

Yarra Planning Scheme

Amendment C334yara

Instruction sheet

The planning authority for this amendment is the Yarra City Council.

The Yarra Planning Scheme is amended as follows:

Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows:

1. In **Planning Policy Framework**- replace Clause 15.03-1L with a new Clause 15.03-1L in the form of the attached document.
2. In **Overlays** – Clause 43.02, replace Schedules 6, 9, 11, 14-16, 19, 23, 25-28, and 51-53 to the Design and Development Overlay with new Schedules 6, 9, 11, 14-16, 19, 23, 25-28, and 51-53 as shown on the attached documents.
3. In **Overlays** – Clause 43.06, replace Schedules 1-23 to the Built Form Overlay with new Schedules 1-23 as shown on the attached documents.
4. In **Particular Provisions** – Clause 52.05, replace the Schedule with a new Schedule in the form of the attached document.
5. In **Operational Provisions** – Clause 72.04, replace the Schedule with a new Schedule in the form of the attached document.

End of document

Yarra Planning Scheme

Amendment C334yara

Explanatory Report

Overview

Amendment C334yara proposes to reduce local planning permit triggers for businesses by exempting certain buildings and works, business identification signage from requiring a planning permit and providing an exemption from notice and review in commercial areas, subject to conditions. The amendment also proposes to include exemptions for solar panels in the Heritage Overlay, subject to certain conditions being met.

Where you may inspect this amendment

The amendment can be inspected free of charge at the Yarra City Council website at www.yarracity.vic.gov.au/amendmentC334yara.

And

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

Reception

Collingwood Town Hall
140 Hoddle Street
Abbotsford VIC 3067

The amendment can also be inspected free of charge at the Department of Transport and Planning website at 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 **11:59PM on Sunday, 15 November 2026**.

A submission must be sent to:

Email

strategicplanning@yarracity.vic.gov.au

Post

Yarra City Council
PO Box 168
Richmond VIC 3121

Online

Please visit www.yoursayyarra.com.au/amendment-c334yara and follow the instructions.

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: 12 April 2027
- Panel hearing: 17 May 2027

Details of the amendment

Who is the planning authority?

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

The amendment has been made at the request of Yarra City Council.

Land affected by the amendment

The amendment applies to all the land in the City of Yarra as follows:

- All land within Schedules 6, 9, 11, 14-16, 19, 23, 25-28, and 51-53 to Clause 43.02 Design and Development Overlay which applies to Commercial 1 and 2 Zones, and Mixed Use Zones
- All land within Schedules 1-23 to Clause 43.06 Built Form Overlay which applies to Commercial 1 and 2 Zones, and Mixed Use Zones
- All land in a commercial zone in relation to business identification signage requirements
- All land that Clause 15.03-L (Heritage) applies to, which includes land identified in Clause 72.04 Incorporated Documents (*Incorporated Plan under the provisions of clause 43.01 Heritage Overlay, Planning permit exemptions (July 2014)*) within the Heritage Overlay

What the amendment does

The amendment amends the Yarra Planning Scheme to remove several planning permit triggers and notice requirements to reduce the regulatory burden on local

businesses. The amendment also proposes to include exemptions for solar panels in heritage overlay areas, subject to certain conditions being met which will ease the pathway towards more sustainable energy solutions for buildings.

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

Planning scheme ordinance

Planning Policy Framework

- Amend Clause 15.03-1L (Heritage) to delete and update sections under the 'Services and equipment' subheading regarding solar panels.

Overlays

- Amend Schedules 6, 9, 11, 14-16, 19, 23, 25-28, and 51-53 to Clause 43.02 Design and Development Overlay to include an exemption that states a permit is not required to alter an existing facade provided certain conditions are met.
- Amend Schedules 1-23 to Clause 43.06 Built Form Overlay to include an exemption that states a permit is not required to alter an existing façade provided certain conditions are met.
- Amend Schedules 6, 9, 11, 14-16, 19, 23, 25-28, and 51-53 to Clause 43.02 Design and Development Overlay to include an exemption that states a permit is not required for rear alterations, extensions or outbuildings provided the maximum building height is less than 4 metres.
- Amend Schedules 1-23 to Clause 43.06 Built Form Overlay to include an exemption that states a permit is not required for rear alterations, extensions or outbuildings provided the maximum building height is less than 4 metres.
- Amend Schedule 11 to Clause 43.02 of the Design and Development Overlay - Gipps Street to include an exemption from notice and review requirements for applications to construct a building or construct or carry out works provided certain conditions are met.

Particular Provisions

- Amend the Schedule to Clause 52.05 (Signs) to include an exemption from notice and review requirements for business identification signage provided certain conditions are met.

Operational Provisions – Incorporated Documents

- Amend the Schedule to Clause 72.04 (Incorporated Documents) to update the date reference of the incorporated document, *Incorporated Plan under the Provisions of Clause 43.01 Heritage Overlay, Planning Permit Exemptions, July 2014*, from July 2014 to December 2025.

Incorporated Documents

- Replace the existing incorporated document, "*Incorporated Plan under the Provisions of Clause 43.01 Heritage Overlay, Planning Permit Exemptions*"

(July 2014)” with an updated version to make minor corrections and to include planning permit exemptions for:

- Rear extensions for non-residential buildings or uses provided certain conditions are met (as already exists for residential buildings)
- Business identification signage provided certain conditions are met
- The installation of solar panels provided certain conditions are met
- Amend to update superseded dates and planning scheme clauses
- Amend the date of the document from ‘July 2014’ to ‘Amended November 2025’

Strategic assessment of the amendment

Why is the amendment required?

The amendment will reduce the regulatory burden on local businesses by introducing additional planning permit exemptions and exemptions for notice and review for minor buildings and works, alterations to the façade and business identification signage provided certain conditions are met.

Yarra’s inner-city location, with its vibrant mix of hospitality venues, service businesses, offices and other businesses mixed with housing, that includes strong daytime and nighttime economies make it a haven for wide range of local businesses.

Given the economic and cultural value of small business, Council seeks to reduce obstacles for the establishment and operation of these ventures.

As part of Council’s intention to explore opportunities to streamline and simplify processes for local businesses, SGS prepared the Supporting Local Business Project and Streamlining Planning Permits Report, 21 May 2025.

The Supporting Local Business Project and Streamlining Planning Permits Report made several recommendations, including possible changes to the Yarra Planning Scheme. These recommendations are detailed below:

Various Design and Development Overlay schedules

It is proposed to provide for exemptions from a planning permit for minor buildings and works. This would be where an alteration to an existing façade and rear alterations is proposed and extensions or outbuildings no higher than 4 metres are proposed under the identified schedules to the Design and Development Overlay.

The reason for these amendments is because these areas are Commercial 1 Zone, Commercial 2 Zone and Mixed Use Zone, and targeting these areas will remove local permit triggers specifically for businesses. This will help support and encourage local business in Yarra and reduce regulatory burden.

Schedule 11 to the Design and Development Overlay

Amend Schedule 11 to the Design and Development Overlay to exempt buildings and works from the notice and review requirements provided certain conditions are met. This change is consistent with the state standard notice and review exemption that applies to Commercial 1 Zone.

This Schedule has been identified as distinct from other Schedules and afforded additional exemptions because it is an employment precinct (Gipps Precinct). These exemptions also align with existing ones in the Cremorne Enterprise Precinct (Schedules 51, 52 and 53 to the Design and Development Overlay).

Schedule to 52.05- Signs

Amend the Schedule to Clause 52.05 - Signs to exempt business identification signage from the notice and review requirements in any commercial zone, provided certain conditions are met. Such conditions include the sign cannot be an LED, digital or animated sign, bunting sign, electronic sign, floodlit sign or reflective sign.

City of Yarra Incorporated Plan under the Provisions of Clause 43.01 Heritage Overlay Planning Permit Exemptions, July 2014 under Clause 72.04 Schedule 1

Update the Incorporated Plan under the provisions of Clause 43.01 Heritage Overlay Planning permit exemptions (July 2014) under Clause 72.04 Schedule 1 to exempt rear alterations, extensions and outbuildings (as already exists for residential buildings) and business identification signage from requiring a planning permit under the Heritage Overlay provided certain conditions are met. Also to exempt solar panels, provided conditions are met, to ease the pathway for more sustainable energy solutions for commercial and residential buildings within a Heritage Overlay.

All these changes will be introduced as part of Amendment C334yara, which will reduce the regulatory burden of small business in Yarra by exempting certain buildings and works and business identification signage from requiring a planning permit and providing an exemption from notice and review. Exempting solar panels subject to certain conditions being met will ease the pathway towards more sustainable energy solutions for buildings in a heritage overlay.

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

The amendment implements the objectives of planning in Victoria as outlined in sections 4(1) as follows:

(a) to 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 reducing the regulatory burden of small business in Yarra.

(c) to secure a pleasant, efficient and safe working, living and recreational

environment for all Victorians and visitors to Victoria;

The amendment will improve the efficiency of the working environment in Victoria by removing some of the planning permit triggers that apply to businesses.

(f) to facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c), (d) and (e);

The amendment will facilitate development associated with businesses by reducing their regulatory burden.

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

Environmental and Social

The amendment will have negligible environmental and social impacts. Creating more permit exemptions for solar panels will assist occupiers of residential and non-residential buildings to reduce energy bills and their carbon footprint.

Economic

The amendment will have positive economic impacts including:

- Improve the economic well-being of the Yarra's businesses by increasing the exemptions for planning permit applications for businesses and removing some notice and review requirements.
- Improving future private sector investment in Yarra.
- Improving the vitality and viability of existing commercial or retail activity in Yarra.
- Possibly leading to an increased range of goods and services in Yarra.
- Potentially increasing the number of jobs in Yarra.

Does the amendment address climate change?

The amendment will reduce the regulatory burden of businesses in Yarra. This will improve the viability of businesses in Yarra, which may reduce transport related emissions as residents can access more businesses locally.

Creating more permit exemptions for solar panels will assist occupiers of residential and non-residential buildings to reduce energy bills and their carbon footprint.

In accordance with Ministerial Direction 22 - Climate Change Consideration under section 12A of the Planning and Environment Act, a climate change consideration report is not required as the amendment does not rezone land from a non-urban zone to an urban zone, nor will it have the effect of enabling a significant change to the use and development of urban land, or enable a new use and development of land that may be exposed to a natural hazard that arises from the impacts of climate change.

Does the amendment address relevant bushfire risk?

The land affected by the amendment is not subject to bushfire risk or a Bushfire Management Overlay.

Therefore, the amendment is unlikely to result in any significant increase to the risk to life, property, community, infrastructure or the natural environment from bushfire

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 'The form and content of planning schemes' under section 7(5) of the *Planning and Environment Act 1987*.

The amendment complies with Ministerial Direction No. 11 (Strategic Assessment of Amendments) under section 12 of the *Planning and Environment Act 1987*. The amendment is consistent with this direction which ensures a comprehensive strategic evaluation of a planning scheme amendment and the outcomes it produces.

The amendment can comply with the timeframes and processes set out in the Ministerial Direction No. 15 (The planning scheme amendment process) under section 12(2)(a) of the *Planning and Environment Act 1987*.

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

The amendment is consistent with the following objective and strategy of the Planning Policy Framework:

Clause 15.03 (Heritage)

Objective

- To ensure the conservation of places of heritage significance.

Strategy

- Encourage appropriate development that respects places with identified heritage values.

The amendment conserves places of heritage significance, as identified by the heritage overlays, by only exempting the installation of solar panels if certain conditions are met. These conditions ensure solar panels have limited impact on building frontages, therefore protecting heritage streetscape character.

Similarly, exemptions for rear alterations, extensions and outbuildings (as already exists for residential buildings) and business identification signage require certain conditions to be met, which will facilitate appropriate development that respects heritage character and significance.

Clause 17.01 (Employment)

Objective

- To strengthen and diversify the economy.

Strategy

- Facilitate growth in a range of employment sectors, including health, education, retail, tourism, knowledge industries and professional and technical services based on the emerging and existing strengths of each region.

The amendment ensures that Yarra's economy is strengthened and diversified by reducing businesses regulatory requirements and potential delays.

Clause 17.02-1S (Business)

Objective

- To encourage development that meets the community's needs for retail, entertainment, office and other commercial services.

Strategy

- Provide small scale shopping opportunities that meet the needs of local residents and workers in convenient locations.

The amendment encourages and supports local commercial and retail businesses within activity centres by reducing permit triggers and providing certain exemptions. This will lessen the regulatory burden for local business.

How does the amendment consistent support or implement any relevant strategic plan or policy statement adopted by a Minister, government department or public authority?

Plan for Victoria – Pillar 2 (Accessible jobs and services): Enable the supporting infrastructure that businesses need to thrive, including access to affordable and reliable energy, to maximise local and state-wide benefits of the renewable energy transition.

The amendment supports this pillar by providing certain exemptions for solar panels on any buildings in heritage overlay areas. This supports businesses located in heritage overlays to transition to renewable energy.

Plan for Victoria – Pillar 3 (Great places, suburbs and towns): Encourage small and medium-sized businesses in local neighbourhoods by creating certainty for business investment.

The amendment creates more certainty for local business in Yarra by reducing permit triggers and providing certain exemptions. This will reduce the regulatory burden for local business and minimise any potential delays in the planning process.

Is the amendment consistent with the delivery of the relevant

housing target set out in the Planning Policy Framework?

The amendment will have no impact on Yarra's housing target set out in the Planning Policy Framework.

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

The Municipal Planning Strategy (MPS) recognises that Yarra has a strong and mixed economy and is well positioned to attract and retain businesses and workers.

Clause 02.01-8 (Economic Development):

Yarra has a strong and mixed economy, and is well positioned to attract and retain businesses and workers. Building on these elements will support Yarra's competitive advantage and will help to maintain its vibrant economy.

The amendment supports this Strategic Directive by reducing regulatory requirements for businesses and minimising potential delays in the planning process. Doing so supports Yarra's competitive advantage and will attract and retain local business.

Clause 02.02-9 (Vision):

Through environmentally sustainable development the municipality will reduce its carbon footprint and become resilient to climate change.

The amendment supports this Strategic Directive by including exemptions for solar panels within the Heritage Overlay. This will encourage sustainable energy solutions for buildings within a Heritage Overlay, supporting Yarra to become resilient to climate change and reduce municipality-wide carbon emissions.

Clause 02.03-3 (Environmental risks and amenity):

Lead on sustainability and seek to manage the long-term effects of climate change

The amendment supports this relevant Strategic Directive by including exemptions for solar panels within the Heritage Overlay to encourage sustainable energy solutions for commercial and residential buildings within a Heritage Overlay.

Clause 02.03-6 (Economic Development):

Promote Yarra as an attractive location for economic activities and an important part of Melbourne's inner-city economy.

The amendment supports this Strategic Directive by reducing the regulatory burden of businesses in Yarra.

How does the amendment balance any competing policy objectives or strategies?

The amendment appropriately balances competing policy objectives by supporting local businesses by reducing the regulatory burden while ensuring the built form and

heritage policy objectives are not undermined.

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

The amendment seeks to make minor amendments to existing planning provisions to reduce the regulatory burden for businesses. The amendment utilises the most appropriate Victoria Planning Provisions tools to give effect to the intended outcome.

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

The views of any relevant agencies will be sought during the public consultation process.

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

The amendment is not expected to have a significant impact on the transport system.

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.

There is land within the City of Yarra that is Yarra River land.

As the amendment applies to all land in Yarra, Council has considered the principles specified in Part 2 of the Yarra River Protection (Wilip-gin Birrarung murrong) Act 2017 including the general principles, environmental principles, social principles, recreational principles, cultural principles and management principles.

The amendment does not conflict with these principles.

Resource and administrative costs

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

It is expected that the amendment will have a positive impact on the resource and administrative costs of the responsible authority as it will reduce the number of planning permit applications that Council receives.