# **Attachment 1**

66-68 Hall Road, Warrandyte South



Planning and Environment Act 1987

# MANNINGHAM PLANNING SCHEME AMENDMENT C113

# **EXPLANATORY REPORT**

# Who is the planning authority?

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

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

# Land affected by the Amendment

The Amendment applies to the following land:

Part 1 Land at 66-68 Hall Road, Warrandyte South. The land is occupied by the South Warrandyte Hall. It has an area of approximately 2,048m<sup>2</sup>. The land is zoned Rural Conservation Zone, Schedule 3 (RCZ3).

It is also affected by a Environmental Significance Overlay Schedule 3 (ESO3). A Heritage Overlay, HO 74 also applies over the site.

The amendment does not require any changes to the map for this site.

Part 2 The amendment also applies to seven heritage places currently included within the Heritage Overlay of the Manningham Planning Scheme including:

- HO203 Menlo 17-25 Atkinson Street, Templestowe
- HO191 Warrandyte Township Heritage Precinct 111 Yarra Street Warrandyte
- HO43 Former Eastern Golf Course "Tullamore" and stable- 463 Doncaster Road, Doncaster
- HO155 House 47-49 Smiths Road, Templestowe
- HO48 City of Manningham Municipal Office- 699 Doncaster Road, Doncaster
- HO212 Monterey Cypresses -333, 339, 344 & 360 High Street, Doncaster
- HO108 House 2 McLeod Street, Doncaster.

### What the amendment does

In relation to 66-68 Hall Road, Warrandyte South the Amendment proposes to amend the schedule to the Heritage Overlay HO74 by permitting prohibited uses on the land. In more specific terms, the amendment proposes to:

 Amend the Schedule to the Heritage Overlay HO74 contained within the Manningham City Council Planning Scheme by replacing "No" with "Yes" in the "prohibited uses may be permitted" column.

In relation to the seven other heritage places, the amendment proposes to correct errors and anomalies in the current schedule to the Overlay on Planning Scheme maps. The changes are as follows:

- Amend Map 6 HO108 to delete the Heritage Overlay from 2 McLeod Street, Doncaster.
- Amend the Schedule to Clause 43.01 Heritage Overlay 203, to replace the word "No" with the words "Yes, VHR H2294" in the column "Included on the Victorian Heritage Register under the Heritage Act 1995".

- Amend the Schedule to Clause 43.01 Heritage Overlay 191, in the column "outbuildings or fences which are not exempt under Clause 43.01-3" by deleting the word "No" and replacing it with "Yes, Blacksmith Hut at 111 Yarra Street, Warrandyte."
- Amend Map 2 HO155 to delete the Heritage Overlay from 3 Aumann Drive; 1/5 Aumann Drive; 2/5 Aumann Drive; 3/5 Aumann Drive; and 4/5 Aumann Drive, Templestowe.
- Amend the Schedule to Clause 43.01 Heritage Overlay 48 City of Manningham Municipal Offices-699 Doncaster Road Doncaster by deleting the words "yesartworks –fountains" in the column "outbuildings or fences which are not exempt under Clause 43.01-3". Further, replace the words "Yes" with "No" in the column "Tree controls apply".
- Amend the Schedule to the Heritage Overlay 43 -463 Doncaster Road Doncaster by deleting the words "The Tree Protection Zone of Tree numbers 4, 27 and 82 as identified in the "Conservation Analysis and Policy" Meredith Gould Architects Pty Ltd (2011) as shown on the heritage overlay map" in the "Heritage Place column.
- Amend the Schedule to Clause 43.01 -Heritage Overlay HO212 –Monterey Cypresses at 333, 339,344 & 360 High Street, Doncaster to correct the property address by replacing the suburb name Doncaster with Templestowe Lower.

# Strategic assessment of the Amendment

# Why is the Amendment required?

The South Warranydte Hall has been identified in the *Manningham Heritage Study* as being of local significance as a community meeting place recreated through community efforts after the 1939 bushfires.

The exterior of the Hall is intact to its original 1939 design and the building has been identified by Council's Heritage Advisor as being of local significance for its architectural integrity.

The Hall has been used by the local community as a meeting place. The Hall was purchased by Council in 1974 and was run by a Committee of Management comprising local residents until 1988 when Council took over its management.

The Heritage Overlay applying over the site does not allow for a prohibited use to be considered. Accordingly, the amendment to the Schedule to the Heritage Overlay is required to allow prohibited uses, to be permitted on the land, subject to the approval of a planning permit.

The Hall has been closed to the public due to building maintenance and public safety issues. The heritage significance of the building warrants the retention of the heritage controls and the reinstatement of building as useable facility. The amendment will facilitate an improvement to the building's condition and functionality by enabling prohibited uses and ensuring continued use of the heritage place, and associated maintenance.

It is considered that the proposed change in the heritage overlay schedule will assist with the conservation of the heritage place.

With reference to the seven corrections to the Heritage Overlay, the amendment is required to correct errors and anomalies in the Schedule to the Heritage Overlay or map that have been identified through the day-to-day operation of the scheme.

- Delete the Heritage Overlay (HO108 House- 2 McLeod Street Doncaster). The land has been subdivided and is currently described as Units 1, 2, 6, 7 of 2 McLeod Street, Doncaster. These properties do not have heritage significance.
- Amend the Schedule to Clause 43.01 Heritage Overlay 203, to replace the word "No" with the words "Yes, VHR H2294" in the column "Included on the Victorian Heritage Register under the Heritage Act 1995".
- Amend the schedule to Clause 43.01 Heritage Overlay HO191, by inserting reference to the Blacksmith Hut. The portable (mobile) Blacksmith's Hut is a rare (possibly unique) example of a travelling blacksmith's wagon in Victoria as there are no other examples recorded in current heritage databases. In 2015 the Warrandyte Historical Society successfully organised the relocation of the portable blacksmith hut from a private residence in Warrandyte to the Historical Society's grounds. The proposed change will identify this heritage asset. The Amendment will change the column "outbuildings or fences which are not exempt under Clause 43.01-3" by deleting the word "No" and replacing it with "Yes, Blacksmith Hut at 111 Yarra Street Warrandyte."
- Amend Map 2 HO155 to correct the boundary to Heritage Overlay (HO155 House –47-49 Smiths Road, Templestowe). The extent of the Heritage Overlay needs to be corrected to reflect the subdivision and redevelopment of the land known as 3 Aumann Drive; 1/5 Aumann Drive; 2/5 Aumann Drive; 3/5 Aumann Drive; and 4/5 Aumann Drive, Templestowe.
- Amend the Schedule to Clause 43.01 Heritage Overlay 48 City of Manningham Municipal Offices- 699 Doncaster Road, Doncaster. The artworks and fountains referred to in the overlay no longer exist and as such the Schedule needs to reflect the current features of the site. The Amendment proposes to correct the inconsistencies by deleting the words "yes-artworks –fountains" in the column "outbuildings or fences which are not exempt under Clause 43.01-3". Further, the two trees identified in the heritage citation also no longer exist. As such, it is recommended to replace the words "Yes" with "No" in the column "Tree controls apply".
- Amend the Schedule to the Heritage Overlay 43 -463 Doncaster Road Doncaster. It is proposed to avoid repetition by deleting in the "Heritage Place" column the words "The Tree Protection Zone of Tree numbers 4, 27 and 82 as identified in the "Conservation Analysis and Policy" Meredith Gould Architects Pty Ltd (2011) as shown on the heritage overlay map." The same statement will remain in the column "where tree controls apply?".
- Amend the Schedule to Clause 43.01 -Heritage Overlay HO212 –Monterey Cypresses at 333, 339, 344 & 360 High Street Doncaster to correct the property address by replacing the suburb Doncaster with Templestowe Lower.

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

The Amendment implements the following objectives of planning in Victoria:

- to provide for the fair, orderly, economic and sustainable use, and development of land: Section 4 (1)(a);
- to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria: Section 4(1)(c); and
- to balance the present and future interests of all Victorians: Section 4 (1)(q).

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

Social, Economic and Environmental Effects

The amendment will have positive social effects by assisting in the protection of a place of historical significance for the benefit of current and future generations and facilitating its ongoing use.

The amendment will have a positive economic impact, as the proposed change to the schedule will facilitate potential uses which retain the public access to the site and are for a purpose which respect the purpose for which the building was originally constructed or used. Council, as the landowner, will be able to ensure that only appropriate uses for the site are permitted.

In relation to the heritage corrections, the Amendment is expected to have positive social and economic implications by correcting errors and anomalies in the controls applying to privately owned land. It will provide greater clarity for landowners and will enable the land to be used and developed in an appropriate manner, particularly by removing the HO from land with no identified heritage values.

### Does the Amendment address relevant bushfire risk?

The amendment does not impact on any considerations of 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 meets the requirements of Ministerial Direction No 11 Strategic Assessment of Amendments.

The Amendment is consistent with Ministerial Direction 9 Metropolitan Strategy. The Metropolitan Strategy (Plan Melbourne: Metropolitan Planning Strategy 2014) includes a number of Outcomes, Objectives and Directions which have implications for the proposed Amendment.

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

The Amendment is consistent with and supports the following elements of the State Planning Policy Framework (SPPF):

Clause 15 Built Environment and Heritage identifies the need for planning to protect places and sites with significant heritage, architectural, aesthetic, scientific and cultural value. In more specific terms the SPPF notes in Clause 15.03 the need to ensure the conservation of places of heritage significance. One of the strategies identified relates to the need to support adaptive reuse of heritage buildings whose use has become redundant.

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

The Amendment is consistent with the Local Planning Policy Framework including the Municipal Strategic Statement (MSS) of the Manningham Planning Scheme which encourages the protection of heritage places:

Clause 21.11 (Heritage) of the MSS notes:

Council is committed to preserving and enhancing cultural heritage places in the municipality. Some of the relevant strategies include the need "to encourage the retention of the heritage fabric in development proposals, and consider the preparation of amendments to the heritage overlay schedule to allow prohibited uses where the use is unlikely to have a detrimental impact on adjoining land and which may assist with the ongoing preservation of the heritage building."

The Local Policy at Clause 22.03 'Cultural Heritage Policy' identifies the need to recognise, protect, conserve, manage and enhance identified cultural heritage places. It further notes the need to encourage the retention of cultural heritage places and ensure that these places are recognised and afforded appropriate protection to enrich the character, identify and heritage of the municipality.

It is policy that the partial or complete demolition and/or removal of any building, structure or feature of identified cultural heritage significance will be strongly discouraged, in order to conserve the range and quality of cultural heritage places in the municipality.

It is considered that the current planning controls restrict the use of the heritage building and could result in the building falling into a state of disrepair. By amending the schedule of the Heritage Overlay to allow for a prohibited use to be considered, the likelihood of the long term conservation of the building is likely to be increased.

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

The Amendment has been prepared in accordance with State Government Practice Notes – Writing a Local Planning Policy and Strategic Assessment Guidelines: for planning scheme amendments.

In particular the Amendment makes proper use of the Victoria Planning provisions as it seeks to amend the existing Heritage Overlay Schedule and the maps to reflect heritage conditions. The amendment is consistent with *Planning Practice Note 1, Applying the Heritage Overlay* in particular as it relates to allowing a prohibited use of a heritage place.

- Liveable Communities and neighbourhoods: Create healthy and active neighbourhoods and maintain Melbourne's identify as one of the world's most liveable cities.
  - Direction 4.7: Respect our heritage as we build for the future. It is noted that Plan Melbourne refers to the fact that "the government recognises that, in some instances, public benefits flow from private-sector developments that involve significant heritage assets. This can include the conservation and adaptive reuse of heritage assets that would otherwise deteriorate and cease to contribute to Melbourne's economic development." The importance of adaptive reuse of heritage assess is the primary justification for the first part of this amendment relating to the Warrandyte South Hall site.

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

The Amendment will be referred to the relevant agencies as part of the exhibition and notice of the Amendment.

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

The amendment has regard to the relevant requirements of the *Transport Integration Act* 2010.

The amendment will not have a significant impact on the transport system, as defined in the Act, as it would not in itself result in any increase in demand on the transport system.

### Resource and administrative costs

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

It is not anticipated that the Amendment will have a significant impact on the resources and administrative costs of the responsible authority.

The Amendment will not result in an increase number of permit applications. Rectifying the anomalies may actually decrease the number of permit applications. It will provide further guidance on the type of information requirements. This is not considered likely to generate a significance increase in resources to Council.

# Where you may inspect this Amendment

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

- during office hours, at the office of the planning authority, Manningham City Council, 699
   Doncaster Road, Doncaster
- at the Manningham website at www.yoursaymanningham.com.au
- Manningham Libraries

The Amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at <a href="https://www.delwp.vic.gov.au/public-inspection">www.delwp.vic.gov.au/public-inspection</a>.

### **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 [insert submissions due date].

A submission must be sent to:

Manager Economic and Environmental Planning

Manningham City Council

PO Box 1

**DONCASTER VIC 3108** 

or submitted online at www.yoursaymanningham.com.au.

# 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: [insert directions hearing date]
- panel hearing: [insert panel hearing date] ]

HO74 South South HO75 Tod F Hartle Road HO76 Wync		Apply?	Controls Apply?	Apply?	which are not exempt under Clause 43.01-3	the Victorian Heritage Register under the Heritage Act 1995?	uses may be permitted?	Incorporated Plan under Clause 43.01-2	heritage place?
	South Warrandyte Hall - 66-68 Hall Road, South Warrandyte	No.	No	o <sub>N</sub>	ON	No	YesNe	-	No
	Tod Park & Parkinson property - 18-20 Hartley Road and 114-116 Jumping Creek Road, Wonga Park	O <sub>Z</sub>	O <sub>N</sub>	Yes	Yes – tea rooms, cottage and office	ON.	O <sub>N</sub>		o <sub>N</sub>
	Wyndover - 26 Hartley Road (Cnr. Moser Road), Wonga Park	ON.	ON.	Yes	Yes - fence remnant	ON ON	o <sub>N</sub>	1	ON.
HO77 Hartle Park	ey Cottage - 30 Hartley Road, Wonga	٥ ٧	ON.	Yes	Yes - fence remnant	No No	ON.	1	No N
HO78 Pavili	Pavilion - 72 Hartley Road, Wonga Park	No	N <sub>O</sub>	No	No	No	No	1	No
HO79 Warre	Warrandyte High School - 241 Heidelberg- Warrandyte Road, Warrandyte	Yes	No No	9 8	ON.	ON.	ON	1	, oN
HO80 House	House – 298 Heidelberg-Warrandyte Road, Warrandyte	9 8	ON.	ON ON	°Z	ON.	o <sub>N</sub>		o <sub>N</sub>
HO81 Jenkir Temp	Jenkins Homestead - 23 Hemingway Ave., Templestowe	Yes	ON	ON.	O.N.	ON.	o <sub>N</sub>	1	o <sub>N</sub>
HO211 Monte	Monterey Pines at 126, 128, 130, 132 & 138   High Street, Doncaster.	ON ON	ON.	Yes	NO.	o <sub>N</sub>	o <sub>N</sub>	1	o <sub>N</sub>
HO82 House	House – 131 High Street, Doncaster	Yes	No No	Yes	No	No ON	NO ON		No No
HO83 Winte 139, 1 Street Ridge	Winter Park Heritage Precinct – 137, 137A, 139, 1394, 141, 141A and 143-149 High Street & 6-14, 9, 11, 11A, 15 and 17 Timber Ridge, Doncaster					Yes – Ref. No H1345	Yes		No N

PAGE 10 OF 22

PAGE 1 OF 22

# SCHEDULE TO THE HERITAGE OVERLAY

11/12/2014 C101 The requirements of this overlay apply to both the heritage place and its associated land.

P.S. Map Ref	Heritage Place	External Paint Controls Apply?	Internal Alteration Controls Apply?	Tree Controls Apply?	Outbuildings or fences which are not exempt under Clause 43.01-3	Included on the Victorian Heritage Register under the Heritage	Prohibited uses may be permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal heritage place?
H01	Archaeological sites - Alexander Road, Warrandyte	ON.	No	Yes	No	No ON	No		Yes
НО2	"Nilja" - Alexander Road, Warrandyte	No	Ŷ.	Yes	Yes - garage	No	No	1	No
НОЗ	House "Glenfern" - 10 Amberley Court, Bulleen	N <sub>O</sub>	N <sub>o</sub>	Yes	No	o O	o <sub>N</sub>	1	No N
H04	Templestowe Primary School No. 1395 (former) - 1-9 Anderson Street, Templestowe	Yes	ON.	9 2	O.	O <sub>Z</sub>	9 <u>0</u>		ON.
H05	Templestowe Memorial Hall – 11-13 Anderson Street, Templestowe	Yes	Yes	Yes	O <sub>Z</sub>	No	o <sub>N</sub>		ON.
90H	East Doncaster Hall - Andersons Creek Road, Doncaster East	Yes	oN No	Yes	ON.	ON.	No		No
НО7	Milgate Park Estate - Andersons Creek Road, Doncaster East	o <sub>N</sub>	ON.	Yes	O.	O <sub>N</sub>	92		ON
НО8	Coolibah - 13 Arunga Drive, Wonga Park	oN O	o <sub>N</sub>	Yes	Yes - outbuildings, windmill/bore	O <sub>Z</sub>	OZ.		O <sub>N</sub>
HO203	<i>Menlo</i> – 17-25 Atkinson Street, Templestowe	0 N	o <sub>N</sub>	Yes	ON.	NeYes VHR H2294	O Z		ON.

PS Map Ref	Heritage Place	External Paint Controls Apply?	Internal Alteration Controls Apply?	Tree Controls Apply?	Outbuildings or fences which are not exempt under Clause 43.01-3	Included on the Victorian Heritage Register under the Heritage Act 1995?	Prohibited uses may be permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal heritage place?
HO48	City of Manningham Municipal Offices - 699 Doncaster Road, Doncaster	No	No	<del>yes</del> No	No Yes - artworks, No fountain	o <sub>N</sub>	No	,	o <sub>N</sub>
H0215	House – 724 Doncaster Road, Doncaster	Yes	No	No	No	No	No		No
HO49	House - 783 Doncaster Road, Doncaster	Yes	No	No	Yes - timber outbuilding	No	No	1	No
НО50	"Plassey" - 891-893 Doncaster Road, Doncaster East	Yes	ON.	O.N.	Yes - basework of conservatory	N <sub>O</sub>	°N		No
H051	Inge & Grahame King House - 18 Drysdale Road, Warrandyte	1	ı			Yes - Ref. No. H1313	Yes		oN
H052	Wonga Park Primary School No. 3241, Residence & Algerian Oak - 41 Dudley Rd, Wonga Park	o N	o <sub>N</sub>	Yes	ON.	OZ.	O <sub>Z</sub>		No
H053	Red Box tree - 4 Dudley Road, Wonga Park	N <sub>O</sub>	No	Yes	No	o <sub>N</sub>	No		No
H055	Allen Property - 42 Dudley Road, Wonga Park	No No	ON.	Yes	O Z	ON.	ON.		ON
НО56	House – 61A (59) Dudley Road, Wonga Park	o <sub>N</sub>	ON.	o <sub>N</sub>	NO NO	ON.	ON.		No
H057	House - 9 Dundas Court, East Doncaster	No	Yes	No	No	No ON	No.		No.
HO58	Tiffany Heights - 9-11 Edgar Avenue, Wonga Park	ON ON	ON.	Yes	O <sub>N</sub>	ON.	o <sub>N</sub>		0 0 0
H0216	House – 29 Edwin Road, Templestowe	o <sub>N</sub>	ON	ON	No	ON ON	No No		o <sub>N</sub>

PAGE 13 OF 22

Heritage Place	xternal aint ontrols pply?	Internal Alteration Controls Apply?	Tree Controls Apply?	Outbuildings or fences which are not exempt under Clause 43.01-3	Included on the Victorian Heritage Register under the Heritage Act 1995?	Prohibited uses may be permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal heritage place?
_	O <sub>Z</sub>	O Z	Yes – English Oak at 77 Yarra Street & Pepper Tree at 111 Yarra Street only	NeYes Blacksmith Hut 111 Yarra Street Warrandyte	O <sub>N</sub>	Yes – applies to 95, 103 – 109, 163, 165, 167, 183 – 187, 189, 193 – 197 & 207 Yarra St only		O <sub>N</sub>
4	ON	O <sub>N</sub>	ON	Yes - outbuildings	ON	ON.	1	O <sub>N</sub>
	ON.	No	No	No	ON ON	ON.	1	No on
	Yes	No	No	No	0N	O Z		oN .
>	Yes	Yes	No	No	No No	No	1	No
4	No	No	Yes	No	o <sub>N</sub>	No	1	No
4	o <sub>N</sub>	Yes	No	ON	ON ON	O <sub>N</sub>		No
>	Yes	ON	No	Yes - steel tower	ON ON	ON.		No N
				1	Yes - Ref. No. \	Yes		No

P.S Map Ref	Heritage Place	External Paint Controls Apply?	Internal Alteration Controls Apply?	Tree Controls Apply?	Outbuildings or fences which are not exempt under Clause 43.01-3	Included on the Victorian Heritage Register under the Heritage Act 1995?	Prohibited uses may be permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal heritage place?
HO212	Monterey Cypresses at 333, 339, 344 & 360 High Street, DoncasterTemplestowe Lower	ON	No	Yes	No	No	No		No
H084	Mines - 'Great Southern' 27-41 Hodson Road, Warrandyte	No	No	ON O	No	o <sub>N</sub>	o <sub>N</sub>	1	ON
H085	Windrush - Homestead Road, Templestowe	Yes	No	o <sub>N</sub>	No	No	No		No
H086	Newman Grave Sites - Homestead Road & 9 Watties Lane, Templestowe	ON O	No	Yes	ON	ON ON	ON		9 8
H087	Homestead Boarding Kennels and Cattery - 12 Homestead Road, Wonga Park	o <sub>N</sub>	N <sub>O</sub>	Yes	ON.	ON.	ON.	1	ON.
HO88	House - 97-99 Homestead Road, Wonga Park	Yes	No	o <sub>N</sub>	ON.	o <sub>N</sub>	O <sub>Z</sub>		No
HO89	Cottage - 1 Hooper Road, Wonga Park	No	No	o <sub>N</sub>	No	No	No		No
06ОН	Hooper Cottage - 19 Hooper Road, Wonga Park	9N	oN ON	Yes	ON.	ON	ON.		No
HO91	Former Naughton House and Rifle Factory - 7-11 and 13-15 Hutchinson Avenue, Warrandyte	1				Yes - Ref. No. H1314	Yes		O N
H0204	House – 103 James Street, Templestowe	No	No	°Z	ON	o <sub>N</sub>	No.		No
H092	Motor Garage (Motor Body Works) - 133 James Street, Templestowe	Yes	oN N	o <sub>N</sub>	No No	ON.	o <sub>N</sub>		o <sub>N</sub>
H094	Marshall's Post Office (former) - 76-78 Jumping Creek Road, Wonga Park	o <sub>N</sub>	O <sub>N</sub>	ON	O <sub>N</sub>	O N	ON		ON