

Amendment C318 to the Boroondara Planning Scheme

Balwyn Heritage Peer Review Frequently Asked Questions

Boroondara has a rich and diverse history, proudly displayed by the many properties, precincts, churches and parks across the City. To proactively identify and protect our City's heritage, Council has carried out a peer review of the Balwyn and Balwyn North Heritage Study.

BALWYN HERITAGE PEER REVIEW

What is the Peer Review of the Balwyn and Balwyn North Heritage Study?

Council resolved in March 2017 to carry out a peer review of the Balwyn and Balwyn North Heritage Study (incorporating Deepdene and Greythorn).

Council has engaged heritage experts, *Context*, to review the recommendations of the Balwyn and Balwyn North Heritage Study (incorporating Deepdene and Greythorn) to identify places of heritage significance.

In 2015, the UPSC resolved to not proceed with the Balwyn and Balwyn North Heritage Study (incorporating Deepdene and Greythorn).

This means that the study was not adopted and it cannot therefore be used as the basis of any of Council's decision making. However, it was not a resolution that the properties in the Balwyn area are not, or should never be, considered as having heritage significance.

The places that have been identified through the peer review are now recommended to be included in the Heritage Overlay through Amendment C318 to the Boroondara Planning Scheme.

Which places have been identified?

Amendment C318 proposes to introduce the Heritage Overlay to 15 individual places and one precinct. Those places are:

- 1 Mountain View Road, Balwyn North.
- 1 Reumah Court, Balwyn.
- 3 Brenbeal Street, Balwyn.
- 7 Mangan Street, Balwyn.
- 8 Kitchener Street, Deepdene.
- 8 Boston Road, Balwyn.
- 9 Boston Road, Balwyn.
- 28 Leonard Street, Deepdene.
- 32 Whitehorse Road, Deepdene.
- 113 Yarrbat Avenue, Balwyn.
- 129-131 Yarrbat Avenue, Balwyn.
- 146 Yarrbat Avenue, Balwyn.
- 171 Doncaster Road, Balwyn North.
- 269 Union Road, Balwyn.
- 958A Burke Road, Deepdene.
- 1-13 Angle Road, Deepdene (inclusive).

For information about Amendment C318, visit www.boroondara.vic.gov.au/c318 or use your phone's camera to scan this QR code.



HAVE YOUR SAY

How can I get involved?

This amendment is currently on public exhibition: This is a statutory process required by the *Planning and Environment Act 1987*. It ensures every affected property owner and occupier can review the amendment's recommendations and make a submission before Council decides whether to apply the Heritage Overlay.

How do I give my feedback?

Feedback must be submitted in writing to be considered by Council. Details of how to provide feedback and relevant dates are in the letter sent to affected property owners and occupiers and adjoining properties.

Submissions should focus on heritage related issues, including:

- The **heritage assessment criteria** in the heritage citation, and why you believe the property or precinct does or does not meet the relevant criteria.
- The **history** or **description** of the property as outlined in the heritage citation.
- Details of **alterations** or **additions** to a property that may undermine its heritage significance (and may not be in the heritage citation).

When deciding on a property's inclusion in a Heritage Overlay, Council cannot consider:

- Potential **impacts on property values**.
- A property owner's **ability to undertake alterations and additions** to a home.

HERITAGE OVERLAYS

What is a Heritage Overlay?

The Heritage Overlay is a planning control that seeks to protect places of aesthetic, social or historical importance. The inclusion of properties in the Heritage Overlay ensures that new development does not negatively impact on the heritage significance of a place or precinct.

DEVELOPMENT IN A HERITAGE OVERLAY

Does a Heritage Overlay prohibit works on a property?

No. Inclusion in a Heritage Overlay does not prohibit development, alterations or demolition. Application of the Heritage Overlay means that a planning permit is required to demolish, construct, alter or extend a heritage building.

All planning applications are assessed on their merits and there are many examples of heritage places that have been redeveloped. However, Council is unlikely to support the complete demolition of a 'significant' or 'contributory' heritage place.

Instead, Council's Statutory Planning Officers will work with the owner to develop a solution that respects the heritage place. If a planning permit is refused, the decision can be reviewed by the Victorian Civil and Administrative Tribunal (VCAT).

What can I do without a Planning Permit?

A planning permit is not required to carry out internal alterations or for routine maintenance and repairs which do not change the property's external appearance.

Will I be able to demolish my property now?

A building permit is required to enable demolition of a building which can be obtained either from Council's Building Department or a private building surveyor.

To ensure properties identified for heritage protection are not lost while Council undertakes the process to apply the Heritage Overlay, Council has requested the Minister for Planning introduce an interim Heritage Overlay to all identified heritage properties.

Until the Minister makes a decision regarding the interim Heritage Overlay, Council will suspend any applications for demolition of a 'contributory' or 'significant' place received. Suspension of a request means that a building permit to demolish the building cannot be issued.

If the Minister decides to approve Council's request for an interim Heritage Overlay, applications for demolition or works will be assessed through the planning permit process. Council will inform affected property owners once we receive the Minister's decision.

PLANNING SCHEME AMENDMENT PROCESS



* Opportunity to speak to the Committee or Panel in support of your submission

For more information on Amendment C318, you can:

- Visit www.boroondara.vic.gov.au/c318.
- Speak to a Strategic Planning Officer on 9278 4815.
- Speak to a Statutory Planning Officer about the planning application process for heritage places on 9278 4888.

For more information in your preferred language, call 9278 4444.

National Relay Service (NRS): Voice: 1800 555 660 | TTY: 1800 555 630 | Email: helpdesk@relayservice.com.au