

# Changes to the Yarra City Council Statutory Planning Instrument of Delegation

**March 2022**

A major change (through a revised Instrument of Delegation for Statutory Planning) was adopted by Yarra Council on 8 March 2022. It gives council officers more authority to make Yarra Council decisions about future statutory planning developments.

Councillors Jolly, O'Brien and Stone voted against the item as tabled, seeking community consultation. The changes reduce councillor decision-making as well as the community's voice on new development proposals.

The FRA was one of many Yarra resident associations and groups to sign a letter (as part of a group of groups) seeking community input into the changes, and the FRA independently emailed Councillors before the 8 March 2022 changes seeking a deferment for consultation.

The changes were passed by the majority of councillors on 8 March and a rescission motion put forward at the council meeting on Tuesday 29 March was defeated despite further correspondence from a wide range of Yarra residents. The key changes are explained below.

## **The Statutory Planning Department officers and managers will now decide:**

1. *Planning applications where there are less than 15 objections.*

**What does this mean?** If you are not happy with a development, which may occur next door to you or anywhere else in City of Yarra, 15 separate objections from 15 different properties are needed before Councillors would consider the matter at Planning Development Committee. Before the change, 6 separate objections from 6 different properties were required.

2. *Planning applications for extension to properties or application for up to 3 dwellings on a property (inclusive of any permission required pursuant to the heritage overlay).*

**What does this mean?** If your neighbour wants to add an extension to their dwelling or construct up to 3 dwellings on their property you will have to lobby not one but two local councillors to have the matter reviewed at a PDC meeting.

3. *All buildings and works in a Commercial zone up to the value of \$1 million.*
4. *All buildings and works in an industrial zone up to the value of \$2 million.*
5. *All signage applications.*

**What does this mean?** The statutory planning department will be fully responsible for all signage applications, including heritage signage.

6. *Building heights that exceed the preferred maximum height by more than one storey (not including plant equipment and roof terraces) specified in a Design and Development Overlay.*

**What does this mean?** Even if a Design and Development Overlay exists in your area and a preferred maximum height has been set, officers will determine any extra height.

7. *World heritage environs area and buffer area where the proposed works are taller than the highest point of the existing building, excluding all applications which qualify as a VicSmart application.*

**What does this mean?** The staff will have power to make decisions in relation to World Heritage Buffer Zone matters without reference to Council.

8. *Matters requiring settlement at a compulsory conference or consent order with 15 or more parties in addition to Council and the Applicant, the Appeals Advocate, or Manager.*

**What does this mean?** Where there are fewer than 15 parties at a Compulsory Conference any settlement matter will be signed off by the statutory planning department.

9. *Matters involving street setbacks to a heritage building that do not meet the preferred minimum setback requirements specified by a Design and Development Overlay.*

**What does this mean?** Officers will make the decision which previously would be a matter for Councillors.

10. *Heritage Victoria referrals that have been called up by a Councillor.*

**What does this mean?** Officers will have power to make decisions in relation to state heritage matters without reference to Councillors.

*Note that now, two of the three Councillors in your Ward are required to support your request for a PDC review.*

**What does this mean?** Before, one Councillor could bring forward a matter for review, now two of your three Ward Councillors need to support a request for review case.