

DAREBIN PLANNING SCHEME

AMENDMENT C203 DARE

EXPLANATORY REPORT

Who is the planning authority?

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

The Amendment has been made at the request of Darebin City Council.

Land affected by the amendment

The amendment applies to seven (7) properties along the Heidelberg Road corridor in Northcote, Fairfield and Alphington, Victoria, as shown in the maps.

The amendment applies to individual properties at the following addresses:

- 159-179 Heidelberg Road, Northcote (Former Fairfield Hat Mills Complex (later Department of Aircraft Production branch)
- 257 Heidelberg Road, Northcote (Residence)
- 273-289 Heidelberg Road, Northcote (Church of Jesus Christ of the Latter-day Saints, Northcote)
- 331-333 Heidelberg Road, Northcote (Former Residence)
- 441 Heidelberg Road, Fairfield (Marineuie Court)
- 521 Heidelberg Road, Alphington (Residence)
- 607 Heidelberg Road, Alphington (Kia-Ora)

A mapping reference table is attached at Attachment 1 to this Explanatory Report.

What the amendment does

The amendment proposes to implement the recommendations of the *Context Heidelberg Road Heritage Assessment report- Final Report, September 2020* by applying the Heritage Overlay (HO319, HO321, HO322, HO323, HO324, HO325 and HO326) to the seven (7) individually significant properties identified in the report and listed above.

Specifically, the Amendment makes the following changes to the Darebin Planning Scheme:

1. Amends the Schedule to Clause 43.01 (Heritage Overlay) and Planning Scheme Map 17HO and 18HO to apply the Heritage Overlay (HO321, HO322, HO323, HO324, HO325, HO326 and HO327) to seven identified properties along the Heidelberg Road corridor.
2. Amends the Schedule to Clause 72.04 (Documents Incorporated in this Planning Scheme) to include the updated incorporated document *City of Darebin heritage study Incorporated Plan – permit exemptions (2011, amended 2021)* and include the statements of significance for each of the seven properties.
3. Amends the Schedule to Clause 72.08 (Background documents) to reference the *Context Heidelberg Road Heritage Assessment report- Final Report, September 2020*

Strategic assessment of the amendment

Why is the amendment required?

In accordance with the Planning Policy Framework (PPF), it is State policy to ensure the conservation of heritage significant places. To do this, places, buildings and objects must be identified, assessed and documented as places of natural and cultural heritage significance, as a basis for their inclusion in Victorian planning schemes.

Darebin City Council has an obligation to conserve and protect Darebin's cultural and built heritage. To do this Council undertakes heritage reviews and gap studies to investigate the significance of place and the appropriateness of their protection via a Heritage Overlay, and subsequent inclusion in the Darebin Planning Scheme. This is consistent with the Darebin Council Plan (2021-2025) to protect valued neighbourhood character. The planning scheme is the most appropriate means of protecting heritage places and achieving the desired outcome.

The amendment proposes to implement the recommendations of the *Context Heidelberg Road Heritage Assessment report- Final Report, September 2020*. This study provides strategic justification to support the amendment. In total seven properties along Heidelberg Road were identified as locally significant and worthy of individual protection in the Heritage Overlay. The desired outcome will be to formally protect places of local heritage significance in the Darebin Planning Scheme and ensure new development does not affect the significance of the heritage precinct/place. This aligns with the purpose of the Heritage Overlay.

The amendment will ensure that a planning permit is required for demolition and a range of buildings and works to ensure the heritage significance is protected. Any proposal will then be able to be assessed by Council having regard to the purpose and decision guidelines of the Planning Policy Framework and Heritage Overlay. Planning permit exemptions for minor works not deemed to impact the heritage values are outlined in the *City of Darebin Heritage study Incorporated Plan – Permit exemptions (2011, amended 2021)*

Various structural improvements were made to the Schedule to the Heritage Overlay as part of Amendment VC148. These changes enable a statement of significance to be listed and incorporated to assist decision making.

The amendment applies these new provisions by listing each of the seven properties' statements of significance within the Schedule to the Heritage Overlay (Clause 43.01) and incorporating these documents in the Schedule to 72.04 of the Darebin Planning Scheme.

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

The amendment implements the following objectives of planning in Victoria, under Section 4 of the *Planning and Environment Act 1987*:

- *To provide for the fair, orderly, economic and sustainable use, and development of land.*
- *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 balance the present and future interests of all Victorians.*
- *To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria*
- *To facilitate development in accordance with the objectives outlined above.*

The amendment implements these objectives by applying the Heritage Overlay to all identified significant heritage properties within the Heidelberg Road corridor to protect heritage places in the City of Darebin.

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

The amendment is expected to have a positive environmental impact by protecting places of historic significance and thereby supporting the reuse of existing building stock.

The amendment is also expected to have positive social effects by ensuring future development responds to the heritage significance of the precinct, so it can be appreciated by future generations.

The amendment is not expected to have significant economic impacts, although it may impose some additional costs on the owners or developers of affected properties as a planning permit will be required for most buildings and works due to the application of the heritage overlay. The Heritage Overlay does not prohibit development, but instead requires the significance of a place to be considered when assessing applications. These impacts are offset by the benefit to the community provided through the protection of heritage places over many generations.

Further, planning permit exemptions for minor works triggered by the Heritage Overlay are included and updated in the Incorporated Plan.

Does the Amendment address relevant bushfire risk?

The municipal area of Darebin does not have any designated bushfire prone areas.

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 is consistent with Ministerial Direction No.9 – Metropolitan Strategy pursuant to Section 12 of the Act, that requires planning authorities to have regard to the Metropolitan Strategy (Plan Melbourne).

The amendment is consistent with Direction 4.4 of Plan Melbourne: Respect Melbourne's heritage as we build for the future. The amendment is consistent with this direction as it proposes to make minor changes to enable the Planning Scheme to continue to guide appropriate development in the municipality, and that the built heritage of the municipality is maintained.

The amendment is consistent with Ministerial Direction No.11 – Strategic Assessment of Amendments, as the requirements of this direction have been followed in the preparation of this amendment.

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

The amendment supports the following aspects of the Planning Policy

Framework. (PPF): *Clause 15.03-1S Heritage Conservation:*

Objective: To ensure the conservation of places of heritage significance.

Strategies: Identify, assess and document places of natural or cultural heritage significance as a basis of their inclusion in the planning scheme.

Provide for the conservation and enhancement of those places that are of aesthetic, archaeological, architectural, cultural, scientific or social significance.

Encourage appropriate development that respects places with identified heritage values. Retain those elements that contribute to the importance of the heritage place.

Encourage the conservation and restoration of contributory elements of a heritage place. Ensure an appropriate setting and context for heritage places is maintained or enhanced.

The amendment ensures that the policy direction for heritage conservation can be met through the identification, assessment and protection of heritage places within Darebin. The protection of properties through the application of a heritage precinct will encourage appropriate development and the conservation and restoration of contributory elements of these places.

In addition, the PPF requires Council as responsible authority to balance conflicting objectives in favour of net community benefit and sustainable development, for the benefit of present and future generations. The amendment seeks to achieve this net community benefit by ensuring places with heritage values are conserved through inclusion in the heritage overlay, for present and future generations.

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

The amendment supports the Planning Policy Framework at Clause 15 (Built Environment and Heritage) and Clause 15.03-1S (Heritage Conservation).

Objective

- *To ensure the conservation of places of heritage significance.*

Strategies

- *Identify, assess and document places of natural and cultural heritage significance as a basis for their inclusion in the planning scheme.*
- *Provide for the conservation and enhancement of those places that are of aesthetic, archaeological, architectural, cultural, scientific or social significance.*
- *Encourage appropriate development that respects places with identified heritage values.*
- *Retain those elements that contribute to the importance of the heritage place.*
- *Encourage the conservation and restoration of contributory elements of a heritage place. Ensure an appropriate setting and context for heritage places is maintained or enhanced*

The amendment will assist in the implementation of Clause 21.02-4 (Heritage) within the Local Planning Policy Framework of the Darebin Planning Scheme.

In respect to this clause, the amendment supports and is consistent with:

Objective 1 - Heritage Places and Areas – ensuring that places of heritage significance are conserved and enhanced.

Strategies: Discourage demolition or relocation of locally significant heritage buildings.

Encourage appropriate use of heritage places in keeping with heritage significance.

The amendment implements state and local planning policy as it has identified and assessed the seven individual heritage properties along the Heidelberg Road corridor in Northcote, Fairfield and Alphington as having local cultural heritage significance and is proposing to apply the Heritage Overlay to ensure their protection.

The amendment will assist in conserving Darebin's built heritage while not significantly impacting upon the broader housing development objectives of the municipality.

How does the amendment support or implement the Municipal Planning Strategy?

Not applicable as a reformed Municipal Planning Strategy as part of the Smart Planning process has yet to be introduced into the Darebin Planning Scheme.

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

The amendment makes proper use of the Victoria Planning Provisions by utilising the Heritage Overlay to protect places of local heritage significance; an approach consistent with *Planning Practice Note 1 Applying the Heritage Overlay* and the Ministerial Direction - The Form and Content of Planning Schemes.

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

The views of the Department of Environment, Land, Water and Planning have been sought in the preparation of this amendment.

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

The requirements of the Transport Integration Act 2010 apply where an amendment is likely to have a significant impact on the transport system.

This amendment makes changes to heritage controls applying to places of cultural heritage significance and is not expected to have any impact upon the objectives, strategies and decision-making principles 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 amendment will increase the number of sites subject to the provisions of the Heritage Overlay, therefore potentially resulting in more planning applications. The anticipated increase in planning applications, given the amendment is limited to just seven sites is not expected to have a significant impact on resourcing and administrative costs.

Where you may inspect this amendment

The amendment can be inspected free of charge at the Darebin City Council website at www.darebin.vic.gov.au/haveyoursay

And/or

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

City of Darebin (Planning Counter)

274 Gower Street

Preston VIC 3072

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

Submissions

Any person who may be affected by the amendment may make a submission to the planning authority. Submissions about the amendment must be received by Monday 13 December, 2021.

A submission must be sent to:

PO Box 91

Preston VIC 3072

Or via email PlanningServices@darebin.vic.gov.au

Or online at www.darebin.vic.gov.au/haveyoursay

Panel hearing dates

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- directions hearing: Monday 28 March, 2022
- panel hearing: Monday 25 April, 2022

ATTACHMENT 1 - Mapping reference table

Location	Land /Area Affected	Mapping Reference
Darebin	159-179 Heidelberg Road, Northcote	Darebin C203 001hoMap17 Exhibition
Darebin	257 Heidelberg Road, Northcote and 273-289 Heidelberg Road, Northcote	Darebin C203 002hoMap17 Exhibition
Darebin	441 Heidelberg Road, Fairfield	Darebin C203 003hoMap17 Exhibition
Darebin	331-333 Heidelberg Road, Northcote	Darebin C203 004hoMap17 Exhibition
Darebin	521 Heidelberg Road, Alphington	Darebin C203 005hoMap18 Exhibition
Darebin	607 Heidelberg Road, Alphington	Darebin C203 006hoMap18 Exhibition