



**YARRA CITY COUNCIL**  
**Internal Development Approvals Committee**  
**Agenda**

**to be held on Wednesday 30 October 2019 at 6.30pm  
in Meeting Rooms 1 & 2 at the Richmond Town Hall**

**Rostered Councillor membership**

Councillor Misha Coleman  
Councillor Daniel Nguyen  
Councillor Danae Bosler

- I. ATTENDANCE**  
Danielle Connell (Senior Co-ordinator Statutory Planning)  
Nish Goonetilleke (Senior Statutory Planner)  
Cindi Johnston (Governance Officer)
- II. DECLARATIONS OF PECUNIARY INTEREST AND CONFLICT OF INTEREST**
- III. CONFIRMATION OF MINUTES**
- IV. COMMITTEE BUSINESS REPORTS**

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

### **Internal Development Approvals Committee Submissions**

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

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

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

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

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

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

*Extract from the Council Meeting Operations Policy, September 2019*

## 1. Committee business reports

Item		Page	Rec. Page
1.1	PLN19/0303 - 3 Fairfield Park Drive Fairfield - Demolition of a shed, a gazebo structure and associated decking.	5	14
1.2	PLN18/0913 - 68-88 Green St Cremorne - Use and development of the land for the construction of two multi-storey, mixed use buildings (permit required for shop and food and drinks premises) and a reduction in car parking requirements. [CONFIDENTIAL ITEM - VCAT COMPULSORY CONFERENCE WITHOUT PREJUDICE POSITION]		

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**1.1 PLN19/0303 - 3 Fairfield Park Drive Fairfield - Demolition of a shed, a gazebo structure and associated decking.**

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## **Executive Summary**

### **Purpose**

1. This report provides Council with an assessment of planning application PLN19/0303, which is for demolition of a shed, a gazebo structure and associated decking at No. 3 Fairfield Park Drive and recommends approval subject to conditions.

### **Key Planning Considerations**

2. Key planning considerations include:
  - (a) Clause 22.02 – Development Guidelines for Sites Subject to the Heritage Overlay
  - (b) Clause 43.01 – Heritage Overlay

### **Key Issues**

3. The key issues for Council in considering the proposal relate to:
  - (a) Heritage; and
  - (b) Objector concerns.

### **Submissions Received**

4. Nine objections were received to the application, these can be summarised as:
  - (a) Concerns regarding the demolition of the gazebo structure due to architectural significance of the gazebo structure and its host building.

### **Conclusion**

5. Based on the following report, the proposal is considered to comply with the relevant planning policy and should therefore be supported.

**CONTACT OFFICER:** Chris Stathis  
**TITLE:** Senior Statutory Planner  
**TEL:** 9205 5352

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**1.1 PLN19/0303 - 3 Fairfield Park Drive Fairfield - Demolition of a shed, a gazebo structure and associated decking.**

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Reference: D19/186745  
Authoriser: Senior Coordinator Statutory Planning

**Proposal:** Demolition of a shed, a gazebo structure and associated decking.  
**Existing use:** Recreation / Storage  
**Applicant:** Council  
**Zoning / Overlays:** Public Park and Recreation Zone  
Heritage Overlay (Schedule 147)  
Land Subject to Inundation Overlay  
Significant Landscape Overlay (Schedule 1)  
**Date of Application:** 14 May 2019  
**Application Number:** PLN19/0303

### Planning History

1. Planning Permit PL04/0472 was issued on 13 July 2004 for part demolition, buildings and works (construction of amenities block). These works did not involve the buildings that are associated with the subject application.

### Background

#### Aboriginal Cultural Heritage Significance

2. The subject site is located within an area of Aboriginal Cultural Heritage Sensitivity. Pursuant to part 16 of the Aboriginal Heritage Regulations 2018, *the demolition or removal of a building is an exempt activity*. Thus, a Cultural Heritage Management Plan is not required for the proposed works

#### Error on the plans

3. The application plans have shown the north orientation incorrectly, however it is clear where the works are located. A condition is recommended to address this.

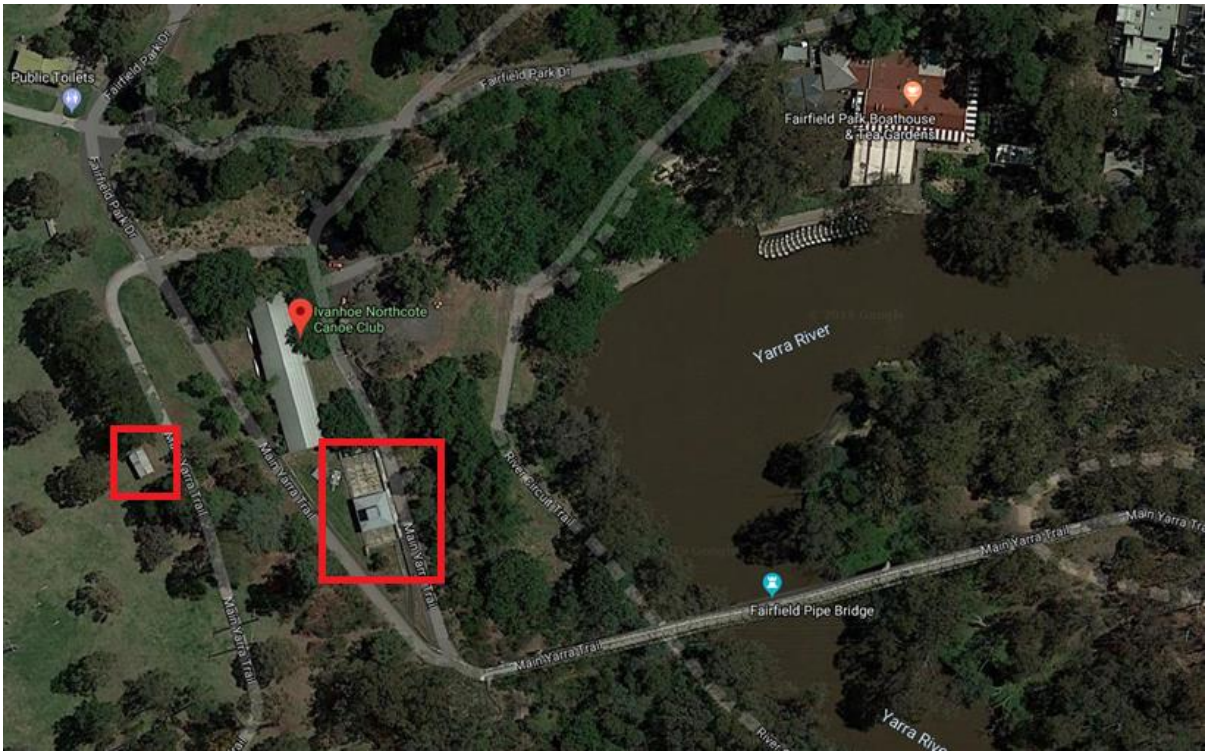
### The Proposal

4. The application proposes to demolish the following buildings:
  - (a) a small shed structure located approximately 50m southwest of the Fairfield Amphitheatre, and;
  - (b) a gazebo structure and associated decking which is located on top of (and forms part of) a double-storey recreational building (canoe club).

### Existing Conditions

#### Subject Site

5. The subject site is an irregular-shaped lot on the southern side of Heidelberg Road in Fairfield and west of Panther Place. The south-eastern section of the lot runs along the Yarra River. The subject site largely comprises parkland and associated recreational facilities including the Fairfield Park Boathouse, the Fairfield Amphitheatre and the Ivanhoe Northcote Canoe Club. The Main Yarra Trail runs through the subject site and connects on to the Fairfield Pipe Bridge which crosses the Yarra River.



**Figure 1:** The buildings associated with the subject application shown in context with the Yarra River, the Fairfield Amphitheatre, Fairfield Park Boathouse and Fairfield Pipe Bridge

6. The application relates only to two buildings within the larger subject site:
- (a) A small shed structure located approximately 50m southwest of the Fairfield Amphitheatre
  - (b) A double-storey storage building which features concrete, metal and timber cladding. The building includes a gazebo-like structure located on the roof (see below image). The building is currently used for change rooms, toilet and shower facilities, a performance storage area (for shows at the nearby amphitheatre) and a kayak storage area. Given the slope of the land, the scale of the overall building is not appreciable when viewed from the west, as shown at figure 3 below.



**Figure 2:** The double-storey recreational building, as viewed from the southeast (Planning Officer Photo, September 2019)



**Figure 3:** The gazebo structure located on top of the double-storey recreational building, as viewed from the west (Planning Officer Photo, September 2019)



**Figure 4:** The small shed structure to be demolished as part of the application (Planning Officer Photo, October 2019)



**Figure 5:** Aerial image of the shed (left) and double-storey recreational building (right)  
(Council GIS image, June 2019)

Surrounding Land

7. The surrounding land is largely defined by public open space associated with the Fairfield segment of the Yarra River as well as nearby residential development. The subject site is located in the Public Park and Recreation Zone (PPRZ) as is land to the southeast and southwest. To the east and north of the site, the land is zoned residentially – Neighbourhood Residential Zone and General Residential Zone respectively. These areas include single and double storey dwellings set on medium to large allotments. A section of land to the west of the subject site is zoned Commercial 1 and includes a number of warehouse buildings along the southern side of Heidelberg Road.



**Figure 5:** The subject site (shaded pink) and the surrounding area. (Council GIS image, June 2019)

**Planning Scheme Provisions**

Zoning

8. The subject site is located in the Public Park and Recreation Zone (PPRZ), which, pursuant to Clause 36.02-2, does not have any permit requirements for the demolition or removal of a building.

Overlays

9. The overall site is affected by Schedules 146 and 147 to the Heritage Overlay. Schedule 146 relates to the Fairfield Boathouse. However, the proposed works affect sections of the site which are only under Schedule 147. Pursuant to Clause 43.01-1, a planning permit is required to demolish or remove a building.
10. The subject site is affected by the Land Subject to Inundation Overlay. Pursuant to Clause 44.04-2, a planning permit is not required to demolish or remove a building.
11. The subject site is affected by Schedule 1 to the Significant Landscape Overlay. Pursuant to Clause 42.03-2, a planning permit is not required to demolish or remove a building.

General Provisions

*Clause 65 – Decision Guidelines*

12. The decision guidelines outlined at Clause 65 of the Scheme are relevant to all applications. Because a permit can be granted does not imply that a permit should or will be granted. Before deciding on an application, the Responsible Authority must consider a number of matters. Amongst other things, the Responsible Authority must consider the relevant Municipal Planning Strategy and the Planning Policy Framework., as well as the purpose of the zone, overlay or any other provision. An assessment of the application against the relevant sections of the Scheme is offered in further in this report.

*Clause 67 – Applications under Section 96 of the Act*

13. The application has been made by Yarra City Council and therefore must be considered under Section 96 of the *Planning and Environment Act 1987* (the Act). Section 96 (1) of the Act states:

*A responsible authority must obtain a permit from the Minister before carrying out any use or development for which a permit is required under the planning scheme for which it is the responsible authority unless the planning scheme exempts the land, use or development from this sub-section.*

14. Clause 67.01 of the Scheme identifies that in accordance with Section 6(2)(a) of the Act, the following classes of use and development are exempt from Section 96(1) and 96(2) of the Act:

**CLASS 1**

*Use of land for -*

*Car park, camping and caravan park, community facility (including child care centre, maternal and infant welfare centre, neighbourhood house, place of assembly and toilet block), dwelling, extractive industry, hospital, industry, leisure and recreation, office, residential village, retail premises or service station.*

**CLASS 2**

*Development of land for -*

*A Class 1 use, demolition of a building or works, lighting and floodlighting of a recreation facility or building, sign or advertisement or subdivision.*

**CLASS 3**

*Any other use or development.*

15. As the application is for the demolition of a building or works, the application falls under Class 2. As such, the application is exempt from Section 96(1) and 96(2) of the Act. However, pursuant to clause 67.02 notice must be given to owners and occupiers of adjoining land.

Planning Policy Framework (PPF)

*Clause 15.01 (Built Environment and Heritage)*

16. This clause outlines the following relevant guideline:
- (a) *Planning should ensure all land use and development appropriately responds to its surrounding landscape and character, valued built form and cultural context.*

*Clause 15.03 (Heritage)*

*Clause 15.03-1S (Heritage conservation)*

17. The objective is:
- (a) *To ensure the conservation of places of heritage significance.*
18. Strategies include:
- (a) *Encourage appropriate development that respects places with identified heritage values.*
- (b) *Retain those elements that contribute to the importance of the heritage place.*

- (c) *Encourage the conservation and restoration of contributory elements of a heritage place.*
- (d) *Ensure an appropriate setting and context for heritage places is maintained or enhanced.*
- (e) *Support adaptive reuse of heritage buildings where their use has become redundant.*

#### Local Planning Policy Framework (LPPF)

19. The following LPPF provisions are relevant:

##### *Clause 21.05-1 (Heritage)*

20. A relevant objective includes:

- (a) *Objective 14 To protect and enhance Yarra's heritage places.*

##### *Clause 21.08-6 – Neighbourhoods (Fairfield – Alphington)*

21. This policy describes the Fairfield-Alphington area as follows:

- (a) *To the east of Yarra Bend Park is a green, leafy, residential area, comprising late Victorian, Edwardian and interwar dwellings. Dwellings have generous front and side setbacks and allotments are double fronted and deep allowing for large spacious gardens and substantial backyards. The neighbourhood also has a significant amount of open space. The Northern Metropolitan Institute of TAFE and the Victorian Institute of Forensic Mental Health lie within the parkland.*

#### Relevant Local Policies

##### *Clause 22.02 (Development Guidelines for sites subject to the Heritage Overlay)*

22. The relevant part of this clause is Clause 22.02-5.1 (Demolition), which has the following relevant policy:

- (a) *Generally encourage the retention of a building in a heritage place, unless:*
  - (i) *The building is identified as being not-contributory.*
  - (ii) *The building is identified as a contributory building, and*
    - *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 Review of Heritage Areas 2007 Appendix 8 (as updated from time to time) and*
    - *the building does not form part of a group of similar buildings.*

#### **Advertising**

23. The application was advertised under the provisions of Section 52 of the *Planning and Environment Act (1987)* by 112 letters sent to surrounding owners and occupiers and by two signs displayed on site. Council received 9 objections, the grounds of which are summarised as follows:

- (a) Concerns regarding the demolition of the gazebo structure due to architectural significance of the gazebo structure and its host building.

24. A planning consultation meeting was held on 03 September 2019 and attended by two objectors, the applicant and Council Planning Officers. The applicant did not make any commitments to make changes, therefore the proposal as originally submitted to Council remains the basis of assessment and decision.

#### **Referrals**

25. The referral comments are based on the decision plans.

#### External Referrals

26. The application was not required to be referred externally under the Yarra Planning Scheme.

#### Internal Referrals

27. The application was referred to the following units within Council:
- (a) Council's Heritage Advisor. Advice was sought from a different advisor to the one who provided advice to the applicant. Further, advice on the shed structure and the gazebo structure were received separately.
28. Referral comments have been included as attachments to this report.

### **OFFICER ASSESSMENT**

29. The primary considerations for this application are as follows:
- (a) Heritage; and
  - (b) Objector concerns.

#### Heritage

30. Heritage considerations are based upon the decision guidelines of the Heritage Overlay at Clause 43.01-8, which includes (as relevant):
- (a) *The Municipal Planning Strategy and the Planning Policy Framework.*
  - (b) *The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.*
  - (c) *Any applicable statement of significance (whether or not specified in the schedule to this overlay), heritage study and any applicable conservation policy*
  - (d) *Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place.*
  - (e) *Whether the proposed works will adversely affect the significance, character or appearance of the heritage place.*
31. Heritage considerations are also based upon local heritage policy at Clause 22.02. The Statement of Significance for Schedule 147 to the Heritage Overlay is also relevant to this assessment.
32. The entire subject site is listed as individually significant to the heritage overlay, which covers Fairfield Park. The Statement of Significance, however, does not stipulate heritage gradings to individual buildings within Fairfield Park. Instead, the Statement provides the following information:
- (a) *Fairfield Park was levelled and fenced in 1912. Mr. Brown of the Heidelberg Shire Parks and Gardens Committee laid out the paths and planting. The Chief Engineer of the Public Works Department designed the rockeries on the hillside facing the river, completed by 1914. 400 trees from the Mt Macedon Nursery were planted, a picket fence built and an iron portal placed at the entry. The park, covering 15 acres, was officially reserved for public purposes at this time*
  - (b) *Fairfield Park is locally significant as a major recreational facility representing early and diverse recreational uses along the Yarra, as well as extensive plantings and landscaping typical of the Edwardian period.*
33. It can thus be extracted that the heritage significance of Fairfield Park relates to its development as a park during the Edwardian-era since 1912. The Statement of Significance also outlines the following as remnant man-made fabric:

- (a) *The water main and associated bridge is prominent within the park. The terracing established by 1914 appears to be largely intact, and has been augmented by a recent amphitheatre complex immediately to the east of the Swimming Clubhouse.*
34. The Statement of Significance does not mention the shed or the gazebo structure associated with the double-storey recreational building which are proposed for demolition by the subject application. Further, the Statement of Significance does not give buildings constructed in the post-war or late 20<sup>th</sup> century-eras any level of significance. With regards to the gazebo structure, the applicant's heritage advice concurred with this position, stating that the gazebo structure *has no heritage value and can be demolished*. With regards to the shed, Council's heritage advisor estimated that it was constructed in the 1960s/70s and has no heritage value to the wider Fairfield Park precinct.
35. In light of the above considerations, the buildings proposed for demolition are not considered to have any heritage value to the broader Fairfield Park, which is identified as an Edwardian-era recreational area. The buildings to be demolished, whilst covered by a broad, individually significant heritage grading, are not considered to be individually significant or even contributory to the heritage place. For this reason, their demolition is considered to be in accordance with local heritage policy at Clause 22.02-5.1, which allows for the demolition of not-contributory buildings.
36. Furthermore, the demolition of these buildings will not result in any significant interruption to the layout or appearance of Fairfield Park and is therefore considered to be in accordance with local heritage policy at Clause 22.02 which encourages development to respect the pattern and heritage character of the heritage place.
37. During the application process, objector submissions identified that the double-storey recreational building (including the gazebo structure atop) was constructed by Paul Couch, a prominent architect during the late 20<sup>th</sup> century and as such should not be demolished. As stated by the objector submissions, the gazebo structure, *whose pyramid roof form and tall ventilating 'chimney' makes abstract reference to historic pavilion and rural buildings but without kitsch reproduction of period forms and styles.*
38. This information was provided to Council's Heritage Advisor (i.e. a separate advisor to that who advised the applicant) who agreed that the building has social and architectural significance, and made the following recommendation:
- (a) *that the application to demolish the bbq shelter be refused on the basis that:*
- (i) *In conjunction with the bluestone amphitheatre, the pavilion structure and workshop/change rooms (subject site) have contributory **social significance** to HO147. They are, as defined by the Burra Charter, related objects to the heritage place.*
- (ii) *New evidence has been produced which demonstrates that the pavilion structure and workshop/change rooms (subject site) have local **architectural significance** in and of themselves.*
- (iii) *New evidence has been produced which demonstrates that the pavilion structure and workshop/change rooms (subject site) may have state **architectural significance** in and of themselves.*
39. However, this advice cannot be supported as the building is not identified in the Statement of Significance and the gazebo structure is not from the Edwardian-era and therefore does not contribute to the Edwardian heritage context of Fairfield Park. The Statement of Significance to the heritage overlay was last updated in January of 2008, at which time neither the shed or the gazebo structure were identified as being of heritage significance.
40. The demolition of the gazebo structure is in accordance with local heritage policy at Clause 22.02 which allows for the demolition of not-contributory buildings. Whilst the gazebo

structure may have perceived architectural significance, this does not mean that it has heritage significance or heritage protection as provided by the current Yarra Planning Scheme.

### Objector Concerns

41. Concerns raised by objectors relate only to the demolition of the gazebo structure. Objector submissions state that the gazebo structure (and the double-storey building below) has architectural significance and should be therefore be retained. This matter has been discussed at paragraphs 37-40.

### **Conclusion**

42. Based on the above report, the proposal is considered to substantially comply with the relevant planning policy and therefore should be supported.

### **RECOMMENDATION**

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant Planning Permit PLN19/0303 for the demolition of a shed, a gazebo structure and associated decking at 3 Fairfield Park Drive, Fairfield, subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be generally in accordance with the decision plans but modified to show:
  - (a) Correct north orientation.
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. Except with the prior written consent of the Responsible Authority, demolition works must not be carried out:
  - (a) Monday-Friday (excluding public holidays) before 7 am or after 6 pm,;
  - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
  - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.
4. This permit will expire if:
  - (a) the development is not commenced within two years of the date of this permit; or
  - (b) the development is not completed within four years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards for commencement or within twelve months afterwards for completion.

### **NOTES:**

A building permit may be required before development is commenced. Please contact Council's Building Services on 9205 5585 to confirm.

This site is subject to a Heritage Overlay. A planning permit may be required for any external works.

A local law permit (e.g. Asset Protection Permit, Road Occupation Permit) may be required before development is commenced. Please contact Council's Construction Management Branch on Ph. 9205 5585 to confirm.

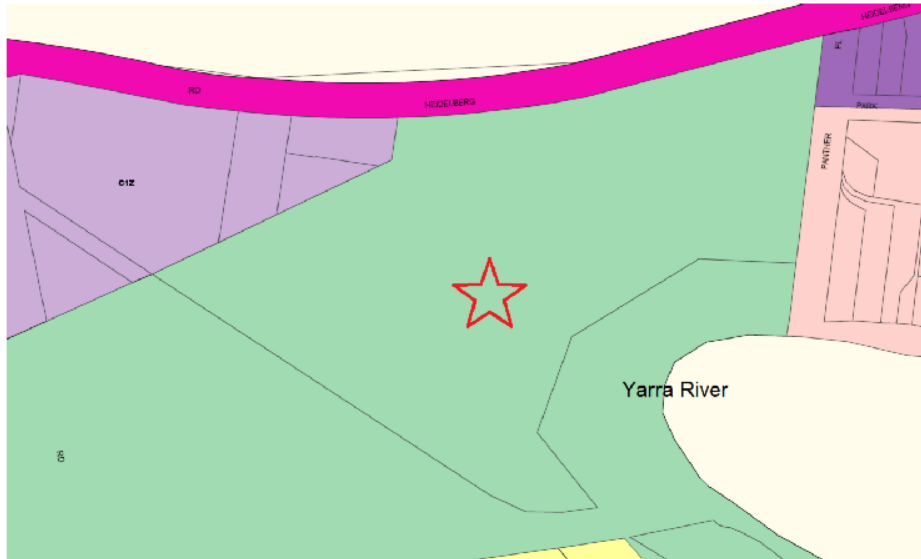
**CONTACT OFFICER:** Chris Stathis  
**TITLE:** Senior Statutory Planner  
**TEL:** 9205 5352

**Attachments**

- 1 PLN19.0303 - 3 Fairfield Park Drive Fairfield - IDAC Attachment - Locality Plan
- 2 PLN19/0303 - 3 Fairfield Park Drive Fairfield - IDAC Attachment - Advertised Plans
- 3 PLN19/0303 - 3 Fairfield Park Drive Fairfield - IDAC Attachment - Heritage Report (Applicant)
- 4 PLN19/0303 - 3 Fairfield Park Drive Fairfield - IDAC Attachment - Letter from Architecture Professor (Objection Submission)
- 5 PLN19/0303 - 3 Fairfield Park Drive Fairfield - IDAC Attachment - Heritage Advice (Council - shed)
- 6 PLN19.0303 - 3 Fairfield Park Drive Fairfield - IDAC Attachment - Heritage Advice (Council - Gazebo Structure)
- 7 PLN19.0303 - 3 Fairfield Park Drive Fairfield - IDAC Attachment - Statement of Significance to the Heritage Overlay

## ATTACHMENT – SITE LOCALITY

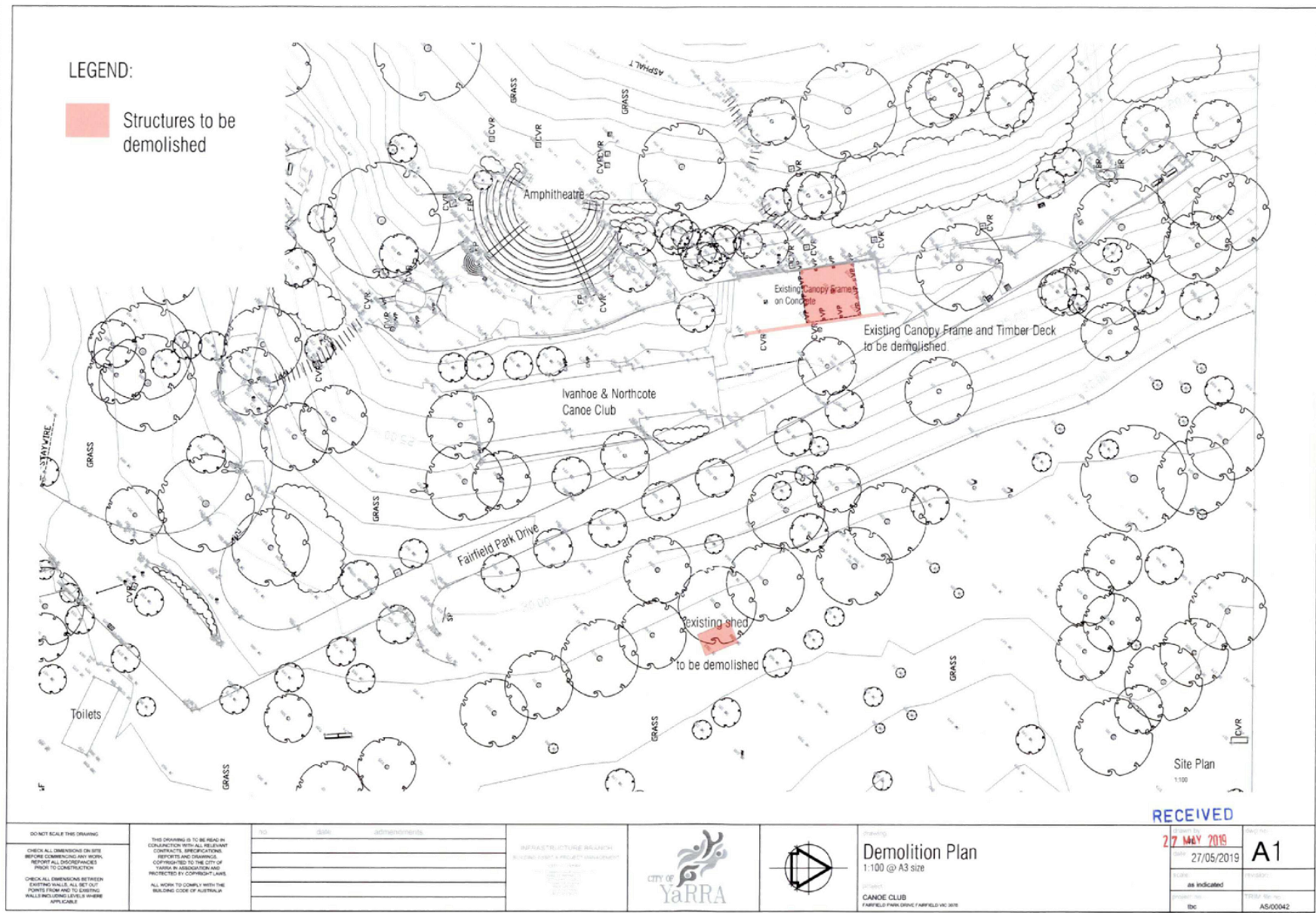
SUBJECT LAND: 3 FAIRFIELD PARK DRIVE, FAIRFIELD



↑ North

★ Subject Site

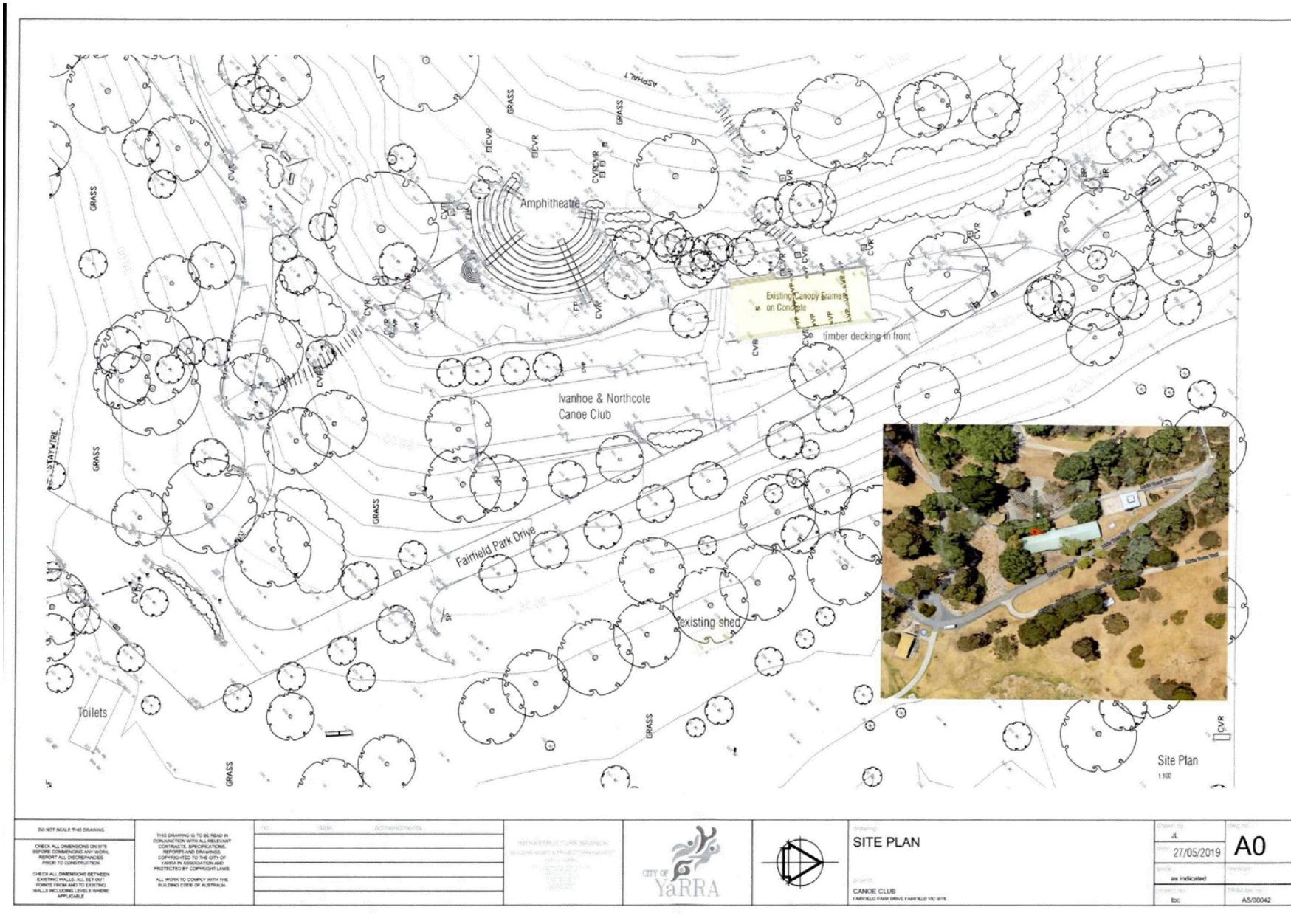
Attachment 2 - PLN19/0303 - 3 Fairfield Park Drive Fairfield - IDAC Attachment - Advertised Plans



RECEIVED

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Attachment 2 - PLN19/0303 - 3 Fairfield Park Drive Fairfield - IDAC Attachment - Advertised Plans



<p>DO NOT SCALE THIS DRAWING</p> <p>CHECK ALL DIMENSIONS ON SITE BEFORE COMMENCING ANY WORK. REPORT ALL DISCREPANCIES PRIOR TO CONSTRUCTION</p> <p>CHECK ALL DIMENSIONS BETWEEN EXISTING WALLS. ALL SET OUT POINTS TO BE MADE TO EXISTING WALLS INCLUDING LEVELS WHERE APPLICABLE</p>	<p>THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS, REPORTS AND CORRECTIONS. COPYRIGHTED TO THE CITY OF YARRA IN AUSTRALIA AND PROTECTED BY COPYRIGHT LAWS</p> <p>ALL WORK TO COMPLY WITH THE BUILDING CODE OF AUSTRALIA</p>	<table border="1"> <tr> <td>NO</td> <td>ISSUE</td> <td>DESCRIPTION</td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>	NO	ISSUE	DESCRIPTION										<p>INFRASTRUCTURE BRANCH</p> <p>ISSUES REPORT &amp; PROPOSAL REVISIONS</p> <p>10/10/2019</p>			<p>PROJECT: CANOE CLUB</p> <p>PROJECT ADDRESS: 3 FAIRFIELD PARK DRIVE</p> <p><b>SITE PLAN</b></p>	<table border="1"> <tr> <td>Drawn by:</td> <td>Drawn No:</td> </tr> <tr> <td>JK</td> <td>A0</td> </tr> <tr> <td>Date:</td> <td>Revision:</td> </tr> <tr> <td>27/05/2019</td> <td>as indicated</td> </tr> <tr> <td>Scale:</td> <td>Task No.:</td> </tr> <tr> <td>1:100</td> <td>AS/00042</td> </tr> </table>	Drawn by:	Drawn No:	JK	A0	Date:	Revision:	27/05/2019	as indicated	Scale:	Task No.:	1:100	AS/00042
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**Attachment 3 - PLN19/0303 - 3 Fairfield Park Drive Fairfield - IDAC Attachment - Heritage Report (Applicant)**

**City of Yarra  
Heritage Advice**

**Application No.:** Pre-application.  
**Address of Property:** Fairfield Park Canoe Club, Fairfield Park Drive, Fairfield Park.  
**Council officer:** Jenny Smith, Project Manager, Buildings Assets.  
**Yarra Planning Scheme References:** Clauses 43.01, and 22.02.  
**Heritage Overlay No.:** HO 147 **Precinct:** Fairfield Park Drive, Fairfield Park.

Tree controls are applicable. There is also an Incorporated Plan under the provisions of clause 43.01 Heritage Overlay, Planning permit exemptions, July 2014. The Incorporated Plan, prepared by Lovell Chen, is applicable to non-residential uses and properties. (p. 1). However, in practice the permit exemptions included in the Incorporated Plan are difficult to apply to this proposal.

**Level of significance:**

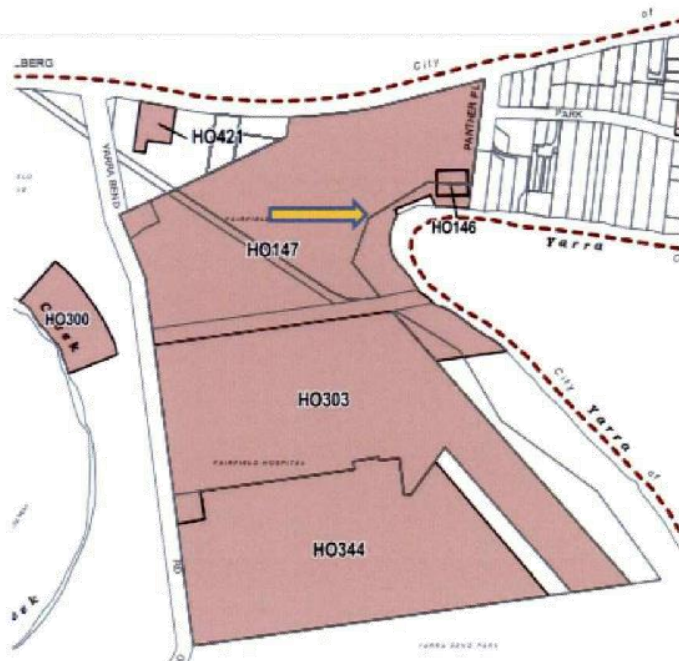


Figure 1 Heritage Overlay Map showing the approximate location of the Canoe Club structure.

**Attachment 3 - PLN19/0303 - 3 Fairfield Park Drive Fairfield - IDAC Attachment - Heritage Report (Applicant)**

A Conservation Management Plan (CMP) (draft in progress) was prepared by Anthemion Consultancies and John Patrick Pty Ltd in 2009. The structure adjacent to the Canoe Club buildings was described and assessed in the CMP as:

Near the amphitheatre above the entrance to the Pipe Bridge is a "double-storey" precast concrete structure which provides change rooms and associated amenities for performers. The upper level is adjacent to the Canoe Club clubhouse, and is a timber-edged concrete deck with a central metal-framed metal clad roof, which is square in plan and which has a central metal-framed gazebo-like tower clad in stained timber slats. It serves as an *al fresco* entertainment area. The lower level is uncoated precast concrete slab with some recessed balconies with metal framed wire mesh balustrades. There is a large timber-framed sliding glazed door providing access to the amphitheatre. At the base are some minimal bluestone edged garden beds. Stylistically this building does not relate to anything in the Park and appears quite intrusive in its immediate setting which is at one end of the Pipe Bridge. It is assumed from its style that it dates from the 1990s.

**Conclusions:** None of these elements have any heritage significance although they have an appropriate place in the wider recreational focus of the Park. (p. 33)



Figure 2: The side of the structure. (2018).  
Source: Yarra City Council.



Figure 3: The side of the structure. (2018).  
Source: Yarra City Council.

**Attachment 3 - PLN19/0303 - 3 Fairfield Park Drive Fairfield - IDAC Attachment - Heritage Report (Applicant)**

**Proposal:**

Demolition of all or part of the structure and replacement with a new structure.

**Drawing Numbers:**

N/A

**Assessment of Proposed Works**

Proposed works

*Built form (height/setbacks)*

The existing structure appears to have been intended as an outdoor BBQ area for the Canoe Club and possibly wider public use, which is appropriate in Fairfield Park. The structure itself has no heritage value and can be demolished.

Any new structure should be responsive and sympathetic in its design in relation to its immediate context in Fairfield Park and be guided by the provisions of Clause 43.01 (the Heritage Overlay) and Clause 22.02 Development Guidelines For Sites Subject To The Heritage Overlay of the Yarra Planning Scheme and be cognisant of the approach of the Incorporated Plan. That is to say it should blend in rather than stand out in scale, bulk, materials and colours.

**Recommendation / Comments:**

The proposal is acceptable and it is expected that a planning permit will be required as a consequence of the Heritage Overlay.

The CMP was intended to provide heritage advice in relation to the future management of Fairfield Park, including matters such as this, together with a wider range of issues. It did not proceed beyond the Draft Stage because priorities in the relevant section of Council changed. It is recommended that the authors of the CMP be re-commissioned to complete the document as it is still required, is standard practice to guide the management of heritage places and is still relevant as evidenced by this referral.

**Signed:**



Robyn Riddett  
**Director – Anthemion Consultancies**

**Date:** 17 December. 2018

**Attachment 4 - PLN19/0303 - 3 Fairfield Park Drive Fairfield - IDAC Attachment - Letter from Architecture Professor (Objection Submission)**

**Professor Philip Goad**  
*BArch (Hons) (Melb) PhD (Melb) LFRAIA FAHA*  
*Melbourne School of Design*



3 July 2019

To whom it may concern,

**RE: OBJECTION TO DEMOLITION**

**HERITAGE SIGNIFICANCE – STATEMENT OF SUPPORT**

**PAVILION STRUCTURE AND WORKSHOP/CHANGE ROOMS  
FAIRFIELD PARK DRIVE, FAIRFIELD PARK**

I write first, to object to the proposed demolition of the pavilion structure and workshop/change rooms adjacent to the Ivanhoe Northcote Canoe Club and Fairfield Amphitheatre.

I write, second, to support the heritage listing and therefore protection of the pavilion structure and workshop/change rooms adjacent to the Ivanhoe Northcote Canoe Club and Fairfield Amphitheatre.

The pavilion structure and workshop/change rooms (c.1987-8) associated with the Fairfield Amphitheatre and located on the Main Yarra Trail at Fairfield Park are significant as being:

- a sensitively-sited, architecturally-designed three level ancillary service structure, set into the landscape above and separate to the adjacent bluestone outdoor amphitheatre (c.1985). On its roof is an open, steel-framed pavilion structure, whose pyramid roof form and tall ventilating 'chimney' makes abstract reference to historic pavilion and rural buildings but without kitsch reproduction of period forms and styles.
- a rare, non-residential work by the highly regarded architect Paul Couch, then of the award-winning firm Carter Couch that operated in the 1980s and 1990s. Dennis Carter was the other senior partner of the firm. Couch, who worked for nationally significant architect Robin Boyd (1919-1971) for more than a decade assisting in the design and documentation of many of his best-known houses of the 1960s, is a noted designer of innovative modern houses across Victoria that employ a minimal palette of materials expressed in their raw state.
- a rare, non-residential example of Couch's long-held interests in tilt-slab precast concrete panel construction system that is often a defining feature of his better-known residential projects. From the late 1970s through until today, Couch has been a pioneer in using tilt-slab concrete panels in small-scale design settings, especially for one-off houses. Rather than see this system as one deployed only in factory construction, Couch uses the system not just for construction efficiency but also to bold and effective aesthetic effect.

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The University of Melbourne Victoria 3010 Australia  
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**Attachment 4 - PLN19/0303 - 3 Fairfield Park Drive Fairfield - IDAC Attachment - Letter from Architecture Professor (Objection Submission)**

The two-level substructure built into the landscape contains a workshop for set building at its lowest level and toilets on the first floor. The third level is the roof terrace, which contains the open pavilion structure. This structure appears to have been intended as a barbecue shelter, hence the tall cubic, ventilating 'chimney' form above on its roof.

Views from this terrace are excellent and a strong case could be made for built-in barbecues to be located here as well as public seating to revitalize this terrace. Door and balustrade mesh details are typical of Couch's work and these should be retained in any refurbishment.

Together with the building's bluestone retaining walls, the pavilion structure, terrace and service rooms beneath have been sited carefully to align with various levels of the Main Yarra Trail. In terms of sustainability and site usage, it makes excellent sense to retain this service structure and enhance its ability to serve the community for decades to come.

In my opinion, there is a definite case for, at the very least, listing the pavilion structure and workshop/change rooms together with the bluestone amphitheatre as being of local significance - i.e. the pavilion structure and workshop/change rooms are intrinsic to an ensemble which includes the amphitheatre and which, overall, has architectural, social and technical merit.

I also believe, that with further investigation there could be a possible case for considering the entire complex and its site (i.e. outdoor amphitheatre, pavilion and service structure) as being of even greater significance.

As such, I would urge all relevant agencies, both local and state, to offer appropriate heritage protection for the pavilion structure and workshop/change rooms on the Main Yarra Trail at Fairfield Park.

Yours sincerely



Philip Goad  
Chair of Architecture  
Redmond Barry Distinguished Professor

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The University of Melbourne Victoria 3010 Australia  
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**Attachment 5 - PLN19/0303 - 3 Fairfield Park Drive Fairfield - IDAC Attachment - Heritage Advice (Council - shed)**

**Stathis, Chris**

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**From:** McIntosh, Diahnn  
**Sent:** Monday, 21 October 2019 10:53 AM  
**To:** Stathis, Chris  
**Subject:** RE: PLN19/0303 - 3 Fairfield Park Drive, Fairfield - Heritage Comments

Dear Chris

I have considered the potential heritage significance of the existing shed and the implications of its full demolition.

From the photos I have been provided it is clear that the subject shed is a pre-fabricated galvanised shed, of unknown age but possibly dating from the 1960s/70s. The shed certainly has no architectural significance and it is highly unlikely to be of any historical significance for its age or associations.

Under these circumstances I believe that the subject shed is non-contributory to the significance of Fairfield Park. As a non-contributory element of the heritage place there is no heritage concerns regarding its full demolition.

Please don't hesitate to contact me should you have any queries regarding this advice.

Kind regards,

**DIAHNN McINTOSH**  
Heritage Advisor, Yarra City Council  
Mon, Tues & Wed

**From:** Stathis, Chris  
**Sent:** Monday, 21 October 2019 9:56 AM  
**To:** McIntosh, Diahnn <Diahnn.McIntosh@yarracity.vic.gov.au>  
**Subject:** PLN19/0303 - 3 Fairfield Park Drive, Fairfield - Heritage Comments

Hi Diahnn,

Thanks for your time earlier. The above application is a Council application for the demolition of two structures within Fairfield Park: a gazebo structure and a shed. We have already been provided with advice on the former, however we did not get advice on the shed.

Please see images of the shed below as well as its location shown on the demolition plan attached.

The site is affected by HO147, which relates to the broader Fairfield Park.

Can we please have your comments on whether the demolition of the shed is acceptable from a heritage perspective?

Thanks

**Chris Stathis**  
**Senior Statutory Planner**  
**Statutory Planning**

PO BOX 168 Richmond VIC

**Attachment 6 - PLN19.0303 - 3 Fairfield Park Drive Fairfield - IDAC Attachment - Heritage Advice (Council - Gazebo Structure)**

**Stathis, Chris**

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**From:** Redden, Ruth  
**Sent:** Friday, 6 September 2019 1:13 PM  
**To:** Stathis, Chris  
**Cc:** Griffiths, Sarah  
**Subject:** RE: PLN19/0303 - 3 Fairfield Park Drive,, Fairfield - Seeking Heritage Comments

Hi Chris,

Currently the pavilion structure and workshop/change rooms (subject site) fall under HO147 – Fairfield Park.

According to the citation for HO147, the **cultural significance** of Fairfield Park relates to its local **significance as a major recreational facility representing early and diverse recreational uses along the Yarra**, as well as\* extensive plantings and landscaping typical of the Edwardian period.

\*Not limited to.

The existing bluestone amphitheatre and adjacent pavilion structure and workshop/change rooms have iconic, long-standing (and currently active) connections with the diverse recreational uses of the park along the Yarra. There is strong evidence that the bluestone amphitheatre and adjacent pavilion structure and workshop/change rooms have contributory **social** significance in and of themselves, as well as being **related objects** that contribute to the cultural significance of the place.

Furthermore, research produced by Prof. Philip Goad and architects Kennedy Nolan in response to this application have demonstrated the potential of the structures (both amphitheatre, change rooms and bbq area) to have both local and state level **architectural** significance in and of themselves.

Knowing this information, granting a permit for demolition of the structures would not be in accordance with Yarra City Council’s heritage policy at Clause 22.02-4, which aims to:

- Ensure the adaptation of heritage places is consistent with the principles of good conservation practice.
- Conserve Yarra’s natural and cultural heritage.

The Burra Charter (Australia’s leading document on best practice cultural heritage conservation) is a reference document to Clause 22.02. Article 11 of the Burra Charter states, “The contribution which *related places* and *related objects* make to the *cultural significance* of the *place* should be retained”.

Therefore, it is strongly recommended that the application to demolish the bbq shelter be refused on the basis that:

- a) In conjunction with the bluestone amphitheatre, the pavilion structure and workshop/change rooms (subject site) have contributory **social significance** to HO147. They are, as defined by the Burra Charter, related objects to the heritage place.
- b) New evidence has been produced which demonstrates that the pavilion structure and workshop/change rooms (subject site) have local **architectural significance** in and of themselves.
- c) New evidence has been produced which demonstrates that the pavilion structure and workshop/change rooms (subject site) may have **state architectural significance** in and of themselves.

In order to gain support from a heritage perspective, the application should seek to conserve the pavilion structure and enable its continued use as a bbq facility.

Furthermore, the responsible authority should refer this information to the Strategic Planning department and, as per previous heritage advice, continue with producing a conservation management plan (CMP) for Fairfield Park. The CMP should address the significance of the site, including the bluestone amphitheatre and adjacent pavilion structure and workshop/change rooms (with regard to newly produced research), as well as the broader cultural significance of the site. Yarra City Council should also consider nominating Fairfield Park for inclusion on the

**Attachment 6 - PLN19.0303 - 3 Fairfield Park Drive Fairfield - IDAC Attachment - Heritage Advice (Council - Gazebo Structure)**

Victorian Heritage Register with the bluestone amphitheatre and adjacent pavilion structure and workshop/change rooms listed as important contributory or related objects.

Please do not hesitate to contact me if you require any further comments or clarification on the above.

Relevant attachments:

- 3 Fairfield Park Drive – Advertised Plans, received by Council and dated 27 May 2019
- Pre-application heritage advice to Council, by Robyn Riddett (Council Heritage Advisor), dated 17 December 2018
- 'Objection to Demolition', letter from Prof. Philip Goad (University of Melbourne), dated 3 July 2019

Regards,



Ruth Redden

Heritage Advisor

Work days: Thursday and Friday, 9am to 3pm

PO BOX 168 Richmond VIC

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

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**From:** Stathis, Chris

**Sent:** Friday, 6 September 2019 11:39 AM

**To:** Redden, Ruth <[Ruth.Redden@yarracity.vic.gov.au](mailto:Ruth.Redden@yarracity.vic.gov.au)>

**Cc:** R R <[ruth@rrconservationdesign.com](mailto:ruth@rrconservationdesign.com)>

**Subject:** PLN19/0303 - 3 Fairfield Park Drive, Fairfield - Seeking Heritage Comments

Hi Ruth,

Thanks for your time this morning.

As discussed, the above is a Council application which seeks to demolish a number of structures near the Yarra River in Fairfield. Please see plans attached. Please also find Council's heritage advice by Robyn Riddett.

We have received a number of objections based on the fact that the gazebo structure was designed by the architect Paul Couch who has recently become recognised as an important architect of the late 20<sup>th</sup> century. This is detailed most relevantly in the submission provided by Professor Phillip Goad (also attached).

Please let me know if you have any questions.

# Attachment 7 - PLN19.0303 - 3 Fairfield Park Drive Fairfield - IDAC Attachment - Statement of Significance to the Heritage Overlay

## Victorian Heritage Database Report

Report generated 18/10/19



## Fairfield Park



Fairfield Park



Fairfield Park



Fairfield Park



Fairfield Park



Fairfield Park

### Location

off Fairfield Park Drive, FAIRFIELD, City of Yarra

### Municipality

YARRA CITY

### Level of significance

Incl in HO area indiv sig

### Heritage Overlay Numbers

HO147

### Heritage Listing

Yarra City

## Attachment 7 - PLN19.0303 - 3 Fairfield Park Drive Fairfield - IDAC Attachment - Statement of Significance to the Heritage Overlay

### Statement of Significance

Last updated on - January 1, 2008

The following wording is from the John Patrick Landscape Citation, 1998 for the property. Please note that this is a "Landscape Citation", not a "Statement of Significance". For further information refer to the Landscape Citation held by the City of Yarra.

Landscape Citation, 1998

#### Description

An MMBW water main has existed on the Fairfield Park site since 1878, crossing the river to the south of the site. The bridge was damaged in the 1934 floods, and rebuilt in 1937. Swimming carnivals began on the site in March 1908 and continued for many years. At this time the park was a grassed embankment with a timber landing for boating on the river.

Fairfield Park was leveled and fenced in 1912. Mr. Brown of the Heidelberg Shire Parks and Gardens committee laid out the paths and planting. The Chief Engineer of the Public Works Department esigned the rockeries on the hillside facing the river, completed by 1914. 400 trees from the Mt acedon Nursery were planted, a picket fence built and an iron portal placed at the entry. The park, overing 15 acres, was officially reserved for public purposes at this time.

In December 1932 the Fairfield Swimming and Life Saving Clubhouse was opened on the bend of the iver. A rotunda was also featured in the park, but has been removed. Its siting is marked by a group f palms. A football oval is located in the western section of the site.

#### Remnant Fabric (Man Made)

The water main and associated bridge is prominent within the park. The terracing established by 1914 appears to be largely intact, and has been augmented by a recent amphitheatre complex immediately to the east of the Swimming Clubhouse.

#### Remnant Fabric (Vegetation)

The site features a wide variety of trees, with conifers forming much of the structure to the park. They include Monterey Pine (*Finns radiata*), Blue Atlantic Cedar (*Cedrus atlantica var glauca*) and Italian and Monterey Cypress (*Cupressus sempervirens* and *C. macrocarpa*). Other trees of note include Elm (*Ulmus x hollandicd*), Common Oak (*Quercus robur*) and Fan Palm (*Washingtonia robusta*).

#### Statement of Significance

Fairfield Park is locally significant as a major recreational facility representing early and diverse recreational uses along the Yarra, as well as extensive plantings and landscaping typical of the Edwardian period.

Heritage Study/Consultant	Yarra - Northcote Urban Conservation Study, Graeme Butler & Associates, 1982; Yarra - City of Yarra Heritage Review, Allom Lovell & Associates, 1998; Yarra - City of Yarra Review of Heritage Overlay Areas, Graeme Butler & Associates, 2007;
Construction dates	1912,
Hermes Number	102808
Property Number	

## Attachment 7 - PLN19.0303 - 3 Fairfield Park Drive Fairfield - IDAC Attachment - Statement of Significance to the Heritage Overlay

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### Physical Description 1

#### Remnant Fabric (Man Made)

The water main and associated bridge is prominent within the park. The terracing established by 1914 appears to be largely intact, and has been augmented by a recent amphitheatre complex immediately to the east of the Swimming Clubhouse.

#### Remnant Fabric (Vegetation)

The site features a wide variety of trees, with conifers forming much of the structure to the park. They include Monterey Pine (*Pinus radiata*), Blue Atlantic Cedar (*Cedrus atlantica* var *glauca*) and Italian and Monterey Cypress (*Cupressus sempervirens* and *C. macrocarpa*). Other trees of note include Elm (*Ulmus x hollandica*), Common Oak (*Quercus robur*) and Fan Palm (*Washingtonia robusta*).

#### Potential Threats

Butler (1982) has noted that there has been a noticeable loss of certain trees, principally the Cypress border on Heidelberg Road, but the character of the place has generally been maintained. Further removal of mature trees and failure to replace them with the same species will adversely effect the heritage character of the place.

Introduction of new species to the site, particularly inappropriate native species will further erode the heritage character of the site.

#### Management Steps

The site requires the preparation of an overall Master Plan and Management Plan that would seek to reinforce the strong heritage character of the area. It should outline appropriate strategies for the replacement of senescent plant material and the introduction of new species, particularly in relation to restoration projects, such as the old rockeries. Guidelines for appropriate hard landscaping and detailing should also be included.

### Integrity

Fair

*This place/object may be included in the Victorian Heritage Register pursuant to the Heritage Act 2017. Check the Victorian Heritage Database, selecting 'Heritage Victoria' as the place data owner.*

*For further details about Heritage Overlay places, contact the relevant local council or go to Planning Schemes Online <http://planningschemes.dpcd.vic.gov.au/>*