

IN PLANNING PANELS VICTORIA

**‘PART A’ SUBMISSION
ON BEHALF OF THE PLANING AUTHORITY**

**AMENDMENT C201glen TO THE GLEN EIRA PLANNING
SCHEME**

27 April 2020

INTRODUCTION

1. Glen Eira City Council (**Council**) is the Planning Authority for Amendment C201glen (**Amendment**) to the Glen Eira Planning Scheme (**Scheme**). Council has prepared and is the proponent of the Amendment.
2. This 'Part A' submission is made in accordance with the Panel's Directions dated 17 March 2020 (**Directions**).
3. This submission addresses the following matters in accordance with direction 10 of the Directions:
 - 3.1 background, including a chronology of events for the Amendment;
 - 3.2 strategic context and assessment;
 - 3.3 references to sections of Glen Eira's heritage thematic history relevant to Murrumbeena Village's local significance;
 - 3.4 any intention regarding the Heritage Overlay (HO132) on the Murrumbeena Railway Station land;
 - 3.5 issues identified in submissions; and
 - 3.6 any suggested changes to the Amendment in response to submissions.
4. In addition to this submission, at the hearing listed to start on 11 May 2020 via videoconference, Council will:
 - 4.1 present its 'Part B' submission which will address, as appropriate, Council's responses to the matters raised in expert evidence called, and submissions made by the parties during the hearing; and
 - 4.2 call and rely on expert heritage evidence from Mr Simon Reeves of Built Heritage Pty Ltd.
5. The Amendment seeks to apply the Heritage Overlay to the Murrumbeena Village Precinct Murrumbeena (HO187) (**the Murrumbeena Precinct**), shown below, comprising:
 - 5.1 398, 412-486, 504 (even), 453-473 (odd) Neerim Road, Murrumbeena; and
 - 5.2 55-87 (odd) and 88-94 (even) Murrumbeena Road, Murrumbeena.



6. Specifically, the Amendment amends:
 - 6.1 the Schedule to Clause 43.01 Heritage Overlay to include HO187;
 - 6.2 the Schedule to Clause 72.04 to include the Statement of Significance for HO187; and
 - 6.3 Planning Scheme Map No. 2HO to apply a Heritage Overlay HO187 to the precinct.
7. Council pursues the Amendment as exhibited, save for requesting the Panel consider a minor modification to the proposed mapped extent of the Murrumbeena Precinct that accords with the initial recommendation made by Mr Reeves to Council to include only the frontages of properties to Neerim Road that also have a rear address to Melbourne Street (as described in the evidence statement of Mr Reeves to be circulated in the lead up to the Panel hearing). This is explained in more detail below.

BACKGROUND TO AMENDMENT

8. A chronology of key events relevant to the Amendment forms **Attachment A** to Council's submission.

Glen Eira Post-war and Hidden Gems Review

9. In early 2019, Council commissioned a major heritage review, comprising three stand-alone components, all focussed on gaps in the identification of built fabric of local cultural heritage significance in the Scheme as at that time.
10. The second of these, designated as 'Project Two' but informally known as the Post-War and Hidden Gems Review (**Review**), comprised two separate tasks being:
 - 10.1 compiling a list of post-WW2 place of potential heritage significance, relying principally on desktop research, as well as places nominated by others (including council staff, the Glen Eira Historical Society, and members of the public); and
 - 10.2 reviewing an existing list of pre-WW2 places of potential heritage significance, nicknamed the "Hidden Gems", which had been nominated by Council staff, the Glen Eira Historical Society and members of the public.
11. The places nominated on these lists formed the subject of basic fieldwork, coupled with preliminary historical research and comparative analysis, to establish which represented the most worthy candidates for further and more rigorous assessment, with a view of applying the Heritage Overlay.
12. Stage one involved the preparation of a brief preliminary datasheet to be prepared for the top 50 post-WW2 places, and the top 50 'hidden gems'.
13. From this combined total of 100 places, 50 were selected for more rigorous assessment in the form of full-length heritage citations. The full-length citations, with a complete history, description, comparative analysis and Statement of Significance, formed stage two of the project.
14. The Review was undertaken by Mr Simon Reeves, director and principal of Built Heritage Pty Ltd.
15. Council publicly released a draft version of the Review dated 11 February 2020, forming **Attachment B** to Council's submission.

16. The properties at 430-432 Neerim Road, 77-79 Murrumbeena Road (Wardrop's Building) and 476-486 Neerim Road (row of shops) were nominated for review as 'hidden gems'. The Review relevantly states (at page 10 of the City of Glen Eira Heritage Review 2020):

Murrumbeena Shopping Centre, Neerim Road, Murrumbeena. Local commercial strip near railway station, dominated by inter-war shops with some earlier (Edwardian/Victorian) and later (post-WW2) fabric. A site at 430-432 Neerim Road, including an 1880s residential shop, had been nominated by a member of the public. Two later groups of inter-war shops, comprising Wardrop's Building at 77-79 Murrumbeena Road (1921) and a row of six at 476-486 Neerim Road (1924) were nominated by the City of Glen Eira. The 1880s shop (representing rare surviving evidence of the strip's historical origins) and Wardrop's Building were noted to be potentially of individual significance. While the row of six shops was deemed only representative of its type and era, it would be considered as a contributory element in a wider commercial precinct. Fieldwork confirmed that there were many other pre-war shops along the north side of Neerim Road (bookended by 1920s motor garages), as well as others on the south side, and both sides of Murrumbeena Road. This was strongly suggestive of a potential heritage overlay precinct.

17. The Review states (at page 10):

In undertaking preliminary assessment of both the Hidden Gems and the Post-War places, it became apparent that some buildings that had been identified individually were in close proximity, and of similar date and/or demonstrative of similar themes. This hinted that they might be more appropriately protected collectively, rather than individually, in the form of small heritage precinct or group listing. These potential precincts were flagged as follows:

...

Murrumbeena Shopping Centre, Neerim Road, Murrumbeena. Local commercial strip near railway station, dominated by inter-war shops with some earlier (Edwardian/Victorian) and later (post-WW2) fabric. A site at 430-432 Neerim Road, including an 1880s residential shop, had been nominated by a member of the public. Two later groups of inter-war shops, comprising Wardrop's Building at 77-79 Murrumbeena Road (1921) and a row of six at 476-486 Neerim Road (1924) were nominated by the City of Glen Eira. The 1880s shop (representing rare surviving evidence of the strip's historical origins) and Wardrop's Building were noted to be potentially of individual significance. While the row of six shops was deemed only representative of its type and era, it would be considered as a contributory element in a wider commercial precinct. Fieldwork confirmed that there were many other pre-war shops along the north side of Neerim Road (bookended by 1920s motor garages), as well as others on the south side, and both sides of Murrumbeena Road. This was strongly suggestive of a potential heritage overlay precinct.

18. Mr Reeves subsequently prepared a citation for the Murrumbeena Village, Neerim and Murrumbeena Roads, Murrumbeena precinct as part of stage two of the project in which Mr Reeves assessed the precinct's significance against the standard criteria contained in *Planning Practice Note 01 Applying the Heritage Overlay* (August 2018). The heritage citation is dated 28 August 2019.
19. The heritage citation concludes the Murrumbeena Precinct meets the threshold for local significance and satisfies Criterion A (historic significance) and Criterion E (aesthetic significance).
20. Council resolved to adopt the heritage citation at its ordinary meeting on 3 September 2019.

Ministerial authorisation and interim controls

21. At Council's ordinary meeting on 3 September 2019, Council resolved to:

- 21.1 endorse the heritage citation prepared by Mr Simon Reeves of Built Heritage Pty Ltd for the proposed Murrumbeena Village Precinct;

- 21.2 request the Minister for Planning exempt himself from notice and prepare, adopt and approve interim heritage controls to the Murrumbeena Village Precinct while the amendment for permanent controls runs its course (Amendment C198glen);
 - 21.3 seek authorisation from the Minister for Planning to prepare and exhibit the Amendment; and
 - 21.4 subject to receiving authorisation from the Minister for Planning, exhibit the Amendment.
22. Following Council's resolution, Council's officers requested authorisation to prepare the Amendment.
23. On 4 September 2019, following receipt of planning permit application no. GE/DP-32980/2019 for the land at 430-434 Neerim Road, Murrumbeena, Council wrote to the Minister requesting he exempt himself from notice and prepare, adopt and approve interim heritage controls to the Murrumbeena Village Precinct.
24. On 25 September 2019, The Department authorised Council to prepare the Amendment subject to the following condition:
- The removal of the Background Document, being the detailed statement of significance, from the amendment.
25. On 12 March 2020, the Department wrote to Council advising an interim heritage control would be applied only to the land at 430-434 Neerim Road, Murrumbeena until 31 March 2021 but not to the precinct more broadly. The correspondence states:
- The request to apply the Heritage Overlay on an interim basis to the broader Murrumbeena Village Precinct has not been supported as insufficient evidence has been supplied to show that the area is experiencing development pressure, resulting in the loss of buildings and degrading the heritage significance of the area.
26. The interim heritage control was gazetted on 23 April 2020.

Exhibition

27. Council exhibited the Amendment between 24 October to 25 November 2019 in the form of:
- 27.1 sending letters to owners and occupiers of all affected properties, prescribed authorities and stakeholders;
 - 27.2 notice in the Caulfield/Glen Eira Leader local newspaper;
 - 27.3 notice of the Amendment in the Government Gazette;
 - 27.4 uploading the Amendment documentation on Council's and the Department's websites.
28. The Amendment documentation as exhibited comprised the following documents:
- 28.1 the explanatory report;
 - 28.2 the notice of preparation of an amendment;
 - 28.3 the instruction sheet;
 - 28.4 proposed clauses and schedules, specifically the Schedule to clause 43.01 and the Schedule to clause 72.04; and
 - 28.5 Murrumbeena Village Precinct Heritage Citation, prepared by Simon Reeves, Built Heritage Pty Ltd, 28 August 2019.

29. In response to exhibition, Council received 24 submissions:
- 29.1 20 submissions objected to the Amendment;
 - 29.2 3 submissions supported to the Amendment; and
 - 29.3 one submission made 'no comment' in respect of the Amendment.
30. Four of those submissions were received outside the exhibition closing date and constitute 'late' submissions.
31. Council also convened a planning conference on 5 December 2019, chaired by a councillor. Nine submitters attended the conference.

STRATEGIC CONTEXT AND ASSESSMENT

32. This section provides an overview of the Amendment's strategic basis, supplementing the detail set out in the exhibited explanatory report.
33. Council submits the key focus of the Panel with respect to this Amendment (and in response to the submissions received) relates to the requirements of the Heritage Overlay and Planning Practice Note 1 (Applying the Heritage Overlay) (**PPN1**).
34. The PPN1 states the following places should be included in a Heritage Overlay:
- Places identified in a local heritage study, provided the significance of the place can be shown to justify the application of the overlay.
35. Importantly, the PPN1 describes the threshold for determining 'local significance' (and as a result, being identified in a local heritage study) as:
- ...those places that are important to a particular community or locality.
36. The *Advisory Committee Report on the Review of Heritage Provisions in Planning Schemes* (August 2007) (**Advisory Committee Report**) expressed the threshold differently but connoted similar sentiments. It framed the question to be asked as:
- ...is the place of **sufficient** import that its cultural values should be recognised in the planning scheme and taken into account in decision-making?¹
37. Later in the report, the Committee noted:
- ...the issue for planning purposes is simply whether a place is of **sufficient** heritage **note** in the local context to warrant planning controls being put in place to ensure that its heritage value is taken into account when development proposals are being considered.²
- [Emphasis added]
38. In terms of process, the PPN1 goes on to say:
- The heritage process leading to the identification of the place needs to clearly justify the significance of the place as a basis for its inclusion in the Heritage Overlay. The documentation for each place shall include a statement of significance that clearly establishes the importance of the place and addresses the heritage criteria.
39. Council submits these are the key matters a Panel ought consider in assessing the Amendment.
40. Council also submits the following policy forms the framework for the Panel's determination in this hearing:

¹ Advisory Committee Report, p. xvii.

² Advisory Committee Report, pp 39-40.

- 40.1 the 'overarching objective' relating to heritage conservation set out at s 4(1)(d) of the Act:
- ...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.
- 40.2 Direction 4.4 of Plan Melbourne (2017-2050) to 'respect our heritage as we build for the future' and Policy 4.4.1 recognising the need for 'continuous identification and review of currently unprotected heritage sites...';
- 40.3 the Planning Policy Framework at clause 15.03-1S of the Scheme, in particular the overarching objective of ensuring 'the conservation of places of heritage significance' sought to be achieved through strategies including to:
- 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.
- ...
- Ensure an appropriate setting and context for heritage places is maintained or enhanced.
- 40.4 the focus of the Local Planning Policy Framework in the Scheme on the importance of heritage in the City of Glen Eira, including:
- 40.4.1 the objective under clause 21.10-2 being 'to identify, protect, enhance and promote understanding of Glen Eira's heritage' through strategies such as:
- 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; and
 - enhance knowledge and popular understanding of Glen Eira's architectural, cultural and historic heritage.
- 40.4.2 the objectives under clause 22.01 including to:
- protect places identified as having architectural, cultural or historic significance and which demonstrate the various eras of Glen Eira's development; and
 - encourage retention, preservation and restoration of all significant and contributory places within the City of Glen Eira;
- 40.5 'Commitment two' of Council's *Council and Community Plan 2017-2021* being to 'encourage development that benefits the community'. It states Council will "review our heritage places and provide stronger development guidelines to preserve and enhance Glen Eira's heritage buildings and precincts";
- 40.6 Planning Practice Note 91 (Using the Residential Zones), introduced on 24 December 2019, stating:

It is important to understand the differences between neighbourhood character and heritage.

While all areas have a history or a heritage, not all areas are historically significant. Heritage significance is determined by recognised criteria set by Commonwealth, state and local agencies, with reference to the Burra Charter.

The Heritage Overlay (HO) should be used where the objective is to conserve the existing building or buildings.

...

The application of the HO and underlying residential zoning should be consistent with the strategic intent outlined in the MPS and PPF.

For example, if an area is zoned for housing change, a planning authority must satisfy itself that this is compatible with the conservation of existing buildings otherwise a direct conflict between the purpose of the zone and the overlay will be created making it difficult to interpret and apply the controls.

41. The recognised HERCON criteria for the assessment of heritage values of a heritage place, as set out in the PPN1 are:
- 41.1 Criterion A: Importance to the course or pattern of our cultural or natural history (historical significance).
 - 41.2 Criterion B: Possession of uncommon rare or endangered aspects of our cultural or natural history (rarity).
 - 41.3 Criterion C: Potential to yield information that will contribute to an understanding of our cultural or natural history (research potential).
 - 41.4 Criterion D: Importance in demonstrating the principal characteristics of a class of cultural or natural places or environments (representativeness).
 - 41.5 Criterion E: Importance in exhibiting particular aesthetic characteristics (aesthetic significance).
 - 41.6 Criterion F: Importance in demonstrating a high degree of creative or technical achievement at a particular period (technical significance).
 - 41.7 Criterion G: Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions (social significance).
 - 41.8 Criterion H: Special association with the life or works of a person, or group of persons, of importance in our history (associative significance).

Ministerial directions

42. The Amendment is consistent with the requirements of the following Ministerial directions:
- 42.1 Ministerial Direction on the Form and Content of Planning Schemes;
 - 42.2 Ministerial Direction No. 9 - Metropolitan Planning Strategy;
 - 42.3 Ministerial Direction No. 11 – Strategic Assessment of Amendments; and
 - 42.4 Ministerial Direction No. 15 – Planning Scheme Amendments.

REFERENCES TO SECTIONS OF GLEN EIRA'S HERITAGE THEMATIC HISTORY RELEVANT TO MURRUMBEENA VILLAGE'S LOCAL SIGNIFICANCE

43. Council's environmental history is not structured in accordance with the thematic framework defined in *Victoria's Framework of Historic Themes*. Council recognises this issue and has instructed Built Form Heritage Pty Ltd to reformat, update and re-write Council's environmental history. The revised environmental history is currently being drafted has not yet been published.
44. The existing environmental history is contained in volume one of Mr Andrew Ward's *Glen Eira Heritage Management Plan* (1996). Volume 1 of the *Glen Eira Heritage Management Plan* (1996) forms **Attachment C** to Council's submission.
45. While the vast majority of references in the environmental history relate to private residences and infrastructure, the shops on Murrumbeena Road are referenced at page 63 of the environmental history. It states:

By 1936, Albert Jennings had completed his second estate developed along similar lines. Known as "Beauville" and situated in Beauville Avenue, Murrumbeena, it represents another stage in the history of A.V. Jennings. The inclusion of shops in Murrumbeena Road and a common parkland developed at the rear of the properties were complemented by the construction of a gas display home at No. 10 Beauville Avenue. This estate, more so than "Hillcrest", was the pre-cursor of the planned community developments of subsequent decades in that it included retail and community facilities and was, importantly, directed at the less opulent end of the housing market. " Later, the A.V. Jennings Construction Co. moved its activities to Melbourne's north-east before the wartime ban on home building redirected its activities and also marked the end of Caulfield's expansion during the inter war years.

ANY INTENTION REGARDING THE HERITAGE OVERLAY (HO132) ON THE MURRUMBEENA RAILWAY STATION LAND

46. The Murrumbeena Railway Station is included in the Heritage Overlay (HO132) and does not form part of the Amendment.
47. Council is currently undertaking a suburb-by-suburb heritage review of the municipality. At the time Council assesses the suburb of Murrumbeena, Council will reassess HO132.
48. While Council acknowledges the heritage structures on the land have been demolished, trees of heritage significance remain on the land, observing tree controls apply to HO132. Council must consider how to appropriately protect these trees at such time.
49. Separately, Council maintains the remaining railway land included in the Murrumbeena Village Precinct (and outside HO132) contains a number of highly intact commercial buildings zoned Commercial 1 Zone.

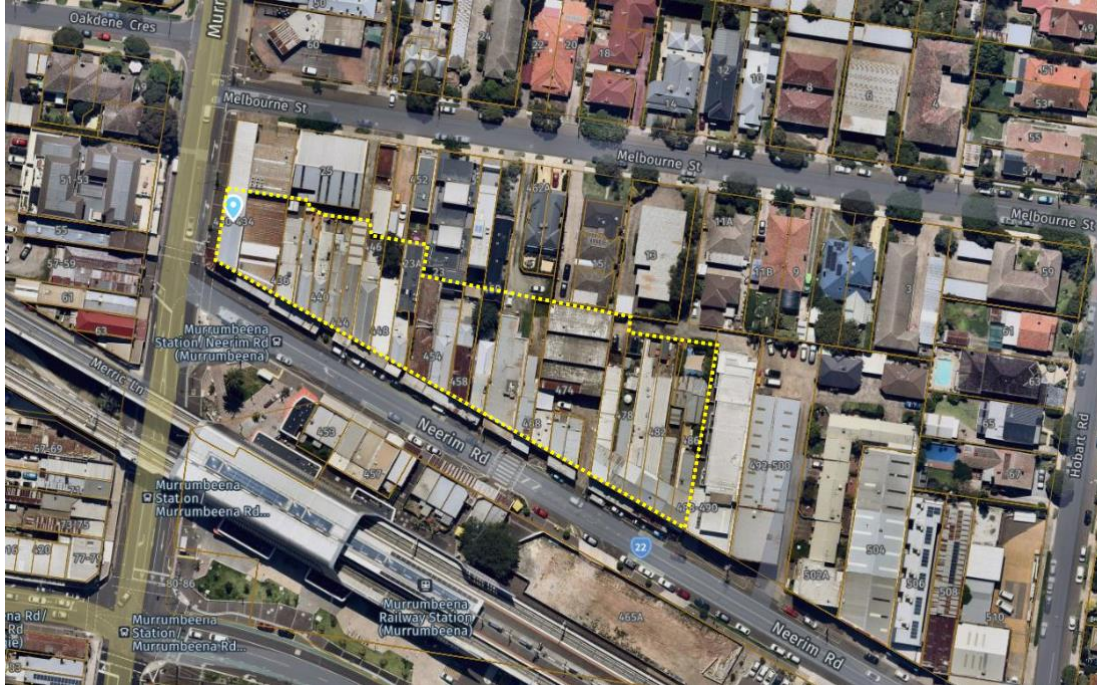
KEY ISSUES RAISED IN SUBMISSIONS AND CHANGES TO AMENDMENT

50. A detailed summary of, and response to, the submissions received in response to exhibition forms part of to Council's meeting agenda dated 4 February 2020.
51. The key issues raised in the objecting submissions are summarised as:
- 51.1 restricting development opportunities in areas where higher density development is encouraged;
 - 51.2 lack of strategic justification;
 - 51.3 overstating of heritage significance of the Murrumbeena Village Precinct particularly in light of modifications to properties;
 - 51.4 impacts on property values;
 - 51.5 lack of pre-amendment consultation;
 - 51.6 detrimental impact from Sky Rail on local heritage fabric; and
 - 51.7 inappropriate application of Heritage Overlay to railway line and station.
52. Council will respond to these issues in its 'Part B' submission.
53. At its ordinary meeting on 4 February 2020, Council considered the submissions together with the Council officers' response to submissions, resolving to:
- 53.1 consider the submissions (including the four late submissions) received;
 - 53.2 note the summary of submissions received and Council's planning officer and heritage consultant's comments and recommendations;
 - 53.3 request the Minister to appoint a panel under s 23 of the Act to hear and consider submissions; and
 - 53.4 refer the submissions and any late submissions received prior to the directions hearing to the panel.

Changes to Amendment documentation proposed in response to submissions

54. Council pursues the Amendment as exhibited, save for requesting the Panel consider a minor modification to the proposed mapped extent of the Murrumbeena Precinct that accords with the initial recommendation made by Mr Reeves to Council to include only the frontages of properties to Neerim Road that also have a rear address to Melbourne Street (as described in the evidence statement of Mr Reeves to be circulated in the lead up to the Panel hearing).
55. This is consistent with the statement of significance stating:
- Post-WW2 buildings to the rear of the Neerim Road shops, with principal frontage to Melbourne Street, are deemed to be non-contributory...

56. The below annotated aerial map is intended to demonstrate the proposed revised precinct boundaries for those properties with rear addresses to Melbourne Street, consistent with Mr Reeves' original recommendation. The aerial is intended only as indicative and Council acknowledges minor adjustments may be required to ensure any post-WW2 fabric fronting Melbourne Street is excluded from the precinct boundaries.



57. In advancing to the Panel the minor modification described above, Council wishes the Panel refer to the following extracts taken from PPN1 as follows:

Curtilages and Heritage Overlay polygons

The Heritage Overlay applies to both the listed heritage item and its associated land. It is usually important to include land surrounding a building, structure, tree or feature of importance to ensure that any development, including subdivision, does not adversely affect the setting, context or significance of the heritage item. The land surrounding the heritage item is known as a 'curtilage' and will be shown as a polygon on the Heritage Overlay map. In many cases, particularly in urban areas and townships, the extent of the curtilage will be the whole of the property (for example, a suburban dwelling and its allotment).

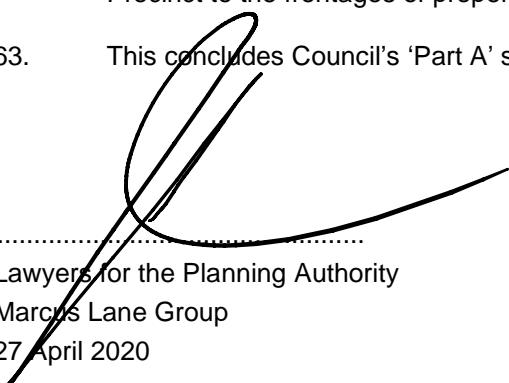
However, there will be occasions where the curtilage and the Heritage Overlay polygon should be reduced in size as the land is of no significance. Reducing the curtilage and the polygon will have the potential benefit of lessening the number of planning permits that are required with advantages to both the landowner and the responsible authority...

[Emphasis added]

58. Council is mindful usual practice and the heritage convention is to apply the Heritage Overlay to the whole title for all properties in a given heritage precinct.
59. In the circumstances of the Murrumbidgee Precinct, however, Council perceives an 'occasion' as contemplated in the second paragraph in the extracted quotation above as arising.
60. Specifically, there is no built fabric that is of identified cultural heritage significance that meets the relevant local threshold located in Melbourne Street, Murrumbidgee. The built fabric of identified cultural heritage significance meeting the relevant local threshold is located at the Neerim Road

'end' of a series of long and narrow shaped lots enjoying a secondary frontage to Melbourne Street.

61. In a number of instances, the Melbourne Street 'end' of these lots has been developed with contemporary infill dwellings. Had subdivision taken place to separate the planning units improved with the contemporary infill fabric from the planning units occupied by built fabric of heritage significance, there is no doubt that the mapping of the Murrumbeena Precinct would have identified this subdivision boundary as the extent of the precinct.
62. Despite the absence of subdivision boundaries to guide the extent of the precinct, Council urges the Panel to recommend Council undertake a study to reduce the polygon so as to avoid the contemporary infill dwellings in Melbourne Road, Murrumbeena and contain the Murrumbeena Precinct to the frontages of properties adjacent to Neerim Road, Murrumbeena.
63. This concludes Council's 'Part A' submission.



.....
Lawyers for the Planning Authority
Marcus Lane Group
27 April 2020

ATTACHMENT A – CHRONOLOGY OF KEY EVENTS

Date	Event
Early 2019	<p>Council commissions major heritage review, comprising three stand-alone components. The second of these, designated as ‘Project Two’ but informally known as the Post-War and Hidden Gems Review (Review), comprised two separate tasks being:</p> <ul style="list-style-type: none"> ▪ compiling a list of post-WW2 place of potential heritage significance, relying principally on desktop research, as well as places nominated by others (including council staff, the Glen Eira Historical Society, and members of the public); and ▪ reviewing an existing list of pre-WW2 places of potential heritage significance, nicknamed the “Hidden Gems”, which had been nominated by Council staff, the Glen Eira Historical Society and members of the public.
24 July 2019	<p>Council receives permit application no. GE/DP32980/2019 (Permit Application) seeking permission to construct a nine-storey dwelling on the land at 430-434 Neerim Road, Murrumbeena to be used as a residential building (comprising 135 student accommodation units) with a supermarket at the ground floor.</p>
28 August 2019	<p>Mr Reeves prepared a citation for the Murrumbeena Village, Neerim and Murrumbeena Roads, Murrumbeena precinct as part of stage two of the project in which Mr Reeves assessed the precinct’s significance against the standard criteria contained in <i>Planning Practice Note 01 Applying the Heritage Overlay</i> (August 2018).</p>
3 September 2019	<p>At Council’s ordinary meeting on 3 September 2019, Council resolves to:</p> <ul style="list-style-type: none"> ▪ endorse the heritage citation prepared by Mr Simon Reeves of Built Heritage Pty Ltd for the proposed Murrumbeena Village Precinct; ▪ request the Minister for Planning exempt himself from notice and prepare, adopt and approve interim heritage controls to the Murrumbeena Village Precinct while the amendment for permanent controls runs its course (Amendment C198glen); ▪ seek authorisation from the Minister for Planning to prepare and exhibit the Amendment; and ▪ subject to receiving authorisation from the Minister for Planning, exhibit the Amendment.
4 September 2019	<p>Council writes to the Minister requesting he exempt himself from notice and prepare, adopt and approve interim heritage controls to the Murrumbeena Village Precinct.</p>
25 September 2019	<p>The Department authorises Council to prepare the Amendment subject to the following condition:</p> <p style="text-align: center;">The removal of the Background Document, being the detailed statement of significance, from the amendment.</p>

24 October – 25 November 2019	Council exhibits the Amendment.
5 December 2019	Council convenes planning conference.
10 January 2020	Council's delegate determines to refuse to grant a permit in respect of the Permit Application on grounds relating to (among other things) the proposed height, bulk and scale of built form. Council issues a notice of refusal to grant a permit on the same day.
28 January 2020	The Applicant lodges an application to review Council's refusal to grant a permit in respect of the Permit Application.
4 February 2020	<p>Council considers the submissions together with the Council officers' response to submissions, resolving to:</p> <ul style="list-style-type: none"> ▪ consider the submissions (including the four late submissions) received; ▪ note the summary of submissions received and Council's planning officer and heritage consultant's comments and recommendations; ▪ request the Minister to appoint a panel under s 23 of the Act to hear and consider submissions; and ▪ refer the submissions and any late submissions received prior to the directions hearing to the panel
12 March 2020	The Department writes to Council advising an interim heritage control would be applied only to the land at 430-434 Neerim Road, Murrumbena but not to the precinct more broadly.
12 March 2020	Directions hearing.
23 April 2020	The interim heritage control applying to 430-434 Neerim Road, Murrumbena is gazetted.
11 May 2020	Panel hearing starts via videoconference.
20 July 2020	The 4-day VCAT hearing is listed in respect of the Permit Application.

ATTACHMENT B – DRAFT CITY OF GLEN EIRA HERITAGE REVIEW 2020 – STAGE TWO: CITATIONS

See separate document.

ATTACHMENT C - VOLUME 1 OF THE GLEN EIRA HERITAGE MANAGEMENT PLAN (1996)

See separate document.