

HOBSONS BAY PLANNING SCHEME

AMENDMENT C137hbay

EXPLANATORY REPORT

Who is the planning authority?

This amendment has been prepared by the Hobsons Bay City Council, the planning authority for this amendment.

Land affected by the amendment

The amendment applies to the land with identified heritage significance within the draft Spotswood Activity Centre Structure Plan area shown in Figure 1 below.

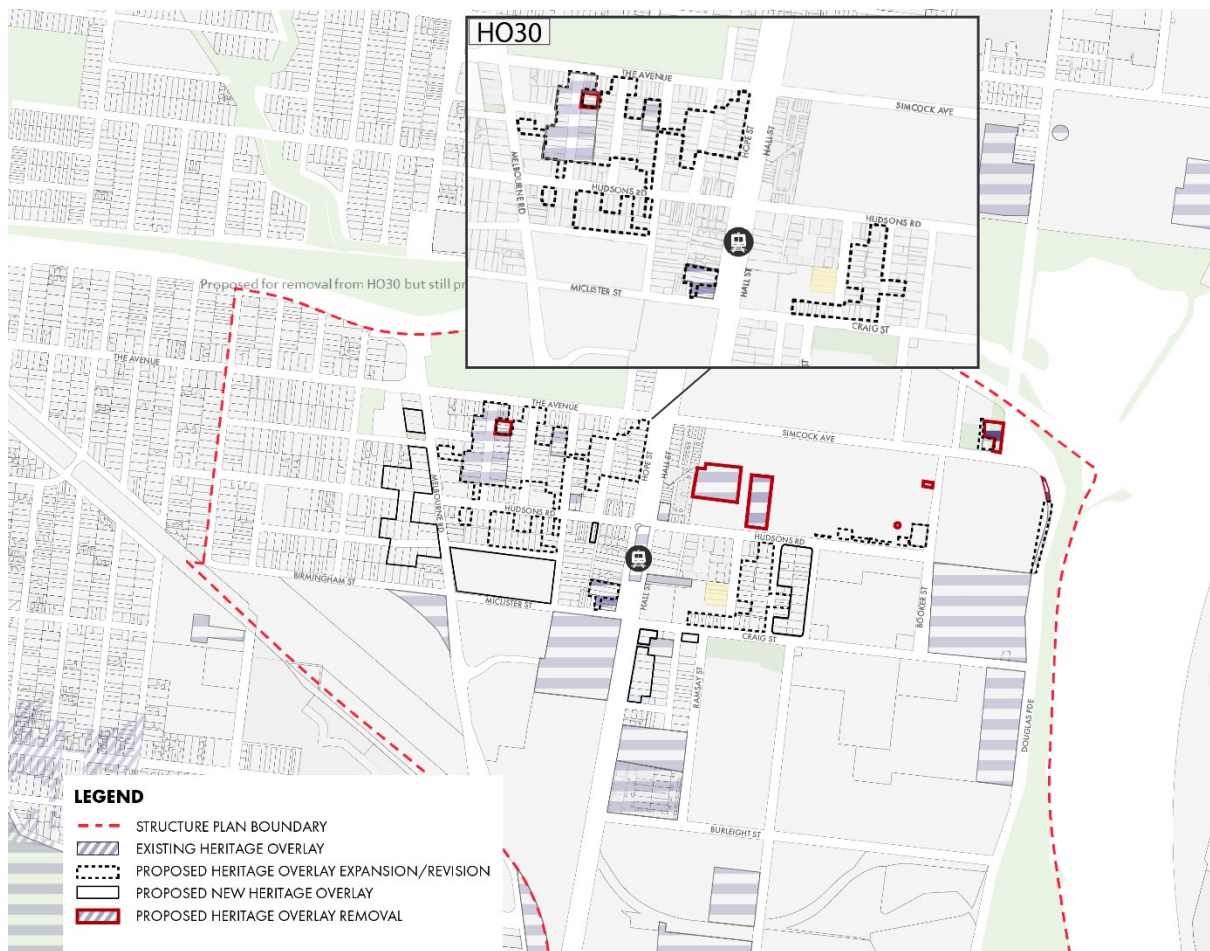


Figure 1: Land affected by the amendment (black solid and dotted, and red outline).

What the amendment does

The amendment implements the key findings of the '*Spotswood Activity Centre Structure Plan Heritage Review 2022*' into the Hobsons Bay Planning Scheme through the application overlays.

Specifically, the amendment proposes the following changes to the Hobsons Bay Planning Scheme:

- Update the Schedule to Clause 43.01 Heritage Overlay as outlined in the table below to reflect the findings of the '*Spotswood Activity Centre Structure Plan Heritage Review 2022*' and add properties to either an existing or new HO or remove properties from a HO':

Existing Heritage Overlay (HO)	Properties proposed for inclusion in existing HO
HO30 Spotswood Residential Heritage Precinct (existing HO)	Area generally bounded by The Avenue, Melbourne Road, Hope Street and Hudsons Road, Hudsons Road, Robert Street, Reed Street and Melbourne Road, and Hudsons Road, Raleigh Street and Craig Street, Spotswood (See Attachment 1 for list of all properties)
HO46 AGM Factor Complex (Former)	1 (part), 8 (part) and 21 (part) Simcock Avenue, Spotswood
Proposed Heritage Overlay (HO)	Properties proposed for inclusion in new HO
HO323 War Service Homes Commission Precinct	Melbourne Road (part), Hudsons Road (part), Reed Street (part), Spotswood
HO324 Alloa Park Estate Precinct	154-156, 158, 160, 162, 164, 166, 168A, 168B, and 170 Hall Street, Spotswood
HO325 Australian Glass Manufacturers' Housing Heritage Precinct	Bernard and Robb Streets, Spotswood (including 36 Craig Street)
HO326 Spotswood State School No. 3659	598 Melbourne Road, Spotswood
HO327 Shops 87-89 Hudsons Road	87-89 Hudsons Road, Spotswood
HO328 Baco Food Products Factory	121-129 Craig Street, Spotswood
Existing Heritage Overlay (HO)	Properties proposed for removal from Existing HO
HO30 Spotswood Residential Heritage Precinct	24, 26 and 28 George Street, Spotswood
HO46 AGM Factor Complex (Former)	1(part), 8 (part), 21 (part) and 71 (part) and Simcock Avenue, Spotswood due to buildings demolished and to reflect correct extent of heritage buildings
HO153 Hugh Lennon Agricultural Implement Works (part)	71 (part) Simcock Avenue, Spotswood

Please refer to Attachment 1 for all properties affected by the proposed heritage overlay changes.

- Update the Schedule to Clause 43.01 Heritage Overlay to include the existing incorporated heritage guidelines in Clause 72.04:
 - Cox's Garden Heritage Precinct Heritage Design Guidelines 2020
 - Ferguson Street Civic and Commercial Heritage Precinct Heritage Design Guidelines 2020
 - Government Survey Heritage Precinct Heritage Design Guidelines 2020
 - Hannan's Farm (Ramsgate Estate) and Williamstown Beach Heritage Precincts Heritage Design Guidelines 2020
 - Housing Commission of Victoria Estates Heritage Precincts Heritage Design Guidelines 2020

- Nelson Place Heritage Precinct Heritage Design Guidelines 2020
- Newport and Spotswood Residential Heritage Precincts Heritage Design Guidelines 2020
- Private Survey Heritage Precinct Heritage Design Guidelines 2020
- Amend planning overlay maps 4HO and 5HO to expand and include new or revised Heritage Overlays.
- Amend Schedule to Clause 72.04 to include statement of significance as incorporated documents in accordance to Planning Practice Note 1 – Applying heritage overlays for:
 - HO30 Spotswood Residential Heritage Precinct
 - HO46 Melbourne Glass Bottle Works
 - HO323 War Service Homes Commission Precinct
 - HO324 Alloa Park Estate Precinct
 - HO325 Australian Glass Manufacturers' Housing Heritage Precinct
 - HO326 Spotswood State School No. 3659
 - HO327 Shops 87-89 Hudsons Road
 - HO328 Baco Food Products Factory
- Amend Schedule to Clause 72.08 to include '*Spotswood Activity Centre Structure Plan Heritage Review 2022*' as a background report.

Strategic assessment of the amendment

Why is the amendment required?

The amendment is required to implement the findings of the '*Spotswood Activity Centre Structure Plan Heritage Review 2022*' (the heritage review) into the Hobsons Bay Planning Scheme. The heritage review has been undertaken to assess the heritage significance of land within the draft '*Spotswood Activity Centre Structure Plan 2022*' (the draft Structure Plan).

The heritage review was undertaken in 2021 and 2022 and identifies 196 additional properties of local heritage significance to be included in the existing or new heritage overlays and 7 properties to be removed either wholly or in part from the existing heritage overlays due to demolition of associated buildings or currently not reflecting the correct extent of heritage fabric.

This amendment is required to implement the recommendations of the heritage review and protect locally significant heritage places. The amendment is supported by Plan Melbourne Direction 4.4 and Hobsons Bay's local policy 15.03-1L to respect, recognise and conserve heritage places when managing growth and change.

The Planning Policy Framework translation undertaken via Amendment C131hbay included the translation of local heritage policies to heritage precinct design guidelines. While these were included in Clause 72.04 (Incorporated Documents), an administrative error meant that the design guidelines were not referred to in the schedule to Clause 43.01. This amendment therefore proposes to correct the schedule to Clause 43.01 by including the incorporated documents.

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

The amendment implements the objectives in section 4(1) and 12(1)a of the *Planning and Environment Act 1987* (the Act) in particular:

- To provide for the fair, orderly, economic and sustainable use, and development of land.
- 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.
- To balance the present and future interests of all Victorians.

The amendment implements these objectives by identifying and protecting heritage places in Spotswood and ensuring an orderly planning framework.

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

It is expected that the amendment will have positive environmental, social and economic outcomes for Hobsons Bay City Council.

Environmental Effects

The conservation of heritage buildings can have environmental sustainability benefits. Reduction in energy usage associated with demolition, and minimising waste disposal from demolition and new construction to landfill can be 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 Effects

The amendment recognises the importance of locally significant heritage places within Spotswood. Heritage buildings engender a sense of place and connection in communities that contributes to wellbeing. The recognition of buildings with heritage significance contributes to an understanding of the cultural heritage of Spotswood for present and future generations.

Economic Effects

The protection of heritage places brings economic benefits as it strengthens the attractiveness and identify of an area which can encourage tourism. The amendment should also increase certainty and facilitate decision making and minimise time delays in planning.

Does the amendment address relevant bushfire risk?

The precinct is not located in an area subject to bushfire risk.

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

The amendment complies with all Ministerial Directions under Section 12 of the Act. Specifically, the amendment has considered and complies with the following Ministerial Directions:

Ministerial Direction – The Form and Content of Planning Schemes

This Amendment was prepared and presented in accordance with the style guide and drafting instructions in this direction.

Ministerial Direction No. 9, Metropolitan Strategy

The Metropolitan Strategy (Plan Melbourne 2017-2050) provides strong support for the protection of places with heritage significance.

Plan Melbourne has guided the Planning Policy Framework for Metropolitan Melbourne, which encourages protecting and celebrating the city's heritage.

The planning policy framework outlined in Plan Melbourne has underpinned the amendment as outlined below.

- The amendment achieves Direction 2.4 (Facilitate decision-making processes for housing in the right locations) through application of new and amended heritage overlays, which will ensure that housing and development in the Spotswood is delivered in appropriate locations
- The amendment achieves Direction 4.4.1 (Recognise the value of heritage when managing growth and change) through the application of new and amended heritage overlays to protect buildings with identified heritage values

Overall, Amendment C137hbay will not compromise the implementation of the Metropolitan Strategy.

Ministerial Direction No. 11, Strategic Assessment of Amendments

The amendment has been strategically assessed and justified in accordance with Ministerial Direction 11.

Ministerial Direction No. 14 Port Environs

The expansion of existing heritage overlays and introduction of new heritage overlays to protect and conserve buildings of heritage significance will not introduce additional sensitive uses or intensify existing sensitive uses within the designated port environs area. The views of Port of Melbourne have been sought and raised no objection. The views of the Minister for Port will be sought as part of the amendment process.

Ministerial Direction No. 15, The Planning Scheme Amendment Process

This amendment will follow the set times and steps specified for planning scheme amendments under this Direction.

Ministerial Direction 20 Major Hazard Facilities

As part of the proposed heritage overlay changes are within the threshold distance to Major Hazard Facilities, the views of WorkSafe Victoria and the Minister for Economic Development have been sought and raised no objection.

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

The amendment supports the following policies within the Planning Policy Framework:

- Clause 15.03S (Heritage conservation) – The amendment is supported by the ‘*Spotswood Activity Centre Structure Plan Heritage Review 2022*’ which has identified additional properties of local heritage significance.
- Clause 15.03-1L (Heritage conservation) – The amendment seeks to include additional properties within the heritage overlays in line with the ‘*Spotswood Activity Centre Structure Plan Heritage Review 2022*’.

How does the amendment support or implement the Municipal Planning Strategy?

The amendment supports the Municipal Planning Strategy as outlined below:

- Clause 02.03-5 (Built environment and heritage) – The amendment will protect local heritage identified in the ‘*Spotswood Activity Centre Structure Plan Heritage Review 2022*’ through application of new and amended heritage overlays.

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

The amendment makes appropriate use of the various overlay tools available under the Victorian Planning Provisions to achieve the strategic objectives of the Scheme. Application of new and amended heritage overlays will manage built form and ensure local heritage is protected.

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

A consultation process on the draft ‘*Spotswood Activity Centre Structure Plan*’ including the proposed heritage overlay changes was carried out during April and June in 2022, seeking feedback from the community, relevant agencies and stakeholders. The ‘*Spotswood Activity Centre Structure Plan Heritage Review 2022 – Draft Statement of Significance*’ was published as part of the structure plan consultation process. No objections were received from the various State Government departments and agencies in relation to the proposed heritage overlay changes. Relevant agencies will have an opportunity to comment on the amendment again as part of the exhibition of C137.

Further feedback was sought from the relevant Ministers and state agencies on this amendment, and they have raised no objection to the proposed changes.

The amendment will follow the formal planning scheme amendment process and be placed on exhibition where stakeholders and agencies will have a further opportunity to comment on the amendment.

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

The amendment will have no significant impact on the transport system and will not be inconsistent with the transport system objectives nor the decision-making principles 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 amendment is not expected to impose unreasonable resource or administrative costs on the responsible authority.

Where you may inspect this amendment

Hobsons Bay City Council
115 Civic Parade
Altona, Victoria, 3018
Australia

Also, Hobsons Bay City Council's website at: www.hobsonsbay.vic.gov.au

The amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection.

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 Thursday 6 April 2023.

A submission must be sent to:

Hobsons Bay City Council
115 Civic Parade
Altona, Victoria, 3018
Australia

Or

Attention: Strategic Planning

EMAIL amendments@hobsonsbay.vic.gov.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: to commence in the week of 26 June 2023
- panel hearing: to commence in the week of 24 July 2023

Attachment 1: Sites affected by Amendment C137hbay

Properties to be included in existing Heritage Overlay precincts

HO30 Spotswood Residential Precinct	Properties proposed to be included in an existing HO
Bolton Street	1 Bolton Street Spotswood 3015
	3 Bolton Street Spotswood 3015
	5 Bolton Street Spotswood 3015
	7 Bolton Street Spotswood 3015
	8 Bolton Street Spotswood 3015
	9 Bolton Street Spotswood 3015
	10 Bolton Street Spotswood 3015
	11 Bolton Street Spotswood 3015
	12 Bolton Street Spotswood 3015
	13 Bolton Street Spotswood 3015
	14 Bolton Street Spotswood 3015
	16 Bolton Street Spotswood 3015
	18 Bolton Street Spotswood 3015
	20 Bolton Street Spotswood 3015
	21 Bolton Street Spotswood 3015
	23 Bolton Street Spotswood 3015
	25 Bolton Street Spotswood 3015
	27 Bolton Street Spotswood 3015
	29 Bolton Street Spotswood 3015
	31 Bolton Street Spotswood 3015
Craig Street	42 Craig Street Spotswood 3015
	44 Craig Street Spotswood 3015
	46 Craig Street Spotswood 3015
	48 Craig Street Spotswood 3015
	50 Craig Street Spotswood 3015
	52 Craig Street Spotswood 3015
	54 Craig Street Spotswood 3015
	56 Craig Street Spotswood 3015
	58 Craig Street Spotswood 3015
	60 Craig Street Spotswood 3015
	62 Craig Street Spotswood 3015
	64 Craig Street Spotswood 3015
	66 Craig Street Spotswood 3015
	68 Craig Street Spotswood 3015
	70 Craig Street Spotswood 3015
Forrest Street	7 Forrest Street Spotswood 3015
	9 Forrest Street Spotswood 3015
	10 Forrest Street Spotswood 3015
	11 Forrest Street Spotswood 3015
	12 Forrest Street Spotswood 3015

	13 Forrest Street Spotswood 3015
	14 Forrest Street Spotswood 3015
	15 Forrest Street Spotswood 3015
	16 Forrest Street Spotswood 3015
	17 Forrest Street Spotswood 3015
	19 Forrest Street Spotswood 3015
	20 Forrest Street Spotswood 3015
	21 Forrest Street Spotswood 3015
	22 Forrest Street Spotswood 3015
	24 Forrest Street Spotswood 3015
Hope Street	37 Hope Street Spotswood 3015
	39 Hope Street Spotswood 3015
	41 Hope Street Spotswood 3015
	53 Hope Street Spotswood 3015
	55 Hope Street Spotswood 3015
	57 Hope Street Spotswood 3015
	59 Hope Street Spotswood 3015
	61 Hope Street Spotswood 3015
	63 Hope Street Spotswood 3015
	65 Hope Street Spotswood 3015
Hudsons Road	67 Hope Street Spotswood 3015
	41 Hudsons Road Spotswood 3015
	43 Hudsons Road Spotswood 3015
	104 Hudsons Road Spotswood 3015
	105 Hudsons Road Spotswood 3015
	111 Hudsons Road Spotswood 3015
	113 Hudsons Road Spotswood 3015
	121 Hudsons Road Spotswood 3015
	123 Hudsons Road Spotswood 3015
	125 Hudsons Road Spotswood 3015
	127 Hudsons Road Spotswood 3015
	128 Hudsons Road Spotswood 3015
	135 Hudsons Road Spotswood 3015
	137 Hudsons Road Spotswood 3015
Melbourne Road	626 Melbourne Road Spotswood 3015
	628 Melbourne Road Spotswood 3015
Raleigh Street	6 Raleigh Street Spotswood 3015
	8 Raleigh Street Spotswood 3015
	10 Raleigh Street Spotswood 3015
	12 Raleigh Street Spotswood 3015
	14 Raleigh Street Spotswood 3015
	16 Raleigh Street Spotswood 3015
	18 Raleigh Street Spotswood 3015
	20 Raleigh Street Spotswood 3015
Reed Street	2 Reed Street Spotswood 3015

	4 Reed Street Spotswood 3015
	6 Reed Street Spotswood 3015
	8 Reed Street Spotswood 3015
	10 Reed Street Spotswood 3015
	12 Reed Street Spotswood 3015
	14 Reed Street Spotswood 3015
	16 Reed Street Spotswood 3015
	18 Reed Street Spotswood 3015
Robb Street	1 Robb Street Spotswood 3015
	3 Robb Street Spotswood 3015
	5 Robb Street Spotswood 3015
	7 Robb Street Spotswood 3015
	9 Robb Street Spotswood 3015
	10 Robb Street Spotswood 3015
	11 Robb Street Spotswood 3015
	12 Robb Street Spotswood 3015
	12A Robb Street Spotswood 3015
	13 Robb Street Spotswood 3015
	14 Robb Street Spotswood 3015
	15 Robb Street Spotswood 3015
	17 Robb Street Spotswood 3015
	19 Robb Street Spotswood 3015
	21 Robb Street Spotswood 3015
Robert Street	1 Robert Street Spotswood 3015
	35 Robert Street Spotswood 3015
	37 Robert Street Spotswood 3015
	39 Robert Street Spotswood 3015
	41 Robert Street Spotswood 3015
	43 Robert Street Spotswood 3015
	45 Robert Street Spotswood 3015
	46 Robert Street Spotswood 3015
	47 Robert Street Spotswood 3015
	48 Robert Street Spotswood 3015
The Avenue	29 The Avenue Spotswood 3015
	31 The Avenue Spotswood 3015
HO46 AGM Factor Complex (Former)	
Simcock Avenue	1 (part) Simcock Avenue Spotswood 3015
	21 (part) Simcock Avenue Spotswood 3015
	8 (part) Simcock Avenue Spotswood 3015

Proposed properties to be included in new Heritage Overlays

Heritage Overlay (HO)	Properties proposed in a new HO
HO323 War Service Home Commission Precinct	
Hudsons Road	153 Hudsons Road Spotswood 3015
	154 Hudsons Road Spotswood 3015
	155 Hudsons Road Spotswood 3015
	156 Hudsons Road Spotswood 3015
	158 Hudsons Road Spotswood 3015
	160 Hudsons Road Spotswood 3015
Melbourne Road	605 Melbourne Road Spotswood 3015
	1/605 Melbourne Road Spotswood 3015
	2/605 Melbourne Road Spotswood 3015
	607 Melbourne Road Spotswood 3015
	1/607 Melbourne Road Spotswood 3015
	2/607 Melbourne Road Spotswood 3015
	3/607 Melbourne Road Spotswood 3015
	4/607 Melbourne Road Spotswood 3015
	609 Melbourne Road Spotswood 3015
	613 Melbourne Road Spotswood 3015
	615 Melbourne Road Spotswood 3015
	617 Melbourne Road Spotswood 3015
	619 Melbourne Road Spotswood 3015
	621 Melbourne Road Spotswood 3015
	623 Melbourne Road Spotswood 3015
	627 Melbourne Road Spotswood 3015
	629 Melbourne Road Spotswood 3015
	631 Melbourne Road Spotswood 3015
Reed Street	25 Reed Street Spotswood 3015
	27 Reed Street Spotswood 3015
	28 Reed Street Spotswood 3015
	29 Reed Street Spotswood 3015
	30 Reed Street Spotswood 3015
	31 Reed Street Spotswood 3015
	32 Reed Street Spotswood 3015
	33 Reed Street Spotswood 3015
	34 Reed Street Spotswood 3015
	36 Reed Street Spotswood 3015
HO324 Alloa Park Estate Precinct	
Hall Street	154 Hall Street Spotswood 3015
	156 Hall Street Spotswood 3015
	158 Hall Street Spotswood 3015
	160 Hall Street Spotswood 3015
	162 Hall Street Spotswood 3015

	162A Hall Street Spotswood 3015
	164 Hall Street Spotswood 3015
	166 Hall Street Spotswood 3015
	168A Hall Street Spotswood 3015
	168B Hall Street Spotswood 3015
	170 Hall Street Spotswood 3015
HO325 Australian Glass Manufacturers Housing Heritage Precinct	
Bernard Street	1 Bernard Street Spotswood 3015
	3 Bernard Street Spotswood 3015
	5 Bernard Street Spotswood 3015
	7 Bernard Street Spotswood 3015
	9 Bernard Street Spotswood 3015
	11 Bernard Street Spotswood 3015
	13 Bernard Street Spotswood 3015
	15 Bernard Street Spotswood 3015
	15A Bernard Street Spotswood 3015
	17 Bernard Street Spotswood 3015
	17A Bernard Street Spotswood 3015
	19 Bernard Street Spotswood 3015
	21 Bernard Street Spotswood 3015
Craig Street	36 Craig Street Spotswood 3015
Robb Street	2 Robb Street Spotswood 3015
	4 Robb Street Spotswood 3015
	18 Robb Street Spotswood 3015
	20 Robb Street Spotswood 3015
	20A Robb Street Spotswood 3015
	22 Robb Street Spotswood 3015
	22A Robb Street Spotswood 3015
	24 Robb Street Spotswood 3015
	26 Robb Street Spotswood 3015
HO326 Spotswood State School	
Melbourne Road	598 Melbourne Road Spotswood 3015
HO327 87-89 Hudsons Road	
Hudsons Road	87 Hudsons Road Spotswood 3015
	1/87 Hudsons Road Spotswood 3015
	89 Hudsons Road Spotswood 3015
HO328 Baco Food Products Factory	
Craig Street	121-129 Craig Street Spotswood 3015

Proposed properties to be removed from Heritage Overlays

Heritage Overlay (HO)	Properties proposed for removal from HO
HO30 Spotswood Residential Heritage Precinct	24 George Street Spotswood 3015
	26 George Street Spotswood 3015
	28 George Street Spotswood 3015
HO46 AGM Factor Complex (Former)	1 (part), 8 (part), 21 (part) and 71 (part) Simcock Avenue Spotswood due to buildings demolished and to reflect correct building extent
HO153 Hugh Lennon Agricultural Implement Works (part)	71 (part) Simcock Avenue, Spotswood