

Attachment 2 - Supporting Local Business – Streamlining Planning Permits

Summary of SGS recommendations

Local changes

Changes to local provisions such as schedules to overlays were a key priority of the review, as they provide the most direct path for council to lighten burdens upon small business.

This document focuses on local changes, as these are the only components of the recommended actions that fall within Council’s direct control. All proposed changes below relate to amendments within the Yarra Planning Scheme and documents, which Council has the authority to initiate and implement. Advocacy related recommendations require action from external bodies (such as the Minister for Planning) and are outside Council’s ability to initiate.

The SGS report recommends Council implement the following exemptions (Table 1). It provides guidance on further advocacy in Table 2 below.

Table 1 – Recommended local changes

Exemptions	SGS Recommendations and Comments	Officer Recommendations	Ordinance changes
Alterations to existing building facades at ground level in DDOs	<p>Recommendations</p> <p>Standardise DDO exemptions to align with Commercial 1 Zone exemptions for alterations to building facades, and investigate applying to all current and future DDOs.</p> <p>Broaden the DDO facade alteration exemption so that it does not trigger permission if active frontage is not further reduced.</p>	<p>In response to the SGS recommendations, officers recommend adding the below exemptions to all DDOs listed in <i>Ordinance changes</i>, with variations depending on the zone within the DDO:</p> <p>A permit is required to construct a building or construct or carry out works, except for:</p> <ul style="list-style-type: none"> alter an existing building façade, provided: 	<p>Schedule 6, 9-11, 13-16, 19, 21-22, 25-28 to Clause 43.02 Design and Development Overlay</p>

Exemptions	SGS Recommendations and Comments	Officer Recommendations	Ordinance changes
	<p>Consider simplifying facade alteration control under the DDOs as it applies in the Mixed Use Zone.</p> <p>Update the existing exemptions to:</p> <ul style="list-style-type: none"> • allow buildings where the existing extent of active frontage is less than 80 per cent to be exempt as long the extent of window or clear glazing is not further reduced. • Apply a similar approach for the Mixed Use Zone – i.e. the current extent is not reduced. <p>Comments</p> <p>A significant volume of permits are generated by buildings and works requirements from the DDOs. Recent DDOs have largely remedied this problem.</p> <p>Preferred form of the exemption should be consistently applied across all DDOs.</p> <p>Current wording in some DDOs allow alterations to the building façade in the Commercial 1 Zone so long as at least 80 per cent of the building façade at ground floor level is maintained as an entry or window with clear glazing.</p>	<ul style="list-style-type: none"> ○ the alteration does not include the installation of an external roller shutter; ○ in a C1Z and/or C2Z at least 80 per cent of the building façade at ground level is maintained as an entry or window with clear glazing; and ○ in a MUZ, the alterations include and/or retain existing windows and pedestrian entry points and do not increase blank walls. 	

Exemptions	SGS Recommendations and Comments	Officer Recommendations	Ordinance changes
<p>Single storey rear additions and outbuildings in DDOs</p>	<p>Recommendations</p> <p>Standardise and broaden DDO exemptions for rear additions, and investigate applying to all current and future DDOs.</p> <p>Suggested changes include permit exemptions for:</p> <ul style="list-style-type: none"> • rear ground floor alterations, extensions and outbuildings less than 4m in height 	<p>In response to the SGS recommendations, officers recommend adding the following exemption to all DDOs listed in <i>Ordinance changes (being in MUZ, C1 and C2Z)</i>:</p> <p>A permit is required to construct a building or construct or carry out works, except for:</p> <ul style="list-style-type: none"> • rear alterations, extensions or outbuildings no higher than 4 metres above natural ground level. 	<p>Schedule 6, 9-11, 13-53 to Clause 43.02 Design and Development Overlay</p>
<p>From notice and review in DDOs</p>	<p>Recommendations</p> <p>Align notice and review exemptions in the DDOs with cl 34.01-7 of the Commercial 1 Zone where there is a prospect that the precinct is large enough that applications may qualify for the exemption.</p> <p>Suggests a corresponding notice and review exemption could be added to DDOs.</p> <p>Comments</p> <p>Each of the commercial zones includes a standard state level notice and review exemption, except for land within 30m of</p>	<p>In response to the SGS recommendations, officers recommend introducing the following exemption to applicable DDOs in <i>Ordinance changes</i>:</p> <p>An application to subdivide land or construct a building or construct or carry out works is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone, land used for a hospital or an education centre or land in a Public</p>	<p>Schedule 11 to Clause 43.02 Design and Development Overlay</p>

Exemptions	SGS Recommendations and Comments	Officer Recommendations	Ordinance changes
	<p>a residential zone or used for a hospital / education centre. However, in Yarra many commercial areas in activity centres are affected by DDOs which do not include the same exemptions.</p> <p>It is suggested to align the DDOs where appropriate to reflect the requirements (i.e. no notification is required for buildings and works except for land within 30m of a residential zone or used for a hospital / education centre).</p>	<p>Acquisition Overlay to be acquired for a hospital or an education centre.</p> <p>Upon review, many DDOs are applied in activity centres and land is within 30 metres of a residential zone (this includes the MUZ as it is considered a residential zone). Practically, this means the exemption should be applied to DDOs that affect employment precincts / larger precincts.</p> <p>Therefore, it is recommended for this to be implemented to DDO11 (Gipps Precinct). This exemption already exists in DDO51, DDO52 and DDO53 (Cremorne Enterprise Precinct).</p>	
<p>For single storey rear additions and outbuildings in the HO</p>	<p>Recommendations</p> <p>Consider simplifying and broadening the exemptions in the heritage incorporated document for buildings that are not individually significant, aligning the treatment of rear additions with the DDOs.</p> <p>Suggested changes include permit exemptions for:</p>	<p>In response to the SGS recommendations, officers recommend introducing the following exemptions to the Heritage Incorporated Plan:</p> <p>Clause 2.4 Modifications and Alterations: applies to residential buildings/uses <u>and non-residential buildings/uses only</u></p> <p>Clause 2.5 Outbuildings: applies to residential buildings/uses <u>and non-residential buildings/uses only</u></p>	<p>City of Yarra Incorporated Plan under the Provisions of Clause 43.01 Heritage Overlay (Planning Permit Exemptions, July 2014)</p>

Exemptions	SGS Recommendations and Comments	Officer Recommendations	Ordinance changes
	<ul style="list-style-type: none"> rear ground floor alterations, extensions and outbuildings less than 4m in height 	<p>Clause 2.6 Pergolas, verandahs and decks: <i>applies to residential buildings/uses <u>and non-residential buildings/uses only</u></i></p> <p>(note: these exemptions to non-residential uses matches the current exemption for residential uses. This will mainly apply to contributory and non-contributory buildings). Both SGS and a heritage consultant see merit in exempting rear extensions to non-residential buildings/uses. Officers are currently undertaking permit analysis to confirm evidence for conditions to be formulated. If confirmed, this exemption will also be included</p>	
<p>For business identification signs in the HO</p>	<p>Recommendations</p> <p>Consider broadening exemptions under the heritage incorporated document for low impact ground level business identification signs.</p> <p>Consideration should be given to exempting:</p> <ul style="list-style-type: none"> all business identification signs at ground level, including under a verandah, provided that the sign is not an animated sign, bunting sign, 	<p>In response to the SGS recommendations and in accordance with the advice from an external Heritage Advisor, officers recommend adding the following exemptions which are to apply to Individual Significant, Contributory and Not Contributory heritage buildings:</p> <p>Signage in Commercial 1 (C1Z) or Commercial 2 (C2Z) zoned land where:</p> <ul style="list-style-type: none"> The display area does not exceed 1.5 sqm and is below a verandah or, if no 	<p>City of Yarra Incorporated Plan under the Provisions of Clause 43.01 Heritage Overlay (Planning Permit Exemptions, July 2014)</p>

Exemptions	SGS Recommendations and Comments	Officer Recommendations	Ordinance changes
	<p>electronic sign, floodlit sign, internally illuminated sign or reflective sign and the building is not individually significant.</p> <p>Comments</p> <p>Signage is a key cause of regulatory burden.</p> <p>The current signage exemptions in the incorporated plan under the heritage overlay are quite limited.</p>	<p>verandah, is less than 3.7m above pavement level; and</p> <ul style="list-style-type: none"> The sign is not an LED, digital or animated sign, bunting sign, electronic sign, floodlit sign or reflective sign. 	
<p>From notice and review for business identification signs</p>	<p>Recommendations</p> <p>Exempt business identification signs in commercial areas from notice and review requirements using the schedule to cl 52.05-7.</p> <p>The schedule could exempt business identification sign, and is not an animated sign, bunting sign, electronic sign, floodlit sign, internally illuminated sign or reflective sign.</p> <p>Schedule to Clause 52.05-7 allows signs to be made exempt from notice and review requirements.</p> <p>Comments</p> <p>There are few, if any, circumstances where a public notice process should be</p>	<p>In response to the SGS recommendations, officers recommend adding the following exemption to Schedule to Clause 52.05-5 Exemption from notice and review:</p> <p>An application for a sign is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act provided the sign:</p> <p>Located within the following zones:</p> <ul style="list-style-type: none"> Any commercial zone <p>Condition:</p> <p>The sign is a business identification sign (including internally illuminated), and is</p>	<p>Schedule to Clause 52.05 Signs</p>

Exemptions	SGS Recommendations and Comments	Officer Recommendations	Ordinance changes
	needed for typical business identification signs within commercial areas.	not an LED, digital or animated sign, bunting sign, electronic sign, floodlit sign or reflective sign.	

VicSmart

VicSmart is the current fast-tracked permit application process for certain types of minor developments (e.g. constructing a fence in a Heritage Overlay). Once the correct information is submitted with an application, it is a 10 day permit process. Applications are not advertised.

The Victorian planning system does allow more opportunity for council to add local categories to VicSmart. However, the report highlights that while the intent of VicSmart was to relieve regulatory burden by reducing timeframes, its overall benefits are less clear. The report does not recommend Council use the VicSmart program to reduce regulatory burden as any recommendations would likely have minimal impact.

The report recommends that Council should focus on removing permit requirements rather than shift them into VicSmart categories. VicSmart should only be considered where other changes are not considered desirable.

Advocacy

There are limited opportunities within the Victorian planning system for council to dramatically streamline the system. Many worthwhile changes will require action by the State Government.

These should be considered as items for Council to advocate to the State Government to reform.

The report identified the following provisions could be reviewed by the State Government:

Table 2 – Recommended State Government advocacy

Exemptions	SGS Recommendations and comments
<p>Signs – permit exemptions</p>	<p>Recommendation: Advocate to the state government for the review of permit requirements for low impact business identification signs.</p> <p>The Report comments the current exemption for business identification signage (8m² in commercial areas) may be overly restrictive and could be reviewed. Noting it may not be feasible or necessary to tightly manage ground floor signage in commercial areas.</p> <p>State Government could consider:</p> <ul style="list-style-type: none"> • Remove or ease limitations upon ground floor business identification signs • Include a standard acceptable format or maximum size for signs suspended under the verandah • Retain existing criteria for illuminated signs and the like.
<p>Car parking – permit requirements</p>	<p>Recommendation: Advocate to the state government for the review of statewide standard car parking requirements for commercial uses.</p> <p>The Report notes there has been long-term criticism of the current standard for car parking. The removal of car parking minimums would be likely be beneficial for local businesses in the City of Yarra. A Statewide change would reduce the need for Councils to undertake extensive work to apply their own Parking Overlays.</p> <p>Depending on details of the revised car parking rates announced by State Government on 2 December 2025, this may have been addressed.</p>
<p>Car parking - notice and review exemptions</p>	<p>Recommendation: Advocate to the state government for simplified and more consistent notice and review exemptions for applications to reduce standard car parking requirements.</p> <p>The Report comments that the current mechanism for notice and review exemptions are complicated and illogical. It notes that reform is needed by State Government to simplify the mechanism.</p> <p>Possible remedies include:</p>

Exemptions	SGS Recommendations and comments
	<ul style="list-style-type: none"> • Making all applications under cl 52.6 exempt from notice and review; • Making all applications other than accommodation exempt from notice and review; and • Making all applications subject to Column B rates exempt from notice and review. <p>Notice and review exemptions would considerably reduce delays and risk for businesses.</p>
<p>Buildings and works – scheduled exemptions</p>	<p>Recommendation: Advocate to the state government for a broad allowance to exempt categories of application from standard buildings and works permit triggers.</p> <p>The project highlighted a need to include exemptions from triggers in State VPP clauses (e.g. the zones). For example, the permit trigger under Commercial 1 Zone for buildings and works should have the ability to add exemptions as follows:</p> <p>This does not apply to Buildings and works which:</p> <ul style="list-style-type: none"> • Are to be constructed on land specified in the schedule to this clause; and • Meet any condition specified in the schedule to the clause. <p>A similar approach could be taken to notice and review exemptions.</p>