

## **YARRA PLANNING SCHEME**

### **AMENDMENT C245**

#### **EXPLANATORY REPORT**

#### **Who is the planning authority?**

This amendment has been prepared by the Yarra City Council, which is the planning authority for this amendment.

The amendment has been made at the request of Yarra City Council.

#### **Land affected by the Amendment**

This amendment affects land in Abbotsford, Alphington, Collingwood, Cremorne, Fitzroy, Fitzroy North and Richmond. It applies to 72 areas of which, 57 include errors or anomalies with Heritage Overlays and 15 are recommendations from recent heritage studies conducted by Context Pty Ltd and GJM Heritage. A Planning Scheme map reference table is **Attachment 1** to this Explanatory Report.

#### **What the amendment does**

The amendment 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

More specifically the following changes are proposed to the Yarra Planning Scheme:

- Amends Clause 21.11 'Reference Documents' to include new references documents;
- Amends Clause 22.02 'Development Guidelines for Sites Subject to the Heritage Overlay to include the following studies and Statements of Significance as reference documents:
  - Yarra High Streets (Victoria Street and Bridge Road) Statements of Significance: Reference Document (May 2020);
  - Collingwood Mixed Use Pocket, Heritage Analysis & Recommendations, GJM Heritage (2018);
  - Heritage Citation: 18-22 Derby Street, Collingwood, GJM Heritage (2018);
  - Heritage Citation: 33-45 Derby Street, Collingwood, GJM Heritage (2018); and
  - Heritage Citation: Queens Parade, Fitzroy North Street Trees, John Patrick Landscape Architects Pty. Ltd. (2018).
- Amends the Schedule to Clause 43.01 – Heritage Overlay to delete existing heritage overlays corrects previous formatting errors and applies the Heritage Overlay to the following sites:
  - 637-639 Bridge Road, Richmond (HO525);
  - 202-206 Church Street Richmond – Halls Building (HO526);
  - 32 & 34 Thomas Street, Richmond (HO527);
  - 635 Bridge Road, Richmond – Boland's Shop and Residence (HO528);
  - 529-533 Bridge Road, Richmond – Royal Oak Hotel (HO529);
  - 597-599 Bridge Road, Richmond – Whipps Terrace (HO530);
  - 534-534A Bridge Road, Richmond – Flour Mill & Grain Store Complex (Former) (HO531);
  - and
  - 325-333 Bridge Road, Richmond – Richmond Town Hall (HO532)
- Amends the schedule to Clause 72.04 - Documents Incorporated in this Scheme to:

- include reference to '*City of Yarra Database of Heritage Significant Areas, July 2019*' and remove the reference to '*Appendix 8 - City of Yarra review of Heritage Overlay Areas, Graeme Butler and Associates (2007), revised February 2018*';
- Amends the existing incorporated document '*Appendix 8 - City of Yarra review of Heritage Overlay Areas, Graeme Butler and Associates (2007), revised February 2018*', to change the title to '*City of Yarra Database of Heritage Significant Areas, July 2019*'; and

Include reference to a new incorporated document '*Yarra High Streets (Victoria Street and Bridge Road) Statements of Significance: Incorporated Document (May 2020)*';

- Amends Yarra Planning Scheme Zone Maps 2, 5, 6, 7, and 8 to corrects mapping anomalies on properties that are in two zones and aligns them with property boundaries;
- Amends Yarra Planning Scheme Heritage Overlay Maps 1, 2, 4, 6, 7, 8, and 9 to correct mapping errors.

## **Strategic assessment of the Amendment**

### **Why is the Amendment required?**

The amendment updates and corrects a wide range of Heritage Overlay provisions and maps. It implements recent heritage studies and corrects anomalies in the Heritage Overlay and related provisions. It also corrects zone mapping anomalies.

In addition, a heritage study was recently completed to assess heritage protection in areas proposed for new Design and Development Overlays (Amendments C248 and C249). The *Victoria Street and Bridge Road Built Form Review: Heritage Assessments, GJM Heritage (2018)*, recommend further controls and increased protection for 12 properties within Abbotsford and Richmond.

A similar assessment of heritage protection was conducted in Collingwood South for the proposal of a new Design and Development Overlay. The *Collingwood Mixed Use Pocket, Heritage Analysis & Recommendations, GJM Heritage (2018)* was prepared to inform this Amendment and extend Heritage Overlays to include previously unprotected significant places.

Moreover, separate heritage advice on the Queens Parade, Fitzroy North Heritage Overlay was prepared by John Patrick Landscape Architects Pty. Ltd. (2018) to increase the protection of a proportion of street trees along Queens Parade. This Amendment will correct an apparent anomaly in the mapping HO93 in order to include these previously unprotected street trees identified in *The City of Yarra Heritage Review Landscape Citation (1998)*.

In addition to implementing the recommendations from these studies, the amendment corrects a range of errors in the Heritage Overlay and zoning anomalies which arose from recent public queries and investigations. Correcting these will ensure better planning outcomes and consistency within the Yarra Planning Scheme.

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

The amendment implements the objectives in Section 4 of the *Planning and Environment Act 1987* (the Act), specifically:

- To conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value;
- To facilitate development in accordance with the other objectives;
- To balance the present and future interests of all Victorians;
- To provide for the fair, orderly, economic and sustainable use, and development of land; and
- To provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity.

The amendment adheres to the objectives in Section 12(1) (a) of the Act by implementing the objectives of planning in Victoria.

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

The amendment is consistent with the encompassing goal in the Yarra Planning Scheme to:

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

The amendment is unlikely to cause any significant environmental impacts or risks. The amendment will have a positive economic and social effect through rezoning and overlay corrections of historic errors and enable appropriate development for the properties.

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

The land affected by the amendment does not impact on bushfire risk and is not located within an area of identified bushfire risk.

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

The amendment acts in accordance with *Ministerial Directions on the Form and Content of Planning Schemes* under Section 7(5) of the Act.

The amendment has been prepared in consideration of *Ministerial Direction No. 09 – Metropolitan Planning Strategy* (specifically *Plan Melbourne 2017-2050*).

*Plan Melbourne* outlines goals and visions for Melbourne in 2050, with directions identified to support and achieve these outcomes. The Amendment is consistent with the following Direction outlined in *Plan Melbourne 2017-2050*:

- Direction 4.7 - Respect to our heritage as we build for the future.

Additionally, the amendment is affected by *Ministerial Direction No. 11 – Strategic Assessment of Amendments* and complies with the outlined requirements.

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

This amendment supports fair, orderly, economic, and sustainable use and development of land. The amendment supports and implements relevant objective of the State Planning Policy Framework (SPPF), in particular:

**Clause 9 – Plan Melbourne** and the goals outlined are supported through this amendment by correcting anomalies in order to improve the planning process.

**Clause 15 – Built Environment and Heritage** aims to create built environments that respond and are appropriate with the neighbourhood and landscape. Clause 15 emphasises the importance of conserving places identified as having heritage significance. This amendment supports this clause by correcting errors that and providing better protection of heritage places.

**Clause 15.03-1 – Heritage Conservation** outlines strategies to protect both built and cultural heritage. This amendment will improve heritage protection in the planning scheme.

**Clause 16 – Housing** incorporates strategies which encourage appropriate housing provision for new housing to meet community needs.

**Clause 16.01-1R Integrated housing - Metropolitan Melbourne** includes a Strategy - Allow for a range of minimal, incremental and high change residential areas that balance the need to protect valued areas with the need to ensure choice and growth in housing. Heritage protection in the City of Yarra is generally consistent with providing housing to meet projected demand in locations which are suitable and have the capacity for increased densities. The recent draft Housing Strategy 2018 identifies minimal, incremental and high change areas. This amendment will help achieve the right balance between protecting valued heritage and providing housing.

**Clause 17 – Economic Development** the amendment is consistent with overall objectives to strengthen and diversify the local economy. The recent City of Yarra draft Spatial Economic and Employment Strategy (SEES) identifies strategies and opportunities for growth which are integrated with objectives such as heritage protection.

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

The amendment both supports and is consistent with Clauses of the Local Planning Policy Framework. Specifically including:

### **21.03 – Vision**

#### **Built Form**

*Yarra's historic fabric which demonstrates the development of metropolitan Melbourne will be internationally recognised.*

### **21.04 – Land Use – Accommodation and Housing**

At 21.04-1 the Yarra Planning Scheme notes;

Yarra will continue to accommodate its share of the housing growth of the inner Melbourne Metropolitan region. However, in order to protect valued character, and particularly its heritage places, the majority of new development will be accommodated on strategic redevelopment sites. These sites are generally located in, abutting, or close to activity centres, or in locations that offer good access to services and transport. The amendment proposes to apply the Heritage Overlay and associated provisions to fill some gaps in heritage protection in residential and mixed use areas.

### **21.05-1 – Heritage**

Objective 14 - To protect and enhance Yarra's heritage places.

*Strategy 14.1: Conserve, protect and enhance identified sites and areas of heritage significance including pre-settlement ecological heritage.*

*Strategy 14.2: Support the restoration of heritage places.*

*Strategy 14.3: Protect the heritage skyline of heritage precincts.*

*Strategy 14.6: Protect buildings, streetscapes and precincts of heritage significance from the visual intrusion of built form both within places and from adjoining areas.*

The amendment will help to implement these objectives and strategies by correcting anomalies and strengthening the Heritage Overlay and related provisions.

### **22.02 – Development Guidelines for Sites Subject to the Heritage Overlay**

#### **Objectives**

- To conserve Yarra's natural and cultural heritage;
- To conserve the historic fabric and maintain the integrity of places of cultural heritage significance;
- To retain significant view lines to, and vistas of, heritage places;
- To preserve the scale and pattern of streetscapes in heritage places;
- To encourage the preservation, maintenance, restoration and where appropriate, reconstruction of heritage places;
- To ensure the adaptation of heritage places is consistent with the principles of good conservation practice;
- To ensure that additions and new works to a heritage place respect the significance of the place;
- To encourage the retention of 'individually significant' and 'contributory' heritage places; and
- To protect archaeological sites of cultural heritage significance.

The amendment will correct and adjust the heritage grading relating to sites identified in the Heritage Overlay. A revised incorporated document, 'City of Yarra Database of Heritage Significant Areas, July 2019,' formerly 'Appendix 8 - City of Yarra review of Heritage Overlay Areas, Graeme Butler and Associates (2007), revised February 2018', will improve application of Clause 22.02 – Development Guidelines for Sites Subject to the Heritage Overlay.

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

The amendment makes proper use of the Victoria Planning Provisions (VPPs) through incorporating the appropriate tools and mechanisms to support suitable future land use and development across the City of Yarra and in the Planning Scheme. Correcting anomalies ensures that the correct zones and overlays apply.

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

Council has had preliminary discussions about the amendment with the Department of Environment, Land, Water and Planning (DELWP). The amendment is unlikely to impact other agencies because it primarily affects private land.

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

The amendment is considered consistent with the objectives of the *Transport Integration Act 2010*. It is anticipated that the amendment will not have significant impact on or undermine the functionality or safety of the existing transport system.

### Resource and administrative costs

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

The amendment will have some impact on the general operation of Council's statutory planning department. The change to administrative and resource cost is likely to be insignificant.

### Where you may inspect this Amendment

The amendment is available for public inspection, free of charge, during office hours at the following Yarra City Council locations:

#### Planning Counter

Richmond Town Hall  
333 Bridge Road  
Richmond VIC 3121

#### Information Counter

Collingwood Town Hall  
140 Hoddle Street  
Abbotsford VIC 3067

- The amendment can also be viewed on the Yarra City Council website at: Amendment C245 - [www.yarracity.vic.gov.au/amendmentC245](http://www.yarracity.vic.gov.au/amendmentC245)
- The amendment can also be inspected, free of charge, at the Department of Environment, Land, Water and Planning (DELWP) website at: [www.delwp.vic.gov.au/public-inspection](http://www.delwp.vic.gov.au/public-inspection)

### 1 - Mapping reference table

Location	Land/Area Affected	Proposed Change	Mapping Reference
<b>378A Nicholson Street &amp; 27 Alexandra Parade, Fitzroy North</b>	Southern portion of 378 Nicholson Street and entirety of 27 Alexandra Parade (corner of Nicholson Street and Alexandra Parade), Fitzroy North.	Extend HO327 to all properties.	Yarra C245 hoMap01 Exhibition
<b>155 Westgarth Street &amp; 158 Cecil Street, Fitzroy</b>	Easter section of 155 Westgarth Street and 158 Cecil Street, Fitzroy. Laneway adjacent to dwellings.	Extend HO335 to entire property.	Yarra C245 hoMap02 Exhibition
<b>49-53 Lucerne Crescent, Alphington</b>	Rear of 49 and small section of 53 Lucerne Crescent, Alphington.	Remove HO73 from entire property of 49 Lucerne Crescent.  Extend HO73 to entire property of 53 Lucerne Crescent.	Yarra C245 hoMap04 Exhibition Yarra C245 d-hoMap04 Exhibition
<b>200-202 Johnston Street, Collingwood</b>	Entire property of 200-202 Johnston Street, Collingwood.	Extend HO324 to entire property of 200-202 Johnston Street, Collingwood.	Yarra C245 hoMap06 Approval
<b>311-317 Bridge Road, Richmond</b>	Entire property of 311-317 Bridge Road, Richmond	Extend HO310 to entire property of 311-317 Bridge	Yarra C245 hoMap06 Approval

Location	Land/Area Affected	Proposed Change	Mapping Reference
		Road, Richmond.	
<b>181 Langridge Street, Abbotsford</b>	Western section of 181 Langridge Street, Abbotsford	Remove HO16 from entire property.	Yarra C245 d-hoMap06 Approval
<b>19 Cambridge Street, Collingwood</b>	Entire site of 19 Cambridge Street, Collingwood.	Extend HO336 to entire property.	Yarra C245 hoMap06 Approval
<b>120 Cambridge Street, Collingwood</b>	Small section located on eastern property line of 120 Cambridge Street Collingwood.	Extend HO318 to entire property.	Yarra C245 hoMap06 Approval
<b>61-63 Oxford Street, Collingwood</b>	Western (rear) of 61-63 Oxford Street, Collingwood.	Extend HO125 to entire property.	Yarra C245 hoMap06 Approval
<b>37 Oxford Street, Collingwood</b>	Western (rear) of 37 Oxford Street, Collingwood.	Extend HO121 to entire property.	Yarra C245 hoMap06 Approval
<b>Collingwood College Dolls House</b>	Corner of McCutcheon Way and Cromwell Street, Collingwood (removal of HO) and near 130 Islington Street, Collingwood (implementation of HO) due to relocation.	Remove HO114 from 49 Vere Street, Collingwood.  Move HO114 to near 130 Islington Street, Collingwood.	Yarra C245 d-hoMap06 Approval Yarra C245 hoMap06 Approval
<b>325-333 Bridge Road, Richmond</b>	Entire section of 325-333 Bridge Road, Richmond	Add new individual HO532.	Yarra C245 hoMap06 Approval
<b>32 &amp; 34 Thomas Street, Richmond</b>	Entire section of 32 & 34 Thomas Street, Richmond	Add new individual HO527.	Yarra C245 hoMap06 Approval
<b>21-23 Lithgow Street, Richmond</b>	Entire section of 21-23 Lithgow Street, Richmond.	Remove HO339 from entire property.	Yarra C245 d-hoMap06 Approval
<b>202-206 Church Street, Richmond</b>	Entire section of 202-206 Church Street, Richmond	Add new individual HO526.	Yarra C245 hoMap06 Approval
<b>61-75 Langridge Street, 64 Wellington Street and 14 Glasgow Street, Collingwood</b>	Western section of 14 Glasgow Street, Collingwood	Remove HO109 from 14 Glasgow Street, Collingwood.	Yarra C245 d-hoMap06 Approval
<b>77-79 Burnley Street, Richmond</b>	Entire property of 77-79 Burnley Street, Richmond	Remove HO500 from entire property.	Yarra C245 d-hoMap06 Approval
<b>655 Victoria Street, Abbotsford</b>	Entire section of 655 Victoria Street, Abbotsford.	Extend HO64 to entire property.	Yarra C245 hoMap07 Exhibition
<b>20 Jessie Street, Cremorne</b>	Western section of 20 Jessie Street, Cremorne.	Remove section from HO364.	Yarra C245 d-hoMap08 Exhibition
<b>204 Coppin Street &amp; 31 Bell Street, Richmond</b>	Section at the rear of both properties of 31 Bell Street & 204 Coppin Street, Richmond.	Remove HO472 from 31 Bell Street, Richmond and extend HO472 to entire property of 204 Coppin Street, Richmond.  GRZ to NRZ – To match property boundary.	Yarra C245 hoMap08 Exhibition Yarra C245 d-hoMap08 Exhibition Yarra C245 011znMap08 Exhibition
<b>6 Stawell Street, Richmond</b>	Entire property of 6 Stawell Street, Richmond.	Remove HO503 and extend HO481 to entire property.	Yarra C245 d-hoMap09 Exhibition

Location	Land/Area Affected	Proposed Change	Mapping Reference
			Yarra C245 hoMap09 Exhibition
<b>534-534A Bridge Road, Richmond</b>	Entire section of 534-534A Bridge Road, Richmond	Add new individual HO531.	Yarra C245 hoMap09 Exhibition
<b>597-599 Bridge Road, Richmond</b>	Entire section of 597-599 Bridge Road, Richmond	Add new individual HO530.	Yarra C245 hoMap09 Exhibition
<b>529-533 Bridge Road, Richmond</b>	Entire section of 529-533 Bridge Road, Richmond	Add new individual HO529.	Yarra C245 hoMap09 Exhibition
<b>635 Bridge Road, Richmond</b>	Entire section of 635 Bridge Road, Richmond	Add new individual HO528.	Yarra C245 hoMap09 Exhibition
<b>637-639 Bridge Road, Richmond</b>	Entire section of 637-639 Bridge Road, Richmond	Add new individual HO525.	Yarra C245 hoMap09 Exhibition
<b>22 Best Street, Fitzroy</b>	Northern section of 22 Best Street, Fitzroy.	C1Z to NRZ – To match property boundary.	Yarra C245 znMap02 Exhibition
<b>522-530 Napier Street, Fitzroy</b>	All properties from 522 to 530 Napier Street, Fitzroy (including section of laneway at rear or properties – located east)	PPRZ to MUZ and GRZ – To match property boundaries.	Yarra C245 znMap02 Exhibition Yarra C245 014znMap02 Exhibition
<b>7 Tait Street, Fitzroy North</b>	East section of 7 Tait Street, Richmond.	PPRZ to NRZ – To match property boundary.	Yarra C245 012znMap02 Exhibition
<b>22 Falconer Street, Fitzroy North</b>	South (rear) of 22 Falconer Street, Fitzroy North.	PUZ to NRZ – To match property boundary.	Yarra C245 012znMap02 Exhibition
<b>24 Falconer Street, Fitzroy North</b>	Large section along south and small section north-west of Fitzroy High School.	Rezone all property to PUZ – To match property boundary.	Yarra C245 012znMap02 Exhibition
<b>84 Johnston Street, Collingwood</b>	Southern portion of land.	MUZ to C1Z – To match property boundary.	Yarra C245 znMap04 Exhibition
<b>95-103 Johnston Street, Fitzroy</b>	Northern (rear) section of 95-103 Johnston Street, Fitzroy.	MUZ to C1Z – To match property boundary.	Yarra C245 013znMap05 Exhibition
<b>4-6 Waltham Street, Richmond</b>	East (rear) section of 4 & 6 Waltham Street, Richmond.	C1Z to NRZ – To match property boundary.	Yarra C245 znMap06 Exhibition Yarra C245 znMap08 Exhibition
<b>34-44 Cromwell Street, Fitzroy</b>	Eastern portion of land.	C1Z to C2Z – To match property boundaries.	Yarra C245 015znMap06 Exhibition
<b>261-263 Highett Street, Richmond</b>	North (rear) sections of 261 & 263 Highett Street, Richmond.	GRZ to NRZ – To match property boundaries. Extend HO263 and HO264 to match property boundaries.	Yarra C245 znMap07 Exhibition Yarra C245 hoMap07 Exhibition
<b>314-316 Bridge Road, Richmond</b>	South (rear) section of 314 & 316 Bridge Road, Richmond.	GRZ to C1Z – To match property boundary.	Yarra C245 znMap08 Exhibition
<b>18-22 Derby Street, Collingwood</b>	Entire property of 18-22 Derby Street, Collingwood.	Extend HO102 to include entire property.	Yarra C245 hoMap06 Approval
<b>33-45 Derby Street,</b>	Entire property of 33-45 Derby Street, Collingwood.	Extend HO336 to include entire property.	Yarra C245 hoMap06 Approval

Location	Land/Area Affected	Proposed Change	Mapping Reference
Collingwood			
Queens Parade Trees	All trees located within the road reserve.	Extend HO93 to entire road reserve – to cover all trees	Yarra C245 024d-hoMap02 Exhibition Yarra C245 hoMap02 Exhibition