

# MELBOURNE PLANNING SCHEME

## AMENDMENT C394melb

### EXPLANATORY REPORT

#### Who is the planning authority?

This Amendment has been prepared by the City of Melbourne as the planning authority for this amendment.

#### Land affected by the Amendment

The Amendment applies to three (3) places within the study area of the *Fishermans Bend In-depth Heritage Review 2021* (the Review), as shown in the table below and in Figure 1:

Heritage Place	Address
Former Kraft Factory	1 Vegemite Way, Port Melbourne
Electricity Substation	224-236 Salmon Street, Port Melbourne
Shed 21	206 Lorimer Street, Docklands

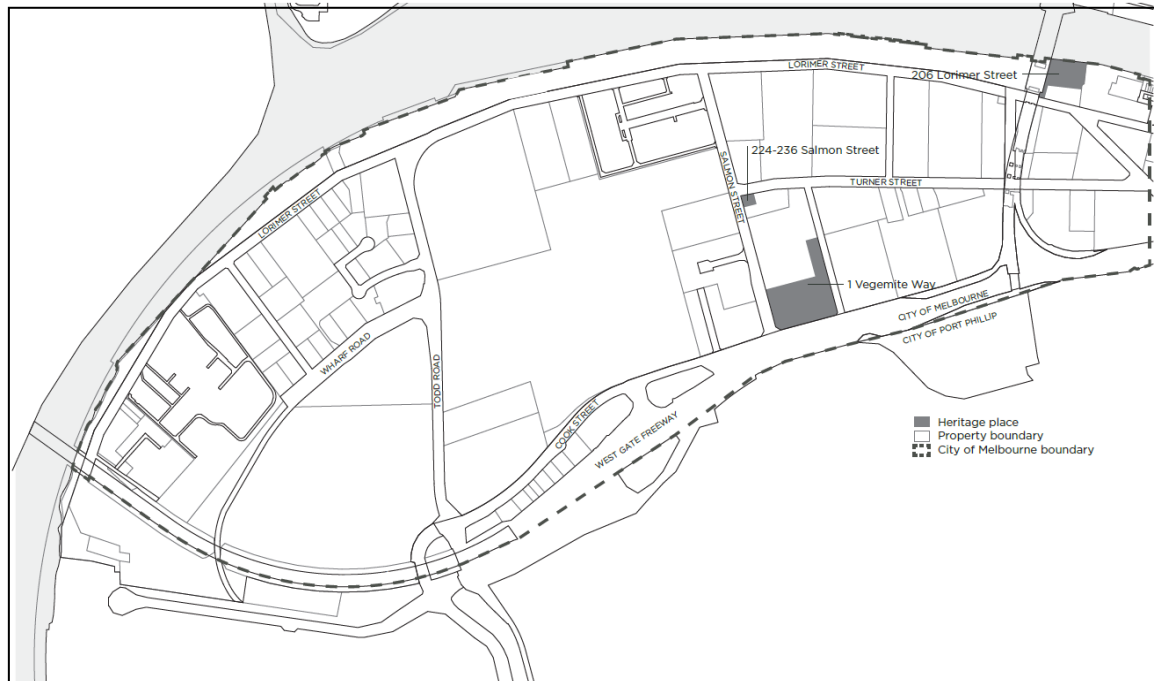


Figure 1. Fishermans Bend Heritage Overlay Places

#### What the amendment does

The Amendment proposes to implement the findings of the Review by applying the Heritage Overlay to three (3) individual places.

Specifically, the Amendment:

- Amends the policy at Clause 22.04 (Heritage Places in the Capital City Zone) to apply to land at 194-206 Lorimer Street, Docklands and to include the *Fishermans Bend In-depth Heritage Review 2021* as a policy reference.
- Amends the Schedule to Clause 43.01 (Heritage Overlay) to include three (3) new individual Heritage Overlays on a permanent basis:

- HO1381 - Former Kraft Factory (1 Vegemite Way, Port Melbourne)
- HO1382 - Electricity Substation (224-236 Salmon Street, Port Melbourne)
- HO1383 - Shed 21 (206 Lorimer Street, Docklands)
- Amends Planning Scheme Map 7HO to reflect the changes described above.
- Amends the Schedule to Clause 72.04 (Incorporated Documents) by adding Statements of Significance for the three (3) new individual Heritage Overlays, to reflect the addition of these overlays in the Schedule to Clause 43.01.
- Amends the Incorporated Document titled *Heritage Places Inventory 2020 Part A* to reflect the amendments to the Schedule to Clause 43.01 by adding three (3) new places with individual Heritage Overlays.
- Amends the Schedule to Clause 72.08 Background Documents by adding the *Fishermans Bend In-Depth Heritage Review 2021* as a Background Document.

## **Strategic assessment of the Amendment**

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

The Amendment is required to provide permanent heritage protection for the places identified in the *Fishermans Bend In-depth Heritage Review 2021* to ensure that their heritage values are recognised and protected. The introduction of heritage controls will ensure that the impact of new development on the heritage value of these places is assessed as part of development applications.

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

The Amendment is consistent with the objectives of planning in Victoria, in particular the following objectives under Section 4 of the *Planning and Environment Act 1987*, being:

- 4(1)(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.*
- 4(1)(g) – *to balance the present and future interests of all Victorians.*

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

#### *Environmental*

It is widely understood that the conservation of heritage buildings has environmental sustainability benefits. Reduction in energy usage associated with demolition, and minimising waste disposal from demolition and new construction to landfill is achieved through the conservation of heritage buildings. Retaining and adapting heritage buildings promotes sustainable development by conserving the embodied energy in the existing buildings.

#### *Social and Economic*

The recognition of key industrial buildings and structures within Fishermans Bend will contribute to an understanding of Melbourne's social, economic, manufacturing and industrial history, for present and future generations. The protection of these heritage places will ensure that the history of this precinct, which is currently undergoing significant transition, will be retained.

The introduction of a Heritage Overlay can generate other benefits beyond just the latent community value in heritage. The Overlay may help strengthen the 'brand' of the Fishermans Bend precinct as a place of innovation and industry for Melbourne and Victoria and put the City of Melbourne in a better position to attract inward investment and knowledge workers. More generally, retention of heritage can boost the competitiveness of the State's or City's interstate and inter-regional tourist offer, thereby improving export effectiveness. By retaining heritage stock, the Overlay may also assist in skills formation in respect of conservation.

The Amendment is expected to have further economic effects by increasing certainty, facilitating decision making and minimising time delays, particularly given it confirms the heritage status of places identified in previous heritage studies.

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

The Amendment will not result in any increase in bushfire risk.

### **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 Minister's Direction No. 9 – Metropolitan Strategy, pursuant to Section 12 of the Act that requires planning authorities to have regard to the Metropolitan Planning Strategy, Plan Melbourne in preparing an amendment. Specifically, the Amendment is supported by Policy Direction No. 4.4 - *respect Melbourne's heritage as we build for the future*. Policies relating to Direction 4.4 relevant to this amendment are as follows:
  - 4.4.1 *Recognise the value of heritage when managing growth and change.*
  - 4.4.2 *Respect and protect Melbourne's Aboriginal cultural heritage.*
  - 4.4.3 *Stimulate economic growth through heritage conservation.*
  - 4.4.4 *Protect Melbourne's heritage through telling its stories.*
- 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 following objectives of Clause 15 (Built Environment and Heritage) in the State Planning Policy Framework:

- 15.01-1R (Urban design) – *to create a distinctive and liveable city with quality design and amenity.*
- 15.03-1S (Heritage conservation) – to ensure the conservation of places of heritage significance.

By including the identified places within the Heritage Overlay, the Amendment will ensure that the significance of these heritage places is protected, conserved and enhanced. The Heritage Overlay will require consideration to be given to the significance of the identified heritage place as a decision guideline and will encourage development that is designed and sited to respect the identified significance of heritage places.

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

The Local Planning Policy Framework (LPPF) contains objectives and strategies that are relevant to the proposed Amendment. In particular, the Amendment supports the following objectives:

- Clause 21.06-2 (Heritage) of the Municipal Strategic Statement which seeks *to conserve and enhance places and precincts of identified cultural heritage significance.*
- Clause 22.05 (Heritage Places outside the Capital City Zone) of the LPPF which seeks *to conserve all parts of buildings of historic, social or architectural interest which contribute to the significance, character and appearance of the building, streetscape or area.*

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

The proposed Amendment makes proper use of the Victoria Planning Provisions. The Schedule to the Heritage Overlay is the proper Victorian Planning Provision to apply in order to protect a place of heritage significance.

The Amendment makes proper use of incorporated documents to clearly define the heritage significance of the places affected by the Amendment.

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

Council will engage with relevant agencies, affected property owners and relevant principal community groups during the public exhibition phase for the Amendment.

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

The Amendment is unlikely to have any impact 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 the 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 can be inspected free of charge:

- at the Department of Environment, Land, Water and Planning website at [www.delwp.vic.gov.au/public-inspection](http://www.delwp.vic.gov.au/public-inspection).
- At the City of Melbourne website at: <http://www.participate.melbourne.vic.gov.au/amendment-c394>

### **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 8 July 2021.

Submission must be in writing and lodged either:

- Online: [www.participate.melbourne.vic.gov.au/amendment-c394](http://www.participate.melbourne.vic.gov.au/amendment-c394)
- By email: [planningpolicy@melbourne.vic.gov.au](mailto:planningpolicy@melbourne.vic.gov.au)
- By post:  
Team Leader – Heritage  
City of Melbourne  
GPO Box 1603  
MELBOURNE VIC 3001

### **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:

- Panel hearing: week commencing 27 September 2021