

GREATER GEELONG PLANNING SCHEME

AMENDMENT C190

EXPLANATORY REPORT

Who is the planning authority?

The amendment was prepared by the City of Greater Geelong, which is the planning authority for this amendment.

Land affected by the amendment

The amendment applies to:

- The individual heritage places identified in the *Newtown Heritage Study, vols. 1-3*, listed below
 - 21 Aberdeen Street, Newtown
 - 23 Aberdeen Street, Newtown
 - 25 Aberdeen Street, Newtown
 - 27 Aberdeen Street, Newtown
 - 31-61 Aberdeen Street, Newtown
 - 84 Aphrasia Street, Newtown
 - 86 Aphrasia Street, Newtown
 - 92 Aphrasia Street, Newtown
 - 35/37 Cumberland Street, Newtown
 - 39 Cumberland Street, Newtown
 - 318 LaTrobe Terrace, Newtown
 - 364/366 LaTrobe Terrace, Newtown
 - 18 Marshall Street, Newtown
 - 8 Mercer Parade, Newtown
 - 25 Mercer Parade, Newtown
 - 104 Nicholas Street, Newtown
 - 106 Nicholas Street, Newtown
 - 2 Noble Street, Newtown
 - 288 Pakington Street, Newtown
 - 289 Pakington Street, Newtown
 - 293 Pakington Street, Newtown
 - 312 Pakington Street, Newtown
 - 313 Pakington Street, Newtown
 - 331 Pakington Street, Newtown
 - 333 Pakington Street, Newtown
 - 336 Pakington Street, Newtown
 - 366A Pakington Street, Newtown
 - 46 Retreat Road, Newtown
 - 11 Stinton Avenue, Newtown
 - 16 Stinton Avenue, Newtown
 - 35 Stinton Avenue, Newtown
- All land within the Aberdeen, Eyre, Hermitage, William & Margaret, Shannon Avenue, Clarkes Hill, Bareena Estate, Mercer's Hill, Cairns Avenue, Fair View and Bona Vista Heritage Areas as shown on the attached maps.

What the amendment does

The amendment permanently lists in the Heritage Overlay (schedule to Clause 43.01 of the Greater Geelong Planning Scheme) the 42 significant heritage places previously introduced on an interim basis by Amendment C191, as identified on the attached maps, and provides protection by:

- Including 42 significant heritage places identified in the *Newtown Heritage Study Review 2008* in the Heritage Overlay (31 individual sites and 11 heritage areas);

A planning permit will be required for demolition, external/internal controls, additions and subdivision of the land/building. The details relating to the nature of the controls are listed in Clause 43.01 of the scheme.

Strategic assessment of the amendment

- **Why is the amendment required?**

The amendment will provide permanent controls to conserve the 31 individual heritage places and the 11 heritage areas being; the Aberdeen, Eyre, Hermitage, William & Margaret, Shannon Avenue, Clarkes Hill, Bareena Estate, Mercer's Hill, Cairns Avenue, Fair View and Bona Vista Heritage Areas as shown on the attached maps. These areas were previously included in the Heritage Overlay on an interim basis by the Minister for Planning through Amendment C191.

- **How does the amendment implement the objectives of planning in Victoria?**

Section 4 of the Act sets out those objectives of planning in Victoria. Those that are directly related to this Amendment are:

"4.(1)the objectives of planning in Victoria are-
(b) to provide for the protection of natural and man made resources and the maintenance of ecological processes and genetic diversity;
(d) to conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historic interest or otherwise of special cultural value; and
(g) to balance the present and future interests of all Victorians."

- **How does the amendment address the environmental effects and any relevant social and economic effects?**

Environmental Effects

The amendment will not have any adverse effects on the environment. Protection for heritage places will retain existing urban infrastructure and resources. The conservation of heritage places promotes sustainable development through conserving valuable resources and economising on materials and balancing this against the demands for development.

Social Effects

The amendment will have positive social effects through the protection of places of cultural heritage significance for the benefit of current and future generations. The protection of these places in the planning scheme will benefit the community by:

- Adding to the understanding of Geelong's rich cultural history;
- Recognising and realising the positive contribution that culturally significant places make to the City of Greater Geelong;
- Fostering a sense of personal, local and national identity - a feeling that this place is different from other places; and

- Providing a link to the past and gives us a *sense of place*, who we are - our cultural identity. Protecting our heritage helps to ensure that this identity and *sense of place* may be appreciated by present and future generations.

Economic Effects

The application of the Heritage Overlay may have an economic impact on some places depending on the constraints and/or opportunities presented by a heritage listing. However, it can provide greater protection to property investment through greater certainty as to the type of development that can proceed in accord with local planning policy. Within a heritage area or precinct, the primary objective is to ensure the conservation of those elements that contribute to the area's significance. The objective is to ensure that where development does occur, it occurs in a manner that is appropriate to the significance, character and appearance of the heritage area.

- **Does the amendment comply with the requirements of any Minister's Direction applicable to the amendment?**

The amendment is not affected by any Minister's Directions under Section 12 of the *Planning and Environment Act 1987*.

The amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under Section 7 of the Act.

- **How does the amendment support or implement the State Planning Policy Framework?**

The State Planning Policy for Cultural Heritage as set out at Clause 15.03 of the planning scheme includes an objective:

To ensure the conservation of places of heritage significance.

The clause also includes the following strategies;

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

Provide for the protection of natural heritage sites and man-made resources and the maintenance of ecological processes and biological diversity.

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

Encourage appropriate development that respects places with identified heritage values and creates a worthy legacy for future generations.

Retain those elements that contribute to the importance of the heritage place.

Encourage the conservation and restoration of contributory elements.

Ensure an appropriate setting and context for heritage places is maintained or enhanced.

Support adaptive reuse of heritage buildings whose use has become redundant.

The council is supporting this SPPF clause through the systematic identification of areas within Newtown which have heritage significance and ensuring they are protected through the provisions of the Heritage Overlay.

- **How does the amendment support or implement the Local Planning Policy Framework?**

The Municipal Strategic Statement (MSS) of the Greater Geelong Planning Scheme gives strong emphasis to the importance of cultural heritage to the character of its urban areas and the image that the City is seeking to promote.

In Clause 21.06 – SETTLEMENT AND HOUSING – under the heading ‘Identity’, the MSS records:

“Recognition, respect and protection of Greater Geelong’s Indigenous and European cultural heritage is of critical importance to the City’s identity... .”

Clause 21.06-5 Heritage and identity of Council’s Municipal Strategic Statement (MSS) includes the following:

“Objectives

- *To ensure that urban development enhances Geelong’s sense of place and identity.*
- *To conserve and enhance individual places and areas of pre and post contact cultural heritage significance.*

Strategies

...

- *Retain culturally significant heritage places and areas recognised as being of State, regional, local and contributory significance.*
- *Ensure that the use and development of a heritage place contributes to its heritage significance and longevity.*
- *Encourage the design of new development in heritage areas to provide for a contemporary interpretation that relates to the location, bulk, form and materials of existing and/or neighbouring significant buildings.*

Clause 22.09 of the planning scheme also includes a local policy on cultural heritage.

Under “policy basis”, it notes that:

“The largest concentration of these heritage assets is found in the inner area of Geelong and broadly defines the character of the inner City area. ... These have largely shaped the character of the City of Greater Geelong as it is known today.”

This amendment permanently includes as part of this section of the Local Planning Policies Framework (LPPF) the eleven local policies, introduced by Amendment C191 on an interim basis, to cover the eleven heritage areas identified in the *Newtown Heritage Study Volumes 1-3, 2008*.

This amendment permanently applies the results of the *Newtown Heritage Study Volumes 1-3, 2008*, which recommended that 42 cultural heritage places be protected by being listed in the schedule to the Heritage Overlay, which forms part of the Planning Scheme.

The *Newtown Heritage Study Volumes 1-3, 2008* was prepared by Council in response to identified gaps in the previous Newtown Heritage Study undertaken in 1991 and subsequent demolition / removal of buildings within the study area which were not protected at that time. The results of the Study have provided Council with more comprehensive heritage data for the study area.

The implementation of the recommendations of the Heritage Study to include individual heritage places and heritage areas in the Planning Scheme will achieve these Council cultural heritage objectives and implement the strategies.

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

This amendment makes proper use of the Victoria Planning Provisions and relevant Practice Notes.

All heritage places are included in the Schedule to the Heritage Overlay which forms part of Clause 43.01 of the planning scheme. The preparation of local policies is also consistent with the practice Note: Writing a Local Planning Policy.

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

There are no agencies of relevance to this amendment.

- **Does the amendment address relevant requirements of the Transport Integration Act 2010?**

The amendment will not impact upon the transport network.

Resource and administrative costs

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

Council has indicated that it has the resource and administrative resources to support the implementation of the amendment.

Where you may inspect this Amendment.

The amendment is available for public inspection, free of charge, following places:

During Office Hours at: Greater Geelong City Council, Customer Service Centre, Ground Floor, 131 Myers Street. GEELONG
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Department of Planning and Community Development website at: www.dpcd.vic.gov.au/planning/publicinspection
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