

**0.0 URGENT BUSINESS
HERITAGE REVIEW OF MURRUMBEENA VILLAGE PRECINCT**

Author: Jacqui Brasher, Principal Strategic Planner

Trim No: 19/1221681

Attachments: 1. *MurrumbeenaVillageCitationFINAL*

PURPOSE AND SUMMARY

The purpose of this report is to seek Council approval to commence statutory implementation (both interim and permanent controls) for the heritage assessment review of Murrumbeena Village through a Planning Scheme Amendment process.

This report is an "Urgent Business" item, as Council has been informed by a private building surveyor of their intention to issue a demolition permit for the building at 430-432 Neerim Road; the oldest commercial building in Murrumbeena. The heritage significance of this building is detailed in the report.

Council has until 5 September to inform the building surveyor of any circumstances which would prevent the building surveyor from issuing a demolition permit. One such circumstance is an application by Council for interim heritage controls.

RECOMMENDATION

That Council:

1. endorses the heritage citation for the proposed heritage precinct - Murrumbeena Village (prepared by Built Heritage Pty Ltd);
2. requests the Minister for Planning to prepare, adopt and approve a planning scheme amendment for an Interim Heritage Overlay for Murrumbeena Village Precinct while the amendment for permanent controls goes through a full planning scheme amendment process (Amendment C198glen).
3. seeks authorisation from the Minister for Planning to prepare and exhibit a Planning Scheme Amendment to include the Murrumbeena Village Precinct within the Schedule to the Heritage Overlay (C199glen).
4. authorises the Manager City Futures to undertake minor changes to the Amendment, including changes requested by the Minister for Planning or the Department of Environment, Land, Water and Planning, in order to receive authorisation, where the changes do not affect the purpose or intent of the Amendment;
5. subject to receiving authorisation from the Minister for Planning, places the Amendment on public exhibition for the period of at least one month;

BACKGROUND

A copy of the citation for the Murrumbeena Village Precinct is attached. The precinct contains commercial buildings (including shops and two motor garages) from the Victorian and Inter-war periods.

430-432 Neerim Road was one of a number of sites within the Murrumbeena shopping precinct to be nominated by a member of the public as part of recent public consultation

where Council sought nominations for heritage consideration. These public nominations are being used as a source for the number of heritage projects that Council is currently undertaking.

The subject site therefore underwent a preliminary review on 2 August 2019 by expert heritage consultant, Built Heritage Pty Ltd. As part of this preliminary review the consultant provided a data sheet for the above site stating that it was a high priority for a heritage citation. It is the oldest shop in Murrumbeena. Two other rows of shops within the same shopping strip were nominated by the public.

However, these sites do not sit neatly within the scope of the currently committed heritage projects that Council is undertaking, with the scope of the current 'Hidden Gems' review focussed on post war individually significant buildings, and the recent Carnegie review finishing close by.

Recently, Council received a planning application (GE/DP-32980/2019) for a proposed development comprising of 8 storeys with a basement for car parking ground level retail space and 8 upper levels reserved for student housing. This planning application proposes to demolish the existing buildings on site, including the oldest shop in Murrumbeena at 430 Neerim Road (discussed earlier).

Given this precinct sits outside the scope of existing projects and that it was under threat, Council Officers commenced preparing separate heritage controls, including a citation for the Murrumbeena Village precinct and prepared a Report from Officers, seeking Council approval to seek interim and permanent heritage protection, which was to be tabled at the 24 September Council Meeting.

As part of the planning application process, Council's Planning Officer, sent a Request for Further Information Letter (RFI) on 19 August 2019, which outlined that the Council Officers consider that the site *'has heritage significance and as such is pursuing heritage interim controls'*, and that it is the Urban Planning Department's *'initial position based on the heritage advice that the existing Victorian-era shop (Neerim Rd and Murrumbeena Rd frontages) on the site be retained'*.

The Citation was completed by Built Heritage and submitted to Council on 27 August 2019. The consultant found that the precinct is historically and aesthetically significant to the City of Glen Eira for its associations with the early development of Murrumbeena. This area includes a number of intact shops fronts.

ISSUES AND DISCUSSION

The citation confirms that the precinct meets the threshold for local heritage significance and warrants inclusion in the Heritage Overlay.

Interim controls are required as the precinct is under threat from demolition that could affect the viability of the precinct (as a heritage overlay) and result in the loss of one of the area's most significant buildings.

This building is the oldest commercial building in Murrumbeena Village and its demolition would be a great loss to the character of the area. Being located on the corner of Neerim and Murrumbeena Roads, it is a highly visible, key site within the precinct. While it is noted within the citation that this building is altered with some ornamentation removed or covered, it could be restored. Photos below compare the building in 1915 and 2019.



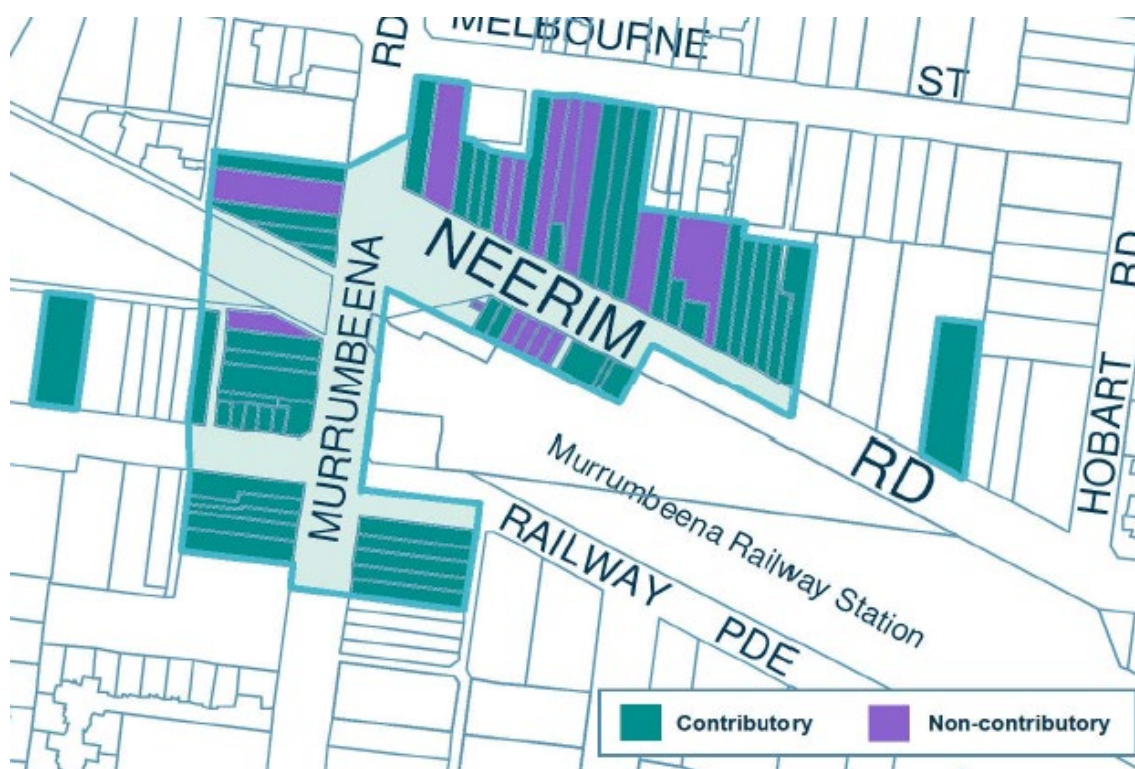
430-432 Neerim Road circa 1915 (originally 2 double storey shops).



430-432 Neerim Road 2019 – south facing upper floor windows appear to be covered with signage hoarding. The identical pair to this shop has been demolished.

Review of Murrumbreena Village:

The map below shows the extent of the Murrumbreena Village Precinct. It includes a medium sized precinct with two additional separate lots. Both are old motor garages that are considered to be both unusual and generally intact. It was decided by the consultant to not include the intermittent lots that contained non-contributory development.



Compliance with State and Local Policy:

The Amendment supports and is also supported by the following objectives and strategies of the State Planning Policy Framework, the Municipal Strategic Statement and Local Planning Policy Framework:

15.03-1S 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 that are of aesthetic, archaeological, architectural, cultural, scientific or social significance.

Clause 21.10 – Heritage

Objective

To identify, protect, enhance and promote understanding of Glen Eira's heritage.

Strategies

- Protect places identified as having architectural, cultural or historical significance.
- Enhance knowledge and popular understanding of Glen Eira's architectural, cultural and historic heritage.

22.01 Heritage Policy

The objective under 22.01 is relevant to this Amendment.

Objective

- To identify the City's heritage assets and to give effect to the recommendations of the Glen Eira Heritage Management Plan 1996, the Addendum to the Glen Eira Heritage Management Plan 2017 and the Glen Eira Review of Existing Heritage Precincts 2017.
- To protect places identified as having architectural, cultural or historic significance and which demonstrate the various eras of Glen Eira's development.

Social, economic and environmental benefits:

The Amendment is expected to have positive environmental effects by protecting properties identified as having heritage significance in Glen Eira.

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

There are potential economic impacts to property owners as a result of this Amendment, however there will be no economic impact to the wider area. A net community benefit will result from this Amendment.

Applying for Interim Heritage Controls for Murrumbeena Village Precinct:

Given Council is now at the stage of seeking authorisation to prepare and exhibit the planning scheme amendment for permanent controls and there has been development pressure within the area, a request can be made to seek interim protection while the permanent controls goes through the full amendment planning process.

Murrumbeena Village has not undergone pre-amendment consultation as it was considered essential that Council assess this proposal without delay.

All owners and occupiers will be notified of the amendment through the one month exhibition process and will be able to make a submission at this time.

Council officers will also send a separate notice of approval of interim controls if the Minister for Planning grants the request.

FINANCIAL, RESOURCE, RISK AND ASSET MANAGEMENT IMPLICATIONS

The costs to undertake the Amendment will be monitored. Costs include exhibition, panel representation, panel and Department of Environment Land Water and Planning fees.

POLICY AND LEGISLATIVE IMPLICATIONS

The Planning and Environment Act 1987 requires that Councils use their planning scheme to implement the objectives of planning in Victoria, including:

To conserve and enhance buildings, areas and other places which are of scientific, aesthetic, architectural or historic interest, or otherwise of special cultural value (Section 4(1)(d) Planning and Environment Act 1987).

In seeking to apply Heritage Overlays, Planning Practice Note No 1 August 2018 – Applying the Heritage Overlay provides guidance and has been used in preparing this amendment.

Once Council has determined to commence a Planning Scheme Amendment, the process is as follows:

1. The Minister for Planning must firstly authorise preparation and exhibition of the amendment before exhibition can occur. Following this, notice (exhibition) of the amendment will commence, inviting public submissions.
2. If there are no submissions Council can 'adopt' the amendment and forward it to the Minister for approval. It only becomes operational if and when it is formally approved and gazetted.
3. If there are submissions opposed to the amendment, the Council has three options – abandon the amendment, change the amendment in accordance with the submitters' request, or request the Minister to appoint an Independent Panel to hear the submissions.
4. If a Panel is appointed, submissions are heard and the panel reports its findings in the form of a recommendation to Council.
The Panel may make a recommendation to:
 - adopt the amendment
 - abandon the amendment
 - modify the amendment
5. Council then considers the panel report and makes its own decision. Council is not bound by the panel's findings. Again Council's options are to either abandon or adopt the amendment (with or without modifications).
6. If Council adopts the amendment, it is then referred to the Minister for Planning for approval and gazettal.

The process required to amend the Glen Eira Planning Scheme is lengthy and provides opportunities for public input from interested parties. With regard to the current proposal, Council is at Step 1.

COMMUNICATION AND ENGAGEMENT

Owners and occupiers of affected properties as well as other interested parties will be able to make a submission when this amendment is exhibited. This will occur later in 2019 after Interim controls have been sought.

LINK TO COUNCIL AND COMMUNITY PLAN

Theme One: Liveable and Well Designed
A well planned City that is a great place to live.

OFFICER DECLARATION OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any direct or indirect interest in this matter.

CONCLUSION

Council has a role to protect identified areas of heritage. Independent heritage advice commissioned by Council has identified a new precinct of heritage significance in Murrumbeena. It is recommended that Council seek authorisation from the Minister for Planning to undertake the Planning Scheme Amendment process for permanent heritage controls and to make a request for the Minister for Planning to prepare, adopt and approve a Planning Scheme Amendment for interim heritage controls.