

**Mayfield Historic Precinct Development Plan
(1321, 1325 and 1345 Plenty Road, Mernda)**

The Development Plan was approved by VCAT on 25 June 2013, in accordance with Clause 43.04 Schedule 5 of the Whittlesea Planning Scheme.

08/08/2014


Signature of the Responsible Authority

MAYFIELD HISTORIC PRECINCT DEVELOPMENT PLAN

1321, 1325 and 1345 Plenty Road, Mernda

VCAT Approved Version January 2014

1.0 INTRODUCTION

The *Mayfield Heritage Precinct Development Plan* (MHPDP) comprises this document and the accompanying plan. It has been prepared for three land parcels within the Mernda Strategy Plan area and sets out the form and conditions for future subdivision, land use and development.

The MHPDP has been prepared in accordance with the requirements of the Development Plan Overlay (DPO) (Schedule 5) which are set out in Clause 43.04 of the Whittlesea Planning Scheme. The MHPDP has also been prepared in accordance with the requirements of the Mernda Strategy Plan which is an incorporated document under the Planning Scheme. A planning permit for the subdivision, use or development of land must be generally in accordance with this document and include the conditions and requirements set out in further detail below.

Other planning provisions also relate to the subject land. These include the Residential 1 Zone, Incorporated Plan Overlay (Schedule 1), Vegetation Protection Overlay (Schedule 1), Heritage Overlay (Schedules 16, 18 and 85) and Development Contribution Plan Overlay (Schedule 8). This Development Plan must be read in conjunction with these and other provisions of the Whittlesea Planning Scheme.

A key objective for the MHPDP is to coordinate and integrate development within and between different land parcels and to ensure that the heritage values of the precinct are protected and enhanced.

The proponent for this Development Plan is Truth Light Pty Ltd (Great Prophet Centre) who seek to use and develop part of the Development Plan area for the purpose of an education centre (primary school) to accommodate up to 125 students. A Development Plan must be approved before an application for the school proposal is considered by the Responsible Authority.

This Development Plan has been approved pursuant to the Orders of the Victorian Civil and Administrative Tribunal (VCAT) in its decision dated 25 June 2013 (Ref. P1196/2012).

2.0 MAYFIELD HISTORIC PRECINCT DEVELOPMENT PLAN AREA

The MHPDP applies to three land parcels comprising a total area of approximately 1.8ha. The subject land is generally bounded by Plenty Road to the east, the Mayfield Grove Estate to the north and east (under construction) and the Renaissance Rise Estate to the south and east (residential development nearing completion). The three land parcels comprising the MHPDP are set out below:

- 1321 Plenty Road (0.59ha). This property is known as 'The Poplars' (comprising a former 19th Century bluestone inn which is now used as a residence).
- 1325 Plenty Road (0.81ha). Land containing the original 19th Century Mernda Primary School (State School No. 488) and bluestone schoolmaster's residence.
- 1345 Plenty Road (0.41ha). Land containing the 19th Century bluestone Mernda Presbyterian Church.

The Development Plan area is within a 400m walkable catchment of the proposed Mernda Town Centre to the northeast, the proposed Mernda Neighbourhood Activity Centre to the northwest and a proposed P-12 State Government school to the north. Planned regional and active open space areas are located within 500m of the Development Plan area to the east and west.

The three properties forming part of the MHPDP provide a 93.5m frontage to Plenty Road. Plenty Road is a VicRoads declared arterial road and is designated within a 'Road Zone 1' under the Whittlesea Planning Scheme. The road is also an existing dedicated bus route.

Ten residential lots have been approved within the Mayfield Grove Estate abutting the northern boundary of the Development Plan (north of the church land). A new road, shown as 'Road E' on the Development Plan and to be formally named 'Liffey Drive', is to be constructed south from Francesca Drive to provide access to this land and to allow further alternative access to any future development on the former school land.

The western portion of the MHPDP abuts Pietas Place. This road is to be extended to the north and west, through the MHPDP and will connect Basilica Vista with Florence Drive. A public open space reserve containing mature River Red Gums occupies the land to the west of Pietas Place.

The southern portion of the MHPDP (south of 1321 Plenty Road – 'The Poplars') abuts four residential lots (each containing a dwelling) which gain access from Pietas Place, Medici Place and Louvre Lane.

The former Mernda Primary School, schoolmaster's residence, Presbyterian Church and 'The Poplars' comprise individual heritage places of local significance which are currently designated within separate Heritage Overlays under the Whittlesea Planning Scheme. Collectively, these three places also form a 'heritage precinct' and it is proposed that a further Heritage Overlay be introduced into the Whittlesea Planning Scheme under a future planning scheme amendment to recognise and protect the Mayfield Heritage Precinct as a whole. The draft heritage citation which has been prepared to form the basis of this future

amendment is attached to this Development Plan. The MHPDP is generally consistent with the recommendations set out in the draft citation.

It should be noted that the schedules to the Heritage Overlay relating to the three heritage places within the precinct allow a Planning Permit to be granted for uses that would otherwise be prohibited in the Residential 1 Zone which applies to the land. Clause 43.01-5 states that a permit may be granted to use these heritage places 'for a use which would otherwise be prohibited if the use will not adversely affect the significance of the heritage place and the benefits obtained from the use can be demonstrably applied towards the conservation of the heritage place'. Any such proposals will need to also comply with this Development Plan.

3.0 REQUIREMENTS RELATING TO THE SUBDIVISION, USE AND DEVELOPMENT OF LAND

A planning application for the subdivision, use or development of land, including the use and development of any part of the land for the purpose of an education centre, must be generally consistent with the Development Plan layout shown in the MHPDP attached to this report. An application must also address the following matters to the satisfaction of the Responsible Authority:

3.1 Site Analysis

- A heritage assessment of the heritage place(s) (including an historical assessment and condition report) and the preparation of a Statement of Significance in accordance with the requirements of Heritage Victoria.
- An investigation of any archaeological sites related to the heritage place(s) or precinct (completed in accordance with the requirements of Heritage Victoria).
- An arboricultural assessment of all existing tree(s) on the land and their condition, health and heritage significance including appropriate measures for the long term preservation of the tree(s).
- The surveyed location of tree protection zones (TPZs) for all trees to be retained (including trees identified as having heritage values). TPZs must be fully unencumbered by buildings, roads and driveway pavement and infrastructure service easements except where, in exceptional circumstances, such development cannot be avoided and appropriate engineering methods are employed to mitigate impacts within the TPZ to the satisfaction of the responsible authority.
- An environmental audit identifying any environmental hazards or contamination on the land and proposed treatments, if any; or a qualified statement indicating the absence of such hazards or contamination.
- The location of existing development on adjoining land.
- A consolidated site analysis plan in digital and hard copy format that depicts all relevant site analysis information.

3.2 Design Response

A design response must be prepared having regard to the site analysis, the MHPDP layout and the principles and objectives of the Mernda Strategy Plan. The design response must include:

- A Conservation Management Plan and schedule of works to ensure the ongoing preservation and restoration of the European heritage place(s) relating to the land on which the subdivision, use or development is proposed. The plan must address the broader landscape and heritage precinct requirements and ensure the ongoing visual relationship of the heritage buildings and cultural landscape is appropriately retained between Plenty Road and the heritage building(s). The Plan must also provide for the interpretation of sites at appropriate locations (including adjacent to Plenty Road).
- Heritage design guidelines for lots and dwellings where residential subdivision is proposed. The guidelines must set out requirements relating to building height, building materials (including roof form and materials), fencing and landscaping.
- Street cross sections and the treatment of road ends associated with Liffey Drive and Medici Place.
- The designation of a footpath to be constructed between any school and Florence Drive on the north side of Pietas Place.
- A stormwater management plan which provides for the protection of natural systems, integration of stormwater treatment into the landscape, protection of water quality and reduction of run-off and peak flows.
- A landscape plan.
- The stages, if any, by which the development of the land is proposed to proceed.

A number of the above site analysis and design response matters are listed in Schedule 5 to the DPO as matters to be addressed at the development plan stage. However, due to the fragmented nature of landownership, the small size of the Development Plan area and the inability to document these matters over the entire area, the MHPDP will require that these matters, where not already documented and provided, be addressed as part of a planning application for subdivision or development. Where not relevant the Responsible Authority may exempt a planning permit application from any of the above requirements relating to 3.1 and 3.2.

3.3 Proposed Primary School

The MHPDP provides an option to re-establish an education centre (primary school) on the historic Mernda Primary School land (1325 Plenty Road). An application for a planning permit for a school which is generally consistent with this Development Plan may be considered and approved by the Responsible Authority.

Pursuant to Clause 43.04 of the Whittlesea Planning Scheme, a planning application which is generally in accordance with a development plan approved by the responsible authority is exempt from the public notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the Victorian Civil and Administrative Tribunal review rights of Section 82(1) of the *Planning and Environment Act 1987*.

An application for a planning permit must provide for the following requirements:

1. The staging of the school (if to be developed in stages) generally in accordance with the attached plans forming part of this development Plan.

2. Provision for not more than 125 students.
3. Provision of car parking to the satisfaction of the Responsible Authority for any stage and not less than 35 car parking spaces for the final stage or at full development.
4. Bicycle parking and disabled parking in accordance with planning scheme requirements.
5. Provision of a voluntary one-way pick-up and drop-off system for parents of students who choose to drive their children to the school.
6. Extension of Pietas Place as part of the first stage of the school.
7. The following works secured under agreement at the planning permit stage:
 - a. Closure of the existing median opening in Basilica Vista, directly opposite Pietas Place.
 - b. Parking restrictions, similar to that in place at the majority of other schools (i.e. placed on the road, opposite the school), preventing parking during the school's peak period.
 - c. Short term parking restrictions (i.e. 5 minute parking), preventing parking during the school's peak periods.
 - d. A concrete footpath (1.5m width) along the frontage of the school site to enable a continuous footpath link along the entire length of Pietas Place extending to Florence Drive.
8. An indented bus bay to provide a set down area for a 20-seater bus (This arrangement may need to be restricted during parking and trafficable periods).
9. Garbage collection is to be via a private contractor. (Collection is to occur outside of school hours and accessways will accommodate the turning movements of collection trucks).
10. An internal accessway along the northern boundary of the school land to provide interim access for staff and visitors including construction details.
11. Outdoor play areas are to be provided between the existing school buildings and Plenty Road. These spaces are to be designed to ensure viewlines between the historic elements of the precinct are preserved.

The indicative school Staging Plan attached to this Development Plan shows the location of potential portable and permanent classrooms. The location, design and materials associated with these classrooms and the adaptive reuse of the existing buildings must be considered at the planning permit stage in conjunction with a Conservation Management Plan. This Development Plan is consistent with the broader recommendations of the draft precinct citation and overlay in that it proposes future development to the rear of the existing heritage buildings and retains open viewlines and landscapes between the heritage buildings and Plenty Road. Interim car parking and a temporary portable classroom may be accommodated within this area. Any permitted temporary portable classroom must be removed as part of the final stage of the school. The land between the heritage place and

Plenty Road may only be utilised for formal and informal open space, playgrounds and landscaping (which can be further detailed at the planning permit application stage).

3.4 Alternative Outcomes for the 1325 Plenty Road

An amendment to this development plan will be required to use the land for any other purpose other than for a primary school or for residential purposes. . The land between Plenty Road and the western extent of the heritage buildings must be retained as a single lot and not be used or developed in a way which would compromise or diminish the open viewlines and visual relationship of the buildings within the broader heritage precinct. Such land may be used for open space purposes in association with the adaptive reuse and development of the balance of the land containing the heritage buildings.

3.5 1345 Plenty Road

The land at 1345 Plenty Road contains the historic Mernda Presbyterian Church. Land west of the alignment of Liffey Street may be subdivided into residential lots generally in accordance with the Development Plan layout or in any other configuration for which a planning permit may be granted.

To the extent that the existing church wishes to expand its existing facilities, the land may need to be set aside for this purpose subject to planning permit requirements.

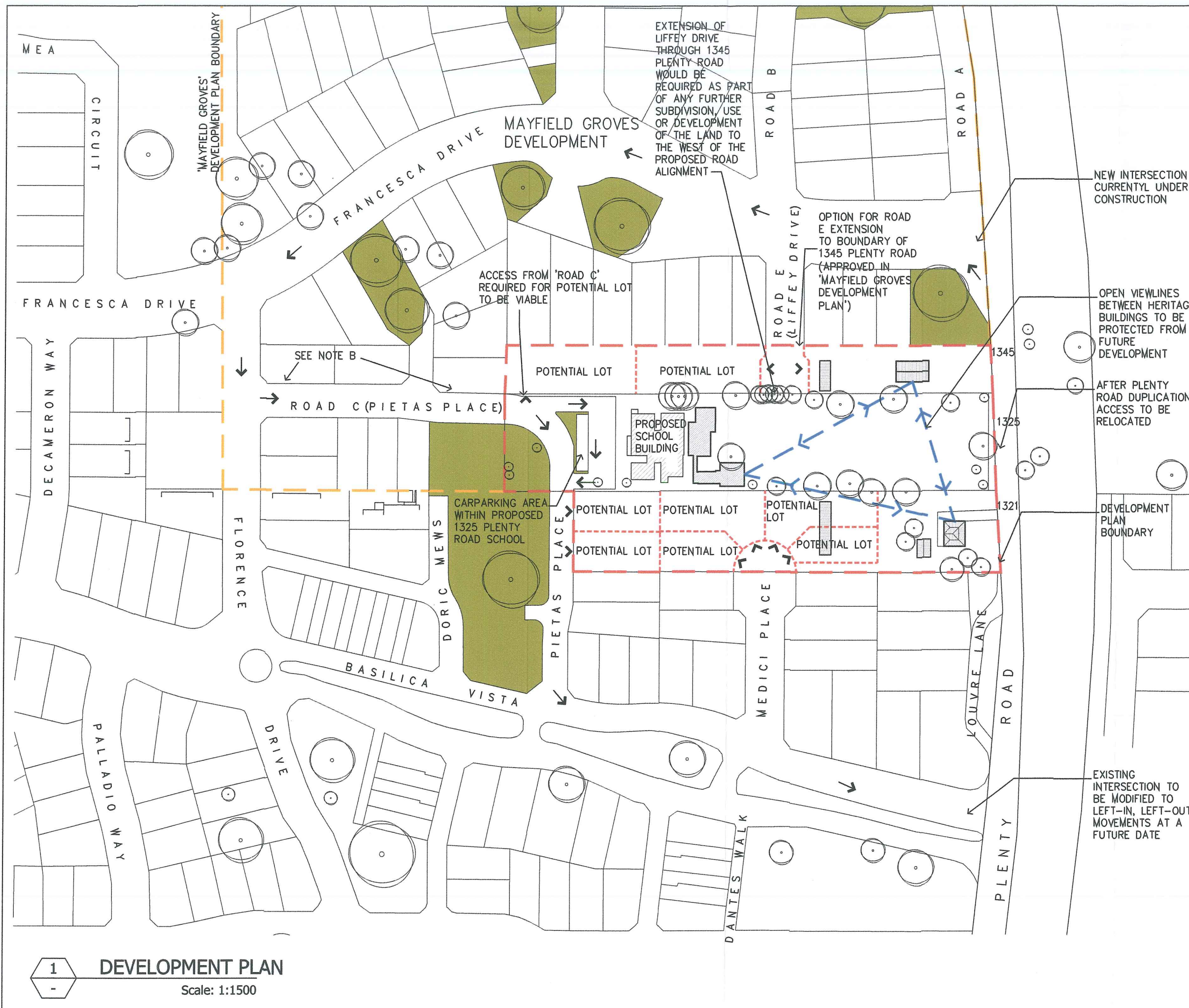
Any further development of the church land (other than works associated with any alternative access, parking provision or minor works associated with the existing church east of the Liffey Street road alignment) will require that Liffey Drive be extended into the subject land to the southern boundary and that all vehicular access from Plenty Road be terminated. The extension of Liffey Drive will provide an alternative vehicular access to the proposed school site or any other use or development that may be permitted on this land. A permit that may be issued for the school must not be dependent on this access being constructed.

Due to the heritage values of the precinct, the extension of Liffey Place through to Medici Place is not supported under this Development Plan.

3.6 1321 Plenty Road

The land at 1321 Plenty Road contains an historic former bluestone inn ('The Poplars') now used as a residence. Land west of the historic building may be subdivided into residential lots generally in accordance with the Development Plan layout or in any other configuration for which a planning permit may be granted.

The extent of any further development will need to be informed by an assessment of the heritage values of the land, a Conservation Management Plan and an assessment of existing mature trees.



VERSION 1
ISSUED 27/09/2011 TO COUNCIL

VERSION 2
ISSUED 04/06/2014 TO COUNCIL

NOTES
NOTE B: A REQUIREMENT PROVIDING FOR THE NEED FOR A SECTION 173 AGREEMENT PRIOR TO THE GRANT OF A PERMIT FOR ANY PRIMARY SCHOOL WHICH SPECIFIES THE MAXIMUM NUMBER OF STUDENTS TO BE ACCOMMODATED AT THE SITE (WHICH IS NOT TO EXCEED 125 STUDENTS) AND PROVIDES RESTRICTIONS IN RELATION TO OTHER USES WHICH WOULD POTENTIALLY FURTHER INCREASE TRAFFIC VOLUMES

NOTE D: REQUIREMENT FOR A FOOTPATH TO BE CONSTRUCTED BETWEEN THE SCHOOL AND FLORENCE DRIVE ON THE NORTH SIDE OF PIETAS PLACE AS PART OF ANY APPLICATION FOR A PLANNING PERMIT FOR A SCHOOL

NOTE F: REQUIREMENT FOR A SECTION 173 AGREEMENT UNDER THE PLANNING AND ENVIRONMENT ACT 1987 WHICH SPECIFIES THE INFRASTRUCTURE OR WORKS TO BE PROVIDED FOR ANY PRIMARY SCHOOL

PUBLIC EXHIBITION VERSION

MAYFIELD HERITAGE PRECINCT
DEVELOPMENT PLAN

DEVELOPMENT PLAN

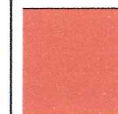
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Version 2

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DEVELOPMENT PLAN

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