

# Amendment C208

## Frequently Asked Questions



### **IDENTIFYING HERITAGE PLACES**

#### **How does Council identify heritage places?**

Before Council can introduce a Heritage Overlay, a heritage assessment or study needs to be prepared that identifies properties that have heritage value. Such a study is prepared by a qualified heritage expert engaged by Council.

The heritage expert will identify and assess the significance of each property and precinct in accordance with Victorian Government's legislation, best practice principles and established criteria.

#### **What is a Heritage Overlay?**

The Heritage Overlay is a planning control contained within the Moreland Planning Scheme (Clause 43.01) that identifies either individual heritage places or heritage precincts. The purpose of the Heritage Overlay is to conserve and enhance heritage places and to ensure that any works do not negatively affect the significance of a heritage place.

#### **Why is heritage important in our city?**

Heritage places enrich our communities by providing a connection to our past. Moreland has a rich cultural heritage consisting of buildings, archaeological sites, monuments, trees, landscapes and other elements.

Moreland City Council has a responsibility under the *Planning and Environment Act 1987* to identify and protect these heritage places for the benefit of current and future generations by including them in the Moreland Planning Scheme within a Heritage Overlay.

### **HERITAGE AND YOUR PROPERTY**

#### **What does it mean if my property is affected by a Heritage Overlay?**

If your property is in a Heritage Overlay you may need to apply to Council for a planning permit to construct, install or alter aspects of your property to ensure the heritage significance is not affected. This can include demolition of all or part of any buildings on your property.

The Amended Permit Exemptions Incorporated Plan will enable minor changes to be made to a heritage place without needing planning permission in certain circumstances. Minor works can include demolition of fences, outbuildings and verandahs; construction of a garage, carport, pergola, deck or fence; and installation of rainwater tanks.

#### **Does the Heritage Overlay prohibit changes to a property?**

Whilst the Heritage Overlay does not prohibit development, alterations or demolition you will most likely need to apply to Council for a planning permit to construct, install or alter aspects of your property to ensure the heritage significance is not affected. Each planning application is assessed on its merits taking into consideration the heritage significance of the place.

#### **How will Council assess proposals in the Heritage Overlay?**

Council's statutory planners will use State and Local Heritage Policy (Clause 15.03) and the Heritage

#### **Moreland Language Link**

廣東話	9280 1910	हिंदी	9280 1918
Italiano	9280 1911	普通话	9280 0750
Ελληνικά	9280 1912	ਪੰਜਾਬੀ	9280 0751
عربي	9280 1913		
Türkçe	9280 1914	All other languages	
Tiếng Việt	9280 1915	9280 1919	

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Overlay (Clause 43.01) of the Moreland Planning Scheme when assessing a planning application for a property affected by a Heritage Overlay. They will also consider:

- The Statement of Significance and/or Heritage Citation for the site or precinct and/or the adopted heritage study.
- The heritage grading of the property (significant, contributory, non-contributory).

If you are thinking of undertaking any work on your property that would require planning permission, Council encourages you to contact our Statutory Planning Department to discuss your proposal before you commit to it.

Contact Council on 9240 1111 to speak to the Statutory Planning Department or visit:

<https://www.moreland.vic.gov.au/planning-building/planning-permits/planning-process/> to learn more about the planning permit process.

### Heritage Grading Definitions

**Significant heritage places** are places of State, municipal or local cultural heritage significance that are individually important in their own right.

**Contributory heritage places** are places that contribute to the cultural heritage significance of a precinct. They are not considered to be individually important however when combined with other heritage places, they play an integral role in demonstrating the cultural heritage significance of a precinct.

**Non-contributory heritage places** are places within the heritage precinct that have no identifiable cultural heritage significance. They are included within the Heritage Overlay because any development on the place may impact on the cultural heritage significance of the precinct or adjacent 'significant' or 'contributory' heritage places.

### Will owners be required to restore their property?

No. The Heritage Overlay does not require property owners to restore their property to its original condition, nor does it affect the day-to-day upkeep of a property.

## AMENDMENT C208

### What does Amendment C208 do?

Amendment C208 proposes to apply the Heritage Overlay to approximately 350 properties in response to recommendations made within the *Moreland Heritage Nominations Study (2020)*. These properties have been classified as either a significant heritage place, a contributory heritage place or a non-contributory heritage place.

Amendment C208 also proposes to fix mapping irregularities in the Moreland's Heritage Overlay by removing the Heritage Overlay from approximately 40 properties.

The Moreland Permit Exemptions Incorporated Plan, which makes it easier for owners to make minor changes to their property without needing a planning permit, is also being changed to capture the proposed new heritage places and remove the mapping irregularities.

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### How do I make a submission?

Submissions to Planning Scheme Amendment C208 must be made in writing, giving your name and contact address and clearly stating the grounds on which the amendment is supported or opposed and indicating what changes (if any) should be made.

Written submissions can be made via:

- **Post:** Strategic Planning  
Submission to Amendment C208  
Moreland City Council  
Locked Bag 10  
Moreland VIC 3058
- **Email:** [strategicplanning@moreland.vic.gov.au](mailto:strategicplanning@moreland.vic.gov.au).  
Please include "Submission to Amendment C208" in the subject line.
- **Website:** Submissions can be made directly through Council's website at [moreland.vic.gov.au/amendment-C208](http://moreland.vic.gov.au/amendment-C208).

### What matters will Council consider?

You can make a submission about any aspect of Planning Scheme Amendment C208 and how it might affect you.

However, your submission should focus on heritage related matters including:

- The heritage assessment criteria set out in the citation and why you believe your property/precinct does/does not meet the relevant criteria.
- The history/description of the property as outlined in the heritage citation.
- Details of alterations/additions to a property that may undermine its heritage significance and may not be noted in the heritage citation.

Various independent planning panels have confirmed that the following matters are not considered relevant when deciding whether a Heritage Overlay is appropriate:

- The potential impacts on property values.
- A landowner's ability to undertake alterations/additions to a home.

Applying the Heritage Overlay is principally based on the heritage significance of a property/precinct and the need to protect the heritage place.

### Find out more

#### Visit the Website

You can search your address to see if the proposed changes will affect your land, at [moreland.vic.gov.au/amendment-C208](http://moreland.vic.gov.au/amendment-C208).

You can also view detailed information about the proposed changes and the amendment process.

#### Speak to an Officer

Council Planning Officers are here to answer your questions about the amendment. If you'd like to discuss how the changes might affect you, please contact the Council's Strategic Planning Unit on 9240 1111.

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