

8 May 2019

The Hon. Richard Wynne MP
Minister for Planning
c/- State Planning Services
PO Box 500
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Email: richard.wynne@parliament.vic.gov.au

Dear Minister Wynne

**Boroondara Planning Scheme
Amendment C299 - Incorporated Document (Planning Permit Exemptions,
May 2018) and its impact on heritage protection in Boroondara**

At the Urban Planning Special Committee (UPSC) meeting of 6 May 2019, the UPSC resolved to request that you use your powers under section 20(4) of the *Planning and Environment Act 1987* to prepare, adopt and approve a planning scheme amendment to the Boroondara Planning Scheme to delete the Incorporated Document (Planning Permit Exemptions, May 2018) from the Schedule to Clause 43.01.

The Incorporated Document exempts the need for a planning permit under an interim Heritage Overlay, where a valid Building Permit has been issued.

As you would be aware, the proposal to introduce planning permit exemptions for properties affected by an interim Heritage Overlay in Boroondara was prompted by an issue arising from a property owner in Canterbury being unable to act on a building permit to construct a dwelling following the introduction of an interim Heritage Overlay (HO704).

Since the introduction of the Incorporated Document, there has been significant public interest in the demolition of properties identified in Council's Municipal Wide Heritage Gap Study, particularly the property at 337 Auburn Road, Hawthorn. An interim Heritage Overlay was recently introduced to the property through Amendment C309boro to the Boroondara Planning Scheme.

While the approval and gazettal of interim Heritage Overlays in Boroondara is supported and welcomed by Council, the activation of the Incorporated Document in the Schedule to the Heritage Overlay of the Boroondara Planning Scheme is not. The permit exemptions introduced through this provision will allow places of local cultural heritage to be lost and serves to undermine Council's ability to protect the public interest.

Further, Council is concerned the Incorporated Document was introduced only to the Boroondara Planning Scheme and no other municipal planning scheme across Victoria. It is requested that the City of Boroondara be fairly afforded the same planning controls as currently exist across the State, with immediate planning permit triggers for demolition of properties affected by an interim Heritage Overlay being restored.

Should your office require any further information, please contact Shiran Wickramasinghe, Director City Planning, by telephone on 9278 4800 or email shiran.wickramasinghe@boroondara.vic.gov.au

Yours sincerely



Councillor Jane Addis
MAYOR

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