

**Amendment C269 to the Yarra Planning Scheme**

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**Urban Design and related Evidence**

of

**James Holdsworth**

Architect and Urban Designer

for the

**Yarra Planning Coalition**

27 September 2021

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## INTRODUCTORY STATEMENT

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1. Name and Address

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2. Qualifications and Experience

Bachelor of Architecture (University of Melbourne, 1972)  
Registered Architect, Victoria (No. 12790)  
Honorary Fellow, Planning Institute of Australia

Wide-ranging experience in architecture, town planning and urban design, predominantly in Victoria, as a consultant to the private sector and to local governments and State government and as a senior officer in local government.

3. Specific Areas of Expertise

Of specific relevance to this Hearing is my expertise in architecture and urban design, assessing proposals for compliance with planning policies and guidelines, compatibility with existing urban contexts and local neighbourhood character, built form and amenity.

4. Expertise relevant to this Hearing

During the last fourteen years I have given evidence at VCAT and Planning Panels Victoria in relation to the urban design and planning aspects of many development proposals, variously on behalf of Applicants, Councils or objectors. I have undertaken numerous planning and urban design studies and projects for private clients and local governments.

I have thus gained considerable experience and capacity in evaluating the design and contextual issues relating to the appropriateness of development proposals in terms of urban design and neighbourhood character.

From 1995 to 2005 I was Manager of Urban Design & Architecture at the City of Port Phillip.

Since 2005 I have been in private practice and I conduct a specialist urban design and planning consultancy.

From 2008 to 2017 I was a sessional member of Planning Panels Victoria, serving on many Panels and several Ministerial Advisory Committees.

5. Instructions

In the preparation of this Statement I have been instructed by Mr D Young, representative of the Yarra Planning Coalition, to consider the proposed Amendment having specific regard to those parts that relate to built form, urban design and related topics.

I was engaged by email correspondence on 9 September.

6. Basis of the Statement

This Statement has been prepared with the benefit of:

- Amendment C269, Yarra Preferred Version,
- The Yarra Planning Scheme, and
- A broad and lengthy professional and personal familiarity with the municipality.

7. Summary of Opinion

This proposed Amendment embraces a wide range of topics, many of which are interdependent but all stem from the Vision and Strategic Directions and, in terms of land use, from the Strategic Framework Plan.

While a major planning document properly includes expressions of a general and scene-setting nature which are non-specific, I consider that too many of the Objectives and Strategies and their subsequent details lack supporting policies and guidance that are clearly expressed, unambiguous and measurable.

The effectiveness of this Amendment in guiding future development in Yarra will be in how readily planning applications can be assessed against clear policies and guidelines that minimise room for uncertainty.

Strategies and detailed descriptions should identify who is responsible for their implementation; applicant, Council or another party.

Terminology should avoid subjective words but describe measurable purposes or outcomes.

A key element in the Amendment is Clause 16.01-2L Location of Residential Development. Traditionally, Yarra's activity centres have not included a significant residential component; shop-top housing occupied by the family of the shopkeeper being the main type of housing along shopping strips. The only Objective of this Clause is to direct the majority of new housing in Yarra to locations within activity centres or major regeneration areas.

While the Yarra Housing Strategy identifies anticipated population growth and proposes that the bulk of new residential development occurs within Activity Centres, this Objective has the potential to significantly alter the built form of these centres, most of which are characterised by their two-storey Victorian-era streetscapes of narrow retail frontages, verandahed shopfronts and low-scale interfaces with their residential hinterlands.

Many activity centres are shopping strips designated in the Strategic housing framework plans as moderate change areas along shopping strips where the nominated form of housing is apartment buildings.

This intention is tempered by a requirement that *'the form of apartment buildings ... respond to heritage significance and streetscape character'*.

Clause 02.02 Vision includes this:

*'High quality urban design will respect the city's heritage and built form character ... '.*

How the proposed influx of population to activity centres will be accommodated in apartment buildings which simultaneously respond to heritage significance and streetscape character and respect the existing built form character appears to be unresolved and hence a point of future contention.

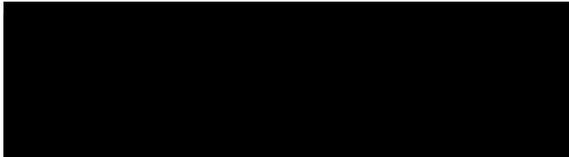
Design and development Overlays should be prepared for all Neighbourhood and Local Activity Centres. Until these are incorporated into the Scheme, a set of Built Form and Design Principles should be prepared to assist applicants in designing buildings of acceptable massing and siting.

Maximum building heights in Neighbourhood and Local Activity Centres should be low-rise, namely 3 storeys (11 metres). Maximum building height for mid-rise development should be 6 storeys (20 metres for residential and 25 metres for commercial use).

**DECLARATION**

*I have made all the enquiries that I believe are desirable and appropriate and that no matters of significance which I regard as relevant have to my knowledge been withheld from the Panel.*

*I declare that I have no business or private relationship with my client or any other party other than as relates to my professional involvement with this matter.*



**James Holdsworth**

27 September 2021

## 1. Scope of this Submission

1.1 I have been asked by the Yarra Planning Coalition to consider the proposed Amendment in terms of how it would impact the built form, urban design and physical characteristics of the municipality.

1.2 The proposed Amendment is wide-ranging and comprehensive. My submission focusses on these areas in particular:

- Activity Centres
- Urban Design
- Building Design
- Location of Residential Development
- Housing Diversity.

*As a Melburnian born and bred I have a long and occasionally direct connection with the City of Yarra and its suburbs; whether in the capacity of resident, recreational visitor, professional consultant, shopper, diner, guest of residents or merely an observer of this part of inner Melbourne in its metropolitan, cultural and social contexts.*

*From the perspective that this diverse relationship allows I consider it to be of great importance, not only to Yarra as a place within Melbourne, but as a home, a destination, a workplace and a significant contributor to the cultural and historic fabric of the metropolis, that the implementation of this Amendment in its final form results in a place where the valued physical and cultural qualities that make the neighbourhoods of Yarra the diverse and identifiable places that they have become are retained and enhanced, while facilitating a level of growth that does not diminish these qualities but enhances them to the benefit of all.*

## **2. The context in place and time**

2.1 The City of Yarra's pattern of land use, its road and street networks and its built form have evolved since its early years but largely reflects its Victorian-era phase of development, overlaid with more recent and often more intense development.

2.2 Much of what is valued by the community derives from those early days of settlement; retail centres spread along tram lines, small residential allotments, suburbs with differing socio-economic backgrounds (Collingwood and Abbotsford on the flat land beside the river, compared with grander homes on Richmond Hill or in North Fitzroy near Edinburgh Gardens or facing the broad streets of Princes Hill), pockets of industry in unlikely places and public parklands unevenly distributed.

2.3 Much of what is also valued derives from Yarra's proximity to the CBD and factors such as destination dining along Victoria Street, factory outlets on the Bridge Road hill, creative start-ups in Cremorne, urban consolidation, regeneration of old industrial land in east Richmond for housing and big box retailing, the appeal of formerly genteel neighbourhoods and a renewed focus on the meandering riverfront.

2.4 Yarra's long, straight streets (such as Bridge Road and Brunswick Street) allow vistas that are predominantly low-rise with a dominant sky, and which haven't developed into the canyon-like character of other inner-urban main roads like Lygon Street, Brunswick. This is an attribute to value and preserve.

2.5 Yarra's traditional activity centres aren't centres but linear corridors serving their parallel hinterlands. Yarra's suburbs are distinct, definable and distinguishable, unlike the homogenous look-alike subdivisions and drive-to malls of Melbourne's growth areas.

2.6 Commerce, industry and housing areas overlap and integrate, interwoven into a rich pattern which is the legacy of an era of few land use controls. A built form and a residential density evolved which now defines the suburbs and neighbourhoods of Yarra and gives them their individuality, charm, quirkiness and, fortuitously, limited capacity for significant change.

2.7 It is due to its attractions and location that Yarra's arterial road network is notorious (in Richmond at least) for gridlock on a Saturday and congestion at other times. More locally is a street network that is rectilinear, fine-grained and slow speed, and which gives residential areas their intimacy and sense of neighbourliness. While North Carlton and North Fitzroy boast broad and leafy streets in the style of East Melbourne, South Melbourne or North Melbourne, Yarra's tracts of small streets and small houses on small lots stand as a legacy of its working class past but imbue those places with a neighbourliness that extends into the street among the parked cars and the passing cyclists.

2.8 Much of the municipality is, rightly, sufficiently valued that its building stock has been protected by Heritage Overlays. While Heritage is a formal word within the Planning Scheme, one useful definition of heritage, in its more common form, is "the things we want to keep"; an expression that talks not of 'age' but of value, emotional connection, representativeness, and the recognition that there would be regret if those 'things' were lost. This definition needs to be understood alongside the formal definition.

2.9 It is one of the defining aspects of nineteenth century Melbourne that the suburbs that were developed during that period have a distinct character and ambience and that these

neighbourhoods have a unique identity. There is no mistaking Cremorne with Abbotsford or Clifton Hill with Burnley.

2.10 While these differences are the defining characteristics of the neighbourhoods, they are, in total, the City of Yarra.

2.11 As changes to the building stock occur, so too do the defining characteristics of residential areas, activity centres and streetscapes.

2.12 The Planning Scheme is primarily about land use and built form. The Planning Scheme is a tool that guides and manages change to the private realm. The challenge is for the Planning Scheme to protect the physical characteristics of the private realm that are valued by residents, workers, ratepayers and visitors, and to put in place the controls to achieve that outcome while allowing a level of change that is consistent with agreed community expectations.

2.13 It may be that the qualities that made Yarra attractive in times past are diminishing due to various factors. Insofar as it can, the Planning Scheme prevents, accepts or encourages change in different parts of the municipality as pressures mount for, say, more housing. Facilitating an agreed level or rate of change is the Scheme's role and, provided that those things we want to keep are kept, then change, to the degree it is encouraged by the Scheme, should be embraced.

2.14 It is possible that Yarra's population will stabilise or fall as factors unforeseen two years ago come into play, such as people choosing regional Victoria to live because the imperative of being near to the CBD for work is fading and the number of fewer overseas tertiary students may not return to previous levels. The assumption that more and more people will want to call Yarra home may not be realised.

### 3. The Proposed Amendment

3.1 This Section considers those parts of the proposed Amendment that are within my scope and includes Comments on each, as appropriate. Those Comments are then followed up by Recommendations that I consider worthy of the Panel's attention.

3.2 In Section 4 I make some more general observations about the role of the Amendment in providing clear guidance for development within the municipality.

3.3 The parts of the proposed Amendment that are discussed below are these:

**11.03-1L Activity Centres**

**11.03-1L Neighbourhood Activity Centres**

**11.03-1L Local Activity Centres**

11.03-6L Victoria Street East Precinct

**15.01-1L Urban Design**

**15.01-2L Building Design**

**15.02-2L Landmarks**

15.02-1L Environmentally Sustainable Development

**16.01-2L Location of Residential Development**

**16.01-3L Housing Diversity**

17.02-1L Retail

17.04-1L Tourism, arts and culture

19.03-3L Water Sensitive Urban Design

with emphasis on those in bold.

**11.03-1L Activity Centres, 11.03-1L Neighbourhood Activity Centres, 11.03-1L Local Activity Centres, 11.03-6L Victoria Street East Precinct**

#### Objectives and Strategies for Activity Centres

3.4 The one Objective for all Activity Centres is:

*To manage a sustainable network of activity centres that facilitate appropriate economic and housing growth and provide attractive places for social and community interaction.*

3.5 It is supported by a suite of Strategies applicable to all Activity Centres and by Strategies specific to each of the five Major Activity Centres and to Neighbourhood Activity Centres and Local Activity Centres.

3.6 The Strategies applicable to all Activity Centres are:

*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 02.04-1 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 02.04-3.*

*Support high quality mid-rise buildings in major and neighbourhood activity centres as identified in the relevant Design and Development Overlay.*

*Support development that improves the built form character of activity centres, whilst conserving heritage buildings, 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.*

3.7 Several of these provide an indication of what changes to the current built form within Activity Centres will be supported:

- *development that is consistent with the capacity for each centre as identified in the Strategic Housing Framework Plan,*
- *high quality mid-rise buildings in major and neighbourhood activity centres as identified in the relevant Design and Development Overlay,*
- *development that improves the built form character of activity centres, whilst conserving heritage buildings, streetscapes and views to identified landmarks,*
- *development that transitions to and is sensitive to the interfaces with low-rise residential neighbourhoods.*

3.8 The Strategy qualifies the prospect of support for mid-rise buildings in Neighbourhood Activity Centres by referring to the relevant Design and Development Overlay. Other statements suggest that existing built form and other factors would preclude or limit the potential for mid-rise buildings. These are important parameters for determining a future built form of activity centres.

3.9 Key to the implementation of these Strategies is the inclusion in the Planning Scheme of a Design and Development Overlay for each Activity Centre, with these DDOs having specific regard to the existing built form character, the conservation of heritage buildings, of streetscapes and views to identified landmarks.

3.10 This implementation requires each DDO to:

- Describe the existing built form character, including such elements of the private realm, as relevant, as building heights and massing, street wall heights and lengths, façade detailing, roof forms, verandahs,
- Identify heritage buildings,
- Identify streetscapes and decide how these are to be conserved,
- Identify landmarks, and
- Identify the potential for redevelopment of the rear parts of sites, having regard to such factors as site size and width, access, impact on sensitive land uses nearby,

and to put in place guidance and controls to ensure the scale, height, position and visual impact of new built form is compatible with the existing scale and character.

3.11 Clause 11.03-1L Activity centres has this Strategy:

*Support high quality mid-rise buildings in major and neighbourhood activity centres as identified in the relevant Design and Development Overlay.*

3.12 That Major and Neighbourhood Activity Centres have or will have Design and Development Overlays is to be welcomed.

3.13 These DDOs should be clear and unambiguous about building heights and massing and be a balance between maintaining the valued character and other attributes of each Activity Centre while defining the limits on built form.

3.14 Until a DDO is in place to set out the agreed controls on the built form and nature of land use, a holding pattern based on straightforward but cautious general principles, may be the way forward.

3.15 Regarding landmarks, a total of 16 buildings and signs are described at Clause 15.01-2L but these are not all within Activity Centres. It is assumed that landmarks referred to here are more local structures, such as the former ANZ bank in Queens Parade, North Fitzroy which is identified in DDO16 which applies to that Activity Centre.

#### Who is responsible to implement?

3.16 The Strategies for each Centre commence with an 'action' word, such as 'Support' (mentioned 26 times), 'Encourage' (19), 'Promote' (15), 'Protect' (10), 'Retain' (10), 'Manage' (5), 'Ensure' (5), 'Reinforce' (3), 'Maintain' (3), and about ten others less frequently used.

3.17 It is not clear who is to implement these Objectives and Strategies; whether the applicant is to describe how the proposed development achieves these Strategies or whether they are a checklist for Council's statutory planners to assess the application against. Strategies should be framed with the implementer nominated.

3.18 While the intent is admirable, it is evident that many are not within the scope of an applicant and, without any indication of how they will be achieved, they are little more than statements of hope and expectation.

3.19 The Strategy (at Clause 16.01-2L Location of residential development) for moderate change areas and of support for medium density residential and mixed use development that responds to heritage significance and streetscape character is welcomed but should be made more explicit as to what scale of built form will be deemed to 'respond' to the aspects of heritage and streetscape. This is discussed in detail under Location of residential development, below.

#### Minimising uncertainty

3.20 Minimising uncertainty in the minds of applicants, residents and Council officers is essential. The parameters to built form should be clearly stated and be as unequivocal as possible, not only to provide this level of certainty but to provide an indication of the 'floorspace capacity' of an activity centre.

3.21 This certainty can be achieved by the Objectives and Strategies that are within the scope of applicants to implement being supported by clear and defensible Design Requirements specific to defined areas or precincts. These requirements are best described and implemented through Design and Development Overlays, as discussed above.

3.22 A useful example is DDO16 which applies to much of the land facing Queens Parade in North Fitzroy. This DDO was included in the Planning Scheme in October 2020 following Amendment C231. It serves as a functioning example the level of detail that is required to ensure that the built form (building heights and setbacks) of new development is compatible with the existing physical fabric while allowing the progressive intensification of activity and increased built form density.

#### Recommendation

3.23 That the various Objectives and Strategies assigned to each Activity Centre that are within the scope of an applicant to meet are specifically identified, and are translated into clear design requirements with as little room for interpretation or dispute as possible. The use of as few requirements as needed, and for these to be mandatory wherever possible, is an outcome that should be pursued.

3.24 That for each Neighbourhood and Local activity centre, a DDO be prepared which sets out, in sufficient detail, the built form (heights and setbacks) of proposed developments. Factors to be considered in developing the built form should include:

- The scale and form of existing buildings in the immediate area
- Visual impact on heritage buildings and streetscapes,
- Traffic generation
- Access and address
- Overshadowing of public and private open spaces and habitable room windows
- Avoidance of blank walls
- Transition of scale.

3.25 That DDOs should not allow any built form above low-rise in Neighbourhood or Local Activity Centres.

### **15.01-1L Urban Design**

#### Comment

3.26 There is no Objective for Urban Design for the municipality.

3.27 The Clause includes a number of Strategies that are inadequate and lack clear direction for applicants.

3.28 At 02.02 Vision, it is stated:

*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 Yarra River waterway corridors and its surrounding parks and recreation areas.*

3.29 This Section of the Amendment includes no scene-setting guidance at any of these scales to enable applicants to understand their role as contributors to the urban fabric of the municipality.

3.30 It includes only these eight Strategies:

- The public realm
- Wind
- Weather protection
- Projections over a public realm
- Development adjoining land in a Heritage Overlay
- Laneways

- Boulevards
- Development adjacent to a public open space.

3.31 These eight Strategies are minor elements within the broad scope of what Urban Design embraces and go to a level of detail that is neither strategic nor comprehensive and whose content is scant or debatable.

3.32 As one example, the Strategy - Development adjacent to a public open space – contains Strategies that are unresolved or not pertinent, as in the Table below.

<b>Development adjacent to a public open space</b>	
<b>AS DRAFTED</b>	<b>COMMENT</b>
<i>Facilitate development that:</i>	
<i>- Avoids overshadowing of public open space between 11am 10am and 2pm on 22 September</i>	Private development should not adversely impact public space. Why is the equinox and not the winter solstice the applicable date?
<i>- Maintains, improves, or provides pedestrian access to the space</i>	A private development is unlikely to impact existing pedestrian access. Why should a private development be encouraged to provide pedestrian access through private land as this raises issues of liability, trespass, security, occupant objection?
<i>- Orients windows and balconies to public open space to enhance public safety and the pedestrian experience.</i>	Applicants are very likely to provide outlooks towards public open space anyway. How does a window enhance the pedestrian experience?
<i>- Relates the scale and siting of a building to the character of the park</i>	How does an Applicant find out what the ‘character of the park’ is, and how does this knowledge assist in determining the scale and siting of a building?
<i>- Provides landscaping that complements the vegetation of the park.</i>	What is meant by ‘complement’? Why is this necessarily desirable?
<i>- Provides weather protection of footpaths where practical and appropriate.</i>	What does this have to do with development adjacent to a public open space?
<i>Design buildings adjacent to any public open space set aside under clause 19.02-6L to facilitate high quality and accessible public open space.</i>	How does the design of a building facilitate the quality of and accessibility to the adjacent open space?
<i>Avoid development that projects (including internal floor space, balconies and garage doors) into or over a public open space.</i>	While buildings should be fully within the property boundaries, how likely is it that a garage door would be proposed which projects over a public open space?

This example suggests that these eight Strategies need to be reviewed so that they are applicable to private developments, are consistent with other controls and policies and, as far as possible, are measurable.

3.33 Due to its progressive development since its early days the urban design character of Yarra’s public realm is largely set, whether at city, suburb, neighbourhood or street scale, with private realm developments mostly on large redevelopment sites or comprising apartment buildings in areas such as the southern part of Collingwood. The guidance and policies of the Urban Design part of the Planning Scheme need to spell out the roles and responsibilities of the private sector to understand, retain, complement and enhance this well-established character.

#### Recommendation

3.34 That references to aspects of what Urban Design embraces are set out in 02.03 Strategic Directions.

3.35 That an over-arching Objective for Urban Design be prepared, having regard to the diverse and well-established built form, land use and public realm character of the municipality and that it be supported by a set of Strategies which describe the roles and responsibilities of the private sector

to understand, retain, complement and enhance this well-established character in new developments.

### **15.01-2L Building Design**

3.36 This Policy is stated to apply to all development. Hence it applies to all proposals from a modest addition to the rear of a single-fronted dwelling to a 20 storey office building. It needs to be read with this vast sweep of potential building scales, types, land uses and locations in mind.

3.37 This extensive Clause has no Objective.

3.38 The eighteen Strategies include the consistent use of undefined and unmeasurable words such as '*reflect*', '*respond*', '*avoid*'. These are not defined and whether a proposed development achieves them is not readily assessable and hence becomes a point of possible contention.

3.39 Some of these Strategies are topics that are included in Clauses 54, 55 and 58. It is not evident whether they are repeated here to reinforce those Clauses, replace them, or supplement them.

#### Building form

3.40 Buildings are required to be designed to reflect and respond to streetscape elements including pattern of development and building spacing.

3.41 It is left to the Applicant to interpret what is meant by such words as '*reflect*' and '*respond*', and to decide how far afield the pattern of development (whatever that is) and building spacing are to be identified and described, and how that knowledge determines the form of the proposed building. The statutory planner needs to be equipped with the necessary policies and guidelines to provide advice and to assess development proposals.

3.42 Clauses 54 and 55 provide well-accepted Standards which determine the three-dimensional building form, or envelope, that a site can accommodate – heights, setbacks, walls on boundaries, etc.

3.43 There is nothing about the important urban design topic of the external presentation of building facades. It is fortunate that there are few large sites or long frontages in activity centres and this has led to the small-scale rhythm of facades and the resultant visual appeal of streetscapes. While low, there is the prospect of site consolidation and this can have an adverse impact on the character of a streetscape if the façade of a large infill development is not designed with the traditional small frontage rhythm of the streetscape as a design consideration.

3.44 The comfortable siting of a new building in an established streetscape will be achieved with consideration, not only of the pattern of development and the spacing of buildings but some design elements as string courses, pilasters, window proportions, external materials and colours, decoration and detail, roof form, entries, ground level visual interest, '*style*', local-ness, integrated and functional urban art, appearance at night/lighting.

#### Building heights

3.45 Applicants are to ensure that the height of new buildings '*respond*' to the height of adjoining development. What is meant by '*respond*' is not defined. It is not clear if this statement requires some relativity of height between adjoining developments. It could be argued that a building '*responds*' to the height of its three storey neighbours by being six storeys. It is not explicit how

'respond' is to be assessed if, as an example, the two adjoining buildings are four storeys and eight storeys would 10 storeys be acceptable, or three.

3.46 Importantly, low-rise and high-rise are mentioned but not defined in terms of maximum number of storeys or metres.

3.47 This Clause allows for low-rise to occur everywhere.

3.48 High-rise is to be avoided unless allowed under a Design and Development Overlay. This suggests that DDOs will be introduced in all Activity Centres.

#### Mid-rise development

3.49 This Strategy describes where mid-rise should be located. It does not define 'mid-rise' in terms of maximum number of storeys or metres. In Clause 02.01 it is stated that "*The existing scale of development within the municipality is mostly characterised by low to mid-rise buildings, with some taller buildings (above 14 storeys) which are anomalies to the mid-rise character*". The acknowledgement that mid-rise comprises buildings of up to 14 storeys suggests that buildings of this height would be acceptable as 'mid-rise'. It is not clear if this comments is meant to indicate that 'mid-rise' means up to 14 storeys.

3.50 Apart from Major regeneration areas, the locations where mid-rise may occur are defined as 'appropriate locations' within Activity Centres and along nominated Boulevards. What determines an 'appropriate location' is not defined and is therefore open to debate and uncertainty.

3.51 The Clause supports mid-rise development that achieves a number of points, of which 'high quality built form' and 'architectural design excellence' are two. While subjective, these attributes should be features of any building, not just mid-rise buildings.

3.52 What the maximum number of storeys (or equivalent metres) should be for low- and mid-rise should be set as mandatory. Given the existing predominantly low-rise built form of Neighbourhood and Local activity centres, and the recognition of the heritage values of them, maximum building heights should be set and be 3 storeys (11 metres) for low-rise and 6 storeys (20 metres for residential and 25 metres for commercial use) for medium rise. As discussed below, there is a nexus between acceptable built form and the expected population increase in activity centres anticipated by the Yarra Housing Strategy 2018.

#### Building setbacks, Walls on boundaries, Site coverage, Internal amenity

3.53 These Strategies should be noted as being complementary to the Objectives and Standards in Clauses 55 and 58 as appropriate.

#### Pedestrian Access

3.54 This can be read as requiring separate vehicular and pedestrian access to a single-family dwelling, and is probably not intended.

#### Policy guidelines

3.55 It should be made clear that this information, as appropriate, is to be provided and that it is an extension of the Neighbourhood and Site Description required by Clauses 54 and 55.

3.56 The three-dimensional envelope that a building can occupy on its site should be relatively simple to describe, in principle (words) and in fact (measurable heights and setbacks). The now unfavoured technique of Plot Ratio went some way to defining the development capacity of a site,

with its attendant benefits of providing some guidance to the site's commercial value and hence reducing the potential for speculation and excessively ambitious proposals encouraged by the uncertainty of the floorspace or height that may be achieved.

3.57 Small lots frequently don't lend themselves to redevelopment in a way that results in good 'in-the-round' architecture if more than two storeys in height or in good living environments for occupants. Visible blank side boundary walls, ineffective light courts, ineffective 9 metre minimum distances to achieve privacy, are examples. The goal of urban consolidation is able to be achieved more efficiently on larger sites where higher standards of amenity, environmental sustainability and design can be achieved without compromises to the design of the development and without adversely affecting the existing amenity of nearby residential properties due to issues such as overshadowing, overlooking, visual bulk, noise.

#### Recommendation

3.58 That building heights be clearly defined, preferably:

- Low-rise be defined as a maximum of 3 storeys (11 metres)
- Mid-rise be defined as a maximum of 6 storeys (20 metres for residential and 25 metres for commercial use)
- High-rise be defined as greater than 6 storeys

and for low- and mid-rise to be mandatory.

3.59 That building heights in Neighbourhood and Local activity centres be low-rise.

3.60 That Design and Development Overlays be prepared for all Neighbourhood and Local Activity Centres, based on a clear and over-arching Objective from which implementable Strategies are derived.

3.61 That, until DDOs are gazetted for all Neighbourhood and Local activity centres, a set of Built Form and Design Principles be prepared, based on the Vision, Objective and Strategies and that applicants be advised to adhere to them and applications be assessed against them.

### **15.02-2L Landmarks**

#### Comment

3.62 Clause 22.03 Landmarks and Tall Structures includes reference to 11 structures and 5 landmark signs.

3.63 Clause 15.01-2L includes the same list (in different order and in more detail) with the exception of the Olympic Tyre Sign/Porsche (Victoria Parade, Collingwood) which was removed when the silos supporting it were demolished.

3.64 There are buildings within Activity Centres which have prominence in their local streetscape environments, such as corner buildings which anchor the built form, define an intersection or have some architectural feature that gives identity to their location.

3.65 Among the many examples in the municipality are these; the Champion Hotel (south-east corner of Gertrude/Brunswick streets), the Perseverance Hotel (north-east corner of Brunswick/Moor streets), the Great Northern Hotel (north-east corner Rathdowne/Pigdon streets).

3.66 While these are likely to enjoy heritage protection, their recognition as part of the urban fabric that defines the identity of their locality and suburb is important. Where located within an

Activity Centre these local landmarks should be identified (using agreed criteria) and views to them preserved, as has been included in DDO16 (Queens Parade, North Fitzroy) for the former Great Britain hotel and the former ANZ Bank.

#### Recommendation

3.67 That the addition of primary viewpoints as a means whereby any proposed nearby building can be more effectively assessed be included, to ensure the visual prominence of those structures and signs is preserved.

3.68 That local landmarks, where located within an Activity Centre, be identified (using agreed criteria) and views to them preserved.

### **15.02-1L Environmentally Sustainable Development**

3.69 This Clause sets out Objectives, Strategies and Policy guidelines in a clear sequence and provides advice on what is expected of the Applicant in terms of material to be provided to show how the Strategy will be achieved for the particular proposed development.

#### Recommendation

3.70 That this Clause be adapted into a template that should be applied to all Clauses that impact the built form of a proposal.

3.71 That Clause 19.03-3L Water Sensitive Urban Design be considered for incorporation into this Clause.

### **16.01-2L Location of Residential Development**

3.72 This Clause includes two Objectives:

- *To direct the majority of new housing development to locations within an activity centre or major regeneration area (as shown on the Strategic Framework Plan in clause 02.04-1)*
- *To maintain the character and scale of established residential areas that have limited potential for housing growth.*

3.73 The first Strategy proposes that, while there are major regeneration areas and high change areas and moderate change areas, the greater proportion of all new housing will be in Activity Centres.

3.74 The Yarra Housing Strategy 2018 indicates that there will be 29,412 new residents and 13,431 new dwellings required to be built by 2031 (p.41) and that, apart from Strategic Redevelopment Sites, additional residential growth should be encouraged in activity centres (p.50). Further, it states that

*“More detailed guidance is required to provide certainty to the community and land owners about the level of growth appropriate in these areas. Identifying the locations most appropriate to accommodate substantial growth will be important. Key directions for managing growth and change in the activity centres will need to be responsive to the varied context of the centres and respond sensitively to the highly valued significant built heritage and character of each centre.” (p.50).*

3.75 The Strategy also states that

*“An analysis of Yarra’s activity centres indicate that the centres, alone, can supply approximately 14,300 dwellings by 2031 (greater than the 13,341 new dwellings required by VIF2016 for the whole of the municipality).” (p.64).*

3.76 While recent changes to work patterns and population drift to Victoria’s regions may cause these figures to be reviewed, the greater proportion of new housing is to be located in areas defined as activity centres. This suggests that it is accepted that a significant change will occur to the predominantly retail and commercial land uses, to the building fabric and to the building scale of those centres. This seems to be at odds with the limited potential for additional built form in Neighbourhood and Local Activity Centres if the Strategies in Clause 11.03-1L are adhered to, and as discussed above.

3.77 The Strategic Housing Framework Plan for Fitzroy North and Clifton Hill earmarks the part of the Queens Parade Neighbourhood Activity Centre north-east of Wellington/Delbridge streets as a Moderate Change Area. This seems inconsistent with the current DDO16.

3.78 Clause 02.03 - Strategic Directions, of which the Strategic Framework Plan is a part, provides only limited guidance as to how and where a growing residential population will be accommodated.

3.79 It acknowledges the limitations imposed by the (desirable) retention of urban character in minimal change areas and it accepts that housing growth should occur primarily in activity centres (of all types) and Major regeneration areas.

3.80 In terms of where new housing should be located, it 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.*

3.81 Under the heading *Support and strengthen the vibrancy and local identity of Yarra’s network of activity centres* it states, in reference to housing:

*- Plan and manage ... 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 [and] ... encourage land use and development opportunities that create diverse and sustainable centres by ... providing for residential development within activity centres at a scale appropriate to the role and capacity of the centre.*

3.82 Under the heading *Manage development and growth in Yarra to maintain and enhance the unique character and heritage of the city* it states, in part:

*- Reinforce Yarra’s low-rise neighbourhoods by directing mid-rise buildings to appropriate locations, within major and neighbourhood activity centres, employment areas (as defined identified in clause 02.01), major regeneration areas (as shown on the Framework Plan in clause 02.04-1), 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.*

3.83 These statements can be read as saying that:

- development and growth will be managed in a manner that maintains and enhances the character and heritage of the city,
- the low-rise built form of neighbourhoods will be reinforced by locating mid-rise buildings to appropriate locations within major and neighbourhood activity centres,
- the height of mid-rise buildings will be determined by
  - heights set out in the Zone or in an Overlay, or
  - the physical or strategic context of the site, and
- the scale, intensity and form of development will be managed to protect highly intact heritage streetscapes and buildings.

3.84 While noble, these sentiments can only have any effect if supported by detailed advice, at a fine level of detail, for each Major and Neighbourhood activity centre.

3.85 It is not clear how the *'physical or strategic context of the site'* will be determined and how, once agreed upon, would determine the height of a mid-rise building.

3.86 It is not clear how the *'scale, intensity and form'* of a proposed development will be determined and, once agreed, how that scale, intensity and form of a proposed building will protect highly intact heritage streetscapes and buildings. The term *'highly intact heritage streetscapes'* does not appear to be defined or the locations of these streetscapes identified.

#### Change Areas

3.87 The Strategic housing framework plans show where each of Minimal, Incremental, Moderate and High change in housing growth is to occur. The Strategies describe the change in terms of building type; apartments, townhouses or single houses; not in terms of number of dwellings or percentage increase above existing where this is to occur in Activity Centres, or in terms of building heights.

3.88 Moderate change areas are predominantly located along arterial roads where *'residential and mixed use development in the form of apartment buildings'* are to be supported. The proviso that buildings are to *'respond to heritage significance and streetscape character'* is vague and open to debate, and is potentially in conflict with the primary statement.

#### Housing

3.89 Section 02.03 Strategic Directions says this about housing:

*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 02.04-1, 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.*

3.90 There is no comment about the additional population or number of dwellings that the municipality expects to accommodate in Neighbourhood and Local activity centres and the impact of this built form on the amenity, ability to move about, environment and built form character of the centre, all of which are cited as important qualities and attributes to be maintained.

3.91 The only reference to where housing is to be located is that housing will be directed to appropriate locations: major regeneration areas and areas within activity centres that have good access to public transport, jobs, open space and other services.

3.92 Compared to most parts of metropolitan Melbourne, all of Yarra and all its activity centres enjoy 'good access to public transport'. The reference to housing location as a proposed determinant is largely irrelevant.

3.93 There is little clear guidance for applicants, Council and residents about how the appropriateness of a particular residential development proposal is to be assessed.

3.94 The potential for excessively large, high, intense or otherwise inappropriate built form remains, when certainty would be preferable.

3.95 With few or no controls on building massing (height, setbacks) how the '*capacity of sites to accommodate housing growth and the physical and strategic context of each site*' is to be determined is not evident.

#### Recommendation

3.96 That aspects of an activity centre such as accessibility to jobs, services and public transport, and the possible adverse impact of large built form on the character of heritage streetscapes, are determinants of future built form and location, and these determinants/constraints need to be spelled out.

3.97 That maximum building heights for Incremental and Moderate Change Areas be defined and that these are consistent with agreed Low and Medium rise building heights.

3.98 That there be a series of design principles developed which are applicable to any Activity Centre and that these be applied as interim measures until detailed DDOs are in place and that they

are the basis on which centre-by-centre DDOs (or other mechanisms) are framed, one outcome being to provide some indication of the amount of housing (whether measured by floorspace or number of dwellings or population) that is capable of being built in each Centre.

### **16.01-3L Housing Diversity**

3.99 This Clause includes no Objective.

3.100 It includes the following Strategies.

*Provide housing diversity to be demonstrated 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 16.01-2L) 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.*

3.101 Clause 16.01-2L Location of residential development mentions three types of housing; apartments, townhouses and single houses. This Clause accepts that there are other ways of accommodating people.

#### Recommendation

3.102 That greater guidance be provided to link the locations where new residential development is to be directed with the types of housing, including maximum heights of buildings, that are appropriate in those areas.

### **17.02-1L Retail**

3.103 There is no Objective.

3.104 Three Strategies are included but, as they stand, they are of little relevance unless supported by statements explaining, for instance:

Why they exist,

Who is to implement them,

How they are to be implemented and, as appropriate,

When they are to be implemented by and

How their implementation will be measured or be seen to have been achieved.

3.105 Retail is a dynamic aspect of commercial activity, subject to numerous factors and there is limited capacity for Local Government to influence it beyond broad statements about the nature of retailing and other services that are appropriate to each type of centre. While it is desirable that those retail businesses that are essential for peoples' daily need are readily accessible (at Local Activity Centre level), the Planning Scheme cannot mandate that a convenience store, butcher, greengrocer and newsagent are present, or limit the number of personal care businesses or cafes along a shopping strip.

Recommendation

3.106 Include one or more Objectives with supporting Strategies and how development is expected to contribute to their implementation.

**17.04-1L Tourism, arts and culture**

3.107 The Objective and Strategies are fine as far as they go.

3.108 The off-site impacts of live music venues have been a point of contention within Yarra for many years. As this Clause provides no detail on how the Strategy to promote live music venues is to be achieved, I assume that other policies and provisions beyond those in the Planning Scheme provide the necessary mechanisms.

3.109 One Strategic Direction is:

*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.*

3.110 While seeking to increase the number of creative industries and cultural spaces is admirable, to provide a tangible incentive to visual artists resident or working within the municipality would be a positive complement to this Strategy. As happens frequently, older buildings and those needing upgrading are attractive to start-up enterprises and low income generating businesses in their early years.

Recommendation

3.111 That Council consider the introduction of an Urban Arts Policy with a provision within the Planning Scheme that requires, as a Condition of a Permit, that a percentage of the cost of the development (above a certain minimum) be directed to the inclusion of functional and locally-relevant urban art created by an artist resident or working in Yarra.

3.112 Clause 19.03-2L Development contributions includes the Strategy of provision of new or upgraded social and physical infrastructure through voluntary contributions. This principle of developer contributions could be extended to functional, on-site urban art.

**19.03-3L Water Sensitive Urban Design**

3.113 The Objective and Strategies require to be supported by Requirement which set out whose responsibility it is to implement each of the Strategies (Council, applicants, or other parties) and, for applicants, the requirements relevant to the type of development that are to be incorporated.

Recommendation

3.114 Include in 15.02-1L Environmentally Sustainable Development.

## 4. Other Considerations

### Certainty

4.1 With change comes uncertainty, and the Planning Scheme should minimise ambiguity and provide clarity and certainty so that land owners, residents, visitors and developers know that level and rate of change is likely to occur and be comfortable that the qualities that make, say, Richmond Richmond, are not threatened. With the Scheme founded on certainty, the level of concern and dispute should be minimised. The need for vigilance by resident groups can be replaced by embracing of the change that is expected and welcomed.

4.2 All players want certainty. Certainty can be assured when the Planning Scheme includes less ambiguity, less room for interpretation and greater clarity of what can and can't be done. Measurable limits, mandatory requirements and fewer opportunities for interpretation will reduce the occurrence of argument, opposition, dispute and confrontation. The potential of the Planning Scheme to be clear, explicit and straightforward should be an achievable goal.

4.3 There is potential to craft the Planning Scheme in a way that gives comfort to residents to the degree that when a major (or not so major) development is proposed, any area for concern would be limited to that part of the proposal that exceeds the clearly defined development capacity of the site.

### Limits to growth

#### Road capacity

4.4 At 02.03 Strategic Directions, it is stated:

*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.*

4.5 Road access into many parts of Yarra, particularly Richmond, is constrained by traffic congestion, both locally generated and through traffic. Increased floorspace is likely to increase vehicular traffic, whether of visitors or residents or workers, unless there is significant increase in public transport capacity and enhanced viability of alternative modes such as cycling and car share schemes.

4.6 While proposed large residential or commercial developments are required to demonstrate that the local road network can accommodate the additional traffic generated at key times of day, the cumulative impact of many developments on road and intersection capacity is often not adequately considered.

4.7 Avoiding gridlock should be a factor in determining the impact that increased floorspace will have on the road network, and the consequent impacts on accessibility, amenity and time wasted in traffic jams.

4.8 As well as the physical impacts of more intense development, the additional population and activity generated by it has spin-off effects such as increased intrusive traffic and parking pressures in local residential streets, with consequent adverse impact on residential amenity, air and noise pollution, loss of amenity and lowered sense of place and neighbourliness.

## Infrastructure

4.9 Little is ever spoken about the finite capacity of infrastructure (particularly water supply and sewerage systems) to handle significant additional demands caused by significant increases in density, particularly in areas where demand has traditionally been low.

## Other constraining factors

4.10 As well as the impact of added urban development on road capacity, there are impacts on other finite resources such as public transport capacity, footpath capacity, on-street parking capacity.

## **The 20 Minute Neighbourhood**

4.11 This objective of urban and land use planning functions in Yarra as effectively as anywhere in metro Melbourne and infinitely better than in Melbourne's growth areas. This is largely a legacy of Yarra's Victorian-era phase of development when mobility was less than today and many jobs and all daily requirements were close by.

4.12 The ability to travel further afield for work, education, leisure and shopping means that, despite the availability of all required services and amenities, people will travel beyond their neighbourhood. This has to be recognised and accepted, with further improvements to public transport and facilities and alternatives to car-based modes of personal movement enhanced.

4.13 This long-standing feature of the municipality must not be eroded by opportunistic or short-term changes that reduce the local livability of Yarra's neighbourhoods or by allowing the transformation of activity centres into focusses of residential accommodation simply to cater for an unknown level of population increase. Any growth in population must be within the capacity of the municipality to provide its population's needs locally.

## **Layout of the Amendment**

### Structure of the Clauses

4.13 It would assist the interpretation of the Amendment if there was a distinction between those parts that relate to the public realm (and are the responsibility of Council or State agencies) and those parts that relate to development on private land and which should be the focus of Objectives, Strategies and Policies.

4.14 To achieve this, consideration should be given to adoption of a consistent structure to Clauses, such as:

- |                    |  |
|--------------------|--|
| Policy application | – the broad intent and scope of the policy   |
| Objectives         | – which are broadly agreed upon (or at least broadly accepted) and are based on broader Council policies |
| Strategies         | – describing how the Objectives will be implemented and who will implement them                          |
| Requirements       | – measurable descriptors of how land use and built form will achieve the Strategies (Zoning, Overlays).  |

## 5. Summary of Recommendations

PARA.	CLAUSE	TOPIC	RECOMMENDATION
3.23 – 3.25	11.03-1L	Activity Centres	<p>That the various Objectives and Strategies assigned to each Activity Centre that are within the scope of an applicant to meet are specifically identified, and are translated into clear design requirements with as little room for interpretation or dispute as possible. The use of as few requirements as needed, and for these to be mandatory wherever possible, is an outcome that should be pursued.</p> <p>That for each Neighbourhood and Local activity centre, a DDO be prepared which sets out, in sufficient detail, the built form (heights and setbacks) of proposed developments. Factors to be considered in developing the built form should include:</p> <ul style="list-style-type: none"> <li>• The scale and form of existing buildings in the immediate area</li> <li>• Visual impact on heritage buildings and streetscapes,</li> <li>• Traffic generation</li> <li>• Access and address</li> <li>• Overshadowing of public and private open spaces and habitable room windows</li> <li>• Avoidance of blank walls</li> <li>• Transition of scale.</li> </ul> <p>That DDOs should not allow any built form above low-rise in Neighbourhood or Local Activity Centres.</p>
3.34 – 3.35	15.01-1L	Urban Design	<p>That references to aspects of what Urban Design embraces are set out in 02.03 Strategic Directions.</p> <p>That an over-arching Objective for Urban Design be prepared, having regard to the diverse and well-established built form, land use and public realm character of the municipality and that it be supported by a set of Strategies which describe the roles and responsibilities of the private sector to understand, retain, complement and enhance this well-established character in new developments.</p>
3.58 – 3.61	15.01-2L	Building Design	<p>That building heights be clearly defined, preferably:</p> <ul style="list-style-type: none"> <li>• Low-rise be defined as a maximum of 3 storeys (11 metres)</li> <li>• Mid-rise be defined as a maximum of 6 storeys (20 metres)</li> <li>• High-rise be defined as greater than 6 storeys, and for low- and mid-rise to be mandatory.</li> </ul> <p>That building heights in Neighbourhood and Local Activity Centres be low-rise.</p>

PARA.	CLAUSE	TOPIC	RECOMMENDATION
			<p>That Design and Development Overlays be prepared for all Neighbourhood and Local Activity Centres.</p> <p>That, until DDOs are gazetted for all Neighbourhood and Local Activity Centres, a set of Built Form and Design Principles be prepared, based on the Vision, Objective and Strategies and that applicants be encouraged to adhere to them and applications be assessed against them.</p>
3.67 – 3.68	15.01-2L	Landmarks	<p>That the addition of primary viewpoints as a means whereby any proposed nearby building can be more effectively assessed be included, to ensure the visual prominence of those structures and signs is preserved.</p> <p>That local landmarks, where located within an Activity Centre, be identified (using agreed criteria) and views to them preserved.</p>
3.70 – 3.71	15.02-1L	Environmentally Sustainable Development	<p>That this Clause be adapted into a template that should be applied to all Clauses that impact the built form of a proposal.</p> <p>That Clause 19.03-3L Water Sensitive Urban Design be considered for incorporation into this Clause.</p>
3.96 – 3.98	16.01-2L	Location of residential development	<p>That aspects of an activity centre such as accessibility to jobs, services and public transport, and the possible adverse impact of large built form on the character of heritage streetscapes, are determinants of future built form and location, these determinants/constraints need to be spelled out.</p> <p>That maximum building heights for Incremental and Moderate Change Areas be defined and that these are consistent with agreed Low and Medium rise building heights.</p> <p>That there be a series of design principles developed which are applicable to any Activity Centre and that these be applied as interim measures until detailed DDOs are in place and that they are the basis on which centre-by-centre DDOs (or other mechanisms) are framed, one outcome being to provide some indication of the amount of housing (whether measured by floorspace or number of dwellings or population) that is likely to be built in each Centre.</p>
3.102	16.01-3L	Housing diversity	<p>That greater guidance be provided to link the locations where new residential development is to be directed with the types of housing, including maximum heights of buildings, that are appropriate in those areas.</p>

<b>PARA.</b>	<b>CLAUSE</b>	<b>TOPIC</b>	<b>RECOMMENDATION</b>
3.106	17.02-1L	Retail	Include one or more Objectives with supporting Strategies and how development is expected to contribute to their implementation.
3.111 – 3.112	17.04-1L	Tourism, Arts and Culture	<p>That Council consider the introduction of an Urban Arts Policy with a provision within the Planning Scheme that requires, as a Condition of a Permit, that a percentage of the cost of the development (above a certain minimum) be directed to the inclusion of functional and locally relevant urban art created by an artist resident or working in Yarra.</p> <p>Clause 19.03-2L Development contributions includes the Strategy of provision of new or upgraded social and physical infrastructure through voluntary contributions. This principle of developer contributions could be extended to functional, on-site urban art.</p>
3.114	19.03-3L	Water Sensitive Urban Design	Include in 15.02-1L Environmentally Sustainable Development.