

BOROONDARA PLANNING SCHEME

AMENDMENT C378boro

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 the Boroondara City Council.

Land affected by the amendment

The amendment applies to 1 Cherry Road, Balwyn.

What the amendment does

The amendment proposes to apply the Heritage Overlay (HO943) on a permanent basis to the former Balwyn Baby Health Centre, later Maternal and Child Health Centre at 1 Cherry Road, Balwyn.

Specifically, the amendment:

- Amends Planning Scheme Map 9HO to apply HO943 to 1 Cherry Road, Balwyn.
- Amends the Schedule to Clause 43.01 (Heritage Overlay) to include 1 Cherry Road, Balwyn (HO943) on a permanent basis and to introduce a new Statement of Significance for the Maternal Child Health Centre.
- Amends the Schedule to Clause 72.04 (Incorporated Documents) to introduce a new incorporated document titled 'Former Balwyn Baby Health Centre, later Maternal and Child Health Centre, 1 Cherry Road, Balwyn Statement of Significance, July 2022'.
- Amends the Schedule to Clause 72.08 (Background Documents) to introduce a new background document titled 'Former Balwyn Baby Health Centre, later Maternal and Child Health Centre, 1 Cherry Road, Balwyn Heritage Citation (Context, July 2022)'.

Strategic assessment of the amendment

Why is the amendment required?

The amendment seeks to implement the recommendation of the heritage assessment prepared by GML Heritage (formerly Context) by introducing a new Heritage Overlay (HO943) to 1 Cherry Road, Balwyn.

The building is considered significant as the first purpose-built baby health centre constructed in the City of Camberwell, and the second oldest to survive in the City of Boroondara.

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

The amendment 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?

The amendment will have a net community benefit by continuing Council's efforts to protect places of identified 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. 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 15.03-1L (Heritage in Boroondara), by including a place of heritage value in the Schedule to the Heritage Overlay. It is also consistent with Clause 15.03-1S (Heritage Conservation) by identifying, retaining and protecting a place with identified heritage significance

How does the amendment support or implement the Municipal Planning Strategy?

The amendment is consistent with the Municipal Planning Strategy, in particular Clause 02.03-4 (Built Environment and Heritage), by protecting and conserving heritage places.

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 City of Boroondara website at www.boroondara.vic.gov.au.

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

City of Boroondara Planning Counter

8 Inglesby Road

CAMBERWELL VIC 3124

The amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at <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 3 October 2022.

A submission must be sent to:

City of Boroondara

8 Inglesby Road

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 Monday, 5 December 2022
- panel hearing: To commence in the week of Monday, 30 January 2023