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**11.4 Yarra Planning Scheme Amendment C245 - additional items - Derby Street Collingwood and Queens Parade North Fitzroy**

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## **Executive Summary**

### **Purpose**

This report proposes Council add two items to Amendment C245 (which Council resolved to prepare and seek Authorisation on 18 September 2018):

- (a) Include 18-22 Derby Street, Collingwood (HO102) and 33-45 Derby Street, Collingwood (HO336) in extensions to existing heritage overlay precincts.
- (b) Change the extent of HO93 to include all of the road reserve and ensure protection for the heritage significant trees and landscape infrastructure in Queens Parade, between Alexandra Parade and Delbridge Street, North Fitzroy.

These additional items relate to interim controls, for Derby Street, Collingwood, in Amendment C261 and fixing an anomaly to protect street landscaping and trees in Queens Parade, North Fitzroy.

### **Key Issues**

The proposed Amendment would add two small areas to the Heritage Overlay. Council has separately requested interim controls from the Minister for Planning, in Amendment C261. DELWP have requested Council prepare an Amendment for permanent controls as a pre-requisite for those interim controls. This can be done by adding the item to C245.

Heritage overlay provisions for Queens Parade and the associated activity centre include protection for the street trees and landscape features which are a significant part of the established character of the area. Recent investigations found that the HO93 which applies to the street landscape, does not cover the whole road reserve. More importantly the HO93 area does not include a significant proportion of the street trees and associated street landscape features.

### **Financial Implications**

There are no significant financial implications from these items.

### **PROPOSAL**

That Council modify Amendment C245 by adding two items dealing with:

- a) Additional Heritage Overlay areas in Derby Street Collingwood; and
- b) Changing the extent of HO93 in Queens Parade, North Fitzroy

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Trim Record Number: D18/181510

Responsible Officer: Manager City Strategy

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**Purpose**

2. This report proposes Council add two items to Amendment C245 (which Council resolved to prepare and seek “Authorisation” on 18 September 2018). These relate to:
  - (a) the inclusion of 18-22 Derby Street, Collingwood (HO102) and 33-45 Derby Street, Collingwood (HO336) in extensions to existing heritage overlay precincts.
  - (b) to change the extent of HO93 to include all of the road reserve and ensure protection for the heritage significant trees and landscape infrastructure in Queens Parade, between Alexandra Parade and Delbridge Street, North Fitzroy.
3. These additional items relate to interim controls, for Derby Street, Collingwood, in Amendment C261 and an anomaly about protecting street landscaping and trees in Queens Parade, North Fitzroy linked to the exhibited Amendment C231.

**Background**

4. Amendment C245 forms part of ongoing work over recent years to fill gaps and correct anomalies in the heritage provisions for the municipality.
5. On 18 September 2018, Council resolved to seek *authorisation* from the Minister of Planning to prepare Amendment C245 to the Yarra Planning Scheme in accordance with section 8A of the *Planning and Environment Act 1987*.
6. This report now proposes to include Derby Street, Collingwood properties in Amendment C245 similar to interim heritage controls sought through Amendment C261.
7. Amendment C261 proposed the introduction of new site specific HO controls over the two places on an interim basis with permanent controls to be sought through the full Amendment process. These proposals are supported by a report, ***Collingwood Mixed Use Pocket, Heritage Analysis & Recommendations*** prepared by GJM Heritage which is Attachment 1. This report identified that numbers 33 to 45 Derby Street should be included in the Heritage Overlay as an extension of HO336 and graded contributory.
8. Separate advice from a heritage consultant (Robyn Riddett from Anthemion Group) identified that the three terraced buildings at 18 to 22 Derby Street should also be included in a heritage overlay schedule and graded as ‘contributory’.
9. The map below shows the two areas. Figure 22 is an extract from page 23 of Attachment 1.



**Figure 22.** Heritage Overlay map showing the areas recommended for further assessment. 18-22 Derby Street are shaded in yellow and 33-45 Derby Street are shaded in blue.

10. Through separate investigations, Council officers have identified an anomaly in HO93, which protects street trees and landscaping in Queens Parade. The current extent of HO93 covers the central section of Queens Parade but excludes parts of the road reserve which cover the adjoining service roads. Importantly, HO93 does not cover all the heritage significant trees and landscape infrastructure. The revised HO93 would include all the road reserve and ensure all the heritage street landscape is protected.
11. The extent of the revised HO93 is shown on the map below. It is consistent with the 1998 citation which is Attachment 2.

#### HO93 – Queens Parade Clifton Hill



#### External Consultation

12. Amendment C245 will include the normal notification and consultation which forms part of public exhibition and review under the Planning and Environment Act 1987.

#### Internal Consultation (One Yarra)

13. Internal staff inputs include comments from sustainable transport and statutory planning sections.

**Financial Implications**

14. There are no significant financial implications.

**Economic Implications**

15. There are no significant economic implications.

**Sustainability Implications**

16. The additional items will help preserve heritage significant buildings and street landscapes.

**Social Implications**

17. These are items are part of the urban character and social identity of the City of Yarra.

**Human Rights Implications**

18. There are no anticipated human rights implications.

**Communications with CALD Communities Implications**

19. This will be part of the Amendment exhibition and notification process.

**Council Plan, Strategy and Policy Implications**

20. The value of creating a liveable Yarra to Council and the community is acknowledged in the Council Plan 2017-2021.
21. The additional heritage protection proposed for these additional items will contribute to a liveable Yarra.

**Legal Implications**

22. There are no particular legal implications from these additional items.

**Other Issues**

23. The Derby Street, Collingwood properties are linked to the interim provisions in C261. The State Department of Environment Land Water and Planning has indicated the interim provisions are conditional on the Council preparing a full exhibited Amendment which includes these properties.

**Options**

24. Council can either resolve to add the items or alternatively consider them in a separate and later amendment.
25. It is important that Council include 18-22 Derby Street, Collingwood and 33-45 Derby Street, Collingwood into C245 as Department of Environment Land Water and Planning (DELWP) will not consider the interim Amendment request (C261) until Council has demonstrated that it is seeking permanent controls.
26. Adding the items to C245 would:
- ensure that related interim controls can be approved by the Minister;
  - fix a mapping error; and
  - make an efficient use of resources by ameliorating the need for additional amendment process.

**Conclusion**

27. This report proposes adding two items to Amendment C245. These items would improve protection for heritage features, buildings and landscapes. The Derby Street, Collingwood item is linked to interim controls for the same properties in Amendment C261.

## **RECOMMENDATION**

1. That Council note the officer report seeking additional provisions be added to the Amendment request of AmC245.
2. That Council add the following items to Amendment C245:
  - (a) Include 18-22 Derby Street, Collingwood (HO102) and 33-45 Derby Street, Collingwood (HO336) in extensions to existing heritage overlay precincts; and
  - (b) Change the extent of HO93 to include all of the road reserve and ensure protection for the heritage significant trees and landscape infrastructure in Queens Parade, between Alexandra Parade and Delbridge Street, North Fitzroy.
3. That officers be authorised to modify the amendment documents attached to the C245 Council report, 18 September 2018 by adding those items in 2 above.

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## **Attachments**

- 1 Colingwood mixed use pocket - heritage analysis and recommendations
- 2 HO93 - citation - street trees and landscape