

## STONNINGTON PLANNING SCHEME

### AMENDMENT C304STON

#### EXPLANATORY REPORT

##### Who is the planning authority?

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

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

##### Land affected by the Amendment

The amendment applies to one heritage precinct, four precinct extensions and 3 individual heritage places across the Stonnington municipality.

The places are described in the table below.

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

Permanent HO Number	Precinct Name	Properties affected
HO640	Brocklesby Heritage Precinct	<ul style="list-style-type: none"><li>• 116-134 (even) Kooyong Road, Armadale</li><li>• 1002-1012 (even) Malvern Road, Armadale</li><li>• 2B Erskine Street, Armadale</li></ul>
Permanent HO Number	Precinct Name	Properties affected
HO150	Toorak Road Precinct	<ul style="list-style-type: none"><li>• Existing commercial properties (Toorak Road and Chapel Street) within precinct</li></ul> New places to form extension: <ul style="list-style-type: none"><li>• 1-63 (odd) Toorak Road, South Yarra</li><li>• South Yarra Railway Station platforms including platform canopies</li></ul>
HO641	Lee Terrace Precinct	<ul style="list-style-type: none"><li>• 6-18 Avoca Street, South Yarra (previously within HO150)</li></ul>
HO128	Palermo Estate Precinct	<ul style="list-style-type: none"><li>• Existing precinct comprising residential properties only (Palermo Street, Cunningham and Oxford Street)</li></ul> New places to form extension: <ul style="list-style-type: none"><li>• 2-18A and 28-30 (even) Palermo Street, South Yarra</li></ul>

HO642	Chapel Street North Precinct	<ul style="list-style-type: none"> <li>Toorak Road and Chapel Street (commercial) properties previously within HO128</li> </ul> <p>New places to form extension:</p> <ul style="list-style-type: none"> <li>575-593 Chapel Street, South Yarra</li> <li>250-248 Toorak Road, South Yarra</li> </ul>
HO386	Chomley Street Precinct	<ul style="list-style-type: none"> <li>Existing precinct</li> </ul> <p>New places to form extension:</p> <ul style="list-style-type: none"> <li>73-95 (even) Chomley Street, Prahran</li> <li>15-21 (odd) and 34-38 (even) Packington Place, Prahran</li> </ul>
HO178	Airlie Avenue Precinct	<ul style="list-style-type: none"> <li>Existing precinct</li> </ul> <p>New places to form extension:</p> <ul style="list-style-type: none"> <li>546-574 High Street, Prahran</li> <li>74-100 (even) Chomley Street, Prahran</li> <li>1-5 (odd) and 2-28 (even) Willis Street, Prahran</li> </ul>
Permanent HO Number	Description of place	Properties affected
HO643	Crossman House (former)	151 Finch Street, Glen Iris
HO644	Residence	546 Orrong Road, Armadale
HO645	Residence	35 Larnook Street, Prahran

### What the amendment does

The Amendment applies permanent heritage controls to the new precinct, four precinct extensions and three individual places.

As part of the application of the Heritage controls, the Amendment will make subsequent changes to the Activity Centre Zone, Neighbourhood Character Overlay and Design and Development Overlay.

The Amendment will make the following changes to the Stonnington Planning Scheme:

- Amends the Schedule to Clause 43.01 (Heritage Overlay) and Planning Scheme Maps 1HO and 5HO and 6HO as follows:
  - HO640 to be applied to 122-134 (even) Kooyong Road, 1002-1012 (even) Malvern Road and 2B Erskine Street Armadale.
  - HO150 to be extended to include 1-63 Toorak Road and South Yarra Railway Station Platforms, South Yarra. HO150 to be removed from South Yarra Siding and 6-18 Avoca Street, South Yarra
  - HO641 to be applied to 6-18 (even) Avoca Street, South Yarra.
  - HO128 to be extended to include 2-16 and 28-30 (even) Palermo Street, South Yarra. HO128 to be removed from all commercial properties on Chapel Street and Toorak Road.

- HO642 to be applied to 248-268 (even) Toorak Road and 564-592 (even) and 575-593 (odd) Chapel Street, South Yarra.
- HO386 to be extended to include 73-95 (even) Chomley Street and 15-21 (odd) and 34-38 (even) Packington Place, Prahran.
- HO178 to be extended to include 546-574 High Street, 74-100 (even) Chomley Street, and 1-5 (odd) and 2-28 (even) Willis Street, Prahran
- HO643 to be applied to 151 Finch Street, Glen Iris, including the application of internal controls.
- HO644 to be applied to 546 Orrong Road, Armadale.
- HO645 to be applied to 35 Larnook Street, Prahran.
- Remove interim controls HO646, HO647, HO648, HO649, HO650, HO651, HO652 and HO653 applied through Amendment C303.
- Amends the Schedule to Clause 43.05 (Neighbourhood Character Overlay) and planning scheme maps 05NCO as follows:
  - Remove NCO4 from 15-21 (odd) and 34-38 (even) Packington Place, Prahran.
- Amends the Schedule to Clause 43.02 (Design and Development Overlay) and planning scheme maps 05DDO as follows:
  - Remove DDO16 from 15-21 (odd) and 34-38 (even) Packington Place, Prahran.
- Amends the Schedule to Clause 37.08 (Activity Centre Zone) to change the preferred street wall height and setback above the street wall requirements of places to be added to the Heritage Overlay.
- Amends Clause 72.04 (Documents Incorporated in this Planning Scheme) to include the Statements of Significance for 7 precincts and 3 individual places.

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

Heritage investigations by Ray Tonkin, Context Pty Ltd, Landmark Heritage Pty Ltd, Built Heritage Pty Ltd and Bryce Raworth Pty Ltd have found a group of places warranting heritage protection as part of a new precinct and three places that meet the threshold for individual heritage significance. The advice also found it necessary to revise and make extensions to *The Toorak Road Area, Cunningham and Oxford Street Precinct, Airlie Avenue Precinct* and *Chomley Street Precinct*.

Further rationale for the protection of the places is summarised below:

#### HO640: Brocklesby Precinct – Ray Tonkin (in conjunction with GJM Heritage Pty Ltd)

- The Brocklesby Precinct is of historical significance as a largely intact product of the subdivision of the former Brocklesby Estate in 1886. The area survives as a historical record of local development of a large estate within the City of Stonnington.
- The Brocklesby Precinct consists of a remarkably consistent collection of finely detailed and intact late Victorian/Edwardian villa residences.

#### HO150: Toorak Road Area Precinct– Context Pty Ltd

- Toorak Road is a highly representative commercial streetscape, illustrative of development in the inner ring of Melbourne's suburbs, where the initial subdivision of large landholdings proceeds through to smaller subdivisions and the later provision of major transport infrastructure.
- Toorak Road, formerly Gardiner's Creek Road, is significant as one of the roads set out by the Prahran Roads District, following Robert Hoddle's 1837 survey.
- Toorak Road is significant as a traditional shopping street originally developed with some commercial buildings in the mid-nineteenth century, and added to in subsequent decades until it has become an eclectic mix of periods and styles within the one street.
- South Yarra Railway Station has social significance for the strong community attachment developed through long-standing use and the prominent and continuous nature of the association.

#### HO128: Palermo Estate Precinct– Context Pty Ltd

- The Palermo Estate Precinct is of historical significance as tangible evidence of the influence of both public transport and employment centres on the construction of housing in South Yarra.

- The precinct is significant for its illustration of popular residential architectural styles of the Victorian, Edwardian, and interwar periods with a relatively high intactness of buildings.
- The modestly scaled dwellings, which comprise a high proportion of terrace rows and single-fronted houses and some semi-detached dwellings on smaller allotments, provide evidence of the more modest finances of the original occupiers.

#### HO641: Lee Terrace Precinct

- Lee Terrace Precinct is of historic significance for the evidence it provides of the middle-class suburban development of South Yarra in the 1880s prior to the economic depression of the 1890s.
- The precinct is a fine example of a substantial Victorian Italianate terrace row built in 1889 to a design by Wilkinson and Permewan architects. The group of seven two- and three-storey terraces displays key design elements representative of the style.
- The precinct is distinguished by its form, size and retention of a high level of ornamental detail of the Victorian Italianate style.

#### HO642: Chapel Street North Precinct – Context Pty Ltd

- The Chapel Street North Precinct is of historical significance for its ability to demonstrate a major development phase of commercial/retail centres in South Yarra.
- The precinct is significant for its illustration of popular commercial architectural styles of the Victorian, Edwardian, and interwar periods, with a relatively high intactness of buildings, particularly at first floor level.
- The precinct is enhanced by the many groups of shops designed as an ensemble, most of them two-storey in height. Most of the buildings in the precinct have been designed as rows of identical shops massed as a single building giving them greater visual prominence and landmark value. This landmark quality is strengthened by the use of corner sites giving a three dimensionality to the facades.

#### HO178: Airlie Avenue Precinct Extension – Landmark Heritage Pty Ltd

- HO178 Airlie Avenue Precinct (including proposed extension), comprises an area of primarily residential development of the Victorian and Federation era, as well as adjacent groups of shops and houses along High Street. There is a smaller number of early interwar dwellings scattered across these two areas.
- The precinct is of historical significance for its illustration of the ad hoc nature of late nineteenth century and early twentieth-century subdivisions of large estates into suburban streets and allotments, resulting in an irregular street pattern and a number of cul-de-sacs linked by pedestrian laneways.

#### HO386: Chomley Street Precinct Extension – Landmark Heritage Pty Ltd

- Chomley Street Precinct is of historical significance as evidence of the major phase of suburban development which took place in the municipality in the first two decades of the twentieth century
- The precinct also demonstrates a rare pattern of settlement in Prahran as a complete and uninterrupted Edwardian streetscape resulting from a 1910s subdivision
- The precinct is of aesthetic significance for its remarkably intact and cohesive collection of Edwardian semi-detached and villa housing.

#### 151 Finch Street, Glen Iris – Built Heritage Pty Ltd

- 151 Finch Street is architecturally significant as an excellent and notably intact example of the work of eminent Melbourne architect Kevin Borland.
- The house is aesthetically significant as an example of the highly distinctive style that defined Borland's mature work, particularly in the residential sphere, in the 1970s. This style was broadly characterised by bold angular geometry in plan form and elevation, and the frank expression of unadorned materials.

#### 546 Orrong Road, Armadale – Bryce Raworth Pty Ltd

- The single-storey Spanish Mission style house at 546 Orrong Road was built in 1928 on a lot formed through the subdivision of the nineteenth century Elgin mansion estate.
- Elements that contribute to the significance of the place include (but are not limited to):
  - The original external form, materials and detailing of the building.
  - The concrete driveway and original garage.
  - The front fence and pedestrian and driveway gates.
  - The domestic garden setting (but not the fabric of the garden).
- The house is architecturally significant as a finely designed, thoroughly detailed and virtually intact example of the interwar Spanish Mission style.

### 35 Larnook Street, Prahran – Bryce Raworth Pty Ltd

- The house at 35 Larnook Street, Prahran, is a double-storey post war modernist house with the front elevated on columns (or *pilotis*) to form an open undercroft carpark.
- Elements that contribute to the significance of the place include (but are not limited to):
  - The external form, materials and detailing of the building as originally built in 1959.
  - The generally high level of integrity of the street façade.
  - The domestic garden setting (but not the fabric of the garden).
- The house is architecturally significant as a fine and largely intact example of a post war modernist residence designed by noted émigré architect Bernard Slawik

The significance of the precincts and individual properties was assessed against Practice Note 01 Applying the Heritage Overlay (August 2018) and are considered to meet the criteria and threshold for local protection through the Heritage Overlay. Consequently, Amendment C304ston is required to implement the findings of these studies by including the new heritage places into the Heritage Overlay.

The Heritage Overlay is the appropriate planning mechanism to protect the heritage values of the precincts and individual properties as the Heritage Overlay requires a permit to be granted for building and works, including demolition, that could affect the significance of these precincts and individual properties.

#### Properties in Activity Centre:

For places affected by the Activity Centre Zone (ACZ1) for which the Heritage Overlay is proposed to be applied, the requirements for the preferred street wall height and preferred setback above the street wall, in Precinct 2 – South Yarra, will change. The change to the requirements will ensure that new development respects the heritage significant streetscape and provides a consistent built form response.

The changes are outlined in the table below:

Addresses	Existing setback above the streetwall requirement	Proposed setback above the streetwall requirement
575-593 Chapel Street, South Yarra	4 metres	5 metres
248-250 Tootak Road, South Yarra	5 metres	10 metres
1-63 (odds) Toorak Road, South Yarra	4 metres	10 metres

#### Properties within Neighbourhood Character Precincts:

For places that are currently subject to the Neighbourhood Character Overlay and Design and Development Overlay, and where a Heritage Overlay is proposed to be applied, the Amendment will remove the existing Overlays in order to prioritise the heritage conservation objective, which is considered to be the most appropriate in this instance.

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

Section 4 of the *Planning and Environment Act 1987* (the Act) sets out the objectives of planning in Victoria.

The relevant objective of planning to this amendment is:

*(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;*

The Amendment will meet this objective by ensuring the properties deemed to have heritage value are protected on an interim basis while the merits of permanent heritage protection is considered as part of Amendment C304.

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

The Amendment will encourage reuse, restoration and adaptation of heritage places. Retention of places will reduce building waste associated with demolition and construction of new buildings and conserve embodied energy in existing buildings.

The Amendment will have positive social effects by recognising buildings, streetscapes, and precincts that make the area a distinctive neighbourhood for its local population, and also for visitors to the area.

Heritage places contribute to the identity of an area; they add character, appeal and interest. The inclusion of these heritage places in the Heritage Overlay will ensure that the heritage value of these sites is considered as part of any planning permit application process and enable the protection of this part of Stonnington's history for present and future generations.

The Heritage Overlay may result in minor increased financial costs for property owners through additional planning permit requirements, maintenance and possible renovations. Council also recognises that the application of the Heritage Overlay to additional places may have broader implications. These include, but are not limited to, the potential limitation of development in areas earmarked for growth, and the potential for reduced housing affordability and choice.

Overall however, it is considered that these costs, any associated administrative burden, and other potential impacts will be outweighed by the net community benefits posed by the retention of the valued heritage fabric of these places. It is considered that the Amendment will ensure positive environmental, social and economic outcomes through the protection of heritage places, which enhance an area as a place in which to live, work, invest and visit.

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

The City of Stonnington is not in a designated bushfire prone area and therefore bushfire risk is not a relevant consideration.

### **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 Planning Strategy, which requires amendments to have regard to Plan Melbourne. The application will not affect the implementation of the Metropolitan Strategy.

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 Ministerial Direction 11 – Strategic Assessment of Amendments.

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

The amendment supports the State Planning Policy Framework as follows:

- Clause 15.03-1S: Heritage Conservation

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

Amendment C304ston implements the above objectives and associated strategies of Clause 15.03 – Heritage by ensuring that conservation of places of heritage value.

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

The Municipal Strategic Statement acknowledges the importance of heritage protection as a significant contributor to preserving Stonnington's character. Pursuant to Clause 21.06-10 – Built Environment and Heritage, a key objective is to:

*'To protect and enhance all places which are significant and contributory to the heritage values of the City of Stonnington.'*

In addition, the amendment also supports Heritage Policy (Clause 22.04) including the following objective:

*'To retain all significant and contributory heritage places.'*

Amendment C304ston implements the objectives and strategies of both Stonnington's Municipal Strategic Statement and Local Planning Policy Framework by ensuring the properties that contribute to the heritage significance of the municipality are included in the Heritage Overlay.

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

The Heritage Overlay is the appropriate tool to protect places of heritage significance.

The Heritage Overlay is the most appropriate mechanism for recognising and protecting the cultural heritage significance of the identified buildings.

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

The views of relevant agencies will be sought through the public exhibition of the amendment.

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

The Amendment will not have an impact on the transport system per se, but may require additional consideration to be given to any proposed redevelopment of South Yarra Station by the inclusion of the Station platforms and canopies in the Heritage Overlay (HO150). The proposed extension has no impact on current known commitments to upgrade South Yarra Station, however may effect consideration of future development and operation of the Station.

It is considered that the inclusion of the canopied platforms at South Yarra Station will not impede the Station's ability to meet the transport system objectives and decision making principles set out in Part 2 of the Act.

### **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 in the Heritage Overlay is not expected to result in a significant increase in the number of planning permit applications, and any additional work can be resourced with current staff levels.

### **Where you may inspect this Amendment**

The Amendment is available for public inspection at the Stonnington City Council website at [www.stonnington.vic.gov.au/c304ston](http://www.stonnington.vic.gov.au/c304ston)

The Amendment can also be inspected 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).

### **Submissions**

Any person who may be affected by the Amendment C304ston may make a submission to the planning authority. Submissions about the Amendment must be received by 9 December 2020.

A submission must be sent to:

Email: [strategicplanning@stonnington.vic.gov.au](mailto:strategicplanning@stonnington.vic.gov.au)

Mail: PO Box 58, Malvern Victoria 3144

### **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: week commencing 5 April 2021
- Panel Hearing: week commencing 17 May 2021

[Delete this section if not applicable]

## ATTACHMENT A - Mapping reference table

Location	Land /Area Affected	Mapping Reference
HO640	116-134 (even) Kooyong Road, Armadale  1002-1012 (even) Malvern Road, Armadale  2B Erskine Street, Armadale	Stonnington C304 004hoMap05
HO150 (extension)	1-63 (odd) Toorak Road, South Yarra  South Yarra Railway Station platforms	Stonnington C304 001hoMap01
HO641	6-18 Avoca Street, South Yarra	Stonnington C304 001hoMap01
HO128 (extension)	2-16 and 28-30 (even) Palermo Street, South Yarra	Stonnington C304 001hoMap01
HO642	575-593 Chapel Street, South Yarra  250-248 Toorak Road, South Yarra	Stonnington C304 001hoMap01
HO386 (extension)	73-95 (even) Chomley Street, Prahran  15-21 (odd) and 34-38 (even) Packington Place, Prahran	Stonnington C304 005hoMap05
HO178 (extension)	546-574 High Street, Prahran  74-100 (even) Chomley Street, Prahran  1-5 (odd) and 2-28 (even) Willis Street, Prahran	Stonnington C304 005hoMap05
HO643	151 Finch Street, Glen Iris	Stonnington C304 007hoMap06
HO644	35 Larnook Street, Prahran	Stonnington C304 006hoMap05
HO645	546 Orrong Road, Armadale	Stonnington C304 006hoMap05