

MELBOURNE PLANNING SCHEME

AMENDMENT C301

EXPLANATORY REPORT

Who is the planning authority?

This Amendment has been prepared by the Minister for Planning, which is the planning authority for this Amendment.

This Amendment has been made at the request of City of Melbourne.

Land affected by the Amendment

The Amendment applies to various sites within the area bounded by LaTrobe Street, Elizabeth Street, Little Collins Street and Queen Street Melbourne, as shown at Attachment 1.

What the amendment does

The Amendment proposes the following changes on an interim basis:

- Amend the Schedule to Clause 43.01 (Heritage Overlay) to include two (2) new Heritage Overlay Precincts, seven (7) new individual Heritage Overlays, extend the boundary of two (2) existing Heritage Overlays and fix a mapping error so that the correct site is mapped.
- Insert two (2) new incorporated documents titled, "Guildford and Hardware Laneways Heritage Study 2017: Statements of Significance [approval DATE]" and "Guildford and Hardware Laneways Heritage Study 2017: Heritage Inventory [approval DATE]", into the Schedule to Clause 81.01 (Incorporated Documents) so that the individual building classification of Significant, Contributory or Non-Contributory and the Statements of Significance are considered when making decisions relating to any of the places which are the subject of this Amendment.
- Amend Planning Scheme Maps 8HO1 and 8HO2 to reflect the changes described above.

Strategic assessment of the Amendment

Why is the Amendment required?

The Guildford and Hardware Laneways Heritage Study May 2017 (the Study), was undertaken to assess the heritage value of all buildings and places in the study area. The Study builds on a previous City of Melbourne heritage study (never adopted), the Heritage Precincts Project by Meredith Gould, which identified all of Guildford and Hardware Lanes as warranting heritage protection.

The Study assessed the heritage significance of all buildings and places in the precinct including currently protected properties and identified two new heritage precincts and eight new individual heritage overlays for protection in the planning scheme.

This Amendment is required to ensure that those sites identified as having heritage significance, are appropriately protected on an interim basis, while a separate Amendment to introduce the same controls on a permanent basis is being processed.

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

By including buildings of historic and aesthetic significance in the Heritage Overlay, the proposed Amendment implements the following objective under Section 4 of the Planning and Environment Act 1987:

- (d) 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.

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

The Amendment will have positive:

- Environmental effects by reducing building waste and conserving embodied energy through the retention of existing buildings.
- Social effects through enabling the significant fabric of buildings and places that contribute to an understanding of Melbourne's history, particularly in terms of local social, architectural and economic history, to be retained.
- Economic effects by retaining the urban qualities that make the Guildford and Hardware Laneways area distinctive as an area for locals and visitors.

Does the Amendment address relevant bushfire risk?

There is no increased risk of bushfires occurring from the changes proposed to the Melbourne Planning Scheme.

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

The Amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the Act.

The Amendment complies with Ministerial Direction No.9-Metropolitan Strategy and specifically supports Direction No.4, Policy 4.4-"Respect Melbourne's heritage as we build for the future".

The Amendment complies with Ministerial Direction No 11-Strategic Assessment of Amendments.

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

The Amendment supports the objective of Clause 15.03 of the State Planning Policy Framework to assist the conservation of places that have historical significance. By including the identified places in the Heritage Overlay, Council will be fulfilling the State objective of identifying, conserving and protecting places of natural or cultural value.

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

The Amendment supports the objectives and the strategies in Clause 21.06-2 of the Municipal Strategic Statement by conserving places of identified heritage significance. The Amendment also supports the objectives of Clause 22.04 (Heritage Places within the Capital City Zone Policy) of the Local Planning Policy Framework, which seek to conserve, promote and protect places of heritage value within the Capital City Zone.

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

The Amendment makes proper use of the Victoria Planning Provisions. The Schedule to the Heritage Overlay is the proper Victorian Planning Provision tool for the introduction of heritage controls over a place identified to be of heritage significance.

The Amendment also addresses the requirements of the Planning Practice Note "Applying the Heritage Overlay, September 2012". This Practice Note states that places identified in local heritage studies should be included in the Heritage Overlay if the significance of the place can be established. The identification of heritage places using established criteria and documentation methods is an important consideration in proposing the inclusion of heritage places in the Schedule to the Heritage Overlay.

The Schedule to Clause 81.01 is also the proper Victorian Planning Provision to use to incorporate documents into the planning scheme.

This Amendment also is consistent with the Planning Practice Note "Ministerial powers of intervention in planning and heritage matters Nov 2004"

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

The views of any relevant agencies have not been sought. Council will engage with relevant agencies, affected property owners and relevant principal community groups during the public exhibition phase of Amendment C271 which proposes to apply the controls on a permanent basis.

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

The Amendment is unlikely to have on the transport system as defined by Section 3 of the Transport Integration Act 2010.

Resource and administrative costs

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

The inclusion of additional places within the Schedule to the Heritage Overlay may contribute to a minor increase in the number of planning permit applications on an annual basis.

This increase can be accommodated within existing resources. These resource and administration costs will be off-set by a reduction in the need for individual responses to the possible demolition of significant heritage places which are not currently included within the Schedule to the Heritage Overlay.

Where you may inspect this Amendment

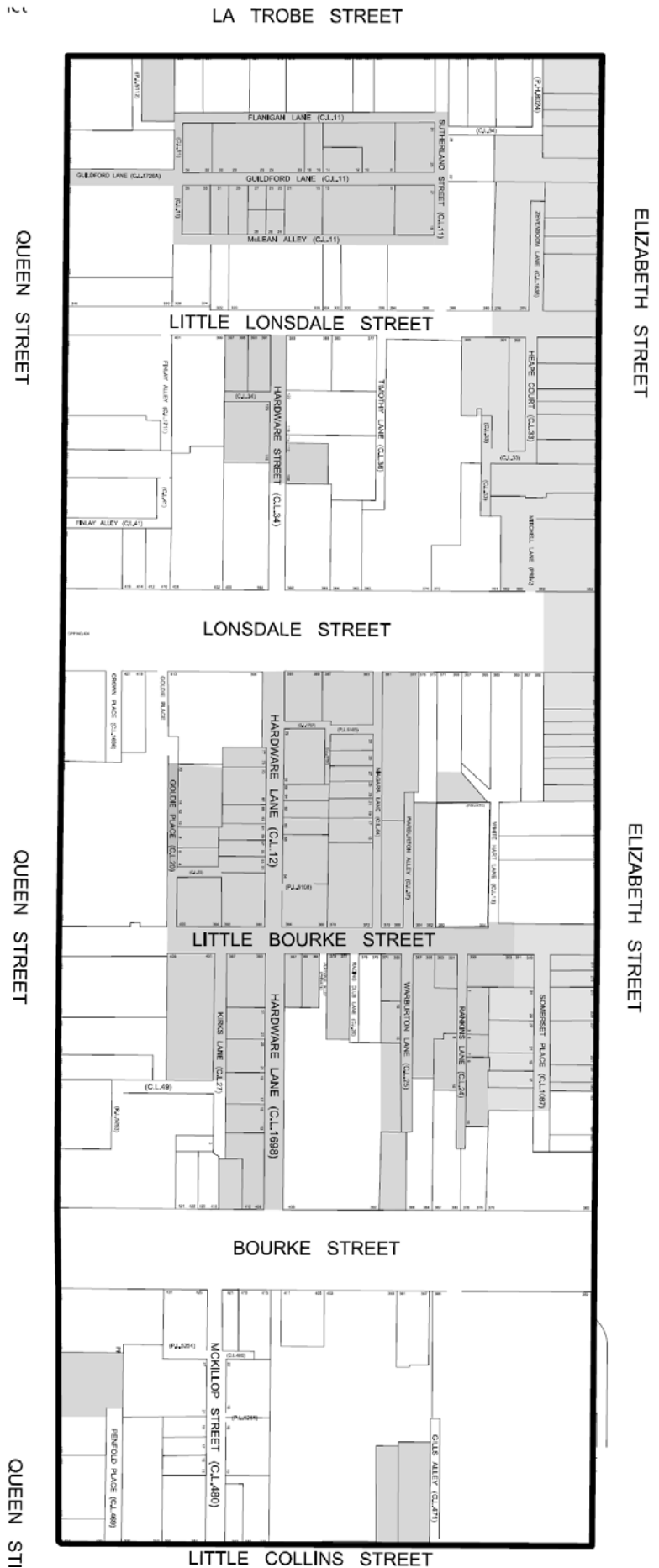
The Amendment is available for public inspection, free of charge, during office hours at the following places:

City of Melbourne
Planning and Building Reception Counter
Level 3, 240 Little Collins Street
MELBOURNE VIC 3000

The Amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at www.delwp.vic.gov.au/public-inspection.

Attachment 1: Land affected by the Amendment

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LA TROBE STREET

QUEEN STREET

ELIZABETH STREET

LITTLE LONSDALE STREET

LONSDALE STREET

QUEEN STREET

ELIZABETH STREET

LITTLE BOURKE STREET

BOURKE STREET

QUEEN STI

LITTLE COLLINS STREET