

## ATTACHMENT 5

### PLANNING AND ENVIRONMENT ACT 1987

## YARRA PLANNING SCHEME

### AMENDMENT C231 PART 2

#### 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.

#### Splitting the Amendment into three parts:

At adoption, Amendment C231 was split into three parts and will be considered as separate amendments:

- Part 1 – Includes all land subject to Amendment C231 with the exception of the land comprising 390A Queens Parade and 141-167 Queens Parade
- Part 2 – Comprises the part of the Amendment relating to land at 390A Queens Parade
- Part 3 – Comprises the part of the Amendment relating to land at 141-167 Queens Parade.

On 17 March 2020 Council adopted Parts 1 and 3 of Amendment C231 with changes. It did not consider Part 2 because the land in this part was the subject of an appeal under Section 39 of the *Planning and Environment Act 1987*. By the date of the Council meeting, a decision had not yet been received. Accordingly, Part 2 was deferred for consideration at a later date. The application under Section 39 of the *Planning and Environment Act 1987* for 390A Queens Parade has now been dismissed, allowing Part 2 to proceed to adoption.

#### Land affected by the Amendment

The wider Amendment applies to land in five precincts along Brunswick Street and Queens Parade, Fitzroy North and Clifton Hill between Alexandra Parade and Hoddle Street. Refer to Map 1.

Precinct one	460-498 Brunswick Street 8-24 Queens Parade
Precinct two	26-88 Queens Parade 67-81 Queens Parade 472-484 Napier Street 157-177 Alexandra Parade 537-541 George Street
Precinct three	1-87 Queens Parade 652-668 Smith Street
Precinct four	89-197 Queens Parade (noting 141-167 Queens Parade now forms Part 3 of Amendment C231) 272-428 Queens Parade (noting 390A Queens Parade now forms Part 2 of Amendment C231)
Precinct five	199-271 Queens Parade 2-12 Dummett Crescent 501-513 Hoddle Street

Map 1: Land included in Parts 1, 2 and 3 of Amendment C231



### What the Amendment does

The Amendment (Am C231 Part 2) introduces a Design and Development Overlay (DDO16) to provide permanent built form controls for 390A Queens Parade. This would replace the interim control that is currently in place along this part of Queens Parade (DDO20). The controls for 390A Queens Parade in DDO16 are consistent with the controls that apply to the north side of Queens Parade in Precinct 4.

The Amendment also makes updates to the Heritage Overlay by deleting 390A Queens Parade from HO327 (North Fitzroy Precinct) and including it in HO330 (Queens Parade Precinct) and gives it a heritage grading.

The heritage grading for 390A Queens Parade is amended as follows:

- 390A Queens Parade (two storey building in north-east corner) from ungraded to contributory; and
- 390A Queens Parade (all other buildings except two storey building in north-east corner) from ungraded to not contributory.

### Strategic assessment of the Amendment

#### Why is the Amendment required?

Council engaged Hansen Partnership (Urban Designers) and GJM (Heritage Consultants) to assist in the preparation of the controls. This Amendment was informed by the recommendations of the *Queens Parade Clifton Hill Built Form Review* prepared by Hansen Partnership and *Queens Parade Built Form Heritage Analysis and Recommendations* prepared by GJM. Additional 3D modelling was undertaken following the receipt of the submissions which also informed the Amendment.

The scale and density of development approved and currently being proposed along Queens Parade has increased significantly in recent years and Council wants to introduce built form controls to manage change along Queens Parade and guide the scale of future buildings to provide certainty about development outcomes.

The permanent built form controls will be introduced into the Yarra Planning Scheme through a Design and Development Overlay - DDO16. (Noting interim built form controls currently apply to the

centre.) The DDO includes a mix of mandatory and preferred requirements addressing issues such as building heights, street wall heights, upper level setbacks, front setbacks and interfaces to residential properties to the side and rear.

Heritage buildings along Queens Parade are an important part of the character of the area and the controls have been designed to protect views to key historic landmarks and protect significant and intact streetscapes. Heritage is a significant driver of the planning controls.

The controls will benefit the community because they provide certainty about future development outcomes.

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

The Amendment implements the objectives of planning in Victoria by establishing planning controls along Queens Parade that provide for the fair and orderly use and development of land as they seek to facilitate future development demands while maintaining the heritage character of the street. They will provide an efficient and safe built environment for those that currently live, work and visit the area and for those that will do so in the future. Heritage has been an important consideration in preparing the planning controls which will ensure that those buildings which are of aesthetic, architectural and historical interest are conserved as well as the wider streetscape.

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

The Amendment is consistent with the overarching goal in the planning scheme to:

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

The Amendment is expected to generate positive social and economic benefits as it will facilitate development within a neighbourhood activity centre, providing opportunities for economic development, housing and employment growth. The Amendment will also respond to the local demand for housing and provide housing and employment in a location which has a good access to public transport infrastructure and community services.

It proposes to protect key views to landmark buildings and ensures that heritage is one of the key drivers of future built form.

### **Does the Amendment address relevant bushfire risk?**

The land affected by the Amendment is not located in an area of identified bushfire risk.

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

The Amendment complies with the requirements of the Ministerial Direction on the Form and Content of Planning Schemes in section 7(5) of the *Planning and Environment Act 1987*. It has also been prepared in accordance with other relevant Ministerial directions.

The Amendment has been prepared with regard to Ministerial Direction No. 9 Metropolitan Planning Strategy (which refers to *Plan Melbourne 2017-2050*). *Plan Melbourne 2017-2050* identifies a vision for the future of Melbourne and objectives and outcomes sought for the city, with directions identified to achieve the vision.

The Amendment is consistent with the following Directions contained in *Plan Melbourne 2017-2050*:

**Direction 1.1 – Create a city structure that strengthens Melbourne's competitiveness for jobs and investment** seeks to strengthen the competitiveness of Melbourne's employment land. The Amendment provides appropriate policy direction for the planning and development of the Queens Parade Neighbourhood Activity Centre to ensure that the activity centre continues to meet community needs.

**Direction 5.1- Create a city of 20-minute neighbourhoods** which aims to cluster new housing in activity centres and other places that offer good access to jobs, services and public transport. The Amendment will facilitate development within the Activity Centre which will improve local employment, housing and commercial opportunities.

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

The Amendment supports and implements relevant objectives of the Planning Policy Framework (PPF) including:

**Clause 11 – Settlement** implements the key principles of *Plan Melbourne 2017-2050* which include providing housing choice by planning for expected housing needs and making that housing more affordable. It also provides for reduced ongoing living costs by increasing housing supply near public transport and services. It encourages consolidation of residential activities within existing urban areas and development in existing residential areas. The Amendment provides a framework for the orderly planning and high quality development of the Queens Parade Neighbourhood Activity Centre in a manner constant with the directions of *Plan Melbourne 2017-2050*.

**Clause 15 – Built Environment and Heritage** seeks to create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity. This clause also highlights the importance of ensuring the conservation of places which have identified heritage significance. The Amendment supports this clause by developing planning controls which have heritage as one of their primary considerations. The controls will see views to key heritage landmarks and intact streetscapes protected.

**Clause 16 – Housing** emphasises the importance of providing enough quality housing that meets the growing and diverse needs of Victorians in locations in or around activity centres. The location of this housing needs to offer good access to jobs, services and transport. It requires councils to identify areas that offer opportunities for more medium and high-density housing near employment and transport in metropolitan Melbourne. The Amendment provides strategic guidance about how to accommodate future housing growth at an appropriate scale in the activity centre.

**Clause 17 – Economic Development** seeks to encourage development which meets the community's needs for retail, entertainment, office and other commercial services and provides a net community benefit in relation to accessibility, efficient infrastructure use and sustainability of commercial facilities. The Amendment supports this clause by facilitating opportunities for a mix of office, retail, and residential uses throughout the centre.

**Clause 18 – Transport** promotes the creation of a safe and sustainable transport system and promotes the use of sustainable personal transport. The Amendment implements the objectives of this clause by facilitating development in this activity centre which is well serviced by public transport.

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

The Amendment will assist decision making in relation to development applications by council and will help people better understand what scale and type of development is appropriate in the activity centre. There are no changes to the Municipal Strategic Statement proposed by this Amendment, but it nevertheless supports and implements the Local Planning Policy Framework (LPPF) by being consistent with the following clauses of the LPPF:

### 21.04-1 Accommodation and housing

#### **Objective 1 - To accommodate forecast increases in population.**

*Strategy 1.2 Direct higher density residential development to Strategic Redevelopment Sites identified at clause 21.08 and other sites identified through any structure plans or urban design frameworks.*

### 21.04-2 Activity centres

#### **Objective 4 - To maintain a balance between local convenience and regional retail roles in Yarra's activity centres.**

*Strategy 4.1 Increase the range of retail, personal and business services, community facilities, and recreation activities, within individual centres.*

*Strategy 4.3 Support the role of all activity centres, including Neighbourhood Activity Centres, in providing local day-to-day needs of residents of all abilities.*

#### **Objective 5 - To maintain the long term viability of activity centres.**

*Strategy 5.2 Support land use change and development that contributes to the adaptation, redevelopment and economic growth of existing activity centres.*

*Strategy 5.3 Discourage uses at street level in activity centres which create dead frontages during the day.*

*Strategy 5.4 Permit residential development that does not compromise the business function of activity centres.*

**Objective 7 - To encourage the arts and arts venues.**

*Strategy 7.1 Support a diversity of arts uses such as live music venues, performance spaces, galleries and artist studios in appropriate and accessible locations.*

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.*

21.05-2 Urban design

**Objective 16 - To reinforce the existing urban framework of Yarra.**

*Strategy 16.2 Maintain and strengthen the preferred character of each Built Form Character Type within Yarra.*

**Objective 19 - To create an inner-city environment with landscaped beauty.**

*Strategy 19.1 Require well resolved landscape plans for all new development.*

*Strategy 19.2 Encourage opportunities for planting suitable trees and landscape areas in new development.*

**Objective 20 - To ensure that new development contributes positively to Yarra's urban fabric.**

*Strategy 20.1 Ensure development is designed having particular regard to its urban context and specifically designed following a thorough analysis of the site, the neighbouring properties and its environs.*

**Objective 21 - To enhance the built form character of Yarra's activity centres.**

*Strategy 21.1 Require development within Yarra's activity centres to respect and not dominate existing built form.*

*Strategy 21.2 Require new development within an activity centre to consider the context of the whole centre recognising that activity centres may consist of sub-precincts, each of which may have a different land use and built form character.*

*Strategy 21.3 Support new development that contributes to the consolidation and viability of existing activity centres.*

21.08 Neighbourhoods

Clause 21.08 identifies Queens Parade as a Neighbourhood Activity Centre.

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

The Amendment uses the most appropriate VPP tools to achieve its objectives. A Design and Development Overlay (DDO) is the best tool to control future built form. The Amendment introduces a DDO which has been tested extensively to determine the most appropriate building and street wall heights and setbacks along Queens Parade.

The use of this tool by this Amendment is consistent with the direction on the form and content of planning schemes.

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

Council has not sought the views of any government agencies such as VicRoads or Yarra Trams as the Amendment will not substantially affect the road network or the public transport network.

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

The Amendment is consistent with the requirements of the *Transport Integration Act 2010* and will facilitate development outcomes along a tram route.

Particular consideration has been given to ensuring that vehicular movements do not impact on the Principal Public Transport Network.

### **Resource and administrative costs**

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

The new planning provisions will assist Council as responsible authority in deciding development applications as they provide greater certainty as to the scale of future built form along Queens Parade. Council does not anticipate that there will be an increased number of applications as a result of the new controls; rather the controls will provide a more consistent assessment of planning permit applications.

Consequently, Council does not anticipate that there will be higher administrative costs associated with implementing the new provisions or that there will be an impost on planning or heritage staff resources.

### **Where you may inspect this Amendment**

The Amendment is available for public inspection, free of charge, during office hours at the following places:

Planning Counter Richmond Town Hall 333 Bridge Road Richmond	Bargoonga Ngangin Fitzroy North Library 182 St Georges Road Fitzroy North
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The Amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at [www.delwp.vic.gov.au/public-inspection](http://www.delwp.vic.gov.au/public-inspection) or on the City of Yarra website at [www.yarracity.vic.gov.au/c231](http://www.yarracity.vic.gov.au/c231)

*Planning and Environment Act 1987*

**YARRA PLANNING SCHEME**

**AMENDMENT C231 PART 2**

**INSTRUCTION SHEET**

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

The Yarra Planning Scheme is amended as follows:

**Planning Scheme Maps**

The Planning Scheme Maps are amended by a total of 1 attached map sheet.

**Overlay Maps**

1. Amend Planning Scheme Map No. 2DDO in the manner shown on the 1 attached map.
2. Amend Planning Scheme Map No. 2HO in the manner shown on the 2 attached maps.

**Planning Scheme Ordinance**

The Planning Scheme Ordinance is amended as follows:

3. In Overlays – Clause 43.02, replace Schedule 20 with a new Schedule 16 in the form of the attached document.
4. In Incorporated Documents – Clause 72.04, replace the Schedule with a new Schedule in the form of the attached document.

End of document

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Proposed  
C231 Pt2

## SCHEDULE 16 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO16**.

### 390A QUEENS PARADE, NORTH FITZROY

#### 1.0 Design objectives

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- To ensure development responds to the heritage character and streetscapes and varying development opportunities and supports the existing low-rise character in Precinct 4.
- To protect the integrity of historical streetscapes and clusters of heritage buildings of a similar scale and materiality.
- To ensure development respects the architectural form and qualities of heritage buildings and streetscapes and maintains the visual prominence of the former ANZ Bank building.
- To promote design excellence that ensures new development respects the wide, open boulevard character of Queens Parade including where existing historic trees are key elements in the streetscape, they remain the dominant visual feature.
- To ensure development responds to sensitive interfaces by ensuring the overall scale and form of new buildings provides a suitable transition to low scale residential areas and protects these properties from an unreasonable loss of amenity through visual bulk, overlooking and overshadowing.

#### 2.0 Buildings and works

##### 2.1 Definitions

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**Heritage building** means any building subject to a Heritage Overlay, on the Victorian Heritage Register or any building graded as either Contributory or Individually Significant.

**Laneway** means a road reserve of a public highway 9 metres or less in width.

**Parapet** does not include features such as brackets, pediments, urns, finials or other decorative elements.

**Public realm** means all streets and spaces open to the public but does not include laneways.

**Street wall** means the façade of a building at the street boundary, or if the existing heritage building is set back from the street boundary, the front of the existing building.

**Street wall height** means the height of the street wall measured by the vertical distance between the footpath at the centre of the frontage and the highest point of the building, parapet, balustrade or eaves at the street edge or in the case of a heritage building if it is set back from the street from the centre of the building frontage to the highest point of the building, parapet, balustrade or eaves.

**Upper level** means development above the height of the street wall.

**Upper level setback** means the setback of the upper level measured from the street wall of the building.

##### 2.2 General Requirements

The following requirements apply to an application to construct a building or carry out works and must be read in conjunction with the relevant precinct design requirements.

- A permit must not be granted or amended (unless the amendment would not increase the extent of non-compliance) to construct a building or construct or carry out works which exceed the mandatory maximum building height, mandatory maximum street wall height or mandatory maximum street wall setback or are less than the mandatory minimum street wall height or mandatory minimum upper level setbacks specified in the relevant Precinct Tables. A permit cannot be granted to vary these requirements.



- A permit must not be granted or amended (unless the amendment would not increase the extent of non-compliance) to construct a building or carry out works which exceeds the preferred building height and setbacks specified in the relevant Precinct Tables unless all the following requirements are met, to the satisfaction of the responsible authority:
  - The built form outcome as a result of the proposed variation satisfies the design objectives in Clause 1.0.
  - All other relevant requirements specified in this schedule.

Architectural features may exceed the preferred or mandatory height.

Service equipment/structures including plant rooms, lift overruns, structures associated with green roof areas and other such equipment may exceed the preferred or mandatory height provided that each of the following criteria are met for the equipment or structure:

- Less than 50 per cent of the roof area is occupied by the equipment (other than solar panels).
- The equipment does not cause additional overshadowing of private open space, Napier Reserve and Queens Parade.
- The equipment does not extend higher than 3.6 metres above the maximum building height.

Projections such as balconies and building services should not intrude into a setback or upper level setback.

### **2.3 Street wall height requirements**

- Except in Precinct 4, the street wall height should be no higher than the parapet height of a abutting heritage building/s for a minimum length of 6 metres measured from the edge of the heritage building/s.

### **2.4 Upper level requirements**

- Upper level development should:
  - Provide setbacks to ensure that upper level additions seen from the public realm do not diminish the appreciation of the heritage building and streetscape.
  - Avoid repetitive stepped built form at upper levels.
  - Be visually recessive.
  - Use materials that are recessive in finish and colour.
  - Include articulated side walls, where visible from the public realm, which are designed to reduce the visual impact of the wall and read as part of the overall building design.
  - Avoid continuous built form at upper levels.
  - Ensure balconies at upper levels do not dominate the solid façades of heritage street walls
  - Minimise the visual intrusion of equipment and services.
  - Protect the contribution made by chimneys, parapets and other architectural features to the fine grained character of the area.

### **2.5 Corner site requirements**

- New development on a corner site with a frontage to Queens Parade should continue the Queens Parade street wall height along the side street, with a transition in height to match the rear interface where required. This requirement does not apply to a laneway except where specified.

## 2.6 Ground floor design requirements

- Facades at ground level should be designed with floor to floor ceiling heights suitable to accommodate commercial activity in the Commercial 1 Zone.
- Building services and service cabinets should be located away from the street frontage of heritage facades. They should be designed and located so they complement the street frontage and character and appearance of the heritage building.
- Windows of commercial premises, habitable rooms, and principal pedestrian entrances should be orientated towards the public realm and contribute to the safety of the adjoining public realm.

## 2.7 Vehicular access, car parking, and loading areas requirements

- New vehicle crossovers onto Queens Parade should be avoided.
- Future vehicle access and services must be provided by a rear laneway or side street, where possible.
- Vehicle ingress and egress into development, including loading facilities and building servicing, should ensure a high standard of pedestrian amenity and limit potential conflict between vehicle movements and pedestrian activity.
- Development on a laneway should include a rear/side setback or a corner splay at ground floor, to facilitate the ongoing functionality of the laneway and allow for building services and car park access.
- Permanent obstructions within a rear/side setback or splay to a laneway should be avoided.

## 2.8 Heritage design requirements

The following design requirements apply to development on land affected by a Heritage Overlay or immediately adjacent to a heritage building.

Element	Design Requirement
Building facades and street frontages	<p><b>Infill buildings and development adjoining a heritage building</b> Façade treatments and the articulation of infill buildings should:</p> <ul style="list-style-type: none"> <li>• be simple and not compete with the more elaborate detailing of nineteenth century buildings</li> <li>• respect the vertical proportions of the nineteenth and twentieth century facades in the heritage streetscape and/or the adjoining heritage building(s)</li> <li>• avoid large expanses of unarticulated curtain glazing, highly reflective glass and glazing with a horizontal emphasis, except for ground floor shopfronts</li> <li>• reflect the existing canopy/verandah height of the heritage streetscape and/or adjoining heritage building(s).</li> </ul> <p><b>Contributory or individually significant buildings</b> Adaption and reuse of contributory or individually significant buildings should:</p> <ul style="list-style-type: none"> <li>• maintain existing openings and avoid highly reflective glazing in historic openings</li> <li>• encourage the retention of solid built form behind retained facades and avoid balconies behind existing openings</li> <li>• maintain the inter-floor height of the existing building and avoid new floor plates and walls cutting through historic openings.</li> </ul>

Element	Design Requirement
Design of upper levels	<p>Upper level development on land within a heritage overlay and on land immediately adjoining a heritage building should:</p> <ul style="list-style-type: none"> <li>• be visually recessive and not visually dominate the heritage building and the heritage streetscape</li> <li>• retain the primacy of the three-dimensional form of the heritage building as viewed from the public realm to avoid ‘facadism’</li> <li>• utilise visually lightweight materials and finishes that are recessive in texture and colour and provide a juxtaposition with the heavier masonry of the heritage facades</li> <li>• incorporate simple architectural detailing that does not detract from significant elements of the heritage building and the heritage streetscape</li> <li>• reflect the rhythm of the wider streetscape, fine grained character and subdivision pattern of the streetscape, especially on larger sites.</li> </ul>
Upper level setbacks	<p>Upper level setbacks in excess of the minimum mandatory upper level setback should be provided where:</p> <ul style="list-style-type: none"> <li>• it would facilitate the retention of a roof form and chimneys that are visible from the public realm, or a roof or any feature that the relevant statement of significance identifies as contributing to the significance of the heritage building or streetscape</li> <li>• it would maintain the perception of the three-dimensional form and depth of the building <ul style="list-style-type: none"> <li>▪ a lesser setback would detract from the character of the streetscape when viewed directly or obliquely along Queens Parade.</li> </ul> </li> </ul>

## 2.9 Interface to residential properties in NRZ or GRZ requirements

- Development should respond to the low scale form of existing development through an appropriate transition in building height and setbacks to ensure reasonable standards of amenity.
- In Precinct 4, where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.  
If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.

## 2.10 Precinct design requirements

The following precinct specific design requirements apply in addition to the General Requirements outlined in Clauses 2.2-2.9.

### 390A Queens Parade (part of Precinct 4 – Activity Centre Precinct)

Shown on the planning scheme map as **DDO16-4**

#### Preferred character statement

Buildings and works should deliver:

- A unique and vibrant Victorian era shopping strip which forms the retail and activity focus of Queens Parade building on its distinctive heritage qualities.
- Development that complements the scale of heritage buildings and the patterns and rhythms of heritage features.

- Upper level infill that reinforces the prevailing street wall and subdivision grain of significant streetscapes and transitions to residential abuttals to the rear.
- Well designed building frontages and public realm that reinforce the pedestrian experience of this part of Queens Parade as and the central hub for the local community
- Development that retains the prominence of the former ANZ Building.

### **Design requirements**

Development must:

- Protect and maintain key views of the former ANZ Building from the south-west and north-east (as indicated on Map 1), in particular to the upper floor, roof form and chimneys. A permit cannot be granted to vary this requirement.

Development should:

- Respect the consistent scale, grain, rhythm and architectural quality of the highly intact heritage streetscapes and the heritage buildings in the precinct.
- Retain the visual prominence of heritage buildings, their street wall and heritage streetscape when viewed from the opposite side of Queens Parade.
- Facilitate the appropriate low rise infill of the sites located to the rear of commercial properties fronting Queens Parade.
- Ensure that any upper level development is set back from the heritage façade, is visually recessive and does not detract from the heritage streetscape.
- Retain the visual prominence and heritage fabric of the return facades of heritage buildings that front Queens Parade, Delbridge, Gold, Michael and Wellington Streets.
- Ensure that facades at ground floor incorporate verandahs which are consistent with the form and scale of adjoining verandahs.
- Retain chimneys visible from the public realm.
- Enhance the amenity and safety of laneways that provide pedestrian and vehicular access to buildings.
- Maintain service access from the laneways to facilitate commercial use of the properties fronting Queens Parade.
- Ensure shopfront widths are not reduced to the extent they become commercially unviable.

Map 1 – 390A Queens Parade



Table 1 – Street wall height, building height and setbacks

Built Form	Mandatory requirement	Preferred requirement
Maximum building height	11 metres	None specified
Maximum and minimum street wall height on Queens Parade	<p>For existing heritage facades:</p> <ul style="list-style-type: none"> <li>Retain height of the existing heritage façade.</li> </ul> <p>Where no heritage façade exists and there is no adjacent heritage building/s:</p> <ul style="list-style-type: none"> <li>at least 8 metres in height and no higher than 11 metres in height.</li> </ul> <p>Where no heritage façade exists and there is an adjacent heritage building/s:</p> <ul style="list-style-type: none"> <li>at least 8 metres in height and no higher than 11 metres unless an adjacent heritage building has a parapet height of more than 11 metres, in which case no higher than the adjacent heritage parapet height.</li> </ul>	None specified
Maximum and minimum street	None specified	For existing heritage facades:

Built Form	Mandatory requirement	Preferred requirement
wall height in side streets		<ul style="list-style-type: none"> <li>No higher than the existing heritage façade</li> </ul> <p>Where there is no heritage façade and there is no adjacent heritage building/s:</p> <ul style="list-style-type: none"> <li>at least 8m in height and no higher than 11m in height.</li> </ul> <p>Where no heritage façade exists and there is an adjacent heritage building/s:</p> <ul style="list-style-type: none"> <li>at least 8 metres in height and no higher than 11 metres unless there is an adjacent heritage building with a parapet height of more than 11 metres, in which case no higher than the adjacent heritage parapet.</li> </ul>
Minimum upper level setback on Queens Parade	8 metres	None specified
Minimum upper level setback in side streets	None specified	6 metres
Maximum and minimum street wall setback	0 metres - built to front boundary at ground level	None specified
Minimum setback to a NRZ interface	None specified	<p>Where there is a laneway:</p> <ul style="list-style-type: none"> <li>Height and setbacks as shown in Figure 1</li> </ul> <p>Where there is no laneway:</p> <ul style="list-style-type: none"> <li>Height and setbacks as shown in Figure 2</li> </ul>
Minimum rear setback (C1Z interface)	None specified	3 metres above 11 metres

### 3.0

#### Subdivision

xx/xx/xxxx  
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None specified.

### 4.0

#### Advertising

xx/xx/xxxx  
Proposed  
C231Pt2

None specified.

### 5.0

#### Application requirements

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The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and should accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A site analysis and urban design context report which demonstrates how the proposal achieves the Design Objectives, Preferred Character Statements and Design Requirements of this schedule.

- For development proposals for buildings over 20 metres in height, a wind study analysis to assess the impact of wind on the safety and comfort of the pedestrian environment on footpaths and other public spaces while walking, sitting and standing.
- A Traffic and Parking Assessment Report which includes an assessment of the cumulative impacts of traffic and parking in the Precinct including an assessment of the ongoing functionality of laneway/s.

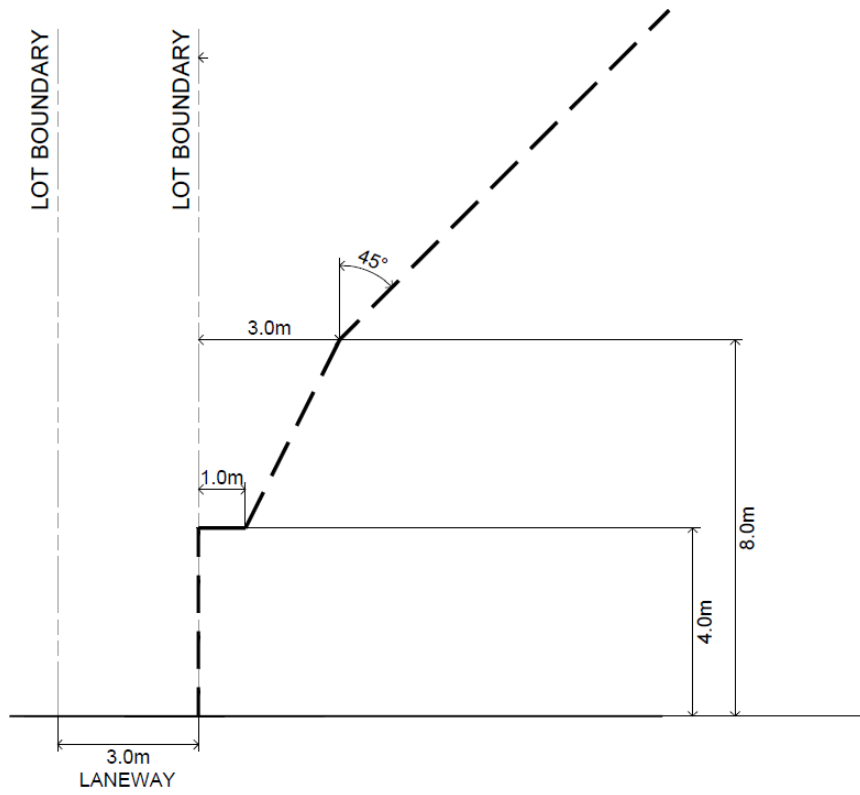
## 6.0 Decision guidelines

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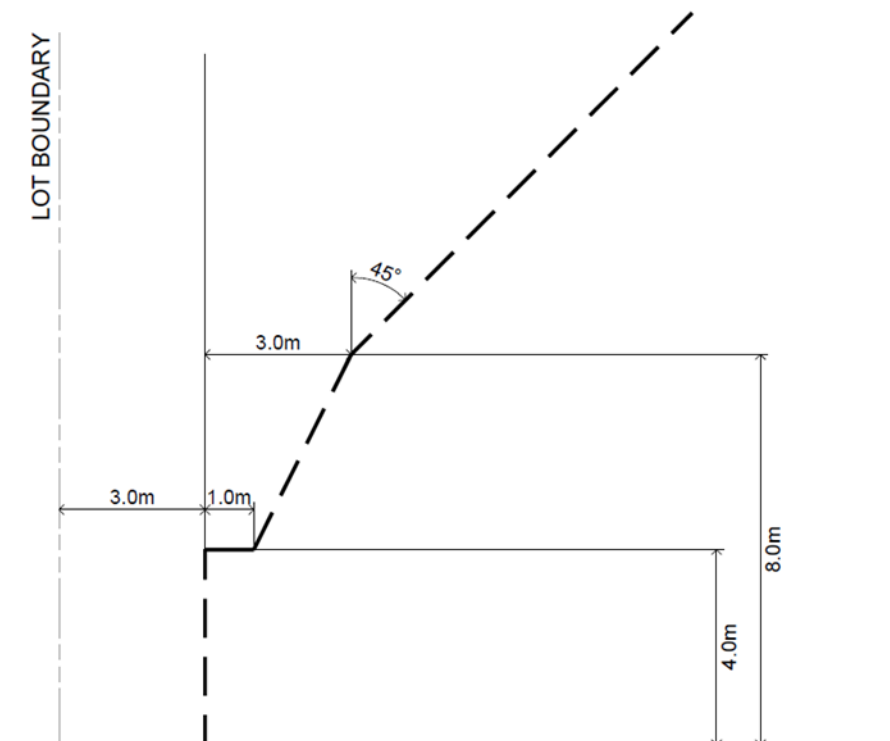
The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the proposal delivers design excellence.
- If roof decks are proposed, whether they are set back from lower levels and are recessive in appearance.
- The profile and impact of development along Queens Parade when viewed from the north side of McKean Street.
- The design of the streetscape interface along the primary street frontage.
- Whether side and rear setbacks and controls on light spillage and noise are sufficient to limit the impact on the amenity of existing dwellings.
- The impact on solar access to Queens Parade.
- Whether heritage buildings on street corners retain their prominence when viewed from both streets.
- Whether heritage buildings retain their three-dimensional form when viewed from the public realm.
- Whether upper level development above the heritage street wall is visually recessive and does not dominate or visually overwhelm the heritage buildings.
- Whether the proposal contributes to and improves the pedestrian environment and other areas of the public realm.
- The impact of development on views to the former ANZ Bank building's tower, roof, chimney and upper level.
- The wind effects created by the development.
- The cumulative impact of traffic and parking in the Precinct including on the functionality of laneway/s.

**Figure 1 - Setback where there is a laneway to the side or rear**



**Figure 2- Setback where there is no laneway to the side or rear**





# YARRA PLANNING SCHEME - LOCAL PROVISION AMENDMENT C231yara part 2



**LEGEND**

- DDO - Design and Development Overlay
- Local Government Area



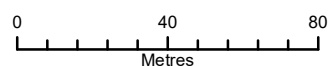
Part of Planning Scheme Map 2DDO

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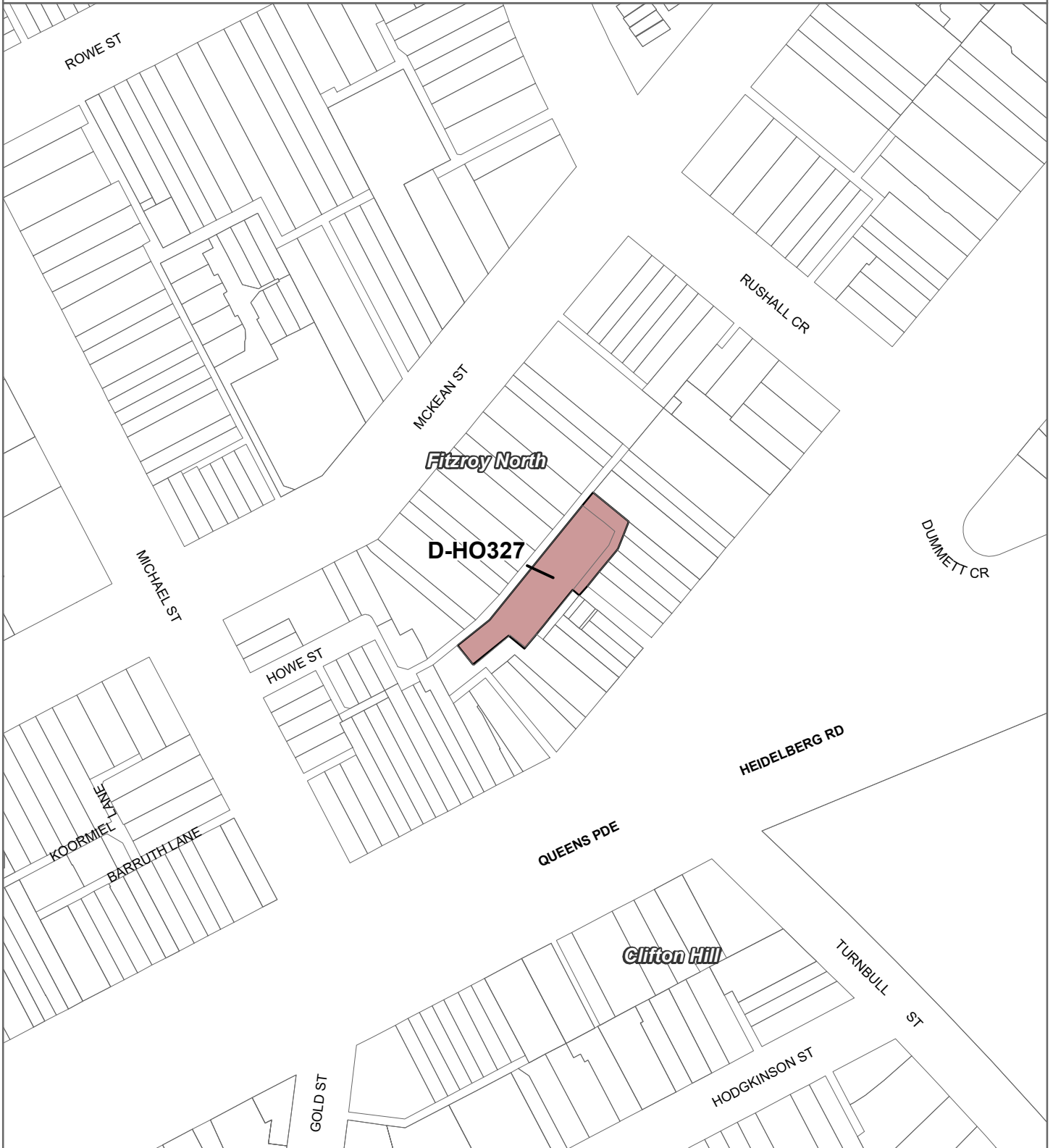
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# YARRA PLANNING SCHEME - LOCAL PROVISION AMENDMENT C231yara part 2



**LEGEND**

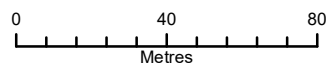
- D-HO - Area to be deleted from a Heritage Overlay
- Local Government Area



Part of Planning Scheme Map 2HO

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# YARRA PLANNING SCHEME - LOCAL PROVISION AMENDMENT C231yara part 2



**LEGEND**

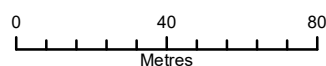
- HO - Heritage Overlay
- Local Government Area



Part of Planning Scheme Map 2HO

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**SCHEDULE TO CLAUSE 72.04 DOCUMENTS INCORPORATED IN THIS PLANNING SCHEME****1.0 Incorporated documents**--/--/--  
Proposed C231yarapt2yara

Name of document	Introduced by:
5-15 Mayfield Street, Abbotsford, Incorporated Document, October, 2018	C188
10 Bromham Place, Richmond Incorporated Document, February 2013	C171
18-62 Trenerry Crescent, Abbotsford (Incorporated Plan, May 2018)	C218
32-68 Mollison Street and 61-69 William Street, Abbotsford July 2013	C170
351-353 Church Street, Richmond – Incorporated Document, February 2019	C225
520 Victoria Street, 2A Burnley Street, and 2 – 30 Burnley Street, Richmond, Burnley Street West Precinct - Incorporated Plan, 2012	C150
Amcors Alphington Paper Mill Site Preparation – Incorporated Document, September 2012	C161
Atherton Gardens – Fitzroy, September 2010	C136
Caulfield Dandenong Rail Upgrade Project, Incorporated Document, April 2016	GC37
Chandler Highway Upgrade Incorporated Document, March 2016 (Amended December 2017)	GC80
City of Yarra Review of Heritage Overlay Areas 2007 Appendix 8, revised <a href="#">June 2020</a>	<a href="#">C231pt2yara</a>
Cremorne Balmain Dover Street Project	NPS1
Crown Land Car Park Works, Burnley, August 2005	C92
Fitzroy Former Gasworks Site, Incorporated Document, February 2018	C242
Flying Fox Campsite, Yarra Bend Park, December 2004	C90
Hurstbridge Rail Line Upgrade 2017 Incorporated Document, January 2017	GC60
Incorporated Plan under the provisions of clause 43.01 Heritage Overlay, Planning permit exemptions, July 2014	C178
Local Policy “Protection of Biodiversity” Sites of Remnant Vegetation (Biosis 2001)	C49
M1 Redevelopment Project, October 2006	C86
Melbourne City Link Project – Advertising Sign Locations, November 2003	VC20
Melbourne Metro Rail Project: Upgrades to the Rail Network Incorporated Document, May 2018	GC96
North East Link Project Incorporated Document, December 2019	GC98
Planning and Design Principles for the Richmond Maltings Site, Cremorne – November 2007	C101
Richmond Walk Up Estate Redevelopment, September 2010	C136
Social housing redevelopment; Atherton Gardens Estate, Fitzroy, and Richmond Public Housing Estate, Richmond, for which the Minister for Planning is the Responsible Authority, May 2010	C135
Specific Site and Exclusion – Lot 2 on PS433628L (452 Johnston Street, Abbotsford)	C56
Swan Street Works, Burnley, June 2005	C91
Tramway Infrastructure Upgrades Incorporated Document, May 2017	GC68

**CITY OF YARRA**  
**REVIEW OF HERITAGE OVERLAY AREAS 2007**

*Appendix 8*

*Revised [June 2020](#)*



City of Yarra Review of Heritage Overlay Areas 2007  
Appendix 8

Address			Name /Property Number /Heritage Status/Estimated creation date				
HO330 Queens Parade Precinct, North Fitzroy/Clifton Hill							
Queens	Parade	278	Fitzroy North	Shop & residence	248000	contributory	1870-1890
Queens	Parade	280	Fitzroy North	Shop & residence	248005	contributory	1870-1890
Queens	Parade	282	Fitzroy North	Shop & residence	248010	contributory	1883
Queens	Parade	284	Fitzroy North	Shop & residence	248015	contributory	1880-1890
Queens	Parade	286	Fitzroy North	Shop & residence	248020	contributory	1900-1915?
Queens	Parade	288	Fitzroy North	Shop & residence	248025	contributory	1900-1915
Queens	Parade	290	Fitzroy North	Shop & residence	248030	contributory	1880-1900
Queens	Parade	294 -292	Fitzroy North	Shop & residence	248035	contributory	1870-1890
Queens	Parade	296	Fitzroy North	Shop & residence	248040	contributory	1870-1890
Queens	Parade	298	Fitzroy North	Shop & residence	248045	contributory	1870-1890
Queens	Parade	300	Fitzroy North	Shop, offices	248050	not contributory	1980-1990
Queens	Parade	302	Fitzroy North	Shop, offices	248055	not contributory	1970-1980
Queens	Parade	302A	Fitzroy North	Office	248060	not contributory	1970-1980
Queens	Parade	304	Fitzroy North	Shop	248070	not contributory	1970-1980
Queens	Parade	rear 304	Fitzroy North		248065	not contributory	
Queens	Parade	306	Fitzroy North	Shop	248075	not contributory	1970-1980
Queens	Parade	308	Fitzroy North	Shop & residence	248080	contributory	1870-1890
Queens	Parade	310	Fitzroy North	Shop & residence	248085	contributory	1870-1890
Queens	Parade	312	Fitzroy North	Shop & residence	248090	contributory	1870-1890
Queens	Parade	rear 312	Fitzroy North		478930	contributory	
Queens	Parade	314	Fitzroy North	Ryans Buildings, Shop & residence	248095	individually significant	1884
Queens	Parade	316	Fitzroy North	Shop & residence	248100	contributory	1870-1890
Queens	Parade	rear 316	Fitzroy North		248100	not contributory	
Queens	Parade	318	Fitzroy North	Shop & residence	248115	contributory	1870-1890
Queens	Parade	320	Fitzroy North	Shop & residence	248120	contributory	1870-1890
Queens	Parade	322	Fitzroy North	Shop & residence	248125	contributory	1870-1890
Queens	Parade	324	Fitzroy North	Shop	248130	not contributory	unknown
Queens	Parade	326 -328	Fitzroy North	Commonwealth Bank	248135	not contributory	1970-1980
Queens	Parade	330	Fitzroy North	Shop & residence	248140	contributory	1870-1890
Queens	Parade	336	Fitzroy North	Shop & residence	248145	individually significant	1870-1890
Queens	Parade	338	Fitzroy North	Shop & residence	248150	individually significant	1870-1890
Queens	Parade	340	Fitzroy North	Shop & residence	248155	contributory	1870-1890
Queens	Parade	342	Fitzroy North	Shop & residence	248160	contributory	1880-1900
Queens	Parade	344	Fitzroy North	Shop & residence	248165	contributory	1870-1890
Queens	Parade	346	Fitzroy North	Shop & residence	248170	contributory	1870-1890
Queens	Parade	348	Fitzroy North	Shop & residence	248175	contributory	1870-1890
Queens	Parade	350	Fitzroy North	Shop & residence	248180	contributory	1870-1890
Queens	Parade	352	Fitzroy North	Shop & residence	248185	contributory	1870-1890
Queens	Parade	354	Fitzroy North	Shop & residence	248190	contributory	1870-1890
Queens	Parade	356	Fitzroy North	Shop & residence	248195	contributory	1870-1890
Queens	Parade	360	Fitzroy North	Shop	248200	not contributory	1950-1960
Queens	Parade	362	Fitzroy North	Shop & residence	248205	contributory	1870-1890
Queens	Parade	364 -366	Fitzroy North	Shop	248210	not contributory	1950-1960
Queens	Parade	370 -374	Fitzroy North	London Bank of Australasia, later the ANZ Bank, later shop & residence	248215	Victorian Heritage Register	1889
Queens	Parade	376	Fitzroy North	Kingdom Cycle Works & residence	248220	contributory	1904
Queens	Parade	382	Fitzroy North	Shop & residence	248235	contributory	1870-1890
Queens	Parade	386	Fitzroy North	Shop & residence	248255	contributory	1900-1915
Queens	Parade	388	Fitzroy North	Shop & residence	248250	contributory	1900-1915
Queens	Parade	390	Fitzroy North	Shop & residence	248225	contributory	1900-1915
<a href="#">Queens</a>	<a href="#">Parade</a>	<a href="#">390A</a>	<a href="#">Fitzroy North</a>	<a href="#">2 storey building in NE corner</a>	<a href="#">248225</a>	<a href="#">contributory</a>	
<a href="#">Queens</a>	<a href="#">Parade</a>	<a href="#">390A</a>	<a href="#">Fitzroy North</a>	<a href="#">all buildings except 2 storey building in NE corner</a>	<a href="#">248225</a>	<a href="#">not contributory</a>	