

BOROONDARA PLANNING SCHEME

AMENDMENT C340boro

EXPLANATORY REPORT

Who is the planning authority?

This amendment has been prepared by the Boroondara City Council, which 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 13 Strathalbyn Street, Kew East in the Harp Village Commercial Precinct.

What the amendment does

The amendment corrects an anomaly by including the property at 13 Strathalbyn Street, Kew East on the relevant planning scheme map (8HO) and updating the Statement of Significance Incorporated Document for the Harp Village Commercial Precinct to include the heritage place.

Specifically, the amendment:

1. Amends Planning Scheme Map 8HO to include 13 Strathalbyn Street, Kew East in the Heritage Overlay as part of the Harp Village Commercial Precinct (HO839).
2. Amends the Schedule to the Heritage Overlay to update the Statement of Significance for the Harp Village Commercial Precinct Incorporated Document.
3. Amends the Schedule to Clause 72.04 (Schedule to the Documents Incorporated in this Planning Scheme) to update the Statement of Significance for the Harp Village Commercial Precinct (HO839) to include 13 Strathalbyn Street, Kew East.

Strategic assessment of the amendment

Why is the amendment required?

The amendment is required to include 13 Strathalbyn Street, Kew East in the Heritage Overlay as originally recommended by the adopted *Kew East and Mont Albert Heritage Gap Study*. The amendment is also required to correct a mapping error arising from the property not being included on the exhibited planning scheme map as part of Amendment C306boro.

The property is recommended as a contributory property to the Harp Village Commercial Precinct and is included in the adopted Study. The property at 13 Strathalbyn Street, Kew East was inadvertently not included as part of Amendment C307boro that applied the Heritage Overlay to the property on an interim basis (HO839) affecting the Harp Village Commercial Precinct. Also, it was not included on the exhibited planning scheme map (8HO) as part of the Amendment C306boro process to apply the Heritage Overlay on a permanent basis. Accordingly, the property was removed from C306boro prior to adoption, on the basis of the anomaly within the documentation.

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

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 the heritage precinct and the property being included in the Heritage Overlay are outlined in the citation contained within the *City of Boroondara Municipal-Wide Heritage Gap Study Volume 5: Kew East and Mont Albert* (August 2020) background document and the Statement 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 of Boroondara.

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, and 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 the property in the identified heritage precinct and assessed as having local cultural heritage significance.

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 identified place of heritage significance within the Harp Village Commercial Precinct.

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

The views of the affected property owner and occupier have been sought, and no submissions were received during the public exhibition phase of Amendment C306boro.

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

- **What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?**

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 can be inspected free of charge at the Boroondara City Council website at www.boroondara.vic.gov.au/C340.

The amendment is available for public inspection, free of charge, during office hours at the following place:

Boroondara City Council
8 Inglesby Road
Camberwell

The amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection or by contacting 1800 789 386 to arrange a time to view the amendment documentation.