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Chief Executive Officer

# REPORT ON OPERATIONS

February 2023



**Hobsons  
2.0**



## Issue 69

Published March 2023

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*Presented at the Council Meeting of Council on 14 March 2023*

The CEO Report on Operations is a regular report that is published by the Hobsons Bay City Council.

The purpose of this report is to inform Council and the community of recent issues, initiatives and projects undertaken across Council. The report is provided on a monthly basis.



## CEO update

During February 2023, the Chief Executive Officer participated in a number of events, meetings and discussions about a range of matters relevant to Hobsons Bay and the local government sector.

Many of the events and meetings attended by the CEO during this period were related to regional initiatives and collaboration such as:

- attendance at the M9 meeting of CEOs and Mayors and a meeting with M9 CEOs;
- attendance at a meeting with the Hon. Melissa Horne MP, Member for Williamstown together with Mayor Cr Tony Briffa to discuss a range of items relating to the Williamstown electorate and advocacy priorities;
- attendance at a meeting with Patricia Smith, Chief of Staff from Tim Watts office together with Penelope Winslade, Director Sustainable Communities to discuss the Virtual Energy Network and Community Battery projects;
- attendance at a meeting with John Bourke, South Asia Pacific Operations Manager from Mobil Australia (Altona Operations), together with other Mobil Australia Executives and Mayor Cr Tony Briffa to discuss the ongoing use and management of the Altona site and any potential future opportunities for community use;
- attendance at a meeting with Sarah Connolly MP, Member for Laverton together with Mayor Cr Tony Briffa to discuss Councils advocacy priorities;
- attendance at a meeting with Saul Cannon, Chief Executive Officer, Sarah Browne, Executive General Manager and Tony Murphy, Executive General Manager – Port Development from Port of Melbourne together with Mayor Cr Tony Briffa to discuss strategic shared challenges and opportunities;
- attendance at a meeting with Colin Radford, Chief Executive Officer, WorkSafe Victoria, Celia Haddock, Chief Executive Officer, Maribyrnong City Council including joint Council officers to discuss Major Hazard Facility guidance; and
- attendance at the Western Region Bi-Annual forum hosted by Wyndham City Council.



Aaron van Egmond  
Chief Executive Officer

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## Delivering for our community

### Library services



#### Libraries

##### February 2023

Physical loans (books etc.): 22,028

eLibrary loans (eBooks etc.): 7,569

Renewals: 7,253

Total: 36,850

Library visits: 37,489

Loans have decreased 15.1 per cent compared to January 2023.

Year to date loans have increased 9.7 per cent compared to February 2022.

eLibrary loans have decreased 15 per cent compared to January 2023.

Year to date eLibrary loans have increased 5.3 per cent compared to February 2022.

### Community Hubs and Centres



#### Laverton Community Hub

There were 405 activities in February. This is the highest total of monthly bookings in Laverton Community Hub's ten-year history.

There were 1,034 participants in the Laverton Active Program with Saturday morning Zumba taking top spot.

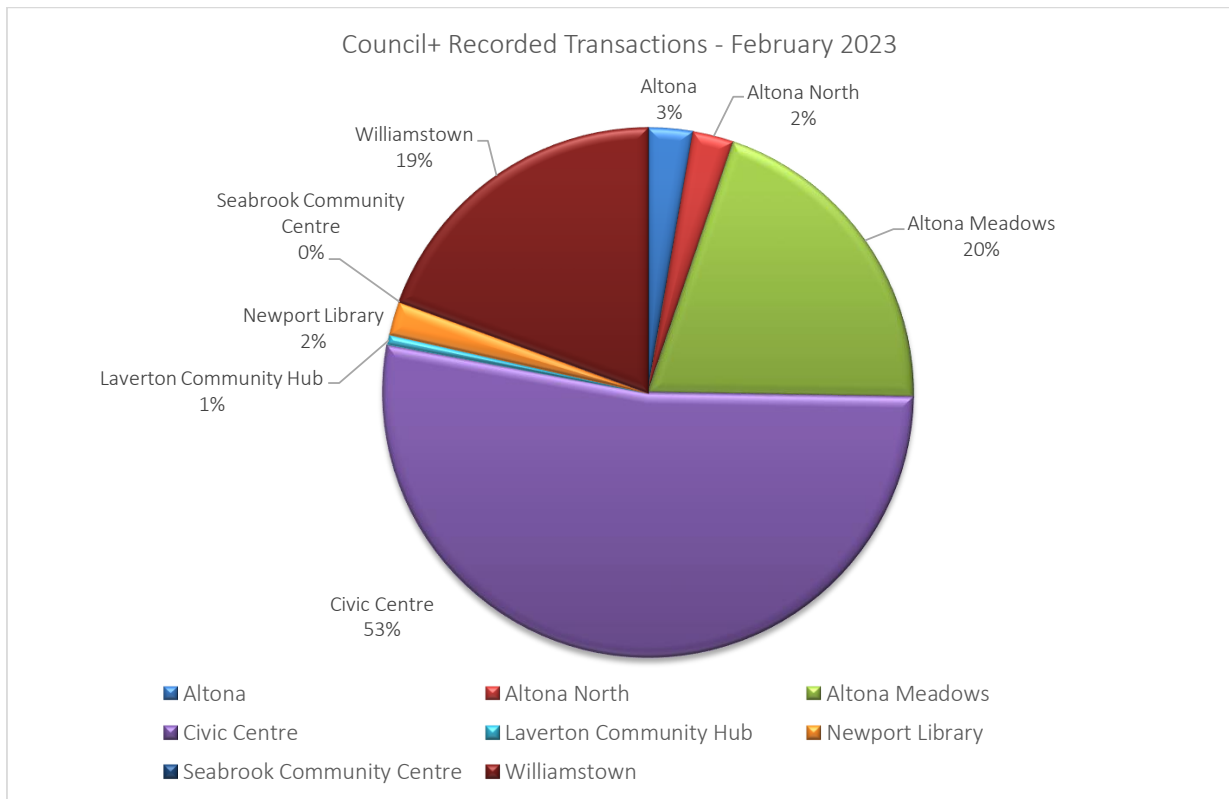
#### Newport Community Hub

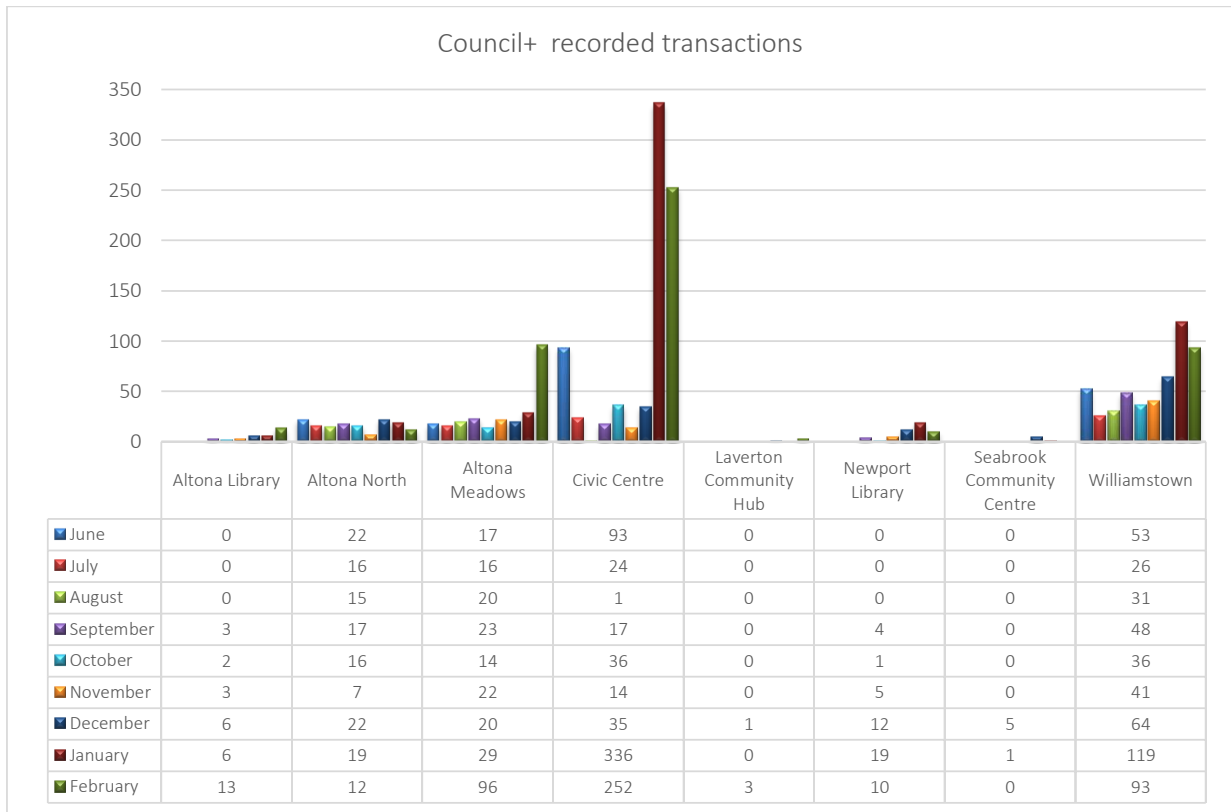
There were 144 bookings at Newport Community Hub in February.

#### Seabrook Community Centre

There were 103 bookings in February.

### Council+





## Youth services



### Youth counselling

Council's generalist youth counselling service delivered 55 face-to-face and online counselling sessions this month to 28 young people. At the end of the month there was no waiting period for a young person to access youth counselling services.

### Youth Programs and Activities

The Youth Services team ran five programs and activities sessions, with 145 contacts with young people. This included FreeZA events to celebrate young musicians and the Midsumma festival and transition days with local high schools.

### Youth-focussed Capacity Building Programs

Three sessions were held for 15 parents and stakeholder contacts to support and empower young people, including the Tuning Into Teens program.

## Immunisations



### Immunisations

In February, Council's immunisation team held 16 immunisation sessions plus four home visit sessions and administered 664 immunisations to 292 clients. These sessions were held at Williamstown Town Hall and Laverton Community Hub. Preparation for the school immunisation program for Year 7 and Year 10 students is underway with first round immunisations occurring in March 2023.

## Early years and family services



### Maternal and Child Health (MCH)

In February, there were a total of 80 new infants born to Hobsons Bay families. The highest numbers of infants born were in Altona and Altona North. The Universal MCH Service completed 902 consultations/appointments. The Enhanced MCH Service received 11 new referrals and provided 57 ongoing consultations for vulnerable families.

- 6 families received support packages from either St Kilda Mums or the Victorian Government Nursery Equipment Program for vulnerable families
- 0 welfare phone calls were completed due to COVID impact/isolation

### Parenting Programs

The following parenting support programs were delivered:

- 29 First time parenting groups
- 4 Sleep support groups
- 21 Sleep support outreach appointments
- 10 Breast feeding support sessions
- 3 Baby Makes 3 sessions
- 4 Circle of Security sessions

### Family/Social work support (MCH)

Council's MCH social worker responded to nine new Family Violence referrals. Three further consults were conducted in relation to family violence.

### Preschool Field Officer

The Preschool Field Officer (PSFO) Program supports Kindergarten Educators to develop capacity and skills in delivering inclusive programs to all children and those with additional needs. The PSFO program provided zero consultations to Educators.

### Kindergarten Registration

Seventy-four three-year-old and 14 four-year-old registrations for kindergarten were processed.

### Occasional Care

Fourteen children (between 0-5 years) attended Council's Occasional Care program on Thursdays and Fridays totalling 39 sessions.

### Supported Playgroups

Twenty-six smalltalk groups, 10 supported playgroups and 1 one on one session was provided to a vulnerable family.

## Services for older residents and residents with disabilities



### Planned Activity Groups (PAG)

Thirty-nine Planned Activity Group sessions were provided to 73 clients.

### Community Transport

Seniors transport provided 17 return trips to 28 clients. Three social transport trips were provided to 14 clients.

### Aged Assessment

The Assessment team undertook 78 assessments and 136 support plan reviews for services required by older residents requiring support services.

### Delivered Meals

Two hundred and nine residents received a meal delivered to their home. In total 1,870 meals were provided to eligible residents.

### Home Maintenance

Thirteen residents received a service through Council's Home Maintenance program.

## Arts and Culture



### Event Applications and Permits

Twelve Expressions of Interest event applications were received and five event permits were issued during February.

### Filming

Four filming permits were issued during February.

### Markets

The Lions Club market took place at Cherry Lake.

The Altona Beach Market was held at Pier Street in Altona. Regional Farmers Market was held at Altona Meadows and Williamstown. The Williamstown Craft Market was held at Commonwealth Reserve. The Slow Food Farmers Market was held at Spotswood.

### Street banners

Laverton Festival street banners were installed at Kororoit Creek Road.

### Hobsons Bay Visitor Information Centre

For the month of February, the Visitor Information Centre assisted 1,472 visitors.

- 757 were from within Victoria
- 404 were from overseas
- 189 from interstate
- 122 from Hobsons Bay

The Visitor Information Centre has recruited two new volunteers. They are currently in the third week of a 6-week training program. Both candidates are passionate locals with a shared interest in travel.

### Williamstown Town Hall

During February bookings included a Phil Collins Tribute Show, a funeral and cultural concerts Bas Kar Bassi by Anubhav Singh Bassi and Sunil Grover in Concert. Council's Citizenship Ceremony and regular immunisation sessions were held. The Williamstown Toastmasters, All Aboard Club and Williamstown Historical Society held meetings with the Williamstown Film Society holding their monthly film screening.

### Old Laverton School

Laverton Community and Education Centre, Altona Brooklyn Kyokushin Karate and Sound Spa Yoga held classes during February. El-Shaddai Samoan group continued using the venue in February for prayer time.

Oral recordings with Graeme Reilly Secretary of the Altona Laverton Historical Society and with Bob Hawkins, long term resident and member of Laverton and Point Cook Rotary captured the history of the Laverton Old School and surroundings.



*Image: Bob Hawkins records his account of Laverton and the Old Laverton School*

### Altona Theatre

During February, Expressions of Interest for dates for the 2023 October to December dance season were started to be allocated. The Altona City Theatre Company held rehearsals for its upcoming March 2023 pantomime production of Rapunzel.



## The Substation

'Queer on Country' a series of six works by Ngarigu artist Peter Waples-Crowe was launched in February and is on display at The Substation's outdoor Billboard Gallery until April 2023.

In creating these artworks, Peter embarked on a deeply spiritual journey, reflecting upon their identity and blurring the binaries of their intersecting lived experiences as a queer Ngarigu person.

Peter is an emerging queer Elder based in Naarm (Melbourne) who works across the mediums of performance, sculpture, drawing, collage, costuming and scenic design. Their experiences in the fields of Indigenous and LGBTQIA+ health contribute towards their creative practice and their experience as a community cultural development worker.

This exhibition was presented as part of Hobsons Bay's Midsumma Westside programming.

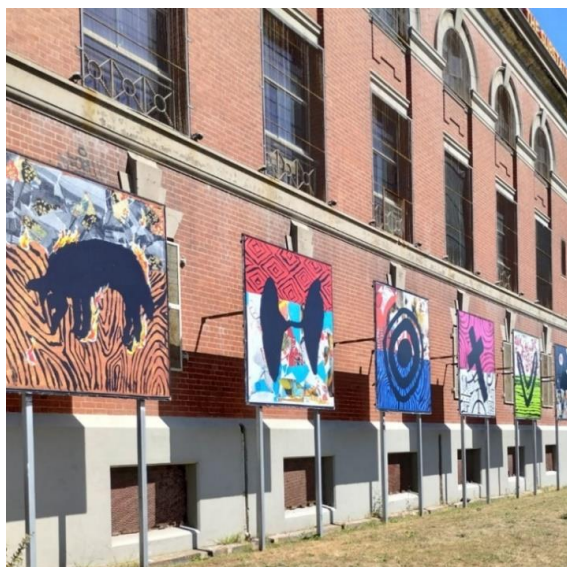


Image: 'Queer of Country' Peter Waples Crowes exhibition installation, The Substations Billboard Gallery

## Woods Street Arts Space

February saw the launch of Woods Street Arts Space's February to July 2023 program which features approximately 250 creative workshops, activities and events for all ages and abilities. This includes drumming, recording music, performance and dance workshops, and art classes in a variety of mediums for toddlers, children, teenagers and adults. Some workshops and events align with initiatives such as Midsumma, IDAHOBIT, Plastic Free July and Cultural Diversity Week. Other workshops work towards exhibitions and performances to be held at Woods Street Arts Space.

Woods Street Arts Space in Laverton provides a free space for creatives to host art exhibitions, residencies and facilitate workshops with community benefit.



Image: "Manufactured Underwater" workshop held as part of Midsumma

## Airtime

Young local LGBTQIA+ artist Alyssa Cunanan's exhibition 'Smile You Look Great' explored the idea of people embracing themselves. The exhibition was on display during February and was presented as part of Councils Midsumma Westside programming.

Airtime is a temporary public art project that highlights the creative talents of young people in Hobsons Bay on a rotational basis. Artworks are reproduced and printed on large flags and exhibited on the Altona Meadows flag poles located at the Altona Meadows Skate Park.



Image: "Smile You Look Great" promotional material held as part of Midsumma

### Laneway Gallery

During February 2023, Laneway Gallery exhibited 'Manufactured Underwater' by Briony Galligan, a series of drawing works that explored how children develop and learn within a queer 'family'.

This series of works was on display during February and presented as of Council's Midsumma Westside programming.

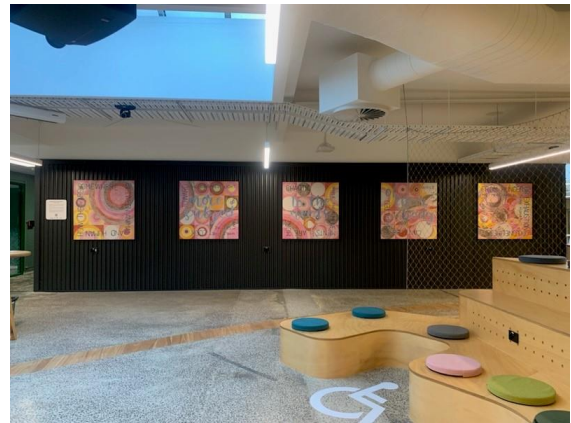


Image: "Manufactured Underwater" by Briony Galligan at Altona Civic Centre, Altona

### Heritage

The Coronation lamps on Dennis reserve, Williamstown were repainted for conservation purposes.

### Midsumma Festival Pride March 2023

The Mayor, Councillors and Hobsons Bay City Council staff represented Council in the Midsumma Pride March in St Kilda on Sunday 5 February.

The Pride March is a signature event of the Midsumma Festival, with 250 organisations participating in the march down Fitzroy Street in St Kilda. An estimated 45,000 people lined the streets and balconies along the march route to show their support.



Image: "Manufactured Underwater" by Briony Galligan at Woods Street Arts Space, Laverton



Image: Mayor Cr Briffa with Hobsons Bay City Council Councillors and staff at the Midsumma Pride March

### Lunar New Year Celebration

QiQi Music performed at the Rotunda in Commonwealth Reserve in celebration of Lunar New Year on Saturday 11 February.

### Laverton Festival

After being impacted by COVID, the Laverton Festival returned to Curlew Community Park Sunday 19 February with a very successful event and large crowds. People of all ages attended, enjoying the community celebration and atmosphere. Live music, stalls, food trucks, attractions for children and Council information stalls were part of the day.

### Custom Classic Car and Bike Show

The Hobsons Bay Men’s Shed presented its annual Custom Classic Car and Bike Show in Apex Park on Sunday 26 February.



Image: Classic cars on show at Apex Park

### Volunteer Week Expo Stallholder Planning and Engagement

Planning for the Hobsons Bay Volunteer Expo is underway, engaging stall holders and volunteer-engaging community groups and agencies from across Hobsons Bay. This event, on 20 May at the Altona Civic Centre, will support volunteers to find local opportunities, helping promote opportunities to participate in the community, as well as showcasing the efforts and activities of groups from across the city.

### Make it Happen Grants

The Make it Happen Grants first round closed for assessment with 31 applications received, requesting over \$300,000.

The program continues to be open for applications during March and April.

Applicant support sessions were held in February, including an information session and a grant writing workshop, 40 community members attended.

### Community Partnerships



#### Focus on Neighbourhood Houses and Community Centres

Council holds a strong relationship with nine community-managed Neighbourhood Houses and Community Centres across Hobsons Bay. Council provides funding to each in support of their operations. The centres provide a range of essential community services, with the range of programs determined by their strategic business plan, the capacity of their members and teachers, hirers and local groups wishing to book the space, the needs of their community and the size and shape of the facility itself.

Each centre has highlights and unique offerings, as well as consistent information and referral services – essential for a community like Hobsons Bay where many welfare and community services are located outside the municipality.

Community meals, social programs, adult education (certificate and diploma) as well as many introduction programs, community gardens, martial arts, dancing, sport and after school activities as well as kindergarten or maternal child and health services underpin these centres.



Centres have released their Term 1 and Easter holiday programs.

- Altona Meadows Community Centre
- Altona North Neighbourhood House
- Brooklyn Community Hall (currently under renovation/extension, reopening May 2023)
- Laverton Community Centre and Laverton Community Education Centre (Laverton Community Integrated Services)
- Louis Joel Arts & Community Centre
- South Kingsville Community Centre
- Spotswood Neighbourhood House
- Walker Close Community Centre (Altona North)
- Williamstown Community Education Centre – Joan Kirner House

Council also directly manages centres, being the Laverton Community, Newport Hub and Seabrook Community Centre.

## Strategy, Economy and Sustainability

### Economic development



#### Business Networking

This month's Business Networking event was held at The Backyard Est 2016 in Newport on Tuesday 7 February. Business representatives from across Hobsons Bay attended the morning for the opportunity to promote their business and network with others.

#### Business workshop – Attracting and retaining staff

Business owners had the opportunity to attend this workshop facilitated by Workplace Wizards, designed to provide businesses training around what an employee value proposition (EVP) is and how it helps recruitment and retention strategies. The workshop was held in-person on Tuesday 28 February.



Image: Business Networking at The Backyard Est 2016 in Newport

### Environmental sustainability



#### Reusables Rebate

Council launched a limited-time Reusables Rebate program, providing residents with up to \$130 back when they purchase reusable nappy products, sanitary products and/or incontinence products.

One hundred and thirty-five applications have been made since the program launched on Monday 13 February 2023.

This initiative is the result of a successful 2022-23 Community Pitch project.

#### Upcycle in Style

Council ran three 'Upcycle in Style' sessions in February, including two sit-down textile mending workshops and one 'repair café' style drop-in session.

Sixty-three people attended, learning the skill of hand-stitching to help reduce textile waste and fight fast fashion.

This initiative is the result of a successful 2022-23 Community Pitch project.



Image: Upcycle in Style session

#### Sustainable Living Festival

Council ran a series of events as part of the National Sustainable Living Festival, including guided nature tours, repair cafes and more.

Approximately 300 people attended across 10 events facilitated by Council.

### Free 'zero waste' kitchen bundles

Council launched the 'Waste Less Pledge' initiative, where residents who take a simple public pledge to reduce waste receive a free Zero Waste Kitchen Bundle to kick-start their new waste less habits.

So far, 200 residents have made the 'Waste Less Pledge'.

This initiative is the result of a successful 2022-23 Community Pitch project.

### Waste education at Laverton Festival

Council hosted a waste and recycling stall featuring a real-life waste truck at the Laverton Festival. Children had a chance to take photos in the waste truck while Council staff chatted with more than 500 people about waste and recycling in Hobsons Bay.



Image: Real-life waste truck education

### Bokashi Buddies program

Council ran a Bokashi workshop for Altona Community Gardens, where they launched the Bokashi Buddies program in partnership.

Thirty-two residents attended 10 of whom chose to commit to becoming a Bokashi Buddy and receiving a free bokashi bucket.

This was a My Smart Garden event, presented by Council in partnership with the Altona Community Garden.



Image: Bokashi workshop

### Festival of Food: Preserve Your Harvest

Council ran its first event as part of the Hobsons Bay Festival of Food.

The 'Preserve Your Harvest' workshop taught 40 residents how to make the most of their garden produce by learning practical and safe food preservation techniques while fostering a strong sense of community.

This initiative is the result of a successful 2022-23 Community Pitch project.



## Social & Strategic Planning

### Public exhibition of the Spotswood Heritage Amendment C137

Public exhibition of the Spotswood Heritage Amendment C137 commenced on Thursday 23 February and will run for six weeks until Thursday 6 April 2023. The amendment implements the findings of the Spotswood Activity Centre Structure Heritage Review by introducing new and revised heritage overlays into the Hobsons Bay Planning Scheme. The community are encouraged to make a submission to the amendment and can find out more about the amendment by speaking directly with Council officers at information sessions. More information on the amendment, upcoming consultation activities and how to make a submission is available on the participate website:

<https://participate.hobsonsbay.vic.gov.au/amendment-c137>

## **Minister approves Amendment C114 Precinct 16 West**

The Minister for Planning has approved Amendment C114 that rezones industrial land known as Precinct 16 West in South Kingsville to residential use to integrate with the surrounding residential area.

The site is approximately 5.2 hectares in area and is located between Stephenson Street, Sutton Street, Blackshaws Road and the national freight line. Council adopted the Amendment on 31 May 2022 in line with the recommendations of an independent Planning Panel. The changes proposed by the Amendment are now effective in the Hobsons Bay Planning Scheme, following a notice in the Victorian Government Gazette published on 9 February 2023. More information is available on the Council website <https://www.hobsonsbay.vic.gov.au/Services/Planning-Building/Planning-Scheme-Amendments-and-Strategic-Planning-projects>

Before planning permits can be issued for residential development, landowners are required to submit a Development Plan to Council for review against the provisions of the Development Plan Overlay. A planning permit that is in general accordance with an approved development plan is exempt from further public notice and review.

## **Emissions reduction**



### **Large Scale Solar Roll Out**

Council has installed 1.6 MW of rooftop solar panels through the large-scale solar project which is all operational. The total installed and operating capacity across the property portfolio is now 2.1 MW.

During February, work continued on the new carpark structure at the Altona Civic Centre that will result in a final installation of 100kW to complete Phase One.

## Planning, Building and Health Update

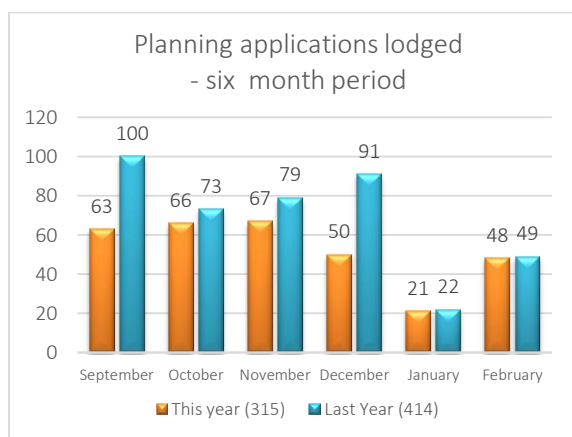
### Planning



#### Planning applications received

Council received 48 planning permit applications for the month of February 2023.

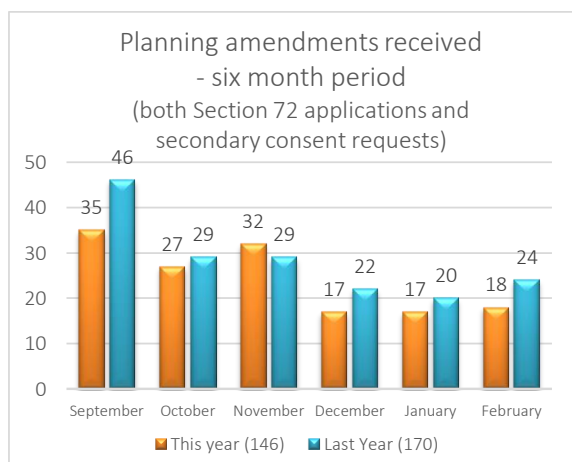
For the six-month period from September 2022 to February 2023, 315 planning permit applications were received, a 24 per cent decrease from the same period last year.



#### Amended permit applications lodged

Council received 18 planning permit amendment applications for the month of February.

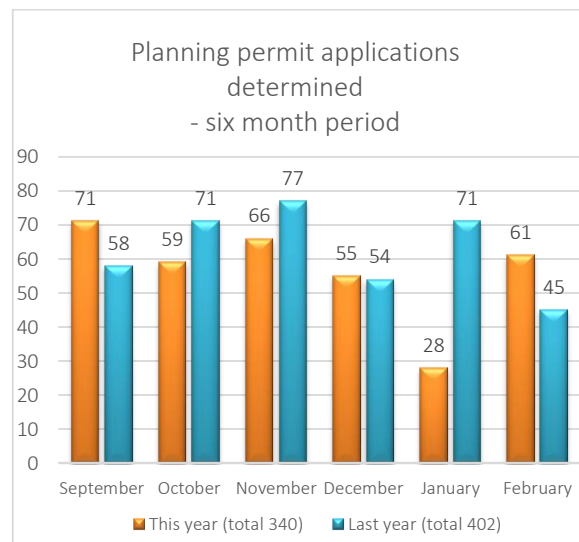
For the six-month period from September 2022 to February 2023, 146 planning permit amendment applications were received, a 14 per cent decrease from the same period last year.



#### Planning applications determined

Council completed 61 planning permit applications for the month of February 2023.

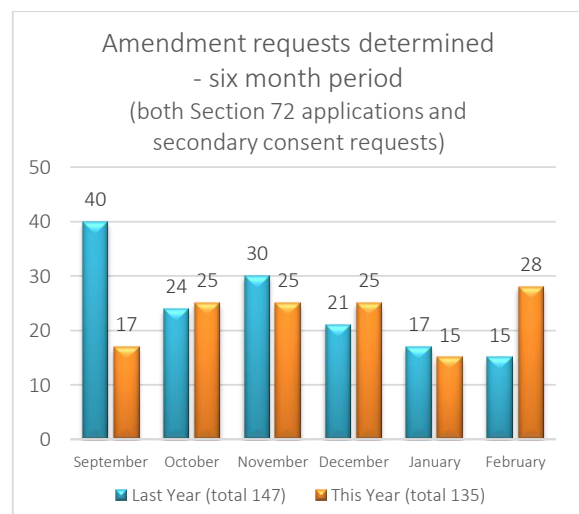
For the six-month period from September to February, 340 planning permit applications were completed, a 15 per cent decrease from the same period last year.



#### Planning amendment requests determined

Council completed 28 planning amendment applications for the month of February.

For the six-month period from September to February, 135 planning amendment applications were determined, an 8 per cent decrease from the same period last year.





## VCAT

The Town Planning department received the following appeal decisions:

**Application Number:** PA2148617

**Address:** 120 Douglas Parade, Williamstown

**Proposal:** Use of the land for an Art Gallery (Place of Assembly) and Food and Drinks Premises under Clause 32.08-9 (General Residential Zone). The construction of a building or construct or carry out works associated with a Section 2 Use under clause 32.08-4 (General Residential Zone). Reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5. Display business identification signage under Clause 52.05-13.

Construct a building or construct or carry out works in a Heritage Overlay under Clause 43.01-1. Sell and consume liquor on the premises under Clause 52.027 in accordance with the endorsed plans.

**Delegate Decision:** Approve

**DPC Decision:** N/A

**VCAT Decision:** Approve (Varied)

**Made by consent order?** Yes

**Application Number:** PA210179

**Address:** 8 Bracken Grove, Altona

**Proposal:** Construction of two or more dwellings (two dwellings) on a lot under clause 32.08-6 (General Residential Zone). Construction of a building and construction and carrying out of works under clause 44.05-2 (Special Building Overlay) in accordance with the endorsed plans.

**Delegate Decision:** Approval

**DPC Decision:** N/A

**VCAT Decision:** Approval (Varied)

**Made by consent order?** No

**Application Number:** PA210410

**Address:** 8 Osborne Street, Williamstown

**Proposal:** The construction or extension of one dwelling on a lot under Clause 32.09-4 (Neighbourhood Residential Zone). The partial demolition and removal of a building and the construction of a building and construction or carrying out of works under Clause 43.01-1 (Heritage Overlay). The construction of a building and construction or carrying out of works under Clause 43.02-2 (Design and Development Overlay) in accordance with the endorsed plans.

**Delegate Decision:** Approval

**DPC Decision:** N/A

**VCAT Decision:** Approval (Struck out)

**Made by consent order?** No

**Application Number:** PA220132

**Address:** 6 Scullin Street, Altona

**Proposal:** The construction of two or more dwellings on a lot (two dwellings) under clause 32.09-6 (Neighbourhood Residential Zone). To demolish a building and construct a building and carry out works under clause 43.05-2 (Neighbourhood Character Overlay) in accordance with the endorsed plans.

**Delegate Decision:** Approval

**DPC Decision:** N/A

**VCAT Decision:** Approval (Varied)

**Made by consent order?** Yes

**Application Number:** PA220163

**Address:** 7 Delphin Ave, Altona North

**Proposal:** Construction of two or more dwellings on a lot under clause 32.09-6 (two dwellings) in accordance with endorsed plans.

**Delegate Decision:** Approval

**DPC Decision:** N/A

**VCAT Decision:** Approval (Varied)

**Made by consent order?** Yes

## Delegated Planning Committee (DPC)

The following applications were considered on 21 February 2023 at the Delegated Planning Committee.

**Application Number:** PA220336

**Address:** 1 Hudsons Road, 1 Booker Street and 30 Craig Street, Spotswood

**Proposal:** Allow the use and development of the land for the purpose of industry and manufacturing sales, display of signage, a reduction in the statutory car parking requirement, and to allow the sale and consumption of liquor.

**Delegate Decision:** Refusal

**DPC Decision:** Refusal

**Application Number:** PA220337

**Address:** 1 Hudsons Road, 1 Booker Street and 30 Craig Street, Spotswood

**Proposal:** Allow the use and development of the land for the purpose of industry and manufacturing sales, display of signage, a reduction in the statutory car parking requirement, and to allow the sale and consumption of liquor.

**Delegate Decision:** Refusal

**DPC Decision:** Refusal

## Planning applications of interest

A few applications of interest to report this month.

### PA220600 – 541-543 Kororoit Creek Road, Altona

An application has been received for the construction of an advanced recycling facility on part of the former Dow land at 541-543 Kororoit Creek Road, Altona.

### PA230614 – 50-58 New Street, South Kingsville

An application has been received for the construction of 25 townhouse style dwellings on this site in New Street in Precinct 15.

### PA230630 – 51 New Street, Altona North

An application has been received for the use and development of the land for 32 small warehouses and 10 storage units.

### PA230638 – 188-198 Blackshaws Road, Altona North

An application has been received for part of the land owned by Mirvac in Precinct 15 at 188-198 Blackshaws Road, Altona North. The application proposes the construction of 131 apartment style dwellings in three buildings - two proposed at six storeys and one at five storeys, all with basement parking. The site is located on a future internal connector street and opposite the future town centre.

### PA230638 – 188-198 Blackshaws Road, Altona North

An application has been received for part of the land owned by Mirvac in Precinct 15 at 188-198 Blackshaws Road, Altona North. The application proposes the construction of 131 apartment style dwellings in three buildings - two proposed at six storeys and one at five storeys, all with basement parking. The site is located on a future internal connector street and opposite the future town centre.

## Building



### Permits and consents

- Council's Municipal Building Surveyor issued two building permits
- 101 building permits were issued by private building surveyors
- 20 report and consent dispensation requests were determined

## Inspections and enforcement

- 4 building notices/orders were issued
- 10 Notices/orders were resolved/completed/cancelled
- 34 inspections occurred during the month

## Building information requests

Council processed 193 requests for information and 56 General Enquiries during the month of February.

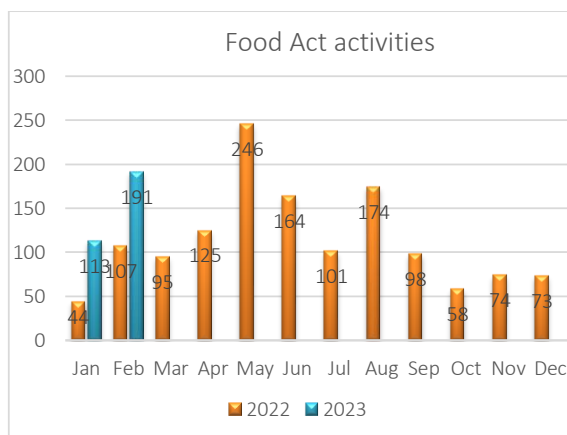
## Health



### Food Act activities

The following activities were recorded in February 2023 with the main activities being:

- 191 mandatory food assessments and inspections, Class one = 18, Class two = 65, Class three = 32
- 9 new food premises registration inspections
- 7 plans assessments
- 3 progress inspections



### Client managed premises

Council has 25 client managed premises.

### Food sampling

Thirty-two samples were taken from Class two premises during February 2023.

### Food recalls

No food recalls were received in February 2023.

### AccuPoint samples

In February, no AccuPoint samples were taken from client managed premises.

### Outbreaks

One outbreak investigation was conducted in February 2023.

### Streitrader

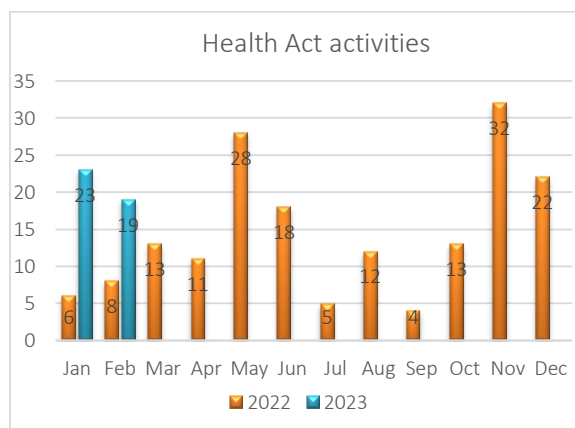
The following mobile and temporary food activities were recorded in February:

- 49 Statements of Trade lodged

### Public Health and Wellbeing Act activities

The following activities were recorded during February:

- 5 mandatory public health inspections
- 3 new premises registration inspection
- 3 progress inspections
- 4 assessment of plans



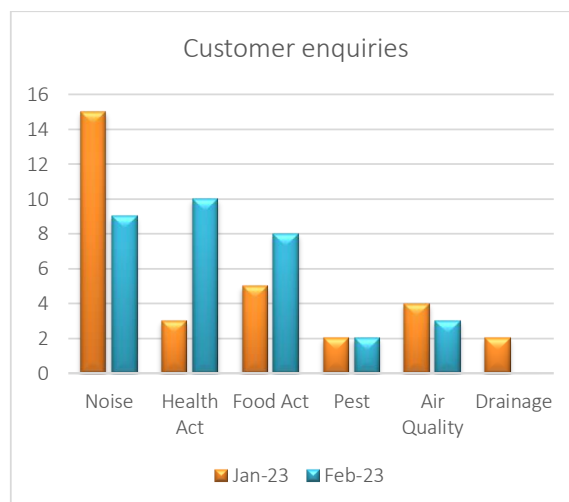
### Tobacco Act activities

During February, nine tobacco education visits were conducted.

### Customer enquires

During February, 32 customer requests were received, relating to:

- Noise 9
- Health Act 10
- Food Act 8
- Pest Control 2
- Air Quality 3



## Governance

### Governance



#### Councillor Delegates to Council and Community Committees

Councillors attended the following meetings of Council and Community Committees held between 1 February 2023 and 28 February 2023:

- Cr Jonathon Marsden attended the meeting of the Metropolitan Transport Forum held on 1 February 2023
- Cr Peter Hemphill, Cr Jonathon Marsden and Cr Antoinette Briffa attended the meeting of the Audit and Risk Committee held on 22 February 2023
- Cr Jonathon Marsden attended the meeting of the Association of Bayside Municipalities held on 24 February 2023

#### Citizenship Ceremony

At the Citizenship Ceremony conducted by Mayor Cr Antoinette Briffa at the Williamstown Town Hall 115 Hobsons Bay residents gained Australian citizenship.

#### Record of Meetings attended by Councillors

Councillors attended the following meetings held between 1 February 2023 and 28 February 2023:

- 7 February 2023 Pre-Council Meeting Agenda Briefing attended by Cr Antoinette Briffa, Cr Diana Grima, Cr Peter Hemphill, Cr Daria Kellander, Cr Jonathon Marsden, Cr Pamela Sutton-Legaud and Cr Matt Tyler. No conflicts of interest were disclosed
- 14 February 2023 Councillor Briefing Session attended by Cr Antoinette Briffa, Cr Diana Grima, Cr Peter Hemphill, Cr Daria Kellander, Cr Jonathon Marsden, Cr Pamela Sutton-Legaud and Cr Matt Tyler. No conflicts of interest were disclosed

#### Documents for Sealing

There were no documents that required sealing during the period.

## Local Laws



### Permits

- issued 0 disabled parking permits
- issued 252 residential permits
- issued 188 visitor permits
- issued 879 ticket machine permits
- logged 268 CHARM assignments
- impounded 4 derelict/abandoned vehicles
- issued 24 local law infringement

### Parking

- 296 logged CHARM assignments
- issued 1,253 parking infringements
- issued 78 warnings
- percentage of warnings issued were 6.2 per cent

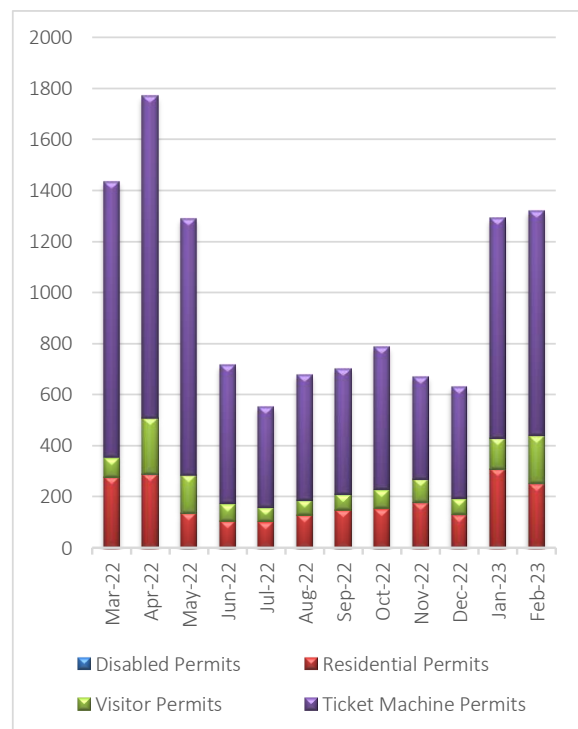
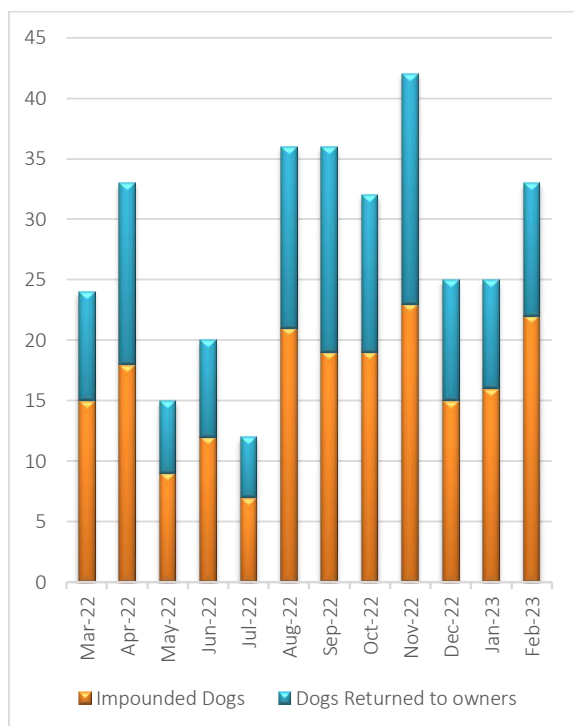


Image: The graph above illustrates the number of permits issued for February 2023

### Animal management

- logged 186 CHARM assignments
- 15,105 animals registered
- impounded animals at Lost Dogs Home (as at 31 January 2023)
  - o dogs – 13 dogs impounded, 8 released
  - o cats – 7 impounded, 1 released
- 11 animals returned to their owners by Council officers
- issued 34 animal infringement notices



*Image: The graph above reflects the number of dogs impounded and the number of dogs returned home by Council Rangers*

## Communications and Engagement



### Communications

#### Corporate social media

##### February 2023

Council manages corporate social media accounts on Facebook, LinkedIn and Instagram.

Social media is measured as below:

- Reactions – like, love, angry, haha, wow, sad



- Impressions – number of times our content is displayed in someone’s newsfeed
- Reach – total number of people who saw that content
- Engagement – number of times someone engaged with our content through clicks, reactions, shares comments

#### Total performance summary across all corporate social media accounts

##### Performance Summary

View your key profile performance metrics from the reporting period.

<p>Impressions</p> <p><b>487,012</b> ↘ 5.4%</p>	<p>Engagements</p> <p><b>20,342</b> ↘ 24.8%</p>	<p>Post Link Clicks</p> <p><b>2,735</b> ↘ 21.5%</p>
---	---	---

Performance across the platforms decreased for this period due to significantly decreased posting over Christmas and the Council close-down period.

#### Follower growth across all corporate social media accounts

Audience Metrics	Totals	% Change
<b>Total Audience</b>	32,405	↗ 0.8%
<b>Total Net Audience Growth</b>	256	↘ 29.1%
Facebook Net Page Likes	93	↘ 29.5%
Instagram Net Follower Growth	66	↘ 45.5%
LinkedIn Net Follower Growth	97	↘ 10.2%

#### Total followers per social media accounts

##### Facebook

Audience Metrics	Totals	% Change
<b>Fans</b>	17,977	↗ 0.5%
<b>Net Page Likes</b>	93	↘ 29.5%
Organic Page Likes	112	↘ 25.3%

##### Instagram

Audience Metrics	Totals	% Change
<b>Followers</b>	7,260	↗ 0.9%
<b>Net Follower Growth</b>	66	↘ 45.5%

## LinkedIn

Audience Metrics

	Totals	% Change
<b>Followers</b>	7,168	↗ 1.3%
<b>Net Follower Growth</b>	97	↘ 10.2%

## Performance per social media account

### Facebook

#### Performance Summary

View your key profile performance metrics from the reporting period.

Impressions <b>374,481</b> ↘ 6.4%	Engagements <b>17,186</b> ↘ 29.3%	Post Link Clicks <b>2,167</b> ↘ 33.9%
--------------------------------------	--------------------------------------	--

Engagement Rate (per Impression)

**4.6%** ↘ 24.5%

### Instagram

#### Performance Summary

View your key profile performance metrics from the reporting period.

Impressions <b>76,343</b> ↘ 29.5%	Engagements <b>1,262</b> ↘ 48.2%	Profile Actions <b>193</b> ↘ 69.2%
--------------------------------------	-------------------------------------	---------------------------------------

Engagement Rate (per Impression)

**1.7%** ↘ 26.5%

### Instagram stories

Post	Published Date	Impressions	Average Reach per Post	Average Potential Reach per Post	Engagement Rate (per Impression)	Engagements
<b>25 Posts</b> Feb 1, 2023 – Feb 28, 2023		17,446	688.32	—	0%	3

## LinkedIn

#### Performance Summary

View your key profile performance metrics from the reporting period.

Impressions <b>11,083</b> ↗ 72.8%	Engagements <b>650</b> ↗ 109.7%	Post Clicks (All) <b>443</b> ↗ 117.2%
--------------------------------------	------------------------------------	--

Engagement Rate (per Impression)

**5.9%** ↗ 21.3%


## Highest engagement posts for 1 to 28 February

### Facebook

**Hobsons Bay City Council**  
Thu 2/16/2023 5:21 pm PST

The wetlands of Altona Meadows provide a special haven for all sorts of wildlife, including endangered migratory shorebirds..

Hobsons Bay Wetlands Centre — Su...



<b>Total Engagements</b>	<b>2,218</b>
Reactions	190
Comments	45
Shares	15
Post Link Clicks	669
Other Post Clicks	1,299

### Facebook Stories

#### Highest reach on a story

**Facebook story**  
Feb 18, 2023, 1:21 PM



This story reached **347%** more Accounts Center accounts (603 Accounts Center accounts) than your median story (135 Accounts Center accounts) on Facebook.

### Instagram

**hobsonsbaycc**  
Mon 2/6/2023 2:18 pm PST

Hobsons Bay Festival of Food is a celebration of music, food and culture. Featuring free workshops and community...




<b>Total Engagements</b>	<b>105</b>
Likes	87
Comments	2
Saves	16

### LinkedIn

**Hobsons Bay City Council**  
Mon 2/13/2023 5:32 am UTC











We're proud to be advocating for this architecturally groundbreaking project which has been featured in InDesignLive, thanks to the writings of Nick Griffin from McGregor Coxall. The proposed Hobsons Bay...



<b>Total Engagements</b>	<b>232</b>
Reactions	78
Comments	6
Shares	3
Post Clicks (All)	145



## Website top pages viewed

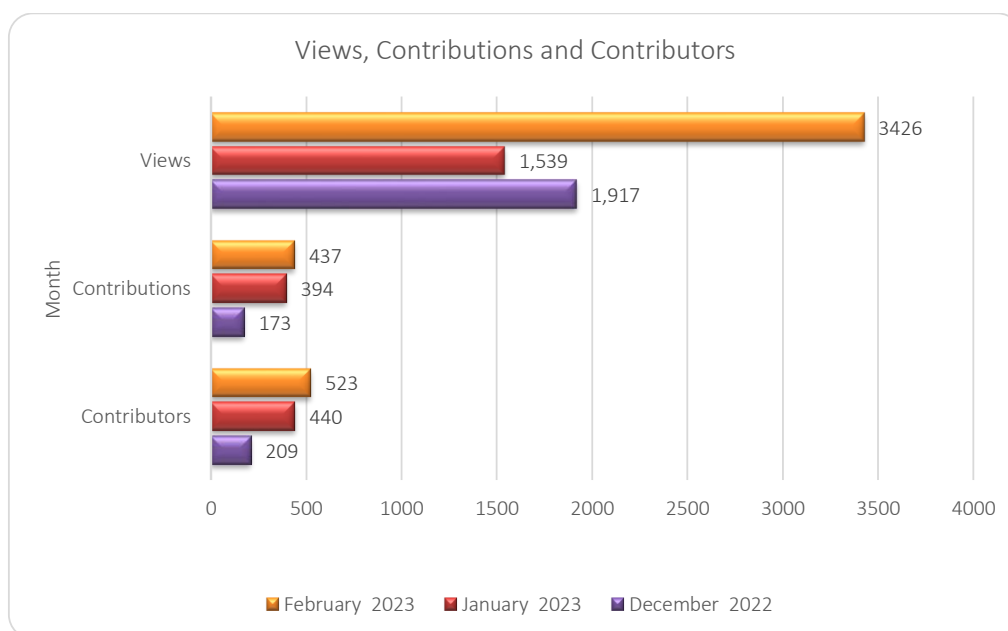
Page ?	Page Views ? ↓	Unique Page Views ?	Avg. Time on Page ?
	<b>130,911</b> % of Total: 100.00% (130,911)	<b>110,405</b> % of Total: 100.00% (110,405)	<b>00:01:15</b> Avg for View: 00:01:15 (0.00%)
1. /Home 	<b>14,943</b> (11.41%)	12,285 (11.13%)	00:00:41
2. /Libraries 	<b>9,731</b> (7.43%)	6,799 (6.16%)	00:01:02
3. /Services/Waste-Recycling/When-will-your-bins-be-collected 	<b>3,428</b> (2.62%)	3,040 (2.75%)	00:02:28
4. /Services/Planning-Building/Find-a-planning-application-in-Greenlight 	<b>3,267</b> (2.50%)	2,524 (2.29%)	00:03:08
5. /Council/Work-Opportunities 	<b>2,817</b> (2.15%)	2,669 (2.42%)	00:03:54
6. /Services/Waste-Recycling 	<b>2,687</b> (2.05%)	2,240 (2.03%)	00:00:30
7. /Services/Waste-Recycling/Hard-waste 	<b>2,472</b> (1.89%)	2,206 (2.00%)	00:03:23
8. /Council/Contact-us 	<b>2,408</b> (1.84%)	2,139 (1.94%)	00:02:45
9. /Services/Payments-Permits/Infringements 	<b>2,328</b> (1.78%)	2,063 (1.87%)	00:04:22
10. /Services/Payments-Permits/Parking-permits 	<b>2,136</b> (1.63%)	1,758 (1.59%)	00:04:38



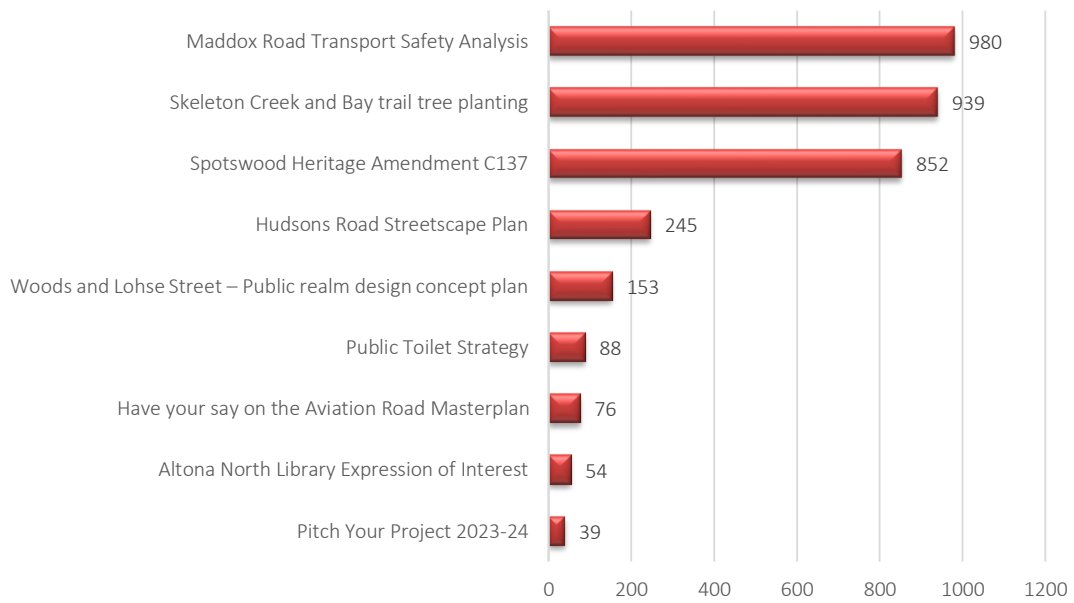
## Engagement

### Participate Hobsons Bay statistics

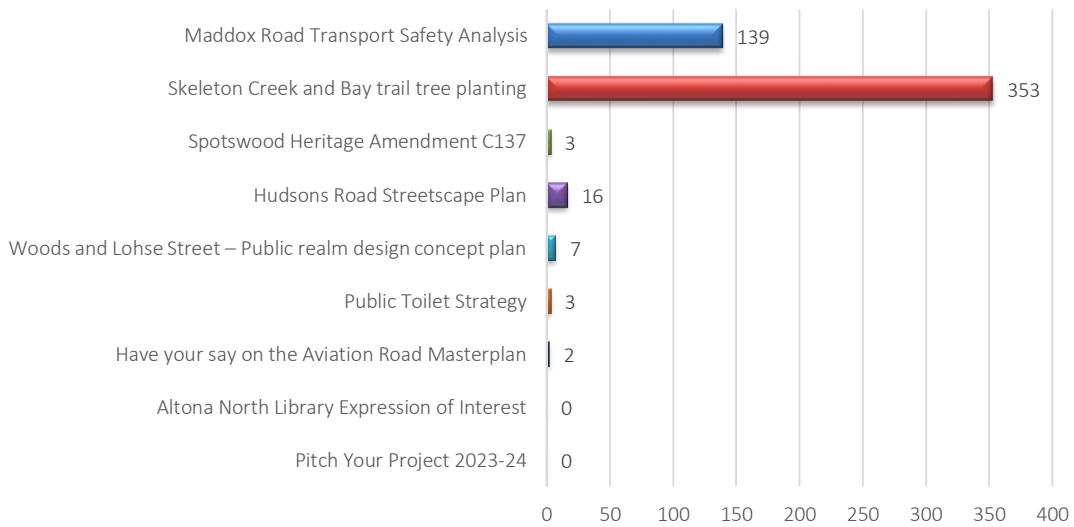
Participate Hobsons Bay, the online community engagement website [participate.hobsonsbay.vic.gov.au](https://participate.hobsonsbay.vic.gov.au) received the below highlights for February 2023.



### Participate page views



### Participate page contributions



## Current consultations

### Aviation Road Masterplan



The Aviation Road Masterplan aims to enhance the streetscape and image of Aviation Road, as well as improve road safety. Community feedback provided in mid-2022 informed updates to the Masterplan. The community provided feedback on the updated Masterplan on Participate until late February.

### Public Toilet Strategy



Community consultation informed the development of the draft Public Toilet Strategy 2022-2032. Feedback received was included to develop the final draft Strategy document, which was open for public exhibition on Participate until early February.

### Skeleton Creek and Bay trail tree planting



In 2022, following feedback and requests received from the community, Council planted 320 new trees along the Skeleton Creek and Bay Trail. A number of residents have requested removal of the trees.

The community is invited to provide their feedback about the trees on Participate until March.

### Pitch Your Project 2023-24



The submission period for Pitch Your Project has ended. Council officers will now assess submissions, with the community to vote on the successful ideas published on Participate in late March 2023.

### Maddox Road Transport Safety Analysis



Council successfully obtained a grant from the Transport Accident Commission (TAC) to analyse transport safety issues on Maddox Road, between Mason Street and Railway Parade in Newport.

You can have your say on Participate until mid-March.

### Woods and Lohse Street – Public realm design concept plan



Have your say on the Woods and Lohse public realm plan. A development to upgrade the precinct to meet community needs. This is an outcome of the Better Places Laverton report.

You can have your say on Participate until late-March.

### Spotswood Heritage Amendment C137



Spotswood Heritage Amendment C137 proposes to implement the findings of the Spotswood Activity Centre Structure Plan Heritage Review by revised heritage overlays into the Hobsons Bay Planning Scheme. You can have a say on Participate on the proposed changes until early April.

### Hudsons Road Streetscape Plan



Hudsons Road Streetscape Master Plan Project is a result of the Better Places Spotswood and South Kingsville program. We asked our consultants to prepare a draft streetscape master plan and now we are asking the local community, traders and other users for feedback on Participate until late March.

### Altona North Library Expression of Interest



Council is setting up a reference group to gather feedback on the design and services for our Centre of Excellence at the Altona North Library. We are looking for community members who are interested in games, which includes board games and video games. You can find out more about the reference group and register your interest to join on Participate until late March.

### In-Person consultations

#### Skeleton Creek & Bay Trail

**When:** 9 February

**Where:** Bay trail, near Hosie Street and Hopkins Ct

**When:** 11 February

**Where:** Bay trail, near Hosie Street and Hopkins Ct

#### Woods and Lohse Street – Public Realm Plan

**When:** 19 February

**Where:** Curlew Community Park, Laverton



### **WorkSafe Advisory Zone Changes**

Council's CEO, Aaron van Egmond and Maribyrnong City Council CEO, Celia Haddock recently met with WorkSafe Victoria CEO, Colin Radford to seek more information and seek consultation in relation to the recent changes by WorkSafe to guidance in relation to area surrounding Major Hazard Facility (MHF). Council's CEO, Aaron van Egmond will meet with the Minister for Planning in March to discuss possible planning interventions or instruments in relation to WorkSafe's new guidance.

### **Building Orders – Potential impact to Council's ability to ensure building safety**

Council recently wrote to the Minister for Planning in support of Port Philip Council in relation to a Victorian Supreme Court judgement against Port Philip Council which has potential to impact Council's ability to issue building orders to protect their communities from unsafe buildings. Council supported the City of Port Phillip's advocacy for the Minister for Planning's intervention.

### **Youth Mental Health Services**

Council's CEO Aaron van Egmond recently briefed Federal MP, Tim Watts MP seeking support for Council's advocacy for increased youth mental health services such as a 'headspace' for the inner west of Melbourne.

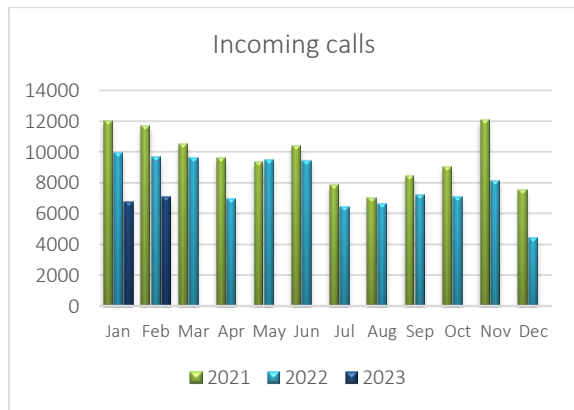
## Our Performance

### Customer Service



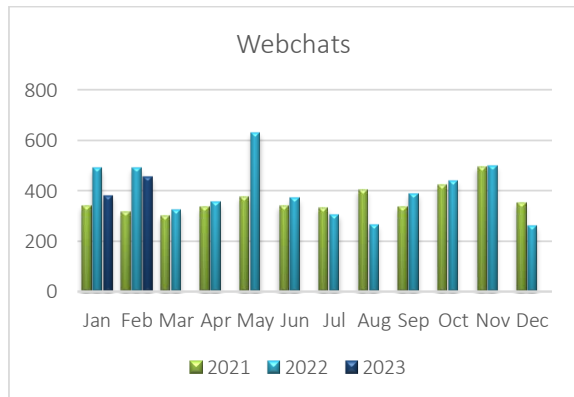
Hobsons Bay City Council is committed to improving our performance and better responding to our community needs.

One way in which we do this is to capture how our community approaches us to ensure we can make that process the best it can be to assist our customers with access to the information needed.



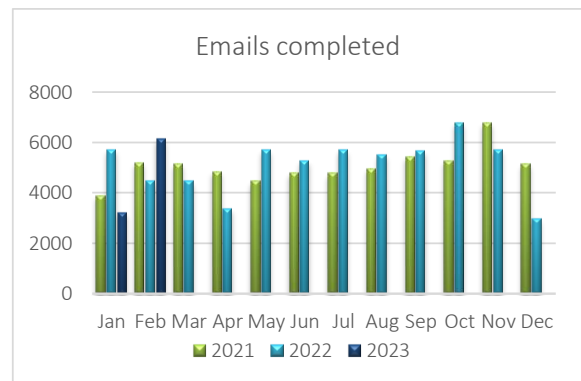
Top enquiries coming from incoming calls are for the following service areas:

- Waste (1,312)
- Local Laws (1,038)
- Rates (1,020)
- Town Planning (526)
- City Works and Amenities (360)
- Animals (345)
- Community care (235)
- Assets (106)



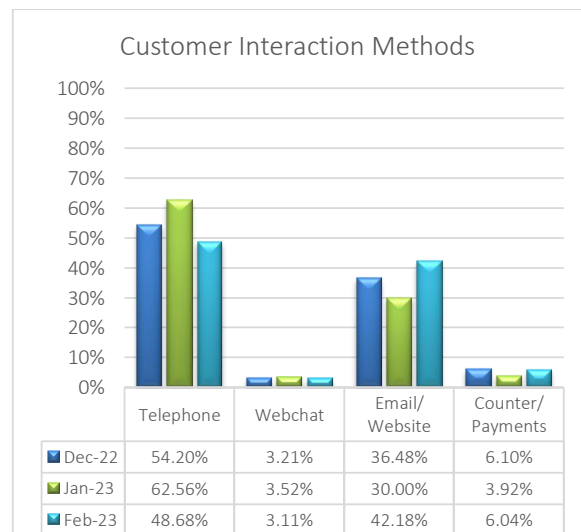
Top reasons our customers contacted Council via Web Chat related to the following service areas:

- Waste (108)
- City Works and Amenities (45)
- Parking permits (45)
- Rates (45)
- Animals (40)
- Local Laws (23)
- Town Planning (17)

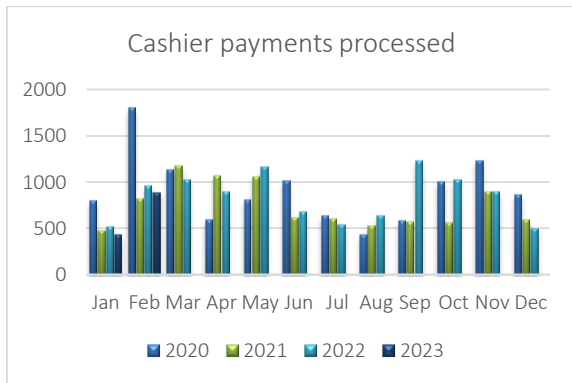


Top enquiries coming from emails are for the following service areas:

- City Works and Amenities (933)
- Waste (643)
- Local Laws (462)
- Cashier inbox (260)
- Rates (257)
- Animals (151)
- Town Planning (93)
- Facilities (66)

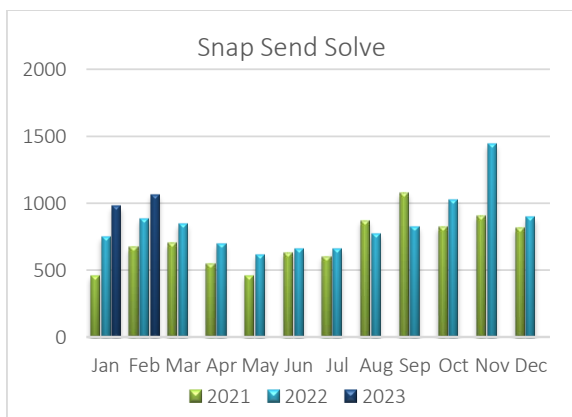




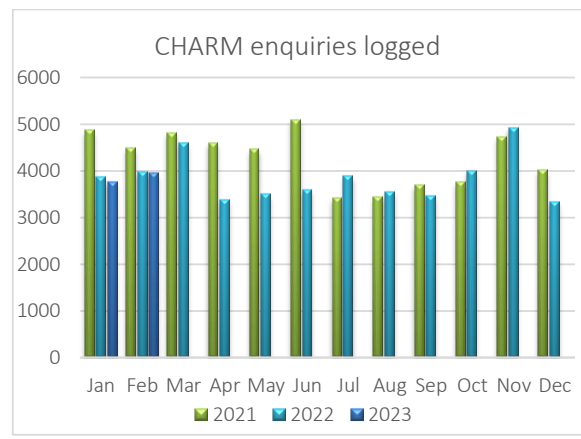


\*A recent system change has resulted in a different form of counter statistics. Data has been slightly amended from total counter visits to payment interactions We are working with Digital Services for an alternative solution.

**Snap Send Solve** is a free app for iPhone or Android devices that allows visitors and residents of Hobsons Bay to easily report issues to Council by capturing a photo of an issue and having this information sent directly to Council for review.

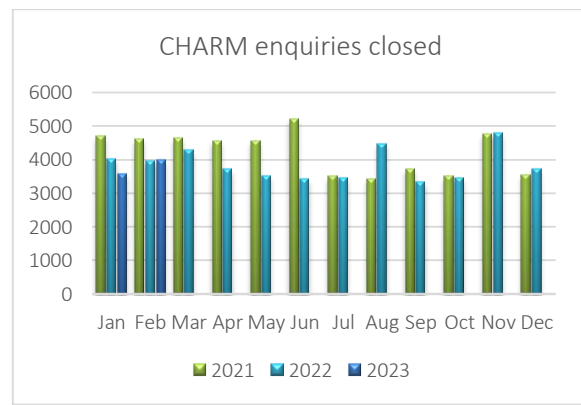


Council's Customer Help and Resolution Management (CHARM) system is used to record customer requests, which are primarily received via phone, Snap Send Solve and email.



Top CHARM requests logged related to the following service areas:

- Garbage (517)
- Green waste (360)
- Street trees (336)
- Parking (315)
- Local Laws (253)
- Council building maintenance (249)



Top CHARM requests closed related to the following service areas:

- Garbage (516)
- Green waste (333)
- Street trees (318)
- Council building maintenance (305)
- Dumped rubbish (291)
- Parking (257)

## Financial Management

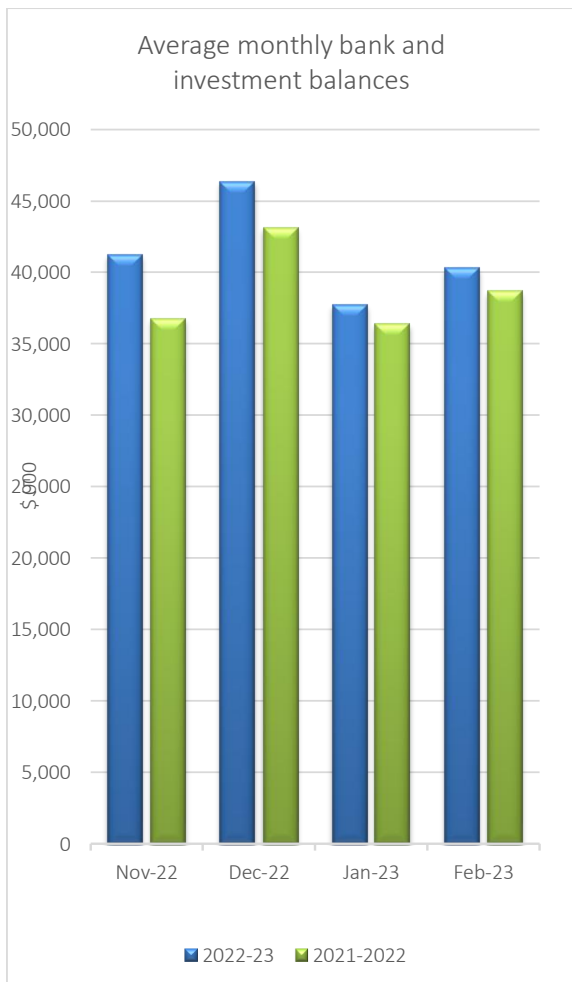
### Financial statistics



The average balance of cash and investments during February 2023 was \$39.496 million. This compares to the average balance of \$37.684 million in January 2023 and an average balance of \$46.348 million in December 2022.

The closing balance of cash and investments at the end of February 2023 was \$48.748 million. Compared to \$35.150 million at the end of January 2023 and \$43.089 million at the end of December 2022.

Council investments at the end of February 2023 included cash and at call investments of \$8.748 million and term deposits of \$40.000 million, with an average date to maturity of 126 days and an average interest rate of 4.00 per cent.



The balance of outstanding debtors for February 2023 was \$1.9 million compared to an average balance of \$2.935 million over the last twelve months.

The value of receivables invoices issued in February 2023 was \$ 421,000 compared to \$852,000 in January 2023.

Amounts outstanding over 90 days at the end of February 2023 total \$1,046,000 representing 55.1 per cent of total debts.

The most significant debtor groups over 90 days includes property and capital works and assets.

The provision for doubtful debts at the end of February 2023 is \$997,000 or 52.4 per cent of total debts.

### Hardship Policy



Any person who currently requires financial assistance will be invited to enter into a payment arrangement or assessed for inclusion into the Council's long-term hardship group. Since the start of the financial year there has been one new application approved and no accounts have been paid in full.

As at 28 February 2023 there were a total of 35 ratepayers, including 18 pensioners, listed on the Council's hardship register. Council has waived \$13,590 in interest charges since the start of the 2022-23 financial year. Council continued to receive regular payments in the month of February and the total amount outstanding as at 28 February 2023 is \$368K. In addition, the COVID-19 pandemic has seen a further 1,300 ratepayers provided with an interest free payment deferral after applying for assistance under Council's Community Support Packages. This equates to outstanding rates being deferred of approximately \$4 million.

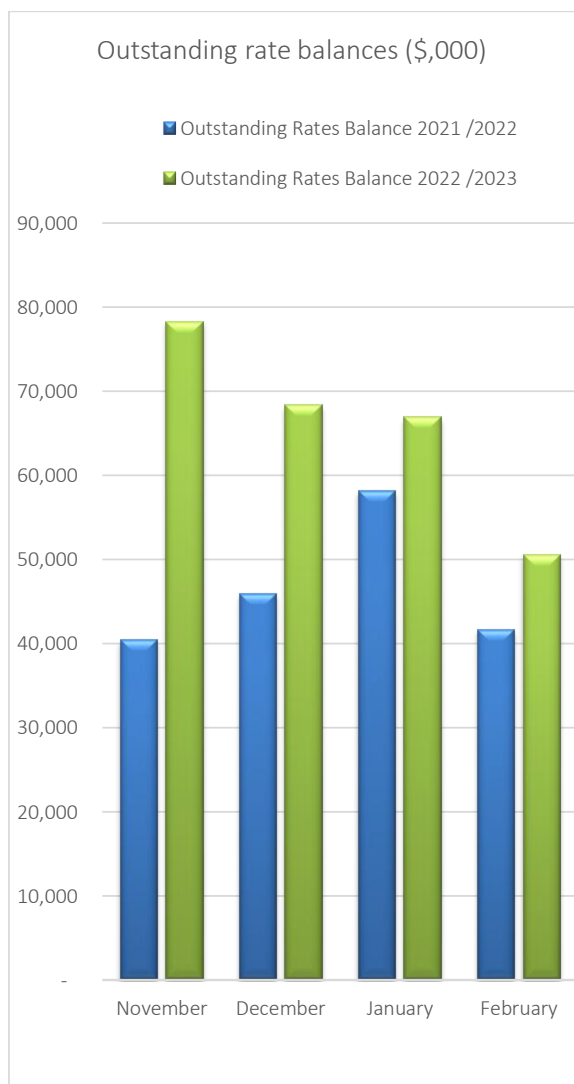


## Revenue statistics



Rates income as at 28 February 2023 was \$83.522 million compared to the year-to-date budget of \$82.940 million. This is made up of general rates (\$74.479 million), waste collection charges (\$8.045 million), supplementary income (\$731,000), including objections, payments in lieu of rates (\$363,000) and interest on rates (\$370,000). These are offset against the Covid 19 rate adjustment and rate waivers (\$15,000) and Council rebates (\$471,000).

The outstanding rates balance as at 28 February 2023 was \$50.549 million. This is made up of general rates (\$49.435 million), pension rebates to be collected (\$.754 million) and hardship group (\$360,000).



## Procurement



Tenders have been called for the following:

- 2022.61, Care Share in Hobsons Bay
- 2022.44, Cherry Creek Wetland and Stormwater Harvesting
- 2023.01, Insurance, Broking and Risk Management Services
- 2023.06, Kororoit Creek Shared Trail - Remedial Drainage and Guardrail Works

The following tenders have been closed and are being evaluated:

- 2022.56, Federation Trail Solar Lights - Design and Construction
- 2022.58, Paisley Park Viewing Concrete Platform - Design and Construction
- 2022.28A, Dennis Reserve Project: Stage 3 – New Facility
- 2022.48A, Robina Scott Kindergarten Playground Upgrade
- 2021.51, WJ Irwin Construction
- 2022.55, Williamstown Tennis Club Lighting

The following contracts awarded under Council resolution:

- None

The following contracts have been awarded under financial delegation:

- None

## Enhancing our Community

The Infrastructure and City Services Directorate has delivered and continues to deliver a range of projects and services across the municipality.

### West Gate Tunnel Project



Major works by the JV on widening the West Gate Freeway from 8 lanes to 12 and strengthening bridges in Altona North, Brooklyn, South Kingsville and Spotswood continued throughout February. Works continue at the inbound and outbound tunnel portals, the Williamstown Road and M80/Western Ring Road freeway interchange areas, the Hyde Street ramps and the various paths and landscaping.

WGTP will continue to carry out the remaining works along the freeway verges to reinstate roads and footpaths at the end of the local streets between The Avenue and Melbourne Road. This will continue until July 2023.

Up-to-date information on planned road closures and detours can be found at Victoria's Big Build website: <https://bigbuild.vic.gov.au/disruptions>

### West Gate Neighbourhood Fund (WGNF)

The West Gate Neighbourhood Fund is a \$10 million community grants program established by WGTP MTIA to support communities in Melbourne's inner west. This consists of four rounds of funding (two partnerships and two community grants rounds).

Successful applications for Round 2 Community Grants have now been announced, with \$499,765 in total granted to 22 recipients. Among these, the 12 successful applicants located within Hobsons Bay were granted \$314,072 in total. To date, applicants from Hobsons Bay have been awarded total funding of \$3,751,476.

### Sports and Open Space Enhancement and Access Package

Final works are being undertaken for the open space upgrades at Donald McLean Reserve in Spotswood and WLJ Crofts Reserve in Altona North. These works are part of the Victorian Government's partnership with Council to fund the delivery of capital improvements up to the value of \$5 million.

## Projects in the design phase



As well as all the construction activity underway across Hobsons Bay there are many projects that are currently in the design phase and will be released for tender later this year. Some of these projects include:

- Bruce Street Reserve, Laverton
- Cropley Reserve, Laverton
- Ginifer Reserve, Altona North
- Leo Hoffman Reserve, Newport
- Pipeline Reserve, Seabrook

In addition, the draft concept plan for the new centre of excellence located at the Altona North Library is underway. The new centre will include a gaming hub feature that will be available for families to use.

The design on the new kindergarten at Emma McLean at Spotswood is progressing well. The existing building will be replaced with a new modular building, increasing the licensed capacity to 88. Council has teamed up with Victorian School Building Authority to deliver this project.



Image: Draft improvement plan for Ginifer Reserve



Image: Draft concept design for Cropley Reserve

## Pavilion and Reserves update



### Donald McLean Reserve

The new playground at Donald McLean Reserve in Spotswood is nearing completion. Some of the key features include a half basketball court, Learn to Ride bicycle track, a mini trampoline, and a flying fox. The works on the playground and the installation of barbecues will be completed by early March. Once completed this area will provide the community with a destination play space.



Image: Aerial photo of Donald McLean Reserve. The area marked out in blue shows the location of the concrete path. These works are currently underway



Image: Learn to ride track



Image: Newly installed play equipment

### Brooklyn Community Hall Development

The Brooklyn Community Hall project is progressing well with the new roof and windows recently installed.



Image: The new extension (west end)

### JT Gray Pavilion

The works are continuing at JT Gray Reserve in Williamstown. The pavilion is currently being painted internally and externally, fittings are being installed, the external paving is being created and the main services are being connected.



The carpark and floodlighting works have also commenced and are expected to be completed by the end of March.



Image: JT Gray carpark

## Sporting projects



### Activating the Paisley Park Box Lacrosse Court

The box lacrosse facility within Paisley Park was opened by the Hon. Melissa Horne MP in July 2021. Since that time the facilities has been well utilised for club activities and by the public outside of organised sporting times.

On 11 and 12 February, the Box Lacrosse Nationals event occurred onsite. The event was supported by Hobsons Bay, Lacrosse Australia and the Altona Lacrosse Club.

There were nine teams competing in the tournament, five men's teams and four women's with a total of 142 players. For the championship games, well over 300 hundred spectators were in attendance and over 3,000 viewers watched the live stream of the Women's final both nationally and internationally (Canada and America).

This is the first event of its kind held in Hobsons Bay, with more teams looking to participate in the future. The feedback on the box lacrosse court was positive and organisers hope to make it an annual event in the future that will assist in boosting the local economy and profile of the municipality.



Images: Games in action at Paisley Park

### Laverton Netball Court

The Laverton Netball Courts resurfacing project is close to completion. The works include resurfacing of surface cracks, acrylic surface painting, line marking and installation of new netball poles.



Image: Resurfaced courts at Laverton

## Other Projects



### Altona North Early Years Centre Expansion

Hobsons Bay, in partnership with the state government, is expanding the existing Altona North Childcare Centre to increase its licensed capacity for 36 more children.

This will be achieved by extending one of the existing children's rooms and adding a new room to the south building. Both the south and north buildings will be linked through a corridor and will replace the temporary staff room. Construction works for the expansion works are underway and expected to be completed by July 2023.



Image: Artist impression of the Altona North EYC expansion

### Altona Meadows Library Fit Out

The fit out works at the Altona Meadows library are underway. The new look library space will include modern furniture with tiered seating, a new children's room, and a new courtyard.

## Drainage, Footpaths & Roads



### Cecil Street Williamstown

Road rehabilitation works in Cecil Street (Parker Street to Cole Street) is nearing completion. As part of the project drainage works will be undertaken at the intersection of Parker Street along with new kerb and channel, road resurfacing and line marking at the raised pedestrian crossings.



Image: New raised crossing at the intersection of Cecil and Parker Streets



Image: Works along Cecil Street (Thompson Street to Kanowna Street) is also underway with new drainage, kerb and channel being installed



## Road Resurfacing Program

Over 20 streets have recently been completed at part of the Road Resurfacing Program for 2022/23.



Image: Asphalt pavement just laid at Donald Street

## Urban Forest Strategy



### Green Streets Program

The Green Streets Program for 2023 is now open. The streets that are participating in this year's program are: Richards Court in Brooklyn, Maclean Street in Williamstown, and Fidler Street in Altona Meadows.

Consultation with residents has commenced and are now working through species for new and replacement trees.



Image: Fidler Court consultation set-up

## Skeleton Creek and Bay Trail

Community consultation is currently being carried out for the Skeleton Creek Tree Planting. In 2022, we planted 320 new trees in the area as a continuation of planting in previous years. Two in-person sessions were held on 9 and 11 February and on-line consultation will be open until 5 March.

A petition has been presented to Council calling for the removal of all the trees from the trail. Consideration will be given to the concerns residents have raised and collated with the feedback provided during the consultation. A recommendation in response to the petition will be addressed at an upcoming Council Meeting.



Image: Existing new trees planted along the Bay Trail

### Lagunaria Removal Program

Requests for replacement of the Lagunaria (Norfolk Island Hibiscus/Itchy Bomb Tree) trees under the Lagunaria Replacement Program have now closed for the 2023 season. A total of 76 Lagunaria's have been nominated for replacement in this year's program.

The location of each tree is included on the following [online interactive map](#), which is assessable for the public to view on Council's [Lagunaria replacement program](#) webpage.

Letters will be sent out to adjacent properties to planned removals, with an opportunity to object to the removal. Replacement trees will be planted as part of the 2023 Street Tree Planting Program, which runs from April to September 2023.



### Street Tree Renewal Program

The Parks team will shortly begin scheduling the replacements of street trees that have Useful Life Expectancies of less than one year.

Currently, there are 317 street trees in this category that are in poor health and/or structural condition and will be scheduled for replacement.

The key intention of the program is to replace any trees with low useful life expectancies to ensure a healthy, fully stocked street tree population. Where space allows, trees will be replaced on a minimum two for one basis with suitable canopy tree species. Residents will be notified, and replacements will be planted during the 2023 planting season.



Image: Provides an example of the type of tree that will be targeted through this program

### Tree Giveaways

Tree and plant giveaways continue to be popular at community events. Over 400 trees and plants were given away in February.

### Propagation of Native Plants

On 18 February, Council held a native plant propagation workshop with the Newport Lakes Native Nursery. The workshop focused on native plant propagation through cuttings.

Every third Saturday until June there will be a native plant workshop that will provide participants with a hands-on experience and the opportunity to take home a sample from the day.



Image: Cuttings propagated at Newport Lakes Native Nursery

### Native Seed Propagation

On 26 February a workshop was held on native seed propagation. In this hands-on session participants were guided through potting up native wildflowers and grasses.



Image: Wildflowers and grasses propagated during workshop

### Conservation news



#### Weed removal – The Sandy Spit

The Sandy Spit site, located at the mouth of Laverton Creek is looking great following the removal of Euphorbias, Boxthorn, and other woody weeds.

This site has significant vegetation with dense areas of native grasses. *Spinefex sercieus* is the preferred indigenous species that helps bind the sand and prevent coastal erosion.



*Image: Spinefex sercieus taking hold over the sandy areas*

### **Paisley Challis and Altona Coastal Park**

At Paisley Challis, the team have been spreading out mulch in preparation for the upcoming planting season. Mulch acts as a weed suppressant and helps plants maintain moisture.



*Image: Mulch piles delivered to Paisley Challis*



*Image: Area to be mulched at the Altona Coastal Park*

### **Pest Animal Control**

A licensed pest controller has undertaken a fox control program that was carried out between 13 to 26 February with the works occurring inside the Truganina Explosives Reserve.

At the same time, Council undertook a fox control program in the area behind Truganina Park for the protection of migratory and local shorebirds.

Parks Victoria Point Cook Coastal Park also ran their program. This collaboration ensures a larger landscape-wide approach to pest control. Signage was placed around these reserves and areas were fenced off.

Foxes are a declared established pest animal under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999. Landowners (public and private) must take all reasonable steps to prevent the spread of foxes and eradicate them where possible.

Fox predation is recognised as a major threatening process to shorebirds and native wildlife. Fox control within the Truganina Explosives Reserve will assist in reducing predatory pressures on native mammals and lizards that inhabit the reserve as well as on shorebirds that utilise the nearby Laverton estuary.



*Image: Photo of a fox in a conservation reserve*



## Conservation Events

On 5 February the Truganina Explosives Reserve Preservation Society together with the Conservation ranger hosted the first 'open' day of the year.

On 10 February the rangers along with the Friends of Greenwich Bay hosted an event on Nocturnal Wildlife walk and talk. Ecologist Rob Gration from EcoAerial presented on some of the nocturnal animals in the area and their benefits to the local ecosystem. The event was funded by the Friends group as part of Councils 'make it happen' community grants program.

On 12 February, the rangers led a bird walk and talk for the Friends of Newport Lakes and community. The event attracted 28 participants who were excited to learn about the wildlife, hydrology, and geology of the Lakes area.



*Image: The Newport Lakes group tour*

On 16 February the rangers, with funding from Melbourne Water hosted a sea kayaking trip along the mouth of Kororoit Creek in Williamstown North.

Participants had the opportunity to see the area from the water. The event highlighted the environmental values of the creek and surrounds and looked at how we can help to protect these areas. Local fauna including Mangroves and saltmarsh plants were discussed along with the benefits they provide to other local wildlife and water quality.



*Image: Kayaking tour*

On 26 February, the Friends of Skeleton Creek in conjunction with the Conservation team held a working bee at the Emu Foot grassland. Many seed-laden native wildflowers were cropped and spread around the site to encourage further germination of these attractive plants. There was also hand-weeding and watering done, which will make a difference to the persistence of the native species on this remnant and critically endangered ecological vegetation class.



*Image: Emu-foot Grassland tour group*

## Better Places Project

**What is Better Places?** It is a new way that Council designs and delivers projects, thinking in terms of overall 'places' rather than individual 'pieces.'

To create a great place, you have to think about the place as a whole, understanding and enhancing the things that make it special and knowing the elements needed to make the place better into the future. Fundamentally driven by community... for community.

The success of Better Places is actively involving community to help shape the places they live in and use. Feedback and ideas gathered during multiple stages of community consultation informs the development of a 'Place Guide' that includes practical on the ground projects and initiatives the community have asked for, and that community wants and needs.

***What are the things that make a great place? How would you go about making the place you call home an even better place live into the future?***

Better Places creates a shared community vision that captures the values and aspirations of the people who live, work, and play in the place and then undertakes real projects and improvements that bring the vision to life.

### **Better Places happens in stages**

Stage 1 – Community consultation – LOVE, CHANGE, IDEAS

Stage 2 – Community consultation of draft vision, principles, and project ideas  
(based on community feedback from Stage 1)

Stage 3 – Consultation on draft Place Projects

Stage 4 – Consultation on draft Place Guide

Stage 5 – Place Guide presented to Council for endorsement

Stage 6 – Better Places projects implementation

### Laverton Place Projects

The [Better Places Laverton Place Guide](#) was endorsed by Council in late 2020. Since then, Council and community have been implementing the Place Guide projects, at times with delays due to COVID-19 pandemic restrictions and impacts.

Recent Place Guide project highlights include:

- **Project 8 MISSING LINKS** – A shared path for pedestrians and cyclists between Bladin Street and Aircraft station (along Maher Road). The works will improve road safety for pedestrians, reduce vehicle speeds and include:
  - two raised crossing points over Maher Road to allow pedestrians to safely cross the road and improve road safety.
  - a new raised crossing over Bladin Street on the north side of the roundabout to provide safer access to the shared user path.
  - a new shared user path linking Bladin Street and Laverton train station to the new Aviation train station and Aviation Road shopping precinct.



*Images: Maher Road, Laverton – raised crossing near the intersection of Bladin Street and the shared path along Maher Road. This project was identified in the Place Guide*

- For more information go to [www.hobsonsabay.vic.gov.au](http://www.hobsonsabay.vic.gov.au) and search for '[Traffic projects](#)'  
\*NOTE landscaping will occur during planting season starting April 2023.
- **Project 9a PLACES + SPACES – McCormack Park** – following multiple rounds of community engagement, a final Masterplan was adopted by Council at their December 2022 meeting. [You can view the final McCormack Park Master Plan here.](#)

- The Better Places team attended a hot, sunny and happening Laverton Festival on Sunday 19 February and gained valuable feedback from locals (87 contributions) on three Place Guide projects:
  - **Project 4a BETTER VILLAGES - Woods and Lohse upgrades** - including shopping centre and park.
  - **Project 4b BETTER VILLAGES - Aviation Shopping Village Masterplan** – [draft design concepts](#) to upgrade the streetscape.
  - **Project 9b PLACES + SPACES – Railway Avenue** – [draft design concepts](#) that include road safety, open space and streetscape improvements and a new shared user path from Merton St to Aviation Rd.
- **Project 2 LOVE LAVERTON PARKS** – six of the eight community park upgrades in Laverton are complete, with Bruce Street Reserve and Cropley Crescent Reserve due for completion this financial year (by 30 June 2023). A complementary suite of eight parks that offer choice and a variety of functions and activities for people of all ages and abilities.



Image: Better Places stand at the recent Laverton Festival



### Spotswood and South Kingsville Place Projects

The [Better Places Spotswood + South Kingsville Place Guide](#) was endorsed by Council on 12 October 2021.

Recent Place Guide project highlights include:

- **Project 13 - BETTER VILLAGES – Hudsons Rd Streetscape improvements** – the Local Leaders Focus Group participated in initial 'Issues and Opportunities' brainstorming at their December 2022 meeting. The newly formed Spotswood Traders Association is the next port of call as a major stakeholder on Hudsons Rd. Broader community engagement is planned to kick off mid this year.
- **Project 9 – GREENING YOUR NEIGHBOURHOOD** - managed through the implementation of the Urban Forest Strategy, all suitable planting locations have been identified and have been scheduled for planting, with all street vacancies to be planted this year.



### Better Places Brooklyn & Altona North

The Better Places [Brooklyn + Altona North](#) final Place Guide was endorsed by Council at the 13 December 2022 Council meeting.

Three key themes were uncovered from thousands of pieces of community feedback:

### Key Themes

THEME ONE	THEME TWO	THEME THREE
<b>Improving the liveability and amenity of the area.</b> 	<b>A place that is easier and safer to move around.</b> 	<b>Bringing the community closer together.</b> 
<b>Liveability and Amenity</b>	<b>Move with safety</b>	<b>Closer Community</b>
For many residents in the local area, their first priority is to reduce air, noise, and rubbish pollution, and focus on making the area a healthier, cleaner and greener place to live.	Making Brooklyn and Altona North more walkable and bike-friendly, and developing new initiatives and projects that will promote a shift towards public transport and active transport into the future.	Continuing to celebrate and strengthen the diversity and different characters Brooklyn and Altona North while finding new ways to bring the community closer together

The abovementioned themes drive [Place Guide](#) projects for community... by community. The projects provide a mix of both shorter-term projects that will be able to be implemented quickly, as well as longer term projects that are larger and more complex and will require more extensive design and consultation.

It is envisaged that the main parts of the planning, consultation, design, and implementation of the mid to longer-term projects will occur throughout 2023-2028. Some of the larger scale projects may require additional government partnerships and funding, meaning that their staging and complete delivery will extend beyond 2028. However, for these projects, the aim will be to undertake the design phases and deliver initial stages within the 2023-2028 timeframe.

### **Better Places Seabrook and Altona Meadows**

The [Better Places Seabrook + Altona Meadows](#) Stage 3 community consultation is opening in March 2023. At Stage 3, we ask the community to let us know what they think of the Better Places projects drafted from thoughts and ideas received.

The draft themes provided by Seabrook + Altona Meadows residents, workers and visitors include:

- *THEME 1: Pride of Place and Local Identity*  
The local community want to improve the tidiness and overall appearance of the area. To strengthen the green character and connection to the creeks and natural features.
- *THEME 2: Bringing The Community Closer Together*  
There is a strong desire to provide 'more to do' in the local area, to improve public spaces and the character local shopping areas. To support new events and activities that will help to bring the community together.
- *THEME 3: A Place That Is Easier and Safer To Move Around*  
Traffic congestion is a major issue, and the community is desperate to find ways to make it easier and safer to move around the local area.



**Hobsons Bay Planning Scheme Amendment C133hbay**

**Panel Report**

*Planning and Environment Act 1987*

**5 January 2023**

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**How will this report be used?**

This is a brief description of how this report will be used for the benefit of people unfamiliar with the planning system. If you have concerns about a specific issue you should seek independent advice.

The planning authority must consider this report before deciding whether or not to adopt the Amendment.

[section 27(1) of the *Planning and Environment Act 1987* (the PE Act)]

For the Amendment to proceed, it must be adopted by the planning authority and then sent to the Minister for Planning for approval.

The planning authority is not obliged to follow the recommendations of the Panel, but it must give its reasons if it does not follow the recommendations. [section 31 (1) of the PE Act, and section 9 of the *Planning and Environment Regulations 2015*]

If approved by the Minister for Planning a formal change will be made to the planning scheme. Notice of approval of the Amendment will be published in the Government Gazette. [section 37 of the PE Act]

Planning Panels Victoria acknowledges the Wurundjeri Woi Wurrung People as the traditional custodians of the land on which our office is located. We pay our respects to their Elders past and present.

*Planning and Environment Act 1987*

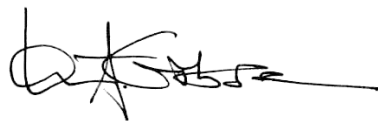
Panel Report pursuant to section 25 of the PE Act

Hobsons Bay Planning Scheme Amendment C133hbay

**5 January 2023**



Michael Kirsch, Chair



Ian Gibson, Member

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## Glossary and abbreviations

BAO	Buffer Area Overlay
C1Z	Commercial 1 Zone
Council	Hobsons Bay Council
D	Document
DDO	Design and Development Overlay
DELWP	Department of Environment, Land, Water and Planning
EPA	Environment Protection Authority
Gap Study	Inner Newport Heritage Gap Study, Methodology Report, 2022
GRZ	General Residential Zone
HO	Heritage Overlay
IPAA	Inner Planning Advisory Area
ISA	Inner Safety Area

LAMP	Local Area Movement Plan
LNAC	Large Neighbourhood Activity Centre
MHF	Major Hazard Facility
MPS	Municipal Planning Strategy
MUZ	Mixed Use Zone
NRZ	Neighbourhood Residential Zone
OPAA	Outer Planning Advisory Area
OSA	Outer Safety Area
PE Act	<i>Planning and Environment Act 1987</i>
PPF	Planning Policy Framework
PPN	Planning Practice Note
RGZ	Residential Growth Zone
S	Submission
SNAC	Small Neighbourhood Activity Centre
Structure Plan	Newport Structure Plan, 2021
Urban Design Guidelines	Newport Structure Plan Urban Design Guidelines, 2021
Viva	Viva Energy Australia
VPP	Victoria Planning Provisions
WorkSafe	WorkSafe Victoria

## Overview

### Amendment summary

The Amendment	Hobsons Bay Planning Scheme Amendment C133hbay
Brief description	The Amendment implements the Newport Structure Plan and Inner Newport Heritage Gap Study through the application of local policy, zones and overlays
Subject land	Newport
Planning Authority	Hobsons Bay Council
Authorisation	6 April 2022
Exhibition	30 June 2020 to 12 August 2022
Submissions	Number of Submissions: 37 (refer to Appendix A) including 34 objecting submissions

### Panel process

The Panel	Michael Kirsch (Chair) and Ian Gibson (Member)
Directions Hearing	Video conference, 2 November 2022
Panel Hearing	Video conference, 2, 5, 7 and 8 December 2022
Site inspections	Unaccompanied, 30 November 2022
Parties to the Hearing	Refer to Appendix B
Citation	Hobsons Bay PSA C133hbay [2022] PPV
Date of this report	5 January 2023

## Executive summary

Hobsons Bay Planning Scheme Amendment C133hbay (the Amendment) seeks to implement the Newport Structure Plan and Inner Newport Heritage Gap Study. It complements a suite of recent strategic planning projects, much of which was successfully implemented through Amendment C131hbay.

Key issues raised in submissions related to:

- amenity and other impacts associated with residential and commercial development
- the selection of zones and schedules
- the application of Design and Development Overlay schedules
- building height and design controls
- mandatory built form controls in the Hall Street precinct
- heritage protection
- risks associated with the Newport Terminal Major Hazard Facility and pipelines
- noise issues associated with the rail corridor.

The Panel has considered submissions and evidence on these matters and has recommended some relatively confined changes to better address issues and in response to changes sought in submissions. These recommendations are intended to refine the Amendment rather than introduce any fundamental changes.

The Panel notes the safety and risk issues associated with the Newport Terminal Major Hazard Facility and pipelines that were raised by Viva Energy Australia and Mr Allum. Although the Panel is satisfied the Amendment should proceed, subject to some related refinements, the Amendment has highlighted the need to progress the application of the Buffer Area Overlay, confirm the areas that might be impacted and review process issues such as referral provisions. Although Council has not adopted the lead role in addressing these matters, the Panel encourages Council to continue its discussions with relevant authorities and stakeholders.

The Amendment introduces four Design and Development Overlay schedules that include various mandatory built form controls. The use of mandatory controls was challenged in relation to the Hall Street precinct and the Panel has concluded the controls are warranted in that precinct. It has not reviewed or formed any views about the use of mandatory controls elsewhere in the Amendment.

The Panel supports the heritage elements of the Amendment, including the post-exhibition changes proposed by Council and the removal of various properties from the exhibited Heritage Overlay. The only point of difference with Council is the Panel's recommendation that 35 Oxford Street Newport not be included in the overlay.

Finally, the Panel notes that the Amendment is the culmination of significant work by Council and builds on the comprehensive suite of projects that have been completed in recent years. The Panel commends Council for this and is satisfied the Amendment will provide a more contemporary and considered planning framework to manage future land use and development in Newport.

## Recommendations

Based on the reasons set out in this Report, the Panel recommends that Hobsons Bay Planning Scheme Amendment C133hbay be adopted as exhibited subject to the following:

1. In Design and Development Overlay Schedule 12, add the following 'design or built form element' and 'requirement' to Table 1:

DESIGN OR BUILT FORM ELEMENT	REQUIREMENT
------------------------------	-------------

Residential Interface	New buildings must meet the requirements of Clause 55.04-5 – Standard B21 for overshadowing of existing private open space.
-----------------------	---

2. In Design and Development Overlay Schedule 7, remove Area D from Map 1, delete Table 4 and make any other consequential changes that are necessary.
3. In planning scheme maps 10DDO and 11DDO, remove Design and Development Overlay Schedule 7 from the area to be zoned Residential Growth Zone Schedule 3 (Area D).
4. In Design and Development Overlay Schedule 6, Clause 1.0 (Design objective) replace the fifth Design objective with:
 

*To ensure development is designed to mitigate noise impacts from the railway corridor, is set back from pipeline infrastructure and responds to any constraints associated with the Newport Terminal Major Hazard Facility.*
5. In Design and Development Overlay Schedule 6, Clause 6.0 (Decision guidelines) include the following:
 

*Whether the proposal adequately responds to any constraints associated with the Newport Terminal Major Hazard Facility.*
6. In Design and Development Overlay Schedule 12, Clause 5.0 (Application requirements) include the following:
 

*A report that considers noise and vibration impacts associated with the rail corridor and whether any attenuation works are required and recommended.*
7. Remove 33, 34, 35, 36 and 38 Oxford Street, Newport from the exhibited Heritage Overlay 23, apply the Neighbourhood Residential Zone Schedule 5 and make any other consequential changes that are necessary.
8. Remove 54 William Street, Newport from the exhibited Heritage Overlay 23, apply the Neighbourhood Residential Zone Schedule 5 and make any other consequential changes that are necessary.

# 1 Introduction

## 1.1 The Amendment

### (i) Amendment description

The purpose of the Amendment is to implement the relevant elements of the Newport Structure Plan, October 2021 (the Structure Plan) and Inner Newport Heritage Gap Study, June 2022 (Gap Study) that apply to the areas shown below.

**Figure 1** Area affected by the Amendment



SOURCE: Explanatory report

Specifically, the Amendment proposes to:

- replace Clause 02.03 to include reference to the Newport Large Neighbourhood Activity Centre (LNAC) in the strategic directions
- replace Clause 02.04 to include an updated Strategic Framework Plan and Residential Development Framework Plan
- replace Clause 11.03-1L Activity Centres to introduce local policy related to the Newport LNAC
- insert new Clause 18.01-1L Newport integrated transport
- insert a new Schedule 2 to Clause 32.04 Mixed Use Zone (MUZ)
- rezone properties from General Residential Zone (GRZ), Schedule 1 to MUZ, Schedule 2
- insert a new Schedule 3 to Clause 32.07 Residential Growth Zone (RGZ)
- rezone properties from GRZ1 to RGZ3



- replace GRZ, Schedules 2 and 8 with new schedules
- insert a new GRZ, Schedule 9
- rezone properties from GRZ1 to GRZ3, GRZ8 and GRZ9
- replace Neighbourhood Residential Zone (NRZ), Schedule 4 with a new NRZ4
- rezone properties from GRZ1 to NRZ3, NRZ4 and NRZ5
- rezone properties from GRZ1 to Commercial 1 Zone (C1Z)
- rezone properties from GRZ2 to C1Z
- replace the Schedule to Clause 43.01 Heritage Overlay (HO) with a revised schedule to reflect the findings of the Gap Study
- update HO22 and HO23 precinct boundaries by adding and removing properties and introduce a new Mason Street Ecclesiastical and Residential Heritage Precinct HO322.
- delete HO182 as properties will be included in the proposed HO322
- insert new Design and Development Overlay (DDO), Schedules 6, 7, 12, and 18
- introduce DDO6, DDO7, DDO12, and DDO18 to land within the Newport LNAC
- apply the Environmental Audit Overlay to four properties
- include Statements of Significance for HO22, HO23 and HO322 as incorporated documents
- include the Structure Plan and Gap Study as background documents and update the Hobsons Bay Heritage Study with the new title Hobsons Bay Heritage Study (Hobsons Bay City Council et al., 2007 amended 2022).

Council's Part A submission (D4) included a comprehensive chronology of the key steps relating to background investigations, consultation and the preparation of the Amendment. It also included a tabular response to the conditions of authorisation.

## **(ii) Newport**

The Amendment applies to the suburb of Newport and the area shown in Figure 1.

The Structure Plan describes the suburb as follows:

Newport is a highly liveable place located less than 12 kilometres south-west of the Melbourne CBD, between Spotswood and Williamstown. Its industrial heritage, creative spirit, position at the entry into Hobsons Bay, and excellent public transport attract residents and visitors. As a result, Newport has been experiencing steady growth and incremental change, and previous strategies for managing growth and development in the centre are now out of date. This is especially the case within the context of unprecedented growth in the greater Melbourne area that is likely to have a continuing impact on Newport.<sup>1</sup>

The land identified as the 'Newport Structure Plan Area' comprises the Newport LNAC (Clause 02.04 Strategic Framework Plan).

Council described Newport's key characteristics as:

- its proximity to Melbourne CBD, Williamstown, the Westgate Freeway, Princess Highway and the Western Ring Road
- its role as a transport hub
- period architecture of varying heritage values, bluestone laneways
- strong industrial character and established village character
- arts and cultural precinct

<sup>1</sup> Newport Structure Plan 2021

- natural features such as Yarra River and quality open spaces including regionally significant Newport Lakes
- diverse cultural base.

Based on its review of the Structure Plan and background documents, together with its inspections of the area affected by the Amendment it is clear that the structure planning process has had to address a range of challenging issues, including:

- an activity centre divided by the railway line and the Melbourne Road overpass
- complicated movement and access arrangements
- extensive areas subject to heritage protection
- extensive fine grained residential and commercial subdivision and development
- constraints associated with the Newport terminal Major Hazard Facility (MHF) and pipelines
- an activity centre that comprises differing and sometimes unconnected precincts.

## 1.2 Background

### (i) Newport Structure Plan, 2021

The Structure Plan was prepared as the primary strategy for guiding land use, development, and public realm improvements within the activity centre. It sets the long-term vision and identifies a series of objectives, strategies and actions for how the vision will be realised over a 15-20 year planning period.

Design and built form elements of the Structure Plan were informed by the Newport Structure Plan Urban Design Guidelines 2021 (the Urban Design Guidelines).

The Structure Plan builds on earlier strategic work, elements of which were implemented through Amendment C131, including the:

- Hobsons Bay Housing Strategy, 2017
- Neighbourhood Character Study, 2019
- Hobsons Bay Activity Centre Strategy (2019 -2036), 2019.

The Structure Plan defines an 'inner' area focussed on where the maximum amount of change is expected and an 'outer' area where key change areas interface with the surrounding residential areas (refer to Figure 2, below). The inner area identifies five 'precincts' based on previous strategic studies:

- Hall Street
- Mason Street
- Arts and Recreation
- Northern Gateway
- Southern Gateway.

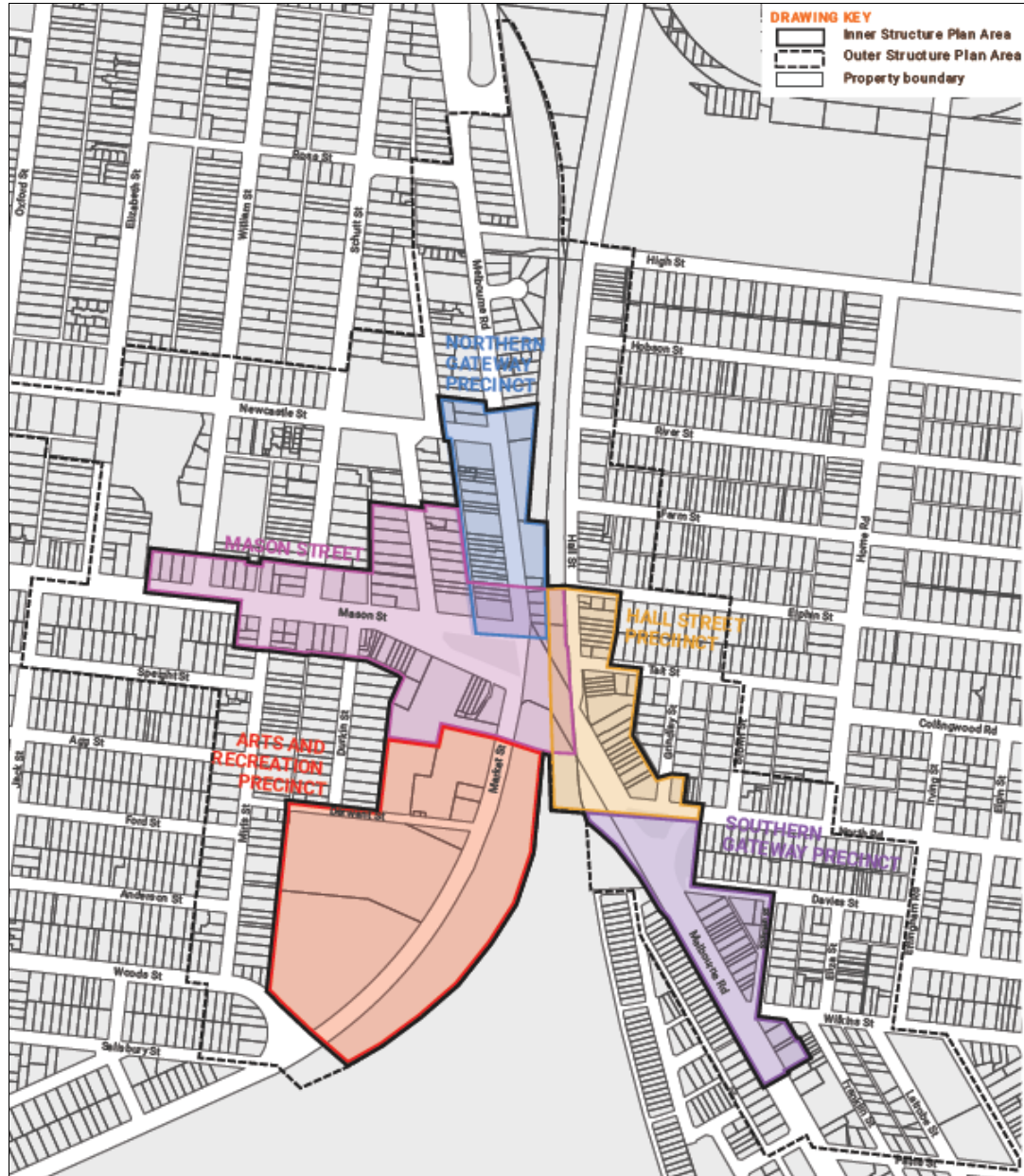
The Structure Plan discusses key issues and opportunities on a centre-wide and precinct basis and includes the following 'vision':

The Newport Activity Centre will build on its intrinsic village charm and heritage character, while recognising the importance and influence of major infrastructure as part of its urban fabric. Quality built form and public realm improvements will provide the key ingredients. Buildings will comprise a mix of heritage and mid-rise contemporary architecture which interprets and responds to Newport 's heritage and industrial context.

Heritage precincts will maintain a traditional low-scale character, reinforcing Newport's historic identity.

Well-designed streets, plazas, and public areas will stitch together scattered spaces, and provide a bridge between place and infrastructure needs.<sup>2</sup>

Figure 2 Inner and outer Structure Plan areas and precincts



SOURCE: Newport Structure Plan

<sup>2</sup> Newport Activity Centre Structure Plan, page 39

In order to achieve the vision, the Structure Plan proposes objectives, strategies and actions under various themes and includes land use, built form and heritage, public realm and open space, and access and movement plans. Intended built form outcomes are expressed through general and precinct-specific built form guidelines drawn from the Urban Design Guidelines.

The Structure Plan concludes with a ‘implementation’ chapter that addresses public works, planning scheme measures and further work. The chapter recommends a planning scheme amendment to implement the Structure Plan through the Local Planning Policy Framework, zones and overlays.

The Panel is satisfied the Structure Plan is a robust, thorough document underpinned by extensive investigations, analysis and consultation.

## **(ii) Inner Newport Heritage Gap Study, Methodology Report, 2022**

Heritage matters emerged as key issues during the consultation phase for the Structure Plan. As a consequence, Council commissioned the Inner Newport Heritage Gap Study (the Gap Study) in March 2019, deferring consideration of the Structure Plan until the Gap Study had been completed.

Council’s Part A submission outlined the timelines for the Gap Study. An initial draft by Lovell Chen Architects and Heritage Consultants was received in December 2019. This was peer reviewed by RBA Architects + Conservation Consultants in January 2021. A further draft of the Heritage Gap Study was then completed in July 2021, taking account of the peer review comments.

Council relied on Ms Brady’s review of the methodology and content of the Gap Study which concluded:

- The Inner Newport Heritage Gap Study Methodology Report (Lovell Chen, June 2022) is consistent with the VPP Practice Note in terms of the methodology, content, use of assessment criteria, recommendations for and documenting of the proposed Heritage Overlay controls, and general format and approach. The proposal to include the report as a Background Document to the Planning Scheme is supported.
- The documentation of the heritage precincts, including the heritage citations for the precincts, generally reflect a sound methodological approach, include the typically required content of such citations, and are consistent with the VPP Practice Note. The proposal to include the citations (as part of the Inner Newport Heritage Gap Study Methodology Report) as a Background Document to the Planning Scheme is supported.<sup>3</sup>

The Panel is satisfied the Gap Study is based on appropriate and rigorous historical research, and has benefited from peer review. The study included a rigorous assessment of precincts and individual properties using well-accepted methodology, and included a further review through the evidence of Ms Brady.

The translation of the heritage analysis into the Amendment is also largely consistent with the protocols outlined in Planning Practice Note (PPN) 1 (Applying the Heritage Overlay). Subject to the recommendations in this report, the Panel considers the heritage matters have strong strategic justification.

## **1.3 The Panel’s approach**

Council summarised the key issues raised in submissions as follows:

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<sup>3</sup> D6, page 3

**Table 1 Council's summary of key issues**

Theme	Issue
<b>Proposed building height controls, zoning and schedules</b>	<p>Insufficient policy and strategic work to support DDO height controls of 4 and 5 storeys for C1Z.</p> <p>Introduce more shops in Newport Activity Centre.</p> <p>The proposed application of GRZ that would allow for building heights of up to three storeys and the impact on neighbourhood character.</p> <p>The proposed rezoning and application of RGZ that would allow for building heights of up to four storeys and the impact on neighbourhood character.</p> <p>The proposed rezoning from GRZ to NRZ and application of schedule 5 to NRZ</p> <p>The strategic justification for the application of mandatory rather than discretionary controls</p> <p>Insufficient consideration of the interfaces and transition between different building heights / zones.</p>
<b>Heritage</b>	The submissions received requested removal or inclusion of properties into the proposed extension of HO23 in Oxford and William Streets
<b>Amenity</b>	<p>Consideration of potential overshadowing, overlooking and privacy.</p> <p>Request to revise DDOs 7, 12 and 18 to include recommended noise mitigation requirements.</p>
<b>Traffic, access and car parking</b>	<p>Proposed new bus route connections.</p> <p>Improved pedestrian accessibility.</p> <p>Request for signalised pedestrian crossings on Melbourne Road.</p>
<b>Infrastructure</b>	The impacts of future development on drainage.
<b>Risk</b>	Addressing safety and risk issues associated with the MHFs and pipelines.

The Panel has assessed the Amendment against the principles of net community benefit and sustainable development, as set out in Clause 71.02-3 (Integrated decision making) of the Planning Scheme.

The Panel considered all written submissions made in response to the exhibition of the Amendment, observations from site visits, and submissions, evidence and other material presented to it during the Hearing. It has reviewed a large volume of material, and has had to be selective in referring to the more relevant or determinative material in the Report. All submissions and materials have been considered by the Panel in reaching its conclusions, regardless of whether they are specifically mentioned in the Report.



## 1.4 Limitations

Most of the Amendment was not contested by opposing submissions. The Panel has not reviewed the entire Amendment in detail or specifically considered detailed drafting issues across the full suite of Amendment documents, other than those provisions related to submissions.

The Panel only considered issues associated with mandatory controls in relation to DDO12 and not the other DDO schedules. Only one submission (S18) opposed mandatory controls and this was in relation to the Hall Street precinct (DDO12). During the Hearing, the Panel sought Council's views about whether it should review and make recommendations about mandatory controls in the other DDO schedules. Council addressed this in its closing submission in which it advised:

... Council does not regard the Panel in this instance as properly seized with jurisdiction to make broader comments about the application of heights in a mandatory fashion across other DDOs and is instead confined to commenting on the manner of drafting of the Hall Street Precinct built form requirements.<sup>4</sup>

Council described how it had approached the Hearing, including its responses to submissions and issues, and the provision of evidence. It submitted:

...it would be unfair on the Planning Authority if the Panel proceeded to comment broadly on the use of mandatory heights throughout the Amendment when Council did not anticipate such enquiries would be pursued and recommendations made by the Panel.<sup>5</sup>

The Panel accepts Council's position and has not considered or formed any views about the use of mandatory controls in the Amendment beyond those in DDO12.

## 1.5 Strategic justification

Submissions were generally supportive of the Amendment, and did not challenge the underlying strategic justification. However, they raised concerns about specific issues or provisions that are discussed in the following chapters.

The Panel has reviewed the planning context for the Amendment, including the Planning Policy Framework (PPF), relevant planning strategies and policies, planning scheme amendments, Ministerial Directions and PPNS. The key references are summarised in Appendix D.

The Panel concludes that the Amendment:

- is supported by, and implements, the relevant sections of the PPF
- is consistent with the relevant Ministerial Directions and PPNS
- is well founded and strategically justified
- should proceed subject to addressing the more specific issues raised in submissions and evidence as discussed in the following chapters.

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<sup>4</sup> D21, page 4, Council confirmed verbally that its position was not confined to building heights and also included street setback and residential interface requirements.

<sup>5</sup> D21, page 4

## 2 Precincts, areas and sites

### 2.1 Hall Street precinct

#### (i) The issues

The issues are:

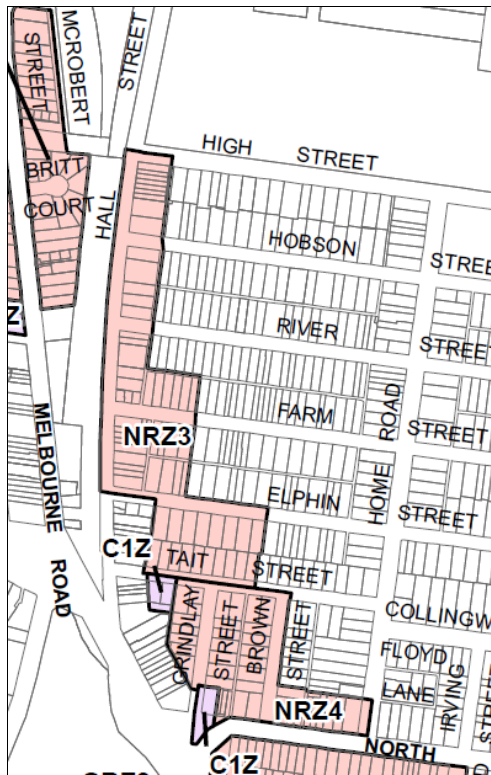
- the building height that should be applied in DDO12 Area A
- whether DDO12 built form controls should be mandatory or discretionary
- the appropriate residential zone to the east of the precinct
- whether a residential interface provision should be included in DDO12
- whether traffic and parking issues are adequately addressed
- potential impacts on school enrolments and capacity.

#### (ii) Background

The broader Hall Street area is currently zoned C1Z, GRZ1 and GRZ2, and various sites are subject to the HO.

As shown in Figure 3, the Amendment proposes to expand the C1Z in two areas to the south of Tait Street, apply the NRZ3 (Heritage areas) to the north of Tait Street and the NRZ4 (Heritage areas, Altona, Newport and Williamstown) to the south of Tait Street.

Figure 3 Proposed Hall Street precinct rezonings



SOURCE: Extract of exhibited rezoning

The Hall Street precinct is within the proposed DDO12, that includes the following the plan at Figure 4.

**Figure 4** Exhibited DDO12, Map 1



SOURCE: Extract of exhibited DDO12

Following its consideration of Professor McGauran’s evidence, Council supported his recommendation that an additional requirement be added to DDO12 Table 1. Area A-Hall Street Core:

**Residential Interface**

New buildings must meet the requirements of Clause 55.04-5 – Standard B21 for overshadowing of existing private open space.<sup>6</sup>

**(iii) Evidence and submissions**

Nathan Stanley and Jillian Smith (S18) own 36 and 38-40 Hall Street and were represented by Ms Cincotta at the Hearing. These properties are zoned C1Z and developed with single storey buildings that are separated from the residential area to the east by a laneway. The properties are within the proposed DDO12 Area A shown on Figure 4.

<sup>6</sup> D5, page 31

They generally supported the Amendment but opposed the use of mandatory controls in DDO12 and the four storey maximum building height in Area A, in contrast to the five storey height in Area B. They opposed the application of the NRZ to the east of the commercial area, preferring the GRZ or RGZ.

Ms Cincotta submitted that the use of mandatory controls (building heights, setbacks and floor to ceiling heights) was inconsistent with the predominantly performance based approach of the Victoria Planning Provisions (VPP). She discussed the relevant elements of PPN59 (The role of Mandatory Provisions in Planning Schemes) and PPN60 (Height and setback controls for activity centres), and the references to mandatory provisions in the Urban Design Guidelines, Structure Plan and other Amendment documentation. She submitted that the criteria and ‘exceptional circumstances’ outlined in the PPNs required to justify mandatory controls had not been demonstrated.

Ms Cincotta outlined various factors she believed had either not been considered or had been inadequately considered in determining the recommended heights, including consolidation opportunities, equitable development, site interfaces, visual impact and sightline analysis, and modelling to assess differing heights and setbacks. Ms Cincotta submitted that the examples of mandatory heights in activity centres<sup>7</sup> that had been referred to and supported by Professor McGauran were not comparable to Newport and that the Amendment was not supported by the type of analysis that had justified those controls.

In the case of C291yara, Ms Cincotta submitted that the justification for mandatory controls was comprehensively addressed in supporting documents<sup>8</sup> that provided a greater level of analysis and detail than provided in the Structure Plan. She submitted that in the absence of that analysis, the use of mandatory controls could not be justified.

Ms Cincotta submitted there was no basis for the differing heights in Areas A and B or the lower height in Area A. She noted that:

- most properties in the precinct have a similar size and depth
- Area A is identified as a ‘gateway development site’ whereas Area B is not
- Area A is closer to Newport Station
- both areas have similar residential interfaces to the east and are subject to the HO.

Ms Cincotta submitted the NRZ rezoning to the east of the precinct was not strategically justified and would be inconsistent with urban consolidation policies. She noted that it is adjacent to a LNAC, close to public transport and not subject to a HO.

Ms Cincotta advised her clients objected to Professor McGauran’s recommendation that DDO12 include an additional residential interface requirement. She submitted the proposal was inappropriate, unnecessary and procedurally unfair because it had not been exhibited.

Submitters (S9, S12, S19, S24 and S29) raised various issues, including concerns about building heights, neighbourhood character, amenity, traffic, parking and local school capacity. They sought a reduction in building heights within the precinct and preferred a mix of two and three storeys (three storeys between North Road and Tait Street, and two storeys between Tait and High Streets).

<sup>7</sup> Amendments C240melb (Bourke Hill) and C291yara (Queens Parade, Clifton Hill)

<sup>8</sup> GJM Heritage Queens Parade Built Form Heritage Analysis (D19) and Hansen Partnership Queens Parade Built Form Review (D20)

The sought other built form controls to address bulk and building mass, overlooking, overshadowing and other amenity issues, although there were no detailed submissions on the adequacy of the exhibited DDO12 provisions. Some provided detailed recommendations about road works, traffic calming measures and car parking and questioned the extent to which the precinct could support additional development, despite its inclusion in a designated LNAC.

Ms McDougall (S9) and Mr Mansell (S19) expanded on these concerns at the Hearing.

Council provided comprehensive submissions that explained why it had included mandatory controls in the DDOs and, in particular, DDO12. Council submitted that the 'exceptional circumstances' test referred to by Ms Cincotta had been met and that mandatory controls were appropriate given the 'constrained nature' of the activity centre (and the Hall Street precinct) resulting from:

- the single-layered nature of the centre
- the generally small lot sizes, including the lack of strategic development sites
- the need for access to be provided through laneways
- the immediate residential interfaces to most lots
- the surrounding heritage attributes
- risk constraints associated with the Newport Terminal and pipelines.

Council relied on Professor McGauran's evidence and support for mandatory controls and the exhibited building heights. He described the characteristics of the precinct that he believed warranted mandatory controls and referred to the mandatory controls in other amendments including C240melb, C272yara and C291yara. He noted this is not a 'brownfield site' in search of a new character, it has an established character that has been identified for protection.

He outlined the building height analysis he had undertaken in support of the four and five storey building heights and concluded '*...additional levels could not be added in my view without having a substantive and negative impact on the valued character and coherence of this fine inner-city neighbourhood*'.<sup>9</sup>

He noted:

- increasing height would only result in minimal increases in gross floor area because of the various constraints in the controls, together with the fine grained subdivision and narrow lots
- the 'boomerang' shape and greater depth and size of lots in Area B would result in less impacts on residential development to the east, compared to Area A
- the character of residential interface to the north of Area A is a consistent one-and two-level form of a domestic scale.

In summary, Professor McGauran noted:

...there are distinctive attributes of the northern section (Area A) of the Hall Street precinct notably its embedded nature within a residential neighbourhood and low-rise character, that are less evident in the southern precinct (Area B) where the interface with residential areas is diminished as a result of the triangulation of the lot patterns and the changing and much greater scale of the public realm of North Road and the Melbourne Road overpass.<sup>10</sup>

He concluded:

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<sup>9</sup> D5, page 34

<sup>10</sup> D5, page 28



I am satisfied that the proposed scale strikes an appropriate balance between policy goals for intensification near services and facilities on the one hand and delivering coherent precinct development outcomes on the other that are commensurate with the coherent heritage context of the Village and abutting low scale residential neighbourhoods.<sup>11</sup>

Council supported the exhibited DDO12 design and built form requirements and was satisfied they would address the amenity and related issues raised in submissions. It also supported the additional requirement recommended by Professor McGauran and did not agree with Ms Cincotta that including it in the DDO12 would be transformative or procedurally unfair.

Council submitted the four storey height limit in Area A was consistent with the Structure Plan, was appropriate given the interface with the proposed NRZ3 north of Elphin Street and would allow for a building height transition to the north.

Council submitted that the application of the NRZ3 to the west of the precinct was consistent with its approach to applying the NRZ that was established in Amendment C131hbay and did not support the GRZ or RGZ in this area.

Council noted that traffic and parking are discussed in the Structure Plan and other documents such as Council's Integrated Transport Plan and the Newport and Williamstown Local Area Movement Plan (LAMP). These include various strategies and actions to address issues raised in submissions. It also provided a copy of internal advice in relation to the capacity of laneways within the precinct.

Finally, Council noted that the precinct is within a broader LNAC that has been identified for more intensive development, consistent with Plan Melbourne and activity centre policy. Implicit in this is that the precinct will change over time and amenity and other impacts will need to be managed.

#### **(iv) Discussion**

##### **Building height in Area A**

The Panel supports the proposed arrangement of building heights in the precinct, including the four storey maximum in Area A. The heights are consistent with the Structure Plan analysis and recommendations, and supported by Professor McGauran's evidence.

The Panel notes the differing characteristics between Areas A and B described by Council and Professor McGauran and agrees that Area B could accommodate a taller building form than Area A. It agrees the precinct should provide a transition in building heights from the northern residential interface in Area A to the higher built form, generally larger lots and 'boomerang' arrangement in Area B. The Panel also notes Mr McGauran's assessment that the additional floor space that might be achieved by increasing the limit to five storeys would be minimal.

##### **Mandatory controls**

The Panel has reviewed submissions and evidence, as well as guidance material such as PPN59 and PPN60, and the amendments, panel reports and other documents that were referred to. It acknowledges the Victorian planning system is predominantly performance based and is intended to provide a degree of freedom in how planning objectives are achieved. Nevertheless, there is an opportunity to apply mandatory provisions where they can be justified and having particular regard to PPN59 and PPN60.

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<sup>11</sup> D5, p33

PPN59 includes the following criteria to assess whether or not the benefits of a proposed mandatory provision outweigh any loss of opportunity and the flexibility of a performance based system:

- Is the mandatory provision strategically supported?
- Is the mandatory provision appropriate to the majority of proposals?
- Does the mandatory provision provide for the preferred outcome?
- Will the majority of proposals not in accordance with the mandatory provision be clearly unacceptable?
- Will the mandatory provision reduce administrative costs?<sup>12</sup>

PPN60 establishes that mandatory height or setback controls should only be applied where:

- Exceptional circumstances exist; or
- council has undertaken comprehensive strategic work and is able to demonstrate that mandatory controls are appropriate in the context, and
- they are absolutely necessary to achieve the preferred built form outcomes and it can be demonstrated that exceeding these development parameters would result in unacceptable built form outcomes.<sup>13</sup>

Before responding to these matters, the Panel notes that the discussion of mandatory controls in the Urban Design Guidelines, Structure Plan and Amendment documentation was superficial and very generalised.<sup>14</sup> On the basis of those documents alone, the Panel would be reluctant to support mandatory controls in the Hall Street precinct. However, it was assisted by submissions and evidence that addressed the PPNs and particularly Professor McGauran's evidence about the character of the area and the intent and effect of the provisions. He also provided wall height, setback, interface and shadow modelling, elements of which had not been previously available.

With the benefit of that material, the Panel is satisfied the DDO12 mandatory provisions are warranted and are an appropriate response to the character of the area, the outcomes that are sought in the Structure Plan and the role of the LNAC. The Hall Street precinct is relatively isolated from other precincts in what is a disjointed activity centre that Professor McGauran described in his verbal evidence as a '*network of small villages separated by roads, railway and infrastructure*' that consists of '*intimate and contained villages*'. The precinct has a distinct, consistent character and built form, fine grain development, a lengthy interface with residential land that is subject to the HO (and proposed to be rezoned NRZ3) and an elongated frontage to Hall Street with a single lot depth. In combination, these factors contribute to the 'exceptional circumstances' described in PPN60.

In terms of PPN59, the Panel is satisfied the mandatory provisions are strategically supported, will be appropriate to the majority of proposals and provide for the preferred future outcome. They will also provide greater certainty and reduce administrative costs, although these are not significant factors. In terms of PPN60, the Panel acknowledges the distinct characteristics of the precinct and is satisfied the material provided in Council's submissions and particularly Professor McGauran's evidence establish that exceptional circumstances exist and warrant mandatory controls. The Panel does not agree that the additional analysis sought by Ms Cincotta is necessary.

The Panel notes PPN60 provides for mandatory controls be reviewed every five years '*to assess whether the controls are still delivering on the outcomes and objectives for the centre and*

<sup>12</sup> PPN59, page 2

<sup>13</sup> PPN60, page 3

<sup>14</sup> For example, the Structure Plan and Explanatory Report do not include any discussion of PPN59 or PPN60.

*demonstrate that they are not undermining these going forward'*. The Panel would support such a review.

### **The appropriate residential zone to the east of the precinct**

The Panel notes that the proposed NRZ3 and NRZ4 apply to areas entirely within the HO and are consistent with Council's approach to applying the new residential zones in C131hbay.

The Panel does not agree with Mr Stanley and Ms Smith that the proximity of this area to the LNAC and public transport justifies applying the GRZ or RGZ.

### **Residential interface provision**

The Panel is satisfied the additional DDO12 design and built form requirement recommended by Professor McGauran and supported by Council is worthwhile and warranted. It notes that the same requirement was included in the exhibited DDO6 Area A that also shares a residential interface.

The Panel agrees with Council that this change is neither transformative nor procedurally unfair and can proceed as part of the Amendment. The Panel refers to Council's discussion of these issues in its closing submission.<sup>15</sup>

### **Traffic and parking**

The Panel accepts the precinct and general area will continue to experience traffic and parking challenges as it develops and notes this is not uncommon in and around activity centres. However, it is satisfied Council has processes in place to address current and emerging issues and they are not an impediment to the Amendment proceeding. Some submitters seemed to be concerned that the Amendment would facilitate additional or more intensive development than could occur under the current planning scheme provisions. This is not the case, the potential density and scale of development in the area would be reduced by the Amendment, particularly through the application of the NRZ and the DDO12 height provisions.

General traffic and parking issues are discussed in section 7.2 of the report.

### **School and child care enrolments**

School and child care enrolments are matters for the Department of Education and other providers.

## **(v) Conclusions and recommendations**

The Panel concludes:

- The four storey maximum building height in DDO12 - Area A is appropriate.
- The use of mandatory built form controls in DDO12 is justified.
- The NRZ3 and NRZ4 are appropriate for the area to the east of the C1Z.
- The inclusion of Professor McGauran's recommended residential interface provision in DDO12 is appropriate.
- Council has an established planning framework for addressing traffic and parking issues.
- Possible impacts on school enrolments and capacities are beyond the scope of the Amendment.

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<sup>15</sup> D21, pages 10-12

The Panel recommends:

**In Design and Development Overlay Schedule 12, add the following ‘design or built form element’ and ‘requirement’ to Table 1:**

DESIGN OR BUILT FORM ELEMENT	REQUIREMENT
Residential Interface	New buildings must meet the requirements of Clause 55.04-5 – Standard B21 for overshadowing of existing private open space.

## 2.2 Salisbury and Woods Streets

### (i) The issue

The issue is whether the Salisbury and Woods Streets area proposed to be zoned GRZ3 should be zoned NRZ.

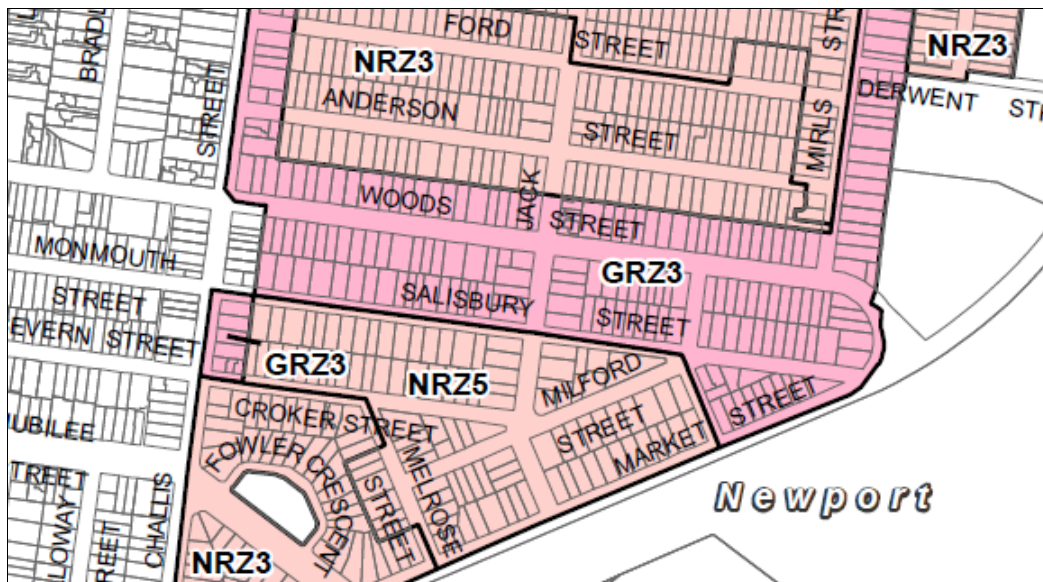
### (ii) Background

Salisbury and Woods Streets (and the surrounding residential area) are currently zoned GRZ1.

The Amendment proposes to apply the GRZ3 (Garden Urban Areas), NRZ3 (Heritage areas) and NRZ5 (Garden Suburban and Garden Court areas) as shown in Figure 5.

The eastern area of Salisbury and Woods Streets is within the Arts and Recreation Precinct.

Figure 5 Proposed Salisbury and Woods Street rezoning



SOURCE: Extract of exhibited rezoning

### (iii) Evidence and submissions

Submissions (S10, S13, S21, S22, S23 and S26) opposed the proposed GRZ3 rezoning on the north side of Salisbury Street and on both sides of Woods Steet. The submitters were concerned about

three storey buildings being developed in the GRZ3 and preferred the maximum two storeys in the NRZ.

Specific concerns related to impacts on neighbourhood character, the capacity to accommodate three storey buildings on smaller lots and the increased potential for amenity impacts such as overlooking, noise and overshadowing. Some submitters believed the residential character in the general area was broadly consistent and Salisbury and Woods Streets should be treated similarly to the area proposed for the NRZ5. Concerns were also raised about the capacity of Salisbury Street to accommodate anticipated traffic and parking impacts.

Council noted the zone changes were informed by the Housing Strategy that identified four levels of housing change (minimal, incremental, moderate and substantial). This framework was implemented through Amendment C131hbay and reflected in the Residential Development Framework Plan at Clause 02.04. The Framework Plan notes the housing change areas in Newport were to be determined by the Newport Structure Plan.

Council submitted the criteria used to inform the new residential zones outlined in the Housing Strategy were reviewed as part of the Amendment C131hbay Panel Report and found to be sound.

Council submitted the application of the GRZ3 to Salisbury and Woods Streets had been proposed because of their proximity to the Challis Street Small Neighbourhood Activity Centre (SNAC) and noted there is already some incremental change occurring in the form of two storey townhouses. The objective of encouraging housing diversity around Challis Street and its role as a SNAC is outlined in the Activity Centres Strategy.

The proposed GRZ3 supports the housing diversity objectives for areas along Woods Street and the north side of Salisbury Street and is consistent with the GRZ3 applied to the north side of Monmouth Street, immediately west of Challis Street to ensure a consistent design outcome.

Council noted the GRZ1 that currently applies to this area has a maximum three storey height limit, consistent with the proposed GRZ3. However, the proposed GRZ3 would apply neighbourhood character objectives which must be considered in the assessment of any new residential development:

- To support visual separation between dwellings.
- To provide front gardens that are visible from the street.
- To provide front and rear setbacks that accommodate canopy trees and a high portion of permeable garden area.
- To support front building façades that are well articulated.
- To support garages and carports set back behind the dwelling façade.<sup>16</sup>

These would ensure neighbourhood character is considered.

Council also noted that Clauses 54 and 55 (ResCode) will address amenity impacts raised in submissions.

#### **(iv) Discussion**

The Panel notes Council's advice about the rationale for applying the GRZ3 and accepts that it is broadly consistent with the framework introduced through Amendment C131hbay. Submitters who opposed the GRZ3 and preferred the NRZ did not justify the NRZ beyond a desire to limit

<sup>16</sup> GRZ3 Neighbourhood character objectives



buildings to two storeys and consequently address anticipated amenity impacts. A more rigorous assessment of the merits of the NRZ, including an assessment against PPN91 (Using the residential zones) would need to underpin a change from the existing GRZ1 to the NRZ.

The area proposed to be zoned GRZ3 is currently zoned GRZ1 within which three storey buildings are permitted. The GRZ3 also has a three storey maximum building height, but includes neighbourhood character objectives together with more guidance in relation to elements of Clauses 54 and 55. The Panel is satisfied this additional guidance will facilitate better design and amenity outcomes than the current zone and better address some of the concerns raised by submitters.

The Panel accepts that proximity to the Challis Street SNAC and the Newport LNAC (more generally) provide a basis for facilitating urban consolidation and preferring the application of the GRZ in this area instead of the NRZ.

The Panel notes that the zoning approach is consistent with the way the zones were structured for the area to the west of Challis Street as part of Amendment C131hbay. That is, the GRZ3 has been applied along the north side of Monmouth Street and the continuation of Woods Street.

The Panel believes that the concerns raised by many submitters were overstated and there seemed to be some misunderstanding of the current zone regime and the proposed changes. The GRZ3 will provide a better framework (in combination with Clauses 54 and 55) for addressing the amenity and character concerns raised by submitters.

#### **(v) Conclusion**

The Panel concludes the proposed rezoning to GRZ3 along Salisbury Street and Woods Street is appropriate.

## **2.3 Walker Street**

#### **(i) The issues**

The issues are:

- whether the proposed RGZ3 is the appropriate zone
- whether the proposed RGZ3 area should be included in DDO7
- the adequacy of consultation and notification.

#### **(ii) Background**

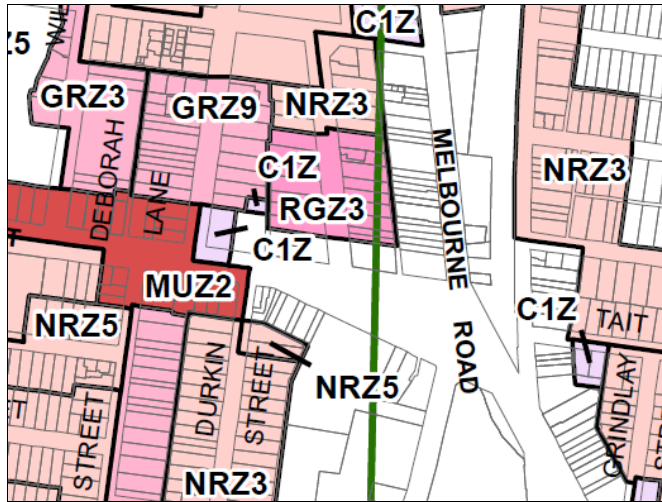
Walker Street is currently zoned a mixture of GRZ1 and C1Z (southernmost lots along Mason Street).

The Amendment proposes to rezone the GRZ1 area to a mixture of RGZ3 (Newport Medium Density Residential area) in the central area of Walker Street, and NRZ3 (Heritage areas) in the northern area of Walker Street subject to existing HO23, as shown on Figure 6. The RGZ3 area is within the proposed DDO7 – Area D as shown on Figure 7.

The Panel notes the DDO7 Area D heritage references were the subject of discussion between Council and DELWP as part of the amendment authorisation process.<sup>17</sup>

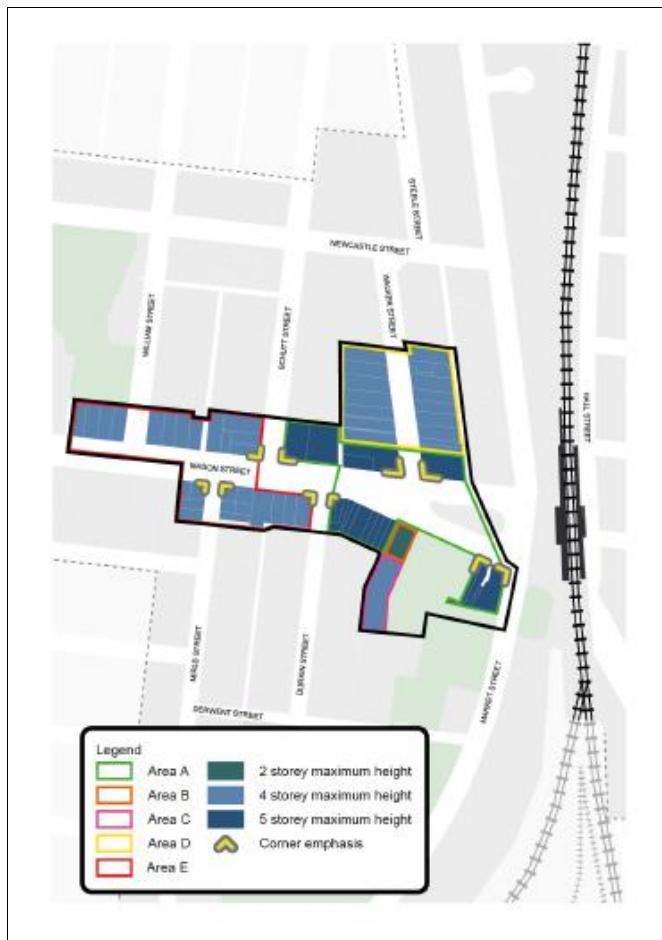
<sup>17</sup> D8, pages 15-16

Figure 6 Proposed Walker Street rezoning



SOURCE: Extract of exhibited rezoning

Figure 7 DDO7 Map 1



SOURCE: Extract of exhibited DDO7

**(iii) Evidence and submissions**

Sarah and Andrew Horsfield (S28) own the property at 6 Walker Street Newport. They opposed the RGZ3 on the basis that it has not been adequately justified and would result in poor planning and design outcomes, particularly at the transition to the NRZ to the north. Ms Horsfield attended the Hearing and submitted it would be more appropriate to apply the GRZ as a transition to the northern area of NRZ3 that is within HO23. She noted this was the only area proposed to be rezoned RGZ3 and because of its small size would contribute little to consolidation objectives.

Ms Horsfield raised various urban design issues, including the change from a predominantly single storey streetscape to four storeys in the RGZ3 and five storeys to the east, along Melbourne Road. She submitted these changes should have been accompanied by more thorough assessments of overshadowing, neighbourhood character, private open space and amenity impacts.

Ms Horsfield submitted the application of the RGZ should be reconsidered on the basis that it presents an inappropriate interface to NRZ properties in the northern half of the street, and does not contain lot typologies that are suitable for four storey development.

Ms Horsfield opposed the application of DDO7 to Walker Street because:

- Encouraging retail, hospitality and commercial uses at ground level and residential above was inappropriate because Walker Street is a residential neighbourhood, not envisaged for commercial use.
- Requiring that development provide active and articulated ground level street frontages should only be intended for commercially zoned land within the retail core of the activity centre.
- There are no built form or setback controls set out in the schedule for Walker Street residential precinct (Area D) – the only direction provided is a generic statement concerning the need to consider adjacent heritage buildings, which duplicates existing planning scheme provisions.

Ms Horsfield submitted the DDO7 does not serve any useful purpose for properties in Area D and *'...presents a clear conflict with the core purpose and objectives of the Residential Growth Zone. The DDO should be removed from Area D in Walker Street on the basis that it creates a direct conflict between the zone and overlay provisions'*.<sup>18</sup>

Ms Horsfield submitted that the notification letter did not properly communicate the scope of the zone and overlay changes proposed for Walker Street and that affected residents would likely be unaware of the changes. She believed Council should delay the Amendment until the residents of Walker Street, particularly those whose properties are to be zoned RGZ, are further consulted.

Council submitted that the proposed application of the RGZ to Walker Street was consistent with policies in support of housing choice in and around activity centres and with PPN91 (Using the Residential Zones). It noted the area is in close proximity to the train station and bus terminal, is within the 'core' of the activity centre, has a limited interface with NRZ to the north, interfaces with areas to the east and south that have been identified for higher density development, interfaces with the GRZ to the west and is within a broader area that has already experienced higher density residential development (5-storey building at the corner of Melbourne Road and Newcastle Street, 4-storey building at the corner of Mason Street and Walker Street). Consequently, a 4-storey building height in Walker Street would not be incongruous with the

<sup>18</sup> S28

surrounding context and future development, although it might require lot consolidation to realise this outcome.

Council described the built form analysis in the Urban Design Guidelines and Structure Plan that had informed the DDO7 design provisions and submitted these provisions, in combination with existing provisions such as ResCode clauses 54 and 55 and clause 15.01-1L-01 (Design in substantial change areas), would address the built form and amenity concerns raised in the submission. In addition, the proposed DDO6 that applies to the east of Walker Street includes a requirement for new buildings to meet the requirements of Clause 55.04-5 – Standard B21 for overshadowing of existing private open space.

Council relied on the evidence of Professor McGauran who described the analysis that had informed the Mason Steet precinct built form provisions in the Urban Design Guidelines, Structure Plan and DDO7. He focussed on building height, setback and interface issues, including the interface with properties on the eastern side of Walker Street. He was satisfied that the combination of existing planning scheme provisions and those included in DDO7 were appropriate.

Council outlined the consultation and notification conducted for the Structure Plan and Amendment and advised it had met the requirements of the Act.

#### **(iv) Discussion**

##### **Residential Growth Zone**

The use of the RGZ is consistent with overarching zoning approach adopted in Amendment C131hbay that introduced the new residential zones elsewhere in the municipality. As Council noted, the RGZ can be an appropriate tool to support activity centre and housing diversity policies.

The proposed Walker Street RGZ3 is consistent with this approach and recognises the locational characteristics that support higher density residential development in this part of the LNAC, including its central location and proximity to public transport. Although the RGZ3 shares an interface with the proposed NRZ3, this is limited to the two lots on either side of Walker Street, and is in contrast to the more expansive interfaces with the C1Z to the east and south. The Panel notes that a permit has been issued for a five storey residential building with ground floor shops and first floor offices at 1-5 Walker Street (Former Mosque) Newport.

The Panel does not believe the NRZ3 interface warrants the GRZ and is satisfied the RGZ is appropriate because of the land's location and in support of activity centre and housing diversity policies.

##### **Design and Development Overlay 7**

Although Ms Horsfield raised various concerns about the adequacy of the built form analysis that underpinned the zone selection and built form provisions in the DDO7, the Panel is satisfied that the analysis in the Structure Plan was adequate and the proposed and existing provisions will enable built form and amenity issues to be adequately addressed. While there will be some design challenges in addressing various interface issues, these are not uncommon in activity centres and can be resolved through the planning permit process.

The Panel considered whether DDO7 should be removed from the RGZ3 area in response to Ms Horsfield's submission about potential conflict between the DDO7 design objectives (the first two design objectives in relation to land uses and frontages) and the RGZ3. Ms Horsfield noted that the only specific design and built form provisions that apply to Area D relate to the heritage

precinct interface. The Panel agrees these design objectives are not directly relevant to the RGZ3 given their greater focus on commercial rather than residential development and are unlikely to assist the planning permit process. The heritage provisions in Table 4 are largely superfluous because the RGZ3 includes a heritage related design objective, and there are other general heritage protection provisions that would be applicable. For these reasons, the Panel is not satisfied that there is any benefit in including the RGZ3 area in in DDO7 (Area D) and recommends that it be removed.

### **Notification**

The Panel accepts Council's advice about the exhibition and notification arrangements for the Amendment is satisfied the relevant requirements have been met.

There is no apparent basis on which to defer the Amendment while further consultation is conducted with Walker Street residents.

### **(v) Conclusions and recommendations**

The Panel concludes:

- The proposed application of the RGZ3 is consistent with activity centre and housing diversity policies, and should proceed.
- The inclusion of the RGZ3 area (Area D) in DDO7 serves no useful purpose and should be removed.
- The notification of the Amendment was appropriate.

The Panel recommends:

**In Design and Development Overlay Schedule 7, remove Area D from Map 1, delete Table 4 and make any other consequential changes that are necessary.**

**In planning scheme maps 10DDO and 11DDO, remove Design and Development Overlay Schedule 7 from the area to be zoned Residential Growth Zone Schedule 3 (Area D).**

## **2.4 Derwent Street car park**

### **(i) The issue**

The issue is whether a height control should be applied to the Derwent Street car park in the Paine Reserve.

### **(ii) Background**

The Paine Reserve (and car park) is currently zoned Public Park and Recreation Zone and is not being rezoned by the Amendment.

The Amendment proposes to extend the existing HO22 to the southern area of the Reserve, including the car park.

The Reserve is within the Arts and Recreation precinct.



**(iii) Submissions**

Kate Fraser (S25) submitted the Amendment should apply a maximum building height to proposed HO22 to prevent multi-storey buildings being built in the car park. The submission noted various references in the Structure Plan to the potential redevelopment of the site.

Council acknowledged the Structure Plan identifies the site for potential redevelopment, however it has no current plans for its redevelopment, and the Structure Plan notes that further investigation would be required before any redevelopment could occur. Council also noted that redevelopment would require formal notification and consultation with adjoining landowners and did not believe a height control was necessary.

**(iv) Discussion**

The Panel acknowledges the site has been identified for potential redevelopment, subject to further investigations. While the height of any future redevelopment would be a relevant consideration, particularly having regard to its residential interface to the west, any height controls would require more detailed analysis than has been undertaken to date and would need to be exhibited. In the absence of this, the Panel does not support the application of a height control to the site as part of the Amendment.

**(v) Conclusion**

The Panel concludes the Derwent Street car park does not warrant a building height control as part of the Amendment.

**2.5 481 Melbourne Road, Newport****(i) The issue**

The issue is whether 481 Melbourne Road, Newport should be rezoned.

**(ii) Background**

481 Melbourne Road is currently zoned GRZ1 and is subject to HO199.

The Amendment proposes to rezone the site NRZ5 (Garden Suburban and Garden Court areas).

**(iii) Submissions**

Ali Kaddour (S34) sought this property being exempted from the Amendment because of its particular characteristics, including its large size (1600 square metres), double street frontage (Melbourne Road and Steele Street), and the small scale of the heritage building (it occupies less than one third of the site). The submitter advised the site is currently used as a 22-room residential lodge and there is a current planning permit application for residential redevelopment on part of the site. The submitter was concerned the application would not be supported by Council if the Amendment was approved.

Council advised the property is proposed to be rezoned NRZ5 as it is within a minimal change area and within 500 metres of the Newport Terminal MHF. This approach is consistent with Housing Strategy and new residential zones introduced in Amendment C131hbay. The NRZ5 is the appropriate schedule as the site is located within the Garden Suburban/Garden Court neighbourhood.

**(iv) Discussion**

The Neighbourhood Character Study includes the site within the Garden Suburban precinct and the Housing Strategy identifies it as a minimal change area. The proposed NRZ5 is consistent with these designations and was extensively applied under Amendment C131hbay on a similar basis. While the Panel acknowledges the site's characteristics and potential for redevelopment, it is satisfied the NRZ5 is appropriate and the rezoning should proceed.

**(v) Conclusion**

The Panel concludes the proposed rezoning of 481 Melbourne Road, Newport to NRZ5 is appropriate.

## 3 Newport Terminal MHF and pipelines

### 3.1 The issue

The issue is whether the Amendment appropriately addresses the potential impacts of the Newport Terminal MHF (the Terminal) and pipelines.

### 3.2 Background

Viva Energy Australia (Viva) (S37) operates the Newport Terminal, a fuel distribution centre that stores and handles significant quantities of fuels, lubricants and solvents. The Terminal is located to the north-east of Newport and is classified as a MHF. Viva also owns and operates three pipelines that extend through Newport.

The proposed DDO6 overlaps the south-east area of the Terminal's Outer Planning Advisory Area (OPAA) (300 metre radius) as mapped by WorkSafe Victoria (WorkSafe) (D22). The Amendment does not affect the Inner Planning Advisory Area (IPAA) (185 metre radius).

Since the exhibition of the Amendment, WorkSafe has released revised guidance for land use planning near a major hazard facility.<sup>19</sup> Under the 'flammable' MHF category, the Inner Safety Area (ISA)<sup>20</sup> (formerly the IPAA) distance is 250 metres and the Outer Safety Area (OSA)<sup>21</sup> (formerly the OPAA) distance is 500 metres.

The black oil and white oil pipelines generally run north-south through the Structure Plan area and are located within or adjacent to the proposed DDO6. The Western Altona Geelong Pipeline runs along Home Road before turning diagonally to the south-west along North Road and the rail corridor.

### 3.3 Evidence and submissions

Viva outlined the nature and operation of its facilities with the assistance of Ms McGregor and called risk evidence from Ms Hinson and planning evidence from Mr Gentle.

Ms Hinson provided overviews of the facilities, the risk assessment and management processes, the relevant planning scheme provisions and the Amendment. She generally supported Mr Gentle's recommendations that sought to augment the Amendment provisions to facilitate more effective consultation and better risk management.

Mr Gentle provided overviews of the facilities, the current planning context, the relevant elements of the Structure Plan and Amendment, and relevant MHF controls in other planning schemes. He discussed the implications of the WorkSafe IPAA and OPAA.

<sup>19</sup> <https://www.worksafe.vic.gov.au/land-use-planning-near-major-hazard-facility>

<sup>20</sup> The Inner Safety Area is the area immediately surrounding an MHF where both persons and property could be seriously impacted by a high consequence, low likelihood major incident at the facility. A high consequence incident is where there is potential for injury, fatality and significant damage to property.

<sup>21</sup> The Outer Safety Area is a precautionary safety area that extends beyond the inner safety area where the consequences of a major incident are not likely to cause a fatality but persons present may suffer some injury or adverse effects or be vulnerable in the event of a very large, potentially long duration major incident.

Mr Gentle concluded that there *'is a need, to strengthen and clarify the provisions as they relate to the identification and mitigation of risk associated with the Newport MHF and Pipelines to ensure public safety and good planning outcomes'*.<sup>22</sup>

In relation to the Terminal, he recommended:

- A. Include a purpose in the DDO6 provisions relating to risk associated with the MHF.
- B. Show the OPAA on the map in the DDO6 provisions.
- C. Include application requirements demonstrating appropriate consideration of risks associated with the MHF.
- D. Include decision guidelines requiring consideration of risks associated with the Newport MHF.
- E. Include referral requirements in Schedule to Clause 66.04 for any application within the IPAA and OPAA.
- F. Include notice requirements in the Schedule to Clause 66.04 for any application with the IPAA and OPAA.<sup>23</sup>

In relation to the pipelines, he recommended:

- A. Include a purpose in the DDO6 relating to risk associated with pipelines.
- B. Show pipeline infrastructure on the map in DDO6.
- C. Show additional information in relation to the pipelines on map in the DDO6.
- D. Modify Table 2 in DDO6 to include reference to mitigating risk associated with the pipelines.
- E. Strengthen the application requirements and decision guidelines providing for consideration of risk factors.
- F. Include referral or notice provisions seeking the views of both the pipeline operator and licensee and Energy Safe Victoria.<sup>24</sup>

Viva supported Mr Gentle's recommendations and concluded:

Viva Energy has real and genuine concerns that in the absence of the types of controls outlined in Mr. Gentle's amended DDO6, the Amendment will adversely affect Viva Energy's ability to manage the impact/s of any potential incidents at the Terminal and in relation to its Pipelines.<sup>25</sup>

Mr Allum (S3) raised various safety concerns associated with the Terminal and pipelines, particularly the potential impacts on the residential population within the area. He outlined the recent approval history of the Terminal, issues associated with its construction and various events and investigations into safety issues. The submitter sought various recommendations from the Panel, including the application of the Buffer Area Overlay (BAO).

The Port of Melbourne (S5) noted the input from WorkSafe and Energy Safe Victoria in relation to the Terminal and pipelines and did not object to the Amendment.

The EPA (S17) noted Council sought the views of WorkSafe regarding the MHF (in accordance with Ministerial Direction 20) and was satisfied that relevant issues had been addressed.

Council provided comprehensive responses to these submissions and evidence in its Part B and closing submissions. It also responded to the Panel's direction that it provide advice on any work it has undertaken to apply the BAO or other planning responses to MHFs.

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<sup>22</sup> D7, page 33

<sup>23</sup> D13, page 13

<sup>24</sup> D13, page 14

<sup>25</sup> D12, page 18

The key elements of Council's submissions were:

- WorkSafe reviewed the draft Structure Plan and Amendment. It advised Council (in letters dated 7 and 21 January 2022) that it did not object and noted that the proposed NRZ rezonings and height provisions in DDO6 represented a 'tightening' of controls and were 'positive' changes. It foreshadowed the changes to the OPAA and IPAA discussed earlier and advised the increased OPAA is intended to provide greater flexibility for WorkSafe's advice and should be developed on a case-by-case basis. It did not lodge a submission to the formal exhibition of the Amendment.
- Council manages relevant MHF related permit applications in accordance with its policy document Interim Management of Land Use Planning Around Major Hazard Facilities, October 2014.
- Council is aware that DELWP and WorkSafe are intending to consult with Councils in relation to MHFs and the use of the BAO. In light of this, and its lack of technical expertise in this field, Council has not sought to introduce the BAO.
- The Amendment (through the application of the NRZ and built form controls in the DDO6) is a 'tightening' of what could be contemplated under the current provisions.
- Council has sought clarification from WorkSafe in relation to the revised OSA and ISA but is yet to receive a response. It noted that revised ISA and OSA mapping (if it exists) has not been provided to Council or Viva.
- Council has proceeded on the basis that its use of the IPAA and OPAA in place when the Amendment was prepared is the correct approach.
- The DDO6 makes adequate provision for considering pipelines in the assessment of permit applications, including:
  - a design objective in relation to pipeline infrastructure setbacks
  - buildings and works requirements in relation to pipeline easements
  - an Application requirement for a report demonstrating how pipeline infrastructure is addressed
  - a decision guideline in relation to pipelines.
- Council noted that Amendment C114hbay sought to address pipeline issues on a site in South Kingsville and included a Development Plan Overlay requirement for a report to address possible impacts.<sup>26</sup>

Council did not support the changes to DDO6 recommended by Mr Gentle and Viva, submitting that they are unnecessary, and it is not the role of the DDO to manage risk. It submitted that if the Panel concluded additional provisions were necessary, they should be limited to a suitably modified application requirement based on that proposed in Amendment C114hbay:

For sites in Area B and C, a report that outlines the impact of the proposed development on pipeline infrastructure both during construction and post-construction in the context of a pipeline risk assessment, and any measures required to ensure the ongoing maintenance and operation of the pipeline.

This report must be prepared in conjunction with the relevant authorities and stakeholders and according to their requirements. The recommendations of this risk assessment are to be incorporated into the proposal.<sup>27</sup>

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<sup>26</sup> The Amendment has been submitted for approval following a Panel Hearing.

<sup>27</sup> D9, page 22

### 3.4 Discussion

The possible risks and constraints associated with the Terminal and pipelines are identified in the Structure Plan and addressed in the Amendment, particularly DDO6 that includes the various pipeline related requirements outlined by Council. The Newport MHF OPAA only partially affects one lot in the north-east corner of the DDO6 (450 Melbourne Road), although this might change if a revised OPAA or OSA is mapped by WorkSafe in the future.

The Panel agrees with Council's observation, shared by WorkSafe, that the Amendment will 'tighten' the existing planning framework and potentially reduce development density and therefore risk. The Panel does not share Mr Gentle's view that the Amendment will somehow increase the risk.

In terms of the OPAA, the Panel agrees with Council that the Amendment should proceed on the basis of the mapped OPAA, not the revised guidance on the WorkSafe website. In its response to the draft Structure Plan and Amendment, WorkSafe acknowledged that the general OPAA/OSA was to be increased but did not object to the Amendment. It also noted that the OSA is for guidance purposes and needed to be applied on a case-by-case basis. In the absence of more detailed and technical analysis of how the revised OSA guidance might be applied to the Newport MHF, the Panel is satisfied the Amendment should rely on the OPAA referred to in the Structure Plan and previously mapped by WorkSafe. The Panel expects that the extent of the OSA would be further explored if and when a BAO is applied.

In relation to 450 Melbourne Road, the site is not currently subject to any building height restrictions, however the proposed DDO6 would apply a four storey maximum building height. This is consistent with the view that the DDO6 will 'tighten' the planning framework and potentially reduce risk. Permit applications would be subject to Council's MHF notification policy.

The DDO6 does not include any specific references to the Terminal and the Panel agrees with Viva that including a reference in the DDO6 design objectives and decision guidelines would alert parties to its existence and potential implications. The Panel does not believe that the OPAA needs to be mapped in the DDO6, and notes the possibility that it will change in the future.

The Panel was not presented with evidence (such as applications that were not notified) to confirm the proposition the current notification arrangements are unsatisfactory or need to be augmented. In addition, the Panel is not aware of WorkSafe's views about Viva's submission that it be a referral authority. Consequently, the Panel is reluctant to introduce these changes as part of the Amendment. Nevertheless, it notes that notification and referral arrangements would likely be reviewed if and when a BAO is applied.

In terms of the pipelines, the Panel is satisfied the DDO6 references in the design objectives, built form provisions, application requirements and decision guidelines are appropriate. The exhibited application requirement relating to pipelines, while less detailed than Council's alternative drafting discussed earlier, is adequate for the purposes of the DDO.

The Panel notes that it does not have the views of Energy Safe Victoria in relation to Viva's submission that it be a referral authority and is reluctant to introduce these changes as part of the Amendment. As noted in relation to the Terminal, referral and notification issues would likely be further reviewed if and when a BAO is applied.

Finally, the Panel notes that the issues around applying the BAO were discussed in the Panel report for Amendment C131hbay, which noted:



The next step, one that falls outside the scope of this Amendment, will be for the Planning Scheme to be amended (based on careful strategic work) to apply the newly created Buffer Area Overlay to the appropriate areas of the City to manage the risks on planning, building and public health posed by the major hazard facilities.<sup>28</sup>

The Panel shares this view in relation to Amendment C133hbay.

### 3.5 Conclusions and recommendations

The Panel concludes:

- The Amendment will not increase the risks associated with the Newport Terminal MHF and pipelines.
- The Amendment should proceed on the basis of the mapped OPAA, not the revised guidance on the WorkSafe website.
- The need for including referral arrangements within this Amendment has not been demonstrated, although referral arrangements warrant further consideration by Council, potentially as part of implementing the BAO.
- The DDO6 would be improved by including additional references to the Newport Terminal MHF.

The Panel recommends:

**In Design and Development Overlay Schedule 6, Clause 1.0 (Design objective) replace the fifth Design objective with:**

*To ensure development is designed to mitigate noise impacts from the railway corridor, is set back from pipeline infrastructure and responds to any constraints associated with the Newport Terminal Major Hazard Facility.*

**In Design and Development Overlay Schedule 6, Clause 6.0 (Decision guidelines) include the following:**

*Whether the proposal adequately responds to any constraints associated with the Newport Terminal Major Hazard Facility.*

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<sup>28</sup> Amendment C131hbay Panel Report

## 4 Noise impacts

### 4.1 The issue

The issue is whether the Amendment should include additional provisions to address noise impacts.

### 4.2 Background

The exhibited DDO6 includes:

- The following design objective:
  - To ensure development is designed to mitigate noise impacts from the railway corridor.
- The following building or built form requirement relating to the railway interface:
  - Provide acoustic mitigation and absorption along the railway interface to alleviate noise impacts and minimise the rebound of rail noise onto Hall Street.
- The following application requirement:
  - An acoustic assessment report prepared by a qualified acoustic engineer or other suitably skilled person to the satisfaction of the responsible authority which:
    - Takes into consideration, the vibration impact from the rail corridor on the future development.
    - Applies the following noise objectives:
      - 35 dB LAeq,8h when measured within a sleeping area between 10 pm and 6 am.
      - 40 dB LAeq,16h when measured within a living area between 6 am and 10 pm.
    - For areas other than sleeping and living areas, the median value of the range of recommended design sound levels of Australian Standard AS/NZ 2107:2016 (Acoustics – Recommended design sound level and reverberation times for building interiors).
    - Includes recommendations for any noise attenuation measures required to meet the applicable noise level objectives.
    - Includes additional considerations, where relevant, to address:
      - potential noise character (tonality, impulsiveness or intermittency);
      - noise with high energy in the low frequency range; and
      - transient or variable noise that an acoustic assessment report be prepared that addresses various matters.
  - The following decision guideline:
    - Whether the impact of the potential noise sources have been mitigated through design, layout, and location; and whether this reduces the need for acoustic treatment of buildings or compromises the useability of the building by its occupant.

The exhibited DDOs 7, 12 and 18 include an application requirement in relation to potential noise impacts on surrounding properties, but do not include any provisions related to noise or vibration associated with the rail corridor.

### 4.3 Submissions

The EPA (S17) noted it provided Council with advice on the 2018 and 2022 versions of the Structure Plan, including advice on application requirements relating to noise and vibration impacts associated with the rail corridor, Melbourne Road and existing industry.

The EPA submitted that the application requirement included in DDO6 should be included in DDOs 7, 12 and 18, consistent with its previous advice to Council. It recommended:

Given the proximity of each precinct (all or part of) to the rail corridor or Melbourne Road, EPA suggest that the recommended wording is also copied across each of the DDOs, noting that this requirement may not be applicable to all areas of each precinct (DDO7 for example).<sup>29</sup>

In addition, the EPA recommended the inclusion of:

...an additional requirement that requires permit holders to verify that buildings that will accommodate noise sensitive uses have been constructed in accordance with the recommendations of any acoustic assessment, as a way of ensuring that the intended outcome with respect to noise attenuation has been achieved. We note that this recommendation has not been included in the Schedules to the DDO.<sup>30</sup>

Council submitted that the application requirement in DDO6 was consistent with the Structure Plan's identification of the western side of Hall Street (that directly interfaces with the rail corridor) as one of the areas where acoustic mitigation should be considered.<sup>31</sup> The associated strategy is BFH-3.3:

Require acoustic mitigation from railway noise sources as part of new development in accordance with current standards.<sup>32</sup>

Council noted that land not directly interfacing with the rail corridor is excluded from this approach, including land that is separated by a road (such as the properties to the east of Hall Street). Also excluded is the area along the rail corridor in the Arts and Recreation precinct because it is not proposed to be subject to a DDO. Consequently, the relevant area is confined to the Northern Gateway precinct and DDO6.

Council advised:

The remaining DDO schedules have not sought to include these provisions as, in Council's submission, the physical circumstances do not warrant such provisions, further reflected through the lack of identified need for protection from noise from the rail corridor within the Structure Plan.<sup>33</sup>

Council submitted there is no strategic basis for extending the application requirement beyond the DDO6 and that the area covered by the DDO6 represents a specific scenario that warrants these measures over and above the existing provisions.

Council submitted the existing planning provisions<sup>34</sup> are adequate to require acoustic mitigation measures on a case-by-case basis through the planning permit process, irrespective of any specific requirements in DDO6 or other overlays.

Council did not support the additional requirement sought by the EPA for post-construction verification about the inclusion of recommended noise attenuation works. Council noted that development must occur in accordance with conditions on a planning permit and there are processes for this to be managed and enforced.

## 4.4 Discussion

The Panel acknowledges Council's approach to managing noise impacts is consistent with the findings of the Structure Plan and is intended to augment existing planning scheme provisions for

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<sup>29</sup> S17, page 3

<sup>30</sup> S17, page 4

<sup>31</sup> Newport Structure Plan, figure 17

<sup>32</sup> Newport Structure Plan, page 56

<sup>33</sup> D9, page 6

<sup>34</sup> Clause 55.04-8 Noise impact objectives

land that directly abuts the rail corridor. Although the EPA submission refers to other noise sources, including Melbourne Road and existing industry, the Structure Plan does not identify them as issues to be addressed and there are no related provisions in the Amendment.

The Panel is not satisfied the EPA has adequately justified the need to extend the proposed DDO6 application requirement to other DDOs and agrees with Council that other planning scheme provisions can be used to address noise attenuation.

However, the Panel believes that DDO12 should identify the potential for noise impacts associated with the rail corridor. This is in recognition of the lengthy Hall Street interface with the railway and the potential for noise impacts, despite the road separation relied on by Council. The Panel does not believe this is necessary for the other DDO areas given their greater distance from the rail corridor and, as the EPA noted, there are areas within the other DDOs that would not be affected. The Panel believes that DDO12 should include an additional application requirement:

A report that considers noise impacts associated with the rail corridor and whether any attenuation works are required and recommended.

Although this is not as expansive or prescriptive as the DDO6 application requirement sought by the EPA, the Panel believes that the circumstances of the Hall Street precinct are different and warrant greater flexibility.

The Panel does not support the EPA's proposed requirement in the DDOs that a post-construction report be provided to demonstrate that any acoustic treatments recommended in an acoustic report have been implemented. The Panel agrees with Council that compliance issues can and should be dealt with through the planning permit process.

As noted earlier, the EPA's submission included references to impacts associated with Melbourne Road and existing industry. Given that they were not identified as issues in the Structure Plan and in the absence of detailed submissions or evidence, the Panel is unable to make any recommendations about these matters.

## 4.5 Conclusions and recommendations

The Panel concludes:

- DDO6 adequately responds to noise and vibration issues associated with the rail corridor.
- DDO12 should include an additional application requirement that requires potential noise impacts to be considered.

The Panel recommends:

**In Design and Development Overlay Schedule 12, Clause 5.0 (Application requirements) include the following:**

***A report that considers noise and vibration impacts associated with the rail corridor and whether any attenuation works are required and recommended.***

## 5 Heritage

### 5.1 Oxford Street Newport (HO23)

**(i) The issue**

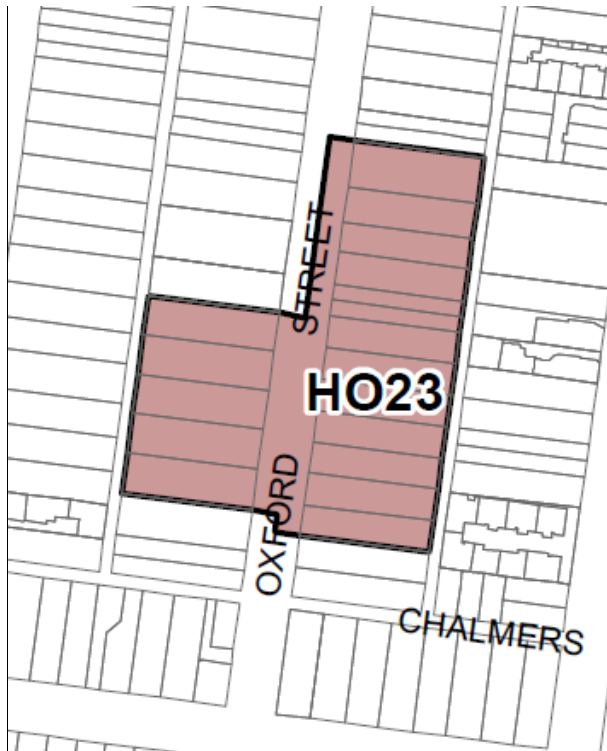
The issue is whether properties in Oxford Street should be removed from or added to the exhibited HO23 Newport Estate Residential Heritage Precinct.

**(ii) Background**

The Amendment proposes to apply HO23 to properties in Oxford Street shown in Figure 8, being 33 to 41 and 34 to 56. HO23 is an existing HO.

The Amendment included consequential zoning and other changes associated with applying HO23.

**Figure 8** Oxford Street HO23



SOURCE: Extract of exhibited HO map

**(iii) Evidence and submissions**

**33 Oxford Street**

The owners of 33 Oxford Street opposed the application of the HO to the property on the basis that it would reduce its value.

In her evidence, Ms Brady noted that the dwelling is a new building, constructed about February 2020, and is therefore non-contributory to the heritage precinct. She proposed that the HO not be

applied to the property, stating that the remaining buildings from 35 to 41 Oxford Street are all contributory properties, reinforcing the intactness and heritage value of the sub-precinct.

Council agreed that the property not be included in the HO and noted it was one of several properties where dwellings have been demolished, or partly demolished and undergone alterations or additions.

### **34, 36 and 38 Oxford Street**

The owners of 36 Oxford Street opposed the application of the HO to 34, 36 and 38 Oxford Street (as well as 33 Oxford Street), on the basis that the properties had been demolished or redeveloped. They submitted that NRZ5 would be appropriate rather than NRZ3, which applies to land in the HO. If the removal of the HO was not accepted, they proposed that the Amendment include a ‘transition’ provision.

Ms Brady noted the dwelling at 34 Oxford Street has had a substantial addition constructed in early 2021, impacting on its contributory value, while the contributory buildings at 36 and 38 Oxford Street had been demolished. She concluded that:

Having regard for the changes which have occurred to the properties at 34, 36 and 38 Oxford Street, and their location on the east side of Oxford Street at the south end of the sub-precinct, they are recommended to be removed from the sub-precinct. This would result in the east side of the street, as retained in the sub-precinct, being substantially intact save for the non-contributory townhouse pair at 48 and 48A Oxford Street. The removal of these properties would not have an unacceptable impact on the precinct.<sup>35</sup>

Council supported the removal of these properties from the proposed HO23 and noted the consequential changes to the Amendment this would require.

### **35 Oxford Street**

Mr Murphy (S14) made a submission at the Hearing on behalf of the owner of 35 Oxford Street. He argued the property should not be included in the HO, on the basis that the house had undergone significant internal and external changes, was in poor condition and did not appear to have the heritage significance of places that were not included in the HO (specifically referencing 57, 59 and 61 Oxford Street).

**Figure 9** 35 Oxford Street Newport



SOURCE: Brady evidence report (D6), page 41

<sup>35</sup> D6, page 18



He elaborated on his submission at the Hearing and described the changes to the original fabric of the dwelling which differentiate 35 Oxford Street from its neighbours, including:

- timber and brick verandah columns and external decoration
- original entrance door
- original front porch/verandah
- original glazing to all windows
- some of the original windows.<sup>36</sup>

He noted the existing tile roof has been subject to modification over time.

Mr Murphy argued there were significant differences in the features of the dwellings in the exhibited sub-precinct on the west side of Oxford Street from 33 to 41 Oxford Street, meaning that they don't share similarities which contribute to an intact streetscape or share uniform architectural characteristics. The differences include:

- variable setbacks from the street as each has its own individual setback, with some dwellings located closer to the street and others set further into their allotment
- there is diversity in roof materials, pitch, form, height and size
- there are different housing styles within this group and it doesn't present as a contiguous run of similar styled houses as highlighted elsewhere in the neighbourhood
- different exterior cladding materials have been used ranging from plastic/vinyl cladding through to weatherboards.<sup>37</sup>

He referred to 57, 59 and 61 Oxford Street, on the basis that they appeared to have a stronger case for heritage protection than 35 Oxford Street.

In her evidence, Ms Brady stated that *'While it is agreed that the dwelling is modest and simply detailed and has lost some of its original visible external elements, it retains its overall original form and presentation to Oxford Street, and still clearly reads as an interwar bungalow which is part of the precinct's valued character and period of development'*.<sup>38</sup> She concluded that it should be retained in the precinct, and *'it will be part of a section of street (to its north) which retains contributory properties'*.<sup>39</sup>

Council supported Ms Brady's conclusion:

The submitter focussed on the condition of the dwelling on the land, concluding the dwelling is a 'substantially modified house'. While conceding that there have been some modifications to the dwelling, Council contests the assertion that the dwelling is 'substantially' modified (or modified to a degree that diminishes the local heritage significance of the dwelling).

In considering the submission, the Panel is reminded that heritage panels jurisprudence reflects that condition is given low weight in assessment of heritage values at this stage of the planning process (noting greater weight may be given at the subsequent stage). Alterations to the dwelling include replacement of fabric consistent with repairs and routine maintenance (for example, the roof materials) and otherwise are reversible (verandah supports) and have not diminished the cultural heritage significance of the dwelling to a degree that renders the dwelling below the threshold for local heritage recognition as part of a precinct.

Council submits that while the Submitter has accurately identified that there are older heritage buildings in the same street as 35 Oxford Street, these buildings are sufficiently separated from the core of the identified precinct and interrupted by non-contributory fabric

<sup>36</sup> D11, page 1

<sup>37</sup> D11, page 4

<sup>38</sup> D6, page 18

<sup>39</sup> D6, page 18

such that these buildings while of some heritage interest are not able to be 'read' with the balance of the precinct sufficiently to warrant inclusion in the precinct.

Council submits hard and fast rules for the make-up of a precinct are both undesirable and undermine the importance of the coherence of a precinct.<sup>40</sup>

In relation to 57, 59 and 61 Oxford Street, Ms Brady noted that:

...57 Oxford Street is a later and altered bungalow, which would not be considered contributory... 59 and 61 Oxford Street, on the other hand, are simply detailed interwar timber bungalows which could be considered of relevance to the HO23 precinct. However, all these properties are at some distance to the north of the sub-precinct and are separated from it by some 8 or so properties. While there are some intervening dwellings of apparent relevance, this section of the north end of Oxford Street is 'patchy' and not highly intact, and its exclusion from the sub-precinct (including the exclusion of 57, 59 and 61 Oxford Street) is justified in heritage terms.<sup>41</sup>

### 39 Oxford Street

The owner of 39 Oxford Street objected to its inclusion in the HO, on the basis that the parcels of land in Oxford Street do not necessarily follow any particular heritage style, varying between '*Californian Bungalows, Federation style homes, Victorian Style homes, brand new builds and even an empty block of land*'.

The submission listed a number of concerns, including:

- The Amendment would reduce or limit our options of future development/renovations due to a heritage overlay and lengthy processes to get permits passed by planning controls...
- We would like to be able to make full future use of our property as others in the area have prospered from having many interested buyers...
- The neighbourhood character is currently eclectic with many different styles of houses.
- The Amendment C133 Newport Structure Plan does not seem to follow a specific heritage style or age of house...
- We would argue that it is the entirety of Oxford street, with its treescape haven, that provides the neighbourhood with character not just this property alone...
- There are many other parcels that could have been included but were not.<sup>42</sup>

Ms Brady supported retention of the property as a contributory property:

While there are some changes to the dwelling, it retains its overall original form and presentation to Oxford Street, and still clearly reads as an early dwelling in the street with a symmetrical form; it is also part of the precinct's valued character and period of development. It is additionally on the west side of the street, and in a section of Oxford Street, which includes only contributory properties.<sup>43</sup>

Council noted the Gap Study and subsequent peer review supported inclusion of the property in the HO.

### 56 Oxford Street

The owners 56 Oxford Street objected to its inclusion in the HO and the inclusion of the nearby houses at 34 to 54 Oxford Street and 33 to 41 Oxford Street. The submission referenced the inclusion of crossovers and off-street parking, and noted they are not original features of heritage

<sup>40</sup> D21, page 13

<sup>41</sup> D6, page 18

<sup>42</sup> S16, pages 1 and 2

<sup>43</sup> D6, page 20

streetscapes. Further, many of the houses have been renovated, extended or newly built. The submission concluded:

It is not equitable to place building conditions on some houses in the street and not others. With our property being the largest, we are penalised more than any other house in the street. Our property re-sale value is diminished due to future use and development being restricted or prohibited.<sup>44</sup>

Ms Brady supported the retention of 56 Oxford Street in the HO:

The property at 56 Oxford Street ... is recommended to be retained in the sub-precinct as a contributory property. It presents to the street as a substantially intact turn of the nineteenth century timber dwelling, with some original detailing including a bay window and ashlar ruling to the façade. While the condition of the house has been described as poor, future repairs and replacement of fabric would not be prohibited under the Heritage Overlay, and in fact are encouraged. The existence of the carport, vehicle crossover and off-street parking, while not necessarily heritage elements, are acceptable introductions and generally allowed for under the Heritage Overlay.<sup>45</sup>

Council noted the Gap Study recommended inclusion of the property in HO23, and added that property values are not a material consideration in land use planning and not relevant to the Amendment.

#### **(iv) Discussion**

##### **33 Oxford Street**

The original dwelling at 33 Oxford Street that had been referenced in the Gap Study has been demolished, and a new dwelling was constructed in 2020.

There is therefore no reason to include it as part of the heritage sub-precinct, and it should not be included in HO23. Council outlined various consequential changes to the Amendment that would be required, including the application of the NRZ5 (Garden Suburban and Garden Court Areas) instead of the exhibited NRZ3 (Heritage Areas). The Panel supports those changes.

##### **34, 36 and 38 Oxford Street**

The dwellings at 36 and 38 Oxford Street have been demolished, while 34 Oxford Street has a renovation which dominates the original fabric of the house. The Panel is satisfied they should not be included in HO23, and supports the consequential changes that are necessary, including the application of the NRZ5 instead of the exhibited NRZ3. For this reason, the 'transition' provision sought by the owners is not necessary.

##### **35 Oxford Street**

The Panel considers that inclusion of 35 Oxford Street in HO23 is marginal. While there are many circumstances where properties clearly meet (or do not meet) the criteria listed in PPN1 this is a situation where arguments could support its inclusion or exclusion.

The key argument in favour of its inclusion is maintaining of a contiguous grouping of modest weatherboard houses on both sides of Oxford Street (35 to 41, and 40 to 56 opposite), particularly if the neighbouring 33 Oxford Street and 34, 36 and 38 Oxford Street (on the eastern side of the street) are not included in HO23.

<sup>44</sup> S27, page 1

<sup>45</sup> D6, page 22

The Panel notes submissions that there have been significant internal changes to the dwelling, it is in poor condition, and other places appear to have greater heritage significance. However, the exhibited Amendment did not include any internal controls, the condition of houses is not typically relevant to their heritage significance, and other properties may be the subject of a future heritage study and Amendment process.

The Panel has focused on two issues in determining whether 35 Oxford Street meets the threshold for inclusion in HO23:

- Does it make a significant contribution to the sub-precinct to justify its inclusion?
- Has there been sufficient change in the fabric of the building to undermine its heritage status?

The submitter was correct in noting there is variation in styles across this sub-precinct. However, this is precisely the characteristic the Gap Study considers defines the inherent nature of residential development in this part of Newport.

The Newport Estate Residential Heritage Precinct survives as a discontinuous group of houses located to the north and south of Mason Street, to the west of Melbourne Road. The precinct is defined by houses from the different periods of residential growth between 1880 and the end of WWII. These sometimes survive as long, consistent streetscapes such as the bungalow group along the western side of Schutt Street (north of Anderson Street) or the row of Victorian cottages in William Street (55-69) to more disparate groups such as Oxford Street to the north of the Leo Hoffman Reserve which reflects the slow and somewhat sporadic nature of development in Newport.

The precinct retains dwellings from the earliest development of the area such as Victorian-era cottages and villas, many Edwardian-era villas, early bungalows and simple 1920s dwellings in a Californian Bungalow mode, interwar and early Modern dwellings. Most are detached single-storey weatherboard houses set on small blocks. Architecturally, the buildings are notable for their modest scale, inexpensive materiality and their straightforward architectural expressions.<sup>46</sup>

This is noted in the description of the Oxford Street sub-precinct north of Newcastle Street:

By 1890, nine dwellings had been constructed in Oxford Street although substantial development did not begin until the period after WWI. It survives as a mixture of Victorian cottages and interwar bungalows.<sup>47</sup>

The Panel agrees with this assessment. The sub-precinct is partly defined by the variation in styles, so this argument for removal of 35 Oxford Street is weak.

The main issue is therefore whether the changes to the fabric of the building are sufficient to warrant exclusion from the exhibited HO23. The Panel considers that repairs to the tile roof are part of cyclical maintenance and do not detract from the heritage significance of the dwelling, and it is possible that the verandah columns could be replaced with more appropriate versions. However, it accepts that other changes to the front porch, windows and glazing have diminished the heritage values of the property, making it marginal for inclusion.

The fact that 35 Oxford Street is at the southern end of the sub-precinct (given the exclusion of 33 Oxford Street) means that its removal would not fundamentally alter the precinct's integrity.

On balance, the Panel supports its removal from the exhibited HO23 and any consequential changes to the Amendment that are required.

<sup>46</sup> Lovell Chen, Inner Newport Heritage Gap Study: Methodology Report, June 2022, page 11

<sup>47</sup> Ibid., p. 12

In relation to 57, 59 and 61 Oxford Street, the Panel has focused on the properties that were exhibited as part of the Amendment, and notes that applying the HO to additional properties would need to be progressed through a separate amendment, including notification to landowners. The Panel has not formed any views about the heritage values of these properties.

### **39 Oxford Street**

The Panel discounts the argument that future renovations are limited by a HO, but accepts they would need to respect the heritage values of the precinct. Similarly, like many other Panels, it does not accept that market prospects are diminished by heritage considerations; in any case, its focus is on whether the heritage values of the property justify its inclusion in HO23, not on concerns about renovations, property values and development potential.

Similarly, the Panel has discounted the argument that other properties are more worthy of heritage protection than 39 Oxford Street. Other properties may be the subject of future heritage studies and subsequent Amendments, and the Panel has focused on the properties that have been the subject of this Amendment.

The Panel accepts Ms Brady's assessment of the property, which retains its overall original form and presentation to Oxford Street.

As discussed in relation to 35 Oxford Street, the submitter is correct in noting there is variation in housing styles across this sub-precinct. However, the Panel has accepted this variation is central to the heritage values of this part of Newport, and is not an argument that supports exclusion from the Amendment.

### **56 Oxford Street**

The Panel supports Ms Brady's conclusions regarding 56 Oxford Street. The introduction of crossovers and off-street parking do not diminish the heritage value of the place. The Panel agrees that this dwelling is largely intact.

Also, as discussed in relation to 35 Oxford Street, variation in the dwellings along Oxford Street do not preclude their inclusion in a heritage precinct.

The Panel agrees with Council that impacts on property values is not a planning consideration – the issue is whether the property has heritage significance. It therefore concludes that 56 Oxford Street should be retained in the exhibited HO23.

### **(v) Conclusion and recommendation**

The Panel concludes that the exhibited application of HO23 within Oxford Street is justified, with the exceptions of 33, 34, 35, 36 and 38 Oxford Street.

The Panel recommends:

**Remove 33, 34, 35, 36 and 38 Oxford Street, Newport from the exhibited Heritage Overlay 23, apply the Neighbourhood Residential Zone Schedule 5 and make any other consequential changes that are necessary.**

## 5.2 William Street Newport (HO23)

### (i) The issue

The issue is whether properties in William Street should be removed from or added to the exhibited HO23.

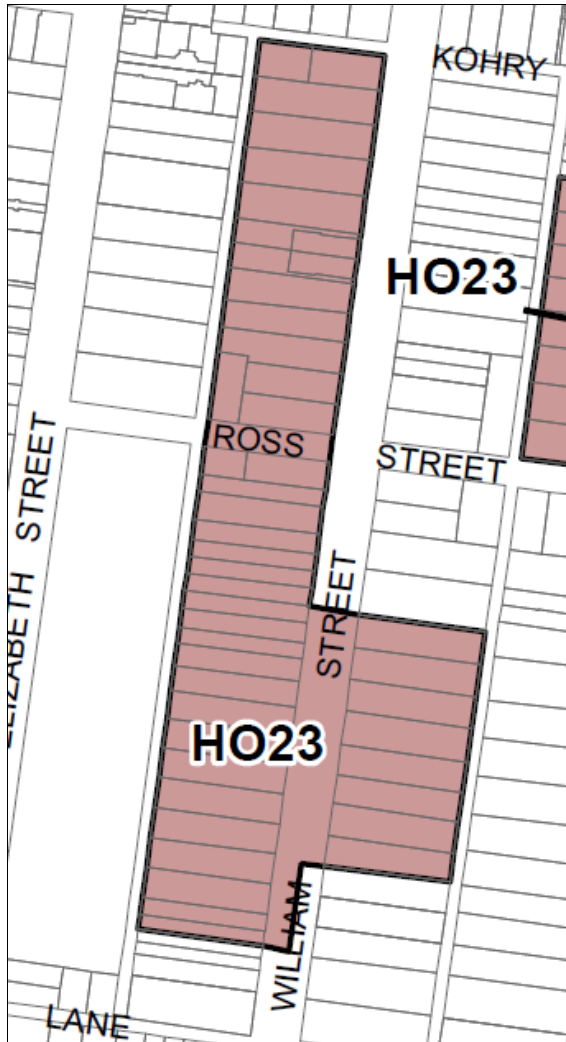
### (ii) Background

The Amendment proposes to apply HO23 to properties in William Street shown in Figure 10.

HO23 is an existing HO – Newport Estate Residential Heritage Precinct.

The Amendment included consequential zoning and other changes associated with applying HO23.

Figure 10 William Street HO23



SOURCE: Extract of exhibited HO map



**(iii) Evidence and submissions****54 William Street**

The owner of 54 William Street opposed its inclusion in HO23, claiming it has *'very little in the way of heritage features'*. The submission considered the 1946 construction, plain nature of the dwelling, poor condition, aluminium cladding and new red brick feature entrance all detract from its heritage significance. The submission also referred to neighbouring properties having limited heritage features.

Ms Brady accepted that the changes to the dwelling were significant, especially the entrance feature and the aluminium recladding. Given its location at the north end of the east side of the William Street sub-precinct, she concluded *'it can be removed from the precinct without impacting on the precinct'*.<sup>48</sup>

Council supported removal of 54 William Street from HO23 and the consequential changes.

**58, 60 and 62 William Street**

Domonic Wierzbicki (S6) supported the Amendment, but proposed the inclusion of 58, 60 and 62 in HO23:

These contribute to the character of William St and retain the original form. The properties at 60 and 62 William St, were an early subdivision in 1927 which encompassed 13 Ross St Newport (which has heritage overlay). These were built by the same builder and should all have the same level of heritage overlay.<sup>49</sup>

Ms Brady accepted that 60 and 62 William Street could be considered of heritage relevance, but not 58 William Street. She also expressed concern about the integrity and intactness of the William Street precinct.

Council noted that the properties were not included in the Gap Study and are not recommended for inclusion in HO23.

**91 William Street**

The owners and others proposed the removal of 91 William Street from the exhibited HO23, on the basis that the property has changed significantly, with substantial internal alterations, changes to the roof, extensions to the house with aluminium windows, and demolition of the outhouse. Further, there have been major developments in neighbouring properties.

The submission noted the building is proposed to be demolished and replaced with three dwellings.

Ms Brady considered that 91 William Street should be included in HO23:

It presents to the street as a substantially intact interwar timber bungalow, of a type found in the sub-precinct. While the condition of the house has been described as poor, future repairs and replacement of fabric would not be prohibited under the Heritage Overlay, and in fact are encouraged.

Potential future development of the property would be subject to Council approval.

The property is also in a section of William Street, at its north end, which has a high level of intactness and a high proportion of contributory properties.<sup>50</sup>

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<sup>48</sup> D6, page 24

<sup>49</sup> S6, page 1

<sup>50</sup> D6, pages 21 and 22

Council supported the retention of the property in the Amendment.

**(iv) Discussion**

**54 William Street**

The Panel has discounted arguments relating to the age and condition of the dwelling, on the basis that the precinct reflects the mix of dates of dwellings and condition is not a matter that determines whether a property has heritage significance.

The Panel has considered the changes in the dwelling, notably the aluminium cladding and rebuilt entrance. While these changes may be reversible, it accepts that the alterations are sufficient to undermine the heritage significance of the property. The alterations, together with the location of the dwelling on the edge of the sub-precinct, have therefore made the inclusion of the place in HO23 marginal. The Panel reached a similar conclusion in relation to 35 Oxford Street. It agrees with the submitter, Ms Brady and Council that it should be removed from the exhibited HO23. The Panel supports the consequential changes outlined by Council.

**58, 60 and 62 William Street**

As noted earlier, the Panel has focused on properties that were exhibited as part of the Amendment. Consequently it has not assessed 58, 60 and 62 William Street and has not formed any views about their heritage significance.

**91 William Street**

The Panel does not consider the internal changes to 91 William Street to be relevant, because internal controls are not proposed. The proposal to redevelop the site is also not relevant to consideration of the property's heritage significance.

The site's location as part of a largely intact sub-precinct reinforces its inclusion in the HO.

The key issue is whether the alterations to the property are sufficient to justify its removal from HO23. The Panel accepts the evidence of MS Brady that it is a substantially intact interwar timber bungalow, of a type found in the sub-precinct. On balance, it accepts its inclusion in HO23.

**(v) Conclusion and recommendation**

The Panel concludes that the exhibited application of HO23 to William Street is justified, with the exception of 54 William Street.

The Panel recommends:

**Remove 54 William Street, Newport from the exhibited Heritage Overlay 23, apply the Neighbourhood Residential Zone Schedule 5 and make any other consequential changes that are necessary.**

## 6 Other issues

### 6.1 Building heights

#### (i) Evidence and submissions

Kathryn Boin (S30) and Jordan Donia (S33) raised various issues related to building heights and sought blanket height controls, such as three to four storeys in the commercial areas and two storeys in residential areas. Ms Rehm (S4) sought a maximum four storey building height in the northern area.

Council relied on the assessment of building heights in the Structure Plan and other background documents such as the Urban Design Guidelines, and the evidence of Professor McGauran. It also noted the role of the Newport LNAC in accommodating future commercial and residential growth.

#### (ii) Discussion

The Panel supports the general arrangement of building heights recommended in the Structure Plan and included in the Amendment, subject to its findings in relation to specific sites and areas discussed elsewhere.

The Panel is satisfied the proposed building heights are broadly consistent with the role of the Newport LNAC and take account of the various constraints and opportunities identified in the background studies, including those focussed on Newport's residential areas. The Panel has not formed any views about whether these heights should be mandatory or discretionary, except for the Hall Street precinct as discussed in chapter 2.1.

For these reasons, the Panel does not support overall reductions in building heights through changes to proposed zones or DDOs.

#### (iii) Conclusion

The Panel concludes proposed building heights are appropriate.

### 6.2 Traffic, parking and movement

#### (i) Submissions

Submissions raised various issues related to road capacity, traffic management, road and pedestrian safety, car parking and bus routes (S1, S2, S5, S7, S8, S9, S12, S15, S19, S24, S29 and S30).

The Port of Melbourne (S5) suggested that the Amendment be referred to Freight Victoria for comment. Council advised that it provided a notification letter and fact sheet to Freight Victoria and did not receive a submission.

Transport Victoria (S36) advised it did not object to the Amendment or request any changes.

Council provided detailed responses to the issues raised in submissions and highlighted:

- the role of the Integrated Transport Plan and the Newport and Williamstown LAMP
- the relevant recommendations and actions in the Structure Plan

- the policy basis for focussing development in and around activity centres, such as the Newport LNAC
- the responsibilities for managing the road and public transport networks
- various local road and parking initiatives
- relevant traffic and parking regulations
- planning scheme provisions in relation to car parking.

Council noted that many of the issues raised in submissions were outside the scope of the Amendment.

**(ii) Discussion**

The Panel notes the various concerns raised in submissions, particularly those related to the capacity of the local road network and car parking. These are acknowledged in the Structure Plan, Integrated Transport Plan and LAMP which include various strategies and actions intended to address them. The Panel also notes that agencies other than Council are responsible for managing the arterial road network and public transport system, and these are largely outside the scope of the Amendment.

The Panel acknowledges that many of the issues raised in submissions currently exist, but believes that implementing the Structure Plan, Integrated Transport Plan and LAMP will provide a better framework for managing and addressing them. This is important given Newport's activity centre role and the additional growth and development that will come with this. As noted earlier, the Amendment is focussed on better managing development and 'tightening' the planning framework, and will not facilitate additional or more intensive development beyond what could occur under the current planning framework.

The Panel is satisfied that the Amendment will assist in managing the relevant traffic, parking and movement issues and that they do not preclude the Amendment proceeding.

**(iii) Conclusion**

The Panel concludes the Amendment will assist in managing the relevant traffic, parking and movement issues.

## **6.3 Drainage**

**(i) Submissions**

Patricia Greenwood (S7) raised concerns about street drainage and increased runoff in the Home Road/Elphin Street area resulting from the increased ratio of hard surface to open land associated with increased building density. The submission noted the current drainage system in the area is inadequate and results in regular street flooding.

Council provided an overview of the various planning scheme provisions that address site coverage, permeability, drainage and stormwater management. It advised that it requires new development to limit post-developed flows to pre-developed levels via on-site detention to avoid adding additional pressure on the drainage system.

Council advised Home Road is included in a program for new and upgraded works within the next ten years.

**(ii) Discussion**

The Panel notes that the Amendment will not facilitate an increase in development density beyond what is possible under the current zoning regime and would be unlikely to exacerbate any existing drainage issues. Nevertheless, it is satisfied that the appropriate planning scheme provisions are in place to manage stormwater and that Council is aware of and intends to address specific issues on Home Road.

**(iii) Conclusion**

The Panel concludes the Amendment will not exacerbate drainage issues and appropriate mechanisms are in place to manage them.

## Appendix A Submitters to the Amendment

No	Submitter	No	Submitter
1	Ping Le	20	Owners of 91 Williams Street et al
2	Robert Wilson	21	Jo Attard
3	Rex Allum	22	Geoff Kaandorp
4	Imogen Rehm	23	Suzannah Lilley
5	Port of Melbourne	24	Lee Smart
6	Dominic Wierzbicki	25	Kate Fraser
7	Patricia Greenwood	26	Joel Waide
8	Peter Ker	27	Owners of 56 Oxford Street
9	Melissa McDougall	28	Sarah and Andrew Horsfield
10	Judy Willis	29	Jason Egbers
11	Owners of 33 Oxford Street	30	Kathryn Boin
12	Sarah Thompson	31	Andrew McLynskey
13	Jennifer Jones	32	Owners of 36 Oxford Street
14	Adrian Murphy	33	Jordan Donia
15	Dario Ceppellini	34	Ali Kaddour
16	Owner of 39 Oxford Street	35	Owner of 54 William Street
17	Environment Protection Authority Victoria	36	Department of Transport
18	Nathan Stanley and Jillian Smith	37	Viva Energy Australia
19	Quintin Mansell		



## Appendix B Parties to the Panel Hearing

Submitter	Represented by
Hobsons Bay City Council	Adeline Lane (Jackson Lane Legal) who called expert evidence on: <ul style="list-style-type: none"> <li>- urban design from Robert McGauran of MGS Architects</li> <li>- heritage from Anita Brady of Anita Brady Heritage</li> </ul>
Sarah and Andrew Horsfield	Sarah Horsfield
Melissa McDougall	
Nathan Stanley and Jillian Smith	Tania Cincotta (Best Hooper Lawyers)
Viva Energy Australia Pty Ltd	Kayla Gregg (Davis Advisory) who called expert evidence on: <ul style="list-style-type: none"> <li>- planning from Cameron Gentle of Hansen Partnership</li> <li>- risk from Diane Hinson of Advisian</li> </ul> Alison McGregor (Viva Energy Australia Pty Ltd) provided an overview of Viva's operations in the Newport area.
Adrian Murphy	
Rex Allum	
Quintin Mansell	
Owners of 36 Oxford Street	

## Appendix C Document list

No.	Date	Description	Provided by
1	3 Nov 22	Panel Directions and Timetable (version 1)	Planning Panels Victoria (PPV)
2	14 Nov 22	Revised Timetable (version 2)	Planning Panels Victoria (PPV)
3	14 Nov 22	Maps of sites referred to in submissions	Hobsons Bay City Council (Council)
4	25 Nov 22	Part A submission	Council
5	25 Nov 22	McGauran urban design evidence	Council
6	25 Nov 22	Brady heritage evidence	Council
7	28 Nov 22	Gentle planning evidence	Viva Energy Australia Pty Ltd (Viva) (S37)
8	28 Nov 22	Hinson risk evidence	Viva
9	2 Dec 22	Part B submission and attachments	Council
10	5 Dec 22	Presentation maps	Sarah Horsfield (S28)
11	6 Dec 22	Submission	Adrian Murphy (S14)
12	6 Dec 22	Overview presentation (updated version received 7 Dec 22)	Viva
13	6 Dec 22	Gentle planning presentation	Viva
14	6 Dec 22	Hinson risk presentation	Viva
15	6 Dec 22	Submission	Nathan Stanley and Jillian Smith (S18)
14	6 Dec 22	Submission	Melissa McDougall (S9)
15	7 Dec 22	V3 Distribution list	PPV
16	7 Dec 22	Submission and attachments	Rex Allum (S3)
17	7 Dec 22	Submission	Owners of 36 Oxford Street
18	7 Dec 22	Submission	Quintin Mansell (S19)
19	7 Dec 22	GJM Heritage Queens Parade Built form Heritage Analysis	Nathan Stanley and Jillian Smith (S18)
20	7 Dec 22	Hansen Partnership Queens Parade Built Form Review	Nathan Stanley and Jillian Smith (S18)
21	8 Dec 22	Closing submission	Council
22	8 Dec 22	Map of Inner and Outer Planning Advisory Areas prepared by WorkSafe	Council
23	9 Dec 22	Response to Panel question about building heights	Council
24	14 Dec 22	Maps of pipeline measurement length	Viva

## Appendix D Planning context

### D:1 Planning policy framework

#### Victorian planning objectives

The key State policy objectives set out in section 4 of the PE Act that are relevant to the Amendment include:

- To provide for the fair, orderly, economic and sustainable use, and development of land.
- To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.
- 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 protect public utilities and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community.
- To balance the present and future interests of all Victorians.

#### Clause 2 (Municipal Planning Strategy)

The key elements of Clause 2 that are relevant to the Amendment include:

- 02.03-1 (Settlement), including activity centre and amenity policies
- 02.03-5 (Built environment and heritage), including building and urban design, neighbourhood character and heritage policies
- 02.03-6 (Housing), including the designation of 'substantial change areas'
- 02.03-7 (Economic development), including industry, major hazard facilities and tourism

#### Clause 11 (Settlement)

The key elements of Clause 11 that are relevant to the Amendment include:

- 11.02-1S (Supply of urban land)
- 11.02-2S (Structure planning)
- 11.03-1S (Activity centres)
- 11.03-1R (Activity centres – Metropolitan Melbourne)
- 11.03-1L (Activity centres).

#### Clause 13 (Environmental risks and amenity)

The key elements of Clause 13 that are relevant to the Amendment include:

- 13.04-1S (Contaminated and potentially contaminated land)
- 13.05-1S (Noise management)
- 13.06-1S (Air quality management)
- 13.07-1S (Land use compatibility)
- 13.07-2S (Major hazard facilities).

#### Clause 15 (Built environment and heritage)

The key elements of Clause 15 that are relevant to the Amendment include:

- 15.01-1S (Urban design)
- 15.01-1L-01 (Design in substantial change areas)
- 15.01-2S (Building design)
- 15.01-2L-01 (Building design)

- 15.01-4R (Healthy neighbourhoods – Metropolitan Melbourne)
- 15.01-5S (Neighbourhood character)
- 15.03-1S (Heritage conservation)
- 15.03-1L-01 (Heritage conservation).

#### **Clause 16 (Residential development)**

The key elements of Clause 16 that are relevant to the Amendment include:

- 16.01-1S (Housing supply)
- 16.01-1L (Location of residential development).

#### **Clause 17 (Economic development)**

The key elements of Clause 17 that are relevant to the Amendment include:

- 17.02-S (Business)
- 17.03-1S (Industrial land supply)
- 17.03-2S (Sustainable industry)
- 17.04-1S (Facilitating tourism).

#### **Clause 18 (Transport)**

The key elements of Clause 18 that are relevant to the Amendment include:

- 18.01-2L (Transport system)
- 18.02-4S (Roads).

#### **Clause 19 (Infrastructure)**

The key element of Clause 19 that are relevant to the Amendment include:

- 19.01-3S (Pipeline infrastructure).

## **D:2 Other relevant planning strategies and policies**

### **i) Plan Melbourne**

*Plan Melbourne 2017-2050* sets out strategic directions to guide Melbourne's development to 2050, to ensure it becomes more sustainable, productive and liveable as its population approaches 8 million. It is accompanied by a separate implementation plan that is regularly updated and refreshed every five years.

Plan Melbourne is structured around seven Outcomes, which set out the aims of the plan. The Outcomes are supported by Directions and Policies, which outline how the Outcomes will be achieved.

The Explanatory Report described how the Amendment achieves the relevant elements of Plan Melbourne, including the following Directions:

- 2.1 (Manage the supply of new housing in the right locations to meet population growth and create a sustainable city)
- 2.2 (Deliver more housing closer to jobs and public transport)
- 2.4 (Facilitate decision-making processes for housing in the right locations)
- 2.5 (Provide greater choice and diversity of housing)
- 3.3 (Improve local travel options to support 20-minute neighbourhoods)
- 4.3 (Achieve and promote design excellence)

- 5.1 (Create a city of 20-minute neighbourhoods)
- 5.2 (Create neighbourhoods that support safe communities and healthy lifestyles)
- 5.4 (Deliver local parks and green neighbourhoods in collaboration with communities)
- 6.1 (Transition to a low-carbon city to enable Victoria to achieve its target of net zero greenhouse gas emissions by 2050)
- 6.3 (Integrate urban development and water cycle management to support a resilient and liveable city)
- 6.4 (Make Melbourne cooler and greener)
- 6.6 (Improve air quality and reduce the impact of excessive noise).

#### ii) **Newport Structure Plan Urban Design Guidelines August 2021**

The Newport Structure Plan Urban Design Guidelines (the Urban Design Guidelines) were prepared to inform the Newport Structure Plan and provide a basis for implementing urban design and development controls through the Amendment.

It provides overarching design principles and guidelines, together with more detailed design guidance for each of five precincts including existing and proposed features, built form, streetscape character and environment, access and movement, and various street cross-sections.

The built form sections express building heights as ‘mandatory’ maximum heights, while other elements such as setbacks are expressed as ‘preferred’.

#### iii) **Hobsons Bay Activity Centres Strategy (2019-36) July 2019**

The Hobsons Bay Activity Centres Strategy (the Activity Centres Strategy) was in part implemented through Amendment C131hbay that was approved in February 2022.

The Activity Centres Strategy provides an over-arching framework to inform planning, economic development and decision-making about activity centres in Hobsons Bay. It identified Newport as a LNAC, intended to *‘provide a comprehensive range of retail, commercial and community services meeting virtually all of the basic grocery and convenience needs of the surrounding community’*.<sup>51</sup>

The Activity Centres Strategy noted the Newport LNAC would be the subject of future structure planning and included the actions:

- Complete the structure plan for Newport Large NAC to provide guidance on built form and land use outcomes and to build on Newport’s access to public transport.
- Include consideration of complex land uses such as proximity to industrial land and protection of heritage where appropriate.<sup>52</sup>

It includes centre-specific guidelines (brochure) for the Newport LNAC that provides a vision and broad urban design directions.

#### iv) **Hobsons Bay Housing Strategy 2019**

The Hobsons Bay Housing Strategy (the Housing Strategy) was in part implemented through Amendment C131hbay that was approved in February 2022. It provides a policy framework for managing housing in Hobsons Bay over the next 20 years.

<sup>51</sup> Hobsons Bay Activity Centre Strategy p5

<sup>52</sup> Hobsons Bay Activity Centre Strategy p37-38

The Housing Strategy identified four housing change areas (minimal, incremental, moderate and substantial) and recommended the new residential zones (and other zones) be applied on that basis. It deferred making detailed recommendations about various areas that were the subject of structure planning or urban design processes, including the Newport LNAC.

The Amendment includes various residential and other zones intended to complete the implementation of the Housing Strategy within the Newport LNAC.

**v) Neighbourhood Character Study July 2019**

The Neighbourhood Character Study was in part implemented through Amendment C131hbay that was approved in February 2022. It involved a review of the 2002 character study and was intended to inform the application of the new residential zones.

It recommended that the earlier 42 precincts be reduced to 28 precincts based on six neighbourhood character types. Parts of the broader Newport area were recommended for the N4 and N7 Garden Suburban Precincts, E8 and E9 Inner Urban/Garden Suburban Precincts and the E2 Urban Contemporary Precinct.

**vi) Integrated Transport Plan 2017-30**

The Integrated Transport Plan sets out a long-term vision for the development of an integrated transport system within Hobsons Bay.

The Structure Plan identifies numerous actions within Newport to improve safe cyclist and pedestrian movement and support a shift towards more active transport.

**vii) Newport and Williamstown North Local Area Movement Plan**

The Newport and Williamstown LAMP addresses the planning and management of the current road and transport networks across all modes of transport. Its key purpose is to identify opportunities to improve safety, connections, amenity and accessibility, primarily on the local network.

The LAMP was adopted by Council and recommended various actions and initiatives focussed on sustainable and active transport, and vehicular traffic, including actions within Newport.

## **D:3 Planning Scheme Amendments**

**i) Amendment C131hbay - Updated Planning Scheme and new Residential Zones**

Amendment C131hbay was approved by the Minister for Planning on 24 February 2022.

The Amendment replaced the Municipal Strategic Statement and the Local Planning Policy Framework with a:

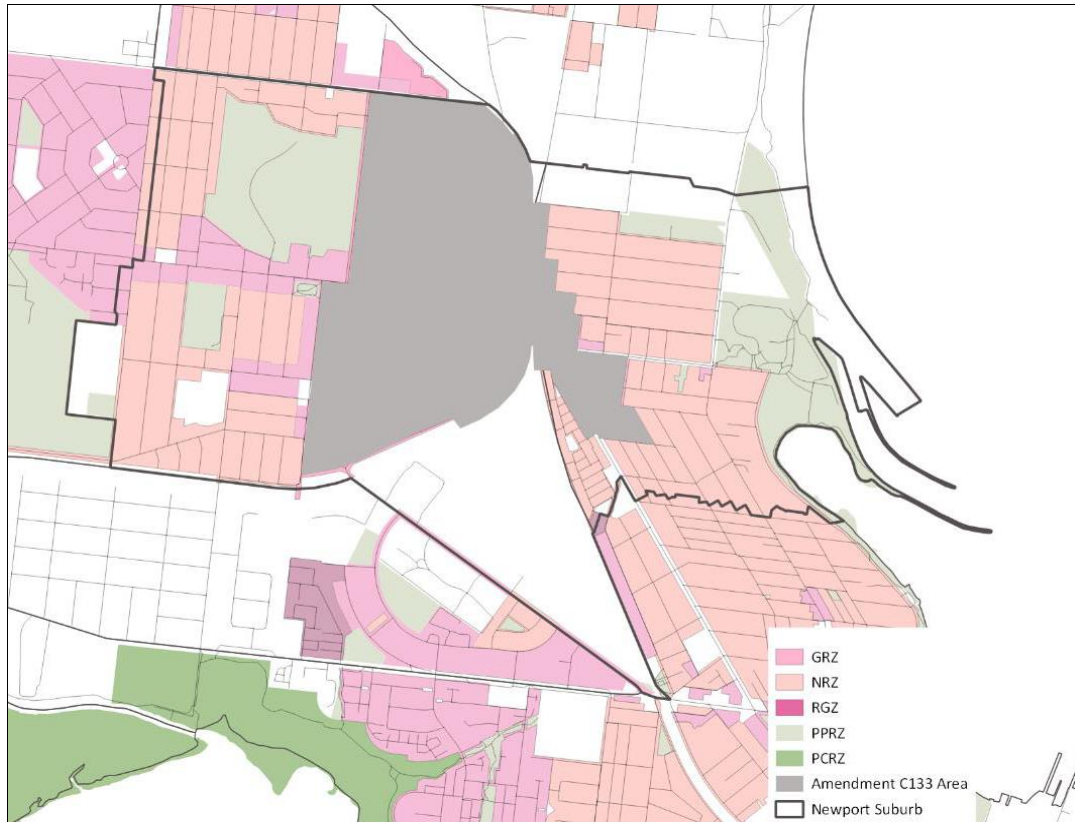
- Municipal Planning Strategy
- local policies within the Planning Policy Framework
- revised local schedules to zones, overlays, particular, operational and general provisions, consistent with the structure introduced by Amendment VC148.

The Amendment also implemented the new residential zones across the municipality and applied Neighbourhood Character Overlays to specific residential areas.

The Amendment applied new residential zones to land in Newport outside the areas covered by the Structure Plan and the Inner Newport Heritage Gap Study, and deferred any rezonings within those areas to Amendment C133hbay. These areas are shown on Figure 11.

The Amendment was the subject of a Panel Report, that recommended approval subject to some minor changes.

**Figure 11 Application of residential zones through Amendment C131hbay**



SOURCE: Council's Part A submission (D4)

## D:4 Ministerial Directions, Planning Practice Notes and guides

### Ministerial Directions

The Explanatory Report and Council's Part A submission discuss how the Amendment meets the relevant requirements of:

- Ministerial Direction 11 (Strategic Assessment of Amendments) and *Planning Practice Note 46: Strategic Assessment Guidelines*, August 2018 (PPN46).
- Ministerial Direction No. 1 Potentially contaminated land (including the application of the EAO)
- Ministerial Direction No. 9 Metropolitan Strategy (as noted earlier in relation to Plan Melbourne)
- Ministerial Direction No. 15 The Planning Scheme Amendment Process



- Ministerial Direction No. 19 The preparation and content of amendments that may significantly impact the environment, amenity and human health (including consultation with the EPA in relation to the Environmental Audit Overlay and noise impacts)
- Ministerial Direction No. 20 Major Hazard Facilities (including consultation with WorkSafe Victoria and the Minister for Economic Development).

That discussion is not repeated here.

### **Planning Practice Notes**

The Explanatory Report and/or Council's Part A submission discuss how the Amendment meets the relevant requirements of:

- PPN1 Applying the Heritage Overlay
- PPN30 Potentially Contaminated Land
- PPN58 Structure Planning for Activity Centres
- PPN59 The role of Mandatory Provisions in Planning Schemes
- PPN60 Height and Setbacks for Activity Centres
- PPN90 Planning for Housing
- PPN91 Using the Residential Zones.

The Panel directed that Council's Part B submission:

...explain why the building height, street setback and residential interface requirements in DDO6, DDO7, DDO12 and DDO18 are mandatory and not discretionary, having regard to Planning Practice Note 59 The Role of Mandatory Provisions in Planning Schemes and Planning Practice Note 60 Height and Setback Controls for Activity Centres...<sup>53</sup>

The purpose of PPN59 (The Role of Mandatory Provisions in Planning Schemes) is as follows:

This practice note sets out criteria that can be used to decide whether mandatory provisions may be appropriate in planning schemes.

In addition to this practice note, specific criteria and implementation approaches for proposed mandatory height and setback controls at activity centres are dealt with in Planning Practice Note 60 Height and setback controls for activity centres.<sup>54</sup>

The purpose of PPN60 (Height and setback controls for activity centres) is as follows:

This practice note provides guidance on the department's preferred approach to the application of height and setback controls for activity centres.

This practice note should be read in conjunction with Practice Note 58: Structure planning for activity centres and Planning Practice Note 59: The role of mandatory provisions in planning schemes.<sup>55</sup>

Council's responses were included in its Part B submission.

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<sup>53</sup> Panel Direction 14 a), Panel's directions and timetable letter dated 3 November 2022

<sup>54</sup> PPN59

<sup>55</sup> PPN60



## Department of Environment, Land, Water and Planning

8 Nicholson Street  
East Melbourne, Victoria 3002  
PO Box 500  
East Melbourne, Victoria 8002

Mr Aaron van Egmond  
Chief Executive Officer  
Hobsons Bay City Council

Attention: Emina Krijestorac  
Email address: [ekrijestorac@hobsonsbay.vic.gov.au](mailto:ekrijestorac@hobsonsbay.vic.gov.au)

Dear Mr van Egmond

### **PROPOSED HOBSONS BAY PLANNING SCHEME AMENDMENT C133HBAY – NEWPORT STRUCTURE PLAN**

I refer to your council's application for authorisation to prepare an amendment to the Hobsons Bay Planning Scheme. The amendment proposes to implement strategies and objectives of the *Newport Structure Plan* and *Inner Newport Heritage Gap Study 2021* into the Hobsons Bay Planning Scheme through the application of local policy, new residential zones and overlays to the Newport neighbourhood activity centre excised from Amendment C131hbay.

Under delegation from the Minister for Planning, in accordance with section 8A of the *Planning and Environment Act 1987* (the Act) I authorise your council as planning authority to prepare the amendment subject to the following conditions.

1. Prior to exhibition, unless otherwise agreed with the Department of Environment, Land, Water and Planning (DELWP) officers, the following changes to the amendment documentation must be made:

#### Policy Content

- a. The proposed content in Clause 11.03-1L Activity Centres must be reviewed by the council and where appropriate, revised, removed or relocated consistent with Amendment VC148 – Planning Advisory Note 71. The purpose of this review is to ensure that policy content that duplicates other provisions within the current Hobsons Bay Planning Scheme and/or proposed provisions in Amendment C133 are removed.

#### Design & Development Overlay

- b. The proposed design or built form controls relating to 'gateway sites' and the identification of 'gateway sites' on maps in the Schedules to the Design and Development Overlay (DDO) must be revised or removed (to reflect that they relate to proposed works in the public realm).
- c. The proposed 'Application Requirements' and 'Decision Guidelines' in the proposed DDO schedules must be revised to remove references to Environmentally Sustainable Design (ESD) measures (to reflect that ESD related matters are provided for within the Planning Policy Framework).

#### Privacy Statement

Any personal information about you or a third party in your correspondence will be protected under the provisions of the Privacy and Data Protection Act 2014. It will only be used or disclosed to appropriate Ministerial, Statutory Authority, or departmental staff in regard to the purpose for which it was provided, unless required or authorised by law. Enquiries about access to information about you held by the Department should be directed to the Privacy Coordinator, Department of Environment, Land, Water and Planning, PO Box 500, East Melbourne, Victoria 8002



OFFICIAL

- d. Further justification for the proposed 'Application Requirements' and 'Decision Guidelines' relating to (i) waste collection, removal and delivery areas and (ii) acoustic mitigation in DDO7, DDO12 and DDO18 must be submitted to DELWP for review and DELWP approval.
- e. The extent of the proposed DDO19 – Arts and Recreation Precinct must be revised to remove land zoned Transport Road Zone (TRZ1) and Public Park and Recreation Zone (PPRZ).

#### Heritage Overlay

- f. The Schedule to Clause 43.01 Heritage Overlay (HO) must be amended to include reference to the title of the incorporated statements of significance in accordance with the guidance outlined in Planning Practice Note 1.
- g. The statement of significance for HO322 – Mason Street Ecclesiastical and Residential Heritage Precinct must remove the inclusion of the Christ Church complex at 59-61 Mason Street and the 'St Arnaud' building at 65 Mason Street so that it is clear HO322 only applies to places unaffected by existing HOs.

#### Amendment documentation

- h. The Explanatory Report must be updated in a manner generally in accordance with the version attached and to include any changes required as a consequence of the conditions above.

#### Substantive issues

The 'Walker Street Residential Area' is proposed to be rezoned to RGZ3 and included in DDO7 (Area D). As stated in PPN91, the RGZ should be applied to substantial housing change areas identified as being suitable for increased densities. PPN91 also advises that the application of zone and heritage overlay should be consistent with the strategic intent. It is noted that the advice in the practice note refers to inconsistent zoning and heritage overlay applying to the same land.

In this instance the RGZ3/DDO7 Area D is not proposed to apply to land impacted directly with heritage overlay. The council's intent to ensure that the substantial change and development up to 4 storeys is respectful to the surrounding heritage context is noted. However, the Design Objectives (in a Zone Schedule) and Design or Built Form controls (in a Design and Development Overlay) that seek to restrict development outcomes may be interpreted to be in conflict with the RGZ's intent for substantial growth and may be subject to review at a later stage in the amendment process by DELWP.

The amendment must be submitted to the Minister for approval.

The authorisation to prepare the amendment is not an indication of whether or not the amendment will ultimately be supported.

Please note that [Ministerial Direction No. 15](#) sets times for completing steps in the planning scheme amendment process. This includes council:

- giving notice of the amendment within 40 business days of receiving authorisation; and before notice of the amendment is given, setting Directions Hearing and Panel Hearing dates with the agreement of Planning Panels Victoria. These dates should be included in the Explanatory Report ([Practice Note 77: Pre-setting panel hearing dates](#) provides information about this step).

The Direction also sets out times for subsequent steps of the process following exhibition of the amendment.

The Minister may grant an exemption from requirements of this Direction. Each exemption request will be considered on its merits. Circumstances in which an exemption may be appropriate are outlined in [Advisory Note 48: Ministerial Direction No.15 – the planning scheme amendment process](#).

In accordance with sections 17(3) and (4) of the Act, the amendment must be submitted to the Minister **at least 10 business days** before council first gives notice of the amendment.

Please submit the amendment electronically using the Amendment Tracking System (ATS).

If you have any further queries in relation to this matter, please contact Angela Chan, Planner, DELWP, at: [angela.chan@delwp.vic.gov.au](mailto:angela.chan@delwp.vic.gov.au).

Yours sincerely,



**Steven Cox**  
Manager, State Planning Services

**6 April 2022**

Encl.

# Amendment C133 - Newport Structure Plan

Delegates report – Submissions to C133  
October 2022

## PURPOSE OF REPORT

The purpose of this report is to consider submissions received to Amendment C133 - Newport Structure Plan and request the Minister for Planning to appoint an independent planning panel to consider all submissions under Section 23 of the *Planning and Environment Act 1987*.

## BACKGROUND

### Purpose of the amendment

Amendment C133 affects land within Newport Structure Plan and Inner Newport Heritage Gap Study Area.

The amendment seeks to implement the findings of the Newport Structure Plan and Inner Newport Heritage Gap Study and apply new residential zones to the areas excised from Amendment C131. Specifically, the exhibited amendment proposes the following changes:

- replace Clause 02.03 to include reference to the Newport Large Neighbourhood Activity Centre in the strategic directions
- replace Clause 02.04 to include an updated Strategic Framework Plan and Residential Development Framework Plan
- replace Clause 11.03-1L Activity Centres to introduce local policy related to the Newport Large Neighbourhood Activity Centre
- insert new Clause 18.01-1L Newport integrated transport
- insert a new Schedule 2 to Clause 32.04 Mixed Use Zone
- rezone properties from General Residential Zone, Schedule 1 (GRZ1) to Mixed Use Zone, Schedule 2 (MUZ2)
- insert a new Schedule 3 to Clause 32.07 Residential Growth Zone
- rezone properties from General Residential Zone, Schedule 1 (GRZ1) to Residential Growth Zone, Schedule 3 (RGZ3)
- replace General Residential Zone, Schedules 2 and 8 with new General Residential Zone, Schedules 2 and 8
- insert a new Schedule 9 to Clause 32.08 General Residential Zone (GRZ9)
- rezone properties from General Residential Zone, Schedule 1 to General Residential Zone Schedules 3, 8 and 9
- replace Neighbourhood Residential Zone, Schedule 4 (NRZ4) with a new Neighbourhood Residential Zone, Schedule 4
- rezone properties from General Residential Zone, Schedule 1 (GRZ1) to Neighbourhood Residential Zone, Schedules 3, 4 and 5.
- rezone properties from General Residential Zone, Schedule 1 to Commercial 1 Zone
- rezone properties from General Residential Zone, Schedule 2 to Commercial 1 Zone
- replace the Schedule to Clause 43.01 Heritage Overlay with a revised schedule as outlined in the table below to reflect the findings of the Inner Newport Heritage Gap Study 2022:

Heritage Overlay	Properties for inclusion in HO
HO22 – Newport Civic and Commercial Heritage Precinct	There are eight parcels added to HO22: Paine and Whitwam Reserves 4 Market Street, Newport Bowls Club 6 Market Street, Second Newport Scout Hall

<b>Heritage Overlay</b>	<b>Properties for inclusion in HO</b>
	24-28 Market Street, RSL Hall 429-431 Melbourne Road
HO23 – Newport Estate Residential Heritage Precinct	There are 139 parcels added to HO23: 59-73 Schutt Street 26-40 Newcastle Street 14-40 Ford Street 3-19 Mirils Street 19-33 and 18-36 Speight Street 10 and 21 Ross Street 40-56 and 35-41 Oxford Street 35-99 and 40-52 William Street 15 Kohry Lane 3-29 and 2-24 Durkin Street
HO322 (proposed) – Mason Street Ecclesiastical and Residential Heritage Precinct	Nine parcels comprise HO322: 53-63 and 67-71 Mason Street
<b>Heritage Overlay</b>	<b>Properties for removal from HO</b>
HO23 – Newport Estate Residential Heritage Precinct	There are four parcels removed from HO23: 5 and 27-29 Steele Street 37 Mirils Street
HO182 – Christ Church Complex (to be deleted from the schedule as these properties will be included and absorbed within the new HO322 <i>Mason Street Ecclesiastical and Residential Heritage Precinct</i> )	59-61 Mason Street

Note: other minor corrections were made prior to exhibition to addresses of existing properties to reflect the HO22 and HO23 Statements of Significance in the *Inner Newport Heritage Gap Study 2022*. Refer to Schedule to clause 43.01 Heritage Overlay.

- amend Planning Scheme Map No.10HO and 11HO to update HO22 and HO23 precinct boundaries by adding and removing properties and introduce a new Mason Street Ecclesiastical and Residential Heritage Precinct HO322
- amend Planning Scheme Map No.10HO to delete HO182 as properties will be included in the proposed HO322
- insert new Design and Development Overlay, Schedules 6, 7, 12 and 18 (DDO6, DDO7, DDO12 and DDO18) to Clause 43.02
- amend Planning Scheme Maps No.10DDO and 11DDO to introduce DDO6, DDO7, DDO12 and DDO18 to land within the Newport Large Neighbourhood Activity Centre
- amend Planning Scheme Map No.10EAO and 11EAO to include four additional properties
- replace the Schedule to Clause 72.04 with a new schedule to include Statements of Significance for HO22, HO23 and HO322 as incorporated documents



- replace the Schedule to Clause 72.08 with a new schedule to include *Newport Structure Plan* and *Inner Newport Heritage Gap Study 2022* as background documents and update the Hobsons Bay Heritage Study with the new title Hobsons Bay Heritage Study (Hobsons Bay City Council et al., 2007 amended 2022). Note the Heritage Study is updated to reflect HO182 (Christ Church Complex) being deleted from the schedule to Clause 43.01 and being included within the new HO322. The new Mason Street Ecclesiastical and Residential Heritage Precinct (HO322) is added to the Heritage Study

### **Authorisation of amendment**

Council resolved to support the preparation and exhibition of Amendment C133 at its Council Meeting on 8 March 2022.

Council resolved to:

1. Adopt the Newport Structure Plan and the Inner Newport Heritage Gap Study 2021 and progresses Amendment C133 to a six-week public exhibition to implement this work.
2. Request that the Minister for Planning grant authorisation under Section 8A of the *Planning and Environment Act 1987* to prepare and exhibit Amendment C133 to the Hobsons Bay Planning Scheme to implement the Newport Structure Plan and the Inner Newport Heritage Gap Study 2021.
3. Note the delegation of the Chief Executive Officer to make any necessary minor changes in seeking authorisation to prepare and exhibit Amendment C133 to the Hobsons Bay Planning Scheme to implement the Newport Structure Plan and the Inner Newport Heritage Gap Study 2021.
4. **Note the delegation of the Chief Executive Officer to consider any submissions received about the amendment in accordance with section 22 of the *Planning and Environment Act 1987* and refer any submissions that cannot be resolved to an independent panel appointed by the Minister for Planning in accordance with section 23 of the *Planning and Environment Act 1987*.**
5. Notes that the Newport Structure Plan, Inner Newport Heritage Gap Study 2021 and Amendment C133 will go on public exhibition, with the opportunity for community members to provide feedback and submissions and to be heard at any future planning panel.

A request for authorisation to exhibit the amendment was submitted to the Department of Environment Land Water and Planning (DELWP) on 23 March 2022. Council received authorisation with conditions from the Minister for Planning to prepare and exhibit Amendment C133 on 6 April 2022.

The conditions required the amendment to be revised as follows:

1. *Prior to exhibition, unless otherwise agreed with the Department of Environment, Land, Water and Planning (DELWP) officers, the following changes to the amendment documentation must be made:*

*Policy Content*

- a. *The proposed content in Clause 11.03-1L Activity Centres must be reviewed by the council and where appropriate, revised, removed or relocated consistent with Amendment VC148 – Planning Advisory Note 71. The purpose of this review is to ensure that policy content that duplicates other provisions within the current Hobsons Bay Planning Scheme and/or proposed provisions in Amendment C133 are removed.*

#### *Design & Development Overlay*

- b. *The proposed design or built form controls relating to 'gateway sites' and the identification of 'gateway sites' on maps in the Schedules to the Design and Development Overlay (DDO) must be revised or removed (to reflect that they relate to proposed works in the public realm).*
- c. *The proposed 'Application Requirements' and 'Decision Guidelines' in the proposed DDO schedules must be revised to remove references to Environmentally Sustainable Design (ESD) measures (to reflect that ESD related matters are provided for within the Planning Policy Framework).*
- d. *Further justification for the proposed 'Application Requirements' and 'Decision Guidelines' relating to (i) waste collection, removal and delivery areas and (ii) acoustic mitigation in DDO7, DDO12 and DDO18 must be submitted to DELWP for review and DELWP approval.*
- e. *The extent of the proposed DDO19 – Arts and Recreation Precinct must be revised to remove land zoned Transport Road Zone (TRZ1) and Public Park and Recreation Zone (PPRZ).*

#### *Heritage Overlay*

- f. *The Schedule to Clause 43.01 Heritage Overlay (HO) must be amended to include reference to the title of the incorporated statements of significance in accordance with the guidance outlined in Planning Practice Note 1.*
- g. *The statement of significance for HO322 – Mason Street Ecclesiastical and Residential Heritage Precinct must remove the inclusion of the Christ Church complex at 59-61 Mason Street and the 'St Arnaud' building at 65 Mason Street so that it is clear HO322 only applies to places unaffected by existing HOs.*

#### *Amendment documentation*

- h. *The Explanatory Report must be updated in a manner generally in accordance with the version attached and to include any changes required as a consequence of the conditions above.*

#### *Substantive issues*

*The 'Walker Street Residential Area' is proposed to be rezoned to RGZ3 and included in DDO7 (Area D). As stated in PPN91, the RGZ should be applied to substantial housing change areas identified as being suitable for increased densities. PPN91 also advises that the application of zone and heritage overlay should be consistent with the strategic intent. It is noted that the advice in the practice note refers to inconsistent zoning and heritage overlay applying to the same land.*

*In this instance the RGZ3/DDO7 Area D is not proposed to apply to land impacted directly with heritage overlay. The council's intent to ensure that the substantial change and development up to 4 storeys is respectful to the surrounding heritage*

*context is noted. However, the Design Objectives (in a Zone Schedule) and Design or Built Form controls (in a Design and Development Overlay) that seek to restrict development outcomes may be interpreted to be in conflict with the RGZ's intent for substantial growth and may be subject to review at a later stage in the amendment process by DELWP.*

Given the extent of the conditions, Council officers made an exemption request under Section 5 of Ministerial Direction No. 15 to the requirements of Section 4(1) by a planning authority to prepare and give notice of an amendment within 40 business days after authorisation receipt (June 2022). DELWP granted the exemption on 14 June 2022 stating that Council must commence exhibition of the amendment on or before 30 September 2022.

Officers met with the DELWP on 8 June 2022 to discuss the required changes and determined the following matters:

*Policy content*

- a) Council officers revised the proposed content in Clause 11.03-1L Activity Centres consistent with Amendment VC148 – Planning Advisory Note 71.

*Design and Development Overlays*

- b) Council officers removed the 'gateway sites' from the Schedules to the Design and Development Overlay (DDO) maps.
- c) Council officers removed the references to Environmentally Sustainable Design (ESD) measures from the proposed 'Application Requirements' and 'Decision Guidelines'.
- d) Council officers removed the references to 'waste collection, removal and delivery areas' requirement within 'Application Requirements' and 'Decision Guidelines' from DDOs 12 and 18. Council officers come to an agreement with the DELWP to retain the requirement in DDO7.

Similarly, Council officers come to an agreement with the DELWP to retain acoustic mitigation requirements in DDOs 7, 12 and 18.

- e) Council officers removed DDO19 in accordance with the authorisation condition requirements.

*Heritage Overlay*

- f) Council officers amended the Schedule to Clause 43.01 to include reference to the title of the incorporated Statements of Significance.
- g) Council officers amended the Statement of Significance for HO322 in accordance with the authorisation condition requirements.

*Explanatory report*

- h) Council officers updated the explanatory report in accordance with the authorisation condition requirements by:
  - deleting reference to HO182
  - deleting reference to Clause 15.03-1L Newport heritage buildings
  - deleting reference to DDO19

### *Substantive issues*

- i) On 9 May 2022, Council officers responded to DELWP changes in writing stating, *the proposed DDO7, Area D Heritage interface requirements do not restrict building height in the RGZ3. Council proposes to set a mandatory 4 storey maximum building height (13.5m) through the RGZ schedule. The requirements of Clauses 54 and 55 continue to apply. Council's objective is that Area D Heritage interface requirements be considered in the RGZ design response, in parallel with Clause 54 and 55...Further, Council notes the principle of addressing abutting sensitive / heritage areas is already established in local policy introduced in C131hbay, noting:*
- *Clause 11.03-1L Activity Centres - Design and amenity strategies Support an incremental decrease in the size and scale of development within activity centres so that it responds to the size and scale of existing development at residential interfaces.*
  - *Clause 15.01-1L-01 – Design in Substantial Change Areas*

Following the above correspondence, the matter was resolved and no further changes were required.

The required changes were addressed, and Amendment C133hbay documentation was submitted on 21 June 2022 to DELWP enabling the amendment to proceed to public exhibition.

## **NOTICE OF PREPARATION**

Public exhibition of Amendment C133 occurred from Thursday 30 June 2022 until Friday 12 August 2022 in accordance with Section 19 of the *Planning and Environment Act 1987* and included:

- Notice published in the Maribyrnong and Hobsons Bay Star Weekly on 29 June 2022
- Notice published in the Government Gazette on 30 June 2022
- Direct notification (letter and factsheet) of over 7,170 owners and occupiers of residentially zoned land
- Letters (via email) to 33 Authorities, Agencies and prescribed Ministers
- Information provided online via Participate Hobsons Bay, Council's community engagement platform and DELWP's website
- Information sessions were held in person at the Newport Community Hub on:
  - Wednesday 6 July 2022, 5pm - 7pm
  - Saturday 16 July 2022, 11am - 2pm
  - Wednesday 27 July 2022, 12.30pm - 3.30pm

## **SUBMISSIONS RECEIVED**

A total of 37 submissions were received from residents, public agencies and service authorities. Table 1 below provides a summary of submitters' positions on the amendment, with a copy of all submissions provided at Attachment 1.

**Table 1:** Summary of Submitters Positions to Amendment C133

Submission position	Submitted number	Number of submissions
No objections / support	2, 5, 36	3
Objections / seek changes	1, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 37	34
<b>Total</b>		<b>37</b>

## CONSIDERATION OF SUBMISSIONS

Section 22 of the *Planning and Environment Act 1987* requires Council, as the planning authority, to consider all submissions made on or before the date set out in the notice.

### Summary of the key issues raised in submissions and council officer response

A summary of key matters raised along with a council officer response is provided in Table 2. The matters raised below refer to the amendment and a summary of individual submissions and detailed responses are outlined at Attachment 2.

Table 2: Response to key matters raised by submitters

Summary of main issues	Summary of council officer response
<b>Proposed building height controls, zoning and schedules</b>	
Insufficient policy and strategic work to support DDO height controls of 4 and 5 storeys for C1Z	<ul style="list-style-type: none"> <li>Mandatory height controls are proposed to support growth within the centre while still ensuring that new development maintains amenity and integrates with existing land-uses and has consideration for existing built form constraints (such as heritage). Urban design analysis has been undertaken to the support the amendment and proposed controls. Provisions exist in the planning scheme to manage amenity impacts and are also proposed within new DDOs.</li> </ul>
Introduce more shops in Newport Activity Centre	<ul style="list-style-type: none"> <li>The amendment seeks to encourage commercial development by rezoning land within the amendment area from residential to C1Z and MUZ. These zones will encourage diverse land use and development within the centre comprising of retail, hospitality and commercial at ground level and residential / offices at upper levels.</li> </ul>
The proposed 3 storey development and application of GRZ	<ul style="list-style-type: none"> <li>The amendment seeks to include new schedules to the GRZ, which apply neighbourhood character objectives based on the Hobsons Bay Neighbourhood Character Study 2019. These schedules include additional landscaping and private open space requirements and are consistent with PPN90 and 91.</li> </ul>
The proposed rezoning from GRZ to NRZ and application of schedule 5 to NRZ	<ul style="list-style-type: none"> <li>The Hobsons Bay Housing Strategy 2019 identified criteria for assessing housing change and applying new residential zones across the municipality. This criteria was tested as part of Amendment C131 and was considered by a planning panel to be sound.</li> <li>The application of NRZ5 is consistent with the approach taken in Amendment C131 and supporting strategies.</li> </ul>
Insufficient justification for mandatory height controls	<ul style="list-style-type: none"> <li>The amendment is consistent with the criteria set out PPN59 that relates to the role of mandatory provisions. Mandatory height controls are proposed to balance the potential for growth and change in this Large Neighbourhood Activity Centre with heritage and other constraints. The maximum</li> </ul>

Summary of main issues	Summary of council officer response
	heights proposed are consistent with the surrounding context and have been supported by urban design analysis.
Insufficient consideration of the interfaces and transition between different heights / zones	<ul style="list-style-type: none"> <li>The draft DDOs include controls such as minimum building setbacks to manage sensitive interfaces. The controls are supported by urban design analysis. Minor refinements are recommended to DDOs to consider interface issues.</li> </ul>
<b>Heritage</b>	
<i>Remove the HO from:</i>	
<ul style="list-style-type: none"> <li>Oxford Street, 34-56 and 33-41</li> </ul>	<ul style="list-style-type: none"> <li>The Inner Newport Heritage Gap Study recommends inclusion of properties at 33-41 and 34-56 Oxford Street into the proposed extension of HO23. Since completing the heritage study, the properties at 33, 34, 36 and 38 Oxford Street have been demolished, or partly demolished and undergone alterations or additions. Inclusion of properties at 33, 34, 36 and 38 Oxford Street into HO23 is therefore no longer recommended. The properties at 35-41 and 40-56 Oxford Street is still supported in accordance with the Inner Newport Heritage Gap Study.</li> </ul>
<ul style="list-style-type: none"> <li>William Street, 50-54 and 91</li> </ul>	<ul style="list-style-type: none"> <li>The Inner Newport Heritage Gap Study identifies these properties as contributory to HO23. It is recommended these properties remain within proposed extension of HO23 excluding 54 William Street, which based on a further examination is now recommended for removal.</li> </ul>
<i>Apply the HO to:</i>	
<ul style="list-style-type: none"> <li>William Street, 58, 60 and 62</li> </ul>	<ul style="list-style-type: none"> <li>These properties were not identified within the Inner Newport Heritage Gap Study and after further review it is not recommended that these properties be included in HO23.</li> </ul>
<ul style="list-style-type: none"> <li>Oxford Street, 57, 59 and 61</li> </ul>	These properties were not identified within the Inner Newport Heritage Gap Study and after further review it is not recommended that these properties be included in HO23.
<b>Amenity</b>	
Overshadowing, overlooking and privacy	<ul style="list-style-type: none"> <li>The DDOs include tailored objectives that consider the local context and requirements to consider overshadowing, built form, heritage, street setbacks, corner sites and height.</li> </ul> <p>Where DDOs are not applicable, the provisions of Clauses 55 and 58 will apply and address amenity impacts associated with residential development.</p>
Revise DDOs 7, 12 and 18 to include recommended noise mitigation requirements	<ul style="list-style-type: none"> <li>Noise mitigation requirements have been proposed for DDO6, an area adjacent to the rail corridor and along Melbourne Road where appropriate noise and vibration mitigation is necessary.</li> </ul>
<b>Traffic, access and car parking</b>	
Introduce new bus routes from Newport to Spotswood station (along Blackshaws Road and Melbourne Road) and from Millers Junction to Newport station to Spotswood station and then to Yarraville	<ul style="list-style-type: none"> <li>The Department of Transport (DoT) undertakes planning for and delivery of public transport services. Council continues to advocate for improved bus services in Hobsons Bay in response to population growth and change.</li> </ul>
Requirement for the signalised intersection on Douglas Parade and Simcock Avenue.	<ul style="list-style-type: none"> <li>Douglas Parade and Simcock Avenue are located in Spotswood and outside the amendment area.</li> </ul>

Summary of main issues	Summary of council officer response
Relocate existing pedestrian crossing on Melbourne Road to Ross Street.	<ul style="list-style-type: none"> <li>As part of the redevelopment of Precinct 16 East, detector loops will be placed on Ross Street to activate nearby pedestrian operated signals, which will help traffic flow by providing more gaps in the Melbourne Road traffic.</li> </ul>
Improved pedestrian accessibility	<ul style="list-style-type: none"> <li>The Newport Structure Plan includes actions to improve pedestrian accessibility and movement such as new streetscape works.</li> </ul>
Cumulative traffic impacts / impacts on parking	<ul style="list-style-type: none"> <li>Hobsons Bay Planning Scheme (planning scheme) sets out car parking requirements at Clause 52.06 for new development having regard to the demand likely to be generated.</li> </ul>
Traffic calming both supported and not supported	<ul style="list-style-type: none"> <li>Council officers support improving the safety and pedestrian amenity of Melbourne Road however, the road falls under the management and responsibility of the DoT.</li> <li>Council officers have and will continue to advocate for improvements along Melbourne Road, including a median strip, as part of the Newport Structure Plan and Local Area Movement Plan (LAMP) implementation.</li> </ul>
<b>Infrastructure</b>	
Inadequate drainage	<ul style="list-style-type: none"> <li>The planning scheme includes requirements related to site coverage and permeability for new residential development. Buildings should not exceed 60 per cent site coverage and a minimum of 20 per cent of the site should include pervious surfaces.</li> <li>Council's engineering department requires new properties to limit post-developed flows to pre-developed levels via on-site detention in order to avoid adding additional pressure onto the drainage system.</li> </ul>
<b>Risk</b>	
The amendment does not address safety and risk issues associated with the Major Hazard Facilities (MHFs) and pipelines	<ul style="list-style-type: none"> <li>The structure plan and the amendment included consideration of existing MHFs and pipelines. Both WorkSafe and relevant operators were consulted during the preparation of the structure plan and prior to the formal exhibition of the amendment and had no objection to the amendment.</li> <li>The amendment also addresses the proximity to the nearby pipeline infrastructure in the proposed DDO6, which seeks to ensure any new development addresses the infrastructure and provide access for pipeline operators as required.</li> </ul>

## REFERRAL TO A PLANNING PANEL AND AN ADVISORY COMMITTEE

Section 23 of the *Planning and Environment Act 1987* makes provision for decisions about submissions, setting out what a Planning Authority must do after considering a submission which requests a change to the amendment. The Planning Authority must either:

1. change the amendment in the manner requested, or
2. refer the submission to panel appointed under Part 8, or
3. abandon the amendment or part of the amendment.

Under Section 23(2) of the Act, Council may refer submissions that do not require a change to the amendment to a Planning Panel. It is therefore recommended that, in accordance with Council's resolution at its Ordinary Council Meeting on 8 March 2022, Council's delegate



(Chief Executive Officer) after considering all submissions requests that the Minister for Planning appoint a Planning Panel to consider all the submissions to Amendment C133.

## RESPONSE TO SUBMISSIONS

In considering the submissions Council officers recommend the following refinements to the amendment documents.

Table 3: Refinements recommended to amendment

Submission	Policy / Report	Refinements to amendment docs
11, 32, 35, and partially 14, 27	Clause 02.04 Strategic Framework Plans	Amend the Residential Development Framework Plan to remove 34-38 Oxford Street and 54 William Street from Minimal Change and replaced by Incremental Change. Correct other minor mapping errors identified.
	Zoning Map 10 and Heritage Map 10	Amend the Zoning and Heritage Maps 10 to remove 33 and 34-38 Oxford Street and 54 William Street, Newport and update to NRZ5.
	Clause 43.01 Heritage Overlay	Amend the Schedule 1 to Heritage Overlay to remove 33 and 34-38 Oxford Street and 54 William Street, Newport from the proposed extension of HO23.
	Statement of Significance for HO23	Amend the Statement of Significance: Newport Estate Residential Heritage Precinct HO23 to remove the abovementioned properties and replace subsequent mapping and remove 43 William Street as a contributory dwelling.
	Explanatory report	Update relevant sections of the explanatory report to remove the abovementioned properties from the proposed HO23 inclusions.
	DDO Schedules	Update relevant sections of schedules to the DDOs to manage residential interfaces

## RECOMMENDATIONS

It is recommended that, in accordance with Council's resolution at its Ordinary Council Meeting on 8 March 2022 and Council's Instrument of Delegation, Council's Delegate resolves to:

1. Receive and consider all submissions received in response to exhibition of Amendment C133 in accordance with section 22 of the *Planning and Environment Act 1987*.
2. Request the Minister for Planning to appoint an independent Planning Panel under Section 23 of the *Planning and Environment Act 1987* to hear and consider the submissions to Amendment C133.
3. Refer submissions to the Planning Panel appointed to consider Amendment C133 in accordance with section 23 of the *Planning and Environment Act 1987*.
4. Authorise officers, in presenting Council's submissions to the Planning Panel, to adopt a position of support for Amendment C133 generally in accordance with the Council officer response to submissions as set out in this report, including supporting refinements to the amendment documents as outlined at Table 3 including:

- a) *Amend the draft Clause 02.04 – Strategic Framework Plans, Residential Development Framework Plan map to remove 34-38 Oxford Street and 54 William Street from Minimal Change and replaced by Incremental Change. Correct other minor errors in Residential Development Framework Map.*
- b) *Amend the Zoning and Heritage Maps 10 to remove 33 and 34-38 Oxford Street and 54 William Street, Newport and update to NRZ5.*
- c) *Amend the Schedule 1 of Clause 43.01 - Heritage Overlay to remove:*
  - o *33 and 34-38 Oxford Street; and*
  - o *54 William Street*

*from the proposed extension of HO23.*
- d) *Amend the Statement of Significance: Newport Estate Residential Heritage Precinct HO23 to remove 33, 34-38 Oxford Street and 54 William Street, Newport from the proposed extension of HO23 and amend the subsequent mapping.*
- e) *Amend the Statement of Significance: Newport Estate Residential Heritage Precinct HO23 to remove 43 Williams Street from contributory list of properties.*
- f) *Amend the explanatory report to remove number 33, 34-38 Oxford Street and 54 William Street from the proposed extension of HO23 and update the number of properties being included into the proposed HOs.*
- g) *Update and amend schedule to DDO12 to ensure management of residential interfaces*

Refer to Table 3 and Attachment 3.

- 5. Authorise officers to engage external providers to assist Council officers to represent Council at the Planning Panel and to present Council's submission on Amendment C133 to the Planning Panel.
- 6. Authorise officers to present submissions to the Planning Panel suggesting refinements to Amendment of C133.

**Approved as per recommendation**



**Aaron van Egmond**  
**Chief Executive Officer**  
**Date: 7/10/2022**

#### Attachment 4 – Hobsons Bay Amendment C133 Newport Structure Plan and Gap Study

No	Panel recommendations	Council officer response to Panel
1	<p>In Design and Development Overlay Schedule 12, add the following 'design or built form element' and 'requirement' to Table 1:</p> <p>Residential Interface      New buildings must meet the requirements of Clause 55.04-5 – Standard B21 for overshadowing of existing private open space.</p>	<p><b>Council officers support this Panel recommendation.</b> Recommended change to DDO12 has been raised by Council's Urban Design expert during the hearing to ensure that future development does not overshadow abutting smaller scale development. The proposed change will make the future control mandatory providing more protection to adjacent residential areas.</p>
2	<p>In Design and Development Overlay Schedule 7, remove Area D from Map 1, delete Table 4 and make any other consequential changes that are necessary.</p>	<p><b>Council officers support this Panel recommendation in conjunction with a new design objective in RGZ3.</b> Recommended changes to DDO7 will remove heritage interface requirements contained in Table 4 (Area D). These requirements ensure that new development responds to the built form setbacks of heritage places in Walker Street. These design requirements are necessary and can be captured in the Residential Growth Zone 3 (RGZ3) schedule.</p> <p>Therefore, Council officers propose a consequential change to include a new design objective in the RGZ3 schedule. As follows:</p> <p><i>'To ensure development responds to the built form setbacks of surrounding heritage places.'</i></p>
3	<p>In planning scheme maps 10DDO and 11DDO, remove Design and Development Overlay Schedule 7 from the area to be zoned Residential Growth Zone Schedule 3 (Area D).</p>	<p><b>Council officers support this Panel recommendation.</b> Recommended change to remove the RGZ3 (Area D) from DDO7 as shown on planning scheme maps 10DDO and 11DDO is a consequential change that supports Panel recommendation 2.</p>
4	<p>In Design and Development Overlay Schedule 6, Clause 1.0 (Design objective) replace the fifth Design objective with:</p> <p><i>To ensure development is designed to mitigate noise impacts from the railway corridor, is set back from pipeline infrastructure and</i></p>	<p><b>Council officers support this Panel recommendation.</b> Recommended change to replace the fifth design objective of DDO6 will ensure that future development considers constraints associated with noise, pipelines and the Newport Terminal Major Hazard Facility.</p>

No	Panel recommendations	Council officer response to Panel
	<i>responds to any constraints associated with the Newport Terminal Major Hazard Facility.</i>	
5.	<p>In Design and Development Overlay Schedule 6, Clause 6.0 (Decision guidelines) include the following:</p> <p><i>Whether the proposal adequately responds to any constraints associated with the Newport Terminal Major Hazard Facility.</i></p>	<p><b>Council officers support this Panel recommendation.</b> Recommended change to include a new decision guideline in DDO6 will ensure the Newport Terminal Major Hazard Facility is considered as part of the decision process for new planning permits.</p>
6.	<p>In Design and Development Overlay Schedule 12, Clause 5.0 (Application requirements) include the following:</p> <p><i>A report that considers noise and vibration impacts associated with the rail corridor and whether any attenuation works are required and recommended.</i></p>	<p><b>Council officers support this Panel recommendation.</b> Recommended application requirement was not originally included as the site does not have direct abuttal to the railway line. However, given the proximity to the train station noise attenuation may be required for future development.</p>
7.	<p>Remove 33, 34, 35, 36 and 38 Oxford Street, Newport from the exhibited Heritage Overlay 23, apply the Neighbourhood Residential Zone Schedule 5 and make any other consequential changes that are necessary.</p>	<p><b>Council officers support this Panel recommendation.</b> Recommended removal of 33, 34, 36 and 38 Oxford Street, Newport from HO23 has been raised by Council's Heritage expert during the hearing. While Council's Heritage experts have recommended the inclusion of 35 Oxford Street, Newport, Panel has raised the following points:</p> <ul style="list-style-type: none"> <li>• changes to the front porch, windows and glazing have diminished the heritage values of the property, making it marginal for inclusion.</li> <li>• 35 Oxford Street is at the southern end of the sub-precinct (given the exclusion of 33 Oxford Street) means that its removal would not fundamentally alter the precinct's integrity.</li> </ul>
8.	<p>Remove 54 William Street, Newport from the exhibited Heritage Overlay 23, apply the Neighbourhood Residential Zone Schedule 5 and make any other consequential changes that are necessary.</p>	<p><b>Council officers support this Panel recommendation.</b> Recommended removal of 54 William Street, Newport from HO23 has been raised by Council's Heritage expert during the hearing.</p>

## ATTACHMENT 5

Table 1 – List of final Amendment C133 documents

<b>No Amendment C133 documents</b>	
<b>1</b>	Instruction Sheet
<b>Planning ordinance</b>	
<b>2</b>	Clause 02.03 Strategic directions
<b>3</b>	Clause 02.04 Strategic framework plans
<b>Planning policy framework</b>	
<b>4</b>	Clause 11.03-1L Newport Large Neighbourhood Activity Centre
<b>5</b>	Clause 18.01-1L Newport Integrated Transport
<b>Zones</b>	
<b>6</b>	Schedule 2 to Clause 32.04 (Mixed Use Zone)
<b>7</b>	Schedule 3 to Clause 32.07 (Residential Growth Zone)
<b>8</b>	Schedule 2, 8 and 9 to Clause 32.08 (General Residential Zone)
<b>9</b>	Schedule 4 to Clause 32.09 (Neighbourhood Residential Zone)
<b>Overlays</b>	
<b>10</b>	Schedule 1 to Clause 43.01 Heritage Overlay
<b>11</b>	Schedule 6, 7, 12 and 18 to Design and Development Overlay
<b>Maps</b>	
<b>12</b>	Zoning Maps 4, 10 and 11
<b>13</b>	Design and Development Overlay Maps 10 and 11
<b>14</b>	Heritage Overlay Maps 10 and 11
<b>15</b>	Environmental Audit Overlay Map 10 and 11
<b>Incorporated documents</b>	
<b>16</b>	Statement of Significance: Newport Civic and Commercial Heritage Precinct (HO22)
<b>17</b>	Statement of Significance: Newport Estate Residential Heritage Precinct (HO23)
<b>18</b>	Statement of Significance: Mason Street Ecclesiastical and Residential Heritage Precinct (HO322)
<b>Operation provisions</b>	
<b>19</b>	Schedule to Clause 72.04 Documents Incorporated in this Planning Scheme
<b>20</b>	Schedule to Clause 72.08 Background documents

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*Planning and Environment Act 1987*

**HOBSONS BAY PLANNING SCHEME**

**AMENDMENT C133hbay**

**INSTRUCTION SHEET**

The planning authority for this amendment is the Hobsons Bay City Council.

The Hobsons Bay Planning Scheme is amended as follows:

**Planning Scheme Maps**

The Planning Scheme Maps are amended by a total of 5 attached map sheets.

**Zoning Maps**

1. Amend Planning Scheme Maps No 4, 10 and 11 in the manner shown on the attached maps marked "Hobsons Bay Planning Scheme, Amendment C133hbay".

**Overlay Maps**

2. Amend Planning Scheme Map 10DDO and 11DDO in the manner shown on the attached map marked "Hobsons Bay Planning Scheme, Amendment C133hbay".
3. Amend Planning Scheme Map 10D-HO in the manner shown on the attached map marked "Hobsons Bay Planning Scheme, Amendment C133hbay".
4. Amend Planning Scheme Map 10HO and 11HO in the manner shown on the attached map marked "Hobsons Bay Planning Scheme, Amendment C133hbay".
5. Amend Planning Scheme Map 10EAO and 11EAO in the manner shown on the attached map marked "Hobsons Bay Planning Scheme, Amendment C133hbay".

**Planning Scheme Ordinance**

The Planning Scheme Ordinance is amended as follows:

6. In **Purpose and Vision** – replace Clauses 02.03 and 02.04 in the form of the attached documents.
7. In **Planning Policy Framework** - replace Clause 11.03-1L, with a new Clause 11.03-1L in the form of the attached document.
8. In **Planning Policy Framework** – insert new Clause 18.01-1L in the form of the attached document.
9. In **Zones** –Clause 32.04, insert a new Schedule 2 in the form of the attached document.
10. In **Zones** –Clause 32.07, insert a new Schedule 3 in the form of the attached document.
11. In **Zones** –Clause 32.08, replace Schedule 2 and 8 with a new Schedule 2 and 8 in the form of the attached documents.

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12. In **Zones** –Clause 32.08, insert new Schedule 9 in the form of the attached document.
  13. In **Zones** –Clause 32.09, replace Schedule 4 with a new Schedule 4 in the form of the attached document.
  14. In **Overlays** – Clause 43.01, replace Schedule 1 with a new Schedule 1 in the form of the attached document.
  15. In **Overlays** – Clause 43.02, insert new Schedules 6, 7, 12, and 18 in the form of the attached documents.
  16. In **Operational Provisions** – Clause 72.04, replace the Schedule with a new Schedule in the form of the attached document.
  17. In **Operational Provisions** – Clause 72.08, replace the Schedule with a new Schedule in the form of the attached document.

End of document

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**02.03**

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**02.03-1**

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Proposed C133hbay

**STRATEGIC DIRECTIONS**

**Settlement**

Part of Melbourne's Western Region, the City of Hobsons Bay is experiencing significant residential development pressure as metropolitan Melbourne grows towards a city of 7.9 million people by 2050 (ABS, 2016; forecast.id, 2018).

**Activity centres**

There is a network of activity centres in the municipality, with each centre varying in terms of size, character, local identity and function. It comprises 38 centres including Major Activity Centres, Large, Medium and Small Neighbourhood Activity Centres, Micro Centres, an Enterprise Area and a supermarket-based Neighbourhood Activity Centre and mixed use/commercial area at the former industrial Precinct 15 in Altona North.

In planning for the growth of existing and new activity centres, council seeks to:

- Support the role and function of each centre in the context of its classification in the local activity centre network.
- Support the role of the Newport Large Neighbourhood Activity Centre as an art and cultural precinct and hub for commercial, mixed use and residential development.
- Support the growth of Central Square, Spotswood and Aviation Road to higher order Activity Centres.
- Protect and enhance the individual character of each activity centre.
- Encourage the diversification of activity centres to give communities access to a wide range of goods and services, employment and support local economies.
- Improve the social, economic and environmental performance and amenity of activity centres.
- Support higher density residential development and housing diversity in and around activity centres proportionate to their role and function.

**Strategic redevelopment areas**

The City of Hobsons Bay has become even more popular as a residential location of choice, and with this interest has come renewed investment in other commercial and service type land uses. In response to this demand Council has designated nine of the municipality's 22 industrial precincts as Strategic Redevelopment Areas, suitable for alternative land uses.

Council seeks to:

- Develop Strategic Redevelopment Areas in a holistic and integrated manner to ensure their redevelopment results in a net community benefit.
- Carefully manage interfaces between Strategic Redevelopment Areas and existing use and development.

**02.03-2**

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**Environmental and landscape values**

Hobsons Bay is home to natural coastal, grassland and landscapes of international, national, state and regional conservation significance. These include beaches and foreshore, salt marshes, waterways, wetlands, remnant native grassland areas and mangroves, such as the Cheetham Wetlands, Williamstown Foreshore, Altona Bay, Kororoit Creek, Altona Foreshore, Truganina swamp and park and Greenwich Bay.

This system of open spaces and waterways surrounds and punctuates Hobsons Bay's urban areas and create a distinctive landscape providing nature conservation and breathing spaces. It is also important for regional drainage, flood management, riparian habitat and water quality functions.

## HOBSONS BAY PLANNING SCHEME

Hobsons Bay's coastline is one of the municipality's most attractive assets and defining features. The coastal areas offer residents and visitors city and bay views, access to beaches, coastal parks and scenic drives that provide a diversity of recreational experiences.

Council seeks to:

- Protect the municipality's rich natural environment and landscapes for their ecological significance and recreational value.
- Protect and conserve the natural habitat and geomorphology of landscapes (including grasslands and watercourses) as key habitat for indigenous flora and fauna.
- Prioritise the protection and conservation of marine environments in the assessment of any planning issues relating to the coast.
- Ensure that any use and development along or near the coastline respects, protects and conserves the landscape and biodiversity values of the coast.

### 02.03-3

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### Environmental risks and amenity

#### Environmental risks

There is scientific evidence that climate change is now inevitable and that changes have already begun to occur. Climate change will exacerbate environmental risks already being experienced in the municipality. These risks include:

- **Extreme heat:** During periods of extreme heat health risks are exacerbated in urban areas by the urban heat island effect. This is caused by a lack of canopy trees or surface vegetation and the use of heat absorbent surfaces such as paving and concrete around buildings and within the public realm. A healthy and growing urban forest, consisting of trees on private and public land, is considered critical infrastructure in not only mitigating the effects of climate change but also in protecting and enhancing community health and wellbeing.
- **Flooding:** The inherent functions of creeks and floodplains to transport and store stormwater in times of extreme inundation must be protected for both environmental and community safety reasons.
- **Sea level rise:** In planning for sea level rise an accepted measure of potential future sea level should be used to consider the risk to development from the combined effects of tides, storm surges, coastal processes and local conditions such as topography and geology when assessing risks and coastal impacts associated with climate change.

Council seeks to:

- Minimise the impacts of climate change through urban and building design responses, particularly with regard to:
  - Sea level rise.
  - Storm surge.
  - Increasing heat.
  - Extreme weather events.
  - Reduction in greenhouse gas emissions.
- Enhance the municipality's urban forest by increasing tree canopy cover and supporting a diverse range of trees.
- Design developments to mitigate heat island impacts, including through the provision of surface vegetation, canopy trees and lighter colour roof materials.
- Ensure development close to flood prone land or in low-lying areas subject to inundation, mitigate flood risk and address overland flows from the urban drainage system.

## HOBSONS BAY PLANNING SCHEME

- Manage stormwater runoff and protect waterways, floodplains and other flood prone areas to minimise the impacts of flooding in urban and non-urban areas.
- Plan for potential sea level rise.

### Amenity

There is potential for amenity impacts resulting from land use conflict, particularly between residential and other land uses, such as:

- Residential areas and adjacent industrial land uses.
- Residential areas adjacent to the coast, creeks, wetlands and grasslands.
- Residential areas adjacent to parks and open space reserves.
- Other urban/non-urban interface areas.

Council seeks to:

- Protect residential amenity from the effects of noise, air, water and land pollution.
- Direct future housing to areas where potential conflict with existing industrial areas, major hazard facilities and pipeline infrastructure can be minimised.
- Protect both the amenity of future residents and the continued operation of the existing industry by supporting the incorporation of mitigation measures within residential development located on sites sharing an interface with an existing industrial use.
- Minimise the amenity impact of new commercial use and development in activity centres adjacent to residential areas.
- Protect open space reserves from the adverse impacts caused by residential development encroachment.

### 02.03-4

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## Natural resource management

### Water

The municipality is located within the Port Phillip and Westernport Catchment and is home to six significant waterways, including Skeleton Creek, Laverton Creek, Cherry Creek, Kororoit Creek, Stony Creek and the western bank of the Yarra River estuary. Skeleton Creek and Laverton Creek are the only two waterways that have high enough flow volumes and seasonality of flows for the migration of aquatic animals.

Land use and development within the municipality significantly influences local waterways and the overall health of both the Yarra and Maribyrnong River catchments. The intensification of urban development will inevitably result in the increased discharge of water in local waterways. There is a need to ensure that the quality and quantity of this discharge is controlled through development design and mitigation measures.

Council seeks to:

- Protect and restore catchments, waterways, groundwater and the marine environment.
- Use catchment management as the most effective and ecological approach to improving the marine environment.
- Protect the health of Laverton and Skeleton Creeks and their ecosystem functions by maintaining their high quality flows.
- Protect aquatic life by preventing excess sediment from entering waterways.

## Built environment and heritage

### Building and urban design

The quality and character of the urban fabric impacts on the image, amenity and liveability of a place. Good planning and design outcomes can build connection to place, enhance community cohesion and create a sense of safety. Hobsons Bay is home to diverse neighbourhoods with their own unique character, ranging from the historic seaport of Williamstown, with its range of heritage buildings, to newer residential areas such as Altona Meadows and Seabrook. The changing pattern of land uses and development occurring in the city will be an opportunity to continue to achieve high standards of urban design and architecture both in historic and new urban environments.

Council seeks to:

- Achieve building and urban design outcomes that contribute positively to the local context and enhance the public realm, including in industrial areas.
- Improve the amenity, design, safety and environmental performance of industrial areas.

### Signs

Well-designed and located signs can be helpful and informative while adding interest, colour and character to local streetscapes. However, if poorly-designed or intrusive, signs can dominate and detract from the urban environment, particularly in heritage precincts and areas of special character such as the foreshore, gateways and main road locations.

Council seeks to:

- Support signs that are respectful of and complementary to the character and amenity of sensitive areas, including interfaces, and do not detract from the character of a locality, building or site.

### Neighbourhood character

Hobsons Bay has a diverse range of neighbourhoods ranging from dense inner urban victorian/edwardian streetscapes, spacious post-war streetscapes, and contemporary and coastal streetscapes each with their own distinct identity and cultural value. However, in order to accommodate the changing needs of the community in relation to housing choice new medium and high density development is needed. To guide residential growth, a preferred character for each of the municipality's main neighbourhood character types has been identified.

Council seeks to:

- Encourage development that respects preferred neighbourhood character.
- Support change and growth while protecting and enhancing local senses of place and identity through built form and design.

### Environmentally sustainable development

Council is committed to improve the sustainability of the built environment and encourage best practice in environmentally sustainable design. In this context, best practice can be achieved through a combination of locally available techniques, systems and materials that correspond to the scale of development and site-specific opportunities and constraints. These are applied to minimise the energy and environmental implications of a development over its full life-cycle.

Council seeks to:

- Incorporate environmentally sustainable design elements at the time of planning approval to assist in achieving environmentally sustainable development. This approach seeks to:
  - Improve outcomes that may otherwise be compromised if these matters are only considered as part of a building approval.
  - Reduce difficulties or extra costs associated with retro-fitting the development.

### Heritage

Hobsons Bay has played an important role in the economic and social development of Victoria and its unique history is illustrated by a wide variety of heritage places that include buildings, neighbourhood precincts, trees, landscapes and urban forms. The heritage places of Hobsons Bay reflect the key themes that have shaped the development of the city since the establishment of Williamstown in the 1840s as the first port of Melbourne, through the development of Newport and Spotswood during the Federation and Interwar periods associated with the growth of railways and related industries, to the post-war industrial and residential expansion that transformed Altona and Laverton.

Since the mid-nineteenth century, a dominant theme in the development of Hobsons Bay has been the growth of industry. Some of Victoria's most significant industrial heritage is found within the city, particularly in Newport, Spotswood and Altona North. The conservation of industrial heritage places presents specific management issues, as it is often the use of the site that is of primary historical significance. While fabric such as buildings or plant contributes to the significance of industrial heritage places by illustrating development over time, the on-going replacement and upgrading of this fabric is often an integral part of the operation of the use. 'Conservation by use' is an important heritage principle and on this basis, there may be circumstances where it may be appropriate to permit the removal or alteration of fabric if it will facilitate the historic use of a site and ensure its future viability.

The heritage of Hobsons Bay is highly valued by the community for the important role it plays in both:

- Providing historic continuity by enabling the complex layering of the history of Hobsons Bay to be understood and interpreted.
- Enhancing the character and amenity of the city by contributing to the unique identity of each neighbourhood.

Council seeks to:

- Protect places of heritage significance and conserve characteristics that contribute to their individual identity.
- Support the continued viability of industrial heritage places for the uses and processes historically carried out on the site as an essential part of their significance and conservation.

### 02.03-6

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### Housing

The existing housing stock in Hobsons Bay mainly comprises detached three-bedroom houses. With declining household sizes there is demand for a greater diversity of housing types, particularly one and two bedroom dwellings, across all areas of the municipality. There is also a deficit in the number of three-bedroom apartments that can also cater for larger household sizes.

In order to improve housing diversity and housing choice a more diverse mix of housing is required, marking a significant departure from the historical pattern of development in Hobsons Bay.

Four levels of housing change have been identified to direct new residential development to areas suited to accommodate change and increased housing and ensure other areas are protected from inappropriate levels of development.

- **Substantial Change Areas:** Housing intensification will occur and result in a substantially different scale and intensity of housing compared to other areas. This includes strategic redevelopment areas and locations in and around activity centres and public transport.
- **Moderate Change Areas:** Housing will evolve to three-storeys whilst respecting neighbourhood character. These include locations close to activity centres and where there are opportunities for increased residential development and housing diversity.

## HOBSONS BAY PLANNING SCHEME

- **Incremental Change:** Housing growth will occur within the context of preferred neighbourhood character.
- **Minimal Change:** Housing growth may be limited in areas that are protected because of their special heritage, neighbourhood character or environmental characteristics. This includes potential natural hazards and close proximity to industrial areas.

Council seeks to:

- Direct residential development to locations that have the capacity for change and offer accessibility to public transport, shops, community infrastructure and services.
- Encourage medium and high density residential development within accessible areas, such as walkable catchments to train stations and key activity centres.
- Facilitate the provision of a mix of housing types that better reflect the cross-section of household sizes and the varying needs of the community.
- Encourage the incorporation of universal design principles in housing development to meet the needs of current and future residents.
- Facilitate affordable housing in the overall provision of housing across the municipality to ensure that a range of housing choices is available to the community.

### 02.03-7

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C131hbay

## Economic development

### Economic diversity

Commercial land use in Hobsons Bay contributes to local employment and economic activity. Retail businesses in traditional strip shopping and shopping centres are an integral component of the municipality's activity centres. Larger format retailing in the form of bulky good retailing occur within specialised enterprise areas with frontage to arterial roads.

To support the economic restructuring and long-term economic development, Council seeks to:

- Attract diverse and high-value business and investment to Hobsons Bay to support a greater range of local employment opportunities.
- Support development that provides new retail and commercial opportunities while meeting the needs of the community.
- Encourage diversity of businesses in activity centres to minimise vacancy rates and increase overall economic sustainability.

### Industry

The municipality has extensive industrial areas, identified in Plan Melbourne as part of the state significant Western Industrial Region. This Region provides sufficient strategically located land for industrial development linked to the Principal Freight Network and transport gateways and allows continual growth in freight, logistics and manufacturing investment. The municipality will continue to attract both large and small scale industries to the area, further enhancing Hobsons Bay's commercial diversity.

Many industries, pipelines and major hazard facilities have the potential for substantial negative off-site impacts that, if not properly managed, can depress the liveability and environmental quality of the municipality. Ensuring these industrial areas and mixed-use precincts are well-maintained and attractive will play a role in attracting modern industries to the municipality.

Council seeks to support the continued operation of industry by:

- Protecting the vital role of the Western Industrial Precinct in attracting and developing industry in the region and encouraging employment growth.
- Attracting and retaining industries that contribute towards a greater diversity of economic activity.

## HOBSONS BAY PLANNING SCHEME

- Guiding the future role and function of each industrial precinct.
- Protecting National and State significant industries from the encroachment of residential and other sensitive uses.
- Supporting industrial development that achieves a positive impact on the visual and environmental amenity of the municipality and mitigates potential of noise, air, water and land pollution associated with industrial land uses.

### Tourism

Tourism in Hobsons Bay is an important local economic driver. It contributes towards the prosperity of the city and improves its vibrancy and liveability. The city's tourism profile is diverse and includes a range of retail, hospitality and tourism opportunities and experiences that build on the municipality's cultural, historic and environmental assets.

Council seeks to:

- Encourage tourism activity and employment opportunities that build on local assets and strength as a tourist destination.
- Support tourism development that protects and complements coastal areas, environmental assets and heritage places.

### 02.03-8

24/02/2022  
C131hbay

### Transport

At the regional level, the transport system provides convenient, safe and sustainable connections between neighbourhoods and regional destinations that will generate more efficient movement of people and goods, attracting and providing links to jobs, services, industry and recreational activities.

At the local level, the municipality needs an integrated transport system that provides a range of sustainable, efficient, accessible and safe ways for people to link to places in their neighbourhoods while providing convenient connections to activity centres. With increasing freight and traffic movement associated with the expansion of the Port of Melbourne, residential growth and increased tourism activity in the surrounding region, the transport network also needs to balance good road access for competing land uses.

Due to its coastal location and main road boundaries, Hobsons Bay is experiencing congestion at key access points to the metropolitan road network and north-south traffic movement to other parts of the region. With the majority of housing development being constructed outside of walkable catchments to train stations and key activity centres, pressures on the local road network are further amplified. Existing and future housing located in areas that are not within walkable catchments will require improvements to transport options and provision, particularly within Strategic Redevelopment Areas.

Council seeks to:

- Provide an integrated, safe, accessible and efficient network for walking and cycling that encourages active transport over private vehicle usage.
- Support improvements to transport connectivity through additional north - south linkages.
- Support emerging transport modes and technologies that complement existing travel methods.
- Improve local area traffic and car parking management within and around activity centres.
- Improve accessibility to and within activity centres by supporting the development of sustainable transport infrastructure and networks.
- Manage the impacts associated with a growth in freight to protect residential amenity.



## Infrastructure

### Community infrastructure

Community infrastructure includes spaces, places, services, programs and activities that are accessed by the community for community support, social interaction, recreation and physical activity.

The provision of quality community infrastructure, including public art and arts and cultural facilities contributes to a more liveable and accessible public realm and to broader social and economic benefits.

With significant population growth and changing community needs, ageing infrastructure needs to be replaced to meet the needs of existing and future residents, businesses and industries, particularly in and around Strategic Redevelopment Areas.

Local community infrastructure of regional significance includes Scienceworks in Spotswood, Seaworks and the Williamstown Hospital in Williamstown, the Substation and the Australian Islamic Centre in Newport. These facilities are important to Hobsons Bay's economic and community wellbeing.

The Western Region is also home to a diverse array of public open spaces and natural environmental areas clustered along the coastline that are of state, national and international significance for biodiversity conservation. However, in context of current access to open space and projected population growth, gaps have been identified in the distribution and quality of open space in the municipality, as shown in Clause 02.04.

Council seeks to:

- Support the provision of a range of community facilities and services that meet the needs of both the existing and future community.
- Support the contribution of arts and culture in creating a more liveable, attractive and accessible City.
- Support the provision of a variety of open spaces for a range of experiences and leisure opportunities that are accessible to all, particularly in areas identified as under-supplied.
- Encourage the provision of a network of open spaces that supports biodiversity and habitat links, while being resource-efficient, sustainable and resilient to climate change.

### Development and infrastructure contribution

Urban development requires the provision of infrastructure to ensure future liveability for residents and to minimise potential costs to the community. There is a need to ensure that development infrastructure and open space is provided in a timely manner and in alignment with land use intensification and population growth.

Council seeks to:

- Use development contributions to support the upgrading of existing infrastructure where a capacity shortfall has been identified.
- Integrate new residential neighbourhoods within established areas through the provision of infrastructure.

### Integrated water management

A reliable supply of drinking water is a vital resource for community health and maintaining adequate levels of water within natural systems is essential to protecting our valuable urban ecology. Changes in one part of the water cycle impact on another. Planning decisions must therefore consider water resource use to achieve Integrated Water Management.

Council seeks to achieve a greener, healthier and more sustainable municipality by:

- Managing water supplies, wastewater treatment and stormwater runoff in an integrated way while protecting the health of our natural environment.

**02.03-10**

24/02/2022  
C131hbay

**Gaming**

Though gambling is a legal activity, the use of electronic gaming machine (EGM) can be problematic for some members of the community. Problem gambling comprises of both economic and social costs.

Council seeks to:

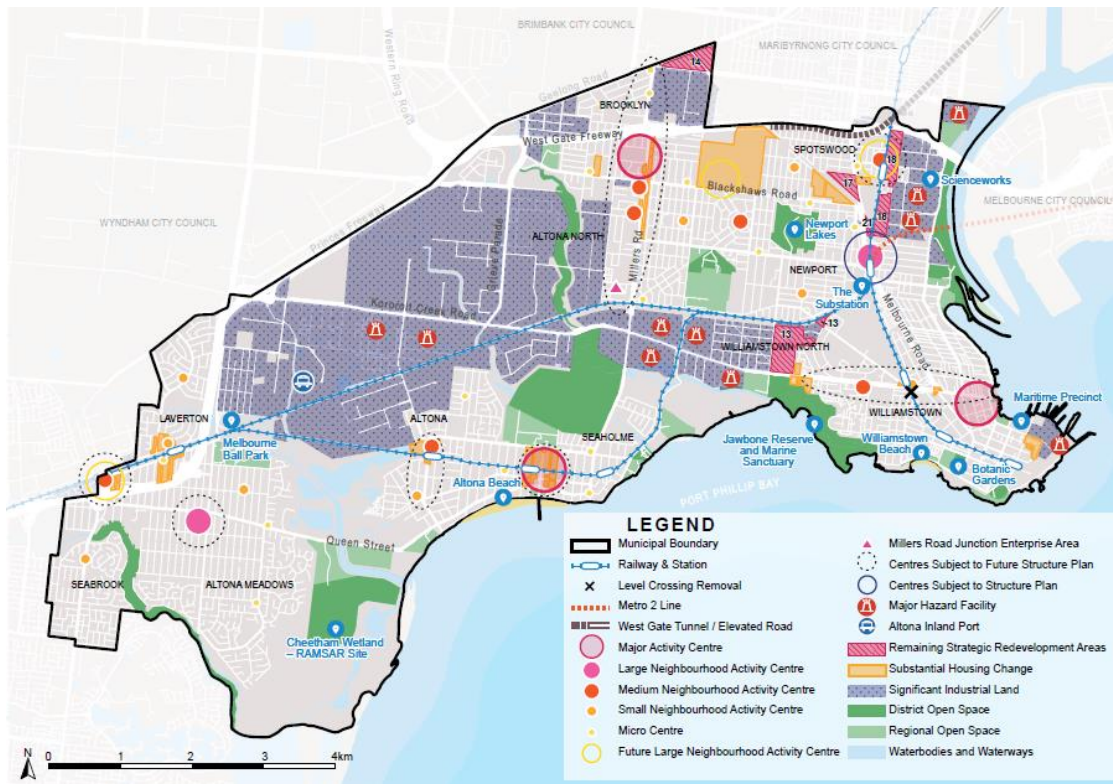
- Provide guidance on the appropriate location, design and operation of EGMs and venues.
- Balance the positive and negative social and economic impacts of gaming in order to maximise benefits for the community.
- Minimise the cumulative impacts from EGMs in identified areas of disadvantage in Hobsons Bay and the western metropolitan region.

**02.04 Strategic framework plans**

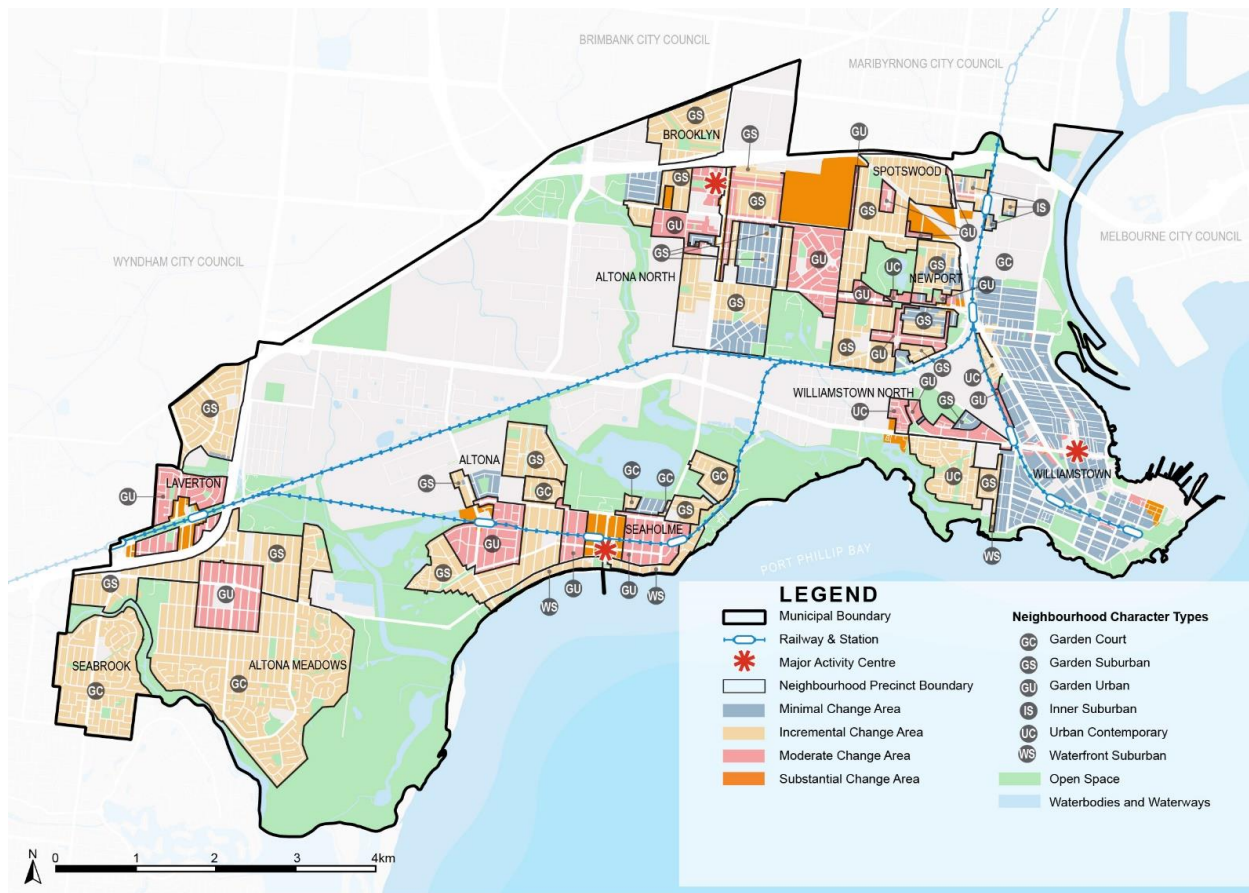
Proposed  
C133hbav

The plans contained in Clause 02.04 are to be read in conjunction with the strategic directions in Clause 02.03.

Strategic Framework Plan

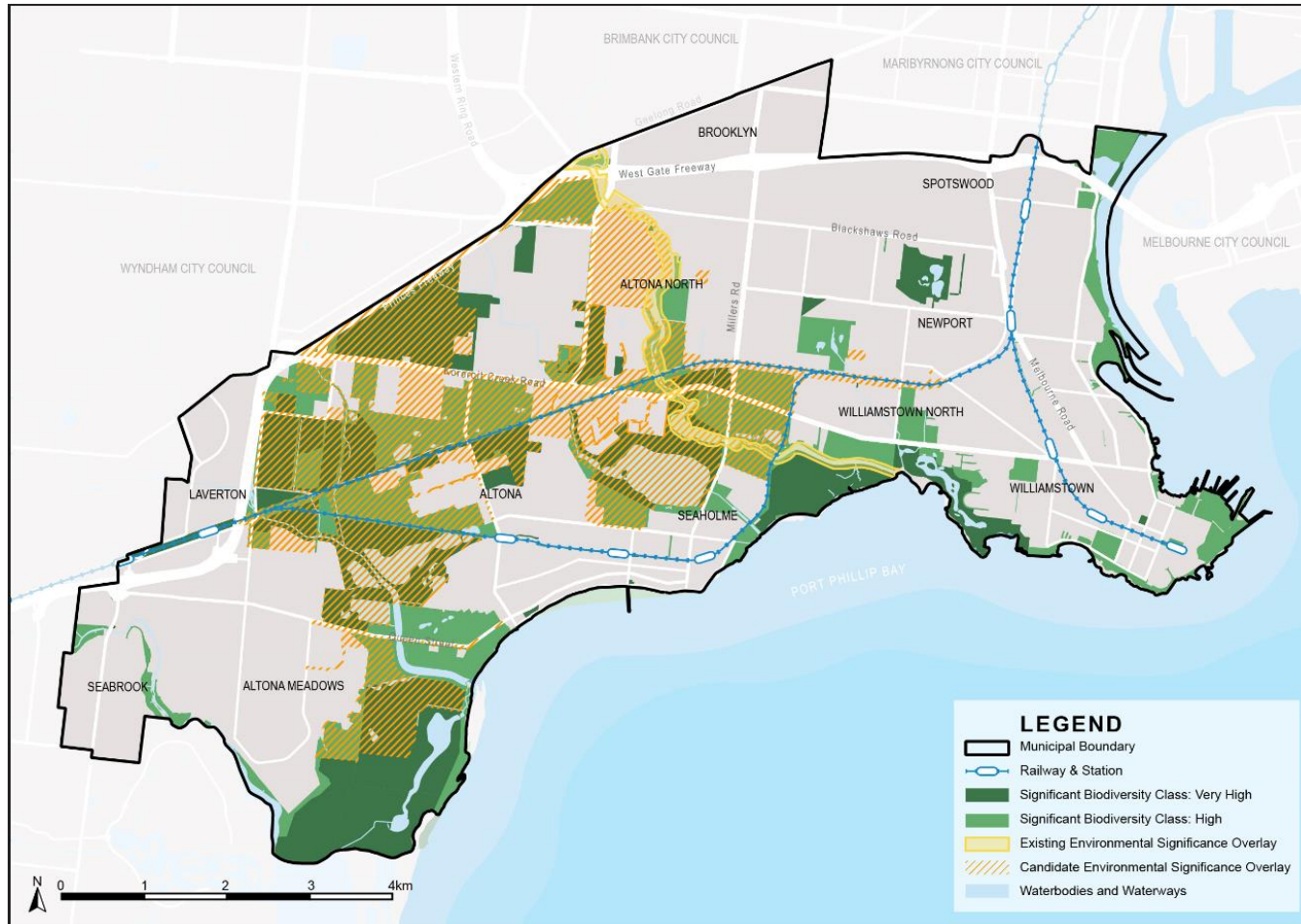


## Residential Development Framework Plan



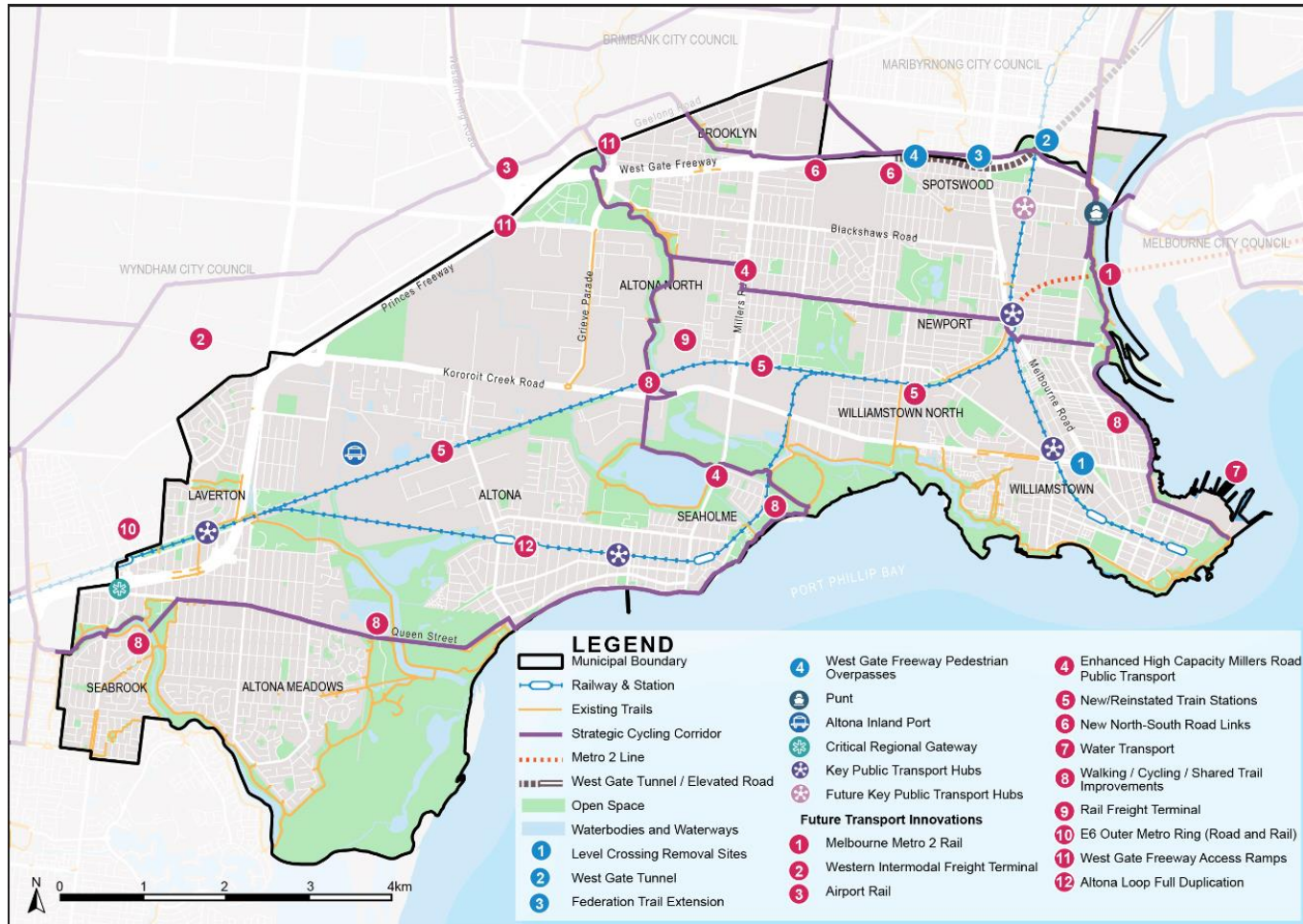
MUNICIPAL PLANNING STRATEGY - CLAUSE 02.04

Significant Biodiversity Plan

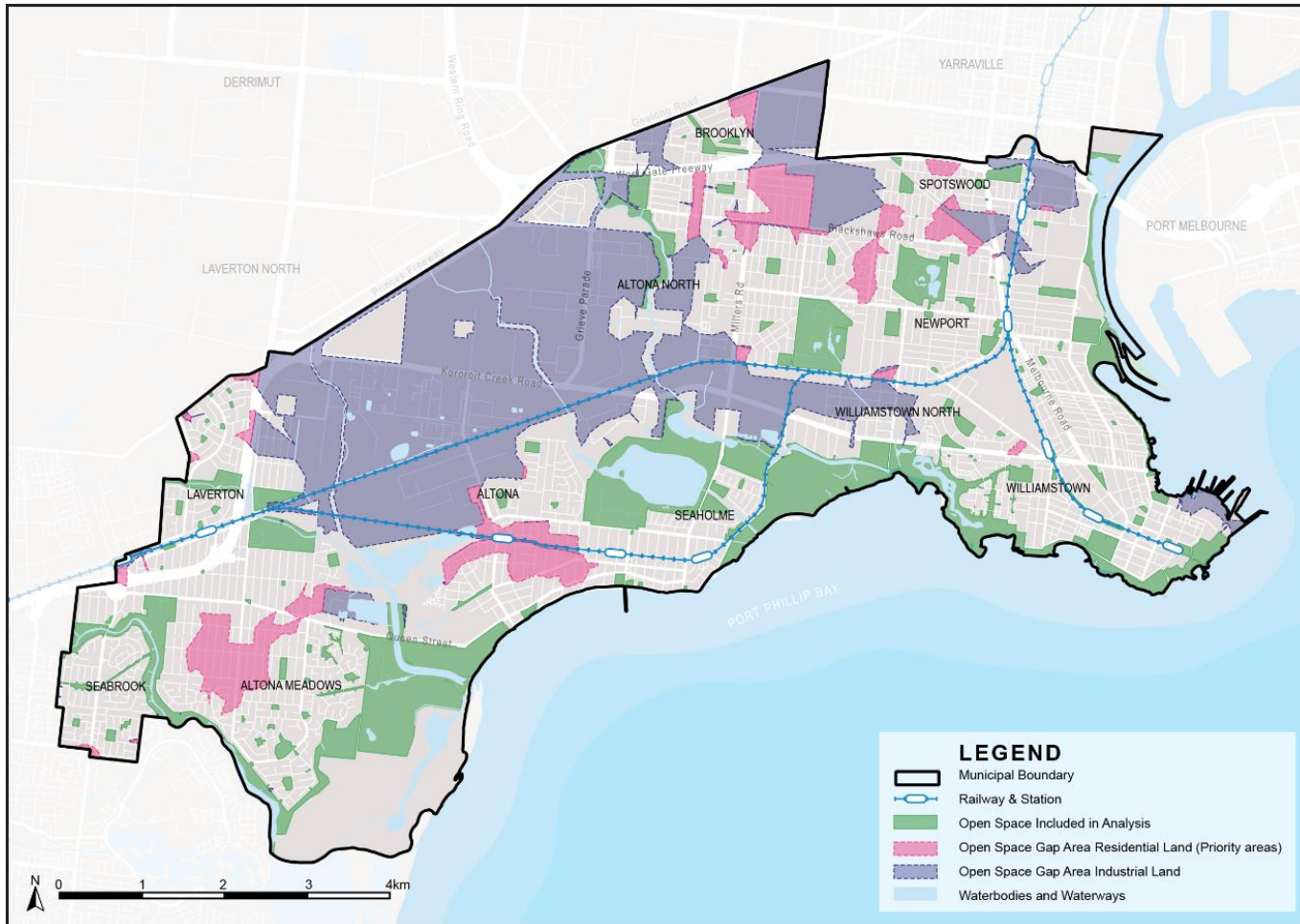




Integrated Transport Plan



Open Space Plan



**11.03**  
31/07/2018  
VC148

**PLANNING FOR PLACES**



**11.03-1S**

03/02/2022  
VC199

**Activity centres**

**Objective**

To encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community.

**Strategies**

Build up activity centres as a focus for high-quality development, activity and living by developing a network of activity centres that:

- Comprises a range of centres that differ in size and function.
- Is a focus for business, shopping, working, leisure and community facilities.
- Provides different types of housing, including forms of higher density housing.
- Is connected by transport.
- Maximises choices in services, employment and social interaction.

Support the role and function of each centre in the context of its classification, the policies for housing intensification, and development of the public transport network.

Undertake strategic planning for the use and development of land in and around activity centres.

Give clear direction on preferred locations for investment.

Encourage a diversity of housing types at higher densities in and around activity centres.

Reduce the number of private motorised trips by concentrating activities that generate high numbers of (non-freight) trips in highly accessible activity centres.

Improve access by walking, cycling and public transport to services and facilities.

Support the continued growth and diversification of activity centres to give communities access to a wide range of goods and services, provide local employment and support local economies.

Encourage economic activity and business synergies.

Improve the social, economic and environmental performance and amenity of activity centres.

**Policy documents**

Consider as relevant:

- *Urban Design Guidelines for Victoria* (Department of Environment, Land, Water and Planning, 2017)
- *Apartment Design Guidelines for Victoria* (Department of Environment, Land, Water and Planning, 2021)
- *Precinct Structure Planning Guidelines* (Victorian Planning Authority, 2021)

**11.03-1R Activity centres - Metropolitan Melbourne**

31/07/2018  
VC148

**Strategies**

Support the development and growth of Metropolitan Activity Centres by ensuring they:

- Are able to accommodate significant growth for a broad range of land uses.
- Are supported with appropriate infrastructure.
- Are hubs for public transport services.
- Offer good connectivity for a regional catchment.
- Provide high levels of amenity.

Locate significant new education, justice, community, administrative and health facilities that attract users from large geographic areas in or on the edge of Metropolitan Activity Centres or Major Activity Centres with good public transport.

Locate new small scale education, health and community facilities that meet local needs in or around Neighbourhood Activity Centres.

Ensure Neighbourhood Activity Centres are located within convenient walking distance in the design of new subdivisions.

**11.03-1L**

Proposed C133hbay

**Activity centres**

**General strategies**

Facilitate the development of the Newport Large Neighbourhood Activity Centre as an art and cultural tourist precinct.

Support the location of community and health facilities within the Central Square Neighbourhood Activity Centre to expand the range of available services.

Support the transition of Central Square, Altona Meadows from a Large Neighbourhood Activity Centre to a Major Activity Centre.

Facilitate the growth of Spotswood Medium Neighbourhood Activity Centre to a Large Neighbourhood Activity Centre.

Support a supermarket-based new Large Neighbourhood Activity Centre and mixed-use commercial area within Altona North.

Support the transition of the Aviation Road Medium Neighbourhood Activity Centre to a Large Neighbourhood Activity Centre if the remainder of the Royal Australian Air Force base is developed for residential purposes.

Support ongoing development of the Millers Junction Enterprise Area as a bulky goods precinct on land fronting Millers Road.

**Residential strategies**

Support higher density residential development within activity centres to facilitate viability of retail and commercial areas.

Support residential use and development above commercial premises in activity centres to promote walkability and facilitate easy access to employment, services and facilities.

**Commercial development strategies**

Encourage the consolidation of small and underutilised sites to enable their redevelopment and intensification.

Enhance tourism opportunities within and around activity centres.

Discourage the rezoning of commercial zoned land in micro-centres to prevent their fragmentation and the loss of opportunities to provide basic goods and services within a comfortable walking distance.

Support ongoing marine activities, including small boat building and recreational boating, within and in proximity to the Williamstown Major Activity Centre.

Reduce the number of electronic gaming machines located in activity centres.

**Design and amenity strategies**

Support an incremental decrease in the size and scale of development within activity centres so that it responds to the size and scale of existing development at residential interfaces.

Reinforce the identity and distinctiveness of each activity centre through urban design, public realm improvements and the use of public art.

Support commercial development within activity centres and strip shopping centres that reinforce the traditional building typology of shops within the immediate context.

Support high-quality mixed-use development outcomes that respect heritage values and are sensitive to the surrounding built-form and neighbourhood character context.

Support commercial activity that will increase opportunities for social interaction, recreation and enjoyment of the arts.

## HOBSONS BAY PLANNING SCHEME

Ensure active frontages adjacent to footpaths and open spaces in core retail areas, including by avoiding the use of security screening that obstruct shopfronts and shop windows.

Design development to optimise views over the foreshore, public open space and public realm.

Create strong visual linkages and physical connections to the foreshore, Port Phillip Bay and the regional open space network.

### **Movement strategies**

Encourage active transport to and within activity centres by providing accessible walking and cycling networks.

### **Newport Large Neighbourhood Activity Centre**

#### **Policy application**

This policy applies to land in the Newport Structure Plan area, as shown on the Newport Large Neighbourhood Activity Centre Plan.

## HOBSONS BAY PLANNING SCHEME

### Newport Large Neighbourhood Activity Centre Plan



#### Strategies

Encourage new development to utilise existing laneways to access car parking and waste storage areas.

Support building design that enables the use of rear laneways to facilitate vehicle access and loading.

Encourage development and streetscape improvements that support distinct entry points to the activity centre at:

- The intersection of Melbourne Road and Newcastle Street
- The intersection of Mason Street and Schutt Street
- The corner of Hall Street and Grindley Street, and the corner of Hall Street and Elphin Street
- The intersection of Melbourne Road and Wilkins Street

## HOBSONS BAY PLANNING SCHEME

Encourage fine grain, active ground level street frontages for sites on the north side of Mason Street east of Schutt Street, and on the south side of Mason Street east of Durkin Street and along the interface with Paine Reserve.

Where new uses occupy multiple lots in the area on Hall Street between Grindlay Street and Elphin Street, encourage design of street level frontages to utilise windows and entrances with a regular rhythm that responds to the fine grain subdivision pattern.

### Policy guidelines

Consider as relevant:

- Providing walking and cycling networks within 400 metres of all Major and Neighbourhood Activity Centres (Small, Medium and Large) and 800 metres of train stations.

### Policy documents

Consider as relevant:

- *Activity Centre Strategy 2019-36* (Hobsons Bay City Council, July 2019)
- *Laverton Together Urban Design Framework* (Hansen Partnership, April 2006)
- *Newport Structure Plan* (Hobsons Bay City Council, November 2021)
- *Inner Newport Heritage Gap Study* (Hobsons Bay City Council and Lovell Chen 2022)

## 11.03-2S

04/05/2022  
VC210

### Growth areas

#### Objective

To locate urban growth close to transport corridors and services and provide efficient and effective infrastructure to create sustainability benefits while protecting primary production, major sources of raw materials and valued environmental areas.

#### Strategies

Concentrate urban expansion into growth areas that are served by high-capacity public transport.

Implement the strategic directions in the Growth Area Framework Plans.

Encourage average overall residential densities in the growth areas of a minimum of 15 dwellings per net developable hectare, and over time, seek an overall increase in residential densities to more than 20 dwellings per net developable hectare.

Deliver timely and adequate provision of public transport and local and regional infrastructure and services, in line with a preferred sequence of land release.

Provide for significant amounts of local employment opportunities and in some areas, provide large scale industrial or other more regional employment generators.

Create a network of mixed-use activity centres that are high quality, well designed and create a sense of place.

Provide a diversity of housing type and distribution.

Retain unique characteristics of established areas impacted by growth.

Protect and manage natural resources and areas of heritage, cultural and environmental significance.

Create well planned, easy to maintain and safe streets and neighbourhoods that reduce opportunities for crime, improve perceptions of safety and increase levels of community participation.

Develop Growth Area Framework Plans that will:

- Include objectives for each growth area.
- Identify the long term pattern of urban growth.

## HOBSONS BAY PLANNING SCHEME

- Identify the location of broad urban development types, for example activity centre, residential, employment, freight centres and mixed use employment.
- Identify the boundaries of individual communities, landscape values and, as appropriate, the need for discrete urban breaks and how land uses in these breaks will be managed.
- Identify transport networks and options for investigation, such as future railway lines and stations, freight activity centres, freeways and arterial roads.
- Identify the location of open space to be retained for recreation, and/or biodiversity protection and/or flood risk reduction purposes guided and directed by regional biodiversity conservation strategies.
- Show significant waterways as opportunities for creating linear trails, along with areas required to be retained for biodiversity protection and/or flood risk reduction purposes.
- Identify appropriate uses for constrained areas, including quarry buffers.

Develop precinct structure plans consistent with the *Precinct Structure Planning Guidelines* (Victorian Planning Authority, 2021) approved by the Minister for Planning to:

- Establish a sense of place and community.
- Create greater housing choice, diversity and affordable places to live.
- Create highly accessible and vibrant activity centres.
- Provide for local employment and business activity.
- Provide better transport choices.
- Respond to climate change and increase environmental sustainability.
- Deliver accessible, integrated and adaptable community infrastructure.

### **Policy documents**

Consider as relevant:

- Any applicable Growth Area Framework Plans (Department of Sustainability and Environment, 2006)
- *Precinct Structure Planning Guidelines* (Victorian Planning Authority, 2021)
- *Ministerial Direction No. 12 – Urban Growth Areas*



**11.03-3S**

31/07/2018  
VC148

**Peri-urban areas**

**Objective**

To manage growth in peri-urban areas to protect and enhance their identified valued attributes.

**Strategies**

Identify and protect areas that are strategically important for the environment, biodiversity, landscape, open space, water, agriculture, energy, recreation, tourism, environment, cultural heritage, infrastructure, extractive and other natural resources.

Provide for development in established settlements that have capacity for growth having regard to complex ecosystems, landscapes, agricultural and recreational activities including in Warragul-Drouin, Bacchus Marsh, Torquay-Jan Juc, Gisborne, Kyneton, Wonthaggi, Kilmore, Broadford, Seymour and Ballan and other towns identified by Regional Growth Plans as having potential for growth.

Establish growth boundaries for peri-urban towns to avoid urban sprawl and protect agricultural land and environmental assets.

Enhance the character, identity, attractiveness and amenity of peri-urban towns.

Prevent dispersed settlement and provide for non-urban breaks between urban areas.

Ensure development is linked to the timely and viable provision of physical and social infrastructure.

Improve connections to regional and metropolitan transport services.

**11.03-4S**

06/09/2021  
VC171

**Coastal settlement**

**Objective**

To plan for sustainable coastal development.

**Strategies**

Plan and manage coastal population growth and increased visitation so that impacts do not cause unsustainable use of coastal resources.

Support a network of diverse coastal settlements that provide for a broad range of housing types, economic opportunities and services.

Identify a clear settlement boundary around coastal settlements to ensure that growth in coastal areas is planned and coastal values are protected. Where no settlement boundary is identified, the extent of a settlement is defined by the extent of existing urban zoned land and any land identified on a plan in the planning scheme for future urban settlement.

Minimise linear urban sprawl along the coastal edge and ribbon development in rural landscapes.

Protect areas between settlements for non-urban use.

Limit development in identified coastal hazard areas, on ridgelines, primary coastal dune systems, shorelines of estuaries, wetlands and low-lying coastal areas, or where coastal processes may be detrimentally impacted.

Encourage the restructure of old and inappropriate subdivisions to reduce development impacts on the environment.

Ensure a sustainable water supply, stormwater management and sewerage treatment for all development.

Minimise the quantity and enhance the quality of stormwater discharge from new development into the ocean, bays and estuaries.

Prevent the development of new residential canal estates.

**Policy documents**

Consider as relevant:

- *G21 Regional Growth Plan* (Geelong Region Alliance, 2013)
- *Gippsland Regional Growth Plan* (Victorian Government, 2014)
- *Great South Coast Regional Growth Plan* (Victorian Government, 2014)
- *Marine and Coastal Policy* (Department of Environment, Land, Water and Planning, 2020)
- *Siting and Design Guidelines for Structures on the Victorian Coast* (Department of Environment, Land, Water and Planning, 2020)
- *Victorian Coastal Strategy* (Victorian Coastal Council, 2014)

**11.03-5S**

30/04/2021  
VC185

**Distinctive areas and landscapes**

**Objective**

To recognise the importance of distinctive areas and landscapes to the people of Victoria and protect and enhance the valued attributes of identified or declared distinctive areas and landscapes.

**Strategies**

Recognise the unique features and special characteristics of these areas and landscapes.

Implement the strategic directions of approved Localised Planning Statements and Statements of Planning Policy.

Integrate policy development, implementation and decision-making for declared areas under Statements of Planning policy.

Recognise the important role these areas play in the state as tourist destinations.

Protect the identified key values and activities of these areas.

Enhance conservation of the environment, including the unique habitats, ecosystems and biodiversity of these areas.

Support use and development where it enhances the valued characteristics of these areas.

Avoid use and development that could undermine the long-term natural or non-urban use of land in these areas.

Protect areas that are important for food production.

**Policy documents**

Consider as relevant:

- *Bellarine Peninsula Localised Planning Statement* (Victorian Government, 2015)
- *Macedon Ranges Statement of Planning Policy* (Victorian Government, 2019)
- *Mornington Peninsula Localised Planning Statement* (Victorian Government, 2014)
- *Yarra Ranges Localised Planning Statement* (Victorian Government, 2017)

**11.03-6S**

31/07/2018  
VC148

**Regional and local places**

**Objective**

To facilitate integrated place-based planning.

**Strategies**

Integrate relevant planning considerations to provide specific direction for the planning of sites, places, neighbourhoods and towns.

Consider the distinctive characteristics and needs of regional and local places in planning for future land use and development.

**18.01**  
09/12/2021  
VC204

**LAND USE AND TRANSPORT**

**18.01-1S**

09/12/2021  
VC204

**Land use and transport integration**

**Objective**

To facilitate access to social, cultural and economic opportunities by effectively integrating land use and transport.

**Strategies**

Plan and develop a transport system that facilitates:

- Social and economic inclusion for all people and builds community wellbeing.
- The best use of existing social and economic infrastructure.
- A reduction in the distances people have to travel to access jobs and services.
- Better access to, and greater mobility within, local communities.
- Network-wide efficiency and coordinated operation.

Plan land use and development to:

- Protect existing transport infrastructure from encroachment or detriment that would impact on the current or future function of the asset.
- Protect transport infrastructure that is in delivery from encroachment or detriment that would impact on the construction or future function of the asset.
- Protect planned transport infrastructure from encroachment or detriment that would impact deliverability or future operation.
- Protect identified potential transport infrastructure from being precluded by land use and development.

Plan land use and development to allow for the ongoing improvement and development of the State Transport System in the short and long term.

Plan movement networks and adjoining land uses to minimise disruption to residential communities and their amenity.

Plan the timely delivery of transport infrastructure and services to support changing land use and associated transport demands.

Plan improvements to public transport, walking and cycling networks to coordinate with the ongoing development and redevelopment of urban areas.

Plan the use of land adjacent to the transport system having regard to the current and future development and operation of the transport system.

Reserve land for strategic transport infrastructure to ensure the transport system can be developed efficiently to meet changing transport demands.

Support urban development that makes jobs and services more accessible:

- In accordance with forecast demand.
- By taking advantage of all available modes of transport.

Protect existing and facilitate new walking and cycling access to public transport.

Locate major government and private sector investments in regional cities and centres on major transport corridors to maximise the access and mobility of communities.

Design neighbourhoods to:

- Better support active living.
- Increase the share of trips made using sustainable transport modes.
- Respond to the safety needs of all users.

## HOBSONS BAY PLANNING SCHEME

Design the transport system and adjacent areas to achieve visual outcomes that are responsible to local context with particular reference to:

- Landscaping.
- The placement of signs.
- Providing buffer zones and resting places.

### **Policy documents**

Consider as relevant:

- *Movement and Place in Victoria* (Department of Transport, February 2019)
- *Delivering the Goods, Creating Victorian Jobs: Victorian Freight Plan* (Department of Economic Development, Jobs, Transport and Resources, July 2018)



**18.01-1L Newport integrated transport**

Proposed C133hbay

**Policy application**

This policy applies to the Newport Structure Plan area, as shown on the Newport Large Neighbourhood Activity Centre Plan in Clause 11.03-1L.

**Objective**

To improve pedestrian and bicycle connections within the Newport Structure Plan area.

**Strategies**

Maintain and improve pedestrian access along rear laneways.

Improve pedestrian and bicycle links:

- To public open space areas
- To the bus interchange on Mason Street
- To Newport Station
- Along Market Street
- Between Newport Station and commuter car parking areas at the VicTrack land on Market Street
- Between the east and west sides of the activity centre, as separated by the railway corridor and Melbourne Road

**Policy documents**

Consider as relevant:

- *Activity Centre Strategy 2019-36* (Hobsons Bay City Council, July 2019)
- *Newport Structure Plan* (Hobsons Bay City Council, November 2021)

**18.01-2S Transport system**

09/12/2021  
VC204

**Objective**

To facilitate the efficient, coordinated and reliable movement of people and goods by developing an integrated and efficient transport system.

**Strategies**

Plan and develop a transport system integrated across all movement networks that:

- Facilitates the efficient, coordinated and reliable movement of people and goods at all times.
- Optimises transport system capacity.
- Improves connectivity and facilitates the growth and development of regional Victoria.
- Improves connectivity between Victoria's regional cities and metropolitan Melbourne.
- Ensures sufficient capacity for the movement of passengers into and out of Victoria at Principal Transport Gateways.
- Improves how goods are moved to local, interstate and overseas markets.
- Maximises access to residential areas, employment, markets, services and recreation.
- Improves local transport options to support 20-minute neighbourhoods in Melbourne's suburbs and Victoria's regional cities and towns.
- Is legible and enables easy access and movement between modes.

## HOBSONS BAY PLANNING SCHEME

Plan movement networks that share the same space to do so in a way that balances the needs of the different users of the transport system.

Plan and develop the State Transport System comprising the:

- Principal Bicycle Network: Existing and future high quality cycling routes that provide access to major destinations and facilitate cycling for transport, sport, recreation and fitness.
- Principal Public Transport Network: Existing and future high quality public transport routes in the Melbourne metropolitan area.
- Regional Rail Network: Existing and future passenger rail routes in regional Victoria.
- Principal Road Network: Declared arterial roads and freeways under the *Road Management Act 2004*.
- Principal Freight Network: Existing and future corridors and precincts where the movement of high volumes of freight are concentrated or of strategic value.
- Principal Transport Gateways: Existing and future ports, airports and interstate terminals that serve as key locations for moving passengers and freight into, out of and around Victoria.

Facilitate delivery of:

- Declared major transport projects and their ancillary projects that are of economic, social or environmental significance to the State of Victoria.
- Transport projects that improve the State Transport System.

### **Policy documents**

Consider as relevant:

- *Movement and Place in Victoria* (Department of Transport, February 2019)

# HOBSONS BAY PLANNING SCHEME

## State Transport System – Metropolitan Melbourne Plan



# HOBSONS BAY PLANNING SCHEME

## State Transport System – Regional Victoria Plan



**18.01-2L**

24/02/2022  
C131hbay

**Transport system**

**Objective**

To protect residential and other sensitive land uses from the adverse effects of vehicular traffic.

**Strategies**

Avoid industrial land uses and developments that are dependent upon heavy transport or high volumes of vehicle trips in locations that require trucks to use roads through predominantly residential areas.

Manage traffic impacts in a holistic and strategic manner to avoid transferring traffic problems to neighbouring areas.

Support the upgrade of the arterial system to service industrial areas of the municipality, particularly connections to the Western Ring Road from the Grieve Parade industrial area.

Develop new industrial access roads to service industrial areas.

Ensure that use and development on the foreshore mitigates any detrimental impact arising from traffic and car parking on the surrounding road network and foreshore area.

**18.01-3S**

09/12/2021  
VC204

**Sustainable and safe transport**

**Objective**

To facilitate an environmentally sustainable transport system that is safe and supports health and wellbeing.

**Strategies**

Plan and develop the transport system to:

- Maximise the efficient use of resources including infrastructure, land, services and energy.
- Prepare for and adapt to climate change impacts.
- Prioritise the use of sustainable personal transport.
- Protect, conserve and improve the natural environment by supporting forms of transport, energy use and transport technologies that have the least environmental impact.
- Avoid, minimise and offset harm to the environment by:
  - Protecting biodiversity.
  - Reducing transport-related greenhouse gas emissions.

Plan the transport system to be safe by:

- Developing safe transport infrastructure.
- Optimising accessibility, emergency access, service and amenity.
- Separating pedestrians, bicycles and motor vehicles, where practicable.
- Reducing the need for cyclists to mix with other road users.
- Supporting road users to make safe choices through design and wayfinding techniques.
- Prioritising transport safety when designing high-speed roads and intersections.

Support forms of transport and energy use that have the greatest benefit for, and least negative impact on, health and wellbeing.

Design the transport system to be accessible to all users.

Design new suburbs to respond to the safety, health and wellbeing needs of all road users.

Design development to promote walking, cycling and the use of public transport, in that order, and minimise car dependency.

**Policy documents**

Consider as relevant:

- *Victorian Road Safety Strategy 2021-2030* (Department of Transport, 2021)

**18.01-3R**

09/12/2021  
VC204

**Sustainable and safe transport - Metropolitan Melbourne**

**Strategies**

Improve local travel options for walking and cycling to support 20 minute neighbourhoods.

**18.01-3L**

24/02/2022  
C131hbay

**Sustainable personal transport**

**Strategies**

Provide end-of-trip facilities such as bicycle parking, lockers and change areas in activity centres, train stations and public transport hubs.



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Proposed C133hbay

## SCHEDULE 2 TO CLAUSE 32.04 MIXED USE ZONE

Shown on the planning scheme map as **MUZ2**.

### NEWPORT NEIGHBOURHOOD ACTIVITY CENTRE

#### 1.0 Objectives

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Proposed C133hbay

To support convenience retail, hospitality, office and civic uses that contribute to the neighbourhood centre.

To support uses that provide an appropriate transition to adjoining residential areas.

To provide a diverse range of housing with appropriate landscaping.

To provide active street frontages and visual connections with public spaces.

To ensure development responds to the scale and architectural features of heritage buildings and places.

#### 2.0 Clause 54 and Clause 55 requirements

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Proposed C133hbay

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	None specified
Permeability	A6 and B9	None specified
Landscaping	B13	None specified
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	None specified
Private open space	A17	None specified
	B28	None specified
Front fence height	A20 and B32	None specified

#### 3.0 Maximum building height requirement

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Proposed C133hbay

A building must not exceed a height of 14.5 metres and 4 storeys.

#### 4.0 Exemption from notice and review

--/---  
Proposed C133hbay

None specified.

#### 5.0 Application requirements

--/---  
Proposed C133hbay

The following application requirements apply to an application for a permit under Clause 32.04, in addition to those specified in Clause 32.04 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A Landscape Plan detailing existing vegetation, proposed retention and removal of vegetation, new planting and landscape works.

#### 6.0 Decision guidelines

--/---  
Proposed C133hbay

None specified.

**7.0**

**Signs**

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Proposed C133hbay

None specified.

## HOBSONS BAY PLANNING SCHEME

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Proposed C133hbay

### SCHEDULE 3 TO CLAUSE 32.07 RESIDENTIAL GROWTH ZONE

Shown on the planning scheme map as **RGZ3**

#### NEWPORT MEDIUM DENSITY RESIDENTIAL AREA

#### 1.0 Design objectives

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Proposed C133hbay

To provide a diverse range of housing.

To ensure development is respectful to the lower scale of adjoining residential areas and contributory heritage buildings.

To ensure development responds to the built form setbacks of surrounding heritage places.

#### 2.0 Requirements of Clause 54 and Clause 55

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Proposed C133hbay

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	None specified
Permeability	A6 and B9	None specified
Landscaping	B13	None specified
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	None specified
Private open space	A17	None specified
	B28	None specified
Front fence height	A20 and B32	None specified

#### 3.0 Maximum building height requirement for a dwelling or residential building

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Proposed C133hbay

A building used as a dwelling or a residential building must not exceed a height of 13.5 metres and 4 storeys.

#### 4.0 Application requirements

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Proposed C133hbay

The following application requirements apply to an application for a permit under Clause 32.07, in addition to those specified in Clause 32.07 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A Landscape Plan detailing existing vegetation, proposed retention and removal of vegetation, new planting and landscape works.

#### 5.0 Decision guidelines

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Proposed C133hbay

None specified.

## HOBSONS BAY PLANNING SCHEME

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Proposed C133hbay

### SCHEDULE 2 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as **GRZ2**.

#### RESIDENTIAL AREAS, ALTONA, NEWPORT AND WILLIAMSTOWN

#### 1.0 Neighbourhood character objectives

10/09/2021  
C126hbay

None specified.

#### 2.0 Construction or extension of a dwelling or residential building - minimum garden area requirement

10/09/2021  
C126hbay

**Is the construction or extension of a dwelling or residential building exempt from the minimum garden area requirement?**

No

#### 3.0 Permit requirement for the construction or extension of one dwelling or a fence associated with a dwelling on a lot

10/09/2021  
C126hbay

**Is a permit required to construct or extend one dwelling on a lot of between 300 and 500 square metres?**

Yes

**Is a permit required to construct or extend a front fence within 3 metres of a street associated with a dwelling on a lot of between 300 and 500 square metres?**

Yes

#### 4.0 Requirements of Clause 54 and Clause 55

10/09/2021  
C126hbay

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	None specified
Permeability	A6 and B9	None specified
Landscaping	B13	None specified
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	None specified
Private open space	A17	None specified
	B28	None specified
Front fence height	A20 and B32	None specified

#### 5.0 Maximum building height requirement for a dwelling or residential building

10/09/2021  
C126hbay

None specified.

#### 6.0 Application requirements

10/09/2021  
C126hbay

None specified.

**7.0**

10/09/2021  
C126hbay

**Decision guidelines**

None specified.

## HOBSONS BAY PLANNING SCHEME

Proposed C133hbay

### SCHEDULE 8 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as **GRZ8**.

#### URBAN CONTEMPORARY AREAS, NEWPORT, WILLIAMSTOWN NORTH, LILEY STREET AND POWER STREET, WILLIAMSTOWN

#### 1.0 Neighbourhood character objectives

24/02/2022  
C131hbay

To provide front setbacks that accommodate canopy trees and a high portion of permeable garden area.

To support built form consistent with the siting and massing of surrounding development.

To support development with habitable rooms that overlook the street.

To support vertical or roof gardens.

#### 2.0 Construction or extension of a dwelling or residential building - minimum garden area requirement

24/02/2022  
C131hbay

**Is the construction or extension of a dwelling or residential building exempt from the minimum garden area requirement?**

No

#### 3.0 Permit requirement for the construction or extension of one dwelling or a fence associated with a dwelling on a lot

24/02/2022  
C131hbay

**Is a permit required to construct or extend one dwelling on a lot of between 300 and 500 square metres?**

No

**Is a permit required to construct or extend a front fence within 3 metres of a street associated with a dwelling on a lot of between 300 and 500 square metres?**

No

#### 4.0 Requirements of Clause 54 and Clause 55

04/05/2022  
VC210

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	None specified
Permeability	A6 and B9	None specified
Landscaping	B13	Provide garden beds along accessways. Provide canopy trees in the following locations: <ul style="list-style-type: none"><li>At least 1 tree in the street setback.</li><li>At least 1 tree within the secluded private open space of each dwelling.</li></ul>
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	None specified

## HOBSONS BAY PLANNING SCHEME

	Standard	Requirement
<b>Private open space</b>	A17	A dwelling should have private open space consisting of: <ul style="list-style-type: none"><li>An area of 80 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 40 square metres, a minimum dimension of 4 metres and convenient access from a living room.</li></ul>
	B28	None specified
<b>Front fence height</b>	A20 and B32	A front fence within 3 metres of a street should not exceed: <ul style="list-style-type: none"><li>1.5 metres in a Transport Zone 2.</li><li>1.2 metres in other streets.</li></ul>

### 5.0

24/02/2022  
C131hbay

#### Maximum building height requirement for a dwelling or residential building

None specified.

### 6.0

24/02/2022  
C131hbay

#### Application requirements

None specified.

### 7.0

24/02/2022  
C131hbay

#### Decision guidelines

None specified.

HOBSONS BAY PLANNING SCHEME

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Proposed C133hbay

**SCHEDULE 9 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE**

Shown on the planning scheme map as **GRZ9**.

**NEWPORT MEDIUM DENSITY AREA**

**1.0 Neighbourhood character objectives**

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Proposed C133hbay

- To provide front gardens that are visible from the street.
- To support front building facades that are well articulated.
- To support garages and carports set back behind the dwelling façade.

**2.0 Construction or extension of a dwelling or residential building - minimum garden area requirement**

--/---  
Proposed C133hbay

**Is the construction or extension of a dwelling or residential building exempt from the minimum garden area requirement?**

Yes

**3.0 Permit requirement for the construction or extension of one dwelling or a fence associated with a dwelling on a lot**

--/---  
Proposed C133hbay

**Is a permit required to construct or extend one dwelling on a lot of between 300 and 500 square metres?**

No

**Is a permit required to construct or extend a front fence within 3 metres of a street associated with a dwelling on a lot of between 300 and 500 square metres?**

No

**4.0 Requirements of Clause 54 and Clause 55**

--/---  
Proposed C133hbay

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	None specified
Permeability	A6 and B9	None specified
Landscaping	B13	Provide garden beds along accessways. Provide canopy trees in the following locations: <ul style="list-style-type: none"> <li>▪ On lots with a frontage of 20 metres or less, at least 1 tree in the street setback.</li> <li>▪ On lots with a frontage greater than 20 metres, at least 2 trees in the street setback.</li> </ul>
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	None specified
Private open space	A17	None specified
	B28	None specified
Front fence height	A20 and B32	A front fence within 3 metres of a street should not exceed: <ul style="list-style-type: none"> <li>▪ 1.5 metres in a Road Zone, Category 1</li> </ul>



HOBSONS BAY PLANNING SCHEME

	Standard	Requirement
		▪ 1.2 metres in other streets

**5.0 Maximum building height requirement for a dwelling or residential building**

--/--  
Proposed C133hbay None specified.

**6.0 Application requirements**

--/--  
Proposed C133hbay None specified.

**7.0 Decision guidelines**

--/--  
Proposed C133hbay None specified.

HOBSONS BAY PLANNING SCHEME

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Proposed C133hbay

**SCHEDULE 4 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE**

Shown on the planning scheme map as **NRZ4**.

**HERITAGE AREAS, ALTONA, NEWPORT AND WILLIAMSTOWN**

**1.0 Neighbourhood character objectives**

24/02/2022  
C131hbay

To support development that contributes to the heritage place.

**2.0 Minimum subdivision area**

24/02/2022  
C131hbay

None specified.

**3.0 Permit requirement for the construction or extension of one dwelling or a fence associated with a dwelling on a lot**

24/02/2022  
C131hbay

	Requirement
Permit requirement for the construction or extension of one dwelling on a lot	500 square metres
Permit requirement to construct or extend a front fence within 3 metres of a street associated with a dwelling on a lot	500 square metres

**4.0 Requirements of Clause 54 and Clause 55**

04/05/2022  
VC210

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	None specified
Permeability	A6 and B9	None specified
Landscaping	B13	Provide garden beds along accessways.
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	None specified
Private open space	A17	A dwelling should have private open space consisting of: <ul style="list-style-type: none"> <li>An area of 80 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 40 square metres, a minimum dimension of 4 metres and convenient access from a living room.</li> </ul>
	B28	A dwelling should have private open space consisting of: <ul style="list-style-type: none"> <li>An area of 60 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 40 square metres, a minimum dimension of 4 metres and convenient access from a living room, or</li> </ul>

## HOBSONS BAY PLANNING SCHEME

	Standard	Requirement
		<ul style="list-style-type: none"><li>▪ A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or</li><li>▪ A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.</li></ul>
<b>Front fence height</b>	A20 and B32	A front fence within 3 metres of a street should not exceed: <ul style="list-style-type: none"><li>▪ 1.5 metres in a Transport Zone 2.</li><li>▪ 1.2 metres in other streets.</li></ul>

### 5.0

24/02/2022  
C131hbay

#### Maximum building height requirement for a dwelling or residential building

None specified.

### 6.0

24/02/2022  
C131hbay

#### Application requirements

None specified.

### 7.0

24/02/2022  
C131hbay

#### Decision guidelines

None specified.

HOBSONS BAY PLANNING SCHEME

24/09/2018  
C88

**SCHEDULE TO CLAUSE 43.01 HERITAGE OVERLAY**

**1.0**

24/02/2022  
C131hbay

**Application requirements**

The following application requirements apply to an application for a permit under Clause 43.01, in addition to those specified in Clause 43.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A report explaining the proposal and how it addresses Clause 15.03-1.
- A report explaining how the proposal responds to the relevant sections of the *Hobsons Bay Heritage Study* (Hobsons Bay City Council, 2017), the *Guidelines for Infill Development in Heritage Areas in Hobsons Bay* (Helen Lardner Conservation & Design, June 2006) and the *Guidelines for Alterations and Additions to Dwellings in Heritage Areas in Hobsons Bay* (Helen Lardner Conservation & Design, June 2006).

**2.0**

Proposed C133hbay

**Heritage places**

The requirements of this overlay apply to both the heritage place and its associated land.

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Heritage Precincts listed alphabetically by name of precinct. NOTE: Precincts generally contain a mix of contributory and non-contributory buildings, refer to the citation in the Hobsons Bay Heritage Study for details.							
HO1	<i>Cecil Street Heritage Precinct</i> Cecil Street, Williamstown	Yes	No	Yes street trees only	No	No	No	No
HO2	<i>Cox's Garden Heritage Precinct</i> Cox's Garden, Williamstown	Yes	No	No	No	No	No	No
HO3	<i>Dover Road and John Street Heritage Precinct</i>	No	No	No	No	No	No	No

HOBSONS BAY PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	33-35 and 36-44 Dover Road and 3-37 and 4-32 John Street, Williamstown							
HO4	<i>Electra Street Heritage Precinct</i> Electra Street, Williamstown	Yes	No	Yes street trees only	No	No	No	No
HO5	<i>Esplanade Foreshore Heritage Precinct</i> Esplanade, Williamstown	No	No	Yes	Yes	No	No	No
HO6	<i>Esplanade Residential Heritage Precinct</i> 4-20 Esplanade, Williamstown	No	No	No	No	No	No	No
HO7	<i>Ferguson Street Civic and Commercial Heritage Precinct</i> Ferguson Street (part), Williamstown	No	No	No	No	No	No	No
HO8	<i>Government Survey Heritage Precinct</i> Aitken Street, Ann Street, Cecil Street, Charles Street, Cole Street, Council Lane, Cropper Place, Electra Street, Esplanade, Ferguson Street, Giffard Street, Hamner Street, Illawarra Street, Jackson Street, Kanowna Street, Lyons Street, Melbourne Road, Morris Street, Nancy Court, Nelson Place, Osborne Street, Panama Street, Parker Street, Parramatta Street, Pasco Street, Perry Street, Railway Crescent, Railway Place, Railway Terrace, Rosseau Street, Smith Street, Thompson Street, Twyford Street, Verdon Street, Vulcan Grove and associated minor streets and lanes, Williamstown <b>Incorporated plan:</b> Point Gellibrand Coastal Park Master Plan – Revised July 2003	No	No	No	No	No	No	No
	<i>There is no HO9</i>							

HOBSONS BAY PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO10	<i>Grindlay's Estate Heritage Precinct</i> Brown Street, Collingwood Road (part), Douglas Parade (part), Elgin Street, Grindlay Street, Home Road (part), Irving Street, North Road (part), Rupert Street and Tait Street (part), Newport	No	No	No	No	No	No	No
HO11	<i>Halls Farm Heritage Precinct</i> 2-52 Collingwood Road, 2-40 Tait Street, 313-353, Douglas Parade, Elphin Street, Farm Street, 48-112 Hall Street, 69-101 High Street, 14-66 and 23-81 Home Road and River Street, Newport	No	No	No	No	No	No	No
HO12	<i>Hanmer Street Heritage Precinct</i> Hanmer Street, Williamstown	Yes	No	Yes street trees only	No	No	No	No
HO13	<i>Hannan's Farm Heritage Precinct</i> Castle Street, Collins Street, Esplanade (part), Gellibrand Street (part), Hannan Street, Knight Street, Osborne Street, (part), Swanson Street and Winifred Street in Williamstown	No	No	No	No	No	No	No
HO14	<i>Hobsons Bay Railways Heritage Precinct</i> Land, buildings, landscaping and infrastructure associated with the Melbourne-Williamstown and Melbourne-Geelong railways	No	No	No	No	No	No	No
HO15	<i>Housing Commission of Victoria - Champion Road Estate Heritage Precinct</i> Cerberus Crescent, 63-89 Champion Road, Edina Street, Gem Street, and 2-44 Park Crescent, North Williamstown	No	No	Yes street trees only	No	No	No	No
HO16	<i>Housing Commission of Victoria - West Newport Estate Heritage Precinct</i>	No	No	No	Yes	No	No	No

HOBSONS BAY PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	16-32 Challis Street, 102-104, 124 and 103-117 Champion Road, 11-29 (south side) Croker Street, 2-28 Fowler Crescent, 134-154 Market Street and 21-23 Melrose Street, Newport.							
HO17	<i>James Street Heritage Precinct</i> 1-22 James Street, Williamstown	No	No	No	No	No	No	No
HO18	<i>Lenore Crescent Heritage Precinct</i> Lenore Crescent, Williamstown	No	No	Yes street trees only	No	No	No	No
HO19	<i>Macquarie Street Heritage Precinct</i> 1-19 and 4-18 Macquarie Street and 80-92 Stevedore Street, Williamstown	No	No	No	No	No	No	No
HO20	<i>Melbourne Road Commercial Heritage Precinct</i> 314-344 Melbourne Road and 35 Davies Street, Williamstown	No	No	No	No	No	No	No
HO21	<i>Nelson Place Heritage Precinct</i> 1-3 Cole Street, 125-233 Nelson Place and 1 Parker Street, Williamstown	Yes	No	Yes street trees only	No	No	No	No
HO22	<i>Newport Civic and Commercial Heritage Precinct</i> Hall Street (part), Mason Street (part), 4 Market Street (Newport Bowls Club), 6 Market Street (Newport Scout Hall) and 24-28 Market Street (Newport RSL Hall), Melbourne Road (part) including 429-431 Melbourne Road, and 1 Walker Street, Newport  <b>Statement of significance:</b> <i>Newport Civic and Commercial Heritage Precinct (HO22) Statement of Significance, June 2022</i>	No	No	No	No	No	No	No

HOBSONS BAY PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO23	<p><i>Newport Estate Residential Heritage Precinct</i></p> <p>Agg Street, 2-24 and 3-29 Durkin Street, 15-17 Elizabeth Street, 2A and 14-40 Ford Street, 15 Kohry Lane, 81-93 Mason Street, 3-19 and 21-35 Miris Street, 1-3 and 26-40 Newcastle Street, 1-15, 4-14, 40-56 and 37-41 Oxford Street, 5-13, 10 and 21 Ross Street, 30-56 and 31-73 Schutt Street, 19-33, 18-36, 35-75 and 38-82 Speight Street, 7-23 Steele Street, 19-23 and 24-30 Walker Street, 35-99 and 40-52 William Street, Newport</p> <p><b>Statement of significance:</b></p> <p><i>Newport Estate Residential Heritage Precinct (HO23) Statement of Significance, June 2022</i></p>	No	No	No	No	No	No	No
HO24	<p><i>Pasco Street Heritage Precinct</i></p> <p>Pasco Street, Williamstown</p>	Yes	No	Yes street trees only	No	No	No	No
HO25	<p><i>Point Gellibrand Heritage Precinct</i></p> <p>Point Gellibrand Foreshore Area, Williamstown</p> <p><b>Incorporated plan:</b></p> <p>Point Gellibrand Coastal Park Master Plan - Revised July 2003</p>	No	No	Yes	No	No	No	Yes
HO26	<p><i>Power Street Heritage Precinct</i></p> <p>Power Street, Williamstown</p>	No	No	Yes street trees only	No	No	No	No
HO27	<p><i>Private Survey Heritage Precinct</i></p> <p>Albert Street, Alfred Place, Alma Terrace, Bath Place, Blucher Terrace, Braw Street, Bronte Court, Bunbury Street, Chandler Street, Clark Street, Clough Street, College Street, Courtis Street, Cox's Garden, Crawford</p>	No	No	No	No	No	No	No



HOBSONS BAY PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Street, Dalgarno Street, Davies Street, Douch Street, Douglas Parade (part), Dover Road, Dowman Street, Effingham Road, Eliza Street, Federal Street, Ferguson Street, Franklin Street, Freyer Street, Goss Terrace, Haslam Street, Hastings Road, Henry Street, Holland Court, Hosking Street, Hotham Street, James Street, Jobson Street, John Street, Latrobe Street, Lenore Crescent, Maclean Street, Macquarie Street, Mariner Street, Melbourne Road (part), Morris Lane, Napier Street, North Road (part), Oakbank Street, Paine Street, Pearson Street, Peel Street, Pentland Street, Power Street, Princes Street, Queen Street, Rennie Street, Richard Street, Roches Terrace, Rosny Place, Russell Place, Ryans Lane, Stanley Street, Station Road, Stevedore Street, Swan Court, The Strand, Thomas Street, Union Street, Waltham Street, Waterloo Street, Wellington Street, White Street, Wilkins Street, Yarra Street and related minor streets and lanes in Newport or Williamstown							
HO28	<i>Railway Crescent Heritage Precinct</i> Railway Crescent, Williamstown	Yes	No	No	No	No	No	No
HO29	<i>Solomit or Straw Houses Heritage Precinct</i> 169-175 Maidstone Street, Altona	Yes	No	No	No	No	No	No
HO30	<i>Spotswood Residential Heritage Precinct</i> 1-23 and 6-26 George Street, 1-13 Hope Street, 2 McLister Street, 49-59 Robert Street and 35-41 The Avenue in Spotswood	No	No	No	No	No	No	No
HO31	<i>The Strand Heritage Precinct</i> The Strand, Williamstown and Newport	No	No	No	No	No	No	No
HO32	<i>Verdon Street Heritage Precinct</i>	Yes	No	Yes	No	No	No	No

HOBSONS BAY PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Verdon Street, Williamstown							
HO33	<i>Victoria Street Heritage Precinct</i> Victoria Street, Williamstown	Yes	No	Yes	No	No	No	No
HO34	<i>Williamstown Beach Heritage Precinct</i> Esplanade (part), Forster Street, Garden Street, Gellibrand Street (part), Giffard Street (part), Langford Street, Laverton Street, Little Osborne, Osborne Street (part), Railway Crescent (part) and Stewart Streets, Williamstown	No	No	No	No	No	No	No
	Heritage Places sorted alphabetically by street name							
HO35	<i>Port Phillip Stevedore Club Hall (former)</i> 25 Aitken Street, Williamstown	No	No	No	No	No	No	No
HO37	<i>'Heathville'</i> 171 Aitken Street, Williamstown	No	No	No	No	No	No	No
HO38	<i>Washingtonia Palm and Cotton Palm Trees</i> rear of 7 Albert Street, Williamstown	No	No	Yes	No	No	No	No
HO39	<i>Bluestone House</i> 25 Albert Street, Williamstown	No	No	Yes	No	No	No	No
HO40	<i>House</i> 7 Alfred Place, Williamstown	No	No	No	No	No	No	No
HO41	<i>Stone Pitched Road or Paved Yard</i> Altona Road, Altona	No	No	No	No	No	No	No

HOBSONS BAY PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO42	<i>'The Pines' Scout Camp</i> Altona Road, Altona	Yes	No	Yes	No	No	No	No
HO43	<i>Telegraph Hotel (former)</i> 17 Ann Street, Williamstown	No	No	No	No	No	No	No
HO44	<i>Time Ball Tower (also known as Former Point Gellibrand Lighthouse) –</i> 6-18 Battery Road, Williamstown	-	-	-	-	Yes Ref No H1649	No	No
HO45	<i>Altona Primary School No. 3923 Complex and Trees (poplars and sugar gums)</i> 109 Blyth Street, Altona	No	No	Yes	No	No	No	No
HO46	<i>Melbourne Glass Bottle Works (former)</i> Booker Street, Spotswood	No	No	No	No	No	Yes	No
HO47	<i>Shell Oil Complex</i> 39-81 Burleigh Street and Drake Street, Newport	No	No	No	No	No	No	No
HO48	<i>Six Riveted Oil Tanks (Part Shell Oil Complex)</i> Burleigh Street, Spotswood	No	No	No	No	No	No	No
HO49	<i>Commonwealth Oil Refinery Company Tank Farm – NP6 and NP7 storage tanks</i> 39-81 Burleigh Street, Spotswood	No	No	No	No	No	No	No
HO50	<i>House</i> 25 Cecil Street, Williamstown	Yes	No	No	No	No	No	No
HO51	<i>Victorian Duplex – 'Flynn House'</i> 31-33 Cecil Street, Williamstown	Yes	No	No	No	No	No	No

HOBSONS BAY PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO52	<i>Victorian Duplex</i> 35-37 Cecil Street, Williamstown	Yes	No	No	No	No	No	No
HO53	<i>Stags Head Hotel</i> 39 Cecil Street, Williamstown	Yes	No	No	No	No	No	No
HO54	<i>House</i> 43 Cecil Street, Williamstown	Yes	No	No	No	No	No	No
HO55	<i>House</i> 53 Cecil Street, Williamstown	Yes	No	No	No	No	No	No
HO56	<i>House</i> 55 Cecil Street, Williamstown	Yes	No	No	No	No	No	No
HO57	<i>George Hotel (former)</i> 82 Cecil Street, Williamstown	Yes	No	No	No	No	No	No
HO58	<i>St Andrews Presbyterian Church Complex</i> 85-89 Cecil Street, Williamstown	Yes	Yes	No	No	No	No	No
HO59	<i>Robertson Reserve Dutch Elms (former Market Reserve)</i> 105 Cecil Street, Williamstown	No	No	Yes	No	No	No	No
HO60	<i>Williamstown Primary School No.1183</i> 111-119 Cecil Street, Williamstown	-	-	-	-	Yes Ref No H1639	No	No
HO61	<i>St Mary's Roman Catholic Church Complex</i> 116 Cecil Street, Williamstown	Yes	Yes	No	No	No	No	No
HO62	<i>Morgan's Houses</i>	Yes	No	No	No	No	No	No

HOBSONS BAY PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	135-137 Cecil Street, Williamstown							
HO63	<i>House</i> 160 Cecil Street, Williamstown	Yes	No	No	No	No	No	No
HO64	<i>House</i> 185 Cecil Street, Williamstown	Yes	No	No	No	No	No	No
HO65	<i>Newport Railway Workshops (former)</i> 2-78 Champion Road, Newport	-	-	-	-	Yes Ref No H1000	No	No
HO66	<i>Quarryman's House - 'Clifton'</i> 13 Champion Road, Williamstown North	No	No	No	No	No	Yes	No
HO67	<i>Newport Railway Workshops Manager's Residence (former)</i> 57 Champion Road, Williamstown North	-	-	-	-	Yes Ref No H1839	No	No
HO68	<i>Newport Railway Workshops Deputy Manager's Residence (former)</i> 59 Champion Road and 1C Park Crescent, Williamstown North	-	-	-	-	Yes Ref No H1840	No	No
HO69	<i>Williamstown Cemetery</i> 89 Champion Road, Williamstown North	-	-	-	-	Yes Ref No H1837	No	No
HO70	<i>Altona Civic Offices Council Chambers (former)</i> 115 Civic Parade, Altona	Yes	Yes	No	No	No	No	No
HO71	House and Garden 176 Civic Parade, Altona	No	No	Yes	No	No	Yes	No

HOBSONS BAY PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO72	<i>House</i> 24 Clark Street, Williamstown	No	No	No	No	No	No	No
HO73	<i>Steam Packet Hotel</i> 13 Cole Street, Williamstown	No	No	No	No	No	No	No
HO74	<i>House</i> 52 Cole Street, Williamstown	No	No	No	No	No	No	No
HO75	<i>Row Houses</i> 73-75 Cole Street, Williamstown	No	No	No	No	No	No	No
HO76	<i>Caledonian Inn (former)</i> 77 Cole Street, Williamstown	No	No	No	No	No	No	No
HO77	<i>Cox's Garden Cottage</i> 11 Cox's Garden, Williamstown	-	-	-	-	Yes Ref No H487	No	No
HO78	<i>St. Helliers</i> 12 Cox's Garden, Williamstown	-	-	-	-	Yes Ref No H560	No	No
HO79	<i>Terrace Row</i> 10-16 Davies Street, Newport	No	No	No	No	No	No	No
HO80	<i>United Friendly Society (UFS) Dispensary (former)</i> 35 Davies Street, Newport	No	No	No	No	No	No	No
HO81	<i>Newport Power Station Gatehouse (former) and Canary Island Palms</i> Douglas Parade, Newport	No	No	Yes	No	No	Yes	No

HOBSONS BAY PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO82	<i>MMBW Spotswood Pumping Station (also known as Sewerage Pumping Station and Scienceworks)</i> 2 Booker Street, Spotswood	-	-	-	-	Yes Ref No H1555	No	No
HO83	<i>Nelson Bros Funeral Parlour Complex (former)</i> 37-43 Douglas Parade, Williamstown	No	No	No	No	No	No	No
HO84	<i>Victoria Inn</i> 65 Douglas Parade, Williamstown	Yes	No	No	No	No	No	No
HO85	<i>Terrace</i> 95-99 Douglas Parade, Williamstown	No	No	No	No	No	No	No
HO86	<i>Shops and Residence (former)</i> 121-123 Douglas Parade, Williamstown	No	No	No	No	No	No	No
HO87	<i>Prince Albert Hotel</i> 147-149 Douglas Parade, Williamstown	-	-	-	-	Yes Ref No H1793	No	No
HO88	<i>House</i> 199 Douglas Parade, Newport	No	No	No	No	No	No	No
HO89	<i>BP Australia Complex and Canary Island Palm Tree</i> 431 Douglas Parade, Spotswood	No	No	Yes	No	No	Yes	No
HO90	<i>'Waverley'</i> 116 Dover Road, Newport	No	No	No	No	No	No	No
HO91	<i>House</i> 118 Dover Road, Newport	No	No	No	No	No	No	No

HOBSONS BAY PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	<i>There is no HO92</i>							
HO93	<i>Morning Star Hotel</i> 3 Electra Street, Williamstown	Yes	No	No	No	No	No	No
HO94	<i>Williamstown Mechanics Institute Complex</i> 9-17 Electra Street, Williamstown	Yes	Yes	No	No	No	No	No
HO95	<i>House</i> 12 Electra Street, Williamstown	Yes	No	No	No	No	No	No
HO96	<i>Excelsior Lodge of Industry Masonic Temple</i> 21-25 Electra Street, Williamstown	Yes	Yes	No	No	No	No	No
HO97	<i>House</i> 22 Electra Street, Williamstown	Yes	No	No	No	No	No	No
HO98	<i>Wesleyan Methodist Manse and Kindergarten (former)</i> 34 Electra Street, Williamstown	Yes	Yes	No	No	No	No	No
HO99	<i>Wesleyan Methodist Church (former)</i> 36 Electra Street, Williamstown	Yes	Yes	No	No	No	No	No
HO100	<i>House</i> 54 Electra Street, Williamstown	Yes	No	No	No	No	No	No
HO101	<i>House</i> 62 Electra Street, Williamstown	Yes	No	No	No	No	No	No
HO102	<i>House and Black Achan (Pippin) Pear Tree</i> 64 Electra Street, Williamstown	Yes	No	Yes	No	No	No	No



HOBSONS BAY PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO103	<i>House</i> 65 Electra Street, Williamstown	Yes	No	No	No	No	No	No
HO104	<i>Quarryman's House</i> 15 Elizabeth Street, Newport	No	No	No	No	No	No	No
HO105	<i>Quarryman's House</i> 17 Elizabeth Street, Newport	No	No	No	No	No	No	No
HO106	<i>Williamstown Dressing Pavilion (former)</i> 26 Esplanade, Williamstown	-	-	-	-	Yes Ref No H927	No	No
HO107	<i>House and Fence</i> 11 Esplanade, Williamstown	No	No	No	Yes	No	No	No
HO108	<i>Attached Houses</i> 12-13 Esplanade, Williamstown	No	No	No	No	No	No	No
HO109	<i>'Ellersie'</i> 14 Esplanade, Williamstown	No	No	No	No	No	No	No
HO110	<i>Sisters of St. Joseph Convent</i> 16 Esplanade, Williamstown	No	No	No	No	No	No	No
HO111	<i>House</i> 18 Esplanade, Williamstown	No	No	No	No	No	No	No
HO112	<i>House</i> 19 Esplanade, Williamstown	No	No	No	No	No	No	No
HO113	<i>Sturgess House</i>	No	No	No	No	No	No	No

HOBSONS BAY PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	23 Esplanade, Williamstown							
HO114	<i>Fearon Reserve</i> 27 Esplanade, Williamstown	No	No	Yes	No	No	No	No
HO115	<i>'Berean'</i> 89 Esplanade, Williamstown	No	No	No	No	No	No	No
HO116	<i>'Lawn House' (former)</i> 92 Esplanade, Williamstown	No	No	No	No	No	No	No
HO117	<i>Hose</i> 93 Esplanade, Williamstown	No	No	No	No	No	No	No
HO118	Apartments 104 Esplanade, Williamstown	No	No	No	No	No	No	No
HO119	<i>'Brittanica'</i> 2 Ferguson Street, Williamstown	No	No	No	No	No	No	No
HO120	<i>House</i> 4 Ferguson Street, Williamstown	No	No	No	No	No	No	No
HO121	<i>Rose of Australia Hotel</i> 50-54 Ferguson Street, Williamstown	No	No	No	No	No	No	No
HO122	<i>Melbourne Savings Bank (former)</i> 56-58 Ferguson Street, Williamstown	No	No	No	No	No	No	No
HO123	<i>Punshon's Federal Stores (former)</i> 82-84 Ferguson Street, Williamstown	No	No	No	No	No	No	No

HOBSONS BAY PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO124	<i>City of Williamstown Municipal Offices and Town Hall (former) and Drinking Fountain</i> 104-112 Ferguson Street, Williamstown	Yes	Yes	No	No	No	No	No
HO125	<i>'Braemar'</i> 182 Ferguson Street, Williamstown	Yes	No	No	No	No	No	No
HO126	<i>Bristol Hotel</i> 190 Ferguson Street, Williamstown	Yes	No	No	No	No	No	No
HO127	<i>Row Houses</i> 6-8 Florence Street, Williamstown North	No	No	Yes	No	No	Yes	No
HO128	<i>Washingtonia Palm Tree Row</i> 8 Florence Street, Williamstown North	No	No	Yes	No	No	No	No
HO129	<i>House</i> 1 Forster Street, Williamstown	No	No	No	No	No	No	No
HO130	<i>Vacuum Oil Company Ltd Depot (former)</i> 29 Francis Street, Yarraville	No	No	Yes	No	No	Yes	No
HO131	<i>House</i> 1 Freyer Street, Williamstown	Yes	No	No	Yes	No	No	No
HO132	<i>Williamstown Italian Social Club</i> 30 Garden Street, Williamstown	No	No	No	No	No	No	No
HO133	<i>House and Fence</i> 4 Grindlay Street, Newport	No	No	No	Yes	No	No	No
HO134	<i>Spotswood Railway Station Complex</i>	Yes	Yes	No	No	No	No	No

HOBSONS BAY PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Hall Street and Hope Street, Spotswood							
HO135	<i>Spotwood Railway Signal Box</i> Junction of Hall Street, Hope Street and Hudson Road, Spotswood	Yes	Yes	No	No	No	No	No
HO136	<i>Newport Railway Station Complex, Pepper and Lily Trees</i> Hall Street and Melbourne Road, Newport	Yes	Yes	No	No	No	No	No
HO137	<i>Newport Commercial Bank (former)</i> 1 Hall Street, Newport	No	No	No	No	No	No	No
HO138	<i>Junction Hotel</i> 15 Hall Street, Newport	No	No	No	No	No	No	No
HO139	<i>W. Goetz &amp; Sons Ltd Complex (former)</i> 136-140 Hall Street, Newport	No	No	No	No	No	Yes	No
HO140	<i>Bickford, Smith and Co. Explosives Factory (former)</i> 144-150 Hall Street, Spotswood	No	No	No	No	No	No	No
HO141	<i>'Alloa'</i> 168 Hall Street, Spotswood	Yes	No	Yes	No	No	No	No
HO142	<i>House and Soap Factory (former)</i> 184 Hall Street, Spotswood	No	No	Yes	No	No	No	No
	<i>There is no HO143</i>							
HO144	<i>Williamstown Railway Station Complex</i>	-	-	-	-	Yes	No	No

HOBSONS BAY PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	17 Hanmer Street, Williamstown					Ref No H1599		
HO145	<i>House</i> 6 Hanmer Street, Williamstown	Yes	No	Yes	No	No	No	No
HO146	<i>Terminus Hotel (former)</i> 40 Hanmer Street, Williamstown	Yes	No	No	No	No	No	No
HO147	<i>House</i> 46 Hanmer Street, Williamstown	Yes	No	No	No	No	No	No
HO148	<i>House</i> 28 Home Road, Newport	No	No	No	No	No	No	No
HO149	<i>Home Road Kindergarten</i> 48-50 Home Road, Newport	No	No	No	No	No	No	No
HO150	<i>State Savings Bank House</i> 56 Home Road, Newport	No	No	No	No	No	No	No
HO151	<i>Houses</i> 1-3 Hope Street, Spotswood	No	No	No	No	No	No	No
HO152	<i>Afon Ros Cottage and House</i> 5-7 Hope Street, Spotswood	No	No	No	No	No	No	No
HO153	<i>Hugh Lennon Agricultural Implement Works (part)</i> Hudsons Road, Hall Street and 35 Raleigh Street, Spotswood	No	No	No	No	No	Yes	No
HO154	<i>Spottiswoode Hotel</i>	Yes	No	No	No	No	No	No

HOBSONS BAY PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	62 Hudsons Road, Spotswood							
HO155	<i>Spotswood State Savings Bank (former)</i> 96 Hudsons Road, Spotswood	No	No	No	No	No	No	No
HO156	<i>House</i> 11 James Street, Williamstown	No	No	No	No	No	No	No
HO157	<i>House</i> 22 James Street, Williamstown	No	No	No	No	No	No	No
HO158	<i>House</i> 3 John Street, Williamstown	No	No	No	No	No	No	No
HO159	<i>Shop (former) and Residence</i> 55 John Street, Williamstown	No	No	No	No	No	No	No
HO160	<i>Primitive Methodist Church (former)</i> 59-61 John Street, Williamstown	No	No	No	No	No	No	No
HO161	<i>House</i> 8 Junction Street, Newport	Yes	No	No	No	No	No	No
HO162	<i>Britannia Hotel</i> 14 Kanowna Street, Williamstown	No	No	No	No	No	No	No
HO163	<i>'Omega'</i> 48 Kanowna Street, Williamstown	No	No	No	No	No	No	No
HO164	<i>Laverton State School No. 2857 (former)</i> 43 Kiora Street, Altona Meadows	Yes	No	No	No	No	Yes	No

HOBSONS BAY PLANNING SCHEME

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HO165	<i>Merrett Rifle Range Pavilion (former)</i> 81 Kororoit Creek Road, Williamstown	No	No	No	No	No	No	No
HO167	<i>House</i> 16 Latrobe Street, Newport	Yes	No	Yes	Yes	No	No	No
HO168	<i>Dennis (Lyons Street) Reserve and Coronation Lamp</i> Lyons Street and Melbourne Road, Williamstown	Yes – lamp only	No	Yes	No	No	No	No
HO169	<i>Presbyterian Manse (former)</i> 27 Lyons Street, Williamstown	-	-	-	-	Yes Ref No H229	No	No
HO170	<i>'Rheola'</i> 28 Lyons Street, Williamstown	No	No	No	No	No	No	No
HO171	<i>House</i> 9 Maclean Street, Williamstown	No	No	No	No	No	No	No
HO172	<i>House</i> 3 Macquarie Street, Williamstown	No	No	No	No	No	No	No
HO173	<i>Newport Lakes and Trees (former Newport Quarry)</i> entrance Margaret Street, Newport	No	No	Yes	No	No	No	No
HO174	<i>House</i> 19 Mariner Street, Williamstown	No	No	No	No	No	No	No
HO175	<i>Victorian Railways Type A Electricity substation (former)</i> 1 Market Street, Newport	No	Yes	No	No	No	No	No

HOBSONS BAY PLANNING SCHEME

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HO176	Newport World War 1 Memorial Mason Street, Newport	No	No	No	No	No	No	No
HO177	<i>Newport Hotel (former)</i> 1 Mason Street, Newport	Yes	No	No	No	No	No	No
HO178	<i>Newport Mechanics' Institute (former)</i> 13 Mason Street, Newport	Yes	Yes	No	No	No	No	No
HO179	<i>Shop and Residence</i> 15-17 Mason Street, Newport	No	No	No	No	No	No	No
HO180	<i>Newport Baptist Church Complex</i> 24-26 Mason Street, Newport	Yes	Yes - church only	No	No	No	No	No
HO181	<i>House</i> 35 Mason Street, Newport	No	No	No	No	No	No	No
	<i>There is no HO182</i>							
HO183	<i>'St Arnaud'</i> 65 Mason Street, Newport	Yes	No	No	No	No	No	No
HO184	<i>House</i> 85 Mason Street, Newport	Yes	No	No	No	No	No	No
HO185	<i>Victorian Railways Stores Branch Complex and Trees</i> McLister Street, Spotswood	No	No	Yes	No	No	Yes	No
HO186	<i>WC Thomas &amp; Sons Flour Mill (former)</i> 1 McRobert Street, Newport	No	No	No	No	No	Yes	No



HOBSONS BAY PLANNING SCHEME

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HO187	<i>Chusan or Chinese Fan Palm Trees</i> 33 Melbourne Road, Williamstown	No	No	Yes	No	No	No	No
HO188	<i>House</i> 89 Melbourne Road, Williamstown	No	No	No	No	No	No	No
HO189	<i>House</i> 110 Melbourne Road, Williamstown	No	No	No	No	No	No	No
HO190	<i>'Cloverley'</i> 149 Melbourne Road, Williamstown	No	No	No	No	No	No	No
HO191	<i>St. Stephen's Manse</i> 177 Melbourne Road, Williamstown	No	No	No	No	No	No	No
	<i>There is no HO192</i>							
HO193	<i>House and Kauri Pine Tree</i> 242-244 Melbourne Road, Newport	No	No	Yes	No	No	No	No
HO194	<i>Houses</i> 272-274 Melbourne Road, Newport	No	No	No	No	No	No	No
HO195	<i>Houses</i> 278 and 280 Melbourne Road, Newport	Yes	No	No	No	No	No	No
HO196	<i>Shop and Dwelling</i> 300-302 Melbourne Road, Newport	No	No	No	No	No	No	No
HO197	<i>Masonic Temple No. 5925</i> 405 Melbourne Road, Newport	Yes	Yes	No	No	No	No	No

HOBSONS BAY PLANNING SCHEME

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HO198	<i>House</i> 471 Melbourne Road, Newport	Yes	No	No	No	No	No	No
HO199	<i>House</i> 481 Melbourne Road, Newport	Yes	No	No	No	No	No	No
HO200	<i>Spotswood Railway Workshops Complex (former)</i> 561-569 Melbourne Road, Spotswood	No	Yes	Yes	No	No	No	No
HO201	<i>Melbourne-Geelong Railway Bridge and Stone Ford over the Laverton Creek</i> intersection Merton Street and Railway Avenue, Altona Meadows	No	No	No	No	No	No	No
HO202	<i>Administration building</i> <i>Part of the Standard Vacuum Refining Company Complex (former)</i> 351- 381 Millers Road, Altona	No	No	No	No	No	No	No
HO203	<i>Main Outfall Sewer (Hobsons Bay Section)</i> Millers Road to Princes Highway, Brooklyn	-	-	-	-	Yes Ref No H1932	No	No
HO204	<i>MMBW Brooklyn Pumping Station</i> 87 Millers Road, Altona North	No	No	No	No	No	No	No
HO205	<i>Fort Gellibrand</i> Battery Road, Williamstown	-	-	-	-	Yes Ref No H1811	No	No
HO206	<i>Williamstown Tennis Club Pavilion</i> 73 Morris Street, Williamstown	No	No	Yes	No	No	No	No

HOBSONS BAY PLANNING SCHEME

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HO207	<i>Gellibrand Pier and Breakwater Pier</i> Nelson Place and Battery Road, Williamstown	-	-	-	-	Yes Ref No H1088 (part)	No	No
HO208	<i>Williamstown War Memorial</i> Intersection of Nelson Place and Ferguson Street, Williamstown	No	No	No	No	No	No	No
HO209	<i>Alfred Graving Dock</i> Williamstown Dockyard, 2-10 Nelson Place, Williamstown	-	-	-	-	Yes Ref No H697	No	No
HO210	<i>Prince of Wales Hotel (former)</i> 1 Nelson Place, Williamstown	Yes	No	No	No	No	No	No
HO211	<i>Oriental Hotel (former)</i> 55 Nelson Place, Williamstown	Yes	No	No	No	No	No	No
HO212	<i>Royal Hotel (former)</i> 85 Nelson Place, Williamstown	-	-	-	-	Yes Ref No H1770	No	No
HO213	<i>'Craigantina'</i> 125-129 Nelson Place, Williamstown	Yes	No	No	No	No	No	No
HO214	<i>Customs House (former)</i> 128 Nelson Place and 18-34 Syme Street, Williamstown	-	-	-	-	Yes Ref No H894	No	No
HO215	<i>Shops and Residences</i> 131-137 Nelson Place, Williamstown	Yes	No	No	No	No	No	No

HOBSONS BAY PLANNING SCHEME

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HO216	<i>English, Scottish and Australian Bank (former)</i> 139 Nelson Place, Williamstown	Yes	No	No	No	No	No	No
HO217	<i>Shops and Residences</i> 141-143 Nelson Place, Williamstown	Yes	No	No	No	No	No	No
HO218	<i>Shops and Residences</i> 145-147 Nelson Place, Williamstown	Yes	No	No	No	No	No	No
HO219	<i>Shops and Residences</i> 151-153 Nelson Place, Williamstown	Yes	No	No	No	No	No	No
HO220	<i>Bay View Hotel (former) and Shop</i> 175 Nelson Place, Williamstown	Yes	No	No	No	No	No	No
HO221	<i>Bank of Australasia (former)</i> 189 Nelson Place, Williamstown	-	-	-	-	Yes Ref No H1769	No	No
HO222	<i>Commercial Bank Of Australia (former)</i> 193 Nelson Place, Williamstown	Yes	Yes	No	No	No	No	No
HO223	<i>'Salisbury Buildings'</i> 195-203 Nelson Place, Williamstown	Yes	No	No	No	No	No	No
HO224	<i>Williamstown Advertiser Building (former),</i> 205 Nelson Place, Williamstown	-	-	-	-	Yes Ref No H865	No	No
HO225	<i>Yacht Club Hotel</i> 207 Nelson Place, Williamstown	Yes	No	No	No	No	No	No
HO226	<i>Modern Buildings</i>	Yes	No	No	No	No	No	No

HOBSONS BAY PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	213-215 Nelson Place, Williamstown							
HO227	<i>Residence (also known as Wilkins House (former))</i> 231 Nelson Place, Williamstown	-	-	-	-	Yes Ref No H231	No	No
HO228	<i>Holy Trinity Church, Vicarage and Hall</i> 255 Nelson Place, and 2 Pasco Street and 8-12 Pasco Street and 144-158 Aitken Street, Williamstown	-	-	-	-	Yes Ref No H1734	No	No
HO229	<i>Jackson Court</i> 263 Nelson Place, Williamstown	Yes	No	No	No	No	No	No
HO230	<i>St. Joseph's Roman Catholic Convent and Presbytery</i> 7-9 Newcastle Street, Newport	Yes	No	No	No	No	No	No
HO231	<i>Sacred Heart Catholic Complex</i> 20 Newcastle Street, Newport	Yes	Yes church only	No	No	No	No	No
HO232	<i>Newport Coffee Palace (former)</i> 24 Newcastle Street, Newport	Yes	No	No	No	No	No	No
	<i>There is no HO233</i>							
HO234	<i>Terrace</i> 64-70 North Road, Newport	No	No	No	No	No	No	No
HO235	<i>House</i> 88 North Road, Newport	No	No	No	No	No	No	No
HO236	<i>House</i> 115 North Road, Newport	No	No	No	No	No	No	No

HOBSONS BAY PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO237	<i>House</i> 127 North Road, Newport	No	No	No	No	No	No	No
HO238	<i>Williamstown Botanical Gardens</i> 97 Osborne Street, Williamstown	-	-	-	-	Yes Ref No H1803	No	No
HO239	<i>House</i> 21 Osborne Street, Williamstown	No	No	No	No	No	No	No
HO240	<i>House and Pepper Trees</i> 54 Osborne Street, Williamstown	Yes	Yes	No	No	No	No	No
HO241	<i>Cotton Palm, English Oak and Lily Pilly Trees</i> 197 Osborne Street, Williamstown	No	No	Yes	No	No	No	No
HO242	<i>Williamstown Post and Telegraph Office (former)</i> 1 Parker Street, Williamstown	Yes	No	No	No	No	No	No
HO243	<i>Williamstown Chronicle Office (former)</i> 8 Parker Street, Williamstown	No	No	No	No	No	No	No
HO244	<i>Maclean Residence and Surgery (former)</i> 10 Parker Street, Williamstown	No	No	No	No	No	No	No
HO245	<i>Shop and Residence (former)</i> 28 Parker Street, Williamstown	No	No	No	No	No	No	No
HO246	<i>Shops and Residences</i> 30-32 Parker Street, Williamstown	No	No	No	No	No	No	No
HO247	<i>House</i>	Yes	No	No	No	No	No	No

HOBSONS BAY PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	14 Pasco Street, Williamstown							
HO248	<i>Manchester Unity Independent Order of Oddfellows Hall (former)</i> 26 Pasco Street, Williamstown	Yes	Yes	No	No	No	No	No
HO249	<i>Tudor House</i> 52-54 Pasco Street, Williamstown	-	-	-	-	Yes Ref No H1857	No	No
HO250	<i>'Ashton Villa'</i> 64 Pasco Street, Williamstown	Yes	No	No	No	No	No	No
HO251	<i>'St. Ayles'</i> 72 Pasco Street, Williamstown	Yes	No	No	Yes	No	No	No
HO252	<i>Jelly Palm, Stone Pine and Oak Trees</i> 74 Pasco Street, Williamstown	Yes	No	Yes	No	No	No	No
HO253	<i>Williamstown High School Complex</i> 76 Pasco Street, Williamstown	Yes	No	No	No	No	No	No
HO254	<i>House</i> 19 Pearson Street, Williamstown	No	No	Yes	No	No	No	No
HO255	<i>Altona Pier</i> Pier Street and The Esplanade, Altona	No	No	No	No	No	No	No
HO256	<i>Red Robin Hosiery Factory (former)</i> 119 Pier Street, Altona	No	No	No	No	No	Yes	No
HO257	<i>Cheetham Salt Works (former)</i>	No	No	Yes	Yes	No	No	No

HOBSONS BAY PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Point Cook Road, Laverton							
HO258	<i>North Williamstown Railway Station Complex</i> Power Street, North Williamstown	Yes	No	Yes	No	No	Yes	No
HO259	<i>Bluestone Bridge over Kororoit Creek</i> Princes Highway, Brooklyn	No	No	No	No	No	No	No
HO260	<i>Laverton Homestead (former)</i> 128 –155 Queen Street, Altona	Yes	Yes	Yes	No	No	No	No
HO261	<i>Truganina Explosives Magazine Complex (former) and Trees</i> 276 Queen Street, Altona	No	No	Yes	Yes	No	Yes	Yes
HO262	<i>Williamstown Racecourse Site (former) and Canary Island Palm Tree</i> Racecourse Road, Altona	No	No	Yes	No	No	No	No
HO263	<i>House</i> 88 Railway Crescent, Williamstown	Yes	No	No	No	No	No	No
HO264	<i>Williamstown Beach Railway Station</i> Railway Crescent and Railway Place, Williamstown	Yes	No	No	No	No	No	No
HO265	<i>St Mary's Roman Catholic School and former Church and Camphor Laurel Tree</i> Railway Street North, Altona	Yes	Yes – church only	Yes	No	No	Yes	No
HO266	<i>House</i> 6 Rennie Street, Williamstown	No	No	No	No	No	No	No
HO267	<i>House</i>	No	No	No	No	No	No	No



HOBSONS BAY PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	3 Rupert Street, Newport							
HO268	<i>Altona Baptist Church</i> 14 Sargood Street, Altona	No	Yes — church only	No	No	No	No	No
HO269	<i>Solomit or Straw House</i> 2 Seaview Crescent, Seaholme	Yes	No	No	No	No	No	No
HO270	<i>House</i> 4 Smith Street, Williamstown	No	No	No	No	No	No	No
HO271	<i>House</i> 41 Speight Street, Newport	No	No	No	No	No	No	No
HO272	<i>'Alcroft'</i> 13 Station Road, Williamstown	No	No	No	No	No	No	No
HO273	<i>Seaholme Railway Station Complex and Trees</i> Station Street, Seaholme	No	No	Yes	No	No	No	No
HO274	<i>Part of McKenzie &amp; Holland Complex (former)</i> 41-59 Stephenson Street and 9-9a Sutton Street, South Kingsville	No	No	No	No	No	Yes	No
HO275	<i>House</i> 8 Stevedore Street, Williamstown	No	No	No	No	No	No	No
HO276	<i>'Alroy'</i> 13 Stevedore Street, Williamstown	No	No	No	No	No	Yes	No
HO277	<i>Shops (former) and Residence</i> 46-48 Stevedore Street, Williamstown	Yes	No	No	No	No	Yes	No

HOBSONS BAY PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO278	Napier Hotel (former 52 Stevedore Street, Williamstown	Yes	No	No	No	No	Yes	No
HO279	<i>Congregational Church (former)</i> 57 Stevedore Street, Williamstown	Yes	Yes	No	No	No	No	No
HO280	<i>Salvation Army Temple</i> 83 Stevedore Street, Williamstown	No	Yes	No	No	No	No	No
HO281	<i>Alfred Hotel (former)</i> 92 Stevedore Street, Williamstown	No	No	No	No	No	No	No
HO282	<i>'White House'</i> 5 The Strand, Williamstown	No	No	No	No	No	No	No
HO283	<i>'Maritimo' Fence</i> 8-9 The Strand, Williamstown	No	No	No	No	No	No	No
HO284	<i>Terrace Houses and Fence</i> 10-11 The Strand, Williamstown	No	No	Yes	Yes	No	No	No
HO285	<i>House</i> 12 The Strand, Williamstown	No	No	No	No	No	No	No
HO286	<i>House – formerly 'Craigdoon'</i> 14 The Strand, Williamstown	No	No	No	No	No	No	No
HO287	<i>'Mandalay' (former Abberton House)</i> 24 The Strand, Williamstown	-	-	-	-	Yes Ref No H232	No	No
HO288	<i>'Tarneit'</i>	No	No	No	No	No	No	No

HOBSONS BAY PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	28 The Strand, Williamstown							
HO289	'Clouera' 53 The Strand, Williamstown	No	No	No	No	No	No	No
HO290	'Dachet' 62 The Strand, Williamstown	Yes	No	No	No	No	No	No
HO291	'Sea Gates' 62 The Strand, Williamstown	Yes	No	No	No	No	No	No
HO292	'Monomeath' 67-68 The Strand, Williamstown	Yes	No	No	No	No	No	No
HO293	'Allambie' 69 The Strand, Newport	No	No	No	No	No	No	No
HO294	House 74 The Strand, Newport	No	No	No	No	No	No	No
HO295	House 75 The Strand, Newport	No	No	No	No	No	No	No
HO296	House 77 The Strand, Newport	No	No	No	No	No	No	No
HO297	House 94 The Strand, Williamstown	No	No	No	No	No	No	No
HO299	Police Station, Sargeant, Watch House, Keepers quarters (former) 8-10 Thompson Street, Williamstown	No	No	No	No	No	No	No

HOBSONS BAY PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO300	<i>Elm Trees</i> 14 Thompson Street, Williamstown	No	No	Yes	No	No	No	No
HO301	<i>Bridge Hotel (former)</i> 72 Thompson Street, Williamstown	-	-	-	-	Yes Ref No H1792	No	No
HO302	<i>House</i> 97 Thompson Street, Williamstown	Yes	No	No	No	No	No	No
HO303	<i>Commonwealth Oil Refinery Complex (former)</i> 32-54 Toll Drive, Altona North	No	No	No	No	No	Yes	No
	<i>There is no HO304</i>							
HO305	<i>Phaup's Beach Hotel (former)</i> 41 Twyford Street, Williamstown	No	No	No	No	No	No	No
HO306	<i>Norfolk Island Pines</i> 50 Verdon Street, Williamstown	Yes	No	Yes	No	No	No	No
HO307	<i>House</i> 75 Verdon Street, Williamstown	Yes	No	No	No	No	No	No
HO308	<i>'Erith'</i> 95 Verdon Street, Williamstown	Yes	No	No	No	No	No	No
HO309	<i>Wild Kaffir Plum Tree</i> 49 Victoria Street, Williamstown	Yes	No	Yes	No	No	No	No
HO310	<i>House</i> 51 Victoria Street, Williamstown	Yes	No	No	No	No	No	No

HOBSONS BAY PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO311	<i>Kauri Pine and Ginkgo Tree</i> 60 Victoria Street, Williamstown	Yes	No	Yes	No	No	No	No
HO312	<i>House</i> 80 Victoria Street, Williamstown	Yes	No	No	No	No	No	No
HO313	<i>Williamstown Croquet Club Pavilion</i> 104 Victoria Street, Williamstown	Yes	No	No	No	No	No	No
HO314	<i>House</i> 115 Victoria Street, Williamstown	Yes	No	Yes	Yes	No	No	No
HO315	<i>Rifle Club Hotel</i> 121 Victoria Street, Williamstown	Yes	No	No	No	No	No	No
HO316	<i>House</i> 1 Yarra Street, Williamstown	No	No	No	No	No	No	No
HO322	<i>Mason Street Ecclesiastical and Residential Heritage Precinct</i> 53-63 and 67-71 Mason Street, Newport <b>Statement of significance:</b> <i>The Mason Street Ecclesiastical and Residential Heritage Precinct (HO322) Statement of Significance, June 2022</i>	No	No	No	No	No	No	No

## HOBSONS BAY PLANNING SCHEME

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Proposed C133hbay

### SCHEDULE 6 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO6**.

#### NEWPORT STRUCTURE PLAN – NORTHERN PRECINCT

##### 1.0

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Proposed C133hbay

#### Design objectives

To ensure development provides active and articulated ground level street frontages to Melbourne Road.

To ensure development is respectful of the scale and architectural features of heritage buildings and places.

To encourage development that accommodates a mix of retail, hospitality and commercial at ground level, and office and residential uses at upper levels.

To encourage sustainability and innovation in built form.

To ensure development is designed to mitigate noise impacts from the railway corridor, is set back from pipeline infrastructure and responds to any constraints associated with the Newport Terminal Major Hazard Facility.

##### 2.0

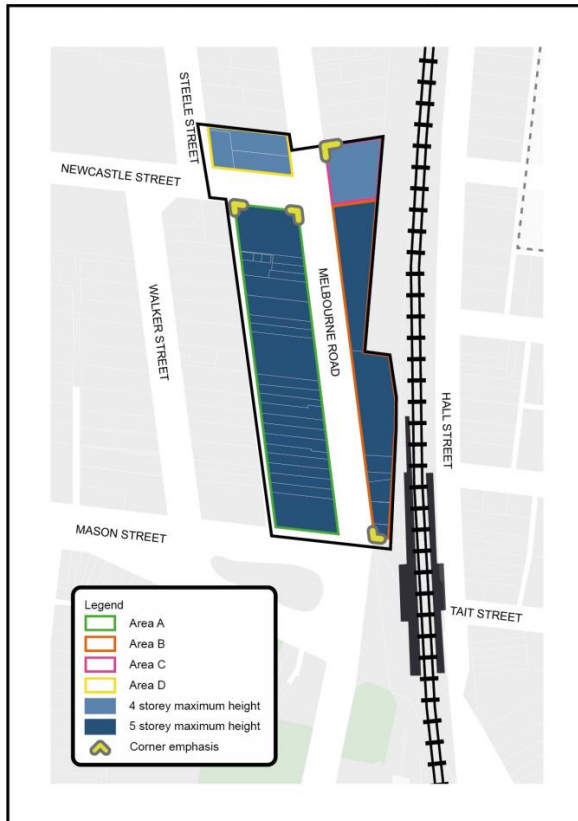
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Proposed C133hbay

#### Buildings and works

A permit cannot be granted to construct a building or construct or carry out works in Areas A, B, C or D which do not comply with the building height, street setback and residential interface requirements specified in Tables 1-4 of this schedule.

The requirements in Tables 1-4 apply to an application to construct a building or construct or carry out works.

#### Map 1



## HOBSONS BAY PLANNING SCHEME

**Table 1. Area A – West side of Melbourne Road**

DESIGN OR BUILT FORM ELEMENT	REQUIREMENT
<b>Building height</b>	Building height must not exceed 18 metres and 5 storeys.
<b>Floor to floor height</b>	Ground level floor to floor height must be 4 metres. Storeys above ground floor level must have a floor-to-floor height of 3.5 metres.
<b>Street setback</b>	<p>Walls of buildings must be set back from the front street:</p> <ul style="list-style-type: none"> <li>▪ 0 metres up to and including a height of 11 metres (or matching the height of an existing adjoining building) with a continuous street wall edge.</li> <li>▪ 4.5 metres for any part of a building above 11 metres with a continuous street wall edge.</li> </ul> <p>Built form articulation, such as windows, ledges or other detailing may encroach within the setback distance above 11 metres.</p> <p>For a corner site, walls of buildings must be set back from the side street:</p> <ul style="list-style-type: none"> <li>▪ 0 metres up to and including a height of 11 metres with a continuous street wall edge.</li> <li>▪ Building levels above 3 storeys must be distinctly recessed from the side street podium wall.</li> </ul>
<b>Heritage areas</b>	<p>For single storey contributory or individual Heritage Overlay buildings:</p> <ul style="list-style-type: none"> <li>▪ Street walls above the facade should be set back a minimum of 1.5 metres.</li> </ul> <p>For multi-storey contributory or individual Heritage Overlay buildings:</p> <ul style="list-style-type: none"> <li>▪ Street walls above the facade should be set back a minimum of 4.5 metres.</li> </ul>
<b>Public realm interface</b>	<p>New buildings should:</p> <ul style="list-style-type: none"> <li>▪ Provide active and articulated ground floor frontage for sites facing Melbourne Road, Mason Street or Newcastle Street (minimum 80% active frontage).</li> <li>▪ Provide verandah awnings or similar weather protection for pedestrians for frontages on Melbourne Road, Newcastle Street and Mason Street.</li> </ul> <p>Buildings should not overshadow the opposite footpath of adjoining streets between 10:00am and 3:00pm on 22 September.</p>
<b>Residential interface</b>	New buildings must meet the requirements of Clause 55.04-5 – Standard B21 for overshadowing of existing private open space.
<b>Corner emphasis</b>	<p>Buildings on corner sites should provide active and articulated ground floor frontages to both streets.</p> <p>Building design should emphasise the corner locations shown in Map 1 by reduced street wall setbacks above 11 metres and building height to the maximum of 18 metres.</p>

## HOBSONS BAY PLANNING SCHEME

**Table 2. Area B – East side of Melbourne Road**

DESIGN OR BUILT FORM ELEMENT	REQUIREMENT
<b>Building height</b>	Building height must not exceed 18 metres and 5 storeys.
<b>Floor to floor height</b>	Ground level floor to floor height must be 4 metres. Storeys above ground floor level must have a floor-to-floor height of 3.5 metres.
<b>Street setback</b>	Walls of buildings must be set back from the front street: <ul style="list-style-type: none"> <li>▪ 0 metres up to and including a height of 11 metres with a continuous street wall edge.</li> <li>▪ 4.5 metres for any part of a building above 11 metres with a continuous street wall edge.</li> </ul> Built form articulation, such as windows, ledges or other detailing may encroach within the setback distance above 11 metres.
<b>Railway interface</b>	New buildings should: <ul style="list-style-type: none"> <li>▪ Provide acoustic mitigation and absorption along the railway interface to alleviate noise impacts and minimise the rebound of rail noise onto Hall Street.</li> <li>▪ Provide articulated built form along the railway interface to avoid blank walls facing the railway corridor.</li> <li>▪ Utilise a diverse range of building materials for built form adjacent to the railway corridor.</li> <li>▪ Be set back from pipeline easements.</li> </ul>
<b>Public realm interface</b>	New buildings should: <ul style="list-style-type: none"> <li>▪ Provide active and articulated ground floor frontage for sites facing Melbourne Road and the Newport Station entrance forecourt (minimum 80% active frontage).</li> <li>▪ Provide awnings or similar pedestrian shelter for sites facing Melbourne Road.</li> <li>▪ Facilitate improved pedestrian links from the east side of Melbourne Road to the Newport train station entrance and underpass.</li> </ul> Buildings should not overshadow the opposite footpath of adjoining streets between 10:00am and 3:00pm on 22 September.
<b>Corner emphasis</b>	Building design should emphasise the corner location shown in Map 1 by reduced street wall setbacks above 11 metres and building height to the maximum of 18 metres.

**Table 3. Area C – East side of Melbourne Road (residential interface)**

DESIGN OR BUILT FORM ELEMENT	REQUIREMENT
<b>Building height</b>	Building height must not exceed 14.5 metres and 4 storeys.
<b>Floor to floor height</b>	Ground level floor to floor height must be 4 metres. Storeys above ground floor level must have a floor-to-floor height of 3.5 metres.



HOBSONS BAY PLANNING SCHEME

DESIGN OR BUILT FORM ELEMENT	REQUIREMENT
<b>Street setback</b>	<p>Walls of buildings must be set back from the front street:</p> <ul style="list-style-type: none"> <li>0 metres up to and including a height of 11 metres with a continuous street wall edge.</li> <li>4.5 metres for any part of a building above 11 metres with a continuous street wall edge.</li> </ul> <p>Built form articulation, such as windows, ledges or other detailing may encroach within the setback distance above 11 metres.</p>
<b>Railway interface</b>	<p>New buildings should:</p> <ul style="list-style-type: none"> <li>Provide acoustic mitigation and absorption along the railway interface to alleviate noise impacts and minimise the rebound of rail noise onto Hall Street.</li> <li>Provide articulated built form along the railway interface to avoid blank walls facing the railway corridor.</li> <li>Utilise a diverse range of building materials for built form adjacent to the railway corridor.</li> <li>Be set back from pipeline easements.</li> </ul>
<b>Residential interface</b>	<p>New buildings along the northern boundary of Area C must be in accordance with the following residential design standards:</p> <ul style="list-style-type: none"> <li>Clause 55.04-1 – Standard B17</li> <li>Clause 55.04-2 – Standard B18</li> <li>Clause 55.04-3 – Standard B19</li> <li>Clause 55.04-5 – Standard B21</li> </ul>
<b>Public realm interface</b>	<p>New buildings should:</p> <ul style="list-style-type: none"> <li>Provide active and articulated ground floor frontage for sites facing Melbourne Road (minimum 80% active frontage).</li> <li>Provide verandah awnings or similar pedestrian shelter for sites facing Melbourne Road.</li> </ul> <p>Buildings should not overshadow the opposite footpath of adjoining streets between 10:00am and 3:00pm on 22 September.</p>
<b>Corner emphasis</b>	<p>Building design should emphasise the corner location shown in Map 1 by reduced street wall setbacks above 11 metres and building height to the maximum of 14.5 metres.</p>

Table 4. Area D – Residential transition (461-463 Melbourne Road)

DESIGN OR BUILT FORM ELEMENT	REQUIREMENT
<b>Building height</b>	<p>Building height must not exceed 14.5 metres and 4 storeys.</p>
<b>Floor to floor height</b>	<p>Ground level floor to floor height must be 4 metres.</p> <p>Storeys above ground floor level must have a floor-to-floor height of 3.5 metres.</p>

## HOBSONS BAY PLANNING SCHEME

DESIGN OR BUILT FORM ELEMENT	REQUIREMENT
<b>Street setback (Melbourne Road and Newcastle Street)</b>	<p>Walls of buildings facing Melbourne Road must be set back:</p> <ul style="list-style-type: none"> <li>▪ 0 metres up to and including a height of 11 metres with a continuous street wall edge.</li> <li>▪ 4.5 metres for any part of a building above 11 metres with a continuous street wall edge.</li> </ul> <p>Walls of buildings facing Newcastle Street must be set back:</p> <ul style="list-style-type: none"> <li>▪ 0 metres up to and including a height of 11 metres with a continuous street wall edge.</li> <li>▪ Building levels above 3 storeys must be distinctly recessed from the Newcastle Street podium wall.</li> </ul> <p>Built form articulation, such as windows, ledges or other detailing may encroach within the setback distance above 11 metres.</p>
<b>Residential interface</b>	<p>New buildings along the northern boundary of Area D must be in accordance with the following residential design standards:</p> <ul style="list-style-type: none"> <li>▪ Clause 55.04-1 – Standard B17</li> <li>▪ Clause 55.04-2 – Standard B18</li> <li>▪ Clause 55.04-3 – Standard B19</li> <li>▪ Clause 55.04-5 – Standard B21</li> </ul>
<b>Public realm interface</b>	<p>New buildings should:</p> <ul style="list-style-type: none"> <li>▪ Provide active and articulated ground floor frontage for sites facing Melbourne Road and the corner of Newcastle Street (minimum 80% active frontage).</li> <li>▪ Provide verandah awnings or similar pedestrian shelter for sites facing Melbourne Road and Newcastle Street.</li> </ul> <p>Buildings should not overshadow the opposite footpath of adjoining streets between 10:00am and 3:00pm on 22 September.</p>

**3.0 Subdivision**  
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 Proposed C133hbay None specified.

**4.0 Signs**  
 ---  
 Proposed C133hbay None specified.

**5.0 Application requirements**  
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 Proposed C133hbay

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A report that indicates how a proposal to reuse or redevelop a building within a heritage overlay is compatible with the scale and architectural features of the building and adjoining sites within a heritage overlay.
- An acoustic assessment report prepared by a qualified acoustic engineer or other suitably skilled person to the satisfaction of the responsible authority which:

## HOBSONS BAY PLANNING SCHEME

- Takes into consideration, the vibration impact from the rail corridor on the future development.
- Applies the following noise objectives:
  - 35 dB LAeq,8h when measured within a sleeping area between 10 pm and 6 am.
  - 40 dB LAeq,16h when measured within a living area between 6 am and 10 pm.
- For areas other than sleeping and living areas, the median value of the range of recommended design sound levels of Australian Standard AS/NZ 2107:2016 (Acoustics – Recommended design sound level and reverberation times for building interiors).
- Includes recommendations for any noise attenuation measures required to meet the applicable noise level objectives.
- Includes additional considerations, where relevant, to address:
  - potential noise character (tonality, impulsiveness or intermittency);
  - noise with high energy in the low frequency range; and
  - transient or variable noise.
- For sites in Area B and C, a report prepared by a suitably qualified consultant demonstrating how the development addresses nearby pipeline infrastructure, including building setbacks and provision of access for pipeline operators.

### 6.0

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Proposed C133hbay

#### Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the impact of the potential noise sources have been mitigated through design, layout, and location; and whether this reduces the need for acoustic treatment of buildings or compromises the useability of the building by its occupant.
- Whether the design and layout of the proposed development provides sufficient setbacks from pipeline infrastructure and provides access for pipeline operators.
- Whether the proposal adequately responds to any constraints associated with the Newport Terminal Major Hazard Facility.

HOBSONS BAY PLANNING SCHEME

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Proposed C133hbay

**SCHEDULE 7 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY**

Shown on the planning scheme map as **DDO7**.

**NEWPORT STRUCTURE PLAN – MASON STREET PRECINCT**

**1.0**

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Proposed C133hbay

**Design objectives**

To encourage building design that accommodates a mix of retail, hospitality and commercial uses at ground level, and office and residential uses at upper levels.

To ensure development provides active and articulated ground level street frontages.

To ensure development responds to the scale and architectural features of heritage buildings and places.

To encourage sustainability and innovation in built form.

**2.0**

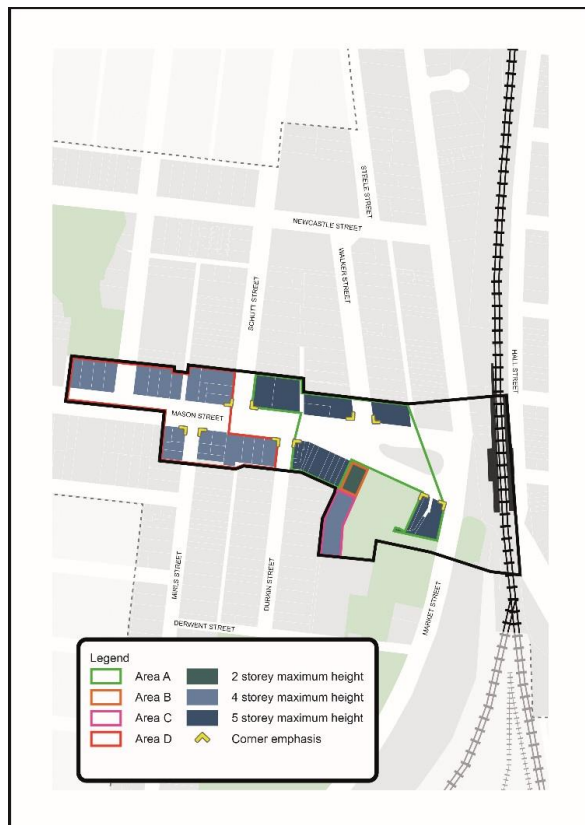
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Proposed C133hbay

**Buildings and works**

A permit cannot be granted to construct a building or construct or carry out works in Area A, B, C or D which do not comply with the building height, street setback and residential interface requirements specified in Tables 1-4.

The requirements in Tables 1-4 apply to an application to construct a building or construct or carry out works.

**Map 1**



HOBSONS BAY PLANNING SCHEME

Table 1. Area A - Mason Street Core

DESIGN OR BUILT FORM ELEMENT	REQUIREMENT
<b>Building height</b>	Building height must not exceed 18 metres and 5 storeys.
<b>Floor to floor height</b>	Ground level floor to floor height must be 4 metres. Storeys above ground floor level must have a floor-to-floor height of 3.5 metres.
<b>Street setback</b>	<p>Walls of buildings must be set back from the front street:</p> <ul style="list-style-type: none"> <li>▪ 0 metres up to and including a height of 11 metres (or matching the height of an existing adjoining building) with a continuous street wall edge.</li> <li>▪ 4.5 metres for any part of a building above 11 metres with a continuous street wall edge.</li> </ul> <p>Built form articulation, such as windows, ledges or other detailing may encroach within the setback distance above 11 metres.</p> <p>For a corner site, walls of buildings must be set back from the side street:</p> <ul style="list-style-type: none"> <li>▪ 0 metres up to and including a height of 11 metres with a continuous street wall edge.</li> <li>▪ Building levels above 3 storeys to be distinctly recessed from the side street podium wall.</li> </ul>
<b>Heritage areas</b>	<p>For single storey contributory or individual Heritage Overlay buildings:</p> <ul style="list-style-type: none"> <li>▪ Street walls above the facade should be set back a minimum of 1.5 metres.</li> </ul> <p>For multi-storey contributory or individual Heritage Overlay buildings:</p> <ul style="list-style-type: none"> <li>▪ Street walls above the facade should be set back a minimum of 4.5 metres.</li> </ul>
<b>Rear setback (residential interface)</b>	<p>For sites with rear interface to residential properties on Schutt Street and Walker Street, walls of buildings must be set back from the rear boundary:</p> <ul style="list-style-type: none"> <li>▪ 4.5 metres for any part of a building above 4 metres, up to a height of 11 metres.</li> <li>▪ In accordance with Clause 55.04-1 – Standard B17 for rear walls above 11 metres or 3 storeys.</li> </ul> <p>Buildings should not overshadow the secluded ground level private open space of an existing dwelling between 10:00am and 3:00pm on 22 September.</p>
<b>Public realm interface</b>	<p>New buildings should:</p> <ul style="list-style-type: none"> <li>▪ Provide active ground floor frontage for sites facing Mason Street and the interface with Paine Reserve (minimum 80% active frontage).</li> <li>▪ Provide awnings or similar weather protection for pedestrians for frontages on Mason Street.</li> </ul> <p>Buildings should not overshadow the opposite footpath of adjoining streets between 10:00am and 3:00pm on 22 September.</p>

HOBSONS BAY PLANNING SCHEME

DESIGN OR BUILT FORM ELEMENT	REQUIREMENT
Corner emphasis	Buildings on corner sites should provide active and articulated ground floor frontages to both streets.  Building design should emphasise the corner locations shown in Map 1 by reduced street wall setbacks above 11 metres and building height to the maximum of 18 metres.

Table 2. Area B – Newport Community Hall

DESIGN OR BUILT FORM ELEMENT	REQUIREMENT
Building height	For 13-15 Mason Street (HO178 - site of the former Newport Mechanics' Institute), building height must not exceed 9 metres and 2 storeys.
Floor to floor height	Ground level floor to floor height must be 4 metres.  Storeys above ground floor level must have floor-to-floor height of 3.5 metres.
Upper level setback	Walls of buildings must be set back from the ground level street façade: <ul style="list-style-type: none"> <li>Minimum 1.5 metres for any part of a building above 4 metres with a continuous street wall edge.</li> </ul>
Heritage areas	For single storey contributory or individual Heritage Overlay buildings: <ul style="list-style-type: none"> <li>Street walls above the facade should be set back a minimum of 1.5 metres.</li> </ul>

Table 3. Area C - Newport Community Hub

DESIGN OR BUILT FORM ELEMENT	REQUIREMENT
Building height	For the Newport Community Hub site, building height must not exceed 14.5 metres and 4 storeys.
Floor to floor height	Ground level floor to floor height must be 4 metres.  Storeys above ground floor level must have floor-to-floor height of 3.5 metres.
Public realm interface	New buildings should:  Facilitate pedestrian and bicycle movement through Paine Reserve.
Access and movement	New buildings should:  Maintain rear lane access for properties fronting Mason Street and Durkin Street.

HOBSONS BAY PLANNING SCHEME

Table 4. Area D - Mixed Use Area

DESIGN OR BUILT FORM ELEMENT	REQUIREMENT
<b>Floor to floor height</b>	Ground level floor to floor height must be 4 metres. Storeys above ground floor level must have floor-to-floor height of 3.5 metres.
<b>Street setback</b>	Walls of buildings must be set back from the front street: <ul style="list-style-type: none"> <li>0 metres up to and including a height of 11 metres with a continuous street wall edge.</li> <li>4.5 metres for any part of a building above 11 metres with a continuous street wall edge.</li> </ul> Built form articulation, such as windows, ledges or other detailing may encroach within the setback distance above 11 metres. For a corner site, walls of buildings must be set back from the side street: <ul style="list-style-type: none"> <li>0 metres up to and including a height of 11 metres with a continuous street wall edge.</li> <li>Building levels above 3 storeys must be distinctly recessed from the side street podium level wall.</li> </ul>
<b>Heritage areas</b>	For single storey contributory or individual Heritage Overlay buildings: <ul style="list-style-type: none"> <li>Street walls above the facade should be set back a minimum of 1.5 metres.</li> </ul> For multi-storey contributory or individual Heritage Overlay buildings: <ul style="list-style-type: none"> <li>Street walls above the facade should be set back a minimum of 4.5 metres.</li> </ul>
<b>Public realm interface</b>	New buildings should: <ul style="list-style-type: none"> <li>Provide active ground floor frontage for sites facing Mason Street (minimum 80% active frontage).</li> <li>Provide awnings or similar weather protection for pedestrians for frontages on Mason Street.</li> </ul> Buildings should not overshadow the opposite footpath of adjoining streets between 10:00am and 3:00pm on 22 September.
<b>Corner emphasis</b>	Buildings on corner sites should provide active and articulated ground floor frontages to both streets. Building design should emphasise the corner locations shown in Map 1 by reduced street wall setbacks above 11 metres and building height to the maximum of 14.5 metres.
<b>Heritage interface</b>	For sites abutting heritage precinct overlay areas on Mason Street, new buildings should: <ul style="list-style-type: none"> <li>Respond to the built form objectives of the abutting heritage precinct overlay.</li> <li>Respond to the scale and detail of the contributory heritage buildings at each interface.</li> </ul>
<b>Residential interface (Mirils Street)</b>	For sites at 43, 45 Mason Street and 45, 47 Mirils Street: <ul style="list-style-type: none"> <li>Rear walls above 4 metres must be set back 4.5 metres, up to a height of 7.5 metres.</li> </ul>

## HOBSONS BAY PLANNING SCHEME

DESIGN OR BUILT FORM ELEMENT	REQUIREMENT
	<ul style="list-style-type: none"> <li>▪ Rear walls above 7.5 metres must be set back in accordance with Clause 54.04-1 – Standard A10 and Clause 55.04-1 – Standard B17.</li> </ul>
<b>Residential interface (Schutt Street, Deborah Lane and William Street)</b>	<p>For sites at 32, 34, 40, 42 and 44 Mason Street:</p> <ul style="list-style-type: none"> <li>▪ Rear walls above 4 metres must be set back 4.5 metres, up to a height of 11 metres.</li> <li>▪ Rear walls above 11 metres must be set back in accordance with Clause 54.04-1 – Standard A10 and Clause 55.04-1 – Standard B17.</li> </ul> <p>For the site at 3 Schutt Street:</p> <ul style="list-style-type: none"> <li>▪ Side walls above 4 metres must be set back 4.5 metres from the north side boundary, up to a height of 11 metres.</li> <li>▪ Side walls above 11 metres along the north side boundary must be set back in accordance with Clause 54.04-1 – Standard A10 and Clause 55.04-1 – Standard B17.</li> </ul>
<b>Park interface</b>	<p>For sites at 50, 52, 54 and 56 Mason Street:</p> <ul style="list-style-type: none"> <li>▪ Ground level rear walls must be set back 3 metres from the rear boundary up to a height of 4 metres.</li> <li>▪ Rear walls above 4 metres must be set back 4.5 metres from the ground level rear wall, up to a height of 11 metres.</li> <li>▪ Rear walls above 11 metres must be set back in accordance with Clause 54.04-1 – Standard A10 and Clause 55.04-1 – Standard B17.</li> </ul>

**3.0 Subdivision**  
 ---  
 Proposed C133hbay None specified.

**4.0 Signs**  
 ---  
 Proposed C133hbay None specified.

**5.0 Application requirements**  
 ---  
 Proposed C133hbay The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A report that indicates how a proposal to reuse or redevelop a building within a heritage overlay is compatible with the scale and architectural features of the building and adjoining sites within a heritage overlay.
- A report demonstrating how the development mitigates potential noise impacts on surrounding properties. Design responses may include acoustic mitigation and use of absorption materials.
- An assessment of waste collection, removal, and delivery areas for the proposed development.

**6.0 Decision guidelines**  
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 Proposed C133hbay None specified.



HOBSONS BAY PLANNING SCHEME

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Proposed C133hbay

**SCHEDULE 12 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY**

Shown on the planning scheme map as **DDO12**.

**NEWPORT STRUCTURE PLAN – HALL STREET PRECINCT**

**1.0**

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Proposed C133hbay

**Design objectives**

To encourage development that accommodates retail, hospitality and commercial uses at ground level, and shop-top housing at upper levels.

To encourage building design that reflects the fine grain subdivision pattern, such as by the spacing and rhythm of entrances and windows.

To ensure development provides active and articulated ground level street frontages along Hall Street and North Road.

To ensure development responds to the scale and architectural features of heritage buildings and places.

To encourage sustainability and innovation in built form.

**2.0**

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Proposed C133hbay

**Buildings and works**

A permit cannot be granted to construct a building or construct or carry out works in Area A or B which do not comply with the building height, street setback and residential interface requirements specified in Tables 1 and 2.

The requirements in Tables 1 and 2 apply to an application to construct a building or construct or carry out works.

**Map 1**



HOBSONS BAY PLANNING SCHEME

Table 1. Area A – Hall Street Core

DESIGN OR BUILT FORM ELEMENT	REQUIREMENT
<b>Building height</b>	<p>For sites between Tait Street and Elphin Street:</p> <ul style="list-style-type: none"> <li>Building height must not exceed 14.5 metres and 4 storeys.</li> </ul> <p>For sites between Grindlay Street and Tait Street:</p> <ul style="list-style-type: none"> <li>Building height must not exceed 18 metres and 5 storeys.</li> </ul>
<b>Floor to floor height</b>	<p>Ground level floor to floor building height must be 4 metres.</p> <p>Storeys above ground floor level must have a floor-to-floor height of 3.5 metres.</p>
<b>Street setback</b>	<p>For sites facing Hall Street, between Grindlay Street and Elphin Street, walls of buildings must be set back from the front street:</p> <ul style="list-style-type: none"> <li>0 metres up to and including a height of 11 metres with a continuous street wall edge.</li> <li>4.5 metres for any part of a building above 11 metres with a continuous street wall edge.</li> </ul> <p>Built form articulation, such as windows, ledges or other detailing may encroach within the setback distance above 11 metres.</p> <p>For a corner site, walls of buildings must be set back from the side street:</p> <ul style="list-style-type: none"> <li>0 metres up to and including a height of 11 metres with a continuous street wall edge.</li> <li>Building levels above 3 storeys must be distinctly recessed from the side street podium wall.</li> </ul>
<b>Heritage areas</b>	<p>For single storey contributory or individual Heritage Overlay buildings:</p> <ul style="list-style-type: none"> <li>Street walls above the facade should be set back a minimum of 1.5 metres.</li> </ul> <p>For multi-storey contributory or individual Heritage Overlay buildings:</p> <ul style="list-style-type: none"> <li>Street walls above the facade should be set back a minimum of 4.5 metres.</li> </ul>
<b>Public realm interface</b>	<p>New buildings should:</p> <ul style="list-style-type: none"> <li>Provide active ground floor frontage for sites facing Hall Street (minimum 80% active frontage).</li> <li>Provide verandah awnings or similar weather protection for pedestrians for frontages on Hall Street.</li> </ul> <p>Buildings should not overshadow the opposite footpath of adjoining streets between 10:00am and 3:00pm on 22 September.</p>
<b>Corner emphasis</b>	<p>Buildings on corner sites should provide active and articulated ground floor frontages to both streets.</p> <p>Building design should emphasise the corner locations shown in Map 1 by reduced street wall setbacks above 11 metres and building to the maximum height as described in this table.</p>

**HOBSONS BAY PLANNING SCHEME**

<b>Residential interface</b>	New buildings must meet the requirements of Clause 55.04-5 – Standard B21 for overshadowing of existing private open space.
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## HOBSONS BAY PLANNING SCHEME

**Table 2. Area B – North Road frontage (146 North Road)**

DESIGN OR BUILT FORM ELEMENT	REQUIREMENT
<b>Building height</b>	Building height must not exceed 14.5 metres and 4 storeys.
<b>Floor to floor height</b>	Ground level floor to floor height must be 4 metres. Storeys above ground level must have floor-to-floor height of 3.5 metres.
<b>Street setback</b>	Walls of buildings must be set back from the front and side street: <ul style="list-style-type: none"> <li>▪ 0 metres up to and including a height of 11 metres with a continuous street wall edge.</li> <li>▪ Building levels above 3 storeys must be distinctly recessed from the front and side street podium wall.</li> </ul>
<b>Side and rear setbacks (residential interface)</b>	Walls of buildings along the north and east boundary of Area B must be in accordance with the following residential design standards: <ul style="list-style-type: none"> <li>▪ Clause 55.04-1 – Standard B17</li> <li>▪ Clause 55.04-2 – Standard B18</li> <li>▪ Clause 55.04-3 – Standard B19</li> <li>▪ Clause 55.04-5 – Standard B21</li> </ul>
<b>Public realm interface</b>	New buildings should: <ul style="list-style-type: none"> <li>▪ Provide active ground floor frontage to North Road (minimum 80% active frontage).</li> <li>▪ Provide verandah awnings or similar weather protection for pedestrians for frontages on North Road.</li> </ul>

**3.0 Subdivision**  
~~---~~  
Proposed C133hbay None specified.

**4.0 Signs**  
~~---~~  
Proposed C133hbay None specified.

**5.0 Application requirements**  
~~---~~  
Proposed C133hbay The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A report that indicates how a proposal to reuse or redevelop a building within a heritage overlay is compatible with the scale and architectural features of the building and adjoining sites within a heritage overlay.
- A report demonstrating how the use or development mitigates potential noise impacts on surrounding properties. Design responses may include acoustic mitigation and use of absorption materials.
- A report that considers noise and vibration impacts associated with the rail corridor and whether any attenuation works are required and recommended.

**6.0 Decision guidelines**  
~~---~~  
Proposed C133hbay None specified.

## HOBSONS BAY PLANNING SCHEME

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Proposed C133hbay

### SCHEDULE 18 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO18**.

#### NEWPORT STRUCTURE PLAN – SOUTHERN PRECINCT

### 1.0

#### Design objectives

--/---  
Proposed C133hbay

To encourage development that accommodates retail, hospitality and commercial uses at ground level, and shop-top housing at upper levels.

To ensure development respects the scale of adjoining residential properties.

To ensure development provides active and articulated ground level street frontages.

To ensure development respects the scale and architectural features of heritage buildings and places.

To encourage sustainability and innovation in built form.

### 2.0

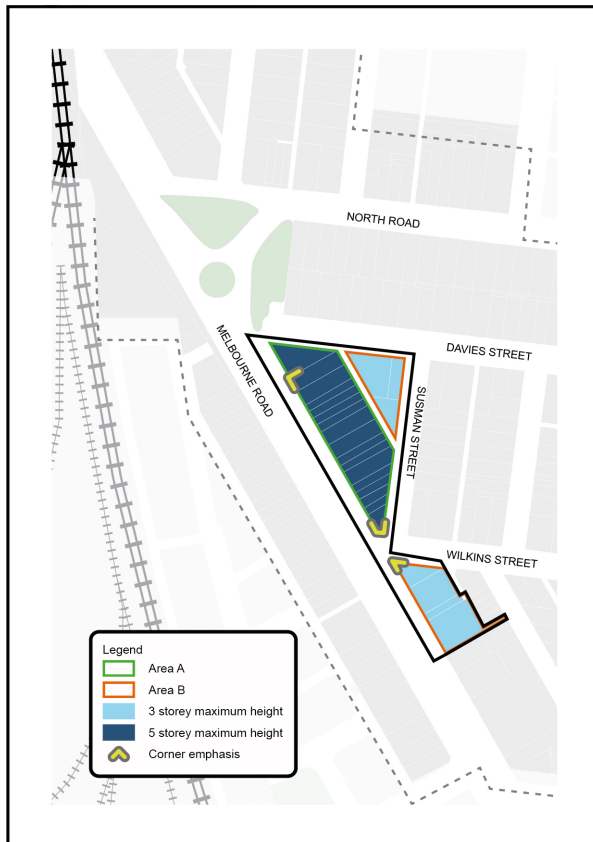
#### Buildings and works

--/---  
Proposed C133hbay

A permit cannot be granted to construct a building or construct or carry out works in Area A or B which do not comply with the building height, street setback and residential interface requirements specified in Tables 1 and 2.

The requirements in Tables 1 and 2 apply to an application to construct a building or construct or carry out works.

#### Map 1



## HOBSONS BAY PLANNING SCHEME

**Table 1. Area A – Melbourne Road (South) Retail Core**

DESIGN OR BUILT FORM ELEMENT	REQUIREMENT
<b>Building height</b>	Building height must not exceed 18 metres and 5 storeys.
<b>Floor to floor height</b>	Ground level floor to floor height must be 4 metres. Storeys above ground floor level must have a floor-to-floor height of 3.5 metres.
<b>Street setback</b>	For sites facing Melbourne Road, walls of buildings must be set back from the front street: <ul style="list-style-type: none"> <li>▪ 0 metres up to and including a height of 11 metres with a continuous street wall edge.</li> <li>▪ 4.5 metres for any part of a building above 11 metres with a continuous street wall edge.</li> </ul> Built form articulation, such as windows, ledges or other detailing may encroach within the setback distance above 11 metres. For a corner site, walls of buildings must be set back from the side street: <ul style="list-style-type: none"> <li>▪ 0 metres up to and including a height of 11 metres with a continuous street wall edge.</li> <li>▪ Building levels above 3 storeys must be distinctly recessed from the side street podium wall.</li> </ul>
<b>Heritage areas</b>	For single storey contributory or individual Heritage Overlay buildings: <ul style="list-style-type: none"> <li>▪ Street walls above the facade should be set back a minimum of 1.5 metres.</li> </ul> For multi-storey contributory or individual Heritage Overlay buildings: <ul style="list-style-type: none"> <li>▪ Street walls above the facade should be set back a minimum of 4.5 metres.</li> </ul>
<b>Public realm interface</b>	New buildings should: <ul style="list-style-type: none"> <li>▪ Provide fine grain active ground floor frontage for sites facing Melbourne Road (minimum 80% active frontage).</li> <li>▪ Provide verandah awnings or similar weather protection for pedestrians for frontages on Melbourne Road.</li> </ul> Buildings should not overshadow the opposite footpath of adjoining streets between 10:00am and 3:00pm on 22 September.
<b>Corner emphasis</b>	Buildings on corner sites should provide active and articulated ground floor frontages to both streets. Building design should emphasise the corner locations shown in Map 1 by reduced street wall setbacks above 11 metres and building height to the maximum of 18 metres.

**Table 2. Area B – Gateway and residential interface areas**

DESIGN OR BUILT FORM ELEMENT	REQUIREMENT
<b>Building height</b>	Building height must not exceed 11 metres and 3 storeys.

## HOBSONS BAY PLANNING SCHEME

DESIGN OR BUILT FORM ELEMENT	REQUIREMENT
<b>Floor to floor height</b>	Ground level floor to floor height must be 4 metres. Storeys above ground level must have floor-to-floor heights of 3.5 metres.
<b>Street setback</b>	Walls of buildings must be set back from the front or side street: <ul style="list-style-type: none"> <li>▪ 0 metres up to and including a height of 11 metres with a continuous street wall edge.</li> </ul>
<b>Heritage areas</b>	For single storey contributory or individual Heritage Overlay buildings: <ul style="list-style-type: none"> <li>▪ Street walls above the facade should be set back a minimum of 1.5 metres.</li> </ul> For multi-storey contributory or individual Heritage Overlay buildings: <ul style="list-style-type: none"> <li>▪ Street walls above the facade should be set back a minimum of 4.5 metres.</li> </ul>
<b>Residential interface</b>	For the site at 300-302 Melbourne Road, new buildings along the rear and southern boundary must be in accordance with the following residential design standards: <ul style="list-style-type: none"> <li>▪ Clause 55.04-1 – Standard B17</li> <li>▪ Clause 55.04-2 – Standard B18</li> <li>▪ Clause 55.04-3 – Standard B19</li> <li>▪ Clause 55.04-4 – Standard B20</li> <li>▪ Clause 55.04-5 – Standard B21</li> </ul>
<b>Public realm interface</b>	New buildings should: <ul style="list-style-type: none"> <li>▪ Provide active ground floor frontage for sites at 304-306 Melbourne Road, 33-35 Davies Street and 1 Susman Street (minimum 70% active frontage).</li> <li>▪ Provide verandah awnings or similar pedestrian shelter for sites facing Melbourne Road.</li> </ul>
<b>Corner emphasis</b>	Buildings on corner sites should provide active ground floor frontages to both streets.  Building design should emphasise the corner location shown in Map 1 by providing street walls to the maximum height of 11 metres.

### 3.0

--/----  
Proposed C133hbay

#### Subdivision

None specified.

### 4.0

--/----  
Proposed C133hbay

#### Signs

None specified.

### 5.0

--/----  
Proposed C133hbay

#### Application requirements

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

## HOBSONS BAY PLANNING SCHEME

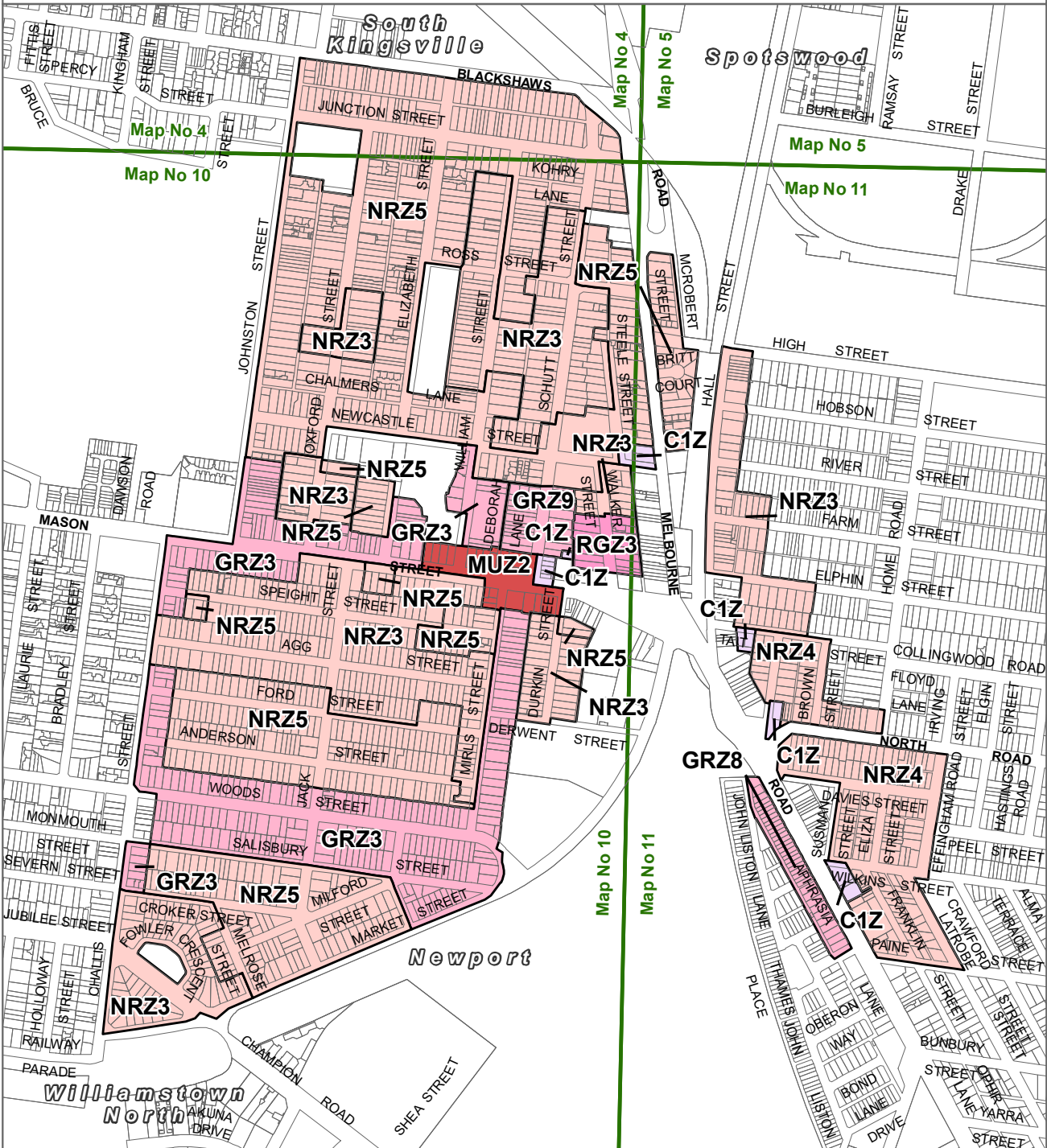
- A report that indicates how a proposal to reuse or redevelop a building within a heritage overlay is compatible with the scale and architectural features of the building and adjoining sites within a heritage overlay
- A report demonstrating how the development mitigates potential noise impacts on surrounding properties. Design responses may include acoustic mitigation and use of absorption materials.

### **6.0 Decision guidelines**

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Proposed C133hbay None specified.

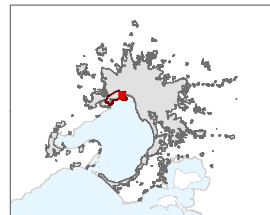


# HOBSONS BAY PLANNING SCHEME - LOCAL PROVISION AMENDMENT C133hbay



**LEGEND**

- C1Z - Commercial 1 Zone
- GRZ - General Residential Zone
- MUZ - Mixed Use Zone
- NRZ - Neighbourhood Residential Zone
- GRZ - Residential Growth Zone
- Local Government Area



Part of Planning Scheme Maps 4, 10 & 11

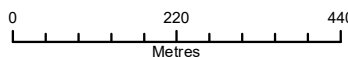
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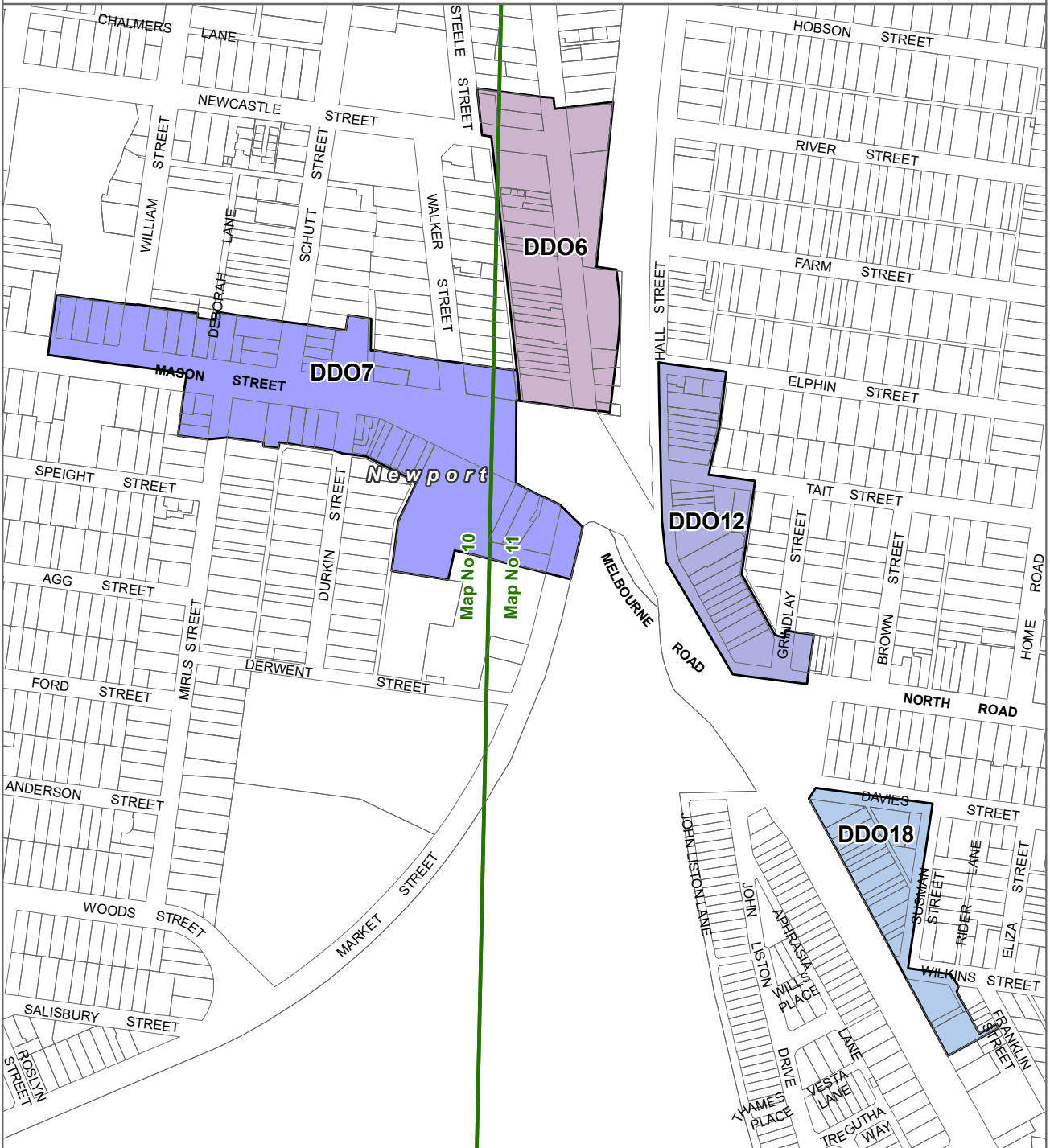
Planning Group  
Print Date: 16/01/2023  
Amendment Version: 10



Department of Transport and Planning

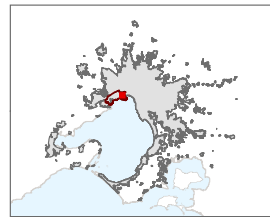


# HOBSONS BAY PLANNING SCHEME - LOCAL PROVISION AMENDMENT C133hbay



**LEGEND**

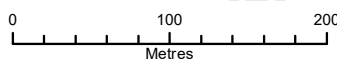
- DDO6 - Design and Development Overlay - Schedule 6
- DDO7 - Design and Development Overlay - Schedule 7
- DDO12 - Design and Development Overlay - Schedule 12
- DDO18 - Design and Development Overlay - Schedule 18
- Local Government Area



Part of Planning Scheme Maps 10DDO & 11DDO

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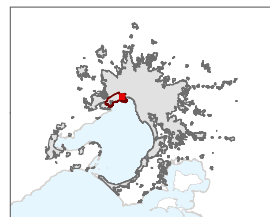
Department of Transport and Planning

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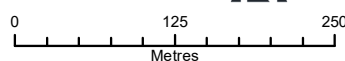
- LEGEND**
- HO - Heritage Overlay
  - Local Government Area



Part of Planning Scheme Maps 10HO & 11HO

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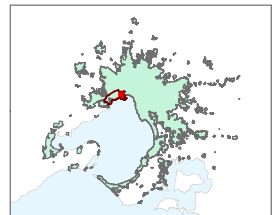


# HOBSONS BAY PLANNING SCHEME - LOCAL PROVISION AMENDMENT C133hbay



**LEGEND**

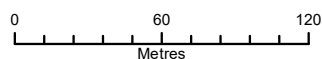
- D-HO - Area to be deleted from a Heritage Overlay
- Local Government Area



Part of Planning Scheme Map 10HO

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Amendment Version: 8



Environment,  
Land, Water  
and Planning

# HOBSONS BAY PLANNING SCHEME - LOCAL PROVISION AMENDMENT C133hbay




- LEGEND**
-  EAO - Environmental Audit Overlay
  -  Local Government Area

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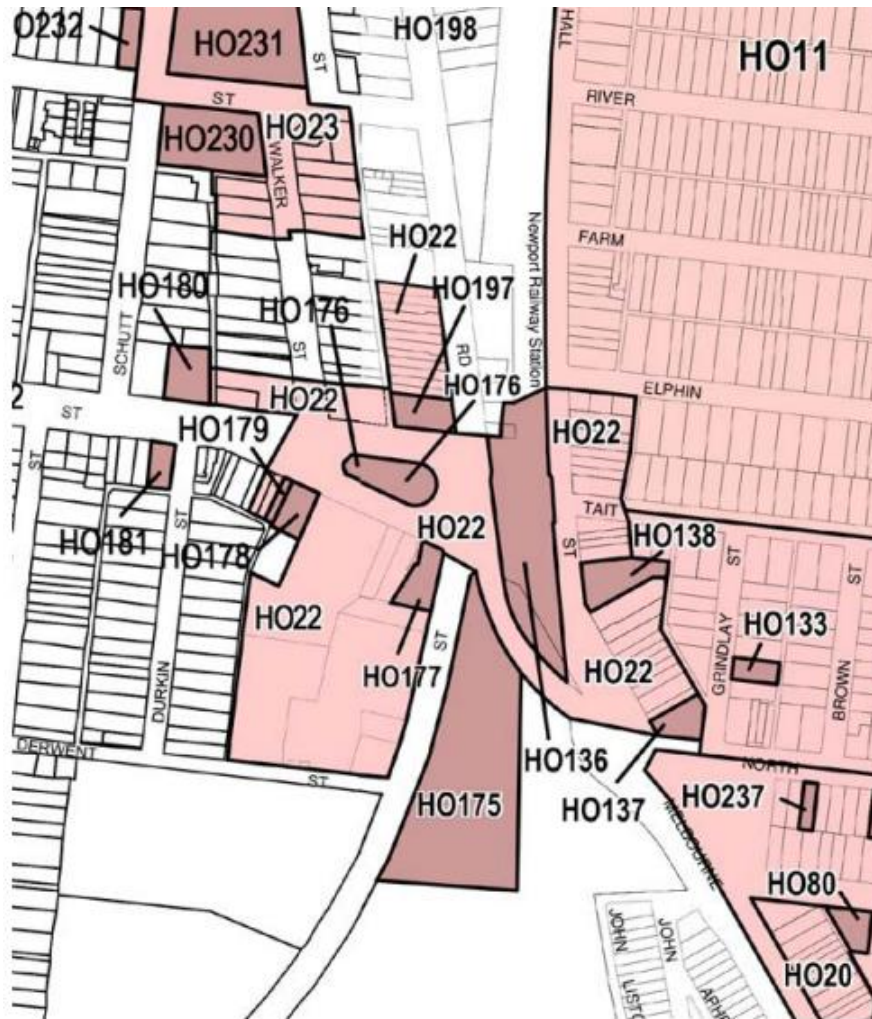


Part of Planning Scheme Maps 10EAO & 11EAO



## Statement of Significance: Newport Civic and Commercial Heritage Precinct

<b>Heritage Place:</b> Newport Civic and Commercial Heritage Precinct	<b>PS ref no:</b> HO22
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### What is significant?

The Newport Civic and Commercial Heritage Precinct, which comprises all land in HO22, and includes the commercial precincts to the east and west of the Newport Railway Station, Newport. The area generally includes properties in Hall Street (part), Mason Street (part) and Melbourne Road (part), Newport.

### How is it significant?

The Newport Civic and Commercial Heritage Precinct is of local historic, social and aesthetic significance to the City of Hobsons Bay.

This document is an incorporated document in the Hobsons Bay Planning Scheme pursuant to section 6(2)(j) of the *Planning and Environment Act 1987*

### **Why is it significant?**

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Historically, it is significant as the major commercial centre within the Newport locality. It illustrates the nineteenth century beginnings of the area and the significant development that occurred from the Edwardian period up to WWII and into the early post-war period, which mirrors the residential and industrial growth of the area during the same periods. It also illustrates the close relationship between the development of the railways in this area and the development of the town of Newport. It is typical of the civic and retail cores developed around railway stations as the rail network expanded through the late-nineteenth and early twentieth centuries.

These typically take the form of single and double-storey parapeted buildings constructed to front and side boundaries. These are representative of similar developments around railway stations throughout the metropolitan area.

Aesthetically, it is significant as a well-preserved late nineteenth and early twentieth century commercial precinct that is notable for its architectural landmark sites such as the former CBA bank, Newport Hotel and Masonic Hall but is characterised by more modest shops and commercial premises in Hall Street, Mason Street and Melbourne Road. It is presumed that the area is socially significant for its strong associations with the Newport community as an important transportation hub and community meeting place.

The area is of interest for associations with early landholders such as William Hall and James Steele and Michael Durkin and public officials such as GA Paine and John Whitwam.

On this basis, the following places within HO22 contribute to the significance of the precinct.

- Hall Street, 1, 3-7, 9-10, 15-16, 18-21, 28, 30-32, 34-36, 38-40 and 42-46
- Mason Street, 1, 11-15, 17, 18 and 24-26
- Melbourne Road, 405-409, 413-431
- Market Street, 6 Newport Second Scout Hall and, 24-28 Newport RSL
- Bluestone kerb, channelling and laneways
- The Paine and Whitwam Reserves

### **Primary source**

---

*Inner Newport Heritage Gap Study 2022 (Lovell Chen and Hobsons Bay City Council)*

HOBSONS BAY PLANNING SCHEME

<b>Number</b>	<b>Address</b>	<b>Grade</b>
1, 3-7, 9-10, 15-16, 18-21, 28, 30-32, 34-36, 38-40 and 42-46	Hall Street	Contributory
1, 11-15, 17, 18 and 24-26	Mason Street	Contributory
405-409, 413-431	Melbourne Road	Contributory
6, 24-28	Market Street - Newport Second Scout Hall and Newport RSL	Contributory
	Bluestone kerb, channelling and laneways	Contributory
	The Paine and Whitwam Reserves	Contributory

This document is an incorporated document in the Hobsons Bay Planning Scheme pursuant to section 6(2)(j) of the *Planning and Environment Act 1987*



## Statement of Significance: Newport Estate Residential Heritage Precinct

<b>Heritage Place:</b>	Newport Estate Residential Heritage Precinct	<b>PS ref no:</b>	HO23
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### What is significant?

The Newport Estate Residential Heritage Precinct comprises all land in HO23. It consists of six discontinuous residential areas in which the original form and character of the area as developed from the 1880s to the end of WWII largely survives. Sub-precincts are located to the north and south of Mason Street.

### How is it significant?

This document is an incorporated document in the Hobsons Bay Planning Scheme pursuant to section 6(2)(j) of the *Planning and Environment Act 1987*

The Newport Estate Residential Heritage Precinct is of local historic and aesthetic significance to the City of Hobsons Bay.

### **Why is it significant?**

---

Historically, it is significant for its strong associations with the development of Newport from the late Victorian era to the end of WWII. Numerous house allotments created during the 1880s boom period were often left vacant for a generation and the range of building styles present in confined areas illustrates the slow and sporadic growth in Newport. The layering of the area's history is illustrated in the early subdivision arrangements with early land boundaries preserved as roads such as Mason Street.

The area also retains associations with locally important individuals such as James Steele, Michael Durkin and C Williams. The predominantly weatherboard single-storey detached houses on small allotments underpins the working class origins of the area and the association with the railway workshops.

Aesthetically, it is significant for the groups of relatively intact examples of representative housing, from the Victorian, Federation and interwar periods up to the end of WWII. The built form is typical of residential development throughout Melbourne's inner west during the late nineteenth and early to mid-twentieth centuries. On this basis, the following places within HO23 contribute to the significance of the precinct.

### **Primary source**

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*Inner Newport Heritage Gap Study 2022 (Lovell Chen and Hobsons Bay City Council)*

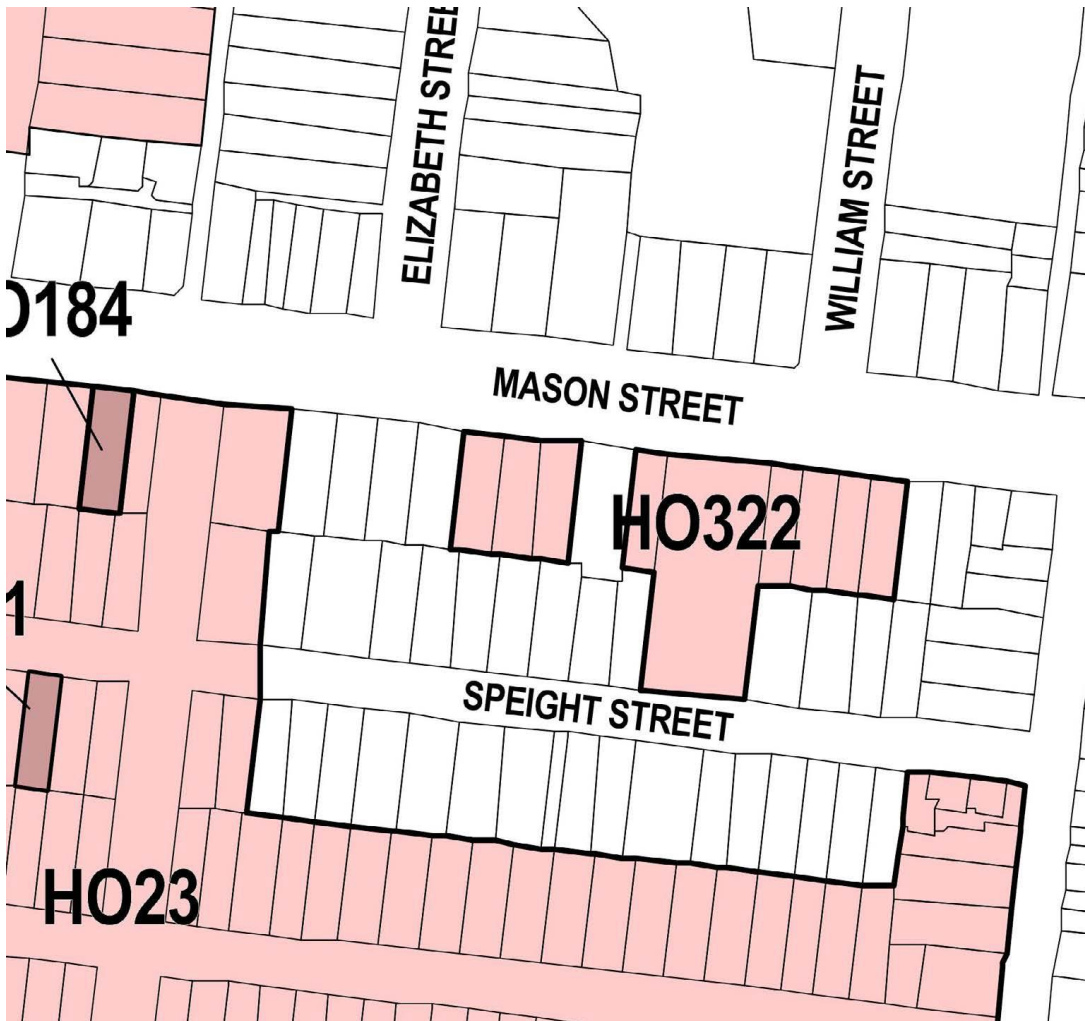
HOBSONS BAY PLANNING SCHEME

<b>Number</b>	<b>Address</b>	<b>Grade</b>
31-33, 41-45, 49-53, 57-73 and 30, 32, 36, 40, 50-56	Schutt Street	Contributory
7-23	Steele Street	Contributory
19-23 and 24-30	Walker Street	Contributory
9 and 20-40	Newcastle Street	Contributory
5-13	Ross Street	Contributory
9, 17-19, 23-27, 35- 47, 51, 53, 57-63, 67- 71, 75-81, 85 and 91; and 2-14, 18-26, 30, 34-50, 54-90	Agg Street	Contributory
81-93	Mason Street	Contributory
19-53, 59, 61, 65-69, 73-75, 79 and 18-22, 26-32, 38-50, 54-56, 60, 66-68, 76, 82	Speight Street	Contributory
3-13, 17-35	Mirls Street	Contributory
14-30 and 34-40	Ford Street	Contributory
1-15, 4-14, 37-41, 40- 46 and 50-56	Oxford Street	Contributory
35-41, 45-55, 59-87, 91-99 and 40-52	William Street	Contributory
10	Ross Street	Contributory
3-11, 15-17, 23-29 and 2-4, 10-12, 16-18 and 22-4	Durkin Street	Contributory

This document is an incorporated document in the Hobsons Bay Planning Scheme pursuant to section 6(2)(j) of the *Planning and Environment Act 1987*

## Statement of Significance: The Mason Street Ecclesiastical and Residential Heritage Precinct

<b>Heritage Place:</b> The Mason Street Ecclesiastical and Residential Heritage Precinct	<b>PS ref no:</b> HO322
--	-------------------------



### What is significant?

The Mason Street Ecclesiastical and Residential Heritage Precinct is located on the south side of Mason Street in Newport. It comprises the Anglican Christ Church complex at 61 Mason Street, including the former manse at 59 Mason Street, and dwellings to the east and west of the church. Dwellings at 53-57, 63 and 67-71 Mason Street contribute to the significance of the precinct.

### How is it significant?

The Mason Street Ecclesiastical and Residential Heritage Precinct, comprising dwellings from the late Victorian period to c. 1930, is of historical, representative and aesthetic significance.

The Christ Church complex at 59-61 Mason Street, Newport, comprising the manse constructed in 1914 and the church designed by Sale & Keage and constructed in 1926-27, is of local historical, social and aesthetic significance to the City of Hobsons Bay.

### Why is it significant?

The Mason Street Ecclesiastical and Residential Heritage Precinct is historically significant as an early point of community focus within the Municipality. It illustrates the nineteenth century beginnings of the area and the significant development occurring locally following the development of the railway and associated workshops from the late Victorian period to the interwar period. The Christ Church complex is historically significant as one of a number of public buildings that demonstrate the development occurring in Newport from the Victorian to the interwar period, largely as a consequence of the construction of the railway and associated workshops.

Aesthetically, the dwellings in the precinct are generally significant as an intact group of representative builders' designs demonstrating a range of straightforward late-Victorian and early-twentieth-century styles centred on a picturesque Interwar Gothic Church. The Christ Church complex is significant within the municipality as a good example of an austere Interwar Gothic church, which is complemented by an intact manse to its east.

While it appears likely that the church complex, being the central focus of the precinct, is of social value for its strong associations with the Newport community as an important ecclesiastical and community meeting place, this has not been established by direct engagement with stakeholders.

The area is of interest for associations with early landholders such as Simon Kozminski and Ludwig Radinger and local identities such as John Whitwam. Christ Church of 1926-7 is notable for its association with early church leaders including, Revs. Fitzgerald, Thomas Leonard and Macdonnell and with architects, Sale and Keage.

On this basis, the following places within the Mason Street Ecclesiastical and Residential Heritage Precinct contribute to the significance of the precinct:

<b>Number</b>	<b>Address</b>	<b>Description</b>	<b>Grade</b>
53	Mason Street	Weatherboard villa, c.1895	Contributory
55	Mason Street	Weatherboard villa c.1895	Contributory
57	Mason Street	Weatherboard bungalow, c.1920	Contributory
59	Mason Street	Manse, 1914	Significant
61	Mason Street	Anglican Church, 1926-27	Significant
63	Mason Street	Weatherboard bungalow, c. 1930	Contributory
67	Mason Street	Ashlar boarded bungalow, c 1895	Contributory
69	Mason Street	Weatherboard villa, c. 1895	Contributory
71	Mason Street	Weatherboard villa, c. 1895	Contributory

### Primary source

*Inner Newport Heritage Gap Study 2022 (Lovell Chen and Hobsons Bay City Council)*

HOBSONS BAY PLANNING SCHEME

24/09/2018  
C88

**SCHEDULE TO CLAUSE 72.04 DOCUMENTS INCORPORATED IN THIS PLANNING SCHEME**

**1.0**

**Incorporated documents**

---/---  
Proposed C133hbay

Name of document	Introduced by:
Altona North Comprehensive Development Plan, August 2018	C88
Altona North Development Contributions Plan, August 2018	C88
Construction and extension of one dwelling on a lot between 300m <sup>2</sup> and 500m <sup>2</sup> , 1 May 2014	GC9
Cox's Garden Heritage Precinct Heritage Design Guidelines, September 2021.	C131hbay
Ferguson Street Civic and Commercial Heritage Precinct Heritage Design Guidelines, September 2021.	C131hbay
Government Survey Heritage Precinct Heritage Design Guidelines, September 2021.	C131hbay
Guidelines for Alterations and Additions to Dwellings in Heritage Areas in Hobsons Bay 2006	C34
Guidelines for Infill Development in Heritage Areas in Hobsons Bay 2006	C34
Hannan's Farm (Ramsgate Estate) and Williamstown Beach Heritage Precincts Heritage Design Guidelines, September 2021.	C131hbay
Housing Commission of Victoria Estates Heritage Precincts Heritage Design Guidelines, September 2021.	C131hbay
Kororoit Creek Road, Williamstown North Level Crossing Removal Project Incorporated Document, June 2017	C111
Laverton Rail Upgrade Project, September 2008	C69
Medical Centre and Pharmacy at 196 – 200 Hall Street, Spotswood, July 2010	C67
Nelson Place Heritage Precinct Heritage Design Guidelines, September 2021.	C131hbay
Newport and Spotswood Residential Heritage Precincts Heritage Design Guidelines, September 2021.	C131hbay
Newport Civic and Commercial Precinct Heritage Design Guidelines, September 2021.	C131hbay
Newport Estate Residential Heritage Precinct (HO23) Statement of Significance, June 2022	C133hbay
Newport Civic and Commercial Heritage Precinct (HO22) Statement of Significance, June 2022	C133hbay
Outer Suburban Arterial Roads - Western Package Incorporated Document, June 2017	GC74
Point Gellibrand Coastal Heritage Park Master Plan - Revised July 2003	C24
Port Phillip Woollen Mill Development Contributions Plan 2015-25, April 2016 (Amended July 2017)	GC75
Private Survey Heritage Precinct Heritage Design Guidelines, September 2021.	C131hbay
The Mason Street Ecclesiastical and Residential Heritage Precinct (HO322) Statement of Significance, June 2022	C133hbay
West Gate Tunnel Project Incorporated Document, December 2017	GC93

HOBSONS BAY PLANNING SCHEME

31/07/2018  
VC148

**SCHEDULE TO CLAUSE 72.08 BACKGROUND DOCUMENTS**

**1.0**

--/---  
Proposed C133hbay

**Background documents**

Name of background document	Amendment number - clause reference
Activity Centre Strategy 2019-36 (Hobsons Bay City Council, July 2019)	C131hbay 11.03-1L
A Fair Hobsons Bay for All 2019-2023 (Hobsons Bay City Council, September 2019)	C131hbay 15.01-2L 17.03-2L 17.04-1L
Biodiversity Strategy 2017–22 (Hobsons Bay City Council, February 2017)	C131hbay 12.01-1L
Burns Road Industrial Estate Structure Plan (Ratio Consultants, August 1997)	NFPS 15.01-2L
Climate Change Adaptation Plan 2013-18 (Hobsons Bay City Council, 2013)	C131hbay 13.03-1L
Community Facility Planning Principles (Hobsons Bay City Council, 2008)	C131hbay 19.02-4L
Community Greenhouse Strategy 2013-30 (Hobsons Bay City Council, 2013)	C131hbay 13.03-1L
Electronic Gaming Machines (EGMs) in Hobsons Bay Background Paper (Hobsons Bay City Council, 2014)	C112 52.28
Experience Hobsons Bay Tourism Strategy 2019-2024 (Hobsons Bay City Council, 2019)	C131hbay 02.03
Hobsons Bay 2030 Community Vision (Hobsons Bay City Council, February 2017)	C131hbay 11.02-1L
Hobsons Bay Advertising Signs Guidelines (Hobsons Bay City Council, June 1999)	C131hbay 15.01-1L
Hobsons Bay Affordable Housing Policy Statement (Hobsons Bay City Council, April 2016)	C131hbay 16.01-1L
Hobsons Bay Council Plan 2017-2021 (City of Hobsons Bay, 2017)	C131hbay 02.02
Hobsons Bay Economic Development Strategy 2015–2020 (Hobsons Bay City Council, 2015)	C131hbay 15.01-2L 17.03-2L

## HOBSONS BAY PLANNING SCHEME

Name of background document	Amendment number - clause reference
	17.04-1L
Hobsons Bay Heritage Study (Hobsons Bay City Council et al., 2007 Amended 2017)	C107, C125 15.03-1L
Hobsons Bay Housing Strategy (Hobsons Bay City Council, July 2019)	C131hbay 13.07-1L 16.01-1L 17.02-2L
Hobsons Bay Industrial Development Design Guidelines (Hobsons Bay City Council, June 2008)	C33 15.01-2L 17.03-1L
Hobsons Bay Industrial Land Management Strategy (Hobsons Bay City Council, June 2008)	C33 15.01-2L 17.03-1L
Hobsons Bay Integrated Transport Plan 2017-2030 (Hobsons Bay City Council, November 2017)	C131hbay 15.01-3L 18.01-2L 18.02-2L
Hobsons Bay Landscape Design Guidelines (Hobsons Bay City Council, April 1999)	C131hbay 19.02-6L
Hobsons Bay Neighbourhood Character Study 2019 (Hobsons Bay City Council, July 2019)	C131hbay 15.01-1L 15.01-5L
Hobsons Bay Problem Gambling – Electronic Gaming Machines (EGM) Policy Statement (Hobsons Bay City Council, July 2015)	C112 52.28
Hobsons Bay Preparing Social Impact Assessment – Applicant Guidelines (Hobsons Bay City Council, March 2011)	C112 52.28
Hobsons Bay Strategic Bicycle Plan (Traffix Group, March 2003)	C131hbay 15.01-3L 18.02-2L
Inner Newport Heritage Gap Study (Hobsons Bay City Council and Lovell Chen 2022)	C133 11.03-1L
Kororoit Creek Masterplan (Thompson Berrill Landscape Design, November 2006)	C87 19.02-6L



## HOBSONS BAY PLANNING SCHEME

Name of background document	Amendment number - clause reference
Kororoit Creek Regional Strategy 2005-2030 (Land Design Partnership Pty Ltd, September 2006)	C87 19.02-6L
Laverton Together Urban Design Framework (Hansen Partnership, April 2006)	C131hbay 11.03-1L
Lettering and Signs on Buildings c1850-1900, National Trust of Australia (Australian Council of National Trusts, March 1984)	C131hbay 15.01-1L
Living Hobsons Bay: an Integrated Water Management Plan 2014-2019 (Hobsons Bay City Council, November 2014)	C131hbay 12.02-1L 19.03-3L
Newport Structure Plan (Hobsons Bay City Council and Mesh 2021)	C133hbay 11.03-1L
Open Space Strategy (Hobsons Bay City Council, June 2018)	C131hbay 19.02-6L
Point Gellibrand Park Coastal Heritage Park Master Plan (Parks Victoria, Revised July 2003)	C131hbay 19.02-6L
Public Art Strategy 2016-2020 (Hobsons Bay City Council, 2016)	C131hbay 19-02-4L
Universal Design Policy Statement (Hobsons Bay City Council & Allen Kong Architect, September 2017)	C131hbay 16.01-1L
Urban Forest Strategy 2020 (Hobsons Bay City Council, 2020)	C131hbay 15.01-1L 15.01-2L 15.01-5L 15.02-1L 15.03-1L
Williamstown Foreshore Strategic Plan (Parks Victoria, 2010)	C63 19.02-6L

## Implementation of the Inner Newport Heritage Gap Study into the Hobsons Bay Planning Scheme via Amendment C133

Council adopted the Inner Newport Heritage Gap Study (“the Study”) in March 2022.

The Study was amended to address authorisation conditions relating to the statement of significance for HO322 – Mason Street Ecclesiastical and Residential Heritage Precinct in June 2022.

In June the amendment was exhibited, and submitters identified that some properties that had been recently significantly altered or demolished were still included in the heritage study. As such, Council officers recommended the removal of 33, 34, 36 and 38 Oxford Street and 54 William Street from HO23. It was also recommended that 43 William Street be removed as a contributory dwelling from the Statement of Significance for HO23.

A Planning Panel was held in December 2022 to consider submissions to Amendment C133. The Panel agreed with Council’s recommended changes to HO23 with the exception of the inclusion of the property at 35 Oxford Street. The Panel report dated 5 January 2023 recommended the following:

- *Recommendation 7: Remove 33, 34, 35, 36 and 38 Oxford Street, Newport from the exhibited Heritage Overlay 23, apply the Neighbourhood Residential Zone Schedule 5 and make any other consequential changes that are necessary.*
- *Recommendation 8: Remove 54 William Street, Newport from the exhibited Heritage Overlay 23, apply the Neighbourhood Residential Zone Schedule 5 and make any other consequential changes that are necessary.*

Council officers have accepted the Panel’s recommendations and incorporated the necessary changes into Amendment C133.

The adopted Inner Heritage Gap Study 2022 therefore differs slightly from the planning scheme ordinance and mapping implemented via Amendment C133. See Table 1.

**Table 1 Differences between Inner Heritage Gap Study 2022 and Amendment C133**

<b>Exhibited Study</b>	<b>Amendment C133</b>
The Study and Statement of Significance classifies 33, 34, 35, 36 and 38 Oxford Street, Newport as significant heritage sites within HO23.	HO maps have been amended to align with the Planning Panel’s recommendation 7 to remove 33, 34, 35, 36 and 38 Oxford Street from HO23, along with necessary consequential changes to the zone and residential development framework plan maps, Statements of Significance and Clause 43.01.
The Study and Statement of Significance classifies 54 William Street, Newport as a significant heritage site within HO23.	HO maps have been amended to align with the Planning Panel’s recommendation 8 to remove 54 William Street from HO23, along with necessary consequential changes to the zone and residential development framework plan maps, Statements of Significance and Clause 43.01.
The Study and Statement of Significance classifies 43 William Street, Newport as a contributory property within HO23	Statement of Significance has been updated to respond to Council recommendation to remove 43 William Street as a contributory property.

# Inner Newport Heritage Gap Study

## Methodology Report



June 2022

Prepared by

LOVELL CHEN

Prepared for



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Front cover image: Melbourne and Metropolitan Board of Works detail plan. 139, Town of Williamstown, 1912 Source SLV

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## 1.0 Introduction

This report documents the methodology and tasks undertaken for the Newport Heritage Gap Study ('the Study'). The heritage study was conducted during 2019 for the City of Hobsons Bay, by Lovell Chen Architects and Heritage Consultants, with revisions occurring during 2020 and 2021. Further revisions were undertaken following advice from DELWP regarding the extent of HO322 in May 2022. The Study was undertaken to inform the preparation of the draft Newport Structure Plan.

It was anticipated that the Study would be undertaken in two stages, with the first stage informing the extent of the second stage. The first stage involved a review of the study area, including the identification of existing heritage controls, review of relevant existing heritage policies, documents and heritage studies, and a detailed survey to identify properties and areas within the study area which warrant inclusion in the Schedule to the Heritage Overlay of the Hobsons Bay Planning Scheme. The second stage comprised the preparation of heritage citations for the individual places and heritage precincts identified as part of stage one and the preparation of a methodology report.

### 1.1 Acknowledgements

Hobsons Bay City Council and the authors gratefully acknowledge the assistance provided by representatives of the Newport RSL and of the 2nd Newport Scout group.

### 1.2 Exclusions & qualifications

The Study included fieldwork and an inspection of the study area from the public realm, including streets and lanes, but did not involve access to private property. Property addresses were taken from data provided by the City of Hobsons Bay.

It is noted that a review of existing building gradings within HO22 and HO23 was not conducted as part of this heritage study.

### 1.3 Study outputs

The Study has provided the following outputs:

- Updated citation, HO22 Newport Civic and Commercial Heritage Precinct (including mapping),
- Updated citation, HO23 Newport Estate Residential Heritage Precinct (including mapping),
- New citation, HO322 Mason Street Ecclesiastical and Residential Heritage Precinct (including mapping)

The citations are to be uploaded to the HERMES database once a future Planning Scheme Amendment is gazetted.

Outputs also comprise a Methodology Report (this document).

## 2.0 Study area

At its outset, the study area incorporated a retail and commercial area based on the extent of the proposed Structure Plan. It comprised areas to the north and south of Mason Street and was broadly bounded to the north by Newcastle Street, to the west by Challis Street and to the south by Salisbury Street (Figure 1). The study area also included a group of sites along Melbourne Road.

Areas to the south of Mason Street included the Bryan Martyn Oval, Hoffman Reserve, Paine Reserve, Newport Bowling Club and various other recreational facilities. Mason Street and areas to its north, included shops, churches and schools. To the west of the reserves and to the north of Mason Street, a broader residential area retaining some dwellings dating from the late nineteenth century and early to mid-twentieth century was included within the structure plan area. A number of individual heritage places and two existing heritage precincts were located within the Study/structure plan area.

As discussed at 3.1, initial investigation of the area, revealed residential streetscapes of comparable age, intactness and integrity to those located under existing HOs within the structure plan area, but immediately outside of the study area. On this basis, the study area was revised although the broad approach to the overall assessment, discussed below, was not affected.

The expanded study area is shown at Figure 2 and includes much of the suburb of Newport, incorporating properties to the north and south of Mason Street to the west of the railway line and in the vicinity of Hall Street to its east.

INNER NEWPORT HERITAGE GAP STUDY

Figure1. Study area, Briefing documents, Newport Heritage Gap Study, April 2019  
Source: City of Hobsons Bay

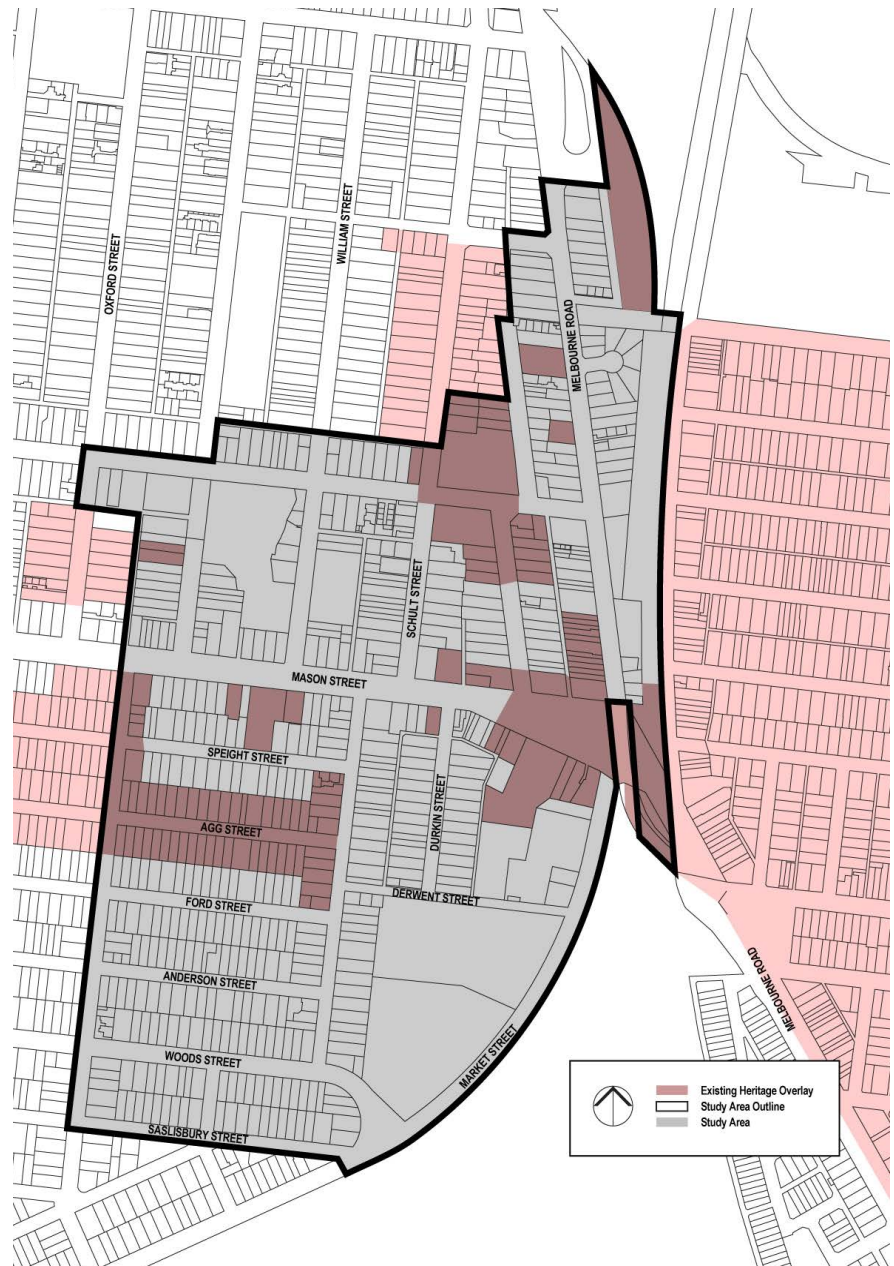
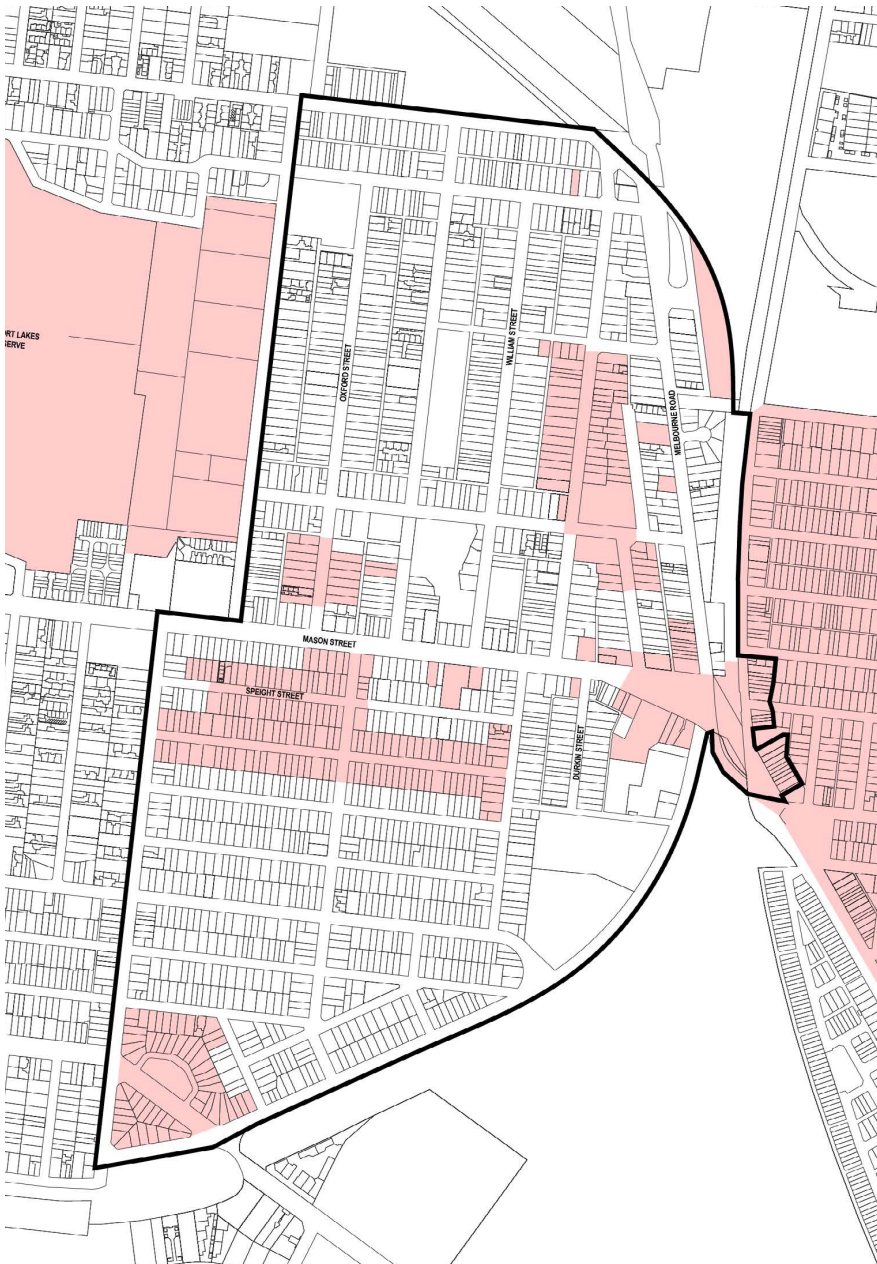




Figure2. The expanded Study area following the completion of Stage 1



## 2.1 Existing Heritage Overlay controls

### 2.1.1 Heritage overlay areas

Two large existing Heritage Overlay precincts are included in the study area:

- HO22 Newport Civic and Commercial Heritage Precinct including Hall Street (part), Mason Street (part) and Melbourne Road (part), 1 Walker Street, Newport
- HO23 Newport Estate Residential Heritage Precinct including Agg Street, 81-93 Mason Street, 21-37 Mirils Street, 9 and 20-24 Newcastle Street, 4-14 and 1-15 Oxford Street, 5-13 Ross Street, 30-56 and 31-57 Schutt Street, 35-79 and 36-82 Speight Street, 1-23 Steele Street and 19-23 and 24-32 Walker Street, Newport

The Heritage Overlay controls apply to the external building fabric and mapped land extent of the precincts. External paint controls also apply. It is noted, however, that no internal or tree controls apply within the precinct, generally, although internal alteration controls apply specifically to the Masonic Temple at 405 Melbourne Road (HO197).

### 2.1.2 Individual heritage places

There are also individual Heritage Overlays which apply to single properties within the study area:

- HO136 Newport Railway Station Complex, Pepper and Lily Trees
- HO177 Newport Hotel (former), 1 Mason Street, Newport
- HO104 Quarryman's House, 15 Elizabeth Street, Newport
- HO105 Quarryman's House, 17 Elizabeth Street, Newport
- HO176 Newport World War 1 Memorial, Mason Street, Newport
- HO177 Newport Hotel (former) Mason Street, Newport
- HO178 Newport Mechanics' Institute (former), 13 Mason Street, Newport
- HO179 Shop and Residence
- HO180 Newport Baptist Church Complex, 24-26 Mason Street, Newport
- HO181 House, 35 Mason Street, Newport
- HO182 Christ Church Complex 59-61 Mason Street, Newport (note: it is identified that this existing HO place is to be incorporated within the proposed heritage precinct HO322)
- HO183 'St Arnaud', 65 Mason Street, Newport
- HO184 House, 85 Mason Street, Newport
- HO197 Masonic Temple, 405 Melbourne Road, Newport
- HO198 House, 471 Melbourne Road, Newport
- HO199 House, 481 Melbourne Road, Newport
- HO230, St. Joseph's Roman Catholic Convent and Presbytery, 7-9 Newcastle Street, Newport
- HO231 Sacred Heart Catholic Complex Yes 20 Newcastle Street, Newport
- HO232 Newport Coffee Palace (former), 24 Newcastle Street, Newport

The majority of these places include external paint controls, however no internal or tree controls apply.

There are currently, no places included in the Victorian Heritage Register (VHR) within the Study Area.

## 3.0 Study stages and tasks

Broadly speaking, the project comprised two stages, the first including Investigation and reporting, the second comprising the preparation of heritage citations.

### 3.1 Stage 1: Investigation and reporting

In the first instance, a desktop review of Council's heritage studies and other assessments relevant to the Study area was undertaken. The tasks involved in the fieldwork were as follows:

- Fieldwork was confined to the public realm. After broad initial investigation, all of the streetscapes were reviewed to determine which demonstrated a prima facie case for further investigation for the potential inclusion in the Heritage Overlay. In these instances, local heritage significance was noted and mapped.
- Council data and GIS mapping informed the fieldwork, with places and properties checked against the data in relation to gradings
- Historical and current aerial photographs informed the fieldwork
- Demolitions and new developments were noted, and again checked against existing information

#### 3.1.1 Preliminary recommendations

Following the review of the structure plan area and the physical investigation, the following recommendations were made:

##### **General**

...some inconsistencies in relation to the contributory/non-contributory building gradings in HO22 and HO23 have been identified. These may be addressed by updates to the data held within Council's GIS system and revision of the heritage citations. In undertaking the review of precincts (discussed below) it is recommended that all gradings are confirmed in anticipation of the implementation of the structure plan and the potential extension of the precincts.

While outside the scope of the heritage review, during the survey some mature tree specimens were noted which may appropriately be included in a Significant Landscape Overlay (SLO) or similar vegetation overlay. It is recommended that a survey of significant trees and vegetation throughout Hobsons Bay be undertaken, with a view to including significant specimens in an SLO.

##### **Proposed new individual HOs**

Detailed investigation with a view to implementing individual heritage HOs are recommended for the following sites:

- Scout Hall, 6 Market Street
- RSL Hall, 8 Market Street

Other buildings/places may come to light after the gradings in HO22 and HO23 have been confirmed and the additional area surveyed (refer below).

We note that following the detailed historical and comparative investigation of the Scout Hall and RSL, it may be determined that the places do not meet the threshold for an individually significant place and that inclusion in the HO is not warranted. The investigation, however, will need to be undertaken to make this determination.

##### **HO precincts**

The survey conducted during Stage 1 did not identify any further distinct heritage precincts within the structure plan area. The survey did, however, identify that the boundaries of HO22 could be expanded to include some additional commercial/retail buildings along Melbourne Road and that boundaries of the existing discontinuous HO23 could be expanded to incorporate additional residential properties in the surrounding area.

As indicated above, the boundary of HO22 could be expanded to include the shops at 429-431 and 441-443 Melbourne Road.

With regard to HO23, it is recommended that further investigation be undertaken to the areas indicated on the maps, including:

- Dwellings along the north side of Newcastle Street (west of the Schutt Street portion of HO23);
- Dwellings on the south side of Mason Street (to the east and west of the Agg/Speight Street portion of HO23)

- Both streetscapes in Ford Street, east of Jack Street, including associated sections of Mirils Street
- Both streetscapes in Anderson Street, east of Jack Street, including associated sections of Mirils Street
- Buildings along the North side of Woods Street

These areas include similar built form to that found in Agg Street, in relatively intact rows of Victorian/Federation villas and interwar bungalows.

In the instance where the boundaries of the existing precinct are to be changed, the heritage citation would be updated to include reference to the contributory buildings, and to incorporate relevant additional historical and descriptive information.

The boundaries ... are indicative only at this stage and may change or be reduced following the further investigation undertaken during Stage 2. It is also noted that the review of the boundaries of HO23 may include a recommendation to remove the HO from the northern section of Schutt Street where more recent development has occurred.

#### **Investigation of broader area**

When surveying the structure plan area, it became apparent that there may be additional streetscapes beyond the designated structure plan boundary which warrant further investigation. These streetscapes were not surveyed in detail but appear to include residential built form of a similar date and style to those included in HO23.

Limited historical investigation has indicated that the area of Newport to the west of the railway line, south of Blackshaws Road, north of Market Street and east of Challis Street/Johnson Street had been largely developed by 1945. The structure plan area boundary is contained within this area. Accordingly, it is recommended that this broader area is surveyed and investigated further to identify whether there are intact streetscapes or groups of residential buildings which warrant inclusion in an expanded HO23 (beyond the bounds of the structure plan area). The investigation of the broader area would provide a more complete survey and assessment of the heritage values in the Newport area, rather than considering the structure plan area in isolation.

It is also recommended that if the boundaries of HO23 in the vicinity of Agg/Speight Street are to be adjusted, the gradings within the whole of the precinct should be confirmed (and errors or anomalies corrected) both inside and outside the structure plan boundary.

## **3.2 Stage 2: Preparation of heritage citations**

Stage 2 had initially comprised the preparation of heritage citations. As the Stage 1 survey did not identify any further distinct heritage precincts within the structure plan area, Council instead agreed that an additional stage of research and assessment of the expanded Study area would be undertaken. This was completed prior to the preparation of citations.

The additional physical investigation commenced with a high-level survey of the expanded Study area with streetscapes of potential heritage significance identified. A further survey of these areas/streetscapes was then undertaken on foot to more precisely assess their potential contribution to the existing heritage overlay areas. To assist in this determination, individual buildings were assessed as being either 'significant', 'contributory' or 'non-contributory'.

### **3.2.1 Gradings for buildings to be added to existing HOs**

The assignment of new building gradings presented some challenges as 'significant', 'contributory' and 'non-contributory' heritage places are not defined in Council's planning scheme.

Nonetheless, the two subject heritage precincts (HO22 and HO23) were originally identified in the Altona, Laverton & Newport Districts Heritage Study Stage 2 (Graeme Butler & Associates, 2000). The Study provided the following basis for the gradings of 'contributory' buildings within heritage precincts.

Contributory elements are generally those which derive from the (relevant) construction period.

The Study also provided lists of contributory buildings.

On these bases, it was possible to grade buildings in a manner that achieved consistency with those identified as 'contributory'

under the existing heritage overlays. In addition to the construction period, attention was paid to style, character, intactness and integrity of individual buildings to ensure a broad congruence between those buildings identified in the Altona, Laverton & Newport Districts Heritage Study and those that would be added to the two precincts.

### 3.2.2 Multiple heritage overlays over a single site

It is noted that Council's documentation includes buildings within both precincts that are also included under individual heritage overlays. That is, some buildings are identified under two separate heritage overlays. Planning Practice Note 1, Applying the Heritage Overlay notes:

The provisions applying to individual buildings and structures are the same as the provisions applying to areas, so there is no need to separately schedule and map a significant building, feature or property located within a significant area. The only instance where an individual property within a significant area should be scheduled and mapped is where it is proposed that a different requirement should apply. For example, external painting controls may be justified for an individual building of significance but not over the heritage precinct surrounding the building ...

On this basis, Departmental policy requires that each building is listed under a single heritage overlay.

Multiple heritage overlays over a single site are not uncommon within the City of Hobsons Bay and it is understood that Council intends to address this situation as part of a broad review of heritage precincts in the near term. Where this situation was encountered as part of the present study, no efforts have been made to reconcile this issue. Where they currently exist, multiple heritage overlays will continue to apply over some buildings within heritage precincts.

### 3.2.3 Citations

The project brief required the preparation of statements of significance and heritage citations for the places which warrant inclusion in the Heritage Overlay. The preparation of heritage citations involved:

- Historical research into the place and the preparation of a brief history. This research utilised primary sources such as Sands and MacDougall Directories, Council permits and approvals records (where available). MMBW and Property Service Plans, and online historic picture databases, where relevant as well as reference to secondary sources such as Hobsons Bay City Council, *Hobsons Bay Heritage Study Amended 2014 - Volume 3 – Heritage Precinct and Place Citations*.
- A physical description of the place, including identification of the important heritage characteristics and physical attributes of the place.
- A comparative analysis (comparing with similar places within the municipality and more broadly) to assist in understanding the relative significance of the place.
- An assessment against recognised heritage criteria, as included in the Practice Note: Applying the Heritage Overlay.
- The preparation of a statement of significance in the 'What? How? Why?' format.
- Recommendations for statutory heritage controls.

### Assessment

The assessment was undertaken using the recognised criteria included in the Victorian Planning Provisions (VPP) Practice Note 'Applying the Heritage Overlay',<sup>1</sup>:

- **Criterion A:** Importance to the course or pattern of our cultural or natural history (historical significance).
- **Criterion B:** Possession of uncommon, rare or endangered aspects of our cultural or natural history (rarity).
- **Criterion C:** Potential to yield information that will contribute to understanding our cultural or natural history (research potential).
- **Criterion D:** Importance in demonstrating the principal characteristics of a class of cultural or natural places or environments (representativeness).
- **Criterion E:** Importance in exhibiting particular aesthetic characteristics (aesthetic significance).

- **Criterion F:** Importance in demonstrating a high degree of creative or technical achievement at a particular period (technical significance).
- **Criterion G:** Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions (social significance).
- **Criterion H:** Special association with the life or works of a person, or group of persons, of importance in our history (associative significance).

For a place to be assessed as significant, it only needs to meet one of the above criteria.

Relevant considerations, which specifically informed the assessment against criteria, included:

- understanding the history of the place, and its associations;
- reviewing the physical qualities of the place including the intactness, integrity, architectural or aesthetic merit, and/or other built form qualities or distinctive attributes; and
- understanding the social significance or values of the place, and its importance to a community.

With respect to significance, it is noted that the criteria identified above, are widely accepted by heritage jurisdictions across Australia and are generally sufficient to allow for all new heritage assessment work. However, it is generally acknowledged that social significance is ‘different’ to other values. Social value relates to people and communities and their attachment to heritage places. Values such as historic, scientific and aesthetic significance are empirical and enduring, and mechanisms for their evaluation are well-established. By contrast, social value is more ‘dynamic’ and more likely to change over time. Social significance relies on concepts of ‘community’. These can be permanent or transient, connected by culture, gender or ethnicity and may be unbounded by a geographical area such as a Municipality. Indeed, communities can be ‘virtual’ with no direct association with a heritage place. As a consequence, social significance can resist straightforward assessment. It is best evaluated through direct contact with user groups.

No assessment of social significance appears to have been undertaken in previous assessments of HO23 and no assessment of social significance has been undertaken as part of the current review. While it appears unlikely that the streetscapes of HO23 would be of high social value to any particular group, this has not been established by direct engagement with stakeholders.

### Comparative analysis and ‘thresholding’ places

Comparative analysis was a key part of the assessment methodology. It assisted in identifying whether a place met the threshold for an individual Heritage Overlay control, or a group of places met the threshold for a precinct or serial listing. As per the VPP Practice Note:

To apply a threshold, some comparative analysis will be required to substantiate the significance of each place. The comparative analysis should draw on other similar places within the study area, including those previously included in a heritage register or overlay. Places identified to be of potential state significance should undergo analysis on a broader (statewide) comparative basis.

In undertaking the comparative analysis for this study, similar places were referred to in order to better understand how the place under review compared. Questions asked when comparing similar places included:

- Does the subject place have a more significant history or historical associations?
- Is the subject place more highly valued and regarded by a community?
- Is the subject place more intact?
- Is the subject place more architecturally or aesthetically distinguished?
- Is the subject place typical or does it stand out within the comparative group?

### Serial listings

Both heritage precincts comprise serial listings. These are heritage overlays which incorporate related but mostly non-contiguous (or geographically separate) heritage places which typically share strong historical connection, a unifying historical theme and level

of heritage significance, and are recommended to share the same Heritage Overlay number. The single statement of significance included in the serial listing citation applies to all places included in the listing.

This approach is also supported by the VPP Practice Note which states the following regarding ‘group, thematic and *serial listings*’ (italics added):

Places that share a common history and/or significance, but which do not adjoin each other or form a geographical grouping may be considered for treatment as a single heritage place. Each place that forms part of the group might share a common statement of significance; a single entry in the Heritage Overlay Schedule and a single Heritage Overlay number.<sup>2</sup>

The serial listings identified in this study comprise:

- HO22 Newport Civic and Commercial Heritage Precinct
- HO23 Newport Estate Residential Heritage Precinct

#### Statements of significance

Revised statements of significance were prepared for two heritage precincts, namely:

- HO22 Newport Civic and Commercial Heritage Precinct
- HO23 Newport Estate Residential Heritage Precinct

The statements of significance for these precincts include historical and descriptive information, and a statement in the ‘What? How? Why?’ format.

The buildings which are identified as contributing to the significance of the precinct are listed in the statement of significance. This approach is consistent with existing citations for heritage precincts in the City of Hobsons Bay.

## 4.0 Peer Review

A peer review of the *Inner Newport Heritage Gap Study* was undertaken by RBA Architects and Conservation Consultants in January 2021. The Peer Review generally supported the findings of the Study, and while there were a few corrections identified and some divergence of opinion on specific matters, the additional historical and descriptive material, and the new statements of significance for each of the precincts, together with the overall methodology, were not challenged.

In summary, the Peer Review recommended the clarification/adjustment of two building gradings in HO22 Newport Civic and Commercial Precinct and, in relation to HO23 Newport Estate Residential Heritage Precinct, it was recommended that the boundaries of three of the five sub-precincts should be altered. In total around 40 additional buildings were recommended for inclusion in HO23 (across the three sub-precincts). The Peer Review also identified a small number of typographical and other minor errors. With the exception of a very small number of errors, all of the matters raised in the Peer Review had been considered in the preparation of the Study.

As an outcome of the Peer Review, the following table provides a summary of the matters considered and the associated response and conclusion provided to Council by Lovell Chen. The citations for HO22 and HO23 were updated accordingly, and a new precinct citation for the Mason Street Ecclesiastical and Residential Precinct was prepared in accord with the methodology outlined in Section 3.2 above.



**CONSIDERATION**

**HO22**

The gradings for the buildings at 17 Hall Street and the later additions to the RSL Hall should be re-examined with a view to changing their gradings from ‘non-contributory’ to ‘contributory’.

A more precise description of the period of significance.

**CONCLUSION**

*17 Hall Street*

The 1945, 1951 and 1984 aerial photographs indicate that the roof form of the building has remained consistent and appears to be similar to the buildings to the north, indicating that the building at 17 Hall Street is likely to have formed part of a row of earlier commercial buildings. The 1984 aerial photograph indicates shadowing to the roof, which is not consistent with the adjacent buildings to the north, indicating a taller parapet to the building at 17 Hall Street. On the basis of this analysis, it is likely that the existing façade and parapet was added to an earlier building, retaining the roof form of the earlier structure, in the post-war period.

The existing facade presents as a c. 1960s building which falls outside of the identified period of significance for the precinct. Consequently, the existing non-contributory grading was upheld.

*RSL Hall*

The statement of significance identifies the RSL building in Market Street as being contributory to HO22. There is no reference to the component parts of the RSL building in the statement of significance and the original structure (as relocated from Tatura) is mentioned in the history section. It is not considered that a detailed description of the building and its later alterations is warranted in the context of the precinct citation.

It is considered that the identification of the RSL as a contributory building is sufficient.

*Period of significance*

The citation was amended to include a more specific description of the period of significance.



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### HO23 AGG STREET SUB-PRECINCT

The Peer Review recommended an eastwards extension of the Speight Street sub-precinct to include additional buildings in Speight, Mason and Mirils Streets. It further recommended a southward extension to include 8 additional buildings in Mirils Street.

Corrections including:

- Identification of 32 Ford Street as non-contributory as it is a recent building
- Removal of 37 Mirils Street from the precinct as the property has been redeveloped to include four modern units

#### *Extension of the precinct*

The area proposed as an extension to the Agg Street sub-precinct would incorporate a group of streetscape fragments, including: buildings close to the intersection of Mirils and Speight streets which are diminished by the presence of non-contributory elements including buildings to the rear of the Church; buildings at the northern end of Mirils Street that are somewhat removed from the precinct (particularly given the removal of 37 Mirils Street from the sub-precinct, refer below); and in Mason Street that form part of a separate and unrelated streetscape.

These streetscapes were considered in some detail as part of the Study which concluded that the development was intermittent with the non-contributory buildings fragmenting and diminishing their significance.

However, an alternative approach was considered whereby some of these fragmented streetscapes are included in the HO. This alternative approach would comprise:

- Inclusion of 18-36 and 19-33 Speight Street in the Agg Street sub-precinct. It is noted that this approach would retain nos 60, 62 and 64 Jack Street within the precinct, which had been recommended for removal from the HO as part of the Study.
- Creation of an Ecclesiastical and Residential Precinct along the south side of Mason Street, taking in 53-63 and 67-71 Mason Street.
- Inclusion of properties at 3-19 Mirils Street in the Agg Street sub-precinct of HO23.

#### *Corrections*

The property at 32 Ford Street was graded contributory in error, and it was agreed that the building should be identified as non-contributory.

It is confirmed that the recent construction of units to the northern portion of 37 Mirils Street has modified the property, and the removal of the property from the heritage precinct was supported.

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### HO23 SCHUTT STREET SUB-PRECINCT

The building at 5 Steele Street is a modern school building which forms part of the adjacent Sacred Heart school site (HO231) but was included in HO23. The Peer Review recommended the relocation of the property from HO23 into HO231.

As a recent building, which makes no contribution to either HO23 or HO231, the original recommendation of the Study to remove the property from the Heritage Overlay (HO23) is upheld.

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**HO23 OXFORD STREET SUB-PRECINCT**

The Peer Review recommended including 47 and 49 Oxford Street in the Oxford Street sub-precinct as contributory buildings.

The inclusion of 47 and 49 Oxford Street in the sub-precinct would require the inclusion of two non-contributory buildings at 43 (a modern two-storey dwelling) and 45 (two-storey c.1960s flats) immediately to their south.

After some consideration, it was concluded that the dwellings at 47 and 49 are isolated from the intact streetscape to the south by the later buildings and accordingly their contribution to the streetscape is more limited. The inclusion of the non-contributory buildings (43 and 45 Oxford Street) in the HO area would also diminish the character of the HO area. Accordingly, the originally proposed extent of the sub-precinct was maintained.

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**HO23 CORRECTIONS**

A mapping inconsistency relating to a property on the Corner of Challis and Ford streets and the incorrect numbering of the Oxford Street sub-precinct

The corrections to the citation and the mapping were undertaken.

A more precise description of the period of significance was provided.

A more precise description of the period of significance.

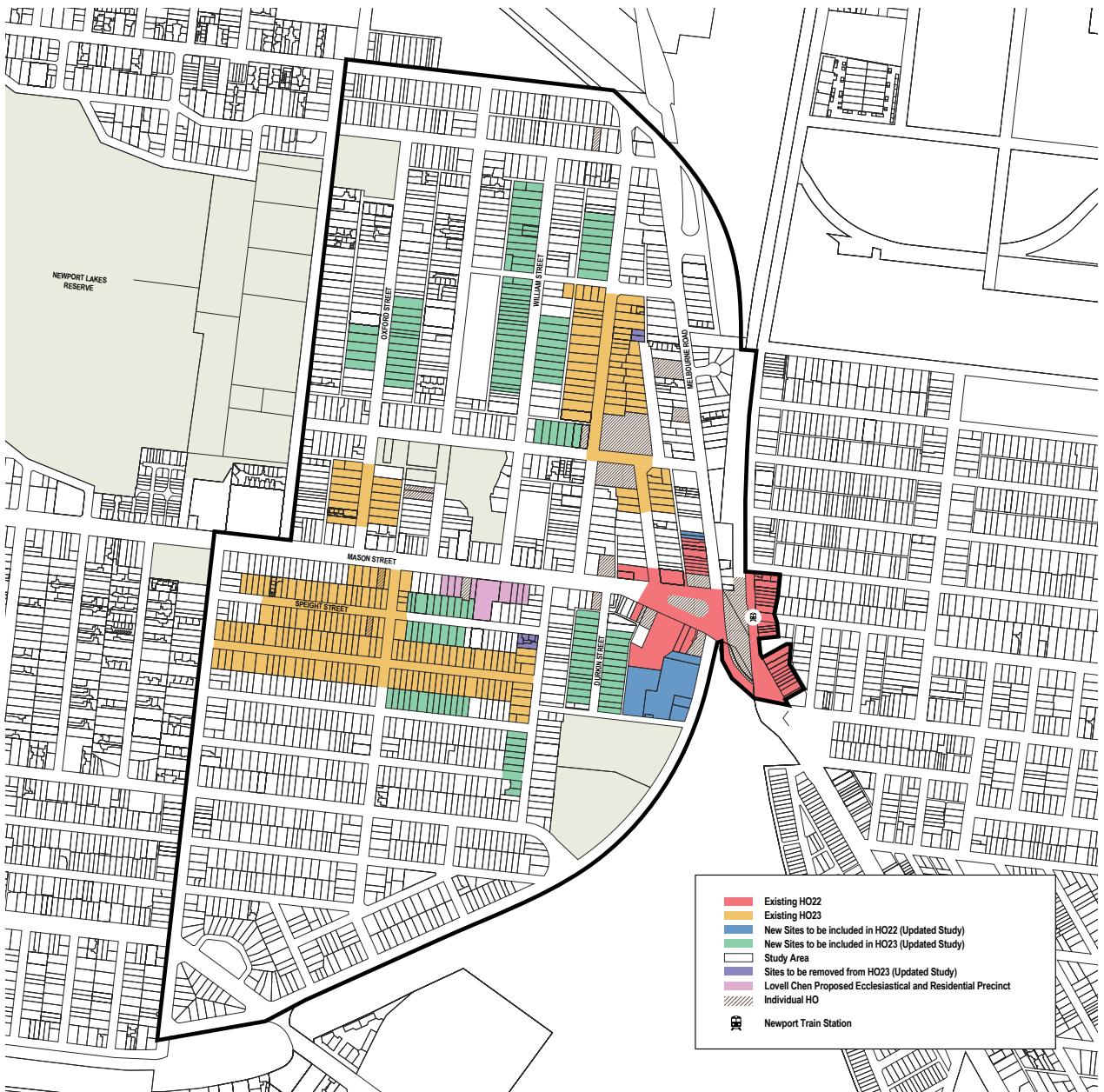
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## 5.0 Summary of recommendations

The boundaries of the existing precincts (HO22 and HO23) were reviewed and revisions to both were recommended. Generally, boundaries were arranged to 'capture' coherent and legible groups of intact buildings from key periods of development of the area. A summary of the revisions is provided in the sections below.

In addition to the revision of the two existing heritage precincts, a new heritage citation was prepared for the Mason Street Ecclesiastical and Residential Heritage Precinct which includes the residential buildings on the south side of Mason Street to either side of the Christ Church complex (encompassing 55-63 and 67-71 Mason Street). This would result in the incorporation of the existing Christ Church complex within the new heritage precinct, requiring the deletion of the existing HO182.

Figure3. Summary of recommendations  
 Source : City of Hobsons Bay



## 5.1 HO22 Newport Civic and Commercial Heritage Precinct

Detailed assessment of the precinct identified the contribution made by the reserves and halls to the south of Mason Street, notably the RSL Hall at 24-28 Market Street, Newport, and the adjacent Scout Hall at 6 Market Street, Newport. As noted in the citation:

The Second Newport Boy Scouts procured permissive occupancy of a site on Market Street from 1933.<sup>3</sup> A hall for the scouts at 6 Market Street was built in 1936-9.<sup>4</sup> It survives but has since been altered through the construction of a portico to the street and enlargement of a rear service wing.

The Newport RSL branch was founded in 1945<sup>5</sup> but, because they had no building of their own, held their regular meetings at the Second Newport Boy Scouts Hall of 1936-9. This situation continued until the local Council granted them the site next door for a nominal yearly fee in c. 1946.<sup>6</sup> Later, a formal arrangement was made between the RSL branch and the government for the leasing of the site. By late 1949, a large farm shed had been relocated from Tatura to form the core of the RSL clubrooms.<sup>7</sup> The Newport RSL clubrooms were opened in November that year.<sup>8</sup>

The two buildings were found to contribute to the historical and presumed social significance of Newport Civic and Commercial Heritage Precinct (HO22), rather than meeting the threshold for individual inclusion in the HO. Both buildings had been altered considerably over time which had changed their original presentation. In the case of the RSL, the original building had been relocated to its present site. Given that the alterations had changed the presentation of the buildings, it was determined that their historical and presumed social significance would more appropriately be recognised through inclusion in the Civic and Commercial Heritage Precinct (HO22) which already includes similar public uses. It is noted that the Newport Bowling Club was also reviewed in the context of the reserve, and none of the existing building fabric was found to contribute to the identified significance of the precinct.

Further to this, the Paine Reserve was gazetted in 1912. It included the future sites of The Whitwam Reserve, Bowls Club, RSL and Scout Halls. The declaration of the Reserve is an important moment in the development of Newport. Consequently, it is an area of historical (and possibly social) significance which retains some significant fabric. In 1945, tennis courts were present on the Whitwam Reserve, but these have since been removed with the area redeveloped as a car park. While it retains no early fabric, Whitwam Reserve is nonetheless valued as part of the original area gazetted in 1912. The Whitwam Reserve is to be included in HO22 for its contribution to the historical significance of the precinct and its association (through name only) with John Whitwam.

In addition, a long group of shops at 407-427 Melbourne Road had previously been included in the Newport Civic and Commercial Heritage Precinct (HO22). Detailed inspection identified a c. 1920s pair of shops at nos. 429-31 Melbourne Road which appear to have been omitted from the existing heritage overlay area in error. They are comparable in terms of their construction date, intactness and integrity to those immediately to the south and make a contribution to the retail strip as currently identified.

Accordingly, the boundary of HO22 has been revised to include the Paine and Whitwam reserves to the south of Mason Street including the Newport Bowling Club, the 2<sup>nd</sup> Newport Scout Hall and the Newport RSL and has been extended along Melbourne Road to include nos. 429-31 Melbourne Road. A number of minor addressing anomalies have also been corrected.

The addresses of buildings within the existing and proposed extents of HO22 (contributory and non-contributory) are listed below. Where anomalies between Council's mapping and addressing have been identified, Council's mapping has been given preference.

PRECINCT	PROPOSED CHANGES
HO22	<p><u>Currently mapped</u></p> <ul style="list-style-type: none"> <li>Hall Street, 1-46</li> <li>Mason Street, 1-26</li> <li>Melbourne Road, 405-427</li> <li>Elphin Street, 93-5</li> <li>Newport War memorial, median Mason Street</li> <li>Newport Railway Station &amp; trees</li> <li>Newport Railway sub-station</li> <li>Bluestone kerb, channelling and laneways</li> </ul> <p><u>Add</u></p> <ul style="list-style-type: none"> <li>The Paine and Whitwam Reserves</li> <li>Market Street, 4 Newport Bowls Club</li> <li>Market Street, 6, Second Newport Scout Hall</li> <li>Market Street, 24-28 RSL Hall</li> <li>Melbourne Road, 429-431</li> </ul>

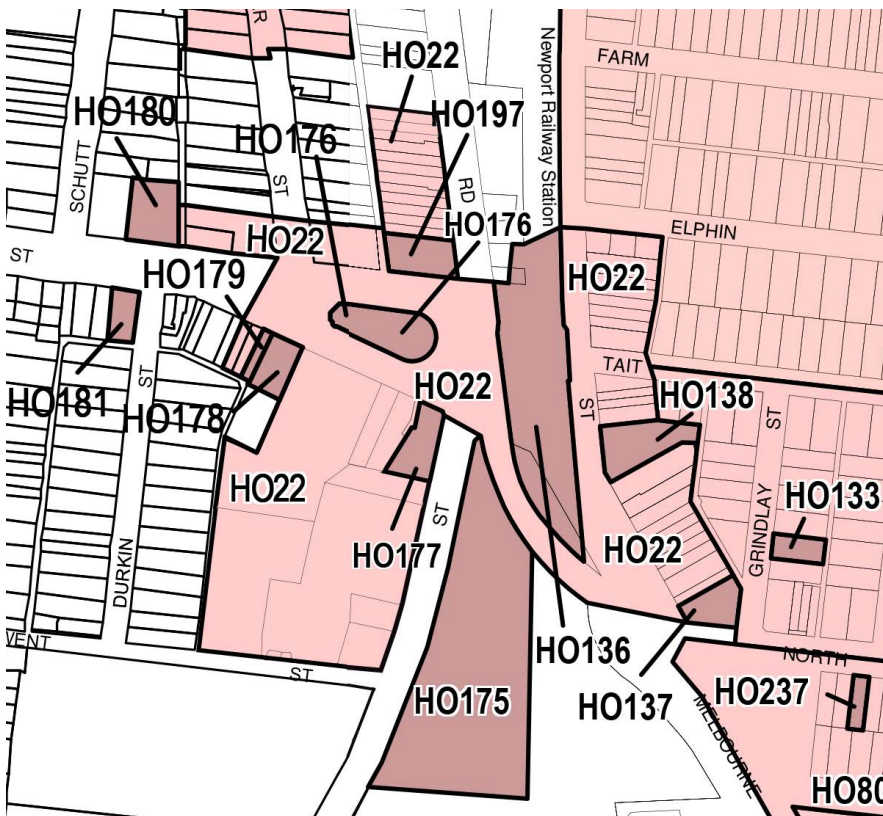


Figure4. Detail of Map Nos. 10HO & 11HO with the proposed extent of HO22 indicated  
 Source: Hobson Bay Planning Scheme

## 5.2 HO23 Newport Estate Residential Heritage Precinct

HO23 currently comprises three discontinuous sub-precincts centred on Schutt, Agg and Oxford streets, respectively. Minor revisions to the boundaries of each of these precincts were recommended. Through fieldwork and further investigation, the heritage study found additional streetscapes of a similar age, intactness and architectural character to those previously included in HO23. These areas are centred on William Street, Durkin Street and a disconnected section of Oxford Street to the north of the existing sub-precinct. The following changes were recommended.

PRECINCT	PROPOSED CHANGES
Schutt Street sub-precinct - part HO23	<p><u>Currently mapped</u></p> <p>Schutt Street, 29-57 and 30-56</p> <p>Steele Street, 5-29</p> <p>Walker Street, 19-23 and 24-32</p> <p>Newcastle Street, 1-9 and 20-24</p> <p>Ross Street, 5-13</p> <p><u>Add</u></p> <p>Schutt Street, 59-73</p> <p>Newcastle Street, 26-40</p> <p><u>Remove</u></p> <p>Steele Street, 5, 27 and 29</p>
Agg Street sub-precinct - part HO23	<p><u>Currently mapped</u></p> <p>Agg Street, 2A-88 and 1-91</p> <p>Mason Street, 81-93</p> <p>Speight Street 35-75 and 36-82</p> <p>Mirls Street, 21-37</p> <p>Jack Street, 60-64</p> <p><u>Add</u></p> <p>Ford Street, 14-40</p> <p>Mirls Street, 3-19</p> <p>Speight Street, 19-33 and 18-36</p> <p><u>Remove</u></p> <p>Mirls Street, 37</p>
Oxford Street sub-precinct (South) - part HO23	<p><u>Currently mapped</u></p> <p>Oxford Street, 4-14 and 1-15</p> <p>Cunningham Lane, 3</p>
Oxford Street sub-precinct (North) - part HO23	<p><u>Proposed new sub-precinct</u></p> <p>Oxford Street, 34-56 and 33-41</p>

William Street sub-precinct - part HO23

Proposed new sub-precinct

William Street, 35-99 and 40-54

Kohry Lane, 15

Ross Street, 10 and 21

Durkin Street sub-precinct - part HO23

Proposed new sub-precinct

Durkin Street 3-29 and 2-24

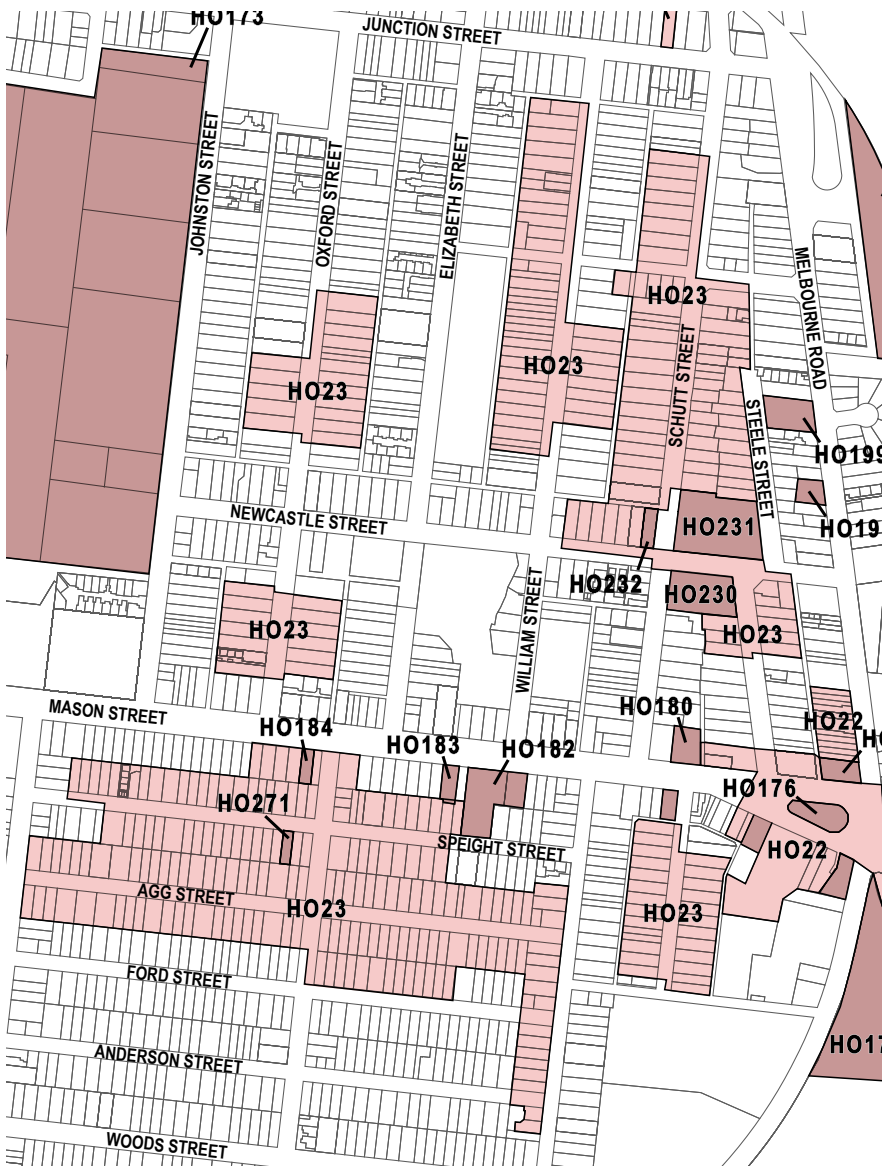


Figure5. Detail of Map Nos. 4HO, 5HO, 10HO & 11HO with the amended and proposed extent of HO23 indicated

Source: Hobson Bay Planning Scheme

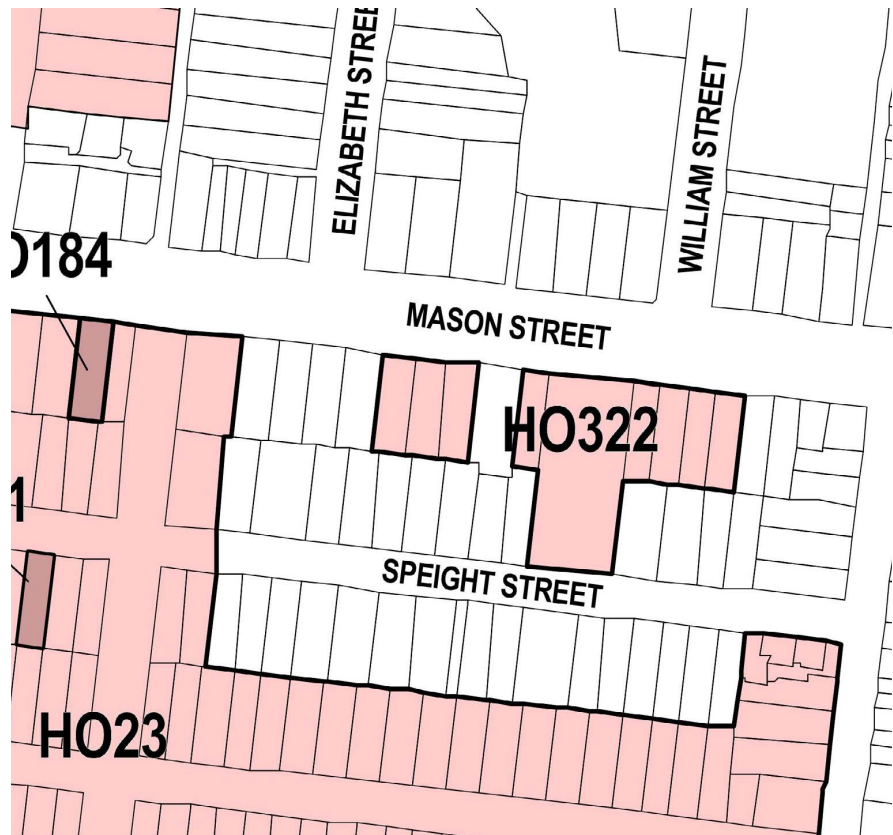


### 5.3 HO322 Mason Street Ecclesiastical and Residential Heritage Precinct

The proposed Mason Street Ecclesiastical and Residential Heritage Precinct (HO322) would comprise buildings at 53-63 and 67-71 Mason Street on the south side of Mason Street including the Christ Church complex and dwellings to its east and west. The precinct would result in the deletion of the existing HO182 from the Christ Church Complex at 59-61 Mason Street, and identify these places as significant within the precinct instead.

PRECINCT	PROPOSED CHANGES
Mason Street Ecclesiastical and Residential Heritage Precinct HO322 (New HO precinct)	<p><u>Currently mapped</u></p> <p>The precinct is not currently mapped.</p>
	<p><u>Remove</u></p> <p>Existing HO182 which applies to the Christ Church Complex and incorporate this place within the new heritage precinct</p>
	<p><u>Add</u></p> <p>Mason Street, 53-63 and 67-71</p>

Figure 6 Map with HO322 Mason Street Ecclesiastical and Residential Precinct indicated  
Source: Hobson Bay Planning Scheme





## 5.4 Planning scheme amendment

Following adoption of the citations, it is recommended that a Planning Scheme Amendment be prepared to adjust the mapped boundaries of the following heritage precincts:

- HO22 Newport Civic and Commercial Heritage Precinct
- HO23 Newport Estate Residential Heritage Precinct

The additional heritage precinct, HO322 Mason Street Ecclesiastical and Residential Heritage Precinct, would also be added to the Heritage Overlay map and the existing HO182 would be deleted as the place is to be incorporated within the proposed HO322.

The Planning Scheme Amendment would also include revisions to the Schedule to the Heritage Overlay, including the addition of the Mason Street Ecclesiastical and Residential Heritage Precinct, and would incorporate the statements of significance for each of the heritage precincts.



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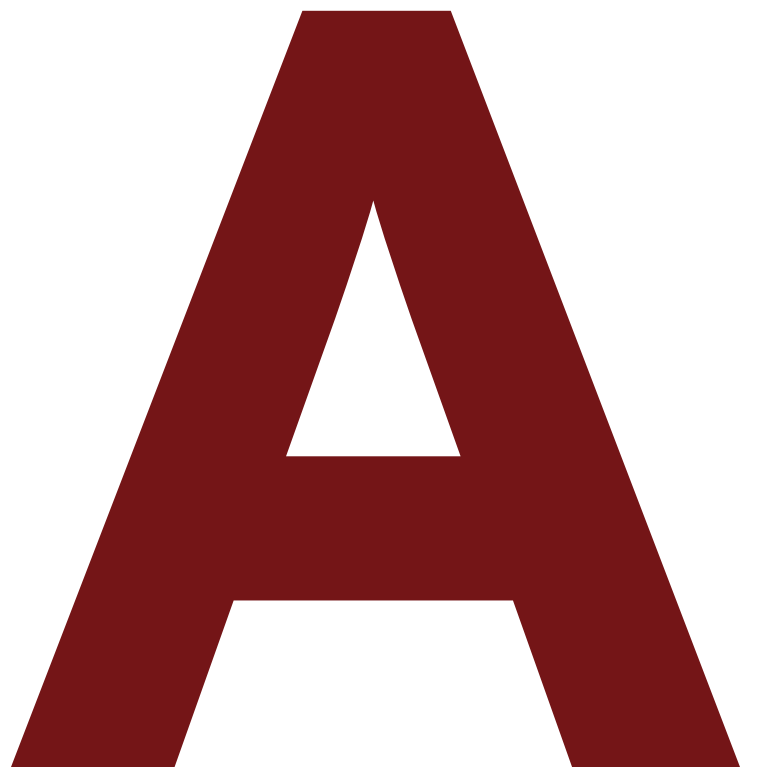
**ENDNOTES**

1. Victorian Planning Provisions, Practice Note 1, 'Applying the Heritage Overlay', August 2018, p. 2.
2. Victorian Planning Provisions, Practice Note 1, 'Applying the Heritage Overlay', August 2018, p. 2.
3. Williamstown Chronicle, 15 April 1933, p. 3
4. VPRS 7882/P/0001, unit 1011, Public Records Office Victoria
5. The RSL has had several name changes since its formation in 1916. Initially, it was called the Returned Sailors and Solders Imperial League of Australia (RSSILA). During WWII it became the Returned Sailors Soldiers and Airman's Imperial League of Australia (RSSAILA), the Returned Services League of Australia (RSLA) in 1965 and today's Returned and Services League of Australia (RSL) in 1990. For ease of reading, the term 'RSL' will be used throughout this report.
6. Williamstown Chronicle, 4 October 1946, p. 7
7. Williamstown Chronicle, 4 October 1946, p. 7
8. Personal comment, Ian Nicholls, Secretary Newport RSL Club
9. Williamstown Chronicle, 18 November 1949, p. 1

# **ATTACHMENT A**

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**HO22 NEWPORT CIVIC AND COMMERCIAL  
HERITAGE PRECINCT**



## HERITAGE OVERLAY

# H022

## NEWPORT CIVIC AND COMMERCIAL PRECINCT

### HERITAGE CITATION



## INTRODUCTION

The subject precinct lies to the east and west of the Newport Railway Station. It includes a shopping strip on Hall Street to the east of the railway line and a group of retail and civic buildings and reserves around the eastern end of Mason Street to the west of the station. These areas are physically separated by the railway; however, a subway provides a pedestrian connection across the railway.

## HISTORY

### Development to 1880

H022 is located in the Parish of Cut Paw Paw (Figure 1) on a number of Crown allotments, including lots 12 and 13 east of the railway line and allotments 20 and 28 to its west.<sup>1</sup> The precinct's development was linked to the railway and early development, particularly of commercial premises, centred around the railway station. In 1857, the private Geelong and Melbourne Railway Company commenced operating the Melbourne to Geelong railway line which terminated at Newport (later known as Greenwich, Geelong Junction or Williamstown Junction). A few months later the railway station connected to the Williamstown line - a busy port and maritime area. By 1860, it ran to Spencer Street, creating a link to Melbourne. The line was for transportation of industrial goods and did not serve passengers.<sup>2</sup>

In 1884, the development of the Newport railway workshops in Champion Road (VHR H1000) strengthened Newport's relationship with rail. In the 1880s, the workshops alone employed 451 men. Carriages and wagons were fabricated and repaired at the workshop and, after 1905, so were engines. The workshops further encouraged residential and commercial development to service the growing workforce.<sup>3</sup>

Sections of the precinct immediately to the north of Mason Street are situated in allotment 20 which had been purchased by land speculator James Steele, in the early 1850s. By 1853, Steele had subdivided the land into approximately 300 residential allotments which varied from a quarter to half an acre in size. He called this subdivision South Newport Estate. The Cox Plan of 1864 (Figure 2) shows some scattered development on Steele's land; however, uptake of the properties was slow, and allotments were still being sold in the 1880s.<sup>4</sup>

The early development of Crown allotment 28, south of present-day Mason Street, differed to that in lot 20. While a scattering of houses appeared north of Mason Street, there was no such development on the south side. A plan of 1864 (Figure 2) shows the area had yet to be subdivided or developed. This may have been due to the fact that area was used for quarrying purposes as illustrated at Figure 3, with a pit located near the corner of Derwent and Market streets. Another area reserved for a quarry was allotment 37 (Figure 4), which has since become the Bryan Martyn Oval fronting Market, Woods and Derwent streets.

To the east of the railway line, Crown allotments 12 and 13 had been sold to G W Cole and William Hall respectively. The plan at Figure 2 also shows portions of land near the railway line had been subdivided and some structures built by the mid-1860s.

**HERITAGE OVERLAY H022**  
**NEWPORT CIVIC AND COMMERCIAL PRECINCT HERITAGE CITATION**



Figure 1 [Detail] 1865 Parish Plan of Cut Paw Paw with Crown allotments 12, 13 and 20 indicated  
 Source Vale Collection, State Library of Victoria



Figure 2 [Detail] Development of Newport near Geelong Junction, 1864; the approximate extent of Steele's land to the north of present-day Mason Street and west of Melbourne Road is indicated  
 Source Henry L Cox, Plan of Hobson Bay and River Yarra Leading to Melbourne, State Library of Victoria



**HERITAGE OVERLAY HO22**  
**NEWPORT CIVIC AND COMMERCIAL PRECINCT HERITAGE CITATION**

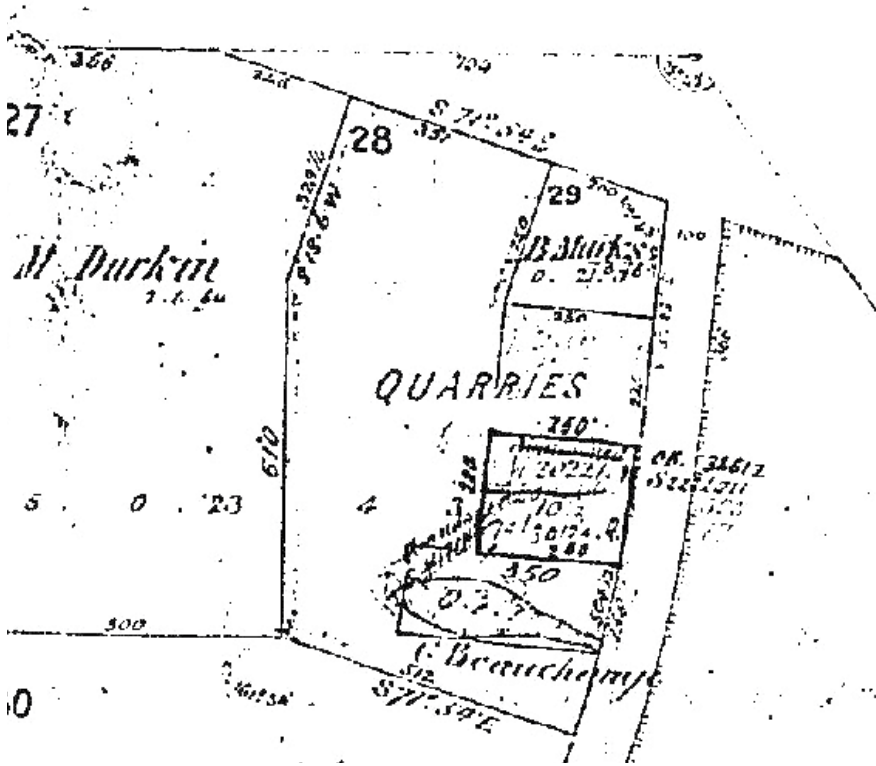


Figure 3 [Detail] Crown allotment 28 was largely used for quarrying purposes, c. 1860s

Source Cut Paw Paw, C348, Putaway Plan, Central Plan Office, Landata

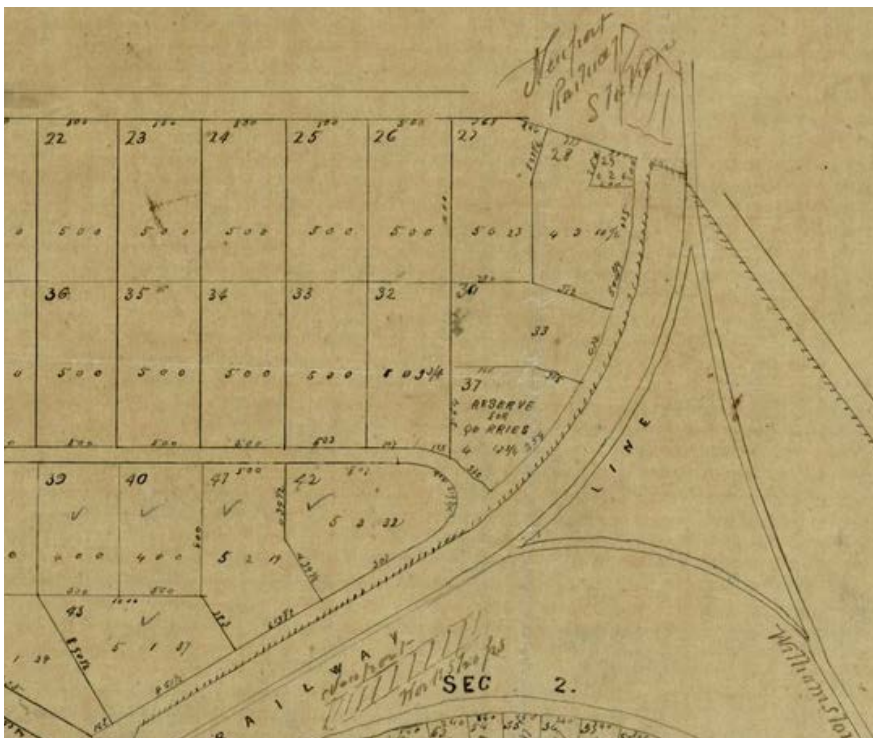


Figure 4 [Detail] Special lands near the junction of Geelong and Williamstown railways, County of Bourke, c.1860s-80s, shows subdivision to the south of Mason Street

Source Vale Collection, State Library of Victoria



**HERITAGE OVERLAY HO22  
NEWPORT CIVIC AND COMMERCIAL PRECINCT HERITAGE CITATION**



**Suburban development - 1880 to 1910s**

Significant development in the subject precinct did not occur until the late nineteenth century when widespread speculative subdivisions throughout Newport occurred. This included Grindlay's Estate (HO10), Halls Farm Estate (HO11) and the Newport Estate (HO23). This coincided with the construction of the first major commercial buildings. The Newport Commercial Bank of Australasia (later the Newport Post Office, HO137) was constructed to the east of the railway line at 1 Hall Street in 1885. It was designed by Peter Matthews.<sup>5</sup> Two years later, the imposing, three-storey Newport Hotel (HO177) was built on the western side of Melbourne Road at 1 Mason Street. The forty-room building was designed by the distinguished Melbourne hotel architect, William Woolf, for Charles Clark.<sup>6</sup> In 1890, a double-storey shop and residence (HO179) at 15-17 Mason Street was constructed to design by C J Polain and were among the first commercial premises in the area.<sup>7</sup> In 1891, the former Newport Coffee Palace (HO232) was built at 24 Newcastle Street as a temperance movement alternative to socialising in hotels.

Land to the south of Mason Street had been largely subdivided by the 1890s into small residential lots, with the exception of the land fronting Market Street. A map of 1893 indicated that part of Crown allotment 28 continued to operate as a quarry.<sup>8</sup> In fact, the only structures in the area bounded by present-day Market, Mason, Durkin and Woods streets in the 1880s were two buildings, owned by Michael Durkin (Figure 5). These were located at the junction of present-day Market and Mason streets and have since been demolished. Durkin was a prominent local landholder and dairyman who was involved in Newport's burgeoning civic life, including in the campaign to secure a site for a Mechanics' Institute in the 1880s.<sup>9</sup>

Development along Mason Street itself was slow. In 1890, the Sands and McDougall street directory listing for the south side of Mason Street, from Market to Durkin streets, had three entries, the hotel (HO177) and two shops, one of which was 15-17 Mason Street (HO179). In 1910, the listing had been reduced to two businesses. In 1890, the directory for the northern side of Mason Street listed one entry between Melbourne Road and William Street: a butcher's shop. By 1910, two residences and a council metal reserve had been established on the northern side of the street.<sup>10</sup> The MMBW plan of 1905 (Figure 5) shows Melbourne Road to the north of Mason Street as more or less undeveloped. The slow development around Mason Street was probably a result of the 1890s recession which saw a reduction of people residing in the Williamstown municipality - a situation that did not recover until the late 1910s.<sup>11</sup>

In 1912, much of Crown allotment 28 was reserved for a park and garden as illustrated at Figure 6, although the former quarry continued to occupy much of the reserve's southern area.

Fragmentary development around Mason Street contrasts with that to the east of the railway station through the 1900s and 1910s. By 1905, around a dozen residences had been constructed along Hall Street. Its current retail character had yet to be established.

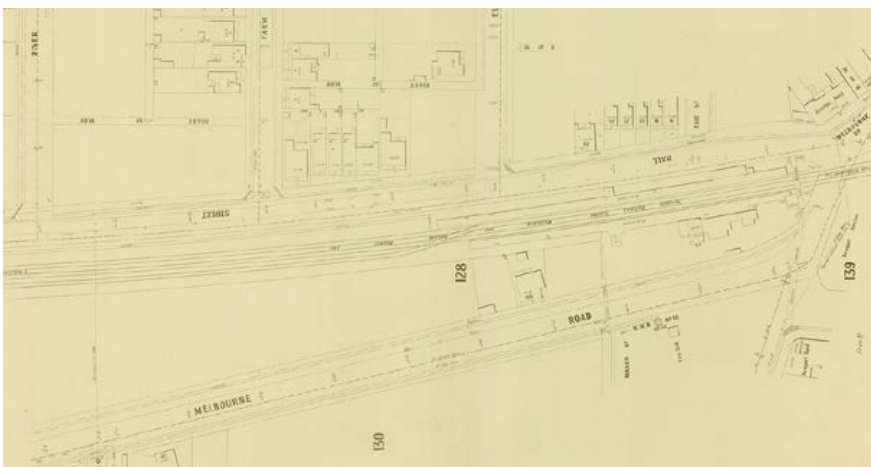


Figure 5 [Detail] Melbourne and Metropolitan Board of Works, Detail plan, 81 and a portion of 128, Town of Williamstown, 1905  
Source State Library of Victoria



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**HERITAGE OVERLAY HO22**  
**NEWPORT CIVIC AND COMMERCIAL PRECINCT HERITAGE CITATION**



**Later development**

The Newport Railway Station Complex (HO136) opened in 1912 and the former Victorian Railways Type A Electricity Substation (HO175) at 1 Market Street was constructed in 1915-6 to designs by the Victorian Railways Department and the engineering firm, Merz and MacLellan. It provided power to the newly electrified rail network. Both developments stimulated local development, the number of buildings in the eastern sections of Mason Street doubling between 1910 and 1920.

By 1930, there were 18 properties on Hall Street between Melbourne Road and Elphin Street, 14 of which were business premises or combined residences and commercial premises and four homes. In many cases, development took the form of shops constructed in the front garden setbacks of residences constructed in earlier decades. The Varley buildings at 3-7 Hall Street were redeveloped in 1921 and the Junction Hotel was erected in 1924-5 (HO138). These buildings generally survive and form a single and double-storey retail streetscape extending from North to Elphin streets.

At the same time, there was also rapid development along Mason Street of commercial, residential and ecclesiastical buildings. The imposing Masonic Temple (HO197) at 405 Melbourne Road was designed by Joseph Plottel in the neo-Grecian style and constructed by JH Whitham in 1924-5.<sup>12</sup> The Newport Baptist Church Complex (HO180) was constructed in 1913.<sup>13</sup> The Christ Church complex's manse in 1914. The Newport War Memorial was constructed in c. 1920 (HO176) and the Mechanics' Institute in 1933-5 (HO178). Again, all of these structures survive.



Figure 6 [Detail] Melbourne and Metropolitan Board of Works, plan no. 10, c.1925, showing the sparse development in Mason Street to the west of the railway line compared to the tighter development Hall Street to the east

Source State Library of Victoria



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**HERITAGE OVERLAY HO22**  
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The park and garden reserve to the south of Mason Street was developed through the interwar period to service the growing local community. Most of the individual sites to the south and west of the hotel were either provided for use by community groups or maintained by local government for the general public.

Paine Reserve which fronts Mason Street was reserved under the 1928 *Lands Act*. The 1930 Sands and McDougall Directories simply listed it as 'recreation reserve'.<sup>14</sup> G A Paine was a prominent local resident and businessman who established a stone-crushing business on his property near the corner of Paine Street and Melbourne Road, and was a local councillor and mayor (twice) in the 1920s and 1930s.<sup>15</sup> By 1945, paths within the reserve had been laid out and the reserve was planted with grass and shrubs (Figure 7). At that time, the reserve was flanked by the hotel and its vacant yard to the east and the Mechanics' Institute and its large undeveloped yard to the west. A maternal health care centre was established at the rear of the reserve in a small stand-alone building. By 1951, the reserve had changed very little, save for the removal of the hotel's yard fence (Figure 8). Regulations for the care, protection and management of Paine Reserve were gazetted at that time and it was formally reserved as a site for a maternal baby health centre, children's playground and gardens.

The Newport Bowling Club was established in 1925 and, in that year, the *Williamstown Chronicle* announced that the 'ten rink bowling green laid by the council at Newport is rapidly approaching completion'.<sup>16</sup> In 1951, the bowling club was located within Whitwam Reserve which neighboured Paine Reserve and included tennis courts and a tennis pavilion (Figure 8).<sup>17</sup> John Whitwam was a Williamstown municipal councillor in the 1910s and 1920s.<sup>18</sup> Whitwam Reserve and tennis facilities, however, had been removed by 1984 and the land redeveloped.

The Second Newport Boy Scouts procured permissive occupancy of a site on Market Street from 1933.<sup>19</sup> A hall for the scouts at 6 Market Street was built in 1936-9.<sup>20</sup> It survives but has since been altered through the construction of a portico to the street and enlargement of a rear service wing.

The Newport RSL branch was founded in 1945<sup>21</sup> but, because they had no building of their own, held their regular meetings at the Second Newport Boy Scouts Hall of 1936-9. This situation continued until the local Council granted them the site next door for a nominal yearly fee in c. 1946.<sup>22</sup> Later, a formal arrangement was made between the RSL branch and the government for the leasing of the site. By late 1949, a large farm shed had been relocated from Tatura to form the core of the RSL clubrooms.<sup>23</sup> The Newport RSL clubrooms were opened in November that year.<sup>24</sup>

In 1951, the triangular traffic island at Mason Street and Melbourne Road was redeveloped as a site for a World War I and World War II memorial (HO176).<sup>25</sup> The area was first fenced and planted in 1900 and by the late 1930s contained a shelter shed.<sup>26</sup> In April 1951, a granite obelisk dedicated to those from Newport and Spotswood who lost their lives in the wars was unveiled. More names were later added to commemorate conflicts in Korea, Malaya and Vietnam.<sup>27</sup> In 1954, the local Rotary club provided some seating around the memorial.<sup>28</sup>

The site behind the scout hall and RSL clubrooms and south of the library remained vacant and undeveloped for decades. By the 1980s, it was used as a carpark incorporating part of the former Whitwam Reserve and its tennis facilities. The carpark remained unmade into the 1980s (Figure 9) but by c.2000 had been surfaced and landscaped.

**HERITAGE OVERLAY H022**  
**NEWPORT CIVIC AND COMMERCIAL PRECINCT HERITAGE CITATION**



Figure 7 [Detail] 1945 aerial photograph showing the World War I and II memorial (A), the Mechanics' Institute (B), hotel (C), maternal health care centre (D), bowling club (E), scout hall (F), Paine Reserve (G), and tennis courts (H)

Source Land Victoria Aerial Photography Collection, Central Plan Office, Landata





**HERITAGE OVERLAY H022**  
**NEWPORT CIVIC AND COMMERCIAL PRECINCT HERITAGE CITATION**



Figure 8 [Detail] 1951 aerial photograph showing the newly constructed RSL clubrooms (A), Whitwam Reserve tennis courts (B)  
Source Land Victoria Aerial Photography Collection, Central Plan Office, Landata



**HERITAGE OVERLAY H022**  
**NEWPORT CIVIC AND COMMERCIAL PRECINCT HERITAGE CITATION**



Figure 9 [Detail] 1984 aerial photograph of the subject site, showing the carpark adjacent to the bowling club.

Source Land Victoria Aerial Photography Collection, Central Plan Office, Landata



## DESCRIPTION

The Newport Civic and Commercial Precinct has grown around the railway, reflecting the two stages of the railway's development, namely the 1880s establishment of the railway workshops and the opening of the station and substation in the 1910s. These developments were reflected in the growth of the residential and industrial areas of Newport and Spotswood and the civic, commercial and ecclesiastical structures erected to serve them.

The precinct straddles the railway line with no access between Hall Street and Mason Street apart from a pedestrian subway at the railway station. Buildings in both areas are typically well-preserved. This is particularly demonstrated by remnant early shopfronts and upper level facades in the commercial buildings which form strips of development in Hall Street and Melbourne Road facing the railway and in the open space around Mason Street. A secondary aspect of the commercial strip is the associated residential component built into many of the buildings as an indication of the live-in form of commercial tenancies in the pre-WWII period. Unusual examples of residences transformed into retail premises occur in Hall Street.

Commercial buildings largely make up the character of the precinct and their physical attributes are:

- Face brick (typically red) or brick and render combined or all rendered street facades and face brick rear elevations.
- Row or joined construction.
- Zero front and side setbacks.
- Two storey parapeted form in Hall Street, and predominantly single storey in Melbourne Road.
- Upper facades are usually intact with double-hung timber or projecting bay windows. Some retain early awnings or shopfronts with plinths, some glazed tiling, timber and metal window framing, transom lights, and recessed entries being typical.

HO22 'Newport Civic and Commercial Precinct' incorporates parts of Melbourne Road and sites in Elphin, Hall, Mason and Walker streets. Sites included within the broad curtilage of HO22 are listed below. Sites that contribute to the identified significance of HO22 are listed in the statement of significance. The list below includes some sites that are also included in the Schedule to the Heritage Overlay of the Hobsons Bay Planning Scheme under individual heritage overlays.

- Hall Street, 1-46
- Mason Street, 1-26
- Melbourne Road, 405-431
- Elphin Street, 93-5
- Market Street, 6 and 24-8
- Newport War memorial, median Mason Street
- Newport Railway Station & trees
- Newport Railway sub-station
- The Paine and Whitwam Reserves
- Bluestone kerb, channelling and laneways

## COMPARATIVE ANALYSIS

In the 1850s, Melbourne was largely a city with villages around it. Places like Richmond were partly isolated from the city, supported by dairying on the flats near the Yarra River and industries like brick-making. The first railway line in Australia opened between Melbourne's Flinders Street Station and Port Melbourne, then called Sandridge, on 12 September 1854. The suburban network expanded to the east from *Princes Bridge* to *Richmond* in 1859, then later to *Brighton* and *Hawthorn* by the early 1860s. The spaces in between these areas gradually filled out, and areas like St Kilda soon became attached to the City, through road networks, fine-grained subdivision and continuous built form. However, places like Brighton, and Williamstown, for example, were still separate and visitors travelling by train passed through large areas of undeveloped land.

The transport system changed the structure of Melbourne. In many instances, the rail network did not service the existing suburbs so much as create them.<sup>29</sup> Multiple examples of townships developing as a consequence of the provision of railway services exist across the middle ring of Melbourne's suburbs. Areas like Footscray and Newport stand apart from these insofar as development commenced in support of pre-existing employment opportunities - tallow making, hide treatment, meat preserving and fertiliser manufacture in Footscray and the rail yards in Newport. Nonetheless, the Newport Civic and Commercial Precinct remains typical of small suburban centres developed around railway stations and junctions eventually becoming the retail and municipal hearts of the area. Generally speaking, civic cores developed around railway stations are protected under heritage controls where they remain intact to their early states.

## ASSESSMENT AGAINST CRITERIA

The *Planning Practice Note 1: Applying the Heritage Overlay* requires that the following recognised heritage criteria are used for the assessment of the heritage value of heritage places. These model criteria have been broadly adopted by heritage jurisdictions across Australia.

CRITERIA	COMMENT
<p><b>CRITERION A</b></p> <p>Importance to the course or pattern of our cultural or natural history (historical significance).</p>	<p>It is significant as the major commercial centre within the Newport locality.</p> <p>It illustrates the nineteenth century beginnings of the area and the significant development that occurred in the late-Edwardian and Interwar periods up to WWII and into the early post-war period, following the development of the railway workshops and station.</p>
<p><b>CRITERION B</b></p> <p>Possession of uncommon, rare or endangered aspects of our cultural or natural history (rarity).</p>	<p>Not applicable.</p>
<p><b>CRITERION C</b></p> <p>Potential to yield information that will contribute to understanding our cultural or natural history (research potential).</p>	<p>Not applicable.</p>

**HERITAGE OVERLAY HO22**  
**NEWPORT CIVIC AND COMMERCIAL PRECINCT HERITAGE CITATION**



**CRITERION D**

Importance in demonstrating the principal characteristics of a class of cultural or natural places or environments (representativeness).

The area is typical of the civic and retail cores developed around railway stations as the rail network expanded through the late-nineteenth and early twentieth centuries and demonstrates the principal characteristics of this class of place.

**CRITERION E**

Importance in exhibiting particular aesthetic characteristics (aesthetic significance).

The area is significant for the groups of relatively intact examples of handsome commercial buildings particularly along Hall Street and Melbourne Road.

**CRITERION F**

Importance in demonstrating a high degree of creative or technical achievement at a particular period (technical significance).

Not applicable.

**CRITERION G**

Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions (social significance).

While it appears likely that the area is significant for its strong associations with the Newport community as an important transportation hub and community meeting place, this has not been established by direct engagement with stakeholders.

**CRITERION H**

Special association with the life or works of a person, or group of persons, of importance in our history (associative significance).

The area is of interest for associations with early landholders such as William Hall and James Streeel and Michael Durkin, and public officials such as GA Paine and John Whitwam.



## STATEMENT OF SIGNIFICANCE

### *What is Significant?*

The Newport Civic and Commercial Precinct, which comprises all land in HO22, and includes the commercial precincts to the east and west of the Newport Railway Station, Newport. The area generally includes properties in Hall Street (part), Mason Street (part) and Melbourne Road (part), Newport.

### *How is it Significant?*

The Newport Civic and Commercial Precinct is of local historic, social and aesthetic significance to the City of Hobsons Bay.

### *Why is it Significant?*

Historically, it is significant as the major commercial centre within the Newport locality. It illustrates the nineteenth century beginnings of the area and the significant development that occurred from the Edwardian period up to WWII and into the early post-war period, which mirrors the residential and industrial growth of the area during the same periods. It also illustrates the close relationship between the development of the railways in this area and the development of the town of Newport. It is typical of the civic and retail cores developed around railway stations as the rail network expanded through the late-nineteenth and early twentieth centuries.

These typically take the form of single and double-storey parapeted buildings constructed to front and side boundaries. These are representative of similar developments around railway stations throughout the metropolitan area.

Aesthetically, it is significant as a well-preserved late nineteenth and early twentieth century commercial precinct that is notable for its architectural landmark sites such as the former CBA bank, Newport Hotel and Masonic Hall but is characterised by more modest shops and commercial premises in Hall Street, Mason Street and Melbourne Road. It is presumed that the area is socially significant for its strong associations with the Newport community as an important transportation hub and community meeting place.

The area is of interest for associations with early landholders such as William Hall and James Steele and Michael Durkin and public officials such as GA Paine and John Whitwam.

On this basis, the following places within HO22 contribute to the significance of the precinct.

- Hall Street, 1, 3-7, 9-10, 15-16, 18-21, 28, 30-32, 34-36, 38-40 and 42-46
- Mason Street, 1, 11-15, 17, 18 and 24-26
- Melbourne Road, 405-409, 413-431
- Market Street, 6 Newport Second Scout Hall and, 24-8 Newport RSL
- Bluestone kerb, channelling and laneways
- The Paine and Whitwam Reserves

**HERITAGE OVERLAY HO22**  
**NEWPORT CIVIC AND COMMERCIAL PRECINCT HERITAGE CITATION**

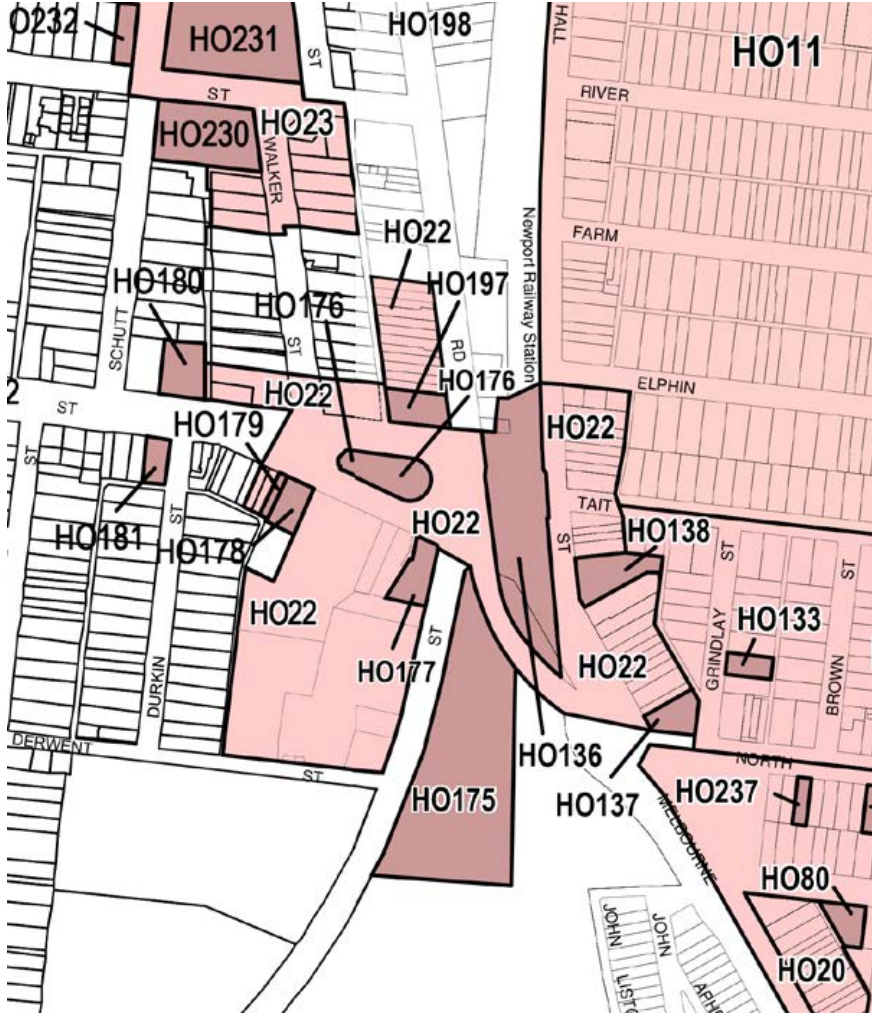


Figure 10 Detail Map Nos. 10HO & 11HO with the proposed extent of HO22 indicated  
 Source Hobson Bay Planning Schemes

**HERITAGE OVERLAY HO22**  
**NEWPORT CIVIC AND COMMERCIAL PRECINCT HERITAGE CITATION**



**ENDNOTES**

- 1 *Williamstown Chronicle*, 26 December 1936, p. 1 and 1 June 1945, p. 3
- 2 Hobsons Bay City Council, *Hobsons Bay Heritage Study: Volume 1B: Thematic Environmental History*, October 2003, p. 16
- 3 Heritage Council Victoria, 'Newport Railway Workshops (Former)', Victorian Heritage Database, <https://vhd.heritagecouncil.vic.gov.au/places/14994/download-report>, accessed 4 November 2019
- 4 *Argus*, 12 August 1853, p. 5; *Age*, 16 January 1886, p. 2
- 5 Heritage Council Victoria, 'Newport Commercial Bank (Former)', Victorian Heritage Database, <https://vhd.heritagecouncil.vic.gov.au/places/15070/download-report>, accessed 4 November 2019
- 6 Heritage Council Victoria, 'Newport Hotel (Former)', Victorian Heritage Database, <https://vhd.heritagecouncil.vic.gov.au/places/15109/download-report>, accessed 4 November 2019
- 7 Heritage Council Victoria, 'House at 15-17 Mason Street', Victorian Heritage Database, <https://vhd.heritagecouncil.vic.gov.au/places/15111/download-report>, accessed 4 November 2019
- 8 County of Cut Paw Paw, Parish map, 1893, 302201189, National Library of Australia
- 9 Hobsons Bay City Council, *Hobsons Bay Heritage Study Amended 2010 - Volume 3 – Heritage Precinct and Place Citations, Part 2 – Heritage Places*, 2010, pp. 552 and 570
- 10 Sands and McDougall, *Sands and McDougall Directory of Victoria*, Melbourne: Sands and McDougall, 1890, p. 312 and 1910, pp. 440-1
- 11 Hobsons Bay City Council, *Hobsons Bay Heritage Study Amended 2014 - Volume 3 – Heritage Precinct and Place Citations, Part 1 – Heritage Precincts - Newport Civic and Commercial Heritage Precinct*, 2014, p. 140
- 12 Heritage Council Victoria, 'Junction Hotel', Victorian Heritage Database, <https://vhd.heritagecouncil.vic.gov.au/places/15071>, accessed 4 November 2019; Heritage Council Victoria, '405 Melbourne Road', <https://vhd.heritagecouncil.vic.gov.au/places/15129>, accessed 4 November 2019
- 13 Heritage Council Victoria, 'Newport Baptist Church Complex', Victorian Heritage Database, <https://vhd.heritagecouncil.vic.gov.au/places/15112/download-report>, accessed 4 November 2019
- 14 Sands and McDougall, *Sands and McDougall Directory of Victoria*, Melbourne: Sands and McDougall, 1930, p. 478
- 15 Hobsons Bay City Council, *Hobsons Bay Heritage Study Amended 2010 - Volume 3 – Heritage Precinct and Place Citations Part 2*, 2010, p. 629
- 16 *Williamstown Chronicle*, 28 November 1925, p. 3
- 17 *Victorian Government Gazette*, Gazette 970, 19 September 1951, p. 6621
- 18 Hobsons Bay City Council, *Hobsons Bay Heritage Study Amended 2010 - Volume 3 – Heritage Precinct and Place Citations Part 2*, 2010, p. 590
- 19 *Williamstown Chronicle*, 15 April 1933, p. 3
- 20 VPRS 7882/P/0001, unit 1011, Public Records Office Victoria
- 21 The RSL has had several name changes since its formation in 1916. Initially, it was called the Returned

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Sailors and Solders Imperial League of Australia (RSSILA). During WWII it became the Returned Sailors Soldiers and Airman's Imperial League of Australia (RSSAILA), the Returned Services League of Australia (RSLA) in 1965 and today's Returned and Services League of Australia (RSL) in 1990. For ease of reading, the term 'RSL' will be used throughout this report.

- 22 *Williamstown Chronicle*, 4 October 1946, p. 7
- 23 Personal comment, Ian Nicholls, Secretary Newport RSL Club
- 24 *Williamstown Chronicle*, 18 November 1949, p. 1
- 25 *Williamstown Chronicle*, 21 May 1938, p. 2
- 26 *Williamstown Chronicle*, 22 June 1900, p. 2
- 27 Hobsons Bay City Council, *Hobsons Bay Heritage Study Amended 2010 - Volume 3 – Heritage Precinct and Place Citations Part 2*, 2010, pp. 561-2; *Williamstown Chronicle*, 30 March 1951, p. 5; Monument Australia, 'Newport War Memorial', [http://monumentaustralia.org.au/australian\\_monument/display/32913](http://monumentaustralia.org.au/australian_monument/display/32913), accessed 28 October 2019
- 28 *Williamstown Chronicle*, 29 October 1954, p. 4
- 29 Miles Lewis, Growth of Melbourne in Victorian times, <https://cv.vic.gov.au/stories/built-environment/what-house-is-that/miles-lewis-growth-of-melbourne-in-victorian-times/> downloaded 19 November 2019

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# **ATTACHMENT B**

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HO23 NEWPORT RESIDENTIAL  
HERITAGE PRECINCT

A large, bold, dark red letter 'B' is positioned in the lower right quadrant of the page. It is a simple, sans-serif font with a thick stroke and rounded terminals.

## HERITAGE OVERLAY

# H023

## NEWPORT ESTATE RESIDENTIAL HERITAGE PRECINCT

### HERITAGE CITATION



**Hobsons Bay**  
CITY COUNCIL

## INTRODUCTION

The Newport Estate Residential Heritage Precinct comprises a discontinuous group of houses located to the north and south of Mason Street and to the west of Melbourne Road in Newport. The precinct includes houses from the different periods of residential growth between 1880 and the end of WWII. These variously survive as pockets of Victorian cottages and villas, long streetscapes of bungalows or more disparate groupings of illustrating a range of ages and styles. Collectively, they reflect the slow and somewhat sporadic nature of development in Newport.

## HISTORY

The only government-planned settlements in the vicinity of Newport in the nineteenth century were located in Williamstown and Brooklyn. Newport was without a government planned and surveyed centre.<sup>1</sup> Crown land sales north of Mason Street first occurred in 1849. The land was originally sold as Crown allotments 19 and 20. Lots 19 (67 acres, 3 roods and 34 perches) and 20 (77 acres, 3 roods and 33 perches) were offered for sale but were not sold.<sup>2</sup> However, from 1857, development progressively gathered around the railway line.

By 1853, J Steele had purchased Crown allotment 20, which was bounded by present-day Mason Street to the south, Melbourne Road to the east, and extended north and west to boundaries near present-day Ross and Johnstone streets (Figure 1). The land was subdivided into approximately 300 residential allotments from a quarter to half an acre each in size which became known as the South Newport Estate. The advertisement for the sale noted the land adjoined 'the well-known township of Newport' and was in close proximity to the 'railways about to be made in that locality ... leaving no doubt that within a very short period ... many of the allotments in this township will become invaluable'.<sup>3</sup> Thus, the subdivision envisaged a land boom in the area and sought to capitalise on it. However, sales were slow, and allotments were still being sold in the 1880s.<sup>4</sup>

By 1854, C Williams had purchased Crown allotment 19 which became known as the Township of Newport. Williams' land was located to the west of Melbourne Road, directly to the north of Steele's allotment (Figure 1). In 1854, Williams' land was subdivided and auctioned in instalments, often in conjunction with allotment 20.<sup>5</sup> In 1859, an advertisement for an upcoming auction of six of the allotments noted 'the rapidly improving and healthy neighbourhood' of the township of Newport.<sup>6</sup> Similar to Steele's allotments, the uptake of the allotments was slow and many also remained unsold until the 1880s. The 1864 Cox Plan at Figure 2 illustrates the slow pace and sporadic nature of early development in lots 19 and 20 with only a small number of residences and farmlets evident.

In 1857, the private Geelong and Melbourne Railway Company commenced operation of the Melbourne to Geelong railway line which terminated at Newport (variously known as Greenwich, Geelong Junction or Williamstown Junction). A few months later it connected to the Williamstown line - a busy port and maritime area. By 1860, the railway ran to Spencer Street railway station, creating a link to Melbourne. The line was primarily for the transportation of industrial goods but carried small numbers of passengers to Newport.<sup>7</sup> In the 1880s, local settlement was encouraged by the construction of the Newport railway workshops near the junction of the Geelong and Williamston lines.

The early development of Crown allotment 28, south of present-day Mason Street, differed to that north of Mason Street. While a scattering of houses appeared north of Mason Street, there was no such development on the south side. This may have been due to the fact that area was used for quarrying purposes, as illustrated at Figure 3, with a pit located near the corner of Derwent and Market streets. Another area reserved for a quarry was allotment 37 (Figure 3) which has since become the Bryan Martyn Oval fronting Market, Woods and Derwent streets. Subdivision had occurred by c. 1870 (Figure 3).

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**HERITAGE OVERLAY HO23**  
**NEWPORT ESTATE RESIDENTIAL HERITAGE PRECINCT**  
HERITAGE CITATION



The suburban areas of Newport were largely established from the 1880s, particularly south of Mason Street and east of the railway line.<sup>8</sup> Speculative land companies divided portions of land into estates, such as the Newport, Grindlay's (HO10) and Epsom and South Newport estates, and attempted to sell off residential allotments.

In approximately 1884, the Newport Estate was auctioned. Billed as being 'close to new railway workshops and railway station', the estate comprised a rectangular area including Mirils Street from the south side of Mason Street to the north side of Wood Street (Figure 5) and extended westwards into Speight, Agg, Ford and Anderson streets. The flyer for the auction noted 'Newport is bound to the future centre of all large manufactories in the colony and land in a few years will reach a fabulous price'.<sup>9</sup> The auction was well attended with 1,500 land speculators and all of the 200 allotments were sold for between £15 and £38.<sup>10</sup> In 1888, allotments in the Durkin Estate were auctioned. This development included the east and west sides of Durkin Street and abutting sites along the south side of Mason Street, as illustrated at Figure 6.

Flyers for the Newport and Durkin estates emphasised the proximity to the railway line which provides some indication of its significance. While sales of land in these estates was brisk, subsequent development was slow, presumably hampered by the recession of the early 1890s. This delay is demonstrated at Figure 7 which illustrates the built form of Newport, south and north of Mason Street, in approximately 1915.



**HERITAGE OVERLAY HO23**  
**NEWPORT ESTATE RESIDENTIAL HERITAGE PRECINCT**  
 HERITAGE CITATION

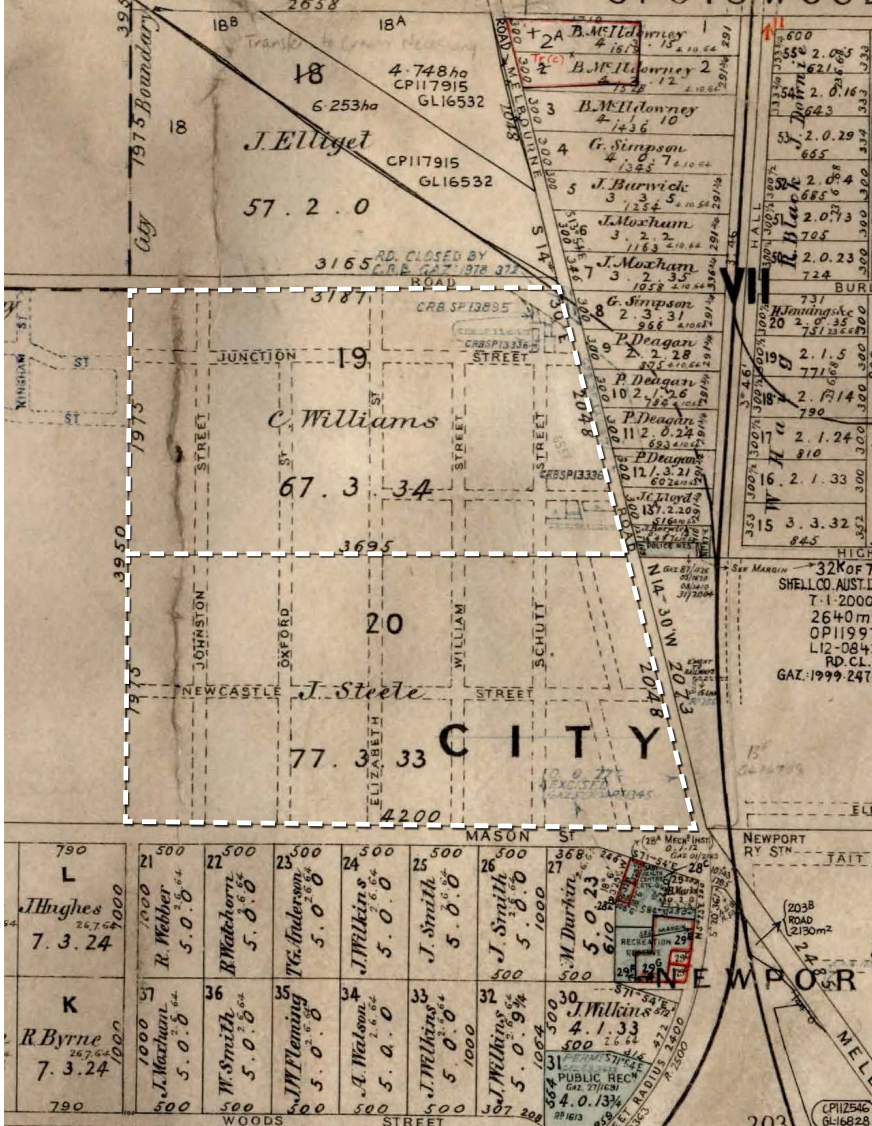


Figure 1 [Detail] Crown allotments 19 and 20 (indicated) divided into residential subdivisions with streets laid out

Source Cut Paw Paw, C345 (19), Central Plan Office, Landata





**HERITAGE OVERLAY H023**  
**NEWPORT ESTATE RESIDENTIAL HERITAGE PRECINCT**  
 HERITAGE CITATION



Figure 2 [Detail] The indicative development of Newport's Crown allotments 19 and 20 (indicated) 1864  
 Source Henry L Cox, *Plan of Hobson Bay and River Yarra Leading to Melbourne*, State Library of Victoria

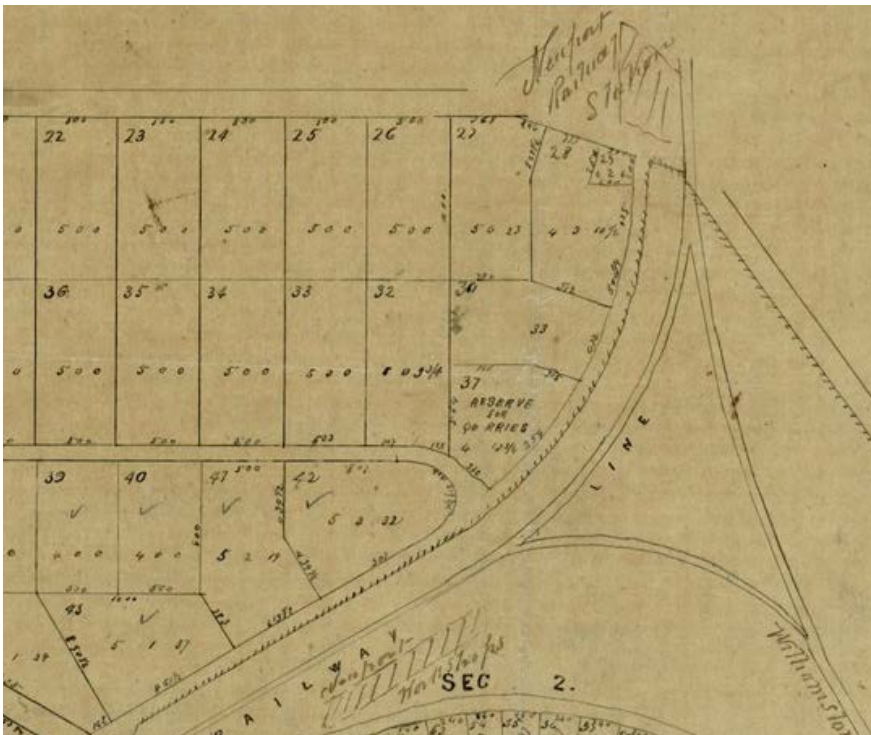


Figure 3 [Detail] Special lands near the junction of Geelong and Williamstown railways, County of Bourke, c. 1860s-80s, shows subdivision to the south of Mason Street  
 Source Vale Collection, State Library of Victoria



**HERITAGE OVERLAY HO23**  
**NEWPORT ESTATE RESIDENTIAL HERITAGE PRECINCT**  
 HERITAGE CITATION

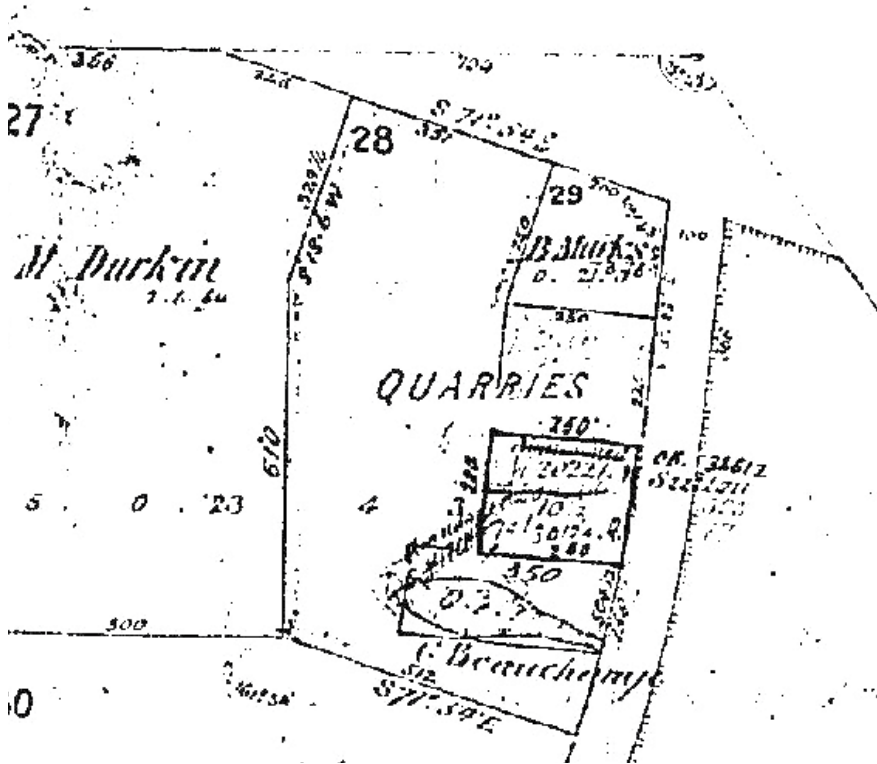


Figure 4 [Detail] Crown allotment 28 near the intersection of Mason and Market streets was used for quarrying purposes, c. 1860s  
 Source Cut Paw Paw, C348, Central Plan Office, Landata



Bluestone quarrying occurred in Newport and surrounding districts as early as 1844 and was the area's first heavy industry.<sup>11</sup> As with the railway, it may have influenced Newport's residential development with people employed in the quarrying industry living near their workplaces. By c. 1864, there were quarries established near the junction of Market and Derwent Streets at the site of today's Bryan Martyn Oval and on land facing Mason, Market and Derwent streets. By 1915, quarries were also established north of Mason Street in what are today Leo Hoffman Reserve and Newport Lakes Reserve (HO173) (Figure 7).

It was not until the 1910s that residential development began to occur on a large scale. The redevelopment of the new Newport railway station in 1912, along with the expansion of nearby industrial sites, encouraged settlement and the area became increasingly more attractive for would-be residents. Large industrial sites established or expanded during this interwar period included the Newport power plant (1918) and substations (1920 and 1923) (VHR H1199 and HO175) constructed for the electrification of the railway line and railway workshops (VHR 1000 and HO65).<sup>12</sup> In the 1920s the railway workshops had expanded as the rail system was modernised and came to employ up to 5,000 people.<sup>13</sup>

**HERITAGE OVERLAY HO23**  
**NEWPORT ESTATE RESIDENTIAL HERITAGE PRECINCT**  
 HERITAGE CITATION



**CHEAP LAND** **CHEAP LAND**

# NEWPORT ESTATE

Birds Eye View from Newport Estate.

**TERMS: £5 DEPOSIT,**  
*Balance extending over 18 Months at 6 per cent.*

*Close to New Railway Workshops and Railway Station.*

**SATURDAY, 10<sup>TH</sup> JANUARY,**  
 AT 3 O'CLOCK.

For Sale by Auction on the Ground by **FRASER & CO.** (In conjunction with the Hon. A. T. CLARK, M.L.A.)

**SPECIAL TRAIN from Spencer-st. at 2.30.**  
**Free Railway Passes**  
 FROM  
 FRASER & Co., 10 Queen Street,  
 The Hon. A. T. CLARK, M.L.A., Williamstown

**TITLE CERTIFICATE.**  
 ISSUED BY  
**W. H. CROKER, Esq.,**  
 Auctioneer, Market Street.

Land has Government Roads on Three Sides.  
 Enchanting Views in all Directions.

NEWPORT is bound to be the PRINCIPAL CENTRE of all large MANUFACTURES in the Colony, and called on to keep abreast with such a Patriotic Policy.

*Fraser & Co. 10/11*

Figure 5 An advertisement of an upcoming real estate auction in Newport, 1880s  
 Source Troedel and Co., 'Newport Estate', State Library of Victoria



**HERITAGE OVERLAY H023**  
**NEWPORT ESTATE RESIDENTIAL HERITAGE PRECINCT**  
 HERITAGE CITATION

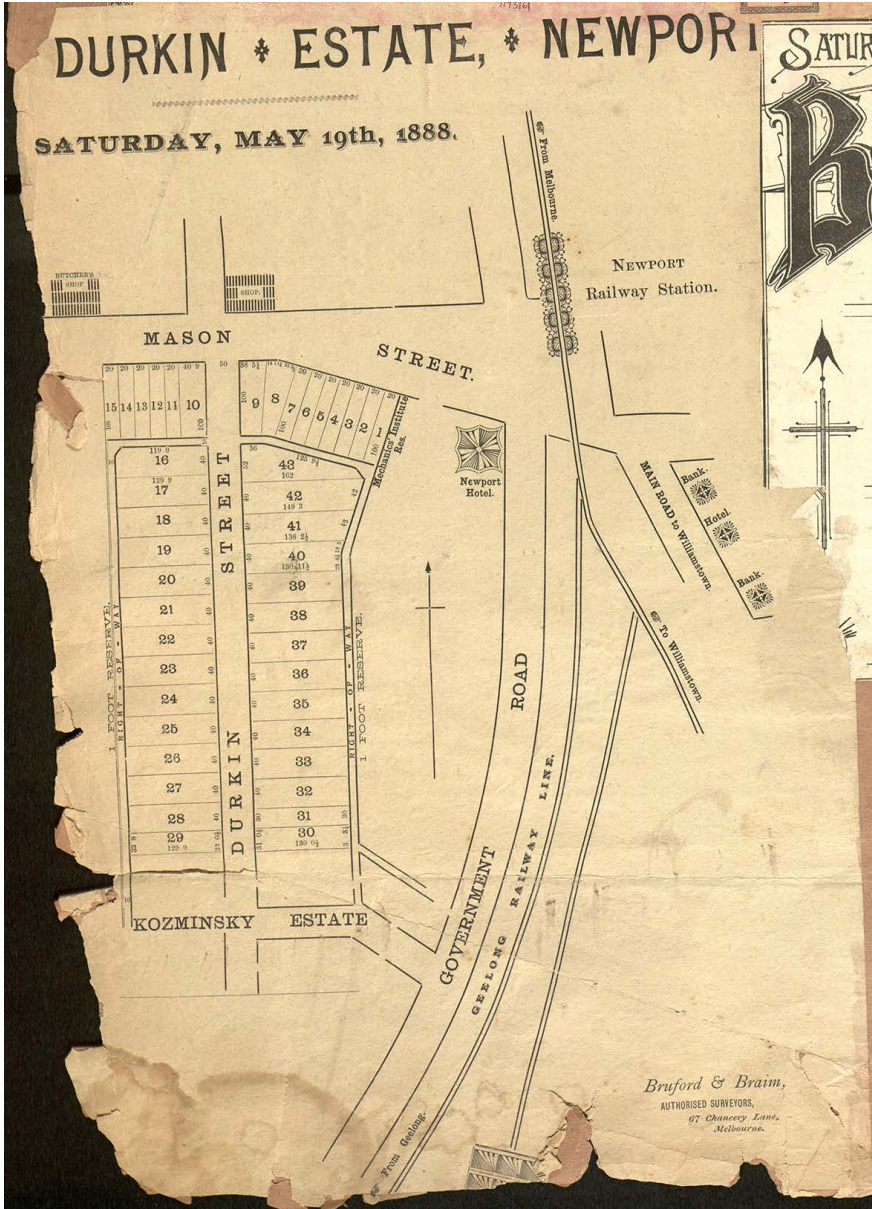


Figure 6 [Detail] Subdivision flyer, Durkin Estate Newport, Brusford & Braim, Auctioneers, 1888  
 Source Dyer Collection of Auctioneers' Plans, Melbourne and Suburbs, State Library of Victoria

**HERITAGE OVERLAY HO23**  
**NEWPORT ESTATE RESIDENTIAL HERITAGE PRECINCT**  
 HERITAGE CITATION



A review of Sands and McDougall directories over seven decades provides some insight into the development of the area. Development predominantly occurred to the north of Mason Street and by the 1890s residential and/or commercial development in this area was present but scattered. Likewise, development to the south of Mason Street was slow in the nineteenth century. Development in Anderson Street was concentrated close to the railway line, subsequently moving westwards as properties near Mirils Street were increasingly occupied.

Aerial photography of Newport in 1945 (Figure 9) indicates that most of the suburban blocks had been built upon. However there remained some vacant sites among the developed residential lots to the north and south of Mason Street. By this time, Newport had been surrounded by large industrial estates (particularly east of the railway line and north of Blackshaws Road) and in neighbouring suburbs. In 1945, these industries included Newport Quarries, Newport Oil Refinery, a depot for Alba Petroleum Company, works for Asphalt Cold Mix Australia and Wyndham Quarries. In 1951, the built environment had changed very little with many of the undeveloped allotments still vacant. The shortage of building supplies following World War II is likely to be responsible for this.<sup>14</sup> By 1984, however, most of the vacant allotments had been developed (Figure 10).<sup>15</sup> It is noted that delays between aerial photography and the preparation of Sands and McDougall directories can occur. This is likely to account for discrepancies between the aerial photographs at Figure 8, Figure 9, and Figure 10 and the material provided at Table 1.

Street name	1890	1900	1910	1920	1930	1940	1950	1960
Mason Street <sup>1</sup>	13	20	22	46	78	89	91	98
<b>North of Mason Street</b>								
Elizabeth Street	13	18	18	26	43	45	50	59
Oxford Street	9	10	11	15	45	59	63	67
Schutt Street	-	14	15	26	54	64	64	68
William Street	28	22	25	32	59	69	71	76
<b>South of Mason Street</b>								
Agg Street	1	3	2	13	51	69	75	85
Anderson Street	2	2 <sup>2</sup>	2 <sup>2</sup>	5 <sup>2</sup>	16 <sup>2</sup>	37	51	67
Durkin Street	1	4	4	7	21	26	28	29
Ford Street	5	1 <sup>3</sup>	2	4	30	51	70	81
Mirils Street	8	7	8	11	41	49	49	52
Speight Street	8	8	8	25	57	68	71	72

Table 1 Entries per street in the Sands and McDougall municipal directories, 1890-1960

<sup>1</sup> Only entries from Melbourne Road/Market Street to Challis Street (south side) and Johnston Street (north side) are included in the table

<sup>2</sup> Only entries for properties between Mirils and Jack streets were listed in the directory

<sup>3</sup> Only entries for properties between Jack and Challis streets were listed



**HERITAGE OVERLAY H023**  
**NEWPORT ESTATE RESIDENTIAL HERITAGE PRECINCT**  
 HERITAGE CITATION

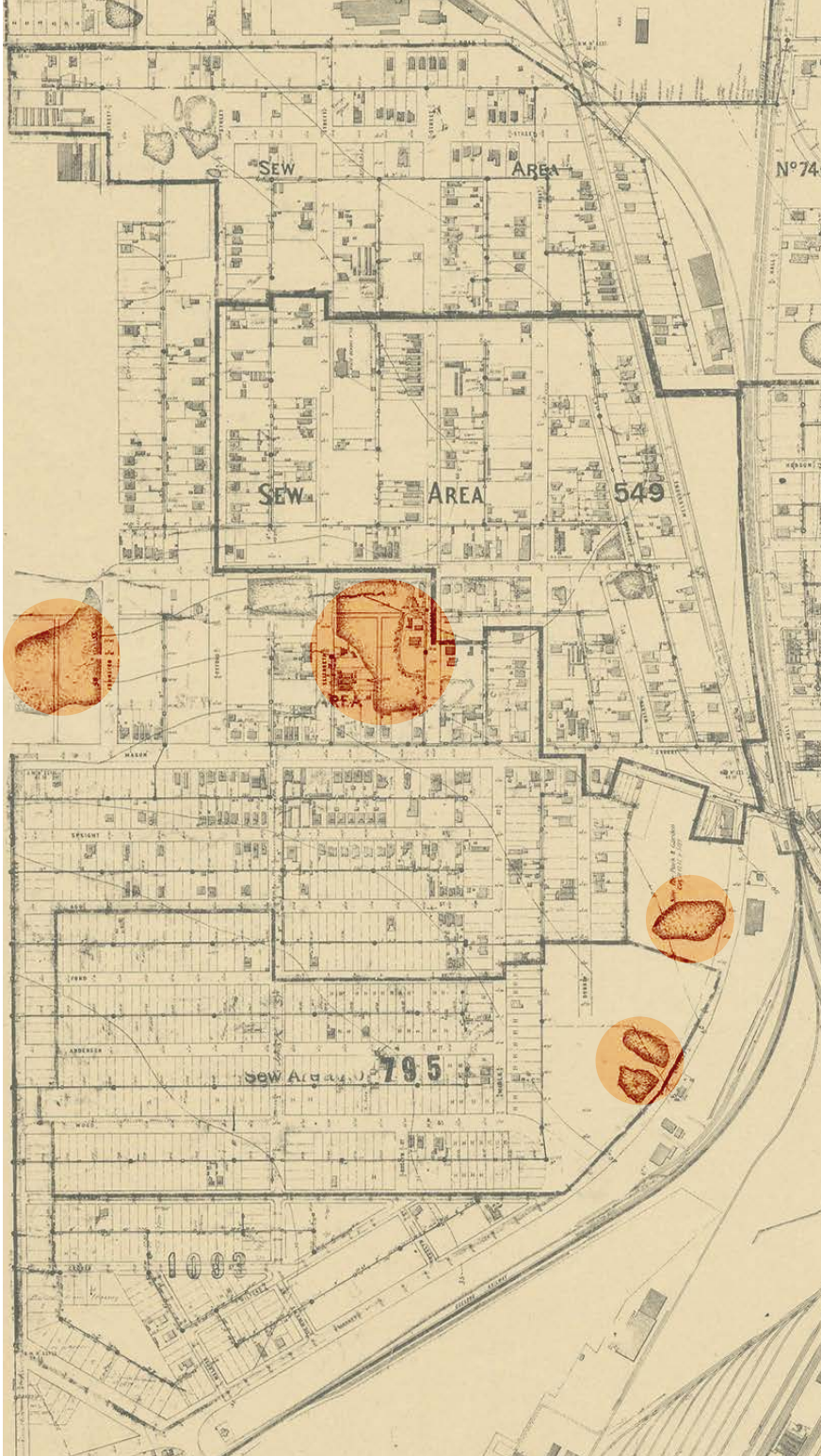


Figure 7 [Detail] The gradual development of Newport north and south of Mason Street, with former and operational quarry sites indicated, c.1915

Source Melbourne and Metropolitan Board of Works, plan no. 10, 160: 1, State Library of Victoria



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**HERITAGE OVERLAY H023**  
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**Hobsons Bay**  
 CITY COUNCIL



Figure 8 The Newport township and South Newport Estate in 1945, showing the vacant sites amongst the development north of Mason Street  
 Source Land Victoria Aerial Photography Collection, Central Plan Office, Landata



Figure 9 A 1945 aerial photograph showing the vacant blocks amongst the built environment south of Mason Street.  
 Source Land Victoria Aerial Photography Collection, Central Plan Office, Landata



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Figure 10 1984 aerial photograph of Newport  
Source Land Victoria Aerial Photography Collection, Central Plan Office, Landata



## DESCRIPTION

The Newport Estate Residential Heritage Precinct survives as a discontinuous group of houses located to the north and south of Mason Street, to the west of Melbourne Road. The precinct is defined by houses from the different periods of residential growth between 1880 and the end of WWII. These sometimes survive as long, consistent streetscapes such as the bungalow group along the western side of Schutt Street (north of Anderson Street) or the row of Victorian cottages in William Street (55-69) to more disparate groups such Oxford Street to the north of the Leo Hoffman Reserve which reflects the slow and somewhat sporadic nature of development in Newport.

The precinct retains dwellings from the earliest development of the area such as Victorian-era cottages and villas, many Edwardian-era villas, early bungalows and simple 1920s dwellings in a Californian Bungalow mode, interwar and early Modern dwellings. Most are detached single-storey weatherboard houses set on small blocks. Architecturally, the buildings are notable for their modest scale, inexpensive materiality and their straightforward architectural expressions. Dwellings in HO23 were frequently constructed a decade after their styles had been popularised in Melbourne's fashionable inner north and east.

Typically, the houses have a garden front setback, small side setback, pitched roof forms (hipped or gabled), Marseilles pattern terracotta tiled or corrugated steel clad roofs. Some garages, carports and other provisions for cars are present in the precinct as are some visible additions. However, these changes have not substantially diminished the character or significance of the areas discussed below.

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The precinct survives as a series of fragments of the residential building stock as it existed in the mid-twentieth century. These survive as six, disconnected areas as follows:

Sub-precinct	Addresses	Description
Schutt Street sub-precinct	<ul style="list-style-type: none"> <li>Schutt Street, 29-73 and 30-56</li> <li>Steele Street, 7-25</li> <li>Walker Street, 19-23 and 24-32.</li> <li>Newcastle Street, 9 and 20-40</li> <li>Ross Street, 5-13</li> </ul>	Development in Schutt Street commenced before 1900 and by 1920, five dwellings had been constructed between Newcastle and Ross Streets. Today the streetscape comprises a precinct of substantially intact interwar weatherboard and masonry bungalows. Similar, but less substantial built form exists along the western side of Steele Street. An intact group of timber bungalows at 5-13 Ross Street also survives and a more modest group of cottages survives at 30-40 Newcastle Street. The precinct contains a small number of infill buildings including some two-storey semi-detached pairs, but the early, single-storey character of the area survives.
Agg Street sub-precinct	<ul style="list-style-type: none"> <li>Agg Street, 2A-88 and 1-91</li> <li>Mason Street, 81-93</li> <li>Speight Street 19-75 and 18-82</li> <li>Mirls Street, 3-35</li> <li>Ford Street, 14-40</li> <li>Jack Street, 60-64</li> </ul>	The Agg Street sub-precinct survives as a remnant of the Newport Estate subdivision. A small number of Victorian buildings remain which were constructed immediately after the allotments were sold. These include 41 Speight Street and 85 Mason Street. However, development more broadly dates to the period after the opening of the new railway station in 1912, generally continuing into the interwar period although buildings to the end of WWII can contribute to the sub-precinct. It generally comprises a precinct of masonry and weatherboard bungalows although these tend to be more modestly-scaled and located on smaller allotments than those found in Schutt Street.
Oxford Street sub-precinct (South)	<ul style="list-style-type: none"> <li>Cunningham Lane, 3</li> <li>Oxford Street, 4-14 and 1-15</li> </ul>	Developed from the late 1920s, the Oxford Street sub-precinct comprises an intact group of interwar villas and bungalows.
Oxford Street sub-precinct (North)	<ul style="list-style-type: none"> <li>Oxford Street, 34-56 and 33-41</li> </ul>	By 1890, nine dwellings had been constructed in Oxford Street although substantial development did not begin until the period after WWI. It survives as a mixture of Victorian cottages and interwar bungalows.
William Street sub-precinct	<ul style="list-style-type: none"> <li>William Street, 35-99 and 40-54</li> <li>Kohry Lane, 15</li> <li>Ross Street, 10, 21</li> </ul>	By 1890, around twelve cottages and villa dwellings had been constructed on the western side of William Street between Newcastle and Ross Streets with three more on the opposite side of the street. This number remained largely unchanged over subsequent decades and by 1920 had only increased to sixteen with seven on the eastern side. Substantial development occurred in the 1920s resulting in the extant bungalow precinct around the core of Victorian dwellings.
Durkin Street sub-precinct	<ul style="list-style-type: none"> <li>Durkin Street 3-29, 2-24.</li> </ul>	The Durkin Estate was created from 1888 immediately prior the recession of the early 1890s. Consequently, only four dwellings had been constructed by 1900. Development recommenced in earnest after WWI with eight buildings present in 1920 increasing to 21 in 1930. Development of the street was completed by the end of WWII. As a consequence of its protracted development, the street contains residences to a variety of architectural expressions.

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## COMPARATIVE ANALYSIS

The six sub precincts have been identified for the extent to which they illustrate similar historical themes and demonstrate similar levels of intactness and integrity.

These sub precincts compare to other early subdivisions in the Newport area such as the Grindlay's Estate (HO10) located around a kilometre to the east of HO23 on the opposite side of Melbourne Road. This area is also of historical significance for its ability to illustrate the development of Newport over a number of phases. As with subject area its Victorian buildings illustrate the speculative residential estates created in the 1880s near railway lines. Its Edwardian and Interwar dwellings demonstrate the growth that occurred during the early twentieth century following the development of local industries. It, likewise, has associations with local figures. The building stock is very similar in terms of its architectural expression, intactness and integrity to that found in HO23.

Precincts of modest working class housing located close to places of employment are reasonably commonplace around Melbourne and are included in the Schedules to the Heritage Overlay of most inner city municipalities. The Wrights Terrace Precinct (HO369) in Prahran, for example, comprises a similar mix of modest workers dwellings albeit with a greater proportion of Victorian building stock. In the City of Yarra, the William Street Precinct (HO339) is located close to factories in Abbotsford and comprises modest masonry and timber workers' housing dating predominantly from the late nineteenth and early twentieth century with some later residences.

## ASSESSMENT AGAINST CRITERIA

The *Planning Practice Note 1: Applying the Heritage Overlay* requires that the following recognised heritage criteria are used for the assessment of the heritage value of heritage places. These model criteria have been broadly adopted by heritage jurisdictions across Australia.

CRITERIA	COMMENT
<p><b>CRITERION A</b></p> <p>Importance to the course or pattern of our cultural or natural history (historical significance).</p>	<p>Retains the original subdivision plan with little further subdivision or consolidation.</p> <p>The modest building stock illustrates the working class origins of the suburb and associations with the railway workshops and other local industries.</p> <p>The range of its architectural expression illustrates the protracted period of development of the area from c. 1880s until the end of WWII.</p>
<p><b>CRITERION B</b></p> <p>Possession of uncommon, rare or endangered aspects of our cultural or natural history (rarity).</p>	<p>Not applicable</p>
<p><b>CRITERION C</b></p> <p>Potential to yield information that will contribute to understanding our cultural or natural history (research potential).</p>	<p>Not applicable</p>

**HERITAGE OVERLAY HO23**  
**NEWPORT ESTATE RESIDENTIAL HERITAGE PRECINCT**  
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**CRITERION D**

Importance in demonstrating the principal characteristics of a class of cultural or natural places or environments (representativeness).

The area is typical of residential development throughout Melbourne's inner west during the late nineteenth and early twentieth centuries.

**CRITERION E**

Importance in exhibiting particular aesthetic characteristics (aesthetic significance).

The area is significant for its groups of relatively intact examples of a variety of housing styles from the Victorian, Federation and interwar periods up to the end of WWII.

**CRITERION F**

Importance in demonstrating a high degree of creative or technical achievement at a particular period (technical significance).

Not applicable

**CRITERION G**

Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions (social significance).

While it appears unlikely that the streetscapes of HO23 would be of high social value to any particular group, this has not been established by direct engagement with stakeholders.

**CRITERION H**

Special association with the life or works of a person, or group of persons, of importance in our history (associative significance).

The area is of interest for its associations with notable local figures including James Steele, C Williams and Michael Durkin.

**STATEMENT OF SIGNIFICANCE**

*What is Significant?*

The Newport Estate Residential Heritage Precinct comprises all land in HO23. It consists of six discontinuous residential areas in which the original form and character of the area as developed from the 1880s to the end of WWII largely survives. Sub-precincts are located to the north and south of Mason Street.

*How is it Significant?*

The Newport Estate Residential Precinct is of local historic and aesthetic significance to the City of Hobsons Bay.

*Why is it Significant?*

Historically, it is significant for its strong associations with the development of Newport from the late Victorian era to the end of WWII. Numerous house allotments created during the 1880s boom period were often left vacant for a generation and the range of building styles present in confined areas illustrates the slow and sporadic growth in Newport. The layering of the area's history is illustrated in the early subdivision arrangements with early land boundaries preserved as roads such as Mason Street. The area also retains associations with locally important individuals such as James Steele, Michael Durkin and C Williams. The predominantly weatherboard single-storey detached houses on small allotments underpins the working class origins of the area and the association with the railway workshops.

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Aesthetically, it is significant for the groups of relatively intact examples of representative housing, from the Victorian, Federation and interwar periods up to the end of WWII. The built form is typical of residential development throughout Melbourne's inner west during the late nineteenth and early to mid-twentieth centuries.

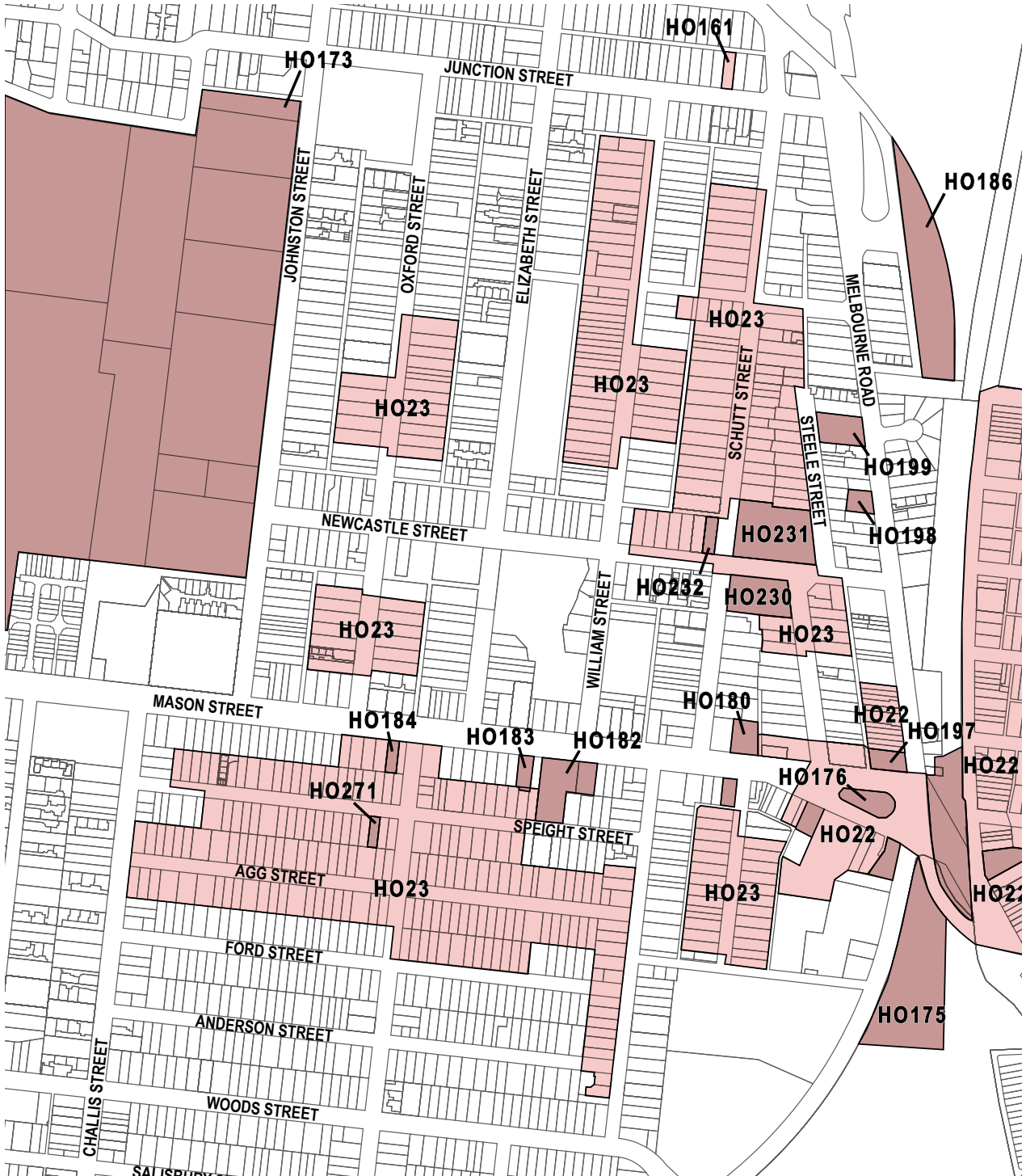
On this basis, the following places within HO23 contribute to the significance of the precinct.

Precinct	Contributory buildings
Schutt Street sub-precinct - part HO23)	<ul style="list-style-type: none"> <li>• Schutt Street, 31-33, 41-45, 49-53, 57-73 and 30, 32, 36, 40, 50-56.</li> <li>• Steele Street, 7-23</li> <li>• Walker Street, 19-23 and 24-30</li> <li>• Newcastle Street, 9 and 20-40</li> <li>• Ross Street, 5-13</li> </ul>
Agg Street sub-precinct - part HO23)	<ul style="list-style-type: none"> <li>• Agg Street, 9, 17-19, 23-27, 35-47, 51, 53, 57-63, 67-71, 75-81, 85 and 91; and 2-14, 18-26, 30, 34-50, 54-90</li> <li>• Mason Street, 81-93</li> <li>• Speight Street 19-53, 59, 61, 65-69, 73-75, 79 and 18-22, 26-32, 38-50, 54-56, 60, 66-68, 76, 82</li> <li>• Mirils Street, 3-13, 17-35</li> <li>• Ford Street, 14-30 and 34-40</li> </ul>
Oxford Street sub-precinct (South) - part HO23	<ul style="list-style-type: none"> <li>• Oxford Street, 1-15 and 4-14</li> </ul>
Oxford Street sub-precinct (North) - part HO23	<ul style="list-style-type: none"> <li>• Oxford Street, 33-41 and 34-46 and 50-56</li> </ul>
William Street sub-precinct - (part HO23)	<ul style="list-style-type: none"> <li>• William Street, 35-55, 59-87, 91-9 and 40-54</li> <li>• Ross Street, 10</li> </ul>
Durkin Street sub-precinct - (part HO23)	<ul style="list-style-type: none"> <li>• Durkin Street 3-11, 15-17, 23-29 and 2-4, 10-12, 16-18 and 22-4</li> </ul>

**HERITAGE OVERLAY HO23**  
**NEWPORT ESTATE RESIDENTIAL HERITAGE PRECINCT**  
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Figure 11 Detail of Map Nos. 4HO, 5HO, 10HO & 11HO with the amended and proposed extent of HO23 indicated  
 Source Hobson Bay Planning Schemes



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**HERITAGE OVERLAY HO23**  
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HERITAGE CITATION



**ENDNOTES**

- 1 Hobsons Bay City Council, 'Hobsons Bay Heritage Study: Volume 1B: Thematic Environmental History', October 2003, p. 32
- 2 *Argus*, 29 June 1849, p. 2
- 3 *Argus*, 12 August 1853, p. 5
- 4 *Age*, 16 January 1886, p. 2
- 5 *Argus*, 7 April 1854, p. 10
- 6 *Argus*, 31 May 1859, p. 3
- 7 Hobsons Bay City Council, 'Hobsons Bay Heritage Study: Volume 1B: Thematic Environmental History', October 2003, p. 16
- 8 'Plan of the Township of Newport', Vale Collection, State Library of Victoria, <http://handle.slv.vic.gov.au/10381/160170>, Hobsons Bay City Council, 'Hobsons Bay Heritage Study: Volume 1B: Thematic Environmental History', October 2003, pp. 32-3
- 9 Troedel and Co., 'Newport Estate', State Library of Victoria
- 10 Hobsons Bay City Council, 'Hobsons Bay Heritage Study Amended 2010: Volume 3 Heritage Place Citations L-Z Part 1', 2010, p. 147
- 11 Hobsons Bay City Council, 'Hobsons Bay Heritage Study: Volume 1B: Thematic Environmental History', October 2003, p. 10
- 12 Hobsons Bay City Council, 'Hobsons Bay Heritage Study Amended 2010: Volume 3 Heritage Place Citations L-Z Part 1', 2010, p. 97; Museums Victoria, 'Going Electric', <https://museumsvictoria.com.au/longform/pumping-station/#goingelectric>, accessed 7 November 2019
- 13 Heritage Council Victoria, 'Newport Railway Workshop (Former)', Victorian Heritage Database, <https://vhd.heritagecouncil.vic.gov.au/places/14994>, accessed 7 November 2019
- 14 'Newport', 1951, Land Victoria Aerial Photography Collection, Central Plan Office, Landata
- 15 'Newport', 1984, Land Victoria Aerial Photography Collection, Central Plan Office, Landata

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# **ATTACHMENT C**

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**HO322 MASON STREET ECCLESIASTICAL  
AND RESIDENTIAL HERITAGE PRECINCT**



## HERITAGE OVERLAY

# H0322

## THE MASON STREET ECCLESIASTICAL AND RESIDENTIAL PRECINCT

HERITAGE CITATION



**Hobsons Bay**  
CITY COUNCIL

### INTRODUCTION

The Mason Street Ecclesiastical and Residential Precinct is located on the south side of Mason Street in Newport. It comprises the Anglican Christ Church complex at 61 Mason Street, including the former manse at 59 Mason Street, and Victorian, Edwardian and interwar dwellings to its east and west.

### HISTORY

Land that forms the Mason Street Ecclesiastical and Residential Precinct is situated in the Parish of Cut-Paw-Paw, which was developed after a private subdivision of Crown allotments 21-26 and 32-37 from 1885.

#### *Early development of Newport*

In the nineteenth century, the only government-planned town settlements in the vicinity of Newport were located in Williamstown and Brooklyn. Newport was without a government-planned and surveyed centre. Some early Crown land sales, of land to the north of Mason Street, took place in 1849, with a subdivision of Crown allotment 20 known as the South Newport Estate. The advertisement for the sale of the estate noted the land adjoined 'the well-known township of Newport' and was in close proximity to the 'railways about to be made in that locality'.

In 1857, the private Geelong and Melbourne Railway Company commenced operation of the Melbourne to Geelong railway line, which terminated at Newport, variously known as Greenwich, Geelong Junction or Williamstown Junction. A few months later it connected to the Williamstown line - a busy port and maritime area. By 1860, the railway ran to Spencer Street railway station, creating a link to Melbourne. However, the line was used for transportation of industrial goods only and did not serve passengers or stimulate local development.<sup>1</sup> The 1864 Henry Cox plan at Figure 11 shows the extent of early development in the locality. Land to the south of Mason Street was not sold by the Crown until 1864, and as such, no buildings are shown in this area on the Cox plan.

From 1884, however, local settlement was encouraged by the construction of the Newport railway workshops in Champion Road (VHR H1000). By the late 1880s, the workshops alone employed 451 men, encouraging residential and commercial development to service the growing workforce, particularly in Mason Street and areas to its south.<sup>2</sup>

Nonetheless, significant development did not occur in the area until the late nineteenth century when widespread speculative subdivisions throughout Newport occurred. This included Grindlay's Estate (HO10), Halls Farm Estate (HO11) and the Newport Estate (parts of which are included in HO23). This coincided with the construction of the first major civic and commercial buildings. The Newport Railway Station Complex (HO136) opened in 1912 and the former Victorian Railways Type A Electricity Substation (HO175) in Market Street was constructed in 1915-16. At the same time, there was also rapid development along Mason Street in the form of commercial, residential and ecclesiastical buildings.

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**HERITAGE OVERLAY H0322**  
**THE MASON STREET ECCLESIASTICAL AND RESIDENTIAL PRECINCT**  
HERITAGE CITATION

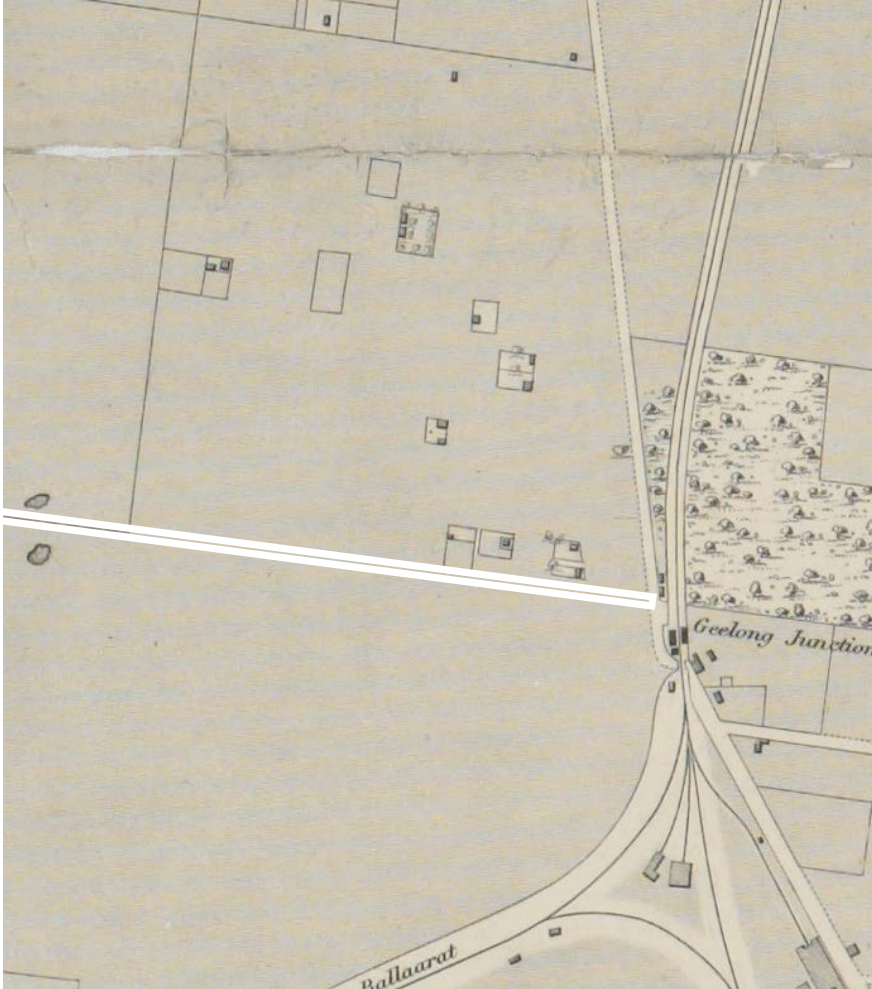


Figure 1 [Detail] Henry L Cox, Plan of Hobson Bay and River Yarra Leading to Melbourne, Development in Newport near Geelong Junction, 1864 with approximate line of the future Mason Street indicated  
Source State Library of Victoria

**Newport Estate**

Land in the subject precinct was sold in Crown land sales in the mid-1860s, with the five acre allotments (Figure 2) sold to purchasers including J Smith, J Wilkins and A Watson in June 1864.

By 1885, land to the south of Mason Street, comprising Crown allotments 21-26 and 32-37, had been acquired by a partnership of Simon Kozminski and Ludwig Radinger. Kozminski was known in Melbourne as a notable Collins Street jeweller. The expansive landholding was subdivided into over 500 allotments with Jack, Mirls, Agg, Speight and other streets created south of the Government Road (Mason Street) at that time.<sup>3</sup>

On 10 March 1885, around 100 of these allotments, situated between Jack and Mirls streets, were offered for sale as the Newport Estate (Figure 3). Allotments were purchased in an *ad hoc* fashion with some purchasers buying groups of allotments. In Mason Street, a church and a number of privately-owned dwellings had been constructed between Mirls and Jack streets, by 1895. By 1900, a total of nine dwellings had been constructed to the east and west of the church group. The precinct developed through the Edwardian and interwar periods as a predominantly residential area, with the church complex at its centre.

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**Hobsons Bay**  
CITY COUNCIL

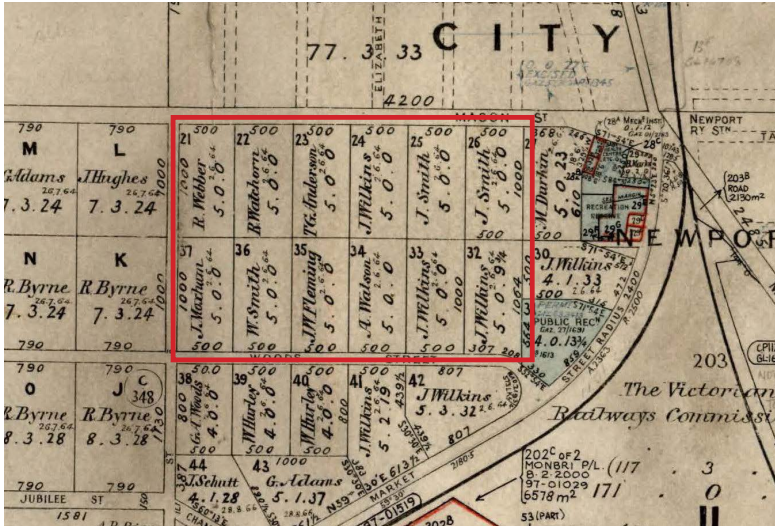


Figure 2 Detail of plan of Parish of Cut-Paw-Paw with original purchasers of with Crown allotments 21-26 and 32-37 (indicated)

Source C345 (19), Central Plan Office, Landata Victorian Land Registry Services

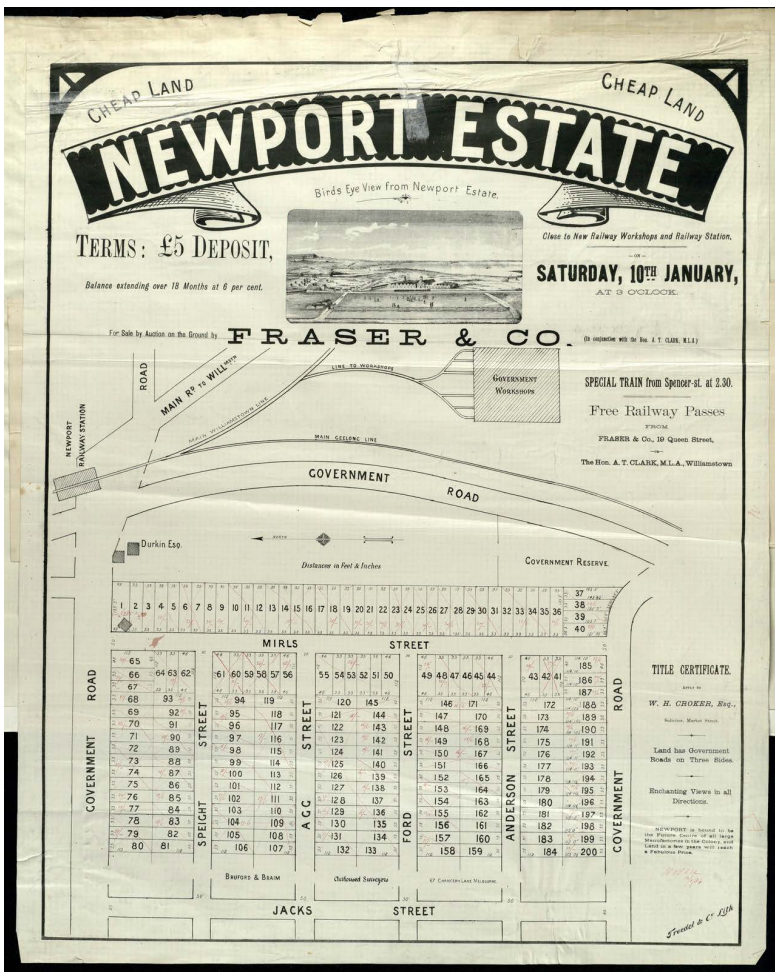


Figure 3 Flyer, Newport Estate, Troedel & Co., lithographers, 1885. North is to the left

Source State Library of Victoria

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*Christ Church, 61 Mason Street*

Following the sale of the Newport Estate in the mid-1880s, six adjacent allotments between Mirils and Jack streets were subsequently acquired by the Anglican church.<sup>4</sup> This included three lots to Mason Street extending through to three more to Speight Street. By 1890, a timber church building (Figure 4) had been constructed addressing Mason Street. A parish hall and school room had been constructed by 1907 (Figure 4). The *Hobsons Bay Heritage Study* (updated 2017) suggests that a seven-roomed timber manse was built at no. 59 Mason Street, adjacent to the church, in 1914 and that Rev George Ratten was its first resident.<sup>5</sup> A small bungalow at no. 63 Mason Street immediately to the west of the church is not listed in *Sands and McDougall* directories and appears to have been listed as part of the church group. It is not evident on the Melbourne and Metropolitan Board of Works (MMBW) plan of 1926 (Figure 8) but is present in the aerial photograph of 1945 (Figure 9). Its appearance suggests a c. 1930 construction date.

The present brick church was constructed in 1926-27 to designs by architects Sale & Keage.

Frederick Sale and J Samuel Keage designed the new church of 1926-7. Sale had returned from London in 1920, where he completed his architectural training, and formed a partnership with Keage operating from offices at 430 Little Collins Street.<sup>6</sup> Although not a prominent firm, the partnership was relatively prolific, and their designs included the RACV building at 94-98 Queen Street, Melbourne (1923, demolished in 1989); a new portico for the St Kilda Town Hall (1925); the 1920s classical revival facade to the earlier Prahran Tradesmen's Club; as well as churches, factories and residences.<sup>7</sup> On 7 November 1924 the partnership came to a sudden end when Keage died in a motor vehicle accident, aged 35. Nonetheless, the name of Sale & Keage continued until Sale's death at age 45 in 1937.<sup>8</sup> Due to lingering issues from contracting tuberculosis during World War I, Sale was unable to run the practice, and much of the work of Sale & Keage was executed by others.

The foundation stone was laid by the Archbishop of Melbourne, the Most Reverend Harrington Clare Lees DD, on 4 December 1926. The timber school behind the church survived until that time but was subsequently removed and replaced.<sup>9</sup>

Resident clergy from the late nineteenth and early twentieth century included Revs. Fitzgerald (1890), Thomas Leonard (1896), and Macdonnell (1901).<sup>10</sup>



Figure 4 Postcard, 'Christ Church & Parish Hall', Newport, c. 1907  
Source State Library of Victoria,  
accession no: H90.160/874



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Figure 5 Christ Church, 61 Mason Street



Figure 6 Manse, 59 Mason Street

***Later developments***

The precinct was substantially developed by the mid-1910s.

The MMBW plan of c. 1915 (Figure 7) shows a series of weatherboard residences, generally to straightforward builders' designs, addressing Mason Street. This plan was prepared prior to the construction of the weatherboard bungalows at nos 57 and 63 Mason Street. A subsequent MMBW plan of 1926 shows the dwelling at no. 57 in place suggesting a construction date of this building of c. 1920. As noted, the weatherboard bungalow at no. 63 was constructed after 1926 and appears to date from c. 1930.

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The dwelling known as St Arnaud at 65 Mason Street (HO183) was also constructed in 1913 during the early development of the precinct, and is visible in the MMBW plan of c.1915.

The 1945 aerial photograph at Figure 9 shows the precinct in a fully-developed state, with the 1926 church and associated buildings, and flanking residential buildings all constructed.

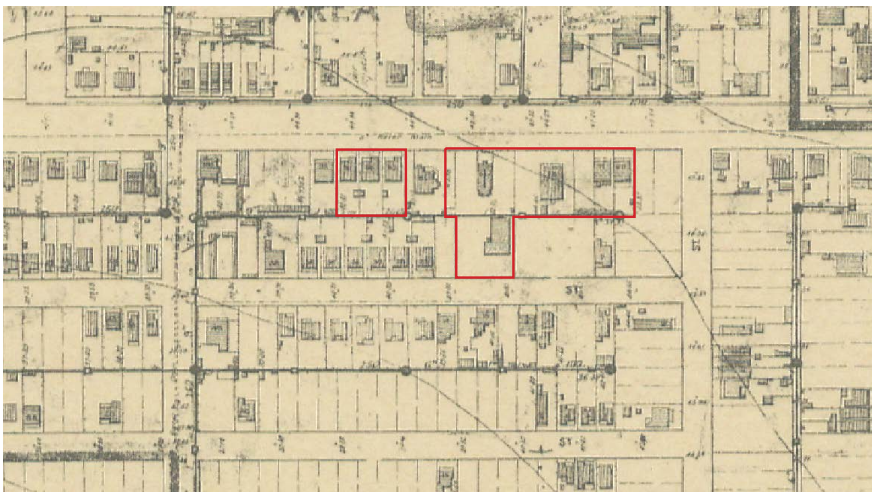


Figure 7 MMBW detail plan no. 10, c. 1915, with the Mason Street Ecclesiastical and Residential Precinct indicated  
 Source State Library of Victoria

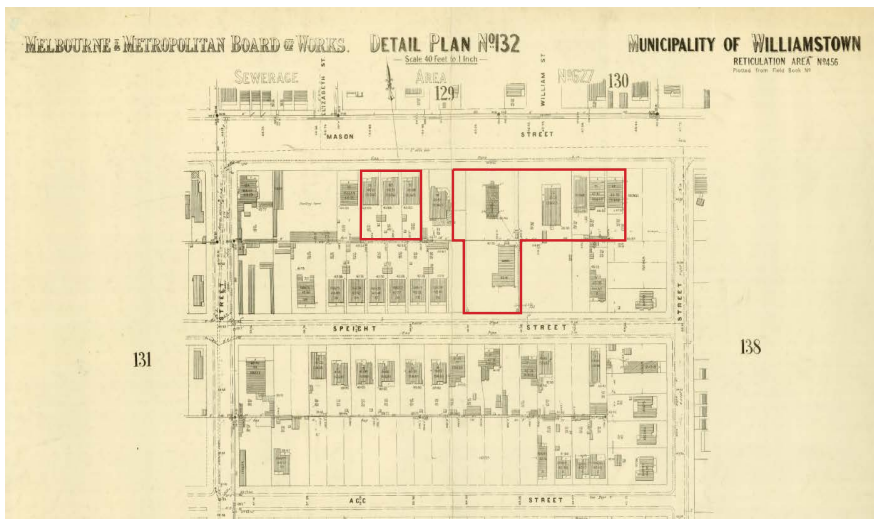


Figure 8 MMBW detail plan no. 10, c. 1926, with extent of the Mason Street Ecclesiastical and Residential Precinct indicated  
 Source State Library of Victoria



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Figure 9 Aerial photograph, 1945, with the Mason Street Ecclesiastical and Residential Precinct indicated in red  
Source Landata

## DESCRIPTION

The Mason Street Ecclesiastical and Residential Precinct is located on the south side of Mason Street in Newport, between Mirls and Jack streets. While the church forms the centrepiece of the precinct, a residential group, comprising timber villas and bungalows, to typical builders' designs, developed concurrently with the church group. Dwellings at nos 53-55 and nos 69-71 were constructed before c. 1895.<sup>11</sup> The weatherboard bungalow at no. 57 was constructed in c. 1920. The final dwelling in the group, a modest weatherboard bungalow at no. 63 appears to date from c. 1930. Individual buildings in the precinct are described below.

### **53 Mason Street**

Symmetrical, double-fronted, timber villa constructed in c. 1895 (Figure 10). The building is clad in weatherboards. Its steeply-pitched roof retains its original rendered chimney and bracketed eaves. Similarities between this building and its neighbour at no. 55 suggest that the pair is the work of a single builder.

### **55 Mason Street**

Symmetrical, double-fronted, timber villa constructed in c. 1895 (Figure 10). The building is clad in weatherboards. Its steeply-pitched roof retains its original rendered chimney and bracketed eaves. Similarities between this building and its neighbour at no. 53, notably chimney detailing, suggest that the pair is the work of a single builder.

### **57 Mason Street**

Timber bungalow constructed in c.1920 (Figure 10). The dwelling retains its gable-ended expression with weatherboard cladding and hung vtimber shingles to gable ends. Windows to the street have been replaced and its timber verandah has been altered including the replacement of its apron in concrete.

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Figure 10 (L) 53 & 55 Mason Street, (R) 57 Mason Street

***Manse, 59 Mason Street***

The Manse of 1914 is located immediately to the east of the church (Figure 6). It comprises an altered double-fronted, weatherboard-clad villa. Apart from its ogee profile return verandah, it is generally typical of Edwardian-era residential design. Its half-hipped roof is clad in corrugated steel. The roof form to the rear sections of the dwelling suggests that this is a later addition or alteration.

***Former Christ Church 61 Mason Street***

Christ Church, Newport was constructed in 1926-27 to designs by architects Sale & Keage. It is an austere red brick church in a Interwar Gothic style. The church has pointed arch windows and doorways with cement dressings and limited tracery, gabled entry porches, Marseilles pattern terra-cotta roofing tiles, and a cement rose window at the western gable end. The Hobsons Bay Heritage Study suggests that the church has the 'appearance of staged construction'. In 2014, the bell tower of the church collapsed after a tree fell through the roof and repairs are evident in views from Mason Street (Figure 5).<sup>12</sup>

***63 Mason Street***

The timber bungalow at 63 Mason Street is a gable-ended dwelling likely to date from c. 1930. It is clad in weatherboards. Some alterations to the verandah are evident (Figure 11).

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Figure 11 63 Mason Street

**67 Mason Street**

Ashlar boarded villa with bullnosed verandah constructed in c. 1895. Similarities in detailing, notably chimneys, suggest that nos 67-71 are the work the work of a single builder (Figure 12).

**69 Mason Street**

Asymmetrical weatherboard villa constructed in c. 1895. A projecting gable end to the street incorporates a rising sun device. Fretwork to the verandah appears to date from the original construction. If so, this is an unusually early example of a, more typically Edwardian, verandah design. Similarities in detailing, notably chimneys, suggest that nos 67-71 are the work the work of a single builder.

**71 Mason Street**

Asymmetrical timber villa with a bullnosed verandah, constructed in c. 1895 with a façade clad in ashlar weatherboards. Windows appear to have been replaced to a more Edwardian design in the relatively recent past. Similarities in detailing, notably chimneys, suggest that nos 69-71 are the work the work of a single builder (Figure 11).



Figure 12 (L) 67 Mason Street, (R) 69 and 71 Mason Street

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**COMPARATIVE ANALYSIS**

In the nineteenth century, churches often formed the hubs of local communities. Frequently among the earliest buildings to be constructed in their locales, churches typically attracted residential or civic developments. This urban condition occurs throughout the City of Hobsons Bay and is regularly protected under Heritage Overlay controls. Comparative examples are discussed below.

The former Wesleyan Church within the Electra Street Heritage Precinct (HO4), for example, underpins a nineteenth and early twentieth century residential area. As with the subject precinct, the area is unified by groups of predominantly Victorian and Edwardian-era houses with common or similar characteristics of design, siting and scale that create cohesive and homogeneous streetscapes. Many are externally intact and others, although altered, 'still retain their distinctive form and siting and hence contribute to the precinct'.<sup>13</sup> The Wesleyan Methodist Church (former) at 36 Electra Street, Williamstown (HO99) likewise attracted substantial Victorian and Federation dwellings to its locale. The Primitive Methodist Church (former) at 59-61 John Street, Williamstown (HO160) encouraged Victorian and later residential development that is included in the surrounding HO27.

On a more modest scale, this aspect of Victorian/Edwardian life is illustrated by the former shop and residence at 55 John Street, Williamstown (HO159) which demonstrates the way in which communities coalesced around churches. The shop in conjunction with an early church, opposite, provided an important local community focal point.

Considering metropolitan Melbourne more broadly, St Martin's Anglican Church (HO28) at the corner Cromwell Road and Wilson Street in Hawksburn encouraged modest development in abutting sections of Wilson Street (HO379). Similar examples survive throughout Melbourne's suburbs.

In terms of its age, the development of Mason Street commenced at a particularly early date in the history of Newport and forms the foundation of the later residential suburb. In this regard, the subject group compares with the earliest developments in the nearby Newport Residential Precinct (HO23) and Newport Commercial Precinct (HO22).

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**Assessment against criteria**

The *Planning Practice Note 1: Applying the Heritage Overlay* requires that the following recognised heritage criteria are used for the assessment of the heritage value of heritage places. These model criteria have been broadly adopted by heritage jurisdictions across Australia.

CRITERIA	COMMENT
<p><b>CRITERION A</b></p> <p>Importance to the course or pattern of our cultural or natural history (historical significance).</p>	<p>The Mason Street Ecclesiastical and Residential Precinct is significant as an early point of community focus within the municipality.</p> <p>It illustrates the nineteenth century beginnings of the area and the significant development occurring locally following the development of the railway and later workshops from the late Victorian to the interwar period.</p> <p>The subject group developed in conjunction with the civic and retail precinct to its east and set the tone for the residential areas to its south.</p> <p>Specifically, the Christ Church complex is historically significant as part this group of public buildings, demonstrating the development occurring in Newport from the Victorian to the interwar period.</p> <p><i>This criterion is satisfied at a local level.</i></p>
<p><b>CRITERION B</b></p> <p>Possession of uncommon, rare or endangered aspects of our cultural or natural history (rarity).</p>	<p>The group is generally typical of polite residential precincts that formed around churches in the late nineteenth and early twentieth centuries.</p> <p><i>This criterion is not satisfied for the precinct as a whole.<sup>14</sup></i></p>
<p><b>CRITERION C</b></p> <p>Potential to yield information that will contribute to understanding our cultural or natural history (research potential).</p>	<p>Not applicable.</p>
<p><b>CRITERION D</b></p> <p>Importance in demonstrating the principal characteristics of a class of cultural or natural places or environments (representativeness).</p>	<p>The area is typical of ecclesiastical and residential precincts throughout metropolitan Melbourne and demonstrates the principal characteristics of this class of place.</p> <p><i>This criterion is satisfied at a local level.</i></p>
<p><b>CRITERION E</b></p> <p>Importance in exhibiting particular aesthetic characteristics (aesthetic significance).</p>	<p>The precinct is aesthetically significant as an intact group of simple builders' designs demonstrating a range of straightforward late Victorian and early twentieth century styles centred on a picturesque Interwar Gothic Church.</p> <p><i>This criterion is satisfied at a local level by the precinct as a whole.</i></p> <p>Specifically, Christ Church is aesthetically significant within the municipality as an excellent example of an austere Interwar Gothic church, which is complemented by an intact residence.</p> <p><i>This criterion is satisfied at a local level by Christ Church.<sup>15</sup></i></p>

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**CRITERION F**

Not applicable.

Importance in demonstrating a high degree of creative or technical achievement at a particular period (technical significance).

**CRITERION G**

Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions (social significance).

While it appears likely that the area is significant for its strong associations with the Newport community as an important ecclesiastical and community meeting place, this has not been established by direct engagement with stakeholders.

*This criterion has not been demonstrated to be satisfied at a local level.*

**CRITERION H**

Special association with the life or works of a person, or group of persons, of importance in our history (associative significance).

The area is of interest for associations with early landholders such as Simon Kozminski and Ludwig Radinger and local identities such as John Whitwam. Christ Church of 1926-7 is notable for its association with early church leaders including, Revs. Fitzgerald, Thomas Leonard and Macdonnell and with architects, Sale and Keage.

*This criterion is satisfied at a local level.*

**STATEMENT OF SIGNIFICANCE**

*What is Significant?*

The Mason Street ecclesiastical and residential precinct is located on the south side of Mason Street in Newport. It comprises the Anglican Christ Church complex at 61 Mason Street, including the former manse at no. 59 Mason Street, and dwellings to the east and west of the church. Dwellings at 53-57, 63 and 67-71 Mason Street contribute to the significance of the precinct.

*How is it Significant?*

The Mason Street Ecclesiastical and Residential Precinct, comprising dwellings from the late Victorian period to c. 1930, is of historical, representative and aesthetic significance.

The Christ Church complex at 59-61 Mason Street, Newport, comprising the manse constructed in 1914 and the church designed by Sale & Keage and constructed in 1926-27, is of local historical, social and aesthetic significance to the City of Hobsons Bay.

*Why is it Significant?*

The Mason Street ecclesiastical and residential precinct is historically significant as an early point of community focus within the Municipality. It illustrates the nineteenth century beginnings of the area and the significant development occurring locally following the development of the railway and associated workshops from the late Victorian period to the interwar period. The Christ Church complex is historically significant as one of a number of public buildings that demonstrate the development occurring in Newport from the Victorian to the interwar period, largely as a consequence of the construction of the railway and associated workshops.

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Aesthetically, the dwellings in the precinct are generally significant as an intact group of representative builders' designs demonstrating a range of straightforward late-Victorian and early-twentieth-century styles centred on a picturesque Interwar Gothic Church. The Christ Church complex is significant within the municipality as a good example of an austere Interwar Gothic church, which is complemented by an intact manse to its east.

While it appears likely that the church complex, being the central focus of the precinct, is of social value for its strong associations with the Newport community as an important ecclesiastical and community meeting place, this has not been established by direct engagement with stakeholders.

The area is of interest for associations with early landholders such as Simon Kozminski and Ludwig Radinger and local identities such as John Whitwam. Christ Church of 1926-7 is notable for its association with early church leaders including, Revs. Fitzgerald, Thomas Leonard and Macdonnell and with architects, Sale and Keage.

On this basis, the following places within the Mason Street Ecclesiastical and Residential Precinct contribute to the significance of the precinct

53 Mason Street	Weatherboard villa, c.1895	Contributory
55 Mason Street	Weatherboard villa c.1895	Contributory
57 Mason Street	Weatherboard bungalow, c.1920	Contributory
59 Mason Street	Manse, 1914	Significant
61 Mason Street	Anglican Church, 1926-27	Significant
63 Mason Street	Weatherboard bungalow, c. 1930	Contributory
67 Mason Street	Ashlar boarded bungalow, c 1895	Contributory
69 Mason Street	Weatherboard villa, c. 1895	Contributory
71 Mason Street	Weatherboard villa, c. 1895	Contributory

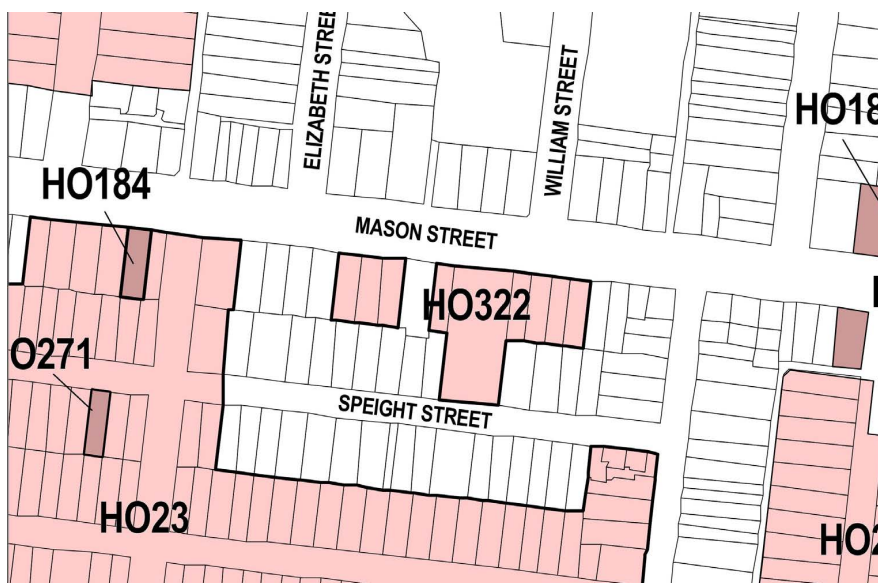


Figure 13 Map with Mason Street Ecclesiastical and Residential Precinct indicated

Source Hobson Bay Planning Schemes

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**ENDNOTES**

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2. Heritage Council Victoria, 'Newport Railway Workshops (Former)', Victorian Heritage Database, <https://vhd.heritagecouncil.vic.gov.au/places/14994/download-report>, accessed 4 November 2019
3. Subdivision of Crown Allotments 21 to 26 & 32 to 37 Section 2 Cut-Paw-Paw', Lodged Plan LP729, Landata, Victorian Land Registry Services.
4. *Sands and McDougall Directory*, 1900, p. 401.
5. Hobsons Bay Heritage Study, Volume 3, amended 2017
6. Hobsons Bay Study Volume 3, amended 2017
7. <http://www.rgcrompton.info/crompton/1821info14c.html>
8. <http://www.rgcrompton.info/crompton/1821info14c.html>; RVIA Journal, November 1924, pp. 165-66
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12. Newport, VIC Christ Church Anglican, <https://www.churchhistories.net.au/church-catalog/newport-vic-christ-church-anglican>
13. Hobsons Bay Heritage Study, Volume 3, amended 2017
14. Electra Street Heritage Precinct, [http://vhd.heritage.vic.gov.au/places/result\\_detail/22431?print=true](http://vhd.heritage.vic.gov.au/places/result_detail/22431?print=true)
15. Hobsons Bay Heritage Study, Volume 3, amended 2017
16. Hobsons Bay Heritage Study, Volume 3, amended 2017
17. Hobsons Bay Heritage Study, Volume 3, amended 2017
18. Hobsons Bay Heritage Study, Volume 3, amended 2017

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# AMENDMENT C133:

## *Newport Structure Plan and Inner Newport Heritage Gap Study*

### Panel Recommendations & Adoption



**Hobsons  
2.0**



# Recap: Amendment C133

- Amendment C133 proposes to change the Hobsons Bay Planning Scheme to include the Structure Plan and Inner Newport Heritage Gap Study.
- The Amendment updates local policy, zones and overlays in the planning scheme.

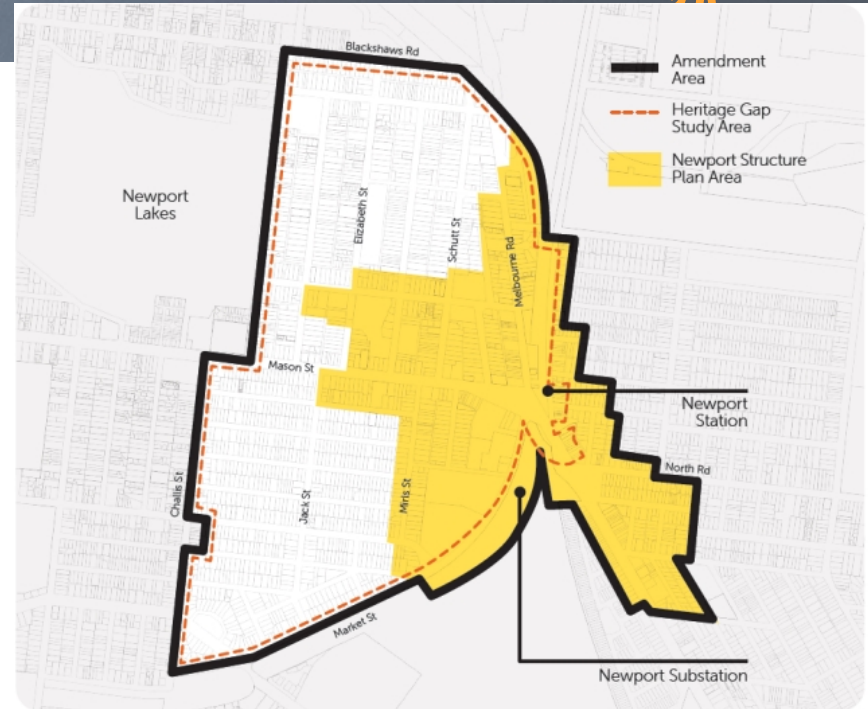


Figure 1. Amendment area



# Amendment C133 – Background

## Key dates

**2014:** Community engagement on vision and key directions

**2018:** Community engagement on Draft Newport SP

**2019:** Resolution to defer adoption of SP until heritage gap study completed

**2020:** Inner Newport Heritage Gap Study completed by Lovell Chen heritage advisors

**2021:** Peer review completed by RBA heritage advisors

**July 2021:** Information only Councillor briefing report

**Nov 2021:** Council briefing on Inner Newport Heritage Gap Study

**Feb 2022:** C131 (new zones) approved by Minister for Planning

**Jul / Aug 2022:** Public exhibition of the Amendment

**Nov / Dec 2022:** Panel hearing

**Jan 2023:** Panel and report released

# Amendment C133 - Authorisation

- Council received authorisation with conditions from the Minister for Planning to prepare and exhibit Amendment C133 on 6 April 2022.
- Key changes include:
  - Policy content at Clause 11.03-1L Activity Centres
  - Changes to DDOs including associated mapping and deletion of DDO19
  - Statement of Significance for HO322 – Mason Street Ecclesiastical and Residential Heritage Precinct in June 2022.
- Officers revised the documentation to resolve the conditions.

# Amendment C133 - Exhibition

## AMENDMENT C133 – NEWPORT STRUCTURE PLAN

We want to  
hear from  
you

Amendment C133 proposes to implement the findings of the Newport Structure Plan and Inner Newport Heritage Gap Study into the Hobsons Bay Planning Scheme.

- Amendment C133 publicly exhibited: 30 June - 12 Aug 2022
- 37 submissions were received from residents, public agencies and service authorities:
  - 34 objecting or requesting changes
  - 3 no objections

### NEWPORT STRUCTURE PLAN

The Newport Structure Plan (Structure Plan) provides a long-term vision for land use changes, public spaces and buildings in the Newport activity centre. The Structure Plan relates to the area shown in Figure 1 opposite. The Structure Plan was developed in consultation with the community and key stakeholders over several years and was adopted by Council on 8 March 2022.

### INNER NEWPORT HERITAGE GAP STUDY

The Inner Newport Heritage Gap Study was prepared to identify properties of heritage significance not yet included in a Heritage Overlay and has helped to inform the Structure Plan. The Inner Newport Heritage Gap Study area is shown in Figure 1.

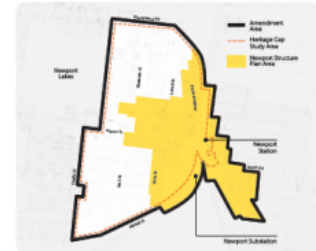


Figure 1. Amendment area

### WHAT IS AMENDMENT C133?

Amendment C133 proposes to change the Hobsons Bay Planning Scheme to include the Structure Plan and Inner Newport Heritage Gap Study.

The amendment does this by updating local policy, zones and overlays in the planning scheme. The following changes are proposed:

- update local policy to implement the vision and key objectives of the Structure Plan and Inner Newport Heritage Gap Study
- rezone properties to introduce new residential zones to align with Amendment C133 and allow for some mixed use and commercial development. The following zones are proposed:
  - Neighbourhood Residential Zone (up to two storeys)
  - General Residential Zone (up to three storeys)

- Residential Growth Zone (up to four storeys)
- Mixed Use Zone (up to four storeys)
- Commercial 1 Zone (up to five storeys as per Design and Development Overlay)
- update Heritage Overlay (Schedule 1 to Clause 43.01 and maps) to implement findings of the Inner Newport Heritage Gap Study by including additional properties and removing some properties within heritage precincts and adding a new heritage precinct (HO322)
- introduce four new Design and Development Overlays (DDOs) to guide future building height and design in the Newport activity centre
- apply an Environmental Audit Overlay (EAO) to ensure land is appropriately remediated before any sensitive use (such as residential) can occur

# Planning Panel and recommendations

Planning Panel (three and a half day hearing early December) report released 19 Jan 2023.

Key Panel recommendations are:

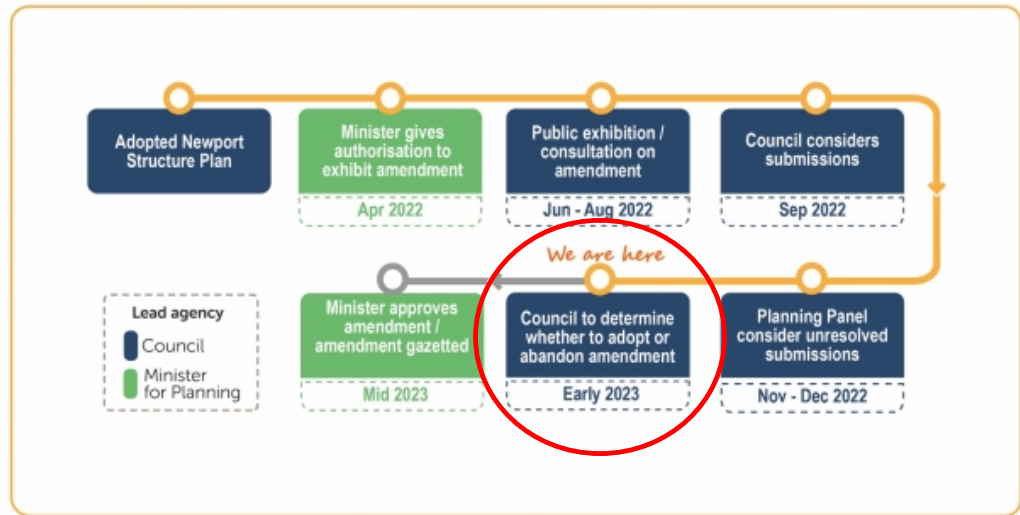
- Amendment is strategically justified
- New WSV guidance not adopted for C133, as ahead of BAO / case-by-case only
- Amendment should proceed subject to changes including:
  - Design and Development Overlay 7 (remove from RGZ )
  - Design and Development Overlay 6 (add objective in relation to MHF and pipelines)
  - Design and Development Overlay 12 (add in residential interface provision)
  - Design and Development Overlays (all to have new acoustic requirement)
  - Heritage Overlay 23 (remove 34-56 and 33-41 Oxford St and 50-54 and 91 William St)

**Council must consider recommendations of Panel before adopting Amendment**

# Amendment timeline and next steps

## Next Steps:

- If adopted by Council – lodge with Minister seeking final approval of the amendment
- Once Minister approves, the Amendment comes into affect when notice published in Victorian Government Gazette
- Submitters will be notified of the Amendment outcome





# Hobsons Bay Mobile Vendor Policy

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2023 Version 2.0

### **Acknowledgment of Country**

Council acknowledges the Bunurong People of the Kulin Nation as the Traditional Owners of these municipal lands and waterways, and pay our respects to Elders past, present and emerging.

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## 1. Purpose

This policy has been developed to facilitate and manage the effective operation of mobile vendors in Hobsons Bay and provide a framework for considering requests for roadside trading in the municipality.

## 2. Background

Mobile trading, when managed appropriately, can contribute to creating a vibrant and diverse local economy, attracting visitors and providing residents in isolated areas with local access to goods and services. Consideration must also be given to impacts on the community including potentially negative impacts on existing business owners, landowners, residents and the environment.

Hobsons Bay City Council regulates mobile vendors to ensure that temporary business opportunities are facilitated and managed in a consistent way.

There has been an increase in mobile trading activity within Hobsons Bay in recent years and this policy aims to provide an equitable and flexible approach to managing mobile and itinerant vendors. Council recognises that mobile vendors can contribute to the economic diversity and activation of the municipality and provide access to goods and services at times or in locations where there is limited access to local products and services.

Across Victoria there are a wide variety of approaches to mobile vendors. These range from minimal such as Streatrader registration only to significant limitations and restrictions and fees. Council seeks to balance the interests of mobile vendors with the interests of other businesses through the provision of an equitable and flexible approach.

This policy replaces the previous stationary roadside vendors tender process and allows for stationary roadside trading (trading in one approved site for the duration of the permit) or itinerant trading (roaming at least 100m away from other operators, businesses, and designated safety exclusion zones along the coastline).

In line with the policy objectives the principles of the mobile vendor policy include:

- clarity
- minimising potential adverse impacts
- increasing economic diversity and business diversification
- social connection
- sustainable practices

### 3. Scope

This policy outlines the process for both stationary and itinerant/roaming vendors to operate in Hobsons Bay.

Vendors are either stationary (one approved site for the duration of their permit) or itinerant (roaming at least 100m away from other operators, businesses, and outside safety exclusion zones along the coastline).

The policy does not apply to:

- mobile vendors operating as part of a permitted event
- mobile vendors operating from private land or land operated by other government authorities

The policy designates specific locations referred to as 'approved sites' for stationary vendors and enables other sites to be nominated to become new approved sites.

This policy is an operational policy and will be regularly reviewed and maintained by the organisation.

### 4. Definitions

For the purposes of this policy, the following definitions have been developed:

<b>Mobile vendor</b>	Any business selling products or services from a vehicle
<b>Roadside trading</b>	The sale of goods or services from a vehicle or stall on the side of the road, rather than from a store or office setting
<b>Itinerant/roaming vendor</b>	A vendor who travels from place to place to sell their goods, moving <u>regularly</u> between sites during one period of trade (e.g., ice cream truck, mobile coffee van). In Hobsons Bay for the purpose of this policy itinerant / roaming vendors must not stay in the same location for longer than two hours per day
<b>Stationary vendor</b>	A temporary or mobile vendor selling goods from a designated site. In Hobsons Bay stationary vendors must operate from one of the approved locations or submit a request for a new location to be considered as an approved site. If a new site is approved vendors can then apply for a permit to operate at the approved location on a monthly or annual basis

<b>Approved site</b>	An approved site (or approved location) refers to sites that have been designated as a location suitable for a stationary vendor to operate from.
<b>Streatrader</b>	The Victorian Government website where businesses and community groups must register their temporary or mobile food business. Through Streatrader, businesses and community groups can apply for <i>Food Act 1984</i> registration, manage their registration, and lodge a Statement of Trade
<b>Statement of Trade</b>	A Statement of Trade (SOT) is a notification to a Council of where and when you intend to trade. Any mobile or temporary food premises selling to the public must lodge a SOT under the <i>Food Act 1984</i>
<b>Existing bricks and mortar business</b>	Refers to any business that offers products and services to its customers face-to-face in an office, store or building that the business owns or rents
<b>Activity Centre</b>	Areas that provide a focus for services, employment, housing, transport and social interaction. They range in size and intensity of use from smaller neighbourhood centres to major suburban centres and larger metropolitan centres
<b>Coastline</b>	Refers to Council roads, streets and car parking areas adjacent to the beach or foreshore areas
<b>Safety exclusion zone</b>	A zone along the coastline, designated by Council and indicated on the map in Appendix 2, where trading is not allowed due to safety concerns and a lack of amenities that can safely support the operation of a mobile vendor
<b>Local vendor</b>	Where the owner of the enterprise lives in Hobsons Bay and/or the business is registered to a Hobsons Bay address; or the mobile vendor is an extension of a business operating from a fixed address in Hobsons Bay (e.g. a café, flower shop, etc.)
<b>Climate change</b>	Hobsons Bay's Response to Climate Change Action Plan (RCCAP) summarises the impacts of climate change as: <ul style="list-style-type: none"> <li>• increase in median temperatures</li> <li>• increase in rainfall intensity with the reduction in annual rainfall totals</li> <li>• rise in sea level and storm surge</li> <li>• extent and frequency of droughts more than double</li> </ul>

## 5. Policy and principles

The policy aims to support a proactive and flexible approach to outdoor trading to deliver the following objectives:

- to minimise potential impact of mobile vendors on established businesses
- to increase the economic diversity of the Hobsons Bay economy
- to reduce uncertainty around mobile trading in Hobsons Bay
- to encourage new business and business diversification
- to provide local residents with access to a variety of products and services, regardless of where they reside
- to encourage social connection within neighbourhoods
- to identify and encourage opportunities to activate underutilised areas of the municipality
- to ensure public safety whilst providing access to public spaces and trading opportunities
- to encourage sustainable practices

## 6. Procedural guidelines

Two mobile vendor permit types are available:

- Stationary - one site for the duration of the permit at an approved site
- Itinerant – roaming permit for Council operated roads and land

### 6.1 Approved sites for stationary vendors

As part of this permit, stationary vendors will be provided a dedicated location within an approved site. There are currently existing approved sites within Hobsons Bay for stationary mobile vendors to operate. An updated list of sites and their status can be found on Council's website [www.hobsonsabaybusiness.com.au/Do-business/Business-Support/Business-Permits](http://www.hobsonsabaybusiness.com.au/Do-business/Business-Support/Business-Permits)

Current stationary vendors are required to submit a new application prior to the expiry of their permit. Applications for current permit holders will be reviewed against other applicants.

### 6.2 New stationary vendor sites

Applications for new stationary sites can be submitted for consideration. New site requests are reviewed against criteria including:

- Site is situated 100 metres away of an activity centre (as identified in the Activity Centre Strategy 2019-36), an existing bricks and mortar business or a permitted mobile vendor.
  - Some sites greater than 100m apart may not be approved to minimise congregation of trucks and competition in services
  - On occasion Council may approve more than one permit per site if the business is not competitive (ie sells different goods) and is complementary to the other nearby mobile vendor
- Site has limited access to other goods and services
- Site has adequate queuing areas
- Site does not obstruct pedestrian flow, driveways, bicycle lanes and loading zones
- Site does not impact local amenity, sites of heritage significance, local flora or fauna

Note: If seeking to trade as a stationary vendor on a new site there are two steps in the process: firstly the site will need to be assessed for suitability as an 'approved location' for stationary vendors; secondly if site is approved a Stationary Vendor Permit is required.

### 6.3 Itinerant vendors

Itinerant / roaming vendors **must remain 100 metres or further away** from an activity centre (as identified in the Activity Centre Strategy 2019-36); existing bricks and mortar business' during hours of operation; approved stationary sites; another permitted mobile vendor; and must not operate within the designated safety exclusion zones along the coastline.

Itinerant / roaming vendors must not:

- operate in the same location for longer than two hours per day (excluding setup time) and may not return within 100 metres of that location within the same day
- create a nuisance to nearby residents
- attend any sporting, festival or community event without Council's written consent or an approved application by the event organiser. If written consent has not been secured, then 100m must be maintained from the reserve or site while the event is taking place.

### 6.4 Requirements to operate

- Certificate of Currency for Public Liability insurance to the sum of \$20,000,000 and noting "Hobsons Bay City Council" as an interested party, and commitment to maintaining currency
- proof of business or company registration (ABN)
- current Streatrader registration (where a licence is required under the Food Act)

- current vehicle registration and insurance if the business utilises a vehicle (and towing vehicle if relevant)
- applicant's details must match ABN, licensee and licenced vehicle details
- application is submitted by the business owner and licensee under the Food Act
- for itinerant vendors, applicants must acknowledge that they will submit a statement of trade at least one business day prior to trading
- operators must provide their own power and water, and ensure all waste is removed from the site at the conclusion of each day of trade using Council's four bin system – rubbish, recycling, glass and food organics.
- all waste and litter generated through goods sold or used by the mobile vendor must be disposed by the vendors and vendors must ensure the area around their site is kept clear of rubbish and refuse at all times. Refuse must be removed off site following the end of trade
- operators must register for notifications of any changes to the map indicating exclusion areas, including the safety exclusion zone, and areas where mobile vendors can operate
- the operator must abide by all parking restrictions and must not create an obstruction on any road, thoroughfare or footpath, and abstain from trading on Vic Roads nominated roads

## 7. Application Process

- all permit applications must be submitted online for assessment
- permits will be processed in order of receipt
- annual or multi-year permit holders will be required to submit a new application prior to the expiry of the current permit (31 July). Failure to do so may result in the permit being allocated to another vendor
- business who operate their mobile vehicles under a lease agreement with another company will need to provide a copy of their lease agreement

Applications will be assessed with permits allocated in accordance with this policy and the following criteria:

- impact on established businesses
- increased economic diversity and business diversification
- preference for businesses located within Hobsons Bay
- preference will be given to annual permits
- social connection opportunities
- activation of underutilised areas of the city
- environmental performance of vendors (e.g. eliminating use of Single Use Plastics)

If seeking to trade as a stationary vendor on a new site there are two steps in the process: 1) the site will need to be assessed for suitability as an 'approved location' for stationary vendors; and 2) if site is approved a Stationary Vendor Permit will need to be applied for.

## 8. Fees and associated costs

	Stationary		Itinerant
	Tier 1 site (High traffic and tourist areas)	Tier 2 site (All other sites)	
<b>Application fee consideration of site as a new stationary site</b>	\$75	\$75	N/A
<b>Monthly permit</b> <b>35% Discount for local vendors</b>	\$960 \$625	\$640 \$415	\$960 \$625
<b>Annual permit</b> <b>35% Discount for local vendors</b>	\$3,850 \$2,500	\$2,560 \$1,660	\$3,850 \$2,500
<b>Maximum permits available</b>	1 per site*	1 per site*	12 in total

\* On occasion Council may approve more than one permit per site if the business is not competitive (ie sells different goods) and is complementary to the other nearby mobile vendor.

Annual permits are valid from 1 August to 31 July and are subject to change. Permit fees will be charged annually starting from August. Pro rata fees will apply for permits issued between September and April. A minimum fee of \$960 for Tier 1 and \$640 for Tier 2 will apply for annual permits issued from May to July.

Vendors can apply for a multi-year permit of up to maximum of three years which will guarantee the site for that duration. Conditions of the multiyear permit will include:

- operational commitment during the 3 years
- renewal fees paid annually
- insurances and registrations updated upon expiry.

## 9. Permit provision

Permits are reviewed annually to ensure equity and accessibility for mobile vendors. All permit renewals will be processed with consideration to current demand for mobile trading and the impact on local businesses and the Hobsons Bay community.

To ensure viability for permit holders and protect the amenity of the outdoor areas maximum permit provisions include:

- A maximum of one vendor permit per location will be issued for approved locations/sites. Note: on occasion Council may approve more than one permit per site if the business is not competitive (ie sells different goods) and is complementary to the other nearby mobile vendor
- A maximum of sixteen sites will be designated as approved location/sites.
- A maximum of twelve itinerant mobile vendor permits will be made available.
- A maximum of two permits will be issued to individual vendors with Council reserving the right to refuse applications if they limit the diversity of goods being offered for sale.

Noncompliance to any of the conditions of the permit or this policy will render the permit void and leave the mobile vendor in breach of Hobsons Bay Community Local Law Part 12, Sections 115 and 116.

Council reserves the right, irrespective of anything contained in this policy, to revoke, suspend or cancel a permit that has been issued, or the approval of a specific site. Council will refund on a pro-rata basis any permit application fees that have been paid, but will not be liable for any lost business, income or other business cost associated with the exercise of this clause.

## 10. Related documents

Economic Development Strategy 2015-20  
Footpath Trading Code of Practice  
Experience Hobsons Bay Tourism Strategy 2019-24  
Activity Centre Strategy 2019-36  
Hobsons Bay Community Local Law 2015

## 11. Related legislation

*Food Act 1984*  
*Local Government Act 2020*

## 12. Review date

This policy is an operational policy and will be regularly reviewed and maintained by the organisation. A full review will be undertaken in 2026.



## 13. Further information

For further information concerning this policy please contact the Economic Development team on 1300 179 944 or [business@hobsonsabay.vic.gov.au](mailto:business@hobsonsabay.vic.gov.au).

## 14. Document control

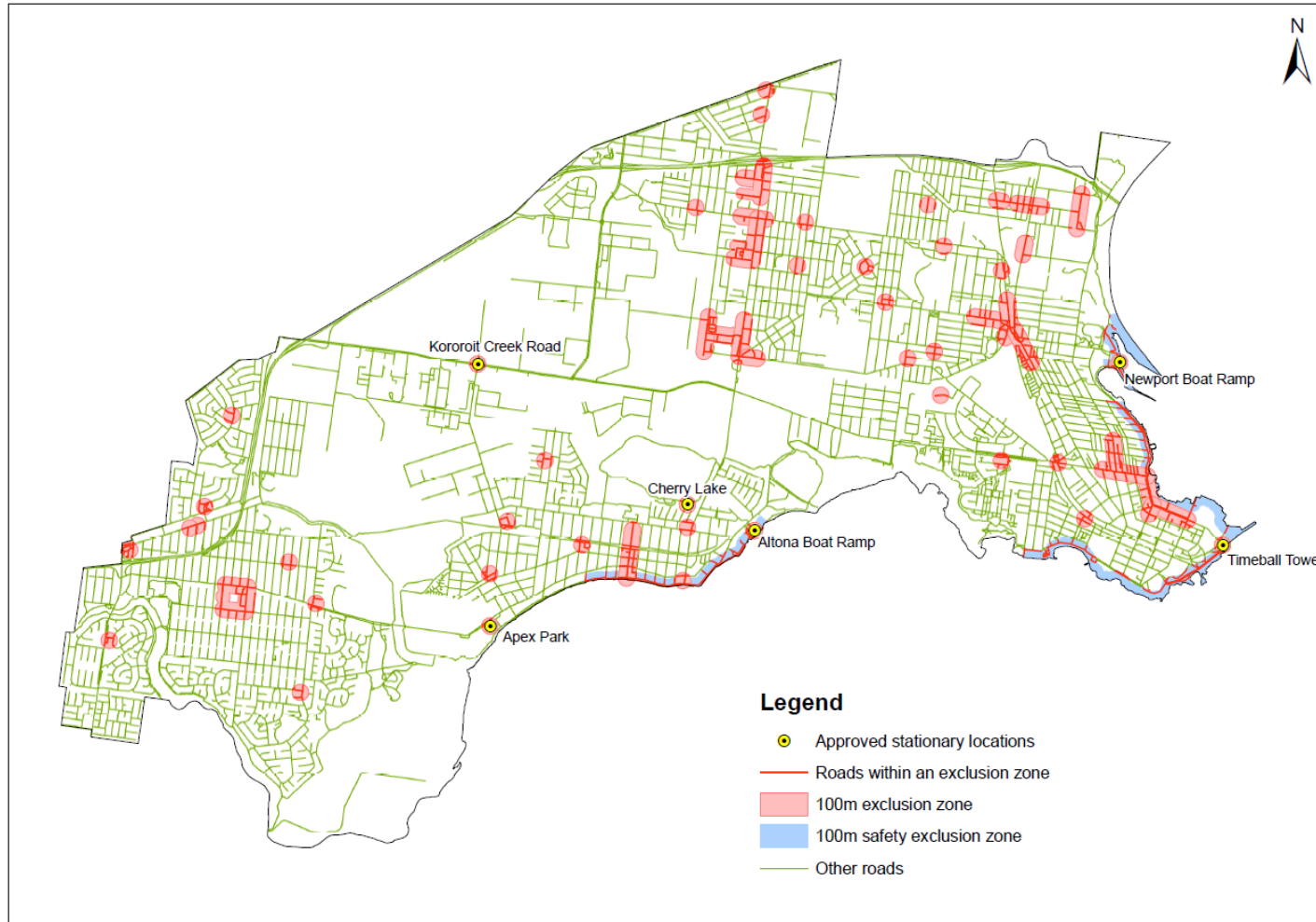
<b>Policy Name</b>	Mobile Vendor Policy
<b>Object ID</b>	A3668603
<b>Agility Document Number</b>	
<b>Responsible Directorate</b>	Sustainable Communities
<b>Policy Owner</b>	Coordinator Economic Development
<b>Policy Type</b>	Council Endorsed Policy
<b>Date Adopted by Council</b>	TBC March 2023
<b>Review Date</b>	2026

## 15. Version history

<b>Version Number</b>	<b>Date</b>	<b>Authorised by</b>
1.0	8 February 2022	Council
2.0	TBC March 2023	

## Appendix 1: Mobile Vendors Areas of Trade Map (March 2023)

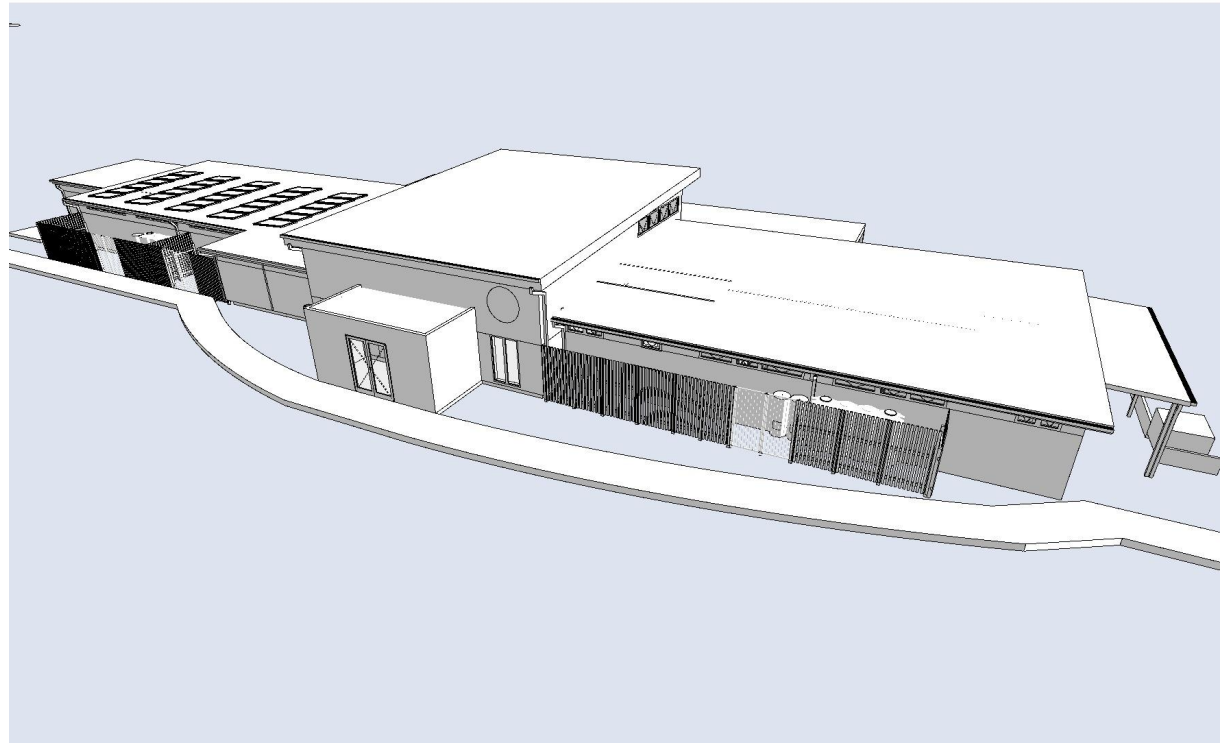
To view the dynamic map [click here](#) and zoom in to better understand the exclusion zones and see street names. The dynamic map is updated regularly to include any additional stationary vendor sites.



Document Name: Hobsons Bay City Council Mobile Vendor Policy v2.0  
Document Type: Council endorsed policy  
Document Owner: Director Sustainable Communities

# 2149 - KIM RESERVE PAVILION

Drawing No:	Description
A00	COVER SHEET
A01	SITE PLAN
A02	GROUND FLOOR PLAN - EX/DEMO
A03	GROUND FLOOR - PROPOSED
A04	ROOF PLAN - PROPOSED
A05	ELEVATIONS
A06	SECTIONS
A07	INTERNAL ELEVATIONS
A08	INTERNAL ELEVATIONS
A09	INTERNAL ELEVATIONS
A10	INTERNAL ELEVATIONS
A11	WINDOW & DOOR SCHEDULE



#### EXTERNAL FINISH SCHEDULE

- FB Selected neutral face brickwork.
- CS Selected painted cement sheeting.
- CSS Selected painted cement sheet soffits.
- ED Selected steel framed solid core external doors.
- AW Selected aluminium framed double glazed windows.
- CR Selected Colorbond roof sheeting.
- DP Selected paint finished pvc down pipes.
- CC Selected Colorbond gutters, flashings & finishings.



Rev. Date Status Description

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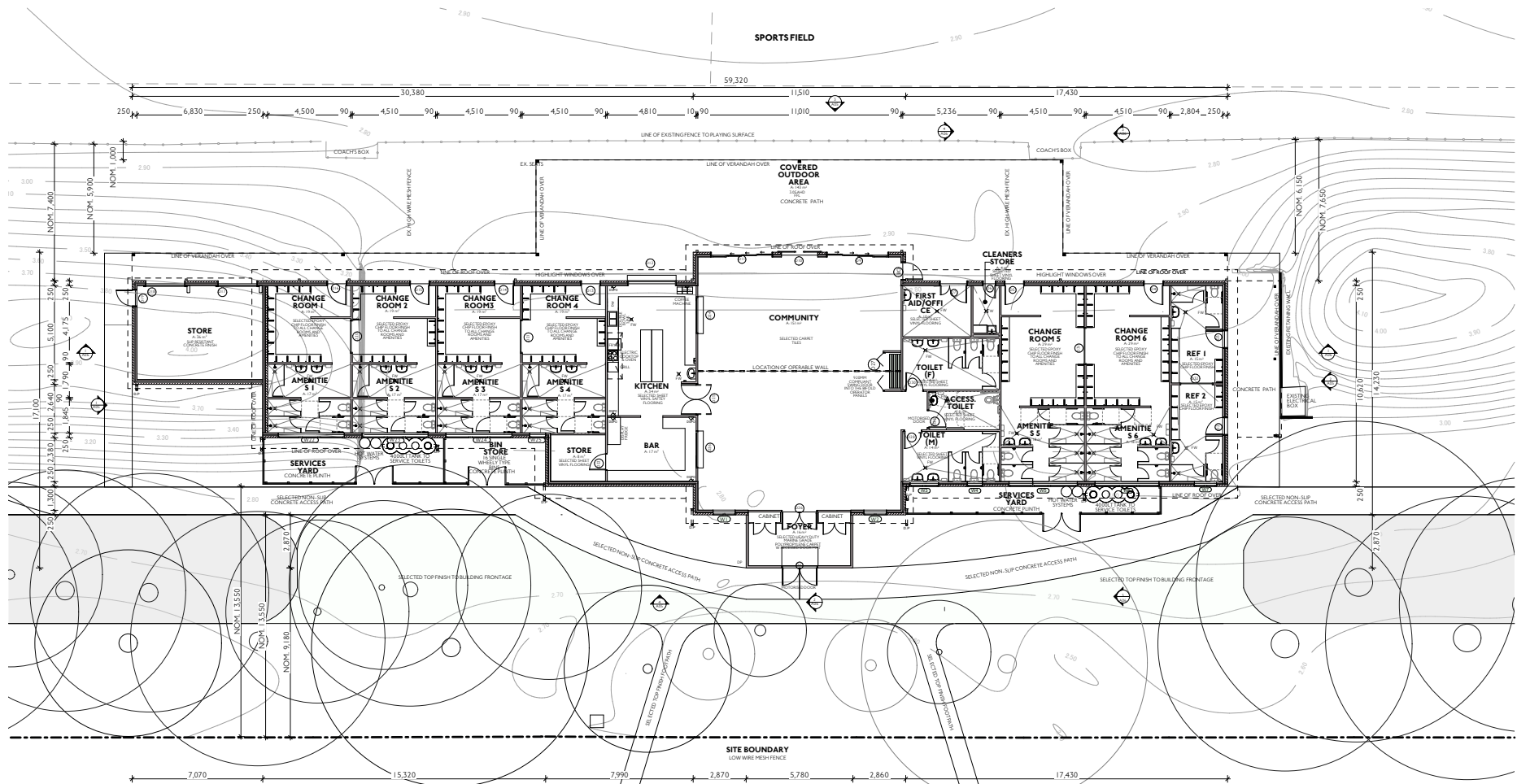
PROJECT  
**KIM RESERVE PAVILION**  
 KIM RESERVE, MILLERS RD,  
 ALTONA, VIC 3015,  
 VIC

DRAWING  
**COVER SHEET**  
 Scale: AS SHOWN @ A1  
 Date: 25/11/2022

**PRELIMINARY**

PROJECT NUMBER  
**2149**

**A00**



GROUND FLOOR PLAN - PROPOSED  
1:100

### GENERAL NOTES

- BUILDING TO MEET ALL REQUIREMENTS OF N.C.C.
- BUILDING DESIGN TO MEET REQUIREMENTS OF HOBSONS BAY CITY COUNCIL DESIGN STANDARDS DOCUMENT DATED AUGUST 2021.
- BUILDING TO CONFORM TO AUSTRALIAN STANDARDS 1428.1:2021
- ALL FITTINGS, FIXTURES AND FINISHES TO COMPLY WITH CITY OF HOBSONS BAY CITY COUNCIL DESIGN STANDARDS DOCUMENT DATED AUGUST 2021.

**PRELIMINARY**



Rev. Date Status Description

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**PROJECT**  
KIM RESERVE PAVILION  
KIM RESERVE, MILLERS RD.,  
ALTONA, VIC. 3005,  
VIC.

**DRAWING**  
GROUND FLOOR -  
PROPOSED  
Scale: AS SHOWN @ A1  
Date: 25/11/2022

PROJECT NUMBER  
2149

A03