

YARRA CITY COUNCIL
Internal Development Approvals Committee
Agenda – Part 2

to be held virtually
on Wednesday 27 May 2020 at 6.30pm

Rostered Councillor membership

Councillor Misha Coleman
Councillor Mi-Lin Chen Yi Mei (substitute for Cr Nguyen)
Councillor Danae Bosler

- I. ATTENDANCE**
Amy Hodgen (Senior Co-Ordinator Statutory Planning)
Ally Huynh (Senior Co-Ordinator Statutory Planning)
Lara Fiscalini (Principal Planner)
Cindi Johnston (Governance Officer)
- II. DECLARATIONS OF PECUNIARY INTEREST AND CONFLICT OF INTEREST**
- III. CONFIRMATION OF MINUTES**
- IV. COMMITTEE BUSINESS REPORTS**

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***"Welcome to the City of Yarra.
Yarra City Council acknowledges the
Wurundjeri Woi-wurrung as the
Traditional Owners of this country,
pays tribute to all Aboriginal and
Torres Strait Islander people in Yarra
and gives respect to the Elders past
and present."***

Internal Development Approvals Committee Submissions

“Prior to the consideration of any Committee Business Report at a meeting of the Internal Development Approvals Committee, members of the public shall be invited by the Chairperson to make a verbal submission. In determining the order of submissions, the Chairperson shall first invite the applicant or their representatives to submit, followed by formal objectors and finally any other interested persons.

All submitters accepting the invitation to address the meeting shall make submissions in accordance with these guidelines (or a variation of these guidelines as determined by the Chairperson at their sole discretion).

- Speak for a maximum of five minutes;
- Direct their submission to the Chairperson;
- Confine their submission to the planning permit under consideration;
- If possible, explain their preferred decision in relation to a permit application (refusing, granting or granting with conditions) and set out any requested permit conditions.
- Avoid repetition and restating previous submitters;
- Refrain from asking questions or seeking comments from the Councillors, applicants or other submitters;
- If speaking on behalf of a group, explain the nature of the group and how the submitter is able to speak on their behalf.

Following public submissions, the applicant or their representatives will be given a further opportunity of two minutes to exercise a right of reply in relation to matters raised by previous submitters. Applicants may not raise new matters during this right of reply.

Councillors will then have an opportunity to ask questions of submitters. Submitters may determine whether or not they wish to take these questions.

Once all submissions have been received, the formal debate may commence. Once the debate has commenced, no further submissions, questions or comments from submitters can be received.”

Extract from the Council Meeting Operations Policy, September 2019

1. Committee business reports

Item		Page	Rec. Page
1.6	Heritage Victoria Referral 88 Wellington Street and 1-21 Robert Street (Former Yorkshire Brewery), Collingwood	5	11

1.6 Heritage Victoria Referral 88 Wellington Street and 1-21 Robert Street (Former Yorkshire Brewery), Collingwood

Reference: D20/88627
Authoriser: Coordinator Statutory Planning

Purpose

1. Council has received a referral under Section 71 of the Heritage Act 1995, in relation to an application made to Heritage Victoria, by SMA Projects, for the construction of two, double storey apartments above an existing four storey apartment building.
2. This report provides Council with information about the proposal and makes recommendations for a response to the Heritage Victoria referral.

Background

3. The site, being the former Yorkshire Brewery site, is included on the Victorian Heritage Register (VHR Ref. No. H0807).
4. Under Section 71 of the *Heritage Act 2017*, Heritage Victoria (HV) is required to provide Council with a copy of HV applications for comment. Council's role is limited to providing any heritage-based comments on the proposal. HV will ultimately decide on the merits of the application.
5. A separate planning application will be required to be lodged with Council under the *Planning and Environment Act 1987* for the construction of the apartments pursuant to the Yarra Planning Scheme. It will be at this stage that non-heritage matters will be assessed.
6. Council received the written referral and heritage impact statement from Heritage Victoria on 12 May 2020.
7. The HV application has been reviewed by Council's Heritage Advisor, who has raised no objection to the proposed works (comments attached).

External Consultation

8. No external consultation has been undertaken. This is to be undertaken by Heritage Victoria.

Internal Consultation (One Yarra)

9. Council's Internal Heritage Advisor has reviewed the application, with the comments included as an attachment to this report.

Financial Implications

10. There are no financial implications associated with this report.

Economic Implications

11. There are no economic implications associated with this report.

Sustainability Implications

12. There are no sustainability implications associated with this report.

Climate Emergency Implications

13. There are no climate emergency implications associated with this report.

Social Implications

14. There are no social implications associated with this report.

Human Rights Implications

15. There are no human rights implications associated with this report.

Communications with CALD Communities Implications

16. There are no communications with the CALD community necessary for this report.

Council Plan, Strategy and Policy Implications

17. There is no Council Plan, Strategy and Policy implications associated with this report.

Legal Implications

18. There are no legal implications associated with this report.

Site Context

19. The Former Yorkshire Brewery site at 1-21 Robert Street, Collingwood, comprises the surviving elements of the former brewery including the six-storey polychrome brick Brew Tower, which has been adapted for residential use as part of the redevelopment of the broader site circa 2012.

20. The existing four storey apartment building, where the works are to occur, is separated from the Brew Tower by an internal courtyard. Immediately to the east is the larger 17-storey residential tower.



Image 1: Location of proposed works

Proposal

21. The proposal is for two, double storey apartments above the existing four-storey apartment building, resulting in an overall building height of 6 storeys. The proposed development will maintain a contemporary design language and a similar material palette to the adjacent Yorkshire Brewery apartments.

22. Details of the proposed works are illustrated in the images below.

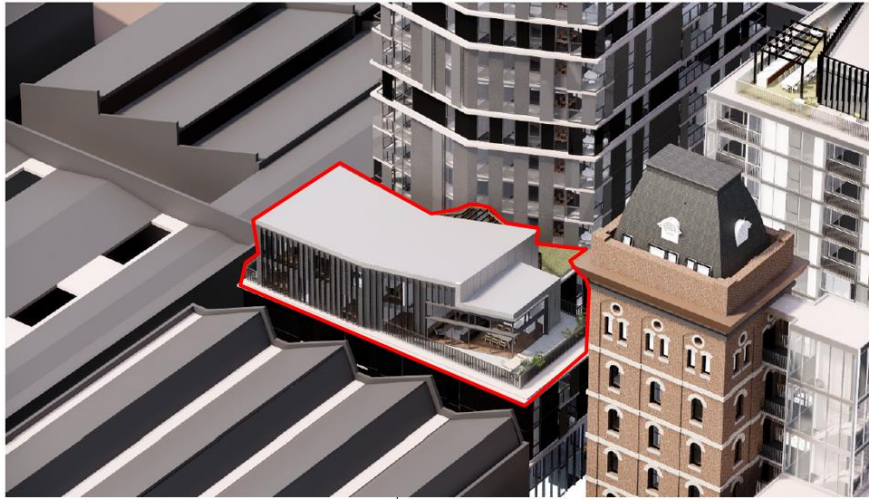


Image 2: The proposed addition (outlined in red).



Image 3: Materiality detail

Planning Controls

23. The subject site is within a Mixed Use Zone and is also affected by an Environmental Audit Overlay and Heritage Overlay (Schedule 141).

Mixed Use Zone

24. A planning permit is not required under clause 32.04-2 (Mixed Use Zone) of the Yarra Planning Scheme for the use of a dwelling.
25. A planning permit is required under clause 32.04-6 (Mixed Use Zone) of the Yarra Planning Scheme to construct a dwelling if there is at least one dwelling existing on the lot. As previously identified, these works will be subject to a separate planning application.

Heritage Overlay (Schedule 141)

26. Pursuant to Clause 43.01-3, a planning permit is not required under the Heritage Overlay to develop a heritage place which is included in the Victorian Heritage Register.

27. The following is the statement of significance for the Former Yorkshire Brewery from the Victorian Heritage Database:

'The Yorkshire Brewery was established in 1858 by John Wood who commenced operations in a timber building on a two acre site. Wood, a former builder, lived on site and also owned the Yorkshire Hotel. In 1875 a son, the engineer and architect James Wood, prepared drawings for the present complex, the foundation stone being laid in 1876. The most prominent feature of the complex was a multi-level polychrome brick tower with a large mansard roof and a viewing platform. This still survives. A smoke stack has since been demolished. The Yorkshire Brewery became a major Melbourne brewing enterprise which obtained prizes for ale and porter at the Melbourne Centennial Exhibition of 1888. Significantly, it was located in Collingwood, the centre of the brewing industry, the complex experienced numerous changes of ownership but maintained its identity in the early twentieth century period. This period saw amalgamations and an overall reduction of breweries in Melbourne. The Yorkshire Brewery was purchased by the dominant Carlton and United group in 1909 and used as a standby plant, then a cooperage. In 1954 it became a malt house. The complex survives as a substantially intact large mid-Victorian brewing complex consisting of a brewing tower, brewery cellars and former stables, with additions. Its significance is summarised as follows:

- a) for comprising remnant elements of a large nineteenth century brewing complex, including a brewing tower, adjacent buildings and stables.*
- b) as a complex expressive of the first generation of industrial development in the Collingwood area which was noted for its manufacturing activity in the nineteenth century.*
- c) as the most notable surviving brewery complex in the municipality of Collingwood, a district noted for its breweries in the nineteenth century and for reflecting the development of the brewing industry from the early days of the existence of the colony of Victoria.*
- d) for comprising the largest and most prominent brewing tower in the state the tower may also be considered important as*
- e) a notable work of the architect James Wood*
- f) as expressive of the nineteenth century brewing process*
- g) as a symbol of industrial activity and the personal success of the wood family*
- h) as a colonial echo of similar structures in Great Britain*
- i) as a vantage point and symbol, and one of the tallest structures in the district in the nineteenth century*
- j) for its architectural detail, including polychrome brick and a mansard roof, the only substantially intact example remaining in Victoria of a feature typically associated with nineteenth century brewing towers*
- k) as an example of French "Second Empire" architectural style*
- l) for comprising one of the few surviving nineteenth century stables associated with a large manufacturing complex.*
- m) as an archaeological site which may reveal further evidence of industrial processes, buildings and activities on the site, including the Yorkshire Hotel and other properties owned by John Wood.'*

28. In terms of the Municipal Strategic Statement and Local Planning Policies, Clauses 21.05-1 and 22.02 provide general guidance on the development of heritage places.

Environment Audit Overlay

29. Pursuant to clause 45.03-1 of the Yarra Planning Scheme, *before a sensitive use (residential use, child care centre, pre-school centre or primary school) commences or before the construction or carrying out of buildings and works in association with a sensitive use commences, either:*
- (a) *A certificate of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970, or*
 - (b) *An environmental auditor appointed under the Environment Protection Act 1970 must make a statement in accordance with Part IXD of that Act that the environmental conditions of the land are suitable for the sensitive use.*
30. A certificate of environmental audit was previously issued for the site as part of the previous redevelopment.

Planning Policy Framework (PPF)

Clause 15.03 Heritage

Clause 15.03-1S – Heritage conservation

31. The objective of this clause is:
- (a) *To ensure the conservation of places of heritage significance.*
32. Strategies include:
- (a) *Identify, assess and document places of natural and cultural heritage significance as a basis for their inclusion in the planning scheme.*
 - (b) *Provide for the protection of natural heritage sites and man-made resources.*
 - (c) *Provide for the conservation and enhancement of those places that are of aesthetic, archaeological, architectural, cultural, scientific or social significance.*
 - (d) *Encourage appropriate development that respects places with identified heritage values.*
 - (e) *Retain those elements that contribute to the importance of the heritage place.*
 - (f) *Encourage the conservation and restoration of contributory elements of a heritage place.*
 - (g) *Ensure an appropriate setting and context for heritage places is maintained or enhanced.*
 - (h) *Support adaptive reuse of heritage buildings where their use has become redundant.*

Local Planning Policy Framework (LPPF)

Municipal Strategic Statement (MSS)

Clause 21.05-1 Heritage

33. This clause acknowledges that new development can still proceed whilst paralleling the objective to retain the nineteenth century character of the City. Conservation areas seek to conserve the City's heritage places whilst managing an appropriate level of change.
34. Relevant objectives include:
- (a) *Objective 14 To protect and enhance Yarra's heritage places:*

- (i) *Strategy 14.1 Conserve, protect and enhance identified sites and areas of heritage significance including pre-settlement ecological heritage.*
- (ii) *Strategy 14.2 Support the restoration of heritage places.*
- (iii) *Strategy 14.3 Protect the heritage skyline of heritage precincts.*
- (iv) *Strategy 14.4 Protect the subdivision pattern within heritage places.*
- (v) *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.*
- (vi) *Strategy 14.8 Apply the Development Guidelines for Heritage Places policy at clause 22.02.*

Local Policies

Clause 22.02 Development Guidelines for Sites Subject to the Heritage Overlay

35. This policy applies to all new development included in a heritage overlay. The relevant objectives of this clause includes 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 and to preserve the scale and pattern of streetscapes in heritage places.

Assessment

36. The considerations are limited to matters of heritage. Having regard to the relevant clauses of the Yarra Planning Scheme (clauses 15.01, 21.05-1 and 22.02) and advice from Council's heritage advisor, from a heritage perspective the proposed works are considered acceptable given that:
- (a) The proposed works are not considered to have any physical or historic impact on the heritage fabric of the former Yorkshire Brewery. The additional levels are to a recently constructed building. While increasing the height of the existing 4 storey building, the proposed additional levels will continue to sit well below the parapet of the Brew Tower as illustrated in Image 2.
 - (b) The location of the proposed works is consistent with works contemplated by the *Former Yorkshire Brewery Conservation Management Plan (Review)*, prepared by Lovell Chen in 2016 which states;

"The silo site and the north and east boundaries are obvious locations for build form of scale"
 - (c) The proposed works would not obscure or adversely impact on the key views to the brew tower. Given that the additional levels are to a building located centrally within the site, it is not expected that they will be visible from Wellington Street, with only the uppermost levels of the 17 storey tower immediately behind visible from Wellington Street. As illustrated in Image 4 below, the additional levels will also have a negligible impact on existing view lines along Mansard Lane from Robert Street.



Image 4: Existing and proposed view lines from the corner of Mansard Lane and Robert Street

Conclusion

37. Having regard to the relevant heritage policies within the Yarra Planning Scheme, and advice from Council's Heritage Advisor, the proposed development is considered acceptable from a heritage perspective.

RECOMMENDATION

It is recommended that Council respond to Heritage Victoria advising that it has no objection to the proposed development on heritage grounds.

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TITLE: Statutory Planner
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Attachments

- 1 Heritage Victoria Referral - Former Yorkshire Brewery - Internal Heritage Advice
- 2 Heritage Victoria Referral - Former Yorkshire Brewery - Plans