



URBAN PLANNING SPECIAL COMMITTEE

MINUTES

(Open to the public)

Monday 6 July 2020

Online - Delivered via Webex Events.

Commencement 6.49pm

Attendance Councillor Garry Thompson (Chairperson)
Councillor Cynthia Watson (Mayor)
Councillor Jane Addis
Councillor Lisa Hollingsworth
Councillor Steve Hurd
Councillor Jim Parke
Councillor Coral Ross
Councillor Felicity Sinfield
Councillor Jack Wegman

Apologies Councillor Phillip Healey (Leave of Absence)

<u>Officers</u>	Phillip Storer	Chief Executive Officer
	Shiran Wickramasinghe	Director City Planning
	Daniel Freer	Director Environment and Infrastructure
	Shiranthi Widan	Acting Manager Strategic Planning
	David Thompson	Manager Governance
	Robert Costello	Senior Project Planner
	Celia Robinson	Coordinator Governance
	Helen Pavlidis	Governance Projects Officer
	Elizabeth Manou	Governance Projects Officer

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1. Adoption and confirmation of the minutes

MOTION

Moved Councillor Parke

Seconded Councillor Sinfield

That the minutes of the Urban Planning Special Committee meeting held on 15 June 2020 be adopted and confirmed.

CARRIED

2. Declaration of conflict of interest of any councillor or council officer

Refer to Item 3.1 - Ashburton Heritage Gap Study - Preliminary Consultation Outcomes and Request for Authorisation - Permanent and Interim Heritage Overlay - Councillor Thompson.

3. Presentation of officer reports

3.1 Ashburton Heritage Gap Study - Preliminary Consultation Outcomes and Request for Authorisation - Permanent and Interim Heritage Overlay

The purpose of this report is to inform the Urban Planning Special Committee (UPSC) of the outcomes of preliminary consultation on the draft Ashburton Heritage Gap Study (the draft Study). A summary of the feedback received, and officers' response, are provided in **Attachment 1**.

In accordance with Council's resolution on 25 July 2016, officers commissioned heritage consultants Context Pty Ltd to undertake the Municipal Wide Heritage Gap Study (MWHGS). Ashburton is the eighth and final assessment to be undertaken under the contract.

The heritage consultants identified two (2) new heritage precincts and nine (9) new individually significant heritage places that warrant inclusion in a Heritage Overlay (HO).

Preliminary consultation on the draft Study was undertaken from 11 November 2019 to 9 December 2019. Fifty-six (56) submissions were received in response to Council's call for feedback, comprising 12 supporting submissions, four neutral submissions and 40 opposing submissions.

In response to the feedback received, officers and Council's heritage consultant propose some changes to the Ashburton Heritage Gap Study. These changes include:

- Minor text changes in some heritage citations.
- Regrade 80 Albion Road, Ashburton from 'contributory' to 'non-contributory'.
- Remove 79A Albion Road, Ashburton from the Home Farm Estate and Environs Precinct.

Further discussion of the proposed changes to the study is contained in the officers' report and the summary of feedback and officer response table at **Attachment 1**. A map of changes can be found at **Attachment 2**.

Officers recommend the UPSC resolve to adopt the Ashburton Heritage Gap Study at **Attachment 3** and commence a planning scheme amendment to apply the Heritage Overlay to the properties identified for heritage protection. Officers also recommend lodging a request to introduce an interim Heritage Overlay to all properties identified in the Study from the Minister for Planning. This will ensure identified heritage places are protected from demolition and inappropriate development while the process for permanent heritage protection is progressed.

Councillor Thompson declared an Indirect Interest in this item due to conflicting duties in accordance with Section 78B of the Local Government Act (Act).

Councillor Thompson advised that the nature of the Indirect Interest pertains to the following:

- *As referenced in the Ashburton Heritage Gap Study - Preliminary Consultation Outcomes and Request for Authorisation, the following schools are cited for inclusion within the Heritage Gap Study area:*
 - *St. Michael's Parish Hall, 268 High Street, Ashburton is part of St. Michael's Primary School.*
 - *Ashburton Primary School [owned and operated by the Department of Education, Victoria]*
- *My Architectural company, to which I am a Director & Owner, is directly contracted to St Michael's Primary School, whereby previous designs and plans prepared will be affected by the application of a Heritage Overlay, and*
- *My Architectural company, to which I am a Director & Owner, is directly contracted to the Department of Education, Victoria through the Victorian School Buildings Authority.*

Councillor Thompson left the meeting at 6.56pm prior to the consideration and vote on this item.

Election of temporary chairperson

The Manager Governance called for nominations for the position of temporary chairperson.

Councillor Hurd nominated **Councillor Watson**.

Councillor Addis seconded the nomination.

There being no further nominations, the Manager Governance declared **Councillor Watson** elected as temporary chairperson.

Councillor Watson assumed the Chair.

4 speakers opposed to the officers' recommendation addressed the meeting.
4 submitters opposed to the officers' recommendation chose not to address the meeting.

MOTION

Moved Councillor Hollingsworth

Seconded Councillor Sinfield

That the Urban Planning Special Committee resolve to:

- 1. Receive and note the feedback received and outcomes of the preliminary consultation process undertaken on the Ashburton Heritage Gap Study.**
- 2. Endorse the officers' response to the preliminary feedback received and recommended changes to the Ashburton Heritage Gap Study outlined in Attachment 1, except for the recommendation related to High Street Commercial Precinct.**
- 3. Adopt the revised Ashburton Heritage Gap Study contained in Attachment 3 (as annexed to the Minutes) expect for the recommendation to include the High Street Commercial Precinct in the Heritage Overlay and the citation.**
- 4. Defer consideration of the recommendation to include the High Street Commercial Precinct in the Heritage Overlay, and commission an independent peer review of the recommendation by a suitably qualified heritage consultant.**
- 5. Write to the Minister for Planning to request authorisation to prepare an amendment to the Boroondara Planning Scheme in accordance with Section 4B and 8A(4) of the *Planning and Environment Act 1987* to include properties identified in the Ashburton Heritage Gap Study in Attachment 3 (as annexed to the Minutes) in the Heritage Overlay.**
- 6. Following receipt of authorisation from the Minister for Planning, exhibit the amendment in accordance with Section 19 of the *Planning and Environment Act 1987*.**
- 7. Write to the Minister for Planning to request he prepare, adopt and approve an amendment to the Boroondara Planning Scheme under Section 20(4) of the *Planning and Environment Act 1987* to introduce interim heritage controls to properties recommended for inclusion in the Heritage Overlay in the Ashburton Heritage Gap Study in Attachment 3 (as annexed to the Minutes).**
- 8. Notwithstanding resolution 5, provide delegated authority to officers to modify the amendment to downgrade properties to 'non-contributory' or remove properties from the precinct based on advice from Council's heritage consultant which have been legally demolished prior to exhibition of the amendment.**

- 9. Provide authorisation to the Director City Planning to undertake administrative changes to the amendment that do not change the intent of the amendment or any changes required under the Minister for Planning's Authorisation prior to the commencement of exhibition.**

CARRIED

Councillor Watson retired as Temporary Chairperson and *Councillor Thompson* re-entered the meeting at 7.30pm and resumed the Chair.

4. General business

Nil

5. Urgent business

Nil

6. Confidential business

Nil

The meeting concluded at 7.31pm

Confirmed

Chairperson

Date
