

BOROONDARA PLANNING SCHEME

AMENDMENT C337boro

EXPLANATORY REPORT

Who is the planning authority?

This amendment has been prepared by the Boroondara City Council, who is the planning authority for this amendment.

The amendment has been made at the request of Boroondara City Council.

Land affected by the amendment

The amendment applies to 9 individual heritage places and one heritage precinct as described in the table below.

What the amendment does

The amendment proposes to implement the recommendations of the *City of Boroondara Municipal-Wide Heritage Gap Study Volume 8: Ashburton* (Context Pty Ltd, February 2021) to introduce the Heritage Overlay to 9 individual heritage places and one heritage precinct on a permanent basis.

Specifically, the amendment:

1. Amends the Schedule to Clause 43.01 (Heritage Overlay) to apply the Heritage Overlay to the following new places:

HO Number	Description of Place	Property Address
HO918	Home Farm Estate and Environs Precinct	57-79 & 52-96 Albion Road and 1-13 & 2-6 Dunlop Street, Ashburton and Glen Iris
HO919	Ashburton Uniting Church	3-7 Ashburn Grove, Ashburton
HO920	House	9 Donald Street, Ashburton
HO921	Ashburton Primary School	10A Fakenham Road, Ashburton
HO922	St Michael's Parish Hall	268 High Street, Ashburton
HO923	St Michael's Memorial Church	270 High Street, Ashburton
HO924	House	1 Keyes Street, Ashburton
HO925	Victorian house	10 Marquis Street, Ashburton
HO926	Pyrus Park	7 Vears Road, Ashburton
HO927	House	45 Yuile Street, Ashburton

2. Amends Planning Scheme Maps 16HO, 17HO, 18HO and 19HO to include new Heritage Overlays.

3. Amends the Schedule to Clause 72.04 (Schedule to the Documents Incorporated in this Planning Scheme) to include the Statements of Significance for 9 individual heritage places and one heritage precinct.
4. Amends Clause 72.08 (Schedule to the Background Documents) to include the *City of Boroondara Municipal-Wide Heritage Gap Study Volume 8: Ashburton* (Context Pty Ltd, February 2021) as a background document.

Strategic assessment of the amendment

Why is the amendment required?

Council engaged heritage consultants, Context, to prepare the *City of Boroondara Municipal-Wide Heritage Gap Study Volume 8: Ashburton* (Context Pty Ltd, February 2021) (the Study). The Study identifies heritage precincts and individual properties in Ashburton for inclusion in the Heritage Overlay to the Boroondara Planning Scheme.

The Study recommends 9 individual heritage places and two heritage precincts be included in the Heritage Overlay on a permanent basis. The Study was adopted on 6 July 2020, excluding the High Street Commercial Precinct which has been deferred for future consideration. As a result, this amendment seeks to introduce permanent heritage controls to 9 individual heritage places and one heritage precinct.

The study area consists of all properties located outside the existing Heritage Overlay in Ashburton. Further detail is provided in the *City of Boroondara Municipal-Wide Heritage Gap Study Volume 8: Ashburton* (Context Pty Ltd, February 2021) background document.

The significance of the heritage places was assessed against the standard criteria contained in *Practice Note 01 Applying the Heritage Overlay* (August 2018) and are considered to meet the requirements and threshold for local protection through the Heritage Overlay. Consequently, Amendment C337boro is required to implement the findings of the Study by including 9 individual heritage places and one heritage precinct in the Heritage Overlay. As noted, consideration of the High Street Commercial Precinct has been deferred and is not included with this amendment.

The Heritage Overlay is the appropriate planning mechanism to protect the heritage values of the recommended properties as the Heritage Overlay requires a planning permit to be granted for buildings and works, including demolition, that could affect the significance of the heritage places.

How does the amendment implement the objectives of planning in Victoria?

The amendment is consistent with the objectives of planning in Victoria by implementing the objective detailed at Section 4 (1) of the *Planning and Environment Act 1987* which states:

'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'.

The heritage values associated with each heritage place proposed for inclusion in the Heritage Overlay are outlined in the citations contained within the *City of Boroondara Municipal-Wide Heritage Gap Study Volume 8: Ashburton* (Context Pty Ltd, February 2021) background document and the Statements of Significance Incorporated Document.

How does the amendment address any environmental, social and economic effects?

The amendment is expected to have a positive social effect by protecting and promoting places of cultural heritage significance in the City.

The amendment is not expected to have any adverse environmental or economic effects.

Does the amendment address relevant bushfire risk?

The land affected by the amendment is not subject to bushfire risk or a Bushfire Management Overlay. Therefore, the amendment is unlikely to result in any significant increase to the risk to life, property, community, infrastructure or the natural environment from bushfire.

Does the amendment comply with the requirements of any Minister's Direction applicable to the amendment?

The amendment is consistent with the Ministerial Direction on the form and content of Planning Schemes as identified at Section 7 (5) of the *Planning and Environment Act 1987*.

The amendment complies with Ministerial Direction No. 9 Metropolitan Planning Strategy which requires amendments to have regard to Plan Melbourne 2017-2050. The amendment is consistent with *Direction 4.4* which recognises the contribution heritage makes to Melbourne's distinctiveness and liveability and advocates for the protection of Melbourne's heritage places.

The amendment is not considered to compromise the implementation of the Metropolitan Planning Strategy.

The amendment also addresses the requirements of Ministerial Direction No. 11 - Strategic Assessment of Amendments.

How does the amendment support or implement the Planning Policy Framework and any adopted State policy?

The amendment is consistent with the Planning Policy Framework, in particular Clause 15.03-1S (Heritage Conservation) and implements the policy by including places and precincts which have been identified and assessed as having local cultural heritage significance in the Schedule to the Heritage Overlay.

How does the amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

The amendment is consistent with and implements the Local Planning Policy Framework, particularly Clause 21.04-5 (Built Environment and Heritage) of the Municipal Strategic Statement which includes the objective to '*identify and protect all individual places, objects and precincts of cultural heritage, aboriginal, townscape and landscape significance*'; and Clause 22.03-2 (Heritage Policy) which seeks to '*preserve 'significant' heritage places, protecting all significant heritage fabric including elements that cannot be seen from the public realm*'.

Does the amendment make proper use of the Victoria Planning Provisions?

The Heritage Overlay is the most appropriate mechanism for recognising and protecting the cultural heritage significance of the identified heritage places.

How does the amendment address the views of any relevant agency?

The views of relevant agencies will be sought through the public exhibition of the amendment.

Does the amendment address relevant requirements of the Transport Integration Act 2010?

The amendment is not expected to have any significant impact on the transport system.

Resource and administrative costs

It is not expected that the new planning provisions will have any significant impact on the resource and administrative costs of the responsible authority.

Where you may inspect this amendment

The amendment is available for public inspection, free of charge at www.boroondara.vic.gov.au/C337boro.

The Amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at www.delwp.vic.gov.au/public-inspection.

Submissions

Any person who may be affected by the amendment may make a submission to the planning authority. Submissions about the amendment must be received by 7 June 2021. A submission should be lodged online at www.boroondara.vic.gov.au/C337boro or be sent to:

Amendment C337boro
Strategic and Statutory Planning Department
City of Boroondara
Private Bag 1
Camberwell VIC 3124

Panel hearing dates

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- directions hearing: To commence in the week of 11 October, 2021
- panel hearing: To commence in the week of 15 November, 2021