

GLEN EIRA PLANNING SCHEME

AMENDMENT C149

EXPLANATORY REPORT

Who is the planning authority?

This amendment has been prepared by the Glen Eira City Council, which is the planning authority for this amendment.

The Amendment has been made at the request of Glen Eira City Council.

Land affected by the Amendment

The Amendment applies to land affected by the Heritage Overlay.

What the amendment does

The Amendment proposes to:

- Amend Clause 21.10 of the Municipal Strategic Statement - Heritage.
- Replace Clause 22.01 of the Glen Eira Planning Scheme - the Glen Eira Heritage Policy.
- Insert the *"Glen Eira Review of Existing Heritage Precincts 2017"* as a reference document in the Glen Eira Planning Scheme.
- Amend the Heritage Overlay Schedule at Clause 43.01 to rectify minor anomalies relating to property address information.

Strategic assessment of the Amendment

Why is the Amendment required?

Background

In 2016, Glen Eira Council undertook a Planning Scheme Review. The Strategic Work Plan that flowed out of this process included an internal heritage review of the municipality's existing heritage areas and heritage planning policy. The purpose of this amendment is to update and refresh existing heritage policies and provide more detailed objectives, policies and performance measures that will benefit home owners, developers and planning staff in terms of providing a framework around decision making for heritage planning applications. During the course of this project, a number of minor anomalies in property information were found in the Schedule to the Heritage Overlay. These are proposed to be rectified as part of this amendment.

Creation of a consistent and correct list of ratings for properties in heritage precincts

Only the existing heritage precincts are reviewed as part of this amendment. A broader review of the entire municipality is proposed in the next 2-3 years to capture significant buildings not currently included in the Heritage Overlay.

The Heritage Management Plan (HMP) is now 20 years old. Since that time, a number of minor errors have been found in the significance rating of properties and in the last twenty years, some contributory buildings have been demolished for various reasons, which results in an incorrect rating of that property.

Additionally, the current Heritage Management Plan lacks consistency in the way properties are rated in heritage precincts. While some are clearly rated as 'significant', 'contributory' or 'non contributory', others are rated as 'contributory', 'building defaced' and 'non contributory'.

It is important to note that, as part of this first phase in Council's Heritage review:

- The boundaries of the heritage precincts are not proposed to be altered; and
- The statements of significance for these areas are not proposed to be reviewed.

Update the Glen Eira Heritage Policy

The revised Heritage Policy will be updated to include:

- Statements of significance and the list of contributory properties for each precinct, so that property ratings are discoverable by planners, developers and the public.
- Built form guidelines for new buildings and alterations and additions to existing buildings within a precinct.

Glen Eira has, for many years, had a suite of draft Heritage Guidelines that applied to each individual Precinct. The guidelines provided detailed advice on how Council would exercise its discretion in terms development in heritage areas. These guidelines were informative and helpful in terms of creating an understanding of each heritage precinct and provided a list of guidelines to follow relating to demolition and alterations/additions. These guidelines while useful, stood outside of the planning scheme.

As part of this review Council's intention is to create a revised heritage policy that includes built form guidance for new buildings and alterations and additions to existing buildings within a precinct – within the planning scheme. This will provide further clarity and weight to Heritage decision making for the community, Council and VCAT.

Inclusion of the "Glen Eira Review of Existing Heritage Precincts 2017" as a reference document in the Glen Eira Planning Scheme

A new reference document will be referred to in the updated Heritage policy. The document will clearly outline ratings of properties and explain where and why the new ratings may conflict with a previous rating.

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

The amendment assists in implementing the following objectives:

- To provide for the fair, orderly, economic and sustainable use, and the development of land;
- To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria; and
- To balance the present and future interests of all Victorians.

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

Environmental Effects

The amendment is expected to have positive environmental effects by continuing to protect places /buildings identified as having heritage significance.

The revised Heritage Policy will ensure the conservation and enhancement of these heritage areas, as it will provide updated information, including built form controls that help guide future development in the heritage areas.

Social & Economic Effects

The amendment is expected to have positive social effects by ensuring development responds to the heritage area, so it can be appreciated by future generations.

The amendment will provide guidance to the community, planners and developers in terms of building or making modifications to buildings in these heritage areas.

Does the Amendment address relevant bushfire risk?

The municipal area of Glen Eira does not have any designated bushfire prone areas.

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

The amendment supports implementation of Ministerial Direction No. 9 – Metropolitan Planning Strategy. The amendment supports the following directions:

- Policy 4.3 Achieve and promote design excellence

Initiative 4.3.1 Promote urban design excellence in every aspect of the built environment

- Policy 4.4 Respect Melbourne's heritage as we build for the future.

Initiative 4.4.1 Recognise the value of heritage when managing growth and change.

Within all three levels of government sharing responsibility for protecting Melbourne's post-settlement cultural heritage must be consistent and credible and based on clear and widely accepted heritage conservation principles and practices.

The amendment supports and is consistent with these directions as the purpose of the Heritage Overlay is:

- To conserve and enhance heritage places of natural or cultural significance.
- To ensure that development does not adversely affect the significance of heritage places.

The proposed Heritage Policy sets the direction for protection and enhancement of places of cultural heritage significance within Glen Eira.

The amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the Act.

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

The amendment supports the following aspects of the State Planning Policy Framework:

In Clause 11 – Settlement:

Planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.

In Clause 11.06 – Metropolitan Melbourne

Clause 11.06-4 – Place and Identity

Objective:

- To create a distinctive and liveable city with quality design and amenity

Strategies:

- Promote urban design excellence in the built environment and create places that...celebrate the city's social, cultural and natural heritage.
- Recognise the value of heritage by carefully managing the ongoing processes of growth and change in the urban environment.
- Support the regeneration of heritage assets through adaptive re-use.

In Clause 15 –Heritage

Clause 15.03-1 Heritage Conservation

Objective

- To ensure the conservation of places of heritage significance.

Strategies

- Identify, assess and document places of natural and cultural heritage significance as a basis for their inclusion in the planning scheme.
- Provide for the conservation and enhancement of those places which are of aesthetic, archaeological, architectural, cultural, scientific, or social significance or otherwise of special cultural value.
- Encourage the conservation and restoration of contributory elements.
- Ensure an appropriate setting or context for heritage places is maintained or enhanced.

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

Clause 21.03-3 includes a key land use vision to “Maintain high quality residential image, with an emphasis on character of local areas and heritage areas.”

Clause 21.10 Heritage includes an objective to “To identify, protect, enhance and promote understanding of Glen Eira’s heritage”.

Strategies

- “Protect places identified as having architectural, cultural or historical significance.
- Ensure sympathetic redevelopment and renovation of areas and places identified as having architectural, cultural or historic significance in the municipality.
- Enhance knowledge and popular understanding of Glen Eira’s architectural, cultural and historic heritage”.

The amendment is considered to be consistent with all of the above clauses and further supports the strategic directions of the Glen Eira Municipal Strategic Statement.

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

The appropriate Victoria Planning provisions are utilised.

The Heritage Overlay together with the Heritage Policy are the most appropriate Victorian Planning Provisions to be applied, as they afford protection to places identified as having historical significance, and provide guidance in constructing or extending buildings and places of heritage significance.

These controls are deemed to be the most effective in protecting and enhancing heritage places and ensuring that development does not adversely affect the significance of heritage places.

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

Views of relevant agencies will be addressed through the amendment process.

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

The proposed amendment will not have a significant impact on the transport system and there are no applicable statements of policy principles under section 22 of the Transport Integration Act 2010.

Resource and administrative costs

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

The amendment will not result in any significant impact on the resources and administrative costs of the Responsible Authority.

Where you may inspect this Amendment

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

Glen Eira City Council

Corner Glen Eira and Hawthorn Roads

Caulfield.

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.
- Glen Eira Council web site at www.gleneira.vic.gov.au/heritagepolicy.

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 **5.00pm on Monday 14 August 2017**.

A submission must be sent to:

www.gleneira.vic.gov.au/heritagepolicy; or

City Futures Department, Glen Eira City Council, PO Box 42, Caulfield South, Vic 3162

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: Week commencing 23 October 2017
- panel hearing: Week commencing 27 November 2017