

URBAN PLANNING DELEGATED COMMITTEE MINUTES



(Open to the public)

Monday 3 April 2023

Council Chamber - 8 Inglesby Road, Camberwell.

Commencement 6:34pm

Attendance

Councillor Nick Stavrou (Chairperson)
Councillor Felicity Sinfield (Mayor)
Councillor Jim Parke
Councillor Victor Franco
Councillor Jane Addis
Councillor Cynthia Watson
Councillor Wes Gault
Councillor Di Gillies
Councillor Lisa Hollingsworth
Councillor Susan Biggar
Councillor Garry Thompson

Apologies

Nil

Officers

Phillip Storer
Scott Walker
Daniel Freer
Kate McCaughey
David Cowan

Bryan Wee
Christian Wilmsen
Rachel Brien
Liam Merrifield

Chief Executive Officer
Director Urban Living
Director Places and Spaces
Director Community Support
Manager Planning and
Placemaking
Manager Governance and Legal
Coordinator Strategic Planning
Strategic Planner
Senior Governance Officer

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1 Adoption and confirmation of the minutes of the Urban Planning Delegated Committee meeting held on

MOTION

Moved Councillor Di Gillies

Seconded Councillor Wes Gault

That the minutes of the Urban Planning Delegated Committee meeting held on 20 March 2023 be adopted and confirmed.

CARRIED

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

Councillor Garry Thompson declared a material conflict of interest for item 3.1 in accordance with section 128 of the Local Government Act 2020. Councillor Thompson advised the nature of the interest was "an interest in a property in Item 3.1".

3 Presentation of officer reports

3.1 Balwyn Heritage Peer Review Stage 3 - Outcomes of preliminary consultation

Purpose

The purpose of this report is to inform the Urban Planning Delegated Committee (UPDC) of the outcomes of the preliminary consultation process for the Balwyn Heritage Stage 3 Peer Review and the officers' response to the feedback. The report also seeks a resolution to commence a planning scheme amendment to apply a permanent Heritage Overlay to the properties identified.

Background

Officers engaged heritage consultants GML Heritage (formerly Context) to investigate the heritage significance of 18 post-war properties within Balwyn.

Following completion of their detailed assessment, GML found that the following 17 properties warranted inclusion in the Heritage Overlay:

- 1 Caravan Street, Balwyn
- 2 Salford Avenue, Balwyn
- 17 Yandilla Road, Balwyn
- 116 Bulleen Road, Balwyn North
- 32 Hill Road, Balwyn North
- 67 Hill Road, Balwyn North
- 39 Inverness Way, Balwyn North
- 26 Kyora Parade, Balwyn North
- 94 Maude Road, Balwyn North
- 7 Milfay Court, Balwyn North
- 47 Mountain View Road, Balwyn North
- 24 Orion Street, Balwyn North
- 44 Panoramic Road, Balwyn North
- 22 Riverview Road, Balwyn North
- 9 Tormey Street, Balwyn North
- 17 Trentwood Avenue, Balwyn North
- 32 Ursa Street, Balwyn North

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69 Sylvander Street, Balwyn North was assessed but did not meet the threshold for inclusion in the Heritage Overlay.

The draft methodology report was received late in March so was not exhibited as part of preliminary consultation. The methodology report has now been finalised with all the above-mentioned citations.

Key Issues

Preliminary consultation on the draft heritage citations was undertaken from 4 November to 5 December 2022. Owners and occupiers of the affected properties, as well as owners of adjoining and adjacent properties, community and historical groups were notified in writing of the consultation period and invited to provide feedback.

Fourteen (14) submissions were received, including ten (10) objecting and four (4) supporting submissions.

The key issues raised in the feedback include:

- Supporting feedback/ requests for additional properties to be included in a Heritage Overlay
- Disagreement that certain homes meet the criteria for inclusion under the Heritage Overlay
- Detrimental impact on property value
- Concerns about the structural condition of the building
- Maintenance and repairs of heritage places

Officers and Council's heritage consultant have reviewed the feedback received and have provided a summary of and response to each submitter in the table at **Attachment 1**.

No properties are recommended to be excluded from the amendment. The only change recommended is an update to the citation for 7 Milfay to reflect alterations to the building.

Next Steps

Officers recommend the Urban Planning Delegated Committee (UPDC) adopt the Balwyn Heritage Peer Review Stage 3 Methodology Report contained at **Attachment 2** and resolve to seek authorisation from the Minister for Planning to prepare and exhibit a planning scheme amendment to introduce a Heritage Overlay to the properties on a permanent basis.

Cr Garry Thompson left the Chamber at 6:35pm prior to consideration and voting on this item.

Four speakers opposed to the officers' recommendation addressed the meeting.

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MOTION

Moved **Councillor Cynthia Watson**

Seconded **Councillor Felicity Sinfield**

That the Urban Planning Delegated Committee resolve to:

- 1. Receive and note the feedback received and outcomes of the preliminary consultation process undertaken on the draft Balwyn Peer Review Stage 3.**
- 2. Endorse the officers' response to the preliminary feedback received and recommended changes to the draft Balwyn Peer Review Stage 3 outlined in Attachment 1.**
- 3. Adopt the Balwyn Heritage Peer Review Stage 3 Methodology Report contained in Attachment 2, as annexed to the minutes.**
- 4. 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 Balwyn Peer Review Stage 3 in the Heritage Overlay.**
- 5. Following receipt of authorisation from the Minister for Planning, exhibit the amendment in accordance with Section 19 of the *Planning and Environment Act 1987*.**
- 6. Authorise the Director Urban Living 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

Cr Garry Thompson returned to the Chamber and resumed his seat at 7:04pm after consideration and voting on the item.

4 General business

Nil

5 Urgent business

Nil

6 Confidential business

Nil

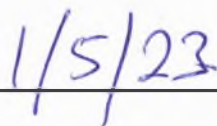
The Council meeting concluded at 7:05pm

Confirmed

Chairperson



Date



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