

## Attachment 2

### Panel recommendations

1. That Amendment C43 be abandoned.
2. That Council co-ordinate a full review of all the strategic directions for Yarra in the context of state and local considerations (including all current and proposed amendments) and reflect this in a modified MSS.
3. That Council develop an Incorporated Document being the “City of Yarra Review of Heritage Precincts” which would:
  - Be a finalised and refined version of the “2001” edition;
  - Be supplemented by an accurate map for each precinct;
  - Be supplemented by the data sheets for each other significant building;
  - Be supplemented by a (brief) statement of significance for each precinct;
  - and
  - Be supplemented by development guidelines building on the Heritage Victoria (Draft) “Guidelines for the Assessment of Planning Applications”.
4. That Council then co-ordinate these outcomes and exhibit a subsequent amendment.
5. That any subsequent amendment process be supported by a Steering Committee that contains representation from the business and economic development members of the community as well as community, residential and heritage representatives. Further, that the members of the Steering Committee be drawn in response to the Terms of Reference.
6. That Council provides direct notification of any future amendment to all affected ratepayers.
7. That DSE work with Heritage Victoria in devising a modified schedule to the Heritage Overlay so as to enable either a local policy or an Incorporated Document to be referenced in the schedule.
8. That DSE work with Heritage Victoria and interested parties to finalise the (Draft) “Guidelines for the Assessment of Planning Applications” and incorporate them into all Planning Schemes at Clause 81.
9. That the specific recommendations arising from Submissions 1-36 (inclusive) at Appendix 3 be included in any subsequent amendment.

## PANEL RECOMMENDATIONS AND COUNCIL ACTION

Panel Recommendation	Council Action
That Amendment C43 be abandoned.	As discussed in the body of the report most of Amendment C43 was abandoned.
That Council co-ordinate a full review of all the strategic directions for Yarra in the context of state and local considerations (including all current and proposed amendments) and reflect this in a modified MSS.	The review has been undertaken and on 19 December 2006 Council resolved to refer the draft MSS and local policies to a panel.
<p>That Council develop an Incorporated Document being the “City of Yarra Review of Heritage Precincts” which would:</p> <ul style="list-style-type: none"> <li>• Be a finalised and refined version of the “2001” edition;</li> <li>• Be supplemented by an accurate map for each precinct;</li> <li>• Be supplemented by the data sheets for each other significant building;</li> <li>• Be supplemented by a (brief) statement of significance for each precinct; and</li> <li>• Be supplemented by development guidelines building on the Heritage Victoria (Draft) “Guidelines for the Assessment of Planning Applications”.</li> </ul>	<p>The study titled “City of Yarra Review of Heritage Overlay Areas 2007” Graeme Butler and Associates, has further developed the 2001 report.</p> <p>The following will be incorporated into the Planning Scheme:</p> <ul style="list-style-type: none"> <li>• A revised heritage database which identifies the address, property reference and significance of each building.</li> <li>• This information can be depicted on a map but because of inherent inaccuracy in the cadastre, the primary reference is the listing of the data and not mapping.</li> <li>• Statements of significance for each significant building.</li> <li>• Revised statements of significance for each precinct.</li> </ul> <p>A new policy which comprises development guidelines has also been prepared.</p>
That any subsequent amendment process be supported by a Steering Committee that contains representation from the business and economic development members of the community as well as community, residential and heritage representatives. Further, that the members of the Steering Committee be drawn in response to the Terms of Reference.	This has been undertaken for the new Policy as explained in the body of the report.
That Council provides direct notification	This action is included in the consultation

<b>Panel Recommendation</b>	<b>Council Action</b>
of any future amendment to all affected ratepayers.	plan for the Amendment.
That DSE work with Heritage Victoria and interested parties to finalise the (Draft) "Guidelines for the Assessment of Planning Applications" and incorporate them into all Planning Schemes at Clause 81.	DSE is currently undertaking a review of heritage provisions.
That the specific recommendations arising from Submissions 1-36 (inclusive) at Appendix 3 be included in any subsequent amendment.	This is discussed below.
Build on the corrections to Statements of Significance and mapping.	This is an inherent part of the 2007 Study.
Reviews the Statement of Significance for the Princes Hill precinct and decide which places of the Inter War period are to be included or not, then map the precinct in accord with this view.	<p>The significance of interwar places is articulated in the relevant precinct Statements of Significance, and all individually significant inter-war places within the precinct have a Statement of Significance.</p> <p>The current review has not looked at any mapping changes.</p>
<p>Review the definitions in Clause 22.02 to ensure they are accurate and able to be clearly understood by developers and owners.</p> <p>Consider protection of trees with Heritage Overlays at some future time.</p>	<p>The definitions have been reviewed in consultation with the heritage Reference Group.</p> <p>The protection of significant trees will be considered in prioritising the work that will be undertaken for the gaps study.</p>
The Panel recommends that Council alter the map to the Heritage Overlay and mark 89 Bendigo Street, Richmond as "Not of Precinct Significance".	Notwithstanding the Panel recommendation, upon review the 2007 Study finds 89 Bendigo Street "Contributory".
The Panel supports the retention of 237 – 239 Bridge Road within the Heritage Overlay.	Heritage Overlay boundaries have not been altered. The 2007 Study states that this property is "Individually Significant".
<p>Resolve to describe the precinct either Cremorne or Cubitt Street;</p> <p>Review the Statement of Significance;</p> <p>Retain the eastern side of Dover Street within the Heritage Overlay; and</p> <p>That 147 Dover Street remains within the</p>	<p>The precinct is known in the 2007 Study as Cremorne.</p> <p>While the 2007 Study describes 147 Dover Street as "Not Contributory", it does have an urban character</p>

<b>Panel Recommendation</b>	<b>Council Action</b>
Heritage Overlay and described as “Not of precinct significance.”	contribution to the precinct.
<p>Review which precinct the buildings at 258 – 264 Church Street should be located.</p> <p>Review the Statements of Significance for both the Church and Bridge Road. Precincts.</p>	No precinct boundaries have been changed as part of the current review and all Statements of Significance have been reviewed.
<p>The Panel recommends that Council review the work underpinning Amendment C43 with particular attention given to the extent of heritage precincts and the Statements of Significance. The Panel notes that the Statement of Significance for any precinct must support the precinct values of the place and be able to support consideration of all places contributing to the heritage significance of that precinct.</p> <p>The Panel further recommends that any revision to the South Fitzroy precinct describes 69 Victoria Street, Fitzroy as “Not significant”.</p>	<p>The recommended work on the precinct Statements of Significance has been completed and is an inherent part of the 2007 Study.</p> <p>The 2007 database shows that 69 Victoria Street is “Not contributory”.</p>
<p>Includes the prefix “HO” and “VHR” to clarify the level of heritage protection detailed in the planning scheme.</p> <p>Extend the boundaries of heritage precincts to include full laneways where appropriate.</p> <p>Undertake a study of the heritage values of trees within the City of Yarra and move to protect these trees within the Heritage Overlay.</p>	<p>The Schedule to the heritage Overlay identifies whether a property is on the Victorian Heritage Register.</p> <p>Any new work such as extending the boundaries of heritage precincts to include full laneways will be considered as part of the gaps study.</p>
<p>Explore the potential for the provision of additional information to inform assessments of planning applications.</p> <p>Consider the southern end of Smith Street when next refining the boundaries to Heritage Overlays.</p>	<p>The incorporation of Statements of Significance will provide additional information to inform assessments of planning applications.</p> <p>Consideration of the southern end of Smith Street for heritage protection will be included in a gaps study.</p>
<p>Explore the potential for the Collingwood Historical Group to participate as part of a reference group during the refinement of data contained in the study.</p>	<p>All groups will be given the opportunity to comment on any aspect of the Amendment.</p>

Panel Recommendation	Council Action
Obtain further information about the pilaster base to the former Congregational Church.	The information has been obtained and included in the Statement of Significance for the property.
The Panel recommends that 8 Reeves Street, Clifton Hill is excluded from the Clifton Hill Western Heritage Overlay.	<p>The boundaries of Heritage Overlays have not been changed as part of this amendment.</p> <p>8 Reeves Street is shown as “Not Contributory” on the database.</p>
<p>Australian Dyeing Company The Panel recommends that Council clarify:</p> <ul style="list-style-type: none"> <li>• Which of the extant buildings have heritage significance</li> <li>• Whether the heritage significance relates to the precinct or should be protected via an individual Heritage Overlay</li> <li>• Whether refinement to the proposed local policies affecting the ADC are needed at all based on the findings of the site inspection, and</li> <li>• The extent of any Heritage Overlay and an accurate description of what parts of the land should be affected so as to accurately describe the “place” affected by the controls.</li> </ul>	This has been addressed under Amendment C65 where it is proposed include 163-167 Noone Street into a new site specific Heritage Overlay (HO351) and the remove HO316 from the north-west corner of the site.
The Panel recommends Council review the Statement of Significance for the Collingwood Slope precinct and review the use of the Heritage Overlay to manage the street trees.	The Statement of Significance has been reviewed and includes reference to the trees.
The Panel recommends that the buildings at 16-18 Tennyson Street and 49-51 Stewart Street Richmond be retained in the Richmond Hill precinct Heritage Overlay.	Both 16-18 Tennyson Street and 49 Stewart Street are listed as “Contributory” in the database.
<p>The Panel recommends that Council review the Heritage Overlay within Richmond Hill, including the Statement of Significance.</p> <p>The Panel further recommends a reconsideration of the merits of 7 Wangarrata Street based on any</p>	7 Wangarrata Street is listed as “Contributory” in the data base.

<b>Panel Recommendation</b>	<b>Council Action</b>
refinement to the Statement of Significance and extent of the Heritage Overlay.	
The Panel recommends that refinement of the Heritage Study and subsequent amendment to the Planning Scheme should include 33 Yambla Street within the Clifton Hill East heritage precinct.	The will be considered under a future heritage gaps study.
Both 44 Gibdon Street and 20 Crimea Street be mapped as “not significant” The bluestone laneways be included in the extent of the Heritage Overlay for each precinct as appropriate Further work is done to resolve the heritage significance of the elements of the Burnley Maltings and that the Statement of Significance should support this; either as part of the Golden Square Precinct or as a separate heritage place.	44 Gibdon Street is listed as “Contributory” on the database. 20 Crimea Street is listed as “Not Contributory” on the database.  The new precinct Statement of Significance includes the Burnley Maltings as a major complex central to the history of the area over a long period.
The Panel recommends the house should remain within the heritage overlay area but that the Heritage Overlay HO323 is amended to describe 23 Green Street as “not significant”.	23 Green Street is listed as “Not Contributory” on the database.
The Panel recommends that Council refine the Statement of Significance for the Princes Hill Precinct to include the heritage significance of the laneways. It also recommends that any documentation or guideline dealing with height clearly articulate where the distance is measured from.	Where relevant Statements of Significance include reference to the heritage significance of laneways.
The Panel recommends that when the precinct mapping is refined that 188 Gipps be described as “Not significant” and that it be marked white on the map to the Schedule.	188 Gipps Street is listed as “Not Contributory” on the data base.

## **Attachment 4**

### **The new City of Yarra heritage database**

#### Methodology

In order to provide a reliable database, the methodology of the project needed to avoid the inherent inaccuracies in the map cadastre provided by the Department of Sustainability and Environment (DSE). The methodology included the following:

- a) A digital photograph of each property was taken (over 18000 places) and the street address of the property as well as the Proclaim property number was recorded against the photo.
- b) The C43 place addresses were checked against those collected with the digital images and the Proclaim data.
- c) The C43 evaluation of each property was checked against the evidence provided by the digital images.
- d) The photos were also checked against previous heritage study building identification forms.
- e) The data was checked against previous heritage study gradings.
- f) Selected properties were checked against MMBW Detail Plans of 1895-1900.
- g) All of the above information was entered in the new heritage database.

#### Information in the database

The full database will be available on Council's website and is a list of all places in heritage precincts, including individual places subject to the Heritage Overlay. The database has the following information for each property:

- a) The Heritage Overlay number and name
- b) Street address
- c) Proclaim property number
- d) Grading
- e) An approximate date (or date range) of construction
- f) The type of building (town house, house, factory) or name of the building, as available
- g) A level describing the integrity of the building as poor, low, fair, good or high. This information was derived from the building identification sheets of the past studies and checked as described above.
- h) The height of the building in storeys or levels
- i) Comments on changes to the building using the new photos as discussed above
- j) Statement of Significance for the precinct within which the building is located
- k) Information from the 1998 study, including the Statement of Significance for the Precinct in which the building is located
- l) Where relevant, MMBW information

While the data can easily be mapped using Council's GIS system, it is derived from street addresses matched with property numbers and is therefore not reliant on the DSE cadastre for accuracy.

## **Attachment 5**

### **Heritage Review Reference Group**

#### Introduction

The Panel considered the composition of the Amendment C43 Steering Committee to be biased and lacking in a wide representation of community interest; in particular a lack of representation from economic and business development members. The Panel made a specific recommendation regarding the composition of any future Steering Committee to include “representation from the business and economic development members of the community, as well as community, residential and heritage representatives. Further, that the members of the Steering Committee be drawn in response to the Terms of Reference.”

#### Membership

Council organised a Heritage Review Information Session on 21 June 2005 where the data checking work was explained to the community. There were 24 attendees. Attendees were advised that a Heritage Review Reference group was to convene and were invited to note on the attendance sheets their interest in being sent information on the proposed group.

Council advertised for Expressions of Interest in the Melbourne Times and Yarra Leader for three consecutive weeks from mid-July to early August 2005. A notice was also posted on Council’s website during this period and previous attendees to Council’s Heritage Information Session who expressed interest were sent application forms and the Terms of Reference.

Twenty-five applications were received. The Expressions of Interest submitted for the Heritage Review Reference Group included a wide variety of interests and experiences. The twenty-five candidates showed a breadth of knowledge of heritage issues in the City; some individuals had professional experience in dealing with heritage conservation matters, and some individuals had business interests in the City.

At its meeting on 15 November 2005 Council endorsed all the candidates who had expressed an interest in the Group.

The Heritage Review Reference Group included all the individuals who expressed interest in participating in the Group, bringing a variety of interests, experience and knowledge to input to the process.

Heritage Review – Yarra Planning Scheme Amendment C85	
Step 1 – DESIGN AND PLAN	
<b>Date</b>	Commencing at the end of March for 2 months
<b>Description</b>	<p>Amendment C85:</p> <ul style="list-style-type: none"> <li>• Replaces Clause 22.02 (Development Guidelines for Heritage Places) with a new Clause 22.02 (Development Guidelines for sites subject to the Heritage Overlay) and includes all the work undertaken for the 2007 Study as a reference document;</li> <li>• Incorporates a new heritage database which identifies each property by address and property number and nominates its level of heritage significance;</li> <li>• Incorporates Statements of Significance for each Heritage Overlay (excluding individual building Overlays), and for each individually significant building included in an Overlay that is not from the primary development period of the Heritage Overlay; and</li> <li>• Incorporates the document titled City of Yarra Heritage Review, Building Citations, Volume 2 Parts I and II, Allom Lovell and Associates. These are building citations for the individual building heritage overlays, that is, buildings which are geographically isolated from the precincts but which are heritage places in their own right. A review of the citations in order to produce statements of significance was not part of the 2007 Study. The Allom Lovell citations are to be incorporated so that there is a consistent level of control for all individually significant buildings.</li> </ul>
<b>Background</b>	<p>Most of Council's 2002 heritage amendment (Amendment C43) was abandoned based on recommendations made by an independent planning panel. However the Panel was clear in supporting ongoing refinement of the amendment and made a number of recommendations. Amendment C85 is based on these recommendations.</p> <p>The following consultation was undertaken prior to preparation of the Amendment:</p> <ul style="list-style-type: none"> <li>• The new policy was prepared by Council officers in consultation with the Heritage Reference Group.</li> <li>• A special breakfast was held for business and those involved in property development to provide them with information and to obtain feedback on the Policy and heritage matters generally.</li> <li>• A community information evening was held to update the community on the Heritage Review.</li> </ul>
<b>Purpose of Consultation</b>	<ul style="list-style-type: none"> <li>• Giving notice of a Planning Scheme amendment is mandatory under Section 19 of the Planning and Environment Act 1987.</li> <li>• The consultation will give the community the opportunity to comment on all aspects of the Amendment. The</li> </ul>

	community has the opportunity to affect the Amendment in that Council may make changes to the Amendment in response to community comment.
<b>What are we attempting to do through the consultation?</b>	<ul style="list-style-type: none"> <li>The consultation is intended to raise awareness and inform owners/occupiers of the changes to heritage controls that are proposed to be implemented in the Yarra Planning Scheme.</li> <li>This consultation will invite comments and feedback on the content of the heritage database, the Statements of Significance and the new Policy.</li> </ul>
<b>Step 2 - PREPARE AND ORGANISE</b>	
<b>Why are you consulting?</b>	<p>This is an Amendment to the Yarra Planning Scheme and will therefore be exhibited in accordance with the requirements of the Planning and Environment Act.</p> <p>The Amendment must be exhibited for at least one calendar month to all who will be affected by or are interested in the Amendment.</p>
<b>Who are you consulting?</b>	<ul style="list-style-type: none"> <li>All ratepayers whose property is within a Heritage Overlay.</li> <li>All occupants of property affected by a Heritage Overlay.</li> <li>Councillors and Council staff.</li> <li>Affected statutory authorities such as VicRoads, Parks Victoria, Melbourne Water, Heritage Victoria.</li> </ul>
<b>Accessibility</b> <i>What special requirements may the stakeholders have?</i>	<p>As the Amendment is complex, explanatory material will be prepared.</p> <p>Some of the information is a computer database so stakeholders will need:</p> <ul style="list-style-type: none"> <li>Access to a computer and broadband; or</li> <li>Access to public computers.</li> </ul>
<b>Preparing Information</b> <i>What information is being provided to those people who are being consulted?</i>	<p>Statutory Notices</p> <p>A summary document outlining the main points and advising of the availability of the full document and where to access all the information.</p> <p>A full set of the Amendment documents will be available for viewing or, with the exception of the database, to take away. However copies of the relevant pages of the database can be requested.</p> <p>Database will be available for viewing online and from publicly available computers.</p>
<b>Communication/PR</b> <i>How you will promote, advertise and feedback on the</i>	There will be a statutory notice in the Melbourne Times, Yarra Leader, the Age (all for two consecutive weeks) and the Government Gazette.

<b>consultation</b>	<p>Advertorial – the advertorial will be used and there will be large notices in the Yarra Leader and Melbourne Times</p> <p>Website – all documents and information will be made available on the website</p> <p>Letters will be distributed to all owners and occupiers of land affected by the Heritage Overlay</p> <p>A summary document outlining the main points and advising of the availability of the full document</p> <p>Display Boards at Town Halls</p>
<b>Choice of method/s</b>	<ul style="list-style-type: none"> <li>• The consultation method is to disseminate the information and to invite comment.</li> <li>• We will distribute a statutory notice and letter throughout the City to owners and occupiers of all land affected by a Heritage Overlay.</li> <li>• Display Boards at Council offices</li> <li>• The Press, Yarra Leader and web will be used as discussed above.</li> </ul>
<b>Timing At what stage is consultation occurring?</b>	Consultation will commence in March 2007 for 2 months
<b>Resources How will the consultation be resourced?</b>	Council officers (strategic and admin staff) to prepare amendment exhibition
<b>Step 3 - IMPLEMENTATION</b> <i>Put your planning into action – undertake the consultation</i>	
<b>Step 4 - PROVIDE FEEDBACK AND FOLLOW UP</b>	
<b>Responsiveness and feedback</b>	<p>Feedback will be provided to submitters as follows:</p> <ul style="list-style-type: none"> <li>• They will be invited by letter to the Council meetings where decisions are made in relation to each step of the amendment process.</li> <li>• They will be invited to participate in the Panel process.</li> </ul>
<b>Step 5 - EVALUATION</b>	
<b>Evaluation</b>	<ul style="list-style-type: none"> <li>• <i>Who was consulted?</i></li> <li>• <i>Were the methods used effective?</i></li> <li>• <i>Did the time frame allow for a good outcome?</i></li> <li>• <i>What would you do differently next time to improve outcomes?</i></li> </ul> <p><i>A template for Evaluating Consultations is available on the Intranet Consultation Page.</i></p>
<b>Authority to Proceed</b>	<i>Sign off by appropriate authority (Executive / CEO / Director etc)</i>

