on Victoria Street.

Use existing rear lanes, where they exist, to provide service and vehicular access to sites.

Visually conceal garage access to underground car parks from the river frontage and the Main Yarra Trail.

Avoid driveway crossovers and service entries along Victoria Street if access can be provided through other properties. Where crossovers cannot be avoided, minimise their width.

Discourage open air ground level car parks or car parking in structures exposed to street frontages, by incorporating car parking within development, preferably basement.

Limit run-off from car parking areas to protect water quality in the Yarra River.

Land use, activity and development opportunities

Objectives

To facilitate the development of the Victoria Street East Precinct with a high density mix of land uses.

To maximise opportunities for new development on former industrial sites and other disused sites, while protecting the amenity of the surrounding area and enhancing the landscape character of the River corridor.

To create new local employment opportunities and protect existing ones, especially in the nearby CUB precinct.

Strategies

Maximise opportunities for new development on former industrial sites and other disused sites.

Protect the amenity of the surrounding residential area.

Protect existing industrial activities in the Industrial 1 Zone adjacent to the Precinct, while supporting opportunities for a shift from industrial zone to business and residential zone within the Precinct.

Encourage a mix of land uses in accordance with the Victoria Street East Precinct Framework Plan, having regard to site constraints.

Discourage uses west of Walmer Street that prejudice the operation of nearby industry and the CUB complex.

Encourage acoustic treatments in new residential development that would suitably protect it from existing uses.

Encourage uses that activate the Victoria Street, Burnley Street and River Corridor frontages at ground level.

Urban design and built form

Objectives

To encourage high quality urban design and architecture throughout the precinct that contributes to the public realm, including the Yarra River environs and streetscapes.

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Strategies

Ensure the siting, scale, bulk and massing of development responds to the distinctive landscape and ex-industrial character of the precinct.

Support development that protects the character and amenity of neighbouring residential areas.

Maintain access to sunlight and amenity in public spaces and sensitive community facilities and ensure they are protected from overshadowing and other detrimental impacts.

Design buildings on the Victoria Street frontage to:

- Respect the prevailing building height of the streetscape.
- Include articulation so as to present as a number of separate buildings.
- Avoid a continuous podium or building mass.
- Provide separation between buildings to allow views of the River and landscaping, inclusive of canopy trees.

Design buildings with active frontages, articulated building facades, upper level building setbacks and windows to allow for passive surveillance of public realm.

Design development on Burnley Street to provide a transition in scale and massing, including upper level setbacks to minimise impacts on the amenity of adjacent lower-rise housing areas.

Protect the amenity of Williams Reserve, Annettes Place and the Yarraberg Child Care and Community Centre in the design of adjacent development.

Maintain the built form pattern in commercial and industrial interface areas including zero front or side setbacks, except for interfaces with adjoining public spaces or the River corridor.

Pedestrian and cycle routes

Objective

To facilitate an integrated network of pedestrian and cycling access within the Precinct.

Strategies

Support the widening of the northern Victoria Street footpath, west of Walmer Street, by setting any new building back from the existing property boundary to a new (recessed) property frontage, creating a colonnade within the existing building envelope or by other design features.

Provide mid-block links through major redevelopment sites, including through the Yarra Gardens precinct to connect the riverside paths west to Flockhart and Grosvenor Streets and south to Davison Street.

Attachment 5 - Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

AMENDMENT C269YARA

Victoria Street East Precinct Framework Plan



Attachment 5 - Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

AMENDMENT C269YARA

System Note: The following ordinance will be added after 12.01-1S Protection of biodiversity

12.01-1L Biodiversity

C269yara

Objective

To protect and enhance natural environments and seek to increase the quality and quantity of the city's biodiversity.

Strategies

Encourage the retention of significant trees and landscape features that contribute to biodiversity.

Support development that creates habitats for biodiversity with a balance of native and non-native species (with a preference of native over non-native), through landscaping, tree planting and the incorporation of green roofs and walls.

Promote the planting of indigenous trees and understorey vegetation in open spaces and along roads and railways to provide connections between habitats within Yarra and neighbouring municipalities.

Restore habitat values.

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AMENDMENT C269YARA

System Note: The following ordinance will be added after 12.03-1R Yarra River protection

12.03-1L Yarra River, Darebin and Merri Creek corridors

C269yara

Objective

To recognise the strategic importance of the Yarra River and Darebin and Merri Creek corridors as multi-functional open spaces and protecting and enhancing their environments.

Strategies

Ensure that development adjacent to the Yarra River, Darebin Creek and Merri Creek waterways:

- Provide a landscaped buffer with indigenous vegetation between the waterway and the development.
- Provide opportunities for walking and cycling paths.
- Maintain sightlines to the water corridor from the public realm.
- Minimise the visual intrusion of development when viewed from the waterway corridors and adjacent public open space, bicycle and shared paths and bridge crossings.

Improve opportunities for leisure and recreation adjacent to waterways, including open space and walking and cycling paths.

Facilitate and improve walking and cycling paths in water corridors so that they are continuous and connect to other paths, both within Yarra and in neighbouring municipalities, including through public acquisition.

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AMENDMENT C269YARA

System Note: The following ordinance will be added after 13.03-1S Floodplain management

13.03-1L Flood management

C269yara

Objective

To manage the risk of flood through the appropriate siting of development and use of flood mitigation measures.

Strategies

- Require development to be sited appropriately and include floor levels consistent with an assessment of 1 in 100 year flood depths and overland water flow paths.
- Require new developments to incorporate any necessary flood mitigation measures.
- Require that flood mitigation measures are maintained for the lifetime of the building.
- Protect and enhance overland flow paths.

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AMENDMENT C269YARA

System Note: The following ordinance will be added after 13.07-1S Land use compatibility

13.07-1L Caretaker's house

C269yara

Strategies

Protect business and industry by preventing dwellings unassociated with a business and industry from establishing in industrial and commercial zones where a dwelling is prohibited.

Policy guidelines

Consider as relevant:

Whether a caretaker's house is legitimately associated with any commercial or industrial use on the same land by:

- It being ancillary to the commercial or industrial land use.
- It being above ground level and self-contained.
- It comprising less than 10 per cent of the total floor area of the associated commercial or industrial use (excluding car parking and loading bay areas) or 100 square metres, whichever is less.
- There being a need for a caretaker to oversee the commercial or industrial property when it is unoccupied or to supervise its operation.

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AMENDMENT C269YARA

Attachment 5 - Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

AMENDMENT C269YARA

System Note: The following ordinance will be added after 13.07-1L Caretaker's house

13.07-1L Interfaces and amenity

C269yara

Policy application

This policy applies to applications for:

- Non-residential use and development.
- Accommodation (excluding an extension to an existing dwelling) within:
  - A residential zone within 30 metres of an existing commercial or industrial zone.
  - 50 metres of a live music venue or hotel.
  - 50 metres of a major road identified on the Main Roads and Train Lines Map to this clause.
  - 80 metres of a passenger rail line identified on the Main Roads and Train Lines Map to this clause.
  - 135 metres of a freight train line identified on the Main Roads and Train Lines Map to this clause.
  - A non-residential zone.

Objectives

To protect the normal operation of business and industrial activities from new residential use and development.

To provide a reasonable level of amenity to new residential development within or adjacent to land in commercial and industrial zones, while not impeding the growth and operation of surrounding non-residential development and land use in those zones.

To promote land use outcomes that advance the primary purpose of a zone by ensuring amenity considerations facilitate intended land uses permissible in the zone.

Strategies

Non-residential use and development

Noise

Locate noise generating uses, including plant and equipment, away from noise-sensitive habitable rooms (in particular, bedrooms) and private open space and where appropriate incorporate acoustic attenuation measures.

Ensure that noise emissions in residential zones (except the mixed use zone) are compatible with a residential environment.

Fumes and air emissions

Locate fume and air emission generating uses (including plant and equipment) away from residential uses or, where appropriate, provide a reasonable buffer.

Ensure that use and development with potential air quality impacts, including odours and emissions, does not adversely affect the amenity of the surrounding area.

Support use and development that resolves legacy issues of odour and emissions and their impacts on residential amenity.

Storage and waste

Conceal commercial or industrial storage, waste or other processing activities from residential properties and locate them away from primary street frontages.

Minimise odour and noise disruption to nearby residential properties from commercial or industrial waste (solid, gas and liquid) management practices and storage.

Light spill

Minimise light spill (from both fixed and vehicular lights) beyond the perimeter of the site and onto habitable room windows of nearby residential properties through appropriate design, location and management practices.

Overlooking and unsightly views

Minimise unsightly views of business or industrial activity from adjoining residential properties.

Minimise the potential for unreasonable overlooking of private open space areas and into habitable room windows of adjoining residential properties, through the use of appropriate siting, setbacks, and possibly screens.

Residential development

Noise

Require new residential use and development to include design measures to minimise the impact of the normal operation of existing commercial and industrial operations on the amenity of the dwelling, such as:

- Locating noise-sensitive rooms (in particular, bedrooms) and private open space away from existing and potential noise sources, and where appropriate incorporate other measures such as acoustic fencing, landscaping, acoustic glazing to balconies and windows and building setbacks.
- Providing for air ventilation that avoids compromising acoustic amenity when windows are closed.

Fumes/air emissions/light spill and vibration

Incorporate measures to protect future residents from unreasonable fumes or air emissions, light spillage, vibration and other likely disturbances from nearby business or industrial operations, including through appropriate orientation of windows, habitable rooms, balconies and ventilation systems.

Overlooking

Minimise the potential for overlooking from existing business or industrial premises into habitable room windows and private open space areas, through the use of appropriate siting, setbacks, articulation, screens and landscaping.

Policy guidelines

Non-residential use and development

Consider as relevant:

- The nature of the proposed use, including the following:
  - How the land is to be used and the type of activities which will be carried out.
  - Hours of operation.
  - Patron and/or staff numbers.
  - Potential off-site impacts, including how such impacts will be managed and mitigated.
- The current use of the land and adjoining properties.
- Limit the hours of operation for a use proposed in a residential zone (except the Mixed Use Zone) to 8am to 8pm.

- The location and layout of the existing building(s) on the site, including the location of all external windows, doors and car parking areas.
- Any residential use within 30 metres, including details of, habitable room windows, balconies, secluded private open space and car parking areas.
- The location and type of activities to be carried out on the land.
- How potential noise, fumes and air emissions, storage, waste and deliveries, light spillage and other operational matters that may cause negative impacts on nearby residential properties in a residential zone are to be addressed.
- Whether noise from plant and equipment is designed in a way that ensures it will meet the requirements of the Victorian EPA Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues, Part I: Commercial, industrial and trade premises (Noise Protocol, Part I).
- Whether music noise meets the requirements of the Victorian EPA Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues, Part II: Entertainment venues and events (Noise Protocol, Part II) where Clause 53.06 does not apply.
- Patron noise.

Residential development

Consider as relevant:

- The location of any noise source within the distances specified in the policy application.
- The days and hours of operation of any applicable noise generating use.
- Acoustic attenuation and other design features proposed to mitigate potential noise, fumes, air emissions, light spill, overlooking, waste management and other operational matters from nearby commercial or industrial uses.
- Whether the development is adequately protected from road traffic and rail noise.
- Noise from existing and proposed plant and equipment.
- Noise from patrons in non-residential uses.

Policy documents

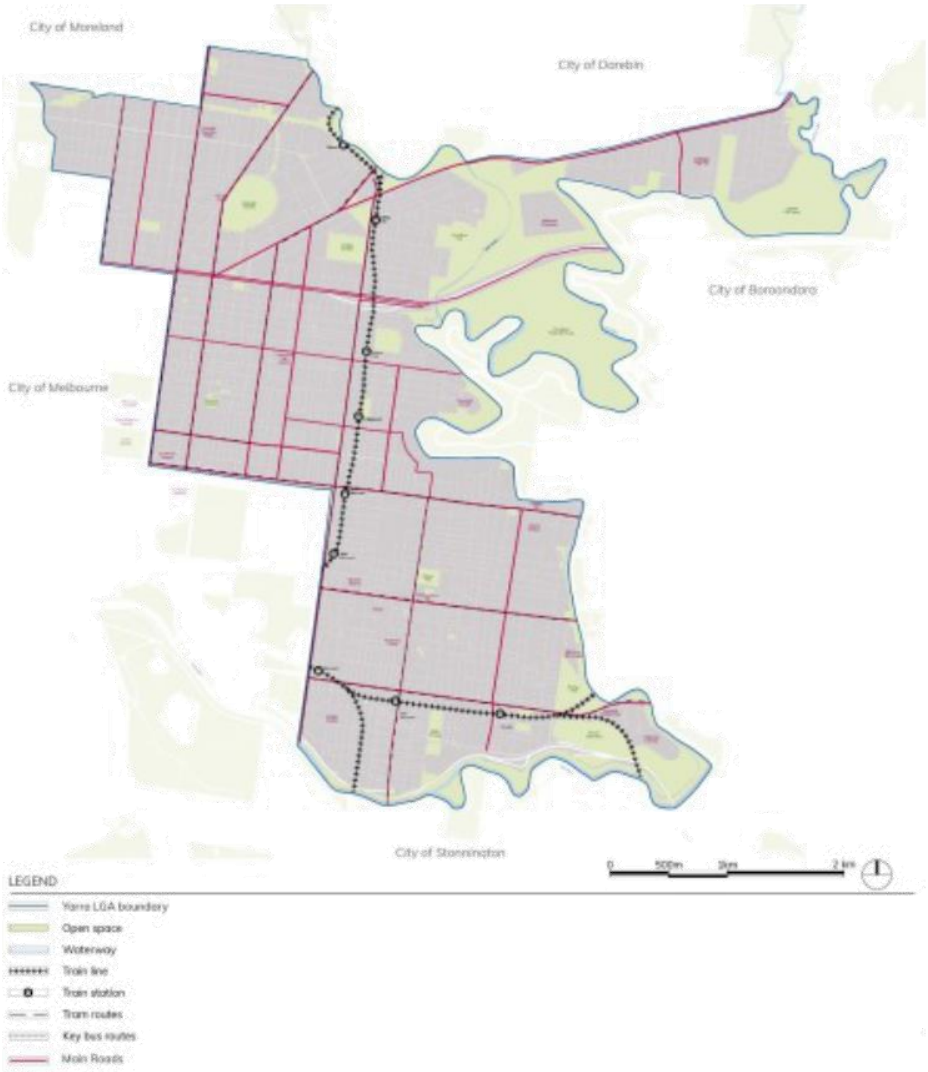
Consider as relevant:

- *Guidelines - managing noise impacts in urban development (April 2022) Yarra City Council*

Attachment 5 - Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

AMENDMENT C269YARA

Main Roads and Train Lines Map



Attachment 5 - Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

AMENDMENT C269YARA

System Note: The following ordinance will be added after 13.07-1L Interfaces and amenity

13.07-1L Licensed premises

C269yara

Policy application

This policy applies to an application under Clause 52.27 - Licensed premises.

Objectives

To protect the amenity of nearby properties and areas by managing the location, size, operation and hours of licensed premises.

To protect residential and other commercial uses from excess noise, traffic and car parking issues created by licensed premises.

To encourage best practice venue design and venue operation for licensed premises.

To protect the amenity of surrounding sensitive uses from an unreasonable cumulative impact of licensed premises.

Location and access

Strategies

Locate licensed premises where:

- There is opportunity for a high level of public safety and surveillance of patrons as they enter and leave the premises.
- There is convenient access to car parking, public transport, taxi ranks or ride sharing.
- Transport can be accessed through non-residential areas at late hours.

Locate licensed premises with a capacity of more than 200 patrons in the following Core Entertainment Precincts (defined by the Commercial 1 Zone and limited to properties fronting and with pedestrian access from the listed main streets):

- Swan Street west of Church Street.
- Bridge Road west of Burnley Street.
- Victoria Street west of Burnley Street.
- Smith Street between Gertrude Street and Alexandra Parade.
- Brunswick Street between Gertrude Street and Alexandra Parade.

Discourage licensed premises from locating in areas zoned Residential (excluding the Mixed Use Zone).

Policy guidelines

Consider as relevant:

- Whether access from the licensed premises to car parking, public transport, taxi ranks or ride sharing from a premises operating after 10pm is through a residential area.
- The nature and location of uses surrounding the proposed licensed premises including the type of licensed premises in the area, the hours of operation and patron numbers.

Venue design

Strategies

Incorporate safe design principles in the layout and design of licensed premises.

Locate entry and exits points of a licensed premise and the areas for queuing of patrons away from sensitive land uses.

Provide waste management and storage on-site and provide noise enclosures where bottle crushers are to be used.

Design licensed premises to respond to residential properties and other sensitive land uses in close proximity to the premises, including by taking into account the location of their existing doors, windows and open space areas.

Policy guidelines

Consider as relevant:

- The *Design Guidelines for Licensed Venues* (Victorian Commission for Gambling and Liquor Regulation, 2017)

Hours of operation

Strategy

Provide operating hours that:

- Are consistent with the intent of the zoning purpose of the land.
- Respond to the nature of surrounding land uses.
- Will not adversely affect the amenity of the surrounding area

Policy guidelines

Consider as relevant unless the responsible authority is satisfied that the use will not adversely affect the amenity of the area:

- Limiting the sale and consumption of liquor from licensed premises to no later than:
  - 8pm in a residential zone (other than the Mixed Use Zone).
  - 10pm in the Mixed Use Zone,
  - 11pm for licensed premises within 30 metres of a residential zone.
  - 1am in a commercial or industrial zone.
  - 10pm for outdoor areas including smoking areas, rooftops and open courtyards.
- Limiting the sale and consumption of liquor from licensed premises to occur no earlier than 9am.
- Limiting the sale of liquor from packaged liquor outlets to between:
  - 9am and 11pm.
- Limiting deliveries and waste collection (except where allowed under a local law) to between:
  - 7am to 10pm Monday to Saturday.
  - 9am to 10pm Sunday and public holidays.
- Limiting emptying bottles into bins in outdoor areas to between:
  - 7am to 10pm Monday to Saturday.
  - 9am to 10pm Sunday and public holidays.

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Venue operation

Strategy

Manage the operation of a licensed premise to minimise adverse amenity impacts on surrounding residential and other sensitive uses.

Policy guidelines

Consider as relevant:

- Operating measures to minimise adverse amenity impacts from licensed premises including adapting:
  - Where alcohol will be sold and consumed.
  - The management of music and entertainment, including frequency and hours.
  - Amplification or speaker systems.
  - The design and location of dance floor areas.
  - The management of on and off-site smoking areas.
  - Provision and hours of food service.
  - Seating ratios.
  - Security lighting and CCTV surveillance.
  - Complaint procedures.
  - The management of patrons (including security arrangements) outside the premises, including patron ingress and egress, queues and dispersal after the venue has closed.
  - Any other measures to ensure unreasonable amenity impacts are avoided.

Patron numbers

Strategies

Encourage venue size and patron numbers that:

- Provide for a safe and amenable operating venue capacity.
- Reflect the strategic and physical context of the site.

Policy guidelines

Consider as relevant:

- Whether the number of patrons proposed to be accommodated are within the safe and amenable operating capacity of the premises, based on the *Liquor Licensing Fact Sheet - Maximum Patron Capacity* (Victorian Commission for Gambling and Liquor Regulation, 2018).
- An assessment by a building surveyor detailing the patron capacity of the licensed premises where an application proposes an increase in patron numbers or a new licence.
- The number of patrons shall not adversely affect the amenity of nearby properties, including by any unreasonable cumulative impact.

Noise

Strategy

Design, manage or modify licence premises to minimise any unreasonable noise impacts on the amenity of the area.

Attachment 5 - Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

Policy guidelines

Consider as relevant:

- Whether noise emissions from licensed premises comply with the standards specified in *EPA Publication 1826 Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues* or any other requirement, such as accepted sleep disturbance criteria or relevant Australian Standards (except for an application for a restaurant, including a café, where the preferred hours of operation specified in this policy are met; or any application for a packaged liquor outlet).
- The preparation of an acoustic report (except for cafes but includes restaurants with an open courtyard and restaurants with a residential interface).
- Employing on-site noise attenuation measures to licensed premises where unreasonable amenity impacts may result from proposed activities on the surrounding area.
- The preparation of a Noise and Amenity Action Plan (except for a restaurant, café or packaged liquor outlet) that includes the following information:
  - Procedures to be undertaken by staff in the event of complaints by a member of the public, the Victoria Police, an 'authorised officer' of Council or the Victorian Commission for Gambling and Liquor Regulation.
  - The management and dispersal of patrons, including patrons loitering around the venue after the venue has closed.
  - The management of large group bookings.
  - The management of smokers and on an off-site smoking areas (particularly where liquor may not be allowed to be sold and consumed with the smoking area after a particular time).
  - The management of external queues.
  - How the movement and exit of patrons is to be managed, particularly where there is a requirement to close a different section of the venue at different times.
  - Details of the provision of music including the frequency and hours of entertainment provided by live bands and DJs.
  - Any other measures to be undertaken to ensure no unreasonable amenity impacts from the licensed premises.

Application to amend an existing permit

Policy guidelines

Consider as relevant:

- Information about the operation of the premises, including any issues or complaints received by relevant authorities.
- Any contravention of a permit condition or liquor licence.
- Whether the conditions on the existing permit regulating the venue design, hours of operation, patron numbers, noise and amenity impacts are adequate.

Attachment 5 - Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

AMENDMENT C269YARA

System Note: The following ordinance will be added after 13.07-1L Licenced premises

15.01-1L Signs

C269yara

Policy application

This policy applies to all applications for signs under Clause 52.05.

Objectives

To encourage signs that make a positive contribution to their host building and the surrounding area.

Strategies

Encourage signs that:

- Are consistent with the character of the area.
- Respect the amenity of the area.
- Are proportioned and designed to complement the host building and site.
- Preserve active frontages.

Discourage signs that are:

- Perpendicular to a structure or building above the first floor.
- Reflective.
- Erected on the roof of a building.
- Erected on vacant or derelict buildings.

Policy guidelines

Types of signs

Consider as relevant:

- Supporting **above-verandah signs** in commercial areas where there are limited opportunities at ground level for signage and where the signs:
  - Are wall mounted and do not sit on a verandah roof, canopy or awning.
  - Avoid projecting more than 1 metre from the building.
  - Comprise one sign per premises or where there is more than one premises in a building, comprise a maximum of two signs per building facade.
  - Are not illuminated or electronic.
- Limiting **under-verandah signs** to one sign per building except on a corner site where an additional sign on the secondary street may be allowed:
- Limiting **verandah fascia signs** to one sign except on a corner where an additional sign on the secondary street may be allowed:
- Supporting **major promotion signs** where all of the following apply:
  - The sign is no higher than the height of a building or structure it is located on.
  - The sign is no higher than the height of a building or structure on adjoining land, when the sign is located on a blank facade of a building.
  - The sign provides a minimum clearance of 2.7 metres between the footpath and the underside of the sign.

  - The design and illumination of the sign responds sensitively to any residential use the sign faces.
  - The sign is located on land adjoining a road in a Transport Zone 2 (TRZ2).
- Limiting **pole signs** to:
  - A height no higher than the height of buildings on the subject land or substantial adjacent structures on abutting or adjacent sites.
  - A sign that is on an open site and is incorporated into the landscaping.
  - The following locations:
    - Commercial and industrial areas.
    - Locations other than opposite or adjacent to a residential use.
    - Land adjoining a road in a Transport Zone 2 (TRZ2).
- Supporting **high-wall signs** that:
  - Are located across less than two levels of the building on which the sign is located.
  - Have supporting structures that do not project more than 300 millimetres from the building on which it is located.
  - Are for business identification.
  - Are located land adjoining on a road in a Transport Zone 2 (TRZ2).
- Avoiding **window signs** covering more than 30% of a ground floor commercial window (including decal signs, signs painted on a window or signs mounted behind a window).
- Limiting **sky signs** and **signs mounted on bridge structures** to land adjoining a road in a Transport Zone 2 (TRZ2) in commercial areas.

Residential areas

Consider as relevant:

- Limiting signs for non-residential uses to one business identification sign per premises, except on a corner site, where an additional sign may be allowed.
- Limiting business identification signs to only a name, address and a logo.
- Limiting illumination to external illumination that switches off between 8pm and 8am.
- Encouraging signs to be fixed to a fence or building facade rather than freestanding or roof mounted.
- Discouraging the following signs in residential areas:
  - Promotion signs.
  - Above-verandah signs.
  - Sky signs.
  - High-wall signs.
  - Reflective signs.
  - Pole signs.
  - Internally illuminated, flashing or electronic signs.
  - Signs mounted on bridge structures.

Attachment 5 - Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

AMENDMENT C269YARA

Attachment 5 - Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

AMENDMENT C269YARA

System Note: The following ordinance will be added after 15.01-1L Signs

15.01-1L Urban design

C269yara

Strategies

Public realm

Support development that creates new public spaces to serve the needs of residents, workers, traders and visitors.

Support development that improves the quality of the public realm.

Require public realm improvements when rezoning land.

Encourage developments to incorporate public art.

Wind

Minimise the potential for development, particularly taller buildings, to create adverse wind conditions in the public realm at street level through building siting and design.

Weather protection

Support development that provides weather protection of the public realm (including footpaths and plazas).

Projections over a public realm

Avoid development that projects (including internal floor space, balconies and garage doors) into or over a public realm (including a laneway). This does not apply to verandahs/awnings for weather protection, particularly in commercial areas and architectural features.

Development adjoining land in a Heritage Overlay

Provide a transition from any adjoining building with an individually significant or contributory heritage grading, having regard to height, street wall height, setbacks, building form and siting.

Provide a sympathetic and respectful design response that does not dominate an adjoining heritage place.

Use materials and finishes that do not detract from the fabric of the heritage place.

Adopt a street wall height to the street frontage that is no higher than an adjoining heritage building with an individually significant or contributory grading.

Laneways

Promote development abutting a laneway that:

- Provides a safe and well-lit environment for users of the laneway.
- Reflects the character of the laneway.
- Respects the scale of surrounding built form.
- Retains bluestone laneways.
- Locates primary pedestrian access to the street rather than a laneway, where street access is available.
- Provides clearly identifiable, accessible, well-lit and safe pedestrian entries with a sense of address to a laneway.
- Separates pedestrian entries from vehicle entries.
- Provides a ground floor setback from the laneway, where the laneway is too narrow to provide safe access for vehicles and pedestrians.

Attachment 5 - Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

- Avoids light spill into adjacent private open spaces and habitable rooms.
- Enables all essential services to be provided to the development.
- Retains the public access function of the laneway.
- Provides windows and balconies to facing laneways to enhance surveillance but do not unreasonably overlook neighbouring private open spaces or habitable rooms on the opposite side of the laneway.

Support development that re-establishes laneways through the development site where such links were part of the historic street pattern.

Support development that creates new laneways and pedestrian links that are well integrated with the existing street pattern and improve permeability of sites.

Avoid development that:

- Obstructs existing access to other properties in a laneway.
- Overwhelms the character of a laneway.
- Would result in the use of a laneway for refuse storage.
- Results in garage doors protruding into the laneway.
- Requires multiple vehicle manoeuvres to enter or exit the site.

Boulevards

Support development along Alexandra Parade, Queens Parade, Victoria Parade and Hoddle Street that:

- Maintains the landscaped character comprising avenue trees along Alexandra Parade, Victoria Parade and the south end of Queens Parade.
- Improves the landscape character of Hoddle Street.
- Provides a scale that reflects the context of the boulevard.
- Improves the pedestrian environments and the public realm along boulevards.
- Creates quality building design and reinforces the importance of the boulevard.

Provide a transition in built form between the boulevards and their low-rise, small-lot hinterlands and any low-rise existing residential areas along the boulevards.

Development adjacent to a public open space

Facilitate development that:

- Maintains, improves, or provides pedestrian access to the space.
- Orients windows and balconies to public open space to enhance public safety and the pedestrian experience.
- Relates the scale and siting of a building to the character of the park.
- Provides landscaping that complements the vegetation of the park.
- Provides weather protection of footpaths where practical and appropriate.

Design buildings adjacent to any public open space set aside under clause 19.02-6L to facilitate high quality and accessible public open space

Avoid development that projects (including internal floor space, balconies and garage doors) into or over a public open space.

Attachment 5 - Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

AMENDMENT C269YARA

System Note: The following ordinance will be added after 15.01-2S Building design

15.01-2L Building design

C269yara

Policy application

This policy applies to all development.

Strategies

Building form

Design development to:

- Reflect and respond to streetscape elements, including:
  - Pattern of development.
  - Building spacing.
- Provide separation between buildings to facilitate access to daylight, sunlight and an outlook, while preventing direct overlooking into adjacent secluded private open spaces and habitable room windows from, to and within the development.
- Make a positive contribution to the streetscape through high quality architecture and urban design.
- Avoid blank or unarticulated walls.
- Use articulation or massing or change of surface treatment or a combination of these to relate the taller buildings to the scale of their surrounds and to diminish visual bulk.

Building heights

Ensure the height of new buildings respond to the height of adjoining development, unless indicated otherwise in the planning scheme.

Ensure that development reflects the predominant low-rise character of the area, except in the areas below:

- Major and neighbourhood activity centres (as shown on the Strategic Framework Plan in clause 02.04 and clause 11.03-1L).
- Employment areas (as defined in clause 02.01).
- Major regeneration areas (as shown on the Strategic Framework Plan in clause 02.04)
- Boulevards (as defined in clause 02.03),

  where building heights should be in accordance with any building height requirements set out in the relevant zone or overlay (including design and development overlays), or, where there are no building height requirements specified, having regard to the physical and strategic context of the site.

Avoid high-rise development unless specified by a schedule to the Design and Development Overlay.

Mid-rise development

Direct mid-rise development to the following locations:

- Appropriate locations within major and neighbourhood activity centres; major employment precincts, commercial and industrial land (as defined in clauses 02.01 and 11.03-1L), where building heights should be in accordance with any building height requirements set out in the relevant zone or overlay (including design and development overlays), or, where there are no building height requirements specified, having regard to the physical and strategic context of the site.

- Major regeneration areas (as shown on the framework plan in clause 02.04-1)
  - Alphington Paper Mills site.
  - Gas Works site in North Fitzroy.
  - South-west Cremorne (land south of Gough Street).
- Appropriate locations along the following Boulevards that are outside activity centres:
  - Alexandra Parade.
  - Hoddle Street.
  - Victoria Parade.

Support mid-rise development that:

- Contributes to a high-quality built form.
- Demonstrates architectural design excellence.
- Provides a transitional scale to the buildings in adjoining low-rise neighbourhoods to protect amenity and avoid visual bulk.
- Improves movement through the site.
- Provides active frontages at street level.
- Contributes to an improved public realm.

Building setbacks

Buildings should be aligned to the street at ground level unless they provide for public open space or landscaped edge.

Incorporate setbacks that:

- Reflect the general pattern of front, side and rear setbacks in the streetscape, particularly on the same side of the street.
- Limit excessive tiered building profiles on street and laneway frontages resulting from excessive numbers of upper level setbacks.
- Provide for soft landscaping including the planting of canopy trees, where appropriate.

Avoid front setbacks that:

- Consist of hard-paving (other than footpaths and driveways) rather than landscaping in the front setbacks in residential areas.
- Include recessed undercroft parking at ground level.
- Consist of car parking, basement car parking access and ventilation shafts.

Avoid the intrusion of balconies and building services into the setback.

Use materials at upper levels that are recessive in finish and colour.

Walls on boundaries

Ensure walls on boundaries avoid adverse impact on the amenity of any adjoining residential properties through unreasonable overshadowing of private open space, visual bulk or loss of daylight to habitable room windows.

Site coverage

Encourage site coverage of new development that does not exceed a maximum site coverage of 80% of the site area, unless:

- The pattern of site coverage in the immediate area is higher than 80%; or
- There is a need to cap the site to deal with contamination.

Internal amenity

Provide a high-quality environment for building occupants, including internal spaces, access to private open space, daylight and ventilation.

Encourage developments to provide:

- Lighting of common spaces.
- Passive surveillance of common spaces.
- Landscaping that maximises sightlines.

Impact of development on adjoining properties

Avoid impacts on existing adjoining development through:

- Unreasonable overshadowing of secluded open space and loss of daylight to habitable room windows.
- Visual bulk.
- Overlooking and excessive screening.
- Noise from building plant and equipment.
- Loss of on-street car parking from excessive crossovers.

Equitable development

Avoid development that:

- Unreasonably compromises the development potential of adjacent sites by adversely affecting access to daylight, ventilation or locating windows and balconies close to boundaries which compromise amenity.
- Depends on or borrows from neighbouring sites for its amenity.

Facilitate an equitable share of amenity by recognising a site's context and size relative to adjoining sites.

Roof form

Design development to reflect or complement the dominant roof form of the surrounding area.

Materials

Use a simple palette of durable materials that respond to the streetscape character through type, colour, finish and contrast.

Include anti-graffiti materials and treatments at ground level.

Avoid detriment to nearby properties when using reflective materials. [22.10-3.8]

Landscaping

Encourage the planting of trees and vegetation to increase their canopies and coverage to contribute to an urban forest

Facilitate landscaping (including planting in deep soil, planter boxes, green walls and green roofs) that:

- Promotes the on-going health of trees and vegetation that has been retained on site.
- Respects the landscape character of the area where there is a prevailing character.

- Integrates with the building design.
- Uses materials, treatments and plants that are permeable, durable and resistant to adverse environmental conditions.
- Retains existing mature trees where possible or incorporates suitable replacement planting where mature trees are removed.
- Includes indigenous plants.
- Maximises internal sight-lines to provide for pedestrian safety.

Avoid landscaping in new development that uses existing or potentially invasive weed species.

Pedestrian access

Provide separate vehicular and pedestrian access.

Provide clearly identifiable, accessible, well-lit and safe pedestrian entries with a sense of address to a street.

Match entries at ground floor level with the street level to assist with universal access.

Provide weather protection for entries.

Frontages

Provide active frontages in commercial areas.

Design ground level street frontage of new development to provide a high level of pedestrian amenity and visual interest and contribute to strong ground floor relationships and high-quality outcomes.

Orient development to the street, and to both streets if a corner site.

Avoid dominant car parking, garage doors and driveways.

Front fences and gates

Reflect the predominant character of fencing and boundary treatments in the street in terms of height, material and permeability, and clearly defines the boundaries of a site.

Provide privacy and security that allows natural surveillance between the building and the street.

Carparking, loading facilities and outbuildings

Require carports, car spaces, external car stackers, garages, loading facilities and outbuildings to be:

- Set back behind the front building line (excluding verandahs, porches, bay windows or similar projecting features) to appear visually recessive when viewed from the street.
- Located at the rear of a building, in an area of lower pedestrian activity.

Require car parking, including basement car parking and external car stackers, to incorporate high standards of design and amenity.

Maintain the prominence of pedestrian entries.

Minimise the number of garage doors facing a street.

Avoid open, ground level multi-space car parks.

Avoid blank walls of car parks visible from the street.

Provide legible and safe vehicular entries.

Conceal the view of cars at ground level and on upper levels of multi-deck car parking.

Conceal the view of car stackers from the public realm.

Minimise noise from deliveries through appropriate design, location and management of loading bays.

Service equipment

Ensure that service infrastructure is appropriately sited and incorporated into the design of new buildings and has limited visiblity from the public realm. [22.10-3.11]

Allow plant rooms, lift over-runs and the like to exceed the height of a building where:

- Less than half the roof area is occupied by the equipment (except solar panels).
- It causes no additional overshadowing.

Low and Zero Carbon Development

Support zero carbon development and the offsetting of emissions from the existing built environment.

Support the take-up of opportunities to improve the resource efficiency of existing buildings through refurbishment and retrofitting, including renewable and low carbon energy technologies.

Policy guidelines

Consider as relevant:

A site analysis plan for non-residential development that addresses:

- In relation to the subject site:
  - Site shape, size, orientation, slope (contours) and location and type of any easements.
  - Levels of the site and the difference in levels between the site and surrounding properties.
  - The location and heights of existing buildings on the site.
  - Solar access to the site.
  - Shadows cast by any existing buildings between 9am and 3pm on 22 September.
  - Location and botanical name of significant trees.
  - Fence heights, styles and location.
  - Views to and from the site.
  - Street frontage features such as poles, street trees, kerb crossovers and pedestrian access points.
  - Any other notable features or characteristics of the site.
- In relation to adjacent properties and the broader neighbourhood:
  - The location and heights of buildings on adjacent properties.
  - The use of buildings on adjacent properties.
  - The location of secluded private open space and habitable room windows of adjacent residential properties which have an outlook to the site within 9 metres.
  - Solar access to adjacent properties.
  - The pattern of development of the neighbourhood, including details regarding widths of adjacent footpaths and roadways, and street planting.
  - The built form, scale and character of surrounding development including front fencing.
  - Architectural styles of surrounding buildings.
  - Location of any nearby places of cultural heritage significance.

- Land (such as streets/ laneways and public parks) where natural surveillance is desirable.
- The location of local shops, public transport services, public open spaces (including any pedestrian and cycle links to these facilities) situated within walking distance of the site.
- Any other notable features or characteristics of the neighbourhood.
- Prevent additional overshadowing of Darebin Creek and Merri Creek between 11am and 2pm on 22 June.
- Prevent additional overshadowing of adjacent public open space.
- Avoids overshadowing of public open space between 10am and 2pm on 22 September.
- Unless specified elsewhere in this scheme, ensure development allows direct sunlight between 10am and 2pm on 22 September to any part of the:
  - Footpath on the southern side of streets oriented east-west in activity centres defined in clause 11.03-1L.
  - Opposite footpath on streets oriented north-south in activity centres defined in clause 11.03-1L.

How the development responds to the site analysis.

- Whether new buildings and works are consistent with the scale, bulk and character of the area.

Attachment 5 - Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

AMENDMENT C269YARA

System Note: The following ordinance will be added after 15.01-2L Building design

15.01-2L Landmarks

C269yara

Objective

Maintain the visual prominence of and protect primary views to Yarra's valued landmarks.

Strategies

Preserve primary views to landmarks as identified in Table 1.

Site, scale and set back new development to avoid encroachment upon views to the identified significant elements of landmarks in Table 1.

Provide adequate setback and building separation to maintain clear sky between the identified significant elements of the landmark in Table 1 and new development.

Minimise light spill from new development that would reduce the visual prominence of identified illuminated landmark signs at night time.

Table 1: Landmark primary viewpoints and architectural significant elements

Landmark	Primary views	Significant elements
Church spires		
St Ignatius **326-348 Church Street, Richmond**	▪ Tram terminus at intersection of Church and Victoria Streets ▪ North-east corner of intersection of Bridge Road and Church Street ▪ South-east corner of Church Street and Swan Street ▪ Citizens Park – path around oval at Highett Street/Gleadell Street entry	▪ Spire ▪ Belfry
St Mark's **268 George Street, Fitzroy**	▪ South-east corner of intersection of Moor Street and Gore Street ▪ South-west corner of intersection of Moor Street and George Street ▪ North-west corner of intersection of Condell Street and Napier Street	▪ Spire ▪ Belfry
St John the Baptist **61 Queens Parade, Clifton Hill**	▪ Pedestrian refuge on the south-west corner of intersection of Queens Parade and Smith Street ▪ Pedestrian crossing near Raines Reserve ▪ Alfred Crescent Pavilion in Edinburgh Gardens	▪ Spire ▪ Belfry
St Luke's **121-123 St Georges Road, North Fitzroy**	▪ South-east corner of intersection of Brunswick Street and Johnston Street ▪ Walkway, north of grandstand in Edinburgh Gardens	▪ Spire ▪ Belfry

Attachment 5 - Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

AMENDMENT C269YARA

Landmark	Primary views	Significant elements
St Patrick's **1 Cathedral Place, East Melbourne**	▪ Footpath outside main entry to St Luke's, 121 – 123 St Georges Road, Fitzroy North	▪ Spire ▪ Belfry
Clock towers		
Former Dimmeys store **140-160 Swan Street, Richmond** **(previously known as Ball Tower)**	▪ North-west corner of intersection of Swan Street and Yan Lane ▪ North-west corner of intersection of Stewart and Swan Streets ▪ North-east corner of intersection of Waverley Street and Swan Street	▪ Ball ▪ Clock stage ▪ Arcade stage
Richmond Town Hall **333 Bridge Road, Richmond**	▪ South-west corner of intersection of Lennox Street and Bridge Road ▪ South-east corner of intersection of Burnley Street and Bridge Road ▪ Citizens Park at i. Path around oval at Highett Street / Church Street entry ii. Path around oval where it meets the central entry from Highett Street	▪ Flag pole ▪ Pyramidal roof ▪ Clock stage ▪ Cornice and iron balustrade
Collingwood Town Hall **140 Hoddle Street, Abbotsford**	▪ South-west corner of intersection of Victoria Parade and Hoddle Street ▪ North-west corner of intersection of Johnston and Hoddle Street ▪ Gahan Reserve – entry to reserve at intersection of Park Street and Stanton Street	▪ Flag pole ▪ Cupola ▪ Clock stage ▪ Balustrade and entablature
Fitzroy Town Hall **201 Napier Street, Fitzroy**	▪ South-west corner of intersection of Condell Street and George Street ▪ Condell Street Reserve – centre of the park ▪ North-west corner of intersection of Kent Street and Moor Street	▪ Flag pole ▪ Cupola ▪ Clock stage ▪ Balustrade and entablature
Industrial structures		
Shot tower **94 Alexandra Parade, Clifton Hill**	▪ Intersection of Brunswick Street and Alexandra Parade - north-east corner of centre median ▪ Eastern Freeway (west of the Hoddle Street overpass) ▪ Darling Gardens (Rotunda)	Top one third of the tower
Advertising sky signs		

Attachment 5 - Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

AMENDMENT C269YARA

Landmark	Primary views	Significant elements
Pelaco sign **21 Goodwood Street, Richmond**	▪ Tram Stop 13 on Wellington Parade ▪ North-west corner of intersection of Punt Road and Wellington Parade ▪ South-west corner of intersection of Church Street and Hodgson Terrace	Sign
Skipping Girl sign **651 Victoria Street, Abbotsford**	▪ South-west corner of intersection of Burnley Street and Victoria Street ▪ Entry to the City of Yarra from the east (Victoria Street footpath, south side) ▪ Intersection of Leslie Street and Victoria Street	Sign
Nylex sign **2 Gough Street, Cremorne**	▪ Morell Bridge – centre of bridge on its eastern footpath	Sign
Slade Knitware sign **105-115 Dover Street, Cremorne**	▪ North-west corner of intersection of Kelso Street and Dover Street	Sign
World Heritage		
Royal Exhibition Building **9 Nicholson Street, Carlton**	▪ Length of the footpath on south side of Gertrude Street between Nicholson Street and Fitzroy Street ▪ Along Marion Lane west of Fitzroy Street	▪ Drum ▪ Dome ▪ Lantern ▪ Flagpole

Attachment 5 - Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

AMENDMENT C269YARA

System Note: The following ordinance will be added after 15.02-1S Energy and resource efficiency

15.02-1L Environmentally sustainable development

C269yara

Policy application

This policy applies to residential and non-residential development, excluding subdivision, in accordance with the thresholds detailed in this policy.

Objective

To achieve best practice in environmentally sustainable development from the design stage through to construction and operation.

Strategies

Achieve Best Practice environmentally sustainable development that:

- Is relevant to the type and scale of the development.
- Responds to site opportunities and constraints.
- Utilises a combination of locally available techniques, methodologies, and systems that, have been demonstrated to achieve optimum ESD outcomes; and
- Encompass the full life of the build.

Energy performance

Reduce both energy use and energy peak demand through design measures such as:

- Building orientation.
- Shading to glazed surfaces.
- Optimising glazing to exposed surfaces.
- Space allocation for renewable technologies.

Integrated water management

Reduce total operating potable water use through appropriate design measures such as water efficient fixtures, appliances, equipment, irrigation and landscaping.

Encourage the appropriate use of alternative water sources (including greywater, rainwater and stormwater).

Incorporate best practice water sensitive urban design to improve the quality of stormwater runoff and reduce impacts on water systems and water bodies.

Indoor Environment Quality

Achieve a healthy indoor environment quality, including thermal comfort and access to fresh air and daylight, prioritising passive design over mechanical heating, ventilation, cooling and lighting.

Reduce indoor air pollutants by encouraging use of non-toxic materials.

Minimise noise levels and noise transfer within and between buildings and associated external areas.

Transport

Design development to promote the use of walking, cycling and public transport, in that order; and minimise car dependency.

Promote the use of low emissions vehicle technologies and supporting infrastructure.

Waste management

Promote waste avoidance, reuse and recycling during the design, construction and operation stages of development.

Encourage use of durable and reuseable building materials.

Ensure sufficient space is allocated for future change in waste management needs, including (where possible) composting and green waste facilities.

Urban Ecology

Protect and enhance biodiversity by incorporating natural habitats and planting indigenous vegetation.

Reduce urban heat island effects through building design, landscape design, water sensitive urban design and the retention and provision of canopy and significant trees.

Encourage the provision of space for productive gardens, particularly in larger residential developments.

Policy guidelines

Consider as relevant the following:

Residential

A Sustainable Design Assessment (including an assessment using BESS,STORM or other methods for:

- 2 – 9 dwellings.
- A building used for accommodation other than dwellings with a gross floor area between 100m2 and 1,000 m2.

A Sustainability Management Plan (including an assessment using BESS/Green star, STORM/MUSIC or other methods) and a Green Travel Plan for:

- 10 or more dwellings.
- A building used for accommodation other than dwellings with a gross floor area of more than 1,000m2.

Non-residential

A Sustainable Design Assessment (including an assessment using BESS and STORM/ MUSIC or other methods) for:

- A non-residential building with a gross floor area of between 100m2 and 1,000 m2.
- An extension to an existing non-residential building creating between 300m2 to 1,000m2 of additional gross floor area (excluding outbuildings).

A Sustainability Management Plan (including an assessment using BESS/Green star, STORM/ MUSIC or other methods) and a Green Travel Plan for:

- A non-residential building with a gross floor area of more than 1,000m2.
- An extension to an existing non-residential building creating more than 1,000m2 of additional gross floor area (excluding outbuildings).

Mixed use

Applicable assessments for the residential and non-residential components of the development.

Consider as relevant tools to support a Sustainable Design Assessment or Sustainability Management Plan:

- Sustainable Design Assessment in the Planning Process (IMAP, 2015).
- Built Environment Sustainability Scorecard 'BESS' (Council Alliance for a Sustainable Built Environment 'CASBE')

Attachment 5 - Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

- Green Star (Green Building Council of Australia)
- Model for Urban Stormwater Improvement Conceptualisation 'MUSIC' (Melbourne Water)
- Nationwide House Energy Rating Scheme 'NatHERS', (Department of Climate Change and Energy Efficiency)
- Stormwater Treatment Objective - Relative Measure 'STORM' (Melbourne Water)
- Urban Stormwater Best Practice Environmental Management Guidelines, (Victorian Stormwater Committee, 1999)
- Waste Management and Recycling in Multi-Unit Developments - Better Practice Guide (Sustainability Victoria, 2018).

In determining an application, the responsible authority will consider as appropriate:

- Whether an ESD plan or framework has previously been approved by the responsible authority.

Commencement

This policy does not apply to applications received by the responsible authority before 19 November 2015.

Expiry

This policy will expire when it is superseded by an equivalent provision in the Victoria Planning Provisions.

Attachment 5 - Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

AMENDMENT C269YARA

System Note: The following ordinance will be added after 15.03-1S Heritage conservation

15.03-1L Heritage

C269yara

Policy application

This policy applies to all land within a Heritage Overlay and all permit applications for signs in a Heritage Overlay (in addition to policies in Clause 15.01-1L Signs).

Objectives

To conserve and enhance Yarra's natural and cultural heritage.

To preserve the scale and pattern of streetscapes in heritage places.

To ensure the adaptation of heritage places is consistent with the principles of good conservation practices.

To promote signs that conserve and enhance the significance of a heritage place.

Strategies

New development, alterations or additions

Retain, conserve and enhance individually significant and contributory buildings as identified in the incorporated document in schedule to clause 72.04 'City of Yarra Database of Heritage Significant Areas.'

Promote development that is high quality and respectful in its design response by:

- Maintaining the heritage character of the existing building or streetscape.
- Respecting the scale and massing of the existing heritage building or streetscape.
- Retaining the pattern and grain of streetscapes in heritage places.
- Not visually dominating the existing heritage building or streetscape.
- Not detracting from or competing with the significant elements of the existing heritage building or streetscape.
- Maintaining the prominence of significant and contributory elements of the heritage place.
- Respecting the following elements of the heritage place:
  - Pattern, proportion and spacing of elements on an elevation.
  - Orientation to the street.
  - Setbacks.
  - Street wall.
  - Relationship between solid and void.
  - Roof form.
  - Chimneys.
  - Verandahs and canopies.
  - Materials.
- Being visually recessive against the heritage fabric through:
  - Siting.
  - Mass.

- Scale.
- Materials.
- Architectural detailing.
- Texture, colours and finishes.

Protecting and conserving the view of heritage places from the public realm (except from laneways, unless fabric visible from laneways is identified as being significant in the Statement of Significance for the place).

Maintain views to the front of an individually significant or contributory building or views to a secondary façade where the building has two street frontages by not:

- Building over the front of it.
- Extending into the air space above the front of it.
- Obscuring views of its principal façade/s.

Set back additions:

- To avoid facadism, where only the visible façade is retained and the remaining fabric is demolished.
- To maintain the visibility of the three-dimensional form and depth of a building.

Retain or reinstate historic street and laneway fabric and infrastructure, including bluestone.

In circumstances where primary pedestrian access is provided from a laneway, allow for any reinstatement of the laneway fabric to provide universal access.

Demolition

Prioritise the conservation and adaptive reuse of a heritage place over demolition.

Avoid the demolition of individually significant or contributory buildings unless all of the following can be demonstrated:

- The building is structurally unsound rather than just in poor condition.
- Alternative stabilisation works have been investigated and are not feasible.
- The replacement building and/or works is appropriate for the heritage context.

Avoid the demolition of any part of an individually significant or contributory building unless all of the following can be demonstrated:

- The demolition will not adversely affect the significance of the heritage place.
- The partial demolition will contribute to the long-term conservation of the heritage place.
- The fabric does not contribute to the significance of the place or the area of demolition is not visible from:
  - The street frontage (other than a laneway), unless:
    - The principal façade addresses the laneway; or
    - The fabric visible from the laneway is identified in the Statement of Significance.
  - A park or public open space immediately adjoining the site.
- The removal of part of the building allows its three-dimensional form to be retained and does not result in the retention of only the visible façade of the building and demolishing the remainder.
- The replacement building is a high quality design.

Encourage all applications for demolition to be accompanied by an application for new development.

Avoid the demolition of an individually significant or contributory building unless new evidence has become available to demonstrate that the building is not of heritage significance and does not contribute to the significance of a heritage place.

Residential alterations or additions

Set back buildings and works to a minimum depth of two front rooms to retain the original or early fabric of the individually significant or contributory building, its principal façade and primary roof form.

Ensure that buildings and works to heritage places on corner sites or sites with dual frontages to roads are:

- Set back to match the setback of the individually significant or contributory building or the adjoining building, whichever is the lesser.
- Read as a secondary element when viewed from the adjoining street.

Avoid additions that are taller than the individually significant or contributory building except in circumstances where the development is:

- Appropriately set back from the front and side facades.
- Respectful of the scale of the individually significant or contributory building.
- Substantially concealed.

Residential infill development

Set back residential infill development to match the setback of the principal street frontage of adjoining heritage buildings.

Ensure that buildings and works associated with residential infill development are consistent with:

- Prevailing side setbacks and building spacing.
- Height, relative to the surrounding context.

Encourage new residential infill development to reflect the prevailing roof pitch and form.

Avoid using atypical buildings to determine the appropriate siting, form and appearance of new development in the context of its surrounds.

Commercial and industrial heritage places

Articulate new façades by incorporating simple architectural detailing that does not compete with the more elaborate detailing of adjoining individually significant or contributory building.

Retain the visual prominence of both façades of buildings on corner sites (not including laneways).

Avoid the following in the facades of individually significant and contributory buildings:

- New openings.
- Enlarging existing openings.
- New floor plates, walls, columns or structural supports cutting through openings.
- Highly reflective glazing in historic openings (not including solar panels).
- Large expanses of glazing with a horizontal emphasis, except for ground floor shop fronts.
- Unarticulated curtain glazing.
- Balconies in historic openings.

Commercial heritage places

Encourage all buildings and works to respect and respond to the existing proportions, patterning and massing of nineteenth and early twentieth century facades and streetscapes.

Maintain the prominence of the street wall through appropriate upper level setbacks.

Encourage new development in activity centres to respect the prevailing street wall height in the immediate area.

Conserve and enhance heritage shopfronts and verandahs.

Encourage new shopfronts to complement the general form and proportion of glazing and openings of adjoining original or early shopfronts, if any.

Maintain the existing canopy / verandah height of adjoining heritage buildings and the heritage streetscape.

Encourage a simple contemporary verandah design, consistent with the form and scale of adjoining verandahs.

Encourage inset balconies above the street wall rather than projecting balconies.

Incorporate an angled splay to buildings on street corners where these are present on adjacent or opposite corners.

Industrial heritage places

Conserve and enhance roof forms that contribute to the significance of the building, particularly those parts that are visible from the public realm or incorporate features such as lanterns, skylights and vents.

Conserve and enhance features such as steel trusses, lanterns, chimneys, silos, towers and their visual prominence within industrial sites.

Encourage new development on small scale one or two storey industrial buildings that does not visually dominate the historic form when viewed from the public realm.

Retain redundant equipment on significant industrial sites where it aids the understanding of the heritage place.

Relocation

Retain a heritage place or a contributory element to a heritage place in its original location unless:

- The location is not an important component of the cultural significance of the heritage place.
- It can be demonstrated that the relocation is the only reasonable means of ensuring the retention of the heritage place.
- A suitable location is secured.

Restoration and reconstruction

Retain the significance of the heritage place and the original fabric through:

- Restoration (returning a place to a known earlier state by removing accretions or by reassembling existing elements without the introduction of new material).
- Adaptive re-use.
- Reconstruction, where evidence exists (returning a place to a known earlier state, including the introduction of new material).

Support the reconstruction of a building or works that previously existed in a heritage place if:

- The reconstruction will support the significance of the heritage place.
- Evidence exists to support the accuracy of the reconstruction.

Encourage the reconstruction of a missing building in an otherwise identical row or pair of buildings if it supports the cultural significance of the heritage place.

Painting and surface treatments

Support the removal of paint and other surface treatments from originally unpainted/untreated masonry surfaces by non-abrasive methods.

Retain historic painted signs.

Avoid the painting, rendering or other surface treatments of unpainted surfaces.

Where external paint controls apply, ensure paint colours and types are consistent with the period of construction and architectural style of the heritage place.

Trees, landscapes, parks and gardens

Where tree controls apply, support the retention of significant trees in a heritage place unless it is demonstrated that the trees:

- Have deteriorated due to old age or disease to a point that retention is unsafe.
- Are causing structural damage to an existing structure and remedial measures (such as root barriers and pruning) are not possible.

Ensure works do not impact on the health or viability of significant trees.

Ensure that works are respectful of significant trees and significant garden layouts by siting development in a manner that will not impact on the cultural significance (including the aesthetic, historic, scientific, social or spiritual value for past, present or future generations) of the landscape.

Maintain the significance of historic parks, gardens and street trees by ensuring new development is sited and designed in a manner appropriate for the heritage place.

Subdivision

Retain the significant or contributory elements of a heritage place within a single lot, including buildings, outbuildings, trees or gardens.

Support subdivision that respects and respond to the significance of the heritage place including the original road and lot layout, the rhythm and pattern of building frontages and/or buildings in the streetscape.

Ensure that the subdivision of former industrial complexes reflects or interprets the historical arrangement of the heritage buildings or processes.

Services and equipment

Ensure that the location and installation of services and equipment does not detract from the significance of the heritage place or damage the heritage fabric.

Conceal solar panels, water tanks, hot water systems, air conditioners and other mechanical equipment from street view or where this is not possible, sensitively locate and install these services.

Ensure fixed mobility services and equipment (including wheel chair ramps and grab-rails) are designed having regard to the heritage place.

Roof terraces and roof decks

Set back roof terraces/roof decks so that they are concealed when viewed from the street and where on a corner, when viewed from the side street.

Encourage roof terraces/roof decks that are set back a minimum of one metre from chimneys and parapets.

Ensure that stairwells, lift wells and lift overruns are not visible when viewed from the public realm.

Fences and gates

Retain original fences and gates that contribute to the significance of the heritage place.

Support front fences and gates that allow views to heritage places or contributory elements from surrounding streets.

Avoid high fencing, gates and boundary treatments (such as roller doors) on the principal street frontage that are unrelated to the historic character of the area.

Ensure that fences and gates are sympathetic to the period of construction and architectural style of the heritage place.

Signs

Locate signs in traditional locations on a heritage building.

Discourage signs that disrupt a historic façade, parapet or roofline.

Ensure signs avoid damaging the heritage fabric.

Conserve original signs and advertising features.

Policy guidelines

Signs

Consider as relevant:

Discouraging the following signs in heritage areas:

- High wall signs outside commercial areas.
- Major promotion signs.
- Promotion signs.
- Panel signs.
- Pole signs.
- Internally illuminated and electronic signs at upper levels.
- Animated signs.
- Sky signs.
- Above-verandah signs, unless they are part of the existing character.
- Signs that project from the verandah or building outside commercial areas.

Attachment 5 - Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

AMENDMENT C269YARA

System Note: The following ordinance will be added after 15.03-1L Heritage

15.03-1L World Heritage environs area

C269yara

Policy application

This policy applies to all land within HO361 World Heritage Environs Area Precinct.

Objectives

To protect significant views and vistas to the Royal Exhibition Building and Carlton Gardens.

To maintain and conserve the significant historic character (built form and landscapes) of the area.

To ensure new development in the area has regard to the prominence and visibility of the Royal Exhibition Building and Carlton Gardens.

Strategies

Retain and conserve individually significant and contributory places, including contributory fabric, form, architectural features and settings.

Retain and conserve the valued heritage character of streetscapes.

Retain the predominantly lower scale form of development which provides a contrast to the dominant scale and form of the Royal Exhibition Building.

Avoid consolidation of allotments in residential areas that would result in the loss of evidence of typical nineteenth century subdivision and allotment patterns.

Protect direct views and vistas to the Royal Exhibition Building and Carlton Gardens from abutting streets and other views and vistas to the dome available from streets within the precinct including Gertrude Street, Marion Lane and in Victoria Parade immediately east of the junction with Nicholson Street.

Discourage the introduction and proliferation of permanent structures and items such as shelters, signage (other than for historic interpretation purposes), kiosks and the like around the perimeter of the Royal Exhibition Building and Carlton Gardens in order to:

- Avoid impacts on the presentation of the Royal Exhibition Building and Carlton Gardens, including impacts on axial views along treed alleys and avenues.
- Minimise inappropriate visual clutter around the perimeter of the Royal Exhibition Building and Carlton Gardens.

Attachment 5 - Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

AMENDMENT C269YARA

System Note: The following ordinance will be added after 16.01-2L Location of residential development

16.01-1L Housing diversity

C269yara

Strategies

Provide housing diversity when rezoning land for residential use and in major residential developments of 50 or more dwellings.

Support well designed apartment development in high and moderate change areas (as shown in the figures in clause 16.01-1L) that include:

- The provision of larger dwellings suitable for families and shared households particularly on the lower levels of the building and the ground floor, with good access to well-designed communal open space.
- External spaces and large common rooms that promote social interaction as well as shared break out spaces and quiet areas.

Support alterations and additions to single houses to provide accommodation for larger household types.

Support emerging housing models such as cohousing that provide private and shared spaces.

Support purpose-built student housing in locations that have good access (by walking, cycling or public transport) to the tertiary institutions in the municipality.

Attachment 5 - Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

AMENDMENT C269YARA

System Note: The following ordinance will be added after 16.01-1R Housing supply - Metropolitan Melbourne

16.01-1L Location of residential development

C269yara

Objective

To direct the majority of new housing development to locations within a major or neighbourhood activity centre or major regeneration area (as shown on the Strategic Framework Plan in clause 02.04).

Strategies

Manage housing growth in high and moderate change areas in accordance with the Strategic Housing Framework Plans in this clause and the strategies for each change area.

Support residential growth that is appropriate to both its physical location and strategic context.

In high change areas (as shown on the Strategic Housing Framework Plans in this clause):

- Encourage higher density residential and mixed use development in the form of apartment buildings that establish a new character for the site or precinct.
- Encourage lot consolidation where appropriate to facilitate increased densities and efficient use of land.

In moderate change areas (as shown on the Strategic Housing Framework Plans in this clause):

- Support medium density residential and mixed use development in the form of apartment buildings that respond to heritage significance and streetscape character.
- Encourage lot consolidation where appropriate to facilitate increased densities and efficient use of land.

Objective

To maintain the character and scale of established residential areas that have limited potential for housing growth.

Strategies

Manage housing growth in minimal and incremental change areas in accordance with the Strategic Housing Framework Plans in this clause and the strategies for each change area.

Provide for minimal change in minimal change areas by encouraging development:

- Of one or two dwellings on typically small individual lots.
- That respects the prevailing type, scale and character of development in the street.

Provide for incremental change in incremental change areas by encouraging development:

- Of single or town house type dwellings on individual lots or smaller scale apartment development.
- That respects the fine-grain subdivision pattern, neighbourhood or streetscape character and identified heritage significance.

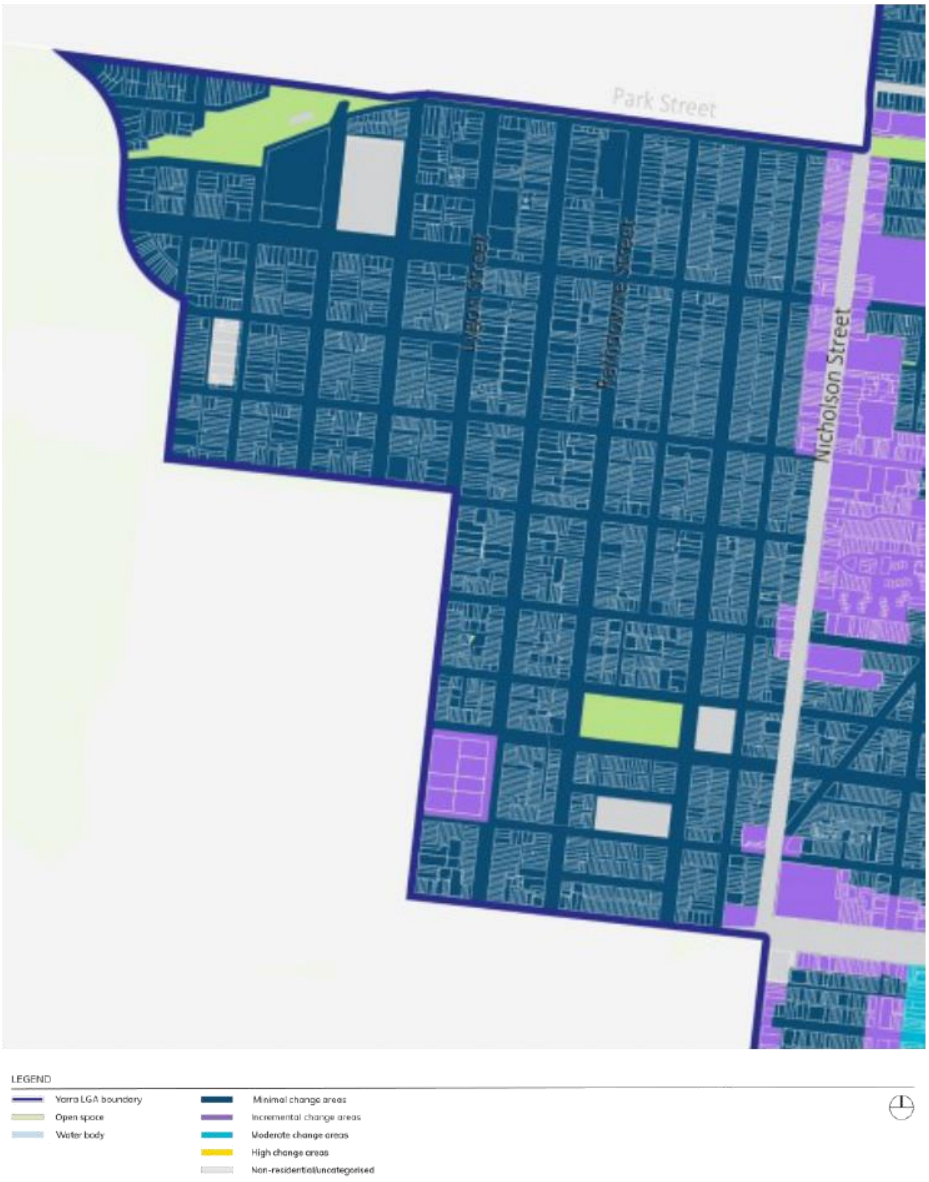
Limit housing growth in minimal change areas and incremental change areas outside activity centres.

Support mixed use development in incremental change areas within activity centres to maintain the role and function of the centres as locations for economic activity.

Attachment 5 - Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

AMENDMENT C269YARA

Strategic housing framework plan – Princes Hill and Carlton North



Attachment 5 - Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

AMENDMENT C269YARA

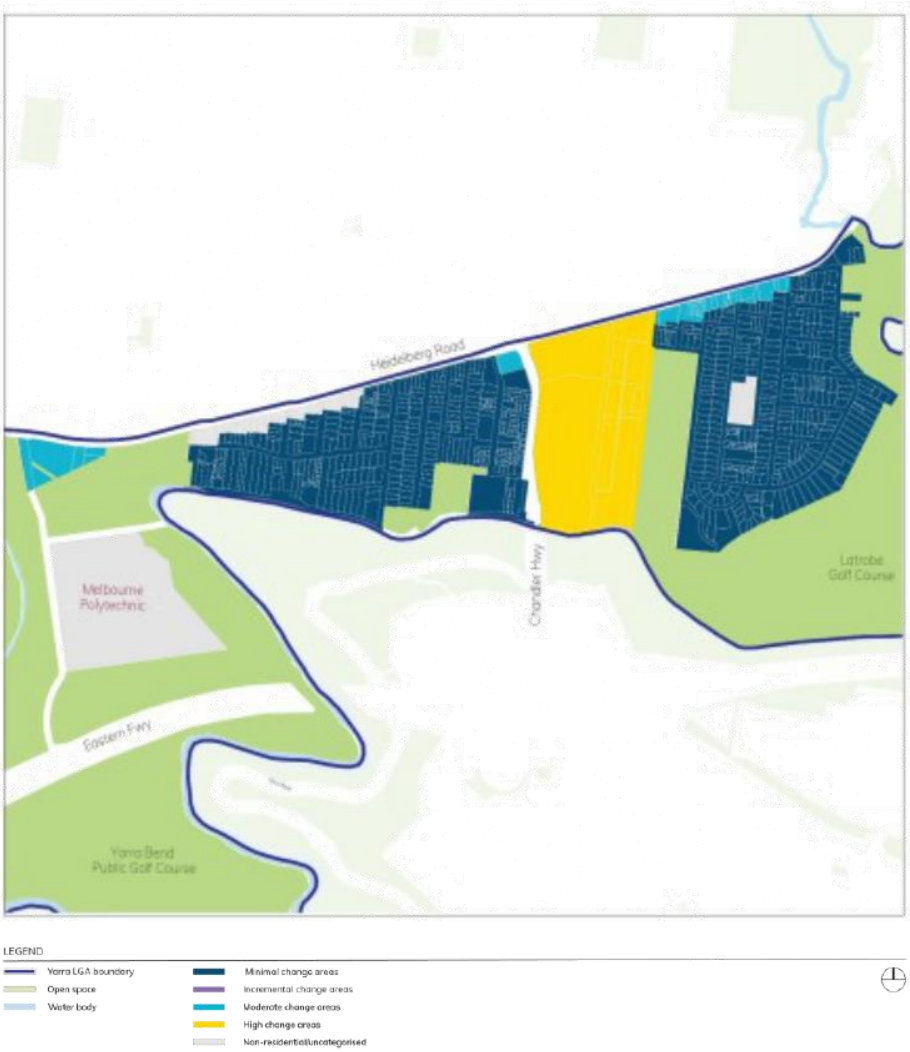
Strategic housing framework plan – Fitzroy North and Clifton Hill



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AMENDMENT C269YARA

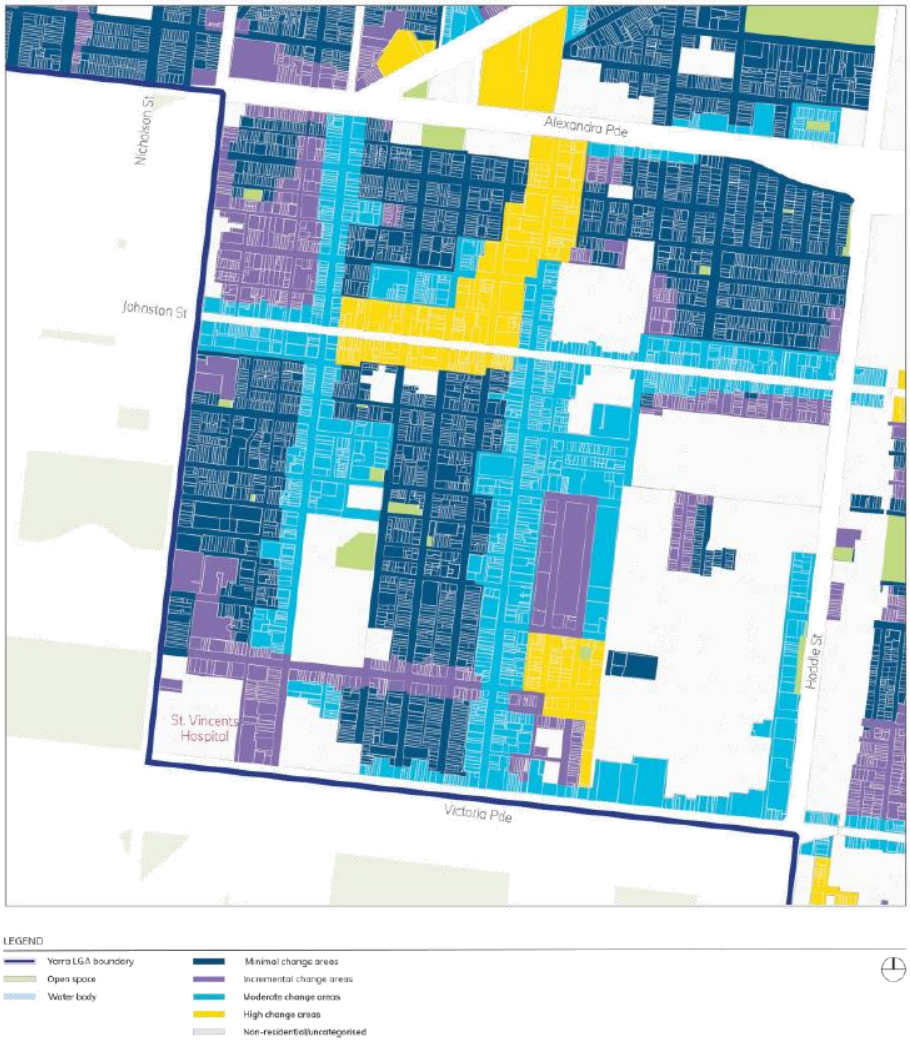
Strategic housing framework plan – Fairfield and Alphington



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AMENDMENT C269YARA

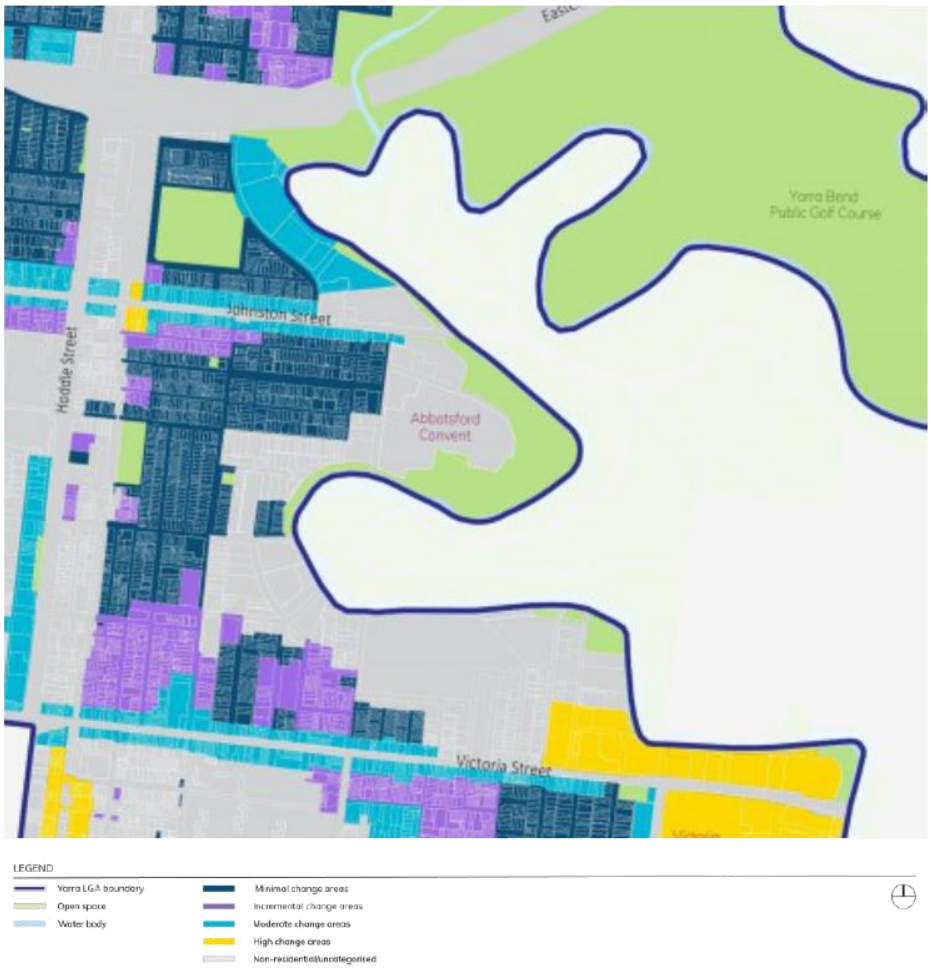
Strategic housing framework plan – Fitzroy and Collingwood



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AMENDMENT C269YARA

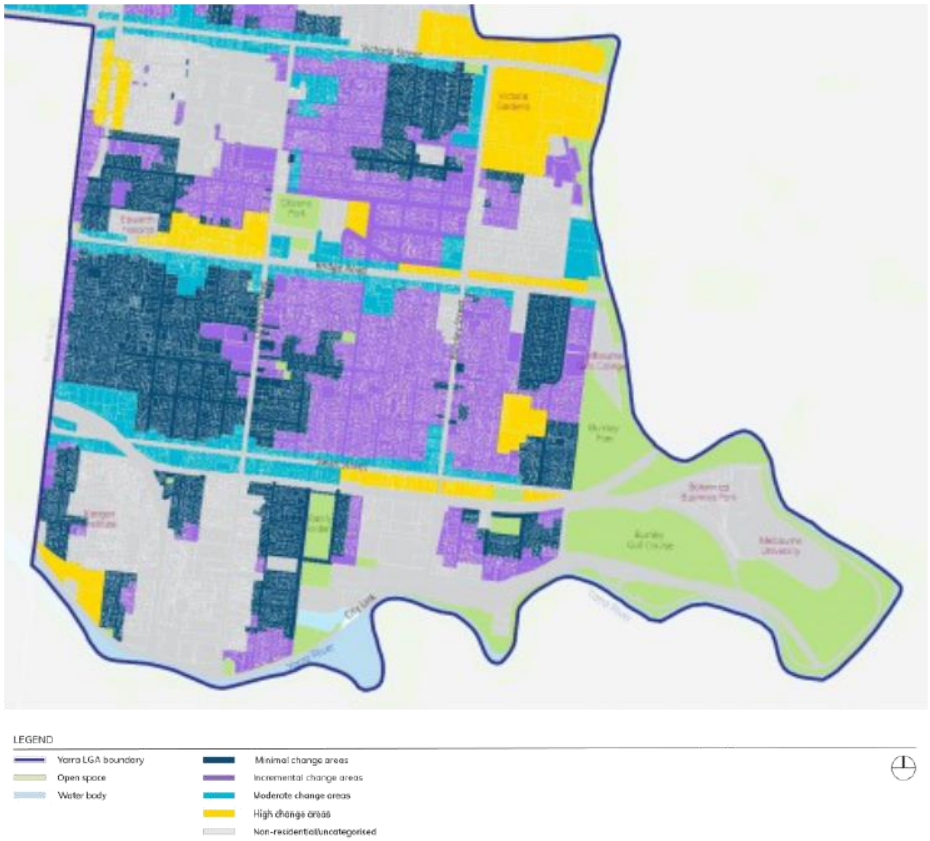
Strategic housing framework plan – Abbotsford



Attachment 5 - Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

AMENDMENT C269YARA

Strategic housing framework plan – Richmond, Cremorne and Burnley



Attachment 5 - Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

AMENDMENT C269YARA

System Note: The following ordinance will be added after 16.01-4S Housing affordability

16.01-2L Housing affordability

C269yara

Objective

To facilitate the provision of affordable housing and social housing (public and affordable community housing), including new social housing and upgrades to existing social housing.

Strategies

Support development that includes a provision of affordable housing within its mix of dwellings.

Provide well-designed affordable housing within new development that is integrated with the remainder of the development.

Support development that caters for key workers (employed in the provision of essential services such as in the police, health, emergency or education sectors) within or close to activity centres, health and education precincts.

Objective

Support the provision of new public housing and upgrades to existing social housing (includes public housing).

Strategy

Support the development of new and additional social housing, in line with identified needs.

Policy guidelines

Consider as relevant:

- Provision of a minimum of ten per cent affordable housing for a rezoning to residential use.
- Provision of a minimum of ten per cent of affordable housing for a major residential development of 50 or more dwellings, unless affordable housing has been provided as part of an earlier rezoning of the site.

Attachment 5 - Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

AMENDMENT C269YARA

System Note: The following ordinance will be added after 17.01-1R Diversified economy - Metropolitan Melbourne

17.01-1L Employment

C269yara

Strategies

Support development that provides high quality amenity for workers.

Support development that provides affordable workspaces and co-working spaces to facilitate a diverse range of enterprises, including small businesses, artists and creative industries.

Recognise that commercial and industrial land can support employment uses during the day time whilst also supporting activities that contribute to the night-time economy.

Support uses that provide services for workers in employment areas and are ancillary to their employment function.

Cremorne and Gipps Street major employment precincts

Objective

To maintain and grow employment in the Cremorne and Gipps Street major employment precincts, as identified on the Strategic Framework Plan in clause 02.04.

Strategies

Manage the redevelopment of sites within Yarra's major employment precincts to provide uses that support their intended economic function.

Maintain zoning that supports the economic function of the major employment precincts.

Encourage the intensification of employment land in Yarra's major employment precincts.

Support development that provides high-quality built form outcomes within Yarra's major employment precincts.

Support development that improves the public realm of major employment precincts, including the provision of or access to public open space.

Support improvements to pedestrian environments in major employment precincts, including:

- Wider and continuous footpaths.
- Links through sites.
- Links to public transport.
- Improved lighting and legibility to improve safety and security.

Manage transport within, to and from the major employment precincts by:

- Prioritising walking, cycling and public transport over car-based transport.
- Avoiding additional vehicle crossovers on major roads.
- Locating loading and waste collection facilities away from pedestrian environments.

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AMENDMENT C269YARA

System Note: The following ordinance will be added after 17.02-1S Business

17.02-1L **Retail**

C269yara

Strategies

Support retail proposals that add to the sustainability and vitality of activity centres, including niche retailers that attract shoppers from the broader metropolitan area.

Encourage improvements to shop fronts and retail premises to improve the quality of the built environment in activity centres.

Ensure shopping centres or internalised mall developments provide active street frontages, a pedestrian interface and integrate with their surrounds in terms of design, layout and movement.

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AMENDMENT C269YARA

System Note: The following ordinance will be added after 17.04-1R Tourism in Metropolitan Melbourne

17.04-1L Tourism, arts and culture

C269yara

Objective

To promote Yarra as a pre-eminent tourism, arts and cultural destination in metropolitan Melbourne.

Strategies

Promote a diversity of arts and cultural uses, including live music venues, performance spaces, galleries and artist studios.

Promote the creative industries and artistic sectors by encouraging the provision of affordable workspaces for artists and public art installations.

Encourage public realm enhancements in locations that support visitor attractions.

Support proposals for visitor accommodation (including hotels and serviced apartments) where they contribute to the area's economic role or tourism offer, have good access to public transport, and are designed to avoid amenity impacts on residents within the same building or surrounding area.

Attachment 5 - Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

AMENDMENT C269YARA

System Note: The following ordinance will be added after 18.01-3R Sustainable and safe transport - Metropolitan Melbourne

18.02-3L Sustainable transport

C269yara

Objective

To secure a sustainable transport system that reduces the impact of private motor vehicle traffic and on-street parking.

Strategies

Encourage development to prioritise transport modes in order of the following transport hierarchy:

- Walking
- Cycling
- Public transport
- Commercial vehicles serving businesses and institutions
- Subscription based vehicles (eg. car shares)
- Private motor vehicles

Support development that reduces reliance on private cars.

Encourage lower amounts of car parking within developments.

Encourage increased infrastructure for active transport in developments (such as high levels of bicycle parking and end of trip facilities).

Support the upgrade and establishment of paths and waterway crossings along the Yarra River, Merri Creek and Darebin Creek and to neighbouring municipalities as identified on the Strategic Framework Plan in clause 02.04.

Policy guideline

Consider as relevant:

Green travel plans for:

- Non-residential buildings with a gross floor area greater than 1000 square metres.
- Apartment developments containing more than 10 dwellings.

Walking

Objective

To improve the walking network and create high-quality pedestrian environments.

Strategies

Ensure that footpaths and pedestrian environments associated with development is designed to:

- Give priority to pedestrians in street environments.
- Provide a continuous path of travel that is safe, uncluttered and well-lit, and allows ease of use for people of all ages and abilities.
- Make crossing streets and roads safe, comfortable and convenient, with minimal delays to pedestrians.
- Include clear signage to enable way finding.
- Provide direct access to public transport stops and stations.

Encourage publicly accessible pedestrian links through large sites.

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Cycling

Objective

To improve cycling infrastructure and facilitate cycling for people of all ages and abilities.

Strategies

Encourage the provision of secure bicycle parking (including cargo bicycles) and high-quality end-of-trip facilities.

Provide separate entrances for bicycles and motorised vehicles in developments.

Provide easily accessible visitor bicycle parking as part of development.

Encourage publicly accessible and safe cycling links through large sites, where links will connect with the existing cycling network.

Encourage the provision of electric bicycle infrastructure.

Policy guidelines

Consider as relevant:

Providing secure bicycle parking (including cargo bicycles) and end-of-trip facilities consistent with the Built Environment Sustainability Scorecard 'BESS' (Council Alliance for a Sustainable Built Environment).

Attachment 5 - Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

AMENDMENT C269YARA

System Note: The following ordinance will be added after 18.02-3S Road system

18.02-3L Road system

C269yara

Strategies

Support the reconfiguration of roads and junctions to improve the reliability and safety of all road users including pedestrians and cyclists.

Support the reorganisation or enhancement of streets to improve the public realm, and where appropriate, provide space for other non-transport uses or activity.

Use side streets and where necessary, laneways to provide access to car parking.

Locate and design vehicle crossings to:

- Ensure the safety of footpath and road users.
- Prevent disruption to footpath and road users.
- Avoid the removal of street trees and landscaping.
- Avoid multiple vehicular movements for access or egress.
- Avoid the loss of on-street parking from an excessive number and width of vehicle crossings.
- Avoid new vehicle crossovers in streets with few or no crossovers.

Ensure unused vehicles crossings are removed, with nature strips, street trees, landscaping and footpaths reinstated.

Avoid vehicle access arrangements of development from delaying or interfering with public transport travel times and reliability.

Support measures that direct freight movements to the Principal Freight Network and arterial roads and reduce the impact of freight on residential areas.

Policy guidelines

Consider as relevant:

Limiting vehicle crossings to one per site frontage where rear laneway access cannot be provided.

Attachment 5 - Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

AMENDMENT C269YARA

System Note: The following ordinance will be added after 18.02-4S Car parking

18.02-4L Car parking

C269yara

Objective

To ensure car parking is supplied and managed consistent with promoting travel by sustainable modes.

Strategies

Support a reduction in the required number of car parking spaces where:

- The site has high public transport accessibility and is located within walking or cycling distance to shops, jobs and amenities;
- The development or use is unlikely to result in unreasonable impacts on existing on-street parking;
- Increased motor vehicle traffic from the development is likely to unreasonably impact on the amenity of nearby residents;
- The development more efficiently uses the upper floors of existing commercial buildings in activity centres and employment areas (where relevant); and
- The development provides adequate bicycle parking.

Support a reduction in the required number of car parking spaces where there are alternative modes of transport available.

Consider a reduction in the required number of car parking spaces where car share bays are provided to reduce reliance on privately owned vehicles.

Provide efficient shared car parking provision in activity centres and employment areas.

Encourage the provision of parking for ride-sharing vehicles, visitors, motorcycles and scooters in larger scale developments.

Encourage the provision of publicly accessible car share bays in major developments.

Provide illumination of car parking that offers safety without compromising the amenity of adjoining residential development.

Respond to car parking needs in precincts, through the preparation of structure plans and development plans.

Maintain high levels of pedestrian safety and sight lines.

Policy guideline

Consider as relevant:

- Electric vehicle infrastructure consistent with the *Built Environment Sustainability Scorecard 'BESS'* (Council Alliance for a Sustainable Built Environment).

Attachment 5 - Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

AMENDMENT C269YARA

System Note: The following ordinance will be added after 19.02-1R Health precincts - Metropolitan Melbourne

19.02-1L Yarra's health precincts

C269yara

Objective

To support the municipality's health precincts, recognising their specialised role in both Yarra and metropolitan Melbourne.

Strategies

Encourage health care uses and allied services to locate within the municipality's health precincts defined by:

- St Vincent's public and private hospitals and ACU Health and Education Precinct: land bounded by Brunswick, Gertrude and Nicholson Streets, Victoria Parade and ACU campus.
- Epworth Hospital Health Precinct: land fronting Bridge Road within in the Bridge Road Major Activity Centre, Erin Street, Normanby Place and Lennox and Judd Streets (generally south of Erin Street).

Support uses that complement and are ancillary to the role of the health precincts.

Manage interface impacts such as building bulk, overshadowing, noise and lightspill from the health and employment precincts on adjacent residential and commercial areas.

Attachment 5 - Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

AMENDMENT C269YARA

System Note: The following ordinance will be added after 19.02-2R Education precincts - Metropolitan Melbourne

19.02-2L Yarra's education precincts

C269yara

Objective

To support the municipality's education precinct identified in Plan Melbourne, to recognise its specialised role and function in both Yarra and metropolitan Melbourne.

Strategies

Promote education in Yarra's health and education precincts as identified in the Strategic Framework Plan to Clause 02.04, by supporting:

- The growth of the Australian Catholic University Education Precinct as an education and research employment hub.
- Development that promotes the teaching role in the St Vincent's Hospital Health Precinct and the Epworth Hospital Health Precinct.

Support uses that are ancillary to and complement the role of the municipality's health and education precincts.

Ensure interface impacts between the health and employment precincts and adjacent residential and commercial areas are managed.

Attachment 5 - Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

AMENDMENT C269YARA

System Note: The following ordinance will be added after 19.02-6R Open space - Metropolitan Melbourne

19.02-6L Open space

C269yara

Objective

To protect and enhance existing public open space and increase the quantity and quality of open space and provide a linked network that meets existing and future community needs.

Strategies

- Promote improvements to the quantity, quality and accessibility of open spaces, particularly in those parts of the city where there are deficits in open space.
- Support a range of functions in open spaces, including leisure and recreation, and where appropriate, community gardens and urban agriculture.

Attachment 5 - Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

AMENDMENT C269YARA

System Note: The following ordinance will be added after 19.02-6L Public open space

19.02-6L Public open space contribution

C269yara

Policy application

This policy applies to all applications for development or subdivision of land that includes residential use.

Objectives

To identify when and where land contributions for public open space are preferred over cash contributions.

To set aside land suitable for public open space as part of the design of a development so that it can be transferred to or vested in Council, in satisfaction of the public open space contribution requirement specified in the Schedule to Clause 53.01.

Strategies

Land contributions for public open space will be preferred over cash contributions in the following areas shown in the Open Space Contributions Plan to this clause.

- Abbotsford
- Collingwood
- Fitzroy
- North Fitzroy
- North Richmond
- Central Richmond
- Cremorne/ Richmond South

In all other areas of the municipality, a cash contribution equal to the amount specified in Clause 53.01 is required.

In locations where a preference for a land contribution has been identified, set aside land for public open space early in the planning of a development or subdivision.

Design buildings adjacent to any public open space set aside under this clause to facilitate high quality and accessible public open space.

Policy guidelines

Consider as relevant:

- The suitability of land to be contributed as public open space at the time of the subdivision of the land or building, will meet the following selection criteria:

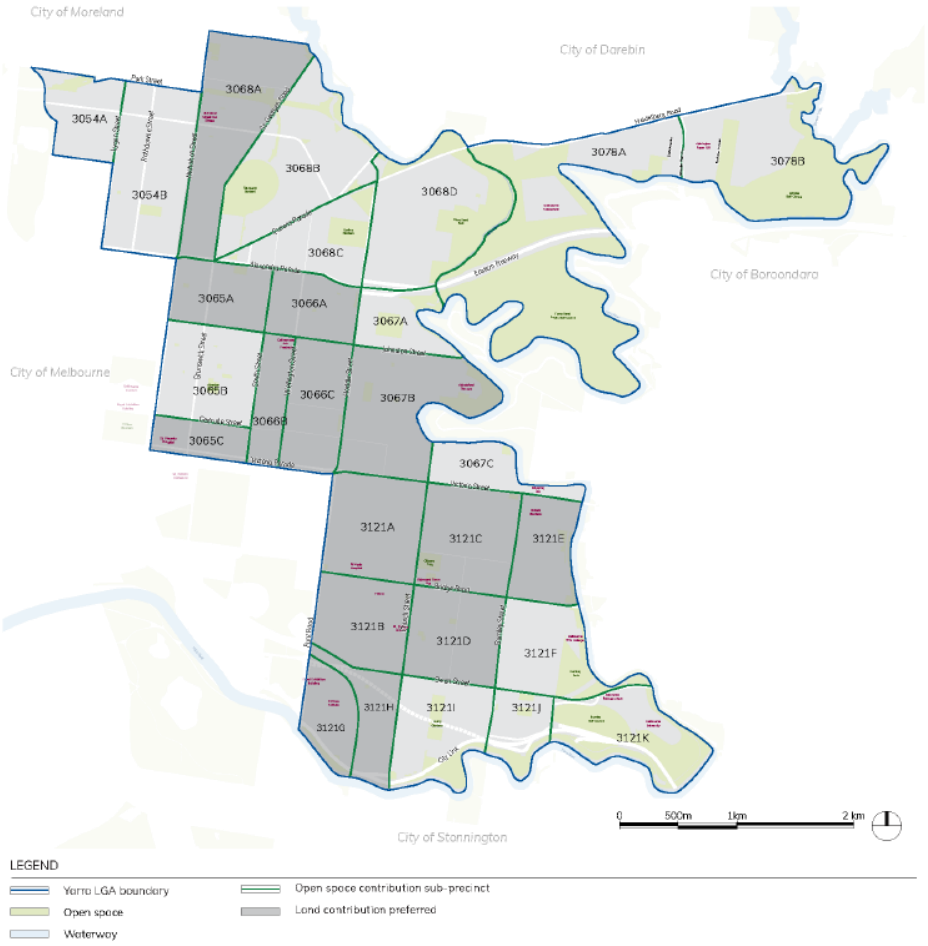
  Land to be contributed:

  - Should have an area of about 300 square metres and a minimum width of 10 metres or be able to meaningfully contribute to the assembly of a parcel of land of these dimensions or larger.
  - Should be of a shape and size that will be adequate for the proposed use, having regard to the nature of public open space in an inner-city environment or be able to meaningfully contribute to the assembly of a parcel of land with these attributes.
  - Should be free of structures and protrusions, such as balconies or other building projections that may encroach into the public open space reserve, except for historic buildings or structures relating to the designated public open space use.

- Should be located or be capable of being designed to provide a high degree of casual surveillance.
- Must be accessible.
- Should be visible from adjacent thoroughfares.
- Should receive reasonable sunlight between 9am and 2pm on September 22.
- Should be located away from major or secondary arterial roads.
- Should have an entry from a local street or be capable of being provided with such entry.

- Whether any building on land adjacent to public open space set aside under this clause has been designed to accommodate public open space in a manner that meets the majority of the above selection criteria.

Open Space Contribution Plan



Attachment 5 - Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

AMENDMENT C269YARA

System Note: The following ordinance will be added after 19.03-2S Infrastructure design and provision

19.03-2L Infrastructure contributions

C269yara

Strategies

Support development that provides contributions towards the upgrading or provision of infrastructure through voluntary contributions.

Attachment 5 - Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

AMENDMENT C269YARA

System Note: The following ordinance will be added after 19.03-3S Integrated water management

19.03-3L Water sensitive urban design

C269yara

Policy application

This policy applies to applications for:

- The construction of a building.
- An extension to an existing building that is 50 square metres in floor area or greater.
- Subdivision of land in a commercial zone.

This policy does not apply to an application for the subdivision of an existing building.

Objective

To achieve the best practice stormwater quality.

To mitigate the detrimental effect of development on downstream waterways, by the application of best practice stormwater management through water sensitive urban design for new development.

To minimise peak stormwater flows and stormwater pollutants to improve the health of water bodies, including creeks, rivers and bays.

To reintegrate urban water into the landscape to facilitate a range of benefits including microclimate cooling, local habitat and provision of attractive spaces for community use and well-being.

Strategies

Encourage green roofs, walls and facades on buildings where practicable (to be irrigated with rainwater/stormwater) to enhance the role of vegetation on buildings in managing the quality and quantity of stormwater.

Incorporate works to maintain or improve the quality of stormwater within or exiting the site.

Avoid adding to the stormwater discharge or adversely affecting water quality entering the drainage system.

Policy guidelines

Improve the quality of stormwater and reduce the flow of water discharged to waterways including through:

- Collection and reuse of rainwater and stormwater on site.
- Vegetated swales and buffer strips.
- Rain gardens.
- Water recycling systems.
- Infiltration, including porous paving and permeable trenches/sumps.
- Directing flow from impervious ground surfaces to landscaped areas.
- Use of silt traps and other measures during construction.

Using measures to prevent litter being carried off-site in stormwater flows, including:

- Waste enclosures and storage bins.
- Litter traps for developments with the potential to generate significant amounts of litter.

Consider as relevant:

- Best practice stormwater management.
- The following tools (or equivalent):

Attachment 5 - Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

- Melbourne Water's STORM Calculator.
- Model for Urban Stormwater Improvement Conceptualisation (MUSIC).

- The level of ongoing management required to achieve and maintain the desired stormwater quality measures that will be used during the construction phase to prevent a loss of stormwater quality as a result of building activities, such as silt traps.

Expiry

This policy will expire when superseded (as determined by the Minister for Planning) by Water Sensitive Urban Design provisions in the Victoria Planning Provisions or the Building Code of Australia Regulations, whichever happens first.

Attachment 5 - Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

AMENDMENT C269YARA

System Note: The following ordinance will be added after 19.03-5S Waste and resource recovery

19.03-5L Waste

C269yara

Strategies

Make provision for waste and recycling in new development, including separation, storage and collection facilities and facilities for composting.

Ensure that the size and design of waste and recycling facilities can accommodate the waste and recycling likely to be generated by the development.

Ensure that waste and recycling facilities are located to enable ease of use by occupants and access for transport.

Where possible, encourage waste and recycling facilities are sensitively and discreetly located.

Attachment 5 - Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

AMENDMENT C269YARA

System Note: The following schedule will be inserted after Clause:52 PROVISIONS THAT REQUIRE, ENABLE OR EXEMPT A PERMIT, Sub-Clause:52.28 GAMING

Attachment 5 - Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

AMENDMENT C269YARA

C269yara

SCHEDULE TO CLAUSE 52.28 GAMING

1.0 Objectives

C269yara

To manage the social and economic impacts of gaming (electronic gambling).

To locate gaming (electronic gambling) machines away from disadvantaged or vulnerable communities.

To ensure that the location of gaming machines and the design of gaming machine venues minimise the risks associated with electronic gaming and avoids exacerbating problem gambling.

To discourage convenience gaming.

To provide for gaming that limits adverse impacts on surrounding uses and facilitates a net community benefit in Yarra.

2.0 Prohibition of a gaming machine in a shopping complex

C269yara

Installation or use of a gaming machine as specified in Clause 52.28-4 is prohibited on land described in Table 1 below.

Table 1

Name of shopping complex and locality	Land description
Richmond Traders, Richmond	Land on the northwest corner of Church Street and Bridge Road, Richmond.
Victoria Gardens Shopping Centre	Land located at the corner of Burnley Street and Victoria Street, Richmond.

3.0 Prohibition of a gaming machine in a strip shopping centre

C269yara

A gaming machine as specified in Clause 52.28-5 is prohibited in all strip shopping centres on land covered by this planning scheme.

4.0 Locations for gaming machines

C269yara

Gaming machines should not be located:

- In areas where gaming is discouraged as shown on Gaming Policy Map to this schedule.
- In or immediately opposite neighbourhoods with a relatively high concentration of gaming machines (above the Victorian average).
- Where there is convenient access to places of high pedestrian activity, including shops and railway stations.
- In areas offering a limited choice of alternative non-gambling activities for the local community, including within the venue or in close proximity to the venue.

5.0 Venues for gaming machines

C269yara

Gaming machines should only be located in venues that:

- Offer social, entertainment and recreational opportunities and activities other than gaming as the primary purpose of the venue.
- Have a gaming floor area of less than 25% of the total floor area of the venue.
- Promote responsible gaming practices.
- Do not allow for 24 hour-a-day operation.

Attachment 5 - Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

6.0 Application requirements

C269yara

The following application requirements apply to an application for a permit under Clause 52.28, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- The proposed design and layout of the premises including all signage.
- A venue management plan identifying strategies to manage patron behaviour and minimise problem gambling in relation to the design and management of the venue, including the applicant's responsible gaming practices.
- Evidence of compliance with the relevant gaming regulations for premises layout and design.
- An assessment of the social and economic benefits and disadvantages of the proposed gaming machines comprising:

  Socio-economic impact

- An analysis of the venue's projected patron catchment and its socio-economic profile. The analysis should include justification and details of the projected catchment area.
- If it is proposed to move Electronic Gambling Machines (EGMs) from one part of the municipality to another:
  - Details of the relative social and economic differences between the two areas
  - An explanation as to why the EGMs are being transferred.

  Location assessment

- Characteristics of the local area, including the location of and distance to shopping complexes and strip shopping centres, community facilities, social housing, counselling services and public transport.
- Details of existing and proposed gambling and non-gambling related entertainment and recreation facilities and activities at the venue and within 1km of the venue.
- If required, pedestrian counts outside the venue.

  Gaming machine impacts

- Details about the existing and proposed distribution and density of EGMs in the municipality and its neighbourhoods.
- Details of existing gaming expenditure at the venue over a 3 year period prior to the application (if relevant) and a one year forecast of the anticipated expenditure at the venue if the proposal was to be approved.
- If EGMs are to be relocated from other venues, and as a result gaming expenditure is likely to be transferred from other venues:
  - Particulars as to how the level of transfer has been calculated (including, but not limited to, comparison per machine expenditure at the venue prior to and then after the additional machines, current usage levels of machines at the venue, projected usage level of machines at the venue after the additional machines).
  - The amount of transfer expenditure anticipated.
  - The resulting impact on revenue of the venue from where the expenditure is transferred.
  - The resulting impact on the venue from where the expenditure is transferred (such as loss of employment, loss of complementary expenditures, loss of customers, impact on ability to provide services etc).

  Benefits

- Details of the nature and extent of community benefits expected from the proposal and how the benefits are to be secured and distributed to the local community.

  Analysis

- Assessment of key social and economic issues and overall net community impact.
- Measures to mitigate any negative impacts.

7.0 Decision guidelines

C269yara

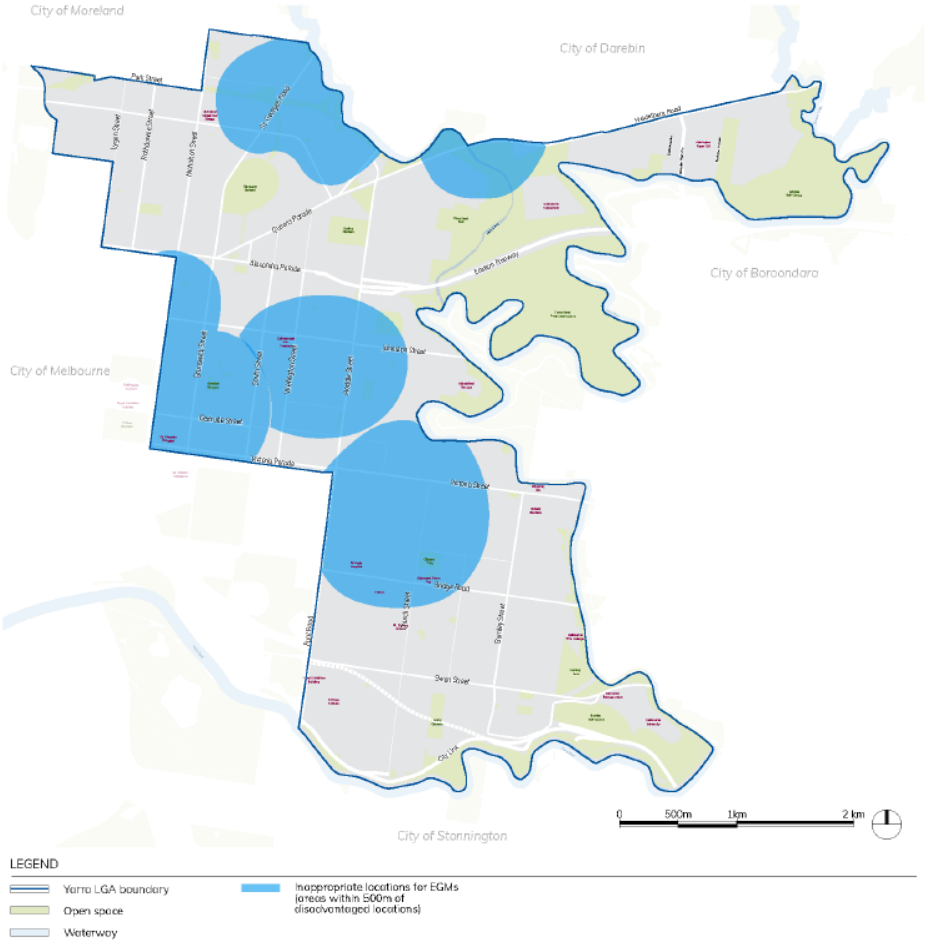
The following decision guidelines apply to an application for a permit under Clause 52.28, in addition to those specified in Clause 52.28 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the proposal increases EGM densities in the neighbourhood; and how that increase affects the local community and compares with the metropolitan Melbourne average.
- Whether approval is likely to increase the socio-economic disadvantage of the local community.
- The net community benefit to be derived from the application, taking into account the following:
  - The socio-economic profile and patron catchment of the area within 1km of the venue.
  - Location of the venue in relation to nearby land uses and transport facilities.
  - The availability of other entertainment and recreation facilities within 1km of the venue and at the venue.
  - The social and economic impacts of the proposal.
  - The distribution and density of gaming machines in the neighbourhood and municipality.
  - If the gaming machines are to be relocated from within the municipality, the comparative advantages and disadvantages of the two locations.
- Whether the location of the gaming machines or gaming premises is close to places of community congregation and will encourage convenience gaming.
- Whether patrons will have a choice of non-gambling entertainment and recreation activities at the venue or within 1km of the venue.
- The impact of the proposal on the amenity of the area and surrounding land uses, including through their:
  - Operating hours.
  - Management of patrons.
  - Generation of noise and disturbance.

Attachment 5 - Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

AMENDMENT C269YARA

Gaming Policy Map



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AMENDMENT C269YARA

System Note: The following schedule will be inserted after Clause:72 ADMINISTRATION AND ENFORCEMENT OF THIS PLANNING SCHEME, Sub-Clause:72.04 DOCUMENTS INCORPORATED IN THIS PLANNING SCHEME

Attachment 5 - Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

AMENDMENT C269YARA

C269yara

SCHEDULE TO CLAUSE 72.04 DOCUMENTS INCORPORATED IN THIS PLANNING SCHEME

1.0 Incorporated documents

C269yara

Name of document	Introduced by:
5-15 Mayfield Street, Abbotsford, Incorporated Document, October, 2018Insert specific name of incorporated document and document date	C188
10 Bromham Place, Richmond Incorporated Document, February 2013	C171
18-62 Trenerry Crescent, Abbotsford (Incorporated Plan, May 2018)	C218
32-68 Mollison Street and 61-69 William Street, Abbotsford July 2013	C170
36-52 Wellington Street, Collingwood - Incorporated Document, September 2020	C285yara
351-353 Church Street, Richmond – Incorporated Document, Feb 2019	C225
462-482 Swan Street, Richmond Incorporated Document, September 2020	C282yara
520 Victoria Street, 2A Burnley Street, and 2 – 30 Burnley Street, Richmond, Burnley C150 Street West Precinct - Incorporated Plan, 2012	C150
Amcor Alphington Paper Mill Site Preparation – Incorporated Document, September C161 2012	C161
Atherton Gardens – Fitzroy, September 2010	C136
Caulfield Dandenong Rail Upgrade Project, Incorporated Document, April 2016	GC37
Chandler Highway Upgrade Incorporated Document, March 2016 (Amended GC80 December 2017)	C267yara
City of Yarra Database of Heritage Significant Areas, revised April 2022	C269yara
Cremorne Balmain Dover Street Project	NPS-1
Crown Land Car Park Works, Burnley, August 2005	C92
Fitzroy Former Gasworks Site, Incorporated Document, February 2018	C242
Flying Fox Campsite, Yarra Bend Park, December 2004	C90
Guidelines – Managing noise impacts in urban development, April 2022	C269yara
Hurstbridge Rail Line Upgrade 2017 Incorporated Document, January 2017	GC60
Incorporated Plan under the provisions of clause 43.01 Heritage Overlay, Planning permit exemptions, July 2014	C178
Local Policy "Protection of Biodiversity" Sites of Remnant Vegetation (Biosis 2001)	C49
M1 Redevelopment Project, October 2006	C86
Melbourne City Link Project – Advertising Sign Locations, November 2003	VC20
Melbourne Metro Rail Project: Upgrades to the Rail Network Incorporated Document, May 2018	GC96
North East Link Project Incorporated Document, December 2019	GC98
Planning and Design Principles for the Richmond Maltings Site, Cremorne, November 2007	C101
Richmond Walk Up Estate Redevelopment, September 2010	C136
Social housing redevelopment; Atherton Gardens Estate, Fitzroy, and Richmond C135 Public Housing Estate, Richmond, for which the Minister for Planning is the Responsible Authority, May 2010	C135
Specific Site and Exclusion – Lot 2 on PS433628L (452 Johnston Street, Abbotsford	C56

Attachment 5 - Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

AMENDMENT C269YARA

Name of document	Introduced by:
Swan Street Works, Burnley, June 2005	C91
Tramway Infrastructure Upgrades Incorporated Document, May 2017	GC68
Victoria Gardens Building Envelope and Precinct Plan and Precinct 3 Plan – C7 Warehouse Area	C7
Victoria Gardens Urban Design Guidelines	NPS-1
Victorian Institute of Forensic Mental Health Thomas Embling Hospital Incorporated Document, August 2020	C279yara
Walk Up Village, 81-89 Rupert Street, Collingwood – August 2020	C283yara
Yarra Gardens Precinct Plan, December 2009	C126
Yarra Development Contributions Plan 2017 (HillPDA, April 2019)	C238yara
Yarra High Streets (Victoria Street and Bridge Road) Statements of Significance: Incorporated Document (May 2020)	C245yara

Attachment 5 - Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

AMENDMENT C269YARA

System Note: The following schedule will be inserted after Clause:72 ADMINISTRATION AND ENFORCEMENT OF THIS PLANNING SCHEME, Sub-Clause:72.08 BACKGROUND DOCUMENTS

Attachment 5 - Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

AMENDMENT C269YARA

C269yara

SCHEDULE TO CLAUSE 72.08 BACKGROUND DOCUMENTS

1.0
C269yara

Background documents

Name of background document	Amendment number - clause reference
Activity Centres Roles and Boundaries (City of Yarra, April 2022)	C269yara Clause 11.03-1L
Built Environment Sustainability Scorecard 'BESS' (Council Alliance for a Sustainable Built Environment 'CASBE')	C133yara Clause 15.02-1L
Building for Diversity – Yarra's Social and Affordable Housing Strategy (Yarra City Council, November 2019)	C269yara Clause 16.01-4L
Burra Charter The Australia ICOMOS Charter for Places of Cultural Significance (Australia ICOMOS, 2013)	VC155yara Clause 15.03-1L
City of Yarra Community Infrastructure Plan (City of Yarra, April 2018)	C269yara Clause 19.03-1L
Collingwood Mixed Use Pocket, Heritage Assessment & Recommendations, GJM Heritage (2018)	C245yara Clause 15.03-1L
Council Plan 2017-2021 (City of Yarra, 2017)	C209yara Clause 02.02 Clause 02.03
Fitzroy Urban Conservation Study Review (Allom Lovell and Associates, November 1992)	C085yara Clause 15.03-1L
Green Star (Green Building Council of Australia)	C133yara Clause 15.02-1L
Noise and vibration considerations - Discussion report (Yarra City Council, March 2022)	C269yara Clause 13.07-3L
Heritage Citation 112-124 Trenerry Crescent, Abbotsford (GJM Heritage, July 2016)	C219yara Clause 15.03-1L
Heritage Citation 20-60 Trenerry Crescent, Abbotsford (GJM Heritage, July 2016)	C218yara Clause 15.03-1L
Heritage Citation: 18-22 Derby Street, Collingwood, Anthemion Consultancies (2018)	C245yara Clause 15.03-1L
Heritage Citation: 33-45 Derby Street, Collingwood, GJM Heritage (2018)	C245yara Clause 15.03-1L
Heritage Citation: Queens Parade, Fitzroy North Street Trees, John Patrick Landscape Architects Pty. Ltd. (2018)	C245yara Clause 15.03-1L
Heritage Conservation Study, Carlton, North Carlton and Princes Hill (Nigel Lewis and Associates, July 1984)	C085yara Clause 15.03-1L
Heritage Conservation Study, Collingwood (Andrew Ward and Associates, April 1989)	C085yara Clause 15.03-1L
Heritage Conservation Study Review, Collingwood (Andrew Ward and Associates, May 1995)	C269yara Clause 15.03-1L

Attachment 5 - Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

AMENDMENT C269YARA

Name of background document	Amendment number - clause reference
Heritage Conservation Study, Northcote (Graeme Butler Architect, February 1982)	C085yara Clause 15.03-1L
Heritage Conservation Study, North Fitzroy (Jacob Lewis Vines Architects, July 1978)	C085yara Clause 15.03-1L
Heritage Conservation Study, Richmond (J and T O'Connor and Coleman and Wright Architects, January 1985)	C085yara Clause 15.03-1L
Heritage Conservation Study, South Fitzroy (Jacob Lewis Vines Architects, March 1979)	C085yara Clause 15.03-1L
Heritage Gaps An Overview (Graeme Butler & Associates, 2004, updated March 2013)	C157yara Clause 15.03-1L
Heritage Gaps Review One (City of Yarra/Graeme Butler, 2013)	C157yara Clause 15.03-1L
Heritage Gap Review One; Incorporated Plan, Methodology Report (Lovell Chen, 2014)	C178yara Clause 15.03-1L
Heritage Gap Review Two Methodology Report (Lovell Chen, 2012)	C157yara Clause 15.03-1L
Heritage Gap Study Review of 17 Precincts Stage 2 Report (Context Pty Ltd, August 2014, Revised 16 October 2016)	C173yara Clause 15.03-1L
Heritage Gap Study Review of Central Richmond, Stage 2 Final Report (Context Pty Ltd, November 2014)	C183yara Clause 15.03-1L
Heritage Gap Study Review of Johnston Street East (Context Pty Ltd, April 2016)	C237yara Clause 15.03-1L
Heritage Gap Study Stage 1 (Graeme Butler and Associates, 2008)	C149yara Clause 15.03-1L
Heritage Gap Study Stage 2 (Graeme Butler and Associates, 2009)	C149yara Clause 15.03-1L
Heritage Gaps Study – Smith Street South (Anthemion Consultancies, July 2014)	C173yara Clause 15.03-1L
Heritage Gaps Study 233-251 Victoria Street, Abbotsford (Anthemion Consultancies, October 2012)	C163yara Clause 15.03-1L
Heritage Overlay Areas, Review of, Appendix 7 (Graeme Butler and Associates, 2007) Updated 2013	C085yara Clause 15.03-1L
Heritage Policy – Residential (Context, October 2019)	C269yara Clause 15.03-1L
Heritage Policy - Industrial (GJM Heritage, 15 October 2019)	C269yara Clause 15.03-1L
Heritage Review (Allom Lovell and Associates, June 1998)	C085yara Clause 15.03-1L
Heritage Review of Predefined Areas In Abbotsford & Collingwood Stage 2 Report (Context Pty Ltd, July 2015)	C198yara Clause 15.03-1L

Attachment 5 - Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

AMENDMENT C269YARA

Name of background document	Amendment number - clause reference
Inner Melbourne Action Plan 2016-2026 (Inner Melbourne Action Plan, August 2016)	C084yara Clause 15.03-1L
Johnston Street Local Area Plan (City of Yarra, 2015)	C220yara Clause 11.03-2L Schedule 15 to 43.02
Model for Urban Stormwater Improvement Conceptualisation 'MUSIC' (Melbourne Water)	C117yara Clause 15.01-2L
Nationwide House Energy Rating Scheme 'NatHERS', (Department of Climate Change and Energy Efficiency)	C133yara Clause 15.01-2L
Licensed Premises Policy – Background Document (Public Place / 10 Consulting Group Dec 2015)	C209yara Clause 13.07-1L
Lower Yarra River Study - Recommendations Report (Department of Environment, Land, Water and Planning, 2016)	VC197 - Schedule 1 to Clause 42.03 (SLO) and Schedule 1 to Clause 43.02 (DDO)
State Environment Protection Policy (Waters) (EPA 2018)	C117yara Clause 15.02.1L
Stormwater Treatment Objective - Relative Measure 'STORM' (Melbourne Water)	C133yara Clause 15.02.1L
Sustainable Design Assessment in the Planning Process (IMAP, 2015).	C269yara Clause 15.02.1L
Swan Street Built Form Review, Heritage Assessment and Analysis (GJM Heritage, October 2017)	C191yara Clause 11.03-2L Schedule 17 to 43.02
The Middle Yarra Concept Plan – Dights Falls to Burke Road (Melbourne Parks and Waterways, 1990)	VC197 - Schedule 1 to Clause 42.03 (SLO)
The Lower Yarra Concept Plan – Dights Falls to Punt Road (Melbourne Metropolitan Board of Works, 1986)	VC197 - Schedule 1 to Clause 42.03 (SLO)
Urban Stormwater Best Practice Environmental Management Guidelines, (CSIRO, 1999)	C117yara Clause 15.02-1L Clause 19.03-3L
Victoria Street East Precinct, Richmond Urban Design Framework (MGS Architects & Jones and Whitehead, November 2005)	C075yara Clause 11.03-6L
WSUD Engineering Procedures: Stormwater (Melbourne Water, June 2005)	C117yara Clause 19.03-3L
World Heritage Environs Area Strategy Plan Royal Exhibition Building and Carlton Gardens (Lovell Chen, October 2009)	C118yara Clause 15.03-1L
Yarra City Council Gaming Policy Framework (Coomes Consulting Group, November 2008)	C109yara Schedule to Clause 52.28
Yarra Housing Strategy (City of Yarra, September 2018)	C269yara Clause 16.01-1L Clause 16.01-2L

Attachment 5 - Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

AMENDMENT C269YARA

Name of background document	Amendment number - clause reference
Yarra High Streets (Swan Street) Statement of Significance: Reference Document (GJM Heritage, December 2020)	C191yara Clause 15.03-1L
Yarra High Streets (Victoria Street and Bridge Road) Statements of Significance: Reference Document (May 2020)	C245yara Clause 15.03-1L
Yarra Open Space Strategy: Open Space Contributions Program, October 2005, prepared for the City of Yarra by Environment & Land Management Pty Ltd in association with Thompson Berrill Landscape Design Pty Ltd	C087yara Clause 19.02-6L
Yarra Open Space Strategy (Thompson Berrill Landscape Design, December 2006)	C087yara Clause19.02-6L
Yarra Spatial Economic and Employment Strategy (SGS Economics and Planning, August 2018)	C269yara Clause 17.01-1L Clause 17.02-1L Clause 17.03-1L Clause 17.04-1L
Yarra Bend Park Strategy Plan (Parks Victoria, 1999)	VC197 - Schedule 1 to Clause 42.03 (SLO)

Attachment 5 - Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

AMENDMENT C269YARA

System Note: The following schedule will be inserted after Clause:74 STRATEGIC IMPLEMENTATION, Sub-Clause:74.01 APPLICATION OF ZONES, OVERLAYS AND PROVISIONS

Attachment 5 - Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

AMENDMENT C269YARA

C269yara

SCHEDULE TO CLAUSE 74.01 APPLICATION OF ZONES, OVERLAYS AND PROVISIONS

1.0
C269yara

Application of zones, overlays and provisions

This planning scheme applies the following zones, overlays and provisions to implement the Municipal Planning Strategy and the objectives and strategies in Clauses 11 to 19:

Zones

- *Mixed Use Zone* to areas previously used for a mix of industrial and commercial purposes which provide opportunities for residential and commercial re-development and renewal
- *General Residential Zone* to established residential areas where incremental change is anticipated
- *Neighbourhood Residential Zone* to established residential areas with heritage significance where minimal change is anticipated
- *Industrial 1 Zone* to industrial areas with a mix of manufacturing and commercial uses
- *Industrial 3 Zone* to industrial and mixed use areas as a buffer between Industrial 1 Zone and residential or commercial areas
- *Commercial 1 Zone* to retail and commercial areas where more intensive retail, commercial and residential development is anticipated, including strip shopping centres
- *Commercial 2 Zone* to commercial and mixed use areas where significant employment is anticipated and residential activity is not appropriate
- *Public Use Zone* to specific public land uses and institutions including public schools
- *Public Park and Recreation Zone* to public parkland for a range of passive and active recreational and environmental purposes
- *Public Conservation and Resource Zone* to parkland with high conservation values including land adjoining the Yarra River
- *Transport Zone* to selected major roads controlled by the State roads authority VicRoads and Yarra City Council as the local road authority
- *Special Use Zone* to a variety of recreational, private school, cultural, private hospital and arts related institutions
- *Comprehensive Development Zone* to former industrial sites which require an overall development plan to guide redevelopment for specific land uses and building form
- *Urban Floodway Zone* to flood prone land along waterways including the Merri Creek and Darebin Creek
- *Priority Development Zone* to sites in Abbotsford identified by a Priority Development Panel process 2007 to 2008

Overlays

- *Environmental Significance Overlay* to the Merri Creek and Darebin Creek corridors
- *Significant Landscape Overlay* to the Yarra River corridor and adjoining landscapes
- *Heritage Overlay* to places and precincts identified in heritage studies
- *Design and Development Overlay* to places, precincts and corridors where building form and design should be controlled including activity centres and the Yarra River
- *Incorporated Plan Overlay* to sites, including former industrial land, where redevelopment and land use should be controlled by an incorporated plan
- *Development Plan Overlay* to sites or precincts, including former industrial areas where redevelopment and land use should be generally in accordance with an approved development plan

Attachment 5 - Attachment 5 - Amendment C269 - Adopted version submitted to Minister for Planning

- *Land Subject to Inundation Overlay* to flood-prone land along the Yarra River, Merri Creek and Darebin Creek
- *Special Building Overlay* to areas prone to overland flow flooding, including former watercourses in parts of Princes Hill, Carlton North, Fitzroy North, Fitzroy, Collingwood and Richmond
- *Public Acquisition Overlay* to sites, road widening and other locations such as adjoining waterways where an acquiring authority has requested the overlay
- *Environmental Audit Overlay* to sites and areas where potential contamination from former industrial land use or other sources, indicates an environmental audit must be undertaken before any sensitive use (such as housing) commences
- *City Link Project Overlay* to land along the City Link motorway corridor including land above the motorway tunnels

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INDEPENDENT URBAN DESIGN ADVICE

Proposed Development at 9-13 Stewart Street Richmond

For City of Yarra

12 May 2022



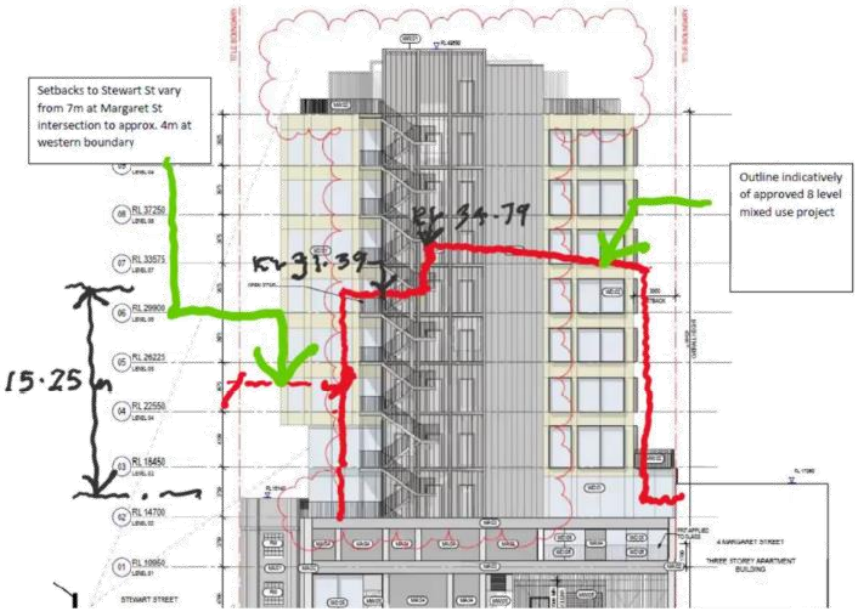
Nearmap

Prepared by
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B. Arch. (Hons. Melb), B.A. (Fine Arts Melb.), P.D.M. (Melb.), LFRAIA, FVPELA, Architect

Directors
Chris Jones
Cameron Lacy
Robert McGauran
Elliet Spring
Joshua Wheeler

BACKGROUND

1. In November 2020 I was instructed by Maddocks acting for the City of Yarra (Council) to prepare a statement of evidence and appear as an expert witness for the above project and appeared on behalf of Council to provide expert evidence in the subsequent hearing.
2. At that time the application sought approval for the partial demolition of the existing buildings on the Subject Land and construction of a 10-storey mixed use building, comprising commercial offices, ground floor retail tenancies, basement car parking and a reduction in the car parking requirements.
3. I had also previously, appeared as Council's urban design expert regarding a previous application on this site (which also included No. 5), which the Tribunal refused (PLN11/0665 & VCAT Ref P339/2012). Council also granted a permit on 20.11.2014 for construction of a 7-storey apartment building at 5 & 9-13 Stewart St, Richmond (PLN13/0417 (there were no endorsed plans, and the permit had lapsed). Notwithstanding, the project for the approved building in the 2014 permit had a maximum height of around RL34.79 whereas the overall height of the proposed building presented at the VCAT Tribunal was RL49.65.



4. The Tribunal heard the matter between the 14-17 December 2020 and issued the order on the 4/3/21. VCAT Reference No. P1090/2020, Permit Application No. PLN19/0910.
5. Key matters of importance relating to the matter before us in this review that provide useful benchmarking for assessment were the conclusions of the members who heard the case, inspected the interfaces and streetscapes, and reviewed the policies at length in addition to the submissions by experts including myself were as follows:

Policy support for intensification

a) *From a first principles perspective, the proximity of this site to the Swan Street commercial precinct and various forms of public transport makes it a suitable location for increased development.*
b) *That there is policy support for new development on this site of at least 5-6 storeys*

Heritage and Scale and Bulk

c) *We find the Margaret Street façade is largely intact and clearly legible as part of the industrial fabric of this streetscape and the other streets in this industrial sub-precinct.* The Tribunal concluded this section comprising approximately 65% of this frontage should be retained.

d) *In our view, the height, and setbacks of the new building from an urban design perspective are not completely disengaged from the heritage considerations, and vice versa. We are of the view that the relationship of the new building's height, setbacks, and detailed design with the heritage facade of the existing building and the Stewart Street streetscape impacts with the contribution that this site makes to the heritage significance of this precinct.*

e) *Overall, we find the combination of the proposed building height and setbacks results in a built form scale that overwhelms the retained heritage fabric and the Stewart Street streetscape more broadly. The outcome is that the proposed new building is not respectful of the urban character of this neighbourhood, which includes its significance as a heritage place. We say this for the following reasons: -*

f) *We agree with Ms Riddett that the consideration of building height is relevant to heritage skylines, which in this case means understanding its impact from further afield. In this case, we have given greater consideration to the proposed building height within the overall Richmond Hill heritage precinct (within which this site is located) rather than to the west side of Punt Road that is not within this precinct.*

g) *Whether a taller building is acceptable on this site is influenced by the amenity impacts and by whether the design can 'successfully knit together' the modern and historic elements in a manner that allows the heritage fabric to stand out and remain prominent. We are not persuaded this design achieves this successful knitting enabling the heritage fabric to remain prominent, particularly in Stewart Street.*

Height

h) *This proposal is described as 10 storeys which appears at face value to be only one storey more in height, but the reality is different. This proposal has a height to the roof of 38.65 metres (almost 10 metres higher than 33-35 Stewart Street), and it has an overall maximum height of 43.17 metres. Mr McGauran's visual comparison of the proposal compared to the eight-storey development approved by the 2014 permit also assists to demonstrate how the height of the buildings can be misleading. The approved building in the 2014 permit had a maximum height of around RL34.79 whereas the overall height of this proposed building is RL49.65.*

i) *The difference in building height between this proposal and the existing buildings in this industrial sub-precinct will be noticeable as it is in the order of 10 metres. We agree reducing the building height by two or three storeys (as is suggested by the Council's expert witnesses) would mean the height is comparable to the existing and approved buildings in this sub-precinct.*

j) *The difference in the building height between this proposal and the building at 1 Margaret Street is accentuated by the significant difference in the building setbacks from Stewart Street as well (refer to the image on following page illustrating existing setbacks at 1 Margaret Street). The minimum 4.5 metre staggered setback from the Stewart Street frontage (following the curve of the street) ensures that the new part of that building above the heritage façade is visually recessive and does not dominate that building or the Stewart Street streetscape. This is in contrast to this proposal.*

k) *Having viewed the subject land from various vantage points along Stewart Street, including those reflected in the photomontages in Mr Wilkinson's evidence statement, we are not persuaded that the combination of the 2.5 and 4.5 metre setbacks are acceptable.*



l) *While strategy 17.2 at clause 21.05-2 contemplates building heights greater than five to six storeys, we are not satisfied that the proposal provides an acceptable response to the specified circumstances in which greater height may be contemplated. In this regard we find:*

i. *As outlined above, the proposal does not provide significant upper-level setbacks.*

ii. *We accept that there are elements of this proposal that are consistent with architectural design excellence. However, we are not satisfied the quality of the architectural design of the new building ensures the dominance of the heritage elements of the existing building and streetscape.*

m) *Even though aspects of the proposal's design support environmental sustainability objectives, we are not satisfied these aspects provide an acceptable balance against the unacceptable heritage and urban design outcomes.*

n) *In relation to non-residential use and development within the MUZ (and business and industrial zones) the policy seeks to 'minimise noise and visual amenity impacts upon nearby, existing residential properties.' The associated policy considerations include matters such as overlooking, overshadowing, loss of daylight, visual bulk, and light spill (among others).*

o) *Having inspected both dwellings at 5 and 7 Stewart Street we are of the view that the services core will be readily visible from and extend some eight storeys above the windows in the western façade of these dwellings, particularly 7 Stewart Street. Given the location and height of the services core we are of the view that it is inconsistent with the policy guidelines at clause 22.05-4.2 that seek walls built to a boundary to not adversely impact on the amenity of any adjoining dwelling in terms of visual bulk.*

p) *Any future proposal should seek to locate building elements of such a height further away from the boundary with these residential properties or otherwise reduce their height.*

Wind Impact Amelioration

q) *In general terms therefore we observe that any future proposal for the development of this site should include the details of any wind deflection devices and how they will be viewed in the context of any original building facades to be retained and the streetscapes building is from Stewart Street.*



STATUTORY AND STRATEGIC PLANNING CONTEXT

PLAN MELBOURNE

6. Within Plan Melbourne, there are several outcomes, directions and policies that need to be considered when reviewing this proposal from an urban design perspective.
7. Plan Melbourne outlines a vision of Melbourne as a 'global city of opportunity and choice'. This vision is guided by seven key outcomes, each supported by directions and policies towards their implementation.
8. Outcomes relevant to the land-use and built-form changes sought by this proposal include the following:

   a) Outcome 1: Melbourne is a productive city that attracts investment, supports innovation, and creates jobs
   b) Outcome 4: Melbourne is a distinctive and liveable city with quality design and amenity
   c) **Outcome 5:** Melbourne is a city of inclusive, vibrant, and healthy neighbourhoods

9. **Direction 1.1** seeks to create a city structure that strengthens Melbourne's competitive for jobs and investment, particularly about supporting the central city to become Australia's largest commercial and residential centre by 2050.

   a) Policy 1.1.1 & 1.1.2 encourages new development opportunities to create grow office floor space amongst residential space is to deliver co-benefits of employment, reduced commuting and transport costs for workers and residents. Urban renewal precincts in and around the central city is acknowledged here to play a major role in delivering high-quality, distinct, and diverse neighbourhoods that offer a mix of uses.

10. **Direction 4.1** advocates a place-making approach to urban design to create *"more great public places across Melbourne."*

    a) **Policy 4.3.1** seeks to integrate place-making practices into road-space management to ensure the design of streets encourages the use of active transport and facilitates a greater degree of and encounter and interaction between people and places.

11. **Direction 5.1** outlines the ambition of creating a city of 20-minute neighbourhoods by encouraging the development of vibrant, mixed-use neighbourhoods linked by a network of activity centres. 'Walkability', 'housing diversity', 'ability to age in place' are identified here as key characteristics of 20-minute neighbourhoods.
12. **Direction 5.3** notes the importance of social infrastructure in supporting strong communities. Delivery and co-location of social infrastructure in accessible locations near public transport is a key policy under this direction.
13. Policy guidelines to consider where relevant include:

    a) *Urban Design Guidelines* for Victoria (Department of Environment, Land, Water and Planning, 2017).
    b) *Safer Design Guidelines* for Victoria (Crime Prevention Victoria and Department of Sustainability and Environment, 2005).
    c) Urban Design Charter for Victoria (Department of Planning and Community Development 2009).

PLANNING POLICY FRAMEWORK

14. State and regional planning provisions relevant to this application are set out below:
15. Clause 11.01-1 "Settlement - Metropolitan Melbourne" includes the following relevant strategies:

    a) Focus investment and growth in places of state significance, including Metropolitan Melbourne Central City, Metropolitan activity centres and major urban renewal precincts.
    b) Create mixed-use neighbourhoods at varying densities, including through the development of urban-renewal precincts that offer more choice in housing, create jobs and opportunities for local businesses and deliver better access to services and facilities.

16. **Clause 15.01-1S "Urban design"** seeks to create urban environments that are *"safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity."* Relevant strategies outlined towards achieving this goal include the following:

    a) Ensure development contributes to community and cultural life by improving the quality of living and working environments, facilitating accessibility, and providing for inclusiveness.
    b) Ensure the interface between the private and public realm protects and enhances personal safety.
    c) Ensure development supports public realm amenity and safe access to walking and cycling environments and public transport.
    d) Ensure that the design and location of publicly accessible private spaces, including car parking areas, forecourts, and walkways, is of a high standard, creates a safe environment for users and enables easy and efficient use.
    e) Ensure that development provides landscaping that supports the amenity, attractiveness, and safety of the public realm.
    f) Promote good urban design along and abutting transport corridors.

17. **Clause 15-01-1R "Urban design – Metropolitan Melbourne"** sets out to create a *"distinctive and liveable city with quality design and amenity"* by undertaking the following relevant strategies:

    a) Support the creation of well-designed places that are memorable, distinctive, and liveable
    b) Integrate placemaking practices into road space management

c) *Provide spaces and facilities that encourage and support the growth and development of Melbourne's cultural precincts and creative industries.*

18. **Clause 15.01-02S "Building design"** aims to ensure that building design outcomes contributes positively to local contexts and enhances public realm, strategies relevant to this proposal include:

a) *Ensure the form, scale, and appearance of development enhances the function and amenity of the public realm.*
b) *Ensure buildings and their interface with the public realm support personal safety, perceptions of safety and property security.*
c) *Ensure development is designed to protect and enhance valued landmarks, views, and vistas.*
d) *Ensure development provides safe access and egress for pedestrians, cyclists, and vehicles.*
e) *Ensure development provides landscaping that responds to its site context, enhances the built form, and creates safe and attractive spaces.*

19. **Clause 15.01-4S "Healthy neighbourhoods"** seeks to achieve neighbourhoods that foster healthy active living and community wellbeing by designing neighbourhoods that encourage community interaction, physical activity, and engagement amongst community members of all ages and abilities. Key relevant strategies include the provision of:

a) *Connected, safe, pleasant, and attractive walking and cycling networks that enable and promote walking and cycling as a part of daily life.*
b) *Streets with direct, safe, and convenient access to destinations.*
c) *Conveniently located public spaces for active recreation and leisure.*

20. **Clause 15.02 "Sustainable Development"** is concerned with encouraging development that is energy and resource efficient, minimising greenhouse gas emissions towards supporting a cooler environment. Strategies outlined under this clause include the incorporation of ESD principles in new developments and supporting low energy forms of transport such as walking and cycling.

21. **Clause 17.01-1 "Economic Development"** acknowledges the role of planning in providing a strong, innovative, and diversified economy where all sectors are critical to its property. Specifically, planning has a key role in providing land, facilitating decisions, and resolving land use conflicts to enable regions to capitalise upon its strengths and achieve its economic potential.

22. **Clause 18 "Transport"** encourages solutions that ensure an integrated and sustainable public transport system that provides access to social and economic opportunities, facilitates economic prosperity, contributes to environmental sustainability, coordinates reliable movement of goods and people and is safe.

23. **Clause 18.01-1 "Land use and transport planning"** outline strategies to develop an integrated, equitable and accessible transport networks that connects people to jobs and services and goods to the market. The following strategies are relevant to this proposal:

a) Ensuring equitable access is provided to developments in accordance with forecast demand, taking advantage of all available modes of transport and to minimise adverse impacts on existing transport networks and the amenity of surrounding areas.
b) Requiring integrated transport plans to be prepared for all new major residential, commercial, and industrial developments.

24. **Clause 18.02-2S "Public Transport"** seeks to increase the use of public transport and encourage increased development close to high quality public transport networks.

25. **Clause 18.02-4S "Car parking"** encourages the efficient provision of car parking by consolidating facilitates and ensuring that such facilities achieve a high quality of urban design and protects local amenity, including pedestrians and other users.
26. **Clause 19.02-6R "Open space – Metropolitan Melbourne"** outline the objective to strength the integration of Melbourne's open space network, strategies relevant to this proposal include the following:
    a) Develop a network of local open spaces that are accessible and of high-quality and include opportunities for new local open spaces through planning for urban redevelopment projects.
    b) Create continuous open space links and tails along the Yarra River parklands (extending from Warrandyte to the Port Phillip Bay).
    c) Continue the development of the lower Yarra River as a focus for sport, entertainment, and leisure.

LOCAL PLANNING POLICY FRAMEWORK

27. Clause **21.04 – Land Use** Local planning provisions relevant to this application are set out below:
    a) Acknowledges the need for Yarra to accommodate its share of Melbourne's population growth, noting the need to direct higher density residential development to strategic re-development sites. Given the pre-existing population diversity, the clause looks to maintain diversity by encouraging all household types and structures - including supporting the provision of affordable housing.
28. In response, Objective 8 under Clause 21.04-3 outlines the objective to increase the number and diversity of local employment opportunities by undertaking the following strategies:
    a) Strategy 8.1 Support re-zonings, as identified on the relevant Neighbourhood plan, to permit increased commercial and office use in existing industrial areas.
    b) Strategy 8.2 Support home-based businesses.
    c) Strategy 8.3 Encourage residential and business land use within the Mixed-Use Zone to locate on the same site.
    d) Strategy 8.5 Support opportunities for new uses on isolated industrial sites provided they reflect the predominant surrounding uses.
29. A key element of importance in this instance relates to Objective 3 under Clause 21.04.1 wherein it is important to ensure new built residential development in Mixed Use, Business 1, Business 2, and Business 5 Zones and near Industrial and Business Zones is designed to minimise the potential negative amenity impacts of existing non-residential uses in the vicinity.
30. Clause 21.05 "Built Form" contain objectives and strategies considering heritage, urban design, built form character and the public environment. It seeks to reinforce the existing urban framework of Yarra of a 'low-rise urban form punctuated by pockets of higher development'. Objectives and strategies under this clause relevant to this application include the following:
    a) Developments on strategic redevelopment sites should generally be no more than 5-6 storeys unless it can be demonstrated that the proposal provide community benefits such as the provision of affordable housing or a positive contribution to the enhancement of the public domain.
    b) Retain, enhance, and extend Yarra's fine grain urban fabric by ensuring new developments are designed about its surrounding urban context and fabric, including the re-establishment of historical streets and laneways.
    c) Provide a public environment that encourages community interaction and activity
    d) Objective 16 under Clause 21.05 seeks to reinforce the existing urban framework of the City of Yarra, with Strategy 16.2 seeking to "maintain" and strengthen the preferred character of each built form character type within the City of Yarra."

e) Objective 17 under Clause 21.05 seeks to "retain Yarra's identity as a low-rise urban form with pockets of higher development", outlining the following relevant strategies:
f) Strategy 17.2 Development on strategies development sites or within Activity Centres should generally be no more than five to six storeys unless it can be demonstrated that the proposal can achieve specific benefits such as:
   > Significant upper-level setbacks
   > Architectural design excellence
   > Best practice environmental sustainability objectives in design and construction
   > High quality restoration and adaptive use of heritage buildings
   > Positive contribution to enhancement of the public realm
   > Provision of affordable housing.
g) Objective 19 under Clause 21.05 seeks to create an inner-city environment with landscaped beauty, outlining the following strategies:
   > Strategy 19.1 Require well resolved landscape plans for all new development.
   > Strategy 19.2 Encourage opportunities for planting suitable trees and landscape areas in new development.
   > Objective 20 under Clause 21.05 seeks to ensure that new development contributes positively to Yarra's urban fabric, including the following strategies:
h) Strategy 20.1 Ensure development is designed having regard to its urban context and specifically designed following a thorough analysis of the site, the neighbouring properties, and its environs.
i) Strategy 20.2 requires development of Strategic Redevelopment Sites to consider the opportunities for development on adjoining land.
j) Objective 21 under Clause 21.05 seeks to enhance the built form character of Yarra's Activity Centres.
k) Objective 22 under Clause 21.05 seeks to encourage the provision of universal access in new development.

31. **Clause 21.05-3 "Built Form Character"** outlines the built form character type for each character area.

a) New development must respond to Yarra's built and cultural character, its distinct residential 'neighbourhoods' and individualised shopping strips, which combine to create a strong local identity.
b) Clause 21.05-4 "Public environment" notes: "New development must add positively to Yarra's overall character and help create a safe and engaging public environment where pedestrian activity and interaction are encouraged. Public spaces and urban squares provide outdoor spaces for people to meet and gather. Opportunities to create such spaces will be sought. There is a need to ensure that, as development occurs, Yarra's public environment, buildings and transport infrastructure are accessible to all people."

32. **Objective 28 under Clause 21.05-4** seeks to provide a public environment that encourages community interaction and activity. Strategy 28.1 Encourage universal access to all new public spaces and buildings.

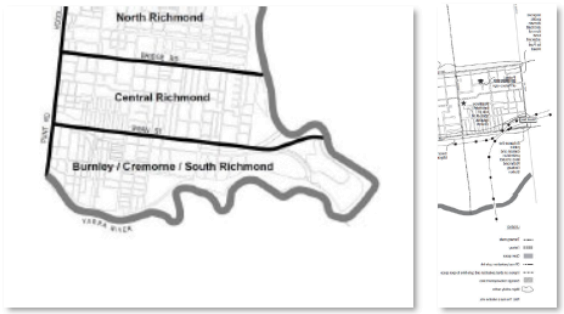
a) Strategy 28.2 Ensure that buildings have a human scale at street level.
b) Strategy 28.3 requires buildings and public spaces to provide a safe and attractive public environment.
c) Strategy 28.4 Require new development to consider the opportunity to create public spaces as part of new development.
d) Strategy 28.5 Require new development to make a clear distinction between public and private spaces.
e) Strategy 28.6 Require new development to consider the creation of public access through large development sites, particularly those development sites adjacent to waterways, parkland, or activity centres.

f) Strategy 28.8 Encourage public art in new development.
g) Strategy 28.9 Apply the Public Open Space Contribution policy at clause 22.12.
h) Strategy 28.10 requires site rezoning for new development to consider the inclusion of public domain improvements commensurate with the new use.

33. **Clause 21.06 – Transport** seeks to reduce car dependency by promoting active and public transport by improving the quality of walking and cycling infrastructure. It is explicitly noted that 'walking' includes people who use wheelchairs and other mobility devices. Strategies relevant to this application include:

a) Improve pedestrian and cycling links in association with new development where possible.
b) Require all new large developments to prepare and implement integrated transport plans to reduce the use of private cars and to encourage walking, cycling and public transport.

34. **Clause 21.07 – Environmental sustainability** promotes environmentally sustainable development.
35. Clause 21.08 "Neighbourhoods" sets out locally specific objectives and strategies for each neighbourhood, the site sits within the SW corner of the Central Richmond Neighbourhood.



36. The implementation of built form strategies in clause 21.05 includes:

a) Supporting development that maintains and strengthens the preferred character of the relevant Built Form Character type.
b) Improve the built form of:
   > land around Richmond Station

37. Clause 22.02 Development Guidelines for Sites Subject to the Heritage Overlay. This policy applies to all land within a Heritage Overlay. The MSS highlights the importance of heritage to the identity and character of the municipality and one of its objectives is to protect and enhance the City's heritage places. This policy provides guidance for the protection and enhancement of the City's identified places of cultural and natural heritage significance. The objectives of this policy are:

> To conserve Yarra's natural and cultural heritage.
> To conserve the historic fabric and maintain the integrity of places of cultural heritage significance.
> To retain significant view lines to, and vistas of, heritage places.
> To preserve the scale and pattern of streetscapes in heritage places.
> To encourage the preservation, maintenance, restoration and where appropriate, reconstruction of heritage places.
> To ensure the adaptation of heritage places is consistent with the principles of good conservation practice.

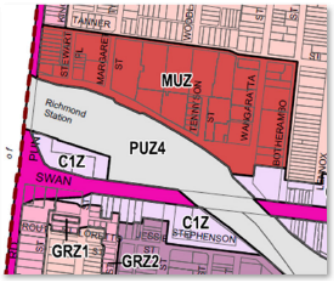
- To ensure that additions and new works to a heritage place respect the significance of the place.
- To encourage the retention of 'individually significant' and 'contributory' heritage places.
- To protect archaeological sites of cultural heritage significance.

38. **Clause 22.05 Interface Use Policy** This Policy applies to applications for use for development within the Mixed-Use Zone.
    - It is policy that new non-residential use and development within the Mixed-Use Zone is designed to minimise noise and visual amenity impacts upon nearby, existing residential properties.
    - New non-residential development is to be designed to / so that:
        - It minimises the potential for unreasonable overlooking of private open space areas and into habitable room windows of adjoining residential properties, using appropriate siting, setbacks, articulation and possibly screens.
        - The location, length and height of any wall built to a boundary not adversely impact on the amenity of any adjoining residential properties in terms of unreasonable overshadowing of private open space, visual bulk, or loss of day light to habitable room windows.
        - Where private open space and/or windows to adjoining residential properties are unreasonably affected, appropriate setbacks from boundaries are to be provided to address loss of daylight, overshadowing and visual bulk impacts.
        - Provide for a high level of acoustic protection to adjoining residential properties by:
            - Locating plant and other service infrastructure (including automatic garage doors) in discrete locations.
            - Using masonry wall construction rather than, for example, curtain walling
            - Building in effective acoustic insulation.
            - Minimising noise transmission within the building, including from machinery and ventilation systems, between floors or separate units and to adjoining residential properties.
            - Minimising the opportunity for views from adjoining residential properties into the site, especially where the storage, preparation, business, or industrial activity could present an unsightly appearance.
            - Minimise the opportunity for light spill due to fixed or vehicular lights, outside the perimeter of the site and on to habitable room windows of nearby residential properties.

39. **Clause 22.17 – Environmentally sustainable development** builds upon Clause 21.07 by setting out an aspirational framework to encourage developments that incorporate best practice in environmentally sustainable development from design through to construction.
40. **Clause 22.16 – Stormwater Management (Water Sensitive Urban Design)**
41. **Clause 22.17 – Environmentally Sustainable Development**

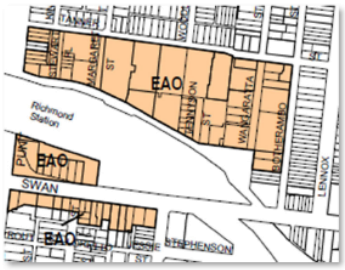
ZONING

42. The site lies with the Mixed-Use Zone (MUZ). The purpose of the MUZ includes:
    - To implement the Municipal Planning Strategy and the Planning Policy Framework.
    - To provide for a range of residential, commercial, industrial, and other uses which complement the mixed-use function of the locality.
    - To encourage development that responds to the existing or preferred neighbourhood character of the area.



OVERLAYS

43. The site is subject to several Overlays as below.

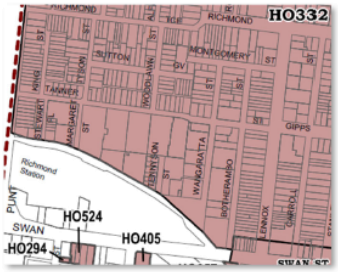


Environmental Audit Overlay

44. The site is covered by the EAO. The purpose of the EAO is:

> To implement the Municipal Planning Strategy and the Planning Policy Framework.
> To ensure that potentially contaminated land is suitable for a use which could be significantly adversely affected by any contamination.

Heritage Overlay HO332 Richmond Hill Precinct



45. The site is affected by HO332 relating to the Richmond Hill Precinct. The purpose of the HO is:

> To implement the Municipal Planning Strategy and the Planning Policy Framework.
> To conserve and enhance heritage places of natural or cultural significance.
> To conserve and enhance those elements which contribute to the significance of heritage places.
> To ensure that development does not adversely affect the significance of heritage places.
> To conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

46. Decision Guidelines include:

a) the responsible authority must consider, as appropriate:
> The Municipal Planning Strategy and the Planning Policy Framework.
> The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.
> Whether the location, bulk form or appearance of the proposed building will adversely affect the significance of the heritage place.
> Whether the location, bulk, form, and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.
> Whether the proposed works will adversely affect the significance, character, or appearance of the heritage place.

47. The existing building on the land, about the City of Yarra Review of Heritage Overlay Areas 2007 (Rev. May 2018), has been identified as a contributory building.
48. Pursuant to Clause 43.01-1 a planning permit is required to demolish or remove a building, construct a building, or carry out works.

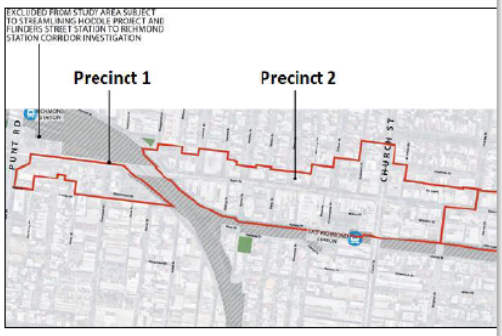
PARTICULAR PROVISIONS

49. Clause 52.06 Car Parking.
50. Clause 52.34 Bicycle Facilities.
51. Clause 65 Decision Guidelines.

SWAN STREET STRUCTURE PLAN

52. The Swan Street Structure Plan was adopted by Council on 17 December 2013 as a strategic document for the Swan Street Activity Centre.
53. This led via a Framework Study and to the development of an Amendment C191 for the activity centre. A Panel Report was released on this amendment in October 2020 year and subsequently adopted
54. The Amendment came into operation when notice of its approval was published in the Victoria Government Gazette on 10 February 2022.
55. The Amendment, implements the recommendations of the Swan Street Activity Centre Built Form Framework and Swan Street Built Form Study Heritage Assessments and Analysis by:

Figure 3 Swan Street Framework study area and



Source: based on Swan Street Framework, Figure 1, p5

a) rezoning properties from the Commercial 2 Zone to Commercial 1 Zone.
b) replaces Design and Development Overlay Schedule 17 with revised schedules 25, 26, 27 and 28 on a permanent basis.
c) updates local policy.
d) corrects a number of mappings errors.
e) applies the Heritage Overlay to 15 properties on a permanent basis.
f) removes the Heritage Overlay from ungraded places; and
g) applies the Environmental Audit Overlay to sites being rezoned to Commercial 1 Zone.

56. The two most immediate precincts are Precincts 1 and 2, with Precinct 1 south of Richmond Station on Swan Street and Precinct 2 encompass the historic core historical retail section of Swan Street between the Richmond and East Richmond Stations and extending slightly east of Church Street and up to the railway bridge to the west.
57. The Panel report supporting that amendment process was instructive for its recent drafting, its consideration of scale and setback and its finding. Cumulatively, these helps further inform what height and arrangement surrounding character and built form is likely to take. This is particularly relevant given the intersection of Stewart Street at its southeast end with Swan Street and the DDO areas within approximately 200m of the subject site.
58. Key observations of the Panel relevant in painting the picture of future form and affirming the recent VCAT decision for the site included the following:

Setbacks

a) *For typical Swan Street frontages, a minimum 6-metre upper-level setback should be applied because a minimum 5 metre upper-level setback is insufficient to respond to the heritage streetscape. The 6-metre upper-level setback should be applied as a mandatory provision for all heritage properties and as a discretionary provision for all non-heritage properties.*

Public Realm amenity

b) *The amenity of identified footpaths should be protected through overshadowing requirements. Mandatory overshadowing requirements are appropriate and justified for the Swan Street southern footpath and discretionary requirements are justified and supported for all other nominated footpaths. The metric for defining the area for solar access should be revised for all streets and should relate to the area between the property boundary and the existing kerb. The use of the equinox between 10.00am and 2.00pm as the measure for solar access is appropriate.*

Future Heights

c) The Precinct 1 Richmond Station precinct south of Swan St envisaged heights of development between 21 and 27m.
d) The adjoining Historic Retail Core envisages a development scale of 18-27m north of Swan Street and a slightly taller 21 to 34m to the south of the corridor.

59. A new Design and Development Overlay Schedule 25 (DDO25), which includes planning provisions relevant to Precinct 1 (Richmond Station).
60. A new Design and Development Overlay Schedule 26 (DDO26), also includes planning provisions relevant to Precinct 2 (Swan Street Retail Centre).
61. The proposed mandatory provisions are aimed primarily at addressing:

a) the minimum metrics required to protect heritage buildings and the heritage streetscape, as appropriate.
b) the adequate protection of the residential amenity of adjoining residential areas within the context of site constraints.
c) the protection of solar access to the southern footpath along Swan Street to ensure a high-quality pedestrian environment and opportunities for comfortable outdoor dining and associated experiences.

62. The Panel, having considered modelling undertaken of other comparable commercial high streets in the City of Yarra, the recommendations included in the Panel Report into Yarra C220 and C231, and the revised modelling for Swan Street using more accurate and realistic base data, they considered then a 6 metres setback as necessary to achieve a satisfactory outcome that retains the visual prominence of the heritage street wall.

EARLIER VCAT DECISIONS

63. I had earlier as noted provided VCAT review of the earlier application for the subject site VCAT Reference P339/2012. Notably the decision in that matter noted the following:

Strategic Context

64. The Tribunal concluded that the Mixed-Use Zone and Heritage Overlay combined with the coherent existing renewal scale warranted a bespoke and medium rise solution substantively more modest than that suggested. The Tribunal includes the following:

> *The subject land is a site with constraints as it is within a Heritage Overlay in a discrete industrial sub-precinct; and it has interfaces with several other properties and adjoins a major railway station, Richmond Station. This is an area where heritage is clearly manifest in its built form.*
> *We have concluded that the retention of much of the existing facades of the host buildings does not in this case justify a further 10-11 storeys on the subject land. Although by its design the tower is clearly distinguishable from the original fabric, we cannot conclude that it achieves local policy to be visually recessive and not dominate the heritage place. Further, although the built form and appearance of the proposed building is separated from the lower levels that are part of 'the significance of the heritage place' we consider that the striking design and height of the building will adversely affect the physical manifestation and understanding of that significance which is so clearly evident in the precinct today.*
> *We are of the opinion new development in this small heritage precinct between Stewart and Tanner Streets should respond to the existing building form, character, and heritage value of the area, and provide for a built form transition to lower scale development to the north on Richmond Hill. This proposal fails in these regards.*
> *We are not persuaded the identification of this precinct in the State planning policy means the Council's desire to have an individual identity for Richmond cannot be achieved. Nor*

does it mean the areas of historic significance around Richmond Station that are recognised through the imposition of a Heritage Overlay can be ignored.

- *The subject land is within a Mixed-Use Zone, a zone which forms part of the suite of residential zones found in the planning scheme. The site is also affected by a Heritage Overlay. The form and scale of any development must respond to these controls as well as the built form policies in the planning scheme and the physical context of the subject land and its surrounds.*
- *Regarding the other built form policies in the planning scheme, the Yarra Planning Scheme seeks to protect valued character, including its identity as a low-rise urban form with pockets of higher development, and its heritage places. This area is one such heritage place.*
- *We agree the heritage considerations are important in this case as the intensity of development expected and sought for locations such as this need to be balanced with the significance of this heritage place.*
- *The extent of remaining fabric and the precinct's discrete area reinforce its cohesion, readily apparent on inspection from any of the streets within the sub-precinct. This is an area where its heritage is clearly expressed in the built form.*
- *The strong curve and uniformity of façade heights along Stewart Street as it follows the long wall of the railway reserve reinforces the cumulative impact of this built form. A further clearly visible characteristic is the angled setbacks of the higher portions of the original buildings facing the railway above the Stewart Street facades.*

Height and Scale

65. We, however, are not persuaded that the retention of much of the existing facades is sufficient in this case to justify an additional 10-11 storeys (32-35m) above the existing building on the subject land.

- *Thus, we find that the proposal, by its appearance and height is not 'in keeping with the character and appearance of adjacent buildings and the heritage place'.*
- *Whilst we accept that there are circumstances where higher buildings can be accommodated in heritage areas, we have concluded that new development in this precinct between Stewart and Tanner Streets should respond to the existing building form, character, and heritage value of the area, and provide for a built form transition to lower scale development to the north on Richmond Hill.*
- *The Yarra Planning Scheme specifically identifies protection of 'heritage skyline' and protection from the "visual intrusion" of built form within heritage areas.*
- *It is clear that the surrounding redevelopments of heights in the order of 6-7 storeys have had more regard to the existing built form character of the area and have contributed to the establishment of a new character that generally utilises the solid heritage base with contemporary additions above. Whilst employing differing design treatments, none seek to dominate the precinct.*
- *We think the success or appropriateness of these redevelopments has been achieved by employing an appropriate scale and setbacks, and by the selection of materials that are 'well mannered' in the context.*

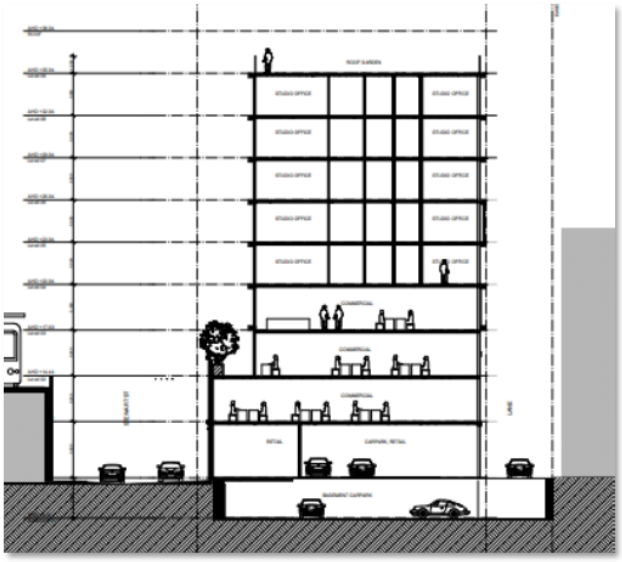
33-35 Stewart Street, Richmond VIC 3121-Slimform Holding Pty Ltd v Yarra CC [2020] VCAT 1312



66. A more recent decision of earlier this month is the approval for the development at 33-35 Stewart Street Richmond before Member Dawson.
67. As the findings note, like the development proposal before this tribunal, the proposal includes retention of the existing double storey building façades to Stewart Street, including retention of side walls on the eastern façade to a depth of 4.49 metres and on the western facade to an approximate depth of 3 metres.
68. The proposal occupies an island site.
69. The member notes in their assessment of the precinct the following:

    a) *My impression of the heritage character is reflected in an earlier Tribunal decision (ACCC Pty Ltd as AWC Property v Yarra (Red Dot) [2012] VCAT 1180) concerning a proposed 14 storey building, also opposite the Richmond Station, at 5 & 9-11 Stewart Street Richmond*. In that decision, the Tribunal states at paragraph 43:

        Our observation is that, somewhat unusually, this precinct clearly demonstrates its heritage to the passer by. The retention of significant proportions of the industrial building fabric has retained and reinforced the remnant heritage evident along all of the streets within this sub-precinct. The subdivision pattern and hard-edged buildings speak to a history of manufacturing and warehousing. The extent of remaining fabric and the precinct's discrete area reinforce its cohesion, readily apparent on inspection from any of the streets within the sub-precinct. This is an area where its heritage is clearly expressed in the built form.



b) The proposal provides for a nine-level office and retail premise building with an overall maximum height of 31.76m (to top of lift overrun). RL38.94 and RL35.94 to top of parapet at the street edge. This façade of the upper tower form to Stewart Street is 28.75m from ground level to top of parapet.
c) Setbacks to Stewart Street for the upper-level form are proposed to be typically between 2.8m and 3.75m.
d) Setbacks to east boundary laneway are 0.6m, 2.16m and 2.39m.
e) This height accords closely with the suggested scale heights sought by me in my earlier advice to Council and my advice to this Tribunal.

70. *Presently and in contrast to the above decision and proposition the height to the lift overrun of the subject proposal at RL49.65 versus ground level at RL6.25 results in a building height of 43.4m or more than 35% higher than that determined in the above matter as acceptable in the context.*

a) *The proposal whilst on a smaller footprint site, has no direct abutments to sensitive uses unlike the subject site.*
b) *It has a much taller street wall form to its northern hinterland and eastern interfaces abutting the subject site where neighbouring street-wall to all sides is of comparable scale.*
c) *The interfaces to the north and east are also occupied for commercial use and separated by shared lanes.*
d) *It has in contrast to the subject proposal, no shadow impacts on the adjoining residential land uses and (as noted by the Tribunal Member), has only modest overshadowing impacts on Stewart Street over and above that arising from the existing built form.*
e) *As is also evident, the setbacks from each of the edges have ensured that the views looking laterally down the curving street are to build form with generous glazing and visual interest.*

AMENDED PLANS TO THE PRIORITY PROJECTS STANDING ADVISORY COMMITTEE

71. In April 2022, the Priority Projects Committee circulated amended plans for review by the C9ity of Yarra.
72. The Amended Plans incorporate several modest but important changes in response to the VCAT decision:



Margaret Street Heritage façade

- After the tribunal concluded that more of the Margaret Street Heritage facade should be retained, the development proposes the retention of a substantial scope of the eastern façade and Heritage fabric.
- I am satisfied that the extent of retained fabric is consistent with the advice arising from the Tribunal and support this scope.
- Similarly, there are no changes to setbacks on any of the frontages of the develop and no change to the number of levels as evidenced by a comparison of the VCAT Plans and the

73. Somewhat confusingly the plans before the committee adopt the same drawing numbers but revert to an earlier revision, rather than continuing revisions sequentially.

Basement parking

74. A lesser number of carpark spaces are provided for in the basement (7 spaces in lieu of 10 spaces.) with a larger services zone.

Ground level

75. A reconfiguration of the lift core and escape stairs and internal shop and Food and Drink premises with the relocation of the lift lobby and entry to the western side of the ground level.
76. A detailed description of the end of travel facilities in earlier plans no longer forms a part of the application.

Level 1

77. A relocation of the lift core and stairs to the eastern side of the floor.
78. A halving of toilets on the floor and a reduced number of lifts from 3 to 2 suggesting a lowering of building specification.

Level 2 and 3

79. A reduction in setback to Stewart Street at level 2 by 2m to 2.5m in lieu of 4.5m previously and a removal of the projecting stair and lift core to the eastern interface.
80. A removal of the buffering landscape terraces to the east and west ends of the northern terrace and a reduced length of terrace.

Levels 4 to 7

81. Continuation of 2.5m setback to the Stewart Street interface and 500mm reduction in length to the western boundary wall core.

Level 8

82. Increased setback at Level 8 to 4.5m to Stewart Street (previously 2.5m) and 4m to Margaret Street (previously 2.5m save the on-boundary stair.
83. An external terrace is provided to the permitter south and eastern facades and narrow 600mm terrace to the north with an increase in setback of 1m.
84. Removal of Level 9 and an increase plant area setback of 7m (previously 5m) to the Stewart St frontage and a reduction in setback of the plant by 1.5m to the northern residential interface from 8m to 6.5m. and an increase primary setback of 7m to the western frontage with a reduced-on boundary footprint.
85. The development's height has been reduced as follows:

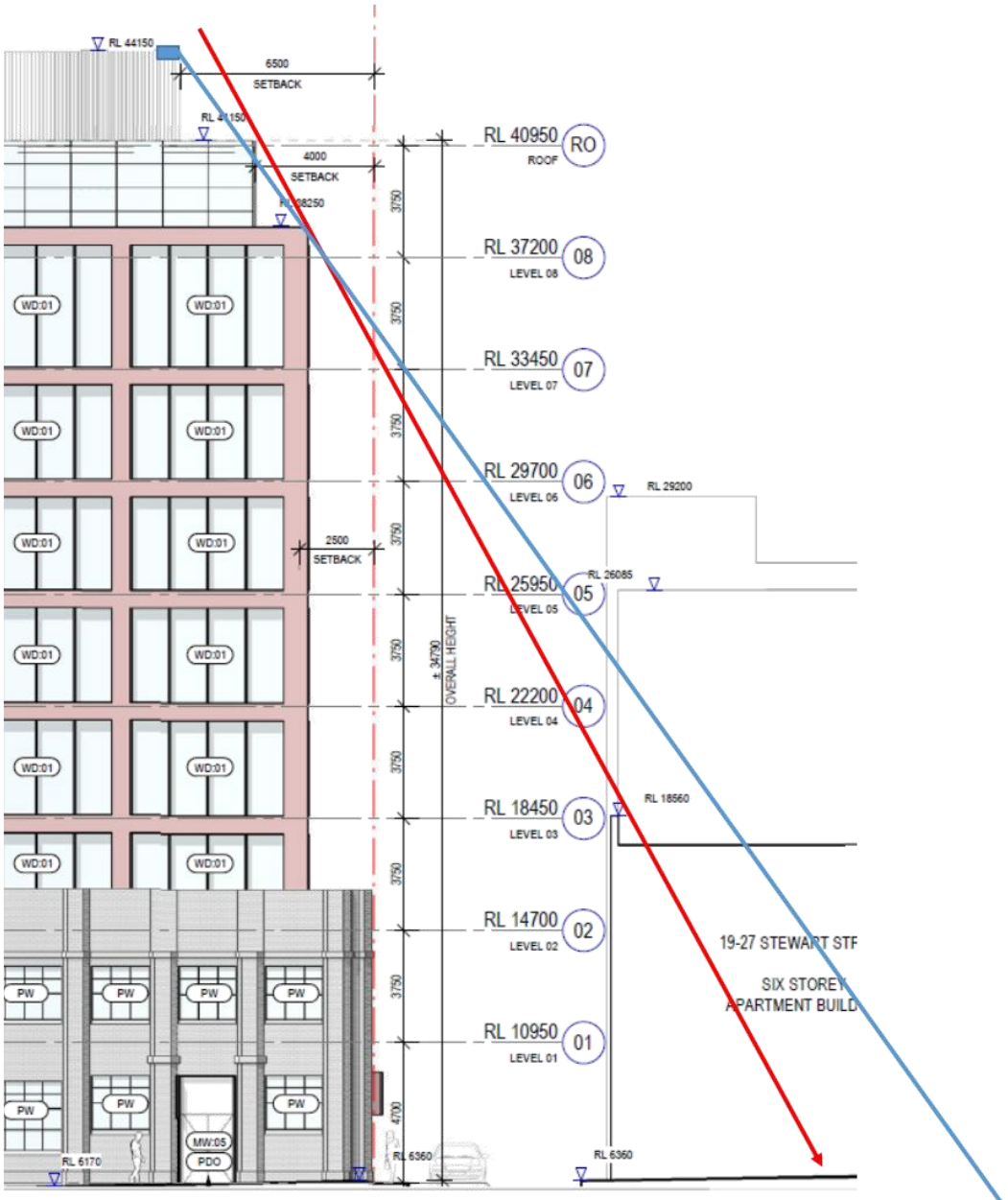
    a) To the upper roof parapet of the Level 8 the development is now envisaged as RI 41.15m
    b) the expansive plant room façade now elevated and expressed to a consistent height of RI 44.15 interrupted only by the taller lift overrun.
    c) These heights compare to an upper-level parapet of RI 44.75 previously a reduction of 3.6m and a Plant room height of 47.95 now reduced by 3.8m.
    d) The rendering in the report seek to represent that Level 8 and the plant room would not be visible from the street. Given the setbacks and the distance back of the view this is not sustainable with visibility prominent in close proximity as view lines indicate.



    e) This analysis would suggest that the images within the revised submission simply cannot be correct and that the upper level 8 and plant will be highly visible from the station entry

Attachment 6 - Attachment 6 - External Urban Design Referral Advice





86. This prominence is obvious in more distant views as seen in the applicants updated report: -




Setbacks and integration of wind amelioration treatments into the design approach.

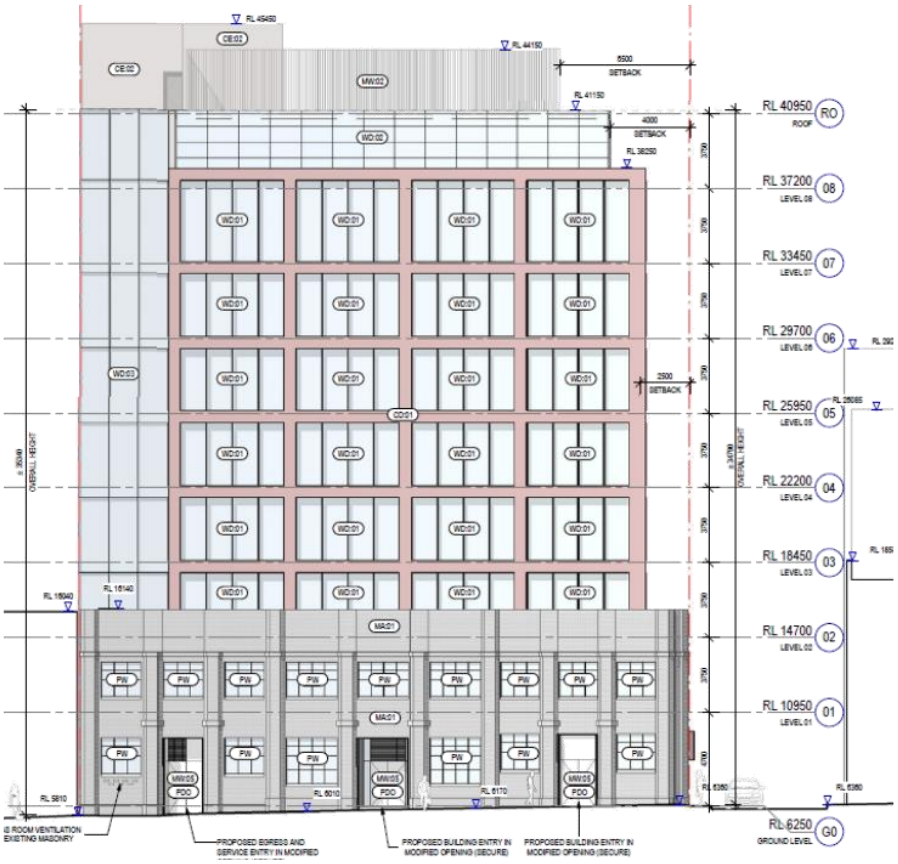
87. Despite the Tribunal concluding that the above podium setbacks to Stewart Street were insufficient and despite the Minister and Council subsequently endorsing mandatory provisions for setbacks of taller form in the adjoining Swan Street Activity Centre (C191) of 6m as a mandatory setback where extending a heritage building, , the applicant has persevered with their Level 4 to 7 setbacks of only 2.5m to Stewart St and now adopted a similar approach for levels 2 and 3. (This despite the applicant's witnesses arguing during the hearing that the site formed part of the Activity Centre).

Wind report

88. Additionally, the earlier development response indicated that significant screening and wind amelioration measures would be necessary, and the Tribunal noted these were likely to change the perceived response of the building to the heritage context.
89. None of the recommended screening initiatives recommended by the Wind mitigation report have been adopted in the revised elevations or plans before the Committee meaning the terraces proposed in the plans will not be fit for purpose. Additionally, the adoption of a single extruded form to the south and east facades is likely to amplify down draft outcomes and the concerns relating to the amenity of adjoining western and northern residents remains unresolved. Given the relative absence of easily accessible open space the provision of useful breakout spaces in the development i9s critical and the preservation of amenity of pedestrian areas surrounding the building and adjoining private residential open space similarly important.
90. The applicant should be asked to update plans with necessary measures so we can all determine what we are dealing with as a built form response and its responsiveness to the heritage and urban design policy settings in which it sits.

Bulk, form and excessive height

91. Equally the Tribunal was critical of the development's insufficient setbacks of the primary service cores to the western frontage and the impact on adjoining residential amenity and the impact on the Margaret Street amenity through scale, removal of heritage and offshore overshadowing impacts and visual bulk and its impact in conjunction with height on what is otherwise a remarkably intact and coherent heritage context in response the applicant has proposed
92. The revised approach with the masonry framing of upper-level form has amplified this perceived bulk versus the earlier highly transparent mass timber forms which were deemed unsatisfactory.
93. The proposal also introduces a new typology referencing masonry loft-built form that has a significant and enduring tradition in Yarra. It juxtaposes a building type that was traditionally built as a loft or factory form as the upper level built form treatment competing with rather than com0pliumenting is historically important base building.



94. This sits at odds with planning policy in the local context that seeks to ensure upper-level form is Upper-level development on land within a Heritage Overlay or on land immediately adjoining a heritage building should:

    a) be visually recessive and not visually dominate the heritage building and the heritage streetscape.

95. It is clear that the upper-level design expression now introduced is at odds with this approach.
96. In this regard the building expression has gone backwards rather than forwards as a design response clearly at odds with the legibility goals sought in the Burra Charter and in local policy where heritage policy referred to earlier notes:

    a) *To ensure the adaptation of heritage places is consistent with the principles of good conservation practice.*
    b) *To ensure that additions and new works to a heritage place respect the significance of the place.*
    c) *To encourage the retention of 'individually significant' and 'contributory' heritage places.*

97. It is clear in my view that the provision of a masonry setback warehouse forms references clearly adjoining heritage industrial buildings but doesn't understand how these buildings have occupied sites and contributed to their street and setting.

98. In this instance the building has been incongruously sat on top of an important heritage form and in so doing undermines rather than underpins the values associated with the context and the site.



Foy and Gibson Building and Bryant and May building



Adjoining warehouse forms showing how these buildings form the base of urban framework and form and are not applied to upper levels.

SUMMARY OF FINDINGS

99. Having reviewed the plans, the final form of the C191 as adopted for the adjoining Planning Scheme amendment by the Minister for the Swan Street Activity Centre, and also the recent decision for the 116 Cremorne Street Site and notably its review of height, offsite impacts and bulk all determined since the hearing of the earlier decision it is reasonable I think to conclude the following:-

Strategic support for uses and intensification

100. There is no question that the site is one where the development of contemporary workplaces is supported by policy alongside the other supporting retail and hospitality uses.

Layout

101. Prioritizing Stewart Street as the primary frontage for access and Margaret Street for service access are also principles that are logical in the proposal underpinned by the established site arrangements and the important role of Stewart Street as a key link to Richmond Station and the Swan Street Activity Centre.

Wind Amelioration

102. I am satisfied that with appropriately enhanced wind comfort standards and interventions to facilitate these, that the development can provide a high-quality workplace environment for occupants and adjoining neighbours but there is no evidence this has been considered at this time even though earlier review of a comparable building indicated significant issues needed to be addressed.

Recommendation 1
An updated wind report based on a wind model in accordance with earlier report recommendations, is required demonstrating that the amenity of the public ream, terraces and adjoining residential private open space is not adversely impacted. Plans and elevations then need to be upgraded for assessment by heritage and urban design consultants and found to be to the satisfaction of the responsible authority.

Green Travel

103. I am supportive of the generous footprint for end of travel facilities but note the workability of the facility as a non-gendered facility in the earlier plan is not supported by the very modest scale of shower areas and would encourage enlargement of these stalls to allow dry change zones for obvious reasons.

Recommendation 2

The ground floor allocation of space for End of Travel facilities is to be evidenced by layouts demonstrating fitness for purpose to the satisfaction of Council.

Street level arrangement and floor level configurations

104. I am comfortable that the ground level will enhance the level of activity and services in Stewart Street if not undermined by the form and impact of upper-level development.
105. I am supportive of the reconfiguration of the floor plan to reposition the lift core to the western side of the building.

Heritage

106. I am supportive of the proposed retention of Heritage fabric to Margaret Street but not of the design concept expression and materiality now adopted for upper levels 2 to 7 inclusive.
107. The support for these approaches however is diminished by the:

a) proposed amplification of the scale of the elements through the adoption of masonry framework and expression of the levels above the podium between levels 2 and 7 that amplify and exacerbate impact of built form on the heritage context when also considered with the limited 2.5m setbacks from the Stewart Street frontage and as noted earlier are incongruous as a response with best practice in a heritage setting where a contrasting lightweight upper level expression is sought.
b) In this case by borrowing industrial forms, motifs, and architectural typologies from the neighborhood it further undermines the value attributed to these intact characteristics creating something of a *pastiche* and sits at odds with established best practice and the important role of this precinct as an intact Heritage gateway to Melbourne's sports precinct and architectural excellence therein.
c) It similarly makes little sense to support a differing set of principles for upper-level development in this heritage neighborhood sitting as it is in direct juxtaposition with the historic Swan Street Activity Centre corridor where a similar recent review would require more ambitious setbacks and contrasting lightweight expression for the upper levels.

Recommendation 3
A revised design language is to be provided for upper-level facades to levels 2-7 demonstrating recessive treatments that distinguish the tower form from the lower-level valued Street wall from to the satisfaction of the responsible authority.

ESD

108. I was supportive of the innovation in ESD and construction systems underpinning the earlier submission,

109. I note the revised plans are silent on the ESD ambition and key measures have been removed from the design expression with no comparison or detail of the revised approach. The earlier plans should provide the basis of ESD ambition for the project.

Recommendation 4

An updated ESD Plan demonstrating industry best practice is to be provided to the satisfaction of the responsible authority.

Building Bulk and Scale

a) the excessive scale of the development above the predominant scale of the neighborhood continues to be an issue with the development continuing to try to establish a landmark status when the attributes of the precinct relate to its consistency, an attribute affirmed in 2 previous VCAT decisions for the site. The design approach adopted does not support a more ambitious scale or expression indeed quite the contrary.
b) the absence of western setbacks albeit better managed in expression than previously is undermined by the heavier masonry expression to the levels 2 to 7 inclusive.
c) The adoption of reduced setbacks to levels 2 and 3 has diminished the quality and amenity of open space in the development and amplified the abruptness of the extended tower form and base building.

What heights are reasonable?

110. The adjoining Swan Street core retail areas south of the rail contemplate heights of between 21m and 28m typically and with largely insensitive commercial and elevated rail corridor uses to the diverse character neighborhood of Cremorne, long known for its cohabitation of big institutional and industrial forms with fine grain areas.
111. In contrast multiple Tribunals have confirmed the largely intact and distinctive attributes of the precinct in which the subject site sits north of the rail. These attributes include the curving crescent form of the buildings to Stewart Street and a coherent medium rise scale of 20m-25m in most instances where renewal has occurred, a scale incidentally concordant with the adjoining western end of the activity Centre.
112. In this instance the applicant proposes a building of in excess of 38 in height at its Margaret Street interface and more than 38.5m at its city facing and excluding the lift overrun.
113. This is a scale approximately 1/3 higher than that of the balance of the precinct and more than double its neighbours.
114. In addition to seeking this greater height than that characterizing the majority of the Activity Centre and all the adjoining neighborhood mixed-use area, it also seeks to propose setbacks less than half the mandated minimums in Swan Street from the Stewart Street interface itself a key pedestrian arrival point to the Richmond Station interchange and to adopt materiality and design expression that amplifies the incongruity in a local context of such an approach to valued heritage buildings and precincts.
115. It is not a site or location that in my view promotes characteristics seeking landmark status.
116. There is no obvious precedent in the environs for the scale proposed and none envisaged by local policy changes for landmarks with this forma and expression.
117. Nor is an outcome proposed where the benefits could be shared across the neighbourhood or where the approach to scale and setback will enhance its integration with broader neighbourhood as has been used to support taller built form.
118. In this instance modest heritage fabric retention and the potential no longer clear in the revised plans for good quality green workplace replicated in several developments in inner Melbourne and this municipality as a framework are the benefits primarily arising from the proposal.
119. These do not warrant the proposed measures and uplift sought by the applicant. They in my view undermine the values ascribed to the area and the shared amenity relied upon for all.
120. The combination of zonal, heritage, urban design and interface controls in the planning scheme need to be read in combination with the unique attributes of the place.

121. As the earlier 2 Tribunal decisions noted, this site is within one such heritage place and this setting should inform the envisaged intensity of development sought.
122. That the Applicant has sought a scale incongruous with its neighbours and that sought in the adjoining Main Street activity centre corridor implies a perceived unfettered or less constrained context than exists in this instance.
123. As the earlier Tribunals both noted, the Yarra Planning Scheme specifically identifies protection of 'heritage skyline' and protection from the 'visual intrusion' of built form within heritage areas.
124. The proposal is excessive in its exceedance of the predominant scale of the area making the development a de-facto new landmark at odds with this policy context and its legibility.
125. With surrounding redevelopments of heights in the order of 6-7 residential mixed-use levels of considerably lesser floor to floor heights typically, it is apparent in my view that the development should in a strategic and physical policy response to context have had more regard to the existing built form character of the area and needs to see substantial reductions in scale to respond to this policy and physical context setting.

Excessive height and scale

126. It follows that a development scale 50% higher than sought in Swan Street's adjoining precincts and 30% taller than its recently reviewed near neighbour, and evident within the heritage precinct within which it sits, is not an outcome I can support in Urban Design terms.
127. This incongruity is noted in the Environmental Wind Assessment where the consultant notes in their scientific assessment:

> *The 9 Stewart Street Development will be in an area of predominantly low-rise, 1 to 3 level buildings, and a few taller (4 plus levels) amongst the low-rise buildings. In the far field to the west are the tall buildings the Melbourne CBD and Southbank. Therefore, the upper levels of the 9 Stewart Street Development would have exposure to all wind directions.*

128. My view is that substantial lowering of the building is needed.

Recommendation5

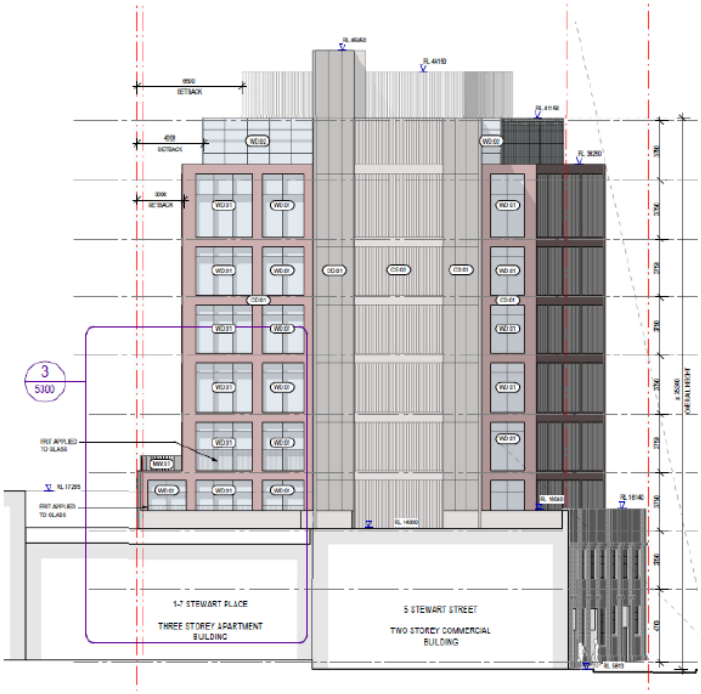
a. Remove two floor levels, namely levels 6 and 7.
b. Either reintroduction a lightweight palette and design language that does not seek to inappropriately transpose warehouse and industrial architectural forms known and highly valued in the Richmond context into arrangements at odds with these traditions and in a form and setback arrangement that further amplify bulk or increase the setbacks to the primary and secondary street frontages in accordance with metrics similar to Swan Street i.e. 6m to Stewart St and 3m to Margaret St., to reduce the visual impact and confusing of heritage values arising from the limited setbacks and adoption of a masonry palette proposed in the revised plans.

129. This will reduce the height of the building by 7.5m to a foreground parapet height of RL 30.7 to the Stewart Street interface and overall height of nearly 31m to the large plant area screen level. This positions the building with its similar frontage length and larger site, though more constraining interface context at a height comparable through slightly larger overall than that at 31-33 Stewart Street.
130. It would result in an overall height to approximately 27.8m from natural ground level to the Stewart Street frontage.
131. This would in my view support a coherent built form expression in this curvilinear street where comparative heights are more apparent because of its crescent form.
132. These revised heights also sit relatively comfortably with the suggested 27m heights for the western end of Swan Street in the interfaces with the precinct.

Setbacks

133. I note the proposed setbacks of the development are less than half the mandatory setback measure from heritage facades sought for development in the Swan Street corridor and supported in several other municipal Main Street contexts.
134. I also note that in the adopted C191 Swan Street Amendment considerations this was determined as noted by the Panel, as the outcome of extensive review by several highly regarded heritage experts. Their recommended consensus and that adopted by the Panel proposes a setback arrangement of upper-level form some 2.4 times the dimension proposed in this instance.
135. As noted earlier, the Tribunal concluded in the consideration of this case and after review of the context and the crescent views as well as evidence from heritage consultants that an increased setback was also necessary in this instance.
136. The adoption of a masonry language for upper levels further demands such a response to provide clear demarcation between old and new.
137. I also agree with the C191 Panel and the subsequent confirmation by the Department and the Minister, and the earlier Tribunal for this proposal, that this combination of generous setbacks and modest scale of development above heritage buildings has and will continue to support the celebration of the historic streets of the municipality and contribution to enhanced amenity and placemaking needed for transit-rich mixed use and commercial settings where high concentrations of pedestrian activity are envisaged.
138. I note the 2.5m setback proposed in this instance is also nearly 20% less than the guidance provided by the Tribunal in the earlier review of the subject site.
139. Support for any reduced setbacks is predicated on the excellence of the design resolution of the entire ensemble of design decisions and consequent arrangement and expression.
140. I remain persuaded that with a lower scale response as outlined above and with an appropriate lightweight design language and benchmark best practice green attributes, and subject to mediating the unsatisfactory overshadowing and wind impacts arising from the current proposal, that a modest relaxation of the earlier Tribunal recommendation is supportable partly arising from the somewhat bespoke and curvilinear nature of Stewart Street. The support for this is predicated in radical change to the architectural expression.
141. This expansion of the upper-level footprint and contraction of the space between street wall and upper-level form incursion cannot come with the proposed amplification of height as sought by the current proposal.
142. I had previously recommended to the applicant that setbacks be provided to the western boundary. The applicant has responded with setbacks and better resolution of privacy issues to the areas north and south of the central amenities and stair cores.
143. I acknowledge the Tribunal in the earlier review of the site provided a view that a 3m setback to the adjoining street interfaces was appropriate to create a satisfactory separation between the heritage street wall and upper form for a dramatically reduced built form.

Western interface



144. The western façade and treatments remain problematic
145. The concern I have was shared by the Tribunal. We have seen in the wind assessment that the heights of the building combined with the design treatments and proximity to neighbours will result in increased wind events in their adjoining properties. The Wind report noted that the author has not been able, at a desktop level, to determine the severity of these or the measures that should be taken to ameliorate them.
146. As is noted in the western elevation SK 3203, the proposed amenities block, and stair built to the boundary are in excess of 35.3m in height relative to their western neighbours without setback and approximately 40m for the stairwell. The masonry framed expression for the balance amplifies this bulk.
147. This visually prominent aspect of the proposal and treatment of this important façade as a sideage places an excessive expectation on the development potential of its neighbour to screen an aspect clearly intended not to be see. In contrast its neighbour at 31-33 has addressed development in the round. This façade will be the dominant façade visible from the city, Brunton Road and MCG interfaces.
148. Subject to the satisfactory resolution of these matters, I am satisfied that a satisfactory outcome could be achieved for the subject site.

Prepared by Prof. Robert McGauran
May 2022

Development Engineering Formal Referral Response

Application Information	
Referral Officer	Katrina Thomas
Officer	Mark Pisani
Council Reference	NA
Address	9-13 Stewart Street, Richmond
Application No.	PA2201605 (DELWP)
Proposal	Referral - Internal – Development Engineering
Comments Sought	Development Facilitation Program

Council's Engineering Referral team provides the following information which is based on the information provided by Statutory Planning referenced above.

Comments and Recommendations

Drawings and Documents Reviewed

	Drawing No. or Document	Revision	Dated
DELWP	Consultation Letter		28 April 2022
Woods Bagot Architects	SK2201 *Basement 01* SK2202 Ground Level SK3201 Margaret Street SK3300 General Section 01 – North to South SK3301 General Section 02 - East to West	A A A A A	28 February 2022 28 February 2022 28 February 2022 28 February 2022 28 February 2022
AECOM	Traffic Impact Assessment	G	6 May 2022

CAR PARKING PROVISION

Proposed Development

Under the provisions of Clause 52.06-5 of the Yarra Planning Scheme, the development's parking requirements are as follows:

Proposed Use	Quantity/ Size	Statutory Parking Rate*	No. of Spaces Required	No. of Spaces Allocated
Office	4,201 m²	3.0 spaces per 100 m² of net floor area	126	7
Food and Drink/Retail	270 m²	3.5 spaces per 100 m² of leasable floor area	9	0
		Total	**135 spaces**	**7 spaces**

* Since the site is located within the Principal Public Transport Network Area, the parking rates in Column B of Clause 52.06-5 now apply.

To reduce the number of car parking spaces required under Clause 52.06-5 (including to reduce to zero spaces), the application for the car parking reduction must be accompanied by a Car Parking Demand Assessment.

Car Parking Demand Assessment

In reducing the number of parking spaces required for the proposed development, the Car Parking Demand Assessment would assess the following:

Parking Demand Consideration	Details
Parking Demand for Office Use	The proposed office would be provided with an on-site parking provision of 0.17 spaces per 100 square metres of floor area. Throughout the municipality, a number of developments have been approved with reduced office rates, as shown in the following table: 60-88 Cremorne Street, Cremorne **PLN17/0626 issued 21 June 2018** Approved Rate: **0.72 spaces per 100 m² (200 on-site spaces; 27,653 m²)** **51 Langridge Street, Collingwood** PLN17/0332 (Amended) issued 18 May 2018 **Approved Rate:** 0.54 spaces per 100 m² (18 on-site space; 3,335 m²) Although lower than the rates listed above, the proposed office parking rate of 0.21 spaces per 100 square metres of floor space is considered appropriate, as the proposal seeks to minimise private car dependency and promote more sustainable forms of transport.
Parking Demand for Food and Drink/Retail Use	Typically, food and drink/retail uses would generate a staff parking demand of 1.0 space per 100 square

Parking Demand Consideration	Details
	metres of floor area. For this site, the staff parking demand would be two to three spaces. In this instance, since no on-site parking has been allocated to the shop use, staff would be inclined to take public transport or ride a bicycle. Customer parking would be generated off-site. The food and drink/retail use would potentially draw its customers from the proposed office and from pedestrian traffic in the surrounding area (for example, commuters from Richmond station and visitors who may already be in the Swan Street activity centre).
Availability of Public Transport in the Locality of the Land	The following public transport services can be accessed to and from the site by foot: ▪ Richmond railway station – 10 metre walk ▪ Swan Street trams – 130 metre walk ▪ Punt Road buses – 250 metre walk
Multi-purpose Trips within the Area	Customers and clients to the development could combine their visit by engaging in other activities or business whilst in the area.
Convenience of Pedestrian and Cyclist Access	Geographically, the site is very well positioned in terms of pedestrian access to public transport nodes, businesses and other essential facilities. The site also has good connectivity to the on-road bicycle network.

Appropriateness of Providing Fewer Spaces than the Likely Parking Demand

Clause 52.06 lists a number of considerations for deciding whether the required number of spaces should be reduced. For the subject site, the following considerations are as follows:

Consideration	Details
Availability of Car Parking	The demand for on-street parking in the surrounding area is very high during business hours. All the streets in the area contain time based parking restrictions. The introduction of parking sensors along Stewart Street and nearby Tennyson Street and Tanner Street would facilitate the parking turnover of short-stay bays. The high parking demand in this part of Richmond would be a disincentive to visitors, customers or employees to drive.
Relevant Local Policy or Incorporated Document	The proposed development is considered to be in line with the objectives contained in Council's *Strategic Transport Statement*. The site is ideally located with regard to sustainable transport alternatives and the reduced provision of on-site car parking would potentially discourage private motor vehicle ownership and use.

Consideration	Details
Other Relevant Considerations	The scarcity of long-stay unrestricted parking in the area would be disincentive for employees to drive to the site. Employees would be inclined to make other travel arrangements to commute to and from the site by taking public transport or riding a bicycle.

Adequacy of Car Parking

From a traffic engineering perspective, the waiver of parking associated with the office and food and drink/retail uses is considered appropriate in the context of the development and the surrounding area. The operation of the development should not adversely impact on the existing parking conditions in the area. The site is well positioned in terms of public transport services.

The Engineering Referral team has no objection to the reduction in the car parking requirement for this site.

TRAFFIC IMPACT

Trip Generation

The trip generation for the site adopted by AECOM is as follows:

Proposed Use	Adopted Traffic Generation Rate	AM Peak Hour	PM Peak Hour
Office (7 spaces)	1.0 trip per space in each peak hour	7 trips	7 trips

Directional Splits

Directional split assumptions in each peak hour for the office traffic –

- AM Peak – 10% outbound (1 trip), 90% inbound (6 trips); and
- PM Peak – 90% outbound (6 trips), 10% inbound (1 trip).

The peak hour traffic volumes generated by the site are considered low and should not adversely impact on the traffic operation of the surrounding road network.

DEVELOPMENT LAYOUT DESIGN

Layout Design Assessment

Item	Assessment
Access Arrangements	
Development Entrance	The doorway width has not been dimensioned on the drawings.
Visibility	Two convex mirrors are proposed to be installed at either side of the development entrance in lieu of pedestrian sight triangles. This is considered a satisfactory arrangement.
Headroom Clearance	The headroom clearance at the car park entry doorway has not been dimensioned. The headroom clearance within the car park is a minimum of 2.2 metres, which satisfies the Australian/New Zealand Standard AS/NZS 2890.1:2004.
Car Parking Modules and Car Lift	
At-grade Parking Spaces	The dimensions of the parking spaces (2.6 metres by 4.9 metres) satisfy *Design standard 2: Car parking spaces* of Clause 52.06-9.
Accessible Parking Space	With the exception of the lengths (4.9 metres as per Design standard 2), the parking space and shared area satisfy the Australian/New Zealand Standard AS/NZS 2890.6:2009. The 2.5 metres headroom clearance above the accessible space also satisfies AS/NZS 2890.6:2009.
Aisles	The 6.4 metre wide aisle satisfies *Table 2: Minimum dimensions of car parking spaces and accessways* of Clause 52.06-9.
Column Depths and Setbacks	The columns are positioned outside of parking space clearance envelopes as required by *Diagram 1 Clearance to car parking spaces* in Clause 52.06-9.
Clearances to Walls	Spaces adjacent to walls have been provided with 300 mm clearances, which satisfy *Design standard 2*
Vehicle Turning Movements	A check of the Basement 01 car park indicates that a B85 design vehicle can satisfactorily enter and exit the at-grade parking spaces and accessible space via the car lift. We are satisfied with the swept path diagrams provided in the AECOM traffic report.
Car Lift	Specifications for the proposed car lift and its type and model for not been provided. The lift core has internal dimensions of 5.88 metres by 3.42 metres. Depending on the model selected, a car lift within this lift core should be able to accommodate a vehicle up to the size of a B99 design vehicle.
Gradients	
Ramp Grade for the first 5.0 metres inside the Property	The ramp grade for the first 5.0 metres is 1 in 80, which satisfies *Design standard 3: Gradients*.
Ramp Grades and Changes of Grade	The ramp grades and changes of grade satisfy *Table 3 Ramp Gradients* of Clause 52.06-9.

Item	Assessment
Queuing Analysis	
Performance of Car Lift	Although specifications for the car lift have not yet been provided, the queuing analysis and queue length for this development can be derived from first principles. The AM peak hour would be the critical time for the operation of the car lift. A car lift would be capable of servicing 44 vehicles per hour, based on a total service time of 81 seconds* (see calculation below the table). Assuming a total inbound volume of 7 vehicles in the AM peak hour wishing to access the basement, the utilisation ratio for the car lift (usage/capacity) would be 0.159 (= 7 vehicle trips per hour/44 vehicles per hour). To determine the storage queue of the car lift, guidance is sought from the Australian/New Zealand Standard AS/NZS 2890.1:2004. A mechanical device such as this car lift should have sufficient vehicle storage to accommodate the 98th percentile queue (the queue that will be exceeded on 2% of occasions). By knowing the utilisation ratio of the car lift (in this case, 0.159), the 98th percentile queue length can be calculated. Queue Length, $N = (\text{Log}_n Pr(n>N) / \text{Log}_n \rho) - 1$ $Pr(n>N) = \rho N + 1$ where $\rho = r / s$ (utilisation factor) ρ = average arrival rate / average service rate = 7 / 44 = 0.159 $N = (\text{Log}_n 0.02 / \text{Log}_n 0.159) - 1$ = 1.13 car lengths, say 2 car lengths The 98th percentile queue length for the car lift during the AM peak hour is two car lengths. The queue length also includes a car inside the car lift. Based on this calculation, we are satisfied that a car lift (based on a service time of 81 seconds) can adequately operate without adversely impacting the operation of Margaret Street.
Other Items	
Swept Paths – Development Entrance	The swept path diagrams for a B85 design vehicle entering and exiting the car lift via Margaret Street are considered satisfactory.
Swept Paths – Waste Collection Vehicle	The swept path diagrams for a waste collection vehicle (6.4 metres in length) entering and exiting the loading area adjacent to the car lift, are considered satisfactory.
Loading Arrangements	The loading area has not been dimensioned on the drawings.
Vehicle Crossing – Construction and Ground Clearance Check	A new vehicle crossing is to be constructed to service the development. A vehicle crossing ground clearance check is to be undertaken for each new vehicle crossing by the applicant's designer to confirm that a B99 design vehicle can enter and exit the property without scraping out (Please see under '*Engineering*

Item	Assessment
	Advice for Design Items to be Addressed by the Applicant' section).

* Calculation of car lift service time:

- Time to arrive at lift – 20 seconds
- Time for door to open – 10 seconds
- Time for car to drive into lift – 10 seconds
- Activate lift – 10 seconds
- Time for lift descent – 11 seconds (based on a travel depth of 5.0 metres and a lift speed of 0.45 metres/second)
- Time for door to open – 10 seconds
- Time for car to exit lift – 10 seconds
- **Total time taken – 81 seconds**

Engineering Advice for Design Items to be Addressed by the Applicant

Item	Details
Development Entrance	The doorways width is to be dimensioned on the drawings.
Headroom Clearance	The headroom clearance at the car park entry is to be dimensioned on the drawings.
Vehicle Crossing Ground Clearance	To assist the applicant, a *Vehicle Crossing Information Sheet* has been appended to this memo. The ground clearance check (for each new vehicle crossing) requires the applicant to obtain a number of spot levels which include the reduced level 2.0 metres inside the property, the property boundary level, the bottom of kerb (invert) level, the edge of the channel level and a few levels on the road pavement – in this case, Margaret Street. These levels are to be shown on cross sectional drawings with dimensions, together with the B99 design vehicle ground clearance template demonstrating access and exit movements. Providing the ground clearance checks early in the design phase can also determine whether further modification works are required, such as lowering the finished floor level inside the property or making any adjustments to Council's footpaths or road infrastructure.
Vehicle Crossing Design and Dimensions	The proposed vehicle crossing must be designed in accordance with Council's Standard Drawings and be dimensioned on the drawings. The distance between the vehicle crossing and the nearest road intersection must also be dimensioned/referenced on the drawings. The existing vehicle crossing on Margaret Street must be demolished.

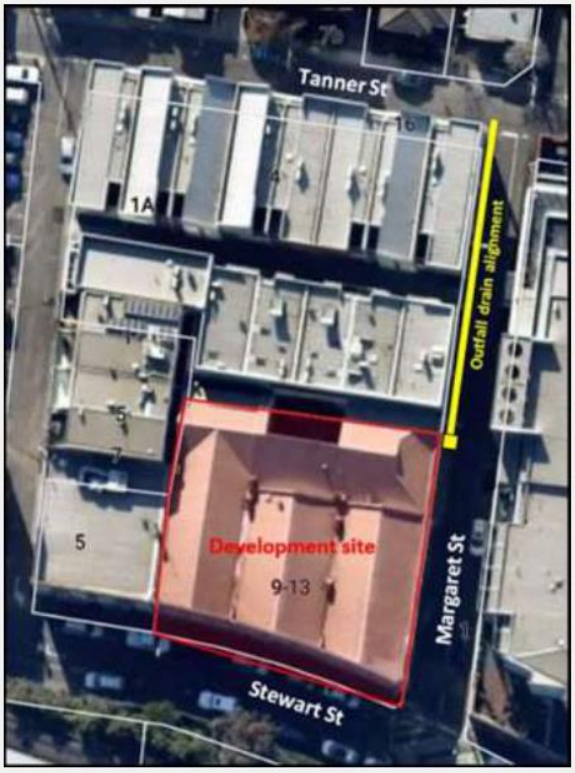
INFRASTRUCTURE ITEMS AND CONSTRUCTION ACTIVITIES

Item	Details
General	
Impact on Council Road Assets during Construction	The construction of the new buildings, the provision of underground utilities and construction traffic servicing and transporting materials to the site will impact on Council assets. Trenching and areas of excavation for underground services invariably deteriorates the condition and integrity of footpaths, kerb and channel, laneways and road pavements of the adjacent roads to the site. It is essential that the developer rehabilitates/restores laneways, footpaths, kerbing and other road related items, as recommended by Council, to ensure that the Council infrastructure surrounding the site has a high level of serviceability for employees, visitors and other users of the site.
Margaret Street	
Road Pavement Re-sheeting Kerb and Channel Reconstruction Footpath Reconstruction	The passage of heavy vehicles during construction works will further deteriorate the road's condition and would likely cause isolated areas of pavement to fail. Upon the completion of all construction works, the applicant must profile and re-sheet the half width pavement of Margaret Street (west kerb to centreline of road) along the property frontage. Isolated areas of pavement failure are to be reconstructed with full-depth pavement. Similarly, the kerb and channel and footpath will sustain damage during construction works and must be reconstructed.  Above: Margaret Street, looking north.

Attachment 7 - Attachment 7- Council Engineering Unit Referral Advice

Item	Details
Stewart Street	
Footpath Re-sheeting	The footpath along the property's Stewart Street road frontage must be profiled and re-sheeted.  Above, Stewart Street, looking east
Protection of Street Tree	The existing street tree in Stewart Street is to be protected during construction works. The applicant is to liaise with Council's Open Space Services unit. 

Attachment 7 - Attachment 7- Council Engineering Unit Referral Advice

Item	Details
Drainage	
Provision of Underground Drain Extension Margaret Street	The applicant is to design and construct an outfall drain to direct the stormwater captured on site towards the drainage system located along Tanner Street. The outfall drain must include a junction pit positioned back of kerb at the north eastern corner of the site, connected to Tanner Street via a drainage pipe along the western side of Margaret Street. See Figure 1 for details.  *Figure 1 - Alignment of required outfall drain*

ENGINEERING CONDITIONS

Civil Works

Upon the completion of all building works and connections for underground utility services,

- The kerb and channel along the property's Margaret Street road frontage must be reconstructed to Council's satisfaction and at the Permit Holder's cost.
- The footpath along the property's Margaret frontage must be reconstructed to Council's satisfaction and at the Permit Holder's cost. The footpath must have a cross-fall of 1 in 40 or unless otherwise specified by Council.
- The half width road pavement of Margaret Street (in between the west kerb and the centreline of the road) is to be profiled and re-sheeted from Stewart Street up to the site's northern boundary to Council's satisfaction and at the Permit Holder's cost. Isolated areas of pavement failure are to be reconstructed with full-depth pavement.
- The footpath along the site's Stewart Street frontage is to be profiled and re-sheeted to Council's satisfaction and at the Permit Holder's cost.
- An outfall drain is to be constructed from the north east corner of the site and extend along the west side of Margaret Street, connecting to the existing drain at Tanner Street to Council's satisfaction and at the Permit Holder's cost.

Vehicle Crossings

- At the design phase of the development (before construction), the finished floor levels of the slab or accessway must be first designed/determined by taking into account the relative adjacent road and footpath infrastructure levels, in order to provide satisfactory vertical access (i.e. - vehicle ground clearance) into and out of the site.
- Before the development commences, or by such later date as approved in writing by the Responsible Authority, a vehicle crossing design must be submitted to Council's Engineering department for approval, and:
    - Demonstrate satisfactory access into and out of the site with a vehicle ground clearance check using the B99 design vehicle; and
    - Be fully dimensioned with actual reduced levels (to three decimal places) and comply with design requirements set out in Yarra City Council's Vehicle Crossing Information Sheet.
- Prior to the occupation of the development, or by such later date as approved in writing by the Responsible Authority, any new vehicle crossing(s) must be constructed:
    - In accordance with any requirements or conditions imposed by Council;
    - At the permit holder's cost; and
    - To the satisfaction of the Responsible Authority.

Road Asset Protection

- Any damaged roads, footpaths and other road related infrastructure adjacent to the development site as a result of the construction works, including trenching and excavation for utility service connections, must be reconstructed to Council's satisfaction and at the developer's expense.

Impact of Assets on Proposed Development

- Any services poles, structures or pits that interfere with the proposal must be adjusted, removed or relocated at the owner's expense after seeking approval from the relevant authority.

- Areas must be provided inside the property line and adjacent to the footpath to accommodate pits and meters. No private pits, boundary traps, valves or meters on Council property will be accepted.

Construction Management Plan

- A Construction Management Plan must be prepared and submitted to Council. The Plan must be approved by Council prior to the commencement of works. A detailed dilapidation report should detail and document the existing and post construction conditions of surrounding road infrastructure and adjoining private properties.

Discharge of Water from Development

- Only roof runoff, surface water and clean groundwater seepage from above the water table can be discharged into Council drains.
- Council will not permit clean groundwater from below the groundwater table to be discharged into Council's drainage system. Basements that extend into the groundwater table must be waterproofed/tanked.

Removal, Adjustment, Changing or Relocation of Parking Restriction Signs

- No parking restriction signs or line-marked on-street parking bays are to be removed, adjusted, changed or relocated without approval or authorisation from Council's Parking Management unit and Construction Management branch.
- Any on-street parking reinstated as a result of development works must be approved by Council's Parking Management unit.
- The removal of any kerbside parking sensors and any reinstatement of parking sensors will require the Permit Holder to pay Council the cost of each parking sensor taken out from the kerb/footpath/roadway. Any costs associated with the reinstatement of road infrastructure due to the removal of the parking sensors must also be borne by the Permit Holder.

ADDITIONAL ENGINEERING ADVICE FOR THE APPLICANT

Item	Assessment
Legal Point of Discharge	The applicant must apply for a Legal Point of Discharge under Regulation 133 – Stormwater Drainage of the *Building Regulations* 2018 from Yarra Building Services unit. Any storm water drainage within the property must be provided and be connected to the nearest Council pit of adequate depth and capacity (legal point of discharge), or to Council's satisfaction under Section 200 of the *Local Government Act* 1989 and Regulation 133.

Engineer: Mark Pisani

Signature: 

Date: 16 May 2022

Attachment 7 - Attachment 7- Council Engineering Unit Referral Advice

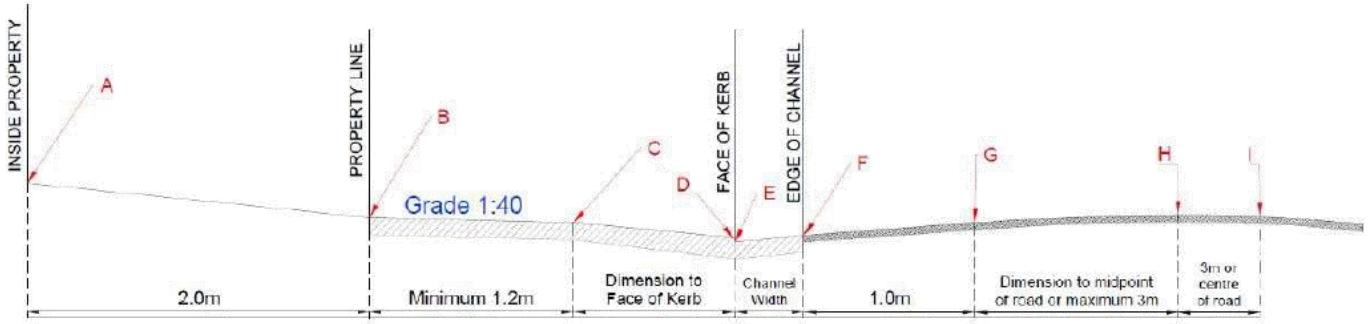
Development Engineering Formal Referral Response

Vehicle Crossing – Cross Section

The designer is to submit a 1:20 scale cross section for each proposed vehicle crossing showing the following items:

A. Finished floor level 2.0 metres inside property
B. Property line surface level
C. Surface level at change in grade (if applicable)
D. Bullnose (max height 60mm) – must be clearly labelled
E. Surface level at the bottom of the kerb
F. Surface level at the edge of channel
G. Road level 1.0 meter from the edge of channel
H., I. Road levels

- Please note the cross section must be fully dimensioned. As shown in the sketch below.
- Please show both the existing and proposed surface.
- The maximum allowable cross-fall between points B and C is 1:40 (2.5%).
- A bullnose (max 60mm) is permitted at point D, however not compulsory.
- The levels shown must be exact reduced levels, to three decimal points. Interpolation of levels is not acceptable.
- The designer must demonstrate that an 85th or 99th percentile vehicle profile can traverse the design cross section as per the Australian/New Zealand Standard ground clearance template (AS/NZS 2890.1:2004).
- Significant level changes to the existing footpath level B to C will require additional level design either side of the proposed crossing.
- Please include any additional levels or changes in grade that are not shown in the diagram.



Attachment 8 - Attachment 8 - Council City Works Branch (Waste Management) Referral Advice

From: Athanasi, Atha <Atha.Athanasi@yarracity.vic.gov.au>
Sent: Thursday, 19 May 2022 3:15 PM
To: Thomas, Katrina <Katrina.Thomas@yarracity.vic.gov.au>
Subject: RE: DELWP: DEVELOPMENT FACILITATION PROGRAM – 9-13 STEWART STREET, RICHMOND - Referral comments urgently requested

Hi Katrina,

The waste management plan for 9-13 Stewart St, Richmond authored by AECOM and dated 29/10/20 is not satisfactory from a City Works Branch's perspective.
Issues to be rectified include, but may not be limited to the following:

1. Due to changes in waste service systems recently announced by the State Government the site must consider how the 4 waste streams will be separated and ensure adequate space for extra bins that will be required(Glass separation).
2. Please detail the total footprint of suggested bins in M^2.
3. The size of the bin storage area is not large enough to form an effective waste system and should be expanded
4. Five collections per stream is an excessive number and should be reduced.
5. Please detail how hard waste will be managed.
6. Table 3 has conflicting address in title
7. Please provide an explanation of how risk will be managed
8. A clause must be included in the plan regarding potential review into the service if operational requirements change.

Regards,

Atha Athanasi
Contract Management Officer

Service Contracts and Waste Services - City Works Branch
168 Roseneath St CLIFTON HILL VIC 3068
T (03) 9205 5547 F (03) 8417 6666
Atha.Athanasi@yarracity.vic.gov.au
www.yarracity.vic.gov.au
Follow us on Facebook, Instagram and Twitter

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

Attachment 9 - Attachment 9 - Council ESD Referral Advice

CITY OF YaRRA

MeMO

TO:	**Katrina Thomas**
FROM:	**Euan Williamson, ESD Advisor**
DATE:	**25/05/2022**
SUBJECT:	**9-13 Stewart Street**
	ESD response to Development Facilitation Program Application

Katrina,

Thanks for the opportunity to consider this Development Facilitation Program (DFP) application. I have reviewed the architectural drawings for the proposed development. The plans look very similar, if not identical, to those previously considered for this site, last reviewed by our ESD team in June 2020.

As no ESD information or Sustainability Management Plan (SMP) has been submitted with DFP application the scope of this assessment is limited to consideration of the architectural drawings. However, it appears that some of the previous ESD issues raised in June 2020 remain with this current Development Facilitation Program version of the building design.

Some points of note:

- The SMP reviewed in November 2020 had slipped in ESD performance from the previous SMP reviewed in June 2020. Specifically, the solar PV array had reduced in size from 28 kW to 12 kW.

- This has not been addressed in current version and the solar PV array is still at the reduced capacity of 12 kW (representing a reduction from 17% to 6% contribution to onsite energy consumption). The roof plant area no longer has a roof/pergola that was hosting the solar array, and I cannot see a justification for this change. Regardless, there are several other opportunities to accommodate a larger solar PV array than is currently proposed.

- The version of the SMP dated 4th March 2020, prepared by AECOM was largely satisfactory, with only minor updates in the BESS energy section needing updating.

Recommendations

If this application is supported, I recommend that;

- all ESD provisions originally proposed in the AECOM SMP (dated 4th March 2020) are reinstated, including a minimum 28kW solar array and
- that BESS Energy section figures are updated in an amended SMP to by consistent with the new proposed building design.

If you or the applicant would like to discuss this further, please contact me.

Euan Williamson
Environmentally Sustainable Development Advisor

City of Yarra
Heritage Advice – Development Facilitation Program

Application No.: PPE22/0085

Address of Property: 9-13 Stewart St, Richmond

Planner: Katrina Thomas

I have provided heritage advice previously on a proposal (PLN19/0910) which is generally similar to this one and I have provided expert evidence at VCAT (P1090/2020) on that proposal.

Yarra Planning Scheme References: Clauses 43.01, 22.02 and 21.05.

Heritage Overlay No.: HO332 **Precinct:** in Sub-area E of the Richmond Hill Precinct

Drawings

A set of drawings prepared by Woods Bagot and dated 28/02/22.

Demolition

I did not have any heritage concerns with regard to the extent of demolition but I note that more of the east elevation is now proposed to be retained than was the case previously. While positive it does not counter my other concerns.

Height

The DFP proposal is for 9 storeys above a single level basement. It is the 4th application for this site on which I have commented. Heights proposed previously were 14 storeys, 8 storeys for which a permit was granted but never acted upon, 10 storeys and now 9 storeys (Ground, Levels 1-8, dimensioned height: 34.790 metres).

My concerns about height remain paramount with regard to the effects of any level above 8 storeys, on views from various vantage points within and without the heritage precinct. Constraining the height to 8 storeys would mitigate this to an extent.

From a policy perspective my concern is founded in Cl. 21.05 *viz.*:

> Factors that contribute to the heritage character of particular neighbourhoods include the period of development and pattern of subdivision, predominant land uses, and the original socio-economic structure of the population. This has created unique neighbourhoods and retail activity centres which are identified in Yarra's Heritage Overlays. These factors must be considered when understanding a site's significance. The cultural significance of heritage places must not be compromised by new development. [Emphasis added.]
>
> Strategy 14.3 Protect the heritage skyline of heritage precincts.
>
> Strategy 14.6 Protect buildings, streetscapes and precincts of heritage significance from the visual intrusion of built form both within places and from adjoining areas.

My concern is also supported by Cl. 22.02 in that it seeks to ensure that the integrity of a place of cultural heritage significance will be maintained, significant view lines to a heritage place will be retained and the spatial characteristics and heritage character of the surrounding historic streetscape will be more appropriately respected.

In more detail my opinions are set out in my evidence to VCAT I where stated that, *inter alia*, *viz.*:

> …the Heritage Overlay applies to the subject site and the surrounding precinct and does not apply to all sites south of the railway line. It applies to the low-rise Wellington Street Precinct (HO36), which borders Punt Road and extends two blocks to the east, and specific sites, including the Richmond Maltings site which is on the *Victorian Heritage Register*. In such circumstances, inevitably tall buildings on sites outside of a Heritage Overlay will, depending upon the circumstance, intrude on and be visible within the viewshed of a heritage precinct. In my opinion this is not a reason to factor them into a consideration of a site within a Heritage Overlay. (Para. 70)
>
> Through the use of policy, the height of upper level additions to former industrial buildings in the immediate vicinity has been kept consistently to these levels [7 storeys] over time and the heritage skyline emanating from the industrial heritage buildings has not been compromised. (Para. 72)
>
> The existing additional levels on the warehouse buildings are mostly of a recessive nature and do not seek to make an architectural statement in themselves whereas, and by way of contrast, this design is mostly an architectural statement. The design is a flat-sided rectangular box other than for the external stair [now deleted]. (Para. 79)
>
> The height in combination with the width of these elevations will make the building dominant and visually conspicuous in views from Richmond Hill to the north, including a viewshed from the west and east, variously from the south, including the platforms of the Richmond Railway Station and probably Punt Road to the south. (Para. 80)
>
> The western elevation will be visible in longer distance views such as from Punt Road, Brunton Avenue and parkland/oval, including importantly behind Shakspeare [sic.] Terrace and other terraces in Punt Road which are included in the Richmond Hill Precinct. Rather than being less dominant and/or apparent, as sought by the Heritage Policy, the upper levels will form a dominant and abrupt background and an undesirable punctuation on the skyline as demonstrated in the perspective [provided to VCAT] looking south west along Punt Road (p. 8). Further, the central portion of the west elevation will be textured precast concrete (CE 01, CE 02), and dark neutral standing seam metal (CD 01). In views from Punt Road this utilitarian materiality and dark colour will exacerbate the dominance of this building above the heritage skyline. (Para. 82)
>
> The impact of the height on the Richmond Hill Precinct in views from the north is an important heritage consideration and the perspectives [provided to VCAT] demonstrate that the visibility of the upper levels will be dominant and intrusive on the skyline depending upon where the viewer stands". (Para. 94)

Constraining the height to 8 storeys would mitigate these concerns to some extent.

Design

A comparison between the 02/02/20 (previous) and the 28/02/22 drawings (current) reveals that there is very little difference with respect to the South (Stewart Street) elevation. The East (Margaret Street) elevation has abandoned the corner stair and division into three other components, all of which have been replaced by a pre-cast concrete grid frame infilled with glazing. This is more resolved. There is very little difference with respect to the North elevation. There are no significant differences between the West elevations. My comments with regard to the impact of height and width (North and South elevations) and of the impact and materiality of the West elevation generally still remain.

In my Heritage Advice of 23 December, 2020 I commented *viz.*:

> Textured metal cladding is proposed to be applied to the west wall of the amenities. While this material is a slight improvement on precast concrete panels, it is still utilitarian. The use of this material does not alleviate the fundamental issue of the visibility, visual intrusion and dominance of the building above and behind Shakspeare Terrace in views from the west and north-west along Punt Road.

While not labelled on SK3203, the dark cladding at the south end of the West elevation appears to still be metal (CD01 and CD02).

In my opinion, the current proposal is very similar to the previous proposal and my concerns in relation to that have not been addressed in the current proposal.

Signed:



Robyn Riddett

Director – Anthemion Consultancies

Date: 26 May, 2022

Planning Referral

To:	Katrina Thomas
From:	Philip Mallis
Date:	01/06/2022
Subject:	Strategic Transport Comments (Re-Referral)
Application No:	PLN19/0910
Description:	Partial demolition of the existing building and development of a multi-storey storey commercial building (10 storeys plus roof terrace and associated basement car parking), use of the land for office and shop (no permit required for ground level food and drinks premises), and a reduction in car parking requirements.
Site Address	9 – 13 Stewart Street, Richmond

I refer to the above Planning Application and the accompanying Traffic report prepared by AECOM in relation to the proposed revised 9 storey office development at 9 – 13 Stewart Street, Richmond. Council's Strategic Transport Unit provides the following information:

Access and Safety

No access or safety issues have been identified.

Bicycle Parking Provision

Statutory Requirement

Under the provisions of Clause 52.34-3 of the Yarra Planning Scheme, the development's bicycle parking requirements are as follows:

Proposed Use	Quantity/ Size	Statutory Parking Rate	No. of Spaces Required	No. of Spaces Allocated
Office	4,201 sqm	1 employee space to each 300 sqm of net floor area if the net floor area exceeds 1000 sqm	14 employee spaces	45 employee spaces
		1visitor space to each 1000 sqm of net floor area if the net floor area exceeds 1000 sqm	4 visitor spaces	7 visitor spaces
Shop	242 sqm	1 employee space to each 600 sqm of leasable floor area if the leasable floor area exceeds 1000 sqm	1 employee spaces	
		1 visitor space to each 500 sqm of leasable floor area if the leasable floor area exceeds 1000 sqm	1 visitor spaces.	
Bicycle Parking Spaces Total			**15 resident / employee spaces**	**45 employee spaces**
			5 visitor spaces	**7 visitor spaces**
Showers / Change rooms		1 to the first 5 employee spaces and 1 to each additional 10 employee spaces	**2 showers / change rooms**	**10 showers / change rooms**

Adequacy of visitor spaces

The following comments are provided in relation to visitor bicycle parking:

- Seven visitor bicycle spaces are proposed within the lobby entry, which does not meet Council's best-practice rate[1] of 9 visitor spaces. However, given the narrow width of the footpaths surrounding the site, a reduction in the number of visitor spaces from the best-practice rate is considered acceptable.
- 6 of the visitor spaces are provided as hanging wall racks and 1 space is provided as a horizontal at-grade bicycle rail. As per requirements of AS2890.3, all visitor bicycle parking must be provided as a horizontal at-grade bicycle rail.
- It is recommended that the wall racks are replaced with 3 horizontal at-grade bicycle rails, which would provide 6 visitor spaces in total. There appears to be sufficient space for 3 bicycle rails to be installed perpendicular to the eastern wall of the lobby.

Adequacy of employee spaces

Number of spaces

45 employee spaces are proposed, which does not meet Council's best-practice rate[2] of 48 spaces. A reduction of 3 employee spaces from the best-practice rate is considered acceptable.

Design and location of employee spaces and facilities

The design and location of employee bicycle parking is adequate for the following reasons:

- All employee bicycle parking is provided within one secure facility at the ground floor.
- 8 horizontal at-grade bicycle rails are proposed (providing 16 employee spaces) which
- 10 showers / change rooms are provided within the end of trip facilities, which meets Council's best practice standards.

However, there are items that need to be addressed:

- Details and dimensions for employee bicycle spaces and access ways on Sheet SK2202 are not provided. These must be shown to demonstrate compliance with Clause 52.34 and AS2890.3.
- Details of horizontal vs vertical bicycle parking are not shown on the plans. These must be shown to demonstrate compliance with the requirement for at least 20% of employee bicycle spaces to be provided as horizontal at ground-level spaces.
- Sheet SK2202 notes "45 visitor bicycle spaces", which is assumed to be a typographical error.
- The inclusion of visitor bicycle parking spaces on Margaret Street is noted but these are not shown on plans. Details and measurements of these must be provided in order for an assessment to be made against Clause 53.24 and AS2890.3.

Electric Vehicles

Council's BESS guidelines encourage the use of fuel efficient and electric vehicles (EV). The addition of an electric car charging station is noted.

Green Travel Plan

A Green Travel Plan has been prepared and is satisfactory.

Recommendations

---

[1] *Category 6 of the Built Environment Sustainability Scorecard (BESS) recommends 1 visitor space to each 500sqm of office floor space.*

[2] *Category 6 of the BESS offers the following for best-practice guidance for employee office rates: 'Non-residential buildings should provide spaces for at least 10% of building occupants.' Assuming a floor-space occupancy of 1 staff member to 10sqm (which is the maximum rate allowed under the National Construction Code for fire safety), providing bicycle spaces for 10% of occupants results in a rate of 1 space per 100sqm of floor area.*

The following should be shown on the plans before endorsement:

1. All dimensions and locations of the proposed visitor bicycle parking spaces on Margaret Street.
2. All dimensions for employee bicycle spaces and access ways to demonstrate compliance with Clause 52.34 and AS2890.3.
3. Details and numbers of horizontal and vertical bicycle parking spaces to demonstrate compliance with Clause 52.34 and AS2890.3.

Regards

Philip Mallis
Principal Strategic Transport Planner
Strategic Transport Unit

8.7 Fairlea Netball Precinct, Yarra Bend

Reference	D22/110008
Author	Sally Jones - Manager Recreation and Leisure Services
Authoriser	Director City Works and Assets

Purpose

1. Update Council on the Fairlea Netball Precinct, Yarra Bend development; and
2. To present and seek support for the Parks Victoria's proposal to grant the management of the new Regional netball facility and shared-use pavilion to Yarra City Council for a 21 year period.

Critical analysis

History and background

3. Yarra Bend Park is 260 hectares in size; located predominately within the City of Yarra; and is managed by Parks Victoria (PV). The Park is also home to considerable sporting and recreational facilities.
4. The Fairlea Precinct within Yarra Bend Park is a large area already dedicated to sports including cricket, football/soccer and fly fishing, which was identified by PV as having lower environmental values than other areas of the park and being underutilised.
5. In 2017, PV and Sport and Recreation Victoria (SRV) commissioned a feasibility assessment to determine the suitability of developing netball facilities and a shared-use sporting pavilion in the Fairlea Precinct of Yarra Bend Park.
6. In 2018/19, PV was awarded an $8 million Inner-City Netball Program grant by SRV to build eight netball courts with supporting facilities (lighting, seating, shelters, fencing, upgrade of road access and car parking, etc.) and a modular sporting pavilion in the Fairlea Precinct that will also service the easterly sportsgrounds, noting that the management and operations of the Fairlea East and West sportsgrounds are administered by PV.
7. The following transport assets within the precinct will be maintained by PV:
   (a) 87 Parking bays; and
   (b) 40 Parking bays adjacent to Yarra Bend Road.
8. PV proposes that as part of the lease agreement, Yarra would manage:
   (a) 22 bicycle racks; and
   (b) 4 DDA constructed car parking spots.
9. Whilst PV and SRV recognise that Yarra Bend Park serves the residents of the Cities of Yarra, Darebin, Banyule and a small number of Boroondara residents, they acknowledge that the main users and clubs of the regional level outdoor netball facility would be from the City of Yarra. Further, PV and SRV identified that the demographic profile of Yarra is very compatible with the typical profile of netballers, as well as the high propensity to play organised sports. For context, age, gender, income and education are key determinants of participation in netball and organised sport, noting that:
   (a) Yarra's population comprises approximately 52% female;
   (b) Yarra has a relatively young profile that is conducive to increasing demand for sport; Participation in sport is the highest in school-aged years with Yarra having a very high number of schools (32);

(c) Overall, the City of Yarra has relatively high levels of advantage with a SEIFA score of 1,019.1 as compared to Victorian average of 995.5 and greater Melbourne 1,020.3, with some of the suburbs of Yarra, like Clifton Hill and Fairfield-Alphington, being in the top 24 percentile of Australian suburbs; and

(d) The recent residential development at the Alphington paper mill is estimated to contribute approximately 5,000 people to the immediate vicinity of the Park.

10. To address shared Local Government Authority (LGA) challenges, Yarra partnered with the Cities of Maribyrnong, Melbourne, Port Phillip, and Stonnington to form the Inner Melbourne Action Plan (IMAP). In 2020, the *Regional Sport and Recreation Facility Planning Strategy* was developed.

11. The Final Report notes that Inner Melbourne sport facilities are at capacity and demand is set to double over the next 20 years – significant investment, innovation and a fundamentally different approach is essential to avoid a critical shortfall. Without change, people will miss out, impacting community health and wellbeing. New netball courts at Fairlea Netball Courts were one of the recommendations highlighted in the report for Yarra to address these known capacity challenges.

12. Officers have been in regular discussion and have worked closely with PV and SRV since July 2018 to ensure best practice pavilion guiding principles and court standards inform the design and build of the new facilities, and that they are to a level suitable for semi-professional and regional netball, and community-level competition.

13. Officers have consistently presented the view on behalf of the Council, that the provision of an eight-court outdoor regional netball facility and shared-use pavilion should be at no cost to the Council and the Yarra community. These conversations have consistently reinforced that Council does not have any funds allocated to this facility in its Long Term Financial Plan.

14. The Fairlea Netball Precinct development is due for completion in mid-July 2022 (Attachment 1 – Fairlea Netball Precinct Yarra Bend Design Plan).

15. PV and SRV have stated that neither organisation has the capacity or resources to manage such a facility, nor in their opinion, is there an association or private entity that could manage the facility.

16. PV and SRV are now seeking an indication of Yarra City Council's interest and intent to partner with the State Government to accept the management rights of the Fairlea Netball facility and shared-use pavilion for a 21 year period, including taking on the ongoing costs, maintenance, renewals and capital replacement of operating the new facilities.

Discussion

17. PV and SRV reached the following conclusions:

(a) Organised sport provides significant social and economic contributions to Victoria. It creates jobs and brings resources into the Victorian economy. It increases the liveability of the State. It builds community cohesion and provides people in those communities with social and friendship networks. It also provides an important pathway to connect people to other community and social activities, health care services, education, training, and economic opportunities;

(b) Netball participation around Yarra Bend Park (5 km catchment) is estimated at 9,529, including 2,712 children and 6,817 adults and is forecast to rise to 11,177 by 2026;

(c) There is significant growth in demand for netball in the inner City where there are few facilities and no regional facilities within 5 km of Yarra Bend Park. Current netball facilities serving inner Melbourne is restricted to: The State Netball Centre, Parkville (7 courts), Ryans Reserve, Richmond (4 courts), Duncan MacKinnon Reserve, Murrumbeena (8 courts), Boroondara Netball Centre, Canterbury (8 courts), Ashwood Netball Courts, Ashwood (12 courts) and John Cain Memorial Park, Thornbury (4 courts). The Fairlea netball facilities will also cater for school sport and provide a full pathway of netball opportunities in the inner city;

(d) The facility will meet the needs of major population growth around Alphington, Fairfield and Northcote that cannot be adequately serviced due to limited sport facilities;

(e) The new facility will increase levels of physical activity in existing populations and provide for a new population that otherwise will not be served by sport; and

(f) The new facility will result in increased opportunities for volunteering, generating non-user value estimated at $19.9 million present value over a 10-year period.

18. Officers have developed a business case for the Fairlea Netball Precinct (Confidential Attachment 2 – Fairlea Netball Precinct Business Case), which is summarised below;

(a) Officers have worked closely with key internal business units, including the Open Space, Waste, and Building Services teams to review, assess and develop a realistic business case with estimated costs to run the facility. Costs include:

(i) Costs for utilities, waste management, waste removal, reactive maintenance, cleaning, preparation of the lease area, and site security, etc., as well as some fit-out expenses including soft furnishings, first aid equipment and food and waste facilities;

(ii) Officers also acknowledge that the overall costs to operate the new facility would potentially be less if managed by Council due to the economies of scale, some of which include maintenance, staffing, allocations processes and systems, and communication mechanisms with existing facilities and clubs;

(b) The usage assumptions are based on existing local conditions at Yarra Bend Park, Officer expertise managing sport facilities in Yarra, as well as undertaking a benchmarking exercise. Research indicates:

(i) Facilities of this type typically operate for ten months per calendar year (February to November) or an average of forty weeks per year with approximately 50% utilisation per week across eight courts and 33% utilisation per week for the pavilion;

(ii) Competitions, both club/regional and commercial, peak demand periods are Monday to Friday 4pm to 10pm, Saturday and Sunday 8am-5pm. Outside these hours, demand can be considerably lower, and is therefore, more suitable for school based hire and events;

(iii) Commercial (fee-to-play) service sports providers have a greater capacity to pay higher hourly rates for courts and facilities as they tend to incorporate these hire costs into their player and team fees;

(iv) As with other venues, hirers and tenants would be billed for additional services over and above court hire, where appropriate, including being charged for cleaning, sanitary waste services and pavilion utilities, etc.;

(c) Council management of the facility would ensure community access of the Fairlea Netball Precinct, Yarra Bend is equitable, and that rates for community groups and schools are partially subsidised, as is currently the case;

(d) Officers have undertaken a benchmarking exercise and have developed the business case using fees and charges that are aligned with other like Regional facilities;

(e) Officer financial modelling assumes that it could take between two to three years for the precinct to reach an approximate 50% annualised court capacity; and

(f) As the facilities' objectives are primarily social, physical activity and community development oriented, generally a profit is not possible.

Options

19. Council has the following options regarding the request of State Government to manage the new sports facilities at Yarra Bend:

(a) Determine not to take on the management of the eight-court regional netball facility and shared-use pavilion; or

(b) Agree to assume management responsibility of the eight-court regional netball facility and shared-use pavilion for 21 years including the ongoing maintenance and capital expenditure costs associated with the new facilities and commence negotiations on a suitable contractual arrangement with PV.

Community and stakeholder engagement

20. PV and SRV undertook extensive community and stakeholder engagement in September 2017 including undertaking an exhibition of the draft concept. The community and stakeholder feedback informed the grant application process, which resulted in the awarding of the $8 million Inner-City Netball Program Grant by SRV to build eight netball courts with supporting facilities and a modular shared-use sporting pavilion in the Fairlea Precinct.

21. In order to inform the pavilion and court requirements and development, extensive consultation occurred with key stakeholders and State Sporting Associations.

22. The usual public notification, advertising and consultation town planning processes occurred prior to Yarra City Council's decision to grant a planning permit in December 2019.

23. Officers met with the Department of Transport (DOT) to explore establishing dedicated, separated bike lanes and upgrading and widening the footpath. These discussions revealed:

    (a) Yarra Bend Road is not wide enough to accommodate separated bicycle lanes as the full pavement width is 5.6m (from channel to channel);

    (b) Preliminary estimates to construct a 3m wide concrete shared-use pathway to the west of Yarra Bend Road between Heidelberg Road and Eastern Freeway is approximately $530,000;

    (c) The existing footpath on the eastern side of Yarra Bend Road from Heidelberg Road to Melbourne Polytechnic is already 2.5m in width;

    (d) The existing footpath on the eastern side of Yarra Bend Road from Melbourne Polytechnic to the Freeway Bridge is 1.5m in width and to widen it to 2.5m would cost approximately $120,000;

    (e) DOT officers were supportive with the intent to improve bicycle and pedestrian facilities in the region but indicated they have no existing budget to support the initiatives; and

    (f) As the shared use path would be located within Yarra Bend Park, further discussions are required with PV to seek their views on this proposal.

24. On 3 June 2022 Officers held discussions with SRV to ask whether SRV or PV could contribute to the Precinct's operational costs. SRV has formally advised that they are not in a position to provide any operational support to community infrastructure management across Victoria as their funding is 100% consumed in grant programs to invest in facilities. PV are also not allocated asset management funding as part of the investment into the Precinct.

25. Officers also continued to engage and liaise with Netball Victoria (NV), whose clubs, Associations and competitions will be important to ensure the facility is well utilised once operational. Officers understand that Netball Victoria would also support an Association operating model. However, SRV and PV have stated that in their opinion there is no Association or private entity that could manage the facility. Further, Officer benchmarking has exposed difficulties with clubs and Associations operating facilities of this size and nature without considerable Council assistance, which includes taking on the facility's maintenance and renewal costs.

Policy analysis

Alignment to Community Vision and Council Plan

26. Yarra 2036 Community Vision - Themes 1, 5, 6, 7 and 8.

27. Council Plan 2021-25 - Objectives 2, 3 and 4.

Climate emergency and sustainability implications

28. All planning controls required the inclusion of sustainability principles, and the site redevelopment has conformed to best practice in terms of building sustainability.

Community and social implications

29. Yarra Bend Park has the largest catchment population of any metropolitan park, with approximately 480,000 people (within 5km) and 2 million people (within 15km) and has been identified by PV and SRV as an underutilised area underserved by sport facilities, which the Fairlea Netball Precinct aims to address.

30. The Fairlea Netball Precinct can increase levels of physical activity in existing populations and provide for a new population that otherwise would not be served by sport. VicHealth estimates that increasing Victoria's rate of physical activity by 10% would reduce physical inactivity related deaths by 15% and new cases of physical inactivity-related diseases by 13%. Further, physical activity has been found to improve symptoms of mental health issues such as depression and anxiety and overall mental wellbeing. It is associated with better mental and social health, teamwork skills, and feelings of belongingness.

31. The availability of sport facilities is major factor in encouraging participation and there is specifically a severe shortage of netball facilities in Metro Melbourne. The Fairlea Netball Precinct will cater for a high growth, female dominated sport (more than 95% of registered netball players in Victoria are female with 46% of players under 16 years), address the shortage of suitable netball facilities and meaningfully contribute to increasing participation in the region and municipality.

32. Key stakeholders other than netball will benefit from access to hard courts including:

    (a) People with a disability using wheelchairs;

    (b) Young people seeking social low cost activity for social basketball/netball, futsal or tennis by providing at least one of the courts to be multi-sport;

    (c) Families seeking mass participation sports, and existing clubs without adequate facilities including cricket, football/soccer and netball; and

    (d) Existing sports clubs:

        (i) Yarra Jets Soccer Club;

        (ii) Clifton Hill Soccer Club;

        (iii) Kew Juniors Cricket Club;

        (iv) Clifton Hill Cricket Club;

        (v) Anglers Cricket Club; and

        (vi) St Kevin's Old Collegians Cricket Club.

33. Transport assets within the precinct include 87 parking bays and 40 parking bays adjacent to Yarra Bend Road, 22 bicycle racks and four DDA constructed car parking spots.

Economic development implications

34. The value of the health benefits supported by community sport and active recreation infrastructure in Victoria has been estimated at $2.3 billion annually (The Value of Community Sport and Active Recreation Infrastructure, SRV, 2020).

35. SRV's report also found that being physically active led to increased productivity (i.e., lower number of sick days and increases in personal skills and ability), as well as enhanced cognitive performance. The value of increased productivity associated with physical activity supported by community sport and active recreation infrastructure in Victoria is estimated at $270 million annually.

36. The site redevelopment has created employment opportunities during construction.

37. The facilities will generate non-user social value/benefits, which have been estimated at $19.9 million over the next 10-year period.

Human rights and gender equality implications

38. There are no human rights implications, noting inclusion is the fundamental right of all people to partake in physical activity regardless of individual circumstances.

39. Netball has a low penetration rate in Yarra due to the shortage of suitable netball facilities. The Fairlea Netball Precinct would directly benefit a high growth, female dominated sport (netball is the number one team sport for girls and women in Australia with more than 95% of registered netball players in Victoria being female and 46% of these players being under 16 years old) and ensure opportunities for participation in physical activity is inclusive and accessible for all (NV report that girls and women need to travel outside Yarra to play the sport and in some instances access netball player pathways, which also prevents many girls living in Yarra from not only playing the sport but from being physically active).

Operational analysis

Financial and resource impacts

40. To date, the State Government has contributed $8 million via the SRV Inner-City Netball Program Grant to build the Fairlea Netball Precinct. There has been no request for a financial contribution from Council for construction purposes.

41. PV and SRV have stated that neither organisation has the capacity or resources to manage the new facility and are now seeking an indication of Yarra's interest to accept the management rights of the Regional Netball facility and pavilion for a 21 year period, including taking on the costs, maintenance, renewals and capital replacement of the new facilities.

42. As the facilities' objectives are primarily social, physical activity and community development oriented, generally a profit is not possible. However, it is Officers' opinion that with the adequate resources and service agreements in place, the Precinct would earn sufficient revenue to pay the operating costs of the Precinct over the 21 year period.

43. The financial impact from this facility would be reflected in future budget and Long Term Financial Plans upon the completion of final agreement negotiation.

44. In relation to establishing dedicated, separated bike lanes and upgrading and widening the footpaths, the construction of a 3m wide shared use pathway to the west of Yarra Bend Road between Heidelberg Road and the Eastern Freeway is approximately $530,000 and the widening of the footpath to 2.5m width on the eastern side of Yarra Bend Road from Melbourne Polytechnic to the Freeway Bridge is $120,000.

Legal Implications

45. Should Council seek to assume management responsibility for the Fairlea Netball Precinct and shared-use pavilion, including taking on the ongoing maintenance and capital expenditure costs associated with the new facilities, Officers would commence negotiations on a suitable contractual arrangement with PV.

Conclusion

46. In summary, the Council must determine a position on the request of State Government to manage the new sports facilities at Yarra Bend.

47. The research undertaken to date by PV, SRV and Officers concludes that there is a significant demand for a facility of this nature and that it would contribute meaningfully to the growth of female participation in organised sport.

48. The benefits for Yarra's community of Council managing the Fairlea Netball Precinct include providing more female friendly and inclusive sport facilities, managing the facility at a high standard for all and ensuring local community access.

49. Should Council agree to assume management responsibility of the regional netball facility and shared-use pavilion for 21 years including taking on the maintenance and capital expenditure costs associated with the new facilities, negotiations on a suitable contractual arrangement would need to commence with PV.

RECOMMENDATION

1. That Council:

   (a) authorise officers to enter negotiations with Parks Victoria to assume management responsibility of the eight-court regional netball facility and shared-use pavilion for 21 years including taking on all ongoing maintenance and capital expenditure costs associated with operating and managing the new facilities; and

   (b) authorise the Chief Executive Officer to engage a legal team to prepare contractual documentation to secure these arrangements and to sign the documentation on behalf of Council.

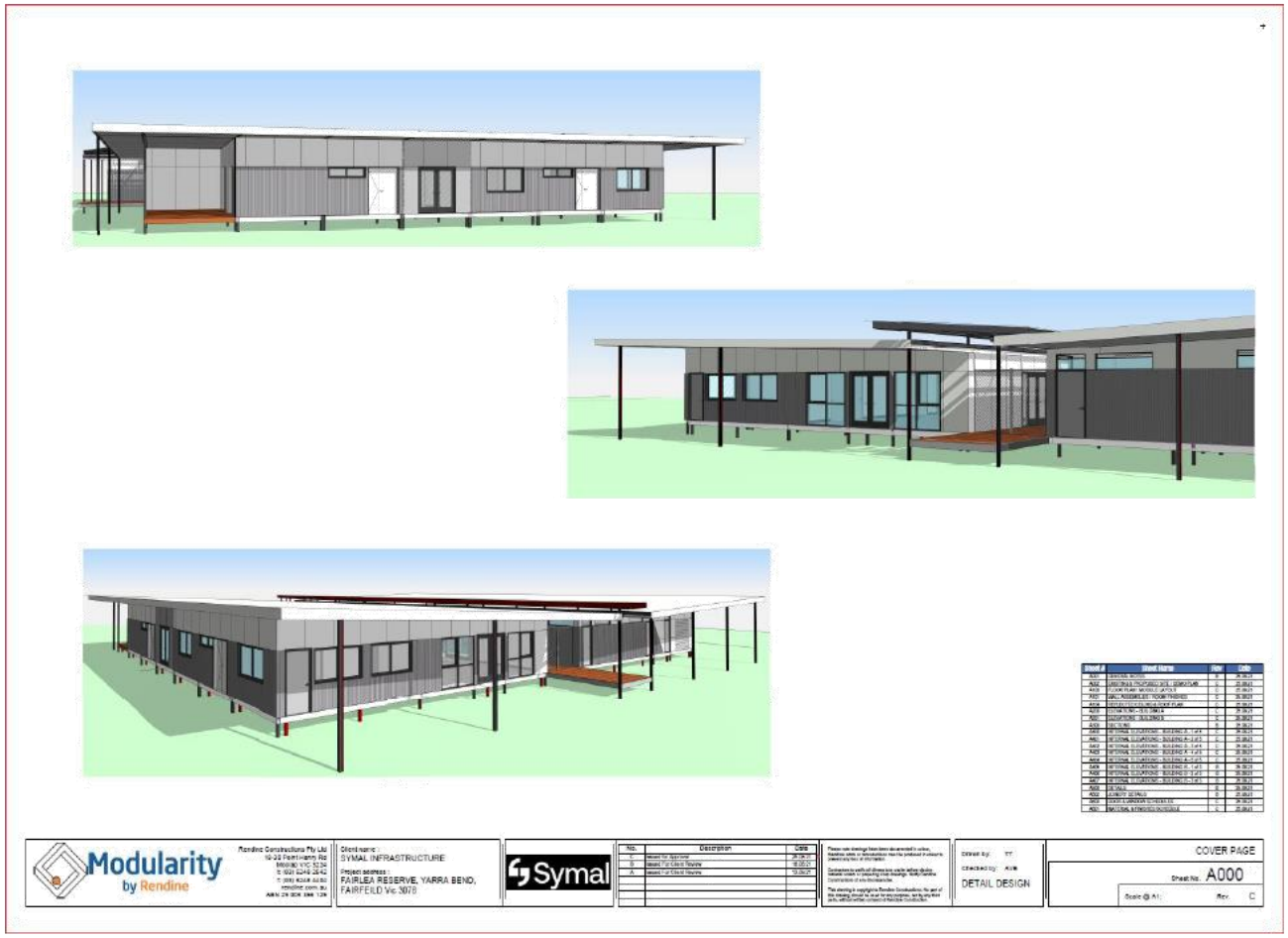
Attachments

1⇩ Attachment 1 - Fairlea Netball Precinct Yarra Bend Design Plan

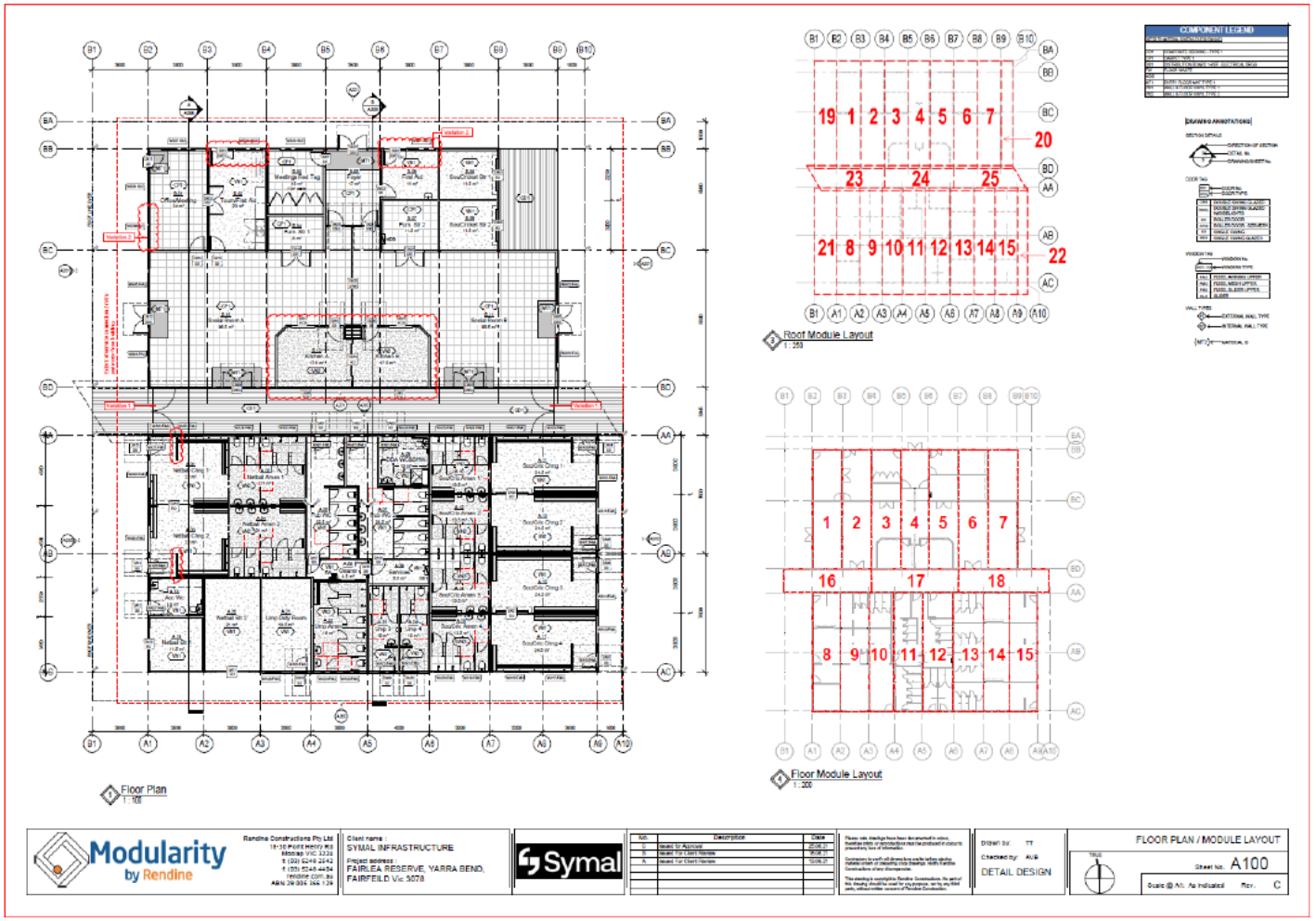
2 Attachment 2 - Fairlea Netball Business Case - *Confidential*

Attachment 1 - Attachment 1 - Fairlea Netball Precinct Yarra Bend Design Plan

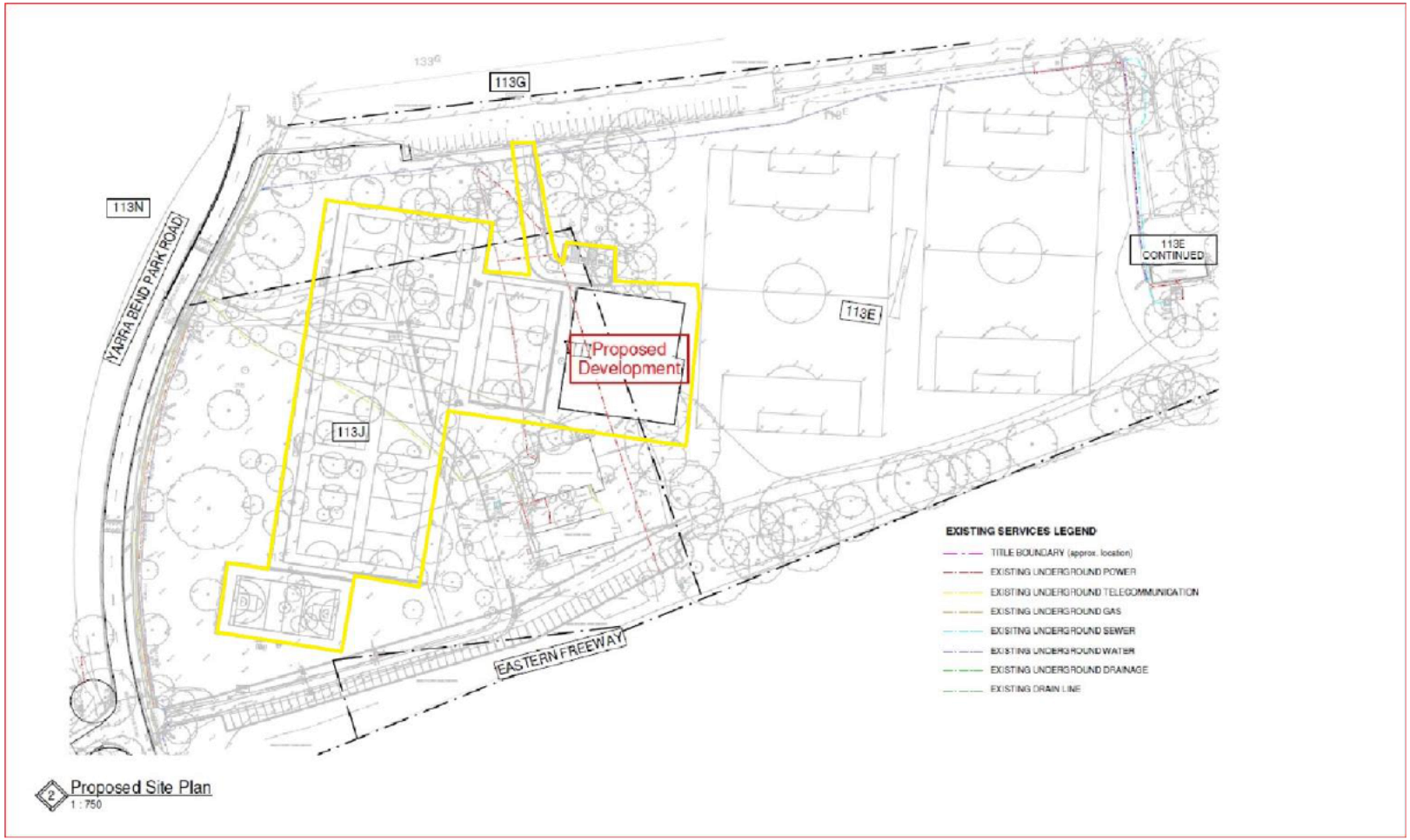
Yarra Bend Netball Precinct



Attachment 1 - Attachment 1 - Fairlea Netball Precinct Yarra Bend Design Plan



Attachment 1 - Attachment 1 - Fairlea Netball Precinct Yarra Bend Design Plan



8.8 Yarra Libraries Strategic Plan 2022-2026

Reference	D22/129432
Author	Cory Greenwood - Coordinator Library Development and Marketing
Authoriser	Acting Director Community Wellbeing

Purpose

1. To seek Council's endorsement of the finalised Yarra Libraries Strategic Plan 2022-2026, following an exhibition of the draft document and review of comments and feedback received.

Critical analysis

History and background

2. The new Strategic Plan 2022-2026 aims to build on the achievements of the previous Strategic Plan 2017-2020, providing a comprehensive framework for the development and implementation of public library services in Yarra for the next four years.
3. The draft was developed through an in-depth research and consultation process that began in April 2021 with the assistance of CoSquared' a consultancy who has worked with Council previously to develop our Customer Experience Strategy.

Discussion

4. The new Strategic Plan 2022-2026 categorises our future priorities and actions into four broad themes that articulate the intended action and benefit or our community: *Access, Build, Connect* and *Discover.*
5. The theme of *Access* describes the ways in which we will work to remove barriers for our community that limit their ability to use our services and find value in our collections.
6. The theme of *Build* describes the ways in which we will work to increase the skills, knowledge and capacity of our community through our collections, programs and services.
7. The theme of *Connect* describes the ways in which we will expand our role as a touchpoint for the community between other Council services, local businesses/organisations and other individuals, through use and leverage of technology.
8. The theme of *Discover* describes the ways in which we will foster increasingly vibrant, relevant and enriching collections, programs and services that enhance the cultural lives of our community.

Options

9. There are no alternative options presented for consideration; the development of a new Strategic Plan is essential for the effective management and delivery of our library service.

Community and stakeholder engagement

10. A period of broad community consultation to gather feedback about our service and inform the development of our new strategic plan was held between 6 September 2021 and 10 December 2021.
11. An online survey was conducted through the "Your Say" website. 483 completed submissions were recorded and reached every suburb in the municipality. The largest age group of respondents were 35-39 year-olds (n-62), closely followed by 10-14 year-olds (n=44).

12. Four pop-up consultations were organised at various locations across the municipality: Carlton Farmers Market (Carlton North Primary School) on Saturday 6 November 2021, 8:00am-1:00pm, Gleadell Street Market, Richmond on Saturday 13 November 2021, 10am-1pm (cancelled due to poor weather), Harmsworth Street Reserve, Collingwood on Tuesday 23 November 2021, 3pm-5pm and Edinburgh Gardens, Fitzroy North on Saturday 4 December 2021, 10am-1pm.
13. Bicultural community liaisons supported our engagement activities by conversing in community languages and encouraging survey submissions. 30% of respondents reported they spoke a language other than English at home and 8% of submissions (n=37) were received in languages other than English (Vietnamese, Greek, Spanish, Arabic, Indonesian, Japanese, Korean, Mandarin, Somali, French, Filipino, Estonia, Dinka, Amharic and Tigrigna).
14. An online consultation was held on 27 August 2021 and was attended by 22 people, including representatives from NBNCo, Telstra, Carringbush Adult Education, Professional Migrant Women's Association and CoHealth.
15. A second online consultation was held on 20 October 2021 and was attended by 26 people, including representatives from other Council departments. An internal survey was also circulated prior to the meeting to capture additional feedback and ideas from invited participants who were unable to make the session.
16. The Library Advisory Committee was initially consulted prior to the formal consultation period at a scheduled committee meeting on 24 February 2021.
17. The Active Ageing Advisory Committee was consulted on 20 October 2021.
18. The Disability Access Committee was consulted on 12 October 2021.
19. Temporary installations were installed at each of the five Yarra Libraries branches throughout January 2022 invited library visitors to provide written feedback and contribute to a visual noticeboard of what the library means to them. Over 200 contributions were recorded.
20. A two-week exhibition of the draft Strategic Plan 2022-2026 was held between 11 and 27 May 2022. Hard copies were made available in our libraries and electronic copies were emailed to key stakeholders. Several promotional posts to our social media channels, website and eNewsletter were made during this time.
21. A total of 9 submissions were received and considered; the finalised Strategic Plan includes accepted feedback about the document's design and minor grammatical corrections.
22. An action plan will be developed and presented to Council alongside the annual Library Services report in September 2022. This plan will address themes from the submitted feedback with particular attention to supporting speech development in children, investigating alternative service points, addressing barriers to social inclusion and improving communication/promotional channels.

Policy analysis

Alignment to Community Vision and Council Plan

23. The Strategic Plan 2022-2026 responds to three of the eight themes outlined in the Yarra 2036 Community Vision: *Strong and vibrant community, Social equity* and *Shared spaces*.
24. Through partnerships and ongoing collaborations with other Council departments, Library Services may also support and contribute towards future priorities outlines under additional themes.
25. The Strategic Plan 2022-2026 responds to two of the six Strategic Objectives outlined in the Council Plan 2021-25: *Social equity and health* and *Place and nature*.

Climate emergency and sustainability implications

26. The Strategic Plan 2022-2026 theme of *Build* intends to enhance the resilience of our community to prepare for health-related and other impacts of climate change; this will be delivered through partnerships and community education programs.

27. The Strategic Plan 2022-2026 themes of *Access* and *Discover* intend to embed and promote the transition towards net zero carbon and a circular economy through partnership and collaboration with Council's waste minimisation team.

28. Specific initiatives to engage and support the community to participate in climate emergency actions, and to promote circular economy approaches and conscious consumption are detailed as tactical actions in the Branch Plan.

29. The Strategic Plan 2022-2026 also outlines the ways in which we support the United Nations' Sustainable Development Goals and the Stretch Targets for Australian Libraries as set by the Australian Library and Information Association.

Community and social implications

30. Tactical actions outlined in the Branch Plan intend to respond to the *Social equity and health* strategies as detailed in the Council Plan 2021-25.

31. The Strategic Plan 2022-2026 theme of *Connect* intends to build a more resilient, inclusive safe and community. Social, physical and mental wellbeing needs will be addressed through partnerships and community education programs and supported by library spaces and collections.

32. Feedback obtained through the community consultation period revealed how community members are currently using the library to seek high levels of assistance, predominately with technology and to navigate the complexities of government bureaucracy. The Yarra Libraries Strategic Plan 2022-2026 aims to solidify our position as an integral pillar in enabling community members to stay connected with modern life, and ensuring they are equipped with the necessary digital literacy skills and have access to required technology.

33. Another predominant theme found in the feedback is how our role during the COVID-19 pandemic and subsequent emergency response was critical to supporting the health and mental wellbeing of our community. The Strategic Plan 2022-2026 aims to expand our capacity to mobilise and respond to public health emergencies and play a supportive role in the recovery of our community.

Economic development implications

34. Tactical actions outlined in the Branch Plan intend to respond to the *Local economy* strategies as detailed in the Council Plan 2021-25.

35. The Strategic Plan 2022-2026 themes of *Access, Build, Connect* and *Discover* intend to enhance the skills, knowledge and capability of our community and provide pathways to learning and employment.

36. Access to information, room to study and create, and opportunities to connect with professionals and other service providers provide foundations for generating economic activity in our community. The tactical actions outlined in the Branch Plan support and influence economic development among individuals who may leverage our spaces, collections, programs and partnerships to forge a new idea, start a business or develop new skills that open them to further employment or education pathways.

Human rights and gender equality implications

37. The Strategic Plan 2022–2026 actively supports the substantive rights outlined in the *Charter of Human Rights and Responsibilities Act 2006 (Vic.),* notably those of relevance to the role and function of public libraries including freedom of thought, conscience, religion and belief, freedom of expression, taking part in public life and cultural rights.

38. A tactical action listed in in the Branch Plan outlines our commitment to undertake gender impact assessments on all aspects of our service delivery, including our collections and programs.

Operational analysis

Financial and resource impacts

39. All tactical actions proposed in the Branch Plan have been costed within the existing resources of Yarra Libraries' operational budget.

40. All proposed commitments and actions for future years will be subject to Council's consideration and approval during the annual budget planning cycle. It is anticipated that additional funding (human resources) will be required in order to meet community expectations; detailed costings can be provided at a later stage.

41. Future commitments and actions will continue to be developed and monitored during the life of the plan and presented to Council as part of our annual reporting process.

Legal Implications

42. There are no legal implications inherent in the draft Strategic Plan.

Conclusion

43. Yarra Libraries makes a significant and much valued contribution to the community, which has been reinforced by the feedback received from the community and internal and external stakeholders throughout the consultation process.

44. Library Services are the highest-rated Council service in the annual Customer Satisfaction Survey and have held this position for three consecutive years.

45. In February 2022, Vision Super awarded Yarra Libraries with the Local Heroes award for their outstanding contribution to the community throughout COVID-19.

46. The marketing campaign that accompanied the community consultation for the development of this Strategic Plan won first place at the 2022 IFLA PressReader International Marketing Awards. The judging panel commended the campaign for its clever use of print and digital marketing, plus non-traditional outreach and effective user engagement.

47. The new Yarra Libraries Strategic Plan 2022-2026 will enable Council to continue to lead the way and provide the best possible service for Yarra's diverse community.

RECOMMENDATION

1. That Council:

   (a) endorse the finalised Yarra Libraries Strategic Plan 2022-2026, following feedback received during the public exhibition period; and

   (b) note that subject to the Strategy being adopted, an Action Plan will be developed to guide implementation.

Attachments

1⇩ Attachment 1 - Yarra Libraries Strategic Plan 2022-2026

Attachment 1 - Attachment 1 - Yarra Libraries Strategic Plan 2022-2026



Attachment 1 - Attachment 1 - Yarra Libraries Strategic Plan 2022-2026

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.

Contents

Messsage from the Mayor	4
Our vision	6
Our purpose	6
Themes	6
Our values and behaviours	7
Current state and future state	7
Yarra 2036 Community Vision	8
Our big impact stories	9
Diversity and inclusion statement	10
Our community needs	10
Library spaces and community places	11
Our team and the way we work	11
Sustainability matters	12
Our sustainable development goals	12
Our success measures	14
Our Next Chapter	15

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REF 19243

Message from the Mayor

I am proud to present Yarra Libraries draft Strategic Plan 2022-26. This draft plan outlines Council's direction for library services over the next four years and guides the different approaches we need to take to ensure our library services continue to meet the growing and diverse needs of our community.

The challenges of the COVID-19 pandemic gave us an opportunity to adapt our services and explore new ways of engaging with our community when we were unable to offer library services in person. We found innovative ways to link our services by delivering them through online channels.

This draft plan allows us to continue to build on those innovative approaches and grow the number of people in Yarra who engage with our libraries. It aims to ensure our libraries cater for the needs of our community, including as those needs change over time.

Libraries help build an inclusive, resilient and connected community. Whether you are a resident of our public housing estates, a student, a parent or an older person, our libraries provide services and spaces for all.

We recognise now, more than ever, the need to connect with one another and to foster a lifelong love of learning, reading, playing and creating.

Our libraries are well-positioned to leverage mobility, infrastructure and partnerships, to reshape how we can help our community to thrive over the next four years, as we rebuild, enhance and activate our library spaces.

This draft strategic plan demonstrates Council's commitment to work in partnership with community, to listen to its residents and to achieve the best outcomes for Yarra. More than 500 community members shared their ideas for the future of our libraries and their feedback has helped shape and inform our strategic direction for the next four years.

I am excited to present Yarra Libraries next chapter and to witness firsthand the positive impact our libraries will continue to make over the next four years as we deliver on our promise that libraries really do change lives.

Sophie Wade

Cr Sophie Wade
Mayor City of Yarra





Our vision

Yarra Libraries change lives.

Our purpose

To deliver valuable and life-changing experiences that enable our community to thrive.



Themes

Yarra Libraries will support our community to access, build, connect and discover what they need to live their best life. Our community will thrive through the valuable and life-changing experiences we deliver.

A

Access

Access Yarra Libraries' spaces and services when and where they are needed.

B

Build

Build the skills, knowledge and resilience needed to live their best life.

C

Connect

Connect with our team, partners, community and businesses.

D

Discover

Discover endless potential to learn, explore and create.

Our values and behaviours

We are guided by our values. They drive our behaviours and how we act.

Accountability

Why: Trust builds relationships, if we are trusted we succeed.

How: We own what we do and expect others to do it as well.

Respect

Why: When people feel valued, they make a difference.

How: We include all, diversity is our strength.

Courage

Why: Choosing to do good, matters.

How: We include all, diversity is our strength.

Current state and future state

Our team of 49 employees operate across our five branches and deliver our services and programs both onsite and across the City of Yarra. We will continue to evolve to meet the growing demands on our community.

	2021	2026
City of Yarra population	105,887	118,443
Library members (Equivalent % of population)	45%	50%+
Loans (Physical and digital)	922,576	1,000,000+
Programs and events	2,936	3,000
Branches/pop-ups	5	5+

Yarra 2036 Community Vision

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.

Our Next Chapter strategically aligns to several themes and priorities of the Yarra Community Vision:

Strong and vibrant community

- We will ensure a trusting, safe and welcoming environment to invite active participation of people from all backgrounds with tolerance and acceptance.
- We will create opportunities for meaningful exchange of our experiences, culture and arts.

Social equity

- We will ensure a fair and equitable quality of life is possible, regardless of your age, ability, ethnicity, gender or religion.
- We will ensure there are platforms for everyone to share their voices and to be heard and supported, and we will respect and acknowledge the Traditional Owners of Yarra and make their stories and values visible in the community.

Shared spaces

- We will ensure our spaces are made physically accessible and welcoming to people of all abilities, linguistic, cultural backgrounds and age groups.
- We will continue to adapt our spaces to reflect changing needs of our diverse community.

Our Next Chapter also aligns with several strategic objectives and initiatives outlined in the Council Plan 2021-25:

Social equity and health

- We will deliver campaigns and strategies to remove barriers and promote access and inclusion.
- We will support and provide opportunities to celebrate culturally significant days and events, bringing together diverse cultures and increasing intercultural understanding.
- We will support and promote LGBTIQA+ community and culture.
- We will work in partnership with stakeholders including the Department of Families, Fairness and Housing to support social and public housing communities with increased access to digital connectivity, tools and training.

Place and nature

- We will deliver promotion, education, awareness and nature engagement programs and opportunities.
- We will advocate for, develop strategic partnerships, plan and deliver accessible community infrastructure and services.

Climate and environment

- We will embed climate emergency responses, circular economy approaches and conscious consumption across Council directorates and branches and promote this within the community.
- We will engage and support the community to participate in climate emergency actions, including in relation to health-related impacts.

Local economy

- We will enable opportunities, including in the planning development process, for public art, spaces for artists to work and vibrant events in indoor and outdoor settings to enhance the arts sector and everyday creative experiences.

Our big impact stories

These stories highlight some of the ways we already deliver on our vision, and set the foundation for us to continue to deliver life-changing experiences.

"As a fresh graduate who had never worked in Australia before, I'm very grateful for the resources Yarra Libraries have provided. Nell and Todd offered me tremendous help revising my resume and prepared me job interviews. I got my first ever job within a month of attending Resume Rescue - It wouldn't have been possible without their help."

Resume Rescue provides free, one-on-one support for our community to build the skills in resume writing and ensure they have the best opportunities for meaningful employment.

"I finished my six assessments in nine months; at the start I was really struggling and took six months to finish my first unit. I was very lucky to have all of this when I first came to Australia."

Homework Help is a long-running support program delivered in partnership with Young Assets Foundation for students of all ages to develop study skills and receive direct support from qualified tutors.

"Each time I go into the library, I look for a familiar face to compliment them on their good work. I doubt that any of you have a true sense of what a wonderful service you provided during COVID and how much it was appreciated."

Emergency food relief was distributed from our libraries in 2020/21 in response to the COVID-19 pandemic. We worked in partnership with local charities and organisations to prepare and deliver ~75,600 meals.



Diversity and inclusion statement

The City of Yarra is a vibrant and diverse municipality. It is the traditional lands of the Wurundjeri, and a place of special significance for the broader Aboriginal community.

We are an inclusive municipality, with a high proportion of same sex couples, almost one fifth of our residents are from non-English speaking backgrounds, and almost a quarter speak a language other than English at home. A high proportion of residents are living with socio-economic disadvantage, in what is an otherwise relatively affluent municipality.

Our city has an increasing number of older residents, despite a median age less than the state average. This diversity ensures the City of Yarra is dynamic with a lively culture built on a rich history.



Our community needs

We embrace and celebrate the diversity of our community by meeting local needs with local solutions.

We partner with service providers and local organisations to create common aims and leverage our collective intelligence and resources to help our community thrive.

We work to reduce barriers for marginalised community groups to access our services and connect with us.

We aim to close the gap with vulnerable and elderly community members and ensure people of all ages can access, build, connect and discover.

Library spaces and community places

Our libraries are modern and our services reflect the diverse needs in our community. Through adapting and investing in digital and physical assets, and the talent in our team, we now deliver a rich variety of touch points for our community with services that they can enjoy across Yarra and beyond.

We offer five vibrant hubs across the City of Yarra that are welcoming, accessible and flexible, with a view of making them available more often.

We have a wealth of online resources available 24/7 and exist in digital channels, producing and sharing content that meets a variety of learning and recreational needs.

We show up in unexpected places and reach into the community to promote and increase engagement with our services.



Our team and the way we work

We love our community, and this drives us to deliver the library services they deserve.

We are a diverse team that reflects our community. Our individual passions and skills combine to deliver a unique point of difference at Yarra.

We are creative and vibrant in our approach and reliable and responsible in the way we deliver our library services.

We challenge the norms and encourage new thinking to innovate the way we work and create new services and solutions.

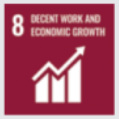
We are proud of our reputation as a team that is willing to lead in our field as we are not afraid to see the future in different ways.

Sustainability matters

We are committed to maximising the sustainability of our libraries. To achieve this, we have expanded on the goals and targets set by the Australian Library and Information Association in response to the United Nations' Sustainable Development Goals.

Our sustainable development goals

Goal		Outcome
	**Literacy** ALIA Stretch Target #1 UN SDG 4 - Quality Education	Our contribution to literacy in all its forms is recognised and our libraries are embedded in strategies for early language and literacy, digital inclusion and media literacy.
	**Access to knowledge** ALIA Stretch Target #2 & 3 UN SDG 16 - Peace, Justice and Strong Institutions	Adoption of open access practices and principles enables our community to benefit from knowledge.
	**Equitable access** ALIA Stretch Target #4 UN SDG 16 - Peace, Justice and Strong Institution	Everyone in our community has access to public library services online and 90% have access to a physical public library service point.
	**Culture and heritage** ALIA Stretch Target #5 UN SDG 4 - Quality Education	We collaborate with Aboriginal and Torres Strait Islander people to ensure the collection and management of resources is culturally informed and respectful.
	**Sustainable communities** ALIA Stretch Target #6 UN SDG 13 - Climate	An open and transparent position on climate change.
	**Health and wellbeing** ALIA Stretch Target #7 UN SDG 3 - Good Health & Wellbeing	Our libraries are acknowledged as centres for personal development and wellbeing.

Goal		Outcome
	**Diversity and gender equality** ALIA Stretch Target #8 UN SDG 5 - Gender Equality	Our workforce, collections and services reflect the diversity of Australia's population and local communities.
	**Lifelong learning** ALIA Stretch Target #9 UN SDG 4 - Quality Education	We commit to lifelong learning for our own workforce and we provide opportunities for all Australians to pursue lifelong learning.
	**Global citizenship** ALIA Stretch Target #10 UN SDG 17 - Partnerships for the goals	We are actively engaged with libraries and library associations in the region and internationally.
	**Economic growth** UN SDG 8 - Decent work and economic growth	Our contribution to economic development at the micro level is recognised and our libraries are utilised as generators of economic activity.
	**Responsible consumption** UN SDG 12 - Responsible Consumption and Production	Our libraries promote circular economy initiatives and encourage the reduction of food and material waste
	**Food and hunger** UN SDG 2 - Zero Hunger	Our libraries provide access and/or pathways to finding fresh and nutritious food.

Our success measures

We measure our success on the stories we create and the lives that we change. To do this we must measure what matters most for our community and teams.

Sustained community satisfaction

Positive trend in Council Community Survey scores to measure satisfaction and promotion of Yarra Libraries.

Increased access to our spaces

Optimum service hours and increased self services offered through 'Open Libraries.'

Seamless service channels

Increased access to library and other Council services seamlessly through integration

Increased team engagement

Engagement scores reflect Yarra Libraries as a valued place to work.

Increased council collaboration

Cross Council partnerships to engage community in the delivery of Council services.

Increased usage

Growth in usage of online collections and quality of resources.

Community-led programming

Growth in knowledge and skills sharing by community for community.

Award-winning libraries

Recognised as leading in library innovation and service delivery nationally and globally.

Streamlined customer experiences

Reduced complexity in accessing all Yarra services via library touch points.

Increased community voice

Positive impact of Library Advisory Committee to shape the future of our libraries.

Strong partner outcomes

Targeted outcomes through coordinated community partnerships and shared goals.

Increased volunteering

Greater engagement and community impact from volunteers.

Our Next Chapter

The four themes of our Next Chapter articulate the various outcomes our community can expect when engaging with us, and help drive our integrated objectives across Council.

A

Access

Our goal is to ensure access for all by reducing barriers for our community. We will continue to find novel solutions and new ways to ensure everyone can reach our resources and share our spaces, places, people and programs.

B

Build

Our goal is to increasingly support self improvement and positive life skills that allow our community to live well and thrive.

C

Connect

Our goal is to connect our community in as many ways as possible, leveraging all available digital and physical channels. We will bridge the digital divide and sustain our valued human connections.

D

Discover

Our goal is to deliver increasingly vibrant and helpful points of discovery for our community through our collections, programming, partners and places.

Yarra City Council
PO Box 168, Richmond, VIC 3121

Bargoonga Nganjin, North Fitzroy Library
182 St Georges Road, North Fitzroy

Carlton Library
667 Rathdowne Street, North Carlton

Collingwood Library
11 Stanton Street, Abbotsford

Fitzroy Library
128 Moor Street, Fitzroy

Richmond Library
415 Church Street, Richmond

1300 695 427

yarralibraries@yarracity.vic.gov.au

yarralibraries.vic.gov.au

8.9 Environment Advisory Committee Membership

Reference	D22/143115
Author	Michael Oke - Unit Manager Sustainability
Authoriser	Director Planning and Place Making

Purpose

1. To inform Council that a public Expression of Interest (EOI) process has been completed, as required, to recruit new members to the Environment Advisory Committee ("EAC").
2. To seek Council's endorsement of the proposed new members.

Critical analysis

History and background

3. The Terms of Reference state that the purpose of EAC is to *represent interests pertaining to all aspects of urban environmental sustainability including (but not limited to) climate change; resource efficiency across water, waste and energy; urban greening and natural capital; local food systems; and the built environment, by providing advice to Council on policy, strategy and other strategic opportunities to progress the organisation's response to these issues*.
4. The objectives of EAC are to *capitalise on the knowledge, experience and skills available in the Yarra community to provide advice to Council in respect to:*
   - *(a) Emerging and evolving environmental sustainability issues, challenges and opportunities relevant to the City of Yarra;*
   - *(b) The delivery of its Council Plan in relation to environmental sustainability issues;*
   - *(c) Development and strategic implementation of environment-related council strategies, including (but not limited to) the Yarra Environment Strategy, Climate Emergency Plan, Waste Minimisation and Resource Recovery Strategy, Urban Agriculture Strategy, Urban Forest Strategy, Nature Strategy and Integrated Water Strategy (as updated from time-to-time);*
   - *(d) Key policy development on relevant issues;*
   - *(e) Design and delivery of specific environment sustainability programs and projects by Council;*
   - *(f) Engagement with the wider City of Yarra community to build awareness of environmental sustainability issues and activities; and*
   - *(g) Identifying strategic opportunities to collaborate with other organisations and groups to progress initiatives related to environmental sustainability issues.*
5. The term of the appointment to EAC is for two (2) years, unless a member resigns from their position prior.
6. The membership consists of two (2) Councillors (appointed annually), plus sixteen (16) community members made up of a minimum of two members from each the following specific subject areas:
   - (a) Climate emergency;
   - (b) Waste management ;
   - (c) Local food systems;
   - (d) Biodiversity and nature; and
   - (e) Water.

Discussion

7. Nominations were open from Tuesday 26 April through to Sunday 15 May 2022.

8. Council sought applicants with an ability to work collaboratively with other members and Council, and a strong interest and proven understanding of local environmental sustainability issues.

9. Applicants were reviewed on the basis of their capacity to form a committee with the following attributes:

    (a) Diversity of environmental interests and knowledge including climate change; waste; transport; community development; engagement and behaviour change; urban agriculture; biodiversity; water; and built environment, or

    (b) Technical knowledge and experience in one of the following subject areas:

        (i) Climate emergency;

        (ii) Energy;

        (iii) Waste management;

        (iv) Local food systems;

        (v) Biodiversity and nature; and

        (vi) Water;

    (c) Representation of members of different local community groups;

    (d) Representation of a variety of sectors in the municipality, including community agencies, business, education, and interested citizens; and

    (e) *A mix of skills and attributes to complement other members of the Committee*.

10. Council received 45 applications for the sixteen positions available. Four existing EAC members reapplied to continue for another term.

11. The Selection Panel ("the Panel") comprised of two Officers: Sustainability Unit Manager, and Senior Biodiversity Officer. Note that the Sustainability Unit Manager had a conflict of interest regarding one of the applicants, and for this applicant the rating was completed by Senior Biodiversity Officer alone and confirmed via discussion with the Climate Emergency Coordinator.

12. The Panel was extremely impressed with the diversity of interest and knowledge, experience, and community representation reflected in the applications.

13. Applications were assessed individually against the above criteria (point 9) and the Panel then reviewed the overall mix and potential membership.

14. Based on this above process 16 community members have been recommended to be appointed to EAC for a two year term.

15. Additionally, 4 community members have been recommended to be appointed as back up candidates to be able to be brought onto the committee should any current members resign mid-term.

Options

16. Forty-five applications were received for the sixteen vacant positions.

17. Officers recommend Council support the appointment of sixteen nominees (see confidential Attachment 1).

18. Additionally, Officers recommend Council support the creating of a back-up list of 4 applicants to be called on should any current members resign mid-term (see confidential Attachment 1).

19. The names of the recommended and 'back-up' applicants, together with their expertise and experience is provided in the confidential Attachment 1.

Community and stakeholder engagement

20. In line with the *Appointment of Members to Council Committees Procedure*, Council Officers advertised an EOI to join EAC on the Yarra Council website and promoted this via Council Social Media (e.g. Facebook) and via the Yarra Environment News.

21. This advertising included:

    (a) the purpose of the EAC;

    (b) desired attributes or skills of interested community or other non-Councillor representatives;

    (c) inviting expressions of interest from suitably qualified or experienced persons seeking to be considered; and

    (d) noting that Council will, following consideration of EOI's received, formally resolve to appoint the selected members.

22. The Governance Unit provided advice and support on the requirements of the public EOI process.

Policy analysis

Alignment to Community Vision and Council Plan

23. The *Council Vision 2036* includes the Theme *'Environmental Sustainability"* which states*: We are all custodians of the City of Yarra. While our skyline is growing, so are our green spaces. We are smarter in how we manage growth and use our resources and energy. We celebrate, enable and promote a circular economy.*

24. Council Plan 2021-2025 includes the Theme *Climate and Environment* and states *Yarra urgently mitigates climate change while also adapting to its impacts and developing resilience in everything we do. The community, business and industry are supported and encouraged to do the same*.

Climate emergency and sustainability implications

25. The Environment Advisory Committee is focused solely on advising Council on issues pertaining to Climate emergency and sustainability, and a recruitment of new members will strengthen the advisory group by providing fresh ideas, different points of view and invaluable feedback.

Community and social implications

26. The membership has sought to include diversity of representation on the Committee.

Economic development implications

27. There are no economic development implications associated with the report.

Human rights and gender equality implications

28. The appointment of proposed members ensures a balance of gender representation on the EAC.

Operational analysis

Financial and resource impacts

29. There are no financial or resource impacts associated with this report.

Legal Implications

30. There are no legal implications associated with this report.

Conclusion

31. The Selection Panel have undertaken a public EOI process to recruit new members to the EAC in accordance with the *Terms of Reference and Council's requirements relating to community advisory committees*.

32. The community responded with 45 applications for the sixteen vacant positions.

33. A diversity of community members is included in the 16 members recommended to fill the vacant EAC positions, and the additional 4 members recommended to be listed as a backup group.

RECOMMENDATION

1. That Council appoint the following persons to the sixteen vacant positions on the Environment Advisory Committee:

    (a) _____;

    (b) _____;

    (c) _____;

    (d) _____;

    (e) _____;

    (f) _____;

    (g) _____;

    (h) _____;

    (i) _____;

    (j) _____;

    (k) _____;

    (l) _____;

    (m) _____;

    (n) _____;

    (o) _____; and

    (p) _____.

2. That Council appoint the following persons to the act as four backup members should vacant positions on the Environment Advisory Committee:

    (a) _____;

    (b) _____;

    (c) _____; and

    (d) _____.

    (e) That officers write to all members of the community who expressed interest, advising of this decision and thank them for applying to be members of the Environment Advisory Committee.

Attachments

1 EAC Nominations (confidential) - *Confidential*

8.10 Appointment of Authorised Officers under the Planning and Environment Act 1987

Reference	D22/127580
Author	Rhys Thomas - Senior Governance Advisor
Authoriser	Group Manager Chief Executive's Office

Purpose

1. To provide for the formal appointment of Council Officers as Authorised Officers pursuant to Section 147(4) of the Planning and Environment Act 1987 and Section 313 of the Local Government Act 2020.

Critical analysis

History and background

2. In order to conduct inspection, enforcement and prosecution activities on Council's behalf, officers require specific authorisation under the relevant legislation. While authorisation for most legislation is provided by the Chief Executive Officer acting under delegation, specific provisions of the Planning and Environment Act 1987 require that the authorisation be made directly by Council resolution.

Discussion

3. In order to undertake the duties of office, staff members listed in the recommendation require authorisation under the Planning and Environment Act 1987.

4. In addition, authorisation must also be provided under section 313 of the Local Government Act 2020 in order to enable these officers to commence enforcement action where necessary.

Options

5. No options are presented in this report.

Community and stakeholder engagement

6. No community engagement has been undertaken.

Policy analysis

Alignment to Council Plan

7. As part of Strategic Objective 6: Democracy and Governance, the City of Yarra Council Plan 2021-2025 contains the strategy *"Practice good governance, transparency and accountable planning and decision-making"*.

8. The transparent appointment of authorised officer ensures compliance with the law and Council's commitment to good governance.

Climate emergency and sustainability implications

9. This report has no climate emergency or sustainability implications.

Community and social implications

10. This report has no community or social implications.

Economic development implications

11. This report has no economic development implications.

Human rights and gender equality implications

12. This report has no human rights or gender equality implications.

Operational analysis

Financial and resource impacts

13. There are no financial or resource impacts of this report.

Legal Implications

14. Appointment of Authorised Officers under the Planning and Environment Act 1987 requires a formal resolution of Council. Where such authorisation is proposed to be granted, provision is also made to allow the respective officer to also initiate proceedings on behalf of Council (as provided in Section 313 of the Local Government Act 2020).

Conclusion

15. That Council formally appoint the officers listed below as Authorised Officers pursuant to Section 147 (4) of the Planning and Environment Act 1987 and Section 313 of the Local Government Act 2020. The Instruments of Appointment and Authorisation document will be signed accordingly by the Chief Executive Officer.

RECOMMENDATION

1. In the exercise of the powers conferred by s 147(4) of the Planning and Environment Act 1987, Council resolves that:

   (a) Joshua URBANS,

   be appointed and authorised as set out in the instrument at **Attachment One**; and

   (b) each instrument comes into force immediately it is signed by Council's Chief Executive Officer, and remains in force until Council determines to vary or revoke it.

Attachments

1⇩ Attachment 1 - TEMPLATE Instrument of Appointment and Authorisation - Planning Enforcement Officer

Attachment 1 - Attachment 1 - TEMPLATE Instrument of Appointment and Authorisation - Planning Enforcement Officer

Instrument of Appointment and Authorisation
Planning Enforcement Officer

In this instrument "officer" means -

[INSERT OFFICER NAME]

By this instrument of appointment and authorisation, Yarra City Council –

1. under section 147(4) of the Planning and Environment Act 1987 - appoints the officer to be an authorised officer for the purposes of the Planning and Environment Act 1987 and the regulations made under that Act; and
2. under section 313 of the Local Government Act 2020 - authorises the officer either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this Instrument -

(a) comes into force immediately upon its execution; and
(b) remains in force until varied or revoked.

This instrument is authorised by a resolution of the Yarra City Council on [insert date].

Vijaya Vaidyanath
Chief Executive Officer
Yarra City Council

[insert date]