



Frequently Asked Questions

Brimbank Planning Scheme Amendment C200

Proposed Heritage Overlay HO151:

Grand Junction Estate and Matthews Hill Precinct

What is a Heritage Overlay?

A Heritage Overlay is a planning control used within Victorian Planning Schemes. The control is used to protect individual heritage places or heritage precincts.

The purpose of the Heritage Overlay is to conserve and enhance heritage and ensure development does not adversely affect its significance.

Why is a Heritage Overlay proposed?

Council is required to carry out its statutory duties as the Planning Authority under the Planning and Environment Act 1987 (the Act). The Act requires Council 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.

How are heritage places identified?

A heritage assessment is prepared identifying properties/precincts which have heritage value. An assessment is prepared by a qualified heritage expert in accordance with State legislation and established heritage criteria.

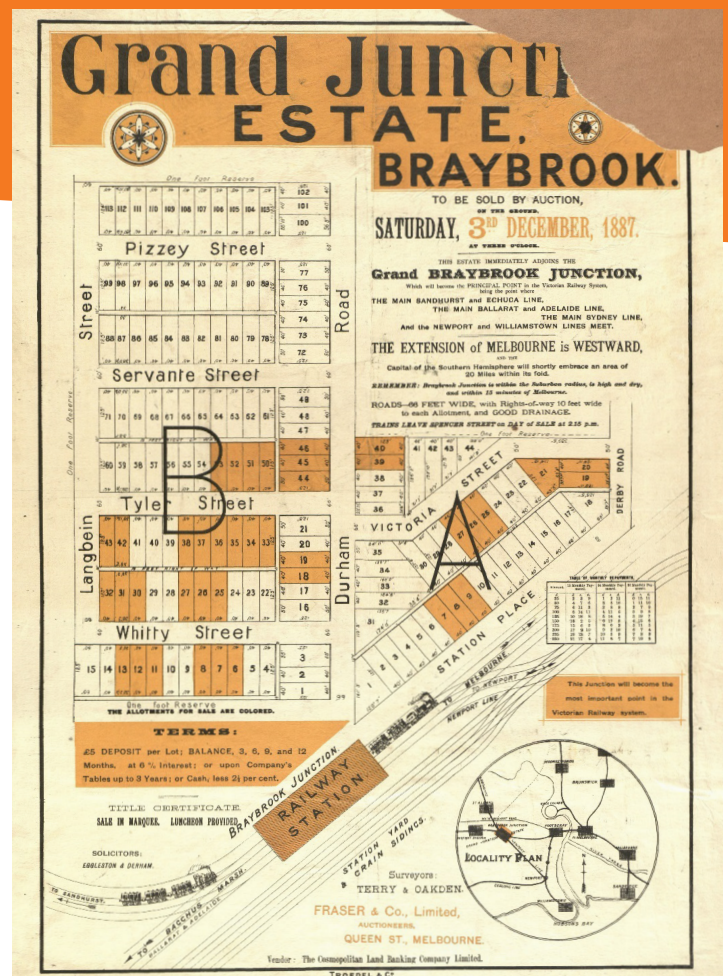
Heritage grading

Heritage places in the Grand Junction Estate and Matthews Hill Precinct, Sunshine are graded either 'significant', 'contributory' or 'non-contributory' to form a heritage precinct.

'Significant' heritage buildings have municipal heritage significance, individually important in their own right.

'Contributory' heritage buildings contribute to the heritage significance of the precinct. Whilst not individually important, when combined with other heritage buildings they play an essential role in demonstrating the cultural heritage significance of a precinct.

'Non-contributory' buildings have no cultural heritage significance. They are included within the proposed Heritage Overlay because any development of the land may impact on the heritage significance of the precinct or adjacent 'significant' or 'contributory' heritage buildings.



What does it mean if my property is listed in a Heritage Overlay?

In the Heritage Overlay a planning permit is often required for, but not limited to, subdivision; demolition (including fences); external changes to a building; and to paint an unpainted external surface.

If you are unsure if a planning permit will be required please contact Council's City Planning Department on **9249 4606**.

Will I be required to restore my property?

The Heritage Overlay does not require landowners to return their property to its original appearance. However, any repairs and maintenance to a building will require the use of like-for-like materials and finishes.

Does the Heritage Overlay ban changes to my property?

A planning permit is normally required to undertake works to your building in the Heritage Overlay. Amendment C200 does not identify internal alteration controls, which means you will not need a planning permit to undertake work inside your property.

If a planning permit is refused land owners can have this decision reviewed by the Victorian Civil and Administrative Tribunal (VCAT).

What happens if I don't comply with the Heritage Overlay?

If you commence works without a planning permit, you may be in breach of the Planning and Environment Act 1987 and/or the Building Control Act 1993. Council can take enforcement action, including a fine, prosecution and can direct that works are undertaken to rectify the breach.

The Heritage Overlay and the Residential Growth Zone

The Department of Environment, Land, Water and Planning (DELWP) authorised Amendment C200 subject to the proposed rezoning of land be removed from the amendment. Council officers raised concerns about DELWP's approach which applies the Heritage Overlay on Residential Growth Zone land, requesting DELWP reconsider its position.

DELWP has indicated that there is insufficient strategic justification to support the rezoning and further work is required (as part of a separate strategic planning process) to review the Residential Growth Zone, balancing managing growth and change within proximity to the Sunshine Metropolitan Activity Centre and Sunshine National Employment and Innovation Cluster, with protecting areas of identified heritage value.

When assessing planning permit applications, Council must have regard to the relevant directions of State Planning Policy, the provisions of the Brimbank Planning Scheme, the effect of the proposal on the amenity of the area and all objections and submissions which it has received. The above matters will also be considered.

Does the Heritage Overlay impact current planning permits?

The Heritage Overlay will not affect current approvals, unless you request an extension of time or amendment to a permit.

Where can I get assistance about my heritage property?

Council provides a Heritage Advisory Service at no charge. The purpose is to provide heritage advice about restoration, building and development. To talk to, or book an appointment with Council's Heritage Advisor please phone **9249 4606**.

Council also provides general advice about planning permit requirements and related advice, at no charge.

The Planning Scheme Amendment Process

Planning Scheme amendment C200 is currently on Exhibition for public comment

