



MELBOURNE SOUTH YARRA RESIDENTS GROUP INC.

Established by the residents of South Yarra in 1969

29 August 2014

The Chair
Residential Zones Standing Advisory Committee
C/- Planning Panels Victoria
GPO Box 2392
MELBOURNE VIC 3001

By email: planning.panels@dtpli.vic.gov.au

Submission to Residential Zones Standing Advisory Committee

1. Representation

The Melbourne South Yarra Residents Group Inc (**MSYRG**) represents the interest of ratepayers and residents of South Yarra within the City of Melbourne and in particular its 200 or so members.

We have made a number of written and verbal submissions to the City of Melbourne in an attempt to encourage them to understand the importance of protecting some obvious streets that warrant the protection made available by the Neighbourhood Residential Zone (**NRZ**).

2. Summary of MSYRG submissions

(a) What the ratepayers in these older historic streets of South Yarra want is to protect the character of their neighbourhood from inappropriate building particularly by developers whose only interest is money. This NRZ legislation provides a golden opportunity to achieve this by limiting the number of dwellings to two and imposing a mandatory height limit of 8 metres that cannot be challenged through VCAT.

(b) We agree that the streets and properties designated by the City of Melbourne in the following streets should be zoned NRZ.

- Airlie Street
- Leopold Street
- Park Street
- Mason Street
- Millswyn Street
- Hope Street

PO Box 3050, South Yarra 3141

secretary@msyrg.com.au

www.msyrg.com.au

- Domain Street
 - Toorak Road West
 - Pasley Street
 - Park Place
- (c) We do not agree with Council that a 12 metre building height limit is appropriate in these streets and believe it should be a mandatory 8 metres which imposes a two storey rather than three storey limit. All residents in these streets have been provided with information about the mandatory height limit options and the overwhelming majority want 8 metres, not 12.
- (d) We believe additional buildings in these streets must also be zoned NRZ to those recommended by Council.
- (e) Council has erred in its assessment of the properties and streets that should be zoned NRZ in a number of ways including by treating the requirement that not less than 80% of the buildings in the street be one or two storey dwellings as the dominant one rather than applying and considering all of the principles designated in Advisory Note 50 (Practice Note 78) and the legislation. In particular Council seems to have taken little if any note of the neighbourhood character, streetscape and landscape characteristics.

3. Submissions

- (a) All of these streets satisfy the requirements of the amending legislation (Amendment V8) which states that the purpose of the NRZ includes the following.

"To recognise areas of predominantly single and double storey residential development.

To limit opportunities for increased residential development.

To manage and ensure that development respects the identified neighbourhood character, heritage, environmental or landscape characteristics.

To implement neighbourhood character policy and adopted neighbourhood character guidelines."

(b) **Airlie Street**

- (i) Implement the NRZ zoning in accordance with the Council plan.
- (ii) Having regard to the dominant single storey heritage properties the mandatory height limit should be 8 metres and not 12 if the character and historical importance of this street is to be preserved.
- (iii) All residents have been surveyed and the overwhelming majority of ratepayers have agreed in writing to being included in NRZ and to the 8 metre mandatory building height limit.

(c) **Leopold Street**

- (i) Implement the NRZ zoning in accordance with the Council plan.

- (ii) Include in the NRZ the whole of the east side of the street from corner to corner and the remaining properties on the west side (excluding Domain Park towers) as the buildings on both sides of the street are substantially the same being single and two-storey predominantly Victorian homes. It is incomprehensible that only one side be included as Council has done.
 - (iii) The entire street must be protected for its outstanding heritage and neighbourhood character as one of the most intact early streets in South Yarra.
 - (iv) If the character of this street is to be preserved a two storey mandatory building height limit (8 metres) is essential. Three-storey buildings would change the unique character of this remarkably intact historic street.
 - (v) All residents have been surveyed and the overwhelming majority of ratepayers have agreed in writing, virtually unanimously, to being included in NRZ and to the 8 metre mandatory building height limit.
- (d) **Park Street**
- (i) Implement the NRZ zoning in accordance with the Council plan.
 - (ii) All of the residences on both sides of Park Street other than Park Towers on the corner of Domain Road and Park Street should be included and not only the east side as Council proposes.
 - (iii) This tree lined street contains a large number of both grand two storey Victorian residences as well as a number of single storey Victorian residences and must be viewed as a whole if the striking character of that street is to be preserved. This should include the apartments and rooming house constructed in the 1930s and 40s extending from St Martins Lane to the first of the shops. All is part of the history and character of that grand street.
 - (iv) It is a wide, tree lined impressive streetscape and should be protected as a whole.
 - (v) Again a mandatory 8 metre building height limit is necessary of the character of this street and the buildings in it are to be preserved.
 - (vi) All residents have been surveyed and the overwhelming majority of ratepayers have agreed in writing to being included in NRZ and to the 8 metre mandatory building height limit.
- (e) **Mason Street**
- (i) Implement the NRZ zoning in accordance with the Council plan.
 - (ii) Once again this is a good example of an historic street in which the east side is an almost complete row of single storey Victorian cottages and yet only part of this has been zoned NRZ by the Council.
 - (iii) The additional properties on the east side south from Little Park Street must be included as should the similar cottages on the west side.

- (iv) In addition, while a large part of the west side of Mason Street is the back of the two storey Victorian homes in Millswyn Street comprising what were often stables that side should also be zoned NRZ if the integrity of this street is to be retained.
- (v) If the character of this street is to be preserved a two storey mandatory building height limit (8 metres) is essential. Three-storey buildings would change the unique character of this remarkably intact historic street.
- (vi) All residents have been surveyed and the overwhelming majority of ratepayers have agreed in writing to being included in NRZ and to the 8 metre mandatory building height limit.

(f) **Millswyn Street**

- (i) Implement the NRZ zoning in accordance with the Council plan.
- (ii) This is one of the most attractive streets in South Yarra running between the Botanic Gardens and Fawkner Park and while containing a large number of Victorian two storey and single storey homes also includes a diverse range of interesting and attractive properties including an 1880s church hall and 1940s corner shop.
- (iii) The street has significant historic importance as until the 1930s and 40s it contained most if not all of the local shops.
- (iv) Many of the buildings that housed the shops are still there including the Wimmera Bakery built in 1882 (number 80), Moretons Family Hotel (number 82), the butcher shop (number 78) and chemist (number 89).
- (v) Although spoiled by three or four blocks of flats built mainly in the 1960s and 70s the historic buildings and character of the street remains and should be preserved.
- (vi) In addition to the properties nominated by Council a substantial part of the street should be zoned NRZ in order to protect and preserve its character as an important historic part of South Yarra.
- (vii) If the character of this street, the historic buildings and streetscape is to be preserved a mandatory height limit of 8 metres and not 12 metres is important.
- (viii) All residents have been surveyed and the overwhelming majority of ratepayers have agreed in writing to being included in NRZ and to the 8 metre mandatory building height limit.

(g) **Hope Street**

- (i) Implement the NRZ zoning in accordance with the Council plan for the whole of this street.
- (ii) This street is almost entirely made up of single storey Victorian cottages and houses and if they are to be protected and the character of this historic street preserved a mandatory height limit of 8 metres should apply and not 12 metres.

- (iii) All residents have been surveyed and the overwhelming majority of ratepayers have agreed in writing to being included in NRZ and to the 8 metre mandatory building height limit.
- (h) **Domain Street**
- (i) Implement the NRZ zoning in accordance with the Council plan.
 - (ii) This street is almost entirely made up of single storey Victorian cottages and houses and if they are to be protected and the character of this historic street preserved a mandatory height limit of 8 metres should apply and not 12 metres.
- (i) **Pasley Street**
- (i) Pasley Street is a unique and important street overlooking Fawkner Park and while there are four blocks of flats all bar two of the buildings in the street are restored single or two-storey Victorian residences. All of the buildings and the streetscape should be protected by being zoned NRZ.
 - (ii) The streetscape is one of the most attractive and unique in South Yarra and should be protected from inappropriate development in its entirety.
 - (iii) Once again the building height limit should be a mandatory 8 metres which is consistent with the current discretionary Design and Development Overlay (DDO9 Fawkner Park Area) limit and Council's present classification of Park Place.
 - (iv) All residents have been surveyed and the overwhelming majority of ratepayers have agreed in writing to being included in NRZ and to the 8 metre mandatory building height limit.
- (j) **Park Place**
- (i) Implement the NRZ zoning and mandatory 8 metre height limit in accordance with the Council plan for all buildings fronting Fawkner Park.
 - (ii) Like Pasley Street this is an important row of mainly Victorian houses overlooking Fawkner and the 9 metre Council proposal for NRZ(5) supports the current DDO.

4. Conclusion

These streets are the only ones in South Yarra that remain largely intact and reflect the early history of this suburb and are an integral part of the character of South Yarra.

This is an opportunity to prevent and at least in part correct the mistakes of the 1960s and 1970s when approval was given to ugly and inappropriate flats and buildings in these beautiful and historic parts of Melbourne.

That protection must be provided by the following.

- (a) Viewing each of them as streets and streetscapes that need to be protected as a whole not by just classifying some buildings NRZ but by classifying the whole or a large part of the street.
- (b) If these streets that are predominantly low level houses are to be protected and the neighbourhood character preserved the height of what can be built next door or over the road must be controlled. Ratepayers in these streets overwhelmingly support a mandatory 8 metre building height limit.
- (c) As the legislation allows mandatory height limits to be imposed the saving to ratepayers as well as Council from becoming involved in expensive and one-sided disputes about the exercise of discretions would be removed and would be a significant benefit to all concerned.

Further material including plans and photographs will be provided at the public hearing.

Yours faithfully



Michael Butcher
President