

STONNINGTON PLANNING SCHEME

AMENDMENT C316STON

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.

Land affected by the amendment

The Amendment applies to various places within the study area (generally the suburb of Malvern) of the *Malvern Heritage Review (GJM Heritage 2021)*, as shown in Figure 1 below.

A mapping reference table is attached at Attachment A to this Explanatory Report and lists the places affected by the amendment including the address and location of each place. The land affected is also shown on the planning scheme maps forming part of this amendment.



Figure 1 (left): Land affected in Malvern shown in grey shading, Malvern Heritage Review study area shown in dashed outlined

What the amendment does

The Amendment implements the findings of the Malvern Heritage Review by:

- Applying the Heritage Overlay to nineteen (19) individual places.

- Applying the Heritage Overlay to four (4) precincts.
- Amending the boundary of three (3) existing precincts.
- Amending Planning Scheme Maps 3HO, 5HO, 6HO, 8HO and 6NCO.
- Amending the Schedule to Clause 72.04 (Incorporated Documents) by:
 - Introducing separate Statements of Significance for:
 - 15 new individual Heritage Overlays
 - 25 existing individual Heritage Overlays
 - 4 new precinct Heritage Overlays
 - 3 existing precinct Heritage Overlays
- Making a minor change to the *City of Stonnington Heritage Design Guidelines, July 2017*.
- Amending Clause 21.09 to remove the reference to City of Stonnington Heritage Design Guidelines 2017.
- Amending the Schedule to Clause 72.08 to include the updated *Heritage Design Guidelines, City of Stonnington, July 2017 (updated in July 2021)* and the *City of Stonnington Malvern Heritage Gap Review, June 2021*.
- Amending the Schedule to Clause 43.01 (Heritage Overlay) to apply permanent controls as outlined at Attachment A.
- Deleting the Neighbourhood Character Overlay – Schedule 5 (NCO5) from 29-37 & 34-44 Dixon Street, Malvern.

Strategic assessment of the amendment

Why is the amendment required?

Council engaged heritage consultants, GJM Heritage, to prepare the *Malvern Heritage Review, June 2021* (the Review). The Review identifies heritage precincts and individual properties in Malvern for inclusion in the Heritage Overlay to the Stonnington Planning Scheme. The *Malvern Heritage Review* is the first suburb in a municipal-wide comprehensive study.

The Review was endorsed by Council on 19 July 2021 and recommends the inclusion of nineteen (19) individual places (including 15 new places not currently in the Heritage Overlay) and four (4) precincts in the Heritage Overlay. The strategic justification (including changes to controls, extent and gradings) for twenty-five (25) individual places and three (3) precincts currently within the Heritage Overlay is proposed to be updated.

The amendment also proposes to remove the Neighbourhood Character Overlay Schedule 5 from 29-37 & 34-44 Dixon Street, Malvern and apply a Heritage Overlay (HO688) to the precinct. A minor change to the *City of Stonnington Heritage Design Guidelines, July 2017*, currently a Reference document to the Stonnington Planning Scheme at Clause 21.09, removes the letter grading from the definition of 'contributory place' on page 36. The reference document has been relocated from Clause 21.09 to Clause 72.08 Background Documents.

The significance of the precincts and individual properties were assessed against the standard criteria contained in Planning Practice Note 1 *Applying the Heritage Overlay* and were considered to meet the requirements and threshold for local protection through the Heritage Overlay. The amendment proposes permanent heritage protection for the places identified in the Review to ensure that their heritage values are recognised and protected.

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 buildings and works, including demolition, that could affect the significance of these precincts and individual properties.

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* (the Act), 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.*

The Amendment will meet these objectives by ensuring that properties and precincts deemed to have heritage value are protected.

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 enables the protection 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.

- Clause 15.01-1R: Urban Design

Objective - To create a distinctive and liveable city with quality design and amenity.

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 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 C316ston 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 on a permanent basis.

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

The proposed Amendment makes proper use of the Victoria Planning Provisions. The Heritage Overlay is the appropriate tool to protect places of heritage significance. The amendment makes proper use of incorporated documents to clearly outline the heritage significance of places affected by the Amendment.

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

Council will engage with relevant agencies and affected property owners during the public exhibition phase of 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

The inclusion of places in 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 with existing resources.

Any increase will be off-set by a reduction in the need for individual responses to the possible demolition of 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:

City of Stonnington
Customer Service Counter
311 Glenferrie Road
MALVERN VIC 3144

The amendment can also be inspected free of charge:

- at the Department of Environment, Land, Water and Planning website at <https://www.planning.vic.gov.au/public-inspection>
- at the City of Stonnington website at <https://www.stonnington.vic.gov.au/C316ston>

ATTACHMENT A - Mapping reference table

1. Permanent heritage controls applied

HO number	HO map changed	Address	Name/description	Proposed Change to Sch. To Cl. 43.01	Add Statement of Significance to Cl. 72.04 (Incorporated Documents)
HO696	6HO	5-7 Ascot Street, Malvern	Flats, including tile murals to front façade	Apply permanent controls	Yes
HO675	6HO	41 Elizabeth Street, Malvern	House	Apply permanent controls	Yes
HO676	6HO	9 Embling Road, Malvern	Maisonettes	Apply permanent controls	Yes
HO677	6HO	298 Glenferrie Road, Malvern	Arden	Apply permanent controls	Yes
HO678	6HO	5 Harvey Street, Malvern	Grahamstadt	Apply permanent controls	Yes
HO679	6HO	1253 High Street, Malvern	Malvern Cricket Ground & Grandstand (Lansbury Pavilion)	Apply permanent controls	Yes
HO680	6HO	1125-1131 Malvern Road & 320 Glenferrie Road, Malvern	Woodmason's Melrose Dairy Shops	Apply permanent controls	Yes
HO681	6HO	1140 Malvern Road, Malvern	Former Motor Garage	Apply permanent controls	Yes
HO682	6HO	1225 Malvern Road, Malvern	House	Apply permanent controls	Yes
HO683	6HO	1298 Malvern Road, Malvern	Residential Flats	Apply permanent controls	Yes
HO684	6HO	11-13 Sorrett Avenue, Malvern	Units	Apply permanent controls	Yes
HO685	6HO	17 Sorrett Avenue, Malvern	Townhouses	Apply permanent controls	Yes
HO686	6HO	1-6/14 Valetta Street	Former Malvern & District United Friendly Societies Dispensary	Apply permanent controls	Yes
HO687	6HO	145 & 147 Wattleree Road, Malvern	Wynlorel Court	Apply permanent controls	Yes
HO688	6HO	29-37 & 34-44 Dixon Street	Dixon Street Precinct	Apply permanent controls	Yes
HO689	6HO	1, 3, 5 & 7 Northbrook Avenue & 1261-1263 High Street	Northbrook Avenue Precinct	Apply permanent controls	Yes
HO690	6HO	105-119 Tooronga Road	Row at 105-119 Tooronga Road	Apply permanent controls	Yes
HO691	6HO	11-29 & 8-30 Winter Street	Winter Street Precinct	Apply permanent controls	Yes

2. Existing Heritage Overlays to be amended

HO number	HO map changed	Address	Name/description	Proposed Change to Sch. To Cl. 43.01	Add Statement of Significance to Cl. 72.04 (Incorporated Documents)
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HO42	6HO	Glenferrie Road (corner High Street), Malvern	June Moon (sculpture) by Paul Juraszck (Malvern Town Hall Square)	Change to extent to reflect current location of heritage place	No
HO43	6HO	292-296 Glenferrie Road, Malvern	St George's Anglican Church Complex	Amend name and address	Yes
HO59	6HO	1257 High Street, Malvern	Northbrook House and Stables	Amend name and address Change to extent	Yes
HO97	6HO	2B Spring Road, Malvern	Primary School No 1604 / Spring Road (Central) / Malvern Central School	-	Yes
HO102	6HO	41-55 Stanhope Street, Malvern	St Joseph's Church Complex	Amend name	Yes
HO116	6HO	196 Wattletree Road, Malvern	Glendearg	Amend name	Yes
HO262	6HO	333 Glenferrie Road, Malvern	Former Player House	Amend name Apply control: Outbuildings or fences not exempt under Clause 43.01-4	Yes
HO275	3HO	6 Mayfield Avenue, Malvern	Chesterfield	Amend name Apply controls: Outbuildings or fences not exempt under Clause 43.01-4 and tree controls	Yes
HO276	3HO	19 Mayfield Avenue, Malvern	Rosehill Chapel	Amend name Change to extent	Yes
HO278	6HO	19 Pine Grove, Malvern	Glenavon	Amend name Apply tree controls	Yes
HO279	6HO	48 Stanhope Street, Malvern	Coimboon	Amend name	Yes
HO280	6HO	54 Stanhope Street, Malvern	Castle Eden	Amend name	Yes
HO281	6HO	86 Stanhope Street, Malvern	House	Amend name	Yes
HO282	6HO	88 Stanhope Street, Malvern	House	Amend name	Yes
HO283	6HO	92 Stanhope Street, Malvern	House	Amend name	Yes
HO301	6HO	1-3 Cawkwell Street, Malvern	Workers' Residences	Amend name and address Change to extent to include No. 3 Cawkwell	Yes
HO309	6HO	72 Elizabeth Street, Malvern	Tooronga	Amend name	Yes
HO313	6HO	429 Glenferrie Road, Malvern	Nullagai	Amend name	Yes
HO334	6HO	16 Somers Avenue, Malvern	House	Amend name	Yes
HO335	6HO	1 Sorrett Avenue, Malvern	Abbeyleix	Amend name	Yes
HO336	6HO	1 Spring Road, Malvern	Koomba	Amend name Apply tree controls	Yes
HO337	6HO	44 Stanhope Avenue, Malvern	Roma	Amend name	Yes
HO338	6HO	46 Stanhope Avenue, Malvern	Branksea	Amend name	Yes
HO339	6HO	50 Stanhope	Inverleith	Amend name	Yes

		Avenue, Malvern			
HO340	6HO	52 Stanhope Avenue, Malvern	Darjeeling	Amend name	Yes
HO343	6HO	704 Toorak Avenue, Malvern	Wombalana	Amend name	Yes
HO156	6HO & 8HO	Various	Claremont Avenue Precinct	Change to extent	Yes
HO182	3HO & 6HO	Various	Moorakyne/Stonington Precinct, Malvern	Change to extent Apply controls: Outbuildings or fences not exempt under Clause 43.01-4 and tree controls	Yes
HO349	5HO & 6HO	Various	Glenferrie Road/High Street Precinct, Malvern & Armadale	Change to extent	Yes
HO375	6HO	Various	Coonil Estate Precinct, Malvern	Change to extent	No

3. Remove places from heritage precinct and apply individual Heritage Overlays

HO number	HO map changed	Address	Name/description	Proposed Change to Sch. To Cl. 43.01	Add Statement of Significance to Cl. 72.04 (Incorporated Documents)
HO692	6HO	14 Coonil Crescent, Malvern	Malvern Bowling Club	Remove from HO375 and apply individual HO	Yes
HO693	3HO	1 & 9 Hamilton Road, Malvern	Hamilton Close Cluster Housing	Remove from HO182 and apply individual HO	Yes
HO694	6HO	79 Stanhope Street, Malvern	Maisonettes	Remove from HO375 and apply individual HO	Yes
HO695	6HO	162-168 Wattletree Road (part)	Braemar	Remove from HO156 and apply individual HO	Yes

4. Existing Heritage Overlays to be deleted (properties now part of new precinct)

HO number	HO map changed	Address	Name/description	Proposed Change to Sch. To Cl. 43.01	Add Statement of Significance to Cl. 72.04 (Incorporated Documents)
HO440	D-6HO	1263 High Street, Malvern	Colwyn Flats	Delete Heritage Overlay	No
HO549	D-6HO	25 Winter Street, Malvern	Laguna	Delete Heritage Overlay	No
HO550	D-6HO	29 Winter Street, Malvern	Glenmore	Delete Heritage Overlay	No