

Yarra Planning Scheme Amendment C331yara Explanatory Report

Overview

Live music has always been an integral part of the City of Yarra. The City of Yarra is a vibrant, inner-city municipality, and our live music scene is a large part of our economic and cultural fabric, lighting up our city, providing opportunities for up-and-coming artists and boosting our economy.

With a concentration of 77 small to medium sized music venues in our 19.5 square kilometres municipality, the City of Yarra is recognised as a destination for live music. Yarra recognises that these venues are critical in developing artists, emerging musicians, and industry workers across Yarra. Every year Yarra's live music venues host about 20,000 gigs, attracting 2.5 million attendees.

Amendment C331yara proposes to update the Yarra Planning Scheme to designate live music precincts within the City of Yarra and give statutory effect to the findings within the *Live Music Precincts Background Issues, Opportunities and Actions* (City of Yarra, 2025).

Where you may inspect this amendment

The amendment can be inspected free of charge at the Yarra City Council website at yarracity.vic.gov.au/amendmentc331.

The amendment is available for public inspection, free of charge, during office hours at the following places:

Planning Counter

Richmond Town Hall

333 Bridge Road

Richmond VIC 3121

Fitzroy Library

Fitzroy Town Hall

128 Moor Street

Fitzroy VIC 3065

The amendment can also be inspected free of charge at the Department of Transport and Planning website at <http://www.planning.vic.gov.au/public-inspection> or by contacting the office on 1800 789 386 to arrange a time to view the amendment documentation.

Submissions

Any person may make a submission to the planning authority about the amendment. Submissions about the amendment must be received by [exhibition date].

A submission must be sent to:

Strategic Planning, Yarra City Council:

By email: strategicplanning@yarracity.vic.gov.au

By post: PO Box 168 Richmond, VIC 3181

Please include "Draft Amendment C331yara Submission" in the subject header.

Panel hearing dates

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

Directions hearing: [directions hearing date]

Panel hearing: [panel hearing date]

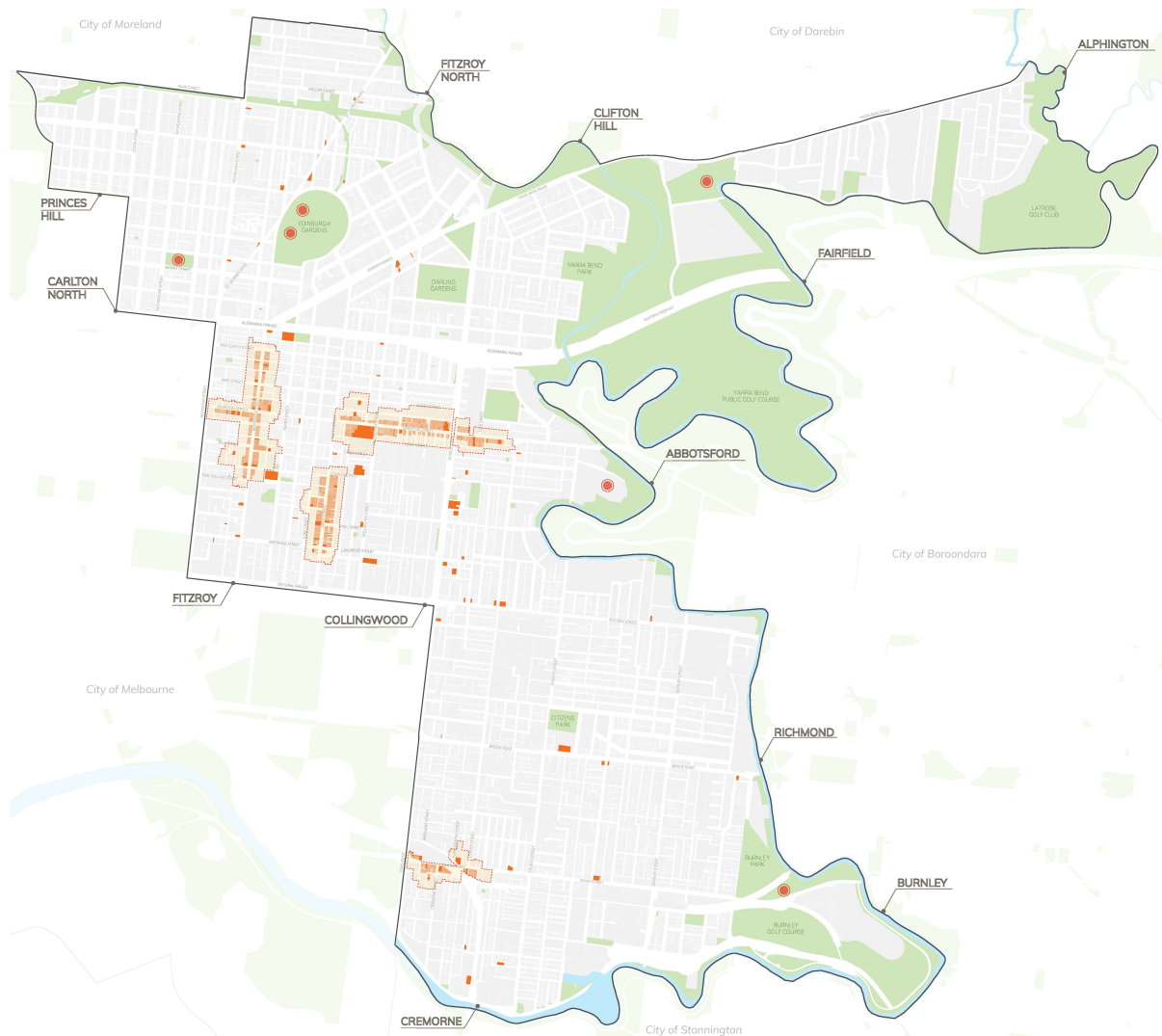
Details of the amendment

Who is the planning authority?

This amendment has been prepared by the Yarra City Council which is the planning authority for this amendment.

Land affected by the amendment

The amendment applies to live music entertainment venues within the City of Yarra, specifically land identified in the Brunswick Street, Smith Street south, Johnston Street, Collingwood Yards, and Richmond Station Live Music Precincts (as shown in Figure 1).



LEGEND

- | | |
|--------------------|---------------------------------|
| Yarra LGA boundary | Live Music Precinct boundary |
| Open space | Buffer area (50m) |
| Waterway | Core live music area |
| | Existing live music venues |
| | Existing live music open spaces |



What the amendment does

The amendment seeks to apply planning controls to live music entertainment precincts to land in the City of Yarra.

Specifically, the amendment proposes to make the following changes to the Yarra Planning Scheme:

- Amend Clause 02.02 Vision to include reference to live music entertainment venues.
- Amend Clause 02.03 Strategic directions to include reference to live music entertainment venues.

- Amend Clause 11.03-1L Activity centres to include reference to live music entertainment venues in all relevant activity centres in the City of Yarra and remove references to licences premises management.
- Insert 13.07-3L Live music to support and encourage new and existing live music venues within the identified precincts.
- Replace the Schedule to Clause 53.06 Live music entertainment venues with a new Schedule to identify the Brunswick Street, Smith Street south, Johnston Street, Collingwood Yards, and Richmond Station as Live Music Precincts (as shown in Figure 1).
- Amend the Schedule to Clause 72.08 Background documents to include new background documents that inform this amendment.

Strategic assessment of the amendment

Why is the amendment required?

Live music venues are under increasing pressure from rising rents, higher operating costs, and broader cost-of-living challenges. Many are also struggling to obtain public liability insurance, with those able to secure insurance experiencing premium increases of up to 800%.

Live music venues are facing mounting challenges due to rising music licensing fees, falling food and beverage sales, lower attendance, noise complaints, and growing tensions with nearby residential developments

Identifying live music precincts within the City of Yarra will establish these areas with live music as a priority and acknowledged use. This will aid in recognising the significant contribution that live music makes to the municipality and support the retention, growth and continued operation of live music venues within Yarra.

How does the amendment implement the objectives of planning in Victoria?

The amendment implements the objective

es of planning in Victoria as outlined in section 4 of the *Planning and Environment Act 1987* (PE Act) as follows:

- Provide for the fair, orderly, economic and sustainable use, and development of land.*

The amendment will result in the fair, orderly, economic and sustainable use and development of land by implementing a well-planned, holistic approach that addresses the needs of the existing and future community.

- Secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.*

The amendment introduces planning form controls which aim to minimise amenity impact and ensure development contributes positively to the local environment, making it more attractive, functional, and safe for all users.

- c) *Conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.*

The amendment introduces planning controls tailored to protect existing live music venues and residential areas, typically where the unique heritage character of the area exists. These controls seek to ensure development is sensitively designed to its local context, retain the integrity of heritage streetscapes and significant buildings.

- a) *To balance the present and future interests of all Victorians.*

The amendment ensures that development and use is compatible with the existing urban environment, enhancing public spaces and amenities. The amendment will facilitate housing growth as well as economic growth and create more economically viable precincts benefiting the local area.

How does the amendment address any environmental, social and economic effects?

The 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 amendment is expected to generate positive social and economic benefits for live music and venues as it will facilitate and address development within the areas, providing opportunities for housing and respecting employment growth. The amendment responds to the local demand for housing and provide housing and employment within the same precincts, which has strong access to public transport infrastructure and social services.

Does the amendment address climate change?

The amendment considers climate change in accordance with Ministerial Direction 22 Climate Change Consideration under section 12A of the Act.

The amendment focuses on live music venues and residential development and how to adequately plan for increased both in both areas.

Does the amendment address relevant bushfire risk?

The Amendment meets bushfire policy in Clause 13.02 of the Planning Scheme as the land affected by the amendment is not located within an area of identified bushfire risk.

Does the amendment comply with the requirements of any other Minister's Direction applicable to the amendment?

The amendment complies with the requirements of the Ministerial Direction Form and Content of Planning Schemes.

The amendment complies with Ministerial Direction 11 – *Strategic Assessment of Amendments* under section 12 of the Act. The amendment is consistent with this direction, which ensures a comprehensive strategic evaluation of a planning scheme amendment and the outcomes it produces.

How does the amendment support or implement the Planning Policy Framework and any adopted State policy?

The amendment implements the objectives of Amendment VC183 by introducing new local planning policy to recognise the social, economic and cultural benefits of live music and support the retention, growth, and operation of live music entertainment venues in Yarra.

The new schedule to Clause 53.06 (Live Music Entertainment Venues) assists to implement the new planning policy by nominating the Live Music Precincts as areas where the Clause applies, as well as identifying other existing live music entertainment venues within Yarra.

How does the amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

The amendment inserts additional wording to reference live music in into local policy within the Yarra Planning Scheme to recognise and support the important role that live music plays in creating thriving entertainment precincts across Yarra and their contribution to the economy.

The amendment also introduces new strategic directions to facilitate live music entertainment venues within the identified Live Music Precincts, whilst also seeking to ensure that noise-sensitive residential uses can respond appropriately to continued growth.

How does the amendment support or implement the Municipal Planning Strategy?

The amendment proposes to update the MPS at Clause 02.02 Vision and Clause 02.03 Strategic Directions to include references to live music to facilitate retention and support of the use.

Does the amendment make proper use of the Victoria Planning Provisions?

The amendment uses the most appropriate VPP tool to achieve its objectives. The update to the policy is appropriate to ensure it reflects the most recent strategic work.

How does the amendment address the views of any relevant agency?

Yarra City Council has sought the views of Music Victoria and live music venue operators within the City of Yarra. Prior to exhibition Council will seek the views of the Department of Transport and Planning (DTP), VicRoads, and VicTrack in preparation of the amendment.

Does the amendment address relevant requirements of the Transport Integration Act 2010?

The amendment is consistent with the requirements of the Transport Integration Act 2010 and facilitates development outcomes that promote the principles of transit-oriented development.

How does the amendment have regard to the principles set out in the Yarra River Protection (Wilip-gin Birrarung murrong) Act 2017 in relation to Yarra River land and other land, the use or development of which may affect Yarra River land?

Council has considered the Yarra River Protection (Wilip-gin Birrarung murrong) Act 2017. In determining whether Yarra River land is affected by a planning scheme amendment, Yarra has referred to Part 3 of the Yarra River Protection (Wilip-gin Birrarung murrong) Act 2017. The Yarra River land (including other land) is not affected by this planning scheme amendment.

Resource and administrative costs

What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?

The amendment will have some impact on the general operation of councils' statutory planning unit, which is covered by councils' budget.

The application of planning requirements is considered to provide a more consistent assessment of planning permit applications. This is likely to reduce costs by providing more certainty to the community.