

Planning Scheme Amendment C165 Proposed Heritage Overlay

Banyule City Council is proposing to apply the Heritage Overlay to 21 places in Banyule.

What's happening

Council has recently completed a heritage study which identified 21 places as being of local heritage significance and worthy of being protected. To do this, Council is proposing to introduce Planning Scheme Amendment C165, which seeks to apply permanent Heritage Overlay planning controls to the identified places.

Why is the amendment needed?

Council wants to ensure that recognised heritage places within Banyule are protected into the future. The most effective way that Council can protect local heritage is through the application of the Heritage Overlay in the Banyule Planning Scheme.

What does the amendment mean for me?

If a Heritage Overlay is applied to your property it means you would need to apply for a planning permit if you want to demolish, construct, alter or extend your dwelling/building.

What is the Heritage Overlay?

The intent of the Heritage Overlay is to conserve and enhance heritage places and precincts by appropriately managing change. The Heritage Overlay triggers planning permit requirements for demolition, alterations, additions and new building, and ensures development does not adversely affect the heritage significance of the place.

Are there temporary controls already in place?

Interim (temporary) heritage controls are already in place for the Mother of God Church in Ivanhoe East and they have been requested for the remaining 20 places identified in the study.

The interim controls for the Mother of God Church were requested in June 2021 in response to a demolition application request, and approved on 11 November 2021 (via Amendment C163). The interim control expires on 1 December 2022.

Interim heritage controls for the remaining 20 places identified in the study have been sought to ensure the



Planning Scheme Amendment C165 is an important part of Council's commitment to protect and conserve places and precincts that contribute to Banyule's cultural heritage.

heritage value of the properties are not lost through demolition or unsympathetic changes while Amendment C165 is being progressed. Council requested interim Heritage Overlay controls on 19 October 2021 (via Amendment C164) and is currently waiting on a decision from the Minister for Planning.

How can I find out more?

You can find out more about the amendment and view the amendment documents by visiting our website at shaping.banyule.vic.gov.au/Heritage

How do I have my say?

Any person can make a submission to Council about the amendment. Submissions must be made in writing and include your name and contact address, clearly stating the grounds on which the amendment is supported or opposed and indicating what changes (if any) you wish to be made.

What considerations are important in applying the Heritage Overlay?

The application of the Heritage Overlay is principally based on the heritage significance of the property and the need to protect the heritage place. Any submission should therefore focus on the heritage assessment and why you believe the property is, or is not, of heritage significance.

Typically matters such as:

- the potential impacts on property values
- a property owner's ability to undertake alterations and additions
- a property's location in an area zoned for commercial use or higher density development

are not in themselves reasons why a property should not be protected for its heritage value. This approach to applying Heritage Overlays has been repeatedly confirmed by various independent planning panels.

Who can I talk to about the heritage assessment for my property?

Council's strategic planning team are available to answer general questions. If you have particular questions about the heritage assessment for your property, a discussion with the expert heritage consultants who prepared the assessments can be arranged.

How do I lodge my submission?

You can lodge your submission:

Online: shaping.banyule.vic.gov.au/Heritage

Post: Banyule City Council, Strategic Planning, PO Box 94, Greensborough VIC 3088

Your submission is a public document and will be made available for public inspection. Visit shaping.banyule.vic.gov.au/Heritage for privacy notice collection details.

The closing date for submissions is Friday 18 March 2022.

What happens next?

Once the public exhibition period closes, Council considers all submissions received and may contact you to discuss your submission further. If submissions cannot be resolved, then they will be referred to an independent Planning Panel for further consideration.

Questions? Contact Council's Strategic Planning Team on **9457 9835**

