



# Ordinary Meeting of Council Agenda

**to be held on Tuesday 26 November 2019 at 7.00pm  
Richmond Town Hall**

## **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.

**[www.yarracity.vic.gov.au](http://www.yarracity.vic.gov.au)**

## **Order of business**

- 1. Statement of recognition of Wurundjeri Woi-wurrung Land**
- 2. Attendance, apologies and requests for leave of absence**
- 3. Declarations of conflict of interest (Councillors and staff)**
- 4. Confidential business reports**
- 5. Confirmation of minutes**
- 6. Petitions and joint letters**
- 7. Public question time**
- 8. Delegates' reports**
- 9. General business**
- 10. Questions without notice**
- 11. Council business reports**
- 12. Notices of motion**
- 13. 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

Anticipated attendees:

### Councillors

- Cr Danae Bosler (Mayor)
- Cr Mi-Lin Chen Yi Mei
- Cr Jackie Fristacky
- Cr Stephen Jolly
- Cr Daniel Nguyen
- Cr Bridgid O'Brien
- Cr Amanda Stone

### Council officers

- Vijaya Vaidyanath (Chief Executive Officer)
- Ivan Gilbert (Group Manager Chief Executive's Office)
- Lucas Gosling (Director Community Wellbeing)
- Gracie Karabinis (Group Manager People, Culture and Community)
- Chris Leivers (Director City Works and Assets)
- Diarmuid McAlary (Director Corporate, Business and Finance)
- Bruce Phillips (Director Planning and Place Making)
- Mel Nikou (Governance Officer)

### Leave of absence

- Cr Misha Coleman (Deputy Mayor)
- Cr James Searle

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

## **4. Confidential business reports**

### **Item**

- 4.1 Contractual matters
- 4.2 Contractual matters
- 4.3 The personal hardship of a resident or ratepayer

## **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 89 (2) of the *Local Government Act* 1989. 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 89 (2) of the *Local Government Act* 1989, to allow consideration of:
  - (a) Contractual matters; and
  - (b) The personal hardship of a resident or ratepayer.
2. That all information contained within the Confidential Business Reports section of this agenda and reproduced as Council Minutes be treated as being and remaining strictly confidential in accordance with the provisions of sections 77 and 89 of the *Local Government Act* 1989 until Council resolves otherwise.

## **5. Confirmation of minutes**

### **RECOMMENDATION**

That the minutes of the Ordinary Council Meeting held on Tuesday 12 November 2019 be confirmed.

## **6. Petitions and joint letters**

## **7. Public question time**

Yarra City Council welcomes questions from members of the community.

### Public question time procedure

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
- not 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.

## **8. Delegate's reports**

## **9. General business**

## **10. Questions without notice**

## 11. Council business reports

Item		Page	Rec. Page	Report Presenter
11.1	Update on Status of Pitfall Traps in Yarra	9	10	Peter Moran – Acting Manager City Works
11.2	Grant Initiation Report - Richmond and Collingwood Youth Program Grants 2020 - 2023	12	19	Malcolm Foard – Manager Family, Youth and Children’s Services
11.3	Amendment C269 - Yarra Planning Scheme - Rewrite of local policies	27	50	David Walmsley – Manager City Strategy
11.4	Amendment C245 Heritage Overlay and Zone Amendments - Consideration of Submissions	447	461	David Walmsley – Manager City Strategy
11.5	Discussion Paper - Planning and Building Approvals Process Review	623	646	Mary Osman – Manager Statutory Planning
11.6	Proposed Discontinuance of Road between 5 & 7 Brunswick Street, Fitzroy.	647	651	Bill Graham – Coordinator Valuations
11.7	Proposed Discontinuance of Road abutting the rear of 88-90 Johnston Street, Collingwood	780	786	Bill Graham – Coordinator Valuations

The public submission period is an opportunity to provide information to Council, not to ask questions or engage in debate.

### Public submissions procedure

When you are invited by the Mayor to make your submission, please 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.

## 12. Notices of motion

Item		Page	Rec. Page	Report Presenter
12.1	Notice of Motion No.16 of 2019 - Local Government Bill 2019	817	819	Cr Amanda Stone

## 13. Urgent business

Nil



---

## 11.1 Update on Status of Pitfall Traps in Yarra

---

Reference: D19/190392  
Authoriser: Director City Works and Assets

### Purpose

1. To outline the findings of Council officers in response to the Council resolution of 30 July 2019 (agenda item 9.3) on pitfall traps, being:  
*“That Officers present a report to Council:*
  - (a) *providing an update audit on all pitfall traps in Yarra; and*
  - (b) *whether pitfall traps across the municipality have all been modified to be “wildlife safe” as was done in Edinburgh Gardens.”*

### Background

2. Following the Council resolution, City Works officers conducted an audit of all known stormwater pits within open spaces and rain gardens to identify any possible pitfall traps within these areas.
3. The results of the audit were as follows:
  - (a) For open space areas, two pitfall traps were identified, both of which are within Kevin Bartlett Reserve (refer Attachment 1); and
  - (b) No pitfall traps were identified within rain gardens.
4. The identified pits have been inspected and both pits are functional from a drainage perspective.
5. It is unknown as to the extent that these pits present a risk to small wildlife, however it is possible that a risk exists.
6. Council officers have obtained quotes to undertake modifications to the two pits eliminate the pitfall traps.

### External Consultation

7. No external consultation was undertaken.

### Internal Consultation (One Yarra)

8. This report was prepared with input from the Drainage & Stormwater and Streetscapes & Natural Values teams within City Works branch.

### Financial Implications

9. Should Council support officers to undertake the modifications for the two pitfall traps, the works will cost approximately \$10,000 (\$5,000 per pit) to make the necessary modifications.

### Economic Implications

10. There are no economic implications for this report.

### Sustainability Implications

11. There are no sustainability implications for this report.

### Social Implications

12. There are no social implications for this report.

### Human Rights Implications

13. There are no human rights implications for this report.

### **Communications with CALD Communities Implications**

14. There are no CALD community implications for this report.

### **Council Plan, Strategy and Policy Implications**

15. There are no Council plan, strategy and policy implications for this report.

### **Legal Implications**

16. There are no legal implications for this report.

### **Other Issues**

17. Council officers will ensure that no further pitfall traps are created when constructing new drainage infrastructure within open spaces and rain gardens, by considering small wildlife in pit design.

### **Options**

18. Option 1 – No modifications to either pit

No action undertaken with no additional cost to Council, accepting that both pits identified in the audit may present a danger to small wildlife.

19. Option 2 – Modify both pits

Eliminate the two pitfall traps identified in the audit by reconstructing the drainage pits at a total cost of approximately \$10,000 to ensure they are safe for small wildlife.

### **Conclusion**

20. Two pitfall traps that may present a risk to small wildlife were identified following inspections of open space and rain gardens, although the extent of the risk is unknown.

21. The cost to reconstruct these two pits to remove all potential risk to wildlife is \$10,000.

### **RECOMMENDATION**

1. That Council:

(a) note this report; and

(b) approve Council Officers to proceed to eliminate the pitfall traps identified in the audit as potentially presenting a risk to wildlife, by reconstructing the two stormwater drainage pits.

**CONTACT OFFICER:** Fadi Fakhoury  
**TITLE:** Principal Infrastructure Engineer  
**TEL:** 03 9205 5523

### **Attachments**

1 [↓](#) Pitfall Traps - Attachment I

**Attachment 1 - Pitfall Traps - Attachment I**



**Update on Status of Pitfall  
Traps in Yarra  
Attachment I**

---

## 11.2 Grant Initiation Report - Richmond and Collingwood Youth Program Grants 2020 - 2023

---

Reference: D19/193069  
 Authoriser: Director Community Wellbeing

### Purpose

1. The purpose of this report is to seek endorsement of the Richmond and Collingwood Youth Program Grants Guidelines 2020 – 2023 (**Attachment 1**) and approval of the grant process.
2. The report also seeks to address other funding and programmatic opportunities for young people living on the Richmond and Collingwood public housing estates, including officers' response to the General Business Motion on 13 August 2019 regarding the establishment of a Youth Employment Officer for Richmond.

### Background

3. Yarra City Council has a long history of supporting disadvantaged children, young people and their families in public housing across the City of Yarra.
4. In 2014, Council established the Richmond and Collingwood Youth Program Grants, a three-year grant program for the delivery of youth programs on both estates. The program was incorporated into Council's Community Grants Program, and funding of \$85,000 per annum (per estate) over three years was made available.
5. Following a review in 2016, Council endorsed several changes to the Richmond and Collingwood Youth Program Grants 2017 – 2020, including:
  - (a) Changing the target age range from 12yrs – 25yrs to 8yrs – 21yrs;
  - (b) Updating the objectives of the Richmond and Collingwood Youth Program Grants 2017 – 2020;
  - (c) Encouraging applicants to consider formal partnerships with local community partners, such as Neighbourhood Houses or established organisations;
  - (d) Involving DHHS Housing and Place Managers on each estate in grant information sessions with prospective applicants, and on the community panel in the assessment process; and
  - (e) Requiring formal six-monthly progress reports (as opposed to annual reports in the 2014 – 2017 grants).
6. In 2016/17, following a competitive process, Council awarded, the drum youth services \$170,000 per annum to deliver programs and services on both estates, commencing 1 July 2017 to 30 June 2020.
7. Despite challenges with staff turnover and a lack of dedicated, accessible youth spaces on the two estates, the drum youth services have met annual performance targets as per their Service Agreement with Council in 2017/18 and 2018/19. Over the past 12 months, approximately 185 young people have engaged in five different drum youth services' programs across the two estates (1,235 contacts). The drum youth services' staff have developed strong relationships with local young people, families and service providers, and linkages to other programs and services from their Collingwood offices. There is also strong engagement from young people in the Richmond Youth Hub project. To date officers are satisfied with the overall performance of the drum and believe that they are offering a valuable service to vulnerable young people living in both estates.

8. The current grant concludes in June 2020, which provides an opportunity for Council to reflect on the outcomes over the last three years, with the view to improving processes and funding priorities that will deliver the best outcomes for young people living in the Richmond and Collingwood Housing Estates in future programs.
9. Officers propose to continue the Richmond and Collingwood Youth Program Grants as a targeted grant to support vulnerable young people in the Richmond and Collingwood public housing estates, in line with the strategic objectives of Council's 0 – 25 Years Plan for Children, Young People and Families.
10. However, in order to broaden and further maximise the impact of the Program, and to enhance children and young people's engagement with future activities, officers propose that some changes be made to the Richmond and Collingwood Youth Program Grants 2020 – 2023, including:
  - (a) Update the objectives of the Richmond and Collingwood Youth Program Grants 2020 – 2023 to align more closely with the seven key strategic priorities in Council's 0 – 25 Years Plan for Children, Young People & Families, and specifically:
    - (i) Deliver regular programs, activities and events for children and young people during term time and school holidays on the Collingwood and Richmond housing estates;
    - (ii) Ensure all programs and activities delivered are culturally safe, welcoming and inclusive for all children and young people;
    - (iii) Work with Council to promote stories and achievements of children and young people from the Collingwood and Richmond housing estates;
    - (iv) Work in partnership with children and young people, their families, and key local stakeholders to increase young people's access to information, support and referral to youth services in the City of Yarra; and
    - (v) Support opportunities for children and young people to participate in the design, planning, delivery and evaluation of programs, and, where possible, have a greater voice and influence on wider Council decision-making.
  - (b) Ensuring that some programming and activities on the Richmond housing estate are delivered at the Richmond Youth Hub (pending completion), and in partnership with organisations coordinating the facility;
  - (c) Establishing an assessment panel to be convened by the Manager Family, Youth & Children's Services with representatives from the *Onwards Collingwood* and *Richmond Rising* local area partnerships, DHHS and local schools (as appropriate); and
  - (d) Enhancing contract governance and management by requiring formal six-monthly progress reports against agreed KPI's, with an external evaluation of the program required in Year 3.
11. The proposed grant guidelines have been drafted and are attached in this report.
12. \$170,000 per annum (plus CPI) over a three year timeframe is currently allocated to the Richmond and Collingwood Youth Program Grants until June 2020. A similar amount is forecast to be incorporated into the 2020/21 budget.
13. The following table shows the proposed time-frame for Richmond and Collingwood Youth Program Grants 2020 – 2023:

Milestone	Date
Information Session (Collingwood & Richmond locations)	20 – 24 January 2020
Program grant opens	20 January 2020

Council officers available for consultation	20 January – 14 February 2020
Applications close	17 February 2020
Assessment	February – March 2020
Approval by Council and announcement of grant outcomes	April 2020
Program commences	From 1 July 2020

**External Consultation**

14. The Coordinator, Youth & Middle Years has a formal monthly meeting with management staff at the drum youth services to monitor progress on the delivery of the grant program. In addition, the drum youth services provide an annual acquittal report.
15. Yarra City Council also participate in quarterly local area partnership meetings at both Collingwood and Richmond housing estates. Through these meetings, local stakeholders have regularly raised the need for ongoing support for children and young people on both estates, from recreational opportunities to more tailored case management support, and initiatives to support young people seeking employment.
16. Officers from Council’s Family, Youth and Children’s Services Branch have also had initial discussions with DHHS to establish a working relationship with the Richmond Community Capacity Building Initiative, including the opportunity to temporary activate the space at 110 Elizabeth Street with activities stemming from the Social Landlord program.
17. A Community Grant Assessment Panel will be established to conduct an assessment of applications based on the grant guidelines and selection criteria.
  - (a) Each panel member will receive the full application and a summary of the internal assessor’s comments. The Panel will then develop and agree on recommendations for approval by Council;
  - (b) For the proposed Richmond and Collingwood Youth Program Grants, an assessment panel would be convened by the Manager Family, Youth & Children’s Services with representatives from the *Onwards Collingwood* and *Richmond Rising* local area partnerships, DHHS and local schools (as appropriate); and
  - (c) The proposed composition of the panel is consistent with community grant panels as the majority of members are external community representatives and they fulfil Council’s selection criteria for community representatives to serve on the Panels by having a strong working knowledge of the Yarra community; expertise in, and representative of, the local area (Richmond and Collingwood housing estates); and, a commitment to complying with the ethical requirements of the process e.g. confidentiality and declaration of any conflict of interest.

**Internal Consultation (One Yarra)**

18. Council’s Richmond and Collingwood Youth Program Grants are managed by the Community Partnerships and Youth Services teams. This Grants Initiation Report, and the updated guidelines for the Richmond and Collingwood Youth Program Grants 2020 – 2023 have been prepared by officers from both teams.
19. Advice about the proposed approach for the Richmond and Collingwood Youth Program Grants was sought from different areas of the Family, Youth and Children’s’ Services branch, Social Policy and Research, Community Partnerships, and Advocacy and Engagement teams.

### **Financial Implications**

20. \$170,000 per annum (plus CPI) over a three year timeframe is currently allocated to the Richmond and Collingwood Youth Program Grants until June 2020. Officers propose no increase to the overall budget of the current grant. This will mean a commitment of \$180,000 per annum (plus CPI) – or \$90,000 per annum per estate (subject to Council adoption of the 2020/21 budget).
21. Additionally, at its 13 August 2019 meeting, Council adopted a general business motion that Council:
  - (a) Notes the success of youth employment services facilitated by the Yarra Youth Service's Youth Employment Officer stationed in Fitzroy; and
  - (b) Requests officers to bring a report on youth employment and the potential for funding of a similar role for the Richmond public housing estate, with the view of referring it to the mid-year budget process for consideration.
22. A separate briefing report was presented to Council on 21 October, which detailed the need for such a role and indicated officer's intention to refer the proposal to the mid-year budget review.
23. Officers estimate the approximate costs associated with establishing a full time position to establish a Youth Employment position at the Richmond Estate at \$100,000 (inclusive of on-costs). It is expected that programming costs will be covered by the existing operational budget of youth services. The total amount to be referred to the midyear budget process will remain at \$100,000.

### **Economic Implications**

24. Community grants strengthen the community sector through providing a flexible and responsive source of funds to community based not-for-profit organisations.
25. The provision of more resources to support young people's participation in learning, employment, education and training will have significant positive economic implications, increasing young people's employability and/or direct employment, leading to benefit to the local economy.

### **Sustainability Implications**

26. All grant applicants are encouraged to consider the environmental impact of their program and opportunities to minimise their footprint. Applicants are required to demonstrate strategies to reduce and/or re-using resources.
27. All applicants must be submitted online, reducing the need for printed forms. The Guidelines will also be available online.

### **Social Implications**

28. The level of disadvantage on the Richmond and Collingwood public housing estates suggests that the transition from childhood to adulthood presents additional challenges and barriers for young people and their families. An increase in protective factors in a community is linked to better health, wellbeing and life chance outcomes for young people.

### **Human Rights Implications**

29. No specific human rights implications are considered in this report.

### **Communications with CALD Communities Implications**

30. Young people from CALD backgrounds are highly engaged in the current programs and activities provided through the Richmond and Collingwood Youth Program Grants and education, training and employment initiatives led by Council's Youth Services Unit. As with the Richmond Youth Hub consultations, young people (and families) from CALD backgrounds will be engaged in consultation regarding any proposed changes to future funding opportunities for young people living on the Richmond and Collingwood public housing estates.

### **Council Plan, Strategy and Policy Implications**

31. The 2017 – 2021 Council Plan has a number of strategies and initiatives around creating local employment initiatives, and also closely guides the Community Grants objectives. Community Grants are intended to support the delivery of the Council Plan and are a key way in which those objectives can be achieved in partnership with the community.
32. Four of the seven key objectives of the Council Plan relate to the Grant:
  - (a) Community health, safety and wellbeing are a focus in everything we do: The Grant provides a flexible and responsive source of funds to support the provision of the Richmond and Collingwood Youth Program Grants by a not for profit community organisation. The grant supports Council's commitment to social justice and social inclusion principles, and provides support to communities living in Yarra's public housing estates;
  - (b) Inclusion, diversity and uniqueness are welcomed, respected and celebrated: The grant provides support for a community organisation to offer a program delivered to the Richmond and Collingwood communities;
  - (c) Council leads on sustainability and protects and enhances its natural environment: All applicants are asked to consider the environmental impact of their organisation and program; and
  - (d) Transparency, performance and community participation drive the way we operate: the establishment of the grant positions future funding in an open process connecting with and supporting the Richmond and Collingwood communities.
33. The Richmond and Collingwood Youth Program Grants are also strongly aligned to the vision of Council's 0 – 25 Years Plan 2018 – 2022, that: *"All children and youth are loved and safe, have material basics, are healthy, are learning and are participating and have a positive sense of culture and identity."*
34. Increased resourcing towards youth employment initiatives for the Richmond public housing estate also aligns to the Council Plan 2017 – 2021, and specifically to Council's 0 – 25 Years Plan 2018 – 2022, supporting *Strategic Priority 4: Improve participation of children, young people and their families in learning, employment, education and training.*

### **Legal Implications**

35. No legal implications are considered in this report.

### **Other Issues**

36. While separate to the Richmond and Collingwood Youth Program Grants 2020 – 2023, there are a number of other issues that need to be considered as part of wider planning and service model for young people living on the Richmond housing estate.
37. Through the 2018/19 budget process, Council contributed \$185,000 toward the establishment of a Youth Hub on the Richmond housing estate. Officers are continuing to work with representatives from DHHS to establish the Richmond Youth Hub, and a Funding Deed has been signed by both parties acknowledging Council's financial contribution and interests in establishing a Youth Hub at 110 Elizabeth Street. On 10<sup>th</sup> September, young people from the drum youth services' programs participated in a focus group with the DHHS appointed architect to inform the concept design of the Richmond Youth Hub. DHHS has made a matching capital commitment of \$185,000 to ensure that the development of the Hub is successful.
38. Officers from Council's Family, Youth and Children's Services Branch have also had initial discussions with DHHS to establish a working relationship with the Richmond Community Capacity Building Initiative, including the opportunity to temporarily activate the space at 110 Elizabeth Street with activities stemming from the Social Landlord program.



39. Any decisions regarding the Richmond and Collingwood Youth Program Grants and funding a Youth Employment Officer for Richmond need to be cognisant of the development of the Richmond Youth Hub, and be considered as part of wider planning and service model for young people living on the Richmond housing estate.
40. At its 13 August 2019 meeting, Council adopted a general business motion requesting officers to bring a report on youth employment and the potential for funding of a similar role for the Richmond public housing estate.
41. Yarra City Council's Youth Services have successfully delivered a number of key projects supporting education, training and employment outcomes for young people over the past 12 – 18 months. However, there remains strong empirical evidence (through SEIFA and Australia Bureau of Statistics data), and anecdotal feedback from young people and service providers for additional resources focusing on supporting young people on the Richmond Housing Estate. As such, officers recommend referring \$100,000 to the mid-year budget process for the recruitment of a full-time Youth Development Officer, Pathways.

### Options

42. Council does have the option of not providing any funding for the Richmond and Collingwood Youth Program Grants beyond its current commitment. However, through ongoing monitoring of the program – and via the latest annual reporting process – the program appears to be well attended, respected and supported by young people and key stakeholders within the community. On the basis of community support for the program and the recent history of funding support from Council, officers would not recommend discontinuing funding at this time.
43. A further option is for Council is to operate the Richmond and Collingwood Youth Program through its Youth Services Unit and existing service model. An analysis of this option (versus providing a grant to an external provider) is explored in the table below. This is based on providing a similar service model and programming to the current and previous providers – where locally-based teams of qualified youth workers deliver a minimum of two weekly after-school programs on each estate; activities and events throughout each school holiday period; and local engagement, support and referral for young people to other youth services.

Consideration	Council's Youth Services	External Provider
Workforce costs	<p>Council officers are paid a higher award rate than not-for-profit organisations, so staffing costs and overheads would be higher.</p> <p>The annual grant amount would cover one full-time Band 5 Youth Development Officer, plus two casual Youth Workers employed specifically to co-facilitate weekly program and activities across 2 Estates. There is no provision for management support and supervision, which would have to be absorbed into the current structure. A small budget would be available for program running costs, such as food and materials.</p> <p>Financial (and time) costs associated with recruitment, training and induction would also need to be factored into this option.</p>	<p>Award rates for not-for-profit, community organisations are lower, enabling greater staffing (and program) resources to be directed to the community.</p> <p>The current provider employs a full-time Senior Youth Development Practitioner (Team Leader), two part-time Youth Peer Leaders, and other casual Youth Workers to co-facilitate weekly program and activities as required. A provision is also included for management support and supervision, plus program running costs.</p>
Location	<p>Council's Youth Services team, including management staff, are based in Fitzroy. Staff would need to be managed remotely.</p>	<p>The current (and previous) providers, including local management staff, are co-located with other services at 253 Hoddle Street, Collingwood. This enables a more visible presence, and referral pathways to</p>

	There would be a financial cost to establishing a remote office/s, including rental, furniture and IT (of approximately \$10,000).	other services. There would be additional costs associated with establishing a presence at the new Richmond Youth Hub (tbc). This would be the same for both options.
Other direct / indirect benefits	Council would have greater control and accountability over its resources.	Community grants strengthen the local community sector, providing more engagement and referral options for young people and their families in Yarra.  A service agreement, with focused KPIs, provides clear accountability for external providers.
Programming	Yarra Youth Services' staff would require time to set up, establish and build relationships with young people, families and key service providers locally. Similar "transition" experiences in 2017 indicate that this can take at least six months.	If the current provider were successful through a grants process, Council would benefit from an established team being able to provide program continuity, and no period of reduced service capacity.

44. The option of running the Richmond and Collingwood Youth Program "in-house" through the Youth Services Unit would be a more costly option, potentially reducing service capacity. It would also place additional management and supervision stress on the Youth Services' Unit, by creating additional sites to manage. There would also potentially be a program continuity concern managing a transition from externally-provided to internally-run service. As such, based on this analysis, officers would recommend the continuation of a grant program.

**Conclusion**

45. Community Grants are intended to support the delivery of the Council Plan and are a key way in which those objectives can be achieved in partnership with the community. The Richmond and Collingwood Youth Program Grants are also strongly aligned to the vision of Council's 0 – 25 Years Plan 2018 – 2022, that: *"All children and youth are loved and safe, have material basics, are healthy, are learning and are participating and have a positive sense of culture and identity."*
46. The current Richmond and Collingwood Youth Program Grants concludes in June 2020, which provides an opportunity for Council to reflect on the outcomes over the last three years.
47. Feedback from the drum youth services, young people, their families, and key stakeholders working on the Richmond and Collingwood housing estates have informed several changes to the grant guidelines, with the view to improving processes and funding priorities that will deliver the best outcomes for young people living in the two public housing estates in future.
48. Other options are presented for consideration, with officers recommending the continuation of a grant program. This should be considered in the context of other Council initiatives in the Richmond public housing estate – specifically the Richmond Youth Hub – to ensure a strategic approach to providing positive outcomes young people living in Richmond and Collingwood.

## RECOMMENDATION

1. That Council:
  - (a) Endorse the Richmond and Collingwood Youth Program Grants Guidelines 2020 – 2023 (**Attachment 1**);
  - (b) Authorises officers to establish the Richmond and Collingwood Youth Program Grants and to open applications from 20 January 2020;
  - (c) Endorses the formation of the Community Grant Assessment panel for the Richmond and Collingwood Youth program Grant to be chaired by the Manager Family, Youth and Children’s Services with two community representatives; and
  - (d) Note that \$100,000 will be referred to the mid-year budget process for consideration and for the purposes of recruitment of a full-time Youth Development Officer, Pathways, with a focus on working collaboratively with other key partners on the Richmond Housing Estate to deliver education, training and employment outcomes for young people.

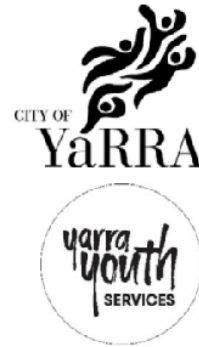
**CONTACT OFFICER:** Rupert North  
**TITLE:** Coordinator Youth and Middle Years  
**TEL:** 9426 1503

### Attachments

- 1 [↓](#) Grant Guidelines - Richmond and Collingwood Youth Program Grants - 2020-...

...

## Richmond & Collingwood Youth Program Grants 2020 – 2023 Guidelines



### Richmond & Collingwood Youth Program Grants 2020 – 2023

Yarra City Council provides funding through different grant programs for not-for-profit organisations to help achieve the Strategic Objectives of the Council Plan.

The Richmond and Collingwood Youth Program Grants provide up to three years of funding subsidy to a not-for-profit organisation towards the design, deliver and evaluation of programs and activities which identify and address the needs of 8 to 21 year olds living on the Richmond and/or Collingwood Housing Estates.

\$90,000 (plus CPI) per annum is available per estate, for a three year term from 1 July 2020 to 30 June 2023. Applicants may propose projects which take place on either Richmond or Collingwood Estate, or may propose a program that runs across both estates. The funding pool for each estate may be divided among multiple recipients or awarded to a single applicant depending on the merit of the applications received in this round.

These guidelines describe how a group or organisation can access funding assistance from Yarra City Council to deliver the Richmond and Collingwood Youth Program Grants.

#### Program objectives

The Richmond and Collingwood Youth Program Grants align with the key strategic objectives of the Council Plan 2017 – 2021, and the goals outlined in Yarra City Council's *0 – 25 Years Plan for Children, Young People and Families*. The grants highlight Council's commitment to ensuring that young people aged 8 to 21 years, particularly those disadvantaged, have enhanced health and wellbeing outcomes.

Specifically, the objectives of the Richmond and Collingwood Youth Program Grants are to:

1. Deliver regular programs, activities and events for children and young people during term time and school holidays on the Collingwood and Richmond housing estates;
2. Ensure all programs and activities delivered are culturally safe, welcoming and inclusive for all children and young people;
3. Work with Council to promote stories and achievements of children and young people from the Collingwood and Richmond housing estates;

## Attachment 1 - Grant Guidelines - Richmond and Collingwood Youth Program Grants - 2020-

...

4. Work in partnership with children and young people, their families, and key local stakeholders to increase young people's access to information, support and referral to youth services in the City of Yarra; and
5. Support opportunities for children and young people to participate in the design, planning, delivery and evaluation of programs, and, where possible, have a greater voice and influence on wider Council decision-making.

In addition to the specific objectives, successful applicants must also ensure that programs and activities on the Richmond housing estate are delivered at the Richmond Youth Hub (pending completion, tbc), and in partnership with organisations coordinating the facility.

### Eligibility: Who can apply for this program grant?

A pre-eligibility assessment is conducted for all applications. Ineligible applications will not be assessed.

**Applicants must be a not-for-profit organisation either registered as a charity, public benevolent institution or have DGR status.**

In addition, applicants must also:

- Be an organisation located in Yarra and/or have at least 5 years' experience delivering programs in Yarra;
- Provide an ABN;
- Have answered all questions on the application form and provided all supporting material at the time the application submitted;
- Acknowledged they have read and understood terms and conditions of this grant program;
- Have no outstanding debts to Yarra City Council;
- Have acquitted any previous Yarra City Council grants;
- Hold public liability insurance with a suitable level of coverage; and
- Have successfully lodged their application before the advertised closing date.

Late applications will not be accepted under any circumstances.

### Who is not eligible to apply for this grant?

- Individuals;
- Business and for-profit organisations; or
- Organisations that are not incorporated with their own ABN (auspiced applications will not be accepted in this grant program).

### Key dates

Information sessions	20 January – 24 January 2020
Program grant opens	20 January 2020
Council officers available for consultation	20 January 2020 – 14 February 2020

**Attachment 1 - Grant Guidelines - Richmond and Collingwood Youth Program Grants - 2020-**

...

<b>Applications close</b>	<b>11:59PM 17 February 2020</b>
<b>Assessment</b>	<b>February – March 2020</b>
<b>Approval by Council and announcement of grant outcomes</b>	<b>April 2020</b>
<b>Program commences</b>	<b>July 2020</b>

**How to apply**

**Application process**

1. Confirm your organisation’s eligibility to apply
2. Discuss your application with the contact officer – Rupert North, Coordinator, Youth & Middle Years on 9426 1544 or [Rupert.North@yarracity.vic.gov.au](mailto:Rupert.North@yarracity.vic.gov.au)
3. Consider the assessment criteria and prepare your application, including all supporting documentation
4. Login to Smartygrants <https://cityofyarrasmartygrants.com.au/> and complete your application.

**Using smartygrants**

Applicants for the Richmond and Collingwood Youth Program Grants are required to submit their applications and supporting documentation using the online form.

The online form can be found on the following website <https://cityofyarrasmartygrants.com.au/>

Your application must be completed on line and returned to [https://cityofyarrasmartygrants.com.au](https://cityofyarrasmartygrants.com.au/) at any time to view your application, but once it is submitted it cannot be changed.

Applications should not be submitted until they are fully completed.

**Submitting your online application**

Applications must be received by 11:59pm, 17 February 2020

No late applications will be accepted.

Typed, emailed, faxed or hard copy applications will not be accepted

When you submit your application you will receive an automated email acknowledging that your application has been received with a copy of your application attached. This will be sent to the email used to register on Smartygrants. If you do not receive this email of receipt your application has not been submitted. Yarra City Council staff cannot view applications that have not been submitted.

## Attachment 1 - Grant Guidelines - Richmond and Collingwood Youth Program Grants - 2020-

...

### Need assistance to complete an application?

Applicants who need help completing their application are encouraged to contact the Grants Team on 9205 5170. Interpreters can be booked if requested.

### Checklist (including information you must provide as part of your application)

- ✓ Consulted with Council's contact officer for this program grant
- ✓ Proof the applicant is a not-for-profit organisation either registered as a charity, public benevolent institution or have DGR status
- ✓ ABN
- ✓ Proof that your organisation is located in Yarra and/or has at least 5 years' experience delivering programs in Yarra
- ✓ Certificate of public liability insurance for a minimum of \$10 million
- ✓ Child Safe Policy or Commitment Statement
- ✓ Latest audited financial statement
- ✓ Program Plan (or document showing proposed approach to programming)
- ✓ Evaluation Framework
- ✓ Budget

You can fill in the application on line and return to <https://cityofyarrasmartygrants.com.au/> at any time to view your application, but once it is submitted it cannot be changed.

Applicants are encouraged to attach supporting documentation, including letters of support from other organisations.

Applications should not be submitted until they are completed and you are ready to hit the submit button.

When you submit your application you will receive an automated email acknowledging that your application has been received with a copy of your application attached. This will be sent to the email used to register on *Smartygrants*. If you do not receive this email of receipt your application has not been submitted. City of Yarra staff cannot view applications that have not been submitted.

**Attachment 1 - Grant Guidelines - Richmond and Collingwood Youth Program Grants - 2020-**

...

**Assessment criteria**

**Council will prioritise proposals that rate highly across the following criteria:**

Assessment criteria	What you should include in your application	Weighting
Research and consultation	<p>Research and consultation that demonstrates:</p> <ul style="list-style-type: none"> <li>(a) Evidence of needs addressed, including research and/or evaluation already undertaken that identifies the needs of children and young people aged 8-21 years that live on the Richmond and/or Collingwood Housing Estates;</li> <li>(b) Level of engagement and consultation with children and young people, the wider community, schools and local stakeholders in the development of the program;</li> </ul>	25%
Organisational experience and commitment	<p>Organisational profile that demonstrates:</p> <ul style="list-style-type: none"> <li>(a) Experience in the provision of programs for children and young people from culturally and linguistically diverse backgrounds;</li> <li>(b) Evidence of organisational commitment to Child Safe Standards including how this translates into the program practise;</li> <li>(c) Level of involvement of children and young people in the planning and delivery of the program;</li> <li>(d) Demonstrated experience in staff and volunteer management and contemporary approaches to industrial relations; and</li> <li>(e) Demonstrated involvement of local partners in the planning and delivery of the program</li> </ul>	25%
Relevance	<p>Stated program approach or plan demonstrating</p> <ul style="list-style-type: none"> <li>(a) Clear aims, objectives and outcomes, including measures;</li> <li>(b) Participation of children and young people aged 8 – 21 living in public housing in the local area;</li> <li>(c) how well the program will respond to the identified needs of children and young people;</li> <li>(d) how the programs and activities will link in with the Richmond Youth hub</li> </ul> <p>Evaluation framework</p> <ul style="list-style-type: none"> <li>(e) Documented approach demonstrating how the applicant will measure how well the program is being delivered and whether it is making satisfactory progress towards what it has set out to do.</li> </ul>	25 %
Value	<ul style="list-style-type: none"> <li>(a) Complete and realistic budget identifying how Council’s subsidy will be expended; and</li> <li>(b) Capacity to promote and link children, young people and their families with local and relevant community services.</li> </ul>	25 %



## Attachment 1 - Grant Guidelines - Richmond and Collingwood Youth Program Grants - 2020-

...

### Terms and conditions

#### For all applicants

- This is a competitive grant program and the funding allocation is awarded on the merit of the application.
- The total funding available to this grant program is \$180,000 per annum (plus CPI) for up to 3 years. Funding in years 2 and 3 is subject to Council's annual budget process.
- Council reserves the right to request further information in considering applications. If deemed necessary, applicants may be required to discuss or clarify their application with Council officers and/or provide further written information within a specified timeframe.
- Canvassing or lobbying of Councillors, council employees or independent assessors in relation to this grant program is prohibited. Lobbying or canvassing relevant officers may result in your application being deemed ineligible.
- For the protection of grant applicants and those involved in the assessment process, all Council officers and community members involved in the assessment process are required to declare their interest prior to assessing any grant applications or reviewing project evaluations and reports. The process ensures that a clear or perceived conflict of interest is promptly identified and addressed. In the event of a conflict of interest, the person will not participate in any discussion or decision relating to the nominated item(s) of conflict.
- A Council Report on the recommended funding allocation is presented to Council for their consideration. The decision to award the grant is made by Council and Council's decision is final. There is no appeals process.

#### Successful applicant

The successful applicant must:

- Use the grant funding for the stated purpose for which the funding was awarded unless further written permission has been obtained by Council before the program commences.
- Enter into a Funding and Service Agreement with Council (further information below)
- Demonstrate satisfactory performance and adherence to all grant conditions.
- Comply with all relevant State and Federal government legislation pertaining to the funded activity. Staff and volunteers working with children must obtain working with children checks.

#### Funding and Service Agreement

- The Agreement must be completed, signed and returned by the specified date for the funding to be released.
- The Agreement
  - Establishes a collaborative partnership between Council and the applicant
  - Outlines the roles and responsibilities of Council and the applicant in the provision and use of funding allocated under the Agreement
  - Includes general funding Terms and Conditions and may include specific conditions relating to the delivery of the program funding.

**Attachment 1 - Grant Guidelines - Richmond and Collingwood Youth Program Grants - 2020-**

...

**Acquittal and Evaluation**

This will be determined in the funding agreement but Council will require a yearly progress report through SmartyGrants and a final evaluation of the three year program within two months of the program's completion.

**Marketing**

The funded applicant will acknowledge Yarra City Council's contribution and support in all publicity and written material produced for public distribution about the funded program and also provide copies of promotional material.

DRAFT

---

**11.3 Amendment C269 - Yarra Planning Scheme - Rewrite of local policies**

---

## **Executive Summary**

### **Purpose**

The purpose of this report is for Council to:

- (a) To present draft local planning policies that would form Amendment C269;
- (b) To provide a background to the preparation of the policies in the Yarra Planning Scheme;
- (c) To seek authorisation from the Minister for Planning to prepare and exhibit Amendment C269yara which seeks to introduce new local planning policies into the Yarra Planning Scheme; and
- (d) To briefly outline the public exhibition process and the statutory process beyond exhibition.

### **Key Issues**

Section 12B of the *Planning and Environment Act 1987* (The Act) requires a planning authority (Council) to regularly review its planning scheme to ensure the scheme achieves the objectives of planning in Victoria and the objectives and strategies of the Planning Policy Framework (PPF).

A comprehensive review of the planning scheme was undertaken in 2014 and was reported to Council.

The “*Liveable Yarra*” process was then run to inform a re-write of the Yarra Planning Scheme.

To present Councillors with the draft local policies in the Yarra Planning Scheme following a number of briefing sessions.

### **Financial Implications**

The costs associated have been anticipated and included in the City Strategy budget, which includes payment of a statutory fee for authorisation to the Department of Environment, Land, Water and Planning and costs associated with the exhibition of the amendment.

### **PROPOSAL**

That Council:

- (a) notes the officer report on the Yarra Planning Scheme – rewrite of local policy;
- (b) notes the supporting documentation attached to this report;
- (c) endorses the draft Municipal Planning Strategy, local policies and supporting documents as a basis for Amendment C269yara; and
- (d) seeks authorisation from the Minister for Planning to prepare and exhibit Amendment C269yara to the Yarra Planning Scheme in accordance with section 8A of the *Planning and Environment Act 1987*.

That if the Minister for Planning authorises Amendment C269yara, Council undertakes an extensive exhibition of it in accordance with Section 19 of the Act.

**11.3 Amendment C269 - Yarra Planning Scheme - Rewrite of local policies**

Reference: D19/208933  
 Authoriser: Director Planning and Place Making

**Purpose**

1. This report provides the background to the preparation of the draft local planning policies in the Yarra Planning Scheme that is proposed to be placed on exhibition.
2. The report also explains how the rewrite of the policies addresses the issues raised in the planning scheme review.
3. The report requests that Council seeks authorisation from the Minister for Planning to prepare and exhibit Amendment C269yara which seeks to introduce new local planning policies into the Yarra Planning Scheme.
4. An outline of the intended public exhibition process and the statutory process beyond exhibition is also presented.

**Background**

Planning and Environment Act requires a planning scheme review

5. Section 12B of the *Planning and Environment Act 1987* (The Act) requires a Planning Authority (Council) to regularly review its planning scheme to ensure the scheme achieves the objectives of planning in Victoria and the objectives and strategies of the Planning Policy Framework (PPF).
6. A comprehensive review of the planning scheme was undertaken in 2014 and was reported to Council. The review was undertaken in accordance with Planning Practice Note 32 – *Review of Planning Schemes*. The review found that the scheme needed updating to:
  - (a) reflect Council’s updated policy positions;
  - (b) make the scheme easier to understand and use;
  - (c) address gaps in policy; and
  - (d) consider the diversity of views on key planning topics.
7. Table 1 outlines the key findings identified by the planning scheme review and explains how they have been addressed. Table 2 outlines findings related to specific themes / policies and explains how they have been addressed.
8. Table 1: Planning scheme review - key findings and officers’ response

Planning scheme review key findings	Officer response
a. <b>Currency of the Scheme:</b> data, information, policy updates are required	Policies have been drafted to reflect: <ol style="list-style-type: none"> <li>a. the adopted <i>Housing Strategy</i> and <i>Spatial Economic and Employment Strategy (SEES)</i> in 2018 which includes data on development trends, housing projections, demographic profile and population projections, commercial floor space and the like;</li> <li>b. other adopted Council strategies and the Council Plan;</li> <li>c. State policies and <i>Plan Melbourne</i>.</li> </ol> The directions and policies included in <i>Plan Melbourne</i> are one of the key drivers of updated local planning

Planning scheme review key findings	Officer response
	<p>policy. <i>Plan Melbourne</i> was considered in the preparation of the <i>Housing Strategy</i> and <i>SEES</i> (refer to c in the table).</p>
<p>b. <b>Policy drafting:</b> some policies are poorly structured, repetitive, ambiguous and sometimes contradictory</p>	<p>Draft policies have been drafted with DELWP officers to:</p> <ul style="list-style-type: none"> <li>a. create policies that are structured to be consistent with the new Planning Policy framework (PPF) (discussed further under Amendment VC148);</li> <li>b. remove repetition, ambiguity and contradiction.</li> </ul> <p>They have been drafted in accordance with the <i>Practitioner’s Guide to Victorian Planning Schemes</i> and use plain English and clearly articulate the objectives and strategies of the policies.</p>
<p>c. An <b>evidence based narrative</b> that establishes how Council intends to accommodate population and employment growth.</p>	<p>Along with <i>Liveable Yarra</i> (refer to external consultation), the <i>Housing Strategy</i> and the <i>Spatial Economic and Employment Strategy (SEES)</i> are two important strategic foundations that underpin the re write of local policy, forming part of the over-arching narrative about how and where to accommodate growth in the Municipal Planning Strategy.</p> <p>Both documents implement <i>Plan Melbourne 2017-2050</i>, which removed urban renewal areas in Yarra and the notion of strategic redevelopment sites.</p> <p>Preparation of the Strategy included: a review of policy context, demographics, housing trends and development activity; future land supply; capacity and community consultation.</p> <p>Based on the evidence, a preferred growth strategy was established. The strategy includes four strategic directions that articulate Yarra’s preferred growth strategy, including:</p> <ul style="list-style-type: none"> <li>a. monitor population growth, land capacity and evolving development trends in Yarra to plan for future housing growth and needs;</li> <li>b. direct housing growth to appropriate locations;</li> <li>c. plan for more housing choice to support Yarra’s diverse community; and</li> <li>d. facilitate the provision of more affordable housing in Yarra.</li> </ul> <p>The strategic directions relating to housing growth, choice and diversity set out in the <i>Housing Strategy</i> are articulated in:</p> <ul style="list-style-type: none"> <li>a. the directions outlined in the Municipal Planning Strategy (MPS);</li> <li>b. Strategic Framework Plan; and</li> <li>c. clauses relating to Activity Centres, location of residential development, housing diversity and</li> </ul>

Planning scheme review key findings	Officer response
	<p>housing affordability.</p> <p>Council adopted the <i>SEES</i> in 2018. It was prepared to understand and capitalise on Yarra’s economic strengths and respond to key trends and economic drivers over the next 10 to 15 years. The <i>SEES</i> includes 6 directions which has informed new policy in the planning scheme. These are:</p> <ul style="list-style-type: none"> <li>a. support employment growth in activity centres;</li> <li>b. retain and grow Yarra’s major employment precincts;</li> <li>c. identify preferred locations for housing growth to reduce pressures or conversion of employment land for housing;</li> <li>d. support the expansion of Yarra’s health related employment and services in Yarra’s health precincts;</li> <li>e. retain other C2 zoned land to support the diversity of business and employment opportunities; and</li> <li>f. plan for the transition of Yarra’s remaining industrial areas.</li> </ul> <p>The directions set out in the <i>SEES</i> are articulated in:</p> <ul style="list-style-type: none"> <li>a. the directions outlined in the Municipal Planning Strategy (MPS);</li> <li>b. Strategic Framework Plan; and</li> <li>c. clauses relating to Activity Centres, employment, retail and tourism.</li> </ul> <p>Draft policies referred to above, in conjunction with urban design, heritage and built form related clauses inform the appropriate scale of growth across the municipality. This is supported by zone provisions and Design and Development Overlays that have been prepared for Yarra’s Activity Centres.</p>
<p>d. <b>Local spatial plans:</b> are needed to support decision making in activity centres and employment areas.</p>	<p>Yarra has a network of Activity Centres - major, neighbourhood and local – as well as a range of employment areas.</p> <p>The draft policies include the following plans to clearly define spatial areas to assist with decision making.</p> <ol style="list-style-type: none"> <li>1. A <u>Spatial Framework Plan</u>: which includes all locations referred to in policy including: residential, employment areas, major employment areas, activity centres and health and education precincts. This plan is supported by text in draft policy and the MPS.</li> <li>2. <u>Activity Centre Plans</u>: the boundary of each activity centre is defined on plans included in clause 11.03. Defining the boundaries has taken</li> </ol>

Planning scheme review key findings		Officer response
		<p>into consideration field work; Council strategies, planning policy and the criteria included in Planning Practice Note 58 <i>Structure Planning for Activity Centres (Activity Centres Roles and Boundaries, 2019)</i></p> <p>The draft policy includes clauses on Activity Centres and major employment areas that sets out a policy context for the role and function of these places.</p> <p>Importantly, Council has also been implementing spatial plans (Swan Street Structure Plan, Johnston Street Local Area Plan) through separate amendments that introduce Design and Development Overlays (including interim DDOs). In addition, Council has been preparing built form frameworks for Bridge Road, Queens Parade, Victoria Street, Brunswick Street, Smith and Gertrude Streets Activity Centres to guide decision making on built form outcomes. These have been pursued through separate amendments.</p>
e.	<b>More effective mapping</b> to address housing, open space, built form across Yarra rather than by neighbourhood.	<p>The maps in the current local policies are hard to read and lack key information.</p> <p>The maps in the new policies are produced in colour, have clear legends and more clearly illustrate and supplement the text in the policy.</p> <p>The draft maps relating to housing are produced at a sufficient scale to show the cadastre below (showing allotments), making it clear exactly which land is included in each of the hierarchy of change areas.</p>
f.	<b>Need for ongoing systematic data collection</b> to support evidence based spatial planning.	As an outcome of the <i>Housing Strategy</i> and <i>SEES</i> , officers in strategic planning are monitoring planning permits for residential development of 10 units and over and office developments.

9. Table 2: Planning scheme review issues - specific findings and officers' response

Planning scheme review issue specific finding		Officer response
a.	<b>Current MSS:</b> clearer articulation of the opportunities, challenges and vision is required	<p>The MSS is to be replaced with the <u>Municipal Planning Strategy</u> which reflects the changes in Yarra since the existing scheme was written. It is arranged into the PPF themes of:</p> <ul style="list-style-type: none"> <li>a. activity centres;</li> <li>b. natural environment;</li> <li>c. climate change;</li> <li>d. built environment and heritage;</li> <li>e. housing;</li> <li>f. economic development; and</li> <li>g. transport</li> </ul>

Planning scheme review issue specific finding	Officer response
	<p>The Council Plan and Community Health and Wellbeing Plan 2017-2021 is relevant. It envisages “A vibrant, liveable and sustainable inner-city that the community can be proud of”.</p> <p>The Yarra Planning Scheme forms the spatial response to the Council’s vision. In this regard, the draft MPS includes a vision that forms a spatial response to the Council’s vision.</p> <p>The MPS also includes strategic direction for each theme which includes challenges and opportunities to respond to the challenges.</p>
<p>b. <b>Environment:</b> the review concluded that the existing clause 21.07 Environmental Sustainability makes appropriate reference to biodiversity, flora and fauna protection and protection of water quality</p>	<p>Draft environmental policy has been prepared based on a review of:</p> <ol style="list-style-type: none"> <li>a. <i>Yarra Environment Strategy 2017</i>; and</li> <li>b. Existing local planning policy, including clause 22.16 <i>Stormwater management</i> which was introduced in March 2014 and Clause 21.07 <i>Environmental sustainability</i> which was introduced by C133 in November 2015.</li> </ol>
<p>c. <b>Landscape and Built form:</b></p> <ul style="list-style-type: none"> <li>- clarify and simplify built form policies to remove repetition, ambiguity and (occasional) contradiction.</li> <li>- separate heritage policy from more generalised built form policy</li> <li>- prepare policy that expresses the expectation of the height and form of development.</li> <li>- express neighbourhood descriptions in the context and vision</li> </ul>	<p>The draft policies have been redrafted to remove repetition, ambiguity and contradiction.</p> <p>The built form provisions are separated into:</p> <ol style="list-style-type: none"> <li>a. urban design;</li> <li>b. building Design;</li> <li>c. landmarks;</li> <li>d. heritage; and</li> <li>e. World Heritage Environs Area.</li> </ol> <p>The expectation on heights and form of development is set out in a narrative that extends through the draft policy from MPS, Activity Centres, built form provisions to the implementation of Zones and Design and Development overlays.</p> <p>The MPS describes the existing scale of development within the municipality.</p>
<p>d. <b>Heritage:</b> need to address</p> <ul style="list-style-type: none"> <li>- duplication between policy and overlay;</li> <li>- lack of guidance on commercial and industrial heritage;</li> <li>- application of sight line test.</li> </ul>	<p>The Planning Policy Framework (PPF) translation has removed this duplication.</p> <p>The draft policy includes strategies for former industrial and commercial heritage places. GJM Heritage Consultants were engaged to provide advice on former industrial heritage and their recommendations have been incorporated.</p> <p>Heritage work associated with the introduction of DDOs in Activity Centres has provided guidance on commercial heritage.</p> <p>In residential heritage, the draft policy removes the sightline diagrams and replaces them with a “depth of</p>



Planning scheme review issue specific finding	Officer response
	two rooms” test. These tests are used to determine the visibility of rear additions. The “depth of two rooms” test is clearer and easier to administer. It is an accepted test to determine visibility among heritage professionals. This was informed by the <i>Residential Heritage Policy Review</i> (Context, October 2019).
e. <b>Housing:</b> update housing strategy	Refer to item (c) in table 1.
f. <b>Activity Centres:</b> - clarity of role - improve mapping	Refer to item (d) in table 1.
g. <b>Industry, Office and Commercial Areas:</b> need to consider the - interface between residential; entertainment and commercial activities - consider the scale and of future employment growth and spatial implications - improve mapping	Amendment C209 introduced the licenced premises policy into the current scheme in February 2018. This policy has been translated into the new PPF format.  Refer to items (c) and (d) in table 1 for discussion on updated evidence for employment growth, spatial implications and improved mapping.
h. <b>Community development:</b> need to consider the - limited direction about education and health; - gaming, entertainment and the arts should be separately considered - limited direction in the licenced premises policy.	Draft policy includes reference to the health and education precincts.  Gaming provisions are proposed to be included in the Particular Provisions (clause 52.28)  Arts is proposed to be included under employment in the draft PPF.  NB: Refer above to discussion on Amendment C209 licenced premises.
i. <b>Open space:</b> need to consider any updated Open Space Strategy	A draft Open Space Strategy is currently being prepared. Until adopted the draft local policy will continue to reflect the current strategy.
j. <b>Transport:</b> the scheme would be assisted with a clear direction on facilitation greater use of sustainable transport modes and circumstances for reduced parking.	Council has an established position on transport, as articulated in the Strategic Transport Statement, which prioritises sustainable transport modes.  The draft PPF includes policy which prioritises transport modes and sets out criteria for supporting a reduction in car parking spaces.
k. <b>Update list</b> of reference documents (now called background documents in the PPF).	The background documents are now included in Clause 72.08. It has been refreshed to remove outdated documents and includes up to date background documents.

Other work that has informed the rewrite

10. In addition to the work described in the table above, other strategic foundations of the planning scheme rewrite include:

- (a) additional consultation with Council's Advisory Committees;

- (b) internal consultation with relevant Council officers including statutory planning, strategic transport, sustainability, heritage advisor and open space;
- (c) technical reports on acoustics, former industrial and residential heritage, activity centre boundaries (these are described in more detail in the table at table 3) and
- (d) adopted structure plans, local area plans, built form frameworks for activity centres, Council strategies and *Plan Melbourne*.

#### Amendment VC148

- 11. Amendment VC148 is part of the State Government's *Smart Planning* programme to reform and modernise Victoria's planning policy aimed at simplifying planning schemes, particularly the language, to make schemes more efficient, accessible and transparent.
- 12. The amendment was brought into all Victorian planning schemes on 31 July 2019. It introduced the *Planning Policy Framework (PPF)* which replaced the *State Planning Policy Framework (SPPF)* and provides a means of better integrating Council's local planning policies into the overall policy structure. The PPF also includes regional policies into planning schemes. Yarra's Amendment C269 proposes to replace the existing *Local Policy Planning Framework (LPPF)* with redrafted policy in the PPF format.
- 13. **The PPF provides a thematic structure for policies which is included at Attachment 1. The structure is standard across all Victorian Planning Schemes.** Attachment 1 illustrates in light blue text where Yarra's local policies will sit within the thematic structure.
- 14. **The amendment also provides a standardised format for policies that includes objectives and strategies and where necessary, policy guidelines. It removes "application requirements" and "decision guidelines". The new PPF structure is aimed at significantly reducing repetition in the planning scheme and using language that is more easily understood.**
- 15. In addition, VC148 introduced a *Municipal Planning Strategy (MPS)* which supports, but does not form part of the PPF. It provides the policy foundation for the planning scheme and is a succinct statement of Council's planning and land use vision and directions. It provides a more focussed message about Council's planning aspirations than the current *Municipal Strategic Statement (MSS)*.
- 16. Other structural changes were also introduced by the Amendment. It restructured Particular Provisions, integrated *Vic Smart* applications and reorganised operational and administrative provisions of the scheme among other changes.
- 17. Officers have worked closely with officers from DELWP to ensure that the policies have been prepared in accordance with the requirements of Amendment VC148.

#### Strategic justification

- 18. *Planning Practice Note 46 Strategic Assessment Guidelines* makes clear that any change in policy must be supported by a strategic study or report. The draft local policy has been based on current and relevant reports and strategies. There are some areas such as transport and environment where new Council strategies are underway but have not yet been adopted, e.g. Nature Strategy, Open Space Strategy, Integrated Transport Strategy. Accordingly, the policies in the planning scheme on these subjects are based on current policy.
- 19. Table 3 lists the *Municipal Planning Strategy* and draft planning policy clauses and outlines if the policy content is new or a translation of existing policy and the key sources that informed the policy content. The policies are included in full at Attachment 2.

**Table 3: Draft *Municipal Planning Strategy* and planning policies and strategic sources**

	Clause no.	Clause name	Commentary
<b>Municipal Planning Strategy (MPS)</b>			
1	02.01	<b>Context</b>	The context describes the planning scheme’s policy foundation, based on the municipality’s location and regional context, history, assets, strengths, key attributes and influences. The context reflects the changes in Yarra since the existing scheme was written. It is based on updated data and adopted council strategies.
2	02.02	<b>Vision</b>	The Council Plan establishes a vision for Yarra to be <i>a vibrant, liveable and sustainable inner-city that the community can be proud of</i> . The vision sets out the spatial response to the Council Plan vision.
3	02.03	<b>Strategic directions</b>	This content is new and derived from adopted strategies across Council and strategic work completed in preparing the draft planning policy (included as Background reports).  It provides Yarra’s response to the implementation of <i>Plan Melbourne</i> , the metropolitan planning strategy.
<b>Settlement</b>			
4	11.03-1L	<b>Activity centres</b>	This is largely new content. It addresses deficiencies in current scheme identified in the planning scheme review; being where current policy does not distinguish between the hierarchy of centres (“major” versus “neighbourhood” centre) or its vision for the centres. These shortcomings are addressed in this policy.  It also provides guidance about supporting high-quality development that is consistent with the capacity of each centre while maintaining heritage fabric that provides part of the essential character of each centre.  It incorporates themes from recent work regarding the built form DDO projects including Johnston Street, Queens Parade and Swan Street.  <i>Plan Melbourne</i> identifies Activity Centres as places for housing, retail, commercial and civic functions and in many centres, will be the focus of higher density housing because they are well serviced by public transport. This policy supports that direction.  Key policy sources: <ul style="list-style-type: none"> <li>• Clause 21.04-2 Activity Centres;</li> <li>• Clause 21.08 Neighbourhoods;</li> <li>• <i>Activity Centre Roles and Boundaries</i> (Yarra Council 2018); (Refer Attachment 3)</li> <li>• <i>Spatial Economic and Employment Strategy</i> (SGS)</li> </ul>

	Clause no.	Clause name	Commentary
			<p>2018);</p> <ul style="list-style-type: none"> <li>• <i>Public Place</i> (background document to licenced premises policy) 2015;</li> <li>• <i>Plan Melbourne</i>; and</li> <li>• Supporting Local area plans, structure plans, technical reports and Panel reports that informed the preparation of the Design and Development Overlays for Johnston Street, Swan Street, Victoria Street, Bridge Road and Queens Parade.</li> </ul>
5	11.03-6L	<b>Victoria Street East</b>	<p>This is a translation of existing policy. No new content.</p> <p>The content has been edited based on approvals, DDO1 and the Comprehensive Development Zone.</p> <p>It is in line with the <i>Plan Melbourne</i> direction to support development of an urban renewal precinct that delivers a high quality mixed-use neighbourhood.</p> <p>The policy is to be revised as <i>Victoria Street Structure Plan</i> progresses.</p> <p>Key policy sources:</p> <ul style="list-style-type: none"> <li>• Clause 22.11 Victoria Street East.</li> <li>• DDO1 Yarra (Birrarung) River Corridor Protection.</li> </ul>
<b>Environmental and landscape values</b>			
6	12.01-1L	<b>Biodiversity</b>	<p>This seeks to retain existing biodiverse landscapes and promote development that provides habitats for biodiversity and links between habitats.</p> <p><i>Plan Melbourne</i> notes that Melbourne will need to manage its natural environment in a more integrated and sustainable way. This policy supports <i>Plan Melbourne</i>'s aim of protecting and restoring natural habitats.</p> <p>Key policy sources:</p> <ul style="list-style-type: none"> <li>• Clause 21.07 Environmental Sustainability.</li> <li>• Clause 22.08 Protection of Biodiversity.</li> <li>• <i>Yarra Environment Strategy 2013 – 2017</i>.</li> </ul>
7	12.03-1L	<b>River corridors</b>	<p>This is a translation of existing content.</p> <p>It seeks to prevent intrusion of development and additional overshadowing of the waterways at the winter solstice.</p> <p>It includes policy on improving access to the river and providing recreation opportunities and cycle and walking paths.</p> <p>Key policy sources:</p> <ul style="list-style-type: none"> <li>• Clause 21.07-2 Yarra River, Merri Creek, Darebin</li> </ul>

	Clause no.	Clause name	Commentary
			<p>Creek.</p> <ul style="list-style-type: none"> <li>• DDO1 Yarra (Birrarung) River Corridor Protection.</li> </ul>
Environmental risks and amenity			
8	13.01-1L	<b>Climate change</b>	<p>This is new content.</p> <p>The policy aims to ensure new development mitigates and adapts to climate change. It also supports similar direction in <i>Plan Melbourne</i>.</p> <p>Key policy sources:</p> <ul style="list-style-type: none"> <li>• Clause 21.07 Environmental sustainability</li> <li>• <i>Urban Forest Strategy 2017</i></li> </ul>
9	13.03-1L	<b>Flood management</b>	<p>This aims to reduce the flood risk brought by heavy rains. It also supports a similar direction in <i>Plan Melbourne</i>.</p> <p>It complements and adds to the Special Building Overlay and the Land Subject to Inundation Overlay.</p>
10	13.07-1L	<b>Caretaker's houses</b>	<p>This is a translation of existing content. There have been minor changes made to clarify the intent of the policy.</p> <p>The policy seeks to protect business by preventing dwellings that are not associated with a business or industry from establishing in industrial and commercial zones where a dwelling is prohibited.</p> <p>Key policy sources:</p> <ul style="list-style-type: none"> <li>• Clause 22.06 Caretaker's House.</li> </ul>
11	13.01-7L	<b>Interfaces and amenity</b>	<p>This has been updated to address shortcomings identified in the planning scheme review.</p> <p>It translates existing Clause 22.01 and 22.05 policies into one document and provides additional policy based on input from acoustic consultants to address noise.</p> <p>It introduces a new incorporated document called <i>Guidelines – Managing noise impacts in urban development, October 2019</i> to provide additional guidance for deciding applications where noise is an issue.</p> <p>The revised policy seeks to ensure that new residential development in proximity to live music venues and main roads and train lines protects itself from noise.</p> <p>Key policy sources:</p> <ul style="list-style-type: none"> <li>• Clause 22.01 Discretionary Uses in the Residential 1 Zone</li> <li>• Clause 22.05 Interface Uses.</li> <li>• <i>Guidelines - Managing Noise Impacts in Urban</i></li> </ul>

	Clause no.	Clause name	Commentary
			<p><i>Development</i> (City of Yarra, October 2019) (Refer Attachment 4)</p> <ul style="list-style-type: none"> <li>• <i>Noise and Vibration Considerations. Discussion Report</i> (SLR, October 2019) (Refer Attachment 5)</li> </ul>
12	13.01-7L	<b>Licensed premises</b>	<p>This is a translation of existing policy. There is no new policy.</p> <p>The existing policy includes extensive application requirements. These have been recast as strategies and policy guidelines.</p> <p>NB: An <i>application checklist</i> on the permit application webpage could address the removal of “application requirements” in the new policy.</p> <p>Key policy sources:</p> <ul style="list-style-type: none"> <li>• Clause 22.09</li> </ul>
<b>Built environment and heritage</b>			
14	15.01-1L	<b>Signs - heritage</b>	<p>This updates the existing policy. NB: The new PPF format splits heritage signs from general sign policy.</p> <p>The update includes new content to ensure new signs do not detract from the significance of the heritage buildings.</p> <p>Key policy sources:</p> <ul style="list-style-type: none"> <li>• Clause 22.04-3.8 Advertising Signs</li> <li>• Updates are adapted from Moreland, Port Phillip and Stonnington Councils’ signs policies</li> </ul>
15	15.01-1L	<b>Signs</b>	<p>This is revised to provide additional guidance sourced from other planning schemes and strengthens the provisions for residential, commercial and industrial areas.</p> <p>Key policy sources:</p> <ul style="list-style-type: none"> <li>• Clause 22.04-3.8 Advertising signs</li> <li>• Updates are adapted from Moreland, Port Phillip and Stonnington Councils’ signs policies</li> </ul>
16	15.01-1L	<b>Urban design</b>	<p>This is a translation of existing policy and expands the application of the policy to apply to all development not only areas outside the heritage overlay.</p> <p>The new PPF format splits “urban design” and “building design”. This policy retains the intent of existing guidance but language in this version makes the intent clearer. It removes repetition which was recommended in the planning scheme review.</p> <p>The new policy consolidates a number of existing policies into one, reducing fragmentation and repetition. It supports <i>Plan Melbourne’s</i> aim of promoting urban design excellence in the built</p>

	Clause no.	Clause name	Commentary
			<p>environment.</p> <p>Key policy sources:</p> <ul style="list-style-type: none"> <li>• Clause 21.05 Built Form</li> <li>• Clause 22.07 Development abutting laneways</li> <li>• Clause 22.10 Built Form and Design</li> <li>• Strategic work undertaken to inform the DDOs for the Activity Centres</li> </ul>
17	15.01-2L	<b>Building design</b>	<p>The commentary provided above in relation to Urban Design also applies to this policy.</p> <p>Building Design includes policy on equitable development which was identified as a shortcoming of the existing scheme in the planning scheme review.</p> <p>Key policy sources:</p> <ul style="list-style-type: none"> <li>• Clause 21.05 Built Form</li> <li>• Clause 22.10 Built Form and Design</li> <li>• Clause 22.13 Residential Built Form</li> <li>• Strategic work undertaken to inform the DDOs for the Activity Centres</li> </ul>
18	15.01-2L	<b>Landmarks</b>	<p>The existing policy is strengthened to clarify the exact location of primary views and to identify which elements of the landmark Council is seeking to protect. <i>Ethos Urban</i> were engaged to prepare a report that provides the strategic basis for the policy.</p> <p>St Luke's North Fitzroy has been added as a landmark. The Olympic Tyre Sign has been removed as the sign no longer exists.</p> <p>Key policy sources:</p> <ul style="list-style-type: none"> <li>• Clause 22.03 Landmarks and Tall Structures</li> <li>• <i>Landmarks and Views Assessment</i> (Ethos Urban October 2019) (Refer Attachment 6)</li> </ul>
19	15.02-1L	<b>Environmentally sensitive design</b>	<p>This is a translation of existing policy. There is no new content.</p> <p>Yarra is one of 17 Councils that has this policy in its planning scheme. Yarra is a member of the <i>Council Alliance for Sustainable Built Environment (CASBE)</i>. CASBE does not support all the revisions DELWP made to this policy in its translation to the PPF format and has prepared its own version.</p> <p>It is largely similar but includes a definition of best practice in the objective, makes minor drafting changes and requires a sustainable design assessment or a sustainability management plan accompany an application. In the DELWP version this is a matter for Councils to "consider", rather than</p>

	Clause no.	Clause name	Commentary
			<p>“require”.</p> <p>The intent of the amendments made by CASBE are generally supported.</p> <p>As Council is a member of CASBE, the CASBE version has been included in this draft local policy.</p> <p>Key policy sources:</p> <ul style="list-style-type: none"> <li>• Clause 22.17 Environmentally sustainable development</li> <li>• CASBE draft policy</li> </ul>
20	15.03-1L	<b>Heritage</b>	<p>This updates and strengthens existing policy in line with <i>Plan Melbourne’s</i> aim of respecting the city’s heritage.</p> <p>The planning scheme review highlighted the lack of policy in relation to commercial and former industrial heritage. This policy addresses that shortcoming. <i>GJM Heritage Consultants</i> were engaged to provide advice on former industrial heritage and their recommendations have been incorporated.</p> <p>GJM has worked on a number of built form projects in Yarra’s Activity Centres and this work has helped inform the heritage policy in commercial areas. The DDOs include heritage design guidelines which could be removed once this policy is in place.</p> <p>In residential heritage, the policy removes the sightline diagrams and replaces them with a “depth of two rooms” test. These tests are used to determine the visibility of rear additions. The “depth of two rooms” test is clearer and easier to administer. It is an accepted test to determine visibility among heritage professionals.</p> <p>The planning scheme review also identified that there was a duplication of heritage policy at state and local level. The PPF translation has removed this duplication.</p> <p>Key policy sources:</p> <ul style="list-style-type: none"> <li>• Clause 21.05 Built form</li> <li>• Clause 22.02 Development Guidelines for Sites Subject to the Heritage Overlay</li> <li>• <i>Yarra Industrial Heritage Policy</i> (GJM, October 2019) (Refer Attachment 7)</li> <li>• <i>Residential Heritage Policy Review</i> (Context, October 2019) (Refer Attachment 8)</li> <li>• Council strategic work relating to Activity Centres.</li> </ul>
21	15.03-1L	<b>World Heritage Environs Area</b>	<p>This is a translation of the existing World Heritage Environs Area policy. There is no new content.</p>



	Clause no.	Clause name	Commentary
			<p>Key policy sources:</p> <ul style="list-style-type: none"> <li>• Clause 21.05 Built Form</li> <li>• Clause 22.14 Development Guidelines for Heritage Places in the World Heritage Environs Area</li> </ul>
<b>Housing</b>			
22	16.01-2L	<b>Location of residential development</b>	<p>This is largely new content supported by the adapted <i>Housing Strategy</i>. Based also on recast policy from Clause 21.04.</p> <p>It introduces the hierarchy of change areas into the planning scheme which are included in the <i>Housing Strategy</i> – “minimal”, “incremental”, “moderate” and “high change”.</p> <p>Key policy sources:</p> <ul style="list-style-type: none"> <li>• Clause 21.04-1 Accommodation and Housing</li> <li>• <i>Yarra Housing Strategy</i>, Sept 2018</li> </ul>
23	16.01-3L	<b>Housing diversity</b>	<p>This is new content based on the <i>Housing Strategy</i> aimed at improving housing diversity.</p> <p>The majority of new housing in Yarra is provided in apartments and the policy seeks the provision of some larger units to accommodate families and share households.</p> <p>The policy also provides support for emerging housing models such as co-housing. <i>Plan Melbourne</i> seeks to facilitate housing that offers choice and meets household needs.</p> <p>Key policy sources:</p> <ul style="list-style-type: none"> <li>• <i>Yarra Housing Strategy</i>, Sept 2018</li> </ul>
24	16.01-4L	<b>Housing affordability</b>	<p>This is largely new content supported by the <i>Housing Strategy</i>.</p> <p>The policy seeks to facilitate the provision of new and upgraded social housing and affordable housing. <i>Plan Melbourne</i> supports the increase of social and affordable housing.</p> <p>It sets a target for affordable housing.</p> <p>Key policy sources:</p> <ul style="list-style-type: none"> <li>• Clause 21.04-1 Accommodation and Housing</li> <li>• <i>Yarra Housing Strategy</i>, Sept 2018</li> <li>• <i>Policy Guidance Note: Affordable Housing Outcomes at Significant Redevelopments</i></li> <li>• <i>Building for Diversity – Yarra’s Social and Affordable Housing Strategy</i> (Yarra City Council, November 2019)</li> </ul>

	Clause no.	Clause name	Commentary
Economic development			
25	17.01-1L	<b>Employment</b>	<p>This is largely new content supported by the <i>Spatial Economic and Employment Strategy</i>. It is also based on recast policy from 21.04-3.</p> <p>The policy seeks to maintain and grow Cremorne and the Gipps Street precinct as employment areas. It also seeks to provide good amenity for workers, affordable and co-working spaces and support for the creative industries.</p> <p>Key policy sources:</p> <ul style="list-style-type: none"> <li>• Clause 21.04-3 Industry, Office and Commercial</li> <li>• <i>Yarra Spatial Economic and Employment Strategy (2018)</i></li> </ul>
26	17.02-1L	<b>Retail</b>	<p>This is largely new content supported by the <i>Spatial Economic and Employment Strategy</i>. It is also based on recast policy from 21.04-2.</p> <p>It aims to support high quality retail development that sustains activity centres.</p> <p>Key policy sources:</p> <ul style="list-style-type: none"> <li>• Clause 21.04-2 Activity centres</li> <li>• <i>Yarra Spatial Economic and Employment Strategy (2018)</i></li> </ul>
27	17.04-1L	<b>Tourism</b>	<p>This is largely new content supported by the <i>Spatial Economic and Employment Strategy</i>. It is also based on recast policy from 21.04-2.</p> <p>It aims to promote Yarra as a tourism, arts and cultural destination in Melbourne.</p> <p>Key policy sources:</p> <ul style="list-style-type: none"> <li>• Clause 21.04-2 Activity Centres</li> <li>• <i>Yarra Spatial Economic and Employment Strategy (2018)</i></li> </ul>
Transport			
28	18.01-1L	<b>Integrated transport</b>	<p>The policy aims to ensure that structure plans deliver improved safety and connectivity for pedestrians and cyclists, improved access to public transport, efficient road networks and minimising the impact of development on local transport.</p> <p>Key policy sources:</p> <ul style="list-style-type: none"> <li>• Clause 21.06 Transport</li> <li>• <i>Yarra Strategic Transport Statement 2006</i></li> </ul>
29	18.02-1L	<b>Sustainable transport</b>	<p>This is largely new content. It is partly based on recast content from Clause 21.06. Sustainable transport was highlighted in <i>Plan Melbourne</i> as a key</p>

	Clause no.	Clause name	Commentary
			<p>feature of a connected and well-functioning city.</p> <p>It introduces a transport hierarchy that encourages walking and cycling over private car use. It also encourages lower car parking rates in new development with an increased focus on active transport.</p> <p>Key policy sources:</p> <ul style="list-style-type: none"> <li>• Clause 21.06 Transport</li> <li>• <i>Plan Melbourne</i></li> <li>• <i>Yarra Strategic Transport Statement 2006</i></li> </ul>
30	18.02-2L	<b>Public transport</b>	<p>This is largely new content. It is partly based on recast content from Clause 21.06.</p> <p>The policy seeks to improve access to public transport and supports the provision of new and upgraded services.</p> <p>Key policy sources:</p> <ul style="list-style-type: none"> <li>• Clause 21.06 Transport</li> <li>• <i>Yarra Strategic Transport Statement 2006</i></li> </ul>
31	18.02-3L	<b>Road system</b>	<p>This is largely new content. It is partly based on recast content from Clause 21.06.</p> <p>The policy addresses road and junction reconfiguration to improve reliability and safety for all users. It promotes public realm improvements. It also addresses access to car parking, vehicle crossings and avoiding delays to public transport.</p> <p>Key policy sources:</p> <ul style="list-style-type: none"> <li>• Clause 21.06 Transport</li> <li>• <i>Yarra Strategic Transport Statement 2006</i></li> </ul>
32	18.02-4L	<b>Car parking</b>	<p>This is largely new content. It is partly based on recast content from Clause 21.06-3.</p> <p>The Planning scheme review identified the need to identify in what circumstances a parking reduction and car sharing would be considered. Updated policy addresses these policy gaps.</p> <p>The policy ensures parking is supplied and managed consistent with promoting sustainable travel. It sets out circumstances in which parking can be reduced, promotes car sharing and seeks to maintain high levels of pedestrian safety.</p> <p>Key policy sources:</p> <ul style="list-style-type: none"> <li>• Clause 21.06 Transport</li> <li>• <i>Yarra Strategic Transport Statement 2006</i></li> </ul>

	Clause no.	Clause name	Commentary
Infrastructure			
33	19.02-1L	<b>Health precincts</b>	<p>This is largely new content.</p> <p><i>Plan Melbourne</i> identifies the need to reinforce the specialised economic function of health precincts, noting they are also well served by public transport.</p> <p>The policy identifies St Vincent’s Hospital / ACU and Epworth as Yarra’s health precincts. It encourages allied health care and ancillary uses to locate close by and addresses the need to manage interface impacts on adjacent areas.</p> <p>Key policy sources:</p> <ul style="list-style-type: none"> <li>• <i>Yarra Spatial Economic and Employment Strategy (2018)</i></li> <li>• <i>Plan Melbourne</i></li> <li>• Clause 21.04-4 Community Facilities, Hospitals and Medical Services.</li> </ul>
34	19.02-2L	<b>Education precincts</b>	<p>This is largely new content.</p> <p><i>Plan Melbourne</i> identifies the need to reinforce the specialised economic function of health and education precincts, noting they are also well served by public transport.</p> <p>The policy seeks to support the growth of ACU as an education and research employment hub and to support development that promotes the teaching role of St Vincent’s and Epworth Hospitals.</p> <p>It encourages allied health care and ancillary uses to locate close by and addresses the need to manage interface impacts on adjacent areas.</p> <p>Key policy sources:</p> <ul style="list-style-type: none"> <li>• <i>Yarra Spatial Economic and Employment Strategy (2018)</i></li> <li>• <i>Plan Melbourne</i></li> <li>• Clause 21.04-4 Community Facilities, Hospitals and Medical Services.</li> </ul>
35	19.02-6L	<b>Open space</b>	<p>This is a translation of existing policy. There is no new content.</p> <p>It seeks to protect existing open space and increase the quality and quantity of open space that meets existing and future needs in line with <i>Plan Melbourne</i> objectives.</p> <p>Key policy sources:</p> <ul style="list-style-type: none"> <li>• Clause 21.04-5 Parks, gardens and public open space</li> <li>• <i>Yarra Open Space Strategy (2006)</i></li> </ul>

	Clause no.	Clause name	Commentary
36	19.02-6L	<b>Public open space contribution</b>	<p>This is a translation of existing Clause 22.12. There is no new policy.</p> <p>Key policy sources:</p> <ul style="list-style-type: none"> <li>• Clause 22.12 Public Open Space Contribution</li> </ul>
37	19.03-2L	<b>Development contributions</b>	<p>This is new content and is partly based on Clause 21.04-4</p> <p>Amendment C238 is seeking the introduction of the <i>Development Contributions Plan Overlay (DCPO)</i>. A planning panel has recommended its approval. Council has adopted the amendment and it is awaiting Ministerial approval and gazettal. This policy will support the DCPO.</p>
38	19.03-3L	<b>Water sensitive urban design</b>	<p>This is a translation of existing policies in Clause 21.07-3 and Clause 22.16. There is no new content.</p> <p>It removes “application requirements” and recasts them as strategies and policy guidelines.</p> <p>The policy seeks to minimise impact of development on waterways and to minimise peak stormwater flows through collection and reuse of rainwater on site.</p> <p>It provides local policy in support of Clause 53.18 – stormwater management in new development. Provides support to <i>Plan Melbourne</i> direction of reducing pressure on water supplies by making best use of all water sources.</p> <p>It includes an expiry when either new state wide planning scheme or building code regulations are introduced by the Minister for Planning.</p> <p>Key policy sources:</p> <ul style="list-style-type: none"> <li>• Clause 21.07-3 Waterway Quality</li> <li>• Clause 22.16 Storm Water Management (Water sensitive urban design.)</li> </ul>
39	19.03-5L	<b>Waste</b>	<p>This is largely new content with some input from Clause 22.05-4.3.</p> <p>The policy aims to make provision for waste, recycling and composting in new development.</p> <p>It supports the <i>Plan Melbourne</i> direction of reducing waste and improving waste management and resource recovery.</p> <p>Key policy sources:</p> <ul style="list-style-type: none"> <li>• Clause 22.05-4.3 Commercial Waste</li> <li>• City of Yarra <i>Waste Minimisation and Resource Recovery Strategy 2018-2022</i>.</li> </ul>

	Clause no.	Clause name	Commentary
Schedule to particular provisions			
40	52.28	<b>Gaming</b>	<p>This is a translation of existing policies in Clause 21.06-7 and 22.15. There is no new policy content.</p> <p>This policy will sit as a schedule to the Particular Provision of Clause 52.28 Gaming; rather than in the Planning Policy Framework.</p> <p>The policy discourages gaming machines in disadvantaged areas and seeks to ensure their location minimises risks, avoids worsening problem gambling and delivers a net community development in Yarra.</p> <p>Key policy sources:</p> <ul style="list-style-type: none"> <li>• Clause 21.04-2 Activity Centres</li> <li>• Clause 22.15 Gaming Policy</li> </ul>
Reference documents			
41	72.08	<b>Schedule to background documents</b>	<p>The list of background documents has been totally revised and updated.</p> <p>This is currently called “reference documents”. The new Planning Policy Framework structure lists only background documents in this clause. Currently, each policy contains a list of reference documents at the end of the policy. Amendment VC148 changed the structure.</p>
Incorporated documents			
42	74.01	<b>Schedule to incorporated documents</b>	<p>The document called <i>Guidelines – Managing noise impacts in urban development</i> prepared by the City of Yarra in consultation with SLR Consultants has been added to the Schedule of incorporated documents.</p> <p>The guidelines have been prepared to assist with decision making in relation to noise under proposed Clause 13.01-7L – Interfaces and amenity.</p>
Application of zones, overlays and provisions			
43	74.01	<b>Schedule to Application of zones, overlays and provisions</b>	<p>This lists Application of Zones and Overlays in accordance with VC148.</p>

## External Consultation

### Liveable Yarra

20. In 2015, Council had an in-depth conversation with the community about how Yarra could adapt to the challenges and opportunities brought about by growth and change in Yarra.
21. The Planning Scheme Review identified policy gaps in a number of key fundamental policy areas, and the *Liveable Yarra* engagement subsequently focused on these. Background papers were prepared on each topic.
  - (a) People and Housing;

- (b) Business and Employment;
  - (c) Movement and Access; and
  - (d) Built Environment.
22. The consultation included a People's Panel comprised of 60 community members that enabled detailed discussion and debate of the issues. Consultation also included engagement with Advisory Committees, targeted community workshops and a baseline survey.
  23. Detailed findings from this engagement are in *Liveable Yarra Engagement Summary Report* (Capire & City of Yarra October 2015). A copy is on Council's web site.
  24. Consultation continued with the *Liveable Yarra Reference Group* comprising of members of the Initial Panel who wanted an ongoing involvement in Council's strategic work. There have been a number of workshops on topics including heritage, housing, built form in the activity centres and economic development.
  25. The *Liveable Yarra* project has informed the review of the Yarra Planning Scheme and draft policy.
  26. The project supported *Plan Melbourne's* aim of strengthening community participation in the planning of the city.

#### Consultation with Heritage Advisory Committee (HAC)

27. Officers formally consulted with the HAC on three occasions:
  - (a) November 2017: where officers discussed the gaps identified in the current policy and addressed a submission from the (previous) HAC on the heritage policy;
  - (b) May 2018: where officers presented a working draft of the policy and considered comments from individual HAC members; and
  - (c) October/November 2019: a copy of the draft policy was circulated to the HAC. Officers have accommodated relevant comments received from the HAC.

#### Statutory Framework

28. Consultation in the review of the planning scheme included discussion with users of the *Yarra Planning Scheme* – Councillors, Council planners, community groups and other regular users. The consultation process indicated that there is a diversity of views in the community particularly regarding car parking, built form and heritage. Strategic investigations have formed the draft policy positions. The process of statutory exhibition will allow the divergent views in the community to be considered and responded to in a formal, transparent and fair process.
29. Section 19 of the *Planning and Environment Act* requires Council to give notice to (among others) owners and occupiers of land it believes may be materially affected by the amendment. The Act also requires Council to publish notice of the amendment in a newspaper circulating in the area (*The Age*) and in the *Government Gazette*. The amendment must be on exhibition for no less than one month.
30. Where the affected number of owners and occupiers makes it impractical to notify all of them individually, Sections 19 (1A) and (1B) of the Act allow a Planning Authority *take reasonable steps to ensure that public notice of the amendment is given in the area affected by the amendment*. For this amendment, it is impractical to notify all 52,000 ratepayers plus occupiers across the entire municipality.
31. Instead of individual notification, strategic planning officers have worked with the communications unit to commence the preparation of a community engagement strategy that will form the basis of the statutory consultation.

32. The objectives of the engagement are:
- (a) to assist a diverse range of stakeholders understand what the planning scheme is and how it works;
  - (b) to explain the changes proposed to the planning scheme and the planning scheme process;
  - (c) to help people make informed submissions that address their areas of interest;
  - (d) to include deliberate outreach and promotion to communities who may be affected but might be underrepresented and/ or not usually engaged;
  - (e) to use plain English descriptions and messaging that assists understanding of what the planning scheme is, how it works and proposed changes;
  - (f) to present lengthy and complex information in an easily accessible format; and
  - (g) to clearly communicate the statutory requirements of the submission process.
33. The engagement process will *take reasonable steps to ensure that public notice of the amendment is given in the area affected by the amendment*. This includes notification in:
- (a) *Yarra News* which is distributed to every household in Yarra;
  - (b) *Yarra Life* fortnightly eNews which reaches 13,000 recipients;
  - (c) *Economic Development Teams Business eBulletin* which has some 11,000 subscribers;
  - (d) eBulletins / newsletters sent from other teams across Council; and
  - (e) Social media platform.
34. In addition, direct emails would be sent to Council's Advisory Committees, community groups; organisations, people who had previously participated consultation and those that have registered interest in this topic.
35. A purpose built website will be used to provide material in a visually pleasing way and in an easily understood format.

#### **Internal Consultation (One Yarra)**

36. The planning scheme's local policy rewrite has been prepared with extensive input from statutory planning, urban design, open space, sustainability, strategic transport and senior heritage advisor.

#### **Financial Implications**

37. The costs associated have been anticipated and included in the City Strategy budget, which includes payment of a statutory fee for "authorisation" to the Department of Environment, Land, Water and Planning and costs associated with the exhibition of the amendment.

#### **Economic Implications**

38. The economic policies seek to maintain and grow employment in Yarra's major employment precincts. They protect employment land by maintaining zoning that supports commercial activity and seek to make employment areas attractive to existing and future businesses by encouraging public realm and pedestrian improvements.
39. The policies also seek to support targeted growth in Yarra which will stimulate the economy through jobs in construction.

#### **Sustainability Implications**

40. The updated planning policies have a stronger focus on reducing the impacts and mitigating the impacts of climate change within the ambit of planning scheme discretion. The new policies build on the strengths of the existing Environmentally Sustainable Design and Water Sensitive Urban Design policies.



41. The new policies have a stronger focus on sustainable transport and retention of wildlife habitats.

### **Social Implications**

42. The revised local policies are clearer about directing growth to Activity Centres, major regeneration areas and major employment areas than the current scheme. This clarity will help people understand how Council's vision for growth will be managed in the built environment.
43. The implementation of Council's *Housing Strategy* through the various housing policies will promote more diverse housing to support a range of household sizes and forms and provide the potential for affordable housing to be provided.

### **Human Rights Implications**

44. There are no known human rights implications.

### **Communications with CALD Communities Implications**

45. Extensive notification will be undertaken as part of this proposed planning scheme amendment and it will include advice about the use of interpreter services by residents. The amendment process involves the steps outlined in Council's strategy to engage and assist CALD communities.

### **Council Plan, Strategy and Policy Implications**

46. The Council Plan is one of the key documents that underpins the policy in the planning scheme. It includes the following strategy: (To) *manage change in Yarra's built form and activity centres through community engagement*.
47. The proposed planning scheme amendment provides the spatial response to the vision set by the Council Plan.
48. A number of Council strategies provide strategic support for various planning scheme policies.

### **Legal Implications**

49. The approach outlined in this report accords with Council's obligations under the *Planning and Environment Act 1987*.

### **Other Issues**

50. There are no other issues associated with Council seeking "authorisation" of the planning scheme amendment from the Minister for Planning.

### **Options**

51. Council can either:
  - (a) agree to proceed with the amendment, with or without changes, and request the Minister for Planning to "authorise" it for public exhibition, or
  - (b) not to proceed with the amendment at this stage.

### **Conclusion**

52. Amendment C269yara (the formal name) proposes to introduce rewritten and updated local planning policies into the Yarra Planning Scheme.
53. They have been prepared in accordance with the new Planning Policy Framework (PPF) introduced as part of the state government's Smart Planning initiative.
54. The draft local policies build on the strengths of the current scheme and addresses gaps identified in the review and through the *Liveable Yarra* process.
55. Updated Council strategies and background documents provide a strong strategic foundation to support the policies.

56. A community engagement strategy has been prepared to ensure the statutory exhibition of the amendment will meaningfully engage a range of stakeholders and allow them to make informed submissions.
57. Once submissions are received, officers will report further to Council and potentially request that Council asks the Minister for Planning to refer submissions to an independent Planning Panel. The Panel would consider submissions and provide recommendations for Council to consider.
58. In considering the Panel's recommendations, Council could make adjustments to the policies before sending it to the Minister for Planning for final approval.

## RECOMMENDATION

1. That Council:
  - (a) notes the officer report on the Yarra Planning Scheme – rewrite of local policy;
  - (b) notes the extensive strategic work supporting the draft policy positions including the adopted *Housing Strategy 2018* and the *Yarra Spatial Economic Employment Strategy 2018* and other adopted strategies and policies outlined in the report;
  - (c) notes the supporting documentation attached to this report;
  - (d) endorses the draft Municipal Planning Strategy, local policies and supporting documents as a basis for Amendment C269yara; and
  - (e) seeks authorisation from the Minister for Planning to prepare and exhibit Amendment C269yara to the Yarra Planning Scheme in accordance with section 8A of the *Planning and Environment Act 1987*.
2. That if the Minister for Planning authorises Amendment C269yara, Council undertakes an extensive exhibition of it in accordance with Section 19 of the Act and as outlined in the report at paragraph 33-35.

**CONTACT OFFICER:** Amanda Haycox  
**TITLE:** Strategic Planner  
**TEL:** 9205 5322

## Attachments

- 1 [↓](#) Local policies in PPF structure
- 2 [↓](#) YPS Rewrite - 2019 October
- 3 [↓](#) Activity Centres Roles and Boundaries (October 2019)
- 4 [↓](#) Guidelines - Managing Noise Impacts in Urban Development (October 2019) - Incorporated Document
- 5 [↓](#) Noise and Vibration Considerations: Discussion Report, SLR (October 2019)
- 6 [↓](#) Landmarks and Views Assessment, Ethos Urban (October 2019)
- 7 [↓](#) Former Industrial Heritage, GJM Heritage (1 October 2019)
- 8 [↓](#) Residential Heritage Policy Review, Context Pty. Ltd. (October 2019)

Attachment 1 - Local policies in PPF structure

2 Municipal Planning Strategy	12 Environmental and Landscape Values	13 Environmental Risks and Amenity	14 Natural resource Management	15 Built Environment and Heritage	16 Housing	17 Economic Development	18 Transport	19 Infrastructure
<p>2.01 Context 2.02 Vision 2.03 Strategic Directions 2.04 Strategic Framework Plan</p>	<p><b>12.01 Biodiversity</b> 12.01-1S Protection of Biodiversity 12.01-1L Biodiversity 12.01-2S Native Vegetation Management</p>	<p><b>13.01 Climate Change Impacts</b> 13.01-1S Natural Hazards and Climate Change 13.01-1L Climate Change 13.01-2S Coastal Inundation and Erosion</p>	<p><b>14.01 Agriculture</b> 14.01-1S Protection of Agricultural Land 14.01-1R (PAL) Metro Melbourne 14.01-2S Sustainable Agricultural Land Use 14.01-3S Forestry and Timber Production</p>	<p><b>15.01 Built Environment</b> 15.01-1S Urban Design 15.01-1R (UD) Metro Melbourne 15.01-1L Urban Design 15.01-1L Signs 15.01-1L Heritage Signs 15.01-2S Building Design 15.01-2L Building Design 15.01-2L Landmarks 15.01-3S Subdivision Design 15.01-4S Healthy Neighborhoods 15.01-4R (HN) Metro Melbourne 15.01-5S Neighbourhood Character 15.01-6S Design for Rural Areas</p>	<p><b>16.01 Residential Development</b> 16.01-1S Integrated Housing 16.01-1R (IH) Metro Melbourne 16.01-2S Location of Residential Development 16.01-2R Housing Opportunity Areas Metro Melbourne 16.01-2L Location of Residential Development 16.01-3S Housing Diversity 16.01-3R (HD) Metro Melbourne 16.01-3L Housing Diversity 16.01-4S Housing Affordability 16.01-4L Housing Affordability 16.01-5S Rural Residential Development 16.01-6S Community Care Accommodation 16.01-7S Residential Aged Care Facilities</p>	<p><b>17.01 Employment</b> 17.01-1S Diversified Economy 17.01-1R (DE) Metro Melbourne 17.01-1L Employment 17.01-2S Innovation and Research</p>	<p><b>18.01 Integrated Transport</b> 18.01-1S Land Use and Transport Planning 18.01-1L Integrated Transport 18.01-2S Transport System</p>	<p><b>19.01 Energy</b> 19.01-1S Energy Supply 19.01-2S Renewable Energy 19.01-2R (RE) Metro Melbourne 19.01-3S Pipeline Infrastructure</p>
<p><b>11 Settlement</b></p>	<p><b>12.02 Coastal Areas</b> 12.02-1S Protection of Coastal Areas 12.02-2S Coastal Crown Land 12.02-3S Bays</p>	<p><b>13.02 Bushfire</b> 13.02-1S Bushfire Planning</p>	<p><b>14.02 Water</b> 14.02-1S Catchment Planning and Management 14.02-2S Water Quality 14.02-3S Protection of Declared Irrigation Districts</p>	<p><b>15.02 Sustainable Development</b> 15.02-1S Energy and Resource Efficiency 15.02-1L Environmentally Sustainable Development</p>	<p><b>16.02 Commercial Development</b> 16.02-1S Business 16.02-1L Retail 16.02-2S Out-of-centre Development</p>	<p><b>17.02 Commercial</b> 17.02-1S Business 17.02-1L Retail 17.02-2S Out-of-centre Development</p>	<p><b>18.02 Movement Networks</b> 18.02-1S Sustainable Personal Transport 18.02-1R (SPT) Metro Melbourne 18.02-1L Sustainable Transport 18.02-2S Public Transport 18.02-2R Principal Public Transport Network 18.02-2L Public Transport 18.02-3S Road System 18.02-3L Road System 18.02-4S Car Parking 18.02-4L Car Parking</p>	<p><b>19.02 Community Infrastructure</b> 19.02-1S Health Facilities 19.02-1R (HF) Metro Melbourne 19.02-1L Health Precincts 19.02-2S Cultural Facilities 19.02-2R (EF) Metro Melbourne 19.02-2L Education Precincts 19.02-3R (CF) Metro Melbourne 19.02-4S Social and Cultural Infrastructure 19.02-5S Emergency Services 19.02-6R (OS) Metro Melbourne 19.02-6L Open Space 19.02-6L Public Open Space Contribution</p>
<p><b>11.01 Victoria</b> 11.01-1S Settlement 11.01-1R (S) Metro Melbourne</p>	<p><b>12.03 Water Bodies and Wetlands</b> 12.03-1S River Corridors, Waterways, Lakes and Wetlands 12.03-1R Yarra River Protection 12.03-1L River Corridors</p>	<p><b>13.03 Floodplains</b> 13.03-1S Floodplain Management 13.03-1L Flood Management</p>	<p><b>14.03 Earth and Energy Resources</b> 14.03-1S Resource Exploration and Extraction</p>	<p><b>15.03 Heritage</b> 15.03-1S Heritage Conservation 15.03-1L Heritage 15.03-1L World Heritage Environs Area 15.03-2S Aboriginal Cultural Heritage</p>	<p><b>16.03 Industry</b> 17.03-1S Industrial Land Supply 17.03-2S Industrial Development Siting 17.03-3S State Significant Industrial Land</p>	<p><b>17.03 Industry</b> 17.03-1S Industrial Land Supply 17.03-2S Industrial Development Siting 17.03-3S State Significant Industrial Land</p>	<p><b>18.03 Ports</b> 18.03-1S Planning for Ports 18.03-2S Planning for Port Environs</p>	<p><b>19.03 Development Infrastructure</b> 19.03-1S Development and Infrastructure Contributions Plans 19.03-2S Infrastructure Design and Provision 19.03-2L Development Contributions 19.03-3S Integrated Water Management 19.03-3L WSUD 19.03-4S Telecommunications 19.03-4R (T) Metro Melbourne 19.03-5S Waste and Resource Recovery 19.03-5L Waste</p>
<p><b>11.02 Managing Growth</b> 11.02-1S Supply of Urban Land 11.02-2S Structure Planning 11.02-3S Sequencing of Development</p>	<p><b>12.04 Alpine Areas</b> 12.04-1S Sustainable Development in Alpine Areas</p>	<p><b>13.04 Soil Degradation</b> 13.04-1S Contaminated and Potentially Contaminated Land 13.04-2S Erosion and Landslip 13.04-3S Salinity</p>	<p><b>13.05 Noise</b> 13.05-1S Noise Abatement</p>	<p><b>13.06 Air Quality</b> 13.06-1S Air Quality Management</p>	<p><b>17.04 Tourism</b> 17.04-1S Facilitating Tourism 17.04-1R Tourism in Metro Melbourne 17.04-1L Tourism 17.04-2S Coastal and Maritime Tourism and Recreation</p>	<p><b>17.04 Tourism</b> 17.04-1S Facilitating Tourism 17.04-1R Tourism in Metro Melbourne 17.04-1L Tourism 17.04-2S Coastal and Maritime Tourism and Recreation</p>	<p><b>18.04 Airports</b> 18.04-1S Planning for Airports and Airfields</p>	<p><b>18.05 Freight</b> 18.05-1S Freight Links 18.05-1R (FL) Metro Melbourne</p>
<p><b>11.03 Planning for Places</b> 11.03-1S Activity Centers 11.03-1R (AC) Metro Melbourne 11.03-1L Activity Centres 11.03-2S Growth Areas 11.03-3S Peri-urban Areas 11.03-4S Coastal Settlement 11.03-5S Distinctive Areas and Landscapes 11.03-6S Regional and Local Places 11.03-6L Victoria Street East Precinct</p>	<p><b>12.05 Significant Environments and Landscapes</b> 12.05-1S Environmentally Sensitive Areas 12.05-2S Landscapes</p>	<p><b>13.07 Amenity and Safety</b> 13.07-1S Land Use Compatibility 13.07-1L Interfaces and Amenity 13.07-1L Caretakers Houses 13.07-1L Licenced Premises 13.07-2S Major Hazard Facilities</p>	<p><b>52 Particular Provisions</b> 52.28 Gaming</p>	<p><b>Key</b> Black Text = State Policy Blue Text = Local Policy</p>	<p><b>52 Particular Provisions</b> 52.28 Gaming</p>	<p><b>52 Particular Provisions</b> 52.28 Gaming</p>	<p><b>52 Particular Provisions</b> 52.28 Gaming</p>	<p><b>52 Particular Provisions</b> 52.28 Gaming</p>

**Attachment 2 - YPS Rewrite - 2019 October**

YARRA PLANNING SCHEME

**02 MUNICIPAL PLANNING STRATEGY**

**02.01 Context**

**Location**

Yarra comprises of approximately 20 square kilometres and is bound by the Cities of Melbourne to the west, Boroondara to the east, Moreland and Darebin to the north and Stonnington to the south. Located between Melbourne’s central business district and middle suburbs, it forms a transition between these areas. The Yarra River is the major environmental feature of the municipality, forming its southern and eastern boundaries.

**Community and population growth**

Yarra offers proximity to public transport, services, retail, entertainment, jobs and open space, making it an attractive place to live and work.

Around 96,000 people live in Yarra, and this will grow by almost 30,000 to 2031. It is projected that more than 13,000 new homes will be required to accommodate this growth.

The community is diverse in terms of ethnicity, language spoken, socio-economic background, age, household size, tenure and structure.

Household types in Yarra will continue to change, with a higher proportion of dwellings occupied by single occupants and families.

Council is committed to supporting a diverse community, including advancing equitable opportunities for people with disability and promoting the availability of diverse and affordable housing to support social inclusion and maintain Yarra’s community into the future. However, managing population growth and change and supporting a diverse community is a challenge for Yarra. In planning for growth and change, Yarra is faced with managing the pressure on the valued heritage and the character of Yarra’s buildings and streetscapes, its open space, community facilities, infrastructure, natural environment and transport.

**Activity centres**

Yarra’s major and neighbourhood activity centres are predominantly along and around the main retail shopping streets. They feature highly intact heritage streetscapes and heritage places that are valued by the community.

Yarra’s major, neighbourhood and local activity centres are shown on the Strategic Framework Plan in clause 02.04-1 and Activity Centre Plans in 11.03-1L.

With access to services, public transport and a walkable, fine grain street network, Yarra’s activity centres will continue to be strengthened so that they remain vibrant and liveable places, capable of serving growing local economies and new and changing communities.

**Natural environment**

Yarra is an urbanised environment, with remnant native vegetation located within waterway corridors providing a home for indigenous flora and fauna. Yarra includes three significant water corridors - Yarra River and its tributaries, Darebin Creek and Merri Creek. These corridors are significant environmental assets that have a number of functions, including: providing for leisure and recreation, forming habitats to enhance biodiversity, acting as the city’s ‘green lungs’, and managing water flow and stormwater. The low-lying land around the waterways however means that parts of Yarra are susceptible to flooding.

**Climate change**

Increased population in the inner city can bring sustainability benefits through more efficient use of existing infrastructure, more people being able to access existing services, local recreation and employment opportunities, increased use of sustainable transport modes and reduced sprawl on Melbourne’s fringe.

**Attachment 2 - YPS Rewrite - 2019 October**

## YARRA PLANNING SCHEME

Climate change is resulting in the urban environment getting hotter and drier, with more extreme weather events. Inner city areas, such as Yarra are susceptible to the urban heat island effect and localised flooding and as such Yarra needs to manage the impact from urban development.

Yarra will need to continue to mitigate greenhouse gas contributions and act locally. To mitigate its contribution to climate change, Council is proactively seeking to reduce its carbon emissions and is working towards zero net emissions from its operations by 2020. In doing so, Council will contribute to global climate change commitments -as well as national and state targets.

**Built environment and heritage**

Yarra stands on the traditional lands of the Wurundjeri people. It is a municipality steeped in history and one that contributes significantly to the story of Melbourne. Yarra includes some of Melbourne's oldest suburbs and shopping strips, with heritage that links its contemporary and progressive inner-city character to its origins.

Heritage is an important feature of Yarra's identity, which comprises historic buildings, landscapes, landmarks, streetscapes, subdivision pattern (made up of its streets, lanes and boulevards), and cultural heritage, including indigenous heritage. Groups of heritage buildings form important heritage places and include the municipality's renowned retail strips and neighbourhoods in some of Melbourne's first suburbs.

Yarra's heritage includes buildings and places of local, state, national and international significance, including part of the Royal Exhibition Buildings and Carlton Gardens World Heritage Environs Area, which provides a setting and context of significant historic character for the World Heritage property. Over 70% of Yarra's properties are covered by a heritage overlay.

The existing scale of development within the municipality is mostly characterised by low to mid-rise buildings, with some taller buildings (above 14 storeys) which are anomalies to the mid-rise character. The residential neighbourhoods that constitute much of the municipality mostly comprise single and double storey dwellings. This scale is also represented by many of the small heritage shopfronts within retail strips. In parts of Yarra there is a strong composition of mid-rise and some taller buildings, notably concentrated in pockets within activity centres, along main roads and in areas transitioning from industrial to commercial / mixed uses. These mid-rise and some taller buildings comprise modern apartments and offices.

Other taller elements in Yarra include towers, spires and signs, high rise social housing and health and education facilities.

Yarra has a range of residential built form types. There are residential areas that present uninterrupted terraced frontages to the street, often with little or no front setback. Other inner areas, while still predominantly small in lot size, present a more suburban appearance with modest front setbacks, often with small front gardens and small gaps between buildings. In Fairfield and Alphington, there is a more spacious, garden character, with generous front and side setbacks and large back yards.

Apartment living is becoming more common in Yarra, to a range of households - singles, couples, families and share households. It will become the predominant form of housing over the next 15 years.

The large public housing estates provide a contrasting built form character of apartment buildings set in landscaped grounds.

**Housing**

Managing the impact of housing growth on the city's character and urban form is a key challenge for Yarra as parts of the municipality have experienced rapid rates of development.

New housing predominantly in the form of apartments is concentrated in parts of East Richmond, Richmond, Collingwood, Abbotsford, North Clifton Hill and Fitzroy / North Fitzroy. This has occurred largely through redevelopment in activity centres and former industrial areas. Three major former industrial precincts will also transition to residential and mixed use neighbourhoods – the Alphington Paper Mill, the former Gasworks site in North Fitzroy and south-west Cremorne (south of Gough Street).

**Attachment 2 - YPS Rewrite - 2019 October**

YARRA PLANNING SCHEME

New development is bringing change to the scale and density of those areas. Yet despite this, residential areas in Yarra largely continue to consist of separate, semi-detached row and terrace housing.

There has been a rapid increase in house prices and land values in recent years, consistent with other parts of inner Melbourne. As a result, many households cannot afford to rent or purchase a home in the municipality. The past decade has also seen a dramatic increase in the number of private dwellings, while the amount of social housing has remained relatively static. Consequently, the proportion of households living in public and community housing (social housing) in Yarra has declined from 15.5% in 1991 to 12% in 2017.

Facilitating accessible, adaptable, affordable housing options to cater for Yarra’s diverse community, now and into the future, is a focus for Yarra.

**Economic development**

Yarra has a strong and mixed economy, and is well positioned to attract and retain businesses and workers. Contributing to this is Yarra’s industrial heritage building stock, transport connectivity, inner-city lifestyle, access to open space and the Yarra River. The high level of transport connectivity allows businesses to access the large metropolitan workforce. Building on these elements will support Yarra’s competitive advantage and will help to maintain its vibrant economy.

The municipality has undergone substantial change in recent decades, transitioning from a location for manufacturing to a more diverse economy. The legacy of industrial uses means that areas of Yarra may be potentially contaminated, which requires consideration when redeveloping for dwellings and other sensitive uses.

Yarra’s **employment areas** are:

- **Activity centres:** largely on its retail strips which host a range of retail, commercial, entertainment and residential uses. Activity centres are shown on the Strategic Framework Plan in clause 02.04-1 and plans in clause 11.03-1L;
- **Major employment precincts:** Cremorne Precinct and Gipps Street Precinct, Collingwood. These precincts are shown on the Strategic Framework Plan in clause 02.04-1. These areas include a diverse mix of offices, creative industries and specialised manufacturing businesses. Their proximity to the central business district, other parts of inner Melbourne and good access to Melbourne’s transport network makes them attractive for businesses seeking a location close to a large number of workers, customers, clients and other firms.
  - Cremorne is an enterprise precinct, emerging as Melbourne’s premier destination for creative design, particularly in the tech and digital space. It is home to global companies which sit side by side with small to medium sized firms, start-ups and co-working spaces.
  - The Gipps Street Precinct is an emerging precinct attracting creative services such as architecture and design, software and interface design and visual arts.
- **Employment land:** Commercial and industrial land outside of activity centres and major employment precincts, such as CUB, Abbotsford and Botanicca Corporate Park, Richmond (as shown on the Strategic Framework Plan in clause 02.04-1). These areas support employment uses on individual sites or within broader precincts, where employment uses have been maintained through commercial or industrial zoning.
- **Health and education precincts:** Health services based around major hospitals and their allied medical services are now a major source of employment. The education sector is also growing. These two precincts are shown on the Strategic Framework Plan in clause 02.04-1 and plans in clause 11.03-1L , being:
  - St. Vincent’s public and private hospitals and Australian Catholic University, Fitzroy (health and education).

**Attachment 2 - YPS Rewrite - 2019 October**

YARRA PLANNING SCHEME

- Epworth Hospital, Richmond (health).

**Transport**

Yarra benefits from an extensive transport system that includes public transport (train, tram and bus services); a network of arterial roads and local streets; and a compact urban form and mix of land uses that facilitates walking and cycling. Within the city, local shops and amenities, activity centres and employment areas are accessible by sustainable travel modes. There are also good connections to Melbourne’s Central Business District and other parts of the metropolitan area.

Cycling volumes on Yarra’s streets and off-road paths have continued to steadily rise over the last ten years and this trend is forecast to continue.

The availability of car parking is important for residents and businesses in Yarra; however unrestricted car use and parking creates pressure in Yarra’s streets.

## Attachment 2 - YPS Rewrite - 2019 October

### YARRA PLANNING SCHEME

#### 02.02 Vision

The vision in the Yarra City Council Plan and Community Health and Wellbeing Plan 2017-2021 is for the municipality to be:

*“A vibrant, liveable and sustainable inner-city that the community can be proud of”.*

The Yarra Planning Scheme forms the spatial response to the council’s vision.

The spatial vision for the municipality is:

*Yarra will be one of Melbourne’s most attractive inner-city municipalities, with a strong sense of history, a diverse population and a dynamic economy. The city’s prominent retail strips will attract visitors from across Melbourne and beyond, who are drawn to a vibrant range of shops, artistic and cultural offers and a popular night-time economy. The local economy will include important health and education precincts, businesses seeking to locate in popular activity centres and employment precincts, and a growing number of creative industries and niche manufacturers. Yarra’s historic neighbourhoods and heritage assets will be conserved, with development revitalising areas with capacity for change. New housing will provide homes in a range of sizes to meet the needs of the population, and be supported by the necessary community facilities and infrastructure. High quality urban design will respect the city’s heritage and built form character, provide new public and open spaces, and improved connections for walking and cycling. Landscape and natural assets will be well managed, with enhanced connections to the Yarra River and its surrounding parks and recreation areas. Through environmentally sustainable development the municipality will reduce its carbon footprint and become resilient to climate change. Yarra will be a city proud of its history and prepared for the future.*



**Attachment 2 - YPS Rewrite - 2019 October**

YARRA PLANNING SCHEME

**02.03 Strategic directions**

**Activity centres**

Yarra has a well-established network of activity centres, each with their own role and character, including:

- Major activity centres of Swan Street, Bridge Road, Victoria Street, Brunswick Street and Smith Street which are identified in Plan Melbourne 2017-2050 and provide a wide range of goods and services, some serving larger sub-regional catchments.
- Neighbourhood activity centres of Queens Parade, Gertrude Street, Heidelberg Road Alphington, Johnston Street, Nicholson Street, North Fitzroy / Clifton Hill, St Georges Road, North Fitzroy and Rathdowne Street, Carlton North, which provide access to local goods, services and employment opportunities to serve the needs of the surrounding community.
- Local activity centres such as Spensely Street, Clifton Hill, and Berry Street/Ramsden Street, Clifton Hill which provide a more limited range of goods, services and employment opportunities and largely serve the adjoining local community.

Activity centres are a focus of growth in Yarra with the addition of mid-rise commercial development and apartments. They will continue to accommodate most of the city’s growth because of their proximity to transport infrastructure, shops and services making them the most suitable locations for development.

***Support and strengthen the vibrancy and local identity of Yarra’s network of activity centres.***

- Plan and manage employment and residential opportunities to ensure they strengthen activity centres as primary locations for economic activity, housing, leisure and recreation, tourism, the arts and culture.
- Support a strong and diverse network of activity centres across Yarra by promoting development that:
  - Is of a scale appropriate to the role and capacity of the centre.
  - Supports each centre’s unique character
  - Provides a mix of uses.
- Encourage land use and development opportunities that create diverse and sustainable centres by:
  - Encouraging development that enhances a centre’s sense of place, identity and street activity.
  - Encouraging new development to improve the public realm.
  - Providing for residential development within activity centres at a scale appropriate to the role and capacity of the centre.
  - Fostering activity centres as social and community focal points and vibrant night-time and weekend destinations.
- Reinforce Yarra’s activity centres as compact, pedestrian-oriented, mixed-use communities, that provide walkable access to daily and weekly shopping and service needs, and are well-served by different modes of transport.

**Natural environment**

Maintaining and enhancing habitat connectivity for both flora and fauna is key to improving and safeguarding biodiversity within Yarra and its environs. The majority of flora and fauna occur along the water corridors with other large reserves such as the Edinburgh Gardens and large canopy trees likely to play a key role in the movement of fauna and providing food and shelter resources.

***Protect and enhance Yarra’s natural environment***

- Protect the significant natural environment, landscape values and cultural heritage of the

**Attachment 2 - YPS Rewrite - 2019 October**

YARRA PLANNING SCHEME

Yarra River and the Darebin and Merri Creek corridors.

- Improve and manage public access to Yarra’s water corridors.
- Improve pedestrian and cycle links across the Yarra River and Darebin and Merri Creeks to neighbouring municipalities.
- Keep the Yarra River and creeks healthy by reducing impacts on water quality.
- Protect and enhance Yarra’s biodiversity within and beyond waterway corridors by creating, improving and connecting new and existing green spaces.

**Climate change**

Yarra will continue to help mitigate greenhouse gas emissions and increase climate resilience of the city by planning for sustainable development. A highly sustainable urban fabric, both in the public and private realm, will help preserve Yarra’s vibrant and liveable places

***Lead on sustainability and seek to manage the long-term effects of climate change.***

- Integrate climate adaptation principles, environmental and sustainability policies and strategies.
- Create a built environment that mitigates and adapts to climate change by:
  - Directing growth to activity centres, major employment precincts, employment land and around public transport;
  - Promoting land use and development that support a shift to sustainable modes of transport - walking, cycling and public transport; and
  - Supporting environmentally sustainable development.
- Create a healthy and growing urban forest that includes all trees and plants in Yarra, by greening open spaces, streetscapes and buildings.
- Reduce the urban heat island effect by increasing the street tree canopy by 25% (from 2014 levels) by 2040.
- Embed sustainable environmental practices in Yarra’s buildings, infrastructure, places and spaces, including a framework for early consideration of environmental sustainability at the building design stage in order to achieve the following efficiencies and benefits:
  - Easier compliance with building requirements through passive design;
  - Reduction of costs over the life of the building;
  - Improved affordability over the longer term through reduced running costs;
  - Improved amenity and liveability;
  - More environmentally sustainable urban form; and
  - Integrated water management.
- Reduce and mitigate the impacts of climate change and flooding events.
- Facilitate development that protects and conserves water.

**Built environment and heritage**

A key challenge in planning for growth is the need to accommodate new development in a built form that is sensitive to the context of the area which includes heritage significance, character and scale of the surrounding area. This needs to be balanced with opportunities to allow for new built form character in major regeneration areas such as - Alphington Paper Mill, the former Gasworks site in North Fitzroy and south-west Cremorne (south of Gough Street).

Protecting heritage buildings and streetscapes while still allowing appropriate development is a key driver in Yarra.

Major employment precincts, employment land, neighbourhoods, streetscapes and activity centres in Yarra all have distinct identities formed by:

- A diverse mix of buildings reflecting different forms and eras of development;

**Attachment 2 - YPS Rewrite - 2019 October**

YARRA PLANNING SCHEME

- Open spaces which are integral to the urban structure;
- Fine grain subdivision patterns; and
- A network of laneways and small streets.

If not carefully managed, future development could erode Yarra’s valued character.

***Manage development and growth in Yarra to maintain and enhance the unique character and heritage of the city.***

- Respect Yarra’s distinctive features and landmarks, including:
  - The low-rise character of residential neighbourhoods;
  - Historic retail strips;
  - Identified buildings and places of heritage significance - Aboriginal and European;
  - Significant landmarks and tall structures, including church spires, clock towers, industrial structures and heritage signs;
  - Industrial and former industrial buildings;
  - The Yarra River, Darebin and Merri Creeks and adjacent open spaces;
  - Parks and gardens;
  - Municipal buildings in Collingwood, Fitzroy and Richmond; and
  - The historic grid of boulevards, streets and laneways.
- Protect, conserve and enhance the municipality’s highly valued heritage places to retain and promote Yarra’s distinctive character and sense of history.
- Retain and adapt Yarra’s historic industrial buildings as a means of connecting with the past.
- Reinforce Yarra’s low-scale neighbourhoods by directing mid-rise buildings to appropriate locations, within major and neighbourhood activity centres, employment areas (as defined in clause 02.01), major regeneration areas (as shown on the Framework Plan in clause 02.04-1), and along boulevards (Hoddle St, Alexandra Parade, Victoria Parade and the south end of Queens Parade).
- Ensure mid-rise buildings are in accordance with any building height requirements set out in the relevant zone or overlay, or, where there are no building height requirements specified, having regard to the physical and strategic context of the site.
- Manage the scale, intensity and form of development in activity centres to protect highly intact heritage streetscapes and buildings.
- Design development and locate land uses to create people-oriented places with high standards of amenity, both on-site, for adjoining properties and in the public realm.
- Protect and enhance the built form, character and function of streets and laneways as a feature of Yarra’s urban structure and character.
- Improve the built form character and streetscapes of Yarra’s boulevards - Alexandra Parade, Hoddle Street, Victoria Parade and the south end of Queens Parade.

**Housing**

Yarra will continue to manage the scale, intensity and form of residential growth. This will continue to differ across the municipality depending on the capacity of sites to accommodate housing growth and the physical and strategic context of each site.

Council supports the provision of additional and improved social housing (including public and affordable housing) to ensure residents in need of this type of accommodation are supported, and can live in easy access to essential services and nearby employment opportunities.

***Plan for future housing growth and for more housing choice to support Yarra’s diverse community.***

- Direct housing growth to appropriate locations: major regeneration areas (Alphington Paper Mill, the former Gasworks site in North Fitzroy and south-west Cremorne, south of Gough

## Attachment 2 - YPS Rewrite - 2019 October

## YARRA PLANNING SCHEME

Street) as shown on the Framework Plan in clause 02.04-1, and areas within activity centres that have good access to public transport, jobs, open space and other services.

- Support Yarra's diverse community by facilitating accessible, adaptable, affordable housing options that:
  - Provide for diverse housing types including shared, sole person, couple and family households.
  - Include housing for people with disabilities, older persons, students and those in need of crisis accommodation.
  - Provide for a range of affordable housing types appropriate to the needs of very low, low and moderate-income households.
  - Include greater housing choice for key workers.
  - Encourages the supply of additional social housing and improvements to existing social housing.

#### **Economic development**

Yarra has capacity for employment growth and is committed to supporting this growth in its employment areas in preference to residential development in these areas. There is an identified need to manage pressure for residential conversion of employment land to protect opportunities for economic growth.

Yarra has a vibrant arts scene and prominent cultural and entertainment venues, including the Collingwood Arts Precinct. The Abbotsford Convent and Collingwood Children's Farm are regional tourist destinations and support cultural and creative industries. A key challenge in Yarra is the retention of affordable creative work spaces.

Yarra's nighttime economy includes restaurants, bars and live music venues spread across a number of precincts. The abundance of these venues provide important social, cultural and economic benefits and make Yarra an attractive place in which to live, work and visit. Tension however, sometimes develops between licensed premises, residential and other commercial land uses, which need to be appropriately managed.

Yarra's diverse economy means that different land uses often overlap or vary within short distances. This mix of residential, commercial, industrial and entertainment in close proximity creates a challenge as well as opportunities to manage environmental and amenity impacts and enhance activity centres and precincts.

#### ***Promote Yarra as an attractive location for economic activities and an important part of Melbourne's inner city economy.***

- Strengthen the role and hierarchy of the activity centres by:
  - Promoting them as the preferred locations for retail, services and entertainment;
  - Supporting a diverse land use mix; and
  - Facilitating adaptable and functional commercial spaces.
- Preserve and grow Yarra's employment areas (as defined in clause 02.01) by supporting the:
  - Growth of health and education related employment and services in health and education precincts (as shown on the Framework Plan in clause 02.04-1);
  - Economic primacy of Yarra's major employment precincts at Cremorne and the Gipps Street precinct in Collingwood; and
  - Employment land - Industrial and commercial areas.
- Support a night-time economy and entertainment precincts which provide a diverse range of activities while managing their amenity impacts on residents.
- Minimise pressures for residential conversion of employment precincts.
- Maintain an adequate supply of employment land to accommodate projected economic and employment growth and meets the diversity of business needs
- Ensure sensitive land uses (such as residential uses) are designed and located to minimise the potential conflict with existing surrounding employment uses (including existing retail,

**Attachment 2 - YPS Rewrite - 2019 October**

YARRA PLANNING SCHEME

commercial, hospitality, night time economy, creative and cultural uses).

- Advance Yarra as a desirable location for creative industries and arts by supporting opportunities to increase the number of creative industries and cultural spaces in the municipality.

**Transport**

While Yarra is well positioned to facilitate the use of sustainable modes of transport, increasing car use and parking demand continues to create pressure and congestion in Yarra’s streets, not just for cars but for other transport modes using the road system. The competition for the limited physical space within streets is an ongoing issue.

Facilitating sustainable journeys on all transport modes will support the productivity, wellbeing and environmental values of the community. Yarra needs to reduce car dependence by promoting walking, cycling and public transport as the preferred forms of transport.

***Facilitate connectivity and travel options that are environmentally sustainable, integrated and well-designed.***

- Integrate land use and development planning with public and active transport infrastructure and services to create compact, walkable, pedestrian-oriented, mixed-use communities centered around train stations and other key public transport nodes.
- Provide convenient access to public and active transport for all ages and abilities by:
  - Promoting compact and more diverse land use and development in major regeneration areas, major and neighbourhood activity centres (as shown on the Framework Plan in clause 02.04-1) well served by public transport, and
  - Creating a built environment with public spaces that promote social interaction and are connected to the transport network.
- Enhance Yarra as a safe place to walk and cycle, to increase the number of people walking and cycling.
- Encourage developments to prioritise sustainable transport modes.
- Encourage lower amounts of car parking and increased infrastructure for active transport in developments (such as high levels of bicycle parking and end of trip facilities) to encourage reduced use of private motor vehicles.

**Infrastructure**

Infrastructure is required to cater for Yarra’s growing population and the consequential increased demand on infrastructure.

***Respond to Yarra’s changing social and physical infrastructure needs.***

- Provide, renew or adapt social and physical infrastructure to meet the needs of the growing population and employment base.

**Open space**

Open spaces within Yarra make a significant contribution to the distinctive character and amenity of neighbourhoods. They provide passive and active recreation, contribute to the city’s tree canopy, and possess cultural values in places of European and indigenous heritage.

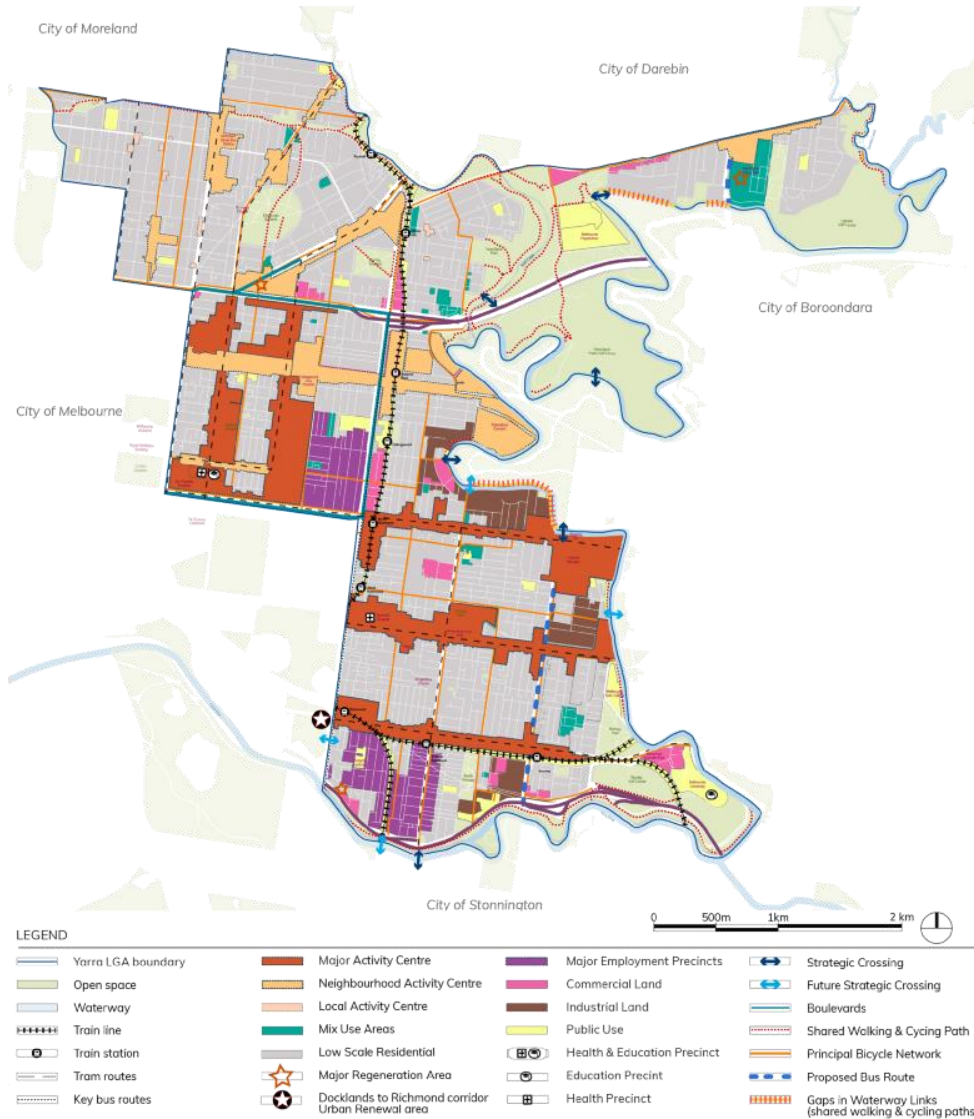
***Provide attractive and accessible open spaces for people to enjoy.***

- Aim to provide the community with access to high quality open space within walking distance of their home or work.
- Seek opportunities to improve and extend Yarra’s open space network, particularly in areas currently under-provisioned and with projected population increases.

Attachment 2 - YPS Rewrite - 2019 October

YARRA PLANNING SCHEME

02.04 Strategic Framework Plan



**Attachment 2 - YPS Rewrite - 2019 October**

**11.03-1L Activity Centres**

**Objective**

To manage a sustainable network of activity centres that facilitate appropriate economic and housing growth and provide attractive places for social and community interaction.

**Strategies**

Encourage uses and development in activity centres that support the employment areas and health and education precincts shown on the Strategic Framework Plan in clause 02.04-1 by providing retail, service and hospitality offers to their workforces.

Support development within activity centres that is consistent with the capacity for each centre as identified in the Strategic Housing Framework Plan at clause 02.04-3.

Support high quality mid-rise buildings in major and neighbourhood activity centres as identified in the relevant Design and Development Overlay.

Support development that improves the built form character of activity centres, whilst conserving heritage buildings, streetscapes and views to identified landmarks.

Support use and development, that make a positive contribution to the night-time economies of activity centres, whilst limiting adverse amenity impacts within the centres and surrounding residential neighbourhoods.

Support development that transitions to and is sensitive to the interfaces with low-rise residential neighbourhoods.

Encourage the sensitive, adaptive re-use and restoration of heritage buildings in activity centres

Promote use and development that support street level activation and passive surveillance of the public realm.

Support development that improves the public realm and positively contributes to the streetscape environment within activity centres.

**MAJOR ACTIVITY CENTRES**

***Brunswick Street, Fitzroy***

Promote the metropolitan and local retail and commercial role of the activity centre.

Support development that responds to the character distinctions between the commercial land with frontage to Brunswick Street and the Mixed Use zone behind.

Retain the visual prominence of the consistent Victorian and Edwardian heritage streetscape, including municipal and local landmarks and street corner sites, with the exception the Atherton Garden’s precinct.

Promote development that retains the consistent low scale built form and fine grain pattern of the highly intact heritage streetscape and heritage buildings in the precinct between Johnston Street and Leicester Street.

Promote development that supports a low to mid rise character south of Johnston Street to Gertrude Street.

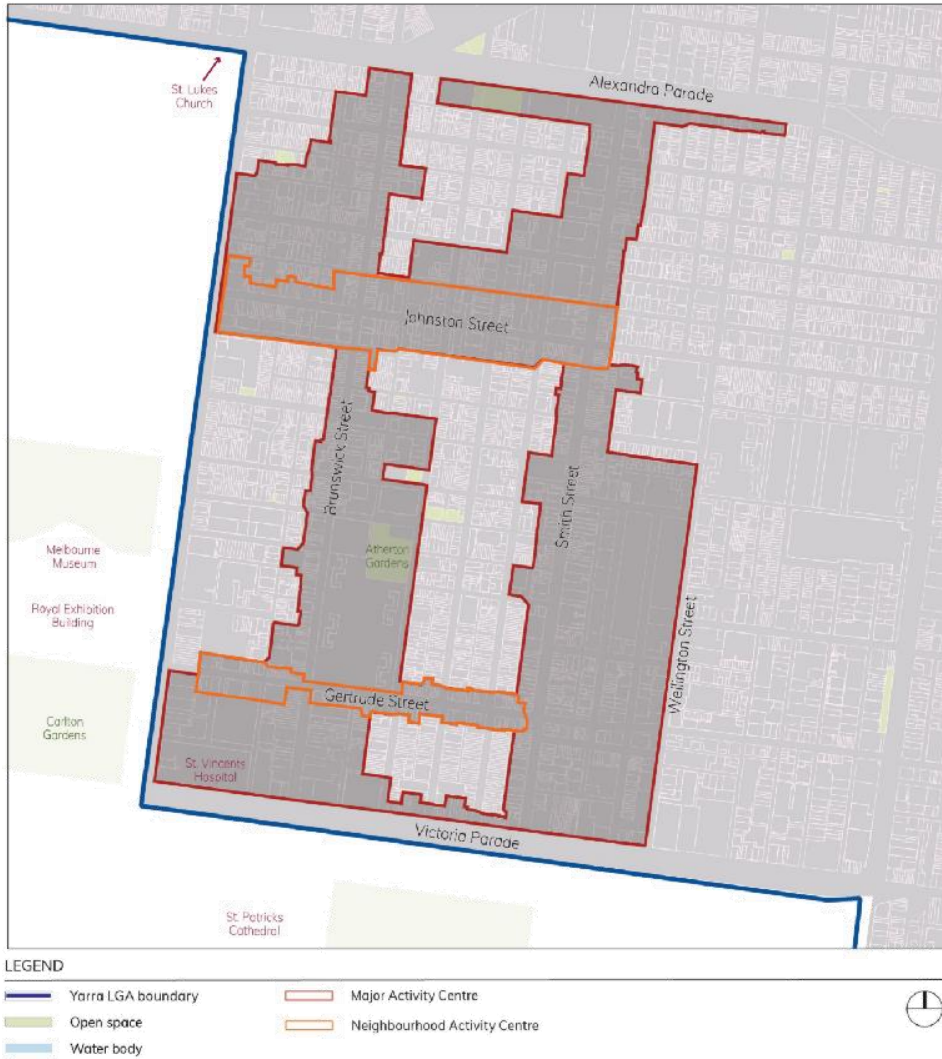
Support taller built form above a consistent street wall north of Leicester Street.

Ensure development retains the dominance and integrity of the ‘grand’ residential buildings south of Gertrude Street.

Attachment 2 - YPS Rewrite - 2019 October

Protect primary views to St Patrick's Cathedral and St Luke's Church.

Major and Neighbourhood Activity Centres in Fitzroy Plan





## Attachment 2 - YPS Rewrite - 2019 October

### ***Smith Street, Collingwood / Fitzroy***

Promote the metropolitan and local retail and business roles of the activity centre.

Encourage development that responds to the different built form conditions in Collingwood South precinct, with taller built form towards Wellington St and south of Peel Street and retain the visual dominance and integrity of the existing industrial warehouse buildings north of Peel Street.

Encourage taller built form at the northern end (generally north of Hotham and Kerr Streets) and the southern end (generally south of Mason Street) of Smith Street.

Encourage low to mid rise development in the traditional retail core that responds to the varied existing heritage conditions and reinforces the visual prominence of the heritage streetscape, generally between Hotham and Kerr Streets in the north and Mason Street in the south.

Retain the visual prominence of the Victorian and Edwardian heritage streetscape, including local landmarks, street corner sites and former department stores, particularly in the traditional retail core.

Encourage employment through mixed use and commercial development, including in the mixed use zoned land behind Smith Street.

Manage licensed premises and support the precinct's prominent night-time economy including the core entertainment precinct of bars and night-clubs between Alexandra Parade and Gertrude Street.

Retain the visual prominence of the industrial heritage buildings.

### ***Bridge Road, Richmond***

Promote the metropolitan and local retail and commercial roles of the activity centre, including larger format retail at its eastern end.

Support Epworth Hospital by supporting associated health and allied services to locate near the hospital

Promote high quality public realm around Richmond Town Hall, to support its civic function.

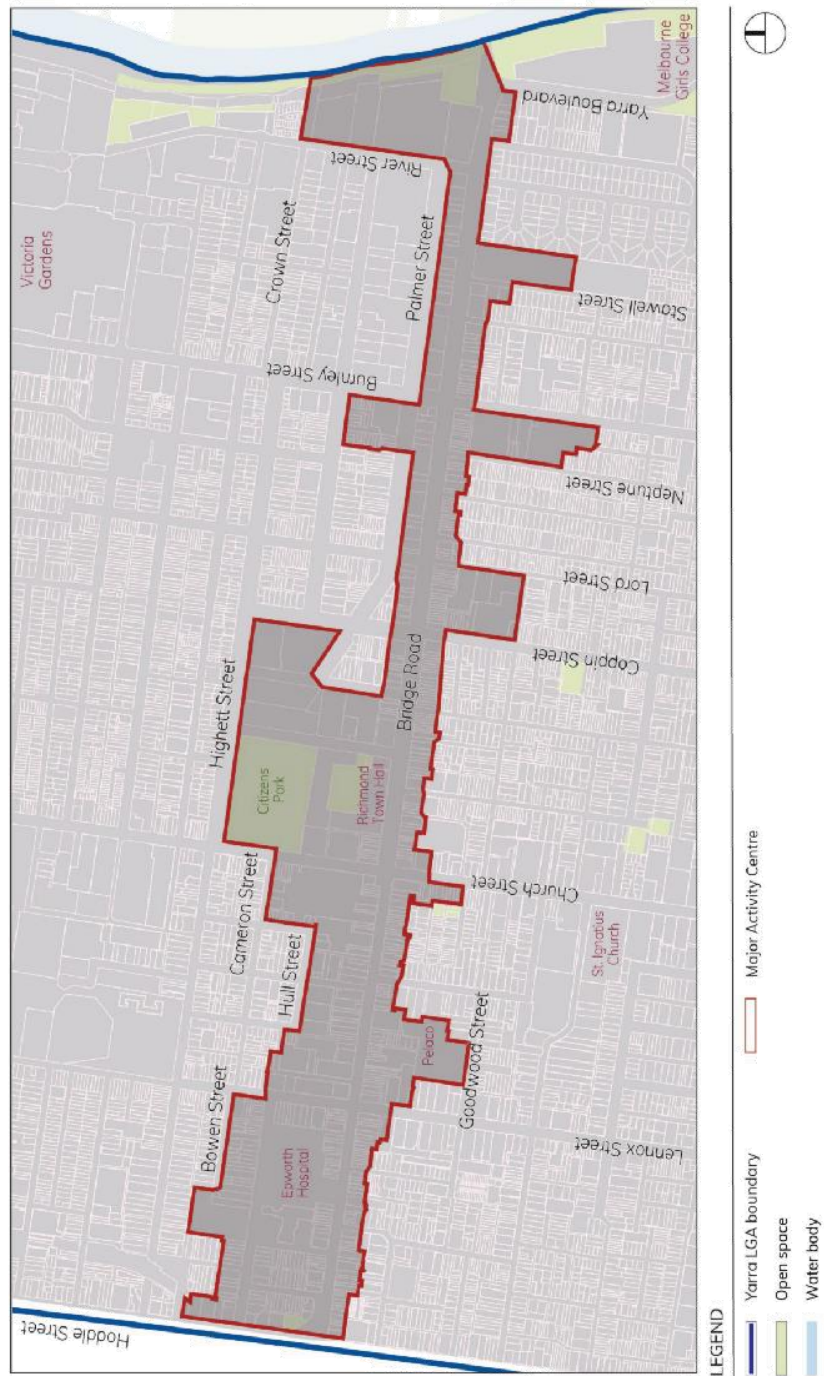
Support the night-time economy, including the core entertainment precinct west of Burnley Street, while managing the amenity impacts associated with licensed premises.

Protect primary views defined in the clause 15.01-2L to the spire of St Ignatius Cathedral, clock tower of Richmond town hall, and the Pelaco sign.

Retain the visual prominence of the heritage streetscape west of Church Street and the south side of Bridge Road east of Church Street.

Attachment 2 - YPS Rewrite - 2019 October

Bridge Road Major Activity Centre Plan



## Attachment 2 - YPS Rewrite - 2019 October

### ***Swan Street, Richmond***

Promote the distinct character and varying development opportunities defined by the four precincts along Swan Street – Richmond Station, Swan Street Retail Centre, Swan Street East and Bumley Station.

Support the land uses along Swan Street, west of Church Street, as a core entertainment precinct that contains a range of licensed premises that make a significant contribution to the night-time economy.

Support development that responds to and respects the architectural form and qualities of heritage buildings and the significant heritage streetscape.

Ensure development enhances pedestrian links to the Richmond Railway Station in precinct 1 and to Bumley Station in precinct 4 shown in Swan Street Activity Centre Plan to this clause.

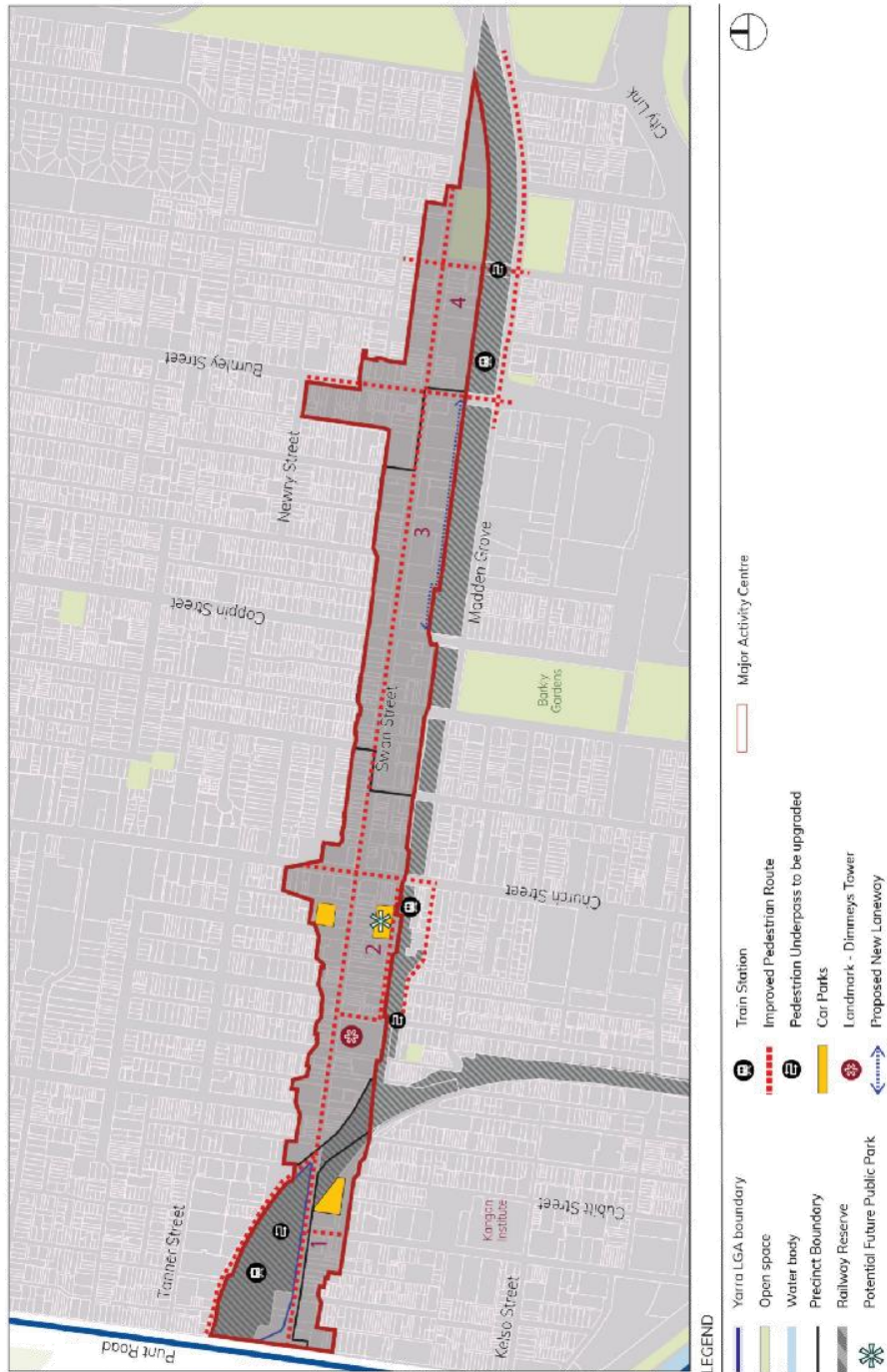
Reinforce precinct 3 (shown in Swan Street Activity Centre Plan to this clause) as mixed-use comprising retail, commercial and residential uses.

Support high quality development that fosters the transformation of precinct 4 (shown in Swan Street Activity Centre Plan to this clause) into a vibrant mixed-use precinct anchored by Bumley Station.

To ensure that vehicular access to development does not adversely impact the level of service, efficiency, and safety of the arterial and tram network.

Attachment 2 - YPS Rewrite - 2019 October

Swan Street Activity Centre Plan



## Attachment 2 - YPS Rewrite - 2019 October

### ***Victoria Street, Abbotsford / Richmond***

Promote the metropolitan and local retail and commercial roles of the activity centre.

Capitalise on future opportunities such as provision of open space and links to the Yarra River, provided by commercial and industrial areas in Abbotsford, including the Carlton and United Brewery site.

Manage licensed premises and the precinct's prominent night-time economy including the core entertainment precinct west of Burnley Street.

Retain the visual prominence of the heritage buildings, on the north side of the street west of the railway line

Retain the visual prominence of the Victoria Street Gateway at the intersection with Hoddle Street.

Support taller built form adjacent to the North Richmond Station to promote accessibility to public transport.

Reinforce the concentration of height, density and mixed uses east of Burnley Street, to provide a visual mark to the east end of Victoria Street.

Encourage development west of Church Street to have low scale street walls.

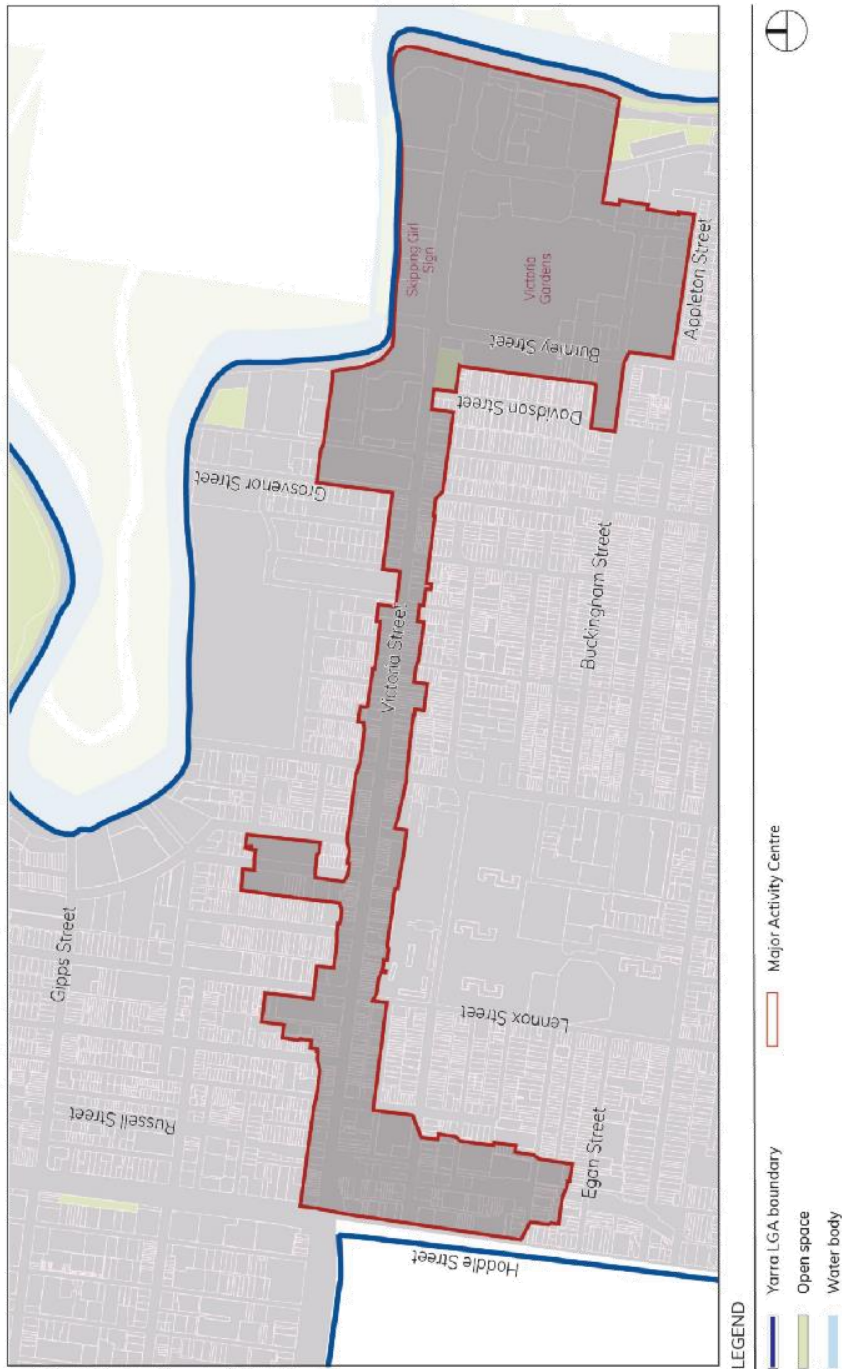
Allow for mid-rise development elsewhere in the activity centre that responds to the mix of heritage forms.

Protect primary views, defined in the clause 15.01-2L, to the Skipping Girl sign.

Limit the installation of security shutters or other measures that reduce views into businesses on main retail strips to ensure that they are visually transparent.

Attachment 2 - YPS Rewrite - 2019 October

Victoria Street Activity Centre Plan



## Attachment 2 - YPS Rewrite - 2019 October

### 11.03-1L NEIGHBOURHOOD ACTIVITY CENTRES

Reinforce the role of the neighbourhood activity centres as the local community's destination for services, facilities and social interaction.

#### ***Gertrude Street, Fitzroy***

Promote the retail role of the activity centre defined in the Major and Neighbourhood Activity Centres in Fitzroy Plan.

Manage licensed premises and interface and amenity impacts with adjacent residential areas.

Retain the low scale form and the fine grain pattern of the highly intact heritage streetscape and the heritage buildings in the activity centre.

Retain the visual prominence of the existing Victorian and Edwardian heritage streetscape, including local landmarks, and corner sites.

Protect views to the drum dome lantern and flagpole of the Royal Exhibition Building and Carlton Gardens.

#### ***Heidelberg Road, Alphington***

Promote the retail and community roles of the activity centre.

Support the expansion of the activity centre by directing taller development to its western end within the Alphington Paper Mill major regeneration area.

Support more moderate built form on land outside of the Alphington Paper Mill major regeneration area.

Enhance the quality of the public realm at the intersection of Heidelberg Road and the Chandler Highway.

Minimise direct vehicle access onto Heidelberg Road.

Support development along Heidelberg Road, east of Parkview Avenue that achieves fine grain building frontages and contributes to a positive pedestrian street environment, through appropriate street wall height, upper level setbacks and landscaping

Attachment 2 - YPS Rewrite - 2019 October

Heidelberg Road Neighbourhood Activity Centre Plan



LEGEND

- Yarra LGA boundary
- Open space
- Waterway
- Neighbourhood Activity Centre





## Attachment 2 - YPS Rewrite - 2019 October

### ***Johnston Street, Abbotsford / Collingwood (East of Smith Street)***

Promote the retail and community roles of the activity centre.

In Precincts 1 and 2 foster mid-rise residential and commercial development consistent with the relevant overlay.

In Precinct 3, as shown in the Johnston St Activity Centre Plan to this clause, encourage development:

- To contribute to a fine grained, mixed use precinct with mid-rise development.
- To have an active frontage to Hoddle Street.
- To include a setback of the upper levels.
- To enhance the prominent corner at the intersection of Eastern Freeway and Hoddle Street

In Precinct 4, as shown in the Johnston St Activity Centre Plan to this clause, encourage development to:

- Contribute to a fine grained, mixed use precinct with mid-rise development.
- Have an active frontage to Hoddle Street.
- Include a setback of the upper levels.
- Provide a transition in scale from Hoddle Street to the adjacent low rise residential area.

In Precinct 5, as shown in the Johnston St Activity Centre Plan to this clause, encourage development to:

- Include a setback of the upper levels.
- Provide for a consistent streetscape, through building setbacks and street wall height.
- Provide a transition in scale to adjacent low rise residential area
- Maintain the warehouse character of this precinct.

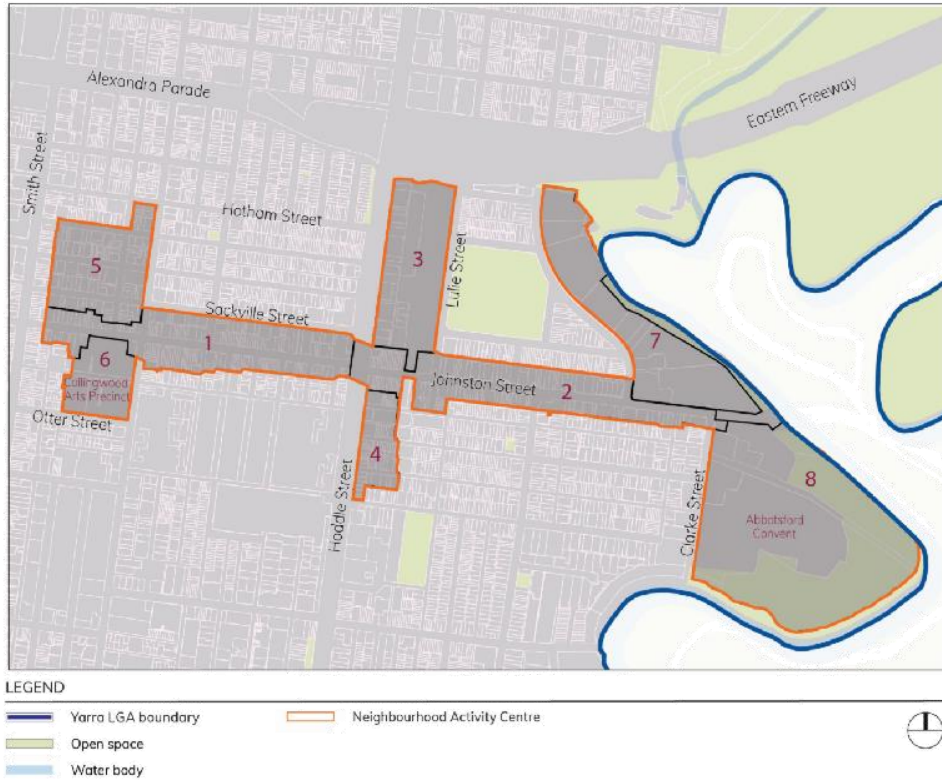
In Precinct 5 shown in the Johnston Street Activity Centre Plan to this clause encourage office, residential and commercial uses that foster the knowledge and creative sectors, including creative spaces and artist studios.

In Precinct 6 shown in the Johnston Street Activity Centre Plan to this clause support education, arts and community based activities to foster a community hub and arts Precinct.

In Precinct 7 shown in the Johnston Street Activity Centres Plan to this clause encourage spacing between buildings to allow for views from Trenerry Crescent to the river. In Precinct 8 shown in the Johnston Street Activity Centres Plan to this clause encourage new development to sensitively located and subservient to the existing built form.

Attachment 2 - YPS Rewrite - 2019 October

**Johnston Street Activity Centre Plan**



**Johnston Street (west of Smith St)**

Promote the retail and service role of the activity centre defined in the Major and Neighbourhood Activity Centres in Fitzroy Plan.

Manage licensed premises and support the precinct’s night-time economy including the many bars, cafes and restaurants.

West of Brunswick Street, retain the visual prominence of the Victorian and Edwardian heritage streetscape and street corner sites, through appropriate upper level setbacks and mid-rise scale.

Between Smith and Brunswick Street, support mid-rise development on the north side of Johnston Street, where there is less heritage constraints.

Between Smith and Brunswick Street, encourage lower rise development on the south side of Johnston Street that responds to the heritage forms and sensitive residential interface.

**Nicholson Street, North Fitzroy**

**Attachment 2 - YPS Rewrite - 2019 October**

Protect the heritage shopfronts and verandahs.

Retain the visual prominence of the heritage streetscape and buildings

Encourage the redevelopment of land at 9 - 49 Scotchmer Street in a manner that contributes to an attractive public realm and responds to surrounding heritage area.

**Rathdowne Street, Carlton North**

Support a mix of uses along Rathdowne Street, in particular uses which provide the day to day needs of the local community.

Support low-rise development where it respects the heritage character of the activity centre.

Protect the historic significance of the precinct, which includes heritage shopfronts and verandahs.

**St Georges Road, North Fitzroy**

Support a mix of uses along St Georges Road, in particular uses which provide the day to day needs of the local community.

Support development that contributes to attractive pedestrian links to community facilities and Edinburgh Gardens.

**Nicholson Street, Rathdowne Street and St. Georges Road Neighbourhood Activity Centre Plans**



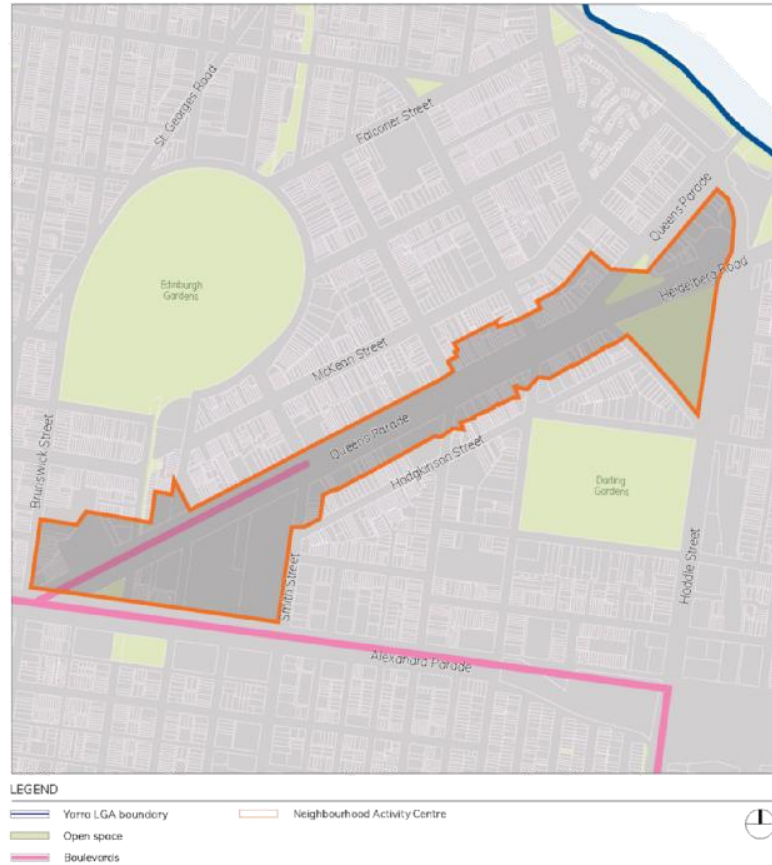
**Queens Parade, Clifton Hill and Fitzroy North**

**Attachment 2 - YPS Rewrite - 2019 October**

Support development that recognises the importance of Queens Parade as a focus for the local community, offering a diverse mix of shopping, business and community services, leisure and residential opportunities.

Support development that recognises Queens Parade as a wide, tree-lined and heritage-rich boulevard with five distinct precincts as shown on the Queens Parade Framework Plan in the relevant Design and Development Overlay.

**Queens Parade Activity Centre Plan**



**11.03-1L LOCAL ACTIVITY CENTRES (LACS)**

Maintain the local convenience retail role of the municipality’s local activity centres as shown on the Local Activity Centre Plans:

- Berry Street/Ramsden Street, Clifton Hill.
- Lygon Street, Carlton North / Princes Hill.
- Nicholson Street south, Carlton North.
- Rathdowne Street north, Carlton North (near Richardson St).
- Spensely Street, Clifton Hill.

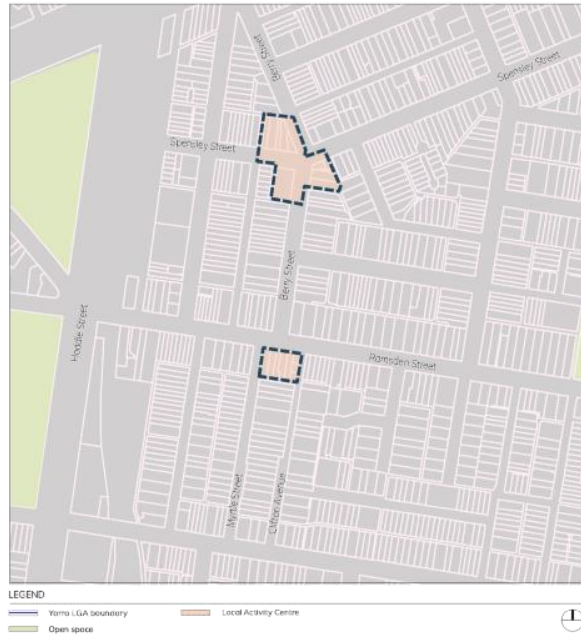
Ensure any development respects the character of the centre.

**Attachment 2 - YPS Rewrite - 2019 October**

Attachment 2 - YPS Rewrite - 2019 October

Local Activity Centres

Berry Street/Ramsden Street and Spensley Street Activity Centre Plans



Lygon Street, Nicholson Street and Rathdowne Street north Activity Centre Plans



## Attachment 2 - YPS Rewrite - 2019 October

### 11.03-6L Victoria Street East Precinct

This policy applies to all land in the Victoria Street East Precinct as shown on the Victoria Street East Precinct Framework Plan to this clause.

#### Yarra River and open spaces

##### Objectives

To protect and enhance the character of the river corridor.

To capitalise on the northerly aspect of the Precinct's river environs, while protecting and maintaining the environmental qualities and recreational use of the river corridor.

##### Strategies

Design development to integrate with the Yarra River environs natural vegetation character by:

- Planting with predominantly indigenous species.
- Screening views of buildings from the Yarra River Main Trail and areas of public open space.
- Providing fencing, retaining walls and terracing that complement the natural landscape setting through design, materials and colours.

Oriente habitable rooms to take advantage of the northerly aspect provided in this area of the river corridor.

Improve natural surveillance, general safety and public accessibility of public spaces within the river environs.

##### Policy guidelines

Consider as relevant:

- Using permeable fences and screen plantings.
- Using muted tones and natural colours and materials such as timber, bluestone or other basaltic rocks while avoiding reflective materials.

Installing external lighting in new development:

- To illuminate pedestrian activity areas only, avoiding light spill into tree canopies and other vegetated areas.
- Of white based lighting.
- Avoiding yellow lighting and the illumination of building facades oriented towards the river.

Finishing building bases with graffiti proof paint.

Locating boat landings parallel to the water's edge, constructed of durable heavy timber or concrete in natural weathered colours.

#### Vehicular access and car parking

##### Objectives

To provide for adequate access to, from and within redevelopment sites that contributes to an integrated pedestrian and cycling network within the Precinct.

To ensure priority is given to tram services in Victoria Street..

##### Strategies

Improve Doonside Street as a major vehicular entry to Victoria Gardens and the area to the south.

Provide a vehicular link between Southhampton and Flockhart Streets to improve local access as an alternative to Victoria Street.

## Attachment 2 - YPS Rewrite - 2019 October

Use existing signalised intersections where possible for vehicle access to new development, with priority given to minimising impacts on the Route 109 tram.

Provide principal vehicular access to the Yarra Gardens precinct and Walmer Street sites via the Walmer Street intersection and Flockhart Street to minimise impacts on Victoria Street

Use existing rear lanes, where they exist, to provide service and vehicular access to sites.

Visually conceal garage access to underground car parks from the river frontage and the Main Yarra Trail.

Avoid driveway crossovers and service entries along Victoria Street if access can be provided through other properties. Where crossovers cannot be avoided, minimise their width.

Discourage open air ground level car parks or car parking in structures exposed to street frontages, by incorporating car parking within development, preferably basement.

Limit run-off from car parking areas to protect water quality in the Yarra River.

### **Land use, activity and development opportunities**

#### **Objectives**

To facilitate the development of the Victoria Street East Precinct with a high density mix of land uses.

To maximise opportunities for new development on former industrial sites and other disused sites, while protecting the amenity of the surrounding area and enhancing the landscape character of the River corridor.

To create new local employment opportunities and protect existing ones, especially in the nearby CUB precinct.

#### **Strategies**

Maximise opportunities for new development on former industrial sites and other disused sites.

Protect the amenity of the surrounding residential area.

Protect existing industrial activities in the Industrial 1 Zone adjacent to the Precinct, while supporting opportunities for a shift from industrial zone to business and residential zone within the Precinct

Encourage a mix of land uses in accordance with the Victoria Street East Precinct Framework Plan, having regard to site constraints.

Discourage uses west of Walmer Street that prejudice the operation of nearby industry and the CUB complex.

Encourage acoustic treatments in new residential development that would suitably protect it from existing uses.

Encourage uses that activate the Victoria Street, Bunley Street and River Corridor frontages at ground level.

### **Urban design and built form**

#### **Objectives**

To encourage high quality urban design and architecture throughout the precinct that contributes to the public realm, including the Yarra River environs and streetscapes.

#### **Strategies**

Ensure the siting, scale, bulk and massing of development responds to the distinctive landscape and ex-industrial character of the precinct.

Support development that protects the character and amenity of neighbouring residential areas.

Maintain access to sunlight and amenity in public spaces and sensitive community facilities and ensure they are protected from overshadowing and other detrimental impacts.



## Attachment 2 - YPS Rewrite - 2019 October

Design buildings on the Victoria Street frontage to:

- Respect the prevailing building height of the streetscape.
- Include articulation so as to present as a number of separate buildings.
- Avoid a continuous podium or building mass.
- Provide separation between buildings to allow views of the River and landscaping, inclusive of canopy trees.

Design buildings with active frontages, articulated building facades, upper level building setbacks and windows to allow for passive surveillance of public realm.

Design development on Burnley Street to provide a transition in scale and massing, including upper level setbacks to minimise impacts on the amenity of adjacent lower-rise housing areas.

Protect the amenity of Williams Reserve, Annettes Place and the Yarraberg Child Care and Community Centre in the design of adjacent development.

Maintain the built form pattern in commercial and industrial interface areas including zero front or side setbacks, except for interfaces with adjoining public spaces or the River corridor.

### **Pedestrian and cycle routes**

#### **Objective**

To facilitate an integrated network of pedestrian and cycling access within the Precinct.

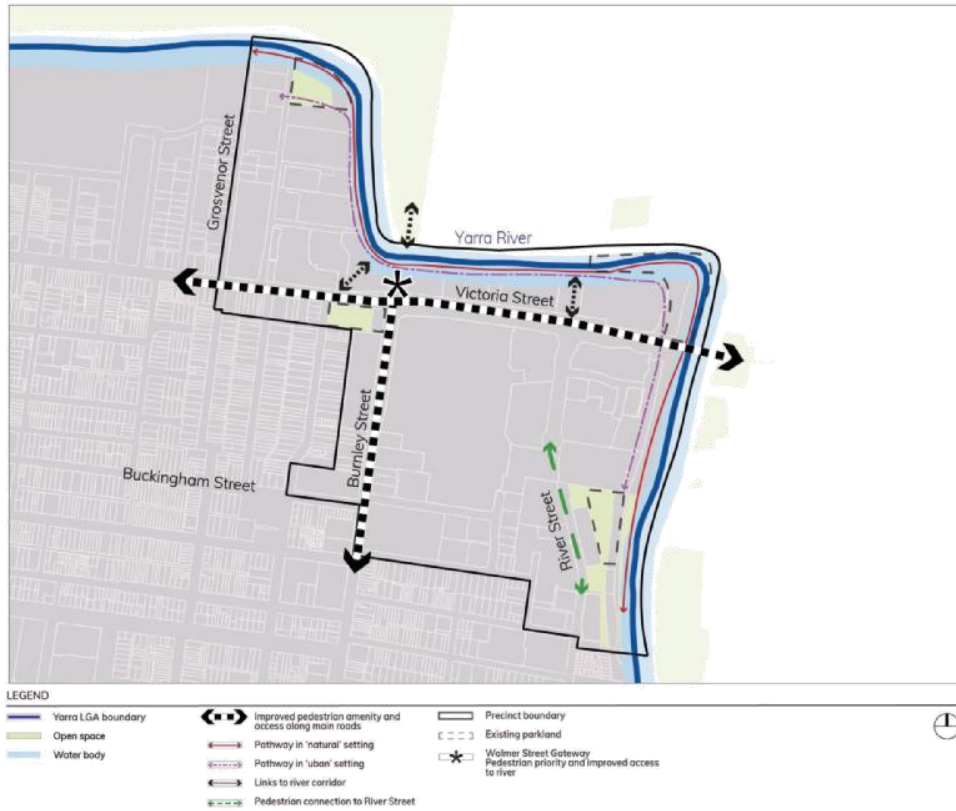
#### **Strategies**

Support the widening of the northern Victoria Street footpath, west of Walmer Street, by setting any new building back from the existing property boundary to a new (recessed) property frontage, creating a colonnade within the existing building envelope or by other design features.

Provide mid-block links through major redevelopment sites, including through the Yarra Gardens precinct to connect the riverside paths west to Flockhart and Grosvenor Streets and south to Davison Street.

Attachment 2 - YPS Rewrite - 2019 October

Victoria Street East Precinct Framework Plan



## Attachment 2 - YPS Rewrite - 2019 October

### 12.01-1L Biodiversity

#### Objective

To protect and enhance natural environments and seek to increase the quality and quantity of the city's biodiversity.

#### Strategies

Encourage the retention of significant trees and landscape features that contribute to biodiversity.

Support development that creates habitats for biodiversity with a balance of native and non-native species, through landscaping, tree planting and the incorporation of green roofs and walls.

Promote the planting of trees and vegetation in open spaces and along roads and railways to provide connections between habitats within Yarra and neighbouring municipalities.

Restore and re-vegetate existing habitats.

## Attachment 2 - YPS Rewrite - 2019 October

### 12.03-1L Yarra River, Darebin and Merri Creek corridors

#### Objective

To recognise the strategic importance of the Yarra River and Darebin and Merri Creek corridors as multi-functional open spaces and protecting and enhancing their environments.

#### Strategies

Ensure development adjacent to the Yarra River, Darebin Creek and Merri Creek waterways:

- Prevent additional overshadowing of the waterway between 11am and 2pm on 22 June.
- Prevent additional overshadowing of adjacent public open space.
- Provide a landscaped buffer between the waterway and the development.
- Provide opportunities for walking and cycling paths.
- Maintain sightlines to the water corridor from the public realm.
- Minimise the visual intrusion of development when viewed from the river corridors and adjacent public open space, bicycle and shared paths and bridge crossings.

Improve opportunities for leisure and recreation adjacent to waterways, including open space and walking and cycling paths.

Facilitate and improve walking and cycling paths in water corridors so that they are continuous and connect to other paths, both within Yarra and in neighbouring municipalities, including through public acquisition.

Support development that creates or enhances public access to the Yarra River.

## Attachment 2 - YPS Rewrite - 2019 October

### 13.01-1L Climate change

#### Objective

To ensure development and the municipality's built environment mitigates and adapts to climate change.

#### Strategies

- Require developments to achieve best practice in environmentally sustainable development.
- Direct growth to the most accessible locations to minimise transport emissions, including through structure planning and development plans.
- Support zero carbon development and the offsetting of emissions from the existing built environment.
- Limit storm water run-off and improve waterway quality by requiring water sensitive urban design and encouraging measures to reduce water use and increase water reuse.
- Support the take-up of opportunities to improve the resource efficiency of existing buildings through refurbishment and retrofitting, including renewable and low carbon energy technologies.
- Encourage the planting of trees and vegetation to increase their canopies and coverage to contribute to an urban forest.
- Support the inclusion of green roofs and walls in developments.

## Attachment 2 - YPS Rewrite - 2019 October

### 13.03-1L Flood management

#### Objective

To reduce flood risk through the appropriate siting of development and use of flood resistance measures.

#### Strategies

- Require development to be sited appropriately and include floor levels consistent with an assessment of 1 in 100 year flood depths and overland water flow paths.
- Require new developments to incorporate any necessary flood resistance measures.
- Require that flood resistance measures are maintained for the lifetime of the building.
- Protect and enhance overland flow paths.

## Attachment 2 - YPS Rewrite - 2019 October

### 13.07-1L Caretaker's house

#### Strategies

Protect business and industry by preventing dwellings unassociated with a business and industry from establishing in industrial and commercial zones where a dwelling is prohibited.

#### Policy guidelines

Consider as relevant:

Whether a caretaker's house is legitimately associated with any commercial or industrial use on the same land by:

- It being ancillary to the commercial or industrial land use.
- It being above ground level and self-contained.
- It comprising less than 10 per cent of the total floor area of the associated commercial or industrial use (excluding car parking and loading bay areas) or 100 square metres, whichever is less.
- There being a need for a caretaker to oversee the commercial or industrial property when it is unoccupied or to supervise its operation.

## Attachment 2 - YPS Rewrite - 2019 October

### 13.07-1L Interfaces and amenity

#### Policy application

This policy applies to applications for:

- Non-residential use and development.
- Accommodation (excluding an extension to an existing dwelling) within:
  - A residential zone within 30 metres of an existing commercial or industrial zone.
  - 50 metres of a live music venue or hotel.
  - 50 metres of a major road identified on the Main Roads and Train Lines Map to this clause.
  - 80 metres of a passenger rail line identified on the Main Roads and Train Lines Map to this clause.
  - 135 metres of a freight train line identified on the Main Roads and Train Lines Map to this clause.
  - A non-residential zone.

#### Objectives

To protect the normal operation of business and industrial activities from new residential use and development.

To provide a reasonable level of amenity to new residential development within or adjacent to land in commercial and industrial zones, while not impeding the growth and operation of surrounding non-residential development and land use in those zones.

To promote land use outcomes that advance the primary purpose of a zone by ensuring amenity considerations facilitate intended land uses permissible in the zone.

#### Strategies

##### Non-residential use and development

##### *Noise*

Locate noise generating uses, including plant and equipment, away from noise-sensitive habitable rooms (in particular, bedrooms) and private open space and where appropriate incorporate acoustic attenuation measures.

Ensure that noise emissions in residential zones (except the mixed use zone) are compatible with a residential environment.

##### *Fumes and air emissions*

Locate fume and air emission generating uses (including plant and equipment) away from residential uses or, where appropriate, provide a reasonable buffer.

Ensure that use and development with potential air quality impacts, including odours and emissions, does not adversely affect the amenity of the surrounding area.

Support use and development that resolves legacy issues of odour and emissions and their impacts on residential amenity.

##### *Storage and waste*

Conceal commercial or industrial storage, waste or other processing activities from residential properties and locate them away from primary street frontages.



## Attachment 2 - YPS Rewrite - 2019 October

Minimise odour and noise disruption to nearby residential properties from commercial or industrial waste (solid, gas and liquid) management practices and storage.

### **Light spill**

Minimise light spill (from both fixed and vehicular lights) beyond the perimeter of the site and onto habitable room windows of nearby residential properties through appropriate design, location and management practices.

### **Overlooking and unsightly views**

Minimise unsightly views of business or industrial activity from adjoining residential properties.

Minimise the potential for unreasonable overlooking of private open space areas and into habitable room windows of adjoining residential properties, through the use of appropriate siting, setbacks, and possibly screens.

### **Hours of operation**

Limit the hours of operation for a use proposed in a residential zone (except the Mixed Use Zone) to 8am to 8pm unless it can be demonstrated that the use will not cause unreasonable detriment to the amenity of adjoining residential uses.

### **Residential development**

#### **Noise**

Require new residential use and development to include design measures to minimise the impact of the normal operation of existing commercial and industrial operations on the amenity of the dwelling, such as:

- Locating noise-sensitive rooms (in particular, bedrooms) and private open space away from existing and potential noise sources, and where appropriate incorporate other measures such as acoustic fencing, landscaping, acoustic glazing to balconies and windows and building setbacks.
- Providing for air ventilation that avoids compromising acoustic amenity when windows are closed.

#### **Fumes/air emissions/light spill and vibration**

Incorporate measures to protect future residents from unreasonable fumes or air emissions, light spillage, vibration and other likely disturbances from nearby business or industrial operations, including through appropriate orientation of windows, habitable rooms, balconies and ventilation systems.

#### **Overlooking**

Minimise the potential for overlooking from existing business or industrial premises into habitable room windows and private open space areas, through the use of appropriate siting, setbacks, articulation, screens and landscaping.

#### **Policy guidelines**

Consider as relevant:

- *Guidelines – managing noise impacts in urban development (October 2019) Yarra City Council*

**Attachment 2 - YPS Rewrite - 2019 October**

***Non-residential use and development***

Consider as relevant:

- The nature of the proposed use, including the following:
  - How the land is to be used and the type of activities which will be carried out.
  - Hours of operation.
  - Patron and/or staff numbers.
  - Potential off-site impacts, including how such impacts will be managed and mitigated.
- The current use of the land and adjoining properties.
- The location and layout of the existing building(s) on the site, including the location of all external windows, doors and car parking areas.
- Any residential use within 30 metres, including details of, habitable room windows, balconies, secluded private open space and car parking areas.
- The location and type of activities to be carried out on the land.
- How potential noise, fumes and air emissions, storage, waste and deliveries, light spillage and other operational matters that may cause negative impacts on nearby residential properties in a residential zone are to be addressed.
- An Acoustic Assessment Report in circumstances where there is potential for noise disturbance to residents.
- A Waste Management Plan that includes details of proposed waste management practices, unless Council is satisfied that the storage and management will not cause detriment to surrounding properties.
- Whether noise from plant and equipment is designed in a way that ensures it will meet the requirements of SEPP N-1.
- Whether music noise meets the requirements of SEPP N-2 where Clause 53.06 does not apply.
- Whether patron noise does not exceed either SEPP N-1 noise limits or the following noise targets (measured at a noise sensitive area):
  - Background plus 10 dB for the day and evening.
  - Background plus 5 dB for the night.
  - LAmax levels not more than 65 dBA outside any operable window.

***Residential development***

Consider as relevant:

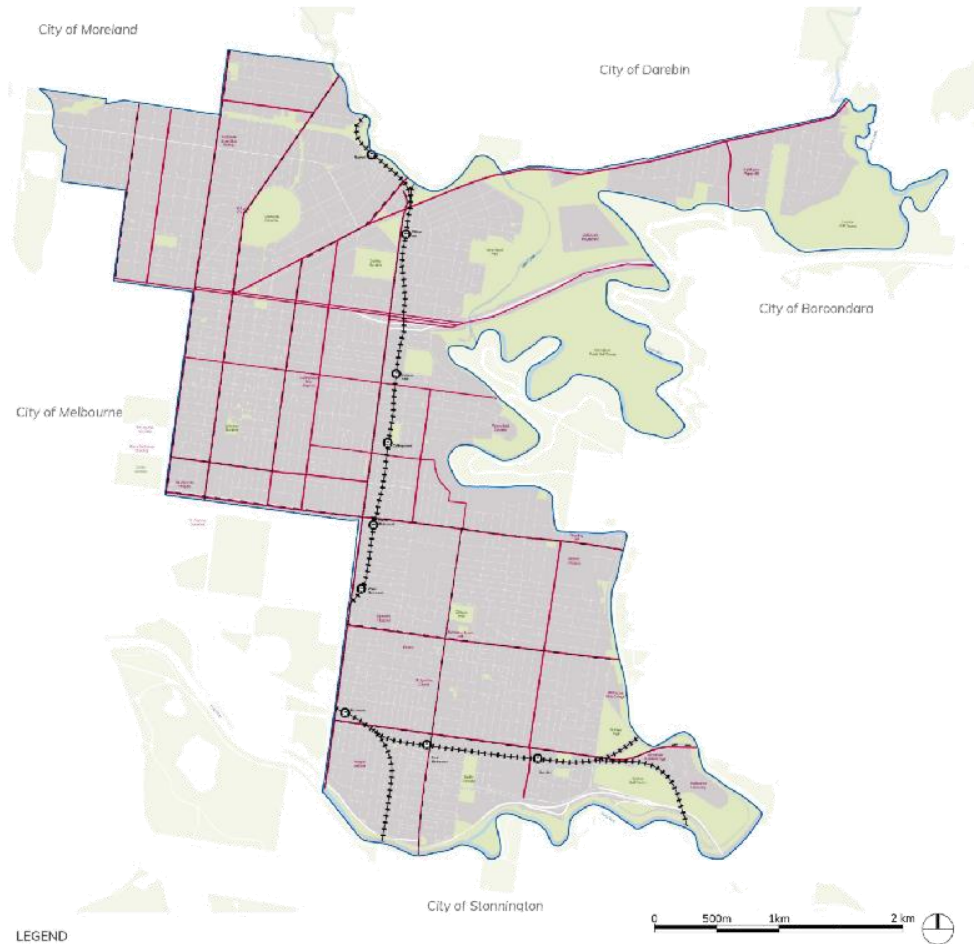
- The location of any noise source within the distances specified in the policy application.
- The days and hours of operation of any applicable noise generating use.
- Acoustic attenuation and other design features proposed to mitigate potential noise, fumes, air emissions, light spill, overlooking, waste management and other operational matters from nearby commercial or industrial uses.
- An Acoustic Report explaining whether residents will have a reasonable level of acoustic amenity in accordance with the distances specified in the policy application. If the Responsible Authority is satisfied there is minimal potential for noise disturbance to future residents, a formal acoustic assessment report may not be required.
- Whether the development is adequately protected from road traffic and rail noise by meeting the following noise levels:
  - Not greater than 35dBA for bedrooms, assessed Leq, 8h from 10pm to 6am.

## Attachment 2 - YPS Rewrite - 2019 October

- Not greater than 40dBA for habitable rooms, Leq, 16h from 6am to 10pm.
- The loudest hour of traffic noise should not exceed:
  - 45dBA Leq 1h in habitable rooms from 7am to 10pm
  - 40dBA Leq, 1h in bedrooms from 10pm to 7am.
- Train and tram Lmax levels should not exceed 60dBA Lmax in living rooms or 55dBA Lmax in bedrooms.
- Whether development impacted by existing plant and equipment complies with SEPPN-1 measured external to the façade.
- For plant and equipment noise sources, the following noise criteria should be met:
  - Internally (with windows closed):
    - The outdoor limits less 15dB.
    - Not more than 30dBA Leq in bedrooms and 35dBA Leq in living rooms.
    - Not more than 45dBA Lmax in bedrooms and 50dBA Lmax in living rooms.
    - Noise levels to be adjusted for character in accordance with SEPP N-1.
- Whether the development is protected from noise from patrons in non-residential uses within 50 metres of the development by achieving the following noise levels:
  - 35 Leq, 15minutes in habitable rooms.
  - 30 Leq, 15 minutes in bedrooms during the night.
  - 45 Lmax within bedrooms at night.
  - 65 Leq, 15 minutes to balconies.

Attachment 2 - YPS Rewrite - 2019 October

**Main Roads and Train Lines Map**



- LEGEND**
- Yarra LGA boundary
  - Open space
  - Waterway
  - Train line
  - Train station
  - Train routes
  - Key bus routes
  - Main Roads

## Attachment 2 - YPS Rewrite - 2019 October

### 13.07-1L Licenced premises

#### Policy application

This policy applies to an application under Clause 52.27 - Licensed premises.

#### Objectives

To protect the amenity of nearby properties and areas by managing the location, size, operation and hours of licensed premises.

To protect residential and other commercial uses from excess noise, traffic and car parking issues created by licensed premises.

To encourage best practice venue design and venue operation for licensed premises.

To protect the amenity of surrounding sensitive uses from an unreasonable cumulative impact of licensed premises.

#### Location and access

##### Strategies

Locate licensed premises where:

- There is opportunity for a high level of public safety and surveillance of patrons as they enter and leave the premises.
- There is convenient access to car parking, public transport, taxi ranks or ride sharing.
- Transport can be accessed through non-residential areas at late hours.

Locate licensed premises with a capacity of more than 200 patrons in the following Core Entertainment Precincts (defined by the Commercial 1 Zone and limited to properties fronting and with pedestrian access from the listed main streets):

- Swan Street west of Church Street.
- Bridge Road west of Burnley Street.
- Victoria Street west of Burnley Street.
- Smith Street between Gertrude Street and Alexandra Parade.
- Brunswick Street between Gertrude Street and Alexandra Parade.

Discourage licensed premises from locating in areas zoned Residential (excluding the Mixed Use Zone).

#### Policy guidelines

Consider as relevant:

- Whether access from the licensed premises to car parking, public transport, taxi ranks or ride sharing from a premises operating after 10pm is through a residential area.
- The nature and location of uses surrounding the proposed licensed premises including the type of licensed premises in the area, the hours of operation and patron numbers.

#### Venue design

##### Strategies

Incorporate safe design principles in the layout and design of licensed premises.

Locate entry and exits points of a licensed premise and the areas for queuing of patrons away from sensitive land uses.

Provide waste management and storage on-site and provide noise enclosures where bottle crushers are to be used.

Design licensed premises to respond to residential properties and other sensitive land uses in close proximity to the premises, including by taking into account the location of their existing doors, windows and open space areas.

## Attachment 2 - YPS Rewrite - 2019 October

### Policy guidelines

Consider as relevant:

- The *Design Guidelines for Licensed Venues* (Victorian Commission for Gambling and Liquor Regulation, 2017)

### Hours of operation

#### Strategy

Provide operating hours that:

- Are consistent with the intent of the zoning purpose of the land.
- Respond to the nature of surrounding land uses.
- Will not adversely affect the amenity of the surrounding area

#### Policy guidelines

Consider as relevant unless the responsible authority is satisfied that the use will not adversely affect the amenity of the area:

- Limiting the sale and consumption of liquor from licensed premises to no later than:
  - 8pm in a residential zone (other than the Mixed Use Zone).
  - 10pm in the Mixed Use Zone,
  - 11pm for licensed premises within 30 metres of a residential zone.
  - 1am in a commercial or industrial zone.
  - 10pm for outdoor areas including smoking areas, rooftops and open courtyards.
- Limiting the sale and consumption of liquor from licensed premises to occur no earlier than 9am.
- Limiting the sale of liquor from packaged liquor outlets to between:
  - 9am and 11pm.
- Limiting deliveries and waste collection (except where allowed under a local law) to between:
  - 7am to 10pm Monday to Saturday.
  - 9am to 10pm Sunday and public holidays.
- Limiting emptying bottles into bins in outdoor areas to between:
  - 7am to 10pm Monday to Saturday.
  - 9am to 10pm Sunday and public holidays.

### Venue operation

#### Strategy

Manage the operation of a licensed premise to minimise adverse amenity impacts on surrounding residential and other sensitive uses.

#### Policy guidelines

Consider as relevant:

- Operating measures to minimise adverse amenity impacts from licensed premises including adapting:
  - Where alcohol will be sold and consumed.
  - The management of music and entertainment, including frequency and hours.
  - Amplification or speaker systems.
  - The design and location of dance floor areas.
  - The management of on and off-site smoking areas.
  - Provision and hours of food service.

## Attachment 2 - YPS Rewrite - 2019 October

- Seating ratios.
- Security lighting and CCTV surveillance.
- Complaint procedures.
- The management of patrons (including security arrangements) outside the premises, including patron ingress and egress, queues and dispersal after the venue has closed.
- Any other measures to ensure unreasonable amenity impacts are avoided.

### Patron numbers

#### Strategies

Encourage venue size and patron numbers that:

- Provide for a safe and amenable operating venue capacity.
- Reflect the strategic and physical context of the site.

#### Policy guidelines

Consider as relevant:

- Whether the number of patrons proposed to be accommodated are within the safe and amenable operating capacity of the premises, based on the *Liquor Licensing Fact Sheet - Maximum Patron Capacity* (Victorian Commission for Gambling and Liquor Regulation, 2018).
- An assessment by a building surveyor detailing the patron capacity of the licensed premises where an application proposes an increase in patron numbers or a new licence.
- The number of patrons shall not adversely affect the amenity of nearby properties, including by any unreasonable cumulative impact.

### Noise

#### Strategy

Design, manage or modify licence premises to minimise any unreasonable noise impacts on the amenity of the area.

#### Policy guidelines

Consider as relevant:

- Whether noise emissions from licensed premises comply with the standards specified in the satisfy *State Environment Protection Policy (SEPP) No.1 - Control of Noise from Commerce Industry and Trade* and *SEPP No.2 - Control of Music Noise from Public Premises* or any other requirement, such as accepted sleep disturbance criteria or relevant Australian Standards (except for an application for a restaurant, including a café, where the preferred hours of operation specified in this policy are met; or any application for a packaged liquor outlet).
- The preparation of an acoustic report (except for cafes but includes restaurants with an open courtyard and restaurants with a residential interface).
- Employing on-site noise attenuation measures to licensed premises where unreasonable amenity impacts may result from proposed activities on the surrounding area.
- The preparation of a Noise and Amenity Action Plan (except for a restaurant, café or packaged liquor outlet) that includes the following information:
  - Procedures to be undertaken by staff in the event of complaints by a member of the public, the Victoria Police, an 'authorised officer' of Council or the Victorian Commission for Gambling and Liquor Regulation.
  - The management and dispersal of patrons, including patrons loitering around the venue after the venue has closed.
  - The management of large group bookings.

## Attachment 2 - YPS Rewrite - 2019 October

- The management of smokers and on an off-site smoking areas (particularly where liquor may not be allowed to be sold and consumed with the smoking area after a particular time).
- The management of external queues.
- How the movement and exit of patrons is to be managed, particularly where there is a requirement to close a different section of the venue at different times.
- Details of the provision of music including the frequency and hours of entertainment provided by livebands and DJs.
- Any other measures to be undertaken to ensure no unreasonable amenity impacts from the licensed premises.

### **Application to amend an existing permit**

#### **Policy guidelines**

Consider as relevant:

- Information about the operation of the premises, including any issues or complaints received by relevant authorities.
- Any contravention of a permit condition or liquor licence.
- Whether the conditions on the existing permit regulating the venue design, hours of operation, patron numbers, noise and amenity impacts are adequate.



## Attachment 2 - YPS Rewrite - 2019 October

### 15.01-1L Signs in a Heritage Overlay

This policy applies to all permit applications for signs in a Heritage Overlay (in addition to policies in Clause 15.01-1L Signs).

#### Objective

To promote signs that protect the significance of a heritage place.

#### Strategies

Locate signs in traditional locations on a heritage building.  
Discourage signs that disrupt a historic facade, parapet or roofline.  
Ensure signs avoid damaging the heritage fabric.  
Conserve original signs and advertising features.

#### Policy guidelines

Consider as relevant:

Discouraging the following signs in heritage areas:

- High wall signs outside commercial areas.
- Major promotion signs.
- Promotion signs.
- Panel signs.
- Pole signs.
- Internally illuminated and electronic signs at upper levels.
- Animated signs.
- Sky signs.
- Above-verandah signs, unless they are part of the existing character.
- Signs that project from the verandah or building outside commercial areas.

## Attachment 2 - YPS Rewrite - 2019 October

### 15.01-1L Signs

This policy applies to all applications for signs under Clause 52.05.

#### Objectives

To encourage signs that make a positive contribution to their host building and the surrounding area.

#### Strategies

Encourage signs that:

- Are consistent with the character of the area.
- Respect the amenity of the area.
- Are proportioned and designed to complement the host building and site.
- Preserve active frontages.

Discourage signs that are:

- Perpendicular to a structure or building above the first floor.
- Reflective.
- Erected on the roof of a building.
- Erected on vacant or derelict buildings.

#### Policy guidelines

##### Types of signs

Consider as relevant:

- Supporting **above-verandah signs** in commercial areas where there are limited opportunities at ground level for signage and where the signs:
  - Are wall mounted and do not sit on a verandah roof, canopy or awning.
  - Avoid projecting more than 1 metre from the building.
  - Comprise one sign per premises or where there is more than one premises in a building, comprise a maximum of two signs per building façade.
  - Are not illuminated or electronic.
- Limiting **under-verandah signs** to one sign per building except on a corner site where an additional sign on the secondary street may be allowed:
- Limiting **verandah fascia signs** to one sign except on a corner where an additional sign on the secondary street may be allowed:
- Supporting **major promotion signs** where all of the following apply:
  - The sign is no higher than the height of a building or structure it is located on.
  - The sign is no higher than the height of a building or structure on adjoining land, when the sign is located on a blank façade of a building.
  - The sign provides a minimum clearance of 2.7 metres between the footpath and the underside of the sign.
  - The design and illumination of the sign responds sensitively to any residential use the sign faces.
  - The sign is located on land adjoining a road in a Road Zone Category 1.
- Limiting **pole signs** to:
  - A height no higher than the height of buildings on the subject land or substantial adjacent structures on abutting or adjacent sites.
  - A sign that is on an open site and is incorporated into the landscaping.

## Attachment 2 - YPS Rewrite - 2019 October

- The following locations:
  - Commercial and industrial areas.
  - Locations other than opposite or adjacent to a residential use.
  - Land adjoining a road in a Road Zone Category 1.
- Supporting **high-wall signs** that:
  - Are located across less than two levels of the building on which the sign is located.
  - Have supporting structures that do not project more than 300 millimetres from the building on which it is located.
  - Are for business identification.
  - Are located land adjoining on a road in a Road Zone Category 1.
- Avoiding **window signs** covering more than 30% of a ground floor commercial window (including decal signs, signs painted on a window or signs mounted behind a window).
- Limiting **sky signs** and **signs mounted on bridge structures** to land adjoining a road in a Road Zone Category 1 in commercial areas.

### **Residential areas**

Consider as relevant:

- Limiting signs for non-residential uses to one business identification sign per premises, except on a corner site, where an additional sign may be allowed.
- Limiting business identification signs to only a name, address and a logo.
- Limiting illumination to external illumination that switches off between 8pm and 8am.
- Encouraging signs to be fixed to a fence or building facade rather than freestanding or roof mounted.
- Discouraging the following signs in residential areas:
  - Promotion signs.
  - Above-verandah signs.
  - Sky signs.
  - High-wall signs.
  - Reflective signs.
  - Pole signs.
  - Internally illuminated, flashing or electronic signs.
  - Signs mounted on bridge structures.

**Attachment 2 - YPS Rewrite - 2019 October**

**15.01-1L Urban Design**

~~1.1.1~~  
C--

**Strategies**

**Public realm**

Support development that creates new public spaces to serve the needs of residents, workers and visitors.

Support development that improves the quality of the public realm.

Require public realm improvements when rezoning land.

Encourage developments to incorporate public art.

**Overshadowing**

Unless specified elsewhere in this scheme, ensure development allows direct sunlight between 10am and 2pm on 22 September to any part of the:

- Footpath on the southern side of streets oriented east-west in activity centres defined in clause 11.03-1L.
- Opposite footpath on streets oriented north-south in activity centres defined in clause 11.03-1.

**Wind**

Minimise the potential for development, particularly taller buildings, to create adverse wind conditions in the public realm at street level through building siting and design.

**Weather protection**

Support development that provides weather protection of the public realm (including footpaths and plazas).

**Projections over a public realm**

Avoid development that projects (including internal floor space, balconies and garage doors) into or over a public realm (including a laneway). This does not apply to verandahs/awnings for weather protection, particularly in commercial areas and architectural features.

**Development adjacent to land in a Heritage Overlay**

Provide a transition from any adjacent building with an individually significant or contributory heritage grading, having regard to height, street wall height, setbacks, building form and siting.

Provide a sympathetic and respectful design response that does not dominate an adjacent heritage place.

Use materials and finishes that do not detract from the fabric of the heritage place.

Adopt a street wall height to the street frontage that is no higher than an adjoining heritage building with an individually significant or contributory grading.

**Laneways**

Promote development abutting a laneway that:

- Provides a safe and well-lit environment for users of the laneway.
- Reflects the character of the laneway.
- Respects the scale of surrounding built form.
- Retains bluestone laneways.
- Locates primary pedestrian access to the street rather than a laneway, where street access is available.

## Attachment 2 - YPS Rewrite - 2019 October

- Provides clearly identifiable, accessible, well-lit and safe pedestrian entries with a sense of address to a laneway.
- Separates pedestrian entries from vehicle entries.
- Provides a ground floor setback from the laneway, where the laneway is too narrow to provide safe access for vehicles and pedestrians.
- Avoids light spill into adjacent private open spaces and habitable rooms.
- Enables all essential services to be provided to the development.
- Retains the public access function of the laneway.
- Provides windows and balconies to facing laneways to enhance surveillance but do not unreasonably overlook neighbouring private open spaces or habitable rooms on the opposite side of the laneway.

Support development that re-establishes laneways through the development site where such links were part of the historic street pattern.

Support development that creates new laneways and pedestrian links that are well integrated with the existing street pattern and improve permeability of sites.

Avoid development that:

- Obstructs existing access to other properties in a laneway.
- Overwhelms the character of a laneway.
- Would result in the use of a laneway for refuse storage.
- Results in garage doors protruding into the laneway.
- Requires multiple vehicle maneuvers to enter or exit the site.

### **Boulevards**

Support development along Alexandra Parade, Queens Parade, Victoria Parade and Hoddle Street that:

- Maintains the landscaped character comprising avenue trees along Alexandra Parade, Victoria Parade and the south end of Queens Parade.
- Improves the landscape character of Hoddle Street.
- Provides a scale that reflects the context of the boulevard.
- Improves the pedestrian environments and the public realm along boulevards.
- Creates quality building design and reinforces the importance of the boulevard.

Provide a transition in built form between the boulevards and their low-scale, small-lot hinterlands and any low-scale existing residential areas along the boulevards.

### **Development adjacent to a public open space**

Facilitate development that:

- Avoids overshadowing of public open space between 11am and 2pm on 22 September.
- Maintains, improves, or provides pedestrian access to the space.
- Orients windows and balconies to public open space to enhance public safety and the pedestrian experience.
- Relates the scale and siting of a building to the character of the park.
- Provides landscaping that complements the vegetation of the park.
- Provides weather protection of footpaths where practical and appropriate.

Design buildings adjacent to any public open space set aside under clause 19.02-6L to facilitate high quality and accessible public open space

Avoid development that projects (including internal floor space, balconies and garage doors) into or over a public open space.

**Attachment 2 - YPS Rewrite - 2019 October**

**15.01-2L Building design**

---  
C---

**Policy application**

This policy applies to all development.

**Strategies**

**Building form**

Design development to:

- Reflect and respond to streetscape elements, including:
  - Pattern of development.
- Building spacing.
- Provide separation between buildings to facilitate access to daylight, sunlight and an outlook, while preventing direct overlooking into adjacent secluded private open spaces and habitable room windows from, to and within the development.
- Make a positive contribution to the streetscape through high quality architecture and urban design.
- Avoid blank or unarticulated walls.
- Use articulation or massing or change of surface treatment or a combination of these to relate the taller buildings to the scale of their surrounds and to diminish visual bulk.

**Building heights**

Ensure the height of new buildings respond to the height of adjoining development, unless indicated otherwise in the planning scheme.

Ensure that development reflects the predominant low-rise character of the area, except in the areas below:

- Activity centres (as shown on the Strategic Framework Plan in clause 02.04-1 and clause 11.03-1L).
- Employment areas (as defined in clause 02.01).
- Major regeneration areas (as shown on the Strategic Framework Plan in clause 02.04-1)
- Boulevards (as defined in clause 02.03).

Avoid high-rise development unless specified by a schedule to the Design and Development Overlay.

**Mid-rise development**

Direct mid-rise development to the following locations:

- Appropriate locations within major and neighbourhood activity centres; major employment precincts, commercial and industrial land (as defined in clauses 02.01 and 11.03-1L).
- Major regeneration areas (as shown on the framework plan in clause 02.04-1)
  - Alphington Paper Mills site.
  - Gas Works site in North Fitzroy.
  - South-west Cremorne (land south of Gough Street).
- Appropriate locations along the following Boulevards that are outside activity centres:
  - Alexandra Parade.
  - Hoddle Street.
  - Victoria Parade.

## Attachment 2 - YPS Rewrite - 2019 October

Support mid-rise development that:

- Contributes to a high-quality built form.
- Demonstrates architectural design excellence.
- Provides a transitional scale to the buildings in adjoining low-rise neighbourhoods to protect amenity and avoid visual bulk.
- Improves movement through the site.
- Provides active frontages at street level.
- Contributes to an improved public realm.

### **Building setbacks**

Buildings should be aligned to the street at ground level unless they provide for public open space or landscaped edge.

Incorporate setbacks that:

- Reflect the general pattern of front, side and rear setbacks in the streetscape, particularly on the same side of the street.
- Limit excessive tiered building profiles on street and laneway frontages resulting from excessive numbers of upper level setbacks.
- Provide for soft landscaping including the planting of canopy trees, where appropriate.

Avoid front setbacks that:

- Consist of hard-paving (other than footpaths and driveways) rather than landscaping in the front setbacks in residential areas.
- Include recessed undercroft parking at ground level.
- Consist of car parking, basement car parking access and ventilation shafts.

Avoid the intrusion of balconies and building services into the setback.

Use materials at upper levels that are recessive in finish and colour.

### **Walls on boundaries**

Ensure walls on boundaries avoid adverse impact on the amenity of any adjoining residential properties through unreasonable overshadowing of private open space, visual bulk or loss of daylight to habitable room windows.

### **Site coverage**

Encourage site coverage of new development that does not exceed a maximum site coverage of 80% of the site area, unless:

- The pattern of site coverage in the immediate area is higher than 80%; or
- There is a need to cap the site to deal with contamination.

### **Internal amenity**

Provide a high-quality environment for building occupants, including internal spaces, access to private open space, daylight and ventilation.

Encourage developments to provide:

- Lighting of common spaces.
- Passive surveillance of common spaces.
- Landscaping that maximises sightlines.

### **Impact of development on adjoining properties**

Avoid impacts on existing adjoining development through:

## Attachment 2 - YPS Rewrite - 2019 October

- Unreasonable overshadowing of secluded open space and loss of daylight to habitable room windows.
- Visual bulk.
- Overlooking and excessive screening.
- Noise from building plant and equipment.
- Loss of on-street car parking from excessive crossovers.

### **Equitable development**

Avoid development that:

- Unreasonably compromises the development potential of adjacent sites by adversely affecting access to daylight, ventilation or locating windows and balconies close to boundaries which compromise amenity.
- Depends on or borrows from neighbouring sites for its amenity.

Facilitate an equitable share of amenity by recognising a site's context and size relative to adjoining sites.

### **Roof form**

Design development to reflect or complement the dominant roof form of the surrounding area.

### **Materials**

Use a simple palette of durable materials that respond to the streetscape character through type, colour, finish and contrast.

Include anti-graffiti materials and treatments at ground level.

Avoid detriment to nearby properties when using reflective materials. [22.10-3.8]

### **Landscaping**

Facilitate landscaping (including planting in deep soil, planter boxes, green walls and green roofs) that:

- Promotes the on-going health of trees and vegetation that has been retained on site.
- Respects the landscape character of the area where there is a prevailing character.
- Integrates with the building design.
- Uses materials, treatments and plants that are permeable, durable and resistant to adverse environmental conditions.
- Retains existing mature trees where possible or incorporates suitable replacement planting where mature trees are removed.
- Includes indigenous plants.
- Maximises internal sight-lines to provide for pedestrian safety.

Avoid landscaping in new development that uses existing or potentially invasive weed species.

### **Pedestrian access**

Provide separate vehicular and pedestrian access.

Provide clearly identifiable, accessible, well-lit and safe pedestrian entries with a sense of address to a street.

Match entries at ground floor level with the street level to assist with universal access.

Provide weather protection for entries.

### **Frontages**

Provide active frontages in commercial areas.



## Attachment 2 - YPS Rewrite - 2019 October

Design ground level street frontage of new development to provide a high level of pedestrian amenity and visual interest.

Orient development to the street, and to both streets if a corner site.

Avoid dominant car parking, garage doors and driveways.

### Front fences and gates

Reflect the predominant character of fencing and boundary treatments in the street in terms of height, material and permeability, and clearly defines the boundaries of a site.

Provide privacy and security that allows natural surveillance between the building and the street.

### Carparking, loading facilities and outbuildings

Require carports, car spaces, external car stackers, garages, loading facilities and outbuildings to be:

- Set back behind the front building line (excluding verandahs, porches, bay windows or similar projecting features) to appear visually recessive when viewed from the street.
- Located at the rear of a building, in an area of lower pedestrian activity.

Require car parking, including basement car parking and external car stackers, to incorporate high standards of design and amenity.

Maintain the prominence of pedestrian entries.

Minimise the number of garage doors facing a street.

Avoid open, ground level multi-space car parks.

Avoid blank walls of car parks visible from the street.

Provide legible and safe vehicular entries.

Conceal the view of cars at ground level and on upper levels of multi-deck car parking.

Conceal the view of car stackers from the public realm.

Minimise noise from deliveries through appropriate design, location and management of loading bays. [New] [moved from Interfaces and Amenity]

### Service equipment

Ensure that service infrastructure is appropriately sited and incorporated into the design of new buildings and has limited visibility from the public realm. [22.10-3.11]

Allow plant rooms, lift over-runs and the like to exceed the height of a building where:

- Less than half the roof area is occupied by the equipment (except solar panels).
- It causes no additional overshadowing.

### Policy guidelines

Consider as relevant:

A site analysis plan for non-residential development that addresses:

- In relation to the subject site:
  - Site shape, size, orientation, slope (contours) and location and type of any easements.
  - Levels of the site and the difference in levels between the site and surrounding properties.
  - The location and heights of existing buildings on the site.
  - Solar access to the site.
  - Shadows cast by any existing buildings between 9am and 3pm on 22 September.
  - Location and botanical name of significant trees.

## Attachment 2 - YPS Rewrite - 2019 October

- Fence heights, styles and location.
- Views to and from the site.
- Street frontage features such as poles, street trees, kerb crossovers and pedestrian access points.
- Any other notable features or characteristics of the site.
- In relation to adjacent properties and the broader neighbourhood:
  - The location and heights of buildings on adjacent properties.
  - The use of buildings on adjacent properties.
  - The location of secluded private open space and habitable room windows of adjacent residential properties which have an outlook to the site within 9 metres.
  - Solar access to adjacent properties.
  - The pattern of development of the neighbourhood, including details regarding widths of adjacent footpaths and roadways, and street planting.
  - The built form, scale and character of surrounding development including front fencing.
  - Architectural styles of surrounding buildings.
  - Location of any nearby places of cultural heritage significance.
  - Land (such as streets/ laneways and public parks) where natural surveillance is desirable.
  - The location of local shops, public transport services, public open spaces (including any pedestrian and cycle links to these facilities) situated within walking distance of the site.
  - Any other notable features or characteristics of the neighbourhood.

How the development responds to the site analysis.

- Whether new buildings and works are consistent with the scale, bulk and character of the area.

**Attachment 2 - YPS Rewrite - 2019 October**

**15.01-2L Landmarks**

**Objective**

Maintain the visual prominence of and protect primary views to Yarra's valued landmarks.

**Strategies**

Preserve primary views to landmarks as identified in Table 1.

Site, scale and set back new development to avoid encroachment upon views to the identified architectural elements of landmarks.

Provide adequate setback and building separation to maintain clear sky between the identified architectural elements of the landmark and new development.

Minimise light spill from new development that would reduce the visual prominence of identified illuminated landmark signs at night time.

**Policy Guidelines**

Consider as relevant:

*The City of Yarra Landmark and Views Assessment* (Urban Ethos, October 2019).

**Table 1: Landmark primary viewpoints and architectural significant elements**

Landmark	Primary views	Architectural significant elements
<b>Church spires</b>		
<b>St Ignatius 326-348 Church Street, Richmond</b>	<ul style="list-style-type: none"> <li>▪ Tram terminus at intersection of Church and Victoria Streets</li> <li>▪ North-east corner of intersection of Bridge Road and Church Street</li> <li>▪ South-east corner of Church Street and Swan Street</li> <li>▪ Citizens Park – path around oval at Highett Street/Gleadell Street entry</li> </ul>	<ul style="list-style-type: none"> <li>▪ Spire</li> <li>▪ Belfry</li> </ul>
<b>St Mark's 268 George Street, Fitzroy</b>	<ul style="list-style-type: none"> <li>▪ South-east corner of intersection of Moor Street and Gore Street</li> <li>▪ South-west corner of intersection of Moor Street and George Street</li> <li>▪ North-west corner of intersection of Condell Street and Napier Street</li> </ul>	<ul style="list-style-type: none"> <li>▪ Spire</li> <li>▪ Belfry</li> </ul>
<b>St John the Baptist 61 Queens Parade, Clifton Hill</b>	<ul style="list-style-type: none"> <li>▪ Pedestrian refuge on the south-west corner of intersection of Queens Parade and Smith Street</li> <li>▪ Pedestrian crossing near Raines Reserve</li> <li>▪ Alfred Crescent Pavilion in Edinburgh Gardens</li> </ul>	<ul style="list-style-type: none"> <li>▪ Spire</li> <li>▪ Belfry</li> </ul>
<b>St Luke's 121-123 St Georges Road, North Fitzroy</b>	<ul style="list-style-type: none"> <li>▪ South-east corner of intersection of Brunswick Street and Johnston Street</li> </ul>	<ul style="list-style-type: none"> <li>▪ Spire</li> <li>▪ Belfry</li> </ul>

**Attachment 2 - YPS Rewrite - 2019 October**

	<ul style="list-style-type: none"> <li>▪ North-east corner of intersection of Scotchmer Street and St Georges Road</li> <li>▪ Walkway, north of grandstand in Edinburgh Gardens</li> </ul>	
<b>St Patrick's 1 Cathedral Place, East Melbourne</b>	<ul style="list-style-type: none"> <li>▪ Footpath outside main entry to St Luke's, 121 – 123 St Georges Road, Fitzroy North</li> </ul>	<ul style="list-style-type: none"> <li>▪ Spire</li> <li>▪ Belfry</li> </ul>
<b>Clock towers</b>		
<b>Former Dimmeys store 140-160 Swan Street, Richmond</b>  <b>(previously known as Ball Tower)</b>	<ul style="list-style-type: none"> <li>▪ North-west corner of intersection of Swan Street and Yan Lane</li> <li>▪ North-east corner of intersection of Stewart and Swan Streets</li> <li>▪ North-east corner of intersection of Waverley Street and Swan Street</li> </ul>	<ul style="list-style-type: none"> <li>▪ Ball</li> <li>▪ Clock stage</li> <li>▪ Arcade stage</li> </ul>
<b>Richmond Town Hall 333 Bridge Road, Richmond</b>	<ul style="list-style-type: none"> <li>▪ South-west corner of intersection of Lennox Street and Bridge Road</li> <li>▪ South-east corner of intersection of Burnley Street and Bridge Road</li> <li>▪ Citizens Park at                             <ol style="list-style-type: none"> <li>i. Path around oval at Highett Street / Church Street entry</li> <li>ii. Path around oval where it meets the central entry from Highett Street</li> </ol> </li> </ul>	<ul style="list-style-type: none"> <li>▪ Flag pole</li> <li>▪ Pyramidal roof</li> <li>▪ Clock stage</li> <li>▪ Cornice and iron balustrade</li> </ul>
<b>Collingwood Town Hall 140 Hoddle Street, Abbotsford</b>	<ul style="list-style-type: none"> <li>▪ South-west corner of intersection of Victoria Parade and Hoddle Street</li> <li>▪ North-west corner of intersection of Johnston and Hoddle Street</li> <li>▪ Gahan Reserve – entry to reserve at intersection of Park Street and Stanton Street</li> </ul>	<ul style="list-style-type: none"> <li>▪ Flag pole</li> <li>▪ Cupola</li> <li>▪ Clock stage</li> <li>▪ Balustrade and entablature</li> </ul>
<b>Fitzroy Town Hall 201 Napier Street, Fitzroy</b>	<ul style="list-style-type: none"> <li>▪ South-west corner of intersection of Condell Street and George Street</li> <li>▪ Condell Street Reserve – centre of the park</li> <li>▪ North-east corner of intersection of Kent Street and Moor Street</li> </ul>	<ul style="list-style-type: none"> <li>▪ Flag pole</li> <li>▪ Cupola</li> <li>▪ Clock stage</li> <li>▪ Balustrade and entablature</li> </ul>
<b>Industrial structures</b>		
<b>Shot tower 94 Alexandra Parade, Clifton Hill</b>	<ul style="list-style-type: none"> <li>▪ Intersection of Brunswick Street and Alexandra Parade - north-east corner of centre median</li> <li>▪ Eastern Freeway (west of the Hoddle Street overpass)</li> <li>▪ Darling Gardens (Rotunda)</li> </ul>	<p>Top one third of the tower</p>

**Attachment 2 - YPS Rewrite - 2019 October**

<b>Advertising sky signs</b>		
<b>Pelaco sign</b> 21 Goodwood Street, Richmond	<ul style="list-style-type: none"> <li>▪ Tram Stop 13 on Wellington Parade</li> <li>▪ North-west corner of intersection of Punt Road and Wellington Parade</li> <li>▪ South-west corner of intersection of Church Street and Hodgson Terrace</li> </ul>	Sign
<b>Skipping Girl sign</b> 651 Victoria Street, Abbotsford	<ul style="list-style-type: none"> <li>▪ South-west corner of intersection of Burnley Street and Victoria Street</li> <li>▪ Entry to the City of Yarra from the east (Victoria Street footpath, east side)</li> <li>▪ Intersection of Leslie Street and Victoria Street</li> </ul>	Sign
<b>Nylex sign</b> 2 Gough Street, Cremorne	<ul style="list-style-type: none"> <li>▪ Morell Bridge – centre of bridge on its eastern footpath</li> </ul>	Sign
<b>Slade Knitware sign</b> 105-115 Dover Street, Cremorne	<ul style="list-style-type: none"> <li>▪ North-west corner of intersection of Kelso Street and Dover Street</li> </ul>	Sign
<b>World Heritage</b>		
<b>Royal Exhibition Building</b> 9 Nicholson Street, Carlton	<ul style="list-style-type: none"> <li>▪ Length of the footpath on south side of Gertrude Street between Nicholson Street and Fitzroy Street</li> <li>▪ Along Marion Lane west of Fitzroy Street</li> </ul>	<ul style="list-style-type: none"> <li>▪ Drum</li> <li>▪ Dome</li> <li>▪ Lantern</li> <li>▪ Flagpole</li> </ul>

**Attachment 2 - YPS Rewrite - 2019 October**

**15.02-1L Environmentally sustainable development**

**Policy application**

This policy applies to residential and non-residential development, excluding subdivision, in accordance with the thresholds detailed in this policy. [

**Objective**

To achieve best practice in environmentally sustainable development from the design stage through to construction and operation.

In the context of this policy, best practice is defined as a combination of commercially proven techniques, methodologies and systems, appropriate to the scale of development and site specific opportunities and constraints, which are demonstrated and locally available and have already led to optimum ESD outcomes. Best practice in the built environment encompasses the full life of the build.

**Strategies**

Facilitate development that minimises environmental impacts.

Encourage environmentally sustainable development that:

- Is consistent and reasonable with the type and scale of the development.
- Positively responds to site opportunities and constraints.
- Uses a combination of commercially proven methods, processes and locally available technology that demonstrably minimise environmental impacts.

**Energy performance**

Reduce both energy use and energy peak demand through design measures such as:

- Building orientation to achieve adequate solar access.
- Shading to glazed surfaces.
- Optimising glazing to exposed surfaces.
- Space allocation for renewable technologies and external heating and cooling systems.

**Integrated water management**

Reduce total operating potable water use through appropriate design measures such as water efficient fixtures, appliances, equipment, irrigation and landscaping.

Encourage the appropriate use of alternative water sources (including greywater, rainwater and stormwater).

Incorporate best practice water sensitive urban design to improve the quality of stormwater runoff and reduce impacts on water systems and water bodies.

**Indoor Environment Quality**

Achieve a healthy indoor environment quality, including thermal comfort and access to fresh air and daylight, prioritising passive design over mechanical heating, ventilation, cooling and lighting.

Reduce indoor air pollutants by encouraging use of non-toxic materials. [15.02-1L]

Minimise noise levels and noise transfer within and between buildings and associated external areas.

**Transport**

Design development to promote the use of walking, cycling and public transport, in that order; and minimise car dependency.

Promote the use of low emissions vehicle technologies and supporting infrastructure.

**Attachment 2 - YPS Rewrite - 2019 October**

**Waste management**

Promote waste avoidance, reuse and recycling during the design, construction and operation stages of development.

Encourage use of durable and reuseable building materials.

Ensure sufficient space is allocated for future change in waste management needs, including (where possible) composting and green waste facilities.

**Urban Ecology**

Protect and enhance biodiversity by incorporating natural habitats and planting indigenous vegetation.

Reduce urban heat island effects through building design, landscape design, water sensitive urban design and the retention and provision of canopy and significant trees.

Encourage the provision of space for productive gardens, particularly in larger residential developments.

**Policy guidelines**

A Sustainable Design Assessment or a Sustainability Management Plan must accompany an application given the proposed development typology.

**Residential**

A Sustainable Design Assessment (including a BESS and STORM assessment) for:

- 2 – 9 dwellings.
- A building used for accommodation other than dwellings with a gross floor area between 100m<sup>2</sup> and 1,000 m<sup>2</sup>.

A Sustainability Management Plan (including a BESS, STORM, Green star and MUSIC assessment) and a Green Travel Plan for:

- 10 or more dwellings.
- A building used for accommodation other than dwellings with a gross floor area of more than 1,000m<sup>2</sup>.

**Non-residential**

A Sustainable Design Assessment (including a BESS, STORM, and MUSIC assessment) for:

- A non-residential building with a gross floor area of between 100m<sup>2</sup> and 1,000 m<sup>2</sup>.
- An extension to an existing non-residential building creating between 300m<sup>2</sup> to 1,000m<sup>2</sup> of additional gross floor area (excluding outbuildings).

A Sustainability Management Plan (including a BESS, STORM, Green star and MUSIC assessment) and a Green Travel Plan for:

- A non-residential building with a gross floor area of more than 1,000m<sup>2</sup>.
- An extension to an existing non-residential building creating more than 1,000m<sup>2</sup> of additional gross floor area (excluding outbuildings).

**Mixed use**

Applicable assessments for the residential and non-residential components of the development.

Consider as relevant tools to support a Sustainable Design Assessment or Sustainability Management Plan:

- *Sustainable Design Assessment in the Planning Process* (IMAP, 2015).
- *Built Environment Sustainability Scorecard 'BESS'* (Council Alliance for a Sustainable Built Environment 'CASBE', 2015)
- *Green Star* (Green Building Council of Australia)

## Attachment 2 - YPS Rewrite - 2019 October

- *Model for Urban Stormwater Improvement Conceptualisation 'MUSIC'* (Melbourne Water)
- *Nationwide House Energy Rating Scheme 'NatHERS'*, (Department of Climate Change and Energy Efficiency)
- *Stormwater Treatment Objective - Relative Measure 'STORM'* (Melbourne Water)
- *Urban Stormwater Best Practice Environmental Management Guidelines*, (Victorian Stormwater Committee, 1999)
- *Waste Management and Recycling in Multi-Unit Developments - Better Practice Guide* (Sustainability Victoria, 2018).

Note: These tools may be amended from time to time with revised versions and adaptations. Additional tools may be accepted subject to industry (private and public) approval, standards and expectations.

### **Commencement**

This policy does not apply to applications received by the responsible authority before 19 November 2015.

### **Expiry**

This policy will expire when it is superseded by an equivalent provision in the Victoria Planning Provisions.



**Attachment 2 - YPS Rewrite - 2019 October**

**15.03-1L Heritage**

---  
C---

**Policy application**

This policy applies to all land within a Heritage Overlay.

**Strategies**

***New development, alterations or additions***

Retain and protect individually significant and contributory buildings as identified in the incorporated document in schedule to clause 72.04 'City of Yarra Database of Heritage Significant Areas.'

Promote development that is high quality and respectful in its design response by:

- Maintaining the heritage character of the existing building or streetscape.
- Respecting the scale and massing of the existing heritage building or streetscape.
- Retaining the pattern of streetscapes in heritage places.
- Not visually dominating the existing heritage building or streetscape.
- Not detracting from or competing with the significant elements of the existing heritage building or streetscape.
- Maintaining the prominence of significant and contributory elements of the heritage place.
- Respecting the following elements of the heritage place:
  - Pattern, proportion and spacing of elements on an elevation.
  - Orientation to the street.
  - Setbacks.
  - Street wall.
  - Relationship between solid and void.
  - Roof form.
  - Chimney.
  - Materials.
- Being visually recessive against the heritage fabric through:
  - Siting.
  - Mass.
  - Scale.
  - Materials.
  - Architectural detailing.
  - Texture.
  - Linking additions to historic form.
- Protecting and conserving the view of heritage places from the public realm (except from laneways).

Use materials and finishes that minimise the visual impact of development by:

- Avoiding highly contrasting, vibrant colours and reflective materials.
- Reflecting the historic character of the place.

Maintain views to the front of an individually significant or contributory building or views to a secondary façade where the building has two street frontages by not:

- Building over the front of it.
- Extending into the air space above the front of it.
- Obscuring views of its principal façade/s.

## Attachment 2 - YPS Rewrite - 2019 October

Set back additions:

- To avoid facadism, where only the visible façade is retained and the remaining fabric is demolished.
- To maintain the visibility of the three-dimensional form and depth of a building.

Retain or reinstate original street furniture and bluestone road or laneway materials and details.

In circumstances where primary pedestrian access is provided from a laneway, allow for any reinstatement to provide universal access.

Ensure that adaptation of heritage places is consistent with the principles of good conservation.

### **Demolition**

Prioritise preservation, restoration and adaptation of a heritage place over demolition.

Avoid the demolition of individually significant or contributory buildings unless all of the following can be demonstrated:

- The building is structurally unsound rather than just in poor condition.
- Alternative stabilisation works have been investigated.
- The replacement building and/or works clearly and positively supports the ongoing heritage significance of the area.

Avoid the demolition of any part of an individually significant or contributory building unless all of the following can be demonstrated:

- The fabric does not contribute to the significance of the place.
- The demolition will not adversely affect the significance of the heritage place.
- The partial demolition will contribute to the long-term conservation of the heritage place.
- The area of demolition is not visible from:
  - The street frontage (other than a laneway).
  - A park or public open space immediately adjoining the site.
- The removal of part of the building allows its three-dimensional form to be retained and does not result in the retention of only the visible facade of the building and demolishing the remainder.
- The replacement building is a high quality design.

Require all applications for demolition to be accompanied by an application for new development.

Avoid the demolition of an individually significant or contributory building unless new evidence has become available to demonstrate that the building does not possess the level of heritage significance attributed to it in the incorporated document *City of Yarra Database of Heritage Significant Areas* (Revised February 2018).

### **Residential alterations or additions**

Set back buildings and works to the depth of two front rooms to retain the original or early elements of the fabric of the individually significant or contributory building, its principal façade and primary roof form.

Require that buildings and works to heritage places on corner sites or sites with dual frontages to roads are:

- Set back to match the setback of the individually significant or contributory building or the adjoining building, whichever is the lesser.
- Read as a secondary element when viewed from the adjoining street.

Avoid additions that are taller than the individually significant or contributory building except in circumstances where the development is:

## Attachment 2 - YPS Rewrite - 2019 October

- Appropriately set back from the front and side facades.
- Proportional to the scale of the individually significant or contributory building.
- Substantially concealed.

### **Residential infill**

Set back residential infill development a similar distance from the principal street frontage to those of adjoining heritage buildings.

Ensure that buildings and works associated with residential infill are consistent with:

- Prevailing side setbacks and building spacing.
- Height, relative to the surrounding context.

Encourage new residential infill to reflect the prevailing roof pitch and form.

Avoid using atypical buildings to determine the appropriate siting, form and appearance of new development in the context of its surrounds.

### **Commercial and former industrial heritage places**

Articulate new façades by incorporating simple architectural detailing that does not compete with the more elaborate detailing of the individually significant or contributory building.

Avoid the following in the facades of individually significant and contributory buildings:

- New openings.
- Enlarging existing openings.
- New floor plates, walls, columns or structural supports cutting through openings.
- Highly reflective glazing in historic openings.
- Large expanses of glazing with a horizontal emphasis, except for ground floor shop fronts.
- Unarticulated curtain glazing.
- Balconies in historic openings.

### **Commercial heritage places**

Require all buildings and works to respect and respond to the existing proportions, patterning and massing of nineteenth and early twentieth century facades and streetscapes.

Maintain the prominence of the street wall through appropriate upper level setbacks.

Require new development in activity centres to respect the prevailing street wall height in the immediate area.

Protect and conserve heritage shopfronts and verandahs.

Require that new shopfronts complement the general form and proportion of glazing and openings of adjoining original or early shopfronts, if any.

Maintain the existing canopy / verandah height of adjoining heritage buildings and the heritage streetscape.

Require a simple contemporary verandah design, consistent with the form and scale of adjoining verandahs.

Require inset balconies above the street wall rather than projecting balconies.

Retain the visual prominence of both facades of buildings on corner sites (not including laneways).

Incorporate an angled splay to buildings on street corners where these are present on adjacent or opposite corners.

## Attachment 2 - YPS Rewrite - 2019 October

### ***Former industrial heritage places***

Protect and conserve roof forms that contribute to the significance of the building, particularly those parts that are visible from the public realm or incorporate features such as lanterns, skylights, vents or chimneys.

Protect and conserve features such as steel trusses, lanterns, chimneys, silos, towers and their visual prominence within industrial sites.

Encourage new buildings and works on small scale one or two storey industrial buildings not to exceed the visible volume of the historic form when viewed from the public realm.

Retain redundant equipment on significant industrial sites where it aids the understanding of the heritage place.

### ***Relocation***

Retain a heritage place or a contributory element to a heritage place in its original location unless:

- The location is not an important component of the cultural significance of the heritage place.
- It can be demonstrated that the relocation is the only reasonable means of ensuring the retention of the heritage place.
- A suitable location is secured.

### ***Restoration and reconstruction***

Retain the significance of the heritage place and the original fabric through:

- Restoration (returning a place to a known earlier state by removing accretions or by reassembling existing elements without the introduction of new material).
- Adaptive re-use.
- Reconstruction, where evidence exists (returning a place to a known earlier state, including the introduction of new material).

Support the reconstruction of a building or works that previously existed in a heritage place if:

- The reconstruction will support the significance of the heritage place.
- Evidence exists to support the accuracy of the reconstruction.

Encourage the reconstruction of a missing building in an otherwise identical row or pair of buildings if it supports the cultural significance of the heritage place.

### ***Painting and surface treatments***

Support the removal of paint and other surface treatments from originally unpainted/untreated masonry surfaces by non-abrasive methods.

Retain historic painted signs.

Avoid sand and high pressure water blasting of render, masonry and timber surfaces.

Avoid the painting, rendering or other surface treatments of unpainted surfaces.

Ensure paint colours and types are consistent with the period of construction and architectural style of the heritage place.

### ***Trees, landscapes, parks and gardens***

Support the retention of culturally significant (including those of aesthetic, historic, scientific, social or spiritual value for past, present or future generations) trees in a heritage place unless it is demonstrated that the trees:

- Have deteriorated due to old age or disease to a point that retention is unsafe.

## Attachment 2 - YPS Rewrite - 2019 October

- Are causing structural damage to an existing structure and remedial measures (such as root barriers and pruning) are not possible.

Require that works do not impact on the health or viability of culturally significant trees.

Require that works are respectful of culturally significant trees and significant garden layouts by siting development in a manner that will not impact on the cultural significance (including the aesthetic, historic, scientific, social or spiritual value for past, present or future generations) of the landscape.

Maintain the cultural significance of historic parks and gardens.

### **Subdivision**

Retain the significant or contributory elements of a heritage place within a single lot, including buildings, outbuildings, trees or gardens.

Require subdivision to respect and respond to the significance of the heritage place including the original road and lot layout, the rhythm and pattern of building frontages and/or buildings in the streetscape.

Ensure that the subdivision of former industrial complexes reflects or interprets the historical arrangement of the heritage buildings or processes.

### **Services and equipment**

Require that the location and installation of services and equipment does not detract from the significance of the heritage place or damage the heritage fabric.

Conceal solar panels, water tanks, hot water systems, air conditioners and other mechanical equipment from street view or where this is not possible, sensitively locate and install these services.

Support fixed mobility services and equipment (including wheel chair ramps and grab-rails) where they have been designed having regard to the heritage place.

### **Roof terraces and roof decks**

Set back roof terraces/roof decks so that they are concealed when viewed from the street.

Require that roof terraces/roof decks are set back a minimum of one metre from chimneys and parapets.

Avoid uncovered or open upper level decks and balconies and glass balustrades where they are visible from the front street and when on a corner, the side street.

Require that stairwells, lift wells and lift overruns are not visible when viewed from the public realm.

### **Fences and gates**

Retain original fences and gates that contribute to the significance of the heritage place.

Require front fences and gates to allow views to heritage places or contributory elements from surrounding streets.

Avoid high fencing, gates and boundary treatments (such as roller doors) that are unrelated to the historic character of the area.

Ensure that fences and gates are sympathetic to the period of construction and architectural style of the heritage place.

### **Archaeological sites**

Encourage applicants to consult with Heritage Victoria to facilitate compliance with Part 6 of the Heritage Act 2017.

Require an archaeological assessment where there is a known site of archaeological significance.

## Attachment 2 - YPS Rewrite - 2019 October

### 15.03-1L World Heritage Environs Area

---  
C---

#### Policy application

This policy applies to all land within HO361 World Heritage Environs Area Precinct.

#### Objectives

To protect significant views and vistas to the Royal Exhibition Building and Carlton Gardens.

To maintain and conserve the significant historic character (built form and landscapes) of the area.

To ensure new development in the area has regard to the prominence and visibility of the Royal Exhibition Building and Carlton Gardens.

#### Strategies

Retain and conserve individually significant and contributory places, including contributory fabric, form, architectural features and settings.

Retain and conserve the valued heritage character of streetscapes.

Retain the predominantly lower scale form of development which provides a contrast to the dominant scale and form of the Royal Exhibition Building.

Avoid consolidation of allotments in residential areas that would result in the loss of evidence of typical nineteenth century subdivision and allotment patterns.

Protect direct views and vistas to the Royal Exhibition Building and Carlton Gardens from abutting streets and other views and vistas to the dome available from streets within the precinct including Gertrude Street, Marion Lane and in Victoria Parade immediately east of the junction with Nicholson Street.

Discourage the introduction and proliferation of permanent structures and items such as shelters, signage (other than for historic interpretation purposes), kiosks and the like around the perimeter of the Royal Exhibition Building and Carlton Gardens in order to:

- Avoid impacts on the presentation of the Royal Exhibition Building and Carlton Gardens, including impacts on axial views along treed alleys and avenues.
- Minimise inappropriate visual clutter around the perimeter of the Royal Exhibition Building and Carlton Gardens.

## Attachment 2 - YPS Rewrite - 2019 October

### 16.01-2L Location of residential development

#### Objective

To direct the majority of new housing development to locations within an activity centre or major regeneration area (as shown on the Strategic Framework Plan in clause 02.04-1).

#### Strategies

Manage housing growth in high and moderate change areas in accordance with the Strategic Housing Framework Plans in this clause and the strategies for each change area.

Support residential growth that is appropriate to both its physical location and strategic context.

In high change areas (as shown on the Strategic Housing Framework Plans in this clause):

- Encourage higher density residential and mixed use development in the form of apartment buildings that establish a new character for the site or precinct.
- Encourage lot consolidation where appropriate to facilitate increased densities and efficient use of land.

In moderate change areas (as shown on the Strategic Housing Framework Plans in this clause):

- Support medium density residential and mixed use development in the form of apartment buildings that respond to heritage significance and streetscape character.
- Encourage lot consolidation where appropriate to facilitate increased densities and efficient use of land.

#### Objective

To maintain the character and scale of established residential areas that have limited potential for housing growth.

#### Strategies

Manage housing growth in minimal and incremental change areas in accordance with the Strategic Housing Framework Plans in this clause and the strategies for each change area.

Provide for minimal change in minimal change areas by encouraging development:

- Of one or two dwellings on typically small individual lots.
- That respects the prevailing type, scale and character of development in the street.

Provide for incremental change in incremental change areas by encouraging development:

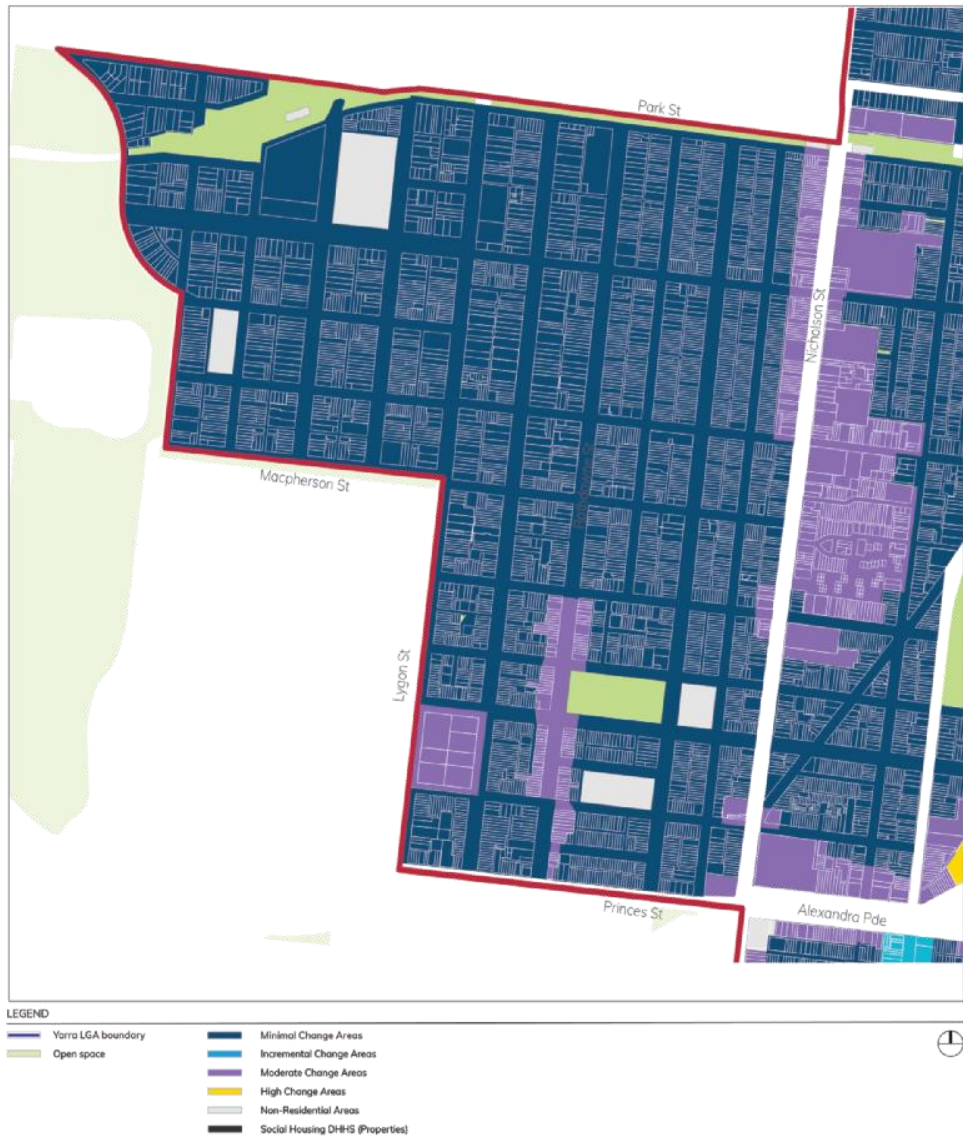
- Of single or town house type dwellings on individual lots or smaller scale apartment development.
- That respects character of the street.

Limit housing growth in minimal change areas and incremental change areas outside activity centres to ensure development responds to the small lot sizes, neighbourhood character and identified heritage significance.

Support mixed use development in incremental change areas within activity centres to maintain the role and function of the centres as locations for economic activity.

Attachment 2 - YPS Rewrite - 2019 October

Strategic housing framework plan – Princes Hill and Carlton North





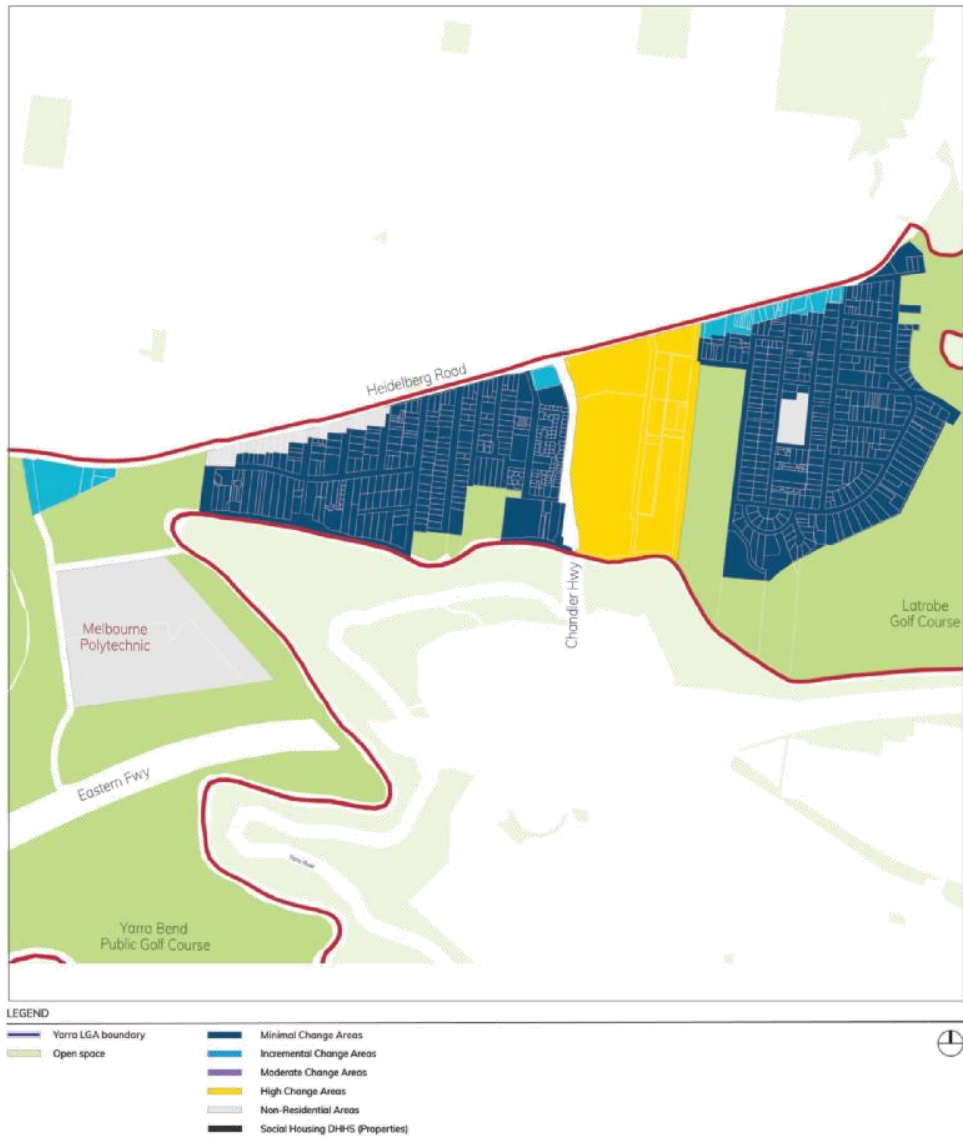
Attachment 2 - YPS Rewrite - 2019 October

Strategic housing framework plan – Fitzroy North and Clifton Hill



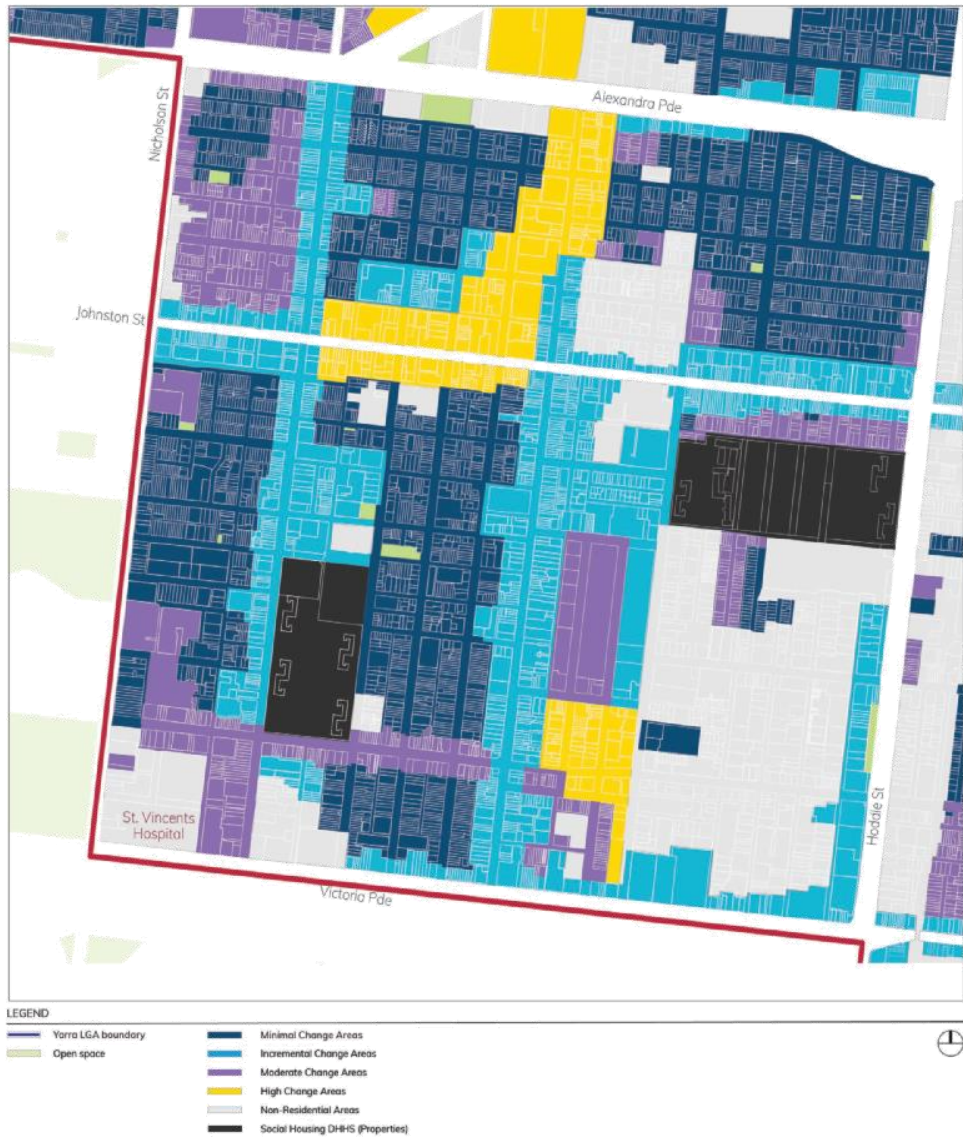
Attachment 2 - YPS Rewrite - 2019 October

Strategic housing framework plan – Fairfield and Alphington



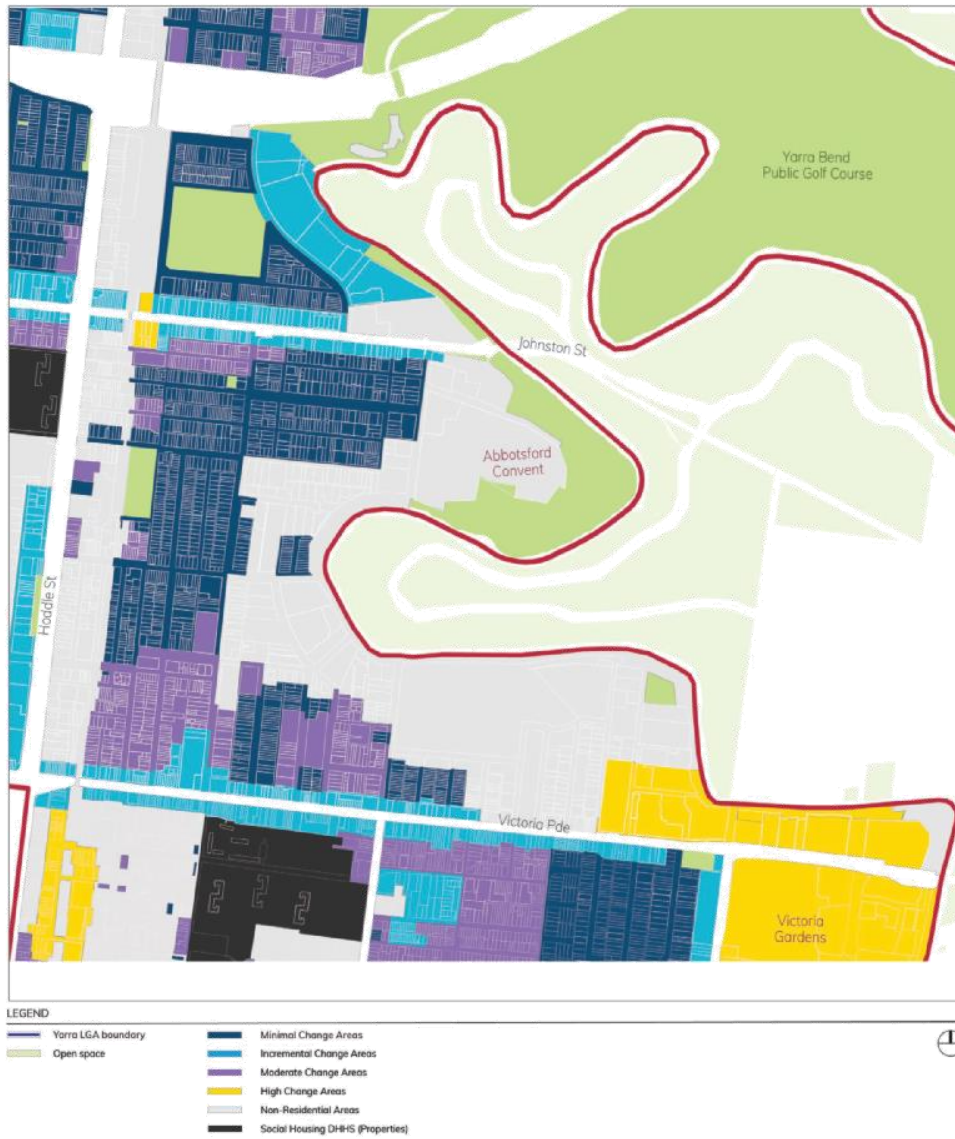
Attachment 2 - YPS Rewrite - 2019 October

Strategic housing framework plan – Fitzroy and Collingwood



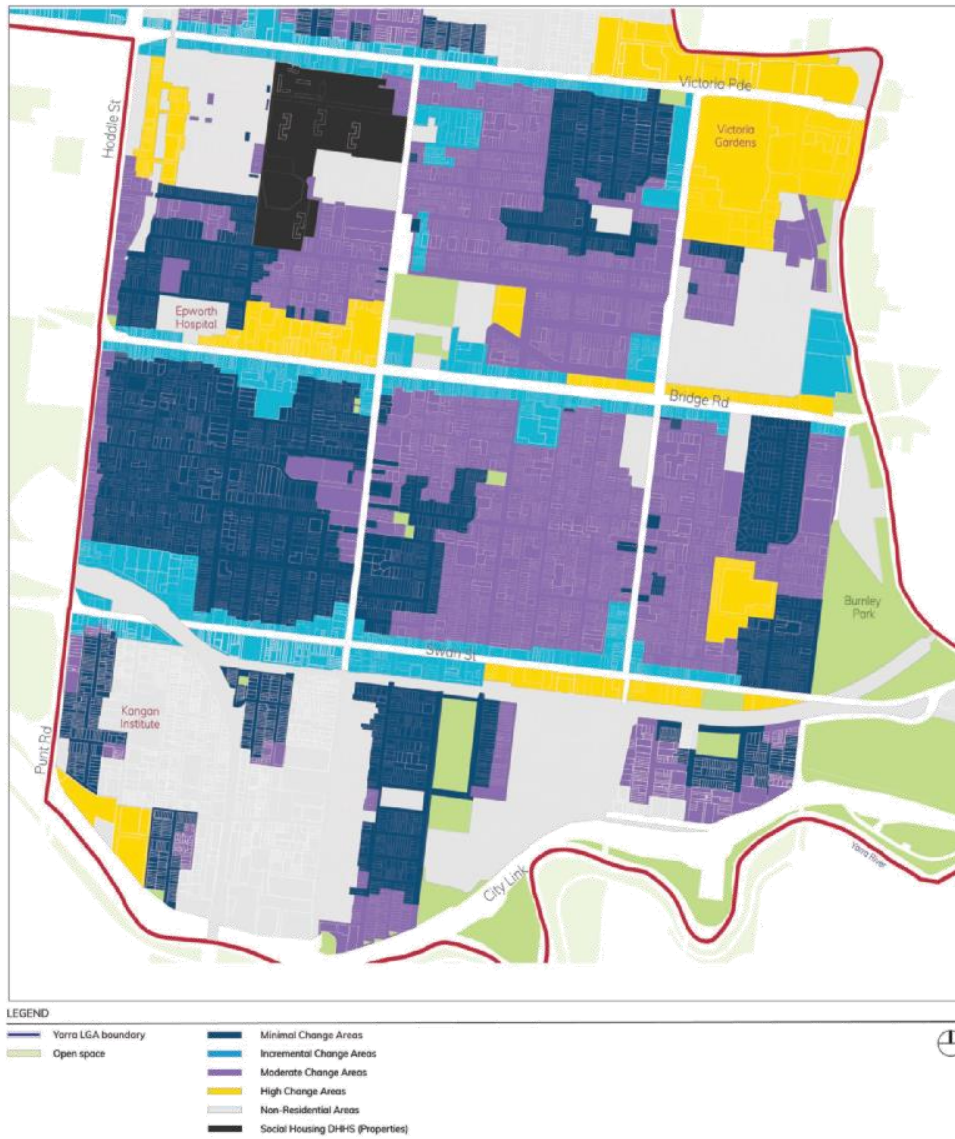
Attachment 2 - YPS Rewrite - 2019 October

Strategic housing framework plan – Abbotsford



Attachment 2 - YPS Rewrite - 2019 October

Strategic housing framework plan – Richmond, Cremorne and Burnley



## Attachment 2 - YPS Rewrite - 2019 October

### 16.01-3L Housing diversity

#### Strategies

Provide housing diversity to be demonstrated when rezoning land for residential use and in major residential developments of 50 or more dwellings.

Support well designed apartment development in high and moderate change areas (as shown in the figures in clause 16.01-2L) that include:

- The provision of larger dwellings suitable for families and shared households particularly on the lower levels of the building and the ground floor, with good access to well-designed communal open space.
- External spaces and large common rooms that promote social interaction as well as shared break out spaces and quiet areas.

Support alterations and additions to single houses to provide accommodation for larger household types.

Support emerging housing models such as cohousing that provide private and shared spaces.

Support purpose-built student housing in locations that have good access (by walking, cycling or public transport) to the tertiary institutions in the municipality.

## Attachment 2 - YPS Rewrite - 2019 October

### 16.01-4L Housing affordability

#### Objective

To facilitate the provision of affordable housing for key workers and social housing (public and affordable community housing), including new social housing and upgrades to existing social housing.

#### Strategies

Support development that includes a provision of affordable housing within its mix of dwellings.

Provide well-designed affordable housing within new development that is integrated with the remainder of the development.

Support development that caters for key workers (employed in the provision of essential services such as in the police, health, emergency or education sectors) within or close to activity centres, health and education precincts.

#### Objective

Support the provision of new public housing and upgrades to existing social housing (includes public housing).

#### Strategy

Support the development of new and additional social housing, in line with identified needs.

#### Policy guidelines

Consider as relevant:

- A requirement for a rezoning to residential use to provide a minimum of ten per cent of affordable housing.
- A requirement for major residential development of 50 or more dwellings to deliver a minimum of ten per cent of affordable housing, unless affordable housing has been provided as part of an earlier rezoning of the site.

## Attachment 2 - YPS Rewrite - 2019 October

### 17.01-1L Employment

#### Strategies

Support development that provides high quality amenity for workers.

Support development that provides affordable workspaces and co-working spaces to facilitate a diverse range of enterprises, including small businesses, artists and creative industries.

Recognise that commercial and industrial land can support employment uses during the day time whilst also supporting activities that contribute to the night-time economy.

Support uses that provide services for workers in employment areas and are ancillary to their employment function.

### 17.01-1L Cremorne and Gipps Street major employment precincts

#### Objective

To maintain and grow employment in the Cremorne and Gipps Street major employment precincts, as identified on the Strategic Framework Plan in clause 02.04.

#### Strategies

Manage the redevelopment of sites within Yarra's major employment precincts to provide uses that support their intended economic function.

Maintain zoning that supports the economic function of the major employment precincts.

Encourage the consolidation and intensification of employment land in Yarra's major employment precincts.

Support development that provides high-quality built form outcomes within Yarra's major employment precincts.

Support development that improves the public realm of major employment precincts, including the provision of or access to public open space.

Support improvements to pedestrian environments in major employment precincts, including:

- Wider and continuous footpaths.
- Links through sites.
- Links to public transport.
- Improved lighting and legibility to improve safety and security.

Manage transport within, to and from the major employment precincts by:

- Prioritising walking, cycling and public transport over car-based transport.
- Avoiding additional vehicle crossovers on major roads.
- Locating loading and waste collection facilities away from pedestrian environments.



## Attachment 2 - YPS Rewrite - 2019 October

### 17.02-1L **Retail**

#### **Strategies**

Support retail proposals that add to the sustainability and vitality of activity centres, including niche retailers that attract shoppers from the broader metropolitan area.

Encourage improvements to shop fronts and retail premises to improve the quality of the built environment in activity centres.

Ensure shopping centres or internalised mall developments provide active street frontages, a pedestrian interface and integrate with their surrounds in terms of design, layout and movement.

**Attachment 2 - YPS Rewrite - 2019 October**

**17.04-1L Tourism, arts and culture**

**Objective**

To promote Yarra as a pre-eminent tourism, arts and cultural destination in metropolitan Melbourne.

**Strategies**

Promote a diversity of arts and cultural uses, including live music venues, performance spaces, galleries and artist studios.

Promote the creative industries and artistic sectors by encouraging the provision of affordable workspaces for artists and public art installations.

Encourage public realm enhancements in locations that support visitor attractions.

Support proposals for visitor accommodation (including hotels and serviced apartments) where they contribute to the area's economic role or tourism offer, have good access to public transport, and are designed to avoid amenity impacts on residents within the same building or surrounding area.

**Attachment 2 - YPS Rewrite - 2019 October**

**18.01-1L Integrated transport**

**Strategies**

Ensure that structure plans and development plans identify and deliver opportunities to:

- Improve safety, connectivity and comfort in the built environment for pedestrians and cyclists of all abilities.
- Improve access to public transport.
- Maximise the efficiency of the road network by avoiding providing main road vehicle access and reinstating unused crossovers.
- Ensure negative impacts of development and car parking provision on local transport are minimised.

## Attachment 2 - YPS Rewrite - 2019 October

### 18.02-1L Sustainable transport

#### Objective

To secure a sustainable transport system that reduces the impact of private motor vehicle traffic and on-street parking.

#### Strategies

Encourage development to prioritise transport modes in order of the following transport hierarchy:

- Walking
- Cycling
- Public transport
- Commercial vehicles serving businesses and institutions
- Subscription based vehicles (eg. car shares)
- Private motor vehicles

Support development that reduces reliance on private cars.

Encourage lower amounts of car parking within developments.

Encourage increased infrastructure for active transport in developments (such as high levels of bicycle parking and end of trip facilities).

#### Policy guideline

Consider as relevant:

Green travel plans for:

- Non-residential buildings with a gross floor area greater than 1000 square metres.
- Apartment developments containing more than 10 dwellings.

### 18.02-1L Walking

#### Objective

To improve the walking network and create high-quality pedestrian environments.

#### Strategies

Ensure that footpaths and pedestrian environments associated with development is designed to:

- Give priority to pedestrians in street environments.
- Provide a continuous path of travel that is safe, uncluttered and well-lit, and allows ease of use for people of all ages and abilities.
- Make crossing streets and roads safe, comfortable and convenient, with minimal delays to pedestrians.
- Include clear signage to enable way finding.
- Provide direct access to public transport stops and stations.

Support the upgrade and establishment of paths along the Yarra River Merri Creek and Darebin Creek and to neighbouring municipalities as identified on the Strategic Framework Plan in clause 02.04.

Encourage publicly accessible pedestrian links through large sites.

## Attachment 2 - YPS Rewrite - 2019 October

### 18.02-1L Cycling

#### Objective

To improve cycling infrastructure and facilitate cycling for people of all ages and abilities.

#### Strategies

Encourage the provision of secure bicycle parking (including cargo bicycles) and high-quality end-of-trip facilities.

Provide separate entrances for bicycles and motorised vehicles in developments.

Provide easily accessible visitor bicycle parking as part of development.

Support the upgrade and establishment of paths and waterway crossings along the Yarra River Merri Creek and Darebin Creek and to neighbouring municipalities as identified on the Strategic Framework Plan in clause 02.04.

Encourage publicly accessible and safe cycling links through large sites, where links will connect with the existing cycling network.

Encourage the provision of electric bicycle infrastructure.

#### Policy guidelines

Consider as relevant:

Providing secure bicycle parking (including cargo bicycles) and end-of-trip facilities consistent the Built Environment Sustainability Scorecard 'BESS' (Council Alliance for a Sustainable Built Environment, 2015).

## Attachment 2 - YPS Rewrite - 2019 October

### 18.02-2L Public transport

#### Objective

To facilitate the use of public transport as a sustainable travel mode by improving access to services.

#### Strategies

- Support development that integrates with public transport by improving access to stops and stations, and providing signage and real time travel information, to the benefit of both end users and the community.
- Support improvements to stations, stops and interchanges, including accessibility for people of all abilities.

#### Objective

To support the provision of new public transport infrastructure and services and upgrades to existing services.

#### Strategy

- Support enhancements to the public transport network, including:
  - . The construction of new rail services that improves connectivity to other parts of Melbourne.
  - . Improved bus connections, including through dedicated bus corridors.
  - . Upgrades to the existing public transport infrastructure that increases the frequency and reliability of services and accessibility for people of all abilities.

## Attachment 2 - YPS Rewrite - 2019 October

### 18.02-3L Road system

#### Strategies

Support the reconfiguration of roads and junctions to improve the reliability and safety of all road users including pedestrians and cyclists.

Support the reorganisation or enhancement of streets to improve the public realm, and where appropriate, provide space for other non-transport uses or activity.

Use side streets and where necessary, laneways to provide access to car parking.

Locate and design vehicle crossings to:

- Ensure the safety of footpath and road users.
- Prevent disruption to footpath and road users.
- Avoid the removal of street trees and landscaping.
- Avoid multiple vehicular movements for access or egress.
- Avoid the loss of on-street parking from an excessive number and width of vehicle crossings.
- Avoid new vehicle crossovers in streets with few or no crossovers.

Ensure unused vehicle crossings are removed, with nature strips, street trees, landscaping and footpaths reinstated.

Avoid vehicle access arrangements of development from delaying or interfering with public transport travel times and reliability.

Support measures that direct freight movements to the Principal Freight Network and arterial roads and reduce the impact of freight on residential areas.

#### Policy guidelines

Consider as relevant:

Limiting vehicle crossings to one per site frontage where rear laneway access cannot be provided.

## Attachment 2 - YPS Rewrite - 2019 October

### 18.02-4L Car parking

#### Objective

To ensure car parking is supplied and managed consistent with promoting travel by sustainable modes.

#### Strategies

Support a reduction in the required number of car parking spaces where:

- The site has high public transport accessibility and is located within walking or cycling distance to shops, jobs and amenities;
- The development or use is unlikely to result in unreasonable impacts on existing on-street parking;
- Increased motor vehicle traffic from the development is likely to unreasonably impact on the amenity of nearby residents;
- The development more efficiently uses the upper floors of existing commercial buildings in activity centres and employment areas (where relevant); and
- The development provides adequate bicycle parking.

Support a reduction in the required number of car parking spaces where there are alternative modes of transport available.

Consider a reduction in the required number of car parking spaces where car share bays are provided to reduce reliance on privately owned vehicles.

Provide efficient shared car parking provision in activity centres and employment areas.

Encourage the provision of parking for ride-sharing vehicles, visitors, motorcycles and scooters in larger scale developments.

Encourage the provision of publicly accessible car share bays in major developments.

Provide illumination of car parking that offers safety without compromising the amenity of adjoining residential development.

Respond to car parking needs in precincts, through the preparation of structure plans and development plans.

Maintain high levels of pedestrian safety and sight lines.

#### Policy guideline

Consider as relevant:

- Electric vehicle infrastructure consistent with the *Built Environment Sustainability Scorecard 'BESS'* (Council Alliance for a Sustainable Built Environment, 2015).



## Attachment 2 - YPS Rewrite - 2019 October

### 19.02-1L Yarra's health precincts

#### Objective

To support the municipality's health precincts, recognising their specialised role in both Yarra and metropolitan Melbourne.

#### Strategies

Encourage health care uses and allied services to locate within the municipality's health precincts defined by:

- St Vincent's public and private hospitals and ACU Health and Education Precinct: land bounded by Brunswick, Gertrude and Nicholson Streets, Victoria Parade and ACU campus.
- Epworth Hospital Health Precinct: land fronting Bridge Road within in the Bridge Road Major Activity Centre, Erin Street, Normanby Place and Lennox and Judd Streets (generally south of Erin Street).

Support uses that complement and are ancillary to the role of the health precincts.

Manage interface impacts such as building bulk, overshadowing, noise and lightspill from the health and employment precincts on adjacent residential and commercial areas.

## Attachment 2 - YPS Rewrite - 2019 October

### 19.02-2L Yarra's education precincts

#### Objective

To support the municipality's education precinct identified in Plan Melbourne, to recognise its specialised role and function in both Yarra and metropolitan Melbourne.

#### Strategies

Promote education in Yarra's health and education precincts as identified in the Yarra Health and Education Precinct Framework Plan to Clause 19.02-1L, by supporting:

- The growth of the Australian Catholic University Education Precinct as an education and research employment hub.
- Development that promotes the teaching role in the St Vincent's Hospital Health Precinct and the Epworth Hospital Health Precinct.

Support uses that are ancillary to and complement the role of the municipality's health and education precincts.

Ensure interface impacts between the health and employment precincts and adjacent residential and commercial areas are managed.

## Attachment 2 - YPS Rewrite - 2019 October

### 19.02-6L1 Public Open space

#### Objective

To protect existing open space and increase the quantity and quality of open space and provide a linked network that meets existing and future community needs.

#### Strategies

- Promote improvements to the quantity, quality and accessibility of open spaces, particularly in those parts of the city where there are deficits in open space.
- Support a range of functions in open spaces, including leisure and recreation, and where appropriate, community gardens and urban agriculture.
- Facilitate improved links between open spaces within the city and other municipalities to form a network.

**Attachment 2 - YPS Rewrite - 2019 October**

**19.02-6L Public open space contribution**

~~19.02-6L~~  
C--

**Policy application**

This policy applies to all applications for development or subdivision of land that includes residential use.

**Objectives**

To identify when and where land contributions for public open space are preferred over cash contributions.

To set aside land suitable for public open space as part of the design of a development so that it can be transferred to or vested in Council, in satisfaction of the public open space contribution requirement specified in the schedule to Clause 53.01.

**Strategies**

Land contributions for public open space will be preferred over cash contributions in the following areas shown in the Open Space Contributions Plan to this clause.

- Abbotsford
- Collingwood
- Fitzroy
- North Fitzroy
- North Richmond
- Central Richmond
- Cremorne/ Richmond South

In all other areas of the municipality, a cash contribution equal to the amount specified in Clause 53.01 is required.

In locations where a preference for a land contribution has been identified, set aside land for public open space early in the planning of a development or subdivision.

Design buildings adjacent to any public open space set aside under this clause to facilitate high quality and accessible public open space.

**Policy guidelines**

Consider as relevant:

- The suitability of land to be contributed as public open space at the time of the subdivision of the land or building, will meet the following selection criteria:

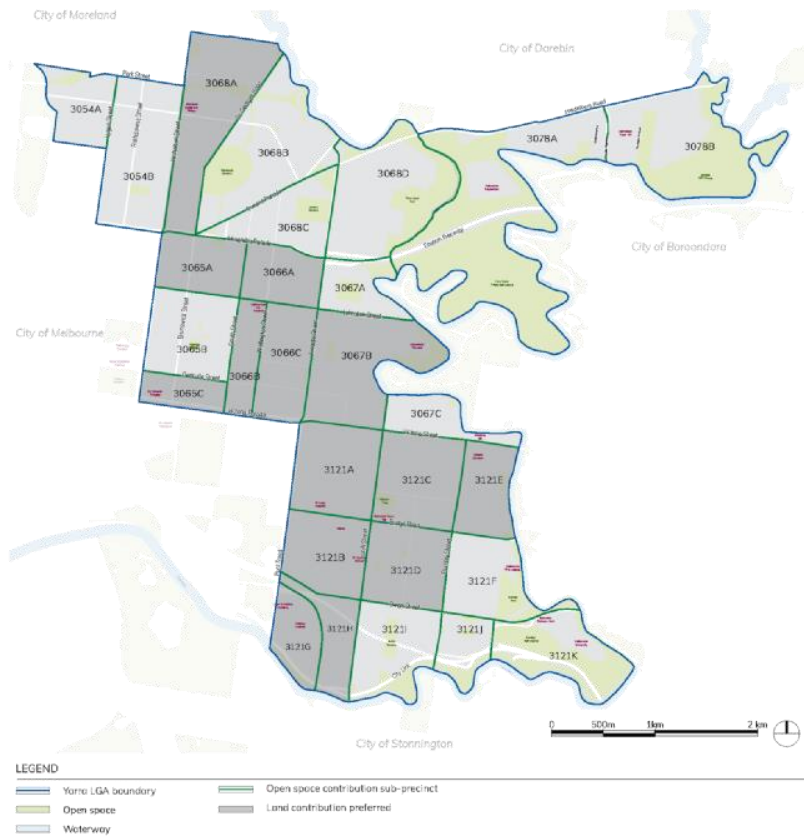
Land to be contributed:

- Should have an area of about 300 square metres and a minimum width of 10 metres or be able to meaningfully contribute to the assembly of a parcel of land of these dimensions or larger.
- Should be of a shape and size that will be adequate for the proposed use, having regard to the nature of public open space in an inner-city environment or be able to meaningfully contribute to the assembly of a parcel of land with these attributes.
- Should be free of structures and protrusions, such as balconies or other building projections that may encroach into the public open space reserve, except for historic buildings or structures relating to the designated public open space use.
- Should be located or be capable of being designed to provide a high degree of casual surveillance.

**Attachment 2 - YPS Rewrite - 2019 October**

- Must be accessible.
- Should be visible from adjacent thoroughfares.
- Should receive reasonable sunlight between 9am and 2pm on September 22.
- Should be located away from major or secondary arterial roads.
- Should have an entry from a local street or be capable of being provided with such entry.
- Whether any building on land adjacent to public open space set aside under this clause has been designed to accommodate public open space in a manner that meets the majority of the above selection criteria.

**Open Space Contribution Plan**



## Attachment 2 - YPS Rewrite - 2019 October

### 19.03-2L Development contributions

#### Strategies

Provide new or upgraded social and physical infrastructure in line with identified needs.

Support development that provides contributions towards the upgrading or provision of infrastructure through voluntary contributions.

**Attachment 2 - YPS Rewrite - 2019 October**

**19.03-3L Water sensitive urban design**

**Policy application**

This policy applies to applications for:

- The construction of a building.
- An extension to an existing building that is 50 square metres in floor area or greater.
- Subdivision of land in a commercial zone.

This policy does not apply to an application for the subdivision of an existing building.

**Objective**

To achieve the best practice water quality performance objectives set out in the *Urban Stormwater Best Practice Environmental Management Guidelines*, CSIRO 1999 amended). Currently, these water quality performance objectives require:

- Suspended Solids – 80% retention of typical urban annual load.
- Total Nitrogen - 45% retention of typical urban annual load.
- Total Phosphorus – 45% retention of typical urban annual load.
- Litter – 70% reduction of typical urban annual load.

To mitigate the detrimental effect of development on downstream waterways, by the application of best practice stormwater management through water sensitive urban design for new development.

To minimise peak stormwater flows and stormwater pollutants to improve the health of water bodies, including creeks, rivers and bays.

To reintegrate urban water into the landscape to facilitate a range of benefits including microclimate cooling, local habitat and provision of attractive spaces for community use and well-being.

**Strategies**

Improve the quality of stormwater and reduce the flow of water discharged to waterways including through:

- Collection and reuse of rainwater and stormwater on site.
- Vegetated swales and buffer strips.
- Rain gardens.
- Water recycling systems.
- Infiltration, including porous paving and permeable trenches/sumps.
- Directing flow from impervious ground surfaces to landscaped areas.
- Use of silt traps and other measures during construction.

Use measures to prevent litter being carried off-site in stormwater flows, including:

- Waste enclosures and storage bins.
- Litter traps for developments with the potential to generate significant amounts of litter.

Encourage green roofs, walls and facades on buildings where practicable (to be irrigated with rainwater/stormwater) to enhance the role of vegetation on buildings in managing the quality and quantity of stormwater.

Incorporate works to maintain or improve the quality of stormwater within or exiting the site.

Avoid adding to the storm water discharge or adversely affecting water quality entering the drainage system.

**Policy guidelines**

Consider as relevant:

## Attachment 2 - YPS Rewrite - 2019 October

- Best practice stormwater management as set out in the *Urban Stormwater Best Practice Environmental Management Guidelines* (CSIRO, 1999).
- The following tools (or equivalent):
  - Melbourne Water's STORM Calculator.
  - Model for Urban Stormwater Improvement Conceptualisation (MUSIC).
- The level of ongoing management required to achieve and maintain the desired stormwater quality measures that will be used during the construction phase to prevent a loss of stormwater quality as a result of building activities, such as silt traps.

### **Expiry**

This policy will expire when superseded (as determined by the Minister for Planning) by Water Sensitive Urban Design provisions in the Victoria Planning Provisions or the Building Code of Australia Regulations, whichever happens first.



**Attachment 2 - YPS Rewrite - 2019 October**

**19.03-5L Waste**

**Strategies**

Make provision for waste and recycling in new development, including separation, storage and collection facilities and facilities for composting.

Ensure that the size and design of waste and recycling facilities can accommodate the waste and recycling likely to be generated by the development.

Ensure that waste and recycling facilities are located to enable ease of use by occupants and access for transport.

**Attachment 2 - YPS Rewrite - 2019 October**

**SCHEDULE TO CLAUSE 52.28 GAMING**

**1.0 Objectives**

- To manage the social and economic impacts of gaming (electronic gambling).
- To locate gaming (electronic gambling) machines away from disadvantaged or vulnerable communities.
- To ensure that the location of gaming machines and the design of gaming machine venues minimise the risks associated with electronic and avoids exacerbating problem gambling.
- To discourage convenience gaming.
- To provide for gaming that limits adverse impacts on surrounding uses and facilitates a net community benefit in Yarra.

**2.0 Prohibition of a gaming machine in a shopping complex**

Installation or use of a gaming machine as specified in Clause 52.28-4 is prohibited on land described in Table 1 below.

**Table 1**

Name of shopping complex and locality	Land description
Richmond Plaza, Richmond	Land on the northwest corner of Church Street and Bridge Road, Richmond.
Victoria Gardens Shopping Centre	Land located at the corner of Burnley Street and Victoria Street, Richmond.

**3.0 Prohibition of a gaming machine in a strip shopping centre**

A gaming machine as specified in Clause 52.28-5 is prohibited in all strip shopping centres on land covered by this planning scheme.

**4.0 Locations for gaming machines**

- Gaming machines should not be located:
- In areas where gaming is discouraged as shown on Gaming Policy Map to this schedule.
  - In or immediately opposite neighbourhoods with a relatively high concentration of gaming machines (above the Victorian average).
  - Where there is convenient access to places of high pedestrian activity, including shops and railway stations.
  - In areas offering a limited choice of alternative non-gambling activities for the local community, including within the venue or in close proximity to the venue.

**5.0 Venues for gaming machines**

- Gaming machines should only be located in venues that:
- Offer social, entertainment and recreational opportunities and activities other than gaming as the primary purpose of the venue.
  - Have a gaming floor area of less than 25% of the total floor area of the venue.
  - Promote responsible gaming practices.
  - Do not allow for 24 hour-a-day operation.

## Attachment 2 - YPS Rewrite - 2019 October

### 6.0 Application requirements

The following application requirements apply to an application for a permit under Clause 52.28, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

The proposed design and layout of the premises including all signage.

A venue management plan identifying strategies to manage patron behaviour and minimise problem gambling in relation to the design and management of the venue, including the applicant's responsible gaming practices.

Evidence of compliance with the relevant gaming regulations for premises layout and design.

An assessment of the social and economic benefits and disadvantages of the proposed gaming machines comprising:

#### *Socio-economic impact*

- An analysis of the venue's projected patron catchment and its socio-economic profile. The analysis should include justification and details of the projected catchment area.
- If it is proposed to move Electronic Gambling Machines (EGMs) from one part of the municipality to another:
  - Details of the relative social and economic differences between the two areas
  - An explanation as to why the EGMs are being transferred.

#### *Location assessment*

- Characteristics of the local area, including the location of and distance to shopping complexes and strip shopping centres, community facilities, social housing, counselling services and public transport.
- Details of existing and proposed gambling and non-gambling related entertainment and recreation facilities and activities at the venue and within 1km of the venue.
- If required, pedestrian counts outside the venue.

#### *Gaming machine impacts*

- Details about the existing and proposed distribution and density of EGMs in the municipality and its neighbourhoods.
- Details of existing gaming expenditure at the venue over a 3 year period prior to the application (if relevant) and a one year forecast of the anticipated expenditure at the venue if the proposal was to be approved.
- If EGMs are to be relocated from other venues, and as a result gaming expenditure is likely to be transferred from other venues:
  - Particulars as to how the level of transfer has been calculated (including, but not limited to, comparison per machine expenditure at the venue prior to and then after the additional machines, current usage levels of machines at the venue, projected usage level of machines at the venue after the additional machines).
  - The amount of transfer expenditure anticipated.
  - The resulting impact on revenue of the venue from where the expenditure is transferred.
  - The resulting impact on the venue from where the expenditure is transferred (such as loss of employment, loss of complementary expenditures, loss of customers, impact on ability to provide services etc).

#### *Benefits*

- Details of the nature and extent of community benefits expected from the proposal and how the benefits are to be secured and distributed to the local community.

#### *Analysis*

- Assessment of key social and economic issues and overall net community impact.
- Measures to mitigate any negative impacts.

## Attachment 2 - YPS Rewrite - 2019 October

### 7.0 Decision guidelines

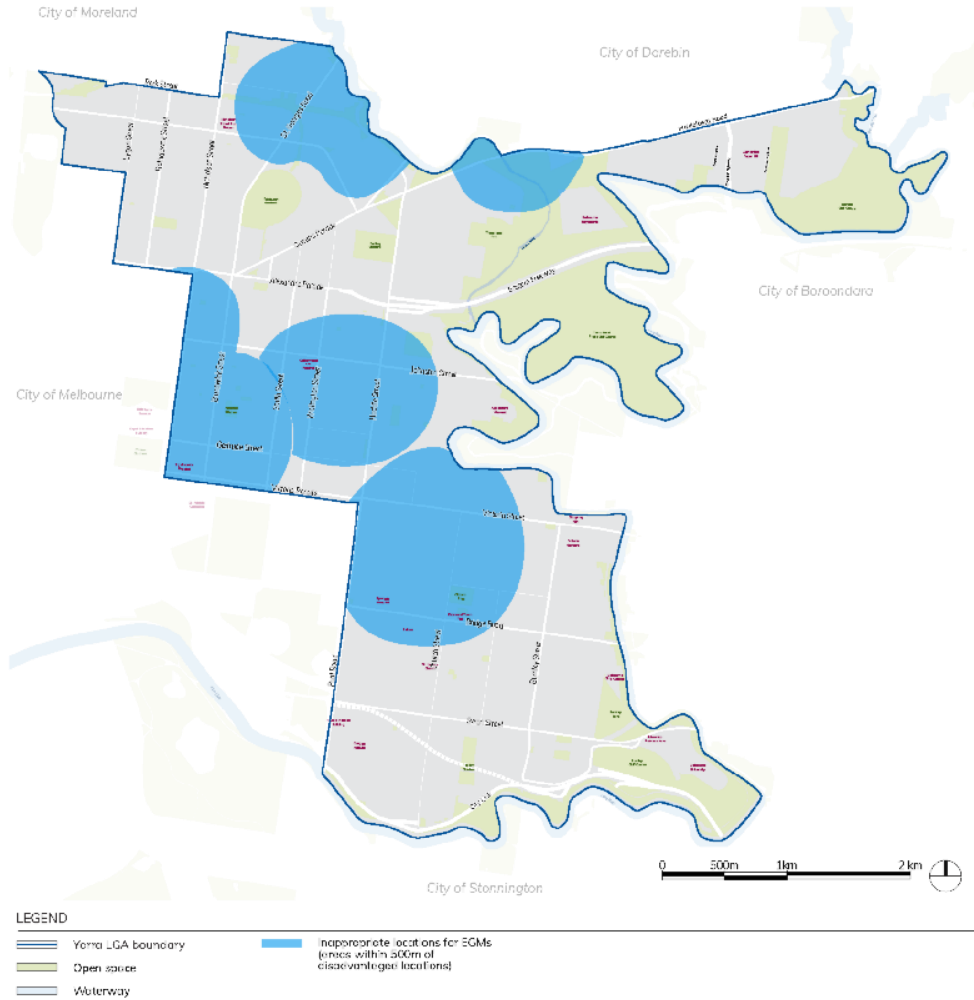
The following decision guidelines apply to an application for a permit under Clause 52.28, in addition to those specified in Clause 52.28 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

Whether the proposal increases EGM densities in the neighbourhood; and how that increase affects the local community and compares with the metropolitan Melbourne average.

- Whether approval is likely to increase the socio-economic disadvantage of the local community.
- The net community benefit to be derived from the application, taking into account the following:
  - The socio-economic profile and patron catchment of the area within 1km of the venue.
  - Location of the venue in relation to nearby land uses and transport facilities.
  - The availability of other entertainment and recreation facilities within 1km of the venue and at the venue.
  - The social and economic impacts of the proposal.
  - The distribution and density of gaming machines in the neighbourhood and municipality.
  - If the gaming machines are to be relocated from within the municipality, the comparative advantages and disadvantages of the two locations.
- Whether the location of the gaming machines or gaming premises is close to places of community congregation and will encourage convenience gaming.
- Whether patrons will have a choice of non-gambling entertainment and recreation activities at the venue or within 1km of the venue.
- The impact of the proposal on the amenity of the area and surrounding land uses, including through their:
  - Operating hours.
  - Management of patrons.
  - Generation of noise and disturbance.

Attachment 2 - YPS Rewrite - 2019 October

Gaming Policy Map



## Attachment 2 - YPS Rewrite - 2019 October

## YARRA PLANNING SCHEME

--/20--  
C--**SCHEDULE TO CLAUSE 72.04 DOCUMENTS INCORPORATED IN THIS PLANNING SCHEME****1.0****Incorporated documents**--/20--  
C--

Name of document	Introduced by
5-15 Mayfield Street, Abbotsford, Incorporated Document, October, 2018	C188
10 Bromham Place, Richmond Incorporated Document, February 2013	C171
18-62 Trenerry Crescent, Abbotsford (Incorporated Plan, May 2018)	C218
32-68 Mollison Street and 61-69 William Street, Abbotsford July 2013	C170
351-353 Church Street, Richmond – Incorporated Document, Feb 2019	C225
520 Victoria Street, 2A Burnley Street, and 2 – 30 Burnley Street, Richmond, Burnley C150 Street West Precinct - Incorporated Plan, 2012	C150
Ancor Alphington Paper Mill Site Preparation – Incorporated Document, September C161 2012	C161
Atherton Gardens – Fitzroy, September 2010	C136
Caulfield Dandenong Rail Upgrade Project, Incorporated Document, April 2016	GC37
Chandler Highway Upgrade Incorporated Document, March 2016 (Amended GC80 December 2017)	C267yara
City of Yarra Database of Heritage Significant Areas, revised September 2019	C269yara
Cremorne Balmain Dover Street Project	NPS-1
Crown Land Car Park Works, Burnley, August 2005	C92
Fitzroy Former Gasworks Site, Incorporated Document, February 2018	C242
Flying Fox Campsite, Yarra Bend Park, December 2004	C90
Guidelines – Managing noise impacts in urban development, October 2019	C269yara
Hurstbridge Rail Line Upgrade 2017 Incorporated Document, January 2017	GC60
Incorporated Plan under the provisions of clause 43.01 Heritage Overlay, Planning permit exemptions, July 2014	C178
Local Policy “Protection of Biodiversity” Sites of Remnant Vegetation (Biosis 2001)	C49
M1 Redevelopment Project, October 2006	C86
Melbourne City Link Project – Advertising Sign Locations, November 2003	VC20
Melbourne Metro Rail Project: Upgrades to the Rail Network Incorporated Document, May 2018	GC96
Planning and Design Principles for the Richmond Maltings Site, Cremorne, November 2007	C101
Richmond Walk Up Estate Redevelopment, September 2010	C136
Social housing redevelopment; Atherton Gardens Estate, Fitzroy, and Richmond C135 Public Housing Estate, Richmond, for which the Minister for Planning is the Responsible Authority, May 2010	C135

**Attachment 2 - YPS Rewrite - 2019 October**

YARRA PLANNING SCHEME

Name of document	Introduced by
Specific Site and Exclusion – Lot 2 on PS433628L (452 Johnston Street, Abbotsford)	C56
Swan Street Works, Burnley, June 2005	C91
Tramway Infrastructure Upgrades Incorporated Document, May 2017	GC68
Victoria Gardens Building Envelope and Precinct Plan and Precinct 3 Plan – C7 Warehouse Area	C7
Victoria Gardens Urban Design Guidelines	NPS-1
Victorian Institute of Forensic Psychiatry Concept Plan (January 1997)	NPS-1
Yarra Gardens Precinct Plan, December 2009	C126

**Attachment 2 - YPS Rewrite - 2019 October**

YARRA PLANNING SCHEME

--/20--  
C--

**SCHEDULE TO CLAUSE 72.08 BACKGROUND DOCUMENTS**

1.0

**Background documents**

--/20--  
C--

<b>Name of background document</b>	<b>Amendment number Clause reference</b>
<i>Activity Centres Roles and Boundaries</i> (City of Yarra, Oct 2019)	Clause 11.03-1L
<i>Built Environment Sustainability Scorecard 'BESS'</i> (Council Alliance for a Sustainable Built Environment 'CASBE', 2015)	Clause 15.02-1L
<i>Building for Diversity – Yarra's Social and Affordable Housing Strategy</i> (Yarra City Council, November 2019)	Clause 16.01-4L
<i>Burra Charter The Australia ICOMOS Charter for Places of Cultural Significance</i> (Australia ICOMOS, 2013)	Clause 15.03-1L
<i>City of Yarra Community Infrastructure Plan</i> (City of Yarra, April 2018)	Clause 19.03-1L
<i>Collingwood South Built Form Review</i> (Hansen Partnership, June 2018)	Clause 15.03-1L
<i>Collingwood South Built Form Review, Heritage Analysis and Recommendations</i> (GJM Heritage, June 2018)	Clause 15.03-1L
<i>Council Plan 2017-2021</i> (City of Yarra, 2017)	Clause 02.02 Clause 02.03
<i>Environmentally Sustainable Design Buildings Policy</i> (City of Yarra, August 2014)	Clause 15.02-1L
<i>Fitzroy Urban Conservation Study Review</i> (Allom Lovell and Associates, November 1992)	Clause 15.03-1L
<i>Green Star (Green Building Council of Australia)</i>	Clause 15.02-1L
<i>Guidelines - Managing Noise and Vibration in Urban Development</i> (Yarra City Council, October 2019)	Clause 13.07-3L
<i>Heritage Citation 112-124 Trenerry Crescent, Abbotsford</i> (GJM Heritage, July 2016)	Clause 15.03-1L
<i>Heritage Citation 20-60 Trenerry Crescent, Abbotsford</i> (GJM Heritage, July 2016)	Clause 15.03-1L
<i>Heritage Conservation Study, Carlton, North Carlton and Princes Hill</i> (Nigel Lewis and Associates, July 1984)	Clause 15.03-1L
<i>Heritage Conservation Study, Collingwood</i> (Andrew Ward and Associates, April 1989)	Clause 15.03-1L
<i>Heritage Conservation Study Review, Collingwood</i> (Andrew Ward and Associates, May 1995)	Clause 15.03-1L
<i>Heritage Conservation Study, Northcote</i> (Graeme Butler Architect, February 1982)	Clause 15.03-1L
<i>Heritage Conservation Study, North Fitzroy</i> (Jacob Lewis Vines Architects, July 1978)	Clause 15.03-1L
<i>Heritage Conservation Study, Richmond</i> (J and T O'Connor and Coleman and Wright Architects, January 1985)	Clause 15.03-1L



## Attachment 2 - YPS Rewrite - 2019 October

## YARRA PLANNING SCHEME

Name of background document	Amendment number Clause reference
<i>Heritage Conservation Study, South Fitzroy</i> (Jacob Lewis Vines Architects, March 1979)	Clause 15.03-1L
<i>Heritage Gaps An Overview</i> (Graeme Butler & Associates, 2004, updated March 2013)	Clause 15.03-1L
<i>Heritage Gaps Review One</i> (City of Yarra/Graeme Butler, 2013)	Clause 15.03-1L
<i>Heritage Gap Review One; Incorporated Plan, Methodology Report</i> (Lovell Chen, 2014)	Clause 15.03-1L
<i>Heritage Gap Review Two Methodology Report</i> (Lovell Chen, 2012)	Clause 15.03-1L
<i>Heritage Gap Study Review of 17 Precincts Stage 2 Report</i> (Context Pty Ltd, August 2014, Revised 16 October 2016)	Clause 15.03-1L
<i>Heritage Gap Study Review of Central Richmond, Stage 2 Final Report</i> (Context Pty Ltd, November 2014)	Clause 15.03-1L
<i>Heritage Gap Study Review of Johnston Street East</i> (Context Pty Ltd, April 2016)	Clause 15.03-1L
<i>Heritage Gap Study Stage 1</i> (Graeme Butler and Associates, 2008)	Clause 15.03-1L
<i>Heritage Gap Study Stage 2</i> (Graeme Butler and Associates, 2009)	Clause 15.03-1L
<i>Heritage Gaps Study – Smith Street South</i> (Anthemion Consultancies, July 2014)	Clause 15.03-1L
<i>Heritage Gaps Study 233-251 Victoria Street, Abbotsford</i> (Anthemion Consultancies, October 2012)	Clause 15.03-1L
<i>Heritage Overlay Areas, Review of, Appendix 7</i> (Graeme Butler and Associates, 2007) Updated 2013	Clause 15.03-1L
<i>Heritage Policy – Residential</i> (Context, October 2019)	Clause 15.03-1L
<i>Heritage Policy - Industrial</i> (GJM Heritage, 1 October 2019)	Clause 15.03-1L
<i>Heritage Review</i> (Allom Lovell and Associates, June 1998)	Clause 15.03-1L
<i>Heritage Review of Predefined Areas In Abbotsford &amp; Collingwood Stage 2 Report</i> (Context Pty Ltd, July 2015)	Clause 15.03-1L
<i>Inner Melbourne Action Plan 2016-2026</i> (Inner Melbourne Action Plan, August 2016)	Clause 15.03-1L
<i>Johnston Street Local Area Plan</i> (City of Yarra, 2015)	Clause 11.03-2L Schedule 15 to 43.02
<i>Landmarks and Views Assessment</i> (Ethos Urban, October 2019)	Clause 15.01-2L
<i>Model for Urban Stormwater Improvement Conceptualisation 'MUSIC'</i> (Melbourne Water)	Clause 15.02-1L
<i>Nationwide House Energy Rating Scheme 'NatHERS'</i> , (Department of Climate Change and Energy Efficiency)	Clause 15.02-1L
<i>Parking Management Strategy Action Plan 2013-2015</i> (City of Yarra, 2013)	Clause 18.02-4L

## Attachment 2 - YPS Rewrite - 2019 October

## YARRA PLANNING SCHEME

Name of background document	Amendment number Clause reference
<i>Public Art Policy 2015-2020</i> (City of Yarra, 2015)	Clause 15.01-1L
<i>Licensed Premises Policy – Background Document</i> (Public Place / 10 Consulting Group Dec 2015)	Clause 13.07-1L
<i>Queens Parade Built Form Heritage Review</i> (GJM Heritage, December 2017)	Clause 11.03-2L, Schedules 16 & 20 to 43.02
<i>Queens Parade Built Form Review</i> (Hansen Partnership, December 2017)	Clause 11.03-2L Clause 15.03-1L Schedules 16 & 20 to 43.02
<i>State Environment Protection Policy (Waters)</i> (EPA 2018)	Clause 15.02.1L
<i>Stormwater Treatment Objective - Relative Measure 'STORM'</i> (Melbourne Water)	Clause 15.02.1L
<i>Sustainable Design Assessment in the Planning Process</i> (IMAP, 2015).	Clause 15.02.1L
<i>Swan Street Built Form Heritage Review</i> (GJM Heritage, September 2017)	Clause 11.03-2 Clause 15.03-1 Schedule 17 to 43.02
<i>Swan Street Built Form Review, Heritage Assessment and Analysis</i> (GJM Heritage, October 2017)	Clause 11.03-2 Schedule 17 to 43.02
<i>Swan Street Built Form Review</i> (Tract Consultants, September 2017)	Clause 11.03-2 Clause 15.03-1 Schedule 17 to 43.02
<i>Swan Street Traffic Engineering Assessment</i> (Traffix Group, July 2017)	Clause 11.03-2
<i>Urban Design Strategy</i> (City of Yarra, June 2011)	Clause 15.01-1L
<i>Urban Forest Strategy</i> (City of Yarra & Urban Forest Consulting, 2017)	Clause 12.01-1L
<i>Urban Stormwater Best Practice Environmental Management Guidelines</i> , (CSIRO, 1999)	Clause 15.02-1L Clause 19.03-3L
<i>Victoria Street and Bridge Road Built Form Review</i> (David Lock Associates, June 2018)	Clause 11.03-2L Schedule 22 to 43.02
<i>Victoria Street and Bridge Road Built Form Review, Heritage Assessment and Analysis</i> (GJM Heritage, June 2018)	Clause 11.03-2L Clause 15.03-1L Schedule 22 to 43.02
<i>Victoria Street and Bridge Road Activity Centres, Richmond – Traffic Engineering Assessment</i> (Traffix Group, June 2018)	Clause 11.03-2L
<i>Victoria Street East Precinct, Richmond Urban Design Framework</i> (MGS Architects & Jones and Whitehead, November 2005)	Clause 11.03-6L
<i>Waste Minimisation and Resource Recovery Strategy 2018-2022</i> (City of Yarra, 2018)	Clause 19.03-5L
<i>Water Sensitive Urban Design Guidelines for City of Yarra Works</i> (City of Yarra, October 2012, revised February 2016)	Clause 19.03-3L

## Attachment 2 - YPS Rewrite - 2019 October

## YARRA PLANNING SCHEME

Name of background document	Amendment number Clause reference
<i>WSUD Engineering Procedures: Stormwater</i> (Melbourne Water, June 2005)	Clause 19.03-3L
<i>World Heritage Environs Area Strategy Plan Royal Exhibition Building and Carlton Gardens</i> (Lovell Chen, October 2009)	Clause 15.03-1L
<i>Yarra City Council Gaming Policy Framework</i> (Coomes Consulting Group, November 2008)	Schedule to Clause 52.28
<i>Yarra Environment Strategy 2013-2017</i> (City of Yarra, 2013)	Schedule to Clause 53.01 Clause 19.02-6L
<i>Yarra Housing Strategy</i> (City of Yarra, September 2018)	Clause 16.01-2L Clause 16.01-3L Clause 16.01-4L
<i>Yarra Open Space Strategy</i> (Thompson Berrill Landscape Design, December 2006)	Clause 19.02-6L
<i>Yarra Spatial Economic and Employment Strategy</i> (SGS Economics and Planning, August 2018)	Clause 17.01-1L Clause 17.02-1L Clause 17.03-1L Clause 17.04-1L

## Attachment 2 - YPS Rewrite - 2019 October

### SCHEDULE TO CLAUSE 74.01

#### 1.0 Application of zones, overlays and provisions

This planning scheme applies the following zones, overlays and provisions to implement the Municipal Planning Strategy and the objectives and strategies in Clauses 11 to 19:

##### Zones

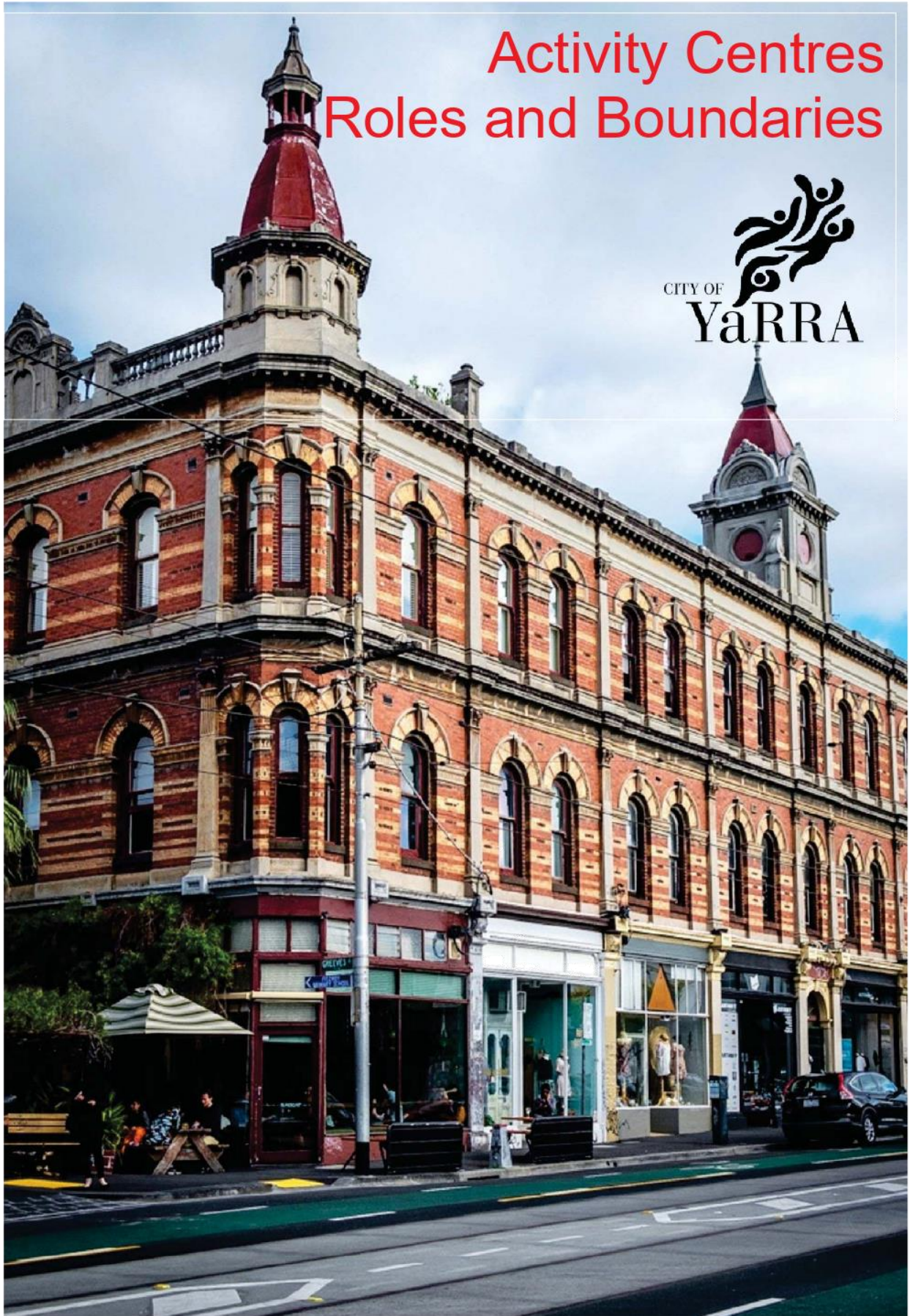
- *Mixed Use Zone* to areas previously used for a mix of industrial and commercial purposes which provide opportunities for residential and commercial re-development and renewal
- *General Residential Zone* to established residential areas where incremental change is anticipated
- *Neighbourhood Residential Zone* to established residential areas with heritage significance where minimal change is anticipated
- *Industrial 1 Zone* to industrial areas with a mix of manufacturing and commercial uses
- *Industrial 3 Zone* to industrial and mixed use areas as a buffer between Industrial 1 Zone and residential or commercial areas
- *Commercial 1 Zone* to retail and commercial areas where more intensive retail, commercial and residential development is anticipated, including strip shopping centres
- *Commercial 2 Zone* to commercial and mixed use areas where significant employment is anticipated and residential activity is not appropriate
- *Public Use Zone* to specific public land uses and institutions including public schools
- *Public Park and Recreation Zone* to public parkland for a range of passive and active recreational and environmental purposes
- *Public Conservation and Resource Zone* to parkland with high conservation values including land adjoining the Yarra River
- *Road Zone* to selected major roads controlled by the State roads authority VicRoads and Yarra City Council as the local road authority
- *Special Use Zone* to a variety of recreational, private school, cultural, private hospital and arts related institutions
- *Comprehensive Development Zone* to former industrial sites which require an overall development plan to guide redevelopment for specific land uses and building form
- *Urban Floodway Zone* to flood prone land along waterways including the Merri Creek and Darebin Creek
- *Priority Development Zone* to sites in Abbotsford identified by a Priority Development Panel process 2007 to 2008

##### Overlays

- *Environmental Significance Overlay* to the Merri Creek and Darebin Creek corridors
- *Significant Landscape Overlay* to the Yarra River corridor and adjoining landscapes
- *Heritage Overlay* to places and precincts identified in heritage studies
- *Design and Development Overlay* to places, precincts and corridors where building form and design should be controlled including activity centres and the Yarra River
- *Incorporated Plan Overlay* to sites, including former industrial land, where redevelopment and land use should be controlled by an incorporated plan
- *Development Plan Overlay* to sites or precincts, including former industrial areas where redevelopment and land use should be generally in accordance with an approved development plan
- *Land Subject to Inundation Overlay* to flood-prone land along the Yarra River, Merri Creek and Darebin Creek
- *Special Building Overlay* to areas prone to overland flow flooding, including former watercourses in parts of Princes Hill, Carlton North, Fitzroy North, Fitzroy, Collingwood and Richmond
- *Public Acquisition Overlay* to sites, road widening and other locations such as adjoining waterways where an acquiring authority has requested the overlay

## Attachment 2 - YPS Rewrite - 2019 October

- *Environmental Audit Overlay* to sites and areas where potential contamination from former industrial land use or other sources, indicates an environmental audit must be undertaken before any sensitive use (such as housing) commences
- *City Link Project Overlay* to land along the City Link motorway corridor including land above the motorway tunnels



## **Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

### **Abstract**

This report assesses the policy context for the system of activity centres in the City of Yarra. It reviews the current planning scheme provisions and analyses the roles, extent and boundaries of all the activity centres. It provides the basis for revisions in the Planning Scheme re-write and adds explicit boundaries to local policy. The report also addresses the level of change and new development anticipated in the Major, Neighborhood and Local activity centres.

**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

**Contents**

1. Introduction ..... 3  
 1.1 Purpose ..... 3  
 2. Our Activity Centres ..... 4  
 3. Approach and Method ..... 4  
 4. Policy Framework ..... 6  
 4.1 Plan Melbourne 2017-2050 ..... 6  
 4.2 Existing Yarra Planning Scheme ..... 7  
 4.3 Review of Yarra Planning Scheme 2014 ..... 10  
 4.4 Current Council Structure Plans and Local Area Plans ..... 10  
 5. Yarra’s Activity Centre Network ..... 11  
 5.1 Major Activity centres ..... 11  
     Brunswick and Smith Streets ..... 11  
     Victoria Street ..... 12  
     Bridge Road ..... 13  
     Swan Street ..... 13  
 5.2 Neighbourhood Centres ..... 14  
 6. The Role of the Activity Centre Network ..... 15  
 6.1 Employment Land Capacity ..... 15  
 6.2 Retail floor-space ..... 16  
 6.3 Supporting employment growth in activity centres ..... 16  
 6.4 Housing capacity and population change ..... 17  
 6.5 Implications of employment and population growth for activity centres ..... 17  
 7 Major activity centres – boundaries and categories ..... 19  
 7.1 Bridge Road ..... 20  
 7.2 Victoria Street ..... 27  
 7.3 Smith Street and Brunswick Street ..... 33  
 7.4 Swan Street ..... 40  
 8 Neighbourhood activity centres – boundaries and categories ..... 46  
 8.1 Johnston Street – Collingwood/Abbotsford ..... 47  
 8.2 Queens Parade – North Fitzroy/ Clifton Hill ..... 53  
 8.3 Nicholson Street – North Fitzroy/North Carlton ..... 59  
 8.4 Rathdowne Street – North Carlton ..... 65  
 8.5 St Georges Road – North Fitzroy ..... 70  
 8.6 Heidelberg Road – Alphington ..... 75  
 8.7 Gertrude Street – Fitzroy ..... 81  
 9 Local centres – boundaries and categories ..... 86



**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

9.1	Lygon Street – North Carlton / Princes Hill .....	87
9.2	Rathdowne Street – North Carlton .....	88
9.3	Nicholson Street (south) – North Carlton.....	89
9.4	Spensley Street – Clifton Hill.....	91
9.5	Berry Street / Ramsden Street – Clifton Hill .....	92

**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

Table of Maps

Map 1 Bridge Road .....	20
Map 2 Victoria Street.....	27
Map 3 Smith Street and Brunswick Street.....	33
Map 4 Swan Street .....	40
Map 5 Johnston Street.....	47
Map 6 Queens Parade - St Georges Road – Spensley Street – Berry Street – Ramsden Street .....	53
Map 7 Nicholson Street - Rathdowne Street and Lygon Street.....	59
Map 8 Heidelberg Road .....	75

## Attachment 3 - Activity Centres Roles and Boundaries (October 2019)

Activity centres – roles and boundaries – October 2019

### 1. Introduction

#### 1.1 Purpose

Yarra has a network of activity centres, each with their own role and function, including:

- Major activity centres (MACs): these centres are identified in Plan Melbourne 2017-2050 and provide access to a wide range of goods and services, some serving larger subregional catchments;
- Neighbourhood activity centres (NACs): these centres are in the existing Yarra Planning Scheme and provide access to local goods, services and employment opportunities and serve the needs of the surrounding community.
- Local centre (LCs): these centres provide a limited range of goods, services and employment to adjoining communities. They are identified in the existing Yarra Planning Scheme (YPS).

Yarra's major and neighbourhood activity centres are predominantly along and around the main retail shopping streets (Yarra's high streets). They feature highly intact heritage streetscapes and heritage places, key landmark signs and buildings, larger commercial sites, and vibrant communities. Activity centres have been the focus of Yarra's growth in recent years, and have seen the addition of mid-rise commercial development and apartments. They will continue to accommodate most of the city's growth because their transport infrastructure, shops and services make them the most suitable locations for development.

Managing growth and change in activity centres aligns with the State Government's vision for a network of major activity centres that are critical to metropolitan economic performance and provide a focal point for services, employment, housing, public transport and social interaction.

The purpose of this report is to define the network of activity centres in the City of Yarra. In particular, it provides a rationale for the boundaries and role for Major and Neighbourhood activity centres and the smaller Local centres. This report also includes clearer mapping of the activity centre boundaries and identifies the categories of precincts in each centre.

This report is structured as follows:

- Section 2 lists Yarra's activity centres
- Section 3 sets out the method and approach used to define the activity centres
- Section 4 sets out the planning policy context
- Section 5 sets out the characteristics of the major activity centres
- Section 6 describes the role and function of the activity centres in delivering housing and employment growth
- Section 7 categorises the land that is included and excluded from the activity centres.

## Attachment 3 - Activity Centres Roles and Boundaries (October 2019)

Activity centres – roles and boundaries – October 2019

### 1.2 Yarra's Activity Centres

Yarra's activity centres host a vibrant and constantly evolving range of retail, entertainment, hospitality and commercial services.

Our major activity centres listed in Plan Melbourne are:

- Swan Street – Richmond
- Bridge Road – Richmond
- Victoria Street – Richmond
- Smith Street – Collingwood/Fitzroy
- Brunswick Street – Fitzroy

Our neighbourhood centres that provide access to local goods, services and employment opportunities and serve the needs of the surrounding community, include:

- Johnston Street – Collingwood/Abbotsford
- Queens Parade – Fitzroy North/ Clifton Hill
- Gertrude Street - Fitzroy
- Heidelberg Road – Alphington
- St Georges Road – Fitzroy North
- Nicholson Street – Carlton North and Fitzroy North

Yarra also has smaller, local centres which serve the adjoining local community. They are also appropriate locations for employment growth however the scope and opportunities for growth are more nuanced and constrained in these smaller centres.

Our local centres:

- Berry Street/Ramsden Street – Clifton Hill
- Lygon Street – Carlton North/Princes Hill
- Nicholson Street (south) – Carlton North
- Rathdowne Street – Carlton North
- Spensley Street – Clifton Hill

### 1.3 Approach and Method

Population and economic growth and housing diversity can be facilitated by establishing a boundary for each centre based on a consistent set of criteria. The capacity to accommodate growth is determined by land area, potential development densities and other factors including the amount of land available for redevelopment in each centre. The approach in establishing boundaries in Yarra is based on the *Activity Centres Boundary Criteria* in Planning Practice Note 58 (PN58). An assessment against each criteria is included for each activity centre in this report.

The method undertaken to define the boundaries is set out below.

#### 1. Background research

- Desktop review of the Yarra Planning Scheme – zones; overlays; amendments
- Desktop review of land ownership; lot size; main road frontage; uses; permits; public transport routes
- Review of planning strategies – Housing Strategy; Spatial Economic and Employment Strategy

Page 4 of 94

## Attachment 3 - Activity Centres Roles and Boundaries (October 2019)

Activity centres – roles and boundaries – October 2019

- Site visits to understand existing built form, land uses, pedestrian connections and open space.

### 2. Categories defined

Council defined categories to order land that is to be included in a boundary. It is based on Planning Practice Note 58 *Structure Planning for Activity Centres* (PPN58), which discusses the role and nature of activity centres in the opening paragraphs of the Practice Note:

*Activity centres are a focus for housing, commercial, retailing, community, employment, transport, leisure, open space, entertainment and other services and are places where people shop, work, meet, relax and live.*

*State planning policy directs the further expansion of these services into activity centres, and recognises that activity centres are ideally placed to provide for growth in household numbers. As such, activity centres will be a major focus for change in metropolitan Melbourne.*

PPN58 includes a set of criteria / issues to consider *in determining the potential location of an activity centre boundary*:

- *the location of existing commercial areas and land uses*
- *the location of existing government and institutional areas and land uses*
- *the location of existing areas of public open space*
- *commercial and residential needs*
- *environmental and flooding constraints*
- *heritage constraints*
- *availability of strategic redevelopment sites, both existing and potential*
- *the location of residential areas, including whether they provide significant redevelopment opportunities or constraints for the centre*
- *consideration of physical barriers and opportunities for their improvement*
- *proximity to public transport, especially fixed rail (train or tram)*
- *the location of existing and potential transport infrastructure including fixed rail, buses, bicycle paths, car parking areas and modal interchanges*
- *walkability – opportunities to provide for and improve walkability within 400 to 800 metres from the core of the centre (depending on topography and connectivity)*
- *consistency with State policy*
- *consistency with local policy and Municipal Strategic Statement (MSS)*
- *impacts of the boundary on other activity centre boundaries*

### 3. Analysis

Land along and around activity centres, included in Plan Melbourne 2017-2050 and the current YPS has been analysed to consider whether there is:

- sufficient land to provide for the commercial (retailing, office, fringe retailing and support activities such as entertainment) activities needed over a 15 to 20 year time frame and then into the 30-year horizon
- residential land that is integrated into the activity centre or surrounded by other uses that have a strong functional inter-relationship with the activity centre even where limited development opportunities exist
- key public land uses that have or are intended to have a strong functional inter-relationship with the activity centre even where there are no or limited redevelopment opportunities

Page 5 of 94

## Attachment 3 - Activity Centres Roles and Boundaries (October 2019)

Activity centres – roles and boundaries – October 2019

- public open space areas that have or are intended to have a strong functional inter-relationship with the activity centre.

Residential land encumbered by significant constraints (such as a Heritage Overlay) was generally excluded from activity centres.

## 2. Policy Framework

### 2.1 Plan Melbourne 2017-2050

Plan Melbourne 2017-2050 maps the location of larger activity centres and includes the five major activity centres in the City of Yarra - listed in section 1.1 above. It also includes policy about neighbourhood activity centres as part of a wider network of centres. Planning policy makes these centres the best location for medium and higher density development. Activity centres provide potential to attract investment and will be a major focus for change in metropolitan Melbourne.

- Direction 1.2 *Improve access to jobs across Melbourne and closer to where people live* supports investment and job creation across the city
- Policy 1.2.1 *Support the development of a network of activity centres linked by transport* discusses activity centres which ‘fill diverse roles—including housing, retail, commercial and civic services—and are a focus for services, employment and social interaction. In recent times some activity centres have become a focus for higher-density development’.
- Direction 2.2 *Deliver more housing closer to jobs and public transport* aims to locate medium and higher density development near services, jobs and public transport supports the objectives of consolidation and housing choice.
- Policy 2.2.3 *Supports new housing in activity centres and other places that offer good access to jobs, services and public transport.*

Plan Melbourne 2017-2050 makes reference to specific major activity centres (Direction 2.2 *Deliver more housing closer to jobs and public transport – [list of activity centres](#)*) including five in Yarra and more general references to neighbourhood activity centres as locations for increased jobs and housing.

In Direction 5.1 - Create a city of 20-minute neighbourhoods Plan Melbourne 2017-2050 gives particular emphasis to neighbourhood activity centres.

Neighbourhood activity centres are an integral part of the city’s vibrant community life and critical to the creation of 20-minute neighbourhoods. These high streets and specialised strips of shops, cafes, small supermarkets, service businesses, community services and public spaces serve the needs of the surrounding community and provide a focus not only for local jobs but also for social interaction and community participation.

.....

Policy 5.1.2 *Support a network of vibrant neighbourhood activity centres*

## Attachment 3 - Activity Centres Roles and Boundaries (October 2019)

### Activity centres – roles and boundaries – October 2019

The attributes of and opportunities for neighbourhood activity centres at the local level vary across Melbourne. That is why local communities should lead the planning of their own centres.

Where centres are well established or communities are seeking to protect the unique character of their centres (such as protecting heritage buildings or access to public land or open space to achieve community benefit), they should be assisted in determining the desired built form outcomes.

Local governments will be supported to prepare structure plans for their neighbourhood activity centres to help deliver 20-minute neighbourhoods.

In Yarra the major activity centres will play an important role as locations for additional housing and jobs. The level of change in the activity centres will be determined by the context of each centre. The neighbourhood centres will play a more nuanced role which will vary depending on the nature of each centre and the constraints or opportunities of their context. The local centres will play a limited role in providing for housing and local employment.

#### 2.2 Yarra Planning Scheme

The Yarra Planning Scheme (YPS) sets out a number of activity centres (refer to Table 1 and Figure 1). The centres are along main road or in smaller pockets in North Carlton, Clifton Hill and Alphington. The current YPS does not distinguish between the larger neighbourhood centres which serve significant local catchments and the small local centres discussed in this report.

### Attachment 3 - Activity Centres Roles and Boundaries (October 2019)

Activity centres – roles and boundaries – October 2019

FIGURE 1. STRATEGIC FRAMEWORK PLAN



Source: Yarra Planning Scheme



### Attachment 3 - Activity Centres Roles and Boundaries (October 2019)

Activity centres – roles and boundaries – October 2019

Clause 21.04-2 of the YPS states that *Activity centres in Yarra have a retail, hospitality, and service focus. Because of the pattern of development in the municipality, almost all residents are within 400m of an activity centre. The provision of local services is therefore important for maintaining the character of activity centres as local destinations.*

**Table 1:** Activity Centres in the Yarra Planning Scheme

Major Activity Centre (Neighbourhood Map in YPS)	Neighbourhood Activity Centre (Neighbourhood Map in YPS)
<ul style="list-style-type: none"> <li>Richmond – Swan Street (Figures 7 and 23: Burnley, Cremorne, South Richmond + Central Richmond)</li> <li>Richmond – Bridge Road (Figures 21 and 23: North and Central Richmond)</li> <li>Richmond – Victoria Street (Figure 5: Abbotsford)</li> <li>Fitzroy – Brunswick Street (Figure 17: Fitzroy)</li> <li>Fitzroy – Smith Street (Figure 13: Collingwood)</li> </ul>	<ul style="list-style-type: none"> <li>Alphington – Heidelberg Road b/n Parkview Road and Como Street (Figure 15: Fairfield / Alphington)</li> <li>Carlton North – Rathdowne Street, at the Richardson Street Junction (Figure 9: Carlton/ Princes Hill)</li> <li>Carlton North – Lygon St, south of Pigdon Street (Figure 9: Carlton/ Princes Hill)</li> <li>Carlton North / Fitzroy North – Nicholson St, north of Richardson Street, north of Curtain Street and at the junction of Lee St (Figure 9: Carlton/ Princes Hill)</li> <li>Collingwood / Abbotsford – Johnston Street (Figures 5: Abbotsford and 13: Collingwood)</li> <li>Fitzroy North – St Georges Road (Figure 19: North Fitzroy)</li> <li>Fitzroy North / Clifton Hill – Queens Parade (Figure 11: Clifton Hill)</li> <li>Fitzroy – Gertrude Street (shown as part of Brunswick MAC in Figure 13, however referred to a neighbourhood centre in policy, clause 21.08-7)</li> <li>Clifton Hill – Spensely Street at the intersection with Berry Street (Figure 11: Clifton Hill)</li> <li>Clifton Hill - Berry Street at the junction with Ramsden Street (Figure 11: Clifton Hill)</li> </ul>

As part of the process to assess the boundaries and roles of the centres in the current Yarra Planning Scheme a number of the small centres designated as Neighbourhood centres were considered to play a lower order and more local role in the network. These have been recognised as local centres and include:

- Carlton North – Rathdowne Street
- Carlton North – Lygon St, south of Pigdon Street
- Carlton North / Fitzroy North – Nicholson St, , north of Curtain Street and at the junction of Lee St

Page 9 of 94

## Attachment 3 - Activity Centres Roles and Boundaries (October 2019)

Activity centres – roles and boundaries – October 2019

- Clifton Hill – Spensely Street at the intersection with Berry Street
- Clifton Hill - Berry Street at the junction with Ramsden Street

### 2.3 Review of Yarra Planning Scheme 2014

A review of the Yarra Planning Scheme in 2014 suggested that the current YPS lacked an overarching, evidence-based narrative for projected housing and employment growth in the municipality. As growth of both housing and employment continues, it is expected that there will be competition for land and other assets in Yarra. The review noted that it is important to carefully manage and protect certain assets and land, and facilitate growth in locations that will provide benefit for current generations but also be sustainable into the future.

The review identified a lack of spatial plans for major activity and neighbourhood centres and further suggested that the roles and strengths of activity centres in particular need to be better defined, and strategies to meet the projected demand for retail and other facilities need to be identified.

Council has been implementing spatial plans (Swan Street Structure Plan, Johnston Street Local Area Plan) through separate amendments that introduce Design and Development Overlays. In addition Council has been implementing built form frameworks for Bridge Road, Queens Parade, Victoria Street, Brunswick Street, Smith and Gertrude Streets Activity Centres to guide decision making on built form outcomes. These have been pursued through separate amendments.

The review also identified the need for clear maps. This report will assist to clearly illustrate draft policy in the Yarra Planning Scheme.

### 2.4 Current Council Structure Plans and Local Area Plans

Council has previously prepared and adopted a series of structure plans and local areas plans to guide and manage growth within Yarra's key activity centres. These plans were developed to manage the future of the centres and provide direction on preferred land use, built form, movement (vehicle and pedestrian), and identify zones and other planning controls required.

There are currently five structure and local area plans in Yarra with varying status levels:

- The Smith Street Structure Plan was adopted by Council 2008 but the subsequent Design and Development Overlay was abandoned June 2012;
- The Swan Street Structure Plan was adopted by Council in December 2013 and is being implemented through Planning Scheme Amendments C191 and C236;
- The Victoria Street Structure Plan was adopted by Council in 2010; and
- The Johnston Street Local Area Plan was adopted in December 2015 and is being implemented through a Planning Scheme Amendment C220.

### 2.5 Built form Frameworks

As outline earlier, Plan Melbourne and State policy seek directs the growth of Melbourne in sustainable manner in locations that has strong access to existing public transport and services. This however, needs to be at a scale appropriate to the role and capacity of each centre and support each centre's unique character. To ensure the values of Yarra's retail strips and adjoining mixed use / commercial areas are protected, Council has commenced a programme of preparing built form frameworks. The frameworks guide the future form and

## Attachment 3 - Activity Centres Roles and Boundaries (October 2019)

Activity centres – roles and boundaries – October 2019

design of development and have (or will) inform planning controls in the Yarra Planning Scheme through the Design and Development Overlay.

Built form Frameworks have been prepared for:

- Smith and Brunswick Streets
- Gertrude St and Johnston St (east)
- Queens Parade
- Heidelberg Road
- Bridge Road
- Victoria Streets

### 3. . Yarra's Activity Centre Network

#### 3.1 Major Activity centres

The Major Activity Centres have their own distinct character and mix of activity. Future growth of the centres would have regard for these characteristics.

The Major Activity Centres are:

- Bridge Road – Richmond
- Victoria Street – Richmond
- Smith Street – Collingwood/Fitzroy
- Brunswick Street – Fitzroy
- Swan Street – Richmond

#### Brunswick and Smith Streets

Brunswick and Smith Streets (along with the neighbourhood centres of Gertrude and Johnston Streets) function as a single highly accessible network. This network includes the major north-south retail strip centres connected by the neighbourhood centres of Gertrude Street and Johnston Street which is categorised, east of Smith Street.

Local streets play a significant role as walking and cycle routes or connections in this network. This area has a strong hospitality focus and night-time economy, drawing from a metropolitan catchment. It has historically been a place that attracts artists and alternative lifestyle creative types.

The urban characteristics vary throughout these Activity centres, which includes:

- Retail spines with fine grain shop fronts with distinct heritage character
- More moderate grain shop fronts with a mix of contemporary and heritage character along the northern and southern ends of Smith Street, the northern end of Brunswick Street, Johnston Street between Brunswick and Smith Streets and a portion along Nicholson Street
- Older industrial sites, such as the MacRobertson industrial buildings in Fitzroy and Foy and Gibson in Collingwood, which are defined by the original industrial forms and factories and were the cornerstone for the development of Collingwood and Fitzroy at that time
- Small pockets of traditional residential precincts with heritage terrace housing behind the retail strips.
- Opulent heritage homes

## Attachment 3 - Activity Centres Roles and Boundaries (October 2019)

Activity centres – roles and boundaries – October 2019

- A variety of industrial and contemporary built form with pockets of traditional residential scattered within mixed use areas behind the retail strips.

These retail strips are associated with substantial areas of Mixed Use Zone land which covers former mixed industrial / residential areas behind the retail strips. They include large former industrial buildings and warehouses and nineteenth century housing.

These centres also include the health and education precincts around St Vincent's Hospital and Australian Catholic University on Victoria Parade. This is likely to see growth as part of a wider inner city trend for growth in health and education services.

These centres also connect to major cultural nodes and open space at the Exhibition Building / Melbourne Museum at the west end of Gertrude Street and Collingwood Arts Precinct on Johnston Street.

### Victoria Street

Victoria Street includes contrasting components. The western end between Hoddle Street and Church Street is characterised by Chinese and Vietnamese goods and food with a wide range of cafes and restaurants, specialty shops and a more recent supermarket. This serves a significant local Vietnamese / Chinese community and adjoining public housing. The main shopping strip is predominantly fine grained low rise shops.

The eastern end of Victoria Street is dominated by the Victoria Gardens enclosed shopping centre and recent higher density housing along the northern end of Burnley Street and along Victoria Street east of Grosvenor Street. Victoria Gardens serves a substantial local and regional catchment. This end of Victoria Street also connects to the Yarra River with recent major redevelopment along the south bank of the River. Redevelopment of former industrial land has been on larger scale lots and in the range of four to eight storeys. On some larger sites apartment buildings have approached or exceeded ten storeys.

The central section of Victoria Street includes a mix of retail, service business and industry. It adjoins the Carlton and United Breweries complex and associated industrial area. The scale of development is generally low rise but buildings in the CUB complex are bulkier and taller. Redevelopment of this area constrained by and linked to the future of the CUB complex. If CUB was redeveloped it could become a major node for activity, as has happened with the Alphington paper-mill site.

The Skipping Girl sign at 651 Victoria Street is a valued Yarra landmark.

A large proportion of floor space in Victoria Street is accounted for within the Victoria Gardens and Hive shopping centres, which accommodate 52,000 and 8,000 square metres of floor space respectively. Victoria Gardens is more like a traditional suburban shopping centre with a large car park and minimal activation at ground level to the main road frontages. Conversely, the Hive, which was developed more recently, provides opportunities for centre retailers to engage at the street level, providing a focus for local retail activity on this part of Victoria Street. The remainder of the precinct hosts a mix of retail types with a focus on food and hospitality, and is home to one of Melbourne's most renowned Vietnamese food precincts. There is significant capacity for the precinct to further develop and provide additional employment opportunities.

## Attachment 3 - Activity Centres Roles and Boundaries (October 2019)

Activity centres – roles and boundaries – October 2019

### Bridge Road

Bridge Road is changing from an outlet, fashion oriented retailing strip, particular west of Church St. Recently, the south side of the strip between Church and Burnley Streets, has begun to develop a vibrant hospitality offer.

Epworth Hospital is a regional health facility with an associated precinct of medical specialists and other health services around Erin Street. The hospital and associated health sector businesses is a dominant feature of the Bridge Road employment market. Epworth Hospital is designated as a health precinct in Plan Melbourne 2017-2050. Future expansion of the hospital and related health uses is constrained by a lack of capacity, and it is unclear how expansion of medical activities can be accommodated in the precinct. One option may be to identify opportunities to provide capacity at the western end of Bridge Road as part of broader work to define the health precinct. Expansion of health-related activities on Bridge Road would also generate demand for associated commercial services and support the local retail sector.

Buildings in Bridge Road are predominantly low rise but recent development at Epworth Hospital and apartment buildings on the north side of Bridge Road, between Lennox Street and Church Street, have been in the range of four to six storeys.

The Pelaco sign as 21 Goodwood Street, Richmond is a Yarra landmark visible from Bridge Road.

The eastern end of Bridge Road has developed as a mix of discount furniture, homewares, office supplies, other larger floor-space outlets with café and other food outlets in finer grained shops. The centre adjoins the Yarra River but has very limited orientation to the River corridor and the Main Yarra Trail.

The centre section of Bridge Road has a civic, recreational and educational focus near Gleadell Street with the Richmond Town Hall, a new high school and Citizens Park adjoining Highett Street.

### Swan Street

Swan Street's diverse range of entertainment and retail activities, public transport options and close proximity to Melbourne's Central Business District and Sports and Entertainment Precinct have attracted residents, visitors and workers to the Activity Centre for well over a 100 years.

The character of the Swan Street varies significantly along the length of Swan Street, moving from a cohesive and highly intact, turn of the century 'High Street' with a prominent fine grain subdivision pattern, to larger bulky goods retailing (furniture and high end vehicles), to a diverse and less historically intact retail and residential area towards the eastern end. It contains a number of landmark heritage commercial buildings, including the Dimmeys Clock Tower and prominent corner hotels.

The western end of Swan Street is home to a vibrant mix of retail activities including hospitality, entertainment, and a new full line supermarket. Redevelopment of the former Dimmey's site, which includes an expanded Coles supermarket, has helped to revitalise the convenience retail offer. The eastern end of the strip is partly zoned C2Z and supports restricted retail and commercial functions. Based on capacity analysis, Swan Street was identified as having a latent capacity under the current zoning provisions. Amendment C191 implements the directions in the Swan Street Structure Plan to re zone land to allow for residential and commercial development. This allows for intensification of development around Burnley Station, potentially leading to further growth in capacity at the street's eastern end.

Page 13 of 94

## Attachment 3 - Activity Centres Roles and Boundaries (October 2019)

Activity centres – roles and boundaries – October 2019

### 3.2 Neighbourhood Centres

The neighbourhood centres vary considerably in the range of shopping and services provided and in the capacity for growth. Johnston Street for example has some characteristics similar to a Major Activity Centre, including major road frontages and capacity for growth and redevelopment. Gertrude Street, unlike Johnston Street however has limited capacity for growth based on the heritage significance of buildings and the streetscape. Johnston Street and Gertrude Street centres are connected to Brunswick Street and Smith Street forming a network of retail precincts.

Most of Yarra's neighbourhood centres are constrained by their context, including: small land parcels close to low scale residential areas; landscape character; zoning restrictions; and intact heritage streetscapes and places covered by the heritage overlay. Rathdowne Street, North Carlton centre is a good example of these limitations with parts of the centre in the Neighbourhood Residential Zone and most of it covered by the heritage overlay. It is surrounded by low scale residential area. The character of this centre is also influenced by the strong landscape character in Rathdowne Street defined by mature deciduous street trees.

Queens Parade includes a retail node east of Wellington Street / Delbridge Street, which is a highly valued high street with heritage significance. There is potential for a new node of activity and redevelopment associated with the former gasworks site and other former industrial and commercial areas along the south side of Queens Parade.

Queens Parade (west of Grant and Smith Streets) is characterised by the double avenue street trees including the heritage listed Dutch Elms, framing views along Queens Parade between Brunswick Street and Smith Street. Key heritage places along Queens Parade includes St John's Church, former ANZ Bank at 370 Queens Parade, and the former United Kingdom Hotel located at the junction of Queens Parade and Dummett Crescent / Heidelberg Road. The full width of Queens Parade (60m) and views to the St John's Church spire can be appreciated west of Grant and Smith Streets.

The redevelopment of the Alphington paper mill will see the existing Heidelberg Road retail centre play a somewhat different role in the future. The paper mill redevelopment will see substantial growth in commercial, retail and community facility floor-space, west of the existing small centre, thereby moving its focal point. There will also be significant higher and medium density housing adjoining this new centre.

## Attachment 3 - Activity Centres Roles and Boundaries (October 2019)

Activity centres – roles and boundaries – October 2019

### 4. The Role of the Activity Centre Network

Yarra's activity centres operate as a significant element of the economic and social functioning of the municipality. The activity centre network plays an important role as a focus for retail activity, employment and increasingly for growth in higher density housing. Projected growth in the number of jobs and population means the activity centres must have the capacity to accommodate new commercial and apartment development at a scale which meets projections.

#### 4.1 Employment Land Capacity

Council's adopted Yarra Spatial Economic and Employment Strategy (SEES), 2018, provides guidance on managing growth and change in employment and economic activity.

In Yarra, economic activity is arranged spatially in different types of employment precincts: activity centres, specialised medical facilities, industrial precincts, mixed employment precincts, educational institutions, and areas where the Comprehensive Development and Priority Development zones have been applied.

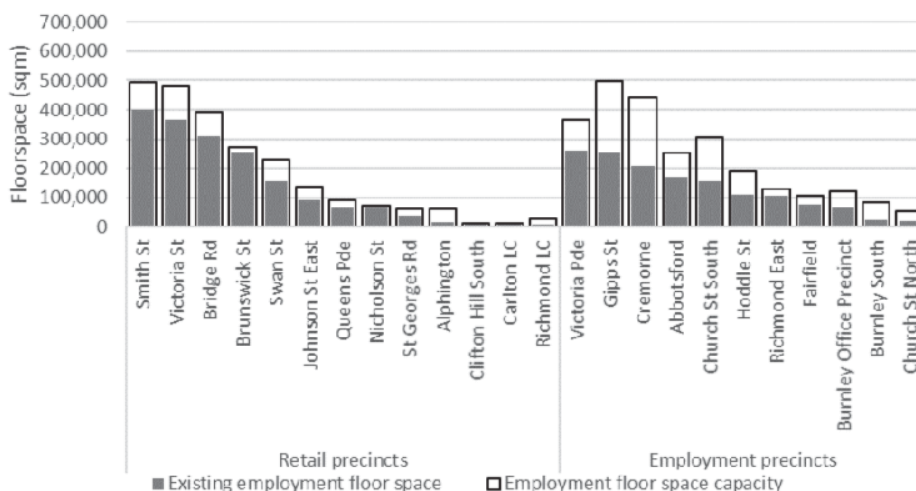
Across Yarra's employment precincts, there is sufficient aggregate opportunity to accommodate projected growth to 2031. Employment in Yarra is projected to increase by 50,000 jobs to 2031. Analysis in the SEES indicates that there is around 3.6 million square metres of employment floor space in Yarra. To meet forecasts, Yarra will require an additional 270,000 square metres of employment floor space by 2031. Based on a series of assumptions on development potential under current planning zones there is theoretical capacity for about 4.9 million square metres of employment floor space. This suggests the current commercial / industrial zoned land in Yarra has capacity for additional floor space of around 1.31 million square metres, exceeding the forecast demand for employment floor space.

Figure 2 illustrates employment floor space estimates. It suggests that of the retail precincts, Smith Street, Victoria Street, Bridge Road and Swan Street have the most potential for growth. Brunswick Street appears to have limited capacity, which suggests there might be constraints to realising additional floor space. Alphington on the other hand has significant capacity which will be realised through the redevelopment of the former AMCOR Papermill site.

Figure 2: Employment Floor Space Estimates; Existing vs Capacity

### Attachment 3 - Activity Centres Roles and Boundaries (October 2019)

Activity centres – roles and boundaries – October 2019



Source: SEES, 2018

#### 4.2 Retail floor-space

Yarra currently supports 910,000sqm of retail floor space. The SEES estimates demand for a further 89,000sqm of additional retail floor space within Yarra to 2031. The majority of retail floor space growth in Yarra can be seen to come from small scale retail developments with 95% of new retail developments between 50sqm and 300sqm.

#### 4.3 Supporting employment growth in activity centres

The SEES includes 6 directions to manage Yarra’s employment land over the next 10-15 years, which includes:

*Support employment growth in Yarra’s Activity Centres: Activity Centres are areas that provide a focus for services, employment, housing, transport and social interaction. In Yarra, major activity centres set out in Plan Melbourne include: Bridge Road, Brunswick, Smith, Swan and Victoria Streets. Neighbourhood activity centres include: Johnston Street (east), Queens Parade, Nicholson Street St Georges Road and Alphington. Yarra’s local centres, such as Rathdowne Village and Lygon Street will support modest growth*

Yarra’s activity centres are likely to accommodate significant growth in retail, commercial and institutional floor space. It is anticipated that an estimated 134,000 sqm of additional floor space will be added to Yarra’s larger activity centres between 2016 and 2031 for commercial, retail and institutional uses (an increase of around 10%). Based on the capacity assessment set out earlier, the extent of Yarra’s activity centres currently zoned for employment is likely to be sufficient to accommodate this growth. A diverse cross section of employment activities should be supported in centres, including health related businesses in centres that overlap with and adjoin the designated health precincts (Plan Melbourne 2017 – 2050).

Yarra’s smaller neighbourhood and local centres are likely to accommodate modest growth in retail and commercial floor-space largely linked to local population growth. The land



## Attachment 3 - Activity Centres Roles and Boundaries (October 2019)

Activity centres – roles and boundaries – October 2019

currently zoned for employment within these smaller centres is considered sufficient to accommodate projected growth to 2031.

The SEES also proposes to accommodate projected residential growth in activity centres and mixed use precincts to help relieve pressure for residential redevelopment in employment precincts.

### 4.4 Housing capacity and population change

Analysis for the Yarra Housing Strategy indicated that in 2016 the resident population of Yarra was approximately 91,300. Yarra has experienced rapid population and housing growth in the past 5 years with an increase of 17,208 people between 2011 and 2016. This represents a 3.7% yearly increase and corresponds with a peak in housing development completions. This is an unprecedented growth rate for Yarra but is forecast to reduce to a yearly growth rate of approximately 2.1%. Over the next 15 years Yarra will need to accommodate a growing and diverse population.

The Victoria in Future 2019 (VIF2019) population and housing projections indicate there will be 32,970 new residents and 16,540 new dwellings required in Yarra, by 2031.

The additional 32,970 new residents will likely form households that are:

- 31% Family households (including single parent families): This proportion translates to 5,093 new households of this type
- 25% Couples households: This proportion translates to 4,177 new households of this type
- 38% lone person households: This proportion translates to 6,242 new households of this type

*Source Victoria in the Future 2019*

The Yarra Housing Strategy proposes that residential growth should be directed to the Major activity centres and parts of the Neighbourhood activity centres which can accommodate growth. This approach, directing growth to activity centres; is consistent with state policy, provides housing close to employment, transport and services and is generally consistent with concepts such as the 20 minute city proposed in Plan Melbourne 2017 – 2050. This approach also helps to protect the neighbourhood character of established residential areas in the municipality, in particular those areas with heritage significance.

Recent capacity monitoring for Yarra by SGS Economics as part of expert evidence for Amendment C231 (August 2019) found there is ample dwelling capacity in Yarra's activity centres. Based on planning controls proposed in current amendments there is a total potential capacity of 32,730 dwellings across Yarra's activity centres. This far exceeds the predicted dwelling demand for 16,540 dwellings in all of Yarra to 2031 (VIF2019).

The level of housing growth in these areas will need to vary depending on the individual context and suitability for accommodating housing growth. Directions for guiding future residential growth in these areas will be informed by the current heritage significance, detailed heritage reviews and urban design analysis being undertaken for Yarra's activity centres and will provide guidance on the levels of growth appropriate in each precinct. (Yarra Housing Strategy, 2018).

### 6.5 Implications of employment and population growth for activity centres

The analysis in the Housing Strategy and the SEES confirms the role of activity centres as a location for commercial and residential development to accommodate jobs and population

Page 17 of 94

## Attachment 3 - Activity Centres Roles and Boundaries (October 2019)

Activity centres – roles and boundaries – October 2019

growth. The combined analysis as well as capacity monitoring by SGS Economics indicates that the centres have sufficient capacity to accommodate growth within the areas of currently zoned land.

The role played by each centre and by the different types of centres can be summarised as follows:

### Employment

- The Major activity centres will play an important role in accommodating employment floor-space growth.
- The retail precincts of, Smith Street, Victoria Street, Bridge Road and Swan Street all have potential for growth in commercial space with the largest employment floor space capacities.
- Brunswick Street appears to have limited capacity and less scope for growth.
- The former Alphington Paper Mill redevelopment will accommodate substantial new commercial and retail floor space.
- The neighbourhood and local centres are likely to accommodate only modest growth in retail and commercial floor-space.
- The activity centres will be part of a mix of locations and precincts which accommodate growth in employment, with other locations including employment precincts at Gipps Street precinct and in Cremorne and other former industrial areas.

### Housing

- The majority of housing growth will be accommodated in activity centres or mixed use areas adjoining the activity centres.
- The Major activity centres will see the most significant growth and major change, particularly in those precincts less constrained by heritage or other design constraints.
- Some of the Neighbourhood activity centres have capacity to accommodate growth in identified precincts.
- The activity centre network will play an important role by accommodating housing development relieving pressure for encroachment into other employment areas.

### Building form and scale

The location, design and scale of development in each activity centre will be influenced by and in some cases constrained by heritage and local character considerations. This will be addressed by existing structure plans or local area plans and proposed building form analysis and associated Planning Scheme provisions such as the Design and Development Overlay.

## Attachment 3 - Activity Centres Roles and Boundaries (October 2019)

Activity centres – roles and boundaries – October 2019

### 7 Major activity centres –defining boundaries

- Bridge Road – Richmond
- Victoria Street – Richmond
- Smith Street – Collingwood/Fitzroy and Brunswick Street – Fitzroy
- Swan Street – Richmond

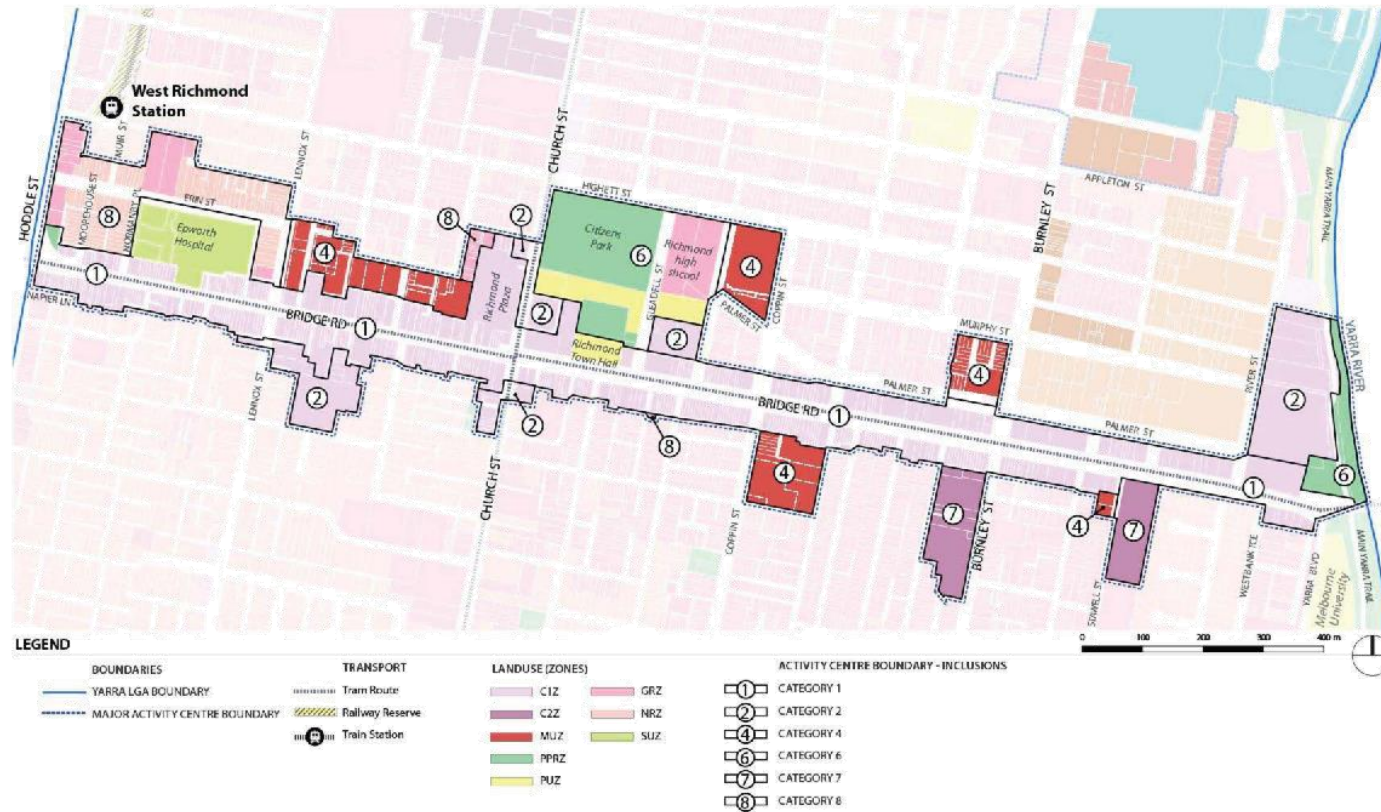
The boundary for each centre is mapped and then analysed, based on Planning Practice Note 58 *Structure Planning for Activity Centres*. The tables in this section set out categories defined by Council as a basis on which to assess whether land is included or excluded from the activity centres. The reasons for excluding some land are also discussed.

### Attachment 3 - Activity Centres Roles and Boundaries (October 2019)

Activity centres – roles and boundaries – October 2019

#### 7.1 Bridge Road

Map 1 Bridge Road



**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

Category	Descriptions	Reasoning
1	<p>Commercial 1, Commercial 2, Mixed Use, Comprehensive Development Zones and civic uses fronting the main street of the retail core.</p> <p><i>Relevant PPN58 criteria: consider</i></p> <ul style="list-style-type: none"> <li>• <i>Location of existing commercial areas and land uses</i></li> <li>• <i>Location of existing government and institutional areas and land uses</i></li> <li>• <i>Commercial and residential needs</i></li> <li>• <i>Proximity to fixed transport esp fixed rail (train or tram)</i></li> <li>• <i>Location of transport infrastructure</i></li> <li>• <i>Walkability</i></li> <li>• <i>Impacts of boundary on other activity centres</i></li> <li>• <i>Strategic Redevelopment Sites</i></li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• <i>Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</i></li> <li>• <i>Key public land uses that have or are intended to have a strong functional inter-relationship with the activity centre</i></li> </ul>	<ul style="list-style-type: none"> <li>• All properties front Bridge Road</li> <li>• Properties close to jobs and the tram line along Bridge Road – <i>walkability; proximity to fixed transport; location of existing commercial areas and land uses</i></li> <li>• C1 zones allow for higher density than residential zones – contribute to providing for <i>sufficient land use for commercial and residential activities</i></li> <li>• Epworth Hospital – <i>a key public land use</i>. It is an identified Health Precinct in Plan Melbourne, and forms a sub-precinct to the Activity Centre</li> <li>• Richmond town hall – <i>a key public land use</i></li> <li>• Open space at the west and eastern ends of Bridge Road – <i>Key public open space</i></li> <li>• Officeworks – SEES recommends site to remain for commercial use – <i>contribute to commercial activities over a 15-20 year timeframe</i></li> <li>• No impact on the boundaries of other activity centres.</li> </ul>
2	<p>Commercial 1 areas not fronting the retail street, but contiguous (generally behind) with Category 1 that do or could have a strong physical or land use connection to the retail core.</p> <p><i>Relevant PPN58 criteria: consider</i></p> <ul style="list-style-type: none"> <li>• <i>Location of existing commercial areas and land uses</i></li> </ul>	<ul style="list-style-type: none"> <li>• Properties close to jobs and the tram line along Bridge Road – <i>walkability; proximity to fixed transport; location of existing commercial areas and land uses</i></li> <li>• C1 Zone allows for higher density than residential zones - contribute to providing for <i>sufficient land use for commercial and residential activities</i></li> <li>• Pelaco site; Church St – north and south of Bridge Road, Gleadell St – recognition of <i>location of existing commercial areas and land uses; proximity to fixed transport; walkability</i></li> </ul>

**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

	<ul style="list-style-type: none"> <li>Commercial and residential needs</li> <li>Proximity to fixed transport esp fixed rail (train or tram)</li> <li>Location of transport infrastructure</li> <li>Walkability</li> <li>Impacts of boundary on other activity centres</li> <li>Strategic Redevelopment Sites</li> </ul> <p>Include:</p> <ul style="list-style-type: none"> <li>Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</li> </ul>	<ul style="list-style-type: none"> <li>C1 - River Street sites have been developed - contribute to providing for commercial activities needed over a 15 – 20 year timeframe + then 30 year horizon.</li> <li>The NHP Electrical site (River St) includes a large car park - potential for redevelopment – recognise the location of existing commercial areas and land uses; proximity to fixed transport; walkability</li> <li>No impact on the boundaries of other activity centres</li> <li>Gleadell St – recognises the non-residential use and zoning in proximity to the civic precinct</li> </ul>
3	<p>Commercial 2 areas not fronting the retail street, but contiguous (generally behind) with Category 1 that do or could have a strong physical or land use connection to the retail core.</p> <p>Relevant PPN58 criteria: consider</p> <ul style="list-style-type: none"> <li>Location of existing commercial areas and land uses</li> <li>Commercial and residential needs</li> <li>Proximity to fixed transport esp fixed rail (train or tram)</li> <li>Location of transport infrastructure</li> <li>Walkability</li> <li>Impacts of boundary on other activity centres</li> <li>Strategic Redevelopment Sites</li> </ul> <p>Include:</p> <ul style="list-style-type: none"> <li>Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</li> </ul>	<ul style="list-style-type: none"> <li>No land in this category.</li> </ul>
4	<p>Mixed Use areas that are contiguous with Category 1 and 2 areas and do or could have a strong physical connection to the retail core</p>	<ul style="list-style-type: none"> <li>Jacques site; north side Bridge Road; Burnley St – north side of Bridge Road; and Stawell St recognises that the zone allows for higher density than NRZ / GRZ. Recognises the higher density that has been</li> </ul>

**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

	<p><i>Relevant PPN58 criteria:</i>  <i>consider</i></p> <ul style="list-style-type: none"> <li>• <i>Location of existing commercial areas and land uses</i></li> <li>• <i>Commercial and residential needs</i></li> <li>• <i>Proximity to fixed transport esp fixed rail (train or tram)</i></li> <li>• <i>Location of transport infrastructure</i></li> <li>• <i>Walkability</i></li> <li>• <i>Impacts of boundary on other activity centres</i></li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• <i>Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</i></li> </ul>	<p><i>developed – contribute to providing for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon</i></p>
5	<p>Health</p> <p><i>Relevant PPN58 criteria:</i>  <i>Consider</i></p> <ul style="list-style-type: none"> <li>• <i>Location of existing government and institutional areas and land uses</i></li> </ul>	<p>Epworth Hospital – see Category 1</p>
6	<p>Public open space, community facilities and schools not fronting the main street of the retail core, with a strong functional inter relationship with the activity centre</p> <p><i>Relevant PPN58 criteria:</i>  <i>Consider</i></p> <ul style="list-style-type: none"> <li>• <i>Location of existing government and institutional areas and land uses</i></li> <li>• <i>Location of existing areas of public open space</i></li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• <i>Public open space areas that have or are intended to have a strong functional inter-relationship with the activity centre</i></li> </ul>	<ul style="list-style-type: none"> <li>• Civic Precinct around the Richmond Town Hall – town hall; bowls club; Citizen Park; future Richmond High School site; Council leisure centre.</li> <li>• Public open space at the eastern end connects Bridge Road to the Yarra River.</li> <li>• Main Yarra Trail – potential to develop a stronger link between the Activity Centre and River corridor.</li> </ul>

**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

<p>7</p>	<p>Commercial 1 and Commercial 2 fronting a main road that intersects the main street of the retail core, and contiguous with land in another category.</p> <p><i>Relevant PPN58 criteria: consider</i></p> <ul style="list-style-type: none"> <li>• Location of existing commercial areas and land uses</li> <li>• Commercial and residential needs</li> <li>• Proximity to fixed transport esp fixed rail (train or tram)</li> <li>• Location of transport infrastructure</li> <li>• Walkability</li> <li>• Impacts of boundary on other activity centres</li> <li>• Strategic Redevelopment Sites</li> </ul> <p><i>Include:</i> Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</p>	<ul style="list-style-type: none"> <li>• C2 - Burnley Street (south of Bridge Road) the SEES has indicated that this land be retained as C2 zone.</li> <li>• C1 – Church Street (north and south of Bridge Road). Reflects existing uses</li> </ul>
<p>8</p>	<p>Residential areas that due to the surrounding uses, built form and road network are logically included</p> <p><i>Relevant PPN58 criteria: Consider</i></p> <ul style="list-style-type: none"> <li>• Location of existing government and institutional areas and land uses</li> <li>• Location of existing areas of public open space</li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• Residential areas that are integrated into the activity centre or surrounded by other uses that have a strong relationship with the activity centre, even where limited development opportunities exist</li> </ul>	<ul style="list-style-type: none"> <li>• Land around Epworth Hospital which is an identified health precinct in Plan Melbourne</li> <li>• Reflects existing land use pattern along Erin Street, which is predominantly consulting rooms or medical related.</li> <li>• Includes the Elms Rehabilitation Centre</li> <li>• Land fronting Hoddle Street includes a mix of accommodation types.</li> <li>• This land is covered by HO338 however, including this land in the activity centre is based on promoting the health related land uses rather than intensification of development.</li> <li>• Muir Street, Normanby Place and Moorehouse Street provide direct pedestrian access to west Richmond Station and the tram along Bridge Road.</li> </ul>



**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

9	<p>Large sites or areas with potential to be part of or contribute to an activity centre, if upgraded or redeveloped</p> <p><i>Relevant PPN58 criteria:</i></p> <p><i>Consider:</i> <i>Strategic Redevelopment Sites</i></p>	<ul style="list-style-type: none"> <li>• N/A</li> </ul>
---	--	---

**Excluded land**

The following table sets out reasons for excluding land that is proximate to the proposed activity centre boundaries. The reasons consider the criteria of PPN58, in particular: environmental and flooding constraints; and residential land encumbered by significant constraints (eg Heritage Overlay\_ located at the edge of the activity centre.

Type	Reason
All NRZ and GRZ	This land covers residential areas which are covered by an HO or developed for established lower density housing
Richmond East industrial precinct (adjacent to Burnley / Murphy Streets)	<p>The SEES includes this area of almost 10 hectares generally between Palmer and Appleton Streets and adjacent to land zoned Residential, Mixed Use and Commercial 1. The precinct has access to Bridge Road, Victoria Gardens and the Yarra River. Compared to the Burnley South precinct the existing industrial uses are more local population serving in their orientation, providing an important service role. Lot sizes in this precincts are generally much smaller than those in the Burnley and Abbotsford precincts and would benefit from amalgamation to maximise development potential.</p> <p>The earlier capacity analysis suggests there is no immediate need for industrial zoned land to be converted to accommodate demand for alternative employment uses,</p> <p>The industrial precincts will remain, and not be considered for zone change, until further strategic work is completed.</p>

**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

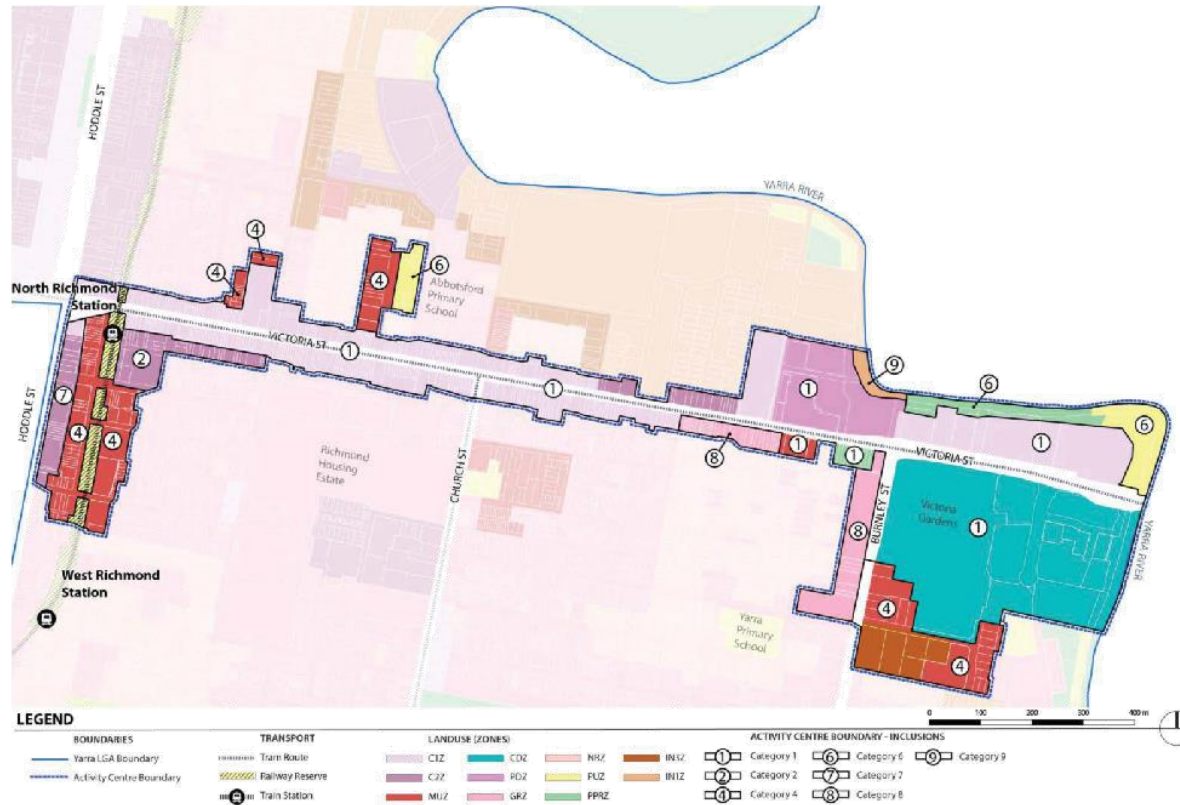
Land adjacent to West Richmond Station	This land is predominantly low scale residential development and use. It is not related to the health land uses occurring along Erin Street. It is covered by HO 338.
Carpark in Napier Lane (south of Bridge Road)	This land is subject to cluster plan. Redevelopment of the land may be constrained legal agreements about the car park use.
NRZ land between Stawell Street and West Bank Terrace	Buildings are part of the Racecourse, Heritage Overlay Area (HO 331). This Area is significant as: <ul style="list-style-type: none"> <li>• the first public housing estate to be built in Richmond and as an estate developed by Richmond Council.</li> <li>• a symbol of the site of John Wren’s popular trotting track, Richmond Racecourse</li> <li>• Visual homogenous collection of dwellings in a simplified English cottage style</li> <li>• Cul-de-sac planning</li> </ul>
Church St (north of Highett Street)	<ul style="list-style-type: none"> <li>• This may form part of a local centre with the Commercial 2 Zone land further north. This area also relates to the Victoria Street activity centre. The Victoria Street Structure Plan 2010 identifies some of this land as employment land.</li> </ul>
Melbourne Girls College	<ul style="list-style-type: none"> <li>• The connection between the College and the activity centre is very limited, and its exclusion, does not impact on the potential for the activity centre to accommodate residential or employment capacity.</li> </ul>

**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

7.2 Victoria Street

Map 2 Victoria Street



**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

Category	Descriptions	Reasoning
1	<p>Commercial 1, Commercial 2, Mixed Use, Comprehensive Development Zones and civic uses fronting the main street of the retail core.</p> <p><i>Relevant PPN58 criteria: consider</i></p> <ul style="list-style-type: none"> <li>• <i>Location of existing commercial areas and land uses</i></li> <li>• <i>Location of existing government and institutional areas and land uses</i></li> <li>• <i>Commercial and residential needs</i></li> <li>• <i>Proximity to fixed transport esp fixed rail (train or tram)</i></li> <li>• <i>Location of transport infrastructure</i></li> <li>• <i>Walkability</i></li> <li>• <i>Impacts of boundary on other activity centres</i></li> <li>• <i>Strategic Redevelopment Sites</i></li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• <i>Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</i></li> <li>• <i>Key public land uses that have or are intended to have a strong functional inter-relationship with the activity centre</i></li> </ul>	<ul style="list-style-type: none"> <li>• Properties front Victoria Street and include Comprehensive Development Zone and Priority Development Zone which allow for higher density development</li> <li>• Properties close to jobs and the tram line along Victoria Street</li> <li>• C1 zone allows for higher density than residential zones</li> <li>• C2 supports commercial growth / opportunities</li> <li>• Williams Reserve – public parkland with a strong relationship with the activity centre</li> </ul>
2	<p>Commercial 1 areas not fronting the retail street, but contiguous (generally behind) with Category 1 that do or could have a strong physical or land use connection to the retail core.</p> <p><i>Relevant PPN58 criteria:</i></p>	<ul style="list-style-type: none"> <li>• N/A</li> </ul>

**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

	<p><i>consider</i></p> <ul style="list-style-type: none"> <li>• <i>Location of existing commercial areas and land uses</i></li> <li>• <i>Commercial and residential needs</i></li> <li>• <i>Proximity to fixed transport esp fixed rail (train or tram)</i></li> <li>• <i>Location of transport infrastructure</i></li> <li>• <i>Walkability</i></li> <li>• <i>Impacts of boundary on other activity centres</i></li> <li>• <i>Strategic Redevelopment Sites</i></li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• <i>Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</i></li> </ul>	
<p>3</p>	<p>Commercial 2 areas not fronting the retail street, but contiguous (generally behind) with Category 1 that do or could have a strong physical or land use connection to the retail core.</p> <p><i>Relevant PPN58 criteria:</i></p> <p><i>consider</i></p> <ul style="list-style-type: none"> <li>• <i>Location of existing commercial areas and land uses</i></li> <li>• <i>Commercial and residential needs</i></li> <li>• <i>Proximity to fixed transport esp fixed rail (train or tram)</i></li> <li>• <i>Location of transport infrastructure</i></li> <li>• <i>Walkability</i></li> <li>• <i>Impacts of boundary on other activity centres</i></li> <li>• <i>Strategic Redevelopment Sites</i></li> </ul> <p><i>Include:</i></p>	<ul style="list-style-type: none"> <li>• C2 – Adjacent to North Richmond Station –proximity to fixed transport; walkability</li> </ul>

**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

	<ul style="list-style-type: none"> <li>Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</li> </ul>	
4	<p>Mixed Use areas that are contiguous with Category 1 and 2 areas and do or could have a strong physical connection to the retail core</p> <p><i>Relevant PPN58 criteria: consider</i></p> <ul style="list-style-type: none"> <li>Location of existing commercial areas and land uses</li> <li>Commercial and residential needs</li> <li>Proximity to fixed transport esp fixed rail (train or tram)</li> <li>Location of transport infrastructure</li> <li>Walkability</li> <li>Impacts of boundary on other activity centres</li> <li>Strategic Redevelopment Sites</li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</li> </ul>	<ul style="list-style-type: none"> <li>Burnley Street – Appleton / Doonside Streets. Remaining Industrial land (81-95 Burnley Street and 25 Doonside Street) is currently the subject of a rezoning to MUZ. This land is in Precinct 11 of the <i>Victoria Street Structure Plan</i>, adopted 2010, which is identified as a substantial change area and having the potential for mixed use development.</li> <li>Adjacent to the North Richmond Train station. Reflects opportunities for sustainable land use and development close to public transport – proximity to fixed transport</li> <li>Properties close to jobs and the tram line along Victoria Street</li> <li>MUZ – Church Street north of Victoria St; Lithgow Street; Little Charles Street recognises that the zone allows for higher density than NRZ / GRZ</li> </ul>
5	<p>Health Precinct</p> <p><i>Relevant PPN58 criteria: Consider</i></p> <ul style="list-style-type: none"> <li>Location of existing government and institutional areas and land uses</li> </ul>	N/A
6	<p>Public open space, community facilities and schools not fronting the main street of the retail core, with a strong functional inter relationship with the activity centre</p> <p><i>Relevant PPN58 criteria:</i></p>	<ul style="list-style-type: none"> <li>Abbotsford Primary School Lithgow Street</li> <li>Open space along the Yarra - forms part of the Main Yarra Trail with the potential for a strong link to activity centre</li> <li>PUZ land adjoining the Yarra River immediately north of Victoria Street / Barkers Road bridge</li> </ul>

**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

	<p><i>Consider</i></p> <ul style="list-style-type: none"> <li>• Location of existing government and institutional areas and land uses</li> <li>• Location of existing areas of public open space</li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• Public open space areas that have or are intended to have a strong functional inter-relationship with the activity centre</li> </ul>	
7	<p>Commercial 1 and Commercial 2 fronting a main road that intersects the main street of the retail core, and contiguous with land in another category.</p> <p><i>Relevant PPN58 criteria: consider</i></p> <ul style="list-style-type: none"> <li>• Location of existing commercial areas and land uses</li> <li>• Commercial and residential needs</li> <li>• Proximity to fixed transport esp fixed rail (train or tram)</li> <li>• Location of transport infrastructure</li> <li>• Walkability</li> <li>• Impacts of boundary on other activity centres</li> <li>• Strategic Redevelopment Sites</li> </ul> <p><i>Include:</i> Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</p>	<ul style="list-style-type: none"> <li>• Land along Hoddle Street which is contiguous to the mixed use land around the north Richmond Station - Proximity to fixed transport esp fixed rail (train or tram)</li> <li>• Contributing to economic and commercial activities in the centre</li> </ul>
8	<p>Residential areas that due to the surrounding uses, built form and road network are logically included</p> <p><i>Relevant PPN58 criteria: Consider</i></p>	<ul style="list-style-type: none"> <li>• GRZ2 land fronting Victoria Street and is not covered by a Heritage Overlay (408 – 496 Victoria St). 408-422 Victoria Street – existing townhouse development. Number of properties occupied by a mix of uses (retail, hairdresser, residential)</li> <li>• Burnley Street – from 522 Victoria Street to 34 Burnley Street to reflect the existing higher density built form (part of Victoria St East Urban Design)</li> </ul>

**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

	<ul style="list-style-type: none"> <li>Location of existing government and institutional areas and land uses</li> <li>Location of existing areas of public open space</li> </ul> <p>Include:</p> <ul style="list-style-type: none"> <li>Residential areas that are integrated into the activity centre or surrounded by other uses that have a strong relationship with the activity centre, even where limited development opportunities exist</li> </ul>	Framework which identifies the land as <i>potential for higher intensity housing to consolidate the Burnley Street edge of the Residential 1 Zone</i> )
9	<p>Large sites or areas with potential to be part of or contribute to an activity centre, if upgraded or redeveloped</p> <p>Relevant PPN58 criteria:</p> <p>Consider: Strategic Redevelopment Sites</p>	<ul style="list-style-type: none"> <li>N/A</li> </ul>

**Excluded land**

The following table sets out reasons for excluding land that is proximate to the proposed activity centre boundaries. The reasons consider the criteria of PPN58, in particular: environmental and flooding constraints; and residential land encumbered by significant constraints (eg Heritage Overlay\_ located at the edge of the activity centre.

Type	Reason
2 – 8 Davison St (corner of Victoria St and Davison)	<ul style="list-style-type: none"> <li>Land is within HO 363 and zoned NRZ.</li> </ul>
CUB and surrounding industrial land	<ul style="list-style-type: none"> <li>The SEES identified that the future of this precinct is largely dependent on the presence of the CUB which occupies about half the precinct.</li> <li>If CUB moved it would be subject to a separate strategic planning process to accommodate employment, housing and community uses. Integration with Victoria Street Activity Centre would be a further consideration.</li> </ul>
River Street – land south of the CDZ / open space / housing along River Street	<ul style="list-style-type: none"> <li>Acts as a residential enclave with tree lined streets</li> <li>Currently only pedestrian access from CDZ to this area</li> </ul>

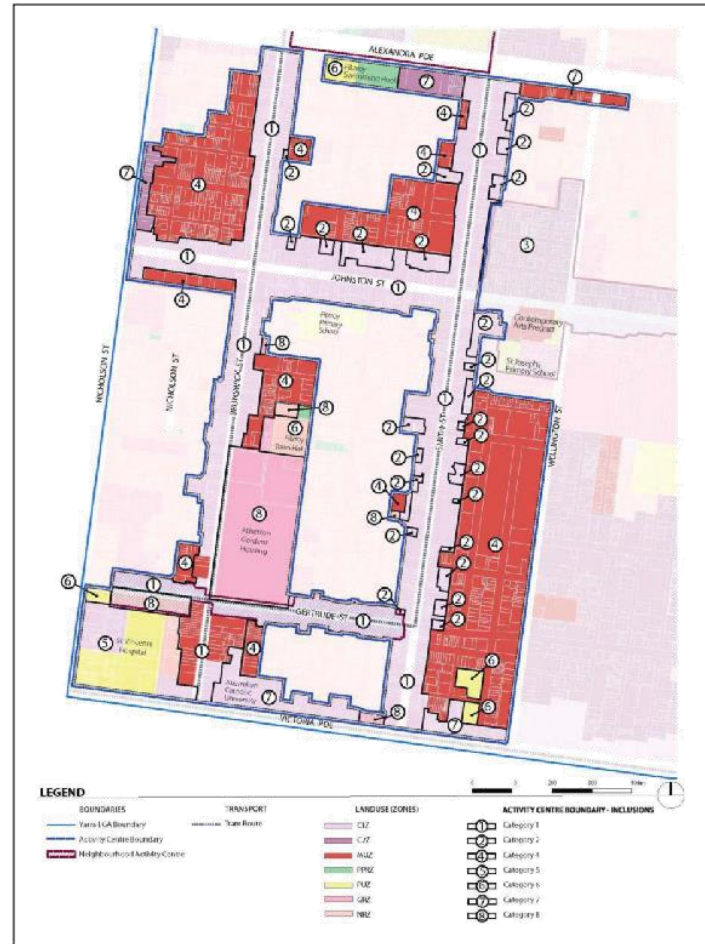


**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

7.3 Smith Street and Brunswick Street

Map 3 Smith Street and Brunswick Street



**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

Category	Descriptions	Reasoning
1	<p>Commercial 1, Commercial 2, Mixed Use, Comprehensive Development Zones and civic uses fronting the main street of the retail core.</p> <p><i>Relevant PPN58 criteria: consider</i></p> <ul style="list-style-type: none"> <li>• Location of existing commercial areas and land uses</li> <li>• Location of existing government and institutional areas and land uses</li> <li>• Commercial and residential needs</li> <li>• Proximity to fixed transport esp fixed rail (train or tram)</li> <li>• Location of transport infrastructure</li> <li>• Walkability</li> <li>• Impacts of boundary on other activity centres</li> <li>• Strategic Redevelopment Sites</li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</li> <li>• Key public land uses that have or are intended to have a strong functional inter-relationship with the activity centre</li> </ul>	<ul style="list-style-type: none"> <li>• Properties front Smith Street– All C1Z</li> <li>• MUZ, C1Z fronting Brunswick Street</li> <li>• Reflects existing commercial uses, recognises walkability and proximity to tram</li> </ul>
2	<p>Commercial 1 areas not fronting the retail street, but contiguous (generally behind) with Category 1 that do or could have a strong physical or land use connection to the retail core.</p> <p><i>Relevant PPN58 criteria: consider</i></p>	<ul style="list-style-type: none"> <li>• Warehouses, former industrial and commercial properties along Bedford Street – location of existing commercial use, proximity to transport.</li> </ul>

**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

	<ul style="list-style-type: none"> <li>• Location of existing commercial areas and land uses</li> <li>• Commercial and residential needs</li> <li>• Proximity to fixed transport esp fixed rail (train or tram)</li> <li>• Location of transport infrastructure</li> <li>• Walkability</li> <li>• Impacts of boundary on other activity centres</li> <li>• Strategic Redevelopment Sites</li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</li> </ul>	
3	<p>Commercial 2 areas not fronting the retail street, but contiguous (generally behind) with Category 1 that do or could have a strong physical or land use connection to the retail core.</p> <p><i>Relevant PPN58 criteria: consider</i></p> <ul style="list-style-type: none"> <li>• Location of existing commercial areas and land uses</li> <li>• Commercial and residential needs</li> <li>• Proximity to fixed transport esp fixed rail (train or tram)</li> <li>• Location of transport infrastructure</li> <li>• Walkability</li> <li>• Impacts of boundary on other activity centres</li> <li>• Strategic Redevelopment Sites</li> </ul> <p><i>Include:</i></p>	<ul style="list-style-type: none"> <li>• This land is likely to remain C2Z and provide opportunities for redevelopment for office land uses and growth in employment floor-space</li> </ul>

**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

	<ul style="list-style-type: none"> <li>• Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</li> </ul>	
4	<p>Mixed Use areas that are contiguous with Category 1 and 2 areas and do or could have a strong physical connection to the retail core</p> <p><i>Relevant PPN58 criteria: consider</i></p> <ul style="list-style-type: none"> <li>• Location of existing commercial areas and land uses</li> <li>• Commercial and residential needs</li> <li>• Proximity to fixed transport esp fixed rail (train or tram)</li> <li>• Location of transport infrastructure</li> <li>• Walkability</li> <li>• Impacts of boundary on other activity centres</li> <li>• Strategic Redevelopment Sites</li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</li> </ul>	<ul style="list-style-type: none"> <li>• MUZ – between Smith and Wellington Streets</li> <li>• MUZ between Brunswick and Smith, reflecting mixed built form</li> <li>• MUZ – between Nicholson and Brunswick,</li> <li>• Provides for higher density development than residential areas in the NRZ and GRZ. The heritage overlay does constrain opportunities in parts of this area.</li> <li>• Recognises walkability and proximity to trams</li> </ul>
5	<p>Health Precinct not fronting the main street of the retail core, but contiguous with Category 1 or 2</p> <p><i>Relevant PPN58 criteria: Consider</i></p> <ul style="list-style-type: none"> <li>• Location of existing government and institutional areas and land uses</li> </ul>	<ul style="list-style-type: none"> <li>• St Vincent Hospital is identified in Plan Melbourne 2017-2050 as a Health and Education Precinct. It forms a sub precinct within the AC - – <i>recognising location of institutional areas</i></li> </ul>

**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

<p>6</p>	<p>Public open space, community facilities and schools not fronting the main street of the retail core, with a strong functional inter relationship with the activity centre</p> <p><i>Relevant PPN58 criteria:</i>  <i>Consider</i></p> <ul style="list-style-type: none"> <li>• Location of existing government and institutional areas and land uses</li> <li>• Location of existing areas of public open space</li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• Public open space areas that have or are intended to have a strong functional inter-relationship with the activity centre</li> </ul>	<ul style="list-style-type: none"> <li>• Fitzroy Town Hall – <i>recognising location of institutional areas</i></li> <li>• Fitzroy Pool and adjoining open space</li> <li>• Local primary school in Cambridge Street</li> <li>• Former Tram engine house Gertrude Street at the corner of Nicholson Street</li> <li>• Public land with a range of institutional, educational and civic land uses</li> </ul>
<p>7</p>	<p>Commercial 1 and Commercial 2 fronting a main road that intersects the main street of the retail core, and contiguous with land in another category.</p> <p><i>Relevant PPN58 criteria:</i>  <i>consider</i></p> <ul style="list-style-type: none"> <li>• Location of existing commercial areas and land uses</li> <li>• Commercial and residential needs</li> <li>• Proximity to fixed transport esp fixed rail (train or tram)</li> <li>• Location of transport infrastructure</li> <li>• Walkability</li> <li>• Impacts of boundary on other activity centres</li> <li>• Strategic Redevelopment Sites</li> </ul> <p><i>Include:</i>  <i>Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</i></p>	<ul style="list-style-type: none"> <li>• Land along Alexandra Parade</li> <li>• Victoria Parade between Napier St and Wellington Street</li> <li>• Nicholson St adjoining C1Z and MUZ</li> </ul>

**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

8	<p>Residential areas that due to the surrounding uses, built form and road network are logically included</p> <p><i>Relevant PPN58 criteria:</i>  <i>Consider</i></p> <ul style="list-style-type: none"> <li>• Location of existing government and institutional areas and land uses</li> <li>• Location of existing areas of public open space</li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• Residential areas that are integrated into the activity centre or surrounded by other uses that have a strong relationship with the activity centre, even where limited development opportunities exist</li> </ul>	<ul style="list-style-type: none"> <li>• Atherton Gardens public housing estate to recognise the density and importance of the site if it is re-developed in the future</li> </ul>
9	<p>Large sites or areas with potential to be part of or contribute to an activity centre, if upgraded or redeveloped</p> <p><i>Relevant PPN58 criteria:</i>  <i>Consider:</i>  <i>Strategic Redevelopment Sites</i></p>	<ul style="list-style-type: none"> <li>• N/A</li> </ul>

**Excluded land**

The following table sets out reasons for excluding land that is proximate to the proposed activity centre boundaries. The reasons consider the criteria of PPN58, in particular: environmental and flooding constraints; and residential land encumbered by significant constraints (eg Heritage Overlay\_ located at the edge of the activity centre.

<b>Type</b>	<b>Reason</b>
Former industrial sites along Rose St (inc McRobertson)	<ul style="list-style-type: none"> <li>• Zoned NRZ1</li> <li>• Former industrial sites surrounded by finer grain residential development</li> </ul>
Fitzroy Primary School	<ul style="list-style-type: none"> <li>• It is separated by a laneway from the C1Z land</li> </ul>

**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

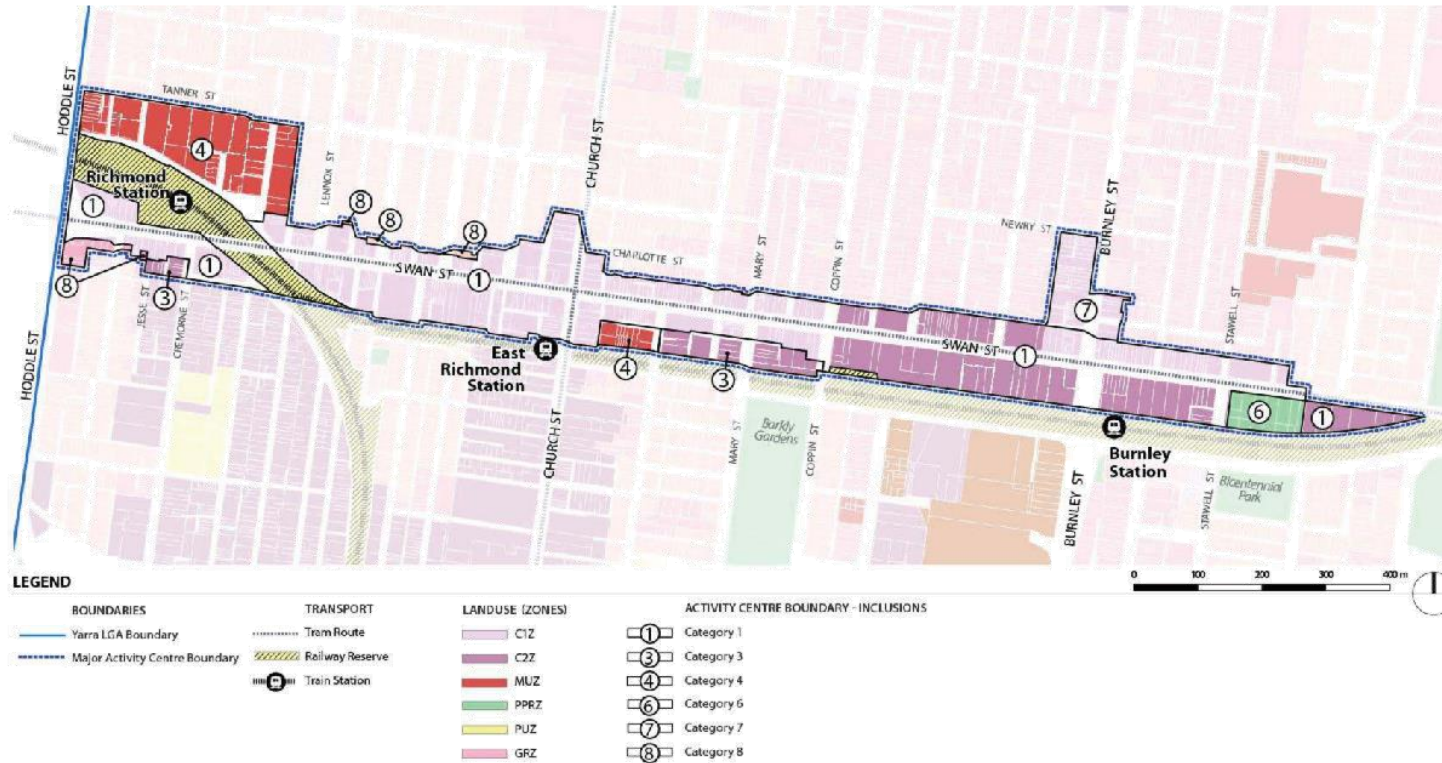
	<ul style="list-style-type: none"> <li>• It extends into the NRZ1 land – which is surrounded by lower density dwellings</li> </ul>
MUZ land Mater Street	<ul style="list-style-type: none"> <li>• Not contiguous with AC</li> <li>• Already developed as 3 storey townhouses</li> </ul>

### Attachment 3 - Activity Centres Roles and Boundaries (October 2019)

Activity centres – roles and boundaries – October 2019

#### 7.4 Swan Street

Map 4 Swan Street





**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

Category	Descriptions	Reasoning
1	<p>Commercial 1, Commercial 2, Mixed Use, Zones and civic uses fronting the main street of the retail core.</p> <p><i>Relevant PPN58 criteria: consider</i></p> <ul style="list-style-type: none"> <li>• Location of existing commercial areas and land uses</li> <li>• Location of existing government and institutional areas and land uses</li> <li>• Commercial and residential needs</li> <li>• Proximity to fixed transport esp fixed rail (train or tram)</li> <li>• Location of transport infrastructure</li> <li>• Walkability</li> <li>• Impacts of boundary on other activity centres</li> <li>• Strategic Redevelopment Sites</li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</li> <li>• Key public land uses that have or are intended to have a strong functional inter-relationship with the activity centre</li> </ul>	<ul style="list-style-type: none"> <li>• Properties front Swan St recognising existing commercial areas and land uses, proximity to fixed public transport, walkability and access to services</li> <li>• C1Z zone allows for higher density than MUZ, NRZ and GRZ</li> </ul>
2	<p>Commercial 1 areas not fronting the retail street, but contiguous (generally behind) with Category 1 that do or could have a strong physical or land use connection to the retail core.</p> <p><i>Relevant PPN58 criteria: consider</i></p> <ul style="list-style-type: none"> <li>• Location of existing commercial areas and land uses</li> </ul>	<ul style="list-style-type: none"> <li>• N/A</li> </ul>

**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

	<ul style="list-style-type: none"> <li>• <i>Commercial and residential needs</i></li> <li>• <i>Proximity to fixed transport esp fixed rail (train or tram)</i></li> <li>• <i>Location of transport infrastructure</i></li> <li>• <i>Walkability</i></li> <li>• <i>Impacts of boundary on other activity centres</i></li> <li>• <i>Strategic Redevelopment Sites</i></li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• <i>Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</i></li> </ul>	
<p>3</p>	<p>Commercial 2 areas not fronting the retail street, but contiguous (generally behind) with Category 1 that do or could have a strong physical or land use connection to the retail core.</p> <p><i>Relevant PPN58 criteria: consider</i></p> <ul style="list-style-type: none"> <li>• <i>Location of existing commercial areas and land uses</i></li> <li>• <i>Commercial and residential needs</i></li> <li>• <i>Proximity to fixed transport esp fixed rail (train or tram)</i></li> <li>• <i>Location of transport infrastructure</i></li> <li>• <i>Walkability</i></li> <li>• <i>Impacts of boundary on other activity centres</i></li> <li>• <i>Strategic Redevelopment Sites</i></li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• <i>Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</i></li> </ul>	<ul style="list-style-type: none"> <li>• Recognising commercial uses between Swan St and railway (east of Church St) near Mary and Coppin Street</li> <li>• Include C2Z adjacent north of Stephenson St / Jesse St as it is logical to include the block north of Jesse St and west of Cremorne Street.</li> <li>• Recognises different land uses, proximity to Richmond Station, walkability</li> <li>• Opportunity for higher development adjacent to a non-sensitive interface – railway line, east of Church St</li> <li>• Provides for a broader range of commercial activity</li> </ul>

**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

<p>4</p>	<p>Mixed Use areas that are contiguous with Category 1 and 2 areas and do or could have a strong physical connection to the retail core</p> <p><i>Relevant PPN58 criteria: consider</i></p> <ul style="list-style-type: none"> <li>• Location of existing commercial areas and land uses</li> <li>• Commercial and residential needs</li> <li>• Proximity to fixed transport esp fixed rail (train or tram)</li> <li>• Location of transport infrastructure</li> <li>• Walkability</li> <li>• Impacts of boundary on other activity centres</li> <li>• Strategic Redevelopment Sites</li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</li> </ul>	<ul style="list-style-type: none"> <li>• Recognises proximity to Richmond Station and East Richmond Station</li> <li>• Recognises existing apartment development</li> <li>• Recognises a mix of uses</li> <li>• Opportunity for higher development adjacent to a non-sensitive interface – railway line</li> </ul>
<p>5</p>	<p>Health Precinct</p> <p><i>Relevant PPN58 criteria: Consider</i></p> <ul style="list-style-type: none"> <li>• Location of existing government and institutional areas and land uses</li> </ul>	<p>N/A</p>
<p>6</p>	<p>Public open space, community facilities and schools not fronting the main street of the retail core, with a strong functional inter relationship with the activity centre</p> <p><i>Relevant PPN58 criteria: Consider</i></p> <ul style="list-style-type: none"> <li>• Location of existing government and institutional areas and land uses</li> </ul>	<ul style="list-style-type: none"> <li>• Ryans Reserve – public land with a strong relationship with the activity centre</li> </ul>

**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

	<ul style="list-style-type: none"> <li>Location of existing areas of public open space</li> </ul> <p>Include:</p> <ul style="list-style-type: none"> <li>Public open space areas that have or are intended to have a strong functional inter-relationship with the activity centre</li> </ul>	
7	<p>Commercial 1 and Commercial 2 fronting a main road that intersects the main street of the retail core, and contiguous with land in another category.</p> <p>Relevant PPN58 criteria: consider</p> <ul style="list-style-type: none"> <li>Location of existing commercial areas and land uses</li> <li>Commercial and residential needs</li> <li>Proximity to fixed transport esp fixed rail (train or tram)</li> <li>Location of transport infrastructure</li> <li>Walkability</li> <li>Impacts of boundary on other activity centres</li> <li>Strategic Redevelopment Sites</li> </ul> <p>Include: Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</p>	<ul style="list-style-type: none"> <li>CIZ land along Burnley Street north from Swan Street</li> <li>Relates to the node of retail and other activity around the junction of Burnley and Swan Streets</li> </ul>
8	<p>Residential areas that due to the surrounding uses, built form and road network are logically included</p> <p>Relevant PPN58 criteria: Consider</p> <ul style="list-style-type: none"> <li>Location of existing government and institutional areas and land uses</li> </ul>	<ul style="list-style-type: none"> <li>GRZ1 land - Inclusion in the activity centre recognises:             <ul style="list-style-type: none"> <li>the opportunities as a gateway to Swan Street</li> <li>6 storey building at 381 Punt Road</li> </ul> </li> <li>Series of smaller zones are anomalies and will be corrected through a rezoning as part of Amendment C191.</li> </ul>

**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

	<ul style="list-style-type: none"> <li>• <i>Location of existing areas of public open space</i></li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• <i>Residential areas that are integrated into the activity centre or surrounded by other uses that have a strong relationship with the activity centre, even where limited development opportunities exist</i></li> </ul>	
9	<p>Large sites or areas with potential to be part of or contribute to an activity centre, if upgraded or redeveloped</p> <p><i>Relevant PPN58 criteria:</i></p> <p><i>Consider:</i> <i>Strategic Redevelopment Sites</i></p>	<ul style="list-style-type: none"> <li>• N/A</li> </ul>

## Attachment 3 - Activity Centres Roles and Boundaries (October 2019)

Activity centres – roles and boundaries – October 2019

### 8 Neighbourhood activity centres – boundaries and categories

- Johnston Street – Collingwood/Abbotsford
- Queens Parade – North Fitzroy/ Clifton Hill
- Nicholson Street – North Fitzroy/North Carlton
- Rathdowne Street – North Carlton
- St Georges Road – North Fitzroy
- Heidelberg Road – Alphington
- Gertrude Street - Fitzroy

The boundary for each centre is mapped and then analysed, based on the criteria and categories discussed earlier in this report. The reasons for excluding some land are also discussed.

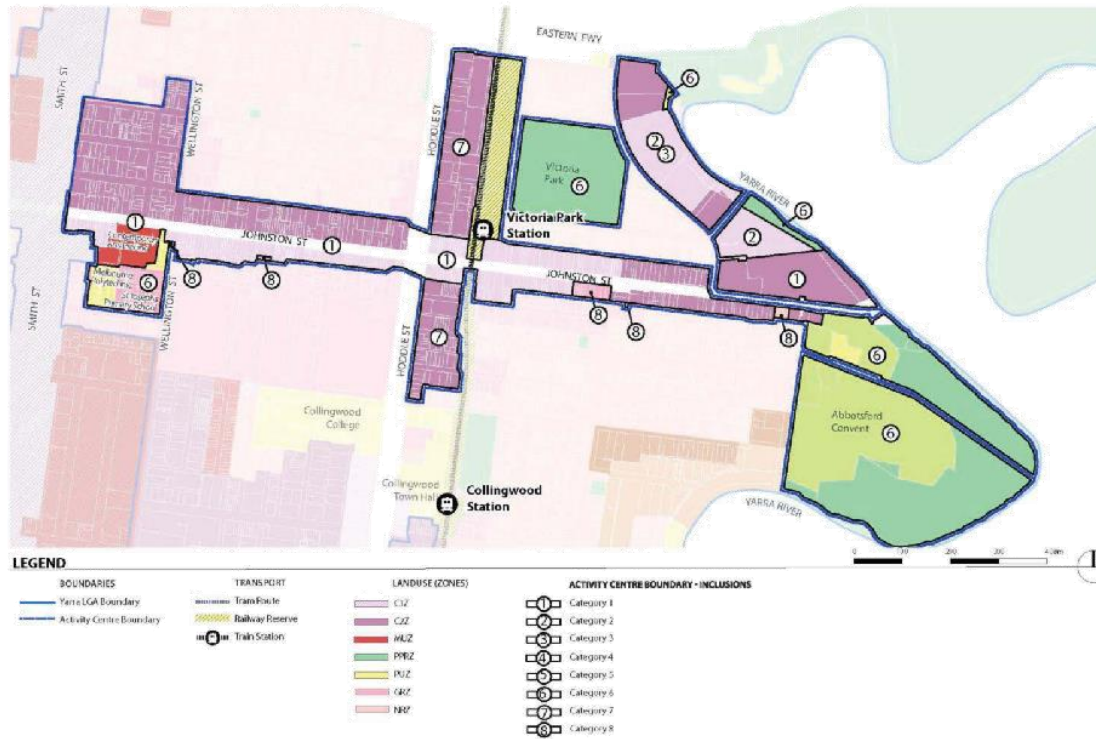


**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

8.1 Johnston Street – Collingwood/Abbotsford

Map 5 Johnston Street



**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

Category	Descriptions	Reasoning
1	<p>Commercial 1, Commercial 2, Mixed Use, Comprehensive Development Zones and civic uses fronting the main street of the retail core.</p> <p><i>Relevant PPN58 criteria: consider</i></p> <ul style="list-style-type: none"> <li>• <i>Location of existing commercial areas and land uses</i></li> <li>• <i>Location of existing government and institutional areas and land uses</i></li> <li>• <i>Commercial and residential needs</i></li> <li>• <i>Proximity to fixed transport esp fixed rail (train or tram)</i></li> <li>• <i>Location of transport infrastructure</i></li> <li>• <i>Walkability</i></li> <li>• <i>Impacts of boundary on other activity centres</i></li> <li>• <i>Strategic Redevelopment Sites</i></li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• <i>Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</i></li> <li>• <i>Key public land uses that have or are intended to have a strong functional inter-relationship with the activity centre</i></li> </ul>	<ul style="list-style-type: none"> <li>• The land identified as the main strip shopping centre precincts in the recent Johnston Street Local Area Plan                             <ul style="list-style-type: none"> <li>○ Properties fronting Johnston Street– a mix of C1Z and C2Z from the Yarra River in the east to Smith Street</li> <li>○ Properties on the south side of Sackville Street between Hoddle Street and Wellington Street</li> </ul> </li> <li>• This includes a mix of industrial, office and retail activity</li> <li>• Provides for future growth in retail, residential and office space along or adjoining the main street</li> <li>• Includes C2Z land around Easey Street to provide opportunities for redevelopment for office land uses and growth in employment floor-space</li> </ul>
2	<p>Commercial 1 areas not fronting the retail street, but contiguous (generally behind) with Category 1 that do or could have a strong physical or land use connection to the retail core.</p> <p><i>Relevant PPN58 criteria:</i></p>	<ul style="list-style-type: none"> <li>• Land between Trenergy Crescent and the Yarra River has been mostly converted from former industrial uses to a mix of office and higher density residential use. It has and will in the future provide for growth in these sectors. This area also provides a connection to and potentially stronger orientation to the River corridor and landscape.</li> <li>• This includes the sites subject to rezoning (either MUZ or C1)</li> <li>• This area has been included in the JSLAP</li> </ul>



**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

	<p><i>consider</i></p> <ul style="list-style-type: none"> <li>• Location of existing commercial areas and land uses</li> <li>• Commercial and residential needs</li> <li>• Proximity to fixed transport esp fixed rail (train or tram)</li> <li>• Location of transport infrastructure</li> <li>• Walkability</li> <li>• Impacts of boundary on other activity centres</li> <li>• Strategic Redevelopment Sites</li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</li> </ul>	
<p>3</p>	<p>Commercial 2 areas not fronting the retail street, but contiguous (generally behind) with Category 1 that do or could have a strong physical or land use connection to the retail core.</p> <p><i>Relevant PPN58 criteria:</i></p> <p><i>consider</i></p> <ul style="list-style-type: none"> <li>• Location of existing commercial areas and land uses</li> <li>• Commercial and residential needs</li> <li>• Proximity to fixed transport esp fixed rail (train or tram)</li> <li>• Location of transport infrastructure</li> <li>• Walkability</li> <li>• Impacts of boundary on other activity centres</li> <li>• Strategic Redevelopment Sites</li> </ul> <p><i>Include:</i></p>	<ul style="list-style-type: none"> <li>• Includes land along Sackville Street in Category 1</li> <li>• Trennery Crescent included in the JSLAP</li> </ul>

**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

	<ul style="list-style-type: none"> <li>• Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</li> </ul>	
4	<p>Mixed Use areas that are contiguous with Category 1 and 2 areas and do or could have a strong physical connection to the retail core</p> <p><i>Relevant PPN58 criteria: consider</i></p> <ul style="list-style-type: none"> <li>• Location of existing commercial areas and land uses</li> <li>• Commercial and residential needs</li> <li>• Proximity to fixed transport esp fixed rail (train or tram)</li> <li>• Location of transport infrastructure</li> <li>• Walkability</li> <li>• Impacts of boundary on other activity centres</li> <li>• Strategic Redevelopment Sites</li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</li> </ul>	<ul style="list-style-type: none"> <li>• N/A</li> </ul>
5	<p>Health Precinct not fronting the main street of the retail core, but contiguous with Category 1 or 2</p> <p><i>Relevant PPN58 criteria: Consider</i></p> <ul style="list-style-type: none"> <li>• Location of existing government and institutional areas and land uses</li> </ul>	<ul style="list-style-type: none"> <li>• N/A</li> </ul>

**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

<p>6</p>	<p>Public open space, community facilities and schools not fronting the main street of the retail core, with a strong functional inter relationship with the activity centre</p> <p><i>Relevant PPN58 criteria:</i>  <i>Consider</i></p> <ul style="list-style-type: none"> <li>• Location of existing government and institutional areas and land uses</li> <li>• Location of existing areas of public open space</li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• Public open space areas that have or are intended to have a strong functional inter-relationship with the activity centre</li> </ul>	<ul style="list-style-type: none"> <li>• Victoria Park football ground provides an important open space with a cultural and community focus. It is located between Victoria Park Station, Trenerry Crescent and Turner Street.</li> <li>• Melbourne Polytechnic (Collingwood Campus), Otter St Collingwood</li> <li>• St Joseph’s Primary School, Otter St Collingwood</li> <li>• The Collingwood Arts Precinct between Perry Street, Otter Street, Wellington Street and Smith Street is identified in the JSLAP. It includes Collingwood TAFE and Circus Oz. It will provide a focus for arts, community and cultural activities.</li> <li>• Abbotsford Convent and Collingwood Children’s Farm are east of Clarke Street and have a long frontage to the Yarra River. They provide a local and regional attraction for cultural and recreational activity</li> </ul>
<p>7</p>	<p>Commercial 1 and Commercial 2 fronting a main road that intersects the main street of the retail core, and contiguous with land in another category.</p> <p><i>Relevant PPN58 criteria:</i>  <i>consider</i></p> <ul style="list-style-type: none"> <li>• Location of existing commercial areas and land uses</li> <li>• Commercial and residential needs</li> <li>• Proximity to fixed transport esp fixed rail (train or tram)</li> <li>• Location of transport infrastructure</li> <li>• Walkability</li> <li>• Impacts of boundary on other activity centres</li> <li>• Strategic Redevelopment Sites</li> </ul> <p><i>Include:</i>  <i>Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</i></p>	<ul style="list-style-type: none"> <li>• 2 precincts in the JSLAP are along the east side of Hoddle Street in the C2Z these areas provide opportunity for uses that complement the commercial activity along Johnston St:             <ul style="list-style-type: none"> <li>- Land north of Johnston Street to the Eastern Freeway and including land on both the west and east side of the railway corridor through to Lulie Street</li> <li>- Land south of Johnston Street between Hoddle Street and the railway to Vere Street</li> </ul> </li> </ul>

**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

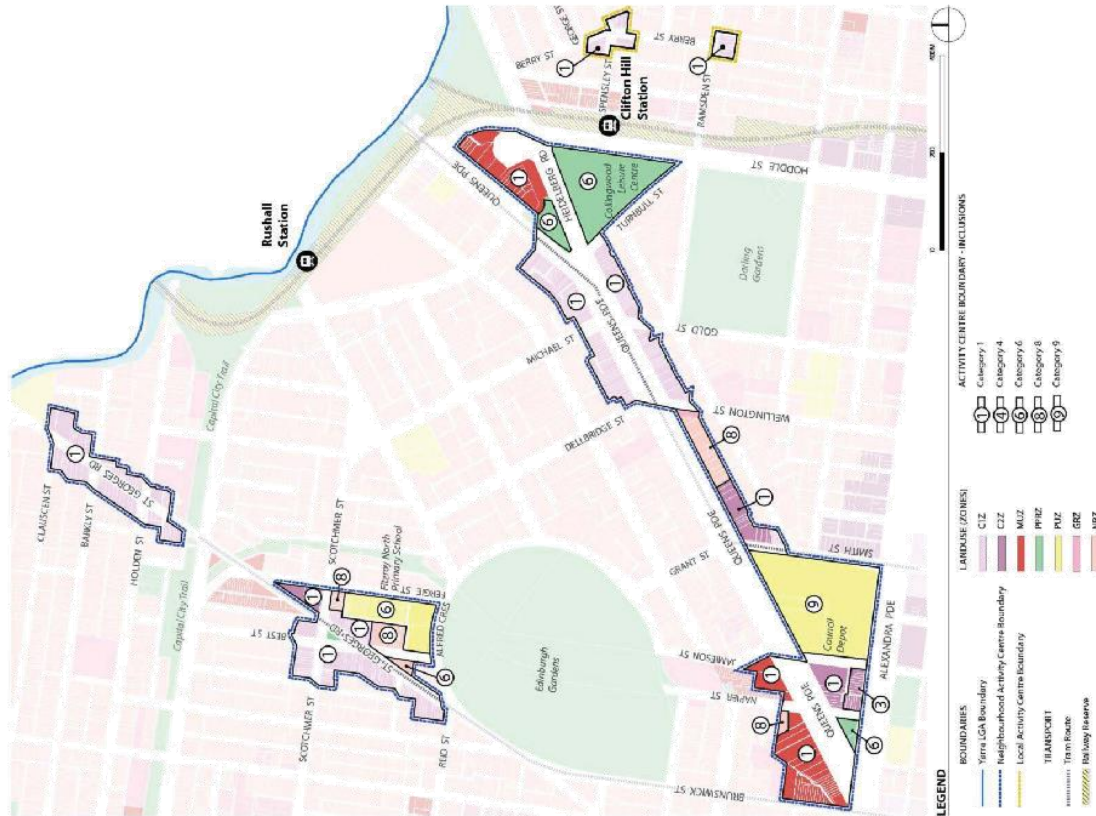
<p>8</p>	<p>Residential areas that due to the surrounding uses, built form and road network are logically included</p> <p><i>Relevant PPN58 criteria:</i></p> <p><i>Consider</i></p> <ul style="list-style-type: none"> <li>• <i>Location of existing government and institutional areas and land uses</i></li> <li>• <i>Location of existing areas of public open space</i></li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• <i>Residential areas that are integrated into the activity centre or surrounded by other uses that have a strong relationship with the activity centre, even where limited development opportunities exist</i></li> </ul>	<ul style="list-style-type: none"> <li>• Two parcels fronting the south side of Johnston Street immediately east of Paterson Street in the NRZ</li> <li>• An area west of Nicholson Street fronting the south side of Johnston Street on the GRZ</li> <li>• A number of minor boundary anomalies where land in the GRZ or NRZ is within the AC boundary</li> </ul>
<p>9</p>	<p>Large sites or areas with potential to be part of or contribute to an activity centre, if upgraded or redeveloped</p> <p><i>Relevant PPN58 criteria:</i></p> <p><i>Consider:</i></p> <p><i>Strategic Redevelopment Sites</i></p>	<ul style="list-style-type: none"> <li>• No areas in this category</li> </ul>

**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

8.2 Queens Parade – North Fitzroy/ Clifton Hill

Map 6 Queens Parade - St Georges Road (Local Activity Centres: Spensley Street – Berry Street – Ramsden Street)



**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

Category	Descriptions	Reasoning
1	<p>Commercial 1, Commercial 2, Mixed Use, Comprehensive Development Zones and civic uses fronting the main street of the retail core.</p> <p><i>Relevant PPN58 criteria: consider</i></p> <ul style="list-style-type: none"> <li>• Location of existing commercial areas and land uses</li> <li>• Location of existing government and institutional areas and land uses</li> <li>• Commercial and residential needs</li> <li>• Proximity to fixed transport esp fixed rail (train or tram)</li> <li>• Location of transport infrastructure</li> <li>• Walkability</li> <li>• Impacts of boundary on other activity centres</li> <li>• Strategic Redevelopment Sites</li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</li> <li>• Key public land uses that have or are intended to have a strong functional inter-relationship with the activity centre</li> </ul>	<ul style="list-style-type: none"> <li>• The main retail centre is located in C1Z land on both the north and south sides of Queens Parade between Wellington Street / Delbridge Street and the junction of Queens Parade and Heidelberg Road.</li> <li>• Convenience retail and food offerings are stronger on the north side.</li> <li>• Significant residential redevelopment either exists or is proposed for areas of MUZ between Jamieson Street and Brunswick Street on the north side of Queens Parade</li> <li>• These areas are remote from the retail centre but close to the redevelopment opportunities of the former gasworks land on the opposite (south) side of Queens Parade. This area is likely to see educational, commercial and civic activities.</li> <li>• Land between Queens Parade, Heidelberg Road and Hoddle Street in the MUZ will be redeveloped for a mix of activities including higher density housing</li> </ul>
2	<p>Commercial 1 areas not fronting the retail street, but contiguous (generally behind) with Category 1 that do or could have a strong physical or land use connection to the retail core.</p> <p><i>Relevant PPN58 criteria: consider</i></p>	<ul style="list-style-type: none"> <li>• No areas in this category</li> </ul>

**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

	<ul style="list-style-type: none"> <li>• <i>Location of existing commercial areas and land uses</i></li> <li>• <i>Commercial and residential needs</i></li> <li>• <i>Proximity to fixed transport esp fixed rail (train or tram)</i></li> <li>• <i>Location of transport infrastructure</i></li> <li>• <i>Walkability</i></li> <li>• <i>Impacts of boundary on other activity centres</i></li> <li>• <i>Strategic Redevelopment Sites</i></li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• <i>Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</i></li> </ul>	
3	<p>Commercial 2 areas not fronting the retail street, but contiguous (generally behind) with Category 1 that do or could have a strong physical or land use connection to the retail core.</p> <p><i>Relevant PPN58 criteria: consider</i></p> <ul style="list-style-type: none"> <li>• <i>Location of existing commercial areas and land uses</i></li> <li>• <i>Commercial and residential needs</i></li> <li>• <i>Proximity to fixed transport esp fixed rail (train or tram)</i></li> <li>• <i>Location of transport infrastructure</i></li> <li>• <i>Walkability</i></li> <li>• <i>Impacts of boundary on other activity centres</i></li> <li>• <i>Strategic Redevelopment Sites</i></li> </ul> <p><i>Include:</i></p>	<ul style="list-style-type: none"> <li>• Land fronting Alexandra Parade – opportunities associate with land to the north and to amalgamate with other land in the block of C2Z land</li> </ul>

**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

	<ul style="list-style-type: none"> <li>• Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</li> </ul>	
4	<p>Mixed Use areas that are contiguous with Category 1 and 2 areas and do or could have a strong physical connection to the retail core</p> <p><i>Relevant PPN58 criteria: consider</i></p> <ul style="list-style-type: none"> <li>• Location of existing commercial areas and land uses</li> <li>• Commercial and residential needs</li> <li>• Proximity to fixed transport esp fixed rail (train or tram)</li> <li>• Location of transport infrastructure</li> <li>• Walkability</li> <li>• Impacts of boundary on other activity centres</li> <li>• Strategic Redevelopment Sites</li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</li> </ul>	<ul style="list-style-type: none"> <li>• No areas in this category</li> </ul>
5	<p>Health Precinct not fronting the main street of the retail core, but contiguous with Category 1 or 2</p> <p><i>Relevant PPN58 criteria: Consider</i></p> <ul style="list-style-type: none"> <li>• Location of existing government and institutional areas and land uses</li> </ul>	<ul style="list-style-type: none"> <li>• No areas in this category</li> </ul>



**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

<p>6</p>	<p>Public open space, community facilities and schools not fronting the main street of the retail core, with a strong functional inter relationship with the activity centre</p> <p><i>Relevant PPN58 criteria: Consider</i></p> <ul style="list-style-type: none"> <li>• Location of existing government and institutional areas and land uses</li> <li>• Location of existing areas of public open space</li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• Public open space areas that have or are intended to have a strong functional inter-relationship with the activity centre</li> </ul>	<ul style="list-style-type: none"> <li>• Land between Turnbull Street, Heidelberg Road and Hoddle Street is public open space with tennis courts and the Collingwood Leisure Centre. It provides a significant focus for recreational activities.</li> <li>• A small pocket of open space at the west end of the Queens Parade has a direct link with the Activity Centre.</li> </ul>
<p>7</p>	<p>Commercial 1 and Commercial 2 fronting a main road that intersects the main street of the retail core, and contiguous with land in another category.</p> <p><i>Relevant PPN58 criteria: consider</i></p> <ul style="list-style-type: none"> <li>• Location of existing commercial areas and land uses</li> <li>• Commercial and residential needs</li> <li>• Proximity to fixed transport esp fixed rail (train or tram)</li> <li>• Location of transport infrastructure</li> <li>• Walkability</li> <li>• Impacts of boundary on other activity centres</li> <li>• Strategic Redevelopment Sites</li> </ul> <p><i>Include:</i> Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</p>	<ul style="list-style-type: none"> <li>• No areas in this category</li> </ul>

**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

<p>8</p>	<p>Residential areas that due to the surrounding uses, built form and road network are logically included</p> <p><i>Relevant PPN58 criteria:</i></p> <p><i>Consider</i></p> <ul style="list-style-type: none"> <li>• <i>Location of existing government and institutional areas and land uses</i></li> <li>• <i>Location of existing areas of public open space</i></li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• <i>Residential areas that are integrated into the activity centre or surrounded by other uses that have a strong relationship with the activity centre, even where limited development opportunities exist</i></li> </ul>	<ul style="list-style-type: none"> <li>• A small area in the NRZ on the south side of Queens Parade between Wellington Street and Smith Street provides a link between the retail centre east of Wellington Street and the future commercial and educational redevelopment around the former gasworks land.</li> <li>• Includes land occupied by the Church and school</li> <li>• 497 Napier Street - a site inspection shows that this site has been developed as part of land at 58 Queens Parade. The AC boundary makes a logical line along the northern boundary of this property with fine grained housing to the north.</li> </ul>
<p>9</p>	<p>Large sites or areas with potential to be part of or contribute to an activity centre, if upgraded or redeveloped</p> <p><i>Relevant PPN58 criteria:</i></p> <p><i>Consider:</i></p> <p><i>Strategic Redevelopment Sites</i></p>	<ul style="list-style-type: none"> <li>• The former gasworks (PUZ1 and PUZ6) land between Smith Street and George Street with frontages to both Queens Parade and Alexandra Parade is likely to provide opportunities for educational, cultural and leisure activities. Subject to a Government Standing Land Advisory Committee (GSLAC) process.</li> </ul>

**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

8.3 Nicholson Street – North Fitzroy/North Carlton

Map 7 Nicholson Street - Rathdowne Street and Lygon Street



**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

Category	Descriptions	Reasoning
1	<p>Commercial 1, Commercial 2, Mixed Use, Comprehensive Development Zones and civic uses fronting the main street of the retail core.</p> <p><i>Relevant PPN58 criteria: consider</i></p> <ul style="list-style-type: none"> <li>• Location of existing commercial areas and land uses</li> <li>• Location of existing government and institutional areas and land uses</li> <li>• Commercial and residential needs</li> <li>• Proximity to fixed transport esp fixed rail (train or tram)</li> <li>• Location of transport infrastructure</li> <li>• Walkability</li> <li>• Impacts of boundary on other activity centres</li> <li>• Strategic Redevelopment Sites</li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</li> <li>• Key public land uses that have or are intended to have a strong functional inter-relationship with the activity centre</li> </ul>	<ul style="list-style-type: none"> <li>• Properties fronting Nicholson Street– all C1Z and MUZ</li> <li>• Primary retail core at and north of Pigdon Street on the west side of Nicholson Street</li> <li>• C1Z south of Pigdon Street includes a mix of retail, office and residential use</li> <li>• MUZ on the east side of Nicholson Street, immediately north of Park Street and Inner Circle parklands. This area includes a designated Strategic Development site in the MSS.</li> </ul>
2	<p>Commercial 1 areas not fronting the retail street, but contiguous (generally behind) with Category 1 that do or could have a strong physical or land use connection to the retail core.</p> <p><i>Relevant PPN58 criteria: consider</i></p>	<ul style="list-style-type: none"> <li>• No areas in this category</li> </ul>

**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

	<ul style="list-style-type: none"> <li>• <i>Location of existing commercial areas and land uses</i></li> <li>• <i>Commercial and residential needs</i></li> <li>• <i>Proximity to fixed transport esp fixed rail (train or tram)</i></li> <li>• <i>Location of transport infrastructure</i></li> <li>• <i>Walkability</i></li> <li>• <i>Impacts of boundary on other activity centres</i></li> <li>• <i>Strategic Redevelopment Sites</i></li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• <i>Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</i></li> </ul>	
3	<p>Commercial 2 areas not fronting the retail street, but contiguous (generally behind) with Category 1 that do or could have a strong physical or land use connection to the retail core.</p> <p><i>Relevant PPN58 criteria: consider</i></p> <ul style="list-style-type: none"> <li>• <i>Location of existing commercial areas and land uses</i></li> <li>• <i>Commercial and residential needs</i></li> <li>• <i>Proximity to fixed transport esp fixed rail (train or tram)</i></li> <li>• <i>Location of transport infrastructure</i></li> <li>• <i>Walkability</i></li> <li>• <i>Impacts of boundary on other activity centres</i></li> <li>• <i>Strategic Redevelopment Sites</i></li> </ul> <p><i>Include:</i></p>	<ul style="list-style-type: none"> <li>• No areas in this category</li> </ul>

**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

	<ul style="list-style-type: none"> <li>Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</li> </ul>	
4	<p>Mixed Use areas that are contiguous with Category 1 and 2 areas and do or could have a strong physical connection to the retail core</p> <p><i>Relevant PPN58 criteria: consider</i></p> <ul style="list-style-type: none"> <li>Location of existing commercial areas and land uses</li> <li>Commercial and residential needs</li> <li>Proximity to fixed transport esp fixed rail (train or tram)</li> <li>Location of transport infrastructure</li> <li>Walkability</li> <li>Impacts of boundary on other activity centres</li> <li>Strategic Redevelopment Sites</li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</li> </ul>	<ul style="list-style-type: none"> <li>MUZ – east Nicholson Street, north and south of Reid Street and extending to Rae Street, with a mix of parcel sizes and building forms. Provides some scope for more intensive mixed use development but is constrained by proximity to GRZ and NRZ land and interface considerations.</li> </ul>
5	<p>Health Precinct not fronting the main street of the retail core, but contiguous with Category 1 or 2</p> <p><i>Relevant PPN58 criteria: Consider</i></p> <ul style="list-style-type: none"> <li>Location of existing government and institutional areas and land uses</li> </ul>	<ul style="list-style-type: none"> <li>No areas in this category</li> </ul>

**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

<p>6</p>	<p>Public open space, community facilities and schools not fronting the main street of the retail core, with a strong functional inter relationship with the activity centre</p> <p><i>Relevant PPN58 criteria:</i>  <i>Consider</i></p> <ul style="list-style-type: none"> <li>• <i>Location of existing government and institutional areas and land uses</i></li> <li>• <i>Location of existing areas of public open space</i></li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• <i>Public open space areas that have or are intended to have a strong functional inter-relationship with the activity centre</i></li> </ul>	<ul style="list-style-type: none"> <li>• Public open space adjoining mixed use and commercial zones. This includes land adjoining the north side of Park Street which is part of the Inner Circle railway parklands.</li> <li>• This land has a strong inter-relationship with the centre and includes a café and cycle shop adjoining the parkland immediately west of Nicholson Street. The linear parkland serves a range of recreational purposes and links to other local and neighbourhood centres.</li> </ul>
<p>7</p>	<p>Commercial 1 and Commercial 2 fronting a main road that intersects the main street of the retail core, and contiguous with land in another category.</p> <p><i>Relevant PPN58 criteria:</i>  <i>consider</i></p> <ul style="list-style-type: none"> <li>• <i>Location of existing commercial areas and land uses</i></li> <li>• <i>Commercial and residential needs</i></li> <li>• <i>Proximity to fixed transport esp fixed rail (train or tram)</i></li> <li>• <i>Location of transport infrastructure</i></li> <li>• <i>Walkability</i></li> <li>• <i>Impacts of boundary on other activity centres</i></li> <li>• <i>Strategic Redevelopment Sites</i></li> </ul> <p><i>Include:</i>  <i>Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</i></p>	<ul style="list-style-type: none"> <li>• No areas in this category</li> </ul>

**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

<p>8</p>	<p>Residential areas that due to the surrounding uses, built form and road network are logically included</p> <p><i>Relevant PPN58 criteria:</i></p> <p><i>Consider</i></p> <ul style="list-style-type: none"> <li>• <i>Location of existing government and institutional areas and land uses</i></li> <li>• <i>Location of existing areas of public open space</i></li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• <i>Residential areas that are integrated into the activity centre or surrounded by other uses that have a strong relationship with the activity centre, even where limited development opportunities exist</i></li> </ul>	<ul style="list-style-type: none"> <li>• GR22 area on the east side of Nicholson Street – just south of Scotchmer Street, adjoins and is opposite Category 1 and retail core. This land has been developed for medium density housing and is unlikely to be redeveloped in the foreseeable future.</li> <li>• NRZ1 land on the south side of Park Street, between Nicholson Street and Station Street. This land is occupied by small shops which face the parkland, a café and playground on the north side of Park Street. The shops complement the activities along the street and parkland.</li> <li>• GRZ3 area on the east side of Nicholson Street and immediately north of Scotchmer Street. This area is a designated Strategic Development site in the MSS. This land faces the retail core and could be redeveloped to strengthen the retail function and character of the centre. It is occupied by a bus depot.</li> </ul>
<p>9</p>	<p>Large sites or areas with potential to be part of or contribute to an activity centre, if upgraded or redeveloped</p> <p><i>Relevant PPN58 criteria:</i></p> <p><i>Consider:</i></p> <p><i>Strategic Redevelopment Sites</i></p>	<ul style="list-style-type: none"> <li>• No areas in this category</li> </ul>



**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

8.4 Rathdowne Street – North Carlton

See Map 7

Category	Descriptions	Reasoning
1	<p>Commercial 1, Commercial 2, Mixed Use, Comprehensive Development Zones and civic uses fronting the main street of the retail core.</p> <p><i>Relevant PPN58 criteria: consider</i></p> <ul style="list-style-type: none"> <li>• <i>Location of existing commercial areas and land uses</i></li> <li>• <i>Location of existing government and institutional areas and land uses</i></li> <li>• <i>Commercial and residential needs</i></li> <li>• <i>Proximity to fixed transport esp fixed rail (train or tram)</i></li> <li>• <i>Location of transport infrastructure</i></li> <li>• <i>Walkability</i></li> <li>• <i>Impacts of boundary on other activity centres</i></li> <li>• <i>Strategic Redevelopment Sites</i></li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• <i>Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</i></li> <li>• <i>Key public land uses that have or are intended to have a strong functional inter-relationship with the activity centre</i></li> </ul>	<ul style="list-style-type: none"> <li>• Properties front Rathdowne Street– all C1Z</li> <li>• Primary retail core areas are in two small blocks                         <ul style="list-style-type: none"> <li>○ East side of Rathdowne between Fenwick Street and Curtain Street</li> <li>○ West side of Rathdowne between Newry Street and Lee Street</li> </ul> </li> </ul>
2	<p>Commercial 1 areas not fronting the retail street, but contiguous (generally behind) with Category 1 that do or could have a strong</p>	<ul style="list-style-type: none"> <li>• No areas in this category</li> </ul>

**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

	<p>physical or land use connection to the retail core.</p> <p><i>Relevant PPN58 criteria: consider</i></p> <ul style="list-style-type: none"> <li>• <i>Location of existing commercial areas and land uses</i></li> <li>• <i>Commercial and residential needs</i></li> <li>• <i>Proximity to fixed transport esp fixed rail (train or tram)</i></li> <li>• <i>Location of transport infrastructure</i></li> <li>• <i>Walkability</i></li> <li>• <i>Impacts of boundary on other activity centres</i></li> <li>• <i>Strategic Redevelopment Sites</i></li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• <i>Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</i></li> </ul>	
<p>3</p>	<p>Commercial 2 areas not fronting the retail street, but contiguous (generally behind) with Category 1 that do or could have a strong physical or land use connection to the retail core.</p> <p><i>Relevant PPN58 criteria: consider</i></p> <ul style="list-style-type: none"> <li>• <i>Location of existing commercial areas and land uses</i></li> <li>• <i>Commercial and residential needs</i></li> <li>• <i>Proximity to fixed transport esp fixed rail (train or tram)</i></li> <li>• <i>Location of transport infrastructure</i></li> <li>• <i>Walkability</i></li> <li>• <i>Impacts of boundary on other activity centres</i></li> </ul>	<ul style="list-style-type: none"> <li>• No areas in this category</li> </ul>

**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

	<ul style="list-style-type: none"> <li>• <i>Strategic Redevelopment Sites</i></li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• <i>Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</i></li> </ul>	
4	<p>Mixed Use areas that are contiguous with Category 1 and 2 areas and do or could have a strong physical connection to the retail core</p> <p><i>Relevant PPN58 criteria: consider</i></p> <ul style="list-style-type: none"> <li>• <i>Location of existing commercial areas and land uses</i></li> <li>• <i>Commercial and residential needs</i></li> <li>• <i>Proximity to fixed transport esp fixed rail (train or tram)</i></li> <li>• <i>Location of transport infrastructure</i></li> <li>• <i>Walkability</i></li> <li>• <i>Impacts of boundary on other activity centres</i></li> <li>• <i>Strategic Redevelopment Sites</i></li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• <i>Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</i></li> </ul>	<ul style="list-style-type: none"> <li>• No areas in this category</li> </ul>
5	<p>Health Precinct not fronting the main street of the retail core, but contiguous with Category 1 or 2</p> <p><i>Relevant PPN58 criteria: Consider</i></p> <ul style="list-style-type: none"> <li>• <i>Location of existing government and institutional areas and land uses</i></li> </ul>	<ul style="list-style-type: none"> <li>• No areas in this category</li> </ul>

**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

6	<p>Public open space, community facilities and schools not fronting the main street of the retail core, with a strong functional inter relationship with the activity centre</p> <p><i>Relevant PPN58 criteria:</i>  <i>Consider</i></p> <ul style="list-style-type: none"> <li>• <i>Location of existing government and institutional areas and land uses</i></li> <li>• <i>Location of existing areas of public open space</i></li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• <i>Public open space areas that have or are intended to have a strong functional inter-relationship with the activity centre</i></li> </ul>	<ul style="list-style-type: none"> <li>• Curtain Square is parkland which adjoins the retail core of this centre and adds to the attractiveness, function and character of the centre</li> </ul>
7	<p>Commercial 1 and Commercial 2 fronting a main road that intersects the main street of the retail core, and contiguous with land in another category.</p> <p><i>Relevant PPN58 criteria:</i>  <i>consider</i></p> <ul style="list-style-type: none"> <li>• <i>Location of existing commercial areas and land uses</i></li> <li>• <i>Commercial and residential needs</i></li> <li>• <i>Proximity to fixed transport esp fixed rail (train or tram)</i></li> <li>• <i>Location of transport infrastructure</i></li> <li>• <i>Walkability</i></li> <li>• <i>Impacts of boundary on other activity centres</i></li> <li>• <i>Strategic Redevelopment Sites</i></li> </ul> <p><i>Include:</i></p>	<ul style="list-style-type: none"> <li>• No areas in this category</li> </ul>

**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

	<i>Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</i>	
8	<p>Residential areas that due to the surrounding uses, built form and road network are logically included</p> <p><i>Relevant PPN58 criteria:</i>  <i>Consider</i></p> <ul style="list-style-type: none"> <li>• <i>Location of existing government and institutional areas and land uses</i></li> <li>• <i>Location of existing areas of public open space</i></li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• <i>Residential areas that are integrated into the activity centre or surrounded by other uses that have a strong relationship with the activity centre, even where limited development opportunities exist</i></li> </ul>	<ul style="list-style-type: none"> <li>• Two areas in the NRZ1 adjoin or are opposite the retail areas in Category 1.             <ul style="list-style-type: none"> <li>○ Land on the west side of Rathdowne Street between Fenwick Street and Newry Street includes a mix of cafes, shops, dwellings and the North Carlton Library. The café and shop activities complement the more intense retail and Curtain Square on the opposite frontage</li> <li>○ Land on the east side of Rathdowne Street between Newry Street and Princes Street includes a mix of cafes, shops and dwellings. The café and shop activities complement the more intense retail and Curtain Square on the opposite frontage, north of Lee Street</li> </ul> </li> <li>• One small section of NRZ1 is located immediately west of the C1Z just north of Lee Street. This land is part of two lots which extend across the zone boundary and front Rathdowne Street in the C1Z.</li> </ul>
9	<p>Large sites or areas with potential to be part of or contribute to an activity centre, if upgraded or redeveloped</p> <p><i>Relevant PPN58 criteria:</i>  <i>Consider:</i>  <i>Strategic Redevelopment Sites</i></p>	<ul style="list-style-type: none"> <li>• N/A</li> </ul>

**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

8.5 St Georges Road – North Fitzroy

See Map 6

Category	Descriptions	Reasoning
1	<p>Commercial 1, Commercial 2, Mixed Use, Comprehensive Development Zones and civic uses fronting the main street of the retail core.</p> <p><i>Relevant PPN58 criteria: consider</i></p> <ul style="list-style-type: none"> <li>• <i>Location of existing commercial areas and land uses</i></li> <li>• <i>Location of existing government and institutional areas and land uses</i></li> <li>• <i>Commercial and residential needs</i></li> <li>• <i>Proximity to fixed transport esp fixed rail (train or tram)</i></li> <li>• <i>Location of transport infrastructure</i></li> <li>• <i>Walkability</i></li> <li>• <i>Impacts of boundary on other activity centres</i></li> <li>• <i>Strategic Redevelopment Sites</i></li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• <i>Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</i></li> <li>• <i>Key public land uses that have or are intended to have a strong functional inter-relationship with the activity centre</i></li> </ul>	<ul style="list-style-type: none"> <li>• There are two main retail nodes                             <ul style="list-style-type: none"> <li>○ The southern area extends from Reid Street to Fergie Street along St Georges Road and extends east and west along Scotchmer Street. Most of this land is in the C1Z but a small section north of Scotchmer Street is C2Z. The focus of activity is near the junction of Scotchmer Street with St Georges Road and the Piedimontes supermarket</li> <li>○ The northern area extends from the Inner Circle parkland north to Clauscen Street. This area is separated from the other area around Scotchmer Street by about 600m</li> </ul> </li> </ul>
2	<p>Commercial 1 areas not fronting the retail street, but contiguous (generally behind) with Category 1 that do or could have a strong</p>	<ul style="list-style-type: none"> <li>• No areas in this category</li> </ul>

**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

	<p>physical or land use connection to the retail core.</p> <p><i>Relevant PPN58 criteria: consider</i></p> <ul style="list-style-type: none"> <li>• <i>Location of existing commercial areas and land uses</i></li> <li>• <i>Commercial and residential needs</i></li> <li>• <i>Proximity to fixed transport esp fixed rail (train or tram)</i></li> <li>• <i>Location of transport infrastructure</i></li> <li>• <i>Walkability</i></li> <li>• <i>Impacts of boundary on other activity centres</i></li> <li>• <i>Strategic Redevelopment Sites</i></li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• <i>Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</i></li> </ul>	
<p>3</p>	<p>Commercial 2 areas not fronting the retail street, but contiguous (generally behind) with Category 1 that do or could have a strong physical or land use connection to the retail core.</p> <p><i>Relevant PPN58 criteria: consider</i></p> <ul style="list-style-type: none"> <li>• <i>Location of existing commercial areas and land uses</i></li> <li>• <i>Commercial and residential needs</i></li> <li>• <i>Proximity to fixed transport esp fixed rail (train or tram)</i></li> <li>• <i>Location of transport infrastructure</i></li> <li>• <i>Walkability</i></li> <li>• <i>Impacts of boundary on other activity centres</i></li> </ul>	<ul style="list-style-type: none"> <li>• No areas in this category</li> </ul>

**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

	<ul style="list-style-type: none"> <li>• <i>Strategic Redevelopment Sites</i></li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• <i>Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</i></li> </ul>	
4	<p>Mixed Use areas that are contiguous with Category 1 and 2 areas and do or could have a strong physical connection to the retail core</p> <p><i>Relevant PPN58 criteria: consider</i></p> <ul style="list-style-type: none"> <li>• <i>Location of existing commercial areas and land uses</i></li> <li>• <i>Commercial and residential needs</i></li> <li>• <i>Proximity to fixed transport esp fixed rail (train or tram)</i></li> <li>• <i>Location of transport infrastructure</i></li> <li>• <i>Walkability</i></li> <li>• <i>Impacts of boundary on other activity centres</i></li> <li>• <i>Strategic Redevelopment Sites</i></li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• <i>Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</i></li> </ul>	<ul style="list-style-type: none"> <li>• No areas in this category</li> </ul>
5	<p>Health Precinct not fronting the main street of the retail core, but contiguous with Category 1 or 2</p> <p><i>Relevant PPN58 criteria: Consider</i></p> <ul style="list-style-type: none"> <li>• <i>Location of existing government and institutional areas and land uses</i></li> </ul>	<ul style="list-style-type: none"> <li>• No areas in this category</li> </ul>



**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

6	<p>Public open space, community facilities and schools not fronting the main street of the retail core, with a strong functional inter relationship with the activity centre</p> <p><i>Relevant PPN58 criteria:</i>  <i>Consider</i></p> <ul style="list-style-type: none"> <li>• <i>Location of existing government and institutional areas and land uses</i></li> <li>• <i>Location of existing areas of public open space</i></li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• <i>Public open space areas that have or are intended to have a strong functional inter-relationship with the activity centre</i></li> </ul>	<ul style="list-style-type: none"> <li>• The Government Fitzroy North primary school is located on land bounded by Fergie Street, Alfred Crescent and Best Street. This school adjoins the new community centre and library at the junction of St Georges Road and Best Street and Edinburgh Gardens to the south.</li> <li>• The site of the new Bargoonga Nganjin, North Fitzroy Library, at the corner of Best Street and St Georges Road is in the NRZ1. It is an important addition to the community facilities in the centre.</li> </ul>
7	<p>Commercial 1 and Commercial 2 fronting a main road that intersects the main street of the retail core, and contiguous with land in another category.</p> <p><i>Relevant PPN58 criteria:</i>  <i>consider</i></p> <ul style="list-style-type: none"> <li>• <i>Location of existing commercial areas and land uses</i></li> <li>• <i>Commercial and residential needs</i></li> <li>• <i>Proximity to fixed transport esp fixed rail (train or tram)</i></li> <li>• <i>Location of transport infrastructure</i></li> <li>• <i>Walkability</i></li> <li>• <i>Impacts of boundary on other activity centres</i></li> <li>• <i>Strategic Redevelopment Sites</i></li> </ul> <p><i>Include:</i></p>	<ul style="list-style-type: none"> <li>• No areas in this category</li> </ul>

**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

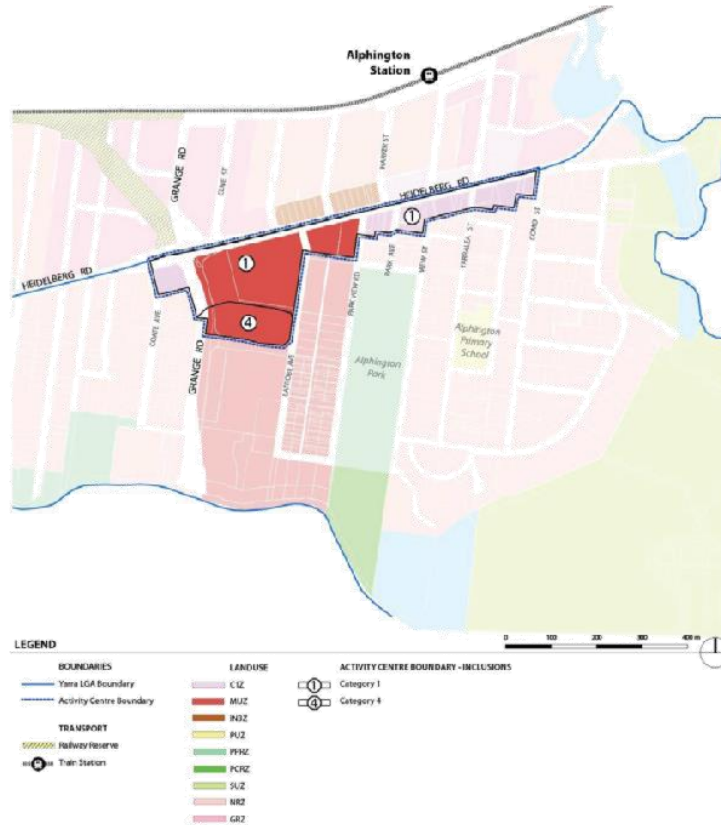
	<i>Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</i>	
8	<p>Residential areas that due to the surrounding uses, built form and road network are logically included</p> <p><i>Relevant PPN58 criteria:</i>  <i>Consider</i></p> <ul style="list-style-type: none"> <li>• <i>Location of existing government and institutional areas and land uses</i></li> <li>• <i>Location of existing areas of public open space</i></li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• <i>Residential areas that are integrated into the activity centre or surrounded by other uses that have a strong relationship with the activity centre, even where limited development opportunities exist</i></li> </ul>	<ul style="list-style-type: none"> <li>• One small area in the NRZ1 on the south side of Scotchmer Street between St Georges Road and Fergie Street is a mix of shops and dwellings. This land faces commercial and retail activity in the C2Z. It complements the adjoining retail activity and is close to the retail core.</li> <li>• NRZ in Bent St is between the school, library and commercial land and is occupied by converted warehouses.</li> </ul>
9	<p>Large sites or areas with potential to be part of or contribute to an activity centre, if upgraded or redeveloped</p> <p><i>Relevant PPN58 criteria:</i>  <i>Consider:</i>  <i>Strategic Redevelopment Sites</i></p>	<ul style="list-style-type: none"> <li>• N/A</li> </ul>

### Attachment 3 - Activity Centres Roles and Boundaries (October 2019)

Activity centres – roles and boundaries – October 2019

#### 8.6 Heidelberg Road – Alphington

Map 8 Heidelberg Road



**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

Category	Descriptions	Reasoning
1	<p>Commercial 1, Commercial 2, Mixed Use, Comprehensive Development Zones and civic uses fronting the main street of the retail core.</p> <p><i>Relevant PPN58 criteria: consider</i></p> <ul style="list-style-type: none"> <li>• Location of existing commercial areas and land uses</li> <li>• Location of existing government and institutional areas and land uses</li> <li>• Commercial and residential needs</li> <li>• Proximity to fixed transport esp fixed rail (train or tram)</li> <li>• Location of transport infrastructure</li> <li>• Walkability</li> <li>• Impacts of boundary on other activity centres</li> <li>• Strategic Redevelopment Sites</li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</li> <li>• Key public land uses that have or are intended to have a strong functional inter-relationship with the activity centre</li> </ul>	<ul style="list-style-type: none"> <li>• This centre is very small with few retail businesses and very little weekly shopping. The existing C1Z land is in two parts: <ul style="list-style-type: none"> <li>○ Land on the south side of Heidelberg Road between Parkview Road and Como Street</li> <li>○ Land on the north side of Heidelberg Road between Harker Street and Yarralea Street. This is in the City of Darebin and outside the scope of the YPS re-write.</li> </ul> </li> <li>• Future development in this centre is likely to be strongly influenced by the Alphington Paper Mill redevelopment (former AMCOR site)</li> <li>• A parcel of land between Coate Avenue and Grange Road on the south side of Heidelberg Road is zoned C1Z and will become part of the larger centre as Alphington Paper Mill develops.</li> </ul>
2	<p>Commercial 1 areas not fronting the retail street, but contiguous (generally behind) with Category 1 that do or could have a strong physical or land use connection to the retail core.</p> <p><i>Relevant PPN58 criteria: consider</i></p>	<ul style="list-style-type: none"> <li>• No areas in this category</li> </ul>

**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

	<ul style="list-style-type: none"> <li>• <i>Location of existing commercial areas and land uses</i></li> <li>• <i>Commercial and residential needs</i></li> <li>• <i>Proximity to fixed transport esp fixed rail (train or tram)</i></li> <li>• <i>Location of transport infrastructure</i></li> <li>• <i>Walkability</i></li> <li>• <i>Impacts of boundary on other activity centres</i></li> <li>• <i>Strategic Redevelopment Sites</i></li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• <i>Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</i></li> </ul>	
3	<p>Commercial 2 areas not fronting the retail street, but contiguous (generally behind) with Category 1 that do or could have a strong physical or land use connection to the retail core.</p> <p><i>Relevant PPN58 criteria: consider</i></p> <ul style="list-style-type: none"> <li>• <i>Location of existing commercial areas and land uses</i></li> <li>• <i>Commercial and residential needs</i></li> <li>• <i>Proximity to fixed transport esp fixed rail (train or tram)</i></li> <li>• <i>Location of transport infrastructure</i></li> <li>• <i>Walkability</i></li> <li>• <i>Impacts of boundary on other activity centres</i></li> <li>• <i>Strategic Redevelopment Sites</i></li> </ul> <p><i>Include:</i></p>	<ul style="list-style-type: none"> <li>• No areas in this category</li> </ul>

**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

	<ul style="list-style-type: none"> <li>• Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</li> </ul>	
4	<p>Mixed Use areas that are contiguous with Category 1 and 2 areas and do or could have a strong physical connection to the retail core</p> <p><i>Relevant PPN58 criteria: consider</i></p> <ul style="list-style-type: none"> <li>• Location of existing commercial areas and land uses</li> <li>• Commercial and residential needs</li> <li>• Proximity to fixed transport esp fixed rail (train or tram)</li> <li>• Location of transport infrastructure</li> <li>• Walkability</li> <li>• Impacts of boundary on other activity centres</li> <li>• Strategic Redevelopment Sites</li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</li> </ul>	<ul style="list-style-type: none"> <li>• Parts of the Alphington Paper Mill redevelopment will in the future become a new activity centre or extension of the current small centre. The Alphington Paper Mill redevelopment will be staged over 7-12 years with the retail and commercial components potentially built from around 2024 to 2030. This will see a new neighbourhood centre established with non-residential activities including office, community and retail which will total 24,050m2 – 33,450m2 with retail as a sub-set of about 13 – 15,000m2.</li> <li>• The extent of the land in this new centre is defined in the approved Development Plan and is generally bounded by Parkview Road, La Trobe Avenue and future internal roads within the redevelopment.</li> </ul>
5	<p>Health Precinct not fronting the main street of the retail core, but contiguous with Category 1 or 2</p> <p><i>Relevant PPN58 criteria: Consider</i></p> <ul style="list-style-type: none"> <li>• Location of existing government and institutional areas and land uses</li> </ul>	<ul style="list-style-type: none"> <li>• No areas in this category</li> </ul>

**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

<p>6</p>	<p>Public open space, community facilities and schools not fronting the main street of the retail core, with a strong functional inter relationship with the activity centre</p> <p><i>Relevant PPN58 criteria:</i>  <i>Consider</i></p> <ul style="list-style-type: none"> <li>• <i>Location of existing government and institutional areas and land uses</i></li> <li>• <i>Location of existing areas of public open space</i></li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• <i>Public open space areas that have or are intended to have a strong functional inter-relationship with the activity centre</i></li> </ul>	<ul style="list-style-type: none"> <li>• No areas in this category</li> </ul>
<p>7</p>	<p>Commercial 1 and Commercial 2 fronting a main road that intersects the main street of the retail core, and contiguous with land in another category.</p> <p><i>Relevant PPN58 criteria:</i>  <i>consider</i></p> <ul style="list-style-type: none"> <li>• <i>Location of existing commercial areas and land uses</i></li> <li>• <i>Commercial and residential needs</i></li> <li>• <i>Proximity to fixed transport esp fixed rail (train or tram)</i></li> <li>• <i>Location of transport infrastructure</i></li> <li>• <i>Walkability</i></li> <li>• <i>Impacts of boundary on other activity centres</i></li> <li>• <i>Strategic Redevelopment Sites</i></li> </ul> <p><i>Include:</i>  <i>Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</i></p>	<ul style="list-style-type: none"> <li>• No areas in this category</li> </ul>

**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

<p>8</p>	<p>Residential areas that due to the surrounding uses, built form and road network are logically included</p> <p><i>Relevant PPN58 criteria:</i>  <i>Consider</i></p> <ul style="list-style-type: none"> <li>• <i>Location of existing government and institutional areas and land uses</i></li> <li>• <i>Location of existing areas of public open space</i></li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• <i>Residential areas that are integrated into the activity centre or surrounded by other uses that have a strong relationship with the activity centre, even where limited development opportunities exist</i></li> </ul>	<ul style="list-style-type: none"> <li>• No areas in this category</li> </ul>
<p>9</p>	<p>Large sites or areas with potential to be part of or contribute to an activity centre, if upgraded or redeveloped</p> <p><i>Relevant PPN58 criteria:</i>  <i>Consider:</i>  <i>Strategic Redevelopment Sites</i></p>	<ul style="list-style-type: none"> <li>• N/A</li> </ul>



**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

8.7 Gertrude Street – Fitzroy

See Map 3

Category	Descriptions	Reasoning
1	<p>Commercial 1, Commercial 2, Mixed Use, Comprehensive Development Zones and civic uses fronting the main street of the retail core.</p> <p><i>Relevant PPN58 criteria: consider</i></p> <ul style="list-style-type: none"> <li>• <i>Location of existing commercial areas and land uses</i></li> <li>• <i>Location of existing government and institutional areas and land uses</i></li> <li>• <i>Commercial and residential needs</i></li> <li>• <i>Proximity to fixed transport esp fixed rail (train or tram)</i></li> <li>• <i>Location of transport infrastructure</i></li> <li>• <i>Walkability</i></li> <li>• <i>Impacts of boundary on other activity centres</i></li> <li>• <i>Strategic Redevelopment Sites</i></li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• <i>Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</i></li> <li>• <i>Key public land uses that have or are intended to have a strong functional inter-relationship with the activity centre</i></li> </ul>	<ul style="list-style-type: none"> <li>• C1Z land fronting Gertrude Street between Smith Street and Nicholson Street</li> </ul>
2	<p>Commercial 1 areas not fronting the retail street, but contiguous (generally behind) with Category 1 that do or could have a strong physical or land use connection to the retail core.</p>	<ul style="list-style-type: none"> <li>• No areas in this category</li> </ul>

**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

	<p><i>Relevant PPN58 criteria: consider</i></p> <ul style="list-style-type: none"> <li>• <i>Location of existing commercial areas and land uses</i></li> <li>• <i>Commercial and residential needs</i></li> <li>• <i>Proximity to fixed transport esp fixed rail (train or tram)</i></li> <li>• <i>Location of transport infrastructure</i></li> <li>• <i>Walkability</i></li> <li>• <i>Impacts of boundary on other activity centres</i></li> <li>• <i>Strategic Redevelopment Sites</i></li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• <i>Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</i></li> </ul>	
<p>3</p>	<p>Commercial 2 areas not fronting the retail street, but contiguous (generally behind) with Category 1 that do or could have a strong physical or land use connection to the retail core.</p> <p><i>Relevant PPN58 criteria: consider</i></p> <ul style="list-style-type: none"> <li>• <i>Location of existing commercial areas and land uses</i></li> <li>• <i>Commercial and residential needs</i></li> <li>• <i>Proximity to fixed transport esp fixed rail (train or tram)</i></li> <li>• <i>Location of transport infrastructure</i></li> <li>• <i>Walkability</i></li> <li>• <i>Impacts of boundary on other activity centres</i></li> <li>• <i>Strategic Redevelopment Sites</i></li> </ul>	<ul style="list-style-type: none"> <li>• No land in this category</li> </ul>

**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

	<p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</li> </ul>	
4	<p>Mixed Use areas that are contiguous with Category 1 and 2 areas and do or could have a strong physical connection to the retail core</p> <p><i>Relevant PPN58 criteria: consider</i></p> <ul style="list-style-type: none"> <li>• Location of existing commercial areas and land uses</li> <li>• Commercial and residential needs</li> <li>• Proximity to fixed transport esp fixed rail (train or tram)</li> <li>• Location of transport infrastructure</li> <li>• Walkability</li> <li>• Impacts of boundary on other activity centres</li> <li>• Strategic Redevelopment Sites</li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</li> </ul>	<ul style="list-style-type: none"> <li>• No land in this category</li> </ul>
5	<p>Health, civic and cultural precincts not fronting the main street of the retail core, but contiguous with Category 1 or 2</p> <p><i>Relevant PPN58 criteria: Consider</i></p> <ul style="list-style-type: none"> <li>• Location of existing government and institutional areas and land uses</li> </ul>	<ul style="list-style-type: none"> <li>• No land in this category</li> </ul>

**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

<p>6</p>	<p>Public open space, community facilities and schools not fronting the main street of the retail core, with a strong functional inter relationship with the activity centre</p> <p><i>Relevant PPN58 criteria: Consider</i></p> <ul style="list-style-type: none"> <li>• Location of existing government and institutional areas and land uses</li> <li>• Location of existing areas of public open space</li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• Public open space areas that have or are intended to have a strong functional inter-relationship with the activity centre</li> </ul>	<ul style="list-style-type: none"> <li>• No land in this category</li> </ul>
<p>7</p>	<p>Commercial 1 and Commercial 2 fronting a main road that intersects the main street of the retail core, and contiguous with land in another category.</p> <p><i>Relevant PPN58 criteria: consider</i></p> <ul style="list-style-type: none"> <li>• Location of existing commercial areas and land uses</li> <li>• Commercial and residential needs</li> <li>• Proximity to fixed transport esp fixed rail (train or tram)</li> <li>• Location of transport infrastructure</li> <li>• Walkability</li> <li>• Impacts of boundary on other activity centres</li> <li>• Strategic Redevelopment Sites</li> </ul> <p><i>Include:</i> Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</p>	<ul style="list-style-type: none"> <li>• No areas in this category</li> </ul>

**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

<p>8</p>	<p>Residential areas that due to the surrounding uses, built form and road network are logically included</p> <p><i>Relevant PPN58 criteria:</i>  <i>Consider</i></p> <ul style="list-style-type: none"> <li>• <i>Location of existing government and institutional areas and land uses</i></li> <li>• <i>Location of existing areas of public open space</i></li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• <i>Residential areas that are integrated into the activity centre or surrounded by other uses that have a strong relationship with the activity centre, even where limited development opportunities exist</i></li> </ul>	<ul style="list-style-type: none"> <li>• NRZ1 land on the south side of Gertrude Street between Nicholson and Brunswick Streets</li> </ul>
<p>9</p>	<p>Large sites or areas with potential to be part of or contribute to an activity centre, if upgraded or redeveloped</p> <p><i>Relevant PPN58 criteria:</i>  <i>Consider:</i>  <i>Strategic Redevelopment Sites</i></p>	<ul style="list-style-type: none"> <li>• N/A</li> </ul>

## Attachment 3 - Activity Centres Roles and Boundaries (October 2019)

Activity centres – roles and boundaries – October 2019

### 9 Local centres – boundaries and categories

These small local centres offer a limited range of local services such as cafes, restaurants, milk bar or newsagent. In many cases the amount of local weekly shopping has declined in these centres as this type of shopping has shifted to supermarkets in larger centres.

- Lygon Street – North Carlton / Princes Hill
- Rathdowne Street – North Carlton
- Nicholson Street – North Carlton
- Spensely Street - Clifton Hill
- Berry Street - Clifton Hill

#### **Analysis and categories in tables**

The Local Centres include a much more limited mix of the categories set out in earlier parts of this report. The tables below apply only category 1 and 8.



### Attachment 3 - Activity Centres Roles and Boundaries (October 2019)

Activity centres – roles and boundaries – October 2019

#### 9.1 Lygon Street – North Carlton / Princes Hill

See Map 7

This centre is located at and south of the junction of Pigdon Street and Lygon Street. It includes two groups of properties in the C1Z and land north of Pigdon Street in the MUZ. The extent is shown on the map below.

Category	Descriptions	Reasoning
1	<p>Commercial 1, Commercial 2, Mixed Use, Comprehensive Development Zones and civic uses fronting the main street of the retail core.</p> <p><i>Relevant PPN58 criteria: consider</i></p> <ul style="list-style-type: none"> <li>• <i>Location of existing commercial areas and land uses</i></li> <li>• <i>Location of existing government and institutional areas and land uses</i></li> <li>• <i>Commercial and residential needs</i></li> <li>• <i>Proximity to fixed transport esp fixed rail (train or tram)</i></li> <li>• <i>Location of transport infrastructure</i></li> <li>• <i>Walkability</i></li> <li>• <i>Impacts of boundary on other activity centres</i></li> <li>• <i>Strategic Redevelopment Sites</i></li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• <i>Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</i></li> <li>• <i>Key public land uses that have or are intended to have a strong functional inter-relationship with the activity centre</i></li> </ul>	<ul style="list-style-type: none"> <li>• C1Z land fronting Lygon Street at the junction with Pigdon Street and extending south to Paterson Street, Princes Hill</li> <li>• A parcel of MUZ land immediately north of Pigdon Street</li> </ul>

### Attachment 3 - Activity Centres Roles and Boundaries (October 2019)

Activity centres – roles and boundaries – October 2019

#### 9.2 Rathdowne Street – North Carlton

See Map 7

This 'centre' is in three parts, located between Pigdon Street and Richardson Street. It includes two groups of shops or former shops and a hotel north of Pigdon Street. All these properties are in the NRZ1. The areas between the groups of shops or former shops are consistently residential. The extent of these areas is shown on the map below.

Category	Descriptions	Reasoning
8	<p>Residential areas that due to the surrounding uses, built form and road network are logically included</p> <p><i>Relevant PPN58 criteria:</i>  <i>Consider</i></p> <ul style="list-style-type: none"> <li>• <i>Location of existing government and institutional areas and land uses</i></li> <li>• <i>Location of existing areas of public open space</i></li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• <i>Residential areas that are integrated into the activity centre or surrounded by other uses that have a strong relationship with the activity centre, even where limited development opportunities exist</i></li> </ul>	<ul style="list-style-type: none"> <li>• NRZ1 land on both the east and west side of Rathdowne Street between Pigdon and Richardson Streets. The properties include the Great Northern Hotel at the NE corner of Pigdon Street and clusters of shops and former shops. The activities include cafes and other food outlets and small businesses providing a range of services.</li> <li>• There are few if any shops providing for local weekly shopping.</li> <li>• The clusters of shops are separated by consistent housing development.</li> </ul>



**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

9.3 Nicholson Street (south) – North Carlton

See Map 7

Category	Descriptions	Reasoning
1	<p>Commercial 1, Commercial 2, Mixed Use, Comprehensive Development Zones and civic uses fronting the main street of the retail core.</p> <p><i>Relevant PPN58 criteria: consider</i></p> <ul style="list-style-type: none"> <li>• Location of existing commercial areas and land uses</li> <li>• Location of existing government and institutional areas and land uses</li> <li>• Commercial and residential needs</li> <li>• Proximity to fixed transport esp fixed rail (train or tram)</li> <li>• Location of transport infrastructure</li> <li>• Walkability</li> <li>• Impacts of boundary on other activity centres</li> <li>• Strategic Redevelopment Sites</li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</li> <li>• Key public land uses that have or are intended to have a strong functional inter-relationship with the activity centre</li> </ul>	<ul style="list-style-type: none"> <li>• C1Z land fronting Nicholson Street in two areas:               <ul style="list-style-type: none"> <li>○ North and south of Fenwick Street</li> <li>○ North of Lee Street</li> </ul> </li> <li>• The land north of Lee Street is occupied by the San Remo Ballroom and associated activities including a music store.</li> <li>• The land north and south of Fenwick Street is occupied by a mix of activities including restaurants, laundromat and service businesses.</li> <li>• There are no local weekly shopping retail businesses (apart from the 24hr convenience shop to the south in the NRZ1 NW cnr Curtain Street)</li> </ul>
8	<p>Residential areas that due to the surrounding uses, built form and road network are logically included</p> <p><i>Relevant PPN58 criteria: Consider</i></p>	<ul style="list-style-type: none"> <li>• NRZ1 land extends south of the C1Z land at Fenwick Street to Curtain Street and includes a 24hr convenience shop at the NW corner of Curtain Street and a few shops or former shops mixed in with dwellings</li> <li>• The 24hr convenience shop at the NW corner of Curtain Street is the only significant weekly convenience shopping in the centre and serves the high volume traffic in Nicholson Street. It provides off street parking.</li> </ul>

### Attachment 3 - Activity Centres Roles and Boundaries (October 2019)

Activity centres – roles and boundaries – October 2019

	<ul style="list-style-type: none"><li>• <i>Location of existing government and institutional areas and land uses</i></li><li>• <i>Location of existing areas of public open space</i></li></ul> <p><i>Include:</i></p> <ul style="list-style-type: none"><li>• <i>Residential areas that are integrated into the activity centre or surrounded by other uses that have a strong relationship with the activity centre, even where limited development opportunities exist</i></li></ul>	
--	---	--

**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

9.4 Spensley Street – Clifton Hill

See Map 6

Category	Descriptions	Reasoning
1	<p>Commercial 1, Commercial 2, Mixed Use, Comprehensive Development Zones and civic uses fronting the main street of the retail core.</p> <p><i>Relevant PPN58 criteria: consider</i></p> <ul style="list-style-type: none"> <li>• <i>Location of existing commercial areas and land uses</i></li> <li>• <i>Location of existing government and institutional areas and land uses</i></li> <li>• <i>Commercial and residential needs</i></li> <li>• <i>Proximity to fixed transport esp fixed rail (train or tram)</i></li> <li>• <i>Location of transport infrastructure</i></li> <li>• <i>Walkability</i></li> <li>• <i>Impacts of boundary on other activity centres</i></li> <li>• <i>Strategic Redevelopment Sites</i></li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• <i>Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</i></li> <li>• <i>Key public land uses that have or are intended to have a strong functional inter-relationship with the activity centre</i></li> </ul>	<ul style="list-style-type: none"> <li>• C1Z land fronting Spensley Street and Berry Street around the junction generally coincides with the extent of this local centre</li> <li>• The C1Z includes the large three storey Royal Hotel at the SW corner.</li> <li>• The activities include the hotel, cafes, fish and chip shop and a medical centre.</li> <li>• Local weekly convenience shopping is minimal.</li> </ul>

**Attachment 3 - Activity Centres Roles and Boundaries (October 2019)**

Activity centres – roles and boundaries – October 2019

9.5 Berry Street / Ramsden Street – Clifton Hill

See Map 6

This centre is located at the junction of Berry Street and Ramsden Street. It includes shops, apartments and commercial properties in the C1Z around this junction.

Category	Descriptions	Reasoning
1	<p>Commercial 1, Commercial 2, Mixed Use, Comprehensive Development Zones and civic uses fronting the main street of the retail core.</p> <p><i>Relevant PPN58 criteria: consider</i></p> <ul style="list-style-type: none"> <li>• <i>Location of existing commercial areas and land uses</i></li> <li>• <i>Location of existing government and institutional areas and land uses</i></li> <li>• <i>Commercial and residential needs</i></li> <li>• <i>Proximity to fixed transport esp fixed rail (train or tram)</i></li> <li>• <i>Location of transport infrastructure</i></li> <li>• <i>Walkability</i></li> <li>• <i>Impacts of boundary on other activity centres</i></li> <li>• <i>Strategic Redevelopment Sites</i></li> </ul> <p><i>Include:</i></p> <ul style="list-style-type: none"> <li>• <i>Sufficient land to provide for commercial activities needed over a 15 – 20 years timeframe + then 30 year horizon.</i></li> <li>• <i>Key public land uses that have or are intended to have a strong functional inter-relationship with the activity centre</i></li> </ul>	<ul style="list-style-type: none"> <li>• C1Z land fronting the south side of Ramsden Street at the intersection with Berry Street generally coincides with the extent of this local centre</li> <li>• The C1Z includes five or six shops on the south side of Ramsden Street.</li> <li>• The activities include a cafe and service businesses.</li> <li>• There is no local weekly convenience shopping.</li> <li>• One site at the east end of the centre has been redeveloped for two level apartments and some of the shops may be used as dwellings.</li> </ul>

**Attachment 4 - Guidelines - Managing Noise Impacts in Urban Development (October 2019) - Incorporated Document**



## Attachment 4 - Guidelines - Managing Noise Impacts in Urban Development (October 2019) - Incorporated Document

# 1 Purpose

This document provides guidance for planning scheme related decisions when considering noise impacts from urban development and activity.

## 1.1 Scope

These guidelines deal with noise (and in some cases vibration) impacts from:

- Road traffic
- Rail and tram
- Commercial and industrial plant and equipment
- Music
- Patrons
  - New outdoor patron areas
  - New residential development near existing outdoor patron areas
- Apartments
  - Noise from apartment developments to existing dwellings
  - Noise from apartment common areas to apartments within the development

## 1.2 Introduction – technical advice

This document was prepared by Yarra City Council based on the City of Yarra - Noise and Vibration Considerations Discussion Report – October 2019 by SLR Consulting Australia Pty Ltd.

# 2 Road traffic noise

## 2.1 Background information

Road traffic is a significant source of noise impacts to dwellings on and near main roads. The issue has been acknowledged and addressed in recently introduced Apartment Developments provisions at Clause 58 and specifically at 58.04-3 Noise impacts objectives and Standard D16. These provisions include decibel targets, for day and night average road traffic noise levels, and apply to apartment developments on roads carrying more than 40,000 vehicles, within 300 m from the nearest lane. The design targets are 40 dBA Leq,16h for all habitable rooms and 35 dBA Leq,8h for bedrooms.

The time classifications used in Apartment Developments provisions place the 6 am to 7 am period in the 'day' rather than the 'night' category. This classification is not consistent with recent planning scheme practice in the City of Yarra, and is not consistent with the classifications commonly used in Victoria (SEPP N-1 and the Victorian EPA Noise Control Guidelines (Publication 1254)).

The Apartment Developments provisions should be adjusted to better address local conditions:

- the 6am to 7am period should be included in the 'night' period rather than the 'day' period;
- application of the targets should be extended to all developments affected by road traffic noise (not just those near freeways or on roads carrying more than 40,000 vehicles), and
- the targets should be applied to all residential developments, not just apartments.

## 2.2 Other standards and guidelines

AS/NZS2107:2016 Acoustics – Recommended design sound levels and reverberations times for building interiors, provides recommended noise level ranges for dwellings near major and minor roads. This standard has commonly been referred to in planning permit decisions to address road traffic noise impacts. The provision in the standard of a decibel range rather than a specific design target has led to uncertainty about actual design targets (with proponents designing to meet the upper end of the range). The assessment methodology is not defined; it is unclear whether traffic noise should be quantified as an average or worst case level, such as the loudest hour of traffic noise.

## Attachment 4 - Guidelines - Managing Noise Impacts in Urban Development (October 2019) - Incorporated Document

The NSW Road Noise Policy, 2011 provides internal targets for road traffic noise of 35 dBA for bedrooms at night and 40 dBA in all habitable rooms during the day period (NSW Road Noise Policy, 2011, C10). These targets are elaborated in the NSW guideline document Development Near Rail Corridors and Busy Roads - Interim Guideline, 2008. The NSW targets are generally consistent with the Clause 58, Apartment Developments, Design Standard D16 (with the exception that the 6 am to 7 am period is classified as 'night' in the NSW Road Noise Policy).

The NSW Development Near Rail Corridors and Busy Roads - Interim Guideline also provides clear and practical guidance for measuring and reporting. This information is missing from the Victorian policy and guideline documents for road and rail noise.

### 2.3 Guideline

New residential development should be designed to the following targets for road traffic noise:

- Apply Clause 58, Apartment Developments, Standard D16 of 40 dBA Leq,16h in habitable rooms and 35 dBA Leq,8h, in bedrooms and
- Loudest hour of road traffic noise not to exceed 45 dBA Leq,1h in habitable rooms from 7 am to 10 pm, and 40 dBA Leq,1h in bedrooms from 10 pm to 7 am. The basis for the loudest hour targets is AS/NZS2107:2016, with the day and night periods defined in accordance with Victorian EPA legislation and guidelines rather than in accordance with the Clause 58 Apartment Developments Standard D16 (58.04-3 Noise impacts objectives).
- These targets should apply to all residential development where there is a reasonable expectation that traffic noise may impact the land.

Where night period internal amenity is achieved via building façade upgrades, the building must be designed to ensure adequate fresh air provision in accordance with the National Construction Code and other relevant standards, without compromising the acoustic amenity outcome (i.e. with windows to the affected room closed).

## 3 Rail noise

### 3.1 Background information

The Victorian Government Passenger Rail Infrastructure Noise Policy, 2013 provides screening levels for rail noise. The policy is a high level document and it is designed for transport bodies and planning authorities. Where existing rail noise exceeds the threshold levels specific consideration of rail noise is required before the project proceeds. If the threshold levels are not exceeded, rail noise impacts may still be considered as a 'secondary matter'. In the context of a proposed residential development, this can be interpreted to mean that the issue of rail noise should be dealt with by proponents and local planning authorities.

Until recently there was no government guidance about how to assess rail noise impacts on apartment developments. The Clause 58, Apartment Developments, objectives and Standard D16 address both rail and road traffic noise. Standard D16 requires that all apartment developments within 80 m of a passenger line or 135 m of a freight rail line, are designed to internal targets. The design targets to be met are the same as those for road traffic noise: 40 dBA Leq,16h and 35 dBA Leq,8h.

Prior to the introduction of the Apartment Developments, Standard D16, a common approach was to assess rail noise to Lmax targets of 60 dBA in living rooms and either 50 or 55 dBA Lmax in bedrooms. These design levels broadly align with:

- The minimum acoustic standard (2-3 star) for external noise intrusion provided in the Association of Australasian Acoustical Consultants (AAAC) Guideline for Apartment and Townhouse Acoustic Ratings (2016)
- Aircraft noise design levels provided in Australian Standard AS 2021:2015 Acoustics – Aircraft noise intrusion – Building siting and construction
- General sleep disturbance criteria provided in the NSW Road Traffic Policy and sleep disturbance studies.

The levels of 60 dBA (living rooms) and 55 dBA (bedrooms) have been accepted at VCAT on some projects, and are cited by acoustical consultants on those grounds.

The use of long term day and night average targets for rail noise, in the Apartment Developments Standard D16 provides a clear standard. There is, however, benefit in also incorporating Lmax targets for rail noise for the following reasons:

## Attachment 4 - Guidelines - Managing Noise Impacts in Urban Development (October 2019) - Incorporated Document

- Leq is primarily a noise descriptor used to quantify steady or quasi-steady state noise. This is appropriate for sources such as mechanical plant noise, and reasonably applied to traffic noise which has a fairly regular and consistent noise level. Train noise is not as constant or regular as traffic noise. While there are no trains passing, the occupant experiences little or no noise, but when the train passes, there is a short term high noise event which can only be quantified using an Lmax descriptor (or a very short Leq measurement potentially). The Lmax is the highest noise level that someone experiences as the train goes past. In contrast, the long term Leqs are not related to the actual objective experience of an occupant when the train passes by.
- Lmax levels are often used to address sleep disturbance targets.
- On suburban rail corridors where there may only be one line in each direction, with relatively infrequent trains and no trains during some of the night period, the Lmax targets become more important and are likely to drive the assessment. If these targets are not in place it is possible for the Leq targets to be met, and rail noise to exceed sleep disturbance Lmax targets by appreciable amounts.
- Very short term noise events, such as train horns, are not well quantified using long term Leq targets.

### 3.2 Other standards and guidelines

The NSW guideline document Development Near Rail Corridors and Busy Roads - Interim Guideline, 2008 provides average day and night targets for road and rail noise that are similar to the levels included in the Apartment Developments, Standard D16.

The Association of Australasian Acoustical Consultants (AAAC) Guideline for Apartment and Townhouse Acoustic Ratings provides acoustic quality ratings for external noise intrusion. A 3 star rating is considered an appropriate minimum standard for developments during the planning stage.

### 3.3 Guideline

New residential development should be designed to meet the following levels for rail traffic noise:

- Clause 58, Apartment Developments, Standard D16 - 40 dBA Leq,16h and 35 dBA Leq,8h, and
- Train generated Lmax levels, including horn noise, should not exceed 60 dBA Lmax in living rooms or 55 dBA Lmax in bedrooms. Lmax levels to be achieved for 95% of train pass-by events (a minimum of 20 trains to be measured).

Where night period internal amenity is achieved via building façade upgrades, the building must be designed to ensure adequate fresh air provision in accordance with the National Construction Code and other relevant standards, without compromising the acoustic amenity outcome (i.e. with windows to the affected room closed).

## 4 Commercial and Industrial Plant and Equipment Noise

Commercial and industrial noise assessable to SEPP N-1 is considered in the following section.

### 4.1 Background information

This is an important issue in the City of Yarra where there are many interfaces between residential and commercial uses or industrial precincts. Noise from existing commercial and industrial premises to residential developments needs to be addressed to ensure that:

- The SEPP N-1 compliance status of the business is not changed by the residential development. If the business is forced into non-compliance by introduction of new noise receptors, it may be required to undertake significant and costly noise control works.
- The amenity of future residential occupants is addressed.

The formal SEPP N-1 assessment location is typically outside residential dwellings; the measurement location for assessment is in an outdoor private space, or outside any openable window. As such, it is not often possible to design a new building to achieve formal SEPP N-1 compliance externally where there are existing high levels of commercial noise impacting the site.

This has been a significant challenge in the City of Yarra where many apartment developments are built in mixed use zones in close proximity to existing roof mounted commercial mechanical plant.

[Guidelines – managing noise impacts in urban development](#)



## Attachment 4 - Guidelines - Managing Noise Impacts in Urban Development (October 2019) - Incorporated Document

While SEPP N-1 requires commercial noise to be assessed externally, the City of Yarra (and other Councils) has often allowed for an internal assessment location. This is seen as a reasonable amenity compromise in an inner city environment, where insisting on an external assessment location would effectively make many sites impossible to develop.

Where formal compliance to SEPP N-1 cannot be achieved, and commercial noise is to be assessed internally, the recommended targets are the lower of:

- The effective SEPP N-1 internal noise limit, and
- 35 dBA in habitable rooms and 30 dBA in bedrooms at night.

The 35 dBA and 30 dBA targets can be more stringent than SEPP N-1 internal targets. This is considered appropriate to further protect the existing commercial uses from complaint.

In addition to the above, there still needs to be some consideration of maximum acceptable external noise levels to apartments, even if good internal amenity targets can be met. Extremely high noise levels outside a building could still raise complaints, and will limit the ability for occupants to open their windows or use external private spaces.

### 4.2 Other standards and guidelines

Standard D16 also applies to commercial noise however the targets provided in Standard D16 are likely to be less stringent than SEPP N-1 indoor limits, and the averaging intervals (16 h and 8 h) are considered too long to address commercial plant noise impacts.

The WHO 1996 Guidelines for Community Noise recommend 30 dBA within bedrooms during the night.

The Association of Australasian Acoustical Consultants (AAAC) *Guideline for Acoustical Star Ratings for Apartments and Townhouses* provides indoor design targets for commercial noise. Assuming 'three star' standard, internal targets would be:

- Bedrooms: 35 dBA Leq and 50 dBA Lmax
- Living rooms: 40 dBA Leq and 55 dBA Lmax

### 4.4 Guideline

All residential developments should be designed to ensure that existing commercial uses formally comply with SEPP N-1 external to the development wherever possible. Where it is demonstrated that external compliance cannot practically be achieved, including treatment of the source of noise in consultation with the commercial operator, an internal assessment may be considered. The following internal targets for commercial / industrial noise (windows closed) are to be met if noise is assessed internally:

- SEPP N-1 indoor limits, being the outdoor limits less 15 dB, and
- Not more than 30 dBA Leq in bedrooms at night and 35 dBA Leq in living rooms (30 min.).
- Not more than 45 dBA Lmax in bedrooms at night and 50 dBA Lmax in living rooms.

In addition to the above, commercial plant and equipment noise levels should not exceed the following levels externally:

- Not more than 10 dBA above any SEPP N-1 period noise limits, outside any openable windows or doors, and
- For balconies and other private open spaces:
  - Not more than 65 dBA during the day
  - Not more than 55 dBA during the evening and night

All assessment methodologies should apply corrections for character in accordance with SEPP N-1 procedure.

Where night period internal amenity is achieved via building façade upgrades, the building must be designed to ensure adequate fresh air provision in accordance with the National Construction Code and other relevant standards, without compromising the acoustic amenity outcome (i.e. with windows to the affected room closed).

The above is aimed at providing a reduced risk of complaint from new sensitive receivers in the City of Yarra. The above does not represent a formal compliance outcome to the requirements of SEPP N-1.

## Attachment 4 - Guidelines - Managing Noise Impacts in Urban Development (October 2019) - Incorporated Document

### 5 Music noise

This section considers the issue of music noise impacts from existing venues to new dwellings only. The issue of music from proposed new venues to existing dwellings is a straightforward one, and is not revisited here. Consistent with the SEPP N-2 policy, all new venues need to comply with SEPP N-2 external noise limits at existing dwellings.

#### 5.1 Background information

This is a critical planning issue for acoustics, with existing music venues risking SEPP N-2 non-compliance due to residential encroachment. Yarra City Council has, in recent times, adopted an 'Agent of Change' approach to new dwellings in the vicinity of existing music venues. This approach is both supported and complicated by the planning scheme amendment VC120 4 September 2014 Clause 52.43 – Live Music and Entertainment Noise. The Explanatory Report for this Amendment states:

The Amendment implements the 'agent of change principle' for live music entertainment venues and noise sensitive residential use in their vicinity. It requires an applicant for a live music entertainment venue or a noise sensitive residential use near a venue to include appropriate noise attenuation measures as part of an application for use or buildings and works that requires a planning permit under any zone of a planning scheme.

The amendment provides support for the assessment of music to indoor locations. Prior to the amendment, there was no formal recognition that building upgrades to control music noise would protect existing venues from residential encroachment (upgrades could be adopted, but the assessment location was still formally outdoors).

The issue of music noise impacts to new residential development is complicated by:

- Clause 52.43 applies to live music venues only. Many existing music venues are not live music venues, and these are explicitly excluded from consideration under Clause 52.43.
- Clause 52.43 only applies to venues within 50 m from a proposed residential development.
- The amendment requires new dwellings at which a SEPP N-2 excess is established, and which cannot be managed in any other way, to be constructed such that SEPP N-2 noise limits are met indoors. However the means by which compliance is to be achieved indoors has not been formally implemented in these provisions or the associated SEPP N-2.

##### 5.1.1 SEPP N-2 compliance indoors

SEPP N-2 compliance is achieved by either designing for a 'background + margin' target (as defined in the Policy), or the SEPP N-2 'base noise limits'. The 'background + margin' target can, however, rarely be reached when a dwelling façade is upgraded – the same upgrades that control music noise ingress also work to reduce the ambient noise and effectively lower the noise targets.

The 'base noise limits' are fixed targets. They are very low, and can in practice be extremely difficult to achieve. Most high performance acoustic glazing, for example, performs poorly in the region of the acoustic spectrum where music noise is most likely to exceed the base noise limits (i.e. in the 63 Hz and 125 Hz octave bands).

The Planning Practice Note – 81, May 2016, Live Music and Entertainment Noise, provides options for upgrading a noise sensitive dwelling on page 3, however the options are inadequate in the context of controlling significant levels of bass music noise.

In practice, to achieve compliance with SEPP N-2 indoors when music levels are 10 dB or more above the SEPP N-2 external limit, the following methods should be considered:

- Design the dwelling so that there are no windows or lightweight walls or roof exposed to high levels of music noise. This can represent significant architectural constraints on a site.
- Include winter-gardens (enclosed glazed spaces) to all balconies and windows – this is effectively a very large cavity double glazing (e.g. 10 mm glass, 1.2 m airgap, 12 mm glass).
- Incorporate controlled noise masking into the design (relying on air conditioning systems to provide masking is not sufficient as the masking noise provided in this way will vary with the weather). The masking should preferably not be controlled or varied by the user.

## Attachment 4 - Guidelines - Managing Noise Impacts in Urban Development (October 2019) - Incorporated Document

### 5.3 Other standards and guidelines

Acoustic rating curves (NR, RC or NC) are often used for quantifying ambient noise. The curves define acceptable levels of noise in octave measurement bands. Octave bands are also used in SEPP N-2 night period assessments.

Based on review of all ratings curves, the use of 'Noise Criteria' or NC curves is considered the most appropriate for domestic use.

### 5.4 Guideline

Compliance with SEPP N-2 noise limits should be demonstrated, using any of the methods described above. This means achieving:

- SEPP N-2 base noise limits within apartment habitable rooms with doors and windows closed, OR
- SEPP N-2 'background + margin' noise limits with continuous noise masking installed in habitable rooms of all apartments. The masking system should be set to no more than NC20 L90 and the Leq of the masking to no greater than NC20 L90 + 5 dB.
- These indoor targets for music noise should be applied to all existing sources of music, not just live music.
- The requirements should be met at apartments where any significant music noise impacts are identified, not just due to venues within 50 m of the proposed residential use.
- Where night period internal amenity is achieved via building façade upgrades, the building must be designed to ensure adequate fresh air provision in accordance with the National Construction Code and other relevant standards, without compromising the acoustic amenity outcome (i.e. with windows to the affected room closed).

## 6 Patron noise

This section deals with:

- New outdoor patron areas
- New residential development near existing outdoor patron areas

### 6.1 Patron noise – new outdoor patron areas

#### 6.1.1 Background

SEPP N-1 and SEPP N-2 specifically exclude voice noise, but with the significant increase in outdoor patron area applications, there have been major noise issues associated with this source.

While there are still no policy requirements for patron noise, there is general acknowledgement that this source of noise needs to be considered in the context of proposed dwellings near existing outdoor patron areas, and in the context of proposed new outdoor patron areas near existing dwellings. New outdoor patron areas are considered in this section.

#### 6.1.2 Noise targets

As part of any planning application for an outdoor patron area an assessment of patron noise to 'Leq' and Lmax targets should be considered. The Leq descriptor quantifies the average level of patron noise over an interval, and is particularly important for outdoor areas that are proposed to accommodate appreciable numbers of people (say more than 10). The Lmax targets are useful for quantifying impacts from smaller outdoor areas, where the steady state noise emissions may be low, or variable, and the most intrusive impacts are due to isolated loud voices.

The following noise criteria are typically used in assessments:

- SEPP N-1 – while the SEPP N-1 policy does not strictly apply to patron noise, the policy nevertheless provides a useful assessment methodology and is considered a good tool for assessing patron noise impacts.
- 'Background + 5 dB' – this is a standard basis for quantifying the intrusiveness of noise. It is a useful assessment tool for patron noise although day and evening limits can be impractically low.

## Attachment 4 - Guidelines - Managing Noise Impacts in Urban Development (October 2019) - Incorporated Document

- Sleep disturbance targets of 55 dBA Lmax in bedrooms with windows open (usually assessed as 65 dBA Lmax externally, outside openable windows).
- Marshall Day Acoustics (MDA) have developed their own patron noise targets based on background noise levels plus a variable margin:
  - Background + 10 dB during the day and evening period (including weekends)
  - Background + 5 dB at night (after 10 pm)
  - Minimum targets are also provided for each of these time periods.

The MDA approach is generally supported however the following is noted:

- The evening noise target of 'background + 10 dB' can be too high in some circumstances where there is little other ambient noise (for example for dwellings that back onto an outdoor patron area, but are not exposed to general street noise).
- MDA are careful to emphasise that these levels are not 'noise limits', and that modelling or predictions that show targets will be exceeded represent a risk of nuisance rather than grounds for stopping a project from going ahead.
- The MDA approach appears to allow for long term averaging of background levels. This can lead to a misrepresentation of the impact during, for example, the last hour of operation of a venue when background levels in an area are at their minimum.

### 6.1.3 Predicting patron noise levels

Unless the proposal is for the expansion of an existing outdoor patron area, patron noise levels need to be predicted to the nearest receivers. The prediction involves two steps:

- Quantification of the amount of noise produced in the outdoor area. This should take into consideration both the level of noise in the outdoor area, the size of the outdoor area and the number of patrons. Ideally the overall noise level should be expressed as a sound power level. It is critical that appropriate sound emission levels are used for the specific type of crowd.
- Prediction of acoustic attenuation or losses, between the outdoor patron area and the receiver location due to distance, shielding and the like. For complicated built environments it is often appropriate to use a 3D computer noise modelling program to predict noise to receiver locations.

### 6.1.2 Policy requirements

There are no policy requirements for patron noise.

### 6.1.3 Other standards and guidelines

None.

### 6.1.4 Guideline

Assessment of patron noise areas is to be based on:

- SEPP N-1

or

- MDA based assessment approach of:
  - 'night' targets (background + 5 dB)
  - 'evening' and 'day' targets (background + 10 dB) where they can be demonstrated to be reasonable, and where they align with the SEPP N-1 definition of evening (that is including Saturday afternoon and Sunday daytimes).
  - Background levels to be based on the minimum 15 minute to 1 hour interval and conducted during a time that is representative of potential worst case noise impacts (long term averaging of background levels is not appropriate).

and

- Sleep disturbance targets of 55 dBA Lmax in bedrooms with windows open (65 dBA Lmax externally, outside openable windows).

## Attachment 4 - Guidelines - Managing Noise Impacts in Urban Development (October 2019) - Incorporated Document

### 6.2 Patron noise – new residential development near existing outdoor patron areas

#### 6.2.1 Background

The issue of noise from existing outdoor patron areas to new developments should be assessed in any planning application to protect future residents from noise. There are no explicit policy requirements for patron noise. In these circumstances the proponent should design to meet appropriate patron noise targets indoors with windows closed. Some consideration should also be given to the impacts of patron noise to balconies.

##### 6.2.1.1 Noise targets

Patron noise is a very distinctive, potentially annoying and variable noise source. For this reason, conservative indoor targets are proposed, based on consideration of AS/NZS2107, WHO Guidelines and the AAAC Acoustic Star Rating design targets.

Determining acceptable patron noise level impacts for external balcony areas and private open spaces, is a complicated issue:

- Adopting indoor targets effectively means accepting high levels of noise in these external locations, and in many cases this will occur on balconies.
- It may be difficult to avoid locating balconies on facades exposed to the noise source (the external façades for many apartment developments may be restricted to one or two orientations).
- Unavoidably high levels of noise on balconies can occur as a result of road traffic noise.
- Patron noise levels on balconies above approximately 60-65 dBA Leq would make the outdoor space unusable for many residents.
- Options for controlling noise to balconies are limited to:
  - Wintergardens (high level of control but effectively an enclosed space), OR
  - Solid balcony balustrades in combination with sound absorption to the underside of the balcony ceiling (providing a small reduction in noise level to seated position on balcony).

##### 6.2.1.2 Predicting patron noise levels

Patron noise from existing venues should ideally be measured for the most exposed new dwelling. Where this is not practical, for example where a proposed multi-level residential development will overlook an existing outdoor area, it may be necessary to predict patron noise to the new façade. The predictions should take into consideration the actual patron noise levels at the venue during worst case operating conditions. This would likely involve monitoring noise over a busy weekend period, with a logger located above the outdoor patron area. Real rather than theoretical patron noise data should be used, where possible, to predict patron levels from an existing outdoor area.

#### 6.2.2 Policy requirements

There are no policy requirements for patron noise.

#### 6.2.3 Other standards and guidelines

The Apartment Developments provisions at Clause 58 of Planning Schemes, and specifically at 58.04-3 **Noise impacts objectives** and **Standard D16** provides indoor targets of 40 LAeq,16h and 35 LAeq,8h. These levels are too high and the long term averaging (16h and 8h) is not appropriate for patron noise.

The SEPP N-1 effective indoor limits (external SEPP N-1 noise limit less 15 dB) can be used as indoor targets for patron noise but there is a risk that the resulting limits will be unreasonably high in some instances.

#### 6.2.4 Guideline

New residential developments exposed to noise from outdoor patron areas should be designed to achieve the following targets:

- 35 dBA Leq, 15 mins in habitable rooms
- 30 dBA Leq, 15 mins in bedrooms at night
- 45 dBA, Lmax in bedrooms at night
- 65 LAeq, 15 mins to balconies, 1.2 m above balcony floor level

Noise from existing outdoor patron areas should be measured in order to quantify the worst case impacts to the subject site. Where measurements cannot be undertaken at a location representative of the proposed

## Attachment 4 - Guidelines - Managing Noise Impacts in Urban Development (October 2019) - Incorporated Document

new receptors, they should be made closer to the venue. The measured levels should be adjusted for the size of the outdoor patron area, and for the distance to the development façade.

Where night period internal amenity is achieved via building façade upgrades, the building must be designed to ensure adequate fresh air provision in accordance with the National Construction Code and other relevant standards, without compromising the acoustic amenity outcome (i.e. with windows to the affected room closed).

## 7 Apartments

This section deals with:

- Noise from apartment developments to existing dwellings
- Noise from apartment common areas to apartments within the development
- Acoustic star ratings for apartments and townhouses - Association of Australasian Acoustical Consultants (AAAC)

### 7.1 Noise from apartment developments to existing dwellings

#### 7.1.1 SEPP N-1 assessable noise

Communal mechanical plant, car stackers, carpark entrance gates and the like should comply with SEPP N-1 at existing and proposed dwellings.

Expert advice on managing noise should be sought early in the planning stage, particularly with regard to items that have structural implications for the project, such as carpark entrance doors and car stackers. Effective control of noise and vibration can, for example, require full enclosure of the carpark and/or set-downs to accommodate vibration isolation mounts.

Noise from mechanical plant cannot be fully addressed during the planning stage because equipment is rarely specified at this time, and equipment location may not be finalised. On larger projects, where an acoustical consultant is retained during the detailed design, it is reasonable for the consultant to state that these issues will be addressed during the detailed design.

On smaller projects, where it is unlikely that a consultant will be retained after the planning phase, more guidance should be provided for achieving SEPP N-1 compliance. This could entail providing a maximum overall sound power level for any mechanical plant proposed to be installed on a roof top plant deck, and / or maximum rating for air conditioning condenser units.

#### 7.1.2 Sleep Disturbance

Noise from operation of car-park equipment should be designed to comply with sleep disturbance targets outside openable windows of nearby dwellings. Noise levels should not be in excess of 65 dBA L<sub>max</sub>.

#### 7.1.3 Apartment Common Areas

There are no mandatory limits for voice noise from apartment common areas such as communal decks, gardens, pools and spas. These should be assessed similarly to any other patron noise (see Section 7 of this document).

### 7.2 Noise from apartment common areas to apartments within the development

Noise to apartments from common areas within and outside the development buildings has the potential to cause nuisance. This is a 'lower tier' planning issue because such issues within the development are not normally assessable to any noise policy or guideline, and can be addressed by the Body Corporate. However, these are still amenity quality issues and it is preferable to address these items during the planning stage particularly because they can be costly and difficult to rectify after construction. In addition, the Body Corporate approach is usually to limit times of usage of such areas, which can lead to a poor outcome for other areas of amenity.

The following is a summary of the relevant potential impacts.

## Attachment 4 - Guidelines - Managing Noise Impacts in Urban Development (October 2019) - Incorporated Document

### 7.2.1 Communal outdoor areas, including decks, outdoor pools, gardens, carpark entrance

Facade upgrades should be provided to apartments within the development that are potentially impacted by noise from voice in communal outdoor areas, carpark entry areas and outdoor pools and the like. A practical approach to addressing these sources would be to adopt moderate glazing upgrades.

Appropriate moderate upgrades may include, for example, calling up double glazing to achieve an  $R_w$  39 dB rating (eg. 10.38 mm thick laminated glass, 12 mm airgap, 6 mm glass) to the most affected windows.

If, after reasonable upgrades, occupants are still annoyed by voice noise, the Body Corporate should manage impacts through restricted access to or use of, the communal facilities.

### 7.2.2 Communal enclosed areas, including cinemas, gyms, indoor pools.

Pools and gyms in particular can generate vibration and structure-borne noise in apartment buildings. Appropriate siting or treatments to control adverse amenity impacts from these uses should be considered in the planning acoustic report.

The degree of noise and vibration control will depend on the size and proximity of the gym / pool relative to the closest apartments, and the equipment proposed for use. For small gyms, it may be sufficient to install a 25-50 mm thick rubber/foam isolation matt throughout the gym and to restrict the use of free weights and running machines. For larger gyms a full acoustic floating floor may be required. Pools can also be vibration isolated with rubber or spring mounts.

Cinemas also require some care if they are directly adjacent or above / below an apartment. Upgrades to the walls and floor / ceiling systems would typically be necessary. The National Construction Code (NCC) minimum requirements for walls and floors is not sufficient to address cinema noise transfer.

### 7.2.3 Noise transfer between apartments via light-wells

Noise transfer between apartments that share a light-well should be addressed in the acoustic report because this issue is not covered under the National Construction Code (NCC).

Noise transfer can be a particular problem in instances where the light-well is enclosed on all sides, because the ambient noise within the light-well is low, and sound attenuation within the light-well is minimal. Sound emanating from one apartment (which may have their windows open) will reflect off the walls and windows of the light-well, potentially causing nuisance to other occupants.

There are two basic scenarios:

- Light-wells that contain non-openable windows to habitable rooms, and openable windows to bathrooms / toilets only
- Light-wells that have openable windows from habitable room

Scenario A is not a major concern, because, provided reasonably well sealed glazing is fitted to all windows of habitable rooms, noise between apartments will typically travel through two widely spaced panes of glass. We recommend that glazing to habitable rooms in this situation be not less than  $R_w = 30$  dB (typically 6 mm thick glass to windows of all habitable rooms onto the light-well).

Scenario B is the greater concern because the noise generating apartment may have their window open. In that instance, there is only one window separating affected apartments from the noise source. Glazing to habitable rooms should be rated not less than  $R_w = 39$  dB in this situation (typically double glazing comprising 10.38 mm thick laminated glass, 12 mm airgap, 6 mm glass).

This approach will not be optimum for all situations – very large light-wells or light courts, for example, may be less critical because more sound attenuation will take place between apartments. A lesser upgrade may be reasonable in these areas.

### 7.2.4 Carpark entrance gates and car stackers

These items are potential sources of airborne noise, structure-borne noise and vibration.

#### 7.2.4.1 Airborne Noise

Carpark entrance gates and car-stackers need to comply with SEPP N-1 outdoor limits as well as indoor limits (where noise is transmitted through the building structure) and should also be designed to achieve appropriate  $L_{max}$  levels indoors for sleep disturbance and general annoyance.

The SEPP N-1 assessment should take into consideration typical frequency of use during various times of day and night; the duration of the event, and any relevant corrections for impulse, tonality and intermittency. Recent acoustic assessments of car stackers suggest that impulsive, tonality and intermittency corrections can apply.

## Attachment 4 - Guidelines - Managing Noise Impacts in Urban Development (October 2019) - Incorporated Document

When assessing sleep disturbance, as a minimum, the 3 star AAAC Acoustic Star Rating design targets for L<sub>max</sub> levels should be met with windows closed (45 dBA L<sub>max</sub> in living rooms and 40 dBA L<sub>max</sub> in bedrooms). Lower noise levels should be targeted by the proponent if they classify the apartment as moderately high to high quality.

Requirements for apartments potentially affected by noise from the carpark typically include glazing upgrades and / or floor ceiling upgrades (particularly for lightweight/non-masonry floor construction).

### 7.2.4.2 Structure-borne sound and vibration

Car stackers and carpark entrance gates should be vibration isolated to ensure that the noise targets are met in potentially affected apartments.

## 7.3 AAAC Guideline for acoustical star ratings for apartments and townhouses

The AAAC Acoustic Star Rating design targets (*Association of Australasian Acoustical Consultants Guideline for Apartment and Townhouse Acoustic Rating*) provide a useful tool for assessment because they address many sources of noise in apartments that are not captured or assessable under existing guidelines, standards and policies.

The AAAC recommended indoor targets for internal and external noise, for discrete events, (quantified using the 'L<sub>max</sub>' acoustical descriptor) and steady state noise are provided in the sections below. Assessments should be to at least 3 stars in an inner urban setting. If a development is advertised or promoted as moderately high to high quality, a higher star rating should be targeted by the proponent.

The targets should not be used for noise from outdoor patron areas or noise from commercial / industrial operations.

### 7.3.1 External noise intrusion

Examples of external L<sub>max</sub> sources of noise include: individual truck movements, crashing and banging due to deliveries or rubbish collection.

**Table 1 External Noise Intrusion Design Targets (AAAC Star Rating Guide), L<sub>max</sub> levels**

External noise intrusion	2 star	3 Star	4 Star	5 Star	6 Star
Bedrooms	50	50	45	40	35
Other habitable rooms	55	55	50	45	40

Examples of external Leq sources of noise include: road traffic

**Table 2 External Noise Intrusion Design Targets (AAAC Star Rating Guide), Leq day and night levels**

External noise intrusion	2 star	3 Star	4 Star	5 Star	6 Star
Bedrooms	36	35	32	30	27
Other habitable rooms	41	40	35	30	27

### 7.3.2 Internal Noise Intrusion

Examples of internal L<sub>max</sub> sources of noise include: mechanical plant and equipment serving the building or commercial tenancies and hydraulic noise.

**Table 3 Internal Noise Intrusion Design Targets (AAAC Star Rating Guide), L<sub>max</sub> day and night levels**

Internal noise intrusion	2 star	3 Star	4 Star	5 Star	6 Star
Bedrooms	45	40	35	30	27
Other habitable rooms	55	45	40	35	32



## Attachment 4 - Guidelines - Managing Noise Impacts in Urban Development (October 2019) - Incorporated Document

### 8 Bibliography

- Assessing Vibration: A Technical Guideline*, NSW Department of Environment and Conservation, 2006.
- Development Near Rail Corridors and Busy Roads - Interim Guideline, Guideline*, prepared by the Department of Planning, State Government of NSW, 2008
- Passenger Rail Infrastructure Noise Policy*, Victorian Government, 2013
- Better Apartments Design Standards*, 2016, prepared by the Victorian Government, Department of Environment, Land, Water and Planning (DELWP)
- AS/NZS2107:2000 Acoustics – Recommended design sound levels and reverberations times for building interiors*
- AS/NZS2107:2016 Acoustics – Recommended design sound levels and reverberations times for building interiors*
- Guideline for Apartment and Townhouse Acoustic Rating*, 2016, Prepared by the Association of Australasian Acoustical Consultants (AAAC)
- City of Yarra Planning Scheme: Clause 52.43 – Live Music and Entertainment Noise*
- Live Music and Entertainment Noise*, Victorian Government, Department of Environment, Land, Water and Planning (DELWP), Planning Practice Note 81, May 2016
- Live Music and Entertainment Noise*, Victorian Government, Department of Environment, Land, Water and Planning (DELWP), Planning Practice Note 81, September 2015
- State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1* (SEPP N-1)
- State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2* (SEPP N-2).
- Guidelines for Community Noise*, World Health Organisation, 1996

# NOISE AND VIBRATION CONSIDERATIONS DISCUSSION REPORT

**City of Yarra**

**Prepared for:**

City of Yarra  
PO BOX 168  
Richmond VIC 3121



SLR Ref: 640.10090.99990-R01  
Version No: -v0.3  
October 2019



**Attachment 5 - Noise and Vibration Considerations: Discussion Report, SLR (October 2019)**

City of Yarra  
Noise and Vibration Considerations Discussion Report

SLR Ref No: 640.10090.99990 Planning review R01-V0.3.docx  
October 2019

**PREPARED BY**

SLR Consulting Australia Pty Ltd  
ABN 29 001 584 612  
Suite 2, 2 Domville Avenue  
Hawthorn VIC 3122 Australia

T: +61 3 9249 9400  
E: melbourne@slrconsulting.com www.slrconsulting.com

**BASIS OF REPORT**

This report has been prepared by SLR Consulting Australia Pty Ltd (SLR) with all reasonable skill, care and diligence, and taking account of the timescale and resources allocated to it by agreement with City of Yarra (the Client). Information reported herein is based on the interpretation of data collected, which has been accepted in good faith as being accurate and valid.

This report is for the exclusive use of the Client. No warranties or guarantees are expressed or should be inferred by any third parties. This report may not be relied upon by other parties without written consent from SLR.

SLR disclaims any responsibility to the Client and others in respect of any matters outside the agreed scope of the work.

**DOCUMENT CONTROL**

Reference	Date	Prepared	Checked	Authorised
640.10090.99990 Planning Review -R01-v0.3	31 October 2019	Dianne Williams	Jim Antonopoulos	Jim Antonopoulos
640.10090.99990 Planning Review -R01-v0.2	31 October 2019	Dianne Williams	Jim Antonopoulos	
640.10090.99990 Planning Review -R01-v0.1	10 February 2017	Dianne Williams	Jim Antonopoulos	

**Attachment 5 - Noise and Vibration Considerations: Discussion Report, SLR (October 2019)**

**CONTENTS**

**1 INTRODUCTION ..... 6**

**1 ROAD TRAFFIC NOISE ..... 1**

1.1 Background Information..... 1

1.2 Mandatory Requirements..... 1

1.3 Other Potentially Useful Standards and Guidelines ..... 1

1.4 SLR Recommendations ..... 2

**2 RAIL NOISE ..... 3**

2.1 Background Information..... 3

2.2 Mandatory Requirements..... 4

2.3 Other Potentially Useful Standards and Guidelines ..... 4

2.4 SLR Recommendations ..... 4

**3 RAIL VIBRATION – TRAINS AND TRAMS ..... 5**

3.1 Background Information..... 5

3.2 Other Potentially Useful Standards and Guidelines ..... 5

3.3 SLR Summary and Recommendations ..... 6

**4 SEPP N-1 ASSESSABLE COMMERCIAL NOISE..... 8**

4.1 Background Information..... 8

4.2 Mandatory Requirements..... 8

4.3 Other Potentially Useful Standards and Guidelines ..... 8

4.4 SLR Recommendations ..... 9

**5 MUSIC NOISE..... 10**

5.1 Background Information..... 10

5.1.1 SEPP N-2 Compliance Indoors ..... 10

5.1.2 What Needs to be Done ..... 11

5.2 Mandatory Requirements..... 11

5.3 Other Potentially Useful Standards and Guidelines ..... 11

5.4 SLR Recommendations ..... 12

**6 PATRON NOISE – NEW OUTDOOR PATRON AREAS ..... 13**

6.1 Background ..... 13

6.1.1 Noise Targets..... 13

6.1.2 Predicting Patron Noise Levels ..... 14

6.2 Mandatory Requirements..... 14

6.3 Other Potentially Useful Standards and Guidelines ..... 14

**Attachment 5 - Noise and Vibration Considerations: Discussion Report, SLR (October 2019)**

**CONTENTS**

6.4 SLR Recommendations ..... 14

**7 PATRON NOISE – NEW RESIDENTIAL DEVELOPMENT NEAR EXISTING OUTDOOR PATRON AREAS ..... 15**

7.1 Background ..... 15

7.1.1 Noise Targets..... 15

7.1.2 Predicting Patron Noise Levels ..... 15

7.2 Mandatory Requirements..... 15

7.3 Other Potentially Useful Standards and Guidelines ..... 16

7.4 SLR Recommendations ..... 16

**8 NOISE FROM APARTMENT DEVELOPMENTS TO EXISTING DWELLINGS ..... 17**

8.1 SEPP N-1 Assessable Noise ..... 17

8.2 Sleep Disturbance ..... 17

8.3 Apartment Common Areas ..... 17

**9 NOISE FROM APARTMENT COMMON AREAS TO APARTMENTS WITHIN THE DEVELOPMENT ..... 18**

9.1 Communal outdoor areas, including decks, outdoor pools, gardens, carpark entrance etc..... 18

9.2 Communal enclosed areas, including cinemas, gyms, indoor pools etc. .... 18

9.3 Noise transfer between apartments via lightwells..... 18

9.4 Carpark entrance gates and car stackers..... 19

10 AAAC Guideline for Acoustical Star Ratings for Apartments and Townhouses..... 20

10.1 External noise intrusion ..... 20

10.2 Internal Noise Intrusion ..... 20

**10 BIBLIOGRAPHY ..... 22**

**DOCUMENT REFERENCES**

**TABLES**

Table 1 External Noise Intrusion Design Targets (AAAC Star Rating Guide), Lmax levels ..... 20

Table 2 External Noise Intrusion Design Targets (AAAC Star Rating Guide), Leq day and night levels ..... 20

Table 3 Internal Noise Intrusion Design Targets (AAAC Star Rating Guide), Lmax day and night levels ..... 20

Table 4 Internal Noise Intrusion Design Targets (AAAC Star Rating Guide), Leq day and night levels ..... 21

# Attachment 5 - Noise and Vibration Considerations: Discussion Report, SLR (October 2019)

## CONTENTS

### FIGURES

Figure 1	NSW Interim Guideline Rail Vibration Assessment Zones .....	5
----------	---	---

## Attachment 5 - Noise and Vibration Considerations: Discussion Report, SLR (October 2019)

City of Yarra  
Noise and Vibration Considerations Discussion Report

SLR Ref No: 640.10090.99990  
October 2019

---

### 1 Introduction

This report provides a technical discussion and summary of previously provided advice to City of Yarra on planning related noise and vibration issues and forms the basis of the *Guidelines – managing noise impacts in urban development, Guidance for planning permit and related decisions under the Yarra Planning Scheme 2019*.

## Attachment 5 - Noise and Vibration Considerations: Discussion Report, SLR (October 2019)

### 1 Road Traffic Noise

#### 1.1 Background Information

Road traffic is a significant and major source of noise impact to dwellings on main roads. The issue has been acknowledged and addressed in new *Better Apartments Design Standards*, 2016. The document provides decibel targets for day and night average road traffic noise levels, and applies to apartment developments on roads carrying more than 40,000 vehicles, or within 300 m from a freeway. The design targets are 40 dBA Leq,16h for all habitable rooms and 35 dBA Leq,8h for bedrooms

It is of note that the time classifications used in *Better Apartments* document place the 6 am to 7 am period in the 'day' rather than the 'night' category. This classification is not consistent with those we have been applying to City of Yarra projects, and is not consistent with the classifications usually used in Victoria (e.g. SEPP N-1 and the Vic EPA Noise Control Guidelines (Publication 1254)).

In our opinion the *Better Apartments* document should be modified as follows:

- the 6 am to 7 am period should be included in the 'night' period rather than the 'day' period;
  - application of the targets should be extended to all developments affected by road traffic noise (not just those near freeways or on roads carrying more than 40,000 vehicles), and
  - the targets should be applied to all residential developments, not just apartments.

#### 1.2 Mandatory Requirements

The Victorian Planning Provisions were amended in March 2017 with Clause 58, Apartment Developments, objectives and Standard D16 which adopted the *Better Apartments Design Standards*. This introduced the design targets of 40 dBA Leq,16h for living rooms and 35 dBA Leq,8h for bedrooms in developments within 300 m of a freeway on roads carrying more than 40,000 vehicles.

#### 1.3 Other Potentially Useful Standards and Guidelines

*AS/NZS2107:2016 Acoustics – Recommended design sound levels and reverberation times for building interiors*, provides recommended noise level ranges for dwellings near major and minor roads. This Standard has traditionally been called up in planning permits to address road traffic noise impacts. However the provision in the Standard of a decibel range instead of a specific design target has led to uncertainty with regard to actual design targets (most consultants design to the upper end of the range). Furthermore the assessment methodology is not defined (it is unclear whether traffic noise should be quantified as an average or worst case level, e.g. the loudest hour of traffic noise). In our reviews of acoustic reports for the City of Yarra, and in our own planning noise assessments, we have interpreted the AS/NZS2107 design levels to be as follows: the day and night average noise levels are assessed to the lower end of the AS/NZS2107 range (35 dBA bedrooms and 40 dBA living rooms), and the loudest hour of road traffic noise during the day and night periods are assessed to the upper end of the AS/NZS2107 range (40 dBA bedrooms and 45 dBA living rooms).

The NSW *Road Noise Policy*, 2011 provides internal targets for road traffic noise of 35 dBA in bedrooms at night and 40 dBA in all habitable rooms during the day period (NSW Road Noise Policy, 2011, C10). These targets are elaborated in the NSW guideline document *Development Near Rail Corridors and Busy Roads - Interim Guideline*, 2008. The NSW targets are generally consistent with the *Better Apartments Design Standards* (with the exception that the 6 am to 7 am period is classified as 'night' in the NSW Road Noise Policy – as per our preference and consistent with the SEPPs).



**Attachment 5 - Noise and Vibration Considerations: Discussion Report, SLR (October 2019)**

---

*Development Near Rail Corridors and Busy Roads - Interim Guideline* also provides clear and practical guidance for measuring and reporting. This information is missing from the Victorian policy and guidelines documents for road and rail noise.

#### 1.4 SLR Recommendations

Our office recommends designing to the following levels for road traffic noise:

- 40 dBA Leq,16h to all habitable rooms and 35 dBA Leq,8h in bedrooms, and
- Loudest hour of road traffic noise is not to exceed 45 dBA Leq,1h in habitable rooms from 7 am to 10 pm, and 40 dBA Leq,1h in bedrooms from 10 pm to 7 am the following morning. The basis for the loudest hour targets is AS/NZS2107:2016, with the day and night periods defined in accordance with Victorian EPA legislation and guidelines rather than in accordance with the Better Apartment Design Standards.
- These targets should apply to all residential development where there is a reasonable expectation that traffic noise may impact the land (i.e. not just those formally triggered by Clause 58 of the planning scheme).

Reporting should generally be in accordance with NSW guideline document *Development Near Rail Corridors and Busy Roads - Interim Guideline* Appendix D – Acoustic Consultant Reports, Methodology for Testing and Compliance Reporting.

## 2 Rail Noise

### 2.1 Background Information

The *Victorian Government Passenger Rail Infrastructure Noise Policy, 2013* provides screening levels for rail noise. The Policy is a high level document and it is designed for transport bodies and planning authorities. Where existing rail noise exceeds the threshold levels specific consideration of rail noise is required before the project proceeds. However if the threshold levels are not exceeded, rail noise impacts may still need to be considered as a 'secondary matter'. In the context of a proposed residential development, we understand this to mean that the issue of rail noise should be dealt with by the individual developer and local government.

Until recently there was no government guidance about how to assess rail noise impacts on apartment developments. The Clause 58, Apartment Developments, objectives and Standard D16 address both rail and road traffic noise. Standard D16 requires that all apartment developments within 80 m of a passenger line or 135 m of a freight rail line, are designed to internal targets. The design targets to be met are the same as those for road traffic noise: 40 dBA Leq,16h and 35 dBA Leq,8h.

Prior to the release of the Apartment Developments, Standard D16, a common approach has been to assess rail noise to L<sub>max</sub> targets of 60 dBA in living rooms and either 50 or 55 dBA L<sub>max</sub> in bedrooms. These design levels broadly align with:

- The minimum acoustic standard (2-3 star) for external noise intrusion provided in the Association of Australasian Acoustical Consultants (AAAC) Guideline for Apartment and Townhouse Acoustic Ratings (2016)
- Aircraft noise design levels provided in Australian Standard AS 2021:2015 Acoustics – Aircraft noise intrusion – Building siting and construction
- General sleep disturbance criteria provided in the NSW Road Traffic Policy and sleep disturbance studies.

The levels of 60 dBA (living rooms) and 55 dBA (bedrooms) have been accepted at VCAT on some projects, and are cited by acoustical consultants on those grounds.

The use of long term day and night average targets for rail noise, in the Apartment Developments Standard D16 provides a clear standard. There is, however, benefit in also incorporating L<sub>max</sub> targets for rail noise for the following reasons:

- Leq is primarily a noise descriptor used to quantify steady or quasi-steady state noise. So this is appropriate for sources such as mechanical plant noise, and reasonably applied to traffic noise which has a fairly regular and consistent noise level. Train noise is not as constant / regular as traffic noise. While there are no trains passing by, the occupant experiences little or no noise, yet while the train passes, there is a short term high noise event which can only be quantified via an L<sub>max</sub> descriptor; to clarify, the L<sub>max</sub> is the actual highest level that someone experiences as the train goes past. In contrast, the long term Leq's are not easily related to the actual objective experience of an occupant when the train passes by.
- L<sub>max</sub> levels are often used to address sleep disturbance targets.
- On suburban rail corridors where there may only be one line in each direction, relatively infrequent trains and no trains during some of the night period, the L<sub>max</sub> targets become more important and are likely to drive the assessment. If these targets are not in place it is possible for the Leq targets to be met, and rail noise to exceed sleep disturbance L<sub>max</sub> targets by appreciable amounts.

**Attachment 5 - Noise and Vibration Considerations: Discussion Report, SLR (October 2019)**

- Very short term noise events, such as train horns, are not well quantified using long term Leq targets.

It may be of consideration that in the City of Yarra, where all rail lines carry significant numbers of trains, it is less likely that the assessment will be driven by the L<sub>max</sub> targets.

## 2.2 Mandatory Requirements

Clause 58, Apartment Developments, objectives and Standard D16 has been incorporated into the planning scheme.

## 2.3 Other Potentially Useful Standards and Guidelines

The NSW guideline document *Development Near Rail Corridors and Busy Roads - Interim Guideline, 2008* provides average day and night targets for road and rail noise that are similar to the levels included in Apartment Developments, Standard D16.

## 2.4 SLR Recommendations

Our office recommends designing to the following levels for road traffic noise:

- Clause 58, Apartment Developments, Standard D16 - 40 dBA Leq,16h and 35 dBA Leq,8h, and
- Train generated L<sub>max</sub> levels, including horn noise, should not exceed 60 dBA L<sub>max</sub> in living rooms or 55 dBA L<sub>max</sub> in bedrooms. L<sub>max</sub> levels to be achieved for 95% of train pass-by events (a minimum of 20 trains to be measured).

Reporting should generally be in accordance with NSW guideline document *Development Near Rail Corridors and Busy Roads - Interim Guideline Appendix D – Acoustic consultant Reports, Methodology for Testing and Compliance Reporting*.

### 3 Rail Vibration – Trains and Trams

#### 3.1 Background Information

In Victoria, there are no guidelines, standards or policies that address transportation vibration impacts.

The only time that vibration assessments are typically undertaken is when a local council perceives there may be a vibration issue and calls up a vibration assessment in a permit condition, or larger scale projects where a Planning Panel or VCAT may require consideration of the issue.

The lack of guidelines and policy leads to enormous variability and inconsistency in addressing vibration in Victoria

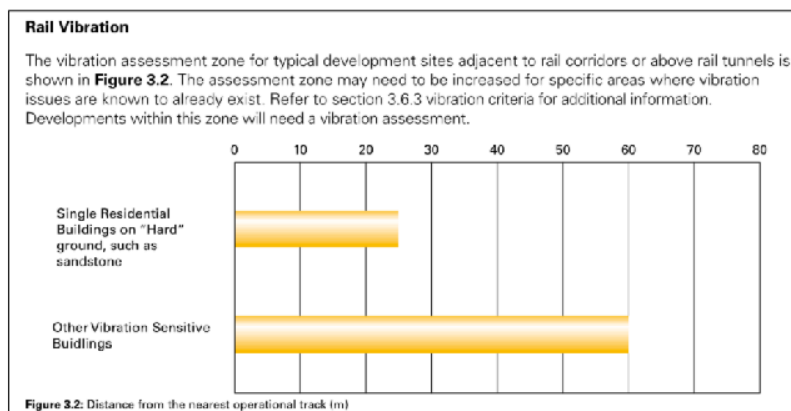
#### 3.2 Other Potentially Useful Standards and Guidelines

NSW has significantly more noise and vibration related planning guidance documents than Victoria does.

Their main planning guideline document relating to new developments is the *Development Near Rail Corridors and Busy Roads – Interim Guideline* (Department of Planning, State Government of NSW, 2008) and provides some guidance on vibration assessment methodology, including a basic preliminary screening process.

Section 3.5.1 of the NSW Interim Guideline provides a basic buffer distance within which a rail vibration assessment should be undertaken, and is reproduced below:

Figure 1 NSW Interim Guideline Rail Vibration Assessment Zones



So from the above any multi-level development within 60 m of a railway line will require a vibration assessment. This is a particularly large assessment zone. It should be noted that this relates to railway lines, not trams (which we discuss further below).

The NSW Interim Guideline does not provide the technical requirements of the assessment; it instead refers to another NSW Technical Guideline; *Assessing Vibration: a technical guideline* (DECC 2006).

**Attachment 5 - Noise and Vibration Considerations: Discussion Report, SLR (October 2019)**

The Technical Guideline includes all necessary details of the testing / or prediction of vibration and also provides the assessment targets. The assessment methodology and targets are based on British Standard BS6472 which uses the ‘Vibration Dose Value’ measurement (VDV) for intermittent vibration assessment.

The VDV is a long term averaged ‘dose’ based parameter (a little like a long term Leq), and is a relatively new measurement parameter. The equipment used to measure VDV is more advanced than traditional vibration measuring equipment, however, is readily available and most of the larger acoustical consulting firms have the necessary equipment.

The VDV is assessed for the day (16 h) and night (9 hour) with different criteria applicable for each period and for different uses. The following excerpt from the NSW Technical Guideline shows the criteria:

**Table 2.4 Acceptable vibration dose values for intermittent vibration (m/s<sup>1.75</sup>)**

Location	Daytime <sup>1</sup>		Night-time <sup>1</sup>	
	Preferred value	Maximum value	Preferred value	Maximum value
Critical areas <sup>2</sup>	0.10	0.20	0.10	0.20
Residences	0.20	0.40	0.13	0.26
Offices, schools, educational institutions and places of worship	0.40	0.80	0.40	0.80
Workshops	0.80	1.60	0.80	1.60

1 Daytime is 7.00 am to 10.00 pm and night-time is 10.00 pm to 7.00 am.  
 2 Examples include hospital operating theatres and precision laboratories where sensitive operations are occurring. These criteria are only indicative, and there may be a need to assess intermittent values against the continuous or impulsive criteria for critical areas.  
 Source: BS 6472-1992

It is normally necessary to monitor for at least a 24 hour period to obtain the VDV value (although it is possible to estimate using shorter measurements). There are also some further complicated calculations necessary when the vibration transmits to the upper floors of a building.

One of the most significant issues relating to the assessment is what to do if the criteria are exceeded. There are really only two options – do not build the building in that location, or design in complicated building vibration isolation into the footings. Both are of major concern to any application / developer.

**Trams**

There is a large gap in knowledge and information on tram vibration impacts, primarily because it has not been considered historically in any assessments.

We have minimal reference data upon which to draw indicative buffer distance triggers, however, from our experience in CoY, it is clear that trams operate in very close proximity to existing and proposed residential / office buildings. In addition, there are many additional variables such as track condition, joint locations in the track, and the speed of pass-bys, that would affect the vibration level in the building.

**3.3 SLR Summary and Recommendations**

Rail and tram vibration presents one of the most difficult challenges in relation to planning assessments.

There are no Victorian policy or guideline documents, and no precedent for assessing vibration (with many historical and new developments constructed in close proximity to rail with no formal assessment undertaken).

## Attachment 5 - Noise and Vibration Considerations: Discussion Report, SLR (October 2019)

---

The further complicating issue is that if vibration impacts are found to exceed the British Standard BS 6472 criteria at a particular building, it has drastic implications; either further setback is required, or the building is required to be designed with vibration isolation within the footings – potentially making the development financially not-viable.

Overall, due to the lack of formal guidance in any Victorian policy or guideline and the large extent of variables that can affect a vibration assessment, it is considered that this issues is not specifically addressed at this point in time.

## 4 SEPP N-1 Assessable Commercial Noise

Commercial and industrial noise assessable to SEPP N-1 is considered in the following section.

### 4.1 Background Information

This is a critical 'tier one' planning issue from our perspective. Noise from existing commercial and industrial premises to residential developments needs to be addressed to ensure that:

- The SEPP N-1 compliance status of the business is not changed by the residential development. If the business is forced into non-compliance by introduction of new noise receptors, it may be required to undertake significant and costly noise control works.
- The amenity of future occupants is addressed.

The main issue with SEPP N-1 assessable noise pertains to whether or not the noise should be assessed at the façade of the proposed residential development, or within the residence with windows and doors closed. The latter approach is not strictly in accordance with the SEPP, which requires noise to be assessed externally unless noise enters the dwelling via a non-openable section of the façade (solid wall, fixed window etc.).

Whereas SEPP N-1 requires commercial noise to be assessed externally, the City of Yarra (and other Councils) has often allowed for an internal assessment location. This is seen as a reasonable amenity compromise in an inner city environment, where insisting on an external assessment location would effectively make many sites impossible to develop.

Our approach has been largely consistent with the City of Yarra's, however we have encouraged the following exceptions / modifications:

- Where commercial noise is to be assessed internally, we recommend that the targets are equal to the lower of:
  - The effective SEPP N-1 internal noise limit, taking into consideration any relevant corrections for noise character (corrections for character are required under SEPP N-1), and
  - The lower end of the original AS/NZS2107:2000 ranges, which was 35 dBA in living rooms and 30 dBA in bedrooms. However, in the 2016 release of AS/NZS2107, the lower end of the allowable ranges for apartments near major roads has increased to 35 dBA in all rooms

### 4.2 Mandatory Requirements

Compliance with SEPP N-1 is mandatory, however strictly speaking the onus of compliance is on the business, rather than the developer.

The *Better Apartments Design Standards* / Clause 58, Apartment Developments, Standard D16 also potentially also applies to commercial noise however the targets provided in this document are generally likely to be less stringent than SEPP N-1 indoor limits.

### 4.3 Other Potentially Useful Standards and Guidelines

The Association of Australian Acoustical Consultants (AAAC) *Guideline for Acoustical Star Ratings for Apartments and Townhouses* provides indoor design targets for commercial noise. Assuming 'three star' (i.e. average) apartments the targets would be:

- Bedrooms: 35 dBA Leq and 50 dBA Lmax

**Attachment 5 - Noise and Vibration Considerations: Discussion Report, SLR (October 2019)**

- Living rooms: 40 dBA Leq and 55 dBA Lmax

**4.4 SLR Recommendations**

All residential developments should be designed to ensure that existing commercial uses formally comply with SEPP N-1 external to the development wherever possible. Where it is demonstrated that external compliance cannot practically be achieved, including treatment of the source of noise in consultation with the commercial operator, an internal assessment may be considered. The following internal targets for commercial / industrial noise (windows closed) are to be met if noise is assessed internally:

- SEPP N-1 indoor limits, being the outdoor limits less 15 dB, and
- Not more than 30 dBA Leq in bedrooms and 35 dBA Leq in living rooms, and
- Not more than 45 dBA Lmax in bedrooms and 50 dBA Lmax in living rooms.

In addition to the above, commercial plant and equipment noise levels should not exceed the following levels externally:

- Not more than 10 dBA above any SEPP N-1 period noise limits, outside any openable windows or doors, AND
- For balconies and other private open spaces:
  - Not more than 65 dBA during the day
  - Not more than 55 dBA during the evening and night

All assessment methodologies should apply corrections for character in accordance with SEPP N-1 procedure.

The above is aimed at providing a reduced risk of complaint from new sensitive receivers in the City of Yarra. The above does not represent a formal compliance outcome to the requirements of SEPP N-1.



## 5 Music Noise

The following considers the issue of music noise impacts from existing venues to new dwellings only. The issue of music from proposed new venues to existing dwellings is straightforward one, and need not revisited here. Consistent with the SEPP N-2 policy, all new venues need to comply with SEPP N-2 external noise limits at existing dwellings.

### 5.1 Background Information

This is a critical 'tier one' planning issue for acoustics, with existing music venues being at risk of SEPP N-2 non-compliance due to residential encroachment. Yarra City Council has, in recent times, adopted an 'Agent of Change' approach to new dwellings in the vicinity of existing music venues. This approach is both supported and complicated by the planning scheme amendment VC120 4 September 2014 Clause 52.43 – Live Music and Entertainment Noise.

The amendment provides support for the assessment of music to indoor locations. Prior to the amendment, there was no formal recognition that building upgrades to control music noise would protect existing venues from residential encroachment (i.e. upgrades could be adopted, but the assessment location was still formally outdoors).

The issue of music noise impacts to new residential development is complicated by the following

- Clause 52.43 applies to live music venues only. Many existing music venues are not live music venues, and these are explicitly excluded from consideration under Clause 52.43.
- Clause 52.43 only applies to venues within 50 m from a proposed residential development.

The amendment requires new dwellings at which a SEPP N-2 excess is established, and which cannot be managed in any other way, to be constructed such that SEPP N-2 noise limits are met indoors. However the means by which compliance is to be achieved in doors has not, in our opinion, been thought through. A brief outline of the issues is provided below

#### 5.1.1 SEPP N-2 Compliance Indoors

SEPP N-2 compliance is achieved by either designing for a 'background + margin' target (as defined in the Policy), or the SEPP N-2 'base noise limits'. The issues are that the 'background + margin' target can rarely be reached when a dwelling's façade is upgraded – the same upgrades that control music noise ingress also work to reduce the ambient noise and effectively lower the noise targets.

By contrast, the 'base noise limits' are fixed targets. However they are very low, and can in practice be extremely difficult to achieve. Most high performance acoustic glazing, for example, performs poorly in the region of the acoustic spectrum where music noise generally exceeds the base noise limits the most (i.e. in the 63 Hz and 125 Hz octave bands).

The planning practice note provides options for upgrading a noise sensitive dwelling on page 3 of the May 2016 revision, however the options are inadequate in the context of controlling significant levels of bass music noise.

In practice, to achieve compliance with SEPP N-2 indoors when music levels are 10 dB or more above the SEPP N-2 external limit, the following approaches would be necessary:

- Design the dwelling so that there are no windows or lightweight walls or roof exposed to high levels of music noise. This can represent significant architectural constraints on a site.

**Attachment 5 - Noise and Vibration Considerations: Discussion Report, SLR (October 2019)**

- Include wintergardens to all balconies and windows – this is effectively very large cavity double glazing (e.g. 10 mm glass, 1.2 m airgap, 12 mm glass).
- Incorporate controlled noise masking into the design (relying on air conditioning systems to provide masking is not sufficient as the masking noise provided in this way will vary with the weather). The masking should preferably not be controlled or varied by the user.

As the SEPP currently stands we expect consultants to adopt one or more of the above approaches to ensure that music within an apartment does not exceed SEPP N-2 limits.

**5.1.2 What Needs to be Done**

In our opinion there is still a lot of work to do before Clause 52.43 is workable.

**Review of SEPP N-2 indoor limits**

- Are the base noise limits appropriate for all environments? It may be reasonable to apply higher limits in an inner urban environment and particularly in one that is acknowledged as an entertainment district or on a very busy road.

**And specifically with regard to noise making:**

- What level of noise masking is acceptable? The masking should not cause occupants discomfort (ideally it should not even be noticed).
- What level of music is acceptable above the noise masking? i.e. should the masking be equal in level to the music, or should the masking be treated as the background noise level, and higher levels of music allowed in accordance with the SEPP N-2 'background +' targets.
- Could 'user controlled' masking systems be used? As the SEPP N-2 legislation currently stands, masking would need to be continuous and centrally controlled if it is part of a solution to ensure compliance with the SEPP.

The above questions cannot be simply answered, and should ideally be explored in the context of a review of SEPP N-2.

**5.2 Mandatory Requirements**

Compliance with SEPP N-2 is mandatory, however strictly speaking the onus of compliance is on the venue rather than the developer.

Compliance with Clause 52.43 is also mandatory, but only for developments within 50 m of a live music venue.

**5.3 Other Potentially Useful Standards and Guidelines**

Acoustic rating curves (NR, RC or NC) are provided in acoustic literature for quantifying noise intrusion. The curves define acceptable levels of noise in octave measurement bands, not dissimilar to the SEPP N-2 octave band night noise limits.

From recent experience on projects incorporating masking for music noise, use of 'Noise Criteria' or NC curves is considered the most appropriate for domestic use.

**Attachment 5 - Noise and Vibration Considerations: Discussion Report, SLR (October 2019)**

---

## 5.4 SLR Recommendations

Until such time that the SEPP is reviewed and updated, we recommend that formal compliance with SEPP N-2 noise limits is demonstrated, using any of the methods described in **Section 5.1.1** of this review. Effectively this means achieving:

- SEPP N-2 base noise limits within apartment habitable rooms with doors and windows closed, OR
- SEPP N-2 'background + margin' noise limits with continuous noise masking installed in habitable rooms of all apartments. The masking system should be set to no more than NC20 L<sub>90</sub> and the Leq of the masking to no greater than NC20 L<sub>90</sub> + 5 dB.
- These indoor targets for music noise should be applied to all existing sources of music, not just live music.
- The requirements should be met at apartments where any significant music noise impacts are identified, not just due to venues within 50 m of the proposed residential use.

## 6 Patron Noise – New Outdoor Patron Areas

### 6.1 Background

SEPP N-1 and SEPP N-2 specifically exclude patron noise, but with the significant increase in outdoor patron area applications, there have been major noise issues associated with this source.

While there are still no mandatory requirements for patron noise, there is general acknowledgement that this source of noise needs to be considered in the context of proposed dwellings near existing outdoor patron areas, and in the context of proposed new outdoor patron areas near existing dwellings. New outdoor patron areas are considered in this section.

#### 6.1.1 Noise Targets

As part of any planning application for an outdoor patron area we expect an assessment of patron noise to 'Leq' and L<sub>max</sub> targets. The Leq descriptor quantifies the average level of patron noise over an interval, and is particularly important for outdoor areas that are proposed to accommodate appreciable numbers of people (say more than 10). The L<sub>max</sub> targets are useful for quantifying impacts from smaller outdoor areas, where the steady state noise emissions may be low, or variable, and the most intrusive impacts are due to isolated loud voices.

The following noise criteria are typically used in assessments:

- SEPP N-1 – while the SEPP N-1 policy does not strictly apply to patron noise, the policy nevertheless provides a useful assessment methodology and we find it valuable for quantifying patron noise impacts.
- Background + 5 dB – this is a standard basis for quantifying the intrusiveness of noise. It is a useful assessment tool for patron noise although we have found that the day and evening limits can be impractically low.
- Sleep disturbance targets of 55 dBA L<sub>max</sub> in bedrooms with windows open (usually assessed as 65 dBA L<sub>max</sub> externally, outside openable windows).
- Marshall Day in-house targets for patron noise. MDA have developed patron noise targets based on background noise levels plus a variable margin, being:
  - Background + 10 dB during the day and evening period (including weekends)
  - Background + 5 dB at night (after 10 pm)

The MDA approach is generally supported however the following is noted:

- The evening noise target of 'background + 10 dB' can be too high in some circumstances where there is little other ambient noise (for example for dwellings that back onto an outdoor patron area, but are not exposed to general street noise).
- MDA are careful to emphasise that these levels are not 'noise limits', and that modelling or predictions that show targets will be exceeded represent a risk of nuisance rather than grounds for stopping a project from going ahead.
- The MDA approach appears to allow for long term averaging of background levels. This can lead to a misrepresentation of the impact during, for example, the last hour of operation of a venue when background levels in an area are at their minimum.

### 6.1.2 Predicting Patron Noise Levels

Unless the application is for the expansion of an existing outdoor patron area, patron noise levels need to be predicted to the nearest receivers. The prediction involves two steps:

- Quantification of the amount of noise produced in the outdoor area. This should take into consideration both the level of noise in the outdoor area, the size of the outdoor area and the number of patrons. Ideally the overall noise level should be expressed as a sound power level.
- Prediction of acoustic attenuation or losses, between the outdoor patron area and the receiver location due to distance, shielding and the like. For complicated built environments it can be appropriate to use a 3D computer noise modelling program to predict noise to receiver locations.

There is enormous variability in how acoustical consultants predict patron noise and we have been particularly disturbed by the recent use of patron sound power data derived from restaurants and non-drinking venues to beer garden environments. Most patron noise assessment we review are delayed during the review process due to differences in opinion with regard to the amount of noise produced in outdoor patron areas.

## 6.2 Mandatory Requirements

There are no mandatory requirements for patron noise.

## 6.3 Other Potentially Useful Standards and Guidelines

None.

## 6.4 SLR Recommendations

Regarding noise limits, or targets for patron noise, we support the following:

- SEPP N-1
- OR
- MDA based assessment approach of:
  - 'night' targets (background + 5 dB)
  - 'evening' and 'day' targets (background + 10 dB) where they can be demonstrated to be reasonable, and where they align with the SEPP N-1 definition of evening (that is including Saturday afternoon and Sunday daytimes).
  - Background levels to be based on the minimum 15 minute to 1 hour interval and conducted during a time that is representative of potential worst case noise impacts (long term averaging of background levels is not appropriate).

AND

- Sleep disturbance targets of 55 dBA Lmax in bedrooms with windows open (65 dBA Lmax externally, outside openable windows).

## 7 Patron Noise – New Residential Development Near Existing Outdoor Patron Areas

### 7.1 Background

The issue of existing noise from outdoor patrons areas to new developments should be assessed in any planning application to protect future residents from noise. Due to the fact that there are no mandatory requirements for patron noise, we are generally comfortable with the developer designing to meet appropriate patron noise targets indoors with windows closed. Some consideration should also be given to patron noise to balconies.

#### 7.1.1 Noise Targets

Our approach to date has been to require patron noise to be designed to meet the 'satisfactory' levels provided in AS/NZS2107:2000. These were 35 dBA in living rooms and 30 dBA in bedrooms near major roads. The recently reissued version of the Standard proposes higher minimum noise levels in bedrooms (35 dBA). In our opinion these are not appropriate for voice noise and we recommend adoption of the 30 dBA target in bedrooms which also aligns with the WHO recommendations for sleep disturbance during the night (WHO 1996). Patron noise is a very distinctive, potentially annoying and variable noise source. Patron noise levels equal to 35 dBA Leq will include frequent levels of over 40 dBA Lmax, which we believe are unacceptable in sleeping areas.

With regard to acceptable patron noise levels to balconies, this is a complicated issue given that:

- By adopting indoor targets we are effectively accepting high levels of noise externally, and in many cases these will occur on balconies
- It can be difficult to avoid having balconies overlooking the noise source (many apartment developments only have one external façade).
- Unavoidably high levels of noise on balconies can occur in the context of road traffic noise.
- Patron noise levels on balconies above 60-65 dBA Leq would, in our opinion make the outdoor space unusable for most residents
- Options for controlling noise to balconies are limited to:
  - Wintergardens (high level of control but effectively an enclosed space), OR
  - Solid balcony balustrades in combination with sound absorption to the underside of the balcony ceiling (small reduction in noise level to seated position on balcony).

#### 7.1.2 Predicting Patron Noise Levels

Patron noise from existing venues should ideally be measured at a location representative of the most exposed new dwelling. Where this is not practical, for example where a proposed multi-level residential development will overlook an existing outdoor area, it may be necessary to predict patron noise to the new façade. The predictions should, however, still take into consideration the actual patron noise levels at the venue during worst case operating conditions. This may involve monitoring noise over a busy weekend period, with a logger located above the outdoor patron area. In our opinion it is not appropriate to use theoretical patron noise data to predict patron levels from an existing outdoor area

### 7.2 Mandatory Requirements

None.

**Attachment 5 - Noise and Vibration Considerations: Discussion Report, SLR (October 2019)**

---

### 7.3 Other Potentially Useful Standards and Guidelines

The *Better Apartments Design Standards, 2016* provides indoor targets of 40 LAeq,16h and 35 LAeq,8h. As indicated above, we believe these are too high for patron noise. The long term averaging component (16h and 8h) is also not relevant. To provide for a reasonable level of amenity we would expect patron noise to meet the nominated targets at all times, not just over a long averaged period.

The SEPP N-1 effective indoor limits (external SEPP N-1 noise limit less 15 dB) can be used as indoor targets for patron noise however there is a risk that the resultant limits will be unreasonably high in some instances.

### 7.4 SLR Recommendations

We recommend that new residential developments exposed to noise from outdoor patron areas be designed to achieve the following targets:

- 35 LAeq,30mins in living rooms
- 30 LAeq,30 mins in bedrooms
- 45 dBA, Lmax in bedrooms at night
- 60-65 LAeq,30 mins to balconies, 1.2 m high (We are still considering exact target for this issue)

Noise from existing outdoor patron areas should be measured in order to quantify the worst case impacts to the subject site. Where measurements cannot be undertaken at a location representative of the proposed new receptors, they should be made closer to the venue. The measured levels should be adjusted for the size of the outdoor patron area, and for the distance to the development façade.

**Attachment 5 - Noise and Vibration Considerations: Discussion Report, SLR (October 2019)**

---

## 8 Noise from Apartment Developments to Existing Dwellings

### 8.1 SEPP N-1 Assessable Noise

Communal mechanical plant, car stackers, carpark entrance gates and the like are required to comply with SEPP N-1 at existing and proposed dwellings.

In our opinion as much advice as practical should be provided by the consultant at the planning stage, particularly with regard to items that have structural implications for the project, such as carpark entrance doors and car stackers. Effective control of noise and vibration can for example, require full enclosure of the carpark and/or setdowns to accommodate vibration isolation mounts.

Noise from mechanical plant cannot usually be fully addressed during the planning stage because equipment is rarely specified at this time, and equipment location may not be finalised. On larger projects, where an acoustical consultant is retained during the detailed design, it is reasonable for the consultant to state that these issues will be addressed during the detailed design.

On smaller projects, where it is unlikely that a consultant will be retained after the planning phase, we recommend that more guidance be provided for achieving SEPP N-1 compliance. This could entail providing a maximum overall sound power level for any mechanical plant proposed to be installed on a roof top plant deck, and / or maximum ratings for air conditioning condenser units.

### 8.2 Sleep Disturbance

Noise from operation of carpark equipment should also be designed to comply with sleep disturbance targets outside openable windows of nearby dwellings. Noise levels should not be in excess of 65 dBA L<sub>max</sub>.

### 8.3 Apartment Common Areas

There are no mandatory limits for voice noise from apartment common areas such as communal decks, gardens, pools and spas. In our opinion these should be assessed similarly to any other patron noise (see **Section 6** of this document).



## 9 Noise from Apartment Common Areas to Apartments within the Development

Noise to apartments from common areas within and outside the development buildings has the potential to cause nuisance. We consider this a 'second tier' planning issue because, theoretically, any issues due to noise within the development can be addressed in the future by the Body Corporate. However, it is preferable to address these items during the planning stage particularly as they can be costly and difficult to rectify post construction.

The following is a summary of the relevant potential impacts. City of Yarra should consider if their planning documents should require assessment of these '2<sup>nd</sup> tier' issues.

### 9.1 Communal outdoor areas, including decks, outdoor pools, gardens, carpark entrance etc.

Facade upgrades should be provided to apartments within the development that are potentially impacted by noise from voice and vehicles in communal outdoor areas. From our perspective moderate glazing upgrades, as opposed to a full patron noise assessment, are appropriate in the context of outdoor communal areas. If, after reasonable upgrades, occupants are still annoyed by voice noise, the Body Corporate should manage impacts through restricted access to the communal facilities.

Appropriate moderate upgrades may include, for example, calling up double glazing comprising 10.38 mm thick laminated glass, 12 mm airgap, 6 mm glass to the most affected windows.

### 9.2 Communal enclosed areas, including cinemas, gyms, indoor pools etc.

The main issue with regard to gyms and pools is vibration and structure-borne noise due to running machines, free weights, and weight machines.

The degree of vibration control appropriate for a development will depend on the size of the gym, the proximity of the closest apartments, and the equipment proposed for use. For small gyms, it may be sufficient to install a 50 mm thick dense rubber matt throughout the gym and to restrict the use of free weights and running machines. For more elaborate gyms a full acoustic floating floor may be required.

### 9.3 Noise transfer between apartments via lightwells

Noise transfer between apartments that share a lightwell should be addressed in the acoustic report as this issue is not covered under the National Construction Code (NCC).

Noise transfer can be a particular problem in instances where the lightwell is enclosed on all sides, as the ambient noise within the lightwell is low, and sound attenuation within the lightwell is minimal. Sound emanating from one apartment (which may have their windows open) will reflect off the walls and windows of the lightwell, potentially causing nuisance to other occupants.

There are two basic scenarios:

- a. Lightwells that contain non-openable windows to habitable rooms, and openable windows to bathrooms / toilets only
- b. Lightwells that have openable window from habitable room.

**Attachment 5 - Noise and Vibration Considerations: Discussion Report, SLR (October 2019)**

**Scenario A** is not a major concern, because, provided reasonable well sealed glazing is fitted to all windows of habitable rooms, noise between apartments will typically travel through two widely spaced panes of glass. We recommend that glazing to habitable rooms in this situation be not less than  $R_w = 30$  dB (eg. 6 mm thick glass to windows of all habitable rooms onto the lightwell).

**Scenario B** is the greater concern because the noise generating apartment may have their window open. In that instance, there is only one window separating affected apartments from the noise source. We recommend glazing to habitable rooms be rated not less than  $R_w = 38$  dB in this situation (e.g. double glazing comprising 10.38 mm thick laminated glass, 12 mm airgap, 6 mm glass).

The above advice will not be optimum for all situations – very large lightwells or light courts, for example, may be less critical because more sound attenuation will take place between apartments. A lesser upgrade would be reasonable in these areas.

#### 9.4 Carpark entrance gates and car stackers

These items are potential sources of airborne noise, structure-borne noise and vibration.

##### Noise

Carpark entrance gates and carstackers need to comply with SEPP N-1 effective indoor limits within apartments and should also be designed to achieve appropriate  $L_{max}$  levels indoors for sleep disturbance and general annoyance.

The SEPP N-1 assessment should take into consideration typical frequency of use during various times of day and night; the duration of the event, and any relevant corrections for impulse, tonality and intermittency. In our measurements of car stackers we have found that a 5 dB impulsive correction always applies; a 2 dB correction for tonality is often appropriate and intermittency corrections apply to the day and evening periods.

Regarding sleep disturbance, as a minimum, we recommend that the AAAC internal targets for  $L_{max}$  levels in three star apartments are met with windows closed (40 dBA  $L_{max}$  in living rooms and 35 dBA  $L_{max}$  in bedrooms). Lower noise levels should be targeted by the developer if they classify the apartment as moderately high to high quality.

Controls to apartments potentially affected by noise from the carpark typically include glazing upgrades and / or floor ceiling upgrades (particularly for lightweight/non-masonry floor construction).

##### Structure-borne Sound and Vibration

Car stackers and carpark entrance gates should be vibration isolated to ensure that the noise targets are met in potentially affected apartments.

## 10 AAAC Guideline for Acoustical Star Ratings for Apartments and Townhouses

SLR have often advised on the use of the AAAC Acoustic Star Rating design targets because these address many sources of noise in apartments that are not always captured or assessable under existing guidelines, standards and policies.

The AAAC recommended indoor targets for internal and external noise, and for discrete events (quantified using the 'Lmax' acoustical descriptor) and steady state noise are provided in the sections below. We have generally advised targeting for not less than 3 stars in City of Yarra reports. If a development is advertised as moderately high to high quality, a higher star rating should be targeted by the developer.

These targets are a useful fall-back for many sources of noise, however we do not recommend using them for:

- Noise from existing outdoor patron areas - the Guideline would result in targets of 35 dBA Leq in bedrooms and 40 dBA Leq in living rooms, which is too high for patron noise.

### 10.1 External noise intrusion

Examples of external Lmax sources of noise include: individual truck pass-bys, crashing and banging due to deliveries or rubbish collection.

**Table 1 External Noise Intrusion Design Targets (AAAC Star Rating Guide), Lmax levels**

External noise intrusion	2 star	3 Star	4 Star	5 Star	6 Star
Bedrooms	50	50	45	40	35
Other habitable rooms	55	55	50	45	40

**Table 2 External Noise Intrusion Design Targets (AAAC Star Rating Guide), Leq day and night levels**

External noise intrusion	2 star	3 Star	4 Star	5 Star	6 Star
Bedrooms	36	35	32	30	27
Other habitable rooms	41	40	35	30	27

### 10.2 Internal Noise Intrusion

Examples of internal Lmax sources of noise include: mechanical plant and equipment serving the building or commercial tenancies and hydraulic noise.

**Table 3 Internal Noise Intrusion Design Targets (AAAC Star Rating Guide), Lmax day and night levels**

Internal noise intrusion	2 star	3 Star	4 Star	5 Star	6 Star
Bedrooms	45	40	35	30	27

**Attachment 5 - Noise and Vibration Considerations: Discussion Report, SLR (October 2019)**

Internal noise intrusion	2 star	3 Star	4 Star	5 Star	6 Star
Other habitable rooms	55	45	40	35	32

Examples of internal Leq sources of noise include: mechanical plant and equipment serving the building or commercial tenancies and hydraulic noise.

A decibel penalty should be added to the measured noise level where the source is deemed to include annoying characteristics. Penalties are typically equal to +2 dB for just audible characteristics, and +5 dB for clearly audible characteristics

**Table 4 Internal Noise Intrusion Design Targets (AAAC Star Rating Guide), Leq day and night levels**

Internal noise intrusion	2 star	3 Star	4 Star	5 Star	6 Star
Bedrooms	36	35	32	30	27
Other habitable rooms	41	40	35	30	27

**Attachment 5 - Noise and Vibration Considerations: Discussion Report, SLR (October 2019)**

---

## 10 Bibliography

*Assessing Vibration: A Technical Guideline*, NSW Department of Environment and Conservation, 2006.

*Development Near Rail Corridors and Busy Roads - Interim Guideline, Guideline*, prepared by the Department of Planning, State Government of NSW, 2008

*Passenger Rail Infrastructure Noise Policy*, Victorian Government, 2013

*Better Apartments Design Standards*, 2016, prepared by the Victorian Government, Department of Environment, Land, Water and Planning (DELWP)

*AS/NZS2107:2000 Acoustics – Recommended design sound levels and reverberations times for building interiors*

*AS/NZS2107:2016 Acoustics – Recommended design sound levels and reverberations times for building interiors*

*Guideline for Apartment and Townhouse Acoustic Rating*, 2010, Prepared by the Association of Australian Acoustical Consultants (AAAC)

*City of Yarra Planning Scheme: Clause 52.43 – Live Music and Entertainment Noise*

*Live Music and Entertainment Noise*, Victorian Government, Department of Environment, Land, Water and Planning (DELWP), Planning Practice Note 81, May 2016

*Live Music and Entertainment Noise*, Victorian Government, Department of Environment, Land, Water and Planning (DELWP), Planning Practice Note 81, September 2015

**Attachment 5 - Noise and Vibration Considerations: Discussion Report, SLR (October 2019)**

**ASIA PACIFIC OFFICES**

**BRISBANE**

Level 2, 15 Astor Terrace  
Spring Hill QLD 4000  
Australia  
T: +61 7 3858 4800  
F: +61 7 3858 4801

**CANBERRA**

GPO 410  
Canberra ACT 2600  
Australia  
T: +61 2 6287 0800  
F: +61 2 9427 8200

**DARWIN**

Unit 5, 21 Parap Road  
Parap NT 0820  
Australia  
T: +61 8 8998 0100  
F: +61 8 9370 0101

**GOLD COAST**

Level 2, 194 Varsity Parade  
Varsity Lakes QLD 4227  
Australia  
M: +61 438 763 516

**MACKAY**

21 River Street  
Mackay QLD 4740  
Australia  
T: +61 7 3181 3300

**MELBOURNE**

Suite 2, 2 Dornville Avenue  
Hawthorn VIC 3122  
Australia  
T: +61 3 9249 9400  
F: +61 3 9249 9499

**NEWCASTLE**

10 Kings Road  
New Lambton NSW 2305  
Australia  
T: +61 2 4037 3200  
F: +61 2 4037 3201

**PERTH**

Ground Floor, 503 Murray Street  
Perth WA 6000  
Australia  
T: +61 8 9422 5900  
F: +61 8 9422 5901

**SYDNEY**

2 Lincoln Street  
Lane Cove NSW 2066  
Australia  
T: +61 2 9427 8100  
F: +61 2 9427 8200

**TOWNSVILLE**

Level 1, 514 Sturt Street  
Townsville QLD 4810  
Australia  
T: +61 7 4722 8000  
F: +61 7 4722 8001

**TOWNSVILLE SOUTH**

12 Cannan Street  
Townsville South QLD 4810  
Australia  
T: +61 7 4772 6500

**WOLLONGONG**

Level 1, The Central Building  
UoW Innovation Campus  
North Wollongong NSW 2500  
Australia  
T: +61 404 939 922

**AUCKLAND**

68 Beach Road  
Auckland 1010  
New Zealand  
T: +64 27 441 7849

**NELSON**

6/A Cambridge Street  
Richmond, Nelson 7020  
New Zealand  
T: +64 274 898 628

[www.slrconsulting.com](http://www.slrconsulting.com)



# LANDMARKS & VIEWS ASSESSMENT

October 2019



**Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)**



*Clock Tower of Dimmey's,  
Swan Street*



## Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)

CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY

# 1 Clock Tower of Dimmey's, Swan Street

## 140-160 Swan Street, Cremorne

<b>Description</b>	<p>The Dimmey's building is a double storey Romanesque style commercial building, constructed between 1907 and 1918. The main feature of the Dimmey's building is the four level Clock Tower which is set centrally along the building's street facade. At the top of the Tower is a dome, supported on decorative arches above the clock faces, that is surmounted by a large copper globe. The Clock Tower employs the federation free classical architectural style using contrasting materials with classical symmetrical detailing.</p> <p>A recent development involved the refurbishment and reinstatement of the building's external heritage fabric and, inside this, the construction of two parking basements, supermarket and office spaces. This development also comprised of an elliptical, glass-clad 8 storey apartment tower, above the commercial floors.</p>
<b>Setting</b>	<p>The Dimmey's building is located on the south side of Swan Street within the Activity Centre, which comprises an eclectic mix of predominantly Victorian or Edwardian era heritage buildings, as well as more recent buildings.</p> <p>Swan Street is a major metropolitan shopping strip, and a busy car and pedestrian thoroughfare with a tram line.</p> <p>Surrounding buildings are predominantly 2-3 storey commercial buildings.</p> <p>Topography is generally flat in this locality with a slight incline down towards the west.</p>
<b>Heritage Overlay</b>	<p>HO335 – Swan Street Precinct</p> <p>HO360 – Individual HO applied to the Dimmey's site</p>
<b>Heritage Significance</b>	<p>Dimmey's is of architectural and historical significance to the state of Victoria and included on the Victorian Heritage Register (Number H2184).</p> <p>Dimmey's is of architectural significance as a fine, intact and early example of the American Romanesque style in Victoria and of the work of the prominent architects H W &amp; F B Tompkins. It is an example of the many large department stores which were built in the suburbs of Melbourne during the pre-WWI retail boom following the 1890s depression. Its significance is increased by the tower which is a prominent and well-known Melbourne landmark.</p> <p>The heritage report highlights that the Clock Tower, while having changed over the years, is one of the main features of the Dimmey's building. Originally the Dimmey's ball was made of ruby glass (replaced with copper in 1939) and when lit at night was visible for miles.</p>
<b>Other References</b>	<p>There are numerous web references to Dimmey's and its Clock Tower, including the Walking Melbourne tours and Trip Advisor web sites.</p>
<b>Landmark Significance</b>	<p>The Clock Tower of Dimmey's is a prominent, historic and well known landmark of metropolitan significance.</p> <p>The heritage citation notes its high aesthetic and social value. The tower is of extremely high community and tourism value as evidenced by background references. Its unique and distinctive design has rarity value as an icon for the City of Yarra and Melbourne. It makes a significant contribution to Yarra's identity.</p>
<b>Current Policy &amp; Controls</b>	<p>The Clock Tower of Dimmey's is currently listed (as Ball Tower) in Clause 22.03 Landmarks and Tall Structures Policy.</p> <p>The Swan Street commercial strip is zoned Commercial 1 Zone (C1Z), no height controls apply through this zone. No Design and Development Overlay currently applies.</p> <p>The Swan Street Structure Plan recommends the following height limits:</p> <ul style="list-style-type: none"> <li>• Sites to the east and west – 5-6 storeys (19m)</li> <li>• Northern part of the Dimmey's site 4 storeys (13m)</li> <li>• Southern part of the Dimmey's site 7-10 storeys (30m) height limit.</li> </ul>

# Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)

CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY



VIEW 1



VIEW 2

## Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)

CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY

### Views Assessment

As a prominent feature of the Swan Street Activity Centre, multiple views are afforded of the Dimmey's Clock Tower. This includes close-range views of the tower, and dynamic views which can be obtained while moving along Swan Street, between the railway bridge and the crest of the hill at Charles Street.

A previous VCAT case for 140-160 Swan Street, Richmond considered that views of the Clock Tower from Swan Street looking west were of most significance.

There are also numerous glimpses of the Tower from surrounding streets.



**ARCHITECTURAL ELEMENTS**

(Photo provided by GJM Heritage Consultants)

### PRIMARY VIEWS

View 1	North West Corner of Swan Street and Yan Lane
Key Features	<p>Swan Street is a highly important vehicular, public transport and pedestrian route, providing direct access to the CBD and major sporting venues, that is highly trafficked by all modes at all times of the day and night.</p> <p>The primary views of the Dimmey's Clock Tower from the east start at the apex of the hill around the intersection of Swan and Charles Streets. This location provides the first clear view of the tower when coming from the east, with the arcade stage, clock stage and ball clearly visible. While moving along Swan Street from this point the portion of the Tower that remains the most visible is the arcade stage above the central rendered band including the rectangular openings, clock face and ball.</p> <p>Within the view corridor of the Dimmey's tower moving west along Swan Street, the northern side of the footpath at Docker Street provides a primary viewing location. This point provides a clear oblique view of the entire structure of the Tower upon its building base within the streetscape setting.</p> <p>The tower is visible with CBD buildings encroaching onto the background.</p>
Management Issues	<p>Land within the viewcone is primarily within the C1zone, and used for a variety of retail and office uses. The development potential of the immediate area is somewhat limited by the Heritage Overlay which will require retention of significant elements and that new development respects the height and form of these elements. However there is potential for sites to be developed with higher scale form that could impact upon the primary views or skyline silhouette of the tower.</p> <p>Any new development should ensure that views of the tower silhouette are not impeded. Development within the foreground of the tower should be sited, designed and scaled to retain clear views to the arcade, clock and ball. To ensure the tower retains its landmark status, the upper levels of any new development above the parapet line on the south side of Swan Street between the lane-way to the east of the former Richmond Post Office and Church Streets should contain significant upper level setbacks.</p>
View 2	North East Corner of Stewart and Swan Streets Intersection
Key Features	<p>The intersection at Stewart and Swan Street provides a clear view of the entire tower. This location provides the first clear view of the tower when coming from the west, with the arcade stage, clock stage and ball clearly visible against a clear sky.</p> <p>Adjoining buildings alongside the tower or within the background of this view are no higher than the Dimmey's building so the tower is seen silhouetted against the sky. The new 8 storey residential building is well set back so not to impede the view of the Tower against a clear sky.</p>
Management Issues	As above.

# Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)

CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY

---

View 3	North east corner of Waverley and Swan Street Intersection
Key Features	<p>The northern side of the Swan St footpath at Waverley Street provides a primary viewing location. This point provides a clear oblique view of the entire structure of the tower upon its building base within the streetscape setting.</p> <p>The tower is visible as a skyline silhouette with no buildings encroaching into the background. The tower can therefore be appreciated 'in the round' as the principal built form at the upper levels of the streetscape.</p>
Management Issues	As above.

---



**VIEW 3**

**Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)**



***Clock Tower of Richmond  
Town Hall, Bridge Road***

## Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)

CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY

# 2 Clock Tower of Richmond Town Hall

## 333 Bridge Road, Richmond

Description	<p>The Richmond Town Hall is a grand, 2-3 storey scaled building with a large portico that projects over the footpath and a centrally located clock tower rising above.</p> <p>The Town Hall was remodelled in the 1930s and the clock tower features geometrically patterned brickwork and architectural motifs that are a reinterpretation of the inter-war classical mode. The tower employs a symmetrical four-sided facade with a clock face on each side, sitting above a cast-iron balustrade. The tower has a pyramidal peak which supports a flag pole. The scale of the tower is approximately equivalent to the scale of the Town Hall building.</p>
Setting	<p>The Town Hall is located on the northern side of Bridge Road and sits within a built setting of predominantly Victorian and Edwardian era commercial buildings, with a mix of more recent retail buildings. Surrounding buildings are 1-3 storeys in scale.</p> <p>The Town Hall is part of a historic civic precinct comprising the adjoining Court House and Police Station.</p> <p>Bridge Road is a major east-west link for car movements and trams, and is a busy pedestrian thoroughfare.</p> <p>Topography is flat in this area.</p>
Heritage Overlay	<p>The Richmond Town Hall is included within the Bridge Road Precinct Heritage Overlay HO310. The building itself is not included in a site specific Heritage Overlay.</p> <p>The Police Station to the west of the Town Hall is included within a site specific Heritage Overlay, HO230.</p>
Heritage Significance	<p>The Richmond Town Hall is listed on the National Trust Heritage Register and classified as being of State architectural significance. The Statement of Significance does not highlight the clock tower in particular.</p> <p>In the Bridge Road Precinct Statement of Significance, the Town Hall is said to have landmark qualities.</p>
Other References	<p>The Richmond Town Hall is included on the Walking Melbourne Tours website.</p>
Landmark Significance	<p>The clock tower of Richmond Town Hall is a landmark of municipal significance.</p> <p>The heritage citation notes its high aesthetic and social value. The tower is of high community and social value as evidenced by background references. It makes a significant contribution to Yarra's identity and the streetscape of Bridge Road, which is a major metropolitan shopping strip.</p> <p>The Town Hall is historically and culturally significant as a bold statement of Richmond's progress, as the municipality's contribution to Victoria's centenary in 1934, and as the scene of many of the great battles over the split of the Australian Labour Party in the 1950s. The tower is a prominent symbolic element of the Town Hall building.</p>
Current Policy & Controls	<p>The Richmond Town Hall tower is currently listed in Clause 22.03 Landmarks Policy.</p> <p>No specific height controls apply to the Town Hall site or adjoining sites, neither through zone or overlay controls.</p> <p>The site is zoned Public Use Zone (PUZ6).</p> <p>Adjoining site to north is zoned Public Use Zone (PUZ2) and Public Parks and Recreation Zone (PPRZ) further beyond.</p> <p>Adjoining site to east zoned Commercial 1 Zone (C1Z).</p> <p>Adjoining site to the west zoned Public Use Zone (PUZ7), and C1Z further beyond.</p> <p>No Design and Development Overlays apply to the site or the Bridge Road precinct.</p>

# Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)

CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY



VIEW 1



VIEW 2



VIEW 3 (i)



VIEW 3 (ii)

## Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)

CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY

### Views Assessment

As a prominent feature of the Bridge Road Activity Centre, multiple views are afforded of the Town Hall clock tower. This includes short, medium and long range views of the tower, including dynamic views which can be obtained while moving along Bridge Road, between Lennox Street and Burnley Street.

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



**ARCHITECTURAL ELEMENTS**

(Photo provided by GJM Heritage Consultants)

### PRIMARY VIEWS

<b>View 1</b>	<b>South West Corner of Lennox Street and Bridge Road Intersection</b>
<b>Key Features</b>	The primary views of the Tower from the west start at the apex of Richmond Hill around the intersection of Swan and Lennox Streets. This location provides the first clear view of the tower when coming from the west. The tower is visible on the horizon with the cornice and iron balustrade, clock stage, pyramidal roof and flagpole standing out as prominent features of the streetscape. Bridge Road is a major thoroughfare with heavy vehicular and public transport traffic. Lennox Street is an important bicycle route and has an important pedestrian connection to Richmond Station.
<b>Management Issues</b>	Land within the viewcone is primarily within the C1 zone, and used for a variety of retail and office uses. The development potential of the immediate area is somewhat limited by the Heritage Overlay which will require retention of significant elements and that new development respects the height and form of these elements. However there is potential for sites to be developed with higher scale form that could impact upon the primary views or skyline silhouette of the tower.  Any new development should ensure that views of the tower silhouette are not impeded. Development within the background of the tower should avoid intruding into the 'clear sky' views within which the tower sits. Development within the foreground of the tower should be sited, designed and scaled to retain clear views to the tower base, cornice, clock, roof and flag pole. To ensure the tower retains its landmark status, the upper levels of any new development above the predominant parapet line on the north side of Bridge Road between the Lennox Street and the former police station building should contain appropriate upper level setbacks.
<b>View 2</b>	<b>South East Corner of Burnley Street and Bridge Road Intersection</b>
<b>Key Features</b>	The first view of the tower when coming from the east starts at the intersection of Swan and Burnley Streets. The view is partially obstructed by trees when in leaf and is largely dominated by the Melbourne CBD in the background. However, this is the first important intersection where the clock tower is visible from the east. The flag pole, pyramidal roof and clock face are most visible from this point.
<b>Management Issues</b>	As above.
<b>View 3 (i)</b>	<b>Citizens Park (Path around oval at Highett Street/Church Street entry)</b>
<b>View 3 (ii)</b>	<b>Citizens Park (Path around oval where it meets the central entry from Highett Street)</b>
<b>Key Features</b>	From the major open space of Citizens Park a clear view of the tower above the Town Hall rooftop is afforded. These views are from the path around the oval, after the Highett Street and Church Street intersection and the central entrance from Highett Street. This is paired with the view of the St Ignatius church spire. Adjoining buildings to the north of Bridge Road do not obstruct views to the tower so it is seen silhouetted against the sky.



## Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)

CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY

---

Management Issues	As no height controls apply to the sites to the north of the Town Hall and south of Bridge Road a taller structure could be built forward or behind the tower and impede views of its silhouette against the sky. Development within the background of the tower should avoid intruding into the 'clear sky' views within which the tower sits. Any new development should ensure that views of the tower silhouette are not impeded and does not compete with the detail and form of the clock tower.
-------------------	--

---

### SECONDARY VIEWS

---

View 4 [Mary Street and Bridge Road Intersection](#)

---

Key Features	From this intersection a clear oblique view of the entire structure of the tower upon its building base within the streetscape setting of Bridge Road is afforded.
--------------	--

---

Management Issues	Any proposed buildings alongside the tower or within the background of this view should be no higher than the Town Hall building so the tower is seen silhouetted against the sky.
-------------------	--

---



**VIEW 4**

**Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)**



## Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)

CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY

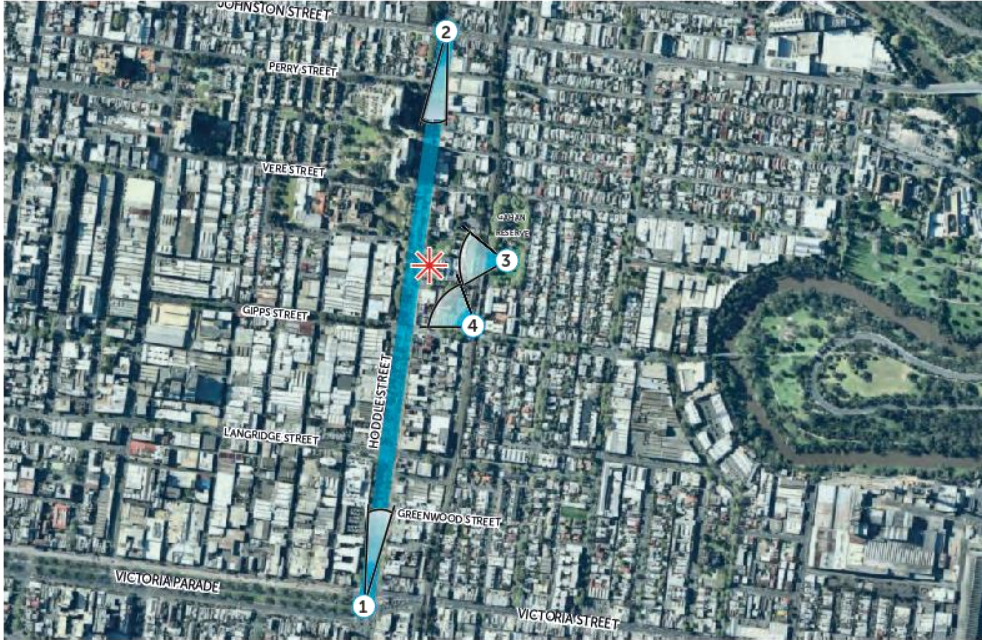
### 3 Clock Tower of Collingwood Town Hall

#### 140 Hoddle Street, Abbotsford

<b>Description</b>	<p>The Collingwood Town Hall is a grand public building on the metropolitan thoroughfare of Hoddle Street. The Town Hall is double storey in scale and an outstanding example of boom style classicism.</p> <p>The clock tower is the dominant feature of the Town Hall, rising centrally within the building's street elevation to a scale that is approximately double that of the building itself. Constructed of brick, stucco and wrought iron cresting, it is a four sided heavily ornamented tower with elaborate enrichment of facade surfaces and classically inspired elements. It comprises four levels - the lower two levels with arcaded openings, the clock face on the third level and a vaulted square dome featuring a flag pole on the top levels.</p>
<b>Setting</b>	<p>The Town Hall is located on the eastern side of Hoddle Street with a west facing street frontage. It is set within an eclectic streetscape comprised of a mix of Victorian and Edwardian era style commercial buildings and more recent pre-cast concrete structures, of mostly 1-2 storeys in scale.</p> <p>Hoddle Street is a major north-south arterial road to the east of central Melbourne.</p> <p>Topography is flat in this area.</p>
<b>Heritage Overlay</b>	<p>The Clock tower is covered by two Heritage Overlays:</p> <p>HO313 – Charles Street Precinct</p> <p>HO17 – Collingwood Town Hall</p>
<b>Heritage Significance</b>	<p>The Town Hall is listed in the Victorian Heritage database (Ref No H140).</p> <p>The Collingwood Town Hall is of architectural, aesthetic, social and historical significance to the State of Victoria.</p> <p>The Victorian heritage register makes clear reference to the clock tower as being a "dominant" feature of the Town Hall. The statement of significance makes it clear that the clock tower is protected under the register.</p> <p>The clock may be the original one from the Melbourne General Post Office which was removed from that building in 1890.</p>
<b>Other References</b>	<p>There are a number of web references to the Town Hall and its tower, including the Collingwood Historical Society and architectural blogs.</p>
<b>Landmark Significance</b>	<p>The Collingwood Town Hall clock tower is a landmark of metropolitan significance as:</p> <ul style="list-style-type: none"> <li>• It is of aesthetic significance because its largely intact and unpainted ornate exterior is a comparatively rare example of 19th century boom style classicism in original condition in Victoria.</li> <li>• A landmark feature along a main arterial road</li> <li>• It is of social significance as a monument to the aspirations of the predominantly working class municipality of Collingwood in the late 19th century.</li> <li>• It is of historical significance as a building representative of an important period in Melbourne's history, when suburban municipalities asserted their claims to civic importance and improvement.</li> </ul>
<b>Current Policy &amp; Controls</b>	<p>The Collingwood Town Hall clock tower is currently listed in Clause 22.03 Landmarks Policy.</p> <p>No specific height controls apply to the Town Hall site or adjoining sites, either through zone or overlay controls.</p> <p>The site is zoned Public Use Zone (PUZ6). Adjoining site to the north is zoned Neighbourhood Residential Zone (NRZ1). Adjoining site to the east is zoned Public Use Zone (PUZ4). Adjoining site to the south is zoned Commercial 1 Zone (C1Z).</p> <p>Design and Development Overlay applies to the properties fronting Hoddle Street (DDO2 Main Roads &amp; Boulevards).</p>

# Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)

CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY



VIEW 1



VIEW 2



VIEW 3



VIEW 4

## Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)

CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY

### Views Assessment

As a prominent feature of Hoddle Street, multiple views are afforded of the Town Hall clock tower. This includes short, medium and long range views of the tower which can be obtained while moving along Hoddle Street, generally between Johnston Street and Victoria Street.

There are also numerous glimpses of the tower from surrounding streets and open spaces, as well as the Collingwood Station.



**ARCHITECTURAL ELEMENTS**

(Photo provided by GJM Heritage Consultants)

### PRIMARY VIEWS

<b>View 1</b>	<b>South West Corner of Victoria Parade and Hoddle Street Intersection</b>
<b>Key Features</b>	At this major intersection, an uninterrupted long range view of the landmark in the distance is afforded. This intersection of two major thoroughfares is heavily trafficked in all directions, by cars, public transport, cyclists and pedestrians. The entire top section of the Tower is visible in the streetscape, with urban infrastructure and trees visible in the foreground and framing views to the tower.
<b>Management Issues</b>	Sites in the vicinity are within C1Z and DDO2 applies which does not restrict development height. There is therefore potential for nearby sites to be developed in a way that could impact on long range views of the Tower. There is a need to ensure that views of the upper portion of the Tower remain against a clear sky and can continue to be appreciated 'in the round' as the principal built form.  Any new development should therefore ensure that views of the Tower silhouette are not impeded or compete with the detail and form of the clock tower.
<b>View 2</b>	<b>North West Corner of Johnston and Hoddle Street Intersection</b>
<b>Key Features</b>	As above.
<b>Management Issues</b>	As above.
<b>View 3</b>	<b>Gahan Reserve (Entry to reserve at the intersection of Park and Stanton Streets)</b>
<b>Key Features</b>	From the local open space of Gahan Reserve a clear view of the tower's upper three levels above the Town Hall rooftop is afforded, silhouetted against the sky.
<b>Management Issues</b>	Sites to the west of Gahan Reserve are unlikely to be developed with higher scale buildings as they are within public ownership, including railway reserve.

### SECONDARY VIEWS

<b>View 4</b>	<b>Collingwood Train Station</b>
<b>Key Features</b>	From the elevated platform at Collingwood Station each element of the clock tower can be clearly seen. The train station has been identified as a secondary view due to it not being located within a public pedestrian movement corridor.
<b>Management Issues</b>	DDO11 applies to properties opposite the Town Hall allows for development over 4 storeys on appropriate sites, and with upper level setbacks. Consideration should be given to the retention of clear sky behind the clock tower.

**Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)**



***Clock Tower of Fitzroy Town Hall,  
Napier Street***

## Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)

CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY

# 4 Clock Tower of Fitzroy Town Hall

## 201 Napier Street, Fitzroy

<b>Description</b>	<p>The Fitzroy Town Hall is a grand public building on the corner of Napier and Moor Streets. The Town Hall is double storey in scale and an outstanding example of Victorian Free Classical style.</p> <p>The clock tower is the dominant feature of the Town Hall, rising centrally within the building's street elevation to a scale that is approximately double that of the building itself. Constructed of brick and stucco, the clock tower features a symmetrical four-sided facade which employs classical motifs, a vaulted and ornamented dome cupola and circular openings used to encase the clock faces. The clock tower also features wrought iron cresting and a flagpole that accent the skyline. It comprises three levels - the tall lower level with arched openings, the clock face on the second level and the dome and flag pole on the top level.</p> <p>The clock face is illuminated at night, making it highly visible within the neighbourhood.</p>
<b>Setting</b>	<p>The Town Hall is located on the western side of Napier Street with an eastern frontage. The building sits within a residential setting of Victorian era dwellings of 1-2 storeys, and is located opposite a local park - Condell Street Reserve.</p> <p>Napier Street is an important local north-south link and supports a high level of pedestrian traffic. The Town Hall was constructed in Napier Street as it was originally designed to be the major thoroughfare of Fitzroy.</p> <p>Topography is flat in this area.</p>
<b>Heritage Overlay</b>	<p>The Fitzroy Town Hall is covered by two Heritage Overlays:</p> <p>HO334 – South Fitzroy Precinct</p> <p>HO180 – 201 Napier Street, Fitzroy Town Hall</p>
<b>Heritage Significance</b>	<p>The Town Hall is listed in the Victorian Heritage Register (Ref No H147) and is of architectural and historical significance to the State.</p>
<b>Other References</b>	<p>There are a number of web references to the Town Hall, including the heritage site E Heritage (<a href="http://eheritage.metadata.net/record/VIC-67124">http://eheritage.metadata.net/record/VIC-67124</a>) and tourism page Hidden Melbourne (<a href="http://www.hiddenmelbourne.com.au/virtual-tour/fitzroy-town-hall/">http://www.hiddenmelbourne.com.au/virtual-tour/fitzroy-town-hall/</a>) in which you can participate in an interactive virtual tour of the building.</p>
<b>Landmark Significance</b>	<p>The Town Hall clock tower is of municipal significance as a landmark as:</p> <ul style="list-style-type: none"> <li>• A most intact and exemplary High Victorian building, as noted by its listing on the Victorian Heritage Register, particularly the ornate exterior features of the Courthouse entrance.</li> <li>• An ornate and grand landmark feature within an otherwise residential setting, which serves as a community focal point.</li> <li>• A place of historical significance as a symbol of the growth of Melbourne during the long boom prior to the 1890s.</li> </ul>
<b>Current Policy &amp; Controls</b>	<p>The Fitzroy Town Hall clock tower is currently listed in Clause 22.03 Landmarks Policy.</p> <p>The site is and adjoining sites to the north and east are zoned Neighbourhood Residential Zone (NRZ1) which applies a mandatory 8m height control.</p> <p>Adjoining sites to the south and west are zoned General Residential Zone (GRZ3) which applies a discretionary 9m height control. Sites further to the west are within the Mixed Use Zone and Commercial 1 Zone, neither of which apply a height control.</p> <p>No Design and Development Overlays apply to the site or immediate area.</p>

# Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)

CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY



VIEW 1



VIEW 2



VIEW 3



# Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)

CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY

## Views Assessment

As a prominent feature of the local neighbourhood around Napier Street, some local views are afforded of the Town Hall clock tower. This includes close-range views of the tower, dynamic views which can be obtained while moving along Napier and Moore Streets, and from nearby open spaces.



**ARCHITECTURAL ELEMENTS**  
(Provided by GJM Heritage Consultants)

### PRIMARY VIEWS

<b>View 1</b>	<b>South West Corner of Condell Street and George Street Intersection</b>
<b>Key Features</b>	Condell Street is one of the streets that connects Brunswick and Smith Streets. The partial view of the Tower from the east starts after the apex of the hill around intersection of Gore and Condell Streets. However, the first clear view of the tower when coming from the east is from the intersection of Condell and George Streets. The clock tower in its entirety, sitting upon its building base and silhouetted against the sky, can be seen from this view location.
<b>Management Issues</b>	Land immediately to the west of the Town Hall tower is zoned NRZ and could not be developed with higher scale form which might impede the tower's skyline silhouette. While sites further west between Young and Brunswick Street could potentially be developed with higher scale form, it is unlikely to be of a scale that would be visible within this view.
<b>View 2</b>	<b>Condell Street Reserve (centre of the park)</b>
<b>Key Features</b>	Condell Reserve is a small local park opposite the Town Hall. The clock tower in its entirety, sitting upon its building base and silhouetted against the sky, can be seen from this view location.
<b>Management Issues</b>	As above.
<b>View 3</b>	<b>North East Corner of Kent Street and Moor Street Intersection</b>
<b>Key Features</b>	From this vantage point, the clock tower is partially obstructed by trees with only the clock face, cupola and flag pole visible. The intersection is an important pedestrian and bicycle route, and provides the first view of the clock tower of Town Hall when coming from Brunswick Street.
<b>Management Issues</b>	Land to the west of the Town Hall zoned NRZ could not be developed with higher scale built form.

**Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)**

CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY



**VIEW 4**



**VIEW 5**

## Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)

CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY

### SECONDARY VIEWS

<b>View 4</b>	<b>Moor Street and Napier Street Intersection</b>
Key Features	<p>This point provides a clear oblique view of the entire structure of the tower upon its building base within the streetscape setting of Napier Street.</p> <p>Due to the large scale of the Town Hall and the central location of the tower on the building, and the lack of visible surrounding development, the tower is seen silhouetted against the sky and a dominant visual element in this setting.</p>
Management Issues	<p>Should the housing estate be redeveloped in future, it will be important to ensure that the clock tower remains as the dominant feature of the streetscape.</p>
<b>View 5</b>	<b>Intersection of Napier Street and Condell Street</b>
Key Features	<p>Similar to view 4, this point provides a clear oblique view of the entire structure within the streetscape setting of Napier Street.</p>
Management Issues	<p>Land immediately to the west of the Town Hall tower is zoned NRZ and could not be developed with higher scale form which might impede the tower's skyline silhouette. While sites further west between Young and Brunswick Streets could potentially be developed with higher scale form, it is unlikely to be of a scale that would be visible within this view.</p>

Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)



## Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)

CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY

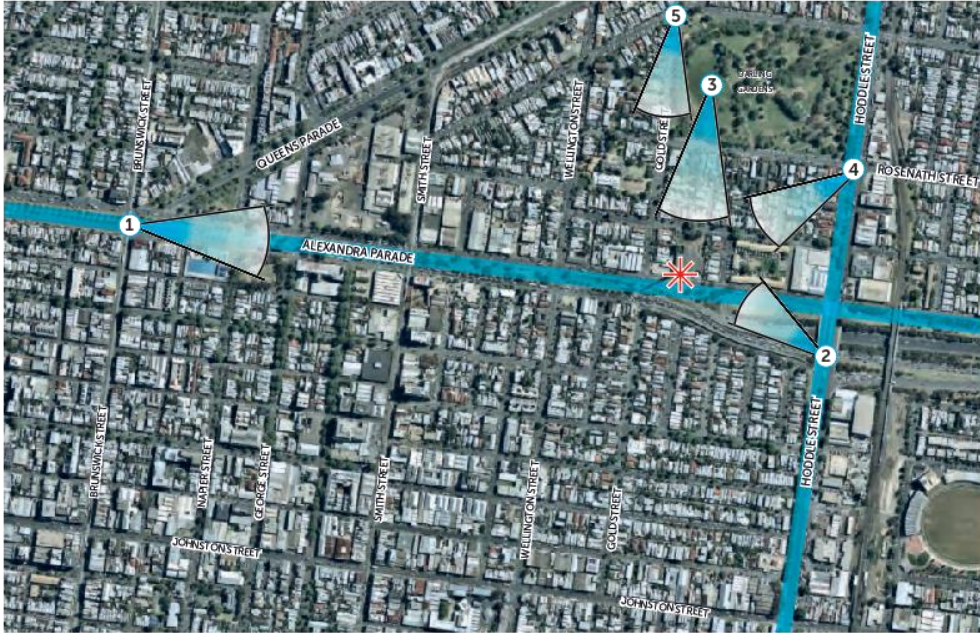
# 5 Shot Tower, Clifton Hill

## 94 Alexandra Parade, Clifton Hill

Description	<p>This is a freestanding shot tower, constructed of brick, approximately 8 storeys in height. The tower has semi-circular arched windows and decorative brick bands and polychrome patterns.</p> <p>The visual qualities of this industrial landmark include its height relative to the low-rise surroundings, and the slender form. There are no specific architectural details that enable a specific point on the structure to be established as the principle 'landmark' element.</p>
Setting	<p>The tower is located on southern boundary of the site with frontage to Alexandra Parade. The site is developed with 1-2 storey scale commercial/industrial buildings. The tower's base is visible from Alexandra Parade. Surrounding buildings are 1-2 storey dwellings and commercial buildings.</p> <p>Alexandra Parade through to the Eastern Freeway is a major east-west link.</p> <p>Topography is flat in this area.</p>
Heritage Overlay	<p>The shot tower is covered by two Heritage Overlays:</p> <p>HO85 – 94 Alexandra Parade Clifton Hill, Shot Tower</p> <p>HO317 – Clifton Hill Western Precinct</p>
Heritage Significance	<p>The Shot Tower is of historical and architectural significance to the State of Victoria. It is one of the largest shot towers in Australia.</p> <p>Within the Clifton Hill Western Heritage Overlay, the shot tower is noted as being a significant landmark for the precinct.</p>
Other References	<p>The tower has a number of web references, including the Walking Melbourne tours and Collingwood Heritage Society.</p>
Landmark Significance	<p>The shot tower is of metropolitan significance as a landmark as:</p> <ul style="list-style-type: none"> <li>• A visually prominent feature as the tallest structure in the locality and is silhouetted against the sky from all view points.</li> <li>• A landmark feature at the intersection of regional roads.</li> <li>• The only shot tower within the City of Yarra.</li> <li>• It is of high architectural and aesthetic significance as noted by its listing on the Victorian Heritage Register.</li> <li>• It is noted in local and metropolitan tourism/cultural references.</li> </ul>
Current Policy & Controls	<p>The shot tower is currently listed in Clause 22.03 Landmarks Policy.</p> <p>The site is zoned General Residential Zone (GRZ4); a mandatory 11.5m height control applies.</p> <p>Adjoining sites to the north, south, west are zoned Neighbourhood Residential Zone (NRZ1), where mandatory 8m height control applies.</p> <p>The adjoining site to the east is zoned Commercial 2, as are sites along Alexandra Parade west of Wellington Street, where no height control applies. West of Smith Street land is zoned Public Use Zone (PUZ1) and no height control applies.</p> <p>The Design and Development Overlay applies (DDO2 Main Roads &amp; Boulevards) which has no height control.</p>

# Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)

CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY



VIEW 1



VIEW 2



VIEW 3

## Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)

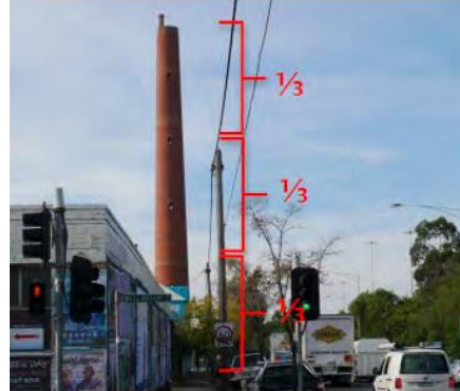
CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY

### Views Assessment

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.



**ARCHITECTURAL ELEMENTS**  
(Provided by GJM Heritage Consultants)

### PRIMARY VIEWS

<b>View 1</b>	Brunswick Street and Alexandra Parade Intersection (north-east corner of centre median)
<b>Key Features</b>	<p>Clear, long-range views towards the tower are afforded along the major roadway of Alexandra Avenue heading towards Punt Road and Eastern Freeway. This intersection is significant in size and there are two important viewing points; one is on the north east corner of the Alexandra Parade median strip and the other is the south west corner of Brunswick St and Alexandra Pde intersection.</p> <p>While this view corridor is dominated by low scale buildings and vegetation on either side of the road and vegetation in the median, the tower is distinctive a feature on the distant horizon. At this distance, the scale of the tower is equivalent to, or lower, than the scale of trees and buildings in the foreground.</p>
<b>Management Issues</b>	<p>Land within this viewcone of the Shot Tower is within C2Z and PUZ and could be developed with high scale buildings that may not obscure views to the tower but would compete in scale with the tower in this view corridor. Adjoining sites to the east of the tower within the background are zoned C2Z. As no height controls apply, a taller scale structure could be constructed that encroaches upon the tower's silhouette against the sky.</p> <p>Any new development should ensure that views of the shot tower silhouette against a clear sky are not impeded. Development within the foreground of the tower should be sited, designed and scaled to retain clear views to at least the top one third of the tower structure. To ensure the tower retains its landmark status and visual prominence, the upper levels of any new development should be appropriately sited, so as not to diminish the impact of this view.</p>
<b>View 2</b>	Eastern Freeway (west of the Hoddle Street Overpass)
<b>Key Features</b>	The tower is a point of visual interest in long-range views moving west along the Eastern Freeway towards Alexandra Avenue. Before the railway bridge, the view of the tower is intermittent and partial; after the bridge most of the structure can be seen and it is a prominent visual reference at this point.
<b>Management Issues</b>	<p>Land within the viewcone of the shot tower from the Freeway could be developed in ways that impeded the views of the tower.</p> <p>Any new development should ensure that views of the shot tower silhouette against a clear sky are not impeded. Development within the foreground of the tower should be sited, designed and scaled to retain clear views to at least the top one third of the tower structure.</p>
<b>View 3</b>	Darling Gardens (Rotunda)
<b>Key Features</b>	Partial, long-range views towards the tower are afforded from the central seat at the junction of all pedestrian paths in Darling Gardens, over the rooftops of adjoining dwellings. The upper half of the tower is visible and it is a clear reference point on the horizon.
<b>Management Issues</b>	The mandatory height controls of the NRZ and GRZ would retain this view.

**Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)**

CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY



**VIEW 4**



**VIEW 5**



## Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)

CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY

### SECONDARY VIEWS

<b>View 4</b>	<b>Roseneath Street and Hoddle Street Intersection</b>
Key Features	From this viewpoint the top two thirds of the tower are visible, rising from a streetscape of small scale residential dwellings.
Management Issues	The mandatory height controls of the NRZ and GRZ would retain this view.
<b>View 5</b>	<b>Gold Street and Queens Parade Intersection</b>
Key Features	While partially obscured by vegetation, the top two thirds of the tower can be seen from this viewpoint. Similar to view 5, the tower dominates the small scale streetscape setting in the foreground.
Management Issues	As above.

Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)



## Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)

CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY

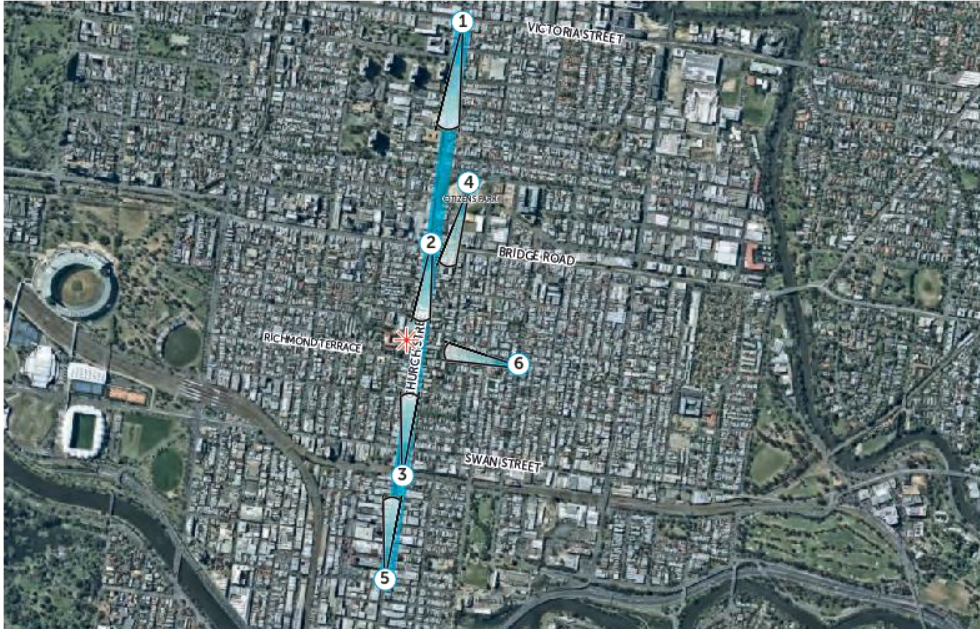
# 6 Spire of St Ignatius' Church, Richmond

## 326-348 Church Street, Richmond

Description	The church is designed in the Gothic Revival style using brick and sandstone. The spire is constructed of sandstone and sits atop a landmark tower of brick and sandstone, which employs tracery, moulding and four pinnacles at each corner of the tower. The bottom section of the tower that projects above the building's roofline comprises arcaded windows on each elevation.
Setting	The church is located on the western side of Church Street with an east facing street frontage and is constructed on a commanding site at the summit of Richmond Hill. The church is positioned atop a set of stairs that give a sense of grandeur amongst the residential setting.  Church Street is a major north-south link, and is named for this church.  Surrounding buildings are 1-2 storey brick dwellings. A heritage listed Romanesque style primary school is located to the west and a heritage listed Anglican church to the south.  Sits atop a hill that inclines from the north.
Heritage Overlay	The site is covered by two Heritage Overlays:  HO332 – Richmond Hill Precinct  HO359 - St Ignatius Church Complex
Heritage Significance	The building is listed on the Victorian Heritage Register (H2146).  St Ignatius' Church, Richmond is of architectural, aesthetic and historical significance to the State of Victoria. The VHD report comments that the church holds a commanding site at the top of the Richmond Hill Precinct.  The national trust report again comments on the church holding a commanding site within Richmond. It goes on to say "St Ignatius' Church is one of Melbourne's most dramatic suburban churches, of cathedral-like scale and character". It notes that the church is a prominent landmark for the suburb of Richmond due to its location on a prominent hill.
Other References	There are a number of web references to the heritage and prominence of the Church, and it has its own facebook page.
Landmark Significance	The church spire is of municipal significance as a landmark as: <ul style="list-style-type: none"> <li>• It is sited on a major road and is a significant ecclesiastical landmark in Richmond.</li> <li>• It is one of Melbourne's most dramatic suburban churches, of cathedral-like scale and character. Located on a prominent hill, it is a major landmark in Richmond.</li> <li>• Conspicuously sited in an impressive manner, it is the dominant element in an important and cohesive precinct with a range of ecclesiastical buildings.</li> <li>• It has aesthetic significance for the quality of its fittings and decorative elements, including stained glass and the marble high altar.</li> </ul>
Current Policy & Controls	Currently listed in Clause 22.03 Landmarks Policy.  Site is zoned General Residential Zone (GRZ2); a mandatory 9m height control applies.  To the north land is zoned General Residential Zone (GRZ2 & GRZ3); a 9m discretionary and mandatory control applies respectively.  Adjoining sites to the west and east zoned are Neighbourhood Residential Zone (NRZ1) and GRZ2; a mandatory 9m height control applies.  No Design and Development Overlays apply.

# Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)

CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY



VIEW 1



VIEW 2



VIEW 3

## Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)

CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY

### Views Assessment

The church is dominant from its surrounding context, with Church Street being named after the landmark.

Views to the church are dominant from the middle of the street, however they are generally obstructed by trees when viewed from the footpath.

The belfry provides a visual anchor to the spire of the church and the 'key' views of these structures should include both the belfry of the tower and the spire. Long distance views of the silhouette are afforded from Bridge Road, including from the river crossing to the south.



#### ARCHITECTURAL ELEMENTS

(Photo Provided by GJM Heritage Consultants)

### PRIMARY VIEWS

<b>View 1</b>	<b>Tram terminus at Church and Victoria Streets Intersection</b>
<b>Key Features</b>	Church and Victoria Streets are highly important vehicular, public transport and pedestrian routes, containing retail and commercial uses. This location provides the first clear view of the Spire when coming from the north, with the belfry and spire clearly visible. While moving along Church Street from this point the spire remains the most visible element, with the belfry partially obscured by foliage in the summer.
<b>Management Issues</b>	Land immediately to the south and west of the church is zoned NRZ and could not be developed with higher scale form which might impede the tower's skyline silhouette.
<b>View 2</b>	<b>North East Corner of Bridge Road and Church Street Intersection</b>
<b>Key Features</b>	Similar to view 1, although partly obscured by trees when in leaf, the spire and part of the belfry are visible.
<b>Management Issues</b>	Land within the viewcone includes sites on the west side of Church Street that are within the C1Z, and could be developed for higher building forms with the potential to obscure views of the tower.  Any new development should ensure that views of the tower silhouette are not impeded. Development within the foreground of the tower should be sited, designed and scaled to retain clear views to the tower belfry and spire. To ensure the tower retains its landmark status, the upper levels of any new development above the predominant parapet line on the west side of Church Street between the Berry Street and the church should contain appropriate upper level setbacks.
<b>View 3</b>	<b>South East corner of Church Street and Swan Street</b>
<b>Key Features</b>	The structure of the belfry tower and its spire in its entirety, sitting upon its building base and silhouetted against the sky, can be seen from this view location. The base of the tower is partly obscured by foliage in the summer. Swan Street and Church Street intersection is important, however, the views to the church are obstructed by trees from this point. This tram stop is only 100m away from the intersection.
<b>Management Issues</b>	Land immediately to the south and north of the church is zoned NRZ and GRZ. Height restrictions in these zones will prevent development from impeding on the significance of this view. Land closer to Swan Street is within the C1Z zone and there is potential for sites to the northern end of the zone to impact on views to the spire.  Any new development should ensure that views of the spire silhouette are not impeded. Development within the foreground of the spire from this view should be sited, designed and scaled to retain clear views to the belfry and spire.

**Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)**

CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY



**VIEW 4**



**VIEW 5**



**VIEW 6**

## Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)

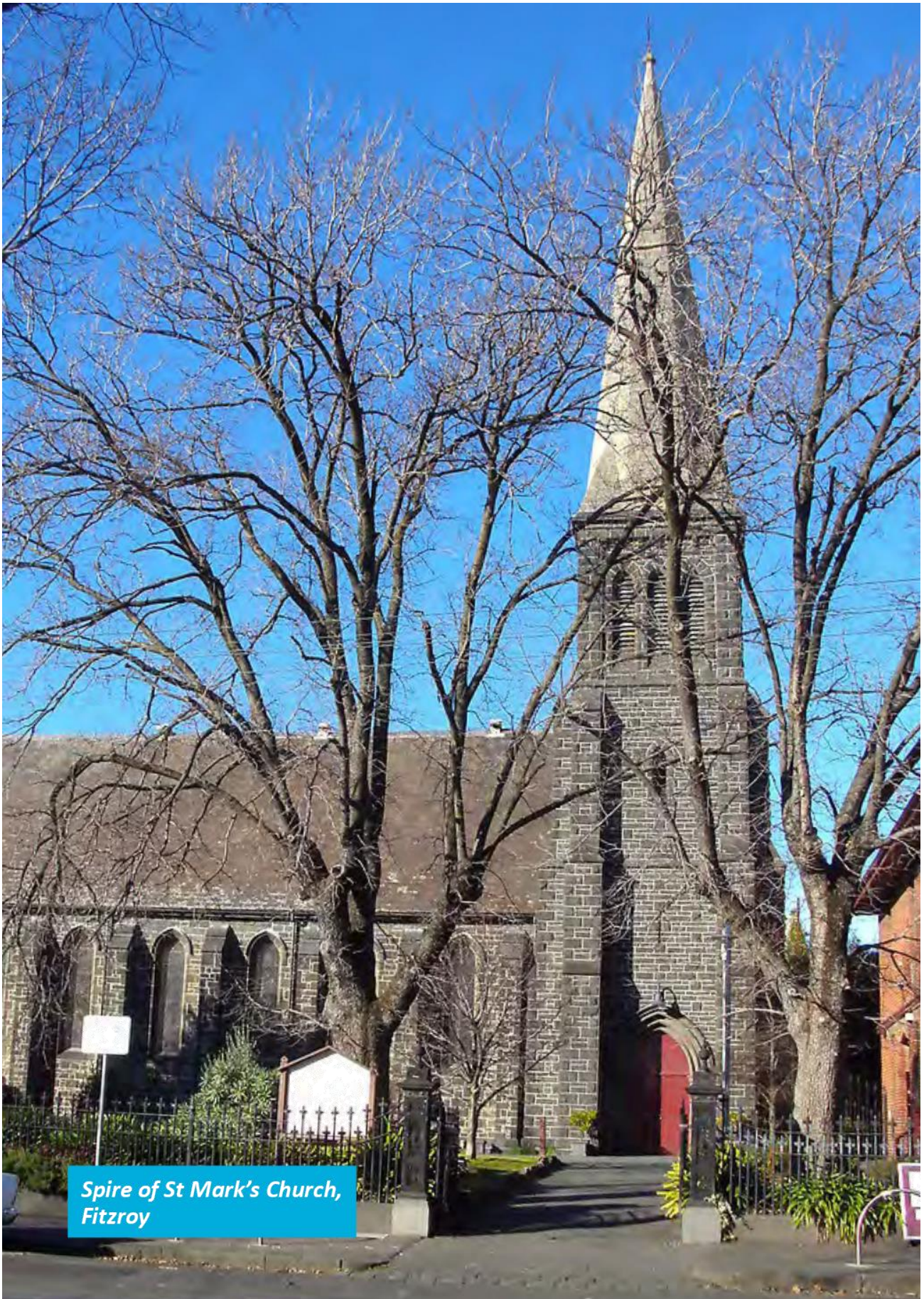
CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY

<b>View 4</b>	<b>Citizens Park (Path around oval at Highett Street/Gleadell Street entry)</b>
Key Features	From the major open space of Citizens Park a clear view of the spire and belfry above the church is afforded. These views are from the path around the oval, the Highett Street and Gleadell Street intersection and the central entrance from Highett Street. This is paired with the view of the Richmond Town Hall clock tower to the east. Existing buildings to the north and west of the Town Hall do not obstruct views to the spire and tower so they are both seen silhouetted against the sky.
Management Issues	As no height controls apply to the C1Z sites to the north of Bridge Road a taller structure could be built in the foreground of the spire that impedes views of its silhouette against the sky. Any new development should ensure that views of the spire silhouette are not impeded. Development within the foreground of the spire from this view should be sited, designed and scaled to retain clear views to the belfry and spire.

### SECONDARY VIEWS

<b>View 5</b>	<b>Cotter and Church Streets Intersection</b>
Key Features	From this viewpoint the silhouette of the church and its spire is visible when entering across the river. Views from the footpath of this location are not as clear as views from the middle of the road.
Management Issues	See view 3.
<b>View 6</b>	<b>Coppin Street and Wall Streets Intersection</b>
Key Features	From this view point the church, belfry and spire are very prominent features of the streetscape. While trees obscure parts of the church, the spire is not obscured. This intersection is part of an important bicycle route.
Management Issues	NRZ and GRZ zoning will prevent developments from significantly obscuring the church.

**Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)**





## Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)

CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY

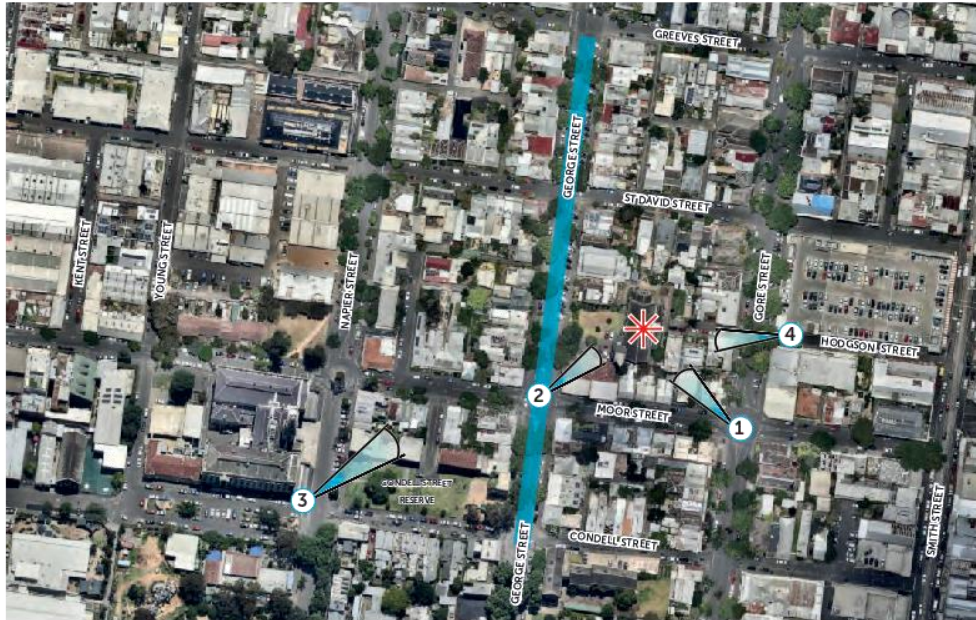
# 7 Spire of St Mark's Church, Fitzroy

## 268 George Street, Fitzroy

Description	The church spire and belfry tower are constructed using bluestone and are largely unadorned. The spire sits atop the symmetrical landmark tower with lancet windows. The spire is finished in slate. St Mark's Church is a large bluestone building of approximately 2-3 storeys in scale.
Setting	<p>The church is located on the eastern side of George Street with a west facing street frontage. It sits within a residential setting of Victorian era row houses and dwellings. The church is set back from the street to accommodate a landscaped area and hall. The church is not always visible from the surrounding area.</p> <p>George Street is a north-south local street.</p> <p>Surrounding buildings are 1-2 storey dwellings.</p> <p>Topography is flat in this area.</p>
Heritage Overlay	<p>The Church has two Heritage Overlays:</p> <p>HO334 – South Fitzroy Precinct</p> <p>HO158 – St Mark's Anglican Church</p>
Heritage Significance	<p>The church is listed on the Victorian Heritage Register (H553).</p> <p>St Marks Anglican Church is of architectural, historical, aesthetic and social significance to the State of Victoria.</p> <p>The only reference to the spire is in the National Trust Statement of Significance. It comments that the church includes an impressive broach spire to the north west.</p>
Other References	<p>The church as a whole has been mentioned in various heritage and history web sites but there is little information found on the spire's cultural importance.</p>
Landmark Significance	<p>The church spire is of local significance as a landmark as:</p> <ul style="list-style-type: none"> <li>• It is of architectural significance as one of Melbourne's finest and earliest bluestone churches.</li> <li>• It is of historical significance to the State of Victoria as a physical remnant of the growth of Melbourne's first suburb.</li> <li>• It is of aesthetic significance for the fine collection of stained glass.</li> <li>• The church spire is a landmark within an otherwise low scale residential area.</li> <li>• The church is located within a quiet residential area, on local roads, and is not readily visible from nearby main roads.</li> </ul>
Current Policy & Controls	<p>Currently listed in Clause 22.03 Landmarks Policy.</p> <p>The site and the surrounding area are zoned Neighbourhood Residential Zone (NRZ1); mandatory 9m height controls apply.</p> <p>No Design and Development Overlays apply.</p>

# Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)

CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY



VIEW 1



VIEW 2



VIEW 3



VIEW 4

## Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)

CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY

### Views Assessment

This landmark is not visible from any main streets, and as a result these views are identified from local streets.

Within these local streets the views are often obstructed by trees and buildings.

The belfry provides a visual anchor to the spire of the church and the 'key' views of this structure should include both the belfry of the tower and the spire, although the spire is the most visible element.

A previous VCAT case for 247-249 Gore Street, Fitzroy considered that views from the Moore and George Streets corner were of highest importance, as the spire could be appreciated within its context and heritage setting of the St Marks Church building.



#### ARCHITECTURAL ELEMENTS

(Provided by GJM Heritage Consultants)

### PRIMARY VIEWS

View 1	South East Corner of Moor Street and Gore Street Intersection
Key Features	The belfry and spire sit above the streetscape, partially obstructed by surrounding trees and the church itself.
Management Issues	Surrounding land is zoned NRZ and could not be developed with higher scale form which might impede the spire's skyline silhouette.
View 2	South West Corner of Moor Street and George Street Intersection
Key Features	As above.
Management Issues	As above.
View 3	North West Corner of Condell Street and Napier Street Intersection
Key Features	The spire and upper portion of the belfry are clearly visible from this view. The belfry and spire are also clearly visible from the community garden located in the median strip of Condell Street north of the intersection.
Management Issues	As above.

### SECONDARY VIEWS

View 4	Hodgson Street and Gore Street Intersection
Key Features	This viewpoint is from a lower elevation than the surrounding primary views. At this point the streetscape obscures all but the spire of the church.
Management Issues	As above.

Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)



## Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)

CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY

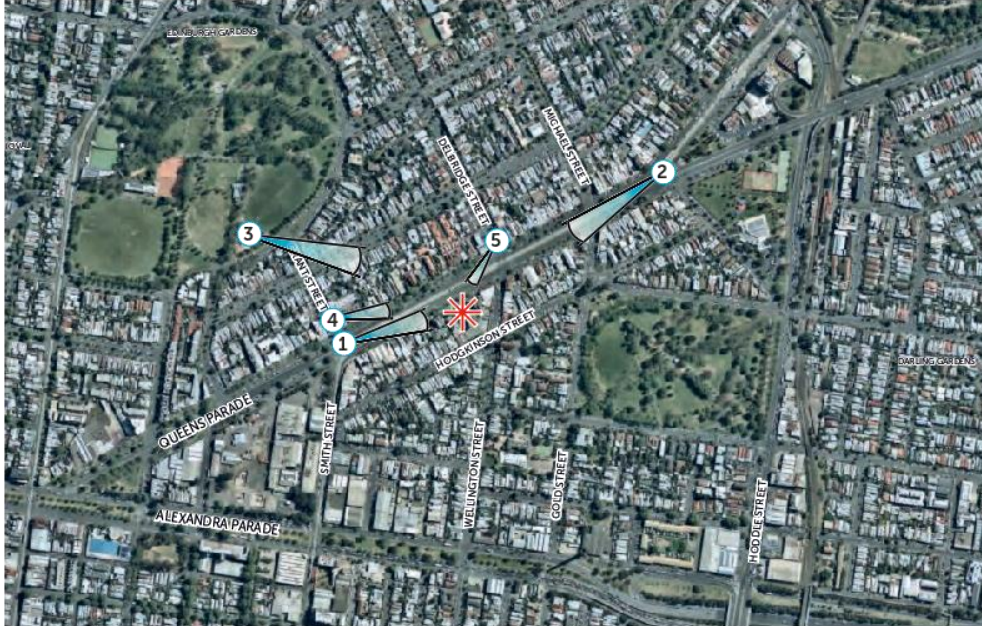
# 8 Spire of St John’s Church, Clifton Hill

## 61 Queen’s Parade, Clifton Hill

Description	Designed in the Victorian Gothic style, the church spire is constructed of bluestone and sandstone. The sandstone spire sits atop a landmark bluestone tower with lancet windows and tracery and incorporates four symmetrical elaborately adorned pinnacles.
Setting	<p>The church is located on the south-east side of Queen’s Parade with a north-west street frontage. The church is set amongst a built environment consisting of Victorian-era and Edwardian-era dwellings, school buildings and shops, with a contribution from well preserved inter-war buildings.</p> <p>Queen’s Parade is a major thoroughfare north-east of the CBD.</p> <p>Surrounding buildings are 1-2 storey residences, shops and commercial buildings.</p> <p>Topography is flat in this area; the broader area of Queens Parade sits on a slight elevation.</p>
Heritage Overlay	The Church is covered by one heritage overlay which is HO330 Queens Parade Precinct. The Church itself does not have a specific overlay.
Heritage Significance	The Statement of Significance has a few comments relating to the church. It attributes “landmark religious building groups” as being a part of the identity of the Precinct and possessing “a wide boulevard character, with associated landscape and view lines to major early building complexes, such as the St. John’s Catholic Church group.”
Other References	There are no web references to the Church and its spire.
Landmark Significance	<p>The church spire is of local significance as a landmark as:</p> <ul style="list-style-type: none"> <li>• A visually prominent feature as the tallest structure in the local area.</li> <li>• An ornate and elaborate landmark feature along an arterial road.</li> <li>• The prominence of the church spire and complex enhances the surrounding areas aesthetic and historical significance.</li> <li>• It is of high architectural, social and aesthetic significance as noted by its listing on the Victorian Heritage Register.</li> </ul>
Current Policy & Controls	<p>Currently listed in Clause 22.03 Landmarks Policy.</p> <p>The site and neighbouring sites to the west and south are zoned Neighbourhood Residential Zone (NRZ1) and the site immediately to the east is zoned GRZ2; mandatory 9m height control applies.</p> <p>Sites further to the east on Queens Parade are zoned Commercial 1 Zone (C1Z); no height controls apply.</p> <p>No Design and Development Overlays apply.</p>

# Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)

CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY



VIEW 1



VIEW 2



VIEW 3

## Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)

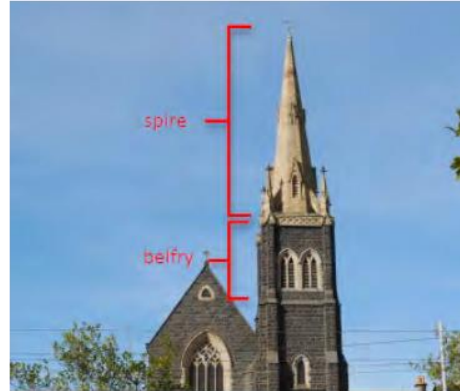
CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY

### Views Assessment

Key oblique views of St John the Baptist Church tower and spire are provided from a number of surrounding intersections.

From these intersections the tower and spire of the church become a prominent landmark element within the street scape.

The belfry provides a visual anchor to the spire of the church and the 'key' views of this structure should include both the belfry of the tower and the spire.



**ARCHITECTURAL ELEMENTS**  
(Provided by GJM Heritage Consultants)

### PRIMARY VIEWS

<b>View 1</b>	<b>Pedestrian refuge on the south west corner of the intersection of Queens Parade and Smith Street</b>
<b>Key Features</b>	This intersection provides the first clear view of the spire and belfry that is not obstructed by trees. The principal view of the church is from northern side of Queens Parade, however, there are some key short, oblique views of the spire and belfry from the south-western side of Queens Parade and Smith Street. Although partially obstructed by poles and wires, the belfry and spire of the church are prominent features of the streetscape from this intersection.
<b>Management Issues</b>	Sites on the southern side of Queens Parade are within Heritage Overlays (Precinct controls) and many in the foreground views are within the C2 zone and some in the background view are within C1 zone where no height restrictions apply. There is potential for development on these sites to obscure views to the belfry and spire from this viewpoint, or to impinge into the views of the spire against a clear sky.  Development within the foreground of the church should be sited, designed and scaled with appropriate setbacks to retain views to the belfry and spire. Development within the background of the church should avoid intruding into the 'clear sky' views of the spire and belfry. To ensure the spire and belfry retains its landmark status, the upper levels of any new development above the parapet line on the south side of Queens Parade should contain appropriate upper level setbacks.
<b>View 2</b>	<b>Pedestrian crossing at south west end of Raines Reserve</b>
<b>Key Features</b>	This pedestrian crossing provides the first prominent view of the landmark from the north and east, however buildings in the foreground obstruct more of the belfry (depending on the angle). Poles and wires have less of an impact on this view, as the distance between the church and this viewpoint is greater than that of view 1.
<b>Management Issues</b>	Land immediately adjacent to both sides of the church is zoned NRZ, and will not be developed with high scale form that would impede any view. The Commercial 1 Zone to the north east of the church could however accommodate development that could obstruct this view. Development within the background of the church should avoid intruding into the 'clear sky' views of the spire and belfry.
<b>View 3</b>	<b>Alfred Crescent Pavilion in Edinburgh Gardens</b>
<b>Key Features</b>	From this viewpoint the belfry and spire of the church can be clearly seen silhouetted against the sky. Vegetation covers the rest of the building.
<b>Management Issues</b>	NRZ between the pavilion and the church will prevent development capable of impeding this view.

**Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)**

CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY



**VIEW 4**



**VIEW 5**



## Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)

CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY

### SECONDARY VIEWS

View 4	Grant Street and Queens Parade Intersection
Key Features	Similar to view 1, the belfry and spire of the church are prominent features of the streetscape, with trees obstructing the rest of the building.
Management Issues	The NRZ adjacent to the church will prevent development that may impede this view.
View 5	Michael Street and Queens Parade Intersection
Key Features	As above.
Management Issues	As above.

**Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)**



*Church Spire of St Luke's,  
Fitzroy North*

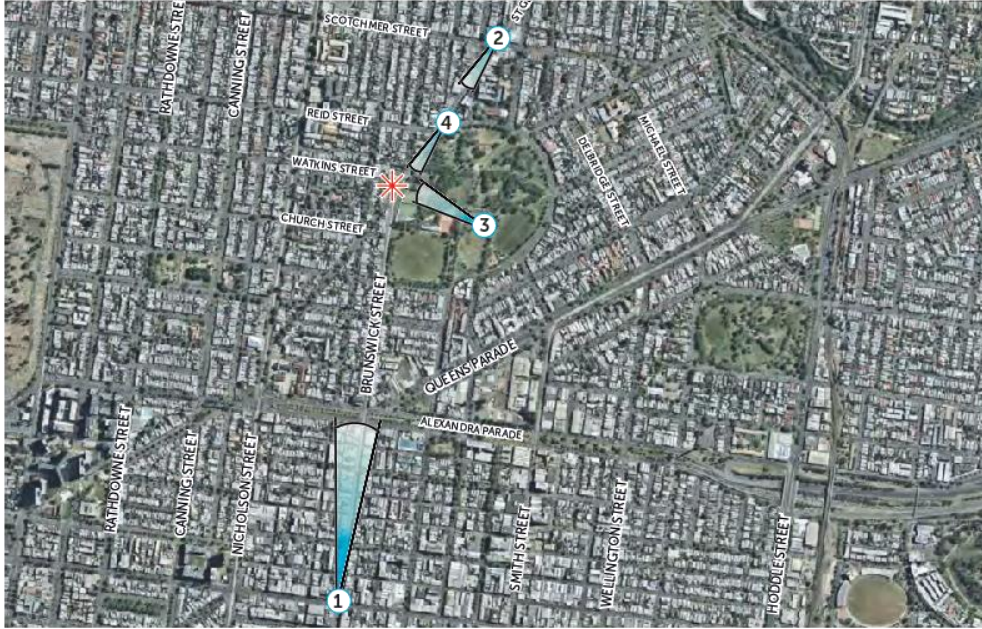
## 9 Spire of St Luke’s Church, Fitzroy North

### 121-123 St Georges Road, Fitzroy North

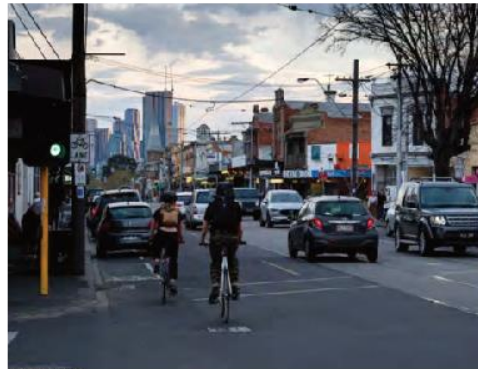
<b>Description</b>	The Church of St Luke’s is constructed of bluestone with brick dressings and a recently restored bellcast pressed metal spire. The mansard spire sits atop a symmetrical landmark tower which incorporates lancet windows and ornamental brickwork. The spire and tower is approximately double the height of the building.
<b>Setting</b>	<p>The church is located on the western side of St Georges Road with an east facing street frontage. It sits within an urban setting of Victorian and Edwardian era dwellings, with a small mix of inter-war dwellings. The church is also located opposite the Fitzroy Victoria Bowling &amp; Sports Club.</p> <p>St Georges Road is a major north-south arterial.</p> <p>Surrounding buildings are 1-2 storey dwellings and commercial buildings.</p> <p>Topography is flat in this area.</p>
<b>Heritage Overlay</b>	The church is covered by one heritage overlay which is HO327 North Fitzroy Precinct. The church itself does not have a specific overlay.
<b>Heritage Significance</b>	<p>The church is a heritage building listed by both Yarra City Council and the National Trust.</p> <p>The National Trust Statement of Significance comments on the spire being the most attractive and dominant features of the church. The Yarra Council Statement of Significance acknowledges the importance of the Brunswick Street vista, which is described as north to St Luke’s spire.</p>
<b>Other References</b>	There are limited web references to the church, and nothing relating to the spire.
<b>Landmark Significance</b>	<p>The church spire is of local significance as a landmark as:</p> <ul style="list-style-type: none"> <li>• A visually prominent feature as the tallest structure in the locality, with particular prominence when travelling from the south.</li> <li>• A landmark feature along a major arterial of Brunswick Street, and its relationship to the spire of St Patrick’s Cathedral at the southern end of the street.</li> <li>• The preservation of the surrounding 1-2 storey buildings allows for the spire to be dominant against the backdrop of the sky.</li> <li>• It is of high aesthetic and historical significance as noted by its listing on the Victorian Heritage Register.</li> </ul>
<b>Current Policy &amp; Controls</b>	<p>Currently listed in Clause 22.03 Landmarks Policy.</p> <p>The site and neighbouring sites to the west, north and south are zoned Neighbourhood Residential Zone (NRZ1); mandatory 9m height control applies.</p> <p>No Design and Development Overlays apply.</p>

# Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)

CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY



VIEW 1



VIEW 2



VIEW 3



VIEW 4

## Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)

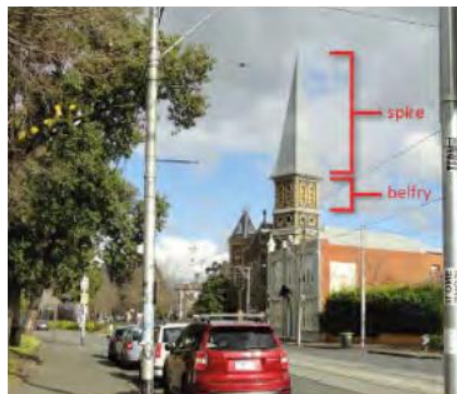
CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY

### Views Assessment

Located at the northern end, St Luke's Church in collaboration with St Patrick's Cathedral at the southern end, both form terminal views of Brunswick Street, Fitzroy.

As such, the church's spire and belfry is viewed from a long distance. The belfry provides a visual anchor to the spire of the church and the 'key' views of this structure should include both the belfry of the tower and the spire.

There are also numerous localised views of the church's spire from surrounding streets and open space, including Edinburgh Gardens.



#### ARCHITECTURAL ELEMENTS

(Provided by GJM Heritage Consultants)

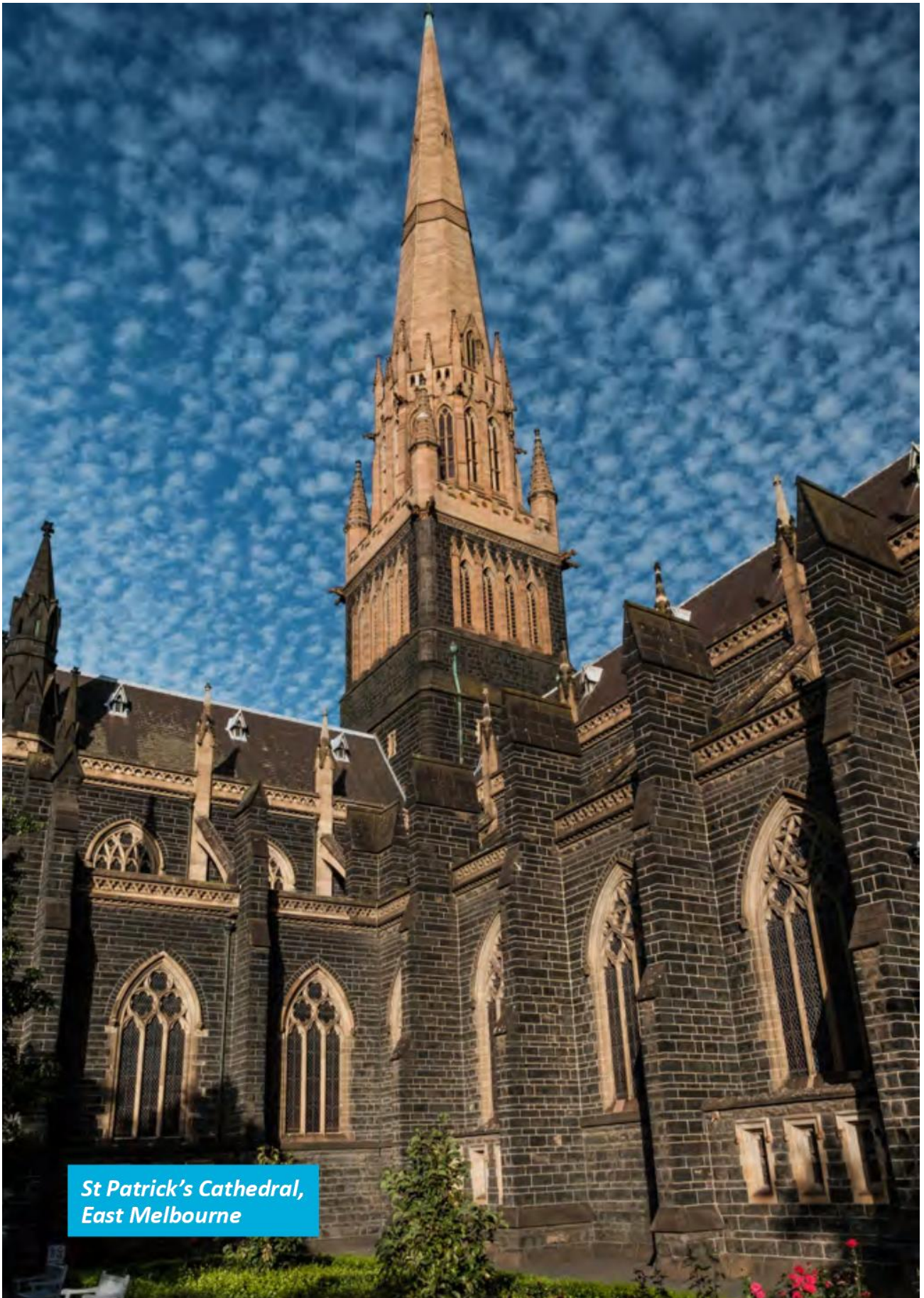
### PRIMARY VIEWS

View 1	South East Corner of Brunswick Street and Johnston Street Intersection
Key Features	This intersection is a highly trafficked location with a significant concentration of activity around shops, trams, bicycle routes and entertainment uses. It is a popular tourist destination. A long distance view is available down Brunswick Street, from which the belfry and spire of the church can be seen as highly significant features of the streetscape.  This is a significant long distance view, mirrored by the view to the south of St Patrick's Cathedral spire, where the landmark terminates a view corridor along a major road, within a predominantly heritage dominated built form context.
Management Issues	As the tower is centrally located in the streetscape it would not be obstructed by new development.
View 2	North East Corner of Scotchmer Street and St Georges Road Intersection
Key Features	St Georges Road is a heavily trafficked thoroughfare which contains shops, trams, and access to Edinburgh Gardens. Scotchmer Street is an important pedestrian and bicycle route and provides a pedestrian connection to Rushall Station.  This is a medium distance view along St Georges Road. This view is dominated by the CBD skyline in the distance, and as a result the church does not as significantly stand out above the streetscape.
Management Issues	The prominent location of the church and spire in the streetscape from this view point means that it would not be obstructed by new development along St Georges Road. Development behind the church would not have an impact on the prominent view.
View 3	Edinburgh Gardens (walkway, north of grandstand)
Key Features	This view is from the walkway north of the Club grandstand building. The entirety of the belfry and spire, as well as a portion of the main church building can be seen from this viewpoint, including views over the bowling club.
Management Issues	Land immediately to the west of the church is zoned NRZ and could not be developed with higher scale form which might impede the tower's skyline silhouette.

### SECONDARY VIEWS

View 4	Intersection of Alfred Crescent and St George Road
Key Features	The entire structure of the tower and its spire, sitting upon its building base and silhouetted against the sky, can be seen from this view location.
Management Issues	As above.

**Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)**



*St Patrick's Cathedral,  
East Melbourne*

## Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)

CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY

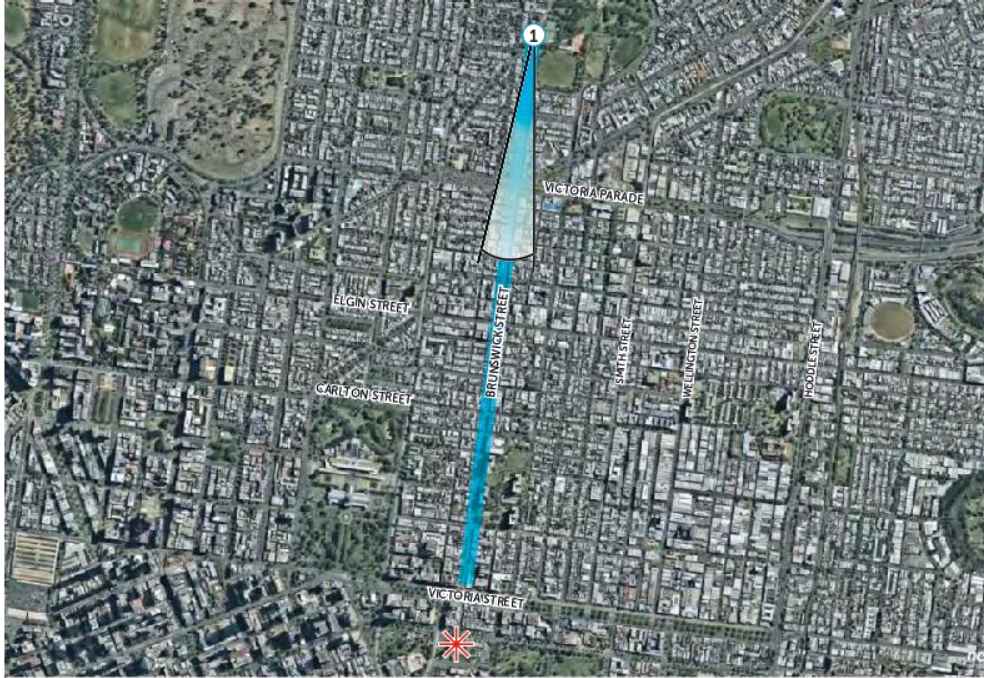
# 10 Spire of St Patrick’s Cathedral, East Melbourne

## 1 Cathedral Place, East Melbourne (The site is not located within Yarra’s boundary)

Description	Designed in the Gothic Revival style, the sandstone spire sits atop a prominent bluestone tower with lancet windows featuring tracery elements. The spire features four heavily ornamented pinnacles joined by crenellations with a series of smaller pinnacles around the base of the spire.
Setting	The cathedral is located north of Cathedral Place with frontage to the south-east. The cathedral is located within a landscaped setting that has been designed to open up views and allow for the cathedral to be the most prominent feature within the surrounding area.  Surrounding buildings range from 4-10 storeys.  Topography is flat in this area.
Heritage Overlay	Heritage overlay is managed by the City of Melbourne, HO129
Heritage Significance	St Patricks Cathedral precinct is included on the Victorian Heritage Register (No355) and is of architectural and historical importance to the state of Victoria. The Statement of Significance on the church does not comment on the view lines or vistas.
Other References	There are numerous web references to St Patrick’s Cathedral, including the Walking Melbourne tours and Trip Advisor web sites.
Landmark Significance	The Cathedral is of State significance as a landmark as: <ul style="list-style-type: none"> <li>It is of architectural importance as the largest Gothic revival building in Victoria and the States principal Catholic Church.</li> <li>The unusual subterranean design around the central circular courtyard allows the cathedral to dominate the surrounding area and opens up the vistas to it.</li> <li>It is identified as a landmark due to its scale and monumentality.</li> <li>It is of high architectural, aesthetic and social significance as noted by its listing on the Victorian Heritage Register.</li> <li>It reflects the change in Melbourne from a provincial town to a prosperous provincial city following the goldrushes in Victoria.</li> </ul>
Current Policy & Controls	The Cathedral is located in the City of Melbourne.  Sites between Victoria Pde and Albert Street in city of Melbourne have potential to block view corridor [Council will provide information about planning controls]  The southern end of Brunswick St within the City of Yarra is zoned Commercial 1 Zone (C1Z) and Mixed Use Zone (MUZ); no height controls apply.

# Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)

CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY



VIEW 1



## Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)

CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY

### Views Assessment

The spire of St Patrick's Cathedral is a highly significant reference point along Brunswick Street. The view corridor extends north to St George's Road, and the view of the Cathedral Spire is dramatically 'bookended' by the spire of St Luke's in North Fitzroy. The spire and its belfry base provide a terminal view along this corridor.

The belfry provides a visual anchor to the spire of the church and the 'key' views of this structure should include both the belfry of the tower and the spire.



**ARCHITECTURAL ELEMENTS**  
(Provided by GJM Heritage Consultants)

### PRIMARY VIEWS

View 1	The footpath outside the main entry to St Luke's at 121-123 St Georges Road, North Fitzroy
Key Features	<p>St Georges Road and Brunswick Street are major thoroughfares for pedestrians, vehicles, trams and cyclists. This intersection is at the entrance to the heavily utilised Edinburgh Gardens and bowling club.</p> <p>The church is clearly visible when St George Road turns into Brunswick Street. All the dominant views are from middle of the street as views from important intersections (pedestrian crossings) are obstructed by awnings. This is the furthest point from where the church is visible. This is a highly significant view where the church is the key feature of a terminal view, and where the landmark terminates a view corridor along a major road. It is also significant for the paired view of the St Luke's spire to the north (at this intersection).</p>
Management Issues	<p>Land in the foreground of the Church and spire from this view point is within C1Z in the Melbourne Planning Scheme and DDO13 (Area 23) applies to protect the Fitzroy Gardens from overshadowing. It is considered that taller structures on the southern side of Victoria Parade (in the City of Melbourne) could obstruct this view. Taller structures on either side of Brunswick Street in this location would not appear to compete in scale with the tower and spire from this location.</p> <p>Any new development within the foreground or background of the tower should be sited, designed and scaled to retain clear views to the belfry and spire from this view point and the silhouette of the spire against a clear sky.</p>
*Note: This view line includes areas outside of The City of Yarra that are not controlled by the Local Planning Scheme.	

**Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)**



## Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)

CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY

# 11 Pelaco Sign, Richmond

## 21 Goodwood Street, Richmond

Description	Erected atop the Pelaco company's former factory is this large double sided sky sign with individual box letters illuminated in neon. The sign sits on top of a supporting framework structure mounted on the roof. Views of clear sky are available behind the box letters and between the sign and the roof.
Setting	<p>The Pelaco sign is located north of Goodwood Street and has both eastern and western faces. The sign sits atop the 4-storey former Pelaco Factory.</p> <p>Goodwood Street is a local road, however the sign can be viewed in the Richmond skyline. Surrounding buildings are 1-3 storey dwellings and commercial buildings.</p> <p>The site is located on Richmond Hill, a prominent topographical feature in the locality.</p>
Heritage Overlay	<p>The Pelaco sign is covered by two Heritage Overlays:</p> <ul style="list-style-type: none"> <li>• HO332 – Richmond Hill Precinct</li> <li>• HO259 – Pelaco Sign</li> </ul>
Heritage Significance	<p>The sign currently is included on the Victorian Heritage Register (H1149).</p> <p>The statement of significance notes that "the landmark status of the sign is enhanced by its prominent position on Richmond Hill and its high degree of visibility from both sides whether illuminated or not".</p>
Other References	The Pelaco Factory has been engrained in Richmond's social and economic life for seventy-five years. There are numerous web references to the sign.
Landmark Significance	<p>The sky sign is of municipal significance as a landmark as:</p> <ul style="list-style-type: none"> <li>• A visually prominent feature and the tallest structure in the immediate locality, silhouetted against the sky from all view points.</li> <li>• It is socially important with its size and prominence symbolising the dominant role played by the Pelaco Company in Australia as a shirt manufacturer.</li> <li>• It symbolises the social and economic importance of Richmond as an industrial suburb.</li> <li>• It is of high historical and social significance as noted by its listing on the Victorian Heritage Register.</li> </ul>
Current Policy & Controls	<p>The sign is currently listed in Clause 22.03 Landmarks Policy.</p> <p>The site is zoned C1Z, which extends to the Bridge Road Activity Centre; no height controls apply.</p> <p>Surrounding sites to the east, west and south are within the Neighbourhood Residential Zone (NRZ1) which applies a mandatory 9m height control.</p> <p>No Design and Development Overlays apply.</p>

# Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)

CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY



VIEW 1



VIEW 2

## Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)

CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY

### Views Assessment

There are numerous views of the Pelaco sign throughout the immediate neighbourhood. The sign is visible from public vantage points along Bridge Road, Church Street and Wellington Parade.

A previous VCAT case for 54-56 Bridge Road, Richmond considered the viewpoints from Bridge Road, Punt Road/Hoddle Street and Wellington Parade to be the most relevant for the purpose of the landmark policy.

#### PRIMARY VIEWS

View 1	Tram Stop 13 on Wellington Parade
Key Features	<p>The first prominent view of the sign when coming from the city.</p> <p>Clear silhouette of the sign, supporting structures and the building roof against a clear sky is afforded from this location. Some street lights and wires slightly obstruct view.</p>
Management Issues	<p>This viewpoint is outside City of Yarra, however these signs were meant to be visible from longer distances and are often oriented to be seen along main thoroughfares, from rail lines and sometimes from more distant suburbs.</p> <p>Land fronting Bridge Road between the sign and the viewing point is zoned C1Z and covered by heritage overlay. These sites could be developed in a manner that impedes the primary view and skyline silhouette.</p> <p>Land immediately to the east and west of the sign is zoned NRZ and could not be developed with higher scale form which might impede its foreground or skyline silhouette.</p> <p>Development within the foreground of the sign should be sited, designed and scaled to retain views to the face of the sign. Development within the background of the sign should avoid intruding into the 'clear sky' views visible between and through the sign lettering. All development should be designed, and finished with muted colours, so as not to compete with the visual prominence of the sign as the principal structure visible above the Bridge Road streetscape.</p>
View 2	North-west corner of intersection of Punt Road and Wellington Parade
Key Features	<p>Silhouette of the sign against the sky, no views of building roof. Some wires obstruct views.</p>
Management Issues	<p>This viewpoint is outside City of Yarra, however these signs were meant to be visible from longer distances and are often oriented to be seen along main thoroughfares, from rail lines and sometimes from more distant suburbs.</p> <p>Land fronting Bridge Road between the sign and the viewing point is zoned C1Z and covered by heritage overlay. These sites could be developed in a manner that impedes the primary view and skyline silhouette.</p> <p>Land immediately to the east and west of the sign is zoned NRZ and could not be developed with higher scale form which might impede its foreground or skyline silhouette.</p> <p>Development within the foreground of the sign should be sited, designed and scaled to retain views to the face of the sign. Development within the background of the sign should avoid intruding into the 'clear sky' views visible between and through the sign lettering. All development should be designed, and finished with muted colours, so as not to compete with the visual prominence of the sign as the principal structure visible above the Bridge Road streetscape.</p>
<p>*Note: The above view lines include areas outside of The City of Yarra that are not controlled by the Local Planning Scheme.</p>	

# Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)

CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY



VIEW 3



VIEW 4

## Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)

CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY

<b>View 3</b>	<b>South West corner Hodgson Terrace and Church Street</b>
<b>Key Features</b>	Reflects the nature of oblique streetscape views, but are secondary as viewlines are from local streets. A clear view of the sign, its supporting structure and the building's roof is afforded from this location. The clear sky view between the sign and the roof is afforded.
<b>Management Issues</b>	<p>Land fronting Bridge Road between the sign and the viewing point is zoned C1Z and covered by heritage overlay. These sites could be developed in a manner that impedes the primary view and skyline silhouette.</p> <p>Land immediately to the east and west of the sign is zoned NRZ and could not be developed with higher scale form which might impede its foreground or skyline silhouette.</p> <p>Development within the foreground of the sign should be sited, designed and scaled to retain views to the face of the sign. Development within the background of the sign should avoid intruding into the 'clear sky' views visible between and through the sign lettering. All development should be designed, and finished with muted colours, so as not to compete with the visual prominence of the sign as the principal structure visible above the Bridge Road streetscape.</p>

### SECONDARY VIEWS

<b>View 4</b>	<b>Lord Street and Abinger Street Intersection</b>
<b>Key Features</b>	Reflects the nature of long distance views, but are secondary as viewlines are from local streets. A clear view of the sign, its supporting structure and the building's roof is afforded from this location. The clear sky view between the sign and the roof is afforded.
<b>Management Issues</b>	As above.





## 12 Skipping Girl Sign, Abbotsford

### 651 Victoria Street, Abbotsford

Description	<p>Skipping Girl is an animated neon sign consisting of a flat painted silhouette background with neon highlighting and backless neon tube on steel support substructure that simulates the figure of a girl, known as 'Little Audrey', skipping over a skipping rope with painted letters spelling 'Vinegar' highlighted with neon at the base of the sign.</p>
Setting	<p>The sign is located to the north of Victoria Street with east and west frontage. The sign sits atop a two storey warehouse type brick building. Immediately south of the sign is Victoria Gardens shopping centre which is a large 2-4 storey concrete structure. To the north of the sign is the Yarra River and its associated trail.</p> <p>Victoria Street is a major east-west link.</p> <p>Surrounding buildings are 2- 7 storey dwellings, offices and commercial buildings.</p> <p>Topography is flat in this area.</p>
Heritage Overlay	<p>There are two heritage overlays that affect the skipping girl, one for the sign itself and the other for the building it sits on. The two Heritage Overlays are:</p> <p>HO63 - Former Crusader Plate Building</p> <p>HO353 – Skipping girl sign</p>
Heritage Significance	<p>The Skipping Girl Sign is currently included in the Victorian Heritage Register (H2083).</p> <p>Comments in the VHD Statement of Significance are:</p> <p><i>"For the thirty-two years that the Skipping Girl sign stood above the vinegar factory it was regarded as a local landmark and a public outcry followed its removal. "The Skipping Girl Vinegar sign is of historical significance as one of an important collection of signs marking Victoria's industrial heritage in Richmond."</i></p>
Other References	<p>There are numerous references to the Skipping Girl sign. She has been referenced in artworks and music. Highly regarded news sites have also researched deeper into the "The woman behind Richmond's Skipping Girl sign". The sign is often included in lists of Melbourne landmarks and icons. The community response to the removal of the original sign is an indication of its social significance.</p>
Landmark Significance	<p>The animated sky sign is of metropolitan significance as a landmark as:</p> <ul style="list-style-type: none"> <li>• These electric sky-signs were once a prominent feature of the Melbourne skyline and are diminishing in number.</li> <li>• A popular landmark feature within the Richmond skyline, which is particularly prominent when viewed at night.</li> <li>• It is of high historical and social significance as noted by its listing on the Victorian Heritage Register, and for its associations with the original sign, which is believed to be the first animated neon sign in Melbourne.</li> <li>• It is noted in popular culture, and is often included in lists of Melbourne landmarks and icons.</li> </ul>
Current Policy & Controls	<p>Currently listed in Clause 22.03 Landmarks Policy.</p> <p>The site and adjoining sites to the east and west are zoned Commercial 1 Zone (C1Z); no height controls apply. To the west is the Priority Development Zone; heights are set out in an Incorporated Plan, which does not include a reference to the Skipping Girl Sign.</p> <p>Design and Development Overlay (DDO31 – Yarra River) applies and sets a discretionary height of 18m, but does not relate to the sign.</p>

# Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)

CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY



VIEW 1



VIEW 2



VIEW 3

## Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)

CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY

### Views Assessment

The Skipping Girl neon advertising sky-sign is a prominent feature (particularly at night) of the Victoria Street thoroughfare.

As such, the sign has both long range and oblique streetscape Primary Views.

#### PRIMARY VIEWS

<b>View 1</b>	<b>South-West Corner of Burnley and Victoria Street Intersection</b>
Key Features	A clear view of the sign, supporting structure and building rooftop is afforded from this location, silhouetted against the sky. The clear sky view between the sign and the roof is afforded.
Management Issues	Land immediately to the east and west of the sign could potentially be developed with higher scale form which might impede its foreground or skyline silhouette.  Development within the foreground of the sign should be sited, designed and scaled to retain views to the face of the sign. Development within the background of the sign should avoid intruding into the 'clear sky' views visible between and through the sign's skipping girl image in particular and lettering. Any development encroaching into the backdrop of the 'vinegar' word should be designed, and finished with muted colours, so as not to compete with the visual prominence of the sign.
<b>View 2</b>	<b>Entry to the City of Yarra from East (Victoria Street footpath, south side)</b>
Key Features	The sign can be viewed, partially silhouetted against the sky, with slight obstruction of street lights and wires. Recently approved development may impinge on views to the sign.
Management Issues	As above.
<b>View 3</b>	<b>Intersection of Leslie Street and Victoria Street</b>
Key Features	There are buildings in the background and street lights/wires obstruct the view.
Management Issues	As above.

**Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)**

CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY



**VIEW 4**



**VIEW 5**

## Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)

CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY

### SECONDARY VIEWS

View 4	Williams Reserve
Key Features	The sign is clearly visible from the seating area in Williams Reserve, and is silhouetted against the sky.
Management Issues	As above.
View 5	River Boulevard and Victoria Street Intersection
Key Features	A clear view of the sign is afforded from this location, silhouetted against the sky. However, there are some street lights and wires that obstruct the view.
Management Issues	As above.

Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)



*Nylex Sign, Gough Street, Cremorne*

## Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)

CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY

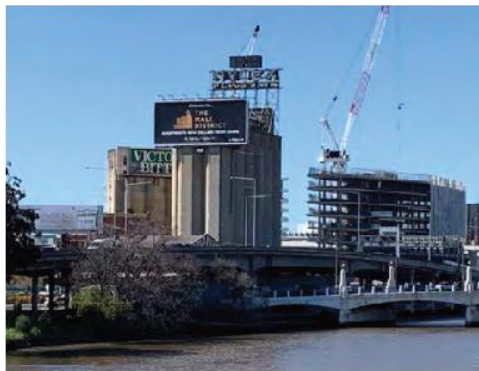
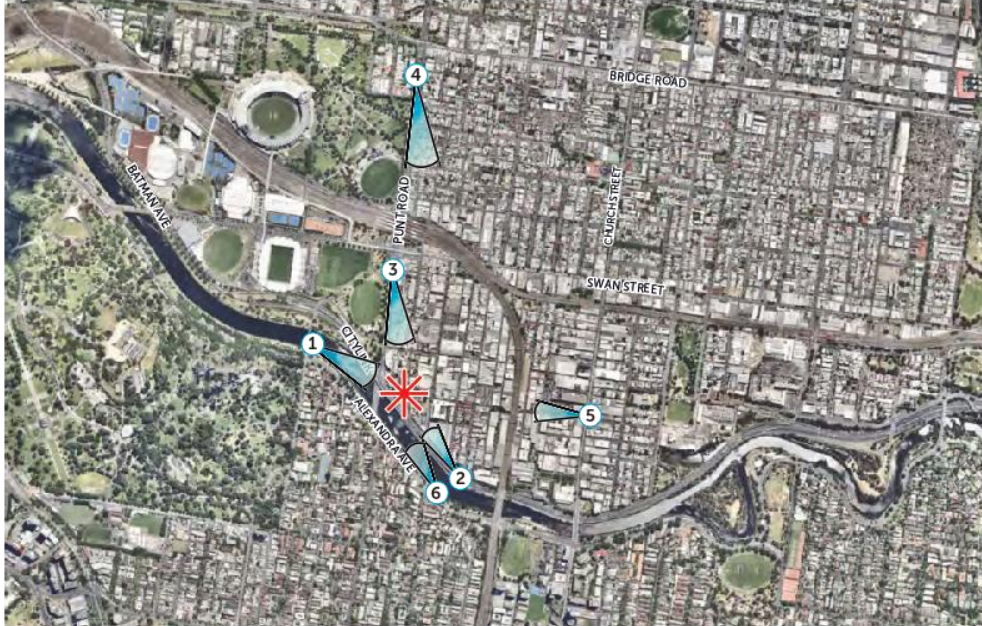
# 13 Nylex Sign, Cremorne

## 2 Gough Street, Cremorne

Description	Erected on top of the No2 Silos of the Richmond Maltings, the sign is a double sided sky-sign mounted on a cross braced frame of steel L-section angle, approximately 15m high. The sign itself consists of the words NYLEX PLASTICS and is crowned by an LED thermometer display/clock. The word NYLEX is formed by metal trough sans serif letters illuminated by single rows of light bulbs.
Setting	The silos are located on the northern bank of the Yarra River. The silos are an equivalent height of approximately 8 storeys. Surrounding buildings are commercial and industrial, between 1-6 storeys in height. The silo and the sign are the highest scale elements in the immediate area.  Punt Road is a major north-south link and a key viewing corridor for the landmark.  Topography is flat in this area.
Heritage Overlay	The Nylex sign is covered by its own heritage overlay, HO350 – Nylex sign/Richmond Maltings Site. It is registered under the VHD and its reference is H2049.
Heritage Significance	The Statement of Significance goes into detail around the historic value of the sign. The VHD report comments of the sign's landmark qualities and high social significance:  <i>"The sign dominates the view along the major thoroughfares of Punt Road and Hoddle Streets and because of its location at the entrance to the South Eastern Freeway the Nylex sign is considered the unofficial gateway into Melbourne. The clock and temperature display is a constant point of reference for residents and motorists."</i>  <i>"The Barrett Burston Richmond Maltings site is aesthetically and socially significant as a substantial Melbourne landmark. This collection of four brick malt houses dating from 1880, 1920, late 1939s and 1942 together with the 1952 and 1960s concrete silos present a distinctive industrial aesthetic, which has formed a significant part of the townscape of Richmond, the adjoining River Yarra and South Yarra, for many years."</i>
Other References	The concrete silos by reason of their height scale and bulk visually dominate the immediate townscape, and are also viewed over a wide distance in eastern Melbourne. Together with the Nylex sign, they have become a significant cultural iconic feature in the Melbourne landscape and psyche, as evidenced by their feature in the well known song "Leaps and Bounds" by Paul Kelly.
Landmark Significance	The sign is of metropolitan significance as a landmark as: <ul style="list-style-type: none"> <li>• A prominent landmark feature as the sign dominates the view along the major thoroughfares of Punt Road and at the entrance to the South Eastern Freeway.</li> <li>• The clock and temperature display is a constant point of reference.</li> <li>• It is one of a collection of signs marking Victoria's industrial heritage in Richmond.</li> <li>• It is of high historical and social significance as noted by its listing on the Victorian Heritage Register.</li> <li>• The silos and sign have iconic status in the popular culture of Melbourne.</li> </ul>
Current Policy & Controls	Currently listed in Clause 22.03 Landmarks Policy.  The site is zoned Comprehensive Development Zone (CDZ3) which allows development up to 33m. The 2015 Yarra River Strategy sets a 36m discretionary height limit and the Swan Street Structure Plan sets a height limit of up to 30m.  Adjoining sites to the north and southeast are zoned Commercial 2 Zone (C2Z) – no height controls apply.

# Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)

CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY



VIEW 1



## Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)

CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY

### Views Assessment

The Nylex Sign atop the malting silos is a prominent feature in the skyline of the Punt Road area and when travelling on the Monash Freeway/ Citylink, cycle tracks along the Yarra River and pedestrian routes.

The sign and clock are prominent from both long range and oblique streetscape views. Glimpses of the malting silos are also afforded from the surroundings.

With the new development on 2 Gough Street the prominence of the silos will be reduced from a number of viewpoints. Hence, the primary views identified include prominent views towards the Nylex sign and malting silos. The secondary views predominantly include views towards the Nylex sign with glimpses of the malting silos. As part of this proposal the silos will have a three storey circular extrusion, with the Nylex sign sited on top of it. Extrusion of the silos will therefore raise the height of the Nylex sign by approximately 9 metres.

#### PRIMARY VIEWS

View 1	Centre of Morell Bridge on its eastern footpath (City of Melbourne)
Key Features	Views to sign and silos could be obscured by new development immediately to the west of the silo site. The bridge is an important cycle and pedestrian thoroughfare as it connects the Botanical Gardens to Melbourne sports precinct and Richmond station.
Management Issues	Land immediately to the east, north and west of the sign could be developed with higher scale form which might impede its foreground or skyline silhouette.  Clear sky behind the sign should be retained. Views of the supporting structures will be altered by approvals for development of the site.

# Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)

CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY



VIEW 2



VIEW 3



VIEW 4



VIEW 5



VIEW 6

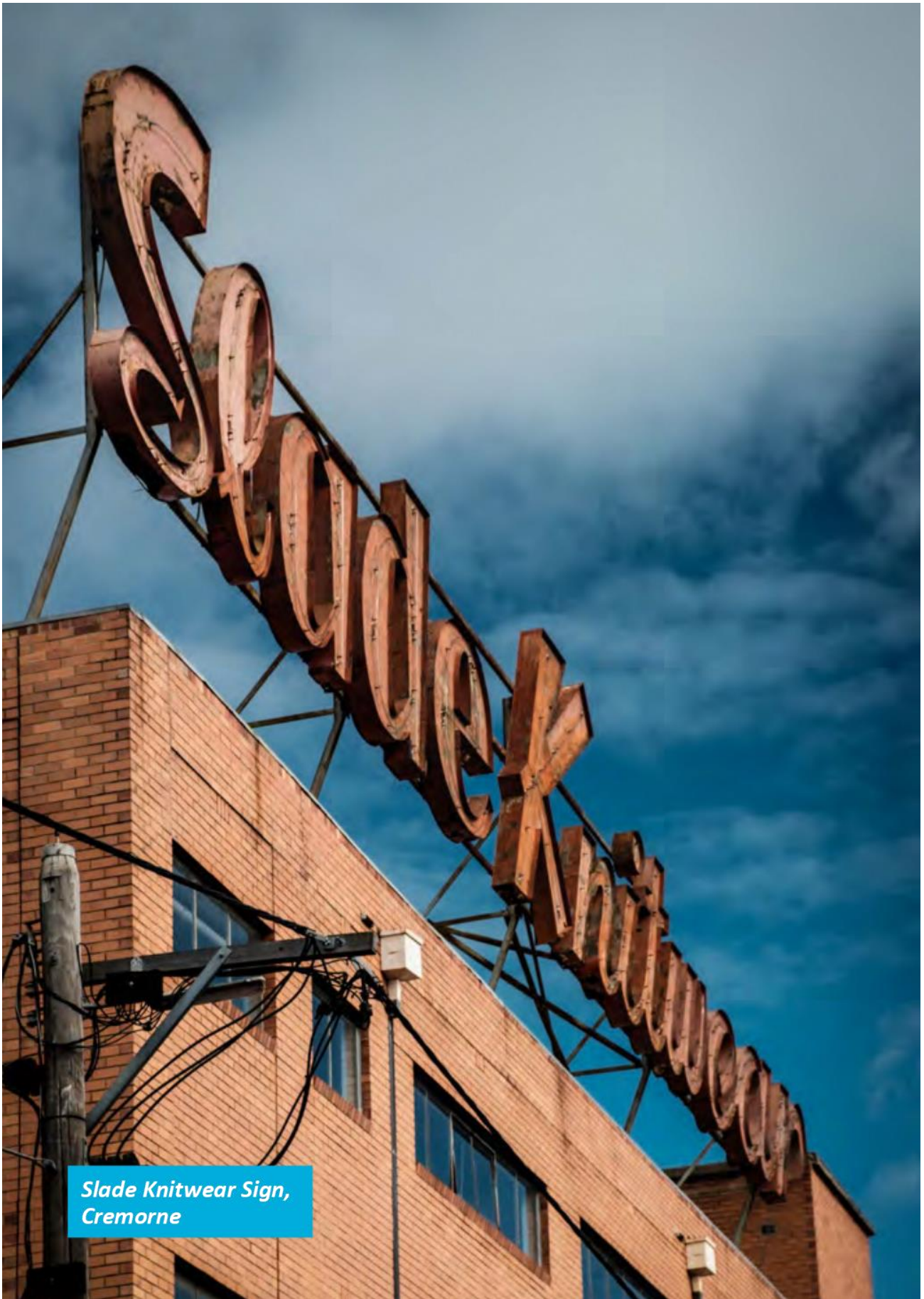
## Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)

CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY

### SECONDARY VIEWS

<b>View 2</b>	<b>Monash Freeway (near Cubitt Street)</b>
Key Features	Views to silos will be obstructed with new development on 2 Gough Street. Viewline to the sign will be retained.
Management Issues	As Above.
<b>View 3</b>	<b>Swan Street and Punt Road Intersection</b>
Key Features	Views to silos will be obstructed with new development on 2 Gough Street. The structure of the silos is partly obscured, but the sign and its supporting structure are visible against the sky. A clear sky view between the sign and the silos is afforded.
Management Issues	As Above.
<b>View 4</b>	<b>Bridge Road and Punt Road Intersection</b>
Key Features	Views to silos will be obstructed with new development on 2 Gough Street. Viewline to sign will be retained.
Management Issues	As Above.
<b>View 5</b>	<b>Church Street and Balmain Street Intersection</b>
Key Features	Views to silos will be obstructed with new development on 2 Gough Street. Viewline to sign will be retained.
Management Issues	As Above.
<b>View 6</b>	<b>Main Yarra Trail (east)</b>
Key Features	Views to silos will be obstructed with new development on 2 Gough Street. Viewline to sign will be retained.
Management Issues	As Above.

Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)



*Slade Knitwear Sign,  
Cremorne*

## Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)

CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY

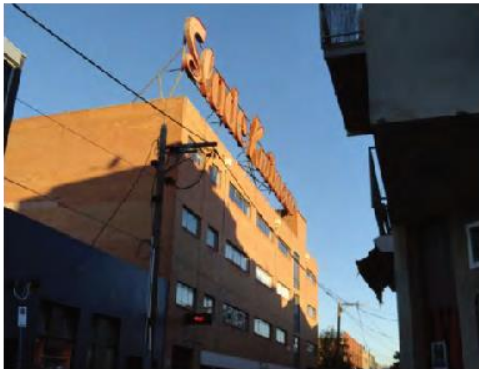
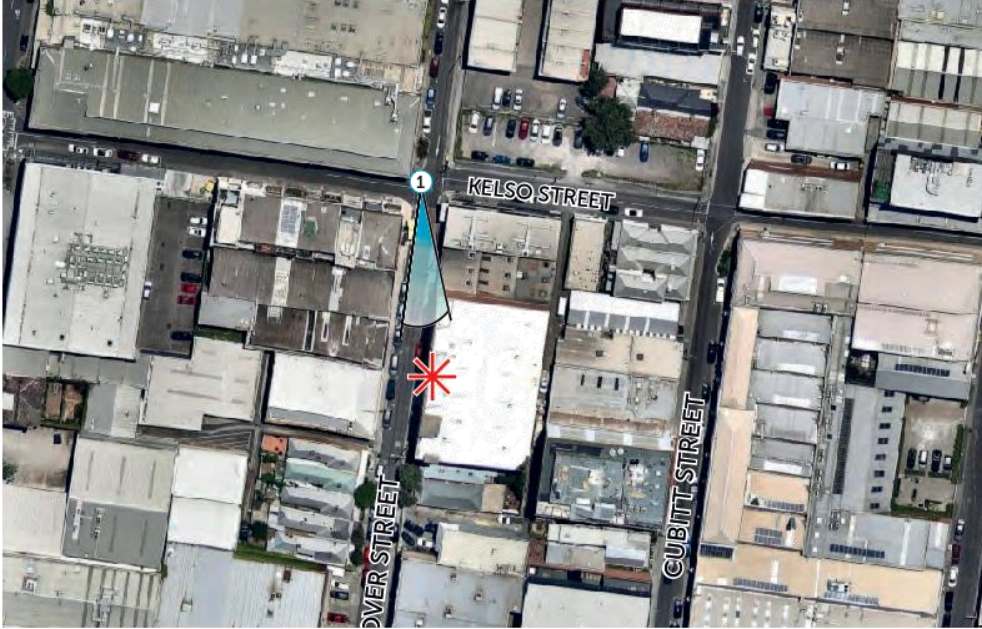
# 14 Slade Knitwear Sign, Cremorne

## 105-115 Dover Street, Cremorne

<b>Description</b>	Erected atop a brick building, the sign with cut-out letters, is a single-sided neon sign that is braced with a steel frame and support structure.
<b>Setting</b>	<p>The sign is located on the eastern side of Dover Street and sits atop a four-storey brick commercial building. The sign is only visible within its immediate context.</p> <p>Dover Street is a local street.</p> <p>Surrounding buildings range from single-storey dwellings to 2-3 storey commercial buildings.</p> <p>Topography is flat in this area.</p>
<b>Heritage Overlay</b>	The Slade Knitwear sign is covered by its own heritage overlay, HO343. It is not registered in the VHD.
<b>Heritage Significance</b>	The Statement of Significance refers to the sign as a "striking structure" which is visible from great distances. The sign is also referenced as being "a part of the continuum of the historic skylines", which marks out Yarra's industrial base.
<b>Other References</b>	There are a number of web references, including fashion, design and heritage websites and blogs.
<b>Landmark Significance</b>	<p>The Slade Knitwear sign is of local significance as a landmark as:</p> <ul style="list-style-type: none"> <li>• A visually prominent feature within the local streetscape as a form of advertising.</li> <li>• A local landmark feature within the industrial area of Cremorne.</li> <li>• A part of the rare collection of neon sky signs in Richmond.</li> <li>• It is of historical significance as noted by its listing on the Victorian Heritage Register.</li> </ul>
<b>Current Policy &amp; Controls</b>	<p>Currently listed in Clause 22.03 Landmarks Policy.</p> <p>The site is zoned Commercial 2 Zone (C2Z), as are adjoining sites to the north, east, south and west - no height controls apply.</p> <p>No Design and Development Overlays apply.</p>

# Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)

CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY



VIEW 1

## Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)

CITY OF YARRA | REVIEW & DEVELOPMENT OF THE CITY OF YARRA LANDMARKS POLICY

### Views Assessment

Due to surrounding development and the nature of the local street network, the Slade Knitwear sign has a singular Neighbourhood View.

#### PRIMARY VIEWS

View 1	North West corner of intersection of Kelso and Dover Streets
Key Features	A short, oblique view of the sign, supporting structure and building rooftop is afforded from this location, silhouetted against the sky. The clear sky view between the sign and the roof is available. The sign is not visible except from this viewline.
Management Issues	<p>The site itself, or land immediately adjoining, could be developed with higher scale form which could impede its foreground or skyline silhouette.</p> <p>Clear sky behind the sign and its visual prominence should be retained, in any new development of the site or surrounding. Development within the background of the sign should avoid intruding into the 'clear sky' views visible between the roof and sign, and through the sign lettering. Development of the site or within the foreground of the sign should be sited, designed and scaled to retain views to the face of the sign. All development should be designed, and finished with muted colours, so as not to compete with the visual prominence of the sign from this viewpoint.</p>

**Attachment 6 - Landmarks and Views Assessment, Ethos Urban (October 2019)**

**ETHOS  
URBAN**





## Yarra Industrial Heritage Policy

1 October 2019



Prepared for City of Yarra

### GJM Heritage

a: Level 3, 124 Exhibition Street [GPO Box 2634], Melbourne, VIC 3001

t: 0481 284 130

e: [enquiries@gjmheritage.com](mailto:enquiries@gjmheritage.com)

w: [www.gjmheritage.com](http://www.gjmheritage.com)

**Attachment 7 - Former Industrial Heritage, GJM Heritage (1 October 2019)**

**Attachment 7 - Former Industrial Heritage, GJM Heritage (1 October 2019)**

Yarra Industrial Heritage Policy

2019-046

© GJM Heritage (2019)  
All Rights Reserved

**Project Team**

Jim Gardner Director  
Renae Jarman Director  
Jessica Hogg Heritage Consultant

**Document versions**

Project no.	Version	Issued to	Date issued
2017-001	Memorandum of Advice	Amanda Haycox	15 February 2018
2019-046	Draft Report	Amanda Haycox	1 October 2019

**Cover Image**

Former W. Saunders & Son Factory/Warehouse Complex (c.1911-1920s), 18-62 Trenerry Crescent, Abbotsford with later additions by Darryl Jackson AO for Esprit de Corps (1984) ©GJM Heritage, March 2017.

**Photo credits**

All photographs were taken by GJM in 2017, 2018 or 2019 unless otherwise stated.

**Attachment 7 - Former Industrial Heritage, GJM Heritage (1 October 2019)**

Yarra Industrial Heritage Policy

2019-046

**Table of Contents**

**Table of Contents** ..... ii

**Executive Summary** ..... iii

**1.0 Introduction** ..... 1

**2.0 Northern Suburbs Factory Study** ..... 2

**3.0 Examples of redeveloped industrial sites** ..... 3

    3.1 Residential scale industry / workshops ..... 4

    3.2 Multi-storey factories ..... 7

    3.3 Large low-rise factories ..... 11

    3.4 Specialist processing plants ..... 18

**4. Existing and proposed policy guidance** ..... 22

    4.1 City of Kingston ..... 22

    4.2 City of Maribyrnong ..... 22

    4.3 City of Melbourne ..... 24

    4.4 Heritage Council of Victoria ..... 28

    4.5 Industrial places within large precinct Heritage Overlays ..... 28

**5. Recommended Industrial Heritage Policy** ..... 29

    5.1 Local Planning Policy Framework ..... 29

    5.2 Local Planning Policy ..... 29

        5.2.1 Clause 22.02 -5.1 'Demolition – Full Demolition or Removal of a Building' ..... 29

        5.2.2 Clause 22.02 -5.1 'Demolition - Removal of Part of a Heritage Place or Contributory Elements' ..... 30

        5.2.3 Clause 22.02 -5.4 'Painting and Surface Treatments' ..... 30

        5.2.4 Clause 22.02-5.6 'Subdivision' ..... 30

        5.2.5 Clause 22.02-5.7.1 'New Development, Alterations or Additions - General' ..... 31

        5.2.6 Clause 22.02-5.7.2 'New Development, Alterations or Additions – Specific Requirements: Industrial, Commercial and Retail Heritage Place or Contributory Elements' ..... 32

## Attachment 7 - Former Industrial Heritage, GJM Heritage (1 October 2019)



GJM Heritage

### Executive Summary

This report updates and builds on earlier advice prepared by GJM Heritage in early 2018, which was intended to inform revised heritage policy in relation to industrial places within the Yarra Planning Scheme.

The methodology adopted for completing this project was as follows:

1. The *Northern Suburbs Factory Study* (Vines & Churchward, 1992) was reviewed, particularly as it relates to suburbs within the City of Yarra. The categories of industrial building types relevant to Yarra were identified and extant examples of the various building typologies were identified in Abbotsford, Collingwood, Clifton Hill, Fitzroy North and Fitzroy. Citations were reviewed.
2. Site visits to identified typological examples was undertaken. Where the buildings or complexes had been redeveloped, photographs were taken and positive and negative features of the redevelopment were identified.
3. Existing policy guidance relating to the management of industrial heritage sites from other local planning authorities was identified and reviewed.
4. Policy relevant to the Yarra context has been drafted, drawing on the above material.

Whilst the *Northern Suburbs Factory Study* identifies 11 industrial building 'types,' for the purposes of the new planning policy we have described four key typologies: Residential scale industry / workshops; Multi-storey factories; Low-rise (one and two storey) factories; and Specialist processing plants. Each of these four typologies requires different management approaches when considering redevelopment.

Following the analysis, it became evident that industrial sites in the City of Yarra are often included within broad precinct-based Heritage Overlays, and individual Statements of Significance haven't been prepared and tailored controls (such as internal controls) have not been applied. An analysis of significance is required to properly understand the heritage values of the place and to inform the management of change to these sites. Statements of Significance should be prepared for all 'individually significant' industrial buildings – including those within precincts - to inform future decision-making including those within precinct Heritage Overlays.

Where these industrial buildings exist within a predominantly residential precinct, their scale, form and architectural expression is often contrary to the character of that context. In these cases consideration should be given to introducing a planning scheme amendment to create individual overlays within the residential precinct to recognise the heritage values of the industrial building or complex that may be inconsistent with those of the surrounding Heritage Overlay precinct.

Drawing on a number of case studies and the analysis of existing policies from other municipalities, a number of additional heritage-related policies are recommended for inclusion within the Yarra Planning Scheme.

The introduction of specific provisions within the Yarra Planning Scheme to encourage the retention and appropriate redevelopment of industrial heritage sites should include new clauses within both the Local Planning Policy at Clause 22.02 – 'Development Guidelines For Sites Subject To The Heritage Overlay' noting that this clause will be translated into Clause 15.03-1S as required by VC148.

Many of the policies – recommended in this advisory report at 5. *Recommended Industrial Heritage Policy* – will apply to all heritage places, while some are specific to industrial sites. Consideration will need to be given to the format of the policy to avoid unnecessary repetition, but to ensure that all relevant policies are applied to a consideration of applications for development of industrial heritage buildings and sites.

**Attachment 7 - Former Industrial Heritage, GJM Heritage (1 October 2019)**

**Attachment 7 - Former Industrial Heritage, GJM Heritage (1 October 2019)**

Yarra Industrial Heritage Policy Advisory Report

2019-046

**1.0 Introduction**

GJM Heritage has been engaged to provide input into planning policy to manage change within industrial heritage sites in the City of Yarra. The policy is intended to form part of a revised Heritage Policy within the Yarra Planning Scheme.

The methodology adopted for completing this project was as follows:

1. The *Northern Suburbs Factory Study* (Vines & Churchward, 1992) was reviewed, particularly as it relates to suburbs within the City of Yarra. The categories of industrial building types relevant to Yarra were identified and extant examples of the various building typologies were identified in Abbotsford, Collingwood, Clifton Hill, Fitzroy North and Fitzroy. Citations were reviewed.
2. Site visits to identified typological examples was undertaken. Where the buildings or complexes had been redeveloped, photographs were taken and positive and negative features of the redevelopment were identified.
3. Existing policy guidance relating to the management of industrial heritage sites was sourced and reviewed.
4. Policy relevant to the Yarra context has been drafted, drawing on the above material

This advice originally prepared in February 2018 in the form of a memorandum, and has been updated and expanded to consider additional properties and changes in policy since that time.



DRAFT FOR REVIEW

## Attachment 7 - Former Industrial Heritage, GJM Heritage (1 October 2019)

### 2.0 Northern Suburbs Factory Study

The *Northern Suburbs Factory Study* identifies 11 industrial building types. Within Yarra a number of these types overlap; for example, there are a number of multi-storey factories (Type 5) with imposing classical façades (Type 4), as well as many large low-rise (single- and two-storey) complexes with saw-tooth roofs (Type 6) that have Moderne facades (Type 7) (see Appendix A for the extract from *Northern Suburbs Factory Study*) The change in industrial building form and design relates to technological changes in manufacturing from the nineteenth to the twentieth centuries, and the move away from the multi-storey mill to the efficiencies of the single-level production line, which required lower-scaled buildings with a larger footprint.

The typologies identified in the *Northern Suburbs Factory Study* span form, type, style and period and are not considered useful for informing the future development of these buildings. Therefore, when considering industrial heritage sites in Yarra with redevelopment potential, we have identified four key typologies:

1. **Residential scale industry / workshops** (Types 1 and 3 in the *Northern Suburbs Factory Study*) – this type of industrial building is found scattered through Yarra, occurring in both residential and commercial areas. These buildings contained small-scale manufacturing or trade services such as blacksmithing, motor mechanics or artisans and are normally single-storey and have a domestic scale and appearance.
2. **Multi-storey factories** (Type 5 in the *Northern Suburbs Factory Study*) – industrial buildings where manufacturing occurred on multiple levels of the same complex. These factories have their antecedents in the eighteenth and nineteenth century mills of the Industrial Revolution in England and were constructed for manufacturing textiles, clothing and footwear.
3. **Large low-rise factories** (Type 6 in the *Northern Suburbs Factory Study*) – larger sites for single- and two-level production-line operation reflecting the changing manufacturing techniques pioneered by Henry Ford and others in the United States at the beginning of the twentieth century. This typology often has saw-tooth roof forms and a decorative (often Moderne) one or two-storey principal façade.
4. **Specialist processing plants** (Type 2 in the *Northern Suburbs Factory Study*) – industrial complexes comprising numerous buildings or structures in which specialised manufacturing processes occurred. Such sites include breweries, distilleries, tanneries, gasworks, freezing works, rope works and flour mills. These often have specific building forms such as grain silos, shot towers, distillery and brewing towers, gasometers etc.

Each of these four typologies requires different management approaches when considering redevelopment.



**Attachment 7 - Former Industrial Heritage, GJM Heritage (1 October 2019)**

Yarra Industrial Heritage Policy Advisory Report

2019-046

**3.0 Examples of redeveloped industrial sites**

A number of examples of the four different typologies were visited and photographed from the public realm. Where redevelopment of the site had occurred, both positive and negative features of the redevelopment were documented to build up a body of principles that can be applied in a policy sense.

Regardless of the typology under consideration, the following principles were found to be relevant when considering the redevelopment of all four industrial typologies in order to encourage a positive heritage outcome:

- Significant fabric, such as principal elevations and industrial roof forms (where the roof is an important feature of place, for example, due to the presence of lanterns etc), should be retained and conserved.
- Chimneys, silos and towers within industrial sites are often local landmarks and communicate the function and industrial nature of these heritage places. These features should be retained and conserved. Their visual prominence within the site should be retained.
- The original form and scale of the industrial site should remain legible in any redevelopment.
- Remnant painted signage should be retained and conserved.
- The inter floor height of new development should consider the impact on the existing fenestration pattern to avoid new floor plates cutting through window and openings etc.
- Recessive colours and materials for additions and new built form should be used and dramatically contrasting colours or patterns within additions should be avoided.
- Additions should reflect or subtly interpret historic façade patterning, including fenestration patterns and proportions, the relationship between solid and void, and the module of structural bays. Unarticulated curtain glazing should be avoided
- Highly reflective glazing in both historic openings and new built form should be avoided.
- Visually lightweight additions and/or linking elements should be encouraged to transition between historic and new built form, especially where the heritage building is of masonry (brick or concrete) construction.

The above principles are not replicated in the following examples.

## Attachment 7 - Former Industrial Heritage, GJM Heritage (1 October 2019)

### 3.1 Residential scale industry / workshops

This typology is scattered throughout both the residential and commercial areas of Yarra. It is generally associated with small-scale 'light industry' such as clothing and footwear manufacture, blacksmithing, motor garages and maintenance workshops. Other examples of this type include local utilities such as water pumping stations and electrical substations. These buildings often have a domestic scale and appearance.

When this typology occurs in residential areas, the residential provisions of the heritage policy should be applied. Given that the building can often be atypical within a residential heritage precinct context, the heritage policy needs to ensure that it does not preclude or compromise the appropriate management of these places. When occurring in a mixed use or commercially zoned context these buildings are often susceptible to inappropriate redevelopment due to their small scale and perceived lack of adaptability.



**Pattern Maker – Rae St, Fitzroy North (HO327 – North Fitzroy Precinct)**

**Positive features:**

- Conversion to residential retains original form and scale.
- Original signage retained and conserved.
- Alterations confined to the rear.

**Negative features:**

- Domestic-style landscaping obscures the building.

**Policy considerations:**

- Encourage the use of 'industrial' rather than 'domestic' type fences, walls and landscaping, where appropriate.
- In a residential precinct, policy relating to the siting and form of alterations and additions should generally apply to this typology.



**Footwear Manufacturers – Noone St, Clifton Hill (HO316 – Clifton Hill Eastern Precinct)**

**Positive features:**

- Façade and western elevation retained intact.
- Three-storey townhouses concealed behind façade when viewed from the street.
- Subtly contrasting brickwork applied to increase height of the western façade.
- Materials used reference the brickwork and rendered parapet.
- A similar ratio of solid to void is used in the new walls to that of the historic façade.

**Negative features:**

- Only a small return of the brickwork on the eastern elevation retained.

**Attachment 7 - Former Industrial Heritage, GJM Heritage (1 October 2019)**



**Policy considerations:**

- Side elevations visible from the public realm should normally be retained. Where a side elevation has been substantially altered or makes a minor contribution to the significance of the place, the depth of one or more structural bays should normally be retained to ensure facadism is avoided.
- Minimise new openings in intact secondary elevations and reuse existing openings wherever possible.



**160 Argyle St, Fitzroy (HO334 – South Fitzroy Precinct)**

**Positive features:**

- Retention and conservation of the historic openings and security bars on the heritage building.
- Retention of historic painted signage on the primary facade.
- Visual contrast of the rectilinear form of the heritage building and the curved form of the new building.

**Negative features:**

- Complete loss of the roof form.
- Inadequate setbacks resulting in the new building engulfing the single-storey heritage building.
- Poorly considered junction between the new and heritage fabric, including truncation of side elevation signage.
- Floor to ceiling heights within the heritage shell do not reflect original volumes, resulting in a floor level running across window openings in the heritage fabric.
- The loss of the majority of the external fabric results in facadism.

**Policy considerations:**

- Side elevations visible from the public realm should normally be retained. Where a side elevation has been substantially altered or makes a minor contribution to the significance of the place, the depth of one or more structural bays should normally be retained to ensure facadism is avoided.
- Require retention of part of the roof form where it is visible from the public realm. Generally, a minimum depth of a structural bay should be retained.

**Attachment 7 - Former Industrial Heritage, GJM Heritage (1 October 2019)**



- Avoid cantilevering or building over the significant elements of the historic building including facades and parapets.
- Require new built form to adopt a subtly contrasting approach that respects the industrial character of the heritage place and distinguishes new built form from the historic fabric.

DRAFT FOR REVIEW

**Attachment 7 - Former Industrial Heritage, GJM Heritage (1 October 2019)**

**3.2 Multi-storey factories**

These are industrial buildings where manufacturing occurred on multiple levels of the same complex. For larger buildings (three or more storeys), redevelopment can often be accommodated within the existing volume of the factory. A one or two-storey visually lightweight rooftop addition may also be appropriate for these buildings.

This industrial typology is normally characterised by decorative (often Classically inspired) facades and brick or rendered masonry construction. Chimney stacks may also be present. Examples in Yarra include the Denton Hat Mills, parts of both the Foy & Gibson Complex, and parts of the MacRobertson’s Confectionary Complex.



**Denton Hat Mills – 46-60 Nicholson St, Abbotsford (VHR H0815)**

**Positive features:**

- Volume and scale of the original factory retained.
- Principal façades and chimney retained and conserved.
- New development concealed behind the principal façades.
- Internal redevelopment retains original floor to ceiling heights.

**Negative features:**

- No obvious negative features – a good heritage outcome.

**Policy considerations:**

- Avoid new openings in highly intact facades, and minimise the need for large-scale openings particularly for vehicle access.



Attachment 7 - Former Industrial Heritage, GJM Heritage (1 October 2019)



**Foy & Gibson Complex – Collingwood (VHR H0755)**

**Positive features:**

- Volume and scale of the original factory retained.
- Principal façades and chimneys retained and conserved.
- Internal redevelopment retains original floor to ceiling heights.
- Upper level additions are set back from the principal façades and read as a clearly separate intervention.
- The vertical proportions of the two-storey addition (to the left) reflect the bay widths of the façade.
- The two-storey addition (to the left) is set back from the chimneys, allowing them to continue to be read as freestanding elements.
- The colour of the roof top addition (below) is recessive.

**Negative features:**

- The contrasting striped appearance of the two-storey addition (above) is visually distracting and draws the eye away from the historic façade.
- The balcony treatments of the addition (above) are incongruous with the materiality of the heritage place.
- The windows in the roof top addition (to the left) do not reflect the fenestration pattern or proportions of the windows in the façade. The high void to solid wall proportions of the addition visually distracts the eye from the façade.

**Policy considerations:**

- One to two-storey visually lightweight rooftop additions may be acceptable for multi-storey factories of three or more storeys.
- Avoid dramatically contrasting colours or patterns within additions.
- Upper level additions on multi-storey buildings (three or more storeys) should be set back at least the depth of one structural bay from facades to enable the three-dimensional form of the building to remain legible.
- Where the roof is an important feature of place (for example, due to the presence of lanterns etc), the historic form of the roof should be retained and conserved.

**Attachment 7 - Former Industrial Heritage, GJM Heritage (1 October 2019)**



**21-23 Stewart Street, Richmond (HO332 – Richmond Hill Precinct)**

**Positive features:**

- Volume and scale of the original factory retained.
- Principal façades retained and conserved.
- Internal redevelopment retains original floor to ceiling heights.
- Upper level additions are set back from the principal façade and read as a clearly separate intervention.
- Secondary elevations are retained.
- The new additions utilise an appropriate ‘industrial’ design aesthetic.
- The extent of the heritage building and the new development is clearly differentiated with the change of colour and materials; in this case a yellow ‘fin’ is used to delineate the new development.

**Negative features:**

- Balconies created behind the windows of the principal façade break up the rhythm of the façade and can result in it being read as thin-skin façadism.
- Setbacks of new built form on the secondary elevations should be greater to enable the form of the heritage building to be more clearly read.

**Policy considerations:**

- Discourage the removal of windows from existing openings to create balconies.
- Require adequate setbacks from secondary elevations to ensure the three dimensional form of the heritage building is maintained.
- Require new built form to adopt a subtly contrasting approach that respects the industrial character of the heritage place and distinguishes new built form from the historic fabric.

**Attachment 7 - Former Industrial Heritage, GJM Heritage (1 October 2019)**



**80-88 Trenerry Crescent, Abbotsford (HO337 – Victoria Park Precinct)**

**Positive features:**

- The Trenerry Crescent elevation has been retained.

**Negative features:**

- Complete loss of the roof form and side elevations resulting in facadism.
- Lack of side and upper-level setbacks means the new building engulfs and overwhelms the heritage building.
- Strong horizontal emphasis of the new building bears no relationship to the vertical emphasis of the heritage building.
- Overly reflective glazing inserted into historic openings.

**Policy considerations:**

- Side elevations visible from the public realm should normally be retained. Where a side elevation has been substantially altered or makes a minor contribution to the significance of the place the depth of one or more structural bays should normally be retained to ensure facadism is avoided.
- Require retention of part of the roof form where it is visible from the public realm. Generally, a minimum depth of a structural bay should be retained.
- Avoid cantilevering or building over the significant elements of the historic building including facades and parapets.
- Require new built form to adopt a subtly contrasting approach that respects the industrial character of the heritage place and distinguishes new built form from the historic fabric.





## Attachment 7 - Former Industrial Heritage, GJM Heritage (1 October 2019)

Yarra Industrial Heritage Policy Advisory Report

2019-046

### 3.3 Large low-rise factories

This typology is subject to the most pressure from a redevelopment perspective. These factories generally occupied larger sites for single- or two-level production-line operation, resulting in large footprints with redevelopment potential. This typology often has saw-tooth roof forms delineating the factory floor (refer to Type 6 'The Shed Principle' in the *Northern Suburbs Factory Study*) and a one or two-storey administration/office component behind the principal façade.



Image Source: VHD



Artist's impression of potential development outcome. (sourced from '81-95 Burnley Street, and 26 Doonside Street, Richmond Planning Scheme Amendment Report', Tract Consultants, August 2016)

#### Harry the Hirer (former Repco Factory) 85-91 Burnley Street, Richmond (HO252)

The former Repco Factory and office complex is subject to Yarra Amendment C223 which seeks to apply a Development Plan Overlay (DPO15). The front part of this site is subject to the Heritage Overlay upon which it is proposed to erect two towers, one of 12 storeys and one of 7 storeys set back between 8m and 13m from the street frontages. Note: the comments below are based on the DPO not a approved or built development.

##### Positive features:

- The street elevations of HO252 have been retained.
- The proposed development will reinstate the original brick and render finishes.
- Lower (7 storey) built form is proposed behind the single storey factory building facing Appleton Street.
- The setbacks (8m, 10m and 13m) proposed in DPO15 help ensure that the addition reads as a clearly separate element to the historic form.
- The breaking up of the new built form into separate towers avoids a monolithic upper level form.

##### Negative features:

- Complete loss of the roof form including sawtooth roofs visible from the public realm.
- Height of the new towers is not keeping with the character and appearance of adjacent buildings and the heritage place.

##### Policy considerations:

- Require retention of part of the roof form where it is visible from the public realm. Generally, a minimum depth of a structural bay should be retained.
- Encourage higher built form to be broken up into separate elements to avoid a monolithic new built form.

## Attachment 7 - Former Industrial Heritage, GJM Heritage (1 October 2019)



© Bryce Raworth Pty Ltd (sourced from Amendment C223 to the Yarra Planning Scheme - Analysis of heritage issues, Revised December 2018)

### Former Builders' Steel Form Supply Co., 9-11 David Street, Richmond (HO250)

#### Positive features:

- The street elevations of HO250 have been retained.
- The development has enabled the restoration of elements of the David Street façade.
- Window openings have generally been retained.

#### Negative features:

- Complete loss of the roof form.
- The new 11 storey tower is a large stepped mass that visually dominates the retained façade.
- The minimal (2m) setback of new upper level form from the retained façade does not enable the three dimensional form of the former Builders' Steel Form Supply Co. building to be understood.
- The heavily articulated façade to the upper level development including recessed balconies, 'winter garden' balconies and moveable perforated metal screens is not recessive and visually dominates the heritage façade.
- Height of the new towers is not keeping with the character and appearance of adjacent buildings and the heritage place.

#### Policy considerations:

- Require adequate setbacks from street elevations to ensure the three-dimensional form of the heritage building is maintained and it reads as the primary element of the site.
- Encourage higher built form to be broken up into separate elements to avoid a monolithic new built form.
- The architectural language and materiality of the new addition bears little or no relationship to the heritage form.
- Avoid overly articulated façade treatments that visually compete with the simple Moderne façade of the existing building.

**Attachment 7 - Former Industrial Heritage, GJM Heritage (1 October 2019)**



**Cnr Gipps & Nicholson Street, Abbotsford (HO313 – Charles Street Precinct)**

**Positive features:**

- The volume and exterior walls of the original factory building is maintained.
- Door and window openings in the original factory building are maintained and the facades have been conserved.
- The new addition reads as a clearly separate element to the historic form.
- The use of a darker brick for the addition references the materials and solidity of the original form, but provides an appropriate contrast. The darker colour is recessive against the original brickwork.
- A recessed, dark glazed level allows the new addition to rise above the historic parapet, allowing the new form to appear as a clearly separate element to the historic form.
- The fenestration pattern of the new addition references the patterning and solid to void proportions of the historic form.
- The roof form of the new addition subtly references the sawtooth roof form that originally existed on the historic form.

**Negative features:**

- Front and side setbacks of the new development could have been increased to enhance the prominence of the historic fabric.

**Policy considerations:**

- New built form (as visible from the street) should not exceed approximately the same volume of the historic form.
- Require adequate setbacks from street elevations to ensure the three-dimensional form of the heritage building is maintained and it reads as the primary element of the site.
- Encourage the use of visually lightweight 'linking elements' (for both upper level and side additions) to clearly differentiate historic built form from new.

**Attachment 7 - Former Industrial Heritage, GJM Heritage (1 October 2019)**



**Footwear Manufacturers – 98-100 Roseneath St, Clifton Hill (HO316 – Clifton Hill Eastern Precinct)**

**Positive features:**

- The volume and exterior walls of the original factory building is retained.
- Door and window openings in the original factory building are maintained and the facades have been conserved.
- The new addition reads as a clearly separate element to the historic form.

**Negative features:**

- Front and side setbacks of the new development could have been increased to enhance the prominence of the historic fabric.
- The architectural language and materiality of the new addition bears little or no relationship to the heritage form.
- Large areas of curtain glazing are used and the window proportions of the new development bear no relationship to the heritage building.
- The glazed walls are set on the parapet line of the existing façade.
- The new balustrades are not recessive and disturb the line of the brick parapet.

**Policy considerations:**

- New built form (as visible from the street) should not exceed approximately the same volume of the historic form.
- Require adequate setbacks from street elevations to ensure the three-dimensional form of the heritage building is maintained and it reads as the primary element of the site.
- Avoid building directly above existing parapets and require that new balustrades are setback from the face of the existing parapet.



**Bootmakers – 28-42 Reid Street, Fitzroy North (HO327 – North Fitzroy Precinct)**

**Positive features:**

- The volume and exterior walls of the original factory building are maintained.
- Door and window openings in the original factory building are maintained and the facades have been conserved.
- The new addition reads as a clearly separate element to the historic form, and is substantially concealed from views directly opposite due to its stepped form
- The fenestration pattern of the new addition references the patterning and solid to void proportions of the historic form.

## Attachment 7 - Former Industrial Heritage, GJM Heritage (1 October 2019)

Yarra Industrial Heritage Policy Advisory Report

2019-046



- Retention of historic painted signage.

**Negative features:**

- None of the saw-tooth roof form that was previously visible from oblique views has been retained.
- No side setbacks of the new development with a corrugated steel clad wall build directly off the saw-tooth profile parapet.
- The architectural language of the new addition bears little or no relationship to the heritage form, particularly in terms of the spacing of horizontal features.

**Policy considerations:**

- Require adequate setbacks from side elevations to ensure the three dimensional form of the heritage building is maintained.
- Retain one or more bays of the industrial roof form, such as the saw-tooth roof, where visible from the public realm.
- Avoid building directly above existing parapets.



**Clothing Manufacturers – Cnr Wellington & Keele St, Collingwood (H0321 – Gold Street Precinct)**

**Positive features:**

- The volume and exterior walls of the original factory building are retained.
- Door and window openings in the original factory building are maintained and the facades have been conserved.
- The new addition reads as a clearly separate element to the historic form.

**Negative features:**

- The awkwardly composed box-like addition does not adequately differentiate itself in materials or colours from the heritage building and overwhelms the heritage fabric.
- The fenestration pattern of the addition is ad hoc and bears little or no relationship to the heritage form.
- Ground floor windows have been obscured.
- Front and side setbacks of the new development could have been increased to enhance the prominence of the historic fabric.

**Policy considerations:**

- Require adequate setbacks from street elevations to ensure the three dimensional form of the heritage building is maintained and it reads as the primary element of the site.

**Attachment 7 - Former Industrial Heritage, GJM Heritage (1 October 2019)**

- Encourage the addition to be more clearly read as a new element, utilising materials and colours that are recessive against the heritage fabric.



**Engineering Factory – 50 Rose St, Fitzroy (HO334 – South Fitzroy Precinct)**

**Positive features:**

- The principal elevation of the heritage building is retained.
- Door and window openings in the original factory facade have been sensitively adapted with appropriate new industrial-style doors and windows to enable new uses.
- The new addition reads as a clearly separate element to the historic form.
- The top levels are treated differently from the main building to create a separate 'capping' element.
- Retention of remnant historic painted signage.
- The floor to ceiling heights of the factory component are maintained.

**Negative features:**

- The complete loss of roof form and inadequate setback of the new development behind the principal façade results in façadism.
- The addition is visually bulky and overwhelms the heritage fabric.
- The architectural language and structural module of the new addition bears little or no relationship to the heritage form.
- Poorly considered junction between new and heritage fabric at the western return of the factory building.

**Policy considerations:**

- Where new doors, windows and other features or services are required, they should subtly reference the industrial language of the place.
- The new built form (as visible from the street) should not exceed approximately the same volume of the historic form.
- Require adequate setbacks from principal elevations to ensure the three dimensional form of the heritage building is maintained.
- Avoid cantilevering or building over the significant elements of the historic building including parapets and facades.
- Require new built form to adopt a subtly contrasting approach that respects the industrial character of the heritage place and distinguishes new built form from the historic fabric.



## Attachment 7 - Former Industrial Heritage, GJM Heritage (1 October 2019)

Yarra Industrial Heritage Policy Advisory Report

2019-046



**Part of the MacRobertson's Confectionary Complex – 420-428 Gore St, Fitzroy (HO334 – South Fitzroy Precinct)**

**Positive features:**

- The volume and exterior walls of the original factory building are retained.
- Door and window openings in the original factory building have been sensitively adapted with appropriate new industrial-style doors and windows to enable new uses.
- The new addition reads as a clearly separate element to the historic form.
- The relatively plain wall treatment for the addition references the materials and solidity of the original form, but does not attempt to compete with the fine-grained texture of the historic brick fabric. The colouring is recessive against the heritage fabric.
- The new addition is setback from the parapets of the heritage building, allowing the heritage fabric to retain prominence in the streetscape.
- The heavily planted parapet softens the juxtaposition between the heritage façade and the new development, although it is noted that it is inconsistent with the industrial aesthetic of the former factory. The residential context probably supports this approach in this context.

**Negative features:**

- The visual bulk of the addition, particularly as viewed obliquely, could have been improved by breaking the up the form through increased articulation.
- Many existing openings have been modified and a number of new openings introduced.

**Policy considerations:**

- The new built form (as visible from the street) should not exceed approximately the same volume of the historic form.
- Encourage the massing of new additions to avoid large unarticulated lengths of wall.
- Maintain existing openings within historic facades and discourage the introduction of new openings in intact elevations.
- Where new doors, windows and other features or services are required, they should subtly reference the industrial language of the place.
- Encourage the use of 'industrial' rather than 'domestic' landscaping treatments, where appropriate – noting that the approach taken here helps soften the impact of the development within its residential context.

## Attachment 7 - Former Industrial Heritage, GJM Heritage (1 October 2019)

### 3.4 Specialist processing plants

These multi-faceted sites contain a series of industrial buildings or structures in which specialist manufacturing or processing occurred. They are often comprised of a range of separate buildings or structures of different forms (silos and towers as well as more typical factory buildings) on the one site. Such sites include breweries, distilleries, tanneries, gasworks, freezing works, rope works and flour mills. Due to their complexity, and the often unique nature of the manufacturing equipment and process involved it is recommended that a Conservation Management Plan be prepared prior to their redevelopment to ensure the important heritage components are retained and managed appropriately. Where this typology has been successfully redeveloped, the different elements of the site remain legible and a variety of new built form responses have been applied to the different historic components.



**Byfas Ltd Factory – 8-16 Trenerry Crescent, Abbotsford (HO314 – Yarra Falls Precinct) \*Note: land surrounding the art deco building is not within the HO**

**Positive features:**

- The volume of the original factory building is maintained.
- Door and window openings in the original factory building are retained and the facades have been conserved.
- The chimney has been retained and conserved.
- Redevelopment of the site has occurred in discrete built form envelopes rather than a single large structure. This reflects the history and nature of the site as a complex of individual buildings, rather than a single form.
- New built form reads as a clearly separate element to the historic form.
- The new buildings within the complex are sensitive in terms of scale and massing to the heritage building.
- The fenestration pattern of the new roof top addition and new residential component fronting Turner Street references the patterning and solid to void proportions of the historic form.
- The roof top addition is subservient in scale to the heritage building and is visually lightweight.
- New elements such as the balconies continue the industrial aesthetic of the heritage building.

**Negative features:**

- The profile of the brick chimney has been lost against the sky by the construction of the apartment building.

**Policy considerations:**

- Redevelopment of large industrial complexes should be guided by a Conservation Management Plan.
- Development within larger complexes should be broken down into smaller building envelopes to reflect the historical arrangement of the site.





**Attachment 7 - Former Industrial Heritage, GJM Heritage (1 October 2019)**

- Discrete heritage structures within the complex should be retained, conserved and reused where their reuse is appropriate.
- Remnant industrial features such as chimney, towers, silos and remnant machinery should be retained, incorporated into the redevelopment, and interpreted.
- Historically prominent features such as chimneys and silos should remain prominent within the redeveloped site and within the wider streetscape or precinct.
- New built form should respect and reflect the scale and architectural language of the heritage buildings and should reflect the industrial aesthetic of the place.



**Malt House Complex – Abinger Street, Richmond (HO424)**

**Positive features:**

- The volume of the original factory building and to a lesser degree the silos has been maintained.
- Door and window openings in the original factory building are maintained and the facades have been conserved.
- The roof form of the factory building has been maintained within simple roof lights added.
- The new additions read as clearly separate elements to the historic form.
- The new buildings within the complex and additions to existing buildings are sensitive in terms of scale and massing with the heritage building.
- The fenestration pattern of the new addition references the patterning and solid to void proportions of the historic form.
- The adaptive reuse of the silos is incorporated into an innovative contemporary design.
- New elements such as the balconies reference the industrial aesthetic of the complex through the use of materials such as off-form concrete and Corten™ steel.

**Negative features:**

- The nautical imagery of the ‘Ark’ apartments in the silos (ships bow and porthole-like windows) is incongruous both in an industrial and inland suburban context.

**Policy considerations:**

- See Byfas Ltd Factory discussed above.

Attachment 7 - Former Industrial Heritage, GJM Heritage (1 October 2019)



**Former Victoria (Aitken's) Distillery – Northumberland Street, Collingwood (HO116)**

**Positive features:**

- The original distillery buildings and silos within the complex have been retained, conserved and reused.
- The original industrial complex remains legible and the site has been subtly interpreted through the naming/identification of the different buildings within the complex.
- Door and window openings in the original factory buildings are maintained.
- The roof form of the buildings has been maintained within simple roof lights added.
- The new buildings and additions read as clearly separate elements to the historic form, but strongly reflect the industrial aesthetic of the site.
- The new buildings within the complex and additions to existing buildings are sensitive in terms of scale, massing and materials.
- Remnant distillery plant and equipment has been incorporated into the new public spaces created.

**Negative features:**

- A good heritage outcome although some new windows have been insensitively located and detailed.

**Policy considerations:**

- See Ltd Factory discussed above

**Attachment 7 - Former Industrial Heritage, GJM Heritage (1 October 2019)**



FOR REVIEW

## Attachment 7 - Former Industrial Heritage, GJM Heritage (1 October 2019)

### 4. Existing and proposed policy guidance

Industrial heritage places are specifically addressed within the Kingston and Maribyrnong heritage policy of their respective planning schemes. The City of Melbourne has exhibited updated heritage policies as part of Planning Scheme Amendment C258, the Planning Panel Report into which has been released. While not specifically referencing industrial heritage, the updated policies provide useful guidance for this class of place. The Heritage Council of Victoria has also produced guidance on the adaptive reuse of industrial heritage places. These policies are discussed in detail below.

#### 4.1 City of Kingston

Kingston's Heritage Policy at Clause 22.16 of the Kingston Planning Scheme addresses, albeit briefly, new building and additions to industrial and commercial heritage places. The Kingston policy provides guidance aimed at retaining contributory fabric and ensuring that new development protects key views of the heritage building and respects its scale through the sensitive massing of form.

The policy states:

***New buildings and works and additions: industrial and commercial heritage places***

- *To promote sensitively designed new development to industrial and commercial heritage places that:*
  - *Maintain and respect the unique character of significant industrial and commercial heritage places;*
  - *Preserve the existing roof line, chimney and contributory architectural features that are essential components to the architectural character of the heritage place;*
  - *Are articulated and massed to correspond with the prevailing building form;*
  - *Respect the scale of the existing heritage place by graduating building form of adjacent new development in a stepped effect away from the place to minimise the visual dominance of adjacent new works;*
  - *Do not obscure principal viewlines to existing significant signage;*
  - *Do not negatively impact upon the significance or architectural character of the place.*

#### 4.2 City of Maribyrnong

Maribyrnong's Heritage Policy at Clause 22.01-16 of the Maribyrnong Planning Scheme includes specific guidance on industrial heritage. The guidance on the redevelopment of industrial places sets out a sound policy basis based on the municipality's industrial past. It also provides decision guidelines that recognise the reality of dealing with heritage places that may have issues that make the retention of heritage fabric difficult or impossible, such as high levels of contamination. The policy recognises the value of preparing a Conservation Management Plan for major industrial sites or complexes, which are common in the City of Maribyrnong. The interpretation of industrial sites is also encouraged as is the retention of redundant equipment where this can aid the understanding of the heritage place. However, the emphasis of the policy is on retaining places in an industrial usage, which is likely to be less relevant in the context of the City of Yarra, and does not apply to sites that have already been fully converted to non-industrial uses.

The policy states:

***22.01-16 Industrial Heritage Policy***

***Where the policy applies***

*This policy applies to scheduled Heritage Overlay sites within an Industrial 1, Industrial 3, Business 3 or various other zones, which have been developed and are being used for industrial purposes or for a utility installation.*

*This policy does not apply to former industrial sites which have been fully converted to non-industrial uses.*

***Policy basis***

## Attachment 7 - Former Industrial Heritage, GJM Heritage (1 October 2019)

Yarra Industrial Heritage Policy Advisory Report

2019-046

*A dominant theme in the development of Maribyrnong since the mid-nineteenth century has been the development of industry and some of Victoria's most significant industrial heritage is now found within the city. Meat and meat product processing, engineering, munitions and armaments, have been dominant industries in Maribyrnong over long periods of time.*

*The Maribyrnong Heritage Review 2001 has identified a wealth of industrial heritage in the area, which includes places that are no longer used for their original purpose and have been redeveloped such as the former Barnett Glass Rubber Factory, to complexes such as Sugar Australia which continue processes which originally commenced more than a century ago.*

*Conservation policy and practice is needed to protect and promote industrial heritage in a context of rapid change occurring at industrial sites throughout the municipality.*

*The conservation of industrial heritage places presents specific management issues. It is often the use of the site for the same purpose over a long period that is of the primary historical significance. While fabric such as buildings or plant may contribute to the significance of industrial heritage places by illustrating the development of the place over time, the ongoing replacement and upgrading of this fabric is often an integral part of the operation of the use. 'Conservation by use' is an important heritage principle and on this basis, there may be circumstances where it may be appropriate to permit the removal or alteration of fabric if it will facilitate the historic use of a site and ensure future viability.*

### **Objectives**

The objectives of this policy are:

- *To conserve industrial heritage places as an integral part of the City's heritage fabric and in a manner which is supportive of ongoing industrial activity.*
- *To encourage development to be undertaken in accordance with the accepted conservation standards of the ICOMOS Burra Charter.*
- *To encourage conservation and other works including maintenance, restoration, reconstruction and adaptation.*
- *To ensure that industrial heritage places continue to be used and conserved, and that replacement and renewal occur where necessary for the continuation of an historic industrial use.*
- *To ensure that the conservation of industrial places is balanced against other policies and objectives which may have a bearing upon the ongoing use and development of land.*
- *To conserve infrastructure associated with industrial sites including railways, pipelines, roads, wharves and the like where this is practically achievable and will not unreasonably impact, physically or economically, upon the re-development of the site for a continued or new industrial use.*

### **Policy**

It is policy that:

- *Preference will be given to applications for development that:*
  - *Support the continued viability of the historic industrial use of the site.*
  - *Seek to achieve a balance between the achievement of conservation objectives and other relevant planning scheme policies, and objectives in relation to economic viability and occupational health and safety.*
  - *Where possible, conserve fabric considered to be of primary significance unless the fabric has been made redundant and must be replaced by new buildings, plant or equipment associated with an ongoing or new industrial use, or its retention is outweighed by other more important policy outcomes.*
  - *Retains redundant fabric of primary significance in-situ if there is no immediate need to remove or relocate it.*
- *A Conservation Management Plan (CMP) be prepared for major industrial sites prior to works being undertaken to inform the development application.*

## Attachment 7 - Former Industrial Heritage, GJM Heritage (1 October 2019)

- *An appropriate record be made of any significant fabric that is proposed to be removed or demolished. This may include a photographic survey and measured floor plans and elevations. All recordings must be of archival quality.*
- *When a use is discontinued and a site redeveloped, preference will be given to applications for new development that:
 
  - *Retains as much significant fabric as possible;*
  - *Creatively interprets the history of the heritage place through the design or layout of new development including buildings, subdivision, landscaping, movement systems and public art; and*
  - *Incorporates interpretation of the heritage place, and the place within its context. This may include interpretative signage that outlines the history of the site and may include text, images or maps.**

### **Policy**

*It is policy that before deciding on an application, in addition to the decision guidelines elsewhere in this policy and the Scheme, the responsible authority should also consider when relevant:*

- *Whether the proposed buildings, works or demolition will advance policies and objectives of the planning scheme in terms of the ongoing use and development of land for industrial or port-related purposes.*
- *Whether the proposed buildings, works or demolition will support the continuation of the historic industrial use carried out on the site.*
- *Whether the proposed buildings, works or demolition will support the viability of a new industrial use on the site.*
- *Whether demolition will, when balanced against other policies and objectives, achieve a net community benefit.*
- *Whether the demonstrated level of contamination prevents, or makes prohibitive, the repair, adaptation or re-use of a significant building or place.*
- *Whether there is an opportunity for redundant equipment to remain in-situ as historic evidence or for interpretation.*
- *Whether, when balanced against other planning policies and objectives, the historic use of the site is able to be properly recognised by interpretation.*
- *Whether any proposed interpretation will provide adequate information about the historic use and development of the site, including any significant links with other related industrial, commercial or residential places.*
- *Any framework or strategy relating to the land that is included as a reference or incorporated document in the Scheme.*

### **4.3 City of Melbourne**

The Melbourne Planning Scheme Amendment C258 proposes, amongst other things, new heritage policies within and outside the Capital City Zone. The Panel Report (dated 15 May 2019). Melbourne City Council's expert witness, Ms Jordan, recommended that 'Clause 22.04 Heritage Places within the Capital City Zone' and 'Clause 22.05 Heritage Places outside the Capital City Zone' be combined into one policy, 'Clause 22.05 Heritage Policy'. In contrast, the Panel Report recommended that the separate policies be retained. The new policy (which still undergoing review) includes the following clauses that are of relevance to the matters considered in this review. The Panel also recommended that the City of Melbourne abandon its practice of streetscape grading and grade all buildings within precincts as 'contributory' rather than 'significant' and 'contributory' with individual Heritage Overlays identified as an 'individual heritage place'.

The clauses of particular relevance are bolded:

#### **22.05-7 Demolition**

**It is policy that:**

## Attachment 7 - Former Industrial Heritage, GJM Heritage (1 October 2019)

Yarra Industrial Heritage Policy Advisory Report

2019-046

- *The demolition of a non-contributory place will generally be permitted.*
- *Full demolition of significant or contributory buildings will not generally be permitted.*
- *Partial demolition in the case of significant buildings, and of significant elements or the front or principal part of contributory buildings will not generally be permitted.*
- *Retention of the three dimensional form is encouraged; facadism is discouraged.*
- *The adaptive reuse of a heritage place is encouraged as an alternative to demolition.*
- *The poor structural or aesthetic condition of a significant or contributory building will not be considered justification for permitting demolition.*
- *A demolition permit should not be granted until the proposed replacement building or works have been approved.*
- *The demolition of fences and outbuildings which contribute to the cultural significance of the heritage place is discouraged.*

**Before deciding on an application for full or partial demolition, the responsible authority will consider, as appropriate:**

- *The assessed significance of the heritage place or building.*
- *The character and appearance of the building or works and its contribution to the historic, social and architectural values, character and appearance of the heritage place, and the streetscape.*
- *The significance of the fabric or part of the building, and the degree to which it contributes to the three-dimensional form of the building, regardless of whether it is visible.*
- *Whether the demolition or removal of any part of the building contributes to the long-term conservation of the significant fabric of the building.*
- *Whether the demolition is detrimental to the conservation of the heritage place*
- *Whether there are any exceptional circumstances.*

*Where approval is granted for full demolition of a significant building, a recording program including, but not limited to, archival photographic recording and/or measured drawings may be required prior to demolition, to the satisfaction of the Responsible Authority.*

#### 22.05-8 Alterations

**It is policy that:**

- *External fabric which contributes to the cultural significance of the heritage place, on any part of a significant building, and on any visible part of a contributory building, should be preserved.*
- *Alterations to non-contributory buildings and fabric are respectful of, and do not detract from the assessed cultural significance of the heritage precinct.*
- *Sandblasting of render, masonry or timber surfaces and painting of previously unpainted surfaces will not generally be permitted.*

**Before deciding on an application to alter the fabric of a significant or contributory building, the responsible authority will consider, as appropriate:**

- *The assessed cultural significance of the building and heritage place.*
- *The degree to which the works would detract from the significance, character and appearance of the building and heritage place.*
- *Its structural condition.*
- *The character and appearance of the proposed replacement materials.*
- *Whether the works can be reversed without loss of fabric which contributes to significance.*

25

## Attachment 7 - Former Industrial Heritage, GJM Heritage (1 October 2019)

*Removal of paint from originally unpainted masonry or other surfaces is encouraged providing this can be undertaken without damage to the heritage fabric.*

*The introduction of awnings and verandahs to ground floor façades and shopfronts may be permitted where:*

- *The works reconstruct an original awning or verandah, based on evidence of the original form, detailing and materials; or*
- *The awning is an appropriate contextual design response, compatibly placed in relation to the building, and can be removed without loss of fabric which contributes to cultural significance.*

### 22.05-9 Additions

*It is policy that additions to buildings in a heritage precinct are respectful of and in keeping with:*

- *Identified 'key attributes' of the heritage precinct.*
- *Precinct characteristics including building height, massing and form; style and architectural expression; details; materials; front and side setbacks; and orientation.*
- *Character and appearance of nearby significant and contributory buildings.*

*Where abutting a lane, additions are to be respectful of the scale and form of heritage fabric to the lane.*

*Additions to significant or contributory buildings:*

- *are respectful of the building's character and appearance, scale, materials, style and architectural expression.*
- *do not visually dominate or visually disrupt the appreciation of the building as it presents to the streetscape(s).*
- *maintain the prominence of the building by setting back the addition behind the front or principal part of the building, and from other visible parts and moderating height.*
- *do not build over or extend into the air space directly above the front or principal part of the significant or contributory building.*
- *retain significant roof form within the setback from the building façade together with any chimneys or similar roof elements of original fabric. Not obscure views of façades or elevations associated with the front or principal part of the building.*
- *be distinguishable from the original fabric of the building.*

*The design of additions is to:*

- *Adopt high quality and respectful contextual design.*
- *Avoid direct reproduction of the form of historic fabric.*
- *Adopt an interpretive design approach to other details such as verandahs, fences, and shopfronts.*

### 22.05-10 New Buildings

*It is policy that new buildings are respectful of and do not detract from the assessed cultural significance of the heritage place.*

*New buildings:*

- *Are to be in keeping with:*
  - *'Key attributes' of the heritage precinct such as:*
  - *Building height, massing and form; style and architectural expression; details; materials; front and side setbacks; and orientation and fencing.*
  - *Prevailing streetscape height and scale.*
- *Do not obscure views from the street(s) and public parks of the front or principal part of adjoining significant or contributory places or buildings.*



## Attachment 7 - Former Industrial Heritage, GJM Heritage (1 October 2019)

Yarra Industrial Heritage Policy Advisory Report

2019-046

- **Do not visually dominate or visually disrupt the appreciation of the heritage place by:**
  - **maintaining a façade height which is consistent with that of adjoining significant or contributory buildings, whichever is the lesser, and**
  - **setting back higher rear building components.**
- **Do not adopt a façade height which is significantly lower than prevailing heights in the streetscape.**
- **Are neither positioned forward of the façade of adjoining significant or contributory heritage places or buildings, or set back significantly behind the prevailing building line in the streetscape. For land within the CCZ, new buildings should be positioned in line with the prevailing building line in the streetscape.**
- **Do not build over or extend into the air space directly above the front or principal part of an adjoining significant or contributory building or place.**
- **Where abutting a lane, are respectful of the scale and form of historic fabric of heritage places abutting the lane.**
- **Do not impact adversely on the aboriginal cultural heritage values, as indicated in an archaeologist's report, for any site known to contain aboriginal archaeological relics.**

**The design of new buildings are to:**

- **Adopt high quality and respectful contextual design.**
- **Adopt an interpretive design approach to other details such as verandahs, fences and shopfronts.**

...

**22.05-12 Subdivision***It is policy that subdivision of a heritage place:*

- **Reflect the pattern of development in the streetscape or precinct, whichever is most relevant to the place.**
- **Ensure that appropriate settings and contexts for significant and contributory heritage buildings and places are maintained including the retention or any original garden areas, large trees and other features which contribute to the significance of the heritage place.**
- **Not provide for future development which will visually disrupt the setting and impact on the presentation of the significant or contributory building.**
- **Provide for three dimensional building envelopes for future built form to each lot proposed.**

**Subdivision of airspace above heritage buildings, to provide for future development, is discouraged.**

...

**22.05-18 Signage***It is policy that new signage associated with heritage places meet the following standards:*

- **Minimise visual clutter.**
- **Not conceal architectural features or details which contribute to the significance of the heritage place.**
- **Not damage the fabric of the heritage place.**
- **Be in keeping with historical signage in terms of size and proportion in relation to the heritage place.**
- **Be readily removable.**
- **Address all relevant performance standards of Clause 22.07 – Advertising Signage**

**Advertising signs may be placed in locations where they were traditionally placed.****The historical use of signage may be justification for new or replacement signage.**

27

## Attachment 7 - Former Industrial Heritage, GJM Heritage (1 October 2019)

*Existing signage that is deemed to have heritage value should be retained, and not altered or obscured, including historic painted signage.*

This aim of the policy appears primarily to inform development behind the front or principal form of domestic dwellings (of which terraced houses are a common type within the City of Melbourne as they are in the City of Yarra). Its application to industrial buildings (beyond residential-scaled industry/workshops in residential areas) is potentially limited.

While not specifically addressing industrial places, many of the above policies could reasonably be applied to this class of place as they seek to retain important heritage fabric including significant roof forms and signage, and require that new development be setback from facades to ensure that new development does not dominate the heritage form. Of most relevance to current issues within the City of Yarra is the performance standard that seeks to retain the "...perception of the three-dimensional form and depth of the building" including from secondary elevations. Planning Scheme Amendment C258 also seeks to establish policy discouraging building over the front or principal part of a heritage place or its air space above.

### 4.4 Heritage Council of Victoria

In 2013 the Heritage Council Victoria produced *Adaptive Reuse of Industrial Heritage: Opportunities and Challenges* along with a number of case studies in Victoria and elsewhere in Australia. These examples demonstrate a range of appropriate design responses and development outcomes across different industrial place types. While the examples provided all involve adaption and reuse they do not involve the development of larger scale new built form. The accompanying issues paper sets out a range of issues and establishes a policy basis for the retention of heritage places but it does not provide examples of policy or decision guidelines for assessing proposals for the redevelopment of industrial places.

### 4.5 Industrial places within large precinct Heritage Overlays

In Yarra, industrial sites are often included within broad precinct-based Heritage Overlays and individual Statements of Significance haven't been prepared and tailored provisions (such as internal alteration controls) have not been applied. These large-scale precincts are commonly residential in character and it is these values, rather than their industrial heritage that is recognised within the Statement of Significance. Where these industrial buildings are located within a predominantly residential precinct, their scale, form and architectural expression is often contrary to the character of that context. In these cases, consideration should be given to introducing a planning scheme amendment to create individual overlays within the residential precinct to recognise the heritage values of the industrial building or complex that may be inconsistent with those of the surrounding Heritage Overlay precinct.

An analysis of significance is required to properly understand the heritage values of the place and to inform the management of change to these sites. Statements of Significance should be prepared for industrial buildings – including those within precincts – where their form, use or type does not clearly fall within the existing Statement of Significance.

## Attachment 7 - Former Industrial Heritage, GJM Heritage (1 October 2019)

Yarra Industrial Heritage Policy Advisory Report

2019-046

### 5. Recommended Industrial Heritage Policy

Drawing on the above case studies and the analysis of existing policies, a number of additional heritage-related policies are recommended for inclusion within the Yarra Planning Scheme.

The introduction of specific provisions within the Yarra Planning Scheme to encourage the retention and appropriate redevelopment of industrial heritage sites should include new clauses within both the Local Planning Policy Framework at Clause 21.05 – ‘Built Form’ and Local Planning Policy at Clause 22.02 – ‘Development Guidelines For Sites Subject To The Heritage Overlay’. These will need to be translated into the new Planning Policy Framework format when the new heritage policy is introduced at Clause 15.03-1L.

Many of the policies recommended below will apply to all heritage places, while some are specific to industrial sites. Consideration will need to be given to the format of the policy to avoid unnecessary repetition, but to ensure that all relevant policies are applied to a consideration of applications for development of industrial heritage buildings and sites.

#### 5.1 Local Planning Policy Framework

It is recommended that additional commentary be added to Clause 21.05-1 ‘Heritage’ to recognise the importance of the municipality’s industrial past. The suggested new text is identified below in **bold** typeface.

*With over half of the municipality having heritage protection, heritage features, including buildings, subdivision patterns, open spaces, and streetscapes, underpin Yarra's valued character.*

*Factors that contribute to the heritage character of particular neighbourhoods include the period of development and pattern of subdivision, predominant land uses, and the original socio-economic structure of the population. This has created unique neighbourhoods, retail activity centres and **industrial complexes** which are identified in Yarra's Heritage Overlays. These factors must be considered when understanding a site's significance. The cultural significance of heritage places must not be compromised by new development.*

*In conserving areas of heritage significance there is also a need to provide for adaptive reuse and change of buildings **especially those that are no longer in their original use such as former industrial buildings and sites.***

#### 5.2 Local Planning Policy

It is recommended that a number of policies be added under Clause 22.02 – ‘Development Guidelines for Sites subject to the Heritage Overlay’ or its successor policy at Clause 15.01-3L.

The recommended policies are made within the context of the existing Clause 22.02. The recommended new policy is identified in bold. Where the new policy has been drawn directly from another policy this is noted in brackets. Where a sub-clause has not been identified it is considered appropriate in the context of managing industrial heritage places or is not relevant. These recommendations will need to be translated into the new format required by VC148 which introduced Clause 15.03-1S and 15.03-1L.

##### 5.2.1 Clause 22.02 -5.1 ‘Demolition – Full Demolition or Removal of a Building’

Add the following policy:

- a) **Where approval is granted for full demolition of a heritage place, a recording program including, but not limited to, archival photographic recording and/or measured drawings may be required prior to demolition, to the satisfaction of the Responsible Authority** (modified from Melbourne C258 – replaced ‘significant building’ with ‘heritage place’).

## Attachment 7 - Former Industrial Heritage, GJM Heritage (1 October 2019)

### 5.2.2 Clause 22.02 -5.1 'Demolition - Removal of Part of a Heritage Place or Contributory Elements'

- a) Encourage the removal of inappropriate alterations, additions and works that detract from the cultural significance of the place.
- b) **Encourage the retention and conservation of significant fabric, such as principal elevations, chimneys, visible roof forms and architectural features.**
- c) Generally discourage the demolition of part of an individually significant or contributory building or removal of contributory elements unless:
  - (i) That part of the heritage place has been changed beyond recognition of its original or subsequent contributory character(s).
  - (ii) For a contributory building:
    - o that part is not visible from the street frontage (other than a laneway), abutting park or public open space, and the main building form including roof form is maintained; or
    - o the removal of the part would not adversely affect the contribution of the building to the heritage place.
  - (iii) For individually significant building or works, it can be demonstrated that the removal of part of the building or works does not negatively affect the significance of the place.
- d) **Before deciding on an application for partial demolition or removal, the responsible authority will consider, as appropriate:**
  - (i) **The significance of the place and the degree to which the fabric or part of the building proposed to be removed contributes to the significance of the place.**
  - (ii) **The significance of the fabric or part of the building, and the degree to which it contributes to the perception of the three-dimensional form and depth of the building (Melbourne C258).**

### 5.2.3 Clause 22.02 -5.4 'Painting and Surface Treatments'

Add the following policy:

- a) **For additions and new built form, recessive colours and materials should be used and dramatically contrasting patterns should be avoided.**

### 5.2.4 Clause 22.02-5.6 'Subdivision'

- a) Support the subdivision of sites which do not detract from the heritage value of the place or contributory element.
- b) Where appropriate, use a building envelope plan to protect the heritage values of the place. The building envelope plans should:
  - (i) Reflect the original rhythm of the streetscape.
  - (ii) **Maintain an appropriate setting to the significant or contributory building (Melbourne C258).**
  - (iii) **Not provide for future development which will visually disrupt the setting and impact on the presentation of the significant or contributory building (Melbourne C258).**
  - (iv) **For former industrial complexes, reflect or interpret the historical arrangement of heritage buildings and processes within the complex.**

## Attachment 7 - Former Industrial Heritage, GJM Heritage (1 October 2019)

Yarra Industrial Heritage Policy Advisory Report

2019-046

### 5.2.5 Clause 22.02-5.7.1 'New Development, Alterations or Additions - General'

- a) Encourage the design of new development and alterations and additions to a heritage place or a contributory element to a heritage place to:
- (i) Respect or interpret the pattern, rhythm, orientation to the street, spatial characteristics, fenestration, roof form, materials and heritage character of the surrounding historic streetscape.
  - (ii) Be articulated and massed to correspond with the prevailing building form of the heritage place or contributory elements to the heritage place.
  - (iii) Be visually recessive and not dominate the heritage place.
  - (iv) Be distinguishable from the original historic fabric **and adopt a high quality and respectful contextual design response** (Melbourne C258).
  - (v) Not remove, cover, damage or change original historic fabric.
  - (vi) **Not build over or extend into the air space above the front or principal part of a significant or contributory building** (Melbourne C258).
  - (vii) Not obscure views of principle façades.
  - (viii) **Not employ external column/structural supports through the front or principal part of the building** (Melbourne C258).
  - (ix) Consider the architectural integrity and context of the heritage place or contributory element.
  - (x) **Maintain the perception of the three-dimensional form and depth of the building by setting back the addition behind the front or principal part of the building, and from visible secondary elevation(s)** (Melbourne C258).
  - (xi) **Retain significant roof forms within the setback from the building façade particularly where this is visible from the public realm** (Melbourne C258).
  - (xii) **Maintain the inter-floor height of existing buildings and avoid new floor plates and walls cutting through window openings.**
  - (xiii) **For additions, interpret historic façade patterning, including fenestration patterns and proportions, the relationship between solid and void and the module of structural bays.**
  - (xiv) **Discourage the use of highly reflective glazing in both historic openings and new built form. Unarticulated curtain glazing should be avoided.**
- b) 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.
- c) Encourage similar façade heights to the adjoining **significant or** contributory elements in the street. Where there are differing façade heights, the design should adopt the lesser height.
- d) **Encourage visually lightweight additions and linking elements to transition between historic and new built form.**
- e) Minimise the visibility of new additions **in residential areas** by:
- (i) Locating ground level additions and any higher elements towards the rear of the site.
  - (ii) Encouraging ground level additions to contributory buildings to be sited within the 'envelope' created by projected sight lines (see Figure 1)

## Attachment 7 - Former Industrial Heritage, GJM Heritage (1 October 2019)

- (iii) 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).
- (iv) 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.
- f) 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.

### 5.2.6 Clause 22.02-5.7.2 'New Development, Alterations or Additions – Specific Requirements: Industrial, Commercial and Retail Heritage Place or Contributory Elements'

- a) 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.
- b) Require the preparation of a Conservation Management Plan to guide the redevelopment of industrial complexes containing a number of heritage buildings and features (adapted from Kingston 22.01).
- c) Encourage the retention of features such as chimneys, silos and towers within industrial sites that serve as local landmarks and communicate the historic function of these heritage places. Ensure these features remain visually prominent in any redevelopment proposal.
- d) Encourage the retention of remnant historic signage where it can help interpret the previous uses and history of the place.
- e) Encourage the interpretation of significant industrial sites and complexes including the retention of redundant equipment where this can aid the understanding of the heritage place (Kingston 22.01).
- f) Roof forms that contribute to the significance of the building should be retained, particularly where these are visible from the public realm or incorporate features such as lanterns, skylights, vents or chimneys.
- g) Side elevations visible from the public realm should normally be retained. Where a side elevation has been substantially altered or makes a minor contribution to the significance of the building, the depth of one or more structural bays should normally be retained to ensure the three-dimensional form of the building is retained.
- h) Encourage new built form to adopt a subtly contrasting approach that respects the scale and industrial character of the place but is recessive against the heritage fabric.
- i) Encourage visually lightweight one to two-storey rooftop additions on medium-rise (three or more storey) industrial buildings where the additions are set back a minimum of one structural bay from the principal façade/s.
- j) Encourage new upper-level development behind one and two-storey industrial facades to be setback a minimum depth of two structural bays. New built form – as visible from the street – should not generally exceed the same volume of the historic form.
- k) Encourage taller new built form on large industrial site to be broken up into separate tower forms rather than a single mass.

**Attachment 7 - Former Industrial Heritage, GJM Heritage (1 October 2019)**

Yarra Industrial Heritage Policy Advisory Report

2019-046

- l) Encourage upper-level development to be setback from secondary elevations to ensure the three-dimensional form of the heritage building is retained.**
- m) Avoid new openings or the widening of existing openings in highly intact facades.**
- n) Encourage fencing and landscape treatments that reflect the industrial character of the heritage place.**

DRAFT FOR REVIEW

**Attachment 7 - Former Industrial Heritage, GJM Heritage (1 October 2019)****APPENDIX A – EXTRACT FROM NORTHERN SUBURBS FACTORY STUDY***Northern Suburbs Factory Study (1992), Gary Vines and Matthew Churchward, Pages 133 - 136***Categories of building types****1. Residential scale industry**

This type of factory is characterised by its domestic scale and appearance. In some cases it could be mistaken for a large but plain terrace house or parish hall. The examples are only one or two storeys with narrow frontages dictated by the size of the residential blocks and with window and door proportions similar to the surrounding houses. They can usually be distinguished by their almost complete coverage of the block and lack of out buildings. They generally date from the 1860s to 1890s and were intended for light manufacturing such as clothing and footwear. Examples in the study area include, Spicer's boot factory in Bell St. Lewis & Whitty's blacking factory in Charles St. the Phoenix Chemical Co. Napier St. and Ferguson's Mantle factory, Wood St. all in Fitzroy, Yates boot factory in Page St. Clifton Hill and Peatt's boot factory in Langridge St. Collingwood.

Many inner suburban factories which date from the mid to late nineteenth century are built in a form which mirrors the domestic architecture in which they are situated. Before the 1920s there was little concerted effort to segregate industrial uses from the commercial and residential districts except where the trade was so offensive as to cause an immediate public outcry. In fact, the reverse was often the case, where industry amidst housing was seen as desirable in an age when the workforce had to be within walking distance from their place of work. The style of building reflected the domestic architecture probably for two reasons. This style was in keeping with the environment and so reduced opposition to industry. It was also the predominant form of building, familiar to the carpenters, bricklayers and stonemasons who designed and erected the bulk of buildings in Melbourne, before the trade of architect became common.

**2. Specialist processing plants**

A number of industries which turned traditional craft skills into mass production required purpose built processing plants to take the large scale equipment and handle bulk raw materials. Breweries, distilleries, tanneries, gasworks, freezing works, rope works, flour mills, etc. were dictated in their form by the actual process. The plant and equipment of these works, such as malting floors, brewing vats, distillation tanks, tan pits, gas retorts, freezing chambers, rope walks, etc., comprised the major part of the factory, often with the building simply forming a skin around equipment suspended in a framework to which the walls were attached. Because of the level of capitalisation required to get some of these industries off the ground, the buildings were often elaborately finished. The Yorkshire Brewery is the most prominent example.

This type of building is often the most exciting in terms of industrial heritage, because even when the equipment has been replaced or removed, the building itself can clearly demonstrate how the process was carried out. Other good examples of this factory type in the study area are the Vauxhall and Victoria distilleries, Victoria brewery, Thompson's tannery in Rokeby St. Collingwood, Miller's and Sampson's ropeworks in Brunswick, the Brunswick gas works in Hope St. Dight's flour mill on the Yarra, Reilly's flour mills in Brunswick Street Fitzroy and Benalla, Hoffman's brickworks, Coop's shot tower, the Leeds Dyeworks and the Fitzroy Freezing Works, sadly under demolition as this study was being prepared. Within this group are a few examples of bluestone industrial architecture more often seen in the Footscray-Williamstown area. They include Nettleton's woolworks and the Vauxhall Distillery. Early bluestone industrial buildings utilised locally obtained stone to solve practical construction problems of strength and cost. Their early date and substantial



**Attachment 7 - Former Industrial Heritage, GJM Heritage (1 October 2019)**

Yarra Industrial Heritage Policy Advisory Report

2019-046

nature were the deciding factors in choice of the appropriate building material since brickmaking had not reached the standard required for such massive building works.

**3. Workshops**

A minor type of building both in its role in industry and the form of the building is the once ubiquitous small, single storey workshop, employed for a variety of manufacturing purposes including carriage building, blacksmiths, foundries, engineers, joineries, furniture makers, etc. These buildings are almost universally single storey with gable roofs and in the case of the blacksmiths, farriers, carriage builders, motor engineers, and other transport related works, they have a central vehicle entrance flanked by windows. Because these were often the result of a single tradesman or partner's efforts who may employ between one and a dozen hands, their size is remarkably consistent. Examples include Lawson & Paterson Gore St., Bull's coachbuilding works, Fitzroy St., The Fitzroy ironworks, Greeves St., Federal Truck and Trolley Co. in George St., Lancaster's Farrier in Napier St. and Abrahams' Jute works in Young St.

**4. Classical commercial**

A far more elaborate form of factory developed as part of the boom of the 1880s and reflected the architectural fashions of the period as well as the wealth and status of the companies which built them. Moderate sized firms such as R.J. Henderson, Henry Hooper & Co. The United Shoe Machinery Co. and Moran & Cato employed simple forms of neo-classical architecture for their facades. Even some smaller boot factories such as Spry's and Burston and Treleaven had elaborate classical detailing echoing the styles of the inner city terrace housing. Some larger firms such as Denton's Hats and the Foster Lager Brewing Co. applied very imposing classical facades to their very large works. The fashion was taken to extremes by some manufacturers, particularly the brewers, with the Yorkshire Brewery being the most elaborate example. The style for flamboyant factory facades appears to have faded by the early twentieth century.

**5. Multi-storey factories**

By the early twentieth century, the cost of land and shortage of space for factories close to the city sent many manufacturers upward in their quest for factory expansion. Coupled with these considerations, the improvements in building technology allowed higher buildings to be erected without excessive cost, while certain industries benefited from the speedy transfer of part processed items between operators and levels in a compact factory. The earliest multi-storey factories (ie. those with three or more floors) appeared in the footwear industry around 1910. Earlier examples of multi-storey factories are found in a few specific industries where the process demanded 3 or more storeys such as flour mills, distilleries and brew towers. A very few particularly large general manufacturers reached three storeys in the nineteenth century. The Phoenix Clothing Factory in King St. Melbourne and Denton's Hats in Abbotsford are rare examples of such factories.

By the 1930s multi-storey factories had become commonplace, particularly in textile and footwear industries. Shoe factories such as Trescowthick's Clifton Hill factory, Llewellyn's and William's boot factories changed the face of that industry in Collingwood. MacRobertson's built progressively higher as it expanded its Fitzroy confectionery works, culminating in the seven storey 'Old Gold' factory. Clothing factories such as Staley and Staley in Brunswick and Austral Hats in Abbotsford demonstrated the scale of manufacture being carried out by the 1930s, while Rawleigh's Brunswick factory demonstrates another use for the building form.

Initially built in brick, these works were some of the earliest to adopt new materials such as reinforced concrete for window and door lintels, and for reinforcing bands in the brickwork as well as asbestos cement sheeting, steel framing and total reinforced concrete construction.

## Attachment 7 - Former Industrial Heritage, GJM Heritage (1 October 2019)

### 6. The shed principal

The 'shed principle', was a term used in England, and promoted by William Fairbairn, which referred to a single storey factory illuminated by sawtooth roof lights facing north in the northern hemisphere, but turned around to the south in Australia to ensure indirect light flooded the entire workplace. The building type was first applied to the woollen mills and had become common in England by the 1870s. Its use in Australia was also connected with woollen mills in Geelong and Melbourne's western suburbs in the 1860s and 1870s and the top showroom floor of many woolstores.

The single storey sawtooth roof factories of the outer industrial areas can be seen as the antithesis of the multi-storey factories in the inner suburbs. The principle requirement of these new factories was a large, unobstructed, single level for production-line operations at a mass-production scale. Cheap land on the fringes of Melbourne allowed the factories to sprawl. The best examples are Lincoln Mills, and Hilton in Coburg. An unusual example of a very large sawtooth roof factory in the inner suburbs is Yarra Falls in Abbotsford, which was able to take advantage of a large, unoccupied site near the Yarra River in Abbotsford.

These factories have timber or steel frames and are clad in corrugated iron, the more substantial having brick walls to the street frontages and sometimes all external walls. The sawtooth roof factory had become the standard form of large industrial building by the 1940s and has only recently been displaced in the last decade, by steel clearspan and prefabricated, prestressed concrete construction.

### 7. 'Moderne' facades

Within the range of sawtooth factories built in the 1930s are those smaller buildings which gave the utilitarian sawtooth roof shed slightly greater prestige by adding a facade in the then fashionable 'Streamlined Moderne' style. This was executed in brick, often rendered and can be instantly distinguished by the horizontal lines set into the brick or stucco and the vertical motif of turrets or fins over the main office entrance and sometimes other entrances. Curved walls and curved sections of parapet are very common. The architecture is usually pedestrian using standard features rather than demonstrating any architectural excellence. Lygon Street Brunswick, seems to have a disproportionate number of such factories which usually started life as textile mills. These include Red Robin at numbers 162,236 & 240, G. Burgin at 260, and Castle Knitwear at 326. Latoof & Callil in Brunswick Road and the Union Knitting Mills in Coburg are other typical examples. The Streamlined Moderne style was also used by more proficient industrial architects, but this is covered in the next style.

### 8. Elaborate and distinctive

Several large factories were executed in a very self-consciously stylish manner to designs by prominent and fashionable architects in particularly avant-garde styles. The Avon Butter Factory in Nicholson St. has a Moorish or Spanish Mission character with unusual detail in coloured glazed bricks and wrought iron. The old Brunswick Market Henderson Boxes in Ballarat St. is the only other example of such an elaborate Spanish Mission factory. William Pitt reinterpreted the Edwardian decorative treatment for his designs for Foy & Gibson's factories in Oxford and Cambridge Streets, Collingwood.

As noted above, the Streamlined Moderne was favoured for factories of the 30s as it expressed the up-to-date and progressive attitude of the new firms which had been established following the depression. Birmacley margarine in Scotchmer St., Handley & Tilley in Abbotsford and Truemould Tyres in Clifton Hill are all fine examples of the style. The unique style of Walter Burley Griffin's Melbourne architectural office is expressed in the Joseph Lyddy building in Fitzroy St, Fitzroy. while the Art Deco which inspired Griffin can also be seen in the severe Byfas/Yarra Falls building in Trennery Crescent, Abbotsford. Another popular style of the later part of our study period is the International or Dutch Modernist seen in such large and imposing

**Attachment 7 - Former Industrial Heritage, GJM Heritage (1 October 2019)**

Yarra Industrial Heritage Policy Advisory Report

2019-046

factories as the Oakley & Parkes designed Spicer's Paper mills, A.R. Butler's additions to Lincoln Mills and the Tip Top bakery in Brunswick.

**9. Edwardian and Inter-war**

The distinctive style of the period from about 1910 to the late 30s warrants a classification of its own as this appears to have been a time of considerable expansion in manufacturing and the adoption of new construction techniques in a remarkably consistent group of factories. Brick pilastered facades often gable ended with stuccoed decoration to the sills, lintels and bands in the brickwork, large steel hopper sash windows, and the beginnings of the extensive use of concrete and steel for window and door lintels, characterise this style. The single storey gable ended factory of this type is ubiquitous, some examples being the Ideal Box Factory in Rokeby St., Davis pickle factory in Rupert St. and Trescowthick's Hoddle St. boot factory.

**10. Functional severe**

The 1930s produced a particularly plain and functional group of factories which are clearly expressive of their period. Basic materials of brick, concrete and steel are used without any embellishment, G.N. Raymond's last factory in Easy St. Collingwood. The Gordon Slipper Co., Anderson & Ritchie, and Romar Knitwear in Fitzroy are a few of the many small factories of the period to eschew decoration altogether, while the bulk and repetitive pattern of the British United Shoe Machinery Co. in Alexandra Parade demonstrates that this sort of treatment can still result in an impressive structure.

**11. Uncharacteristic**

A small number of factories do not fit easily in any of the above categories because they were built outside of any industrial tradition. Sometimes, as in the case of Bates Cocoa Mills which began life as a Common School, the building was erected for another purpose, and adapted to manufacture with minimal alteration. Others like the Lane Shirt Factory in Union St. Brunswick, were factory extensions to shopfront retail outlets, and so are more indicative of the trends in commercial building architecture.



City of Yarra  
Residential Heritage Policy Review

REVISED REPORT  
31 October 2019



Prepared for City of Yarra

**Attachment 8 - Residential Heritage Policy Review, Context Pty. Ltd. (October 2019)**

© Context 2018  
 [GML Heritage Victoria Pty Ltd, trading as Context. ABN 31 620 754 761]

Project Team:  
 Louise Honman  
 Vicki McLean  
 Claire Scott, Claire Scott Planning

Revised by:  
 Louise Honman

**Report Register**

This report register documents the development and issue of the report entitled *City of Yarra Input to Residential Heritage Policy* undertaken by Context in accordance with our internal quality management system.

<b>Project No.</b>	<b>Issue No.</b>	<b>Notes/description</b>	<b>Issue Date</b>	<b>Issued to</b>
2220	1	Draft Stage 1 report	9 February 2018	Amanda Haycox
2220	2	Draft Stage 2 report	21 February 2018	Amanda Haycox
2220	3	Draft final report	28 February 2018	Amanda Haycox
2491	4	Revised report	31 October 2019	Amanda Haycox

**Attachment 8 - Residential Heritage Policy Review, Context Pty. Ltd. (October 2019)**

---

*CONTENTS*

<b>1.0 INTRODUCTION</b>	<b>1</b>
1.1 Scope	1
1.2 Method	1
Project brief	2
Limitations	2
1.3 Stage 1 report	3
Summary	3
How can 'visibility' be determined?	3
How does building typology affect 'visibility'?	4
<b>2.0 INPUT TO HERITAGE POLICY</b>	<b>5</b>
2.1 Demolition	5
What is the issue?	5
Policy intention	5
Key content	6
2.2 Subdivision	7
What is the issue?	7
Policy intention	7
Key content	7
2.3 Alterations and additions	8
What is the issue?	8
Policy intention	9
Key content	14
2.4 New buildings	14
What is the issue?	14
Policy intention	15
Key content	15
<b>REFERENCES</b>	<b>17</b>
<b>APPENDICES</b>	<b>18</b>

## 1.0 INTRODUCTION

This report has been revised in October 2019 following key changes in Victorian Planning Schemes. Further detail is in Section 1.2.

### 1.1 Scope

The residential areas of the City of Yarra are diverse, ranging from inner urban terraces in Richmond and Collingwood to suburban development in Alphington. They are also experiencing rapid change as the whole city grows and the desirability of inner city living is reflected in the market for denser living. These changes are being expressed in a new densification of inner city neighbourhoods, many of which are in Heritage Overlays.

In response to a major planning scheme review of the Yarra Planning Scheme, the Local Planning Policy Clause 22.02 (Development Guidelines for Sites Subject to the Heritage Overlay) was identified as requiring updating. The brief for this project provided for the development of improved policy content to address the identified shortcomings of that policy. The brief included:

- Analysing a sample of recent developments in the City of Yarra, both ‘good’ and ‘bad’.
- Identifying different residential typologies that may benefit from particular policies.
- Assessing the common heritage policy tests for visual impact assessment and how they apply to different typologies.
- Identifying specific heritage and design considerations for additions and infill development.

### 1.2 Method

Considerable background material was provided for this project and comprised preliminary work undertaken by planning officers, references to recent VCAT cases, and identified issues with the current policy illustrated through photographic examples.

The project in 2017-18 was undertaken in two stages.

Stage 1 included a policy critique and analysis of Clause 22.02 before the draft rewrite, with the outcome as a letter of advice (included in the February 2018 report as Appendix 1). As this critique is now out of date it has been deleted from this version of the *Yarra Residential Heritage Policy Review*. The exploration of different residential typologies is now Appendix 1.

Stage 2 in the 2018 report included policy intentions and key content including recommendations for an improved residential heritage policy.

This 2019 report retains the same content but has been revised to be consistent with subsequent work by the City of Yarra and DELWP on a new heritage policy, to meet the requirements of Amendment VC148.

Subsequent to the 2018 report Amendment VC148 has amended all Victorian Planning Schemes. Arising from the Victorian Government’s Smart Planning program, Amendment VC148, gazetted on 31 July 2018, introduced significant changes to all Victorian Planning Schemes. Amongst many other changes, it has amended Clause 43.01 (Heritage Overlay) to require the schedule to the overlay to specify a statement of significance for each new heritage place added to the overlay after July 2018. Also as a result of VC148 a new format heritage policy has been prepared in line with the Practitioner’s Guide to Victorian Planning Schemes prepared by the Department of Environment, Land, Water and Planning (DELWP) (Clause 15.03-1L) for all land within a Heritage Overlay.

**Attachment 8 - Residential Heritage Policy Review, Context Pty. Ltd. (October 2019)**CITY OF YARRA

---

**Project brief**

The brief called for building typology to be the basis for the development of policy. Initial work indicated that keeping it simple through the adoption of broad typological groupings was likely to be of most benefit. Consequently, the following typologies were identified.

- Terrace house in a row of similar houses (single and double storey examples).
- Pair/ duplex (single and double storey examples).
- House on corner of laneway/street- compact block (single and double storey examples).
- House on corner of laneway/street – medium or large block (single and double storey examples).
- Freestanding house not on a corner – compact block.
- Freestanding house not on a corner – medium/ large block.
- House with a parapet concealing the roof form (single and double storey).
- House with eaves line and visible roof (gable or hip, single and double storey).

Through examining ‘good’ and ‘bad’ examples and selected VCAT cases, it became evident that common considerations of lot size (compact, medium and large), siting (midblock or corner), scale (one or two storeys) and roof form can be most useful in informing heritage policy. Consequently, the project has concentrated on providing policy content differentiated by lot size, siting, scale and roof form.

This report includes draft text that may form the basis of a new heritage policy for the City of Yarra. It is understood that heritage is to be addressed as a comprehensive policy rather than as policy with additional heritage guidelines. Guidelines are not proposed to supplement the policy.

An examination of a range of local government heritage policies and guidelines has informed the project. Illustrations throughout the report have been selected from several heritage guidelines and policies, and were not specially prepared for the City of Yarra. The use of illustrations as part of heritage policy has been discontinued as a result of the rewrite, however they have been retained in this report of the purposes of explanation. All guidelines and policies consulted are in the References section.

**Limitations**

The project brief did not require fieldwork to identify further examples, however additional examples of houses with additions and alterations were reviewed to inform this review.

The following items within the current heritage policy are not addressed in this report. They are not considered to need substantial revision.

- Painting and surface treatments to buildings. Requiring specific colours or colour schemes is not considered necessary in heritage policy.
- Culturally significant trees.
- Carports, car spaces, garages and outbuildings.
- Front fences and gates.
- Ancillaries and services.



### 1.3 Stage 1 report

#### Summary

The purpose of the heritage policy is to provide guidance on decisions relating to development on sites covered by the Heritage Overlay. A local policy helps the responsible authority and other users of the planning scheme, such as VCAT members, to decide on a particular matter, and assist applicants and the local community to understand how a proposed development will be considered and what will influence whether or not a planning permit is issued.

The Stage 1 report included the following issues for consideration in a new residential heritage policy:

- Appropriate design responses for different architectural typologies.
- Facadism and integrity i.e. the preference to retain the three-dimensional form of buildings, particularly when visible from the public domain needs retention and strengthening in policy.
- The siting and visibility of roof decks, and their contribution to facadism.
- Issues of increased visibility on corner sites, and appropriate design responses where additional policy for corner sites is recommended.
- Scenarios when the sightline envelope is not appropriate or helpful e.g. small sites or sites of minimal depth, corner sites etc.
- Guidance on what level of visibility, or what type of design response is appropriate (should also be included in the typologies work)
- As above for corner sites.
- Improved guidance on demolition, including what extent of demolition is appropriate.
- Demolition policy linked to whether a place is Significant or Contributory. We would also recommend that policy on Non—contributory places be addressed
- Identification of significant building elements to assist in determining an acceptable extent of demolition.
- Discouraging the use of atypical examples as precedents where the surrounding context and character should be privileged over atypical examples.
- Consideration of the surrounding context and its importance relative to the host site and related to that the impact of development when a dwelling forms part of a 'group' e.g. terrace row.
- The surrounding context and character is a first order consideration, leading to responses where scale and form are of elevated importance.
- Roof decks have been identified as a particular issue in development approvals and require specific mention in heritage policy.

#### How can 'visibility' be determined?

The visibility of alterations and additions to heritage places is one of the key issues identified for addressing in the new heritage policy.

Most policies use one of several tests to determine visibility for additions. Guidelines or policies generally use diagrams to illustrate the tests.

- Retention of the primary roof form. This usually includes mention of chimneys as significant elements.

**Attachment 8 - Residential Heritage Policy Review, Context Pty. Ltd. (October 2019)**CITY OF YARRA

---

- Retention of the two front rooms.
- Absolute setback distances, often given as 5-8m for small and compact lots and 8-10m for larger lots. Absolute distances are more appropriate for heritage guidelines rather than heritage policy.
- Building envelopes established through sightlines. This is either done from the viewing eye level across the street, or through a given viewing angle in degrees originating from the same point. Viewing angles can be specified as achieving either full, substantive or partial concealment.
- Preferred ceiling heights of two storey additions. This shows how fitting two storeys into approximately 1.5 x height of a building with high ceilings may be achieved.
- Establishing viewing lines from the corners of the site to the corners of the building. This shows an area for rear extensions that is concealed behind the dwelling.

**How does building typology affect 'visibility'?**

Buildings of different typologies may partially conceal upper storey alterations to different degrees. Typologies can be usefully distinguished by size of lot (large, small, compact) or roof form (hipped, gabled or with parapet).

In examining various building typologies, the following issues are found:

- Common roof forms are gabled and hipped with an eaves line.
- Roof ridges are generally either parallel to or perpendicular to the street.
- Many Victorian era houses have a parapet that conceals the front eaves line. The parapet may be small or large, simple or elaborate, solid or balustraded, and this affects visibility.
- The type of parapet results in different levels of concealment when viewed directly from the front.
- Oblique views of the roof with, or without a parapet are similar and the parapet is not necessarily helpful in concealing additions.
- Street corner sites provide a more three-dimensional view of the house.
- Laneway corner sites also provide a three-dimensional view, but the urban form may be more compact and laneway edge buildings may be present.
- Consideration of only the front façade is not sufficient for either street or laneway corner sites.

## 2.0 INPUT TO HERITAGE POLICY

### 2.1 Demolition

#### What is the issue?

- Demolition or removal of buildings can result in a loss of heritage value to the place and its surrounding context.
- Buildings occupy three-dimensional space and the street facade is not the only important significant element.
- Poor condition is often cited as a reason for demolition.
- There may be different outcomes for demolition depending whether a place is scheduled as individually significant (IS), contributory (C) or non-contributory (NC).

#### Learnings from VCAT

##### *Demolition and visibility*

##### **261-265 Fitzroy Street Fitzroy**

The key issue in this case is the extent of demolition permitted. Whilst the Burra Charter's general principal of "*changing as much as necessary but as little as possible*" is a useful one, it does require further interrogation for individual places. For individually significant places, the statement of significance should define the attributes that contribute to its heritage value. That all parties in this case agreed that a rear wall was a significant element should trigger caution about its alteration/partial demolition. Whether the alteration is visible or not is an additional consideration. This is addressed in Section 2.3 Alterations and additions.

Reflecting upon this case and the policy intent, it may be that for demolition or partial demolition, consideration of the significance of an element should carry more weight than visibility.

It is therefore recommended that the application requirements for demolition are accompanied by appropriate material that identifies the significance of the place and the key elements within. An improved checklist for application requirements could support this approach (an example of a check list is provided at Appendix 3).

#### Policy intention

A heritage policy for demolition should provide the following:

- Retention of heritage places.
- Retention of the elements of heritage places that form part of their significance.
- Minimising the adverse effect on significance of a heritage place by partial demolition.
- Demolition as a result of poor condition is based on solid evidence.
- Appropriate policies are provided for individually significant, contributory and non-contributory places. These terms will need to be defined and all places within precincts scheduled.
- It is recommended that IS and C places have demolition controls but that this is not required for NC places.
- A comprehensive checklist and documentation accompanies a permit application for full or partial demolition. This should indicate significant attributes of the place that contribute to its heritage value.

CITY OF YARRA

**Individually significant and contributory places**

Demolition should be limited to non-significant features.

Demolition of all but the façade is strongly discouraged.

**Non-contributory places**

Non-contributory places may be demolished provided that a replacement plan for new development accompanies the application.

A cross reference to the policy for new buildings would be useful.

**Key content**

**Partial demolition**

This applies to Individually Significant and Contributory places.

The extent to which significant and contributory elements are retained including visible elevations (front and sides), verandahs, chimneys, original door and window openings, at least the front two rooms. The statement of significance now required to accompany all places added to the Heritage Overlay after 31 July 2018 may assist in the interpretation of significant elements.

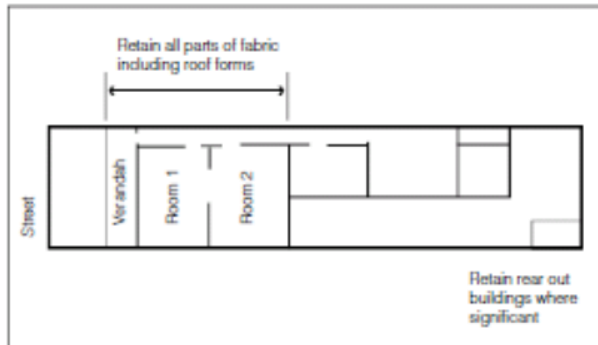


Figure 1 Small and compact houses. Source: Heritage Council Guidelines, 2007 – Demolition.

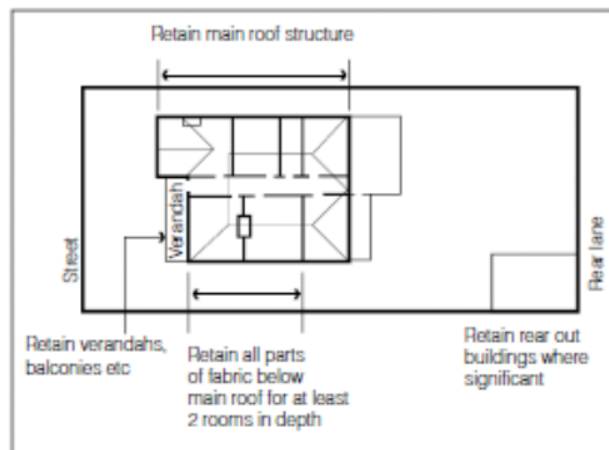


Figure 2 Freestanding larger houses Source: Heritage Council guidelines – Demolition

**Full demolition**

The policy should require all applications for full demolition to be accompanied by an application for new development and a report from a suitably qualified structural engineer with demonstrated experience in the conservation of heritage buildings. The report should outline the structural condition of the building and the various options available for its management.

**2.2 Subdivision**

**What is the issue?**

Subdivision can impact on the cultural significance of a place and its setting.

**Policy intention**

- Subdivision of a heritage place should not adversely affect the significance of the heritage place.
- A subdivision layout should maintain an appropriate setting for the heritage place, including the retention of any significant garden areas and elements.

**Key content**

- Subdivision should retain the significant elements of a heritage place on the one lot. This may include residential buildings, outbuildings, trees or garden features. The statement of significance now required to accompany all places added to the Heritage Overlay after July 2018 may assist in the interpretation of significant elements.
- Ensure that the subdivision of a heritage place will support development that is sympathetic to the scale and setbacks of surrounding heritage places.

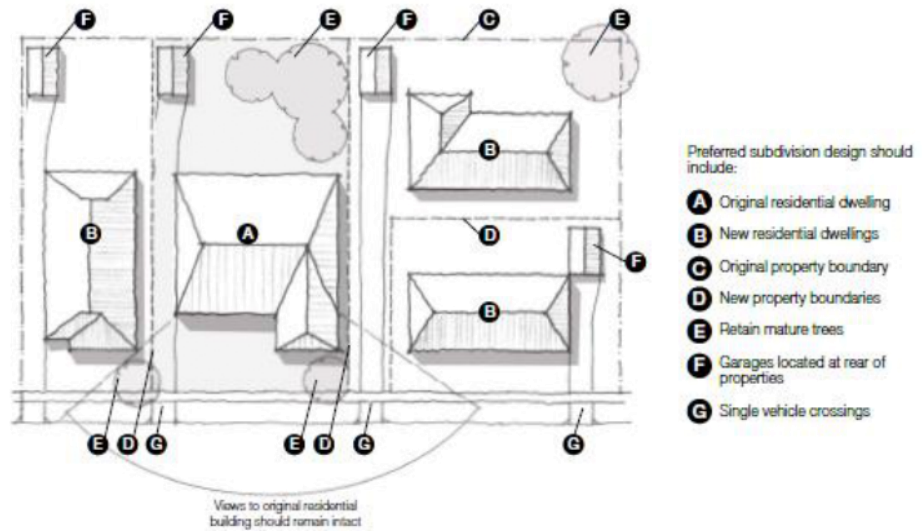


Figure 3 Preferred outcomes for subdivision – larger freestanding houses. Source: Stonnington Design Guidelines

## 2.3 Alterations and additions

### What is the issue?

A heritage place may be impacted by additions and alterations that are unsympathetically designed. The design of alterations and additions is often dominant and highly visible.

Particular issues include:

- Being 'readily identifiable' as an addition does not automatically make it sympathetic.
- Policy needs to be made clearer that alterations and additions includes roof decks.
- The visibility of additions varies according to many factors including lot size, location, siting and roof form.
- The demonstration of viewing sightlines. This is not considered an effective measure in controlling the visibility of upper floor additions as it is limited to viewing from the centre front of a house and not when viewed at an oblique angle. The extent of visibility is also dependent on the width of the street with wider streets allowing more visibility through a lower viewing angle.
- There was inadequate consideration of corner sites in the heritage policy.
- There was no policy effectively addressing corner sites.

### Learnings from VCAT

#### Visibility and contemporary design

##### 39-41 Oxford Street Collingwood

Visibility of additions and alterations is not the issue, but the degree to which excessive visibility detracts from the heritage values of the place is. The question to be asked is – which heritage values are impacted and to what degree?

It is not reasonable for a heritage policy to require additions to have no visibility. What is clear is that scale and form is of primary importance in the maintenance of heritage values, and that mitigation of poor outcomes for scale and form is very difficult to achieve through materials or other building details.

The degree to which visibility is acceptable is highly subjective, but visibility tests can be useful as a performance standard. Using 'design quality' to justify high visibility additions is unlikely to add clarity or transparency to decision making. This is supported by the Burra Charter Practice Note on New Work. The intention of this Practice Note has not yet been taken up in heritage policies but should be.

The outcome of this VCAT hearing may have been improved by heritage policy that is not so reliant on contemporary design, material palette and being 'distinguishable'. The key wording is:

*Contemporary design is encouraged **provided that** the cultural significance of the heritage place is also respected.*

##### 261-265 Fitzroy Street Fitzroy

This case addressed the issues of the visibility of alterations to significant elements. The proposed heritage policy provides the following two points regarding significance and visibility. It is intended to require both the consideration of significance and of visibility.

*Additions and alterations should be designed not to obscure or alter an element that contributes to the significance of the heritage place.*

*Additions and alterations should be designed to be either not visible or have limited visibility from key viewing points.*

**Corner sites****383 Scotchmer Street North Fitzroy**

The requirements for corner sites need to be specifically addressed in heritage policy and this is best done in a site diagram such as Fig.5. The important issue is one of setbacks that reflect not only the primary frontage but also the secondary frontage. Heritage policy that addressed corner site setbacks may have resulted in a different outcome in this case.

It is appropriate that heritage policy allows for corner sites on streets and on lanes to be considered differently. What is important is consideration of the context and surrounding buildings and their setbacks.

**Roof decks****200 Park Street Fitzroy North**

The roof deck in this case required the removal of part of the front two rooms of the house. Under a 'depth of two rooms' test this would have discouraged this proposal at the assessment stage. Both the use of this test and the inclusion of roof decks specifically as part of additions and alterations, increases the chances that this type of proposal would not gain approval.

**246 Canning Street Carlton North**

A similar scenario is enacted in the hearing for 246 Canning Street that also involved a roof deck in a prominent location. Canning Street is a cohesive Victorian streetscape and this case may also have benefited from heritage policy that required defining the extent of the heritage place, and its cultural significance. For this site it might reasonably have included the characteristics of the street that are shared by many houses.

**Policy intention**

The policy for alterations and additions should apply to the following circumstances:

- Ground level additions and alterations.
- Upper level additions and alterations including roof decks.
- Reconstruction.

The intent of the policy should include reference to the following:

- Alterations and additions should provide an appropriate design response to the setting, immediate context and host building.
- A respectful design response is **primarily** demonstrated through appropriate siting, scale and massing in relation to the host building and its surrounding context.
- Additions to the side of a house may be considered providing their scale, design, and distance from the street frontage do not significantly compromise views of the building and site from the public domain or from an adjacent heritage place.
- Where additions are taller than the host building, additions and alterations (including roof decks) are required to be set back from the front and side façades.
- The height of upper level additions and alterations should be proportional to the host building and its context and be either wholly or substantially concealed.
- Reference to atypical buildings as indicators of scale and form is not an appropriate design response.
- Additions and alterations should be designed not to change the original or early elements of a principal facade(s) or primary roof form and to retain building fabric to the depth of at least the front two rooms.

**Attachment 8 - Residential Heritage Policy Review, Context Pty. Ltd. (October 2019)**

CITY OF YARRA

- Additions and alterations should be designed not to obscure or alter an element that contributes to the significance of the heritage place. to accompany all places on the Heritage Overlay may assist in the interpretation of significant elements.
- Additions and alterations should be designed to be either substantially concealed from key viewing points.
- Vistas or view lines to the principal facade(s) of a heritage place should be maintained.

The methods by which these key outcomes may be achieved is through ‘visibility tests’.

**Visibility tests**

This section provides some analysis of the visibility tests that are commonly used in heritage policy and guidelines. These are essentially performance measures with some analysis and recommendations. The illustrations have been those gathered from other sources and are commonly used as performance measures for how to achieve certain outcomes.

Alterations and additions, if over one storey in height will rarely be able to be totally concealed, however large sites may provide more opportunity to do so. Small and compact sites generally have fewer opportunities for substantial concealment.

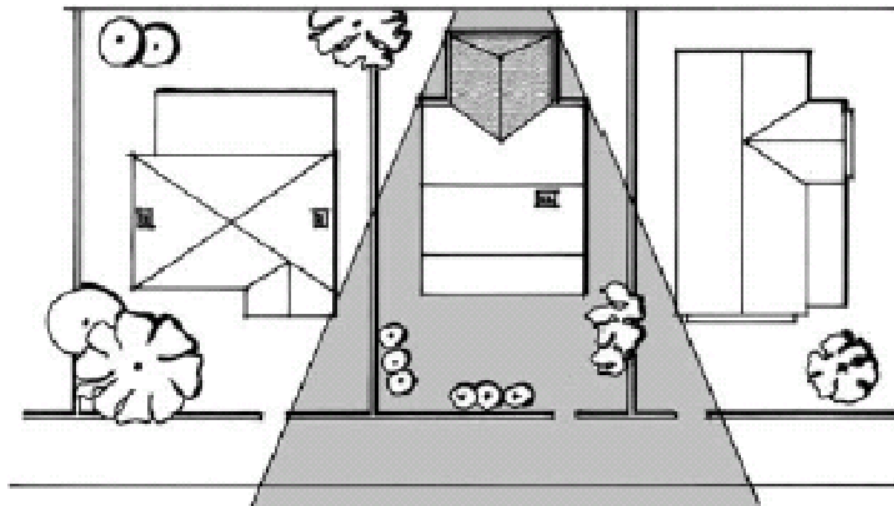


Figure 4 Visibility to the side of a building.

Larger sites may provide opportunity to wholly conceal extensions using a sightline test to determine building envelope. The viewing point is directly at the front of the building. Source: Whitehorse Heritage Guidelines.

This diagram is clearer than the one in the current heritage policy however it may be overly restrictive for small and compact sites. It is recommended that it be applied to lots over 500m<sup>2</sup> in area. Whilst it does not limit visibility entirely, it provides a performance measure of a greater setback for wider side additions and encourages additions to the rear of the site. The angle is established from the two front points of the building and is not dependent on where the viewer is standing. The depth of two front rooms test results has a similar resultant effect on the visibility of extensions to the side of a house.



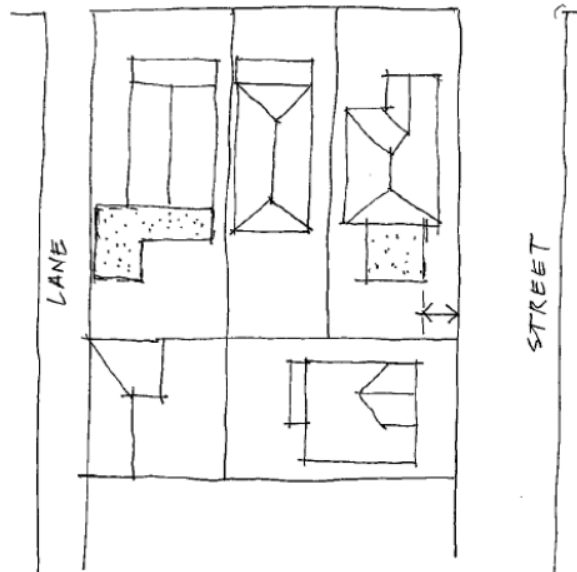


Figure 5 Corner siting on streets and laneways.

Setbacks for additions to houses on corner sites, both for two streets and for street and laneway corners.

Source: Context preliminary sketch

Streets and laneways have evolved historically as very different places. Laneways do allow the opportunity to build to zero setback if that is part of the character of the lane. Setbacks on laneways may be reduced to reflect the predominant setbacks along the laneway. Setbacks to side streets should reflect the setbacks of the houses fronting the side street. It is recommended that a heritage policy allows for differing setbacks depending on whether the corner is a street or a laneway. On corner sites concealment of additions may not be possible, making scale and form an important consideration.

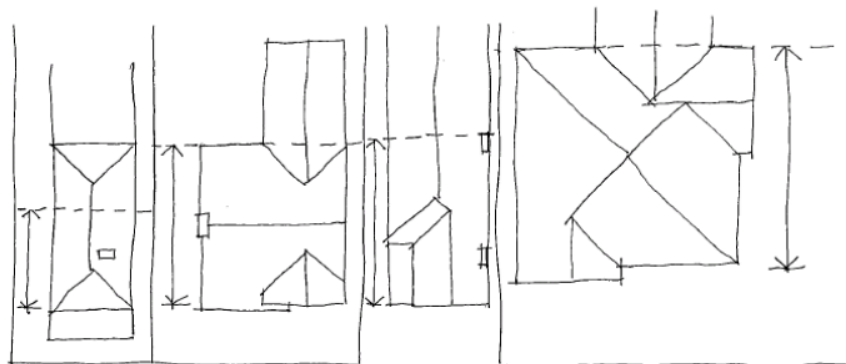


Figure 6 Depth of two rooms test.

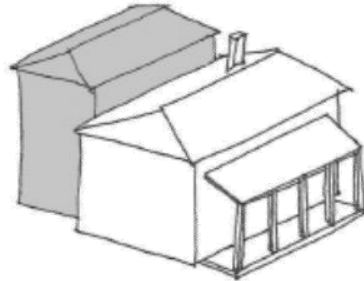
Setbacks showing the depth of two rooms for different lot sizes and building typologies as defined by roof form.

Source: Context preliminary sketch adaptation of Stonnington Guidelines, 2000

**Attachment 8 - Residential Heritage Policy Review, Context Pty. Ltd. (October 2019)**

CITY OF YARRA

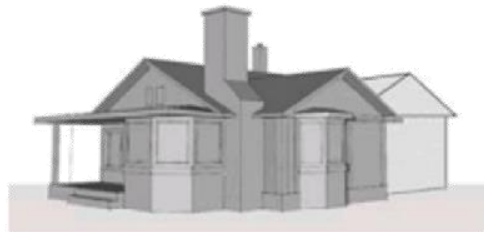
A review of good and bad examples shows that all types of residential buildings benefit from this test. It is useful in promoting the conservation of the primary roof form and the chimneys. It is recommended that a performance measure based on the depth of two rooms test be included.



*Figure 7 Additions sited behind the primary roof form – small lots*

*Small lots may create the opportunity for additions to be concealed behind the primary roof form.*

*Source Manningham Design Guidelines*



*Figure 8 Additions sited behind the primary roof form – large lots*

*For larger freestanding houses extensions can be concealed behind the primary roof form.*

*Source Moreland Design Guidelines*

It is recommended that a performance measure on siting additions behind the primary roof form be used.



*Figure 9 Using ceiling heights as a guide to height of two storey additions*

*Source: Moreland Heritage Guidelines*

This is less a visibility test than a tool for achieving reasonable height in a two-storey extension. This diagram is a measurement of the ceiling height of the early building – nominally 3.0 metres.

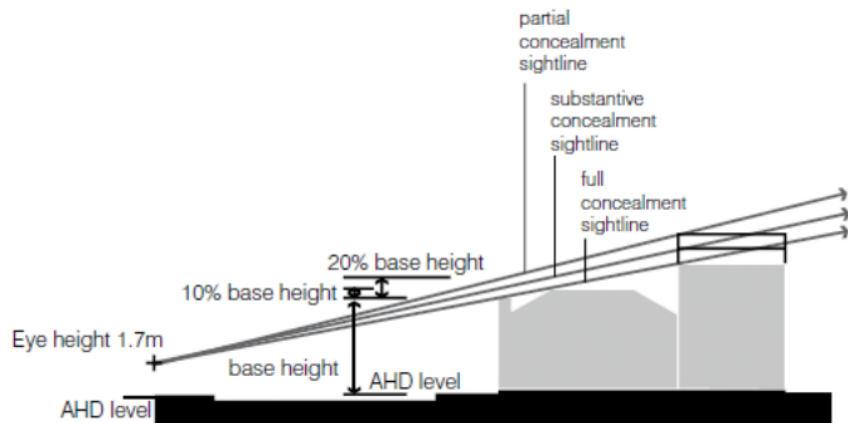


Figure 10 Vertical sightline test with three variables

A sightline test for full, substantive or partial concealment of additions that are taller than the host building.

Source: Heritage Council Guidelines

This vertical sightline test introduces a finer grain of detail to visibility testing and introduces added complexity for no great benefit.

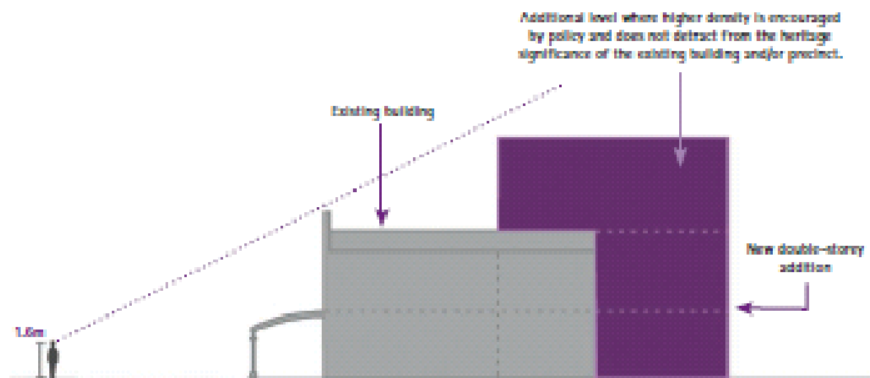


Figure 11 A two story building and higher additions

Establishing a building envelope by sightline for a two-storey terrace. Source: Moonee Valley Heritage Guidelines.

**Summary – visibility tests**

Vertical sightline tests have limited success in limiting the visibility of upper floor additions. The sightline established through a fixed viewing point is limited in its effectiveness because the extension can be seen from more than one fixed point.

The sightline test for the ‘depth of two rooms’ or ‘behind the primary roof form’ allows for a setback that is related to the particular roof form and an easily understood performance measure that is less open to conjecture.

**Attachment 8 - Residential Heritage Policy Review, Context Pty. Ltd. (October 2019)**CITY OF YARRA

---

**Key content**

- Limit the visibility of additions to achieve substantial concealment.
- Require proposals for additions and alterations to be sited appropriately, and be of an appropriate scale relative to the host building.
- Show the extent to which the addition is visible to either side of a house (Fig.4).
- Show how additions address corner sites through appropriate setbacks to the street or laneway (Fig.5).
- Retention of the depth of the front two rooms (Fig.6). This addresses the situation where the ridgeline is perpendicular to the street i.e. gable fronted, hip fronted, or with a parapet. It covers all lot sizes, small, compact and large.
- Retention of the primary roof form (Figs 7 & 8) This addresses the situation where the ridgeline is parallel to the street or where is a dominant roof form that should be retained. It covers all lot sizes, small, compact and large.

**Reconstruction of significant elements**

Encourage the accurate reconstruction of elements where they have previously been removed.

Elements may include, but are not limited to:

- Verandahs
- Roofing
- Wall claddings
- Windows
- Front fences
- Other architectural details and features.

**2.4 New buildings****What is the issue?**

- The design of new buildings should have close regard to the urban context in which they are located.
- Reference to atypical buildings as indicators of scale and form is not an appropriate design response.
- There may be different design approaches that are appropriate, depending on the context.
- New buildings should provide an appropriate design response to the setting, context and host building.
- Alterations and additions should not result in a loss of heritage value to individually significant and contributory places.

**Learnings from VCAT****Atypical examples as precedents****396 Canning Street Carlton North |**

Two related issues are of interest in this case. The use of atypical examples as precedents and the definition of the heritage place as the surrounding context rather than the individual place. The key content in the heritage policy includes:

*A respectful design response is primarily demonstrated through appropriate siting, scale and massing in relation to the host building and its surrounding context*

This would suggest that both the individual place and its context are considered. More weight might reasonably be given to contextual surroundings for a contributory place. For an individually significant place more weight may be given to significant attributes of the host place. The policy might benefit from differentiation in this regard, with specific reference to whether the place is contributory or individually significant.

The heritage policy intent includes reference to atypical examples in the following way:

*Reference to atypical buildings as indicators of scale and form is not an appropriate design response.*

This lends weight to the argument that atypical buildings should not be considered as the new benchmark for height or dominance. This is equally important whether the atypical building is a contemporary one or a heritage place, for example a church or other public building in a street of houses will be atypical but is not a reference point for additions to a house.

#### **Policy intention**

- Demonstrate in the design response, an understanding of the extent and values inherent in the cultural significance of the place. The use of site analysis diagrams is beneficial.
- Cultural significance, and the response to it should be demonstrated in the application requirements.
- A definition of the heritage place that is being responded to needs to be included. The boundary of the heritage place may be the individual site, the street or part of it, or the whole precinct. Where precincts are either very large and/or diverse in character the boundary of the area being considered is likely to be smaller to be meaningful.
- Reference to the Burra Charter Practice Note on Article 22 (Appendix 2) that encourages new buildings that support the cultural significance of the place.
- Reference to atypical buildings as indicators of scale and form is not an appropriate design response.

The policy should encourage new buildings that:

- Reinforce the spatial characteristics and relationships between buildings that form part of cultural significance
- Do not dominate adjoining heritage buildings
- Respect the scale, form, siting, setting and front and side setbacks of nearby heritage places (Fig. 12).
- Do not obscure views of the principal façade(s) or identified significant features of surrounding heritage places.

#### **Key content**

Where appropriate, such as in a street of uniform buildings, including a row or terrace, encourage a sympathetic approach to new buildings. (Fig. 15)

Contemporary design is encouraged provided that the cultural significance of the heritage place is also respected.

Contemporary designs for new buildings should also have regard to:

- Prevailing front and side setbacks
- Appropriate scale - height relative to the surrounding context
- Appropriate massing - roof form and pitch relative to the surrounding context

CITY OF YARRA

- Complementary materials and colours

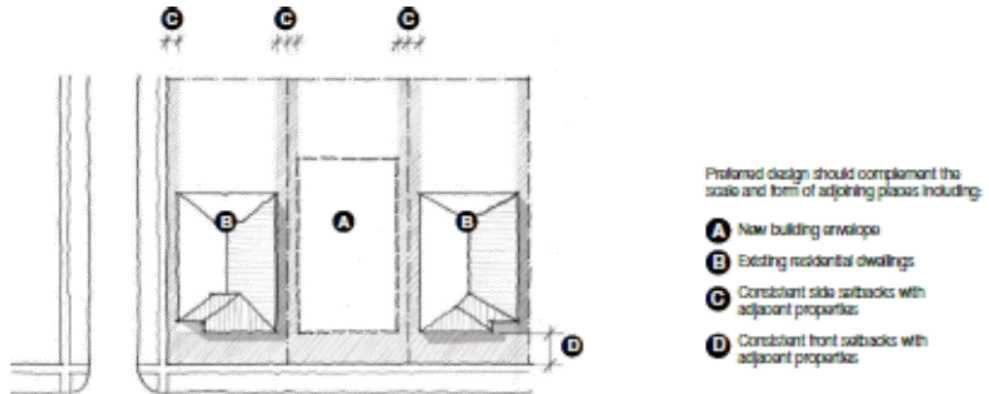


Figure 12 Residential setbacks, orientation and siting

This diagram could be made more useful with a greater diversity of setbacks shown.

Source: Stonnington Guidelines

**Reconstruction – new buildings**

Reconstruction of entire buildings is not generally recommended and is not recommended as an alternative to demolition or removal.

Reconstruction may be appropriate for a missing house in an otherwise identical row or terrace. A reconstructed building should be distinguishable at close quarters, but its scale and form may be identical.

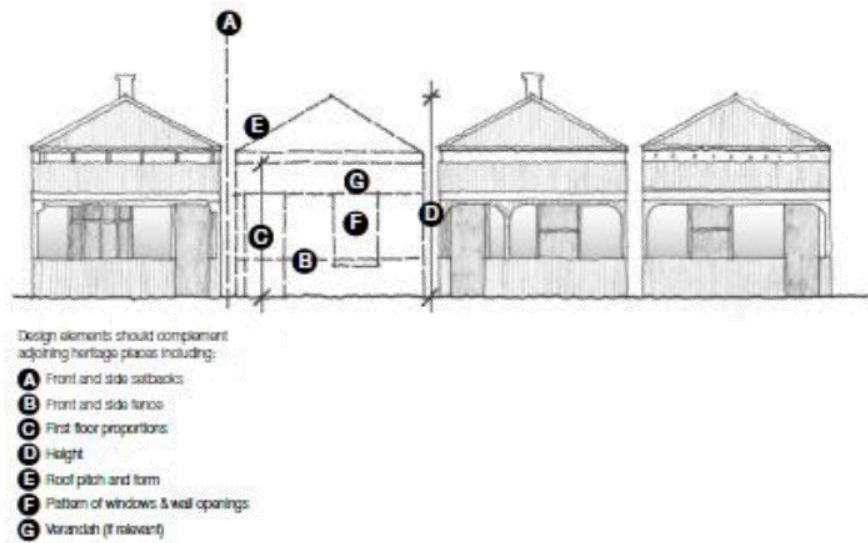


Figure 13 Modelling the form and scale of neighbouring buildings

Source: Stonnington Design Guidelines

## REFERENCES

Australia ICOMOS Charter for Places of Cultural Significance, *Burra Charter*, 2013

Australia ICOMOS, Burra Charter Practice Note, 2013, Article 22, New Work

### **Heritage policies**

City of Yarra

City of Brimbank

City of Port Phillip

City of Moonee Valley

City of Moreland

### **Heritage guidelines**

City of Manningham – Warrandyte Township Guidelines, 2007

City of Greater Bendigo, Heritage Design Guidelines, 2015

Victorian Heritage Council Heritage Guidelines, 2007

City of Moonee Valley Heritage Guidelines (n.d.)

City of Greater Geelong Heritage and Design Guidelines, 1997

Darebin Heritage Guide, Alterations and Additions 1998

Darebin Heritage Guide, Residential Infill, 1998

City of Moreland, Heritage Guideline 2, alterations and additions to houses in heritage areas (n.d.)

City of Stonnington Heritage Design Guidelines, 2016

City of Stonnington Heritage Guidelines, 2000

City of Whitehorse, Guidelines for Alterations and Additions to individually listed dwellings in the Heritage Overlay, (n.d.)

NSW Heritage Office and RALA NSW Chapter, Design in Context, Guidelines for Infill Development in the Historic Environment, 2005

### **VCAT decisions**

383 Scotchmer Street, Fitzroy North VCAT Ref. No. P2115/2014

39-41 Oxford Street, Collingwood VCAT Ref. No. 1527/2013

200 Park Street, Fitzroy North VCAT Ref. No. P2255/2016

246 Canning Street, Carlton North VCAT Ref. No. P125/2017

261-265 Fitzroy Street, Fitzroy VCAT Ref. No. P1231/2014

396 Canning Street, Carlton North VCAT Ref. No. P2605/2013

CITY OF YARRA

---

## **APPENDICES**

- 1 Residential typologies in Yarra
- 2 Burra Charter Practice Note Article 22 New Work
- 3 Design in Context - application requirement checklist (example)



## Residential types in the City of Yarra

### Introduction

The City of Yarra is made up of a diverse group of suburbs with varied residential building types and streetscapes. Residential character varies considerably throughout the municipality. Defining what makes the special qualities of residential character is important in structuring an effective heritage policy.

Residential areas are defined by characteristics that include, but are not limited to, scale, form, siting, materials and colour and detailing. These characteristics underpin residential building typologies and are keys to structuring policy.

- Scale
  - Height
  - Density
  - Grain
- Form
  - Volume
  - Roofline and slope
  - Repetition
- Siting
  - Orientation to street frontage
  - Setback patterns
  - Alignment
  - Views and vistas
- Materials and colour
  - Predominant building materials
  - Texture
  - Pattern
  - Colour
- Detail elements
  - Predominant patterns
  - Repetition
  - Particular distinctive detail

### Examples

The following broad groupings identifying compact, medium and large character areas provide some instructive information for the further identification of residential typologies using the characteristics defined above.

**Attachment 8 - Residential Heritage Policy Review, Context Pty. Ltd. (October 2019)**

CITY OF YARRA, RESIDENTIAL HERITAGE POLICY REVIEW

---

***Compact character***

- Narrow frontage
- No or minimal front setback
- Single storey (or small double storey)
- Hipped roof or parapet
- Terraced house or small freestanding cottage
- Located on narrow street with minimal landscaping and dense development.

Typically, houses in this category would be from the mid-late nineteenth century, and built as small dwellings in the suburbs of Richmond, Collingwood, Abbotsford and parts of Fitzroy and Carlton.



*Figure 1. Richmond (typical terrace row with narrow street frontages and minimal setbacks).*



*Figure 2. Richmond (small detached dwelling).*



Figure 3. Richmond (terrace row with single roof form, narrow frontages, minimal setbacks on crowded street setting).



Figure 4. North Carlton (row of small terraces with minimal street setbacks).

**Attachment 8 - Residential Heritage Policy Review, Context Pty. Ltd. (October 2019)**

CITY OF YARRA, RESIDENTIAL HERITAGE POLICY REVIEW

---

***Medium sized character***

- Wider frontages than above
- Houses set back behind small or medium sized gardens
- Single or double storey
- Hipped roof or parapet
- Large terraced houses or terraced styled houses detached or semi-detached,
- Detached houses with narrow side set backs
- On wider streets with some landscaping

Typically, these houses date from the early 20<sup>th</sup> century, or are double fronted examples from the late twentieth century. They represent a better class of housing in the working suburbs of Richmond and Fitzroy, and the lower end of development in the more prestigious parts of the municipality such as North Fitzroy, North Carlton and Alphington.



*Figure 5. Richmond (wide frontages, minimal setback, semi detached, double fronted houses, wide street).*

Attachment 8 - Residential Heritage Policy Review, Context Pty. Ltd. (October 2019)



Figure 6. Clifton Hill (wide frontages, medium set back and front garden, semidetached, wide open street).



Figure 7. Clifton Hill (mixed row with generally wide frontages, attached or narrow side setbacks, mix of double fronted and single fronted, narrow front setback, wide open street).

**Attachment 8 - Residential Heritage Policy Review, Context Pty. Ltd. (October 2019)**

CITY OF YARRA, RESIDENTIAL HERITAGE POLICY REVIEW

---



*Figure 8. North Carlton (row of mixed terraces, single fronted but with more generous frontage and front setbacks, wide open street setting).*



*Figure 9. Richmond (generous terraces and double fronted, narrow front setbacks, corner and laneway boundaries, medium width street setting).*

**Large character**

- Free standing houses located on large garden blocks, with deep front and side setbacks.
- Single or double storey
- Located on wide tree lined streets



Figure 10. Clifton Hill (wide generous garden block, open wide street, large detached house).



Figure 11. North Fitzroy (large double storey detached house on large garden block, wide open street setting).

**Attachment 8 - Residential Heritage Policy Review, Context Pty. Ltd. (October 2019)**

CITY OF YARRA, RESIDENTIAL HERITAGE POLICY REVIEW

---



*Figure 12. Alphington (generous house on large garden site).*



## Practice Note

Version 1: November 2013

AUSTRALIA ICOMOS  
International Council on Monuments and Sites



# Burra Charter Article 22 — New Work

## 1 Purpose

This Practice Note provides guidance on the application of Article 22 of the *Australia ICOMOS Burra Charter, 2013* (hereafter *Burra Charter*). It is not a substitute for the *Burra Charter*.

The 1999 version of Article 22.2 of the *Burra Charter* (*'New work should be readily identifiable as such'*) has sometimes been used to support new design which does not respect the cultural significance of the place. Consequently, in the 2013 *Burra Charter* Article 22.2 has been revised to read: *New work should be readily identifiable as such, but must respect and have minimal impact on the cultural significance of the place.*

## Scope

This Practice Note covers:

- 1 Purpose
- 2 What is New Work
- 3 Common issues in relation to New Work
- 4 Resources

## 2 What is New Work?

New work means additions or changes to a place and is commonly undertaken as part of *adaptation* (Articles 1.9, 21 of the *Burra Charter*) where a place is modified to suit an existing use or a proposed new use. New work may include additional buildings or structures at a place, as well as alterations to an existing building, to introduce new services, or to comply with legal or code requirements.

## Terminology

Repair	<i>Repair involves restoration or reconstruction. (Article 1.5)</i>
Reconstruction	<i>Reconstruction means returning a place to a known earlier state and is distinguished from restoration by the introduction of new material. (Article 1.8)</i>
Adaptation	<i>Adaptation means changing a place to suit the existing use or a proposed use. (Article 1.9)</i>

## 3 Common issues in relation to New Work

**Issue:** Being readily identifiable does not automatically make new work sympathetic to the place.

*The Burra Charter should always be read as a whole.*

**Guidance:** As the preamble to the *Burra Charter* explains, *the Charter should be read as a whole and many articles are interdependent.* It is not appropriate to quote a single article as justification for

## Practice Note

Version 1: November 2013



proposed works. All work should comply with the Charter as a whole, and this means that while new work should be readily identifiable, it should also:

- Not *adversely affect the setting* of the place (Article 8)
- Have *minimal impact on the cultural significance of the place* (Article 21.1)
- *Not distort or obscure the cultural significance of the place, or detract from its interpretation and appreciation* (Article 22.1)
- *Respect and have minimal impact on the cultural significance of the place* (Article 22.2).

An important factor in the success of new work is the quality and sensitivity of the design response. New work should respect the context, strength, scale and character of the original, and should not overpower it. The key to success is carefully considered design that respects and supports the significance of the place. Imitative solutions should generally be avoided: they can mislead the onlooker and may diminish the strength and visual integrity of the original. Well-designed new work can have a positive role in the interpretation of a place.

The cultural significance of a place and its particular circumstances will determine any constraints on the design of new work. If, for example, the issue is replacement of a removed building (producing a 'missing tooth') in a row of buildings that have a degree of uniformity, then the new work should closely follow the existing buildings in bulk, form, character, complexity of detail, set back, etc. Detailing of joinery or masonry should be modified to indicate the new work.

There will be other places where there are less contextual constraints on the design of new work. These will be where there is a greater diversity in the setting, or where the siting, form and scale of the new work will not adversely impact on significance. As Article 15.1 says: *The amount of change to a place and its use should be guided by the cultural significance of the place and its appropriate interpretation.*

### Issue: The importance of getting the study boundary right

*There may be different outcomes depending on the choice of study boundary.*

**Guidance:** The boundary of the area being considered may need to be changed to properly understand a particular situation. Using the example of the missing tooth in a row of buildings: if an important aspect of their significance is the uniformity of the group, then the scale of reference should be changed to include the whole row and replacement of the missing one should be treated as reconstruction (Article 20), rather than new work. This would be the case where the buildings in the row are essentially identical, and where they are significant for that uniformity — a rigorous understanding of significance is critical.

### Issue: Recognising that there is a distinction between New Work and Reconstruction

*Fabric is treated differently, depending on whether it is New Work or Reconstruction.*

**Guidance:** There is often confusion about the distinction between new work (Article 22) and the work done as part of reconstruction (Articles 1.8 and 20). While reconstruction makes use of new materials, it is not new work in the *Burra Charter* sense. Whereas *New work should be readily identifiable as such* (Article 22.2), *Reconstruction should be identifiable on close inspection or through additional interpretation* (Article 20.2). Thus repairs (of which reconstruction is the most common) should **not** be readily apparent, so that the cultural significance of the place is not distorted or obscured, and can be clearly understood. At the same time there is the need to be honest about

## Practice Note

Version 1: November 2013



the repairs, so they should be identifiable, by subtly modifying materials or details, or by incorporating the date and/or marking devices that indicate the extent of the work.

### 4 Resources

#### Primary resources

Australia ICOMOS, 2013 *The Burra Charter: the Australia ICOMOS charter for places of cultural significance* 2013. Available from <http://australia.icomos.org/publications/charters/>

Walker, M. & Marquis-Kyle, P., 2004 *The Illustrated Burra Charter: good practice for heritage places*. Australia ICOMOS. Available from <http://australia.icomos.org/publications/charters/>

#### Other key guidelines

NSW Heritage Office and RAIA NSW Chapter, 2008 *New uses for heritage places: guidelines for the adaptation of historic buildings and sites*. Available from <http://www.environment.nsw.gov.au/resources/heritagebranch/heritage/NewUsesforHeritagePlaces.pdf>

NSW Heritage Office and RAIA NSW Chapter, 2005 *Design in context: guidelines for infill development in the historic environment*. Available from <http://www.environment.nsw.gov.au/resources/heritagebranch/heritage/DesignInContext.pdf>

**Attachment 8 - Residential Heritage Policy Review, Context Pty. Ltd. (October 2019)**

14: **ASSESSING NEW DEVELOPMENT IN A HISTORIC CONTEXT**

**THIS SECTION PROVIDES INFORMATION ON HOW STATUTORY BODIES ASSESS DEVELOPMENT APPLICATIONS FOR NEW BUILDINGS AFFECTING A HERITAGE LISTED CONTEXT.**

Assessors take a number of aspects into account when appraising development applications. When assessing heritage impact the assessor will check that the development meets the design criteria outlined in these guidelines. Design quality will be an important element. Given that most heritage buildings and conservation areas have been listed for their historic and/or architectural (aesthetic)

significance, it is almost impossible to ignore design quality in the assessment process. Heritage assessment is often accused of being subjective, and to some extent there will be a subjective element to the process. It is possible, however, to define objectives for assessing development within an established and valued historic context. The design criteria put forward in these guidelines attempt to do this.

This checklist assists designers, applicants and assessors to determine whether the proposal is appropriate. It encompasses both the qualitative aspects of the design of the building and the quality of its contribution to its historic context.

**ASSESSING NEW DEVELOPMENT IN AN HISTORIC CONTEXT: CHECKLIST FOR APPLICANTS AND ASSESSORS**

PART A: DOCUMENTS TO BE INCLUDED	APPLICANT'S CONFIRMATION	ASSESSOR'S COMMENTS
<b>Date of submission</b>		
<b>Statement of heritage impact statement (SOH)</b> Include a statement of significance for any heritage item, precinct or conservation area affected by the new development  Respond to the design criteria described in <b>Design in Context</b> in graphic and written point form (see Part B of this checklist)		
<b>Site plan</b> Showing setting including adjacent properties, buildings, trees and structures such as fences 1:200 scale min.		
<b>Landscape plan</b> 1:100 scale		
<b>Floor plans</b> 1:100 scale		
<b>Sections and details</b> 1:100 scale minimum		
<b>Elevations</b> 1:100 scale minimum		
<b>Fencing details</b> 1:50 scale minimum		
<b>External materials and colours</b> Provide schedule and, where required, a sample board		
<b>Working model</b> 1:200 scale minimum		

**ASSESSING NEW DEVELOPMENT IN AN HISTORIC CONTEXT: CHECKLIST FOR APPLICANTS AND ASSESSORS**

<b>PART B:</b> CHECKLIST FOR INCLUSION IN HERITAGE IMPACT STATEMENT: RESPONSE TO DESIGN CRITERIA	APPLICANT'S CONFIRMATION	ASSESSOR'S COMMENTS
<p><b>01. CHARACTER</b></p> <p>Use annotated diagrams, photographs and/or sketches to describe the factors which contribute to the character of the historic context, including:</p> <ul style="list-style-type: none"> <li>• topography of site and its surroundings;</li> <li>• distinctive landscape elements and quality;</li> <li>• street and subdivision patterns;</li> <li>• date and style of built form;</li> <li>• figure/ground and figure/landscape qualities;</li> <li>• views, vistas and skylines;</li> <li>• local culture and traditions;</li> <li>• uses;</li> <li>• consistency or repetition of above factors.</li> </ul>		
<p><b>02. SCALE</b></p> <p>Annotate drawings, photographs of model or photomontages to describe the relationship between the proposed new development and the context, in terms of the following design criteria:</p> <ul style="list-style-type: none"> <li>• scale of buildings;</li> <li>• building and wall heights;</li> <li>• massing;</li> <li>• density — pattern of arrangement of buildings and size of buildings;</li> <li>• proportions;</li> <li>• rhythm of buildings and landscape;</li> <li>• floor-to-floor heights and relationship to ground or street plane;</li> <li>• modulation of walls, openings and roof planes in response to the scale of neighbouring buildings;</li> <li>• transition between different heights (for example, through the use of setbacks).</li> </ul>		
<p><b>03. FORM</b></p> <p>Annotate drawings, photographs of model or photomontages to describe the relationship between the proposed new development and the context, in terms of the following design criteria:</p> <ul style="list-style-type: none"> <li>• predominant form of neighbours;</li> <li>• roof form and skyline — ridge and parapet lines, roof slopes, punctuation by party walls, chimneys and lanterns or skylights;</li> <li>• proportion and number of openings;</li> <li>• solid to void ratios;</li> <li>• relationship between internal and external spaces.</li> </ul>		

**Attachment 8 - Residential Heritage Policy Review, Context Pty. Ltd. (October 2019)**

16:

**ASSESSING NEW DEVELOPMENT IN A HISTORIC CONTEXT**

**ASSESSING NEW DEVELOPMENT IN AN HISTORIC CONTEXT: CHECKLIST FOR APPLICANTS AND ASSESSORS**

<b>PART B:</b> CHECKLIST FOR INCLUSION IN HERITAGE IMPACT STATEMENT: RESPONSE TO DESIGN CRITERIA	APPLICANT'S CONFIRMATION	ASSESSOR'S COMMENTS
<p><b>04. SITING</b></p> <p>Annotate drawings, photographs of model or photomontages to describe the relationship between the proposed new development and the context, in terms of the following design criteria:</p> <ul style="list-style-type: none"> <li>• predominant setbacks — front, side and rear;</li> <li>• boundary walls and fences;</li> <li>• orientation and address of buildings;</li> <li>• location and dimensions of driveways and garages and design strategies to reduce their visual and physical impact on the streetscape;</li> <li>• retention of views and vistas to and from the new development, across townscape or landscape;</li> <li>• retention of natural features of significance;</li> <li>• retention of significant archaeological remains;</li> <li>• quality of spaces created between existing and new.</li> </ul>		
<p><b>05. MATERIALS AND COLOUR</b></p> <p>Annotate drawings, photographs of model or photomontages to describe the relationship between the proposed new development and the context, in terms of the following design criteria:</p> <ul style="list-style-type: none"> <li>• response to predominant materials, textures and colour palette — harmonious, complementary, contrasting;</li> <li>• commensurate quality of new materials;</li> <li>• qualities of light and shadow;</li> <li>• hierarchy of material use (for example, solid masonry base and lightweight upper levels);</li> <li>• relationship between skeleton or structure and skin.</li> </ul>		
<p><b>06. DETAILING</b></p> <p>Annotate drawings, photographs of model or photomontages to describe the relationship between the proposed new development and the context, in terms of the following design criteria:</p> <ul style="list-style-type: none"> <li>• response to distinctive details of neighbouring existing buildings — reinterpretation in contemporary materials, contrast;</li> <li>• relationship of new fences, garden walls, planting and landscape elements to important existing details;</li> <li>• unobtrusive design of new service elements, such as solar panels and water tanks.</li> </ul>		

---

**11.4 Amendment C245 Heritage Overlay and Zone Amendments - Consideration of Submissions**

---

**Executive Summary**

**Purpose**

The purpose of this report is for Council to:

- (a) consider the nine submissions received following exhibition of Amendment C245 to the Yarra Planning Scheme;
- (b) present officers' responses to submissions;
- (c) outline the key recommendations for changes to the Amendment C245 documentation;
- (d) request the Minister of Planning to appoint an independent Planning Panel to consider submissions; and
- (e) outline the next steps for the amendment in accordance with the requirements of the *Planning and Environment Act 1987*.

**Key Issues**

Amendment C245 was publicly exhibited from 18 July to 19 August 2019 (1 month) and 9 submissions were received. Under Section 23 of the *Planning and Environment Act 1987*, Council must either:

- (a) change the amendment in the manner requested; or
- (b) refer the submissions to an independent Planning Panel; or
- (c) abandon the amendment or part of the amendment.

Officers recommend option (b) – refer the submissions to an independent Planning Panel for consideration and to provide recommendations back to Council.

**Financial Implications**

The financial cost of planning scheme amendments and the panel process, including panel fees, legal representation and other experts, is included in the budget of Council's Strategic Planning Unit for 2019/20.

**PROPOSAL**

In summary, it is proposed that Council:

- (a) receive and note submissions received following the exhibition of Amendment C245;
- (b) notes the officer report in response to submissions on Amendment C245 and split it into two parts, with:
  - (i) Part 1 – Places that received no submissions seeking changes;
  - (ii) Part 2 – Places which received submissions seeking changes; and
  - (iii) abandon the part of Amendment C245 proposing changes to HO109, including 14 Glasgow Street, Collingwood and a change of address for HO109 (from 51 to 61-75 Langridge Street, Collingwood) so it no longer forms part of the Amendment.
- (c) adopt Part 1 and submit it to the Minister for Planning for Approval;
- (d) request the Minister for Planning appoint an independent Planning Panel to consider Amendment C245 Part 2 in accordance with Section 23 of the *Planning and Environment Act 1987* and refer all submissions, including late submissions to the panel;

- (e) refer the submissions and C245 Part 2 to a Panel and adopt a position of support for Amendment C245 Part 2 and responses to submissions, as set out in this report and the associated attachments;
- (f) write to all submitters to advise of this decision; and
- (g) officers provide a further report to Council after the Planning Panel report is received about how to proceed with C245 Part 2.



---

## 11.4 Amendment C245 Heritage Overlay and Zone Amendments - Consideration of Submissions

---

Reference: D19/191633

Authoriser: Director Planning and Place Making

### Purpose

1. The purpose of this report is for Council to:
  - (a) consider the nine submissions received following exhibition of Amendment C245 to the Yarra Planning Scheme;
  - (b) present officers' responses to submissions;
  - (c) outline the key recommendations that will be included in a report to Council on 12 November 2019, to request the Minister of Planning to appoint an independent Planning Panel to consider submissions; and;
  - (d) outline the next steps for the amendment in accordance with the requirements of the *Planning and Environment Act 1987*.

### Background

2. This amendment is derived from a number of separate projects:
  - (a) *Thematic Study of Theatres in the City of Yarra*, Context Pty Ltd (2017);
  - (b) *Victoria Street and Bridge Road Built Form Review: Heritage Assessment*, GJM Heritage (2018); and
  - (c) Corrections to zone and heritage overlay anomalies, based on queries and requests received from land owners and other interested parties.

#### Thematic Study of Theatres in the City of Yarra, Context Pty Ltd (2017)

3. Context Pty Ltd was engaged in June 2015 to conduct the *Thematic Study of Theatres in the City of Yarra* to assess the existing properties and recommend potential controls.
4. Context found 38 places, which warranted investigation. Of these 38 places:
  - (a) 17 had been demolished;
  - (b) 15 did not require further protection (controls were sufficient);
  - (c) 3 could no longer be located; and
  - (d) 3 theatres had inadequate protection and insufficient controls for the level of significance:
    - (i) 200-202 Johnston Street, Fitzroy - Austral Theatre (former);
    - (ii) 365 Swan Street, Richmond - Burnley Theatre (former); and
    - (iii) 311-317 Bridge Road, Richmond - Richmond Cinema.
5. The amendment to the Yarra Planning Scheme proposes to:
  - (a) apply the Heritage Overlay (HO) to (i) and (ii), which includes internal controls; and
  - (b) add internal controls for the existing heritage overlay for (iii).

#### Victoria Street and Bridge Road Built Form Review: Heritage Assessment, GJM Heritage (2018)

6. In June 2018, Council sought interim heritage planning controls for a number of places in the Victoria Street and Bridge Road activity centres.

7. GJM Heritage consultants were engaged by Council to prepare the *Victoria Street and Bridge Road Built Form Review: Heritage Assessment*. This document included recommendations for 12 places:
  - (a) 2 places were recommended to have grading changes from 'individually significant' to 'not contributory', because they have been redeveloped;
  - (b) 1 place was recommended to be removed from HO mapping to correct an error;
  - (c) 1 mapping correction was recommended to extend the HO over an entire significant place;
  - (d) 6 places were recommended to be transferred from a precinct HO to an individual Heritage Overlay control; and
  - (e) 2 places, 32 & 34 Thomas Street, Richmond and 202-206 Church Street, Richmond, were recommended to be included into new Heritage Overlays. These were requested on an interim basis through Amendment C251.
8. The recommendations also included amending the incorporated document, *Appendix 8 - City of Yarra Review of Heritage Overlay Areas, Graeme Butler and Associates (2007)* (which is to be renamed *City of Yarra Database of Heritage Significant Areas, September 2018*) to include the above changes.

Corrections to zone and heritage overlay anomalies

9. Council maintains a list of heritage and zone anomalies, which arise from public queries or requests for corrections. From time to time, Council progresses an amendment to the Yarra Planning Scheme, in order to ensure that there are no discrepancies between how places are identified in Zones, Heritage Overlay schedule, and subsequent maps.
10. A majority of errors and anomalies included in this amendment are in the Heritage Overlay. These changes are in accordance with *Practice Note: 01 Applying the Heritage Overlay*.
11. At its meeting on 18 September 2018, Council resolved to seek authorisation from the Minister for Planning, to prepare and exhibit Amendment C245.

**Amendment C245**

12. Amendment C245 proposes to correct identified heritage overlay errors and zone anomalies within the Yarra Planning Scheme and implement the recommendations and findings of the recent heritage studies and citations.
13. A complete summary of places affected and the proposed changes is **Attachment 1**.

Exhibition

14. Amendment C245 was placed on public exhibition between Thursday 18 July 2019 and Monday 19 August 2019. The closing date for submissions on the amendment was at 5pm on Monday 19 August 2019.
15. Notification and exhibition of the amendment was carried out via the following measures including:
  - (a) letters, including notice of preparation and fact sheet (**Attachment 2**), sent to 649 owners and occupiers of affected properties, advising of Council's intent to exhibit Amendment C245;
  - (b) letters, including notice of preparation and fact sheet, sent to the Heritage Advisory Committee (HAC) and other heritage related interest groups;
  - (c) letters, including notice of preparation and fact sheet, sent to government agencies and prescribed authorities;
  - (d) an interactive map, as well as more detailed information about the Amendment online at [yarracity.vic.gov.au/amendmentC245](http://yarracity.vic.gov.au/amendmentC245);
  - (e) notices placed in The Age and the Government Gazette;

- (f) full amendment documentation on the Department of Environment, Land, Water and Planning website; and
  - (g) hard copies of the amendment documentation at Richmond Town Hall and the Collingwood Town Hall.
16. Council also offered appointments with Council officers to all affected parties. These appointments were held during the exhibition period. These were made at the interested parties' request.

#### Submissions

17. As a result of exhibition, nine submissions were received (a register and summary of submissions is listed in **Attachment 3**). 5 submissions were submitted by the close of exhibition and four were sent to Council as late submissions. All submissions responded to site specific changes. In summary:
- (a) 3 of the submissions were from the owners or proprietors, objecting to the proposed heritage controls for three former theatres set out in the *Thematic Study of Theatres in the City of Yarra* for land at:
    - (i) 200 - 202 Johnston Street, Collingwood (Austral Theatre);
    - (ii) 365-377 Swan Street, Richmond, (the former 'Burnley Theatre'); and
    - (iii) 311-317 Bridge Road, Richmond, (the former Richmond Theatre).
  - (b) 1 submission (from the Catholic Church) supported the heritage overlay over the south section of 378A and 378B Nicholson Street, Fitzroy North, and 27 Alexandra Parade, but objected to the current heritage overlay on St. Brigid's hall and adjoining school building (378C Nicholson Street, Fitzroy North). This submission also raises issues about whether the significant buildings are properly identified;
  - (c) 1 submission from the Collingwood Historical Society (CHS), which:
    - (i) supported most of the changes proposed in Amendment;
    - (ii) did not support the removal of 14 Glasgow Street, Collingwood until further heritage assessment had been done;
    - (iii) noted that a number of changes were as a result of total demolition of buildings and raised concern that '*when contributory buildings are approved for demolition, the City of Yarra appears to the community to place little value on the heritage status of buildings.*'; and
    - (iv) noted that the Collingwood College Doll's House was in disrepair and requires attention;
  - (d) 1 submission from the 3068 Group Inc. (Fitzroy North) indicated the extension of HO93 to protect the landscape in Queens Parade was not sufficient and should be extended; and
  - (e) 3 submissions objected to the HO proposed for 202-206 Church Street, Richmond.
18. The key issues raised in submissions, and proposed responses to these issues, are addressed below. A detailed response to specific issues raised is provided in **Attachment 4**.

#### Discussion of key issues

##### ***Justification and impact of internal heritage controls***

19. Three submissions objected to the application of internal heritage controls applied to the theatres identified in the *Thematic Study of Theatres in the City of Yarra*.

*Officer Response:*

20. These submissions object to a key element of the recommendations in the Theatres Study which is to protect the internal features of the identified theatres. These internal features are a major part of the significance of the places. The Amendment should not be changed to meet the submitter objections. These submissions should be referred to a Panel for review.

***Heritage significance***

21. Six submissions requested changes to the heritage significance or proposed HO of specific sites. These included:
- (a) 378 Nicholson Street, Fitzroy North (St Brigid's Church);
  - (b) 14 Glasgow Street, Collingwood;
  - (c) 200-202 Johnston Street, Collingwood; and
  - (d) 202-206 Church Street, Richmond.

378 Nicholson Street, Fitzroy North – St Brigid's Catholic Church, school, former convent and presbytery

22. The submission on behalf of the Catholic Church, objects to the existing heritage overlay over the northern section of the property because:

*"the buildings are of:*

- *Ordinary red bricks,*
- *Simple architectural design*
- *Not old for more than 100 years"*

23. **Figure 1** shows the existing extent of HO327, the church land boundary and the buildings with dates. The buildings which the submission indicates are not significant are the schoolroom (1897) and school (1924).

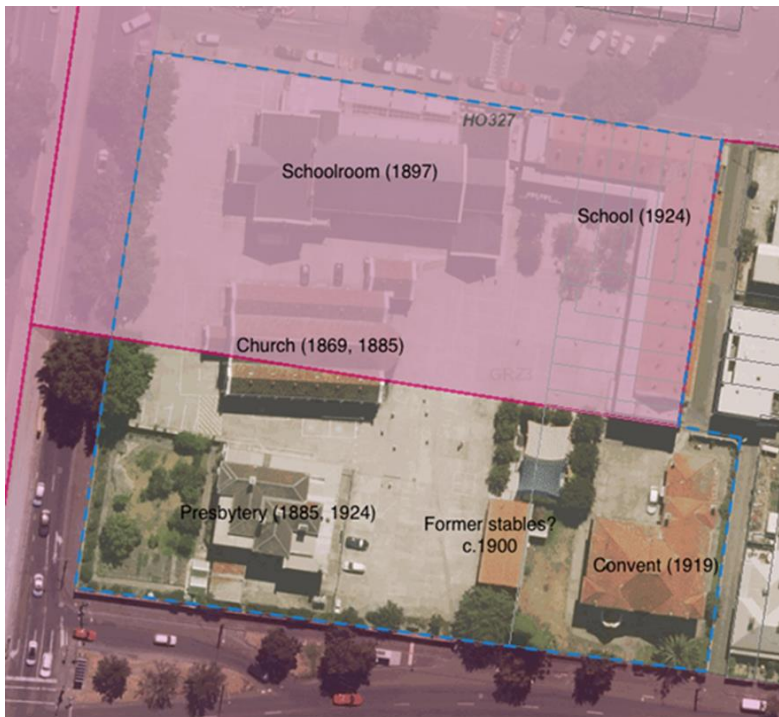


Figure 1: Current extent of HO327 shown in pink shading, boundary of St Brigid's indicated by blue dotted line

*Officer Response:*

24. Council referred this submission to an independent heritage advisor who has advised that the proposed extension of the heritage overlay is justified and is consistent with the identified significance of the buildings on the land (**Attachment 5** - Amendment C245 heritage advice – St Brigid’s Catholic Church complex – D Helms September 2019). This advice also suggested that a new citation should be prepared for the whole place (all the church land) which would list the significant buildings.
25. Independent advice from a heritage expert notes;
- (a) *St Brigid’s Catholic Church complex, comprising the church and front fence, school & hall (and remnants of front and side fences), presbytery and outbuilding (and remnant front fence), 1924 school and 1919 convent, is of local significance to the City of Yarra;*
  - (b) *there is a reasonable case for Council to proceed with the proposed extension of the HO over the balance of 378 Nicholson Street, Fitzroy North, as:*
    - (i) *this will resolve the anomaly where the current HO327 boundary cuts through the middle of the church and excludes the presbytery, which is currently listed in Appendix 8 incorporated document as an Individually Significant place; and*
    - (ii) *it will ensure that all the St Brigid’s church buildings are included within the heritage overlay;*
  - (c) *as a place of individual significance comprising a complex of buildings and other features the preparation of an individual citation and statement of significance for St Brigid is required. In the interim, the significance of St Brigid’s is recognised by the HO327 precinct statement of significance; however, it emphasises the importance of the church and excludes specific references to the other buildings forming part of the complex;*
  - (d) *also, the associated incorporated document listing the gradings of buildings, as updated by Amendment C245, still only lists the 1897 school and hall (‘schoolroom’), church and presbytery as being of Individual significance, and does not identify the grading of the 1924 school and the 1919 convent;*
  - (e) *on this basis, I believe that the proposed changes to St Brigid’s should be included in Amendment C245 – Part 2 and referred to an independent Planning Panel with the following changes:*
    - (i) *renaming the ‘schoolroom’ as ‘School & hall’ and listing the 1924 St Brigid’s School at 20 York Street, and the former St Brigid’s convent at 27 Alexandra Parade as ‘Contributory’ places in the updated incorporated document ‘City of Yarra Database of Heritage Significant Areas, September 2019’; and*
    - (ii) *making a minor change to the HO327 precinct statement of significance to include specific reference to the whole of St Brigid’s church complex. This is shown below.*
  - (f) *as a priority, the City of Yarra should prepare an individual citation for St Brigid’s complex. This assessment should also consider whether an individual HO would be justified. For example, to provide interior controls for the church (e.g., for the organ) or for significant fences, as was done as part of the recent assessment of St John’s, Clifton Hill.*
26. Officers believe that the Amendment should not be changed to meet the submitter objections. This submission should be referred to a Panel for review.
- 14 Glasgow Street, Collingwood:
27. The CHS objected to the removal of 14 Glasgow Street, Collingwood from HO109 (*Former William Peatt Boot Factory*) until the heritage significance of the building had been addressed.

28. **Figure 2:** Shows the existing HO boundaries in relation to 14 Glasgow Street, which is indicated by the dotted blue line (Source: VicPlan). The red arrow indicates the section of the c.1937 William Peatt building that appears to be within 14 Glasgow Street.



Figure 2: Current extent of HO420 and HO109 shown in pink shading, boundary of 14 Glasgow Street indicated by blue dotted line

*Officer Response:*

29. Independent advice was sought from a heritage expert (**Attachment 6** Amendment C245 heritage advice – 14 Glasgow Street, Collingwood – D Helms September 2019) who advised that:
- (a) *the part of 14 Glasgow Street proposed for removal from HO109 contains a car park that has no heritage value. However, it also appears to include a small part of the significant c.1937 William Peatt building – this finding is based on the aerial image overlaid with the HO109 boundary shown in **Figure 2**, which is derived from VicPlan;*
  - (b) *the proposed new address for HO109 in the HO schedule and incorporated document is incorrect;*
  - (c) *in accordance with Planning Practice Note 1, there should be a single citation and HO number for the former William Peatt Boot Factory complex;*
  - (d) *on this basis, I believe the proposed changes to HO109 should be removed from Amendment C245 pending a further review, which should include:*
    - (i) *a desktop review of the two separate citations to make a single citation for the William Peatt Boot Factory; and*
    - (ii) *a more detailed investigation of the title boundary to determine whether or not the c.1937 William Peatt building is partially within 14 Glasgow Street.*
30. Having considered the heritage advice the part of Amendment C245 that includes 14 Glasgow Street, changes to the extent of HO109 and the associated change of address for HO109 from 51 to 61-75 Langridge Street, Collingwood should be abandoned and no longer form part of C245.

200-202 Johnston Street, Collingwood

31. 1 submission objected to the inclusion of 200-202 Johnston Street, Collingwood as an 'individually significant' place and objected to the extension of the HO to cover the entire site.

*Officer Response:*

32. The property is already graded as an 'individually significant' heritage place in the Database of Heritage Significant Areas and the Amendment does not propose to change this heritage significance. Currently HO324 covers only a part of 200-202 Johnston Street, Collingwood. It cuts through the former Austral Theatre so that only part is protected. The Amendment proposes a new HO499 to cover the entire property so the building is protected.
33. It is proper planning practice to apply a heritage overlay to the whole extent of a property to ensure heritage protections and minimise any uncertainty about planning scheme requirements. No change is proposed to the exhibited amendment. This submission should be referred to a Panel for review.

34. 202 and 204 Church Street, Richmond

- (a) Three submissions objected to 202-206 Church Street, Richmond being protected as 'individually significant' in the new HO526; and
- (b) The grounds for opposing the new HO include that this would be an additional burden in the context of a commercial zone, significant development is occurring nearby, the condition or integrity of the buildings does not warrant heritage protection.

*Officer Response:*

35. These properties are part of a group of three shops, the 'Halls Buildings', identified by GJM in the *Victoria Street and Bridge Road Built Form Review: Heritage Assessment*. GJM Heritage identified the shops and residences as being constructed in 1886, noting a number of elements that contributed to the significance of the place. The GJM Heritage Assessment found:

*'The buildings retain a high degree of integrity to the Victorian period in fabric, form and detail. Whilst the building has undergone some alterations, these have not diminished the ability to understand and appreciate the place as an example of a Victorian shop and residence.'*

36. The Amendment should not be changed to meet the submitter objections. These submissions should be referred to a Panel for review.

***Demolition of buildings***

37. The submission from the Collingwood Historical Society noted that a number of the proposed re-graded places in Amendment C245 resulted from demolition of buildings. The submission noted that five buildings had been entirely demolished and redeveloped or are in the process of being redeveloped.

*Officer Response:*

38. Council officers have investigated the circumstances around the demolition of the five buildings identified in the submission.
39. Of these buildings, three properties were graded 'contributory' prior to demolition, with the remaining two properties being ungraded or graded 'unknown'.
40. In the Yarra Planning Scheme, properties are graded 'unknown' where insufficient information is available to allow an assessment from the public domain.
41. The Yarra Planning Scheme and the Yarra City Council policy generally encourage the retention of a heritage place, unless;
- (a) the building is identified as not contributory; and
- (b) if the building is identified as a contributory building;

- (i) new evidence has become available to demonstrate that the building does not possess the level of heritage significance attributed to it in the incorporated document, *Database of Heritage Significant Areas* (formerly, *City of Yarra Review of Heritage Areas 2007 Appendix 8* [as updated from time to time]); and
- (ii) the building does not form part of a group of similar buildings.

42. Table 1 outlines the circumstances of the demolition of buildings noted in the submission.

**Table 1 – Circumstances for demolition of ‘contributory’ buildings**

Address	Grading prior to demolition	Circumstances of demolition
<b>160 Gold Street, 1 &amp; 1A South Terrace, Clifton Hill</b>	'contributory'	<p>The advertised heritage advice found new evidence that demonstrated that the ‘contributory’ building did not possess the level of heritage significance attribute to it in the incorporated document, <i>Database of Heritage Significant Areas</i> (formerly, <i>City of Yarra Review of Heritage Areas 2007 Appendix 8</i> [as updated from time to time]).</p> <p>Additionally, it was found that the building had been modified prior to the application to demolish and that the contributory nature had been diminished.</p> <p>The planning proposal was taken to VCAT after Council refused to grant a permit. Council’s grounds for refusal raised concerns for the demolition from a heritage perspective.</p> <p>VCAT set aside Councils decision and directed Council to issue a permit.</p>
<b>4 Eddy Court, Abbotsford</b>	<i>Not graded</i>	<p>The building was identified as being not contributory.</p> <p>The building was in disrepair (the floor had collapsed).</p>
<b>55 Park Street, Abbotsford</b>	<i>Not graded</i>	<p>The building was identified as being not contributory.</p> <p>The planning proposal was taken to VCAT after Council failed to grant a permit within the statutory timeframes.</p> <p>VCAT set aside Councils decision and directed Council to issue a permit.</p> <p style="text-align: right;"><i>(VCAT Ref. No – PL06/1131)</i></p>
<b>18 Peel Street, Collingwood</b>	'contributory'	<p>The advertised heritage advice found new evidence that demonstrated that the ‘contributory’ building did not possess the level of heritage significance attributed to it in the incorporated document, <i>Database of Heritage Significant Areas</i> (formerly, <i>City of Yarra Review of Heritage Areas 2007 Appendix 8</i> [as updated from time to time]).</p> <p>Additionally, the building did not form part of a group of similar buildings that contributed to the heritage of the area.</p>
<b>133 Keele Street, Collingwood</b>	'contributory'	<p>New evidence that demonstrated that the ‘contributory’ building did not possess the level of heritage significance attributed to it in the incorporated document, <i>Database of Heritage Significant Areas</i> (formerly, <i>City of Yarra Review</i></p>



		<p><i>of Heritage Areas 2007 Appendix 8 [as updated from time to time]).</i></p> <p>Building was in disrepair and became a hazard.</p> <p>The demolition of the building was justified by the degradation of structural integrity and an emergency demolition was approved.</p>
--	--	---

**Collingwood College Doll's House**

- 43. The Collingwood Historical Society noted that the Collingwood College Doll's House is in poor condition and needs repair.

*Officer Response:*

- 44. Council notes that the Collingwood College Doll's House is in poor condition and there is a threat to the conservation of the heritage place.
- 45. The Doll's House is part of the Collingwood College campus grounds and not a Council asset.
- 46. Council is, however, currently addressing potential funding, the responsibility of maintenance and actions necessary to repair the Doll's House.

**Heritage Overlay HO93 and Amendment C231**

- 47. The 3068 Group Inc. objects that the proposed extension of HO93 '*do not go far enough to protect the elm boulevard which is more extensive than that identified. The HO93 statement of significance does not distinguish between the 19th C plantings and the interwar plantings. HO93 should include Napier Reserve and the substation*'.
- 48. The submission referenced a previous submission made to Amendment C231 – Queens Parade Design and Development Overlay.

*Officer Response:*

- 49. HO93 was introduced, based on a 1998 heritage citation prepared by Allom Lovell and John Patrick Pty Ltd. A recent internal assessment identified an anomaly in the extent of HO93, which the C245 changes propose to address. The scope of those changes is based on the original 1998 assessment and a review carried out by John Patrick Landscape Architects Pty Ltd in November 2018. The 2018 review recommends the extension of HO93 so it applies to all the road reserve between Alexandra Parade and Delbridge Street, Clifton Hill. The 2018 review did not consider or propose any extension beyond this section of Queens Parade.
- 50. The 2018 review report includes **Figure 3** illustrating the extent of the current Heritage Overlays in the area and the gaps adjoining HO93. This shows the anomaly which excludes street trees and associated median strips and landscape features as detailed in **Attachment 7**.



Figure 3: Heritage Overlay HO93 of the Yarra Planning Scheme as indicated on Planning Maps Online

51. The revised HO93 extent and the revised citation are based on expert advice. The submission in part questions some aspects of that advice and the revised citation. The submission also suggests extending protection to other areas such as Napier Reserve (which is bounded by Napier Street, Queens Parade and Alexandra Parade) and other parts of Queens Parade.
52. Given the nature of a Planning Scheme amendment process, it is generally not possible to extend the geographic extent of the proposals after exhibition. This is for reasons which include potential impacts on other parties who might for example object to revised proposals.
53. The significance of the sub-station on Napier Reserve was considered as part of the Queens Parade Amendment C231 where heritage protection was not supported by the Council heritage expert. It may be that the report by the Planning Panel will provide recommendations regarding this matter.
54. In conclusion, the 3068 Group Inc. submission raises issues which do not warrant changes to the Amendment. This part of the Amendment should be referred to a Panel.

**Split Amendment C245 into Part 1 and Part 2**

55. An amendment may be split into parts and separately processed. Such a split is warranted in this instance, because it will allow those parts of the Amendment which do not have submissions seeking changes to be adopted and submitted for approval without further delay as C245 (Part 1). The balance of the items will be either referred to a Panel or in the case of the items dealing with 14 Glasgow Street, HO109 and 51 Langridge Street, Collingwood abandoned and removed from the Amendment.
56. It is recommended that the changes in Amendment C245 are split into two parts, as follows:
  - (a) Part 1 – Places that received no submissions seeking changes; and

(b) Part 2 – Places which received submissions seeking changes.

C245 (Part 1)

57. Part 1 includes **65** places that did not attract objections (listed in **Attachment 8**). It is recommended that Part 1 should be adopted and submitted to the Minister for Planning for Approval as 'Yarra Planning Scheme Amendment C245 (Part 1)'.

C245 (Part 2)

58. Part 2 of the Amendment includes **6** places for which an objection was received (listed in **Attachment 9**). It is recommended that all submissions in Part 2 be referred to an independent Planning Panel.

**External Consultation**

59. Council has:

- (a) exhibited the amendment for one calendar month, in accordance with the requirements of the *Planning and Environment Act 1987*;
- (b) posted notice of the proposal to all owners and occupiers of land directly affected by the changes, other interested parties and Prescribed Ministers;
- (c) published formal notice of the amendment in the Age and Government Gazette; and
- (d) provided comprehensive information on the Council website.

60. Consultation provided the community, land owners and stakeholders the opportunity to make a submission about the proposed changes.

61. Council officers have had preliminary discussion about the amendment with the Department of Environment, Land, Water and Planning (DELWP).

**Internal Consultation (One Yarra)**

62. The proposed amendment has been circulated internally with comments from different team members from the Strategic Planning unit and the Statutory Planning team of Council.

63. These comments form part of the assessment process leading to this report.

**Financial Implications**

64. The financial cost of planning scheme amendments is included in the budget of Council's Strategic Planning Unit for 2019/20.

**Economic Implications**

65. There are no significant economic implications from the amendment.

**Sustainability Implications**

66. The retention of heritage places reduces building waste and conserves embodied energy in existing buildings. However, older buildings are potentially less energy efficient than new buildings and the amendment may limit opportunities for future development of sustainable buildings.

**Social Implications**

67. There are no significant social implications from Amendment C245 identified.

**Human Rights Implications**

68. There are no human rights implications anticipated from the amendment.

69. The amendment complies with the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

**Communications with CALD Communities Implications**

70. Consultation for the amendment is in accordance with the *Planning and Environment Act 1987* and Council's consultation policies.

### **Council Plan, Strategy and Policy Implications**

71. The value of creating a liveable Yarra to Council and the community is acknowledged in the Council Plan 2017-2021.
72. A liveable Yarra is identified as where development and growth are managed to maintain and enhance the character and heritage of the city.
73. The amendment seeks to promote and conserve areas of growth and significance by:
  - (a) applying new Heritage Overlay provisions in the Planning Scheme; and
  - (b) correcting errors and anomalies in the Heritage Overlay and zones.

### **Legal Implications**

74. The amendment complies with the requirements of the *Planning and Environment Act 1987*.
75. There are no known legal implications of this amendment.

### **Other Issues**

#### Changes to the *Yarra High Streets: Statements of Significance* – adding the citations and studies in this Amendment C245

76. The *Yarra High Streets: Statements of Significance* is a reference document which contains the relevant heritage studies and citations for all the activity centres or 'high streets'. This needs to be updated in part as a result of changes since C245 was exhibited. The Panel process for Amendment C231 (Queens Parade) made changes to this reference document. The *Yarra High Streets: Statements of Significance* prepared by GJM Heritage in 2017, has been updated as part of the post-Panel direction for Amendment C231.
77. It is recommended that the *Yarra High Streets: Statements of Significance* be updated with the addition of the following from Amendment C245:
  - (a) *Heritage Citation: Queens Parade, Fitzroy North Street Trees*, John Patrick Landscape Architects Pty. Ltd. (2018);
  - (b) *Victoria Street and Bridge Road Built Form Review: Heritage Assessment*, GJM Heritage (2018); and
  - (c) *Thematic Study of Theatres in the City of Yarra*, Context Pty. Ltd. (2017).
78. The updated *Yarra High Streets: Statements of Significance* is **Attachment 10**.

### **Options**

79. Where submissions have been received to an amendment, Council has three options under Section 23 of the *Planning and Environment Act 1987*:
  - (a) change the amendment in the manner requested; or
  - (b) refer the submissions to an independent Planning Panel to consider the submissions and to provide recommendations to Council; or
  - (c) abandon the amendment or part of the amendment.
80. Council can forward the submissions and C245 (Part 2) to a Panel.
81. Council must make a formal request to the Minister for Planning to appoint a Panel, after which Planning Panels Victoria will confirm the hearing dates.

### **Conclusion**

82. Amendment C245 proposes to correct heritage and zoning anomalies in the City of Yarra and to implement recommendations from recent heritage studies and citations.

83. Exhibition of Amendment C245 has been completed. Nine submissions were received, relating largely to internal heritage controls for former theatres and the extension of the heritage overlay over some sites.

## RECOMMENDATION

1. That Council:
  - (a) receive and note submissions received following the exhibition of Amendment C245;
  - (b) notes the officer report in response to submissions on Amendment C245 and split it into two parts, with:
    - (i) Part 1 – Places that received no submissions seeking changes as listed in **Attachment 8**;
    - (ii) Part 2 – Places which received submissions seeking changes (**Attachment 9**); and
    - (iii) abandon the part of Amendment C245 proposing changes to HO109, including 14 Glasgow Street, Collingwood and a change of address for HO109 (from 51 to 61-75 Langridge Street, Collingwood) so it no longer forms part of the Amendment.
  - (c) adopt Part 1 and submit it to the Minister for Planning for Approval;
  - (d) request the Minister for Planning appoint an independent Planning Panel to consider Amendment C245 Part 2 in accordance with Section 23 of the *Planning and Environment Act 1987*;
  - (e) refer the submissions and C245 Part 2 to a Panel and adopt a position of support for Amendment C245 Part 2 and responses to submissions, as set out in this report and the associated attachments;
  - (f) update the *Yarra High Streets: Statements of Significance* with the addition of the documents from Amendment C245 set out in this report;
  - (g) write to all submitters to advise of this decision; and
  - (h) officers provide a further report to Council after the Planning Panel report is received about how to proceed with C245 Part 2.

**CONTACT OFFICER:** Madeline Riseborough  
**TITLE:** Strategic Planner  
**TEL:** 9205 5002

## Attachments

- [1](#) Summary of Places
- [2](#) Fact Sheet
- [3](#) Summary of Individual Submissions
- [4](#) Key Submitted Issues
- [5](#) Heritage advice - St Brigids Catholic Church complex
- [6](#) Heritage advice - 14 Glasgow Street
- [7](#) Heritage Citation QP, FN, John Patrick Landscape Architects Pty. Ltd. (2018)
- [8](#) Summary of Places - No Submission
- [9](#) Summary of Places - Submission
- [10](#) Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

## Attachment 1 - Summary of Places

# Amendment C245 Summary of Places



Amendment C245 proposes changes to the following 72 places. Yarra City Council is proposing to correct heritage overlay errors and zone anomalies, amend interim heritage controls, implement the recommendations of recent heritage studies, amend the heritage gradings and amend technical errors in the Yarra Planning Scheme. You can find more information about changes to each property in an interactive map online at [yarracity.vic.gov.au/c245](http://yarracity.vic.gov.au/c245)

Address	Action Required
<b>Changes identified in the Thematic Study of Theatres in the City of Yarra, Context Pty Ltd (2017)</b>	
1 200-202 Johnston Street, Collingwood	Replace existing heritage overlay with a site specific heritage overlay that includes internal heritage protection controls
2 311-317 Bridge Road, Richmond	Replace existing heritage overlay with a site specific heritage overlay that includes internal heritage protection controls
3 365-377 Swan Street, Richmond	Add internal heritage protection controls to the existing heritage overlay
<b>Changes identified in the Victoria Street &amp; Bridge Road Built Form Review: Heritage Assessment, GJM Heritage (2018)</b>	
4 77 Bridge Road, Richmond	Grade as 'not contributory' to the heritage of the area
5 33 Judd Street, Richmond	Grade as 'not contributory' to the heritage of the area
6 655 Victoria Street, Abbotsford	Extend heritage overlay to include the entire property
7 21-23 Lithgow Street, Abbotsford	Remove property from the Database of Heritage Significant Areas
8 637-639 Bridge Road, Richmond	Replace existing heritage overlay with a site specific heritage overlay
9 202-206 Church Street Richmond	Remove interim heritage overlay and replace with site specific heritage overlay
10 32-34 Thomas Street, Richmond	Remove interim heritage overlay and replace with site specific heritage overlay
11 635 Bridge Road, Richmond	Replace existing heritage overlay with a site specific heritage overlay
12 529-533 Bridge Road, Richmond	Replace existing heritage overlay with a site specific heritage overlay
13 597-599 Bridge Road, Richmond	Replace existing heritage overlay with a site specific heritage overlay
14 534-534A Bridge Road, Richmond	Replace existing heritage overlay with a site specific heritage overlay
15 325-333 Bridge Road, Richmond	Replace existing heritage overlay with a site specific heritage overlay
<b>Changes identified in Collingwood Mixed Use Pocket, Heritage Analysis &amp; Recommendations, GJM (2018)</b>	
16 18-22 Derby Street, Collingwood	Extend existing heritage overlay over the entire property
17 33-45 Derby Street, Collingwood	Extend existing heritage overlay over the entire property
<b>Yarra Planning Scheme Anomalies</b>	
18 Queens Parade Trees	Extend existing heritage overlay over the trees and road reserve
19 120 Campbell Street, Collingwood	Grade as 'not contributory' to the heritage of the area
20 1-3 & 5-9 Gordon Street, Cremorne	Include existing heritage overlay in the Yarra Planning Scheme
21 131 Miller Street, Fitzroy North	Grade as 'contributory' to the heritage of the area
22 14 Risley Street, Richmond	Include existing heritage overlay in the Yarra Planning Scheme
23 155 Westgarth Street & 158 Cecil Street, Fitzroy	Extend existing heritage overlay over the entire properties
24 160 Gold Street, 1 & 1A South Terrace, Clifton Hill	Grade as 'not contributory' to the heritage of the area
25 20 Grattan Place, Richmond	Remove property from the Database of Heritage Significant Areas
26 20 Jessie Street, Cremorne	Remove the heritage overlay from the property
27 236A Lennox Street, Richmond	Remove property from the Database of Heritage Significant Areas
28 24-30 Waterloo, 83-91 Rokeby & 23-29 Robert, Collingwood	Grade as 'not contributory' to the heritage of the area
29 25 Little George Street, Fitzroy	Remove property from the Database of Heritage Significant Areas

**Attachment 1 - Summary of Places**

Address	Action Required
<b>Yarra Planning Scheme Anomalies</b>	
30 26 Bromham Place, Richmond	Include existing heritage overlay in the Yarra Planning Scheme
31 15-27 Barrow Place, Burnley	Grade as 'not contributory' to the heritage of the area
32 32 Hodgson Street, Fitzroy	Remove property from the Database of Heritage Significant Areas
33 38-42 York Street, North Fitzroy	Remove property from the Database of Heritage Significant Areas
34 4 Eddy Court, Abbotsford	Grade as 'not contributory' to the heritage of the area
35 415-419 Fitzroy Street, Fitzroy	Correct address in the Database of Heritage Significant Areas from 62 Rose Street, Fitzroy to 415-419 Fitzroy Street, Fitzroy
36 37-45 Kerr Street, Fitzroy	Grade as 'not contributory' to the heritage of the area
37 49-53 Lucerne Crescent, Alphington	Extend existing heritage overlay to cover 53 Lucerne Crescent and remove existing heritage overlay from 49 Lucerne Crescent
38 55 Park Street, Abbotsford	Grade as 'not contributory' to the heritage of the area
39 85 Cremorne Street, Cremorne	Include existing heritage overlay in the Yarra Planning Scheme
40 86 Richmond Terrace, Richmond	Grade as 'not contributory' to the heritage of the area
41 Collingwood College Dolls House, Collingwood	Correct address in the Database of Heritage Significant Areas and correct mapping of existing heritage overlay
42 Park Keepers Cottage, Burnley Park	Grade as 'individually significant' to the heritage over the area
43 77-79 Burnley Street, Richmond	Remove expired interim heritage controls to the site
44 378 Nicholson Street, Fitzroy North (St Brigid's Roman Catholic Presbytery)	Extend existing heritage overly to include entire property
45 181 Langridge Street, Abbotsford	Remove the heritage overlay from the property
46 239-247 Johnston Street, Fitzroy	Grade as 'not contributory' to the heritage of the area
47 11 Waverley Street, Richmond	Grade as 'not contributory' to the heritage of the area
48 19 Cambridge Street, Collingwood	Extend existing heritage overlay to include entire property
49 18 Peel Street, Collingwood	Grade as 'not contributory' to the heritage of the area
50 120 Cambridge Street, Collingwood	Extend existing heritage overlay to include entire property
51 61-63 Oxford Street, Collingwood	Extend existing heritage overlay to include entire property
52 37 Oxford Street, Collingwood	Extend existing heritage overlay to include entire property
53 31 Bell Street, Richmond & 204 Coppin Street, Richmond	Extend existing heritage overlay to include entire property of 204 Coppin Street and correct the zone mapping for both properties
54 133 Keele Street, Collingwood	Grade as 'not contributory' to the heritage of the area
55 4-6 Derby Street, Collingwood	Grade as 'not contributory' to the heritage of the area
56 7 Langridge Street, Collingwood	Grade as 'not contributory' to the heritage of the area
57 11 Gleadell Street, Richmond	Correct address to 11 Gleadell Street, Richmond in the Database of Heritage Significant Areas
58 6 Stawell Street, Richmond	Remove expired interim heritage overlay and extend existing heritage overlay to cover the entire property
59 113-115 & 113A-115A Bridge Road, Richmond	Grade 113 as 'contributory' to the heritage of the area
60 61-75 Langridge Street & 14 Glasgow Street, Collingwood	Remove existing heritage overlay from 14 Glasgow Street and correct address of 61-75 Langridge Street in the Database of Heritage Significant Areas
61 261-263 Highett Street, Richmond	Change mapping to existing extend heritage overlays and zone to include entire properties as Neighbourhood Residential Zone
62 22 Best Street, Fitzroy North	Change mapping to include entire property in Neighbourhood Residential Zone
63 522-530 Napier Street, Fitzroy North	Change mapping to include entire property in Mixed Use Zone
64 314-316 Bridge Road, Richmond	Change mapping to include entire property in Commercial 1 Zone
65 4-6 Waltham Street, Richmond	Change mapping to include entire property in Neighbourhood Residential Zone
66 95-103 Johnston Street, Fitzroy	Change mapping to include entire property in Commercial 1 Zone
67 7 Tait Street, Fitzroy North	Change mapping to include entire property in Neighbourhood Residential Zone
68 197 Lennox Street, Richmond	Change mapping to include entire property in Neighbourhood Residential Zone
69 22 Falconer Street, Fitzroy North	Change mapping to include entire property in General Residential Zone
70 24 Falconer Street, Fitzroy North	Change mapping to include entire property in Public Use Zone
71 84 Johnston Street, Fitzroy	Change mapping to include entire property in Commercial 1 Zone
72 34-44 Cromwell Street, Collingwood	Change mapping to include entire property in Commercial 2 Zone

# Amendment C245 Heritage Overlay and Zone Fix Up



We are proposing a number of changes to correct heritage overlay and zone anomalies, and apply recommendations from recent heritage studies. This will provide greater clarity on how some properties can be developed in the future. Your property may be affected by these changes. You are invited to find out more and make a submission.

Yarra City Council is proposing to correct heritage overlay, zone anomalies and errors in the Yarra Planning Scheme and apply recommendations from recent heritage studies to 16 properties.

We maintain a list of errors and anomalies that can be found in the heritage overlay and zoning of properties located in Yarra. Recent heritage studies have been conducted in Collingwood, Richmond, Fitzroy North and Clifton Hill to inform strategic planning and built form controls.

These have informed the changes that will be introduced through an amendment to the Yarra Planning Scheme, known as Amendment C245.

### What is a Planning Scheme Amendment?

Planning schemes are documents used to control land use and development. All councils in Victoria have their own planning schemes, which are overseen by the State Government. To add or change planning controls, councils must make an amendment to their planning scheme, which must then be approved by the Minister for Planning.

### What does Amendment C245 do?

The amendment will:

- Correct the zone boundaries of 11 properties covered by more than one zone, in Fitzroy, Fitzroy North and Richmond.
- Apply internal heritage controls for the following properties:
  - 200-202 Johnston Street, Collingwood
  - 311-317 Bridge Rad, Richmond
  - 365-377 Swan Street, Richmond
- Include the following properties as individually significant places and remove them from previous precinct heritage overlays on the



# Amendment C245 Heritage Overlay and Zone Fix Up



recommendations of external consultants:

- 200-202 Johnston Street, Collingwood (HO499)
- 311-317 Bridge Road, Richmond (HO504)
- 637-639 Bridge Road, Richmond (HO525)
- 635 Bridge Road, Richmond (HO528)
- 529-533 Bridge Road, Richmond (HO529)
- 597-599 Bridge Road, Richmond (HO530)
- 534-534A Bridge Road, Richmond (HO531)
- 325-333 Bridge Road, Richmond (HO532)
- Remove interim controls and apply permanent heritage overlays to the following properties to provide increased heritage protection:
  - 18-22 Derby Street, Collingwood (HO102)
  - 33-45 Derby Street, Collingwood (HO336)
  - 202-206 Church Street, Richmond (HO526)
  - 32 & 34 Thomas Street, Richmond (HO527)
- Remove the heritage controls from 21 – 23 Lithgow Street, Abbotsford.
- Correct the heritage overlay mapping of 16 properties located in Abbotsford, Alphington, Collingwood, Cremorne, Fitzroy, Fitzroy North, and Richmond.
- Regrade 16 properties to 'not contributory' to the heritage character of the area.
- Update and rename the incorporated document, *City of Yarra Database of Heritage Significant Areas, July 2019* to correct addresses and heritage gradings.
- Include reference to recent heritage studies in the Yarra Planning Scheme.
- Update the Yarra Planning scheme to refer to new or amended documents.

Attachment 2 - Fact Sheet

# Amendment C245 Heritage Overlay and Zone Fix Up



**Find out more about the Amendment**

You can find more information about the Amendment at [yarracity.vic.gov.au/c245](http://yarracity.vic.gov.au/c245). This includes the full explanatory report, a summary of places affected and an interactive map.

**In person**

A full copy of the proposed Amendment can be viewed in person during standard business hours at:

- Richmond Town Hall (333 Bridge Road, Richmond)
- Collingwood Town Hall (140 Hoddle Street, Abbotsford)

**Appointments during exhibition**

You can make an appointment with Council staff who can explain the proposed Amendment in more detail. You may like to come for a one-on-one discussion, or as a group to discuss the proposed Amendment – please let us know what you want when you make the appointment.

To make an appointment, contact Madeline Riseborough, Strategic Planner, on **9205 5555** or [info@yarracity.vic.gov.au](mailto:info@yarracity.vic.gov.au) (Subject line: Amendment C245 – Information Session).

**Next Steps**

Following the exhibition period, Council will consider community submissions at a Council Meeting. If a number of submissions are received, we will need to seek the appointment of an independent Planning Panel to assess them.

If a Planning Panel is appointed, submitters would have the opportunity to make further submissions before the panel issues its recommendations to Council.

**How to make a submission**

Submissions must be made in writing and are due by **5pm on Monday 12 August 2019**.

- **Email:** [info@yarracity.vic.gov.au](mailto:info@yarracity.vic.gov.au) (Subject line: Amendment C245 - Submission)
- **Post:** Attention Strategic Planning PO Box 168, Richmond VIC 3121 (Subject line: Amendment C245- Submission)



Your submission must indicate if you support or oppose the Amendment and outline any recommended changes.

Please provide us with your name and contact details so that we can contact you about the next stages of the process.

Please note: in accordance with the *Planning and Environment Act 1987*, Council must make a copy of any submission available for public inspection.

# Amendment C245

## Heritage Overlay and Zone Fix Up



**What is a zone?**

The planning scheme zones all land to reflect different land uses. These zones categorize how land is used and there are specific rules related to each zone.

**What is the heritage overlay?**

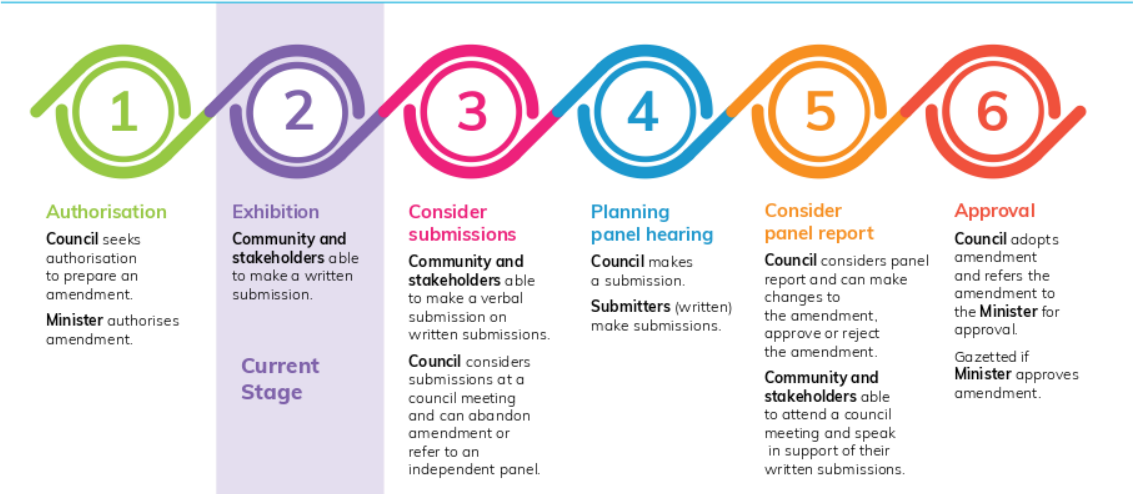
Heritage overlays cover identified places of local heritage significance in Yarra. Council implements heritage overlays to protect these places and to maintain the value to the local community.

**What stage is the Amendment at?**


There are six stages in a Planning Scheme Amendment, which are required in accordance with the *Planning and Environment Act 1987*.

Amendment C245 is currently at the second stage. This means that Yarra Council has sought approval for the Amendment and it has been approved for exhibition by the Minister for Planning. During this stage, community members and stakeholders are able to make submissions objecting to or in support of the proposed Amendment.

**Stages of a Planning Scheme Amendment**



Attachment 3 - Summary of Individual Submissions

Amendment C245 Heritage Overlay and Zone Fix Up Summary of Submissions				
	Name	Interested Property	Summary of Submission	Officer Response
1	Anthony De Luca	200-202 Johnston Street, Collingwood	<p><b>1.1 - Justification and impact of internal controls</b> Objects to the application of internal heritage controls. Submits that there is inadequate justification to support the proposed changes.</p> <p>Objects to the inclusion of 200-202 Johnston Street, Collingwood as an 'individually significant' heritage place.</p> <p>Objects to the inclusion of the entire site within an HO.</p>	<p><b>1.1 - Justification and impact of internal controls</b> The submission objects to key elements of the recommendations in the <i>Theatres Study</i> which is to protect the internal features of the identified theatres. These internal features are a major part of the significance of the places.</p> <p>The Amendment should not be changed to meet the submitter objections. These submissions should be referred to a Panel for review.</p>
2	Savino Bernardi	378 Nicholson Street, Fitzroy North & 27 Alexandra Parade, Fitzroy North	<p><b>2.1 - Heritage Significance</b> Submits that the extension of the HO over the entire church and buildings located at 378C Nicholson Street, Fitzroy is not warranted.</p> <p>Recommends the HO cover the southern buildings of 378A and 378B Nicholson Street and 27 Alexandra Parade, Fitzroy North and be removed from 378C Nicholson Street, Fitzroy North.</p> <p>Submits that the building currently covered by the HO is not of heritage significance, is 'ordinary brick, simple architectural design, not old for more than 100 years'.</p> <p>Supports the heritage significance of the southern properties of 378 Nicholson Street and 27 Alexandra Parade, Fitzroy North.</p> <p><i>(Note: St Brigid's Church was under the impression that the section of the Church that is currently not covered in the heritage overlay was already covered and the proposed change was to cover the properties on the northern section of the property. The opposite is proposed with the northern buildings currently in HO327 and proposed to be extended to the southern buildings. The submission is then in support of the proposed changes but objects to the existing HO over other buildings on the property.)</i></p>	<p><b>2.1 - Heritage Significance</b> Council has sought further independent heritage advice on the proposed changes to St. Brigid's Catholic Church that supports the proposed changes and notes that Council should prepare a further citation from the complex.</p> <p>Advice finds that the heritage overlay and 'individually significant' grading should be applied to all the buildings located on the property.</p> <p>The Amendment should not be changed to meet the submitter objections. This submission should be referred to a Panel for review.</p>
3	Morgan Livingstone	365-377 Swan Street, Richmond	<p><b>3.1 - Justification and impact of internal controls</b> Objects to the application of internal heritage controls, noting that:</p> <ul style="list-style-type: none"> <li>the interior of the building has been substantially altered over the course of many years;</li> <li>the application for internal heritage controls is unwarranted and an unreasonable burden upon the landowner;</li> <li>internal heritage controls will unreasonably constrain any future development of the land;</li> <li>the sale of furniture has been the buildings primary use for a significant period of time (longer than the use as a theatre); and</li> <li>the buildings location in the Swan Street Major Activity Centre (noting the importance of the commercial zone).</li> </ul> <p>Submits that the existing HO already provides sufficient heritage protection over the external fabric of the building.</p>	<p><b>3.1 - Justification and impact of internal controls</b> The submission objects to key elements of the recommendations in the <i>Theatres Study</i> which is to protect the internal features of the identified theatres. These internal features are a major part of the significance of the places.</p> <p>The Amendment should not be changed to meet the submitter objections. These submissions should be referred to a Panel for review.</p>

Attachment 3 - Summary of Individual Submissions

4	Annabel Paul	311-317 Bridge Road, Richmond	<p><b>4.1 - Justification and impact of internal controls</b>                  Submits that internal heritage controls are unwarranted and create a significant implication for a retail building and that internal heritage controls have significant implications on commercial buildings, such as the identified theatre.</p> <p>Submits that the following internal features (as identified in the Context report) could be protected if other internal works could continue.</p> <ul style="list-style-type: none"> <li>• The metal lattice ceiling relating to the rear part of the building, together with the decorative plaster panels in a geometric design to the edges of the ceiling;</li> <li>• Decorative mezzanine level balcony supported on slender steel columns; and</li> <li>• The interior volume associated with its former use as a skating rink and picture theatre.</li> </ul> <p>Submits that an incorporated plan could be prepared to identify works to the heritage place that are exempt from the need of a planning permit.</p> <p>Submits that if internal controls are applied to the site a site specific incorporated document would allow for the commercially operating building to better define what is exempt at this heritage place.</p> <p>Recognises the buildings location in DDO21 the Bridge Road Activity Centre and within a Commercial 1 Zone.</p> <p>Submits that the building has undergone various iterations to the external façade due to the continuous change of tenants.4.5 Submits that there also must be a balance with other considerations - i.e. the location in a Major Activity Centre and the economic benefit to the city.</p> <p>Notes the likelihood for further updates and changes probable to the building over time to serve its economic functions.</p> <p>Notes that the building may have some heritage values associated with the former use as the Richmond Theatre and skating rink.</p> <p>Submits that the identified places is not of very high heritage significance.</p> <p>Notes that the building is not on the Victorian Heritage Register or a significant public building.</p> <p>Notes that the property owner reserves the right to seek an independent heritage review of the building and to review the heritage assessment undertaken by Context.</p> <p>Notes that the land is currently in HO310 (Bridge Road Precinct, Richmond).</p> <p>Notes that the mapping changes do not show the removal of HO310 - Requests clarification on the removal.</p>	<p><b>4.1 - Justification and impact of internal controls</b>                  The submission objects to key elements of the recommendations in the <i>Theatres Study</i> which is to protect the internal features of the identified theatres. These internal features are a major part of the significance of the places.</p> <p>The Amendment should not be changed to meet the submitter objections. These submissions should be referred to a Panel for review.</p>
5	Karen Cummings	Collingwood and Abbotsford addresses (22 places)	<p><b>5.1 - Heritage significance</b>                  Notes that a number of the anomalies included in Amendment C245 are the result of total demolition of a number of buildings graded 'contributory'.</p> <p>Does not support the removal of 14 Glasgow Street, Collingwood from the HO until heritage significance is assessed.</p> <p><b>5.2 - Support for the amendment</b>                  Supports the following changes proposed:</p> <ul style="list-style-type: none"> <li>• Supports the site-specific heritage overlay and internal controls for 200-202 Johnston Street, Collingwood.</li> <li>• Supports the 'not contributory' grading of 120 Campbell Street, Collingwood.</li> <li>• Supports the 'not contributory' gradings of 24-30 Waterloo, 93-91 Rokeby &amp; 23-29 Robert Street, Collingwood.</li> <li>• Supports the 'not contributory' grading of 4 Eddy Court, Abbotsford.</li> <li>• Supports the 'not contributory' grading of 4-6 Derby Street, Collingwood.</li> <li>• Supports the 'not contributory' grading of 7 Langridge Street, Collingwood.</li> <li>• Supports the extension of the HO over 655 Victoria Street, Abbotsford.</li> <li>• Supports the removal of 21-23 Lithgow Street, Abbotsford from the HO.</li> <li>• Supports the extension of the HO over 18-22 Derby Street, Collingwood.</li> <li>• Supports the extension of the HO over 33-45 Derby Street, Collingwood.</li> <li>• Supports the correction of mapping and address for the Collingwood College Dolls House, Collingwood (notes that the Dolls House is in poor condition and needs repair).</li> <li>• Supports the removal of the HO from 181 Langridge Street, Abbotsford.</li> <li>• Supports the extension of the HO over 19 Cambridge Street, Collingwood.</li> <li>• Supports the extension of the HO over 120 Cambridge Street, Collingwood.</li> <li>• Supports the extension of the HO over 61-63 Oxford Street, Collingwood.</li> <li>• Supports the extension of the HO over 37 Oxford Street, Collingwood.</li> </ul>	<p><b>5.1 - Heritage significance</b>                  Council officers have investigated the circumstances around the demolition of the five buildings identified in the submission.</p> <p>Of these buildings, three properties were graded 'contributory' prior to demolition, with the remaining two properties being ungraded or graded 'unknown'.</p> <p>In the Yarra Planning Scheme, properties are graded 'unknown' where insufficient information is available to allow an assessment from the public domain.</p> <p>The Yarra Planning Scheme and the Yarra City Council policy generally encourage the retention of a heritage place, unless</p> <ul style="list-style-type: none"> <li>• The building is identified as not contributory;</li> <li>• If the building is identified as a contributory building;                         <ul style="list-style-type: none"> <li>o New evidence has become available to demonstrate that the building does not possess the level of heritage significance attributed to it in the incorporated document, <i>Database of Heritage Significant Areas</i> (formerly, <i>City of Yarra Review of Heritage Areas 2007 Appendix 8</i> [as updated from time to time]); and</li> <li>o The building does not form part of a group of similar buildings.</li> </ul> </li> </ul> <p>Council has received independent heritage advice on the proposed changes to 14 Glasgow Street, Collingwood. After considering this heritage advice Council officers recommend abandoning the changes to 51 Langridge Street and 14 Glasgow Street, Collingwood and not including them in Part 1 or Part 2 of the Amendment.</p> <p><b>5.2 - Support for the amendment</b>                  Council notes the support and acceptance for the proposed changes.</p>

Attachment 3 - Summary of Individual Submissions

			<ul style="list-style-type: none"> <li>Supports the address correction for 61-75 Langridge Street, Collingwood.</li> <li>Supports the mapping change to 34-44 Cromwell Street, Collingwood (noting that documents locate as Richmond incorrectly, instead of as Collingwood).</li> </ul> <p>Accepts the following changes proposed:</p> <ul style="list-style-type: none"> <li>Accepts the 'not contributory' grading of 160 Gold Street, 1 &amp; 1A South Terrace, Clifton Hill (noting that the previous contributory building was demolished).</li> <li>Accepts the 'not contributory' grading of 55 Park Street, Abbotsford (noting that the previous contributory building was demolished).</li> <li>Accepts the 'not contributory' grading of 18 Peel Street, Collingwood (noting that the previous contributory building was demolished).</li> <li>Accepts the 'not contributory' grading of 133 Keele Street, Collingwood (noting that the previous contributory building was demolished).</li> </ul>	
6	Chris Goodman	Queens Parade Street Trees	<p><b>6.1 - Heritage Overlay 93 &amp; Amendment C231</b>          Submits that the heritage overlay extension of HO93 should be extended further. Submits the overlay should also be extended further to include Napier Reserve and the substation.</p> <p>Submits that 'Turkey Oak' is not a suitable replacement species for the elm boulevard.</p> <p>Submits that the statement of significance does not distinguish between the 19th century plantings and the interwar plantings.</p> <p>Notes this submission was made to Amendment C231 but deemed out of scope.</p> <p>Notes that a further more detailed submission will be sent to Council.</p> <p><i>(Note: Council has not received any further submission from the submitter.)</i></p>	<p><b>6.1 - Heritage Overlay 93 &amp; Amendment C231</b>          HO93 was introduced, based on a 1998 heritage citation prepared by Allom Lovell and John Patrick Pty Ltd. A recent internal assessment identified an anomaly in the extent of HO93, which the C245 changes propose to address. The scope of those changes is based on the original 1998 assessment and a review carried out by John Patrick Landscape Architects Pty Ltd in November 2018. The 2018 review recommends the extension of HO93 so it applies to all the road reserve between Alexandra Parade and Delbridge Street, Clifton Hill. The 2018 review did not consider or propose any extension beyond this section of Queens Parade.</p> <p>The 2018 review report includes Figure 20 illustrating the extent of the current Heritage Overlays in the area and the gaps adjoining HO93. This shows the anomaly which excludes street trees and associated median strips and landscape features as detailed in Attachment 6.</p> <p>The revised HO93 extent and the revised citation are based on expert advice. The submission in part questions some aspects of that advice and the revised citation. The submission also suggests extending protection to other areas such as Napier Reserve (which is bounded by Napier Street, Queens Parade and Alexandra Parade) and other parts of Queens Parade.</p> <p>Given the nature of a Planning Scheme amendment process, it is generally not possible to extend the geographic extent of the proposals after exhibition. This is for reasons which include potential impacts on other parties who might for example object to revised proposals.</p> <p>Council can investigate some of these issues. Some aspects have also been assessed as part of the related Queens Parade Amendment C231. This included a assessment of the HO330 which applies to the Queens Parade, boulevard / roadway east of HO93. The significance of the sub-station at Napier Reserve was considered and dismissed by the Council heritage expert.</p> <p>The Amendment should not be changed to meet the submitter objections. These submissions should be referred to a Panel for review. Council should consider whether further work is required after a panel report has been received.</p>
7	Con Mydaras	204 Church Street, Richmond	<p><b>7.1 - Heritage Significance</b>          Submits that the heritage controls proposed would be a burden on the commercial zoning of the buildings.</p> <p>Notes that a significant development is occurring near the site and that this development will have a significant impact on the area and the property. Notes that given this development the building does not contribute to the heritage or character of the area.</p> <p>Submits that the integrity of the buildings has been diminished and the heritage is low quality.</p> <p>Submits that the building has had significant redevelopment to further diminish the heritage integrity.</p> <p>Notes that the heritage that remains is in poor condition and is of poor quality and workmanship.</p>	<p><b>7.1 - Heritage Significance</b>          The property is currently covered by interim HO509 as 'individually significant'.</p> <p>The interim heritage overlay covers a row of three properties, the 'Halls Buildings', identified by GJM in the Victoria Street and Bridge Road Built Form Review: Heritage Assessment.</p> <p>GJM Heritage identified the shops and residences as being constructed in 1886, noting a number of elements that contributed to the significance of the place. The buildings retain a high degree of integrity to the Victorian period in fabric, form and detail. Whilst the building has undergone some alterations, these have not diminished the ability to understand and appreciate the place as an example of a Victorian shop and residence.</p> <p>The Amendment proposes a new HO526 to cover the three properties so the buildings are protected.</p> <p>The Amendment should not be changed to meet the submitter objections. These submissions should be referred to a Panel for review.</p>
8	Irene Tran	202 Church Street, Richmond	<p><b>8.1 - Heritage Significance</b>          Submits that the heritage controls proposed would be a burden on the commercial zoning of the buildings.</p> <p>Notes that a significant development is occurring near the site and that this development will have a significant impact on the area and the property. Notes that given this development the building does not contribute to the heritage or character of the area.</p> <p>Submits that the integrity of the buildings has been diminished and the heritage is low quality.</p> <p>Submits that the building has had significant redevelopment to further diminish the heritage integrity.</p> <p>Notes that the heritage that remains is in poor condition and is of poor quality and workmanship.</p>	<p><b>8.1 - Heritage Significance</b>          Refer to Officer response at 7.1</p> <p>The Amendment should not be changed to meet the submitter objections. These submissions should be referred to a Panel for review.</p>

**Attachment 3 - Summary of Individual Submissions**

8	Thao Tran	202 Church Street, Richmond	<p><u>8.1 - Heritage Significance</u>                  Submits that the heritage controls proposed would be a burden on the commercial zoning of the buildings.</p> <p>Notes that a significant development is occurring near the site and that this development will have a significant impact on the area and the property. Notes that given this development the building does not contribute to the heritage or character of the area.</p> <p>Submits that the integrity of the buildings has been diminished and the heritage is low quality.</p> <p>Submits that the building has had significant redevelopment to further diminish the heritage integrity.</p> <p>Notes that the heritage that remains is in poor condition and is of poor quality and workmanship.</p>	<p><u>8.1 - Heritage Significance</u>                  Refer to Officer response at 7.1</p> <p>The Amendment should not be changed to meet the submitter objections. These submissions should be referred to a Panel for review.</p>
---	-----------	-----------------------------	--	--

Attachment 4 - Key Submitted Issues

# Amendment C245 Heritage Overlay and Zone Fix Up



Summary of issues raised in submissions

JUSTIFICATION AND IMPACT OF INTERNAL CONTROLS	MAIN ISSUES RAISED
<ul style="list-style-type: none"> <li>o 200-202 Johnston Street, Collingwood</li> <li>o 311-317 Bridge Road, Richmond</li> <li>o 365-377 Swan Street, Richmond</li> </ul>	<p><b>Three</b> submissions objected to the application of internal heritage controls applied to the theatres identified in the <i>Thematic Study of Theatres in the City of Yarra</i>.</p> <p><b>Proposal:</b></p> <ul style="list-style-type: none"> <li>o For all 3 theatres, the amendment proposes to apply internal heritage controls to three theatres identified by Context Pty Ltd.</li> <li>o The Amendment also proposes to replace existing heritage overlays with site specific controls, to cover the entire site for:                             <ul style="list-style-type: none"> <li>• 200-202 Johnston Street, Collingwood; and</li> <li>• 311-317 Bridge Road, Richmond.</li> </ul> </li> </ul> <p><b>Alternative suggested by submitter/s:</b></p> <ul style="list-style-type: none"> <li>o Submitters recommend not applying internal heritage controls due to the impact and burden the controls will have on the building.</li> <li>o Submitter for 200-202 Johnston Street, Collingwood submitted that no heritage controls should apply to the property.</li> </ul> <p><b>Officer Response</b></p> <ul style="list-style-type: none"> <li>o These submissions object to a key element of the recommendations in the Theatres Study which is to protect the internal features of the identified theatres. These internal features are a major part of the significance of the places. The Amendment should not be changed to meet the submitter objections. These submissions should be referred to a Panel for review.</li> </ul>
HERITAGE SIGNIFICANCE	
<ul style="list-style-type: none"> <li>o 378 Nicholson Street, Fitzroy North (St Brigid's Church);</li> <li>o 14 Glasgow Street, Collingwood; and</li> <li>o 200-202 Johnston Street, Collingwood.</li> <li>o 202-206 Church Street, Richmond</li> </ul>	<p><b>Six</b> submissions requested changes to the heritage significance or proposed HO of specific sites.</p> <p><b>Proposal:</b></p> <ul style="list-style-type: none"> <li>o St. Brigid's Church:                             <ul style="list-style-type: none"> <li>• The amendment proposes to extend the existing heritage overlay to cover the entire property of St. Brigid's Church.</li> </ul> </li> <li>o 14 Glasgow Street, Collingwood:                             <ul style="list-style-type: none"> <li>• The amendment proposes to remove the heritage overlay of an adjoining property from 14 Glasgow Street.</li> </ul> </li> <li>o 200-202 Johnston Street, Collingwood:                             <ul style="list-style-type: none"> <li>• No change to the heritage significance of the property proposed in the Amendment</li> </ul> </li> </ul>



Attachment 4 - Key Submitted Issues

- The amendment proposes to apply internal heritage controls to three theatres identified by Context Pty Ltd. and to replace existing heritage overlays with site specific controls, to cover the entire site
- 202-206 Church Street, Richmond
  - Grade as 'individually significant' in new HO526.

**Alternative suggested by submitter/s:**

- All four submissions suggest that the properties are not of heritage significance and that they not be regraded or covered by heritage controls.

**Officer Response**

- **378 Nicholson Street, Fitzroy North – St Brigid's Church precinct:**

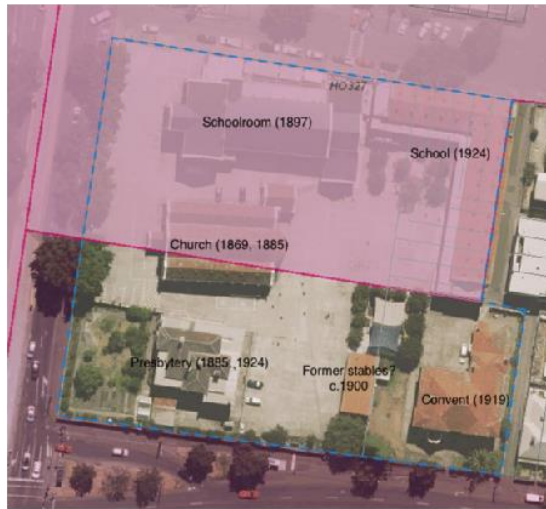


Figure 1: Current extent of HO327 shown in pink shading, boundary of St Brigid's indicated by blue dotted line

- Figure 1 from **Attachment 5** shows the existing extent of HO327, the church land boundary and the buildings with dates. The Officer Response is based on an assessment of the independent assessment and advice in **Attachment 5**.
  - The Amendment proposes to correct an existing anomaly and extend HO327 to cover all the church precinct;
  - Independent advice from a heritage expert (**Attachment 5**) supports this change and notes;
    - *St Brigid's Catholic Church complex, comprising the church and front fence, 1897 school & hall (and remnants of front and side fences), presbytery and outbuilding (and remnant front fence), 1924 school and 1919 convent, is of local significance to the City of Yarra.*
    - *There is a reasonable case for Council to proceed with the proposed extension of the HO over the balance of 378 Nicholson Street, Fitzroy North, as:*
      - *This will resolve the anomaly where the current HO327 boundary cuts through the middle of the church and excludes the presbytery, which is currently listed in Appendix 8 incorporated document as an Individually Significant place.*
      - *It will ensure that all the St Brigid's church buildings are included within the heritage overlay.*

Attachment 4 - Key Submitted Issues

- As a place of individual significance comprising a complex of buildings and other features the preparation of an individual citation and statement of significance for St Brigid is required. In the interim, the significance of St Brigid's is recognised by the HO327 precinct statement of significance; however, it emphasises the importance of the church and excludes specific references to the other buildings forming part of the complex.
- Also, the associated incorporated document listing the gradings of buildings, as updated by Amendment C245, still only lists the 1897 school and hall ('schoolroom'), church and presbytery as being of Individual significance, and does not identify the grading of the 1924 school and the 1919 convent.
- On this basis, I believe that the proposed changes to St Brigid's should be included in Amendment C245 – Part 2 and referred to an independent Planning Panel with the following changes:
  - Renaming the 'schoolroom' as 'School & hall' and listing the 1924 St Brigid's School at 20 York Street, and the former St Brigid's convent at 27 Alexandra Parade as 'Contributory' places in the updated incorporated document 'City of Yarra Database of Heritage Significant Areas, September 2019'.
  - Making a minor change to the HO327 precinct statement of significance to include specific reference to the whole of St Brigid's church complex. This is shown below.
- As a priority, the City of Yarra should prepare an individual citation for St Brigid's complex. This assessment should also consider whether an individual HO would be justified. For example, to provide interior controls for the church (e.g., for the organ) or for significant fences, as was done as part of the recent assessment of St John's, Clifton Hill.

○ 14 Glasgow Street, Collingwood:



Figure 1: Shows the existing HO boundaries in relation to 14 Glasgow Street, which is indicated by the dotted blue line (Source: Vicplan). The red arrow indicates the section of the c.1937 William Peatt building that appears to be within 14 Glasgow Street.

**Attachment 4 - Key Submitted Issues**

	<ul style="list-style-type: none"> <li>• The Amendment proposes to remove the heritage overlay HO109 from 14 Glasgow Street, Collingwood;</li> <li>• Independent advice from a heritage expert (<b>Attachment 6</b>) recommends:             <ul style="list-style-type: none"> <li>▪ <i>The part of 14 Glasgow Street proposed for removal from HO109 contains a car park that has no heritage value. However, it also appears to include a small part of the significant c.1937 William Peatt building – this finding is based on the aerial image overlaid with the HO109 boundary shown in Figure 1, which is derived from Vicplan.</i></li> <li>▪ <i>The proposed new address for HO109 in the HO schedule and incorporated document is incorrect.</i></li> <li>▪ <i>In accordance with Planning Practice Note 1, there should be a single citation and HO number for the former William Peatt Boot Factory complex.</i></li> <li>▪ <i>On this basis, I believe the proposed changes to HO109 should be removed from Amendment C245 pending a further review, which should include:</i> <ul style="list-style-type: none"> <li>• <i>A desktop review of the two separate citations to make a single citation for the William Peatt Boot Factory.</i></li> <li>• <i>A more detailed investigation of the title boundary to determine whether or not the c.1937 William Peatt building is partially within 14 Glasgow Street as indicated by the Vicplan aerial plan shown in Figure 1.</i></li> </ul> </li> <li>▪ <i>Following on from the above, prepare an amendment to the Yarra Planning Scheme that would:</i> <ul style="list-style-type: none"> <li>• <i>Apply a single HO to the former William Peatt Boot Factory complex.</i></li> <li>• <i>Update the address to 64 Wellington Street in the HO schedule, Hermes record and incorporated documents, and</i></li> <li>• <i>Depending on the outcome of the title boundary review, realign the boundary of the new individual HO, if required.</i></li> </ul> </li> </ul> </li> <li>• Having considered the heritage advice in <b>Attachment 6</b> the part of Amendment C245 including 14 Glasgow Street, changes to the extent of HO109 and the associated change of address for HO109 from 51 to 61-75 Langridge Street, Collingwood should be abandoned and no longer form part of C245.</li> </ul> <p>○ <b>200-202 Johnston Street, Collingwood:</b></p> <ul style="list-style-type: none"> <li>• The property is currently already graded as an ‘individually significant’ heritage place in the Database of Heritage Significant Areas and the Amendment does not propose to change this heritage significance;</li> <li>• Currently HO324 covers only a part of 200-202 Johnston Street, Collingwood;</li> <li>• The current heritage overlay cuts through the former Austral Theatre so that only part is protected;</li> <li>• The Amendment proposes a new HO499 to cover the entire property so the building is protected;</li> <li>• It is normal planning practice to apply a heritage overlay to whole properties to ensure heritage protections and minimise any uncertainty about planning scheme requirements;</li> <li>• No change is proposed to the exhibited amendment.</li> </ul> <p>○ <b>202-206 Church Street, Richmond:</b></p> <ul style="list-style-type: none"> <li>• The property is currently covered by interim HO509 as ‘individually significant’.</li> <li>• The interim heritage overlay covers a row of three properties, the ‘Halls Buildings’, identified by GJM in the Victoria Street and Bridge Road Built Form Review: Heritage Assessment.</li> <li>• GJM Heritage identified the shops and residences as being constructed in 1886, noting a number of elements that contributed to the significance of the place.</li> <li>• The buildings retain a high degree of integrity to the Victorian period in fabric, form and detail. Whilst the building has undergone some alterations, these have not diminished the ability to understand and appreciate the place as an example of a Victorian shop and residence.</li> <li>• The Amendment proposes a new HO526 to cover the three properties so the buildings are protected.</li> <li>• No change is proposed to the exhibited amendment.</li> </ul>
--	---

Attachment 4 - Key Submitted Issues

DEMOLITION OF BUILDINGS	MAIN ISSUED RAISED
<ul style="list-style-type: none"> <li>○ 160 Gold Street, &amp; 1A South Terrace, Clifton Hill</li> <li>○ 4 Eddy Court, Abbotsford</li> <li>○ 55 Park Street, Abbotsford</li> <li>○ 18 Peel Street, Collingwood</li> <li>○ 133 Keele Street, Collingwood</li> </ul>	<p><b>One</b> submission (from the Collingwood Historical Society) noted that a number of the re-grading of places proposed in Amendment C245 resulted from demolition of buildings. The submission noted that five buildings had been entirely demolished and redeveloped or are in the process of being redeveloped.</p> <p><b>Proposal:</b></p> <ul style="list-style-type: none"> <li>○ Grade the 5 listed properties as ‘not contributory’ to the heritage of the area.</li> </ul> <p><b>Alternative suggested by submitter/s:</b></p> <ul style="list-style-type: none"> <li>○ <i>No alternative suggested.</i></li> </ul> <p><b>Officer Response</b></p> <ul style="list-style-type: none"> <li>○ Council officers have investigated the circumstances around the demolition of the five buildings identified in the submission.</li> <li>○ Of these buildings, three properties were graded ‘contributory’ prior to demolition, with the remaining two properties being ungraded or graded ‘unknown’.</li> <li>○ In the Yarra Planning Scheme, properties are graded ‘unknown’ where insufficient information is available to allow an assessment from the public domain.</li> <li>○ The Yarra Planning Scheme and the Yarra City Council policy generally encourage the retention of a heritage place, unless             <ul style="list-style-type: none"> <li>• The building is identified as not contributory;</li> <li>• If the building is identified as a contributory building;                 <ul style="list-style-type: none"> <li>- New evidence has become available to demonstrate that the building does not possess the level of heritage significance attributed to it in the incorporated document, <i>Database of Heritage Significant Areas</i> (formerly, <i>City of Yarra Review of Heritage Areas 2007 Appendix 8</i> [as updated from time to time]); and</li> <li>- The building does not form part of a group of similar buildings.</li> </ul> </li> </ul> </li> </ul>
COLLINGWOOD COLLEGE DOLL'S HOUSE	MAIN ISSUED RAISED
<ul style="list-style-type: none"> <li>○ Collingwood College Dolls House</li> </ul>	<p><b>One</b> submission (from the Collingwood Historical Society) noted that the Collingwood College Doll’s House is in poor condition and needs repair.</p> <p><b>Proposal:</b></p> <ul style="list-style-type: none"> <li>○ There is no proposal related to the condition of Collingwood College Doll’s House.</li> <li>○ The Amendment proposes to remap the Heritage Overlay and correct the address of the Doll’s House due to relocation.</li> </ul> <p><b>Alternative suggested by submitter/s:</b></p> <ul style="list-style-type: none"> <li>○ Collingwood Historical Society submits that something needs to be done about the poor condition of the Doll’s House.</li> </ul> <p><b>Officer Response</b></p> <ul style="list-style-type: none"> <li>○ Council notes that the Collingwood College Doll’s House is in poor condition and there is a threat to the conservation of the heritage place.</li> <li>○ The Doll’s House is part of the Collingwood College campus grounds and not a Council asset.</li> <li>○ Council is, however, currently addressing potential funding, the responsibility of maintenance and actions necessary to repair the Doll’s House.</li> </ul>

Attachment 4 - Key Submitted Issues

HERITAGE OVERLAY 93 & AMENDMENT C231	MAIN ISSUED RAISED
<ul style="list-style-type: none"> <li>○ <b>Queens Parade Street Trees</b></li> </ul>	<p><b>One</b> submission (from the 3068 Group Inc.) objects that the proposed extension of HO93 'do not go far enough to protect the elm boulevard which is more extensive than that identified. The HO93 statement of significance does not distinguish between the 19th C plantings and the interwar plantings. HO93 should include Napier Reserve and the substation'.</p> <p>The submission references a previous submission made to Amendment C231 – Queens Parade Design and Development Overlay.</p> <p><b>Proposal:</b></p> <ul style="list-style-type: none"> <li>○ Change the mapping of HO93 to include the entire width of Queens Parade and extend the overlay to Delbridge Street.</li> </ul> <p><b>Alternative suggested by submitter/s:</b></p> <ul style="list-style-type: none"> <li>○ The 3068 Group Inc. submits that:             <ul style="list-style-type: none"> <li>• the heritage overlay continue to Hoddle Street and the train station;</li> <li>• the overlay should include Napier Reserve and substation; and</li> <li>• the trees listed in the revised heritage study are not suitable substitutes.</li> </ul> </li> </ul> <p><b>Officer Response</b></p> <ul style="list-style-type: none"> <li>○ HO93 was introduced, based on a 1998 heritage citation prepared by Allom Lovell and John Patrick Pty Ltd. A recent internal assessment identified an anomaly in the extent of HO93, which the C245 changes propose to address. The scope of those changes is based on the original 1998 assessment and a review carried out by John Patrick Landscape Architects Pty Ltd in November 2018. The 2018 review recommends the extension of HO93 so it applies to all the road reserve between Alexandra Parade and Delbridge Street, Clifton Hill. The 2018 review did not consider or propose any extension beyond this section of Queens Parade.</li> <li>○ The 2018 review report includes Figure 20 illustrating the extent of the current Heritage Overlays in the area and the gaps adjoining HO93. This shows the anomaly which excludes street trees and associated median strips and landscape features as detailed in <b>Attachment 7</b>.</li> <li>○ The revised HO93 extent and the revised citation are based on expert advice. The submission in part questions some aspects of that advice and the revised citation. The submission also suggests extending protection to other areas such as Napier Reserve (which is bounded by Napier Street, Queens Parade and Alexandra Parade) and other parts of Queens Parade.</li> <li>○ Given the nature of a Planning Scheme amendment process, it is generally not possible to extend the geographic extent of the proposals after exhibition. This is for reasons which include potential impacts on other parties who might for example object to revised proposals.</li> <li>○ Council can investigate some of these issues. Some aspects have also been assessed as part of the related Queens Parade Amendment C231. This included assessment of the HO330 which applies to the Queens Parade, boulevard / roadway east of HO93. The significance of the sub-station at Napier Reserve was considered and dismissed by the Council heritage expert.</li> <li>○ In conclusion, the 3068 Group Inc. submission raises issues which do not warrant changes to the Amendment. This part of the Amendment should be referred to a Panel. Council should consider whether further work is required after a panel report has been received.</li> </ul>

## Attachment 5 - Heritage advice - St Brigids Catholic Church complex

**David Helms**  
HERITAGE PLANNING

4 October 2019

Peter Mollison  
Senior Strategic Planner  
City of Yarra

via email: peter.mollison@yarracity.vic.gov.au

Dear Peter

### **Amendment C245 heritage advice – St Brigid's Catholic Church complex**

As requested, this letter provides heritage advice in relation to the changes to the heritage overlay (HO) boundaries proposed by Amendment C245 for St Brigid's Catholic Church complex at 378 Nicholson Street, Fitzroy North. I understand this advice will form the basis of the Council response to submissions to be considered at a meeting scheduled for November 2019.

Specifically, it provides a brief summary of submissions regarding the proposed changes to the HO and my opinions in relation to:

- ▶ What is the heritage significance of St Brigid's Catholic Church complex.
- ▶ Whether there is a reasonable case for Council to proceed with the proposed extension of the HO over the balance of 378 Nicholson Street, Fitzroy North.
- ▶ Whether the proposed change to St Brigid's should be included in Amendment C245 – Part 2 and referred to an independent Planning Panel (with or without changes) or alternately removed from the Amendment.
- ▶ Recommendations for any further work which may be required, such as updated or additional statements of significance for St Brigid's.

This advice comprises:

- ▶ An explanation of my methodology (section 1)
- ▶ The existing heritage controls (section 2)
- ▶ Summary the changes proposed by Amendment C245 and of the submission received (section 3)
- ▶ An overview of previous heritage assessments (section 4)
- ▶ A review of heritage significance (section 5)
- ▶ My conclusions and recommendations in relation to the four key issues set out above (section 6)

Please contact me if you have any questions or require further information.

Kind regards



**David Helms**

---

PO Box 1225 Chapel Street, Windsor 3181  
info@davidhelmsheritage.com

**Attachment 5 - Heritage advice - St Brigids Catholic Church complex**

AMENDMENT C245 HERITAGE ADVICE

**AMENDMENT C245 HERITAGE ADVICE – ST BRIGID’S CHURCH COMPLEX****1. Methodology**

In undertaking this heritage review I have:

- ▶ Reviewed the Amendment C245 submission made in relation to St Brigid’s.
- ▶ Reviewed the relevant heritage citations or assessments for St Brigid’s in previous heritage studies.
- ▶ Undertaken limited ‘desktop’ research using available on-line sources such as newspaper articles and heritage studies to understand the historical development and significance of St Brigid’s.
- ▶ Inspected the site.
- ▶ Considered Planning Practice Note 1: *Applying the heritage overlay* (PPN1).

**2. Existing heritage controls**

St Brigid’s Catholic Church complex occupies a large site in Fitzroy North on the east side of Nicholson Street between York Street and Alexandra Parade, which (according to the Vicplan website) encompasses three properties: 378 Nicholson Street, 20 York Street and 27 Alexandra Parade.

Currently (as shown in Figure 1), approximately half the site is included within HO327, which applies to the North Fitzroy Heritage Precinct. HO327 applies to:

- ▶ The northern section of 378 Nicholson Street, which contains the 1897 school and hall (this is the red brick building at the corner of Nicholson and York streets) and (most of) the church. The HO327 boundary cuts through the church, excluding most of the south aisle.
- ▶ 20 York Street, which contains the 1924 school building.

Excluded from HO327 is part of the church, the Presbytery (at the corner of Nicholson Street and Alexandra Parade), and the former convent at 27 Alexandra Parade.

Of the buildings currently included within HO327, the incorporated document *Appendix 8 - City of Yarra review of Heritage Overlay Areas, Graeme Butler and Associates (2007), revised February 2018*<sup>1</sup> identifies the ‘schoolroom’ (the 1897 school and hall) and church as ‘Individually Significant’. There is no listing for the 1924 school at 20 York Street.

The presbytery, despite not being included within HO327, is also listed in the Appendix 8 incorporated document as ‘Individually Significant’.

---

<sup>1</sup> *Proposed to be renamed by Amendment C245 to ‘City of Yarra Database of Heritage Significant Areas, September 2019’.*

**Attachment 5 - Heritage advice - St Brigids Catholic Church complex**

AMENDMENT C245 HERITAGE ADVICE

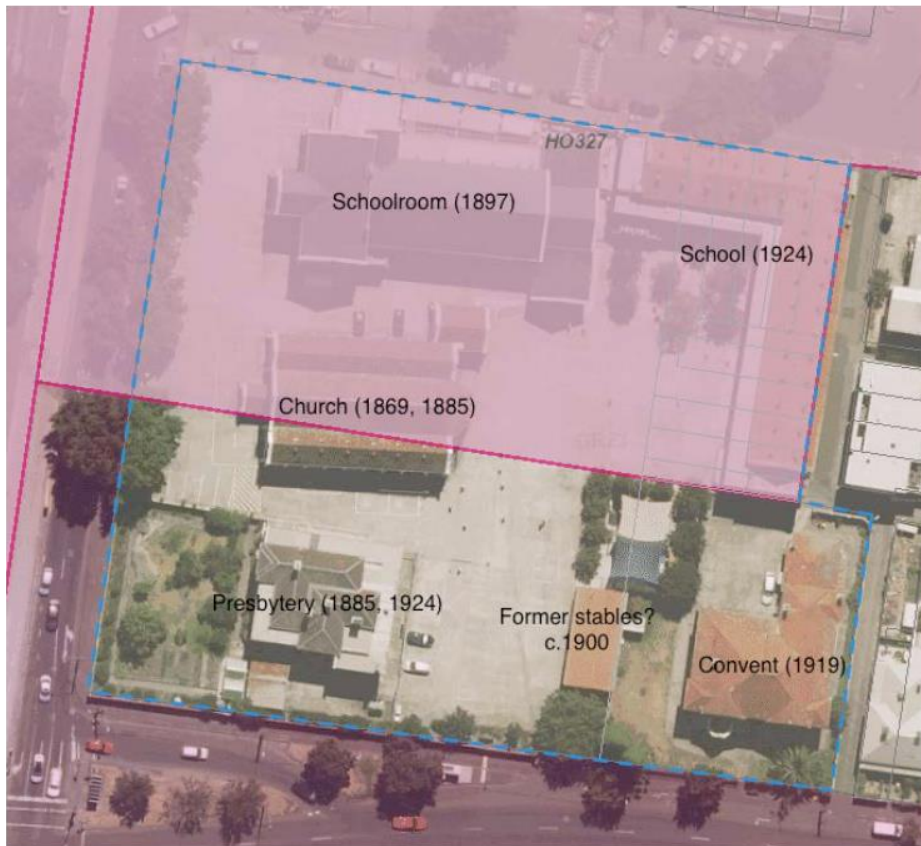


Figure 1: Current extent of HO327 shown in pink shading, boundary of St Brigid's indicated by blue dotted line

**3. Amendment C245 and submissions**

Amendment C245 affects land in Abbotsford, Alphington, Collingwood, Cremorne, Fitzroy, Fitzroy North and Richmond and proposes to amend various provisions of the Yarra Planning Scheme to correct zone and mapping anomalies, delete redundant controls, and replace interim heritage overlays with permanent heritage overlay controls.

Specifically, it applies to 72 areas of which 57 include errors or anomalies with HOs and 15 are recommendations from recent heritage studies conducted by Context Pty Ltd and GJM Heritage.

One of the 'errors or anomalies' included in the amendment is the extension of HO327 to apply to the whole of the St Brigids Catholic Church complex at 378 Nicholson Street & 27 Alexandra Parade, Fitzroy North.

An associated change is to change the name of the incorporated document listing the heritage status of properties from *Appendix 8 - City of Yarra review of Heritage Overlay*



**Attachment 5 - Heritage advice - St Brigids Catholic Church complex**

AMENDMENT C245 HERITAGE ADVICE

*Areas, Graeme Butler and Associates (2007), revised February 2018 to City of Yarra Database of Heritage Significant Areas, September 2018.*

*Submission 2 – St Brigid’s Catholic Church*

The submission objects to the extension of HO327 across the whole of the property as the buildings intended for inclusion are of ‘no significant heritage contribution’ due to ‘ordinary red brick’ construction, ‘simple architectural design’ and ‘Not old for more than 100 years’.

The submission requests that ‘only the present heritage status of the Church and Presbytery be maintained’.

**4. Previous heritage assessments**

In 1978 the *North Fitzroy Conservation Study* assessed St Brigids’ Church. It appears that only the church itself was assessed at that time. A datasheet was prepared, which includes a ‘Building citation’ as follows:

*The church was constructed in 1869, originally as a simple gabled nave structure to the design of architect T.A. Kelly. The contractor was ... Fortune and the tender price was 1200. In 1873 the side aisles were added by Kelly to create a three gabled church, a scheme revived and used by Pugin.<sup>2</sup>*

*A more recent detractor has been the replacement of the slate roof (visible in an early photo) by terracotta tiles that is totally out of character with the construction materials. Internally the column capitals are of an abstracted ornamental form reminiscent of Viollet le Duc’s capitals at Aillant-Sur-Tholon (1865-7), otherwise there is little of note internally.*

*The design of the church is clumsy in conception and the original scheme was debased by the 1873 additions. However, it is an important landmark to Nicholson Street.*

The datasheet does not include a history, description or comparative analysis.

In 1992 St Brigid’s church was included on the list of places in Appendix E of the *Fitzroy Urban Conservation Study Review*. This list identified ‘all buildings which have been identified as having some degree of significance’.

In 1998 the *City of Yarra Heritage Review* identified and assessed several new precincts across the municipality, which largely provide the basis of the main heritage precincts, as they exist today. One of these was the North Fitzroy Precinct. ‘St Brigid’s Roman Catholic Church & Organ’ was identified as one of the buildings ‘... of individual significance and/or make a particular contribution to the Precinct’.

In 2007 the *City of Yarra Review of Heritage Overlay Areas* prepared a new statement of significance for the HO327 precinct, as part of a comprehensive review of all heritage precincts in the municipality. This is current statement of significance for HO327.

---

<sup>2</sup> Note: the 1873 date for the addition of the side aisles is incorrect. Research for this report using both primary and secondary sources has established that the aisles were added in 1884. See section 5.

**Attachment 5 - Heritage advice - St Brigids Catholic Church complex**

It appears the current HO327 boundary that cuts through the St Brigid's site is based upon the precinct map contained in the 2007 study, as shown in Figure 2.

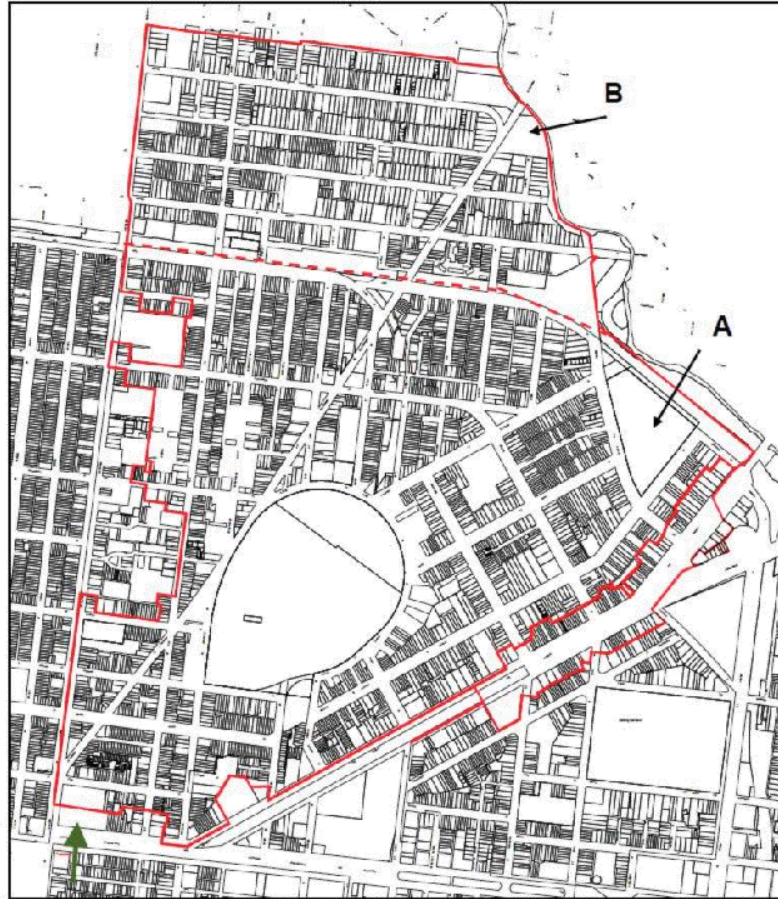


Figure 22 Indicative Heritage Overlay Area map (refer to the City of Yarra Planning Scheme maps, NTS), with sub-area A Government planned section south of Holden St; sub-area B privately planned section north of Holden St (boundary dotted) with Queens Parade Heritage Overlay Area adjoining on the south.

Figure 2: HO327 precinct map with boundaries from the 2007 study. Note boundary cutting through St Brigid's site in bottom left corner as indicated by green arrow

Also, the 2007 study reviewed the significance of places within the precincts and prepared the first version of the Appendix 8 incorporated document. In addition to the church, this listed the 'schoolroom' (1897 school and hall) and 'presbytery' as 'Individually Significant' buildings within the HO327 precinct.

While no new individual citations were prepared in support of these gradings, the 2007 study did include a recommendation (see p.11) that citations should be prepared for all Individually Significant places in the future.

**Attachment 5 - Heritage advice - St Brigids Catholic Church complex**

AMENDMENT C245 HERITAGE ADVICE

Attachment 2 contains the HO327 precinct statement of significance from the 2007 study. The following extracts are of relevance:

► Under 'What is significant?':

*St. Brigid's Catholic Church in Nicholson Street was commenced in 1869 and the Methodist Church, further north, in 1874.*

...

*The main development period evident in the heritage overlay south of Holden St is that of the Victorian era with a substantial contribution from the Edwardian-period. There is also a contribution from some well-preserved inter-war buildings and individually significant places of all eras.*

*Contributory elements also include:*

...

*. Well preserved buildings from the pre Second War era, that are visually related to the dominant scale, siting and form of the area;*

...

*. The provision of public and church reserves in the town plan, including the Inner Circle Railway reserve;*

...

*. The dominance of spires and towers of public buildings, churches and some large houses in the skyline; and*

...

► And under 'Why is it significant?':

*. As a demonstration of the earliest stages in the development of North Fitzroy, commencing with the 1850s Yan Yean tramway and the quarry route of Nicholson St, the establishment of North Fitzroy's first churches and its pre-Boom suburban mixture of small residential and commercial buildings coinciding with provision of horse drawn public transport.;*

*. For its late 19th century buildings that represent rapid growth and change in the character of the relatively remote suburb to an established residential and business area with a range of commercial and institutional buildings serving the wider population of North Fitzroy;*

*. For the aesthetic value of its suburban planning, with the combination of curving streets and garden reserves, and the vistas created by the intersections of standard rectilinear subdivision with the strong diagonals formed by St Georges Road and Queens Parade, the exceptionally wide streets and crescents, the triangular garden reserves, and focal views to buildings and parkland. This aesthetic is underscored by the built form seen in the construction of commercial and institutional buildings to the property alignment along a number of streets and on corners;*

...

*. For the range of Victorian and Edwardian-era building form and finish, from the modestly decorated timber cottages and stuccoed Italianate style houses, simply designed corner*

**Attachment 5 - Heritage advice - St Brigids Catholic Church complex**

AMENDMENT C245 HERITAGE ADVICE

hotels and shops, to the rich variety of decorative buildings including an extraordinary concentration of decorative bichrome and polychrome brickwork and flamboyantly decorated Italianate residential and commercial terraces, banks and hotels, interspersed very occasionally with dominating narrow spire and tower elements of religious, commercial and institutional buildings.

...

. For landmark buildings and sites that formed key meeting places in the area during the main development era of the 1860s to the 1930s, including religious institutions, schools, monasteries and churches, and the buildings associated with charitable bodies such as the Salvation Army, Church of Christ Bible School, and the temperance movement. Also the former Nth Fitzroy Police Station, the former Licensed Victualler's School and Asylum site and complexes such as the Old Colonists Homes;

...

**5. Review of significance***History*

The south section of North Fitzroy (south of Holden Street) was retained in Crown ownership until 1865, as part of the Melbourne township reserve. This was a ring of land extending 5 miles from Hoddle's original Melbourne town plan that was set aside in 1844 for 'orderly' development in government planned subdivisions (HO372 citation).

Sale of North Fitzroy's 1/4-1/2 acre allotments commenced in 1865, extending west from Rushall Crescent. Further east, lots between Brunswick and Nicholson Street were sold between 1867 and 1875. Settlement increased after 1869 when horse-drawn omnibuses began running from North Fitzroy along Nicholson Street and Queen's Parade to the city. Development concentrated around the established quarry route (Nicholson Street) and the road to the Yan Yean Reservoir (St. George's Road). In the pre-Boom years (before 1883) this was North Fitzroy's most established area, characterised by modestly scaled brick and wood houses, shops, hotels, and commercial premises, the latter prevailing on main routes such as Rae, Reid, Brunswick Sts and St Georges Road (HO372 citation).

The large Catholic community within South Fitzroy worshipped at St Patrick's, but with the growth of North Fitzroy there was a need for a Catholic church and school in the district. A two-acre site at the corner of Nicholson Street and Alexandra Parade was granted early in 1869 and Bishop Goold laid the foundation stone of the church on 14 February 1869. Designed by architect T.A. Kelly, the bluestone building consisting of a single nave was intended to accommodate 450 people and cost around 1,200 pounds. The church, which also served as the first school, was the first stage of a complex of buildings that would be developed over the next 70 years, as follows:

- ▶ In the 1870s the nave of the church was extended.
- ▶ Around 1876 the parochial school commenced in a private house in Kerr Street before being transferred to the church grounds, where a new schoolroom was erected in 1880 (*Advocate*, 6 November 1880, p.9 'Religious societies', 18 January 1908, p.16, 'St Brigid's Church, North Fitzroy').
- ▶ In 1883 St Brigid's was elevated to a parish and this was followed by a major building program initiated by the first resident priest, Fr. McKenna. In 1882 a new gallery and

## Attachment 5 - Heritage advice - St Brigids Catholic Church complex

AMENDMENT C245 HERITAGE ADVICE

organ was installed in the church (*Advocate*, 25 November 1882, p.15 'Catholic intelligence') and in 1884-85 major additions including new side aisles, porch and sacristy were carried out (*Advocate*, 18 October 1884, p.15 'Catholic intelligence') The enlarged church was reopened in January 1885. Tappin, Gilbert & Dennehy were the architects for the additions, which increased capacity to 1300 people at a cost of 4,000 pounds (*Advocate*, 31 January 1885 p.15, 'Victoria'). In 1886 a new organ, built by Mr Alfred Fuller, was installed (*The Age*, 21 July 1886, p.4, 'News of the day')<sup>3</sup>.

- ▶ In 1885 the Presbytery was constructed for Fr. McKenna (*Advocate*, 9 January 1886, p.16 'Catholic intelligence') and it is likely that Tappin, Gilbert & Dennehy were the architects, as they designed the additions to the church carried out at the same time. In 1924 Fr. Parker carried out major alterations and additions (*Advocate*, 11 December 1924, p.8 'St Brigid's North Fitzroy').
- ▶ In 1897 a new school and hall was constructed at a cost of 6,000 pounds. Kempson & Conolly were the architects for this building (*Advocate*, 7 August 1897, p.16, 'St Brigid's Church, North Fitzroy'). This replaced the earlier school buildings on the site.
- ▶ The church, school room and presbytery are shown on the 1901 MMBW plan (see Figure 3. This also shows masonry walls along the north (York Street) and south (Alexandra Parade) boundaries with timber fences along the Nicholson Street boundary. The future sites of the convent and school are occupied by houses.

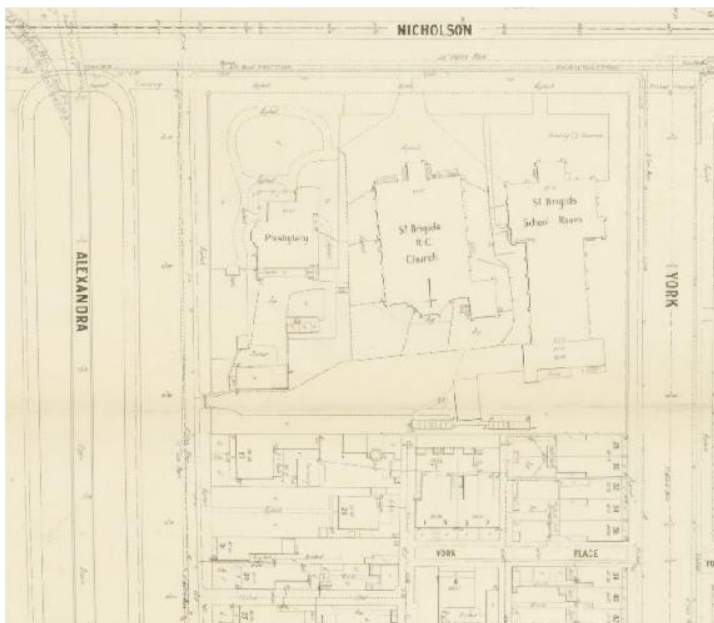


Figure 3: Extract of 1901 MMBW Detail Plan No. 1256. Note the walls along the north and south boundaries and houses on the future sites of the convent and 1924 school

<sup>3</sup> Alfred Fuller was an organ builder of note during the nineteenth century, and one of the chief rivals to George Fincham.

## Attachment 5 - Heritage advice - St Brigids Catholic Church complex

---

AMENDMENT C245 HERITAGE ADVICE

- ▶ In 1911 a wall was erected along the frontage of the school and presbytery (*The Herald*, 15 May 1911, p.3 'St Brigid's Church').
- ▶ In early 1920 the convent for the Sisters of the Good Samaritan was opened on a site to the east of the presbytery facing Alexandra Parade. Kempson & Conolly were the architects (*Advocate*, 22 November 1919, p.14 'New brick convent, St Brigid's North Fitzroy').
- ▶ In June 1924, the school in York Street was blessed and opened by Archbishop Mannix. This was constructed on land acquired by the church in 1923. W.P. Conolly was the architect of the building, which contained 22 rooms over two storeys on a 'L' plan with cloistered corridors and balconies with cement arches facing the playgrounds. The cost was 26,000 pounds (*The Herald*, 4 June 1924, p.14 'School architecture'). This completed the development of St Brigid's as it exists today.

Today, the 1897 and 1924 school buildings form part of Simonds Catholic College.

### *Description*

The buildings and features described above all survive and most have a high degree of integrity and intactness, as follows (please refer to Attachment 1 for images of the buildings and features):

- ▶ The bluestone church with its triple-gable form is the centrepiece of the complex and is complemented by a wrought iron fence with Fleur-de-Lys capitals, a rough-hewn bluestone base and ornamental rendered entry posts. The key external change has been the replacement of slate roof tiles with terracotta. Internally, the church is believed to retain the organ installed by Alfred Fuller. Comprised of two manuals, 16 stops and three couplers, this has been described as 'one of the best examples of Fuller's work in original condition; it was reconditioned in 1970. Typical of Fuller's best work, this delightful instrument fully conveys the integrity and spirit of its maker' (Rushworth).
- ▶ To the right of the church is the Presbytery, which is a two storey Italianate style villa, asymmetrical in plan with a double height return return verandah. The verandah along the north side was added as part of the 1924 alterations and additions, which also changed the detailing to the main verandah. Along both boundaries outside the presbytery is a high brick wall. Most of this is not original, except for the rough-hewn bluestone base along the Nicholson Street section, which is probably a remnant of the 1911 wall. At the rear behind an open car park is a gabled red-brick building, which appears to date from the late nineteenth or early twentieth century. It is possibly the stables building shown on the 1901 MMBW plan, which may have been altered later.
- ▶ To the left of the church is the 1897 building containing the school (the front two-storey section) and hall (rear single storey section). This is constructed of red brick with cement dressings and has windows and openings have pointed arches. The gabled roof is clad in slate. A small addition has been made on the north side. This originally had a high brick wall along the Nicholson Street frontage, which was constructed in 1911. At some time recently, the brick section has been replaced with an iron fence that imitates the original fence in front of the church. However, the bluestone base is original to the 1911 fence. The high brick fence along the north side (York St) boundary may be the one shown on the 1901 MMBW plan.

## Attachment 5 - Heritage advice - St Brigids Catholic Church complex

---

AMENDMENT C245 HERITAGE ADVICE

- ▶ Behind the 1897 school and hall is the 1924 school. 'L'-shape in plan, this two storey building constructed of red brick with cement dressings and a gabled tile roof (with tall metal roof vents) is built hard on the boundary of York Street and the laneway. The walls are divided into regular bays by pilasters and contain tall multi-pane windows or doorways with compressed arch heads. There is a rendered panel with 'St Brigid's School' in each main gable end. It is very intact.
- ▶ Facing Alexandra Parade is the former convent. This is a two storey Federation Bungalow with a hip and gable tiled roof constructed of red brick with cement dressings, and with a hip and gable tile roof. Notable features include the arched leadlight window with 'St Brigids' above the entry and the projecting bay to the left, which internally contains the altar and features three porthole leadlight windows. The key external change has been the infilling of the first floor balconies to the side and rear.

### *Discussion*

While previous heritage studies have focussed upon the individual significance of the church alone, in my opinion the whole of St Brigid's is of local heritage significance. As a Parish centre comprising buildings constructed from c.1870 to the 1920s St Brigid's is comparable to St John's, Queens Parade, Clifton Hill, which was recently assessed as part of the *Queens Parade Built Form Heritage Analysis & Recommendations 2017*<sup>4</sup> and is locally significant for similar reasons:

- ▶ As a large and intact group of religious buildings, including a church, school, presbytery, hall and convent. This group of buildings is illustrative of a large suburban parish, with a place of worship and associated educational and community facilities, established from the late nineteenth century through to the early twentieth century. The convent and school buildings demonstrate the importance of education to the Catholic Church and the major expansion of schools carried out in the early twentieth century (Criterion A).
- ▶ As a fine, intact and representative example of a religious parish centre complex comprised of buildings from the Victorian and Federation periods, which display typical characteristics of a range of styles (Criterion D).
- ▶ As a landmark grouping of buildings on a prominent site. (Criterion E).

The church itself is of individual significance, as one of the oldest churches in the municipality. Internally, the Fuller organ may be significant along with the architectural details mentioned in the 1978 building citation. Of the other buildings:

- ▶ The presbytery is of potential individual significance<sup>5</sup>, as evidence of the elevation of St Brigid's to a parish with a resident priest.

---

<sup>4</sup> Note: the research for this report has also confirmed the architect for the presbytery at St John's, which was not identified in the 2017 report. G.W. Vanheems (who also designed St John's Parish Hall) called tenders for the presbytery in the 14 December 1912 edition of 'The Age', p.9.

<sup>5</sup> While the 2007 study identified both the presbytery and the 1897 school and hall as 'Individually Significant' it appears no assessment was carried out at that time and so this needs to be confirmed by detailed assessment.

**Attachment 5 - Heritage advice - St Brigids Catholic Church complex**

AMENDMENT C245 HERITAGE ADVICE

- ▶ The 1897 school and hall building is of potential individual significance, as the oldest school building on the site and one of the oldest in the municipality.
- ▶ The other buildings are all of Contributory significance.

As a place of individual significance comprising a complex of buildings and other features an individual citation and statement of significance should be prepared. In the interim, the significance of St Brigid's is recognised by the HO327 precinct statement of significance; however, it emphasises the importance of the church and excludes specific references to the other buildings forming part of the complex.

Also, the associated incorporated document listing the gradings of buildings, as updated by Amendment C245, still only lists the 1897 school and hall ('schoolroom'), church and presbytery as being of Individual significance, and does not identify the grading of the 1924 school and the 1919 convent.

*Sources*

Allom Lovell & Associates, *City of Yarra Heritage Review* (Vols. 1-4), 1998  
 Allom Lovell & Associates, *Fitzroy Urban Conservation Study Review*, 1992  
 GJM Heritage, *Queens Parade Built Form Heritage Analysis & Recommendations*, 2017  
 Graeme Butler & Associates, *City of Yarra Heritage Review*, 2007 (Updated 2013)  
 Jacobs, Lewis, Vines, *North Fitzroy Conservation Study*, 1978  
 Melbourne & Metropolitan Board of Works Detail Plan No. 1256, dated 1901  
 Rushwork, Graeme, 'Alfred Fuller, Melbourne 19<sup>th</sup> century organ builder – his life and work, 28 August 1982. Viewed at <https://ohta.org.au/wp-content/uploads/Alfred-Fuller-his-life-and-work.pdf> on 29 September 2019

**6. Conclusions and recommendations**

The conclusions of this assessment in relation to the key issues identified by Council are:

- ▶ St Brigid's Catholic Church complex, comprising the church and front fence, 1897 school & hall (and remnants of front and side fences), presbytery and outbuilding (and remnant front fence), 1924 school and 1919 convent, is of local significance to the City of Yarra.
- ▶ There is a reasonable case for Council to proceed with the proposed extension of the HO over the balance of 378 Nicholson Street, Fitzroy North, as:
  - This will resolve the anomaly where the current HO327 boundary cuts through the middle of the church and excludes the presbytery, which is currently listed in Appendix 8 incorporated document as an Individually Significant place.
  - It will ensure that all the St Brigid's church buildings are included within the heritage overlay.
- ▶ As a place of individual significance comprising a complex of buildings and other features the preparation of an individual citation and statement of significance for St Brigid is required. In the interim, the significance of St Brigid's is recognised by the HO327 precinct statement of significance; however, it emphasises the importance of



**Attachment 5 - Heritage advice - St Brigids Catholic Church complex**

AMENDMENT C245 HERITAGE ADVICE

the church and excludes specific references to the other buildings forming part of the complex.

- ▶ Also, the associated incorporated document listing the gradings of buildings, as updated by Amendment C245, still only lists the 1897 school and hall ('schoolroom'), church and presbytery as being of Individual significance, and does not identify the grading of the 1924 school and the 1919 convent.
- ▶ On this basis, I believe that the proposed changes to St Brigid's should be included in Amendment C245 – Part 2 and referred to an independent Planning Panel with the following changes:
  - Renaming the 'schoolroom' as 'School & hall' and listing the 1924 St Brigid's School at 20 York Street, and the former St Brigid's convent at 27 Alexandra Parade as 'Contributory' places in the updated incorporated document 'City of Yarra Database of Heritage Significant Areas, September 2019'.
  - Making a minor change to the H0327 precinct statement of significance to include specific reference to the whole of St Brigid's church complex. This is shown below.
- ▶ As a priority, the City of Yarra should prepare an individual citation for St Brigid's complex. This assessment should also consider whether an individual HO would be justified. For example, to provide interior controls for the church (e.g., for the organ) or for significant fences, as was done as part of the recent assessment of St John's, Clifton Hill.

**Proposed change to H0327 precinct statement of significance:**

In section (A) NORTH FITZROY HERITAGE OVERLAY AREA (SOUTH OF HOLDEN ST) under 'What is significant?' insert the following (see **highlighted and underlined text**) in 'Contributory elements, south of Holden St':

***Contributory elements, south of Holden St***

*The North Fitzroy Heritage Overlay Area (south of Holden St) contributory elements include (but not exclusively) generally detached and attached Victorian-era and Edwardian-era houses having:*

- . Pitched gabled or hipped roofs, with some facade parapets, many elaborate;*
- . One storey wall heights but with many two storey house rows,*
- . Rectilinear floor plans, with many bayed room projections on the plans of large houses;*
- . Face brick (red, bichrome and polychrome) or stucco walls, some weatherboard;*
- . Corrugated iron and slate roof cladding, some Marseilles pattern terracotta tiles;*
- . Chimneys of either stucco finish (with moulded caps) or of face brickwork with corbelled or cemented capping courses;*
- . Post-supported verandah elements facing the street, set out on two levels as required with cast-iron and timber detailing, and many curved verandah wing-walls;*
- . Less than 40% of the street wall face comprised with openings such as windows and doors; and*

**Attachment 5 - Heritage advice - St Brigids Catholic Church complex**

AMENDMENT C245 HERITAGE ADVICE

- . Front gardens, originally bordered by timber or iron picket front fences of around 1m height; often set between brick or cemented pillars and curved brick garden wing walls.
  - . Face brick (typically red) privies set on rear lanes, with some stables and lofts to the larger houses;
  - . Shops and residences sited on corners with display windows and zero boundary setbacks;
- Contributory elements also include attached Victorian and Edwardian-era shops, and residences over, with
- . Facade parapets and pitched roofs behind,
  - . Two storey wall heights,
  - . Post-supported street verandahs as shown on the MMBW Detail Plans (86),
  - . No front or side setbacks; also
  - . Timber framed display windows and entry recesses.
- Contributory elements also include:
- . Well preserved buildings from the pre Second War era, that are visually related to the dominant scale, siting and form of the area;
  - . Service buildings, like pre WW2 electric substations;
  - . The distinctive suburban plan, enhanced by curving street forms, and defined by boulevards;
  - . Edinburgh Gardens as a Victorian-era residential circus, and for the other garden, boulevard and median reserves (such as Queens Parade), with mature exotic and formally arranged planting;
  - . Mature street tree plantings (such as plane and elm tree rows, Queensland brush box);
  - . The provision of public and church reserves in the town plan, including the Inner Circle Railway reserve;
  - . St Brigid's Catholic Church Parish complex comprising the church and front fence (comprising the iron and bluestone fence with rendered entry posts immediately in front of the church), presbytery and outbuilding, 1897 school and hall and brick fence to York Street, 1924 school, and convent.
  - . The rectilinear Victorian-era allotment plans and street layout with wide main streets, rear service lanes, all counter posed with circular parkland reserves, major angled streets and boulevards;
  - . The dominance of spires and towers of public buildings, churches and some large houses in the skyline; and
  - . Public infrastructure, expressive of the Victorian and Edwardian-eras such as bluestone pitched road paving, crossings, stone kerbs, and channels, and asphalt paved footpaths.

**Attachment 5 - Heritage advice - St Brigids Catholic Church complex**

AMENDMENT C245 HERITAGE ADVICE

**Attachment 1 – St Brigid’s Church complex images**

**Church and fence**



**Attachment 5 - Heritage advice - St Brigids Catholic Church complex**

AMENDMENT C245 HERITAGE ADVICE

**Presbytery, outbuilding and fence base**



*At left, outbuilding at rear of Presbytery. At right, brick fence with original (c. 1911) bluestone base.*

**Attachment 5 - Heritage advice - St Brigids Catholic Church complex**

AMENDMENT C245 HERITAGE ADVICE

**1897 school and hall and fences**



*1897 school. The single storey hall section is behind.*



*At left, showing the original (c. 1911) bluestone base and the recently constructed reproduction iron fence that replaced the original brick wall. At right, showing the juncture between the original fence in front of the church and the reproduction fence in front of the 1897 school.*

**Attachment 5 - Heritage advice - St Brigids Catholic Church complex**

AMENDMENT C245 HERITAGE ADVICE

**1924 school**



**1919 convent**



**Attachment 5 - Heritage advice - St Brigids Catholic Church complex**

AMENDMENT C245 HERITAGE ADVICE

**Attachment 2 – H0327 Statement of significance**

North Fitzroy has two sub-areas:

(A) The Government planned section south of Holden St

(B) The privately planned section north of Holden St

**(A) NORTH FITZROY HERITAGE OVERLAY AREA (SOUTH OF HOLDEN ST)*****What is significant?*****Early subdivision**

The south section of North Fitzroy (south of Holden Street) was retained in Crown ownership until 1865, as part of the Melbourne township reserve. This was a ring of land extending 5 miles from Hoddle's original Melbourne town plan that was set aside in 1844 for 'orderly' development in government planned subdivisions. (75)

North of Holden Street, large agricultural allotments had been sold in 1839, their boundaries surviving in the east-west streets of Miller, Barkly and Clausen Streets. There was also an area, bounded by (approximately) Nicholson, Church, Rae and Scotchmer Sts, that was sold as private quarry allotments in 1851 to encourage production of building stone. (76)

The future suburb was bordered by a road to Heidelberg and the Plenty districts (later Queen's Parade) that ran diagonally to Hoddle's survey grid through the North Fitzroy's Crown reserve. It was proclaimed in 1850 as one of Melbourne's 3 chain (60 metre) government roads, now called 'Hoddle boulevards'.

To the north, the township of *Northcote on the Merri-Merri Creek* (later Westgarth) was laid out by Hoddle in 1852 with some allotments extending south of the Merri Creek to Rushall Crescent in North Fitzroy. These allotments now have substantial buildings dating from the 1850s and 1860s (see Queen's Parade Heritage Area, H0331).

St. George's Rd was another diagonal route, on the western flank of the area, used to transport construction materials to the 1854-8 Yan Yean water supply scheme near Whittlesea. (77) By 1860, Fitzroy Council annexed the 480 acres now comprising North Fitzroy.

Distinguished naturalist and engineer, Clement Hodgkinson, as Victorian Assistant-Commissioner of Crown Lands and Survey 1861-74, was responsible for the government subdivisions of Carlton (south of Princes St, 1860), North Carlton, North Fitzroy and Clifton Hill (1865-9), Hotham Hill (1866), South Parkville and North Parkville (1868-9). Under his supervision, suburban planning employed the cost-efficient grid system used by Hoddle. A model town design (78) in the area by Hodgkinson's predecessor, Andrew Clarke (the designer of St Vincent's Place, South Melbourne), is thought to have inspired the curved streets of Alfred and Rushall Crescents in North Fitzroy, although both streets were laid out under Hodgkinson (79).

**Edinburgh Gardens**

Lacking a public recreation reserve, the new Fitzroy Council was temporarily granted 7 acres in 1858 bounded by Reilly Street (Alexandra Parade), Queens Parade and Smith St. (80) The 1858 reserve was for a future Anglican parish church and the Collingwood (later the Metropolitan) Gas Company which commenced production in 1861. In 1862, Fitzroy

**Attachment 5 - Heritage advice - St Brigids Catholic Church complex**

AMENDMENT C245 HERITAGE ADVICE

Council requested an oval-shaped 50 acre public reserve flanking the Yan Yean tramway (St. George's Road). The oval reserve was laid out under Hodgkinson and extended south in 1863, as a squared-off addition to the reserve to the line of Freeman St, to provide the Prince of Wales Cricket Club an extra playing ground (81). In 1882-3, Edinburgh Gardens was permanently granted to the Council and planting of its avenues commenced.

**Land sales and development -**

Sale of North Fitzroy's 1/4 - 1/2 acre allotments commenced in 1865, extending west from Rushall Crescent. Further east, lots between Brunswick and Nicholson Street were sold between 1867 and 1875.(82) Settlement increased after 1869 when horse-drawn omnibuses began running from North Fitzroy along Nicholson St and Queen's Parade to the city. Development concentrated around the established quarry route (Nicholson Street) and the road to the Yan Yean Reservoir (St. George's Road). St. Brigid's Catholic Church in Nicholson Street was commenced in 1869 and the Methodist Church, further north, in 1874. In the pre-Boom years (before 1883) this was North Fitzroy's most established area, characterised by modestly scaled brick and wood houses, shops, hotels, and commercial premises, the latter prevailing on main routes such as Rae, Reid, Brunswick Sts and St Georges Rd.

North Fitzroy Primary School was built in Alfred Crescent (HO212) overlooking Edinburgh Gardens. This was typical of 19th century government planned suburbs where public schools were located on or near public recreation reserves. A police station was established west of the school, giving the north-west corner of the gardens a civic character, embellished by an ornamental fountain after the turn of the century. (83) St Luke's Church of England in St Georges Rd was commenced in 1879. Suburban development was rare east of St Georges Road prior to the Boom, but in 1869 philanthropist George Coppin created the Old Actor's Association village overlooking Merri Creek close to Northcote, later the site of the Old Colonists' Association (HO218). Nearby land was granted to the Licensed Victuallers' Association for asylum homes and a school (site of Fitzroy Secondary School since 1915). (84)

**Transport**

When cable tram routes along Queen's Parade, Nicholson Street and St. Georges Road commenced construction in 1883, North Fitzroy landowners began subdividing their allotments. On the Nicholson Street tram route, owners of the 1850s stone quarries and the 1839 farm allotments north of Holden St, followed suit.

When tram services began in 1887 many new houses were ready for sale or under construction. North Fitzroy emerged as a late-Victorian commuter suburb with local shopping strips along the cable tram routes, the commercial strip of St Georges Road extending east and west along Scotchmer Street. Convenience shops were built on pedestrian street corners as households multiplied. The Inner Circle Railway running via Royal Park, North Carlton, Nicholson St, and Clifton Hill was completed in 1888 with a spur line dividing the Edinburgh Gardens into two, and terminating at the 'Fitzroy' station, Queen's Parade. A new rail link direct to the city (the Clifton Hill to Princes Bridge line) opened in 1901 (85) and saw Edwardian buildings filling out the suburban streets east of St. Georges Road and the revitalising of the main shopping strips. Public transport continued to support North Fitzroy as a commuter suburb during the 1920s with the opening of Rushall railway station and the electrification and extension of the St Georges Rd and Nicholson St tramways.



**Attachment 5 - Heritage advice - St Brigids Catholic Church complex**

AMENDMENT C245 HERITAGE ADVICE

North Fitzroy's suburban development, especially east of St George's Road to Rushall Crescent, was far from complete when the Boom collapsed in 1893. However its good access to public transport led to a rapid recovery. A number of small factories were built in or near the 19th century commercial strip of Scotchmer St, the best architectural examples being of the late 1930s.

**Main development era, south of Holden St**

The main development period evident in the heritage overlay south of Holden St is that of the Victorian era with a substantial contribution from the Edwardian-period. There is also a contribution from some well-preserved inter-war buildings and individually significant places of all eras.

**Contributory elements, south of Holden St**

The North Fitzroy Heritage Overlay Area (south of Holden St) contributory elements include (but not exclusively) generally detached and attached Victorian-era and Edwardian-era houses having:

- . Pitched gabled or hipped roofs, with some facade parapets, many elaborate;
- . One storey wall heights but with many two storey house rows,
- . Rectilinear floor plans, with many bayed room projections on the plans of large houses;
- . Face brick (red, bichrome and polychrome) or stucco walls, some weatherboard;
- . Corrugated iron and slate roof cladding, some Marseilles pattern terracotta tiles;
- . Chimneys of either stucco finish (with moulded caps) or of face brickwork with corbelled or cemented capping courses;
- . Post-supported verandah elements facing the street, set out on two levels as required with cast-iron and timber detailing, and many curved verandah wing-walls;
- . Less than 40% of the street wall face comprised with openings such as windows and doors; and
- . Front gardens, originally bordered by timber or iron picket front fences of around 1m height; often set between brick or cemented pillars and curved brick garden wing walls.
- . Face brick (typically red) privies set on rear lanes, with some stables and lofts to the larger houses;
- . Shops and residences sited on corners with display windows and zero boundary setbacks;

Contributory elements also include attached Victorian and Edwardian-era shops, and residences over, with

- . Facade parapets and pitched roofs behind,
- . Two storey wall heights,
- . Post-supported street verandahs as shown on the MMBW Detail Plans (86),
- . No front or side setbacks; also
- . Timber framed display windows and entry recesses.

**Attachment 5 - Heritage advice - St Brigids Catholic Church complex**

AMENDMENT C245 HERITAGE ADVICE

Contributory elements also include:

- . Well preserved buildings from the pre Second War era, that are visually related to the dominant scale, siting and form of the area;
- . Service buildings, like pre WW2 electric substations;
- . The distinctive suburban plan, enhanced by curving street forms, and defined by boulevards;
- . Edinburgh Gardens as a Victorian-era residential circus, and for the other garden, boulevard and median reserves (such as Queens Parade), with mature exotic and formally arranged planting;
- . Mature street tree plantings (such as plane and elm tree rows, Queensland brush box);
- . The provision of public and church reserves in the town plan, including the Inner Circle Railway reserve;
- . The rectilinear Victorian-era allotment plans and street layout with wide main streets, rear service lanes, all counter posed with circular parkland reserves, major angled streets and boulevards;
- . The dominance of spires and towers of public buildings, churches and some large houses in the skyline; and
- . Public infrastructure, expressive of the Victorian and Edwardian-eras such as bluestone pitched road paving, crossings, stone kerbs, and channels, and asphalt paved footpaths.

***How is it significant?***

HO327 North Fitzroy Heritage Overlay Area (south of Holden St) is **aesthetically and historically** significant to the City of Yarra (National Estate Register [NER] Criteria E1, A4)

***Why is it significant?***

The Government planned section of Fitzroy North (south of Holden St) is significant

- . As a demonstration of the earliest stages in the development of North Fitzroy, commencing with the 1850s Yan Yean tramway and the quarry route of Nicholson St, the establishment of North Fitzroy's first churches and its pre-Boom suburban mixture of small residential and commercial buildings coinciding with provision of horse drawn public transport.;
- . For its late 19th century buildings that represent rapid growth and change in the character of the relatively remote suburb to an established residential and business area with a range of commercial and institutional buildings serving the wider population of North Fitzroy;
- . For the aesthetic value of its suburban planning, with the combination of curving streets and garden reserves, and the vistas created by the intersections of standard rectilinear subdivision with the strong diagonals formed by St Georges Road and Queens Parade, the exceptionally wide streets and crescents, the triangular garden reserves, and focal views to buildings and parkland. This aesthetic is underscored by the built form seen in the construction of commercial and institutional buildings to the property alignment along a number of streets and on corners;

**Attachment 5 - Heritage advice - St Brigids Catholic Church complex**

## AMENDMENT C245 HERITAGE ADVICE

- 
- . The generous public domain, with street plantings of historic elms and 20th century plane trees,
  - . For its low rise streetscapes of intact Victorian and Edwardian buildings one and two-storey terrace and villa housing;
  - . For the range of Victorian and Edwardian-era building form and finish, from the modestly decorated timber cottages and stuccoed Italianate style houses, simply designed corner hotels and shops, to the rich variety of decorative buildings including an extraordinary concentration of decorative bichrome and polychrome brickwork and flamboyantly decorated Italianate residential and commercial terraces, banks and hotels, interspersed very occasionally with dominating narrow spire and tower elements of religious, commercial and institutional buildings.
  - . As one of Melbourne's early residential commuter suburbs served by train and cable tram services linking it to the city by 1888, with extensive Boom era terrace buildings and closely built row housing within this sub-area providing evidence of the effects of public transport on early development;
  - . As essentially a well preserved Boom-era suburb that, despite the abrupt economic collapse of the early 1890s, continued developing during the Great Depression years and into the first decades of the 20th century due to the amenity of its planning, parkland, local schools and shops and extensive public transport. This yielded both the generous frontages and sizes of the post-Depression villa houses and the row house forms and narrow frontages of the Boom era;
  - . For its traditional Victorian-era residential character, evoked by the formal presentation of the decorated facade to the street with its small ornamental front garden, low front fence, pedestrian gateway and front path, with the functional necessities of delivering coal, removal of nightsoil and occasional stabling provided by the back lanes;
  - . For landmark buildings and sites that formed key meeting places in the area during the main development era of the 1860s to the 1930s, including religious institutions, schools, monasteries and churches, and the buildings associated with charitable bodies such as the Salvation Army, Church of Christ Bible School, and the temperance movement. Also the former Nth Fitzroy Police Station, the former Licensed Victualler's School and Asylum site and complexes such as the Old Colonists Homes;
  - . For the asphalt footpaths, pitched lanes, gutters and lane crossovers and mature street and individual plantings (such as mature elms, planes, palms, and Kurrajongs) that reinforce the unified character of the dense, relatively low-rise residential development;
  - . The 19th century landscape of Edinburgh Gardens and its representation of Fitzroy's cultural history in its plantings, memorials, recreation sports club grounds and pavilion buildings, plus the Inner Circle Railway reserve as a cultural landscape strip across the north of the area;
  - . For the outstanding Victorian and Edwardian-era streetscapes such as those surrounding the Edinburgh Gardens (Alfred Crescent, St Georges Road, Brunswick and Freeman Streets) that include a rich collection of Victorian-era Gothic and Italianate style buildings interspersed with fine buildings from the Edwardian period;
  - . For the important views and vistas within the area, including those of the Edinburgh Gardens, its mature trees and historic structures, as seen from many parts of the Heritage

**Attachment 5 - Heritage advice - St Brigids Catholic Church complex**

AMENDMENT C245 HERITAGE ADVICE

Overlay Area, and views obtained from Edinburgh Gardens to the many significant buildings at its curtilage and the city skyline, the vista from the elevated position of the Cricket Club grandstand toward the upper facades of buildings in Freeman and Brunswick Streets, and the Brunswick Street vistas (south to the spire of St Patrick's Cathedral, and north to St Luke's spire)

. For the contribution of well-preserved inter-war buildings, particularly the small intact inter-war houses where the building design has adapted to the prevailing built character of the area in siting, scale, decorative quality and stylistic variety.

**(B) NORTH FITZROY HERITAGE OVERLAY AREA (NORTH OF AND INCLUDING HOLDEN ST)*****What is significant?*****Development north of Holden St**

(Refer also to *Development south of Holden St*)

North of Holden St, the 1839 farm allotments closest to Nicholson St were subdivided for row-housing during the late Victorian-era Boom years but remained empty until after 1900. Suburban development followed in the years to 1920 with timber villas on relatively wide (approximately 10 metre frontages). Some empty sites were developed in the 1930s and 1940s with medium density, duplex and estate housing development, some of these being architecturally distinctive. Mature street tree planting includes plane trees, typical of Edwardian-era and inter-war planting. The Merri State (now Primary) School 3110 and landscaping, in Miller St, is a key early non-residential building in this part of the Heritage Overlay Area.

**Main development era, north of Holden St**

The main development period evident in the heritage overlay is that of the Edwardian-period with a contribution from the Victorian era. There is also a contribution from some well preserved inter-war buildings and individually significant places of all eras.

**Contributory elements, north of Holden St**

The North Fitzroy Heritage Overlay Area (north of and including Holden St) contributory elements include (but not exclusively) generally detached (and some attached) Victorian-era and Edwardian-era mainly one-storey houses having typically:

- . Pitched gabled or hipped roofs, with few facade parapets;
- . One storey wall heights but with some two storey house rows;
- . Weatherboard or block fronted wall cladding, with face brick (red, bichrome and polychrome), or stucco walls;
- . Corrugated iron roof cladding, with some Marseilles pattern terra-cotta tiles, with some slate roofing;
- . Chimneys of either stucco finish (with moulded caps) or of matching face brickwork with corbelled capping courses;
- . Post-supported verandah elements facing the street, with timber (Edwardian-era) or cast-iron detailing;

**Attachment 5 - Heritage advice - St Brigids Catholic Church complex**

AMENDMENT C245 HERITAGE ADVICE

- . Less than 40% of the street wall face comprised with openings such as windows and doors; and
  - . Front gardens, originally bordered by timber picket front fences of around 1m height.
- Contributory elements also include:
- . Corner shops and residences, with display windows and zero boundary setbacks;
  - . One and two storey commercial strips (i.e. St Georges Road) with some key corner Victorian and Edwardian-era buildings and well preserved inter-war examples;
  - . Well preserved buildings, including visually related one and two storey residential buildings from the pre Second War era, are contributory to the heritage overlay;
  - . Long east-west streets as former rural allotment boundaries, with repeating allotment sizes and rectilinear allotment forms;
  - . The inner circle railway reserve, with associated railway infrastructure;
  - . Mature street tree plantings (typically plane trees) and reserve planting (typically palms), and
  - . Public infrastructure, expressive of the Victorian and Edwardian-eras such as bluestone pitched road paving, crossings, stone kerbs and channels, and asphalt paved footpaths.

***How is it significant?***

HO327 North Fitzroy Heritage Overlay Area (NORTH OF AND INCLUDING HOLDEN ST) is **aesthetically and historically** significant to the City of Yarra (National Estate Register [NER] Criteria E1, A4)

***Why is it significant?***

North Fitzroy Heritage Overlay Area (NORTH OF AND INCLUDING HOLDEN ST) is important:

- . For the clear indication of important early land development phases in the suburb as follows:
  - East-west, relatively long and narrow streets originating from private subdivision of the 1839 agricultural allotments that originally fronted Merri Creek;
  - The evident effect of the 19th century Boom era when aggressive subdivision coincided with provision of public transport, creating dense late-Victorian development near the Nicholson St cable tram terminus;
  - The more generous post-1906 subdivisions (suited the construction of detached timber villas) representing changed values in land prices, and the relatively new suburban ideal of affordable house and garden lifestyle;
  - The slow transformation into a completed residential suburb by WW2, with the last few vacant sites accommodating inter-war dwellings, some developed with medium-density housing, duplexes and flats.
- . For the consistent and intact streetscapes of late Victorian terrace and row housing in the south-west corner of the area, and Italianate style and Edwardian timber villas, interspersed occasionally with inter-war houses, in the balance of the area;

**Attachment 5 - Heritage advice - St Brigids Catholic Church complex**

AMENDMENT C245 HERITAGE ADVICE

- . For the visual consistency and good period expression of streets in the north and east parts of the area, consistently one-storey, timber construction, decorative detail, and detached siting with consistent garden setbacks;
- . For the interwar medium density development pockets, including those contained within Pilkington St and parts of Barkly St, King and Miller Streets, significant for its intactness, form and high quality design.
- . For the shopping strip streetscape of St Georges Rd, significant for its landmark Victorian-era buildings, plus intact early 20th century and interwar buildings in both Classical Revival and Moderne styles; and
- . For important landscape and vistas, including the view of Merri Creek Bridge framed by palms and mature elms in the Merri Primary School reserve, and mature street plantings of plane trees.

**References**

- 75 Scurfield G. *The Hoddle Years: surveying in Victoria 1836-53*, Inst. Land Surveyors Aust Inc. 1995, Paragon Printers ACT, 1995, p92: also Priestley S., *The Victorians; making their mark*, Fairfax et al., 1984, p43
- 76 F.H.S. op cit.
- 77 Lemon, A. *The Northcote Side of the River*, Northcote CC and Hargreen, 1983, p49
- 78 shown in the Kearney 1850s plan along with other idealised suburban designs that were never realised (see part Nth Melbourne)
- 79 Allom Lovell and J Patrick, 2004. *Edinburgh Gardens, Brunswick Street, North Fitzroy*, Conservation Management Plan: cite Reserve File RS360, DSE,
- 80 Swanson, Rex, Landform Australia Pty. Ltd., '*Edinburgh Gardens Landscape Study*'. City of Fitzroy, 1987
- 81 ibid
- 82 F.H.S., Chapt. 2
- 83 MMBW Map of North Fitzroy 1897, SLV picture collection
- 84 Jacobs Lewis Vines, *North Fitzroy Conservation Study*, Fitzroy City Council, 1978: F.H.S, Chapter 2. and early MMBW survey Maps.
- 85 Lemon op cit and MMBW Maps from 1891-06
- 86 See MMBW Detail Plan 1196 of 1899

**Attachment 6 - Heritage advice - 14 Glasgow Street**

**David Helms**  
HERITAGE PLANNING

4 October 2019

Peter Mollison  
Senior Strategic Planner  
City of Yarra

via email: peter.mollison@yarracity.vic.gov.au

Dear Peter

**Amendment C245 heritage advice – 14 Glasgow Street, Collingwood**

As requested, this letter provides heritage advice in relation to the change proposed by Amendment C245 to remove HO109 from 14 Glasgow Street, Collingwood. I understand this advice will form the basis of the Council response to submissions to be considered at a meeting scheduled for November 2019.

Specifically, it provides a brief summary of submissions regarding the proposed changes to the HO and my opinions in relation to:

- ▶ What (if any) is the heritage significance of 14 Glasgow Street.
- ▶ Whether there is a reasonable case for Council to proceed with the proposed removal of HO109 from 14 Glasgow Street.
- ▶ Whether the proposed removal of HO109 from 14 Glasgow Street should be included in Amendment C245 – Part 2 and referred to an independent Planning Panel (with or without changes) or alternately removed from the Amendment.
- ▶ Recommendations for any further work which may be required, such as updated or additional statements of significance for HO109.

This advice comprises:

- ▶ An explanation of my methodology (section 1)
- ▶ A summary of the existing heritage controls and heritage citations (section 2)
- ▶ A summary of the changes proposed by Amendment C245 and of the submission received (section 3)
- ▶ A review of heritage significance (section 4)
- ▶ My conclusions and recommendations in relation to the four key issues set out above (section 5)

Please contact me if you have any questions or require further information.

Kind regards



**David Helms**

---

PO Box 1225 Chapel Street, Windsor 3181  
info@davidhelmsheritage.com

## Attachment 6 - Heritage advice - 14 Glasgow Street

AMENDMENT C245 HERITAGE ADVICE

### AMENDMENT C245 HERITAGE REVIEW – 14 GLASGOW STREET, COLLINGWOOD

#### 1. Methodology

In undertaking this heritage review I have:

- ▶ Reviewed the Amendment C245 submission made in relation to 14 Glasgow Street.
- ▶ Reviewed the relevant heritage citations or assessments for 14 Glasgow Street and the adjoining sites within HO109 and HO420 in previous heritage studies.
- ▶ Undertaken limited 'desktop' research using available on-line sources such as title records, newspaper articles and heritage studies to understand the historical development and significance of 14 Glasgow Street.
- ▶ Inspected the site.
- ▶ Considered Planning Practice Note 1: *Applying the heritage overlay (PPN1)*.

#### 2. Heritage significance and existing controls

As shown in Figure 1, part of 14 Glasgow Street is included within HO109, which is one of two individual heritage overlays that apply to the former William Peatt Boot Factory complex, constructed in stages from 1895 to c.1937.



Figure 1: Shows the existing HO boundaries in relation to 14 Glasgow Street, which is indicated by the dotted blue line (Source: Vicplan). The red arrow indicates the section of the c.1937 William Peatt building that appears to be within 14 Glasgow Street.

- ▶ HO109 applies to the sections of the factory constructed in 1906 and c.1937. While these buildings face Langridge Street, they form part of the property known as 64



**Attachment 6 - Heritage advice - 14 Glasgow Street**

AMENDMENT C245 HERITAGE ADVICE

Wellington Street, and appear also to be partly included within 14 Glasgow Street. However, the HO schedule, the Hermes record and the incorporated document *Appendix 8 - City of Yarra review of Heritage Overlay Areas, Graeme Butler and Associates (2007), revised February 2018*<sup>1</sup> all list 55 Langridge Street as the address. The statement of significance for HO109 is:

*The former William Peatt Boot Factory, 55 Langridge Street, Collingwood, is of local architectural significance. It is a substantially intact example of an early 20th century industrial building, and one of a large number of boot factories which typified manufacturing in Collingwood in the Victorian and Edwardian periods. The building is a simple classically derived design, retaining intact its original signage on the parapet.*

- ▶ HO420 applies to the 1895 section of the factory facing Wellington Street, also part of 64 Wellington Street. The HO schedule, Hermes record and the Appendix 8 incorporated document have the correct address for this place. The statement of significance for HO420 is:

*What is significant?*

*The 1895 building at 64 Wellington Street, Collingwood, is a large two storey factory/warehouse building with a long single hipped roof, gabled at the west end, and clad in corrugated galvanised steel. The facade to Wellington Street is in red brick with two flat-faced stringcourses at ground and first floor levels separated by a moulded cornice. The facade is capped by a rendered stepped and corniced parapet with a central female-head moulding and flanking consoles; the windows and door to the principal facade have overpainted round arches in brick, intersecting with the top stringcourse. Both side elevations have windows at ground and first floor levels. The building has a single-course base in bluestone, rough-fronted at the sides, planed and overpainted at the front.*

*How is it significant?*

*The building at 64 Wellington Street, Collingwood, is of local historical and aesthetic/architectural significance.*

*Why is it significant?*

*The large two storey red brick former boot factory at 64 Wellington Street, which dates from 1895, is of local historical significance. It was established by William Peatt, a successful local boot maker, who commenced operations in the 1860s, had a smaller boot factory in Collingwood by the 1870s, and constructed the subject building to meet the growth of his business in the 1890s. It was also one of a number of shoe and boot factories in Collingwood and Abbotsford, an area which attracted leather-based manufacturing due to the proximity of tanneries on the banks of the Yarra River. The growth of Peatt's business is further demonstrated in the later extensions of the factory to the north and east to Langridge Street.*

*The 1895 building is also of local aesthetic/architectural significance. It is a comparatively largely externally intact example of a late nineteenth and early twentieth century former factory/warehouse building, where the red brick facade to Wellington*

---

<sup>1</sup> As part of Amendment C245, proposed to be renamed as 'City of Yarra. Database of Heritage Significant Areas, September 2019'.

**Attachment 6 - Heritage advice - 14 Glasgow Street**

AMENDMENT C245 HERITAGE ADVICE

*Street is handsomely proportioned and well detailed; and the rendered stepped and corniced parapet with a central female-head moulding and flanking consoles is a prominent element. The survival of the building as largely free-standing, save for the later extension to the east and rear is also of note. The building additionally demonstrates some of the principal characteristics of late nineteenth and early twentieth century former factory/warehouse buildings. It combines the typical arrangement of front office accommodation, as evidenced by the more formal presentation and entry to Wellington Street, with more utilitarian factory spaces to the rear. The regular windows to the long side elevations are also typical, introduced to facilitate an even light to the interior working areas.*

*Discussion*

It appears the two sections were assessed independently. The *City of Yarra Heritage Review 1998* prepared by Allom Lovell & Associates assessed the section included within HO109, while the HO420 section was assessed in 2012 as part of the *City of Yarra Heritage Gaps Study*, prepared by Lovell Chen.

However, given the buildings are parts of the same complex and are situated on the same property it seems odd that they weren't assessed as one place by the 2012 study and given a single citation and HO number. This would be the preferred approach consistent with PPN1. This is an anomaly that should be corrected.

**3. Amendment C245 and submissions**

Amendment C245 affects land in Abbotsford, Alphington, Collingwood, Cremorne, Fitzroy, Fitzroy North and Richmond and proposes to amend various provisions of the Yarra Planning Scheme to correct zone and mapping anomalies, delete redundant controls, and replace interim heritage overlays with permanent heritage overlay controls.

Specifically, it applies to 72 areas of which 57 include errors or anomalies with HOs and 15 are recommendations from recent heritage studies conducted by Context Pty Ltd and GJM Heritage. Two of the 'errors or anomalies' included in the amendment are:

- ▶ To remove HO109 from 14 Glasgow Street, Collingwood, and
- ▶ Change the address of HO109 in the HO schedule and the Appendix 8 incorporated document from 55 to 61-75 Langridge Street, Collingwood.

An associated change is to change the name of the incorporated document listing the heritage status of properties from *Appendix 8 - City of Yarra review of Heritage Overlay Areas, Graeme Butler and Associates (2007), revised February 2018* to *City of Yarra Database of Heritage Significant Areas, September 2018*.

*Submission 5 – 14 Glasgow Street, Collingwood*

Submission 5 provides specific responses to 22 of the anomalies and errors included in the Amendment. In relation to the proposed changes to HO109 the submission:

- ▶ Supports the proposed change of address (from 55 to 61-75 Langridge Street)

**Attachment 6 - Heritage advice - 14 Glasgow Street**

- ▶ Does not support the removal of 14 Glasgow Street until its heritage significance has been addressed.

**4. Review of significance**

Examination of title records show the Peatt family acquired the land for the Boot Factory complex in stages from the early 1900s to the 1920s. Figure 2 provides a map showing the various titles that were assembled. Subsequent re-subdivision has reduced the land to that contained within 64 Wellington Street today.

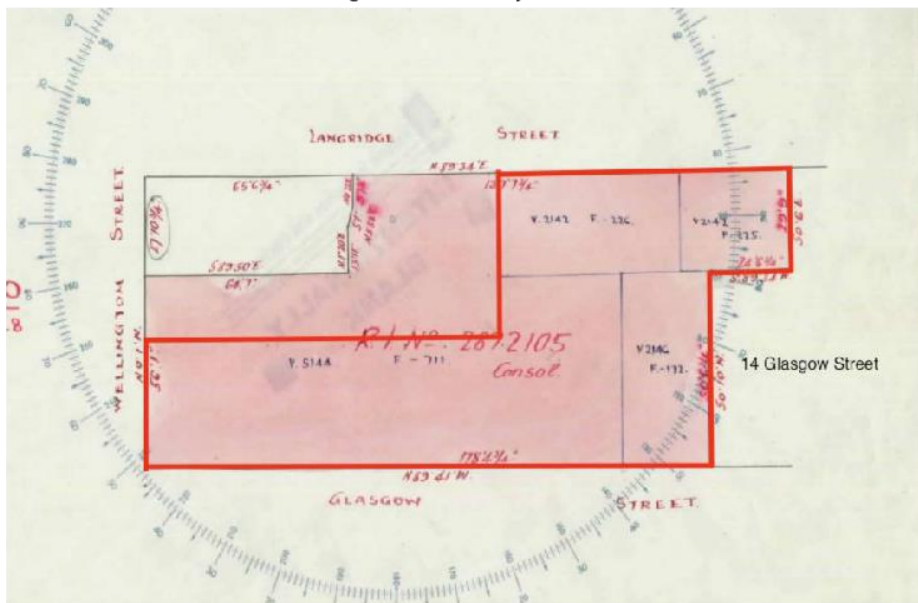


Figure 2: Location of historic land titles associated with the William Peatt complex in relation to 14 Glasgow Street (Source: Certificate of Title Vol. 5144 Fol. 711). The red line indicates the approximate boundary of 64 Wellington Street, as it exists today.

The land acquired by the Peatt family never included what is now 14 Glasgow Street. As shown on Figure 2, this was always a separate allotment on a different title and, until 1981, was in separate ownership. However, since 1981 64 Wellington Street and 14 Glasgow Street (while remaining on separate titles) have been in the same ownership (Certificates of Title Vol. 5492 Fol. 313 and Vol. 9022 Fol. 638).

Today, the section of 14 Glasgow Street within HO109 is used for a car park that appears to be associated with the former William Peatt buildings, as shown in Figure 3.

Figure 4 shows the 1920s/30s building on the other part of 14 Glasgow Street, which is not included within HO109. Examination of Sands & McDougall Directories did not identify the use of this (or any other) building in Glasgow Street by the Peatt Boot Factory.

Also, the site inspection has confirmed that the 61-75 Langridge Street does not contain any of the buildings associated with the former William Peatt Boot factory included within

**Attachment 6 - Heritage advice - 14 Glasgow Street**

AMENDMENT C245 HERITAGE ADVICE

HO109. 61-75 Langridge Street is the site immediately to the east that is partially vacant or contains modern warehouse buildings.



*Figure 3: The section of the car park to the right of this photo forms part of 14 Glasgow Street that is within HO109*



*Figure 3: The 1920/30s building on the part of 14 Glasgow Street that is outside of HO109. The HO109 boundary appears to coincide with the boundary between the car park and the building.*

## Attachment 6 - Heritage advice - 14 Glasgow Street

AMENDMENT C245 HERITAGE ADVICE

### 5. Conclusions and recommendations

The conclusions of this assessment in relation to the key issues identified by Council are:

- ▶ The part of 14 Glasgow Street proposed for removal from HO109 contains a car park that has no heritage value. However, it also appears to include a small part of the significant c.1937 William Peatt building – this finding is based on the aerial image overlaid with the HO109 boundary shown in Figure 1, which is derived from Vicplan.
- ▶ The proposed new address for HO109 in the HO schedule and incorporated document is incorrect.
- ▶ In accordance with PPN1, there should be a single citation and HO number for the former William Peatt Boot Factory complex.
- ▶ On this basis, I believe the proposed changes to HO109 should be removed from Amendment C245 pending a further review, which should include:
  - A desktop review of the two separate citations to make a single citation for the William Peatt Boot Factory.
  - A more detailed investigation of the title boundary to determine whether or not the c.1937 William Peatt building is partially within 14 Glasgow Street as indicated by the Vicplan aerial plan shown in Figure 1.
- ▶ Following on from the above, prepare an amendment to the Yarra Planning Scheme that would:
  - Apply a single HO to the former William Peatt Boot Factory complex.
  - Update the address to 64 Wellington Street in the HO schedule, Hermes record and incorporated documents, and
  - Depending on the outcome of the title boundary review, realign the boundary of the new individual HO, if required.

#### *Other findings*

The research also identified that the gabled brick building on the south side of Glasgow Street (known as 2-16 Northumberland Street) at the corner of Wellington Street was constructed in 1921 as a telephone exchange. This would make it one of the oldest telephone exchanges in Melbourne. While the rear part of the site is being redeveloped, the building is still used for this purpose today and remains relatively intact. It is of potential historic and representative significance and should be assessed in future.



**Attachment 7 - Heritage Citation QP, FN, John Patrick Landscape Architects Pty. Ltd. (2018)**

Heritage Overlay Study

**QUEENS PARADE, FITZROY NORTH**

November 2018

Revised 7 November 2018

**PREPARED BY**

Fiona Webber  
MasterUHort *MELB*  
John Patrick Landscape Architects Pty. Ltd.

**PREPARED FOR**

**Yarra City Council**  
Level 2, 31 Gleadell Street, Richmond VIC 3121



LANDSCAPE ARCHITECTS  
ENVIRONMENTAL HORTICULTURISTS  
LANDSCAPE HERITAGE CONSULTANTS  
CONSULTANT ARBORISTS

**JOHN PATRICK LANDSCAPE ARCHITECTS PTY LTD**

324 Victoria Street, Richmond, VIC 3121, Australia  
T +61 3 9429 4855 E [admin@johnpatrick.com.au](mailto:admin@johnpatrick.com.au)  
F +61 3 9429 8211 W [www.johnpatrick.com.au](http://www.johnpatrick.com.au)

**Attachment 7 - Heritage Citation QP, FN, John Patrick Landscape Architects Pty. Ltd. (2018)**Queens Parade, North Fitzroy  
Heritage Overlay Study

October 2018

John Patrick Architects Pty. Ltd. has been commissioned by Yarra City Council to provide advice regarding an apparent anomaly in the application of Heritage Overlay HO93 of the Yarra Planning Scheme.

Schedule to Clause 43.01 Heritage Overlay (HO93) of the Yarra Planning Scheme indicates that the Heritage Place to which this overlay applies is Queens Parade, between Alexandra Parade and Delbridge Street, Clifton Hill/Fitzroy North, Street trees.

The City of Yarra Heritage Review Landscape Citation (1998) provides a description of the Heritage Place including Remnant Fabric, both vegetation and man-made. This citation is attached as an Appendix to this report. A revised Citation is provided within this report.

**Description and Condition of Existing Remnant Fabric of the Heritage Place**

Assessment of the existing condition of the elements specified in the Landscape Citation; a double avenue of London Plane and Dutch Elm street trees, uncut basalt rocks bordering the dividing median and comprising the outer curb, and the basalt pitcher lined drainage channel of Queens Parade between Alexandra Parade and Delbridge Street, Fitzroy North was undertaken on 30 October & 31 October 2018.

**Remnant Fabric – Vegetation**

Remnant fabric vegetation consists of a double avenue, predominantly of London Plane (*Platanus × acerifolia*) within the medians between the central traffic lanes and the service lanes, and Elms (*Ulmus* sp.) between the outer curb and footpaths. It was noted that of the older avenue Elms both Dutch Elm (*Ulmus × hollandica*) and English Elm (*Ulmus procera*) are present. A portion of the street tree planting which deviates from this general arrangement is present at the south eastern end of the study area, between Wellington and Smith Streets, where London Planes (or Turkey Oak replacements) comprise both the median and curb rows of trees.

Regarding the Elm component of the avenue, generally appropriate infill and succession planting with English Elm (*Ulmus procera*) has been undertaken, with the majority of potential infill/succession planting locations utilised. This approach is considered appropriate conservation of the remnant fabric of the Elm component. Several instances of the inappropriate tree taxon Desert Ash (*Fraxinus angustifolia* ssp. *angustifolia*) were noted, as indicated on the attached Remnant Fabric (Vegetation) Plan HS-01.

The majority of both the mature and developing Elms were assessed as being in fair to good condition, however a portion the Elm component of the avenue on the southern side of Queens Parade between Smith and George Streets was noted as exhibiting indications of stress or decline.

Recommended remediation measures are provided in this report, below. An Elm specimen within the nature strip in front of 240 Queens Parade is in very poor condition (Figure 5). Removal and replacement with English Elm (*U. procera*) is recommended.

Successive replacement of the London Plane component of the avenue tree planting is being undertaken with Turkey Oak (*Quercus cerris*) as the replacement taxon. This strategy alters the detail of the heritage fabric, however Turkey Oak is considered an appropriate taxon for the location, as it is tolerant of site conditions and consistent with a double avenue tree planting of heritage significance.

London Plane specimens were generally observed as in fair to good condition, however a portion of the London Plane planting, between Grant and Delbridge Streets were noted as stunted due to site conditions, and a likely sub-optimal soil conditions (Figure 6). It is likely that the roots of these trees are unable to effectively extend through compacted road base, resulting in reduced access to water and nutrients.

In addition, instances of decay in previous pruning wounds on London Planes were noted. Such decay has led to cavities and a reduced useful life expectancy.

In several locations within the medians between the central traffic lanes damage to the median borders was noted, resulting from root growth of the adjacent London Planes. Such damage is likely to progress and affect further areas as these trees mature, particularly as roots of this robust taxon are aggressive.

Selection of Turkey Oak as the replacement for London Plane is likely to address the issue of incompatibility between conservation of vegetation and man-made remnant heritage fabric.

While the condition of the avenue trees was generally observed as fair to good, continued arboricultural maintenance is required to conserve this element of the remnant heritage fabric. Further details are provided below in relation to recommended conservation measures.



**Attachment 7 - Heritage Citation QP, FN, John Patrick Landscape Architects Pty. Ltd. (2018)**

Queens Parade, North Fitzroy  
Heritage Overlay Study

October 2018



Figure 1: The Elm component of the avenue tree planting is being appropriately conserved by infill/succession planting with English Elm.



Figure 2: The London Plane portion of the avenue is generally located within the medians between the central traffic and service lanes, with the Elm portion to the outer curbs.

**Attachment 7 - Heritage Citation QP, FN, John Patrick Landscape Architects Pty. Ltd. (2018)**

Queens Parade, North Fitzroy  
Heritage Overlay Study

October 2018



Figure 3: Turkey Oak succession planting for London Plane is being undertaken. This strategy is considered appropriate as conservation of the street tree element of heritage significance.



Figure 4: Elms within a portion of the avenue are exhibiting signs of stress and require remediation.

**Attachment 7 - Heritage Citation QP, FN, John Patrick Landscape Architects Pty. Ltd. (2018)**

Queens Parade, North Fitzroy  
Heritage Overlay Study

October 2018



Figure 5: An Elm in front of 240 Queens Parade is in poor condition. Removal and replacement is recommended.



Figure 6: A row of London Plane within the median between Grant and Delbridge Streets are stunted due to soil conditions.



Figure 7: Damage to the median border caused by roots of the London Plane.

#### **Remnant Fabric – Man Made**

##### Median Border Treatments

Queens Parade, Fitzroy North consists of central traffic lanes, divided by relatively narrow, concrete curbed central medians, and service lanes on each side separated from the central traffic lanes by more substantial medians.

Generally, the medians separating the central traffic lanes and service lanes in the southern portion of Queens Parade are bordered by uncut basalt blocks, forming a prominent and decorative feature (Figure 8), as mentioned in the Landscape Citation. These blocks are set into a concrete edge on the central traffic lane side, however no visible concrete base is present toward the service lanes. Some of the uncut basalt blocks, particularly to the central lanes and crossovers, are painted white, presumably to improve visibility. The majority of the uncut block borders remain remarkably intact with only a few areas of missing or loose blocks.

In addition to the uncut block treatment (designated Type B), three variations on the median border were observed within Queens Parade between Alexandra Parade and Delbridge Street to the north. A small area of inconsistent median border was noted in the westernmost median, adjacent to Alexandra Parade. This border consists of the characteristic uncut basalt blocks to the central

**Attachment 7 - Heritage Citation QP, FN, John Patrick Landscape Architects Pty. Ltd. (2018)**

Queens Parade, North Fitzroy  
Heritage Overlay Study

October 2018

traffic lanes, however to the service lanes the border is of standard cut basalt blocks (designated Type A treatment, shown in Figure 11).

Between Grant and Delbridge Streets on the western side of Queens Parade, north-east of a bluestone retaining wall, the median border to all sides is comprised of smaller cut basalt blocks (25cm L x 23cm W x 25cm H). The drainage channel, on the central traffic lane side is of three rows of bluestone pitchers. This median border and drainage channel character is designated Type C.

The median dividing the central traffic lanes in each direction is bordered with concrete (Type D).

The location and type of median border treatments is shown on the attached Remnant Fabric (Man Made) Plan, HS-02.



Figure 8: Uncut basalt blocks form a prominent and decorative border to the medians. This remnant fabric is remarkably intact.

**Attachment 7 - Heritage Citation QP, FN, John Patrick Landscape Architects Pty. Ltd. (2018)**

Queens Parade, North Fitzroy  
Heritage Overlay Study

October 2018



Figure 9: Median immediately north of Jamieson Street. A portion of the row of uncut basalt blocks toward the central traffic lanes is absent in two locations, apparently associated with tree planting. The concrete base toward the central lanes is visible at left of frame.



Figure 10: Median between Alexandra Parade and Napier Street. View of missing uncut basalt blocks and basalt pitcher drainage channel.



Figure 11: Westernmost median adjacent to the Alexandra Parade intersection. Uncut basalt blocks remain relatively intact to the central traffic lanes, with the border to the service lane comprised of standard cut basalt blocks.

Curb and Drainage Channel Treatments

Inconsistency in the outer curb and drainage channel treatments was also noted along the length of Queens Parade within the study area, with eight types of curb and channel noted. These are shown on the attached Remnant Fabric (Man Made) Plan.

Curb and associated drainage channel types observed are as follows;

Type 1: Large, honed basalt block (1m L x 30cm W x 15cm H) curb. No formal drainage channel, asphalt to curb.

Type 2: Large, honed basalt block curb. Drainage channel one row of basalt pitchers.

Type 3: Large, honed basalt block curb. Drainage channel six rows of basalt pitchers.

Type 4: Large, honed basalt block curb. Drainage channel two rows of basalt pitchers with a narrow central row of pitchers.

Type 5: Large, honed basalt block curb. Majority of drainage channel one row of basalt pitchers next to curb and randomly sized and arranged basalt pitchers equivalent to an additional two rows.

**Attachment 7 - Heritage Citation QP, FN, John Patrick Landscape Architects Pty. Ltd. (2018)**

Queens Parade, North Fitzroy  
Heritage Overlay Study

October 2018

Type 6: Small basalt block (30cm L x 10cm W x 10cm H) curb. Drainage channel three rows of basalt pitchers, some asphalted over.

Type 7: Square basalt block (20cm L x 10cm W x 15cm H) curb. Drainage channel one row of pitchers and randomly sized and arranged basalt pitchers equivalent to three rows.

Type 8: Rough cut basalt block (50cm L x 25cm W x 20cm H) curb. Drainage channel four rows of basalt pitchers.

It was noted that the drainage channel comprised of six rows of basalt pitchers (Type 3) continues across the intersection of Napier Street and Queens Parade service lane (Figure 19), terminating at Jamieson Street.



Figure 12: Type 2 curb and drainage channel.



**Attachment 7 - Heritage Citation QP, FN, John Patrick Landscape Architects Pty. Ltd. (2018)**

Queens Parade, North Fitzroy  
Heritage Overlay Study

October 2018



Figure 13: Type 3 curb and drainage channel.



Figure 14: Type 4 curb and drainage channel.

**Attachment 7 - Heritage Citation QP, FN, John Patrick Landscape Architects Pty. Ltd. (2018)**

Queens Parade, North Fitzroy  
Heritage Overlay Study

October 2018



Figure 15: Type 5 curb and drainage channel.



Figure 16: Type 6 curb and drainage channel.

**Attachment 7 - Heritage Citation QP, FN, John Patrick Landscape Architects Pty. Ltd. (2018)**

Queens Parade, North Fitzroy  
Heritage Overlay Study

October 2018



Figure 17: Type 7 curb and drainage channel.



Figure 18: Type 8 curb and drainage channel.



Figure 19: Northern drainage channel configuration of six rows of basalt pitchers continues across the intersection of Napier Street and the Queens Parade service lane, terminating at the intersection with Jamieson Street.

### **Conservation of Remnant Fabric – Recommendations**

#### Vegetation

Ongoing arboricultural assessment and maintenance of all avenue trees is recommended, including formative pruning of developing infill/succession trees. Removal of dead wood from mature Elms, in particular, is required, as is the removal and replacement of specimens in poor condition, of which several were noted. Decay within old pruning wounds on the London Planes should be monitored, and in cases where decay or cavities appear potentially extensive, further investigation using sonic tomography is recommended. All pruning must be carried out as per AS4373 *Pruning of amenity trees* by a suitably qualified and experienced arborist.

Elms in the portion of the avenue to the southern side of Queens Parade between Smith and George Streets were noted as exhibiting indications of stress or decline. Soil amelioration and deep watering of these trees is recommended to improve their appearance and extend their useful life.

In several instances, evidence of relatively recent trenching within the root zone, particularly of mature Elms, was observed. Such works constitute a serious threat the health and viability of these

**Attachment 7 - Heritage Citation QP, FN, John Patrick Landscape Architects Pty. Ltd. (2018)**

Queens Parade, North Fitzroy  
Heritage Overlay Study

October 2018

trees of heritage significance. Excavation within the nature strip, which is the location of roots of these trees (for example to allow installation of services for new developments) is to be avoided to prevent impact to these trees.

An ongoing threat to the appearance and possibly, health of trees of the Elm portion of the avenue is the requirement for pruning for powerline clearance. In some locations it was noted that cabling has been converted from open LV to bundled cable. For these locations extensive clearance pruning is no longer required, with an associated reduction in the threat to these trees. Continued similar replacement of existing cabling would constitute a desirable heritage outcome.

A portion of the median London Plane planting, between Grant and Delbridge Streets were noted as stunted due to site conditions. Improvement to this section would require installation of new tree stock following excavation of the existing planting medium and replacement with a planting medium conducive to healthy root growth (for example structural soil). Should resources become available to allow this replacement it would be considered beneficial.

A further desirable heritage outcome would be replacement of the row of London Plane on the southern side of Queens Parade between Wellington and Smith Streets with Elms. The current arrangement of London Plane, or their replacement Turkey Oaks, in both the median and outer row is inconsistent with the remainder of the avenue.

It is noted that a comprehensive arboricultural assessment of Queens Parade avenue trees was undertaken in 2005 (report prepared by David Galway, Tree Dimensions February 2005). It is recommended that a similarly detailed assessment is undertaken to capture changes to avenue tree composition and condition since 2005. It is recommended that an updated arboricultural assessment report also include a detailed tree succession plan, indicating recommended taxa for specific locations and providing timing of replacements.

Man-made Fabric

The recommended approach regarding damage to significant median basalt borders by avenue tree roots is conservative management. Protection of the avenue trees is considered the primary priority. Damage to man-made fabric should be repaired to the extent possible without compromising avenue tree health. In some instances, damage to basalt elements repaired to an imperfect state is acceptable, with full restoration undertaken when the tree is eventually removed.

In instances where basalt blocks are missing, unrelated to damage caused by trees, replacement of blocks should be undertaken if suitable material is available. Loose blocks should also be reset.

All efforts should be made to retain existing curb and drainage channels, particularly those of Types 3, 4 and 5 which consist of large honed basalt curb and drainage channels comprised of several rows of basalt pitchers. If the opportunity arises, installation of a six row wide pitcher drainage channel to areas designated Type 1 and 2 would be a desirable heritage outcome. Replacement of inconsistent curb materials, such as in Types 6, 7 and 8 with large honed basalt blocks is also desirable.

Heritage Overlay Anomaly

Remnant heritage fabric intended to be protected by Heritage Overlay HO93 of the Yarra Planning Scheme extends from the southern edge (frontage) of neighbouring property boundaries on the northern side of Queens Parade service lanes to the northern site boundaries (frontage) of neighbouring properties on the southern side of Queens Parade service lanes, from the origin of Queens Parade at Alexandra Parade to the intersection of Queens Parade with Delbridge and Wellington Streets, North Fitzroy. The area between adjacent site frontages and the nature strips, ie. the location of footpaths, is included in the area intended to be protected as it is likely that roots of the outer row of avenue trees extend into this area.

The Heritage Overlay is intended to encompass the nature strips, the trees within them, the extent of the root zones of these trees, and the outer basalt curbs and drainage channels on both sides of Queens Parade (adjacent to the service lanes). The medians which divide the central traffic lanes from the service lanes are also intended to be encompassed, along with the uncut basalt rock borders and basalt pitcher drainage channels adjacent to these medians.

The current study confirms that Heritage Overlay HO93 of the Yarra Planning Scheme; *Queens Parade, between Alexandra Parade & Delbridge Street Clifton Hill/North Fitzroy, Street trees*, as indicated in Planning Maps Online (<http://services.land.vic.gov.au/maps/pmo.jsp>) and VicPlan (<http://mapshare.maps.vic.gov.au/vicplan/>) is currently incorrectly applied.

**Attachment 7 - Heritage Citation QP, FN, John Patrick Landscape Architects Pty. Ltd. (2018)**

Queens Parade, North Fitzroy  
Heritage Overlay Study

October 2018

The current extent of HO93 excludes the northern Elm row of the avenue. Medians dividing the northern service lanes and central traffic lanes and their associated drainage channels are currently excluded, as is the southern portion of all medians dividing the southern service and central traffic lanes. Also excluded is the Elm portion of the tree avenue within the southern nature strips of Queens Parade (note that between Wellington and Smith Streets London Planes comprise this portion of the avenue).

Alteration of the area to which Heritage Overlay HO93 applies is recommended, to include all elements which the Overlay is intended to encompass, as described above and indicated in Figure 22, below. It is noted that part of the area to be encompassed by HO93 is currently shown as covered by adjacent Heritage Overlay HO327 of the Yarra Planning Scheme.

Attachment 7 - Heritage Citation QP, FN, John Patrick Landscape Architects Pty. Ltd. (2018)

Queens Parade, North Fitzroy  
Heritage Overlay Study

October 2018



Figure 20: Heritage Overlay HO93 of the Yarra Planning Scheme as indicated on Planning Maps Online (<http://services.land.vic.gov.au/maps/pmo.jsp>)



Attachment 7 - Heritage Citation QP, FN, John Patrick Landscape Architects Pty. Ltd. (2018)

Queens Parade, North Fitzroy  
Heritage Overlay Study

October 2018

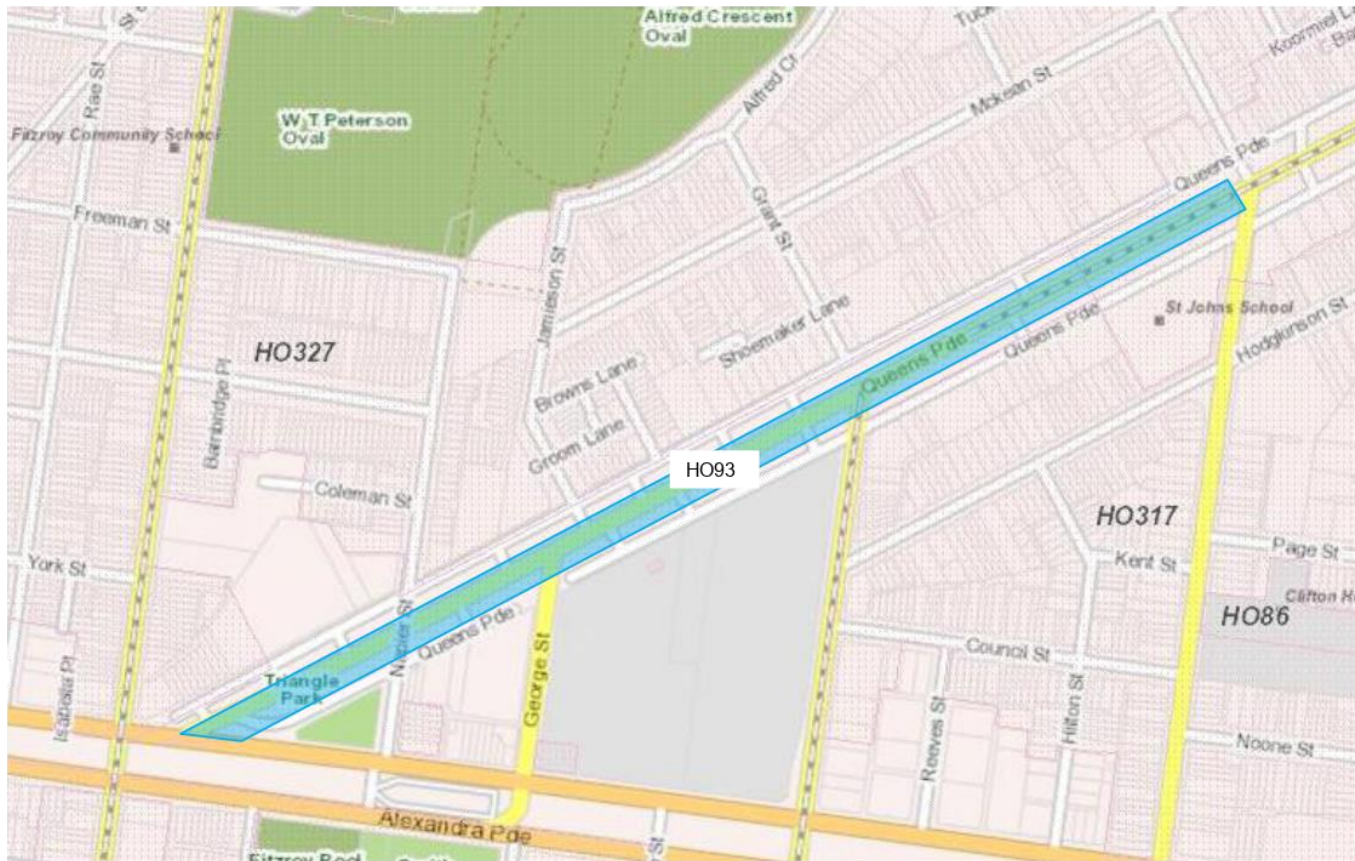


Figure 21: Heritage Overlay HO93 of the Yarra Planning Scheme as indicated on VicPlan (<http://mapshare.maps.vic.gov.au/vicplan/>)

**Attachment 7 - Heritage Citation QP, FN, John Patrick Landscape Architects Pty. Ltd. (2018)**

Queens Parade, North Fitzroy  
Heritage Overlay Study

October 2018



Figure 22: Recommended extent of Heritage Overlay HO93 of the Yarra Planning Scheme.

**Attachment 7 - Heritage Citation QP, FN, John Patrick Landscape Architects Pty. Ltd. (2018)**Queens Parade, North Fitzroy  
Heritage Overlay Study

October 2018

**Revised Landscape Citation**

Confirmation of the landscape heritage values of the elements identified in the City of Yarra Heritage Review: Landscape Citation is beyond the scope of the current study, however changes in the composition and, in some instances, condition of the heritage fabric during the twenty years which have elapsed since preparation of the Landscape Citation in 1998 were identified. A revised Landscape Citation, reflecting these changes is provided below.

It is noted that while the remnant fabric (man made), ie. basalt block borders to medians, cut basalt block curbs and basalt pitcher-lined drainage channels, are described in the current Citation, these elements are not specifically identified as part of the Heritage Place in the Citation title. Remnant man made elements have been added to the Site statement of the Citation.

---

*City of Yarra Heritage Review: Landscape Citation, Revised October 2018.*

**Site:** Street Trees. Basalt curb, basalt lined drainage channel and median borders. **Significance:** B

**Address:** Queens Parade, between Alexandra Parade & Delbridge Street, Clifton Hill

**Access:** Unrestricted

**Survey Date:** 30/10/2018

**Description**

The street trees along Queens Parade, between Alexandra Parade and Delbridge Street, are prominent street tree planting on a major arterial road. Basalt curb and drainage channel elements contribute to the presentation of the avenue tree planting. The uncut basalt rock median borders are a prominent, decorative feature.

**Remnant Fabric (Man Made)**

Queens Parade is divided into two sections: a central major traffic flow lanes, and narrow service lanes on each side of the road. The dividing medians are bordered with uncut basalt rocks which form a prominent and decorative feature. The outer curb is constructed of cut basalt blocks, and the drainage channel is lined with basalt pitchers.

**Remnant Fabric (Vegetation)**

The site features a double avenue of London Plane Trees (*Platanus × acerifolius*) and Dutch Elms, including Dutch Elm (*Ulmus × hollandica*) and English Elm (*U. procera*). The London Planes Trees are sited on the median separating the main central traffic lanes flow from the service lanes, and

the Dutch and English Elms within the outer nature strips, footpath median. Both rows of trees are mature and relatively intact. Each shows signs of severe lopping over their life span, from which they have recovered well, and some interplanting with inappropriate species has occurred, principally Desert Ash (*Fraxinus oxycarpa*). Both the Elm and London Plane rows contain mature trees in generally fair to good condition, and semi-mature succession plantings. London Planes are being successively replaced with Turkey Oak. Taxon consistency is relatively intact, however several instances of the inappropriate Desert Ash (*Fraxinus angustifolia* ssp. *angustifolia*) are present in the Elm row.

#### Potential Threats

Removal of basalt rock edge on central median or basalt gutter and curbing on outer medians in favour of concrete. Removal of existing basalt drainage channel in favour of asphalt. Further introduction of inappropriate species, which erodes the heritage character and general impact of the double avenue. Unnecessary pruning due to aerial cabling. Excavation within the root zone of avenue trees. Alteration of the existing width and configuration of central traffic and service lanes.

#### Management Steps

Installation of Aerial Bundle Cables (ABCs) to minimise the need for pruning of trees, particularly on the northern side of Queens Parade. Preparation of ~~a detailed~~ an arboricultural maintenance and replacement tree succession policy for the avenue, ~~which would outline detailing~~ regular tree assessment and maintenance procedures ~~for the trees to ensure a long maximal tree longevity and amenity provision, and to ensure that uniformity of the avenue is maintained. life is attained. It should also outline appropriate measures for the replacement of senescent specimens with the same species to ensure the uniformity of the avenue is maintained.~~ The policy should outline strategies for the replacement of the Dutch Elms in the event of the Dutch Elm Disease (*Ceratocystis Ophiostoma ulmi*) becoming established in Australia. These should be included within an overall tree management policy for significant trees within the City of Yarra.

#### Statement of Significance

The double avenue of trees on Queens Parade is locally significant as an extensive and intact avenue planting in the City of Yarra. These trees provide a significant contribution to the heritage character of the precinct, and to the amenity of the local neighbourhood generally. The uncut basalt rock median borders are locally significant as a relatively intact prominent and decorative feature. Basalt curbing comprised of large honed basalt blocks and drainage channels of multiple rows of basalt pitchers are of contributory significance to the avenue.

**Attachment 7 - Heritage Citation QP, FN, John Patrick Landscape Architects Pty. Ltd. (2018)**

Queens Parade, North Fitzroy  
Heritage Overlay Study

October 2018

**Appendices**

- A.** Remnant Fabric (Vegetation) Plan HS-01
- B.** Remnant Fabric (Man Made) Plan HS-02
- C.** City of Yarra Heritage Review: Landscape Citation (1998)

Attachment 7 - Heritage Citation QP, FN, John Patrick Landscape Architects Pty. Ltd. (2018)



**JOHN PATRICK**  
 LANDSCAPE ARCHITECTS PTY LTD  
 324 Victoria Street,  
 Richmond, VIC 3121  
 T +61 3 9429 4855  
 F +61 3 9429 8211  
 admin@johnpatrick.com.au  
 www.johnpatrick.com.au

**COPYRIGHT**  
 This drawing must not be copied in whole or in part without the consent of John Patrick Landscape Architects Pty Ltd  
 Do not scale off drawings.

**NOTE**  
 Tree locations are indicative only.

**CLIENT**  
**YARRA CITY COUNCIL**

**PROJECT**  
**Heritage Overlay Study**  
 QUEENS PARADE, NORTH FITZROY

**DRAWING**  
 Remnant Fabric (Vegetation) Plan



**SCALE** NTS  
**DATE** NOV 2018  
**DRAWN** FW  
**CHECKED**  
**JOB NO** 18-0817  
**DWG NO** HS-01

Attachment 7 - Heritage Citation QP, FN, John Patrick Landscape Architects Pty. Ltd. (2018)

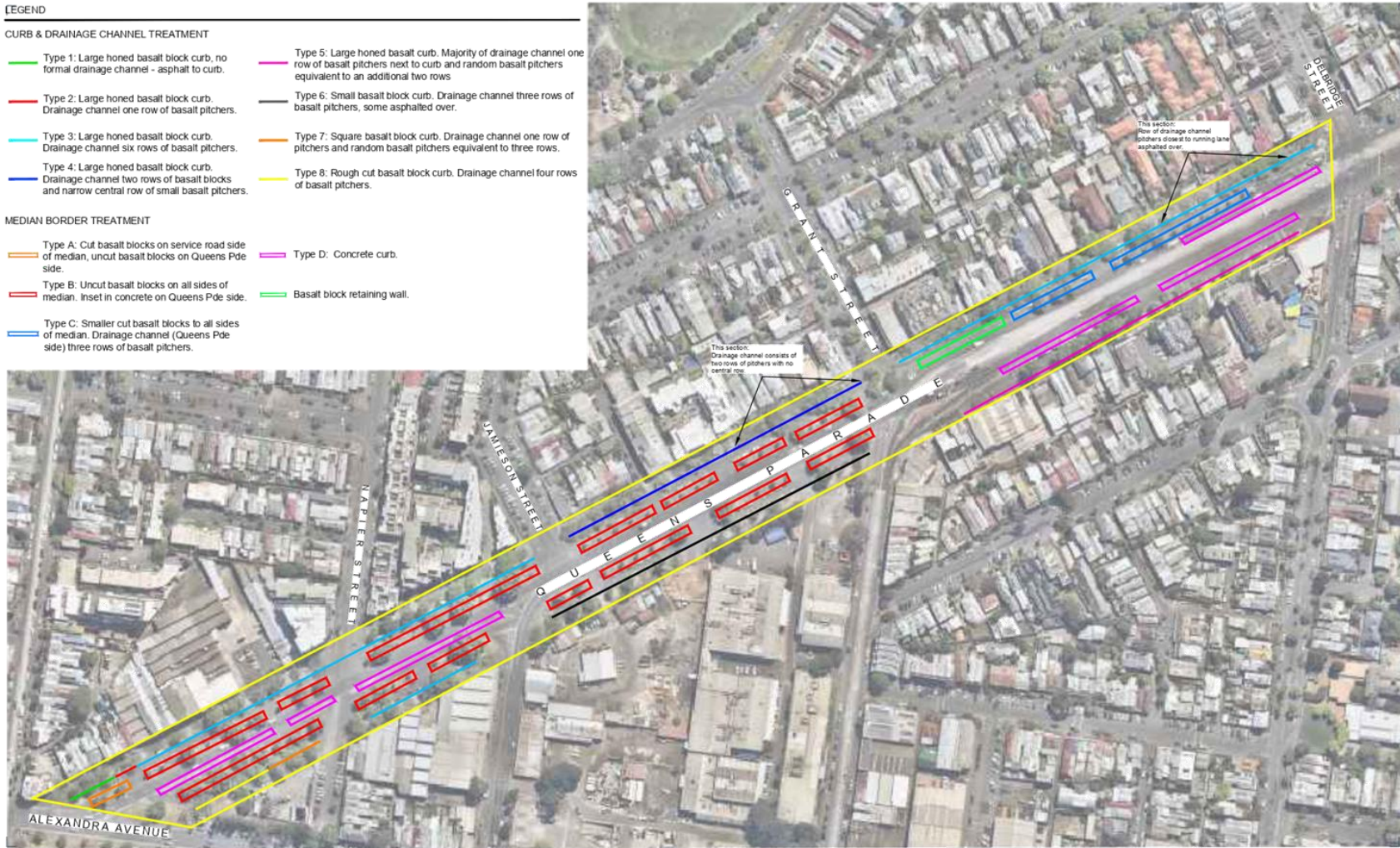
LEGEND

CURB & DRAINAGE CHANNEL TREATMENT

- Type 1: Large honed basalt block curb, no formal drainage channel - asphalt to curb.
- Type 2: Large honed basalt block curb. Drainage channel one row of basalt pitchers.
- Type 3: Large honed basalt block curb. Drainage channel six rows of basalt pitchers.
- Type 4: Large honed basalt block curb. Drainage channel two rows of basalt blocks and narrow central row of small basalt pitchers.
- Type 5: Large honed basalt curb. Majority of drainage channel one row of basalt pitchers next to curb and random basalt pitchers equivalent to an additional two rows
- Type 6: Small basalt block curb. Drainage channel three rows of basalt pitchers, some asphalted over.
- Type 7: Square basalt block curb. Drainage channel one row of pitchers and random basalt pitchers equivalent to three rows.
- Type 8: Rough cut basalt block curb. Drainage channel four rows of basalt pitchers.

MEDIAN BORDER TREATMENT

- Type A: Cut basalt blocks on service road side of median, uncut basalt blocks on Queens Pde side.
- Type B: Uncut basalt blocks on all sides of median. Inset in concrete on Queens Pde side.
- Type C: Smaller cut basalt blocks to all sides of median. Drainage channel (Queens Pde side) three rows of basalt pitchers.
- Type D: Concrete curb.
- Basalt block retaining wall.



**JOHN PATRICK**  
 LANDSCAPE ARCHITECTS PTY LTD  
 324 Victoria Street,  
 Richmond, VIC 3121  
 T +61 3 9429 4855  
 F +61 3 9429 8211  
 admin@johnpatrick.com.au  
 www.johnpatrick.com.au

**COPYRIGHT**  
 This drawing must not be copied in whole or in part without the consent of John Patrick Landscape Architects Pty Ltd  
 Do not scale off drawings.

**NOTE**  
 Curb and border locations are approximate only.

**CLIENT**  
**YARRA CITY COUNCIL**

**PROJECT**  
**Heritage Overlay Study**  
 QUEENS PARADE, NORTH FITZROY

**DRAWING**  
 Remnant Fabric  
 (Man Made) Plan



**SCALE** NTS  
**DATE** NOV 2018  
**DRAWN** FW  
**CHECKED**  
**JOB NO** 18-0817  
**DWG NO** HS-02

**Attachment 7 - Heritage Citation QP, FN, John Patrick Landscape Architects Pty. Ltd. (2018)**

*City of Yarra Heritage Review: Landscape Citations*

<b>Site:</b>	Street Trees	<b>Significance:</b>	B
<b>Address:</b>	Queens Parade, between Alexandra Parade & Delbridge Street, Clifton Hill	<b>Map Ref:</b>	44 B2
<b>Access:</b>	Unrestricted	<b>Survey Date:</b>	7/5/98



<b>Intactness:</b> E [ ] G [x] F [ ] P [ ]	<b>Condition:</b> E [ ] G [ ] F [x] P [ ]
<b>Existing Heritage Listings:</b>	<b>Recommended Heritage Listings:</b>
Victorian Heritage Register [ ]	Victorian Heritage Register [ ]
Register of the National Estate [ ]	Register of the National Estate [x]
Planning Scheme [ ]	HO Controls [x]
National Trust [ ]	



## Attachment 7 - Heritage Citation QP, FN, John Patrick Landscape Architects Pty. Ltd. (2018)

*City of Yarra Heritage Review : Landscape Citations*

**Description**

The street trees along Queens Parade, between Alexandra Parade and Delbridge Street, are prominent street tree planting on a major arterial road.

**Remnant Fabric (Man Made)**

Queens Parade is divided into two sections: a central major traffic flow, and narrow service lanes on each side of the road. The dividing medians are bordered with uncut basalt rocks which form a prominent and decorative feature. The outer curb is constructed of cut basalt blocks, and the drainage channel is lined with basalt pitchers.

**Remnant Fabric (Vegetation)**

The site features a double avenue of Plane Trees (*Platanus x acerifolius*) and Dutch Elms (*Ulmus x hollandica*). The Plane Trees are sited on the median separating the main traffic flow from the service land, and the Dutch Elms on the outer, footpath median. Both rows of trees are mature and relatively intact. Each shows signs of severe lopping over their life span, from which they have recovered well, and some interplanting with inappropriate species has occurred, principally Desert Ash (*Fraxinus oxycarpa*).

**Potential Threats**

Removal of basalt rock edge on central medians or basalt gutter and curbing on outer medians in favour of concrete. Further introduction of inappropriate species, which erodes the heritage character and general impact of the double avenue. Unnecessary pruning due to aerial cabling.

**Management Steps**

Installation of Aerial Bundle Cables (ABCs) to minimise the need for pruning of trees, particularly on the northern side of Queens Parade. Preparation of a detailed maintenance and replacement policy for the avenue which would outline regular maintenance procedures for the trees to ensure a long amenity life is attained. It should also outline appropriate measures for the replacement of senescent specimens with the same species to ensure the uniformity of the avenue is maintained. The policy should outline strategies for the replacement of the Dutch Elms in the event of the Dutch Elm Disease (*Ceratocystis ulmi*) becoming established in Australia. These should be included within an overall tree management policy for significant trees within the City of Yarra.

**Statement of Significance**

The double avenue of trees on Queens Parade is locally significant as an extensive and intact avenue planting in the City of Yarra. The trees provide a significant contribution to the heritage character of the precinct, and to the amenity of the local neighbourhood generally.

**Attachment 8 - Summary of Places - No Submission**

# Amendment C245

## No Submission Received



Amendment C245 did not receive a submission to the following 65 places. Yarra City Council is proposing to correct heritage overlay errors and zone anomalies, amend interim heritage controls, implement the recommendations of recent heritage studies, amend the heritage gradings and amend technical errors in the Yarra Planning Scheme. You can find more information about changes to each property in an interactive map online at [yarracity.vic.gov.au/c245](http://yarracity.vic.gov.au/c245)

Address	Action Required
<b>Changes identified in the Victoria Street &amp; Bridge Road Built Form Review: Heritage Assessment, GJM Heritage (2018)</b>	
1 77 Bridge Road, Richmond	Grade as 'not contributory' to the heritage of the area
2 33 Judd Street, Richmond	Grade as 'not contributory' to the heritage of the area
3 655 Victoria Street, Abbotsford	Extend heritage overlay to include the entire property
4 21-23 Lithgow Street, Abbotsford	Remove property from the Database of Heritage Significant Areas
5 637-639 Bridge Road, Richmond	Replace existing heritage overlay with a site specific heritage overlay
6 32-34 Thomas Street, Richmond	Remove interim heritage overlay and replace with site specific heritage overlay
7 635 Bridge Road, Richmond	Replace existing heritage overlay with a site specific heritage overlay
8 529-533 Bridge Road, Richmond	Replace existing heritage overlay with a site specific heritage overlay
9 597-599 Bridge Road, Richmond	Replace existing heritage overlay with a site specific heritage overlay
10 534-534A Bridge Road, Richmond	Replace existing heritage overlay with a site specific heritage overlay
11 325-333 Bridge Road, Richmond	Replace existing heritage overlay with a site specific heritage overlay
<b>Changes identified in Collingwood Mixed Use Pocket, Heritage Analysis &amp; Recommendations, GJM (2018)</b>	
12 18-22 Derby Street, Collingwood	Extend existing heritage overlay over the entire property
13 33-45 Derby Street, Collingwood	Extend existing heritage overlay over the entire property
<b>Yarra Planning Scheme Anomalies</b>	
14 120 Campbell Street, Collingwood	Grade as 'not contributory' to the heritage of the area
15 1-3 & 5-9 Gordon Street, Cremorne	Include existing heritage overlay in the Yarra Planning Scheme
16 131 Miller Street, Fitzroy North	Grade as 'contributory' to the heritage of the area
17 14 Risley Street, Richmond	Include existing heritage overlay in the Yarra Planning Scheme
18 155 Westgarth Street & 158 Cecil Street, Fitzroy	Extend existing heritage overlay over the entire properties
19 160 Gold Street, 1 & 1A South Terrace, Clifton Hill	Grade as 'not contributory' to the heritage of the area
20 20 Grattan Place, Richmond	Remove property from the Database of Heritage Significant Areas
21 20 Jessie Street, Cremorne	Remove the heritage overlay from the property
22 236A Lennox Street, Richmond	Remove property from the Database of Heritage Significant Areas
23 24-30 Waterloo, 83-91 Rokeby & 23-29 Robert, Collingwood	Grade as 'not contributory' to the heritage of the area
24 25 Little George Street, Fitzroy	Remove property from the Database of Heritage Significant Areas
25 26 Bromham Place, Richmond	Include existing heritage overlay in the Yarra Planning Scheme

**Attachment 8 - Summary of Places - No Submission**

	Address	Action Required
<b>Yarra Planning Scheme Anomalies</b>		
26	15-27 Barrow Place, Burnley	Grade as 'not contributory' to the heritage of the area
27	32 Hodgson Street, Fitzroy	Remove property from the Database of Heritage Significant Areas
28	38-42 York Street, North Fitzroy	Remove property from the Database of Heritage Significant Areas
29	4 Eddy Court, Abbotsford	Grade as 'not contributory' to the heritage of the area
30	415-419 Fitzroy Street, Fitzroy	Correct address in the Database of Heritage Significant Areas from 62 Rose Street, Fitzroy to 415-419 Fitzroy Street, Fitzroy
31	37-45 Kerr Street, Fitzroy	Grade as 'not contributory' to the heritage of the area
32	49-53 Lucerne Crescent, Alphington	Extend existing heritage overlay to cover 53 Lucerne Crescent and remove existing heritage overlay from 49 Lucerne Crescent
33	55 Park Street, Abbotsford	Grade as 'not contributory' to the heritage of the area
34	85 Cremorne Street, Cremorne	Include existing heritage overlay in the Yarra Planning Scheme
35	86 Richmond Terrace, Richmond	Grade as 'not contributory' to the heritage of the area
36	Collingwood College Dolls House, Collingwood	Correct address in the Database of Heritage Significant Areas and correct mapping of existing heritage overlay
37	Park Keepers Cottage, Burnley Park	Grade as 'individually significant' to the heritage over the area
38	77-79 Burnley Street, Richmond	Remove expired interim heritage controls to the site
39	181 Langridge Street, Abbotsford	Remove the heritage overlay from the property
40	239-247 Johnston Street, Fitzroy	Grade as 'not contributory' to the heritage of the area
41	11 Waverley Street, Richmond	Grade as 'not contributory' to the heritage of the area
42	19 Cambridge Street, Collingwood	Extend existing heritage overlay to include entire property
43	18 Peel Street, Collingwood	Grade as 'not contributory' to the heritage of the area
44	120 Cambridge Street, Collingwood	Extend existing heritage overlay to include entire property
45	61-63 Oxford Street, Collingwood	Extend existing heritage overlay to include entire property
46	37 Oxford Street, Collingwood	Extend existing heritage overlay to include entire property
47	31 Bell Street, Richmond & 204 Coppin Street, Richmond	Extend existing heritage overlay to include entire property of 204 Coppin Street and correct the zone mapping for both properties
48	133 Keele Street, Collingwood	Grade as 'not contributory' to the heritage of the area
49	4-6 Derby Street, Collingwood	Grade as 'not contributory' to the heritage of the area
50	7 Langridge Street, Collingwood	Grade as 'not contributory' to the heritage of the area
51	11 Gleadell Street, Richmond	Correct address to 11 Gleadell Street, Richmond in the Database of Heritage Significant Areas
52	6 Stawell Street, Richmond	Remove expired interim heritage overlay and extend existing heritage overlay to cover the entire property
53	113-115 & 113A-115A Bridge Road, Richmond	Grade 113 as 'contributory' to the heritage of the area
54	261-263 Highett Street, Richmond	Change mapping to existing extend heritage overlays and zone to include entire properties as Neighbourhood Residential Zone
55	22 Best Street, Fitzroy North	Change mapping to include entire property in Neighbourhood Residential Zone
56	522-530 Napier Street, Fitzroy North	Change mapping to include entire property in Mixed Use Zone
57	314-316 Bridge Road, Richmond	Change mapping to include entire property in Commercial 1 Zone
58	4-6 Waltham Street, Richmond	Change mapping to include entire property in Neighbourhood Residential Zone
59	95-103 Johnston Street, Fitzroy	Change mapping to include entire property in Commercial 1 Zone
60	7 Tait Street, Fitzroy North	Change mapping to include entire property in Neighbourhood Residential Zone
61	197 Lennox Street, Richmond	Change mapping to include entire property in Neighbourhood Residential Zone
62	22 Falconer Street, Fitzroy North	Change mapping to include entire property in General Residential Zone
63	24 Falconer Street, Fitzroy North	Change mapping to include entire property in Public Use Zone
64	84 Johnston Street, Fitzroy	Change mapping to include entire property in Commercial 1 Zone
65	34-44 Cromwell Street, Collingwood	Change mapping to include entire property in Commercial 2 Zone

**Attachment 9 - Summary of Places - Submission**



Amendment C245 received submissions to the following 6 places. Yarra City Council is proposing to correct heritage overlay errors and zone anomalies, amend interim heritage controls, implement the recommendations of recent heritage studies, amend the heritage gradings and amend technical errors in the Yarra Planning Scheme. You can find more information about changes to each property in an interactive map online at [yarracity.vic.gov.au/c245](http://yarracity.vic.gov.au/c245)

Address	Action Required
<b>Changes identified in the Thematic Study of Theatres in the City of Yarra, Context Pty Ltd (2017)</b>	
1 200-202 Johnston Street, Collingwood	Replace existing heritage overlay with a site specific heritage overlay that includes internal heritage protection controls
2 311-317 Bridge Road, Richmond	Replace existing heritage overlay with a site specific heritage overlay that includes internal heritage protection controls
3 365-377 Swan Street, Richmond	Add internal heritage protection controls to the existing heritage overlay
<b>Yarra Planning Scheme Anomalies</b>	
4 378 Nicholson Street, Fitzroy North (St Brigid's Roman Catholic Presbytery)	Extend existing heritage overly to include entire property
5 202-206 Church Street Richmond	Remove interim heritage overlay and replace with site specific heritage overlay
6 Queens Parade Trees	Extend existing heritage overlay over the trees and road reserve

**Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)**

**Yarra High Streets: Statements of Significance**

**October 2017 (updated October 2019)**

This reference document contains the Statement of Significance for all Heritage Precincts and Individually Significant Places (where a Statement of Significance has been prepared) within:

- *Swan Street Built Form Review Study Area (City of Yarra & Tract, Oct 2017).*
- *Swan Street Built Form Study: Heritage Assessments & Analysis (GJM Heritage, Oct 2017)*
- *Queens Parade Built Form Heritage Analysis and Recommendations Report (GJM Heritage, Nov 2017)*
- *Heritage Citation: Queens Parade, Fitzroy North Street Trees (John Patrick Landscape Architects Pty. Ltd, 2018)*
- *Thematic Study of Theatres (Context Pty. Ltd, 2017)*
- *Victoria Street and Bridge Road Built Form Review: Heritage Assessment (GJM Heritage, 2018)*

**Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)**

**INDEX**

Ordered by Heritage Overlay number

**Precincts**

	<b>Precinct HO No.</b>	<b>Precinct Name</b>	<b>Page No.</b>
1.	HO309	Bendigo Street Precinct, Richmond	1
2.	HO310	Bridge Road Precinct, Richmond	2
3.	HO315	Church Street Precinct, Richmond	4
4.	HO317	Clifton Hill Western Precinct	6
5.	HO327	North Fitzroy Precinct	10
6.	HO330	Queens Parade Precinct, North Fitzroy/Clifton Hill	16
7.	HO331	Racecourse Precinct, Richmond	18
8.	HO332	Richmond Hill Precinct	20
9.	HO335	Swan Street Precinct, Richmond	25
10.	HO364	Wellington Street Precinct	27
11.	HO408	Victoria Street Precinct, Richmond	31
12.	HO444	Victoria Street West Precinct, Abbotsford	32
13.	HO474	Burnley Street Precinct, Richmond	34
14.	HO524	Swan Street West Precinct	35

**Individually Significant Places**

	<b>Individual HO No. / VHR No.</b>	<b>Name</b>	<b>Address</b>	<b>Page No.</b>
1.	HO53	Former Savings Bank	231 Victoria Street, Abbotsford	37
2.	HO54	Former National Bank of Australasia	261 Victoria Street, Abbotsford	37
3.	HO55	Shops	275-277 Victoria Street, Abbotsford	38
4.	HO56	Shops	295 Victoria Street, Abbotsford	38
5.	HO57	Shops	297-301 Victoria Street, Abbotsford	38
6.	HO58	Shops	371-377 Victoria Street, Abbotsford	39
7.	HO59	Former East Collingwood Hotel	385 Victoria Street, Abbotsford	39
8.	HO60	Shops	459-465 Victoria Street, Abbotsford	40

**Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)**

9.	HO61	Shops	511 Victoria Street, Abbotsford	40
10.	HO62	Terminus Hotel, Former Bricklayers Arms Hotel	605 Victoria Street, Abbotsford	41
11.	HO63	Former Crusader Plate Building	651 Victoria Street, Abbotsford	41
12.	HO64	Former Handley & Tilley Building	653-657 Victoria Street, Abbotsford	42
13.	HO65	Former Alma Woolworks Complex	661-663 Victoria Street, Abbotsford	42
14.	HO92 <b>VHR H0684</b>	Former United Kingdom Hotel (now McDonald's)	199 Queens Parade, Clifton Hill	42
15.	HO93	Street Trees	Queens Parade, Between Alexandra Parade & Delbridge Street Clifton Hill/ North Fitzroy	43
16.	HO216 <b>VHR H0163</b>	Haselmere	96 McKean Street, Fitzroy North	43
17.	HO221 <b>VHR H0892</b>	Former ANZ Bank	370-374 Queens Parade, North Fitzroy	43
18.	HO228	Melbourne Tramway & Omnibus Co. Ltd Cable Tram Depot, former, later party Rydges Riverwalk hotel complex	649 Bridge Road, Richmond	43
19.	HO230	Richmond Police Station	319-323 Bridge Road, Richmond	43
20.	HO245	House	234 Coppin Street, Richmond	44
21.	HO259 <b>VHR H1149</b>	Pelaco Sign	21-31 Goodwood Street, Richmond	44
22.	HO260 <b>VHR H1149</b>	Former Gas Inspector's Residences	7 Gleadell Street, Richmond	44
23.	HO285	Former Central Club Hotel	291 Swan Street, Richmond	44
24.	HO286	Former Burnley Theatre	365 Swan Street, Richmond	45
25.	HO288 <b>VHR H732</b>	Former State Bank	214-216 Swan Street, Richmond	46
26.	HO289	House	316 Victoria Street, Richmond	46
27.	HO290	Byrne's Arcade Terrace	318 Victoria Street Richmond	46
28.	HO291	Former Simpson's Glove Factory	488-496 Victoria Street, Richmond	47
29.	HO294	House	15 Wellington Street, Cremorne	47
30.	HO299	The Boulevard	The Boulevard Parklands, Burnley	47
31.	HO353 <b>VHR 2083</b>	Skipping Girl Neon Sign	651-653 Victoria Street, Abbotsford	49

**Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)**

32.	HO357 <b>VHR H48</b>	Former Richmond South Post Office	90-92 Swan Street, Richmond	49
33.	HO360 <b>VHR H2184</b>	Dimmeys	140-160 Swan Street, Richmond (Cremorne)	49
34.	HO405	The Greyhound Hotel, later Depot Hotel, now Precinct Hotel	60-62 Swan Street, Richmond	49
35.	HO416	Quint Café/Former Duke of Albany Hotel	323-325 Victoria Street, Abbotsford	50
36.	HO429	-	400-402 Burnley Street, Richmond	51
37.	HO440	Swan Street Drill Hall	309 Swan Street, Richmond	51
38.	HO441	-	319 Swan Street, Richmond	52
39.	HO480	Clifton Motors (former)	205-211 Queens Parade, Fitzroy North	53
40.	HO496	St Johns Church Complex	61-87 Queens Parade, Clifton Hill	53
41.	HO498	Row of houses, Elizabeth Terrace	472-484 Napier Street, Fitzroy North	54
42.	HO499	Austral Theatre (former)	200-202 Johnston Street, Collingwood	55
43.	HO504	Richmond Cinema (former)	311-317 Bridge Road, Richmond	55
44.	HO522	Shop and Residence	273A Swan Street, Richmond	56
45.	HO523	Pair of Shops	323-325 Swan Street, Richmond	57
46.	HO525	Shop & Residences	637-639 Bridge Road, Richmond	57
47.	HO526	Hall's Buildings	202-206 Church Street, Richmond	58
48.	HO527	Pair of Terrace Houses	32 & 34 Thomas Street, Richmond	59
49.	HO528	James Boland's Shop and Residence	635 Bridge Road, Richmond	59
50.	HO529	Royal Oak Hotel	529-533 Bridge Road, Richmond	60
51.	HO530	Whipp's Terrace	597-599 Bridge Road, Richmond	61
52.	HO531	Flour Mill & Grain Store Complex (Former)	534-534A Bridge Road, Richmond	61
53.	HO532	City Hall, Richmond Municipal Offices & Former Court House (Richmond Town Hall)	325-333 Bridge Road Richmond	62

**Individually Significant Places within a Precinct**

<b>Precinct HO</b>	<b>Name</b>	<b>Address</b>	<b>Page No.</b>
1. HO310	Grynberg Drapers Shop and Office	99-101 Bridge Road, Richmond	64
2. HO310	Shops & residences	108-112 Bridge Road, Richmond	64
3. HO310	Wustermann's Buildings, Shop & residence	138-144 Bridge Road, Richmond	64
4. HO310	London Baby Carriage	153-161 Bridge Road, Richmond	64



**Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)**

	Manufacturers Pty. Ltd. Factory and show room		
5. HO310	Former Melbourne Savings Bank	184 Bridge Road, Richmond	65
6. HO310	Shop & Residenc	199-205 Bridge Road, Richmond	66
7. HO310	National Bank of Australasia, former	231 Bridge Road, Richmond	66
8. HO310	Former Commonwealth Savings Bank of Australia and residence	267 Bridge Road, Richmond	66
9. HO310	Theobalds Building	294 Bridge Road, Richmond	67
10. HO310	Shops & residences	381-389 Bridge Road, Richmond	67
11. HO317	-	12 Hodgkinson Street, Clifton Hill	67
12. HO317	William B Fox House, later House of Gentle Bunyip	94 Hodgkinson Street, Clifton Hill	67
13. HO317	Baptist Church & Hall	100 Hodgkinson Street, Clifton Hill	68
14. HO317	Residence	122 Hodgkinson Street, Clifton Hill	68
15. HO317	Fire Station No. 11 (former)	662 Smith Street, Clifton Hill	68
16. HO327	National Bank, former	460 Brunswick Street, Fitzroy North	69
17. HO327	House	17 Delbridge Street, Fitzroy North	69
18. HO327	-	218 McKean Street, Fitzroy North	69
19. HO327	-	220 McKean Street, Fitzroy North	69
20. HO327	Hatherlie	224 McKean Street, Fitzroy North	69
21. HO327	K. G. Luke Pty Ltd factory (former)	26-52 Queens Parade, Fitzroy North	70
22. HO327	Selotta Shoes Pty Ltd factory (former)	122 Queens Parade, Fitzroy North	70
23. HO327	Christian Brothers Monastery, later units, G Maher House	256-262 Queens Parade, Fitzroy North	71
24. HO330	Clifton Hill Hotel	89 Queens Parade, Clifton Hill	71
25. HO330	Melbourne Savings Bank, later State Savings Bank	97-99 Queens Parade, Clifton Hill	71
26. HO330	Doctor's surgery and house (former)	105 Queens Parade, Clifton Hill	72
27. HO330	Albert Hall, also Masonic Hall, later Samian Social Club	127-129 Queens Parade, Clifton Hill	72

**Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)**

28. HO330	Daintons Family Hotel, later Normanby Hotel	139 Queens Parade, Clifton Hill	72
29. HO330	Clifton Hill Post Office, former	141 Queens Parade, Clifton Hill	72
30. HO330	National Bank of Australasia, former	270 Queens Parade, Fitzroy North	73
31. HO335	Shops and Residences	454-456 Church Street, Cremorne	73
32. HO335	Corner Hotel	57-61 Swan Street, Richmond	73
33. HO335	H. E. McNaughton ironmongery & residence, former	69 Swan Street, Richmond	73
34. HO335	National Bank of Australasia	105 Swan Street, Richmond	74
35. HO335	Shops and residences	232-234 Swan Street, Richmond	74
36. HO335	M. Ball & Co, former	236-240 Swan Street, Richmond	74
37. HO335	Whitehorse Hotel, former	250-252 Swan Street, Richmond	74
38. HO408	Shops and Residences	92-94 Victoria Street, Richmond	75
39. HO474	Shops and Residences	413-415 Swan Street, Richmond	76

## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### STATEMENTS OF SIGNIFICANCE

#### PRECINCTS

##### 1. Bendigo Street Precinct, Richmond (HO309)

Source: Graeme Butler & Associates (2007, 2013), *City of Yarra Review of Heritage Overlay Areas*  
Updated by GJM Heritage (2017), *Swan Street Built Form Review*

#### **What is significant?**

The Bendigo Street Heritage Overlay Area was part of Crown Allotment 16 as sold to J M Chisholm in 1840.17 Plans from 1895 show that, by then, three-quarters of the area was developed with housing, mostly in Park Grove, Kimber, Brooks and Survey Streets. The Wertheim Piano Factory (HO224), later the GTV9 television studios, dominated the area from the Edwardian-era. The factory was once the largest piano factory in Australia, occupying a four acre site, complete with its own power generator and tramline. Designed c1909 by architect Nahum Barnet, the buildings are important heritage elements in the streetscape.

Nearby Richmond Park (now Burnley Park) was the pleasure ground for this area as well as the rest of inner Melbourne and now forms the eastern boundary of the area.

#### Main development era

The main development era evident in the heritage overlay is that of the Victorian and Edwardian-eras, with a contribution from well preserved inter-war buildings and individually significant places of all eras, such as the former Wertheim Piano Factory.

#### Contributory elements

The contributory buildings in the Bendigo St Heritage Overlay Area include mainly (but not exclusively) small attached and detached Victorian-era and Edwardian-era one-storey houses, but with some well preserved residential examples from the immediate post First-War era, having typically:

- Consistent building scale and setbacks
- Pitched gabled or hipped roofs, with some façade parapets;
- One storey wall heights;
- Weatherboard, face brick (red, bichrome and polychrome), bluestone, or stucco walls;
- Corrugated iron roof cladding, Marseilles pattern terra-cotta tiles, with some slate roofing;
- Chimneys of either stucco finish (with moulded caps) or of matching face brickwork with corbelled capping courses;
- Post-supported verandah or porch elements facing the street;
- Less than 40% of the street wall face comprised with openings such as windows and doors; and
- Front gardens, originally bordered by typically timber picket front fences or wire fences (inter-war) of around 1m height; also
- Corner shops and residences with large display windows and zero boundary setbacks.

Public infrastructure, expressive of the Victorian and Edwardian-eras such as stone pitched road paving, kerbs and channels, and asphalt paved footpaths

#### **How is it significant?**

HO309 Bendigo Street Heritage Overlay Area, Richmond is **aesthetically and historically** significant to the City of Yarra (National Estate Register [NER] Criteria E1, A4)

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

The Bendigo Street Heritage Overlay Area is significant for:

- Its substantially intact single-storey Victorian-era housing that varies between modest and

**Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)**

**PRECINCTS**

---

- ornate;
  - Edwardian house examples, particularly in Swan and Moore Streets, being both typical and highly decorated Edwardian dwelling types, complemented by the significant Edwardian-era former Wertheim Piano Factory;
  - The retention of early materials and elements in the public domain, such as street construction, and the retention of many bluestone laneways;
  - The demonstration of a typical 19th century suburban area with its attached and detached housing stock and corner shops, that has been subsequently lost in other parts of the inner suburbs; and
  - The consistency of building scale and setbacks, creating cohesive and homogeneous streetscapes that are enhanced by mature plane tree avenue plantings.
- 

**2. Bridge Road Precinct, Richmond (HO310)**

Source: GJM Heritage (2018), *Victoria Street and Bridge Road Built Form Review Heritage Assessments*

***What is significant?***

North side of Bridge Road, Richmond from Punt Road to east of Church Street (nos. 1- 433, with some specific exclusions)

South side of Bridge Road, Richmond from Punt Road to east of Burnley Street (nos. 2-534)

West side of Church Street, south of Bridge Road (nos. 252-256)

Waltham Street (nos. 1A &2A).

***History***

Bridge Road was designated as a road reserve in Hoddle’s Crown survey of 1837. It became a principal thoroughfare from Melbourne to the eastern suburbs when a bridge over the Yarra River was constructed at its eastern end in 1855. Retail and service trades first concentrated at the west end near Hoddle Street, and by the 1860s there was a proliferation of shops and businesses, including butchers, drapers, shoemaker, fruiterers, tailors, hairdressers, grocers, Egan’s steam sawmill and several hotels. Amongst the early hotels were The Vine, 254 Bridge Road and Morans Spread Eagle, 372 Bridge Road. From its inception, Bridge Road was intended to be the civic centre of the district with the town hall, courthouse and post office complex and police station constructed in 1869-71. In the 1870s Bridge Road, east of Church Street, was widened and named Campbell Parade and the civic centre soon became the site for other public buildings, including a market, skating rink, bowling green and baths. During the prosperous 1870s and 1880s boom period many earlier buildings along Bridge Road were replaced with rows of one and two-storey commercial buildings with residences to the first floor or to the rear. Much of the present streetscape reflects this period, with notable buildings including Stanford Block, 314-328 Bridge Road; commercial premises at 289-307 Bridge Road; Bleasby Buildings, 398-404 Bridge Road and Allans Buildings, 384-392 Bridge Road. Development was encouraged by the opening of the first cable tram line in Melbourne in 1885, which ran along the length of Bridge Road from Bourke Street to the Hawthorn Bridge. This was replaced with an electrified tram service in 1916. Commercial development along Bridge Road virtually ceased for a decade during the 1890s depression and recommenced with the construction of substantial and distinctive buildings, such as Wustermann’s Buildings, 138-144 Bridge Road (1901) and Theobald’s Buildings, 294-296 Bridge Road (1909). This added an Edwardian presence to the existing Victorian character of the precinct. A small number of Interwar buildings added to the streetscape character, including the Royal Oak Hotel, 529-533 Bridge Road (1923), the former Commonwealth Savings Bank of Australia, 267 Bridge Road (1939) and the distinctively remodelled Richmond Town Hall (1934-36).

Since World War II, much of the nineteenth century streetscape of the eastern end of Bridge Road has been eroded, however the predominantly Victorian and Edwardian commercial character of the central

## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### PRECINCTS

and western portions has been largely retained, even with the growth of the Epworth Hospital Complex in the north-western portion of the precinct and larger apartment developments in the area immediately east of the Epworth Complex.

#### *Description*

The main development period of the Bridge Road Precinct is from the 1870s/1880s to the 1920s and the streetscape dates largely from this period. A small number of buildings from both earlier and later periods make a contribution to the precinct. A number of individually significant Victorian, Edwardian and Interwar buildings are contained within the precinct.

The dominant building form is attached Victorian and Edwardian shops and residences. They are predominantly two-storey with some one and three-storey shops interspersed.

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

- A variety of simple and highly decorative façade parapets, with pitched roofs behind
- No front or side setbacks
- Face red brick (including polychrome) or rendered walls
- Rendered window frames, sills and hoods to upper storeys
- Rendered ornament and incised decoration to upper storeys
- Brickwork with corbelled capping courses
- Some original post-supported street verandahs
- Strong horizontal lines formed by parapets, cornices, string courses
- Repetitive upper floor fenestration patterns
- Consistent two-storey scale with some one and three-storey buildings
- Shop fronts with display windows, timber or tiled plinths, and entry recesses
- Some red brick storage or stable buildings at the rear or side lanes
- Splayed corners to buildings at intersections
- Corrugated iron and slate roof cladding
- Bluestone pitched road paving, crossings, stone kerbs and channels and asphalt paved footpaths
- Some intact rear wings and outbuildings.

#### ***How is it significant?***

Bridge Road, Richmond is of historical, architectural and aesthetic significance to the City of Yarra.

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

The Bridge Road Precinct is a major 'High Street' in the City of Yarra and has functioned continuously as one of Richmond's two key commercial centres since the 1840s. It retains a substantial collection of intact commercial buildings, predominantly from the Victorian and Edwardian periods, including shops and associated residences, hotels and other commercial and civic buildings. Together these buildings demonstrate the development of this major 'High Street', particularly from the 1870s/80s and from c1900 to the 1920s when substantial growth in the street occurred. These buildings are illustrative of the enduring role the street has played in the economic and social life of Richmond since the establishment of the suburb [Criterion A].

The substantially intact streetscape of the Bridge Road Precinct clearly demonstrates the principal characteristics of a major turn of the century 'High Street' in the City of Yarra. Typical characteristics, including predominantly two-storey Victorian and Edwardian wall heights, parapeted rendered or red brick facades with repetitive upper floor fenestration, and ground floor shopfronts, are displayed in the original forms, fabric and detailing of many of the buildings. The Bridge Road Precinct contains groups of buildings that retain intact typical rear wings and outbuildings, these include, amongst others, commercial premises at 289-307 Bridge Road and Stanford Block (314-328 Bridge Road). The streetscape on the south side of Bridge Road between Punt Road and Burnley Street are particularly notable for their highly intact and consistent architectural form and expression [Criterion D].

## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### PRECINCTS

The Bridge Road Precinct contains a number of individually significant buildings which are well-considered and carefully detailed examples of commercial and civic buildings. These include, among others, the former Melbourne Savings Bank (182-184 Bridge Road); Wustermann's Building (138-144 Bridge Road); commercial premises at 289-307 Bridge Road; Theobalds Building (294-296 Bridge Road); Stanford Block (314-328 Bridge Road); Allans Buildings (384-392 Bridge Road) and Bleasby Buildings (398-404 Bridge Road), as well as hotels such as The Vine (254 Bridge Road) and Morans Spread Eagle (372 Bridge Road). The clock tower of the Richmond Town Hall is of particular prominence and is a local landmark. Richly detailed facades throughout the precinct, including parapet ornamentation, balustrading and pediments, incised and applied decoration and polychromatic brickwork, make an aesthetic contribution to the overall character of the precinct [Criterion E].

---

#### 3. Church Street Precinct, Richmond (HO315)

Source: Graeme Butler & Associates (2012), *City of Yarra Heritage Gaps Review (Review 1)*

##### **What is significant?**

###### Subdivision

The Church Street Heritage Overlay Area includes parts of the first suburban Crown Allotments sold in the City, being Crown Portions 20, 21, 26 and 27, each 25 acres in area. Allotments 21 and 22 were purchased in 1839 by Rev. Joseph Docker (squatter), Allotment 20 by Charles Williams (auctioneer), and Allotment 26 by W H Yaldwyn (squatter, banker).

The Waltham Street and Darlington Parade areas were subdivided in 1853 and further subdivided in the 1880s. Docker had subdivided his two allotments by 1853, with plans for a model village set out on the flat below his townhouse at 370 Church Street. By the turn of the century, most of the Heritage Overlay Area was developed. The topography of the Heritage Overlay Area, the highest point in Richmond, attracted both the churches and the wealthier colonists with the result that the majority of the earliest residences were of a more substantial nature compared with other sections of Richmond.

This area has remained one of the most prestigious parts of Richmond for residential development. As an example, Howard Lawson's Elmhurst Flat block of 1934 aimed to tap into this prestigious residential location, paralleling with his significant Hollywood style Beverley Hills and Stratton Heights Flats, sited across the Yarra River at South Yarra.

###### Large villas

By 1855, villas with large gardens and orchards had been established in Church Street between Brougham and Elm Streets. Early houses which survive include Doery House (353 Church Street) and Messenger House (333 Church Street, formerly Stonehenge), the latter being built prior to 1843 for Captain John Roach<sup>4</sup> and remodelled in the Edwardian period.

###### Major church complexes

Three major church complexes were established in the Heritage Overlay Area in the mid-1800s. St Stephen's Anglican Church (1850-1876) at 360 Church Street was designed by Blackburn and Newson on land donated to the church by the Rev. Joseph Docker and is one of the earliest bluestone churches built in Victoria. The Wesleyans began the construction of a temporary timber chapel (later the schoolhouse) in 1853, bluestone chapel in 1858, and added a schoolhouse (1871) and a parsonage (1876). St Ignatius' Roman Catholic Church (326) was built in stages between 1867 and 1928, to a design by prominent architect William Wardell, with the bluestone Presbytery added in 1872.

## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### PRECINCTS

---

#### Civic buildings

Other non-residential developments in the Heritage Overlay Area included the former Richmond United Friendly Society Dispensary (1884; 294 Church Street), and the Hibernian Hall (1872; 316 Church Street), which was built as a temperance hall. The Richmond RSL was built in 1922, as an expression of the continuing premier civic status of this part of Church Street in the 20th century. The Richmond Library is the most recent civic development in the area.

#### Commercial development

Commercial development extended north from the major thoroughfares of Swan St and south from Bridge Road in the late Victorian and Edwardian-eras.

#### Main development era

The main development period evident in the heritage overlay is that of the Victorian and Edwardian-period, with a contribution from some well preserved inter-war buildings and individually significant places of all eras. Large houses, religious and public buildings from this period are the key elements in the heritage overlay.

#### Contributory elements

The Church Street Heritage Overlay contributory elements include (but not exclusively) large detached Victorian-era and Edwardian-era and small attached Victorian-era, one and two storey houses having typically:

- pitched gabled or hipped roofs, with some façade parapets;
- face brick (red, bichrome and polychrome) or stucco walls;
- corrugated iron, unglazed Marseilles pattern terra-cotta tiles, and slate roofing;
- chimneys of either stucco finish (with moulded caps) or of matching face brickwork with corbelled capping courses;
- typically with post-supported verandah elements facing the street;
- less than 40% of the street wall face comprised with openings such as windows and doors; and
- front gardens, originally bordered typically by timber picket front fences of around 1m height;

Contributory elements also include shops and residences of the Victorian and Edwardian-eras, with:

- display windows and recessed entries;
- zero boundary setbacks;
- mainly one storey scale;
- attached rectilinear plan form, a parapeted roofline; and

Substantial Victorian-era ecclesiastical buildings with:

- free standing rectilinear form
- pitched roofs, some towers and spires positioned to be visible from a distance;
- fenced yards, with potential use of timber or iron pickets and a stone base for the frontage fence;
- two storey and greater wall heights;
- stone, masonry or stuccoed masonry facades, slate or tiled roofs; and
- less than 40% of the street wall face comprised with openings such as windows and doors.

Contributory elements also include:

- Public infrastructure, expressive of the Victorian and Edwardian-eras such as stone pitched road paving, kerbs and channels, and asphalt paved footpaths - mainly in side streets; and
- Many significant buildings within the Heritage Overlay Area have their own heritage overlay (HO241, HO242, and the St Ignatius complex) but nevertheless are contributory to the Church St Heritage Overlay Area.

## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### PRECINCTS

#### ***How is it significant?***

HO315 Church Street Heritage Overlay Area, Richmond is aesthetically and historically significant to the City of Yarra (National Estate Register [NER] Criteria E1, A4).

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

The Church Street Heritage Overlay Area is significant:

- As one of the first parts of Richmond to be subdivided and developed, as expressed by early buildings like Messenger House 333 Church Street, from the 1840s;
- As the chosen site for a high number of individually significant 19th and early 20th century buildings set in grounds and including early ecclesiastical and civic buildings, and some Melbourne landmarks, as well as substantial residential buildings that were attracted to the area by its elevated topography, high amenity and proximity to churches;
- As the site of key civic or institutional buildings in Richmond from the 19th century through to the 1920s (i.e. The Richmond RSL Hall); and
- For its significant architecture such as the William Wardell designed St. Ignatius Roman Catholic Church as a well known and prominent landmark across the metropolitan area.

The heritage character of the precinct is also supported by the commercial development extending up Church St from the Swan St and Bridge Road shopping areas with shops dating from the late 19th and early 20th centuries, as part of the cultural context of Victorian and Edwardian-era life on the hill.

#### **4. Clifton Hill Western Precinct (HO317)**

Source: Graeme Butler & Associates (2007, 2013), *City of Yarra Review of Heritage Overlay Areas* [see Study for footnote references]

#### ***What is significant?***

Survey

Following the establishment of the East Collingwood Council in 1855, The East Collingwood Local Committee successfully sought permission for East Collingwood to annex what is now Clifton Hill. East Collingwood wanted to extend East Collingwood's north south streets (Smith, Wellington and Hoddle) northwards to the Heidelberg Road (today's Queens Parade) to tap the traffic and trade coming from country areas such as Heidelberg; to gain access to the quarrying area for street making materials; and for space to erect public buildings, such as a town hall and market.

Distinguished naturalist and engineer, Clement Hodgkinson, as Victorian Assistant-Commissioner of Crown Lands and Survey 1861-74, was responsible for the government subdivisions of Carlton (south of Princes St, 1860), North Carlton, North Fitzroy and Clifton Hill (1865-9), Hotham Hill (1866), South and North Parkville (1868-9). Under his supervision, suburban planning employed the cost-efficient grid system used by Hoddle. Hodgkinson's predecessor.

The P. M. Goldbrick's 1864 *Plan of Allotments in the Boroughs of East Collingwood and Fitzroy* shows the distinctive geometric forms of Darling Gardens and Mayor's Park in Clifton Hill and Edinburgh Gardens in North Fitzroy.<sup>35</sup> The streets of Clifton Hill, North Fitzroy and North Carlton, as set out by the Colonial Government, were broader and better ordered than those created privately in Richmond, South Fitzroy and Collingwood, with the added distinction of the curved street forms in Fitzroy North.

Sale of land commenced in the 1860s with ample reserves for public purposes, the Darling Gardens and Mayors Park, a Market Reserve in Smith Street extending from Alexandra Parade to Council Street, a Public Baths Reserve in Smith Street from Council Street to Hodgkinson Street, a School Reserve in Gold Street and five Church Reserves throughout the area. By way of contrast, all the



## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### PRECINCTS

---

land sold in East Clifton Hill between 1871-1874 had no provision for public reserves.

#### Early Residential Development

In the three years from the first land sales in 1864 only six houses were built and in the next five years to 1872, 58 houses, four commercial premises (Queens Parade) and one industrial building (in Hoddle Street) were built. Early residential concentrations were at the west end of Alexandra Parade and the west end of Hodgkinson and Council Streets. These were near the horse drawn omnibuses to Northcote along Smith Street and Queens Parade (started in 1869) and employment opportunities at the Collingwood Gas Works in Smith Street, opened in 1861.

#### Amenity protection

Members of the public, including councils and organised pressure groups, wrote annually in relation to crown land reserves. In 1862-62 a petition from the 'Municipal District of East Collingwood' was presented to the Legislative Assembly citing the good work of the local Vigilance Committee towards improving Clifton Hill.<sup>36</sup>

The level of community involvement engaged in 'articulating public interest priorities' can be gauged by the level and nature of the correspondence of which there was a great deal.<sup>37</sup> Demands for public parks, recreation areas, sporting grounds and botanic gardens increased.<sup>38</sup>

More recently, The House of the Gentle Bunyip, constructed in three phases by two families between 1867 and the 1920s was the subject of controversy in the late 1990s when the local community successfully saved the building from demolition, after staging a picket lasting over 400 days.

#### Early public gardens

Preparations for planting the two Reserves (Darling Gardens and Mayors Park) proceeded with an application made in 1864 to Dr. Mueller FRS, Botanical Gardens Melbourne, for an assortment of trees, plants and shrubs and a liberal supply of Victorian *Hakea*, for the planting of Darling Gardens.<sup>39</sup> Many significant trees in Mayors Park and Darling Gardens have been identified as significant, including elm groups, cotton and Canary Island palms, and oaks.<sup>40</sup> The National Trust of Australia (Vic) has identified a *Quercus ilex* and *Ulmus procera* as significant trees in the Darling Gardens.

#### Trees

The 1897 MMBW Record Plan 29 shows that Hoddle Street had a double avenue of trees in Clifton Hill, Wellington Street was fully planted both sides with street trees from one end to the other, and Noone Street had trees at the east end. North Terrace had ten trees planted by local identity, George Langridge, MLA and former Mayor.

#### Boom era

During the metropolitan boom of 1881-91, the population of Collingwood increased by half, from 23,829 to 35,070, and the number of dwellings rose from nearly 5,000 to 7,000, mostly reflecting the development of Clifton Hill.<sup>41</sup> The character of the area, as later described in *Victoria and its Metropolis*, was of a residential suburb "... that has of late years been extensively built on with a good class of houses and numerous handsome shops. It has an elevated position, and commands an excellent view of the metropolis."<sup>42</sup> Local politicians and business figures (such as George Langridge) promoted development and aided in home ownership via building societies.

By the end of the boom in 1891, West Clifton Hill was almost fully developed. The 1897 MMBW record plan shows few vacant blocks. Most of this development took place between 1881 and

**Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)**

**PRECINCTS**

1891, more quickly and more completely than in East Clifton Hill, North Fitzroy or North Carlton, the other government planned suburbs. This growth was due to Clifton Hill's closer proximity to employment and commerce in the south, with industries in Collingwood and Abbotsford being within walking distance of Clifton Hill, and aided by cable trams running along Queens Parade and down Smith Street.

**Victorian-era industrial development**

Industries such as the Clifton Hill Brewery, Ridgeway's Tannery and Stacey's Boot Factory, continued to be located in the south east of the area fronting Alexandra Parade and Hoddle Street, adjacent to the former Reilly Street drain that was essential for effluent disposal. There was also Richard Hodgson's distinctive shot manufacturer's tower.

**Post Boom**

The early years of the 20th century saw some reinvigoration of industry after the financial trials of the 1890s. Comparatively little residential development took place after the Boom, except for development in two small subdivisions of the original Crown allotments in streets around the Darling Gardens.

**Main development period**

The main development period evident in the heritage overlay is that of the Victorian-era with a substantial contribution from the Edwardian-period. There is also a contribution from some well preserved inter-war buildings and individually significant places of all eras.

**Contributory elements**

Contributory buildings are typically (but not exclusively) detached and attached Victorian-era and Edwardian-era mainly one-storey houses having:

- Expressed pitched gabled or hipped roofs, with some façade parapets;
- Mainly one storey wall heights but with some two storey house rows;
- Weatherboard, face brick (red, bichrome and polychrome), or stucco walls;
- Corrugated iron roof cladding, Marseilles pattern terra-cotta tiles, with some slate roofing;
- Chimneys of either stucco finish (with moulded caps) or of matching face brickwork with corbelled capping courses;
- Typically with post-supported verandah elements facing the street, set out on two levels as required with cast-iron detailing;
- Less than 40% of the street wall face comprised with openings such as windows and doors; and
- Front gardens, originally bordered by typically timber picket front fences of around 1m height; and
- Corner shops and residences with display windows and zero boundary setbacks. And
- Well preserved buildings, including one storey houses plus one and two storey industrial buildings from the pre Second World War era;
- The Darling Gardens as a typical Victorian-era Garden Square, with mature exotic formally arranged planting;
- Significant and mature park, street and private tree plantings (including plane, oak and elm trees, palms in Mayors Park, and National Trust of Australia (Vic) significant trees);
- Provision of public and church reserves in the town plan; and
- Public infrastructure, expressive of the Victorian and Edwardian-eras such as bluestone pitched road paving, crossings, stone kerbs, and channels, and asphalt paved footpaths.

## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### PRECINCTS

---

#### ***How is it significant?***

HO317 Clifton Hill Western Heritage Overlay Area is aesthetically, socially and historically significant to the City of Yarra (National Estate Register [NER] Criteria E1, A4)

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

Clifton Hill Western Heritage Overlay Area annexed by East Collingwood Council in 1855 and substantially developed by World War One is significant:

- As an expression, in the history of its creation as part of Collingwood East, of the aspirations of tradesmen of the Collingwood Slope for improved urban development and the provision of public facilities;
- For the role of local politicians and business figures in social, physical and industrial improvement and home ownership in the area;
- As the focus of community sentiment and resident protest from its initial development in the 1860s, from the actions of the Victorian-era Vigilance Committee to the preservation movements of the 20th Century, specifically the House of the Gentle Bunyip conservation campaign;
- For the distinctive street and allotment layout created under Government surveyor, Clement Hodgkinson<sup>43</sup>, and the liberal allowance for garden squares and reserves for a market, public baths, a school, a recreation reserve and five churches, contrasting with private surveys in the City of Yarra;
- For Hoddle's provision of boulevards (Hoddle Street and Queen's Parade) skilfully merged with wide streets on a north south grid, with unusual five way intersections and triangular public spaces at each end of Queen's Parade;
- For the unique series of vistas from the crest of the hill at the end of Hoddle street that includes views of significant landmarks like the shot tower, spires of St. Johns and the former Wesleyan Church, Town Hall towers at Collingwood and Fitzroy, the Exhibition Buildings, and long vistas to the Kew hill and Studley Park, plus those to and from the Darling Gardens;
- For the area's fine representation of Victorian-era life, as expressed by the street and public reserves, along with the dominantly Victorian-era building stock including churches, a State school, factories, early houses, a large number of late Victorian terrace houses, attached and freestanding, and key house designs such as 12 North Terrace.
- For its focus on a representative and intact example of a residential garden square (Darling Gardens) based on British and European precedents, with associated significant trees;
- For the mature, largely exotic trees, including those planted by George David Langridge, MLA and former Mayor, bluestone kerbs, gutters, drains, channelling, and laneways from the area's major period of development;
- For the strong industrial theme, seen in the south of the area with several 19th Century industrial buildings including former boot factories, and a carriage factory, that links the area with the City's other creek and riverside industrial localities such as Clifton Hill East, Abbotsford and Collingwood;
- For well preserved Edwardian housing estates and individual houses as complements to the dominant Victorian-era residences; and
- For good examples of the Californian Bungalow style and other well preserved interwar houses.

## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### PRECINCTS

#### 5. North Fitzroy Precinct (HO327)

Source: Graeme Butler & Associates (2007, 2013), *City of Yarra Review of Heritage Overlay Areas* [see Study for footnote references]

##### North Fitzroy has two sub-areas:

- (A) The Government planned section south of Holden St
- (B) The privately planned section north of Holden St

##### (A) NORTH FITZROY HERITAGE OVERLAY AREA (SOUTH OF HOLDEN ST)

###### *What is significant?*

###### Early subdivision

The south section of North Fitzroy (south of Holden Street) was retained in Crown ownership until 1865, as part of the Melbourne township reserve. This was a ring of land extending 5 miles from Hoddle's original Melbourne town plan that was set aside in 1844 for 'orderly' development in government-planned subdivisions.<sup>75</sup>

North of Holden Street, large agricultural allotments had been sold in 1839, their boundaries surviving in the east-west streets of Miller, Barkly and Clausen Streets. There was also an area, bounded by (approximately) Nicholson, Church, Rae and Scotchmer Sts, that was sold as private quarry allotments in 1851 to encourage production of building stone.<sup>76</sup>

The future suburb was bordered by a road to Heidelberg and the Plenty districts (later Queen's Parade) that ran diagonally to Hoddle's survey grid through the North Fitzroy's Crown reserve. It was proclaimed in 1850 as one of Melbourne's 3 chain (60 metre) government roads, now called 'Hoddle boulevards'.

To the north, the township of *Northcote on the Merri-Merri Creek* (later Westgarth) was laid out by Hoddle in 1852 with some allotments extending south of the Merri Creek to Rushall Crescent in North Fitzroy. These allotments now have substantial buildings dating from the 1850s and 1860s (see Queen's Parade Heritage Area, HO331).

St. George's Rd was another diagonal route, on the western flank of the area, used to transport construction materials to the 1854-8 Yan Yean water supply scheme near Whittlesea.<sup>77</sup> By 1860, Fitzroy Council annexed the 480 acres now comprising North Fitzroy.

Distinguished naturalist and engineer, Clement Hodgkinson, as Victorian Assistant-Commissioner of Crown Lands and Survey 1861-74, was responsible for the government subdivisions of Carlton (south of Princes St, 1860), North Carlton, North Fitzroy and Clifton Hill (1865-9), Hotham Hill (1866), South Parkville and North Parkville (1868-9). Under his supervision, suburban planning employed the cost-efficient grid system used by Hoddle. A model town design<sup>78</sup> in the area by Hodgkinson's predecessor, Andrew Clarke (the designer of St Vincent's Place, South Melbourne), is thought to have inspired the curved streets of Alfred and Rushall Crescents in North Fitzroy, although both streets were laid out under Hodgkinson.<sup>79</sup>

###### Edinburgh Gardens

Lacking a public recreation reserve, the new Fitzroy Council was temporarily granted 7 acres in 1858 bounded by Reilly Street (Alexandra Parade), Queens Parade and Smith St.<sup>80</sup> The 1858 reserve was for a future Anglican parish church and the Collingwood (later the Metropolitan) Gas Company which commenced production in 1861. In 1862, Fitzroy Council requested an oval-shaped 50 acre public

## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### PRECINCTS

reserve flanking the Yan Yean tramway (St. George's Road). The oval reserve was laid out under Hodgkinson and extended south in 1863, as a squared-off addition to the reserve to the line of Freeman St, to provide the Prince of Wales Cricket Club an extra playing ground.<sup>81</sup> In 1882-3, Edinburgh Gardens was permanently granted to the Council and planting of its avenues commenced.

#### Land sales and development

Sale of North Fitzroy's  $\frac{1}{4}$  -  $\frac{1}{2}$  acre allotments commenced in 1865, extending west from Rushall Crescent. Further east, lots between Brunswick and Nicholson Street were sold between 1867 and 1875.<sup>82</sup> Settlement increased after 1869 when horse-drawn omnibuses began running from North Fitzroy along Nicholson St and Queen's Parade to the city. Development concentrated around the established quarry route (Nicholson Street) and the road to the Yan Yean Reservoir (St. George's Road).

St. Brigid's Catholic Church in Nicholson Street was commenced in 1869 and the Methodist Church, further north, in 1874. In the pre-Boom years (before 1883) this was North Fitzroy's most established area, characterised by modestly scaled brick and wood houses, shops, hotels, and commercial premises, the latter prevailing on main routes such as Rae, Reid, Brunswick Sts and St Georges Rd.

North Fitzroy Primary School was built in Alfred Crescent (HO212) overlooking Edinburgh Gardens. This was typical of 19th century government-planned suburbs where public schools were located on or near public recreation reserves. A police station was established west of the school, giving the north-west corner of the gardens a civic character, embellished by an ornamental fountain after the turn of the century.<sup>83</sup> St Luke's Church of England in St Georges Rd was commenced in 1879.

Suburban development was rare east of St Georges Road prior to the Boom, but in 1869 philanthropist George Coppin created the Old Actor's Association village overlooking Merri Creek close to Northcote, later the site of the Old Colonists' Association (HO218). Nearby land was granted to the Licensed Victuallers' Association for asylum homes and a school (site of Fitzroy Secondary School since 1915).<sup>84</sup>

#### Transport

When cable tram routes along Queen's Parade, Nicholson Street and St. Georges Road commenced construction in 1883, North Fitzroy landowners began subdividing their allotments. On the Nicholson Street tram route, owners of the 1850s stone quarries and the 1839 farm allotments north of Holden St, followed suit.

When tram services began in 1887 many new houses were ready for sale or under construction. North Fitzroy emerged as a late-Victorian commuter suburb with local shopping strips along the cable tram routes, the commercial strip of St Georges Road extending east and west along Scotchmer Street. Convenience shops were built on pedestrian street corners as households multiplied. The Inner Circle Railway running via Royal Park, North Carlton, Nicholson St, and Clifton Hill was completed in 1888 with a spur line dividing the Edinburgh Gardens into two, and terminating at the 'Fitzroy' station, Queen's Parade. A new rail link direct to the city (the Clifton Hill to Princes Bridge line) opened in 1901 and saw Edwardian buildings filling out the suburban streets east of St. Georges Road and the revitalising of the main shopping strips.<sup>85</sup> Public transport continued to support North Fitzroy as a commuter suburb during the 1920s with the opening of Rushall railway station and the electrification and extension of the St Georges Rd and Nicholson St tramways.

North Fitzroy's suburban development, especially east of St George's Road to Rushall Crescent, was far from complete when the Boom collapsed in 1893. However its good access to public transport led to a rapid recovery. A number of small factories were built in or near the 19th century commercial strip of Scotchmer St, the best architectural examples being of the late 1930s.

**Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)**

**PRECINCTS**

---

Main development era, south of Holden St

The main development period evident in the heritage overlay south of Holden St is that of the Victorian era with a substantial contribution from the Edwardian-period. There is also a contribution from some well-preserved inter-war buildings and individually significant places of all eras.

Contributory elements, south of Holden St

The North Fitzroy Heritage Overlay Area (south of Holden St) contributory elements include (but not exclusively) generally detached and attached Victorian-era and Edwardian-era houses having:

- Pitched gabled or hipped roofs, with some façade parapets, many elaborate;
- One storey wall heights but with many two storey house rows,
- Rectilinear floor plans, with many bayed room projections on the plans of large houses;
- Face brick (red, bichrome and polychrome) or stucco walls, some weatherboard;
- Corrugated iron and slate roof cladding, some Marseilles pattern terra-cotta tiles;
- Chimneys of either stucco finish (with moulded caps) or of face brickwork with corbelled or cemented capping courses;
- Post-supported verandah elements facing the street, set out on two levels as required with cast-iron and timber detailing, and many curved verandah wing-walls;
- Less than 40% of the street wall face comprised with openings such as windows and doors; and
- Front gardens, originally bordered by timber or iron picket front fences of around 1m height; often set between brick or cemented pillars and curved brick garden wing walls.
- Face brick (typically red) privies set on rear lanes, with some stables and lofts to the larger houses;
- Shops and residences sited on corners with display windows and zero boundary setbacks;

Contributory elements also include attached Victorian and Edwardian-era shops, and residences over, with

- Façade parapets and pitched roofs behind,
- Two storey wall heights,
- Post-supported street verandahs as shown on the MMBW Detail Plans,<sup>86</sup>
- No front or side setbacks; also
- Timber framed display windows and entry recesses.

Contributory elements also include:

- Well preserved buildings from the pre Second War era, that are visually related to the dominant scale, siting and form of the area;
- Service buildings, like pre WW2 electric substations;
- The distinctive suburban plan, enhanced by curving street forms, and defined by boulevards;
- Edinburgh Gardens as a Victorian-era residential circus, and for the other garden, boulevard and median reserves (such as Queens Parade), with mature exotic and formally arranged planting;
- Mature street tree plantings (such as plane and elm tree rows, Queensland brush box);
- The provision of public and church reserves in the town plan, including the Inner Circle Railway reserve;
- The rectilinear Victorian-era allotment plans and street layout with wide main streets, rear service lanes, all counter posed with circular parkland reserves, major angled streets and boulevards;
- The dominance of spires and towers of public buildings, churches and some large houses in the skyline; and
- Public infrastructure, expressive of the Victorian and Edwardian-eras such as bluestone pitched road paving, crossings, stone kerbs, and channels, and asphalt paved footpaths.

## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### PRECINCTS

#### *How is it significant?*

HO327 North Fitzroy Heritage Overlay Area (south of Holden St) is aesthetically and historically significant to the City of Yarra (National Estate Register [NER] Criteria E1, A4)

#### *Why is it significant*

The Government planned section of Fitzroy North (south of Holden St) is significant

- As a demonstration of the earliest stages in the development of North Fitzroy, commencing with the 1850s Yan Yean tramway and the quarry route of Nicholson St, the establishment of North Fitzroy's first churches and its pre-Boom suburban mixture of small residential and commercial buildings coinciding with provision of horse drawn public transport.;
- For its late 19th century buildings that represent rapid growth and change in the character of the relatively remote suburb to an established residential and business area with a range of commercial and institutional buildings serving the wider population of North Fitzroy;
- For the aesthetic value of its suburban planning, with the combination of curving streets and garden reserves, and the vistas created by the intersections of standard rectilinear subdivision with the strong diagonals formed by St Georges Road and Queens Parade, the exceptionally wide streets and crescents, the triangular garden reserves, and focal views to buildings and parkland. This aesthetic is underscored by the built form seen in the construction of commercial and institutional buildings to the property alignment along a number of streets and on corners;
- The generous public domain, with street plantings of historic elms and 20th century plane trees,
- For its low rise streetscapes of intact Victorian and Edwardian buildings one and two-storey terrace and villa housing;
- For the range of Victorian and Edwardian-era building form and finish, from the modestly decorated timber cottages and stuccoed Italianate style houses, simply designed corner hotels and shops, to the rich variety of decorative buildings including an extraordinary concentration of decorative bichrome and polychrome brickwork and flamboyantly decorated Italianate residential and commercial terraces, banks and hotels, interspersed very occasionally with dominating narrow spire and tower elements of religious, commercial and institutional buildings.
- As one of Melbourne's early residential commuter suburbs served by train and cable tram services linking it to the city by 1888, with extensive Boom era terrace buildings and closely built row housing within this sub-area providing evidence of the effects of public transport on early development;
- As essentially a well preserved Boom-era suburb that, despite the abrupt economic collapse of the early 1890s, continued developing during the Great Depression years and into the first decades of the 20th century due to the amenity of its planning, parkland, local schools and shops and extensive public transport. This yielded both the generous frontages and sizes of the post-Depression villa houses and the row house forms and narrow frontages of the Boom era;
- For its traditional Victorian-era residential character, evoked by the formal presentation of the decorated façade to the street with its small ornamental front garden, low front fence, pedestrian gateway and front path, with the functional necessities of delivering coal, removal of nightsoil and occasional stabling provided by the back lanes;
- For landmark buildings and sites that formed key meeting places in the area during the main development era of the 1860s to the 1930s, including religious institutions, schools, monasteries and churches, and the buildings associated with charitable bodies such as the Salvation Army, Church of Christ Bible School, and the temperance movement. Also the former Nth Fitzroy Police Station, the former Licensed Victualler's School and Asylum site and complexes such as the Old Colonists Homes;
- For the asphalt footpaths, pitched lanes, gutters and lane crossovers and mature street and

**Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)**

**PRECINCTS**

- 
- individual plantings (such as mature elms, planes, palms, and Kurrajongs) that reinforce the unified character of the dense, relatively low-rise residential development;
  - The 19th century landscape of Edinburgh Gardens and its representation of Fitzroy’s cultural history in its plantings, memorials, recreation sports club grounds and pavilion buildings, plus the Inner Circle Railway reserve as a cultural landscape strip across the north of the area;
  - For the outstanding Victorian and Edwardian-era streetscapes such as those surrounding the Edinburgh Gardens (Alfred Crescent, St Georges Road, Brunswick and Freeman Streets) that include a rich collection of Victorian-era Gothic and Italianate style buildings interspersed with fine buildings from the Edwardian period;
  - For the important views and vistas within the area, including those of the Edinburgh Gardens, its mature trees and historic structures, as seen from many parts of the Heritage Overlay Area, and views obtained from Edinburgh Gardens to the many significant buildings at its curtilage and the city skyline, the vista from the elevated position of the Cricket Club grandstand toward the upper façades of buildings in Freeman and Brunswick Streets, and the Brunswick Street vistas (south to the spire of St Patrick’s Cathedral, and north to St Luke’s spire)
  - For the contribution of well-preserved inter-war buildings, particularly the small intact inter-war houses where the building design has adapted to the prevailing built character of the area in siting, scale, decorative quality and stylistic variety.

**(B) NORTH FITZROY HERITAGE OVERLAY AREA (NORTH OF AND INCLUDING HOLDEN ST)**

***What is significant?***

Development north of Holden St

(Refer also to *Development south of Holden St*)

North of Holden St, the 1839 farm allotments closest to Nicholson St were subdivided for row-housing during the late Victorian-era Boom years but remained empty until after 1900. Suburban development followed in the years to 1920 with timber villas on relatively wide (approximately 10 metre frontages). Some empty sites were developed in the 1930s and 1940s with medium density, duplex and estate housing development, some of these being architecturally distinctive. Mature street tree planting includes plane trees, typical of Edwardian-era and inter-war planting. The Merri State (now Primary) School 3110 and landscaping, in Miller St, is a key early non-residential building in this part of the Heritage Overlay Area.

Main development era, north of Holden St

The main development period evident in the heritage overlay is that of the Edwardian-period with a contribution from the Victorian era. There is also a contribution from some well preserved inter-war buildings and individually significant places of all eras.

Contributory elements, north of Holden St

The North Fitzroy Heritage Overlay Area (north of and including Holden St) contributory elements include (but not exclusively) generally detached (and some attached) Victorian-era and Edwardian-era mainly one-storey houses having typically:

- Pitched gabled or hipped roofs, with few façade parapets;
- One storey wall heights but with some two storey house rows;
- Weatherboard or block fronted wall cladding, with face brick (red, bichrome and polychrome), or stucco walls;
- Corrugated iron roof cladding, with some Marseilles pattern terra-cotta tiles, with some slate roofing;
- Chimneys of either stucco finish (with moulded caps) or of matching face brickwork with corbelled capping courses;
- Post-supported verandah elements facing the street, with timber (Edwardian-era) or cast-iron



## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### PRECINCTS

detailing;

- Less than 40% of the street wall face comprised with openings such as windows and doors; and
- Front gardens, originally bordered by timber picket front fences of around 1m height.

Contributory elements also include:

- Corner shops and residences, with display windows and zero boundary setbacks;
- One and two storey commercial strips (i.e. St Georges Road) with some key corner Victorian and Edwardian-era buildings and well preserved inter-war examples;
- Well preserved buildings, including visually related one and two storey residential buildings from the pre Second War era, are contributory to the heritage overlay;
- Long east-west streets as former rural allotment boundaries, with repeating allotment sizes and rectilinear allotment forms;
- The inner circle railway reserve, with associated railway infrastructure;
- Mature street tree plantings (typically plane trees) and reserve planting (typically palms), and
- Public infrastructure, expressive of the Victorian and Edwardian-eras such as bluestone pitched road paving, crossings, stone kerbs and channels, and asphalt paved footpaths.

#### ***How is it significant?***

H0327 North Fitzroy Heritage Overlay Area (NORTH OF AND INCLUDING HOLDEN ST) is aesthetically and historically significant to the City of Yarra (National Estate Register [NER] Criteria E1, A4)

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

North Fitzroy Heritage Overlay Area (NORTH OF AND INCLUDING HOLDEN ST) is important:

- For the clear indication of important early land development phases in the suburb as follows:
  - East-west, relatively long and narrow streets originating from private subdivision of the 1839 agricultural allotments that originally fronted Merri Creek;
  - The evident effect of the 19th century Boom era when aggressive subdivision coincided with provision of public transport, creating dense late-Victorian development near the Nicholson St cable tram terminus;
  - The more generous post-1906 subdivisions (suited the construction of detached timber villas) representing changed values in land prices, and the relatively new suburban ideal of affordable house and garden lifestyle;
  - The slow transformation into a completed residential suburb by WW2, with the last few vacant sites accommodating interwar dwellings, some developed with medium-density housing, duplexes and flats.
- For the consistent and intact streetscapes of late Victorian terrace and row housing in the south-west corner of the area, and Italianate style and Edwardian timber villas, interspersed occasionally with inter-war houses, in the balance of the area;
- For the visual consistency and good period expression of streets in the north and east parts of the area, consistently one-storey, timber construction, decorative detail, and detached siting with consistent garden setbacks;
- For the interwar medium density development pockets, including those contained within Pilkington St and parts of Barkly St, King and Miller Streets, significant for its intactness, form and high quality design.
- For the shopping strip streetscape of St Georges Rd, significant for its landmark Victorian-era buildings, plus intact early 20th century and interwar buildings in both Classical Revival and Moderne styles; and
- For important landscape and vistas, including the view of Merri Creek Bridge framed by palms and mature elms in the Merri Primary School reserve, and mature street plantings of plane trees.

## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### PRECINCTS

#### 6. Queens Parade Precinct, North Fitzroy/Clifton Hill (HO330)

Source: GJM Heritage (2017), *Queens Parade Built Form Heritage Analysis & Recommendations Report*

##### ***What is significant?***

Queens Parade, North Fitzroy from south-west of Delbridge Street to Brennand Street (nos. 264-492); Queens Parade, Clifton Hill from Wellington Street to Turnbull Street (nos. 61-197), Queens Parade Road Reserve from St John the Baptist Church Presbytery to the railway overpass, and Raines Reserve. NOTE: 12 and 14 Brennand Street (not contributory) are included in HO330 in Appendix 8 but mapped in HO327.

##### *History*

First established as a track linking Melbourne and Heidelberg in the late 1830s, Queens Parade was one of Melbourne's first major roads. Originally extending from the top of Bourke Street, the route followed an irregular course to the north-east and continued across Merri Creek. The road was surveyed by Hoddle as a substantial three chain (60 metre) wide boulevard, reserved in 1853, and known as Heidelberg Road at the south-west end and Plenty Road further to the north-east and crossing Merri Creek. This thoroughfare to Northcote and Heidelberg formed part of the boundary between Clifton Hill and North Fitzroy and was renamed Queens Parade in the early twentieth century.

Allotments were sold in Queens Parade from 1853, on the northern side, south of Merri Creek as part of the Northcote township reserve. The Scotch Thistle Hotel, the present Terminus Hotel, had been built as part of this township by 1854 and some early bluestone terrace houses remain nearby at the corner of Rushall Crescent. Allotments fronting both sides of Queens Parade sold from 1864, however the street remained largely undeveloped until the construction of buildings such as the Daintons Family Hotel at the corner of Gold Street in 1875 and St John's Roman Catholic Church (now St John the Baptist Church), in 1876.

This thoroughfare between Melbourne and the northern districts experienced a development boom in the 1880s, with commercial functions serving local residents as well as those travelling through, and much of the present building stock in the precinct was constructed at this time. Development on the North Fitzroy (northern) side was predominantly two-storeys, including shops with residences above, such as the building at the corner of Michael Street (336-338 Queens Parade, 1870-1890) and banks, including the National Bank of Australasia (1886) and the three-storey landmark building, the former London Chartered Bank (later the ANZ Bank, 1889). The Clifton Hill (southern) side of the street developed with some shops, large commercial enterprises and some public buildings, including the Post and Telegraph Office (1893), a row of seven shops and residences known as Campi's Buildings (1880s), the State Savings Bank (1889), and the Clifton Hill Hotel (1884) on the south-east corner of Wellington Street.

Public transport was established in the area during the Boom years of the 1880s. A cable tram service was provided along the developing Queens Parade commercial strip in 1887, terminating at the Merri Creek and this was extended to Northcote in 1889. Increasing demand for public transport resulted in the opening of the Royal Park to Clifton Hill railway in 1888.

Development in Queens Parade decreased during the depression years of the 1890s, however a 1904 Melbourne and Metropolitan Board of Works detail plan indicates it was a tree lined commercial street with verandahs over the footpaths on both sides of Queens Parade by that time. Commercial development re-commenced in the early twentieth century, adding an Edwardian presence to the existing Victorian character of the precinct. Edwardian buildings include the Clifton Hill & Northcote United Friendly Societies Dispensary (1914), the Clifton Hill Post Office (c1915-20) and the former

## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### PRECINCTS

doctor's surgery and residence (c1915). Additionally, a substantial group of detached Edwardian houses were built on the North Fitzroy side of Queens Parade, at the north-east end.

By the close of the Edwardian period (c1918) the streetscape, that continues today to mark the entrance to Melbourne's northern suburbs, had largely been established. Notable Interwar buildings were added to the streetscape in the 1930s including a pair of landmark Moderne buildings at the north-east end - the former United Kingdom Hotel (1937-38), located on the prominent intersection of Queens Parade and Heidelberg Road, and the nearby Clifton Motors Garage (1938 façade). Extensive beautification took place in the inter-war period in the form of landscaping and further street tree plantings. Grassed median strips were planted with plane and elm trees at the western end and a triangular garden (Raines Reserve, originally Rain's Reserve) was created at the junction with Heidelberg Road.

#### *Description*

The main development period of the Queens Parade Precinct is from the 1870s to c1920 and the streetscape largely dates to this period. A small number of buildings from both earlier and later periods make a contribution to the precinct. A number of individually significant buildings are contained within the precinct, dating predominantly from the 1870s-1920 period.

Buildings are predominantly attached Victorian and Edwardian shops and residences. They are predominantly two-storey with some single-storey shops interspersed. Towards the north-eastern end of the precinct are a row of detached single and two-storey residences, predominantly from the Edwardian period.

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

- The wide, open boulevard character with associated landscaping (including Raines Reserve, the planted medians, bluestone pitched road paving, crossings, stone kerbs and channels, and asphalt paved footpaths).
- Views afforded to significant buildings in and beyond the precinct (St John the Baptist Church, former ANZ Bank building, and former United Kingdom Hotel)
- The consistent Victorian and Edwardian commercial character of the precinct, which includes:
  - A consistent two-storey scale with some single-storey buildings
  - A variety of simple and some highly decorative façade parapets, with pitched roofs behind
  - No front or side setbacks
  - Face red brick or rendered walls
  - Rendered window frames, sills and hoods to upper stories
  - Rendered ornament to upper stories
  - Brickwork with corbelled capping courses
  - Strong horizontal lines formed by parapets, cornices, string courses
  - Repetitive upper floor fenestration patterns
  - Corrugated iron, slate and terracotta tiled roof cladding
  - Decorative chimneys (some with pots)
  - Original post-supported street verandahs
  - Shop fronts with display windows, timber or tiled plinths, and entry recesses.
- The predominantly Edwardian residential character at the north-eastern end, which includes:
  - Steeply pitched gabled or hipped roofs, predominantly with terracotta tiles and terracotta ridge capping and/or finials
  - Prominent, often highly decorative brick chimneys
  - Prominent gable ends
  - Predominantly red brick construction
  - Front gardens

## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### PRECINCTS

#### ***How is it significant?***

Queens Parade, North Fitzroy/Clifton Hill is of local historical, architectural and aesthetic significance to the City of Yarra.

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

The Queens Parade Precinct is located on a major thoroughfare that has linked Melbourne to the northern suburbs since the 1830s. It is centred on one of Melbourne's early reserved boulevards, having been surveyed by Hoddle and reserved in 1853. The wide boulevard retains distinctive median strip landscaping from the twentieth century, including Raines Reserve. The Queens Parade Precinct is an intact turn of the century 'High Street' that has functioned continuously as a key commercial centre since the 1870s. It contains a substantial collection of intact commercial buildings, predominantly from the Victorian and Edwardian periods, including shops and associated residences, hotels and other commercial and civic buildings, as well as a group of detached Edwardian residences at the north-eastern end. Together these buildings demonstrate the development of this 'High Street', particularly from the 1870s to c1920 when substantial growth along the boulevard occurred, and are illustrative of the enduring role the street has played in the economic and social life of North Fitzroy and Clifton Hill since the establishment of the suburbs [Criterion A].

The highly intact streetscape of the Queens Parade Precinct clearly demonstrates the principal characteristics of a major turn of the century 'High Street' in the City of Yarra. Typical characteristics – including predominantly two-storey Victorian and Edwardian wall heights, parapeted rendered or red brick facades with repetitive upper floor fenestration, and ground floor shopfronts – are displayed in the original forms, fabric and detailing of many of the buildings. The streetscapes on the northern side of Queens Parade from Delbridge Street to 410 Queens Parade and on the southern side of Queens Parade from Wellington Street to 169 Queens Parade are particularly intact and are highly consistent in their architectural form and expression, forming a cohesive and significant streetscape. A group of detached houses at the north-eastern end of the precinct are intact and consistent in their Edwardian character and form [Criterion D].

The Queens Parade Precinct contains a number of landmark and individually significant buildings which are well considered and carefully detailed examples of commercial and civic buildings. These include, among others, the prominent three-storey Former London Chartered Bank of Australia Ltd (later ANZ Bank building), 370-374 Queens Parade, the former Daintons Family Hotel (139 Queens Parade, built 1875), the former Melbourne Savings Bank (97-99 Queens Parade, built 1889), former National Bank of Australasia (270 Queens Parade, built 1886), Ryans Building (314 Queens Parade, built 1884), Campi's Buildings (149-167 Queens Parade, built c1880-c1890) and the corner shop at 336-338 Queens Parade, North Fitzroy (c1870-c1890). Key views to the local landmarks of the St John the Baptist Church complex and the Former United Kingdom Hotel, 199 Queens Parade, which bookend the precinct are afforded from within the precinct [Criterion E].

#### **7. Racecourse Precinct, Richmond (HO331)**

Source: Graeme Butler & Associates (2007, 2013), *City of Yarra Review of Heritage Overlay Areas* [see Study for footnote references]

#### ***What is significant?***

The site of this estate was once the Richmond Racecourse, operated by the notorious entrepreneur John Wren from 1907. Located at the eastern end of Bridge Road, it was Melbourne's principal trotting track for many years before it closed in 1932.

The inner suburban slum abolition campaign of *The Herald* newspaper and social reformer, F Oswald Barnett<sup>94</sup>, had inspired the formation of a new State Government committee (Housing Investigation

## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### PRECINCTS

and Slum Abolition Board) to seek out inner city housing development sites for local government slum reclamation. One such site arose in 1935 when John Wren's Victorian Trotting and Racing Association informed Richmond Council that its lease on the Richmond Racecourse was due to expire the following February. Council was unable to raise the £200,000 required to build the new housing estate so the area of the proposed estate was reduced by 10 percent and 15 of the 157 acres was sold to British Australasian Tobacco as a factory site, as a form of subsidy.

The result was an estate in the English cottage style as inspired by public housing in England and seen elsewhere at the Garden City development and early Housing Commission of Victoria estates at Newport and Sunshine. There was consistent use of materials and detailing in both two storey and single storey house formats; including clinker bricks, terracotta tiles, timber-framed double-hung sash windows and low brick front fences, with a communal landscape approach that united front gardens along the streets. The cul-de-sac planning was also distinctive and had been used in only a small number of estates at that time (see the AV Jennings' estate at Ivanhoe).

The estate was completed in 1941. The streets were named after the trade unionist and MHR for Yarra, Frank Tudor, and Richmond Councillors O'Connell, Lightfoot, Vesper, Longfield and Jackson.<sup>95</sup> The properties have gradually moved from Housing Commission tenure into private ownership with approximately only half the residents being public tenants by the end of the 20th century.

#### Main development period

The main development period in the Racecourse Heritage Overlay Area is that of the early 1940s.

#### Contributory elements

Contributory elements include (but not exclusively) houses built by the 1940s, with typically:

- Pitched gabled or hipped roofs;
- One storey wall heights (but with some two storey);
- Face brick (red, clinker) walls;
- Variegated Marseilles-pattern glazed terra-cotta tiles;
- Chimneys of face red brickwork with capping course;
- Entrance porch elements facing the street or set on the side;
- Less than 40% of the street wall face comprised with openings such as windows and doors, with timber joinery; and
- Front gardens, originally bordered by low brick pier and panel front fences of around 450mm panel height, with 900mm high piers at gateways;

Contributory elements also include:

- Stone kerbs and concrete footpaths;
- Street and allotment layout, particularly the cul-de-sac configuration; and
- Privet hedges at fence lines.

#### ***How is it significant?***

HO331 Racecourse Heritage Overlay Area, Richmond is historically significant to the City of Yarra (National Estate Register [NER] Criteria E1, A4)

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

The Racecourse Heritage Overlay Area is significant:

- As the first public housing estate to be built in Richmond and as an estate developed by Richmond Council rather than the State Government or the Housing Commission of Victoria (1938-);
- For its symbolism of the site of John Wren's popular trotting track, Richmond Racecourse;
- As a remarkable visually homogenous collection of dwellings, in a simplified English cottage

## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### PRECINCTS

style inspired by public housing in England, with consistent use of materials and detailing, including clinker bricks, terracotta tiles, timber-framed double hung sash windows and low brick front fences;

- For the innovative cul-de-sac planning, used previously in only a small number of estates at that time, and the communal landscape approach that saw use of low fences and consistent use of boundary hedges.

---

### 8. Richmond Hill Precinct (HO332)

Source: Graeme Butler & Associates (2007, 2013), *City of Yarra Review of Heritage Overlay Areas* [see Study for footnote references]

#### ALL SUB-PRECINCTS

##### *What is significant?*

##### Subdivision types

The land which now comprises the Richmond Hill Area was purchased from the Crown in 1839 and consisted of six portions each of 25 acres in the parish of Jika Jika (CPs 21-26). The purchasers were Dr. Farquhar McCrae (CP24, surgeon), Rev. Joseph Docker (CP21-22, squatter), W H Yaldwyn (CP26, squatter, banker), Henry Gordon Brock (CP25), and John McNall (CP23, Melbourne's first butcher)<sup>96</sup>.

From 1840 onwards, Dr. McCrae sold parts of his allotment (at the north west corner of the heritage overlay) to prominent Melbourne figures, including Alexander McCrae, Alfred Woolley, Charles Williams, George Arden, and Thomas Strode (proprietors of the *Port Phillip Gazette*).<sup>97</sup> He also subdivided off 36 half acre blocks, creating Rowena Parade, Sherwood and Rotherwood Streets. Further subdivisions took place in the 1870s and 1880s.

Yaldwyn sold his allotment (at the north-east corner of the heritage overlay) to William Meek in 1840 and, by 1853, the Waltham Street and Darlington Parade areas were subdivided, and further subdivided in the 1880s. The Vaucluse area was laid out in the 1860s and a private street was created to link Rowena Parade and Church Street, for the use of abutting landholders only. The Vaucluse, thought to be the only Victorian-era private street in the inner suburbs, has its eastern entry at St Ignatius Church. Large houses were erected on this section, including Richmond Hill for James Henty (Waltham Street, 1851) and a two-storey Italianate house for distinguished architect, James Blackburn Jr.

Docker had subdivided his two allotments by 1853 (at the south-east corner of the heritage overlay), creating a model village (Village of Clifton) set out as 365 lots on a grid plan designed by Charles Laing. Its regular layout was unlike the other haphazardly planned private subdivisions in the area. The village was bordered by Wangaratta St (inclusive) on the west, the Richmond Terrace service lane on the north, the Church St on the east and Swan Street on the south<sup>98</sup>. By 1857 Docker still owned many of the houses built on these allotments. His own townhouse was at 370 Church Street. By the 1880s, this area was almost fully developed. (See South Residential Sub-precinct)

Brock's allotment (at the north-centre of the heritage overlay) was purchased by overlander John Gardiner<sup>99</sup> who erected a villa on it when he retired from his grazing activities to take up the position of managing director of the Port Phillip Bank in 1840.<sup>100</sup> By 1853, Lennox Street, Rowena Parade and Goodwood Street had been laid out. Further subdivisions occurred in the 1870s and 1880s.

The allotment purchased by McNall (at the south-west corner of the heritage overlay) had undergone minor subdivision by 1853. McNall erected his house there, and his widow continued to live there following his death in the 1850s.<sup>101</sup> In 1859, the railway was established, and Richmond Station was constructed at the south-west corner of the allotment. The land had undergone major subdivision by

**Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)**

**PRECINCTS**

the 1870s and 1880s.

**Major industry development**

In the early 20th century the expansion of manufacturing across the nation was reflected in new industrial centres that were developed close to rail and road transport, as distinct from the Victorian-era industrial development that had occupied coastal sites or river and creek banks. Near to the transport hub of Richmond Railway Station and busy Punt Road, grew a distinctive group of factories and warehouses, mainly associated with the growth of the clothing manufacturing industry in the City and dating substantially from the early decades of the 20th century. This area had previously been residential.<sup>102</sup>

The Australian Knitting Mills Ltd. (41-43 Stewart St, knitted goods manufacturers) complex was at the centre of the Stewart-Tanner Streets industrial area development area. It was developed from 1912 when the supply for World War One uniforms was an impetus for its expansion and had another major building addition in 1922-5.<sup>103</sup> The company created the 'Golden Fleece' and 'Kookaburra' brands.

**Inter-war residential estates**

Set away from this concentrated industrial strip, but related historically to it, was the Pelaco factory (1922-1928), located on a hill on the former site of a Victorian-era mansion. Houses in Fordham Court and the associated part of Goodwood Street were built speculatively in 1939 for Mrs B.E. Fordham of Yarradale Rd., Toorak, on land sold by Pelaco.<sup>104</sup> These houses provide a distinctive enclave within the surrounding Victorian and Edwardian-era development.

**A. RICHMOND HILL HERITAGE OVERLAY AREA (WEST SUB-AREA)**

**Main development era**

The main development period evident in the Richmond Hill west sub-area of the Heritage Overlay Area is that of the Victorian era with a substantial contribution from the Edwardian-period. There is also a contribution from some well preserved inter-war buildings and individually significant places of all eras.

**Contributory elements**

The Heritage Overlay Area contributory elements include (but not exclusively) mainly small, detached and some attached Victorian-era and Edwardian-era houses having typically:

- Pitched gabled or hipped roofs, with some façade parapets,
- One storey wall heights but with some two storey house rows,
- Face brick (red, dichrome and polychrome), weatherboard, or stucco walls;
- Corrugated iron roof and slate cladding, some unglazed Marseilles pattern terra-cotta tiles;
- Chimneys of either stucco finish (with moulded caps) or of matching face brickwork with corbelled capping courses;
- Post-supported verandah elements facing the street, set out on two levels as required with cast-iron detailing for Victorian-era houses and typically timber for Edwardian-era;
- Less than 40% of the street wall face comprised with openings such as windows and doors; and
- Small front gardens, originally bordered by typically timber picket front fences of around 1m height.

**Contributory elements also include:**

- Corner shops and residences with display windows and zero boundary setbacks.
- Well preserved buildings including typically one storey buildings from the pre Second War era.
- Public infrastructure, expressive of the Victorian and Edwardian-eras such as bluestone pitched road paving, crossings, stone kerbs, channels, and asphalt paved footpaths.

**B. RICHMOND HILL HERITAGE OVERLAY AREA (NORTH SUB-AREA)**

## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### PRECINCTS

#### Main development era

The main development period of the Richmond Hill north sub-area of the Heritage Overlay Area is that of the Victorian-era with a substantial contribution from the Edwardian-period. There is also a contribution from some well preserved inter-war buildings and individually significant places of all eras.

#### Contributory elements

The Heritage Overlay Area contributory elements include (but not exclusively) mainly detached and some attached Victorian-era and Edwardian-era mainly one and two -storey houses having typically:

- Pitched gabled or hipped roofs, with some façade parapets,
- One and two storey wall heights but with some two storey house rows,
- Face brick (red, dichrome and polychrome), or stucco walls;
- Corrugated iron roof and slate cladding, some Marseilles pattern terra-cotta tiles;
- Chimneys of either stucco finish (with moulded caps) or of matching face brickwork with corbelled capping courses;
- Post-supported verandah elements facing the street, set out on two levels as required with cast-iron detailing for Victorian-era houses;
- Less than 40% of the street wall face comprised with openings such as windows and doors; and
- Front gardens, originally bordered by typically timber or iron picket front fences of around 1m height.

#### Contributory elements also include:

- Corner shops and residences with display windows and zero boundary setbacks.
- Well preserved buildings including typically one storey buildings from the pre Second War era.
- Public infrastructure, expressive of the Victorian and Edwardian-eras such as bluestone pitched road paving, crossings, stone kerbs, channels, and asphalt paved footpaths.

### C. RICHMOND HILL HERITAGE OVERLAY AREA (PELACO, FORDHAM COURT/PART GOODWOOD STREET SUB-AREA)

#### Main development era

The main development period of the Richmond Hill Fordham Court/Goodwood Street sub-area of the Heritage Overlay Area is that of the Inter-war era.

#### Contributory elements

Contributory buildings in the Fordham Court/Goodwood Street sub-area are typically:

- Residential;
- Single storey;
- Constructed in brick and rendered masonry;
- Of a hipped and gabled tiled roof form, some with a single hipped or gabled roof form over the two dwellings to appear as single larger houses;
- Semi detached duplexes;
- Set in relatively deep garden setbacks; and
- Fenced originally with front fences of low (500-700mm panel height) brick and rendered masonry pier and panel walls.

And

- Public infrastructure, part expressive of the Victorian and Edwardian-eras such as asphalt paved footpaths but most of the kerb and channel is concrete, as typical of the inter-war period.
- Former Pelaco factory (c1922) as an icon in the area, but unrelated in scale and form to the inter-war housing nearby.



## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### PRECINCTS

#### D. RICHMOND HILL HERITAGE OVERLAY AREA (SOUTH SUB-AREA)

##### Main development era

The main development period evident in south sub-area of the Richmond Hill Heritage Overlay Area is that of the Victorian-era. There is also a contribution from the Edwardian-era and some well preserved inter-war buildings and individually significant places of all eras.

##### Contributory elements

The Heritage Overlay Area contributory elements include (but not exclusively) mainly detached and some attached Victorian-era (some early Victorian-era), one-storey houses having typically:

- Steeply pitched gabled or hipped roofs;
- One storey wall heights;
- Weatherboard (square or bead edge), face brick (dichrome), stone, or stucco walls;
- Corrugated iron roof and slate cladding;
- Chimneys of either stucco finish (with moulded caps) or of matching face brickwork with corbelled capping courses;
- Simple post-supported timber verandah elements facing the street;
- Less than 40% of the street wall face comprised with openings such as windows and doors; and
- Front gardens, sometimes minimal, originally bordered by typically timber picket front fences of around 1m height.

##### Contributory elements also include:

- Corner shops and residences with display windows and zero boundary setbacks;
- Well preserved buildings, including typically one storey buildings from the pre Second War era.
- A regular subdivision plan with alternating wide principal streets and narrow service streets; and
- Public infrastructure, expressive of the Victorian and Edwardian-eras such as bluestone pitched road paving, crossings, stone kerbs, channels, and asphalt paved footpaths.

#### E. RICHMOND HILL HERITAGE OVERLAY AREA (SOUTH INDUSTRIAL SUB-AREA)

##### Main development era

Main development period in the Richmond Hill south industrial sub-area of the Heritage Overlay Area is of the Edwardian-era and inter-war period.

##### Contributory elements

Contributory elements include (but not exclusively) industrial buildings from the early decades of the 20th century with typically:

- Wall heights ranging from 1-5 levels;
- Façade parapets, sometimes with proprietary logos, with pitched roofs behind;
- Limited or no setback from street frontages; and
- Walls of face red brick (some over-painted) with rendered bands.

##### Contributory elements also include:

- Public infrastructure, part expressive of the Victorian and Edwardian-eras such as some bluestone pitching and asphalt paved footpaths.

##### ***How is it significant?***

HO332 Richmond Hill Heritage Overlay Area as a whole is aesthetically and historically significant to the City of Yarra (National Estate Register [NER] Criteria E1, A4)

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

A. The Richmond Hill Heritage Overlay Area (west sub-area)

## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### PRECINCTS

The Richmond Hill Heritage Overlay Area (west sub-area) is significant:

- As an illustration of a typical early private subdivision and development in the City, shown by the irregular street patterns, widely varying allotment sizes, and unusual house siting (onto lanes);
- As one of the earliest private development areas in the City for worker housing, dating from the 1840s, as expressed today by the many early small cottages linked historically to developers who resided in the more salubrious elevated parts of this area;

#### **B. The Richmond Hill Heritage Overlay Area (north sub-area)**

The Richmond Hill Heritage Overlay Area (north) is significant:

- For the well preserved, well-situated and sometimes large Victorian and Edwardian period houses and for the contribution of well preserved buildings from the inter-war period and individually significant buildings from all periods;
- As one of the early private housing development areas for the wealthy, evolving from the 1840s, and associated with some of Melbourne's most prominent early settlers as seen in their gracious residences, elevated siting and proximity to religious centres of most denominations;
- As particularly indicative (like the west sub-area) of Victorian-era private subdivision with irregular street patterns and lot sizes, and one private road; and
- For the views, from both inside and outside the area, to The Vaucluse Convent, the church spires and towers of St Ignatius and the utilitarian four storey red brick Pelaco factory, with its early neon sign above.

#### **C. The Richmond Hill Heritage Overlay Area (former Pelaco factory, Fordham Court/Goodwood Street sub-area)**

The Richmond Hill Heritage Overlay Area (Pelaco, Fordham Court/Goodwood Street sub-area) is significant:

- For the well preserved and visually cohesive groups of inter-war and early post WW2 residential development
- For the historical and visual links of this inter-war development with the adjacent inter-war landmark Pelaco Factory;
- For the contribution of the iconic Pelaco factory complex and illuminated sign, that is well-preserved externally, large in scale and set prominently on the hill as, historically, a symbol of Richmond's special role in the development of key manufacturing centres in the first half of the 20th century.

#### **D. The Richmond Hill Heritage Overlay Area (south residential sub-area)**

The Richmond Hill Heritage Overlay Area (south) is significant:

- As one of the earliest private development areas in the City for worker housing, dating initially from the 1840s but extending in the gold-era of the 1850s, as early small cottages set on small allotments;
- For the historical links of the street layout and subsequent housing development with the Docker family and the estate's designer, the noted architect and surveyor, Charles Laing;
- As an illustration of a rare type of model private subdivision and development in the Melbourne area in the form of a planned 'village', as shown by the regular street patterns, similar allotment sizes, and the originally residential land use.

#### **E. The Richmond Hill Heritage Overlay Area (south industrial sub-area)**

The Richmond Hill Heritage Overlay Area (south industrial sub-area) is significant:

- As a distinctive and visually related group of externally well-preserved factories and warehouses, associated with the growth of the clothing manufacturing industry in the City, dating from the

## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### PRECINCTS

early decades of the 20th century and symbolic of Richmond's special role in the development of key manufacturing centres in the first half of the 20th century.

- For the precinct's strategic location, next to major transport links (railway, Punt Road) and the resultant distinctive angled siting of key buildings to face the railway.
- 

---

#### 9. Swan Street Precinct, Richmond (HO335)

Source: GJM Heritage (2017), *Swan Street Built Form Study: Heritage Assessments & Analysis*

##### ***What is significant?***

Swan Street, Richmond from Botherambo Street to Brighton Street (nos. 63-221 & 90-272), Church Street, south of Swan Street to the railway line (nos. 421-425 & 454-468), Byron Street (nos. 2-8 & 140-160) and Kipling Street (nos. 1, 2, 2A, 3, 5 & 7).

##### *History*

Swan Street was designated as a road reserve in Hoddle's Crown survey of 1837. Allotments on the north side of Swan Street were sold from 1839 and the south side from 1846. By 1857 a number of commercial businesses had been established in Swan Street, particularly at the west end, and traders included butchers, drapers, fruiterers, tailors, shoemakers, hairdressers and hoteliers. Amongst the early hotels was the Swan Inn after which the street was named, and the predecessor of the present three-storey Swan Hotel (1889) at the corner of Church Street.

Swan Street ran from Punt Road to the Survey Paddock (now Burnley Park) before extension to the Yarra River sometime between 1874 and 1888. In 1859 a railway line from Princes Bridge to Punt Road provided access to Swan Street and this was extended to Church Street (East Richmond Station) and beyond to the present Burnley Park the following year. Running south of, and parallel to, Swan Street, this railway line provided transport to and from the city. In 1916 an electric tram service provided additional transport along Swan Street, encouraging further development along the length of Swan Street.

The commercial western end of Swan Street experienced a development boom in the 1880s and much of the present commercial building stock, particularly between the railway line (which was raised above Swan Street in 1887) and the Church Street intersection, was constructed at this time. This included a number of predominantly two-storey shops with residences above, including the extensive Perrins Building, 128-38 Swan Street (1884), shops opposite at 95-97 Swan Street (1885) and a highly decorative group of buildings at 224-234 Swan Street.

Swan Street was sealed in 1901 and construction of commercial buildings continued on allotments at the western end of Swan Street. Substantial and distinctive commercial and public buildings, such as the Maples Piano Showroom and the Richmond South Post Office in 1905, and Dimmeys and the former State Savings Bank of Victoria in 1907 added an Edwardian presence to the existing Victorian character of the precinct. A highly prominent clock tower with ball, added to the Dimmeys store in the 1910s, became a landmark feature in Swan Street.

Swan Street's long history as a commercial centre has also seen it play a central role in the social life of Richmond. For over 150 years, the street has provided the community with social and recreational opportunities, with the long-term commercial success of the street being predicated upon its attractiveness as a social space. It is this rich social legacy that binds the various phases of the street's development together, and which continues today to attract new residents and visitors.

##### *Description*

## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### PRECINCTS

The main development period of the Swan Street Precinct is from the 1880s to 1920 and the streetscape dates largely from this period. A small number of buildings from both earlier and later periods make a contribution to the precinct. A number of individually significant buildings are contained within the precinct, dating predominantly from the 1880s-1920 period.

Buildings are predominantly attached Victorian and Edwardian shops and residences. They are predominantly two-storey with some three/four and single-storey shops interspersed.

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

- A variety of simple and highly decorative façade parapets, with pitched roofs behind
- No front or side setbacks
- Face red brick (including polychrome) or rendered walls
- Rendered window frames, sills and hoods to upper stories
- Rendered ornament and incised decoration to upper stories
- Brickwork with corbelled capping courses
- Original post-supported street verandahs
- Strong horizontal lines formed by parapets, cornices, string courses
- Repetitive upper floor fenestration patterns
- Consistent two-storey scale with some one and three-storey buildings
- Shop fronts with display windows, timber or tiled plinths, and entry recesses
- Some red brick storage or stable buildings at the rear or side lane frontage
- Corner buildings with secondary façades to side streets or lanes
- Splayed corners to buildings at intersections
- Corrugated iron and slate roof cladding
- Bluestone pitched road paving, crossings, stone kerbs and channels and asphalt paved footpaths.

#### ***How is it significant?***

Swan Street, Richmond is of local historical, architectural and aesthetic significance to the City of Yarra.

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

The Swan Street Precinct is a major 'High Street' in the City of Yarra and has functioned continuously as one of Richmond's two key commercial centres since the 1840s. It retains a substantial collection of intact commercial buildings, predominantly from the Victorian and Edwardian periods, including shops and associated residences, hotels and other commercial and civic buildings. Together these buildings demonstrate the development of this major 'High Street', particularly from the 1880s to c1920 when substantial growth in the street occurred, and are illustrative of the enduring role the street has played in the economic and social life of Richmond since the establishment of the suburb [Criterion A].

The highly intact streetscape of the Swan Street Precinct clearly demonstrates the principal characteristics of a major turn of the century 'High Street' in the City of Yarra. Typical characteristics, including predominantly two-storey Victorian and Edwardian wall heights, parapeted rendered or red brick facades with repetitive upper floor fenestration, and ground floor shopfronts, are displayed in the original forms, fabric and detailing of many of the buildings. The streetscapes on the south side of Swan Street between the former Richmond Post Office and Church street, on the north side of Swan Street between Carroll and Dando Streets, and the west side of Church Street between Swan Street and the railway line are particularly intact and consistent in their architectural form and expression [Criterion D].

The Swan Street Precinct contains a number of landmark and individually significant buildings which are well-considered and carefully detailed examples of commercial and civic buildings. These include, among others, the former State Savings Bank of Victoria (216 Swan Street); the former Richmond South Post Office (90-92 Swan Street); large retail stores such as Maples Pianos (122-126 Swan Street);

## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### PRECINCTS

Dimmeys (140-48 Swan Street); and M Ball & Co (236-240 Swan Street), as well as hotels such as the Swan Hotel (425 Church Street). The clock tower and ball of the Dimmeys building is of particular prominence and is a local landmark. Variations in façade detailing throughout the precinct, including parapet ornamentation, balustrading and pediments, incised and applied decoration and polychromatic brickwork, make an aesthetic contribution to the overall character of the precinct [Criterion E].

---

#### 10. Wellington Street Precinct (HO364)

Source: Graeme Butler & Associates (2012), *City of Yarra Heritage Gaps Review (Review 1)*

##### **What is significant?**

##### Historical background

In 1839, two years after the first land sales in the township reserve of Melbourne, Crown allotments were auctioned in Richmond, Fitzroy and Collingwood. These allotments were mainly intended for development as farmlets. However many of the purchases in Richmond were speculative for, very soon, allotments were subdivided and advertised for sale in the "Port Phillip Patriot". The first was William Wilton's Crown allotment 46 which was to be sold in one or more acre lots. In 1840, at a subdivision sale of Dr. Farquhar McCrae's allotment 24, the auctioneer described Richmond as "...the abode of aristocracy, wealthy and retired opulence..." and 36 half-acre blocks were sold.

This was the boom period leading up to the recession of the early 1840s. As a sign of the times, subdivisions on the Richmond flats were advertised in 1842 as "...well deserving public attention among the working class", in contrast to earlier advertising of the higher parts of Richmond as for gentlemen only.

By the mid 1840s the depression had ended and resumption of the Immigration Act resulted in a new influx of workers. The sale of Crown allotments recommenced in Richmond in 1845 and by 1851 a further fifteen Crown Portions were sold. Reserves were also created for police purposes (Crown allotments 13-15), and for churches, recreation, produce market, schools and a mechanics' institute (Crown allotment 35). Thirty-one quarry sites were set aside on Crown allotments 9 to 15 where they abutted the river. The only other clay pits shown are at the locality of Yarraberg which David Mitchell operated in Crown Portion 42, off Burnley St.

Richmond's population in 1846 was 4029. At this time, Fitzroy and Collingwood were also being rapidly subdivided, St. Kilda and Port Melbourne were fashionable picnic spots and Williamstown a busy port. The village at Brighton was the leading pleasure resort, and Heidelberg a prosperous farming community. East Melbourne was little built upon until after 1848 when Bishop Perry chose a site there for the Anglican Bishop's Palace. This gave an impetus to building and the Richmond area went ahead as a select and convenient one in which to live. In 1852 North Melbourne, St. Kilda, South Melbourne, Port Melbourne, Essendon, Remington, Carlton and Hawthorn were laid out. Melbourne's population had trebled by 1853 with people returning from the goldfields, while in Richmond major residential subdivisions had occurred in the north and west. Within the next four years, men who established their suburban villas on the Richmond hills included senior Government officials, Alexander McCrae and William Hull; newspaper proprietors Thomas Strode, George Cavanaugh and George Arden; merchants Patrick Welsh, David Stodart Campbell and Alfred Woolley; and the bankers William Highett and John Gardiner. Their "...comfortable, if not architecturally stylish villas began to dot the place".

Richmond was created a separate municipality in 1855. The survey maps of Magee and Kearney show that at this time many of the existing major streets had been laid out but that almost all buildings, with the exception of those in the Yarraberg area to the northeast, were concentrated in the western half of Richmond, near to Melbourne town and the railway route: large suburban villas and gardens on the hill, and cottages on small blocks in the north and south, often in areas of relatively intense development

## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### PRECINCTS

isolated to individual streets. The factors influencing the location of the earliest development appear to have been a preference for high ground and a position on government roads, especially at cross roads.

Richmond's population in 1857 was 9,029 with 2,161 houses and five architects. The electors' roll for 1856-7 indicates an established retail and service trade in Swan Street and Bridge Road - butchers, drapers, shoemakers, hotels, fruiterers, tailors, hairdressers, grocers and blacksmiths.

With separation from Melbourne in 1855, Richmond, along with Collingwood, became exempt from the 'Melbourne Building Act' of 1849 which controlled building and subdivision standards. Developers were free to plan streets, reduce frontages and build what they liked. Closer development of Richmond was also encouraged by the railway which was extended to Brighton from Melbourne by 1859, and by horse drawn omnibuses which connected Richmond with Melbourne along Bridge Road.

Melbourne's population in 1861 was 37,000 (including Carlton and East Melbourne); Richmond, Collingwood and Fitzroy each had about 12,000, Prahran 10,000, South Melbourne 9,000, North Melbourne 7,000 and St. Kilda 6,000. Development was apparent along Punt Road c.1860, with little development in south-east Richmond was in 1869. Unemployment was a major issue during the 1860s and in 1862 the Richmond Council sought the repeal of the 'Yarra Pollution Prevention Act' of 1855 (which forbade fellmongeries, starch and glue factories, and boiling down works discharging waste into the Yarra River upstream from Melbourne) so that the river frontages could be opened to manufacturing. By 1865 a quarry, stone crushing mill, fellmongery and abattoir had been established on the river flats in Burnley, and by the 1870's a panoramic view of Richmond carried the caption 'Industry in Arcady'.

As with Melbourne and its other suburbs, the most active period of development in Richmond was in the 1870s and 1880s. The eastern half of the town was partly subdivided by 1874 and by 1888 most subdivision patterns were complete, the major exception being Cole's paddock on Victoria Street. Richmond was proclaimed a town in 1872 and a city in 1882. Its population in 1880 was 23,395 and in 1890 it was 38,797. The residential development trend was a marked increase from the 1850s, steeply rising until c1881 and then a plateau into the 1890s Great Depression. The rate books list 52 industrial establishments in 1880.

Houses constructed between Federation and World War One make up a substantial proportion of Richmond's building stock particularly in the eastern half of the city. Cole's paddock was subdivided by this time.

Encouraged by high tariff protection, new factories and stores were also being established, most notably Bryant & May, Wertheim's piano factory, Dimmey's Model Store, Ruwolt, Rosella, Moore Paragon and Mayall's tannery. By 1919 there were nine tanneries.

This industrial expansion continued after World War One when small gaps in the urban development were filled by inter-war housing estate and Wren's race course was changed to public housing. The Second War was the end of the first wave of urban development in Richmond and hence forms a perceptible period in the historic environment that is the basis for proposed heritage precincts in Richmond, Cremorne and Burnley.

#### Specific history

This area is part of the 17 acre Crown Portion (CP) 1 sold to Messrs William Burnley, David Lyons and Matthew Cantler in 1849: land sales started immediately in the south-west corner with subdivided lots going to Burnley, Thomas King and Mitchell, Black & Follett. Inspired by the major population increase caused by gold finds in the Colony, William Burnley began to sell more house lots further north in 1852

## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### PRECINCTS

from an estate plan that included the formation of today's Rout and Blanche Streets running east-west, joined by Wellington Street running north-south. Lots of 32-35 feet width faced onto Wellington Street and backed onto CP2 on the east or the 15 feet wide Huckerby Street, on the west, that Burnley had created to serve the lots facing Punt Road.

The 1853 plan shows Jessie and Cremorne Streets in place within Crown Portions 1&2 and the 1855 plan has buildings distributed across the north part of the Crown Portions, along Wellington (as far as Blanche) and Cremorne Streets, while to the south they front only Cremorne Street. The 1874 plan shows the north part of Wellington, Huckerby, Blanche and Jessie Streets in this precinct. King, Mitchell, Black and Follett's block, created from the south part of Crown Portion 1 in 1849, was to eventually contain the residential subdivision of Melrose and Kelso Streets in 1884 (Lodged Plan 605) with lots of 33-45 feet frontages. This estate is shown on the Tuxen 1888 plan, along with added streets such as Rout, but still there was no continuity for Wellington Street which stopped at Blanche St. The MMBW Plan 911 of 1896 showed the extension of Wellington Street southwards, past Blanche Street, but named as Melrose Street.

#### Description

The Wellington Street, Cremorne Heritage Precinct is a largely Victorian-era residential area centred on Wellington Street and extends north from the riverside industrial precinct south of Gough Street to the commercial strip of Swan Street West on the north. The arbitrary crank in the line of Wellington Street shows the two development phases (early and late Victorian-era) and exemplifies the piecemeal nature of private development, generally, in the Richmond area.

The haphazard street alignments generate unexpected house groups and vistas. There is the long weatherboard cottage row in Gough Place that now faces out across a large development site towards Punt Road: its unbroken roofline is another testimony of how Richmond, as well as being planned on a free-market basis, was also outside of the building laws that initially applied to the other inner suburbs of Melbourne (Melbourne Building Act). The construction of small, weatherboard and brick cottages in the narrow confines of the early Huckerby and Jessie Streets is another illustration of this evasion of standard building codes. The Richmond Conservation Study (1985) notes of Cremorne Cottage, at 50 Jessie Street: '...Similar size building shown in similar location on Lands Dept 1855 Map of Richmond...' Other early houses such as 375-377 Punt Road can also be traced back in plan form to the 1855 survey map, adjoining the Rout Street entry to the precinct. A small Wellington Street house row (66-68) had rare and early brick-nogged wall construction as an indication of early construction techniques in this precinct. This method of wall construction involves brickwork placed between timber frame members and overlaid with weatherboard providing for an uncommon and environmentally sound building method. The Australian Architecture Index cites two other brick nogged houses nearby in Cremorne St auctioned in 1879.

The precinct has a number of individually significant Victorian-era buildings and building rows within its boundaries.

#### Key buildings

Key buildings include late Victorian-era houses like the row-house pair at 397- 395 Punt Road, described in the 1990s as:

*'... A double-storey, rendered, Boom terrace pair, set back with a parapet. The centrepiece is (set) between abstracted Doric pilasters, supported by scrolls. Cornice and frieze-mould has vermiculated corbels; also to verandah, these on scrollbrackets. The skillion verandah, between wing-walls, has cast-iron lace valence and Composite posts, with first-storey balustrade in an unusual pattern of panels between balusters. Ground-window is tripartite with Tuscan fluted mullions. Doors have fan and sidelights. Chimneys have corbelled brick-bands' as an illustration of the range of ornament that was*

## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### PRECINCTS

*used in the late 19th century... '*

More typical, late Victorian-era masonry row houses line Wellington Street. Balino Cottage at 44 Wellington St, is an exception:

*'A characteristic double-fronted, symmetrical, rendered, Boom cottage, on the street line, with rich decoration. There is a balustraded parapet between piers, surmounted by balloons. The centrepiece has a scallop-shell in a round arch, with acroterion. Piers are supported by small scroll-brackets. A frieze and cornice-mould is supported by brackets, between festoons. The parapet and verandah wing-wall corbels are vermiculated, the latter on scroll-brackets. The brickwork beneath the verandah was exposed, decorated with diamond ceramic tiles. The tripartite window has barleysugar Tuscan mullions and bluestone cill and fanlight over door. The verandah is convex, with cast-iron posts, lace-valence and brackets. There are encaustic geometric tiles. The chimney has deep rendered Classical mould'...*

Edwardian-era development is seen in houses facing Kelso Street (5, 9) as well as the former grocer's shop at 12 Kelso Street (Peter Byrne's shop in 1904 and Marcus Steel's in 1920), providing the sense of a self contained domain where provisions were available to householders within walking distance. Intermixed with these are the numerous Victorian-era houses, mainly weatherboard clad, with corrugated iron clad hipped roofs (but with some parapeted forms such as 17 Kelso Street) and little in the way of front gardens. Cremorne Court Flats in Punt Road and the Old English style house Teragram in Wellington Street, represent the well-preserved inter-war buildings that make up a minority of sites in the precinct.

#### Main development period

The main development period evident in the heritage overlay is that of the Victorian and Edwardian-eras, with a contribution from well preserved interwar buildings and individually significant places of all eras.

#### Contributory elements

Contributory elements include mainly (but not exclusively) Victorian-era and Edwardian-era houses, with some well preserved residential examples from the immediate post First-War era, having typically:

- pitched gabled or hipped roofs;
- one storey wall heights;
- weatherboard, face brick, or stucco wall cladding; corrugated iron, with some slate roofing;
- chimneys of either stucco finish (with moulded caps) or of matching face brickwork with capping courses;
- post-supported verandah elements facing the street;
- less than 40% of the street wall face comprised with openings such as
- windows and doors; and
- front gardens, bordered by low front fences, typically of timber picket for the Victorian and Edwardian-eras.

Contributory elements also include public infrastructure, expressive of the Victorian and Edwardian-eras such as stone pitched road paving, kerbs and channels, and asphalt paved footpaths.

#### **How is it significant?**

The Wellington Street, Cremorne, Heritage Precinct is aesthetically and historically significant (National Estate Register Criteria E1, A4) to the locality of Cremorne and the City of Yarra.



## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### PRECINCTS

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

Wellington Street, Cremorne, Heritage Precinct is significant:

- As a well defined area of Victorian and Edwardian-era houses that matches the major growth periods in Richmond's and the City's housing history, complementing the existing adjoining Cremorne Heritage Overlay Area and individual heritage overlays within its boundaries;
- For some distinctive house groups such as in Gough Place, well preserved inter-war examples such as Cremorne Court Flats, and significant individual house examples; and
- For its role as one of the first development plans launched in Richmond, with some houses reflecting the 1850s estates.

#### **11. Victoria Street Precinct, Richmond (HO408)**

Source: Lovell Chen (2012), *City of Yarra Heritage Gaps Study 2012 (Heritage Gaps Amendment two)*

Updated by GJM Heritage (2018), *Victoria Street and Bridge Road Built Form Review Heritage Assessments*

#### ***What is significant?***

The Victoria Street Precinct is located on the south side of Victoria Street, Richmond. The precinct is linear in nature, following the alignment of Victoria Street between Shelley Street to the west and several properties short of Lennox Street to the east; Little Butler Street is to the rear. The precinct comprises historic commercial/retail buildings, the majority of which are two-storey rendered masonry and brick buildings, with several single-storey buildings at the west end. The buildings date from the second half of the nineteenth century through to the 1910s. Buildings in the precinct are predominantly of 'contributory' heritage value; with one 'individually significant' property (pair of twostorey Victorian shop/residences at 92-94 Victoria Street); and two 'not-contributory' properties. The graded properties of the precinct share many characteristics, including rendered masonry and brick buildings, many overpainted, of (mainly) two-storey scale; no setbacks to the street; typically concealed or partly concealed roof forms, with some visible chimneys; generally intact upper (first floor) facades with parapets which are variously plain or curved, with some triangular or square pediments; some elaborate detailing to parapets; and original first floor windows associated with the former residences above the ground floor shops. The shopfronts are typically altered, with many of quite recent origin; awnings over the street (cantilevered or suspended with tie rods) are also commonly not original. Signage varies in impact and prominence: signs are attached to the fascias of awnings; to parapets, first floor facades and the roofs of verandahs and awnings; and in painted form to shop windows. Many of the properties also have rear service yards, with annexes, skillions and outbuildings being common, accessed via Little Butler Street.

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

- Predominantly two-storey façade parapets, with pitched roofs behind
- No front or side setbacks
- Rendered and face brick walls
- Rendered window frames, sills and hoods to upper stories
- Rendered detailing and ornament to upper stories, including parapets, pediments, cornices and pilaster strips
- Horizontal lines formed by parapets, cornices and string courses
- Repetitive upper floor fenestration patterns.

#### ***How is it significant?***

The Victoria Street Precinct is of local historical and aesthetic/architectural significance.

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

The Victoria Street Precinct is of local historical significance. The street forms the boundary between Richmond and Abbotsford, and was originally known as Simpson's Road. It began to develop a commercial and retail character in the mid-nineteenth century, a pattern which was consolidated by

## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### PRECINCTS

the 1880s when there was a significant increase in the number of businesses. By the end of the century, many of the existing buildings had been constructed. Victoria Street has subsequently continued as a local retail and service precinct for Richmond and Abbotsford, albeit with the mix of businesses, and the commercial character of the precinct changing in the period since the Second World War. This was in response to waves of migrant groups moving to the area, including people from South East Asia who from the 1970s to the present have operated numerous restaurants, green grocers and grocery shops. The colourful retail character of the street, and the rich collection of restaurants, draws customers from all over Melbourne. The Victoria Street Precinct is also of local aesthetic/architectural significance. It has a comparatively high level of intactness to the collection of nineteenth and early twentieth century buildings, concentrated in the first floor facades. The predominantly two-storey scale, combined with the generally consistent and repetitive pattern of parapeted first floor facades, generates a high level of cohesion and homogeneity. The mix of single and paired buildings also adds to the character of the precinct. In addition, the precinct demonstrates some of the principal characteristics of late nineteenth and early twentieth century commercial/retail streets. These include many two-storey historic masonry buildings, which combine retail and residential components; zero setbacks to the street; shopfronts at ground floor level (albeit mostly altered to their original form); awnings; and a preponderance of intact first floor facades, with solid walls, punched rectangular windows, and often prominent parapets. The latter are variously plain or curved, with some triangular or square pediments, and elaborate detailing.

#### 12. Victoria Street West Precinct, Abbotsford (HO444)

Source: Anthemion Consultancies (2012), *City of Yarra Heritage Gaps Study*  
Updated by GJM Heritage (2018), *Victoria Street and Bridge Road Built Form Review Heritage Assessments*

##### ***What is significant?***

Nos. 233, 235, 237, 239, 241, 243, 245, 247, 249 and 251 Victoria Street, Abbotsford, plus the former bank on the corner of Hoddle Street, were all constructed before 1885. The shops form a cohesive group variously with distinctive features which identify them in sub-groups.

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

- Two-storey façade parapets, with pitched roofs behind
- No front or side setbacks
- Rendered and face brick walls (nos. 249-251 unpainted bichromatic brickwork)
- Rendered or face brick window frames, sills and hoods to upper stories
- Rendered or brick detailing to upper stories, including parapets, pediments, cornices and stringcourses
- Horizontal lines formed by parapets, cornices and string courses
- Repetitive upper floor fenestration patterns
- Corner building with principal facades to both streets.

##### ***Nos. 245, 247, 249 and 251 Victoria Street***

Nos. 245, 247, 249 and 251 Victoria Street, Abbotsford are constructed from bi-chromatic brickwork and date from 1875/76. They are double-storey, constructed of red face brick and with cream brick detailing around the windows and cream brick string courses at window head (sash) height and at sill height on the upper level façades and east elevation of No. 251. Their appearance is highly unusual and possibly unique in the City of Yarra. The detailing of the gabled parapets and window surrounds is oddly heavy and is either an unusual design or contains exposed brickwork which may have been set and corbelled to take render which appears to have never been applied. At the ground floor level, the structural brickwork which has been rendered remains between the shopfronts. On No. 251 the bluestone plinth remains visible even though overpainted. This shop also retains the visible cornice

## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### PRECINCTS

above the ground floor level. Evidence of some original lower parapet mouldings also remains on the other shops above the non-original canopies. All of the shopfronts have stallboards which are original in style if not in fabric and it is assumed that the doors are at least in their original plane, if not original position. The rear of the shops appears to be highly intact despite some additional fabric having been added. From this aspect the rear chimneys, with elaborate bichromatic corbelled caps, are a dominant and unusual feature. The brickwork remains exposed face brick and windows are variously intact.

#### *Nos. 239 – 243 Victoria Street*

These shops, constructed 1885-86, form a more conventional group of three Italianate or Classical style double-storey shops with stuccoed upper levels and plain gabled pediments above a deep continuous moulded cornice, terminated by a corbel. Each façade has a pair of window openings, originally containing six-paned, timber-framed, double-hung sash windows set within simple moulded rendered architraves, and rendered sills supported by a simple corbel at the base of each architrave. The original sashes appear to remain at No. 239. Between the upper and ground floor levels is another moulded cornice with each shop being separated by a moulded corbel decorated with a boss and some have moulded consoles below. At the ground floor level, the structural brickwork which is rendered, remains between the shopfronts and all of the shopfronts have stallboards which are original in style if not in fabric. It appears that the doors are at least in their original plane, if not original position. The rear of the shops appears to be highly intact despite some additional fabric having been added. The brickwork remains exposed face brick and windows are variously intact as are face brick chimneys with moulded rendered caps. The roofs are gabled and have timber-framing and are clad in corrugated steel. The attributed association with notable and prolific architect George Wharton is also of significance. His oeuvre to date is not represented by any identified shops.

#### *No. 237 Victoria Street*

This shop has a wider frontage than the others in the group and is of a conventional Italianate or Classical design for its era (1882). The upper level has a flat parapet which may have originally incorporated further embellishment, a moulded cornice terminated at each end by a moulded corbel with a console beneath. The equally-spaced window openings along the upper façade have no moulded detailing and simply have slightly arched heads and no sills. Each opening contains a timber-framed, double-hung sash window which appears to be original. At the ground floor level, the structural brickwork which is rendered remains between the shopfronts. The lower cornice is deep and moulded and is terminated at either end by a moulded corbel with a console below. The shopfront has a stallboard which is original in style if not in fabric and it appears that the door is at least in its original plane, if not original position. The rear of the shop appears to be highly intact. The brickwork remains exposed face brick and windows are variously intact. The roof appears to be a skillion with timberframing and is clad in corrugated steel.

#### *Nos. 233 and 235 Victoria Street*

This pair of shops, constructed 1885, forms a more conventional group of two Italianate or Classical style double-storey shops with stuccoed upper levels and plain gabled pediments above a deep continuous moulded cornice, terminated by a corbel, embellished with a boss. Each façade has a pair of window openings, containing what appears to be an original timberframed, double hung sash window set within simple moulded rendered architraves, and rendered sills supported by a simple corbel at the base of each architrave. Between the upper and ground floor levels is another moulded cornice which extends over both façades and which is terminated at either end by a moulded corbel decorated with a boss (patera) and with a moulded console below. At the ground floor level, the structural brickwork which is rendered remains between the shopfronts and the render is exposed. Both shopfronts have stallboards which are original in style if not in fabric and it appears that the doors are at least in their original plane, if not original position. The rear of the shops appears to be highly intact despite some additional fabric having been added. The brickwork of No. 233 remains exposed face brick and a window is intact. The roofs are hipped and have timber-framing and are clad in corrugated steel. The highly probable association with notable and prolific architect George Wharton is also of

## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### PRECINCTS

significance. His oeuvre to date is not represented by any identified shops.

***How is it significant?***

The buildings at Nos. 233, 235, 237, 239, 241, 243, 245, 247, 249 and 251 Victoria Street, Abbotsford are of local historical and aesthetic/architectural significance.

***Why is it significant?***

The buildings at Nos. 233, 235, 237, 239, 241, 243, 245, 247, 249 and 251 Victoria Street, Abbotsford are of local historical and aesthetic significance. The northern stretch of Victoria Street between Hoddle and Ferguson Streets is recorded in the first Collingwood Rate Book of 1864, as containing three brick houses. The first shops may have appeared in 1872 but certainly by 1875, during a period of suburban growth, three properties each containing a brick house and shop are listed in addition to a brick cottage. By 1885 the remainder of the block had been fully developed with shops and a bank. As such the buildings as a group document the development of this part of Victoria Street which is a continuum of the commercial development which occurred on both sides further to the east. It typifies a local or neighbourhood retail strip, essentially providing goods and services for local residents, in contradistinction to the destination high streets, such as Smith and Brunswick Streets. It was at this period that the nature of the premises and services offered changed forever from being small manufacturing to retailing. From this time the shops increasingly came to serve the local community and, now most recently, people from South-East Asia and those who appreciate this culture. The shops are highly intact to their structures and are variously distinctive, even unique, aesthetically. Six of them typify the types of shops constructed in the Italianate or Classical style which were the predominant nineteenth century style in commercial areas. They are either the first buildings constructed on these originally vacant sites or are the first shops which replaced earlier dwellings and a workshop(s). In a restrained manner, the façades contain characteristic materials, detailing and decorative mouldings and elements of Boom style architecture. Nos. 245, 247, 249 and 251 Victoria Street, constructed from bi-chromatic brickwork, form a distinctive group which has a highly unusual appearance and which is possibly unique in the City of Yarra. The detailing of the gabled parapets and window surrounds is oddly heavy and is either an unusual design or may be exposed brickwork which was originally set and corbelled to take render which appears to have never been applied.

The examples of the work of notable and prolific architect George Wharton's shed further light on his practice and oeuvre which is known today mostly through other and perhaps more grand building types and designs which do not accurately represent the wider range of buildings emanating from his, and similar nineteenth century architects' practices. The range of their work is often beyond what has survived or been positively identified.

---

### 13. Burnley Street Precinct, Richmond (HO474)

Source: Context Pty Ltd (2014), *Heritage Gap Study, Review of Central Richmond*.

***What is significant?***

The Burnley Street Precinct, comprising 345-389 & 370-404 Burnley Street and 395-419 Swan Street, Richmond is significant. The following buildings and features contribute to the significance of the precinct:

- The buildings constructed from c.1880 to c.1940, as shown on the precinct map.
- The overall consistency of building form (buildings with roofs concealed by parapets, with residential quarters above if two storey and behind if single storey), materials and detailing (front walls of stucco with decorative parapets, some original timber or metal-framed shopfronts with timber or tiled stallboards and recessed entries), and siting (no front and side setbacks).
- The landmark qualities of the former Bank of Australasia.
- The nineteenth century subdivision pattern comprising regular allotments served by rear bluestone laneways.

## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### PRECINCTS

The following places are Individually Significant and have their own statement of significance:

- Former Bank of Australasia, 377 Burnley Street,
- Former shop and residence, 380 Burnley Street,
- Shops and residences, 400-402 Burnley Street, and
- Shops and residences, 413-15 Burnley Street.

Non-original alterations and additions to the Contributory buildings shown on the precinct map, and the buildings at 381 & 382 Burnley Street, and 411 Swan Street are Not Contributory.

#### ***How is it significant?***

The Burnley Street Precinct is of local historic and architectural significance to the City of Yarra.

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

Historically, the precinct is a representative example of a shopping centre serving local needs that developed in response to the significant population growth of Richmond in the late nineteenth and early twentieth centuries. The terrace row at nos. 345-67 Burnley Street provides evidence of the first significant phase of residential development that created the need for the centre in the late nineteenth century. (Criterion A)

The location, close to a railway station, and around a major intersection and the mix of single and double storey commercial premises, some with original shopfronts, the corner hotel and former bank are all characteristic of these local centres. The mix of residential and commercial premises is also typical with places such as nos. 373 and 375 Burnley Street that combine a Victorian house with an Edwardian shopfront demonstrating the evolution of the precinct from residential to commercial. (Criterion D)

The precinct contains late Victorian, Federation, and Inter-war shops and one hotel with consistent and characteristic parapeted form, siting and detailing, including some original shopfronts, which contrast with the Victorian residential terrace row. The former Bank of Australasia is notable as a landmark within the precinct. (Criterion E)

#### **14. Swan Street West Precinct (HO524)**

Source: GJM Heritage (2017), *Swan Street Built Form Study: Heritage Assessments & Analysis*

#### ***What is significant?***

The Swan Street West Precinct comprising 30-42 Swan Street, Cremorne.

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

- The original external form, materials and detailing of the four buildings
- The high level of integrity of the buildings to their late nineteenth and early twentieth century design.

Later (post 1940) alterations and additions to the rear and shopfront are not significant.

#### ***How is it significant?***

The Swan Street West Precinct is of local historical and architectural significance to the City of Yarra.

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

The Swan Street West Precinct is illustrative of historical development along a major, early commercial thoroughfare in the City of Yarra. As the only remaining group of intact commercial buildings from the Victorian and Edwardian periods west of the Swan Street railway bridge, this precinct demonstrates the

**Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)**

**PRECINCTS**

commercial development at the west entrance of the major Swan Street 'High Street' up to the 1920s [Criterion A].

The small but intact Swan Street West Precinct clearly demonstrates the principal characteristics of a major Victorian and Edwardian 'High Street' in the City of Yarra. Typical characteristics, including parapeted facades with repetitive upper floor fenestration, rendered facades and ground floor shopfronts, are displayed in the variety of original forms, fabric and detailing of the four buildings [Criterion D].

## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### INDIVIDUALLY SIGNIFICANT PLACES

#### INDIVIDUALLY SIGNIFICANT PLACES

---

**1. Former State Saving Bank**

**231 Victoria Street, Abbotsford (HO53)**

Source: Allom Lovell & Associates (1998), *City of Yarra Heritage Review*  
 Updated by GJM Heritage (2018), *Victoria Street and Bridge Road Built Form Review Heritage Assessments*

The former State Savings Bank at 231 Victoria Street, Abbotsford is of local architectural significance and historical interest. The building is a good example of the Italianate palazzo style, typical of bank premises in the late 19th century. The building is a notable element in the streetscape, occupying a prominent corner site at the intersection of Hoddle and Victoria Streets. The building's association with architect George Wharton, who designed other buildings for the Melbourne Savings Bank, is of interest.

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

- Façade parapet with pitched roof behind
- No setbacks
- Rendered walls
- Rendered façade detailing including window frames, hoods, pilasters, engaged columns and rusticated banding
- Strong horizontal lines formed by parapet line, cornices, string courses and rusticated banding
- Repetitive fenestration patterns at ground and first floor
- Corner building with two symmetrical, articulated, principal facades
- Emphasis on corner and façade extremities with concentration of decorative elements.

---

**2. Former National Bank**

**261 Victoria Street, Abbotsford (HO54)**

Source: Allom Lovell & Associates (1998), *City of Yarra Heritage Review*  
 Updated by GJM Heritage (2018), *Victoria Street and Bridge Road Built Form Review Heritage Assessments*

The former National Bank of Australasia at 261 Victoria Street, Abbotsford, is of local architectural significance and local historical interest. The building is a good example of the restrained use of the Italianate palazzo style, typical of bank premises in the late 19th century. The building's association with Albert Purchas, architect of the Melbourne General Cemetery (from 1852), and of the Richmond South branch of the bank, is of interest.

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

- Facade parapet with pitched roof behind
- No side setback and minimal front setback
- Rendered walls
- Rendered façade detailing including window frames, sills and pedimented hoods, balustrading, columns and piers, name plates, vermiculated quoining and rusticated banding
- Strong horizontal lines formed by parapet line, cornices, string courses and rusticated banding
- Repetitive fenestration patterns to both facades at ground and first floor
- Corner building with symmetrical, articulated, front façade and secondary façade to side street
- Emphasis on central bay of front facade with concentration of decorative elements and raised pediment at parapet ☐ Cast iron picket fence to front facade.

## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### INDIVIDUALLY SIGNIFICANT PLACES

#### 3. Shops

##### **275-277 Victoria Street, Abbotsford (HO55)**

Source: Allom Lovell & Associates (1998), *City of Yarra Heritage Review*  
Updated by GJM Heritage (2018), *Victoria Street and Bridge Road Built Form Review Heritage Assessments*

The Lambeth Buildings at 275-277 Victoria Street, Abbotsford, is of local architectural significance. The building is a typical and relatively intact example of a 19th century double storey shop and residence, which makes an important contribution to the streetscape.

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

- Facade parapet with pitched roof behind
- No front or side setbacks
- Rendered walls
- Rendered façade detailing and ornament including window frames and sills, masks, finials and pediment with name plate
- Strong horizontal lines formed by parapet line, cornices and string courses
- Repetitive fenestration patterns to both facades at ground and first floor
- Corner building with principal facades to both streets
- Shopfront with display windows, plinth and entry recess (no 277)
- Smaller scale facades at rear (Park Street) with similar detailing to main building.

---

#### 4. Shop

##### **295 Victoria Street, Abbotsford (HO56)**

Source: Allom Lovell & Associates (1998), *City of Yarra Heritage Review*  
Updated by GJM Heritage (2018), *Victoria Street and Bridge Road Built Form Review Heritage Assessments*

The shop and residence at 295 Victoria Street, Abbotsford, is of local architectural significance. The building is a typical and relatively intact example, other than the shopfront, of a doublestorey 19th century shop and residence, and contributes to the character of the streetscape.

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

- Simple façade parapet with pitched roof behind
- No front or side setbacks
- Rendered walls
- Strong horizontal lines formed by parapet line and cornices
- Repetitive fenestration patterns at first floor level
- Corner building with principal facades to both streets
- Splayed corner to building.

---

#### 5. Shops

##### **297-301 Victoria Street, Abbotsford (HO57)**

Source: Allom Lovell & Associates (1998), *City of Yarra Heritage Review* Updated by GJM Heritage (2018), *Victoria Street and Bridge Road Built Form Review Heritage Assessments*

The shops at 297-301 Victoria Street, Abbotsford, are of local architectural significance. They are particularly ornate examples of the Italianate style with unusual first floor fenestration, diminished somewhat by the painting of most of the brickwork, and a rare intact shopfront at no. 297. The shops are important heritage elements in the streetscape.



## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### INDIVIDUALLY SIGNIFICANT PLACES

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

- Façade parapet with pitched roof behind
- No front or side setbacks
- Face red brick walls, overpainted (except for 301 Victoria Street)
- Rendered façade detailing including window frames, sills and pilasters
- Horizontal lines formed by parapet line and cornices
- Strong vertical lines formed by pilaster strips on main facade
- Repetitive fenestration patterns at first floor level, including unusual tripartite windows at first floor level and semi-circular arch-headed windows at ground floor (retained at 299 only)
- Continuation of fenestration patterns to Charles Street with simplified detail
- Corner building with articulated front and part side façade
- Splayed corner to building.

---

#### 6. **Shops** **371-377 Victoria Street, Abbotsford (HO58)**

Source: Allom Lovell & Associates (1998), *City of Yarra Heritage Review*  
Updated by GJM Heritage (2018), *Victoria Street and Bridge Road Built Form Review Heritage Assessments*

The shops at 371-377 Victoria Street, Abbotsford, are of local architectural significance. Although the shopfronts have been altered, the first floor facades—an unusual composition of polychromatic brick and unpainted render elements—remain substantially intact, and are an important heritage element in the streetscape.

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

- Façade parapet with pitched roof behind
- No front or side setbacks
- Polychromatic brick walls
- Rendered façade detailing including window sills and hoods, cornices and plainly detailed parapet (unpainted)
- Strong horizontal lines formed by parapet and cornices
- Strong vertical pilaster lines clearly defining individual shops
- Repetitive upper floor fenestration patterns
- Principal front façade to Victoria Street and secondary façade to side street.

---

#### 7. **Former Collingwood East Hotel** **385 Victoria Street, Abbotsford (HO59)**

Source: Allom Lovell & Associates (1998), *City of Yarra Heritage Review*  
Updated by GJM Heritage (2018), *Victoria Street and Bridge Road Built Form Review Heritage Assessments*

The former East Collingwood Hotel, 385 Victoria Street, Abbotsford, is of local architectural significance. Architecturally, the building has unusually detailed facades, and remains remarkably intact. The building is a good example of the Italianate style applied to a commercial building, and it is an important heritage element in the Victoria Street streetscape.

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

- Façade parapet with pitched roof behind

## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### INDIVIDUALLY SIGNIFICANT PLACES

- No front or side setbacks
- Rendered walls
- Rendered façade detailing including window sills and hoods, masks and banded and vermiculated rustication
- Strong horizontal lines formed by parapet line, cornices and banded rustication
- Repetitive upper floor fenestration patterns
- Repetitive lower floor arch-headed pattern of window and door openings
- Corner building with principal facades to both streets
- Splayed corner to building.

---

**8. Shops**  
**459-465 Victoria Street, Abbotsford (HO60)**

Source: Allom Lovell & Associates (1998), *City of Yarra Heritage Review*  
Updated by GJM Heritage (2018), *Victoria Street and Bridge Road Built Form Review Heritage Assessments*

The shops at 459-465 Victoria Street, Abbotsford, are of local architectural significance. Relatively intact, they are unusual examples of richly decorated Edwardian double-storey shops.

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

- Simple façade parapet with pitched roof behind
- No front or side setbacks
- Face red brick walls with brown brick and render contrasts (nos 459 & 465 overpainted), including decorative corner pediment
- Strong horizontal lines formed by parapet, cornice and stringcourses
- Strong vertical pilaster lines clearly defining individual shops
- Repetitive upper floor fenestration patterns
- Corner building with principal front facade
- Splayed corner to building.

---

**9. Shop**  
**511 Victoria Street, Abbotsford (HO61)**

Source: Allom Lovell & Associates (1998), *City of Yarra Heritage Review*  
Updated by GJM Heritage (2018), *Victoria Street and Bridge Road Built Form Review Heritage Assessments*

The corner shop at 511 Victoria Street, Abbotsford, is of local architectural significance. The building is an unusually austere mid-Victorian retail building which contrasts with the more richly decorated facades of more contemporary shop architecture. The shopfront is a very rare surviving example of a Victorian shopfront.

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

- Simple façade parapet with pitched roof behind
- No front or side setbacks
- Face brick walls
- Strong horizontal lines formed by parapet and cornice
- Repetitive upper floor fenestration patterns.

---

**10. Terminus Hotel, former Bricklayers Arms Hotel**

**Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)**

**INDIVIDUALLY SIGNIFICANT PLACES**

**605 Victoria Street, Abbotsford (HO62)**

Source: Allom Lovell & Associates (1998), *City of Yarra Heritage Review*  
 Updated by GJM Heritage (2018), *Victoria Street and Bridge Road Built Form Review Heritage Assessments*

The former Brickmakers Arms Hotel is of local architectural and historical significance. Although the original 19th century building has been altered, it is a rare surviving building associated with the brickmaking industry in Abbotsford, which once occupied all the land along both sides of Flockhart Street, but which had relocated to the eastern and northern suburbs by the 1880s. A hotel has occupied this site continuously since 1866. The present building displays typical features of the Moderne style such as steel-framed windows, curved corner, and horizontal facade treatment, notable for its tiling. The building is substantially intact to the extent of the inter-War refurbishment, and being prominently sited at the eastern end of Victoria Street it is a local landmark.

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

- Plain façade parapet with flat roof behind
- No front or side setbacks
- Rendered facades
- Strong horizontal lines formed by parapet, stringcourses, window openings and tiled dado
- Moderne detailing including projecting curved canopy, applied decoration and tiled dado
- Irregular pattern of fenestration including multi-paned and double-hung windows
- Corner building with principal and secondary facades and curved corner.

**11. Former Crusader Plate Building  
 651 Victoria Street, Abbotsford (HO63)**

Source: Allom Lovell & Associates (1998), *City of Yarra Heritage Review*  
 Updated by GJM Heritage (2018), *Victoria Street and Bridge Road Built Form Review Heritage Assessments*

The former Crusader Plate building, at 651 Victoria Street, Abbotsford, is of local architectural significance. Whilst the adjacent Handley's building (No. 653-657), upon which the Crusader Plate building is styled, is a far more confident expression of the Moderne idiom, the Crusader Plate building is nonetheless an interesting and unusual Moderne composition. It is a particularly sympathetic extension to the Handley's complex. The significance of the building has been reduced by the alterations to the glazing and vehicle entrance. The Skipping Girl Vinegar sign is of local historical and social significance. The original sign was Melbourne's first animated neon sign, and the reconstruction remains a local landmark and a Melbourne cultural icon.

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

- Plain façade parapet with sawtooth roof behind
- No front setback
- Face brick facade, including graded brick colours towards the top of the façade
- Repetitive fenestration patterns to front and side facades.

**12. Former Handley & Tilley Building  
 653-657 Victoria Street, Abbotsford (HO64)**

Source: Allom Lovell & Associates (1998), *City of Yarra Heritage Review*  
 Updated by GJM Heritage (2018), *Victoria Street and Bridge Road Built Form Review Heritage*

**Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)**

**INDIVIDUALLY SIGNIFICANT PLACES**

*Assessments*

The former Handley & Tilley Building, 653-657 Victoria Street, is of local architectural significance. The building is an extraordinarily confident expression of the Moderne idiom and an important example of the style applied to a large industrial building. The distinctive polychromatic brickwork is of note. With the adjoining former Crusader Plate building at No. 651, the building is an striking landmark in the Victoria Street streetscape. The appearance of the building has been marred by the 1990s alterations.

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

- Plain façade parapet with generally flat roof behind
- Various minimal front setbacks
- Face brick facades, including graded brick colours towards the top of the facade
- Strong horizontal lines formed by parapets, strips of fenestration and spandrels
- Strong vertical lines formed by central tower element and associated detailing
- Repetitive fenestration patterns
- Moderne detailing including curved walls, projecting canopy and tops of piers.

**13. 13. Former Alma Woolworks Complex  
663 Victoria Street, Abbotsford (HO65)**

Source: Allom Lovell & Associates (1998), *City of Yarra Heritage Review*  
Updated by GJM Heritage (2018), *Victoria Street and Bridge Road Built Form Review Heritage Assessments*

The former Alma Wool Works is of considerable local historical and architectural significance. The former residence derives its significance from its association with Peter Nettleton, Collingwood's best known fellmonger. It is a remnant of the longest surviving fellmongery complex within Collingwood, established during the early phase of industrial activity in the suburb. The house demonstrates the practice of proprietors of industrial establishments living on their premises, in contrast to the preference of later Victorian industrialists to reside in the more fashionable residential suburbs of Melbourne. Largely intact, the former residence is also a rare surviving example of an early bluestone cottage.

The former woolshed is the major surviving building of the original Nettleton's Works, later to become James Schofield Pty Ltd and later again the Alma Woolscouring Co Pty Ltd. It is the key building in Collingwood's, and possibly Melbourne's, largest surviving woolscouring complex. Architecturally, the unusual arcade to the river is of particular note. The whole complex is the earliest remaining substantially intact industrial complex in Collingwood. Its location on the river illustrates the role of the Yarra as a sewer for Melbourne's animal processing factories in the 19<sup>th</sup> century.

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

- Low hipped roof forms
- Rectilinear forms.

**14. Former United Kingdom Hotel (now McDonald's)  
199 Queens Parade, Clifton Hill (HO92, VHRH0684)**

Refer to Victorian Heritage Database for Statement of Significance

**15. Street Trees  
Queens Parade, Between Alexandra Parade & Delbridge Street Clifton Hill/ North Fitzroy (HO93)**

**Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)**

**INDIVIDUALLY SIGNIFICANT PLACES**

Source: Allom Lovell & Associates and John Patrick Landscape Architects Pty Ltd (1998), *City of Yarra Heritage Review*

Source: John Patrick Landscape Architects Pty Ltd (2018), *Heritage Citation: Queens Parade, Fitzroy North*

**Statement of Significance**

The double avenue of trees on Queens Parade is locally significant as an extensive and intact avenue planting in the City of Yarra. The trees provide a significant contribution to the heritage character of the precinct, and to the amenity of the local neighbourhood generally. The uncut basalt rock median borders are locally significant as a relatively intact prominent and decorative feature. Basalt curbing comprised of large honed basalt blocks and drainage channels of multiple rows of basalt pitchers are of contributory significance to the avenue.

- 16. Haselmere  
96 Mckean Street, Fitzroy North (HO216, VHR H0163)**

Refer to Victorian Heritage Database for Statement of Significance

- 17. Former ANZ Bank  
370-374 Queens Parade, North Fitzroy (HO221, VHR H0892)**

Refer to Victorian Heritage Database for Statement of Significance

- 18. Melbourne Tramway & Omnibus Co. Ltd Cable Tram Depot, former, later part Rydges Riverwalk hotel complex  
649 Bridge Road, Richmond (HO228)**

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

The former Richmond Cable Tram Depot, Bridge Road, Richmond, is of local architectural and historical significance. The facade is substantially intact, although its architectural significance is considerably diminished by the 1980s six-storey hotel built behind. Historically, it was the first of 15 cable tram depots to have been constructed in Melbourne, and is one of the surviving sheds of the original cable tram network, which now demonstrate the route and extent of the cable tram system.

- 19. Richmond Police Station [former]  
319-323 Bridge Road, Richmond (HO230)**

Source: This site was removed from the Government Building Register on 21 May 1998 and placed in the Yarra Planning Scheme. The Statement below was provided to the City of Yarra by Heritage Victoria on 25 May 1998.

Updated by GJM Heritage (2018), *Victoria Street and Bridge Road Built Form Review Heritage Assessments*

Richmond Police Station was built in 1878 as part of a civic strip comprising of the Town Hall, Court House and Post Office. The Lock-Up located at the rear is thought to have been erected in the 1860s and was moved to this site in 1872-3. Richmond Police Station is important because of the role it played in the colourful history of the community of Richmond. Police authority and local government were highly involved in the struggles of union development, industry and the political battles between the ALP working class and the conservative middle class of Richmond. The prominence of the building is representative of the high profile of police authority, in conjunction with local government in Richmond during the late nineteenth and early twentieth centuries. Of architectural importance is the

## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### INDIVIDUALLY SIGNIFICANT PLACES

intact government complex including the police lock-up. Architectural details include polychrome brickwork, arched windows and stone work in the lock-up. A better and more intact example of this building type and style exists at Carlton (1878) and has been transferred to the Victorian Heritage Register. The Richmond Police Station does not warrant inclusion on the Victorian Heritage Register as it is not of State significance and a more intact example of its type has been transferred to the Victorian Heritage Register. It is however of local significance. The Richmond Police Station has been removed from the Government Buildings Register and included in the Heritage Overlay of the relevant Planning Scheme.

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

- Two storey, free-standing, symmetrical building
- repetitive arch-headed fenestration patterns at both levels
- Front and side setbacks
- Face red brick walls with contrasting cream and red brick detailing to openings, string courses, chimneys and entrance porch
- Bluestone base
- Exposed hipped slate roof with consoled eaves
- Horizontal lines formed by eaves, sills, stringcourses
- Central focal point (entry)
- Bluestone lock-up with slate roof at the rear of the building.

---

**20. House**  
**234 Coppin Street, Richmond (HO245)**

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

234 Coppin Street, Richmond, is of local architectural significance. The house is representative of the late 19th century double-storey form, and is a good example of the Italianate style. The house is substantially intact, retaining most of the original cement render and cast iron decoration, and is notable for its unusual broken pedimented parapet.

---

**21. Pelaco Sign**  
**21-31 Goodwood Street, Richmond (HO259, VHR H1149)**

Refer to Victorian Heritage Database for Statement of Significance

---

**22. Former Gas Inspector's Residence**  
**7 Gleadell Street, Richmond (HO260, VHR H1610)**

Refer to Victoria Heritage Database for Statement of Significance

---

**23. Former Central Club Hotel**  
**291 Swan Street, Richmond (HO285)**

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

The former Central Club Hotel is of local architectural significance. The hotel is a good example of the late 19th century Italianate Boom style, notable for its lively asymmetrical facade composition and florid Victorian Mannerist cement rendered decoration. The three-storey building is a significant local landmark in Swan Street. Its association with the locally prominent Cremean family and their involvement in Catholic politics is of local historical interest.

## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### INDIVIDUALLY SIGNIFICANT PLACES

---

**24. Former Burnley Theatre**  
**365 Swan Street, Richmond (HO286)**

Source: Allom Lovell & Associates (1998), *City of Yarra Heritage Review*;  
 Updated by GJM Heritage (2017), *Swan Street Built Form Heritage Review*;  
 Updated by Context Pty. Ltd. (2017), *Thematic Study of Theatres in the City of Yarra*

The former Burnley Theatre is of local social and architectural significance. Until its closure in 1958, the theatre was popular with the residents of Richmond as a social gathering place. The Swan Street facade, although not of individual architectural importance, contributes to the streetscape and is a notable local landmark.

Additional contributory elements:

- Capacious building with wide symmetrical façade to Swan Street
- Strong horizontal lines define levels
- Front façade has pattern of windows and engaged columns with wider central bay
- Located on a corner with undecorated side façade to Edinburgh Street
- Large gabled hall behind front façade.

***What is Significant?***

The former Burnley Theatre at 365 Swan Street Richmond, including its interior, built in 1928 and designed by Bohringer, Taylor & Johnson architects is significant.

***How is it significant?***

The Burnley Theatre is of local historic and aesthetic significance to the City of Yarra. It also has rarity value as a picture palace.

***Why is it significant?***

The former Burnley Theatre at 365 Swan Street Richmond is historically significant as one of several suburban picture palaces in the City of Yarra. Picture palaces were immensely popular in the interwar period as places of entertainment. The picture palace and purpose-built theatres built from about 1914 provided entertainment for the working classes where live theatre had traditionally and previously catered for the middle and upper classes. The Burnley Theatre is historically significant for its association with Union Theatres Ltd., the forerunner of the present Greater Union Organisation. (Criterion A)

The former Burnley Theatre is one of only six picture palaces surviving in the City of Yarra and one of four with surviving interiors. Others include the San Remo Ballroom (former Jubilee Theatre), Austral Theatre and the Richmond Cinema. Of the four, the Burnley Theatre has the most intact interior. (Criterion B)

The Burnley Theatre is a fine example of a picture palace and is an interwar cinema with high architectural quality. The theatre is also significant for its design by the prominent architectural firm Bohringer, Taylor & Johnson who specialised in theatre and cinema design in the interwar period. It demonstrates particular characteristics of the picture palace associated with the advent of 'talkies'. This includes large open internal spaces to assist view lines to the screen, vaulted ceilings, mezzanine levels and box seats over a ground level entry. These picture palaces generally exhibited a neo-classical and art deco styling reflecting in a sense of the place being a 'cathedral for entertainment' — as a special part of the community sense of place at the time when entertainment was a luxury. (Criterion D)

**Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)**

**INDIVIDUALLY SIGNIFICANT PLACES**

The former Burnley Theatre is aesthetically significant for its exterior form and articulated Neo-classical frontage to Swan Street featuring pairs of engaged Tuscan columns, entablature and parapet and sequence of sash windows with decorative rendered 'fanlights'. Another attribute of aesthetic significance is the way this part of the building expresses the lounge area of the cinema. The Burnley Theatre is of aesthetic significance for its highly intact interior featuring the foyers and lobbies, auditorium, gallery, proscenium and balconies. Attributes also include the decorative plasterwork to walls and ceilings, and the ornate and subtle colours of an early, if not original colour scheme. (Criterion E)

**25. Former State Bank  
214-216 Swan Street, Richmond (HO288, VHR H732)**

Refer to Victorian Heritage Database for Statement of Significance

**26. House  
316 Victoria Street, Richmond (HO289)**

Source: Allom Lovell & Associates (1998), *City of Yarra Heritage Review*  
Updated by GJM Heritage (2018), *Victoria Street and Bridge Road Built Form Review Heritage Assessments*

The house at 316 Victoria Street, Richmond, is of local architectural significance. It is the only house of its type —a double-fronted double-storey terrace—in Victoria Street. It is a good and substantially intact example an Italianate style terrace, with particularly fine detailing. It is a major contributor to the streetscape in an area much denuded by post-War commercial and industrial buildings.

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

- Simple façade parapet with pitched roof behind
- Front setbacks but no side setbacks
- Rendered walls (overpainted)
- Front verandahs and balconies with decorative cast iron balustrading and friezes
- Render detailing including parapet balustrading and cornice (overpainted)
- Strong horizontal lines formed by parapet, cornices, stringcourse and balconies
- Side wing walls with simple decorative detailing
- Repetitive fenestration and openings patterns at both levels
- Cast iron palisade fencing, gate, posts and bluestone base.

**27. Byrne's Arcade Terrace  
318-326 Victoria Street, Richmond (HO290)**

Source: Allom Lovell & Associates (1998), *City of Yarra Heritage Review*  
Updated by GJM Heritage (2018), *Victoria Street and Bridge Road Built Form Review Heritage Assessments*

Byrne's Arcade Terrace is of local architectural significance. Whilst there are a number of 19th century double-storey shops with residences above in Victoria Street, Byrne's Arcade Terrace is the only residential terrace, and a typical and reasonably intact example. It is a major contributor to the streetscape in an area much denuded by post-War commercial and industrial buildings.

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

- Simple façade parapet with pitched roof behind



## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### INDIVIDUALLY SIGNIFICANT PLACES

- Front setbacks but no side setbacks
- Rendered walls (overpainted)
- Front verandahs and balconies with decorative cast iron balustrading and friezes (not all original)
- Render detailing including dentilled cornice, central pediment, rosettes, masks and urns (overpainted)
- Strong horizontal lines formed by parapet, cornices and balconies
- Strong vertical pilaster lines clearly defining individual residences
- Repetitive fenestration and openings patterns at both levels
- Cast iron palisade fencing and gates, and bluestone bases, to the majority of properties.

---

**28. 28. Former Simpson's Glove Factory  
488-496 Victoria Street, Richmond (HO291)**

Source: Allom Lovell & Associates (1998), *City of Yarra Heritage Review*  
Updated by GJM Heritage (2018), *Victoria Street and Bridge Road Built Form Review Heritage Assessments*

The former Simpsons Glove Factory is of local architectural significance and local historical interest. The building has been used as a factory since its construction in 1920 until relatively recently. Architecturally, it is a typical example of the stripped Classical Revival style applied to a utilitarian building. The building is prominently sited at the eastern end of Victoria Street, and is a local landmark.

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

- Façade parapet with pitched roof behind
- No front or side setbacks
- Red brick walls with dark brick contrasts
- Plain rendered façade detailing including parapet, consoles, window lintels and sills and curved entrance hood
- Strong vertical pilaster lines
- Repetitive fenestration patterns
- Symmetrical front façade.

---

**29. House  
15 Wellington Street, Cremorne (HO294)**

Source: Allom Lovell & Associates (1998), *City of Yarra Heritage Review*;  
Updated by GJM Heritage (2017), *Swan Street Built Form Heritage Review*

The house at 15 Wellington Street, Richmond, is of local architectural significance. Although the overall form of the house is relatively common, this building is distinguished by its highly unusual Dutch gables, and also by the unusual proportions of the fenestration to the projecting bay. The house is an important heritage element in Wellington Street.

Works in 2016/2017 have resulted in the re-rendering of external walls, removal and replacement of cast iron friezes and balustrading and the reinstatement of a previously bricked in ground level window opening.

---

**30. The Boulevard  
The Boulevard Parklands, Burnley (and part Richmond) (HO299)**

## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### INDIVIDUALLY SIGNIFICANT PLACES

Source: Context Pty Ltd (2014), *Heritage Gap Study, Review of Central Richmond*

#### **What is significant?**

Richmond Park, Burnley Park, and Yarra Boulevard are significant. The significant features are:

- The remnant indigenous vegetation throughout the park, mostly River Red Gums (*Eucalyptus camaldensis*).
- The mature trees, planted before 1945. They include Cedars (*Cedrus sp.*), Conifers (*Cupressus sp.*), Dutch Elms (*Ulmus x hollandica*), Oaks (*Quercus sp.*), various palms including Canary Island (*Phoenix canariensis*), Washingtonias (*Washingtonia filifera* and *Washingtonia robusta*) and Chinese Windmill (*Trachycarpus fortunei*), Pines (*Pinus sp.*), and Sugar Gums (*Eucalyptus cladocalyx*). Of particular note are the mature elms in the north section of the park and adjacent to Yarra Boulevard that appear to be remnants of the Dutch Elm avenue originally established c.1870s, the mature Sugar Gums in the Circus Site, Golf Course and Kevin Barlett Reserve, and the group of palms at the east corner of Swan Street and Park Grove.
- The hard landscaping associated with the construction of Yarra Boulevard including lava rock garden bed edging, random rock retaining walls, low walls/fences, planters and steps, generally located along the sides of Yarra Boulevard and in various locations throughout the park.
- The layout of paths in area to the north of Burnley Ovals, which date from prior to 1945.

The following places and features are Individually Significant and have their own statement of significance:

- Burnley Horticultural College (HO306, VHR 2052),
- Corroboree or Marker Tree (HO298), and
- Park Keeper's cottage (former) (Individually Significant within HO299).

The following trees and features are Not Contributory:

- The railways and roadways (with the exception of Yarra Boulevard),
- Buildings constructed after 1945,
- Trees and soft and hard landscaping established after 1945,
- Modern park furniture including seating, bbqs and the like, and
- Modern fencing.

#### **How is it significant?**

Richmond Park, Burnley Park, and Yarra Boulevard are of local historic and aesthetic significance to the City of Yarra.

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

It is historically significant as one of the oldest reserves in Victoria and demonstrates how large areas of land were set aside for parkland as part of the first surveys of Melbourne. The surviving nineteenth century fabric including the buildings and plantings associated with the Horticultural Society gardens, the remnants of the Dutch Elm Avenue, mature Sugar Gums and the park keeper's cottage are of particular significance as evidence of the development of the park during the nineteenth century. (Criterion A)

It is significant as an example of the large informal reserves created during the nineteenth century park, that contain sections of naturalistic landscapes with remnant indigenous vegetation combined with introduced plantings and hard landscape elements. (Criterion D)

It is historically and socially significant as the oldest park within Richmond and as a place of passive and active recreation that has been in continuous use for over 150 years. (Criterion A & G)

Yarra Boulevard is historically significant as an example of the major public works projects undertaken

## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### INDIVIDUALLY SIGNIFICANT PLACES

to provide unemployment relief during the Great Depression. It is an example of the roads constructed along 'scenic' routes during the interwar period and is associated with the increasing use of private motor cars for sightseeing and leisure. (Criteria A & D)

Aesthetically, it is significant for its semi-naturalistic and highly picturesque landscape, which combines remnant indigenous trees with semi-formal plantings of exotic species. Yarra Boulevard is notable as a fine example of an interwar public landscape with a distinctive character created by the rock walls and garden edging, and mature exotic trees and shrubs. (Criterion E)

---

**31. Skipping Girl Neon Sign**  
**651-653 Victoria Street, Abbotsford (HO353, VHR H2083)**

Refer to Victorian Heritage Database for Statement of Significance

---

**32. Former Richmond South Post Office**  
**90-92 Swan Street, Richmond (HO357, VHR H48)**

Refer to Victorian Heritage Database for Statement of Significance

---

**33. Dimmeys**  
**140-160 Swan Street, Richmond (Cremorne) (HO360, VHR H2184)**

Refer to Victorian Heritage Database for Statement of Significance

---

**34. The Greyhound Hotel, later Depot Hotel, now PrecinctHotel**  
**60-62 Swan Street, Richmond (HO405)**

Source: Graeme Butler & Associates (2012), *City of Yarra Heritage Gaps Review (Review 1)*;  
Updated by GJM Heritage (2017), *Swan Street Built Form Heritage Review*

***What is significant?***

The Greyhound Hotel, later Depot Hotel and Precinct Hotel has been the site of a public house and gathering place since the 1850s-60s (as 52 Swan St) when licensees included John Davies and William Perrin. The Swan Street West area had consolidated by the 1890s with continuing commercial uses evolving around the new Bowling Club Hotel. The former Bowling Club Hotel, at 36-38 Swan Street, was licensed at another Richmond location to one John Smith in 1868, with a Miss Julia Topey keeping a hotel on this site by the 1880s. The hotel was kept by M Fitzgerald in the early 1900s but as the new century progressed, the hotel had been delicensed such that by 1920, the only hotel that had survived in this part of Swan Street was the Greyhound Hotel at the Cremorne Street corner (and rebuilt in 1926). Meanwhile shops had occupied the former Bowling Club Hotel. The hotel is a 2 storey Neo-Grec style building, with a simple and boldly executed cemented facade. A deep projecting cornice with brackets underscores the raised parapet entablature with its symmetry to the two elevations expressed through panels, with the focus at the splayed corner. Leadlight glass is evident as is the upper level and ground level joinery (part).

Additional contributory elements include:

- Two-storey wall height
- Zero front setback
- Regular pattern of rectangular fenestration at upper level
- Corner building which address both Swan Street and Cremorne Street by continuing the pattern of openings and parapet detailing
- Splayed corner

## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### INDIVIDUALLY SIGNIFICANT PLACES

- Strong horizontal lines defining levels.

#### ***How is it significant?***

The building is aesthetically, socially and historically significant (National Estate Register Criteria E1, G1, A4) to Richmond.

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

The building is significant: - for its good representation of a key period in the City's history, being as a site, the initial growth of commercial Swan St and as a building, the rebirth of hotel development in the 1920s after the Licence Reduction Board had eliminated other less salubrious pubs; and - as a well-preserved example of a Greek revival style public house in the local context.

#### **35. Quint Café (former Duke of Albany Hotel) (HO416) 323-325 Victoria Street, Abbotsford**

Source: Lovell Chen (2012), *City of Yarra Heritage Gaps Study (Heritage Gaps Amendment two)*  
Updated by GJM Heritage (2018), *Victoria Street and Bridge Road Built Form Review Heritage Assessments*

#### ***What is significant?***

The former hotel at no. 323-325 Victoria Street, Abbotsford, was constructed in the nineteenth century with façade alterations undertaken in the early 1930s. It has a series of hipped roof forms clad in corrugated galvanised steel, and a collection of chimneys. The Victoria Street façade returns around Nicholson Street on the east side in a smooth-stuccoed finish with a parapet rising in three rounded steps to the curved corner, with course line mouldings and a flagpole anchored in two of the mouldings. At first floor level there are steel-framed windows with fanlights and horizontally proportioned panes to both the south and east elevations. The first floor corner is also set with steelframed horizontally-proportioned windows that are faceted to fit the curve of the corner, and doors at either end of the corner window opening to a curved cantilevered balcony with steel tube balustrade. The ground floor has been altered externally.

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

- Plain façade parapet with flat roof behind
- No front or side setbacks
- Rendered facades
- Strong horizontal lines formed by parapet, applied raised strips and window openings
- Moderne detailing including curved corner with staggered parapet and flagpole
- Corner building with principal facades to both streets.

#### ***How is it significant?***

The former hotel at no. 323-325 Victoria Street, Abbotsford, is of local historical and aesthetic/architectural significance.

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

The former hotel at no. 323-325 Victoria Street, Abbotsford, is of local historical significance. The property has accommodated a hotel for approximately 130 years, beginning with Simpson's Hotel from at least the 1850s, when Victoria Street was known as Simpson's Road and the section of street between Hoddle and Nicholson streets was developing its retail and commercial character. The earlier hotel was replaced by the current two-storey brick building, possibly in the 1880s, when it was known as the Duke of Albany Hotel; and in the 1930s, the external appearance of the hotel was dramatically altered, in line with many hotel makeovers of the interwar years. The former hotel is also of local aesthetic/architectural significance, and is distinguished by the Streamlined Moderne remodeling of

## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### INDIVIDUALLY SIGNIFICANT PLACES

the early 1930s. The date of the early 1930s also places this particular stylistic makeover as a comparatively early example. Although altered in part, the Streamlined Moderne styling of the building still reads strongly, particularly the curved emphasis to the Victoria and Nicholson street corner. Elements of note include the three-stepped parapet with course line mouldings; flagpole anchored in two of the mouldings; steel-framed windows; faceted windows to the first floor corner; and the curved cantilevered balcony with steel tube balustrade.

---

#### 36. 400-402 Burnley Street, Richmond (HO429)

Source: Lovell Chen (2012), *City of Yarra Heritage Gaps Study (Heritage Gaps Amendment two)*

**What is significant?**

The property at 400-402 Burnley Street, Richmond, dates from 1912, and comprises a pair of two storied Federation red brick shops with combined residences. No. 402 is the larger of the two, with both building components matching in terms of design. The buildings have transverse gable roof forms, and rear roof pitches concealed by brick parapet walls to form asymmetrical side gables. On the east façade to Burnley Street, both buildings are walled in exposed face brick with two oriel gabled bays to the first floors. The bays and the transverse gable roofs are clad in terracotta tiles; the expressed central and side walls are topped by stepped moulded brackets with orbs; and the gables to the bays are half-timbered with roughcast stucco, crown four-light bay windows, and have apron panels clad in roughcast stucco. The ground floor shopfronts are also original or early.

**How is it significant?**

The property at 400-402 Burnley Street, Richmond, is of local historical and aesthetic/architectural significance.

**Why is it significant?**

The property at 400-402 Burnley Street, Richmond, dates from 1912, and is of local historical significance. It is associated with the later development of eastern Richmond, in an area of Burnley Street, near the junction with Swan Street, which had developed by the early twentieth century into an established retail precinct. The property is also of local aesthetic/architectural significance. It is a well preserved and substantially externally intact example of a Federation two-storey combined residence and shop, in exposed face brick. It is distinguished by the transverse gable roof form, the prominent oriel gabled bays to the first floors, the substantially intact ground floor shopfronts, and the asymmetrical side gable evident on the south elevation which was increasingly common in early twentieth century shop design. Other elements of note include the roof decoration, brackets with orbs, half-timbered gables to the oriel bays, and the oriel apron panels clad in roughcast stucco.

---

#### 37. Swan Street Drill Hall 309 Swan Street, Richmond (HO440)

Source: Lovell Chen (2012), *City of Yarra Heritage Gaps Study (Heritage Gaps Amendment two)*

**What is significant?**

The property at 309 Swan Street, Richmond, is a rectangular shaped allotment with three buildings dating from 1916 and 1937. The buildings comprise the large former drill hall abutting the Duke Street (west) boundary; the narrower storage building abutting the Lord Street (east) boundary; and a smaller brick building between these to the Swan Street boundary. Both the hall and storage shed date from 1916 and are single storey, gable-roofed and gable-ended structures, clad in corrugated galvanised iron. Both buildings retain most of their original window framing, with some exceptions. The space between the two original buildings is concreted over. The third building dates from 1937, and is a single storey, overpainted brick building, with a transverse gable roof. The 1916 drill hall is the

**Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)**

**INDIVIDUALLY SIGNIFICANT PLACES**

largest building on the site, has the distinctive ‘drill hall’ form, and was the focus of the original training operations and subsequent Commonwealth use. The 1916 storage shed, although original, and the later 1937 building, are less distinguished elements, and more utilitarian in character and form.

***How is it significant?***

The property at 309 Swan Street, Richmond, is of local historical and architectural significance.

***Why is it significant?***

The property at 309 Swan Street, Richmond, was established as a drill hall complex in 1916 and is of local historical significance. It dates from the period when compulsory military service was introduced, and a large number of drill halls were constructed in Australia. Richmond men between the ages of eighteen and thirty, who were called upon to enlist for military service in World War One, did so at the Swan Street drill hall. They were also given some training on the site. Later Commonwealth uses included housing the 2/11th Field Regiment in the 1940s; the Department of Technical Engineering copywriting section, and the Training Depot for the Australian Army’s Royal Corps of Australian Electrical and Mechanical Engineers in the 1950s; and cadet battalions in the 1970s. The former drill hall building is also of local architectural significance for demonstrating some of the principal characteristics of World War One drill halls. These include the simple gabled form, albeit carried over a large building, and the large internal space. The galvanised and overpainted corrugated iron cladding is also typical of suburban and regional drill halls around the country. In addition, it is a comparatively externally intact example of a drill hall of this era.

**38. 319 Swan Street, Richmond (HO441)**

Source: Lovell Chen (2012), *City of Yarra Heritage Gaps Study (Heritage Gaps Amendment two)*

***What is significant?***

No. 319 Swan Street, Richmond, was constructed in 1889 as a two storey corner shop and residence. The building is rectangular in plan form with a chamfered corner entry and a hipped roof clad in galvanised corrugated steel, with two stuccoed chimneys with cornices. The first floor is largely externally intact, with original detailing including moulded stringcourses, double-hung sashes with stilted segmental arches, and moulded architraves with accentuated keystones. Other details include half-fluted pilasters (piers) which support a dentilled entablature and above that a continuous bracketed cornice and parapet with waisted balustrading. The chamfered corner is capped with a triangular pediment on two broad piers, enclosing a cartouche panel and topped by an orb finial. At ground level, the shop front has been altered. The rear portion of 319 Swan Street, facing Lord Street, is largely externally intact, albeit more simply detailed than the corner shop component. Beyond this wing is an adjoining contemporary development which is not of heritage significance.

***How is it significant?***

No. 319 Swan Street, Richmond, is of local historical and aesthetic/architectural significance.

***Why is it significant?***

No. 319 Swan Street is of local historical significance, as a combined shop and residence constructed in 1889 for James Davison, a baker. At that time commercial development was being consolidating in Swan Street; the 1880s date is also consistent with the core period of commercial building construction in the street. Unusually, the bakery operation in the building was sustained until the mid-1970s. No. 319 Swan Street is also of local aesthetic/architectural significance. While the building is broadly consistent with many nineteenth century two-storey shop and house combinations in inner suburban main road locations, it is distinguished by the complexity and vigour of the first floor elevations in particular, and the reasonably intact side elevation to Lord Street. The segmentally arched first floor windows are usual in terraced shops, enlivened here by the Corinthian pilasters with

## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### INDIVIDUALLY SIGNIFICANT PLACES

cornice breakfronts above. The parapet and corner pediment, with baluster waisting, dentil mouldings and bracketing, are also largely intact. The chamfered corner enhances the streetscape presentation.

---

**39. Clifton Motors (former)  
205-211 Queens Parade, Fitzroy North (HO480)**

Source: GJM Heritage (2017), *Queens Parade Built Form Heritage Analysis & Recommendations Report*

***What is significant?***

The Former Clifton Motors Garage, Showroom and Residence, 205-211 Queens Parade, Fitzroy North. Elements that contribute to the significance of the place include (but are not limited to):

- The building's 1938-39 external form, materials and detailing
- The building's high level of integrity to its 1938-39 design.

***How is it significant?***

The Former Clifton Motors Garage, Showroom and Residence, Fitzroy North is of local historical and architectural significance to the City of Yarra.

***Why is it significant?***

The Former Clifton Motors Garage, Showroom and Residence, Fitzroy North is of significance as an early motor garage constructed in a prominent location in Queens Parade, Fitzroy North. Operating as a garage and vehicle-related facility from at least the 1920s until the late twentieth century, the place demonstrates the increasing use of motor vehicles in Melbourne and suburbs, and their need for repair and service, for much of the twentieth century. The Moderne façade in particular illustrates the motoring age of the 1930s (Criterion A).

The Former Clifton Motors Garage, Showroom and Residence, Fitzroy North is a fine and intact example of a distinctive Moderne style motor garage, designed by noted architect James H Wardrop. The building displays typical features of the Moderne architectural style popular in the 1930s, including a dominant central element comprising a series of vertical fins and contrasting decorative horizontal treatment (Criterion E).

---

**40. St Johns Church Complex  
61-87 Queens Parade, Clifton Hill (HO496)**

Source: GJM Heritage (2017), *Queens Parade Built Form Heritage Analysis & Recommendations Report*

***What is significant?***

St John the Baptist Roman Catholic Church Complex, 61-87 Queens Parade, Clifton Hill, built from 1876 to 1918, comprising the church, school, presbytery, former hall/shops, former presbytery and the Queens Parade boundary fence to the church and presbytery.

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

- The original external form, materials and detailing of the buildings
- The high level of integrity to their original design
- The Queens Parade fence to the church and presbytery.

Later alterations and additions, particularly the recent addition to the rear of the shops and school, are not significant.

***How is it significant?***

**Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)**

**INDIVIDUALLY SIGNIFICANT PLACES**

St John the Baptist Roman Catholic Church Complex, 61-87 Queens Parade, Clifton Hill, is of local historical, architectural and aesthetic significance to the City of Yarra.

***Why is it significant?***

St John the Baptist Roman Catholic Church Complex, 61-87 Queens Parade, Clifton Hill is a large and intact group of religious buildings, including a church, school, presbytery, hall/shops and former presbytery. This group of buildings is illustrative of a large suburban parish, with place of worship and associated educational and community facilities, established from the late nineteenth century through to the twenty-first century (Criterion A).

St John the Baptist Roman Catholic Church Complex, 61-87 Queens Parade, Clifton Hill is a fine, intact and representative example of a religious complex. It contains buildings from the Victorian and Federation periods which display typical characteristics of a range of styles, including the Victorian Decorated Gothic style of the late nineteenth century (church) and the Gothic Tudor (school), Bungalow (presbytery) and Free Style (hall) of the Federation period (Criterion D).

St John the Baptist Roman Catholic Church Complex, 61-87 Queens Parade, Clifton Hill is a well-considered and carefully detailed complex of church buildings. The church is a richly composed bluestone building with freestone dressings, designed in a Decorated Gothic style. The soaring church spire is a prominent landmark in the Clifton Hill/Fitzroy North area. The church contains several important stained glass windows including works by Ferguson and Urie and Hardman of Birmingham. The school building is an imposing two-storey red brick building, designed in a Gothic Tudor style, and the former Church Hall is a carefully composed two-storey red brick triangular building, designed in a Federation Free Style. (Criterion E).

**41. Row of houses, Elizabeth Terrace  
472-484 Napier Street, Fitzroy North (HO498)**

Source: GJM Heritage (2017), *Queens Parade Built Form Heritage Analysis & Recommendations Report*

***What is significant?***

Elizabeth Terrace, 476-484 Napier Street and the terrace house at 472 Napier Street, Fitzroy North, built in 1885 and 1889 respectively.

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

- The houses' original external form, materials and detailing
- The houses' high level of integrity to its original design
- The original front fences and gates.

Later alterations and additions to the rear of the terraces and the addition to the north of 472 Napier Street, are not significant.

***How is it significant?***

Elizabeth Terrace, 476-484 Napier Street and the terrace house at 472 Napier Street, Fitzroy North are of local architectural and aesthetic significance to the City of Yarra.

***Why is it significant?***

Elizabeth Terrace, 476-484 Napier Street and the terrace house at 472 Napier Street, Fitzroy North are fine and representative examples of terrace housing from the Victorian period. They display typical features of the Victorian Italianate architectural style popular in the 1880s boom period in Fitzroy North and across Melbourne more broadly, including a two-storey form with front verandahs and balconies, polychromatic brickwork, decorative cast iron, rendered decorative elements including balustrading and cast iron palisade fencing (Criterion D).



## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### INDIVIDUALLY SIGNIFICANT PLACES

Elizabeth Terrace, 476-484 Napier Street and the terrace house at 472 Napier Street, Fitzroy North are well-considered and carefully detailed examples of Victorian Italianate terrace housing. The row of polychromatic terraces, with repetitive decorative elements across the facades, presents a picturesque composition of this architectural style (Criterion E).

---

**42. Austral Theatres (Former)**  
**200-202 Johnston Street, Collingwood (HO499)**

Source: Context Pty. Ltd (2017), *Thematic Study of Theaters in the City of Yarra*

***What is significant?***

The former Austral Theatre at 202 Johnston Street Collingwood including the interior foyer and auditorium is significant.

***How is it significant?***

The former Austral theatre is historically and aesthetically significant to the City of Yarra. It has rarity value as a 'picture palace'.

***Why is it significant?***

The former Austral Theatre at 200-202 Johnston Street is historically significant as one of several suburban picture palaces in the City of Yarra. Picture palaces were immensely popular in the interwar period as places of entertainment. The picture palace and purpose built theatres built from about 1914 provided entertainment for the working classes where live theatre had traditionally and previously catered for the middle and upper classes. The Austral theatre is historically significant for its association with Robert McLeish who operated five venues across Melbourne including the fashionable Rivoli in Camberwell. (Criterion A)

The former Austral Theatre is one of only six picture palaces surviving in the City of Yarra and one of four with surviving interiors. Others include the San Remo Ballroom (former Jubilee Theatre), Burnley Theatre and the Richmond Cinema. (Criterion B)

The former Austral Theatre is historically significant as it demonstrates particular characteristics of the picture palace associated with the advent of 'talkies'. This includes large open internal spaces to assist view lines to the screen, vaulted ceilings, mezzanine levels and bio boxes over a ground level entry. These picture places generally exhibited a neo-classical and art deco styling reflecting in a sense of the place being a 'cathedral for entertainment' — as a special part of the community sense of place at the time when entertainment was a luxury. (Criterion D)

The former Austral theatre is aesthetically significant for its stripped back Greek revival style demonstrated by the articulated cement rendered façade with applied mouldings and stepped parapet. The interior is significant for the layout including the foyer with stairs to the gallery (circle), toilets, and the main auditorium space. The foyer, swag-bellied balustrade, auditorium ceiling, walls and the proscenium are aesthetically significant for their ornate plaster detailing incorporating a variety of classical motifs including columns, figures and festoons. The history and use of the building a picture palace is best demonstrated by the interior volume, form and interior decorative elements. (Criterion E)

---

**43. Richmond Cinema (Former)**  
**311-317 Bridge Road, Richmond (HO504)**

Source: Context Pty. Ltd (2017), *Thematic Study of Theaters in the City of Yarra*

## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### INDIVIDUALLY SIGNIFICANT PLACES

#### ***What is significant?***

The former Richmond (Hoyts) Cinema built as an ice skating rink c.1900 and converted to a cinema in 1917, situated at 311-317 Bridge Road Richmond and including the interior auditorium is significant.

#### ***How is it significant?***

The former Richmond Cinema is historically and aesthetically significant to the City of Yarra. It has rarity value as a former ice skating rink and a 'picture palace'.

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

The former Richmond (Hoyts) theatre is historically significant as one of several suburban picture palaces in the City of Yarra. Picture palaces were immensely popular in the interwar period as places of entertainment. The Richmond Cinema is historically significant as a converted former ice skating rink. The picture palace and purpose-built theatres built from about 1914 provided entertainment for the working classes where live theatre had traditionally and previously catered for the middle and upper classes. Amongst other places in Yarra, it is historically significant for its role in the popularisation of political messages on anti-conscription by Dr Daniel Mannix, Catholic Archbishop (1913-1936) during World War 1. (Criterion A)

The Richmond Cinema (formerly Hoyts) demonstrates particular characteristics of the picture palace associated with the advent of 'talkies'. This includes large open internal spaces to assist view lines to the screen, vaulted ceilings, mezzanine levels and bio boxes over a ground level entry. These picture places generally exhibited a neo-classical and art deco styling, reflecting in a sense of the place being a 'cathedral for entertainment' — as a special part of the community sense of place at the time when entertainment was a luxury. (Criterion D)

The former Richmond Cinema is aesthetically significant for its interior, specifically the main auditorium space and the decorative mezzanine level balcony supported on slender circular steel columns. The auditorium space and metal latticed ceiling, associated with the use as a skating rink, and with decorative plaster panels in a geometric design to the edges of the vaulted ceiling, are aesthetically significant. The history and use of the building as a skating rink and a picture palace is best demonstrated by the interior volume, form and ceiling decoration. (Criterion E)

The former Austral theatre is aesthetically significant for its stripped back Greek revival style demonstrated by the articulated cement rendered façade with applied mouldings and stepped parapet. The interior is significant for the layout including the foyer with stairs to the gallery (circle), toilets, and the main auditorium space. The foyer, swag-bellied balustrade, auditorium ceiling, walls and the proscenium are aesthetically significant for their ornate plaster detailing incorporating a variety of classical motifs including columns, figures and festoons. The history and use of the building a picture palace is best demonstrated by the interior volume, form and interior decorative elements. (Criterion E)

---

#### **44. Shop and Residence**

##### **273A Swan Street, Richmond (H0522)**

Source: GJM Heritage (2017), *Swan Street Built Form Study: Heritage Assessments & Analysis*

#### ***What is significant?***

The two-storey corner shop and residence at 273A Swan Street, Richmond, built c1885-90.

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

- The building's original external form, materials and detailing
- The building's high level of integrity to its original design.

Later (post 1900) alterations and additions to the rear, shopfront and eastern side are not significant.

## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### INDIVIDUALLY SIGNIFICANT PLACES

***How is it significant?***

The two-storey corner shop and residence at 273A Swan Street, Richmond is of local historical and architectural significance to the City of Yarra.

***Why is it significant?***

The two-storey corner shop and residence at 273A Swan Street, Richmond is illustrative of 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 two-storey corner shop and residence at 273A Swan Street, Richmond is a fine, intact and representative example of a Victorian shop and residence. It displays typical features of the Victorian style popular in the 1880s in Richmond and across Melbourne more broadly, including a parapeted façade with repetitive ground and upper floor fenestration, articulated facades to both streets with splayed corner, rendered facades and ground floor shopfronts [Criterion D].

**45. Pair of Shops  
323-325 Swan Street, Richmond (HO523)**

Source: GJM Heritage (2017), *Swan Street Built Form Study: Heritage Assessments & Analysis*

***What is significant?***

The two-storey pair of shops and residences at 323-325 Swan Street, Richmond, built in 1886. Elements that contribute to the significance of the place include (but are not limited to):

- The building's original external form, materials and detailing
- The building's high level of integrity to its original design.

Later (post 1900) alterations and additions to the rear and shopfront are not significant.

***How is it significant?***

The pair of shops and residences at 323-325 Swan Street, Richmond is of local historical and architectural significance to the City of Yarra.

***Why is it significant?***

The pair of shops and residences at 323-325 Swan Street, Richmond is illustrative of 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 commercial premises at 323-325 Swan Street, Richmond are a fine, intact and representative example of a pair of Victorian shops and residences. They display typical features of the Victorian architectural style popular in the 1880s in Richmond and across Melbourne more broadly, including a parapeted facade with repetitive upper floor fenestration, rendered facades and ground floor shopfronts [Criterion D].

**46. Shop & Residences  
637-639 Bridge Road, Richmond (HO525)**

Source: GJM Heritage (2018), *Victoria Street and Bridge Road Built Form Review Heritage Assessments*

***What is significant?***

The pair of two-storey shops and residences at 637-639 Bridge Road, Richmond built by 1892.

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

- The building's original external form, materials and detailing
- The building's high level of integrity to its original design
- Façade parapet

## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### INDIVIDUALLY SIGNIFICANT PLACES

- No front setbacks
- Rendered walls
- Rendered façade detailing including pilaster strips, elaborate window aediculae, parapet scrolls and urns
- Horizontal lines formed by parapet line, cornice and string course
- Repetitive upper floor fenestration patterns.

***How is it significant?***

The pair of two-storey shops and residences at 637-639 Bridge Road, Richmond is of local historical and architectural significance to the City of Yarra.

***Why is it significant?***

The pair of two-storey shops and residences at 637-639 Bridge Road, Richmond are 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 and early 1890s [Criterion A].

The pair of two-storey shops and residences at 637-639 Bridge Road, Richmond are a fine, intact and representative example of a Victorian shop and residence. They display typical features of the Victorian architectural style popular in the 1880s and early 1890s in Richmond and across Melbourne more broadly, including an elaborate parapeted façade with repetitive upper floor fenestration, rendered facades and ground floor shopfronts [Criterion D].

**47. Hall's Buildings  
202-206 Church Street, Richmond (HO526)**

Source: GJM Heritage (2018), *Victoria Street and Bridge Road Built Form Review Heritage Assessments*

***What is significant?***

Hall's Buildings, 202-206 Church Street, Richmond built in 1886.

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

- The building's original external form, materials and detailing
- The building's high level of integrity to its original design.
- Façade parapet
- No front setbacks
- Rendered walls
- Rendered façade detailing including window frames and keystones, pilaster strips, consoles, decorative pediments including nameplate and festoons
- Incised decoration to keystones
- Horizontal lines formed by parapet line, cornice and string courses
- Repetitive upper floor fenestration patterns.

***How is it significant?***

Hall's Buildings, 202-206 Church Street, Richmond is of local historical and architectural significance to the City of Yarra.

***Why is it significant?***

Hall's Buildings, 202-206 Church Street, Richmond 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).

Hall's Buildings, 202-206 Church Street, Richmond is a fine, intact and representative example of a row of Victorian shops and residences. It displays typical features of the Victorian architectural style

## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### INDIVIDUALLY SIGNIFICANT PLACES

popular in the 1880s in Richmond and across Melbourne more broadly, including a parapeted façade with repetitive upper floor fenestration, rendered façade and ground floor shopfronts (Criterion D).

---

**48. Pair of Terrace Houses  
32 & 34 Thomas Street, Richmond (HO527)**

Source: GJM Heritage (2018), *Victoria Street and Bridge Road Built Form Review Heritage Assessments*

***What is significant?***

The pair of terrace houses, 32 & 34 Thomas Street, Richmond, built c1894.

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

- The houses' original external form, materials and detailing
- The houses' high level of integrity to its original design
- Two-storey unparapeted form
- Front verandahs and balconies with decorative cast iron
- Face brick walls (overpainted) with cement render detailing
- Hipped roof form
- Rectangular window openings
- Pair of attached buildings with dividing wing walls with decorative detailing
- Iron palisade fence on a bluestone plinth to 34 Thomas Street.

Later alterations and additions to the rear of the terraces are not significant. The brick wall to the front boundary of 32 Thomas Street is not significant.

***How is it significant?***

The pair of terrace houses, 32 & 34 Thomas Street, Richmond are of local architectural and aesthetic significance to the City of Yarra.

***Why is it significant?***

The pair of terrace houses, 32 & 34 Thomas Street, Richmond are fine and representative examples of terrace housing from the Victorian period. They display typical features of the Victorian Italianate architectural style popular in the 1880s boom period in Richmond and across Melbourne more broadly, including a two-storey form with front verandahs and balconies, dividing wing walls, rendered decorative elements and decorative cast iron (Criterion D).

The pair of terrace houses, 32 & 34 Thomas Street, Richmond are well-considered and carefully detailed examples of Victorian Italianate terrace housing. The pair of brick terraces, with repetitive decorative elements across the facades, presents a picturesque composition of this architectural style (Criterion E).

---

**49. James Boland's Shop and Residence  
635 Bridge Road, Richmond (HO528)**

Source: GJM Heritage (2018), *Victoria Street and Bridge Road Built Form Review Heritage Assessments*

***What is significant?***

James Boland's Shop and Residence, a two-storey commercial premises at 635 Bridge Road, Richmond built in 1867.

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

- The building's original external form, materials and detailing

## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### INDIVIDUALLY SIGNIFICANT PLACES

- The building's high level of integrity to its original design
- Façade parapet
- No front setbacks
- Rendered walls
- Rendered window frames and hoods to upper storey
- Rendered façade detailing including pilaster strips, consoles and central pediment with nameplate
- Horizontal lines formed by parapet line and cornice
- Repetitive upper floor fenestration patterns
- Gabled roof form.

***How is it significant?***

James Boland's Shop and Residence at 635 Bridge Road, Richmond is of local historical and architectural significance to the City of Yarra.

***Why is it significant?***

James Boland's Shop and Residence at 635 Bridge Road, Richmond is illustrative of historical development that occurred along a major, early commercial thoroughfare in the City of Yarra [Criterion A].

James Boland's Shop and Residence at 635 Bridge Road, Richmond is a fine, intact and representative example of an early Victorian shop and residence. It displays typical features of the early Victorian architectural style popular in the late 1860s in Richmond and across Melbourne more broadly, including a parapeted façade with repetitive upper floor fenestration, rendered facades and ground floor shopfronts [Criterion D].

---

**50. Royal Oak Hotel  
529-533 Bridge Road, Richmond (HO529)**

Source: GJM Heritage (2018), *Victoria Street and Bridge Road Built Form Review Heritage Assessments*

***What is significant?***

The Royal Oak Hotel, 529-533 Bridge Road, Richmond, built in 1923 to designs by architect Harry R Johnson.

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

- The building's original external form, materials and detailing
- The building's high level of integrity to its original design.
- Façade parapet
- No front setbacks
- Rendered walls
- Horizontal lines formed by parapet, cornice and rows of windows
- Repetitive upper floor fenestration patterns
- Splayed corner with tower and articulated facades to both streets
- Balconies and recessed entrances
- Hipped roof forms with tiled roof cladding (including tower).

Later alterations and additions, including the single-storey building to the east, are not significant.

***How is it significant?***

The Royal Oak Hotel, 529-533 Bridge Road, Richmond is of local historical and architectural significance to the City of Yarra.

**Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)**

**INDIVIDUALLY SIGNIFICANT PLACES**

***Why is it significant?***

The Royal Oak Hotel, 529-533 Bridge Road, Richmond is of significance as a suburban hotel constructed at a prominent corner in Richmond. A hotel of this name has operated continuously on this site from the late 1860s (Criterion A).

The Royal Oak Hotel, 529-533 Bridge Road, Richmond is an intact and representative example of an Interwar hotel. It displays typical features of an unadorned Stripped Classical style, popular in the 1920s in Richmond and across Melbourne more broadly, including plain parapetted facades and simplified classical elements, and Art Deco influenced details (Criterion D).

**51. Whipp's Terrace  
597-599 Bridge Road, Richmond (HO530)**

Source: GJM Heritage (2018), *Victoria Street and Bridge Road Built Form Review Heritage Assessments*

***What is significant?***

Whipps Terrace, a two-storey commercial premises at 597-599 Bridge Road, Richmond built in 1873.

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

- The building's original external form, materials and detailing
- The building's high level of integrity to its original design.
- Façade parapet
- No setbacks
- Rendered walls
- Rendered façade detailing including window frames consoles and urns
- Strong horizontal lines formed by parapet line, cornices and string course
- Repetitive fenestration patterns at first floor level
- Symmetrical front façade
- Hipped roof form clad with slate, patterned with green scalloped rows.

***How is it significant?***

Whipps Terrace at 597-599 Bridge Road, Richmond is of local historical and architectural significance to the City of Yarra.

***Why is it significant?***

Whipps Terrace at 597-599 Bridge Road, Richmond is illustrative of the historical development that occurred along a major, early commercial thoroughfare in the City of Yarra in the Victorian period (Criterion A).

Whipps Terrace at 597-599 Bridge Road, Richmond is a fine, intact and representative example of a Victorian shop and residence. The terrace displays typical features of the Victorian architectural style popular in the 1870s in Richmond and across Melbourne more broadly, including a parapeted façade with repetitive upper floor fenestration, rendered facades and ground floor shopfronts (Criterion D).

**52. Flour Mill & Grain Store Complex (Former)  
518-524, 534 & 534A Bridge Road, Richmond (HO531)**

Source: Context Pty Ltd (2014), *Heritage Gap Study, Review of Central Richmond*

***What is significant?***

The former Flour Mill & Grain Store complex, to the extent of the fabric dating from c.1870 to c.1951

## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### INDIVIDUALLY SIGNIFICANT PLACES

associated with the use as a flour mill (including the c.1951 alterations and additions designed by architect, Frederick Moresby), at 534 & 534A Bridge Road, and the silo structure constructed c.1941 situated on part of 518-24 Bridge Road in Richmond is significant. It comprises a complex of brick and timber-framed iron clad buildings built in stages from the late nineteenth to the mid-twentieth centuries with an associated silo structure. The buildings are all built up to the frontages to Bridge Road, Type Street and the rear laneway, and vary in height from one to three stories. The three-storey building adjacent to Type Street, and immediately to the north of the vehicle crossing, dates from the late nineteenth century. It has a hip and gable roof, and double hung two pane sash windows with segmental arched heads and brick cills. Some of these windows (including a half-circular window at first floor level near the centre of the wall) have been closed up. This was described on a 1948 plan as the 'Mill building' and probably contained the milling equipment used to process the grain. At rear (south end) of this building is the 1948 skillion roof addition end, which originally contained staff amenities, motor and machinery rooms and a 'silk room'. To the west of this building and located toward the centre of the site is a building clad in corrugated iron with a skillion roof, with a tower element, which may have contained the flour and wheat bins as shown on the 1948 plans. Adjacent to the laneway is a mid-twentieth century parapeted brick building of one and two storeys that extends from Type Street to the silos. This was described on a 1948 plan as the 'Bag cleaning and store'. Adjacent to this the silo structure comprises four cylindrical reinforced concrete silos arranged in a square.

Alterations and additions made, and new buildings constructed after the use by the building as a flour mill ceased (1955 onwards) are not significant.

***How is it significant?***

The former Flour Mill & Grain Store complex at 518-24, 534 & 534A Bridge Road, Richmond is of local historic, architectural and aesthetic significance to the City of Yarra.

***Why is it significant?***

The former Flour Mill & Grain Store complex is associated with the development of secondary industry in Richmond. It demonstrates the diverse range of manufacturing carried out including flour milling, which remained an important industry in Richmond until the 1950s. (Criterion A)

The former Flour Mill & Grain Store complex is representative of the industrial complexes of the late nineteenth and early twentieth centuries, with a range of buildings that demonstrate the continuous use and development of the site as a flour mill over 100 years. The flour mill use is demonstrated by the form and scale of the three storey building adjacent to Type Street with the associated corrugated iron clad tower, and by the reinforced concrete silos, which demonstrate the change to bulk handling of grain by the early 1940s. The significance of the complex is enhanced by its rarity values, as surviving example of a nineteenth century flour mill in the City of Yarra. Most of the other flour mills in the City of Yarra have been demolished, while archaeological remains are all that survive of Dights Mill in Abbotsford. (Criteria B & D)

The reinforced concrete silo is significant as a landmark within the local area. (Criterion E)

---

**53. City Hall, Richmond Municipal Offices & former Court House (Richmond Town Hall)  
325-333 Bridge Road, Richmond (H0532)**

Source: GJM Heritage (2018), *Victoria Street and Bridge Road Built Form Review Heritage Assessments*

***What is significant?***

City Hall at 325-333 Bridge Road, Richmond, built in 1869-71 to designs by architect Charles Vickers, and additions and alterations in 1934-36 to designs by Harry R Johnson.



## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### INDIVIDUALLY SIGNIFICANT PLACES

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

- The building's original and 1934-36 external form, materials and detailing
- Highly intact internal detailing of the Ticket Office in the foyer and the Main Hall, reflecting both phases of development.
- The building's high level of integrity to its 1934-36 form.

Any alterations and additions made after 1936 are not significant.

#### ***How is it significant?***

City Hall at 325-333 Bridge Road, Richmond is of local historical and architectural significance to the City of Yarra.

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

City Hall at 325-333 Bridge Road, Richmond is of historical significance as the centre of local government services in Richmond since 1869. Both the original 1869 building and the symbolic and monumental refacing of the building in 1934 to coincide with the centenary of Victoria, represent the civic aspirations of the local government (Criterion A).

City Hall at 325-333 Bridge Road, Richmond is a distinctive, intact and representative example of a municipal town hall building. It displays typical features of two major stages of construction - the east and west facades show the original Victorian Italianate style, including rows of simple round-headed brick arched openings, bracketed eaves and bichromatic brickwork and the front façade and tower show the severe and monumental Moderne style, including a variety of both Egyptian-influenced elements and Art Deco motifs (Criterion D).

The imposing rendered main façade of City Hall at 325-333 Bridge Road, Richmond, with prominent clock tower and front porticoes, presents a landmark form to Bridge Road and surrounding areas. Egyptian-influenced elements and Art Deco motifs add to the visual qualities of the exterior of the place. The Ticket Office in the foyer and the Main Hall retain decorative elements that clearly reflect both important phases of development of the place (Criterion E).

---

## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### INDIVIDUALLY SIGNIFICANT PLACES WITHIN PRECINCTS

Some 'Individually Significant' places within heritage precincts have a Statements of Significance. Those places that have one are listed below.

---

**1. Grynberg's Drapers Shop and Office**  
**99-101 Bridge Road, Richmond (within HO310)**

Source: Graeme Butler & Associates (2007, 2013), City of Yarra Review of Heritage Overlay Areas

***What is significant?***

The Grynberg's drapers shop and office, at 99 and 101 Bridge Road, Richmond was created in 1941 for Thelma Paterson and has other historical associations with persons such as Louis Grynberg, draper.

The place has a good integrity to its creation date.

Fabric from the creation date at the Grynberg's drapers shop and office is locally significant within the City of Yarra, compared to other similar places from a similar era.

***How is it significant?***

The Grynberg's drapers shop and office, at 99 and 101 Bridge Road, Richmond, is architecturally significant to the locality of Richmond and the City of Yarra.

***Why is it significant?***

The Grynberg's drapers shop and office block is significant as a streamlined Moderne style two storey brick commercial building, given a strong horizontal emphasis with the use of horizontal brick banding to walls and parapet cappings at the upper level and horizontally proportioned window openings with metal framed windows. Horizontal elements are balanced visually by a projecting bay at the western end of the façade which incorporates a vertical slot of glass blocks and a scalloped parapet treatment, and a circular window at the eastern end of the façade. The ground floor's original or earlyshopfronts have been altered.

---

**2. Shops & residences**  
**108-112 Bridge Road, Richmond (within HO310)**

Source: O'Connor, John & Coleman, Roslyn et al. (1985), Richmond Conservation Study : undertaken for the City of Richmond

This boom style commercial building exhibits a now rare example of an original building facade with shopfronts. The building is an important contributor to the Bridge Road commercial precinct.

---

**3. Wustermann's Buildings, Shop & residence**  
**138-144 Bridge Road, Richmond (within HO310)**

Source: O'Connor, John & Coleman, Roslyn et al. (1985), Richmond Conservation Study : undertaken for the City of Richmond

An elaborate terrace of Edwardian shops forming part of the important Bridge Road commercial precinct.

---

**4. London Baby Carriage Manufacturers Pty Ltd. Factory and show room**  
**153-161 Bridge Road, Richmond (within HO310)**

Source: Graeme Butler & Associates (2007, 2013), City of Yarra Review of Heritage Overlay Areas

Some 'Individually Significant' places within heritage precincts have a Statements of Significance. Those

## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### INDIVIDUALLY SIGNIFICANT PLACES WITHIN PRECINCTS

Some 'Individually Significant' places within heritage precincts have a Statements of Significance. Those places that have one are listed below.

places that have one are listed below.

***What is significant?***

The London Baby Carriage Manufacturers Pty Ltd. factory and show room at 153-161 Bridge Road, Richmond was created in 1941 for Hilda and Ruby Wrixon and has other historical associations with the London Baby Carriage Pty Ltd. The place has a fair integrity to its creation date (tiles/bricks painted). Fabric from the creation date at the London Baby Carriage Manufacturers Pty Ltd. Factory and show room is locally significant within the City of Yarra, compared to other similar places from a similar era.

***How is it significant?***

The London Baby Carriage Manufacturers Pty Ltd. Factory and show room at 153-161 Bridge Road, Richmond is historically and architecturally significant to the locality of Richmond and the City of Yarra.

***Why is it significant?***

The London Baby Carriage Manufacturers Pty Ltd. Factory and show room is significant as a distinctive Moderne style factory on a corner site. 'This streamlined Moderne style painted and rendered brick building is ... given a strong horizontal emphasis with the use of horizontal banding to walls and parapet and expansive, horizontally proportioned window openings... The central projecting entry bay to the building is highlighted by a stepped-up section of parapet and a curved cantilevered horizontal awning, and is surmounted by a flagpole.' (Wight 2001)

---

**5. Former Melbourne Savings Bank  
184 Bridge Road, Richmond (within HO310)**

Source: Source: GJM Heritage (2018), *Victoria Street and Bridge Road Built Form Review Heritage Assessments*

***What is significant?***

The Former Melbourne Savings Bank at 184 Bridge Road, Richmond built in 1889 to designs by architects Wight & Lucas.

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

- The building's original external form, materials and detailing
- The building's high level of integrity to its original design.
- Façade parapet
- No front setbacks
- Rendered walls
- Elaborate rendered façade detailing including heavily decorated and clustered pilasters, pedimented aediculae, balustrading, stylized classical motifs
- Horizontal lines formed by parapet line, cornices, broad pediment and banded rustication
- Vertical lines formed by bold pilasters
- The steeply-pitched hipped roof form.

Later alterations and additions to the rear and shopfront are not significant.

***How is it significant?***

The Former Melbourne Savings Bank at 184 Bridge Road, Richmond is of local historical and architectural significance to the City of Yarra.

## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### INDIVIDUALLY SIGNIFICANT PLACES WITHIN PRECINCTS

Some 'Individually Significant' places within heritage precincts have a Statements of Significance. Those places that have one are listed below.

***Why is it significant?***

The Former Melbourne Savings Bank at 184 Bridge Road, Richmond is illustrative of 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 Former Melbourne Savings Bank at 184 Bridge Road, Richmond is a distinctive, intact and representative example of a Victorian bank building. It displays typical features of the exuberant Victorian Boom Classical style popular in the 1880s in Richmond and across Melbourne more broadly, including an array of classical details which are applied in a liberal Mannerist style. (Criterion D).

**6. Shops & residences  
199-205 Bridge Road, Richmond (within HO310)**

Source: O'Connor, John & Coleman, Roslyn et al. (1985), *Richmond Conservation Study : undertaken for the City of Richmond [addressed as 201-207]*

These transitional style commercial buildings are an important component of the Bridge Road commercial precinct.

**7. National Bank of Australasia, former  
231 Bridge Road, Richmond (within HO310)**

Source: O'Connor, John & Coleman, Roslyn et al. (1985), *Richmond Conservation Study : undertaken for the City of Richmond*

The Richmond branch of the Bank of Australasia is a significant suburban commission of the prominent nineteenth century architect, Lloyd Tayler. The building maintains a high degree of integrity, and is an important element in the Bridge Road commercial precinct.

**8. Former Commonwealth Savings Bank of Australia and residence  
267 Bridge Road, Richmond (within HO310)**

Source: Source: GJM Heritage (2018), *Victoria Street and Bridge Road Built Form Review Heritage Assessments*

***What is significant?***

The Former Commonwealth Savings Bank of Australia and Residence at 267 Bridge Road, Richmond built in 1939.

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

- The building's original external form, materials and detailing
- The building's high level of integrity to its original design.
- Façade parapet
- No front setbacks
- Rendered walls
- Simple detailing including rendered bands and ruled lines
- Geometric decorative steel grilles
- Window openings with glass brick infill
- Vertical emphasis of front façade formed by pilasters and tall side openings
- Hipped roof form.

## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### INDIVIDUALLY SIGNIFICANT PLACES WITHIN PRECINCTS

Some 'Individually Significant' places within heritage precincts have a Statements of Significance. Those places that have one are listed below.

Later alterations, and additions to the rear, are not significant.

**How is it significant?**

The Former Commonwealth Savings Bank of Australia and Residence at 267 Bridge Road, Richmond is of local historical and architectural significance to the City of Yarra.

**Why is it significant?**

The Former Commonwealth Savings Bank of Australia and Residence at 267 Bridge Road, Richmond is illustrative of the policy of expansion of banks into the suburbs in the late 1930s and early 1940s and was one of a number constructed in major commercial thoroughfares at this time in suburban Melbourne (Criterion A).

The Former Commonwealth Savings Bank of Australia and Residence at 267 Bridge Road, Richmond is a fine, intact and representative example of a Moderne building. It displays typical features of the Moderne architectural style popular in the late 1930s in Richmond and across Melbourne more broadly, including a strong vertical emphasis with secondary horizontal elements and fine decorative steel grilles of geometric pattern (Criterion D).

**9. Theobalds Buildings  
294-296 Bridge Road, Richmond (within 310)**

Source: O'Connor, John & Coleman, Roslyn et al. (1985), *Richmond Conservation Study : undertaken for the City of Richmond*

An outstanding pair of Edwardian shops, intact above verandah level.

**10. 381-389 Bridge Road, Richmond (within 310)**

Source: O'Connor, John & Coleman, Roslyn et al. (1985), *Richmond Conservation Study : undertaken for the City of Richmond*

These late Victorian commercial buildings with their original timber shopfronts are a prominent feature of the Bridge Road commercial precinct.

**11. 12 Hodgkinson Street, Clifton Hill (within HO317)**

Source: Andrew Ward (May 1995), *Collingwood Conservation Study Review*

**Significance:**

Of local significance as a very early house in Clifton Hill, erected whilst crown land sales were proceeding. The architectural detail and general lack of enrichment are typical of its period and contrast with the majority of Clifton Hill's houses.

**12. William B Fox House, later 'House of the Gentle Bunyip'  
94 Hodgkinson Street, Clifton Hill (within HO317)**

Source: Andrew Ward (May 1995), *Collingwood Conservation Study Review*

**Significance:**

Important at the local level as a very early house in Clifton Hill, erected whilst the crown land sales

## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### INDIVIDUALLY SIGNIFICANT PLACES WITHIN PRECINCTS

Some 'Individually Significant' places within heritage precincts have a Statements of Significance. Those places that have one are listed below.

were proceeding. The architectural details and lack of enrichment is representative of the mid Victorian years.

---

**13. Baptist Church & Hall**  
**100 Hodgkinson Street, Clifton Hill (within HO317)**

Source: Andrew Ward (May 1995), *Collingwood Conservation Study Review*

**Significance:**

Church: The Baptist Church, Clifton Hill, is of local importance as a substantially intact church designed along non-conformist lines with a distinctive bell tower. Its role as a prototype for the design of the Northcote Baptist Church is of interest.

Former Baptist Sunday School Hall: This building forms a visual unit with the adjoining Church and is an important supportive element.

---

**14. Residence**  
**122 Hodgkinson Street, Clifton Hill (within HO317)**

Source: Andrew Ward (May 1995), *Collingwood Conservation Study Review*

**Significance:**

No. 122 Hodgkinson Street is important as a substantial arcaded villa of which there are few in the municipality.

---

**15. Fire Station No. 11 (former)**  
**662 Smith Street, Clifton Hill (within HO317)**

Source: GJM Heritage (2017), *Queens Parade Built Form Heritage Analysis & Recommendations Report*

**What is significant?**

The Former Fire Station, 662 Smith Street, Clifton Hill, built in 1884 as the Clifton Hill Temperance Fire Brigade.

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

- The building's original external form, materials and detailing
- The building's high level of integrity to its original design. Later alterations and additions are not significant.

**How is it significant?**

The Former Fire Station, 662 Smith Street, Clifton Hill is of local historical and architectural significance to the City of Yarra.

**Why is it significant?**

The Former Fire Station, Clifton Hill is of historic significance as an early and rare example of a suburban fire station which pre-dated the establishment of the Metropolitan Fire Brigade (created through the *Fire Brigades Act 1890*). The building demonstrates the period of voluntary fire brigades established prior to the formalisation of the metropolitan fire service (Criterion A & B).

The Former Fire Station, Clifton Hill is a fine and representative example of a suburban fire station. The large arch-headed driveway entrance with panelled doors, and adjacent office entry at street

**Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)**

**INDIVIDUALLY SIGNIFICANT PLACES WITHIN PRECINCTS**

Some 'Individually Significant' places within heritage precincts have a Statements of Significance. Those places that have one are listed below.

level, are features that clearly demonstrate the use of the building as a nineteenth century fire station (Criterion D).

**16. National Bank, former  
460 Brunswick Street, Fitzroy North (within HO327)**

Source: Jacobs Lewis Vines Architects (July 1978), *North Fitzroy Conservation Study*

**'Building citation':**

This bank, built in 1884, (Architects Smith & Johnson) is an important, conservative, classical, corner bank building. The upper storey with Ionic pilasters surmounts a lower storey with Tuscan pilasters. The whole is surmounted by a dentillated cornice with a recessed splayed panel on the corner. The exterior is largely intact - the corner door has been modernised, and a door to the south face has been filled in to make a window. In this corner position, it is an important streetscape element, and is worthy of addition to the Historic Buildings Register.

**17. House  
17 Delbridge Street, Fitzroy North (within HO327)**

Source: Jacobs Lewis Vines Architects (July 1978), *North Fitzroy Conservation Study*

**'Building citation':**

This two storey house was constructed in 1890 for Mark Allen, a photographer. It has an arcaded front with the gable running out over the balcony level and the parapet at the front line. It is possibly the best example of this type in North Fitzroy, although the present paint colours are not appropriate. The most distinctive feature of the house is the frieze band of tiles surmounting the upper arcade. The parapet, supported on a dentillated cornice, consists of an interlocking balustrade, square name plate framed by large scrolls and balls. The composition is pleasing and the arcading at both levels is finely detailed.

**18. 218 McKean Street, Fitzroy North (within HO327)**

Source: Jacobs Lewis Vines Architects (July 1978), *North Fitzroy Conservation Study*

See entry below for Hatherlie, 224 McKean Street, Fitzroy North (HO327)

**19. 220 McKean Street, Fitzroy North (within HO327)**

Source: Jacobs Lewis Vines Architects (July 1978), *North Fitzroy Conservation Study*

See entry below for Hatherlie, 224 McKean Street, Fitzroy North (HO327)

**20. Hatherlie  
224 McKean Street, Fitzroy North (within HO327)**

Source: Jacobs Lewis Vines Architects (July 1978), *North Fitzroy Conservation Study*  
[addressed as 222 McKean Street in 1978 Study]

**'Building citation':**

This building constructed in 1888 for Samuel Lazarus, a financier, is a two storey polychrome brick terrace house with a small polychrome attachment at the side. The detailing as a whole is not very

## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### INDIVIDUALLY SIGNIFICANT PLACES WITHIN PRECINCTS

Some 'Individually Significant' places within heritage precincts have a Statements of Significance. Those places that have one are listed below.

remarkable. This terrace is best appreciated in conjunction with 218 and 220 McKean Street. These are also largely intact two storey polychrome terraces. The three terraces together combine to create an imposing streetscape element.

---

**21. K. G. Luke Pty Ltd factory (former)  
26-52 Queens Parade, Fitzroy North (within HO327)**

Source: GJM Heritage (2017), *Queens Parade Built Form Heritage Analysis & Recommendations Report*

***What is significant?***

The K G Luke Pty Ltd Factory and Showrooms, 26-52 Queens Parade, Fitzroy North, built from 1933 - 1965.

Elements that contribute to the significance of the place include the form, materials and detailing of the Art Deco façade and the ability to understand the place as a former factory and showroom complex.

Alterations and additions to the factory and showrooms after 1965 do not contribute to the significance of the place.

***How is it significant?***

The K G Luke Pty Ltd Factory and Showrooms is of local historical and architectural significance to the City of Yarra.

***Why is it significant?***

The K G Luke Pty Ltd Factory and Showrooms is of historical significance as a large industrial complex in Fitzroy North, which was established close to the Collingwood Gas Company gasworks and the Inner Circle Railway branch line. It is a remnant example of industrial development that occurred in this area from the 1860s through to the post-war period (Criterion A).

The K G Luke Pty Ltd Factory and Showrooms is of aesthetic significance for its particularly unusual and distinctive Art Deco façade which utilises a complex arrangement of castellated and hexagonal decorative elements (Criterion E).

The K G Luke Pty Ltd Factory and Showrooms is of historical significance for its association with Victorian manufacturer and sporting administrator, Kenneth G Luke, who moved his fledgling business to this site in 1929 and subsequently developed a successful business enterprise. Knighted in 1962, Luke was a highly successful businessman, with a range of interests and involvements in various committees and clubs (Criterion H).

---

**22. Selotta Shoes Pty Ltd factory (former)  
122 Queens Parade, Fitzroy North (within HO327)**

Source: Graeme Butler & Associates (2007, 2013), *City of Yarra Review of Heritage Overlay Areas*

***What is significant?***

The Selotta Shoes Pty Ltd Factory at 122 Queens Parade, Fitzroy North was created in 1934 for Selotta Shoes Pty Ltd. The place has a good integrity to its creation date. It was designed by architect, H V Gillespie. Fabric from the creation date at the Selotta Shoes Pty Ltd Factory, former is locally significant within the City of Yarra, compared to other similar places from a similar era.

***How is it significant?***



## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### INDIVIDUALLY SIGNIFICANT PLACES WITHIN PRECINCTS

Some 'Individually Significant' places within heritage precincts have a Statements of Significance. Those places that have one are listed below.

The Selotta Shoes Pty Ltd Factory at 122 Queens Parade, Fitzroy North is historically and architecturally significant to the locality of Fitzroy North and the City of Yarra.

**Why is it significant?**

The Selotta Shoes Pty Ltd Factory is significant as a distinctive two-storey brick and render Moderne factory design example, with Spanish revival ornament and steel-framed windows.

'An unusual 1930s large interwar Spanish styled industrial façade that retains a high degree of architectural integrity and recalls Harry Norris's St. Kilda Rd Motor Garage and Showroom in a similar boulevard location. The status of this part of Queens Parade as a showpiece for modern industry relied on the Edinburgh Gardens spur railway to the Queens Parade Fitzroy Station which ran as a goods line, from 1891 to c1980' (Wight 2001).

**23. Christian Brothers Monastery, later units, G Maher House  
256-262 Queens Parade, Fitzroy North (within HO327)**

Source: Graeme Butler & Associates (2007, 2013), *City of Yarra Review of Heritage Overlay Areas*

**What is significant?**

The Christian Brothers Monastery (later G Maher House) at 256-262 Queens Parade, Fitzroy North, was created in 1929 for the St Patrick's Cathedral Melbourne Roman Catholic Trust and has historical associations with the Christian Brothers Monastery. The place has a good integrity to its creation date.

Fabric from the creation date at the Christian Brothers Monastery is locally significant within the City of Yarra, compared to other similar places from a similar era.

**How is it significant?**

The Christian Brothers Monastery at 256-262 Queens Parade, Fitzroy North, is historically and architecturally significant to the locality of Fitzroy North and the City of Yarra.

**Why is it significant?**

The Christian Brothers Monastery, later Units, G Maher House is significant as a large two-storey tile, red brick and render hipped roof monastery with a parapeted entry porch, faceted window bays, cement detailing, an early fence and tall chimneys.

Historically and socially important locally as an uncommon building type and associated with local community uses.

**24. Clifton Hill Hotel  
89 Queens Parade, Clifton Hill (within HO330)**

Source: Andrew Ward (May 1995), *Collingwood Conservation Study Review*

**Significance:**

The Clifton Hill Hotel is a prominent and substantially intact late Victorian hotel.

**25. Melbourne Savings Bank, later State Savings Bank  
97-99 Queens Parade, Clifton Hill (within HO330)**

Source: Andrew Ward (May 1995), *Collingwood Conservation Study Review*

## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### INDIVIDUALLY SIGNIFICANT PLACES WITHIN PRECINCTS

Some 'Individually Significant' places within heritage precincts have a Statements of Significance. Those places that have one are listed below.

**Significance:**

This former bank is an important public building in Collingwood for its prominence and free expression and rich detailing in the late Victorian Italianate mode.

**26. Doctor's surgery and house (former)  
105 Queens Parade, Clifton Hill (within HO330)**

Source: GJM Heritage (2017), *Queens Parade Built Form Heritage Analysis & Recommendations Report*

**What is significant?**

The Former Doctor's Surgery and House, 105 Queens Parade, Clifton Hill, built c1915. Elements that contribute to the significance of the place include (but are not limited to):

- The building's original external form, materials and detailing
- The building's high level of integrity to its original design. Later alterations and additions to the rear are not significant.

**How is it significant?**

The Former Doctor's Surgery and House, 105 Queens Parade, Clifton Hill is of local architectural and aesthetic significance to the City of Yarra.

**Why is it significant?**

The Former Doctor's Surgery and House, 105 Queens Parade, Clifton Hill is a well-considered and carefully detailed example of a Federation Arts and Crafts house. The design, with main hipped roof, prominent front bay and central chimney, presents a picturesque composition of this architectural style, particularly within the commercial context of Queens Parade (Criterion E).

**27. Albert Hall (former), also Masonic Hall, later Samian Social Club  
127-129 Queens Parade, Clifton Hill (within HO330)**

Source: Andrew Ward (May 1995), *Collingwood Conservation Study Review*

**Significance:**

The former "Albert Hall" was an important social venue in the locality throughout the late nineteenth and early-mid twentieth century, its architectural form in the Queens Parade streetscape being expressive of this role.

**28. Daintons Family Hotel, later Normanby Hotel  
139 Queens Parade, Clifton Hill (within HO330)**

Source: Andrew Ward (May 1995), *Collingwood Conservation Study Review*

**Significance:**

A prominent and comparatively early hotel forming part of the Queens Parade Streetscape. Ornamentation is typical of the period.

**29. Clifton Hill Post Office, former  
141 Queens Parade, Clifton Hill (within HO330)**

Source: Andrew Ward (May 1995), *Collingwood Conservation Study Review*

## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### INDIVIDUALLY SIGNIFICANT PLACES WITHIN PRECINCTS

Some 'Individually Significant' places within heritage precincts have a Statements of Significance. Those places that have one are listed below.

**Significance:**

The former Clifton Hill post office is of local importance on account of the buildings initial use as well as for its prominence and late Victorian architecture.

**30. National Bank of Australasia, former  
270 Queens Parade, Fitzroy North (within HO330)**

Source: Jacobs Lewis Vines Architects (July 1978), *North Fitzroy Conservation Study*

**'Building citation':**

This bank, constructed in 1886, provides an excellent example of transitional boom classicism bank architecture.

It- is a two storey corner bank with a recessed loggia to the upper floor. The lower floor has a bluestone rough dressed base. The parapet is elaborate with an intact balustrade, balls and sculptural piece on the splayed corner. This is a significant corner building, and the ornate design and composition combine to make this building of considerable merit and streetscape importance.

**31. Shops and Residences  
454-456 Church Street, Cremorne (within HO335)**

Source: O'Connor, John & Coleman, Roslyn et al. (1985), *Richmond Conservation Study : undertaken for the City of Richmond*

A distinctive group of gabled Edwardian shops by the distinguished architect Nahum Barnet.

**32. Corner Hotel  
57-61 Swan Street, Richmond (within HO335)**

Source: GJM Heritage (2017), *Swan Street Built Form Study: Heritage Assessments & Analysis*

**What is significant?**

The two-storey hotel known as the Corner Hotel, 57-61 Swan Street, Richmond, built in the 1960s.

**How is it significant?**

The Corner Hotel, 57-61 Swan Street, Richmond is of local historical and social significance to the City of Yarra.

**Why is it significant?**

The Corner Hotel, Richmond has made a strong contribution to the commercial and social life of Richmond from its establishment in the early 1870s and an important and highly influential contribution to the music industry as an important live music venue since its rebuilding in the mid 1960s and renovation in the 1990s [Criterion A].

The Corner Hotel, Richmond is of particular social significance for its long-term and continued use as a live music venue. It is a well-established and well-known venue which is considered amongst the most pre-eminent in the City of Yarra and the broader community [Criterion G].

**33. H. E. McNaughton ironmongery & residence, former  
69 Swan Street, Richmond (within HO335)**

## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### INDIVIDUALLY SIGNIFICANT PLACES WITHIN PRECINCTS

Some 'Individually Significant' places within heritage precincts have a Statements of Significance. Those places that have one are listed below.

Source: Graeme Butler & Associates (2007, 2013), *City of Yarra Review of Heritage Overlay Areas*

#### **What is significant?**

The former H.E. McNaughton ironmongery and residence at 69 Swan Street, Richmond, was created in 1924 for Henry Ernest McNaughton and has a close association with him. The place has a good integrity to its creation date. Fabric from the creation date at the H.E. McNaughton ironmongery and residence is locally significant within the City of Yarra, compared to other similar places from a similar era.

#### **How is it significant?**

The H.E. McNaughton ironmongery and residence, former at 69 Swan Street, Richmond is architecturally significant to the locality of Richmond and the City of Yarra.

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

The H.E. McNaughton ironmongery and residence is significant as a well preserved inter-war parapeted brick and stucco shop and residence with original or early shopfront and the owner's name cemented in bas-relief on the parapet.

#### **34. National Bank of Australasia 105 Swan Street, Richmond (within HO335)**

Source: O'Connor, John & Coleman, Roslyn et al. (1985), *Richmond Conservation Study : undertaken for the City of Richmond*

This suburban branch of the National Bank of Australasia was erected in 1886-7 by the notable bank architect Albert Purchas. Its imposing three storey height, prominent corner location, and fine architectural detailing are important components of the building's significance.

#### **35. Shops and residences 232 & 234 Swan Street, Richmond (within HO335)**

Source: O'Connor, John & Coleman, Roslyn et al. (1985), *Richmond Conservation Study : undertaken for the City of Richmond*

A rare example of a pair of small shops designed in a boom style classicism, completely intact above verandah level.

#### **36. M. Ball & Co, former 236 - 240 Swan Street, Richmond (within HO335)**

Source: O'Connor, John & Coleman, Roslyn et al. (1985), *Richmond Conservation Study : undertaken for the City of Richmond*

A Richmond landmark used as a drapery since 1871, retaining some original shop fittings and a now rare aerial cash conveyor.

#### **37. Whitehorse Hotel, former 250-252 Swan Street, Richmond (within HO335)**

Source: O'Connor, John & Coleman, Roslyn et al. (1985), *Richmond Conservation Study: undertaken*

## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### INDIVIDUALLY SIGNIFICANT PLACES WITHIN PRECINCTS

Some 'Individually Significant' places within heritage precincts have a Statements of Significance. Those places that have one are listed below.

*for the City of Richmond*

A rare example of an early 1850's stone commercial building designed in a colonial Regency style.

---

#### 38. Shops & Residences within HO408

##### 92-94 Victoria Street, Richmond

Source: Lovell Chen (2012), *City of Yarra Heritage Gaps Study (Heritage Gaps Amendment two)*

##### **What is significant?**

The property at 92-94 Victoria Street, Richmond, dates from the 1880s, and comprises a terrace pair of wider than usual two storey rendered brick Victorian shops and combined residences. The street facade has a rendered and overpainted first floor with moulded pilasters and moulded stringcourses. There are three double hung sash windows to each terrace, with the upper stringcourse incorporated into the window architrave, while the lower is incorporated with the window sills. There is also a moulded trapezoid shaped keystone set in the window heads and the sills are supported by moulded brackets. The pilasters are disengaged at the lower stringcourse, finishing in a moulded divider lug; there is another divider lug at the cornice line. Above the cornice, the parapet has two triangular pediments flanked by scrolled mouldings. The parapet conceals a pair of gable roofs, hipped at the southern ends, clad in corrugated galvanised steel and punctuated by a central chimney. The ground level shopfronts have what appear to be original aprons including bluestone plinths, and timber framing for the shop windows, including fanlights, although the framing/arrangement of the shopfronts may have been reconstructed sympathetically. The recessed entries also appear to be original; there is an additional entry door at the west end of no. 92, providing access to the first floor accommodation.

Some 'Individually Significant' places within heritage precincts have a Statements of Significance. Those places that have one are listed below. The shops have a slightly convex shaped verandah canopy supported by cast iron columns with scrolled capitals and a lacework frieze. The verandah appears to have been rebuilt although the cast iron posts may be early elements.

##### **How is it significant?**

The property at 92-94 Victoria Street, Richmond, is of local historical and aesthetic/architectural significance.

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

The property at 92-94 Victoria Street, Richmond, which dates from the 1880s, is of local historical significance. It is located in an area of Victoria Street where commercial development began to be concentrated in the mid-nineteenth century, and was consolidated by the 1880s. The street subsequently continued as a local retail and service precinct for Richmond and Abbotsford residents, with a diverse mix of businesses, and a changing commercial character reflecting waves of immigration in the post WWII period. The property is also significant for its association with the major firm of funeral directors, John Allison/Monkhouse. John Allison, undertaker, was first connected with the property in 1883, continuing the business started by Henry Allison in North Melbourne in the 1850s. The subject building was the company's headquarters for many years. The property is additionally of local aesthetic/architectural significance, being distinguished by the comparatively high level of external intactness to the original design. The terrace pair is also unusually wide, in the Victoria Street context, with a finely detailed first floor facade. Elements of note to the first floor include triangular pediments with scrolled consoles, and moulded stringcourses incorporating decorative sills and architraves to the six windows. The timber-framed ground floor shopfronts with recessed entries appear original, including the bluestone plinths, or may have been sympathetically reconstructed. The survival of the additional entry door at the west end of no. 92, which provides main street access to the first floor accommodation, is also of note.

## Attachment 10 - Yarra High Streets: Statements of Significance (October 2017, updated October 2019)

### INDIVIDUALLY SIGNIFICANT PLACES WITHIN PRECINCTS

Some 'Individually Significant' places within heritage precincts have a Statements of Significance. Those places that have one are listed below.

**39. Shops and Residences  
413 - 415 Swan Street, Richmond (within HO474)**

Source: Lovell Chen (2012), *City of Yarra Heritage Gaps Study (Heritage Gaps Amendment two)*

***What is significant?***

Nos 413-415 Swan Street, Richmond is a Victorian two storey brick terrace pair of shops and combined residences. The ground floor shopfronts have been modified, but the rendered first floor facades are intact, with no. 413 remaining unpainted save for the c.1920s 'Monopole Magnum Cigars' sign. Intact details include double-hung sash windows, window architraves, brackets, supporting stringcourse and mouldings, plus pedimented parapets incorporating panels, brackets, cornices and mouldings, urn pedestals and dividers. The buildings have been extended to the rear; these later elements are not of heritage significance.

***How is it significant?***

Nos 413-415 Swan Street, Richmond is of local historical and aesthetic/architectural significance.

***Why is it significant?***

Nos 413-415 Swan Street is of local historical significance, as a pair of two storey brick shops and combined residences constructed for carpenter, J Wood in 1892. This was just after the period of commercial development consolidation in Swan Street, and unusually during the severe economic Depression of the early 1890s. The buildings were subsequently occupied by a range of retailers and commercial operations, typical for a main street of the late nineteenth and early twentieth century. These included sellers of dairy produce, a greengrocer, butcher, hairdresser and tobacconist. The subject property is also of local aesthetic/architectural significance. It is a well-preserved pair of two storey shops/residences, broadly consistent with many similar nineteenth century commercial buildings in inner suburban main road locations. However, the first floor facades retain their original form and detailing; in particular, the upper level to no. 415 has remained unpainted. This façade is further distinguished through the retention of the 'Monopole Magnum Cigars' sign. Both first floors also have prominent and well-detailed arched pedimented parapets.

---

---

**11.5 Discussion Paper - Planning and Building Approvals Process Review**

---

## **Executive Summary**

### **Purpose**

The purpose of this report is to:

- (a) provide Council with a summary of the *Planning and Building Approvals Process Review Discussion Paper 2019* released by Better Regulations Victoria;
- (b) outline Council officers' position on the recommended Actions; and
- (c) recommend feedback to the Red Tape Commissioner on the discussion paper to assist them in preparing their final report to be submitted to the Department of Treasury and Finance (DTF) and the Planning Minister in December 2019.

### **Key Issues**

The key issue for Council in considering the *Planning and Building Approvals Process Review Paper 2019* is whether the recommended Actions outlined within the paper are appropriate for a Yarra context and provide feedback on the paper on how the findings and Actions could be improved. Any suggested improvements to the items are for discussion only.

### **Financial Implications**

None anticipated.

### **PROPOSAL**

Better Regulations Victoria has released a discussion paper that explores four key areas, these are:

- (a) Part A – The Strategic Approvals Process;
- (b) Part B – The Permit Approvals Process;
- (c) Part C - The Post-permit Approvals Process; and
- (d) Part D – The Building Approvals Phase.

---

## **11.5 Discussion Paper - Planning and Building Approvals Process Review**

---

Reference: D19/209452

Authoriser: Director Planning and Place Making

### **Purpose**

1. The purpose of this report is to:
  - (a) provide Council with a summary of the *Planning and Building Approvals Process Review Discussion Paper 2019* released by Better Regulations Victoria;
  - (b) outline Council officers' position on the recommended Actions; and
  - (c) recommend feedback to the Red Tape Commissioner on the discussion paper to assist them in preparing their final report to be submitted to the Department of Treasury and Finance (DTF) and the Planning Minister in December 2019.

### **Background**

2. This most recent discussion paper is the continued work by the State Government in reforms to the development industry to streamline process.
3. Building Regulations Victoria has released the subject discussion paper, and are requesting Councils to review and make submissions to them, with submissions sought by Friday, 15 November 2019. The office has informed the Commissioner's office that Yarra City Council comments will be provided by the end of November.

### **External Consultation**

4. None.

### **Internal Consultation (One Yarra)**

5. The following internal departments have been consulted in preparing this report:
  - (a) Strategic Planning; and
  - (b) Building.

### **Financial Implications**

6. Costs associated with ongoing process improvements.

### **Economic Implications**

7. Processing times for development approvals adds to the cost to applicants, who can be ratepayers, occupiers and developers.

### **Sustainability Implications**

8. None anticipated.

### **Social Implications**

9. Better accessibility with the ongoing process improvements.

### **Human Rights Implications**

10. Nil.

### **Communications with CALD Communities Implications**

11. Nil.

### **Council Plan, Strategy and Policy Implications**

12. On-going process improvements is broadly a Council strategic initiative.



**Legal Implications**

13. Nil.

**Discussion**

14. The follow sections provide detail and assessment on the four topics contained within the discussion paper, which are as follows:

- (a) Part A – The Strategic Approvals Process;
- (b) Part B – The Permit Approvals Process;
- (c) Part C - The Post-permit Approvals Process; and
- (d) Part D – The Building Approvals Phase.

**Part A – The Strategic Approvals Process**

<b>ACTION</b>	<b>RECOMMENDATION</b>	<b>RESPONSE</b>
Action 1 – Simplify planning schemes	1. Extend Smart Planning program to further improve planning schemes to apply plain language drafting principles, revising the order of material in schemes, considering the digital delivery and search functions, provide clear information on who decides the application and continue the translation of planning schemes to the new state framework.	<p>Improving the clarity and effectiveness of planning schemes is a good principle to follow. The reports comment/criticism on schemes being too legal and requiring a level of technical understanding is overly simplistic.</p> <p>Planning schemes are complicated and they require a degree of technical expertise for many applications.</p> <p>Most of the proposals in this recommendation sit with the DELWP. The recent process to translate planning schemes into the new integrated planning framework is underway and has addressed many aspects of these proposals.</p> <p>However there are additional improvements that could be made to the planning scheme. E.g. clarity around improved certainty in language including the use of ‘must’ and ‘should’ in schedules to the DDOs and best practice drafting of schedules.</p> <p>It needs to be remembered that DELWP already have Practice Notes that provide Councils with guidance. This is coupled with the planning panel process providing a further examination on the form and content of policies and controls.</p>
	2. Consolidate planning scheme requirements, principles or rules that serve similar purposes (while allowing local variations).	Support in principle, however, care is needed to make sure that the intent of the requirements is not diminished (clarity of intended outcomes is important).
	3. Faster policy resolution for emerging planning issues to	This is a key issue in the planning system. There hasn’t been sufficient

	<p>ensure consistent state-wide approach with frameworks for local council variations.</p>	<p>leadership by DELWP to advance new policy development in emerging issues.</p> <p>An example is the effort, cost and time it took to achieve an ESD policy, which was necessary to satisfy a community expectation and fill a policy void. Still there is no state wide policy. Responding to climate change and further improving building design and performance is still an issue.</p> <p>Affordable housing is another example that has taken years to develop a statutory approach which still fails to provide any meaningful increase in housing stock whilst housing affordability is becoming a more critical issue.</p> <p>State policy provisions for car parking, bicycle facilities and parking lag current practice and need to be changed by the State to respond to these realities and emerging changes in transportation technologies.</p> <p>DELWP needs to have a clearer leadership and a program for these type of policy changes and development. This should be a priority.</p>
	<p>4. Councils working within regions to harmonise their planning policies where possible.</p>	<p>This may be realistic in some regional areas, however in metropolitan areas there are greater complexities in local circumstances and hence policy requirements.</p> <p>With the opportunity of having regional planning provisions in schemes, there may be greater interest in pursuing a regional approach. This may not be solely about harmonising policies but coordinating policy across a region. For example, car parking rates in the inner city or the spatial economic and employment role of the inner city.</p> <p>Yarra already works with its neighbouring councils through IMAP and the Inner Metro Region (in Plan Melbourne). Additional resourcing is needed to undertake research and develop policy which facilitate a regional approach to issues.</p>
<p>A2 Streamline planning scheme amendments</p>	<p>5. DELWP provide final response to authorisation requests in 30 days.</p>	<p>Support to give Councils greater certainty about the amendment process timeframes. It needs to be accepted that some more complex amendments will require greater scrutiny but these should be the</p>

		<p>exception.</p> <p>Note that Planning Advisory Note 11 includes a performance target for DELWP to grant authorisation within 15 days of a completed authorisation request (for 80% of requests.) It is not clear if this is met.</p> <p>Timeframes for the amendment process sit within the Act, Regulations, Advisory Notes and Ministerial Directions. The combination of statutory and non-statutory timeframes are appropriate. However benefit could be gained by rationalising the non-statutory timeframes in various Practice Notes and Ministerial Directions into one.</p>
	6. DELWPs notice templates rewritten in plain English and include images and other explanation material.	<p>Agree that the notice templates could be rewritten.</p> <p>It needs to be acknowledged that Councils already supplement the statutory notices with additional information that explains an amendment (e.g. Yarra's interactive maps).</p>
	7. Where there are unresolvable issues in submissions to amendments the recommendation to proceed to panel should occur at the earliest opportunity.	<p>The review hasn't grasped the importance of the submission stage and the work Councils undertake to consider and address submissions. Councils need the time to resolve issues, negotiate resolution of changes and advise Council of preferred versions of the amendment that it would take to a Panel. Councils should not be limited in their ability to consider and respond to submissions.</p>
	8. Panel reports should only be embargoed by Councils for 7 days not 28 days.	<p>A reduction in this time frame to 7 days is too short. It doesn't recognise that Council officers need sufficient time to consider panel reports and recommendations and advise Council. In addition, Council needs to prepare public advice for the community through websites and also through enquiries. A more realistic reduction in the time frame would be 14 or 21 days.</p>
	9. Reduce administrative amendments could be reduced by grouping non-urgent matters into periodic omnibus amendments.	<p>Agree this already occurs.</p>
	10. Councils should make formal decision with reasons when deciding to abandon or not exhibit a proponent's amendment. In order that proponents and the Minister are better informed.	<p>Agree this is good practice.</p> <p>Already occurs in Council Reports which resolve to abandon a planning scheme amendment (noting abandoning an amendment requires a Council resolution) and advice to proponents when a proposed</p>

<p>A4. Escalate planning for sites of strategic importance</p>	<p>17. VPA and DJPR could advise the Minister for Planning and Minister for Priority Precincts of the pipeline of sites of strategic importance while ensuring sound planning principles are applied.</p> <p>Suggested selection criteria include:</p> <ul style="list-style-type: none"> <li>• Development implements a direction in Plan Melbourne or helps leverage key government infrastructure e.g. Suburban Rail Loop</li> <li>• Site matches areas identified by Government for future housing/jobs growth</li> <li>• Landowner has requested the amendment be given priority</li> <li>• Council has failed to decide in a reasonable time or is not able to prepare a plan for its development.</li> </ul>	<p>amendment is not supported.</p> <p>Concept of strategic sites is not clearly defined. Unclear if the focus would be on precincts or individual sites. Criteria needs to be clearer.</p> <p>Planning for strategic sites and precincts should rest with Council as the Planning Authority, with assistance from other bodies such as VPA or DJPR and landowners. Council has strong links with its community, businesses and the development industry and is well placed to undertake this work.</p> <p>The VPA is under-resourced and its key focus is in planning. This leaves a gap in terms of funding and coordination in Government e.g. for transport infrastructure, business development, development facilitation etc.</p> <p>Additionally, Councils do not have the appropriate mechanisms to capture 'uplift' and achieve community benefits.</p> <p>Processes such as negotiating S173 agreements can be time consuming. E.g. with no statutory requirement for affordable housing, each development requires negotiation on a case by case.</p>
	<p>18. VPA in consultation with DJPR, the Suburban Rail Loop Authority, relevant Councils and stakeholders and advise the Minister for Planning and Minister for Priority Precincts about which sites could be prioritised and the best form of engagement for planning to be undertaken jointly in each case.</p>	<p>Council is best placed to identify strategic sites within its municipality, in consultation with other organisations.</p>

**Part B – The Permit Approvals Process:**

<b>ACTION</b>	<b>RECOMMENDATION</b>	<b>RESPONSE</b>
<p>Action 1 – More help with applications</p>	<p>19. DELWP to provide a Planning Practice Note (PPN) and model application form to Council about how pre application process can be used.</p>	<p>Agree this is good practice and already occurs.</p> <p>A PPN regarding a model application and pre application meeting formats could be helpful in an attempt to standardise expectations from both applicants and Council officers regarding standards of information to be provided to Council for all types of planning application</p>

	<p>20 - 21. Council's should be required to offer pre application meetings, option for Council's to charge for these meetings and consideration to be given by referral authorities to also offer this service.</p> <p>22. Adopting the Better Approvals approach focused on Council planning and building approvals process.</p>	<p>Yarra currently offers pre application meetings for all levels of applications from Simple to Major and Complex applications.</p> <p>Agree and already occurs. Prior to a meeting being organised, applicants are advised of minimum information requirements to ensure the meeting adds value to the process.</p> <p>Council already offers this service and dependant on the scale of the project; some involve other officers with specialist skills including urban design, heritage and engineering. In some instances, however, a proposal is fully designed at the pre application meeting and is ready to be lodged to Council, making this step of the process a waste of resources.</p> <p>Other Councils charge a fee for pre-application meetings and have internal referrals attend the meeting with the aim of the application, when it is lodged, being well formed and ready to be assessed/processed.</p> <p>Council does not charge for this service but as part of the review of planning process, due consideration will be given to charging for pre-application services.</p> <p>Council agrees with the suggestion of referral authorities having pre application services, it is understood that this may already occur.</p> <p>Generally agree with the intention, however, to service the approximately 1,500 applications Council receives per annum this process is too labour intensive and can mean double handling of applications.</p>
<p>Action 2 – Ensure lodged applications are complete</p>	<p>23. Council should only accept applications once they are complete. Guidelines standard forms and checklist should be developed to help applicant's complete applications.</p>	<p>Agree. The aim of this is to more clearly set out what information should be lodged with an application, so that expectations of the customer are clear, the need for Councils to request further information is reduced and processing times are improved. Currently no Council has the ability to 'not accept' an application.</p> <p><i>The Planning and Environment</i></p>

	<p>24 - 25. Amendments made to the VPP to increase clarity of application requirements and review local schedules within the VPP to remove duplication and determine if additional requirements are required.</p>	<p><i>Regulations 2015</i> states at Clause 13 the requirements for an application which include:</p> <p>An application for a permit under section 47 (1) (a) of the Act must be made in writing to the responsible authority and must—</p> <ul style="list-style-type: none"> <li>(a) state the name, address and telephone number of the applicant; and</li> <li>(b) indicate clearly the land affected by the application by— <ul style="list-style-type: none"> <li>(i) stating the address of the land; or</li> <li>(ii) stating the title particulars of the land; or</li> <li>(iii) including a plan showing the land; or</li> <li>(iv) any combination of these; and</li> </ul> </li> <li>(c) state clearly the use, development or other matter for which the permit is required; and</li> <li>(d) describe the existing use of the land; and</li> <li>(e) if the permit is required to undertake development, state the estimated cost of any development for which the permit is required; and</li> <li>(f) state who is the owner of the land.</li> </ul> <p>Agree, however, concurrently amendments would need to be made to the <i>Planning and Environment Act and Regulations</i> to enable incomplete applications to not be accepted or increase the amount of information required to make a 'complete' application.</p>
<p>Action 3 – Move to online planning permit processing and tracking</p>	<p>26 – 28. Development of fully trackable online applications.</p>	<p>The aim of this is to make all Councils aware of the benefits of online processing.</p> <p>Agree and support initiative.</p> <p>Council has recently commenced the process of developing such a system.</p> <p>Currently at Yarra, applicants have the ability to lodge a pre-application request online. Further, information is already available for all applications which are required to be</p>

		advertised with the submitted information being available to be viewed on line and the additional ability to lodge submissions to these applications on line.
Action 4 – Improving planning resources for Councils	<p>29. Additional resources for DELWP’s Regional Planning Services network to act as regional planning hub.</p> <p>30. DELWP and PIA could develop online training packages.</p> <p>31. DELWP could encourage harmonisation between Councils local planning requirements and process by holding regular regional meetings between Council’s, referral authorities, the VPA and other relevant bodies.</p>	<p>Agree and support – but not as applicable to Metropolitan Councils.</p> <p>Agree that additional training to Council staff is important and could be helpful for consistency.</p> <p>Agree, this already occurs informally between Council’s albeit infrequently and could be better used.</p>
Action 5 – Modernise public advertising of proposals	<p>32. Displaying images of the proposal on the advertising signs for the larger developments.</p> <p>33. Formal notice to be provided on Council website, via email alerts and on social media.</p> <p>34. DELWP could prepare an updated PPN on ‘Best Practice’ modern notification processes for different types of applications, in consultation with MAV and VLGA</p>	<p>Agree in principal, however consideration would need to be given to the cost of this modification and an update would need to be made to the regulated sign form.</p> <p>Advertising applications on Council’s website already occurs. The aim of this is to use social media and look at new ways of notifying applications on site. Agree with this recommendation but it needs more discussion, consultation and engagement with Councils in order to refine.</p> <p>Agree in principle, Yarra already has its own best practice guidelines, however some consistency with other Council’s in this area could be of benefit.</p>
Action 6 – Stream applications according to risk	<p>35. The smart planning program to review identified issues with current prohibited restricted uses i.e. non-retail land uses and planning concessions for child care centres, aged care facilities and social housing.</p> <p>36. The proposed VicSmart Plus should enable 30-day streamlined issuing of permits for: secondary dwellings on an existing lot and dwelling applications on a small lot in an established area.</p>	<p>Not an issue experienced in Yarra. The matter of concessions for child care centres, aged care facilities and social housing could be further explored to understand what is being proposed.</p> <p>Further exploration regarding a VicSmart Plus process for small extensions to existing dwellings could be of benefit but question adding the value of another level of control without further consultation and engagement with Councils.</p> <p>Do not support a second dwelling on</p>

	<p>37. Following the review of the small lot code for growth area, consider the case for amending Rescode and then dealing with siting and other issues through building permits.</p>	<p>a lot being part of a VicSmart Plus process in Yarra. These applications require notice and have appeal rights - how would this be avoided without significant changes to the current controls. The Yarra context needs to be further explored and tested before any changes to the VicSmart process is implemented.</p> <p>Not relevant to Yarra.</p>
<p>Action 7 – reduce requests for further information</p>	<p>38. Where RFI's are necessary, responsiveness could be improved by having Council's pause the clock on statutory timelines for decisions, rather than reset it.</p> <p>39. Set a deadline to encourage prompt assessment of the need for further information.</p> <p>40. VCAT could improve and promote the prominence, availability and turnaround times of the short cases list.</p> <p>41. DEWLP could support Councils to help them more accurately and efficiently assess the need for RFI's by using a PPN.</p>	<p>Agree with the aim of more clearly setting out what information should be lodged with an application, so that expectations of the customer are clear and the need for Councils to request further information is reduced. But do not support this and it needs further discussion and consultation with Councils so that the Yarra context is better understood. The use of RFI's is a requirement to correct an application which is lacking required information. Council's should not be penalised for seeking additional information by pausing the clock. Responsiveness to a request for further information is the responsibility of an applicant.</p> <p>Council's currently have 28 days to request further information for a regular application and 5 days if the application is deemed to be VicSmart. In addition many Councils have internal targets. At Yarra regular applications are encouraged to be reviewed within 21 days.</p> <p>Agree this could be helpful.</p> <p>Agree this could be helpful.</p>
<p>Action 8 – Reduce response times for referrals</p>	<p>42 – 47. Improving performance of referral comments (28 days) and encourage continuous improvements.</p>	<p>Agree. It would be useful to standardise referral comments for the "low risk" applications and avoid</p>



		<p>the need to formally refer low risk applications.</p> <p>In many instances, referral comments are received within the 28 day requirement. Any standardisation of referrals that would reduce turnaround times would, however, be beneficial in principle.</p>
<p>Action 9 – Make decisions within a reasonable time</p>	<p>48. Consider a longer statutory timeframe for complex application including a definition of 'complex' or facilitate a negotiation approach to enable Council's to enter an agreement with an applicant on the expected timeframes.</p> <p>49. Councils should report on the time taken for applications at different stages of the assessment and decision process so that KPI's can be determined.</p> <p>50. As part of the proposal for user-friendly concierge services that begin at the pre application stage, Council should also provide user updates throughout the assessment process.</p>	<p>Support the recognition that complex applications cannot be determined within 60 days and that there is merit in extending the determination for major applications to 90 days. Do not agree that an "agreement process with an applicant" would improve turnaround times or add value, and there would need to be more discussion/consultation with Councils on how would this be regulated by the Act. How different Council's define "complex" also needs further discussion/clarification.</p> <p>Monthly reporting on KPI's is already undertaken as part of the PPAR process, although this differs between Council's as a result of different internal systems and processes. A standardised online system would assist this and make reporting more accurate/valuable. Internal KPI's are already undertaken and reported.</p> <p>This is aiming to improve the initial stages of the application process. Agree and already occurs.</p>
<p>Action 10 – Promote best practice delegation of decisions</p>	<p>51 – 54. Could review the delegation standards across the state to stream line including frequency of meetings and training for Councillors.</p>	<p>There is recognition in the industry on how the Deeds of Delegation vary across Councils and how this can affect timeframes/processing of an application. The aim is, in part, to develop more guidance on the delegation structure while respecting Councillors involvement in the decision making process for an application.</p> <p>Yarra's Deed of Delegation has been recently reviewed.</p>

**Part C – The Post - Permit Approval Process;**

<b>ACTION</b>	<b>RECOMMENDATION</b>	<b>RESPONSE</b>
<p>Action 1 – Checking compliance with permit conditions.</p>	<p>55. DEWLP in consultation with the VPA, VCAT and MAV should formalise post-permit processes and set appropriate timeframes by providing a PPN.</p> <p>56 – 58. Standardisation of post permit conditions including training and a manual of standardised engineering infrastructure requirements and conditions.</p> <p>59. Councils should consult with applicants about draft conditions.</p> <p>60. Council should collect comprehensive data regarding post permit conditions and process.</p>	<p>Agree would be helpful for Council's and applicants and provide continuity between Council's.</p> <p>Agree, consistency in the application of these types of requirements would be beneficial, would need to allow for some flexibility in acknowledgement of the nuances between Council requirements. Applying timeframes for Councils to review and approve condition 1 plans and what is appropriate, requires more consultation and discussion.</p> <p>Where possible this already occurs where it adds value. If agreement cannot be reached, Council determines the application and an applicant can appeal the conditions of permit.</p> <p>Agree, some of this data may be collected by the YCC process improvement project.</p>
<p>Action 2 – Streamline variations to the terms of a permit.</p>	<p>61. VCAT's short case list should be used more often to hear secondary consent disputes quickly.</p> <p>62. DELWP could develop a PPN.</p> <p>63. Setting of prescribed Fees for Secondary consent requests.</p> <p>64. Broadening performance monitoring to include reporting on the time taken for post – permit decisions.</p> <p>65. A PPN should be developed to provide guidance to Council's about how to set specific timeframes for permits that are reflective of the complexity of a proposal.</p>	<p>This is already an option available to applicants.</p> <p>Agree, this could provide greater consistencies between Councils in assessing secondary consent applications. Council would be happy to share its existing template which is based on VCAT case law.</p> <p>Agree subject to more detail.</p> <p>The Discussion paper seeks additional reporting on a number of measures. Many of these indicators would require manual calculation. A greater focus on what information is being sought would be of benefit.</p> <p>Agree, would suggest that a degree of consistency already exists between Council's.</p>

Action 3 – Reduce timelines for electricity connections.	66 – 67.	No comment
Action 4 – Simplify payment of infrastructure contributions.	<p>68. Simplify calculations of ICP'S</p> <p>69 – 73. Not relevant to Yarra.</p> <p>74. DELWP and MAC should develop model S173 Agreements and explore the opportunity to create benchmark prices for standard infrastructure that can be applied across Victoria.</p>	<p>YCC Developer Contribution Plan will hopefully be approved in the coming months. As this is a recent amendment, no further comment is offered.</p> <p>Generally agree, suggest investigation into this option.</p>
Action 5 – Approvals by other authorities.	<p>75. Proponents need to be aware of the full range of approval that they need, including those from other authorities.</p> <p>76. The Minister for Planning and the Minister for Environment and Climate Change could seek direct talks with the Commonwealth to reduce the time taken for approval under the EPBC Act.</p> <p>77. Councils should ensure their heritage studies and Heritage Overlays in planning schemes are up to date.</p> <p>78. DELWP, in consultation with relevant parties, should provide clearer advice and information for council's and proponents about State and local heritage responsibilities and processes, including the safety protections of the Building Act.</p>	<p>Agree in principle, however, an applicant is responsible to understand all approvals required relevant to their property. Council can provide advice.</p> <p>A limited number of applications within Yarra require negotiation of offset plantings.</p> <p>Council regularly reviews its heritage studies and Heritage Overlays.</p> <p>Agree</p>
Action 6 – Coordinate planning and building permit assessments.	<p>79. Council should use the concierge approach in this review to anticipate and address specific issues early in the approvals process and to underpin effective coordination of planning, building, engineering, heritage and other specialist staff at Council.</p> <p>80. Flooding information to be consolidated into ones set of flooding mapping information.</p> <p>81. An additional measure that could be implemented in the short term is to require the building information statement to be provided at the time information is provided about the planning permit application</p>	<p>Agree in principle, however, don't believe this is appropriate for all types of applications (especially where Council are not engaged as the building surveyor). Input from other specialist departments within Council are common place.</p> <p>On-going discussions with Melbourne Water has resulted in updated flooding information being included within the Yarra Planning Scheme. Further discussions are continuing.</p> <p>Councils can only consider planning permit requirements when determining an application. If an application is not included within an SBO, flooding matters will not</p>

	requirements.	necessarily be considered unless Council's engineering department raise them.
--	---------------	---

**Part D – The Building Approvals Phase**

<b>ACTION</b>	<b>RECOMMENDATION</b>	<b>RESPONSE</b>
<p>Clause C6 – coordinate planning and building permit assessments</p>	<p>79. Councils should use the concierge approach proposed in this review (see B1) to anticipate and address specific issues early in the approvals process and to underpin effective coordination of planning, building, engineering, heritage and other specialist staff at councils. This 'whole of project' customer focus would provide oversight and coordination of internal approvals, monitor timeframes to ensure responses are provided in a timely manner and assist to broker compromises or alternative solutions when necessary.</p> <p>80. With respect to flooding, the relevant authorities (for example, drainage authorities and catchment management authorities) should collaborate to develop a single, consolidated set of flood mapping information, with this data then made available to all parties who use and administer the system. Smart Planning could then consider integrating this information into the online portal.</p> <p>81. An additional measure that could be implemented in the short term is to require the <i>'building information statement'</i> to be provided at the time information is provided about the planning permit application requirements. It could then be considered as part of the planning approval process and provide access to any flooding information held by a council under the building regulations. This would enable building designers to incorporate this information in their planning permit application, avoiding unnecessary rework causing increased costs and delays if the information is discovered later.</p>	<p>Council is in support the proposed improvements. Yarra City Council have already implemented a new concierge process for council approvals which is working very well in its growing stages.</p> <p>It is recommended that DELWP implement a standardised flexible online templated application process for all Councils to utilise that will assist clients using the same and familiar process.</p> <p>A single consolidated flood map by Melbourne Water and Council that is on centralised website accessible by clients is supported.</p> <p>Some significant work would, however, be required to achieve that outcome.</p>
<p>Clause D 1 – PI Insurance</p>		<p>The Professional Indemnity (PI) Insurance issue is at breaking point that could collapse the entire building industry.</p> <p>It is believed that the State Government should introduce their</p>

ACTION	RECOMMENDATION	RESPONSE
		<p>own self-managed and funded PI insurance scheme in affiliation with the current insurer – VMIA and the regulator, VBA.</p> <p>State Government Levies could fund this system in addition to the current premiums and PI excesses.</p> <p>The Victorian Building Authority (“VBA”) should be more invested in training practitioners, Continuing Professional Development being mandatory along with penalising and removing practitioners not appropriate to work in the industry ( e.g. where serious offences and/or major damages to owners building/structures have occurred).</p> <p>Further, it is understood that some insurance companies are dictating what is being excluded to the PI insurance provisions (e.g. cladding).</p> <p>This is a serious matter as this begins to have a major impact to the Building Industry.</p>
<p>Clause D1 – Interest in the profession</p>	<p>83. Establish a new class of building surveyor for low-risk building work.</p> <p>Depending on the scope of the Victorian Government's recently foreshadowed review of the Building Act, it is proposed that a new class of building surveyor be created that has a narrower scope of work. This scope of work would be limited to low-rise domestic building works (Class 1 and 10 buildings) not exceeding 500 square metres floor area.</p> <p>Increasing interest in the building and engineering professions.</p> <ul style="list-style-type: none"> <li>• To interest school leavers in the building surveying and inspection professions, the following improvements could be considered: <ul style="list-style-type: none"> <li>○ the VBA, supported by the Victorian Government, the peak industry associations and training providers, continues to deliver its long-term strategy to market the profession as a desirable career option for school leavers and people wanting to change occupations, with a particular focus on</li> </ul> </li> </ul>	<p>A new class of building surveyor is supported to entice into the industry along with the important school enticements mentioned under item 83 on pages 121 and 122</p>

ACTION	RECOMMENDATION	RESPONSE
	<p>encouraging women to consider careers as building surveyors and inspectors;</p> <ul style="list-style-type: none"> <li>○ the VBA, together with the peak industry associations and training providers, should: <ul style="list-style-type: none"> <li>▪ identify opportunities to increase the availability of training, particularly in regional Victoria, and provide flexible modes of study to support students to access and complete courses;</li> <li>▪ identify and recommend, as appropriate, any additional courses that could be prescribed for the registration of building surveyors and inspectors; and</li> <li>▪ strengthen the coverage in the prescribed courses of the technical requirements and standards under the Building Act and the NCC by recommending the preparation of a separate unit of study on this topic and developing local content and materials for use by training providers.</li> </ul> </li> <li>○ the Victorian Government should: <ul style="list-style-type: none"> <li>▪ in partnership with the VBA and peak industry associations, consider promoting and providing scholarships for approved university and TAFE courses;</li> <li>▪ consider subsidising HECS fees and providing other funding support for university students studying the Bachelor of Building Surveying to complement the extension of the Free TAFE Program announced in August 2019;</li> </ul> </li> </ul>	

ACTION	RECOMMENDATION	RESPONSE
	<ul style="list-style-type: none"> <li>▪ consider funding training providers to support the development of trainers with industry experience, robust training materials and assessment tools to enhance training standards; and</li> <li>▪ consider providing support for cadetships.</li> </ul> <ul style="list-style-type: none"> <li>• To address the predicted engineering skills shortage and the impact this may have on the availability of appropriately skilled fire safety engineers, Engineering Australia's 'pipeline strategy' is supported, which calls on the Commonwealth Government to try to reverse the decline in secondary school students, in particular women, taking up science, technology, engineering and maths subjects.</li> </ul> <p>85. Set-up new bridging pathways for practitioners from related professions.</p> <p>A new entry pathway for building surveyors and inspectors should be introduced for practitioners from related professions such as builders, architects, engineers and project managers. This would comprise a series of targeted bridging courses that recognise the knowledge and experience of these practitioners while providing top-up competencies in building surveying, law and practice.</p> <p>The bridging course pathway could be developed by the VBA in consultation with relevant peak industry bodies and training providers. The VBA could then recognise the bridging pathway using the power under section 171 of the Building Act, which gives it the authority to consider alternative non-prescribed qualification pathways for applicants for registration as building surveyors and inspectors. However, to support the VBA in promoting this pathway, it could be set out in a Ministerial Direction to the VBA. The VBA could also prepare and publish guidelines on its approach to administering the bridging pathway to</p>	

ACTION	RECOMMENDATION	RESPONSE
	<p>ensure that the process is consistent and transparent. Consideration could also be given to whether the bridging courses should be accredited by the Victorian Registration and Qualification Authority or other relevant accrediting body.</p> <p>Introducing a clear pathway for practitioners from related professions to transition into building surveying and inspection work would both expand the career paths for these practitioners and assist in alleviating the shortages of building surveyors and inspectors</p>	
<p>Clause D2 – access to building records</p>	<p>85. A central database for Victoria that is managed by the VBA is the intention of the Victorian Government. In the longer term, the Building Activity Management system (BAMS) platform, recently introduced by the VBA to manage building permits numbers, is intended to provide a central building records database.</p> <p>Once the needed software and infrastructure are in place through BAMS, Councils could be assisted to migrate existing digitised records to BAMS and digitise and lodge remaining hard copy building information.</p> <p>The intention of the BAMS system is that building surveyors would lodge records electronically direct to BAMS and would have unlimited access to records held in BAMS to support them to perform their building permit and enforcement functions. Councils would use the access they have through BAMS to records in their jurisdictions to respond to public requests for access to records</p>	<p>The newly created BAMS system for lodging and obtaining an online building permit from the VBA is a good start.</p> <p>This project needs to be expanded and updated with the current technology used by the private industry whereby building permit documents can be uploaded online and saved.</p> <p>Currently it is seen that numerous building permit documents are missing from private building surveyors who may dispose of documents after 10 years.</p> <p>This is posing a significant problem for Council when enforcing future building issues, carrying out Essential Safety Measure Audits or when new owners or their agents request information and it is not available.</p> <p>It is often unknown what has been built or approved in these cases.</p> <p>A Building Permit Register, Building Enforcement Register and Swimming Pool &amp; Spa Register also needs to be implemented by the VBA so that Council, practitioners and general public can view only information allowed under freedom of information (noting that council and VBA would have unlimited access to personal information on these registers and be able to update and monitor).</p> <p>The above would create a uniform consistent system easily accessed by all.</p>



ACTION	RECOMMENDATION	RESPONSE
		Councils would also not be burdened by the use of many different costly software systems.
Clause D3 – streamlining building permit requirements for low risk building	<p><b>86. Decks</b> The construction of a low-rise deck could be exempted from the requirement to obtain a building permit provided its maximum height does not exceed 800 millimetres. This height aligns with the overlooking requirements. To ensure its structural integrity, the construction of a deck would continue to be captured by Part 2 of the Building Regulations so that it is subject to the requirements of the NCC.</p> <p><b>87. Mobility access ramps</b> To ensure that all mobility access ramps are exempt from the requirement to obtain a building permit, including those that provide higher level access, exemptions could be introduced for:</p> <ul style="list-style-type: none"> <li>• mobility access ramps that do not exceed 800 millimetres in height provided they comply with the NCC; and</li> <li>• mobility ramps that exceed 800 millimetres in height provided they comply with the NCC and are certified on completion by a building surveyor or inspector.</li> </ul> <p>Under both these sets of conditions, mobility access ramps would be exempted from the front, side and rear setback requirements.<sup>[1]</sup></p> <p><b>88. Sheds</b> The existing exemption for sheds could be expanded by increasing the current 10-square-metre floor area trigger to 16 square metres. Stakeholders have advised that increasing the size to 16 square metres would ensure that enough space is available in exempt sheds to store tools and equipment for land and bushfire management.</p> <p>The proposed exemptions would require amendments to the Victorian Planning Provisions and the Building Regulations to specify the details and conditions, provide an exemption from the setback requirements and require</p>	Support provided for no building permit for decks less than 800mm high, mobility access ramps less than 800mm and sheds less than 16m2 (in lieu of 10m2).

<sup>[1]</sup> Setback is specified in the Victorian Planning Provisions, the Planning Schemes and the Building Regulations and is the minimum distance from the front, side and rear boundaries of a property within which a building must not be located.

ACTION	RECOMMENDATION	RESPONSE
	<p>'as built documents' to be lodged with councils. The Building Act would also need to be amended to set out the responsibility of building surveyors and inspectors to certify certain mobility access ramps when construction is completed.</p>	
<p>D4 - Construction Management Plans</p>	<p>DELWP's proposal to standardise the requirements for the preparation of construction management plans, if applied across Victoria, should provide benefits in terms of consistency.</p> <p>89. As many of the elements included in a construction management plan draw on local laws, DELWP could also prepare a model local law in consultation with councils and MAV to further facilitate standardisation across Victoria. The model local law would encourage a standard form and application of standard requirements, which could be varied by councils in certain circumstances to suit local conditions. Councils would need to replace their existing local laws with the model laws in line with the procedure for doing so set out in the Local Government Act</p> <p>90. To accompany the model local law, a model construction management plan and guidelines for the model plan could be developed. These would support the consistent preparation and assessment of construction management plans within Victoria. The guidelines and model plan prepared by the City of Melbourne are examples of current best practice that could guide this work.</p> <p>91. Consideration could also be given to including construction management plans in the concierge model of case management in councils (see B1). The City of Greater Dandenong has been cited by stakeholders as an example of using this practice efficiently.</p>	<p>Council is in support DELWPs proposals listed on pages 129 with a standard form and application with a model local law that can be adjusted by Councils to suit.</p>
<p>D5 – Improve consistency of Council asset protection requirements</p>	<p>92 Stakeholders have recommended that a standard practice guide should be set for building-related work that could be adopted by all councils to create uniformity across Victoria.</p> <p>93 To support such a practice guide and standardise the requirements for</p>	<p>Support in principal for proposed improvements for standard practice guide, model local law that can be varied by Council.</p>

ACTION	RECOMMENDATION	RESPONSE
	<p>council permits and asset protection, a model local law could be developed in consultation with councils and MAV. As proposed for construction management plans, the model local law could adopt a standard form and consistent requirements, which could be varied by councils to suit local conditions. Councils could also publish enforcement policies relating to these local laws. The model local law could be adopted by councils through an amendment to their local laws using the power given to them by the Local Government Act.</p> <p>94 Consideration could also be given to including asset protection requirements in the concierge model within councils (see B1).</p>	
<p>D6 – distinguish building consultants from building surveyors</p>	<p>95 It is proposed that in the short term, Consumer Affairs Victoria (CAV) runs a communications campaign to raise consumer awareness of the role of building consultants compared to building surveyors, the importance of engaging a qualified person, what to look for when engaging a building consultant, the risks, the relevant laws, where to get help and how to make a complaint.</p> <p>96 In the longer term, DELWP and CAV could undertake a joint review into the:</p> <ul style="list-style-type: none"> <li>• issues raised by stakeholders, such as the HIA, and the risks for building owners and consumers more generally arising from the operation of building consultants; and</li> <li>• measures, both regulatory and non-regulatory, to address the issues including, but not limited to, the costs and benefits of a consumer awareness campaign and a registration scheme for building consultants. A registration scheme could consider standards of practice including permitted and prohibited conduct, which may be in the form of a mandatory code of conduct.</li> </ul>	<p>Support the proposed improvements.</p>
<p>D7 – Clarify processes and enforcement</p>	<p><b>Accountability and enforcement</b></p> <p>97 Depending on the scope of the Victorian Government's recently foreshadowed review of the Building Act, that alternative models for the administration and enforcement of the building permit process be considered, including those proposed by stakeholders.</p> <p>Addressing the fragmentation of the enforcement processes would assist in</p>	<p>It is believed this recommendation has been provided in an attempt to eliminate the conflict of interest between private building surveyors and builders.</p> <p>It is noted that the Victorian Municipal Building Surveying Group (“<b>VMBSG</b>”) suggest to limit private building surveyors to only issuing building permit or inspecting work</p>

ACTION	RECOMMENDATION	RESPONSE
	<p>building consumer confidence in the operation and integrity of the building permit process and the regulatory system.</p> <p>98 That Recommendation 6 of the 2019 Victorian Cladding Taskforce be implemented – ‘that consideration be given to the development and implementation of a protocol between the VBA and Councils, which sets out accountabilities, mechanisms for cooperation and communication, strategic interventions and agreed procedures for referring enforcement actions.’[2] .Similarly, the 2015 report by the Auditor-General noted the opportunity for the VBA and Councils to establish communication and reporting protocols. Protocols were raised as an administrative approach to addressing ongoing uncertainty about responsibilities for enforcement that ‘would have significantly enhanced system-wide monitoring.’[3] The development of local Council building plans could also be considered to complement the protocol.</p> <p><b>Performance reporting</b></p> <p>99 The State Building Surveyor should include monitoring and regular reporting on the operation and performance of the building permit process, including making recommendations to improve the process, where needed.</p> <p>The 2005 inquiry into housing regulation by the Victorian Competition and Efficiency Commission and, more recently, the 2015 report by the Victorian Auditor-General, noted the need for a performance monitoring framework for the building regulatory system.</p> <p><b>Conflict of interest</b></p> <p>100 To remove the inherent conflict, the review of the Building Act could also consider the respective roles of municipal and private building surveyors.</p> <p>101 That a practice guide for building surveyors and inspectors be developed, which benchmarks the processes and the matters they must consider when inspecting each class of building. By clarifying processes and accountabilities for building</p>	<p>they had not approved.</p> <p>Note: The VNBSG also recommend the Municipal Building Surveyor (“MSB”) of Councils that certain classes of building permits be approved by the MBS. Furthermore that MBS’s be responsible for inspecting building work and issuing Occupancy Permits, Certificate of Final Inspections for private building surveyor permits.</p> <p>Finally, that the VBA be relinquished of being the regulator of the private building surveying industry and the Council MBS be the single regulator. This would in effect see Council MBS become the administering and enforcing responsibility of the building regulations and accountable to the VBA state building surveyor.</p> <p><u>Important Note:</u> This would pose a huge strain on Council building departments with no sufficient registered or experienced practitioners, huge exposure with PI insurance for incorrect or substandard building permit documentation along with building being occupied illegally. Further, Building permit levies are not provided to Councils.</p> <p>In short, Council Building Departments could not fulfil the proposed duties recommended by the VMBSG.</p> <p>In the opinion of the Yarra MBS, staffing numbers would have to be very substantially increased.</p> <p>Legal costs would also be very significant in pursuing cases where prosecutions etc. are warranted.</p> <p>This recommendation is <u>not</u> supported.</p> <p>Encourage a new practice guide regarding conflict of interest items, standard templates and procedures and code of conduct for the industry is supported.</p>

ACTION	RECOMMENDATION	RESPONSE
	<p>inspections, a practice guide would assist with quality of work issues arising from conflicts of interest. A similar guide is in place in Queensland and proposed in New South Wales. The practice guide would be supported by templates for building surveyors and inspectors to record the details and outcomes of inspections.</p> <p>The 2011 report on the building permit process by the Victorian Auditor-General recommended standard templates and procedures to assist building surveyors to ‘... to adequately document their assessment approach and basis of their decisions ...[and] ... to demonstrate, using these templates and procedures, their consideration and acquittal of mandatory safety and technical requirements’.[4]</p> <p>Implementation of the guide and templates would require an amendment to the Building Act to provide a head of power for the VBA to approve and enforce a practice guide for building surveyors and inspectors.</p> <p>102 The code of conduct being developed by the VBA would support the proposed practice guide and strengthen the conflict of interest obligations of private building surveyors and inspectors.</p> <p>While the Building Act imposes obligations on surveyors and inspectors to avoid conflicts of interest, and since 2017 has prohibited builders from engaging building surveyors, the VBA’s code of conduct will strengthen the professional conduct of building surveyors and inspectors and further promote their independence. As noted by Shergold and Weir:</p> <p>‘Codes of conduct can be an effective means of documenting the clear standards of behaviour expected of professionals who have statutory responsibilities. They also provide a reference against which auditing can be carried out and disciplinary action taken where the code is not met.</p>	

## Conclusion

15. The Discussion Paper provides commentary from the Committee regarding the views and opinions on ways to improve the broad approvals systems and procedures, and make more accessible the development approvals process.
16. It is important that Council's respond to the proposed reforms to ensure its voice is considered as part of any future changes. These are provided in the table above.
17. Council officers will continue to engage with the State Government. Officers recommend the above comments to be provided in response to this most recent paper.

## RECOMMENDATION

1. That Council:
  - (a) receive the report on the *Planning and Building Approvals Process Review Discussion Paper*; and
  - (b) submit the comments contained in the officers report as feedback to Better Regulations Victoria in relation to the Discussion Paper.

**CONTACT OFFICER:** Rob Hicks  
**TITLE:** Municipal Building Surveyor  
**TEL:** 9205 5767

## Attachments

There are no attachments for this report.

---

## 11.6 Proposed Discontinuance of Road between 5 & 7 Brunswick Street, Fitzroy.

---

Reference: D19/211918

Authoriser: Director Corporate, Business and Finance

### Purpose

1. For Council to consider whether the road shown as lot 1 on the title plan attached as Attachment 1 (**Title Plan**) to this report, being part of the general law land contained in book Syd no 801 (**Road**), should be discontinued pursuant to the Local Government Act 1989 (**Act**) and sold to the owners of 5 Brunswick Street, 20-32 Fitzroy Street and 59, 63, 73, 75 and 77 Victoria Parade, Fitzroy (the **Proposal**).

### Background

2. The Road is shown as lot 1 on the Title Plan and shown outlined red on the plan attached as Attachment 2 to this report (**Site Plan**). Copies of the titles to the Road are contained in Attachment 3 to this report.
3. St Vincent's Healthcare Ltd ACN 095 382 791 (**Applicant**) is the registered proprietor of all of the properties which abut the Road, except 7 Brunswick Street which is owned by an associated body. The St Vincent's Healthcare properties are shown outlined green on the site plan, the property owned by the associated body is shown on the site plan as green hatched, together the (**Adjoining Properties**).
4. The Applicant has requested that Council discontinue and sell the Road to the Applicant (**Proposal**).
5. The Road is shown on title as a right of way and a road and has been constructed and historically used as a right of way. Accordingly, the Road is a 'road' for the purposes of the Act and Council has statutory power to consider discontinuing the Road.
6. At its meeting on 4 June 2019, Council resolved to commence the statutory procedures and give notice pursuant to section 207A and 223 of the Act of its intention to discontinue and sell the Road to the Applicant.

### Discussion

#### Public Notice

7. The required public notice was placed in; The Age, Council's Facebook page and Council's website. Also, a large yellow notice was displayed at the site.
8. Following the publication of the public notice, 11 submissions were received by Council. All submissions received by Council are attached as Attachment 4 to this report.

#### Submissions in support of Proposal

9. The submissions received in support of the proposal may be summarised as follows:
  - (a) The Proposal would facilitate the expansion of St Vincent's Private Hospital Fitzroy (**Hospital**);
  - (b) The expansion of the Hospital will facilitate and enhance public access to the St Mary of the Cross Memorial Garden (**Garden**) at 7 Brunswick Street. The Garden redevelopment proposal is attached as Attachment 5 to this report and outlines future use of the Garden area;
  - (c) Public access, preservation and maintenance of the garden will not be affected by the Proposal as the Roman Catholic Trusts Corporation for the Diocese of Melbourne (**Corporation**) leases that part of 7 Brunswick Street which comprises the Garden;
  - (d) The Proposal and the redevelopment of the Hospital does not detract from, and would enhance public access to the Garden; and

- (e) A submission in favour of the proposal particularly the creation of a memorial garden, was lodged by the Congregational Leader of the Sisters of St Joseph of the Sacred Heart, Saint Mary Mackillop was co-founder of this Congregation.

**Officer Comments on submissions in support of proposal.**

- 10. The following comments are offered by Council Officers in respect of the submissions made in support of the Proposal.
  - (a) The Proposal would facilitate the expansion of the Hospital as per the approved permit;
  - (b) The garden is not located within the Road; and
  - (c) The Proposal will not restrict public access to the Garden located at 7 Brunswick Street.
- 11. The objections received in response to the Proposal can be summarised as follows:
  - (a) The public notice did not identify that Council may sell part of the Road;
  - (b) The Road should not be sold to a private body;
  - (c) Victorian Civil and Administrative Tribunal Order 1 May 2018 (**VCAT Order**) required a 1.2 Metre wide portion of the Road abutting the southern boundary wall of 7 Brunswick Street to remain open for public access to the Garden;
  - (d) If Council resolves to proceed with the Proposal, it should not discontinue that 1.2 metre wide section of the Road to allow continued access to the Garden;
  - (e) The Applicant should not be permitted to restrict access to the Road;
  - (f) If the Road is discontinued and sold to the Applicant, Council cannot ensure that the public have access to the Garden and the Applicant may permanently close access to the garden via the Road;
  - (g) The Proposal is not in the public interest;
  - (h) The bluestone paving in the Road is of historic significance and the VCAT Order required that it be retained; and
  - (i) The VCAT Order required the Road to be paved with Bluestone in a 'manner to evoke the laneway'.

**Officer Comments on objections to Proposal**

- 12. The following officer comments are offered in respect of the submissions made in objection to the Proposal.
  - (a) The public notice compiled with Council's requirements under section 207A and 223 of the Act;
  - (b) Council has the power to discontinue and sell roads to private applicants;
  - (c) Public access to the Memorial Garden will not be affected by the Proposal due to the lease commencing June 2018, between the Applicant and the Corporation (**Lease**) and restrictive covenant (**Covenant**) registered on title to 7 Brunswick Street, the details of which are as follows:
    - (i) The Lease is for a period of 200 years, and is registered as a dealing no. AR267385Q, a copy of which is attached as Attachment 6. Clause 10.2 of the Lease requires that the Applicant ensure that the Corporation and visitors have access to the Garden between 9.00am and 5.00pm Monday to Friday, excluding public holidays; and
    - (ii) The Covenant registered on title on June 2018 as dealing no. AR267384, requires that the Applicant not do anything or permit any person to do anything to prevent members of the public having access to the Garden between 9.00am and 5.00pm Monday to Friday, excluding public holidays. A copy of the Covenant is attached as Attachment 7;



- (d) The plans for the Hospital include an allowance for a 1.2 metre wide pathway and the retention of the bluestone paving as required by the VCAT Order and these requirements will be embodied in the planning permit for the development; and
- (e) The Proposal will facilitate the expansion of the Hospital which is of a public interest.

#### **Road Status**

- 13. It is established that the Road is a road which council has the power to consider discontinuing pursuant to the Act. If the road is discontinued, the Road will vest in Council. The Adjoining Properties have legal abuttal to the Road, however all of the Adjoining Properties are owned by the Applicant except 7 Brunswick Street which is owned by an Associated Owner namely the Roman Catholic Trusts Corporation.

#### **Public/Statutory Authorities**

- 14. The following Statutory/Public Authorities have been advised of the Proposal and have been asked to respond to the question of whether they have any existing assets in the Road that should be saved under section 207C of the Act: City West Water, Melbourne Water, APA Group, CitPower, Telstra, Optus and Yarra City Council.
- 15. Melbourne Water, CitiPower, APA Group, Telstra, Optus and Yarra City Council advised that they have no known assets in or above the Road and have no objection to the Proposal.
- 16. City West Water (**CWW**) advised that it did not object to the Proposal, subject to the following conditions:
  - (a) a title plan approved by CWW must show a 2.0m wide centrally located sewerage easement to be in favour of CWW pursuant to section 12(1) of the *Subdivision Act 1988*;
  - (b) any proposed fences must be located a minimum distance of 800mm clear of the centreline of existing CWW sewer mains;
  - (c) any proposed fence lines must be located a minimum distance of 1.0m from sewer manholes and/or sewer inspection shafts; and
  - (d) any proposal to build over a sewer asset will require CWW's written consent (i.e. Build-Over Application approval).
- 17. An adequately sized easement in favour of CWW has been included on the Title Plan.
- 18. A copy of the correspondence from CWW is contained in Attachment 8 to this report.

#### **Internal Consultation (One Yarra)**

- 19. No Internal consultation is required for this report.

#### **Financial Implications**

- 20. There are no financial implications arising from this report.

#### **Economic Implications**

- 21. The Applicant has agreed to acquire the Road, for its market value (plus GST) as determined by the Act.
- 22. In addition to the market value plus (GST), the Applicant has agreed to pay Council's costs and disbursements associated with the Proposal.

#### **Sustainability Implications**

- 23. There are no sustainability implications arising from this report.

#### **Social Implications**

- 24. There are no social implications arising from this report.

### **Human Rights Implications**

25. There are no human rights implications arising from this report.

### **Communications with CALD Communities Implications**

26. All notices and correspondence issued in respect of this proposal will contain a reference to Yarralink Interpreter Services.

### **Council Plan, Strategy and Policy Implications**

27. There are no Council Plan, Strategy or Policy Implications.

### **Legal Implications**

28. If the Road is discontinued and sold to the Applicant, Council will require the Applicant to:

- (a) Create a sewerage easement in favour of City West Water (**CWW**) along the length of the Road (this can be effected as part of the transfer of land). However, it is anticipated that the Applicant will lodge a separate application with CWW to remove the easement. Removal of the Easement will facilitate the construction of the new improvements;
- (b) Agree to observe the conditions imposed by CWW in respect of the Road; and
- (c) Consolidate the title to the Road with the title to the property a 5 Brunswick Street Fitzroy, (Hospital), within 6 months of the date of transfer of the Road to the Applicant at the Applicant's expense.

### **Other Issues**

29. There are no other issues.

### **Options**

30. There are no options associated with report.

### **Conclusion**

31. Council must consider the submissions lodged in respect of the proposal, then determine whether the Road is reasonably required for public use in order to decide whether the road should be discontinued and sold pursuant to clause 3 of schedule 10 of the *Local Government Act 1989*.

## RECOMMENDATION

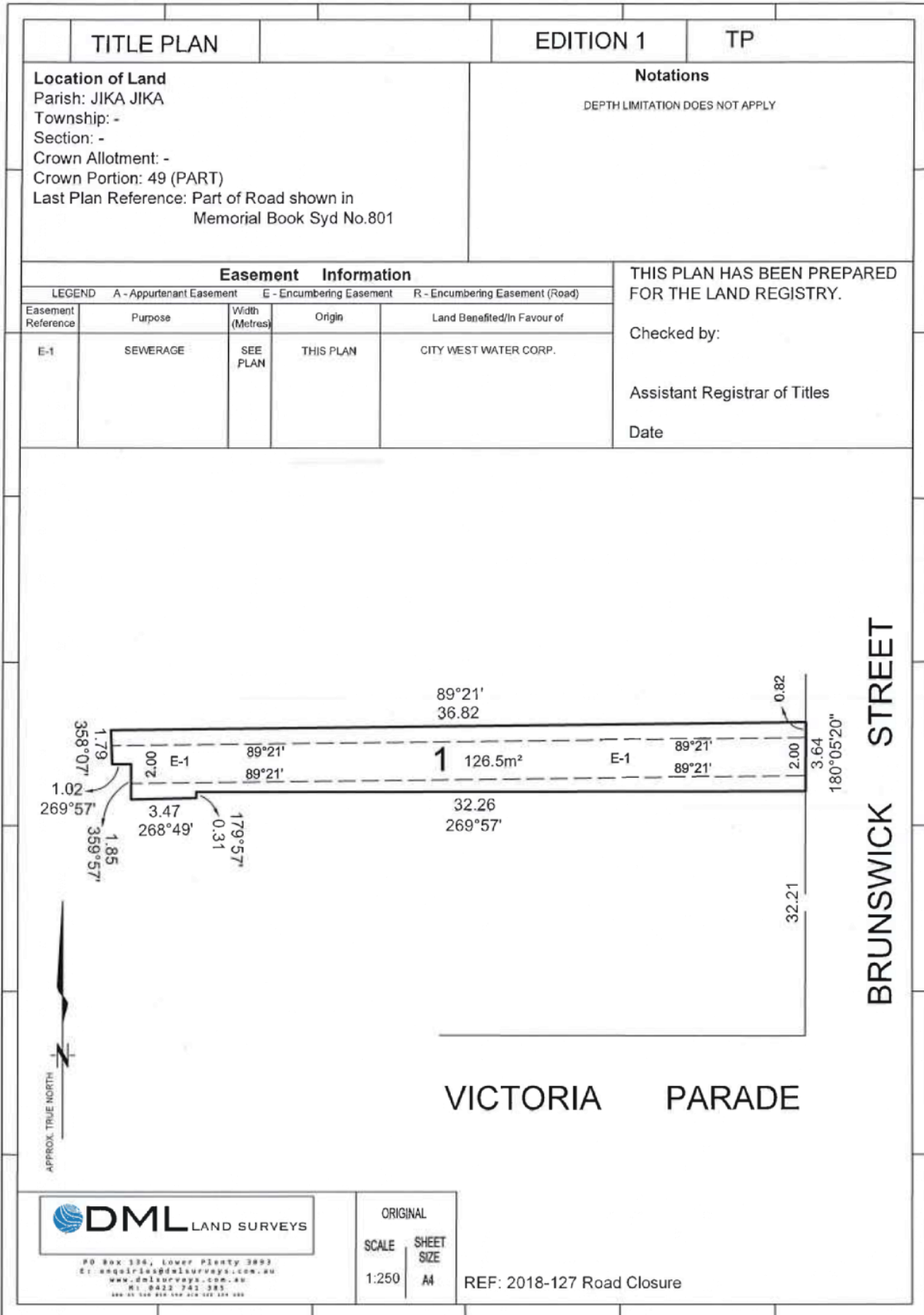
1. That Council, having considered all submissions received in response to the public notice regarding Council's proposal to discontinue the road shown marked lot 1 on the title plan attached as Attachment 1 to this report (**Road**), being part of the land contained in book SYD no 801:
  - (a) resolves that having followed all the required statutory procedures pursuant to section 189,207A and 223 of the Act pursuant to its power under Schedule 10, clause 3 of the Act, and being of the opinion that the road between 5-7 Brunswick Street, Fitzroy, is not reasonably required for public use. Council discontinues the Road;
  - (b) directs that a notice pursuant to the provisions of Clause 3(a) of Schedule 10 of the Act, is to be published in the *Victoria Government Gazette*;
  - (c) directs that, once discontinued the Road be transferred to the Applicant for the current market value plus (GST), with the market value to be determined in accordance with the Act;
  - (d) directs that any easements, rights or interests required to be created or saved over the Road by an authority be done so;
  - (e) authorises Council's CEO to sign any transfer or transfers of the Road or any other documents required to be signed in connection with the discontinuance of the Road and its subsequent transfer to the Applicant; and
  - (f) informs the submitters in writing of Council's decision on the matter.

**CONTACT OFFICER:** Bill Graham  
**TITLE:** Coordinator Valuations  
**TEL:** 9205 5270

### Attachments

- 1 [↓](#) Title Plan
- 2 [↓](#) Site Plan
- 3 [↓](#) Title Search Road
- 4 [↓](#) Public Submissions 5-7 Brunswick Street
- 5 [↓](#) Memorial Garden Redevelopment Proposal
- 6 [↓](#) 200 Year Lease
- 7 [↓](#) Title Covenant
- 8 [↓](#) City West Water Response

Attachment 1 - Title Plan



**DML LAND SURVEYS**  
 PO Box 136, Lower Plenty 3093  
 E: enquiries@dmlsurveys.com.au  
 www.dmlsurveys.com.au  
 M: 0422 741 385  
 Fax: 03 9462 100 210 212 224 226

ORIGINAL  
 SCALE SHEET SIZE  
 1:250 A4

REF: 2018-127 Road Closure

Attachment 2 - Site Plan



Attachment 3 - Title Search Road

**SEARCH OF TITLE (GENERAL LAW)**  
Section 26J of the Transfer of Land Act 1958

AP 80052.

**LAND SEARCHED**

Whole/Part Crown Allotment \_\_\_\_\_ Section \_\_\_\_\_

Whole/Part Portion . 49, \_\_\_\_\_ Section \_\_\_\_\_

Township of \_\_\_\_\_ Parish of JIKA JIKA.

and being the land sketched on page\*\* 1 attached, and being \* the whole of and/or part of the land described in CROWN GRANT No. \_\_\_\_\_ and/or Book Syd No 801 (in AP 4469.) from which this search starts.

- 1. I certify that I have made searches against the names on the index sheets \*\*(page 3) and that extracts of all memorials by my search which affect the above land are set out on pages 4 to 7 (bi) attached.
- 2. I also certify that I have searched in the Registers of Executions, Lis Pendens, Crown Debtors, and Settlements and Arrangements, against the names of all persons who appear from the memorials to have had a beneficial interest in the land during the past thirty years, with the following RESULT:-  \*Nil or  \*See page \_\_\_\_\_ of attached search.

**ADDITIONAL SEARCHES**

**ADVERSE POSSESSION**

- 3. \* I certify that I have searched the names of the current owner and prior adverse possessors provided to me and the Municipality, Public Trustee and the Registrar of the County Court as set out on index sheet number (\$) 3 with the results set out on page(s) NIL.
- 4. \* I also certify that I have searched in the Registers of Executions, Lis Pendens, Crown Debtors and Settlements and Arrangements against the names of all persons referred to in clause 3.

**BANKRUPTCY**

- 5. I also certify that I have searched in the Bankruptcy Registers held in the Registrar-General's Office against all persons referred to in Clause 3 and those shown in the Land Register to have an interest in the above land during the past 20 years, up to 31/12/1996 being the date of the microfiche, with the following results:  
 \*NIL or  \*see page \_\_\_\_\_ of attached search.

SIGNED: [Signature] DATE 3/11/2016  
(Signature of Searcher)

NAME OF SEARCHING FIRM

26F:-  
AL41TTI N/A.

LABEL

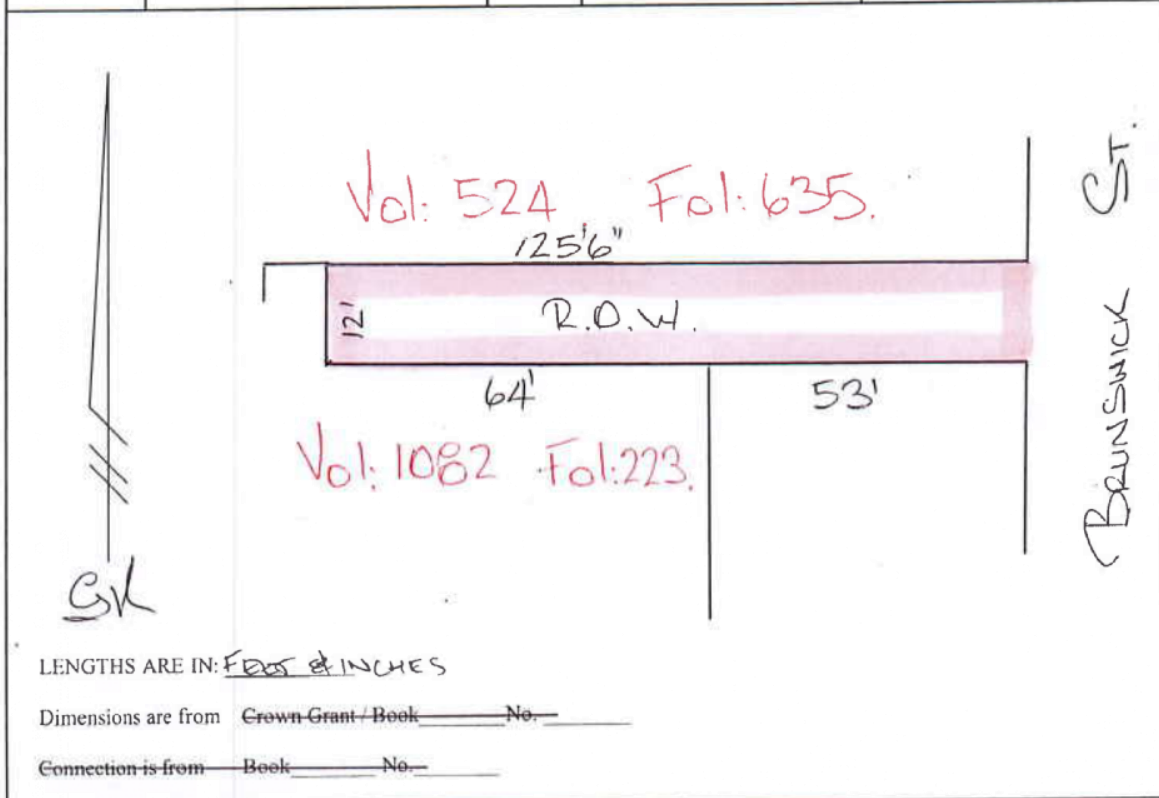
\* delete where applicable  
\*\* - attached pages should be numbered consecutively  
- each should be signed or initialled by the searcher

Attachment 3 - Title Search Road

SKETCH OF LAND SEARCHED AP 80052.

<p><b>Land Searched</b></p> <p>Parish: <u>JUKA JUKA.</u></p> <p>Town: _____</p> <p>Section _____</p> <p>Crown Allotment: <u>Whole / Part</u> _____</p> <p>Crown Portion: <u>Whole / Part</u> <u>49.</u></p>	<p><b>Last Registered Owners</b></p> <p>Book <u>Syd</u> No. <u>801</u></p> <p><b>Encumbrances (other than easements)</b></p> <p>Mortgage Book _____ No. _____</p> <p>Mortgage Book _____ No. _____</p> <p>Mortgage Book _____ No. _____</p> <p>Covenant Book _____ No. _____</p> <p>Charge Book _____ No. _____</p> <p>Notices Book _____ No. _____</p> <p>Other Book _____ No. _____</p>
---	---

Easements (Encumbering or Appurtenant)				
Easement Reference eg: E-1, A-1	Purpose / Authority	Width	Origin Book No.	Land benefited / In favour of (If apparent from search)



LENGTHS ARE IN: FEET & INCHES

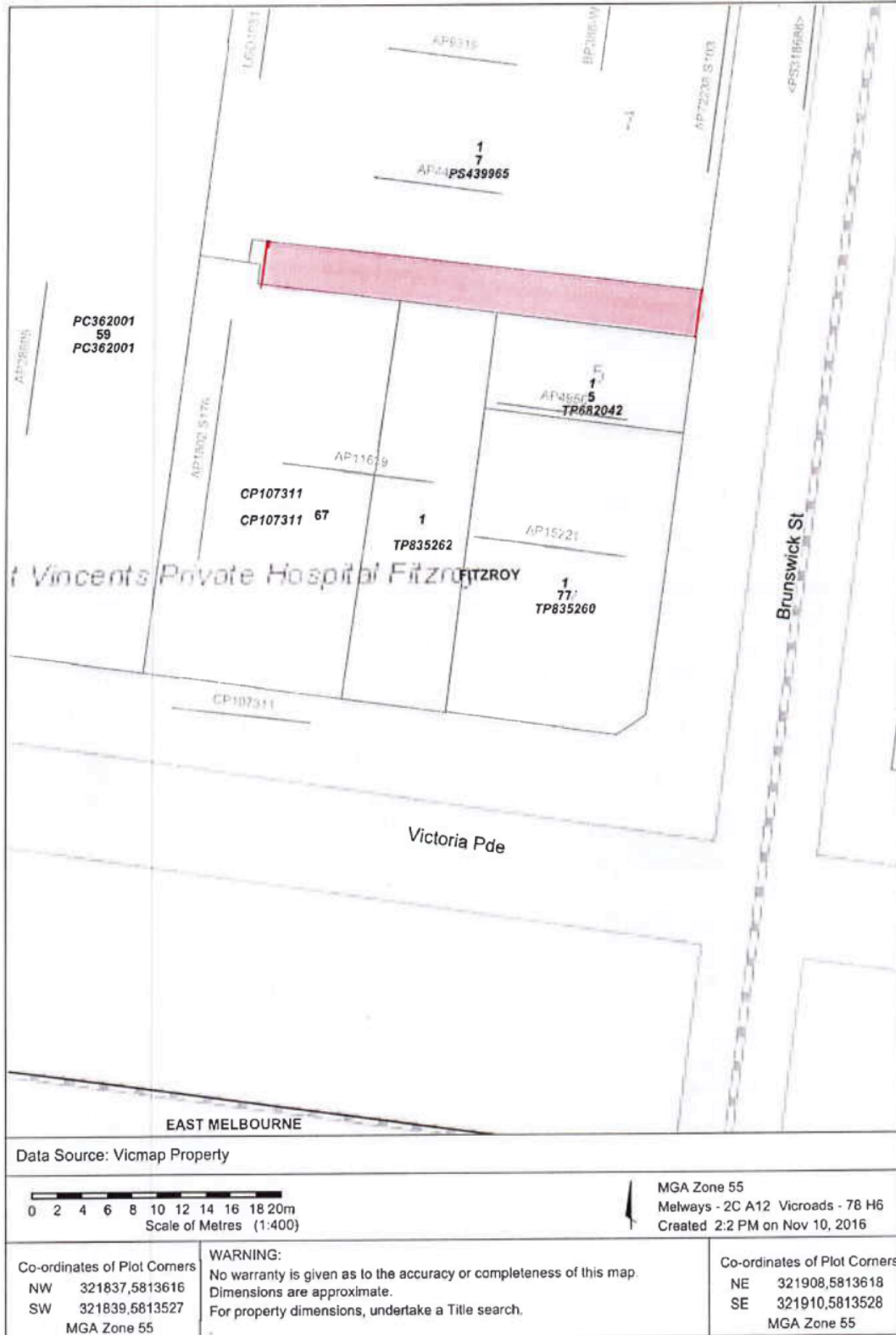
Dimensions are from Crown Grant / Book \_\_\_\_\_ No. \_\_\_\_\_

Connection is from Book \_\_\_\_\_ No. \_\_\_\_\_

**Note to Legal Practitioners**

(Taken from Schedule 5A Transfer of Land Act) Where the land includes rights of appurtenance, abuttal, etc. justified in any deed which forms part of a separate chain of title, a photocopy of the deed, certified by the Legal Practitioner making the certificate, must be produced. That chain of title must also be produced, except those parts which have been accepted by the Registrar under a prior conversion.

Attachment 3 - Title Search Road



2

SK



Attachment 3 - Title Search Road

**INDEX SHEET**

LAND SEARCHED PART CROWN PORTION. 49,  
PARISH OF SIKA SIKA.

<u>NAME</u>	<u>OLD SERIES</u>	<u>NEW SERIES</u>	<u>DEALINGS</u>
MINTON. Jane,	19//119. ✓		LAST IN AP. 4469. Syd-2029.NA <u>NIL SINCE.</u>
		<u>NIL.</u>	
PUBLIC TRUSTEE.		P.T.I. ✓	251-948.NA
	58//88. ✓		<u>NIL.</u>
REGISTRAR OF COUNTY COURT.		185//189. ✓	<u>NIL.</u>
CITY OF FITZROY.		18//141. ✓	<u>NIL.</u>
YARRA CITY COUNCIL.		167//135. ✓	<u>NIL.</u>

Memorials extracted to be ticked

Memorials not applicable to marked "N.A."

3

SK

Attachment 3 - Title Search Road

CONVEYANCE

BOOK Syd. No. 801.

DATE 5th 16 1840.

REG 10 17 1840.

CONSIDERATION £200/-

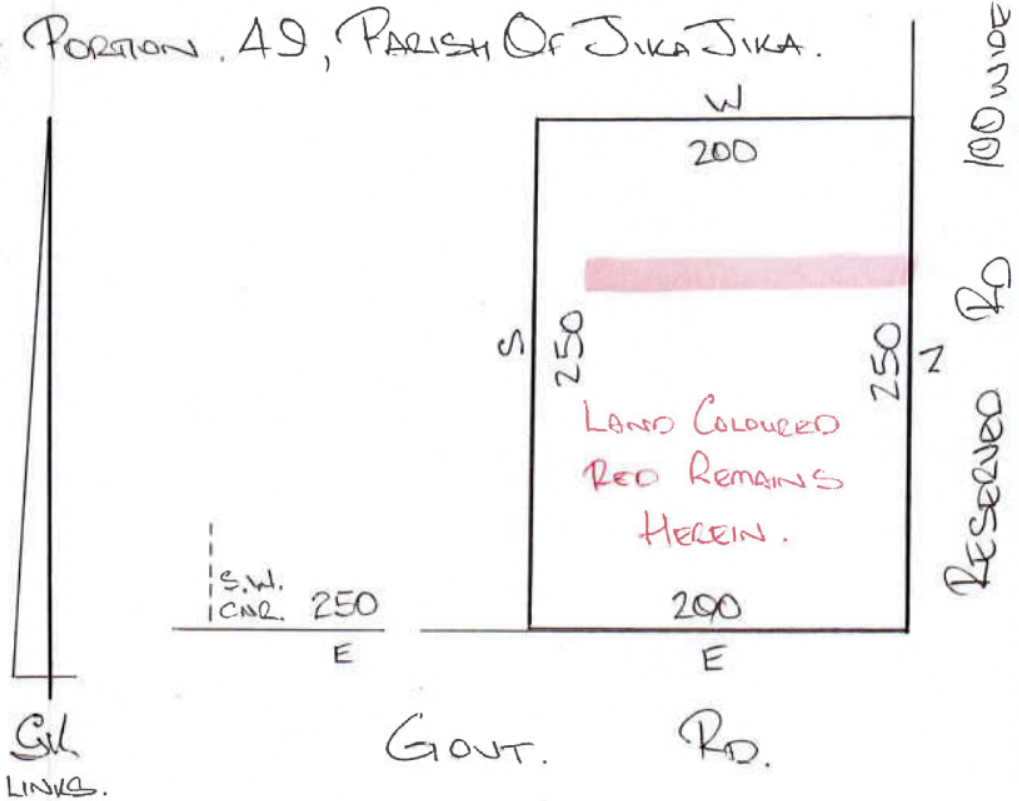
RECITALS Nil

LAND

PART PORTION 49, PARISH OF JIKA JIKA.

PARTIES

Henry Fysche GIBBORNE  
to  
Jane MINTON.



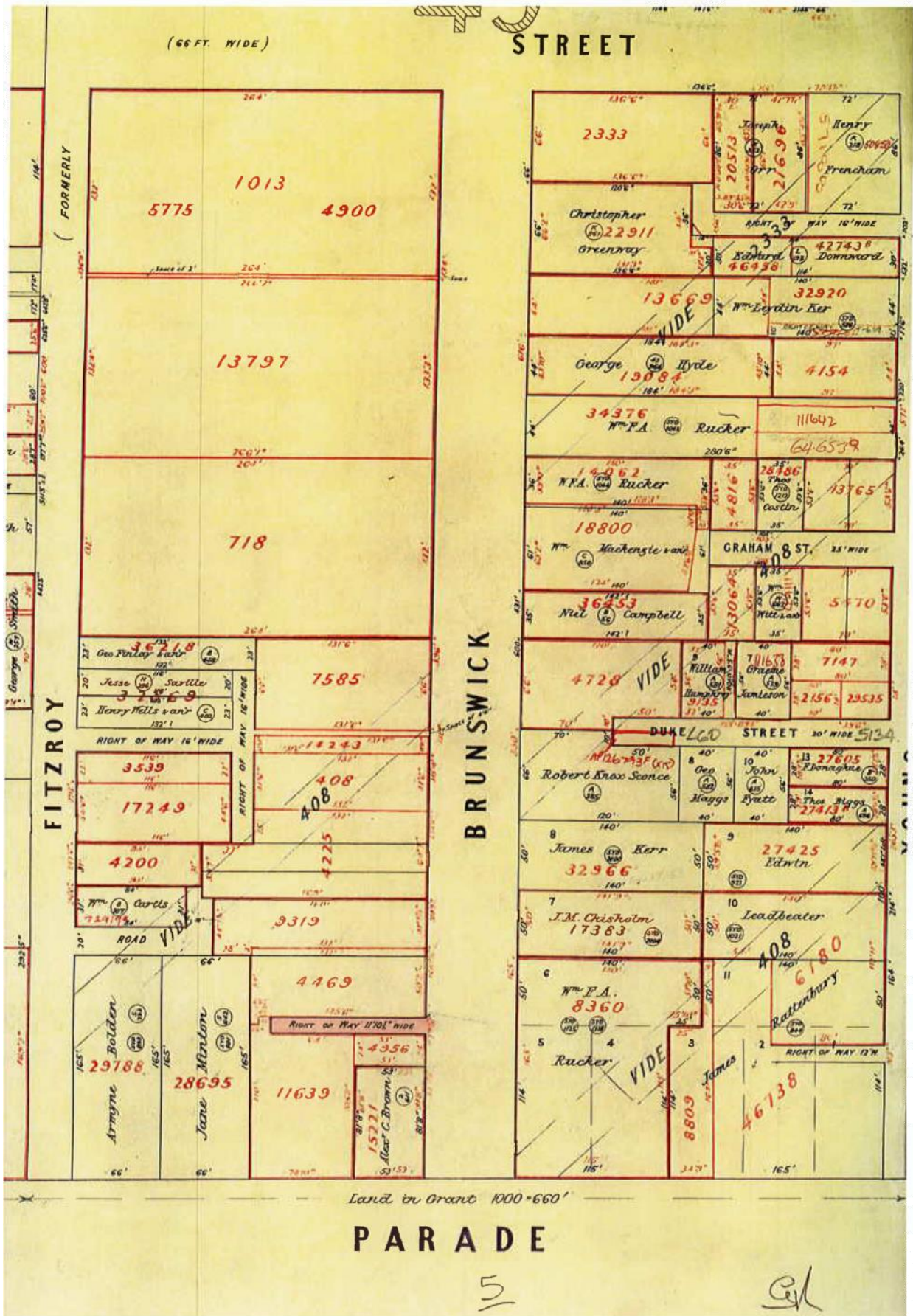
THE CHAIN OF TITLE UP TO BUT NOT INCLUDING BOOK Syd. NO. 801... HAS BEEN ACCEPTED BY THE REGISTRAR OF TITLES IN A PRIOR APPLICATION / CONVERSION. 4469... AND NEED NOT BE PRODUCED WHEN BRINGING LAND UNDER THE TRANSFER OF LAND ACT.

*[Signature]*  
FOR REGISTRAR OF TITLES

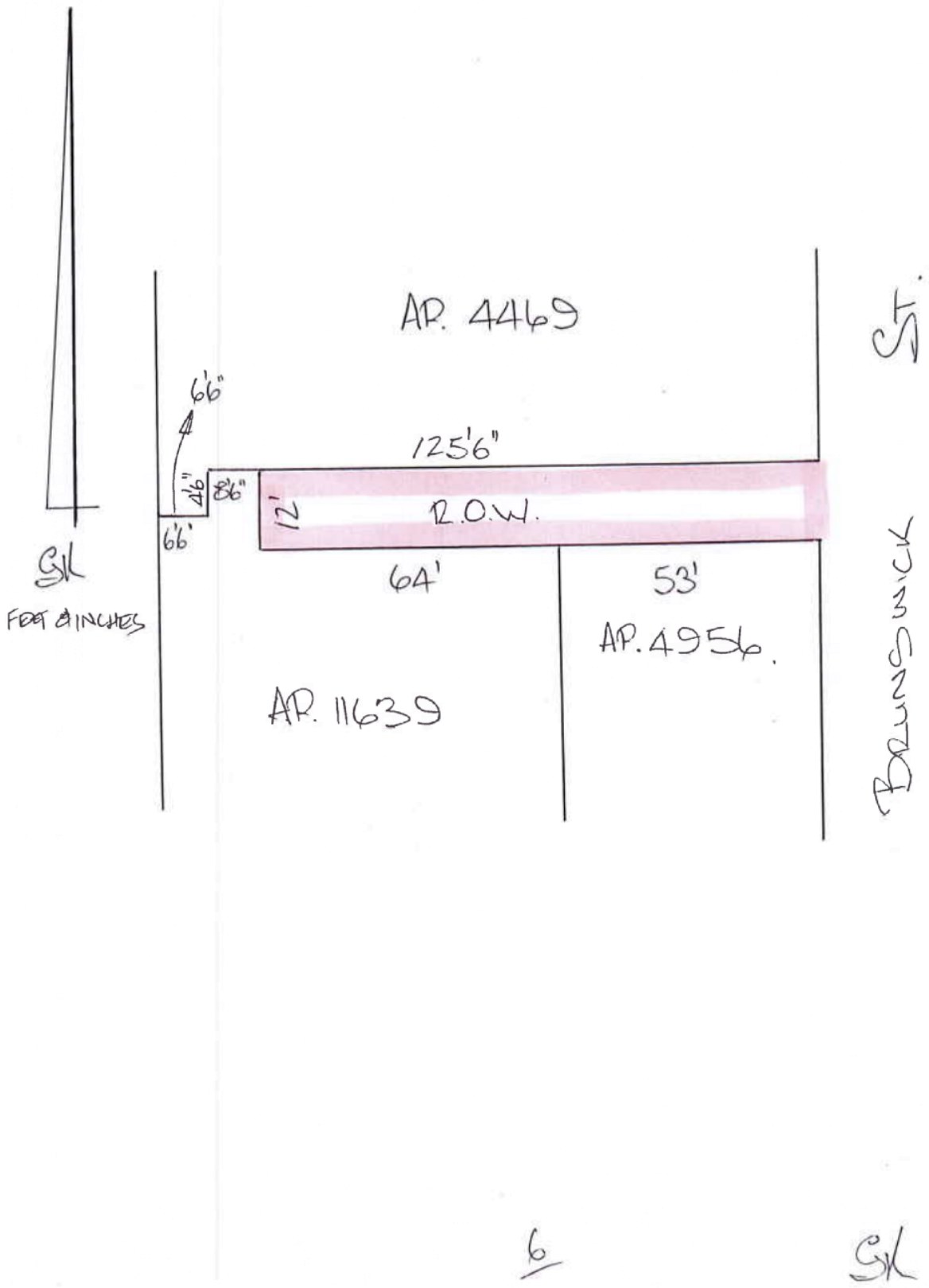
4

gyl

Attachment 3 - Title Search Road



Attachment 3 - Title Search Road





Attachment 4 - Public Submissions 5-7 Brunswick Street



ST VINCENT'S HEALTH AUSTRALIA

MEMBER OF THE ST VINCENT'S HEALTH AUSTRALIA GROUP

CITY OF YARRA

- 5 JUL 2019

RECEIVED - CRU

St Vincent's Health Australia Ltd  
ABN 75 073 503 536  
Melbourne Group Office  
5/340 Albert Street  
East Melbourne Vic 3002

Telephone 03 9231 1706  
www.svha.org.au

Ms Vijaya Vaidyanath  
Chief Executive Officer  
City of Yarra  
PO Box 168  
Richmond Vic 3121

**Re: Proposed discontinuance and sale of the roadway between 5 & 7 Brunswick Street.**

Dear Vijaya

On behalf of St Vincent's Health Australia (SVHA) we make our submission in support of the proposed discontinuance and sale of the road between 5&7 Brunswick Street Fitzroy to SVHA.

The acquisition of the road will complete the property requirements for the expansion of St Vincent's Private Hospital Fitzroy onto the surrounding properties owned by SVHA. The detailed design and footprint of this expansion and its impact on the surrounding properties has been reviewed and assessed through a rigorous and comprehensive consultation process with subsequent Planning and Heritage Permit approvals received from City of Yarra, VCAT & Heritage Victoria.

An Integral part of this project is the relevance of the gardens and land bounded by the road to the Sisters of St Josephs of the Sacred Heart. SVHA has been the custodian of these gardens for ten years as the lessor of the land and more recently the owner. As a Catholic organization we see it as a privilege to care for these gardens and are keen to enhance public access to the site through the planned development. The proposed development has strong support from both the Catholic Archdiocese of Melbourne and the Sisters who support the expansion of the hospital as furthering the mission of caring for the sick and vulnerable. The design of the expanded hospital integrates and enhances the memorial garden that commemorates the birth place of Mary MacKillop the cofounder of the Sisters of St Joseph of the Sacred Heart and Australia's first Saint. The purpose of the garden is to provide a reflective space for the public, patients and staff and a visual reminder of the history of St Mary MacKillop and the sisters, and their dedicated work with the poor, the needy and the sick.

The road and its significance to the site has also been considered and has been articulated in the proposed landscape drawing for the space (refer attachment).

In consideration of the above we seek Councils support in favour for the discontinuance and sale of the roadway.

Yours Sincerely,



Director of Strategic Development and Infrastructure  
St Vincent's Health Australia.

Sub  
1

1 PAGE

190709-000089

Attachment 4 - Public Submissions 5-7 Brunswick Street



13 September 2018

Mr Kevin Dalton  
 Director of Strategic Development & Infrastructure  
 St Vincent's Private Hospital Fitzroy  
 59-61 Victoria Parade  
 FITZROY VIC 3065

Sub  
2

190709 - 000089  
3 PAGES

Dear Kevin,

**Re: St Mary of the Cross Birthplace & Memorial Garden**

I write to you as Congregational Leader of the Sisters of St Josephs of the Sacred Heart in support of the proposed development of St Vincent's Private Hospital Fitzroy. I understand that this correspondence will be forwarded to other relevant parties involved in the approval of this development, and that this letter may be made public.

As you are aware, Mary MacKillop was co-founder of the Sisters of St Joseph of the Sacred Heart and in 2010 was canonised as Australia's first Saint of the universal church. She was born at Marino Cottage on the site of 7 Brunswick St, Fitzroy and lived there for the first three months of her life. We have marked the site of her birthplace with a bronze bust of Mary and a plaque designating the birth site. The land on which her home stood is now encapsulated in the St Mary of the Cross Memorial Garden. The land on which the Memorial Garden is situated is owned by St Vincent's Health Australia.

The purpose of the garden area is to provide the public with a quiet and sacred place for prayer and reflection. The Memorial Garden is designed to provide a visible reminder of Mary's birthplace and her dedicated work for the poor, the needy & the sick in early Melbourne. The Garden is an integral part of regular Mary MacKillop Walking Tours of Fitzroy which include visiting the birthplace, the Chapel and St Mary of the Cross square in the grounds of Australian Catholic University and most importantly, the Mary MacKillop Heritage Centre located in Albert Street, East Melbourne. It is here where pilgrims and visitors are able to learn about Mary's life and her work across the country.

We are grateful that the St Mary of the Cross Birthplace and Memorial Garden are now in the custody of St Vincent's Health Australia. The long-term public access, preservation and maintenance of the garden are protected through the registration of a two hundred year lease over the Memorial Garden (in favour of the Roman Catholic Trusts Corporation for the Archdiocese of Melbourne), and a Covenant on the Title of the property ensuring public access to the Birthplace & Memorial Garden.

PO Box 1508, NSW 2059 9 Mount Street, North Sydney NSW 2060  
 P: +61 2 9929 7344 F: +61 2 8912 4833 E: enquiries@sosj.org.au W: www.sosj.org.au  
 Trustees of the Sisters of Saint Joseph - Incorporated In New South Wales, the liability of the members is limited  
 ABRN: 162 276 422 Member of the Catholic Church Religious Group

**Attachment 4 - Public Submissions 5-7 Brunswick Street**

We have reviewed the plans of the proposed development of St Vincent's Private Hospital Fitzroy on a number of occasions and believe that it does not detract from the purpose of the St Mary of the Cross Birthplace & Memorial Garden. On the contrary, it is comforting to think that patients, often the modern-day equivalent of the sick & needy of Mary's time, may be able to look down on Mary's Birthplace or wander into the Memorial Garden for some quiet prayer and reflection during their time of need and stay in the hospital. We are certain St Mary of the Cross would be pleased to see the further development of St Vincent's Private Hospital in the proposed location.

In conclusion, the Sisters of St Joseph of the Sacred Heart as custodians of the history of St Mary of the Cross are supportive of the development of the St Vincent's Private Hospital Fitzroy as per the plans that have been presented to us. The development will provide improved public access to the Memorial Garden and Birthplace and are confident the legal agreements that are in place for the site ensure that this will continue.

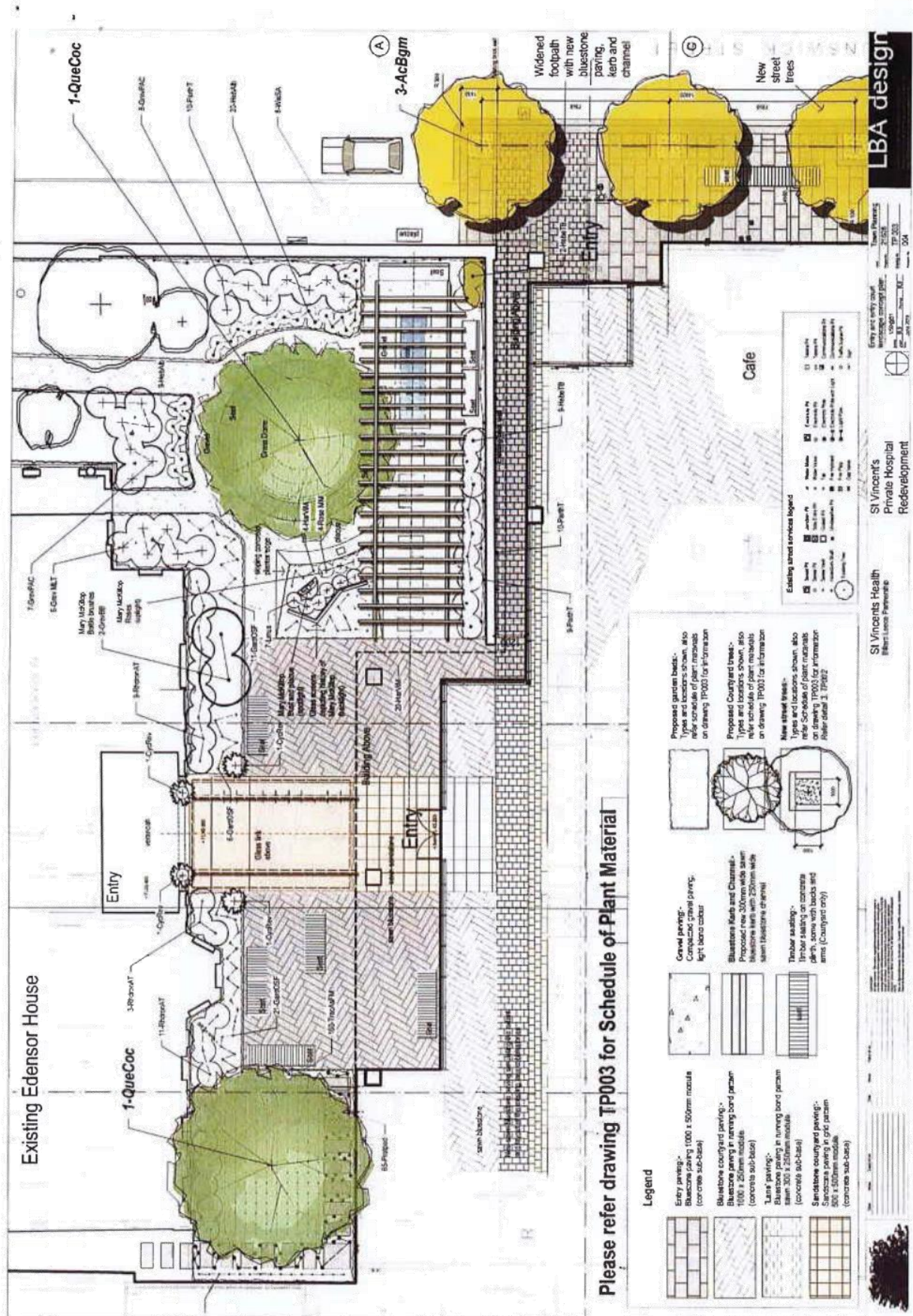
Yours sincerely,

A large black rectangular redaction box covering the signature of the Congregational Leader.

Congregational Leader



Attachment 4 - Public Submissions 5-7 Brunswick Street



Please refer drawing TP003 for Schedule of Plant Material

Legend

- Entry paving:- Bluestone paving, 1000 x 500mm mosaic (concrete sub-base)
- Bluestone paving in turning board pattern (1000 x 250mm mosaic) (concrete sub-base)
- Lany paving:- Bluestone paving in turning board pattern (concrete sub-base)
- Sandstone courtyard paving:- Sandstone paving in grid pattern (concrete sub-base)
- Entry paving:- Concrete paving, light stone color
- Bluestone Kiosk and Channel:- Proposed new 300mm wide sewer manholes with 250mm wide light foundation (or gravel)
- Timber seating:- Timber seating on concrete pads, some with backs and arms (concrete only)

- Proposed garden beds:- Types and locations shown, also refer schedule of plant materials on drawing TP003 for information
- Proposed Courtyard trees:- Types and locations shown, also refer Schedule of plant materials on drawing TP003 for information
- New street trees:- Types and locations shown, also refer Schedule of plant materials on drawing TP003 for information

- Existing street services legend
- Water
  - Gas
  - Electricity
  - Telecom
  - Stormwater
  - Drainage
  - Other

**LBA design**

ST Vincent's Private Hospital Redevelopment

ST Vincent's Health  
Bentley Lane Peninsula

Scale: 1:100

Drawn: [Name]

Checked: [Name]

Date: 2019/11/26

**Attachment 4 - Public Submissions 5-7 Brunswick Street**

**SUBMISSION IN RESPONSE TO YARRA CITY COUNCIL PUBLIC NOTICE**

**DISCONTINUANCE OF THE ROAD BETWEEN 5 AND 7 BRUNSWICK STREET**

In responding to the Yarra City Council Public Notice published in the *Age* of 26 June 2019 inviting submissions under section 223 the *Local Government Act*, we wish to make the following points.

1. The advertised notice referred only to Council not discontinuing, discontinuing and then selling the land to an adjoining owner or transferring the road to itself.  
The notice did not provide the additional advice of a **third option** under Schedule 10 Clause 3, in the Act, which gives Council the option of selling a **part** of a road.
2. We submit that the notice was misleading and should be re-advertised to give submitters correct information as to the legal requirements of the Act.
3. The historic 1840 public laneway should not be lost to private interests as was determined in the VCAT Order 1 May 2018 , PLN16/0925, which required a portion to remain publicly available for access.
4. The importance of the public having access to the garden of the birthplace of St. Mary McKillop **must** be recognised. Availability to those who feel a spiritual connection to that site should not be restricted. The hospital must not be permitted to deny access to the lane site as it has illegally done in the past. A gate at the western end of the laneway, into the garden would prohibit after hours access.
5. We therefore submit that if Council determines to sell this heritage laneway the sale should **exclude** the 1.2 metres width VCAT ordered remain in public ownership.



Napier Street  
Fitzroy 3065

23 July 2019

Sub  
3

PLN16/0925 - 000491

1 PAGE

**Attachment 4 - Public Submissions 5-7 Brunswick Street**



██████████ Carlton Victoria  
Tuesday 23<sup>rd</sup> July 2019

Vijaya Vaidyanath  
Chief Executive Officer  
PO Box 168 RICHMOND VIC 3121

Dear Ms Vaidyanath

**Re: DISCONTINUANCE OF THE ROAD BETWEEN 5 AND 7 BRUNSWICK STREET, FITZROY**

In response to the Yarra City Council Public Notice published in the *Age* of 26 June 2019 inviting submissions under section 223 the *Local Government Act*, I am hereby

- (a) making this submission in relation to the application to discontinue the right of way between 5 and 7 Brunswick Street, Fitzroy, and
- (b) requesting to be heard in support of my submission and be notified of the time and date of the hearing.

Enclosed please find my submission on the above matter.



Sub  
4

190725-000491

5 PAGES

## Attachment 4 - Public Submissions 5-7 Brunswick Street

### DISCONTINUANCE OF THE ROAD BETWEEN 5 AND 7 BRUNSWICK STREET, FITZROY

In response to the Yarra City Council Public Notice published in the *Age* of 26 June 2019 inviting submissions under section 223 the *Local Government Act*, I am hereby

- (a) making this submission in relation to the application to discontinue the right of way between 5 and 7 Brunswick Street, Fitzroy, and
  - (b) requesting to be heard in support of my submission and be notified of the time and date of the hearing.
1. Dating from June 1840 as a "reserved lane", this historic right-of way opening into Brunswick Street was illegally closed by an electronic gate installed between 2010 and 2013 without Council knowledge or permission. This illegal installation is directly relevant to the subsequent VCAT Order dated 1 May 2018 which requires portion of this ROW to remain publicly available as a footway providing access "to the garden of Edensor /Dodgshun House" (i.e. VHR H1706).
  2. The VCAT order varied Council's decision for planning permit PLN16/0925 as follows,
 

*"Condition 1(l) is amended to read:*

*1(l) Setback the northern wall of the ground floor of the Brunswick Street entrance from the southern boundary wall of the Edensor/Dodgshun House property by 1.2 metres, with this setback paved in a manner that reflects its existing function as a bluestone lane in accordance with the recommendations of an appropriately qualified heritage consultant."*
  3. VCAT's paragraph 155 provided supplementary information:
 

*"During the hearing, the applicant agreed that this could be widened to provide a walkway to the garden of Edensor/Dodgshun House that was independent of the hospital. It further agreed that this could be paved in bluestone to evoke the laneway. We do not oppose this concept, and will vary condition 1(l) to require it."*
  4. The 1.2m footway required by VCAT is now included in the revised plans for the Hospital, appropriately designed to be entirely "*independent of the hospital*" between the southern boundary wall of Edensor/Dodgshun House and the hospital entrance.
  5. Heritage Victoria issued a permit for the Private Hospital's extension on 29 March 2019, and when the application for discontinuance of the Council's ROW was then reactivated, Council resolved on 4 June that "public notice of the proposed discontinuance be given in the appropriate newspapers . . .".

My position is simple and reflects the submission I made to VCAT.

I believe that the responsible decision for council in the public interest, is to retain the lane as a public lane, not just because of its significant cultural heritage values, but because it is extraordinarily important as providing public access for pilgrims and tourists to the birthplace site and commemoration bust of Saint Mary MacKillop.

I believe it might also help council, for me to include my record of the site visit I made as a party to the VCAT appeal. During its site visit, the Tribunal took particular interest in the blue stone laneway between number 5 and 7 Brunswick Street. This is the laneway that is now the subject of the application for discontinuance. This is also the laneway that has been and continues to be, unlawfully blocked and locked by St Vincent's thus denying public's rightful access.

As a party to the VCAT hearing I was present at the Tribunal's visit to the site. All parties present walked around the site including into the Dodgson House Garden, where the bust statue of St Mary

**Attachment 4 - Public Submissions 5-7 Brunswick Street**

MacKillop sits in a commemorative garden bed. In fact, we could see the extent the new building would protrude over the commemorative garden. The parties also walked into and along the adjoining laneway.

I recall this visit to the laneway very clearly. In my VCAT submission I had focussed on the existing and potentially increasing public interest in the site as a pilgrimage destination. I had raised concerns about the loss of public access by the proposed development's projection over and under the lane way, as well as the protrusion into the Dodgson House property. In this submission, I have included some excerpts from my VCAT submission for council's consideration in their decision, as they address the public interest question. It is my belief, that the Tribunal also, was mindful of the public interest considerations when making their decision to retain direct public access from Brunswick Street. I believe this because;

- During that visit, the Tribunal clearly saw the consequence of the lane being subsumed into the Hospital development.
- The Tribunal remarked that the proposed plans, (viewed from the design plans and compared to the site in situ) showed a space between the southern perimeter wall of Dodgson House and the encroachment of the development into the lane from number 5 Brunswick Street.
- The Tribunal went further, in saying there was an opportunity for that area of lane, to be open to Brunswick Street, to provide separate public access from the Street to the Garden and the Saint's commemorative site. The public would not then have to go into the Hospital to get to the Saint's commemorative site.
- The Tribunal also noted the blue stone lane and commented that there may well be opportunity to retain the blue stone by designing them into the new building.

It is therefore not be chance or oversight or omission or error, that the Tribunal decision required that public access be retained.

St Vincent's knows this. In putting forward the revisionist plans that show a locked, that is private, access along the lane from Brunswick Street, St Vincent's is being disingenuous at the very least. In my view, St Vincent's is deliberately flaunting the VCAT decision. This is disrespectful. Is it not a breach of VCAT's decision? Is it not correct that council cannot vary the VCAT decision?

**Excerpts from my VCAT submission for Council's consideration**

- **The importance of, and potential level, of public interest, and**
- **The meaning of and importance of heritage values and their interaction with public interest.**
- **The faith and spiritual significance of the birth site of Saint Mary MacKillop.**

In considering its position on the laneway, council will be making choices between retaining the laneway for the public and ensuring it is in fact open for the public's use, or discontinuing it and transferring it to St Vincent's and to private ownership. In my view, council is also choosing between the private interest and short-term decisions versus decision making for the long term in the public interest.

It is clear now that that development proposed for the site will lock up permanently, the response to the commemoration of the site as the birth place of Saint Mary MacKillop. My view is that there is an extraordinary level of public interest in that site over and above that which has been allowed for, in the St Vincent's plans. Why do I say that?

## Attachment 4 - Public Submissions 5-7 Brunswick Street

The decision on the lane is the last remaining decision to be made for this very large development. The expansion by St Vincent's and on such a prominent site, filled with cultural heritage significance, will have permanent consequences to the neighbourhood, and suburb. Moreover, the decision by St Vincent's to build on the Saint's birth site, and on what is a sacred site, if it weren't, fact, would be unbelievable: When committed knowingly, by the church that declared the same Sainthood; it is itself, ironic. For this reason, I ask, that the Council, take a public interest perspective over and above, its consideration of the lane for its highly significant heritage values.

### Level of Public interest now and in the future

How can one but question the appropriateness of such a minimalist response to the Saint's birthplace site? How does this proposal compare with best practice for Saints' *pilgrimage* sites globally and what might be the long-term expectation on numbers of visitors based on similar sites globally? The St Vincent's plan as currently presented to council, shows a small-contained commemorative site, accessed through the common Brunswick Street hospital entrance.

Questions immediately spring to mind. One wonders how a small flow of tourists will be managed, even before the global interest in faith tourism and pilgrimage, catches up. For example;

- How will hospital authorities vet and filter these visitors, especially as security to all institutions is continually being tightened?
- When and how might government, for example Tourism Victoria, intervene?
  - It is routine for significant sites to be part of government's policy and programs, and
  - The site owner invariably benefits from this arrangement.
- At what point does the Catholic hierarchy, with responsibility for Sainthood and with highly sophisticated support structures for pilgrimage to religious sites, take a position on decisions and management of Saint Mary MacKillop's site and commemorations?

By way of example, take the UN WTO figures of 300-340 million people annually that make faith, spiritual or pilgrimage visits. Globally, the principal religions and faiths are Muslim, Christian of varying denominations, Hindu, Buddhist, but there are numerous other spiritual sites that draw people. Many visitors are not believers. For example, and arguably, the closest Australia has to a spiritual site, is Uluru. Not many of the 850,000 annual visitors will be indigenous Australians. But visitors are all drawn there by the sense of curiosity, search for understanding. I am one of the many millions, who has visited sacred and spiritual sites all over the world for all those major religions but also confucism, Shintism, communism, and the war cemeteries where the spirits and legacy of the dead rise up and haunt us.

For the same reasons, this site is potentially singularly uplifting for those who might come to walk in Mary MacKillop's footsteps and to learn the story of a tenacious woman who had commitment to do good works for others and prevailed against the odds and the establishment. This now sacred birth site, raises the prospect of the better angels in us. And would you believe, directly opposite is the site of the workplace of Australian nun, Doctor Mary Glowrey, Servant of God, and progressing through beatification and canonisation, to being Australia's second Saint.

Fitzroy, Melbourne will have two saints facing off each other across Brunswick Street, with the spires of St Patrick Cathedral looming above? What more could we ask to raise the spirits and our collective reputation for civility, respect and aspiration for our futures?

The value of heritage is that between private value and public value, or between private interest and the public interest. – A conundrum to be unravelled here.

## Attachment 4 - Public Submissions 5-7 Brunswick Street

### Australian experiences and potential for visits to the Saint's birth site

What might the world-wide recognition of Sainthood mean for the birth site of Mary MacKillop? What part of the 300 plus million potential visitors, that brings consequential global reputational boost and huge economic benefits to the host, might translate to the Mary MacKillop birth site? For those who can't relate to the Christian Catholic specific significance, perhaps reflection on other more well known, Australian spiritual experiences.

Take for example the millions of tourists to Uluru-Kata Tjuta, or to Port Arthur or in Victoria, our Shrine of Remembrance. All three are very different sites with different history and different legacy. But who when visiting these sites, is not drawn to the dream time spirits' stories or to the ghosts of the incarcerated convicts, or to the sacrificed lives of those men and women. In Australia, visitors to all 3 sites have increased exponentially.

At Uluru, with visits exceeding 300,000 a year (2015), and with better appreciation of aboriginal heritage values and sacredness of the dreamtime, climbing of the rock had to stop both for sustainability of the rock itself, but also in respect of it being a sacred site.

Reference: <http://www.abc.net.au/radionational/programs/offtrack/climbing-the-rock-why-do-tourists-still-climb-ulu/6603640>.

So what future is being imposed on our only Saint's birth site by the demolition and build over and under and with no direct public access? As with the loss of all heritage places, either through demolition or degradation, once gone, gone for good.

Annual reports of the Shrine of Remembrance Trustees show 2008/9 attendance to all services and programs of 536,000 and an increase to over 1 million by 2015-16; almost 100% increase in 7 years. It may seem a stretch to compare the Shrine with Saint Mary MacKillop; but why? Similar increases have occurred to war memorial sites and religious and spiritual sites overseas. At the Saint Mary MacKillop birth site, the plans proposed confine the Saint's site visits to a small garden shrine area, accessed through the hospital entry and a narrow pedestrian way under the new building. The associated Heritage Centre in Albert Street provides museum and visitor services and programs, during week days between 9 am and 5pm. But even with out promotion or a change in policies, for how long will the Church be in control? What percentage and numerical increase in visitations might be expected just by virtue of the Saint's site? What compounding effect on interest would arise from Mary Glowrey, now a Servant of God on the trajectory to Sainthood, being commemorated in the ACU opposite?

I do not presume to know better than the responsible Roman Catholic Church authorities. And who speaks in the public interest? In this case, concerning the discontinuance of the lane, Council speaks in the public interest.

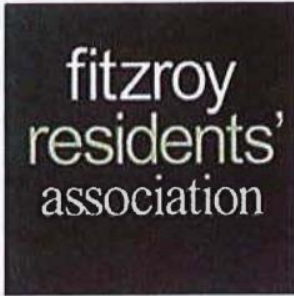
I trust I have opened the discussion to the matter of, who is the public and what is the public interest and what import – measurement – should be attributed to the public interest for Saint Mary MacKillop site and more extensive pilgrimage context?

[REDACTED]  
Nicholson Street Fitzroy 3065

Tuesday 23<sup>rd</sup> July 2019

Attachment 4 - Public Submissions 5-7 Brunswick Street

CITY OF YARRA  
22 JUL 2019  
RECEIVED - CRU



www.fitzroyresidents.org.au

PO BOX 2123, FITZROY VIC 3065  
info@fitzroyresidents.org.au

19 July 2019

Ms Vijaya Vaidyanath  
Chief Executive Officer  
Yarra City Council  
PO Box 168  
RICHMOND VIC 3121

Dear Ms Vaidyanath

**Proposed discontinuance of the road between 5 and 7 Brunswick Street, Fitzroy**

We submit that in view of Council's powers under clause 3 of schedule 10 to the *Local Government Act 1989*, Council should not discontinue **part of the road** between 5 and 7 Brunswick Street, Fitzroy. The basis for this submission is to ensure that Condition 1(1) in planning permit PLN 16/0925 as amended by VCAT (reference No. P1853/2017 & P1854/2017) is carried out to provide a walkway to the garden of Edensor/Dodgshun House that is independent of the hospital and accessible to the public.

Extract from VCAT Order dated 1 May 2018

- 2. *The Tribunal directs that planning permit PLN16/0925 must contain the conditions set out in planning permit PLN16/0925 issued by the responsible authority on 11 August 2017 with the following modifications:*

- (e) *Condition 1(l) is amended to read:*
  - 1(l) *Setback the northern wall of the ground floor of the Brunswick Street entrance from the southern boundary wall of the Edensor/Dodgshun House property by 1.2 metres, with this setback paved in a manner that reflects its existing function as a bluestone lane in accordance with the recommendations of an appropriately qualified heritage consultant.*

Yours sincerely



(SJB)  
5

019/127421  
1 PAGE



**Attachment 4 - Public Submissions 5-7 Brunswick Street**

Submission from [REDACTED] George Street, Fitzroy, under the Local Government Act section 223, regarding the Proposed Road Discontinuance between 5 and 7 Brunswick Street, Fitzroy (ROW 1600).

ROW 1600 proposed for discontinuance is historically important as a feature of Fitzroy's early settlement pattern, having been open for public usage since 1840. It can truly be said to have been present at the birth of the suburb. The bluestone block paving appears to be among the best preserved, the least cemented, of any in south Fitzroy

As I understand it Yarra Council actually has the right to refuse complete discontinuance and should endeavour to exercise it in this instance. The compromise of a diminished walkway 1.2 metres in width as stipulated by VCAT, consisting of paving to "evoke" (VCAT's term) its "existing function", is an acceptable compromise. It should only apply to that part of the current ROW that will not form part of the walkway stipulated by VCAT.

The new 1.2 metre walkway should be protected by being retained in the ownership of Yarra Council, thereby preventing permanent closure by a gate across the ROW which would otherwise preclude public access along the walkway to the garden area. The installation of any "service access gate" off Brunswick Street according to the revised plans would actually negate the VCAT stipulation because the walkway and any heritage-type treatment it received would be removed from public access and appreciation. This makes Yarra's retention of ownership of the 1.2 metres imperative.

[REDACTED]  
20 July 2019

Sub  
6

1 PAGE

D 19/12/165

CITY OF YARRA  
24 JUL 2019  
RECEIVED - CRU

**Attachment 4 - Public Submissions 5-7 Brunswick Street**

**DISCONTINUANCE OF THE ROAD BETWEEN 5 AND 7 BRUNSWICK STREET, FITZROY**

In response to the Yarra City Council Public Notice published in the *Age* of 26 June 2019 inviting submissions under section 223 the *Local Government Act*, I am hereby

- (a) making this submission in relation to the application to discontinue the right of way between 5 and 7 Brunswick Street, Fitzroy, and
- (b) requesting to be heard in support of my submission, and be notified of the time and date of the hearing.

SUBMISSION BY [REDACTED] GEORGE STREET, FITZROY, 3065.

5/6  
7

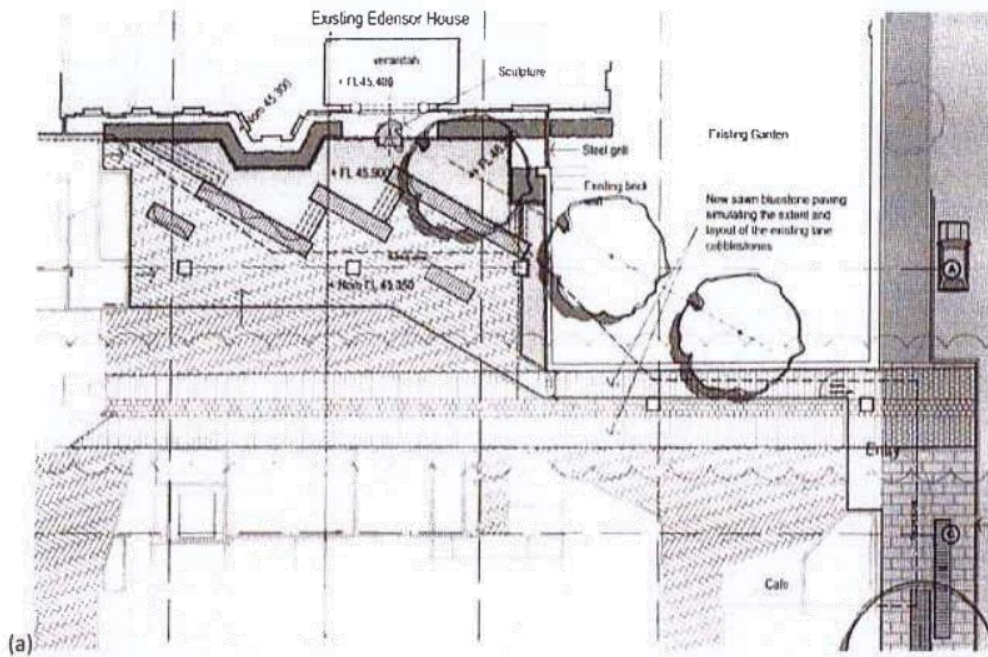
1. Dating from June 1840 as a "reserved lane", this historic right-of way opening into Brunswick Street was illegally closed by an electronic gate installed between 2010 and 2013 without Council knowledge or permission. This illegal installation is directly relevant to the subsequent VCAT Order dated 1 May 2018 which requires portion of this ROW to remain publicly available as a footway providing access "to the garden of Edensor /Dodgshun House" (i.e. VHR H1706).
2. The VCAT order varied Council's decision for planning permit PLN16/0925 as follows, *DX/129/65*  
*3 PAGES.*  
  - "Condition 1(l) is amended to read:  
*1(l) Setback the northern wall of the ground floor of the Brunswick Street entrance from the southern boundary wall of the Edensor/Dodgshun House property by 1.2 metres, with this setback paved in a manner that reflects its existing function as a bluestone lane in accordance with the recommendations of an appropriately qualified heritage consultant."*
3. VCAT's paragraph 155 provided supplementary information:  
  - "During the hearing, the applicant agreed that this could be widened to provide a walkway to the garden of Edensor/Dodgshun House that was independent of the hospital. It further agreed that this could be paved in bluestone to evoke the laneway. We do not oppose this concept, and will vary condition 1(l) to require it."
4. The 1.2m footway required by VCAT is now included in the revised plans for the Hospital, appropriately designed to be entirely "independent of the hospital" between the southern boundary wall of Edensor/Dodgshun House and the hospital entrance.
5. Heritage Victoria issued a permit for the Private Hospital's extension on 29 March 2019, and when the application for discontinuance of the Council's ROW was then reactivated, Council resolved on 4 June that "public notice of the proposed discontinuance be given in the appropriate newspapers . . .".
6. The advertisement which the *Age* published on 26 June referred to "Yarra City Council, acting under clause 3 of schedule 10 to the *Local Government Act 1989*", but the explanation that "Council may resolve not to discontinue the Road or to discontinue the Road and then either sell the land from the Road to the adjoining owner or transfer the Road to itself", does not make it clear that the *Local Government Act Schedule 10—Powers of Councils over roads* provides a third option:
7. In the Schedule, Clause 3 Power to discontinue roads provides Councils with the power to discontinue part of a road rather than the whole road:
  - "(a) discontinue a road, or part of a road, by a notice published in the *Government Gazette*; and
  - (b) sell the land from that road (if it is not Crown land), transfer the land to the Crown or itself or retain the land."

**Attachment 4 - Public Submissions 5-7 Brunswick Street**

8. Consequently, under clause 3 of schedule 10 to the *Local Government Act*, Yarra Council clearly has the power to discontinue *part of a road* (i.e. the portion required by the Hospital) rather than discontinue the full length or full width of the road, and *retain the land* that remains after discontinuing another part of the road. Note that the meaning of "road" in **sn 3 Definitions** in the *Planning and Environment Act 1987* is that
 

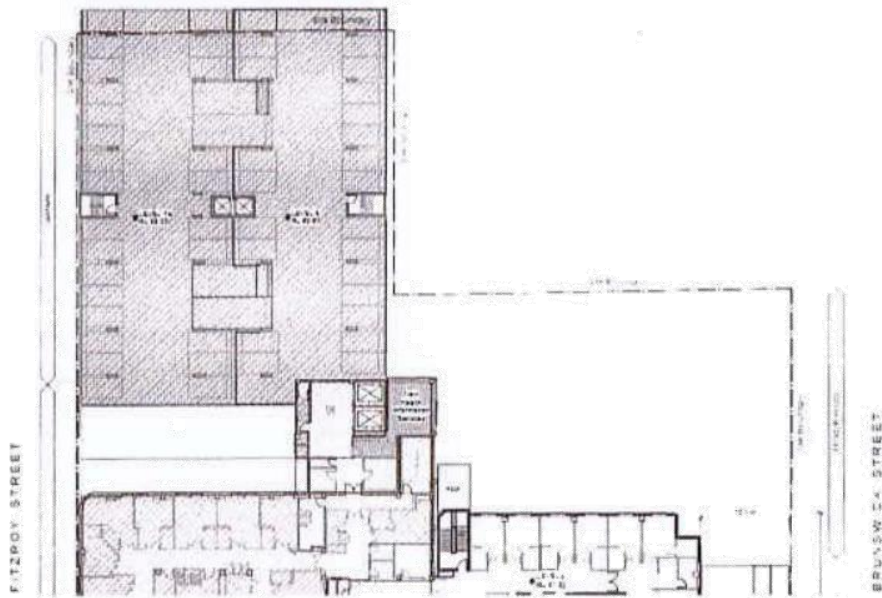
*road includes highway, street, lane, footway, square, court, alley or right of way, whether a thoroughfare or not and whether accessible to the public generally or not;*
9. Therefore Council's decision in response to the proposed discontinuance of this 1840 right of way can and must be determined in accordance with the VCAT order rather than this application to obtain the whole of the ROW, with the revised plans approved by Heritage Victoria showing that the northern 1.2m wide section of the ROW is not located within the Hospital walls.
10. As VCAT stated in paragraph [28] "In situations like this, the applicant must (a) gain planning permission, and (b) gain consent to discontinue the road under the *Local Government Act*. These are separate processes." However VCAT did **not** grant planning permission for the Hospital to be built over the north-eastern section of the ROW but instead, as it stated in paragraph [155], required that the section of bluestone lane that was not part of the Hospital should be "*widened to provide a walkway to the garden of Edensor/Dodgshun House that was independent of the hospital*".
11. As the major part of the ROW is now included in the Private Hospital extension, that portion can be discontinued and sold, whereas the retention and continued use of the 1.2m wide portion of the bluestone lane as a "walkway" is now a mandatory planning requirement. It therefore must be retained by the City of Yarra so that it remains "*independent of the hospital*" and "*paved in a manner that reflects its existing function as a bluestone lane*". Note that Yarra's *Infrastructure – Road Materials Policy* includes in its Laneway repair/Reconstruction section details for improving the walkability of bluestone lanes as required.
12. Another major reason for Yarra to retain ownership and hence the responsibility for ensuring that the north-western portion of the lane remains available to the public, to provide access to the garden of Dodgson House, is evident in the illegal electronic gate installed across the lane between 2010 and 2013. The revised landscaping design for the garden and the lane in the shows a "service access gate" at the Brunswick Street end which, like the present illegal gate, could be permanently closed to exclude the public despite the substantial reasons why VCAT recognised a legitimate concern for people to be able to freely access the site of St Mary MacKillop's birthplace.
13. The City of Yarra must therefore retain that portion of the ROW which VCAT required to be setback 1.2m from the boundary wall, with paving to reflect "*its existing function as a bluestone lane*". This will then ensure that its "*existing function*" will continue, and that public access cannot be restricted by the Hospital by means of the installation of another gate to replicate the current illegal gate. Obviously, for security reasons, the Hospital will install a see-through gate at the western end of the "walkway" to enable the garden be securely locked after-hours, but nevertheless still enable the public to see the superb south façade of Dodgshun House designed by Hyndman and Bates.
14. The illustrations appended to this submission show two significant matters:
  - (a) The revised landscape plan clearly shows the gate at the Brunswick Street end of the ROW which, when closed, will be on the same street alignment as the Hospital entrance. Unless Council retains ownership of this part of the lane, the gate will not only exclude the public, but is likely to conceal what remains of the lane. This was not the intention of the VCAT condition.

Attachment 4 - Public Submissions 5-7 Brunswick Street



Note that the dotted line along the lane indicates the extent to which the Hospital's first floor protrudes out over the walkway providing valuable protection from sun and rain.

15. This overhang does not affect Council's ownership of the right of way. Illustration (b) shows a much larger overhang which can be seen in Princes Street where the upper levels of the northern end of the Private Hospital car park extends out over half the width of the Princes Street roadway. Overhangs and overhead bridges can be seen throughout Melbourne.



Attachment 4 - Public Submissions 5-7 Brunswick Street

Ms Vijaya Vaidyanath  
CEO  
Yarra City Council  
PO Box 168  
Richmond  
20 .07 .2019

CITY OF YARRA  
24 JUL 2019  
RECEIVED - CRU

Dear Ms Vaidyanath,

Re : Discontinuance of the road between 5 and 7 Brunswick St. Fitzroy

In response to the Yarra City Council Public Notice published in the Age of 26th June 2019 inviting submissions under section 223 of the Local Government Act, I write in support of the submission by Louise Elliot re. this matter i.e that in line with VCAT decision VHR H1706, 1 May 2018 part of this ROW between the southern boundary of No 7 Brunswick St and the northern entrance to the hospital remain publicly available as a footway providing access to the garden of Edensor/ Dodgshun House and that it be paved with bluestone in a manner to evoke the laneway'

Integral to nineteenth planning and much vaunted as characteristic of the Melbourne's urban scene, one would hope that Council Policy generally is to retain lanes in public ownership especially in areas covered by Heritage Overlays. This lane dates from 1840 and forms part of the earliest subdivision outside the city centre. Of course we'd prefer the entire lane to be retained but failing this a 1.2metre wide lane [ of which there are a number of similar width in Fitzroy ] in public ownership is better than nothing.

I hope the Council will decide in favour of the VCAT decision and retain the ROW in public ownership.

Yours faithfully

[Redacted Signature]

Architect  
[Redacted]  
Argyle St  
Fitzroy

DA/29/66  
1 Page

[Redacted]

Attachment 4 - Public Submissions 5-7 Brunswick Street

Bernard  
Hennessy  
ARCHITECT

CITY OF YARRA  
24 JUL 2019  
RECEIVED - CRU

Member  
Australian  
Institute of  
Architects  
Member Architeam Co-operative

60540847141099



# SAVING THE MARY MACKILLOP BIRTHPLACE ALLOTMENT

*SJo  
9* *5 PM 23*  
*DIR/129169*

**PROPOSED ROAD DISCONTINUANCE**

Submission to Yarra City Council  
23rd July 2019

405 Warrigal Road, Burwood, Victoria 3125

ABN:15 303 401 597

## Attachment 4 - Public Submissions 5-7 Brunswick Street

Chief Executive Officer  
Yarra City Council  
PO Box 168, Richmond Vic 3121

### PROPOSED ROAD DISCONTINUANCE

The proposed discontinuance of the public laneway between nos. 5 and 7 Brunswick St. Fitzroy as announced in the City of Yarra public notice published in the Age (26/06/19) should not proceed at this time.

### Context

The laneway in question is the sole public access to the plot of land immediately south of Dodgshun House (Edensor). It was on this plot of land that stood Marino Cottage, the birthplace-home of St. Mary of the Cross MacKillop, Australia's first saint.

Mary MacKillop is significant for all Australians, not only for Catholics who honour her as a saint. As a saint of the universal church, she has been declared of universal significance because of her exemplary life as a strong, intelligent and pioneering woman of justice, courage, determination, patience and compassion. She is of international significance and

The decision by Heritage Victoria to allow the proposed redevelopment of St Vincent's Private Hospital will result in the excavation of a substantial portion of the birthplace allotment. This decision was based very largely on a Heritage Impact Statement (HIS) prepared by Lovell Chen for the architects of the proposed development. The HIS classifies the western two-thirds of the allotment as "of little or no significance", even though it is certain that Marino Cottage was situated at least partially, if not totally, within this area. It cannot be considered coincidental that the area described as "of little or no significance" just happens to be already defined by a brick wall erected previously by the hospital to hide a car park.<sup>1</sup>

The area east of this brick wall has since been erroneously described, by agents of the hospital as the birthplace of Mary MacKillop, and the low garden wall as representing the footprint of the cottage. This mistaken identity can be found even on the Sisters of St Joseph website<sup>2</sup>.

### Pre-emptive Acquisition

The point of the above Introduction is to contextualize what is in effect an attempt to pre-emptively acquire a parcel of public land on the basis of systemic deception about its heritage significance.

Private acquisition of the laneway at this time would limit accountability on the part of the developer towards the public interest in the use of the original birthplace allotment.

Given the acquisitive actions hitherto demonstrated by the developer (e.g. annexation and concealment of the car park area, demolition of the heritage brick wall along the laneway for access to the car park, closing off access from Brunswick St.), what likelihood is there that the public interest will be served?

How will the "Historical Archaeological Assessment report" mandated in the conditions attached to the Heritage Permit be undertaken and effectively overseen without public access to the site?

<sup>1</sup> Lovell Chen, Edensor (Dodgshun House) H1706 Heritage Impact Statement, June 2018, page 15

<sup>2</sup> Sisters of Saint Joseph website - <https://www.sosj.org.au/mary-mackillop-s-birth-site-now-open/136330/> (Accessed 2/8/2018)

Bernard  
Hennessy  
ARCHITECT

**Attachment 4 - Public Submissions 5-7 Brunswick Street**

2

**Last Chance for Protection of Public Interest**

This would appear to be the last chance that City of Yarra has to protect this major heritage place for future generations. Private acquisition of the laneway is not in the public interest, and other ways need to be found to satisfy the legitimate aspirations of the Hospital owners without compromising the public interest.

The laneway could be substantially retained as public space and still allow development to one side and even partially overhead.

██████████ Architect  
23/07/2019

**Bernard  
Hennessy  
ARCHITECT**



**Attachment 4 - Public Submissions 5-7 Brunswick Street**

were originally of a secondary nature and are not distinguished by their decoration, as well as those that have undergone a degree of alteration as part of later works.

*Elements of little or no significance*

Spaces, elements and fabric of little or no heritage significance are those which were originally very minor in nature; contribute little to the cultural significance of the place; have been so altered that their significance is diminished; and/or are later elements and fabric.

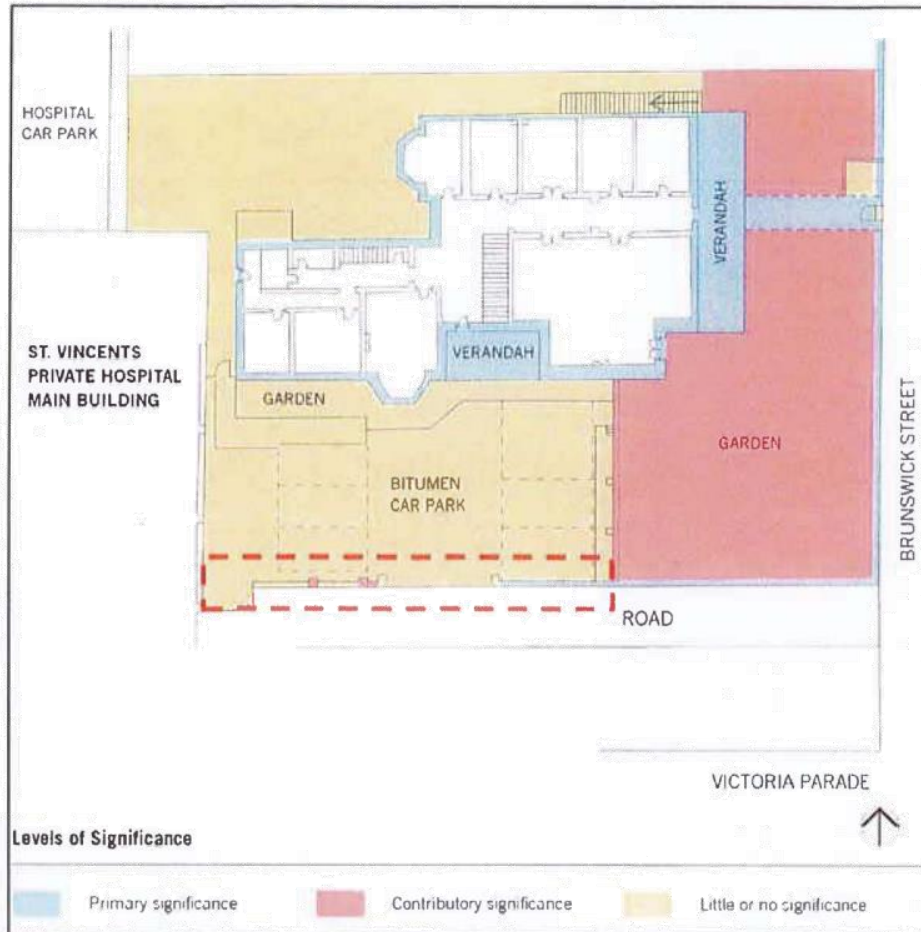


Figure 12 Ground floor plan showing levels of significance with sections of southern wall to be demolished indicated

Source: Edensor, Conservation Management Plan, Lovell Chen, 2012 (finalised 2016)

The CMP includes policies relevant to new development on the site, including a comment on the landscaping and brick wall. These policies are as follows:

**Policy 1:** The retention and conservation of significant heritage fabric should be a key consideration in the future management of Edensor.

**Policy 3:** Future conservation works which affect fabric and elements of significance should be carried out having regard for the principles of the Australia

**Attachment 4 - Public Submissions 5-7 Brunswick Street**

Sisters of Saint Joseph website - <https://www.sosj.org.au/mary-mackillop-s-birth-site-now-open/136330/>  
 Accessed 2/8/2018

Mary MacKillop's Birth-site now open

July 3, 2010

Monday, October 17th was a glorious Spring day in Melbourne as we gathered to commemorate the anniversary of the Canonisation of St Mary MacKillop – at her Birth-site, where the Josephite story began!



Mary was born on January 15, 1842, at number 7 Brunswick Street Fitzroy (then 'Newtown'), when the colony of Melbourne was less than seven years settled. At that time, while many of Melbourne's early settlers lived in tents, Alexander and Flora MacKillop owned this land, on which stood the tiny Marino Cottage.

As we sat or stood facing the 'footprint' of the original cottage, a low brick wall enclosing a cottage garden, in which stands a bronze image of Mary and a commemorative plaque, we were invited to reflect on, and share, how it felt to be in this 'holy place', and how it must have been then for Mary's proud young parents, who were recent immigrants from the Scottish Highlands.

Much has changed around Brunswick Street since that day in January 1842 when the world was gifted with the birth of this baby girl whose life has made such a difference to the lives of countless people. Marino Cottage is no longer, and Dodgshun House, a large, 2-storied 19th Century heritage-listed building now dominates the property. Originally built and owned by Samuel Gillott, a prominent lawyer and politician who was elected Lord Mayor of Melbourne in 1900, it is owned by the Archdiocese of Melbourne, and currently leased by St Vincent's Hospital (which it adjoins) as an administrative centre.



On October 17, as I stood there on the 'holy ground' of number 7 Brunswick Street, Fitzroy, and looked out through the front gate, I could not help but wonder what Alexander and Flora would make of what is currently happening right over the road from Marino Cottage. They could never have imagined that, in October 2011, they would be looking at giant cranes and the shell of a new multi-storey building. You see, Australian Catholic University is extending its nearby Melbourne campus, and there, right opposite where Mary was born is the site of its soon-to-be-completed *National Centre for Health and Wellbeing*, which will include the St Mary of the Cross MacKillop Chapel and Plaza, the foundation stone of which was unveiled on October 17, 2010 – the day of their daughter's Canonisation!

Mary MacKillop Heritage Centre is keen to promote Mary MacKillop's Birth-site as a place of pilgrimage and prayer. Thanks to the Melbourne Archdiocese which maintains the site, there is now a lovely, welcoming 'cottage' garden and plenty of seating (including a baby cot!) It is now a beautiful space for quiet reflection.

**Attachment 4 - Public Submissions 5-7 Brunswick Street**

**Dear Councillor,**

I write as a concerned community participant/submitter, who has participated at each stage of this private hospital development application, affecting the Victorian registered heritage sites, adjacent to this roadway.

As a VCAT major case it was necessary to section off aspects of this submission workload to various community submitters.

My submission concentrates on the Dodgshun House/St Mary Mackillop birthplace allotment and the protection of the Victorian State heritage, as effected by this roadway

- The pending sale and discontinuation process
- The prior gating and locking of this public road and potential adverse possession

**SUBMISSION TO COUNCIL UNDER SECTION 223 [1] [a] [iv]**

**REGARDING :**

**SALE AND DISCONTINUANCE OF THE PUBLIC ROAD BETWEEN NO 5 AND NO 7 BRUNSWICK ST, FITZROY.**

**ALSO MATTERS REGARDING:**

**PRIOR PUBLIC ROAD APPROPRIATION AND INSTALLATION OF A LOCKED INDUSTRIAL-TYPE GATE, TO THE ENTRY POINT OF A PUBLIC ROAD, BETWEEN NO 5 AND NO 7 BRUNSWICK ST, FITZROY; FOR A SUBSTANTIAL PERIOD OF TIME, PRIOR TO ANY LEGAL, TRANSPARENT, PUBLIC ADVERTISING AND FORMAL SALE AND DISCONTINUANCE PROCESS UNDER THE LOCAL GOVERNMENT ACT.**

**A]. BACKGROUND CONCERNS ABOUT THE APPROPRIATION AND GATING OF A PUBLIC ROAD AND SUBSEQUENT VCAT PERMIT APPEARING TO PRE-EMPT THIS COUNCIL DECISION ON SALE AND DISCONTINUANCE.**

This road appropriation is another step in a planning and heritage process which illustrates Yarra City and Fitzroy are in a predominant period of **appropriation, development and potential heritage**

## Attachment 4 - Public Submissions 5-7 Brunswick Street

**destruction**, despite the assumed protections in the local government, heritage and planning administrative system.

The prior appropriation and installation of a locked industrial gate, to the entry of this public road raises matters of **fairness and orderly planning and Council power to prevent appropriation of a public road.**

This raises the questions:

- Can private organisations appropriate and lock off public roads in prominent public places with impunity?
- Is this supported by the VCAT Decision on the St Vincent's Private Hospital development?

It was witnessed repeatedly in the St Vincent's Private Hospital VCAT Hearing, that Senior Counsel arguing the hospital development, made much argument to convince the Tribunal that the Yarra City Planner's Report and recommendation on the Hospital Application was of greater weight than the Council IDAC Decision, which amended the planners recommendation to provide protection to prevent development on Victorian Heritage Registered sites [Condition 1.[k].

The subsequent VCAT decision further removes or undermines protections of State registered heritage sites and access to the sites via this public roadway by over - ruling:

- Council permit conditions, local laws
- empirical methodology supporting State heritage registration
- Assumed statutory protections and processes originally designed to protect heritage.

### **1. The pre-empting power of VCAT and Heritage Victoria to allow road way sale and discontinuance to assist development and heritage loss:**

This concern is illustrated by the **power of VCAT**, which issued a **permit for development on Heritage Victoria registered sites** and which also **potentially pre-empts local government control of the future of this Public Roadway.**

- A **VCAT permit** for a generic, institutional style, hospital development on Heritage Victoria Registered Sites [comprising excavation and removal of a considerable section of the Mackillop site for 2 hospital basement levels, demolition of heritage, cantilevering upper stories, concrete pylons].
- This will **extend into and above the Public Roadway** from the Eastern Hill Hotel onto the Mackillop and Dodgshun House site in **spatial disregard** for these two important State Heritage Registered sites on either side of the Public Roadway despite the later HV modifications to the permit.
- This VCAT permit decision pre-empted the Heritage Victoria application process.

This is evidenced by

- Heritage Victoria reconsidering the same planning submissions which were presented to VCAT by the hospital
- and the VCAT Decision document, which formed the main substance of the submission to Heritage Victoria by the hospital.

**Attachment 4 - Public Submissions 5-7 Brunswick Street**



- Heritage Victoria acquiesced to these **hospital sponsored VCAT submissions** [with minor changes]. The Heritage Victoria Decision appears to have been made primarily on non – heritage grounds given it decision is dominated by material presented to VCAT and re-copied in its Decision]
- **To emphasise: the Heritage Victoria Decision was dominated by long extracts from the Hospital planning arguments in ‘cut and paste’ format [italics], of 17 pages of the 27 pages of the Heritage Victoria decision. HV briefly ‘accepts the applicants response’ on page 21 par 6-8.**
- **There is no equally detailed independent heritage analysis by Heritage Victoria of the heritage sites and 11 public submissions. [See 14 line summary, section 5. HV Decision]**

This application has become very disillusioning for heritage watchers and is a further example of the failure to prioritise Victoria’s pre-eminent and unique heritage sites over development and demolition.

A further inadequacy in this process is the failure to assess heritage ‘social significance’:

In the case of the Mackillop site, the heritage citation details **regarding St Mary’s unique Australian recognition for both religious and social achievements, were needed to be updated.** IDAC was alerted , to this inadequacy, too late in the Council process but imposed Condition 1.[k] to attempt protection of the heritage registered sites.

The VCAT permit has removed this Council protection clause 1. [k] and Heritage Victoria appears to rubber stamp this VCAT decision with minor changes.

This is a very significant loss for Yarra Heritage, given St Mary Mackillop’s national and international profile.

Therefore:

A site of ‘great religious pilgrimage’ [Heritage Victoria Citation] has been sold to be subsumed into a private hospital expansion.

A reported **Restrictive Covenant** [see HV Decision page 21. para 1-2. on the site has not been advertised for public scrutiny.

The public roadway sale will facilitate and seal this heritage loss.

**1. Roadway Concerns at Council level :**

At the Council level the sale and discontinuance raises the following matters of concern:

- This road way has apparently been unofficially **locked with an industrial steel gate** for a **considerable period of time**, prior to this application for sale and discontinuance. [This matter was raised by public submitters at the VCAT formal examinations of the St Vincent’s Hospital Application to develop on and around this road].
- This gating and appropriation could be seen as another attempt to **pre-empt the Council decision making power and authority**, on the future of the site and assist the hospital development application, at the expense of State and local heritage.

**Attachment 4 - Public Submissions 5-7 Brunswick Street**

- This prolonged and **publicly observable gating in a prominent place from footpath on a busy public road on Brunswick St**, is public and visible and illustrates a distorted power imbalance and disregard for the public status of the road and its connection to **the State registered heritage sites** which were serviced by this public road. This road provided necessary access to the rear and side entries of numerous adjacent buildings and heritage sites.
- The sale of this roadway is the 'last domino' which will **decide the fate of the spatial integrity, sense of place, of these heritage sites** and will allow demolition, excavation and removal of important heritage. The Mary Mackillop site will be seriously overbuilt with concrete pylons and cantilevering after excavation for hospital basements, despite partial reduction of development by Heritage Victoria.
- The locked gating raises issues of consultation with **fire, safety and security authorities**.

These adjacent Victorian State registered heritage sites [the **Eastern Hill Hotel, Edensor/Dodgson House/ St Mary Mackillop birth place**, are both **notable physical buildings and the place of origins** of some of the **most important national reforms and social initiatives** in our early history and a **place of 'great religious pilgrimage'** [HV Citation].

- Yarra City has the absolutely unique honour to be the site of these places and it should be defending the **spatial integrity and the access and egress of these sites and sense of place**.

The architectural significance is well detailed, but the **cultural, social and spiritual perspective was not properly elaborated** in most planning and heritage reports compared to economic arguments for private hospital expansion.

**2. Heritage denialism, manipulation and omission another factor leading to road sale 'fait accompli'.**

Council has the opportunity to protest against the failure to properly elaborate the heritage significance of the adjacent sites against attempts to manipulate historical evidence, downgrade the site and facilitate the public appropriation / road sale.

**Example No 1: Heritage assertions without evidence**

The Hospital applicant is reported in the Heritage Victoria Decision page 20 dot point 3.

*The exact birth place of Mary Mackillop is unknown and archaeological investigation could be a permit condition* [my underlining]

This type of **denialism and doubt raising, by the word 'unknown'** towards the St Mary Mackillop birth place, ignores the Heritage Victoria Citation and Memorial marking the birth place allotment submitted as evidence.

It surely is up to the applicant and Heritage Victoria to categorically disprove the Heritage Victoria Citation.

## Attachment 4 - Public Submissions 5-7 Brunswick Street

[This example highlights the attempted **denialism of the cultural/ spiritual significance** of the site to facilitate appropriation and development in combination with the **assumption of road appropriation**].

[For what it's worth the exact birth place of the Buddha, Jesus Christ and the prophet Muhammed is also unknown but Lumbini, Bethlehem and Mecca are all pre-eminent places of origins of spiritual association and world heritage sites].

As I write this the ABC news reports the Australian government is initiating preservation of former Prime Minister Bob Hawke's originating place in Bordertown South Australia.

### **Example 2. Omission to analyse social and cultural and spiritual significance of a heritage site.**

The **Heritage Impact Statement [HIS]** submitted to VCAT and Heritage Victoria was based on the information in the Conservation Management Plan [CMP] for **Edensor/Dodgshun House**. The HIS was based on a CMP document which admits **omission and failure to properly assess the social, cultural, or spiritual significance of the sites, on page 71 para 4.3 'Social value'**

Why was Australia's only birth place of a saint [Peace and Meditation Garden dedicated with two plaques one by Former Fitzroy Council, one by the Catholic Church ] not assessed for its **social, cultural and spiritual significance**, in the Conservation Management Plan and Heritage Impact Statement which informed Heritage Victoria?

Was it an inconvenience to development, gender and cultural bias or failure of comprehension?

### **Example 3. Attempt to downgrade the birthplace of Mary Mackillop to 'little or no significance'**

The Conservation Management Plan [ CMP ] and Heritage Impact Statement[ HIS] for Edensor/Dodgshun House, submitted to VCAT and Heritage Victoria by St Vincent's Private Hospital also attempted to downgrade the birthplace allotment of St Mary Mackillop to **'little or no significance'** through the manipulation of map colouration and the selection of arbitrary levels of significance, in direct contradiction to the **Heritage Victoria Citation, see page 87 attached**, despite it being on the Victorian Heritage Register.

This repeated downgrading is based on a serious conceptual flaw within the conservation analysis which has been undertaken by Lovell Chen over a period of seven years. Without explanation or consultation with key interest groups including the group organized by Sister Theresa Stubbs [ A member of the Sisters of Saint Joseph of the Sacred Heart] which undertook research in 1997, the Roman Catholic Fitzroy Parish of All Saints and the Former City of Fitzroy/Yarra City, the site was re-interpreted into three levels of significance.

These included:

Primary Significance [Blue]

Contributory Significance [Pink]

Little or no Significance [Green]

## Attachment 4 - Public Submissions 5-7 Brunswick Street

Refer page 87 of Conservation Management Plan for EDENSOR [7-9 Brunswick Street, Fitzroy].

Because the conservation analysis was primarily focused on the existing state of Dodgshun House and architectural features connected to the mansion, this three way breakdown could be applied in a meaningful way. However in the case of applying levels of significance where all physical evidence has been removed it makes this process meaningless.

For example because the western part of the birth allotment was covered by a hospital car park it was designated as being of '**little or no significance**' while the area supposedly occupied by the garden connected to Marino Cottage was designated as being of Contributory Significance.

Marino Cottage is the supposed house in which St Mary is said to have been born.

At this stage however there is no documentary analysis to support this re-interpretation of the site.

By relying on the present state of the birth allotment and overlooking the importance of the critical link to Saint Mary through the originating **Memorial No.1429** which recorded the name of **Alexander Mackillop as a Party to the Conveyance Instrument both the:**

**Conservation Management Plan /Heritage Impact Study and**

**Heritage Victoria by not conducting any independent analysis;**

**overlooked documentary evidence that links the birth allotment to Saint Mary.**

The Memorial also clearly illustrates with a sketch the roadway adjacent to the Mackillop birth place allotment.

### A] Heritage denialism

Heritage Victoria failed to mention or fully clarify what best practice methodology of heritage analysis was applied to the site, including analysis of the **Memorial or the downgrading** regarding to '**little of no significance**', in the property owner sponsored CMP page 87, which provided the Heritage Impact Statement [HIS] with its analysis of heritage and **repeated the downgrading of the site.**

As the place will be partly destroyed/developed, is Victorian State heritage registration malleable at the whim of VCAT and Heritage Victoria, and on what empirical evidence or historical methodology?

Therefore as a result of the VCAT and Heritage Victoria process there been a failure to fully analyse the site and clarify doubts and denial of the significance of the site.

Council must continue to challenge this heritage denialism and the failure by heritage consultants to provide convincing evidence for this attempted informal re- interpretation of the history of the site, simply to justify development on sites covered by Victoria State Heritage Registration.



## Attachment 4 - Public Submissions 5-7 Brunswick Street

**B] The authority of councils responsible for heritage areas is undermined by a such attempted manipulations of heritage to suit development.**

Yarra City Council must raise these issues in the appropriate forum and reject such manipulation/re-interpretation of its heritage assets and assert its local government responsibility for the site as a matter of public interest.

These heritage sites and the public road must be valued as more than just an inconvenience to development.

They are now to be subsumed into an amorphous private hospital development with few concessions to the City of Yarra and heritage for present and future generations.

Council should not proceed on the road sale at this stage, in a process which appears to be unfairly influenced by:

- Prior public road appropriation,
- privatisation by gating a public road,
- inaccurate heritage analysis and planning and heritage implications of adjacent heritage site[s].

### **3. Road appropriation ignores growing tourism pilgrimage and 'Aussie Camino'.**

This application of sale and discontinuance of a public road ignores the importance and growing tourism and pilgrimage use of the site, and the need for proper access and servicing of a place of assembly, national site of pilgrimage.

Council must re-assert this social significance and economic tourism potential.

Secular and religious pilgrimage continues to grow in popularity : the Kokoda Track, the Western Front, Indigenous sites or Mary Mackillop's journeys and sites of social initiatives in the expanding Aussie Camino [see website] in Australia and overseas.

The attempts to part- demolish, destroy and develop these sites of unique, historic and tourism importance namely; the **Eastern Hill Hotel, Dodgshun House /Mary Mackillop birth place allotment/ pilgrimage place** [also a Peace and Meditation Garden], should be of great concern to properly informed councillors.

[In addition Easthill House on Victoria Parade, locally significant, a unique mid -century Spanish Baroque building [Art deco period] is to become a victim of hospital facadism. [Despite the VCAT hearing not being provided with any superior example of this style].

**Attachment 4 - Public Submissions 5-7 Brunswick Street**

**OTHER IMPORTANT CONSIDERATIONS FOR COUNCIL:**

**[A] The road sale and the facilitation of a pilgrimage /place of assembly in a private hospital.** This conflicting use is a potential factor to consider in the road sale and discontinuance process.

Yarra Council could consider whether it has any options including a new planning application to transparently control how the private hospital will practically conduct and enhance an inclusive pilgrimage/place of national significance, a place of assembly, given the realities of running an exclusive private hospital. This is a visionary concept.

The hospital did not specify this inclusive pilgrimage function [e. g. enclosed peace and meditation garden [separate from the hospital café courtyard], in its original planning application to Yarra City in 2017.

This place is an important Yarra City **architectural, social, tourism and pilgrimage asset,** which the St Vincent's Private Hospital has not made a specific, public, conservation or planning application by public advertising to resolve this conflicting use as an inclusive pilgrimage destination /place of assembly, in a private hospital.

**The community has not been consulted.**

VCAT ignored and Heritage Victoria is extremely vague about this matter, the decision focus is on Dodgshun House as a physical site. RECOMMENDATIONS [page 25-27 of its decision].

How this will work in practical terms is unclear from the Heritage Victoria conditions. Some changes and conservation were required by Heritage Victoria [SEE RECOMMENDATIONS PAGE 25-27 of the Heritage Victoria decision].

**Nationally important pilgrimage site**

**How is this nationally important pilgrimage/ meditation garden function going to operate , in practical terms in a busy private hospital and given the public road sale and discontinuance and small front entry gate to the mansion Dodgshun House?**

The heritage evaluation of these sites, on either side of this Fitzroy **public road,** has provided an example of the failure of the planning and heritage system to protect and enhance the integrity of heritage sites **for present and future generations.**

This is a heritage loss through the attrition of overwhelming hospital development and appropriation of a site of spiritual /cultural association.

This **road way appropriation** is another example of the step-by-step attrition on our heritage.

## Attachment 4 - Public Submissions 5-7 Brunswick Street

### B]. ARCHAEOLOGICAL SURVEY

#### HERITAGE VICTORIA REQUIRES AN ARCHAEOLOGICAL SURVEY OF THE SITE AS A CONDITION OF THE PERMIT.

The Council has an obligation, out of respect for orderly planning and the community association and sensitivity of the site, to defer any consideration of this roadway sale and discontinuance, until the **archaeological survey findings are complete**, in the interests of the integrity and transparency of the process of fully assessing the site.

This consideration includes the practical need for side access to conduct the archaeological survey.

### C]. ALUCUBOND

#### PROBLEM OF PROPOSED ALUCUBOND IN THE EXTERNAL FAÇADE SHOWN IN HOSPITAL PLANS ABOVE THE VICINITY OF THE PUBLIC ROAD WAY TO BE SOLD.

Despite this problem being objected to and raised with VCAT and Heritage Victoria, it has not been clearly analysed and ordered to be replaced with a **safer and more heritage appropriate material**. Heritage Victoria decision detail via applicant **'cut and paste page 9** does not address the **alucubond** problem. Council must ensure this material is checked for the highest reliable safety standards or removed before proceeding with this public road way consideration.

I do not need to elaborate on this ongoing national building and insurance scandal with this material.

### D]. QUESTIONS.

#### UNRESOLVED QUESTIONS OF INTEGRITY AND ACCOUNTABILITY ON THIS PUBLIC ROAD GATING, SALE AND DISCONTINUANCE.

My first question on this public road application relates to the apparent appropriation and locking with an industrial steel gate, for a considerable period of time:

1. Can private organisations appropriate and lock-off public roads in prominent public places in Yarra City with **impunity**?
2. Is this supported by the **VCAT** Decision on the Hospital development?
3. Can the Council clarify the road is not **crown land**?
4. Who **initiated the construction** of this locked gate?

**Attachment 4 - Public Submissions 5-7 Brunswick Street**

5. Who is **responsible for allowing this appropriation and installation** of a locked gate on this public road?
6. What **negotiations and trade-offs** could be considered in alleviating this winner-takes-all approach to **heritage loss** and development in terms of protecting heritage registered sites by further conservation negotiation?
7. **What improved trade-offs and requirements can Council achieve, in any further design brief/changes for enhancing the pilgrimage function of the Mackillop birth place or is the Council powerless to salvage further concessions from the Roman Catholic Property Trust/ Archdiocese who sold the Mackillop birth place and also from the private hospital interests driving this development?**
8. **If Council allows the industrial gate to stay on this road, what further guarantees and details can Council gain from the Roman Catholic Property Trust /private hospital applicant to properly preserve, restore and enhance these heritage sites for present and future generations, before any sale or discontinuance is finalised?**
9. **What time period** has the public road been appropriated and locked with a steel gate?
10. How well is such **monitoring of public assets funded and supported** by Council or the State?
11. What **formal or legal, council process**, if any, allowed the gate to be constructed on this public road?
12. How often are Council and public assets such as public space, pocket parks, public lanes and roads etc, **inspected and maintained?**
13. To ensure the transparency of this sale and discontinuance process, when **will Council order and supervise the removal of this gate**, until this **pre-emption of the statutory process** is finalised?
14. How does Council prevent **adverse possession** of public land?
15. How does Council monitor the **time period for adverse possession?**
16. Who is responsible for **monitoring and protecting** public places and public road way access in Fitzroy and Yarra from opportunistic, improper or illegal appropriation?
17. As the lane provided rear or side access to State Heritage Registered sites; the former **Eastern Hill Hotel and Edensor/ Dodgshun House/Mackillop site**, heritage buildings on Victoria Parade and rear part of a hospital building; what fire and emergency access and due diligence has been undertaken to address this anomaly of closure of an important access way to multiple buildings including important heritage sites?
18. What **permits, planning or heritage**, were obtained to affix an industrial steel gate to the historic wall of a Victorian State heritage registered place?
19. Was **Heritage Victoria notified** of this gating?
20. When will the lane be restored to its **public road function prior to any consideration of the sale and discontinuance?**
21. How is the Responsible Authority being **compensated** for this present loss/ appropriation through gating of a public asset?
22. What **valuations** were done to ensure the Council and ratepayers were compensated for such prime real estate?
23. Has St Vincent's Private Hospital been contacted to **assist inquiries?**

**Attachment 4 - Public Submissions 5-7 Brunswick Street**

24. Does St Vincent’s Private Hospital pay any Council rates to Yarra City?
25. If so what rating method is used?
26. If no rates are paid and the hospital has exclusive use of the lane, what **deterrence** is available to Council to recover **compensation** and prevent future opportunistic appropriation of public lanes and property?
27. What consideration or rent should/ have, been paid to Yarra Council [representing ratepayers] for this privilege of **exclusive use of a public road since the lane was locked and gated?**
28. **How would the rent be calculated/**
29. What actions have been taken by Yarra Council to recover the **rightful cost of appropriation** considering:
  - Unpaid **back rent** from the exclusive appropriation of a public place, property or road to the detriment of public ownership and access?
  - **The loss to present and future generations from the development disregard for Fitzroy heritage places and Victorian State Registered sites.**
30. What is the **sale price** of the lane?
31. Will there be a public sale tender?
32. What is the **valuation** of the lane?
33. What is the **time frame for the archaeological survey, and how will it affect the timeframe for the sale and discontinuance?**

[Noted is the Supreme Court Hearing regarding gating of an historic public laneway between No 13 and No 15 Brunswick St; another example of alienation of an historic lane way and the disregard for Brunswick St public access ways, by opportunistic appropriation and disregard for public property.

As a former Fitzroy Councillor I spent some considerable time preparing notes of my understanding of this other lane way issue, to assist the Council prepare background briefing for the Supreme Court Case].

Appropriation of public land affects the body politic.

PLEASE NOTE:

- TO MY KNOWLEDGE ANY LATE REVISED HOSPITAL PLANS WERE NOT PUBLICLY RE-ADVERTISED BY HERITAGE VICTORIA FOR PUBLIC SCRUTINY
- **3 LATE DOCUMENTS/SUBMISSIONS** TO HERITAGE VICTORIA, WERE NOT PUBLICLY ADVERTISED FOR PUBLIC SCRUTINY AND SUBMISSION, see HV Decision, page 20, 24.
- IN CONTRAST WITH VCAT AUTOMATICALLY PROVIDING ITS FULL DECISION DETAIL ON THIS APPLICATION, HERITAGE VICTORIA REQUIRES A FURTHER **FOI PROCESS** TO OBTAIN THE DECISION DETAIL COSTING APPROX \$29 DOLLARS FOR PUBLIC SUBMITTERS.
- THIS PLANNING AND HERITAGE PROCESS INCLUDING THE ROADWAY RAISES ISSUE, RAISES MATTERS OF TRANSPARENCY AND ACCOUNTABILITY AROUND THIS DEVELOPMENT PROCESS AND HAS AN EXTREMELY DISCOURAGING EFFECT ON PUBLIC PARTICIPATION AND SCRUTINY.

**Attachment 4 - Public Submissions 5-7 Brunswick Street**

I request to be heard on this matter at any Council Hearing under Section 223 [1] [a] [iv] of the Local Government Act.

Submitted by:

[REDACTED]

Gore St Fitzroy

3065

10/7/19

**Attachment 4 - Public Submissions 5-7 Brunswick Street**

**NOTE OF EXPLANATION ON ATTACHED KEY DIAGRAMS TO EXPLAIN ATTEMPT TO DOWNGRADE THE MACKILLOP SITE TO 'LITTLE OR NO SIGNIFICANCE' TO FACILITATE EXCAVATION AND DEVELOPMENT AND ROADWAY SALE AND DISCONTINUANCE.**

**EDENSOR [DODGSHUN HOUSE] SITE.**

1. Figure 77. Page 87, **Edensor 7-9 Brunswick St Conservation Management Plan Lovell Chen October 2012 Finalised October 2016**

In this illustration the space occupied by **the bitumen carpark** is actually part of the original birth place allotment of Mary Mackillop as recorded in the Memorial No 1429 of land owned by Alexander Mackillop at the time of Mary's birth.

It has been downgraded to '**Little or no significance**' by the change in colour coding in the **EDENSOR Conservation Management Plan**, despite the **Heritage Victoria Citation** as '**Significant**' for the whole Dodgshun House site on the Victorian Heritage Register database.

This downgrading in the CMP is despite the admission of no investigation in detail of social significance being conducted on Page 71 **para 4.3 Social Value**

What approved historical methodology was used to attempt this downgrade of significance?

2. **Heritage Victoria Register page 2-3**

**HERMES ID448**

**HERITAGE REGISTER NUMBER H1706**

**NAME: DODGSHUN HOUSE**

This diagram simply illustrates that the whole site is registered as '**Significant**', **both land and buildings**, using the code **L for land and B for buildings**.

Council needs to examine the sequence of examination of heritage registered sites in Yarra.

Why was Heritage Victoria not prioritised as the first stage of examination in this application?

Attachment 4 - Public Submissions 5-7 Brunswick Street

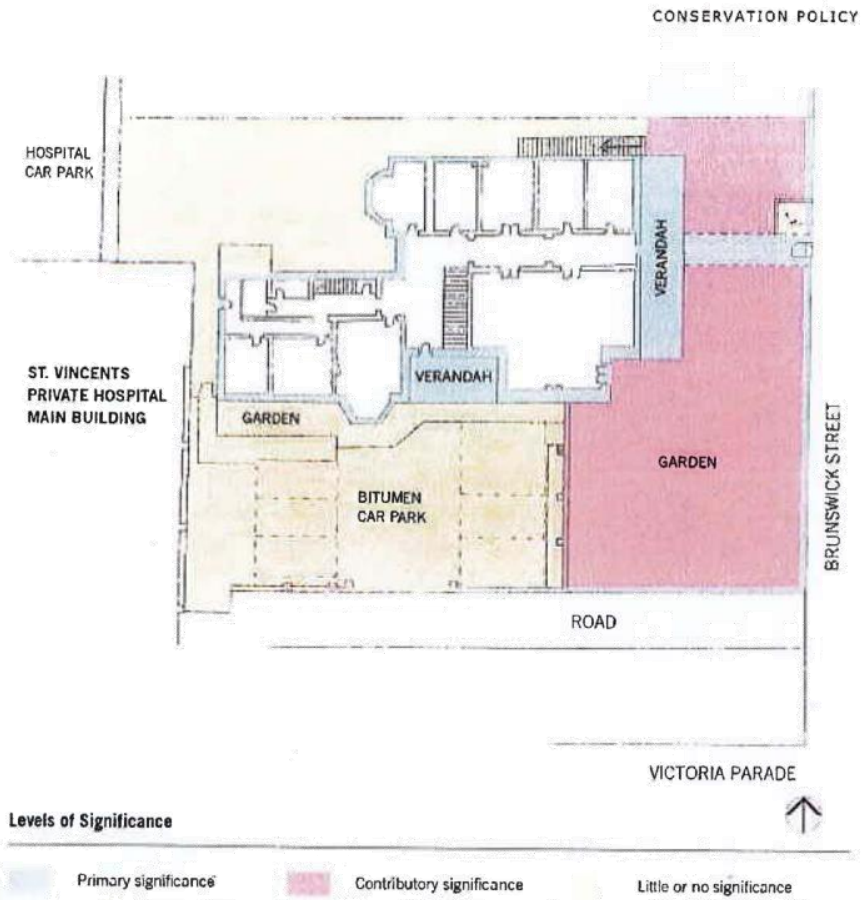


Figure 77 Site plan showing levels of significance applied to the site as a whole including the exterior of Edensor.  
Source: Base plan provided by St Vincent's Private Hospital.

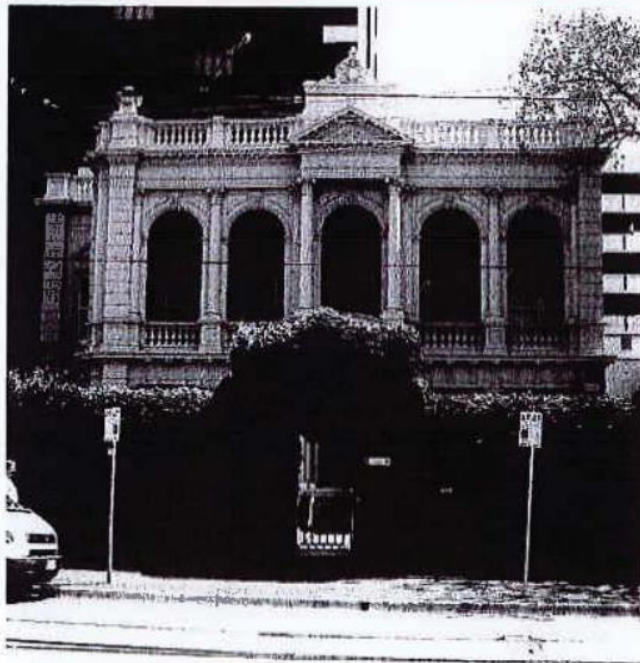


**Attachment 4 - Public Submissions 5-7 Brunswick Street**

**Victorian Heritage Register**



**VICTORIAN HERITAGE REGISTER NUMBER:** H1706  
**NAME:** DODGSHUN HOUSE  
**LOCATION:** 9 BRUNSWICK STREET FITZROY, Yarra City  
**LOCAL GOVERNMENT AREA:** YARRA CITY  
**CATEGORY:** Heritage place  
**DATE REGISTERED:**  
**FILE NO:** 603463; HER/2001/000771; pl-he/03/0090



**HERMES ID:** 448  
**HERITAGE REGISTER NUMBER:** H1706  
**NAME:** DODGSHUN HOUSE

03-Jul-2012 2:30:13PM

Page 1

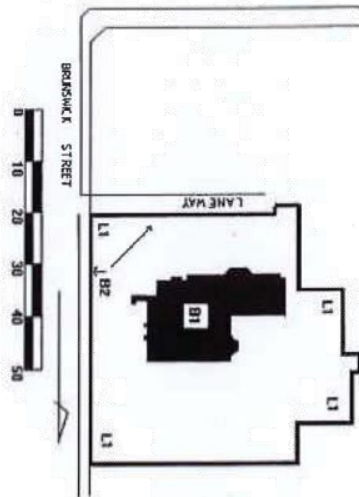
Attachment 4 - Public Submissions 5-7 Brunswick Street

Victorian Heritage Register



- EXTENT:**
1. All buildings known as Dodgshun House, including the garden wall and gatehouse, being the buildings marked B1 and B2 on Diagram 603463, held by the Executive Director.
  2. All land marked L1 on Diagram 603463 held by the Executive Director, being all the land described in PS 318688K.

Victorian Heritage Register



HERMAPS ID: 448  
 HEARTFACE REGISTER NUMBER: H1706  
 NAME: DODGSHUN HOUSE

03-Jul-2012 1:30:13PM  
 Page 2

HERMAPS ID: 448  
 HEARTFACE REGISTER NUMBER: H1706  
 NAME: DODGSHUN HOUSE

03-Jul-2012 2:00:13PM  
 Page 3

Attachment 4 - Public Submissions 5-7 Brunswick Street

Victorian Heritage Register



**STATEMENT OF CULTURAL HERITAGE SIGNIFICANCE:**

**What is significant?**

Dodgshun House (formerly Edensor) stands on land first acquired by Sydney merchant Thomas Walker as part of a 25-acre allotment in May 1839. Jape Minton, who purchased part of the lot in 1840 and is believed to have constructed the first building on the site, sold part of her 1/2 acre to Alexander Mackillop, father of Mary Mackillop, in October 1840. The land bought by Mackillop contained a dwelling known as Marino Cottage. Mackillop, experienced financial difficulties and sold the land to stockbroker Johnathan Bruns Ware in 1842. Ware sold the land the following year to John H. H. Spencer and eventually the site was acquired c. 1864 by lawyer and politician, Samuel Gillott. At the time of Gillott's purchase the site contained a cottage known as Como. Gillott built a house called Edensor c. 1865 and in 1899 demolished Como to allow for a southern extension. The property was sold to the Victorian Eye and Ear Hospital in 1927 and became known as Dodgshun House from that time on. Gillott enlarged a 3 room brick dwelling on the site to nine rooms c. 1865 and extended again in 1899 to create a 13 room residence. The rendered Italianate facade is believed to have been added in the mid 1870s and in 1899 the side wing and rear extension were added by architects Hyndman and Bates. The two storey villa has a symmetrically arranged facade and an arched verandah on the upper verandah and lower porch. Balustrading is present on the first floor level and the central doorway is crowned by an entablature. The high brick wall, which runs the length of the Brunswick Street frontage and along the southern boundary fronting the laneway, was constructed during Gillott's occupation and now incorporates a 20th century gatehouse.

**How is it significant?**

Dodgshun House (formerly Edensor) and its surrounding land is of historical, social and architectural importance to the State of Victoria.

**Why is it significant?**

The site on which Dodgshun House (formerly Edensor) now stands is of great historical and social significance as the birth place of Mary Mackillop. Mary Mackillop, later pronounced Blessed Mary Mackillop, was born at 9 Brunswick Street, Fitzroy, in 1842 to Alexander and Flora (nee MacDonald) Mackillop, Scottish Catholic emigrants. Mary, the first of eight children, was born at Marino Cottage and lived there with her parents until Alexander Mackillop's plunging fortunes necessitated the sale of the cottage and land to Frederick Bruns Ware, the founder of J B Ware and Son. In 1866, at the age of 24, Mary Mackillop established the first Jesuitic school in Perseid and by the time of her death in 1909 at the age of 67 had instructed a 650 strong order, training over 12,000 children through 29 Australian convents. The beatification of Mary Mackillop occurred in 1995 when Pope John Paul II pronounced her to be "Blessed", the final stage before sainthood. While Marino Cottage has long since disappeared, possibly incorporated into the fabric of Dodgshun House, 9 Brunswick Street Fitzroy has become historically and socially significant as a site of great religious pilgrimage.

MEMBERS ID: 448  
HERITAGE REGISTER NUMBER: H1706  
NAME: DODGSHUN HOUSE

05-Jul-2012 2:28:11PM  
Page: 4

Victorian Heritage Register



**STATEMENT OF CULTURAL HERITAGE SIGNIFICANCE:**

Dodgshun House (formerly Edensor) is of historical importance for its association with Samuel Gillott, a prominent lawyer and politician who was elected Mayor in 1900, holding office for two terms. In 1901, the year of Federation, Gillott was knighted by the visiting Duke and Duchess of Cornwall and York and his office distinguished by the title Lord Mayor. Gillott made 9 Brunswick Street his home c. 1864, building Edensor to provide "all the convenience of a town residence combined with the quiet of a country house". The house, with its fence and gatehouse, is of significance as one of the few large residences surviving in the area. Dodgshun House (formerly Edensor) is of architectural significance for its side elevation which is a fine example of late Classicism with a distinctively-composed series of bays. The house is a representative example of townhouse composition and is finely decorated. The house's significance is accentuated by the fact that the front fence is original and parts of the garden survive.

MEMBERS ID: 448  
HERITAGE REGISTER NUMBER: H1706  
NAME: DODGSHUN HOUSE

03-Jul-2012 2:30:13PM  
Page: 5

8 Insight

THE AGE • SATURDAY, OCTOBER 16, 2010  
theage.com.au

THE AGE  
Established in 1854

# A saint for many, a great Australian for us all

Mary MacKillop's canonisation tomorrow should be celebrated by believers and non-believers alike.

**T**HERE is, by its very formality and austerity, a natural remoteness to the process that tomorrow morning culminates in the canonisation of Australia's first Catholic saint. At some time after 10am, at a ceremony in St Peter's Basilica, Rome, Pope Benedict XVI will pronounce the official formula of canonisation, thereby declaring and defining Mary MacKillop, along with five others — two Italians, a Canadian, a Pole and a Spaniard — "to be honoured devoutly among the saints".

It is rightly a solemn moment, but a joyous one, too, and should well be celebrated as well as commemorated. This represents the fulfilment, for many thousands of believers from various parts of the world, of various journeys of hope and faith that began many years — in some cases, many centuries — ago. Many are called, but relatively few are chosen, and the Catholic Church can be excruciatingly slow with matters of beatification and canonisation.

For Mary MacKillop (1842-1909), the founder of the Sisters of St Joseph of the Sacred Heart, the path to becoming Saint Mary of the Cross, as she will be known, has been just as protracted and labyrinthine. As she lay dying, she was blessed by the Archbishop of Sydney, Cardinal Moran, who said, "I con-

sider I have this day assisted at the deathbed of a saint." What the archbishop said in a prescient sentence has taken just over a century of lengthy paragraphs and elongated chapters to achieve. Mother Mary's canonisation process began in 1925, was suspended six years later, and continued in 1951; it was not until 1971 that the Vatican accepted her cause for beatification; the first miracle attributed to her intercession was formally accepted in 1993; two years later, she was beatified by Pope John Paul II in Sydney; last December, the second miracle was accepted; and, in February, Pope Benedict XVI announced Mary was to be canonised.

More than 8000 Australians have made the pilgrimage to Rome for tomorrow's ceremony, in addition to the dignitaries and senior clergy who will attend; among the concelebrants will be the Catholic archbishops of Sydney, Melbourne, Adelaide, Brisbane and Perth. It might be easy, amid the splendour on show and declarations given on a late October morning at the Holy See, to regard the canonisation as primarily a Catholic event; something so bound up in spectacle, dogma and miracle-workings as to be exclusive to the faithful and not within the domain of the agnostic. But this would be an unnecessarily simplistic view of some-

thing that, in fact, reaches beyond a particular church to affect the wider community whatever their creed or beliefs.

Late last year, when it became clear that Mary was to become this country's first saint, *The Age* pointed out that religious tradition should not, and does not, threaten Australia's secular status; we have no legal establishment of religion, and, in fact, freedom of religion is an individual right provided for by the constitution. Yet, in terms of fundamental belief, Australia has become a more diverse society without becoming a less cohesive one. Therefore, there is place for tolerance, if not belief.

Just as the Mary MacKillop website maintains that the faithful of today "are as much a part of the canonisation as the person who is being recognised", there is also

sufficient argument to include in this number the millions of others who know Mary just by her name. For her story certainly transcends religion, to embrace human values that are as quintessentially Australian as the red gum

carved from a fence post that forms Mary's cross-shaped reliquary to be carried to the altar of St Peter's tomorrow.

It was Mary's indomitable Australian character and her no-nonsense approach to life ("Never see a need without doing something about it," was her catchcry), which defined her as a woman, as a nun, and now as a saint.

She was not holier-than-thou, but down-to-earth — a pioneer in bush education, who was often in conflict with the church, but never afraid to tackle issues when they emerged. For example, her brief period of excommu-

nication, after some of her nuns reported a paedophile priest, carries an unfortunate contemporary stigma.

As *The Age's* religion editor Barney Zwartz wrote of Mary yesterday, "She reflects what Australians flatter ourselves are our national virtues: practical and compassionate, patient, yet active in adversity, defiant against injustice, champion of the fair go."

While it might go too far to call her "the people's saint", there is, in truth, an element of the ordinarily popular about this woman, exemplified in the stained-glass window in St Ignatius Church, Richmond: this is no St Jean of Arc, brazen with sword and shield, but a figure of slighter build, in a green dress, whose demure countenance conceals fortitude, selflessness and courage.

Tomorrow will bring canonisation, the highest acknowledgement the Catholic Church can offer. But even in secular terms it is a recognition of an extraordinary life. In order to appreciate Saint Mary of the Cross, it is not necessary to believe in miracles or, indeed, in God. All that is required is an understanding of what it takes to achieve great things and, in the process, enrich lives. Mary Helen MacKillop, a saint in 22 million, remains a great Australian and an inspiration to us all.

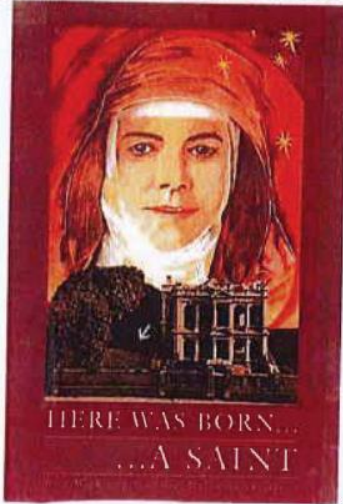
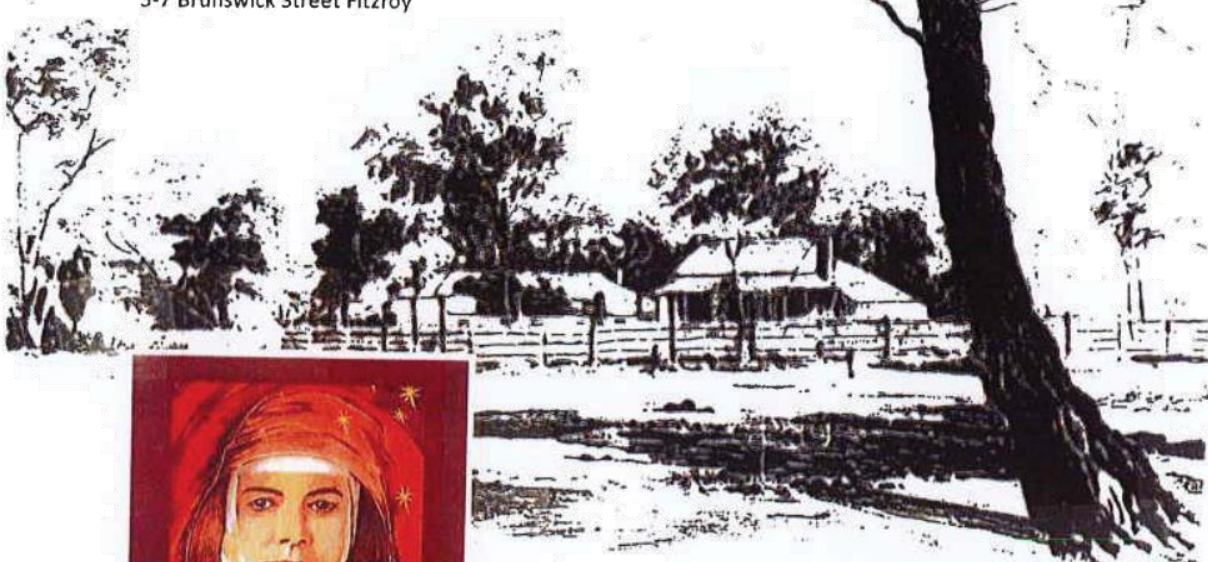


Attachment 4 - Public Submissions 5-7 Brunswick Street

To Yarra City Council

Re: Proposed Road Discontinuance  
5-7 Brunswick Street Fitzroy

CITY OF YARRA  
24 JUL 2019  
RECEIVED



Prepared by [REDACTED]  
[REDACTED] Third Avenue  
Chelsea Heights  
Vic 3196

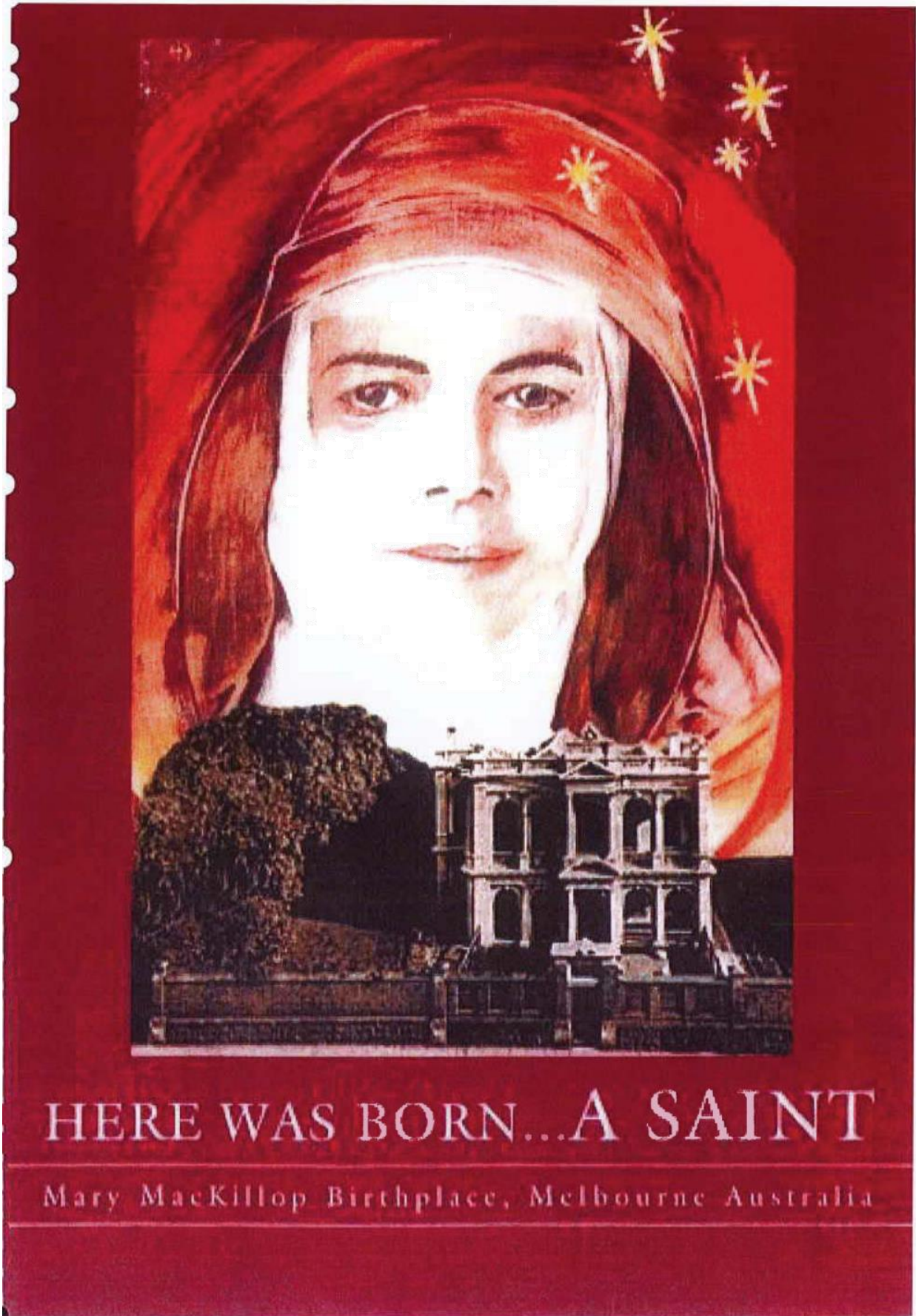
Tel. [REDACTED]



Sub  
11  
A0729-000042  
34 pages



Attachment 4 - Public Submissions 5-7 Brunswick Street



## Attachment 4 - Public Submissions 5-7 Brunswick Street

### Contents:

#### Introduction

1. Scope of this Report
2. Aims Identified
3. Methodology
4. Findings and Implications
  - a. Location of Marino Cottage
  - b. Birth-site Allotment & Laneway Definition
  - c. Conclusion

### Attachments:

1. Birth-site allotment and laneway area plans to reduced common scale: 1mm = 1 imperial foot
2. Concept sketches
3. Sketch workings of Marino Cottage and Minton Cottages plans and elevations to common scale
4. Derived front elevation of Marino Cottage at enlarged scale
5. Area plan to 1:480 Scale showing memorial line
6. Printout of Sarah Susanna Bunbury painting ' Newton – from out house – April 1841 – Towards Melbourne' (Mitchell Library Sydney) – Showing Marino Cottage at time of MacKillop family occupancy
7. Printout of Sarah Susanna Bunbury painting – 'Brunswick Street – Newtown – from the front of our house – June 1841' (Latrobe Collection – State Library of Victoria) showing houses to the North of Marino Cottage
8. Print of (Sketch) from Mr. Darke's Cottage – Brunswick Street looking North about 1839 (probably 1840) by Robert Russell (State Library of Victoria H9301)
9. Overall area plans to common scale showing overlays of Marino Cottage and Minton Cottages in relation to assumed viewpoints of reference paintings together with marked copies of paintings

## Attachment 4 - Public Submissions 5-7 Brunswick Street

### Introduction

#### Site importance

- Absolute uniqueness in Australia
- Non-transferrable authenticity
- The centrality of Marino Cottage as the focus of this significant site
- The fortuitous presence of Edensor Mansion as a protector of the more significant birth-site
- The birth-site as opportunity not obstacle
- Extent of survival from time of earliest European occupancy of site allotment definition and associated Right of Way (Laneway)

#### Site History

- Initial subdivision and construction of Minton Cottages and Marino Cottage
- Occupation of Marino Cottage by Alexander and Flora MacKillop (This is contemporary of the Bunbury reference painting) followed by birth of their daughter Mary (St. Mary of the Cross MacKillop)
- Reversal of fortune leading to loss of this house and perpetual financial insecurity of the MacKillop family (Never to own their own home again)
- Property on sold twice eventuating in purchase by Robert Downing (as possibly semi-derelict) cottage life extended as a shelter for Adams family (daughter and son in law of Robert Downing) then demolished c. 1855 and construction of Como Villa by Robert Downing over much of the cottage site
- Ultimate ownership of site acquired by Samuel Gillott followed by eventual amalgamation with northern allotment with demolition of Como Villa and extension Edensor Mansion over most of the northern edge of the birth-site
- Edensor property purchased and used by Royal Victorian Eye and Ear hospital as Dodgshun House and later leased by St. Vincent's Private Hospital
- Following Beatification of Blessed Mary of the Cross MacKillop, site purchased by Catholic Archdiocese of Melbourne for possible development of pilgrimage centre (not proceeded with)
- Proposed expansion of St. Vincent's Private Hospital. On receipt of Planning Permit property sold to St. Vincent's Private Health.

#### Threats to This Unique Site

1. Inadequate recognition of the prime spiritual importance of this site
2. Provision of non-authentic heritage memorials
3. Physical destruction and removal of much of the birth-site allotment itself (including the 'Footprint' area of Marino Cottage) and the historic contemporary Right of Way (Laneway)
4. Loss of clear boundary demarcation of the birth-site allotment and the contemporary Right of Way (The Historic Laneway)



**Attachment 4 - Public Submissions 5-7 Brunswick Street**

Scope of this Report

- St. Vincent’s Private hospital extension proposals submitted to heritage council. The heritage submission included mention of now St. Mary of the cross MacKillop history and Marino Cottage but in the absence of an identified definite location included minimal recognition proposals
- The prime significance of this site as a specific (not general) birth-site can only be within the Marino Cottage footprint. The heritage statement overwhelmingly was focused on the Edensor Mansion building together with some aspects of street scape ‘frontage’ to Brunswick street
- St. Vincent’s private hospital proposals incorporation of the Laneway into the building site and demolition of most the defining birth-site boundary walls, it also extended the new building frontage to Brunswick street across the Laneway
- The St. Vincent’s private hospital proposals included excavation and removal of much of the central portion of the birth-site allotment and of the entirety of the Laneway and to its immediate West
- Yarra City Council had proposed recognition of the site significance by renaming the historic laneway as Mary MacKillop Place
- The Laneway in its own right is of significant local history as possibly the oldest established laneway in the City of Yarra. It was established as a Right of Way concurrently within the original subdivision of the Minton property and construction of the Minton Cottages and Marino Cottage.
- Consideration of the options available to the Yarra City Council as the owner of the Laneway in regard to meeting the Yarra Council’s own aspirations for recognition of the significance of this unique site include the implications of the St. Vincent’s private hospital proposals. These include both possible building design and construction site access
- Also relevant is the establishment of the Australian Catholic University and the Mary MacKillop Square on the east side of Brunswick Street opposite the birth-site
- The Heritage Victoria requirement for proper archeological investigations of this site to establish significant archeological remains. Questions the need to be answered include:
  - How is this work to be carried out?
  - By Whom?
  - At whose expense?
  - To whom will it report?
  - How independent/unbiased?
  - And how is it to be informed?

## Attachment 4 - Public Submissions 5-7 Brunswick Street

### Aims Identified

- Implementation of competent independent archeological investigation of the site
- Retention of the historic birth-site allotment and Laneway boundary definition
- Presentation and establishment of the location and physical characteristics of Marino Cottage including both footprint and spatial envelope and retention of the actual physical integrity of this site by restrictions of site excavation
- Facilitating the Marino Cottage footprint as an appropriate focus of the birth-site development as a unique authentic and perceptible place of national significance and a destination for possible spiritual pilgrimages (pilgrimages currently conducted elsewhere in Australia to sites associated to St. Mary of the Cross MacKillop these include Sydney, South Australia and Western Victoria)
- Consideration of the implications of the St. Vincent's Private hospitals proposals on the integrity of the birth-site
- Consideration of possible consequent amendments to the currently proposed St. Vincent's private hospital development to ameliorate perceived conflicts
- Consideration of the actual viability of the currently proposed St. Vincent's Private Hospital development in terms of compatibility of this development on this unique site and any alternative options including building design and proposed excavations.
- It should be noted that Marino Cottage is the ultimate true point of origin for any pilgrimage journey into the life of St. Mary of the Cross MacKillop with it owns special poignancy. St. Mary's death site and tomb in North Sydney is the other end of St. Mary's 'own pilgrimage'.

### Methodology

- Analysis of any available contemporary illustrations of the birth-site (painting by Sarah Susanna Bunbury) in conjunction with available historical records and other materials and investigations by this writer and others including John and Christine Hancock, Louise Elliot and Mike Moore
- Production of all available relevant site and area plans to a unified common scale. The working scale determined as 1mm = 1 imperial foot
- Production at the adopted scale of outline plans and elevations of both Marino Cottage and the Minton Cottages based on Rate book descriptions, Maps and other available evidence by the writer and others
- Determination of the likely viewing points of the two attached Sarah Susanna Bunbury paintings and including also the Robert Russell sketch for compatibility
- Establishment of possible sight lines primarily from the southern most viewpoint towards the Mary MacKillop birth-site and checking compatibility between this painting and the other accumulated evidence

## Attachment 4 - Public Submissions 5-7 Brunswick Street

### Findings and Implications

#### Location of Marino Cottage

- The derived location of and form of Marino Cottage is in conformity with general contemporary planning practices locating Marino Cottage in the exact centre of the birth-site allotment
- This location could possibly be further confirmed by the required archeological investigation but these investigations would also require interpretation of the intervening site occupation by Como Villa
- This siting of Marino Cottage has incompatibilities with current St. Vincent's Private Hospital proposals
- Retaining the proposed St. Mary of the Cross MacKillop memorial on the actual Marino Cottage footprint (the actual birth-site) would require expansion of the dedicated pilgrimage area to be subject to the proposed 200 year lease to the Catholic Archdiocese of Melbourne and could allow a revised pilgrimage access position from the South
- To allow further appreciation of this vanished cottage as the actual birth-site of St. Mary of the Cross MacKillop a fully Three-Dimensional 'Ghosting' of the Cottage could augment the cottage footprint and allow a full appreciation of the relationship between the cottage and the existing and proposed buildings on this site.

#### Birth-site Allotment and Laneway Definition

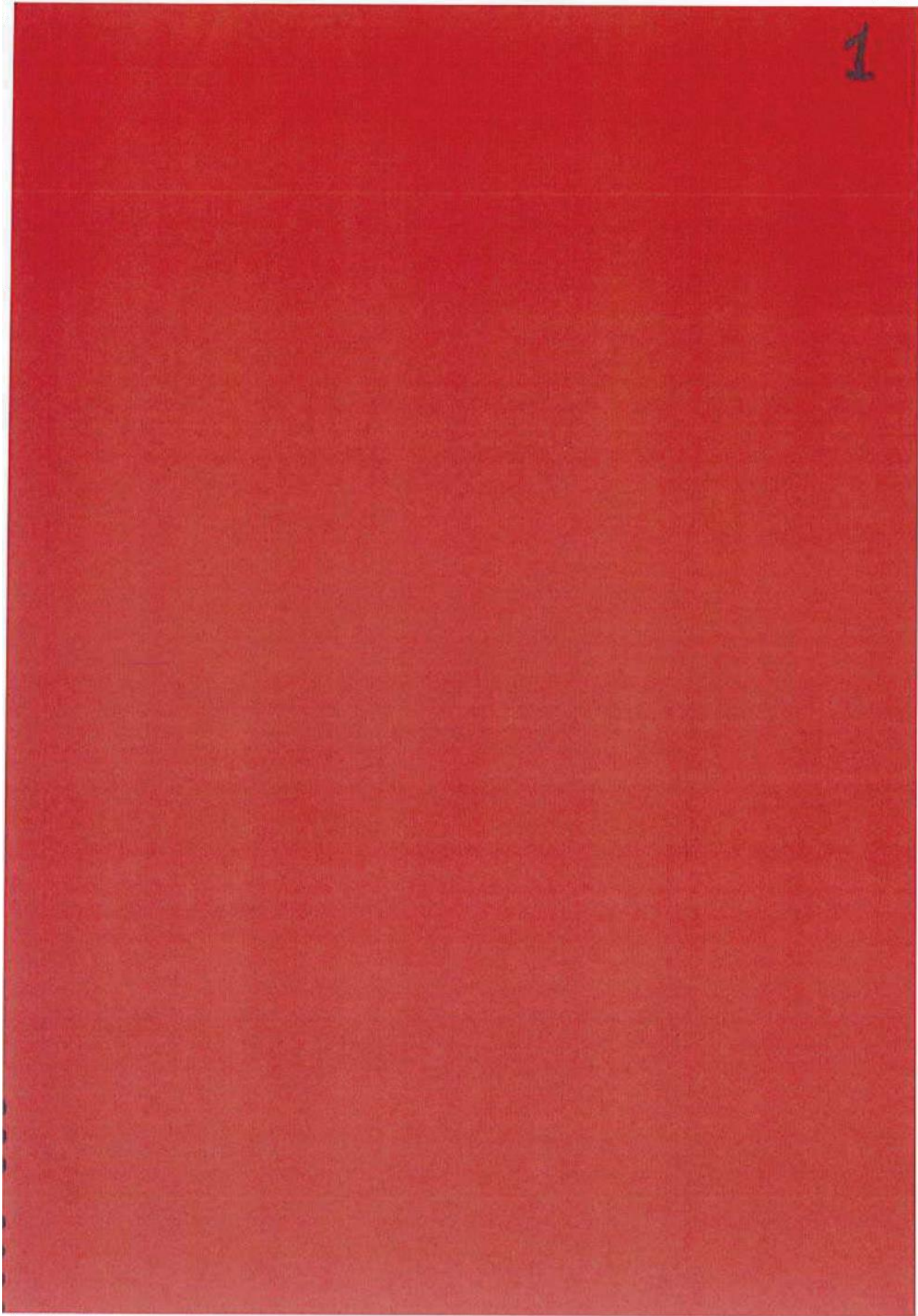
- Current proposals for public access to the birth-site are via a minimal remnant of the Laneway. The proposed development effectively closes the Laneway with the building line extended to the South of the proposed memorial gardens to the Brunswick Street frontage
- The proposed effective elimination of the Laneway as a defined entity also renders much of the birth-site allotment boundary completely obscured. Definition the Western Laneway effectively disappears
- Retaining definition of the birth-site allotment and Laneway would require some modifications to the St. Vincent's Private Hospital proposals.

#### Conclusion

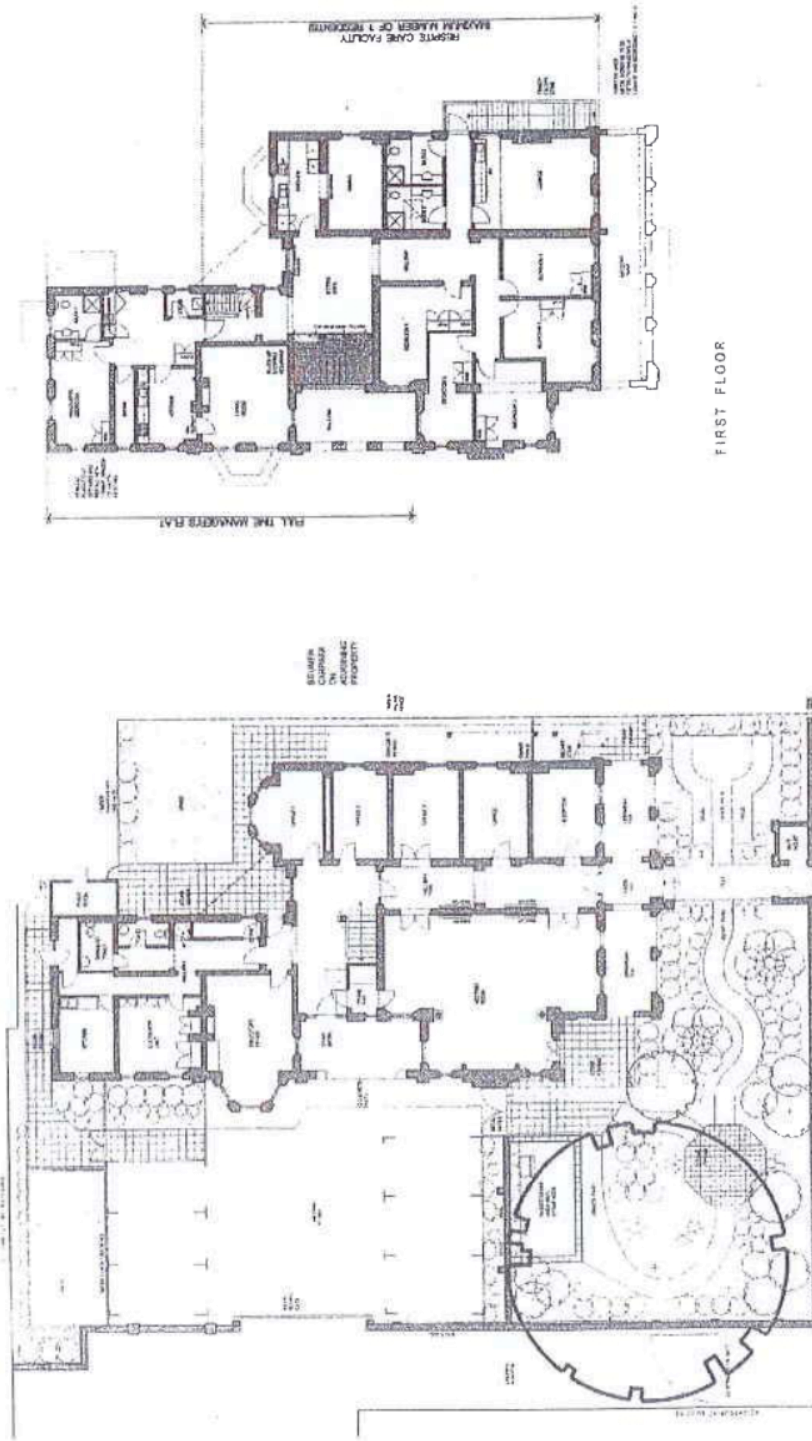
This presentation has focused on the establishment of the actual position of Marino Cottage on its original allotment served by the original Right of Way. It attempts to address the implications of this research in terms of the currently proposed St. Vincent's Private Hospital expansion. It also suggests possible modifications to the proposed expansion development to reconcile competing interests to fully achieve an optimal result for all parties involved.

If it transpires that the currently proposed works are not compatible with retention of the integrity of this unique site then other options for re-siting the St. Vincent's Private hospital extensions should be considered.

**Attachment 4 - Public Submissions 5-7 Brunswick Street**



Attachment 4 - Public Submissions 5-7 Brunswick Street



GROUND FLOOR  
PROPOSED ALTERATIONS TO FIRST FLOOR

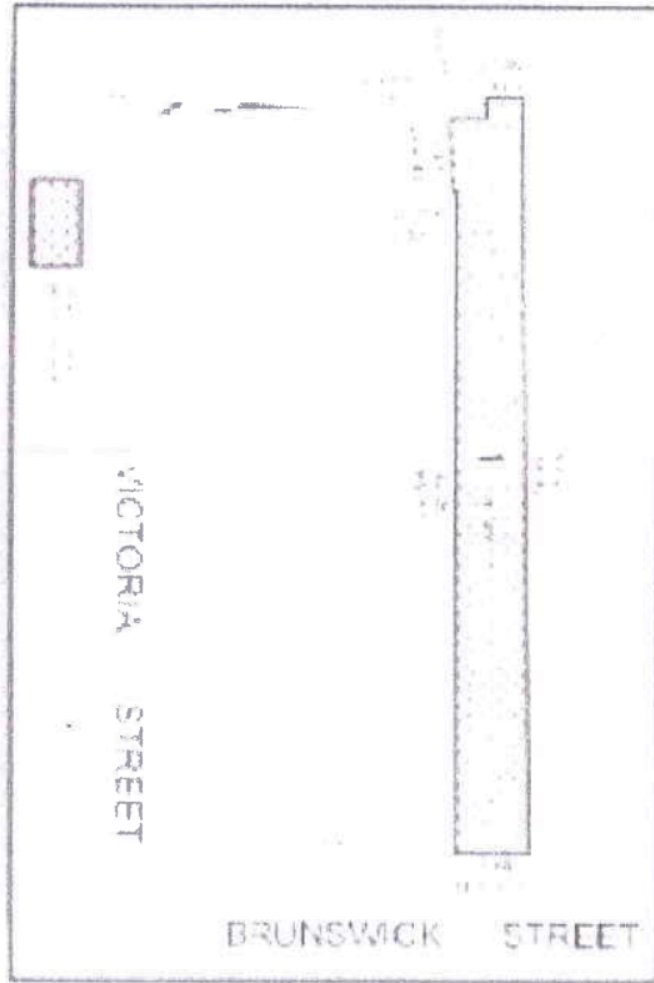
BRUNSWICK STREET

PROPOSED ALTERATIONS TO FIRST FLOOR  
**MARY OF THE CROSS CENTRE**  
CLARKE, HOPKINS AND CLARKE ARCHITECTS  
JANUARY 2003

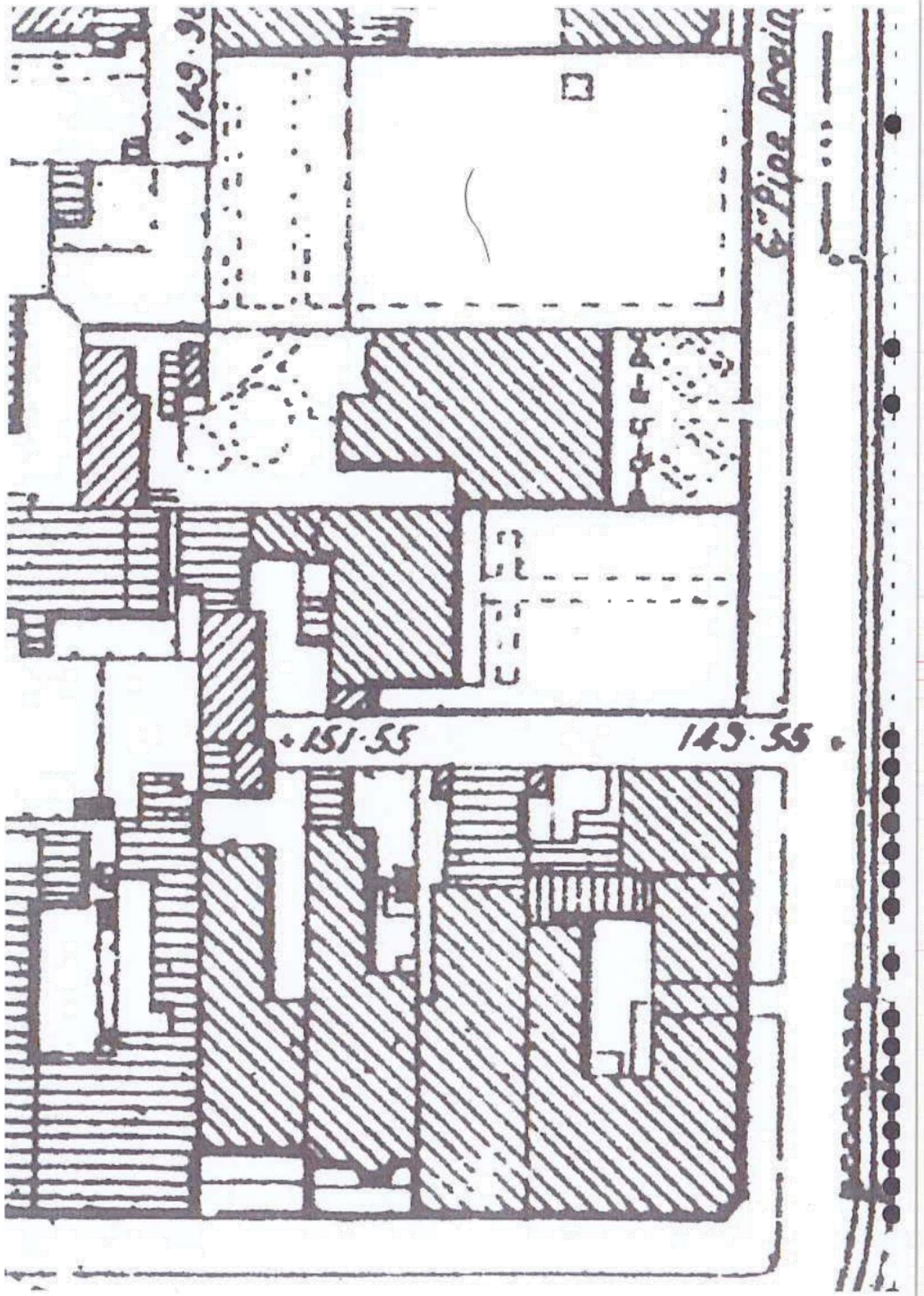
0037  
**SK2a**  
39

9/6

**Attachment 4 - Public Submissions 5-7 Brunswick Street**



Attachment 4 - Public Submissions 5-7 Brunswick Street



Attachment 4 - Public Submissions 5-7 Brunswick Street

copy 2  
THIS IS *original*  
OF LATEST PRINT.

133  
126  
=

X 1.108

1.025 \*

1.050

105066

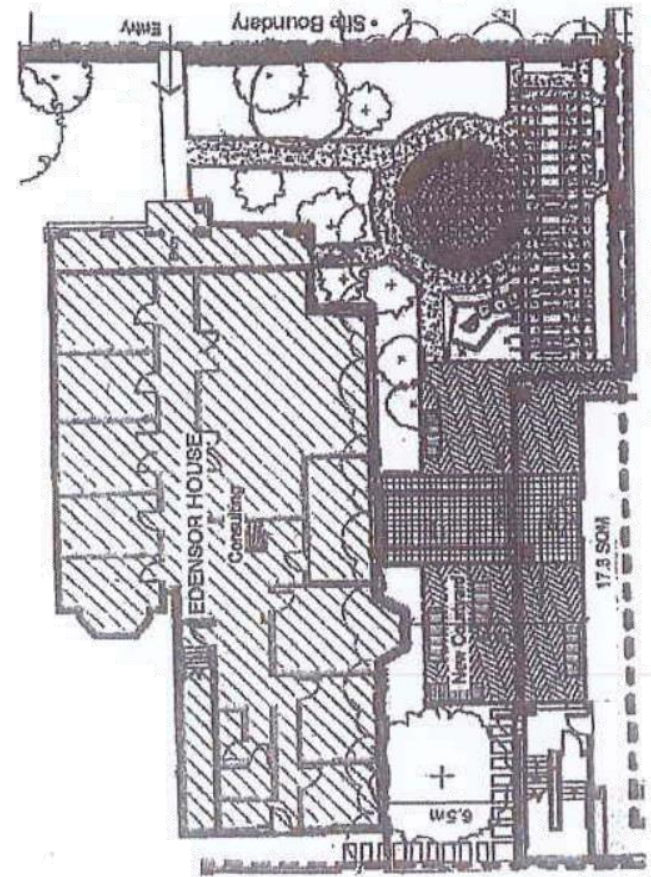
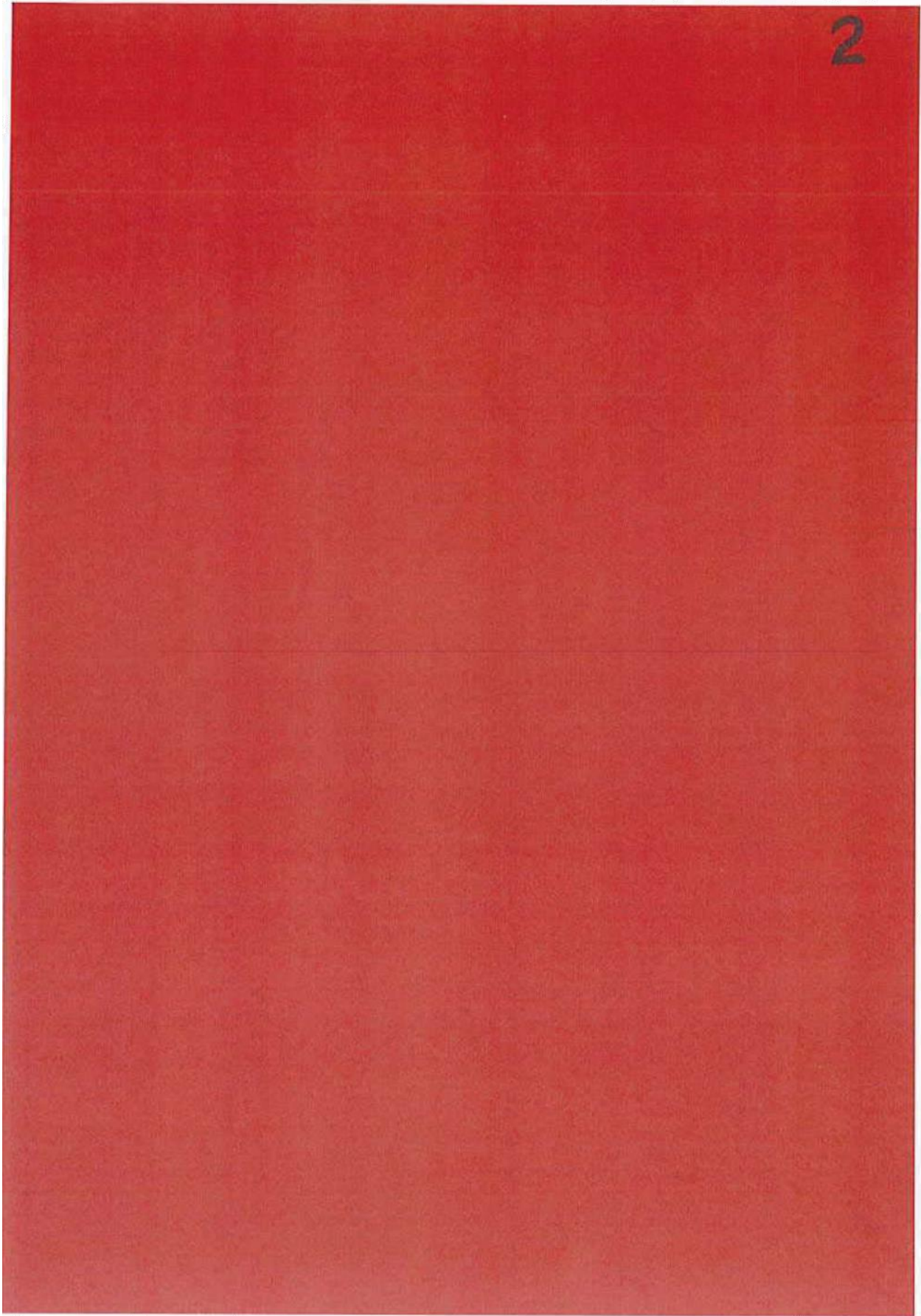


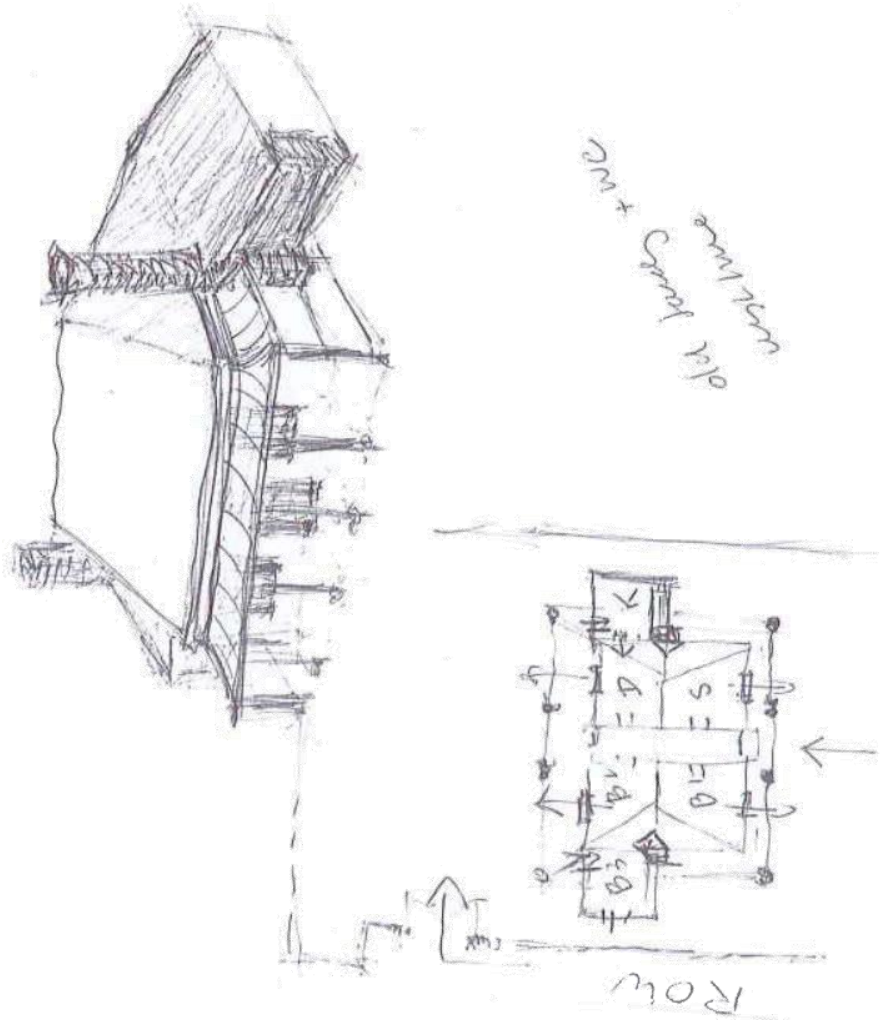
Figure 3 (above): Updated version (revision H) of plan at Figure 3 showing reorientation of the proposed three-level stair with no development cantilevering over the garden or retained garden wall. The proposed demolition of boundary wall to the southwest remains demolished as previously proposed. A new glass link is also proposed.



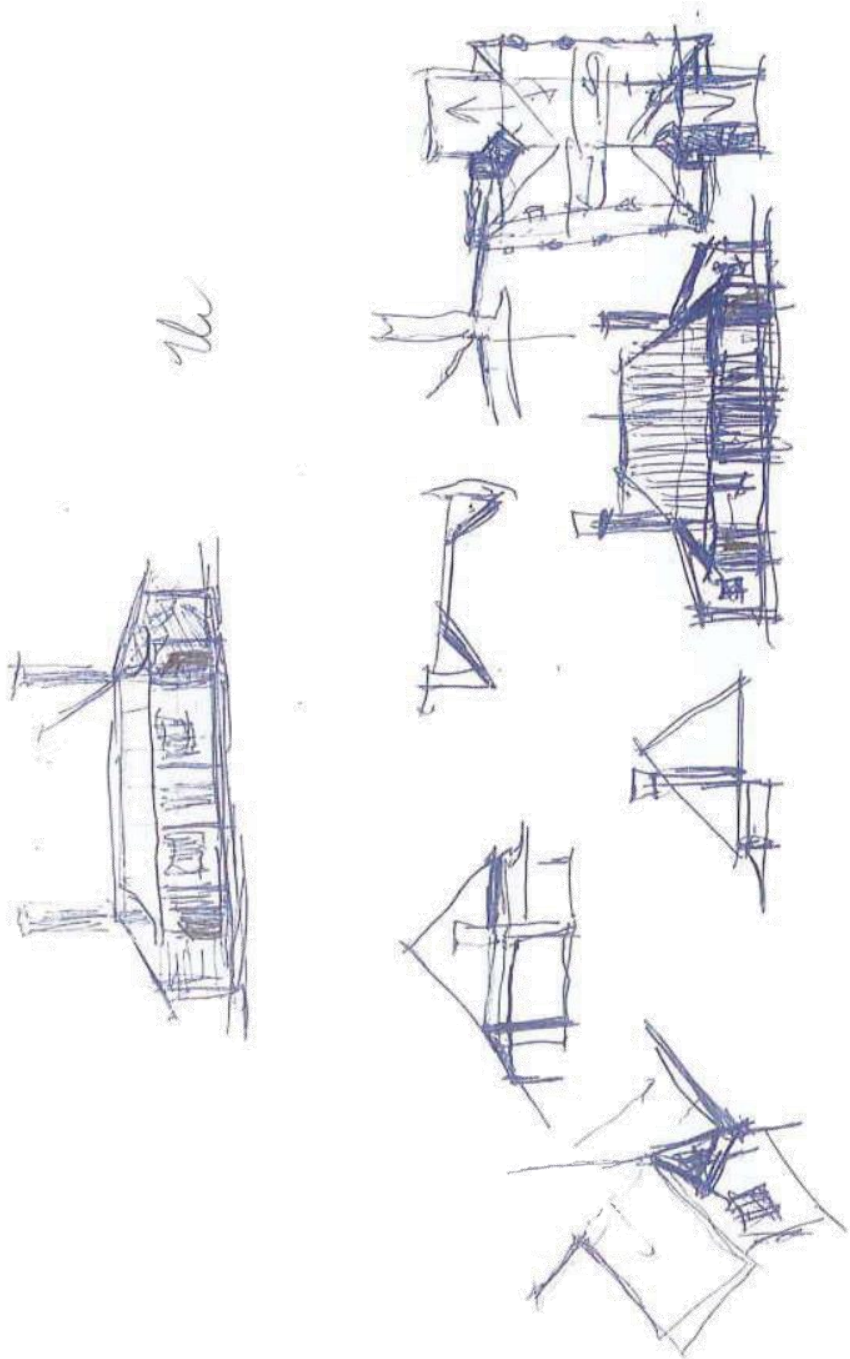
**Attachment 4 - Public Submissions 5-7 Brunswick Street**



Attachment 4 - Public Submissions 5-7 Brunswick Street

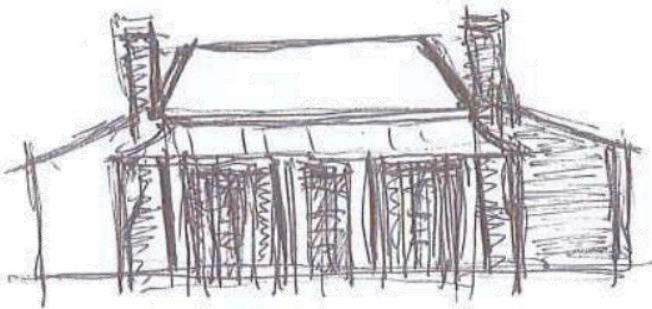
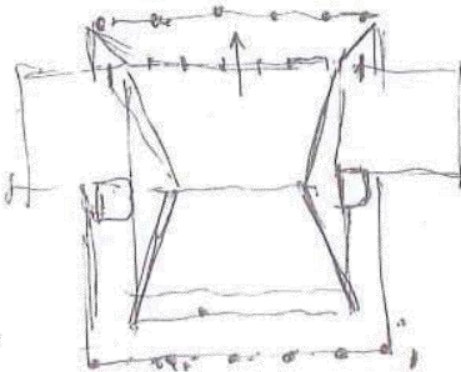
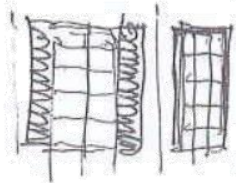
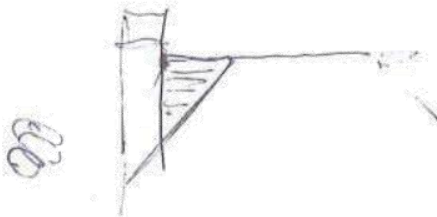
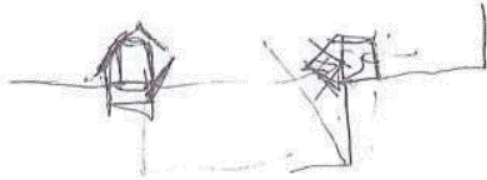


Attachment 4 - Public Submissions 5-7 Brunswick Street

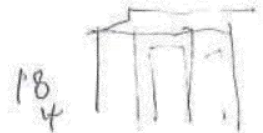


Attachment 4 - Public Submissions 5-7 Brunswick Street

1223  
-97827145 BUPA



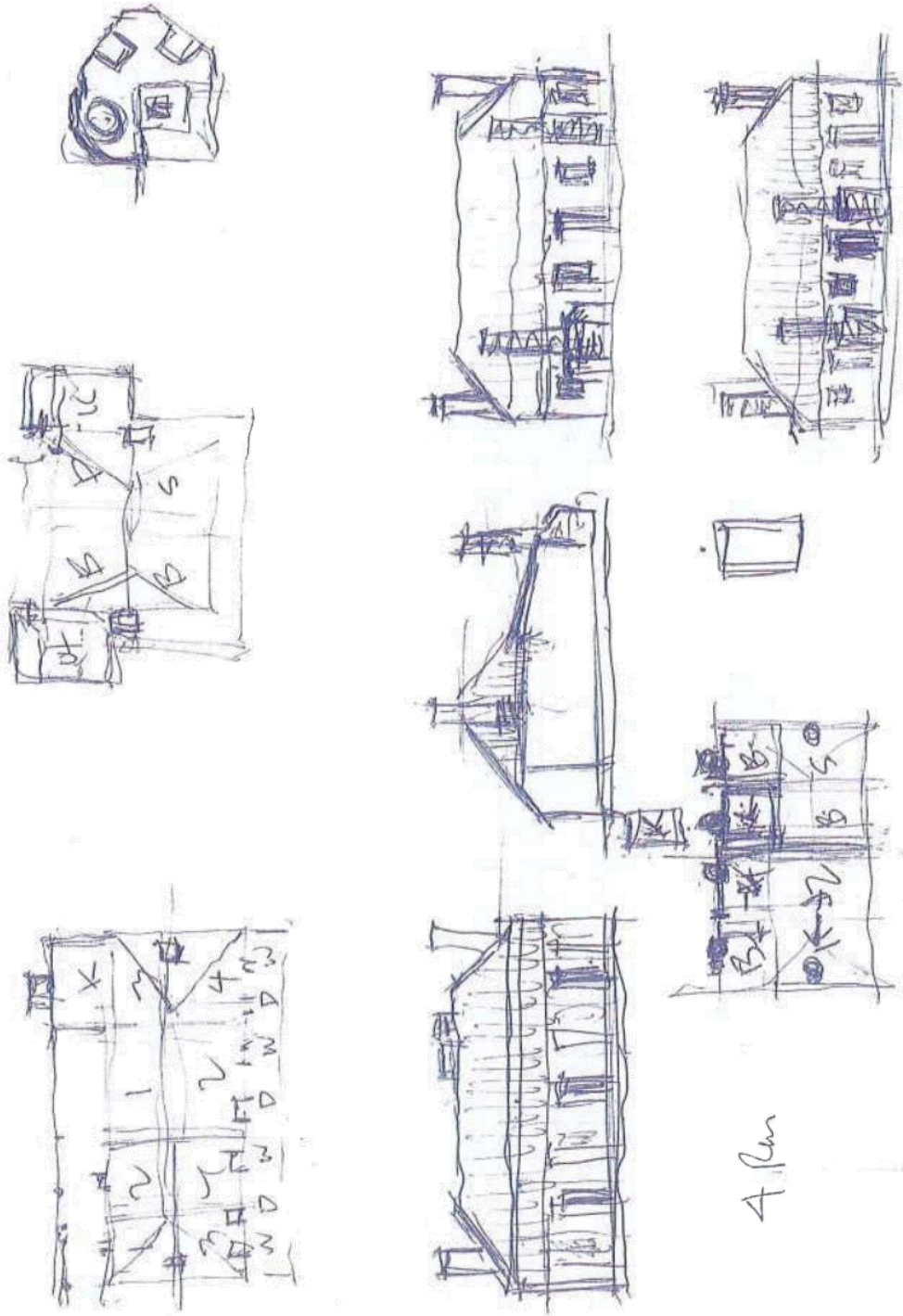
(3)  
5 22 5  
32 ÷ 5  
= 6



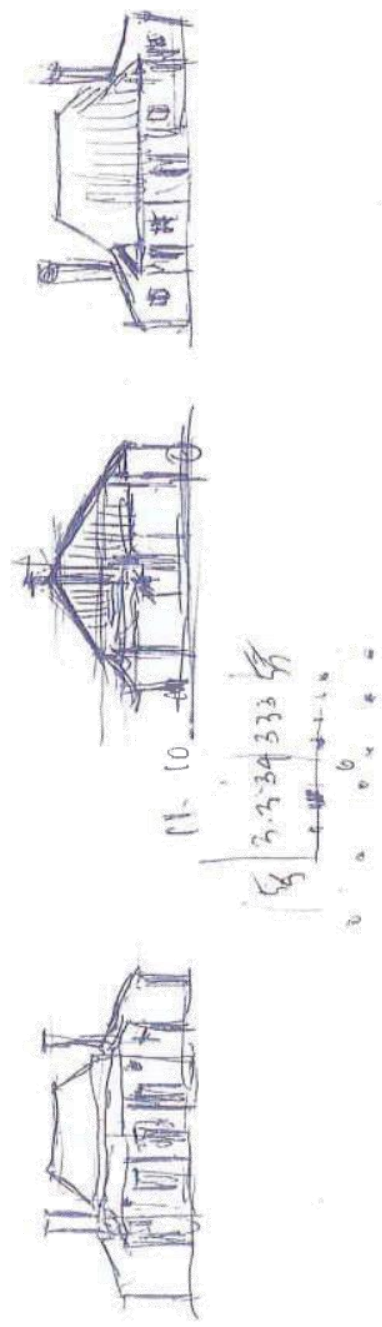
4

Attachment 4 - Public Submissions 5-7 Brunswick Street

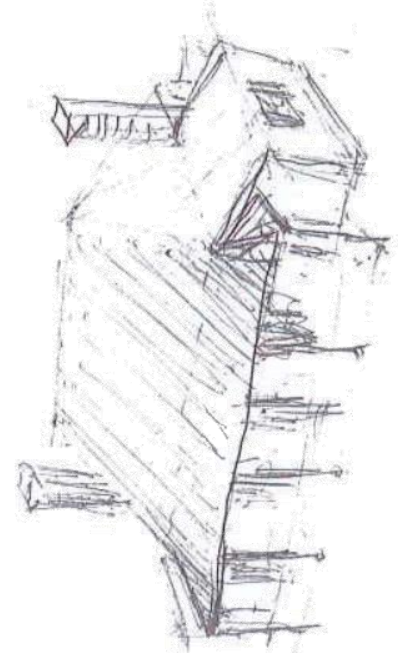
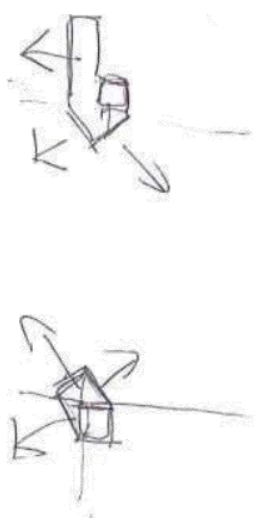
MARLBORO COTTAGES



Attachment 4 - Public Submissions 5-7 Brunswick Street

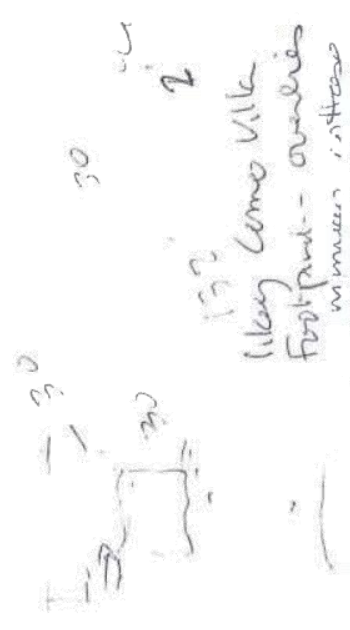
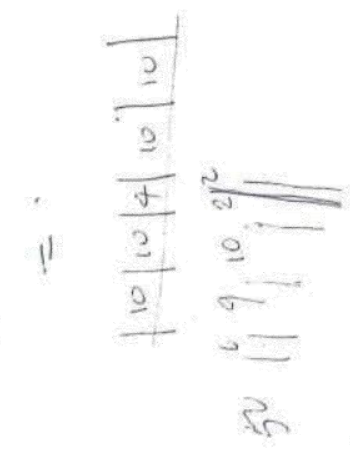


Attachment 4 - Public Submissions 5-7 Brunswick Street

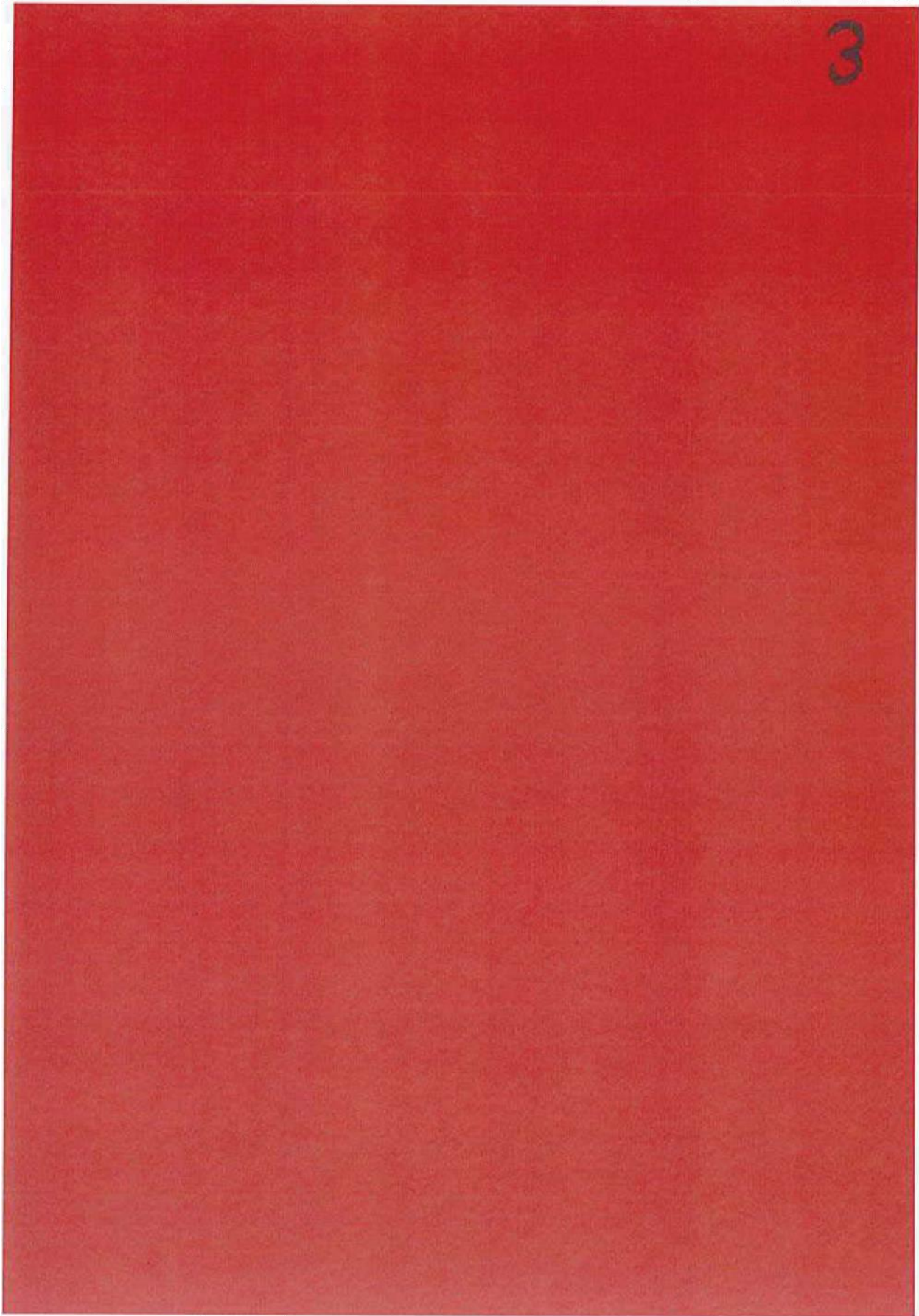


REAR VERANDA CONSERVATOR 6 - 10

(2x6)  
 50' - 12' = 38'  
 38' - 4' = 34'  
 allow 1' h wall thickness

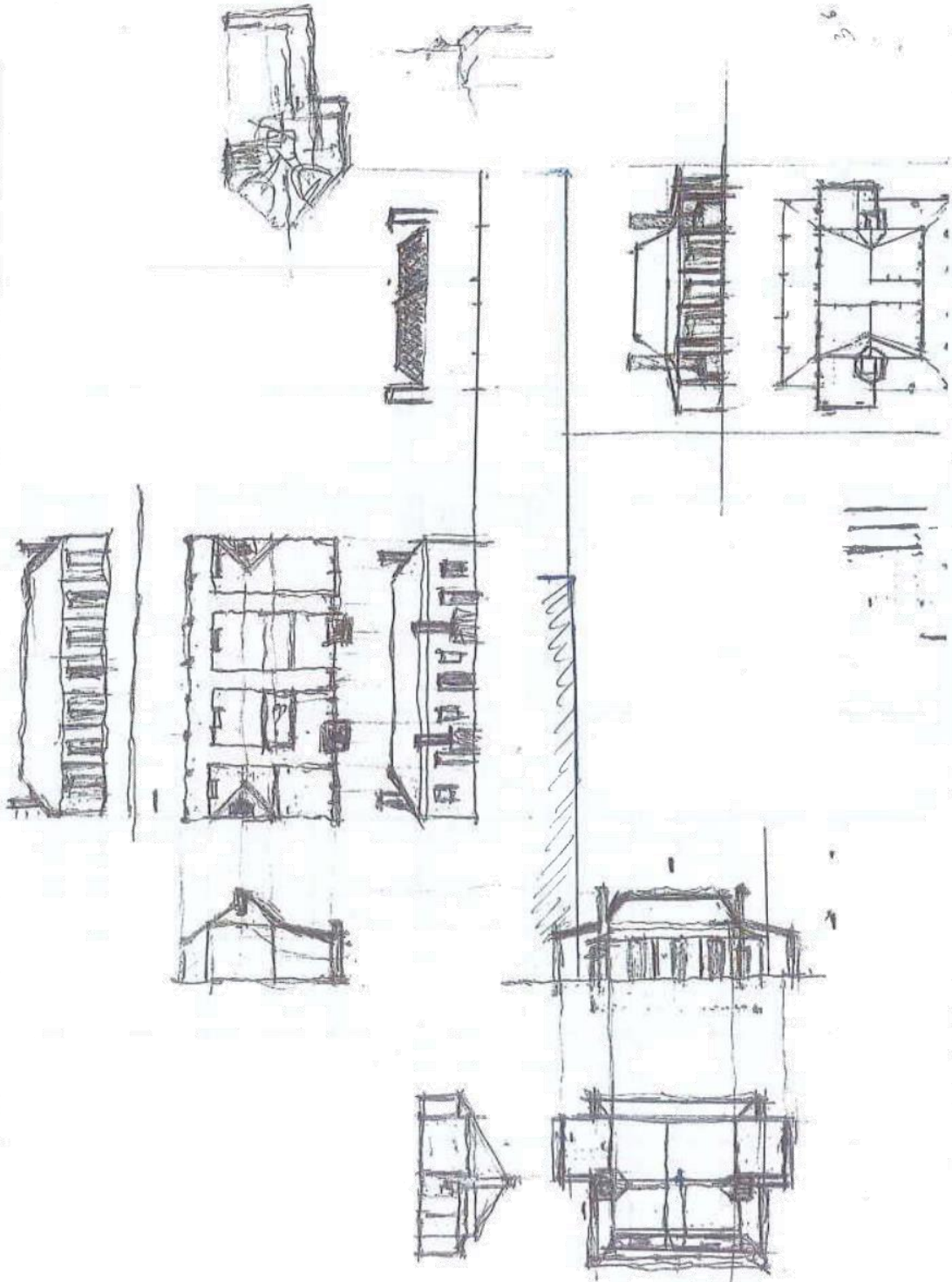


**Attachment 4 - Public Submissions 5-7 Brunswick Street**





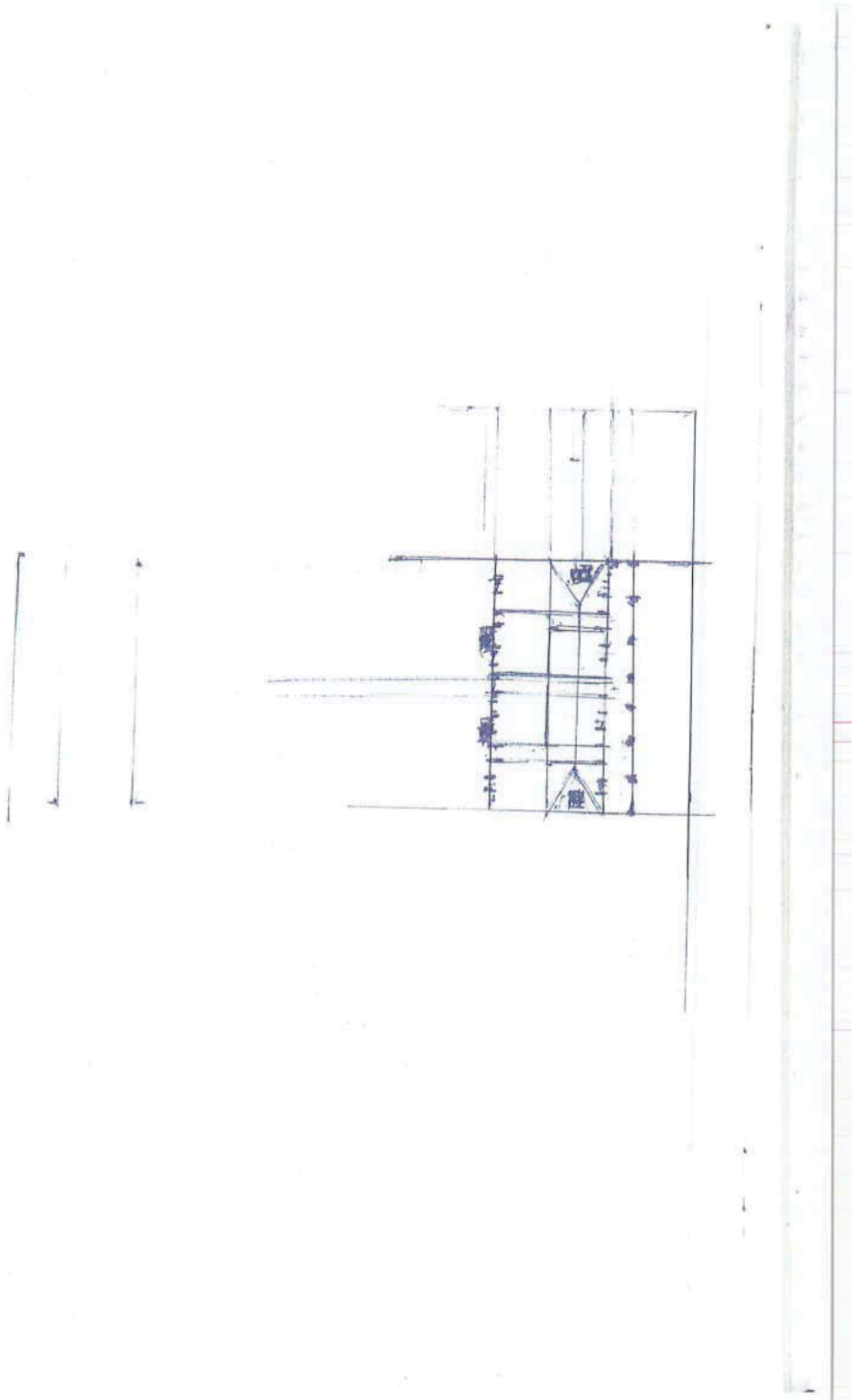
Attachment 4 - Public Submissions 5-7 Brunswick Street



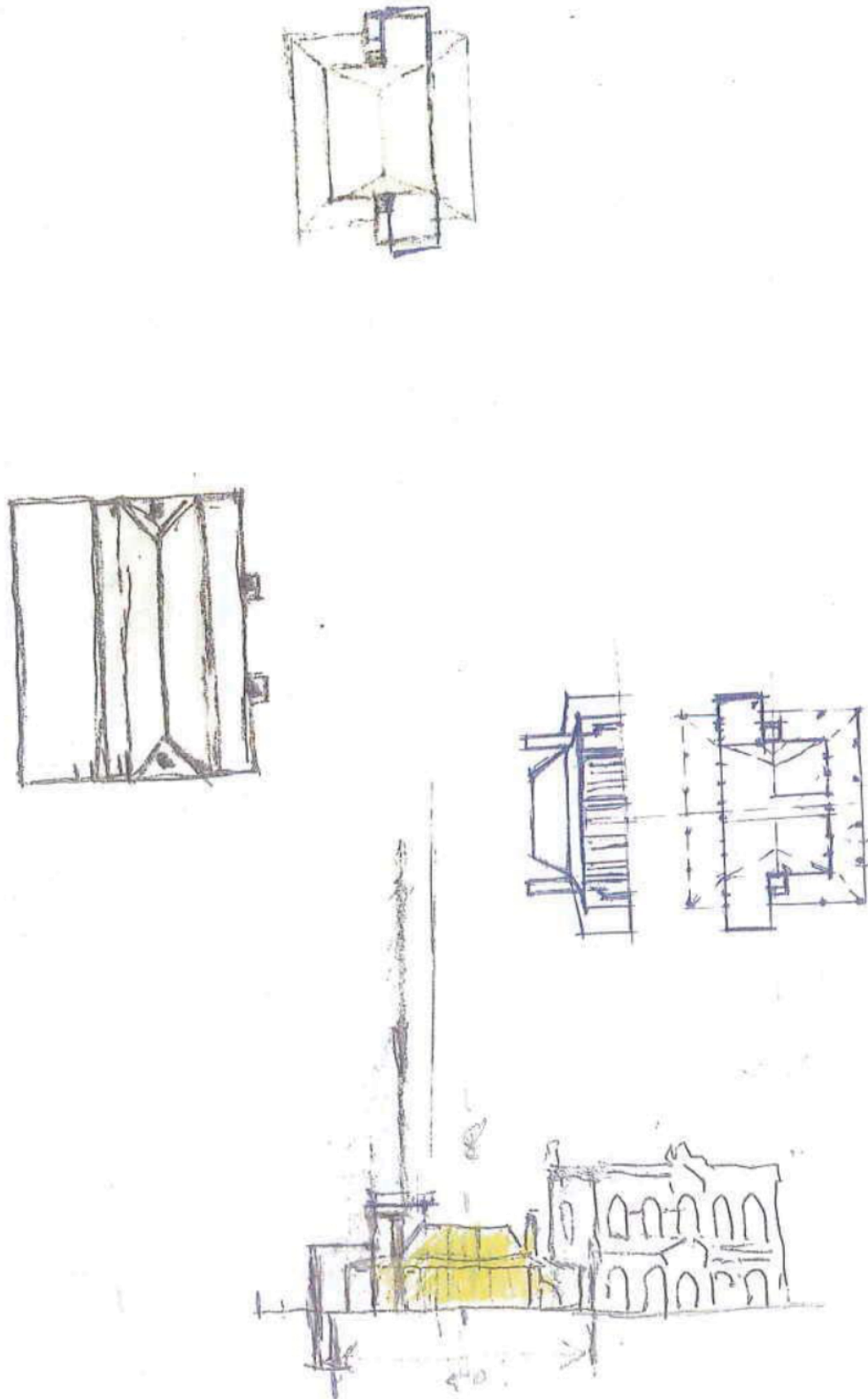
Assum  
4 Rm + Kitchen  
= 1 Silly Rm, 2 Beds, + 1 Box.

24 + 9 + 9  
= 18  
24  
42

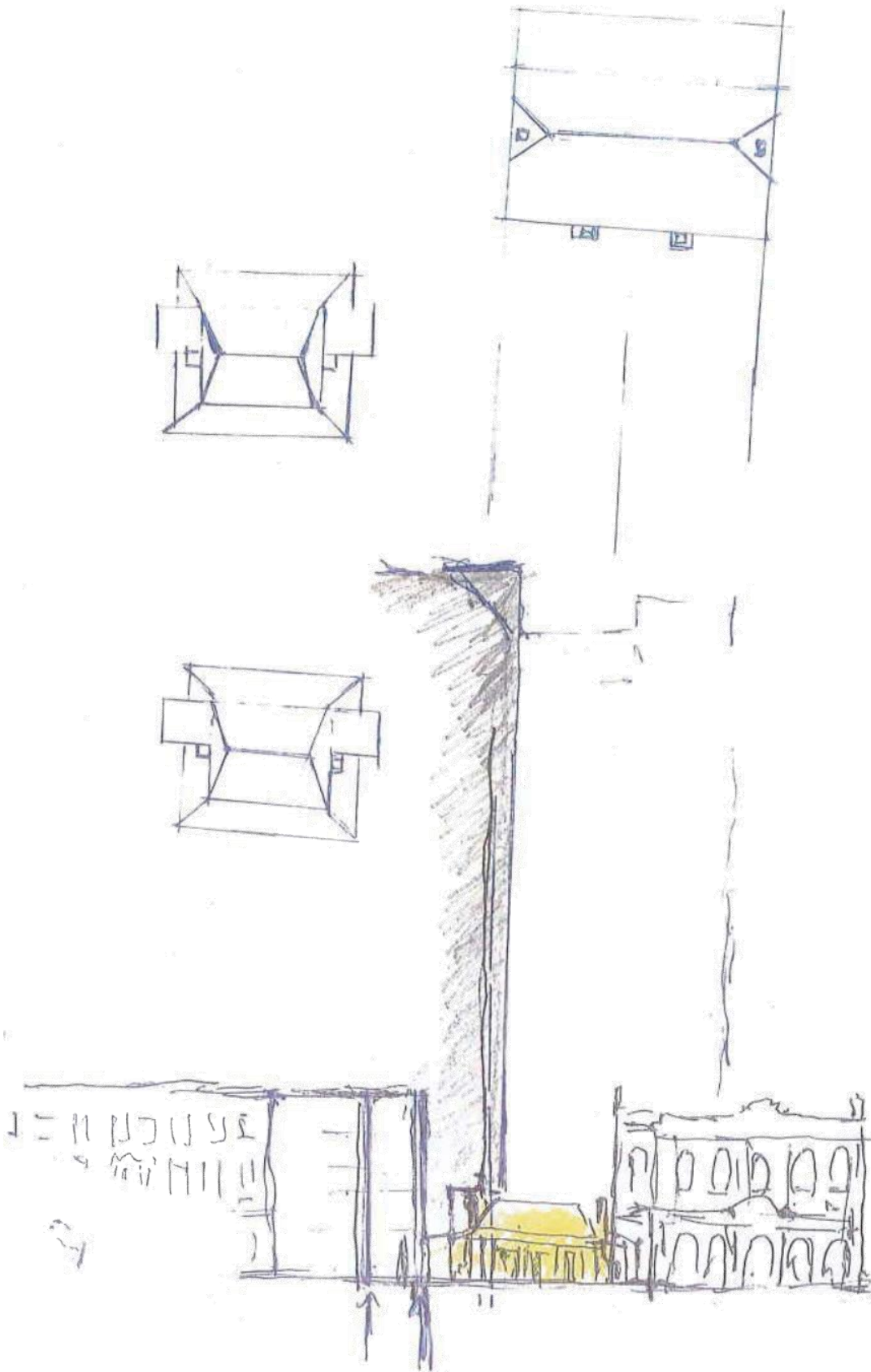
**Attachment 4 - Public Submissions 5-7 Brunswick Street**



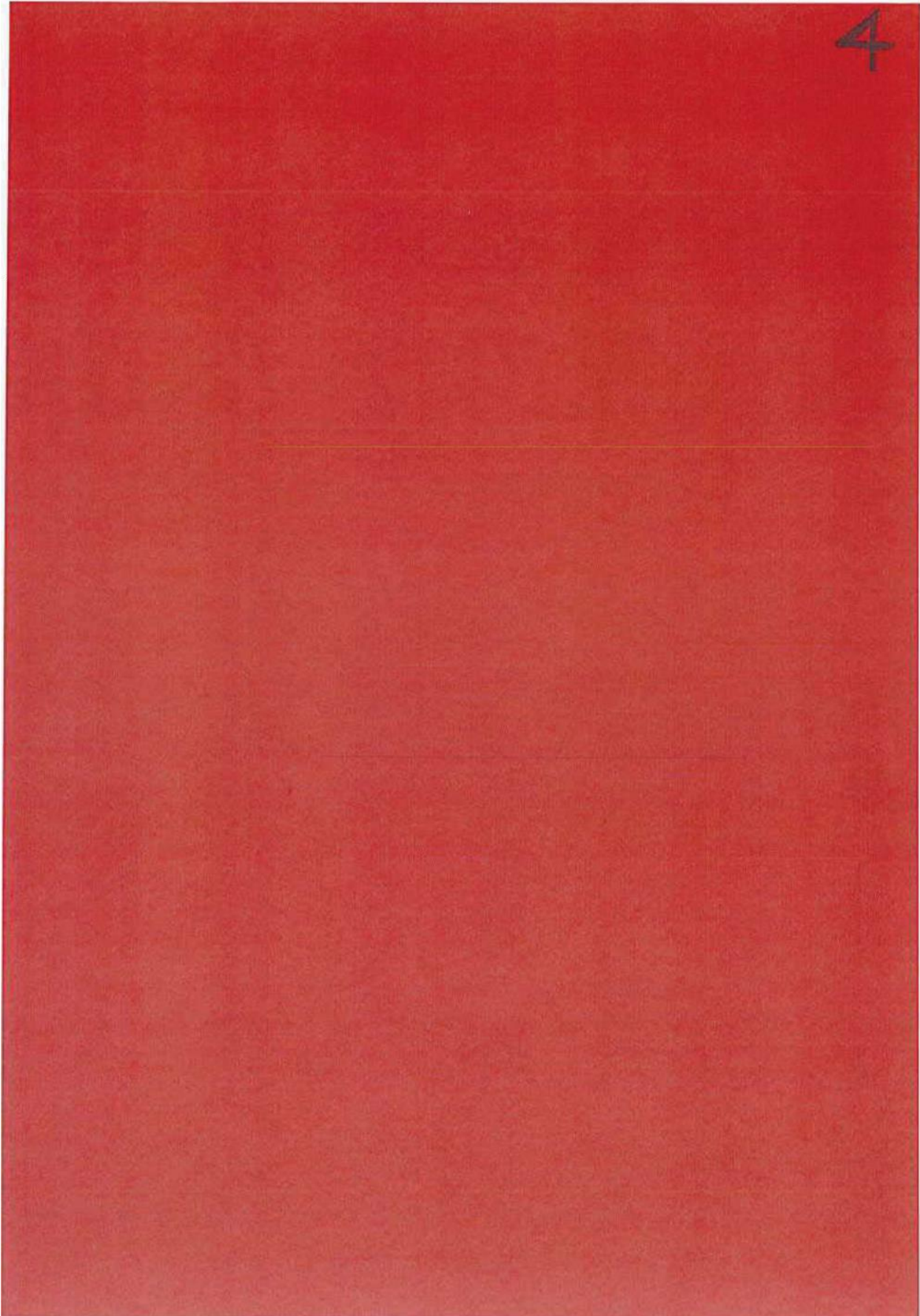
Attachment 4 - Public Submissions 5-7 Brunswick Street



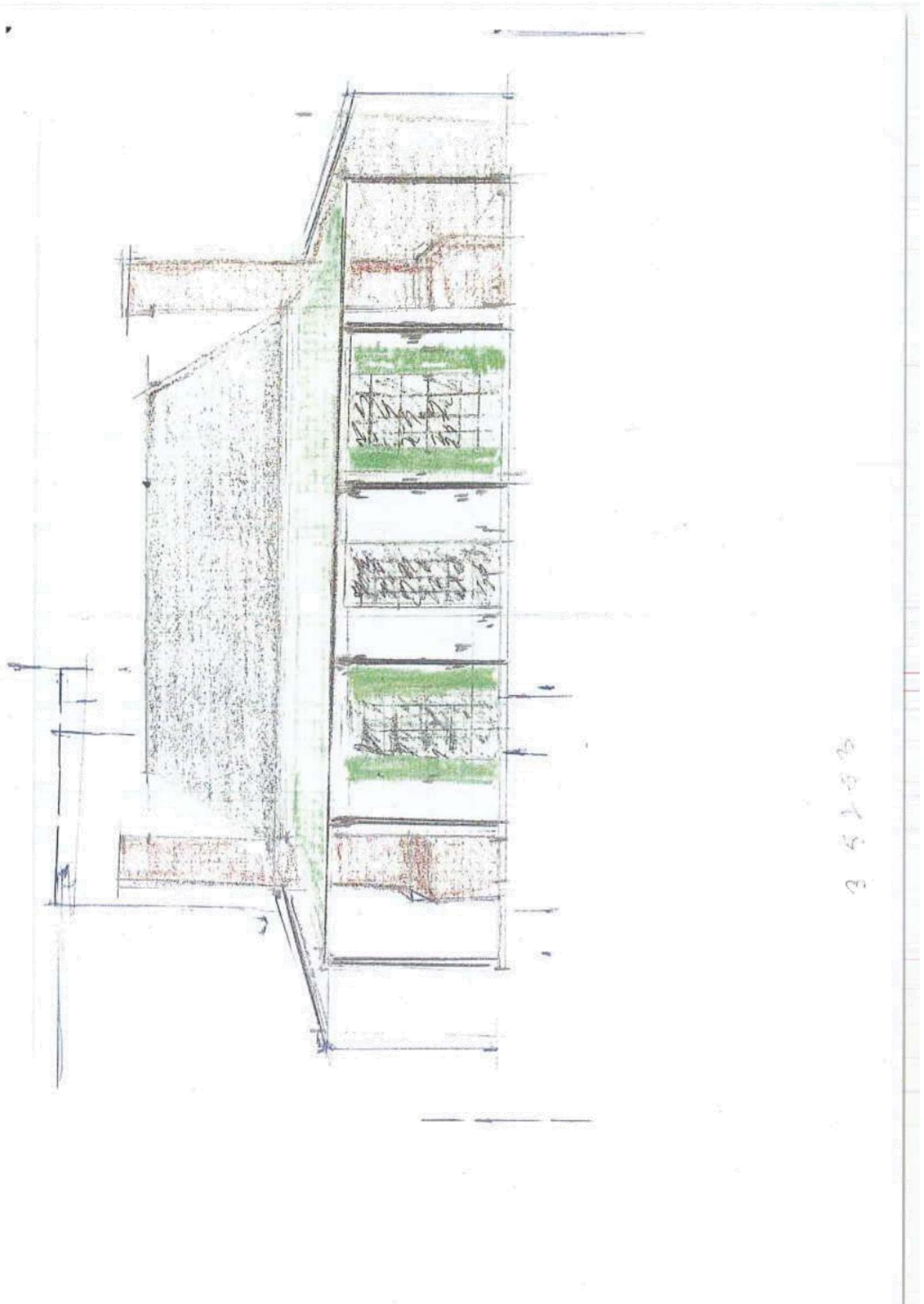
Attachment 4 - Public Submissions 5-7 Brunswick Street



**Attachment 4 - Public Submissions 5-7 Brunswick Street**



Attachment 4 - Public Submissions 5-7 Brunswick Street

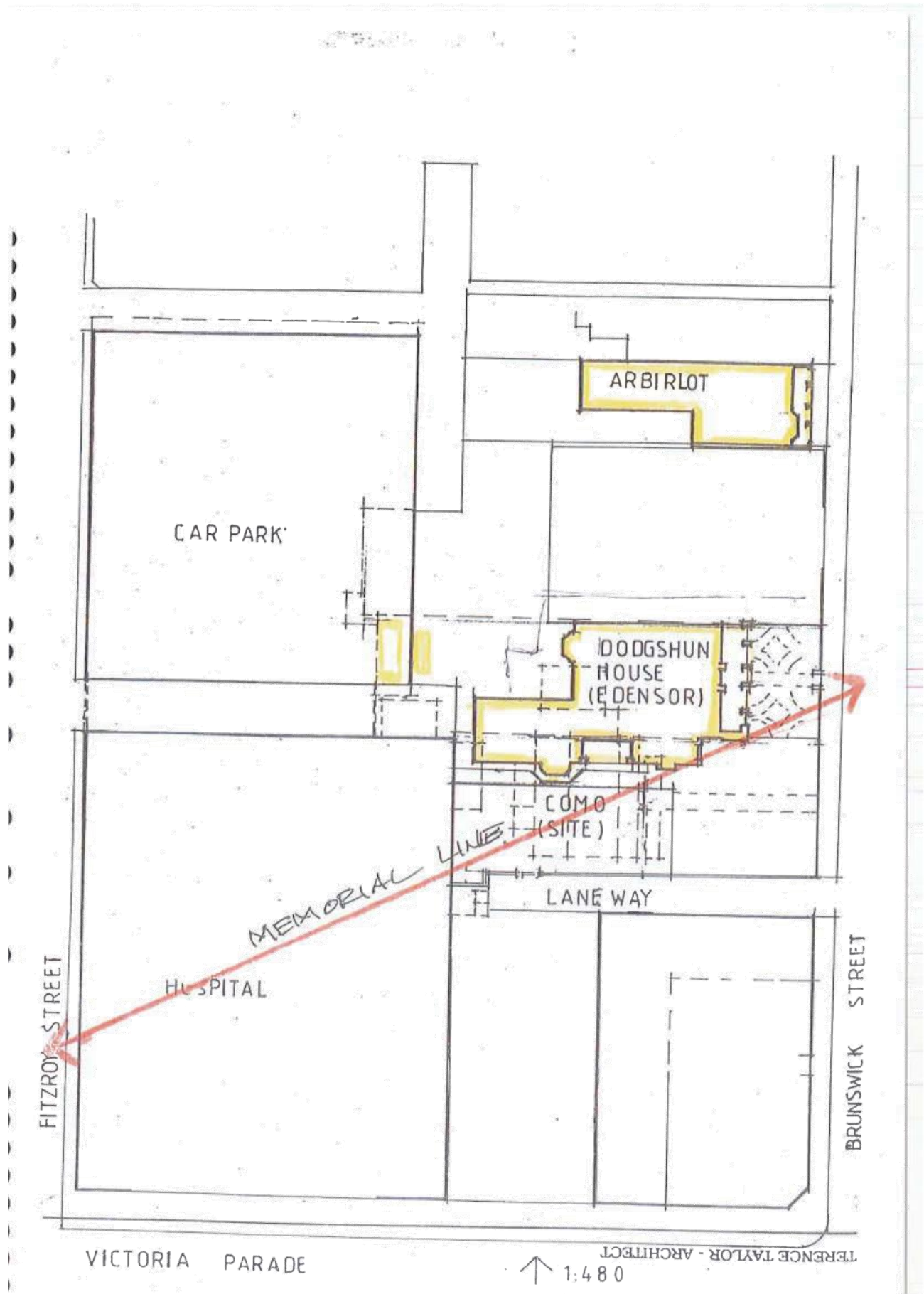


**Attachment 4 - Public Submissions 5-7 Brunswick Street**

Enclosure No 5

This shows the direct 'memorial line' between the new statue of Mary MacKillop in Mary MacKillop Square and the site of Mary's baptism in the early St. Francis' Church. Note that this line passes exactly through the identified presumed birth-site.

Attachment 4 - Public Submissions 5-7 Brunswick Street



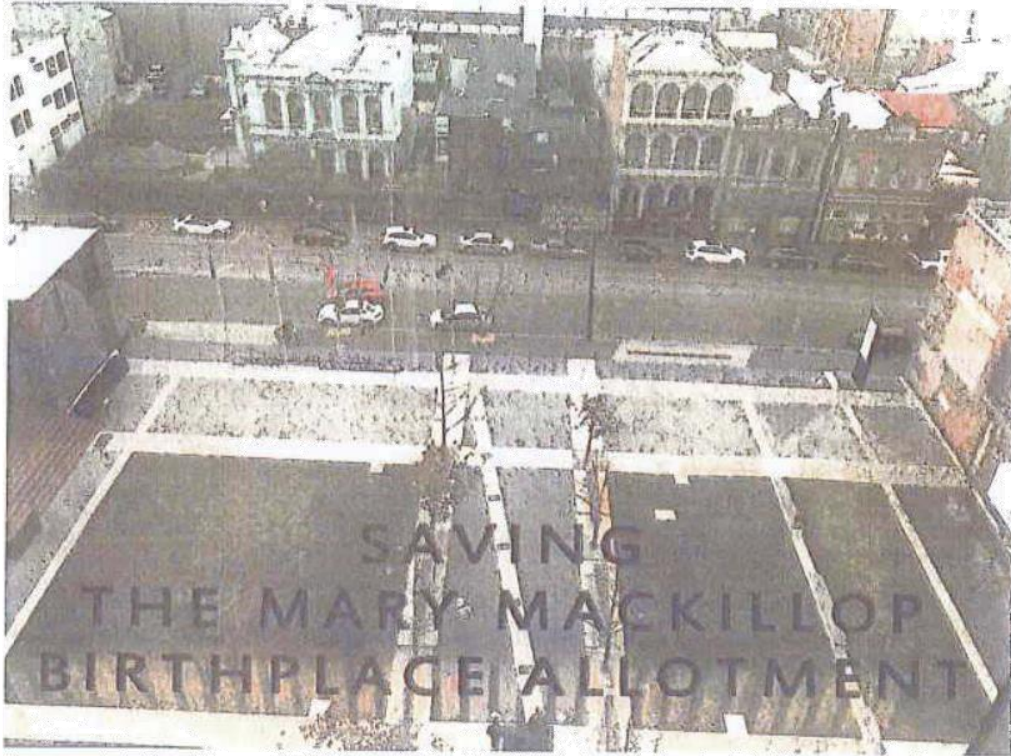


**Attachment 4 - Public Submissions 5-7 Brunswick Street**

**Bernard  
Hennessy  
ARCHITECT**

Member  
Australian  
Institute of  
Architects

Member Architeam Co-operative



Permit Application VHR H1706 — Dodgshun House

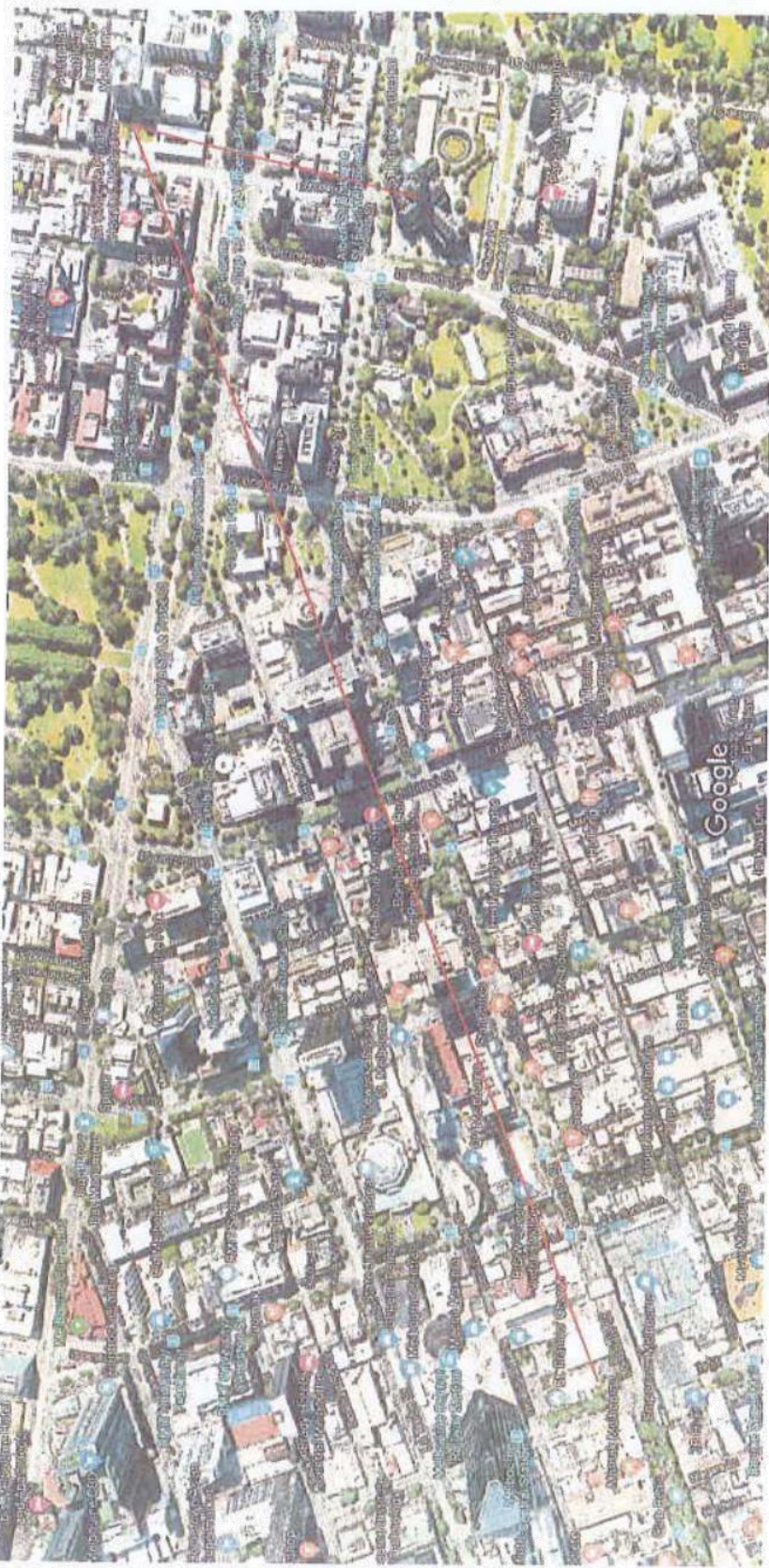
**Submission to Heritage Victoria  
7th August 2018**

405 Warrigal Road, Burwood, Victoria 3125  
0412 444 656  
bharchitect@bigpond.com

Attachment 4 - Public Submissions 5-7 Brunswick Street

8/10/2018

Google Maps



Imagery ©2018 Google, Map data ©2018 Google 100 m

Google Maps

<https://www.google.com.au/maps/@-37.8098009,144.9695948,809m/data=!3m1!1e3?hl=en>

**Attachment 4 - Public Submissions 5-7 Brunswick Street**

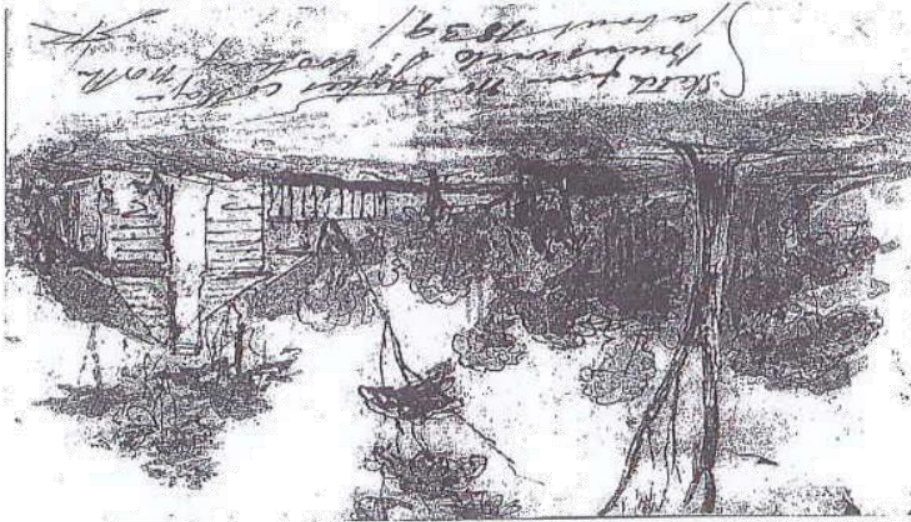


**Attachment 4 - Public Submissions 5-7 Brunswick Street**

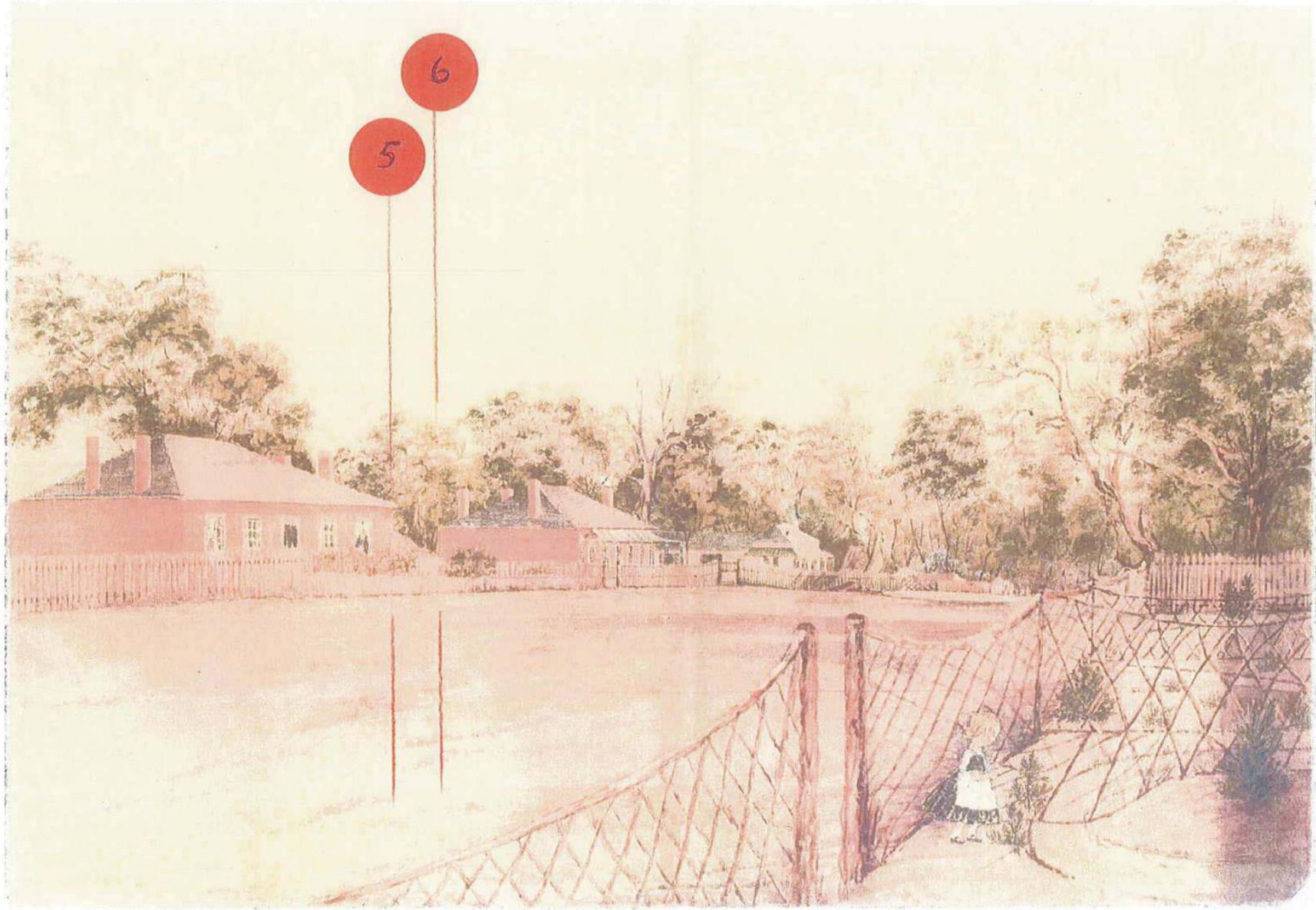


Attachment 4 - Public Submissions 5-7 Brunswick Street

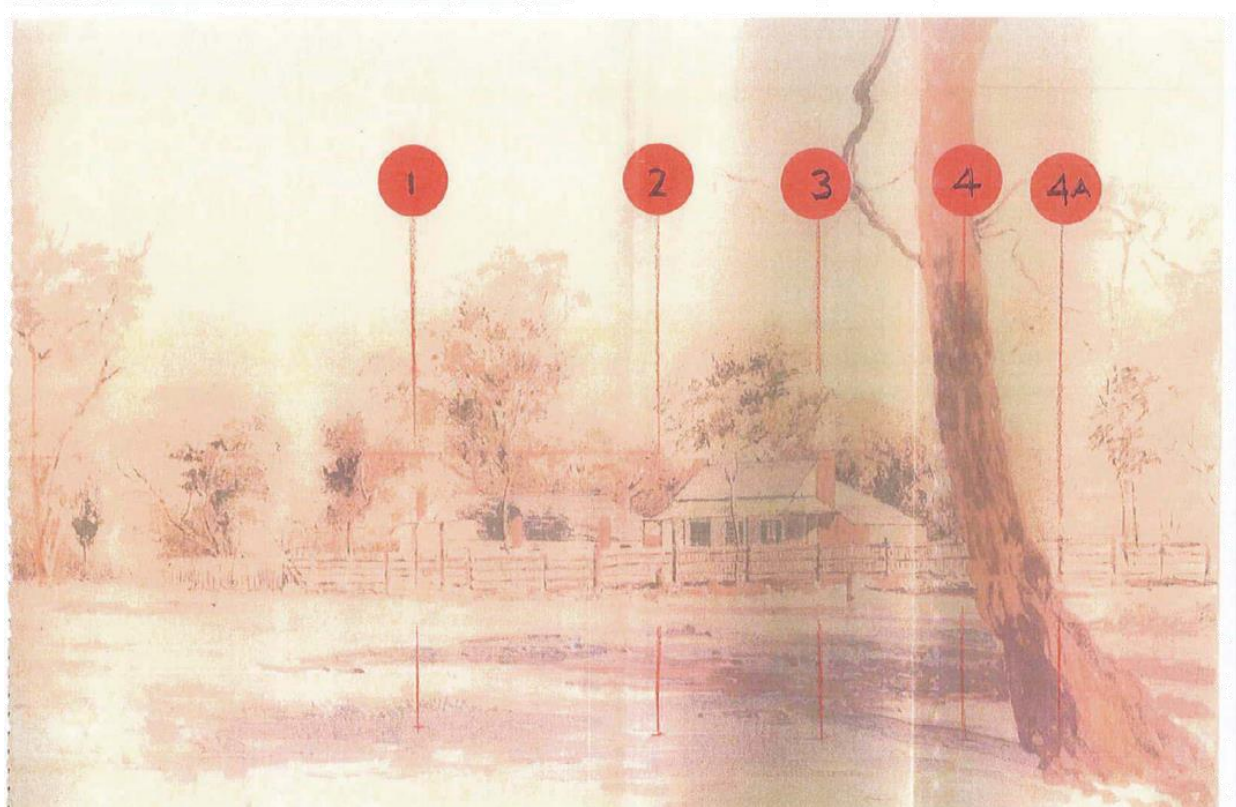
Sketch from Mr Darke's cottage, Brunswick Street, looking north about 1839', by Robert Russell. State Library of Victoria H9301




Attachment 4 - Public Submissions 5-7 Brunswick Street



**Attachment 4 - Public Submissions 5-7 Brunswick Street**

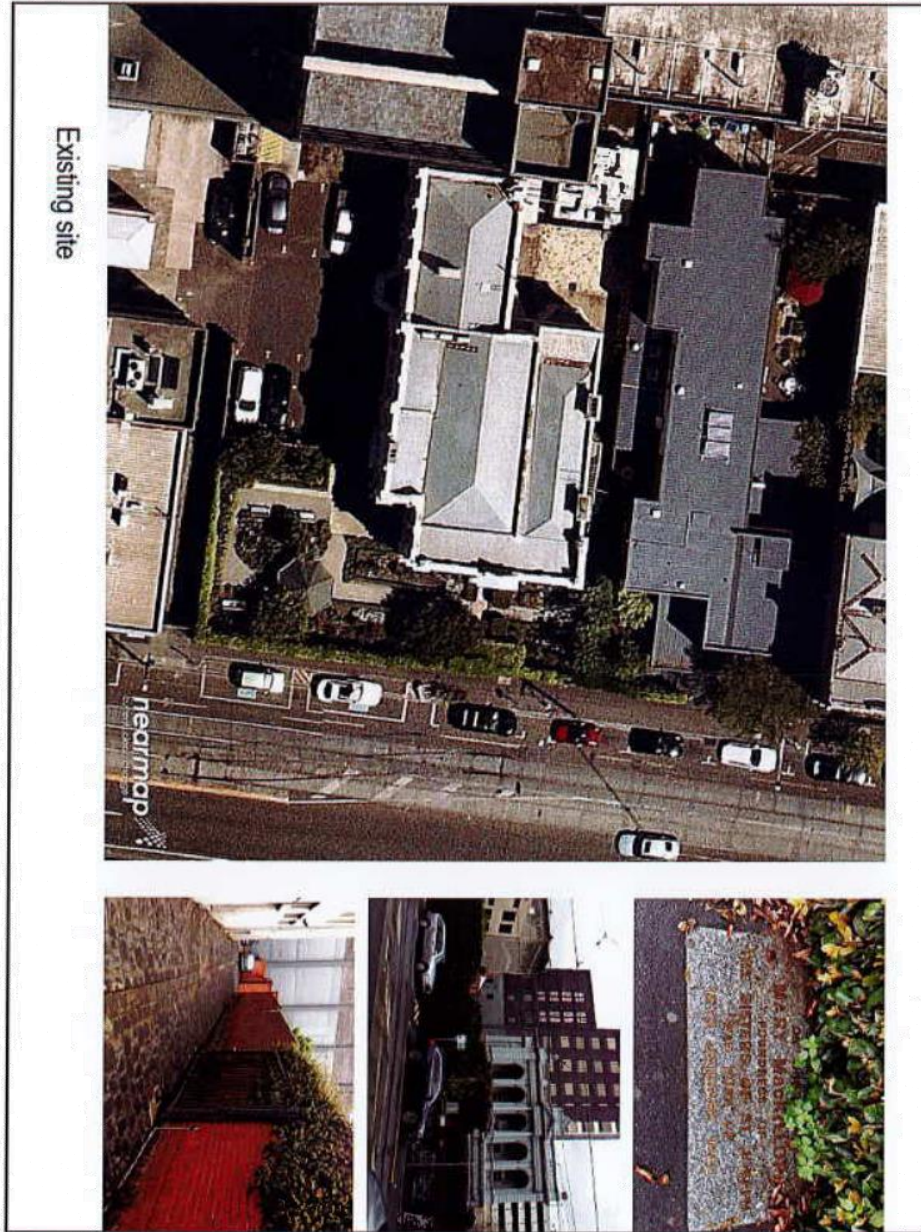


Attachment 5 - Memorial Garden Redevelopment Proposal

	<p>St Vincents Health <b>St Vincents Private Hospital Redevelopment</b> <i>Mackillop Garden</i></p>
	 <p>Revised Entry court proposal</p> <p>LBA design</p>



Attachment 5 - Memorial Garden Redevelopment Proposal



**Attachment 5 - Memorial Garden Redevelopment Proposal**



Existing site

Attachment 5 - Memorial Garden Redevelopment Proposal



**The Hospital entries and main foyer courtyard**

As part of the proposed Hospital redevelopment, The Architects have designed a network of internal corridors (resembling buslanes laneways) for public access at ground level. The system will connect to new entry points on Victoria Pkwy, Burnswick Street and Fitzroy Street thereby sharing the load rather than relying on one principal entry point as currently exists.

For the Victoria Pkwy and Burnswick entries we are proposing extending the internal buslanes paving into the footpath, creating the 'Boulevards' referred to above. These entry points will include seating for short term waiting, and ample lighting and signage. The combination will make them prominent, practical and visible, particularly at night.

All of the new entries will connect to the main lobby or foyer, which will have as an outlook a proposed new courtyard space. The entry courtyard will be a room, separated from the foyer by glass allowing natural sunlight penetration. The courtyard will be an important link with the natural world and will also act as a tranquil respite for patients, visitors and staff. Accessibility will be provided via doors directly off the foyer.

The proposed courtyard will be a small space but will appear larger by closely forming gutters from the adjoining Edester house garden. Edester house itself will provide a rich historic backdrop to the space nestled behind a clipped Victorian hedge. Borrowing of space is a time-tested technique used in gardens throughout the world and in this case will add dimension to the courtyard space.

The building basement will partly under-ride the new courtyard necessitating upstand planters to support a rich diversity of planting.

The proposed landscape treatment will consist of the following 6 principal elements:-

1. Special bluestone and sandstone paving linking back into the building foyer.
2. Three-dimensional milled timber seating within the courtyard.
3. Flowering understory planting and large deciduous accent trees.
4. Contoured connections into the adjoining garden with a special place set aside for the Mother Teresa sculpture and plaque.
5. Deep irrigation, subsoil drainage, specialised soil profiles and stone mulch.
6. Special planting associated with the existing historic garden and possible restoration of the remaining trees.

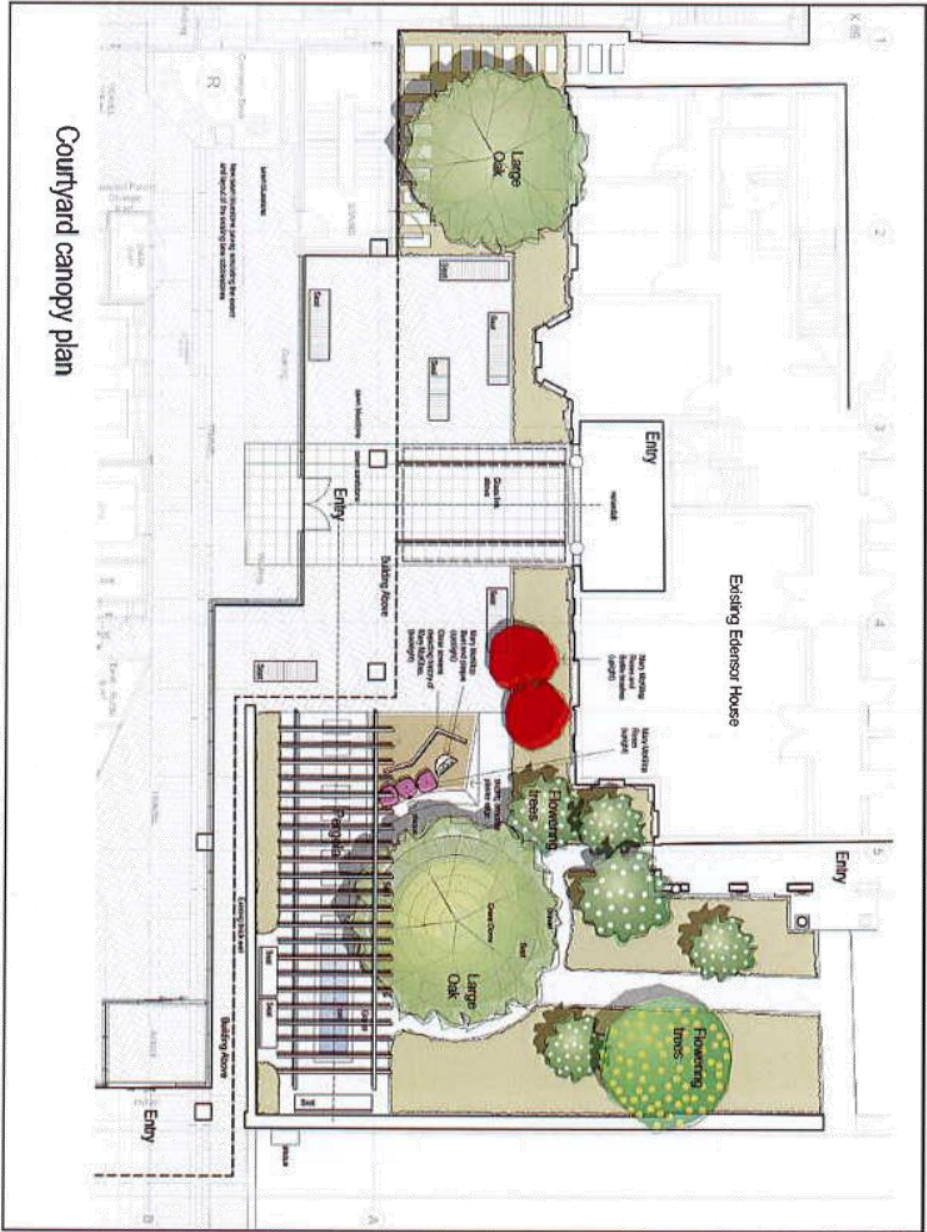
**A note on water consumption and irrigation**

Plant species selection will be on the basis of sustainability, low maintenance and appropriateness for the site and context. This also includes drought tolerance.

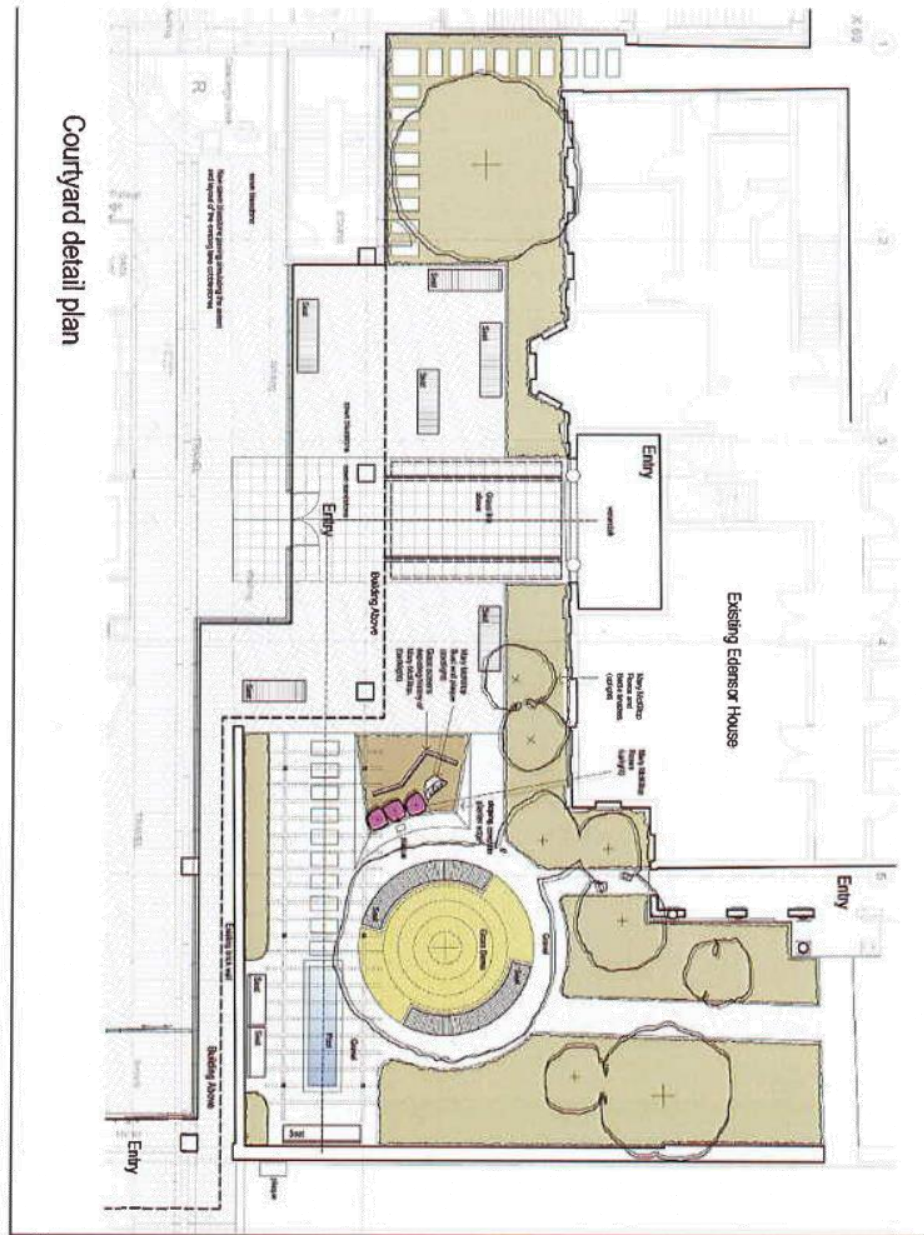
Notwithstanding the however, all garden beds and planters (including street planters but not street trees) will be drip irrigated, fed from water collected and stored on site, thereby avoiding any reliance on town water, and importantly, not reliant upon water reticulation.

In addition, all garden beds will be mulched to reduce evaporation.

Attachment 5 - Memorial Garden Redevelopment Proposal



# Attachment 5 - Memorial Garden Redevelopment Proposal



Courtyard detail plan

Attachment 5 - Memorial Garden Redevelopment Proposal

1

2

3

4

5

6

7

8

9

1

2

3

4

5

6

7

8

9

1

2

3

4

5

6

7

8

9

1. Timber seating  
2. Pebble finish  
3. Multicolour bluestone paving  
4. Acer palmatum  
5. Aspidistra elatior  
6. Cycas revoluta  
7. Gardenia angustifolia  
8. Parthenocissus tricuspidata  
9. Limnophyton muscarum

Surface materials, furniture and understory planting

Note: understory planting not shown on 3d renders

**Attachment 5 - Memorial Garden Redevelopment Proposal**



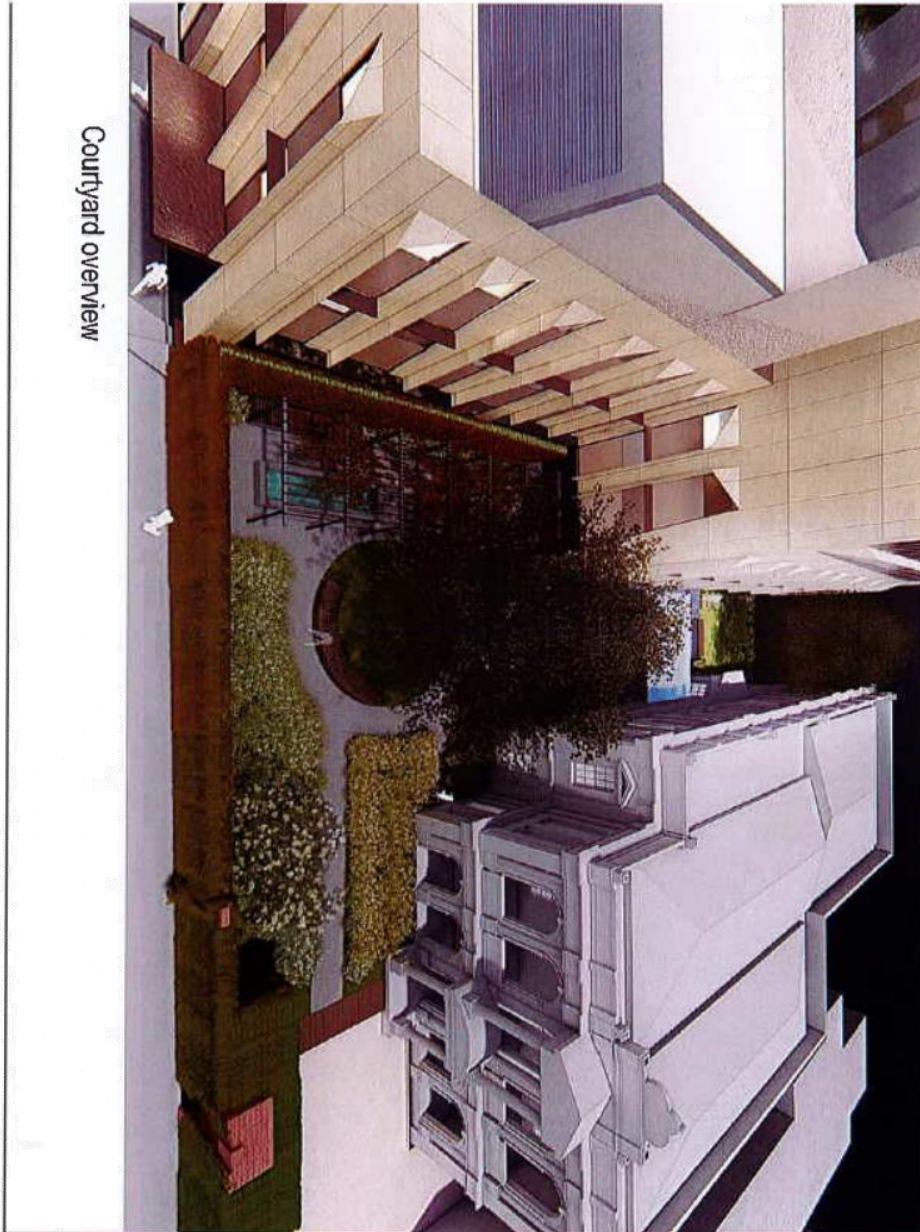
Tree canopy planting



1. Chinese Elm (*Ulmus parvifolia*)
2. Scarlet Oak (*Quercus coccinea*)

**Attachment 5 - Memorial Garden Redevelopment Proposal**

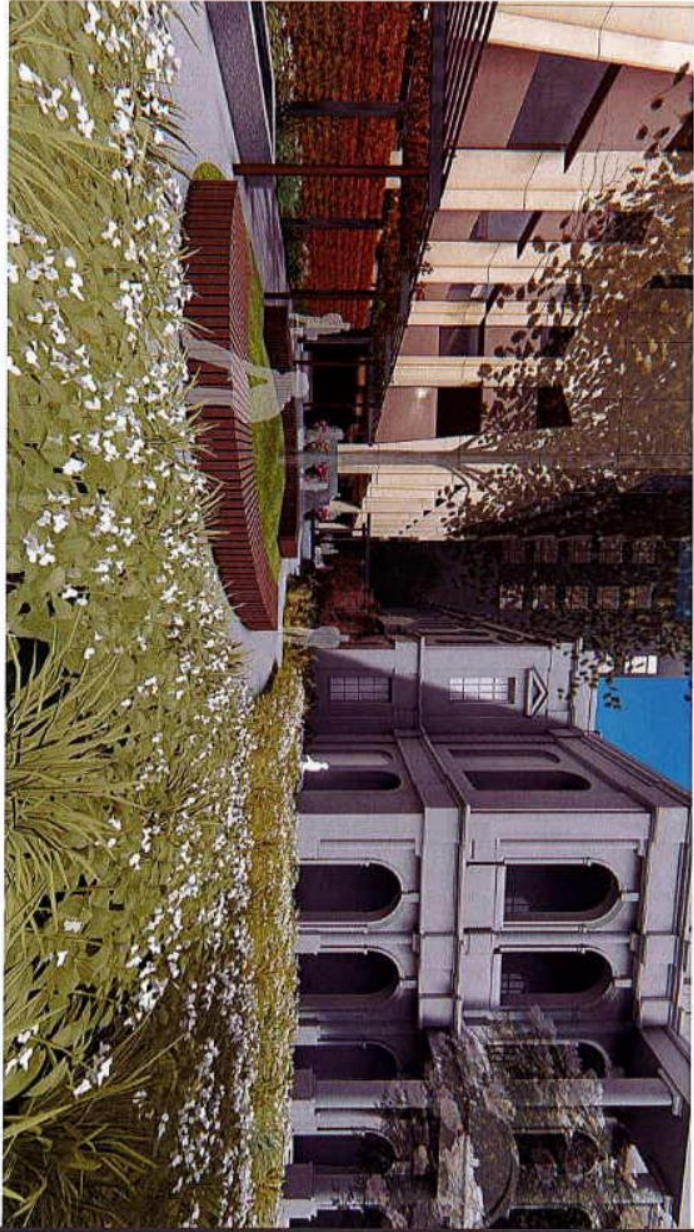
Courtyard overview





**Attachment 5 - Memorial Garden Redevelopment Proposal**

Courtyard looking west

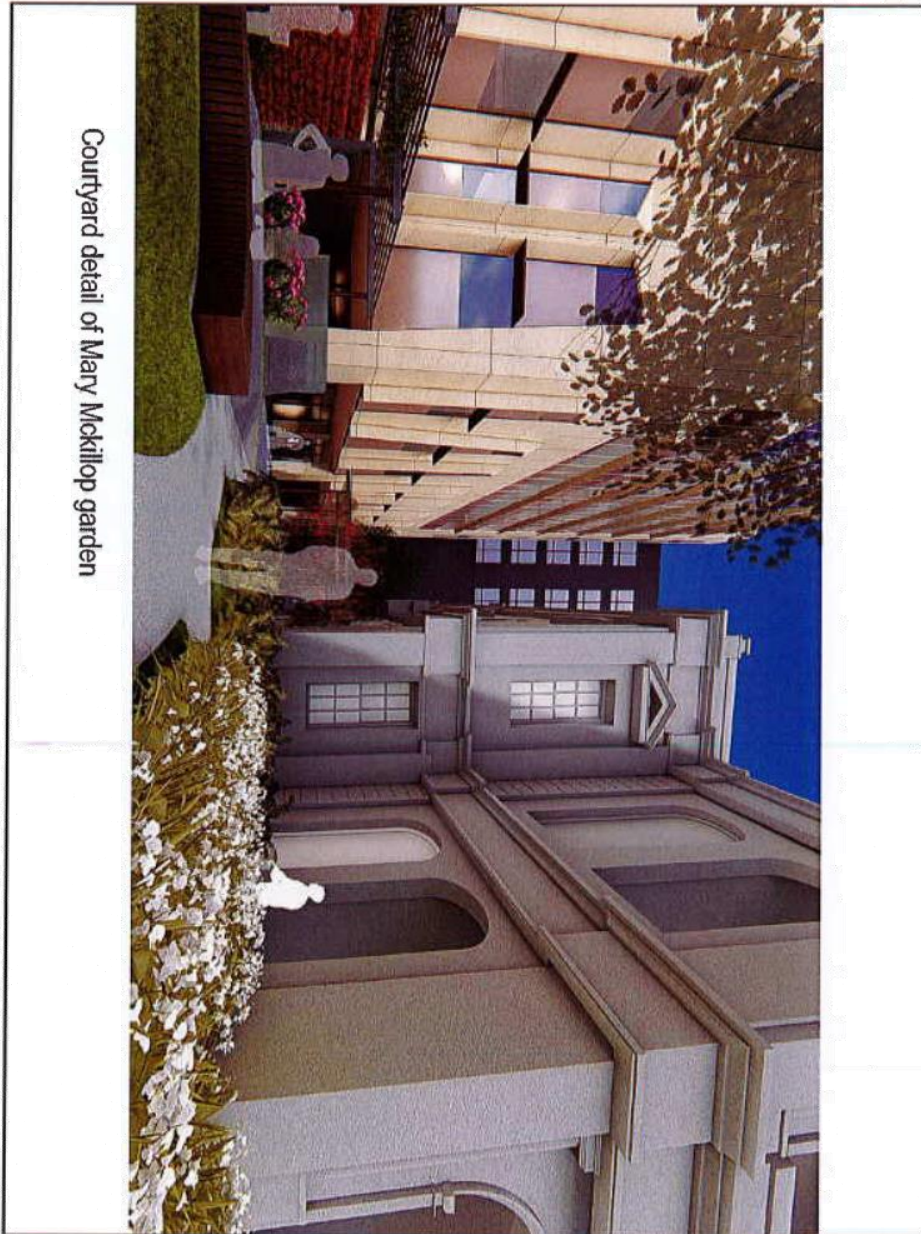


**Attachment 5 - Memorial Garden Redevelopment Proposal**



Courtyard looking east

**Attachment 5 - Memorial Garden Redevelopment Proposal**



Courtyard detail of Mary McKillop garden

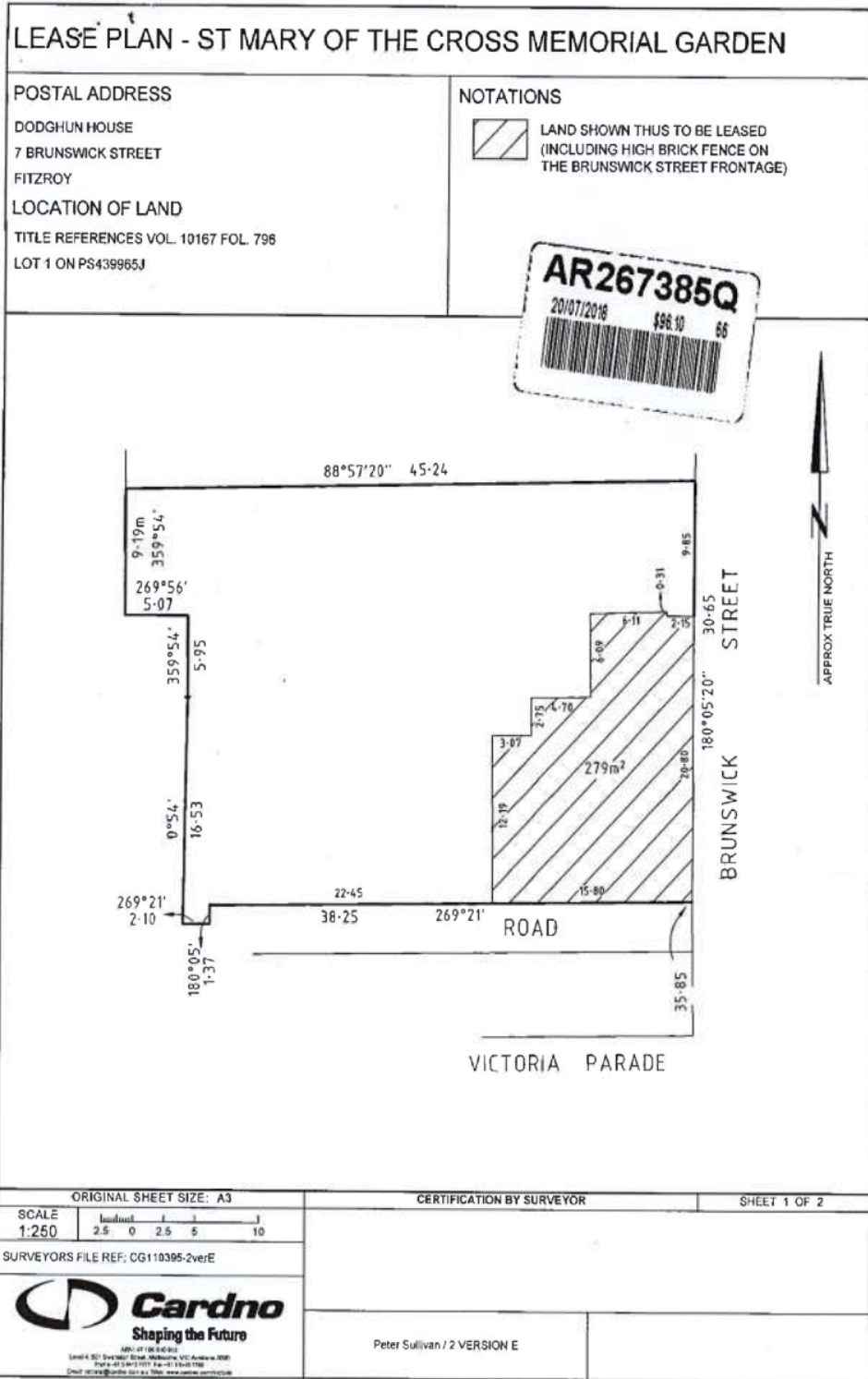
**Attachment 5 - Memorial Garden Redevelopment Proposal**



Courtyard looking south

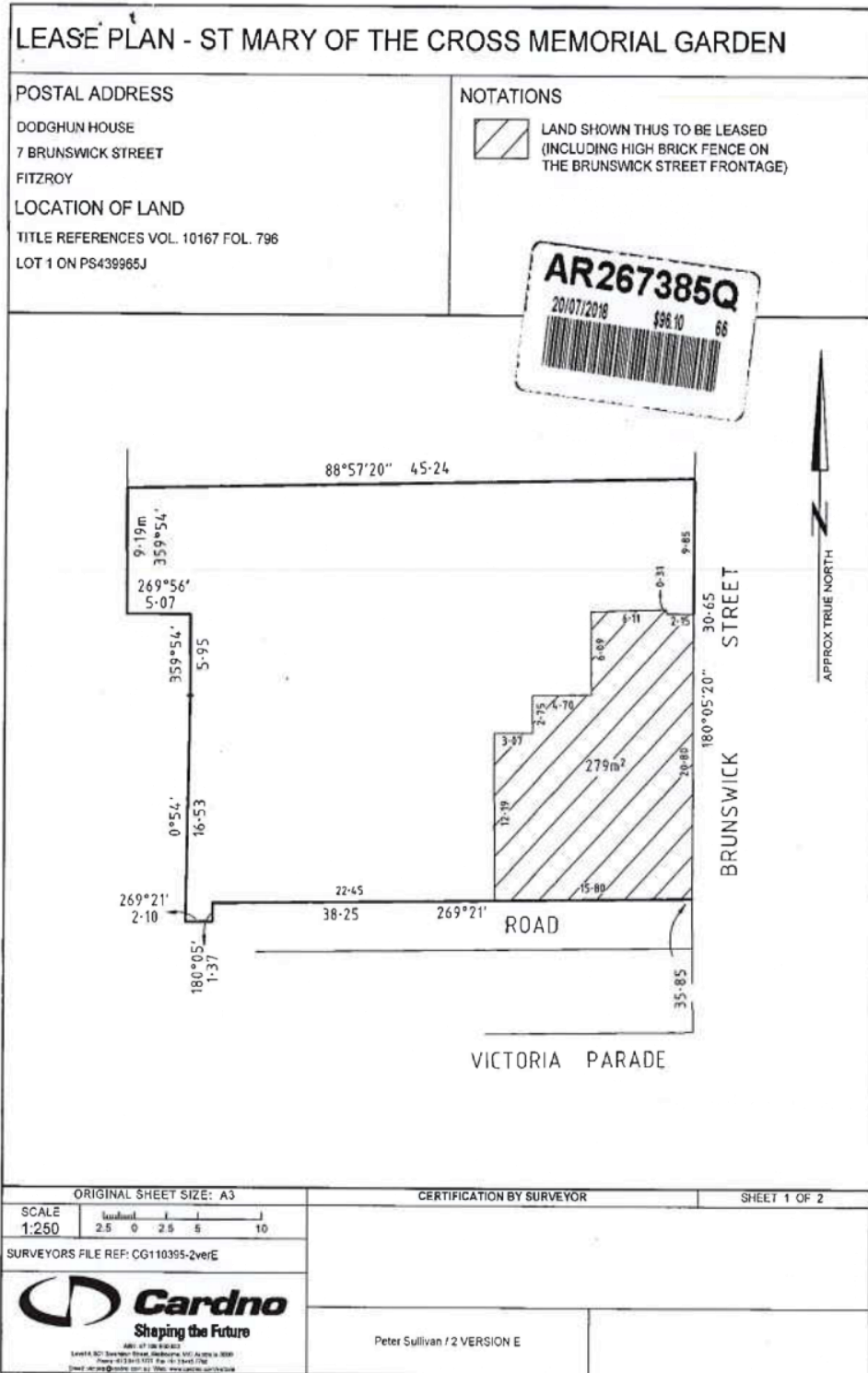
**Attachment 5 - Memorial Garden Redevelopment Proposal**

Delivered by LANDATA®, Land Use Victoria timeslamp 07/08/2019 08:54 Page 14 of 14



Attachment 6 - 200 Year Lease

Delivered by LANDATA®, Land Use Victoria timestamp 07/08/2019 08:54 Page 14 of 14



Attachment 6 - 200 Year Lease

Delivered by LANDATA®. Land Use Victoria timestamp 07/08/2019 08:54 Page 1 of 14  
© State of Victoria. This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act and for the purposes of Section 32 of the Sale of Land Act 1962 or pursuant to a written agreement. The information is only valid at the time and in the form obtained from the LANDATA® System. The State of Victoria accepts no responsibility for any subsequent release, publication or reproduction of the information.

**Lease**  
**Section 66(1) Transfer of Land Act 1958**

(2)



Lodged by  
Name: *Herbert Smith Freehill*  
Phone:  
Address:  
Reference:  
Customer code: *2961C*

The lessor leases to the lessee the land, for the term starting on the commencement date and ending on the expiry date, and yearly rent specified, subject to the encumbrances affecting the land including any created by dealings lodged for registration before the lodging of this lease, and subject to the covenants and conditions contained in this lease.

Land: (volume and folio)  
PART OF THE LAND DESCRIBED IN CERTIFICATE OF TITLE VOLUME 10560 FOLIO 131 BEING THE AREA DELINEATED AND HATCHED ON THE PLAN ATTACHED TO THIS LEASE

Lessor: (full name)  
ST VINCENT'S HEALTHCARE LIMITED

Lessee: (full name and address, including postcode)  
THE ROMAN CATHOLIC TRUSTS CORPORATION FOR THE DIOCESE OF MELBOURNE OF 383 ALBERT STREET EAST MELBOURNE VIC 3002

Commencement date:  
*21/06/2018*

Expiry date:  
200 YEARS FROM THE COMMENCEMENT DATE ~~OF~~ *21/06/2018*

Rent:  
\$1.00 PER ANNUM

Covenants: (set out here any MCP and/or additional covenants and conditions and the extent (if any) to which the covenants and powers implied under the Transfer of Land Act 1958 apply)

- 1. DEFINITIONS AND INTERPRETATION
  - 1.1 DEFINITIONS
- IN THIS LEASE UNLESS OTHERWISE INDICATED BY THE CONTEXT OR SUBJECT MATTER: AUTHORITY INCLUDES ANY GOVERNMENT, ANY SEMI OR LOCAL GOVERNMENT, ANY STATUTORY OR PUBLIC AUTHORITY OR BODY, OR ANY OTHER PERSON HAVING JURISDICTION OVER THE

35271702A

V2

66TLA

Page 1 of *12 B*

THE BACK OF THIS FORM MUST NOT BE USED

Land Use Victoria contact details: [www.delwp.vic.gov.au/property](http://www.delwp.vic.gov.au/property)>Contact us

Attachment 6 - 200 Year Lease

Delivered by LANDATA® Land Use Victoria timestamp 07/08/2019 08:54 Page 2 of 14

**Lease**  
**Section 66(1) Transfer of Land Act 1958**



LAND OR ANY PART OF THEM OR ANYTHING IN RELATION TO THEM (INCLUDING THE LESSOR'S INSURER);  
 BUSINESS DAY MEANS A DAY (EXCEPT SATURDAY AND SUNDAY) ON WHICH BANKS ARE OPEN FOR GENERAL BANKING BUSINESS IN MELBOURNE;  
 CLAUSE MEANS A CLAUSE OF THIS LEASE; SUB CLAUSE HAS A SIMILAR MEANING; A REFERENCE TO A CLAUSE FOLLOWED BY A NUMBER REFERS TO THE RELEVANT CLAUSE IN THIS LEASE;  
 COST INCLUDES ANY REASONABLE AND PROPER COST, CHARGE, EXPENSE, OUTGOING, PAYMENT OR OTHER EXPENDITURE OF ANY NATURE WHATEVER, INCLUDING, WHERE APPROPRIATE, ALL LEGAL FEES;  
 LAND INCLUDES ANY LESSOR'S FIXTURES;  
 LAW INCLUDES ANY REQUIREMENT OF ANY STATUTE, RULE, REGULATION, PROCLAMATION, ORDINANCE OR LOCAL LAW, PRESENT OR FUTURE, AND WHETHER STATE, FEDERAL OR OTHERWISE;  
 LESSEE INCLUDES ITS SUCCESSORS AND PERMITTED ASSIGNS;  
 LESSEE'S EMPLOYEES MEANS EACH OF THE LESSEE'S EMPLOYEES, AGENTS, CONTRACTORS, INVITEES, OR OTHERS (WHETHER WITH OR WITHOUT INVITATION), SUBLESSEES, LICENSEES AND CONCESSIONAIRES OR OTHERS (WHETHER EXPRESSLY OR IMPLIEDLY) WHO MAY AT ANY TIME BE AT OR ON THE LAND;  
 LESSEE'S PROPERTY MEANS PROPERTY OF ANY KIND WHICH IS NOT OWNED OR LEASED BY THE LESSOR WHICH IS ON THE LAND AT ANY TIME;  
 LESSOR INCLUDES ANY PERSON FOR THE TIME BEING ENTITLED TO THE LEASE REVERSION WHEN THE LEASE ENDS;  
 LESSOR'S AGENTS MEANS THE EMPLOYEES, CONTRACTORS, AGENTS AND ANY OTHER PERSON APPOINTED FROM TIME TO TIME BY THE LESSOR AS AGENT OF THE LESSOR OR THE MANAGER OF THE LAND;  
 LESSOR'S FIXTURES MEANS THE PROPERTY OF THE LESSOR ON OR FIXED TO THE LAND AND INCLUDES:  
 (A) ALL PLANT AND EQUIPMENT, CHATTELS, FITTINGS, FIXTURES, FURNISHINGS (INCLUDING LOCKS, KEYS, KEYCARDS, WINDOW COVERINGS, BLINDS AND LIGHT FITTINGS) FROM TIME TO TIME IN THE LAND THAT ARE PROVIDED BY THE LESSOR OR ITS PREDECESSOR IN TITLE; AND  
 (B) ALL FIRE PREVENTION AIDS AND ALL FIRE FIGHTING EQUIPMENT AND SERVICES LOCATED IN THE LAND OR WHICH MAY SERVICE THE LAND;  
 NOTICE MEANS ANY NOTICE OR OTHER COMMUNICATION IN WRITING;  
 PARTY MEANS A PARTY TO THIS LEASE;  
 PERMITTED USE MEANS USE OF THE LAND FOR A MEMORIAL GARDEN;  
 PERSON INCLUDES ANY CORPORATION AND VICE VERSA;  
 REQUIREMENT INCLUDES ANY REQUIREMENT, NOTICE, ORDER, DIRECTION, RECOMMENDATION OR SIMILAR NOTIFICATION GIVEN BY ANY AUTHORITY OR ISSUED PURSUANT TO ANY LAW, WHETHER IN WRITING OR OTHERWISE, IRRESPECTIVE OF TO WHOM THE REQUIREMENT IS ADDRESSED OR DIRECTED;  
 SERVICES MEANS ALL SERVICES OR SYSTEMS OF ANY NATURE PROVIDED TO, OR SERVING THE

35271702A

V2

66TLA

Page 2 of 18

**THE BACK OF THIS FORM MUST NOT BE USED**

Land Use Victoria contact details: [www.delwp.vic.gov.au/property](http://www.delwp.vic.gov.au/property)>Contact us



**Attachment 6 - 200 Year Lease**

Delivered by LANDATA® Land Use Victoria timestamp 07/08/2019 08:54 Page 3 of 14

**Lease**  
**Section 66(1) Transfer of Land Act 1958**



LAND, INCLUDING THE PROVISION OF ANY ELECTRONIC MEDIUM, ENERGY SOURCE, TELEPHONE, WATER (INCLUDING EXCESS WATER), SEWERAGE, DRAINAGE, AND THE FITTINGS, FIXTURES, APPLIANCES, PLANT AND EQUIPMENT UTILISED FOR PROVIDING OR USING ANY SUCH SERVICES AND INCLUDES ANY SERVICES OR SYSTEMS FROM TIME TO TIME UTILISED TO ACCESS THE LAND;

TERM MEANS THE TERM OF THIS LEASE COMMENCING ON THE COMMENCEMENT DATE AND ENDING ON THE EXPIRY DATE; AND

THIS LEASE OR THE LEASE MEANS THIS LEASE AND INCLUDES ALL EXHIBITS TO IT.

1.2 INTERPRETATION

- (A) THE SINGULAR INCLUDES THE PLURAL AND VICE VERSA.
- (B) A GENDER INCLUDES ALL GENDERS.
- (C) AN OBLIGATION IMPOSED BY THIS LEASE ON MORE THAN ONE PERSON BINDS THEM JOINTLY AND SEVERALLY.
- (D) EVERY COVENANT BY THE LESSEE IS DEEMED TO INCLUDE A COVENANT BY THE LESSEE TO PROCURE COMPLIANCE WITH THE COVENANT BY EACH OF THE LESSEE'S EMPLOYEES.
- (E) A REFERENCE TO LEGISLATION INCLUDES A MODIFICATION OR RE-ENACTMENT OF IT, A LEGISLATIVE PROVISION IN SUBSTITUTION FOR IT AND A REGULATION, RULE OR STATUTORY INSTRUMENT ISSUED UNDER IT.
- (F) THIS LEASE MUST BE INTERPRETED SO THAT IT COMPLIES WITH ALL LAWS APPLICABLE IN VICTORIA. ANY PROVISION MUST BE READ DOWN SO AS TO GIVE IT AS MUCH EFFECT AS POSSIBLE. IF IT IS NOT POSSIBLE TO GIVE A PROVISION ANY EFFECT AT ALL THEN IT MUST BE SEVERED FROM THE REST OF THE LEASE.
- (G) UNLESS OTHERWISE STATED, NO WORD OR PROVISION OF THIS LEASE LIMITS THE EFFECT OF ANY OTHER WORD OR PROVISION OF THIS LEASE. INCLUDING AND SIMILAR EXPRESSIONS ARE NOT AND MUST NOT BE TREATED AS WORDS OF LIMITATION.
- (H) A REFERENCE TO THE LAND OR ANY THING INCLUDES THE WHOLE AND EACH PART OF IT.
- (I) THE LESSOR AND THE LESSEE AGREE THAT:
  - (i) THE TERMS CONTAINED IN THIS LEASE CONSTITUTE THE WHOLE OF THE AGREEMENT IN RESPECT OF THE LAND BETWEEN THE LESSOR AND THE LESSEE AND ALL PREVIOUS NEGOTIATIONS AND AGREEMENTS ARE NEGATED;
  - (ii) NO FURTHER TERMS ARE TO BE IMPLIED OR ARISE BETWEEN THE LESSOR AND THE LESSEE BY WAY OF COLLATERAL OR OTHER AGREEMENT MADE BY OR ON BEHALF OF THE LESSOR OR BY OR ON BEHALF OF THE LESSEE ON OR BEFORE OR AFTER THE EXECUTION OF THIS LEASE, AND ANY IMPLICATION OR COLLATERAL OR OTHER AGREEMENT IS EXCLUDED AND NEGATED;
  - (iii) NO INFORMATION, REPRESENTATION OR WARRANTY BY THE LESSOR OR THE LESSOR'S AGENTS WAS SUPPLIED OR MADE WITH THE INTENTION OR KNOWLEDGE THAT IT WOULD BE RELIED ON BY THE LESSEE IN ENTERING INTO THIS LEASE; AND
  - (iv) NO INFORMATION, REPRESENTATION OR WARRANTY HAS BEEN RELIED ON BY THE LESSEE IN ENTERING INTO THIS LEASE.
- (J) HEADINGS AND THE INDEX TO THIS LEASE ARE FOR GUIDANCE ONLY AND DO NOT

35271702A

V2

66TLA

Page 3 of 12 10

**THE BACK OF THIS FORM MUST NOT BE USED**

Land Use Victoria contact details: [www.delwp.vic.gov.au/property](http://www.delwp.vic.gov.au/property)>Contact us

**Attachment 6 - 200 Year Lease**

Delivered by LANDATA8: Land Use Victoria timestamp 07/08/2019 08:54 Page 4 of 14

**Lease**  
**Section 66(1) Transfer of Land Act 1958**



AFFECT THE INTERPRETATION OF THIS LEASE.

(K) WHERE A WORD OR PHRASE IS DEFINED, ITS OTHER GRAMMATICAL FORMS HAVE CORRESPONDING MEANINGS.

(L) IF REFERENCE IS MADE TO ANY PERSON, BODY OR AUTHORITY AND THAT PERSON, BODY OR AUTHORITY HAS CEASED TO EXIST, THEN THE REFERENCE IS TO BE DEEMED A REFERENCE TO THE PERSON, BODY OR AUTHORITY THAT THEN SERVES SUBSTANTIALLY THE SAME OBJECTS AS THE PERSON, BODY OR AUTHORITY THAT HAS CEASED TO EXIST.

(M) REFERENCE TO THE PRESIDENT OF A PERSON, BODY OR AUTHORITY MUST, IN THE ABSENCE OF A PRESIDENT, BE READ AS A REFERENCE TO THE SENIOR OFFICER FOR THE TIME BEING OF THE PERSON, BODY OR AUTHORITY OR SUCH OTHER PERSON FULFILLING THE DUTIES OF PRESIDENT.

(N) A REFERENCE TO WRITING OR WRITTEN AND ANY WORDS OF SIMILAR IMPORT INCLUDE PRINTING, TYPING, LITHOGRAPHY AND ANY OTHER MEANS OF REPRODUCING CHARACTERS IN TANGIBLE AND VISIBLE FORM, INCLUDING ANY COMMUNICATION EFFECTED THROUGH ANY ELECTRONIC MEDIUM IF THAT COMMUNICATION IS SUBSEQUENTLY CAPABLE OF REPRODUCTION IN TANGIBLE OR VISIBLE FORM.

(O) A REFERENCE TO CORPORATION AND ANY OTHER WORDS OR EXPRESSIONS USED OR DEFINED IN THE CORPORATIONS ACT HAS THE SAME MEANING THAT IS GIVEN TO THEM IN THE CORPORATIONS ACT.

(P) THIS LEASE IS GOVERNED BY AND CONSTRUED ACCORDING TO VICTORIAN LAW. THE PARTIES IRREVOCABLY SUBMIT TO THE NON EXCLUSIVE JURISDICTION OF THE COURTS OF THAT STATE AND THE COURTS OF APPEAL FROM THEM.

(Q) WHERE THE DAY OR LAST DAY FOR DOING ANYTHING OR ON WHICH AN ENTITLEMENT IS DUE TO ARISE IS NOT A BUSINESS DAY, THE DAY OR LAST DAY FOR DOING THE THING OR DATE ON WHICH THE ENTITLEMENT ARISES SHALL FOR THE PURPOSES OF THIS LEASE BE THE NEXT BUSINESS DAY.

(R) EACH PROVISION OF THIS LEASE CONTINUES TO HAVE FULL FORCE AND EFFECT UNTIL IT IS SATISFIED OR COMPLETED.

**1.3 EXCLUSION OF STATUTORY PROVISIONS**

THE COVENANTS, POWERS AND PROVISIONS IMPLIED IN LEASES BY VIRTUE OF THE TRANSFER OF LAND ACT 1958 ARE NEGATED.

**1.4 MORATORIUM**

TO THE EXTENT PERMITTED BY LAW, THE APPLICATION TO THIS LEASE OR TO ANY PARTY OF ANY LAW OR ANY REQUIREMENT OR ANY MORATORIUM HAVING THE EFFECT OF EXTENDING OR REDUCING THE TERM, REDUCING OR POSTPONING THE PAYMENT OF RENT OR ANY PART OF IT OR OTHERWISE AFFECTING THE OPERATION OF THE TERMS OF THIS LEASE OR ITS APPLICATION TO ANY PARTY IS EXCLUDED AND NEGATED.

**2. LESSOR RESERVATIONS**

THE LESSOR RESERVES TO ITSELF AND THE LESSOR'S AGENTS THE RIGHT TO:

(A) CREATE ANY REGISTERED OR UNREGISTERED EASEMENT OR OTHER RIGHT THROUGH OR AROUND THE LAND;

35271702A

V2

66TLA

Page 4 of 12 12

**THE BACK OF THIS FORM MUST NOT BE USED**

Land Use Victoria contact details: [www.delwp.vic.gov.au/property](http://www.delwp.vic.gov.au/property)>Contact us

**Attachment 6 - 200 Year Lease**

Delivered by LANDATA®: Land Use Victoria timestamp 07/06/2019 08:54 Page 5 of 14

**Lease**  
**Section 66(1) Transfer of Land Act 1958**



- (B) CARRY OUT ANY WORKS THAT MAY BE REQUIRED TO COMPLY WITH THIS LEASE, ANY APPLICABLE LAW OR REQUIREMENT; AND
- (C) ENTER THE LAND FOR THE PURPOSES SET OUT IN THIS CLAUSE.
- 2.2 LESSOR'S EXERCISE OF RIGHTS  
 EXCEPT IN AN EMERGENCY, THE LESSOR MUST GIVE TO THE LESSEE REASONABLE NOTICE OF ITS INTENDED EXERCISE OF THE RIGHTS SET OUT IN THE PRECEDING CLAUSE. THE LESSOR MUST ONLY EXERCISE THE RIGHTS AT REASONABLE TIMES AND MUST MINIMISE INTERFERENCE TO THE LESSEE WHEN EXERCISING THE RIGHTS.
- 3. RENT  
 THE LESSEE COVENANTS TO PAY THE RENT ANNUALLY IN ADVANCE IF DEMANDED BY THE LESSOR;
- 4. USE OF LAND
- 4.1 LESSEE'S PERMITTED USE AND NEGATIVE COVENANTS  
 THE LESSEE MUST NOT:
  - (A) USE THE LAND FOR ANY PURPOSE OTHER THAN THE PERMITTED USE;
  - (B) KEEP ANY ANIMALS OR BIRDS IN THE LAND;
  - (C) DO ANYTHING IN OR ON THE LAND WHICH IN THE REASONABLE OPINION OF THE LESSOR CAUSES OR MAY CAUSE INTERFERENCE OR DANGER TO THE LESSOR OR THE OCCUPIERS OR OWNERS OF ANY OTHER PROPERTY;
  - (D) USE THE LAND FOR AN ILLEGAL PURPOSE;
  - (E) INSTALL ANY FIXTURES OR FITTINGS IN, TO OR ON THE LAND EXCEPT THOSE REASONABLY REQUIRED TO CARRY OUT THE PERMITTED USE;
- 4.2 LESSEE'S POSITIVE COVENANTS  
 THE LESSEE AT ITS OWN COST MUST:
  - (A) KEEP THE LAND CLEAN AND NOT PERMIT ANY ACCUMULATION OF USELESS PROPERTY OR RUBBISH IN THEM;
  - (B) COMPLY WITH ALL REQUESTS, NOTICES, DIRECTIONS AND RECOMMENDATIONS, MADE BY THE LESSOR OR THE INSURER OF THE LAND AS TO THE PREVENTION, DETECTION, EXTINGUISHMENT OR LIMITATION OF FIRE;
  - (C) ON VACATING THE LAND REMOVE ALL LETTERING, SIGNS, FLAGPOLES, FLAGS, AND OTHER DISTINCTIVE MARKS FROM THE LAND AND MAKE GOOD ANY DAMAGE CAUSED BY THE REMOVAL; AND
  - (D) PROVIDE THE LESSOR (AND KEEP THE LESSOR UPDATED WHEN IT CHANGES) WITH THE NAME, ADDRESS, TELEPHONE AND FACSIMILE TRANSMISSION NUMBERS OF A PERSON OR PERSONS TO CONTACT DURING AND AFTER BUSINESS HOURS IF AN EMERGENCY ARISES WHICH AFFECTS THE LAND. AND
  - (E) OBTAIN, MAINTAIN AND COMPLY WITH ALL CONSENTS OR APPROVALS FROM ALL AUTHORITIES WHICH, FROM TIME TO TIME, ARE NECESSARY OR APPROPRIATE FOR THE PERMITTED USE. THE LESSEE MUST NOT BY ANY ACT OR OMISSION CAUSE OR PERMIT ANY CONSENT OR APPROVAL TO LAPSE OR BE REVOKED.
- 5. COMPLIANCE WITH LAWS AND REQUIREMENTS

35271702A

V2

66TLA

Page 5 of 12 **13**

**THE BACK OF THIS FORM MUST NOT BE USED**

Land Use Victoria contact details: [www.delwp.vic.gov.au/property](http://www.delwp.vic.gov.au/property)>Contact us

**Attachment 6 - 200 Year Lease**

Delivered by LANDATA® Land Use Victoria timestamp 07/08/2019 08:54 Page 6 of 14

**Lease**  
**Section 66(1) Transfer of Land Act 1958**



- 5.1 COMPLIANCE WITH LAWS
  - (A) THE LESSEE, AT ITS OWN COST, MUST COMPLY WITH ALL LAWS AND REQUIREMENTS RELATING TO THE LAND, THE SERVICES, THE LESSEE'S PROPERTY AND THE PERMITTED USE. IF THE LESSEE RECEIVES ANY NOTICE ASSOCIATED WITH ANY LAW OR REQUIREMENT, THE LESSEE MUST PROMPTLY PROVIDE A COMPLETE COPY OF THE NOTICE TO THE LESSOR; AND
  - (B) BEFORE COMPLYING WITH ANY LAW OR REQUIREMENT, THE LESSEE MUST:
    - (I) IF APPLICABLE OBTAIN THE WRITTEN CONSENT OF THE LESSOR WHICH IS NOT TO BE UNREASONABLY WITHHELD; AND
    - (II) OBSERVE THE PROVISIONS OF THIS LEASE.
- 5.2 STRUCTURAL ALTERATIONS
 

DESPITE CLAUSE 5.1, THE LESSEE IS ONLY REQUIRED TO CARRY OUT STRUCTURAL ALTERATIONS OR ADDITIONS TO THE LAND IF THEY ARE CAUSED BY, CONTRIBUTED TO OR ARISE FROM:

  - (A) THE SPECIFIC NATURE OF THE PERMITTED USE;
  - (B) ANY DELIBERATE OR NEGLIGENT ACT OR OMISSION ON THE PART OF THE LESSEE OR OF THE LESSEE'S EMPLOYEES; OR
  - (C) ANY CHANGE IN THE MANNER OR NATURE OF THE CONDUCT OF THE PERMITTED USE.
- 5.3 LESSOR MAY COMPLY WITH LAWS IF LESSEE DEFAULTS
 

THE LESSOR MAY ELECT TO COMPLY WITH ANY LAW OR REQUIREMENT REFERRED TO IN CLAUSE 5 EITHER IN PART OR WHOLE AND MAY ELECT TO HAVE THE BALANCE OF ANY SUCH LAW OR REQUIREMENT COMPLIED WITH BY THE LESSEE. IF THE LESSOR DOES THIS:

  - (A) ANY COSTS INCURRED BY THE LESSOR MUST BE PAID BY OR REIMBURSED TO THE LESSOR BY THE LESSEE; AND
  - (B) IT IS WITHOUT PREJUDICE TO ANY OF THE LESSOR'S OTHER RIGHTS IN RESPECT OF NON-COMPLIANCE BY THE LESSEE WITH ITS OBLIGATIONS UNDER THIS LEASE.
- 5.4 LESSOR'S COMPLIANCE COSTS
 

IF COMPLIANCE WITH A LAW OR REQUIREMENT WAS THE LESSEE'S RESPONSIBILITY BUT WAS UNDERTAKEN BY THE LESSOR, THE LESSEE MUST ON DEMAND PAY TO THE LESSOR ALL COSTS INCURRED BY OR ON BEHALF OF THE LESSOR.
- 6. MAINTENANCE REPAIRS ALTERATIONS AND ADDITIONS
  - 6.1 GENERAL REPAIRING OBLIGATION
 

THE LESSOR MUST DURING THE TERM AND ANY EXTENSION OR HOLDING OVER KEEP THE LAND, THE LESSOR'S FIXTURES, SERVICES, THE APPURTENANCES AND THE LESSEE'S PROPERTY:

    - (A) IN GOOD REPAIR AND CONDITION; AND
    - (B) CLEAN AND TIDY.
  - 6.2 LESSOR'S RIGHT OF INSPECTION
 

THE LESSOR OR THE LESSOR'S AGENTS MAY ENTER THE LAND AND VIEW ITS CONDITION.
  - 6.3 LESSOR MAY ENTER TO REPAIR
 

THE LESSOR, AND THOSE AUTHORISED BY THE LESSOR, MAY AT ALL REASONABLE TIMES ENTER THE LAND TO CARRY OUT ANY WORKS AND REPAIRS ON OR IN THE LAND. IN DOING SO THE LESSOR MUST ENDEAVOUR NOT TO CAUSE UNDUE INCONVENIENCE TO THE LESSEE.

35271702A

V2

66TLA

Page 6 of ~~12~~ 13

**THE BACK OF THIS FORM MUST NOT BE USED**

Land Use Victoria contact details: [www.delwp.vic.gov.au/property](http://www.delwp.vic.gov.au/property)>Contact us

Attachment 6 - 200 Year Lease

Delivered by LANDATA® Land Use Victoria timestamp 07/06/2019 09:54 Page 7 of 14

**Lease**  
**Section 66(1) Transfer of Land Act 1958**



**6.4 ALTERATIONS TO LAND**

THE LESSEE MAY, AT ITS COST, CARRY OUT ANY ALTERATIONS IT REQUIRES TO THE LAND SUBJECT TO OBTAINING THE APPROVAL OF ALL RELEVANT AUTHORITIES AND SUBJECT TO THE CONSENT OF THE LESSOR WHICH WILL NOT BE UNREASONABLY WITHHELD OR DELAYED.

**6.5 NOTICE TO LESSOR OF DAMAGE, ACCIDENT ETC.**

THE LESSEE MUST IMMEDIATELY GIVE NOTICE TO THE LESSOR OF ANY:

- (A) DAMAGE (WHETHER OCCASIONED BY FAIR WEAR AND TEAR OR OTHERWISE), ACCIDENT TO OR DEFECTS IN THE LAND OR THE SERVICES;
- (B) CIRCUMSTANCES LIKELY TO CAUSE ANY DAMAGE OR INJURY OCCURRING WITHIN THE LAND OF WHICH THE LESSEE HAS NOTICE (ACTUAL OR CONSTRUCTIVE);
- (C) ANY FAULTY SERVICE; OR
- (D) NOTICE FROM ANY AUTHORITY.

**7. ASSIGNMENT AND SUBLETTING**

**7.1 NO DISPOSAL OF LESSEE'S INTEREST**

THE LESSEE MUST NOT WITHOUT THE PRIOR WRITTEN CONSENT OF THE LESSOR:

- (A) ASSIGN, TRANSFER, SUB LET, GRANT ANY LICENCE, MORTGAGE, CHARGE, ENCUMBER OR PART WITH OR SHARE THE POSSESSION OF OR OTHERWISE DEAL WITH OR DISPOSE OF THE LESSEE'S ESTATE OR INTEREST IN THE LAND OR ANY PART OF THE LAND; OR
- (B) DECLARE ITSELF TRUSTEE OF THE LAND OR ANY PART OF THE LAND OR OF ANY LEGAL OR EQUITABLE ESTATE OR INTEREST IN THE LAND.

**7.2 LESSOR'S CONSENT**

THE LESSOR WILL CONSENT TO A PROPOSED ASSIGNMENT OR SUB LEASE OF THE LAND IF:

- (A) THE LESSEE IS NOT AT THE TIME IN BREACH OF THIS LEASE;
- (B) THE LESSEE PROVES TO THE REASONABLE SATISFACTION OF THE LESSOR THAT THE PROPOSED ASSIGNEE OR SUB LESSEE IS A RESPECTABLE, RESPONSIBLE AND SOLVENT PERSON.
- (C) THE LESSEE ARRANGES FOR THE PROPOSED ASSIGNEE OR SUB LESSEE TO EXECUTE A DEED OF ASSIGNMENT OF LEASE OR A SUB LEASE (AS THE CASE MAY BE):
  - (I) TO WHICH THE LESSOR IS A PARTY;
  - (II) IN A FORM APPROVED BY THE LESSOR OR ITS SOLICITORS; AND
  - (III) WHICH FOR AN ASSIGNMENT CONTAINS A COVENANT BY THE ASSIGNEE TO BE BOUND BY THE TERMS OF THE LEASE INCLUDING THE PERMITTED USE; AND
- (D) THE LESSEE PAYS TO THE LESSOR ALL COSTS INCURRED BY THE LESSOR IN ENQUIRING AS TO THE RESPECTABILITY, RESPONSIBILITY AND SOLVENCY OF THE PROPOSED ASSIGNEE OR SUB LESSEE AND OF OBTAINING THE APPROVAL BY THE LESSOR'S SOLICITORS OF THE DOCUMENTS REFERRED TO IN THIS CLAUSE.

**7.3 CHANGE TO PERMITTED USE**

THE LESSOR MAY WITHHOLD ITS CONSENT TO ASSIGNMENT OR SUBLEASE OF THE LAND IF THE ASSIGNEE OR SUBLESSEE PROPOSES TO USE THE LAND FOR ANY PURPOSE OTHER THAN THE PERMITTED USE.

**7.4 ACCEPTANCE OF RENT BY LESSOR**

35271702A

V2

66TLA

Page 7 of 12

**THE BACK OF THIS FORM MUST NOT BE USED**

Land Use Victoria contact details: [www.delwp.vic.gov.au/property](http://www.delwp.vic.gov.au/property)>Contact us

**Attachment 6 - 200 Year Lease**

Delivered by LANDATA®, Land Use Victoria timestamp 07/08/2019 08:54 Page 8 of 14

**Lease**  
**Section 66(1) Transfer of Land Act 1958**



THE ACCEPTANCE BY THE LESSOR OF ANY RENT OR OTHER PAYMENT FROM ANY PERSON OTHER THAN THE LESSEE DOES NOT CONSTITUTE AN ACKNOWLEDGMENT BY THE LESSOR THAT IT RECOGNISES THAT PERSON AS THE AUTHORISED ASSIGNEE OR SUB LESSEE.

7.5 S. 144 EXCLUDED

SECTION 144 OF THE PROPERTY LAW ACT 1958 DOES NOT APPLY TO THIS LEASE.

8. LESSEE'S RISK, RELEASE AND INDEMNITY

(A) THE LESSEE OCCUPIES AND USES THE LAND AT THE LESSEE'S OWN RISK.

(B) THE LESSEE RELEASES THE LESSOR FROM LIABILITY FOR ANY DAMAGE, LOSS, INJURY OR DEATH OCCURRING ON THE LAND, EXCEPT TO THE EXTENT THAT THIS WAS CAUSED OR CONTRIBUTED TO BY THE LESSOR'S ACT, OMISSION, NEGLIGENCE OR DEFAULT.

(C) THE LESSEE INDEMNIFIES THE LESSOR AGAINST ANY ACTION OR DEMAND ARISING FROM ANY DAMAGE, LOSS, INJURY OR DEATH CAUSED OR TO THE EXTENT CONTRIBUTED TO BY:

(I) THE LESSEE'S USE OR OCCUPATION OF THE LAND;

(II) ANY ACT OR OMISSION OF THE LESSEE ON THE LAND; AND

(III) THE LESSEE'S NEGLIGENCE OR A BREACH OF THIS LEASE BY THE LESSEE,

EXCEPT TO THE EXTENT THAT THE LESSOR CAUSED OR CONTRIBUTED TO THE DAMAGE, LOSS, INJURY OR DEATH BY ITS ACT, OMISSION, NEGLIGENCE OR DEFAULT.

9. INSURANCE

(A) ON OR PRIOR TO THE COMMENCEMENT DATE, THE LESSEE MUST EFFECT AND MAINTAIN THROUGHOUT THE TERM OF THIS LEASE A PUBLIC RISK INSURANCE POLICY IN A SUM OF AT LEAST \$20,000,000.00 OR SUCH SUM AS REASONABLY REQUIRED BY THE LESSOR.

(B) THE LESSEE MUST:

(I) ON OR PRIOR TO THE COMMENCEMENT DATE, PROVIDE THE LESSOR A CERTIFICATE OF CURRENCY FOR THE INSURANCE SET OUT IN CLAUSE 9(A) AND UPON REQUEST (BUT NOT MORE THAN ONCE ANNUALLY) DURING THE TERM OF THIS LEASE;

(II) PROMPTLY PAY ALL PREMIUMS AND OTHER MONEY PAYABLE IN RESPECT OF ITS INSURANCES; AND

(III) NOT DO OR PERMIT ANY ACT MATTER OR THING ON THE LAND WHICH PREJUDICES OR INVALIDATES THE LESSOR'S INSURANCES.

(C) FOR SO LONG AS THE LESSEE IS THE ROMAN CATHOLIC TRUSTS CORPORATION FOR THE DIOCESE OF MELBOURNE THE LESSEE MAY SATISFY THE REQUIREMENTS OF THIS CLAUSE 9 BY NOTING THE LAND ON ITS GLOBAL POLICIES.

10. LESSOR'S COVENANT

10.1 QUIET ENJOYMENT

IF THE LESSEE PAYS THE RENT AND OBSERVES AND PERFORMS IN A TIMELY FASHION ITS OBLIGATIONS UNDER THIS LEASE, THE LESSEE MAY OCCUPY AND ENJOY THE LAND DURING THE TERM WITHOUT ANY INTERRUPTION BY THE LESSOR OR BY ANY PERSON CLAIMING THROUGH THE LESSOR EXCEPT AS PROVIDED IN THIS LEASE.

10.2 ACCESS

THE LESSOR MUST ENSURE THAT THE LESSEE AND THE VISITORS TO THE LAND HAVE ACCESS TO THE LAND BETWEEN THE HOURS OF 9.00 A.M. AND 5.00 P.M. MONDAY TO FRIDAY, EXCLUDING

35271702A

V2

66TLA

Page 8 of 13

**THE BACK OF THIS FORM MUST NOT BE USED**

Land Use Victoria contact details: [www.delwp.vic.gov.au/property](http://www.delwp.vic.gov.au/property)>Contact us

**Attachment 6 - 200 Year Lease**

Delivered by LANDATA® Land Use Victoria timestamp 07/05/2019 06:54 Page 9 of 14

**Lease**  
**Section 66(1) Transfer of Land Act 1958**



**PUBLIC HOLIDAYS.**

**10.3 HERITAGE MATTERS**

- (A) THE LESSEE ACKNOWLEDGES THAT THE LESSOR HAS A CONSERVATION MANAGEMENT PLAN FOR THE PROPERTY (CONSERVATION MANAGEMENT PLAN) WHICH MAY REQUIRE AMENDMENT.
- (B) THE LESSOR WILL REVIEW THE CONSERVATION MANAGEMENT PLAN WITHIN 6 MONTHS OF THE COMMENCEMENT DATE TO ENSURE THAT THE LAND IS IDENTIFIED IN THAT CONSERVATION MANAGEMENT PLAN AS THE MEMORIAL GARDEN FOR ST MARY OF THE CROSS MACKILLOP.
- (C) ONCE THE CONSERVATION MANAGEMENT PLAN HAS BEEN FINALISED THE LESSOR MUST PREPARE A MAINTENANCE PLAN AND PROVIDE A COPY TO THE LESSEE FOR REVIEW AND COMMENT. THE LESSOR MUST CONSIDER ANY COMMENTS PROVIDED BY THE LESSEE IN GOOD FAITH.
- (D) IF, AT ANY TIME DURING THE TERM, THE LESSOR WISHES TO VARY THE MAINTENANCE PLAN IN A MATERIAL WAY IT MUST GIVE NOTICE TO THE LESSEE AND PROVIDE A COPY OF THE AMENDED PLAN FOR THE LESSEE'S REVIEW AND COMMENT. THE LESSOR MUST CONSIDER ANY COMMENTS PROVIDED BY THE LESSEE IN GOOD FAITH.
- (E) THE LESSEE ACKNOWLEDGES THAT THE LESSOR WILL BE SEEKING TO OBTAIN THE CONSENT OF HERITAGE VICTORIA TO AMEND THE STATEMENT OF SIGNIFICANCE FOR THE PROPERTY IN THE VICTORIAN HERITAGE REGISTER TO UPDATE THAT STATEMENT TO RECOGNISE THE LAND AS THE MEMORIAL GARDEN FOR ST MARY OF THE CROSS MACKILLOP.

**11. DEFAULT**

- (A) IF THE LESSEE BREACHES A MATERIAL TERM OF THIS LEASE, THE LESSOR MUST GIVE THE LESSEE A NOTICE DESCRIBING THE BREACH AND REQUIRING THE LESSEE EITHER TO REMEDY THE BREACH (IF IT CAN BE REMEDIED) OR TO MAKE REASONABLE MONETARY COMPENSATION TO THE LESSOR HAVING REGARD TO THE NATURE OF THE BREACH.
- (B) THE LESSOR MUST GIVE THE LESSEE AT LEAST 28 DAYS TO OBEY THE LESSOR'S NOTICE OR SUCH LONGER PERIOD AS IS REASONABLE, HAVING REGARD TO THE NATURE OF THE BREACH.
- (C) IF THE LESSEE BREACHES THIS LEASE AND DOES NOT REMEDY THE BREACH WITHIN THE TIME REQUIRED, THE LESSOR MAY, WITHOUT LIMITING ANY OTHER ENTITLEMENTS, RE ENTER AND TAKE POSSESSION OF THE LAND AND END THIS LEASE.

**12. DETERMINATION OF TERM**

**12.1 LESSEE TO YIELD UP**

THE LESSEE MUST AT THE EXPIRATION OR SOONER DETERMINATION OF THE TERM:

- (A) VACATE THE LAND IN GOOD REPAIR AND CONDITION IN ACCORDANCE WITH THE LESSEE'S COVENANTS AND CONDITIONS IN THIS LEASE; AND
- (B) PROMPTLY RETURN TO THE LESSOR ALL KEYS AND KEY CARDS TO DOORS AND LOCKING DEVICES AT THE LAND.

**13. MISCELLANEOUS**

**13.1 NOTICES**

35271702A

V2

66TLA

Page 9 of 13

**THE BACK OF THIS FORM MUST NOT BE USED**

Land Use Victoria contact details: [www.delwp.vic.gov.au/property](http://www.delwp.vic.gov.au/property)>Contact us

**Attachment 6 - 200 Year Lease**

Delivered by LANDATA@. Land Use Victoria timestamp 07/05/2019 08:54 Page 10 of 14

**Lease**  
**Section 66(1) Transfer of Land Act 1958**



- (A) ANY NOTICE SERVED OR GIVEN BY EITHER PARTY PURSUANT TO THIS LEASE WILL BE VALID IF SIGNED BY ANY DIRECTOR, ALTERNATE DIRECTOR, SECRETARY, EXECUTIVE OFFICER, ATTORNEY, MANAGING AGENT OR SOLICITORS FOR THE TIME BEING OF THAT PARTY OR ANY OTHER PERSON NOMINATED FROM TIME TO TIME BY THAT PARTY.
  - (B) EACH PARTY MUST PROMPTLY PROVIDE THE OTHER PARTY WITH A NOTICE CONTAINING FULL PARTICULARS OF THE ADDRESS, FACSIMILE INFORMATION OF THE PARTY GIVING THE NOTICE AND IN THE CASE OF THE LESSEE, OF ANY GUARANTORS, AND MUST UPDATE THE NOTICE IF THERE IS ANY CHANGE.
  - (C) ANY NOTICE REQUIRED TO BE SERVED OR WHICH THE LESSOR MAY ELECT TO SERVE ON THE LESSEE WILL BE SUFFICIENTLY SERVED IF:
    - (I) SERVED PERSONALLY AT THE REGISTERED OFFICE OF THE LESSEE OR IF LEFT ADDRESSED TO THE LESSEE ON THE LAND; OR
    - (II) SENT BY FACSIMILE TRANSMISSION TO THE LESSEE'S FACSIMILE MACHINE; OR
    - (III) FORWARDED BY PREPAID SECURITY POST TO THE LAST KNOWN PLACE OF BUSINESS OR ABODE OF THE LESSEE OR THE LESSEE'S REGISTERED OFFICE IF THE LESSEE IS A CORPORATION.
  - (D) ANY NOTICE REQUIRED TO BE SERVED ON THE LESSOR WILL BE SUFFICIENTLY SERVED IF:
    - (I) SERVED PERSONALLY;
    - (II) SENT BY FACSIMILE TRANSMISSION TO THE LESSOR'S FACSIMILE MACHINE; OR
    - (III) FORWARDED BY PREPAID SECURITY POST ADDRESSED TO THE LESSOR.
  - (D) ALL NOTICES MUST BE ADDRESSED TO THE LESSOR AT THE ADDRESS SPECIFIED IN THIS LEASE OR AT SUCH OTHER ADDRESS AS THE LESSOR FROM TIME TO TIME NOMINATES.
  - (E) ANY NOTICE SENT:
    - (I) BY POST, WILL BE DEEMED TO BE SERVED TWO BUSINESS DAYS AFTER THE DAY IT WAS POSTED; OR
    - (II) BY FACSIMILE, WILL BE DEEMED TO HAVE BEEN SERVED UNLESS THE RECEIVING MACHINE PROMPTLY INDICATES ANY MALFUNCTION IN THE TRANSMISSION; OR
    - (III) PERSONALLY, ON THE DATE OF SERVICE.
- 13.2 EASEMENTS**  
 THE LESSOR MAY GRANT RIGHTS OF SUPPORT AND ENTER INTO ANY ARRANGEMENT OR AGREEMENT WITH ANY PARTY WITH AN INTEREST IN ANY ADJACENT LAND OR WITH ANY AUTHORITY AS THE LESSOR THINKS FIT FOR THE PURPOSE OF:
- (A) PUBLIC OR PRIVATE ACCESS TO THE LAND; OR
  - (B) SUPPORT OF STRUCTURES ERECTED ON ADJOINING LAND; OR
  - (C) THE PROVISION OF SERVICES.
- THE LESSOR MUST NOT EXERCISE ITS RIGHTS UNDER THIS CLAUSE TO SUBSTANTIALLY AND PERMANENTLY DEROGATE FROM THE ENJOYMENT OF THE RIGHTS OF THE LESSEE UNDER THIS LEASE.
- 13.3 OVERHOLDING**  
 IF THE LESSEE REMAINS IN OCCUPATION OF THE LAND WITHOUT OBJECTION BY THE LESSOR

35271702A

V2

66TLA <sup>13</sup>  
 Page 10 of ~~12~~

**THE BACK OF THIS FORM MUST NOT BE USED**

Land Use Victoria contact details: [www.delwp.vic.gov.au/property](http://www.delwp.vic.gov.au/property)>Contact us



Attachment 6 - 200 Year Lease

Delivered by LANDATA® Land Use Victoria timesamp 07/08/2019 08:54 Page 11 of 14

**Lease**  
Section 66(1) Transfer of Land Act 1958



AFTER THE END OF THE TERM:

(A) THE LESSEE WILL BE DEEMED A LESSEE ON THE TERMS OF THIS LEASE FROM MONTH TO MONTH; AND

(B) EITHER PARTY MAY END THE LEASE BY GIVING TO THE OTHER PARTY AT ANY TIME ONE MONTH'S NOTICE.

13.4 CO-OPERATION

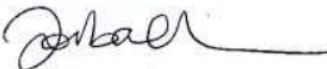
THE PARTIES AGREE THAT THEY WILL WORK CO-OPERATIVELY WITH REGARD TO MATTERS THAT AFFECT THE LAND AND THE ADJOINING PROPERTY OWNED BY THE LESSOR IN ORDER TO ENSURE THAT THE LAND MAY BE USED FOR THE PERMITTED USE.

Signing:

Certifications

- 1.The Certifier has taken reasonable steps to verify the identity of the applicant.
- 2.The Certifier holds a properly completed Client Authorisation for the Conveyancing Transaction including this Registry Instrument or Document.
- 3.The Certifier has retained the evidence supporting this Registry Instrument or Document.
- 4.The Certifier has taken reasonable steps to ensure that this Registry Instrument or Document is correct and compliant with relevant legislation and any Prescribed Requirement.

Executed on behalf of ST VINCENT'S HEALTHCARE LIMITED

Signer Name JULIA ORBACH  
 Signer Organisation HERBERT SMITH FREEHILLS  
 Signer Role AUSTRALIAN LEGAL PRACTITIONER  
 Signature   
 Execution Date 21/6/2018

Signing:

35271702A

V2

66TLA

Page 11 of ~~12~~ 13

THE BACK OF THIS FORM MUST NOT BE USED

Land Use Victoria contact details: [www.delwp.vic.gov.au/property](http://www.delwp.vic.gov.au/property)>Contact us

Attachment 6 - 200 Year Lease

Delivered by LANDATA® Land Use Victoria timestamp 07/08/2019 08:54 Page 12 of 14

**Lease**  
Section 66(1) Transfer of Land Act 1958



**Certifications**

- 1.The Certifier has taken reasonable steps to verify the identity of the applicant.
- 2.The Certifier holds a properly completed Client Authorisation for the Conveyancing Transaction including this Registry Instrument or Document.
- 3.The Certifier has retained the evidence supporting this Registry Instrument or Document.
- 4.The Certifier has taken reasonable steps to ensure that this Registry Instrument or Document is correct and compliant with relevant legislation and any Prescribed Requirement.

Executed on behalf of **THE ROMAN CATHOLIC TRUSTS CORPORATION FOR THE DIOCESE OF MELBOURNE** *AK*  
 Signer Name **ALISON LORRAINE KENNEDY**  
 Signer Organisation **CLAYTON UTZ**  
 Signer Role **AUSTRALIAN LEGAL PRACTITIONER**

Signature *[Handwritten Signature]*  
 Execution Date **4/6/18**

35271702A

V2

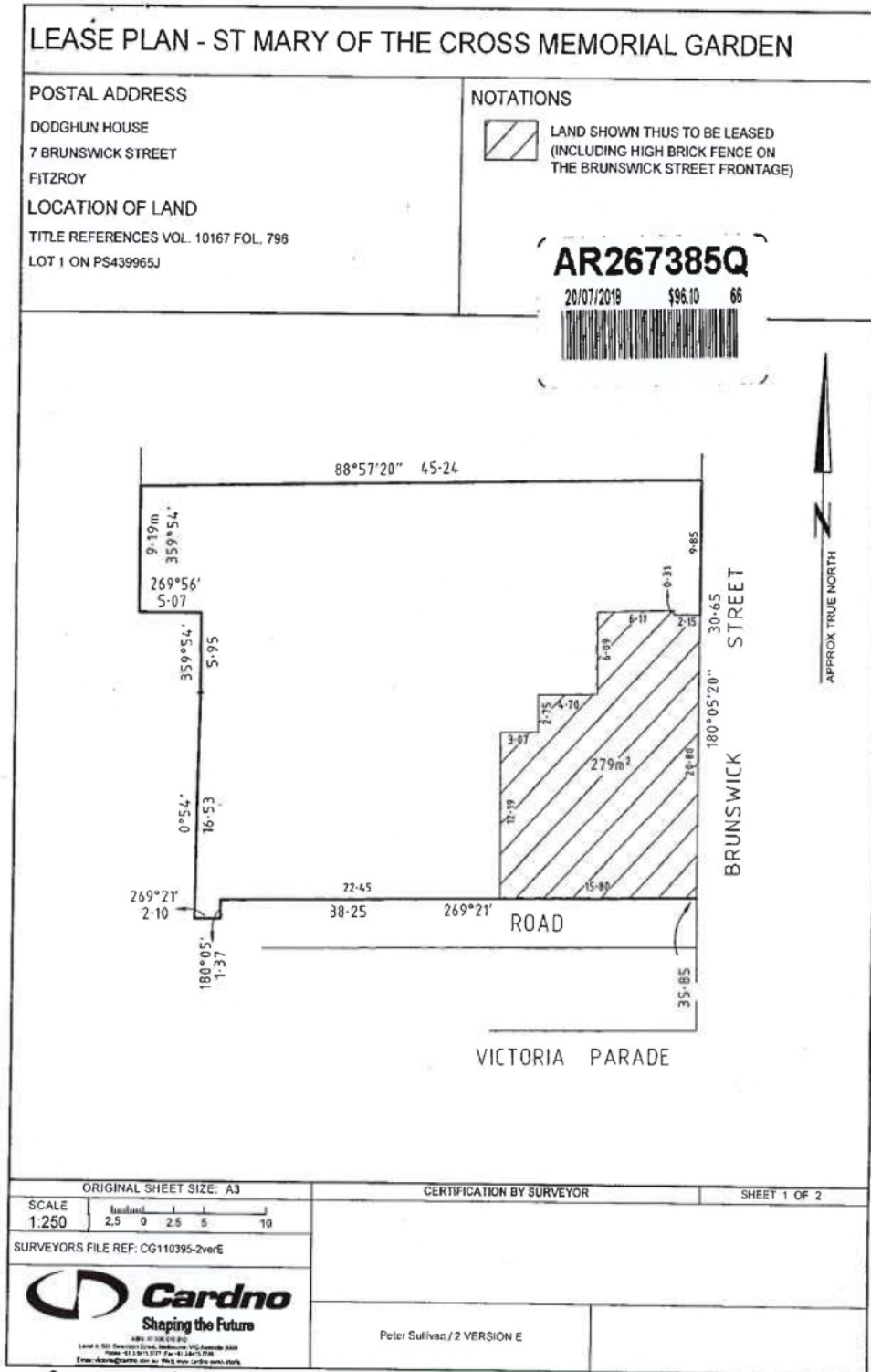
66TLA <sup>13</sup>  
Page 12 of 12

**THE BACK OF THIS FORM MUST NOT BE USED**

Land Use Victoria contact details: [www.delwp.vic.gov.au/property](http://www.delwp.vic.gov.au/property)>Contact us

Attachment 6 - 200 Year Lease

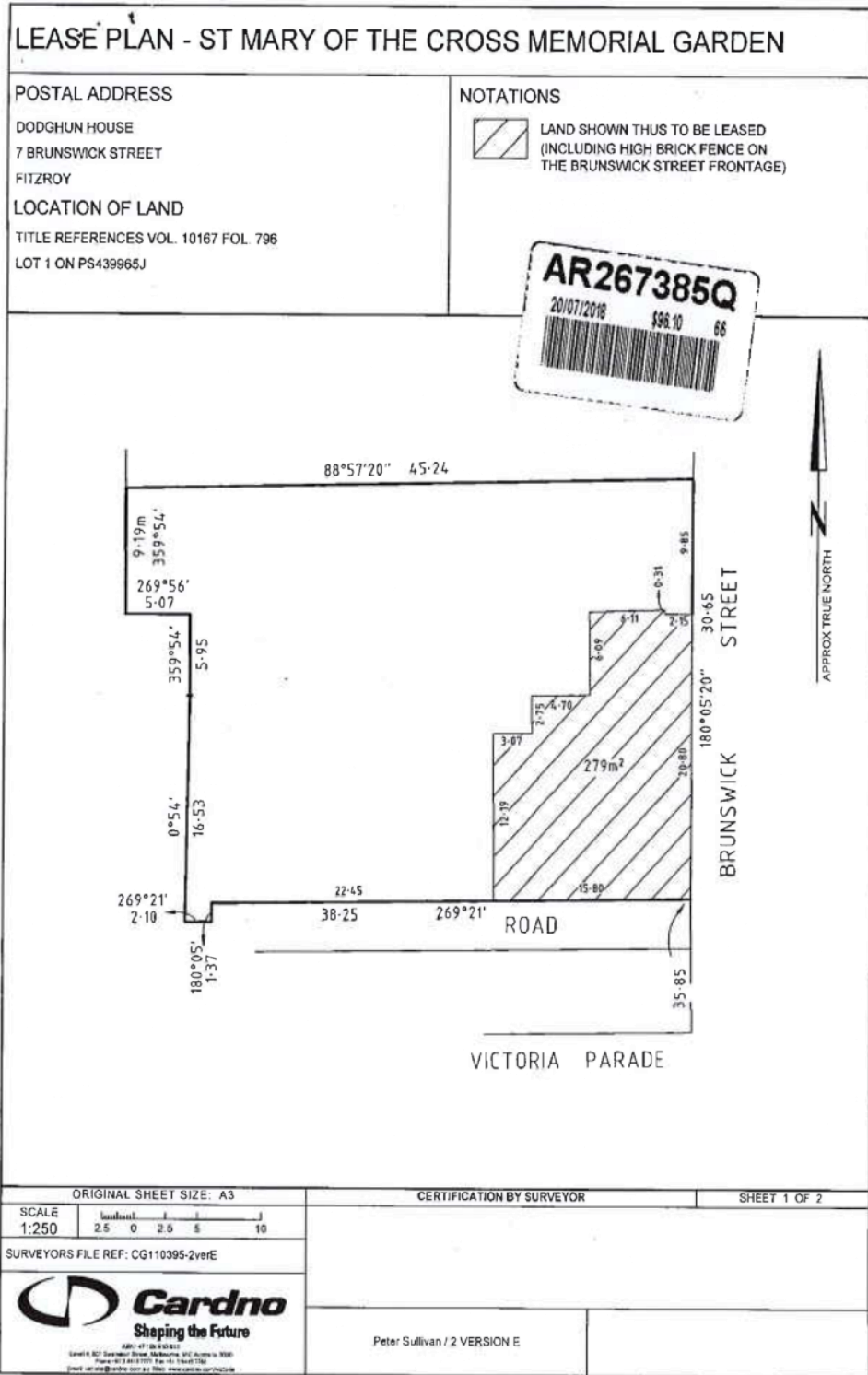
Delivered by LANDATA®, Land Use Victoria (timestamp 07/08/2019 09:54) Page 13 of 14



Page 13 of 13 *lm*

Attachment 6 - 200 Year Lease

Delivered by LANDTAB, Land Use Victoria timestamp 07/08/2019 09:54 Page 14 of 14



Attachment 6 - 200 Year Lease

Delivered by LANDATA®, Land Use Victoria timestamp 07/08/2019 08:54 Page 1 of 5  
© State of Victoria. This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act and for the purposes of Section 32 of the Sale of Land Act 1962 or pursuant to a written agreement. The information is only valid at the time and in the form obtained from the LANDATA® System. The State of Victoria accepts no responsibility for any subsequent release, publication or reproduction of the information.

**Transfer of land - creating an easement and/or restrictive covenant**  
**Section 45 Transfer of Land Act 1958**

U



Lodged by  
Name: *Herbert Smith Freehills*  
Phone:  
Address:  
Reference:  
Customer code: *2961C*

The transferor transfers to the transferee the estate and interest specified in the land described for the consideration expressed:  
- together with any easements created by this transfer;  
- subject to the encumbrances affecting the land, including any created by dealings lodged for registration before the lodging of this transfer; and  
- subject to any easements reserved by this transfer or restrictive covenant contained or covenant created pursuant to statute and included in this transfer.

Land: (volume and folio)  
CERTIFICATE OF TITLE VOLUME 10560 FOLIO 131

Estate and interest: (e.g. all my estate in fee simple)  
ALL MY ESTATE IN FEE SIMPLE

Consideration:  
\$8,000,000

Transferor: (full name)  
THE ROMAN CATHOLIC TRUSTS CORPORATION FOR THE DIOCESE OF MELBOURNE

Transferee: (full name and address, including postcode)  
ST VINCENT'S HEALTHCARE LIMITED, LEVEL 22, 100 WILLIAM STREET, WOOLLOOMOOLOO NSW 2011

Creation and/or reservation of easement and/or restrictive covenant  
AND THE TRANSFEEE FOR ITSELF AND ITS HEIRS, EXECUTORS, ADMINISTRATORS, ASSIGNS AND TRANSFEREES AND THE REGISTERED PROPRIETOR OR PROPRIETORS FOR THE TIME BEING CERTIFICATE OF TITLE VOLUME 10560 FOLIO 131 HEREBY TRANSFERRED AND EACH AND EVERY PART OF IT DO COVENANT WITH THE TRANSFEROR AND THE REGISTERED PROPRIETOR OR PROPRIETORS FOR THE TIME BEING OF CERTIFICATES OF TITLE VOLUME 2209 FOLIOS 644 AND 677 AND VOLUME 2394 FOLIO 704 AND EACH AND EVERY PART OF IT THAT THE TRANSFEEE

35271702A

45-2TLA

Page 1 of ~~4~~ 5

**THE BACK OF THIS FORM MUST NOT BE USED**

Land Use Victoria contact details: [www.delwp.vic.gov.au/property](http://www.delwp.vic.gov.au/property)>Contact us

**Attachment 6 - 200 Year Lease**

Delivered by LANDATA@ Land Use Victoria. E-mail: stamp 07/08/2019 08:54 Page 2 of 5

**Transfer of land - creating an easement and/or restrictive covenant**  
**Section 45 Transfer of Land Act 1958**



WILL NOT:

(A) USE OR PERMIT OR ALLOW TO BE USED THAT PART OF THE LAND HATCHED ON THE PLAN ATTACHED AS ANNEXURE ONE (ST MARY OF THE CROSS MEMORIAL GARDEN) FOR ANY PURPOSE OTHER THAN A MEMORIAL GARDEN;

(B) DO ANYTHING OR PERMIT OR ALLOW ANY PERSON TO DO ANYTHING WHICH WOULD PREVENT MEMBERS OF THE PUBLIC FROM HAVING ACCESS TO THE ST MARY OF THE CROSS MEMORIAL GARDEN BETWEEN THE HOURS OF 9.00 AM. AND 5.00 PM MONDAY TO FRIDAY, EXCLUDING PUBLIC HOLIDAYS;

(C) DO ANYTHING OR PERMIT OR ALLOW ANY PERSON TO DO ANYTHING WHICH ALLOWS THE ST MARY OF THE CROSS MEMORIAL GARDEN TO FALL INTO DISREPAIR.

AND IT IS INTENDED THAT THIS COVENANT WILL BE SET OUT AS AN ENCUMBRANCE ON THE CERTIFICATE OF TITLE TO THE LAND HEREBY TRANSFERRED AND WILL RUN WITH THE LAND.

Signing:

---

35271702A

45-2TLA

Page 2 of 45

**THE BACK OF THIS FORM MUST NOT BE USED**

Land Use Victoria contact details: [www.delwp.vic.gov.au/property](http://www.delwp.vic.gov.au/property)>Contact us

Attachment 6 - 200 Year Lease

Delivered by LANDATA®. Land Use Victoria timestamp 07/08/2019 08:54 Page 3 of 5

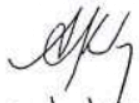
**Transfer of land - creating an easement and/or restrictive covenant**  
Section 45 Transfer of Land Act 1958



Certifications

- 1.The Certifier has taken reasonable steps to verify the identity of the applicant.
- 2.The Certifier holds a properly completed Client Authorisation for the Conveyancing Transaction including this Registry Instrument or Document.
- 3.The Certifier has retained the evidence supporting this Registry Instrument or Document.
- 4.The Certifier has taken reasonable steps to ensure that this Registry Instrument or Document is correct and compliant with relevant legislation and any Prescribed Requirement.

Executed on behalf of **THE ROMAN CATHOLIC TRUSTS CORPORATION FOR THE DIOCESE OF MELBOURNE**  
 Signer Name **Alison Howard Kennedy**  
 Signer Organisation **CLAYTON UTZ**  
 Signer Role **AUSTRALIAN LEGAL PRACTITIONER**

Signature   
 Execution Date **20/6/18**

Signing:

35271702A  
45-2TLA

Page 3 of 45

**THE BACK OF THIS FORM MUST NOT BE USED**

Land Use Victoria contact details: [www.delwp.vic.gov.au/property](http://www.delwp.vic.gov.au/property)>Contact us

**Attachment 6 - 200 Year Lease**

Delivered by LANDATA@, Land Use Victoria timestamp 07/08/2019 08:54 Page 4 of 5

**Transfer of land - creating an easement and/or restrictive covenant**  
Section 45 Transfer of Land Act 1958



Certifications

- 1.The Certifier has taken reasonable steps to verify the identity of the applicant.
- 2.The Certifier holds a properly completed Client Authorisation for the Conveyancing Transaction including this Registry Instrument or Document.
- 3.The Certifier has retained the evidence supporting this Registry Instrument or Document.
- 4.The Certifier has taken reasonable steps to ensure that this Registry Instrument or Document is correct and compliant with relevant legislation and any Prescribed Requirement.

Executed on behalf of ST VINCENT'S HEALTHCARE LIMITED

Signer Name JULIA ORBACH

Signer Organisation HERBERT SMITH FREEHILLS

Signer Role AUSTRALIAN LEGAL PRACTITIONER

Signature

Execution Date

21/6/2018

---

35271702A

45-2TLA

Page 4 of 45

**THE BACK OF THIS FORM MUST NOT BE USED**

Land Use Victoria contact details: [www.delwp.vic.gov.au/property](http://www.delwp.vic.gov.au/property)>Contact us



Attachment 6 - 200 Year Lease

Delivered by LANDATA® Land Use Victoria times: 07/08/2019 06:54 Page 5 of 5

ANNEXURE ONE

LEASE PLAN - ST MARY OF THE CROSS MEMORIAL GARDEN

POSTAL ADDRESS

DODGHUN HOUSE  
7 BRUNSWICK STREET  
FITZROY

LOCATION OF LAND

TITLE REFERENCES VOL. 10167 FOL. 798  
LOT 1 ON PS439965J

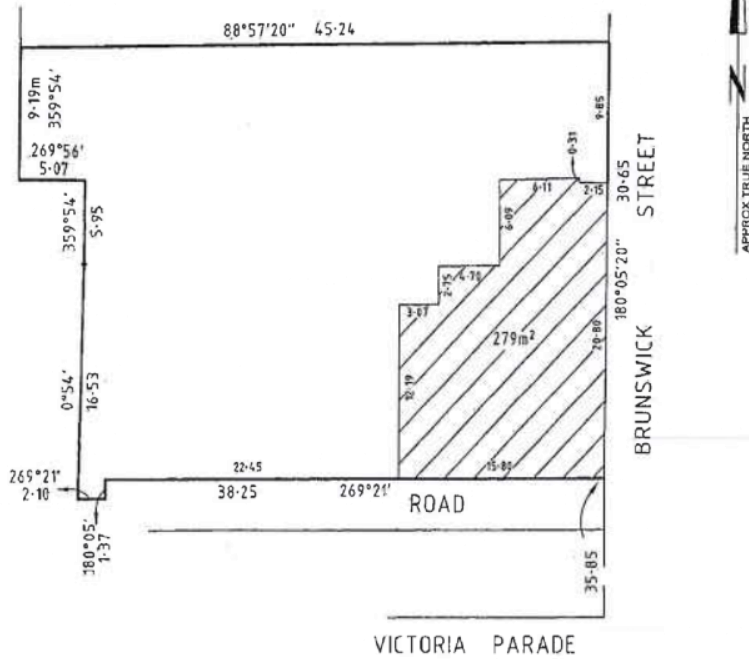
NOTATIONS



IS THE ST MARY OF THE CROSS  
LAND SHOWN THUS TO BE LEASED CROSS  
(INCLUDING HIGH BRICK FENCE ON MEMORIAL GARDEN  
THE BRUNSWICK STREET FRONTAGE)

AR267384S

20/07/2018 \$3606 45



ORIGINAL SHEET SIZE: A3		CERTIFICATION BY SURVEYOR	SHEET 1 OF 2
SCALE 1:250			
SURVEYORS FILE REF: CG110385-2verE			
		Peter Sullivan / 2 VERSION E	

PAGE 5 OF 5

Attachment 7 - Title Covenant

Delivered by LANDATA®. Land Use Victoria timestamp 07/08/2019 09:54 Page 1 of 5  
© State of Victoria. This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act and for the purposes of Section 32 of the Sale of Land Act 1962 or pursuant to a written agreement. The information is only valid at the time and in the form obtained from the LANDATA® System. The State of Victoria accepts no responsibility for any subsequent release, publication or reproduction of the information.

**Transfer of land - creating an easement and/or restrictive covenant**  
**Section 45 Transfer of Land Act 1958**

U



Lodged by  
Name: *Herbert Smith Freehills*  
Phone:  
Address:  
Reference:  
Customer code: *2961C*

The transferor transfers to the transferee the estate and interest specified in the land described for the consideration expressed:  
- together with any easements created by this transfer;  
- subject to the encumbrances affecting the land, including any created by dealings lodged for registration before the lodging of this transfer; and  
- subject to any easements reserved by this transfer or restrictive covenant contained or covenant created pursuant to statute and included in this transfer.

Land: (volume and folio)  
CERTIFICATE OF TITLE VOLUME 10560 FOLIO 131

Estate and interest: (e.g. all my estate in fee simple)  
ALL MY ESTATE IN FEE SIMPLE

Consideration:  
\$8,000,000

Transferor: (full name)  
THE ROMAN CATHOLIC TRUSTS CORPORATION FOR THE DIOCESE OF MELBOURNE

Transferee: (full name and address, including postcode)  
ST VINCENT'S HEALTHCARE LIMITED, LEVEL 22, 100 WILLIAM STREET, WOOLLOOMOOLOO NSW 2011

Creation and/or reservation of easement and/or restrictive covenant  
AND THE TRANSFEREE FOR ITSELF AND ITS HEIRS, EXECUTORS, ADMINISTRATORS, ASSIGNS AND TRANSFEREES AND THE REGISTERED PROPRIETOR OR PROPRIETORS FOR THE TIME BEING CERTIFICATE OF TITLE VOLUME 10560 FOLIO 131 HEREBY TRANSFERRED AND EACH AND EVERY PART OF IT DO COVENANT WITH THE TRANSFEROR AND THE REGISTERED PROPRIETOR OR PROPRIETORS FOR THE TIME BEING OF CERTIFICATES OF TITLE VOLUME 2209 FOLIOS 644 AND 677 AND VOLUME 2394 FOLIO 704 AND EACH AND EVERY PART OF IT THAT THE TRANSFEREE

35271702A

45-2TLA

Page 1 of 5

THE BACK OF THIS FORM MUST NOT BE USED

Land Use Victoria contact details: [www.delwp.vic.gov.au/property](http://www.delwp.vic.gov.au/property)>Contact us

**Attachment 7 - Title Covenant**

Delivered by LANDATA® Land Use Victoria timestamp: 07/08/2019 08:54 Page 2 of 5

**Transfer of land - creating an easement and/or restrictive covenant**  
Section 45 Transfer of Land Act 1958



WILL NOT:

(A) USE OR PERMIT OR ALLOW TO BE USED THAT PART OF THE LAND HATCHED ON THE PLAN ATTACHED AS ANNEXURE ONE (ST MARY OF THE CROSS MEMORIAL GARDEN) FOR ANY PURPOSE OTHER THAN A MEMORIAL GARDEN;

(B) DO ANYTHING OR PERMIT OR ALLOW ANY PERSON TO DO ANYTHING WHICH WOULD PREVENT MEMBERS OF THE PUBLIC FROM HAVING ACCESS TO THE ST MARY OF THE CROSS MEMORIAL GARDEN BETWEEN THE HOURS OF 9.00 AM, AND 5.00 PM MONDAY TO FRIDAY, EXCLUDING PUBLIC HOLIDAYS;

(C) DO ANYTHING OR PERMIT OR ALLOW ANY PERSON TO DO ANYTHING WHICH ALLOWS THE ST MARY OF THE CROSS MEMORIAL GARDEN TO FALL INTO DISREPAIR,

AND IT IS INTENDED THAT THIS COVENANT WILL BE SET OUT AS AN ENCUMBRANCE ON THE CERTIFICATE OF TITLE TO THE LAND HEREBY TRANSFERRED AND WILL RUN WITH THE LAND.

Signing:

---

35271702A

45-2TLA

Page 2 of 45

**THE BACK OF THIS FORM MUST NOT BE USED**

Land Use Victoria contact details; [www.delwp.vic.gov.au/property](http://www.delwp.vic.gov.au/property)>Contact us

Attachment 7 - Title Covenant

Delivered by LANDATA® Land Use Victoria timestamp 07/08/2018 08:54 Page 3 of 5

**Transfer of land - creating an easement and/or restrictive covenant**  
Section 45 Transfer of Land Act 1958



Certifications

- 1.The Certifier has taken reasonable steps to verify the identity of the applicant.
- 2.The Certifier holds a properly completed Client Authorisation for the Conveyancing Transaction including this Registry Instrument or Document.
- 3.The Certifier has retained the evidence supporting this Registry Instrument or Document.
- 4.The Certifier has taken reasonable steps to ensure that this Registry Instrument or Document is correct and compliant with relevant legislation and any Prescribed Requirement.

Executed on behalf of **THE ROMAN CATHOLIC TRUSTS CORPORATION FOR THE DIOCESE OF MELBOURNE**

Signer Name *Alison Howard Kennedy*  
 Signer Organisation **CLAYTON UTZ**  
 Signer Role **AUSTRALIAN LEGAL PRACTITIONER**

Signature *[Handwritten Signature]*  
 Execution Date *20/6/18*

Signing:

35271702A

45-2TLA

Page 3 of 4 <sup>5</sup>

**THE BACK OF THIS FORM MUST NOT BE USED**

Land Use Victoria contact details: [www.delwp.vic.gov.au/property](http://www.delwp.vic.gov.au/property)>Contact us

**Attachment 7 - Title Covenant**

Delivered by LANDATA®, Land Use Victoria, timestamp 07/08/2018 08:54 Page 4 of 5

**Transfer of land - creating an easement and/or restrictive covenant**  
Section 45 Transfer of Land Act 1958



Certifications

- 1.The Certifier has taken reasonable steps to verify the identity of the applicant.
- 2.The Certifier holds a properly completed Client Authorisation for the Conveyancing Transaction including this Registry Instrument or Document.
- 3.The Certifier has retained the evidence supporting this Registry Instrument or Document.
- 4.The Certifier has taken reasonable steps to ensure that this Registry Instrument or Document is correct and compliant with relevant legislation and any Prescribed Requirement.

Executed on behalf of ST VINCENT'S HEALTHCARE LIMITED

Signer Name *JULIA ORBACH*

Signer Organisation HERBERT SMITH FREEHILLS

Signer Role AUSTRALIAN LEGAL PRACTITIONER

Signature

A handwritten signature in black ink, appearing to read 'Julia Orbach', written over a horizontal line.

Execution Date

*21/6/2018*

---

35271702A

45-2TLA

Page 4 of 45

THE BACK OF THIS FORM MUST NOT BE USED

Land Use Victoria contact details: [www.delwp.vic.gov.au/property](http://www.delwp.vic.gov.au/property)>Contact us

Attachment 7 - Title Covenant

Delivered by LANDATA® Land Use Victoria timestamp 07/08/2019 08:54 Page 5 of 5

ANNEXURE ONE

LEASE PLAN - ST MARY OF THE CROSS MEMORIAL GARDEN

POSTAL ADDRESS

DODGHUN HOUSE  
7 BRUNSWICK STREET  
FITZROY

LOCATION OF LAND

TITLE REFERENCES VOL. 10167 FOL. 796  
LOT 1 ON PS439985J

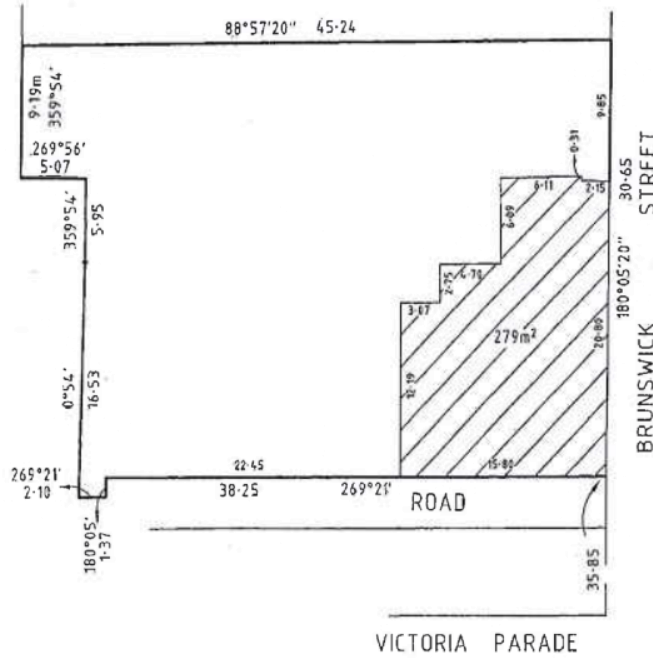
NOTATIONS



LAND SHOWN THUS ~~TO BE LEASED~~ IS THE ST MARY OF THE CROSS  
(INCLUDING HIGH BRICK FENCE ON THE BRUNSWICK STREET FRONTAGE)  
MEMORIAL GARDEN

AR267384S

20/07/2018 \$3606 45



ORIGINAL SHEET SIZE: A3		CERTIFICATION BY SURVEYOR		SHEET 1 OF 2	
SCALE 1:250					
SURVEYORS FILE REF: CG110395-2verE					
		Peter Sullivan / 2 VERSION E			

PAGE 5 OF 5

## Attachment 8 - City West Water Response



City West Water™

23 February 2018

MELANIE YOUNG  
MADDOCKS  
COLLINS SQUARE, TOWER 2, LEVEL 25, 727 COLLINS STREET  
MELBOURNE VIC 3008

City West Water Corporation  
ABN: 70 066 902 467

1 McNab Avenue  
Footscray Vic 3011 Australia

Locked Bag 350 Sunshine Vic 3020  
DX 30311 Sunshine

[citywestwater.com.au](http://citywestwater.com.au)

Telephone (03) 9313 8422

Facsimile (03) 9313 8417

Dear Melanie,

**Re: PROPOSED DISCONTINUANCE OF ROAD**  
**Location: BETWEEN 5-7 BRUNSWICK STREET, FITZROY**  
**CWW Reference: 18/113**

I refer to your email received by City West Water (CWW) regarding the proposed Discontinuance of Road at the above location and request for comment from CWW. Enclosed for your information are copies of CWW's requirements for working in the vicinity of water and sewer assets and a plan of the general area.

As you will see on the plan provided, the parcel of land proposed for Discontinuance contains an existing CWW sewer main. It is with respect to this asset that CWW currently objects to this proposal subject to the following:

1. A certified Title Plan must show a 2.0m wide Sewerage Easement centrally located over the sewer main in favour of CWW pursuant to Section 12(1) of the Subdivision Act. This plan must then be referred to CWW for consideration prior to offering a withdrawal of objection.
2. Any proposed fences must be located a minimum distance of 800mm clear of the centreline of existing CWW sewer mains.
3. Any proposed fence lines must be located a minimum distance of 1.0m from sewer manholes and/or sewer inspection shafts.
4. Any proposal to build over CWW assets will require CWW's written consent (i.e. Build-Over Application approval).

Naturally, extreme care must be taken when working in the vicinity of CWW assets and CWW will seek cost recovery for any damage caused to its assets that can be attributed to your works.

If you have any questions, please do not hesitate to contact me on 0407 528 605.

Yours faithfully,

Mark Abraham  
Technical Officer, Other Authorities Works

Attachment 8 - City West Water Response



5-7 Brunswick Street  
Fitzroy

NOTES :



Scale: 1:750

Compiled by: 2CA12

Date: 23/2/2018

Midway Reference: 2CA12

Assets labeled AC may contain asbestos material and therefore works on these assets must be undertaken in accordance with OHS Regulations 2007(Part 4.3). Disclaimer : The location of assets must be proved in the field by the applicant prior to the commencement of work. These plans do not indicate private services. City West Water Corporation does not guarantee and makes no representation or warranty as to the accuracy or scale of this plan. This company accepts no liability for any loss, damage or injury by any person as a result of any inaccuracy in this plan.




City West Water



Attachment 8 - City West Water Response



 <p>City West Water</p>	<p>5-7 Brunswick Street Fitzroy</p>		<p>NOTES :</p>	<p>Compiled by:</p>	<p>2CA12</p>	<p>Date: 23/2/2018</p>	<p>Scale: 1:750</p>
	<p>Assets labelled AC may contain asbestos material and therefore works on these assets must be undertaken in accordance with OHS Regulations 2007 (Part 4.3). These plans do not indicate private services. City West Water Corporation does not guarantee and makes no representation or warranty as to the accuracy or scale of this plan. This company accepts no liability for any loss, damage or injury by any person as a result of any inaccuracy in this plan.</p>						

## Attachment 8 - City West Water Response



City West Water™

QES Management System  
Issue Date: 18/10/2016

### Protection of City West Water's Water and Sewer Assets Other Authorities Works

#### Important Information

This document has been provided by City West Water (CWW) as a reference for standard conditions and requirements when working in close proximity to CWW's existing water and sewer assets.

1. The assets referred to in this document are water and sewer assets owned and/or controlled by CWW. Please note that some assets shown on plans provided by CWW may belong to Melbourne Water, South East Water and Yarra Valley Water.
2. Due to the nature, depth and age of CWW's assets and records, it is impossible to ascertain the exact location of all underground assets. CWW does not guarantee and makes no representation or warranty as to the accuracy or scale of information provided.
3. If asset relocation or protection works are undertaken by CWW as part of the required solution, payment for the cost of this work shall be borne by the principal developer, council, client or contractor requiring these works.
4. Unless otherwise stated in this document, all water and sewerage works must be carried out in accordance with the most recent versions of the Water and Sewerage Codes of Australia (MRWA Editions).

#### Duty to Avoid Damage

1. It is the responsibility of the owner and any consultant engaged by the owner (including, but not limited to; architect, building surveyor, consulting engineer, contractor and the developer) to ensure that CWW's assets are protected from the impact of any works.
2. It is the responsibility of the owner or person/s constructing the works to:
  - a) obtain 'Dial Before You Dig' plans showing CWW's assets in the vicinity of the proposed works no more than 30 days prior to the commencement of works
  - b) locate all underground assets that may be damaged or interfered with by the proposed works via non-destructive digging or hand excavation prior to commencement of works
  - c) contact CWW's Officer for Other Authorities Works (OAW) via email at [oaw@citywestwater.com.au](mailto:oaw@citywestwater.com.au) if any of CWW's assets will be affected or interfered with in any way by the proposed works
3. If any damage is caused to CWW's assets as a result of works, or if any of CWW's assets are interfered with (including being built over, buried, altered or if any cover or support is removed) without CWW's consent, CWW will seek recovery for the costs of repairing such damage or interference.
4. There are statutory offences under the Water Act 1989 and the Road Management Act 2004 for damaging or interfering with CWW's assets and for building over or removing cover or support of CWW's assets without prior written consent. In the event that damage is caused to CWW's assets, please contact Faults & Emergencies on 132 642.

This document is "UNCONTROLLED" if it has been saved locally or printed

Document IRD-178

Rev 6

Page 1/2



---

## 11.7 Proposed Discontinuance of Road abutting the rear of 88-90 Johnston Street, Collingwood

---

Reference: D19/212794

Authoriser: Director Corporate, Business and Finance

### Purpose

1. For Council to consider whether the road shown as lot 1 on the title plan attached as Attachment 1 (**Title Plan**) to this report, being:
  - (a) the whole of the land contained in certificate of title volume 11849 folio 976; and
  - (b) part of the land contained in Memorial Book O no. 870.together, the (**Road**), should be discontinued pursuant to the *Local Government Act 1989 (Act)* and sold to the owner of 88-90 Johnston Street, Collingwood.

### Background

2. The Road is comprised of, the whole of the land contained in certificate of title volume 11849 folio 976, being lot 1 on title plan PS962046U, shown as the area outlined **Blue** on the plan attached as Attachment 2 to this report (**Site Plan**), and part of the land contained in Memorial Book O No. 870, shown as the area outlined yellow on the Site Plan. (**Yellow Road**).
3. Copies of the title searches of the Road are attached as Attachment 3 to this report.
4. 88 Johnston Street Pty Ltd (**Applicant**) is the owner of the properties adjoining the Road shown outlined red on the Site Plan, being, 80-90 Johnston Street, Collingwood and 59-63 Sackville Street, Collingwood.
5. The Road is adjacent to, 72, 74, 76 and 78 Johnston Street, Collingwood. Together the (**Adjoining Properties**), and shown green on the Site Plan.
6. The Applicant has requested that Council discontinue the Road and sell the former Road to the Applicant (**Proposal**). The Applicant is redeveloping the site and the discontinued road will be incorporated into the new development.
7. Council has recently made a decision to remove the Road from its register of public roads.
8. The Blue Road is:
  - (a) registered in the name of the Applicant as a result of an application made by the Applicant to the Registrar of titles to bring the land under the operation of the *Transfer of Land Act 1958*;
  - (b) not shown as a road on title, however as the land was recently listed on Council's register of public roads, it is a 'road' for the purposes of the Act which council has the power to consider discontinuing. If discontinued, the Blue Road will vest in Council;
  - (c) is not accessible to the public, as part of the building constructed on 88 Johnston and 90 Johnston is also constructed over the whole of the Blue Road since at least the 1930's; and
  - (d) does not provide access to 59 Sackville Street, Collingwood.
9. The Yellow Road:
  - (a) is registered in the name of Thomas Greenwood, Frederick Clews and Charles Woodward;
  - (b) is constructed of bitumen;

- (c) is known to title as a 'road' and was recently listed on Council's register of public roads. The Yellow Road is therefore a 'road' for the purposes of the Act which Council has the power to consider discontinuing. If discontinued the Yellow Road will vest in Council;
  - (d) is not required for access to the rear of the Adjoining Properties;
  - (e) is used primarily for rear access to 88 Johnston Street; and
  - (f) does not provide access to 90 Johnston Street and 59 Sackville Street.
10. At its meeting on 18 September 2018, Council resolved to commence the statutory procedures and give notice pursuant to section 207A and 223 of the Act of its intention to discontinue and sell the Roads to the Owner.

#### **Public Notice**

- 11. The required public notice was placed in the Age Newspaper on December 12 2018, together with Council's Website and Facebook Page.
- 12. A copy of the public notice was given to the Owners and Occupiers of the adjoining properties.
- 13. Following the publication of the public notice Council received 2 formal submissions and 6 responses on Council's Facebook page.
- 14. A copy of all submissions received by Council are attached as Attachment 4 to this report.

#### **Objections to Proposal**

- 15. The written submissions to the Proposal are summarised as follows:  
Submission/Objection by Owner of 76 Johnston Street, Collingwood:
- 16. The Owner of 76 Johnston Street objected to Council discontinuing and selling that part of the Road shown marked 'A' on the plan attached to the Owner's letter, on the basis that:
  - (a) Council's public notice was misleading;
  - (b) if part of the Road was to be constructed over, access to the parking spaces used by 76 Johnston Street, would be impeded;
  - (c) the Owner of 76 Johnston Street, requires the Road to enter and exit its parking spaces adjacent to the Road;
  - (d) the amenity of the Adjoining Properties would be affected by delivery vehicles utilising the Road; and
  - (e) the Applicant has no right to acquire the Road;
- 17. The Owner of 76 Johnston Street, does not object to the proposed discontinuance of the part of the Road marked B on the plan attached to the Owner's letter.  
Submission/Objection by Owner of 78 Johnston Street, Collingwood
- 18. The Owner of 78 Johnston Street, Collingwood objected to Council discontinuing and selling that part of the Road shown marked A on the plan attached to the Owner's letter, on the basis that:
  - (a) the Owner of 78 Johnston Street, required the Road to enable clients to access the car parking on its land;
  - (b) the Owners of 76 Johnston Street require the Road to access their car parking;
  - (c) access to the car parking located at 72 and 74 Johnston Street, Collingwood would be indirectly affected; and
  - (d) any development over the Road would inhibit the use of the rear of 78 Johnston Street and the Owner's business operation.
- 19. The Owner of 78 Johnston Street, does not object to the proposed discontinuance of that part of the Road marked B on the plan attached to the Owner's letter.

20. The Owners of 76 and 78 Johnston Street, provided several photographs in support of their submissions.

Submission/Objections received on Council's Facebook page.

21. The objections received on Council's Facebook page may be summarised as follows:
- (a) that any potential development of the area would affect the local amenity;
  - (b) that Council should better direct its resources to build a homeless shelter or upgrade the local police station; and
  - (c) that Council has approved too many developments within the area.

Additional Information provided by Applicant's Representative.

22. The Senior Development Manager of the Applicant has provided the following information:
- (a) a substation designed to CitiPower specifications has to be constructed adjacent to the laneway;
  - (b) CitiPower require access to the substation in perpetuity, this means that ground level access has to be maintained; and
  - (c) the Road will remain open at ground level but will be developed below and above as per the approved planning permit.

23. A copy of the ground floor development plan is attached to this report as Attachment 5.

Officer comments on objections to Proposal.

24. The following comments are offered by officers in respect of the submissions made in objection to the proposal:
- (a) Council's public notice accurately describes the Road;
  - (b) Council considers that access to the Adjoining Properties will not be impacted by Council discontinuing and selling the Road;
  - (c) Council considers that the amenity of the Adjoining Properties and the local area will not be adversely impacted by Council discontinuing and selling the Road;
  - (d) the Applicant has the right to apply to Council to request that Council discontinue and sell the Road to it;
  - (e) the Road is a 'road' which Council has the power to consider discontinuing and Council is entitled to consider discontinuing and selling roads pursuant to clause 3 of Schedule 10 of the Act; and
  - (f) The former road will still be available to use as access at ground level.

**Road**

25. It is established that the Road is a 'road' which Council has the power to consider discontinuing pursuant to the Act. If the road is discontinued, the Road will vest in council.

**Statutory/Public Authorities**

26. The following statutory/public authorities have been advised of the Proposal and have been asked to respond to the question of whether they have any existing assets in the Road that should be saved under section 207C of the Act: City West Water, Yarra Valley Water, Melbourne Water, CitiPower, United Energy, Multinet Gas, Telstra, Optus, APA Group and Yarra City Council.
27. Yarra Valley Water, Melbourne Water, CitiPower, United Energy, Multinet Gas, Telstra, Optus, APA Group and Yarra City Council advised that they have no known assets in or above the Road and have no objection to the Proposal.
28. City West Water (**CWW**) advised that it did not object to the Proposal, subject to the following conditions:

- (a) a certified title plan approved by CWW must show a 2.0m wide centrally located sewerage easement to be in favour of CWW;
- (b) any proposed fences must be located a minimum distance of 800mm clear of the centreline of existing CWW sewer mains;
- (c) any proposed fence lines must be located a minimum distance of 1.0m from sewer manholes and/or sewer inspections shafts; and
- (d) any proposal to build over a sewer asset will require CWW's written consent (i.e. build-over application approval).

29. The future development of the site will be required to meet CWW's conditions.

#### **External Consultation**

30. Public notice of the proposal was given according to Council's resolution of 18 September 2018.

#### **Internal Consultation (One Yarra)**

31. No Internal consultation is required for this report.

#### **Financial Implications**

- 32. The Applicant has agreed to acquire the Road, for its market value (plus GST) as determined by the Act.
- 33. In addition to the market value (plus GST), the Applicant has agreed to pay Council's costs and disbursements associated with the proposal.

#### **Economic Implications**

34. There are no economic implications arising from this report.

#### **Sustainability Implications**

35. There are no sustainability implications arising from this report.

#### **Social Implications**

36. There are no social implications arising from this report.

#### **Human Rights Implications**

37. There are no human rights implications arising from this report.

#### **Communications with CALD Communities Implications**

38. All notices and correspondence issued in respect of this proposal will contain a reference to Yarralink Interpreter Services.

#### **Council Plan, Strategy and Policy Implications**

39. There are no Council Plan, Strategy, or Policy Implications.

#### **Legal Implications**

40. There are no legal implications for this report.

#### **Other Issues**

41. There are no other issues.

#### **Options**

42. There are no options associated with this report.

## Conclusion

43. Council must consider the submissions lodged in respect of the proposal, then determine whether the Road is reasonably required for public use in order to decide whether the Road should be discontinued and sold pursuant to clause 3 of schedule 10 of the Local Government Act 1989 Act).

## Additional Information

44. At its meeting on 24 September 2019, Council deferred this matter to “*receive further advice*” regarding a potential Section 173 Agreement between Council and the Applicant/Owner, a copy of the Agreement between the Applicant/Owner and CitiPower, Traffic Engineer’s commentary on the swept path diagrams and information on the City West Water Easement.
45. This additional information is included here.

### Section 173 Agreement

46. The Applicant has agreed to enter into a Section 173 Agreement with Council. The agreement will require the ground floor portion of the existing road, shown as coloured yellow on the Site Plan at Attachment 2 to remain open in perpetuity. The 173 Agreement will allow the adjoining Owners to continue using the ground floor area for access.

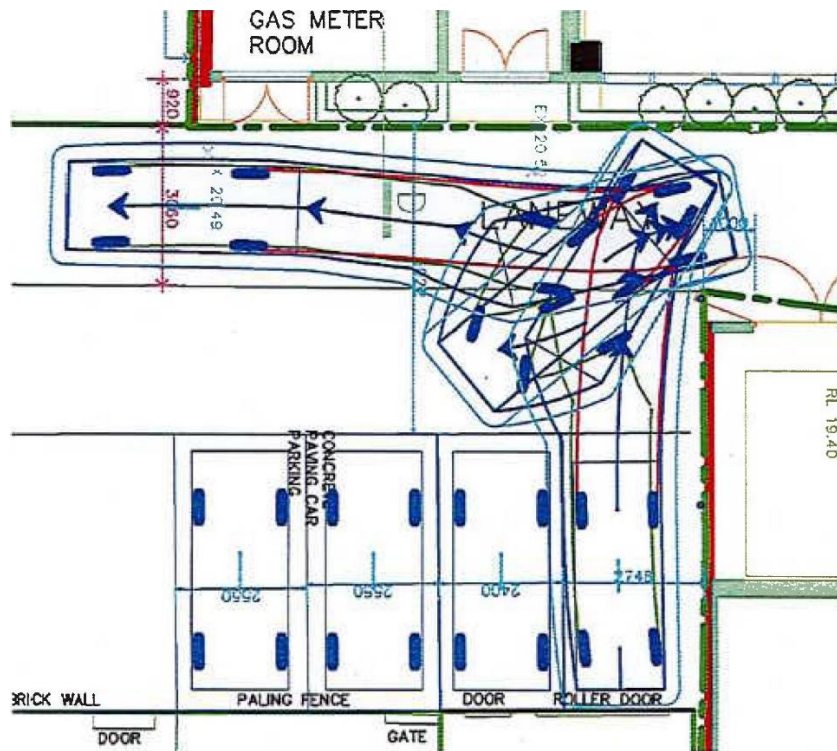
### Citi Power Agreement

47. The Applicant has provided a copy of a lease agreement between themselves and CitiPower. The lease is required to enshrine access to the CitiPower Substation adjacent to the road shown pink. The lease is for 30 years with a 30 year option.

### Swept Path Diagrams

48. Council Traffic Engineers have provided the following advice in respect of the proposal:
49. “The swept path diagrams provided by Traffix Group demonstrated that the egress movement of the easternmost car space of 78 Johnston Street required to traverse over the portion of Right of Way to be discontinued (in the event that vehicles occupy the spaces).
50. For the manoeuvrability assessment of the easternmost space, Traffix Group had used the 835 design vehicle (classified as a light car under the Australian/New Zealand Standard AS/NZS 2890.1:2004; 4450 mm by 1700 mm).
51. Typically, the 885 design vehicle (4910 mm by 1870 mm) is used to test the ingress and egress movements into and out of parking spaces.
52. Below is an extract of the Traffix Group swept path assessment for the easternmost space, clearly showing that the vehicle’s rear (with the 300 mm clearance) traverses over the Right of Way, beyond the alignment of the eastern boundary of 78 Johnston Street.





53. Council engineers have interpreted the Traffix swept path diagrams to show that exiting vehicles reverse slightly into the discontinued road.
54. The swept path diagrams are also based on a small car, so it is probable that a larger car may reverse further into the discontinued road.
55. Our advice is based on the swept path diagrams provided.”

City West Water Easement

56. The City West water easement will be removed as part of the redevelopment of the site. The Applicant will be required by City West Water to follow the necessary easement removal requirements. The removal of the City West Water easement will have no effect on the protection of the road portion.

**Section 173 Agreement**

57. The Applicant/Owner has now agreed to sign a 173 Agreement (**Agreement**). The Agreement outlines the specific obligations as follows:
  - (a) The adjoining Applicant/Owner covenants to keep the Vehicular Access Area open and accessible to the Adjoining Owners at all times, and
  - (b) The Applicant/Owner covenants that it will not place and not allow any person to place any obstruction on the Vehicular Access or install any structure on the Vehicular Access Area, except where Council or the Adjoining Owners have provided their prior written consent.
58. If the Applicant/Owner does not comply with its obligations the Applicant/Owner agrees that council may:
  - (a) Remove or procure the removal of the obstruction without further notice to the Applicant/Owner; and
  - (b) Recover from the Applicant/Owner its reasonable costs incurred to remove the obstruction, which (until paid) are and remain a charge on the Subject land.

## RECOMMENDATION

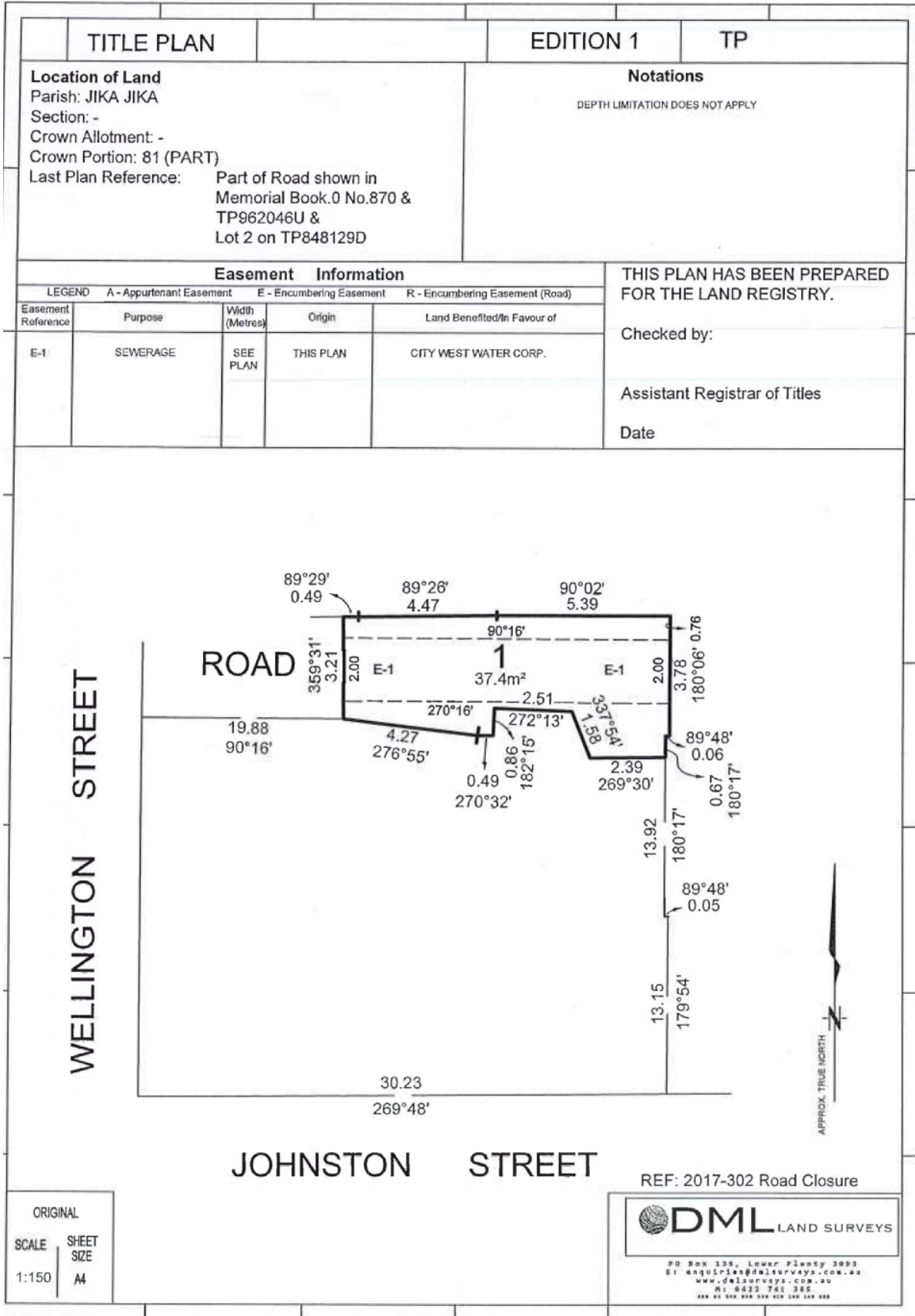
1. That Council, having considered all submissions received in response to the public notice regarding Council's proposal to discontinue the road shown marked Lot 1 on the title plan attached as Attachment 1 to this report (**Road**), being the whole of the land contained in certificate of title volume 11849 folio 976 and part of the land contained in Memorial Book O No 870:
  - (a) Resolves that having followed all the required statutory procedures pursuant to section 189, 207A and 223 of the Act pursuant to its power under Schedule 10, clause 3 of the Act, and being of the opinion that the road abutting 88-90 Johnston Street, Collingwood, is not reasonably required for public use, Council discontinues the Road;
  - (b) Directs that a notice pursuant to the provisions of Clause 3(a) of schedule 10 of the Act is to be published in the *Victoria Government Gazette*;
  - (c) Directs that, once discontinued, the Road be transferred to the Applicant subject to the formal signing of a Section 173 Agreement requiring that:
    - (i) the adjoining Applicant/Owner covenants to keep the Vehicular Access Area open and accessible to the Adjoining Owners at all times; and
    - (ii) the Applicant/Owner covenants that it will not place and not allow any person to place any obstruction on the Vehicular Access or install any structure on the Vehicular Access Area, except where Council or the Adjoining Owners have provided their prior written consent; and thatthe transfer amount is to be the current market value plus (GST), with the market value to be determined in accordance with the Act;
  - (d) Directs that any easements, rights or interests required to be created or saved over the Road by any authority be done so;
  - (e) Authorises Council's CEO to sign any transfer or transfers of the Road or any other documents required to be signed in connection with the discontinuance of the Road and its subsequent transfer to the Applicant;
  - (f) Authorises Council's CEO to sign the Section 173 Agreement; and
  - (g) Informs the submitters in writing of Council's decision on the matter.

**CONTACT OFFICER:** Bill Graham  
**TITLE:** Coordinator Valuations  
**TEL:** 9205 5270

### Attachments

- 1 [↓](#) Title Plan
- 2 [↓](#) Site Plan
- 3 [↓](#) Title Searches
- 4 [↓](#) Submissions
- 5 [↓](#) Applicant Development Plan

Attachment 1 - Title Plan



ORIGINAL  
SCALE: SHEET SIZE  
1:150    A4

REF: 2017-302 Road Closure

PO Box 139, Lower Plenty 3093  
 E1 enquiry@dmlsurveys.com.au  
 www.dmlsurveys.com.au  
 M: 0432 761 385  
 FAX 03 949 259 339 039 259 259 259

Attachment 2 - Site Plan



**Attachment 3 - Title Searches**

Attachment 3 - Title Searches



**Attachment 3 - Title Searches**

**RE:-**

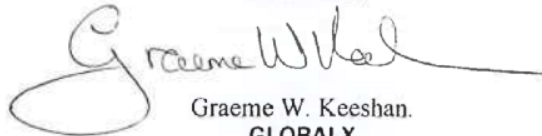
**PROPERTY:-** Part Crown Portion. 81, Parish of Jika Jika.

**YOUR REF:-** I. Pierri.

A search for the **Last Registered Owner** resulted with copies of the following:-

1. L.A.S.S.I. For current map base.
2. TITLES OFFICE CHART  
Jika Jika 111
3. CONVEYANCE  
Bk: O No: 870 to T. GREENWOOD, F. CLEWS & C. WOODWARD  
( **Last Registered Owners** ).
4. PLAN IN APPN:  
6073 Showing the land remaining in the above Conveyance.
5. 26F:- NIL see attached sheet.

30.5.2017.



Graeme W. Keeshan.  
GLOBALX  
GPO BOX 1772  
Melb 3001  
(DX 285)  
Ph. 9679 5800.

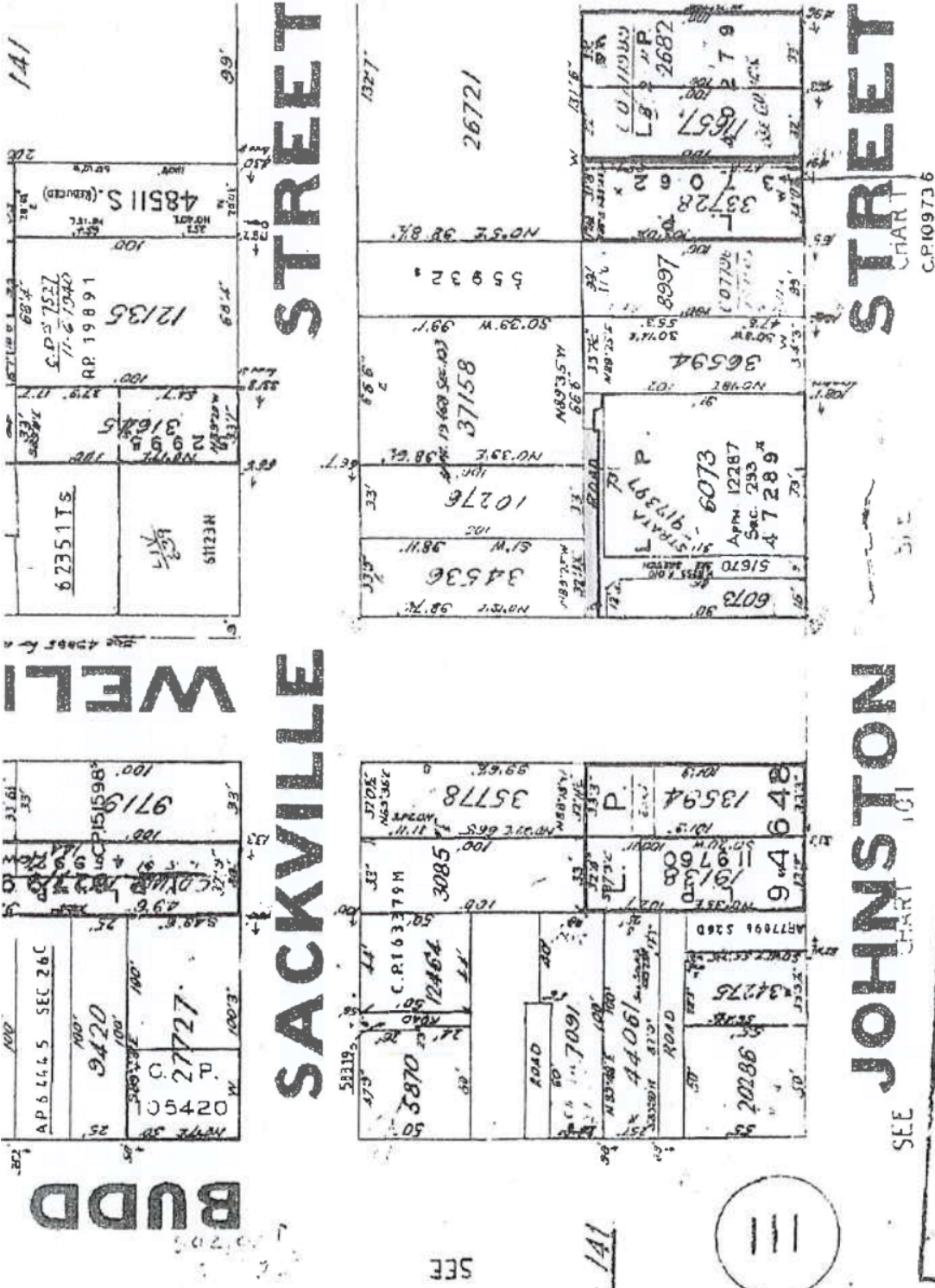
**DISCLAIMER:-** A search for the last registered owner may not disclose all easements, subsisting interests affecting the above property or guarantee the consistency of the Chain of Title.

Due to changes in procedures at the Lands Titles Office, this search is as accurate as the information contained herein at the date of this search.

**Attachment 3 - Title Searches**



Attachment 3 - Title Searches



JOHNSTON STREET

SACKVILLE

WELI

BUDD

SEE

**WARNING**  
 THIS COPY IS NOT VALID FOR  
 THE QUEENSLAND LAND REGISTRY  
 STAFF. PLEASE CONTACT THE  
 RELEVANT OFFICE FOR MORE INFORMATION.

First Case 141

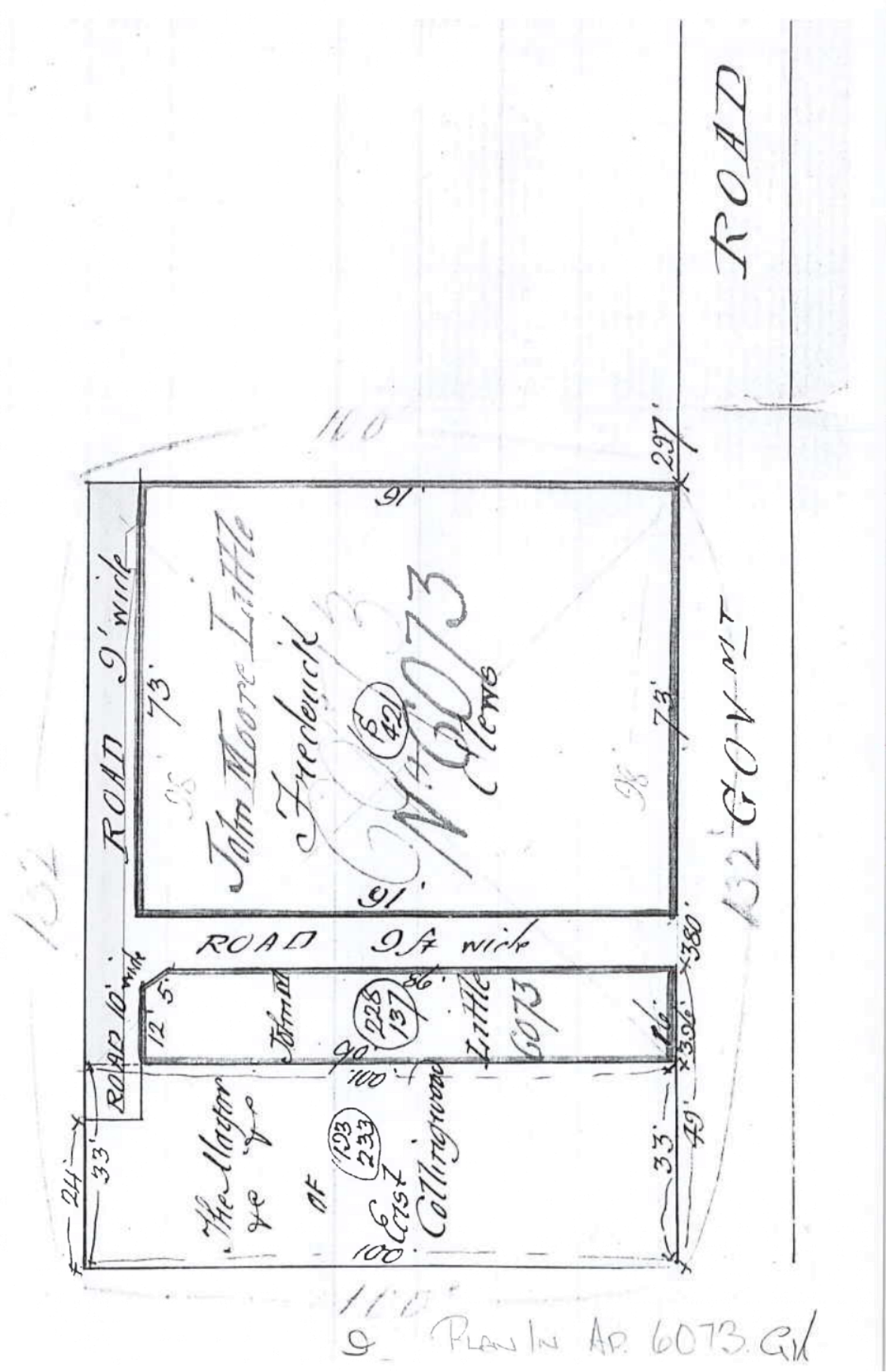
JIKA JIKA  
 PART OF  
 POR 81  
 2796



SEE



Attachment 3 - Title Searches



Attachment 3 - Title Searches

26FTABLE CURRENT 30/03/17

GHERINGHAP	CA'S 3 & 4 SEC 14	AP120136C	108560 &116294	V886761W	TP13776A	10/2/1999
HARCOURT	(PART)CA 2 SEC 5	AP123982T	93227	AD657946X	TP838569R	02/06/2005
HARCOURT	1 (WH) & 2 (PT) SEC 4	AP128068Y	93252/3	AJ824135G	TP950388R9P	30/7/2012
HARCOURT	CA 1 (P) SEC 6	AP125348I	C.G.30094(1854)	PS608456R	TP915757A	28/9/2007
HARCOURT	CA 27 SEC 4	AP128073G	93263	AJ825929L	TP950363Y	30/7/2012
JIKA JIKA	PORT 49 (PT)	AP131456V	BK B NO 280	AL411777Y	TP955996E	09/10/2014
JIKA JIKA CITY OF NORTHCOTE	PORT 52 (PART)	AP127218M	111667	AJ64154M	TP948278C	12/7/2011
KALKALLO	C/A 12(PPT) SEC 9	AP138035J	112184	AN694016A	TP962456Y	30/3/2017
KALKALLO	POR 5 (PT)	AP119112A	108810	AJ763369R	TP945830X	9/6/2010
T/P KALKALLO	POR 5 & 8 (PTs)	AP119113X	108811	AJ763369R	TP945830X	9/6/2010
T/P KALKALLO	C/A's 4 & 5 SEC 2	AP126717X	CGs5521/2 1853		TP946393N	13/8/2010
T/P KALKALLO	C/A'S 2,3,4,5,6,7,8,10 (ALL PART) SEC 6	AP126722F	VARIOUS STAKES FROM AP46336		TP946401S	13/8/2010
T/P KALKALLO	C/A 9 SEC 25	AP126721H	115430		TP946397E	13/8/2010
KORKUPERRIMUL	PORT 11 (PART)	AP125581C	81743	AF722885N	TP924161K	18/3/2008
LANGI-GHIRAN	C/A 2 (PT) SEC 32	AP132892T	97263	AL959658A	TP957658Q	16/06/2015
LARA	PORT 16	AP122312X	-	AB734381L	TP820035U	3/12/2002
LAURISTON	CA 303	AP121724D	80888	AB8511B	TP800321G	8/1/2002
MALDON	CA 19 SEC B	AP124439L	91307	AB8526M	TP88526M	8/1/2002
MANDURANG	CA's 2,10 & 11 SEC 4	AP125991G	89670/1/2/3	AE66829N & AF260857R	TP873975T	16/12/2005
T-SHIP OF MANDURANG	CA 9 SEC 1			AG338475R	TP943153B	10/2/2009
MELBOURNE NORTH	CA 1(PT) & CA 20(PT) SEC 43	AP134983E	-	PS 746078A	TP959898H	02/05/2016
MARIBRYNONG	POR B SEC 2 (PT)	AP119117P	CG 26798	AH462111E	TP945836K	9/6/2010
MELBOURNE SOUTH	C/A 1 (PART) SEC 5	AP128053N	TOWN LOT 2141 (1851)	AJ807003W	TP950332L	20/7/2012
CITY OF PORT MELBOURNE (MELBOURNE SOUTH)	C/A 1(P) & 2(P) SEC 23	AP128831P	114713	AJ906120Q	TP951705R	27/3/2013
MERIDITH	POR 86	AP126694H	81548	AH408067L	TP946354Y	5/8/2010
MERRIMU	POR 11 SEC 15 (P)	AP126842U	BK T No 517	AH599268D	TP946821T	8/1/2010
T-SHIP OF BACCHUS MARSH	AM150480A (X106C)			<b>REMOVED</b>		
MICKLEHAM	POR 11B (P)	AP127891A	CG 25247/1852	AJ819028M	TP950083F	6/6/2012
MONEA SOUTH	C/A 21 (FORMERLY C/A 21 SEC 2)	AP128067B	106467		TP950352E	26/7/2012

**Attachment 3 - Title Searches**

Copyright State of Victoria. This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act 1968 (Cth) and for the purposes of Section 32 of the Sale of Land Act 1962 (Vic) or pursuant to a written agreement. The information is only valid at the time and in the form obtained from the LANDATA REGD TM System. The State of Victoria accepts no responsibility for any subsequent release, publication or reproduction of the information.

REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 11849 FOLIO 976

Security no : 124066422969Y  
Produced 07/06/2017 07:54 am

LAND DESCRIPTION

Lot 1 on Title Plan 962046U.  
Created by Application No. 135863K 05/08/2016

REGISTERED PROPRIETOR

Estate Fee Simple  
Sole Proprietor  
88 JOHNSTON STREET PTY LTD of 23 SHIERLAW AVENUE CANTERBURY VIC 3126  
Application No. 135863K 05/08/2016

ENCUMBRANCES, CAVEATS AND NOTICES

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP962046U FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

DOCUMENT END

**Attachment 3 - Title Searches**

State of Victoria. This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act and for purposes of Section 32 of the Sale of Land Act 1962 or pursuant to a written agreement. The information is only valid at the time and in the form obtained from LANDATA® System. The State of Victoria accepts no responsibility for any subsequent release, publication or reproduction of the information.

<b>TITLE PLAN</b>		EDITION 1	<b>TP962046U</b>	
LOCATION OF LAND PARISH: JIKA JIKA TOWNSHIP: SECTION: CROWN ALLOTMENT: CROWN PORTION: 81 (PT) LAST PLAN REFERENCE: DERIVED FROM: BOOK. 0 NO. 870. DEPTH LIMITATION: NIL		NOTATIONS		
<b>EASEMENT INFORMATION</b>				THIS PLAN HAS BEEN PREPARED BY LAND VICTORIA FOR TITLE DIAGRAM PURPOSES  Checked by: DBR Date: 24/01/2017 Assistant Registrar of Titles
E - ENCUMBERING EASEMENT R - ENCUMBERING EASEMENT (ROAD) A - APPURTENANT EASEMENT				
Easement Reference	Purpose / Authority	Width (Metres)	Origin	
<p style="text-align: center;"><b>LOT 1</b> 18m<sup>2</sup></p> <p style="text-align: center;">WELLINGTON STREET</p> <p style="text-align: center;">JOHNSTON STREET</p> <p style="text-align: center;">ROAD</p>				
LENGTHS ARE IN METRES	SCALE	DEALING / FILE No: AP135863K		DEALING CODE: 15
GOVERNMENT GAZETTE No:			SHEET 1 OF 1	

**Attachment 4 - Submissions**

**Attachment 4 - Submissions**

We wish to be notified of the date of the council hearing concerning Yarra City Council proposal contained in reference D18/217699. We would also suggest a council representative visit the site and evaluate the impact of the proposed discontinuance and sale on the adjoining neighbours.

Please contact me if you wish to discuss the matters contained in this letter.

Regards,



Fraser & Co (Aust) Pty Ltd



## Attachment 4 - Submissions



78 Johnston Street  
Collingwood Vic. 3066

PO Box 6064  
Collingwood Vic. 3066

T + 61 3 9417 2535  
F + 61 3 9417 2532

www.fraserco.com.au

10<sup>th</sup> January 2019

Vijaya Vaidyanath  
Chief Executive Officer  
Yarra City Council  
PO Box 168  
Richmond VIC 3121

Dear Ms Vaidyanath,

**RE: Proposed Road Discontinuance rear 88-90 Johnston Street Collingwood  
Yarra City Council Reference D18/217699**

As the owner and occupier of 78 Johnston Street Collingwood we hereby object to the proposed discontinuance and sale of the "road" at the rear of 88-90 Johnston Street as per the above reference. We would at this point wish to clarify that the 'road' being referred to actually spans 80-82 Johnston Street and the proposal is therefore inherently misleading.

We object to the proposed discontinuance of the 'road' or Right of Way (ROW) being the west section area spanning 4.47 metres across its northern border (see attached diagram area "A") which is at the rear of 80 Johnston Street. We object to the 'road' being discontinued for the following reasons:

1. As owners and tenants of 78 Johnston Street we require the ROW situated behind 80 Johnston to enable our clients to use the car parking spaces at the rear of our property. Without this ROW it would render the car parking virtually useless due to the difficulty in exiting / reversing following the discontinuation of the 'road' behind 80 Johnston Street.
2. If the proposal were to proceed the owner of 80 Johnston Street could extend or build in what is now the ROW behind 80 Johnston Street, ultimately removing that area completely and preventing users of our company car park from exiting the designated parking spaces as there will be no turning area to reverse into. The accompanying photos clearly demonstrate this.
3. In discussions with our neighbours at 76 Johnston Street proceeding with the proposal would have a similar effect on them also as they also require that area to reverse from their car parking spaces and use the ROW behind 80 Johnston Street.
4. Accordingly objection is made to the sale of **the External ROW – "A"** area at the rear of 80 Johnston Street as it adversely impacts the car parking area behind 78 and 76 Johnston Street and indirectly the car parking areas of 72-74 Johnston Street Collingwood.
5. We already believe that the proposed building encompassing 80-90 Johnston Street will adversely impact our ability to access existing parking once built. If the development is allowed to include the ROW behind 80 Johnston Street then this will be a further inhibitor to our use of the rear of our property and business operation.

We wish to note that we do not have any objection to the sale of the internal 'road' spanning 5.39m on its northern border (see attached diagram area "B") which is located inside the existing warehouse at 82 Johnston Street as this area is not required for function of the rear car parking 72-78 Johnston Street. It is specifically the ROW behind 80 Johnston Street that is the subject of our objection.

**Attachment 4 - Submissions**

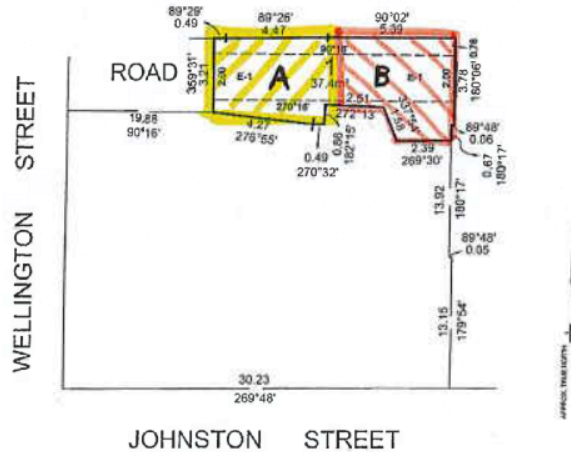
**Attachment 4 - Submissions**

**YARRA CITY COUNCIL  
PROPOSED ROAD DISCONTINUANCE  
PUBLIC NOTICE INVITING SUBMISSIONS UNDER SECTION 223**



Yarra City Council (**Council**), acting under clause 3 of schedule 10 to the *Local Government Act 1989 (Act)*, proposes to discontinue the road at the rear of 88-90 Johnston Street, Collingwood, shown as Lot 1 on the plan below (**Road**), comprising the whole of the land contained in certificate of title volume 11849 folio 976 and part of the land in contained in Memorial Book O No. 870.

The proposal is that Council discontinue the Road and sell the Road at market value, to the adjoining owner of 88-90 Johnston Street, Collingwood.



Any person may make a submission on the proposal.

Any person wishing to make a submission under section 223 of the Act must do so in writing by 16 January 2019.

All submissions will be considered in accordance with section 223 of the Act. Submissions should be addressed to the Chief Executive Officer, and can be hand delivered to Council's Municipal Office at 333 Bridge Road, Richmond or posted to the following address:

Vijaya Vaidyanath, Chief Executive Officer  
Yarra City Council - PO Box 168 , RICHMOND VIC 3121

Any person requesting to be heard in support of his or her submission is entitled to be heard before Council (or its committee established by Council for this purpose) or be represented by a person acting on his or her behalf, and will be notified of the time and date of the hearing.

Following consideration of submissions Council may resolve not to discontinue the Road or to discontinue the Road and then either sell the land from the Road to the adjoining owner or transfer the Road to itself.

For more information on the proposal, please contact Bill Graham on 03 9205 5270 or [bill.graham@yarracity.vic.gov.au](mailto:bill.graham@yarracity.vic.gov.au)

Vijaya Vaidyanath - Chief Executive Officer, Yarra City Council

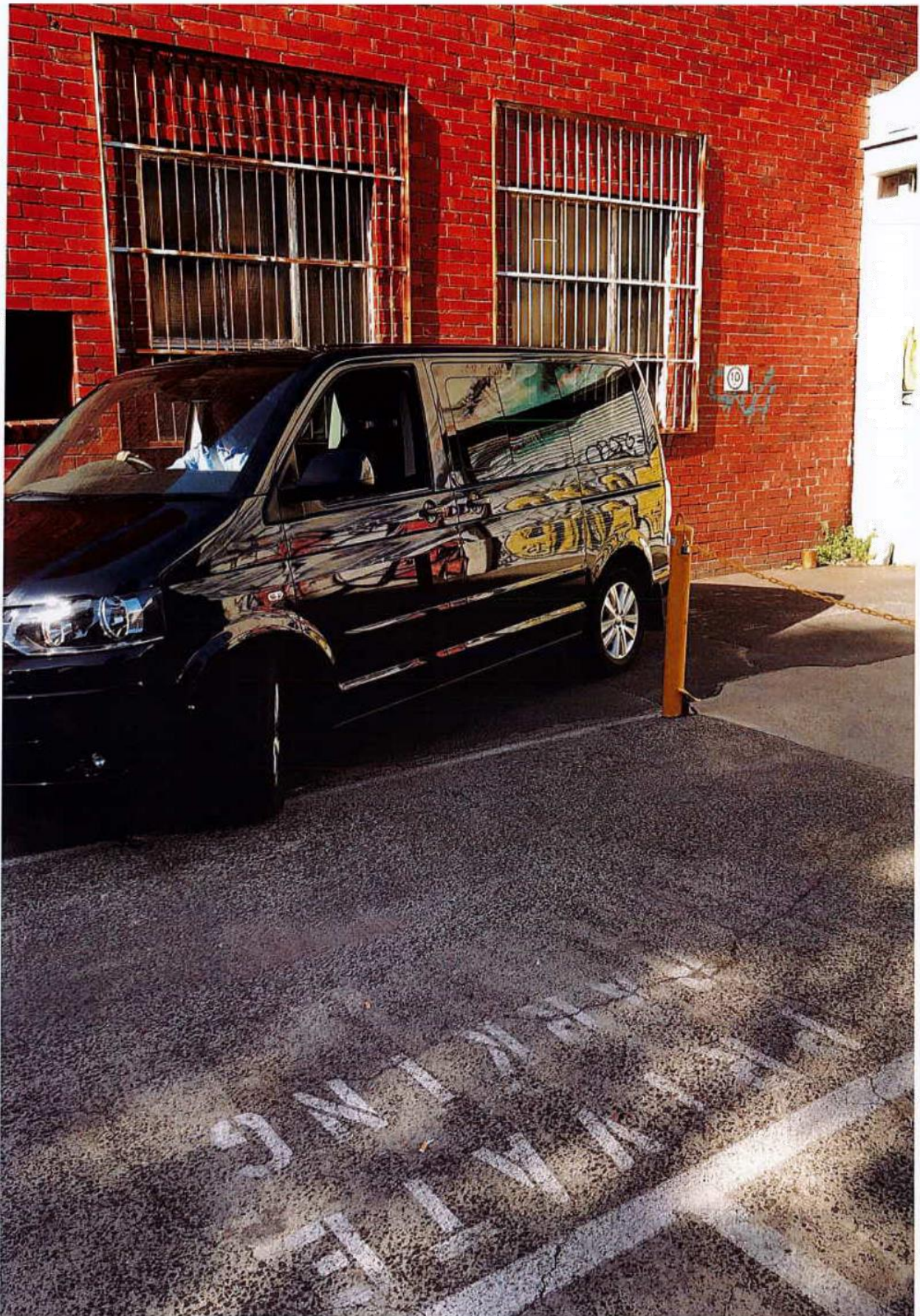
Attachment 4 - Submissions



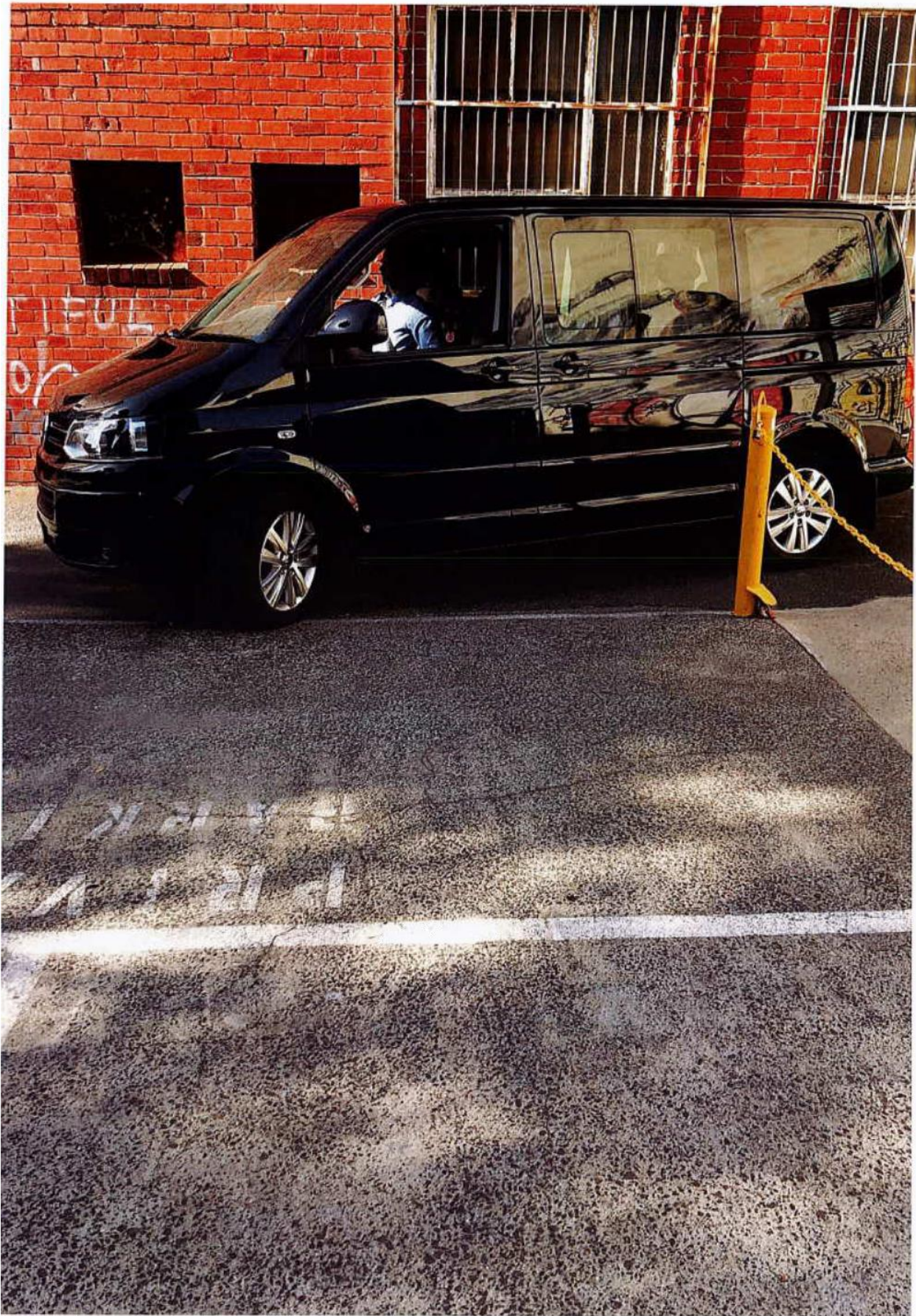
Attachment 4 - Submissions



Attachment 4 - Submissions



Attachment 4 - Submissions



Attachment 4 - Submissions

Spirano HOLDINGS PTY LTD.  
(A.C.N. 055 457 362)

76 JOHNSTON STREET  
COLLINGWOOD  
VICTORIA 3066



21 December 2018

Ms. Vijaya Vaidyanath  
Chief Executive Officer  
Yarra City Council  
P.O. Box 168  
RICHMOND VIC 3121

BY EXPRESS POST

And By Email – info@yarracity.vic.gov.au

Dear Ms Vaidyanath

**Yarra City Council (Council)– Proposed Road Discontinuance rear 88-90 Johnston Street Collingwood**

I refer to the Council Notice posted on 19/12/2018 (the Notice) and hereby make a submission to council on the proposal.

As the owner and occupier of 76 Johnston Street Collingwood we hereby object to the proposed discontinuance and sale of the "Road" as per the Notice.

We object to the proposed discontinuance of the Road (Easement / Right of Way – ROW) being the **external 4.47m x 2m x 4.27m west section area marked "A" in the attached diagram plan – (External ROW – "A")** should not be discontinued and sold off to the owners of 80-90 Johnston Street for the following reasons:

1. This external ROW – "A" area located at the rear of 80 Johnston St is the turning area used by 78 Johnston Street to turn into and out of their car parking spaces.
2. If the approved plans are amended by the owner of 80-90 Johnston Street, extending the proposed building line along 78-80 Johnston is across the width of the ROW (western border), this structural element would not allow and prevent 78 from exiting from its car parking area as there will be no turning area to turn into to exit from the car parking spaces behind 78 Johnston street.

.../2



**Attachment 4 - Submissions**

-2-

3. Similarly we, (our clients and visitors) also reverse out of our car parking spaces, and if the developer were to build across the western border of the **external ROW – “A” area**, this would make exiting from our car parking spaces turning movements unsatisfactory and awkward.
4. Accordingly objection is made to the sale of **the External ROW – “A” area** at the rear of 80 Johnston Street as it adversely impacts the car parking area behind 78 and 76 Johnston Street and indirectly the car parking areas of 72-74 Johnston Street Collingwood.
5. The property owners at 78 and 76 Johnston Street should continue to have the benefit of **the External ROW – “A” area** easement to get in and out of our car parking areas without any structural impediment and / or without the need to enter upon an adjoining owners private property in order to exit our car parking areas.
6. In addition should the proposed building be extended along the 78-80 title boundary across the ROW, (western border) this would further adversely impact the amenity of the owners at 72, 74, 76 and 78 Johnston Street (subdivision RP 17568), e.g. delivery vehicles parking in the ROW behind 78 & 76 Johnston Street car parking areas while making deliveries to the commercial occupants on the ground floor premises of 80-90 Johnston Street once built.
7. **the External ROW – “A” area** at the rear of 80 Johnston St is used daily by 78 to enter & exit from their car parking area .
8. **External ROW – “A” area** at the rear of 80 Johnston St has not been fenced off or acquired by adverse possession by the owners of 80-90 Johnston Street and accordingly should not be discontinued and sold off to the owners of 80-90 Johnston Street as they have no right of acquisition of the public ROW / laneway that is being used by neighbours on a daily basis.
9. Any impact on the ability of 78 Johnston Street to enter & exit their car parking area will affect the amenity all other adjoining owners and their ability to enter & exit their car parking areas as stated above.
10. We do not have any objection to the sale of **the internal 5.39m x 2m x 2.51+2.39m east section area marked “B” in the attached diagram plan – (Internal ROW – “B”)** as it is located inside the existing warehouse building line at 82 Johnston Street and has been used continuously by the occupant of 82-90 Johnston Street. The acquisition of this **internal ROW “B” area** is appropriate to clean up the title of 82 -90 Johnston Street.

In relation to the public Notice posted on 19 December 2018 I note:

1. It refers to the ROW as a public Road when it is marked as an **E-1 Easement** which benefits the adjoining properties including 72 – 78 and 80 Johnston Street. The easement appears to have been marked as a road. I would be interested to see if it has been gazetted as a road. Could a council officer provide any clarification on this.

.../3

**Attachment 4 - Submissions**

-3-

2. The diagram as contained in the posted notice is not to scale and does not fairly or accurately represent the area affected and the adjoining properties and existing buildings.
3. The Notice is not correct as it refers to the Discontinuance of the Road at “**the rear of 88-90**” when the road is actually at the rear of 80 and within 82-90 Johnston Street.
4. Council has not provided any reason for the sale.
5. **We wish to be notified of the date of the council hearing so we can voice our Concerns and hear councils reasons for the proposal and recommendations.**

We would also suggest a council representative visit the site and evaluate the impact of the proposed discontinuance and sale on the adjoining neighbours.

Please call if you have any queries or wish to discuss.

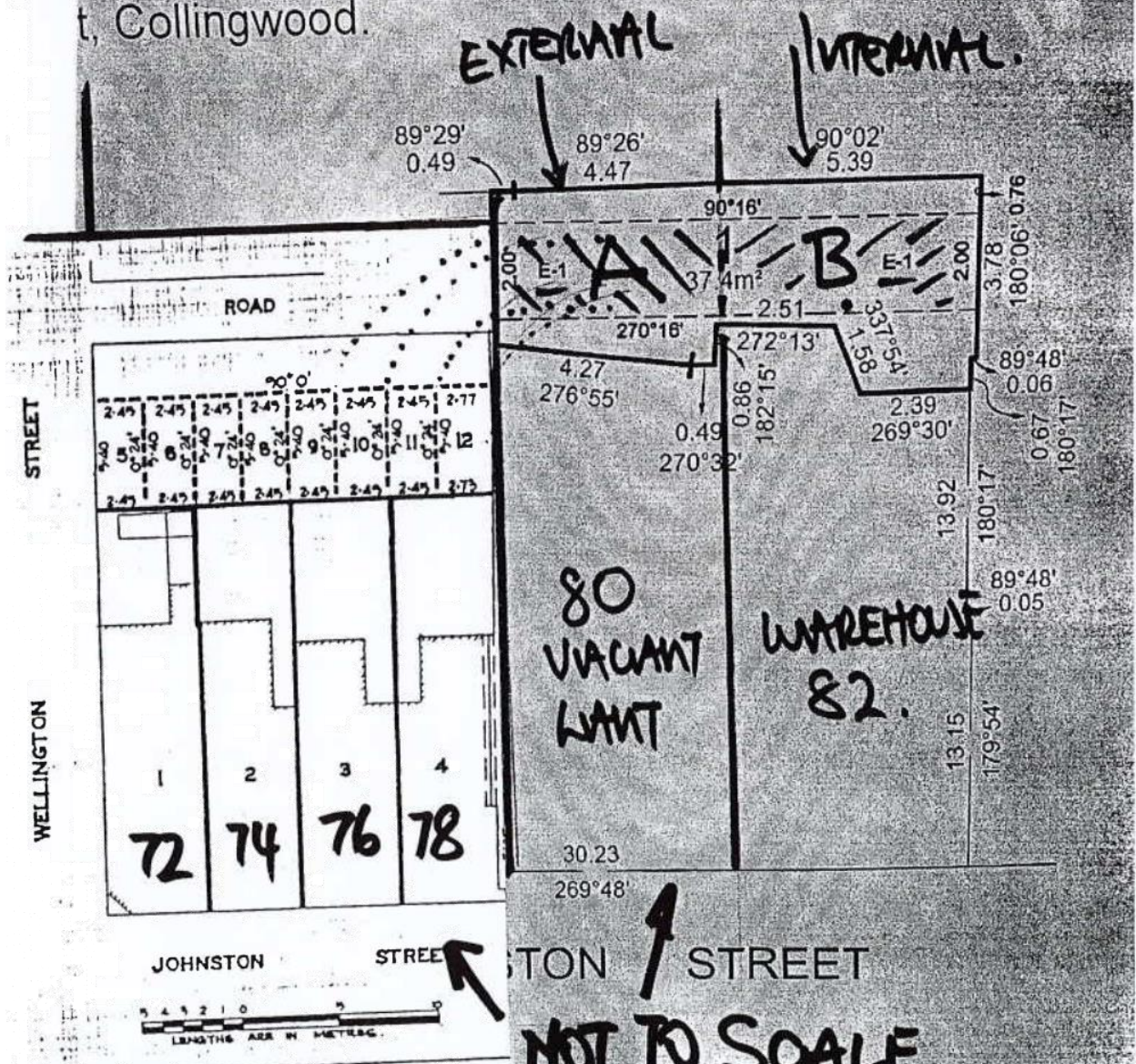
Yours faithfully,

  
**For & On Behalf of  
Spirano Holdings Pty Ltd  
Encl. Plan, Photos**

Attachment 4 - Submissions

ouncil), acting under clause 3 of schedule 10 to the Local Government Act 1989, to discontinue the road at the rear of 88-90 Johnston Street, Collingwood, comprising the whole of the land contained in certificate of title contained in Memorial Book O No. 870.

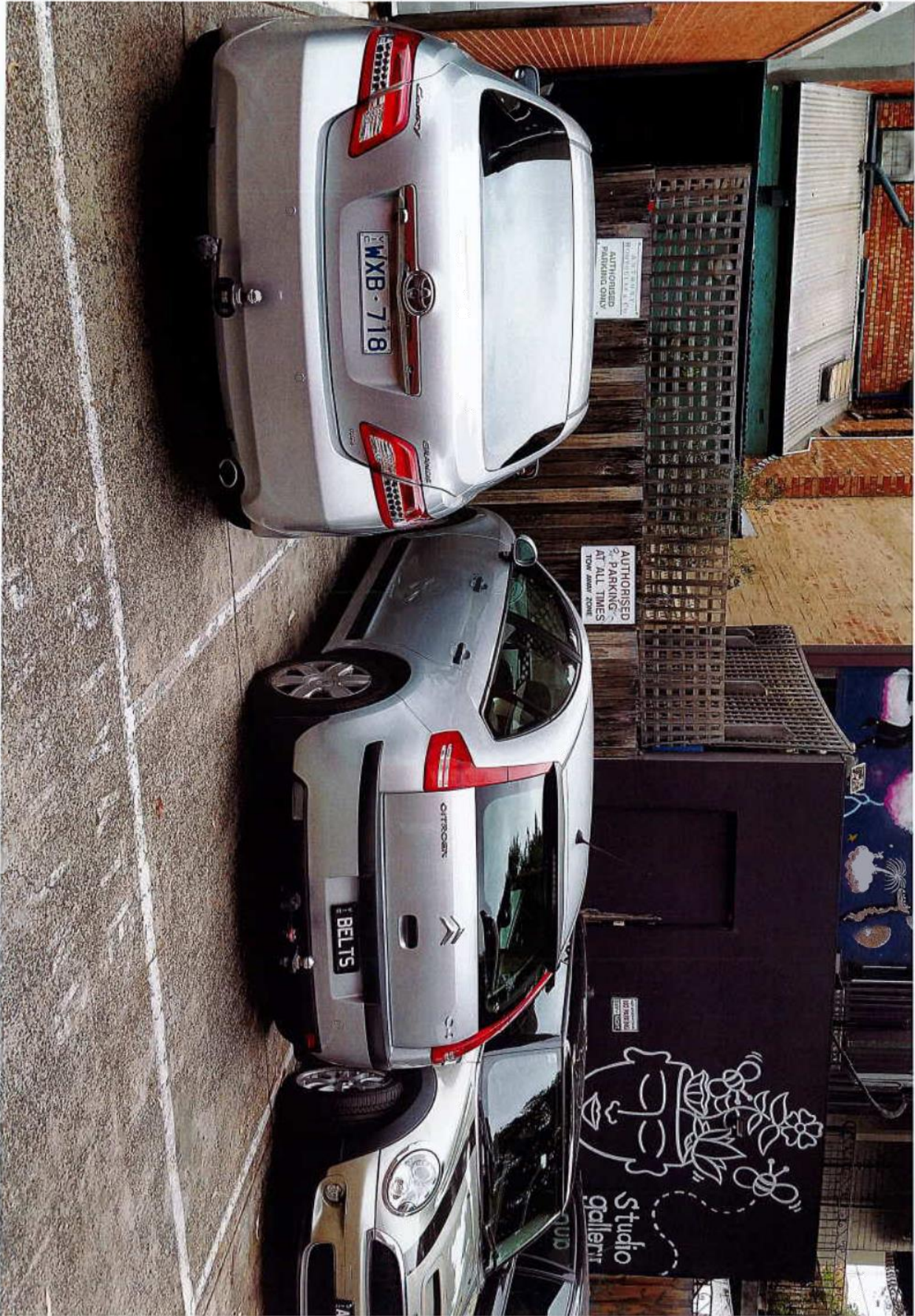
ouncil discontinue the Road and sell the Road at market value, Collingwood.



Printed 21 Apr 1995 02:04 pm, Customer 2308H.

ing to make a submission on the proposal. ing to make a submission under section 223 of the Act must do

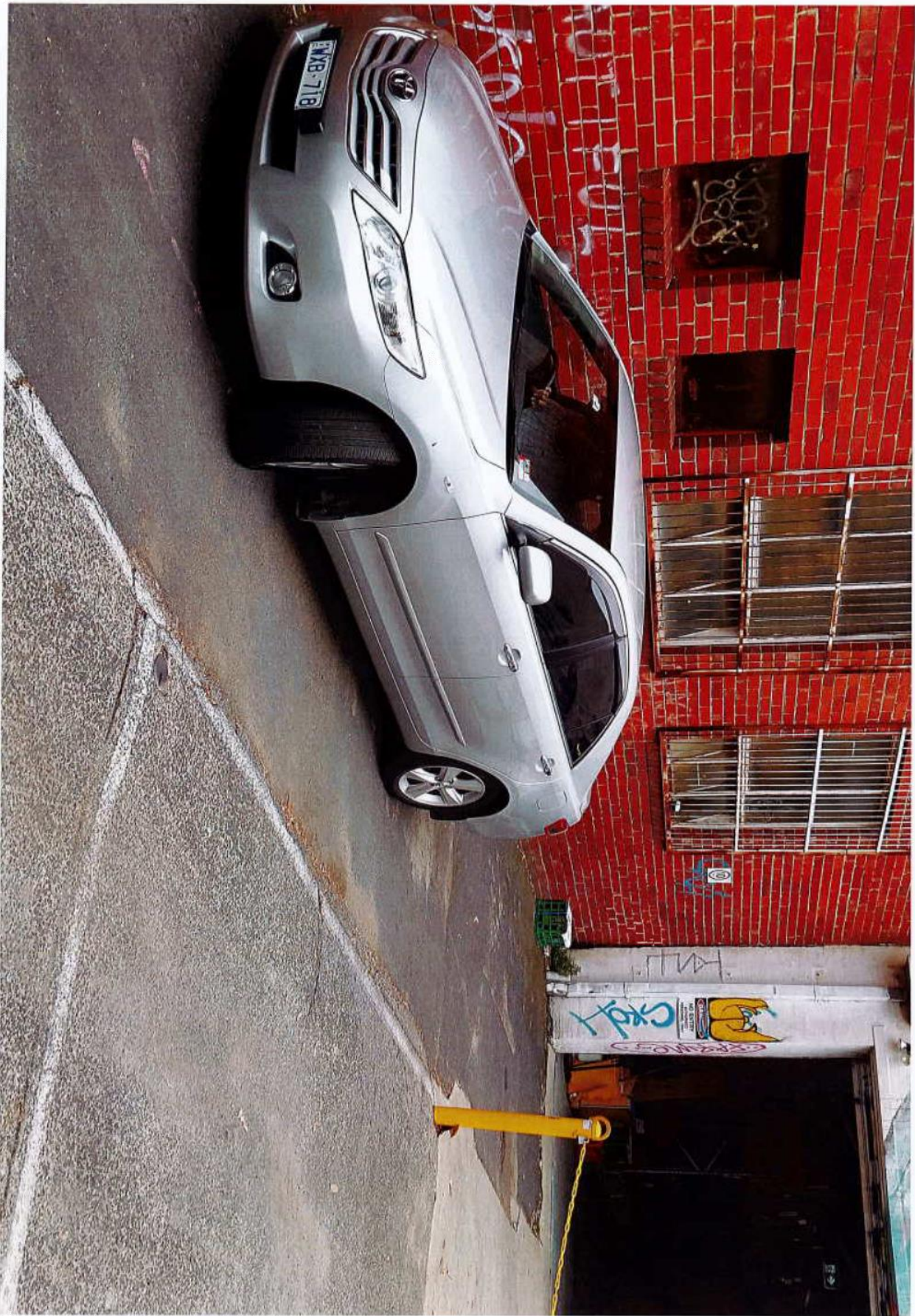
Attachment 4 - Submissions



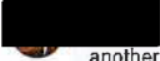
Attachment 4 - Submissions




Attachment 4 - Submissions



Attachment 4 - Submissions


 Presumably this is to assist the development of the site into another big multi storey eyesore?  
Like · Reply · Message · 4d    10





 You are probably right: "The proposal is that Council discontinue the Road and sell the Road at market value, to the adjoining owner of 88-90 Johnston Street, Collingwood."  
Like · Reply · Message · 4d  1

 <https://www.urban.com.au/.../80-90-johnston-street...>




URBAN.COM.AU  
**80-90 Johnston Street,  
Collingwood - Project Details**

Like · Reply · Message · Remove Preview · 4d  1

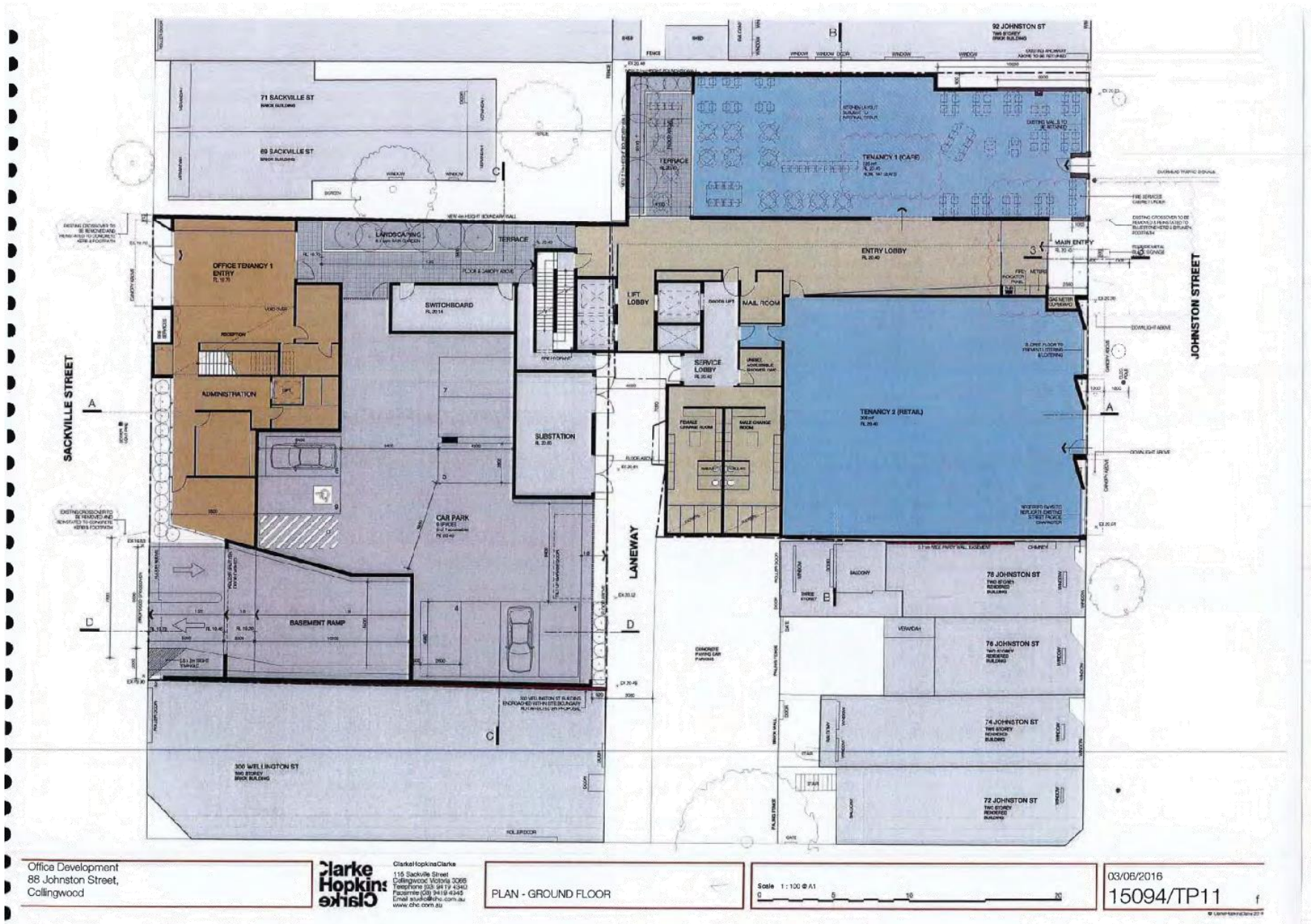
 Write a reply...    

 Like · Reply · Message · 4d

 How about a homeless shelter or upgrade the police station?  
Like · Reply · Message · 3d

 I have to say, as a resident of Gold St I'm really disappointed with the number of proposed developments right now in the immediate area. Just having a research and there are at least 10 proposals right now around a small radius including Gold St, Dight St, Keele St and of course Johnston St (which I kind of understand as it's a main road.) I'm all for building upwards to cater for our increase in population but not when it's all located in one small area. There has to be another way or something that can be done about this. I hope each complex comes with parking because I'm definately not giving up my space. Absolutely crazy and driven by greed.  
Like · Reply · Message · 3d · Edited  2

Attachment 5 - Applicant Development Plan



Office Development  
88 Johnston Street,  
Callingswood



Clarke Hopkins Clarke  
115 Sackville Street  
Callingswood, Victoria 3066  
Telephone (03) 94 18 4343  
Facsimile (03) 94 18 4342  
Email [info@chc.com.au](mailto:info@chc.com.au)  
www.chc.com.au

PLAN - GROUND FLOOR



03/08/2016  
15094/TP11



---

**12.1 Notice of Motion No.16 of 2019 - Local Government Bill 2019**

---

Reference: D19/214269

Authoriser: Group Manager Chief Executive's Office

I, Councillor Amanda Stone, hereby give notice that it is my intention to move the following motion at the Ordinary Meeting of Council to be held on 26 November 2019:

1. *That Council note:*
  - (a) *the tabling in the Victorian Parliament on 14 November of the Local Government Bill 2019;*
  - (b) *the inclusion in this Bill of Section 13 which removes the provision for multi-member wards;*
  - (c) *the recommendations by the Victorian Electoral Commission in recent electoral reviews of multi-members wards in most instances;*
  - (d) *the widespread sector opposition to the removal of multi-member wards;*
  - (e) *the deep concern expressed by the local government peak bodies, the Municipal Association of Victoria and the Victorian Local Governance Association about the removal of multi-member wards;*
  - (f) *the lack of support for the removal of multi-member wards throughout the prolonged consultation process during 2015-2018;*
  - (g) *support expressed in the Yarra community for the continuation of multi-member wards; and*
  - (h) *the lack of specific sector consultation on this aspect of the Bill.*
2. *That Council re-state its opposition to mandating single member wards for the following reasons:*
  - (a) *Council wards should be structured to best suit the differing geography, demographics and governance of municipalities and collective decision making in the interests of the community as a whole;*
  - (b) *single member wards are highly limiting for smaller geographic Councils like Yarra, Port Phillip or Queenscliff;*
  - (c) *the requirement for all Councillors to be elected from single-member wards has the effect of abolishing proportional representation;*
  - (d) *proportional representation allows for voters who favour independents and small political parties to have their views represented on Council;*
  - (e) *each State and Territory Parliament with the exception of Queensland and the Northern Territory has a proportionally elected house, and the Federal Senate is proportionally elected;*
  - (f) *the number of municipalities with Councillors elected from single-member wards has decreased from 43 in 2003 to 7 in 2019, due to Victorian Electoral Commission (VEC) representation reviews consistently recommending multi-member wards and that VEC representation reviews involve extensive community consultation and analysis of the impacts of each model;*
  - (g) *the 2016 State Government Commission of Inquiry into the City of Greater Geelong highlighted single-member wards as a contributing factor in the dysfunction and poor governance of that municipality, and since that inquiry, the City of Greater Geelong has had multi-member wards;*

- (h) *single-member wards were not canvassed in the government's 2016 discussion paper or the 2013 Petro Georgiou discussion paper;*
  - (i) *a single Councillor in each ward would mean that in the event of a Councillor being unable or unwilling to fulfil their duties, the local community would have no other ward Councillor representation;*
  - (j) *single-member wards have resulted in uncontested elections in other municipalities;*
  - (k) *Councillors are required to represent the entire municipality and having wards with a very small geographic area is in conflict with this principle;*
  - (l) *the proposal will require by-elections for each ward vacancy, resulting in lack of representation of constituents during the vacancy period, and require more costs and delays in filling vacancies, in lieu of the proposed improved count-back system for filling vacancies;*
  - (m) *current wards would need to be separated into multiple wards, potentially separating communities of interest from each other; and*
  - (n) *41.69% of Victorian Councillors elected from multi-member wards are women, vs. only 33.9% in single-member wards.*
3. *That the Mayor write to the Minister for Local Government, The Hon Adem Somyurek MP, asking him to pause the progress of this Bill and engage fully and respectfully with the local government sector on this issue.*
4. *That a copy of this resolution and the letter be sent to:*
- (a) *The Hon Dan Andrews, Premier of Victoria;*
  - (b) *Tim Smith MP, Shadow Minister for Local Government;*
  - (c) *Samantha Ratnam MLC, Local Government Portfolio holder, Victorian Greens;*
  - (d) *The Hon Richard Wynne MP, Member for Richmond;*
  - (e) *Tim Read MP, Member for Brunswick;*
  - (f) *Kat Theophanous, Member for Northcote;*
  - (g) *the Municipal Association of Victoria; and*
  - (h) *the Victorian Local Governance Association.*

## **Background**

The Local Government Bill 2019 was introduced to the Victorian Parliament on 14 November 2019.

Section 13 of the Bill reads:

*"13 Constitution of a Council*

- (1) *A Council must consist of not fewer than 5 Councillors and not more than 12 Councillors.*
- (2) *The Mayor and Deputy Mayor are Councillors of the Council.*
- (3) *The number of Councillors of a Council for the purposes of subsection (1) is to be determined in accordance with the criteria prescribed by the regulations.*
- (4) *A Council may be constituted so that it consists of -*
  - (a) *subject to subsection (5), all Councillors elected to represent the municipal district as a whole; or*
  - (b) *all Councillors elected to represent single member wards into which the municipal district is divided.*

- (5) *A Council must not be constituted in accordance with subsection (4)(a) unless, by notice published in the Government Gazette, the Minister specifies that the Council, or a Council that is a specific type of Council, may be an un-subdivided municipal district.*
- (6) *For the avoidance of doubt, a Council constituted before the commencement of this Act is not required to be constituted in accordance with this section unless the electoral structure of the Council is altered in accordance with section 15.”*

This section, if included in the Act when it is adopted, will have the effect of requiring the Yarra City Council to be constituted either by single member wards or as a single, un-subdivided municipality. While the accompanying Regulations are not yet released, communication regarding the Bill to date explains that un-subdivided municipalities will only be introduced in geographically dispersed rural municipalities.

## RECOMMENDATION

1. That Council note:
  - (a) the tabling in the Victorian Parliament on 14 November of the Local Government Bill 2019;
  - (b) the inclusion in this Bill of Section 13 which removes the provision for multi-member wards;
  - (c) the recommendations by the Victorian Electoral Commission in recent electoral reviews of multi-members wards in most instances;
  - (d) the widespread sector opposition to the removal of multi-member wards;
  - (e) the deep concern expressed by the local government peak bodies, the Municipal Association of Victoria and the Victorian Local Governance Association about the removal of multi-member wards;
  - (f) the lack of support for the removal of multi-member wards throughout the prolonged consultation process during 2015-2018;
  - (g) support expressed in the Yarra community for the continuation of multi-member wards; and
  - (h) the lack of specific sector consultation on this aspect of the Bill.
2. That Council re-state its opposition to mandating single member wards for the following reasons:
  - (a) Council wards should be structured to best suit the differing geography, demographics and governance of municipalities and collective decision making in the interests of the community as a whole;
  - (b) single member wards are highly limiting for smaller geographic Councils like Yarra, Port Phillip or Queenscliff;
  - (c) the requirement for all Councillors to be elected from single-member wards has the effect of abolishing proportional representation;
  - (d) proportional representation allows for voters who favour independents and small political parties to have their views represented on Council;
  - (e) each State and Territory Parliament with the exception of Queensland and the Northern Territory has a proportionally elected house, and the Federal Senate is proportionally elected;
  - (f) the number of municipalities with Councillors elected from single-member wards has decreased from 43 in 2003 to 7 in 2019, due to Victorian Electoral Commission (VEC) representation reviews consistently recommending multi-member wards and that VEC representation reviews involve extensive community consultation and analysis of the

impacts of each model;

- (g) the 2016 State Government Commission of Inquiry into the City of Greater Geelong highlighted single-member wards as a contributing factor in the dysfunction and poor governance of that municipality, and since that inquiry, the City of Greater Geelong has had multi-member wards;
  - (h) single-member wards were not canvassed in the government's 2016 discussion paper or the 2013 Petro Georgiou discussion paper;
  - (i) a single Councillor in each ward would mean that in the event of a Councillor being unable or unwilling to fulfil their duties, the local community would have no other ward Councillor representation;
  - (j) single-member wards have resulted in uncontested elections in other municipalities;
  - (k) Councillors are required to represent the entire municipality and having wards with a very small geographic area is in conflict with this principle;
  - (l) the proposal will require by-elections for each ward vacancy, resulting in lack of representation of constituents during the vacancy period, and require more costs and delays in filling vacancies, in lieu of the proposed improved count-back system for filling vacancies;
  - (m) current wards would need to be separated into multiple wards, potentially separating communities of interest from each other; and
  - (n) 41.69% of Victorian Councillors elected from multi-member wards are women, vs. only 33.9% in single-member wards.
3. That the Mayor write to the Minister for Local Government The Hon Adem Somyurek MP asking him to pause the progress of this Bill and engage fully and respectfully with the local government sector on this issue.
4. That a copy of this resolution and the letter be sent to:
- (a) The Hon Dan Andrews, Premier of Victoria;
  - (b) Tim Smith MP, Shadow Minister for Local Government;
  - (c) Samantha Ratnam MLC, Local Government Portfolio holder, Victorian Greens;
  - (d) The Hon Richard Wynne MP, Member for Richmond;
  - (e) Tim Read MP, Member for Brunswick;
  - (f) Kat Theophanous, Member for Northcote;
  - (g) the Municipal Association of Victoria; and
  - (h) the Victorian Local Governance Association.

### **Attachments**

There are no attachments for this report.