



## **ROYAL HISTORICAL SOCIETY OF VICTORIA INC.**

239 A'Beckett Street, Melbourne 3000

### **YARRA PLANNING SCHEME AMENDMENT C269 REWRITE OF LOCAL POLICIES**

#### **SUBMISSION TO THE CITY OF YARRA ON BEHALF OF THE ROYAL HISTORICAL SOCIETY OF VICTORIA**

##### **1. THIS SOCIETY**

The Royal Historical Society of Victoria (RHSV) is a peak body representing approximately 340 community historical societies throughout Victoria. It has been active on history and heritage issues since its formation in 1909. The RHSV Heritage Committee is accountable to the RHSV Council and has specific responsibility for preparing submissions and liaising with other relevant heritage bodies concerning the uses and preservation of heritage-protected buildings and sites. The committee continues the RHSV's longstanding commitment to the preservation of our heritage, believing that we are all entrusted with the tasks of maintaining the legacy of the past for the good of future generations.

##### **2. THIS SUBMISSION**

Whilst C269 is necessarily a very wide-ranging amendment, the interest of the RHSV is focused primarily on the impact that the proposed changes to Yarra Planning Scheme policies will have on the effective conservation of the City's remarkable stock of cultural heritage places.

Our submission is therefore principally directed towards the proposed new Heritage Policy at Clause 15.03-1L.

We also examine aspects of a number of other policies that will impact on the conservation of cultural heritage places.

Finally, we comment on a proposal to extend the boundaries of the Swan Street Major Activity Centre. While this is not a policy at all, it has, to our surprise and concern, been included in this amendment.

##### **3. PROPOSED HERITAGE POLICY**

Our comments on this policy are informed by the work of a small technical group from the Queens Parade Heritage Planning and Traders group on which the RHSV

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was represented. This group prepared detailed comments on the new policy and made them available to all resident groups that indicated their interest in making submissions to the amendment. A number of these groups may have chosen to incorporate these suggestions in their submissions.

These detailed comments are set out in a Track Changes version of the new policy in Appendix 1 to this submission and have been adopted by the RHSV. A clean copy of the suggested policy is Appendix 2. Our general arguments in support of these improvements are laid out below.

### **3.1 Improvements over the current Heritage Policy**

The new policy as exhibited demonstrates a number of improvements over the current policy. For example, we are pleased to see that the same standards of control are applied equally to places of contributory significance and individual significance. Thus development that intrudes upon an outstanding streetscape of contributory buildings can be considered just as unacceptable as inappropriate development of an individually significant building.

We also consider that the height and setback provisions for residential additions are an improvement on the sight line diagrams in the current policy (although we have made some suggestions to strengthen the proposed provisions).

While we commend these and other changes for the better, the main purpose of this submission is to indicate where the policy needs further improvement to achieve a higher level of conservation.

### **3.2 Policy Structure**

We find the order of the policy as exhibited to be confusing. As currently presented, the document starts with provisions that apply to all types of heritage places, then moves to provisions that apply only to specific types of development, i.e. Residential, Commercial and Industrial. It then reverts to focusing on a range of provisions that apply to all types of development.

For purposes of clarity and sequential logic, the document needs to be restructured hierarchically so that provisions that apply to all building types appear first and those with restricted application follow. The suggested version in Appendix 1 incorporates this structure where the new order is listed at Page 7.

Consistent with this position, we also contend that it is confusing to first combine Commercial and Industrial building types in one category, then to deal with them separately. We suggest, rather, that these building categories be discussed independently, even if some duplication is necessary.

### **3.3 Objectives**

While other policies in this review include objectives, there are none listed for the local policy. The reason given for this is that such objectives are provided in the

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State section of Clause 15.03. However, only one such objective is listed in the State section:

To ensure the conservation of places of heritage significance.

We do not consider this an adequate basis for all the strategies required at the local level so have suggested an elaboration of this objective and the addition of a further three.

### 3.4 Strategies

- We have added a new strategy labeled *Conservation* as we believe this is indispensable to a Heritage Policy.
  - In the next section called *Restoration and Reconstruction* we have removed the parts that are really just definitions. While there is a need for definitions in this document and we fully support the use of those in the Burra Charter, we believe they should constitute a separate section called *Definitions*. We have retained those bits that refer to 'Reconstruction' and added a further paragraph to make it clear that reconstruction may be appropriate where a heritage place has been destroyed.
  - *Painting and surface treatments*. We have foregrounded retention here since this should always take priority in the conservation process. An additional paragraph deals with the importance of acknowledging the substrate.
  - *Fences and gates*. We considered it important to retain some specific dimensions in the policy and suggest retaining this provision from the existing document.
  - *Relocation*. The concept of *suitable* has been expanded in this section of our proposal.
  - Minor insertions and substitutions on pages 3 and 4 are self explanatory or explained in the comments.
  - *Residential alterations and additions*. We consider the inclusion of the first two rooms provision in the first paragraph to be very useful but believe it needs to be strengthened with the addition of 'at least' before 'the first two rooms' as it will often be desirable to retain the whole of the principal roof when it extends beyond the first two rooms. We have added the word 'deep' to make it clear that it is the depth of two rooms that needs to be retained.
  - *Commercial heritage places*. The additions here encourage the retention and reconstruction of verandahs and some design suggestions for new infill development.
  - *Industrial heritage places*. We have highlighted the fourth paragraph here as we do not believe that this is easily understandable. The concept of 'visible volume' needs to be explained. We are also concerned that some very useful recommendations in the GJM report on industrial heritage have not been used to inform this policy and would urge the Council to return to that document and incorporate more of its recommendations.
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- *Public realm heritage infrastructure.* We have included a whole new section on this subject to assist the Council in its management of public heritage infrastructure.

### **3.5 Issues requiring further discussion.**

Appendix 1 lists a number of issues for further discussion at Page 6:

- *Numbering System.* We are concerned by the lack of a logical numbering system to identify specific provisions in the proposed amendment. This problem has plagued the Victorian Planning Provisions since their introduction and it is very disappointing that the State government did not take advantage of this recent restructuring to go back to numbers. The new system seems even harder to follow with the same clause numbers and letters being used for a whole range of different provisions. We realise that this is State government matter but would ask the Council to make representations for more clause reference points to assist us in navigating the restructured schemes.
- *Need for Definitions.* Definitions should be carried over from the existing Clause 22.02. Where a term from the Burra Charter is being used, the wording of the definition should be identical to that in the Charter.
- *Levels of Significance.* These need to be explained but it should be sufficient to provide a reference to the successor to Appendix 8 where these are defined.
- *Guidelines.* Many councils have well-illustrated guidelines that explain heritage policies in plain English and, more importantly, with plenty of simple illustrations. A good recently published example is the guidelines document for Melbourne City Council. We strongly recommend that the Council arrange for Yarra heritage guidelines to be available by the time this amendment comes into effect.

## **4. OTHER POLICIES IMPACTING ON HERITAGE**

A number of other policies impact either favourably or unfavourably on heritage conservation objectives. We address some of these in the order in which they appear in the Amendment.

### **02.01 Municipal Planning Strategy: Context**

The Built environment and Heritage section here contains the following description:

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.

This implies that mid-rise development extends up to 14 storeys. We would generally consider 'mid-rise' in the Yarra context to be much less than 14 storeys. It is not necessary to specify any particular height here so the figure should be deleted.

## **02.01 Municipal Planning Strategy: Strategic Directions**

In the section here on *Built Environment and heritage* there are many fine things said about the need to manage development and growth in Yarra in order to maintain and enhance the unique character and heritage of the city, including:

- Respect Yarra's distinctive features and landmarks, including:
  - - The low-rise character of residential neighbourhoods;
  - - Historic retail strips;

On the whole things have worked out well for the residential neighbourhoods. No so for the historic shopping strips, especially those designated Major Activity Centres. In many cases the retention of the historic streetscape has been interpreted as retention of the façade only, with built forms as high as six storeys being encouraged, with setbacks as little as five metres from the remnant facade.

While the pattern for the Major Activity centres has more or less been set, it is not too late for the Neighbourhood and Local centres. We take the view that heritage controls for these lower order centres should be similar to the residential areas that they serve and look to the Council to ensure that this review prioritises retention of the substantive heritage of these places.

### **11.031L Activity Centres**

The strategies for all Activity Centres include the following:

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

While most of the particular strategies for each activity centre also include a strategy relating to heritage conservation, as noted above, the interpretation of these strategies has resulted in DDOs that encourage façadism and the demolition of the greater part of heritage buildings. Mid-rise development is not appropriate in historic cores of historic shopping strips, particularly at the Neighbourhood and Local Level. There is usually plenty of scope for intensification close to but just beyond the retail core of these centres. What is needed is a strategy for each centre that specifies what will be conserved.

### **15.01-2L Urban Design**

We welcome the sections on development adjacent to land in a Heritage Overlay and on laneways, as both measures will strongly support heritage values.

The recognition that new development should respect adjacent heritage places is particularly welcome and will make a significant contribution to retaining an appropriate setting for such heritage places.

### **15.01-2L Landmarks**

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We commend the identification of key landmarks and recognition of key view lines so they can be protected. There is, however, a surprising omission in the proposed amendment—the Bryant and May Clock Tower, which is surely the equal of any of the other contenders. In bringing up this important landmark, we would also like to nominate a view line to the clock tower additional to those up and down Church Street. The view from Richmond Station platforms of both the Bryant and May and Dimmeys clock towers, to be seen by hundreds if not thousands of people every day as they return from the Covid 19 lock-down, is very fine indeed.

The list of landmarks and viewlines is not as long as it should be, showing only the best of the best and thus allowing it to be argued that these are the only landmarks in Yarra with views in need of protection. The policy is not sufficiently ambitious with its implied expectation that only quite partial views stand in need of preservation.

So what is going to be done about all the other landmarks? It would seem that we need an answer to that question, and some further research, before approving the current policy.

### **16.01-2L Housing**

The maps to this section show the heritage shopping strips of Neighbourhood Activity Centres like Queens Parade as sites of Moderate Change. This is no longer appropriate and appears to be a hangover from the time when 6-storey development was envisaged at the rear of the shops behind a setback of only 6 metres. Following extensive submissions and a long panel hearing, the permanent control standard has emerged as a maximum of 3 storeys behind a setback of 8 metres for most of the shopping area; we therefore suggest that a more appropriate designation would be an area of Incremental Change.

These two rates of change are described in this clause as follows:

#### Moderate Change:

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

#### Incremental Change:

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

We recommend that there be a review of all Neighbourhood Activity Centres to determine whether the Moderate Change Designation remains appropriate.

## **5. EXTENSION OF SWAN STREET MAJOR ACTIVITY ZONE BOUNDARY**

Our attention was drawn to this proposal to incorporate the mixed-use zone between Tanner Street and Richmond Station through a question raised at the Town Hall Meeting on this amendment on Monday 23 November. A resident of

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nearby Lennox Street had noticed that the boundary had been changed on the Strategic Framework Plan at Clause 02.04.

The Society is strongly opposed to this proposal for the following reasons:

- This area is a rare example of an extensive industrial complex of great heritage significance that should not be subject to the development pressures inherent in its inclusion in a Major Activity Centre.
- The boundary extension is unnecessary as the complex already performs the function of a high-density residential and commercial area.
- Attempting to introduce further intensive development will place the heritage values of the place at risk.

We further submit that the notice provided for this boundary change is misleading and inadequate and request that if the Council wishes to continue with the proposal it should be re-advertised as a separate amendment with a full explanation as to why such an extension is justified.

The web site for this amendment provides excellent plain English explanations spanning the whole range of policies. Indeed the web site is an exemplary effort to explain this wide-ranging document. However, we could find no mention of the boundary extension there. The 'go to' place for this information should be at Clause 11.031L Activity Centres, which provides boundary maps for all activity centres in the scheme. But the map for the Swan Street activity centre does not show the proposed extension.

As far as we can tell it is necessary to go to the Statutory Documents where the Explanatory Report refers to a background document:

- i. Activity Centres – roles and boundaries, City of Yarra, October 2019

This shows the proposed boundary extension. We do not believe that the route to this information is appropriate. What is missing is a clear statement in an obvious location that the amendment proposes to implement the extension.

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Royal Historical Society of Victoria

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