

YARRA PLANNING SCHEME

AMENDMENT C245

EXPLANATORY REPORT

Who is the planning authority?

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

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

Land affected by the Amendment

This amendment affects land in Abbotsford, Alphington, Collingwood, Cremorne, Fitzroy, Fitzroy North and Richmond. It applies to 70 areas of which, 55 include errors or anomalies with Heritage Overlays and 15 are recommendations from recent heritage studies conducted by Context Pty Ltd and GJM Heritage. A Planning Scheme map reference table is **Attachment 1** to this Explanatory Report.

What the amendment does

- The amendment is proposed to correct historical, drafting, and mapping overlay and zone anomalies within the Yarra Planning Scheme. In full it:
 - Amends Yarra Planning Scheme Zone Maps 2, 5, 6, 7, and 8 to corrects mapping anomalies on properties that are in two zones and aligns them with property boundaries;
 - Amends Yarra Planning Scheme Heritage Overlay Maps 1, 2, 4, 6, 7, 8, and 9 to corrects mapping errors;
 - Replaces the Schedule to Clause 43.01 – Heritage Overlay with a new Schedule, to include new heritage overlays, overlays excluded by drafting errors and corrects previous formatting errors;
 - Amends the existing incorporated document '*Appendix 8 - City of Yarra review of Heritage Overlay Areas, Graeme Butler and Associates (2007), revised February 2018*', to:
 - Change the title to '*City of Yarra Database of Heritage Significant Areas, September 2018*';
 - Include new addresses and grading;
 - Correct grading errors; and
 - Remove incorrect listings and grading.
 - Amends Clause 72.04 - Documents Incorporated in this Scheme to include reference to '*City of Yarra Database of Heritage Significant Areas, September 2018*' and remove the reference to '*Appendix 8 - City of Yarra review of Heritage Overlay Areas, Graeme Butler and Associates (2007), revised February 2018*';
 - Apply individual Heritage Overlays over the following sites:
 - 200-202 Johnston Street, Collingwood – Austral Theatre (former) (HO499);
 - 311-317 Bridge Road, Richmond – Richmond Cinema (former) (HO504);
 - 637-639 Bridge Road, Richmond (HO525);
 - 202-206 Church Street Richmond – Halls Building (HO526);
 - 32 & 34 Thomas Street, Richmond (HO527);
 - 635 Bridge Road, Richmond – Boland's Shop and Residence (HO528);
 - 529-533 Bridge Road, Richmond – Royal Oak Hotel (HO529);
 - 597-599 Bridge Road, Richmond – Whipps Terrace (HO530);

- 534-534A Bridge Road, Richmond – Flour Mill & Grain Store Complex (Former) (HO531); and
- 325-333 Bridge Road, Richmond – Richmond Town Hall (HO532).
- Insert new Clause 21.11 – Reference Documents and Clause 22.02 – Development Guidelines for Sites Subject to the Heritage Overlay to include ‘*Thematic Study of Theatres in the City of Yarra, Context Pty Ltd (2017)*’ and ‘*Victoria Street and Bridge Road Built Form Review: Heritage Assessment, GJM (2018)*’ as a reference documents;
- The new Schedule to Clause 22.02 – Development Guidelines for Sites Subject to the Heritage Overlay includes changing reference from ‘*Appendix 8 - City of Yarra review of Heritage Overlay Areas, Graeme Butler and Associates (2007), revised February 2018*’, to ‘*City of Yarra Database of Heritage Significant Areas - September 2018*’;
- Removes expired interim controls;
- Applies permanent Heritage Overlays to properties with expired interim controls; and
- Amends errors of incorrect grading on a number of properties within heritage overlays.

Strategic assessment of the Amendment

Why is the Amendment required?

The amendment updates and corrects a wide range of Heritage Overlay provisions and maps. It implements recent heritage studies and corrects anomalies in the Heritage Overlay and related provisions. It also corrects zone mapping anomalies.

The amendment is in response to the research conducted in a ‘*Thematic Study of Theatres in the City of Yarra, Context Pty Ltd (2017)*’. The study found that there were a number of theatres or former theatres in the City of Yarra that did not have adequate heritage protection.

The study found 17 of the 38 investigated sites had been demolished. This amendment is required to implement controls to 3 theatre sites to provide heritage protection.

In addition, a heritage study was recently completed to assess heritage protection in areas proposed for new Design and Development Overlays (Amendments C248 and C249). The ‘*Victoria Street and Bridge Road Built Form Review: Heritage Assessments, GJM (2018)*’, recommends further controls and increased protection for 12 properties within Abbotsford and Richmond.

In addition to implementing the recommendations from these studies, the amendment corrects a range of errors in the Heritage Overlay and zoning anomalies which arise from recent public queries and investigations. Correcting these will ensure better planning outcomes and consistency within the Yarra Planning Scheme.

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

The amendment implements the objectives in Section 4 of the *Planning and Environment Act 1987* (the Act), specifically:

- To conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value;
- To facilitate development in accordance with the other objectives;
- To balance the present and future interests of all Victorians;
- To provide for the fair, orderly, economic and sustainable use, and development of land; and
- To provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity.

The amendment adheres to the objectives in Section 12(1) (a) of the Act by implementing the objectives of planning in Victoria.

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

The amendment is consistent with the encompassing goal in the Yarra Planning Scheme to:

Integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development.

The amendment is unlikely to cause any significant environmental impacts or risks. The amendment will have a positive economic and social effect through rezoning and overlay corrections of historic errors and enable appropriate development for the properties.

Does the Amendment address relevant bushfire risk?

The land affected by the amendment does not impact on bushfire risk and is not located within an area of identified bushfire risk.

Does the Amendment comply with the requirements of any Minister's Direction applicable to the amendment?

The amendment acts in accordance with *Ministerial Directions on the Form and Content of Planning Schemes* under Section 7(5) of the Act.

The amendment has been prepared in consideration of *Ministerial Direction No. 09 – Metropolitan Planning Strategy* (specifically *Plan Melbourne 2017-2050*).

Plan Melbourne outlines goals and visions for Melbourne in 2050, with directions identified to support and achieve these outcomes. The Amendment is consistent with the following Direction outlined in *Plan Melbourne 2017-2050*:

- Direction 4.7 - Respect to our heritage as we build for the future.

Additionally, the amendment is affected by *Ministerial Direction No. 11 – Strategic Assessment of Amendments* and complies with the outlined requirements.

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

This amendment supports fair, orderly, economic, and sustainable use and development of land. The amendment supports and implements relevant objective of the State Planning Policy Framework (SPPF), in particular:

Clause 9 – Plan Melbourne and the goals outlined are supported through this amendment by correcting anomalies in order to improve the planning process.

Clause 15 – Built Environment and Heritage aims to create built environments that respond and are appropriate with the neighbourhood and landscape. Clause 15 emphasizes the importance of conserving places identified as heritage significant. This amendment supports this clause by correcting errors that and providing better protection of heritage places.

Clause 15.03-1 – Heritage Conservation outlines strategies to protect both built and cultural heritage. This amendment will improve heritage protection in the planning scheme.

Clause 16 – Housing incorporates strategies which encourage appropriate housing provision for new housing to meet community needs.

Clause 16.01-1R Integrated housing - Metropolitan Melbourne includes a Strategy - Allow for a range of minimal, incremental and high change residential areas that balance the need to protect valued areas with the need to ensure choice and growth in housing. Heritage protection in the City of Yarra is generally consistent with providing housing to meet projected demand in locations which are suitable and have the capacity for increased densities. The recent draft Housing Strategy 2018 identifies minimal, incremental and high change areas. This amendment will help achieve the right balance between protecting valued heritage and providing housing.

Clause 17 – Economic Development the amendment is consistent with overall objectives to strengthen and diversify the local economy. The recent City of Yarra draft Spatial Economic and Employment Strategy (SEES) identifies strategies and opportunities for growth which are integrated with objectives such as heritage protection.

How does the Amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

The amendment both supports and is consistent with Clauses of the Local Planning Policy Framework. Specifically including:

21.03 – Vision

Built Form

Yarra's historic fabric which demonstrates the development of metropolitan Melbourne will be internationally recognised.

21.04 – Land Use – Accommodation and Housing

At 21.04-1 the Yarra Planning Scheme notes;

Yarra will continue to accommodate its share of the housing growth of the inner Melbourne Metropolitan region. However, in order to protect valued character, and particularly its heritage places, the majority of new development will be accommodated on strategic redevelopment sites. These sites are generally located in, abutting, or close to activity centres, or in locations that offer good access to services and transport. The amendment will better apply the Heritage Overlay and associated provisions fill some gaps in heritage protection in residential and mixed use areas.

21.05-1 – Heritage

Objective 14 - To protect and enhance Yarra's heritage places

Strategy 14.1: Conserve, protect and enhance identified sites and areas of heritage significance including pre-settlement ecological heritage.

Strategy 14.2: Support the restoration of heritage places.

Strategy 14.3: Protect the heritage skyline of heritage precincts.

Strategy 14.6: Protect buildings, streetscapes and precincts of heritage significance from the visual intrusion of built form both within places and from adjoining areas.

The amendment will help to implement these objectives and strategies by correcting anomalies and strengthening the Heritage Overlay and related provisions.

22.02 – Development Guidelines for Sites Subject to the Heritage Overlay

Objectives

- To conserve Yarra's natural and cultural heritage;
- To conserve the historic fabric and maintain the integrity of places of cultural heritage significance;
- To retain significant view lines to, and vistas of, heritage places;
- To preserve the scale and pattern of streetscapes in heritage places;
- To encourage the preservation, maintenance, restoration and where appropriate, reconstruction of heritage places;
- To ensure the adaptation of heritage places is consistent with the principles of good conservation practice;
- To ensure that additions and new works to a heritage place respect the significance of the place;
- To encourage the retention of 'individually significant' and 'contributory' heritage places; and
- To protect archaeological sites of cultural heritage significance.

The amendment will correct and adjust the heritage grading relating to sites identified in the Heritage Overlay. A revised incorporated document, 'City of Yarra Database of Heritage Significant Areas, September 2018,' formerly 'Appendix 8 - City of Yarra review of Heritage Overlay Areas, Graeme Butler and Associates (2007), revised February 2018', will improve application of Clause 22.02 – Development Guidelines for Sites Subject to the Heritage Overlay.

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

The amendment makes proper use of the Victoria Planning Provisions (VPPs) through incorporating the appropriate tools and mechanisms to support suitable future land use and development across the City of Yarra and in the Planning Scheme. Correcting anomalies ensures that the correct zones and overlays apply.

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

Council has had preliminary discussions about the amendment with the Department of Environment, Land, Water and Planning (DELWP). The amendment is unlikely to impact other agencies because it primarily affects private land.

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

The amendment is considered consistent with the objectives of the *Transport Integration Act 2010*. It is anticipated that the amendment will not have significant impact on or undermine the functionality or safety of the existing transport system.

Resource and administrative costs

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

The amendment will have some impact on the general operation of Council's statutory planning department. The change to administrative and resource cost is likely to be insignificant.

Where you may inspect this Amendment

The amendment is available for public inspection, free of charge, during office hours at the following Yarra City Council locations:

Planning Counter

Richmond Town Hall
333 Bridge Road
Richmond VIC 3121

Information Counter

Collingwood Town Hall
140 Hoddle Street
Abbotsford VIC 3067

- The amendment can also be viewed on the Yarra City Council website at: Amendment C245 - www.yarracity.vic.gov.au/amendmentC245
- The amendment can also be inspected, free of charge, at the Department of Environment, Land, Water and Planning (DELWP) website at: www.delwp.vic.gov.au/public-inspection

1 - Mapping reference table

Location	Land/Area Affected	Proposed Change	Mapping Reference
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378A Nicholson Street & 27 Alexandra Parade, Fitzroy North.	Southern portion of 378 Nicholson Street and entirety of 27 Alexandra Parade (corner of Nicholson Street and Alexandra Parade), Fitzroy North.	Extend HO327 to all properties.	Yarra C245 hoMap01 Exhibition
155 Westgarth Street & 158 Cecil Street, Fitzroy.	Easter section of 155 Westgarth Street and 158 Cecil Street, Fitzroy. Laneway adjacent to dwellings.	Extend HO335 to entire property.	Yarra C245 hoMap02 Exhibition
49-53 Lucerne Crescent, Alphington.	Rear of 49 and small section of 53 Lucerne Crescent, Alphington.	Remove HO73 from entire property of 49 Lucerne Crescent. Extend HO73 to entire property of 53 Lucerne Crescent.	Yarra C245 hoMap04 Exhibition Yarra C245 d-hoMap04 Exhibition
200-202 Johnston Street, Collingwood	Entire property of 200-202 Johnston Street, Collingwood.	Add new individual HO499.	Yarra C245 hoMap06 Exhibition
311-317 Bridge Road, Richmond	Entire property of 311-317 Bridge Road, Richmond	Add new individual HO504.	Yarra C245 hoMap06 Exhibition
181 Langridge Street, Abbotsford.	Western section of 181 Langridge Street, Abbotsford	Remove HO16 from entire property.	Yarra C245 d-hoMap06 Exhibition
19 Cambridge Street, Collingwood	Entire site of 19 Cambridge Street, Collingwood.	Extend HO327 to entire property.	Yarra C245 hoMap06 Exhibition
120 Cambridge Street, Collingwood	Small section located on eastern property line of 120 Cambridge Street Collingwood.	Extend HO318 to entire property.	Yarra C245 hoMap06 Exhibition
61 Oxford Street, Collingwood	Western (rear) of 61 Oxford Street, Collingwood.	Extend HO125 to entire property.	Yarra C245 hoMap06 Exhibition
37 Oxford Street, Collingwood	Western (rear) of 37 Oxford Street, Collingwood.	Extend HO121 to entire property.	Yarra C245 hoMap06 Exhibition
Collingwood College Dolls House	Corner of McCutcheon Way and Cromwell Street, Collingwood (removal of HO) and near 130 Islington Street, Collingwood (implementation of HO) due to relocation.	Remove HO114 from 49 Vere Street, Collingwood. Move HO114 to near 130 Islington Street, Collingwood.	Yarra C245 d-hoMap06 Exhibition Yarra C245 hoMap06 Exhibition
325-333 Bridge Road, Richmond	Entire section of 325-333 Bridge Road, Richmond	Add new individual HO532.	Yarra C245 hoMap06 Exhibition
32 & 34 Thomas Street, Richmond	Entire section of 32 & 34 Thomas Street, Richmond	Add new individual HO527.	Yarra C245 hoMap06 Exhibition
21-23 Lithgow Street, Richmond	Entire section of 21-23 Lithgow Street, Richmond.	Remove HO339 from entire property.	Yarra C245 hoMap06 Exhibition
202-206 Church Street, Richmond	Entire section of 202-206 Church Street, Richmond	Add new individual HO526.	Yarra C245 hoMap06 Exhibition
61 Langridge Street and 14 Glasgow Street, Collingwood	Western section of 14 Glasgow Street, Collingwood	Remove HO109 from 14 Glasgow Street, Collingwood.	Yarra C245 d-hoMap06 Exhibition
77-79 Burnley Street, Richmond	Entire property of 77-79 Burnley Street, Richmond	Remove HO500 from entire property.	Yarra C245 d-hoMap07 Exhibition

655 Victoria Street, Abbotsford	Entire section of 655 Victoria Street, Abbotsford.	Extend HO64 to entire property.	Yarra C245 hoMap07 Exhibition
20 Jessie Street, Cremorne	Western section of 20 Jessie Street, Cremorne.	Remove section from HO364.	Yarra C245 d-hoMap08 Exhibition
204 Coppin Street & 31 Bell Street, Richmond	Section at the rear of both properties of 31 Bell Street & 204 Coppin Street, Richmond.	Remove HO472 from 31 Bell Street, Richmond and extend HO472 to entire property of 204 Coppin Street, Richmond. GRZ to NRZ – To match property boundary.	Yarra C245 hoMap08 Exhibition Yarra C245 d-hoMap08 Exhibition Yarra C245 znMap08 Exhibition
6 Stawell Street, Richmond	Entire property of 6 Stawell Street, Richmond.	Remove HO503 and extend HO481 to entire property.	Yarra C245 d-hoMap09 Exhibition Yarra C245 hoMap09 Exhibition
534-534A Bridge Road, Richmond	Entire section of 534-534A Bridge Road, Richmond	Add new individual HO531.	Yarra C245 hoMap09 Exhibition
597-599 Bridge Road, Richmond	Entire section of 597-599 Bridge Road, Richmond	Add new individual HO530.	Yarra C245 hoMap09 Exhibition
529-533 Bridge Road, Richmond	Entire section of 529-533 Bridge Road, Richmond	Add new individual HO529.	Yarra C245 hoMap09 Exhibition
635 Bridge Road, Richmond	Entire section of 635 Bridge Road, Richmond	Add new individual HO528.	Yarra C245 hoMap09 Exhibition
637-639 Bridge Road, Richmond	Entire section of 637-639 Bridge Road, Richmond	Add new individual HO525.	Yarra C245 hoMap09 Exhibition
22 Best Street, Fitzroy	Northern section of 22 Best Street, Fitzroy.	C1Z to NRZ – To match property boundary.	Yarra C245 znMap02 Exhibition
522-530 Napier Street, Fitzroy	All properties from 522 to 530 Napier Street, Fitzroy (including section of laneway at rear of properties – located east)	PPRZ to MUZ and GRZ – To match property boundaries.	Yarra C245 znMap02 Exhibition
7 Tait Street, Fitzroy North	East section of 7 Tait Street, Richmond.	PPRZ to NRZ – To match property boundary.	Yarra C245 znMap02 Exhibition
22 Falconer Street, Fitzroy North	South (rear) of 22 Falconer Street, Fitzroy North.	PUZ to NRZ – To match property boundary.	Yarra C245 znMap02 Exhibition
24 Falconer Street, Fitzroy North	Large section along south and small section north-west of Fitzroy High School.	Rezone all property to PUZ – To match property boundary.	Yarra C245 znMap02 Exhibition
84 Johnston Street, Collingwood	Southern portion of land.	MUZ to C1Z – To match property boundary.	Yarra C245 znMap04 Exhibition
95-103 Johnston Street, Fitzroy	Northern (rear) section of 95-103 Johnston Street, Fitzroy.	MUZ to C1Z – To match property boundary.	Yarra C245 znMap05 Exhibition
4-6 Waltham Street, Richmond	East (rear) section of 4 & 6 Waltham Street, Richmond.	C1Z to NRZ – To match property boundary.	Yarra C245 znMap06 Exhibition Yarra C245 znMap08 Exhibition
34-44 Cromwell Street, Fitzroy	Eastern portion of land.	C1Z to C2Z – To match property boundaries.	Yarra C245 znMap06 Exhibition
261-263 Highett Street, Richmond	North (rear) sections of 261 & 263 Highett Street, Richmond.	GRZ to NRZ – To match property boundaries.	Yarra C245 znMap07 Exhibition Yarra C245 hoMap07 Exhibition
314-316 Bridge Road, Richmond	South (rear) section of 314 & 316 Bridge Road, Richmond.	GRZ to C1Z – To match property boundary.	Yarra C245 znMap08 Exhibition

197 Lennox Street, Richmond	Northern side of 197 Lennox Street, Richmond	C1Z to GRZ – To match property boundary.	Yarra C245 znMap08 Exhibition
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