



# Agenda

## Council Meeting

7.00pm, Tuesday 7 December 2021

Ms Teams

## Council Meetings

Council Meetings are public forums where Councillors come together to meet as a Council and make decisions about important, strategic and other matters. The Mayor presides over all Council Meetings, and they are conducted in accordance with the City of Yarra Governance Rules 2020 and the Council Meetings Operations Policy.

Council meetings are decision-making forums and only Councillors have a formal role. However, Council is committed to transparent governance and to ensuring that any person whose rights will be directly affected by a decision of Council is entitled to communicate their views and have their interests considered before the decision is made.

There are two ways you can participate in the meeting.

## Public Question Time

Yarra City Council welcomes questions from members of the community.

Ideally, questions should be submitted to Council in writing by midday on the day of the meeting via the form available on our website. Submitting your question in advance helps us to provide a more comprehensive answer. Questions that have been submitted in advance will be answered first.

Public question time is an opportunity to ask questions about issues for which you have not been able to gain a satisfactory response on a matter. As such, public question time is not:

- a time to make statements or engage in debate with Councillors;
- a forum to be used in relation to planning application matters which are required to be submitted and considered as part of the formal planning submission;
- a forum for initially raising operational matters, which should be directed to the administration in the first instance;

If you wish to raise matters in relation to an item on this meeting agenda, Council will consider submissions on these items in conjunction with and prior to debate on that agenda item.

When you are invited by the Mayor to ask your question, please come forward, take a seat at the microphone, state your name clearly for the record and:

- direct your question to the Mayor;
- refrain from making statements or engaging in debate
- don't raise operational matters which have not previously been raised with the Council administration;
- not ask questions about matter listed on the agenda for the current meeting.
- refrain from repeating questions that have been previously asked; and
- if asking a question on behalf of a group, explain the nature of the group and how you are able to speak on their behalf.

Once you have asked your question, please remain silent unless called upon by the Mayor to make further comment or to clarify any aspects.

## Public submissions

Before each item is considered, the meeting chair will ask people in attendance if they wish to make submission. If you want to make a submission, simply raise your hand and the Mayor will invite you to come forward, take a seat at the microphone, state your name clearly for the record and:

- Speak for a maximum of five minutes;
- direct your submission to the Mayor;
- confine your submission to the subject under consideration;
- avoid repetition and restating previous submitters;
- refrain from asking questions or seeking comments from the Councillors or other submitters;
- if speaking on behalf of a group, explain the nature of the group and how you are able to speak on their behalf.

Once you have made your submission, please remain silent unless called upon by the Mayor to make further comment or to clarify any aspects.

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.

## Arrangements to ensure our meetings are accessible to the public

Council meetings are held at either the Richmond Town Hall or the Fitzroy Town Hall. The following arrangements are in place to ensure they are accessible to the public:

- Entrance ramps and lifts (off Moor Street at Fitzroy, entry foyer at Richmond).
- Interpreting assistance is available by arrangement (tel. 9205 5110).
- Auslan interpreting is available by arrangement (tel. 9205 5110).
- A hearing loop is available at Richmond only and the receiver accessory is available by arrangement (tel. 9205 5110).
- Proposed resolutions are displayed on large screen.
- An electronic sound system amplifies Councillors' debate.
- Disability accessible toilet facilities are available at each venue.

## Recording and Publication of Meetings

An audio recording is made of all public Council Meetings and then published on Council's website. By participating in proceedings (including during Public Question Time or in making a submission regarding an item before Council), you agree to this publication. You should be aware that any private information volunteered by you during your participation in a meeting is subject to recording and publication.

## Order of business

1. **Acknowledgement of Country**
2. **Attendance, apologies and requests for leave of absence**
3. **Announcements**
4. **Declarations of conflict of interest**
5. **Confidential business reports**
6. **Confirmation of minutes**
7. **Public question time**
8. **Council business reports**
9. **Notices of motion**
10. **Petitions and joint letters**
11. **Questions without notice**
12. **Delegates' reports**
13. **General business**
14. **Urgent business**

## 1. Acknowledgment of Country

*“Yarra City Council acknowledges the Wurundjeri Woi Wurrung people as the Traditional Owners and true sovereigns of the land now known as Yarra.*

*We acknowledge their creator spirit Bunjil, their ancestors and their Elders.*

*We acknowledge the strength and resilience of the Wurundjeri Woi Wurrung, who have never ceded sovereignty and retain their strong connections to family, clan and country despite the impacts of European invasion.*

*We also acknowledge the significant contributions made by other Aboriginal and Torres Strait Islander people to life in Yarra.*

*We pay our respects to Elders from all nations here today—and to their Elders past, present and future.”*

## 2. Attendance, apologies and requests for leave of absence

### Attendance

#### Councillors

- |                          |              |
|--------------------------|--------------|
| • Cr Sophie Wade         | Mayor        |
| • Cr Edward Crossland    | Deputy Mayor |
| • Cr Gabrielle de Vietri | Councillor   |
| • Cr Stephen Jolly       | Councillor   |
| • Cr Herschel Landes     | Councillor   |
| • Cr Anab Mohamud        | Councillor   |
| • Cr Claudia Nguyen      | Councillor   |
| • Cr Bridgid O’Brien     | Councillor   |
| • Cr Amanda Stone        | Councillor   |

#### Council officers

- |                     |  |
|---------------------|--|
| • Vijaya Vaidyanath | Chief Executive Officer                  |
| • Brooke Colbert    | Group Manager Advocacy and Engagement    |
| • Ivan Gilbert      | Group Manager Chief Executive’s Office   |
| • Lucas Gosling     | Director Community Wellbeing             |
| • Gracie Karabinis  | Group Manager People and Culture         |
| • Chris Leivers     | Director City Works and Assets           |
| • Diarmuid McAlary  | Director Corporate, Business and Finance |
| • Bruce Phillips    | Director Planning and Place Making       |
| • Rhys Thomas       | Senior Governance Advisor                |
| • Mel Nikou         | Governance Officer                       |

## 3. Announcements

An opportunity is provided for the Mayor to make any necessary announcements.

## 4. Declarations of conflict of interest (Councillors and staff)

Any Councillor who has a conflict of interest in a matter being considered at this meeting is required to disclose that interest either by explaining the nature of the conflict of interest to those present or advising that they have disclosed the nature of the interest in writing to the Chief Executive Officer before the meeting commenced.

## 5. Confidential business reports

The following items were deemed by the Chief Executive Officer to be suitable for consideration in closed session in accordance with section 66(2)(a) of the Local Government Act 2020. In accordance with that Act, Council may resolve to consider these issues in open or closed session.

### RECOMMENDATION

1. That the meeting be closed to members of the public, in accordance with section 66(2)(a) of the Local Government Act 2020, to allow consideration of confidential information

### Item

#### 5.1 C1563 Fitzy Bowl Revitalisation Project Tender Evaluation Report

This item is to be considered in closed session to allow consideration of private commercial information, being information provided by a business, commercial or financial undertaking that relates to trade secrets or if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

These grounds are applicable because the report contains information that has been submitted on a commercial in confidence basis as part of a procurement process.

#### 5.2 Update on Progress of the Yarra Energy Foundation

This item is to be considered in closed session to allow consideration of private commercial information, being information provided by a business, commercial or financial undertaking that relates to trade secrets or if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

These grounds are applicable because the report contains internal financial information provided by an independent entity that operates in a competitive commercial environment.

## 6. Confirmation of minutes

### RECOMMENDATION

That the minutes of the Ceremonial Meeting held on Tuesday 16 November and Council Meeting held on Tuesday 23 November 2021 be confirmed.

## 7. Public question time

An opportunity is provided for questions from members of the public.

## 8. Council business reports

Item		Page	Rec. Page	Report Presenter
8.1	Elizabeth Street Protected Bike Lanes Trial	9	16	Simon Exon – Unit Manager Strategic Transport
8.2	Amendment C297yara - Interim Heritage Overlays in Collingwood	37	40	Fiona Van der Hoeven – Practice Leader Strategic Planning
8.3	30m Strip of land abutting Yarra River at former AMCOR site	241	245	Bruce Phillips – Director Planning and Place Making
8.4	Arts and Culture Strategy 2022-2026	251	256	Siu Chan – Business Unit Manager Arts, Culture and Venues
8.5	City of Yarra Procurement Policy 2021	283	284	Wei Chen – Chief Financial Officer
8.6	Proposal to Declare Land Abutting Sandeman Place Fitzroy as Public Highway	309	313	Ivan Gilbert - Group Manager Chief Executive's Office
8.7	Appointment of Authorised Officers under the Planning and Environment Act 1987	324	325	Rhys Thomas - Senior Governance Advisor
8.8	Appointment of Council delegates	327	329	Rhys Thomas - Senior Governance Advisor

## 9. Notices of motion

Nil

## **10. Petitions and joint letters**

An opportunity exists for any Councillor to table a petition or joint letter for Council's consideration.

## **11. Questions without notice**

An opportunity is provided for Councillors to ask questions of the Mayor or Chief Executive Officer.

## **12. Delegate's reports**

An opportunity is provided for Councillors to table or present a Delegate's Report.

## **13. General business**

An opportunity is provided for Councillors to raise items of General Business for Council's consideration.

## **14. Urgent business**

An opportunity is provided for the Chief Executive Officer to introduce items of Urgent Business.

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## 8.1 Elizabeth Street Protected Bike Lanes Trial

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<b>Reference</b>	D21/185659
<b>Author</b>	Simon Exon - Unit Manager Strategic Transport
<b>Authoriser</b>	Director Planning and Place Making

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### Purpose

1. For Council to consider extending the existing 12-month pilot trial of protected bike lanes on Elizabeth Street given the ongoing impacts on movement of persons due to the COVID-19 pandemic and also the significant difficulties with data collection.

### Critical analysis

#### History and background

2. Elizabeth Street is designated as a 'strategic cycling corridor' by the Department of Transport and connects the central city via Albert Street in East Melbourne to Richmond and the inner east suburbs.
3. Protected (or separated) bike lanes on Elizabeth Street were first proposed in Council's 2010 Bicycle Strategy.
4. In December 2019, Council resolved to implement a 12-month trial of protected bike lanes on Elizabeth Street.
5. The 'Pilot and Trial' methodology (as detailed in that Council report) emphasised ongoing data collection and engagement with the community to assess how the trial is performing before a decision would be made on any permanent road design.
6. It is also noted that the 'Pilot and Trial' approach has been used as the first iteration of *possible* permanent protected bike lanes in this location using more permanent materials and landscaping.
7. The image below shows an image of the pilot and trial protected bike lanes outcome through the use of bollards and chevron paint lines to delineate the lanes.



Notes:

- (a) It is noted that the intention of any permanent protected bike lanes in this location, is to plant trees on the northern side of the roadway, between the separated bike lane (east bound) and the carriageway for vehicles (where the chevron lines are to the right hand side of the above image);
- (b) This would be tree plantings that, at semi maturity, would begin to provide some upper canopy, and hence shade and amenity improvements to this particular location;
- (c) The Elizabeth Street location was one of the identified areas in the adopted *Urban Forest Strategy (2017)* analysis of the need for tree plantings (upper canopy); and
- (d) The intent of any permanent works is that it comprise both protected bike lanes in each direction, with comfortable and safe space for cycling, and also the inclusion of vegetation.

The current Trial

- 8. The original intention was to deliver the trial project in April 2020. This was delayed due to practical matters associated with COVID-19 at that time, instead the trial was installed in July 2020.
- 9. The Council resolution stated that the installed trial design option would remain in situ between the conclusion of the trial at 12 months, and the production of a report to Council detailing its performance to inform decision making on any longer-term road treatment.
- 10. The resolution also stated that this report be produced as soon as practicable following the completion of the 12-month trial, but within six months of its completion.
- 11. The trial road configuration installed in July 2020 (in the specific layout as formally endorsed in December 2019) was again considered by Council in September 2020 (approximately three months after it was installed). This was in response to questions from some members of the local community regarding the rationale for certain aspects of the design. Some of these queries specifically related to the width of the protected bike lanes and why on-street car parking needed to be removed on the north side of the street to achieve these widths.
- 12. It is important to note that the protected bike lane widths are to create modern standard bike lanes. They are also compliant with the new draft State Government cycle design guidelines (yet to be formally released).
- 13. At this width, they provide the following benefits:
  - (a) enable cyclists of different speeds to pass each other;
  - (b) provide a more comfortable and safer riding environment;
  - (c) allow one cyclist to swerve around another cyclist in the event of a sudden stop due to an incident (a puncture or broken chain);
  - (d) increase the capacity of the bike lane;
  - (e) responds to feedback from cyclists using Wellington Street protected bike lanes (indicating that they should be wider for safety and passing);
  - (f) provide more space for cargo bikes, child trailers etc.;
  - (g) keep cyclists away from driver side car doors, and also away from the gutter and the drainage channel to the left; and
  - (h) allow cyclists to avoid any other debris in the bike lane (e.g. broken glass).
- 14. It is also noted that the requirement to remove parking along one side of this street was first acknowledged in the 2010 Council Bike Strategy; it was again acknowledged in the 2016 Council Bike Strategy Refresh.
- 15. Council resolved at the September 2020 meeting to continue with the trial design specifically as endorsed at the December 2019 meeting and installed three months prior in July 2020.

### The evaluation phase

16. It is clear that pandemic lockdowns and anxieties of people around being exposed to COVID-19 have severely impacted everyone's lives in multiple ways, including the purpose of trips, distance of trips and way in which people travel. This has made assessing trials in any street environment in Melbourne very difficult.
17. The December 2019 Council resolution was made before COVID-19 occurred, and at that time, it was reasonable to assume that nothing would prevent data collection and other survey work from:
  - (a) being physically collected; and
  - (b) that the data collected would represent a normal ongoing situation of how infrastructure is used and performs to inform subsequent decision making.

### Discussion

18. The pandemic is still ongoing, as are its impacts on transport and movement.
  19. Data collection over the last 12 months has been very challenging with continual and sometimes extended lockdowns making any informed assessment of a trial in a 'normal ongoing day to day setting' impossible. For example, commuter cycling, train and tram numbers are significantly down across the whole of inner Melbourne, as hundreds of thousands of people employed at CBD offices have primarily been working from home.
  20. Further, schools, universities, café's, shops, museums, galleries, hotels, sports stadiums and even children's playgrounds have also been closed with obvious impacts. It has been anticipated that once 80% of the population are vaccinated then most things will be able to open up in a COVID-19 safe way and will then be able to stay open. Some anxieties in persons will still no doubt exist for some time regarding travel modes.
  21. Notwithstanding COVID-19 and the lockdowns, three quarterly rounds of data collections and survey work have been undertaken by independent consultants engaged by Council (see Attachment 1).
  22. Quarterly reports providing a summary of the data collection have been provided to Councillors previously on Diligent Board software.
  23. A pop-up event targeted at CALD communities was also completed in March 2021.
  24. The '*Your Say Yarra*' page includes an interactive map of the project, which allows the community to add comments on the trial and is checked regularly by officers.
  25. A fourth and final quarterly round of data collection was scheduled for July 2021, but has not been possible due to further lockdowns until some days ago.
  26. The following statistical aspects are provided for information:
    - (a) there has been 317 contributions (including 12 attending the CALD interpreter assisted event in June); and
    - (b) 86% of those contributors were local to Richmond, Abbotsford or Collingwood.
  27. Further, the analysis of key themes identified in these contributions highlighted:
    - (a) 28% expressed support for the project because of improved safety (includes reference to improved experience of females and child cyclists);
    - (b) 4% were advocating for the extension of trial area;
    - (c) 22% raised concerns related to perceived safety issues (majority relating to narrowness of parking lanes and driving lanes and sight lines at intersections);
    - (d) 8% expressing dissatisfaction around parking removal and less availability of parking;
    - (e) 19% expressed concern at the perceived lack of transparency in the consultation (majority advocating a need to be consulted prior to the installation of the trial infrastructure), and
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(f) the remainder related to issues out of the scope of this engagement.

28. From the data collected between lockdowns, the following observations, at this time, can be made:

- (a) the proportion of women and children cycling on Elizabeth Street has increased. This aligns with Council objectives to get a wider cross section of society cycling in Yarra;
- (b) peak hour cycle journeys have reduced although interpeak trips have also increased. This could be down due to COVID-19 and/or the provision of safe facilities which are used for a broader range of purposes throughout the day;
- (c) 575 people have so far participated in intercept surveys on Elizabeth Street across the three quarters. 71% of survey participants encompassing a wide range of people using Elizabeth Street for various purposes across various transport modes said that they were satisfied or very satisfied with the project. This is a positive number particularly given approximately 70% of all respondents had not cycled to Elizabeth Street when interviewed;
- (d) further segmentation of the data showed that those most likely to be unsatisfied or very unsatisfied with the project tended to be people primarily using cars as a mode of transport;
- (e) the average vehicle speeds are now slightly lower;
- (f) traffic volumes have varied for obvious reasons;

Note:

- (i) the traffic volumes were lower, but have trended upwards at various times of the year depending on the COVID-19 situation; and
- (ii) this trend is consistent with traffic volumes across inner-Melbourne. It is assumed this is because people are avoiding public transport due to physical distancing, it could also be because some people do not feel safe using a bicycle on Melbourne's roads and consequently choose to drive; and
- (g) three rounds of extensive on-street and off-street car parking surveys covering thousands of spaces have been undertaken to date. This has shown that parking is still available in the local area. (NB. it should be noted that finding on-street parking is a common challenge for a busy inner-city area and street space is finite).

29. It is also noted that since the installation in July 2020, a number of small adjustments have been made to the trial in response to community feedback; these include:

- (a) removal of some bollards to reduce street clutter;
- (b) additional signage;
- (c) changes to some car parking restrictions;
- (d) the installation of disability permit bay; and
- (e) improvements to visibility splays for cars entering Elizabeth Street from side streets.

### Options

30. There are two options available to Council.

31. **Option 1 – determine a position on the protected bike lanes.**

32. **Option 1** is that Council resolves to make a decision on the trial as soon as is practically possible. There are 2 sub options outlined below for Council consideration.

33. This would need to use data that has been collected over the course of the previous 12 months during the height of the COVID-19 pandemic.

34. Under this scenario officers would report back to Council on permanent options for Elizabeth Street. These options would include:

- (a) Option 1(a): returning the road to its pre-trial design. That is, reinstallation of relatively narrow unprotected bike lanes next to parked cars (on both sides of the road) and passing traffic; and
- (b) Option 1 (b): installing permanent protected bike lanes, trees and other street treatments.

NB. There is significant capital funding required to complete the works in a permanent manner; and this would be subject to further reporting to Council. It is noted that any permanent protected bike lanes works is in the many hundred of thousand of dollars.

35. **Option 2 – determine to extend the trial due to COVID-19 impacts on evaluation**

36. **Option 2** is that Council resolves to extend the trial by 12 months (e.g. from the date that 80% of the Victorian population is fully vaccinated being November). This would then be post metropolitan wide lockdowns enabling for people's lives to return to some semblance of normality or a new post COVID-19 normality.

37. In this option, the evaluation processes would continue and provide a more realistic appraisal of the trial project to inform future decisions making by the Council. Officers would also explore opportunities for State Government to fund any permanent protected bike lane treatment on Elizabeth Street and report back as part of future discussions on treatments for this street.

NB. Some costs would be minor repair works to the road pavement as required which is anticipated to be approx. \$30K for a 12 months period.

Officer Recommendation on options

38. The officer recommendation is for Council to extend the trial (Option 2): so that more data can be collected for a solid 12-month period that is not peppered with lockdowns and significant disruptions to how people live and travel. It would also allow time for officers to pursue opportunities for State Government to help fund any permanent protected bike lanes in the future.

39. In Option 2, all aspects of how the trial currently operates, managed and monitored as agreed as part of the December 2019 resolution, would continue. This would include:

- (a) continuing with the specific existing design as installed in July 2020 (and endorsed by Council in December 2019 and endorsed again in October 2020);
- (b) continuing to authorise the Director, Planning and Place Making to instruct staff to make minor (or tweak type) adjustments to the trial where appropriate, and until Council forms an opinion on its future;
- (c) continuing the program of data collection and survey work;
- (d) continuing with a further pop up engagement event in the street in February 2022 targeted at the CALD community; and
- (e) officers continuing to keep Councillors informed on the above matters, including the survey and intercept data reports.

## Community and stakeholder engagement

40. The formal Council meeting process provides an opportunity for external parties to comment on the topic of extending this existing protected bike lane trial. No other consultation has been undertaken on the specific topic of extending the trial.

41. Discussions have occurred with the City Works Division of Council to understand the road surface and trial infrastructure maintenance aspects should the trial be extended. The outcomes of these discussions are that a scheduled road re-sheet can be moved back as need be, without causing a significant asset management issue. Low cost patch ups (approx. \$ 30 K) to the road surface can also be undertaken as required over the next 12 months.

42. It is noted that the trial infrastructure (bollards, decals, signage and other things) is holding up relatively well and could remain in situ (with some patching as required), should the trial be extended by Council.
43. Council policies and procedures regarding CALD community consultation have been followed during the trial and would continue if the trial is extended by Council.
44. Further communication to the community would be implemented with all relevant stakeholders and residents to outline any extension of the trial or other decisions of Council.

## Policy analysis

### Alignment to Community Vision and Council Plan

45. The project is a pilot and trial of protected bike lanes in a particular street which is on a 'strategic cycling corridor'.
46. The Council Plan encourages the use of trials to improve safety in a specific environment.

### Climate emergency and sustainability implications

47. Undertaking pilot and trials, and providing protected bike lanes to deliver infrastructure quickly, and relatively cheaply, to encourage cycling is consistent with a number Council's transport and Climate Emergency Plan objectives.

### Community and social implications

48. There are not any known new social implications are associated with extending or not extending the trial.
49. Some community members have previously expressed concerns and implications of the trial. These were expressed in the September 2020 Council report and discussed at that meeting.

### Economic development implications

50. No known economic implications associated specifically with extending the trial.
51. Some minor changes to the trial were made previously in response to feedback from a trader at the western end of the street.

### Human rights and gender equality implications

52. There are no known specific human rights implications.
53. Some access, amenity and or economic issues have been expressed including from local religious organisations.
54. The intent of the pilot and trial, in part, is to encourage more usage of cycling as a means of accessing the city by all persons, including females and children, who at times, may be more anxious about cycling on roads with no protected lanes.

## Operational analysis

### Financial and resource impacts

55. The financial implications depend on the option being considered by Council. In this regard:
    - (a) the option of extending the trial for say 12 months (Option 2) would be the cost of incurring some minor road maintenance and material maintenance of approx. \$ 30 K to \$ 40 K; and
    - (b) the cost of returning the road to its pre-trial design would be approximately \$80 K (that is, to remove the trial infrastructure and reinstate the line-marking to the pre-trail condition).
  56. It is highlighted that changing / rearranging road space with permanent works is very expensive – that is why a trial has occurred in the first instance for evaluation purposes.
  57. It is noted for illustration, that the Wellington Street protected bike lanes (with concrete separator islands) was very expensive with a large component paid by State Government.
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58. The cost of any permanent changes to install protected bike lanes in Elizabeth Street aligned to the cross section of the current trial, include the following:
- (a) a full resheet of the full road of some \$ 700 K; that needs to be done within the next few years in any event; it is currently scheduled for 23/24;
  - (b) any permanent protected bike infrastructure (e.g. concrete kerbs / tree installations / soil preparations for trees etc) would need to be subject to full design aspects being resolved and what standard of fittings Council may determine to use – in this regard, the full cost of permanent protected bike lane infrastructure could range from \$500 K to approx. \$ 1 M, or possibly more (tbd through design work and specific costings); and
  - (c) any other variations of the current profile of the trial project (e.g. any crossings) would also need to be costed.
59. Further rounds of data collection and intercept survey work would be required.

#### Legal Implications

60. There are no known legal implication of an extension to the trial due to current circumstances of COVID-19 lockdowns over an extended period.

#### Conclusion

61. The Elizabeth Street protected bike lane trial was installed as a pilot and trial in July 2020. This approval by Council included specific dimensions of the various lanes – the reasons were outlined in the previous reports.
62. This route is on the 'strategic cycle corridor' in and out of the central city area and importantly, joins up with the separated bike lanes in Albert Street, East Melbourne.
63. The pilot and trial was endorsed to run for 12 months with Council due to decide on a permanent treatment within six months of the conclusion of the trial.
64. The pilot and trial is to inform future decision making of Council, and if were to be made permanent by a Council decision, it would also enable some tree planting on the northern side of the roadway, between the carriageway and the bike lane, as a means of separation, but also to provide upper canopy trees once they achieve semi maturity. This would add to the ambience of the street and add shade to the street which is currently lacking.
65. Three rounds of quarterly data collection have been completed over a 12-month period that has been heavily disrupted due to COVID-19 lockdowns; a fourth and final round has not been possible due to continual lockdowns over many months since mid this year.
66. This report provides options for the Council consideration; with one option being to consider extending the trial. That option would enable additional data to be collected during a new COVID-19 normal to inform decision making on the future of the pilot and trial and what should be the permanent treatment for Elizabeth Street.
67. Council is asked to determine the future of the current pilot and trial protected bike lanes on Elizabeth Street, Richmond and provide direction to officers.

## RECOMMENDATION

1. That Council:
  - (a) notes the contents of the officers report on the Elizabeth Street protected bike lanes pilot and trial; and
  - (b) notes the options outlined for Council consideration, including abandoning the trial, or continuing with the trial at this stage for a further period in order to assess its performance with additional data.
2. That Council, having noted the officer report and options presented, now determine a course of action regarding the current pilot and trial protected bike lanes in Elizabeth Street, Richmond in order to provide direction to Council officers.
3. That, if this pilot and trial of protected bike lanes on Elizabeth Street is to continue for a further period of time, Council resolve as follows:
  - (a) to retain the current layout and configuration of the project as it currently exists including the specific width of the cycling lanes to provide lanes with maximum safety and passing manoeuvres on a strategic cycling route;
  - (b) to authorise the Director, Planning and Place Making to instruct staff to make minor adjustments to the trial, where appropriate, until Council forms an opinion on its future;
  - (c) that officers continue with the program of data collection and survey work to inform future Council decisions;
  - (d) that officers arrange a further pop up engagement event in the street in February 2022 targeted at the CALD community to gather further community opinions;
  - (e) to continue to run and monitor the *Your Say Yarra* web page regarding this trial; and
  - (f) note that officers will continue to provide updates to Councillors once further survey results are received.

## Attachments

- 1 [↓](#) Elizabeth Street Memo Q1
- 2 [↓](#) Elizabeth Street Memo Q2
- 3 [↓](#) Elizabeth Street Memo Q3

Attachment 1 - Elizabeth Street Memo Q1

MEMO



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**To:** Mayor and Councillors

Councillor Gabrielle de Vietri  
Councillor Anab Mohamud  
Councillor Stephen Jolly  
Councillor Amanda Stone  
Councillor Bridgid O'Brien  
Councillor Sophie Wade  
Councillor Claudia Nguyen  
Councillor Edward Crossland  
Councillor Herschel Landes

**CEO Executive**

Chief Executive Officer  
Director Corporate, Business and Finance  
Director Planning and Place Making  
Assistant Director Planning and Place Making  
Director Community Wellbeing  
Director City Works and Assets  
Group Manager Chief Executive's Office  
Group Manager People, Culture and Community  
Acting Group Manager, Advocacy and Engagement

**From:** Bruce Phillips

**Date:** 28<sup>nd</sup> January, 2021

**Subject:** Elizabeth Street Bike Lane Project – Quarter 1 Survey Results

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1. This memo updates Councilors on the pilot trial of protected bike lanes in Elizabeth Street following the completion of a comprehensive data collection exercise and on-street intercept surveys conducted in November 2020.

2. On 15 September 2020, Council resolved that:

*... a formal trial update report is scheduled which details data collected 3 months after the trial has been in operation;*

*... further parking occupancy surveys are commissioned and being undertaken in preparation for a first formal evaluation period report to Council; and*

*... as part of the evaluations during this 12-month period, there would be intercept surveys with persons using Elizabeth Street including residents, drivers, cyclists and pedestrians to further inform the evaluation of the trial for Council consideration.*

## Attachment 1 - Elizabeth Street Memo Q1

## MEMO

**Background**

3. Elizabeth Street is designated as a strategic cycling corridor by the Department of Transport and connects the central city via Albert Street in East Melbourne to Richmond and the inner east suburbs.
4. There is a Council commitment to delivering protected bike lanes on Elizabeth Street in the Bike Strategy Refresh 2016 and as a pilot trial in the Climate Emergency Plan 2020. This project was originally scheduled for delivery by 2015 in the 2010-2015 Bike Strategy. Both these documents acknowledged that delivering protected bike lanes would require the removal of car parking on one side of the street.
5. The pilot trial was installed in July 2020 following a Council resolution in December 2019 to deliver the protected bike lanes in a timely manner as part of a regional cycling route. This trial consists of changes to linemarking and use of bollards to delineate the bike lanes. Previous Council reports provide the basis of the design including its widths and landscaping potential.
6. Upon installation some concerns were raised by some local residents regarding the design, and the trial delivery process using the iterative (pop-up) method. These concerns are detailed at length in the September 2020 council report are summarised as follows:
  - General objections to the removal of car parking from the northern side of Elizabeth Street
  - Access and convenience for loading, deliveries and pick up/drop offs
  - Public safety and perceived safety due to stated need to often park further away from their homes and the concerns stated regarding anti-social behaviour issues on or near Elizabeth Street
  - The width of the traffic lanes and space for emergency vehicles
  - The width of the parking bays and space for people getting in and out of cars
  - New parking restrictions and impacts on visitor parking in the evening
  - New parking restrictions and impacts on businesses generally during the day including medical practices and places of worship
  - Unsightly bollards and visual clutter
  - Sightlines for vehicles turning from some side streets
  - Difficulties for pedestrians crossing Elizabeth Street
7. These concerns were noted, considered and responded to in detail by officers via conversations with residents, the September 2020 council report and then via questions in the council chamber.
8. The project has also received a significant amount of praise by other community members. It has been seen as progressive and in line with what Council should be doing given its cycling policy objectives. Other feedback received supporting the trial is summarised as follows:
  - The protected bike lanes are a major upgrade
  - People feel far safer as they are away from car doors and passing traffic
  - The bike lanes are wide enough for a comfortable journey and allow overtaking and parents to ride side-by-side with children
  - Narrower traffic lanes encourage people to drive more slowly

**General Observations about COVID-19 Impact on Travel**

## Attachment 1 - Elizabeth Street Memo Q1

## MEMO



9. As with other parts of the economy, the global pandemic has led to rapid changes in transport trends in all Australian cities. During the Stage 2 lockdown, there was a sharp decline in movement across metropolitan Melbourne of all transport modes, particularly public transport. Since lockdown ended in November, there has been a steady increase in car use because it is perceived to be the safest way to travel around the city and maintain social distancing. This usage is expected to exceed pre-pandemic levels by at least 20 per cent until a vaccine is widely distributed to the general population.
10. Demand for active transport modes is also rising as people avoid public transport. There has already been a significant uptake in recreational cycling during the pandemic to add to the doubling of commuters cycling along some bike corridors in Yarra over the last 10 years. These trends represent a major challenge as these transport modes are competing for access to the same limited street space in Yarra.
11. It is still too early to predict the long-term impacts of COVID-19 on transport in Melbourne, however it is widely predicted that demand for walking and cycling will continue to rise. Some studies suggest that one third of people will not return to work in offices full time and will opt to continue to work from home more regularly.

#### Intercept Survey

12. An intercept survey was conducted of 180 individuals at random on Elizabeth Street by an independent consultant to understand how the community feel about the pilot trial of protected bike lanes. A broad cross-section of the community was surveyed including both younger and older persons, males, females, local residents, people passing through, pedestrians, cyclists, and car drivers.
13. The intercept surveys were undertaken in English. Every person who was approached at random spoke and understood English at an appropriate level, be it as a first or second language. 180 people of those approached then agreed to stop and participate in the survey. The experienced survey consultant did not believe that language and communication was a significant issue when undertaking the surveys.
14. The following paragraph and graph summarise the survey results.

Attachment 1 - Elizabeth Street Memo Q1

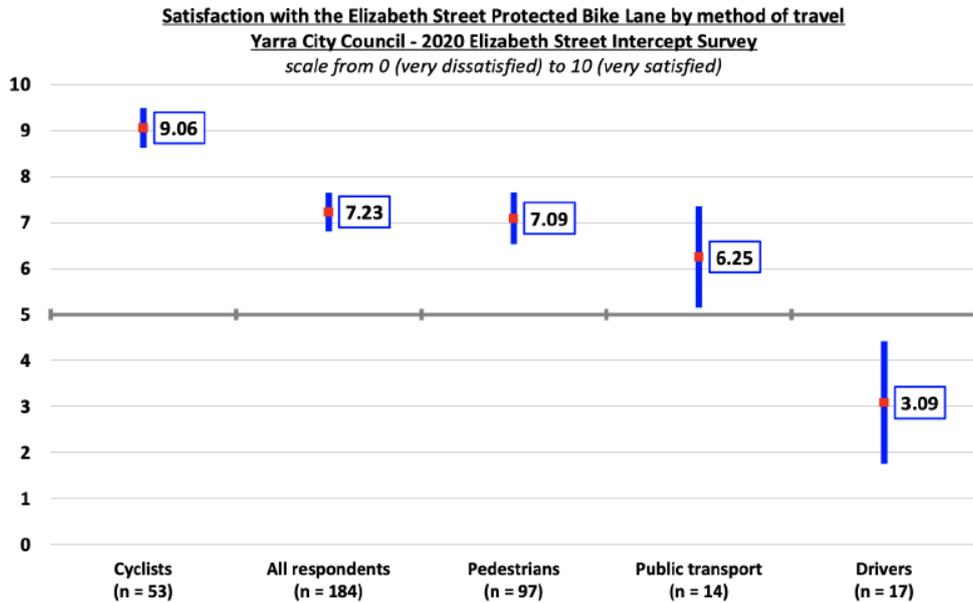


Diagram 1: Metropolis Research, November 2020

- 15. Most respondents were relatively local with 60% already being aware of the trial. Cyclists made up 28% of all the respondents and were extremely satisfied with the project scoring it 9.06 out of 10. The biggest reason for supporting the project was that people felt safer.
- 16. Overall 72% of all 180 respondents stated that they were satisfied or very satisfied with the project. Only 15% stated they were dissatisfied or very satisfied which is considered by officers to be a small relative number all things considered. Many of the dissatisfied respondents are people looking to park cars on Elizabeth Street. Parking supply has been reduced to make space for this project thereby making it more difficult to park, hence it was always highly unlikely that this particular segment would be supportive of the project.
- 17. The full consultant report with more detailed information and other key findings is provided at Attachment 1.

Attachment 1 - Elizabeth Street Memo Q1



Cycling Volumes

- 18. Comprehensive cycling count data was collected by an independent consultant.
- 19. Key findings and comparisons are provided below. The data has been divided between the sections west and east of Lennox Street which is a key north-south feeder route to Elizabeth Street.

	KEY DATA & STATISTICS	FEBRUARY 2020 (Pre-Trial)	NOVEMBER 2020
<b>ELIZABETH STREET WEST</b>	Weekday Avg. Total No. Of People Cycling	686	384
	Commuter (Peak) Cycling Weekday Avg. %	61%	49%
	Weekend Bike Volume Total	380	399
	85% Speed Km/h	27.2	26.3
	Avg. Speed Km/h	22.1	21.6
<b>ELIZABETH STREET EAST</b>	Weekday Avg. Total No. Of People Cycling	391	311
	Commuter (Peak) Cycling Weekday Avg. %	58%	48%
	Weekend Bike Volume Total	351	319
	85% Speed Km/h	28	26.4
	Avg. Speed Km/h	23	20.6
<b>DEMOGRAPHICS</b>	Weekday Peak Avg. % Of Females Cycling	14%	23%
	Weekday Peak Avg. No. Of Children Cycling	2	13
	Weekday Peak Avg. % of Children Cycling	0.3%	4%

- 20. From the table the following should be noted:
  - a. The volumes and speeds of cyclists travelling along Elizabeth Street have generally declined, especially for commuter cycling, due to COVID-19 rather than as a result of this project specifically;
  - b. There is now roughly an equal proportion of commuter and everyday cyclists during the week;
  - c. There is a greater proportion of people cycling for everyday activities than previously;
  - d. Weekend volumes have remained the same;
  - e. Cycling speeds have been reduced which reflects the uptake of everyday cycling and by a broader demographic; and,
  - f. The average number of woman and children during the weekday peaks has increased.
- 21. At this stage, it is difficult to quantify what the project has done to cyclist volumes due to COVID-19. However we will have a clearer picture when more surveys and counts are done as life in Melbourne hopefully returns to a post-COVID normal.

Attachment 1 - Elizabeth Street Memo Q1



**Traffic Volumes and Speeds**

- 22. Daily traffic volumes on Elizabeth Street have decreased by nearly 30% compared to pre-pandemic baseline levels. Peak-hour traffic volumes have also decreased by around 35% while average traffic speeds have reduced by up to 7%. The table below summarises the key traffic data findings.

KEY TRAFFIC DATA	February 2020 (Pre-trial)	November 2020 (Q1)	Pre-Trial vs Q1 (%)
<b>ELIZABETH STREET WEST</b>			
Total Weekday Daily Avg. Traffic Volume	9837	6956	-29%
Total Avg. Daily Traffic Volume	8946	6400	-29%
Weekday Peak-Hour Avg. Traffic Volume	849	543	-36%
Total Average Traffic Speed (km/h)	32.4	32.4	0%
Total Heavy Vehicle % of Traffic	6.2	6.9	+11%
<b>ELIZABETH STREET EAST</b>			
Total Weekday Daily Avg. Traffic Volume	9711	7402	-24%
Total Avg. Daily Traffic Volume	9024	6710	-26%
Weekday Peak-Hour Avg. Traffic Volume	831	572	-31%
Total Average Traffic Speed (km/h)	32.7	30.5	-7%
Total Heavy Vehicle % of Traffic	5.2	2.7	-48%

**Parking Occupancy**

- 23. Extensive parking occupancy surveys were conducted on Elizabeth Street along with nearby on-street and off-street parking facilities by an independent consultant. In total, 1504 parking bays were surveyed. The outcome of the assessment is that parking is generally available albeit the provision is slightly reduced as a result of the need to remove car parking to deliver this project. As with everything else, COVID-19 has impacted demand for car parking.
- 24. The table below summarises the outputs of the parking surveys.

ELIZABETH STREET PARKING OCCUPANCY SURVEY PRE-TRIAL VS Q1 SUMMARY RESULTS TABLE				
LOCATION	DATA	FEBRUARY	NOVEMBER	CHANGE %
ELIZABETH STREET	TOTAL NO. PARKING BAYS	148	72	-51%
	AVG. OCCUPANCY %	74%	86%	+16%
NEARBY ON-STREET	TOTAL NO. PARKING BAYS	308	308	0%
	AVG. OCCUPANCY %	67%	52%	-21%
OFF-STREET	TOTAL NO. PARKING BAYS	1124	1124	0%
	AVG. OCCUPANCY %	53%	46%	-14%
TOTAL AREA	NO. OF PARKING BAYS	1580	1504	-5%
	AVG. OCCUPANCY %	58%	49%	-16%

**Attachment 1 - Elizabeth Street Memo Q1**

# MEMO



25. The following observations are made based on the survey results:
  - a. Average parking occupancy on Elizabeth Street has increased which is as expected given the reduced parking provision on this street;
  - b. Almost 50% of all on-street parking bays within a short walking distance of Elizabeth Street are typically vacant, hence there continues to be parking availability in the area (particularly on Regent and Garfield Street); and,
  - c. Around 54% of all off-street parking bays are unoccupied at any one time. DHHS staff do not believe that this project has had a significant impact on DHHS residents with cars as they have allocated off-street parking.
  
26. Summary tables with more detailed information on the results of the parking occupancy survey are provided at Attachment 2.

**Attachment 2 - Elizabeth Street Memo Q2**



**To: Mayor and Councillors**

- Councillor Gabrielle de Vietri
- Councillor Anab Mohamud
- Councillor Stephen Jolly
- Councillor Amanda Stone
- Councillor Bridgid O'Brien
- Councillor Sophie Wade
- Councillor Claudia Nguyen
- Councillor Edward Crossland
- Councillor Herschel Landes

**CEO Executive**

- Chief Executive Officer
- Director Corporate, Business and Finance
- Director Planning and Place Making
- Assistant Director Planning and Place Making
- Director Community Wellbeing
- Director City Works and Assets
- Group Manager Chief Executive's Office
- Group Manager People, Culture and Community
- Acting Group Manager, Advocacy and Engagement

**From: Bruce Phillips and Simon Exon**

**Date:** 18 March 2021

**Subject: Elizabeth Street Bike Lane Project – Quarter 2 Survey Results**

1. This memo updates Councillors on the pilot trial of protected bike lanes in Elizabeth Street following the completion of the Quarter 2 data collection in February 2021, which includes on-street intercept surveys, parking occupancy surveys, traffic counts and cyclist number surveys.
2. On 15 September 2020, Council resolved (in part) that:

*... a formal trial update report is scheduled which details data collected 3 months after the trial has been in operation;*

*... further parking occupancy surveys are commissioned and being undertaken in preparation for a first formal evaluation period report to Council; and*

*... as part of the evaluations during this 12-month period, there would be intercept surveys with persons using Elizabeth Street including residents, drivers, cyclists and pedestrians to further inform the evaluation of the trial for Council consideration.*

Note: Further surveys will be conducted as part of the ongoing evaluation of the trial and reported to Councillors periodically. In this regard, the information in this memo needs to be read as an instalment of the evaluation to Councillors.

## Attachment 2 - Elizabeth Street Memo Q2

## MEMO

**Background**

3. Elizabeth Street is designated as a strategic cycling corridor by the Department of Transport and connects the central city via Albert Street in East Melbourne to Richmond and the inner east suburbs.
4. The pilot trial was installed in July 2020 following a Council resolution in December 2019 to deliver the protected bike lanes in a timely manner as part of a regional cycling route. This trial consists of changes to line marking and use of bollards to delineate the bike lanes.
5. Previous Council reports provide the basis of the design implemented including the various lane widths and the future landscaping potential if it is resolved that the trial is converted to a permanent arrangement. That is, the concept is to plant some street trees (for future upper canopy) between the east bound traffic lane and the east bound cycle lane in the wider buffer area currently on the ground as a painted buffer with the diagonal rubber strips and bollards.

**Intercept Survey**

6. An intercept survey was conducted of 235 individuals at random on Elizabeth Street over three days in the last week of February 2021. The intercept survey was undertaken by an independent consultant to understand how the community feel about the pilot trial of protected bike lanes. A broad cross-section of the community was surveyed including both younger and older persons, males, females, local residents, people passing through, pedestrians, cyclists, and car drivers.
7. The intercept surveys were undertaken in English. The vast majority of people who were approached at random spoke and understood English at an appropriate level, and 235 people agreed to stop and participate in the survey.
8. In-person pop up information sessions will be held in mid-April and will be tailored specifically to CALD communities, including interpreters in four key languages, to ensure Council obtains genuine and meaningful feedback on the trial from everyone in the community.
9. The survey results are summarised as follows.
10. Overall 68% of all 235 respondents stated that they were satisfied or very satisfied with the project. This is slightly less than during the November 2020 intercept survey which found 72% of all respondents were satisfied and very satisfied. The same pattern of satisfaction observed in this survey is consistent with the November 2020 survey, with all cyclists being very satisfied and some drivers being very dissatisfied.
11. Awareness of the trial went from 60% in November to 50% in February. This included a decline in the proportion of cyclists who were aware of the trial, down from 62% to 43%. This maybe due to an increase in use from a broader area as lockdown has eased, people coming from further afield are less likely to be aware of the intricacies of how a project has been delivered on a particular street.
12. The full consultant report with more detailed information and other key findings is provided at Attachment 1.

Attachment 2 - Elizabeth Street Memo Q2

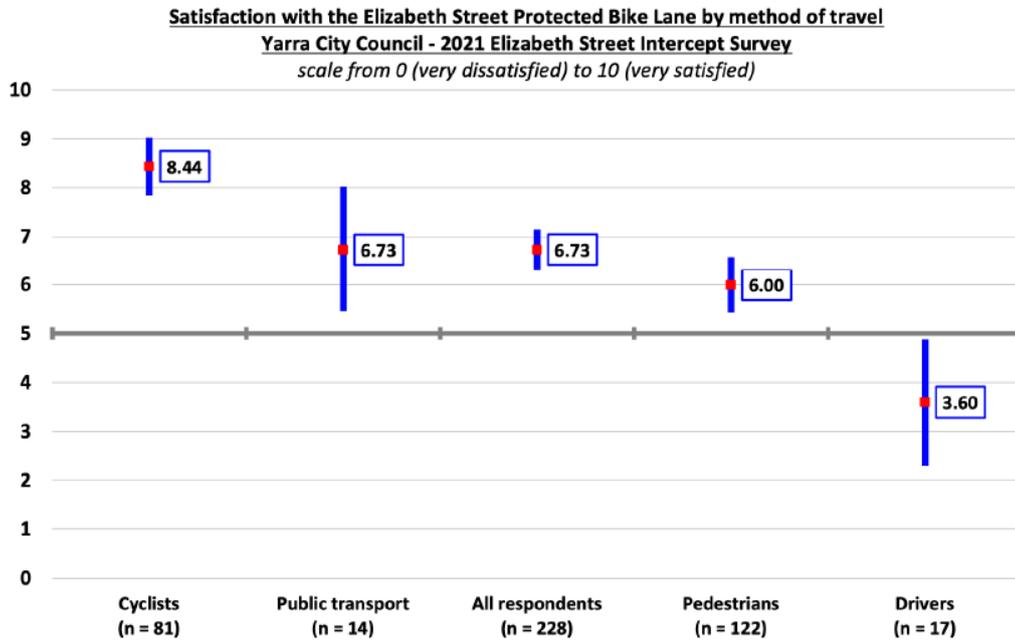


Diagram 1: Metropolis Research, February 2021

**Cycling Volumes**

- 13. Cycling count data was also collected by an independent consultant.
- 14. Key findings and comparisons between this quarter and the previous quarter are provided below. The data has been divided between the sections west and east of Lennox Street which is a key north-south feeder route to Elizabeth Street.

	KEY DATA & STATISTICS	FEB 2020 (Pre-Trial)	NOV 2020 (Q1)	FEB 2021 (Q2)	Q1 vs Q2 (%)
<b>ELIZABETH ST WEST</b>	Weekday Avg. Total No. Of People Cycling	686	384	492	+28%
	Commuter (Peak) Cycling Weekday Avg. %	61%	49%	52%	+6%
	Weekend Bike Volume Total	380	399	502	+26%
	85% Speed Km/h	27.2	26.3	24.8	-5%
	Avg. Speed Km/h	22.1	21.6	20.5	-5%
<b>ELIZABETH ST EAST</b>	Weekday Avg. Total No. Of People Cycling	391	311	226	-27%
	Commuter (Peak) Cycling Weekday Avg. %	58%	48%	53%	+10%
	Weekend Bike Volume Total	351	319	188	-41%

**Attachment 2 - Elizabeth Street Memo Q2**



	85% Speed Km/h	28	26.4	29.5	+11%
	Avg. Speed Km/h	23	20.6	24	+16
<b>DEMOGRAPHICS</b>	Weekday Peak Avg. % Of Females Cycling	14%	23%	29%	+26%
	Weekday Peak Avg. No. Of Children Cycling	2	13	39	+200%
	Weekday Peak Avg. % of Children Cycling	0.3%	4%	5%	+25%

15. From the table the following should be noted:
  - a. The volumes of cyclists travelling along the western section of Elizabeth Street has increased by 28% on weekdays and 26% on weekends;
  - b. The volumes of cyclists travelling along the eastern section has decreased by 27% on weekdays and decreased by 26% on weekends;
  - c. The proportion of commuter and everyday cyclists has not changed significantly since November 2020; and
  - d. The average number of woman and children during the weekday peaks has continued to increase since November 2020 and is significantly higher than numbers recorded prior to the trial commencing.
  
16. The increase in the number of people cycling along the western section and the decrease along the eastern section indicates that more people are connecting cycling via Lennox Street, Albert Street or Nicholson Street, and less people are continuing east of Lennox Street or accessing Elizabeth Street via Church Street or Baker Street.
  
17. COVID-19 outbreaks in early January and mid-February resulted in the State Government pausing the planned increase for office workers to return to work. Due to the direction for people to work from home if they are able to do so, it continues to be difficult to quantify how the project has influenced cyclist volumes due to COVID-19. From 27 February restrictions were revised to allow up to 75% of office workers to return to work. As such, it is expected that we will have a clearer picture when more surveys and counts are completed later this year.

**Traffic Volumes and Speeds**

18. Daily traffic volumes on Elizabeth Street have increased by nearly 20% compared to the Quarter 1 traffic counts. Peak-hour traffic volumes have also increased by around 24% while the average traffic speeds have remained relatively consistent. The table below summarises the key traffic data findings.

Attachment 2 - Elizabeth Street Memo Q2



KEY TRAFFIC DATA	February 2020 (Pre-trial)	November 2020 (Q1)	Pre-Trial vs Q1 (%)	February 2021 (Q2)	Q1 vs Q2 (%)
<b>ELIZABETH STREET WEST</b>					
Total Weekday Daily Avg. Traffic Volume	9837	6956	-29%	7815	+12%
Total Avg. Daily Traffic Volume	8946	6400	-29%	7391	+15%
Weekday Peak-Hour Avg. Traffic Volume	849	543	-36%	665	+22%
Total Average Traffic Speed (km/h)	32.4	32.4	0%	30.8	-5%
Total Heavy Vehicle % of Traffic	6.2	6.9	+11%	3.2	-54%
<b>ELIZABETH STREET EAST</b>					
Total Weekday Daily Avg. Traffic Volume	9711	7402	-24%	8493	+15%
Total Avg. Daily Traffic Volume	9024	6710	-26%	8035	+20%
Weekday Peak-Hour Avg. Traffic Volume	831	572	-31%	709	+24%
Total Average Traffic Speed (km/h)	32.7	30.5	-7%	32	+5%
Total Heavy Vehicle % of Traffic	5.2	2.7	-48%	6.2	+130%

**Parking Occupancy**

- Extensive parking occupancy surveys were conducted on Elizabeth Street along with nearby on-street and off-street parking facilities by an independent consultant. In total, 1504 parking bays were surveyed. The outcome of the Quarter 2 data is that parking is generally available and consistent with the Quarter 1 and pre-trial occupancy survey results.

**Attachment 2 - Elizabeth Street Memo Q2**



20. The table below summarises the outputs of the parking surveys.

<b>ELIZABETH STREET PARKING OCCUPANCY SURVEY PRE-TRIAL VS Q1 &amp; Q2 SUMMARY RESULTS TABLE</b>						
<i>LOCATION</i>	<i>DATA</i>	<i>FEBRUARY 2020</i>	<i>NOVEMBER 2020</i>	<i>CHANGE %</i>	<i>FEBRUARY 2021</i>	<i>CHANGE %</i>
ELIZABETH STREET	TOTAL NO. PARKING BAYS	148	72	-51%	72	0%
	AVG. OCCUPANCY %	74%	86%	+16%	82%	-5%
NEARBY ON-STREET	TOTAL NO. PARKING BAYS	308	308	0%	308	0%
	AVG. OCCUPANCY %	67%	52%	-21%	64%	+23%
OFF-STREET	TOTAL NO. PARKING BAYS	1124	1124	0%	1124	0%
	AVG. OCCUPANCY %	53%	46%	-14%	44%	-4%
<b>TOTAL AREA</b>	<b>NO. OF PARKING BAYS</b>	<b>1580</b>	<b>1504</b>	<b>-5%</b>	<b>1504</b>	<b>0%</b>
	<b>AVG. OCCUPANCY %</b>	<b>58%</b>	<b>49%</b>	<b>-16%</b>	<b>50%</b>	<b>+2%</b>

21. The following observations are made based on the survey results:
- a. Average parking occupancy on Elizabeth Street has decreased by 5% in comparison to the Quarter 1 survey, however the average parking occupancy on nearby on-street bays increased by 23%;
  - b. Approximately 35% of all on-street parking bays within a short walking distance of Elizabeth Street are typically vacant, hence there continues to be parking availability in the area; and,
  - c. Average occupancy of off-street parking bays decreased by 4%, with around 56% of all off-street parking bays unoccupied at any one time.
22. Summary tables with more detailed information on the results of the parking occupancy survey are provided at Attachment 2.

**Attachment 3 - Elizabeth Street Memo Q3**



**To: Mayor and Councillors**

- Councillor Gabrielle de Vietri
- Councillor Anab Mohamud
- Councillor Stephen Jolly
- Councillor Amanda Stone
- Councillor Bridgid O'Brien
- Councillor Sophie Wade
- Councillor Claudia Nguyen
- Councillor Edward Crossland
- Councillor Herschel Landes

**CEO Executive**

- Chief Executive Officer
- Director Corporate, Business and Finance
- Director Planning and Place Making
- Assistant Director Planning and Place Making
- Director Community Wellbeing
- Director City Works and Assets
- Group Manager Chief Executive's Office
- Group Manager People, Culture and Community
- Acting Group Manager, Advocacy and Engagement

**From: Bruce Phillips and Simon Exon**

**Date:** 31 May 2021

**Subject: Elizabeth Street Bike Lane Project – Quarter 3 Survey Results**

1. This memo updates Councillors on the pilot trial of protected bike lanes in Elizabeth Street following the completion of the Quarter 3 data collection in April 2021 which includes on-street intercept surveys, a pop up CALD event, parking occupancy surveys, traffic and bike counts.
2. On 15 September 2020, Council resolved (in part) that:

*... a formal trial update report is scheduled which details data collected 3 months after the trial has been in operation;*

*... further parking occupancy surveys are commissioned and being undertaken in preparation for a first formal evaluation period report to Council; and*

*... as part of the evaluations during this 12-month period, there would be intercept surveys with persons using Elizabeth Street including residents, drivers, cyclists and pedestrians to further inform the evaluation of the trial for Council consideration.*

Note: Further surveys and counts will be conducted as part of the ongoing evaluation of the trial and reported to Councillors periodically. In this regard, the information in this memo needs to be read as an instalment of the evaluation to Councillors.

**Attachment 3 - Elizabeth Street Memo Q3**



**Background**

3. Elizabeth Street is designated as a strategic cycling corridor by the Department of Transport and connects the central city via Albert Street in East Melbourne to Richmond and the inner east suburbs.
4. The pilot trial was installed in July 2020 following a Council resolution in December 2019 to deliver the protected bike lanes in a timely manner as part of a regional cycling route. This trial consists of changes to linemarking and use of bollards to delineate the bike lanes.
5. Previous Council reports provide the basis of the design including the various lane widths and also the future landscaping potential if the trial is converted to a permanent arrangement (that is, the concept is to plant some street trees (for future upper canopy) between the eastbound traffic lane and the eastbound cycle lane in the wider buffer area currently on the ground as a painted buffer with the diagonal rubber separators and bollards).



**Intercept Survey**

6. An intercept survey was conducted of 160 individuals at random on Elizabeth Street over three days in the third week of April 2021. The intercept survey was undertaken by an independent consultant to understand how the community feel about the pilot trial of protected bike lanes. A broad cross-section of the community was surveyed including both younger and older persons, males, females, local residents, people passing through, pedestrians, cyclists, and car drivers.

**Attachment 3 - Elizabeth Street Memo Q3**

# MEMO



7. The intercept surveys were undertaken in English. The majority of people who were approached at random spoke and understood English at an appropriate level, and 160 people of those approached then agreed to stop and participate in the survey. The consultant undertaking the surveys had deployed a fieldwork team on the project who spoke a range of languages other than English including Vietnamese, Cantonese, Mandarin, Spanish, Hindi, and other Indian languages.
8. In addition, an in-person pop up information session was also held in mid-April and was tailored specifically to CALD communities, including interpreters in four key languages, to ensure Council obtained genuine and meaningful feedback on the trial from everyone in the community. During the session some local residents raised concerns about the width of the traffic lanes, pedestrian safety crossing the road, and the removal of parking; particularly for visitors looking for a vacant bay on Elizabeth Street itself.
9. The following paragraphs and graph summarise the intercept survey results.
10. Overall 73% of all 160 respondents stated that they were satisfied or very satisfied with the project. This is slightly more than during the February 2021 intercept survey which found 68% of all respondents were satisfied and very satisfied. The same pattern of satisfaction observed in this survey is consistent with the November 2020 and February 2021 surveys, with cyclists generally being very satisfied and drivers very dissatisfied.
11. There was also a decline in the proportion of respondents who reported that they were aware of the trial, down from 60% in November and 50% in February to 41% in April. The proportion of cyclists who were aware of the trial remained at 43% while only 30% of those travelling by car were aware of the trial. This could be attributed to an increase in movement from outside the local area since COVID-19 restrictions have further been eased.
12. The full consultant report with more detailed information and other key findings is provided at Attachment 1.

Attachment 3 - Elizabeth Street Memo Q3

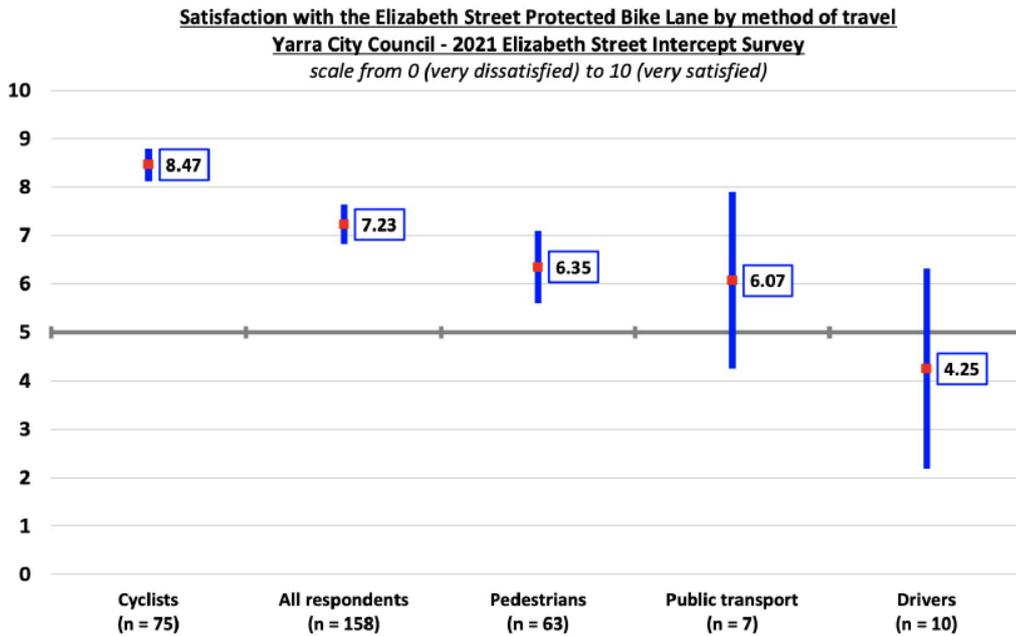


Diagram 1: Metropolis Research, April 2021

**Cycling Volumes and Speeds**

- 13. Updated cycling count data was also collected by an independent consultant.
- 14. Key findings and comparisons between the pre-trial and previous quarters are provided below. The data has been divided between the sections west and east of Lennox Street which is a key north-south feeder route to Elizabeth Street.

	KEY DATA & STATISTICS	FEB 2020 (Pre-Trial)	NOV 2020 (Q1)	FEB 2021 (Q2)	APR 2021 (Q3)
<b>ELIZABETH ST WEST</b>	Weekday Avg. Total No. Of People Cycling	686	384	492	<b>489</b>
	Commuter (Peak) Cycling Weekday Avg. %	61%	49%	53%	<b>56%</b>
	Weekend Bike Volume Total	380	399	502	<b>416</b>
	85% Speed Km/h	27.2	26.3	24.8	<b>26.4</b>
	Avg. Speed Km/h	22.1	21.6	20.5	<b>21.8</b>
<b>ELIZABETH ST EAST</b>	Weekday Avg. Total No. Of People Cycling	391	311	226	<b>316</b>
	Commuter (Peak) Cycling Weekday Avg. %	58%	48%	50%	<b>53%</b>

**Attachment 3 - Elizabeth Street Memo Q3**



	Weekend Bike Volume Total	351	319	188	<b>309</b>
	85% Speed Km/h	28	26.4	29.5	<b>27.3</b>
	Avg. Speed Km/h	23	20.6	24	<b>22.6</b>
<b>DEMOGRAPHICS</b>	Weekday Peak Avg. % Of Females Cycling	14%	23%	29%	<b>26%</b>
	Weekday Peak Avg. No. Of Children Cycling	2	13	39	<b>27</b>
	Weekday Peak Avg. % of Children Cycling	0.3%	4.4%	5.5%	<b>3.4%</b>

15. From the table the following should be noted:
- a. The volumes of cyclists travelling along the western section of Elizabeth Street has remained the about the same as Quarter 2;
  - b. The volumes of cyclists travelling along the eastern section of Elizabeth Street has increased back up to Quarter 1 levels on weekdays and weekends after a decline in Quarter 2;
  - c. There has been a steady increase each quarter in the percentage of people cycling on both sections of Elizabeth Street during the peak hours; and
  - d. The average number of woman and children during the weekday peaks has decreased slightly in Quarter 3 but remains significantly higher than numbers recorded prior to the trial commencing.
16. The higher volumes of cyclists along the western section compared to the eastern section indicates that more people are still connecting by bike via Lennox Street, Albert Street or Nicholson Street, and less people are continuing east of Lennox Street or accessing Elizabeth Street via Church Street or Baker Street.
17. Due to more people working from home for various reasons, it continues to be difficult to quantify how the project has influenced cyclist volumes due to COVID-19. From April 9 density quotients were relaxed for businesses with COVIDSafe requirements and for up to 100% of office workers and professional services to return to work, for both public and private sectors. However, people are still choosing to work from home for the time being - particularly CBD office workers. Further easing of restrictions has been announced for May 28 onwards. As such, it is expected that we will have a clearer picture of cycling participation rates when the last bike counts are completed in June.

**Traffic Volumes and Speeds**

18. Daily traffic volumes on Elizabeth Street have continued to increase in Quarter 3 by around 8% compared to the Quarter 2 traffic counts and by around 22% compared to Q1. Peak-hour traffic volumes have also increased by around 7% in this quarter while the average traffic speeds have remained relatively consistent. The table below summarises the key traffic data findings.

KEY TRAFFIC DATA	February 2020 (Pre-trial)	November 2020 (Q1)	February 2021 (Q2)	April 2021 (Q3)	CHANGE % Q2 vs Q3
ELIZABETH STREET WEST					

Attachment 3 - Elizabeth Street Memo Q3



Total Weekday Daily Avg. Traffic Volume	9837	6956	7815	<b>8134</b>	+4%
Total Avg. Daily Traffic Volume	8946	6400	7391	<b>7739</b>	+5%
Weekday Peak-Hour Avg. Traffic Volume	849	543	665	<b>697</b>	+5%
Total Average Traffic Speed (km/h)	32.4	32.4	30.8	<b>31.3</b>	+2%
Total Heavy Vehicle % of Traffic	6.2	6.9	3.2	<b>5.9</b>	+84%
<b>ELIZABETH STREET EAST</b>					
Total Weekday Daily Avg. Traffic Volume	9711	7402	8493	<b>9388</b>	+11%
Total Avg. Daily Traffic Volume	9024	6710	8035	<b>8953</b>	+11%
Weekday Peak-Hour Avg. Traffic Volume	831	572	709	<b>766</b>	+8%
Total Average Traffic Speed (km/h)	32.7	30.5	32	<b>30.7</b>	-4%
Total Heavy Vehicle % of Traffic	5.2	2.7	6.2	<b>3.7</b>	-40%

**Parking Occupancy**

- Extensive parking occupancy surveys were conducted on Elizabeth Street along with nearby on-street and off-street parking facilities by an independent consultant in mid-April. In total, 1504 parking bays were surveyed. The outcome of the Quarter 3 data is that parking is generally available and consistent with the Quarter 1, Quarter 2 and pre-trial occupancy survey results.

**Attachment 3 - Elizabeth Street Memo Q3**



20. The table below summarises the outputs of the parking surveys.

ELIZABETH STREET PARKING OCCUPANCY SURVEY PRE-TRIAL VS Q1, Q2 & Q3 SUMMARY RESULTS TABLE						
LOCATION	DATA	FEBRUARY 2020	NOVEMBER 2020	FEBRUARY 2021	APRIL 2021	CHANGE % Q2 vs Q3
ELIZABETH STREET	TOTAL NO. PARKING BAYS	148	72	72	72	0%
	AVG. OCCUPANCY %	74%	86%	82%	88%	+6%
NEARBY ON-STREET	TOTAL NO. PARKING BAYS	308	308	308	308	0%
	AVG. OCCUPANCY %	67%	52%	64%	64%	0%
OFF-STREET	TOTAL NO. PARKING BAYS	1124	1124	1124	1124	0%
	AVG. OCCUPANCY %	53%	46%	44%	47%	+3%
<b>TOTAL AREA</b>	<b>NO. OF PARKING BAYS</b>	<b>1580</b>	<b>1504</b>	<b>1504</b>	<b>1504</b>	<b>0%</b>
	<b>AVG. OCCUPANCY %</b>	<b>58%</b>	<b>49%</b>	<b>50%</b>	<b>52%</b>	<b>+2%</b>

21. The following observations are made based on the survey results:

- Average parking occupancy on Elizabeth Street has increased by 6% in comparison to the Quarter 2 survey, however the average parking occupancy on nearby on-street bays has remained the same;
- Approximately 36% of all on-street parking bays within a short walking distance of Elizabeth Street are typically vacant, hence there continues to be parking availability in the area; and,
- Average occupancy of off-street parking bays increased by 3%, with around 53% of all off-street parking bays unoccupied at any one time.

22. Summary tables with more detailed information on the results of the parking occupancy survey are provided in Attachment 2.

---

## 8.2 Amendment C297yara - Interim Heritage Overlays in Collingwood

---

<b>Reference</b>	D21/178046
<b>Author</b>	Joerg Langeloh - Project and Policy Coordinator
<b>Authoriser</b>	Manager City Strategy

---

### Purpose

1. The purpose of this report is to:
  - (a) inform Council of gaps in the heritage overlay as identified in the strategic background reports; and
  - (b) recommend that Council request the Minister for Planning consider the approval of interim Heritage Overlays as in recommended Amendment C297yara.

### Critical analysis

#### History and background

2. GJM Heritage were engaged to provide heritage advice and prepared the following reports to assist officers in preparing interim design and development overlays (DDOs) for Alexandra and Victoria Parade:
  - (a) *Built Form Review: Alexandra Parade – Heritage Analysis and Recommendations* (see **Attachment 1**); and
  - (b) *Built Form Review: Victoria Parade – Heritage Analysis and Recommendations* (see **Attachment 2**).
3. These reports have informed the interim DDO's 38 and 39; and provided parts of the strategic justification for Amendment C288.
4. Amendment C288 was gazetted on 22 October 2021 and now forms part of the Yarra Planning Scheme.
5. Next to providing heritage advice that informed interim DDOs 38 and 39, the reports analysed gaps, inconsistencies and inaccuracies with the current heritage provisions along the Parades and provided recommendations for addressing these issues.
6. Two areas were considered to be gaps within the current heritage overlay:
  - (a) 484 Smith Street, Collingwood: Known as the Gasometer Hotel (See Figure 1); and
  - (b) 205-219 Victoria Parade, Collingwood: A row of shops between Islington and Hoddle Streets (see Figure 2).

Figure 1: 484 Smith Street, Collingwood



Figure 2: 205-219 Victoria Parade, Collingwood



Discussion

7. The GJM Heritage reports as in Attachments 1 and 2 include Heritage Citations and Statements of Significance (see **Attachments 3 and 4**) that outline the justification for including the two locations in the heritage overlay. Table 1 below provides a summary:

Table 1: Summary of the justification for including the 2 locations in the Heritage Overlay

484 Smith Street, Collingwood	205-219 Victoria Parade, Collingwood
Taken from the Statement of Significance	Taken from the Statement of Significance
Elements that contribute to the significance of the heritage place are, amongst others, the original, external form; materials and detailing of the building; integrity of its original design; façade parapet and pitched roofs behind.	The precinct contains a mix of single to two storey shops from the Victorian period. The brick buildings have rendered facades with some façade detailing present and visible chimneys. Some minimal alterations are present at ground level (i.e. wider shop windows).
The Gasometer Hotel is of local historical and architectural significance to the City of Yarra.	It was considered that “ <i>The buildings retain a high degree of integrity to the Victorian period in fabric, form and detail.</i> ” The alterations did, in GJM’s view, not “ <i>diminish the ability to understand and appreciate the precinct as a highly intact row of Victorian commercial premises.</i> ”
Its significance lies in being a suburban hotel on a prominent corner location and displaying typical characteristics of the early Victorian period in Collingwood.	The inclusion in the overlay is see as justified due to the precinct being illustrative of the historical development along the early major commercial thoroughfare in Yarra and being an intact, representative row of Victorian commercial premises.
Recommended grading: Individually Significant	Recommended grading: Contributory

8. With the gazettal of Amendment C288, development pressure has been acknowledged and responded to. The logical consequence would be to pursue interim HOs to ensure the heritage fabric is protected until permanent heritage overlays are in place.
9. The heritage advice for the interim DDOs for Amendment C288 utilised the findings regarding the two locations. Changes to the interim DDOs 38 and 39 are not necessary.

10. The recommended formal planning scheme amendment documents for C297yara are contained in **Attachment 5** for Council consideration.

#### Options

11. Council has the following options:
- (a) pursue a proposed interim HO amendment until the permanent heritage overlays are in place. This is recommended as the heritage fabric could be lost due to the lead-in times for planning scheme amendments; or
  - (b) commence a permanent amendment immediately. This is not recommended as permanent heritage overlays for these two locations are recommended to be part of the future Fitzroy-Collingwood built form provision amendment to introduce permanent DDOs.

### Community and stakeholder engagement

12. The strategic background reports have been prepared with input from Council's Strategic Planning and Statutory Planning teams and Council's Senior Heritage Advisor.
13. The strategic background reports have been public since the Council Meeting of 30 March 2021, when the Fitzroy-Collingwood Stage 2 interim built form provisions for Alexandra Parade, Victoria Parade and the Fitzroy West Mixed Use Zone area were presented to Council. However, gaps in the heritage overlay were not specifically highlighted.
14. On 19 November 2021 landowners have been sent a letter to provide advance notice of C297 and this Council Meeting. It was undertaken to provide landowners some time to view the documentation, enquire with officers and decide whether to participate at the Council Meeting.
15. As part of a future targeted consultation approach to help inform future permanent DDOs and HOs for Fitzroy and Collingwood, landowners and interested parties would be able to provide feedback on the interim DDOs and interim HOs.
16. Following the targeted consultation, the intended permanent amendment process would include extensive public exhibition and allow for the opportunity to ask questions and make formal submissions. This is likely to occur in the first half of 2022.

### Policy analysis

#### Alignment to Community Vision and Council Plan

17. The request to introduce the two interim HOs in Collingwood also supports the following strategy in the Council Plan:
- (a) *4.1 Protect Yarra's heritage and neighbourhood character.*

#### Climate emergency and sustainability implications

18. There are no sustainability implications for requesting the Minister for Planning to introduce interim HO's.

#### Community and social implications

19. There are no specific social implications for requesting the Minister for Planning to introduce interim HO's.
20. The approach seeks to provide increased certainty to the community around retaining valued heritage fabric in Collingwood.

#### Economic development implications

21. There are no economic implications to Council for requesting the Minister for Planning to introduce interim HOs to the two locations in Collingwood.

22. It is noted that for certain buildings and works, planning permission would be required. Depending on the type of works and value of construction, this may incur a planning permit application fee to the landowner.

#### Human rights and gender equality implications

23. There are no known human rights implications for requesting the Minister for Planning to introduce interim HO's to the areas outlined in this report.

### Operational analysis

#### Financial and resource impacts

24. The costs were part of the interim built form provisions for Alexandra and Victoria Parades and Fitzroy West.
25. Future costs would occur for preparing permanent provisions in the future.

#### Legal Implications

26. The approach outlined in this report is in accordance with the requirements of this *Planning and Environment Act 1987*.

### Conclusion

27. Requesting interim heritage overlays is a logical consequence of the interim DDO's 38 and 39 having been gazetted to seek to ensure valued heritage fabric is being retained until permanent HO's are put in place.
28. Future permanent HO's would likely be part of the *Yarra Activity Centre Standing Advisory Committee* process along with permanent DDOs for Fitzroy-Collingwood. This is likely to commence in the beginning of 2022.
29. Community engagement would occur in two stages: First as part of a targeted, informal consultation to seek feedback on the interim provisions, and second as part of the formal exhibition of permanent provisions in 2022.

### RECOMMENDATION

1. That Council:
- (a) notes the officer report regarding the proposed Amendment to the Yarra Planning Scheme to be known as Amendment C297;
  - (b) notes the attachments regarding the recommended interim heritage overlay provisions for properties as outlined in the report;
  - (c) adopts for the purpose of supporting this amendment request, the supporting Heritage Analysis and Recommendations prepared by GJM Heritage at **Attachments 1, 2, 3, 4 and 5**;
  - (d) requests the Minister for Planning in accordance with sections 8(1)(b) and section 20(4) of the *Planning and Environment Act 1987* to introduce Heritage Overlays HO's 506 and 508 on an interim basis into the Yarra Planning Scheme (**Attachment 3, 4 and 5**);
  - (e) authorises officers to consult with the Minister, in accordance with sections 8(1)(b), 20(4) and 20(5) of the Act, to assist the Minister to prepare, adopt and approve the Amendment; and
  - (f) authorises the CEO to make any minor adjustments required to meet the intent of the above resolution.

## Attachments

- 1 [↓](#) Alexandra Parade Heritage Review
- 2 [↓](#) Victoria Parade Heritage Review
- 3 [↓](#) Statement of Significance 484 Smith Street, Collingwood
- 4 [↓](#) Citation -Statement of Significance 205-219 Victoria Parade, Collingwood
- 5 [↓](#) C297yara Formal Amendment Documents

**Attachment 1 - Alexandra Parade Heritage Review**



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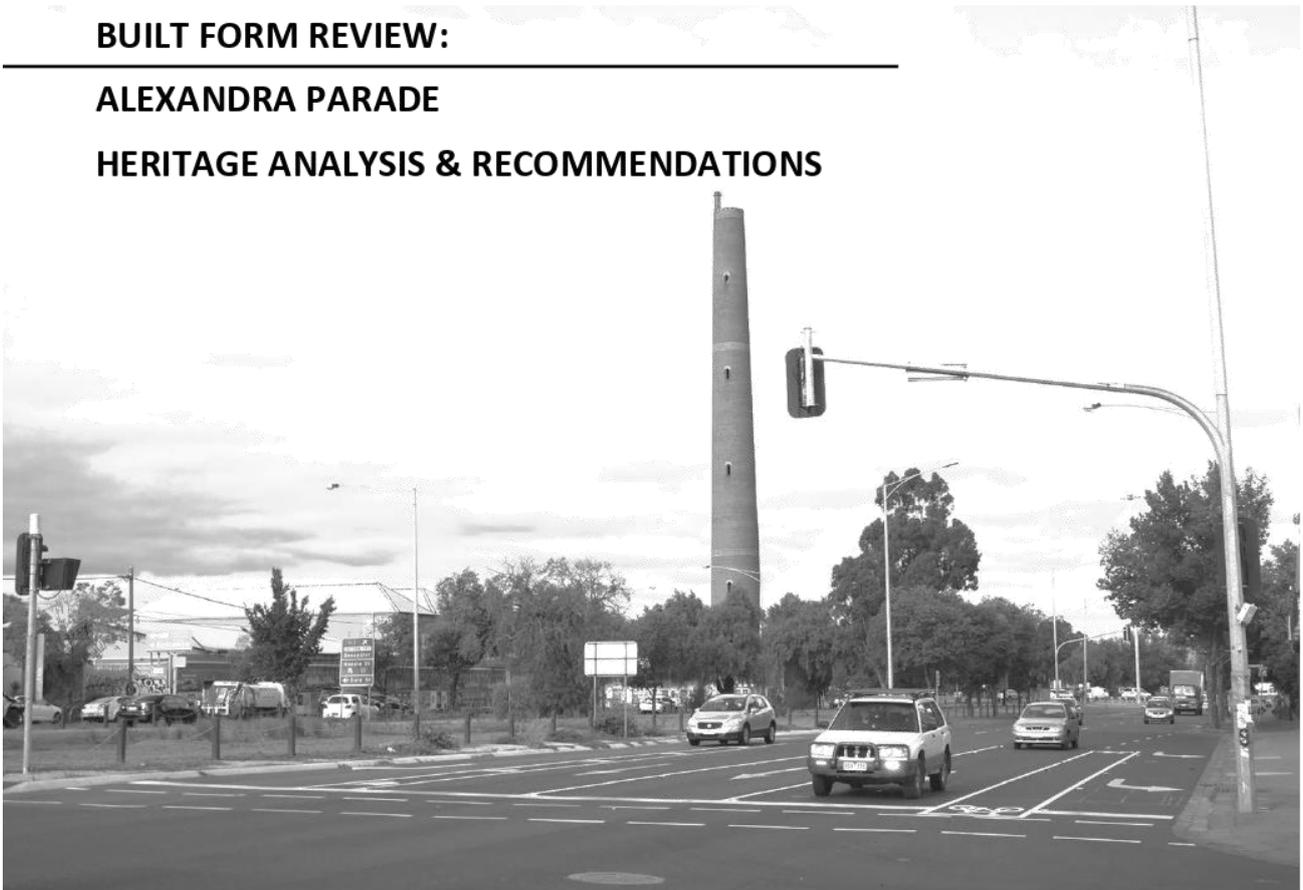
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**BUILT FORM REVIEW:**

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**ALEXANDRA PARADE**

**HERITAGE ANALYSIS & RECOMMENDATIONS**



PREPARED FOR: City of Yarra  
DATE: November 2020  
FILE: 2020-008

## Attachment 1 - Alexandra Parade Heritage Review

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*As is the case for 37.5% of Victoria, no Traditional Owners have been formally recognized for parts of the land included in the study area. The land to the north of Alexandra Parade, however, forms part of the traditional lands of the Wurundjeri People, who are represented by the Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation.*

*This report is limited in its scope to consideration of post-contact cultural heritage and does not provide advice on any Aboriginal cultural heritage significance. Nonetheless, we acknowledge the Traditional Owners of the land at this place, including the Wurundjeri People, and pay our respects to their Elders past, present and emerging. For more information on the Wurundjeri People, please visit <https://www.wurundjeri.com.au>.*

### PROJECT TEAM

Jim Gard'ner | Director

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Jessica Hogg | Heritage Consultant

*Cover Image: Alexandra Parade looking east towards the Clifton Hill Shot Tower from the intersection with Wellington Street*

### GLOSSARY OF ABBREVIATIONS

Appendix 8	Incorporated Document 'City of Yarra Review of Heritage Overlay Areas 2007: Appendix 8 (revised May 2018)'
C1Z	Commercial 1 Zone
C2Z	Commercial 2 Zone
DDO	Design and Development Overlay
DELWP	Department of Environment, Land, Water and Planning
GRZ	General Residential Zone
HO	Heritage Overlay
MAC	Major Activity Centre
MUZ	Mixed Use Zone
NAC	Neighbourhood Activity Centre
NRZ	Neighbourhood Residential Zone
PPN	Planning Practice Note
VHR	Victorian Heritage Register

All photos taken by GJM Heritage in March 2020 unless otherwise stated.

Alexandra Parade Built Form Review: Heritage Analysis & Recommendations | PAGE 2



## Attachment 1 - Alexandra Parade Heritage Review

### DOCUMENT VERSIONS

Project No.	Version	Issued To	Date Issued
2020-008	Draft v0.1	City of Yarra	1 July 2020
	Final Draft v0.2	City of Yarra	10 November 2020
	Final	City of Yarra	16 November 2020



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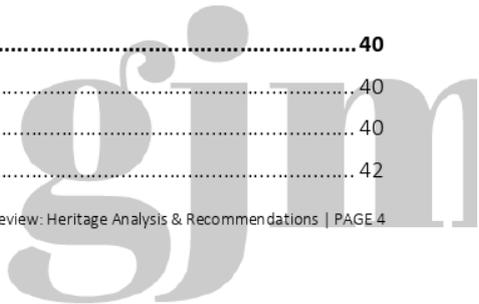
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## Attachment 1 - Alexandra Parade Heritage Review

### EXECUTIVE SUMMARY

Hansen Partnership, on behalf of the City of Yarra (Council), has prepared a Built Form Review of three precincts: Alexandra Parade, Victoria Parade and Fitzroy West. This forms part of a larger project that considers built form controls for commercial high streets and mixed use / commercial zoned precincts within Fitzroy, Collingwood and (part) Clifton Hill (Figure 1). The purpose of this Built Form Review work is to determine where and how new development can appropriately occur. The desired built form outcomes will be translated into Design and Development Overlay (DDO) controls for the study area.

This report specifically considers the Alexandra Parade Precinct (also referred to as the 'study area' in this report) which includes land within the southern part of Clifton Hill and the northern parts of Collingwood and Fitzroy. The heritage advice contained within this report will help ensure that the Built Form Review and the subsequent DDO controls appropriately respond to the heritage fabric and values within the study area.

This advice then considers the built form parameters that are required to ensure that the values of the heritage places within the Alexandra Parade Precinct are appropriately managed and protected, and that good heritage outcomes are being achieved for potential future new development or redevelopment on land subject to, or abutting, the Heritage Overlay. This includes a consideration of the impact of development on the Clifton Hill Shot Tower (VHR H0709), views of which are identified in the Landmarks and Tall Structures Policy at Clause 22.03 of the Yarra Planning Scheme.

Part II of this report provides an analysis of gaps, inconsistencies and inaccuracies in the current heritage controls within the study area and provides recommendations for addressing these issues. This has resulted in the recommendation to include two additional properties on the Heritage Overlay a Quonset Warehouse at 20 Reeves Street, Clifton Hill and the Gasometer Hotel, 484 Smith Street, Collingwood.

This Heritage Analysis and Recommendation Report is presented in three parts:

#### Part I: The Project and Planning Framework

Part I introduces the project, the methodology applied to the project and the planning framework in which the project is occurring.

#### Part II: Heritage Analysis

Part II contains a heritage analysis of the study area. It details the heritage qualities and values of the study area, identifies any gaps or issues in the existing heritage framework and provides recommendations for appropriately managing heritage places within the study area.

#### Part III: Built Form Recommendations

Part III contains specific built form recommendations to ensure heritage places and values are appropriately managed within a changing urban context. The specific recommendations are informed by modelling prepared by Hansen Partnership.



Attachment 1 - Alexandra Parade Heritage Review



**Figure 1: Brunswick and Smith Street Study Area**  
 Source: 'Figure 2: Brunswick & Smith Street Built Form Review - Precincts' from the Alexandra Parade Built Form Framework (Hansen Partnership, December 2020). The area in green denoted by the letter A is the Alexandra Parade Precinct subject of this report.



**Attachment 1 - Alexandra Parade Heritage Review**

**PART I: THE PROJECT AND PLANNING FRAMEWORK**



Alexandra Parade Built Form Review: Heritage Analysis & Recommendations | PAGE 8

## Attachment 1 - Alexandra Parade Heritage Review

### 1.0 INTRODUCTION

#### 1.1 YARRA'S HIGH STREETS & BOULEVARDS

The City of Yarra is endowed with one of the largest and most highly intact collections of turn of the century 'High Streets' in the State of Victoria. These High Streets include the Major Activity Centres of Swan Street and Bridge Road in Richmond, Brunswick Street in Fitzroy, Smith Street straddling the suburbs of Fitzroy and Collingwood and Victoria Street, in Abbotsford and Richmond. They also include a number of Neighbourhood Activity Centres, including Gertrude Street in Fitzroy, Johnston Street in Fitzroy & Collingwood, Rathdowne Street and Nicholson Street in Carlton North, St Georges Road in Fitzroy North, and Queens Parade in Fitzroy North & Clifton Hill.

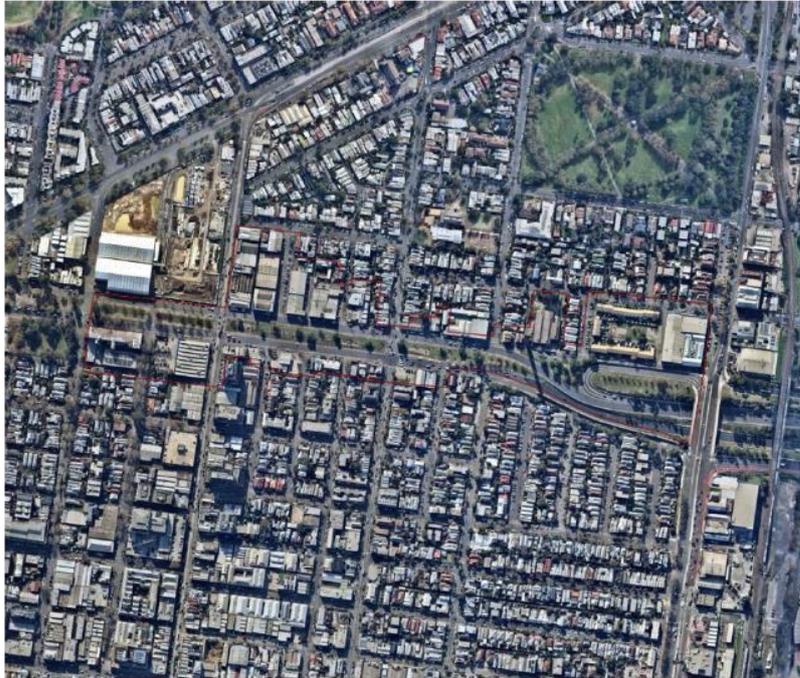
These High Streets contrast with the wide boulevards of Alexandra and Victoria Parade, which retain their wide median strips. Unlike the more typical commercial High Street, these boulevards do not exhibit a consistency of use or built form. Nonetheless, while the built form, character and heritage values of these boulevards differ greatly over their length, the pockets of heritage buildings warrant special consideration as does the interfaces to the generally low-scale residential heritage areas they directly abut. Like the historic High Streets, it is necessary to manage the tension between the desire to retain the heritage values of these areas and meet the growth objectives of the Yarra Planning Scheme.

#### 1.2 BRIEF DESCRIPTION OF THE ALEXANDRA PARADE PRECINCT

Alexandra Parade is a major arterial road running east-west connecting to Princes Street at Nicholson Street and the Eastern Freeway at the Hoddle Street interchange. It has a 60m wide carriageway with three to four lanes of traffic either side of a wide (20m-25m) grassed median strip, with traffic running in both directions. The median is planted at the western end with a regular avenue of trees and less formal rows and groups of trees toward the east. Street trees are planted along the majority of the footpaths. The major north-south oriented roads (including Brunswick, Napier, George, Smith, Wellington and Gold streets) align across Alexandra Parade, but minor streets and block lengths differ between the northern and southern side of the boulevard.



**Attachment 1 - Alexandra Parade Heritage Review**



*Figure 2: Alexandra Parade precinct – outlined in red.  
Source: Nearmap, 4 June 2020*

The precinct extends along the north side of Alexandra Parade between Smith Street in the west and Hoddle Street in the east, with the exception of the Neighbourhood Residential Zoned (NRZ) properties addressing Alexander and Wellington streets and the parcel of land at 64 Alexandra Parade, Clifton Hill (which is subject to the site-specific Design and Development Overlay (DDO19)). The precinct extends to the north up the eastern side of Smith Street and both sides of Reeves and Hilton streets to the extent of Commercial 2 Zone (C2Z) land. The whole of the block bounded by Noone Street, Hoddle Street, Alexandra Parade and Alexander Street is included within the precinct including the Department of Health and Human Services (DHHS) low-rise housing estate. On the south side of Alexandra Parade the precinct extends one property deep between George Street in the west and Charlotte Street in the east.

The built form of the Alexandra Parade Precinct is highly varied, ranging from large industrial sites such as the former British United Shoes Machinery Co. Pty. Ltd. Factory (200 Alexandra Parade, Fitzroy [HO334]) at the western end of the precinct, the former Murray Co. Wool Works (457 Hoddle Street, Clifton Hill [HO89]), and the State heritage listed Clifton Hill Shot Tower at the eastern end of the precinct, to smaller commercial and factory buildings on Smith Street, and late nineteenth and early twentieth century hotels and single-storey terraced housing addressing Alexandra Parade. There is little visual cohesion within the precinct. The areas of land subject to the Heritage Overlay is limited to short runs of streetscape on Alexandra Parade and Smith Street or individual properties.

The Gasometer Hotel at 484 Smith Street was also considered as part of the Brunswick and Smith Street Built Form Review and an assessment of its heritage



## Attachment 1 - Alexandra Parade Heritage Review

values was undertaken as part of that project. The Gasometer Hotel is not currently included in the Heritage Overlay but was recommended for inclusion as an individual heritage place as part of the Brunswick and Smith Street Built Form Review (see also Appendix II for the (draft) citation for the Gasometer Hotel).

### 1.3 BRIEF HISTORY OF ALEXANDRA PARADE

*This historical summary is based on the City of Yarra Heritage Review Thematic History (Allom Lovell & Associates, 1998) with additional sources as cited.*

Alexandra Parade (first called Darebin, then Reilly Street) was evident on both James Kearney's 1855 map of Melbourne and its suburbs, and Clement Hodgkinson's 1858 map of East Collingwood, extending from Nicholson Street in the west to the Yarra River in the east, and marking the northern boundary of the early suburbs of Fitzroy (originally called Newtown) and Collingwood. By the late 1850s, Alexandra Parade had undergone very little development between Smith and Hoddle streets, with only a group of slaughter houses and approximately six buildings - presumably residences - located on the south side, as evident on Proeschel's c1855 map of Collingwood and Hodgkinson's 1858 map of East Collingwood. In 1859, an open drain was constructed along what was then known as Reilly Street (now under the median strip of Alexandra Parade) to drain the crown land in Clifton Hill. This was, however, an immediate failure, overflowing into the Collingwood Flat the first winter after it was constructed. The drain continued to be a health hazard and was referred to as 'the sickly Reilly Street drain' (Garryowen; cited in Lovell 1998:69) until it was enclosed in sections in the early 1900s (*Age*, 5 Dec 1905:6; 16 Jan 1906:6).

An early development along Alexandra Parade was the Collingwood, Fitzroy and District Gas and Coke Company gasworks, established on the north-west corner of Smith and Reilly Street in 1861. From the late-Victorian period onwards, industrial sites consolidated along the route of the Reilly Street drain. Buildings such as the Clifton Hill Shot Tower (1882; 94 Alexandra Pde, Clifton Hill) and Murray and Co. Wool Works (1918; 457 Hoddle Street, Clifton Hill) remain as evidence of this development. The 1882 Clifton Hill Shot Tower has long been a dominant landmark in the area, and is the earliest and tallest of the two remaining shot towers in Victoria (VHD).

Prominent corner sites along Alexandra Parade were occupied by hotels from the Victorian period onwards. Within the study area, these included the Gasometer Hotel (c1859-60; 484 Smith Street, Collingwood) and Fox's Hotel (351 Wellington Street, Collingwood), which was first built in 1871 and renamed the Tower Hotel (Figure 3) after the nearby Clifton Hill Shot Tower in 1882 (the hotel was substantially remodelled during the Interwar period) (Holmes, 2015). Residential development increased along, and within the vicinity of, Alexandra Parade in the late-Victorian and Edwardian periods. In 1878 Fitzroy Council changed the name of Reilly Street (between Nicholson and Smith streets) to Alexandra Parade (*Mercury and Weekly Courier*, 28 Sep 1878:2). While Collingwood Council voted to change the name to Alexandra Parade East in 1908 (*Age*, 23 Sep 1908:11).

Light industrial development became more prevalent in the precinct during the Interwar and Postwar periods. The larger industrial buildings were often praised for their 'fine' and 'modern' appearance and for the facilities they could offer in terms



## Attachment 1 - Alexandra Parade Heritage Review

of improved working conditions. Evidence of this was the British United Shoe Machinery Co factory (1932; 200 Alexandra Parade, Fitzroy) (Figure 4).



**Figure 3:** (left) The Tower Hotel (built 1871 as Fox's Hotel; remodelled during the Interwar period) at 351 Wellington Street, Collingwood. Photo dated c1886-c1898). ('Contributory' within HO321)  
Source: Royal Historical Society of Victoria, Object number GN-GN-1018



**Figure 4:** The British United Shoe Machinery Co factory at 200 Alexandra Parade, Fitzroy, in 1948 ('Individually Significant' within HO334)  
Source: Picture Victoria, ID: 15232

From the 1960s onwards, a mix of residential and large industrial and commercial developments have been established along this part of Alexandra Parade. In the 1970s Alexandra Parade was widened as part of the construction of the Eastern Freeway to the east, which established it as a major east-west route.

### Sources:

Allom Lovell & Associates (1998), *City of Yarra Heritage Review, Thematic History*.

Hodgkinson, Clement, Noone, John, and Wilkinson, John, (1858), *Plan shewing the streets and buildings in existence in East Collingwood on January 1st 1858 : with schedule of heights of benchmarks above low water datum at Queen's wharf* [cartographic material]. Printed by De Gruchy & Leigh [Melbourne].

Holmes, Anne (Dec 2015) 'Fordes at the Fox', at Collingwood Historical Society Inc, <<https://collingwoodhs.org.au/fordes-at-the-fox/>>, accessed 10 June 2020.

Kearney, James (draughtsman), Brown, James D. and Tulloch, David (engravers) (1855), *Melbourne and its suburbs* [cartographic material].

*Mercury and Weekly Courier* [Vic.].

Picture Victoria.

Proeschel, F. (c1855), *Map of Collingwood, Showing the Western part (of Fitzroy ward) as it will be in a very short time, according to the Collingwood improvement act, and the Eastern part as it is, with indication (by dotted lines) of a few alterations which if adopted would greatly improve its thoroughfare* [cartographic material]. Campbell & Fergusson, Lithographers [Melbourne].

Royal Historical Society of Victoria, online picture collection.

*The Age*.

Victorian Heritage Database (VHD), Heritage Victoria's citation for 'Shot Tower, 94 Alexandra Parade Clifton Hill, Yarra City', <<https://vhd.heritagecouncil.vic.gov.au/places/295>>, accessed 10 June 2020.

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### 1.2 SCOPE OF THE HERITAGE ANALYSIS & RECOMMENDATIONS REPORT

GJM Heritage has been commissioned to provide a detailed analysis of the heritage considerations for the Brunswick and Smith Street Built Form Review project area and to detail recommendations for the future management of these areas in the context of potential new development. This report considers the Alexandra Parade Precinct and has been prepared simultaneously with those considering the Victoria Parade and Fitzroy West Mixed Use precincts.

The following precincts have previously been considered in the *Brunswick and Smith Street Built Form Review*, GJM Heritage, 25 November 2019:

- Brunswick Street Activity Centre Spine
- Town Hall Mixed Use Precinct
- Smith Street Activity Centre Spine
- Johnston Street Activity Centre Spine
- Fitzroy East Mixed Use Precinct.

The proposed Gertrude Street Precinct and the MUZ area south of Gertrude Street between Young and Little Napier Streets was reviewed through the *Gertrude Street Built Form Framework: Heritage Analysis & Recommendations*, GJM Heritage, 9 December 2019.

The Collingwood Mixed Use Precinct was considered as part of a separate study: *Collingwood Mixed Use Pocket Heritage Analysis & Recommendations*, GJM Heritage, 6 June 2018.

The Alexandra Parade Precinct is located in close proximity to the area considered as part of the *Queens Parade Built Form Heritage Analysis & Recommendations*, GJM Heritage, 11 December 2017. That report, along with the *Queens Parade Built Form Review*, (Hansen Partnership, 15 December 2017) and subsequent modelling by Ethos Urban, informed the preparation of DDO16 and DDO20 applied to Queens Parade through Amendments C262yara and C241yara respectively. Yarra Amendment C231 Part 1 was gazetted on 1 October 2020. It replaced DDO16 and DDO20, which included interim controls, with a new DDO16 that introduced permanent controls, and applied the Heritage Overlay to various sites within the Queens Parade Neighbourhood Activity Centre and modified building gradings amongst other things. Amendment C231yara Part 3 was also gazetted on 1 October 2020 and introduced permanent built form controls to 141-167 Queens Parade, Clifton Hill by replacing DDO20 with the new DDO16.

The purpose of our advice as part of this project is to ensure that any DDO controls arising from the Built Form Review take proper account of the heritage values of the precincts and individual buildings within the study area, in order to ensure appropriate weight is given to heritage when considering new development.

The analysis within this report builds on previous built form reviews and heritage analysis work conducted for the City of Yarra, and considers the parameters necessary to appropriately manage increased commercial and residential development within the Alexandra Parade Precinct. Of particular relevance to this precinct is its role in protecting the key views to the Clifton Hill Shot Tower which is



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included on the Victorian Heritage Register (VHR) and is identified as a valued landmark within the City of Yarra at Clause 22.03.

### 1.3 METHODOLOGY

The key background documents on which the heritage analysis is based are:

- Yarra Planning Scheme Heritage Overlay Map 2HO
- Relevant Statements of Significance for heritage places and precincts within the study area and associated heritage studies
- Incorporated Document 'City of Yarra Review of Heritage Overlay Areas 2007: Appendix 8 (revised May 2018)' (Appendix 8)
- City of Yarra Heritage Grading Maps
- 'Review & Development of the City of Yarra Landmarks Policy – Landmarks & Views Assessment' prepared by Ethos Urban for the City of Yarra, October 2019.

The above documents have been reviewed in the context of the following clauses of the Yarra Planning Scheme and the relevant Planning Practice Notes (PPNs) published by the Department of Environment, Land, Water and Planning (DELWP):

- The relevant provisions of the Yarra Planning Scheme, in particular, are:
  - Clause 15.03-1S 'Heritage conservation'
  - Clause 21.05-1 'Heritage'
  - Clause 22.02 'Development Guidelines for Sites Subject to the Heritage Overlay'
  - Clause 22.03 'Landmarks and Tall Structures'
  - Clause 22.10 'Built Form and Design Policy'
  - Clause 43.01 'Heritage Overlay'
  - Clause 43.01 'Schedule to the Heritage Overlay'
  - Clause 71.02-3 'Integrated Decision Making'
- PPN 1: *Applying the Heritage Overlay* (August 2018) (PPN1)
- PPN 59: *The role of mandatory provisions in the planning schemes* (September 2018) (PPN59)
- PPN 60: *Height and setback controls for activity centres* (September 2018) (PPN60).

We note that the Minister for Planning has authorised the preparation and exhibition of Amendment C269yara to introduce a new Municipal Planning Strategy, local policies and supporting documents into the Yarra Planning Scheme. This amendment has gone on exhibition but is at an early stage of the amendment process, therefore the advice provided in this report has been informed by the relevant existing Local Planning Policy, in particular clauses 22.02, 22.03 and 22.10.

The following Planning Panels Victoria (Panel) reports are relevant to the implementation of the Built Form Review, particularly as many consider the appropriateness of DDOs (containing both mandatory and discretionary provisions) within Activity Centres (or in the case of Melbourne Amendment C240, the Capital City Zone) that are also subject, in part, to the Heritage Overlay:



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- Boroondara C108 'Neighbourhood Centres and Commercial Corridors' (26 February 2014)
- Moreland Planning Scheme Amendment C134 'Brunswick Activity Centre' (15 May 2015)
- Melbourne Planning Scheme Amendment C240 'Bourke Hill' (4 May 2015)
- Bayside Planning Scheme Amendments C113, C114 and C115 'Mandatory provisions for the Sandringham Village, Bay Street and Church Street Activity Centres' (14 January 2015)
- Whitehorse Planning Scheme Amendment C175 'Box Hill Metropolitan Activity Centre' (6 October 2017).
- Stonnington Planning Scheme Amendment C223 'Glenferrie Road and High Street Activity Centre' (15 December 2017)
- Darebin Planning Scheme Amendment C161 'Fairfield Village' (3 December 2018)
- Yarra Planning Scheme Amendment C220 'Johnston Street Built Form Controls' (22 February 2019)
- Melbourne Planning Scheme Amendment C308 'Central Melbourne Urban Design' (16 May 2019)
- Melbourne Planning Scheme Amendment C258 'Heritage Policies Review' (21 May 2019)
- Yarra Planning Scheme Amendment C231 'Queens Parade Built Form Review' (31 October 2019)
- Yarra Planning Scheme Amendment C191 'Swan Street Built Activity Centre' (15 October 2020).

The following reports have also informed this study:

- 'Review & Development of the City of Yarra Landmarks Policy – Landmarks & Views Assessment' prepared by Ethos Urban for the City of Yarra, October 2019.
- 'Fitzroy & Collingwood Built Form Review Stage 2: Alexandra Parade Built Form Framework', Hansen Partner, April 2020.
- Previous heritage built form reports and analysis prepared by GJM Heritage for Brunswick and Smith Street and Queens Parade study areas.

We have approached the preparation of our heritage analysis as follows:

1. Completion of a desktop review of the above listed documents, heritage mapping and grading information, and the Statements of Significance for heritage places within the study area, including those places included in the VHR. The extent of the Heritage Overlays were cross-checked against Google Streetview and VicPlan. This preliminary review familiarised the project team with the heritage fabric of the study area prior to fieldwork being undertaken.
2. Completion of fieldwork by Jim Gardner. All buildings and structures within the study area were inspected from the public realm with particular attention paid to the presentation of heritage buildings to the public realm



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(principally the street frontage). The rear and side interfaces to the neighbouring residential areas subject to the Heritage Overlay were also considered, where relevant. The purpose of the fieldwork was to:

- Review the suitability of the extent of the existing Heritage Overlays and to identify if gaps or anomalies existed.
  - Review the suitability of the existing Statements of Significance for heritage places against the extant heritage fabric and to identify where the Statements required updating for the purposes of properly considering built form recommendations.
  - Review the extant heritage fabric against the heritage gradings contained within Appendix 8 and the Yarra Heritage Grading Map to identify any inconsistencies and inaccuracies.
  - Review the heritage buildings and streetscapes within the study area to identify the architectural and streetscape heritage features (e.g. parapets, roof forms, view lines, corner sites) that are relevant to a consideration of built form recommendations.
3. Participation in a workshop with Council and Hansen Partnership. The workshop:
- Reviewed the proposed 'built form precincts' within the study area, characterised by existing built form characteristics.
  - Identified the desired future built form character of the precincts against heritage analysis and State and local planning policy drivers.
  - Reviewed the key views of landmarks identified in Clause 22.03 – Landmarks and Tall Structures, in particular the Clifton Hill Shot Tower.
  - Identified local landmarks within each streetscape or precinct.
  - Tested built form parameters for new development against the existing heritage fabric utilising both cross-sectional drawings, with sight-lines taken at natural eye level (1.6m) on the public footpath, and 3D modelling prepared by Hansen Partnership. Views were only considered from public streets; laneway and private realm views were not assessed.
4. Finalisation of heritage recommendations for new built form parameters having considered the above.



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### 2.0 ANALYSIS OF THE PLANNING CONTEXT

#### 2.1 ACTIVITY CENTRE PLANNING AND HERITAGE

The *Planning & Environment Act 1987* and the Victoria Planning Provisions (VPPs) requires planning and responsible authorities to take a balanced approach to strategic and statutory planning functions that consider potentially competing objectives in an integrated manner to deliver a net community benefit for current and future generations.

The objectives of planning in Victoria as set out in Section 4(1) of the Planning and Environment Act are:

- *To provide for the fair, orderly, economic and sustainable use and development of land.*
- *To provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity.*
- *To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.*
- *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 protect public utilities and other assets and enable the orderly provision and coordination of public utilities and other facilities for the benefit of the community.*
- *To facilitate development in accordance with the objectives set out in the points above.*
- *To facilitate the provision of affordable housing in Victoria.*
- *To balance the present and future interests of all Victorians.*

Clause 71.02-3 of the VPP addresses 'integrated decision making', and states:

*Society has various needs and expectations such as land for settlement, protection of the environment, economic well-being, various social needs, proper management of resources and infrastructure. Planning aims to meet these by addressing aspects of economic, environmental and social wellbeing affected by land use and development.*

*Planning and responsible authorities should endeavour to integrate the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations. However, in bushfire affected areas, planning and responsible authorities must prioritise the protection of human life over all other policy considerations.*

*Planning authorities should identify the potential for regional impacts in their decision making and coordinate strategic planning with their neighbours and other public bodies to achieve sustainable development and effective and efficient use of resources.*



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Activity Centres that are also subject to Heritage Overlay controls, such as parts of the Alexandra Parade Precinct, are an example of where the tension between competing planning objectives must be resolved in a balanced way. The Alexandra Parade Precinct has excellent public transport connections, and is in close proximity to vibrant retail, commercial and hospitality centres. The precinct also includes a number of sites of various sizes that can accommodate new, larger scale development without adversely affecting the heritage values of surrounding heritage places. In order to balance the demand for more intensive development with the management of heritage values embodied in buildings and precincts, it is considered necessary that any DDO – and the background work that underpins it – specifically includes heritage considerations.

Amendment C269 proposes to introduce Clause 11.03-1L to the Yarra Planning Scheme which provides local policy in relation to Major, Neighbourhood and Local Activity Centres and designates the majority of the southern side of Alexandra Parade as a Major Activity Centre (MAC) (Figure 5).

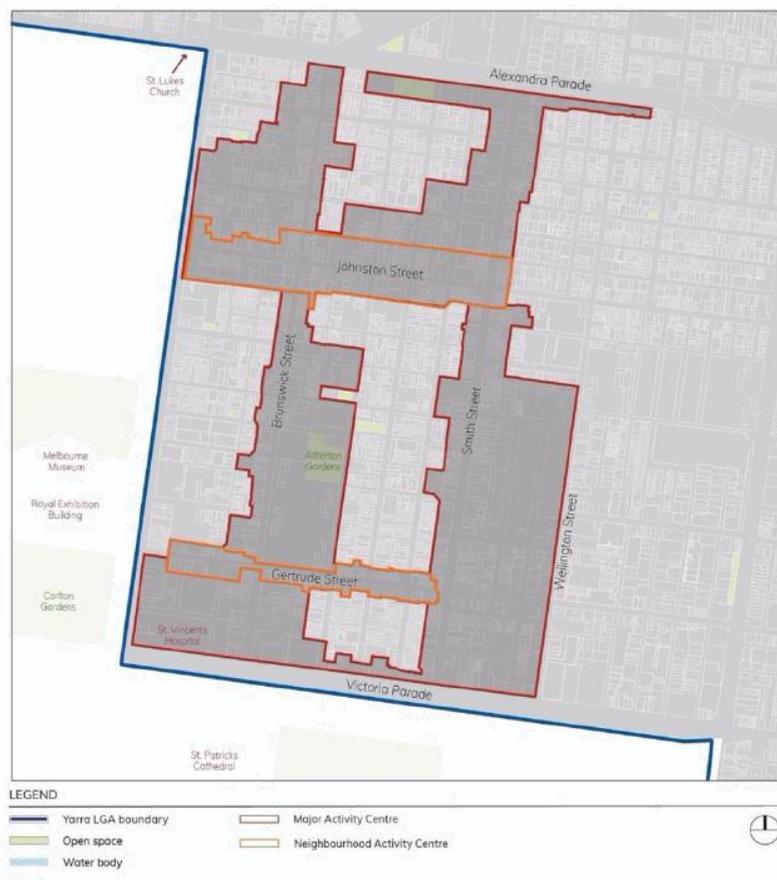


Figure 5. Major and Neighbourhood Activity Centres in Fitzroy (Council-endorsed version of Clause 11.03-1L)



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### 2.2 YARRA PLANNING SCHEME – HERITAGE PROVISIONS

Council has well-established heritage provisions within its planning scheme at Clauses 21.05-1 and 22.02. Also of relevance to the protection of the heritage values of the study area is Clause 22.03, which includes policy to protect the visual prominence of landmarks visible from within the study area, and Clause 22-10 which includes policy for new development abutting land within the Heritage Overlay.

#### 2.2.1 Heritage Policy

The relevant objective within Clause 21.05-1 'Heritage' of the Municipal Strategic Statement (MSS) is *Objective 14: To protect and enhance Yarra's heritage places*. The strategies to implement this objective are:

- *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 14.4 - Protect the subdivision pattern within heritage places.*
- *Strategy 14.5 - Protect the significant landscape and heritage within streets, parks, gardens, waterways or other open spaces*
- *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.*
- *Strategy 14.7 Protect sites of significance to Aboriginal people.*
- *Strategy 14.8 Apply the Development Guidelines for sites subject to a Heritage Overlay policy at clause 22.02.*
- *Strategy 14.9 Apply the Landmarks and Tall Structures policy at clause 22.03.*

Objective 14 and its associated strategies are considered to be generally compatible with appropriately sited and scaled higher-density development within the Alexandra Parade Precinct where it is subject to the Heritage Overlay. Strategy 14.3 to 'Protect the heritage skyline of heritage precincts' would not be achieved unless new upper-level development was to be of such low scale that it was fully concealed when viewed from the opposite side of the street as defined by the sightline tests described in Figures 2 and 3 of Clause 22.02. Avoiding any new visible built form above existing buildings within the Heritage Overlay - although achieving the 'best' heritage outcome - would not enable a level of development that may reasonably be expected to be achieved within this MAC, nor meet other strategic directions of the Yarra Planning Scheme. A balance therefore needs to be struck between achieving the outcome sought by Strategy 14.3 and meeting the development objectives of the City of Yarra. An acceptable heritage outcome would be one where, although new built fabric is visible above the parapets, rooflines or chimneys of these buildings, the development is of a scale, setback and massing such that it retains the primacy of the heritage streetscape and avoids visually dominating the existing buildings.



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Clause 22.02 'Development Guidelines for Sites Subject to the Heritage Overlay' provides detailed guidance for the development of places within the Heritage Overlay, including demolition. The relevant objectives of Clause 22.02 are:

- *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.*
- *To protect archaeological sites of cultural heritage significance.*

Again, these objectives do not preclude higher-density development within the Alexandra Parade Precinct, with the possible exception of '*To preserve the scale ... of streetscapes in heritage places*'.

The demolition policy provided at Clause 22.02-5.1 encourages the retention of 'individually significant' and 'contributory' buildings within a heritage precinct. Removal of part of a heritage place or a contributory element is contemplated if (in general terms) it can be demonstrated that the removal of the part will not adversely affect the significance of the building, or, for a contributory building, the part is not visible from the street, abutting a park or public open space.

With the exception of those heritage places included on the VHR – and therefore regulated under the *Heritage Act 2017* – the significance of the heritage buildings and precincts within the study area lies primarily in fabric visible from the public realm. Therefore, in most circumstances, the heritage controls within the Yarra Planning Scheme effectively limits the control of heritage fabric within the study area to that which is visible from the street, including primary building facades, rear laneway views (where they exist) and visible roof and chimney elements.

In relation to 'New Development, Alterations and Additions', Clause 22.02-5.7.1 sets out the following policy:

### **General**

*Encourage the design of new development and alterations and additions to a heritage place or a contributory element to a heritage place to:*

- *Respect the pattern, rhythm, orientation to the street, spatial characteristics, fenestration, roof form, materials and heritage character of the surrounding historic streetscape.*



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- *Be articulated and massed to correspond with the prevailing building form of the heritage place or contributory elements to the heritage place.*
- *Be visually recessive and not dominate the heritage place.*
- *Be distinguishable from the original historic fabric.*
- *Not remove, cover, damage or change original historic fabric.*
- *Not obscure views of principle façades.*
- *Consider the architectural integrity and context of the heritage place or contributory element.*

*Encourage setbacks from the principal street frontage to be similar to those of adjoining contributory buildings; where there are differing adjoining setbacks, the greater setback will apply.*

*Encourage similar façade heights to the adjoining contributory elements in the street. Where there are differing façade heights, the design should adopt the lesser height.*

*Minimise the visibility of new additions by:*

- *Locating ground level additions and any higher elements towards the rear of the site.*
- *Encouraging ground level additions to contributory buildings to be sited within the ‘envelope’ created by projected sight lines (see Figure 1).*
- *Encouraging upper level additions to heritage places to be sited within the ‘envelope’ created by projected sight lines (for Contributory buildings refer to Figure 2 and for Individually significant buildings refer to Figure 3).*
- *Encouraging additions to individually significant places to, as far as possible, be concealed by existing heritage fabric when viewed from the front street and to read as secondary elements when viewed from any other adjoining street.*

*Discourage elements which detract from the heritage fabric or are not contemporary with the era of the building such as unroofed or open upper level decks or balconies, reflective glass, glass balustrades and pedestrian entrance canopies.*

The policy for full or partial concealment of rear additions to residential buildings as described in Figures 2 and 3 of the General Policy at Clause 22.02 is modified by the Specific Requirements at Clause 22.02-5.7.2 that applies to corner sites and sites with dual frontages, and industrial, commercial and retail heritage places:

### **Corner Sites and Sites with Dual Frontages**

*Encourage new building and additions on a site with frontages to two streets, being either a corner site or a site with dual street frontages, to respect the built form and character of the heritage place and adjoining or adjacent contributory elements to the heritage place.*

*Encourage new buildings on corner sites to reflect the setbacks of buildings that occupy other corners of the intersection.*

...



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### *Industrial, Commercial and Retail Heritage Place or Contributory Elements*

*Encourage new upper level additions and works to:*

- *Respect the scale and form of the existing heritage place or contributory elements to the heritage place by being set back from the lower built form elements. Each higher element should be set further back from lower heritage built forms.*
- *Incorporate treatments which make them less apparent.*

The specific provisions prevail over the general policy where there is a conflict or inconsistency. This establishes an expectation that new development behind industrial, commercial and retail buildings within the Heritage Overlay is not going to be fully or substantially concealed from public realm views. In addition, it should be noted that Alexandra Parade, being a boulevard with multi-lane carriageways and a broad median strip, is 60m wide (building line to building line) where the residential examples shown in Figures 2 and 3 of Clause 22.02-5.7.1 show a sightline test from across an approx. 10m wide residential street. In effect, the wider the street, the more visible a new rear development will be.

Although a greater level of concealment would generally provide a better heritage outcome, this specific sightline-based guidance in the heritage policy is designed to preserve and enhance the character and appearance of predominantly one and two-storey dwellings within more typical narrow residential streets and is not readily applied to the circumstances found within the Alexandra Parade Precinct.

It is also considered that the policy at 22.02-5.7.1 to 'Discourage elements which ... are not contemporary with the era of the building such as ... reflective glass, glass balustrades and pedestrian entrance canopies' may not achieve an appropriate urban design and architectural outcome within a commercial and industrial setting such as that present at the Alexandra Parade Precinct. In such areas, a 'contrasting' or 'interpretative' design approach for new taller development above the heritage building is likely to be more recessive than a 'respectful' or 'historicist' one that would lead to the new additions inappropriately mimicking the historic form and potentially being more visually intrusive.

### 2.2.2 Landmarks and Tall Structures

Clause 22.03 – 'Landmarks and Tall Structures' identifies a number of landmark buildings and advertising signs to which views should be protected and provides the following policies:

- *Maintain the prominence of Yarra's valued landmark signs.*
- *Protect views to the silhouette and profile of Yarra's valued landmarks to ensure they remain as the principal built form reference.*
- *Ensure the profile and silhouette of new tall structures adds to the interest of Yarra's urban form and skyline.*

Of particular relevance to Alexandra Parade are the views of the Clifton Hill Shot Tower.



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As a prominent feature of Alexandra Avenue, multiple views are afforded of the shot tower. This includes close-range views of the tower, and dynamic views which can be obtained while moving along Alexandra Avenue, generally between Queens Parade and the Eastern Freeway, and from Punt Road.

There are also numerous glimpses of the tower from surrounding streets and open spaces.

To retain the visual prominence of the structure, it is recommended that 'Primary' views include visibility of at least a third of the height of the structure.



**Figure 6:** Diagram of viewsheds to the Clifton Hill Shot Tower.

Note: viewpoints 1, 2 and 3 are identified as 'Primary' while 4 and 5 are identified as 'Secondary'.

(from 'Landmarks and Views Assessment' page 24, October 2019, prepared by Ethos Urban).



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**VIEW 1**



**VIEW 2**

**Figure 7:** 'Primary' Views 1, 2 and 3 to the Clifton Hill Shot Tower.

(from 'Landmarks and Views Assessment' page 24, October 2019, prepared by Ethos Urban).



**VIEW 3**



**VIEW 4**



**VIEW 5**

**Figure 8:** 'Secondary' Views 4 and 3 to the Clifton Hill Shot Tower.

(from 'Landmarks and Views Assessment' page 24, October 2019, prepared by Ethos Urban).

While the Ethos Urban analysis only identified a limited number of 'primary' and 'secondary' view points, there are additional distant and proximate views of the Clifton Hill Shot Tower accessible to motor vehicle users from the north carriageway and to pedestrians from the southern footpath of Alexandra Parade.

**2.2.3 Heritage Overlay**

The head heritage provision of the VPP, Clause 43.01 'Heritage Overlay', has the following purpose:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To conserve and enhance heritage places of natural or cultural significance.
- To conserve and enhance those elements which contribute to the significance of heritage places.



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- *To ensure that development does not adversely affect the significance of heritage places.*
- *To conserve specifically identified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.*

Clause 43.01-8 sets out 'Decision Guidelines' – in addition to those included in Clause 65 – that the Responsible Authority must consider before determining a permit application. These are:

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.*
- *Any applicable statement of significance (whether or not specified in the schedule to this overlay), heritage study and any applicable conservation policy.*
- *Any applicable heritage design guideline specified in the schedule to this overlay*
- *Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage place.*
- *Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.*
- *Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place.*
- *Whether the proposed works will adversely affect the significance, character or appearance of the heritage place.*
- *Whether the proposed subdivision will adversely affect the significance of the heritage place.*
- *Whether the proposed subdivision may result in development which will adversely affect the significance, character or appearance of the heritage place.*
- *Whether the proposed sign will adversely affect the significance, character or appearance of the heritage place.*
- *Whether the lopping or development will adversely affect the health, appearance or significance of the tree.*
- *Whether the location, style, size, colour and materials of the proposed solar energy facility will adversely affect the significance, character or appearance of the heritage place.*

While some of these considerations are not obviously consistent with intensification of development associated with heritage buildings, the first purpose of 43.01 and the first decision guideline encompasses the whole Municipal Planning Strategy and the Planning Policy Framework (integrated decision-making). Therefore, a balance is to be struck by the Responsible Authority between achieving the objectives of the Heritage Overlay and meeting the objectives of other parts of the VPPs, including Activity Centre policy and commercial zoning. There is established precedent for



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new rear development to be accommodated behind heritage buildings in commercial precincts throughout inner Melbourne without substantially compromising the identified heritage values of these heritage places.



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### 3.0 HERITAGE IN DESIGN AND DEVELOPMENT OVERLAYS – PANEL FINDINGS

Planning Panels Victoria has considered a number of Planning Scheme Amendments that are of particular relevance to this project: Bayside Amendments C113, C114 and C115, Boroondara C108, Darebin Amendment C161, Moreland Amendment C134, Melbourne Amendment C240, Stonnington Amendment C223, Whitehorse Amendment C175 and Yarra Amendments C220, C231 and C191.

Panels for these Amendments considered the appropriateness of mandatory controls in the context of PPN59 and, in their recommendations, provided guidance on which circumstances mandatory controls should be applied. In response to submissions, they also considered the issue of whether or not the DDO control should include objectives to protect heritage or whether this should be the sole domain of the Heritage Overlay provisions. In addition to these Panel reports, Amendment C123 to the Banyule Planning Scheme, approved via ministerial intervention, provides further instruction as to the use and role of mandatory controls.

These reports also provide useful guidance on the form and wording of DDO controls.

In summary, Panel has concluded that:

- The Heritage Overlay identifies what is of heritage significance within an Activity Centre.
- Heritage is an appropriate issue for DDOs to provide guidance on to inform future development.
- Mandatory controls should be used only in exceptional circumstances and their application should be guided by PPN59 and PPN60.
- Formulae defining the proportion of new built form that can be viewed above the street wall may be an appropriate mechanism for informing the design and massing of new built form.

In this project, the approach taken in the formulation of the built form controls to manage development affecting heritage places is to complement existing policy. Clause 22.02 - 'Development Guidelines for Sites Subject to the Heritage Overlay' and relevant parts of Clause 22.10 – 'Built Form and Design Policy' have been taken as the starting point for the development of these complementary controls and policy.

Where existing policy is considered to be satisfactory, no additional policy has been recommended. However, specific policy has been recommended where it is considered necessary to provide guidance to recognise the current role of the Alexandra Parade Precinct as a major boulevard and to enable its future development while protecting its heritage values.

A discussion of the most relevant of the Panel reports is provided below, and at Section 3.9 the recommendations of each Panel are summarised with comment on the implications of the outcome.



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### 3.1 YARRA PLANNING SCHEME AMENDMENT C231

GJM Heritage prepared the Queens Parade Built Form Heritage Analysis and Recommendations (11 December 2017) which informed C231yara. C231yara applied built form controls in the form of DDOs to Queens Parade (Fitzroy North and Clifton Hill) and amended Heritage Overlay controls within the study area. Precinct 4 within DDO20 covers the commercial shopping strip that forms part of the Queens Parade Neighbourhood Activity Centre. Queens Parade, as a 60m wide boulevard, is of a similar width to Alexandra Parade, however the built form of each differs considerably. Whereas the heritage places within the Alexandra Parade Precinct are generally isolated and do not form a cohesive streetscape, Queens Parade has a highly consistent commercial strip with traditional two-storey shop/residence built form of high architectural quality.

Of relevance to the Alexandra Parade Precinct, the Panel for Amendment C231 found that the strategic work undertaken in support of the Amendment was strong and that it assisted in justifying the majority of the built form parameters recommended in the DDOs, particularly with respect to mandatory controls. At p29 of the Panel Report, the Panel noted that:

*Exceptional circumstances exist for the application of mandatory controls for development as the QPAC (Queens Parade Activity Centre) includes a number of significant and contributory heritage places and heritage fabric set within a consistent streetscape form.*

The Panel recognised that the wider, boulevard context would lead to a high visibility of upper-level development, which in turn warranted the application of height limits, and linked the use of mandatory (instead of preferred) controls to the consistency of the heritage streetscape.

The Panel supported the mandatory upper-level setback of 8m within the Council preferred DDO and the combination of mandatory and preferred height controls where this provided certainty where distinctive heritage fabric warranted greater protection. It also recognised that an Activity Centre with diverse built form can have areas of little change where growth can be accommodated elsewhere within the Centre. Further, the Panel agreed that it was appropriate for the proposed mandatory built form controls within DDO16 to protect the key views of local landmarks and those identified in Clause 22.03.

### 3.2 YARRA PLANNING SCHEME AMENDMENT C220

Johnston Street in Collingwood and the western part of Abbotsford (west of the railway viaduct) is a highly intact, predominantly Victorian/early-Edwardian era streetscape covered by the Heritage Overlay. C220yara introduced DDO controls along Johnston Street.

Of note, the Panel stated:

*In urban design terms, the 6 metre setback will retain the 'human scale' of Johnston Street, secure the distinction between the street wall and upper levels and will reduce the potential for overshadowing and adverse wind conditions.*

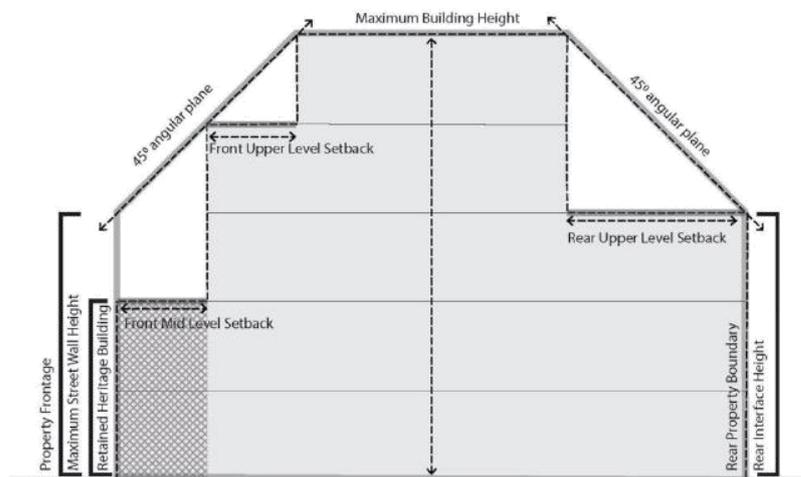


**Attachment 1 - Alexandra Parade Heritage Review**

...

*The Panel does not agree that less significant sections [of Johnston Street] warrant a different treatment. Less significant areas equally deserve to exhibit the overall urban design outcome: a strong street wall with a distinct setback to the mid level form.*

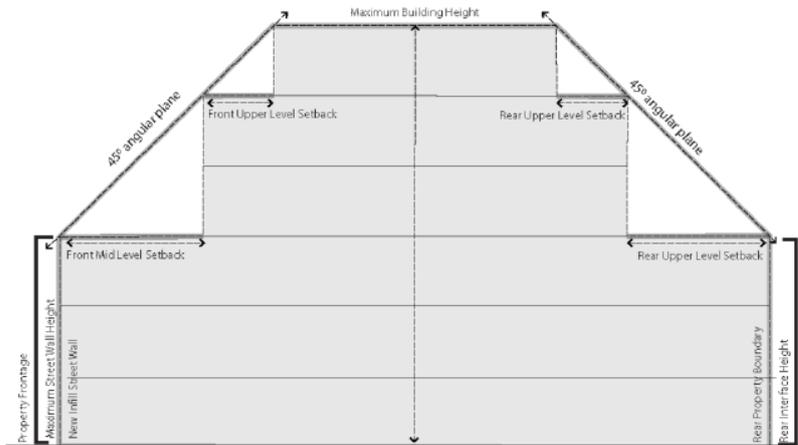
To achieve these objectives, the Panel recommended that a building envelope requirement be established that, rather than being based on a sightline test from the opposite side of the street new, required new development to be within a 45° 'angular plane' drawn from the maximum street wall height. In combination with upper-level front setbacks and maximum building heights, the angular plane creates a further upper-level setback consistent with the application of the policy objective at Clause 22.02-5.7.1 that each higher element to industrial, commercial and retail buildings should be set further back from the lower heritage built form.



**Figure 9:** Building envelope requirement – Heritage Building (Figure 1 in Schedule 15 to Clause 43.02 Design and Development Overlay).



**Attachment 1 - Alexandra Parade Heritage Review**



*Figure 10: Building envelope requirement – Infill Building (Figure 2 in Schedule 15 to Clause 43.02 Design and Development Overlay).*

**3.3 YARRA AMENDMENT C191**

Swan Street, Richmond is a Major Activity Centre with a highly intact turn of the century ‘High Street’ occupying a large proportion of its length, as well as smaller precincts and individual heritage places dispersed along its full extent.

Amendment C191yara proposes to introduce four DDOs (DDO25, DDO26, DDO27 and DDO28) to the Activity Centre, with the different controls reflecting the different existing physical conditions and the potential development opportunities evident throughout the Activity Centre.

In its report of 15 October 2020, the Panel supported the use of mandatory controls for street wall and 6m upper-level setbacks for individually significant heritage places and intact heritage streetscapes, as well as mandatory controls for overall building heights in intact heritage streetscapes. Mandatory controls were also supported to protect views to local landmarks.

For parts of the Activity Centre that present a less consistent and more diverse built form expression, discretionary controls were considered to be appropriate.

In contrast to the Panel considering C220yara, the C191yara Panel considered that it was unnecessary to provide additional parameters to guide the form of upper level development, instead finding that the combination of specified heights, setbacks and design requirements for new upper-level development to be “visually recessive”, were sufficient.

**3.4 MORELAND AMENDMENT C134**

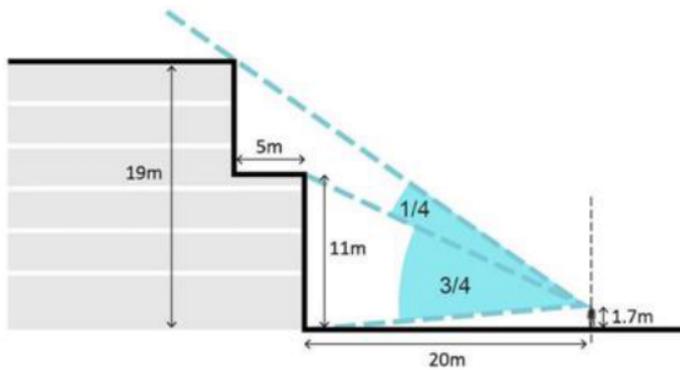
Sydney Road, Brunswick is a Major Activity Centre with a highly intact, predominantly Victorian streetscape that is subject to the Heritage Overlay. Gazetted on 11 August 2016, C134more introduced DDO18, DDO19 and DDO20. DDO18 set mandatory street wall heights on Sydney Road north of Brunswick Road of between 8m and 11m.



## Attachment 1 - Alexandra Parade Heritage Review

DDO18 provides a preferred minimum 5m setback for development above the street wall and establishes a preferred ratio of  $\frac{3}{4}$  :  $\frac{1}{4}$  street wall to new built form through the following design objective:

- *Be designed to ensure that it occupies no more than one quarter of the vertical angle defined by the whole building in the view from an eye-level of 1.7 metres on the opposite side of the street, as illustrated in Figure 1 below.*



*Figure 11: Upper-level setbacks along Sydney Road (Figure 1 in Moreland DDO18, retrieved 2 June 2017).*

DDO18 also provides a useful model for dealing with upper-level development where an existing heritage building in the heritage streetscape has a street wall height of less than the 11m street wall height provided in that control:

- *Where an existing building with a street wall height of less than 11 metres is to be retained for heritage reasons new development may occupy more than one quarter of the vertical angle defined by the whole building outlined in Figure 1 above [Figure 11 of this Built Form Review].*

### 3.5 BOROONDARA AMENDMENT C108

The Panel considering C108boro discussed the use of mandatory street wall height, upper-level setbacks and overall heights across 31 Neighbourhood Activity Centres and three commercial corridors (Camberwell Road/Burwood Road and Canterbury Road).

In its report dated 26 February 2014, the Panel noted its strong support for the protection of heritage assets in Boroondara and recommended reinstatement of policy in the exhibited Amendment that encouraged new development on or adjoining a heritage place to be moderated. In particular, the Panel recommended that policy guidance be included that:

*The combination of the height, setbacks and design treatment of new buildings should ensure a heritage place on or adjoining the site is not overwhelmed or dominated.*

## Attachment 1 - Alexandra Parade Heritage Review

The Panel also considered the use of mandatory height and setback controls, and recognised that the version of *Plan Melbourne* at that time foreshadowed stronger policy support for the use of mandatory provisions in neighbourhood centres (and residential areas) to increase planning certainty.

The Panel report recognised that mandatory provisions that prescribed standards without a capacity for departures have been supported in areas of consistently high heritage value with consistent character. While acknowledging the heritage values and 'main street' character of the Neighbourhood Activity Centres subject to C108, the Panel also recognised that new development will be visible behind the retained façades – particularly from oblique views – and that invisibility of upper-level development is either unreasonable or not necessary to maintain the primacy of the street wall.

In conclusion, the Panel accepted some use of mandatory controls within Boroondara's neighbourhood centres, but not in the commercial corridors:

*The Panel recognises that Plan Melbourne foreshadows stronger policy support for the use of mandatory provisions in neighbourhood centres (and residential areas) to increase certainty. The Panel considers the combination of the street wall and upper level setbacks is critical in neighbourhood centres to maintain the established main street character and in these situations mandatory controls can be justified. However, we consider development with elements that exceed the nominated height and/or adopt alternative setbacks should not be precluded as they may produce better outcomes in some circumstances. The overall maximum height limits should therefore remain discretionary to allow for such circumstances.*

It was the Panel's conclusion that mandatory street wall heights which reflected the dominant character of the neighbourhood centres were acceptable (either 8m or 11m, depending on the context). It also found that if mandatory upper-level setbacks were to be adopted, they should be sufficient to ensure that in most cases the upper-storey will be clearly distinguishable from the street wall of the heritage building and be a recessive element in neighbourhood centre streetscapes. To achieve this, the Panel identified 5m as being an appropriate mandatory minimum setback for upper-level development in the context of Boroondara's Neighbourhood Activity Centres.

### 3.6 WHITEHORSE AMENDMENT C175

C175whit sought to implement the *Box Hill Metropolitan Activity Centre Built Form Guidelines* (Hansen Partnership, 2016) by rezoning land, introducing the Built Form Guidelines as a reference document and applying a new DDO Schedule to introduce built form controls. In its consideration of this Amendment, the Panel Report, dated 6 October 2017, stated:

*The Panel would have benefited from a more sophisticated analysis of the heritage precinct that utilised three-dimensional modelling, sight lines and view-sheds to help understand the rationale for the proposed heritage related controls. Without this basic information, it is difficult to determine whether the proposed controls are appropriate...*

and concluded that in the absence of this modelling:



## Attachment 1 - Alexandra Parade Heritage Review

- *The Built Form Responses regarding Heritage should not proceed in their current form.*

The absence of 3D modelling, and sight line and view-shed analysis in relation to those areas of the Box Hill Activity Centre that are subject to the Heritage Overlay appears to have been critical in Panel recommending that the proposed built form controls not be applied to address heritage.

### 3.7 STONNINGTON AMENDMENT C223

The Glenferrie Road and High Street Major Activity Centre encompasses the two linear commercial strips of Glenferrie Road and High Street in Malvern, as well as two peripheral areas. The Heritage Overlay, which covers all of Glenferrie Road and most of High Street, acknowledges the area for its *'metropolitan significance as one of the major strip shopping centres to have retained its role into the late twentieth century, and for the quality and integrity of its Victorian, Federation and Interwar building stock'*.<sup>1</sup> C223ston sought to apply new built form provisions through the application of DDO19 to the entire Activity Centre, with precincts A and B covering the commercial and heritage precincts of Glenferrie Road and High Street respectively.

While the Amendment proposed an 8-10m setback above the street wall for precincts A and B, the Panel found it to be effectively a concealment of upper-level additions, supporting instead a 5m setback as adequate to respect heritage values without removing development capacity. This was derived from the precedent in the Boroondara Planning Scheme and was seen to equate to the typical first room of a Victorian-era building. The Amendment was otherwise generally supported by the Panel as an appropriate balance between protecting heritage values and enabling growth. Discretionary preferred maximum building heights between 14.5 metres (4 storeys) and 21 metres (6 storeys) were supported through precincts A and B.

The Panel also reviewed the drafting of discretionary and mandatory provisions, addressing the appropriateness of the terms 'should' and 'must'. The Panel noted that confusion arose from the DDO parent clause, and until such time as the clause is redrafted, the term 'must' is to be used for schedule requirements with the addition of further clarification if it can be varied with a permit.

### 3.8 DAREBIN AMENDMENT C161

C161dare proposed to implement the *'Fairfield Village Heritage Assessment, 2017'* (Heritage Intelligence) and *'Fairfield Village Built Form Guidelines 2017'* (Hansen Partnership) through the application of Heritage Overlay HO313 and DDO21 to the Fairfield Village Neighbourhood Centre. DDO21 created two sub-precincts: Area 1 to

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<sup>1</sup> Retrieved from Victorian Heritage Database, 18 January 2018 (<https://vhd.heritagecouncil.vic.gov.au/places/31530>)



## Attachment 1 - Alexandra Parade Heritage Review

be applied to the proposed HO313 precinct; with the remainder of the Neighbourhood Centre covered by Area 2.

The Panel found the application of the Heritage Overlay in conjunction with the DDO would enable the precinct *'to support a variety of housing typologies at increased densities'* in a way that *'allows the heritage place to be identified and understood'*. Further, the Panel supported the application of a mixture of mandatory and discretionary controls to Area 1 of the DDO in the form of:

- Mandatory maximum building heights at 14.5m and 17.5m (four and five storey), triggered by a lot width of 24m for five-storey.
- Mandatory maximum street wall height to be the greater of 8.5m or the adjacent street wall.
- Discretionary minimum front setbacks above the street wall at generally 4m, and 8m if constructing to a fifth level.
- The addition of a 3m side setback at the fifth-floor level – introduced as a discretionary provision to prevent the creation of a dominating wall of development along Station Street.

### 3.9 SUMMARY

Table 1 – Summarised recommendations and implications

YARRA AMENDMENT C231	
<i>Recommendation</i>	<i>Implications</i>
Combination of preferred and mandatory heights.	The use of a balanced combination of preferred and mandatory heights is appropriate to respond to varied conditions.
Limiting heights within heritage precincts while allowing housing capacity to be met elsewhere in the broader precinct.	The most highly intact areas warrant low heights to protect heritage place. Larger scale development should be encouraged outside these heritage places.
Mandatory controls provide appropriate protection of key views of landmarks.	Views of landmarks (such as the Clifton Hill Shot Tower) may be protected through the use of mandatory controls.
YARRA AMENDMENT C220	
<i>Recommendation</i>	<i>Implications</i>
A 6m upper-level setback will retain the 'human scale' of Johnston Street, securing the distinction between the [heritage] street wall and upper-levels.	A 6m mandatory upper-level setback is an appropriate minimum.
In combination with upper-level front setbacks and maximum building heights the angular plane creates a further upper-level setback from the mid-level setback.	Upper-level development should be set further back from the street wall consistent with the guidance at 22.02-5.7.2.
YARRA AMENDMENT C191	



**Attachment 1 - Alexandra Parade Heritage Review**

<i>Recommendation</i>	<i>Implications</i>
Combination of preferred and mandatory heights.	The use of a balanced combination of preferred and mandatory heights is appropriate to respond to varied conditions.
Limiting heights within heritage precincts while allowing housing capacity to be met elsewhere in the broader precinct.	The most highly intact areas warrant low heights to protect heritage place. Larger scale development should be encouraged outside these heritage places.
A 6m upper-level setback is necessary to avoid facadism and to retain the prominence of the heritage street wall	A 6m mandatory upper-level setback is an appropriate minimum for site-specific Heritage Overlays and intact heritage streetscapes.
The combination of upper-level front setbacks, maximum building heights and design requirements in respect of upper-level development is sufficient to manage taller built form in heritage contexts.	Further guidance in the form of a sight-line test or angular plane formulae is not warranted. Note: this conclusion differs from that of the Panel that considered C220yara.

**MORELAND AMENDMENT C134**

<i>Recommendation</i>	<i>Implications</i>
The application of mandatory street wall heights to Sydney Road is justified.	Provides a justification for the application of mandatory street wall heights within intact and consistent heritage streetscapes.

**BOROONDARA AMENDMENT C108**

<i>Recommendation</i>	<i>Implications</i>
The combination of the height, setbacks and design treatment of new buildings should ensure a heritage place on or adjoining the site is not overwhelmed or dominated.	The DDO can included height, setback and design treatment controls to avoid new development dominating heritage places.
New development will be visible behind the retained façades and that invisibility of upper-level development is not necessary.	Some visibility of new upper-level development (including from oblique views) will be acceptable and complete concealment is not necessary.
Mandatory upper-level setbacks to the commercial corridors are justified.	Provides a justification for the application of mandatory upper-level setbacks within the study area.

**WHITEHORSE AMENDMENT C175**

<i>Recommendation</i>	<i>Implications</i>
In the absence of modelling, built form heritage controls should not proceed.	That 3D modelling, sightlines and viewshed analysis should inform built form controls.

**STONNINGTON AMENDMENT C223**



**Attachment 1 - Alexandra Parade Heritage Review**

<i>Recommendation</i>	<i>Implications</i>
Panel supported a 5m upper-level setback instead of the 8-10m setbacks proposed that effectively concealed upper-level development.	There is an expectation that the visibility of some new upper-level built from will be acceptable and complete concealment is not necessary.
Application of the words 'should' and 'must' within controls.	Use 'should' for preferred controls and 'must' for mandatory controls.

**DAREBIN AMENDMENT C161**

<i>Recommendation</i>	<i>Implications</i>
The application of mandatory street wall heights to Fairfield Village is justified.	Provides a justification for the application of mandatory street wall heights within intact and consistent heritage streetscapes.
The application of mandatory street wall heights to Fairfield Village is justified.	Provides a justification for the application of mandatory street wall heights within the Study Area.



## Attachment 1 - Alexandra Parade Heritage Review

### 4.0 MANDATORY AND DISCRETIONARY HEIGHT AND SETBACK CONTROLS

*Planning Practice Note 59: The Role of Mandatory Provisions in Planning Schemes* (September 2018) (PPN59) notes that the VPPs are predominantly performance-based and that mandatory provisions are the exception. The PPN sets out a series of five criteria against which to test proposed mandatory provisions, being:

- Is the mandatory provision strategically supported?
- Is the mandatory provision appropriate to the majority of proposals?
- Does the mandatory provision provide for the preferred outcome?
- Will the majority of proposals not in accordance with the mandatory provision be clearly unacceptable?
- Will the mandatory provision reduce administrative costs?

*Planning Practice Note 60: Height and Setback Controls for Activity Centres* (PPN60) provides specific guidance on the use of mandatory height and setback controls in Activity Centres. In September 2018, DELWP published an updated version of PPN60 following the completion of the pilot project *Better Height Controls in Activity Centres*<sup>2</sup>.

Of relevance to this matter, PPN60 provides an additional justification for the use of mandatory controls based on 'comprehensive strategic work', which reads:

*Mandatory height or setback controls should only be applied where:*

- *exceptional circumstances exist; or*
- *council has undertaken comprehensive strategic work and is able to demonstrate that mandatory controls are appropriate in the context, and*
- *they are absolutely necessary to achieve the preferred built form outcomes and it can be demonstrated that exceeding these development parameters would result in unacceptable built form outcomes.*

In relation to 'exceptional circumstances', PPN60 states:

*Exceptional circumstances may be identified for individual locations or specific and confined precincts, and might include:*

- *significant heritage places where other controls are demonstrated to be inadequate to protect unique heritage values.*
- *sites of recognised State significance where building heights can be shown to add to the significance of the place, for example views to the Shrine of Remembrance...*

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<sup>2</sup> Refer to the Panel Report to Yarra C220 chapter 1.2 for further discussion on the pilot project and the amendment to PPN60.



## Attachment 1 - Alexandra Parade Heritage Review

To pursue mandatory controls, PPN60 also states:

*Where exceptional circumstances are identified, mandatory height and setback controls should only be applied where they are absolutely necessary to achieve the built form objectives or outcomes identified from the comprehensive built form analysis. Where mandatory controls are proposed, it will need to be demonstrated that discretionary controls could result in an unacceptable built form outcome.*

The amended version of PPN60 reflects a broader shift over time within the application of the VPPs in favour of the use of mandatory controls.

For this project, the purpose of the Hansen Built Form Review and this report is to provide a comprehensive strategic basis for height and setback controls within the study area.

The Panels that considered C108boro, C161dare, C134, C220yara, C191yara and C231yara provide further guidance on the application of mandatory built form controls along Alexandra Parade.

These Panels concluded that for Heritage Overlays within Activity Centres:

- Mandatory controls were appropriate for street wall heights along Sydney Road, in 31 neighbourhood centres in Boroondara and Area 1 of the Fairfield Village Neighbourhood Centre
- Mandatory upper level setbacks were appropriate in many of Boroondara's neighbourhood centres
- Mandatory heights were appropriate for Area 1 of the Fairfield Village Neighbourhood Centre
- Mandatory setbacks were appropriate for Johnston Street with a mixture of preferred and mandatory height limited combined with a 45 degree angular plane test.
- Mandatory height and upper level setback controls were appropriate to protect the most highly consistent and intact parts of Queens Parade and to protect views to key landmarks.

The Alexandra Parade Precinct does not include consistent, intact or cohesive streetscapes or large numbers of heritage places that warrant the widespread use of mandatory controls. Mandatory height controls are appropriate to protect key views of landmarks, such as the Clifton Hill Shot Tower. Mandatory minimum upper level setback controls are also warranted where it is necessary to protect the legibility and heritage fabric of buildings that are subject to the Heritage Overlay.



**Attachment 1 - Alexandra Parade Heritage Review**

**PART II: HERITAGE ANALYSIS**



Alexandra Parade Built Form Review: Heritage Analysis & Recommendations | PAGE 39

## Attachment 1 - Alexandra Parade Heritage Review

### 5.0 STUDY AREA ANALYSIS

#### 5.1 PRECINCT BOUNDARY



**Figure 12:** Aerial image - Alexandra Parade Study Area outlined in black. Source: adapted from VicPlan

As noted previously, this report focuses on the Alexandra Parade Precinct, as shown in Figure 12 above. The following precincts were considered in the *Brunswick and Smith Street Built Form Review*, GJM Heritage, 25 November 2019:

- Brunswick Street Activity Centre Spine
- Town Hall Mixed Use Precinct
- Smith Street Activity Centre Spine
- Johnston Street Activity Centre Spine
- Fitzroy East Mixed Use Precinct.

Gertrude Street was the subject of the *Gertrude Street Built Form Framework: Heritage Analysis & Recommendations*, GJM Heritage, 9 December 2019.

The Collingwood Mixed Use Precinct was considered as part of a separate study: *Collingwood Mixed Use Pocket Heritage Analysis & Recommendations*, GJM Heritage, 6 June 2018.

The Fitzroy West Mixed-Use and the Victoria Parade Boulevard precincts are subject of separate reports prepared as part of this study.

The following sections contain an analysis of the heritage components and qualities of the Alexandra Parade Precinct, including significant views. An analysis of future built form character considerations has also been provided, along with recommended built form parameters to appropriately manage heritage values.

#### 5.2 HERITAGE CHARACTERISTICS

The Alexandra Parade Precinct does not include any cohesive or linear heritage streetscapes. The precinct includes only two individual heritage places: Clifton Hill



## Attachment 1 - Alexandra Parade Heritage Review

Shot Tower (VHR H0709) and the former Murray Co. Wool Works at 457 Hoddle Street, Clifton Hill (HO89). The former is a municipal-wide landmark of State-level significance, while the latter is a locally significant single-storey brick factory dating to 1918.

The remaining properties subject to the Heritage Overlay are located in precincts that are generally residential in character. These precincts include small-scale early-twentieth century factory buildings (612-614, 616-622 and 628-632 Smith Street; within HO317), the large multi-storey Interwar British United Shoes Machinery Machinery Co. Pty Ltd factory (200 Alexandra Parade, Fitzroy, within HO334) and the former Haliburton Wool Works (94-100 Alexandra Parade, Clifton Hill, within HO317). Other graded heritage properties within the study area include the modest single-storey terraced, semi-detached or freestanding houses at 1 Council Street, Clifton Hill (HO317); 58 & 60 Alexandra Parade, Clifton Hill (HO317); 47 & 49 Alexandra Parade, Collingwood (HO321); and 347 & 347a Wellington Street, Collingwood (HO321). The precinct includes two corner hotels, the Gasometer Hotel at 484 Smith Street, Collingwood dating from c.1859 (not Heritage Overlay at the time of writing, but recommended for inclusion as an individual heritage place as part of the Brunswick and Smith Street Built Form Review) and the Fox Hotel (formerly the Tower Hotel) at 351 Wellington Street dating from the 1930s in its current form (HO321).

The built form within the study area exhibits little visual cohesion and the areas of land subject to the Heritage Overlay is limited to individual buildings or short runs of heritage precinct streetscape on Alexandra Parade, Smith Street and Wellington Street.



**Figure 13:** (left) British United Shoes Machinery Co. Pty Ltd factory, 200 Alexandra Parade ('Individually significant' within HO334).



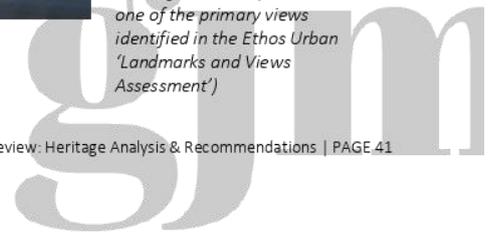
**Figure 14:** (right) Former Spry Bros. Boot Factory, 628-632 Smith Street, Clifton Hill ('Contributory' within HO317)



**Figure 15:** Gasometer Hotel, 484 Smith Street, Collingwood (recommended for inclusion on the Heritage Overlay as an individual heritage place)



**Figure 16:** (right) View of the Clifton Hill Shot Tower (VHR H0709) from the intersection of Alexandra Parade and Wellington Street (note this is not one of the primary views identified in the Ethos Urban 'Landmarks and Views Assessment')



**Attachment 1 - Alexandra Parade Heritage Review**



**Figure 17:** (left) Fox Hotel, 351 Wellington Street and terraced houses, 47 & 49 Alexandra Parade, Collingwood ('Contributory' within HO321).

**Figure 18:** (right) Semidetached pair of houses, 347 & 347A Wellington Street and the Fox Hotel, 351 Wellington Street, Collingwood ('Contributory' within HO321)



**Figure 19:** (left) 56, 58 & 60 Alexandra Parade, Clifton Hill (no. 56 graded 'Not-contributory', nos. 58 & 60 graded 'Contributory' within HO321)

**Figure 20:** (right) Former Haliburton Wool Works, 94-100 Alexandra Parade, Clifton Hill ('Contributory' within HO321).



**Figure 21:** (left) Former Haliburton Wool Works, 94-100 Alexandra Parade, Clifton Hill viewed from Noone Street ('Contributory' within HO321).

**Figure 22:** (left) Former Murray Co. Wool Works, 457 Hoddle Street, Clifton Hill (individual heritage place HO89).

**5.3 LOCAL LANDMARKS**

While municipal-wide landmarks within the City of Yarra are identified within Clause 22.03 'Landmarks and Tall Structures' of the Yarra Planning Scheme, the location, scale, function and architectural form and detail of some other buildings within the study area has resulted in these buildings acting as local landmarks. These buildings serve as markers, wayfinding aids or landmarks in the local streetscape context due to their siting at key intersections, or their scale within the surrounding streetscape.

In identifying these local landmarks, this report has also considered the Ethos Urban report entitled *Landmarks & Views Assessment* (October 2019). Chapter 2.2.2 of this report considers the views of the Clifton Hill Shot Tower which is identified at Clause 22.03-4 of the Yarra Planning Scheme.

In the context of the Alexandra Parade Precinct, the local landmarks are limited to two corner hotels and a large industrial building, as described in Table 2.



**Attachment 1 - Alexandra Parade Heritage Review**

**Table 2 – Local landmark buildings**

Address	Building Name	Type	Corner	Grading	Photograph
200 Alexandra Parade, Fitzroy	British United Shoes Machinery Co. Pty Ltd factory	Large industrial building occupying an entire block	Alexander Parade and George & Gore streets	Individually significant (HO334)	 ©City of Yarra (VHD)
457 Hoddle Street, Clifton Hill	Former Murray Co Wool Works	Industrial building on a prominent corner site with highly visible roof slopes and a prominent chimney	Alexandra Parade and Hoddle Street	Individually significant (HO89)	 ©City of Yarra (VHD)
484 Smith Street, Collingwood	Gasometer Hotel	Hotel on a prominent corner site	Alexander Parade and Smith Street	Not within an HO	
351 Wellington Street, Collingwood	Fox Hotel (former Tower Hotel)	Hotel on a prominent corner site	Alexander Parade and Wellington Street	Contributory (HO321)	

The Fox Hotel dates from 1871 but underwent an external remodelling in the interwar period, which was commonplace at this time. The Gasometer Hotel is more intact to its c.1859 form. These two buildings share similar characteristics, namely:

- two storey height
- parapeted form (only in part to the Fox Hotel)
- visible roof form (only in part to the Gasometer Hotel)
- visible chimneys
- masonry construction with less than 40% of the upper-level street wall face comprised with openings such as windows and doors
- splayed corners with return façades to both street frontages.

The British United Shoes Machinery Co. Pty Ltd and former Murray Co Wool Works building are imposing industrial buildings located in prominent corner locations.



**Attachment 1 - Alexandra Parade Heritage Review**

**6.0 ALEXANDRA PARADE HERITAGE ANALYSIS**

**6.1 HERITAGE STATUS**

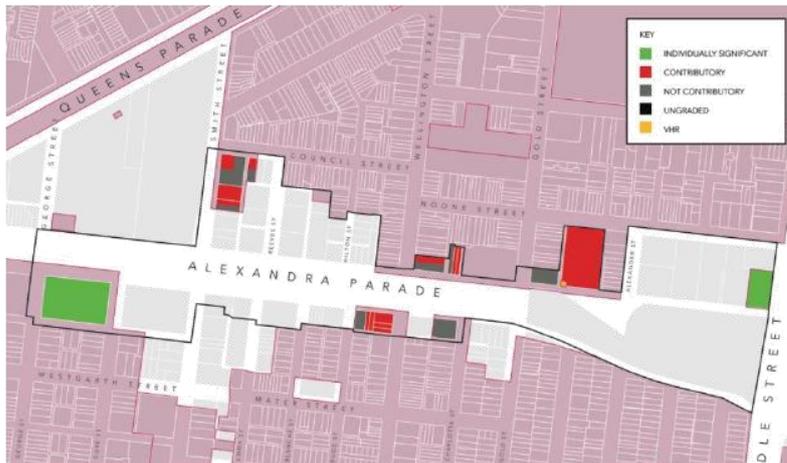
**6.1.1 Existing conditions**

The majority of the Alexandra Parade Precinct is not subject to any heritage controls. The study area includes two individual heritage places, one of which is included on the VHR (H0709 - Clifton Hill Shot Tower). The remaining properties subject to the Heritage Overlay are located at the southern boundary of HO317 – Clifton Hill West Precinct; or at the northern boundary of HO321 – Gold Street Precinct, Collingwood and HO334 – South Fitzroy Precinct.



*Figure 23: Heritage Overlay and VHR map – Alexandra Parade precinct outlined in black. Source: adapted from VicPlan*

*Note: the only VHR site that falls within the study area is the Clifton Hill Shot Tower (H0709), the extent of registration for which is indicated by yellow circle.*



*Figure 24: Current heritage gradings from Appendix 8 – Alexandra Parade precinct outlined in black. Source: adapted from VicPlan*

*Note: the only VHR site that falls within the study area is the Clifton Hill Shot Tower (H0709), the extent of registration for which is indicated.*



**Attachment 1 - Alexandra Parade Heritage Review**

The existing heritage status for the buildings within the study area are listed in Table 3. We note however that there is some inconsistency between the street addresses provided within Appendix 8 and those identified in VicPlan. The addresses, dates of construction and gradings provided below are taken directly from Appendix 8.

**Table 3 – Existing heritage status**

<b>VICTORIAN HERITAGE REGISTER</b>				
<i>VHR #</i>	<i>Name</i>	<i>Address</i>	<i>Heritage Overlay</i>	<i>Date</i>
H709	[Clifton Hill] Shot Tower	94 ALEXANDRA PARADE CLIFTON HILL	HO85	1882
<b>INDIVIDUAL HERITAGE OVERLAYS</b>				
<i>Heritage Overlay #</i>	<i>Name</i>	<i>Address</i>	<i>Appendix 8 Grading</i>	<i>Date</i>
HO89	Former Murray Co Wool Works	457 HODDLE STREET CLIFTON HILL	Individually significant	1918
<b>PRECINCT HERITAGE OVERLAYS</b>				
<i>Heritage Overlay #</i>	<i>Name</i>	<i>Address</i>	<i>Appendix 8 Grading</i>	<i>Date</i>
HO317	Clifton Hill West Precinct	628-632 Smith Street: Factory, former Spry Bros. Boot Factory Site	Contributory	1910
		628-632a Smith Street: Factory & Offices (Cantarella)	Not Contributory	1960 -1970
		616-622 Smith Street: Factory, former	Contributory	1900 – 1925
		612-614 Smith Street: Factory	Contributory	1900 – 1915?
		1 Council Street: House	Contributory	1880 -1890
		1a Council Street: Factory	Not Contributory	1930 -1950
		7 Council Street	Contributory	1900 -1915
		9 Council Street	Contributory	1900 -1915
		11 Council Street	Contributory	1900 – 1915
		13 Council Street	Contributory	1880 -1890
		15 Council Street	Contributory	1850 -1890
		15a Council Street	Ungraded	
		20 Reeves Street	Ungraded	



**Attachment 1 - Alexandra Parade Heritage Review**

		406 Wellington Street: Factory	Not contributory	1930 -1940
		406a Wellington Street	Contributory	1880 -1890
		406b Wellington Street	Contributory	1880 -1890
		56 Alexandra Parade	Not contributory	1880 -1890
		58 Alexandra Parade	Contributory	1880 -1890
		60 Alexandra Parade	Contributory	1880 1890
		88-92 Alexandra Parade: Factory complex	Not contributory	??
		94 Alexandra Parade: Haliburton Wool Works. Former (& Shot Tower)	Contributory	1880 – 1890 <sup>1</sup>
HO321	Gold Street Precinct, Collingwood	43-45 Alexandra Parade: Flats	Not contributory	1960 – 1970
		47 Alexandra Parade	Contributory	1870 – 1890
		49 Alexandra Parade	Contributory	1870 – 1890
		351 Wellington Street: Tower Hotel, former later The Office Inn	Contributory	1850 – 1930 <sup>2</sup>
		347a Wellington Street	Contributory	1925 – 1930
		347 Wellington Street	Contributory	1925 – 1930
		51-61 Alexandra Parade: Factory	Not contributory	1915 – 1925
HO334	South Fitzroy Precinct	200 Alexandra Parade: British United Shoe Machinery Co. Pty Ltd Factory	Individually significant	1932

<sup>1</sup> The history and analysis prepared for the former Haliburton Wool Works did not identify any extant fabric dating from pre-1945 with the exception of brickwork associated with the shot tower.

<sup>2</sup> The history prepared as part of this report identified the original construction of the Tower Hotel as 1871.



## Attachment 1 - Alexandra Parade Heritage Review

### 6.1.2 Recommended Changes

The review of the existing extent and grading of buildings was limited to substantial omissions and anomalies. The review did not include a complete re-assessment of the 'Individually significant' / 'Contributory' / 'Not-contributory' gradings of individual buildings. A table of the identified anomalies is provided at Appendix I.

The Gasometer Hotel at 484 Smith Street, Collingwood was identified as warranting inclusion on the Heritage Overlay as an individual heritage place in the field work undertaken for the Brunswick and Smith Street Built Form Review, and a citation was prepared (see Appendix II).

In addition, it was noted that neither the Quonset Warehouse-type prefabricated building at 20 Reeves Street nor the former Haliburton Wool Works at 94-100 Alexandra Parade, Clifton Hill demonstrate the identified heritage characteristics of HO317 – Clifton Hill West Precinct and assessments have been undertaken to determine whether or not these warrant inclusion on the Heritage Overlay as individual heritage places. The Quonset Warehouse was associated with former industrial uses within this part of Clifton Hill and it is recommended that it be included as an individual heritage place in the Schedule to the Heritage Overlay; the citation for this building is provided at Appendix III. The extant fabric of the former Haliburton Wool Works dates from after 1945 and does not contribute to the heritage values of HO317, nor is it considered to meet the threshold for inclusion on the Heritage Overlay in its own right as an individual heritage place.

The former British United Shoe Machinery Co. Pty Ltd Factory at 200 Alexandra Parade, Fitzroy is located within the predominantly low-rise residential South Fitzroy Precinct (HO334). While HO334 includes industrial complexes including the former MacRobertson Confectionary factory, the former British United Shoe Machinery Co. Pty Ltd Factory does not form part of a consistent heritage context and is located at the northern edge of the Heritage Overlay precinct, separated physically from other heritage fabric. We note the Statement of Significance prepared for this building included in the Reference Document 'City of Yarra Review of Heritage Precincts 2007: Appendix 7 - Individually significant places not from the main development era', which should inform the redevelopment of this heritage place.

Other recommended changes are:

- Re-grading the substantially altered terraced houses at 58 and 60 Alexandra Parade, Clifton Hill from 'Contributory' to 'Not-contributory' within HO317 to recognise the extent of their alteration, lack of heritage context, and lack of contribution to a heritage streetscape;
- Removing 51-61 Alexandra Parade, Collingwood from the extent of HO321 as this large parcel of land does not contain heritage fabric;
- Seeking an amendment to the extent of registration of the Clifton Hill Shot Tower to provide an adequate curtilage and to include the nineteenth century fabric at the base of the structure; and
- Amend Appendix 8 to identify the Clifton Hill Shot Tower as a place on the VHR.



## Attachment 1 - Alexandra Parade Heritage Review

### 6.2 ZONING

#### 6.2.1 Existing conditions

The carriageway and median strip of Alexandra Parade, as a major east-west thoroughfare, is zoned Road Zone (RDZ1). The land within the study area on the northern side of Alexandra Parade is variously zoned Commercial 2 Zone (C2Z), General Residential Zone (GRZ) and Mixed Use Zone (MUZ). Along the southern side of Alexandra Parade the land is zone Commercial 1 Zone (C1Z), C2Z and MUZ. These zones generally reflect the historic and contemporary land use of the Alexandra Parade Precinct.

The land to the north and south of the Alexandra Parade Precinct is generally zoned Neighbourhood Residential Zone (NRZ), the majority of which is also included within HO317, HO321 or HO334.



Figure 25: Zone map - Alexandra Parade Precinct outlined in black. Source: adapted from VicPlan



#### 6.2.2 Recommended Changes

The current zoning of land within the Alexandra Parade Precinct is considered to be appropriate in heritage terms and no changes are recommended.

### 6.3 POTENTIAL FUTURE CHARACTER CONSIDERATIONS

Alexandra Parade is an area of highly variable built form, the majority of which is not subject to the Heritage Overlay. There are no cohesive heritage streetscapes within the study area, with the continuous runs of heritage buildings limited to no more than three graded buildings in a row. The limited heritage fabric, coupled with the significant variation in the form and character of the graded buildings (from large factory complexes to modest terraced housing) means that heritage considerations will have a more limited role in informing the overall preferred future character of the Alexandra Parade Precinct than in many other parts of the City of Yarra.



## Attachment 1 - Alexandra Parade Heritage Review

Where the Heritage Overlay applies<sup>3</sup>, new development within, or adjacent to, these sites should consider the heritage values of that place and be sited, massed and designed to retain the visual prominence of the heritage building. For example, the Former Murray Co Wool Works at 457 Hoddle Street, Clifton Hill, has highly visible roof slopes and a prominent chimney that is visible from the eastern side of Hoddle Street. These features, as well as being integral to the heritage form of the building, help communicate its historic use and function and should be retained within any future development.

The Alexandra Parade Precinct has sensitive interfaces to the north and south which are characterised by a transition to single and two-storey terraced, semi-detached and detached housing dating from the mid-late nineteenth century through to the early twentieth century. These residential areas are generally located within the NRZ and are subject to HO317, HO321 or HO334. New development should consider the impacts on these heritage precincts in terms of the visual and physical interfaces, as well as amenity considerations.

### 6.4 RECOMMENDED BUILT FORM PARAMETERS

Any DDO proposed for the Alexandra Parade Precinct should apply built form guidance to ensure that new built form is respectful of the heritage places within the area.

A DDO control applied to properties within the Alexandra Parade Precinct that are subject to – or immediately adjacent to – the Heritage Overlay should ensure new development respects the heritage significance of the place and is sited, massed and designed to be visually recessive and to not dominate the heritage place. This includes ensuring that appropriate interfaces are provided between the generally smaller-scale heritage buildings within predominantly residential precincts and potential new development along Alexandra Parade.

A DDO control should also ensure that key views to the State-significant Clifton Hill Shot Tower are maintained and not diminished by future development.

To develop appropriate built form parameters for the Alexandra Parade Precinct, Hansen Partnership, the City of Yarra and GJM Heritage undertook the following analysis:

- Heritage and urban context information, known planning scheme amendments, and past and current planning applications was collected and analysed; and

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<sup>3</sup> With the exception of that land which is recommended to be removed from the extent of the Heritage Overlay, namely 51-61 Alexandra Parade, Collingwood.



## Attachment 1 - Alexandra Parade Heritage Review

- Built form parameters from the above analysis were drawn and then tested, firstly via cross-sectional drawings and then via a 3D model to determine their appropriateness.

Informed by the analysis and testing methodology outlined above, it is recommended that a DDO should seek built form outcomes that:

- Ensure new development does not obscure 'primary' views of the Clifton Hill Shot Tower and retains 'secondary' (as identified in 'Landmarks and Views Assessment', Ethos Urban, October 2019) and other views from street intersections.
- Retain the visual prominence of local landmarks in the streetscape.
- Retain chimneys and principal roof forms visible from the public realm (excluding laneways) in new development within the Heritage Overlay.
- Ensure new development within the Heritage Overlay does not visually dominate the existing heritage fabric.
- Ensure any upper-level or infill development is subservient to heritage fabric and is visually recessive in mass, scale and materiality.
- Encourage the top-most level (or levels) of new development to be set further back from a principal heritage frontage (as encouraged at Clause 22.02-5.7.2) and treated as a visually separate roof top element.
- Retain the visual prominence of the return façades of buildings that address both Alexandra Parade and cross streets (particularly at the principal intersection with Smith and Wellington streets) by setting back new upper-level built form from both street frontages.
- Ensure that the heritage buildings remain prominent within the streetscape and retain their three-dimensional form as viewed from the public realm to avoid 'facadism'.



## Attachment 1 - Alexandra Parade Heritage Review

### 7.0 BUILT FORM TESTING

To assist in the translation of the 'Recommended Built Form Parameters' in Part II into specific guidance that could be translated into a DDO control, the heritage analysis was reviewed against cross-sectional drawings of potential development envelopes and 3D computer modelling prepared by Hansen Partnership and the City of Yarra to test the appropriateness of particular built form outcomes that achieved the intent of the 'Recommended Built Form Parameters'.

As well as the cross-sectional drawing studies, 3D computer modelling using Sketchup Pro™ of potential bulk and massing envelopes for the study area was also interrogated. The existing built form was modelled along with approved, but not yet constructed, development in the Alexandra Parade Precinct. It was used as a 'working' massing model to inform heights and setbacks on key development sites and to provide a comparative visual analysis. Given the relatively small proportion of the study area that is subject to the Heritage Overlay, the 3D modelling was particularly useful in testing the generally more generous built form parameters applied to the larger, less-encumbered potential development sites rather than those with intact heritage buildings.

The Sketchup model was also interrogated to consider the impact of new buildings from the natural eye level (1.6m) on the public footpath.

Extensive field work was undertaken and site visits were used to inform the recommendations made in this report. Views of heritage places were only considered from the public footpath with particular emphasis placed on intersections where pedestrians are likely to dwell.



**Attachment 1 - Alexandra Parade Heritage Review**

**PART III: BUILT FORM RECOMMENDATIONS**



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## Attachment 1 - Alexandra Parade Heritage Review

### 8.0 BUILT FORM RECOMMENDATIONS

Any DDO applied to the Alexandra Parade Precinct should include provisions to complement, but not duplicate, the decision guidelines at Clause 43.01-8 (Heritage Overlay), State Planning Policy at Clause 15.03-1S and local policy within Clauses 22.02, 22.03 and 22.10 (or as translated into the post-VC148 Planning Policy Framework) of the Yarra Planning Scheme to inform new development.

Having regard to the heritage conditions within the study area as well as cross-sectional drawings and 3D modelling prepared by Hansen Partnership and the City of Yarra, it is recommended that the built form controls set out in 8.1 below be applied to new development to ensure appropriate weight is given to the heritage values within the study area. The cross-sectional drawings and 3D modelling helped assess whether or not the upper-level development would 'be visually recessive and not dominate the heritage place' as sought at Clause 22.02-5.7.1.

The lack of any consistent streetscapes within the Heritage Overlay removes the need for a  $\frac{3}{4} : \frac{1}{4}$  ratio of street wall to new built form sightline (from Moreland DDO18) or a '45° angular plane' test (from Yarra DDO15) to protect the visual prominence of the street wall. Likewise, the lack of consistent heritage streetscape, the wide variety of heritage built form, and the need to allow for a range of design outcomes means that preferred, rather than mandatory, height controls should be applied.

The protection of the views to – and visual backdrop of – the Clifton Hill Shot Tower would normally warrant the application of mandatory upper-level setback and overall height controls, however in this case the land at 94-100 Alexandra Parade, Clifton Hill is zoned GRZ and is subject to Schedule 4 which provides a mandatory maximum height limit of 11.5m. While GRZ4 provides an exemption "...for the construction of a new building that exceeds the specified building height which does not exceed the height of immediately adjacent buildings facing the same street"<sup>4</sup>, it is assumed that this does not establish a policy position that development on this site can match, or even approach, the 68.97m<sup>5</sup> height of the Shot Tower. Likewise, the land to the north, east and west of this site is zoned NRZ1 which provides for a mandatory maximum height of 9m and two (2) storeys, protecting the backdrop and setting of the shot tower. Should the zoning regime change in this location, insofar

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<sup>4</sup> The mandatory height limit of 11.5m is subject to the following exemptions:

- An extension of an existing building that exceeds the specified building height provided that the extension does not exceed the existing building height.
- An extension of an existing building or the construction of a new building that exceeds the specified building height which does not exceed the height of immediately adjacent buildings facing the same street.
- The rebuilding of a lawful building or works which have been damaged or destroyed.
- A building which exceeds the specified building height for which a valid building permit was in effect prior to the introduction of this provision.

<sup>5</sup> Statement of Significance - Shot Tower, 94 Alexandra Parade, Clifton Hill (VHR H0709) (VHD Place ID 295)

## Attachment 1 - Alexandra Parade Heritage Review

as mandatory height controls within the NRZ and GRZ zones, built form parameters should be reviewed and mandatory height limits introduced to protect the views to the Shot Tower.

Buildings graded 'Individually Significant' and 'Contributory' are referred to as 'heritage buildings' within the table below and those graded 'Not-contributory' or that are vacant are considered 'infill sites'.

### 8.1 RECOMMENDED DDO CONTROLS

Built Form Element	Mandatory	Preferred	Rationale
New built form	<p>New built form must:</p> <ul style="list-style-type: none"> <li>- not impede views to the Clifton Hill Shot Tower from:                             <ol style="list-style-type: none"> <li>1) Brunswick Street and Alexandra Parade Intersection (north-east corner of centre median)</li> <li>2) Eastern Freeway (west of the Hoddle Street Overpass)</li> <li>3) Darling Gardens (Rotunda);</li> </ol> </li> </ul>	<p>Retain the Clifton Hill Shot Tower as the principal built form landmark when viewed from the south side of Alexandra Parade between Brunswick and Hoddle streets.</p> <p>Encourage the retention of views of the Clifton Hill Shot Tower from:</p> <ol style="list-style-type: none"> <li>4) Roseneath Street and Hoddle Street Intersection</li> <li>5) Gold Street and Queens Parade intersection.</li> </ol>	<p>The Clifton Hill Shot Tower is a State-significant structure that is identified as a landmark of municipal significance in Clause 22.03.</p> <p>Note: while it is policy at Clause 22.03-4 that "New buildings within the vicinity of the following landmarks should be designed to ensure the landmarks remain as the principal built reference" additional guidance is required to protect the 'Primary' and 'Secondary' views identified in the from 'Landmarks and Views Assessment' (Ethos Urban, October 2019).</p>
Street wall height (infill development) within or immediately adjacent to land subject to the Heritage Overlay	-	Match the parapet height of the adjacent heritage building to the width of the property boundary or for a distance of 6m, whichever is less. (preferred)	To ensure new built form responds to its immediate heritage context. A preferred control is appropriate given the highly varied heritage fabric and interface conditions.
Front setback (infill development) within or immediately adjacent to land subject to the Heritage Overlay	-	Match the setback of the principal façade of the adjacent heritage building (preferred)	To ensure new built form responds to the heritage context which generally has a small or no setback.
Minimum setbacks above street wall within or immediately adjacent to land subject to the Heritage Overlay	<p>6m minimum for heritage buildings</p> <p>Note: the setbacks for individual heritage places should also be informed by their Statements of Significance and the</p>	6m minimum for sites immediately abutting land subject to the Heritage Overlay	<p>The built form of heritage buildings varies across the Alexandra Parade Precinct.</p> <p>The application of a mandatory 6m setback is consistent with that through DDO25, DDO26, DDO27 and DDO28 proposed to</p>

**Attachment 1 - Alexandra Parade Heritage Review**

	<p>historic fabric of the heritage place.</p>		<p>be introduced through C191yara. A larger setback from the principal facades of heritage buildings may be required development to be set back, and for the retention of an appropriate and legible three-dimensional heritage form.</p>
<p>Maximum building heights within the Heritage Overlay</p>	<p>-</p>	<p>43-45 Alexandra Parade, Collingwood – 14m                  47 &amp; 49 Alexandra Parade and 347, 347a &amp; 351 Wellington Street, Collingwood – 11m                  200 Alexandra Parade, Fitzroy – 32m                  1 Council Street, Clifton Hill – 11m                  457 Hoddle Street – 11m                  20 Reeves Street, Clifton Hill – 9m                  484 Smith Street, Collingwood – 14m                  612-632 Smith Street, Clifton Hill – 21m</p>	<p>The variety of heritage building stock, existing urban form and interface conditions require a range of maximum building heights. The overall height that can be accommodated on large former industrial buildings such as the former British United Shoes Machinery factory is much greater than may be achieved on sites occupied by two storey corner hotels or single storey houses without adversely affecting their heritage values.</p> <p>A preferred control will enable a wide range of design responses.</p> <p>Note: 408-412 Wellington Street, Clifton Hill and 56-60, 88-92 &amp; 94-100 Alexandra Parade, Clifton Hill are zoned GRZ4 and therefore have a mandatory 11.5m height limited applied. Therefore, no height limited is required to be established in the DDO.</p>

**8.2 ADDITIONAL GUIDANCE**

The heritage policy proposed as part of C269yara includes specific strategies to address new development and alterations to commercial and industrial heritage places. If these provisions are implemented, additional heritage design requirements are not likely to be needed within a DDO. However, if new development is to be informed by the existing heritage provisions at Clauses 15.03-1S, 21.05-1, 22.02 and 43.01 of the Yarra Planning Scheme, we recommend that the following heritage design requirements be applied to a DDO:

- New infill development within heritage precincts should:
  - Interpret the historic façade rhythm, including fenestration patterns and proportions, the relationship between solid and void, and the existing module of structural bays.
  - Retain the visual prominence of prominent corner buildings and local landmarks.



## Attachment 1 - Alexandra Parade Heritage Review

- Be distinguishable from the original heritage fabric and adopt a high quality and respectful contextual design response.
  - Ensure façade treatments and the articulation of new development are simple and do not compete with the heritage fabric.
  - Avoid the replication of existing decorative features and architectural detail.
- The adaptation of existing heritage buildings should:
  - Discourage highly reflective glazing in historic openings.
  - Ensure the inter-floor height of the existing building is maintained and avoid new floor plates and walls cutting through historic openings.
  - Encourage the retention of solid built form behind retained facades and avoid balconies behind existing openings.
- New upper-level development behind existing heritage buildings should:
  - Retain the visual prominence of parapet and roof-top elements including parapets, balustrades, pediments, visible roof forms, chimneys, lanterns, urns and other architectural features, where these exist.
  - Be set back to retain the visual prominence of prominent corner buildings and local landmarks.
  - Ensure that the design and setback of the addition does not visually dominate the heritage building or surrounding heritage places.
  - Retain the primacy of the three-dimensional form of the heritage building.
  - Incorporate materials and finishes that are recessive in texture and colour.
  - Generally utilise visually lightweight, but high quality, materials that create a juxtaposition with the heavier masonry of the heritage facades.
  - Incorporate simple architectural detailing so it does not detract from significant elements of the existing building or streetscape.
  - Provide a recessive backdrop to the heritage streetscape within precincts and to individual heritage buildings.
  - Avoid highly articulated facades with recessed and projecting elements.
  - Avoid highly contrasting or vibrant primary colours.
  - Avoid unarticulated façades that give a bulky appearance, especially from oblique views.
  - Be articulated to reflect the fine-grained character of narrow sites.
- New development on land immediately abutting heritage places should:



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- Provide a sensitive site-responsive transition between the existing heritage fabric and the new proposed built form.
- Retain the visual prominence of prominent corner buildings and local landmarks.
- Be distinguishable from the original heritage fabric and adopt a high quality and respectful contextual design response.
- Ensure façade treatments and the articulation of new development are simple and do not compete with the heritage fabric.
- Avoid the replication of existing decorative features and architectural detail.



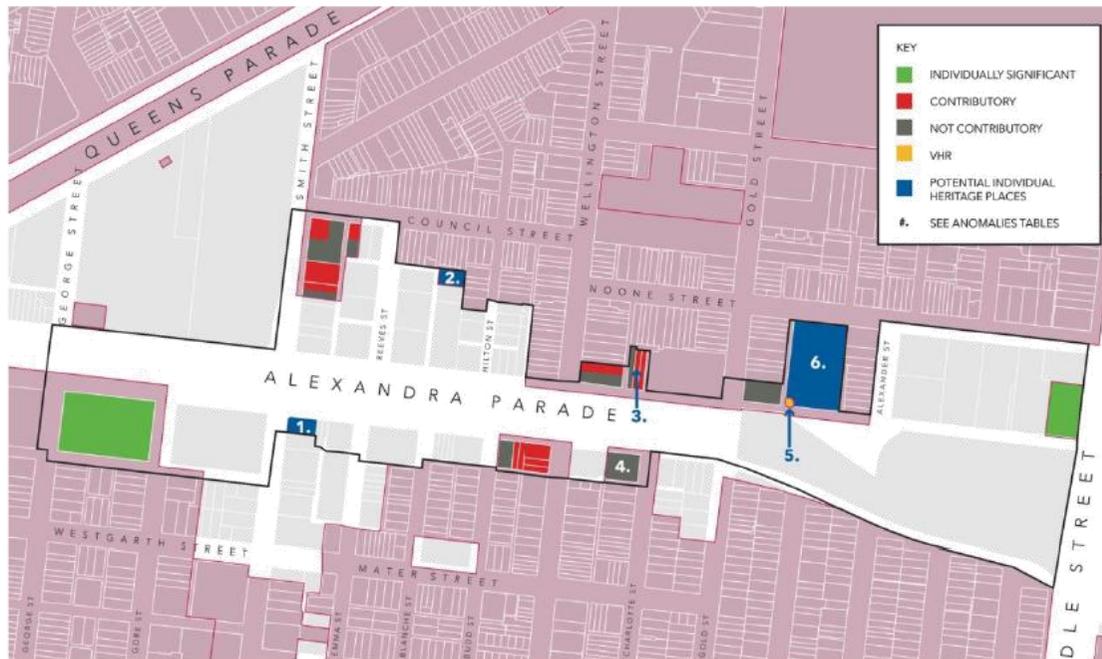
## Attachment 1 - Alexandra Parade Heritage Review

### APPENDIX I - Alexandra Parade Precinct Anomalies

#### A1.1 Qualifications

- Only obvious omissions and anomalies have been identified
- Review of individual gradings across the precinct has not been undertaken
- Photos taken by GJM March 2020 unless otherwise noted.

#### A1.2 Anomalies Map



**Attachment 1 - Alexandra Parade Heritage Review**

**A1.3 Anomalies**

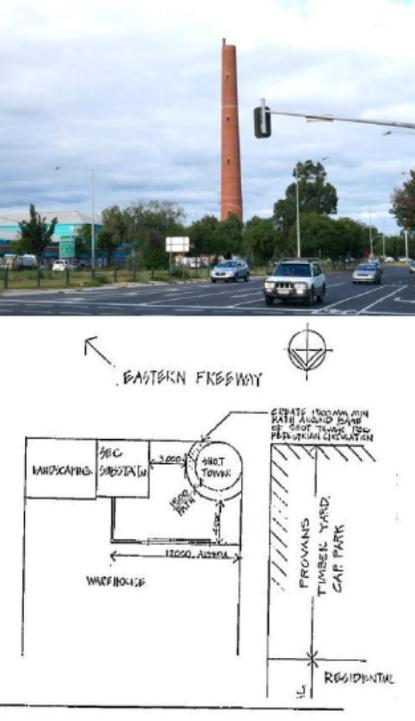
Recommendations are provided in **bold**.

MAP REF	ADDRESS (HO NUMBER)	CURRENT GRADING APPENDIX 8	CURRENT GRADING PRECINCT MAP	PROPOSED GRADING	COMMENTS / RECOMMENDATION (BOLD)	IMAGES
1.	The Gasometer Hotel, 484 Smith Street, Collingwood (No HO)	Not within HO	-	Individual heritage place	<p>The Gasometer Hotel is an intact mid nineteenth century hotel on the prominent Smith Street / Alexandra Parade intersection. It is similar to other hotels currently graded individually significant within Appendix 8 and warrants inclusion on the HO.</p> <p>Assessment and citation prepared by GJM August 2019.</p> <p><b>Include the Gasometer Hotel as an individual heritage place on the Schedule to the Heritage Overlay. Refer to Appendix II for citation.</b></p>	
2.	20 Reeves Street, Clifton Hill (HO317)	No grading	No grading	Reviewed	<p>The building located at 20 Reeves Street is a steel framed corrugated metal clad building in a Quonset Warehouse-form. It does not display any of the characteristics of the Clifton Hill Western Precinct Statement of Significance but warrants inclusion on the HO in its own right.</p> <p>An assessment has identified that this building was associated with former industrial uses within this part of Clifton Hill and warrants inclusion on</p>	

**Attachment 1 - Alexandra Parade Heritage Review**

					<p>the Heritage Overlay as an individual place.</p> <p><b>Include the steel building at 20 Reeves Street, Clifton Hill as an individual heritage place on the Schedule to the Heritage Overlay. Refer to Appendix III for citation.</b></p>	
3.	56, 58 and 60 Alexandra Parade, Clifton Hill (HO317)	<p>56 Alexandra Pde - Not contributory</p> <p>58 Alexandra Pde - Contributory</p> <p>60 Alexandra Pde - Contributory</p>	<p>56 Alexandra Pde - Not contributory</p> <p>58 Alexandra Pde - Contributory</p> <p>60 Alexandra Pde - Contributory</p>	<p>56 Alexandra Pde - Not contributory</p> <p>58 Alexandra Pde - Not contributory</p> <p>60 Alexandra Pde - Not contributory</p>	<p>These three single-storey terraced houses are identified in Appendix 8 as dating from 1880-90. All have undergone very substantial alterations such that their original form is no longer readily discernible. Additionally, they have no cohesive residential context as defined by the Clifton Hill Western Precinct Statement of Significance. Collectively, and individually, they make little or no contribution to HO317.</p> <p><b>Prepare an assessment to inform a potential amendment to Appendix 8.</b></p>	
4.	51-61 Alexandra Parade, Collingwood (HO321)	Not contributory	Not contributory	Remove from HO321	<p>The Gold Street Precinct (HO321) extends north of the laneway at the rear of 51-61 Alexandra Pde to include an isolated factory building dating from 1915-25 that is graded 'Not-contributory' in Appendix 8.</p> <p><b>Amend the extent of HO321 and Appendix 8 to omit 51-61 Alexandra Parade.</b></p>	

Attachment 1 - Alexandra Parade Heritage Review

<p>6.</p>	<p>Shot Tower, 94 Alexandra Parade, Clifton Hill  (VHR H0709; H085)</p>	<p>Contributory</p>	<p>Individually significant</p>	<p>VHR – amend extent</p>	<p>The Shot Tower at 94 Alexandra Parade is included in the VHR “to the extent of all of the whole of the Shot Tower building and the land ... the extent of 1.5 metres of circulating space surrounding the base of the Shot Tower”. It is considered that this does not provide an adequate curtilage for the structure.</p> <p>It is recommended that an application be made under s.62(1) of the <i>Heritage Act 2017</i> to amend the VHR entry to include an appropriate area of land at the base of the Shot Tower that includes associated nineteenth century fabric.</p> <p>Appendix 8 and the grading map do not accurately reflect the VHR registration.</p> <p><b>Amend Appendix 8 and the grading map to identify the Shot Tower as a place included on the VHR.</b></p>	 <p>The photograph shows the Shot Tower, a tall brick chimney, situated at an intersection with a road. A traffic light is visible. The site plan diagram below the photo shows the layout of the property. It includes labels for 'EASTERN FREEWAY', 'SHOT TOWER', 'WAREHOUSE', 'SEC SUBSTATION', 'FRESHMAN'S TINDER YARD', 'GARAGE', and 'RESIDENTIAL'. A north arrow is also present.</p>
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**Attachment 1 - Alexandra Parade Heritage Review**

7.	Former Haliburton Wool Works, 94-100 Alexandra Parade, Clifton Hill (HO317)	Contributory	Non-contributory	Reviewed	<p>The Former Haliburton Wool Works complex is located adjacent to the Shot Tower. While it is identified in Appendix 8 as being constructed between 1880-90 and is graded 'Contributory', the built fabric on site dates from after 1945. It does not display any of the characteristics of the Clifton Hill Western Precinct Statement of Significance.</p> <p>The assessment concluded that the post-war factory complex does not contribute to the heritage values of HO317, nor does it warrant inclusion on the Heritage Overlay in its own right.</p> <p><b>Amend Appendix 8 and the grading map to identify this site as 'Not-contributory'.</b></p>	
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**Attachment 1 - Alexandra Parade Heritage Review**

**APPENDIX II – Citation and Statement of Significance:  
The Gasometer Hotel, 484 Smith Street, Collingwood**



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**Attachment 1 - Alexandra Parade Heritage Review**



**Heritage Citation**

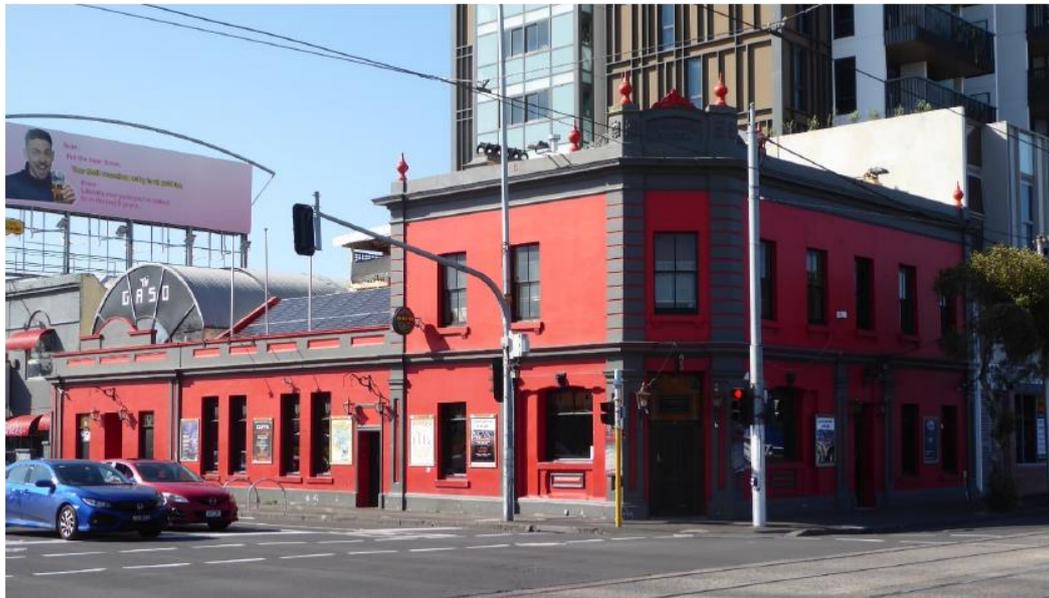
**GASOMETER HOTEL**

**Address:** 484 Smith Street, Collingwood

**Prepared by:** GJM Heritage

**Date:** August 2019

<b>Place type:</b> Hotel	<b>Architect:</b> Not known
<b>Grading:</b> Locally significant	<b>Builder:</b> Not known
<b>Integrity:</b> High	<b>Construction Date:</b> c1859
<b>Recommendation:</b> Include in the Heritage Overlay	<b>Extent of Overlay:</b> To property title boundaries



**Figure 1.** 484 Smith Street, Collingwood (GJM Heritage, October 2019)

## Attachment 1 - Alexandra Parade Heritage Review



### Statement of Significance

#### *What is significant?*

The Gasometer Hotel, 484 Smith Street, Collingwood, built c1859.

Elements that contribute to the significance of the place include (but are not limited to):

- The original external form, materials and detailing of the building
- The high level of integrity to its original design
- Façade parapet, with pitched roofs behind
- No front setbacks
- Rendered walls
- Rendered detailing and ornament including pilasters, quoining and ball finials
- Horizontal lines formed by parapet, cornice, string course and rows of windows
- Repetitive upper floor fenestration patterns
- Splayed corner with entrance, pilasters, quoining and pediment.

Later alterations and additions, including the barrel-vaulted roofed section to the east, are not significant.

#### *How is it significant?*

The Gasometer Hotel, 484 Smith Street, Collingwood is of local historical and architectural significance to the City of Yarra.

#### *Why is it significant?*

The Gasometer Hotel, 484 Smith Street, Collingwood is of significance as a suburban hotel constructed at a prominent corner location in Collingwood. The hotel has operated on this site since c1859 (Criterion A).

The Gasometer Hotel, 484 Smith Street, Collingwood is an intact and representative example of a Victorian-era hotel. It displays typical characteristics of the early Victorian period in Collingwood and across Melbourne more broadly, including a plain parapeted façade with repetitive upper floor fenestration, rendered facades and a prominent splayed corner entrance with pilasters, quoining and pediment (Criterion D).

### Historical Themes

The place illustrates the following themes as outlined in the *City of Yarra Thematic History* (1998):

- 7.0 Leisure and Entertainment in the Suburbs
  - 7.1 Licensed Hotels and 'Sly Grog'

### Place History

This corner building was not evident on the 1858 Clement Hodgkinson map of Collingwood; the map shows the east side of Smith Street, between what is now Keele Street and Alexandra Parade as vacant land.

The earliest found reference to the hotel was an advertisement published in March 1860 in *The Argus* (20 March 1860:1) entitled 'Gasometer Hotel, Collingwood Gas Works, to Let, on Lease', describing the property as follows:

*erected as a pioneer to the settlement of a populous neighbourhood. The whole paddock adjoining is surveyed, with plans for sale in allotments at a low price, with deferred payments. The new market contiguous is fenced. The great and increasing traffic of Smith-street, with the numerous employees at the gasworks, give assurance for the establishment of a good business within a short period.*

This indicates that the hotel was built c1859-60, while the parapet of the building records the date 1861. The hotel was presumably named after the three large gasometers that were located opposite at the

# Attachment 1 - Alexandra Parade Heritage Review



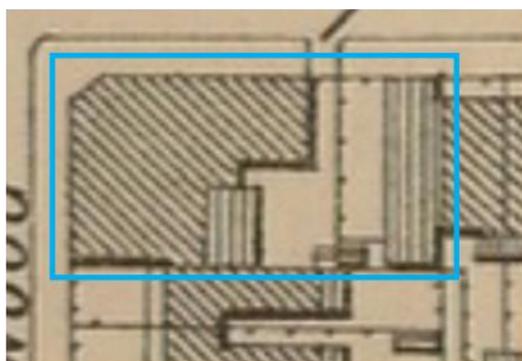
Fitzroy Gasworks (north-west corner of Smith Street and Alexandra Parade, gasometers dismantled 1978) (Lovell, 1998: Vol 1, 71). In 1861, tenders were requested from carpenters for the erection of a stable and verandah, with applicants to apply to the Gasometer Hotel, Smith Street, Collingwood (*Argus*, 19 Nov, 1861:1).

The 1864 rate books record that Charles A. Mater was the owner of the stone hotel on the site, letting to George Pashley, licensed victualler. The 1867 rate books described the 'Gasometer Hotel' as a brick and stone building with twelve rooms, still owned by Mater. By 1874 the hotel was owned by Richard Benham and the following year ownership passed to Johanna Benham, licensed victualler (Ward, 1995:553). Richard and Johanna Benham retained ownership of the hotel for many years, until at least 1906 (*Age*, 19 Feb 1906:9), and by 1916 their son Richard William Benham was the owner (*Argus*, 12 Feb 1916:11; 22 Feb 1916:4).

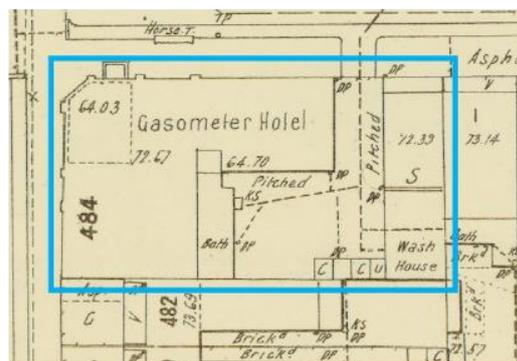
A Melbourne and Metropolitan Board of Works (MMBW) plan (Figure 2) show the extent of the hotel and its outbuildings in 1896. The 1900 MMBW detail plan (Figure 3) showed the corner hotel and outbuildings annotated with their use. The rear of the property had a pitched, open space bordered along the east and south boundaries by stables, a wash house and water closets, with access provided off Alexandra Parade (then called Reilly Street).

Plans of the property dating to 1956 show footprints of the hotel building and outbuildings and records the occupant and owner at this date as S. Moore (Figure 4). The plan appears to show that the accessway off Alexandra Parade and stables, set back from the front title boundary (as in figure 3), remained at this date (PSP). Later additions and structures now occupy the south-east portion of the property; a barrel-vaulted building occupies the site of the original stable, washhouse and accessway.

The building continues to serve as the Gasometer Hotel in 2019.

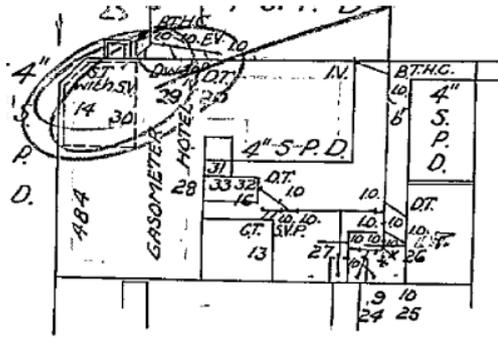


**Figure 2.** A footprint of the corner hotel and its outbuildings in 1896 (subject site indicated by blue polygon). The diagonal hatching indicates buildings constructed of brick or stone; vertical/horizontal hatching indicates buildings constructed of timber (MMBW 29, dated 1896).



**Figure 3.** A footprint of the Gasometer Hotel dated 1900 (subject site indicated by blue polygon) (MMBW Detail Plan 1214, dated 1900).

**Attachment 1 - Alexandra Parade Heritage Review**



**Figure 4.** A plan of the site showing footprints of the buildings extant in 1956, annotated with sewerage works (PSP).

**Physical Description**

The Gasometer Hotel, 484 Smith Street, Collingwood is prominently located on the south-east corner of Smith Street and Alexandra Parade. Built in the early Victorian period, the building comprises a two-storey element addressing the street corner, an adjoining single-storey wing to the east and additional buildings further to the east along Alexandra Parade.

The two-storey corner hotel is a rendered stone (overpainted) building with two corrugated steel-clad, hipped roofs which run in a north-south direction, and two large rendered chimneys at the southern end. A third broad chimney is situated at the east wall of the two-storey building, behind the Alexandra Parade façade. The building has a splayed corner with ground floor entrance door, window at first floor level and pediment above which contains the description ‘Gasometer Hotel’ and the date ‘1861’. The ground floor façades contain a variety of window and door openings and are articulated with plain pilasters, while the corners of the upper façades are quoined. The upper-level fenestration comprises regularly spaced rectangular windows – six in the longer Smith Street façade and two facing Alexandra Parade. Openings are frameless and window sills are supported on plain corbels. A simple cornice forms the parapet of the building and a string course between the ground and upper floor relieves the plain façades.

An adjacent single-storey wing, facing Alexandra Parade, has a simple gable-roof which runs parallel to the front façade and is parapeted at the eastern end. The detailing of the corner building is repeated in this wing, with simple pilasters and frameless rectangular windows. The string course of the adjacent two-storey building continues to form the base of the single storey parapet which contains a row of recessed panels.

A barrel-vaulted roofed section, located further to the east in Alexandra Parade, is set behind a single-storey, parapeted façade. Constructed across an original accessway from Alexandra Parade to an internal courtyard at some stage after 1956, the façade of this later addition appears to repeat some of the earlier detailing of the original building.

**Integrity**

The Gasometer Hotel, 484 Smith Street, Collingwood retains a high degree of integrity to the early Victorian period in fabric, form and detail. While the building has undergone some additions to the east, these do not diminish the ability to understand and appreciate the place as a fine example of an early Victorian hotel.

**Comparative Analysis**

The Gasometer Hotel, 484 Smith Street, Collingwood is an intact and representative example of an early Victorian corner hotel. There are a substantial number of hotels included in the Heritage Overlay of the

## Attachment 1 - Alexandra Parade Heritage Review



Yarra Planning Scheme as individually significant buildings, including some built in the 1850 to 1870 period. Direct comparison can be made with the following examples:

- Birmingham Hotel, 333 Smith Street, Fitzroy (1853-), 'individually significant' in HO333, Smith Street Precinct
- Former Liverpool Arms Hotel, 299 Brunswick Street, Fitzroy (1860-70), 'individually significant' in HO311, Brunswick Street Precinct.



**Figure 5.** Birmingham Hotel, 333 Smith Street, Fitzroy (VHD)



**Figure 6.** Former Liverpool Arms Hotel, 299 Brunswick Street, Fitzroy (VHD, photo dated 2009)

These comparators are representative of hotel buildings constructed in the early Victorian period and are architecturally significant as intact examples of hotels from this period. Like the places above, the Gasometer Hotel displays a range of early Victorian characteristics including:

- Façade parapet, with pitched roof behind
- No front setbacks
- Rendered walls and detailing
- Horizontal lines formed by parapet, cornice, string course and rows of windows
- Repetitive upper floor fenestration patterns
- Splayed corner with entrance.

The Gasometer Hotel remains highly intact to demonstrate the key characteristics of this early type of hotel development in the City of Yarra.

### Assessment Against Criteria

Following is an assessment of the place against the recognised heritage criteria set out in *Planning Practice Note 1: Applying the Heritage Overlay* (August 2018).

**Criterion A:** *Importance to the course or pattern of our cultural or natural history (historical significance).*

The Gasometer Hotel, 484 Smith Street, Collingwood is of significance as a suburban hotel constructed at a highly prominent corner location in Collingwood. The hotel has operated on this site since c1859.

**Criterion D:** *Importance in demonstrating the principal characteristics of a class of cultural or natural places or environments (representativeness).*

The Gasometer Hotel, 484 Smith Street, Collingwood is an intact and representative example of a Victorian-era Hotel. It displays typical characteristics of the early Victorian period in Collingwood and across Melbourne more broadly, including a plain parapeted façade with repetitive upper floor fenestration, rendered facades and a prominent splayed corner entrance with pilasters, quoining and pediment.

## Attachment 1 - Alexandra Parade Heritage Review



### Grading and Recommendations

It is recommended that the place be included in a site-specific Heritage Overlay in the Yarra Planning Scheme as an individually significant heritage place.

Recommendations for the Schedule to the Heritage Overlay (Clause 43.01) in the Yarra Planning Scheme:

<b>External Paint Controls?</b>	No
<b>Internal Alteration Controls?</b>	No
<b>Tree Controls?</b>	No
<b>Outbuildings or Fences not exempt under Clause 43.01-3?</b>	No
<b>Prohibited Uses Permitted?</b>	No
<b>Incorporated Plan?</b>	No
<b>Aboriginal Heritage Place?</b>	No

### Extent of the recommended Heritage Overlay

To the property title boundary, as indicated by the green polygon on the aerial below.



(Source: Nearmap, aerial dated Aug 2019)

### Identified by:

Andrew C Ward & Associates (1989), *Collingwood Conservation Study* & (1995) *Collingwood Conservation Study Review* :

*Recommended for Planning Scheme protection.*

## Attachment 1 - Alexandra Parade Heritage Review



*Significance: The "Gasometer" hotel is important as a prominent and early hotel which recalls the existence of the former Metropolitan Gas Co. premises opposite.*

GJM Heritage (2019), *Brunswick Street and Smith Street Built Form Review, Heritage Assessments.*

### **References:**

Allom Lovell & Associates (1998), *City of Yarra Heritage Review.*

Andrew Ward & Associate (1995), *Collingwood Conservation Study Review.*

Clement Hodgkinson, 'Plan shewing the streets and buildings in existence in East Collingwood on January 1st 1858' compiled from surveys executed under the direction of Clement Hodgkinson.

Melbourne and Metropolitan Board of Works: Plan 29 (scale 160ft to 1 inch), Fitzroy & Collingwood, dated 1896; Detail Plan 1214, dated 1900.

Property Sewerage Plan (PSP), No. 53022.

*The Age.*

*The Argus.*

Victorian Heritage Database (VHD), place records.

**Attachment 1 - Alexandra Parade Heritage Review**

**APPENDIX III – Citation and Statement of Significance:  
Quonset Warehouse, 20 Reeves Street, Clifton Hill**



**Attachment 1 - Alexandra Parade Heritage Review**



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ARBV: 16044

**QUONSET WAREHOUSE**

**20 REEVES STREET, CLIFTON HILL, 3068**



*Figure 1. 20 Reeves Street, Clifton Hill (GJM Heritage, March 2020).*

DATE: 27 August 2020 - DRAFT

FILE: 2020-008

## Attachment 1 - Alexandra Parade Heritage Review

### QUONSET WAREHOUSE

#### 20 REEVES STREET, CLIFTON HILL

<b>Place type:</b> Prefabricated wartime building	<b>Architect:</b> Not applicable
<b>Construction Date:</b> Erected on site between 1945 and 1951	<b>Builder:</b> Not applicable
<b>Recommendation:</b> Remove from HO317 and include in a site-specific Heritage Overlay	<b>Extent of Overlay:</b> To the property title boundary (see plan at Figure 18).

#### Contextual history

##### *Nissen, Romney and Quonset huts*

The Nissen hut is a prefabricated steel and corrugated iron structure developed in 1916 by Major Peter Nissen, an Officer in the Royal Engineers, and extensively by British and Commonwealth forces during World War II. The Romney hut is a larger variation of the Nissen hut. The Quonset hut is another variation of the Nissen hut type and was developed by the American Navy in 1941.

Although Australian troops became familiar with Nissen and Romney huts through overseas service during the war, they were not used in Australia until they were sourced to provide migrant accommodation in the late 1940s.

In 1949, 860 Nissen huts and 100 Romney huts were bought from the British Ministry of Works and a supply of at least 50 Quonset huts was acquired from an ex-US base on Manus Island off Papua New Guinea. These were dismantled and shipped to Australia by January 1950. Later that year another 1500 Nissen huts and 50 Romney huts were bought from the Ministry of Works for £20,000. A further 2000 prefabricated huts of various sizes were bought from private dealers. These prefabricated huts were distributed amongst migrant centres throughout the country.

By 1953 there was a surplus of these huts and they began to be used for other Commonwealth uses such as at military bases and airports, as well as for civilian uses where they became a popular temporary structure for community organisations such as the scouts, local clubs and church groups. A number also found their way into private use, particularly as farm structures (VHD).

Nissen huts had standard sizes, being either 16ft, 24ft or 30ft wide (4.9m, 7.3m or 9.1m) with longitudinal bays in multiples of 6ft (1.8m). The Quonset hut measured either 16ft x 36ft (4.9m x 11.0m) or 24ft x 60ft (7.3m x 18.2m) and the Stran-Steel Quonset measured either 20ft x 40ft (6.1m x 12.2) or 20ft x 56ft (6.1m x 17.1m) (Stuart).

##### *Quonset warehouses*

A 'warehouse' version of the Quonset hut was developed, providing floor space of 40ft x 100ft (12.2m x 30.5m). About 300 of these were produced. These were later replaced by a Quonset-type warehouse which had the same measurements but also had the option of a concrete floor. These buildings were often called Elephant Houses and in Australia, attracted the name of SAAR Hut (possibly a corruption of Stran-Steel Arched Rib) (Stuart).



**Attachment 1 - Alexandra Parade Heritage Review**

**Place History**

The Quonset warehouse was constructed at 20 Reeves Street in the immediate post-World War II period. The site was originally occupied by a small, timber building in the late nineteenth-century, which had been demolished by the turn of the century. The 1901 Melbourne and Metropolitan Board of Works (MMBW) plan (Figure 3) indicates the site was under the same ownership as 25 Council Street, located to the north, from the early 1900s (LV: V1973/F453). From 1919 to 1940, John Kavanagh, wool classer of 25 Council Street, Clifton Hill, owned the subject site. Following Kavanagh’s death in August 1940, the property was transferred to Clifford Duffy, then Lewis Wyatt, draughtsman of Surrey Hills in October 1940 (LV:V1973/F453).

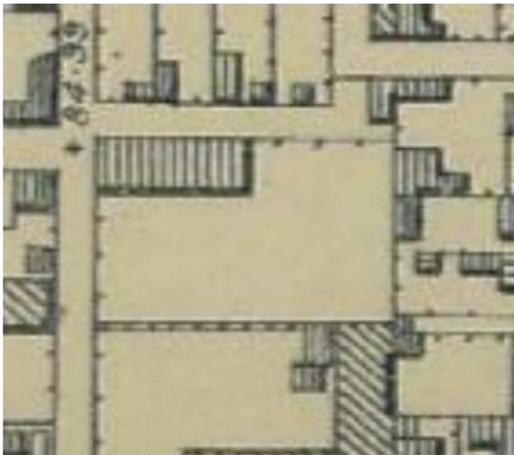


Figure 2. The subject site in 1896, occupied by a small timber building (MMBW No. 29, dated 1896).

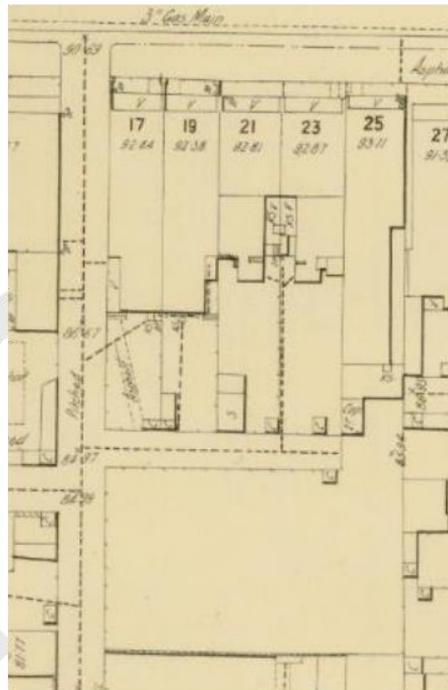


Figure 3. The subject site in 1901 with an apparent link to 25 Council St to the north (MMBW DP No. 1215, dated 1901).

In August 1947, E T Brown Limited of 14 Alexandra Parade, Clifton Hill, purchased the subject site (LV:V1973/F453). An aerial photo dated 1945 (Figure 4) shows the site occupied by earlier buildings at the time while an aerial dated January 1951 shows the extant hut erected at the subject site (Figure 5), indicating the structure was erected between 1945 and 1951. The date of erection indicates that the warehouse was bought directly from the supplier, rather than being a surplus or re-purposed military structure. The structure at the subject site measures approximately 12.5m x 24m (approx. 41ft x 78ft), suggesting the building was originally constructed as a 40ft wide Quonset warehouse but with a truncated length to suit the dimensions of the site.



**Attachment 1 - Alexandra Parade Heritage Review**



Figure 4. The subject site in 1945, which appears to show earlier buildings occupying the lot (Landata).



Figure 5. The subject site in January 1951, occupied by the extant hut (Landata).

E T Brown, engineers, had been located on the block immediately west of the subject site, at 14 Reilly Parade (now 16 Alexandra Parade) from the 1880s (*Herald*, 12 Jun 1935:28). From the 1920s they expanded their operations to 14-24 Alexandra Parade, with Watson Brothers, ironworkers occupying the eastern portion of this property (east of the right-of-way) from c1925 (S&Mc). A new building was constructed for E T Brown on the north-east corner of Alexandra Parade and Reeves Street in 1935, which was entered off Reeves Street (*Herald*, 12 Jun 1935:28). The company evolved into Brownbuilt Ltd, with their steel equipment division occupying 14-24 Alexandra Parade until at least the mid-1970s (S&Mc).

From c1955 to c1965, the Sands & McDougall Directories listed E T Brown Ltd as the occupant of 18 Reeves Street (the last property listed on the east side of Reeves Street before Council Street). This part of the site was used by the company for storage. The company, now called Brownbuilt Ltd (steel equipment division), continued to be listed at 18 Reeves Street until at least the mid-1970s (S&Mc). Watson Brothers, who had occupied the eastern portion of the Alexandra Parade property from c1925, continued to be listed to the east of Watsons Lane (the previously unnamed right-of-way) until c1965. It is unclear whether the subject site was utilised by E T Brown or Watson Bros, as both listings in the Directory have the potential to refer to the subject property.

In September 1979, the subject site was sold to Wagon Mound Nominees Pty Ltd, of '230-240 Alexandra Parade, Clifton Hill' and Etko Nominees Pty Ltd of Caulfield. From 1982, Wagon Mound Nominees were the sole owners, now located at 14 Alexandra Parade, Clifton Hill. Subsequent owners were Lesellen Services (Central) Pty Ltd of South Melbourne from 1983, and Cathedral Arch Pty Ltd, of '14-24 Alexandra Avenue', Clifton Hill, from October 1986 (LV:V2973/F453).

In 2006, the building was unoccupied (Figure 6) before undergoing works c.2009 and c.2012 to be converted for office use (YCC BP; Nearmap). Drawings dated 2009 (Figure 8 – Figure 11) indicate that the works comprised the unboarding and either repair or replacement of windows to match existing on the side (north and south) elevations, removal of existing windows and addition of new windows to the west elevation, new doors to the

Attachment 1 - Alexandra Parade Heritage Review

south and west elevations, and a new balcony on the south elevation (mezzanine level). Annotations note that the steel structure and existing roof and wall cladding were to be retained (YCC BP).

From c.2014 the building served as both an office and caretaker's residence for the nearby factory under the same ownership (YCC BP).



Figure 6. The west and south elevations of the vacant building in April 2006 prior to conversion (YCC BP).

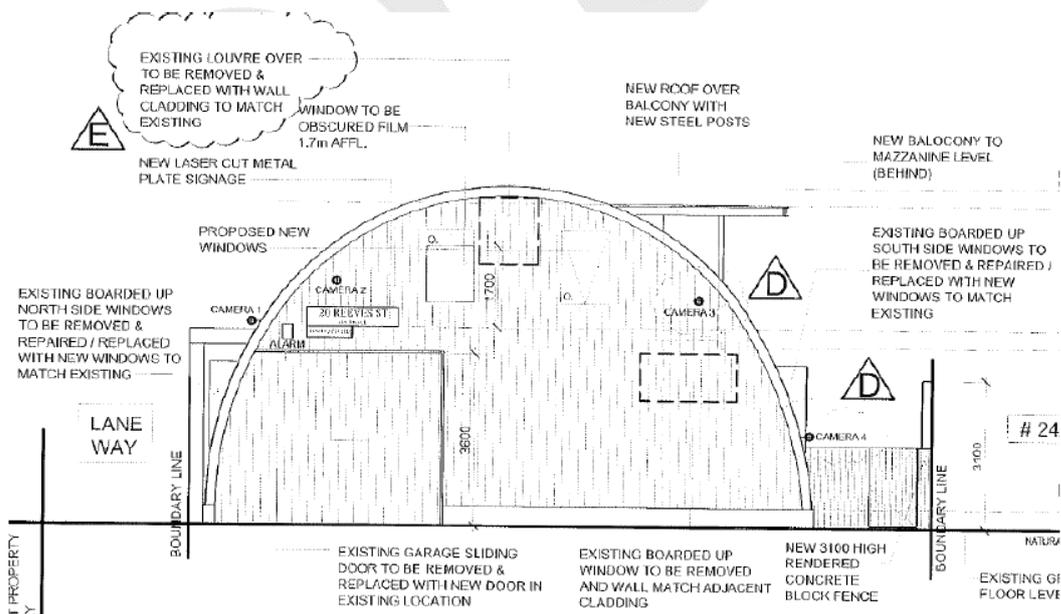


Figure 8. West elevation showing proposed works. Drawing dated 2009 (YCC BP).

Attachment 1 - Alexandra Parade Heritage Review

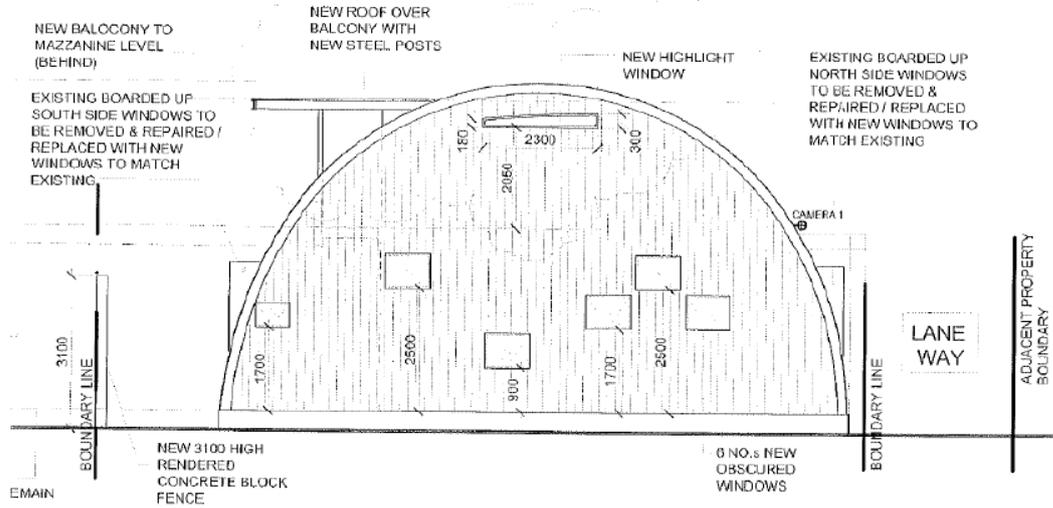


Figure 9. East elevation showing proposed works. Drawing dated 2009 (YCC BP).

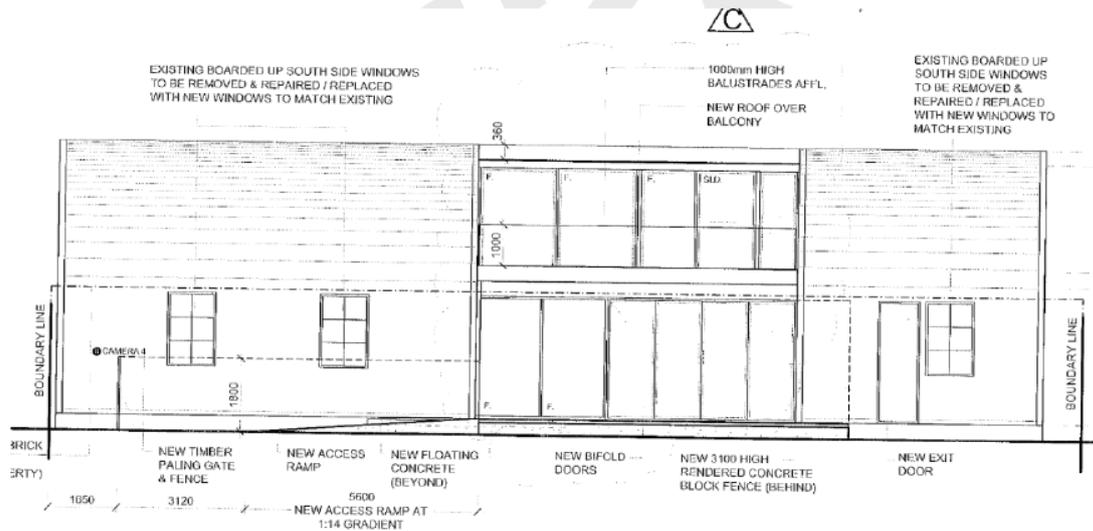


Figure 10. South elevation showing proposed works. Drawing dated 2009 (YCC BP).



**Attachment 1 - Alexandra Parade Heritage Review**

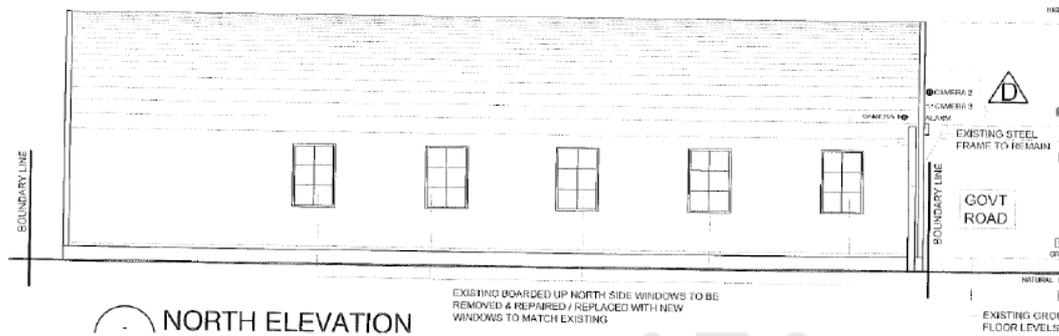


Figure 11. North elevation showing proposed works. Drawing dated 2009 (YCC BP).

**Historical Themes**

The place illustrates the following themes as outlined in the *City of Yarra Thematic History* (1998):

- 4 Developing local economies
  - 4.2 Secondary Industry

**Description**

The Quonset warehouse at 20 Reeves Street addresses a bluestone laneway (Watsons Lane) that connects Reeves Street to the east boundary of the site and bisects the block created by Alexandra Parade to the south, Council Street to the north, Reeves Street to the west and Hilton Street to the east (Figure 12). The building occupies almost the whole of the land parcel with side access provided to the south of the Quonset warehouse.

The building is a prefabricated, semi-cylindrical structure comprising steel framing, corrugated steel cladding and a concrete foundation. It measures approximately 12.5m wide x 24m deep (41ft x 78ft), with the apex of the structure at approximately 7.1m in height.

The corrugated steel cladding is laid horizontally on the north and south walls and is overlaid with a separate metal sheet that acts as the 'roof' (Figure 14). The end walls (east and west elevations) are clad in corrugated steel laid vertically. The junctions of the 'roof' and side walls are flashed with steel sheet. A large sliding door is located on the left-hand side of the western end wall and is supported by a steel post and beam (with an I-profile) (Figures 14-15). Two introduced sash windows are located above the sliding door. No windows are visible at the north elevation, and the east elevation is not visible from the public realm. The 2009 drawings indicate that new openings have been introduced to the south elevation, including glazed bifold doors at the ground level with a balcony covered by a flat roof above (Figure 17) as well as new window openings to the east elevation.

Alterations include the bifold doors and roofed balcony extension to the south elevation, the replacement of the sliding door to the west elevation and new windows or window openings to the south, east and west elevations. The building has also been completely re-clad.



Attachment 1 - Alexandra Parade Heritage Review

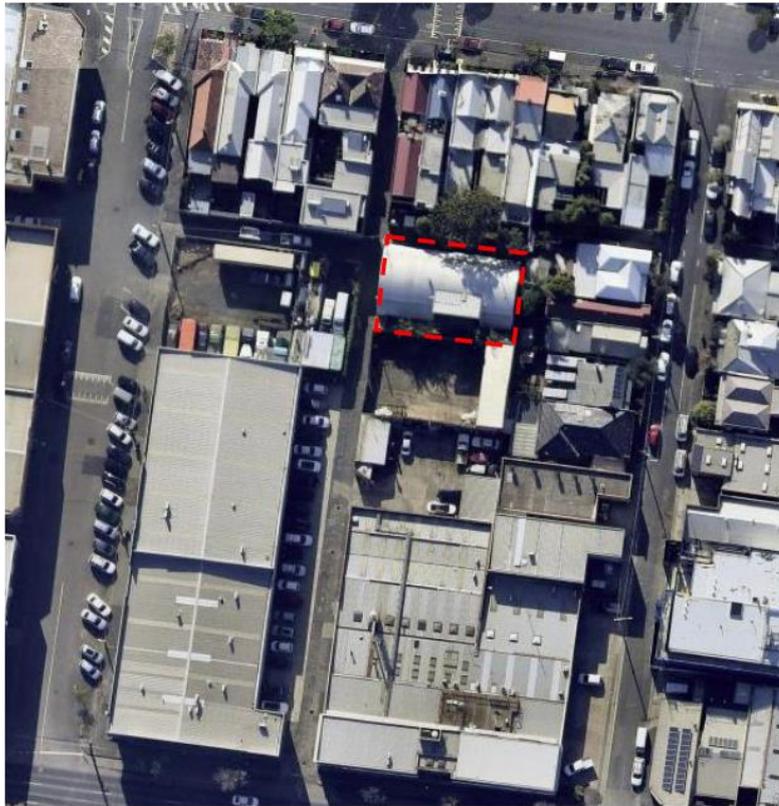


Figure 12. Aerial of the site (indicated) dated 4 June 2020, showing relationship of Wastons Lane to Reeves Street (west), Alexandra Parade (south) and Council Street (north). Hilton Street at right. Note location of later roofed balcony to the south elevation of the building. (Source: Nearmap, accessed July 2020)



Figure 13. West elevation of the structure, showing later window suites above the sliding door.



Attachment 1 - Alexandra Parade Heritage Review



Figure 14. North elevation of the structure, showing 'eave' line. The walls drain directly to the laneway surface.



Figure 15. Looking southeast along Watsons Lane, showing the (later) sliding garage door at the northwest corner of the building with external post-and-beam steel support.



Figure 16. The southwest corner of the building, showing the formed concrete foundation.



**Attachment 1 - Alexandra Parade Heritage Review**



Figure 17. Looking northeast from the rear of 10 Reeves Street to the subject site, showing later balcony extension.

**Integrity/Intactness**

The Quonset Warehouse at 20 Reeves Street retains a high degree of integrity in its form and materiality to its period of construction in the early post-war period. Despite some external modifications, including the introduction of the roofed balcony extension, new window openings to the west and south elevation and the replacement of the cladding, the place can be readily understood and appreciated as a Quonset Warehouse.

**Comparisons**

The Quonset Warehouse at 20 Reeves Street, Clifton Hill is of note as a rare example of a wartime prefabricated building in the City of Yarra.

No other examples of this class of place are currently included in the Heritage Overlay of the Yarra Planning Scheme and the subject building appears to have no direct comparators in the City of Yarra. The Porter Prefabricated Iron Store, previously located at 111 Queens Parade, Fitzroy North (VHR H2243), is another prefabricated metal structure in the municipality; however, this dates to the 1850s and isn't directly comparable to this mid-twentieth century structure.

**Assessment Against Criteria**

Following is an assessment of the place against the recognised heritage criteria set out in *Planning Practice Note 1: Applying the Heritage Overlay* (August 2018).

***Criterion A: Importance to the course or pattern of our cultural or natural history***

The Quonset Warehouse at 20 Reeves Street, Clifton Hill is historically significant as an example of a wartime prefabricated building utilised for industrial, and later commercial, use. It has a clear association with the post-World War II shortage of building materials when newly constructed or military-surplus huts were utilised for a range of government and private purposes such as migrant accommodation, churches, light industry, storage, agricultural use and community gathering spaces.

***Criterion B: Possession of uncommon, rare or endangered aspects of our cultural or natural history***

The Quonset Warehouse at 20 Reeves Street, Clifton Hill is a rare example of a prefabricated military building in the City of Yarra. Once commonly utilised practice across Victoria in the post-war period to address building restrictions and to curtail shortages in building supplies, examples of these prefabricated structures are

## Attachment 1 - Alexandra Parade Heritage Review

becoming increasingly rare and there are no other known examples within the City of Yarra. The place remains sufficiently intact to clearly demonstrate this rare building type in the municipality.

### Grading and Recommendations

It is recommended that the place be removed from HO317 (Clifton Hill Western Precinct) and included in the Heritage Overlay of the Yarra Planning Scheme as a site-specific heritage place.

Recommendations for the Schedule to the Heritage Overlay (Clause 43.01) in the Yarra Planning Scheme:

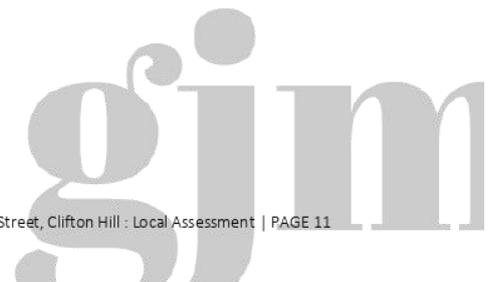
External Paint Controls?	No
Internal Alteration Controls?	No
Tree Controls?	No
Outbuildings or Fences not exempt under Clause 43.01-3?	No
Prohibited Uses Permitted?	No
Aboriginal Heritage Place?	No

### Extent of the Recommended Heritage Overlay

To the property title boundary, as indicated by the red polygon on the aerial below.



Figure 18. Recommended Extent of Heritage Overlay  
(Basemap Source: Nearmap, February 2020)



## Attachment 1 - Alexandra Parade Heritage Review

### References

Landata, historical aerial photographs.

Landata Victoria (LV), Certificates of Title, as cited.

Melbourne and Metropolitan Board of Works:

Plan No. 29, dated 1896

Detail Plan No. 1215, dated 1901.

Nearmap, aerial photography.

Sands & McDougall Directories (S&Mc).

Stuart, Dr Ian, 'The Diffusion of the Quonsets to Australia (1942-1948)', published in the CHS Newsletter (2009). *An abridged version of a paper given at the 2009 Pacific Connection Conference.*

*The Herald.*

Victorian Heritage Database (VHD), Heritage Victoria citation for 'Former Maribyrnong Migrant Hostel, 61-71 Hampstead Road Maidstone, Maribyrnong City', < <https://vhd.heritagecouncil.vic.gov.au/places/35583>>, accessed June 2020.

Yarra City Council (YCC), Building Permit information provided by Council.

**Attachment 1 - Alexandra Parade Heritage Review**

**Quonset Warehouse, 20 Reeves Street, Clifton Hill  
Statement of Significance, August 2020 [DRAFT]**

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Heritage place: Quonset Warehouse, 20 Reeves Street, Clifton Hill, 3068

PS ref no.: HO TBC

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***What is significant?***

The Quonset Warehouse at 20 Reeves Street, Clifton Hill.

Elements that contribute to the significance of the place include (but are not limited to):

- The form, material type and detailing of the Quonset Warehouse including original or reconstructed fenestration.

The later additions dating from c.2009-2012 are not significant.

---

***How is it significant?***

The Victoria Parade East Precinct at 205-219 Victoria Street is of local historical and rarity significance to the City of Yarra.

## Attachment 1 - Alexandra Parade Heritage Review

### ***Why is it significant?***

---

The Quonset Warehouse at 20 Reeves Street, Clifton Hill is historically significant as an example of a wartime prefabricated building utilised for industrial, and later commercial, use. It has a clear association with the post-World War II shortage of building materials when newly constructed or military-surplus huts were utilised for a range of government and private purposes such as migrant accommodation, churches, light industry, storage, agricultural use and community gathering spaces (Criterion A).

The Quonset Warehouse at 20 Reeves Street, Clifton Hill is a rare example of a prefabricated military building in the City of Yarra. Once commonly utilised practice across Victoria in the post-war period to address building restrictions and to curtail shortages in building supplies, examples of these prefabricated structures are becoming increasingly rare and there are no other known examples within the City of Yarra. The place remains sufficiently intact to clearly demonstrate this rare building type in the municipality (Criterion B).

### **Primary source:**

---

Alexandra Parade: Heritage Analysis and Recommendations, GJM Heritage, August 2020

**Attachment 2 - Victoria Parade Heritage Review**



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ARBV: 16044

**BUILT FORM REVIEW:**

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**VICTORIA PARADE**

**HERITAGE ANALYSIS & RECOMMENDATIONS**



PREPARED FOR: City of Yarra  
DATE: November 2020  
FILE: 2020-008

## Attachment 2 - Victoria Parade Heritage Review

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*This report is limited in its scope to consideration of post-contact cultural heritage and does not provide advice on any Aboriginal cultural heritage significance. The subject site forms part of the 37.5% of Victoria where there is currently no formally recognized Traditional Owner groups. Nonetheless, we acknowledge the Traditional Owners of the land at this place and pay our respects to their Elders past, present and emerging. For more information, please visit <https://www.aboriginalvictoria.vic.gov.au>*

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Cover Image: *the south side of Victoria Parade looking east from the intersection with Napier Street*

### GLOSSARY OF ABBREVIATIONS

Appendix 8	Incorporated Document 'City of Yarra Review of Heritage Overlay Areas 2007: Appendix 8 (revised May 2018)'
C1Z	Commercial 1 Zone
C2Z	Commercial 2 Zone
DDO	Design and Development Overlay
DELWP	Department of Environment, Land, Water and Planning
GRZ	General Residential Zone
HO	Heritage Overlay
MAC	Major Activity Centre
MUZ	Mixed Use Zone
NAC	Neighbourhood Activity Centre
NRZ	Neighbourhood Residential Zone
PPN	Planning Practice Note
VHR	Victorian Heritage Register

All photos taken by GJM Heritage in March 2020 unless otherwise stated.



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### DOCUMENT VERSIONS

Project No.	Version	Issued To	Date Issued
2020-008	Draft v0.1	City of Yarra	16 July 2020
	Final Draft v0.2	City of Yarra	11 November 2020
	Final	City of Yarra	16 November 2020



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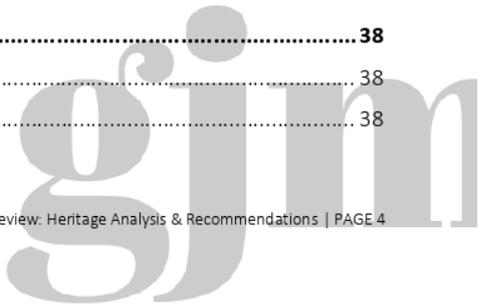
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### EXECUTIVE SUMMARY

Hansen Partnership, on behalf of the City of Yarra (Council), has prepared a Built Form Review of three precincts: Alexandra Parade, Victoria Parade and Fitzroy West. This forms part of a larger project that considers built form controls for commercial high streets and mixed use / commercial zoned precincts within Fitzroy, Collingwood and (part) Clifton Hill (Figure 1). The purpose of this Built Form Review work is to determine where and how new development can appropriately occur. The desired built form outcomes will be translated into Design and Development Overlay (DDO) controls for the study area.

This report specifically considers the Victoria Parade Precinct (also referred to as the 'study area' in this report) which includes land within the southern part of Collingwood and Fitzroy. The heritage advice contained within this report will help ensure that the Built Form Review and the subsequent DDO controls appropriately respond to the heritage fabric and values of the study area.

This advice then considers the built form parameters that are required to ensure the values of heritage places within the Victoria Parade Precinct are appropriately managed and protected, and that good heritage outcomes are being achieved for potential new development or redevelopment on land subject to, or abutting, the Heritage Overlay.

Part II of this report provides an analysis of gaps, inconsistencies and inaccuracies in the current heritage controls within the study area and provides recommendations for addressing these issues. This has resulted in the assessment of one potential heritage place, a row of late nineteenth century shop/residences at 205-219 Victoria Parade, Collingwood.

This Heritage Analysis and Recommendation Report is presented in three parts:

#### **Part I: The Project and Planning Framework**

Part I introduces the project, the methodology applied to the project and the planning framework in which the project is occurring.

#### **Part II: Heritage Analysis**

Part II contains a heritage analysis of the study area. It details the heritage qualities and values of each precinct, identifies any gaps or issues in the existing heritage framework and provides recommendations for appropriately managing heritage places within the study area.

#### **Part III: Built Form Recommendations**

Part III contains specific built form recommendations to ensure heritage places and values are appropriately managed within a changing urban context. The specific recommendations are informed by modelling prepared by Hansen Partnership.



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**Figure 1: Brunswick and Smith Street Study Area**  
 Source: 'Figure 2: Brunswick & Smith Street Built Form Review - Precincts' from the Victoria Parade Built Form Framework (Hansen Partnership, December 2020).

The Victoria Parade Precinct is denoted by the 'V' and is dark green in colour.



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**PART I: THE PROJECT AND PLANNING FRAMEWORK**



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## Attachment 2 - Victoria Parade Heritage Review

### 1.0 INTRODUCTION

#### 1.1 YARRA'S HIGH STREETS

The City of Yarra is endowed with one of the largest and most highly intact collections of turn of the century 'High Streets' in the State of Victoria. These High Streets include the Major Activity Centres of Swan Street and Bridge Road in Richmond, Brunswick Street in Fitzroy, Smith Street straddling the suburbs of Fitzroy and Collingwood and Victoria Street, in Abbotsford and Richmond. They also include a number of Neighbourhood Activity Centres, including Gertrude Street in Fitzroy, Johnston Street in Fitzroy & Collingwood, Rathdowne Street and Nicholson Street in Carlton North, St Georges Road in Fitzroy North, and Queens Parade in Fitzroy North & Clifton Hill.

These High Streets contrast with the wide boulevards of Alexandra and Victoria Parade, both of which are now multi-lane major arterial routes. These boulevards both retain their wide median strips. Unlike the more typical commercial High Street, these boulevards do not exhibit a consistency of use or built form. Nonetheless, while the built form, character and heritage values of these boulevards differ greatly over their length, the pockets of heritage buildings warrant special consideration as do the interfaces to the generally low-scale residential heritage areas they directly abut. Like the historic High Streets, it is necessary to manage the tension between the desire to retain the heritage values of these areas and meet the growth objectives of the Yarra Planning Scheme.

#### 1.2 BRIEF DESCRIPTION OF THE VICTORIA PARADE STUDY AREA

Victoria Parade is a major arterial road running east-west connecting to Victoria Street at Nicholson Street to the west and Hoddle Street to the east. Victoria Parade forms the boundary between the City of Melbourne to the south and the City of Yarra to the north. It has a 60m wide carriageway with three lanes of traffic (plus a bus lane) running in each direction. A light-rail tram line runs within the centre of the 35m wide grassed median strip that separates the northern and southern carriageways. The median is planted with a mature avenue of Dutch Elms. Street trees are planted less regularly along the northern and southern footpaths. The north and south oriented roads do not generally align across Victoria Parade.

The study area extends along the north side of Victoria Parade from Napier Street in the west to Hoddle Street in the east, generally to the depth of one property (noting that individual properties range in depth from as little as 20m to over 100m).

The built form of the Victoria Parade Precinct is highly varied ranging from large, low-rise late twentieth century offices and showrooms towards the eastern end to highly intact turn of the century shop/residences and terraced housing at the western end, including the State heritage listed Blanche Terrace at 169-179 Victoria Parade, Fitzroy (VHR H0177-H0182) and McClelland House at 203 Victoria Parade, Fitzroy (VHR H0590). Beyond the heritage-listed shop/residences and terraced housing at the western end of the precinct, and the small run of un-listed nineteenth century shop/residences between Islington and Hoddle Streets, there is little visual



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cohesion within the precinct. Approximately half the length of the precinct as it addresses Victoria Parade is (intermittently) subject to the Heritage Overlay.



*Figure 2: Victoria Parade precinct – outlined in red.  
Source: Nearmap, 4 June 2020*

**1.3 BRIEF HISTORY OF VICTORIA PARADE**

*This historical summary is based on the City of Yarra Heritage Review Thematic History (Allom Lovell & Associates, 1998) with additional sources as cited.*

Victoria Parade was evident on James Kearney’s 1855 map of Melbourne and its suburbs, extending between Nicholson Street and Hoddle Street, and marking the boundary between the early suburbs of East Melbourne to the south and Fitzroy (originally called Newtown) and Collingwood to the north.

The western end of Victoria Parade rises to what was originally called Eastern Hill. This elevated area was where many of Melbourne’s wealthier and more influential early residents settled and built fine, often architect-designed houses (Lewis 1989:21). Many residences, medium to large in scale, were built fronting Victoria Parade (particularly the western end) from the 1860s and throughout the Victorian period, often in the terrace form which dominated Fitzroy from the 1850s (Lewis 1989:21). Evidence of this remains within the study area at Blanche Terrace (1867; 169-179 Victoria Parade, Fitzroy), Russell House (1862; 181 Victoria Parade, Fitzroy), Alexandra Terrace (1864-65; 145-149 Victoria Parade, Fitzroy), the pair of terrace houses at 163-165 Victoria Parade, Fitzroy (1868), and Irwell Terrace (1868; 19-23 Victoria Parade, Collingwood). These residences within the western portion of the study area were located amongst a small number of doctors, businesses and trades in the 1860s (S&Mc).



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*Figure 3: Looking east down Victoria Parade, showing Fitzroy and Collingwood to the left. Photo dated c1905-c1910 (COYL, Image CL PIC 558).*



*Figure 4: Looking east down Victoria Parade, near the corner of Cambridge Street, Collingwood. Photo dated c1906-c1918 (COYL, Image CL PIC 594)*

Down the hill, the eastern portion of Victoria Parade was largely developed by 1858, occupied by buildings of various form and scale, as evident on Clement Hodgkinson’s 1858 map of East Collingwood. The 1860 Sands & McDougall Directory indicates that this part of the study area, east of Wellington Street, comprised a high number of commercial buildings and a majority of occupants practicing trades – carpenters, butchers, plumbers, bricklayers, carters and bootmakers.

The proceeding decades saw the erection of the former Ebenezer Baptist Church (1870; 159 Victoria Parade, Collingwood) and further residences such as Floraston (1876; 39 Victoria Parade, Collingwood), McLelland House Terrace (1882; 203 Victoria Parade, Fitzroy) and Portia (1889; 15-17 Victoria Parade, Collingwood) within the study area. Commercial endeavours of the 1880s included the Prince Patrick Hotel and shops (1887; 135-141 Victoria Parade, Collingwood) and the



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former John Franklin Hotel (1880s; 75a-77 Victoria Parade, Collingwood). Some light industrial development occurred immediately north of Victoria Parade including the former Smalley & Harkness Boot Factory (1898; 16 Islington Street, Collingwood). A tramline was established along Victoria Parade in the 1880s (and a new electrified line with overhead tram poles was constructed down the centre of the road reserve in the 1920s) (Vines 2011:24).

While the precinct was predominantly developed during the Victorian period, some construction occurred in the first half of the twentieth century. An example is the former Melbourne After Care Home (1926, 1936; 45-47 Victoria Parade, Collingwood), built during the Interwar period. Since the 1970s, the eastern portion of the precinct towards Hoddle Street has seen an increase in development, with a mix of residential, and often large-scale, commercial and office buildings erected.

### Sources

Allom Lovell & Associates (1998), *City of Yarra Heritage Review, Thematic History*.

City of Yarra Libraries (COYL), online picture collection.

Hodgkinson, Clement, Noone, John, and Wilkinson, John, (1858), *Plan shewing the streets and buildings in existence in East Collingwood on January 1st 1858 : with schedule of heights of bench-marks above low water datum at Queen's wharf* [cartographic material]. Printed by De Gruchy & Leigh [Melbourne].

Kearney, James (draughtsman), Brown, James D. and Tulloch, David (engravers) (1855), *Melbourne and its suburbs* [cartographic material].

Lewis, Miles (1989) 'The First Suburb', in Fitzroy History Society & Cutten History Committee, *Fitzroy : Melbourne's first suburb*, South Yarra [Vic].

Sands & McDougall Directory (S&Mc).

Vines, Gary (2011), *Melbourne Metropolitan Tramways Study, Heritage Places*

### 1.4 SCOPE OF THE HERITAGE ANALYSIS & RECOMMENDATIONS REPORT

GJM Heritage has been commissioned to provide a detailed analysis of the heritage considerations for the Brunswick and Smith Street Built Form Review project area and to detail recommendations for the future management of these areas in the context of potential new development. This report considers the Victoria Parade Precinct and has been prepared simultaneously with those considering the Alexandra Parade and Fitzroy West Mixed Use precincts.

The following precincts have previously been considered in the *Brunswick and Smith Street Built Form Review*, GJM Heritage, 25 November 2019:

- Brunswick Street Activity Centre Spine
- Town Hall Mixed Use Precinct
- Smith Street Activity Centre Spine
- Johnston Street Activity Centre Spine
- Fitzroy East Mixed Use Precinct.

The proposed Gertrude Street Precinct and the MUZ area south of Gertrude Street between Young and Little Napier Streets was reviewed through the *Gertrude Street Built Form Framework: Heritage Analysis & Recommendations*, GJM Heritage, 9 December 2019.



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The Collingwood Mixed Use Precinct was considered as part of a separate study: *Collingwood Mixed Use Pocket Heritage Analysis & Recommendations*, GJM Heritage, 6 June 2018.

The purpose of our advice as part of this project is to ensure that any DDO controls arising from the Built Form Review take proper account of the heritage values of the precincts and individual buildings within the study area, in order to ensure appropriate weight is given to heritage when considering new development within the Victoria Parade Precinct.

The analysis within this report builds on the previous built form reviews and heritage analysis work conducted within the City of Yarra, and considers the parameters necessary to appropriately manage increased commercial and residential development within the Victoria Parade Precinct.

### 1.5 METHODOLOGY

The key background documents on which the heritage analysis is based are:

- Yarra Planning Scheme Heritage Overlay Maps 5 HO and 6HO
- Relevant Statements of Significance for heritage places and precincts within the study area and associated heritage studies
- Incorporated Document 'City of Yarra Review of Heritage Overlay Areas 2007: Appendix 8 (revised May 2018)' (Appendix 8)
- City of Yarra Heritage Grading Maps

The above documents have been reviewed in the context of the following clauses of the Yarra Planning Scheme and the relevant Planning Practice Notes (PPNs) published by the Department of Environment, Land, Water and Planning (DELWP):

- The relevant provisions of the Yarra Planning Scheme, in particular, are:
  - Clause 15.03-1S 'Heritage conservation'
  - Clause 21.05-1 'Heritage'
  - Clause 22.02 'Development Guidelines for Sites Subject to the Heritage Overlay'
  - Clause 22.10 'Built Form and Design Policy'
  - Clause 43.01 'Heritage Overlay'
  - Clause 43.01 'Schedule to the Heritage Overlay'
  - Clause 71.02-3 'Integrated Decision Making'
- PPN 1: *Applying the Heritage Overlay* (August 2018) (PPN1)
- PPN 59: *The role of mandatory provisions in the planning schemes* (September 2018) (PPN59)
- PPN 60: *Height and setback controls for activity centres* (September 2018) (PPN60).

We note that the Minister for Planning has authorised the preparation and exhibition of Amendment C269yara to introduce a new Municipal Planning Strategy, local policies and supporting documents into the Yarra Planning Scheme. This amendment has gone on exhibition but is at an early stage of the amendment



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process, therefore the advice provided in this report has been informed by the relevant existing Local Planning Policy, in particular clauses 22.02, 22.03 and 22.10.

The following Planning Panels Victoria (Panel) reports are relevant to the implementation of the Built Form Review, particularly as many consider the appropriateness of DDOs (containing both mandatory and discretionary provisions) within activity centres (or in the case of Melbourne Amendment C240, the Capital City Zone) that are also subject, in part, to the Heritage Overlay:

- Boroondara C108 'Neighbourhood Centres and Commercial Corridors' (26 February 2014)
- Moreland Planning Scheme Amendment C134 'Brunswick Activity Centre' (15 May 2015)
- Melbourne Planning Scheme Amendment C240 'Bourke Hill' (4 May 2015)
- Bayside Planning Scheme Amendments C113, C114 and C115 'Mandatory provisions for the Sandringham Village, Bay Street and Church Street Activity Centres' (14 January 2015)
- Whitehorse Planning Scheme Amendment C175 'Box Hill Metropolitan Activity Centre' (6 October 2017).
- Stonnington Planning Scheme Amendment C223 'Glenferrie Road and High Street Activity Centre' (15 December 2017)
- Darebin Planning Scheme Amendment C161 'Fairfield Village' (3 December 2018)
- Yarra Planning Scheme Amendment C220 'Johnston Street Built Form Controls' (22 February 2019)
- Melbourne Planning Scheme Amendment C308 'Central Melbourne Urban Design' (16 May 2019)
- Melbourne Planning Scheme Amendment C258 'Heritage Policies Review' (21 May 2019)
- Yarra Planning Scheme Amendment C231 'Queens Parade Built Form Review' (31 October 2019)
- Yarra Planning Scheme Amendment C191 'Swan Street Built Activity Centre' (15 October 2020).

The following reports have also informed this study:

- 'Review & Development of the City of Yarra Landmarks Policy – Landmarks & Views Assessment' prepared by Ethos Urban for the City of Yarra, October 2019.
- 'Fitzroy & Collingwood Built Form Review Stage 2: Victoria Parade Built Form Framework', Hansen Partnership, April 2020.
- Previous heritage built form reports and analysis prepared by GJM Heritage for Brunswick and Smith Street and Queens Parade study areas.

We have approached the preparation of our heritage analysis as follows:

1. Completion of a desktop review of the above listed documents, heritage mapping and grading information, and the Statements of Significance for



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heritage places within the study area, including those places included in the Victorian Heritage Register (VHR). The extent of the Heritage Overlays were cross-checked against Google Streetview and VicPlan. This preliminary review familiarised the project team with the heritage fabric of the study area prior to fieldwork being undertaken.

2. Completion of fieldwork by Jim Gardner. All buildings and structures within the study area were inspected from the public realm with particular attention paid to the presentation of heritage buildings to the public realm (principally the street frontage). The rear and side interfaces to the neighbouring residential areas subject to the Heritage Overlay were also considered, where relevant. The purpose of the fieldwork was to:
  - Review the suitability of the extent of the existing Heritage Overlays and to identify if gaps existed.
  - Review the suitability of the existing Statements of Significance for heritage places against the extant heritage fabric and to identify where the statements required updating for the purposes of properly considering built form recommendations.
  - Review the extant heritage fabric against the heritage gradings contained within Appendix 8 and the Yarra Heritage Grading Map to identify any inconsistencies and inaccuracies.
  - Review the heritage buildings and streetscapes within the study area to identify the architectural and streetscape heritage features (e.g. parapets, roof forms, view lines, corner sites) that are relevant to a consideration of built form recommendations.
3. Participation in a workshop with Council and Hansen Partnership. The workshop:
  - Reviewed the proposed 'built form precincts' within the study area, characterised by existing built form characteristics.
  - Identified the desired future character of the built form precincts against heritage analysis and state and local planning policy drivers.
  - Identified local landmarks within each streetscape or precinct.
  - Tested built form parameters for new development against the existing heritage fabric utilising cross-sectional drawings with sight-lines taken at natural eye level (1.6m) on the public footpath, and 3D modelling prepared by Hansen Partnership. Views were only considered from public streets; laneway and private realm views were not assessed.
4. Finalisation of heritage recommendations for new built form parameters having considered the above.



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### 2.0 ANALYSIS OF THE PLANNING CONTEXT

#### 2.1 ACTIVITY CENTRE PLANNING AND HERITAGE

The *Planning & Environment Act 1987* and the Victoria Planning Provisions (VPPs) requires planning and responsible authorities to take a balanced approach to strategic and statutory planning functions that consider potentially competing objectives in an integrated manner to deliver a net community benefit for current and future generations.

The objectives of planning in Victoria as set out in Section 4(1) of the Planning and Environment Act are:

- *To provide for the fair, orderly, economic and sustainable use and development of land.*
- *To provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity.*
- *To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.*
- *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 protect public utilities and other assets and enable the orderly provision and coordination of public utilities and other facilities for the benefit of the community.*
- *To facilitate development in accordance with the objectives set out in the points above.*
- *To facilitate the provision of affordable housing in Victoria.*
- *To balance the present and future interests of all Victorians.*

Clause 71.02-3 of the VPP addresses 'integrated decision making', and states:

*Society has various needs and expectations such as land for settlement, protection of the environment, economic well-being, various social needs, proper management of resources and infrastructure. Planning aims to meet these by addressing aspects of economic, environmental and social wellbeing affected by land use and development.*

*Planning and responsible authorities should endeavour to integrate the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations. However, in bushfire affected areas, planning and responsible authorities must prioritise the protection of human life over all other policy considerations.*

*Planning authorities should identify the potential for regional impacts in their decision making and coordinate strategic planning with their neighbours and other public bodies to achieve sustainable development and effective and efficient use of resources.*



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Activity Centres that are also subject to Heritage Overlay controls, such as parts of the Victoria Parade Precinct, are an example of where the tension between competing planning objectives must be resolved in a balanced way. The Victoria Parade Precinct has excellent public transport connections, and is in close proximity to vibrant retail, commercial and hospitality centres. The precinct also includes a number of sites of various sizes that can accommodate new, larger scale, development without adversely affecting the heritage values of surrounding heritage places. In order to balance the demand for more intensive development with the management of heritage values embodied in buildings and precincts, it is considered necessary that any DDO – and the background work that underpins it – specifically includes heritage considerations.

Amendment C269 proposes to introduce Clause 11.03-1L to the Yarra Planning Scheme which provides local policy in relation to Major, Neighbourhood and Local Activity Centres and designates the majority of the northern side of Victoria Parade between Nicholson and Wellington streets as a Major Activity Centre (MAC) (Figure 5).



*Figure 5. Major and Neighbourhood Activity Centres in Fitzroy (Council endorsed version of Clause 11.03-1L)*



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### 2.2 YARRA PLANNING SCHEME – HERITAGE PROVISIONS

Council has well-established heritage provisions within its planning scheme at Clauses 21.05-1 and 22.02. Also of relevance to the protection of the heritage values of the study area is Clause 22.03, which includes policy to protect the visual prominence of landmarks visible from within the study area and Clause 22-10 which includes policy for new development abutting land within the Heritage Overlay.

#### 2.2.1 Heritage Policy

The relevant objective within Clause 21.05-1 'Heritage' of the Municipal Strategic Statement (MSS) is *Objective 14: To protect and enhance Yarra's heritage places*. The strategies to implement this objective are:

- *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 14.4 - Protect the subdivision pattern within heritage places.*
- *Strategy 14.5 - Protect the significant landscape and heritage within streets, parks, gardens, waterways or other open spaces*
- *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.*
- *Strategy 14.7 Protect sites of significance to Aboriginal people.*
- *Strategy 14.8 Apply the Development Guidelines for sites subject to a Heritage Overlay policy at clause 22.02.*
- *Strategy 14.9 Apply the Landmarks and Tall Structures policy at clause 22.03.*

Objective 14 and its associated strategies are considered to be generally compatible with appropriately sited and scaled higher density development within the Victoria Parade Precinct where it is subject to the Heritage Overlay. Strategy 14.3 to 'Protect the heritage skyline of heritage precincts' would not be achieved unless new upper-level development was to be of such low scale that it was fully concealed when viewed from the opposite side of the street as defined by the sightline tests described in Figures 2 and 3 of Clause 22.02. Avoiding any new visible built form above existing buildings within the Heritage Overlay - although achieving the 'best' heritage outcome - would not enable a level of development that may reasonably be expected to be achieved within this MAC, nor meet other strategic directions of the Yarra Planning Scheme. A balance therefore needs to be struck between achieving the outcome sought by Strategy 14.3 and meeting the development objectives of the City of Yarra. An acceptable heritage outcome would be one where, although new built fabric is visible above the parapets, roofline or chimneys of these buildings, the development is of a scale, setback and massing such that it retains the primacy of the heritage streetscape and avoids visually dominating the existing buildings.



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Clause 22.02 'Development Guidelines for Sites Subject to the Heritage Overlay' provides detailed guidance for development of places within the Heritage Overlay, including demolition. The relevant objectives of Clause 22.02 are:

- *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.*
- *To protect archaeological sites of cultural heritage significance.*

Again, these objectives do not preclude higher density development within the Victoria Parade Precinct with the possible exception of '*To preserve the scale ... of streetscapes in heritage places*'.

The demolition policy provided at Clause 22.02-5.1 encourages the retention of 'individually significant' and 'contributory' buildings within a heritage precinct. Removal of part of a heritage place or a contributory element is contemplated if (in general terms) it can be demonstrated that the removal of the part will not adversely affect the significance of the building, or – for a contributory building – the part is not visible from the street, abutting a park or public open space.

With the exception of those heritage places included on the VHR – and therefore regulated under the *Heritage Act 2017* – the significance of the heritage buildings and precincts within the study area lies primarily in fabric visible from the public realm. Therefore, in most circumstances, the heritage controls within the Yarra Planning Scheme effectively limits the control of heritage fabric within the study area to that which is visible from the street, including primary building facades, rear laneway views (where they exist) and visible roof and chimney elements.

In relation to 'New Development, Alterations and Additions', Clause 22.02-5.7.1 sets out the following policy:

### **General**

*Encourage the design of new development and alterations and additions to a heritage place or a contributory element to a heritage place to:*

- *Respect the pattern, rhythm, orientation to the street, spatial characteristics, fenestration, roof form, materials and heritage character of the surrounding historic streetscape.*



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- *Be articulated and massed to correspond with the prevailing building form of the heritage place or contributory elements to the heritage place.*
- *Be visually recessive and not dominate the heritage place.*
- *Be distinguishable from the original historic fabric.*
- *Not remove, cover, damage or change original historic fabric.*
- *Not obscure views of principle façades.*
- *Consider the architectural integrity and context of the heritage place or contributory element.*

*Encourage setbacks from the principal street frontage to be similar to those of adjoining contributory buildings; where there are differing adjoining setbacks, the greater setback will apply.*

*Encourage similar façade heights to the adjoining contributory elements in the street. Where there are differing façade heights, the design should adopt the lesser height.*

*Minimise the visibility of new additions by:*

- *Locating ground level additions and any higher elements towards the rear of the site.*
- *Encouraging ground level additions to contributory buildings to be sited within the ‘envelope’ created by projected sight lines (see Figure 1).*
- *Encouraging upper level additions to heritage places to be sited within the ‘envelope’ created by projected sight lines (for Contributory buildings refer to Figure 2 and for Individually significant buildings refer to Figure 3).*
- *Encouraging additions to individually significant places to, as far as possible, be concealed by existing heritage fabric when viewed from the front street and to read as secondary elements when viewed from any other adjoining street.*

*Discourage elements which detract from the heritage fabric or are not contemporary with the era of the building such as unroofed or open upper level decks or balconies, reflective glass, glass balustrades and pedestrian entrance canopies.*

The policy for full or partial concealment of rear additions to residential buildings as described in Figures 2 and 3 of the General Policy at Clause 22.02 is modified by the Specific Requirements at Clause 22.02-5.7.2 that applies to corner sites and sites with dual frontages, and industrial, commercial and retail heritage places:

### **Corner Sites and Sites with Dual Frontages**

*Encourage new building and additions on a site with frontages to two streets, being either a corner site or a site with dual street frontages, to respect the built form and character of the heritage place and adjoining or adjacent contributory elements to the heritage place.*



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*Encourage new buildings on corner sites to reflect the setbacks of buildings that occupy other corners of the intersection.*

...

### ***Industrial, Commercial and Retail Heritage Place or Contributory Elements***

*Encourage new upper level additions and works to:*

- *Respect the scale and form of the existing heritage place or contributory elements to the heritage place by being set back from the lower built form elements. Each higher element should be set further back from lower heritage built forms.*
- *Incorporate treatments which make them less apparent.*

The specific provisions prevail over the general policy where there is a conflict or inconsistency. This establishes an expectation that new development behind industrial, commercial and retail buildings within the Heritage Overlay is not going to be fully or substantially concealed from public realm views. In addition, it should be noted that Victoria Parade, being a boulevard with multi-lane carriageways and a broad median strip, is 60m wide (building line to building line) where the residential examples shown in Figures 2 and 3 of Clause 22.02-5.7.1 show a sightline test from across an approx. 10m wide residential street. In effect, the wider the street, the more visible a new rear development will be.

Although a greater level of concealment would generally provide a better heritage outcome, this specific sightline-based guidance in the heritage policy is designed to preserve and enhance the character and appearance of predominantly one and two-storey dwellings within more typical narrow residential streets and is not readily applied to the wider form of Victoria Parade.

It is also considered that the policy at 22.02-5.7.1 to 'Discourage elements which ... are not contemporary with the era of the building such as ... reflective glass, glass balustrades and pedestrian entrance canopies' may not achieve an appropriate urban design and architectural outcome within a commercial and industrial setting such as that present at the Alexandra Parade Precinct. In such areas, a 'contrasting' or 'interpretative' design approach for new taller development above the heritage building is likely to be more recessive than a 'respectful' or 'historicist' one that would lead to the new additions inappropriately mimicking the historic form and potentially being more visually intrusive.

### **2.2.2 Landmarks and Tall Structures**

Clause 22.03 – 'Landmarks and Tall Structures' identifies a number of landmark buildings and advertising signs to which views should be protected. None of the landmarks and tall structures are located within the study area, nor does the study area provide any 'primary' or 'secondary' views of these structures as defined by the *Landmarks & Views Assessment* (Ethos Urban, October 2019).



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### 2.2.3 Heritage Overlay

The head heritage provision of the VPP, Clause 43.01 'Heritage Overlay', has the following purpose:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To conserve and enhance heritage places of natural or cultural significance.*
- *To conserve and enhance those elements which contribute to the significance of heritage places.*
- *To ensure that development does not adversely affect the significance of heritage places.*
- *To conserve specifically identified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.*

Clause 43.01-8 sets out 'Decision Guidelines' – in addition to those included in Clause 65 – that the Responsible Authority must consider before determining a permit application. These are:

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.*
- *Any applicable statement of significance (whether or not specified in the schedule to this overlay), heritage study and any applicable conservation policy.*
- *Any applicable heritage design guideline specified in the schedule to this overlay*
- *Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage place.*
- *Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.*
- *Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place.*
- *Whether the proposed works will adversely affect the significance, character or appearance of the heritage place.*
- *Whether the proposed subdivision will adversely affect the significance of the heritage place.*
- *Whether the proposed subdivision may result in development which will adversely affect the significance, character or appearance of the heritage place.*
- *Whether the proposed sign will adversely affect the significance, character or appearance of the heritage place.*
- *Whether the lopping or development will adversely affect the health, appearance or significance of the tree.*



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- *Whether the location, style, size, colour and materials of the proposed solar energy facility will adversely affect the significance, character or appearance of the heritage place.*

While some of these considerations are not obviously consistent with the addition of higher density development behind heritage buildings, the first purpose of 43.01 and the first decision guideline encompasses the whole Municipal Planning Strategy and the Planning Policy Framework (integrated decision-making). Therefore, a balance must be struck by the Responsible Authority between achieving the objectives of the Heritage Overlay and meeting the objectives of other parts of the VPPs including Activity Centre policy and commercial zoning. There is established precedent for new rear development to be accommodated behind heritage buildings in commercial precincts throughout inner Melbourne without substantially compromising the identified heritage values of these heritage places.



## Attachment 2 - Victoria Parade Heritage Review

### 3.0 HERITAGE IN DESIGN AND DEVELOPMENT OVERLAYS – PANEL FINDINGS

Planning Panels Victoria has considered a number of Planning Scheme Amendments that are of particular relevance to this project: Bayside Amendments C113, C114 and C115, Boroondara C108, Darebin Amendment C161, Moreland Amendment C134, Melbourne Amendments C240, Stonnington Amendment C223, Whitehorse Amendment C175 and Yarra Amendments C220, C231 and C191.

Panels for these Amendments considered the appropriateness of mandatory controls in the context of PPN59 and, in their recommendations, provided guidance on which circumstances mandatory controls should be applied. In response to submissions, they also considered the issue of whether or not the DDO control should include objectives to protect heritage or whether this should be the sole domain of the Heritage Overlay provisions. In addition to these panel reports, Amendment C123 to the Banyule Planning Scheme, approved via ministerial intervention, provides further instruction as to the role of mandatory controls.

These reports also provide useful guidance on the form and wording of DDO controls.

In summary, Panel has concluded that:

- The Heritage Overlay identifies what is significant within an Activity Centre.
- Heritage is an appropriate issue for DDOs to provide guidance on to inform future development.
- Mandatory controls should be used only in exceptional circumstances and their application should be guided by PPN59 and PPN60.
- Formulae defining the proportion of new built form that can be viewed above the street wall is an appropriate mechanism for informing the design and massing of new built form.

In this project, the approach taken in the formulation of the built form controls to manage development affecting heritage places is to complement existing policy. Clause 22.02 - 'Development Guidelines for Sites Subject to the Heritage Overlay' and relevant parts of Clause 22.10 – 'Built Form and Design Policy' have been taken as the starting point for the development of these complementary controls and policy.

Where existing policy is considered to be satisfactory, no additional policy has been recommended. However, specific policy has been recommended where it is considered necessary to provide guidance to recognise the current role of the Victoria Parade Precinct as a major boulevard and to enable its future development while protecting their heritage values.

A discussion of the most relevant of the Panel reports is provided below, and at Section 3.9 the recommendations for each panel are summarised with comment on the implications of the outcome.



## Attachment 2 - Victoria Parade Heritage Review

### 3.1 YARRA PLANNING SCHEME AMENDMENT C231

GJM Heritage prepared the Queens Parade Built Form Heritage Analysis and Recommendations (11 December 2017) which informed C231yara. C231yara seeks to apply built form controls in the form of DDOs to Queens Parade, Fitzroy North and Clifton Hill and amend Heritage Overlay controls that apply within the study area. Precinct 4 within DDO20 covers the commercial shopping strip that forms part of the Queens Parade Neighbourhood Activity Centre. Like Queens Parade, Victoria Parade as a 60m wide boulevard albeit without the same degree of consistency of built form found within that commercial High Street.

Of relevance to the Alexandra Parade Precinct, the Panel for Amendment C231 found that the strategic work undertaken in support of the Amendment was strong and that it assisted in justifying the majority of the built form parameters recommended in the DDOs, particularly with respect to mandatory controls. At p29 of the Panel Report, the Panel notes that:

*Exceptional circumstances exist for the application of mandatory controls for development as the QPAC (Queens Parade Activity Centre) includes a number of significant and contributory heritage places and heritage fabric set within a consistent streetscape form.*

The Panel recognised that the wider, boulevard context would lead to a high visibility of upper-level development, which in turn warranted the application of height limits, and linked the use of mandatory (instead of preferred) controls to the consistency of the heritage streetscape.

The Panel supported the mandatory upper-level setback of 8m within the Council preferred DDO and the combination of mandatory and preferred height controls where this provided certainty where distinctive heritage fabric warranted greater protection. It also recognised that an Activity Centre with diverse built form can have areas of little change where growth can be accommodated elsewhere within the Centre. Further, the Panel agreed that it was appropriate for the proposed mandatory built form controls within DDO16 to protect the key views of local landmarks and those identified in Clause 22.03.

### 3.2 YARRA PLANNING SCHEME AMENDMENT C220

Johnston Street in Collingwood and the western part of Abbotsford (west of the railway viaduct) is a highly intact, predominantly Victorian/early Edwardian-era streetscape covered by the Heritage Overlay. Those parts of Victoria Parade included within the Heritage Overlay have similarly high proportion of 'Contributory' and 'Individually Significant' buildings with a high level of integrity, and similar existing street wall heights (generally between 8m and 11m) as Johnston Street.

C220yara introduced built form controls along Johnston Street in the form of DDO15. The Panel report recommended the inclusion of the following DDO objective which is also relevant to those parts of Victoria Parade subject to the Heritage Overlay:



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*To preserve the valued heritage character of the streetscape and ensure that the predominantly two storey (heritage scale) street-wall remains the visually prominent built form of Johnston Street west of the railway line bridge...*

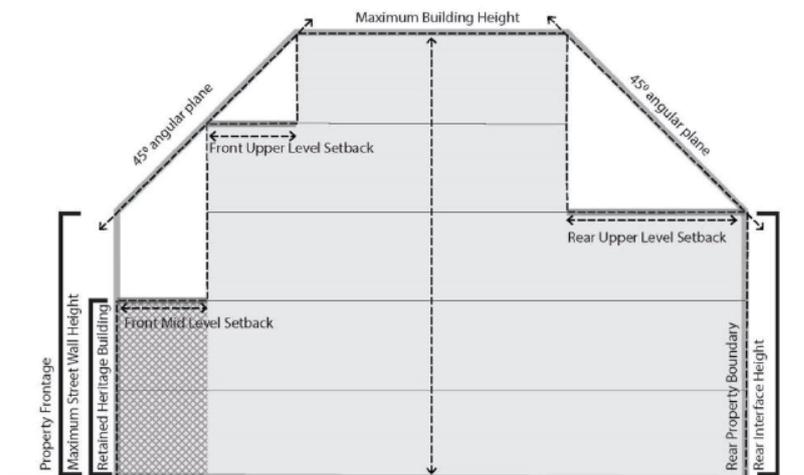
The Panel report provides commentary which is of relevance to a consideration of the proposed built form controls for Victoria Parade. In particular, the Panel stated:

*In urban design terms, the 6 metre setback will retain the 'human scale' of Johnston Street, secure the distinction between the street wall and upper levels and will reduce the potential for overshadowing and adverse wind conditions.*

...

*The Panel does not agree that less significant sections [of Johnston Street] warrant a different treatment. Less significant areas equally deserve to exhibit the overall urban design outcome: a strong street wall with a distinct setback to the mid level form.*

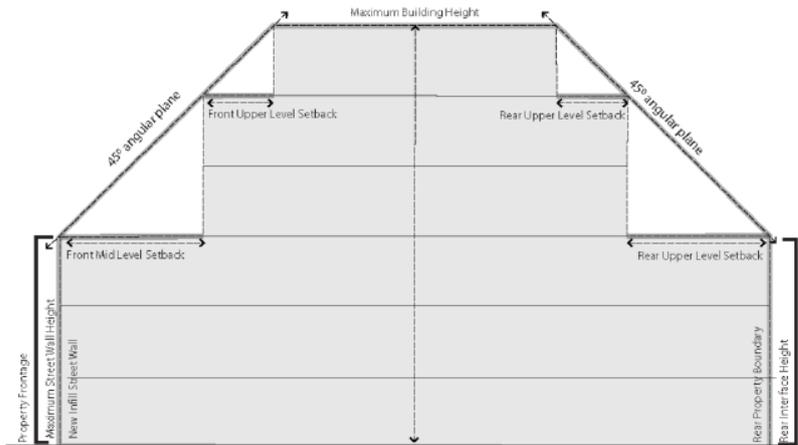
To achieve these objectives Panel recommended that a building envelope requirement be established that, rather than being based on a sightline test from the opposite side of the street new, required new development to be within a 45° 'angular plane' drawn from the maximum street wall height. In combination with upper-level front setbacks and maximum building heights the angular plane creates a further upper-level setback consistent with the application of the policy objective at Clause 22.02-5.7.1 that each higher element to industrial, commercial and retail buildings should be set further back from the lower heritage built form.



**Figure 6:** Building envelope requirement – Heritage Building (Figure 1 in Schedule 15 to Clause 43.02 Design and Development Overlay).



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*Figure 7: Building envelope requirement – Infill Building (Figure 2 in Schedule 15 to Clause 43.02 Design and Development Overlay).*

**3.3 YARRA AMENDMENT C191**

Swan Street, Richmond is a Major Activity Centre with a highly intact turn of the century ‘High Street’ occupying a large proportion of its length, as well as smaller precincts and individual heritage places dispersed along its full extent.

Amendment C191yara proposes to introduce four DDOs (DDO25, DDO26, DDO27 and DDO28) to the Activity Centre, with the different controls reflecting the different existing physical conditions and the potential development opportunities evident throughout the Activity Centre.

In its report of 15 October 2020, the Panel supported the use of mandatory controls for street wall and 6m upper-level setbacks for individually significant heritage places and intact heritage streetscapes, as well as mandatory controls for overall building heights in intact heritage streetscapes. Mandatory controls were also supported to protect views to local landmarks.

For parts of the Activity Centre that present a less consistent and more diverse built form expression, discretionary controls were considered to be appropriate.

In contrast to the Panel considering C220yara, the C191yara Panel considered that it was unnecessary to provide additional parameters to guide the form of upper level development, instead finding that the combination of specified heights, setbacks and design requirements for new upper-level development to be “visually recessive”, were sufficient.

**3.4 MORELAND AMENDMENT C134**

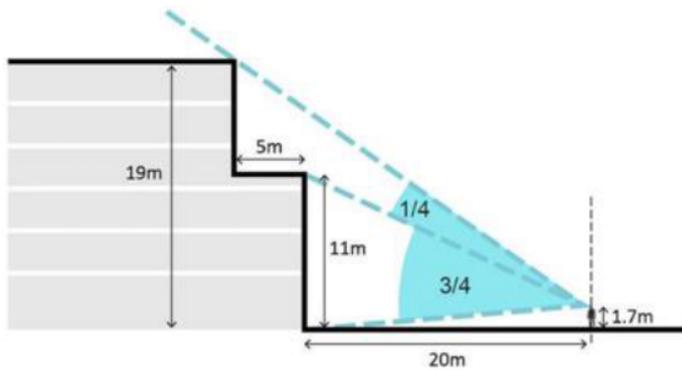
Sydney Road, Brunswick is a Major Activity Centre with a highly intact, predominantly Victorian streetscapes that is subject to the Heritage Overlay. Gazetted on 11 August 2016, C134more introduced DDO18, DDO19 and DDO20. DDO18 set mandatory street wall heights on Sydney Road north of Brunswick Road of between 8m and 11m.



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DDO18 provides a preferred minimum 5m setback for development above the street wall and to establish a preferred ratio of ¼ : ¾ street wall to new built form through the following design objective:

- *Be designed to ensure that it occupies no more than one quarter of the vertical angle defined by the whole building in the view from an eye-level of 1.7 metres on the opposite side of the street, as illustrated in Figure 1 below.*



*Figure 8: Upper-level setbacks along Sydney Road (Figure 1 in Moreland DDO18).*

DDO18 also provides a useful model for dealing with upper-level development where an existing heritage building in the heritage streetscape has a street wall height of less than the 11m street wall height provided in that control:

- *Where an existing building with a street wall height of less than 11 metres is to be retained for heritage reasons new development may occupy more than one quarter of the vertical angle defined by the whole building outlined in Figure 1 [Figure 8 of this report] above.*

**3.5 BOROONDARA AMENDMENT C108**

The Panel considering C108boro discussed the use of mandatory street wall height, upper-level setbacks and overall heights across 31 Neighbourhood Activity Centres and three commercial corridors (Camberwell Road/Burwood Road and Canterbury Road).

In its report dated 26 February 2014, the Panel noted its strong support for the protection of heritage assets in Boroondara and recommended reinstatement of policy in the exhibited Amendment that encouraged new development on or adjoining a heritage place to be moderated. In particular, the Panel recommended that policy guidance be included that:

*The combination of the height, setbacks and design treatment of new buildings should ensure a heritage place on or adjoining the site is not overwhelmed or dominated.*



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The Panel also considered the use of mandatory height and setback controls, and recognised that the version of *Plan Melbourne* at that time foreshadowed stronger policy support for the use of mandatory provisions in neighbourhood centres (and residential areas) to increase planning certainty.

The Panel report recognised that mandatory provisions that prescribed standards without a capacity for departures have been supported in areas of consistently high heritage value with consistent character. While acknowledging the heritage values and 'main street' character of the Neighbourhood Activity Centres subject to C108, the Panel also recognised that new development will be visible behind the retained façades – particularly from oblique views – and that invisibility of upper-level development is either unreasonable or not necessary to maintain the primacy of the street wall.

In conclusion, the Panel accepted some use of mandatory controls within Boroondara's neighbourhood centres, but not in the commercial corridors:

*The Panel recognises that Plan Melbourne foreshadows stronger policy support for the use of mandatory provisions in neighbourhood centres (and residential areas) to increase certainty. The Panel considers the combination of the street wall and upper level setbacks is critical in neighbourhood centres to maintain the established main street character and in these situations mandatory controls can be justified. However, we consider development with elements that exceed the nominated height and/or adopt alternative setbacks should not be precluded as they may produce better outcomes in some circumstances. The overall maximum height limits should therefore remain discretionary to allow for such circumstances.*

It was the Panel's conclusion that mandatory street wall heights which reflected the dominant character of the neighbourhood centres were acceptable (either 8m or 11m, depending on the context). It also found that if mandatory upper-level setbacks were to be adopted, they should be sufficient to ensure that in most cases the upper-storey will be clearly distinguishable from the street wall of the heritage building and be a recessive element in neighbourhood centres streetscapes. To achieve this, the Panel identified 5m as being an appropriate mandatory minimum setback for upper-level development in the context of Boroondara's Neighbourhood Activity Centres.

### 3.6 WHITEHORSE AMENDMENT C175

C175whit sought to implement the *Box Hill Metropolitan Activity Centre Built Form Guidelines* (Hansen Partnership, 2016) by rezoning land, introducing the Built Form Guidelines as a reference document and applying a new DDO Schedule to introduce built form controls. In its consideration of this Amendment, the Panel Report dated 6 October 2017 stated:

*The Panel would have benefited from a more sophisticated analysis of the heritage precinct that utilised three-dimensional modelling, sight lines and view-sheds to help understand the rationale for the proposed heritage related controls. Without this basic information, it is difficult to determine whether the proposed controls are appropriate...*



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and concluded that in the absence of this modelling:

- *The Built Form Responses regarding Heritage should not proceed in their current form.*

The absence of 3D modelling, and sight line and view-shed analysis in relation to those areas of the Box Hill Activity Centre that are subject to the Heritage Overlay appears to have been critical in Panel recommending that the proposed built form controls not be applied to address heritage.

### 3.7 STONNINGTON AMENDMENT C223

The Glenferrie Road and High Street Major Activity Centre encompasses the two linear commercial strips of Glenferrie Road and High Street in Malvern as well as two peripheral areas. The Heritage Overlay, which covers all of Glenferrie Road and most of High Street, acknowledges the area for its '*metropolitan significance as one of the major strip shopping centres to have retained its role into the late twentieth century, and for the quality and integrity of its Victorian, Federation and Interwar building stock*'.<sup>1</sup> C223stn sought to apply new built form provisions through the application of DDO19 to the entire Activity Centre, with precincts A and B covering the commercial and heritage precincts of Glenferrie Road and High Street respectively.

While the Amendment proposed an 8-10m setback above the street wall for precincts A and B, the Panel found it to be effectively a concealment of upper-level additions, supporting instead a 5m setback as adequate to respect heritage values without removing development capacity. This was derived from the precedent in the Boroondara Planning Scheme and was seen to equate to the typical first room of a Victorian-era building. The Amendment was otherwise generally supported by the Panel as an appropriate balance between protecting heritage values and enabling growth. Discretionary preferred maximum building heights between 14.5 metres (4 storeys) and 21 metres (6 storeys) were supported through precincts A and B.

The Panel also reviewed the drafting of discretionary and mandatory provisions, addressing the appropriateness of the terms 'should' and 'must'. The Panel noted that confusion arose from the DDO parent clause, and until such time as the clause is redrafted, the term 'must' is to be used for schedule requirements with the addition of further clarification if it can be varied with a permit.

### 3.8 DAREBIN AMENDMENT C161

C161dare proposed to implement the '*Fairfield Village Heritage Assessment, 2017*' (Heritage Intelligence) and '*Fairfield Village Built Form Guidelines 2017*' (Hansen Partnership) through the application of Heritage Overlay (HO313) and DDO21 to the Fairfield Village Neighbourhood Centre. DDO21 created two sub precincts: Area 1 to

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<sup>1</sup> Retrieved from Victorian Heritage Database, 18 January 2018 (<https://vhd.heritagecouncil.vic.gov.au/places/31530>)



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be applied to the proposed HO313 precinct; with the remainder of the Neighbourhood Centre covered by Area 2.

The Panel found the application of the Heritage Overlay in conjunction with the DDO would enable the precinct *‘to support a variety of housing typologies at increased densities’* in a way that *‘allows the heritage place to be identified and understood’*. Further, the Panel supported the application of a mixture of mandatory and discretionary controls to Area 1 of the DDO in the form of:

- Mandatory maximum building heights at 14.5m and 17.5m (four and five storey), triggered by a lot width of 24m for five-storey.
- Mandatory maximum street wall height to be the greater of 8.5m or the adjacent street wall.
- Discretionary minimum front setbacks above the street wall at generally 4m, and 8m if constructing to a fifth level.
- The addition of a 3m side setback at the fifth-floor level – introduced as a discretionary provision to prevent the creation of a dominating wall of development along Station Street.

### 3.9 SUMMARY

Table 1 – Summarised recommendations and implications

YARRA AMENDMENT C231	
<i>Recommendation</i>	<i>Implications</i>
Significant and contributory heritage places and heritage fabric set within a consistent streetscape form.	Gertrude Street displays similar levels of consistency in heritage streetscape to warrant mandatory controls.
8m setbacks.	An 8m mandatory setback can be justified for highly intact heritage streetscape.
Combination of preferred and mandatory heights.	The use of a balanced combination of preferred and mandatory heights is appropriate to respond to varied conditions.
Limiting heights within heritage precincts while allowing housing capacity to be met elsewhere in the broader precinct.	The most highly intact areas warrant low heights to protect heritage streetscapes.
YARRA AMENDMENT C220	
<i>Recommendation</i>	<i>Implications</i>
A 6m upper-level setback will retain the ‘human scale’ of Johnston Street, secure the distinction between the [heritage] street wall and upper-levels.	A 6m mandatory upper-level setback is an appropriate minimum.
The less significant sections of Johnston Street do not warrant lesser built form controls.	The same controls should be applied within the DDO irrespective of the significance of the street.



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<p>A preferred ratio of 2/3:1/3 street wall to new upper-level built from should be replaced with a 45 degree angular plane.</p>	<p>A 45 degree angular plane above a nominal 11m street wall height can inform the preferred mid-level built form rather than a ratio based sightline test.</p>
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<p>In combination with upper-level front setbacks and maximum building heights the angular plane creates a further upper-level setback from the mid-level setback.</p>	<p>Upper-level development should be set further back from the street wall consistent with the guidance at 22.02-5.7.2.</p>
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**YARRA AMENDMENT C191**

<i>Recommendation</i>	<i>Implications</i>
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<p>Combination of preferred and mandatory heights.</p>	<p>The use of a balanced combination of preferred and mandatory heights is appropriate to respond to varied conditions.</p>
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<p>Limiting heights within heritage precincts while allowing housing capacity to be met elsewhere in the broader precinct.</p>	<p>The most highly intact areas warrant low heights to protect heritage place. Larger scale development should be encouraged outside these heritage places.</p>
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<p>A 6m upper-level setback is necessary to avoid facadism and to retain the prominence of the heritage street wall</p>	<p>A 6m mandatory upper-level setback is an appropriate minimum for site-specific Heritage Overlays and intact heritage streetscapes.</p>
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<p>The combination of upper-level front setbacks, maximum building heights and design requirements in respect of upper-level development is sufficient to manage taller built form in heritage contexts.</p>	<p>Further guidance in the form of a sight-line test or angular plane formulae is not warranted. Note: this conclusion differs from that of the Panel that considered C220yara.</p>
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**MORELAND AMENDMENT C134**

<i>Recommendation</i>	<i>Implications</i>
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<p>The application of mandatory street wall heights to Sydney Road is justified.</p>	<p>Provides a justification for the application of mandatory street wall heights within the Study Area.</p>
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<p>Established a preferred ratio of ¾ : ¼ street wall to new upper-level built form.</p>	<p>The use of a sightline test to inform new upper-level built from is appropriate.</p>
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**BOROONDARA AMENDMENT C108**

<i>Recommendation</i>	<i>Implications</i>
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<p>The combination of the height, setbacks and design treatment of new buildings should ensure a heritage place on or adjoining the site is not overwhelmed or dominated.</p>	<p>The DDO can included height, setback and design treatment controls to avoid new development dominating heritage places.</p>
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<p>New development will be visible behind the retained façades – particularly from oblique views – and that invisibility of</p>	<p>Some visibility of new upper-level development (including from oblique</p>
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upper-level development is either unreasonable or not necessary to achieve the primacy of the street wall.	views) will be acceptable and complete concealment is not necessary.
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Mandatory upper-level setbacks to the commercial corridors are justified.	Provides a justification for the application of mandatory upper-level setbacks within the study area.
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**WHITEHORSE AMENDMENT C175**

<i>Recommendation</i>	<i>Implications</i>
In the absence of modelling, built form heritage controls should not proceed.	That 3D modelling, sightlines and viewshed analysis should inform built form controls.

**STONNINGTON AMENDMENT C223**

<i>Recommendation</i>	<i>Implications</i>
Panel supported a 5m upper-level setback instead of the 8-10m setbacks proposed that effectively concealed upper-level development.	There is an expectation that the visibility of some new upper-level built form will be acceptable and complete concealment is not necessary.
Application of the words 'should' and 'must' within controls.	Use 'should' used for preferred controls and 'must' for mandatory controls.

**DAREBIN AMENDMENT C161**

<i>Recommendation</i>	<i>Implications</i>
The application of mandatory building heights to Fairfield Village is justified.	Provides a justification for the application of mandatory building heights within the Study Area.
The application of mandatory street wall heights to Fairfield Village is justified.	Provides a justification for the application of mandatory street wall heights within the Study Area.



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### 4.0 MANDATORY AND DISCRETIONARY HEIGHT AND SETBACK CONTROLS

*Planning Practice Note 59: The Role of Mandatory Provisions in Planning Schemes* (September 2018) (PPN59) notes that the VPPs are predominantly performance-based and that mandatory provisions are the exception. The PPN sets out a series of five criteria against which to test proposed mandatory provisions, being:

- Is the mandatory provision strategically supported?
- Is the mandatory provision appropriate to the majority of proposals?
- Does the mandatory provision provide for the preferred outcome?
- Will the majority of proposals not in accordance with the mandatory provision be clearly unacceptable?
- Will the mandatory provision reduce administrative costs?

*Planning Practice Note 60: Height and Setback Controls for Activity Centres* (PPN60) provides specific guidance on the use of mandatory height and setback controls in Activity Centres. In September 2018, DELWP published an updated version of PPN60 following the completion of the pilot project *Better Height Controls in Activity Centres*<sup>2</sup>.

Of relevance to this matter, PPN60 provides an additional justification for the use of mandatory controls based on ‘comprehensive strategic work’, which reads:

*Mandatory height or setback controls should only be applied where:*

- *exceptional circumstances exist; or*
- *council has undertaken comprehensive strategic work and is able to demonstrate that mandatory controls are appropriate in the context, and*
- *they are absolutely necessary to achieve the preferred built form outcomes and it can be demonstrated that exceeding these development parameters would result in unacceptable built form outcomes.*

In relation to ‘exceptional circumstances’, PPN60 states:

*Exceptional circumstances may be identified for individual locations or specific and confined precincts, and might include:*

- *significant heritage places where other controls are demonstrated to be inadequate to protect unique heritage values.*

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<sup>2</sup> Refer to the Panel Report to Yarra C220 chapter 1.2 for further discussion on the pilot project and the amendment to PPN60.



## Attachment 2 - Victoria Parade Heritage Review

- *sites of recognised State significance where building heights can be shown to add to the significance of the place, for example views to the Shrine of Remembrance...*

To pursue mandatory controls, PPN60 also states:

*Where exceptional circumstances are identified, mandatory height and setback controls should only be applied where they are absolutely necessary to achieve the built form objectives or outcomes identified from the comprehensive built form analysis. Where mandatory controls are proposed, it will need to be demonstrated that discretionary controls could result in an unacceptable built form outcome.*

The amended version of PPN60 reflects a broader shift over time within the application of the VPPs in favour of the use of mandatory controls.

For this project, the purpose of the Hansen Built Form Review and this report is to provide a comprehensive strategic basis for height and setback controls within the study area.

PPN60 identifies the following criteria for 'exceptional circumstances' that "...may be identified for individual locations or specific and confined precincts". These include (as relevant):

- *significant heritage places where other controls are demonstrated to be inadequate to protect unique heritage values*
- *sites of recognised State significance where building heights can be shown to add to the significance of the place, for example views to the Shrine of Remembrance...*

To pursue mandatory controls, PPN60 also states:

*Where exceptional circumstances are identified, mandatory height and setback controls should only be applied where they are absolutely necessary to achieve the built form objectives or outcomes identified from the comprehensive built form analysis. Where mandatory controls are proposed, it will need to be demonstrated that discretionary controls could result in an unacceptable built form outcome.*

The Panels that considered C108boro, C161dare, C134, C220yara, C191yara and C231yara provide further guidance on the application of mandatory built form controls along Victoria Parade.

These Panels concluded that for Heritage Overlays within Activity Centres:

- Mandatory controls were appropriate for street wall heights along Sydney Road, in 31 neighbourhood centres in Boroondara and Area 1 of the Fairfield Village Neighbourhood Centre
- Mandatory upper level setbacks were appropriate in many of Boroondara's neighbourhood centres



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- Mandatory heights were appropriate for Area 1 of the Fairfield Village Neighbourhood Centre
- Mandatory setbacks were appropriate for Johnston Street with a mixture of preferred and mandatory height limited combined with a 45 degree angular plane test.
- Mandatory height and upper level setback controls were appropriate to protect the most highly consistent and intact parts of Queens Parade and to protect views to key landmarks.
- Mandatory height and upper level setback controls were appropriate to protect the most highly consistent and intact parts of Queens Parade.

Parts of the Victoria Parade Precinct have - albeit short- lengths of highly consistent, intact or cohesive streetscapes that warrant mandatory controls. Mandatory height limits are appropriate to protect the visual primacy of the heritage streetscapes in these locations. Mandatory minimum upper level setback controls are also warranted where it is necessary to protect the legibility and heritage fabric of buildings that are subject to the Heritage Overlay



**Attachment 2 - Victoria Parade Heritage Review**

**PART II: HERITAGE ANALYSIS**



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## Attachment 2 - Victoria Parade Heritage Review

### 5.0 STUDY AREA ANALYSIS

#### 5.1 PRECINCT BOUNDARY



**Figure 9:** Victoria Parade Study Area (black) overlaid on an aerial image (Source: adapted from VicPlan).

As noted previously, this report focuses on the Victoria Parade Precinct as shown in Figure 9 above. The following precincts were considered in the *Brunswick and Smith Street Built Form Review*, GJM Heritage, 25 November 2019:

- Brunswick Street Activity Centre Spine
- Town Hall Mixed Use Precinct
- Smith Street Activity Centre Spine
- Johnston Street Activity Centre Spine
- Fitzroy East Mixed Use Precinct.

Gertrude Street was the subject of the *Gertrude Street Built Form Framework: Heritage Analysis & Recommendations*, GJM Heritage, 9 December 2019.

The Collingwood Mixed Use Precinct was considered as part of a separate study: *Collingwood Mixed Use Pocket Heritage Analysis & Recommendations*, GJM Heritage, 6 June 2018.

The Fitzroy West Mixed-Use and the Alexandra Parade Boulevard precincts are subject of separate reports prepared as part of this study.

The following sections contain an analysis of the heritage components and qualities of the Victoria Parade Precinct, including significant views. An analysis of future built form character considerations has also been provided, along with recommended built form parameters to appropriately manage heritage values.

#### 5.2 HERITAGE CHARACTERISTICS

The buildings within the Heritage Overlay at the western end of the Victoria Parade Precinct are typically two-storey terraced houses dating from the late nineteenth century. These include the State heritage-listed Blanche Terrace (169-179 Victoria Parade, Fitzroy; VHR H0177-H0182) and McClelland Terrace (203 Victoria Parade, Fitzroy; VHR H0590). The heritage buildings in the study area within HO334 – South



**Attachment 2 - Victoria Parade Heritage Review**

Fitzroy Precinct are interspersed with non-contributory post-war buildings including a service station, offices and the Victoria Peak Townhouses at 187-201 Victoria Street, Fitzroy.



*Figure 10: (left) South side of Victoria Parade looking east from the intersection with Napier Street.*

*Figure 14: (right) Terraced housing, 139-143 Victoria Parade, Fitzroy ('Contributory' within HO334)*



*Figure 15: (left) Alexandra Terrace, 145-149 Victoria Parade, Fitzroy ('Individually significant' within HO334)*

*Figure 16: (right) Pair of terraced houses, 163-165 Victoria Parade, ('Individually significant' within HO334) and terraced house, 167 Victoria Parade, Fitzroy ('Contributory' within HO334)*



*Figure 17: Blanche Terrace, 169-179 Victoria Parade, Fitzroy (VHR H0177-H0182).*



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*Figure 18: (left) Russell House, 181 Victoria Parade ('Individually significant' within HO334) and c.1970s offices, 183 Victoria Parade, Fitzroy ('Not-contributory' within HO334)*

*Figure 19: (right) Victoria Peak Townhouses, 187-201 Victoria Parade, Fitzroy ('Not-contributory' within HO334)*



*Figure 20: (left) McClelland Terrace, 203 Victoria Parade, Fitzroy (VHR HO590)*

*Figure 21: (right) Intersection of Victoria Parade and Smith Street looking northwest.*

The terraced houses and shop / residences towards the centre of the study area (between Smith and Wellington streets) are included within the Heritage Overlay (HO336 – Victoria Parade Precinct, Collingwood). Between Wellington and Islington street, the study area is typified by large post-war offices and showrooms without any identified heritage value.

Common to other major streets in the City of Yarra, the precinct includes a number of corner hotels: the Baden Powell Hotel (61-65 Victoria Parade, Collingwood; within HO336), the former John Franklin Hotel (75-77 Victoria Parade, Collingwood; within HO336) and the Prince Patrick Hotel (135-141 Victoria Parade, Collingwood; HO138).

As well as common terraced-form residential and commercial building types, the study area includes two single storey Edwardian-era houses (71 & 73 Victoria Parade, Collingwood; within HO336), the Inter-war Melbourne After Care Home (45-47 Victoria Parade, Collingwood; within HO336) and the Former Ebenezer Baptist Church (159 Victoria Parade, Collingwood; HO139).



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**Figure 22:** (left ) Intersection of Victoria Parade and Smith Street looking northeast



**Figure 23:** (right) 'Portia', 15-17 Victoria Parade; Irwell Terrace 19-23 Victoria Parade, ('Individually significant' within HO336); single storey terraced house, 25 Victoria Parade, Collingwood ('Contributory' within HO336)



**Figure 24:** Shop/residences, 27-37 Victoria Parade, Collingwood ('Contributory' within HO336)



**Figure 25:** (right) 'Floraston', 39 Victoria Parade; Melbourne After Care Home, 45-47 Victoria Parade, Collingwood ('Individually significant' within HO336)



**Figure 26:** (left) Shop/residences, 49-59 Victoria Parade, Collingwood ('Contributory' within HO336)



**Figure 27:** (right) Baden Powell Hotel, 61-63 Victoria Parade; terraced houses 65-67 Victoria Parade; shop/residence, 69 Victoria Parade, Collingwood ('Contributory' within HO336)



**Figure 28:** (left) Houses, 71-73 Victoria Parade ('Contributory' within HO336); former John Franklin Hotel, 75-77 Victoria Parade, Collingwood ('Individually significant' within HO336)



**Figure 29:** (right) Large showrooms, west of Rokeby Street



**Attachment 2 - Victoria Parade Heritage Review**



*Figure 30: (left) Prince Patrick Hotel and shops, 135-141 Victoria Parade, Collingwood (HO138)*



*Figure 31: (right) Former Ebenezer Baptist Church, 139 Victoria Parade, Collingwood (HO139)*

At the eastern end of the study area, between Islington Street and Hoddle Street, there is an intact row of Victorian-era single and two-storey shop residences (205-219 Victoria Parade, Collingwood) that are not included within the Heritage Overlay, but are recommended for inclusion following a heritage assessment undertaken by GJM in August 2020.



*Figure 32: Shop/residences, 205-219 Victoria Parade, Collingwood (not included within an HO).*

The heritage buildings found throughout the study area generally share the following characteristics:

- Attached terraced construction
- Masonry construction with less than 40% of the upper-level street wall face comprised with openings such as windows and doors (see Figure 33)
- Painted render or face brick façades
- Parapeted front facades with solid parapets, open balustrades or more elaborate gables
- No setback from the street boundary
- Early or altered shop fronts taking up the majority of the ground floor often with recessed entries
- Splayed corners to return façades or end-of-terrace elevations to laneways and side streets
- Architectural features such as belvederes and towers at prominent corner site
- Verandahs or later canopies



**Attachment 2 - Victoria Parade Heritage Review**

- Visible chimneys normally set back between 3m and 4m from the front of the building.



*Figure 33: Two-storey shop residence (27 Victoria Parade, Collingwood, within HO336) showing the typical relationship between solid (walls) and void (windows) on the front (street) façade. The first-floor windows make up less than 40% of the wall area (excluding the parapet, pediment or balustrade). The early (or more recent – as in this case) shopfront glazing occupies the majority of the ground floor façade.*

The following examples show typical building types found within the study area. It must be noted that buildings of a particular type will not necessarily demonstrate all the features identified below, and may include other features such as visible roofs and chimneys.



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Figure 34: Two-storey terraced house ('Florastan', 39 Victoria Parade, Collingwood within HO336).



Figure 35: Shop / Residence (27 Victoria Parade, Collingwood, within HO336)



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Figure 36: Corner hotel / commercial building (Prince Patrick Hotel, corner Victoria Parade and Rokeby Street, HO138)

5.3 LOCAL LANDMARKS

Victoria Parade Precinct does not include any of the municipal-wide landmarks within the City of Yarra that are identified within Clause 22.03 ‘Landmarks and Tall Structures’ of the Yarra Planning Scheme nor any of the views of these landmarks included in the report entitled *Landmarks & Views Assessment* (Ethos Urban, October 2019). Having said that, the location, scale, function and architectural form and detail of some buildings within the study area has resulted in them acting as local landmarks. These buildings serve as markers, wayfinding aids or landmarks in the local streetscape context due to their siting at key intersections or their scale within the surrounding streetscape.

In the context of the Victoria Parade Precinct, the local landmarks are described in Table 2.

Table 2 – Local landmark buildings

Address	Building Name	Type	Corner	Grading	Photograph
61-65 Victoria Parade, Collingwood	Baden Powell Hotel	Hotel on a prominent corner site	Victoria Parade and Cambridge Street	Contributory (HO336)	



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75-77 Victoria Parade, Collingwood	former John Franklin Hotel	Former hotel on a prominent corner site	Victoria Parade and Wellington Street	Individually Significant (HO336)	
135-141 Victoria Parade, Collingwood	Prince Patrick Hotel and shops	Hotel on a prominent corner site	Victoria Parade and Rokeby Street	Individual heritage place (HO138)	
139 Victoria Parade, Collingwood	Former Ebenezer Baptist Church	Place of worship	Victoria Parade and Rupert Street	Individual heritage place (HO139)	



## Attachment 2 - Victoria Parade Heritage Review

### 6.0 HERITAGE ANALYSIS

#### 6.1 HERITAGE STATUS

##### 6.1.1 Existing conditions

Approximately half of the length of the Victoria Parade Precinct is (intermittently) included within the extent of the Heritage Overlay. The western part of the precinct is subject to HO334 – South Fitzroy Precinct (between Napier and Smith streets) and HO336 – Victoria Parade Precinct (between Smith and Wellington streets) with two individual Heritage Overlays (HO138 – Prince Patrick Hotel and shops; HO139 – former Ebenezer Baptist Church) located in the eastern half of the precinct. Two places are included on the VHR namely Blanche Terrace at 169-179 Victoria Parade), Fitzroy (VHR H0177-H0182<sup>3</sup>) and McClelland Terrace at 203 Victoria Parade, Fitzroy (VHR H0590).

While not included within the study area, HO188 affects the street trees along the boulevard.



**Figure 37:** Heritage Overlay and VHR map – Victoria Parade precinct outlined in black.  
Source: adapted from VicPlan.

Heritage Overlay shaded in pink

VHR places shaded in yellow

<sup>3</sup> The individual listing of each of the six near-identical terraced houses that make up Blanche Terrace on the VHR is contrary to current practice and reflects the early registration of these buildings under the *Historic Buildings Act 1974*. It is also noted that the extent of registration includes no land (or curtilage) associated with these buildings. Under Heritage Council’s longstanding practice these houses would be now be considered as a single heritage place and would include the land on which they are located to the extent of the cadastral block.



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**Figure 38:** Current heritage gradings from Appendix 8 – Victoria Parade precinct outlined in black. Source: adapted from VicPlan

The existing heritage status for the buildings within the study area are listed in Table 3. We note that there is some inconsistency between the street addresses provided within Appendix 8 and those identified in VicPlan. The addresses, dates of construction and gradings provided below are taken directly from Appendix 8.

**Table 3 – Existing heritage status**

VICTORIAN HERITAGE REGISTER				
VHR #	Name	Address	Heritage Overlay	Date
H177	Blanche Terrace	169 VICTORIA PARADE FITZROY	HO191	1867
H178	Blanche Terrace	171 VICTORIA PARADE FITZROY	HO192	1867
H179	Blanche Terrace	173 VICTORIA PARADE FITZROY	HO193	1867
H180	Blanche Terrace	175 VICTORIA PARADE FITZROY	HO194	1867
H181	Blanche Terrace	177 VICTORIA PARADE FITZROY	HO195	1867
H182	Blanche Terrace	179 VICTORIA PARADE FITZROY	HO196	1867
H590	McClelland. Terrace	203 VICTORIA PARADE	HO197	1882



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INDIVIDUAL HERITAGE OVERLAYS				
<i>Heritage Overlay #</i>	<i>Name</i>	<i>Address</i>	<i>Appendix 8 Grading</i>	<i>Date</i>
HO138	Prince Patrick Hotel and Shops	135-141 VICTORIA PARADE, COLLINGWOOD	Individually significant	1887
HO139	Former Ebenezer Baptist Church	159 VICTORIA PARADE, COLLINGWOOD	Individually significant	1870
PRECINCT HERITAGE OVERLAYS				
<i>Heritage Overlay #</i>	<i>Name</i>	<i>Address</i>	<i>Appendix 8 Grading</i>	<i>Date</i>
HO334	South Fitzroy Precinct	OFFICES, 133-137 VICTORIA PARADE	Not contributory	1930 – 1940
		139-143 VICTORIA PARADE	Contributory	1860 - 1880
		ALEXANDRA TERRACE, 145-149 VICTORIA PARADE	Individually significant	1864-5
		SERVICE STATION, 151-159 VICTORIA PARADE	Not contributory	1950 - 1980
		163-165 VICTORIA PARADE	Individually significant	1868
		167 VICTORIA PARADE	Contributory	1850 - 1860
		RUSSELL HOUSE, 181 VICTORIA PARADE	Individually significant	1862
		OFFICES, 183 VICTORIA PARADE	Not contributory	1970 - 1980
		VICTORIA PEAK TOWNHOUSES, 187-201 VICTORIA PARADE	Not contributory	1970 - 1980
		SHOPS/OFFICES, 205-209 VICTORIA PARADE	Not contributory	1970 - 1980
HO336	Victoria Parade Precinct, Collingwood	SHOPS/OFFICES, 1-3 SMITH STREET	Not contributory	1970 – 1980
		APARTMENTS, 4 GORE STREET	Not contributory	1970 - 1980
		PORTIA, 15-17 VICTORIA PARADE	Individually significant	1889
		IRWELL TERRACE, 19-23 VICTORIA PARADE	Individually significant	1868



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	25 VICTORIA PARADE	Contributory	1880 – 1890
	SHOP & RESIDENCE, 27-37 VICTORIA PARADE	Contributory	1880 - 1890
	FLORASTON, 39 VICTORIA PARADE	Individually significant	1876
	MELBOURNE AFTER CARE HOME, LATER AFTER CARE HOSPITAL, MELBOURNE DISTRICT NURSING SOCIETY, 45-47 VICTORIA PARADE	Individually significant	1926, 1936
	SHOP & RESIDENCE, 49 VICTORIA PARADE	Contributory	1850-1890
	SHOP & RESIDENCE, 51 VICTORIA PARADE	Contributory	1880-1900
	SHOP & RESIDENCE, 53 VICTORIA PARADE	Contributory	1880-1900
	55 VICTORIA PARADE	Contributory	1850-1890
	57 VICTORIA PARADE	Contributory	1850-1890
	SHOP & RESIDENCE, 59 VICTORIA PARADE	Contributory	1850-1890
	BADEN POWELL HOTEL, 61-65 VICTORIA PARADE	Contributory	1880 – 1940
	67 VICTORIA PARADE	Contributory	1870 - 1890
Shop & residence	69 VICTORIA PARADE	Contributory	1870 - 1890
	71 VICTORIA PARADE	Contributory	1900 – 1915
	73 VICTORIA PARADE	Contributory	1900 – 1915
John Franklin Hotel, former	75A-77 VICTORIA PARADE	Individually significant	1880 - 1890

**6.1.2 Recommended Changes**

The review of the existing extent and grading of buildings was limited to substantial omissions and anomalies. The review did not include a complete re-assessment of



## Attachment 2 - Victoria Parade Heritage Review

the 'Individually significant' / 'Contributory' / 'Not-contributory' gradings of individual buildings. A table of the identified anomalies is provided at Appendix I.

The row of Victorian-era shop/residences between Islington and Hoddle streets at the eastern end of the study area was identified as warranting inclusion on the Heritage Overlay as a small precinct and a citation has been prepared (see Appendix II).

It is noted that Blanche Terrace (VHR H0177, H0182) is included on the VHR as six individual buildings, when current practice would be to manage this as a single heritage place. Further, the Extent of Registration for Blanche Terrace (as gazetted in 1974) only includes the buildings themselves with no land or curtilage associated with the dwellings. While the land within each of these properties not occupied by a building or structure is also subject to HO334, this will not enable a holistic consideration of the heritage values of these properties when assessing permits under the *Planning and Environment Act 1987* or the *Heritage Act 2017*. We therefore recommend that an application be made under section 62(1) of the Heritage Act to amend the VHR entry to combine the properties into a single entry and include land to the extent of the cadastral blocks.

In addition, we recommend that the City of Yarra heritage grading map be updated to accurately reflect Appendix 8.

### 6.2 ZONING

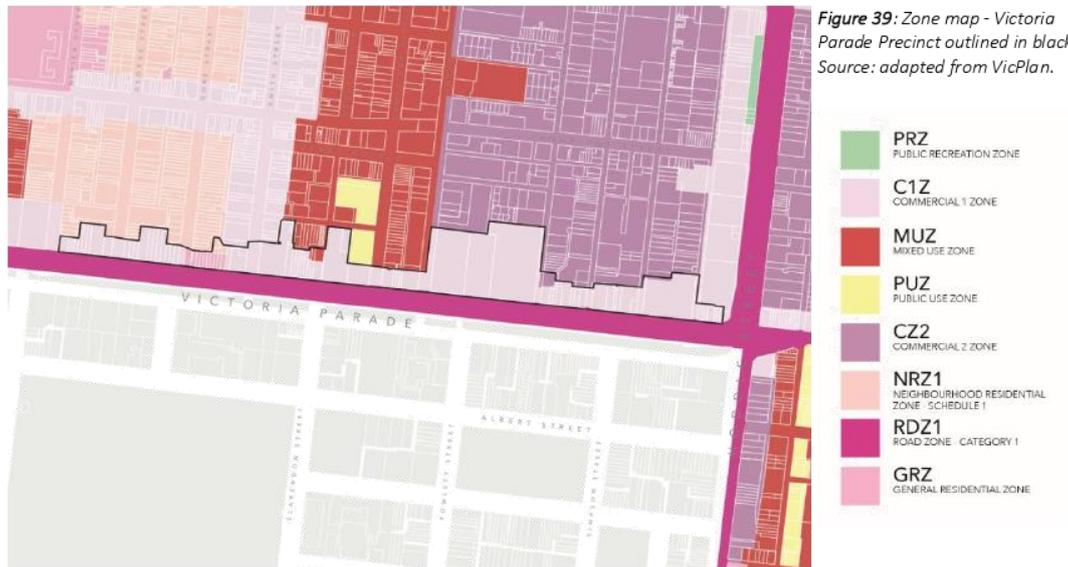
#### 6.2.1 Existing conditions

The carriageway and median strip of Victoria Parade, a major east-west thoroughfare, is zoned Road Zone (RDZ1). The land within the study area is generally zoned Commercial 1 Zone (C1Z). The land occupied by the Victoria Peak Townhouses (187-201 Victoria Parade, Collingwood) is General Residential Zone (GRZ). Small pockets on the northern edge of the study area are zoned Commercial 2 Zone (C2Z) (2-12 Rokeby Street, Collingwood), Mixed Use Zone (MUZ) (the rear of 29-35 Victoria Parade, Collingwood) and Neighbourhood Residential Zone (NRZ) (part 4 Gore Street).

The land to the north of the Victoria Parade Precinct within Fitzroy is generally zoned NRZ and is subject to HO334. Between Smith and Wellington streets the land north of the study area is generally zoned MUZ and is subject to HO336. East of Wellington Street the majority of the land north of the study area is zoned C2Z and is not subject to the Heritage Overlay.



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**6.2.2 Recommended Changes**

The current zoning of land within the Victoria Parade Precinct is considered to be appropriate in heritage terms and no changes are recommended.

**6.3 POTENTIAL FUTURE CHARACTER CONSIDERATIONS**

The Victoria Parade Precinct has two principal built form characters. The first – found between Napier and Wellington streets to the west and Islington and Hoddle streets to the east – comprises fine grained, nineteenth century, two-storey terraced housing and shop/residences interspersed with later, low-rise residential and commercial development. The second character is typified by large format low- to medium-rise office, showroom and big-box retail buildings between Wellington and Islington Streets.

With the exception of the service station at 151-159 Victoria Parade, Fitzroy, the nineteenth century residential streetscape between Napier and Gore Streets is highly consistent in terms of building form (parapeted), setback (verandah with or without small garden), street wall height (two storey), materiality (rendered masonry) and architectural expression. While slightly less consistent in terms of building height and form, the buildings between the McDonalds Restaurant at the intersection of Victoria Parade and Smith Street to the west and Wellington Street to the east also have a high degree of integrity and visual cohesion. The row of shop/residences between Islington and Hoddle streets are largely intact, consistent in their age and architectural expression and have a high level of visual cohesion. In these three areas, with visual prominence of the consistent and cohesive heritage streetscapes should be retained and new development should remain recessive within the streetscape.



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The large sites towards the eastern half of the study area have few sensitive interfaces and provide the opportunity for a significantly greater scale of development than within the intact heritage areas. Heritage considerations will have a more limited role in informing the overall preferred future character for this part of the Victoria Parade Precinct.

In relation to the individual heritage overlays (HO138 and HO139), future development proposals to these sites should consider the heritage values of that place and be sited, massed and designed to retain the visual prominence and three-dimensional form of these heritage places, namely: the Prince Patrick Hotel and shops (135-141 Victoria Parade, Collingwood) and the former Ebenezer Baptist Church (159 Victoria Street, Collingwood).

The Victoria Parade Precinct has sensitive heritage interfaces to the north between Gore and Little Smith streets (HO334) and between Smith and Wellington streets (HO336). New development should consider the impact on these heritage precincts in terms of visual and physical interface as well as amenity considerations

### 6.4 RECOMMENDED BUILT FORM PARAMETERS

Any DDO proposed for the Victoria Parade Precinct should apply built form guidance to ensure that new built form is respectful of the heritage places within the area.

A DDO control applied to properties within the Victoria Parade Precinct that are subject to – or immediately adjacent to – the Heritage Overlay should ensure new development respects the heritage significance of the graded buildings and is sited, massed and designed to be visually recessive and to not dominate the heritage place. This includes ensuring that appropriate interfaces are provided between the generally two-storey scale heritage buildings within heritage precincts and potential new development.

To develop appropriate built form parameters for the Victoria Parade Precinct, Hansen Partnership, the City of Yarra and GJM Heritage undertook the following analysis:

- Heritage and urban context information, known planning scheme amendments, and past and current planning applications was collected and analysed; and
- Built form parameters from the above analysis were drawn and then tested, firstly via cross-sectional drawings and then via a 3D model to determine their appropriateness.

Informed by the analysis and testing methodology outlined above, it is recommended that a DDO should seek built form outcomes that:

- Retain the visual prominence of local landmarks in the streetscape.
- Retain chimneys and principal roof forms visible from the public realm (excluding laneways).
- Ensure new development within the Heritage Overlay does not visually dominate the existing heritage fabric.



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- Ensure any upper-level or infill development is subservient to heritage fabric and is visually recessive in mass, scale and materiality.
- Encourage the top-most level (or levels) of new development to be set further back from a principal heritage frontage (as encouraged at Clause 22.02-5.7.2) and treated as a visually separate roof top element.
- Retain the visual prominence of the return façades of buildings that address both Victoria Parade and cross streets (particularly at George Street (eastern side), Cambridge Street (both sides), Wellington Street (western side), Rokeby Street (eastern side) and Rupert Street (eastern side)) by setting back new upper-level built form from both street frontages.
- Establish a street wall height for infill development within consistent heritage streetscapes between Napier and Wellington streets that reflects the established two (Victorian-era) storey scale of those precincts.
- Encourage the ground level setback to match the lesser setback of any neighbouring heritage buildings.
- Ensure that the heritage buildings remain prominent within those parts of the Victoria Parade streetscape that are subject to the Heritage Overlay and retain their three-dimensional form as viewed from the public realm to avoid 'facadism'. This will require new upper-level development to be set back a minimum of 6m from the street wall and for redevelopment to respect the existing inter-floor heights of the heritage fabric.



## Attachment 2 - Victoria Parade Heritage Review

### 7.0 BUILT FORM TESTING

To assist in the translation of the 'Recommended Built Form Parameters' in Part II into specific guidance that could be translated into a DDO control, the heritage analysis was reviewed against cross-sectional drawings of potential development envelopes and 3D computer modelling prepared by Hansen Partnership and the City of Yarra to test the appropriateness of particular built form outcomes that achieved the intent of the 'Recommended Built Form Parameters'.

As well as the cross-sectional drawing studies, 3D computer modelling using Sketchup Pro™ of potential bulk and massing envelopes for the study area was also interrogated. The existing built form was modelled along with approved, but not yet constructed, development in the Victoria Parade Precinct. It was used as a 'working' massing model to inform heights and setbacks on key development sites and to provide a comparative visual analysis. Given the relatively small proportion of the study area that is subject to the Heritage Overlay the 3D modelling was particularly useful in testing the generally more generous built form parameters applied to the larger, less-encumbered potential development sites rather than those with intact heritage buildings.

The Sketchup model was also interrogated to consider the impact of new buildings from the natural eye level (1.6m) on the public footpath.

Extensive field work was undertaken and site visits were used to inform the recommendations made in this report. Views of heritage places were only considered from the public footpath or from the central median strip with particular emphasis placed on intersections and tram stops where pedestrians are likely to dwell.



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**PART III: BUILT FORM RECOMMENDATIONS**



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## Attachment 2 - Victoria Parade Heritage Review

### 8.0 BUILT FORM RECOMMENDATIONS

Any DDO applied to the Victoria Parade Precinct should include provisions to complement, but not duplicate, the decision guidelines at Clause 43.01-8 (Heritage Overlay), State Planning Policy at Clause 15.03-1S and local policy within Clauses 22.02, 22.03 and 22.10 (or as translated into the post-VC148 Planning Policy Framework through Amendment C269yara) of the Yarra Planning Scheme to inform new development.

Having regard to the heritage conditions within the study area as well as cross-sectional drawings and 3D modelling prepared by Hansen Partnership and the City of Yarra, it is recommended that the built form controls set out in 8.1 below be applied to new development to ensure appropriate weight is given to the heritage values within the study area. The cross-sectional drawings and 3D modelling helped assess whether or not the upper-level development would 'be visually recessive and not dominate the heritage place' as sought at Clause 22.02-5.7.1.

The cross-section diagrams and 3D modelling helped assess whether or not the upper-level development would 'be visually recessive and not dominate the heritage place' as sought at Clause 22.02-5.7.1 and proposed Clause 15.03-1L as endorsed by Council. While we note that the Panel considering C191yara did not consider a 'The use of mandatory upper-level setback controls and the application of a '45° angular plane' test (from Yarra DDO15) to protect the visual prominence of the street wall remains relevant tools for development behind the intact and cohesive heritage streetscapes between Napier and Gore streets, Smith and Wellington streets, and Islington and Hoddle Streets.

Buildings graded 'Individually Significant' and 'Contributory' or included in the VHR are referred to as 'heritage buildings' within the table below and those graded 'Not-contributory' or that are vacant are considered 'infill sites'. The Executive Director, Heritage Victoria will be the principal decision maker in relation to any redevelopment of the VHR places within the Victoria Parade Precinct<sup>4</sup> and the controls identified below should be established to protect the heritage values of the precincts within which these State-listed heritage places are located.

### 8.1 RECOMMENDED DDO CONTROLS

Built Form Element	Mandatory	Preferred	Rationale
Street wall height (infill development) within or immediately adjacent to land	11m maximum 8m minimum	Match the parapet height of the adjacent heritage building to the width of the property boundary or	To ensure new built form responds to its immediate heritage context. A mandatory maximum and minimum street wall height is necessary to maintain

<sup>4</sup> Blanche Terrace, 169-179 Victoria Parade, Fitzroy (VHR H0177-H0182) and McClelland Terrace, 203 Victoria Parade, Fitzroy (VHR H0590)



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subject to the Heritage Overlay		for a distance of 6m whichever is less.	the two (Victorian-scale) storey form of the heritage streetscapes. The preferred control encourages new built form to match the height of the neighbouring heritage building.
Front setback (infill development) within or immediately adjacent to land subject to the Heritage Overlay	-	Match the setback, from any and all street frontages excluding laneway frontages, of the adjacent heritage building	To ensure new built form responds to the heritage context which generally has a small or no setback.
Minimum setbacks above street wall within or immediately adjacent to land subject to the Heritage Overlay	6m from the façade to Victoria Parade and Wellington Street  Note: the setbacks for individual heritage places should be informed by their Statements of Significance and an analysis of the historic fabric of the heritage place.	6m from George, Cambridge, Rokeby, Rupert and Islington Streets  6m minimum for sites immediately abutting land subject to the Heritage Overlay	While the built form of heritage buildings varies across the Victoria Parade Precinct, there are largely intact heritage streetscapes within the precinct.  A mandatory minimum 6m setback from the Victoria Parade and Wellington Street boundaries is appropriate given the highly consistent two-storey built form and the need to protect the visual prominence of the heritage street wall on these major thoroughfares. This distance will also retain the majority of visible chimneys and roof forms.  The application of a mandatory 6m setback is consistent with that through DDO25, DDO26, DDO27 and DDO28 proposed to be introduced through C191yara. A larger setback from the principal facades of heritage buildings may be required development to be set back, and for the retention of an appropriate and legible three-dimensional heritage form.  A preferred setback is appropriate from George, Cambridge, Rokeby, Rupert and Islington Streets to allow for the range of building forms and to recognise the more minor nature of these cross streets.
Maximum building heights within the Heritage Overlay	-	<u>Land subject to HO334</u> 11m (three storeys) (shallow sites) to 14m (four storeys) (deep sites)  <u>Land subject to HO336</u>	The variety of site depths, existing urban form and interface conditions require a range of maximum building heights. Shallow sites are those less than range from approximately 25-30m in depth. Deep sides range from approximately 30m to 50m in depth.



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14m (4 storeys) (shallow sites) to  
 21m (6 storeys) (deep sites)

Land subject to HO138  
 (135-141 Victoria Street, Collingwood)  
 14m (4 storeys)

Land subject to HO139  
 (159 Victoria Street, Collingwood)  
 11m (3 storeys)

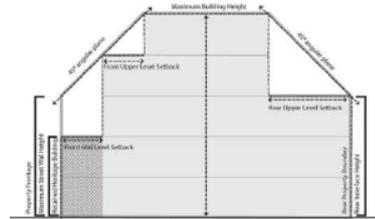
Note: there is limited opportunity for development on the former Baptist Church site beyond the rear car park area)

Land recommended for inclusion on the Heritage Overlay (205-219 Victoria Parade, Collingwood)  
 14m (4 storeys)

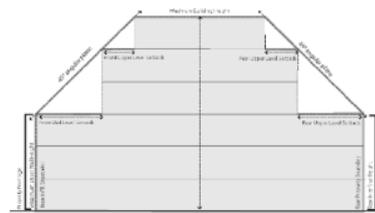
A preferred control will enable a wide range of design responses.

The overall height and building form should be informed by the preferred building envelope defined by the 45° angular plane described in DDO15.

*Heritage Building*



*Infill building*



**8.2 ADDITIONAL GUIDANCE**

The heritage policy proposed as part of C269yara includes specific strategies to address new development and alterations to commercial and industrial heritage places. If these provisions are implemented through Amendment C269yara, additional heritage design requirements are not likely to be needed within a DDO. However, if new development is to be informed by the existing heritage provisions at Clauses 15.03-15, 21.05-1, 22.02 and 43.01 of the Yarra Planning Scheme, we recommend that the following heritage design requirements be applied to a DDO:

- New infill development within heritage precincts should:
  - Interpret the historic façade rhythm, including fenestration patterns and proportions, the relationship between solid and void, and the existing module of structural bays.
  - Retain the visual prominence of prominent corner buildings and local landmarks.
  - Be distinguishable from the original heritage fabric and adopt a high quality and respectful contextual design response.



## Attachment 2 - Victoria Parade Heritage Review

- Ensure façade treatments and the articulation of new development are simple and do not compete with the heritage fabric.
  - Avoid the replication of existing decorative features and architectural detail.
- The adaptation of existing heritage buildings should:
  - Discourage highly reflective glazing in historic openings.
  - Ensure the inter-floor height of the existing building is maintained and avoid new floor plates and walls cutting through historic openings.
  - Encourage the retention of solid built form behind retained facades and avoid balconies behind existing openings.
- New upper-level development behind existing heritage buildings should:
  - Retain the visual prominence of parapet and roof-top elements including parapets, balustrades, pediments, chimneys, lanterns, urns and other architectural features, where these exist.
  - Be set back to retain the visual prominence of prominent corner buildings and local landmarks.
  - Ensure that the design and setback of the addition does not visually dominate the heritage building or surrounding heritage places.
  - Retain the primacy of the three-dimensional form of the heritage building.
  - Incorporate materials and finishes that are recessive in texture and colour.
  - Generally utilise visually lightweight, but high quality, materials that create a juxtaposition with the heavier masonry of the heritage facades.
  - Incorporate simple architectural detailing so it does not detract from significant elements of the existing building or streetscape.
  - Provide a recessive backdrop to the heritage streetscape within precincts and to individual heritage buildings.
  - Avoid highly articulated facades with recessed and projecting elements.
  - Avoid highly contrasting or vibrant primary colours.
  - Avoid unarticulated façades that give a bulky appearance, especially from oblique views.
  - Be articulated to reflect the fine-grained character of narrow sites.
  - Encourage that upper-level development behind rows of identical or similar shop/residences is consistent in form, massing and façade treatment as existing upper-level development (where this exists).



## Attachment 2 - Victoria Parade Heritage Review

- New development on land immediately abutting heritage places should:
  - Provide a sensitive site-responsive transition between the existing heritage fabric and the new proposed built form.
  - Retain the visual prominence of prominent corner buildings and local landmarks.
  - Be distinguishable from the original heritage fabric and adopt a high quality and respectful contextual design response.
  - Ensure façade treatments and the articulation of new development are simple and do not compete with the heritage fabric.
  - Avoid the replication of existing decorative features and architectural detail.



## Attachment 2 - Victoria Parade Heritage Review

### APPENDIX I - Victoria Parade Precinct Anomalies

#### A1.1 Qualifications

- Only obvious omissions and anomalies have been identified
- Review of individual gradings across the precinct has not been undertaken
- Photos taken by GJM in October 2018 and March 2020 unless otherwise noted.

#### A1.2 Anomalies Map



**Attachment 2 - Victoria Parade Heritage Review**

**A1.3 Anomalies**

Recommendations are provided in **bold**.

MAP REF	ADDRESS (HO NUMBER)	CURRENT GRADING APPENDIX 8	CURRENT GRADING GRADING MAP	PROPOSED GRADING	COMMENTS / RECOMMENDATION (BOLD)	IMAGES
1.	Blanch Terrace, 169-179 Victoria Parade, Fitzroy  169 Victoria Parade (VHR H0177; H0191)  171 Victoria Parade (VHR H0178; H0192)  173 Victoria Parade (VHR H0179; H0193)  175 Victoria Parade (VHR H0180; H0194)  177 Victoria Parade (VHR H0181; H0195)  179 Victoria Parade (VHR H0182; H0196)	VHR	Individually significant	VHR (single heritage place)	<p>This terrace of six houses dating from 1867 are included on the VHR as six separate entries. No land is associated with the registration meaning only the land itself is included on the VHR. Blanch Terrace, a whole is a heritage place and a single VHR entry with associated land should be applied to the heritage place. It is recommended that application be made under s.62(1) of the Heritage Act 2017 to amend the VHR entry.</p> <p><b>Make application to amend the extent to include land associated with the buildings and combine VHR H0177, H0178, H0178, H0179, H0180, H0181 &amp; H0182.</b></p>	

**Attachment 2 - Victoria Parade Heritage Review**

<p>2.</p>	<p>71 Victoria Parade, Collingwood  (HO336)</p>	<p>Contributory</p>	<p>Individually significant</p>	<p>Contributory</p>	<p>There is an inconsistency in grading between Appendix 8 and the grading map.  <b>Update grading map to reflect Appendix 8 grading.</b></p>	
<p>3.</p>	<p>73 Victoria Parade, Collingwood  (HO336)</p>	<p>Contributory</p>	<p>Individually significant</p>	<p>Contributory</p>	<p>There is an inconsistency in grading between Appendix 8 and the grading map.  <b>Update grading map to reflect Appendix 8 grading.</b></p>	

**Attachment 2 - Victoria Parade Heritage Review**

<p>4.</p>	<p>205-219 Victoria Parade, Collingwood</p>	<p>No HO</p>	<p>No HO</p>	<p>Potential new HO precinct</p>	<p>Numbers 205, 207, 209, 211-13, 215 and 217 Victoria Street, Collingwood are an intact but small row of single and two-storey shop residences not included on the Heritage Overlay.</p> <p>The heritage assessment prepared by GJM identified that they are of local significance for their historical (Criterion A) and representational (Criterion D) values.</p> <p><b>Include 205-217 Victoria Parade, Collingwood on the Schedule to the Heritage Overlay</b></p>	
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**Attachment 2 - Victoria Parade Heritage Review**

**APPENDIX II – Citations and Statement of Significance:  
Victoria Parade East Precinct, 205-217 Victoria Parade,  
Collingwood**



**Attachment 2 - Victoria Parade Heritage Review**



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ARBV: 16044

**VICTORIA PARADE EAST PRECINCT**

**205-219 VICTORIA PARADE, COLLINGWOOD, 3066**



*205-219 Victoria (GJM Heritage, March 2020).*

DATE: 27 August 2020

FILE: 2020-008

## Attachment 2 - Victoria Parade Heritage Review

### VICTORIA PARADE EAST PRECINCT

#### 205-219 VICTORIA PARADE, COLLINGWOOD

<b>Place type:</b> Commercial shops & residences	<b>Architect:</b> Not known
<b>Construction Date:</b> Victorian period	<b>Builder:</b> Not known
<b>Recommendation:</b> Include in the Heritage Overlay as a heritage precinct comprising seven (7) 'Contributory' buildings	<b>Extent of Overlay:</b> To the extent of the property boundaries including the rear laneway. Refer to the plan at Figure 13.

#### Precinct History

Commercial development within the Victoria Parade East Precinct commenced in the 1860s, with three timber shops built by 1870 (S&Mc; RB). The Sands & McDougall Directories and Rate Books appear to indicate that the current structures at 211 and 219 Victoria Parade were the first brick buildings constructed in the row. They were constructed in the early-to-mid 1870s for Daniel and Richard Roberts to replace earlier timber buildings in these locations (no. 211 appears to be incorrectly shown as a timber building in the 1897 Melbourne and Metropolitan Board of Works [MMBW] plan at Figure 1). In the 1870s, other occupants of the row included a general dealer and fruiterer and greengrocer (in timber shops), and a timber and stone workshop at the corner of Islington Street. At the far east end of the block, on the corner of Hoddle Street (outside of the precinct, since demolished), was the Junction Hotel that was established in the early 1870s.

The remainder of the row was constructed in the 1880s, with the rate books listing seven brick shops within the precinct by 1884. These shops were built for three owners – the aforementioned Daniel Roberts (current 215-219) and Richard Roberts (current 211-213), and William Pearce (current 205-209) (RB). The property at 211-213 Victoria Parade, owned and occupied by Richard Roberts, bootmaker, was addressed as one property at this time (no. 205). The Net Annual Value of Roberts' property increased in the early 1880s, suggesting works to the property. In the 1880s, occupants within the precinct included a haberdasher, milliner, bootmaker, leather seller, plumber, tobacconist and furniture broker (S&Mc).

The 1897 and 1899 MMBW plans (Figures 1 and 2) show the developed commercial strip, and the original extent of the block before the eastern section was demolished in the 1970s to make way for the expansion of Hoddle Street. The 1899 plan shows the earlier address numbers, with the buildings at the current 205-219 Victoria Parade addressed as 199-213, with no shopfront verandahs to the row. The 1897 plan suggests that the current 211 Victoria Parade was constructed of timber at that date (with horizontal hatching), however the rate books record the building as brick.

Between 1907 and 1910 the numbering along Victoria Parade changed, establishing the current address numbers. Occupants of the commercial row in 1905 comprised a hairdresser and tobacconist, bookseller, bootmaker, leather dealer, news agent and stationer, confectioner and plumber. The strip retained its commercial character throughout the twentieth century. In the early 1970s the buildings east of the precinct were demolished to facilitate the widening of Hoddle Street (S&Mc).



**Attachment 2 - Victoria Parade Heritage Review**



Figure 1. The commercial strip in 1897. The extent of the precinct is indicated in green. Diagonal hatching indicates a brick or stone building, while the horizontal hatching indicates a building constructed of wood (MMBW No 28, dated 1897)

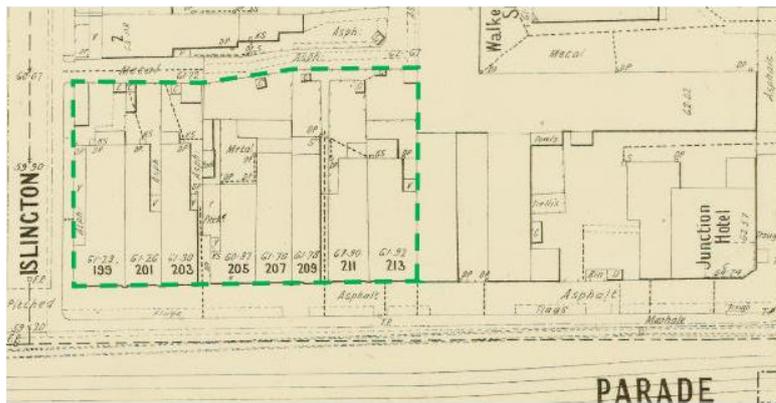


Figure 2. The commercial row in 1899. The extent of the precinct is indicated in green. Nos. 199 to 213 shown are the current 205-219 Victoria Parade (MMBW DP No. 1210, dated 1899)

**Historical Themes**

The place illustrates the following themes as outlined in the *City of Yarra Thematic History* (1998):

- 4.0 Developing local economy
  - 4.4 Smaller Retailers: Strip Shopping

**Description**

The row of commercial buildings at 205-219 Victoria Parade is in the inner-northern suburb of Collingwood on the north side of Victoria Parade and to the west of the intersection with Hoddle Street. The row is bordered by Islington Street to the west and a bluestone laneway to the north. A small grassed reserve to the east separates the row from Hoddle Street. The buildings have no front or side setbacks but a narrow pedestrian laneway separates nos. 209 and 211. All buildings are of brick construction and have rendered facades with roofs set behind parapets.

**Attachment 2 - Victoria Parade Heritage Review**

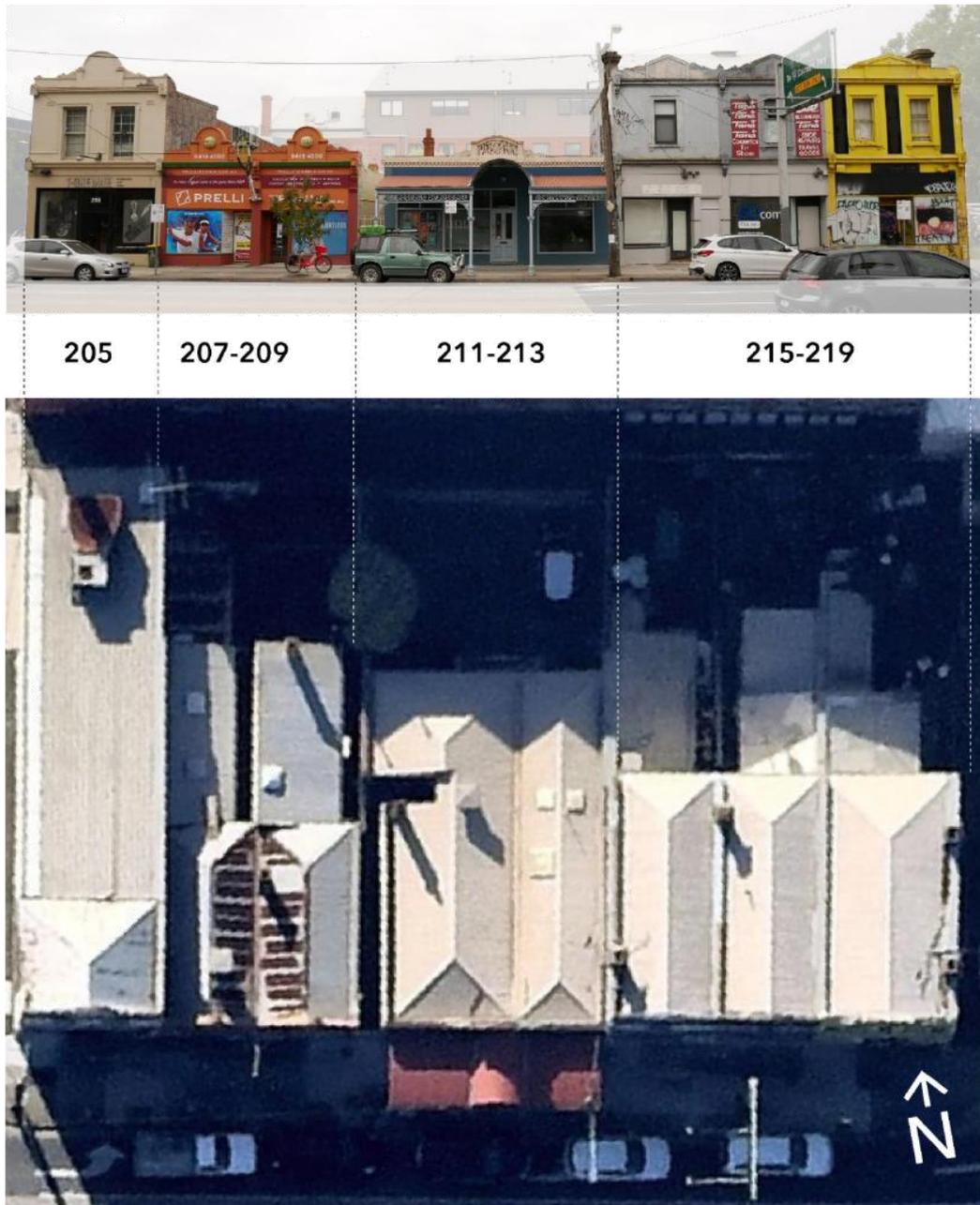


Figure 3. Victoria Parade elevations and aerial photograph (aerial photograph source: Nearmap)

**205 and 207-209 Victoria Parade**

205-209 Victoria Parade comprises three shops constructed as a group. 205 is a two-storey shop-residence, and 207-209 are two single-storey shops. The shops are of rendered masonry construction, each with a hipped roof clad in corrugated sheet metal concealed behind a parapet featuring semicircular pediments to each address. The upper façade of no. 205 contains two timber-framed sliding sash windows with moulded

## Attachment 2 - Victoria Parade Heritage Review

surrounds, and the ground floor façade has been modified through the introduction of shopfront glazing, which flank the central recessed entry. At 207-209, large shopfront glazing is also present, and the recessed entrance to each of 207-209 is adjacent to the party wall the properties share. The party walls featured vermiculated semicircular corbels. Lions heads are present above these at the central and eastern party walls. A narrow easement is located immediately to the east of the building, and a later two-storey addition has been constructed to the rear of no. 205.

### *211-213 Victoria Parade*

211-213 Victoria Parade comprises a single-storey shop with canopy to the street. The building is a rendered masonry structure with two hipped-roof volumes clad in corrugated sheet metal concealed by a low parapet with dogtooth brick course and a simple central pediment. The western hip of the roof is wider than the eastern hip and has a corbeled chimney with cylindrical terracotta pot. The street façade is punctuated with large expanses of timber-framed shopfront glazing. The entrance is centrally located with a half-glazed four-panel timber door. The verandah is a later addition and comprises a central barrel-vault over the entry, which is clad in painted corrugated metal, with concave sections to either side and decorative cast iron valances and brackets. The rear of the site is at-grade carpark, accessed from the rear laneway via Islington Street. A narrow easement is located immediately to the west of the building.

### *215-219 Victoria Parade*

215-219 Victoria Parade comprises a row of three two-storey shop-residences. The buildings are of rendered masonry construction with the three facades exhibiting the same detailing to the parapets and window openings and surrounds. Party walls are articulated at the upper and lower string course by moulded corbels featuring a Queen's head motif. One of four urns to the parapet remains extant, and each shop features its own pediment. Three rendered brick chimneys remain extant – two at the east elevation of 219 and one to the west elevation of 215.

The upper-storey windows of each shop have identical moulded surrounds, with one central window to each of nos. 215 & 217 and a pair of centrally positioned windows to no. 219. Nos. 215 & 217 contain non-original timber-framed windows and no. 219 appears to retain the original timber-framed sliding sash windows. The shopfronts at ground floor level have been modified through the introduction of shopfront glazing. The recessed entries at nos. 215 & 217 are located to the east of the shopfront window while the entry to no. 219 is centrally located. An additional door is located to the east of the main entry of no. 215 and comprises a later timber door with fanlight above. Various single-storey structures are located to the rear of the building.





Attachment 2 - Victoria Parade Heritage Review



Figure 6. 207-209 Victoria Parade, showing extant parapets and lion's head moulding to party wall.



Figure 7. Looking east to the canopy at 211-213, showing later steel structure above cast iron verandah posts.



**Attachment 2 - Victoria Parade Heritage Review**



*Figure 8. Looking southwest to the rear of 215-219 Victoria Parade, showing extant chimneys to the east elevation and single-storey outbuildings (at right).*

**Integrity/Intactness**

The buildings retain a high degree of integrity to the Victorian period in fabric, form and detail. While the buildings have undergone some alterations, including the replacement of windows and doors, the loss of shopfronts at street level, the loss of some decorative detailing, and the construction of a verandah canopy at no. 211-213, these do not diminish the ability to understand and appreciate the precinct as a highly intact row of Victorian commercial premises.

**Comparisons**

The row of commercial premises at 205-219 Victoria Parade, Collingwood are of note as an intact and representative row of Victorian-era commercial buildings, constructed in the City of Yarra.

Substantial numbers of commercial buildings were constructed in the City of Yarra in the 1870s and 1880s. Those of the late nineteenth century typically incorporated classical elements and motifs into symmetrical parapeted facades with varying degrees of elaboration. Rendered facades were most common, with some facades of red brick and contrasting render and others of polychromatic brickwork. Rendered decoration, in the form of classical elements such as cornices, architraves, balustrading, urns, stringcourses and pediments, was commonly applied to facades. Windows were typically rectangular, sometimes arch-headed, and these were repeated regularly across upper facades.

Commercial buildings from this period were most commonly of two-storeys, with some single-storey and three or four-storey premises constructed. They were typically built as rows of attached buildings, as pairs, or as individual buildings with no side setbacks from adjoining properties and no front setback.

Within the City of Yarra, large numbers of commercial premises built in the Victorian periods are included in the Heritage Overlay as individually significant and contributory places within precincts. Comparative groups of buildings within existing, larger precincts, which broadly display characteristics similar to the precinct at 205-219 Victoria Parade, include amongst others:

- 409-417 Swan Street, Richmond (Burnley Street Precinct, HO474)



## Attachment 2 - Victoria Parade Heritage Review

- 91-101 Swan Street, Richmond (Swan Street Precinct, HO335)
- 129-141 Bridge Road, Richmond (Bridge Road Precinct, HO310)
- 178-186 Bridge Road, Richmond (Bridge Road Precinct, HO310)
- 97-135 Church Street, Richmond (Church Street North Precinct, HO454)
- 233-251 Victoria Street, Abbotsford (Victoria Street West Precinct, HO444).



Figure 9. 409-417 Swan Street, Richmond (Burnley Street Precinct, HO474) (Google, Feb 2017).



Figure 10. 91-101 Swan Street, Richmond (Swan Street Precinct, HO335) (Google, Oct 2016).



Figure 11. 129-141 Bridge Road, Richmond (Bridge Road Precinct, HO310) (Google, Nov 2016).



**Attachment 2 - Victoria Parade Heritage Review**



Figure 12. 178-186 Bridge Road, Richmond (Bridge Road Precinct, HO310) (Google, Oct 2016).



Figure 13. 97-135 Church Street, Richmond (Church Street North Precinct, HO454) (Google, Oct 2016)



Figure 14. 233-251 Victoria Street, Abbotsford (Victoria Street West Precinct, HO444) (GJM, Sepotember 2017).

Like these places, the row at 205-219 Victoria Parade, Collingwood displays a range of characteristics which have strong associations with the Victorian period and the precinct remain highly intact to demonstrate these associations.

The commercial row at 205-219 Victoria Parade demonstrate the following Victorian characteristics:

- A variety of simple facade parapets, with pitched roofs behind;
- No front setbacks;



## Attachment 2 - Victoria Parade Heritage Review

- Rendered walls;
- Rendered window frames, sills and hoods to upper storeys;
- Horizontal lines formed by parapets, cornices, and string courses; and
- Repetitive upper floor fenestration patterns.

### Assessment Against Criteria

Following is an assessment of the place against the recognised heritage criteria set out in *Planning Practice Note 1: Applying the Heritage Overlay* (August 2018).

#### *Criterion A: Importance to the course or pattern of our cultural or natural history*

The Victoria Parade East Precinct, comprising 205-219 Victoria Parade, Collingwood, is illustrative of the historical development that occurred along a major, early commercial thoroughfare in the City of Yarra, particularly in the 'boom' period of the 1880s.

#### *Criterion D: Importance in demonstrating the principal characteristics of a class of cultural or natural places or environments (representativeness)*

The Victoria Parade East Precinct, comprising 205-219 Victoria Street, Collingwood is an intact, representative example of a row of Victorian commercial premises. The buildings clearly demonstrate the principal characteristics of nineteenth century development found along major thoroughfares within the City of Yarra and display typical features of the Victorian architectural style popular in Collingwood and across Melbourne more broadly, including parapeted facades with repetitive upper floor fenestration, rendered facades with decorative moulding and ground floor shopfronts.

### Grading and Recommendations

It is recommended that the precinct be included in the Heritage Overlay of the Yarra Planning Scheme as a heritage place comprising seven 'Contributory' buildings.

Recommendations for the Schedule to the Heritage Overlay (Clause 43.01) in the Yarra Planning Scheme:

External Paint Controls?	No
Internal Alteration Controls?	No
Tree Controls?	No
Outbuildings or Fences not exempt under Clause 43.01-3?	No
Prohibited Uses Permitted?	No
Aboriginal Heritage Place?	No

### Extent of the Recommended Heritage Overlay

To the property title boundaries, as indicated by the polygon on the aerial below.



**Attachment 2 - Victoria Parade Heritage Review**



*Figure 15. Recommended Extent of Heritage Overlay  
(Basemap Source: Nearmap, June 2020)*



## Attachment 2 - Victoria Parade Heritage Review

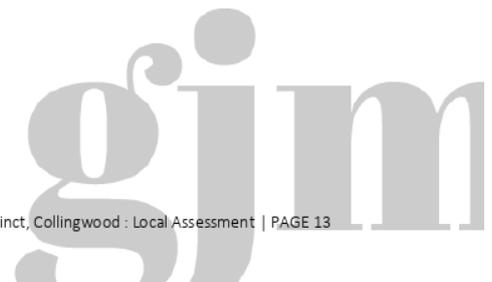
### References

Hodgkinson, Clement, Noone, John, and Wilkinson, John, (1858), Plan shewing the streets and buildings in existence in East Collingwood on January 1st 1858 : with schedule of heights of bench-marks above low water datum at Queen's wharf [cartographic material]. Printed by De Gruchy & Leigh [Melbourne].

Melbourne and Metropolitan Board of Works (MMBW): Map No 28, dated 1897; Detail Plan No. 1210, dated 1899.

Sands & McDougall Directories (S&MC).

Rate Books (RB): Borough, then City of Collingwood, Barkly Ward, South Glasshouse Division: 1864, entries 137-140; 1870, entries 157-161; 1876, entries 172-177; 1879, entries 178-182; 1882, entries 178-182; 1883, entries 176-182; 1884, entries 181-187; 1885, entries 182-188; 1888, entries 234-241; 1893, entries 235-243; 1898-1900, entries 225-233.



**Attachment 2 - Victoria Parade Heritage Review**

**Victoria Parade East Precinct, 205-219 Victoria Parade, Collingwood  
Statement of Significance, August 2020**

<p>Heritage place: Victoria Parade East Precinct, 205-219 Victoria Parade, Collingwood, 3066</p>	<p>PS ref no.: HO TBC</p>
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***What is significant?***

The terraced row of late nineteenth century shop residences at 205-219 Victoria Parade, Collingwood.

Elements that contribute to the significance of the place include (but are not limited to):

- The terraced row’s form, materials and detailing from its Victorian era period of construction, including its Victoria Parade elevation, fenestration, decorative parapets, mouldings and other details.
- Original roof forms and chimneys.
- Cast iron elements of the verandah to nos. 211-213 Victoria Parade.

The later (twentieth century) additions including rear additions, later shopfront glazing and the steel structure above the cast iron verandah posts to nos. 211-213 Victoria Parade are not significant.

***How is it significant?***

The Victoria Parade East Precinct at 205-219 Victoria Street is of local historical and architectural (representative) significance to the City of Yarra.

***Why is it significant?***

The Victoria Parade East Precinct, comprising 205-219 Victoria Parade, Collingwood, is illustrative of the historical development that occurred along a major, early commercial thoroughfare in the City of Yarra, particularly in the ‘boom’ period of the 1880s (Criterion A).

The Victoria Parade East Precinct, comprising 205-219 Victoria Street, Collingwood is an intact, representative example of a row of Victorian commercial premises. The buildings clearly demonstrate the principal characteristics of nineteenth century development found along major thoroughfares within the City of Yarra

## Attachment 2 - Victoria Parade Heritage Review

and display typical features of the Victorian architectural style popular in Collingwood and across Melbourne more broadly, including parapeted facades with repetitive upper floor fenestration, rendered facades with decorative moulding and ground floor shopfronts (Criterion D).

**Primary source:**

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Victoria Parade: Heritage Analysis and Recommendations, GJM Heritage, August 2020

**Attachment 3 - Statement of Significance 484 Smith Street, Collingwood**



**Heritage Citation**

**GASOMETER HOTEL**

**Address:** 484 Smith Street, Collingwood

**Prepared by:** GJM Heritage

**Date:** August 2019

<b>Place type:</b> Hotel	<b>Architect:</b> Not known
<b>Grading:</b> Locally significant	<b>Builder:</b> Not known
<b>Integrity:</b> High	<b>Construction Date:</b> c1859
<b>Recommendation:</b> Include in the Heritage Overlay	<b>Extent of Overlay:</b> To property title boundaries



**Figure 1.** 484 Smith Street, Collingwood (GJM Heritage, October 2019)

## Attachment 3 - Statement of Significance 484 Smith Street, Collingwood



GJM Heritage

### Statement of Significance

#### *What is significant?*

The Gasometer Hotel, 484 Smith Street, Collingwood, built c1859.

Elements that contribute to the significance of the place include (but are not limited to):

- The original external form, materials and detailing of the building
- The high level of integrity to its original design
- Façade parapet, with pitched roofs behind
- No front setbacks
- Rendered walls
- Rendered detailing and ornament including pilasters, quoining and ball finials
- Horizontal lines formed by parapet, cornice, string course and rows of windows
- Repetitive upper floor fenestration patterns
- Splayed corner with entrance, pilasters, quoining and pediment.

Later alterations and additions, including the barrel-vaulted roofed section to the east, are not significant.

#### *How is it significant?*

The Gasometer Hotel, 484 Smith Street, Collingwood is of local historical and architectural significance to the City of Yarra.

#### *Why is it significant?*

The Gasometer Hotel, 484 Smith Street, Collingwood is of significance as a suburban hotel constructed at a prominent corner location in Collingwood. The hotel has operated on this site since c1859 (Criterion A).

The Gasometer Hotel, 484 Smith Street, Collingwood is an intact and representative example of a Victorian-era hotel. It displays typical characteristics of the early Victorian period in Collingwood and across Melbourne more broadly, including a plain parapeted façade with repetitive upper floor fenestration, rendered facades and a prominent splayed corner entrance with pilasters, quoining and pediment (Criterion D).

### Historical Themes

The place illustrates the following themes as outlined in the *City of Yarra Thematic History* (1998):

- 7.0 Leisure and Entertainment in the Suburbs
  - 7.1 Licensed Hotels and 'Sly Grog'

### Place History

This corner building was not evident on the 1858 Clement Hodgkinson map of Collingwood; the map shows the east side of Smith Street, between what is now Keele Street and Alexandra Parade as vacant land.

The earliest found reference to the hotel was an advertisement published in March 1860 in *The Argus* (20 March 1860:1) entitled 'Gasometer Hotel, Collingwood Gas Works, to Let, on Lease', describing the property as follows:

*erected as a pioneer to the settlement of a populous neighbourhood. The whole paddock adjoining is surveyed, with plans for sale in allotments at a low price, with deferred payments. The new market contiguous is fenced. The great and increasing traffic of Smith-street, with the numerous employees at the gasworks, give assurance for the establishment of a good business within a short period.*

This indicates that the hotel was built c1859-60, while the parapet of the building records the date 1861. The hotel was presumably named after the three large gasometers that were located opposite at the

**Attachment 3 - Statement of Significance 484 Smith Street, Collingwood**



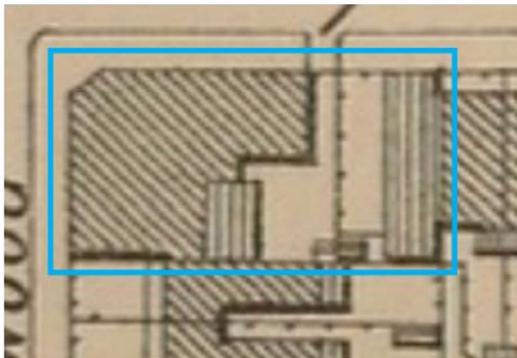
Fitzroy Gasworks (north-west corner of Smith Street and Alexandra Parade, gasometers dismantled 1978) (Lovell, 1998: Vol 1, 71). In 1861, tenders were requested from carpenters for the erection of a stable and verandah, with applicants to apply to the Gasometer Hotel, Smith Street, Collingwood (*Argus*, 19 Nov, 1861:1).

The 1864 rate books record that Charles A. Mater was the owner of the stone hotel on the site, letting to George Pashley, licensed victualler. The 1867 rate books described the 'Gasometer Hotel' as a brick and stone building with twelve rooms, still owned by Mater. By 1874 the hotel was owned by Richard Benham and the following year ownership passed to Johanna Benham, licensed victualler (Ward, 1995:553). Richard and Johanna Benham retained ownership of the hotel for many years, until at least 1906 (*Age*, 19 Feb 1906:9), and by 1916 their son Richard William Benham was the owner (*Argus*, 12 Feb 1916:11; 22 Feb 1916:4).

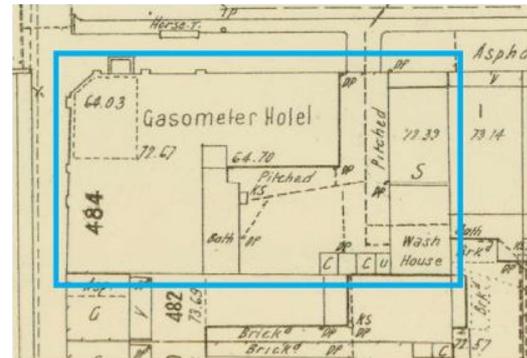
A Melbourne and Metropolitan Board of Works (MMBW) plan (Figure 2) show the extent of the hotel and its outbuildings in 1896. The 1900 MMBW detail plan (Figure 3) showed the corner hotel and outbuildings annotated with their use. The rear of the property had a pitched, open space bordered along the east and south boundaries by stables, a wash house and water closets, with access provided off Alexandra Parade (then called Reilly Street).

Plans of the property dating to 1956 show footprints of the hotel building and outbuildings and records the occupant and owner at this date as S. Moore (Figure 4). The plan appears to show that the accessway off Alexandra Parade and stables, set back from the front title boundary (as in figure 3), remained at this date (PSP). Later additions and structures now occupy the south-east portion of the property; a barrel-vaulted building occupies the site of the original stable, washhouse and accessway.

The building continues to serve as the Gasometer Hotel in 2019.

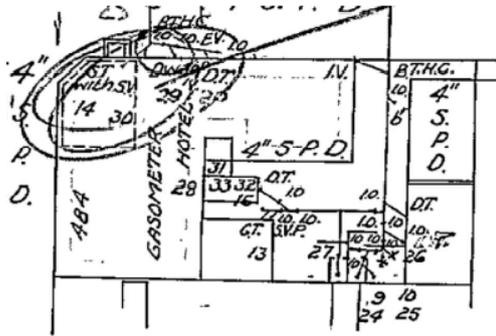


**Figure 2.** A footprint of the corner hotel and its outbuildings in 1896 (subject site indicated by blue polygon). The diagonal hatching indicates buildings constructed of brick or stone; vertical/horizontal hatching indicates buildings constructed of timber (MMBW 29, dated 1896).



**Figure 3.** A footprint of the Gasometer Hotel dated 1900 (subject site indicated by blue polygon) (MMBW Detail Plan 1214, dated 1900).

## Attachment 3 - Statement of Significance 484 Smith Street, Collingwood



**Figure 4.** A plan of the site showing footprints of the buildings extant in 1956, annotated with sewerage works (PSP).

### Physical Description

The Gasometer Hotel, 484 Smith Street, Collingwood is prominently located on the south-east corner of Smith Street and Alexandra Parade. Built in the early Victorian period, the building comprises a two-storey element addressing the street corner, an adjoining single-storey wing to the east and additional buildings further to the east along Alexandra Parade.

The two-storey corner hotel is a rendered stone (overpainted) building with two corrugated steel-clad, hipped roofs which run in a north-south direction, and two large rendered chimneys at the southern end. A third broad chimney is situated at the east wall of the two-storey building, behind the Alexandra Parade façade. The building has a splayed corner with ground floor entrance door, window at first floor level and pediment above which contains the description 'Gasometer Hotel' and the date '1861'. The ground floor façades contain a variety of window and door openings and are articulated with plain pilasters, while the corners of the upper façades are quoined. The upper-level fenestration comprises regularly spaced rectangular windows – six in the longer Smith Street façade and two facing Alexandra Parade. Openings are frameless and window sills are supported on plain corbels. A simple cornice forms the parapet of the building and a string course between the ground and upper floor relieves the plain façades.

An adjacent single-storey wing, facing Alexandra Parade, has a simple gable-roof which runs parallel to the front façade and is parapeted at the eastern end. The detailing of the corner building is repeated in this wing, with simple pilasters and frameless rectangular windows. The string course of the adjacent two-storey building continues to form the base of the single storey parapet which contains a row of recessed panels.

A barrel-vaulted roofed section, located further to the east in Alexandra Parade, is set behind a single-storey, parapeted façade. Constructed across an original accessway from Alexandra Parade to an internal courtyard at some stage after 1956, the façade of this later addition appears to repeat some of the earlier detailing of the original building.

### Integrity

The Gasometer Hotel, 484 Smith Street, Collingwood retains a high degree of integrity to the early Victorian period in fabric, form and detail. While the building has undergone some additions to the east, these do not diminish the ability to understand and appreciate the place as a fine example of an early Victorian hotel.

### Comparative Analysis

The Gasometer Hotel, 484 Smith Street, Collingwood is an intact and representative example of an early Victorian corner hotel. There are a substantial number of hotels included in the Heritage Overlay of the

**Attachment 3 - Statement of Significance 484 Smith Street, Collingwood**



Yarra Planning Scheme as individually significant buildings, including some built in the 1850 to 1870 period. Direct comparison can be made with the following examples:

- Birmingham Hotel, 333 Smith Street, Fitzroy (1853-), ‘individually significant’ in HO333, Smith Street Precinct
- Former Liverpool Arms Hotel, 299 Brunswick Street, Fitzroy (1860-70), ‘individually significant’ in HO311, Brunswick Street Precinct.



**Figure 5.** Birmingham Hotel, 333 Smith Street, Fitzroy (VHD)



**Figure 6.** Former Liverpool Arms Hotel, 299 Brunswick Street, Fitzroy (VHD, photo dated 2009)

These comparators are representative of hotel buildings constructed in the early Victorian period and are architecturally significant as intact examples of hotels from this period. Like the places above, the Gasometer Hotel displays a range of early Victorian characteristics including:

- Façade parapet, with pitched roof behind
- No front setbacks
- Rendered walls and detailing
- Horizontal lines formed by parapet, cornice, string course and rows of windows
- Repetitive upper floor fenestration patterns
- Splayed corner with entrance.

The Gasometer Hotel remains highly intact to demonstrate the key characteristics of this early type of hotel development in the City of Yarra.

**Assessment Against Criteria**

Following is an assessment of the place against the recognised heritage criteria set out in *Planning Practice Note 1: Applying the Heritage Overlay* (August 2018).

**Criterion A:** *Importance to the course or pattern of our cultural or natural history (historical significance).*

The Gasometer Hotel, 484 Smith Street, Collingwood is of significance as a suburban hotel constructed at a highly prominent corner location in Collingwood. The hotel has operated on this site since c1859.

**Criterion D:** *Importance in demonstrating the principal characteristics of a class of cultural or natural places or environments (representativeness).*

The Gasometer Hotel, 484 Smith Street, Collingwood is an intact and representative example of a Victorian-era Hotel. It displays typical characteristics of the early Victorian period in Collingwood and across Melbourne more broadly, including a plain parapeted façade with repetitive upper floor fenestration, rendered facades and a prominent splayed corner entrance with pilasters, quoining and pediment.

**Attachment 3 - Statement of Significance 484 Smith Street, Collingwood**



**Grading and Recommendations**

It is recommended that the place be included in a site-specific Heritage Overlay in the Yarra Planning Scheme as an individually significant heritage place.

Recommendations for the Schedule to the Heritage Overlay (Clause 43.01) in the Yarra Planning Scheme:

<b>External Paint Controls?</b>	No
<b>Internal Alteration Controls?</b>	No
<b>Tree Controls?</b>	No
<b>Outbuildings or Fences not exempt under Clause 43.01-3?</b>	No
<b>Prohibited Uses Permitted?</b>	No
<b>Incorporated Plan?</b>	No
<b>Aboriginal Heritage Place?</b>	No

**Extent of the recommended Heritage Overlay**

To the property title boundary, as indicated by the green polygon on the aerial below.



(Source: Nearmap, aerial dated Aug 2019)

**Identified by:**

Andrew C Ward & Associates (1989), *Collingwood Conservation Study* & (1995) *Collingwood Conservation Study Review* :

*Recommended for Planning Scheme protection.*

## Attachment 3 - Statement of Significance 484 Smith Street, Collingwood



*Significance: The "Gasometer" hotel is important as a prominent and early hotel which recalls the existence of the former Metropolitan Gas Co. premises opposite.*

GJM Heritage (2019), *Brunswick Street and Smith Street Built Form Review, Heritage Assessments.*

### **References:**

Allom Lovell & Associates (1998), *City of Yarra Heritage Review.*

Andrew Ward & Associate (1995), *Collingwood Conservation Study Review.*

Clement Hodgkinson, 'Plan shewing the streets and buildings in existence in East Collingwood on January 1st 1858' compiled from surveys executed under the direction of Clement Hodgkinson.

Melbourne and Metropolitan Board of Works: Plan 29 (scale 160ft to 1 inch), Fitzroy & Collingwood, dated 1896; Detail Plan 1214, dated 1900.

Property Sewerage Plan (PSP), No. 53022.

*The Age.*

*The Argus.*

Victorian Heritage Database (VHD), place records.

**Attachment 4 - Citation -Statement of Significance 205-219 Victoria Parade, Collingwood**



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**VICTORIA PARADE EAST PRECINCT**

**205-219 VICTORIA PARADE, COLLINGWOOD, 3066**



*205-219 Victoria (GJM Heritage, March 2020).*

DATE: 27 August 2020

FILE: 2020-008

**Attachment 4 - Citation -Statement of Significance 205-219 Victoria Parade, Collingwood**

**VICTORIA PARADE EAST PRECINCT**

**205-219 VICTORIA PARADE, COLLINGWOOD**

<b>Place type:</b> Commercial shops & residences	<b>Architect:</b> Not known
<b>Construction Date:</b> Victorian period	<b>Builder:</b> Not known
<b>Recommendation:</b> Include in the Heritage Overlay as a heritage precinct comprising seven (7) 'Contributory' buildings	<b>Extent of Overlay:</b> To the extent of the property boundaries including the rear laneway. Refer to the plan at Figure 13.

**Precinct History**

Commercial development within the Victoria Parade East Precinct commenced in the 1860s, with three timber shops built by 1870 (S&Mc; RB). The Sands & McDougall Directories and Rate Books appear to indicate that the current structures at 211 and 219 Victoria Parade were the first brick buildings constructed in the row. They were constructed in the early-to-mid 1870s for Daniel and Richard Roberts to replace earlier timber buildings in these locations (no. 211 appears to be incorrectly shown as a timber building in the 1897 Melbourne and Metropolitan Board of Works [MMBW] plan at Figure 1). In the 1870s, other occupants of the row included a general dealer and fruiterer and greengrocer (in timber shops), and a timber and stone workshop at the corner of Islington Street. At the far east end of the block, on the corner of Hoddle Street (outside of the precinct, since demolished), was the Junction Hotel that was established in the early 1870s.

The remainder of the row was constructed in the 1880s, with the rate books listing seven brick shops within the precinct by 1884. These shops were built for three owners – the aforementioned Daniel Roberts (current 215-219) and Richard Roberts (current 211-213), and William Pearce (current 205-209) (RB). The property at 211-213 Victoria Parade, owned and occupied by Richard Roberts, bootmaker, was addressed as one property at this time (no. 205). The Net Annual Value of Roberts' property increased in the early 1880s, suggesting works to the property. In the 1880s, occupants within the precinct included a haberdasher, milliner, bootmaker, leather seller, plumber, tobacconist and furniture broker (S&Mc).

The 1897 and 1899 MMBW plans (Figures 1 and 2) show the developed commercial strip, and the original extent of the block before the eastern section was demolished in the 1970s to make way for the expansion of Hoddle Street. The 1899 plan shows the earlier address numbers, with the buildings at the current 205-219 Victoria Parade addressed as 199-213, with no shopfront verandahs to the row. The 1897 plan suggests that the current 211 Victoria Parade was constructed of timber at that date (with horizontal hatching), however the rate books record the building as brick.

Between 1907 and 1910 the numbering along Victoria Parade changed, establishing the current address numbers. Occupants of the commercial row in 1905 comprised a hairdresser and tobacconist, bookseller, bootmaker, leather dealer, news agent and stationer, confectioner and plumber. The strip retained its commercial character throughout the twentieth century. In the early 1970s the buildings east of the precinct were demolished to facilitate the widening of Hoddle Street (S&Mc).



**Attachment 4 - Citation -Statement of Significance 205-219 Victoria Parade, Collingwood**



Figure 1. The commercial strip in 1897. The extent of the precinct is indicated in green. Diagonal hatching indicates a brick or stone building, while the horizontal hatching indicates a building constructed of wood (MMBW No 28, dated 1897)

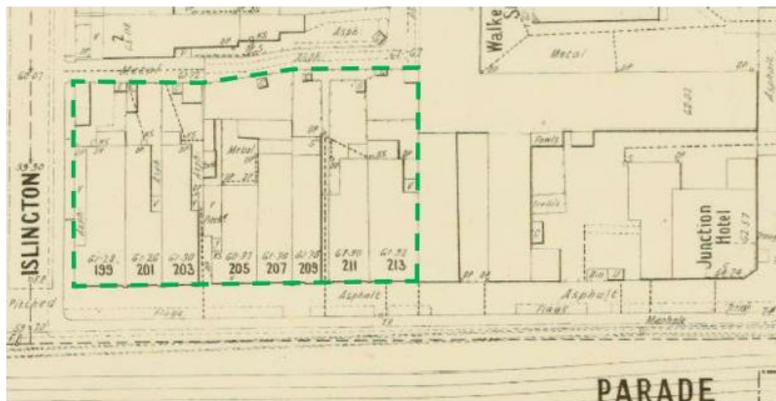


Figure 2. The commercial row in 1899. The extent of the precinct is indicated in green. Nos. 199 to 213 shown are the current 205-219 Victoria Parade (MMBW DP No. 1210, dated 1899)

**Historical Themes**

The place illustrates the following themes as outlined in the *City of Yarra Thematic History* (1998):

- 4.0 Developing local economy
  - 4.4 Smaller Retailers: Strip Shopping

**Description**

The row of commercial buildings at 205-219 Victoria Parade is in the inner-northern suburb of Collingwood on the north side of Victoria Parade and to the west of the intersection with Hoddle Street. The row is bordered by Islington Street to the west and a bluestone laneway to the north. A small grassed reserve to the east separates the row from Hoddle Street. The buildings have no front or side setbacks but a narrow pedestrian laneway separates nos. 209 and 211. All buildings are of brick construction and have rendered facades with roofs set behind parapets.



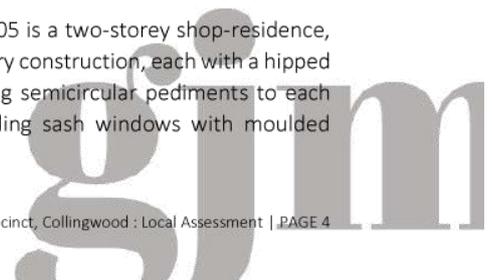
**Attachment 4 - Citation -Statement of Significance 205-219 Victoria Parade, Collingwood**



Figure 3. Victoria Parade elevations and aerial photograph (aerial photograph source: Nearmap)

**205 and 207-209 Victoria Parade**

205-209 Victoria Parade comprises three shops constructed as a group. 205 is a two-storey shop-residence, and 207-209 are two single-storey shops. The shops are of rendered masonry construction, each with a hipped roof clad in corrugated sheet metal concealed behind a parapet featuring semicircular pediments to each address. The upper façade of no. 205 contains two timber-framed sliding sash windows with moulded



**Attachment 4 - Citation -Statement of Significance 205-219 Victoria Parade, Collingwood**

surrounds, and the ground floor façade has been modified through the introduction of shopfront glazing, which flank the central recessed entry. At 207-209, large shopfront glazing is also present, and the recessed entrance to each of 207-209 is adjacent to the party wall the properties share. The party walls featured vermiculated semicircular corbels. Lions heads are present above these at the central and eastern party walls. A narrow easement is located immediately to the east of the building, and a later two-storey addition has been constructed to the rear of no. 205.

***211-213 Victoria Parade***

211-213 Victoria Parade comprises a single-storey shop with canopy to the street. The building is a rendered masonry structure with two hipped-roof volumes clad in corrugated sheet metal concealed by a low parapet with dogtooth brick course and a simple central pediment. The western hip of the roof is wider than the eastern hip and has a corbeled chimney with cylindrical terracotta pot. The street façade is punctuated with large expanses of timber-framed shopfront glazing. The entrance is centrally located with a half-glazed four-panel timber door. The verandah is a later addition and comprises a central barrel-vault over the entry, which is clad in painted corrugated metal, with concave sections to either side and decorative cast iron valances and brackets. The rear of the site is at-grade carpark, accessed from the rear laneway via Islington Street. A narrow easement is located immediately to the west of the building.

***215-219 Victoria Parade***

215-219 Victoria Parade comprises a row of three two-storey shop-residences. The buildings are of rendered masonry construction with the three facades exhibiting the same detailing to the parapets and window openings and surrounds. Party walls are articulated at the upper and lower string course by moulded corbels featuring a Queen's head motif. One of four urns to the parapet remains extant, and each shop features its own pediment. Three rendered brick chimneys remain extant – two at the east elevation of 219 and one to the west elevation of 215.

The upper-storey windows of each shop have identical moulded surrounds, with one central window to each of nos. 215 & 217 and a pair of centrally positioned windows to no. 219. Nos. 215 & 217 contain non-original timber-framed windows and no. 219 appears to retain the original timber-framed sliding sash windows. The shopfronts at ground floor level have been modified through the introduction of shopfront glazing. The recessed entries at nos. 215 & 217 are located to the east of the shopfront window while the entry to no. 219 is centrally located. An additional door is located to the east of the main entry of no. 215 and comprises a later timber door with fanlight above. Various single-storey structures are located to the rear of the building.



Attachment 4 - Citation -Statement of Significance 205-219 Victoria Parade, Collingwood



Figure 4. The precinct as viewed from the road reserve at the centre of Victoria Parade, looking northeast. Islington Street at left.



Figure 5. Looking northeast to 211-213 Victoria Parade, with canopy at front, and 215-219 Victoria Parade at right.



Attachment 4 - Citation -Statement of Significance 205-219 Victoria Parade, Collingwood

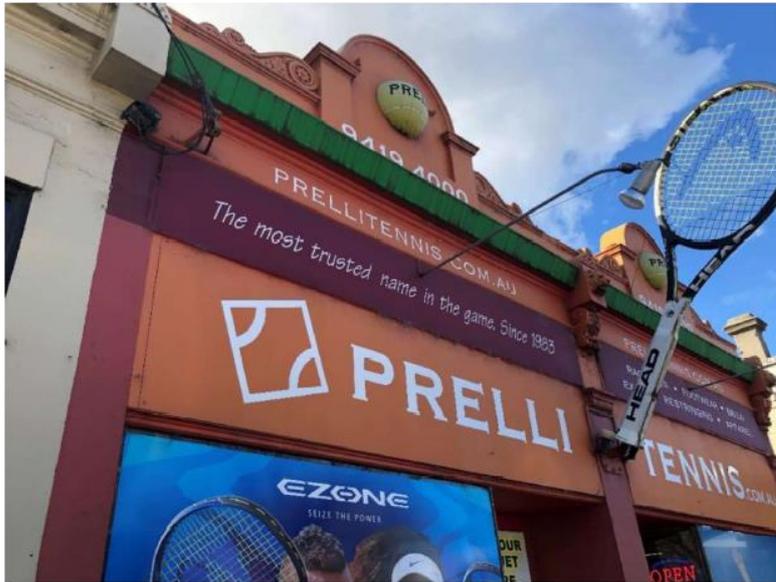


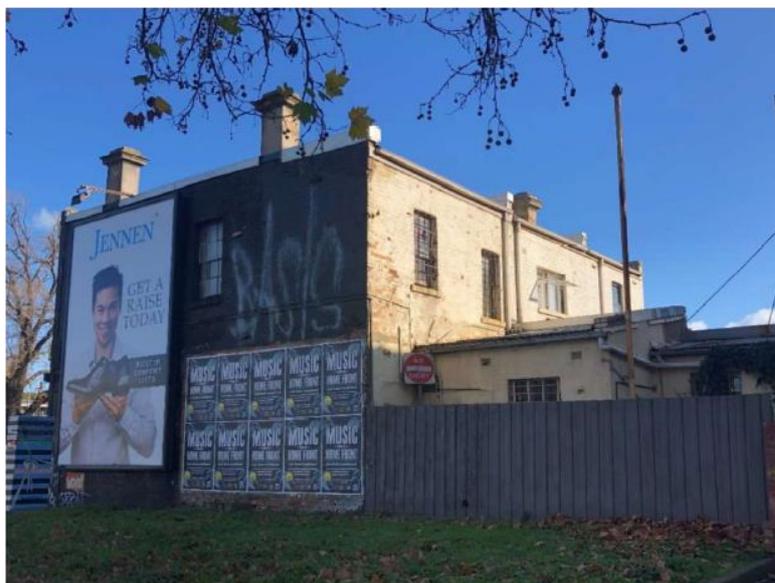
Figure 6. 207-209 Victoria Parade, showing extant parapets and lion's head moulding to party wall.



Figure 7. Looking east to the canopy at 211-213, showing later steel structure above cast iron verandah posts.



**Attachment 4 - Citation -Statement of Significance 205-219 Victoria Parade, Collingwood**



*Figure 8. Looking southwest to the rear of 215-219 Victoria Parade, showing extant chimneys to the east elevation and single-storey outbuildings (at right).*

**Integrity/Intactness**

The buildings retain a high degree of integrity to the Victorian period in fabric, form and detail. While the buildings have undergone some alterations, including the replacement of windows and doors, the loss of shopfronts at street level, the loss of some decorative detailing, and the construction of a verandah canopy at no. 211-213, these do not diminish the ability to understand and appreciate the precinct as a highly intact row of Victorian commercial premises.

**Comparisons**

The row of commercial premises at 205-219 Victoria Parade, Collingwood are of note as an intact and representative row of Victorian-era commercial buildings, constructed in the City of Yarra.

Substantial numbers of commercial buildings were constructed in the City of Yarra in the 1870s and 1880s. Those of the late nineteenth century typically incorporated classical elements and motifs into symmetrical parapeted facades with varying degrees of elaboration. Rendered facades were most common, with some facades of red brick and contrasting render and others of polychromatic brickwork. Rendered decoration, in the form of classical elements such as cornices, architraves, balustrading, urns, stringcourses and pediments, was commonly applied to facades. Windows were typically rectangular, sometimes arch-headed, and these were repeated regularly across upper facades.

Commercial buildings from this period were most commonly of two-storeys, with some single-storey and three or four-storey premises constructed. They were typically built as rows of attached buildings, as pairs, or as individual buildings with no side setbacks from adjoining properties and no front setback.

Within the City of Yarra, large numbers of commercial premises built in the Victorian periods are included in the Heritage Overlay as individually significant and contributory places within precincts. Comparative groups of buildings within existing, larger precincts, which broadly display characteristics similar to the precinct at 205-219 Victoria Parade, include amongst others:

- 409-417 Swan Street, Richmond (Burnley Street Precinct, HO474)



**Attachment 4 - Citation -Statement of Significance 205-219 Victoria Parade, Collingwood**

- 91-101 Swan Street, Richmond (Swan Street Precinct, HO335)
- 129-141 Bridge Road, Richmond (Bridge Road Precinct, HO310)
- 178-186 Bridge Road, Richmond (Bridge Road Precinct, HO310)
- 97-135 Church Street, Richmond (Church Street North Precinct, HO454)
- 233-251 Victoria Street, Abbotsford (Victoria Street West Precinct, HO444).



Figure 9. 409-417 Swan Street, Richmond (Burnley Street Precinct, HO474) (Google, Feb 2017).



Figure 10. 91-101 Swan Street, Richmond (Swan Street Precinct, HO335) (Google, Oct 2016).



Figure 11. 129-141 Bridge Road, Richmond (Bridge Road Precinct, HO310) (Google, Nov 2016).



**Attachment 4 - Citation -Statement of Significance 205-219 Victoria Parade, Collingwood**



Figure 12. 178-186 Bridge Road, Richmond (Bridge Road Precinct, HO310) (Google, Oct 2016).



Figure 13. 97-135 Church Street, Richmond (Church Street North Precinct, HO454) (Google, Oct 2016)



Figure 14. 233-251 Victoria Street, Abbotsford (Victoria Street West Precinct, HO444) (GJM, September 2017).

Like these places, the row at 205-219 Victoria Parade, Collingwood displays a range of characteristics which have strong associations with the Victorian period and the precinct remain highly intact to demonstrate these associations.

The commercial row at 205-219 Victoria Parade demonstrate the following Victorian characteristics:

- A variety of simple facade parapets, with pitched roofs behind;
- No front setbacks;



## Attachment 4 - Citation -Statement of Significance 205-219 Victoria Parade, Collingwood

- Rendered walls;
- Rendered window frames, sills and hoods to upper storeys;
- Horizontal lines formed by parapets, cornices, and string courses; and
- Repetitive upper floor fenestration patterns.

### Assessment Against Criteria

Following is an assessment of the place against the recognised heritage criteria set out in *Planning Practice Note 1: Applying the Heritage Overlay* (August 2018).

#### **Criterion A: Importance to the course or pattern of our cultural or natural history**

The Victoria Parade East Precinct, comprising 205-219 Victoria Parade, Collingwood, is illustrative of the historical development that occurred along a major, early commercial thoroughfare in the City of Yarra, particularly in the 'boom' period of the 1880s.

#### **Criterion D: Importance in demonstrating the principal characteristics of a class of cultural or natural places or environments (representativeness)**

The Victoria Parade East Precinct, comprising 205-219 Victoria Street, Collingwood is an intact, representative example of a row of Victorian commercial premises. The buildings clearly demonstrate the principal characteristics of nineteenth century development found along major thoroughfares within the City of Yarra and display typical features of the Victorian architectural style popular in Collingwood and across Melbourne more broadly, including parapeted facades with repetitive upper floor fenestration, rendered facades with decorative moulding and ground floor shopfronts.

### Grading and Recommendations

It is recommended that the precinct be included in the Heritage Overlay of the Yarra Planning Scheme as a heritage place comprising seven 'Contributory' buildings.

Recommendations for the Schedule to the Heritage Overlay (Clause 43.01) in the Yarra Planning Scheme:

External Paint Controls?	No
Internal Alteration Controls?	No
Tree Controls?	No
Outbuildings or Fences not exempt under Clause 43.01-3?	No
Prohibited Uses Permitted?	No
Aboriginal Heritage Place?	No

### Extent of the Recommended Heritage Overlay

To the property title boundaries, as indicated by the polygon on the aerial below.



**Attachment 4 - Citation -Statement of Significance 205-219 Victoria Parade, Collingwood**



*Figure 15. Recommended Extent of Heritage Overlay  
(Basemap Source: Nearmap, June 2020)*

## Attachment 4 - Citation -Statement of Significance 205-219 Victoria Parade, Collingwood

### References

Hodgkinson, Clement, Noone, John, and Wilkinson, John, (1858), Plan shewing the streets and buildings in existence in East Collingwood on January 1st 1858 : with schedule of heights of bench-marks above low water datum at Queen's wharf [cartographic material]. Printed by De Gruchy & Leigh [Melbourne].

Melbourne and Metropolitan Board of Works (MMBW): Map No 28, dated 1897; Detail Plan No. 1210, dated 1899.

Sands & McDougall Directories (S&MC).

Rate Books (RB): Borough, then City of Collingwood, Barkly Ward, South Glasshouse Division: 1864, entries 137-140; 1870, entries 157-161; 1876, entries 172-177; 1879, entries 178-182; 1882, entries 178-182; 1883, entries 176-182; 1884, entries 181-187; 1885, entries 182-188; 1888, entries 234-241; 1893, entries 235-243; 1898-1900, entries 225-233.

**Attachment 4 - Citation -Statement of Significance 205-219 Victoria Parade, Collingwood**

**Victoria Parade East Precinct, 205-219 Victoria Parade, Collingwood  
Statement of Significance, August 2020**

<p>Heritage place: Victoria Parade East Precinct, 205-219 Victoria Parade, Collingwood, 3066</p>	<p>PS ref no.: HO TBC</p>
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***What is significant?***

The terraced row of late nineteenth century shop residences at 205-219 Victoria Parade, Collingwood.

Elements that contribute to the significance of the place include (but are not limited to):

- The terraced row's form, materials and detailing from its Victorian era period of construction, including its Victoria Parade elevation, fenestration, decorative parapets, mouldings and other details.
- Original roof forms and chimneys.
- Cast iron elements of the verandah to nos. 211-213 Victoria Parade.

The later (twentieth century) additions including rear additions, later shopfront glazing and the steel structure above the cast iron verandah posts to nos. 211-213 Victoria Parade are not significant.

***How is it significant?***

The Victoria Parade East Precinct at 205-219 Victoria Street is of local historical and architectural (representative) significance to the City of Yarra.

***Why is it significant?***

The Victoria Parade East Precinct, comprising 205-219 Victoria Parade, Collingwood, is illustrative of the historical development that occurred along a major, early commercial thoroughfare in the City of Yarra, particularly in the 'boom' period of the 1880s (Criterion A).

The Victoria Parade East Precinct, comprising 205-219 Victoria Street, Collingwood is an intact, representative example of a row of Victorian commercial premises. The buildings clearly demonstrate the principal characteristics of nineteenth century development found along major thoroughfares within the City of Yarra

## Attachment 4 - Citation -Statement of Significance 205-219 Victoria Parade, Collingwood

and display typical features of the Victorian architectural style popular in Collingwood and across Melbourne more broadly, including parapeted facades with repetitive upper floor fenestration, rendered facades with decorative moulding and ground floor shopfronts (Criterion D).

**Primary source:**

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Victoria Parade: Heritage Analysis and Recommendations, GJM Heritage, August 2020

## Attachment 5 - C297yara Formal Amendment Documents

*Planning and Environment Act 1987*

### **YARRA PLANNING SCHEME**

#### **AMENDMENT C297**

#### **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.

##### **Land affected by the amendment**

The amendment applies to 484 Smith Street, Collingwood (also known as the Gasometer Hotel) and 205-219 Victoria Parade, Collingwood (a row of shops between Islington and Hoddle Streets).

##### **What the amendment does**

The amendment proposes to address identified gaps in the heritage overlay and ensures that heritage fabric is not lost.

The amendment proposes to:

- Apply the interim Heritage Overlay (HO506) to 484 Smith Street, Collingwood also known as the Gasometer Hotel, as shown on Planning Scheme Map No. 2HO.
- Apply the interim Heritage Overlay (HO507) to 205-219 Victoria Parade, Collingwood which are a row of shops between Islington and Hoddle Streets, as shown on Planning Scheme Map No. 6HO.
- Amend the schedule to Clause 43.01 (Heritage Overlay) to insert two interim Heritage Overlays to 484 Smith Street, Collingwood (also known as the Gasometer Hotel) and 205-219 Victoria Parade, Collingwood (a row of shops between Islington and Hoddle Streets). This is until the permanent heritage overlays are in place.
- Amend the incorporated document *City of Yara Database of Heritage Significant Areas, July 2020* which is listed in the Schedule to Clause 72.04 – Incorporated Documents to include interim HO506 (484 Smith Street, Collingwood) and interim HO507 (205-219 Victoria Parade, Collingwood).

##### **Strategic assessment of the amendment**

##### **Why is the amendment required?**

The following heritage reports were provided by GJM Heritage in preparing interim design and development overlays (DDOs) for Alexandra and Victoria Parade:

- a) *Built Form Review: Alexandra Parade – Heritage Analysis and Recommendation; and*
- b) *Built Form Review: Victoria Parade – Heritage Analysis and Recommendations.*

The reports informed the interim DDOs 38 and 39 and provided parts of strategic justification for Amendment C288 which was gazetted on 22 October 2021. The reports also analysed gaps, inconsistencies and inaccuracies with the current heritage provisions along the Parades.

The recommendations from the report included addressing two gaps within the current heritage overlay. The gaps identified from the report are of the following areas:

- (a) 484 Smith Street, Collingwood; and

## Attachment 5 - C297yara Formal Amendment Documents

(b) 205-219 Victoria Parade, Collingwood.

A summary of the justification for including each of the above areas in the heritage overlay is below:

### 484 Smith Street, Collingwood (also known as the Gasometer Hotel)

- Elements that contribute to the significance of the heritage place are, amongst others;
  - the original, external form;
  - materials and detailing of the building;
  - integrity of its original design;
  - façade parapet; and
  - pitched roofs behind.
- The gasometer Hotel is of local historical and architectural significance to the City of Yarra.
- Its significance lies in being a suburban hotel on a prominent corner location and displaying typical characteristics of the early Victorian period in Collingwood.
- The site's recommended heritage grading is "Individually Significant".

### 205-219 Victoria Parade, Collingwood (row of shops between Islington and Hoddle Streets)

- The precinct contains a mix of single to two storey shops from the Victorian period.
- The brick buildings have rendered facades with some façade detailing present and visible chimneys – some minimal alterations are present at ground level (i.e. wider shop windows)
- It was considered that *"the buildings retain a high degree of integrity to the Victoria period in fabric, form and detail"*. The alterations did, in the heritage expert's view, not *"diminish the ability to understand and appreciate the precinct as a highly intact row of Victorian commercial premises"*.
- The inclusion in the overlay is seen as justified due to the precinct being illustrative of the historical development along the early major commercial thoroughfare in Yarra and being an intact, representative row of Victorian commercial premises.
- The site's recommended heritage grading is "Contributory".

The amendment is required to address the identified gaps in the heritage overlay and ensure that heritage fabric is not lost until permanent heritage overlays are in place. This is likely to be pursued as part of a future permanent Fitzroy-Collingwood built form amendment.

### **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), in particular:

- (d) *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; and*
- (g) *to balance the present and future interests of all Victorians.*

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

The Amendment will not have any adverse effects on the environment.

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

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

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

The Amendment complies with Ministerial Direction No. 9 in addressing and responding to the Metropolitan Planning Strategy, Plan Melbourne 2017-2050.

The Amendment complies with the Direction on the form and content of planning schemes.

Amendment C297 complies with Ministerial Direction 2.3 Heritage Conservation.

## Attachment 5 - C297yara Formal Amendment Documents

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

The Amendment supports and implements State Planning Policy in responding to the following clause:

#### **Clause 15.03-1S Heritage Conservation**

*To ensure the conservation of places of heritage significance*

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

This strategic consideration only applies if the planning scheme includes an LPPF at Clause 20.

### **How does the amendment support or implement the Municipal Planning Strategy?**

This strategic consideration only applies if the planning scheme includes an MPS at Clause 02.

### **Does the amendment make proper use of the Victoria Planning Provisions?**

The Amendment is consistent with the Victoria Planning Provisions. An interim heritage overlay is considered the best tool to protect heritage fabric.

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

Advice will be sought from relevant agencies for the future built form Amendment, which will include the permanent heritage overlays.

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

The Amendment does not impact on the *Transport Integration Act, 2010*.

### **Resource and administrative costs**

The amendment will have minimal impact on council's resources and administrative costs. It may have some impact on the general operation of Council's statutory planning department which is covered by Council's budget.

### **Where you may inspect this amendment**

The amendment can be inspected free of charge at the Yarra City Council at Council's webpage.

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
--

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)

**Attachment 5 - C297yara Formal Amendment Documents**

**ATTACHMENT A - Mapping reference table**

Location	Land /Area Affected	Mapping Reference
Yarra	484 Smith Street, Collingwood	Yarra C297yara 001hoMap02 Exhibition
Yarra	205-219 Victoria Parade, Collingwood	Yarra C297yara 002hoMap06 Exhibition

## Attachment 5 - C297yara Formal Amendment Documents

### *Planning and Environment Act 1987*

#### YARRA PLANNING SCHEME

#### AMENDMENT C297

#### INSTRUCTION SHEET

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

The Yarra Planning Scheme is amended as follows:

##### **Planning Scheme Maps**

The Planning Scheme Maps are amended by a total of 2 attached map sheets.

##### ***Overlay Maps***

1. Amend Planning Scheme Map Nos 2HO and 6HO in the manner shown on the 2 attached maps marked "Yarra Planning Scheme, Amendment C297".

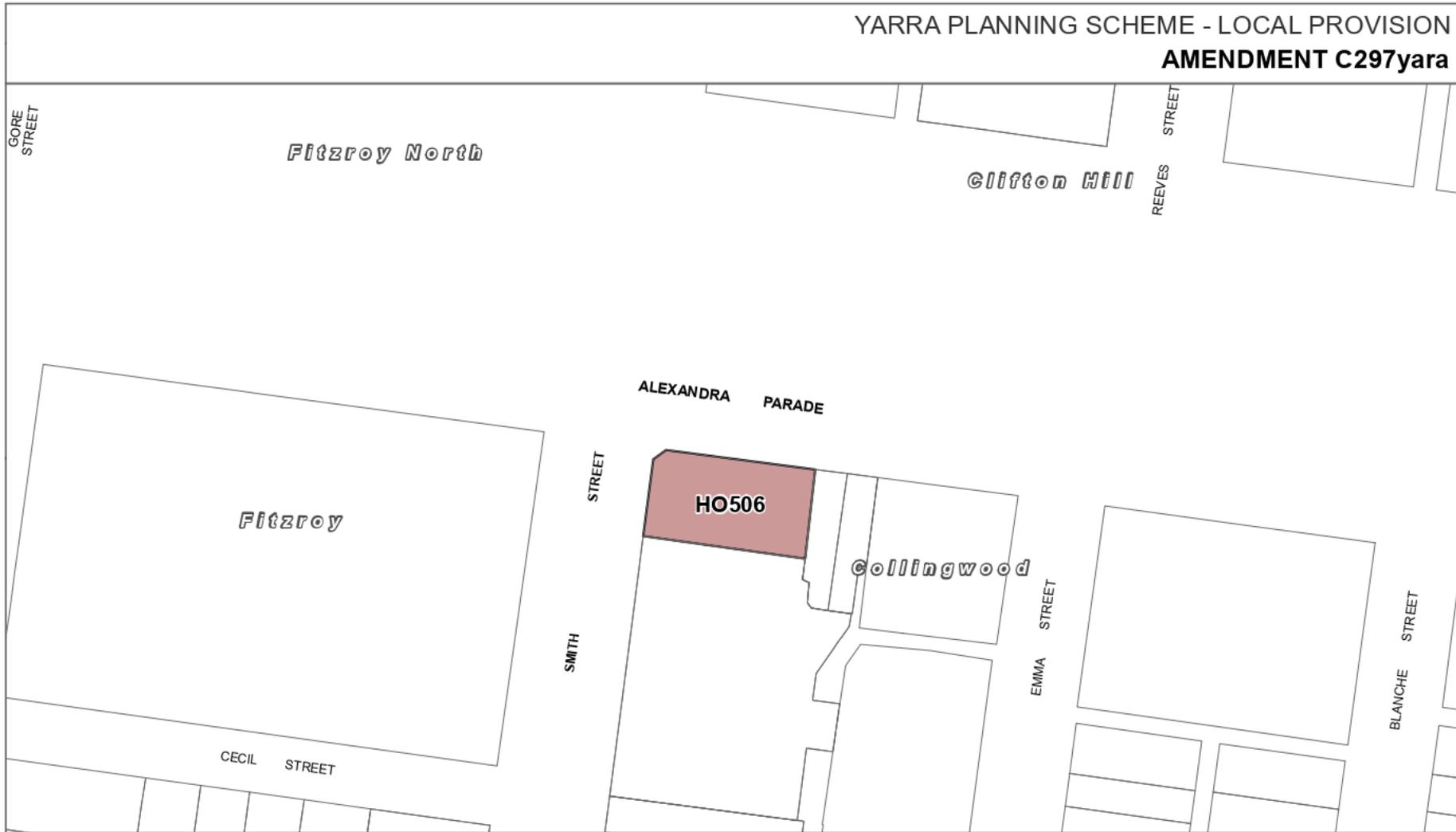
##### **Planning Scheme Ordinance**

The Planning Scheme Ordinance is amended as follows:

2. In **Overlays** – Clause 43.01, replace Schedule 43.01 with a new Schedule in the form of the attached document.

Attachment 5 - C297yara Formal Amendment Documents

YARRA PLANNING SCHEME - LOCAL PROVISION  
AMENDMENT C297yara



LEGEND

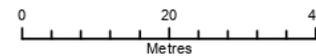
-  HO - Heritage Overlay
-  Local Government Area

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Amendment Version: 2



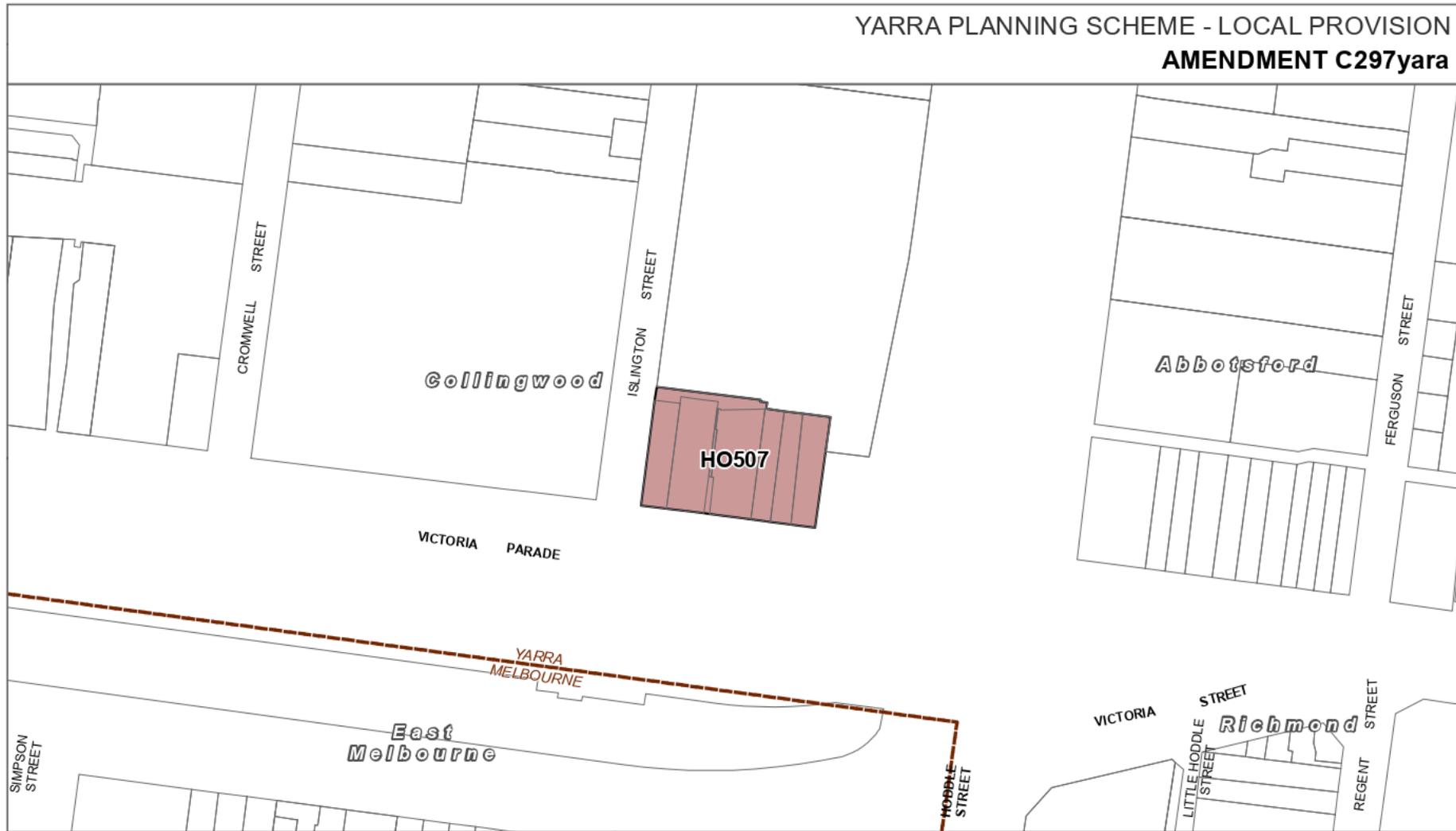
Environment,  
Land, Water  
and Planning

Part of Planning Scheme Map 2HO



Attachment 5 - C297yara Formal Amendment Documents

YARRA PLANNING SCHEME - LOCAL PROVISION  
**AMENDMENT C297yara**



**LEGEND**

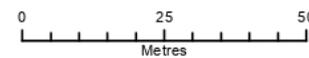
- HO - Heritage Overlay
- Local Government Area

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Environment,  
 Land, Water  
 and Planning

Part of Planning Scheme Map 6 HO



Attachment 5 - C297yara Formal Amendment Documents

AMENDMENT C297YARA

PS map ref	Heritage Place	External Paint Controls Apply?	Internal Alteration Controls Apply?	Tree Controls Apply?	Outbuildings or fences which are not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses may be permitted?	Aboriginal heritage place?
	Incorporated Plan under the provisions of clause 43.01 Heritage Overlay, Planning permit exemptions, July 2014							
HO506 <i>Interim control</i> <i>Expiry Date</i> 18/11/2022	484 SMITH STREET, COLLINGWOOD Gasometer Hotel <b>Incorporated plan:</b> Incorporated Plan under the provisions of clause 43.01 Heritage Overlay, Planning permit exemptions, July 2014	No	No	No	No	No	No	No
HO507 <i>Interim control</i> <i>Expiry Date</i> 18/11/2022	205-219 VICTORIA PARADE, COLLINGWOOD A row of shops between Islington and Hoddle Streets <b>Incorporated plan:</b> Incorporated Plan under the provisions of clause 43.01 Heritage Overlay, Planning permit exemptions, July 2014	No	No	No	No	No	No	No
HO518	85 CREMORNE STREET, CREMORNE Melbourne Wire Works Factory & Head Office (former) <b>Incorporated plan:</b> Incorporated Plan under the provisions of clause 43.01 Heritage Overlay, Planning permit exemptions, July 2014	No	No	No	No	No	No	No
HO519	1-3 & 5-9 GORDON STREET, CREMORNE Nuttlex Factory (former) <b>Incorporated plan:</b> Incorporated Plan under the provisions of clause 43.01 Heritage Overlay, Planning permit exemptions, July 2014	No	No	No	No	No	No	No
HO520	26 BROHAM PLACE, RICHMOND Factory/Warehouse	No	No	No	No	No	No	No

# **CITY OF YARRA**

## **Database of Heritage Significant Areas**

*June 2020*

Formerly

'Appendix 8 - City of Yarra review of Heritage Overlay Areas, Graeme Butler and Associates  
(2007)'



## Attachment 5 - C297yara Formal Amendment Documents

City of Yarra - Database of Heritage Significant Areas

The following is an extract from the City of Yarra Heritage Database listing the heritage status of properties within each Heritage Overlay. As requested by the City of Yarra, the table is arranged in heritage overlay number order and then address order within that group. Victorian Heritage Register (VHR) properties have a second listing within Heritage Overlay Areas as recognition of their contribution to each area.

### Data fields in City of Yarra Heritage Database extract

#### Name

Typically as place type only i.e. *Shop and Residence*, if not a house/residence or with no known historical name

#### Address

Street name and number, suburb

#### City of Yarra property number

The current City of Yarra Property number

#### Significance

(From given range as below)

Significance	Definition
<b>Unknown</b>	Insufficient data to allow an assessment from the public domain.
<b>Not Contributory</b>	The place does not contribute to the heritage precinct or building.
<b>Contributory</b>	A place or part of a place that contributes to the heritage significance of a precinct. It could include: a building or group of buildings, a landscape, paving and/or parts of a building such as chimneys, verandahs, wall openings and rooflines.
<b>Individually Significant</b>	The place is a heritage place in its own right. Where an individually significant places is also part of a broader heritage precinct, the individually significant place is also contributory to the broader precinct.
<b>Victorian Heritage Register</b>	On the Victorian Heritage Register (VHR) as aesthetically, historically, scientifically, and/or social significant at the State level and contributory or complementary to the Heritage Overlay Area.

#### Date range

Estimated primary creation date of typically publically visible fabric only.

Attachment 5 - C297yara Formal Amendment Documents

HO505	Johnston		237	Abbotsford	Shop & Residence	113040	Contributory	1885-1890
HO505	Johnston		239	Abbotsford	Shop & Residence	405430	Contributory	1885-1890
HO505	Johnston		241	Abbotsford	Railway bridge & abutments	113055	Individually Significant	1901
HO505	Johnston		246	Abbotsford	Shop & Residence	113630	Contributory	1900-1910
HO505	Johnston		248	Abbotsford	Shop & Residence	113625	Contributory	1900-1910
HO505	Johnston		250	Abbotsford	Shop & Residence	113620	Contributory	1900-1910
HO505	Johnston		252	Abbotsford	Shop & Residence	113615	Contributory	1885-1890
HO505	Johnston		254	Abbotsford	Shop & Residence	113610	Contributory	1885-1890
HO505	Johnston		256	Abbotsford	Shop & Residence	113605	Contributory	1885-1890
HO505	Johnston		258	Abbotsford	Shop & Residence	113600	Individually significant	1885-1890
HO505	Johnston		260	Abbotsford	Shop & Residence	113595	Individually significant	1885-1890
HO505	Johnston		262	Abbotsford	Shop & Residence	113590	Contributory	1885-1890
HO505	Johnston		264	Abbotsford	Shop & Residence	113585	Contributory	1885-1890
HO505	Johnston		266	Abbotsford	Shop & Residence	113580	Contributory	1885-1890
HO505	Johnston		268	Abbotsford	Shop & Residence	113575	Contributory	1885-1890
HO505	Johnston		270	Abbotsford	Shop & Residence	113570	Not contributory	1885-1890
HO505	Johnston		272	Abbotsford	Shop & Residence	113565	Contributory	1885-1890
HO505	Johnston		274	Abbotsford	Shop & Residence	113560	Contributory	1885-1890, c.1930
<b>HO506</b>								
HO506	Smith	Street	484	Collingwood	Gasometer Hotel	117775	Individually significant	1859
<b>HO507</b>								
HO507	Victoria	Parade	205	Collingwood	Shop & Residence	100535	Contributory	1880-1890
HO507	Victoria	Parade	207-209	Collingwood	Shop & Residence	100530	Contributory	1880-1890
HO507	Victoria	Parade	211-13	Collingwood	Shop & Residence	100525	Contributory	1870-1875
HO507	Victoria	Parade	215	Collingwood	Shop & Residence	100520	Contributory	1870-1875
HO507	Victoria	Parade	217	Collingwood	Shop & Residence	100515	Contributory	1870-1875
HO507	Victoria	Parade	219	Collingwood	Shop & Residence	100510	Contributory	1870-1875
<b>HO518</b>								
HO518	Cremonne	Street	85-99	Cremonne	Melbourne Wire Works Factory & Head Office, Former	165395	Individually Significant	1930-1940
<b>HO519</b>								
HO519	Gordon	Street	1-3	Cremonne	Factory, Former Nuttalex	162685	Individually Significant	1915-1925
HO519	Gordon	Street	5-9	Cremonne	Factory, Former Nuttalex	162680	Individually Significant	1915-1925
<b>HO520</b>								
HO520	Bromham	Place	26	Richmond	Factory/Warehouse	149765	Individually Significant	1905-1920
<b>HO521</b>								
HO521	Risley	Street	14	Richmond	York Boot Factory, Former	149645	Individually Significant	1880-1890

## 8.3 30m Strip of land abutting Yarra River at former AMCOR site

---

<b>Reference</b>	D21/187995
<b>Author</b>	Bruce Phillips - Director Planning and Place Making
<b>Authoriser</b>	Director Planning and Place Making

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### Purpose

1. This report provides a short overview of the advocacy by Yarra City Council to the State Government, since December 2015, seeking to have this portion of land, (30 m strip at the southern edge of the former AMCOR site) abutting the Yarra River, vested in the State Government.
2. The report tables a recent letter from the Department of Environment, Land, Water and Planning dated 19 November which advances this matter.

### Critical analysis

#### History and background

##### *Council approval of Development Plan*

3. Council made its decision on the redevelopment scheme regarding the former AMCOR site (the proposed 'Development Plan') back in December 2015 – that followed 2 rounds of community consultation.
4. The Council decision had a number of matters that needed to be modified in the 'Development Plan' to satisfy the Council requirements – the 'Development Plan' was signed off in May 2016 following those changes.
5. The river front land (a 30 metre strip of land) is currently privately owned by Glenvill through the purchase of the larger site from the AMCOR group of companies. This strip of land is required to be kept for passive recreation and not for development or any other landuse (other than a pathway).
6. Regarding this portion of land the Council 2015 decision was, in essence, for YCC to not take on its ownership – largely, on the basis that the land directly abuts the metropolitan resource of the Yarra River, and it should ideally be in the ownership of the State as part of that portfolio.

##### *Advocacy regarding river front land to be in State ownership*

7. The CEO and Director, Planning and Place Making, in 2016, began holding discussions with Melbourne Water, DELWP and Parks Victoria – this was at a time before the Yarra River legislation (although mooted), and an action in the now 'Yarra (River) Strategic Plan' for the State to undertake a middle Yarra River structure plan.
8. Advocacy in this regard has continued since 2016; this has included a number of meetings with senior officers at the State level.
9. This report now tables a very recent letter from the State Government proposing that this current freehold riparian land (30 m strip), be converted to Crown Land with Yarra City Council then appointed as Committee of Management.
10. The DELWP letter, which outlines this indented approach is an Attachment to this report.

##### *Current status of this river front land and what needs to be done*

11. A particular aspect regarding this 30 m strip of land has always been that, in part, it is also still contaminated (like a number of other parts of the former AMCOR industrial site which were, but now decontaminated).

12. Meetings have been held with the developer (Glenvill) a number of times including with their Environmental Consultant (GHD), and the independent environmental Auditor, regarding the contamination aspects of this river frontage. Glenvill fully accept its obligation to decontaminate this land like it has on the other parcels of the larger site.
13. In those discussions, it became apparent that the western half of the 30 m strip is contaminated with friable asbestos – and the eastern half apparently not. This is because the former industrial activity effectively bulldozed the site towards the river over the 100 years of occupation, and material ended up in this 30 m area (NB: the eastern part of this land was below the area that, for many decades had houses; but never built on as a factory extension).
14. Both GHD and the independent Environmental Auditor have previously concluded that stripping out the soil on the western side of the subject land, to a required depth in order to clear the contamination is the only safe way of decontaminating that portion, and hence making it 'fit for purpose' as space for the public to use.  
*It is noted that this will have the consequential aspect of the required removal of trees and vegetation on that half of the subject land; which would then require extensive revegetation, and also an approach (with various approvals required) that returns a full landscape river environs setting (a natural landscape).*
15. The eastern half of the subject land would not, it is understood, require that technique.
16. This decontamination has been discussed at length with Glenvill and consultants, but still needs much more consideration and also information to Councillors, Council and the community. There will need to be a communications and engagement plan prepared to enable the discussions that are required to occur (this has not been commenced at this stage).
17. It is also noted that the river bank 'slump' issue occurred (late 2018), and the above conversations, were effectively put on hold in order to deal with that important matter – which still requires some resolution in the overall scheme of the river bank area. Note: Council has had Alluvium Consultants assisting in its conversations with the current owner and its consultants.
18. Some interim drainage arrangements have been put in place by Glenvill with the permissions from both Council and Melbourne Water – this has been some agriculture pipes ('agi pipes') to assist in the removing the seepage that has pooled in some locations on the river front area.
19. In the past 12 months, there has also been a number of workshops (Glenvill / Glenvill consultants and various YCC staff), regarding how this river edge land will need to be resolved as both 'fit for purpose', and how it can be re landscaped towards a natural river setting, but with the required underlying engineering aspects resolved (such as the seepage issue, but not solely that).
20. The river edge considerations do require a great deal more work; both in discussion and collaboration amongst many disciplines, and then a community communications and engagement program for outlining the situation, the complexities and a way forward.
21. An approvals and works process will then be required to be determined.
22. In short, a 'natural landscape setting' needs to be the final outcome achieved, but with some significant engineering aspects embedded in the underlying area. This will require a carefully resolved landscaped vision to drive the outcome of a regenerated landscape river environs setting.

#### Discussion

23. In relation to the letter from DELWP attached, further Councillor briefings and then a formal Council report will be required to provide a solid basis for formal Council considerations of the suggested YCC Committee of Management proposal by the State.

24. The letter is, however, considered a very good outcome for Council and the community in that it would enable the land to be placed in public ownership and as part of the parkland area abutting the Yarra River; and also provide a basis for advancing the river front area with some added certainty for all concerned.
25. This approach can have regard to the vision of the Yarra River Act and what it effectively represents; a vision of parklands / green spaces assembled over the years abutting the Yarra River.

#### Options

26. Council is being simply 'advised only' in this officer report regarding the 19 November letter from the DELWP.
27. Council will need to consider a formal position regarding the Committee of Management aspect of this DELWP letter. That will be subject of a separate officer report to Council for a determination after considering the officer analysis of those obligations. That is most likely to be in February 2022 after internal consultation occurs regarding an analysis of the obligations and financial aspects of becoming the Committee of Management for the land in State ownership.

#### Community and stakeholder engagement

28. There has been no particular community engagement at this stage on the river bank area, other than the overall public process of the Development Plan considerations in 2015 and prior.
29. It is noted that the community has broadly expressed a desire that this land be vested in a public authority to ensure its future availability to the broader community.
30. The remediation of the land (an obligation on the Glenwill company as the developer), for the land to be provided in a proper state for vesting to the State, will require a significant communications and engagement strategy by Council and other relevant agencies such as DELWP and Melbourne Water.
31. It is noted that there will be some very sensitive aspects to work through including, regrettably, tree loss to enable part of this portion of land (the western half) to be decontamination from the friable asbestos that exists in the soil.
32. A very good remediation and replanting program will need to be put into place following the required engineering aspects to resolve, amongst other important aspects, some technical drainage issues with the land in question. A number of meetings have been held with Glenwill and its consultants over the past few years on many of these aspects; a deal of further work is still required.

#### Policy analysis

##### Alignment to Community Vision and Council Plan

33. The river bank area is very special; and must be resolved with a landscaped outcome and also 'fit for purpose' for public usage.
34. The *Yarra River Protection (wilip-gin Birrarung murrn) Act 2017* and the Yarra Strategic Plan (meaning the River) are relevant matters in relation to this land.
35. The Community Vision and the Council Plan themes support the sustainability and protection of sensitive lands in Yarra.

##### Climate emergency and sustainability implications

36. The protection of the river lands is very important for many reasons.

##### Community and social implications

37. The community expect this land to be made available for public access. That is also secured by a Section 173 Agreement with Glenwill.

38. It is noted that the level change in the land from the crest of the hill to the river bank is substantial; hence, it being largely for passive use and access to the river edge and the required walking path.

#### Economic development implications

39. No implications.

#### Human rights and gender equality implications

40. The *Yarra River Protection (wilip-gin Birrarung murron) Act* and indigenous group views are important aspects.
41. A letter was forwarded to the Wurundjeri Woi Wurrung cultural Heritage Aboriginal Corporation on 16 June, 2021 seeking any comments that they wish to make on this river bank area; no response has been received at this point in time, but is being followed up.

### Operational analysis

#### Financial and resource impacts

42. Nil in noting this report and the attached letter from DELWP.
43. The Committee of Management aspects that is referred to in the attached letter, does have financial aspects (over time); that will need to be reported to Council in the near future once officers have had regard to the matters that this raises.

#### Legal Implications

44. Nil at this stage, other than matters mentioned above.

### Conclusion

45. The advocacy to have this land in public ownership has been pursued since 2016 following the Council decision in December 2015 regarding the Development Plan.
46. This has included meeting with senior Executives at DELWP, Parks Victoria and Melbourne Water over a period of years.
47. The recent letter (19 November 2021) is a breakthrough on this topic and is 'in principle' a very good outcome for the Council and the community.
48. The impact of the Committee of Management status needs to be resolved and that will be subject of officer analysis and then reported to Council for a formal position to be determined.

## RECOMMENDATION

1. That Council note:
  - (a) the officer report regarding the 30 m strip of land abutting the Yarra River at the former AMCOR site, and in particular the advocacy that has been undertaken by Council officers to have the land vested in the State;
  - (b) the letter received from the Department of Environment, Land, Water and Planning dated 19 November as shown in the Attachment 1; and
  - (c) the letter sent to the Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation as shown in Attachment 2.
2. That Council write to the Secretary of the Department of Environment, Land, Water and Planning to:
  - (a) thank the Department for its considerations and the letter dated 19 November 2021;
  - (b) inform the Department that Council is very pleased with the broad intent of the letter; and
  - (c) inform the Department that Council officers will be further analysing the Committee of Management obligations and reporting back to Council in the near future and that Council will then provide a formal response to the letter received on 19 November, 2021.

## Attachments

- 1 [↓](#) Letter from DELWP on Riparian land in Alphington
- 2 [↓](#) Riparian land in Alphington
- 3 [↓](#) Letter to the Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation

## Attachment 1 - Letter from DELWP on Riparian land in Alphington



Department of Environment,  
Land, Water and Planning

PO Box 500, East Melbourne,  
Victoria 8002 Australia  
[delwp.vic.gov.au](http://delwp.vic.gov.au)

Ms Vijaya Vaidyanath  
Chief Executive Officer  
City of Yarra  
[vijaya.vaidyanath@yarracity.vic.gov.au](mailto:vijaya.vaidyanath@yarracity.vic.gov.au)

Dear Ms Vaidyanath

### RIPARIAN LAND IN ALPHINGTON (GLENVILL REDEVELOPMENT SITE)

I refer to recent communications and our meeting of 17 November 2021 about the riparian land at the former Amcor site in Alphington, and your concern about ensuring public access to this land into the future. Other relevant context is Minister D'Ambrosio's July 2019 statement, in response to a Question on Notice, that the land would transfer to the Crown.

In response to your concern and to remain consistent with the Minister's view, I propose the following approach for your consideration:

- The riparian freehold land currently owned by Glenvill Homes will be converted to Crown land (this will occur pursuant to section 30 of the *Crown Land (Reserves) Act 1978*); at the time of transfer to the Crown there should be no encumbrances such as contamination or unwanted assets
- The newly established Crown land will be reserved under the *Crown Land (Reserves) Act 1978* for an appropriate purpose that ensures public access (this is a Governor in Council process)
- The City of Yarra will then be appointed as the Committee of Management for the land under the *Crown Land (Reserves) Act 1978* (this appointment can be made by the Minister or delegate).

The attachment provides a flow chart for the suggested process.

As you know, a commitment from the council to become the Committee of Management is an essential part of this process as the Department of Environment, Land, Water and Planning is not set up to be a direct manager of land.

Subsequently, the Department and Council as the Committee of Management should also assess if the land should be recommended to be declared as Yarra River land and/or Greater Yarra Urban Parklands under the provisions of the *Yarra River Protection (Wilip-gin Birrarung murrong) Act 2017*.

Please contact me on 0400 818 676 if you would like to discuss this proposed approach.

Yours sincerely

**Stephen Chapple**  
Regional Director Port Phillip

19 / 11 / 2021

Encl.

Any personal information about you or a third party in your correspondence will be protected under the provisions of the *Privacy and Data Protection Act 2014*. It will only be used or disclosed to appropriate Ministerial, Statutory Authority, or departmental staff in regard to the purpose for which it was provided, unless required or authorized by law. Enquiries about access to information about you held by the Department should be directed to [foi.unit@delwp.vic.gov.au](mailto:foi.unit@delwp.vic.gov.au) or FOI Unit, Department of Environment, Land, Water and Planning, PO Box 500, East Melbourne, Victoria 8002.

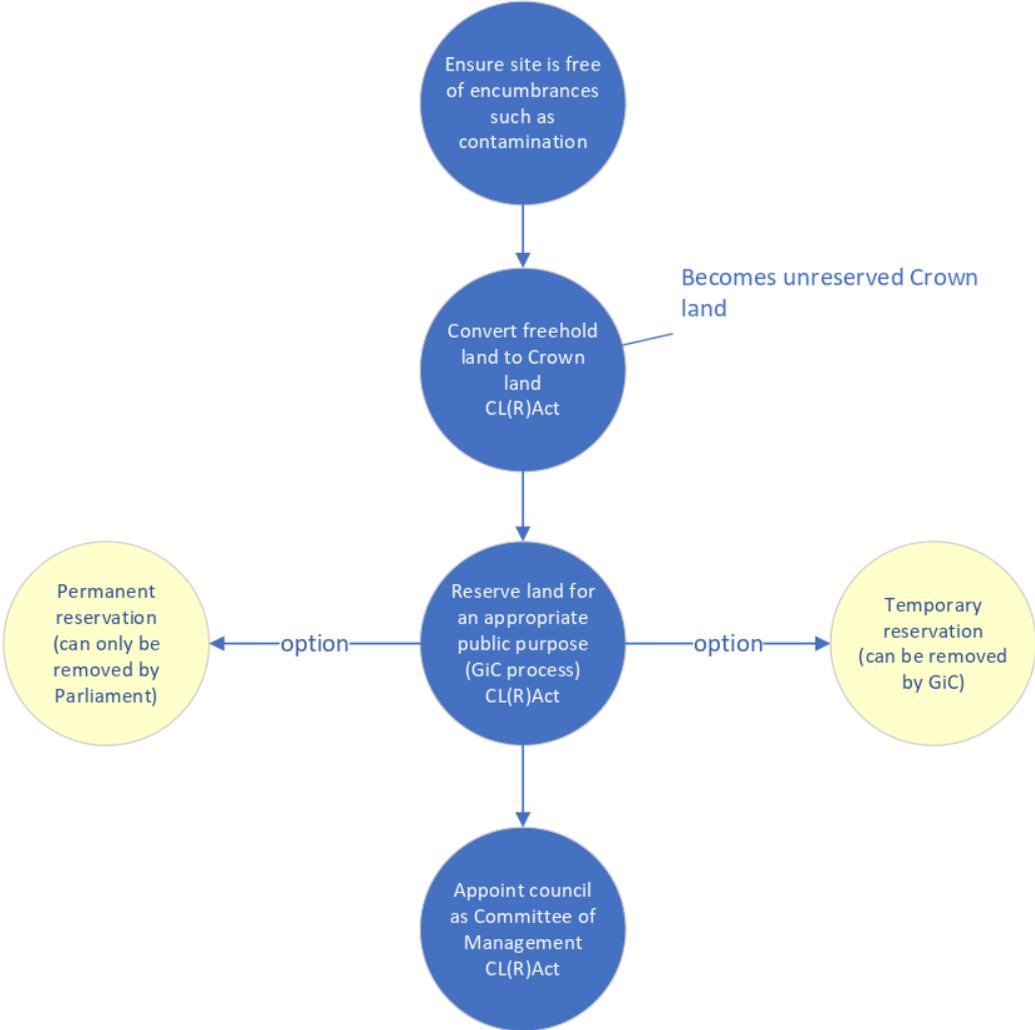


OFFICIAL

Attachment 2 - Riparian land in Alphington

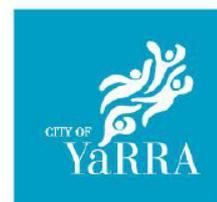
Attachment

Riparian land (Alphington - old paper mill site)



## Attachment 3 - Letter to the Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation

*In reply please quote: D21/60160  
Our reference: F15/15464  
Contact: Bruce Phillips 9205 5300*



16 June 2021

Jordan Smith  
Manager – Water Unit  
Wurundjeri Woi Wurrung cultural Heritage Aboriginal Corporation  
1<sup>st</sup> Floor Providence Building, Abbotsford Convent  
1 St Heliers Street  
ABBOTSFORD VIC 3067

Yarra City Council  
ABN 98 394 086 520

PO Box 168  
Richmond VIC 3121

03 9205 5555  
info@yarracity.vic.gov.au  
yarracity.vic.gov.au

By email: [jordan@wurundjeri.com.au](mailto:jordan@wurundjeri.com.au)

Dear Jordan

### Land at the former AMCOR site abutting the Yarra River

I write in relation to the land at the southern end of the former Alphington Paper Mill (APM) site, formerly owned by the AMCOR group of companies.

That land is part of the new estate that you are possibly aware of at the corner of Heidelberg Road and Chandler Highway in Alphington on the north side of the Yarra River. The specific portion of land I refer to is the 30 m setback of the new development to the River abuttal (see overview plan for reference).

A Development Plan was approved in 2016 for the larger former industrial site to be developed for housing and mixed uses and that is well under way.

The 30 m strip of land needs to be made available for the public once it is resolved as 'fit for purpose' to do so. It is currently owned by Glenwill a development company.

The land could be vested in a public authority, although that is yet to be determined, and a number of discussions are currently occurring with senior DELWP and Melbourne Water officials.

I write on behalf of Yarra City Council to seek your organisations input into the processes of the possible future arrangements for this portion of land abutting the Yarra River.

In this regard, we seek your assistance into the manner in which this dialogue can be commenced, and seek your deliberations into the arrangements for this parcel of land which will become available for general public into the future.

I note that there is some significant decontamination required on the western half of this strip of land, that would be required to be remediated as 'fit for purpose' land for general public access.

Further information can be made to you in a meeting in the near future if that would be useful.

### Attachment 3 - Letter to the Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation

I would appreciate you giving me your initial thoughts in either a meeting or via a response to this letter.

I do note that there are some consultants that may have already contacted you in this regard – however, on behalf of Yarra City Council I seek to reach out to you formally so that the required processes can be pursued and the appropriate dialogue and engagements can occur.

A meeting can be arranged that suits you and your colleagues via Janet McMurray, the Executive Assistant to my role on 9205 5301 or [janet.mcmurray@yarracity.vic.gov.au](mailto:janet.mcmurray@yarracity.vic.gov.au)

Yours sincerely,

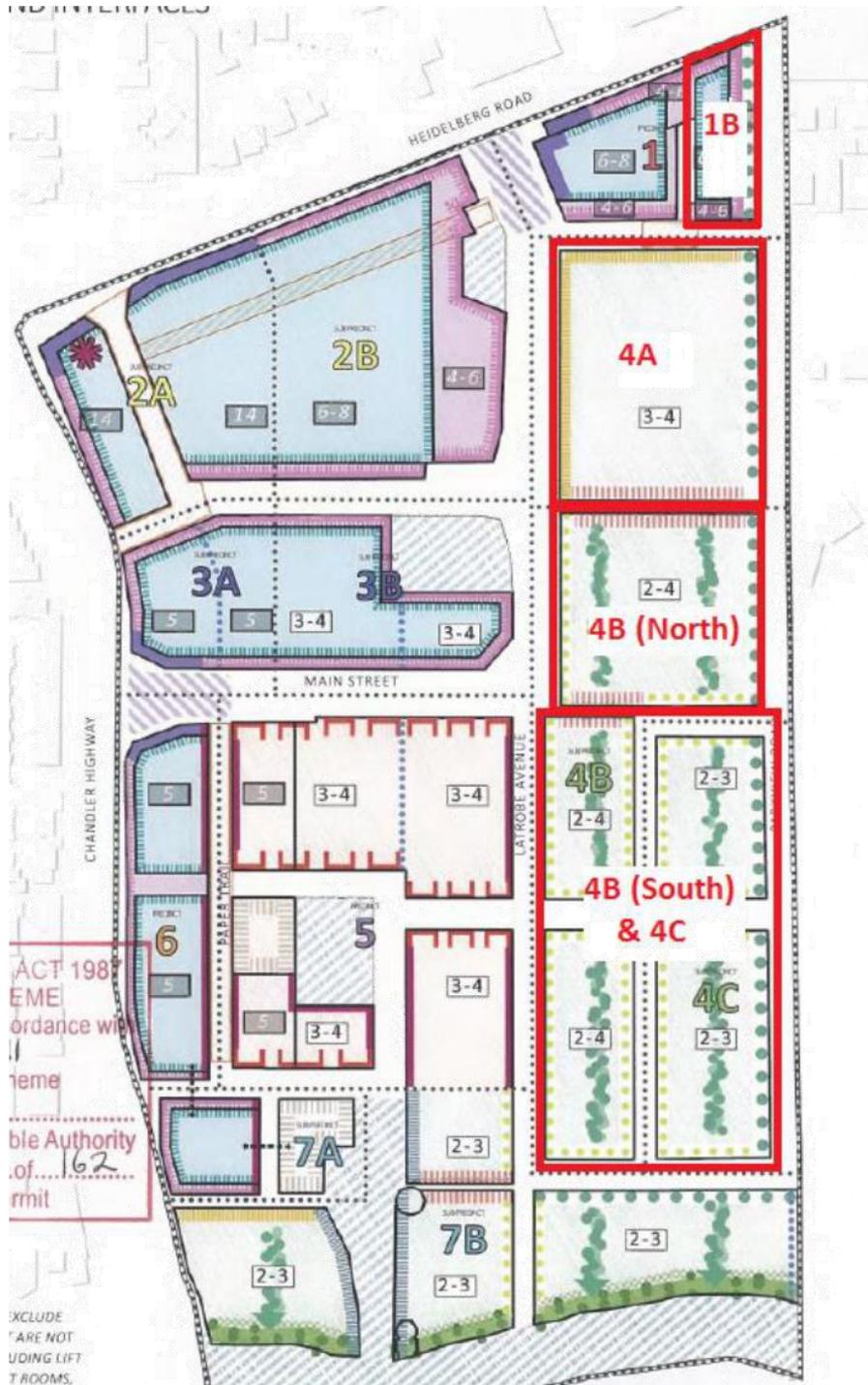
A handwritten signature in blue ink that reads "Bruce Phillips".

Bruce Phillips  
Director Planning and Place Making

**Encl.**

Attachment 3 - Letter to the Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation

Attachment (Overview plan of the approved Development Plan)



## 8.4 Arts and Culture Strategy 2022-2026

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<b>Reference</b>	D21/170392
<b>Author</b>	Siu Chan - Unit Manager Arts, Culture and Venues
<b>Authoriser</b>	Unit Manager Arts, Culture and Venues

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### Purpose

1. To seek Council endorsement of the Arts and Culture Strategy 2022-2026 and approval for the 2022 Year 1 Action Plan to be implemented.

### Critical analysis

#### History and background

2. Council received a report in October which presented the new draft Arts and Culture Strategy 2022-2026 and outlined the process that has been undertaken in its development.
3. Council noted the extraordinary circumstances under which the new strategy was developed and the significant impact the COVID-19 pandemic continues to have on the creative sector and the broader community; Council noted it has a critical role to play in supporting the recovery and optimising the opportunities.
4. Council noted the draft Arts and Culture Strategy was developed over two years and over 400 people (in the community and within council) had the opportunity to provide feedback in three distinct phases.
5. The draft Arts and Culture Strategy 2022–2026 sets out to build on the values and successes of the 2016–2020 strategy, while also responding to the threats and opportunities presented by the pandemic and the climate emergency.
6. It sets out five priorities:
  - (a) Our Aboriginal and Torres Strait Islander arts and cultures are at the heart of Yarra;
  - (b) Artists are essential to a thriving Yarra;
  - (c) Our arts and culture shape Yarra’s places and spaces;
  - (d) We celebrate and support our creative and diverse community; and
  - (e) Our arts contribute to an ecologically sustainable future.
7. To be delivered through six initiatives:
  - (a) We will increase our Aboriginal and Torres Strait Islander cultural competence;
  - (b) We will raise the prominence of Aboriginal and Torres Strait Islander arts in Yarra;
  - (c) We will safeguard our artists’ future;
  - (d) We will ensure that all of Yarra benefits from our arts and culture;
  - (e) Our arts and culture will present us with alternative futures; and
  - (f) Our arts and culture will advance Yarra’s sustainability goals.
8. In October, Council resolved for the draft Arts and Culture Strategy to be put on public exhibition for further community input as the final stage in endorsing the Arts and Culture Strategy 2022-2026. That process has now been completed and the feedback has been reviewed and incorporated where appropriate.

9. A 2022 Year 1 Action Plan has been drafted in accordance with the five priorities and six initiatives. This outlines 34 discreet actions with 13 of these as ongoing actions as well as 21 new actions.
10. Both the Arts and Culture Strategy 2022-2026 and the Year 1 Action Plan are now presented to Council for endorsement.

#### Discussion

11. Council's vision for arts and culture is unchanged and focused on championing a strong vibrant arts and culture sector where everyone in Yarra can enjoy a vibrant city and arts and culture is an everyday experience for all.
12. The impact of the COVID-19 pandemic is unparalleled and particularly detrimental to our creative community. This has led to an explicit focus on initiatives and actions to revitalise the creative economy and the arts and culture sector.
13. The Year 1 Action Plan responds to many issues and themes raised by the COVID-19 pandemic. Some of the proposed actions include:
  - (a) Delivering a new activation program to employ and showcase creatives in Yarra;
  - (b) Hosting a series of events that bring Yarra's artists, communities and generations together, provide skills and resource-sharing opportunities, and build connections between artists and representatives from other sectors;
  - (c) Partnering with Music Victoria and inner city councils to undertake a Live Music Census that will provide valuable data to inform our work;
  - (d) Review Yarra's arts grants scheme to identify ways to increase accessibility to the program and encourage collaboration between applicants with shared goals; and
  - (e) Trial a discounted use scheme for community facilities to creative practitioners.
14. Some explicit actions to address diversity and inclusion:
  - (a) Review Yarra's arts grants scheme to identify ways to increase accessibility to the program and encourage collaboration between applicants with shared goals;
  - (b) Accessible Live Music Venues project which will upskill independent live music venues (up to 500 capacity) in the City of Yarra to improve their access and inclusion practices; and
  - (c) Facilitate greater access to the program through more targeted communication and support e.g.: arts grant writing/presentation workshops for CALD communities.
15. In Year 1, Council will also continue its focus on Aboriginal and Torres Strait Islander community, consolidating on some of the work already achieved as well and expanding on new opportunities identified. These actions included:
  - (a) Raise the prominence of Aboriginal and Torres Strait Islander arts in Yarra:
    - (i) Up to two Aboriginal and Torres Strait Islander members to be recruited to the Yarra Arts Advisory Committee;
  - (b) Present a program that celebrates Aboriginal and Torres Strait Islander arts, culture and community:
    - (i) Smith Street Dreaming. (Ongoing); and
    - (ii) Aboriginal and Torres Strait Islander arts festival.
  - (c) Expand the documentation and celebration of the history of Yarra, that includes Aboriginal and Torres Strait Islander peoples:
    - (i) Second stage of review of policies for public art, monuments, plaques, place names as part of Black Lives Matter actions; and
    - (ii) Investigate the creation of a tribute to Archie Roach and Ruby Hunter.

16. In addressing the new priority on ecological sustainability in Year 1:
  - (a) Artist-in residence role to contribute to opportunities to accelerate climate action; and
  - (b) Provide targeted information online (e.g. FAQ) to support creative organisations and individuals develop sustainable practices and contribute to the circular economy.

#### Options

17. Not relevant to this report.

### Community and stakeholder engagement

18. The draft Arts and Cultural Strategy 2022 – 2026 was put on public exhibition from 20 October to 10 November.
19. This was promoted through:
  - (a) Your Say Yarra;
  - (b) Yarracityarts website;
  - (c) Yarracityarts social media posts and electronic direct mail; and
  - (d) Directly to consultation participants.
20. Two submissions were received during the exhibition period.
21. The submissions raised the opportunity to consider services to marginalised and under-represented cohorts; to ensure Council provided inclusive services that considered particularly people with disabilities and for equal representation of women artists in public art and collection development.
22. Priority 4 of the Strategy highlights the commitment of Council in strengthening inclusion and supporting vulnerable communities. This will be integrated into ongoing programs and annual action plans will identify further specific ways this support will be delivered, such as those in the Year 1 Action Plan.

### Policy analysis

#### Alignment to Community Vision and Council Plan

23. The Arts and Culture Strategy 2022-2026 is aligned with the Community Vision. It responds strongly to:
  - (a) Theme 1 – Strong and vibrant community:
    - (i) Ensure a trusting, safe and welcoming environment to invite active participation of people from all backgrounds with tolerance and acceptance;
    - (ii) Create opportunities for meaningful exchange of our experiences, culture and arts;
    - (iii) Encourage and facilitate community engagement by amplifying lesser-heard voices and addressing gaps; and
    - (iv) Celebrate Aboriginal and Torres Strait Islander culture and country.
  - (b) Theme 4 – Environmental sustainability:
    - (i) Lead the way in climate change mitigation and resilience within Yarra and extend our impact through advocacy and innovative partnership; and
    - (ii) Promote and facilitate a more efficient and effective waste management strategy that inclusively engages the community through education and awareness.
24. It is also aligned with the Council Plan 2021-2025, particularly to four of the six Strategic Objectives:

- (a) Climate and environment: Yarra urgently mitigate climate change while also adapting to its impacts and developing resilience in everything we do. The community, business and industry are supported and encouraged to do the same;
- (b) Social equity and health: Yarra's people have equitable access and opportunities to participate in community life. They are empowered, safe and included;
- (c) Local economy: Yarra's neighbourhoods and major activity centres, nightlife and employment precincts are thriving, accessible and connected. They support and inspire diverse creative communities, cultural activities, businesses, and local employment; and
- (d) Place and nature: Yarra's public places, streets and green open spaces bring our community together. They are planned to manage growth, protect our unique character and focus on people and nature.

#### Climate emergency and sustainability implications

- 25. Climate emergency and sustainability is one of the five identified priorities in the Arts and Cultural Strategy. Artists can help us imagine alternative futures and art and culture have a major role to play in achieving Council's sustainability goals.
- 26. Yarra Council was one of the first in the world to declare a climate emergency, and it is a key priority for Council that it reduces its carbon emissions to slow climate changes such as extreme heat and reduced annual rainfall. Yarra's goals include achieving net zero emissions by 2030, as well as enabling the community to take climate action.

#### Community and social implications

- 27. Yarra's population is economically and culturally diverse. While our socio-economic profile is relatively high, Yarra has pockets of disadvantage characterised by high unemployment and underemployment, and low-income households. It has a younger median age than Victoria as a whole, but it has fewer children and young adults, and fewer people over the age of 50. Our older residents value their ability to independently access a range of social and cultural programs and services.
- 28. The pandemic has put pressure on Yarra's community and repeated lockdowns have increased social isolation, and exacerbated risks to the community's wellbeing. Our most vulnerable residents – the aged, the homeless, the poor and the isolated – are also the most susceptible to the disease and the economic disruption it created.
- 29. This strategy seeks to continue to ensure that all of Yarra's residents across all our neighbourhoods benefit from the presence of arts and cultural initiatives, and that all feel included. Facilitating events, activities and intergenerational dialogue to build social connectedness for older residents are some of the initiatives that are identified in the strategy.

#### Economic development implications

- 30. Arts and culture continue to be important to Yarra's economy and communities. They are an important subset of the creative industries, which form one of Yarra's top four sectors of economic strength.
- 31. A key theme of Yarra's Economic Development Strategy is a 'creative, inclusive and sustainable economy' and Council aims to make Yarra a global hub for the arts sector. These industries are also growing.
- 32. Jobs in the creative industries are significant in Yarra, especially in the two identified creative precincts of Cremorne and Richmond and Collingwood where there are 5,528 creative jobs (15% of all jobs in area) and 2,178 creative jobs (18.8% of all jobs in area) respectively.
- 33. Arts and culture are also important generators for tourism and visitation. In the decade to 2019, total visitation to Yarra more than doubled, until more than half a million visitors were coming to Yarra every year. Many visitors and tourists are drawn by Yarra's arts and culture, as well as the night-life to which they are connected.

### Human rights and gender equality implications

34. Equal access to and participation in artistic and cultural life is recognised in international law as a human right (International Covenant on Economic, Social and Cultural Rights, Article 15. Further to this, the arts can help give voice to those who aren't always able to access a platform to do so or have the power to speak up.

### Operational analysis

#### Financial and resource impacts

35. The trend in funding and supporting arts and cultural activity across the Australia has seen an increased investment by local government authorities and state governments, most sharply demonstrated in the targeted funding packages for arts and cultural sector recovery that have been made available during the pandemic.
36. Over the three year period between 2018–2021, Yarra invested \$2.3 million in grants to community groups, including annual grants, Room to Create studio grants, and small project grants.
37. The Arts and Culture Strategy 2022-2026 initiatives include a review of the funding programs and distinct projects that will require further investments, either secured externally or by Council. There will be options for Council to consider reallocation of existing resources according to these priorities.
38. The Year 1 Action Plan has outlines 34 discreet actions, of which 21 are new and 13 ongoing. A majority of these actions have confirmed funding and some new initiatives where funding needs to be allocated by Council or are being sought from external agencies, these include:
  - (a) A public artwork to celebrate Archie Roach and Ruby Hunter - an application is being submitted to the State Government;
  - (b) An arts activation program – funding sought from State Government for the outdoor activation funding scheme; and
  - (c) An artist in residence project to address the ecological sustainability – a submission to Council to support via the budget process.

#### Legal Implications

39. Not relevant to this report.

### Conclusion

40. Arts and culture are a core part of Yarra's identity and a strategy that outlines Council's vision and priorities is an important public testament of our intent.
41. Through an extensive consultation process with over 400 community members and all of Council departments over a two year period, five priorities and six initiatives have been developed to help Council achieve a vision that places arts and culture at the core of a strong and vibrant community.
42. The priorities and initiatives are critical to Yarra today in a post-pandemic, climate emergency landscape.
43. What these priorities and initiatives will look like can be demonstrated in the Year 1 Action Plan, where 21 new actions have been identified alongside 13 ongoing projects to be supported. Further Annual Action Plans are to be developed in subsequent years.
44. The Strategy affirms Council's commitment to the Aboriginal and Torres Strait Islander community, celebrates the cultural diversity and rich creativity of our city, recognises the unparalleled challenges faced by the creative sector arising from the pandemic and places our faith in artists to help the community to respond to the greatest challenge of our time – the climate emergency.

45. The previous strategy provided a roadmap for the establishment of important major initiatives for our communities and demonstrate the impact arts and culture can have. Projects such as: the Stolen Generations marker, *Remember Me*, a permanent tribute to Aboriginal people taken and lost from their families; the Room to Create program has provided medium and long term homes to seven important arts organisations and short term studio spaces; and the Leaps and Bounds music festival to support local venues and musicians through the traditional winter 'downtime', are some of the achievements that have contributed to the city's reputation as a creative city.
46. Many of these initiatives will continue to be supported with new actions planned annually during the life of this Strategy.
47. Yarra is well-known for its live music: prior to the pandemic, it was home to 75 music venues that presented over 16,000 gigs per year and in 2022 we will have a chance to review these figures again through the Live Music Census Project.
48. Yarra it is also home to numerous galleries and visual arts studios, theatre, performance, literature, public art, design, digital arts and film and craft. There are planned actions to bring these creatives together to increase opportunities for sharing and collaboration at the outset of the new Strategy.
49. It is anticipated that at the conclusion of this new Arts and Culture Strategy at the end of 2026, Yarra Council will have created a significant body of work and will have made an indelible impact on the people and the places across the municipality.

## RECOMMENDATION

1. That Council:
  - (a) Council adopts the Arts and Culture Strategy 2022-2026 and
  - (b) Approves the Year 1 Action Plan.

## Attachments

- 1 [↓](#) Arts and Culture Strategy 2022-2026 Final
- 2 [↓](#) Year 1 Action Plan - Arts and Culture Strategy 2022-2026



**Attachment 1 - Arts and Culture Strategy 2022-2026 Final**

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Yarra City Council acknowledges the Wurundjeri Woi Wurrung people as the Traditional Owners and true sovereigns of the land now known as Yarra. We also acknowledge the significant contributions made by other Aboriginal and Torres Strait Islander people to life in Yarra. We pay our respects to Elders from all nations and to their Elders past, present and future.

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Cover image: Kathy Holowko, *The Unsung Hero*, 2019. Temporary public artwork commissioned for the Edinburgh Gardens Plinth Program. Mild steel, wood, paint. 1300 x 1030 x 850 mm. Photo credit: J. Forsyth

City of Yarra

## Arts and Culture Strategy 2022 – 2026

### Introduction

Arts and cultural activities should be integrated into our City, as an everyday experience enjoyed by all of our community, whether as makers, audience members or participants.

This was the guiding vision of Yarra's last arts and culture strategy (2016–2020).

It provided a roadmap for the establishment of several major initiatives for our communities. Gamilaroi/Kamiloroi artist Reko Rennie's Stolen Generations marker, Remember Me, is a permanent tribute to Aboriginal people taken and lost from their families. It provides a quiet place in the Atherton Gardens for people to reflect and commemorate. The Room to Create program has provided medium and long term spaces for seven important arts organisations and short term studio space in under-utilised council properties for 20 residency artists since 2016, ensuring they continue to produce and present in Yarra. Council established the Leaps and Bounds music festival in 2013 to support local venues and musicians through the traditional winter 'downtime'. It continued to support this festival to adapt to new challenges and opportunities throughout the COVID-19 pandemic.

The vision that arts and culture should provide everyday experiences enjoyed by our whole community remains uppermost for Yarra today. Arts and culture are as crucial to the quality of life in Yarra as are our roads, bike paths and parks. Integrated with other policy areas, our arts and culture can also add value to the way we build our roads and parks.

Other priorities are also just as important today as they were in 2016: the value of our cultural diversity; our respect for Traditional Owners – the Wurundjeri Woi Wurrung – and all Aboriginal and Torres Strait Islanders; and our commitment to social and environmental sustainability. These are all key priorities for Yarra and are reflected throughout this new strategy.

But what has changed is our circumstances. In 2016, the greatest threat to Yarra's vitality was the combined effect of gentrification, rental unaffordability and the pressure of growing density on our public spaces. While these conditions continue to present a challenge, they are overshadowed by the global pandemic of the early 2020s. COVID-19 has had a profound impact on our health, social wellbeing and economy. It has been a historic disruption unparalleled since the Second World War, and particularly detrimental to our creative community.

COVID-19 has put great pressure on our artists and creative producers. Throughout 2020–2021, lockdowns and restrictions have prevented arts and cultural events being presented in Yarra, and prevented Yarra's creative producers from touring. They have reduced venue capacity, making most live performances unviable. They have caused widespread unemployment and prevented interstate and overseas visitors enjoying and spending money on our arts and cultural activities. This has greatly affected our artists' livelihoods and their creative development.

The pandemic has put pressure on Yarra's broader community as well. Repeated lockdowns have been vital for the community's protection, but they have pulled at the threads of our relationships, increased social isolation, and exacerbated risks to our wellbeing. Our most vulnerable residents – the aged, the homeless, the poor and the isolated – are also the most susceptible to the disease and the economic disruption it created.

While the impact of the pandemic has been devastating in many ways, such disruption now presents the opportunity to re-think what we want our arts and culture to be and to 'build back better'. Even in the midst of a lockdown, the Council's 2021 annual customer satisfaction found that residents

## Attachment 1 - Arts and Culture Strategy 2022-2026 Final

remained very satisfied with Yarra's arts and culture;<sup>1</sup> but our vision is for our arts and cultural activities not just to reflect who we are today, but what we can be in the future. The pandemic must not be seen as a passing phase, but as a warning about the need to take preventative action against other existential risks, particularly climate change and growing social inequality. Our arts and culture will be important in providing guiding paths through these risks.

The Yarra 2022–2026 Arts and Culture strategy builds on the values and successes of the 2016–2020 strategy, while also responding to the threats and opportunities presented by the pandemic and the climate emergency.

The purpose of this strategy is to build on Yarra's previous successes, address the crises affecting our community – both the crisis of the pandemic and the ecological crisis – and cultivate a thriving arts and cultural sector for the whole community.

This purpose is reflected in the five key priorities:

- [Our Aboriginal and Torres Strait Islander arts and cultures are at the heart of Yarra](#)
- [Artists are essential to a thriving Yarra](#)
- [Our arts and culture shape Yarra's places and spaces](#)
- [We celebrate and support our creative and diverse community](#)
- [Our arts contribute to an ecologically sustainable future](#)

### Scope

Yarra is well-known for its live music: prior to the pandemic, it was home to 75 music venues that presented over 16,000 gigs per year, including 6 of Melbourne's 10 top music venues.<sup>2</sup> But it is also home to numerous galleries and visual arts studios, theatre, performance, literature, public art, design, digital arts and film and craft. Two areas in Yarra – Collingwood and Cremorne – hold important creative precincts. Collingwood is home to 289 creative spaces and provides 2,178 creative jobs (18.8% of all jobs in the area). Cremorne and Richmond, where there are 362 creative spaces, provides 5,528 creative jobs (15% of all jobs in the area).<sup>3</sup> However, creative activities happen across Yarra, from homes and childcare centres to commercial galleries and pubs.

As the boundaries between these different artforms blur, arts and culture also extend into new territory. The idea of digital live performance, for example, is a twenty-first century phenomenon. It is also an artform that has become an unexpected lifeline for many audiences during pandemic restrictions.

This arts and culture strategy supports all contributors to the creative ecology in Yarra, but it seeks to have the most impact by working closely with and for the individuals and organisations that have made creativity central to their activity.

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<sup>1</sup> Yarra City Council 2021 Annual Customer Satisfaction Survey, <https://www.yarracity.vic.gov.au/-/media/files/ycc/about-us/annual-customer-satisfaction-survey/yarra-city-council--2021-annual-customer-satisfaction-survey-report--published.pdf?la=en>, pp 61–62.

<sup>2</sup> Music Victoria 2017, Live Music Census, <https://www.musicvictoria.com.au/wp-content/uploads/bsk-pdf-manager/2019/07/MLMC-2017-Report-compressed.pdf>

<sup>3</sup> Hodyl & Co, Victorian Creative Neighbourhoods report, 04 Collingwood, 05 Cremorne and Richmond.

## Attachment 1 - Arts and Culture Strategy 2022-2026 Final

### Council's role

Council plays three key roles in arts and cultural activity, including:

- Producing arts and cultural initiatives and activities. For instance, Council commissions public art for the streets, parks and buildings of Yarra. Reko Rennie's Remember Me is an example.
- Investing in arts and culture. Council's annual and small grants programs are an example of how Yarra invests in arts and culture.
- Cultivating arts and culture. By providing support and opportunities for artists to develop and show their work, Council's Room to Create and Exhibitions programs are examples of how Yarra cultivates arts and culture.

These three roles are evident across Yarra's strategic actions.

### Consulting with our communities

This strategy is built on community consultation. In 2019, Council ran an online survey and engaged with communities in pop-up face-to-face events. Over 350 people participated in this research and discovery process.

This consultation found that people love the diversity, accessibility and vibrancy of Yarra's arts and culture, as well as the contribution they make to Yarra's sense of identity. In contrast, they found Yarra challenging for its lack of affordable spaces and the associated financial vulnerability of its artists. They wanted more public events, studio spaces, and artist-in-residence opportunities.

From this research and discovery process, Council developed the priorities for 2022 to 2026. The COVID-19 restrictions delayed the strategy's development, but in 2021, Council ran workshops in person and online with communities and special interest groups. These included artists at Abbotsford Convent and Collingwood Yards, Yarra Youth Services, CALD communities and the Victoria Street Traders Association, as well as Council staff. These workshops and meetings with approximately 100 people gave rise to the initiatives and actions that achieve our priorities.

### Yarra in 2022

Arts and culture continue to be important to Yarra's economy and communities. They are an important subset of the creative industries, which form one of Yarra's top four sectors of economic strength.<sup>4</sup> A key theme of Yarra's Economic Development Strategy is a 'creative, inclusive and sustainable economy' and Council aims to make Yarra a global hub for the arts sector. These industries are also growing. In the decade to 2019, total visitation to Yarra more than doubled, until more than half a million visitors were coming to Yarra every year.<sup>5</sup> Many visitors and tourists are drawn by Yarra's arts and culture, as well as the night-life to which they are connected.

COVID-19 has upset this economy in Yarra and across Melbourne. By the end of August 2021, only 40% of Melbourne permanent events workers employed prior to the pandemic were still employed, and only 16% of freelancers, contractors and casual staff.<sup>6</sup> Interstate and overseas visitors were prevented from coming to Melbourne, and as a result visitor spend in Melbourne fell by over 50%.<sup>7</sup> In April 2020 alone, 120 people in Yarra's arts and cultural sector lost their jobs.<sup>8</sup> Although they were slowly re-employed over the following year, the economic impact of the pandemic continued throughout 2021, and many – perhaps most – of Yarra artists have struggled to maintain a sustainable practice.

<sup>4</sup> Yarra City Council, Yarra Economic Development Strategy 2020–2025.

<sup>5</sup> Yarra City Council, Yarra Economic Development Strategy 2020–2025.

<sup>6</sup> Save Victoria's Events, The State of Victoria's Events Industry, 30 August 2021.

<sup>7</sup> Save Victoria's Events, The State of Victoria's Events Industry, 30 August 2021.

<sup>8</sup> Yarra City Council, Yarra Economic Development Strategy 2020–2025.

## Attachment 1 - Arts and Culture Strategy 2022-2026 Final

Yarra has enjoyed a dynamic gig and night-time economy that has attracted residents, businesses and tourists and it can do so again. In 2020, Yarra responded to pandemic-related lockdowns by providing \$405,000 to support the creative sector in COVID-19 arts grants. It has also worked to find 'COVID-safe' ways for artists to present their work (See Case Study: Rock Around the Block).

### Case Study: Rock Around the Block



In December of 2020, Arts & Cultural Services was tasked with producing a replacement for the traditional Carols in the Park event, which could not proceed due to COVID-19 restrictions. The result was Rock Around the Block, a series of pop-up concerts featuring local performers in Yarra's iconic streets over the course of three weekends.

In partnership with Trucked Up Entertainment and Press Play Presents, busking-style entertainment took place throughout Yarra on the back of a truck stage, in locations selected for their prime viewing locations from either adjacent outdoor dining parklets, or public parks, for 30 minutes at each location.

#### What was Council's role?

Our role involved setting out the creative strategy, project scope, budget and timeline. Yarra Arts then co-produced the event series with project partners, and coordinated road closures for each performance location.

#### Outcomes

- 14 performances across Collingwood, Fitzroy, North Fitzroy, North Carlton, Clifton Hill and Richmond
- Seven local acts presented across three weekends after months of live music interruption
- Stimulated trade in high street shopping and dining precincts
- Media coverage, including major newspaper and TV features
- Nomination for Best Festival in 2021 Music Victoria Awards
- Positive feedback from community and participants.

#### Learnings

Taking a responsive approach to public health restrictions can promote great outcomes for both local artists, businesses and the wider community. Unconventional projects can deliver high value for audiences, and increased coverage from media.

Image by J Forsyth.

## Attachment 1 - Arts and Culture Strategy 2022-2026 Final

Yarra's population continues to grow strongly. It is projected to grow by 57% by 2036.<sup>9</sup> As a result, there is great pressure on property affordability. Yarra's two arts precincts – Abbotsford Convent and Collingwood Yards – and its artist rental scheme (Room to Create) provide production and presentation spaces for some of Yarra's creative producers who may otherwise be priced out of our region.

Abbotsford Convent is Australia's largest multi-arts precinct. This significant hub is home to over 120 studios and is a sought-after location for art projects, rehearsals, workshops, exhibitions, markets, events and festivals. In the 2018/2019 period prior to the pandemic, the precinct welcomed over 1 million visitors through its gates.

Collingwood Yards is a new, permanent and affordable home for scores of artists and independent arts organisations working across music, visual arts, performance, digital media, creative industries and beyond. Situated across the former Collingwood Technical School campus, Collingwood Yards forms the largest part of the wider Collingwood Arts Precinct which also incorporates the adjoining home of Circus Oz.

The Room to Create program has also provided low-cost rental spaces in Council and community buildings for artists (see Case Study: Room to Create Collingwood Yards Studio). These facilities help to keep our artists in Yarra in the face of cost pressures.

### Case Study: Room to Create Collingwood Yards Studio



Room to Create is Yarra Council's dedicated program developed to retain artists and creatives in the City of Yarra. A key feature of the program is the Room to Create Fund, a charitable fund established under the Lord Mayor's Charitable Foundation which directly supports creative infrastructure and more affordable spaces.

The Room to Create fund in partnership with the Lord Mayor's Charitable Foundation, co-contributed funds to support a three-year studio program at Collingwood Yards, offering highly subsidised spaces for artists.

#### What was Council's role?

Council's role was to work with LMCF and Collingwood Yards to develop the opportunity; manage the Expression of Interest for the studio artists and the selection process; liaise with artists to initiate the tenancy; and promote the artists and program.

<sup>9</sup> Yarra City Council, Yarra Economic Development Strategy 2020–2025.

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### Outcomes

- Six artists are supported with subsidised rent making the spaces more affordable
- Artists are part of the Collingwood Yards community, providing potential for collaboration with other tenants and support of a likeminded community
- The artists gained opportunities through being part of the community, such as performance and exhibition opportunities
- The profile of the artists was raised through promotion of their work via council platforms

### Learnings

Providing subsidised spaces is a proactive way to support artists to practice in Yarra and contribute to the local arts ecology. The placement of the tenancy within a creative hub adds value to the opportunity, providing the artists with a further level of engagement and potential to enrich their practices.

Room to Create Collingwood Yards studios. Image: Natalie Jurrjens

In addition to such cultural hubs, it is important that all neighbourhoods benefit from easy and very local access to arts and culture. Melbourne seeks to be a city of '20 minute neighbourhoods', in which residents need walk no further than 800 metres (or for no more than 20 minutes) to meet their daily living needs.

Yarra's pattern of development means that almost all residents are within 400m of an activity centre.<sup>10</sup> The provision of local services is therefore important for maintaining the character of activity centres as local destinations.

Neighbourhoods such as Collingwood and Cremorne are experiencing significant development demand, because they are close to transport, the city and Yarra's creative activities. Ironically, it is attractiveness of creative activity that contributes to these development pressures, while the pressure on property affordability makes it increasingly difficult for artists to continue to practise those activities in Yarra.

Collingwood is one of Australia's most diverse, vibrant and creative inner-city neighbourhoods. In 2021, Smith Street was voted as the 'coolest' street in the world by 27,000 Melbourne residents.<sup>11</sup>

Cremorne attracts design and multimedia enterprises, and offers co-working spaces. Creative organisations cluster in particular streets, such as Swan Street and Smith Street. We need to ensure that our creative hubs continue, but also that they are part of a robust network of creative practices throughout Yarra.

<sup>10</sup> Yarra City Council, Activity Centres – Roles and Boundaries – Yarra City Council, October 2019.

<sup>11</sup> R. Russo, Smith Street has been named the coolest street in the world, TimeOut, 10 June 2021, <https://www.timeout.com/melbourne/news/smith-street-has-been-named-the-coolest-street-in-the-world-060921>

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This strategy seeks to continue to ensure that all of Yarra's neighbourhoods benefit from the presence of arts and cultural initiatives, and that all feel included. Often, this means integrating arts and culture into places that also have other purposes (see Case Study: Rose Street Shared Zone).

### Case Study: Rose Street Shared Zone



In 2020–2021, Arts & Cultural Services partnered with the Traffic Engineering team to commission two major artworks along Rose Street, Fitzroy. A stunning 209-metre road mural that extends from Brunswick to Spring Street and a comical 'big' banana sculpture both contribute to making this street a more liveable urban environment. Rather than simply having a transport function, this street is alive with creativity and offers higher levels of amenity for residents and business communities.

Eye-catching *Fallen Fruit* by local artist Adam Stone stands two-metres tall on the corner of Brunswick and Rose Streets. *Giirrwaa* – which translates roughly to 'community' in the language of the Gumaynggirr people – reflects the area's significant Aboriginal history. This road mural was created by proud Gumbaynggirr/Bundjalung artist and professional surfer, Otis Hope Carey, and was installed by Council's contractor MPS Paving.

#### What was Council's role?

Our role included curatorial development and the setting of creative objectives. We developed a project scope i.e. technical and budget considerations, liaised with external and internal stakeholders, and consulted with the artist around production and installation.

#### Outcomes

- Creates awareness around the important Aboriginal history of the area
- Locals and visitors enjoy art and creativity as an everyday experience
- Improves pedestrian access, safety and the streetscape along Rose Street
- The artwork is simultaneously functional in and creatively transformative of the public realm
- Makes local streets more attractive and inviting for pedestrians
- Increases visitation to local businesses with economic benefits
- Generates positive feedback from the community
- Encouraged contact from various Councils and commercial businesses about implementing similar projects.

#### Learnings

Working across Council collaboratively on projects with mutually beneficial outcomes in the public realm provides a platform to integrate public artwork into the urban environment in creative and surprising ways.

Image: *Giirrwaa* road mural by Otis Hope Carey, 2021

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Yarra's population is economically and culturally diverse. While our socio-economic profile is relatively high, Yarra has pockets of disadvantage characterised by high unemployment and underemployment, and low-income households. It has a younger median age than Victoria as a whole, but it has fewer children and young adults, and fewer people over the age of 50. Our older residents value their ability to independently access a range of social and cultural programs and services. Council facilitates events, activities and intergenerational dialogue to build social connectedness for older residents.<sup>12</sup>

Thirty-nine per cent of Yarra's population was born overseas, and it has significant communities that speak other languages, including Vietnamese, Greek, Mandarin, Italian and Cantonese.<sup>13</sup>

Over more than two decades, Yarra has celebrated its cultural diversity through annual events such as the Victoria Street Lunar Festival in Richmond, and the Johnston St Fiesta in Fitzroy.

As new migrant groups move into Yarra, Council seeks to make sure that their cultures too are celebrated. Between 2018 and 2021, Yarra provided grants for a range of arts and culture events aimed at general and specific communities, including children and young people (14%), CALD communities (18%), First Nations people (8%), LGBTIQ+ (7%) and families (2%), amongst others.

The arts are particularly important after an event as socially divisive as the COVID-19 pandemic: they generate empathy that can bridge social divides and create a future in which diversity is celebrated (see Case Study: LGBTIQ+ Elders Dance Club).

### Case study: LGBTIQ+ Elders Dance Club



All The Queens Men (ATQM) is one of Australia's leading arts organisations, reflecting contemporary Australian culture through art-making acclaimed for its community-committed practice. ATQM engages with communities as co-collaborators, co-designing its processes and creative experiences enabling people improved access, not only to the arts, but broader community and social services. ATQM partner with all tiers of government and cross-sectorial industry partners, working at the intersections of health, ageing, LGBTIQ+ equality, young people and physical activity; the results of which aim to inspire social transformation and change.

Since 2017, ATQM has presented LGBTIQ+ Elders Dance Club in the City of Yarra, offering this community a free monthly social dance event that celebrates the social, cultural and recreational rights of older LGBTIQ+ people (55+).

#### What is Council's role?

ATQM has received Arts and Culture funding since 2016 and a multiyear Engage 2020-2021 grant. ATQM is one of the few arts projects that engage with LGBTIQ+ Elders in Victoria, as a result Yarra Arts has worked hard to connect individuals and organisations to their activities and their methodologies, develop and maintain a volunteer program as well as promote their activities to the broader community.

<sup>12</sup> Yarra City Council, Active and Healthy Ageing in Yarra Strategy 2018–2024.

<sup>13</sup> Australian Bureau of Statistics Census 2016.

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### Outcomes

- Connects disparate and isolated LGBTI+ elders, through a network of community gatherings and creative workshops.
- Fosters a strong and supportive LGBTI+ elders community throughout the City of Yarra through regular contact and relationship building among individuals.
- Produces a monthly dance club honours the creative expression, storytelling, advocacy of LGBTI+ elders; an event that engages the broader community with their narratives and needs.

### Learnings

Arts companies who have strong emphasis on community led and co-design of their projects have longevity and achieve their outcomes.

Image: Bryony Jackson

Australia Council surveys of the national population suggest that Australians are becoming increasingly aware of the role arts and culture play in forging social connections.<sup>14</sup>

Yarra is committed to increasing the input of our Wurundjeri Woi Wurrung community in shaping our region's future.

Over the past five years, close collaboration between the Yana Ngargna Advisory Committee and Yarra's Arts and Culture team, and initiatives like Smith Street Dreaming (see Case Study: Smith Street Dreaming Festival), have embedded Aboriginal and Torres Strait Islander cultures into Yarra's activities.

One of the key priorities of the Yana Ngargna Plan (2020–2023) is to increase the visibility of Wurundjeri Woi Wurrung, Aboriginal and Torres Strait Islander people, culture, issues and achievements in Yarra. The arts and cultural strategy seeks to advance this aim.

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<sup>14</sup> Australia Council for the Arts, Creating our Future: Spotlight on Social Cohesion, Results of the National Arts Participation Survey, August 2020.

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## Case study: Smith Street Dreaming Festival



Smith Street Dreaming celebrates the local community, promoting awareness of Aboriginal culture and building strong relationships between the many different people who live, work and visit Smith Street. It is about 'one street, many mobs and one community'.

The annual Smith Street Dreaming takes place on the corner of Stanley Street and Smith Street, a traditional meeting place for Aboriginal community. Established in 2013, this award-winning event (2015 HART Awards, Reconciliation Victoria) attracts new local audiences and promotes a shared sense of space between the local Aboriginal community, local traders, police and the greater community of Yarra.

#### What is Council's role?

City of Yarra's Arts and Cultural Services produce Smith Street Dreaming as part of Leaps and Bounds Music Festival on behalf of the Smith Street Working Group, which is chaired by Mission Australia/Charcoal Lane.

The Working Group includes Aboriginal Elders and community members, justice and outreach workers, the Parkies, Victoria Police, City of Yarra, Co Health, MAYSAR and Mission Australia's Charcoal Lane.

#### Outcomes

Smith Street Dreaming presents a showcase event of the best of Aboriginal and Torres Strait Islander emerging and established artists in addition to a Welcome to Country, ceremonial fire, traditional dancers, talks and performances by Smith Street Community members and 'the Parkies' and a free BBQ.

Previous artists have included local legend Uncle Archie Roach, Emma Donovan and The Putbacks, Frank Yamma, Uncle Dave Arden, Coloured Stone, Indigenous Hip Hop projects and many more.

#### Learnings

Aboriginal and Torres Strait Islander festivals that are self-determined and led with authentic partnerships provide true representation, opportunities for truth telling and reconciliation through engagement with the arts.

Image: Amos Roach, Smith Street Dreaming 2018. Photo by Sarah Walker.

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Yarra Council was one of the first in the world to declare a climate emergency, and it is a key priority for Council that it reduce its carbon emissions to slow climate changes such as extreme heat and reduced annual rainfall.<sup>15</sup> Yarra's goals include achieving net zero emissions by 2030, as well as enabling the community to take climate action. The arts and culture have a major role to play in achieving these goals (See Case Study: The Big Local Arts and Climate Expo).

### Case Study: The Big Local Arts and Climate Expo



In 2021, an Artist in Residence Community (AIR), Teneille Clerke, was initiated through the State Government Working for Victoria program. This six month part-time position provided a creative practitioner to develop community participation arts and cultural projects that build on and add value to Council's projects, programs, and priorities.

The Big Local Arts and Climate Expo was curated and produced by the AIR with support from Arts and Culture and the Sustainability unit. The expo was originally conceived as an in-person event but due to restrictions, the program was delivered online as a series of livestreams showcasing diverse local artists working in innovative ways to engage the public in climate action. The expo featured short films, panel discussions, interactive live chats, stand-up comedy, and live art making from discarded and recycled materials. The program was delivered as part of the Melbourne Fringe Festival.

#### What was Council's role?

Council engaged the AIR and support the role with other internal units to deliver the outcome, which takes a creative lens to discussions around climate change.

#### Outcomes

- Four online live streams delivered during the 2021 Melbourne Fringe Festival
- Highlights and demonstrates that creatives are responding to climate change
- Provides an opportunity for community engagement centred on climate action in multiple creative ways, e.g. through panel discussions, engagement with live artmaking and performance
- Supports over 14 creatives through artist fees and opportunity to share their work with a broader audience
- Provides a different platform for Council to engage with community on climate action and reach a different demographic through the project being presented as part of the Melbourne Fringe Festival

#### Learnings

Creative producers have an important role to play in contributing to change around climate action. Through providing different ways to discuss the issues and presenting different solutions, creatives can extend engagement and help deliver the narrative that everyone has a role to play in creating positive environmental change.

Design: Sebastian Berto

<sup>15</sup> Yarra City Council, Climate Emergency Plan 2020–2024.

## Attachment 1 - Arts and Culture Strategy 2022-2026 Final

### Priorities

#### 1: Our Aboriginal and Torres Strait Islander arts and cultures are at the heart of Yarra

Yarra's goal over the next five years is to enhance our connection with Aboriginal culture. It will celebrate, respect and embrace Wurundjeri Woi Wurrung, Aboriginal and Torres Strait Islander people and heritage.

Aboriginal and Torres Strait Islander leaders have clear priorities for arts and cultural development in Yarra, including sharing their culture, supporting a range of traditional and contemporary arts activity and storytelling. However, they aim to do so in ways that protect the community's principles of knowledge transfer and ownership of intellectual property. To realise these aims and to increase the prominence of Aboriginal arts and culture in Yarra, Council will ensure community leaders have input into major decision making. This input will include Aboriginal Elders, but will not be limited to them. It may also include Aboriginal artists, community workers, residents and businesses.

Yarra will celebrate and embrace Aboriginal and Torres Strait Islander heritage and culture by increasing the cultural competence of our creative producers, participants and audiences. It will ensure our decision-making in arts and culture reflects Aboriginal and Torres Strait Islander people and values by embedding their leadership into our decision-making processes.

#### 2: Artists are essential to a thriving Yarra

Council recognizes the need to safeguard our artists' future by revitalising the arts, culture and night-time economy after the pandemic. Creative producers need help to adapt their work to accommodate a world in which public health restrictions may be ongoing, such as by increasing the outdoor and digital aspects of their practice.

Council will leverage support from government and private partners, to help strengthen and innovate Yarra's artistic practice for a post-COVID era. All levels of government need to coordinate their support for Australia's creative production, and Yarra can initiate and lead this coordination. Within Council too, greater coordination between different divisions will leverage support for arts and culture. Many areas across Council already have arts and culture embedded in their work – including Economic Development, Aboriginal Partnerships, Youth Services, Library Services, Sustainability and Design and Placemaking – but there are further opportunities across Council.

Community feedback has also made it clear that Council's networks and resources have the potential to provide important knowledge and skills that can help artists renew and adapt their practices to changing conditions. Council's own staff provide important networks that are valuable to our arts community, including our environmental, arts and culture, and planning units. External organisations that Council has strong relations with are also important resources for artists, including arts and culture peak bodies and community organisations.

#### 3: Our arts and culture shape Yarra's places and spaces

Yarra's public places bring people together. As Yarra grows, opportunities to experience arts and culture will need to follow patterns of population growth and development. Rather than 'art washing', in which a public artwork is added as an adornment to a planned building or neighbourhood, Yarra's arts and culture unit will be involved in decision-making from the inception of a planning decision. They will ensure that artists' visions are central to development plans and that these visions provide ongoing opportunities for the community to engage with the arts.

Council will work with property owners, including private owners, commercial arts venues and non-profit organisations, to investigate ways in which it can expand opportunities for artists to occupy a

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range of flexible, temporary, long-term and public-facing spaces and to use these spaces to increase engagement with the public throughout Yarra.

### 4: We celebrate and support our creative and diverse community

Participating in community life is the key to a healthy, socially connected and culturally rich Yarra. Council aims to enable as well as celebrate Yarra's diversity. Community feedback suggested that there is scope to ensure that Yarra's grants processes are promoted to and made accessible to diverse communities, who use different communication channels and present their work in different ways.

Council aims to strengthen inclusion and support vulnerable communities. In doing so, it recognises the need to make sure that urban development provides economic and social opportunities to our diverse community, and to address the negative impacts that COVID-19 restrictions have had on feelings of social connection.

### 5: Our arts contribute to an ecologically sustainable future

Collectively, we need to imagine, explore and develop ways in which we can live prosperous and fulfilling lives that are independent of fossil fuel use. The practice of imagining and exploring alternative futures is central to much arts practice. Yarra will develop strategies to encourage its artists to help us see and experience new ways of living. Council's arts and culture funding schemes, artist and public programmes, and procurement process will cultivate arts practice that assists Yarra to reach its sustainability goal.

These five priorities for our arts and culture strategy have shaped Council's initiatives and actions.

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Initiative	Action	What will this look like?
We will increase our Aboriginal and Torres Strait Islander cultural competence	1. Develop resources and create opportunities for artists/organisations to increase their cultural competence.	<ul style="list-style-type: none"> <li>• Creative producers will have access to resources, such as protocols for working with Yarra’s Aboriginal artists and practices.</li> <li>• Creative producers will have new opportunities to develop competence, such as tours of significant Yarra sites, storytelling and introductory events.</li> </ul>
We will raise the prominence of Aboriginal and Torres Strait Islander arts in Yarra	2. Implement a plan for Aboriginal and Torres Strait Islander representatives to contribute to Yarra’s strategic decisions and investment.	<ul style="list-style-type: none"> <li>• Aboriginal and Torres Strait Islander arts and culture expertise will be employed into the Council’s Arts and Culture team, represented on the Yarra Arts Advisory Committee, and/or contracted to provide advice on art procurement.</li> </ul>
	3. Create opportunities to increase the prominence of Aboriginal arts in all artforms.	<ul style="list-style-type: none"> <li>• Yarra will be home to a significant new Aboriginal arts and culture initiative, such as a dedicated festival or significant public art commission.</li> </ul>
We will safeguard our artists’ future	4. Create opportunities for coordination and collaboration with the Victorian and Australian governments to advance our arts and culture priorities.	<ul style="list-style-type: none"> <li>• Council will partner with State Government on initiatives that advance the interests of Yarra’s creative producers, such as on Creative Neighbourhoods Partnership and Pilots program with Creative Victoria to improve rental affordability for creative producers.</li> <li>• Council will advocate to the State Government to: <ul style="list-style-type: none"> <li>• adopt State-wide definitions of ‘affordable workspace’ and ‘Creative Neighbourhoods’.</li> <li>• formally recognise Collingwood and Cremorne as State significant ‘Creative Neighbourhoods’.</li> </ul> </li> <li>• provide further planning guidance and best practice models for the delivery of affordable workspaces for arts and creative industries.</li> <li>• identify and repurpose vacant or underutilised publicly owned buildings for affordable workspace hubs.</li> </ul>

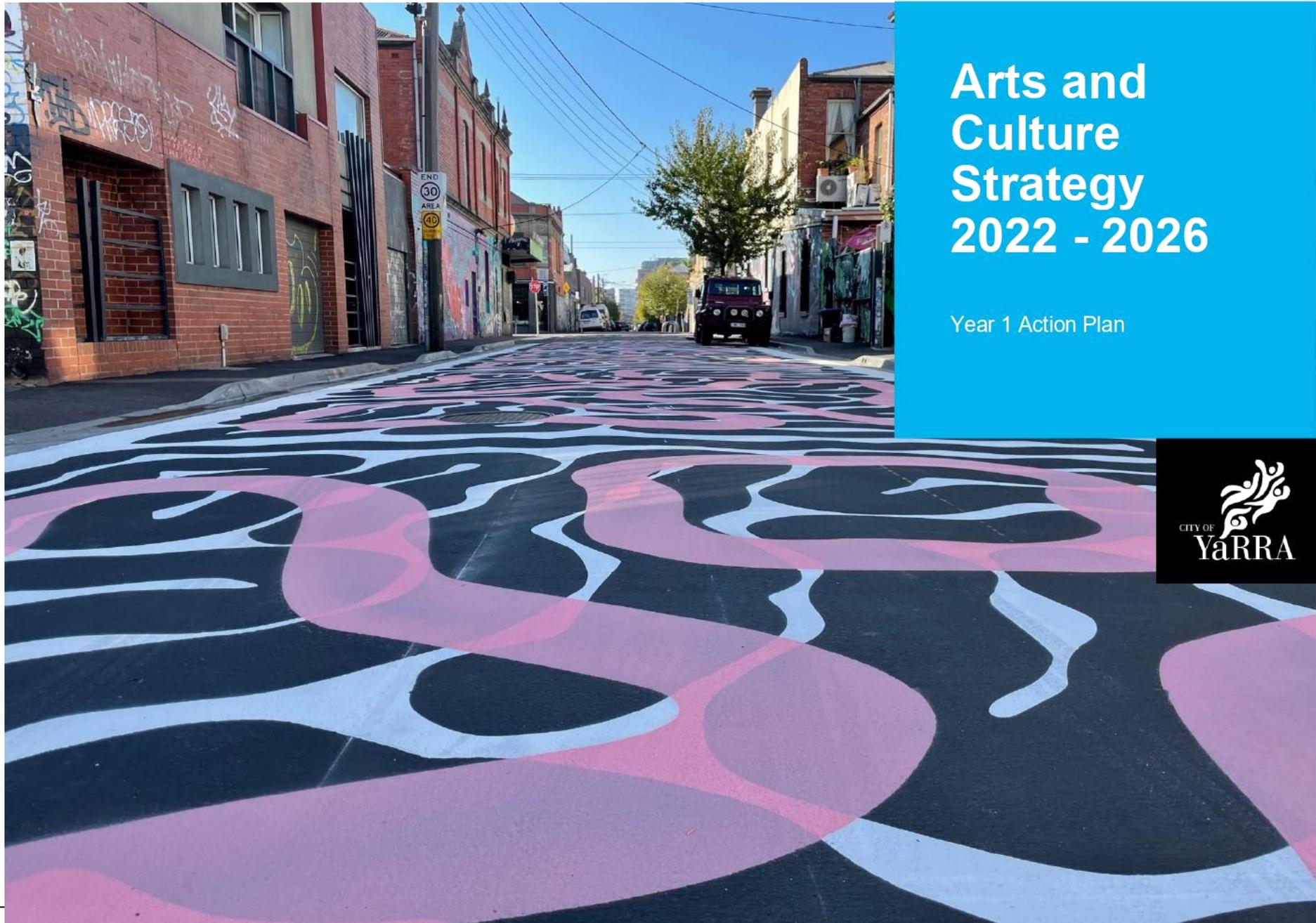
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Initiative	Action	What will this look like?
	<p><b>5.</b> Assist artists to develop new skills, build connections and increase innovations through a community of practice that gives them access to Council networks and resources.</p>	<ul style="list-style-type: none"> <li>• Council will regularly host events that bring Yarra's artists, communities and generations together, provide skills- and resource-sharing opportunities, and build connections between artists and representatives from other sectors.</li> </ul>
	<p><b>6.</b> Work with areas across Council to embed arts and culture priorities and objectives into their strategies and operations.</p>	<ul style="list-style-type: none"> <li>• Council areas such as Financial Services and Planning and Development will take action to help achieve arts and culture priorities.</li> </ul>
	<p><b>7.</b> Continue to provide a range of creative spaces for artistic practice that responds to the needs of the arts community, to ensure that Yarra remains an accessible home for artists.</p>	<ul style="list-style-type: none"> <li>• Refurbish underutilised Council-owned spaces for artist residences and creative use.</li> <li>• Continue to negotiate with planning permit applicants for space in major developments to be leased to Council at a below-market rate for its Room to Create or other similar program.</li> <li>• Investigate drafting a 'Yarra Planning Policy Guidance Note' which sets out Council's expectations for major development to include a % of affordable creative workspace at a minimum of 20% below market rate.</li> </ul>
<p>We will ensure that all of Yarra benefits from our arts and culture</p>	<p><b>8.</b> Determine investment in Yarra's arts and culture in response to development, population and density trends, providing opportunities for residents in all neighbourhoods to participate.</p>	<ul style="list-style-type: none"> <li>• Allocate resources for the development of arts and culture initiatives for emerging communities, such as Yarra's African community.</li> </ul>
	<p><b>9.</b> Ensure the integration of Arts and Culture into Yarra's built form and public realm design.</p>	<ul style="list-style-type: none"> <li>• Include Arts and Culture in Structure Plans and Local Area Plans or similar.</li> <li>• Embed, early in the process, public art into Council public realm and infrastructure projects through collaboration.</li> <li>• Facilitate new opportunities, through negotiations with landowners, for public art to be commissioned in the private realm.</li> </ul>

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Initiative	Action	What will this look like?
	<p><b>10.</b> Review and adapt Yarra's arts and cultural grants schemes to make them equitable and improve the resilience of arts practice.</p>	<ul style="list-style-type: none"> <li>• Yarra's arts grants scheme will:</li> <li>• Encourage collaboration between applicants with shared goals.</li> <li>• Be strengthened by processes that are accessible to all artists, regardless of age, culture and experience.</li> <li>• Provide funding that supports projects to succeed.</li> <li>• Provide assistance to artists to develop pandemic-resistant practices.</li> </ul>
<p>Our arts and culture will present us with alternative futures</p>	<p><b>11.</b> Cultivate arts practices that present us with ecologically sustainable futures.</p>	<ul style="list-style-type: none"> <li>• An artist-in-residence scheme will be established, in which artists work in Council teams with frontline responsibility for issues of sustainability (such as Services Contracts and Waste Management).</li> </ul>
<p>Our arts and culture will advance Yarra's sustainability goals</p>	<p><b>12.</b> Yarra's ecological sustainability goals will be built into its arts and culture schemes.</p>	<ul style="list-style-type: none"> <li>• Sustainability objectives will be built into arts and culture funding criteria.</li> <li>• A sharing or hiring opportunity will be developed for artists that pools resources and avoids duplication, reducing cost and waste.</li> <li>• Arts organisations will be supported to audit and develop their own sustainability plans, drawing on Council's environmental expertise and networks.</li> </ul>

Attachment 2 - Year 1 Action Plan - Arts and Culture Strategy 2022-2026



# Arts and Culture Strategy 2022 - 2026

Year 1 Action Plan



## Attachment 2 - Year 1 Action Plan - Arts and Culture Strategy 2022-2026

# Arts and Culture Strategy 2022-2026

## Year 1 Action Plan

### Priorities and initiatives:

- 1. Our Aboriginal and Torres Strait Islander arts and cultures are at the heart of Yarra**
  - a. We will increase our Aboriginal and Torres Strait Islander cultural competence
  - b. We will raise the prominence of Aboriginal and Torres Strait Islander arts in Yarra
- 2. Artists are essential to a thriving Yarra**
  - a. We will safeguard our artists' future
- 3. Our arts and culture shape Yarra's places and spaces**
- 4. We celebrate and support our creative and diverse community**
  - a. We will ensure that all of Yarra benefits from our arts and culture
- 5. Our arts contribute to an ecologically sustainable future**
  - a. Our arts and culture will present us with alternative futures
  - b. Our arts and culture will advance Yarra's sustainability goals

Cover image: Otis Hope Carey, Giirwaa, 2021. Street mural commissioned as part of the Rose Street shared zone works. Streetbond and Dulux Roadmaster line-marking paint on bitumen. 2.09m x 6.2m.

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Initiative	Action	What will this look like?	Year 1 - 2022
<p><b>We will increase our Aboriginal and Torres Strait Islander cultural competence</b></p>	<p>1. Develop resources and create opportunities for artists/organisations to increase their cultural competence.</p>	<ul style="list-style-type: none"> <li>• Creative producers will have access to resources, such as protocols for working with Yarra’s Aboriginal artists and practices.</li> <li>• Creative producers will have new opportunities to develop competence, such as tours of significant Yarra sites, storytelling and introductory events.</li> </ul>	<p>1. Provide Aboriginal cultural heritage walks in Fitzroy for Annual Grant recipients. (New)</p>
	<p><b>We will raise the prominence of Aboriginal and Torres Strait Islander arts in Yarra.</b></p>	<p>2. Implement a plan for Aboriginal and Torres Strait Islander representatives to contribute to Yarra’s strategic decisions and investment.</p>	<ul style="list-style-type: none"> <li>• Aboriginal and Torres Strait Islander arts and culture expertise will be employed into the Council’s Arts and Culture team, represented on the Yarra Arts Advisory Committee, and/or contracted to provide advice on art procurement.</li> </ul> <p>2. Up to two Aboriginal and Torres Strait Islander members to be recruited to the Yarra Arts Advisory Committee. (New)</p>
	<p>3. Create opportunities to increase the prominence of Aboriginal arts in all artforms.</p>	<ul style="list-style-type: none"> <li>• Yarra will be home to a significant new Aboriginal arts and culture initiative, such as a dedicated festival or significant public art commission.</li> </ul>	<p>3. Present a program that celebrates Aboriginal and Torres Strait Islander arts, culture and community</p> <ul style="list-style-type: none"> <li>a) Smith Street Dreaming (Ongoing)</li> <li>b) Reconciliation Week (Ongoing)</li> <li>c) Sorry Day (Ongoing)</li> <li>d) Aboriginal and Torres Strait Islander arts festival (New)</li> </ul> <p>4. Ongoing projection site in Peel Street Park by Aboriginal and Torres Strait Islander Artists. (Ongoing)</p> <p>5. Commission new Edinburgh Gardens Plinth artwork by Aboriginal and Torres Strait Islander Artist. (New)</p> <p>6. Complete integrated artwork by Reko Rennie for Otter Street Collingwood (New)</p> <p>7. Expand the documentation and celebration of the history of Yarra, that includes</p>

**Attachment 2 - Year 1 Action Plan - Arts and Culture Strategy 2022-2026**

Initiative	Action	What will this look like?	Year 1 - 2022
			<p>Aboriginal and Torres Strait Islander peoples:</p> <p>a) Second stage of review of policies for public art, monuments, plaques, place names as part of Black Lives Matter actions. (New)</p> <p>b) Investigate the creation of a tribute to Archie Roach and Ruby Hunter. (New)</p>
<b>We will safeguard our artists' future.</b>	<p>4. Create opportunities for coordination and collaboration with the Victorian and Australian governments to advance our arts and culture priorities.</p>	<ul style="list-style-type: none"> <li>• Council will partner with State Government on initiatives that advance the interests of Yarra's creative producers, such as on Creative Neighbourhoods Partnership and Pilots program with Creative Victoria to improve rental affordability for creative producers.</li> <li>• Council will advocate to the State Government to:                             <ul style="list-style-type: none"> <li>- adopt State-wide definitions of 'affordable workspace' and 'Creative Neighbourhoods'.</li> <li>- Formally recognise Collingwood and Cremome as State significant 'Creative Neighbourhoods'.</li> <li>- provide further planning guidance and best practice models for the delivery of affordable workspaces for arts and creative industries.</li> <li>- identify and repurpose vacant or underutilised publicly owned buildings for affordable workspace hubs.</li> </ul> </li> </ul>	<p>8. Year 1 Creative Neighbourhoods Partnerships Pilot program activating 12-16 Peel Street for creative purposes. (New)</p> <p>9. State Government funded Outdoor Activation Program – create opportunities for supporting creative sector. (New)</p> <p>10. Partner with Music Victoria, inner city councils to undertake a Live Music Census. (New)</p>
	<p>5. Assist artists to develop new skills, build connections and increase innovations through a community of practice that gives them</p>	<ul style="list-style-type: none"> <li>• Council will regularly host events that bring Yarra's artists, communities and generations together, provide skills- and resource-sharing opportunities, and build</li> </ul>	<p>11. Council will host a series of events that bring Yarra's artists, communities and generations together, provide skills- and resource-sharing opportunities, and build</p>

**Attachment 2 - Year 1 Action Plan - Arts and Culture Strategy 2022-2026**

Initiative	Action	What will this look like?	Year 1 - 2022
	access to Council networks and resources.	connections between artists and representatives from other sectors.	connections between artists and representatives from other sectors. (New) 12. Deliver City of Yarra exhibition program through town hall and library spaces. (Ongoing)
	6. Work with areas across Council to embed arts and culture priorities and objectives into their strategies and operations.	<ul style="list-style-type: none"> <li>Council areas such as Financial Services and Planning and Development will take action to help achieve arts and culture priorities.</li> </ul>	13. Work with Statutory planning in supporting the delivery of public art opportunities through planning permit process. (Ongoing)
	7. Continue to provide a range of creative spaces for artistic practice that responds to the needs of the arts community, to ensure that Yarra remains an accessible home for artists.	<ul style="list-style-type: none"> <li>Refurbish under-utilised Council-owned spaces for artist residences and creative use.</li> <li>Continue to negotiate with planning permit applicants for space in major developments to be leased to Council at a below-market rate for its Room to Create or other similar program.</li> <li>Investigate drafting a 'Yarra Planning Policy Guidance Note' which sets out Council's expectations for major development to include a % of affordable creative workspace at a minimum of 20% below market rate.</li> </ul>	14. Support a range of existing tenancies in Council owned buildings. (Ongoing) 15. Support Artist in Residence program through offering short term opportunities of 6mth to 1 year free creative space in Council owned buildings. (Ongoing) 16. Continue 3 year partnership with the LMCF to provide subsidised artist studios at the Collingwood Yards. (Ongoing) 17. Trial a discounted use scheme for community facilities to creative practitioners. (New)
<b>We will ensure that all of Yarra benefits from our arts and culture.</b>	8. Determine investment in Yarra's arts and culture in response to development, population and density trends, providing opportunities for residents in all neighbourhoods to participate.	<ul style="list-style-type: none"> <li>Allocate resources for the development of arts and culture initiatives for emerging communities, such as Yarra's African community.</li> </ul>	18. Deliver the Leaps & Bounds Music Festival, activating live music venues and produce a range of associated events to support the sector and provide a range of diverse opportunities for people to engage with live music. (Ongoing) 19. Deliver arts grant scheme across multiple funding opportunities – annual, multi-year, responsive. (Ongoing) 20. Facilitate greater access to the program through more targeted communication and

**Attachment 2 - Year 1 Action Plan - Arts and Culture Strategy 2022-2026**

Initiative	Action	What will this look like?	Year 1 - 2022
			<p>support eg: arts grant writing/presentation workshops for CALD communities. (New)</p> <p>21. Facilitate the donation of new artworks to the City of Yarra Collection and support Cultural Gifts Program submissions where requested. (Ongoing)</p> <p>22. Accessible Live Music Venues project which will upskill independent live music venues (up to 500 capacity) in the City of Yarra to improve their access and inclusion practices. (New)</p>
	<p><b>9.</b> Ensure the integration of Arts and Culture into Yarra's built form and public realm design.</p>	<ul style="list-style-type: none"> <li>• Include Arts and Culture in Structure Plans and Local Area Plans or similar.</li> <li>• Embed, early in the process, public art into Council public realm and infrastructure projects through collaboration.</li> <li>• Facilitate new opportunities, through negotiations with landowners, for public art to be commissioned in the private realm.</li> </ul>	<p>23. Embed, early in the process, public art into Council public realm and infrastructure projects through collaboration.</p> <ul style="list-style-type: none"> <li>a) Edinburgh Gardens Sports (New)</li> <li>b) Alphington Bowls Club (New)</li> <li>c) Chas Farquhar Centre (New)</li> </ul> <p>24. Facilitate new opportunities, through negotiations with landowners, for public art to be commissioned in the private realm. (Ongoing)</p>
	<p><b>10.</b> Review and adapt Yarra's arts and cultural grants schemes to make them equitable and improve the resilience of arts practice.</p>	<ul style="list-style-type: none"> <li>• Yarra's arts grants scheme will:</li> <li>• Encourage collaboration between applicants with shared goals.</li> <li>• Be strengthened by processes that are accessible to all artists, regardless of age, culture and experience.</li> <li>• Provide funding that supports projects to succeed.</li> <li>• Provide assistance to artists to develop pandemic-resistant practices.</li> </ul>	<p>25. Review Yarra's arts grants scheme to identify ways to increase accessibility to the program and encourage collaboration between applicants with shared goals. (New)</p>

**Attachment 2 - Year 1 Action Plan - Arts and Culture Strategy 2022-2026**

Initiative	Action	What will this look like?	Year 1 - 2022
<p><b>Our arts and culture will present us with alternative futures.</b></p>	<p>11. Cultivate arts practices that present us with ecologically sustainable futures.</p>	<ul style="list-style-type: none"> <li>An artist-in-residence scheme will be established, in which artists work in Council teams with frontline responsibility for issues of sustainability (such as Services Contracts and Waste Management).</li> </ul>	<p>26. Artist-in residence role (temporary part-time) to contribute to opportunities to accelerate climate action. (New)</p> <p>27. Provide targeted information online (eg FAQ) to support creative organisations and individuals develop sustainable practices and contribute to the circular economy. (New)</p>
<p><b>Our arts and culture will advance Yarra's sustainability goals.</b></p>	<p>12. Yarra's ecological sustainability goals will be built into its arts and culture schemes.</p>	<ul style="list-style-type: none"> <li>Sustainability objectives will be built into arts and culture funding criteria.</li> <li>A sharing or hiring opportunity will be developed for artists that pools resources and avoids duplication, reducing cost and waste.</li> <li>Arts organisations will be supported to audit and develop their own sustainability plans, drawing on Council's environmental expertise and networks.</li> </ul>	<p>28. Review arts grants scheme to identify opportunities to incorporate sustainability objectives. (New)</p>

## 8.5 City of Yarra Procurement Policy 2021

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<b>Reference</b>	D21/186949
<b>Author</b>	Wei Chen - Chief Financial Officer
<b>Authoriser</b>	Director Corporate, Business and Finance

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### Purpose

1. To present the Procurement Policy 2021 for council adoption.

### Critical analysis

#### History and background

2. The new Local Government Act 2020 (the Act) is the most ambitious reform to the local government sector in over 30 years. The fundamental procurement practice principles remain the same, but the Act has made significant changes in the governance/administrative requirements on procurement activities.
3. Council is now more autonomous in setting thresholds and defining the processes and procedures to apply to procurement.
4. Council must adopt a Procurement Policy by 31 December 2021.
5. Council must review its Procurement Policy at least once during each 4 year term of the Council.

#### Discussion

6. Yarra City Council consistently strives to be a leader in sustainability in local government.
7. Our Procurement Policy 2021 reaffirms our commitment to climate emergency, sustainable procurement and social procurement. It is aligned with our aim to achieve ethical, sustainable and socially responsible procurement.
8. The Procurement Policy 2021 has been updated, in line with the changes in the Act.

#### Options

9. There are no other options.

### Community and stakeholder engagement

10. The Procurement Policy 2021 has gone through an internal consultation process, in particular, with council staff in the sustainability, risk and governance areas.

### Policy analysis

#### Alignment to Community Vision and Council Plan

11. The Procurement Policy 2021 is aligned to Community Vision and Council Plan.

#### Climate emergency and sustainability implications

12. The Procurement Policy 2021 will further strengthen Council's commitment to climate emergency and sustainability.

#### Community and social implications

13. The Procurement Policy 2021 will further strengthen Council's commitment to support local and indigenous business.

#### Economic development implications

14. There are no economic development implications.

### [Human rights and gender equality implications](#)

15. The Procurement Policy 2021 will ensure the council staff act consistently with the human rights in the Charter of Human Rights and Responsibilities Act 2006 while undertaking procurement activities.

### Operational analysis

#### [Financial and resource impacts](#)

16. The Procurement Policy 2021 will ensure a transparent process for procurement and a consistent approach to achieving best value for money, including optimal financial and social outcomes for the community when procuring goods/services and works.

#### [Legal Implications](#)

17. The Procurement Policy 2021 will fulfil Council's legal obligations in accordance with the Act.

### Conclusion

18. Our procurement policy is being updated to reflect the changes required under the new Act while reaffirming our commitment to climate emergency, sustainability and social procurement.

## RECOMMENDATION

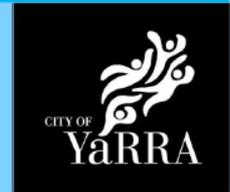
1. That Council adopt the Procurement Policy 2021.

### Attachments

- 1 [Procurement Policy 2021](#)

**Attachment 1 - Procurement Policy 2021**

# Procurement Policy 2021



**Attachment 1 - Procurement Policy 2021**

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Yarra City Council acknowledges the Wurundjeri Woi Wurrung people as the Traditional Owners and true sovereigns of the land now known as Yarra. We also acknowledge the significant contributions made by other Aboriginal and Torres Strait Islander people to life in Yarra. We pay our respects to Elders from all nations and to their Elders past, present and future.

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<b>Title</b>	Procurement Policy 2021
<b>Description</b>	This policy represents the governance, principles, processes and procedures to be applied to the purchase of all goods, services and works by Council.
<b>Category</b>	Finance
<b>Type</b>	Policy
<b>Approval authority</b>	Council
<b>Responsible officer</b>	Chief Financial Officer
<b>Approval date</b>	
<b>Review cycle</b>	Once during each 4-year term of the Council
<b>Review date</b>	
<b>Document Reference (Trim)</b>	
<b>Human Rights compatibility</b>	This policy has been assessed and is compatible with the Victorian Charter of Human Rights and Responsibilities

## Attachment 1 - Procurement Policy 2021

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## Attachment 1 - Procurement Policy 2021

# 1. Principles

## 1.1 Overview

This policy represents the governance, principles, processes and procedures to be applied to the purchase of all goods, services and works by Council. The Policy will apply to all Councillors and council staff undertaking procurement activities on Council's behalf. The aforementioned persons will be responsible and accountable for compliance to all relevant Federal and State Government legislation, regulations and guidelines, this Procurement Policy and any associated Procurement Manuals, Policies or Guidelines.

This Procurement Policy is written and compliant with the requirements of Section 108 and 109 of the *Local Government Act 2020* (the Act).

The Act requires each council to:

- Prepare and adopt a procurement policy which specifies the principles, processes and procedures applying in respect of the purchase of goods and services and carrying out of works by the Council;
- Must seek to promote open and fair competition and provide Value for Money

## 1.2 Policy Review Process

In accordance with the Act, Council will review its Procurement Policy at least once during each 4-year term of the Council.

## 1.3 Legislative Compliance and Related Policies

The key legislative requirements include compliance with:

- Part 5 Division 1 – Service Performance Sections 106 (c) LGA2020;
- Part 5 Division 2 – Procurement Sections 108 & 109 LGA2020;
- Division 7 – Delegations by Chief Executive Officer Section 47 LGA2020– Chief Executive Officer and members of council staff;
- Part 6 - Division 2 LGA2020 – Conflict of Interest;
- The relevant provisions of the Competition and Consumer Act 2010;
- Charter for Human Rights and Responsibilities Act (2006);
- Protected Disclosure Act 2012;
- Procurement Manual;
- Credit Card Policy;
- Financial Delegations Register;
- Fraud and Corruption Policy & Procedure;
- Staff Gifts, Hospitality Disclosure Policy;
- Corporate Records Management Policy;
- Conflict of Interest Policy;
- Code of Conduct for Tender Panel Members; and
- Council's Access and Inclusion Plan.

Council is required to comply with the provisions of the above related Legislation, Policies and Manuals in all procurement matters.

## 1.4 Procurement principles

Council will apply the following fundamental procurement practice principles to procurement activities:

- promote open and fair competition and provide Value for Money;
- achieve high standards in probity, transparency, accountability and risk management in all procurement activities;
- comply with relevant legislative requirements;
- respond to the climate emergency in proportionate urgency and scale and give preference to the procurement of environmentally sustainable goods, services or works and providers who preference the same;
- identify social procurement opportunities with local social enterprises and other relevant parties;
- identify and support indigenous businesses and enterprises; and

## Attachment 1 - Procurement Policy 2021

- promote collaborative procurement.

Council is committed to reducing any negative social and environmental impacts by conducting preferential purchasing of products and services that have been produced or manufactured to ethical standards which have minimal negative impacts on the environment and human health.

These procurement principles align with Yarra City Council's organisational values, including the values of Integrity, Accountability and Sustainability.

### 1.5 Procurement Manual

A Procurement Manual (the Manual) has been developed and details the implementation of all relevant operational requirements. The Strategic Procurement Unit will maintain and periodically review its Procurement Manual to ensure that best practice principles are updated and communicated to Council staff. The primary objective of the Manual is to provide guidance to staff on all operational aspects of procurement processes. Staff will have access to the Manual via Council's Intranet Procurement site.

The Manual will conform to the Procurement Policy and will be updated in line with any amendments/additions applied to this Policy.

### 1.6 GST

All monetary values stated in this policy include GST unless specifically stated otherwise.

## 2. Organisation Procurement Structure

Council has delegated a range of powers, duties and functions to the CEO in relation to procurement. The delegation aims to ensure that the Council's procurement structure operates according to processes that:

- Are flexible enough to procure in a timely manner the diverse range of goods, works and services required by Council;
- Guarantee that prospective contractors and suppliers are afforded an equal opportunity to tender or submit a quotation; and
- Encourage competition and collaboration, even where the CEO runs a procurement process under delegation.

The Strategic Procurement Unit is responsible for all strategy, policy, processes, technology, best practice, document control, and networking in procurement matters. They also provide support, advice and training on procurement matters. The structure, duties and responsibilities of the Strategic Procurement Unit are detailed in the Procurement Manual.

## 3. Procurement Methods

The acquisition of goods, services or works may be achieved through different methods. These methods are determined by several factors such as overall estimated cost, procurement strategy, the competitive landscape, the term of the contract or period of construction, the scope of the contract and the amount of risk involved in the delivery of the service or works.

Project values are inclusive of GST, provisional sums and all amounts payable under any optional extension periods. The scope of projects must not be split into smaller portions to avoid proper process unless there is significant savings to be realised or there are specialised components required that are not generally a core activity for suppliers/contractors and require separate consideration.

Council procurement methods encompass the following:

- Purchasing Card;

## Attachment 1 - Procurement Policy 2021

- Tenders – a contract following a public tender process;
- Expression of Interest – a contract following a restricted tender process;
- Under a sole-sourcing arrangement;
- Quotations – a purchase order following a quotation process from suppliers for goods, services or works that represent Value for Money under the specified quotation threshold;
- External Agents – a contract established by a third-party agent where council is eligible to participate;
- State Purchase Contract or a Whole of Victorian Government Contract;
- A contract entered into under an arrangement approved by the Minister for Local Government; and
- Collaborative procurement

### 3.1 Procurement Thresholds and Competition

Section 108 of the Act details that each Council will set the contract value above which the Council must invite a tender or seek an expression of interest via a public tender process.

A public tender process must be used for all procurement valued at \$300,000 and above for goods, services or works. The amount is based on the estimated expenditure over the total contract life, including extension options, contingency funds and GST.

A council may undertake a public tender where the value of goods, services or works does not reach the threshold sums. These may be situations where a public tender is preferred or prudent, managing risk considerations are paramount, or there is a desire for greater transparency of the procurement.

Council will invite offers from the supply market for goods, services and works in accordance with the thresholds listed in the table below.

The public tender and quotation threshold and related exemptions also apply to collaborative procurement and Agency Contracts.

Amount	Process	Authority for exemption	CMS*	T&C*
<\$5k	1 verbal quote	Manager	No	No
\$5k - \$20k	1 written quote	Manager	No	No
\$20k - \$50k	2 written quotes	Manager	Yes	No
\$50k - \$150k	3 written quotes	Director/Group Manager	Yes	No
\$150k - \$300k	3 written quotes	Director/Group Manager	Yes	Yes
>\$300,000	Public tender	CEO	Yes	Yes

\*CMS - Contract Management System, refer to 3.9.3 Recording of quotation details.

\*T&C – refer to 3.9.1 Terms and Conditions

### 3.2 Tenders

All public tenders invited by the Council will be published via Council's eTendering Portal and be advertised in the media.

Further assistance in capturing a greater competitive advantage is gained through Council's e-tendering system (TenderSearch). The details of any supplier that registers on this system as a user, are archived within the system. At the time of registering, these suppliers must provide information relating to their core business activities. When Council releases a tender to the market, the system automatically sends a notification to every registered supplier that has identified its core business as being relative to the tender.

## Attachment 1 - Procurement Policy 2021

In the circumstance that a strong focus on local supply is required, an advertisement may also be placed in one of the local news media that is distributed throughout the municipality'

Similarly, there may be a requirement for national distribution. In this case the Strategic Procurement Unit will collaborate with the relevant Council Officers to determine the best news media to provide the widest access to the marketplace.

The Strategic Procurement Unit will collaborate with the relevant Council Officers to determine the appropriate period for open tender.

### 3.3 Tender evaluation

Evaluations will be conducted in accordance with the methodology set out in Council's procurement manual;

An evaluation panel will be established to evaluate each tender against the selection criteria. Tender evaluation panels may include external personnel in order to ensure transparency of the process and/or professional knowledge to the panel;

Once a preferred tenderer is selected a value management process may be conducted in order to obtain the optimal solution and commercial arrangements, providing they remain within the intent and scope of the tender.

### 3.4 Evaluation Criteria

There are two separate components to be taken into consideration when determining Value for Money, Qualitative (Non-Financial) and Quantitative (Financial).

- The Qualitative component relates to Tenderers responses to selected criteria to determine the capabilities and capacity of each tenderer.
- The Quantitative component relates to the tendered costs for the delivery of the goods, services or works.

Council may include the following evaluation criteria categories to determine whether a proposed contract provides Value for Money:

- Mandatory compliance criteria (e.g. OH&S, Insurance, Financial Viability, Statutory Declaration);
- Tendered price;
- Capability of the Tenderer to provide the goods, or services or works;
- Capacity of the Tenderer to provide the goods, services or works;
- Project Management, Methodology or Provision of Services;
- Customer Service and Innovation;
- Quality, Environmental & Social Sustainability;
- Child safeguarding;
- Industrial Relations; and
- Other specific criteria as required.

### 3.5 Best and Final Offer (BAFO)

To complement the Value for Money solution Council may include relevant clauses to tender conditions associated with Construction and Major Service tenders where a Lump Sum price is requested. These tender conditions will provide Council the option to initiate a BAFO with short listed tenderers that may result from the overall tender process.

Primarily, a BAFO process is conducted as a final stage with shortlisted tenderers when the evaluation panel consider it beneficial. It is described as a means to assist selection of a preferred tender when the offerings provided by two or more tenders are of similar weighting or are difficult to distinguish between, or in the event that all tenderers have submitted prices that exceed the budgeted amount.

The panel may also consider the inclusion of a value management process to review possible alternatives to certain nominated items such as materials, fixtures and fittings, appliances or service delivery processes that may realise a reduction in the overall costs submitted.

### 3.6 Exemptions from tendering

The following circumstances are exempt from the general publicly advertised tender and expression of interest requirements.

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In addition, the CEO may approve ad-hoc exemptions in circumstances where it can be demonstrated that it is in the best interests of the community to do so.

Exemption	Explanation, limitations, responsibilities and approvals
<p>Emergency or Critical Incident</p> <p>A contract made with, or a purchase from a contract made by, another government entity, government-owned entity or other approved third party.</p>	<p>Where the Chief Executive Officer or a person acting in the position has resolved that a contract must be entered because of an emergency (e.g. to provide an immediate response to a natural disaster or a situation declared an emergency by Council).</p> <p>Allows for the engagement with a government entity or government owned entity. E.g. Federal, State or Local Government or an entity owned by the Federal, State or Local Government.</p> <p>Agreements established by local government group purchasing scheme, Municipal Association of Victoria (MAV), Procurement Australasia (PA) or National Procurement networks.</p>
<p>Extension of contracts while Council is at market</p>	<p>Allows Council to extend an existing contract where the procurement process to replace the contract has commenced, and where the tender process or negotiations will take or are taking longer than expected.</p> <p>This exemption may be used when the establishment of an interim short-term arrangement with an alternative supplier is considered not to be in the public interest, as it may be cost prohibitive and/or present a risk in the delivery of critical public services to the municipality.</p>
<p>Professional services unsuitable for tendering</p>	<p>Legal Services</p> <p>Insurance</p>
<p>Novated Contracts</p>	<p>Where the initial contract was entered into in compliance with the relevant Local Government Act and due diligence has been undertaken in respect to the new party.</p>
<p>Information technology</p>	<p>Allows Council to renew existing software licenses and maintenance and support, or upgrade existing systems, where there is only one supplier of the software, who holds the intellectual property rights.</p>
<p>Regional Waste and Resource Recovery Groups</p>	<p>Situations where a Regional Waste and Resource Recovery Group proposes to conduct or has conducted a public tender for and on behalf of its member councils.</p>
<p>Operating Leases</p>	<p>Where a lessor leases an asset to the Council and assumes the residual value risk of the property or item.</p>
<p>Other specific Council exemptions</p>	<p>Advertising – Newspapers, Media;</p> <p>Contributions;</p> <p>Donations, Grants to Community charities;</p>

## Attachment 1 - Procurement Policy 2021

Exemption	Explanation, limitations, responsibilities and approvals
	Fees & Subscriptions – Conference/Forum expenses, membership fees and subscriptions; Medical Expenses, Police Checks; Postal Services – Postage and Delivery Charges; Venue Hire, External Training; Travel Expenses – Airfares, Accommodation, Taxi, Car Hire, Public Transport & Tolls; Water Utilities

### 3.7 Expression of Interest

An Expression of Interest (EOI) may be sought where:

- There is the potential of receiving many tenders, tendering would be costly, or the procurement is complex, and council does not wish to impose the costs of preparing full tenders on all tenderers;
- Uncertainty of the degree of interest of suppliers to offer the proposed goods or services or undertake the works.

### 3.8 Sole or Select Sourcing

Supply of goods, services or works can be sought from one supplier (sole sourcing) or a restricted group of suppliers (select sourcing) where it is consistent with this Procurement Policy and:

- It is in the public interest;
- There is one or a limited number of available tenderers in the market or suppliers able to submit quotations;
- The marketplace is restricted by statement of license or third-party ownership of an asset (excluding public utility plant); or
- Council is party to a joint arrangement where Council jointly owns the Intellectual Property with a third-party provider.

### 3.9 Quotations

The purchase of all goods, services and works with a value of less than the prescribed threshold of \$300,000 (inclusive GST) may be undertaken using Council's internal quotation procedures.

The Quotation process allows council officers to acquire goods, services or works via processes that are more expedient than that of going to public tender.

Refer to the Procurement Manual for further details on quotation process.

#### 3.9.1 Terms and Conditions

Generally, goods, services or works delivered via a quotation process are not governed by any terms and conditions of contract and this elevates the risks associated with the delivery of such goods, services or works. This can result in difficult negotiations in an attempt to resolve any disputes between the parties. Staff must consider the degree of risk associated with the delivery of relevant goods, services or works to ascertain the necessity for conditions of contract to be applied.

Staff should consult procurement to determine requirements for terms and conditions for the purchase of services and works with a value of greater than \$150,000.

Where there is a requirement for Council to sign a supplier's agreement for the purchase of goods, services and works with a value of greater than \$150,000, such agreements should be forwarded to the Strategic Procurement Unit for review prior to being signed by any Council Officer.

## Attachment 1 - Procurement Policy 2021

### 3.9.2 Reviewing of quotes

For the purchase of goods, services and works with a value of greater than \$50,000, at least two (2) council officers are required to review the quotes received to reasonably satisfy the requirement of achieving Value for Money.

### 3.9.3 Recording of quotation details

For the purchase of goods, services and works with a value of greater than \$50,000, the quotation details must be recorded and uploaded into the relevant quotation process located on Council's Contract Management System.

## 3.10 Collaborative Procurement

In accordance with section 108 (3) (c) of *the Act*, the Council will first give consideration to potential collaborative opportunities with other Councils and public bodies or utilise Collaborative Procurement arrangements when procuring goods, services and works in order to take advantage of economies of scale.

Council staff must consider any opportunities for collaborative procurement in relation to any proposed procurement process being undertaken by Council. Any council report that recommends entering into a procurement agreement must set out information relating to opportunities for Collaborative Procurement, if available, including:

- The nature of those opportunities, if any, and the councils or public bodies with which they are available; and
- Why Council did, or did not, pursue the identified opportunities for collaboration in relation to that procurement process.

Opportunities for collaborative procurement are available to council via the IMAP group of councils, through the Western Regional Procurement Enterprise Network (WRPEN) or approved agencies such as Procurement Australasia (PA) or Municipal Association Victoria (MAV).

Council specific construction / works projects, where the specifications for the works required are unique to an individual Council site and are not applicable to the other Councils will for instance not be considered for collaboration.

Any Federal or State Government grant funded projects may be excluded from collaborative procurement.

### 3.10.1 Agency Contracts

There are two organisations that have been endorsed by the State Government as Agencies. They are:

- Municipal Association Victoria (MAV); and
- Procurement Australia;

Each Agency conducts full tender processes for the engagement of supplier and enters into individual contracts with each successful tenderer.

This means that if Council engages a supplier, the services will be provided under the existing conditions of contract between that supplier and the relevant Agency.

To ensure that Council meets its obligations in relation the Value for Money, the same quotation threshold and related exemptions applies, although a public tender is not required.

To capture all expenditure via these agency arrangements, a contract number will be generated for each service provided to council. The Strategic Procurement Unit will assist with this requirement.

### 3.10.2 State Purchase Contract or Whole of Victorian Government Contracts and State Government Supplier Registers

The State Government has State Purchase Contracts (SPC) or Whole of Victoria Government Contracts and State Government Supplier Registers. SPC's are the same as Agency contracts, where State Government have sent out requests for tender, engage in a tender process and subsequently awarded a contract to either a sole supplier or a panel of suppliers.

## Attachment 1 - Procurement Policy 2021

State Government Supplier Registers do not go through these processes, rather they advertise Expressions of Interest for suppliers in different type service or works and have the respondents address a series of criteria relating to their business and if the business has the relevant qualifications they are accepted as a pre-qualified supplier.

In the event that Council decides to utilise suppliers listed in a State Government Supplier Register, it must follow the processes as promulgated by the State Government on its website.

Further, upon Council completing the required selection process, a contract is required to be generated prior to the commencement of any services or works.

Apart from the Construction Supplier Register there are other services (such as e-services) suppliers available for use by Local Government entities.

Refer to Council's Procurement Manual for further information relating to the use of SPC's and State Government Supplier Registers.

## 4. Achieving Value for Money

### 4.1 Requirement

Council's procurement activities will be carried out on the basis of obtaining Value for Money. This means minimising the total cost of ownership over the lifetime of the requirement consistent with acceptable quality, reliability and delivery considerations. Lowest price is not the sole determinant of Value for Money.

In assessing Value for Money, staff are responsible for giving due consideration to:

- Whole-of-life monetary cost, i.e.
  - procurement price;
  - operating and maintenance costs; and
  - cost of environmentally responsible disposal or recycling/re-use/re-sale of the product;
- Non-monetary impacts (both negative and positive) over the life of the product or service; including
  - environmental impacts;
  - social impacts – particularly on marginalised or vulnerable people; and
  - impacts on other Council priorities

### 4.2 Approach

The process for achieving Value for Money may be facilitated by:

- Developing, implement and managing processes that support the co-ordination and streamlining of activities throughout the lifecycle;
- Effective use of competition;
- Identifying and rectifying inefficiencies in procurement processes;
- Developing cost efficient tender processes including appropriate use of e-solutions;
- Council staff involved in procurement acquisitions or management providing competent advice in terms of available products and services; and
- Working with suppliers to create relationships that are professional and productive and are appropriate to the value and importance of the goods, services and works being acquired.

## 5. Contract Management

The purpose of contract management is to ensure that both parties of an agreement meet their individual obligations as specified in the contract.

Council contract managers are responsible for the delivery of all specified contractual outcomes that comply with qualitative and quantitative requirements as per the contract. This may be achieved through:

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- Establishing a monitoring system to ensure the responsibilities and obligations of both parties under the contract are met;
- Providing a means for the early recognition of issues and performance problems and the identification of solutions;
- Developing and maintaining a sound business relationship with relevant suppliers for the duration of any contractual agreement;
- Innovative methodologies to realise potential cost savings through the encouragement and promotion of continuous improvement in service delivery; and
- Adhering to Council's Risk Management Framework and including Occupational Health and Safety Contractor compliance procedures.

Guidelines have been developed by the Strategic Procurement Unit to assist any council officer that has contract management within their portfolio. The guidelines are located in the Procurement Intranet site.

### 5.1 Variations

The terms of a Contract will usually entitle Council to direct a Variation. Variations can involve Council directing the Contractor to make a change to the supply of goods, the provision of services or the execution of works which are the subject matter of the relevant Contract.

Variations can also result from a provision in the Contract which deems a certain event or circumstance to be treated as a 'Variation' even if Council has not issued a direction to the Contractor to change the subject matter of the Contract. Examples in this context include a change arising from the introduction of a new law or ambiguities or inconsistencies within contract documents.

Variations can result in either an increase or in a decrease to the amount which Council is liable to pay to the Contractor under the Contract.

Generally, a Variation may be required due to:

- An increase or decrease to the scope of services or works;
- A change to quantities;
- A change to quality;
- A change to the value of the services or works;

Where a contract for goods or services has not yet expired and does not contain any extension options, or has no further extension options available, the contract may be extended before expiration by enacting a mutually agreed variation to the contract.

Where a contract has expired without an approved variation to extend, but the supply of goods and/or services under the expired contract is required to continue for a short term, the contract may be extended by enacting a mutually agreed variation to the contract.

## 6. Supplier Relationships

A wide range of suppliers are encouraged to compete for Council work. The focus for new work need not always be with the larger more familiar businesses. Other types of organisations offering business diversity include:

- Green suppliers;
- Local, small to medium sized enterprises (SMEs) and Social enterprises;
- Ethnic and minority businesses (e.g. Indigenous Business); and
- Volunteer and community organisations.

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# 7. Effective Legislative and Policy Compliance and Control

## 7.1 Delegations

Delegations define the limitations within which council staff are permitted to commit Council to the procurement of goods, services or works and the associated costs. The Instrument of Delegation allows specified council staff to undertake certain purchases, quotation, tender and contractual processes without prior referral to the Council. This enables the Council to conduct procurement activities in an efficient and timely manner whilst maintaining transparency and integrity.

Council has delegated responsibilities relating to the expenditure of funds for the purchase of goods, services and works, the acceptance of quotations and tenders and for contract management activities to the CEO. The CEO has further delegated some of those responsibilities to other members of council staff, subject to specified conditions and limitations.

## 7.2 Probity Requirements

### 7.2.1 Requirement

Council's procurement activities shall be performed with integrity and in accordance with all relevant legislation, policies and procedures.

### 7.2.2 Conduct of Councillors and Council Staff

Councillors and council staff shall at all times conduct themselves in a manner that is ethical and of the highest integrity and will:

- treat potential and existing suppliers with equality and fairness;
- not seek or receive personal gain;
- maintain confidentiality of Commercial in Confidence information such as contract prices and other sensitive information;
- present the highest standards of professionalism and probity;
- provide all suppliers and tenderers with the same information and equal opportunity;
- be able to account for all decisions and provide feedback on them; and
- not perform any work under any Council contracts they are supervising i.e. council staff cannot also work for the relevant supplier.

### 7.2.3 Tender Processes

All tender processes shall be conducted in accordance with the requirements of this policy and any associated procedures, relevant legislation, relevant Australian Standards and the Act. All tender panel members will be required to familiarise themselves with the Code of Conduct For Tender Evaluation Panel Members

### 7.2.4 Conflict of Interest

Councillors and council staff shall at all times avoid situations in which private interest's conflict, or might reasonably be thought to conflict, or have the potential to conflict, with their council duties.

Councillors and council staff shall not participate in any action or matter associated with the arrangement of a contract (i.e., evaluation, negotiation, recommendation, or approval), where that person or any member of their immediate family has an interest, or holds a position of influence or power in a business undertaking tendering for the goods, services or works.

Council staff involved in the procurement process, in particular preparing tender documentation, writing tender specifications, opening tenders, participating in tender evaluation panels, preparing a recommendation report must:

- **Avoid** conflicts of interest, whether material or general or actual, potential or perceived.

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- **Declare** that they do not have a conflict of interest in respect of the procurement. The onus is on Councillors and the members of council staff to promptly declare any actual, potential or perceived conflict of interest to Council. This is inclusive of any Collaborative Procurement processes that council staff may be involved in.
  - All personnel involved in a tender process be they internal or external entities, must complete and sign a Conflict of Interest Declaration prior to the commencement of tender evaluation process. These declarations are to be forwarded to the relevant Procurement Officer for record keeping.
  - Any council officers involved in the engagement of preferred suppliers from the Construction Supplier Register (CSR) or authorised agencies such as Procurement Australasia (PA) or the Municipal Association Victoria (MAV) must also complete and sign a Conflict of Interest Declaration prior to commencing a selection process for a supplier. These declarations must be forwarded to the Strategic Procurement Unit for record keeping
- **Observe** prevailing Council and Government guidelines on how to prevent or deal with conflict of interest situations; and not take advantage of any tender related information whether or not for personal gain.

### 7.2.5 Fair and Honest Dealing

All prospective contractors and suppliers must be afforded an equal opportunity to tender or quote for goods, services or works. Impartiality must be maintained throughout the procurement process.

The commercial interests of existing and potential suppliers must be protected.

Confidentiality of information provided by existing and prospective suppliers must be maintained at all times, particularly commercially sensitive material such as, but not limited to prices, discounts, rebates, profit, manufacturing and product information.

All personnel involved in a tender process be they internal or external entities, must complete and sign a Deed of Confidentiality prior to the commencement of such tender process. These declarations are to be forwarded to the relevant Procurement Officer for record keeping.

### 7.2.6 Accountability and Transparency

Accountability in procurement means being able to explain and provide evidence on the process followed.

The test of accountability is that an independent third party must be able to see clearly that a process has been followed and that the process is fair and reasonable.

Therefore, the processes by which all procurement activities are conducted will be in accordance with the Council's procurement policies and procedures as set out in this policy and related relevant Council policies and procedures.

Additionally, all council staff must be accountable for all procurement decisions made over the lifecycle of all goods, services and works purchased by the Council and record and document all performance and other relevant matters to ensure a transparent audit trail for monitoring and reporting purposes.

### 7.2.7 Gifts and Hospitality

No Councillor or member of council staff shall, either directly or indirectly solicit or accept gifts or presents from any member of the public involved with any matter that is connected with the duties of the officer, or in which the Council is interested.

Councillors and council staff are to apply the Councillors and Staff Code of Conduct respectively in dealing with offers of hospitality from contractors or their representatives, or from organisations, firms or individuals with whom they have official dealings. Councillors and council staff should also avoid the ambiguous situation created by visiting the premises of a contractor, organisation, firm or individual uninvited and/or not on official business.

Offers of bribes, commissions or other irregular approaches from organisations or individuals (no matter how minute the evidence available), must be promptly brought to the attention of the Director Corporate Business and Finance.

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### 7.2.8 Disclosure of Information

Commercial in-confidence information received by the Council must not be disclosed and is to be stored in a secure location e.g. Content Manager System.

Councillors and council staff are to protect, by refusing to release or discuss the following:

- information disclosed by organisations in tenders, quotation or during tender negotiations;
- all information that is Commercial in Confidence information; and
- pre-contract information including but not limited to information provided in quotes and tenders or subsequently provided in pre-contract negotiations.

Councillors and council staff are to avoid references to current or proposed contracts in discussion with acquaintances or outside interests.

Discussion with potential suppliers during tender evaluations should not go beyond the extent necessary to resolve doubt on what is being offered by that supplier.

At no stage should any discussion be entered into which could have potential contractual implications prior to the contract approval process being finalised other than authorized pre-contract negotiations.

### 7.2.9 Probity Plan Audits

A formal probity plan should be developed, and a probity advisor appointed in the following circumstances:

- Where the proposed Total Contract Sum exceeds \$10 million over the life of the contract or for a lesser value set by Council from time to time; or
- Where a proposed contract is considered by Council or the CEO to be particularly complex, of a high risk or controversial nature, and requiring a high level of public confidence.

A probity advisor may be appointed to any tender evaluation panel and may be appointed to oversee the evaluation process.

## 7.3 Risk Management

### 7.3.1 Management of Procurement Risk

The principles of risk management are to be appropriately applied at all stages of Procurement activities, which will be properly planned and carried out in a manner that will protect and enhance the Council's capability to prevent, withstand and recover from personal injury, property damage, reputational loss, financial exposure and interruption to the supply of goods, services and works.

The provision of goods, services and works by a supplier or contractor potentially exposes Council to risk. The Council could minimise its risk exposure through measures including:

- providing sufficient planning and lead-time for Procurement preparation and consideration.
- using appropriate Council standard-form contracts provided by Council's Strategic Procurement Unit or Australian Standard contracts which include current, relevant clauses to mitigate risk to Council;
- requiring security deposits where appropriate;
- referring specifications to relevant experts;
- requiring contractual agreement before allowing the commencement of work;
- ongoing and timely Contract management; and
- effectively managing the contract including monitoring and enforcing performance.

### 7.3.2 Responsible Financial Management

The principle of responsible financial management shall be applied to all procurement activities.

Accordingly, to give effect to this principle, the availability of existing funds within an approved budget, or source of funds, shall be established prior to the commencement of any procurement action for the supply of goods, services or works.

Council staff must not authorise the expenditure of funds in excess of their financial delegations.

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Council funds must be used efficiently and effectively to procure goods, services and works and every attempt must be made to contain the costs of the procurement process without compromising any of the procurement principles set out in this Policy.

### 7.3.3 Dispute Resolution

All Council Contract Managers must be cognisant of Council's dispute resolution process in order to minimise the change of disputes escalating to possible legal action. In the event that a dispute cannot be resolved amicably, the Council officer should contact the Strategic Procurement Unit for assistance.

### 7.3.4 Occupational Health and Safety Management Systems (OHSMS)

It will be mandatory for all relevant contractors engaged by Council to provide services or works, to have a documented OHSMS that conforms to the requirements of the OHS Act 2004 and that the system is implemented during the conduct of those services or works.

### 7.3.5 Insurance and Indemnity Requirements

A minimum of \$20,000,000 Public Liability and \$10,000,000 Professional Indemnity cover is generally required, dependent on the type of Contract. Evidence of cover in the form of a Certificate of Currency will be required. Council will also ensure any other appropriate insurance, i.e. Product Liability, Motor Vehicle or Fiduciary or Work Cover details are obtained prior to the commencement of the Contract.

Any exemption to minimum requirements must be authorised by the relevant Executive member (i.e. Director or Group Manager).

### 7.3.6 Endorsement of products or services

Council staff must not endorse any external products or services. Individual requests received for endorsement must be referred to the relevant Director.

### 7.3.7 Fraud and Complaints

Council takes allegations of fraudulent activity and complaints about procurement seriously and is committed to handling such disclosures sensitively and confidentially. Members of the public, suppliers and council staff are strongly encouraged to report fraudulent allegations or complaints about procurement processes and/or staff taking part in procurement activities to the Chief Financial Officer or Council's Director Corporate Business and Finance.

### 7.3.8 Public Interest Disclosure Act

The Public Interest Disclosure Act is an instrument which provides a mechanism for the disclosure of improper conduct by public officers and public bodies and to investigate alleged corruption and misuse of power. The Act also provides protection to those that make any disclosures or may suffer reprisals in relation to those disclosures.

## 7.4 Internal Control

The Council will establish and maintain a framework of internal controls over procurement processes that will ensure:

- more than one person is involved in and responsible for a transaction end-to-end;
- transparency in the procurement process;
- a clearly documented audit trail exists for procurement activities;
- appropriate authorisations are obtained and documented;
- systems are in place for appropriate monitoring and performance measurement; and
- compliance with the procedure and ongoing contract management will be subject to internal reviews and audits.

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# 8. Sustainability & Social Procurement

Council is committed to procuring products and services in alignment with its values of environmental, social, economic and cultural sustainability. This section details the specific policy and operational implications of such considerations.

Overall, tender documents or Requests for Quotation should contain:

- Clauses and weightings to assess environmental and social costs and benefits;
- Appropriately designed response statements to allow suppliers to clearly articulate how they will address social and environmental impacts; and
- Clauses that are framed as measurable deliverables rather than aspirations with regard to environmental, social, economic and cultural sustainability.

A pre-tender briefing could be used to explain the detail of such clauses, particularly if they refer to complex matters with which mainstream suppliers may not be familiar.

## 8.1 Environmental Sustainability

### 8.1.1 Sustainable procurement statement

Council is committed to addressing the climate emergency to the strongest degree possible.

Council's adopted Climate Emergency Plan sets out our role in responding to this unprecedented challenge, and includes the following key objectives:

- achieve zero-net emissions across the entire Yarra community by 2030, and accelerate the removal of excess carbon emissions;
- activate our community to take effective climate action - pushing for urgent change and changing the way we live and work;
- ensure our community is safe, healthy and resilient - especially those most vulnerable to severe climate impacts;
- create a city that continues to adapt to a changing climate and is ecologically healthy for all species; and
- collaborate and advocate with others in the climate emergency movement to increase our impact.

Yarra Council was one of the first local governments in the world to declare a climate emergency, acknowledging both the scale and urgency of action needed to avoid the catastrophic impacts of global heating.

Effectively responding to the climate emergency requires transformational societal and economic change. It will require changing our resource intensive and high consuming ways of life, as well as adapting to living on a hotter planet.

Procurement choices which respond proportionately to the climate emergency will contribute to the rapid reduction in carbon emissions in order to restore a safe climate. A key aspect of sustainable procurement is the application of circular economy principles (in which finite resources are valued and kept circulating within it) and lifecycle approaches to consider the full environmental impact of products and services, including embodied emissions.

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Council purchases environmentally preferable products and services whenever they meet Council's needs and are available at a competitive price.

Council's sustainable procurement practices demonstrate to the community that Council is responding to the climate emergency at commensurate urgency and scale and supporting the circular economy by stimulating the market for environmentally preferable products.

### 8.1.2 Requirements

When purchasing any goods and services on behalf of Council, staff are responsible for appropriately considering the environmental impact of those goods and services and factoring this into their decision-making. This means that staff are empowered and expected to give priority to environmentally preferable choices, as long those choices meet Council's needs in terms of performance, fit-for-purpose, the other requirements of this policy, and Value for Money.

Specifically, Council officers should seek products, services and providers that:

- support the circular economy i.e. reduce the consumption of resources and minimise waste e.g. through re-use and repair, the acquisition of products manufactured from recycled materials and/or minimum inputs, maximise resource recovery and effectively manage waste);
- do not use single use plastic;
- reduce greenhouse emissions including embodied energy (the sum of all the energy required to produce any goods or services), performance and end-of-life considerations (e.g. through energy efficiency, renewable energy, carbon neutrality and offsets, local purchasing, and emissions management); reduce other emissions (e.g. avoid toxic materials; avoid or limit emissions to soil, air or water; seek organic or otherwise sustainably produced options);
- reduce the environment impact of buildings including zero net emissions, through meeting all requirements of the ESD Buildings Policy;
- reduce potable water use (e.g. through water conservation Water Sensitive Urban Design e.g. rainwater capture and reuse);
- avoid impacts to habitat and biodiversity (e.g. certified sustainable forestry products, palm-oil free, Water Sensitive Urban Design e.g. rain gardens);
- meet and where possible exceed recognised best practice environmental standards throughout their supply chains (e.g. high Energy and Water Star Ratings, ISO-accreditation) and demonstrate leading environmental practice (e.g. through effective Environmental Management Plans, accreditation, certification, voluntary memberships, providing examples of good practice in operations such as use of zero emissions vehicles).

### 8.1.3 Special mechanisms

In recognition of the fact that environmentally or socially preferable options sometimes come at a premium, and yet may offer superior Value for Money, there are also two particular operational mechanisms designed to empower staff and managers to implement the preference of environmentally responsible products and services.

- The 10% Price Preference

Whenever a product or service presents as the most environmentally preferable option and is significantly better than the other tender submissions in terms of environmental impact, staff are empowered to apply a price preference up to 10% to these options. This means that when weighing up the Value for Money of different options, staff could consider the most environmentally or socially preferable option(s) to be up to 10% less than the purchase price.

Note that even after applying this price preference, if the most environmentally or socially preferable option is still more expensive it can and must be selected only if it provides the best overall Value for Money.

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- The 10% Sustainability Weighting

When developing assessment criteria for contracts and tenders, sustainability will be included as one of the criteria and that its weighting will be at least 10%. If there is a reason why this is not applicable or workable, or does not provide sufficient Value for Money, this should be detailed in the tender report or Quotation Acceptance Form.

### 8.1.4 Acquisition of Single Use Plastic products

Eliminating single-use plastic from council facilities aligns with Council's commitment to urgent action on climate change and key actions identified in the City of Yarra's Climate Emergency Plan 2020-2024 and Single-use Plastic Events Policy.

In supporting and promoting the Policy, relevant clauses are included in specifications for the acquisition of goods and services. These clauses will identify banned single use plastics and provide information relating to acceptable alternatives.

Relevant evaluation criteria are included in Tender Conditions associated with goods and services, requesting Tenderers to not only provide details of proposed alternatives to single use plastics but to provide samples. A weighting will be applied to such criteria emphasising Council's intent in the total elimination of single use products within Council's jurisdiction.

## 8.2 Social Procurement

Council is also committed to supporting social procurement because of the positive social impacts this provides to both Council and the community. Council has developed processes to ensure that social enterprises become part of a diverse and dynamic supplier market.

The decision within Council to engage with social procurement may originate in a number of ways. For example, if:

- Council has scope for the inclusion of social benefits when issuing a tender;
- A current contract is soon to expire, allowing for a revision of service delivery and contracting arrangements; and/or
- When particular social issues in a community are not being addressed using traditional approaches.

Existing contracts may also be varied so that social impacts are incorporated for the delivery of goods and services. In this case Council officers should engage all suppliers in social procurement practices where appropriate and seek their cooperation to explore possibilities for subcontracting to social benefit suppliers.

A list of Social Enterprises registered with Social Traders is available on the Procurement intranet.

## 8.3 Support of Local Business and Industry

Council recognises the need to support the local economy. To encourage this, Council will actively seek offers from local suppliers where possible by:

- encouraging participation from local suppliers and
- including evaluation criteria that favours suppliers that support the local economy

To accommodate this support, Council will develop and maintain a registration of interest listing. This listing will comprise of local traders that submit an expression of interest in being notified of any goods, services or works that have been listed by the traders as a core business. This will enable the traders to submit a competitive offer during any open tender or quotation process.

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### 8.4 Support for Indigenous businesses

The community of Yarra consists of a diverse accumulation of both ethnic and Indigenous groups. It is Council's aim to encourage Aboriginal entrepreneurship, business development and employment by providing the Aboriginal community with increased opportunities to participate in the delivery of goods, services and works through Council's Procurement framework to ensure equal opportunity for all suppliers.

Council will wherever possible, commit to explore opportunities for the engagement of Aboriginal businesses. These opportunities may be in the form of contracting, subcontracting or individual engagement. To assist, Council has registered as a member of Supply Nation which will allow Council to have access to the biggest national database containing in excess of 2,100 verified indigenous businesses.

### 8.5 Social Enterprise

Social Enterprises can be described as organisations that:

- Are led by an economic, social, cultural, or environmental mission consistent with public or community benefit;
- Trade to fulfil their mission;
- Derive a substantial proportion of their income from trade; and
- Reinvest the majority of their profits in the fulfilment of their social mission.

Council is a member of the Social Traders organisation which provides its experience and expertise in assisting with the advancement and escalation of engagement by Council with social enterprises organisations.

Their primary role is to create jobs for disadvantage persons through the use of social enterprises by enabling business and government buyers to procure from certified social enterprises.

### 8.6 Buy Australian

Council will give preference to goods, equipment, material or machinery manufactured in Australia and New Zealand whenever practicable. When contemplating any such acquisitions, council staff must consider Australian made products over similar products which have been manufactured overseas. Where the price of Australian brand is excessive to that of alternative brands, council staff may purchase the alternative brand.

### 8.7 Ethical Standards for the Acquisition of Textiles, Clothing and Footwear

Council supports the application of ethical standards in the acquisition of textiles, clothing and footwear as espoused by industry associations such as Ethical Clothing Australia. These standards are designed to ensure that businesses are committed to taking practical steps to keep their Australian-based and International supply chains, accountable and transparent to ensure that they and any sub-contractors are compliant with relevant Australian laws.

Reference should be made to The Fair Work Amendment (Textiles, Clothing & Footwear Industry) Act 2012 which promotes and supports the elimination of outworkers in the textile, clothing and footwear (TCF) industry by providing consistent rights and protections to ensure that those out workers are employed or engaged under secure, safe and fair systems of work.

Prior to the engagement of any suppliers of TCF Tenderers will need to demonstrate their commitment to observing ethical standards in the supply of its products to Council. All tenderers will be required to provide evidence of their compliance with the Fair Work Act specifically in relation to its employees, and supply chain partners.

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### 9. Charter of Human Rights

The [Charter of Human Rights and Responsibilities Act 2006](#) (the Charter) sets out the basic rights, freedoms and responsibilities of all people in Victoria. It is about the relationship between government and the people it serves.

The Charter requires public authorities, such as Victorian state and local government departments and agencies, and people delivering services on behalf of government, to act consistently with the human rights in the Charter.

The Charter recognises that as human beings all persons have basic rights, including the right to be treated equally, to be safe from violence and abuse, to be part of a family and to have their privacy respected.

In certain circumstances some rights have limitations, however this only applies where necessary with the reasons for the decision being clear, transparent and reasonable.

Council expects all Councillors and staff members to be cognisant of the requirements of this Act and adopt and implement these fundamental rights in their day to day activities.

#### 9.1 Diversity

Yarra draws pride and strength from our diverse community and recognises that our procurement practices can have substantial benefit to reducing barriers faced by some people and help to address inequality in our community. This includes people with disability, Aboriginal and Torres Strait Islander people, culturally, religiously and linguistically diverse people, young people, older people, women, and people who identify as gay, lesbian, bisexual, transgender, intersex or queer.

Promoting equality through procurement can improve competition, Value for Money, the quality of public services, satisfaction among users, and positive community relations. It should be a consideration in every procurement project and reflect corporate commitment to diversity and equal opportunities wherever possible.

Council officers are encouraged to seek products, services and providers that:

- undertake corporate social responsibility activities;
- actively support or employ people who may face employment or other social barriers; and
- are inclusive of the needs of people with disabilities

#### 9.2 Gender Equality

The *Victorian Gender Equality Act 2020* (The Gender Equality Act) was passed by the State Government in February 2020.

The purpose of the Gender Equality Act requires "defined entities" (entities that have 50 or more employees) within the public sector, Councils, and Universities to take positive action towards achieving workplace gender equality, and to promote gender equality in their policies, programs and services.

The Gender Equality Act also states that a "defined entity" must, in developing policies and programs and in delivering services that are to be provided to the public, or have a direct and significant impact on the public:

- Consider and promote gender equality; and
- Take necessary and proportionate action towards achieving gender equality.

In consideration of the Gender Equality Act, the Council's tender evaluation processes should include interested persons on tender panels regardless of origin, age, disability, ethnicity, gender identity, race, religion or sexual orientation.

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To complement the requirements of the Gender Equality Act, criteria relating to Gender Equality will be included in Tender documents seeking information from suppliers as to their commitment to:

- Ensuring an integrated and comprehensive approach to the promotion of gender equity;
- Supporting respectful relationships by modelling safe, flexible workplace practices;
- Driving positive action that safeguards fair treatment to all employees of suppliers regardless of gender in line with Yarra's organisational values and obligations, enforced as per the Equal Opportunity Act 2010 (Vic).

### 9.3 Safeguarding Children and Young People

The *Child Wellbeing and Safety Act 2005 (Vic)* requires organisations that contract facilities and services from third parties to have procurement policies that ensure the safety of children and young people in online and physical environments (Child Safe Standard 9). This is to ensure that all personnel who may be working with children and young people are appropriately screened for that purpose.

A child safe clause should be included in contracts where the contract is to provide services directly to children and young people, or for activities that will, or are likely to involve contact with children and young people that is a usual part of, and more than incidental to, the services.

Please refer to the Procurement Manual for further details on the child safeguarding clause.

### 9.4 Access and Inclusion Strategy 2018-2024

In accordance with Council's Access and Inclusion Plan 2018 – 2024, persons involved in the development of specifications and tender documentation should be cognisant of the requirements under this plan to ensure that relevant service delivery and/or design aspects are incorporated into the scope of services and works so that products and services purchased by Yarra are inclusive of the needs of people with disability.

## 10. Positive and Negative Screen

The procurement process will ensure that all procurement decisions are made having regard to the values expressed in the preamble, the Council plan and relevant policy positions and to Council's requirement to exercise effective financial stewardship.

Effective financial stewardship can be achieved by the evaluation of negative and positive screens together with a focus on appropriate economic returns, investment risks and sustainability.

### 10.1 Positive screen

Council seeks to procure from companies which promote human welfare, dignity and respect, and the general benefit to the community and environment. Examples include companies produce goods or services which enhance the health and welfare of individuals and communities, and companies which produce goods or services which preserve, restore and enhance the environment.

### 10.2 Negative screen

Council seeks to avoid procuring from companies whose products, services or practices cause or perpetuate injustice and suffering, infringe human rights, specifically slave or child labour or cause unacceptable damage to the natural environment including investment in fossil fuels.

### 10.3 Neutral

Some procurement will be from companies which are considered to be neutral in terms of the positive and negative screens. Such procurement will be made on the basis of investment and procurement criteria contained within the assessment processes.

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# 11. Glossary of Terms

**“The Act”** means the *Local Government Act 2020*.

**“Commercial-in-Confidence”** means information that if released may prejudice the business dealings of a party e.g. prices, discounts, rebates, profits, methodologies and process information.

**“Contract Management”** means the process that ensures both parties to an agreement fully meet their obligations and responsibilities in accordance the contract.

**“Council Officer”** means any full or part time staff member of Council including temporary employees.

**“Collaborative Procurement”** means a procurement process conducted collectively between Council, and government entities, a nominated authorised agent such as Procurement Australasia, Municipal Association of Victoria (MAV) or a collective of Local Government Councils, for the benefit of achieving best value by leveraging combined economies of scale.

**“Fraud”** means deception resulting in financial or personal gain.

**“IMAP”** means the Inner Melbourne Action Plan (IMAP), which is a collaborative partnership between the Cities of Yarra, Melbourne, Port Phillip, Stonnington and Maribyrnong.

**“Indigenous Business”** As per Supply Nation’s definition, an Indigenous Business is one that is at least 50% owned by an Aboriginal or Torres Strait Islands person(s).

**“Probity”** means uprightness, honesty, proper and ethical conduct and propriety in Council dealings.

**“Procurement”** means the whole process of acquisition of external goods, services or works. This process encapsulates the whole of life cycle from initial concept through to the end of the useful life of an asset (including disposal) or the end of a service or works contract.

**“Risk”** means anything that could prevent Council from achieving its objectives. Risk may arise from an event, an action, or from a lack of action. It is measured in terms of consequences and likelihood.

**“Sustainability”** means activities that meet the needs of the present without compromising the ability of future generations to meet their needs.

**“Tender process”** means the process from the planning stages to the awarding of a contract. This includes the development of tender documentation, invitation to tender period, evaluation stage and recommendation of a preferred supplier/s.

**“Value for Money”** means the optimum combination of quantitative and qualitative components of a tender offer.

## 8.6 Proposal to Declare Land Abutting Sandeman Place Fitzroy as Public Highway

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<b>Reference</b>	D21/182806
<b>Author</b>	Ivan Gilbert - Group Manager Chief Executive's Office
<b>Authoriser</b>	Group Manager Chief Executive's Office

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### Purpose

1. For Council to consider whether to declare the hiatus land and referenced parcel of common property at the southern end of Sandeman Place, Fitzroy (**Subject Land**) to be a public highway pursuant to section 204(1) of the *Local Government Act 1989 (Act)*.

### Critical analysis

#### History and background

#### 2. Factual background

- 2.1 The Subject Land is shown as the hatched area on the plans attached (refer **Attachment 1** Copy of Public Notice) to this Report and includes:
  - 2.1.1 the 'hiatus land' not contained in any certificate of title, shown hatched on the plan at Figure A (**Hiatus Parcel**); and
  - 2.1.2 part of the common property on registered plan of strata subdivision no. SP023103J at 75-79 Webb Street, Fitzroy, being part of the land contained in certificate of title volume 12137 folio 050, shown hatched on the plan at Figure B (**Webb Parcel**).
- 2.2 Sandeman Place is a bluestone laneway of approximately 4 metres in width that provides vehicular and pedestrian access to the rear of the properties at 174-178 George Street and 75-79 Webb Street, Fitzroy, from Charles Street, Fitzroy. The laneway comes to a dead-end at its southern end approximately 5.16 metres south of the northern boundary of 174-178 George Street where it abuts the Hiatus Parcel.
- 2.3 In March 2020, the lot owners of 75-79 Webb Street (**Webb St Owners**) sought assistance from Council because the lot owners of 174-178 George Street (**George St Owners**) erected a fence and steel gates that extended through, and enclosed a significant portion of, the Hiatus Parcel (**2020 Fence**). The Webb St Owners assert that the 2020 Fence substantially interferes with their ability to execute turning movements into and out of the common property 75-79 Webb Street so that they can exit Sandeman Place with vehicles in a forward direction (refer photograph on page 5 of **Attachment 2**).
- 2.4 Council officers are satisfied that the Hiatus Parcel was historically used to accommodate vehicular and pedestrian traffic from both 174-178 George Street and 75-79 Webb Street, Fitzroy, from at least 2009 until the erection of the 2020 Fence and, in all likelihood, far longer. On this basis, Council officers are satisfied that the Hiatus Parcel is a 'right of way' within the meaning of the Act and, therefore, constitutes a 'road' within the broad meaning specified in the Act, in respect of which Council is entitled to consider making a declaration pursuant to section 204(1) of the Act. Officers note, however, that the George St Owners assert that part of the Hiatus Parcel has been continuously and exclusively possessed by them, the implication being that it is not a 'road' for the purposes of the Act.
- 2.5 The Webb Parcel also appears as part of the navigable section of Sandeman Place and has been used for vehicular access to the common property at the rear of 75-79 Webb Street, Fitzroy, since at least 2009. The Webb Parcel has been included as part of the Subject Land to ensure uninhibited vehicular access to the rear of 73 Webb Street and 75-79 Webb Street, based on an Engineering Report commissioned by Council (see **Attachment 2** Engineering Report) which revealed that the Webb Parcel is required to be maintained as part of the laneway to ensure that a B99 design vehicle can proceed to the termination (southern boundary) of the Subject Land.

- 2.6 If Council resolves to declare the Subject Land to be a public highway under section 204(1) of the Act, the Subject Land will become a 'public road' under section 17(1)(c) of the *Road Management Act 2004 (RMA)* and must be included on Council's Register of Public Roads in accordance with s 17(2) of the RMA.

### 3 Previous decisions

- 3.1 Council, at its meeting of 20 July 2021, resolved to commence the statutory processes under sections 204(1), 207A and 223 of the Act to declare the Subject Land a public highway.
- 3.2 On 3 September 2021, Council published a notice in *The Age*:
- 3.2.1 giving notice that Council proposes to declare the Subject Land a public highway under section 204(1) of the Act; and
- 3.2.2 inviting submissions under section 223 of the Act by 1 October 2021 (see **Attachment 1** Copy Public Notice);
- 3.3 Additionally, by letters served by Registered Post and letters hand delivered to occupiers, Council issued copies of the public notice to the owners and occupiers of the properties likely to be affected by the proposed declaration of the Subject Land as a public highway.

### 4. Public consultation

- 4.1 Council received two written submissions in response to its public notice published pursuant to s 223 of the Act. These are discussed below.
- 4.2 *Submission one – one of the Webb St Owners*
- 4.2.1 One of the Webb St Owners sent an email to Council officers raising concerns regarding the necessity of including the Webb Parcel as part of the Subject Land.
- 4.2.2 While this response did not specifically identify that it was a submission made under s 223 of the Act, given that it was received during the period for submissions, Council is treating it accordingly. Further, the response did not expressly oppose or support the proposed declaration, however it is nonetheless appropriate to consider its content and address the issues that it raises.
- 4.2.3 Following a process under s 204(1), 207A and 223 of the Act provides transparency associated with the proposed declaration and ensures the integrity of the decision-making process.
- 4.2.4 With respect to the purpose of including the Webb Parcel as part of the Subject Land, as noted at paragraph 2.4 above, this is to ensure uninhibited vehicular access by B99 design vehicles to the termination (southern boundary) of the proposed public highway.
- 4.3 *Submission two – the George St Owners*
- 4.3.1 Council received a submission from the legal representative of the Owners Corporation Plan no. RP015268 and the owners of units 1-4 of 174-178 George Street (being the 'George St Owners'). The submission opposed the proposed declaration to the extent that it included in the Subject Land the part of the Hiatus Parcel shaded in yellow in the diagram (refer **Attachment 3**). (**Opposed Parcel**).
- 4.3.2 By way of summary, this submission raised the following matters in opposition to the inclusion of the Opposed Parcel within the proposed declaration:
- (a) the George St Owners assert that the Opposed Parcel has been continuously and exclusively used and occupied by them and their predecessors for at least 40 years, for car parking purposes. The assertion is that the George St Owners are now the legal owners of the Opposed Parcel based on the doctrine of adverse possession and, by inference, the Opposed Parcel is not a 'road' which is capable of a public highway declaration. Such occupation is the basis for the George St Owners claiming the legal right to erect the 2020 Fence;
- (b) the Opposed Parcel is not '*reasonably required for general public use*' and, on that basis, Council cannot reasonably declare the Opposed Parcel to be a public highway under s 204(1) of the Act; and
- (c) based on their asserted legal ownership of the Opposed Parcel, the George St Owners are entitled to apply to the Registrar of Titles to amend the title boundaries of the relevant folios comprising 174-178 George Street, to incorporate the Opposed Parcel within those parcels.

The submission did not raise any matters for consideration in respect of the Webb Parcel or the balance of the Hiatus Land (excluding the Opposed Parcel).

4.3.3 Council officers provide the following comments in response to the submissions made by the George St Owners:

(a) Adverse possession / ownership claim

- (i) The Opposed Parcel is 'hiatus land' and does not have a title or registered proprietor.
- (ii) The onus is on the George St Owners to prove that they are entitled to be registered as owner of the fee simple estate in the Opposed Parcel based on the doctrine of adverse possession. This requires the George St Owners to prove that they have accrued at least 15 years of continuous and exclusive possession of the Opposed Parcel, to the exclusion of all others, prior to the Opposed Parcel becoming a road. Once the Opposed Parcel became a road, the George St Owners would need to show 30 years of continuous and exclusive possession to obtain a legal title free from the road status. No evidence has been provided to Council by the George St Owners to support their assertions.
- (iii) Aerial images of the Subject Land obtained by Council show that prior to erection of the 2020 Fence, the Opposed Parcel was openly accessible to third parties via Sandeman Place (refer **Attachment 2**). This evidence contradicts the George St Owners' claims that they have been in exclusive and continuous possession of the Opposed Parcel, to the exclusion of all others, for any period longer than approximately 20 months.
- (iv) A number of the Webb St Owners (two) have provided statements to Council in which they state that they (and their predecessors) have been accessing and using the Opposed Parcel for some 30 years prior to erection of the 2020 Fence for the purpose of vehicle movements and using that land for access between Sandeman Place and the common property at the rear of 75-79 Webb Street. This evidence contradicts the George St Owners' claims that they have been in exclusive and continuous possession of the Opposed Parcel, to the exclusion of all others, for any period longer than approximately 20 months.
- (v) Although it is not free from doubt, the evidence provided and available to Council indicates that the George St Owners have not accrued rights of adverse possession over the Opposed Parcel and, therefore, are not the legal owners of the Opposed Parcel.

(b) Whether the Opposed Parcel legally form part of the proposed declaration

- (i) Section 204(1) of the Act does not expressly require that Council make a decision that a road is 'reasonably required for general public use' before it can declare that road to be a public highway.
- (ii) However, as the effect of declaring the Subject Land to be a public highway is that it will be:
  - A) *'open to the public for traffic as a right, irrespective of whether the road is in fact open to traffic'* (section 3(1) of the Act); and
  - B) a 'public road' for the purposes of the RMA (section 17(1)(c) of the RMA),the relevant issue for determination by Council is whether the Subject Land is reasonably required for public use. Council must act reasonably and consider all relevant considerations in reaching its decision.
- (iii) Officers consider that it is open to Council to consider declaring the Subject Land to be a public highway, for the reasons set out at paragraph 2.3 and 2.4 above.
- (iv) Officers propose that it is reasonable to declare the whole of the Subject Land (including the Opposed Parcel) to be reasonably required for public use and a public highway under the Act, having regard to the following:
  - A) adjoining landowners have stated that the whole of the Subject Land is needed to facilitate vehicular and pedestrian access to 174-178 George Street, 73 Webb Street and 75-79 Webb Street, Fitzroy. The factual basis of

these statement is supported by the swept path diagrams in the Engineering Report commissioned by Council (see **Attachment 2.**);

- B) it is not fatal to Council's decision that members of the public (other than adjoining landowners) may not have been using the Subject Land to date, as the purpose of the proposed declaration is to crystallise the rights of the public so that they are protected into the future. Officers consider that it is essential that the Subject Land be open for general public use, so that Sandeman Place is safely and properly navigable to members of the public who use it (as they are entitled to do);
  - C) the fact that Sandeman Place is a dead-end laneway does not necessarily mean that it is not reasonably required for public use going forward;
  - D) officers consider that the whole of the Subject Land is required for traffic management purposes, to facilitate the functionality of Sandeman Place as a laneway accessible to vehicles. The Opposed Parcel, in particular, is required to this end, as it is essential for the turning of vehicles at the southern end of Sandeman Place, consistent with its use over a number of years prior to the erection of the fence and gates by the George St Owners. In short, without the Opposed Parcel being included in the declaration, the ability of vehicles to use the balance of the Subject Land would be limited from a traffic management and functionality standpoint; and
  - E) the proposed declaration does not appear to interfere with any property rights of the George St Owners, for the reason set out at paragraph (a)(v) above.
- (v) Officers do not agree with the George St Owners' assertion that the declaration of the Opposed Parcel as a public highway would be contrary to the objectives of the RMA or the Act. Rather, such declaration serves the objectives of the relevant legislation, including the following objectives/principles of:
- A) achieving the best outcomes for the municipal community, including future generations (section 9(2)(b) of the Act);
  - B) establishing a system for the management of safe and efficient public roads that best meet the needs and priorities of State and local communities (section 4(2)(b) of the RMA); and
  - C) providing for the protection of roads against damage and interference (section 4(2)(k) of the RMA).
- (c) The George St Owners' proposal to obtain title to the Subject Land
- With respect to the intention of the George St Owners to amend their titles to incorporate the Opposed Parcel, given that there is evidence that they have not historically enjoyed continuous and exclusive possession over the Opposed Parcel, it is suggested that an application of this kind is unlikely to succeed. Council should also object to any such application on the basis that the Opposed Parcel is a 'road' for the purposes of the RMA.

### Discussion

5. Following general discussion on the matter, the process has been subject to a statutory requirement.

### Options

6. For Council to determine on the matter of declaring the subject parcels of land as public highway.

### Community and stakeholder engagement

7. The statutory advertisement process enabled community / stakeholder engagement.

### Policy analysis

#### Alignment to Community Vision and Council Plan

8. Not relevant to this report.

[Climate emergency and sustainability implications](#)

9. Not relevant to this report.

[Community and social implications](#)

10. A Council determination will provide clarity to the status of currently, hiatus land.

[Economic development implications](#)

11. Not relevant to this report.

[Human rights and gender equality implications](#)

12. Not relevant to this report.

## Operational analysis

[Financial and resource impacts](#)

13. If the subject land is declared to be public highway, Council will be responsible for appropriate maintenance of the road.

[Legal Implications](#)

14. The consideration and processing of the matter has been addressed in accordance with legislative requirements.

## Conclusion

15. That Council, having given public notice of its proposal to declare the road shown hatched on the plan in the relevant public notice (**Subject Land**) as a public highway under section 204(1) of the *Local Government Act 1989 (Act)*, and having considered all submissions in response to that notice:

- 15.1 resolves to declare the Subject Land to be a public highway pursuant to section 204(1) of the Act, for the reason that the whole of the Subject Land is required for public use;
- 15.2 authorises the publishing of a notice in the *Victoria Government Gazette* declaring the Subject Land to be a public highway pursuant to section 204(1) of the Act; and
- 15.3 notifies submitters in writing of its decision and the reasons for the decision.

## RECOMMENDATION

1. That Council, having given public notice of its proposal to declare the road shown hatched on the plan in the relevant public notice (**Subject Land**) as a public highway under section 204(1) of the *Local Government Act 1989 (Act)*, and having considered all submissions in response to that notice:

- (a) resolves to declare the Subject Land to be a public highway pursuant to section 204(1) of the Act, for the reason that the whole of the Subject Land is required for public use;
- (b) authorises the publishing of a notice in the *Victoria Government Gazette* declaring the Subject Land to be a public highway pursuant to section 204(1) of the Act; and
- (c) notifies submitters in writing of its decision and the reasons for the decision.

## Attachments

- 1** [↓](#) Attachment 1 - Copy of public notice published in The Age
- 2** [↓](#) Attachment 2 - Engineering Report (Triangle)
- 3** [↓](#) Attachment 3 - Diagram of Opposed Parcel

38 THE AGE FRIDAY, SEPTEMBER 3, 2021

SPORT RACING

Table of horse racing results for Bendigo, including columns for race number, horse name, jockey, trainer, and odds. Races include Bendigo Mazda Plate, The Big Screen Company Plate, Catanach Jewellers (B64), and others.

Public Notices: Sandeep Kaur vs Margaret Singh, current owners of 24/25 Sandeep Kaur vs Margaret Singh, current owners of 24/25 Sandeep Kaur vs Margaret Singh, current owners of 24/25 Sandeep Kaur vs Margaret Singh...

Public Notices: PACKAGED LIQUOR LICENCE APPLICATION. W.D. DOWNINGHAM GROCERY LTD. D/L 1711, located for the purpose of selling and supplying liquor...

NOTICE OF AN APPLICATION FOR A PLANNING PERMIT. The land affected by the application is located at: 4 Roma Street, DOON. The application is for a permit for the construction of a new two-storey dwelling to the rear of the existing dwelling...

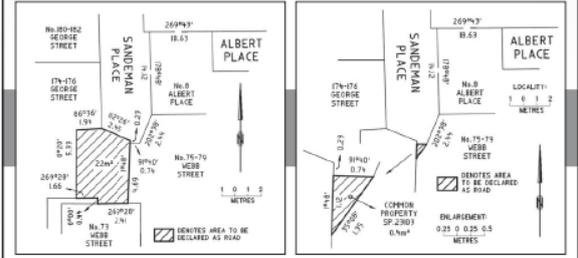
PRIVATE SECURITY BUSINESS REGISTRATION. Global Security Australia Pty Ltd of 24A, Access Way, Downs Victoria 3201, has made application to the Licensing and Regulatory Division for a Private Security Business Registration...

Land Acquisition and Compensation Act 1986. Notice of Acquisition. Compulsory Acquisition of Interest in Land. Head, Transport for Victoria declares that by this notice it acquires the following interest in part of the land described in Crown Allotment 21...

Land Acquisition and Compensation Act 1986. Notice of Acquisition. Compulsory Acquisition of Interest in Land. Head, Transport for Victoria declares that by this notice it acquires the following interest in part of the land described in Crown Allotment 21...

YARRA CITY COUNCIL PROPOSED PUBLIC HIGHWAY DECLARATION PUBLIC NOTICE INVITING SUBMISSIONS UNDER SECTION 223

Yarra City Council (Council) gives notice under section 204(1) of the Local Government Act 1989 (Act) that it proposes to declare the following parcels of land abutting Sandeman Place, Fitzroy, to be public highways:



Any person may make a submission on either Proposal A or Proposal B, or on both Proposals A and B. Any person wishing to make a submission under section 223 of the Act must do so in writing by 1 October 2021. All submissions will be considered in accordance with section 223 of the Act. Submissions should be addressed to the Chief Executive Officer and described as 'Submission on Proposed Declaration of Public Highway - Sandeman Place, and can be hand delivered to Council's Municipal Office at 333 Bridge Road, Richmond 3121 or posted to the following address: Vijaya Vaidyanath, Chief Executive Officer, Yarra City Council, PO Box 168, RICHMOND VIC 3121.

## Attachment 2 - Attachment 2 - Engineering Report (Triangle)



## MEMO

**To:** George Vass  
**CC:** Diane Gabriel, Danny Millican  
**From:** Mark Pisani  
**Date:** 11 May 2021  
**Subject:** Description: Declaration of Land adjacent to Sandeman Place  
 Site Address: South End of Sandeman Place, Fitzroy

I refer to your request received on 5 May 2021 to provide engineering comment on the declaration of land adjacent to Sandeman Place, Fitzroy. The Engineering Referral team provides the following information:

## Drawings and Documents Reviewed

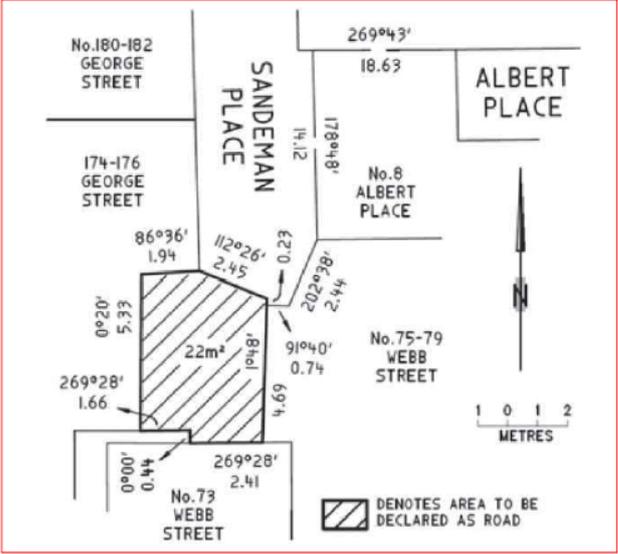
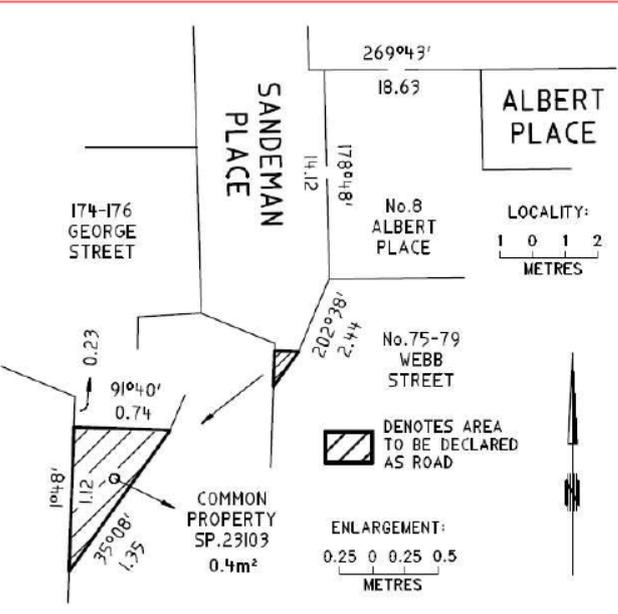
	Drawing No. or Document	Revision	Dated
Lawlor and Loy Vic.	<i>Plan of Survey</i>		2 July 2020
Micheli Oldfield Sinton Architects	TP01 <i>Basement and Ground Floor Plan</i> 174 George Street, Fitzroy	B	July 2019
Grounds Architecture	A001 <i>Site/Location Plan</i> 75 Webb Street, Fitzroy	Endorsed	14 February 2018
Certificate of Title	Vol. 09650 Fol. 169 and Vol. 09650 Fol. 889 75-79 Webb Street, Fitzroy		

## Land at Southern End of Sandeman Place

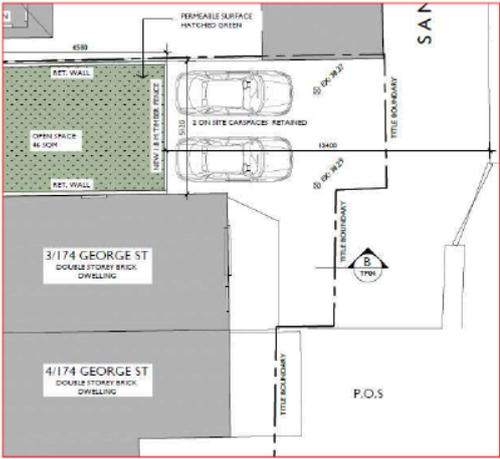
Item	Details
Background	
Sandeman Place, Fitzroy	<p>Sandeman Place is a Council controlled laneway and is listed on Council's <i>Register of Public Roads</i>. Commencing from Charles Street, Sandeman Place is aligned in the north-south direction and has a termination at its southern end. The laneway provides vehicular access to 75 Webb Street and 174 George Street. The southern end of Sandeman Place also abuts NUA land ('Not under the Act')* or hiatus land abutting the western boundary of 75-79 Webb Street and northern boundary of 73 Webb Street.</p> <p>Sandeman Place comprises a bluestone pavement with a central invert and has effective carriageway widths ranging from 3.09 metres to 4.07 metres.</p>

\* 'Act' i.e. - *Transfer of Land Act 1958*.

**Attachment 2 - Attachment 2 - Engineering Report (Triangle)**

Item	Details
<p>Declaration of Land adjacent to South End of Sandeman Place</p>	<p>In March 2021, Council published a formal notice inviting submissions for the proposal to declare the NUA land at the south end of Sandeman Place as a Public Highway. This parcel of land is an irregular shape, as shown below:</p> 
<p>Declaration of Land adjacent to the NUA Land</p>	<p>Council is considering a proposal to declare a small triangular piece of land on private property adjacent to the NUA land as a Public Highway. The parcel of land has an area of 0.4 square metres and is located on common property within the title of 75-79 Webb Street. Lawlor and Loy Surveyors have provided a plan of the land as shown below:</p> 

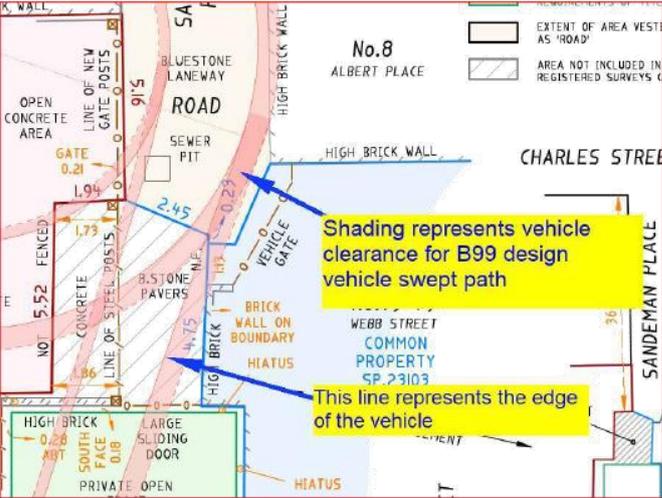
**Attachment 2 - Attachment 2 - Engineering Report (Triangle)**

Item	Details
	<p>The acquisition of the triangular parcel of land as a Public Highway would improve access for vehicles to the NUA land, as the 2.45 metre distance of the north east boundary of the NUA is insufficient for satisfactory vehicle access.</p>
Existing Conditions	
<p>Survey Plan prepared by Lawlor and Loy Surveyors</p>	<p>The survey plan prepared by Lawlor and Loy depicts existing features of walls, infrastructure assets and gates, among other things, and are superimposed with the cadastre (please see <i>Plan of Survey</i> appended to this memo).</p>
<p>75-79 Webb Street, Fitzroy</p>	<p>The property at 75-79 Webb Street comprises four residential dwellings and an on-site car parking area with four spaces (common property) and is accessed via Sandeman Place. Below is an extract from the endorsed drawings for 75 Webb Street (PLN17/1105), showing the on-site car parking configuration, driveway and vehicular entrance.</p> 
<p>174 George Street, Fitzroy</p>	<p>The property at 174 George Street comprises four residential dwellings with three approved on-site parking spaces. Below is an extract from the advertised plan. Units 3 and 4 do not contain any on-site car parking.</p> 

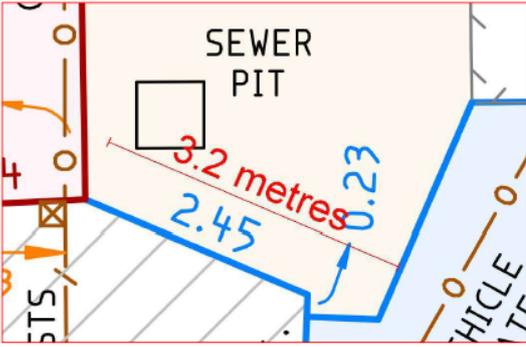
**Attachment 2 - Attachment 2 - Engineering Report (Triangle)**

Item	Details
<p>South End of Sandeman Place Nearmap Aerial Photo Imagery Thursday 11 March 2021</p>	
<p>Site Inspection of Sandeman Place – Thursday 6 May 2021</p>	<p>A site inspection of Sandeman Place was conducted by Council Engineers to note existing conditions and to record a number of measurements.</p> <p><u>75-79 Webb Street Abuttal to Sandeman Place</u> The gate servicing 75-79 Webb Street has a width of 3.24 metres – ample for the swept path of a B99 design vehicle.</p> <p>It was observed that the north western boundary of the property is delineated by a trowel line in the pattern paved concrete, as is clearly shown in the photograph below:</p>  <p>The corner of the brick wall shown in the photograph above (where a white outlet pipe can be seen towards the left) marks the precise location of the south west corner of 8 Albert Place – as depicted in the survey undertaken by Lawlor and Loy. The placement of a structure or bollard within the triangular parcel of land would reduce the doorway width of the property's vehicular entrance.</p> <p><u>174 George Street Abuttal to Sandeman Place</u> A fence and sliding gate has been constructed along the property's abuttal to Sandeman Place and extends through the NUA land.</p>

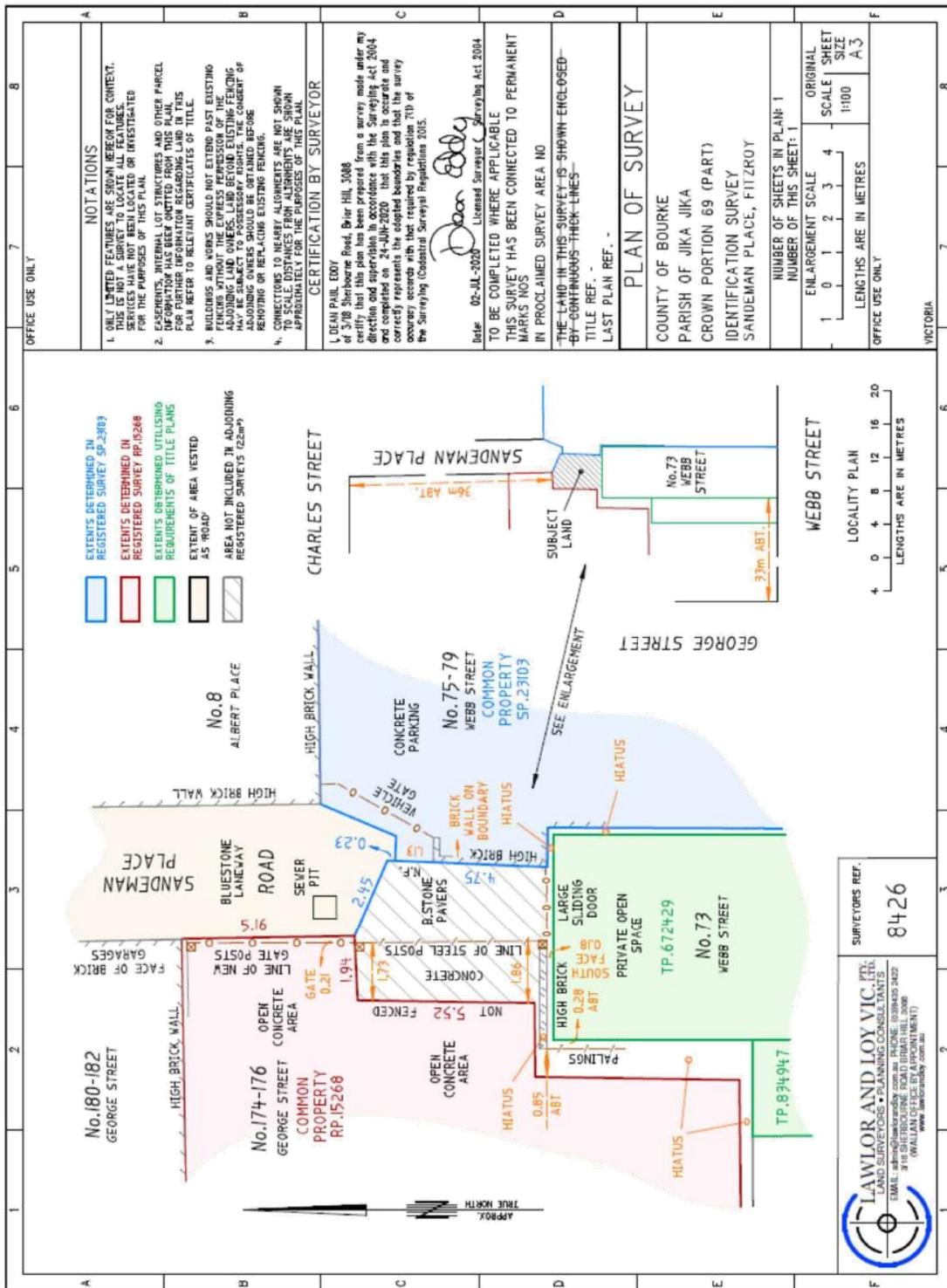
Attachment 2 - Attachment 2 - Engineering Report (Triangle)

Item	Details
	 <p data-bbox="608 763 1102 792">Above: Abutment of 174 George Street to Sandeman Place</p>
Engineering Assessment	
NUA Land	<p data-bbox="608 864 1262 972">The north east boundary of the NUA has a distance of 2.45 metres. This width is considered insufficient for a vehicle to access. An assessment of a vehicle swept path for a B99 design vehicle was undertaken using the Trapeze plan management tool as shown below:</p>  <p data-bbox="935 1200 1206 1279">Shading represents vehicle clearance for B99 design vehicle swept path</p> <p data-bbox="935 1368 1206 1424">This line represents the edge of the vehicle</p> <p data-bbox="608 1503 1270 1581">The assessment indicates that in order for a B99 design vehicle to satisfactorily access the NUA land, the triangular parcel of land is crucial for enabling the B99 design vehicle to enter.</p>
Emergency Vehicle Access	<p data-bbox="608 1603 1286 1794">Fire Rescue Victoria have published guidelines for emergency vehicular access for firefighting appliances. A firefighting appliance requires an access road to be a minimum of 6.0 metres in width. The geometry of Sandeman Place and its junction with Charles Street would restrict access for a firefighting appliance. In terms of other emergency vehicle access, Sandeman Lane would be suitable for an ambulance or paramedic vehicle (say, the size of a B99 design vehicle).</p>

**Attachment 2 - Attachment 2 - Engineering Report (Triangle)**

Item	Details
<p>General Vehicular Access Width of combined NUA Land and Triangular Parcel of Lane</p>	<p>Throughout much of the municipality, many Council controlled laneways have carriageway widths of 3.05 metres – adequate for a B99 design vehicle to traverse. As indicated earlier, a width of 2.45 metres is considered insufficient for adequately accommodating a vehicle.</p> <p>The effective width of the NUA land and triangular parcel of land would result in a combined carriageway width of 3.2 metres. This has been confirmed using Trapeze, as shown below:</p> 
<p>Conclusion</p>	
<p>Summary</p>	<p>In light the above, the declaration of the triangular parcel of land on the property of 75-79 Webb Street is crucial to ensuring that a B99 design vehicle can proceed to the termination (southern boundary) of the NUA land.</p>

Attachment 2 - Attachment 2 - Engineering Report (Triangle)



D:\Declaration of Land adj to Sandeman Place - Engineering comments.docx

Attachment 3 - Attachment 3 - Diagram of Opposed Parcel

- 5 -

Annexure A | Opposed Portion

Figure A:

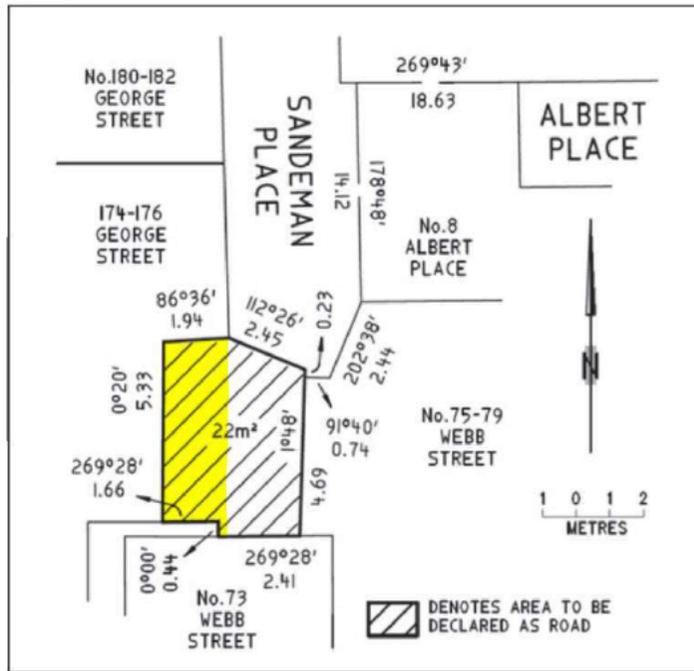
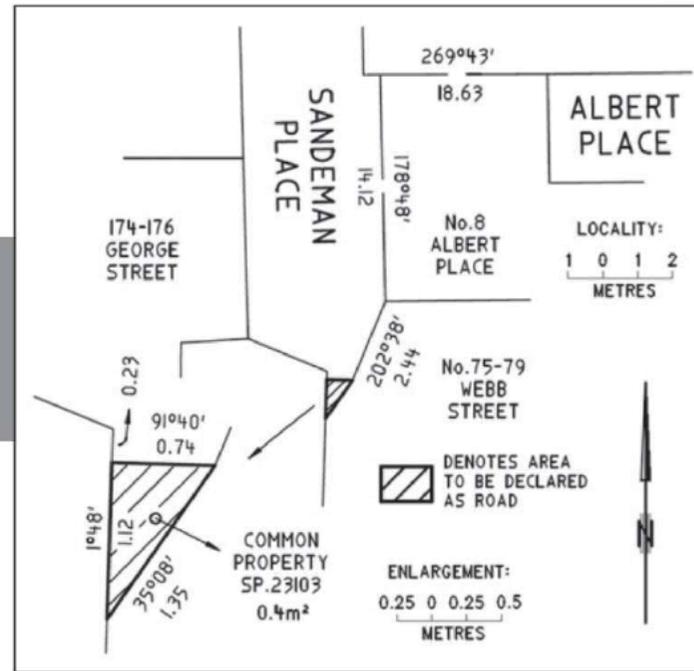


Figure B:



capi0003\_211505\_003.docx

## 8.7 Appointment of Authorised Officers under the Planning and Environment Act 1987

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<b>Reference</b>	D21/182623
<b>Author</b>	Rhys Thomas - Senior Governance Advisor
<b>Authoriser</b>	Group Manager Chief Executive's Office

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### Purpose

1. To provide for the formal appointment of Council Officers as Authorised Officers pursuant to Section 147(4) of the Planning and Environment Act 1987 and Section 313 of the Local Government Act 2020.

### Critical analysis

#### History and background

2. In order to conduct inspection, enforcement and prosecution activities on Council's behalf, officers require specific authorisation under the relevant legislation. While authorisation for most legislation is provided by the Chief Executive Officer acting under delegation, specific provisions of the Planning and Environment Act 1987 require that the authorisation be made directly by Council resolution.

#### Discussion

3. In order to undertake the duties of office, staff members listed in the recommendation require authorisation under the Planning and Environment Act 1987.
4. In addition, authorisation must also be provided under section 313 of the Local Government Act 2020 in order to enable these officers to commence enforcement action where necessary.

#### Options

5. No options are presented in this report.

### Community and stakeholder engagement

6. No community engagement has been undertaken.

### Policy analysis

#### Alignment to Council Plan

7. As part of Strategic Objective 6: Democracy and Governance, the City of Yarra Council Plan 2021-2025 contains the strategy "*Practice good governance, transparency and accountable planning and decision-making*".
8. The transparent appointment of authorised officer ensures compliance with the law and Council's commitment to good governance.

#### Climate emergency and sustainability implications

9. This report has no climate emergency or sustainability implications.

#### Community and social implications

10. This report has no community or social implications.

#### Economic development implications

11. This report has no economic development implications.

### Human rights and gender equality implications

12. This report has no human rights or gender equality implications.

### Operational analysis

#### Financial and resource impacts

13. There are no financial or resource impacts of this report.

#### Legal Implications

14. Appointment of Authorised Officers under the Planning and Environment Act 1987 requires a formal resolution of Council. Where such authorisation is proposed to be granted, provision is also made to allow the respective officer to also initiate proceedings on behalf of Council (as provided in Section 313 of the Local Government Act 2020).

### Conclusion

15. That Council formally appoint the officers listed below as Authorised Officers pursuant to Section 147 (4) of the Planning and Environment Act 1987 and Section 313 of the Local Government Act 2020. The Instruments of Appointment and Authorisation document will be signed accordingly by the Chief Executive Officer.

### RECOMMENDATION

1. In the exercise of the powers conferred by s 147(4) of the Planning and Environment Act 1987, Council resolves that:
- (a) Maharshi PATEL,  
be appointed and authorised as set out in the instrument at **Attachment One**; and
  - (b) each instrument comes into force immediately it is signed by Council's Chief Executive Officer, and remains in force until Council determines to vary or revoke it.

### Attachments

- 1 [↓](#) TEMPLATE Instrument of Appointment and Authorisation - Planning Enforcement Officer

# Attachment 1 - TEMPLATE Instrument of Appointment and Authorisation - Planning Enforcement Officer

## Instrument of Appointment and Authorisation Planning Enforcement Officer



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In this instrument "officer" means -

**[INSERT OFFICER NAME]**

By this instrument of appointment and authorisation, Yarra City Council –

- 
1. under section 147(4) of the Planning and Environment Act 1987 - appoints the officer to be an authorised officer for the purposes of the Planning and Environment Act 1987 and the regulations made under that Act; and
  2. under section 313 of the Local Government Act 2020 - authorises the officer either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

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**It is declared that** this Instrument -

- (a) comes into force immediately upon its execution; and
- (b) remains in force until varied or revoked.

This instrument is authorised by a resolution of the Yarra City Council on [insert date].

**Vijaya Vaidyanath**  
**Chief Executive Officer**  
**Yarra City Council**

[insert date]

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## 8.8 Appointment of Council delegates

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<b>Reference</b>	D21/191451
<b>Author</b>	Rhys Thomas - Senior Governance Advisor
<b>Authoriser</b>	Group Manager Chief Executive's Office

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### Purpose

1. To appoint Councillors as delegates for the 2021/2022 Council year.

### Critical analysis

#### History and background

2. In order to assist the Council to undertake its extensive range of functions, Council has established a number of Advisory Committees, to which it appoints both Councillors and community representatives; and appointed delegates to represent it on a range of external organisations.
3. While most appointments were made at the Council meeting of 16 November 2021 (adjourned to 23 November 2021), two appointments remain outstanding.

#### Discussion

##### Environment Advisory Committees

4. The Environment Advisory Committee is a Council Advisory Committee established to represent interests pertaining to all aspects of urban environmental sustainability including (but not limited to) climate change; resource efficiency across water, waste and energy; urban greening and natural capital; local food systems; and the built environment, by providing advice to Council on policy, strategy and other strategic opportunities to progress the organisation's response to these issues.
5. At the Council meeting of 16 November 2021, Cr Stone was appointed to the committee. As there are two positions for Councillors, an additional appointment is required.

##### Collingwood Children's Farm Management Committee

6. The Collingwood Children's Farm Management Committee oversees the management of the Collingwood Children's Farm. Council has the ability to nominate one member to the Committee
7. At the Council meeting of 16 November 2021, no-one appointed to the committee. An appointment is now required.

##### Metropolitan (Local Government) Waste Management Forum

8. The Metropolitan (Local Government) Waste Management Forum is a forum to develop, support and promote waste reduction and recycling programs.
9. At the Council meeting of 16 November 2021, Cr Nguyen and Cr Stone (substitute) were appointed to the committee. In reviewing the committee allocations, it has been determined that Council should rescind this decision and make two new appointments at this meeting.

#### Process

10. Before considering the officer's recommendation, Council should seek nominations for the 2021/2022 vacancies.
11. Where the number of nominations exceeds the number of appointments Council intends to make, Council is required to conduct an election to determine which candidates shall be

presented for ratification. The process for these elections is set out in the City of Yarra Governance Rules 2020 and is conducted using the procedure for electing the Mayor set out at Chapter Two, Part A.

12. In summary, this process is as follows:
  - (a) any number of Councillors may be nominated for each vacancy;
  - (b) no seconder is required;
  - (c) the nominee must consent to their nomination;
  - (d) Councillors present shall vote by a show of hands;
  - (e) in the event that no candidate receives a majority, candidates shall be eliminated in accordance with the provisions of the Governance Rules 2020; and
  - (f) in the event of an election being required for a Committee with multiple vacancies, an election shall be conducted for the first vacancy, then a further election for the second vacancy, and so on.
13. Following the conduct of any election or elections as required, Council then ratifies these outcomes (together with the appointment of representatives where the number of nominations matched the number of vacancies) in accordance with the officer's recommendation.

#### Options

14. In the case of the Environment Advisory Committee (which is constituted by Council), it is open to Council to appoint a different number of representatives than the number of vacancies. In the case of the Collingwood Children's Farm Management Committee, the number of appointments must match the number of vacancies.

### Community and stakeholder engagement

15. No community engagement has been undertaken in the development of this report.

#### Policy analysis

##### Alignment to Community Vision and Council Plan

16. In its Yarra 2036 Community Vision, Council articulated an objective for a community that is *"informed and empowered to contribute to the shared governance of Yarra, (where) decision-making is through access, inclusion, consultations and advocacy."*
17. The City of Yarra Council Plan 2021-2025 commits Council to *"provide opportunities for meaningful, informed and representative community engagement to inform Council's decision-making"* and to *"practice good governance, transparency and accountable planning and decision-making."*
18. The ongoing operation of community advisory committees and the appointment of Councillors to all committees in an open and transparent process underpins both the Yarra 2036 Community Vision and the City of Yarra Council Plan 2021-2025 and demonstrates Council's ongoing commitment to good governance.

##### Climate emergency and sustainability implications

19. No climate emergency implications are presented in this report.

##### Community and social implications

20. No community or social implications are presented in this report.

##### Economic development implications

21. No economic development implications are presented in this report.

##### Human rights and gender equity implications

22. No human rights or gender equity implications are presented in this report.

## Operational analysis

### Financial and resource impacts

23. The financial and resource impacts of operating the committee set out in this report are minimal and included in the operational budgets of the relevant Council programs.

### Legal Implications

24. The recommendations of this report have been structured to ensure that where necessary, committee members are lawfully appointed in accordance with the relevant provisions of the body.
25. In the case of the environment Advisory Committee, Council is free to appoint any number of members, regardless of the number specified in its Terms of Reference.

## Conclusion

26. This report recommends the appointment of delegates to two bodies.

## RECOMMENDATION

1. That in addition to the appointment of Cr Stone made at the Council meeting of 16 November 2021, Council appoint Cr \_\_\_\_\_ to the Environment Advisory Committee for 2021/2022 Council year.
2. That Council appoint Cr \_\_\_\_\_ to the Collingwood Children's Farm Management Committee for the 2021/2022 Council year.
3. That Council rescind the decision at the Council meeting of 16 November 2021 to appoint Cr Nguyen and Cr Stone (substitute) to the Metropolitan Waste Forum, and instead appoint Cr \_\_\_\_\_ and Cr \_\_\_\_\_ (substitute) for the 2021/2022 Council year.

## Attachments

There are no attachments for this report.

