

# Planning Panels Victoria

## Heritage Issues Summaries from Panel Reports

April 2024



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Planning Panels Victoria acknowledges the Wurundjeri Woi Wurrung People as the traditional custodians of the land on which our office is located. We pay our respects to their Elders past and present.

March 2024 version contributors:

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# 1 Introduction

This report is intended to assist a planning authority preparing heritage amendments, a party presenting at a Panel Hearing and a Panel Member considering a heritage-related amendment.

The report:

- provides an overview of the number, proportion and type of heritage-related planning scheme amendments from 1998 to 2023
- identifies heritage-related panel reports which have notable and commonly addressed discussion, grouped by topic
- lists heritage-related panel reports submitted from 1998 to 2023.

Planning Panels Victoria defines a heritage-related planning scheme amendment as one with at least one of the following:

- implements a heritage study
- has a notable proportion of heritage-related content.

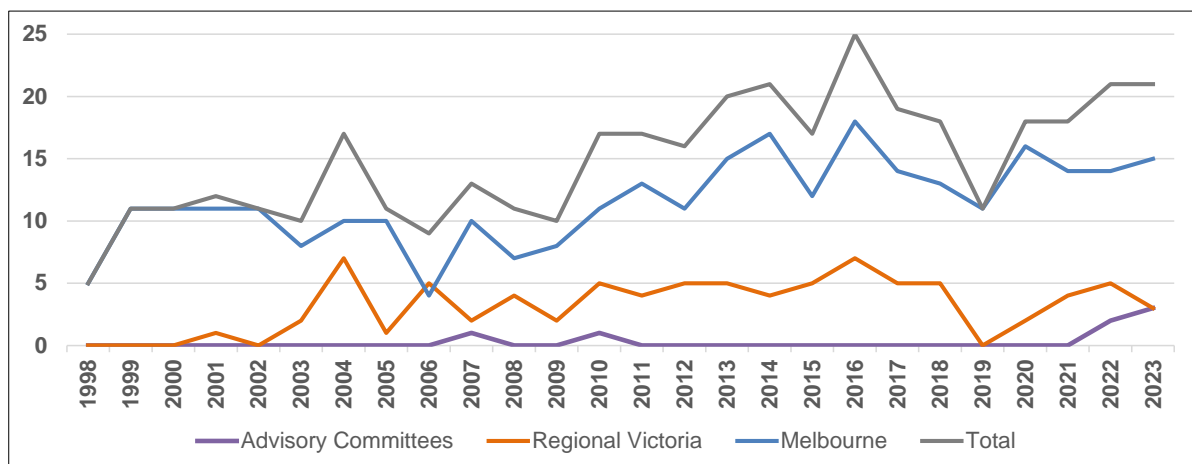
The research in this report was initiated in September 2013, and revised in May 2015, March 2018 and March 2024.

The report presents specific findings for various issues and does not represent any general view of Planning Panels Victoria. Panel responses relate to specific matters and may vary depending on context, issues raised in submissions, quality of submissions, whether expert evidence was called and other reasons relevant to that matter. A future panel may make different findings depending on the individual circumstances.

## Heritage related amendments overview

This report draws from 390 planning scheme amendments between 1998 and 2023 identified by Planning Panels Victoria as implementing a heritage study or having a notable proportion of heritage content. Of the total amendments, 300 were in Melbourne, 83 in Regional Victoria and 7 were advisory committees. Figure 1 outlines the proportions across each year.

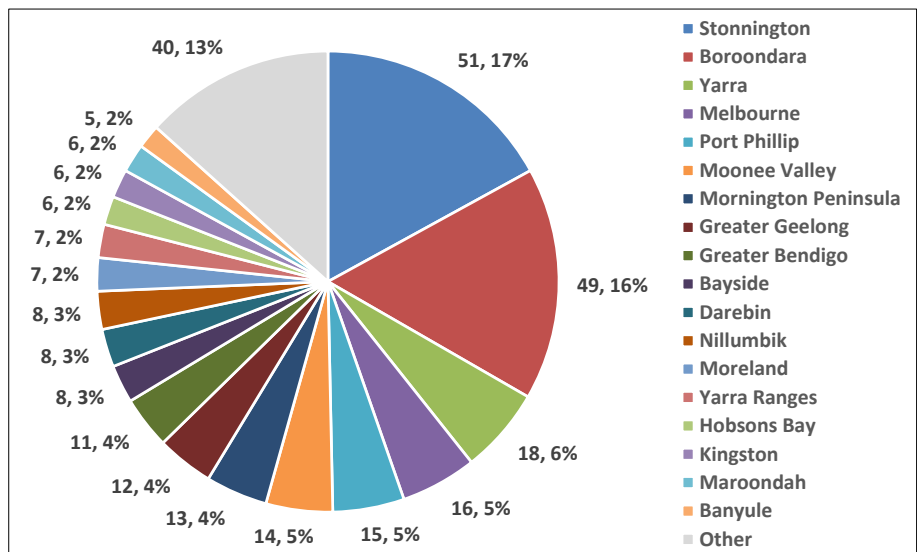
Figure 1 Identified heritage related amendments – Victoria, 1998-2023



Of the 300 heritage-related amendments in Melbourne shown in Figure 2:

- about half were in the municipalities of Stonnington, Boroondara, Yarra, Melbourne and Port Phillip
- 18 councils had 5 amendments or more.

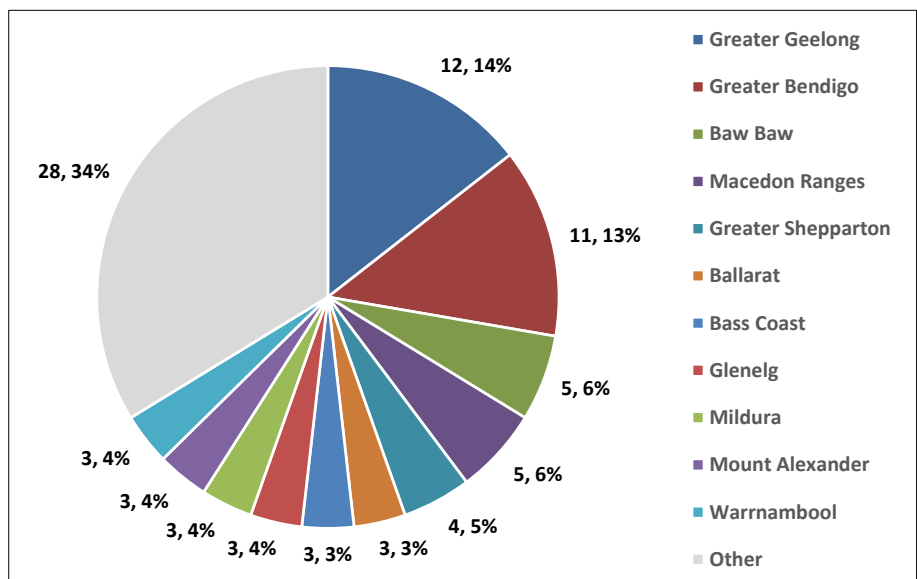
Figure 2 Heritage-related amendments – Melbourne, 1998-2023



Of the 83 heritage-related amendments in Regional Victoria shown in Figure 3:

- about 43 per cent were in the municipalities of Greater Geelong, Greater Bendigo, Baw Baw, Macedon Ranges and Greater Shepparton
- 5 councils had 4 amendments or more.

Figure 3 Heritage related amendments – Regional Victoria, 1998-2023



Each heritage-related amendment is listed with a brief description in Chapter 38.

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## Acronyms and abbreviations used in this report

Acronyms and abbreviations referenced in this report include:

2007 Advisory Committee Report	Advisory Committee Report on heritage provisions in planning schemes (Planning Panels Victoria, 2007)
GWM Water	Grampians Wimmera Mallee Water
PE Act	<i>Planning and Environment Act 1987</i>
PSA	Planning Scheme Amendment

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## 2 Building alterations, adaption and Environmentally Sustainable Design

Based on information provided to panels to date, many panel reports have concluded the Heritage Overlay enables an owner to apply for a planning permit to alter their building.

### 2.1 Melbourne PSA C426melb [2024] PPV

Pages 50-51

The Panel agreed with previous panels that its task was to assess whether places nominated for the Heritage Overlay had satisfied one or more of the criteria for local significance, not to make judgement about whether an existing building's value outweighs potential future redevelopment of a site.

It said that during assessment of a planning permit application detailed consideration would be given to whether to allow part or full demolition of a building, the extent and design of new development and the overall net community benefit of any proposed changes.

### 2.2 Darebin PSA C191dare [2022] PPV

Pages 13-15

The Panel found heritage protection and environmental sustainability are not mutually exclusive, and how a development proposal responds to a range of policy considerations is best dealt with through the planning permit application process. The Panel noted key clauses in the Planning Scheme that require consideration of sustainability and provide flexibility and guidance when assessing an application under the Heritage Overlay for a decision maker to have regard, and give effect, to (in appropriate circumstances) the various range of clear and strong sustainability policies in the Planning Scheme.

The Panel considered it was possible for heritage and Environmentally Sustainable Design to co-exist harmoniously however was cognisant that achieving an environmentally sustainable home is more involved for a heritage home than it is for a home which is not subject to the Heritage Overlay. The Panel found that considerable changes can be made to homes which are subject to the Heritage Overlay when, generally, those changes are not visible from the public realm (in circumstances where no internal controls are proposed). For example, modern, environmentally sustainable rear extensions could be permissible.

### 2.3 Boroondara PSA C333boro [2022] PPV

Pages 14-15

Council submitted that heritage protection and environmental sustainability are not mutually exclusive, and the Heritage Overlay does not preclude owners from installing or incorporating environmentally sustainable features into a redevelopment.

The Panel agreed.

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## 2.4 Stonnington PSA C132 [2017] PPV

Pages 11-12

The Panel found that heritage protection does not preclude adaptation to meet current expectations, although protecting heritage values will often affect the form and extent of changes. State planning policy supports adaptive reuse of heritage buildings, and the proposed policy explicitly encourages the inclusion of services such as solar panels, water tanks, solar hot water systems that support the sustainability of heritage places.



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## 3 Building condition versus intactness

### 3.1 Kingston PSA C215 [2023] PPV

Pages 20-23

The Panel considered whether building condition was relevant in assessing heritage significance or deciding whether to apply the Heritage Overlay.

The Panel stated the house was substantially intact and the condition of the house had not affected its integrity or legibility as a heritage place. While the house was in a deteriorated condition, this did not impact assessment of its heritage significance. The Panel relied on the evidence of Council's expert that the house was not at risk of imminent collapse and demolition was not inevitable.

The Panel concluded building condition was not relevant when assessing the heritage significance of the property. Further, while in a deteriorated condition, the heritage values of the Property are still legible, and its condition can be rectified.

### 3.2 Greater Bendigo PSA C245gben [2023] PPV

Pages 23-25

The Panel acknowledged that generally, building condition is not relevant when assessing heritage significance because a building can be repaired and restored to a better condition. It found that several houses had not been maintained to a condition for human occupation and were found to be structurally unsound by professionally qualified specialists. The Panel stated:

Council should have clear evidence that the house would not survive the necessary works. While each structural report provides the view of a qualified professional, there would be benefit in having an independent consultant or Council's municipal building surveyor inspect the properties to offer a second opinion.

The Panel recommended the Heritage Overlay not be applied if a second opinion confirmed the building would not survive the works needed to make it habitable.

### 3.3 36 Kooyongkoot Road Advisory Committee [2023] PPV

Page 18-19

The Committee considered whether recognisability was an appropriate consideration in assessing the heritage significance of an individual place listing (in this case for the purposes of Criterion D and E). The Committee considered use of the term 'recognisable' suggests a lower threshold to be met than 'legible'. It considered an individual place should be more than 'recognisable', it should demonstrate that it has retained a high degree of its significant values, so it is *'legible, and able to be understood and appreciated'*.

### 3.4 Melbourne PSA C387melb [2021] PPV

Pages 38-40

The Panel stated:

- the process for determining whether something is intact or not intact or applying qualifiers as to the degree of is not an exact one

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- it is a contextual term and impacts the way in which a particular place might be read and understood
  - intactness is a relative rather than an absolute term
  - the degree to which intactness impacts on a building's integrity and is a factor in determining the threshold of significance for different criteria requires the consideration of factors and can be assisted by a comparative analysis of similar places.

The Panel added the key questions to be asked are:

- is there still sufficient fabric in place to assist our understanding and appreciation of the place including its original use, era and design?
- do the extant changes and alterations impact on our understanding and appreciation of the place?
- are we still able to appreciate its significance and why it is significant?

The Panel discussed the impact of alterations, particularly at the ground floor level on the integrity of individual post-modernist buildings.

### **3.5 Baw Baw PSA C138bawb [2020] PPV**

Pages 38-40

The Panel did not support the Heritage Overlay being applied to a house the parties agreed was in a ruinous state with many of the original elements of fabric removed. A structural report (and evidence) was provided which demonstrated the dwelling was likely to collapse without rebuilding which would impact on its integrity. The Panel found however that while ruinous, the dwelling's form, style and period were still identifiable and there remained something to manage which should not be discounted because of its condition. The Panel concluded building condition is of secondary significance when considering whether to apply the Heritage Overlay. The building condition was however an influencing factor given the thresholds for significance (Criterion A, B, C, E and H) were marginal at best or not sufficiently justified in the first instance.

### **3.6 Nillumbik PSA C100 [2015] PPV**

Page 7

Discusses circumstances in which building condition may be relevant to determining whether the Heritage Overlay should be applied. The building had not been maintained and neglected for many years. Its condition had deteriorated significantly during the process of proposed application of the Heritage Overlay, due to the actions of the owner and to vandalism. The Panel concluded:

- the building could be repaired at a reasonable cost (though not insubstantial) to enable its economic reuse
- repairs would not require removal of heritage components to the extent that it would no longer represent its original form or fabric.

Nonetheless, the Panel found the building did not meet the threshold for local heritage significance.

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### 3.7 Moreland PSA C149 [2014] PPV

Pages 12-13

Condition said not generally to be relevant at listing stage. Exceptions identified: where is a high certainty that would be demolished, or the extent of reparation would destroy the integrity of the building. Melbourne C207 followed.

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## 4 Comparative analysis

### 4.1 Melbourne PSA C426melb [2024] PPV

Pages 49-50

Regarding post-war heritage, the Panel said it was satisfied:

this is effectively the 'first cut' of analysis across the precinct, as it is first time postwar buildings have been recognised as significant to the precinct. On this basis, the comparative analysis has by necessity considered other postwar buildings across the local area that had not previously been assessed for heritage significance. It has also appropriately compared buildings or places from other relevant areas with a comparable development history.

In this context:

- postwar development was not the focus of previous heritage studies
- until recently few places across the City of Melbourne were assessed with regard to postwar heritage
- a future targeted postwar study is likely to refine the understanding of the significance of postwar development to the precinct.

### 4.2 Stonnington PSA C320 [2023] PPV

Page 162

The Panel considered in the absence of a municipal-wide assessment of Modernist development, Council should undertake a comprehensive comparative analysis for the site, drawing from examples both within and outside of Stonnington if necessary.

### 4.3 Melbourne PSA C387melb [2021] PPV

Page 42-44

The Panel discussed the important role of the comparative analysis and what it should include and the level of detail required in the absence of guidance in Planning Practice Note 1: Applying the Heritage Overlay.

### 4.4 Bayside PSA C37 and C38 [2004] PPV

Pages 103-105

An inter-war property was proposed for listing. The Panel considered that insufficient comparative analysis had been undertaken on housing from this era to justify listing and recommended that it should be retained under the interim heritage controls until a broader study of properties from the period was undertaken.

### 4.5 Yarra PSA C183 [2016] PPV

Pages 19-20

The Panel was not satisfied all proposed precincts had sufficient 'integrity'. It stated:

The Panel has considered every precinct proposed within this Amendment, and the individual places subject to submissions. The Panel does not consider that, just because a geographic area is under-represented in the Heritage Overlay, it is sufficient justification for including a place. The place still needs to meet the critical thresholds. Comparative analysis is important in determining this. In reviewing the precincts, the Panel has applied the following questions: How do those places

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compare with others across Richmond? Are there better examples already protected in the planning scheme?

#### **4.6 Glen Eira PSA C19 [2002] PPV and Bayside PSA C37 and C38 [2004] PPV**

**C19: page 16 and C37/38: pages 205-209**

Should heritage significance be assessed by the place's significance to a municipality or a smaller group of suburbs or localities within it? This was particularly relevant post-amalgamation of local governments, since the old Heritage Guidelines suggested the municipality as a base for assessment. Panels have held that smaller groupings of suburbs / localities with a similar development history or rural towns and their hinterlands are the appropriate basis for assessment, rather than the whole of a (potentially very large) Council area.

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## 5 Criterion B – rarity

### 5.1 Melbourne PSA C387melb [2021] PPV

Pages 103 and 139

The Panel discusses places for which rarity was attributed. These included:

- a film distribution building (supported)
- the AMP Tower and St James Building Complex for its rare enclosed urban space (supported).

### 5.2 Bayside PSA C174 [2020] PPV

Page 25-26 and 28

Submitters including the National Trust considered that Esme Johnston House was significant as a rare example of a place in the City of Bayside which demonstrates the emergence of women in design and architecture before World War II.

The Panel considered there was insufficient research and analysis to establish Criteria B had been achieved to a necessary threshold level, and that elements of rarity were included in the statement of Significance under Criterion A.

A similar conclusion was reached for submissions regarding Criterion D – representative.

### 5.3 Baw Baw PSA C138bawb [2020] PPV

Pages 32-33

The Panel concluded Criterion B was not met and that there was little in the citation (including comparative analysis) or fabric that was distinguishable or noteworthy that supported the rarity threshold being met. The Panel observed that the lack of a thematic environmental history made it difficult to establish a context for local significance of a 'retreat' or Edwardian farmhouse.

### 5.4 Glen Eira PSA C182glen [2019] PPV

The Panel concluded that the ABC TV studios at Ripponlea satisfied Criterion B as an example of the International style but not as the oldest surviving studio.

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## 6 Criterion D – representative significance

### 6.1 Stonnington PSA C320 [2023] PPV

Pages 130-138

An expert stated:

As all historical places are representative of 'a type', the concept of representativeness in itself cannot be considered a core definer of historic heritage value. Rather, any heritage value in a representative sample is dependent upon whether the 'type' itself is significant. If the 'type' is of no heritage value, then it follows even an outstanding example of such a type cannot be of value either.

The Panel agreed.

### 6.2 36 Kooyongkoot Road Advisory Committee [2023] PPV

Pages 30-31

The landowner submitted the subject land has undergone significant modifications which have impacted its intactness and reduced its integrity such that it does not warrant inclusion in the Schedule to the Heritage Overlay. It said those works were not designed having regard to any heritage considerations and the new design has transformed the dwelling into something quite different.

The Committee found:

- the dwelling had undergone significant alteration to key stylistically defining elements and did not satisfy Criterion D such that an individual heritage listing is warranted
- the alterations, particularly those to the front façade including the extensive changes to the large central gable and the replacement of the dormer windows, are such that the Committee considered the dwelling could no longer be accurately described as intact in terms of its heritage significance.

### 6.3 Melbourne PSA C387melb [2021] PPV

Pages 53-55

The Panel report discusses in detail the approach for considering whether the threshold for Criterion D is met.

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## 7 Criterion E – aesthetic significance

### 7.1 Melbourne PSA C426melb [2024] PPV

Page 31

The Panel said:

Aesthetic significance is more than just subjective reactions to the design. At first blush it might seem that an 'educated' observer could determine significant from insignificant buildings based on aesthetics, but without some background in the aesthetic debates of the time this could never move beyond a merely subjective response. It is the importance of an aesthetic approach in the context of the cultural milieu of the time that is relevant from a heritage point of view.

Having said this, the place does need to tell a story to those who know how to 'read' it. The Panel agrees with the Hoddle Grid Heritage Review panel that, in the main, places should be able to be readily read and appreciated, although why they are important will not always be evident and sometimes require access to documentation. If the significance of a place is not somehow embodied or evident in the fabric of a place (noting that this fabric may evolve) it is difficult to see the logic of why the fabric ought to be preserved, but there may be cases where this makes sense.

### 7.2 Stonnington PSA C320ston [2023] PPV

Pages 178-185

The Amendment proposed to individually list the Orrong Hotel in the Heritage Overlay. The exhibited Statement of Significance stated the hotel meets Criterion E (aesthetic significance) as a Streamline Moderne style pub on a prominent street corner.

The Panel found the building had some Moderne features, but the alterations to the building affected its integrity to such an extent that it is no longer aesthetically significant.

### 7.3 Moreland PSA C208more [2022] PPV

Page 53 - 56

Walsh Street Precinct was proposed for its local aesthetic significance to the City of Moreland. The Panel concluded it did not meet the threshold of aesthetic significance to justify the Heritage Overlay, stating:

The Statement of Significance barely addresses the important aesthetic qualities of the Precinct that are purported to be significant. It draws on periods of development that *"together provide tangible evidence of the development of Coburg"* which relates to historical matters rather than aesthetic. Intact houses displaying a cohesion of styles, scale, materials and setbacks is not a basis for aesthetic significance.

A place can be considered as significant under one criterion only, however this must be unequivocal and clear. The Statement of Significance does not establish that the particular features of Walsh Street are important aesthetically.

Page 98-100

The Panel found that applying the Heritage Overlay to 31 The Avenue, Coburg was not justified based on aesthetic significance as the assessment of importance of the building was not robustly documented or explained. The Panel said:

In relation to Criterion E, the assessment discusses *'high quality aesthetic characteristics'* but does not explain why the building is well resolved and particularly



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important. The Panel notes that its scale, geometric features and material is illustrative of the Brutalist style and is descriptive, but no justification as to why these features are important or well resolved at 31 The Avenue is provided. Beyond documenting what is there, there is no analysis about what elevates this building to the point of significance or importance.

#### **7.4 VPA Projects SAC Referral 7 – Preston Market [2022] PPV**

Page 59

The Panel concluded the addition of aesthetic significance to the Statement of Significance was not a minor point and that the overall design of the market as a complex, with its component parts including wide walkways, cruciform layout, highlight windows and repetitive use of spaceframe roofing and, description by the architects, reveals a deliberate aesthetic and design intent, that has been successfully deployed and endures.

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## 8 Criterion F – technical significance

### 8.1 Moreland PSA C208more [2022] PPV

Page 98-100

The Panel found that applying the Heritage Overlay to 31 The Avenue, Coburg was not justified based on technical values as the assessment of the importance of the building was not robustly documented or explained.

### 8.2 VPA Projects SAC Referral 7 – Preston Market [2022] PPV

Page 63 (Statement of Significance page 52)

The Panel agreed that the Preston Market was of technical significance for its early application of spaceframe technology and concrete tilt slabs.

### 8.3 Glen Eira PSA C182glen [2019] PPV

Page 28

The former ABC TV studios at Ripponlea did not meet the threshold for Criterion F. There was limited information in the heritage assessment and Statement of Significance to link the design of the studios later television studios and much of the early equipment and services had been removed.

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## 9 Criterion G – social significance

### 9.1 Moreland PSA C208more PPV

Page 81-85

The Panel considered whether the Heritage Overlay was appropriate for managing intangible values and social significance of places, specifically CERES Community Environmental Park and Joe’s Market Garden.

The Panel concluded:

- The Heritage Overlay is appropriate for managing intangible values of a place.
- CERES Community Environmental Park is likely to have sufficient heritage significance to justify the Heritage Overlay, however further work is required to confirm and accurately articulate its significance and location of the lease boundary.
- Joe’s Market Garden has sufficient heritage significance to justify the Heritage Overlay, however further work is required to accurately articulate its significance.
- To give proper attention to these places, further work is required to ensure the Statements of Significance are accurate and appropriate and to identify suitable planning permit exemptions and prepare an incorporated plan to include in the Heritage Overlay Schedule.

Page 101-102

The Panel concluded the Coburg Velodrome had adequate heritage significance to justify applying the Heritage Overlay for its historical and social heritage values.

### 9.2 VPA Projects SAC Referral 7 – Preston Market [2022] PPV

Pages 59-61

Social significance for Preston Market was supported including the contribution made by the tangible place elements including the cruciform plan and ‘block’ layout and the significant role of the market in community life.

### 9.3 Melbourne PSA C387melb [2021] PPV

Pages 61, 98-99, 128, 187-188, 203

The Panel report discusses places for which social significance was attributed. These include:

- a hotel (threshold not met - not supported)
- former office of the Melbourne Theosophical Society (supported)
- the Stella Maris Seafarer’s Centre (threshold not met – not supported)
- former Royal Automobile Club of Victoria building (supported).

The Panel observed that buildings in the main should be able to be readily read and appreciated, although why they are important will not always be evident and sometimes requires access to documentation particularly for Criterion G and H.

### 9.4 Yarra PSA C191 [2020] PPV

Pages 30-37

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The concluded the Corner Hotel in Swan Street, Richmond was a popular venue but this did not translate to achieving Criterion G. The ability to meet this criterion was complicated by:

- the building not being sufficiently intact to enable someone to interpret the original place
- the absence of work to: inform future decisions about what needs to be managed through the Heritage Overlay if it is not the built fabric; and to provide primary or secondary evidence to confirm that the relevant communities value the place and its association with live music events.

### **9.5 Glen Eira PSA C182glen [2019] PPV**

Page 29

The former ABC TV studios at Ripponlea did not meet the threshold for Criterion G.

### **9.6 Glenelg PSA C89 [2018] PPV**

Pages 49-51

Two heritage expert witnesses stated that Fisherman's Wharf in Portland did not meet Criterion G because the public could no longer access the site to forge a strong or special association.

The Panel agreed with both expert witnesses and stated:

Fishing related activities that will continue in the newer section of the broader port area better represent the community's fishing history than a deteriorated, altered and inaccessible Breakwater. This publicly accessible area is more suitable for interpretive installations.

The Breakwater/Wharf's association with historical fishing related activities is not sufficient to meet Criterion G.

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## 10 Criterion H – associative significance

### 10.1 Boroondara PSA C388boro [2023] PPV

Pages 20-23

Submissions sought to apply Criterion H to a Hawthorn East property to recognise the achievements of Ms Henderson CBE. The Panel:

- agreed that Ms Henderson was a notable person with significant achievements in Victorian and that she resided in the house for over 45 years
- could not find heritage fabric on the property to directly associate it with Ms Henderson’s achievements
- concluded that Criterion H should not be applied to the heritage listing.

### 10.2 Stonnington PSA C320ston [2023] PPV

Pages 30 and 31

The Panel considered there are two tests that must both be met to demonstrate associative significance between an architect or designer (or group) and a place. First, the architect or designer (or group) must be important to the history of Stonnington. Second, there must be a special association between the person or group and the place. A special association is more substantial than the normal relationship between an architect or designer and the place. The mere fact that an important architect designed the place is not a ‘special association.’ If the threshold was this low, then all buildings designed by that architect would be of associative significance and could be subject to the Heritage Overlay. The Panel considered this is not the intended or appropriate application of Criterion H.

### 10.3 36 Kooyongkoot Road Advisory Committee [2023] PPV

Pages 30-31

Council’s expert witness sought to apply Criterion H to the individual listing of a Hawthorn property on the basis the residential home was designed by prominent architect John F.D. Scarborough.

The Committee found:

- Scarborough, whilst a recognised architect in Victoria, was not known for his residential architecture in general, or in Boroondara. He was predominantly known for his work on buildings of a civic, institutional or ecclesiastical nature.
- there was no special connection of Scarborough with Boroondara beyond his ecclesiastical work on the Littlejohn Memorial Chapel at Scotch College (HO608) and the Frank Paton Memorial Uniting Church, Deepdene (HO884).
- the dwelling did not meet the threshold for Criterion H.

### 10.4 Melbourne PSA C387melb [2021] PPV

Pages 120-121, 131, 203

The Panel report discusses places for which associative significance was attributed. These included:

- an early shop used as a restaurant and important for its long association with Italian restaurants in Melbourne for a century – the Panel supported applying

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social significance to a group (Italian restauranters), rather than individual, who had a direct and long-term association with the building and were important to Melbourne's cultural history

- former Coles and Garrard Building (association with optometrists and spectacle makers) – while the association with Coles and Garrard is not visible in the fabric of the building, it can readily be found in documented materials and the building clearly reads as a post-war office building.
- former Royal Automobile Club of Victoria building important for housing an influential organisation that was the State's premier road lobbyist, a major tourism promoter, private club serving Melbourne's business, professional and social elite.

### 10.5 Baw Baw PSA C138bawb [2020] PPV

Pages 34-35

The Panel discussed elements relevant to establishing the associative significance to an individual person (Bishop Green) including the tangible links for the association (in this instance the remaining fabric, the period of occupation and attributed garden elements) or the individual's established importance to the municipality at the time of Bishop Green's occupation. The Panel concluded there was insufficient information within the citation to support the threshold level being met. With Criterion H not being met, the Panel concluded the identified garden elements attributed to Bishop Green under Criterion E could not be established.

### 10.6 Glen Eira PSA C182glen [2019] PPV

Page 30

The former ABC TV studios at Ripponlea did not meet the threshold for Criterion H based on the associations with the architect and then ABC General Manager. Insufficient information was provided to demonstrate these associations were significant to the place rather than to the ABC more generally.

### 10.7 Boroondara PSA Amendment C99 [2012] PPV

Pages 37-39

The Panel stated:

Two questions arise in assessing whether the historic values of a place ascribed by association with an individual are of sufficient significance to warrant heritage listing of the place.

First, the issue of the importance of the individual to the community must be assessed.

...

The second issue to be addressed, however, is whether it is necessary for the building to in some way directly reflect the occupancy of Dr Jona and whether in fact it does so.

### 10.8 Boroondara PSA C148 [2012] PPV

Page 15

In requesting to change the precinct property category from 'contributory' to 'significant', a local community group referred to the contribution of a building to the early social development of the area.

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### **10.9 Surf Coast PSA C50 [2010] PPV**

Pages 26-27

Historical association with family active in Anglesea found to be insufficient to afford significance and no link between the basis of their importance and the characteristics of the building.

### **10.10 Southern Grampians PSA C6 [2009] PPV**

Pages 26-27 and 38-39

Proposed to apply the Heritage Overlay to an Aboriginal burial site and surrounds including a now degraded waterhole with trees depicted in Louis Buvelot's painting 'Waterpool at Coleraine'.

The Panel found the site is of significance and the Heritage Overlay should be applied and extended to the wider massacre and camping areas rather than be confined only to the immediate vicinity of the water body.

### **10.11 Bayside PSA C37 and C38 [2004] PPV**

Pages 96-102

The Heritage Overlay was proposed for a house based on its association with a famous family of artists. Heritage Council of Victoria, supported by several heritage experts, had previously determined that it was of local rather than State significance. At the Hearing, an alternative view was put that the place did not merit the Heritage Overlay because it was not occupied by the owners during their most productive artistic period and its fabric did not demonstrate any legacy from those owners.

The Panel determined the place was of local significance because of the association with the family.

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## 11 Development opportunity impact, property value and financial costs

Many panel reports have concluded:

- the Heritage Overlay enables an owner to:
  - apply for a planning permit to develop their land, including building alterations and demolition
  - maintain their property without the need for a planning permit
- building condition and development potential are not referenced as relevant criteria in Planning Practice Note 1 for assessing the heritage significance of an individual place or a precinct
- development opportunity, building alterations and maintenance, property value and personal financial impact are not relevant when assessing the heritage significance of an individual place or a precinct.

### 11.1 Kingston PSA C215king [2023] PPV

Page 23-24

The Panel concluded that development opportunity is not relevant when assessing the heritage significance of a property, or deciding whether to apply the Heritage Overlay. It said how a development proposal responds to a range of policy considerations is best assessed through the planning permit application process.

Further that property values are influenced by many factors. Noting Council's submission that the Heritage Overlay may influence value of the property, this was not a consideration when assessing whether a place meets the threshold of local heritage significance.

While there may be some financial implications for a property owner if they seek a permit for development, there were no submissions or evidence that financial implications of the Amendment would have broader economic effects for the community.

### 11.2 Boroondara PSA C394 [2023] PPV

Page 29

The Panel commented:

All planning controls impact to some degree on a person's 'rights' to do with their property as they wish. So do many other regulatory regimes, including (among others) the Building Act 1993 and the Environment Protection Act 2017.

A decision to apply planning controls (including the Heritage Overlay) involves balancing the public interest against the legitimate interests of individuals to use and enjoy their property rights. That balance must consider the Victorian planning objectives, which include protecting places of heritage significance, and balancing the present and future interests of all Victorians. In balancing these interests, the Planning Scheme directs that consideration be given to whether the Amendment will deliver net community benefit and sustainable development.

### 11.3 Mildura PSA C79 [2014] PPV

Page 7



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Decommissioned and derelict assets of rural water authority in Mallee.

The Panel appreciates that the management of decommissioned industrial infrastructure assets in remote locations is a challenge, both from the perspective of the owner of the assets (in this case Grampians-Wimmera-Mallee (GWM) Water) and the value of the assets to the community (i.e. heritage). Some of this infrastructure is in poor condition and it is simply impractical for many of the sites containing the asset to be made secure and/or safe. Consequently, some of these sites present as significant risks to GWM Water as a corporate entity and that is a genuine matter for concern.

Including the decommissioned assets in the Heritage Overlay would result in GWM Water having to apply for a planning permit for works to a place, including its removal (tantamount to 'demolition'). While some works could be exempted through an Incorporated Plan, this would not include the removal of an asset. The Heritage Overlay would not prevent GWM Water from applying for a permit to remove the asset for reasons of risk management, but there is no assurance that this would be approved.

The Panel concluded that GWM Water's concerns relating to the future management of its decommissioned assets in the Heritage Overlay are genuine. The assets are generally in poor condition, and some have already been compromised since being decommissioned. Many of the assets are in isolated locations therefore securing the sites from a risk management perspective is impractical. For these reasons and notwithstanding that the local heritage significance of the assets has been established, the Panel supports the exclusion of GWM Water's assets from the Amendment.

#### **11.4 Yarra PSA C157 and C163 [2013] PPV**

Pages 24-25

The Panel supported the view that an owner's opposition to the Heritage Overlay, on the grounds of impediments to development, costs or impact on property prices did not constitute a reason to exclude the place, provided its heritage significance had been shown to meet the appropriate threshold.

#### **11.5 Campaspe PSA C50 [2013] PPV**

Panel held that in principle objections should be set aside. Heritage provisions are part of the long-established planning system and objectors also draw benefit from restrictions on others.

#### **11.6 Boroondara PSA C150 [2013] PPV**

Chapter (vi) 'Infringement of property rights' on page 16

The Panel commented:

So far as infringement of property rights is concerned, the Panel would comment that the application of the Heritage Overlay, is but one of numerous components of the long established and accepted practice in Victoria of regulating land use and development by statutory planning schemes. Planning schemes in turn are simply an element of the diverse legislative framework that regulates how land is used, including by home owners. Provided that public notice and consideration of owners' views occurs, the scheme requirements can be said to be fairly applied.

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### **11.7 Boroondara PSA C148 [2012] PPV**

Page 11

An owner referred to impact of the Heritage Overlay on his property value and ability to extend the existing building. These matters are discussed and found not to be determinative.

### **11.8 Buloke PSA C14 [2011] PPV**

Pages 17-21

Incursion into private property rights raised by submitters. Panel rejected this in extensive discussion about the nature of planning and that not all works would be controlled.

### **11.9 Ballarat PSA C107 [2009] PPV, Melton PSA C71 [2009] PPV and Nillumbik PSA C125 Part 2 [2013] PPV**

C170: page 40, C71: page 45 and C125 pages 7-8

Submissions claimed that applying the Heritage Overlay would devalue their properties. The Panels did not regard this a relevant consideration when applying the Heritage Overlay. They commented that evidence about the effect of Heritage Overlay listing on property prices was contradictory. The Ballarat Panel noted but there was some consensus that precinct listings assisted in maintaining value, as they gave purchasers a level of certainty about how much change could occur in the neighbourhood.

### **11.10 Whitehorse PSA C74 Part 2 [2008] PPV**

Pages 24-25

Submitters contended that placing heritage controls on private properties infringed the rights of owners, that they would be unfairly restricted in what they could do to their houses or might be required to undertake expensive repairs or renovations. The Panel responded that the process of applying the Heritage Overlay was undertaken in accordance with the requirements of the PE Act and the planning scheme, that owners could not be compelled to undertake repairs, and that many minor repairs or changes (e.g. painting previously painted surfaces, internal alterations, tree removal) would not require a permit. It also noted Council's heritage advisory service and small grants scheme to assist owners of heritage places.

### **11.11 Greater Geelong PSA C49 [2004] PPV**

Pages 44-45

Property owners submitted that applying the Heritage Overlay would be unfair because the value of their property would be likely to decrease, and other similar properties were not proposed for heritage controls. Council pointed out that research showed that heritage listings in Geelong generally improved the value of properties. The Panel noted that, while the effect of Heritage Overlay listing could vary with circumstances, it should not be considered when determining whether the place had sufficient heritage significance to justify the Heritage Overlay.

### **11.12 Greater Geelong PSA C71 [2004] PPV**

Pages 12-13

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This Panel involved a single dwelling on three lots, where a major redevelopment was proposed. Interim heritage controls had been applied and Council sought to permanently apply the Heritage Overlay. The owners submitted that denial of the ability to redevelop the property would cause them substantial losses (including through loss of property value) and the costs to maintain the building would be unreasonable. The Panel accepted both these contentions but held that the key issue at the amendment stage was the heritage significance of the property, and other matters such as competing policy settings, hardship for owners should be considered when a planning application was considered.

**11.13 Greater Geelong PSA C49 [2004] PPV, Maroondah PSA C42 [2005] PPV and Brimbank PSA C125 Part 2 [2011] PPV**

**C49: pages 44-45, C42: pages 53-56 and C125 pages 26-27**

Property owners submitted that the Heritage Overlay would be onerous and unfair because they would seek and pay for permits for renovations and might not be able to alter houses. Council pointed out that many minor works did not need permits, internal alterations were seldom controls, heritage advisory services and low interest loan scheme (or other assistance scheme, such as rate rebates or direct grants) constituted benefits to owners and in some municipalities fees were not charged for residential development works worth less than \$10,000. The Panels generally supported Council's view.

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## 12 Existing permits and restrictive covenants

### 12.1 Boroondara PSA C333boro [2022] PPV

Pages 21-22

The Panel concluded that a restrictive covenant on property titles in the Summerhill Estate Precinct (HO905) is not relevant when assessing the heritage significance of a precinct and justifying the Heritage Overlay.

### 12.2 Moreland PSA C208 [2022] PPV

Pages 32

The Panel concluded the single dwelling covenant and existing built form controls were not sufficient to protect heritage values of the proposed Glenmorgan, Albion and Clarence Street Precinct (HO85) as only the Heritage Overlay can provide decision making around demolition.

### 12.3 Melbourne PSA C387melb [2021] PPV

Pages 27-28

The Panel found it is inappropriate to consider existing permits proposing demolition or significant change as a reason to not apply the Heritage Overlay. This is primarily because those permits may not be acted on or completed as approved, and the consequences for the integrity of the building or place would remain uncertain.

The Panel stated:

- many of the current permits enable complete demolition or significant building redevelopment and retention of only the façade or portions of the identified building
- regarding imminent demolition, which appeared likely for several identified places, Council should review their status before adopting the Amendment
- buildings which had been demolished or were in the process of active demolition (not just at hoarding erection or preparation stage) should be excluded from the Amendment.

### 12.4 Stonnington PSA C167 [2013] PPV

Pages 6-7

This matter related to property with an existing development permit located on the boundary of the heritage precinct abutting a Principal Activity Centre. The Panel found that the local heritage significance of the place was the fundamental consideration.

### 12.5 Melbourne PSA C186 [2012] PPV

Pages 36-39

Should existing permits (for demolition) preclude the Heritage Overlay being applied to a place? Panel says not, as the permit may not be acted upon.

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## 13 External paint controls

### 13.1 Bayside PSA C174 [2020] PPV

Page 35

The Panel supported external paint controls being applied to a Tudor Revival style dwelling identified as having aesthetic significance given the strong external architectural expression of timber elements and contrasting wall panels.

### 13.2 Maroondah PSA C42 [2010] PPV

Page 16

Alterations to the Heritage Overlay boundary meant that the only buildings now contained in it were of face brick. The Panel recommended removing external paint controls since they restated a provision of the Heritage Overlay 'head clause'.

Pages 56-58

The Amendment proposed to apply external paint controls to all buildings proposed for Heritage Overlay listing. The Panel stated:

- this was not sufficiently discriminating and should be reviewed to limit the control to places where it was justified on the grounds of impacts on important streetscapes or to preserve original paint schemes
- the controls were applied to many unpainted buildings, thus replicating the provisions of the Heritage Overlay 'head clause'.

### 13.3 Glen Eira PSA C182glen [2019] PPV

Page 43

Paint controls were supported for the transmission tower element of the former ABC TV studios at Ripponlea, subject to identifying the importance of the current paint scheme in the Statement of Significance.

### 13.4 Greater Geelong PSA C49 [2004] PPV

Pages 18-20

The Panel supported the view of the Ballarat C58 Panel that permit requirements to paint previously painted surfaces should only be applied selectively and with strong justification.

### 13.5 VPA Projects SAC Referral 7 – Preston Market [2022] PPV

The Advisory Committee support paint controls for tilt up slab elements because the more recent murals, which in themselves were not significant, reflected the market's evolution and the interpretative value of the murals as identified in the Statement of Significance and citation.

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## 14 Heritage Overlay mapping of complex sites

### 14.1 VPA Projects SAC Referral 7 – Preston Market [2022] PPV

Pages 64-65

The Advisory Committee discussed the mapping approach for a complex site, including appropriate buffers to significant and contributory fabric.

### 14.2 Boroondara PSA C305boro [2019] PPV

Pages 12-13, 22-23, 28-29

The Panel recommended a complex site (MLC campus) be mapped as three separate individual places, one containing multiple buildings that related to the early development of the school, and two separate former dwellings that were not originally part of the school and were individually significant in their own right (and not for their more recent association with the school). The Panel observed while the reference to 'contributory' was acceptable under 'What is significant?' to differentiate from the significant or non-significant elements of a place, its use for the grading of buildings within a place was not.

### 14.3 Moonee Valley Racecourse AC [2013] PPV

Pages 54-55

On large complex sites, there is considerable flexibility in the way the Heritage Overlay can be applied to assist in future management of complex sites and sites undergoing change. The use of the Incorporated Plan to the Heritage Overlay can provide the same flexibility that apply to sites on the Victorian Heritage Register.

### 14.4 Yarra C157 and C163 [2013] PPV

Pages 45-57 and 67

Heritage Overlay mapping of complex sites, such as industrial complexes, which contain some significant fabric, some contributory elements and other fabric/spaces of no heritage significance. The Panel discussed four options for how this might be done, which might be appropriate in different circumstances; recommended reducing the extent of mapping of one site to cover only the significant fabric but retaining the mapping over the whole site in another case.

### 14.5 Moorabool PSA C6 Part 2 Final Report [2013] PPV

Pages 8-18

The land in question was a former industrial complex that contained several buildings with large plant and machinery imbedded in them. The owners, who were developing the place as an industrial park, opposed the application of the Heritage Overlay. The heritage expert witness called by the owners acknowledged the significance of the complex but proposed that a significantly reduced area should be covered by the Heritage Overlay.

The Panel agreed that one minor contributory building should be excluded, together with more recent buildings on part of the site. It recommended that an incorporated

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plan be prepared, setting out changes that could be carried out without the need for a permit.

#### **14.6 Maroondah PSA C42 [2010] PPV**

Page 73

A relatively recent private school complex was proposed for Heritage Overlay listing. The school initially objected, on the grounds of possible impediments to future evolution of the site. Council pointed out that no internal controls were proposed and indicated a willingness to delete the proposed external paint controls.

The Panel noted that the Statement of Significance recognised the development of the site over time, with four different architects involved. A 'without prejudice' session at the Hearing discussed the concept of an incorporated plan to reflect the proposed master plan for the site. The Panel recommended that Council work with the school to develop such a plan before applying the Heritage Overlay to the site.

#### **14.7 Boroondara PSA C55 [2007] PPV**

Pages 50–55

Difficulty encountered in defining extent of Heritage Overlay in railway station complex. Boundary partly defined to allow public visibility of heritage elements.

#### **14.8 Greater Geelong PSA C49 [2004] PPV**

Pages 63-65 and 72-73

Issues related to the heritage listing of industrial sites that are either still being used for industrial purposes or are vacant (or substantially vacant) and proposed for adaptive reuse. Options recommended (in various cases) include reduced Heritage Overlay coverage and preparation of an incorporated plan – based on a conservation management plan – to identify significant components of the site and reduce permit requirements.

#### **14.9 Warrnambool PSA C29 [2004] PPV**

Pages 33-36

Scale of development appropriate for adaptive reuse of former industrial complexes. The redevelopment of a former woollen mills complex proposed to retain and reuse several buildings and works of heritage significance (identified separately for Heritage Overlay listing) and to develop the remainder of the land for medium density housing and compatible uses. Several submitters wanted the whole site cleared and made available for low density residential development.

The Panel supported the proposed approach and recognised that a necessary response to the identified heritage assets – some very large in scale – must include the ability to retain them in situ and provide an economic return that would enable proper conservation.

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## 15 Heritage significance threshold

### 15.1 Stonnington PSA C316ston [2022] PPV

Pages 45-46

The Panel concluded that 41 Elizabeth Street, Malvern did not meet the threshold for local heritage significance as changes had resulted in significant loss of heritage fabric from its original construction, as shown by photographs and plans provided by the owner.

Page 49

The Panel found the property at 1225 Malvern Road, Malvern met the threshold for local heritage significance despite having had several changes. It said the changes were generally consistent with the usual maintenance of a property of this age, and some related to internal alterations which was not relevant to the Amendment.

Page 56

The Panel found that modifications to the place did not detract from its legibility and accepted:

that 1298 Malvern Road meets the threshold for local heritage significance with respect to Criteria A (historical significance), D (representativeness) and E (aesthetic significance). The detailed research provided in the heritage citation provides a sound justification for applying the Heritage Overlay to the property as an individual place.

### 15.2 Moreland PSA C208more [2022] PPV

Pages 63

The Panel said:

With regard to Criteria D, in light of the evidence before it and in the context of the historical retail development of Lygon Street to 1920s, the Panel considers 151A Lygon Street an infill development of 1930s and its relative 'importance' as a class of place (shop) is a footnote within Moreland rather than an important individual site.

The Panel is concerned that elevating 'notability' for the building's intactness under Criterion D, as it does in the Statement of Significance, is misplaced. Intactness is not in itself a sub-criterion of significance. A building of low intactness can be significant (but have high integrity) and a building that is very intact can have no significance at all. Intactness is part of the thresholding test, alongside comparative analysis, but not a reason for significance.

### 15.3 Glen Eira PSA C214glen [2021] PPV

Pages 58-60

The National Trust supported the proposal to apply the Heritage Overlay to an 18-year-old house in Caulfield North. It submitted there is no age limit for considering heritage and referred to Federation Square as an example of a heritage place less than 18 years old.

The Panel referred to the Victorian Heritage Register Guidelines applicable to Federation Square which states:

As a general principle, a generation (or approximately 25-30 years) should pass after the creation of a place or object before that place or object is considered for heritage



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listing at any level. The passing of time allows the enduring cultural heritage values of a place or object to be more rigorously and objectively assessed.

The Panel considered a local place has to be at least a generation old to be considered for the Heritage Overlay. It found the house did not have the same exceptional reason as Federation Square to apply the Heritage Overlay earlier than this timeframe.

#### **15.4 Melbourne PSA C387melb [2021] PPV**

Pages 52-55

The Panel report discusses in detail the approach for applying PPN01 thresholds, assessing thresholds for Criterion A and D and role of the Heritage Council Victoria Guidelines. It concluded:

- PPN01 is the primary tool for determining thresholds for places of local heritage significance, informed by the consideration of intactness and integrity and a comparative analysis.
- The VHRG provide useful guidance but should be used with care to avoid introducing a higher level consideration of significance at the local level.
- The application of thresholds requires the application of judgement.
- To meet Criterion A and Criterion D requires a place to be demonstrably important to its phase (theme, period or era) and class respectively.

The Panel discusses concepts of subjectivity and taste and the opinion of the observer and that these are not determinative when it comes to establishing if a threshold is satisfied or where documentation is relied on to establish a social or associative significance.

#### **15.5 Yarra PSA C191 [2020] PPV**

Page 35

The Panel stated:

All properties older than today have a history. However, a place should be at least a generation old, or roughly 30 years, to have heritage significance. The Panel accepts the Corner Hotel has had live music for roughly a generation, though disrupted through two closures.

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## 16 Humble versus grand, unique and modified

### 16.1 Melbourne PSA C426melb [2024] PPV

Pages 76-79

The Panel concluded the property at 10–16 Mona Place, South Yarra, while a modest example of an inter-war house, has sufficient intactness and integrity to justify it being categorised contributory to the South Yarra precinct.

The Panel said the house is largely intact to its 1940s configuration, maintains some of its inter-war features, including building height, setbacks and roof form with two chimneys. Further:

While the appearance of materiality has changed and consistency of some detailing, such as changes to window and sill detailing, brick rendering is generally reversible, internal changes are not relevant to its heritage assessment, and the rear alterations are not visible from the street.

### 16.2 Stonnington PSA C249 [2017] PPV

Pages 36-39

There were submissions and evidence as to whether a Victorian residential building was a unique example or a modified version of a common Victorian building.

The Panel found that the building was a modified and there were many better examples in the municipality and recommended that the Heritage Overlay not be applied. This was consistent with the recommendation of a previous Panel.

### 16.3 Yarra PSA C157 and C163 [2013] PPV

Pages 77-81

Submitters argued that small groups of local shops should not be identified as heritage precincts because there were already other much larger, more elaborate examples of identified nineteenth century shopping strips with the Heritage Overlay.

The Panel found that this did not mean it was inappropriate to apply the Heritage Overlay to another commercial area, providing it met the threshold for local significance.

### 16.4 Buloke PSA C14 [2011] PPV and Moreland PSA C78 PPV

C14: pages 15-16 and C187: page 111 (Precinct 15)

Submitters objected to the Heritage Overlay being applied to railway houses as they were viewed as 'slum dwellings'.

The Panel supported the Heritage Overlay being applied to humble places just as much as grand places.

### 16.5 Melton PSA C71 [2009] PPV

Page 34

The Panel commented on the nature of the built fabric in a formerly rural municipality that had relatively poor soils and sparse settlement. As a result, the properties proposed for listing were often quite simple structures with no outstanding design

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qualities. The Panel concluded that the Statements of Significance for these places related them effectively to key themes in the environmental history and assessed them against appropriate criteria.

## 16.6 Monash PSA L51 [1999] PPV

Pages 15-16

Heritage is not solely the province of wealthy individuals and institutions with the means to commission the grandest buildings of their day. Heritage also belongs to ordinary people and the buildings in which they lived and worked. A row of simple miners' cottages tells us as much about our mining history as the mine-owner's mansion and has a parallel heritage value.

These were not homes built for the wealthy - they are modest weatherboard houses, consciously presenting a brave face to the world in the form of a more substantial brick verandah. In their original form they had two or three bedrooms at most, simple kitchen and bathroom facilities, and a back yard shared by the kids, the washing line, the dog, the shed, the lemon tree and perhaps a few chooks. They were the interwar version of the great suburban dream, tailored to a modest income. The heritage value of the most intact of these streets lies in their very clear expression of the aspirations of that time.

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## 17 Incorporated plans and documents

### 17.1 VPA Projects SAC Referral 7 – Preston Market [2022] PPV

Pages 73-75

The role and content of Heritage Design Guidelines is discussed. They should be consistent with what the Statement of Significance identifies as significant.

### 17.2 Melbourne PSA C305 [2020] PPV

Pages 64-66

The University of Melbourne requested that an incorporated plan be applied to its Southbank campus to exempt certain buildings and works from needing a planning permit.

The Panel concluded that an incorporated plan was justified subject to certain specified planning permit exceptions which it considered would not compromise the site's heritage fabric or setting.

### 17.3 Maribyrnong PSA C147 [2018] PPV

Pages 10 – 19

The Amendment proposed to apply a municipal-wide incorporated plan to exempt planning permits under the Heritage Overlay for certain buildings and works. The Panel supported applying an incorporated plan and addressed submitter concerns regarding its preparation and application, impact of exemptions on heritage values, neighbourhood character and amenity.

### 17.4 Southern Grampians PSA C6 [2009] PPV

Pages 34–35

The Panel supported an incorporated plan to provide permit exemptions for managing the arboretum.

### 17.5 Corangamite PSA C3 [2006] PPV

Pages 26-29

The Panel supported using an incorporated plan to exempt normal farming operations from needing a permit.

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## 18 Interim controls

### 18.1 Mount Alexander PSA C73 [2017] PPV

Council's heritage adviser found the Chinese history of a building should be protected by applying the Heritage Overlay. Council did not support the advice and did not seek interim controls. The building was demolished during the Hearing.

The Panel concluded that the Heritage Overlay was no longer justified, and it encouraged an interpretive installation on the subject land.

### 18.2 Stonnington PSA C243 [2017] PPV

Page 14

Council sought interim controls so that a Panel could consider the strategic threshold for an Edwardian building. Its request was refused on two occasions and, without protection in place, the building was demolished the day before the panel hearing commenced.

The Panel concluded that the property's significance was diminished to the point where the Heritage Overlay is not justified or appropriate. The Panel encouraged an interpretive installation on the subject land to inform future generations about the former building.

### 18.3 Boroondara PSA C119 [2011] PPV

Pages 2-3 and 13-14

Discussion about what to do about interim controls when the Amendment has been abandoned. In this case, substantial demolition had been carried out, diminishing the heritage significance of the property to the point where the site-specific amendment was no longer appropriate. The Panel recommended that Council either ask the Minister to remove the controls or retain them until their expiry date while an assessment of a potentially significant tree (undamaged by the demolition) was carried out.

### 18.4 Greater Geelong PSA C49 [2004] PPV

Pages 20-22

Owners objected to the fact that their house had not been identified in a heritage study and its heritage qualities were only identified after an application was made to demolish it and redevelop the site (following advice from Council statutory planning staff that there were no heritage issues).

The Panel recognised the validity of the owners' concerns but noted that the Building Act requirements for 'report and consent' from a Council for demolition of a building of potential heritage significance (to be followed by a request to the Minister for interim heritage controls) had been designed to be used in such an eventuality. However, the Panel recommended greater training for statutory planners in heritage matters and more internal consultation.

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## 19 Internal alteration controls

### 19.1 Yarra Ranges PSA C210 [2023] PPV

Pages 15-31

The Panel concluded internal controls were not appropriate or justified. It considered that while the internal fabric was aesthetically interesting, it did not satisfy the test in Planning Practice Note 1 for applying internal controls. Planning Practice Note 1 allows for a sparing application of internal controls to selectively protect “*special interiors of high significance*”. While parts of the interiors might illustrate their inter-war origin, there was no evidence to justify the interiors were any more special or significant when compared to other residential interiors from the same era. They were neither extraordinary nor exceptional enough to justify applying internal controls.

### 19.2 Moreland PSA C208more [2023] PPV

Pages 98-100

Regarding proposed internal controls at 31 The Avenue Coburg, the Panel said:

Where it comes to the Brutalist style interiors can be inextricably linked to the external design, for example ceiling heights and light wells which bring a rationale to the geometric external form. The Panel observed in its site inspection that this is the case at 31 The Avenue. However the citation does not adequately critically analyse the relative importance of the interiors, nor does the Statement of Significance does not refer to them at all. In this context, there is no adequate justification to include an interior control.

### 19.3 VPA Projects SAC Referral 7 – Preston Market [2022] PPV

Pages 67-68

Internal controls were supportive in tandem with an incorporated plan providing for permit exemptions for a range of internal alterations.

### 19.4 Stonnington PSA C304ston [2021] PPV

Pages 48-49

The Panel recommended the exhibited internal alterations control not be applied to a Glen Iris property. It stated:

- Planning Practice Note 1 advises that internal alteration controls should be applied sparingly and selectively to interiors of high significance
- the controls were not appropriate or justified because there was insufficient information to understand whether the house’s interior reaches this necessary threshold.

### 19.5 Yarra PSA C245 [2020] PPV

The Amendment proposed to apply internal alteration controls to three former theatre buildings, including the former Astral Theatre, Burnley Theatre and Richmond Cinema.

After considering submissions and evidence, the Council abandoned its proposal to apply internal alteration controls to the former Burnley Theatre and Richmond Theatre buildings. The Panel did not support internal alteration controls for the former Astral Theatre building, stating:

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The Panel accepts that the starting point for the assessment of internal heritage controls is PPN01. As acknowledged by Council and both of the expert witnesses, this generally places a 'high bar' for the application of internal heritage controls for a building. The Panel agrees with Council's submission that:

- internal controls should be applied sparingly and on a selective basis
- the threshold for internal controls, that is, 'special interiors of high significance' is of a higher level than that required for listing a place in the Heritage Overlay
- it is appropriate to include internal controls where the interiors contribute to the heritage significance of the place
- comparative analysis may be required, but is not always necessary, to justify the application of internal alteration controls.

### **19.6 Greater Shepparton PSA C205 [2020] PPV**

Page 93

The Panel supported Council's post-exhibition changes to specify the internal elements to which internal controls were to apply rather than using the generic 'yes'. This would strike the right balance between ensuring the conservation of important interiors while enabling modifications of interior elements that were not significant.

### **19.7 Glen Eira PSA C182glen [2019] PPV**

Page 42

Internal controls were supported for the former ABC TV studios at Ripponlea, subject to more detail in the Statement of Significance about what internal elements were significant using diagrams and text. Council was encouraged to develop an incorporated document for permit exemptions to assist with future site development given the site's strategic location.

### **19.8 Macedon Ranges PSA C118 [2018] PPV**

Pages 12-13

Council applied the internal alteration controls to any property owner who refused an internal inspection. It took this approach because property owners may refuse an inspection as a means of avoiding the controls. Council explained the controls could be deactivated through a future planning scheme amendment if an inspection confirmed no heritage fabric.

The Panel did not support this approach and stated:

The Panel agrees with Council that a property owner should not use refusing building interior inspection as a means of avoiding the internal control being applied. However, applying the internal control solely to enable a future inspection through a permit process is insufficient justification, especially if there is no heritage fabric to protect. For heritage the places where the property owner did not agree to an inspection, Council should be confident through secondary evidence that there is sufficient internal heritage fabric to warrant the internal alteration control.

### **19.9 Whitehorse PSA C157 [2015] PPV**

Page 20

The Panel was critical that no interiors were assessed, especially in publicly accessible buildings where the interiors were detailed in the heritage citation.

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## 19.10 Moonee Valley PSA C142 and C143 [2014] PPV

Pages 12-13

A question was raised as to whether internal alteration controls were needed to protect an individually significant building where part of its façade formed the rear, internal wall of a newer building that had been constructed in front of it.

The Panel stated that if a wall (that was an external wall to the significant place) has no current external façade, it could be considered an internal wall in the Planning Scheme and therefore exempt from permit requirements unless specifically listed.

The Panel recommended:

- that internal alteration controls apply to the site to avoid any debate or confusion as to whether the façade walls of the hall can be amended or not without a planning permit
- the listing of internal alteration controls in the table be limited to only internal walls that form party walls to the place of significance, through notation in the schedule table – this was seen as like the way that tree controls are confined to particular trees.

## 19.11 Melbourne PSA C207 [2014] PPV

Pages 29–31

Clarification of misinterpretation of Melbourne C186 comments on interiors. There can be individual interiors that clearly meet the threshold of significance without extensive study.

## 19.12 Glenelg PSA C55 Part 1 [2013] PPV

Page 12

The Panel did not accept Council's position for removing exhibited internal alteration controls from two properties (one public, one private). While the Panel considered the controls should be applied sparingly, in the two cases proposed, the merit of the interiors was not challenged.

## 19.13 Melbourne PSA C186 [2012] PPV

Pages 24–28

There should be a systematic approach to applying the internal alteration controls rather than an opportunistic approach.

## 19.14 Maroondah PSA C42 [2010] PPV

Page 16

The internal alteration controls were proposed for parts of a large church complex.

The Panel:

- found that they were justified based on the Statement of Significance
- noted the provision in the head clause of the Heritage Overlay that no permit was required to alter the inside of a church for liturgical purposes
- encouraged the church authorities to commission a conservation management plan for the complex, that could act as a basis for an incorporated plan.



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## 19.15 Melton PSA C71 [2009] PPV

Pages 87-88

The Panel agreed with Council's proposal to activate the internal alteration control on a part of a property (now a house) that consisted of an early chapel-like room with a ceiling that was said to have been imported from England by the original owners.

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## 20 Outbuildings and fences public notice requirements

### 20.1 Boroondara PSA C394 [2023] PPV

Pages 24-26

The Heritage Overlay parent clause defaults an application for a planning permit to:

- construct a fence or garage are VicSmart applications that are exempt from third party notice and review rights (Clause 43.01-1)
- demolish or remove a fence or garage are VicSmart applications that are exempt from third party notice and review unless the overlay schedule specifies otherwise (Clause 43.01-4).

The Amendment proposed (through the Heritage Overlay schedule) to apply third party notice and review for permit applications proposing to demolish or remove “*original or early brick fences and brick garages*” in each of the three Precincts.

The Panel supported applying third party notice and review rights where the fence or garage is contributory to the Precinct’s heritage significance, noting the exhibited wording of ‘original or early brick fences or brick garages’ is unclear.

### 20.2 Yarra Ranges PSA C210 [2023] PPV

Pages 19-20

The Panel found an adjoining cottage and garage did not meet the threshold of heritage significance. In reaching this conclusion, the Panel gave weight to:

- no party was able to demonstrate with any certainty when the outbuildings were constructed, and it appeared more likely they were constructed after the inter-war period, and therefore outside the identified period of significance
- their construction and materials differed considerably from that of main home – while the materials and design were similar their quality and resolution were inferior
- because the buildings did not form part of the original fabric, they did not contribute to main home’s historical significance as an inter-war era residence, nor to its aesthetic significance as a Tudor Revival style residence.

### 20.3 Nillumbik PSA C149nill [2023]

Pages 39- 41

The Panel comments on an appropriate methodology which was set out in evidence (pages 39-40) to establish whether an outbuilding was significant and not merely a vernacular and utilitarian (farm) structure of uncertain age.

### 20.4 Yarra Ranges PSA C207 [2023] PPV

Pages 29-23

The Panel agreed the front stone fence and gates of a place were part of the significance of a place which demonstrated the important inter-war period of development of the property. It agreed with Council that concerns associated with removing part of the fence wall or widening the entrance to accommodate emergency vehicles was a matter for the permit stage and not relevant to whether the elements

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were significant. The Panel did not however support removing notice exemptions for changes to the front fence and gates or for the outbuildings that were not visible from the public realm.

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## 21 Planning scheme mapping

### 21.1 Nilumbik PSA C149nill [2023]

Pages 34-35

The Panel identified a range of considerations relating to curtilage including those for reducing curtilages from the property parcel.

### 21.2 Melbourne PSA C403 [2023] PPV

Pages 33-36

The Amendment proposed to include:

- two individually significant places (Wes Lofts Office and Ukrainian Catholic Cathedral) in the North and West Melbourne Heritage Precinct (HO3) which did not contribute to the precinct's significance
- refer to each of their Statement of Significant as a background document.

The Panel recommended to:

- remove both places from the precinct
- apply the Heritage Overlay to each property as individual places
- incorporated their Statements of Significance into the Planning Scheme.

### 21.3 Stonnington PSA C348 [2017] PPV

The Panel agreed to not apply the Heritage Overlay to a tennis court which was on land acquired more recently by the existing owner. It recommended the Heritage Overlay be extended three metres from the heritage building's eastern elevation which partly encroached onto the tennis court land.

### 21.4 Manningham PSA C113 [2017] PPV

The objecting submission should not have been dismissed as beyond the scope of Amendment because it related to the extent of the Heritage Overlay. The Panel recommended the Heritage Overlay be removed from the property because, following subdivision and redevelopment, no significant fabric remained, and it no longer reached the threshold of local heritage significance.

### 21.5 Yarra Ranges PSA C131 [2014] PPV

Page 24, para 3 (At the hearing...)

The Panel found the approach to mapping of individual Heritage Overlay listings in a precinct inconsistent between precincts. It recommended that in both precincts:

- individual Heritage Overlay listings be deleted
- the sites be identified as 'significant' within the precinct
- a brief Statement of Significance be included in the Citation under the heading 'Significant sites within the precinct'.

### 21.6 Greater Shepparton PSA C110 [2013] PPV

Pages 54-57

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Reasonably extensive discussion of the issue of wanting to apply double listing (that is a place has an individual basis of significance but also contributes to a precinct) and ways to deal with it. The Panel report urged the Department to allow double-listing.

### **21.7 Buloke PSA C14 [2011] PPV**

Pages 57–61

The Panel considered the Precinct listing which was to be followed by extensive individual place listings in a subsequent amendment. The extent of individual place listings in precincts would have eroded any sense of the precincts.

### **21.8 Melton PSA C71 [2009] PPV**

Council proposed to reduce the exhibited extent of mapping of farm properties to encompass the areas of heritage significance rather than the entire title. The Panel generally supported these changes.

### **21.9 Corangamite PSA C3 [2006] PPV**

Pages 14-25

Discussion about appropriate mapping of places listed in the schedule but not previously shown on the Heritage Overlay maps in the planning scheme. Issues included the extent of area to be mapped on rural properties (whole lot/title boundaries vs a smaller curtilage around significant buildings or sites).

The Panel generally supported mapping a restricted area around significant components, where sufficient information was available. It noted that for some places, there were no Statements of Significance from which significant components could be identified and simplistic approaches to mapping, for example, a place described as 'X homestead' ran the risk of excluding other items or sites of importance.

Pages 30-32

Council (on the advice of the Department) proposed to remove individually significant places from an existing precinct and to list them separately in the schedule and map them separately. The Panel recommended that only the Victorian Heritage Register places be listed and mapped separately.

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## 22 Post-war and modernist

### 22.1 Melbourne PSA C426melb [2024] PPV

Pages 41-50

Overall, the Panel was satisfied post-war development, including flats, was important to South Yarra. It concluded:

- as relatively recent history it was unsurprising that previous studies did not address post-war heritage
- development of flats and apartments is a clear theme relevant to the history of residential development of South Yarra, and this is well documented in the South Yarra Heritage Review
- the theme of post-war residential development, while not expansive, was clear in the Amendment documentation.

The Panel said that when considered in its totality the documentation was comprehensive, however in the exhibited form it was disjointed and had not been consolidated to update the *Thematic Environmental History* or citation following detailed assessment of places and buildings including fieldwork. To ensure the *South Yarra Heritage Review* reflected the current knowledge and understanding of South Yarra this work should be done before adopting the Amendment.

Subject to its recommendations, the Panel was satisfied the comparative analysis for post-war places and buildings was appropriate and adequate.

Regarding the value of post-war building fabric, the Panel said:

As understanding of history evolves so too does understanding and appreciation of form, fabric and character. In this context, the Panel does not accept submissions that form over fabric of Modernist architecture should be identified as not significant in policy or the Statement of Significance. It is likely, as suggested by Mr Lovell, the fabric of Modernist buildings will be considered more significant in the future.

### 22.2 Melbourne PSA C387melb [2021] PPV

Page 36

The Panel responded to submitter concerns that the post-war modernist period was too recent a period of development to be significant. The Panel stated:

- sufficient time has elapsed for the era's significance to be identified and assessed, and heritage controls applied where thresholds of significance could be established for individual places
- the importance of the era has been acknowledged in the *Thematic Environmental History* and other literature.

The Panel concluded:

- The post-war Modernist period (1945-1975) is an identifiable and important phase within the Hoddle Grid and the City of Melbourne.
- Buildings within the post-war Modernist period are of an appropriate age to be considered for heritage controls where the thresholds for heritage significance can be met.

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### 22.3 Boroondara PSA C142 [2012] PPV

Pages 22-25

A related issue was important when considering inclusion of the Yarra Boulevard Precinct in the Boroondara Planning Scheme. Some residents objected to the Heritage Overlay being applied to post-war modern buildings because they considered post-war and modernist housing did not have heritage significance.

On the issue of including 'non-strictly modernist houses of both the inter-war and post-1960s period' in the precinct, the Panel recommended that reference should be made to these in the Statement of Significance.

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## 23 Precinct – justification and boundary alignment

### 23.1 Melbourne PSA C403melb [2023] PPV

Pages 41-46

The Panel recommended that a relatively small proposed non-contiguous part of the North and West Melbourne Precinct (HO3) be deleted because the relationship between the properties and the main precinct area was not clearly understood.

### 23.2 Stonnington C316ston [2022] PPV

Pages 41-46

The Panel found that, while houses proposed for inclusion were on the edge of an existing precinct, they were contiguous with other contributory houses and had a visual and physical connection and association to the precinct.

### 23.3 Darebin PSA C191dare [2022] PPV

Pages 26-30

The Panel found the Thornbury Park Estate Precinct to be legible as a Federation period subdivision, though with a varying degree of intactness. However, the Panel was not convinced that the entire precinct can be read as a single, intact and cohesive precinct and recommended it be reduced in size. The Panel found the precinct's cohesiveness was notably eroded through the high concentration and location of non-contributory properties.

The Panel questioned whether the remaining post-WWII houses contributed to the precinct on the basis that they, as noted in the Heritage Study *“are more likely to have been constructed in brick than those dating to either the Federation or Interwar periods”*. The Panel ultimately found post-WWII housing did not contribute to the precinct and recommended the remaining properties in the reduced precinct be designated non-contributory.

### 23.4 Moreland PSA C08more [2022] PPV

Page 41-42

Submitters and Council's experts agreed the proposed Duke Street precinct was not cohesive enough to meet the threshold for local significance.

The Panel concluded the proposed Duke Street precinct did not meet the threshold of significance to justify the Heritage Overlay. It said the historical narrative in the citation and Statement of Significance was too broad and did not adequately justify why Duke Street was important.

### 23.5 Boroondara PSA C33boro [2022] PPV

Page 20

The Panel found that a non-contributory property:

- should be generally included in a heritage precinct to ensure future development on that land responds sensitively to the heritage fabric on neighbouring contributory properties in the precinct



- 
- may be excluded if it is at the precinct boundary and future development on that land is unlikely to impact surrounding heritage and the precinct's significance.

### **23.6 Glen Eira PSA C201glen [2020] PPV**

The Panel acknowledged there were heritage precincts which comprised non-contiguous properties. It found that although some of the properties proposed for the Murrumbeena Village Precinct (HO187) were not contiguous, they were commercial properties of a similar era of properties in the main precinct area and there was a historical relationship between them.

### **23.7 Greater Shepparton PSA C205 [2020] PPV**

Pages 21-22

The Panel supported the Heritage Overlay being applied to a village settlement despite their being limited building fabric dating to the nineteenth century because the original subdivision and road pattern was evident and little changed. The precinct was also supported by an incorporated plan to identify buildings and works which did not require a permit under the Heritage Overlay.

### **23.8 Stonnington PSA C282ston [2019] PPV**

Pages 22-26

The Panel considered whether extending an existing precinct and including additional contributory and non-contributory places diminished the original significance of the precinct. While concluding the extended precinct was effectively a new precinct, it remained coherent and enhanced the heritage values of the precinct including the existing significant elements. The Panel discusses the extent of mapping curtilage including for street trees.

### **23.9 Yarra PSA C214 [2017] PPV**

Page 20

The Heritage Overlay (HO516 Doonside Industrial Precinct) was proposed to be applied to three properties. The Panel found that one of the properties was not contributory and the remaining two properties could not be justified as a legible precinct.

### **23.10 Ballarat PSA C200 [2016] PPV**

Pages 22-23

The Heritage Overlay was proposed to be applied to four precincts and 22 individual places. One of the precincts, the Jenkins Row Heritage Precinct in Sebastopol was considered not strong enough to support the Heritage Overlay. There are stronger examples of inter-war period development in Sebastopol and Ballarat.

### **23.11 Melbourne PSA C240 [2015] PPV**

Pages 61-62

The Panel considered:

- whether part of a Victorian Heritage Register listed place should be included in the Bourke Hill Precinct

- 
- the extent of the precinct, particularly whether non-contributory properties should be included at the edge to act as ‘buffer sites’.

The Panel supported the proposed extent of the precinct for reasons including having enough curtilage around Parliament House to protect views to Parliament Gardens from Little Bourke Street.

### **23.12 Melbourne PSA C215 [2014] PPV**

Pages 13-27

The Heritage Overlay boundaries proposed for Kensington were not suitable as there were small timber terraces in a poor state of repair.

### **23.13 Yarra Ranges PSA C131 [2014] PPV**

Chapter 5.2.10 on page 34

Council omitted four adjoining properties from the precinct on the grounds that ‘we always omit groups of 3 or more non-contributory properties’. Panel was critical as potential impact of new development was detrimental to integrity of precinct, especially on opposite side of the street.

### **23.14 Campaspe PSA C50 [2013] PPV**

Chapter 5.4

Criteria which might be useful in defining precincts are discussed:

The key objective is to draw the precinct boundaries in a way that defines a place with recognisable heritage characteristics. The number of contributory buildings is one factor in helping provide this sense of place but there are other factors. Other factors include the scale and degree of intactness of the contributory buildings, the extent of street frontage they occupy and whether they are prominently sited within the precinct, as well how recessive or otherwise are the non-contributory buildings. There may be other factors tying together a group of significant buildings such as a regular street setback or a garden setting.

### **23.15 Greater Shepparton PSA C110 [2013] PPV**

Chapter 4.1, particularly pages 49-50

The Panel concluded:

- the precinct lacked cohesion and was too extensive in terms of period of significance and diversity of land uses
- the dispersed nature of places of significance was problematic.

### **23.16 Other panel reports**

Other panel reports with discussion on precincts include:

- Campaspe PSA C50 [2013] PPV, pages 44-45
- Yarra PSA C157 and C163 [2013] PPV, pages 78-80
- Bayside PSA C82 [2012] PPV, page 22
- Baw Baw PSA C86 and C90 [2012] PPV, page 37
- Melbourne PSA C186 [2012] PPV, pages 23-24
- Stonnington PSA C157 [2012] PPV, pages 5-7.

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## 24 Precinct – contributory and non-contributory properties

### 24.1 Mildura PSA C79 [2014] PPV

Page 12

Part of a precinct demonstrating little heritage cohesiveness is omitted from precinct.

### 24.2 Campaspe PSA C50 [2013] PPV

Page 46

There is no magic threshold percentage of contributory places before a precinct is valid.

### 24.3 Stonnington PSA C157[2012] PPV

Pages 5-7

Proposed to remove the Heritage Overlay from non-contributory or 'low-graded' buildings previous in precincts. The Panel was satisfied that the removal of the Heritage Overlay was appropriate and did not diminish the integrity and heritage significance of the precincts.

### 24.4 Brimbank PSA C125 Part 2 [2011] PPV

Pages 15-22 and 28-38

A large precinct, based on historic subdivision boundaries, had been reduced in size prior to exhibition of the amendment to exclude many non-contributory properties. The justification for this was that while the whole area was of historical and social significance the Heritage Overlay dealt mainly with fabric and the new boundaries attempted to define a cohesive and representative area worthy of heritage controls. The Panel noted that it was generally accepted that contributory places should predominate within a precinct. It supported Council's proposals to exclude another part of the precinct made up largely of non-contributory places, and recommended excluding another area on the same grounds.

### 24.5 Greater Geelong PSA C49 [2004] PPV

Pages 32-36

Proposed to include in a heritage precinct a residential area historically linked to the Barwon Heads golf course but mostly containing quite recent development. The Panel recommended that most of this area should be excluded from the precinct as it contained very little heritage fabric; a neighbourhood character overlay or design and development overlay should be prepared as part of a subsequent amendment to ensure that new development was sympathetic to the heritage values of the adjoining area.

Pages 40-42

Apply the Heritage Overlay to a precinct including and adjoining the Barwon Heads river frontage. Most of the dwellings included in this area had no identified heritage values. The Panel recommended that most of the private properties be excluded from the precinct and that individual Heritage Overlay listings be applied to those identified as individually significant.

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## 24.6 Glen Eira C19 PSA [2002] PPV

Pages 10-11

Proposed extensions to an existing Heritage Overlay precinct to include properties that did not in themselves have heritage significance but where redevelopment could impinge on the streetscape and heritage values of the precinct. The Panel recommended the Neighbourhood Character Overlay for this purpose, rather than applying the Heritage Overlay.

## 24.7 Monash PSA L51 [1999] PPV

Chapter 3.3 (a) 'Degree of intactness' pages 17-18 and first paragraph of Panel Conclusions on page 21

The Panel said:

It is clear to the Panel that a street or area in which 80 per cent or more of the properties are substantially intact examples of inter-war development has genuine heritage significance, and that it is appropriate to apply the Heritage Overlay. However, streets or areas where the percentage of intact properties is much lower require much more careful consideration.

Detailed discussion followed.

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## 25 Precinct – versus serial listings

### 25.1 Stonnington PSA C320 [2023] PPV

The Panel observed previous Panels have established guidance for serial listing which is applicable to the present case [to apply the Heritage Overlay to a group of geographically separated post-war modern dwellings). For the serial listing to be strategically justified, it must:

- have a common basis of heritage significance and be capable of being managed by a single Statement of Significance
- have well defined characteristics
- comprise buildings that are recognisable as a group
- comprise contributory buildings at a minimum.

### 25.2 Moreland PSA C149 [2014] PPV

Pages 33-42

The requirements for a group listing are discussed compared with precinct characteristics. The Panel holds that a group must be sufficiently distinctive to display its associations when the buildings are not proximate as in a precinct. A Moderne flat group supported but not a small factory group.

### 25.3 Greater Shepparton PSA C110 [2013] PPV

Pages 15-17

The Panel supported a precinct in the Shepparton centre rather than a group listing because it would allow provisions over the form and massing of new buildings on lots adjacent to contributory buildings.

### 25.4 Campaspe PSA C50 [2013] PPV

Pages 49-50. See also Melbourne C186 page 50

*Are collections of buildings really a precinct or could they be defined as a group?*

If the buildings and other associated heritage items are reasonably proximate, then the delineation of a heritage precinct is perhaps the preferable approach. It allows heritage input to decisions about changes to non-contributory properties adjoining or near the buildings that are of significance. This can reinforce and enhance the values of the precinct by ensuring that extensions, alterations and redevelopments of non-contributory properties are done in a way which complements the contribution made to the place by the contributory buildings.

If instead the significant buildings are very dispersed and well in a minority in the totality of buildings in the area in question, it may be better to give them a serial or group listing to avoid the inclusion in a precinct of an excessive number of intervening non-contributory properties. Too many non-contributory buildings can lead to a dilution of the sense of precinct and cause an unnecessary administrative requirement for permit processing.

### 25.5 Yarra Ranges PSA C89 [2011] PPV

Pages 14-16

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‘Serial’ listings were proposed for houses of different periods in Lilydale.

#### **25.6 Whitehorse PSA C74 Part 2 [2008] PPV**

**Pages 36-38**

A group of houses by the same designer-builder was originally proposed as a precinct, but this was not supported by Heritage Victoria. They were then proposed for individual listing. The Panel accepted this approach but suggested that a serial listing, which linked them all with a single Heritage Overlay number and Statement of Significance, might have been a better approach.

#### **25.7 Yarra PSA C59 [2006] PPV**

**Pages 30-38**

Considered whether a group listing or precinct listing is appropriate for the former Rosella factory in Richmond. Group listing is favoured for most of the former site buildings as alterations to the site had had an overwhelming effect on the site’s character and heritage values.

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## 26 Prohibited uses provision

### 26.1 Nilumbik PSA C149nill [2023]

Pages 37-38

The Panel identifies relevant considerations when determining whether to allow prohibited uses. It did not support Council's approach to allowing prohibitive uses for places and encouraged a more considered, strategic approach relevant to the context of each place including zoning and prevailing land use and character setting.

### 26.2 Glen Eira PSA C182glen [2019] PPV

Page 45

The Panel supported prohibited uses for the former ABC TV Studios at Rippon Lea to allow for its adaptive and sustainable reuse and in the context of the strategic role of the site.

### 26.3 Yarra PSA C157 and C163 [2013] PPV

Pages 31-34

The Panel recommended:

- Council consider applying the provision more widely, particularly to redundant industrial buildings and other complex sites, where this might facilitate adaptive reuse that would generate funds for conservation of heritage values
- the provision be applied to a site, as part of a future amendment to allow neighbours and others with an interest in the area to comment.

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## 27 Public versus privately owned buildings

### 27.1 Moonee Valley PSA C142 and C143 [2014] PPV

Page 19

The issue raised, though not directly, whether there was a difference between public and private property, but how to manage buildings managed by the Department of Human Services as public housing. Amendment C143 sought to protect a broad area of the Ascot Vale Housing estate. The listing was reduced by Council partly in acknowledgement of management issues. Council and the Department of Human Services supported using an incorporated plan to exempt specific works. This was supported by the Panel in principle, but no incorporated plan was presented or assessed.

### 27.2 Baw Baw PSA C86 and C90 [2012] PPV

Page 45

The Department of Sustainability and Environment sought to remove the exhibited Heritage Overlay from the Drouin West Mechanics Institute on public land as it wished to demolish the building and sell the land. The Panel accepted the heritage experts' opinion that the hall has local heritage significance and recommended it be retained as exhibited.

### 27.3 Buloke PSA C14 [2011] PPV

Page 16

Submitters said that only publicly owned buildings should be included in Heritage Overlays and not private property. Panel says both public and private places reflect the history of an area.



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## 28 Significance for places in a precinct versus an individual place

### 28.1 Melbourne PSA C426melb [2024] PPV

Page 8-9, 35-38

The Panel concluded a significant building in a precinct is a better than typical example of a building which demonstrates one or more heritage values significant to the precinct (the heritage place).

### 28.2 Yarra PSA C269yara [2022] PPV

Page 119 to 123

The Amendment sought to revise the heritage definitions in the *City of Yarra Database of Heritage Significant Areas*, which is an incorporated document.

The Panel supported the following definition of contributory in a precinct:

Contributory: Contributory to the identified cultural values of the heritage overlay areas as stated in the Statement of Significance.

The Panel supported the revised definition of ‘Individually Significant’ presented by Council’s expert, which says:

Individually Significant: A heritage place in its own right. Where an individually significant place is also part of a broader heritage precinct, the individually significant place may also be contributory to the broader precinct.

The Panel said “*where an individually significant place is also part of a broader heritage precinct, the individually significant place may also be contributory to the broader precinct, although this may not necessarily be so in all cases*”.

### 28.3 Whitehorse PSA C74 Part 2 [2008] PPV

Page 39

Discussion of the degree of detail and substantiation required for individual listing versus inclusion in a precinct. The Panel agreed that more detail was needed for each property proposed for individual listing compared with a precinct, where the significance generally lies in the assemblage of buildings and other components.

### 28.4 Kingston PSA C26 [2002] PPV

Pages 21-22

Submitters claimed that applying the Heritage Overlay to an individual property elevates it above a similar property included in a precinct and makes it less likely that Councils or VCAT will issue a permit for demolition or substantial change. While not necessarily accepting this argument, the Panel reiterated that the Heritage Overlay should be applied based on whether the place reaches the threshold for heritage significance.

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## 29 Significant trees

### 29.1 Nilumbik PSA C149nill [2023] PPV

Pages 40-41 and 57

The Panel did not support applying tree controls (3 palms) or that the identified trees were significant to the individual place (an Edwardian period dwelling). The Panel explained that while they contributed to the setting and were a typical element of post-war landscaping there was insufficient information provided to establish that they were planted at the time of the dwelling's construction.

The Panel generally discusses the application of tree controls including the role of arborist reports to determine species, age and health if unknown (and to inform curtilage considerations), the value of aerial photography in establishing the timing of planting or early landscape plans.

### 29.2 Yarra Ranges PSA C210 [2023] PPV

Page 20

The Panel concluded five trees identified in a Statement of Significance did not meet the threshold of heritage significance. It stated the trees:

- while significant in size, were relatively unremarkable in appearance and there was nothing presented to demonstrate their significance other than the fact that they had been identified as forming part of the early or original landscape treatment
- did not add to the historical significance of significant home and there was no evidence to suggest they had any association with Tudor Revival architecture or the inter-war period
- did not demonstrate a historic planting style or reflect a degree of rarity to warrant protection.

### 29.3 Yarra Ranges PSA C207 [2023] PPV

Pages 21-23 and 29

The Panel recommended a reduced curtilage for a single significant tree in a Commercial 1 Zone rather than the 15 metre radius Tree Protection Zone curtilage proposed by Council. The recommended reduced curtilage reflected the prominent location of the tree and its high visibility from the public realm, the comprised tree setting (adjacent to an extensive concrete driveway and parking area), the compromised integrity of the tree and its original context and tree's health.

In relation to a row of pine trees along the driveway of another property, the Panel agreed that they were distinctive and contributed to the significance of the place and that safety issues relating to their age was relevant to their future management, was not determinative of their significance. The panel noted existing exemptions for vegetation presenting immediate risk of injury and damage.

### 29.4 Cardinia PSA C162 [2014] PPV

Pages 9-14

Discussion of thresholds for identifying 'significant trees' proposed for addition to the Heritage Overlay as individual places. The Panel recommended that one tree should be

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omitted from the proposed Heritage Overlay listing, as it had an atypical form for the species, was different from the other three in its group and had been lopped to an extent that it was no longer recognisable as relating to them. Its streetscape contribution (identified as part of the significance in the Statement of Significance) had also been reduced.

## **29.5 Greater Shepparton PSA C110 [2013] PPV**

Page 57

Regarding tree controls proposed in precincts:

...it is the Panel's suggestion that this can best be approached, not by excising the properties in question from the precinct and including them in their own Heritage Overlay with the additional controls selected in the schedule for that overlay alone, but instead by applying the controls to the precinct as a whole and then selectively removing the controls using the exemption ability provided by the Incorporated Plan. In the Incorporated Plan, the selective application of the additional control to properties within the precinct could either be done by providing a list of properties to which the controls do not apply, or alternatively providing a list of properties to which the controls only apply (whichever approach results in a less extensive list).

...

The Panel sees no reason why such an approach, for a precinct, cannot be adopted for all the optional controls in the schedule to the Heritage Overlay, acknowledging that care would need to be taken with the prohibited uses provision, to ensure that the use provisions in the underlying zoning were not excessively eroded.

## **29.6 Melton PSA C71 [2009] PPV**

Pages 62-65

Trees proposed for listing in the Heritage Overlay Schedule had traditionally been selectively cut to produce firewood for domestic use. The Panel suggested preparation of an incorporated plan that allowed this use to continue, with appropriate conditions.

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## 30 Social and economic matters – community level

### 30.1 Melbourne PSA C207 [2014] PPV

Pages 17–27

See also Supreme Court decision: *Dustday Investments Pty Ltd v Minister for Planning and Melbourne City Council* [2015] VSC 101 for a review of this decision.

Extensive discussion of economic and social considerations in the context of the current legislation (post October 2013). It includes that the economic matters to be relevant must be of a public nature; a discussion about what is meant by *'in preparing a planning scheme or amendment'*; a discussion of the role of the Panel versus Council; how to balance the various effects; and dealing with the presumption against demolition.

### 30.2 Moreland PSA C149 [2014] PPV

General discussion of new legislation on pages 9–12.

Also discussion on individual submissions.

The Panel considered public economic impacts of Heritage Overlays in Lygon Street. Council turned its mind to the issue but only in a general way and Panel held that the more detailed submissions on this issue needed to be addressed.

### 30.3 Yarra PSA C157 and C163 [2013] PPV

Pages 18-25 and 80

A submission requested the economic effects of applying the Heritage Overlay be considered, particularly on sites that had potential for redevelopment, and to 'balance' heritage significance against the need for urban renewal.

The Panel:

- recognised that considering potential social and economic effects and balancing of potentially conflicting objectives in the planning scheme was required by the Strategic Assessment Guidelines
- considered this should be done on a wider basis than an individual site or precinct
- noted that recent amendments to the PE Act will provide that social and economic effects 'must' be considered in preparing an amendment and may therefore require a more thorough consideration of these issues in explanatory reports.

### 30.4 Boroondara PSA C150 [2013] PPV

Chapter 3.1.1 'Potential conflict with housing diversity objectives' on pages 10-11

Time to resolve socio-economic issues is when a permit is applied for – can be balanced – some growth will still be allowed. Nevertheless, Council had considered housing targets and redevelopment opportunities would exist in the proposed heritage areas.

### 30.5 Boroondara PSA C149 [2013] PPV

Chapter 3.1 (i) 'Potential conflict with economic objectives' on page 19

Economic and heritage objectives have been well balanced and considered in the parallel strategies Kew Junction Structure Plan and Kew Junction Heritage Precinct.

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### 30.6 Moorabool PSA C6 [2013] PPV

Pages 8-18

Advocates for the owners of a large former factory complex, now an industrial park, argued that the Panel should consider the economic effects of applying the Heritage Overlay, particularly in an area where land zoned Industrial 2 was a scarce resource.

The Panel:

- recognised the challenges involved in facilitating reuse of former industrial sites and the planning provisions that identified the land as providing an important economic opportunity for the locality
- did not believe, on the information available, that there was no opportunity to reuse the significant buildings and recommended that they should be added to the Heritage Overlay.

### 30.7 Boroondara PSA C99 [2012] PPV

Pages 12-16

Considered perceived conflicts of applying Heritage Overlay with Glenferrie Road Structure Planning. Strong statements that listing is not the time to consider such matters (under the PE Act as then drafted) but in any case, Council had integrated heritage into the structure planning process.

### 30.8 Stonnington PSA C157 [2012] PPV

Page 8

A submission claimed that removing the Heritage Overlay from some non-contributory buildings on the edges of precincts would make them more vulnerable to redevelopment and thus impinge on the heritage significance of the remaining areas. The Panel noted that the areas in question were covered by Design and Development Overlays that imposed height limits and other restrictions on new built form.

### 30.9 Greater Shepparton PSA C103 [2011] PPV

Pages 19-22. See also Campaspe C50, pages 58-69

Request to remove the Heritage Overlay from the Alexander Miller Homes involved the argument that this would make greater funds available for social housing by enabling unencumbered sale of the property.

The Panel stated:

- lies outside relevant matters as the PE Act was then written
- applying the of Heritage Overlay is like applying other overlays where trade-offs do not play a role and no prohibition of development applies
- there is no known redevelopment proposal to be weighed against the heritage loss.

### 30.10 Maroondah PSA C42 [2010] PPV

Pages 58-60

Submissions requested the Heritage Overlay not be applied to potential redevelopment sites, including those in or adjacent to activity centres.

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The Panel stated the Heritage Overlay:

- should be applied to places that met the threshold of significance and alternative objectives for the site or area should be considered at the permit stage
- would be applied to small areas compared with many other municipalities
- would be unlikely to impact development opportunities.

### **30.11 Other panel reports**

Other panel reports with discussion on social, economic and environmental matters at a community level include:

- Melton PSA C71 [2009] PPV, page 45
- Yarra PSA C85 [2008] PPV, pages 169-171
- Greater Geelong PSA C71 [2004] PPV, page 23
- Kingston PSA C26 [2002] PPV, pages 10 and 14-15.

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## 31 Social and economic matters – individual property level

### 31.1 Moonee Valley PSA C142 and C143 [2014] PPV

Page 19

Amendment C143 was based on a thematic heritage study that recommended protecting all the Ascot Vale Housing estate. Council resolved to exhibit the Heritage Overlay on only part of the estate.

The Panel agreed that Council appeared to have taken a pragmatic approach that applying the overlay to the entire estate was too onerous, so sought to confine the listing to a representative example of the estate that comprises the elements of greatest significance.

Council resolved not to proceed with exhibiting several sites on private land because the controls would be too economically onerous on owners. Council's submission inferred that this was the basis to the reduced listing on the Department of Human Services land.

Department of Human Services opposed the listing of part of the reduced exhibited area, saying a representative sample was found in a smaller area and it was unnecessarily onerous to cover all proposed areas.

The Panel did not seek to assess the Department of Human Services submission on economic grounds. It acknowledged that, because Council had already reduced the area, it had reduced the basis of significance on which the listing was made. The Panel determined that a small part of the listing could be removed as it was now isolated from the main listed area and therefore had reduced significance.

### 31.2 Moreland PSA C149 [2014] PPV

Pages 7-9

Consideration of private economic impacts in context of revisions to the Act in October 2013. Panel stated that private financial costs are not relevant, relying upon the Melbourne C207 report.

### 31.3 Boroondara PSA C150 [2013] PPV

Chapter 3.1 (iv) 'Burden and cost of applying for permits' on page 15

Not relevant at this stage. 'There are many planning overlays that trigger the need for a permit for a variety of reasons, all of which are consistent with the objectives and policies for planning in Victoria ... At the level of net community benefit ...there is overwhelming support for the application of the Heritage Overlay'.

### 31.4 Stonnington PSA C135 [2012] PPV

Pages 18-19

Discussion of whether potential impacts on a business operating from a building proposed for Heritage Overlay listing are relevant considerations. The Panel concluded that the impacts would be dependent on changes proposed in future and the responsible authority's decisions in relation to them. It was not a matter that could be

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known at the time and was not relevant to the assessment of the heritage significance of the place.

### **31.5 Stonnington PSA C157 [2012] PPV**

Page 4

Submitters claimed the Heritage Overlay would be severely affect them if it was applied to their commercial building. The Panel concluded that the impact on individual owners was not relevant in determining the heritage significance of the place.

### **31.6 Buloke PSA C14 [2011] PPV**

Pages 25-26

Panel identifies and dismisses confusion by some submitters that would be required to undertake repairs etc.

### **31.7 Surf Coast PSA C50 [2010] PPV**

Pages 14-15

Management of heritage places is a two-stage process involving identification of the heritage significance of the place and the later on-going management of the place having regard to issues such as economics of building retention and repair, reasonable current day use requirements, balancing competing policies.

### **31.8 Latrobe PSA C14 [2010] PPV**

Chapter 3.2.1 (iv) 'Economic and personal factors' on pages 17-19

Personal circumstances may apply only at permit stage. 'The so-called two-stage process also underlines the proposition that heritage assets (unlike some other aspects of planning) are often irreplaceable, and it is important that neither the PE Act nor the Latrobe Planning Scheme envisage their loss based on personal preference or desire in a continually changing economic or financial environment'. Reasonable standard of proof of hardship would be required.

### **31.9 Ballarat PSA C107 [2009] PPV**

Page 42

Submissions claimed that applying the Heritage Overlay to precincts would make it difficult to upgrade properties for modern living, stifle innovation and impede the ability of Ballarat to accommodate new development.

The Panel noted:

- controls were not proposed on internal alterations and that the accompanying policies provided for changes to heritage properties and demolition and replacement of those assessed as 'not of heritage significance'
- if the extent of Heritage Overlay precincts across Ballarat was seen in future as impeding desirable development, Council could alter the planning scheme to reduce their extent or vary the controls within them.

### **31.10 Greater Geelong PSA C49 [2004] PPV**

Pages 44-45



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The owner (a religious institution) submitted that applying the Heritage Overlay would prevent redevelopment of the site to better serve its members' needs.

The Panel took the view that the principal consideration in applying the Heritage Overlay is whether the place reaches the threshold for local heritage significance and questions of the potential of the land for other uses and the social and economic effects should be considered at a later stage of the planning process.

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## 32 Statements of Significance

### 32.1 Melbourne PSA C426melb [2024] PPV

Pages 39-40

The Panel concluded:

- While it is possible to find some examples of properties with two Statements of Significance in planning schemes, the Panel understands that this is no longer a supported or preferred practice.
- There is no need for buildings identified as significant in a precinct to have an individual Statement of Significance.

### 32.2 Nillumbik PSA C149nill [2023] PPV

Pages 99-102

Panel discusses common errors in the content of Statements of Significance and the need for consistent referencing of documents. The combination of criterion under ‘Why is it significant?’ is not supported – separate paragraphs should be used for different criterion.

### 32.3 Whitehorse PSA C157 [2015] PPV

Chapter 7.1, page 87, dot points 2 and 3

The study program needed to allocate more time to the preparation of Statements of Significance – they appear to have been ‘hurried’. More detail is needed, especially in the ‘What is Significant’ section to identify significant architectural elements – the basis of decision-making on permits. The study would have benefited from a broader approach to context, setting and social influences.

### 32.4 Campaspe PSA C50 [2013] PPV, Melbourne PSA C186 [2012] PPV and Boroondara PSA C101 [2012] PPV

C50: pages 56-58, C186: page 22 and C101: page 17

The adequacy and clarity of Statements of Significance are critical to their ability to assist in scheme management. A ‘group’ Statement of Significance was found not to be adequate.

### 32.5 Boroondara PSA C150 [2013] PPV

Pages 10–11

Panel recommended that significant places in a precinct should be listed together in the precinct citation to allow easier access to them. Different policies apply to significant versus contributory and non-contributory places in precincts in that scheme.

### 32.6 Moonee Valley Racecourse AC [2013] PPV

Page 55

The Statement of Significance needed to be clear about what individual items are significant within the complex. As opposed to a published history, the Statement of Significance is essentially part of the toolbox to assist in understanding the place and then managing change.

Having regard to the criteria set out in Planning Practice Note 1, it does not elevate one criterion over another. A place can be significant, meeting a variety of criteria or one criterion. Planning Practice Note 1 does not place architectural or aesthetic significance above other criteria, and there are cases where historical and social significance is strong and justifies formal recognition of cultural heritage significance.

### **32.7 Melbourne PSA C186 [2012] PPV**

Pages 22–23

Concern the consultant had used outdated approach to Statements of Significance. Support for current guidance by Heritage Victoria on this.

Discusses the value of good drafting.

### **32.8 Melbourne PSA C387melb [2021] PPV**

Pages 56-57

Discussion about the level of detail that should be included in a Statement of Significance.

### **32.9 Mildura PSA C79 [2012] PPV**

Page 17

Dwelling nominated without a site assessment and without owner's consent. Panel finds this inadequate.

### **32.10 Boroondara PSA C55 [2007] PPV**

Pages 44–46

Discussion about avoiding confusing State basis of significance with local significance of Camberwell Railway Station components.

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## 33 Strategic justification

### 33.1 Kingston PSA C215king [2023] PPV

Page 13-14

The Panel said it agreed with Council it was standard practice for councils to review strategic plans, including heritage studies, which may result in identification of new potentially significant places.

The Panel accepted Council's approach to urgently assess places identified as potentially significant that are subject to a development proposal, and understood in this case it resulted in a property specific Amendment separate to the progress of Council's Heritage Review.

### 33.2 Stonnington PSA C320 [2023] PPV

Page 22

On the weight to be given to previous heritage studies, the Panel stated:

The Panel cannot speculate about previous studies. Its role is to consider whether a place satisfies the requisite threshold for heritage protection based on contemporary research, guidelines and documentation.

### 33.3 Moreland PSA C208more [2022] PPV

Pages 21-22

The Panel commented:

Heritage studies are generally undertaken within a particular context, be it phases of development, building typologies or other themes. This sets the scope for identifying a short-list of places within the context of the thematic history and municipal-wide comparisons. For many heritage studies a call for public nominations is often part of the study process and the nominations are considered in the context of a wider methodology. It is unusual for a heritage study to be commissioned solely based on nominations.

The Panel said the nominations-only approach raised challenges in understanding the significance of a place in the context of the Moreland within the development period. The absence of analysis of the development period as relevant to the municipality made it difficult for the Panel to understand the heritage values of some places.

### 33.4 Glen Eira PSA C214glen [2021] PPV

Pages 12-14

After exhibiting the Amendment, Council resolved to no longer apply the Heritage Overlay to any property with an objecting submission. This included properties where owners supported the Heritage Overlay being applied but objected to other matters.

The National Trust referred to a letter from the Minister for Planning to the City of Bayside Mayor which stated:

I am advised that in late 2018, the Council abandoned Amendments C158 and C159, which were municipal-wide planning scheme amendments to apply the Heritage Overlay to 51 inter-war and post-war buildings, due to opposition from some property owners and members of the community. As a result, the council undertook a voluntary nomination process for proposed Amendment C187bays, where owners

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nominated their properties for heritage assessment and the council subsequently undertook a heritage assessment of places to determine its significance.

I have concern with the council's self-nomination approach to protection of heritage places in your municipality. As a planning authority, your council has a responsibility to ensure that buildings, areas and other places of scientific, aesthetic, architectural or historical interests are conserved. This objective is set out in section 1(d) of the Act and supported by council's duties as a planning authority under section 12. Further guidance is set out in Planning Practice Note 1 Applying the Heritage Overlay (August 2018).

Local communities expect local heritage places to be identified and protected, and landowners need certainty when making decisions to sell, purchase or improve their properties. Whilst I note the council's effort to protect the 19 buildings proposed as part of Amendment C178bays, this self-nomination approach is not appropriate to protect places of heritage significance.

The Panel stated:

- Council's intention to not apply the Heritage Overlay based on objections alone was fundamentally flawed and inconsistent with its Council Plan, local heritage planning policies, state planning policy, the objectives of the PE Act and Clause 71.02-3 of the Planning Scheme
- the net community benefit of achieving planning policies which seek to inform the community about the Glen Eira's heritage outweighs any individual impact
- the Heritage Overlay should be applied these properties if they have local heritage significance.

After reviewing the Panel report, Council resolved to apply the Heritage Overlay to properties recommended by the Panel.

### 33.5 Melbourne PSA C387melb [2021] PPV

Pages 24 - 25

#### *Planning policy*

The Panel concluded that the application of the Heritage Overlay across parts of the Melbourne CBD would not restrict the central city from achieving planning policies seeking economic activity and development. The Panel observed that the Heritage Overlay does not prohibit development and there were many examples where heritage buildings have been refurbished or significantly altered to achieve positive built form and development outcomes. It observed that the heritage values of the central city were also an important part of its character and reflected its important role. The Panel while acknowledging the policy tensions identified:

...while Council's information relating to the proportionality of land within the Heritage Overlay is useful in one sense in terms of understanding the balancing between existing policy objectives places, the attribution of heritage significance should not be a numeric exercise.

The planning permit process under the Heritage Overlay appropriately provides the opportunity for a range of economic, social and other policy considerations to be weighed up alongside heritage considerations.

(the Amendment) achieve(d) an appropriate balance between protecting places of local heritage significance for future generations and ensuring that the strategic role of the central city can be achieved and enhanced.

Pages 31-32

Page 67 of 121

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### *Previous study gradings*

The Panel concluded that whether or not a property was identified in a previous study is not relevant to whether a place has sufficient significance to justify the Heritage Overlay. The Panel identified that while previous heritage studies provide a valuable resource and source of information that supports the consideration of heritage values at the time they were undertaken, it is not appropriate to provide too great a reliance or weight on them now as either a basis either attributing local heritage significance today, or alternatively not identifying them now because they previously had a lower grading or were simply not identified.

### **33.6 Glen Eira PSA C182glen [2019] PPV**

Pages 38-39

The Panel found that applying the Heritage Overlay to the former ABC TV studios at Ripponlea did not impact on the housing and activity centre objectives of the Glen Eira Planning Scheme.

### **33.7 Stonnington PSA C282ston [2019] PPV**

Page 12

The Panel was critical of the level of analysis undertaken by Council in considering the social and economic impacts of the Amendment. It identified that a more than rudimentary analysis was required although the extent should reflect what is being proposed.

### **33.8 Yarra PSA C214 [2017] PPV**

Page 20

The Panel recommended the Amendment be abandoned because one property did not warrant being categorised as a contributory building, the other property had insufficient justification and the two properties cannot be justified as a legible precinct.

### **33.9 Port Phillip PSA C132 [2017] PPV**

Page 9

There was disagreement between parties whether the comparative analysis catchment area should be confined to the suburb or to the broader municipality. The Panel considered it was reasonable to compare the subject place with other examples throughout the municipality.

### **33.10 Glenelg PSA C55 Part 1 [2013] PPV**

Chapter 3.4, page 8

The Municipal Strategic Statement provides little local planning strategy or context to support the proposed heritage provisions.

### **33.11 Nillumbik PSA C125 Part 2 [2013] PPV**

Pages 11-20

Submitters considered the Heritage Overlay should not be applied to the property because the substantial inaccuracies in the original Statement of Significance (which

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Council and its expert acknowledged) affected the basis for recommending the heritage listing.

The Panel agreed that the changes were significant but determined the facts about the property that were not in dispute and provided sufficient basis to support the Heritage Overlay. The Panel was satisfied the revised corrected citation justified the proposed overlay.

### **33.12 Stonnington PSA C163 [2013] PPV**

Pages 13-14

Submissions questioned the rigour of assessment regarding a proposal to apply the Heritage Overlay to 1920s residential flat buildings. The Panel found the Thematic and Environment History and the consultant's report provided a solid strategic basis for the amendment but should be updated to reflect further research.

The Panel report discusses the need for Council to provide documentation on subsequent changes to an exhibited amendment and the strategic basis for removing places.

### **33.13 Yarra PSA C157 and PSA C163 [2013] PPV**

Pages 25-29

Various submissions pointed out that places proposed for the Heritage Overlay had not been identified in previous studies of the relevant municipality and therefore could not have the heritage significance attributed to them. They also queried the legitimacy of 'gaps' studies.

The Panel found:

- heritage gap studies are needed to address areas or themes not previously studied in detail and to reconsider other places, as required
- the methodologies used in the relevant studies aligned with guidance in Planning Practice Note 1 by using the HERCON criteria, conducted comparative analysis and produced citations containing Statements of Significance that clearly explained the basis on which the places had been assessed as having heritage significance.

### **33.14 Melbourne PSA C186 [2012] PPV, Campaspe PSA C50 [2013] PPV and Moreland PSA C78 PPV**

C186: page 15, C50: page 56 and C78 page 137

Is there an adequate basis to the proposed controls? For example, is there a relevant heritage study and does it make a clear and succinct argument.

### **33.15 Melbourne PSA C186 [2012] PPV**

Pages 16-17

The essential role of comparative analysis in testing whether the threshold of significance is met. The need for fair comparators.

### **33.16 Stonnington PSA C135 [2012] PPV**

Pages 23-25 and 28

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Submissions claimed the treatment of the relevant theme ('worshipping') in the Thematic Environmental History did not justify the selection of the places proposed for heritage listing. They argued that Sunday Schools, kindergartens and other church buildings should not be included under this theme.

The Panel:

- pointed to a specific study of churches, church complexes and other halls, that formed the basis of the amendment
- concluded the theme of 'worshipping' included a range of activities related to the practice of the relevant religion
- noted that it was unreasonable to expect that a thematic environmental history would list all places representing each historical theme.

### **33.17 Yarra Ranges PSA C89 [2011] PPV**

Pages 12-14

A submitter challenged the rigor applied to the methodology in assessing the Lilydale houses.

### **33.18 Latrobe PSA C14 [2010] PPV**

Chapter 4 4 'Adequacy of strategic support in LPPF', pages 21- 25

The Panel found:

The Panel does not fully accept Council's assurances that the strategic context in Amendment C14 had already been incorporated into the MSS via Amendment C62. The planning outcome is an MSS which does not articulate a comprehensive strategy for, and commitment to, heritage protection in the municipality.

### **33.19 Maroondah PSA C42 [2010] PPV**

Page 37

The Panel pointed out that the studies on which the amendment was based were voluminous but did not contain information on the process by which places were assessed as being of heritage significance (e.g. comparative analysis, thresholds, rules for exclusion/inclusion etc.) or the criteria used.

### **33.20 Melton PSA C71 [2009] PPV**

Pages 33-35

The Panel stated:

- the thematic environmental history is well researched and relevant
- the identified themes clearly indicate what is important about Melton's history and how this is expressed in surviving places of potential heritage significance
- the number of criteria cited for most places (five criteria or more for some) would make it difficult to sustain the place's significance, if challenged.

### **33.21 Yarra PSA C85 [2008] PPV**

Pages 37-39

The Panel conducted a quality control exercise to check the consistency of gradings applied in the study. It inspected 162 buildings and found reason to question only four



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of the gradings (<2.5%). It concluded that this demonstrated a very robust methodology.

### **33.22 Boroondara PSA C55 [2007] PPV**

Page 56

It was argued there was sufficient justification to apply the Heritage Overlay that members of the local community want to protect the place. The Panel commented:

In our opinion, to accept the view that community support ascribes heritage value would be to allow an 'assessment' that would fall well short of the rigorous analysis of heritage significance required by the Practice Note on Applying the Heritage Overlay.

### **33.23 Kingston PSA C26 [2004] PPV and Melton PSA C71 [2009] PPV**

C26: pages 13-15 and C71 pages 26-28

Several local policies contained very little about heritage in the municipality and therefore failed to provide support for proposed heritage amendments. The Panel recommended the Municipal Strategic Statement be upgraded in association with future amendments and local heritage policies developed to guide the exercise of discretion.

### **33.24 Bayside PSA C37 and 38 PPV [2004] PPV**

C38: pages 41-48

Discussion of the degree of rigour required to justify the Heritage Overlay listing.

The Panel noted that this was a problem where the studies in question were old and had already been used as the basis for previous Heritage Overlay listings. Issues included the quality / comprehensiveness of the original research, the adequacy of comparative analysis.

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## 34 Supporting information

### 34.1 Whitehorse PSA C164 [2015] PPV

Pages 3 and 8-11

When the Amendment was exhibited, the Explanatory Report stated the amendment was guided by two studies, one of which recommended applying the Heritage Overlay to the individual site and precinct.

The representative for the owner of the individual site requested a copy of that study before the Hearing. Council advised it was a confidential report that it had not yet considered and therefore would not be provided. At the Hearing, Council advised it could give a full copy of the report to the Panel but not to the submitter.

Ultimately, Council provided a heavily 'doctored' copy to the Panel and submitter (with sections not relating to the areas being considered removed) which was not particularly helpful to the Panel. The Statement of Significance prepared for these properties were available.

### 34.2 Maribyrnong PSA C89 [2012] PPV

Page 9

The Panel recommended the Heritage Overlay be removed because all buildings had already been demolished and the site was entirely vacant.

### 34.3 Yarra PSA C85 [2008] PPV

Pages 31-39

Various heritage amendments derive from the latest in a long sequence of heritage studies of parts of the same municipality. It is useful (sometimes essential) for the Panel to understand the history of the process by which places have come to be proposed for listing and, where relevant, how Council has responded to the recommendations of previous Panels.

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## 35 Thematic environmental history

### 35.1 Kingston PSA C215king

Page 18-19

Council submitted the Thematic Environmental History was a living document that would be updated and amended as further information is available through detailed assessment of places.

Council's expert noted the citation for the place was more reliable than the Thematic Environmental History as it detailed the locally relevant history.

The Panel stated:

The citation is more detailed than the [Thematic Environmental History] in relation to the locally relevant history. The Panel understands the [Thematic Environmental History] is a living document that will be updated in light of new information arising from detailed assessment of heritage places. The citation is likely to be helpful for future updates of [Thematic Environmental History].

### 35.2 Melton PSA C231 [2023] PPV

Page 26

The thematic environmental history recognised the break-up of pastoral estates as important to Melton under the theme of 'farming'. At the Hearing, parties agreed the Mount Aitken Estate subdivision was the only post-World War II Soldier Settlement Act subdivision in Melton.

The Panel was not persuaded that post-World War II Soldier Settlement development was an important phase or significant to the break-up of pastoral estates in Melton. It was simply something that took place on a small scale at only one location and did not have an enduring effect on Melton's population, settlement or economy.

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## 36 Tree controls

### 36.1 Stonnington PSA C320 [2023] PPV

Pages 31-35

If implemented, the Amendment would require a permit to remove trees regardless of whether they were recognised in the Statement of Significance. The Panel recommended the Heritage Overlay Schedule be revised so that only the specific trees and locations referenced in the Statement of Significance be included in the column 'Tree Controls Apply'.

### 36.2 Yarra Ranges PSA C207 [2023] PPV

Page 29

The Panel recommended the Heritage Overlay Schedule specify the trees to which the tree controls were intended to apply, given much of the large property was heavily vegetated but not identified as significant aside from driveway and remnant early garden design elements. This avoided the need to obtain a permit for removal or lopping of vegetation which was not significant or contributory to the place.

### 36.3 Glenelg PSA C55 Part 1 [2013] PPV

Page 12

The Panel did not accept Council's reason (effectively none given) for removing exhibited tree controls, causing particularly difficulty when the tree was the only significant heritage element.

### 36.4 Bayside PSA C37 and C38 [2004] PPV

Pages 132-134

The Amendment proposed adding tree controls to an existing Heritage Overlay listing. The owner opposed the control being applied to the garden and Council subsequently proposed to no longer apply the control. The Panel recommended, based on the original heritage assessment and its inspection, that the tree controls be applied.

### 36.5 Greater Geelong PSA C71 [2004] PPV

Pages 18-19

The Panel supported the proposed application of tree controls to the garden of a heritage property and suggested preparation of an incorporated plan to reduce the need for permits for tree management actions required (including replacement of some potentially dangerous trees).

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## 37 Other issues

### 37.1 Melbourne PSA C426melb [2024] PPV

Pages 125-128

#### *Heritage definitions/use of the term 'representative'*

The Panel explored the issue of whether there was a tension between use of the term 'representative' in Council's heritage definitions and the Hercon criterion D (representativeness).

The Panel noted that use of the term 'representative' in heritage planning is precise and technical, and a cautious approach should be taken to its colloquial use in this context. It concluded:

- Council's definition and the Hercon Criterion D use the term 'representative' differently which may cause confusion.
- Any future review of Council's heritage definitions should consider use of terms that are fit for purpose and consistent with contemporary heritage planning guidance.

#### *Use of the term 'place'*

The Panel was concerned about the potential confusion with the use of the term 'place' when referring to a building or property within a precinct.

Noting the language of heritage planning is important, it said:

PPN01 does not provide for (individually significant) places to be embedded within precincts, but does provide for identification of contributory buildings. The *Heritage Review* refers to significant and contributory buildings in the precinct citations as 'places'. Use of the term place within a precinct is not consistent with planning guidance, and creates confusion regarding the heritage assessment and thresholds.

It is important to refer to contributory or significant 'buildings' or 'properties' in a precinct, rather than places. This will assist with understanding the distinction between the precinct as a heritage place and its contributory elements.

The Panel concluded it is important to distinguish between a heritage place (individually significant place or precinct) and the significant elements that make up that place.

Pages 74-75

#### *Unauthorised removal of heritage fabric*

Council noted the unauthorised removal of heritage fabric from the property at 8 – 22 Clowes Street, South Yarra and detailed the particulars of the enforcement notice under *Planning and Environment Act 1987* issued by Council.

The Panel considered whether the unauthorised removal of heritage fabric meant the building is no longer significant. The Panel said it broadly agreed the Heritage Overlay should be applied based on the intactness and integrity of the place at the time the controls are applied, this approach cannot be blind to the reversibility of changes that detract from the heritage values of a place or building.

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The property was already subject to Heritage Overlay HO834, and the proposed categorisation as significant in extended HO6 was not a substantive change to the controls that applied.

The Panel agreed with Council:

... it would be an unfortunate outcome of the *Heritage Review* process if unauthorised works completed by a landowner resulted in the reclassification (or downgrading) of a heritage place, regardless of whether or not this was the intended outcome.

It concluded the building should be listed as significant in the precinct.

### **37.2 Darebin PSA C191dare [2022] PPV**

Pages 16-17

#### *Flooding*

The Panel found potential flooding is not relevant when assessing the heritage significance of a precinct but may be relevant during the planning permit assessment process. The issue is whether the heritage significance of the precinct justifies the application of the Heritage Overlay and not whether heritage considerations ought to be balanced against the requirements of the Special Building Overlay. The Victoria Planning Provisions provide the ability to layer considerations through multiple overlays through an integrated decision making framework. This exercise will be undertaken at the permit application stage.

### **37.3 Bayside C174 PSA [2020] PPV**<http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/vic/PPV/2020/63.html>

Page 19

#### *Weight of evidence*

It is expected that the broader community will have differing views on the potential heritage values and merits of individual places. Relative heritage values are not always readily discernible, without explanation, to the non-expert. This is reflected in the polarised views of submitters for this site. It is important for the sake of greater certainty and consistency in the application of more restrictive planning controls such as the Heritage Overlay that considered and more expert analysis is preferred over subjective opinions and views or numbers for or against. In this instance the appropriate guidance for this analysis is set out under PPN01.

### **37.4 Stonnington PSA C132 [2017] PPV**

Pages 11-12

#### *Concealing additions*

The Panel considered a policy suggesting 'concealment' of new development should be clarified in commercial and residential areas where built form provisions provide for development at significant scale. The Panel was not able to identify specific locations where 'concealment' of new development was a realistic expectation and could not recommend specific policy guidance to address these circumstances.

### **37.5 Nillumbik PSA C100 [2015] PPV**

Pages 13-28

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Using the *Heritage Council's 'Criteria and Thresholds Guidelines' (2014)* (adapted to the local level) to determine whether a place is of local significance against the HERCON criteria. Two expert witnesses, using the thresholds document, came to different conclusions about the significance of a place. The Panel, applying the threshold tests, agreed with one expert that the place did not achieve the required level for local significance.

### **37.6 Melbourne PSA C240 [2014] PPV**

Pages 148-149

*Should a Design and Development Overlay schedule seek to achieve heritage objectives?*

The Heritage Overlay might be said to alone be adequate to guide the form and detail of new buildings adjacent to contributory buildings in a wider precinct. However, the Panel found that, notwithstanding this level of control in a precinct Heritage Overlay, guided as it is by the Statement of Significance and the policy framework in the Scheme, it may be beneficial to layer the Heritage Overlay with another planning tool which sharpens the understanding of, and places parameters around, acceptable design outcomes.

The general decision guidelines of the Design and Development Overlay make it clear that seeking to achieve development outcomes consistent with heritage characteristics of a place would not fall outside the proper use of a Design and Development Overlay. The Panel observed that Victoria Planning Provision tools other than the Heritage Overlay (and the Design and Development Overlay) have been used to support heritage objectives. This includes the Significant Landscape Overlay.

### **37.7 Stonnington PSA C181 [2014] PPV**

Pages 5-6 and 8

*Street trees*

An existing Heritage Overlay was proposed to be applied to another property and over the area in front of the eight properties (to the kerbline) to recognise the significance of mature Plane Trees in the nature strip that were identified in the heritage study. While these trees were of local significance, it was not proposed to apply the schedule's tree controls 'trigger'. One submitter objected to applying the Heritage Overlay 'over the trees'.

The Heritage Overlay has now been applied to the property, and to Council land adjoining the precinct, on the Heritage Overlay map; and the street trees (*Plantanus* species only) have been listed in the 'Tree Controls Apply?' column of the Schedule, as recommended in the Panel report.

### **37.8 Campaspe PSA C50 [2013] PPV**

Pages 41-44

*What is the proper role of an expert?*

The Panel stated:

While this is not the proper role of an independent expert, it is not unusual in panel proceedings of this kind, for the expert called by a planning authority to have been intimately involved in the strategic work leading to the amendment. The expert's

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evidence in those circumstances can take on a complexion of advocacy. This is recognised by panels and the evidence treated accordingly. It should be said, however, that the earlier involvement of the expert in the amendment process normally allows the expert to give more factually informed answers about how the amendment was prepared than would an independent witness brought in only for the Hearing. There are trade-offs to be considered in assessing the value of evidence to be presented by the two types of witness.

### **37.9 Glenelg PSA C55 Part 1 [2013] PPV**

Page 14

#### *Large structure in a heritage property's viewshed*

There was submission that significantly large wind turbines in the viewshed of a heritage property would diminish the heritage values of the place. Unlike Mawallok (Stockyard Hill wind energy facility), the landscape context was not a significant element of the citation and the Panel did not accept the proposition.

### **37.10 Greater Shepparton PSA C110 [2013] PPV**

Chapter 3.2 on pages 32-35

Effect of applying the Heritage Overlay to land used by Broadcast Australia and the relationship of planning scheme provisions to exemptions under section 24 of the *National Transmission Sale Act 1998*. Benefit of having controls in place if land were to be sold.

### **37.11 Yarra PSA C157 and C163 [2013] PPV**

Pages 15 and 79

#### *Strategic planning documents that identify alternative futures for land proposed for the Heritage Overlay*

In this case, a structure plan for a major activity centre and a business and industrial land strategy had been prepared for land areas affected by the proposed Heritage Overlay.

The Panel noted that although adopted by Council, these studies were not listed in the planning scheme as reference documents and their recommendations had not been embodied in the scheme. It therefore found that they were of a lower status than an exhibited amendment. It commented that the structure plan appeared to have ignored the existing heritage designations in the activity centre.

### **37.12 Boroondara PSA C99 [2012] PPV**

Pages 21-25

#### *Major roads*

VicRoads objected to applying the Heritage Overlay to its roads because it would be required to apply for permits even for minor works. Panel considered this was not the case and referred to Clause 62 exemptions. The Panel adopted the earlier analysis of this issue in Buloke PSA C14.

### **37.13 Greater Geelong PSA C205 [2010] PPV**

Pages 63-68



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*Built form in response to existing heritage*

Barwon Grange is subject to the Heritage Overlay (HO208) and is listed in the Victorian Heritage Register (H1102).

The Panel recommended that lower levels should be located closest to the Barwon River escarpment with higher levels to the north given:

- the site lay adjacent to Precinct 4 where high density residential development is supported (2-5 storeys)
- the visual impact of such buildings.

### **37.14 Maroondah PSA C42 [2010] PPV**

Pages 38-52

*Neighbourhood Character Overlay versus Heritage Overlay*

The original heritage study recommended two large precincts. Council decided to use the Neighbourhood Character Overlay for these areas rather than the Heritage Overlay.

The Panel decided the Neighbourhood Character Overlay was appropriate for conserving some aspects of the heritage significance (subdivision patterns, trees) but should be used in conjunction with the Heritage Overlay if protection of existing built fabric was sought.

### **37.15 Stockyard Hill Wind Farm (PCI) [2010] PPV**

Chapter Section 11.4

*Large structure in a heritage property's viewshed*

The panel recommended that several proposed turbines be removed from a section of the wind energy facility to protect the central view from the Guilfoyle-designed garden of the adjoining Victorian Heritage Register-listed Mawalok property. The Panel stated:

This view is not just any view from the Mawalok garden, as Mr Raworth said, but is: 'a fundamental design consideration in the generation of an important garden by an important designer'.

This approach was not followed for another nearby heritage property where the garden design was of lesser significance.

### **37.16 Boroondara PSA C66 [2008] PPV and Yarra PSA C85 [2008] PPV**

C66: pages 22-41 and C85: pages 40-86

*Form, content and expression of local heritage policies*

The Boroondara Panel concluded the proposed policy was generally consistent with the guidance provided but that some of the language should be amended to make it less prescriptive and more performance oriented.

The Yarra Panel recommended:

- detailed changes to wording to increase clarity and make it clear that Council would continue to exercise discretion
- more distinction in policy between the treatment of individually significant and contributory places.

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### 37.17 Boroondara PSA C55 [2007] PPV

Pages 41-43

#### *Heritage plants (not trees)*

The need for heritage controls to protect heritage plantings that are not trees. Issue arose in relation to a Mock Privet (*Phillyrea Latifolia*) on the embankment to Camberwell Railway Station.

### 37.18 Corangamite PSA C3 [2006] PPV and Melton PSA C71 [2009] PPV

C6: pages 26-29 and C71: pages 35-41, 78-81 and 89-95

#### *Applying the Heritage Overlay to historic or archaeological places with no fabric or fabric wholly or mostly below ground and unknown exact location*

The Corangamite Panel recommended to map the whole area (original township settlement site) and to apply an incorporated plan.

The Melton Panel:

- discussed the issue at length, in the light of the recommendations of the 2007 Advisory Committee *Report on heritage provisions in planning schemes*
- concluded that there was substantial support in the SPPF and Planning Practice Note 1 for applying the Heritage Overlay to historic and archaeological sites
- recommended incorporated plans for several sites (in one case after preparation of a conservation management plan), to provide for ongoing farming operations.

## 38 Planning Panels Victoria Heritage Reports 1998-2023

Planning Panels Victoria reports listed below had heritage as the primary focus or as a significant consideration. The list was updated in February 2024.

Amendment	Summary	Report date
<b>Advisory Committees</b>		
Heritage Provisions Review Advisory Committee	Review the Heritage Overlay and related aspects of the Victoria Planning Provisions.	Consultation Paper: 14 March 2007 Final Report: 16 August 2007
Darebin Advisory Committee	Heritage significance of the Northcote Bowl Site at 166 – 174 Victoria Road, Northcote.	14 April 2010
Government Land Standing Advisory Committee – Tranche 32	draft Amendment (Greater Bendigo C241gben) to, among other changes, replace the Heritage Overlay (HO25) with HO916 at 6 Laurel Street, Golden Square (former Golden Square Primary School).	6 January 2022
Hobsons Bay C114hbay and Permit Applications PA1943532 and PA1943533 Panel and Advisory Committee	Remove the Heritage Overlay (HO274), among other changes, to allow for the residential development of the land as part of Precinct 16 West in the <i>Hobsons Bay Industrial Land Management Strategy (2008)</i> .	22 February 2022
1 Spring Street and 21-25 Flinders Lane, Melbourne Advisory Committee	draft Melbourne Amendment C401melb and called-in heritage permits P33300 and P33301) to allow for the partial demolition of existing structures and development of a multi-storey commercial office building at 1 Spring Street (Shell House) and 21-25 Flinders Lane (Milton House), Melbourne.	1 May 2023
36 Kooyongkoot Road Advisory Committee	Apply the Heritage Overlay to 36 Kooyongkoot Road, Hawthorn (City of Boroondara) should be included in the Heritage Overlay.	15 June 2023
Priority Projects Standing Advisory Committee Referral 36	draft Stonnington Amendment C333ston and Permit Application PA2302308 to allow the hospital to expand. The proposal included removing the Heritage Overlay (HO375) from 4 Coonil Crescent, Malvern.	14 December 2023
<b>Ararat</b>		
Ararat C39	Implement the <i>Rural Ararat Heritage Study March 2016</i> by applying the Heritage Overlay to 104 sites (HO137 - HO240 and HO244) and 3 precincts (HO241 - HO243) throughout the municipality.	24 October 2018

Amendment	Summary	Report date
Ararat C39arat Part 2	Apply the Heritage Overlay to: <ul style="list-style-type: none"> <li>- Elmhurst Mechanics Institute at 34 High Street, Elmhurst (HO151)</li> <li>- old Water Tower in Tatyoon Road, Tatyoon (HO212)</li> <li>- St Johns Anglican Church at 96 Glenelg Highway, Westmere (HO219)</li> <li>- structures on the Berrambool Farm Complex, at 1009 Chatsworth-Wickliffe Street, Wickliffe (HO224)</li> <li>- former store at 34 Walker Street, Wickliffe (HO229)</li> <li>- Willaura Railway Station Complex at 31 and 49 Main Street, Willaura (HO240).</li> </ul>	31 May 2022
<b>Ballarat</b>		
Ballarat C35 Part A	Apply the Heritage Overlay to 9 Hamilton Avenue, Ballarat	30 April 2001
Ballarat C58	Replace interim heritage controls that apply to land in Ballarat, Learmonth and Buninyong with heritage precincts.	23 January 2004
Ballarat C107	Introduce permanent heritage controls for precincts recommended by the Ballarat Heritage Precincts Study Part A, July 2006.	13 August 2009
Ballarat C191 and Permit Application PLP/2014/829	Remove the Heritage Overlay (HO176) and rezone land in St Pauls Way, Bakery Hill from part Public Use 5 and part Commercial 1 to Mixed Use to allow for the mixed use development of the site.	12 November 2015
Ballarat C200	Update the existing Heritage Overlays for 5 sites HO142 - HO145 and HO194 and introduce new Heritage Overlays for: <ul style="list-style-type: none"> <li>22 individuals listings for HO197 - HO218</li> <li>4 precincts for HO219 - HO222; and</li> <li>3 serial listings for HO223 - HO225</li> </ul> to implement the recommendations of the Sebastopol Heritage Study Stage 2 and the City of Ballarat Heritage Assessments: Sebastopol 2013 reports.	13 September 2016
<b>Banyule</b>		
Banyule C1	Introduced the Design and Development, Heritage, Vegetation Protection and Significant Landscape Overlays to many properties.	2 August 2000
Banyule C23 Part 2	Modified the boundaries of the Heritage Overlay for 30 & 32 Old Lower Plenty Road and 652 Lower Plenty Road, Viewbank.	29 October 2002
Banyule C94 Part 2	Apply the Heritage Overlay to: <ul style="list-style-type: none"> <li>- the Kenilworth Parade Precinct at 17 – 23 and 10 – 36 Kenilworth Parade, Ivanhoe (HO195); and</li> <li>- the Saxam Homestead at 108 – 130 Diamond Creek Road, Greensborough.</li> </ul>	11 June 2014
Banyule C152bany	Apply the Heritage Overlay (HO198) to the 'Arden Chase' house at 22 Arden Crescent, Rosanna	4 June 2019
Banyule C165bany	Proposes to: <ul style="list-style-type: none"> <li>- apply the Heritage Overlay to 22 sites (HO199- HO219) across the municipality</li> <li>- reduce the extent of the Heritage Overlay (HO82) at 579 and 581 Upper Heidelberg Road, Heidelberg Heights.</li> </ul>	5 September 2022
<b>Bass Coast</b>		

Amendment	Summary	Report date
Bass Coast C2 Part 2	Apply the Heritage Overlay to 'Yooroonga' at 34-35 Stradbroke Avenue, Cowes (plus 2 other unrelated proposals)	18 April 2001
Bass Coast C26 Part 2	Apply the Heritage Overlay to sites identified in the 2005 Heritage Study.	8 January 2008
Bass Coast C64 Part 2	Apply the Heritage Overlay to properties in Almurta, Archies Creek, Bass, Blackwood Forest, Burndale, Cape Paterson, Cowes, Dalyston, Dudley South, Glen Forbes, Grantville., Inverloch, Krowera, Loch., Phillip Island, Rhyll, San Remo, Wonthaggi and Woodleigh.	8 January 2008
<b>Baw Baw</b>		
Baw Baw C86	Apply the Heritage Overlay, the Design and Development Overlay and the Environmental Audit Overlay and rezone to a number of properties to implement the recommendations of the town strategies for Drouin and Warragul.	5 September 2012
Baw Baw C90	Revise and apply the Heritage Overlay to a number of sites to implement the recommendations of the Baw Baw Heritage Study.	5 September 2012
Baw Baw C138bawb	Apply the Heritage Overlay (HO354) to 245 Main South Road, Drouin.	24 July 2020
Baw Baw C142bawb	Apply the Heritage Overlay (HO355) to part of 101 Lardner Road, Drouin.	6 August 2021
Baw Baw C145bawb	Rezone 28 and part of 63 Yarragon-Leongatha Road, Yarragon from Farming to Neighbourhood Residential 1 and apply the Heritage Overlay (HO356) to the Deloraine Homestead.	24 January 2023
<b>Bayside</b>		
Bayside C29 Part 2	Remove the interim Heritage Overlay from sites in Brighton and Hampton.	28 January 2004
Bayside C37 & C38	Apply the Heritage Overlay to properties and precincts identified with an interim Heritage Overlay.	23 December 2004
Bayside C75	Apply and delete the Heritage Overlay at sites in Brighton, Brighton East, Beaumaris, Black Rock, Cheltenham, Hampton and Sandringham.	2 March 2010
Bayside C76	Implement the recommendations of the Bayside Review of Heritage Precincts Study 2008.	2 March 2010
Bayside C82	Apply the Heritage Overlay, identified as having heritage significance in the <i>City of Bayside Review of Heritage Precincts in Activity Centres (March 2007, revised June 2010)</i> and <i>Bayside Individual Citations (April 2007)</i> , to: <ul style="list-style-type: none"> <li>- the Bay Street Precinct at 241 – 427 and 270 – 380 Bay Street, Brighton (HO747)</li> <li>- the Hampton Street Precinct at 251 – 415 and 358 – 448 Hampton Street, Hampton (HO748)</li> <li>- the Martin Street Precinct at 117 – 173 and 126D – 168 Martin Street, Brighton (HO749)</li> <li>- the Former St Luke's Church at 389 Bay Street, Brighton (HO750)</li> <li>- 455 Bay Street, Brighton (HO751)</li> <li>- 39 Sandringham Road, Sandringham (HO752)</li> <li>- 1 Fernhill Road North, Sandringham (HO753).</li> </ul>	25 July 2012

Amendment	Summary	Report date
Bayside C87	Apply the Heritage Overlay (HO764) to the Brighton Town Hall Heritage Precinct.	8 April 2013
Bayside C161 Part 2	Apply the Heritage Overlay (HO662) to all of 1A Murphy Street, Brighton to correct a mapping anomaly.	31 July 2019
Bayside C174bays	Apply the Heritage Overlay (HO773) to 38 Grosvenor Street, Brighton.	14 August 2020
<b>Boroondara</b>		
Boroondara L35	Apply the Heritage Overlay to 24 sites.	24 April 1998
Boroondara L42	Apply the Heritage Overlay to the 'Reid Estate and Environs' area bounded by Whitehorse Road, Mont Albert Road, Salisbury Street and Barnsbury Road, Balwyn.	19 November 1998
Boroondara L45	Apply the Heritage Overlay to the 'Maling Road Shopping Centre and Residential Environs' area bounded by Canterbury Road, Prospect Hill Road, Highfield Street and Milton Street, Canterbury.	18 December 1998
Boroondara L54	Apply the Heritage Overlay to: <ul style="list-style-type: none"> <li>- Fairview Avenue, Burwood</li> <li>- Goodwin Street and Somerset Road, Glen Eira</li> <li>- Great Glen Iris Railway Junction Estate and Environs, Ashburton</li> <li>- Holyrood Estate and Environs, Camberwell</li> <li>- Ross Street, Surrey Hills</li> <li>- Toorak Estate and Environs, Glen Iris.</li> </ul>	25 February 1999
Boroondara L56	Apply the Heritage Overlay to the 'Riverside Estate and Environs' area bounded by Bulleen Road, Doncaster Road, Burke Road and The Boulevard, North Balwyn.	3 March 2000
Boroondara C8	Apply the Heritage Overlay to 27 Glenroy Street, Hawthorn.	3 November 2000
Boroondara C12	Remove the Heritage Overlay from 6 Narveno Court, Hawthorn.	17 November 2000
Boroondara C42	Apply the Heritage Overlay to 6 and 168A Mont Albert Road, Canterbury and 1245 Bourke Road, Kew.	7 April 2005
Boroondara C55	Apply the Heritage Overlay to Camberwell Railway Station at 2R Cookson Street, Camberwell.	22 January 2007
Boroondara C66	Introduce a revised Heritage Policy.	7 April 2008
Boroondara C64	Apply the Heritage Overlay to sites in Ashburton, Balwyn, Balwyn North, Canterbury, Camberwell, Hawthorn, Hawthorn East, Glen Iris, Kew, Kew East and Surrey Hills.	23 December 2008
Boroondara C119	Apply the Heritage Overlay to 1311 Toorak Road, Camberwell.	13 October 2011
Boroondara C116	Apply the Heritage Overlay to 629 Canterbury Road, Surrey Hills	31 October 2011
Boroondara C98	Implement the recommendations of the Assessment of the Burwood Road Heritage Precinct, Hawthorn (August 2008)	23 December 2011
Boroondara C99	Apply the Heritage Overlay to implement the recommendation of the Hawthorn Heritage Precincts Study (2010).	7 February 2012

Amendment	Summary	Report date
Boroondara C148	Apply the Heritage Overlay (HO532) to the Union Road Commercial Heritage Precinct at 94 – 165 Union Road and 376 – 386 and 631 Canterbury Road, Surrey Hills.	28 August 2012
Boroondara C101	Apply the Heritage Overlay to: <ul style="list-style-type: none"> <li>- Melbourne and Metropolitan Tram Board depot at 160 – 170 Camberwell Road and 12 – 14 Council Street, Hawthorn East (HO497)</li> <li>- the Charing Cross Buildings at 202 – 210 Camberwell Road, Hawthorn East (HO498)</li> <li>- the Pepperell's Buildings at 217 – 223 Camberwell Road, Hawthorn East (HO499)</li> <li>- the Simpson's Building at 222 – 232 Camberwell Road (481 – 491 Riversdale Road), Hawthorn East (HO500)</li> <li>- the Masonic Centre at 12 Prospect Hill Road, Camberwell (HO501)</li> <li>- the Baptist Church at 432 Riversdale Road, Hawthorn East (HO502)</li> <li>- the Dillon's Building at 493 – 503 Riversdale Road (554 – 564 Burke Road), Camberwell (HO503)</li> <li>- the Melbourne and Metropolitan Tram Board substation at 30 Station Street, Camberwell (HO504)</li> <li>- the Burke Road North Commercial and Transport Precinct, Camberwell (HO505)</li> <li>- the Camberwell Civic and Community Precinct, Camberwell (HO506)</li> <li>- to implement the recommendations of the Camberwell Junction Heritage Review (2008, revised 2009).</li> </ul>	16 November 2012
Boroondara C142	Apply the Heritage Overlay to: <ul style="list-style-type: none"> <li>- the Clutha Estate Precinct (HO525) in Kew; the Denmark Street Precinct (HO526) in Kew; the High Street South Residential Precinct (HO527) in Kew; the Howard Street Precinct (HO528) in Kew</li> <li>- the Queen Street Precinct (HO529) in Kew; and the Yarra Boulevard Precinct (HO530) in Kew.</li> </ul> Amend the boundary of the Barry Street Precinct (HO143) in Kew. Remove the Heritage Overlay from 33 properties in the above precincts.	30 November 2012
Boroondara C149	Implement the recommendations of the Kew Junction Commercial Heritage Study, August 2011 by: <ul style="list-style-type: none"> <li>- extending the Barry Street Precinct in Kew (HO143)</li> <li>- extending the Glenferrie Road Precinct in Kew (HO150); The High Street – Cotham Road Commercial Precinct in Kew (HO520); 114 High Street, Kew (HO521); 14 – 16 Princess Street, Kew (HO522); Alexandra Gardens at 70 Cotham Road, Kew (HO523).</li> </ul>	3 May 2013
Boroondara C150	Apply the Heritage Overlay to: <ul style="list-style-type: none"> <li>- the Union Road Residential Precinct (HO534) for Union Road between Guildford Road and Whitehorse Road, Surrey Hills</li> <li>- the Surrey Hills North Residential Precinct (HO535) for part of Chatham Road, Croydon Road, Empress Road, Guildford Road, Junction Road, Kingston Road, Mont Albert Road, Robinson Road, Sir Garnet Road, West Road and Sunbury Crescent, in Canterbury and Surrey Hills; and</li> <li>- the Canterbury Hill Estate Precinct (HO536) for part of Albert Street, Compton Street, Hocknell Street, Queen Street, Highfield Road, Prospect Hill Road, Riversdale Road and Wattle Valley Road, in Camberwell, Canterbury and Surrey Hills.</li> </ul>	31 July 2013

Amendment	Summary	Report date
Boroondara C153	Upgrade the gradings and gradings definitions and apply the Heritage Overlay to properties in Hawthorn, Hawthorn East and Kew.	24 October 2013
Boroondara C178	Apply the Heritage Overlay to 18 properties (HO588 - HO604 and HO607) in Camberwell, Canterbury, Deepdene, Hawthorn, Hawthorn East, Kew and Kew East and amend the Heritage Overlay (HO20) that applies to 1045 Burke Road, Hawthorn East by applying tree controls and fence and outbuilding notice requirements.	19 May 2015
Boroondara C208	Apply the Heritage Overlay to: <ul style="list-style-type: none"> <li>- 15 Deepdene Road, Deepdene (HO605)</li> <li>- 46 Rowland Street, Kew (HO613)</li> <li>- 16 Victoria Avenue, Canterbury (HO614)</li> <li>- 203 Doncaster Road, Balwyn North (HO616)</li> <li>- 23-25 and part of 27 Canterbury Road, Camberwell (HO617)</li> <li>- 31 Parkhill Road, Kew (HO619)</li> <li>- 7 Leura Grove, Hawthorn East (HO620).</li> </ul>	5 October 2015
Boroondara C183	Apply Heritage Overlay (HO608) to 12 buildings at Scotch College – 491 Glenferrie Road, Hawthorn.	23 May 2016
Boroondara C177	Apply the Heritage Overlay to: <ul style="list-style-type: none"> <li>- Surrey Gardens, 88-90 Union Road, Surrey Hills (HO623)</li> <li>- Former Surrey College, 17-19A Barton Street, Surrey Hills (HO624)</li> <li>- Former St Joseph's Boys Home, 19 Middlesex Road, Surrey Hills (HO625)</li> <li>- Holy Redeemer Church Parish Hill, 305-307 Mont Albert Road, Surrey Hills (HO626)</li> <li>- 1 Montrose Street, Surrey Hills (HO627)</li> <li>- Wycliff Congregational Church, 2 - 4 Norfolk Road, Surrey Hills (HO628)</li> <li>- Kylemore Flats, 52 Union Road, Surrey Hills (HO629)</li> <li>- 26 Weybridge Street, Surrey Hills (HO630)</li> <li>- 627 Whitehorse Road, Surrey Hills (HO631)</li> <li>- Le Mascotte, 5 Windsor Crescent, Surrey Hills (HO632)</li> <li>- Surrey Hills English Counties Residential Precinct (HO633)</li> <li>- Surrey Hills Redvers Street Residential Precinct (HO634)</li> <li>- Union Road South Residential Precinct (HO635)</li> <li>- to implement the recommendations of the Surrey Hills South Residential Precincts Heritage Study 2014.</li> </ul>	Report: 28 July 2016 Addendum Report: 27 October 2016
Boroondara C236	Implement the recommendations of the Neighbourhood Character Precinct 24 Heritage Precinct (Context Pty Ltd, April 2015) by applying the Heritage Overlay to: <ul style="list-style-type: none"> <li>- 2 Barkers Road, Hawthorn (HO642)</li> <li>- the Fairmount Park Estate Precinct (HO643) for land in Barkers Road, Ellm Street, Findon Street, Myrtle Street and Oka Street, Hawthorn</li> <li>- 2 - 8 Pine Street, Hawthorn (as part of the Pine Street Precinct (HO644))</li> <li>- 29 - 39 Mason Street, Hawthorn (as part of the Mason Street Precinct (HO645))</li> <li>- land in Calvin Street, Creswick Street and Mason Street, Hawthorn (as part of the Creswick Estate Precinct (HO646))</li> <li>- 4 Grattan Street, Hawthorn (HO647).</li> </ul>	31 August 2016



Amendment	Summary	Report date
Boroondara C243	Apply the Heritage Overlay to: <ul style="list-style-type: none"> <li>- 9 Auburn Road, Hawthorn East (HO665)</li> <li>- 68 Riversdale Road, Hawthorn (HO667)</li> <li>- 123 Riversdale Road, Hawthorn (HO668)</li> <li>- 14 Sevenoaks Street, Balwyn (HO669).</li> </ul>	22 August 2017
Boroondara C263 Part 2	Apply Heritage Overlay (HO742) to 12 Power Street, Balwyn.	6 April 2018
Boroondara C266	Implement the <i>Canterbury Heritage Gap Assessment</i> by: <ul style="list-style-type: none"> <li>- revising the extent of the Balwyn Road Residential Precinct (HO264) in Boronia Road, Canterbury</li> <li>- applying the Heritage Overlay to 22 sites in Canterbury (HO677 - HO698)</li> <li>- applying the Heritage Overlay the Canterbury Road Commercial Precinct (HO699), the Griffin Estate &amp; Environs Precinct (HO700), the Matlock Street Precinct (HO701), the Parlington Estate Residential Precinct (HO702), the Rochester Road Precinct (HO703) and the Victoria Avenue Precinct (HO704).</li> </ul>	5 July 2018
Boroondara C274 Part 2	Implement the <i>Camberwell Heritage Gap Assessment 2017</i> by applying the Heritage Overlay to: <ul style="list-style-type: none"> <li>- 21 individual sites (HO710 - HO730)</li> <li>- 10 precincts (HO731 - HO739 and HO749)</li> <li>- 2 revised precincts (HO144 and HO191)</li> <li>- 30 and 32 Sunnyside Avenue, Camberwell (exhibited as part of the Sunnyside and Rowell Avenues Precinct - HO740 – to be abandoned as Part 1).</li> </ul>	17 October 2018
Boroondara C276	Apply the Heritage Overlay to: <ul style="list-style-type: none"> <li>- St Barnabas Anglican Church – 86 Balwyn Road, Balwyn (HO757)</li> <li>- 224 Belmore Road (4 Collins Court), Balwyn (HO758)</li> <li>- 750 Burke Road, Deepdene (HO759)</li> <li>- The Palace Cinema, 231 Whitehorse Road, Balwyn (HO760)</li> <li>- 192 Doncaster Road, Balwyn North (HO761)</li> <li>- 17 – 19 King Street, Balwyn (HO762)</li> <li>- 38 Monash Avenue, Balwyn (HO763)</li> <li>- 48 Narrak Road, Balwyn (HO764)</li> <li>- 32 Winmalee Road, Balwyn (HO765)</li> <li>- 146 - 148 Winmalee Road, Balwyn (HO766)</li> <li>- Maud Street Maisonette Precinct at 19 -33a and 28 – 34a Maud Street, Balwyn North (HO767)</li> <li>- Balwyn Village Commercial Precinct at 208 – 308, 347 – 377 and 397 – 425 Whitehorse Road, Balwyn (HO768).</li> </ul>	4 December 2018

Amendment	Summary	Report date
Boroondara C284	<p>Implement the <i>City of Boroondara Municipal-Wide Heritage Gap Study Volume 3: Hawthorn</i> by applying the Heritage Overlay to:</p> <ul style="list-style-type: none"> <li>- 2-30 &amp; 1A-15 Malmsbury Street, Hawthorn in the Central Gardens Precinct (HO146)</li> <li>- 1-3 Wellesley Road, Hawthorn in the Glenferrie Hill Precinct (HO149)</li> <li>- 198-218 Auburn Road, Hawthorn (Area 1); and 1-17 &amp; 6-12 Edlington Street &amp; 168-178 Auburn Road, Hawthorn (Area 2) in the Leslie Street Precinct (HO164)</li> <li>- 5-47 &amp; 4-40 Lennox Street and 48 Denham Street, Hawthorn in the West Hawthorn Precinct (HO220)</li> <li>- Cranmore Estate and Environs Precinct, Hawthorn (HO774)</li> <li>- Glenferrie and Riversdale Roads Commercial Precinct, Hawthorn (HO775)</li> <li>- Riversdale Reserve Precinct, Hawthorn (HO776)</li> <li>- Riversdale Village Precinct, Hawthorn (HO777)</li> <li>- Rookery Estate Precinct, Hawthorn (HO778)</li> <li>- Victory Estate Precinct, Hawthorn (HO779)</li> <li>- Violet Grove and Environs Precinct, Hawthorn (HO780)</li> <li>- Ardene Court Flats at 11 Ardene Court, Hawthorn (HO781)</li> <li>- Norwood Terrace at 209 - 217 Auburn Road, Hawthorn (HO782)</li> <li>- Grant Dorman (former Lion Rubber Works) at 544 Burwood Road, Hawthorn (HO783)</li> <li>- Dickie House at 6 Fairview Street, Hawthorn (HO784)</li> <li>- Melbourne Croquet Club (former Glenferrie Hill Recreation Club) at 37 - 41 Glen Street, Hawthorn (HO785)</li> <li>- St Joseph's Catholic School (formerly St John's School) 571 Glenferrie Road, Hawthorn (HO786)</li> <li>- Edwardian Shops at 556 - 558 Glenferrie Road, Hawthorn (HO787)</li> <li>- Victorian Shops at 817 - 821 Glenferrie Road, Hawthorn (HO788)</li> <li>- Woodford at Glenroy Road, Hawthorn (HO789)</li> <li>- 36 Kooyongkoot Road, Hawthorn (HO790)</li> <li>- former Farey Brothers Bakery at 20 - 26 Liddiard Street, Hawthorn (HO791)</li> <li>- Yarraland Flats at 150 Power Street, Hawthorn (HO792)</li> <li>- Shrine of St Anthony church complex at 180 - 184 Power Street, Hawthorn (HO793)</li> <li>- 13 - 15 Wellesley Road, Hawthorn (HO794).</li> </ul>	3 October 2019
Boroondara C294	<p>Implement the <i>Kew Heritage Gap Study (2017)</i> by applying the Heritage Overlay to:</p> <ul style="list-style-type: none"> <li>- 6 revised precincts (HO142, HO143, HO150, HO162, HO520 and HO527), 9 new precincts (HO798 - HO806)</li> <li>- 20 new sites (HO807 - HO813 and HO815 - HO827).</li> </ul>	21 January 2020

Amendment	Summary	Report date
Boroondara C306boro	Apply the Heritage Overlay to: <ul style="list-style-type: none"> <li>- former W.R. Nash &amp; Son showroom and service station at 1417 Burke Road, Kew East (HO828)</li> <li>- 22 Elm Grove, Kew East (HO829)</li> <li>- 5 Fairway Drive, Kew East (HO830)</li> <li>- Belford Court Arcade at 54-58 Kilby Road, Kew East (HO831)</li> <li>- Misso House 104 at Kilby Road, Kew East (HO832)</li> <li>- Kew East Primary School at 35 Kitchener Street, Kew East (HO833)</li> <li>- 117 Normanby Road, Kew East (HO834)</li> <li>- East Kew Uniting Church and Citizens Hall at 142-142A Normanby Road, Kew East (HO835)</li> <li>- St Anne's Church at 53 Windella Avenue, Kew East (HO836)</li> <li>- St Paul's Anglican Church 63 Windella Avenue, Kew East (HO837)</li> <li>- Boulevard Estate and Environs Precinct, Kew East (HO838)</li> <li>- Harp Village Commercial Precinct, Kew East (HO839)</li> <li>- Windella Avenue and Environs Precinct, Kew East (HO840).</li> </ul>	31 January 2020
Boroondara C318boro	Implement the <i>Balwyn Heritage Study Stage 2 Peer Review</i> by applying the Heritage Overlay to 15 individual properties and the Angle Road Precinct in Balwyn, Balwyn North and Deepdene (HO870 - HO885).	10 June 2020
Boroondara C308boro	Implement the <i>Hawthorn East Heritage Gap Study (2018)</i> by applying the Heritage Overlay to: <ul style="list-style-type: none"> <li>- 18 individual Heritage places (HO71, HO849 - HO886)</li> <li>- 8 heritage precincts (HO841 - HO848)</li> <li>- 1 Heritage precinct extension (HO161) and the deletion of eight sites (HO55 - HO62).</li> </ul>	18 November 2020
Boroondara C341boro	Implement the <i>draft Balwyn and Balwyn North Heritage Study (2014)</i> by applying the Heritage Overlay (HO928) to 12-14 Tannock Street, Balwyn North.	8 July 2021
Boroondara C342boro	Apply the Heritage Overlay (HO559) to the Kew Jewish Centre (Bet Nachman Synagogue) at 53 Walpole Street, Kew	13 September 2021
Boroondara C337boro	Apply the Heritage Overlay to 9 places (HO918 – HO927) in Ashburton.	1 December 2021
Boroondara C333boro	Apply the Heritage Overlay to 15 places (HO891 - HO894, HO896 – HO900, HO902 – HO904, HO906, HO907 and HO99) and four precincts (HO895, HO901, HO905, HO908) in Glen Iris.	20 January 2022
Boroondara C353boro Part 2	Apply the Heritage Overlay to 26 Goldthorns Avenue (HO930) and 97 Argyle Road, Kew (HO932).	9 March 2022
Boroondara C367boro	Apply the Heritage Overlay to 57 Berkely Street (HO938) and 60 Berkeley Street (HO939), Hawthorn.	25 November 2022
Boroondara C368boro	Apply the Heritage Overlay (HO940) to 32 Corby Street, Balwyn North.	25 November 2022
Boroondara C386boro	Apply the Heritage Overlay to: <ul style="list-style-type: none"> <li>- Gordon Street Precinct at 133 – 141 Gordon Street, Balwyn (HO947)</li> <li>- 41 Austin Street, Balwyn (HO948)</li> <li>- 5 Creswick Street, Deepdene (HO949)</li> <li>- 6 Creswick Street, Deepdene (HO950)</li> <li>- 221 Whitehorse Road, Balwyn (HO951).</li> </ul>	26 May 2023
Boroondara C381boro	Apply the Heritage Overlay (HO945) to 9 Seattle Street, Balwyn North.	13 July 2023

Amendment	Summary	Report date
Boroondara C388boro	Apply the Heritage Overlay to the Smythesdale Estate Precinct at 8, 10, 12, 14, 16 and 18 Carlyle Street and 81, 83, 85, 85A, 87 and 89 Harcourt Street, Hawthorn East (HO953).	13 July 2023
Boroondara C394boro	Apply the Heritage Overlay to: <ul style="list-style-type: none"> <li>- 7 Fuller Avenue, Glen Iris (HO954)</li> <li>- 33 Fuller Avenue, Glen Iris (HO955)</li> <li>- Dent Street Precinct, Glen Iris (HO956)</li> <li>- High Street North Precinct, Glen Iris (HO957)</li> <li>- Tower Hill Estate Precinct, Glen Iris and Ashburton (HO958)</li> </ul>	21 December 2023
<b>Brimbank</b>		
Brimbank C84	Implement the Brimbank City Council Post-contact Cultural Heritage Study by: <ul style="list-style-type: none"> <li>- applying the Heritage Overlay to 112 new heritage places and 8 new precincts</li> <li>- introducing a new local Heritage Policy</li> <li>- changing the prohibited use provisions of some sites</li> <li>- introducing the Keilor Cemetery Incorporated Plan.</li> </ul>	21 September 2007
Brimbank C125 Part 2	Apply permanent heritage controls to part of the former McKay Residential Estate in Albion / Sunshine	15 April 2011
Brimbank C130	Remove the former Headlie Taylor House, later the Sunshine Boys' Hostel at 129-131 Durham Road, Sunshine from Heritage Precinct (HO23) and apply the Heritage Overlay (HO151).	21 July 2016
Brimbank C227	Apply the Heritage Overlay (HO152) to the Sunshine Barley Terminal Silos at 2 Wright Street, Sunshine.	20 September 2022
<b>Buloke</b>		
Buloke C14	Delete / introduce Heritage Overlays in Birchip, Charlton, Donald and Wycheproof.	Interim Report: 21 July 2011 Final Report: 29 February 2012
<b>Campaspe</b>		
Campaspe C50	Introduce a new local heritage policy and apply the Heritage Overlay to 111 sites; 6 precincts, refine 5 heritage precincts as identified in the Campaspe Shire Heritage GAP Study and introduce the 'Shire of Campaspe Heritage Precincts Incorporated Plan', and a set of Business Signage Guidelines for the Echuca Port and Central Rushworth.	17 July 2013
Campaspe C101	Apply or revise the Heritage Overlay to 113 sites comprising 101 new places, 6 new precincts and 6 existing precincts across the municipality	11 January 2016
<b>Cardinia</b>		

Amendment	Summary	Report date
Cardinia C242	Implement the <i>Pakenham Structure Plan Heritage Review (2018)</i> by applying the Heritage Overlay to: <ul style="list-style-type: none"> <li>- 18A Henry Street, Pakenham (HO279)</li> <li>- 49 James Street, Pakenham (HO281)</li> <li>- 39 Main Street, Pakenham (HO283)</li> <li>- 62 Main Street, Pakenham (HO284)</li> <li>- 84 Main Street, Pakenham (HO285)</li> <li>- 90 - 92 Main Street, Pakenham (HO286)</li> <li>- 11, 14, 17 &amp; 5-19 Rogers Street, Pakenham (HO287)</li> <li>- 1-7 Station Street, Pakenham (HO288)</li> <li>- 23 Rogers Street, Pakenham (HO290)</li> <li>- St James' Village Precinct in Dame Pattie Avenue, Pakenham (HO291)</li> <li>- Henty Street Precinct in Henty Street, Pakenham (HO292)</li> <li>- James Street Precinct in James Street and Snodgrass Street, Pakenham (HO293).</li> </ul>	30 April 2019
Cardinia C161	Implement the <i>Cardinia Local Heritage Study May (2011)</i> by applying a new Significant Landscape Overlay Schedule 7 to one property and revising and applying the Heritage Overlay to 74 sites and Precincts.	24 September 2012
Cardinia C162	Implement the <i>Cardinia Shire Council Significant Tree Study May 2009 – Volume 1 and 2</i> by applying the Heritage Overlay to 29 sites of significant trees and a hedge.	29 September 2014
Cardinia C265card	Amend the Heritage Overlay, apply Incorporated Plan Overlay 2, Public Acquisition Overlay 7 and rezone 185 ha bound by Greenhills Road, Healesville-Koo Wee Rup Road, Green Wedge zoned land and McGregor Road, Pakenham South from Urban Growth Zone to Urban Growth Zone 6 to allow for the incorporation of the Pakenham South Employment Precinct Structure Plan.	12 May 2021
<b>Casey</b>		
Berwick (Casey) L139 Part C	Apply the Heritage Overlay to 29 sites throughout the City of Casey	3 March 1999
Casey C32	Amend the Heritage Overlay for 4/234 Hallam North Road, Lysterfield.	23 December 2002
Casey C80 Part 2	Introduce permanent heritage controls for 11 sites across the municipality that are currently covered by interim heritage controls.	17 January 2007
Colac Otway C27	Apply Heritage Overlays to 243 places and 17 precincts as identified in the Colac Otway Heritage Study 2003.	27 August 2007
Casey C275case	Implement the <i>Cranbourne Major Activity Centre Structure Plan (2020)</i> and <i>Casey Complex Urban Design Framework (2019)</i> by: <ul style="list-style-type: none"> <li>- amending the Heritage Overlay for 15 sites</li> <li>- applying the Parking Overlay</li> <li>- rezoning part of 236 South Gippsland Highway, part of 26 William Street and 3 New Holland Drive, Cranbourne.</li> </ul>	9 June 2022
<b>Corangamite</b>		
Corangamite C3	Add/remove the Heritage Overlay to a total of 212 sites as recommended by the Camperdown Heritage Study	17 July 2006

Amendment	Summary	Report date
Corangamite C36	Implement the recommendations of Stage 2 of the Corangamite Heritage Study 2013 by applying the Heritage Overlay to 10 precincts and 76 individual places.	15 August 2014
<b>Darebin</b>		
Darebin C31	Proposes to apply the Heritage Overlay to areas and sites across the municipality.	18 July 2002
Darebin C37	Proposes to apply the Heritage Overlay to 66 Spring Street, Preston.	24 June 2003
Darebin C58 Part B	Apply the Heritage Overlay to the Northcote Pottery Complex at 85a Clyde Street, Thornbury.	13 December 2004
Darebin C86	Apply the Heritage Overlay to the dwelling, dairy and stables at 71 Queen Street, Reservoir.	23 May 2008
Darebin C108 Part A	Apply the Heritage Overlay to 109 sites and 17 precincts across the municipality.	28 December 2011
Darebin C161	Implement the <i>Fairfield Village Built Form Guidelines (2017)</i> and <i>Fairfield Village Heritage Assessment (2017)</i> by: <ul style="list-style-type: none"> <li>- revising the Heritage Overlay (HO112)</li> <li>- deleting the Heritage Overlay (HO106)</li> <li>- applying the Heritage Overlay (HO313 and HO314) and Design and Development Overlay Schedule 21</li> <li>- rezoning part of 72A Station Street and the rear of 129 - 135 Station Street, Fairfield.</li> </ul>	3 December 2018
Darebin C203dare	Apply the Heritage Overlay to: <ul style="list-style-type: none"> <li>- the former Fairfield Hat Mills Complex (later Department of Aircraft Production branch) at 159-179 Heidelberg Road, Northcote (HO319),</li> <li>- a residence at 257 Heidelberg Rod Northcote (HO321),</li> <li>- the Church of Jesus Christ of the Latter-day Saints at 273-289 Heidelberg Road Northcote (HO322),</li> <li>- former residence at 331-333 Heidelberg Road Northcote (HO323),</li> <li>- 'Marineuie Court' at 441 Heidelberg Road, Fairfield; (HO324)</li> <li>- a residence at 521 Heidelberg Road Alphington (HO325); and</li> <li>- 'Kia-Ora' at 607 Heidelberg Road Alphington (HO326).</li> </ul>	16 August 2022
Darebin C191dare	Apply the Heritage Overlay (HO315) to the Thornbury Park Estate heritage precinct generally bounded by Miller Street, St Georges Road, Smith Street, Strettle Street, Hill Street and Comas Grove, Thornbury.	31 August 2022
<b>Frankston</b>		
Frankston C28	Introduce the Heritage Overlay for a Moreton Bay Fig at 138 Cranbourne – Frankston Road, Frankston	30 January 2004
Frankston C53	Apply the Heritage Overlay to 11 sites in Frankston	Panel Report: 16 June 2010 Supplementary Report: 12 January 2011

Amendment	Summary	Report date
Frankston C110 Part 2	Apply the Heritage Overlay to: <ul style="list-style-type: none"> <li>- A house at 8 Harcourt Avenue, Frankston South (HO68)</li> <li>- A house at 8 Karina Street, Frankston South (HO70)</li> <li>- The former State Bank Staff College at 83-99 Stotts Lane, Frankston South (HO74)</li> <li>- The Woodleigh School at 485 Golf Links Road, Langwarrin South (HO77)</li> </ul>	27 November 2015
<b>Glen Eira</b>		
Glen Eira L33	Apply the Heritage Overlay to 22 sites	24 December 1999
Glen Eira C13	Apply the Heritage Overlay to the 'Bruce Court and Environs area' for land in Bruce Court and Parkside Street, Elsternwick	19 December 2001
Glen Eira C19	Apply the Heritage Overlay to 64 sites across the municipality as identified in the Glen Eira Heritage Management Plan	28 August 2002
Glen Eira C83	Remove the Heritage Overlay from 466 Hawthorn Road and 2A and 2B Sea View Street, Caulfield South	31 August 2011
Glen Eira C113	Apply the Heritage Overlay to: <ul style="list-style-type: none"> <li>- 1 – 15 Kambrook Road and 53 – 89 Normanby Road, Caulfield North</li> <li>- 20 Kambrook Road, Caulfield North</li> <li>- 107 - 119 Normanby Road, Caulfield North and 760 – 764 Inkerman Road, Caulfield North</li> <li>- 4 Urandaline Grove, Caulfield.</li> </ul>	29 July 2014
Glen Eira C149	Include the " <i>Glen Eira Review of Existing Heritage Precincts 2017</i> " as a reference document to update the heritage policies to provide more detailed objectives, policies and performance measures.	16 January 2018
Glen Eira C182glen	Apply the Heritage Overlay (HO156) to the former ABC TV Studios at 8 Gordon Street, Elsternwick.	14 June 2019
Glen Eira C201glen	Apply the Heritage Overlay (HO187) to the Murrumbeena Village Precinct at 398, 412 - 486, 453 - 463 and 504 Neerim Road and 55-87 and 88-94 Murrumbeena Road, Murrumbeena.	29 May 2020
Glen Eira C197glen	Delete Neighbourhood Character Overlay Schedule 3 and Design and Development Overlay Schedule 4, and apply Heritage Overlay HO188 to the Field Street Precinct at 1-37 and 2 - 30 Field Street, Bentleigh.	25 September 2020
Glen Eira C190glen	Apply the Heritage Overlay to 15 individual places, 9 heritage precincts and 1 precinct extension (HO47, HO69, HO98, HO123, HO158-HO174, HO177 and HO178) in Bentleigh and Carnegie.	23 December 2020
Glen Eira C214glen	Implement the <i>City of Glen Eira Post-War and Hidden Gems Heritage Review Stage 2 (2020)</i> by applying the Heritage Overlay to 34 sites (HO204 – HO237) and 4 precincts (HO238 – HO241).	2 September 2021
Glen Eira C204glen	Delete, revise and apply the Heritage Overlay (HO69, HO72, HO159, HO179, HO180, HO183 – HO186, HO191, HO193- HO196, HO201 – HO203) to sites and precincts in Bentleigh, Carnegie and Elsternwick.	10 December 2021
<b>Glenelg</b>		
Glenelg C18	Remove the Heritage Overlay and apply a Public Acquisition Overlay to allow the Cliff Street overpass to join up with Wellington Road, Portland.	27 June 2005

Amendment	Summary	Report date
Glenelg C55 Part 1	Implement the <i>Glenelg Shire Heritage Study Stage 2</i> by applying the Heritage Overlay to 87 places across the municipality.	16 May 2013
Glenelg C89	Implement the <i>Portland Heritage Gaps Study (2016)</i> by: <ul style="list-style-type: none"> <li>- revising and deleting the Heritage Overlay at 9 sites (HO5, HO51, HO59, HO74, HO114, HO115, HO119, HO120 and HO165)</li> <li>- applying the Heritage Overlay to 6 new precincts (HO268 - HO273), the Richmond Group Precinct (HO274) and 45 places (HO275 - HO319).</li> </ul>	7 June 2018
<b>Golden Plains</b>		
Golden Plains C55	Introduce the recommendations of the Golden Plains Shire Heritage Study Stage Two (2009)	6 December 2010
<b>Greater Bendigo</b>		
Greater Bendigo C63	Amend the Heritage Overlay controls that apply to the Eaglehawk and White Hills cemeteries.	10 January 2006
Greater Bendigo C144	Apply the Heritage Overlay to a cottage at Chum Street, Golden Square.	6 April 2011
Greater Bendigo C162 Part 2	Apply the Heritage Overlay to: <ul style="list-style-type: none"> <li>- Flagstaff Hill Service Basin at 328 Staley Street, California Gully (HO328)</li> <li>- Symbester House at 19 Symbester Crescent, Eaglehawk (HO367)</li> <li>- Butcher shop at 138 High Street, Kangaroo Flat (HO509)</li> <li>- 'Woodville' at 2 Olympic Parade, Kangaroo Flat (HO521)</li> <li>- Stone culverts within High Street, Axedale (HO853)</li> <li>- to implement the recommendations of the Heritage Policy Citations Review, 2011.</li> </ul>	3 December 2012
Greater Bendigo C189	Apply the Heritage Overlay to: <ul style="list-style-type: none"> <li>- red brick stables at 52 Edward Street, Bendigo (HO859)</li> <li>- a dwelling at 27 Pallett Street, Golden Square (HO860)</li> <li>- a dwelling / office at 72 Queen Street, Bendigo (HO861).</li> </ul>	10 October 2013
Greater Bendigo C203	Apply the Heritage Overlay (HO865) to 4 hectares of Residential 1 Zone land at 384-386 Napier Street, White Hills.	16 April 2014
Greater Bendigo C201	Revise the local Heritage Policy and amend the Heritage Overlay Schedule to introduce a new permit exemptions incorporated plan implementing the recommendations of the White Hills and East Bendigo Heritage Study 2014 including 23 new places in the Heritage Overlay.	16 July 2015
Greater Bendigo C223	Apply the Heritage Overlay to: <ul style="list-style-type: none"> <li>- 5 new heritage precincts (Bridge Street North (HO893), Buller Street (HO894), Norfolk Street (HO895), Gleeson Street (HO896), White Hills &amp; Hamlet (HO897)</li> <li>- 2 existing heritage precincts (Baxter Street (HO2) and Tomlins Street (HO14)</li> <li>- 16 individual sites (HO898 - HO914) and</li> <li>- 3 miners cottages (HO999)</li> <li>- to implement the White Hills and East Bendigo Heritage Study – Stage 2, 2016.</li> </ul>	19 September 2017



Amendment	Summary	Report date
Greater Bendigo C234	Apply the Heritage Overlay (HO915) to a mudbrick dwelling at 40 Harley Street, Strathdale.	12 June 2018
Greater Bendigo C235gben	Apply the Heritage Overlay to 18 individual sites in Bendigo (HO916 – HO933) and delete the Neighbourhood Character Overlay Schedule 1.	27 April 2021
Greater Bendigo C271gben	Apply the Heritage Overlay (HO937) to La Rocca residence and East Bendigo Observatory on part of 55 Condon Street, Kennington.	8 July 2022
Greater Bendigo C275gben	Implement <i>the Victorian Miners' Housing Serial Listings Stage 2 Study (Trethowan Architecture, 2021)</i> by applying the Heritage Overlay to miner's cottages and reefers' houses throughout the municipality.	18 September 2023
<b>Greater Dandenong</b>		
Greater Dandenong C31 Part 3	Apply the Heritage Overlay to: <ul style="list-style-type: none"> <li>- the Keysborough State School site at 1700 Chapel Street</li> <li>- Dandenong Primary School site at 186 Foster Street</li> <li>- the Ranges and Garden at 17-19 MacPherson Street and 86 – 88 Clow Street, Dandenong</li> <li>- Ordish House at 27 MacPherson Street, Dandenong</li> <li>- Sherwood Lodge at 109 – 117 Perry Road, Keysborough.</li> </ul>	15 February 2005
<b>Greater Geelong</b>		
Greater Geelong C71	Apply the Heritage Overlay to the 'Broome Cottage' at 1 – 5 The Avenue, Ocean Grove.	24 March 2003
Greater Geelong C49	Apply the Heritage Overlay to 98 sites and introduce local policies for three areas.	11 March 2004
Greater Geelong C89	Apply the Heritage Overlay to 150 sites and 4 precincts in Belmont and new Local Policies for the Evans, Kardinia, Mt Pleasant and Wimmera Heritage Areas.	24 May 2006
Greater Geelong C190	Introduce permanent Heritage controls for various areas / precincts and sites listed in the Newtown Heritage Study Vol 3.	31 March 2011
Greater Geelong C291 and Permit Application 112/2013	Delete the Heritage Overlay (HO1630) and rezone 137 – 139 Melbourne Road, Rippleside from Residential 1 to Business 4 (Commercial 2) Zones to allow the site to be used for motor vehicle, boat or caravan sales.	24 December 2013
Greater Geelong C316	Apply the Heritage Overlay to 27 sites in Anakie, Lara, Little River and Lovely Banks as recommended in the Lara Heritage Review 2013	13 April 2016
Greater Geelong C341	Apply the Heritage Overlay (HO1989) over the Vietnam Veterans Avenue of Honour, memorial and Osborne House gates in Melbourne Road, North Geelong	2 December 2016
Greater Geelong C354	Apply the Heritage Overlay (HO1989) over the house and cypress tree at 9 Bridge Road, Barwon Heads.	4 April 2017
Greater Geelong C365	Implement the findings of the <i>Newtown West Heritage Area Review 2016</i> by: <ul style="list-style-type: none"> <li>- deleting Heritage Overlay listings HO181, HO205 and HO1242</li> <li>- applying Heritage Overlay HO1990 and HO2001 - HO2007.</li> </ul>	18 September 2017

Amendment	Summary	Report date
Greater Geelong C359	Implement the <i>City Fringe Heritage Area Review (2016), Outer Areas Heritage Study (1998-2000)</i> , as updated by the <i>Ceres Heritage Study Report (2017)</i> and the <i>Former Dennys Lascelles Woolstore Heritage Assessment (2017)</i> .	30 April 2018
Greater Geelong C422ggee	Apply the Heritage Overlay HO2022 to the House and Norfolk Island Palms at 12-16 Kinsmead Street, Waurin Ponds.	23 November 2021
Greater Geelong C434ggee	Apply the Heritage Overlay (HO1915), among other changes, to the former Geelong Saleyards at part of 125-135 Weddell Road, 2-6, 6A and 8-14 Thompson Road, North Geelong to allow the land to be redeveloped in accordance with the <i>Saleyards Comprehensive Development Plan (2022)</i> .	31 January 2023
<b>Greater Shepparton</b>		
Greater Shepparton C50	Implement the <i>Greater Shepparton Heritage Study Stage 2</i> by applying the Heritage Overlay to 147 buildings and 2 precincts.	20 January 2006
Greater Shepparton C110	Implement the <i>Shepparton Heritage Study Stage IIB</i> by amending, removing and deleting the Heritage Overlay from properties.	29 April 2013
Greater Shepparton C143	Correct spelling errors and inaccurately identified addresses for 56 entries in the Heritage Overlay Schedule.	14 August 2015
Greater Shepparton C205gshe	Implement the <i>draft Greater Shepparton Heritage Study Stage II (2019)</i> by: <ul style="list-style-type: none"> <li>- revising the provisions for land with the Heritage Overlay</li> <li>- applying the Heritage Overlay to 178 sites.</li> </ul>	4 February 2020
<b>Hepburn</b>		
Hepburn C15	Correct errors to 687 sites and precincts in the Schedule to the Heritage Overlay and apply the Heritage Overlay to 20 new sites and one precinct.	5 April 2006
Hepburn C82hepb	Apply the Heritage Overlay (HO987) to the Old Hepburn Hotel at 236 Main Road, Hepburn Springs.	17 November 2021
<b>Hobsons Bay</b>		
Hobsons Bay C17 Part B	Apply the Heritage Overlay to 86 The Avenue, Spotswood.	6 January 2003
Hobsons Bay C17 Part A	Apply the Heritage Overlay to 70 sites and precincts in Altona, Laverton and Newport.	14 February 2003
Hobsons Bay C34 Parts 1 and 2	Implement the recommendations of the <i>City of Williamstown Conservation Study</i> review (now part of the <i>Hobsons Bay Heritage Study</i> ).	13 April 2004
Hobsons Bay C99	Apply the Heritage Overlay (HO317) to the former Nugget Factory at 16-20 Kanowna Street, Williamstown.	26 September 2014
Hobsons Bay C133hbay	Implement the <i>Newport Structure Plan and Inner Newport Heritage Gap Study (2022)</i> .	5 January 2023

Amendment	Summary	Report date
Hobsons Bay C137hbay	Implement the <i>Spotswood Activity Centre Structure Plan Heritage Review (2022)</i> by: <ul style="list-style-type: none"> <li>- adding and removing properties in George Street to the Spotswood Residential Heritage Precinct (HO30)</li> <li>- adding and removing land in Simcock Avenue at the former AGM Factory Complex (HO46)</li> <li>- removing part of 71 Simcock Avenue from the Hugh Lennon Agricultural Implement Works (HO153)</li> <li>- adding the War Service Homes Commission Precinct (HO323)</li> <li>- adding the Alloa Park Estate Precinct (HO324)</li> <li>- adding the Australian Glass Manufacturers Housing Heritage Precinct (HO325)</li> <li>- adding Spotswood State School No 3669 in Melbourne Road (HO326)</li> <li>- adding shops at 87-89 Hudsons Road (HO327)</li> <li>- adding the Baco Food Products Factory at 121-129 Craig Street (HO328).</li> </ul>	21 August 2023
<b>Hume</b>		
Hume C19 Part 2	Delete the Heritage Overlay from properties in The Avenue, Sunbury.	14 November 2003
Hume C55 Part 2	Apply the Heritage Overlay to 37 sites in Campbellfield, Greenvale, Keilor, Mickleham, Oaklands Junction, Somerton, Sunbury, Westmeadows and Yuroke.	12 July 2005
Hume C266hume	Implement the <i>Hume Heritage Overlay Review, Hume City Council, Victoria (Biosis Pty Ltd, 2022)</i> by applying the Heritage Overlay to 112 sites across the municipality.	24 July 2023
<b>Indigo</b>		
Indigo C10	Implement the <i>Indigo Shire Heritage Study Stage 2 (2002)</i> by: <ul style="list-style-type: none"> <li>- replacing the Heritage clause</li> <li>- introducing a new Local Policy for heritage places in the Heritage Overlay</li> <li>- introducing a new Local Policy for advertising signage</li> <li>- introducing a new Heritage Overlay Schedule</li> <li>- applying the Heritage Overlay to 503 sites and properties included in the extension or application of 5 heritage precincts.</li> </ul>	17 July 2007
<b>Kingston</b>		
Kingston L48	Apply the Heritage Overlay to the Mayfield Homestead at 282 Lower Dandenong Road, Mordialloc.	23 February 2000
Kingston C26	Apply the Heritage Overlay to 5 High Street, Mordialloc.	16 October 2002
Kingston C31	Apply the Heritage Overlay to 2 Jellicoe Street, Cheltenham.	1 September 2003
Kingston C46 Part 2	Apply the Heritage Overlay to sites identified in Council's heritage Study.	4 August 2005
Kingston C133 and Permit Application KP12/555	Amend the Heritage Overlay (HO18) and rezone 0.27 ha of the Patterson River Golf Course at No 1 The Fairway, Bonbeach from Special Use 1 to Neighbourhood Residential to allow for the correct application of the Heritage Overlay to the clubhouse and for the subdivision of the former bowling green into 55 lots.	24 December 2013

Amendment	Summary	Report date
Kingston C215king	Apply the Heritage Overlay to 86 Mentone Parade, Mentone (HO128).	23 November 2023
<b>Latrobe</b>		
Latrobe C14	Implement the recommendations of the <i>Latrobe City Heritage Study 2008</i> .	19 May 2010
<b>Macedon Ranges</b>		
Macedon Ranges C31	Apply the Heritage Overlay to 85 and 131 Hamilton Street, Gisborne.	18 June 2004
Macedon Ranges C33	Implement the <i>Macedon Ranges Shire council Stage One Heritage Review (2010)</i> by applying the Heritage Overlay to recommended sites.	1 June 2011
Macedon Ranges C118	Implement the <i>Gisborne and Kyneton Heritage Study (2017)</i> by applying the Heritage Overlay to 38 sites (HO280 - HO317) in Gisborne, New Gisborne and Kyneton.	28 October 2018
Macedon Ranges C127macr	Implement the <i>Macedon Ranges Shire Heritage Study: Woodend, Lancefield, Macedon and Mount Macedon Stage 2 Final Report (2019)</i> by applying the Heritage Overlay to 32 sites in Lancefield, Macedon, Mount Macedon, Woodend and Woodend North (HO319 – HO350).	31 March 2022
Macedon Ranges C143macr	Apply the Heritage Overlay to: <ul style="list-style-type: none"> <li>- Bungil Creek Bridge and Channel, in Hamilton Street, Gisborne' (HO351)</li> <li>- an English elm and two English oaks in the Memorial Precinct (HO289) (Howey Reserve) in Gisborne).</li> </ul>	12 April 2022
<b>Manningham</b>		
Manningham C60	Replace the February 2003 version of the <i>Warrandyte Township Heritage Guidelines</i> with the May 2006 version.	02 July 2007
Manningham C71	Introduce the recommendations of the Urban Design Framework for Yarra Street, Warrandyte.	23 December 2012
Manningham C113	Revise the Heritage Overlay for: <ul style="list-style-type: none"> <li>- former Eastern Golf Course "Tullamore" and stable at 463 Doncaster Road, Doncaster (HO43)</li> <li>- 66-68 Hall Road, Warrandyte South (HO74)</li> <li>- Windrush at 15-17 Homestead Road, Templestowe (HO85)</li> <li>- 2 McLeod Street, Doncaster (HO108)</li> <li>- 47-49 Smiths Road, Templestowe (HO155)</li> <li>- Warrandyte Township Heritage Precinct, 111 Yarra Street, Warrandyte (HO191)</li> <li>- 17-25 Atkinson Street, Templestowe (HO203)</li> <li>- Monterey Cypress at 333, 339, 344 &amp; 360 High Street, Doncaster (HO212).</li> </ul>	20 June 2017
<b>Maribyrnong</b>		
Maribyrnong C14 Part 1	Apply the Heritage Overlay to 95 Hamilton Street, Yarraville.	6 June 2003
Maribyrnong C31	Apply the Heritage Overlay to 102 sites and 14 areas across the municipality.	18 August 2004

Amendment	Summary	Report date
Maribyrnong C129	Apply the Heritage Overlay (HO207) to 'the Burrows House' at 20 Geelong Road, Footscray.	11 April 2014
Maribyrnong C147	Insert an incorporated plan to exempt planning permits for minor buildings and works in: <ul style="list-style-type: none"> <li>- HO1 Angliss Housing estate heritage area, Yarraville</li> <li>- HO2 Ballarat Road residential heritage area, Footscray</li> <li>- HO3 Footscray commercial heritage area, Footscray</li> <li>- HO4 Footscray residential heritage area, Footscray</li> <li>- HO5 Munition worker's housing heritage area, Braybrook</li> <li>- HO7 Old Footscray Township residential heritage area, Footscray</li> <li>- HO8 Queensville Estate heritage area, Kingsville</li> <li>- HO9 Seddon residential and commercial heritage area, Seddon / Yarraville</li> <li>- HO10 Somerville Road 20th century residential heritage area, Yarraville</li> <li>- HO11 Upper Footscray residential heritage area, Footscray</li> <li>- HO12 War service homes heritage area, Maribyrnong</li> <li>- HO13 William Angliss worker housing estate heritage area, Footscray</li> <li>- HO14 Yarraville civic and commercial heritage area, Yarraville</li> <li>- HO15 Yarraville residential heritage area, Yarraville.</li> </ul>	10 December 2018
Maribyrnong C172mari	Implement the <i>West Footscray Interwar and Post-war Heritage Precinct Study (2021)</i> by applying the Heritage Overlay to: <ul style="list-style-type: none"> <li>- HO211 Bottomley's Paddock Inter-war and Post-war Residential Precinct</li> <li>- HO212 Centennial &amp; Duke Streets Inter-war and Post-war Residential Precinct</li> <li>- HO213 Hansen Inter-war Residential Precinct</li> <li>- HO214 Laughton's Post-war Housing Precinct</li> <li>- HO215 Naismith &amp; McCubbin Streets Inter-war Housing Precinct</li> <li>- HO216 Summerhill Road Inter-war and Post-war Housing Precinct</li> <li>- HO217 Tottenham Post-war Industrial Area Housing Precinct</li> <li>- HO218 West Footscray Inter-war and Post-war Residential Precinct.</li> </ul>	7 February 2023
<b>Maroondah</b>		
Maroondah C9 Part 2	Apply the Heritage Overlay to 9 sites in Croydon.	24 July 2001
Maroondah C42	Apply the Heritage Overlay to 61 sites across the municipality.	Final Report: 23 March 2010 Supplementary, Report: 1 June 2010
Maroondah C110	Apply the Heritage Overlay (HO139) to 29 Bedford Road, Ringwood.	14 September 2017
Maroondah C116	Implement the <i>Jubilee Park Heritage and Neighbourhood Character Study</i> by applying the Heritage Overlay, among other changes.	24 September 2019
Maroondah C128maro	Apply the Heritage Overlay (HO146) to 'Thaloo' house, remnant garden, garden and drive at 1 - 5 Wonga Road, Ringwood North.	10 January 2020
Maroondah C142maro	Apply the Heritage Overlay (HO147) to the former Kenyon House at 35 Alto Avenue, Croydon.	26 April 2021
<b>Melbourne</b>		

Amendment	Summary	Report date
Melbourne C19 Part 1	Include or delete the Heritage Overlay at sites throughout the municipality.	18 May 2001
Melbourne C19 Part 2	Include or delete the Heritage Overlay at sites throughout the municipality.	20 December 2001
Melbourne C56	Add 26 sites to the Heritage Places Inventory.	13 December 2002
Melbourne C207	Implement the <i>Arden Macaulay Heritage Review 2012</i> by: <ul style="list-style-type: none"> <li>- applying, revising or removing the Heritage Overlay in North Melbourne, West Melbourne and Kensington</li> <li>- incorporating the study into the Planning Scheme.</li> </ul>	21 January 2014
Melbourne C198	Implement the findings of the <i>City North Heritage Review</i> by applying, revising or removing the Heritage Overlay on land in North and West Melbourne, Carlton and Melbourne.	Report: 11 July 2014 Supplementary Report: 19 November 2014
Melbourne C212	Apply Environment Significance Overlay Schedule 2 to trees on 110 properties and Heritage Overlays to trees on 10 properties to protect trees that have identified in the City of Melbourne Exceptional Tree Register 2012.	31 July 2014
Melbourne C215	Implement the recommendations of the <i>Review of Heritage Buildings in Kensington 2013</i> and the <i>Review of Heritage Buildings: Percy Street 2013</i> , for land generally bounded by Racecourse Road, Lambeth Street, Scarborough Place, Stubbs Street, Smith Street, Thompson Street, Robertson Street, Barnett Street, Macaulay Road and Eastwood Street, Kensington.	3 September 2014
Melbourne C240	Apply Design and Development Overlay Schedule 62 and alter the boundaries of the Bourke Hill Heritage Overlay Precinct (HO500) to introduce permanent and discretionary height controls to the Bourke Hill area bounded by Little Collins Street, Exhibition Street, Lonsdale Street, and Spring Street, Melbourne.	4 May 2015
Melbourne C186	Apply the Heritage Overlay to 99 sites and include the <i>Central City (Hoddle Grid) Heritage Review 2011</i> and <i>Heritage Assessment 316 – 322 Queen Street 2010</i> as policy references.	9 July 2017

Amendment	Summary	Report date
Melbourne C271	<p>Implement the <i>Guildford and Hardware Laneways Heritage Study (2017)</i> by revising the Heritage Places within the Capital City Zone Policy and revising and applying the Heritage Overlay to:</p> <ul style="list-style-type: none"> <li>- Dynon's Buildings at 63-77 Hardware Lane, Melbourne (HO667)</li> <li>- Former Edward Keep &amp; Co warehouse 377-381 Lonsdale Street, Melbourne (HO716)</li> <li>- 4-6 and 8 Goldie Place, Melbourne (HO1044)</li> <li>- Elizabeth Street West Precinct, Melbourne (HO1204)</li> <li>- Guildford &amp; Hardware Laneways Precinct, Melbourne (HO1205)</li> <li>- Former Pellegrini &amp; Co premises at 388-390 Bourke Street, Melbourne (HO1206)</li> <li>- 414-416 Bourke Street, Melbourne (HO1207)</li> <li>- Former John Dickinson &amp; Co warehouse at 337-339 LaTrobe Street, Melbourne (HO1208)</li> <li>- Benjamin House at 358-360 Little Collins Street, Melbourne (HO1210)</li> <li>- Former Rosenthal &amp; Co premises at 362-364 Little Collins Street, Melbourne (HO1211)</li> <li>- Former F Lowe &amp; Co store at the rear of 369-371 Lonsdale Street (HO1212)</li> <li>- Scottish Amicable Building at 128-146 Queen Street, Melbourne (HO1213).</li> </ul>	6 September 2018
Melbourne C258	<p>Revise the 'Heritage Places within the Capital City Zone' and Heritage Places outside the Capital City Zone' local heritage policies, apply the Heritage Overlay to 20 sites, revise the descriptions of five existing Heritage sites and revise the boundaries of the Heritage Overlay for seven sites in West Melbourne to implement the recommendations of the 'Heritage Policies Review 2016' and the 'West Melbourne Heritage Review 2016'.</p>	21 May 2019
Melbourne C305	<p>Implement the recommendations of the <i>Southbank and Fishermans Bend Heritage Review (2016)</i> by:</p> <ul style="list-style-type: none"> <li>- removing the Heritage Overlay from 12 sites</li> <li>- applying the Heritage Overlay to 1 precinct, 2 group listing and 17 sites (HO1200 - HO1203, HO1214 - HO1216 and HO1218 - HO1230)</li> <li>- amending the Heritage Overlay at 17 sites in Port Melbourne, Southbank and South Wharf.</li> </ul>	4 September 2020
Melbourne C387melb	<p>Implement the <i>Hoddle Grid Heritage Review (2020)</i> by applying the Heritage Overlay to 137 individual places and 5 precincts (HO 937, 984, 995, 1002, 1005-1006, 1008, 1010, 1041, 1057, 1068, 1180, 1231, 1237-1250, 1253-1255, 1258-1263, 1265-1269, 1271-1282, 1285-1286, 1288-1292, 1294-1296, 1302-1342, 1344-1379).</p>	10 November 2021
Melbourne C396melb	<p>Amend the Heritage Overlay for 369 properties and 3 infrastructure assets in Carlton, Carlton North, East Melbourne, Kensington, Melbourne, North Melbourne, Parkville, South Yarra, and West Melbourne.</p>	21 December 2021
Melbourne C394melb	<p>Apply the Heritage Overlay to:</p> <ul style="list-style-type: none"> <li>- the former Kraft Vegemite Factory at 1 Vegemite Way, Port Melbourne (HO1381)</li> <li>- the electricity substation at 224-236 Salmon Street, Port Melbourne (HO1382)</li> <li>- Shed 21 at 206 Lorimer Street, Docklands (HO1383).</li> </ul>	11 February 2022

Amendment	Summary	Report date
Melbourne C403melb	Implement the <i>North Melbourne Heritage Review (2022)</i> by applying the Heritage Overlay to sites in North Melbourne.	26 May 2023
Melbourne C426melb	Implement the <i>South Yarra Heritage Review (2022)</i> .	15 January 2024
<b>Melton</b>		
Melton C71	Implement the <i>Melton Heritage Study 2007</i>	29 January 2009
Melton C100	Introduce a Dry Stone Walls Local Policy and apply the Heritage Overlay to 140 dry stone walls.	18 December 2015
Melton C198melt	Implement the <i>City of Melton Heritage Assessments Project (2018)</i> by applying the Heritage Overlay to: <ul style="list-style-type: none"> <li>- 398-428 Exford Road, Weir Views (HO129)</li> <li>- 430-458 Exford Road, Weir Views (HO130)</li> <li>- Brooklyn Road, Melton South railway reserve (HO131)</li> <li>- 325 Clarkes Road, Brookfield (HO132)</li> <li>- 2-6 Sherwin Court, 2 Killarney Drive and 2a Sherwin Court, Melton (HO133)</li> <li>- 660A Beattys Road, Bonnie Brook (HO134)</li> <li>- 1267-1289 Beattys Road, Grangefields (HO135)</li> <li>- Beattys Road crossing of Kororoit Creek, Aintree (HO136)</li> <li>- 687 Hopkins Road, Truganina (HO137).</li> </ul>	23 December 2020
Melton C231melt	Implement the <i>City of Melton Heritage Assessment Project (2020/21)</i> by applying the Heritage Overlay to: <ul style="list-style-type: none"> <li>- The Oaks Homestead at 1809-1859 Gisborne-Melton Road, Kurunjang (HO138)</li> <li>- Diggers Rest Army Housing Estate at Units 1-6 and 8-18, 19-115 Diggers Rest-Coimadai Road, Diggers Rest (HO139)</li> <li>- Minns Road Bridge over Toolern Creek, Kurunjang (HO140)</li> <li>- Soldier Settlement Housing at 115-131 Napier Street, 480-580, 726-738, 740-794 &amp; 796-830 Mt Aitken Road, Diggers Rest (HO141)</li> <li>- Hillview house at 332 Benson Road, Toolern Vale (HO142).</li> </ul>	13 July 2023
<b>Mildura</b>		
Mildura C47	Review the extent of the Heritage Overlay for 3 sites in Mildura.	3 November 2010
Mildura C52	Implement the recommendations of the <i>12 Langtree Parade Heritage Report 2008</i> .	21 May 2010
Mildura C79	Implement the <i>Mildura (former Shire of Walpeup) Heritage Study Stage 2</i> by applying the Heritage Overlay to 84 places and 10 precincts.	14 November 2014
<b>Mitchell</b>		
Mitchell C56	Apply the Heritage Overlay (HO264) to 836 Heidelberg - Kinglake Road, Hurstbridge.	Report: 2 January 2014 Supplementary Report: 15 January 2014



Amendment	Summary	Report date
Mitchell and Whittlesea GC55	Delete Vegetation Protection Overlay Schedule 2, delete Salinity Management Overlay, amend the Public Acquisition Overlay 7, amend Heritage Overlay listings HO4 and HO332 and rezone land within 291 hectares bounded by Rankin Street, Patterson Street, Camerons Lane, Kelly Street, the Hume Freeway, Stewart Street and Spring Street, Beveridge to incorporate the Beveridge Central Precinct Structure Plan.	24 July 2017
<b>Moira</b>		
Moira C38	Implement the recommendations of the <i>2007 Moira Shire Heritage Study</i> by applying the Heritage Overlay to 110 additional individual places, 15 precincts and 2 thematic groups of places.	27 April 2016
<b>Monash</b>		
Monash L51	Apply the Heritage Overlay among other overlays.	22 October 1999
Monash C41	Apply the Heritage Overlay to 6 sites in Clayton, Hughesdale and Oakleigh.	14 April 2004
Monash C79	Apply the Heritage Overlay to a row of trees at 6 – 20 Brandon Park Drive, Wheelers Hill.	17 February 2009
<b>Moonee Valley</b>		
Moonee Valley C4 Part 2	Apply the Heritage Overlay to 9 sites.	22 February 2000
Moonee Valley C16 Part 2	Apply the Heritage Overlay to 18 Woods Street, Ascot Vale.	18 January 2001
Moonee Valley C45	Apply the Heritage Overlay to precincts and sites.	9 March 2004
Moonee Valley C53 Part 2	Apply the Heritage Overlay to 12 Laura Street, Moonee Ponds.	10 February 2005
Moonee Valley C66	Implement the <i>Heritage Gap Study 2005</i> by applying the Heritage Overlay to 36 places and 3 precincts.	02 July 2007
Moonee Valley C80	Apply the Heritage Overlay to the Brickmakers Arms Hotel at 1018 – 1028 Mt Alexander Road, Essendon.	21 July 2008
Moonee Valley C109	Implement the <i>Review of HO Precincts Report (2011)</i> by amending clauses 21.05, 43.01 and 81.01 to review the following heritage precincts: <ul style="list-style-type: none"> <li>- HO1 - Edwards/Richardson Street, Essendon</li> <li>- HO3 – Kalimna/Kiora/Curtis/Ardoch Streets and Peterleigh Grove, Essendon</li> <li>- HO15 – Lorne Street, Moonee Ponds</li> <li>- HO15 – Union Road, Ascot Vale</li> <li>- HO18 – Bayview Terrace/St Leonards Road/The Parade, Ascot Vale</li> <li>- HO20 – Monash Street/Dumblane Avenue/Elliot Street, Ascot Vale</li> <li>- HO24 – Wellington Street, Flemington</li> <li>- HO79 – Canterbury/Dover Streets, Flemington.</li> </ul>	19 June 2012

Amendment	Summary	Report date
Moonee Valley C142	Implement the <i>Moonee Valley Thematic Places Heritage Study 2012-14</i> by applying the Heritage Overlay to: <ul style="list-style-type: none"> <li>- Laurel Hotel at 289 Mt Alexander Road, Ascot Vale (HO361);</li> <li>- Essendon and Flemington Borough Offices at 1A Warwick Street, Ascot Vale (HO362)</li> <li>- shops at 361, 363 – 379 and 548 Mt Alexander Road, Ascot Vale (HO363)</li> <li>- Princes of Wales Hotel at 502 – 510 Mt Alexander Road, Ascot Vale (HO364)</li> <li>- Victoria Buildings at 433 – 437 Mt Alexander Road, Ascot Vale (HO365)</li> <li>- former garage at 546 Mt Alexander Road, Ascot Vale (HO366)</li> <li>- Ascot Vale Hotel at 447 Mt Alexander Road, Ascot Vale (HO367)</li> <li>- Clocktower centre at 750 Mt Alexander Road, Moonee Ponds (HO368)</li> <li>- Lincolnshire Arms Hotel at 1 Keilor Road, Essendon (HO369)</li> <li>- former Methodist Church parsonage at 43 Nimmo Street, Essendon (HO370)</li> <li>- 2 – 20 Levin Street, Essendon (HO371).</li> </ul>	2 December 2014
Moonee Valley C143	Implement the <i>Moonee Valley Thematic Places Heritage Study 2012-14</i> by applying the Heritage Overlay to part of the Ascot Housing Commission Estate Precinct (HO372).	2 December 2014
Moonee Valley C144	Implement the <i>Heritage Overlay Review Report (2014)</i> by applying the Heritage Overlay to 17 heritage precincts and 22 places.	26 February 2015
Moonee Valley C164	Implement the <i>Moonee Valley Heritage Study 2015</i> by applying the Heritage Overlay to 64 places and precincts in Aberfeldie, Airport West, Ascot Vale, Avondale Heights, Essendon, Essendon North, Flemington, Keilor East, Moonee Ponds, Niddrie, Strathmore and Travancore.	1 December 2016
Moonee Valley C186	Apply the Heritage Overlay (HO448) to 5 Alma Street, Aberfeldie.	4 June 2018
Moonee Valley C195	Apply the Heritage Overlay (HO450) to 89 Glass Street, Essendon.	17 December 2018
Moonee Valley C200moon	Proposed to: <ul style="list-style-type: none"> <li>- delete the Heritage Overlay from 7 sites (HO172, HO238, HO239, HO257, HO357, HO391 and HO392)</li> <li>- apply the Heritage Overlay to 60 heritage places (HO469 – HO528), 9 extended heritage precincts (HO002, HO003, HO007, HO012, HO016, HO019, HO021, HO0326, and HO371) 18 new heritage precincts (HO450 – HO467) and 1 serial listing (HO468).</li> </ul>	16 February 2021
<b>Moorabool</b>		
Moorabool C6 Part 2	Implement the <i>Bacchus Marsh Heritage Study 1995</i> .	Interim Report: 11 April 2013 Final Report: 14 May 2013
<b>Moreland</b>		
Moreland C1 Parts 1 and 2	Apply the Heritage Overlay to 73 Plumpton Avenue, Glenroy and makes other unrelated changes.	2 April 2001
Moreland C10 Part 1	Apply the Heritage Overlay to 42 David Street, Brunswick.	18 October 2001

Amendment	Summary	Report date
Moreland C78	Apply the Heritage Overlay to 970 properties as identified in the Moreland Local Places Review 2004 and the draft Brunswick Structure Plan 2008	19 May 2010
Moreland C129	Implement the <i>North of Bell Street Heritage Study (2011)</i> and the <i>Gallipoli Parade Heritage Precinct and Beaufort Houses Review (2011)</i> by amending, revising or deleting the Heritage Overlay for 35 properties and 10 precincts.	2 February 2013
Moreland C149	Implement the <i>Lygon Street Heritage Study (2012)</i> by referencing the study in the Planning Scheme and applying the Heritage Overlay to: <ul style="list-style-type: none"> <li>- 495-497 &amp; 500-522 Lygon Street, Brunswick East (HO435)</li> <li>- 398-406 Lygon Street, Brunswick East (HO436)</li> <li>- 313-321 Lygon Street, Brunswick East (HO437)</li> <li>- 128-140 &amp; 129-135 Lygon Street, Brunswick East (HO438)</li> <li>- 38-114 &amp; 51-117 Lygon Street, Brunswick East (HO439)</li> <li>- Former ANZ Bank, 152-154 Lygon Street, Brunswick East (HO440)</li> <li>- Rosely Hosiery Mill (Former), 170-176 Lygon Street, Brunswick East (HO441)</li> <li>- 150 Lygon Street, Brunswick East (HO442)</li> <li>- Moderne Apartment Blocks, 37, 299-299A, 301 and 434C Lygon Street, Brunswick East (HO443)</li> <li>- Inter-war Textile Factories, 103-105 Evans Street and 236, 238, 240, 260 and 297 Lygon Street, Brunswick East (HO444)</li> </ul> Further changes: <ul style="list-style-type: none"> <li>- delete the existing Heritage Overlay for the Lygon Street Precinct (HO255)</li> <li>- remove the interim protection for 260 Lygon Street and include it in HO444.</li> </ul>	14 May 2014
Moreland C174	Implement the <i>Moreland Heritage Gap Study (2017)</i> by applying the Heritage Overlay to 80 individual places, 4 heritage precincts 3 serial listings and 10 precinct extensions in Brunswick, Brunswick East, Brunswick West, Coburg, Coburg North, Glenroy, Fawkner, Fitzroy North, Oak Park, Pascoe Vale and Pascoe Vale South.	20 June 2019
Moreland C208more	Implement the <i>Moreland Heritage Nominations Study (2020)</i> and the <i>Moreland Heritage Gap Study (2019)</i> by: <ul style="list-style-type: none"> <li>- applying the Heritage Overlay to 45 individual places (HO505, HO548 – HO586 and HO588 - HO592), 7 new precincts (HO593 – HO599), 3 precinct extensions (HO85, HO87 and HO207) and 1 serial listing (HO600)</li> <li>- removing the Heritage Overlay from 5 individual places (HO52, HO278, HO279, HO295 and HO311)</li> <li>- revising the description of the Heritage Overlay for 2 existing precincts (HO73 and HO139) and 4 existing sites (HO237 – HO240 and HO243).</li> </ul>	15 July 2022
<b>Mornington Peninsula</b>		
Mornington Peninsula C12 Part 2	Apply the Heritage Overlay to the Collins Settlement site in Point Nepean Road, Sorrento.	5 April 2001

Amendment	Summary	Report date
Mornington Peninsula C23	Introduce a local planning policy for the Sorrento Historic Precinct.	5 June 2002
Mornington Peninsula C35	Apply the Heritage Overlay to 68 sites.	12 September 2002
Mornington Peninsula C73 Part 2	List the Mornington Main Street and Esplanade Civic Precinct as a heritage place.	21 March 2006
Mornington Peninsula C101	Apply the Heritage Overlay to the Flinders Heritage Precinct.	16 October 2009
Mornington Peninsula C114	Apply the Heritage Overlay to 42 Barkly Street, Mornington.	21 October 2009
Mornington Peninsula C170	Apply the Heritage Overlay (HO361) to 4 - 6 Rannoch Avenue, Mount Eliza.	2 May 2013
Mornington Peninsula C135 (in part)	Proposed to: <ul style="list-style-type: none"> <li>- delete the Heritage Overlay (HO23) from 10, 12, 14 and 18 Beach Road, Shoreham.</li> <li>- apply the Heritage Overlay (HO355) to the Main Street Mornington Heritage Precinct.</li> </ul>	18 June 2013
Mornington Peninsula C174 Part 3	Proposed to: <ul style="list-style-type: none"> <li>- introduce a new Local Area Policy for the Ranelagh Estate, Mount Eliza</li> <li>- adjust the Local Policy for Cultural Heritage Places</li> <li>- apply the Heritage Overlay to 12 - 14 Osborne Drive, Mount Martha (HO391) and 21 and 23 Ravenscourt Crescent, Mount Eliza (HO398).</li> </ul>	15 October 2014
Mornington Peninsula C197 and Permit Application CP14/002	Allow for the staged 15-lot subdivision at 40 – 52 Elizabeth Drive, Rosebud by applying the Heritage Overlay (HO410), among other changes.	20 July 2016
Mornington Peninsula C214	Implement the <i>Mornington Peninsula Shire Heritage Review, Area 2 Volume 2 - Place and Precinct Citations (2017)</i> by: <ul style="list-style-type: none"> <li>- revising the Heritage Overlay for 3 sites in Merricks and Somerville (HO288, HO296 and HO297)</li> <li>- applying the Heritage Overlay for 59 sites and precincts in Arthurs Seat, Capel Sound, Dromana, Fingal, Hastings, Main Ridge, McCrae, Red Hill, Rosebud, Rye, and Somerville (HO141, HO401 - HO405, HO408 - HO413, HO415 - HO417, HO419 - HO462).</li> </ul>	4 December 2018
Mornington Peninsula C262morn Part 2	Apply the Heritage Overlay to 16 sites and 6 precincts (HO432, HO434, HO470, HO472 - HO477, HO485, HO488, HO501 - HO504, HO508, HO511, HO516, HO523, HO524, HO532, HO534) in Blairgowrie, Portsea and Sorrento.	6 April 2021
Mornington Peninsula C239morn	Proposed to: <ul style="list-style-type: none"> <li>- apply the Heritage Overlay (HO543) to the Fenton Hall site at 181 Bittern-Dromana Road, Merricks North</li> <li>- revise the Heritage Overlay (HO127) for the former Camp Buxton site at 39-45 and part of 47-57 Marine Parade, Shoreham.</li> </ul>	9 August 2022
<b>Mount Alexander</b>		

Amendment	Summary	Report date
Mount Alexander C55	Implement the findings of the <i>former Shire of Newstead Heritage Study 2004 (revised 2011)</i> by: <ul style="list-style-type: none"> <li>- updating the list of reference documents to include: <ul style="list-style-type: none"> <li>- Heritage Study of the Shire of Newstead, Wendy Jacobs Architects and Planners, revised 2011;</li> <li>- Former Shire of Newstead Heritage Precinct Planning Permit Exemptions Incorporated Plan, October 2011; and</li> <li>- Welshmans Reef Caravan Park Planning Permit Exemptions Incorporated Plan, October 2011</li> </ul> </li> <li>- applying the Heritage Overlay to 244 new places and 5 precincts.</li> </ul>	18 July 2012
Mount Alexander C60	Apply the Heritage Overlay to: <ul style="list-style-type: none"> <li>- Forest Creek Channel Precinct, between Bridge Street and the railway bridge, Castlemaine (HO1183)</li> <li>- Western Reserve, the former Eastern Reserve and the Lawn Tennis Club Reserve between Bridge Street and the railway bridge, Castlemaine (HO1204)</li> <li>- Forest Street Industrial, Commercial and related Residential Serial Site in Barker Street, Bruce Street and Forest Street, Castlemaine (HO1214).</li> </ul>	23 December 2015
Mount Alexander C97malx	Correct errors and anomalies, which among other changes, affects the Heritage Overlay at 100 properties.	12 August 2022
<b>Moyne</b>		
Moyne C61	Proposed to: <ul style="list-style-type: none"> <li>- apply the Heritage Overlay to the Dunlop Street Heritage precinct (HO77) in Dunlop Street, Officer Street, Townsend Street and Webster Street, Mortlake</li> <li>- extend the existing Mortlake Heritage precinct (HO12) in Jamieson Avenue, Officer Street, Townsend Street, Shaw Street and Stewart Street, Mortlake and renaming it to the Shaw Street Heritage precinct</li> <li>- apply the Heritage Overlay to 14 properties (HO78 - HO91) in the Mortlake township and surrounds</li> <li>- delete the Heritage Overlay (part of HO12) from 5 properties and part of 1 property in Shaw Street, Mortlake.</li> </ul>	16 August 2016
<b>Nillumbik</b>		
Nillumbik C3 Part 2	Apply the Heritage Overlay to 17 sites in Arthurs Creek, Christmas Hills, Cottlesbridge, Diamond Creek, Eltham, Greensborough, Hurtsbridge, North Warrandyte.	14 November 2001
Nillumbik C13 Part 2	Apply the Heritage Overlay to: <ul style="list-style-type: none"> <li>- St Michaels Anglican Church, Yarrambat</li> <li>- Ryders Hut, Arthur's Creek</li> <li>- 50 Arthur Street, Eltham</li> <li>- 155 Dodd Street, St Andrews</li> <li>- Glendonald, Arthur's Creek</li> <li>- Cracknell House, Panton Hill</li> <li>- 100 Research Warrandyte Road</li> <li>- 180 Doctors Gully Road, Doreen.</li> </ul>	21 August 2007
Nillumbik C58 Part 2	Apply the Heritage Overlay to site 12 at 925 – 927 Heidelberg – Kinglake Road, Hurstbridge.	2 June 2010

Amendment	Summary	Report date
Nillumbik C72	Apply and revise the Heritage Overlay for 6 sites in Cottles Bridge, Eltham, Kangaroo Ground, Plenty and Warrandyte.	6 July 2011
Nillumbik C78	Apply the Heritage Overlay (HO264) to 836 Heidelberg - Kinglake Road, Hurstbridge.	26 March 2013
Nillumbik C100	Apply the Heritage Overlay (HO268) to 12 Anzac Avenue, Hurstbridge.	27 March 2015
Nillumbik C142nill	Apply the Heritage Overlay (HO271) to part of 50 Oatland Road, Plenty.	27 July 2022
Nillumbik C149nill	Apply, revise and remove the Heritage Overlay to 63 places, one serial listing and one precinct in Arthurs Creek, Christmas Hills, Diamond Creek, Eltham, Eltham North, Hurstbridge, Kangaroo Ground, North Warrandyte, Panton Hill, Plenty, Research, St Andrews, Wattle Glen and Yarrambat to implement the recommendations of Nillumbik Shire Heritage Review Stages A & B	19 December 2023
<b>Port Phillip</b>		
Port Phillip C5 & C14	<ul style="list-style-type: none"> <li>- C5: Neighbourhood amendment including revisions to the Heritage Overlay Schedule provisions.</li> <li>- C15: Apply the Heritage Overlay to 28 sites.</li> </ul>	6 December 1999
Port Phillip C24 Part 2	Apply the Heritage Overlay to 10 properties in Port Melbourne, St Kilda.	1 March 2002
Port Phillip C32 (in part)	<p>Proposed to:</p> <ul style="list-style-type: none"> <li>- update the level of significance for properties on the Heritage Overlay Policy Map</li> <li>- update the Port Phillip Heritage Review</li> <li>- update the Port Phillip Heritage Policy Map.</li> </ul>	29 August 2005
Port Phillip C46	Implement the <i>East St Kilda Heritage Study 2004</i> .	29 August 2005
Port Phillip C54	Amend the Heritage Overlay for various sites in Elwood and update heritage related incorporated documents and maps.	29 August 2006
Port Phillip C68	Implement the recommendations of the <i>Heritage Alliance heritage Assessment (July 2005)</i> .	29 September 2008
Port Phillip C89	Implement the review of Heritage Overlay 1 - Port Melbourne (HO1) for the area bounded by Clark Street, Ingles Street, Boundary Street, Pickles Street and Beach Street and apply the Heritage Overlay to an additional 248 sites in Port Melbourne.	30 November 2012

Amendment	Summary	Report date
Port Phillip C117	<p>Proposed to:</p> <ul style="list-style-type: none"> <li>- revise Citation 2134 for the Dunlop factory at 66 Montague Street and 223-229 Normanby Road, South Melbourne</li> <li>- revise Citation 2134 for the Laconia Blanket Mills site at 179-185 Normanby Road, Southbank</li> <li>- delete Citation 2137, replace Heritage Overlay 4 with HO467, HO468, HO469 for the Johns &amp; Waygood buildings at 400-430 City Road, Southbank</li> <li>- apply the Heritage Overlay (HO470) to the electricity substation site at 98 Johnson Street, South Melbourne</li> <li>- apply the Heritage Overlay (HO471) to the horse trough in the Ingles Street road reserve, near the corner of Ingles Street and Williamstown Road, Port Melbourne</li> <li>- apply the Heritage Overlay (HO472) to the Rootes / Chrysler factory at 19 Salmon Street, 291 &amp; 323-337 Williamstown Road, 7- 9 &amp; 21 Smith Street and 332 Plummer Street, Port Melbourne</li> <li>- apply the Heritage Overlay (HO442 - Albert Park Residential Area) to shops at 496-510 City Road, South Melbourne</li> <li>- add a new citation to shops and houses at 157-163 Montague Street, South Melbourne</li> <li>- add a new Citation for the shops and houses at 125-127 Ferrars Street, Southbank</li> <li>- add a new Citation for the Post War Factory at 185 Ferrars Street, Southbank</li> <li>- grade the former BALM Paint offices at 2 Salmon Street and 339 Williamstown Road, Port Melbourne as a 'Significant Heritage Place'</li> <li>- grade the factories and offices at 16-20 and 22-28 Thistlethwaite Street and 1-3 Tates Place, South Melbourne as 'Contributory outside of the HO'</li> <li>- update the permanent heritage provisions in Fishermans Bend.</li> </ul>	20 September 2016
Port Phillip C122	<p>Implement the <i>St Kilda Road South Urban Design and Land Use Framework (November 2015)</i> by:</p> <ul style="list-style-type: none"> <li>- applying the Heritage Overlay and Design and Development Overlay Schedule 27</li> <li>- rezoning land along St Kilda Road generally between Carlisle Street and Queensway and along Wellington Street between St Kilda Road and Queensway, St Kilda.</li> </ul>	19 June 2017
Port Phillip C132	Apply the Heritage Overlay (HO497) to 26 Stokes Street, Port Melbourne.	20 April 2017
Port Phillip C143	Implement the <i>Fishermans Bend Heritage Study (Biosis, 2013)</i> and the <i>Fishermans Bend additional heritage place assessments (Biosis, 2015)</i> by applying the Heritage Overlay (HO472) to the former Rootes / Chrysler factory at 19 Salmon Street and 299 Williamstown Road, Port Melbourne.	5 September 2017
Port Phillip C174port	Amend the Heritage Overlay (HO8) by adding 3, 5, 7 and 15, and removing 21-23, 25, 27, 29 and 31 Tiuna Grove, Elwood.	5 May 2020
Port Phillip C171port	Apply the Heritage Overlay (HO187), among other changes, to the St Kilda Marina site to allow redevelopment.	13 May 2020

Amendment	Summary	Report date
Port Phillip C186port	Implement the <i>Fishermans Bend Heritage Review : Montague Commercial Precinct (RBA Architects and Conservation Consultants, 2019)</i> by: <ul style="list-style-type: none"> <li>- revising the Montague Commercial Precinct Heritage Overlay (HO513) by:</li> <li>- applying the Heritage Overlay to 496-546 City Road and 151-163 Montague Street, South Melbourne</li> <li>- deleting the Albert Park Residential Precinct Heritage Overlay (HO442) and including those properties at 512-512A, 516, 518, 522 and 524--528 City Road, South Melbourne previously included in HO442 in HO513.</li> </ul>	22 October 2020
Port Phillip C161port Part 2	Implement the <i>Port Phillip Heritage Review Update (David Helms Heritage Planning, 2019)</i> by applying the Heritage Overlay to: <ul style="list-style-type: none"> <li>- 110-118 Barkly Street and 2-6 Blanche Street, St Kilda (HO507)</li> <li>- 58-60 Queens Road, Melbourne (HO512)</li> </ul> The Amendment also rezones other properties.	12 March 2021
<b>Pyrenees</b>		
Pyrenees C7	Apply the Heritage Overlay to 43 sites and 8 precincts.	11 February 2004
<b>Queenscliffe</b>		
Queenscliffe C14 & Permit Application CP3002/160	Proposed to apply the Heritage Overlay to the former Crows Nest Barracks site at 1 Flinders Street, Queenscliff.	15 July 2004
<b>South Gippsland</b>		
South Gippsland C9 Part 2	Implement the <i>South Gippsland Heritage Study (2004)</i> .	2 September 2008
<b>Southern Grampians</b>		
Southern Grampians C6	Implement the <i>Southern Grampians Shire Heritage Study (2004)</i> by applying the Heritage Overlay to recommended sites.	20 March 2009
<b>Stonnington</b>		
Stonnington L29	Introduce an Urban Conservation Area for land in Huntingfield Road, Kooyong Road and Irving Road, Toorak.	14 April 1998
Stonnington L37	Introduce an Urban Conservation Area for land in Glenferrie Road / High Street.	24 November 1998
Stonnington L39	Introduce an Urban Conservation Area for land in Albert Street, Melrose Street, Coolgardie Avenue, Waverley Road and Malvern Road, East Malvern.	14 January 1999
Stonnington L47 Part D	Apply the Heritage Overlay to 53 sites.	23 March 2000
Stonnington L48	Introduce an Urban Conservation Area for the Dorrington Avenue Area bounded by Valency Road, Burke Road, Wattletree Road and Malvern Road, Glen Iris.	3 June 1999
Stonnington L49	Introduce an Urban Conservation Area for the Glen Iris Village Shopping Precinct at 1511 – 1545 and 1600 – 1628 High Street, Glen Iris.	30 June 1999



Amendment	Summary	Report date
Stonnington L50	Introduce an Urban Conservation Area for 143 – 163 & 120 – 148 Burke Road and 389 – 411 & 348 – 362 Wattletree Road, Malvern / East Malvern.	14 January 1999
Stonnington L55	Introduce an Urban Conservation Area for the Villers and Bretonneux Squares Area bounded by Waverley Road, Belgrave Road, Princes Highway, Serrell Street, the East Malvern Bowling Club and Nirvana Avenue, East Malvern.	10 May 1999
Stonnington L72	Introduce an Urban Conservation Area for the Arlie Avenue Area bounded by High Street, Kelvin Grove, Vail Street and Highbury Grove, Prahran.	13 December 1999
Stonnington L60	Introduce an Urban Conservation Area for the Claremont Avenue Area bounded by Glenferrie Road, Wattletree Road, Tooronga Road and Dandenong Road, Malvern.	15 May 2000
Stonnington L66	Apply the Heritage Overlay to: <ul style="list-style-type: none"> <li>- Kooyong area bounded by Glenferrie Road, Toorak Road and Kooyong Park, Kooyong</li> <li>- Moorakynne and Stonnington Estates, bounded by Glenferrie Road, Mayfield Avenue, Henderson Avenue and Somers Avenue, Malvern</li> <li>- Power Street area bounded by Kooyong Road, Toorak Road, Glenferrie Road, Warra Street, Moonga Road, Glyndebourne Avenue and Myrnong Crescent, Toorak.</li> </ul>	1 August 2000
Stonnington L67 & L68	Introduce Urban Conservation Areas for the Rialto Area for land in The Rialto, The Rialto West, Oravel Avenue and 469 – 501 Malvern Road Malvern East and the Williams Road Area, for land along Williams Road between Washington Street and High Street, South Yarra / Toorak / Prahran.	31 January 2000
Stonnington C12 Part 2	Apply the Heritage Overlay to the Inverness Avenue Precinct a 19-31 Inverness Avenue, 1-3 The Terrace and 55-67 Wattletree Road, Armadale (and 1 unrelated proposal).	6 February 2002
Stonnington C5 & C6	Apply the Heritage Overlay to 35 sites across the municipality.	15 July 2003
Stonnington C33	Apply the Heritage Overlay to the former Seeleymeyer House at 333 Wattletree Road, Malvern East.	17 March 2004
Stonnington C80	Apply the Heritage Overlay to Wrights Terrace Precinct, Prahran, Westbourne Street Precinct, Prahran and New Street Precinct, Armadale.	2 September 2009
Stonnington C80	Apply the Heritage Overlay to the Hunters Hill Precinct, Malvern East.	2 September 2009
Stonnington C97	Apply the Heritage Overlay to Edsall Street Precinct and Malvern, Coonil Estate Precinct, Malvern.	2 September 2009
Stonnington C91	Apply the Heritage Overlay to the Union Street Precinct, Armadale.	3 March 2010
Stonnington C101	Apply the Heritage Overlay to the Coolullah and Quamby Avenue Precinct in Armadale, the Norman Avenue Precinct in Hawksburn and the Redcourt Avenue Precinct in Armadale.	3 March 2010

Amendment	Summary	Report date
Stonnington C103	Apply the Heritage Overlay to the Hawksburn Railway Precinct in South Yarra, the Wilson Street Precinct in South Yarra and the Bus Inn Estate Precinct in Toorak.	3 March 2010
Stonnington C108	Apply the Heritage Overlay to 4 precincts in Prahran and South Yarra.	17 September 2010
Stonnington C112	Apply the Heritage Overlay to 5 precincts in Glen Iris and Malvern East.	17 September 2010
Stonnington C117	Apply the Heritage Overlay to the Hampden Road Precinct Extension, Armadale, the Sorrett Avenue Precinct, Malvern and the Sunderland Road Precinct, Armadale.	31 May 2011
Stonnington C118	Apply the Heritage Overlay to the Hawkesburn Retail Precinct, Armadale, the Waverley Road Gateway Precinct, Malvern East, the Malvern / Tooronga Roads Precinct, Glen Iris / Malvern and the High Street Rail and Retail Precinct, Armadale.	31 May 2011
Stonnington C127	Apply the Heritage Overlay to 5 hotel sites in Malvern, Prahran and Windsor.	20 September 2011
Stonnington C135	Apply the Heritage Overlay to 16 sites in Armadale, Glen Iris, Malvern, Malvern East, Prahran and Windsor.	11 May 2012
Stonnington C145	Apply and revised the Heritage Overlay to 7 sites in Armadale, Malvern, Malvern East and Prahran.	16 May 2012
Stonnington C158	Apply the Heritage Overlay to: <ul style="list-style-type: none"> <li>- Waverley Theatre Retail Precinct at 81 – 99 Waverley Road, Malvern East (HO424)</li> <li>- Toorak Village Precinct at 464 – 474, 482 – 484 and 527 – 533A Toorak Road, 60 Ross Street and 159 Canterbury Road, Toorak (HO425)</li> <li>- shop at 463 – 465 High Street, Prahran (HO426)</li> <li>- shop at 256 High Street, Windsor (HO427)</li> <li>- shop at 458 High Street, Prahran (HO428).</li> </ul>	28 August 2012
Stonnington C132	Update the Heritage Policy to strengthen the policy framework for the assessment of permit applications for land with the Heritage Overlay.	12 April 2017
Stonnington C157	Amend the properties covered by the Alexandra Avenue / Domain Road / Punt Road, South Yarra Heritage Precinct (HO122) and the Caroline Street, South Yarra Heritage Precinct (HO355) as part of Councils Heritage Action Plan.	3 July 2017
Stonnington C170	Revise the boundary of the Chapel Street Precinct (HO126) and realigns land into two new heritage precincts.	25 March 2013

Amendment	Summary	Report date
Stonnington C163	<p>Apply the Heritage Overlay to:</p> <ul style="list-style-type: none"> <li>- HO429 Casa Panzo, 89 Alexandra Avenue, South Yarra</li> <li>- HO430 Combooya flats, 1 Carmyle Avenue, Toorak</li> <li>- HO431 Quantox Flats, 9 Church Street, Toorak</li> <li>- HO432 Netherhall, 34 Clendon Road, Toorak</li> <li>- HO433 Basford Flats, 203 Dandenong Road, Windsor</li> <li>- HO434 Montclair Flats, 321 Dandenong Road, Prahran</li> <li>- HO435 Denbigh Court, 6-8 Denbigh Road, Prahran</li> <li>- HO436 Hillingdon, 383 Glenferrie Road, Malvern</li> <li>- HO437 Grange Lynne, 6 Grange Road, Toorak</li> <li>- HO438 Burnham, 14 Grange Road, Toorak</li> <li>- HO439 Koonoona Flats, 754 High Street, Armadale</li> <li>- HO440 Colwyn Flats, 1263 High Street, Malvern</li> <li>- HO441 Glenunga Flats, 2 Horsburgh Grove, Armadale</li> <li>- HO442 Muyunata (Kensington Mews), 26 Kensington Road, South Yarra</li> <li>- HO443 Clyde &amp; Castle Village, 39-41 Kensington Road, South Yarra</li> <li>- HO444 Granada Flats, 537 Orrong Road, Toorak</li> <li>- HO445 Silverton Flats, 698 Orrong Road, Toorak</li> <li>- HO446 Gowrie Court flats, 716 Orrong Road, Toorak</li> <li>- HO447 Franklyn House Flats, 137 Osborne Street, South Yarra</li> <li>- HO448 Fawkner Mansions, 250 Punt Road, Prahran</li> <li>- HO449 Bendale, 446 Punt Road, South Yarra</li> <li>- HO450 Duplex, 5 Stonnington Place, Toorak</li> <li>- HO451 Haddon Hall, 405 Toorak Road, Toorak</li> <li>- HO452 Taunton, 520 Toorak Road, Toorak</li> <li>- HO453 Eden Kyle Flats, 30 Verdant Avenue, Toorak</li> <li>- HO454 Gradsden Hall Flats, 28 Washington Street, Toorak</li> <li>- HO455 Duplex, 392-94 Glenferrie Road, Malvern.</li> </ul>	27 June 2013
Stonnington C192	Apply the Heritage Overlay (HO459) to a two storey Victorian villa at 20 Darling Street, South Yarra.	29 August 2014
Stonnington C181	Apply the Heritage Overlay (HO148 – <i>The Avenue Precinct</i> ) to 42 The Avenue, Windsor to protect the street trees on the eastern side of The Avenue.	13 October 2014
Stonnington C204	Apply the Heritage Overlay (HO462) to 21 William Street, South Yarra.	24 April 2015
Stonnington C206	Apply the Heritage Overlay (HO463) to a two storey, brick inter-war dwelling at 420-424 Punt Road, South Yarra.	20 May 2015
Stonnington C183 Part 2	<p>Apply the Heritage Overlay to:</p> <ul style="list-style-type: none"> <li>- Hoddle Bridge, Punt Road, South Yarra (HO464)</li> <li>- MacRobertson Bridge, Grange Road, Toorak (HO465)</li> <li>- Gardiners Creek Bridge, Glenferrie Road, Kooyong (HO466)</li> <li>- Argo Street Bridge, Argo Street, South Yarra (HO467)</li> <li>- Toorak Bowling Club, 9-13 Mandeville Crescent, Toorak (HO471)</li> <li>- Kooyong Railway Signal Box and Switch House, 432A Glenferrie Road, Kooyong (HO473)</li> <li>- former Residence, 274 High Street, Windsor (HO479)</li> <li>- Dandenong Road Bridge, Dandenong Road, Windsor (HO480)</li> <li>- Gardiner Railway Signal Box and Switch House, 287 Burke Road, Glen Iris (HO481).</li> </ul>	20 October 2015

Amendment	Summary	Report date
Stonnington C222	Apply the Heritage Overlay (HO486 - HO526) to 40 sites in Armadale, Malvern and Toorak.	12 August 2016
Stonnington C225	Apply the Heritage Overlay to: <ul style="list-style-type: none"> <li>- 'Maroondah' at 177 Kooyong Road, Toorak (HO482)</li> <li>- 'Quantook' at 179 Kooyong Road, Toorak (HO483)</li> <li>- 'Helenslea' at 181 Kooyong Road, Toorak (HO484)</li> <li>- 'Coomaroo' at 26 Albany Road, Toorak (HO485).</li> </ul>	22 August 2016
Stonnington C233	Apply the Heritage Overlay (HO529) to 878 High Street, Armadale.	7 October 2016
Stonnington C238	Apply the Heritage Overlay (HO530) to 29-31 Phoenix Street, South Yarra.	14 March 2017
Stonnington C248	Apply the Heritage Overlay (HO531) to 558 Waverley Road, Malvern East.	31 May 2017
Stonnington C243	Apply the Heritage Overlay to land occupied by Lauriston Girls School known as: <ul style="list-style-type: none"> <li>- Sutherland House at 1074 - 1076 Malvern Road, Armadale (HO527)</li> <li>- Blairholme House at 1034 - 1040 Malvern Road, Armadale (HO528).</li> </ul>	16 October 2017
Stonnington C255	Apply the Heritage Overlay (HO586) to 'The Bungalow' at 221 Burke Road, Glen Iris.	17 October 2017
Stonnington C257	Apply the Heritage Overlay (HO587) to 390 Glenferrie Road, Malvern.	17 October 2017
Stonnington C249	Apply the Heritage Overlay to 58 sites (HO532 - HO584) in Armadale, Glen Iris, Malvern, Malvern East, Prahran, South Yarra, Toorak and Windsor.	28 December 2017
Stonnington C270	Implement the <i>Federation Houses Heritage Study (2017)</i> by applying the Heritage Overlay to 36 sites (HO597 - HO632), the Finch Street North Precinct (HO633) and the Row at Burke Road Precinct (HO634).	27 June 2018
Stonnington C278	Include 1-11 Howitt Street, 9-19 Hobson Street, 67-69 and 70-76 Hawksburn Road, 362-370 Toorak Road, South Yarra in the Hawksburn Railway Precinct Heritage Overlay (HO137).	23 May 2019
Stonnington C282ston	Apply the Heritage Overlay to: <ul style="list-style-type: none"> <li>- 1026 Malvern Road, Armadale (HO636)</li> <li>- 46 Kyarra Road, Glen Iris (HO638)</li> <li>- 44 Murphy Street, South Yarra (HO639)</li> <li>- 31 - 53 The Avenue, Windsor (HO148 – Precinct)</li> </ul>	1 August 2019
Stonnington C304ston	Apply the Heritage Overlay to 1 heritage precinct (HO640), 5 precinct extensions (HO128, HO150, HO178, HO386, HO641, HO642) and 3 individual heritage places (HO633, HO644 and HO645) across the municipality.	30 November 2021
Stonnington C316ston	Implement the <i>Malvern Heritage Review (2021)</i> by applying and revising the Heritage Overlay at 25 sites and precincts.	19 September 2022
Stonnington C320ston	Implement the <i>Toorak and Kooyong Heritage Review (2022)</i> and the <i>Armadale Heritage Review (2022)</i> by revising, removing and applying the Heritage Overlay at 33 sites and precincts.	27 September 2023
<b>Strathbogie</b>		

Amendment	Summary	Report date
Strathbogie C4 Part 1	Apply the Heritage Overlay to 55 sites across the municipality.	28 October 2016
<b>Surf Coast</b>		
Surf Coast C15 (in part)	Implement the <i>Lorne Deans Marsh Heritage Place Assessment Report (2003)</i> by: <ul style="list-style-type: none"> <li>- introducing a Heritage Policy</li> <li>- revising the strategic basis for protecting heritage places</li> <li>- applying the Heritage Overlay to 52 sites identified in the Selected Lorne Deans Marsh Heritage Place Assessment Report 2003.</li> </ul>	6 May 2005
Surf Coast C50	Apply the Heritage Overlay to 72 sites in Aireys Inlet, Anglesea, Bells Beach, Buckley, Lorne, Modewarre, Torquay and Winchelsea.	7 April 2010
<b>Swan Hill</b>		
Swan Hill C6 Part 2	Apply the Heritage Overlay to the Robinvale water supply pumping station in Pumps Road, Robinvale.	6 July 2004
<b>Wangaratta</b>		
Wangaratta C13	Implement the <i>Wangaratta Urban Area Heritage Study (2003)</i> by applying the Heritage Overlay to precincts and sites.	17 December 2003
Wangaratta C43	Implement the <i>Rural City of Wangaratta Heritage Study Review (Part 1)</i> and <i>Urban Precincts 2011 Volume 2: Rural Places</i> by applying the Heritage Overlay to 25 properties.	5 March 2015
<b>Warrnambool</b>		
Warrnambool C57	Apply the Heritage Overlay to the former Sandilands Guest House at 1A Liebig Street, Warrnambool.	29 December 2008
Warrnambool C68	Implement the <i>Warrnambool Gap Heritage Study Stage 3(a)</i> .	22 March 2011
Warrnambool C73 Part 2	Apply the Heritage Overlay to 16 King Street (HO339), 3 Liebig Street (HO351) and 60 Jukes Street (HO360), Warrnambool.	1 June 2015
<b>Wellington</b>		
Wellington C26 Part 2	Implement the <i>Wellington Shire Heritage Study: Stage 1, (2005)</i> and <i>City of Sale Heritage Study (1994)</i> by Apply the Heritage Overlay to 12 sites in Sale.	4 December 2007
Wellington C92 Part 2	Apply the Heritage Overlay (HO351) to the former Federal Coffee Palace site at 303 – 305 Commercial Road, Yarram.	23 June 2017
<b>Whitehorse</b>		
Whitehorse C3 Part 2	Apply the Heritage Overlay to 18 sites in Blackburn, Blackburn North, Box Hill, Box Hill North, Box Hill South, Burwood, Burwood East, Mitcham, Mont Albert, Vermont South	3 May 2001
Whitehorse C26	Apply the Heritage Overlay to 50 Albion Road, Box Hill.	5 November 2001
Whitehorse C43 Part 2	Apply the Heritage Overlay to 22 St John Avenue, Mont Albert 11 Drewett Street and 29 Erasmus Street, Surrey Hills.	16 June 2003
Whitehorse C52 Part 2	Apply the Heritage Overlay to the Blacks Estate, Mont Albert and the Windsor Park Estate, Surrey Hill.	11 March 2005

Amendment	Summary	Report date
Whitehorse C62	Apply the Heritage Overlay to 520 Mitcham Road, Mitcham.	19 February 2007
Whitehorse C74 Part 2	Apply the Heritage Overlay to the Gem of Box Hill / Court House Estate and Elmore Houses in Blackburn.	25 March 2008
Whitehorse C129	Apply the Heritage Overlay to 28 – 44 William Street, Box Hill.	27 May 2011
Whitehorse C140	Apply the Heritage Overlay to 27 properties and 1 precinct across Box Hill, Blackburn, Burwood, Mont Albert, Mitcham, Nunawading and Surrey Hills.	29 November 2011
Whitehorse C164	Apply the Heritage Overlay to: <ul style="list-style-type: none"> <li>- 15 Hopetoun Parade (Woodleys), Box Hill (HO268),</li> <li>- the precinct comprising 2-9 and 11 Shalimar Court, 1-9 Parkleigh Court, 3 and 5 Fortescue Grove Vermont South known as the Blue Flame Project. (HO273)</li> <li>- 127 Whitehorse Road, Blackburn (Gurdwara - Sikh Temple) (HO274).</li> </ul>	13 January 2015
Whitehorse C157	Apply the Heritage Overlay to 3 precincts and 3 places across Box Hill, Blackburn, Burwood, Burwood East, Forest Hills, Mitcham, Mont Albert, Surrey Hills and Vermont South.	12 May 2015
Whitehorse C172 Part 2	Apply the Heritage Overlay to: <ul style="list-style-type: none"> <li>- 24 Arnott Street, Mont Albert North (HO276)</li> <li>- <i>Mount Scopus Memorial College</i> at 245 Burwood Highway, Burwood (HO277)</li> <li>- 150 Canterbury Road, Blackburn South (HO278)</li> <li>- 31 Fowler Street, Box Hill South (HO279)</li> <li>- 18 Gilmour Street, Box Hill (HO280)</li> <li>- 1 Gracefield Drive, Box Hill (HO281)</li> <li>- 111 Main Street, Blackburn (HO286)</li> <li>- 7 Norris Court, Blackburn (HO287)</li> <li>- 1163 Riversdale Road, Box Hill South (HO288)</li> <li>- 12 Sunhill Avenue, Burwood (HO293)</li> <li>- 1 Verona Street, Vermont South (HO294)</li> <li>- <i>Wildwood</i> at 3 Villa Mews, Vermont (HO295)</li> <li>- 359 Whitehorse Road, Nunawading (HO296)</li> <li>- Housing Commission of Victoria Precinct, Cadorna Street, Box Hill South (HO302).</li> </ul>	3 May 2016
<b>Whittlesea</b>		
Whittlesea C24	Apply the Heritage Overlay to the 'Farm Vigano' at 964c Plenty Road, South Morang.	3 February 2003
Whittlesea C153	Apply the Heritage Overlay to 94 sites to correct anomalies and remove redundant provisions of places already protected by the Heritage Overlay (53 sites).	23 September 2014

Amendment	Summary	Report date
Whittlesea C209	<p>Apply the Heritage Overlay to:</p> <ul style="list-style-type: none"> <li>- 250 O'Herns Road, Epping (HO186)</li> <li>- 300 McDonalds Road, South Morang (HO187)</li> <li>- Sea View Park at 105W Hunters Road, Mernda (HO188)</li> <li>- 1190 Donnybrook Road, Donnybrook (HO189)</li> <li>- Wattle Park at 260 Craigieburn Road, Wollert (HO190)</li> <li>- 395 Epping Road, Wollert (HO200)</li> <li>- Mayfield Heritage Precinct at 1321, 1325 and 1345 Plenty Road, Mernda (HO201)</li> </ul> <p>Amend the Heritage Overlay curtilage for:</p> <ul style="list-style-type: none"> <li>- Black Braes Farm at 10A Sir John Terrace (formally known as 65A Cravens Road), Mernda (HO14)</li> <li>- Preston Hall at 1485 Plenty Road, Mernda (HO68).</li> </ul>	25 June 2018
Whittlesea C241wsea	Delete the Heritage Overlay (HO187), among other changes, to allow the Shenstone Park Precinct Structure Plan area to be redeveloped.	19 February 2021
<b>Wodonga</b>		
Wodonga C97	Apply the Heritage Overlay to 45 places and 1 precinct.	11 February 2014
<b>Wyndham</b>		
Wyndham C6	Apply the Heritage Overlay to sites identified in the City of Wyndham Heritage Study.	1 October 2002
Wyndham C86	Implement the <i>City of Wyndham Heritage Study (1997)</i> and <i>Wyndham City Council Review of Heritage Sites of Local Interest (2004)</i> by applying the Heritage Overlay to recommended sites.	19 October 2009
<b>Yarra</b>		
Yarra L78	Replace six conservation and Heritage Overlay listings with a new Heritage Overlay.	23 February 1999
Yarra C6	Applying the Heritage Overlay to 10 sites in Cremorne, Richmond, Clifton Hill.	14 July 2000
Yarra C29	Applying the Heritage Overlay to the Slade Knitwear advertising sign at 105 – 115 Dover Street, Richmond.	29 January 2002
Yarra C43	Update the Guidelines for Heritage Places and add local policies.	9 February 2004
Yarra C62 and Permit Application PL04/0681	Revise the Heritage Overlay for the former Denton Hat Factory site at 48 – 60 Nicholson Street, Abbotsford to allow for redevelopment.	4 November 2005
Yarra C59	Applying the Heritage Overlay to the Rosella factory complex at 57 – 61 Balmain Street, Cremorne.	21 August 2006
Yarra C65 and Permit Application PL05/1289 (in part)	Remove and apply the Heritage Overlay as part of the proposal to redevelop the Australian Dyeing Company site at 145-175 Noone Street and 250-292 Alexandra Parade East, Clifton Hill.	5 December 2006
Yarra C157	Apply the Heritage Overlay to the Victoria Street, Richmond Precinct and 35 properties in Abbotsford, Collingwood, Fairfield, Fitzroy, North Fitzroy and Richmond.	3 July 2013
Yarra C163	Apply the Heritage Overlay (HO456) to the Victoria Street West Precinct at 233-251 Victoria Street, Abbotsford.	3 July 2013

Amendment	Summary	Report date
Yarra C198	Apply the Heritage Overlay to: <ul style="list-style-type: none"> <li>- 227-233 Nicholson Street, 160 Park Street and 50-96 and 57-103 Stafford Street, Abbotsford (HO313 Charles Street Precinct)</li> <li>- 5-17 and 8-26 Blanche Street and 30 Mater Street, Collingwood (HO321 Gold Street Precinct)</li> <li>- 114 and 127A-133 Campbell Street and 69-81 Palmer Street, Collingwood (HO324 Johnston Street Precinct)</li> <li>- former commercial stables and hitching posts at 2 James Street, Abbotsford (HO503).</li> </ul>	18 May 2016
Yarra C214	Delete Heritage Overlay (HO375) and apply Heritage Overlay (HO516) to 77-79 and 81-95 Burnley Street and 1-9 Doonside Street, Richmond to create the Doonside Heritage Precinct.	1 June 2017
Yarra C85	Update the heritage protection in existing Heritage Overlay areas.	6 June 2008
Yarra C149	Apply the Heritage Overlay to: <ul style="list-style-type: none"> <li>- Alphington East Precinct (HO362)</li> <li>- Cole's Paddock Precinct, Richmond (HO363)</li> <li>- Wellington Street Precinct, Cremorne (HO364)</li> <li>- 109 individual places</li> <li>- Revise the Heritage Overlay as it applies to: <ul style="list-style-type: none"> <li>- Barkly Gardens Precinct, Richmond (HO308)</li> <li>- Bridge Road Precinct, Richmond (HO310)</li> <li>- Church Street Precinct, Richmond (HO315)</li> <li>- Golden Square Precinct, Richmond (HO322)</li> <li>- Kennedy Street Precinct, Richmond (HO325)</li> <li>- Park Crescent Precinct, Alphington and Fairfield (HO328)</li> <li>- West Richmond Precinct, Richmond (HO338)</li> <li>- Cremorne Precinct, Richmond (HO342).</li> </ul> </li> </ul>	6 May 2013
Yarra C183	Implement the findings within the <i>Heritage Gap Study: Review of Central Richmond, Stage 2 Final Report, November 2014</i> by applying the Heritage Overlay to 14 precincts and 30 properties in the area bounded by Bridge Road, Swan Street, Church Street and the Yarra River, Richmond.	14 June 2016
Yarra C173 Part 2	Apply and amend the Heritage Overlay to 13 precincts, three serial listings and individual properties in Collingwood, Cremorne, Fitzroy and Richmond.	12 July 2016
Yarra C220	Implement the <i>Johnston Street Local Area Plan (2015)</i> by, among other changes, applying the Heritage Overlay (HO505) on identified land along Johnston Street generally between Smith Street, Collingwood and Clarke Street, Abbotsford.	22 February 2019
Yarra C245	Correct 57 Heritage Overlay and zoning errors and anomalies and apply the Heritage Overlay to 15 sites (HO499, HO504, HO525 - HO532) in Abbotsford, Alphington, Collingwood, Cremorne, Fitzroy, Fitzroy North and Richmond.	26 May 2020



Amendment	Summary	Report date
Yarra C191	Implement the <i>Swan Street Activity Centre Built Form Framework (2017)</i> , the <i>Swan Street Structure Plan (2014)</i> and the <i>Swan Street Built Form Study Heritage Assessments &amp; Analysis (2017)</i> by, among other changes: <ul style="list-style-type: none"> <li>- removing the Heritage Overlay (HO293, HO315, HO332, HO335) from identified land in the Swan Street Precinct</li> <li>- applying the Heritage Overlay (HO335, HO522, HO523 and HO524) to identified land.</li> </ul>	15 October 2020
Yarra C269yara	Implement new heritage-related local planning policy and Planning Scheme revisions. Include the Residential Heritage Policy Review and the Industrial Heritage Policy Report. Update existing Incorporated Document City of Yarra Database of Heritage Significant Areas (Heritage Database) regarding definitions of significance of heritage places.	4 January 2022
<b>Yarra Ranges</b>		
Yarra Ranges C16 Part 2	Apply the Heritage Overlay to 284 sites across the municipality.	Interim Report: 7 August 2003 Final Report: 18 March 2005
Yarra Ranges C63	Apply the Heritage Overlay to the road reserves of Clarke Street, Castella Street, Chapel Street, Gardiner Street, Anderson Street, Cave Hill Road south, a section of the Eyrie, Melba Avenue road reserve east of Olinda creek and along the western boundary of Lilydale Recreation Reserve to protect the street trees in Lilydale.	10 July 2007
Yarra Ranges C89	Apply the Heritage Overlay to five sites in Belgrave and Lilydale.	31 March 2011
Yarra Ranges C131	Implement the <i>Healesville Heritage Study (2012)</i> by applying the Heritage Overlay to: <ul style="list-style-type: none"> <li>- 15 properties in Chum Creek and Healesville</li> <li>- 57 properties in the Healesville Commercial Centre Precinct</li> <li>- 37 properties in the Symons Street, Healesville Precinct.</li> </ul>	14 November 2014
Yarra Ranges C158	Delete redundant and unjustified provisions from the Heritage Overlay Schedule and rationalise mapping boundaries.	1 September 2016
Yarra Ranges C210yran	Apply the Heritage Overlay (HO430) to 1 Montrose Road, Montrose.	17 January 2023
Yarra Ranges C207yran	Apply the Heritage Overlay to 14 private properties, 6 road reserves and public places in Lilydale.	11 August 2023