

## **BOROONDARA PLANNING SCHEME**

### **AMENDMENT C367boro**

#### **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 57 and 60 Berkeley Street, Hawthorn.

##### **What the amendment does**

The Amendment applies Heritage Overlay Schedule 938 (HO938) to 57 Berkeley Street, Hawthorn and Heritage Overlay Schedule 939 (HO939) to 60 Berkeley Street, Hawthorn.

Specifically, the amendment:

- Amends Map 12HO to apply HO938 to 57 Berkeley Street, Hawthorn and HO939 to 60 Berkeley Street, Hawthorn.
- Amends the schedule to Clause 43.01 (Heritage Overlay) to include HO938 and HO939 and the Statement of Significances for 57 and 60 Berkeley Street, Hawthorn.
- Amends the Schedule to Clause 72.04 to introduce new incorporated documents titled:
  - *57 Berkeley Street, Hawthorn (Chesney Wolde) Statement of Significance*
  - *60 Berkeley Street, Hawthorn Statement of Significance.*
- Amends the Schedule to Clause 72.08 to introduce new background documents titled:
  - *57 Berkeley Street (Chesney Wolde), Hawthorn Heritage Citation, August 2020*
  - *60 Berkeley Street, Hawthorn Heritage Citation, March 2021.*

##### **Strategic assessment of the amendment**

##### **Why is the amendment required?**

An amendment to the Boroondara Planning Scheme is required to apply the Heritage Overlay to 57 and 60 Berkeley Street, Hawthorn on a permanent basis.

In response to community requests, officers engaged heritage consultants Peter Andrew Barrett and Trethowan to carry out an assessment of the heritage significance of 57 and 60 Berkeley Street, Hawthorn. Following completion of their assessments, the heritage consultants recommended 57 and 60 Berkeley Street, Hawthorn be included in the Heritage Overlay as individually significant heritage places.

##### *57 Berkeley Street, Hawthorn*

The house 'Chesney Wolde' at 57 Berkeley Street has been recommended for inclusion in the Heritage Overlay for its local architectural and aesthetic value to the City of Boroondara.

No. 57 Berkeley Street, Hawthorn is described as a fine and intact example of a Federation-style villa with Arts and Crafts detailing. It is a representative example of the substantial villa built south of Riversdale Road between 1910 -1940.

#### *60 Berkeley Street, Hawthorn*

The house at 60 Berkeley Street has been recommended for inclusion in the Heritage Overlay for its local historical, representative/architectural and aesthetic significance to the city of Boroondara.

No. 60 Berkeley Street, Hawthorn was designed by architect Albion Walkley, for Arthur Ekins, in 1916. The house is a representative and intact example of an Arts and Craft inspired traditional style bungalow built between the Federation and Interwar periods. The house is an individual design by architect Albion Walkley, who has been recognised as a prominent architect who designed numerous homes in Hawthorn and across Boroondara.

The significance of the properties has been assessed against the standard criteria contained in *Practice Note 01 Applying the Heritage Overlay* (August 2018) and it is considered to meet the threshold for local heritage protection under the Heritage Overlay.

The Heritage Overlay is the appropriate planning mechanism to protect the identified heritage values of the properties. The Heritage Overlay requires a planning permit to be granted for any demolition or any buildings and works that could affect the significance of a heritage place.

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

Applying a Heritage Overlay to 57 and 60 Berkeley Street, Hawthorn implements Section 4(1)(d) of the *Planning and Environment Act 1987* (the Act) which seeks:

- *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.*

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

Applying the Heritage Overlay to 57 and 60 Berkeley Street, Hawthorn will have a net community benefit by continuing Council's efforts to protect places that contribute to heritage 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. Consequently, it 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 - 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), by including a place of heritage value 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 implements the Local Planning Policy Framework, particularly;

Clause 21.04-5 (Built Environment and Heritage - Heritage Conservation) 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 Objectives) which seeks to:

- *'preserve 'significant' heritage places, protecting all significant heritage fabric including elements that cannot be seen from the public realm'.*

*Note that a new Planning Policy Framework (PPF) is scheduled to be gazetted on 26 May 2022, during the exhibition period for C367boro. Subsequent to this date, Clause 21.04-5 (Heritage Conservation) and Clause 22.03-2 (Heritage Policy) will be considered under new Clause 02.03-4 and Clause 15.03-1 respectively.*

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

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

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

The views of relevant agencies will be sought through the public exhibition phase of the planning scheme 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**

- **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/C367boro](http://www.boroondara.vic.gov.au/C367boro).

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](http://www.planning.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 14 June 2022.

A submission must be sent to Boroondara City Council, by mail to Private Bag 1, Camberwell VIC 3124 or made via the online form at [www.boroondara.vic.gov.au/C367boro](http://www.boroondara.vic.gov.au/C367boro).

## **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 22 August 2022
- Panel hearing: To commence in the week of 19 September 2022