

Overlays



When thinking about purchasing a property, changing the use of a property or developing a property, it is important to have a clear understanding of the specific planning regulations that apply. Overlays are one tool that planners use to highlight the unique attributes of a property, and therefore the special planning considerations that apply.

This fact sheet aims to provide a simple overview of the purpose of an overlay, and provide details of common overlays used in the Yarra Planning Scheme.

What is an overlay?

An overlay is a tool that is used to designate an area as having a unique attribute. For example, the City of Yarra is an older municipality, so much of the municipality is covered by a heritage overlay. This indicates that the buildings in the overlay contribute to the historical and/or cultural significance of the area.

Generally overlays apply to a single issue, such as heritage, flooding, or environmental concern, therefore, it is not uncommon for an area to be covered by multiple overlays.

For example, a group of houses that are located next to the Yarra River may have both a heritage overlay and a land subject to inundation overlay. This signifies that the area is historically significant and that there may be a risk of flooding. These two factors may mean that the development of the land is more restricted, must adhere to certain heritage guidelines, or may require certain building specifics.

How do I know which overlays apply?

To identify if there are any overlays that apply to your site you can:

- > Purchase a planning certificate or view a planning property report at www.land.vic.gov.au
or
- > View planning scheme maps at www.dpcd.vic.gov.au/planningschemes (select 'Yarra' from the drop-down menu)
or
- > View the Yarra Planning Scheme in person at the Richmond Town Hall, 333 Bridge Road Richmond (Monday to Friday 8.30am – 5.00pm).

Common overlays in Yarra

There are a number of different overlays used in Yarra. On the next page is a list of the most common overlays and their implications for land owners. This is a guide only and it is strongly advised that you speak with a Council planner for further information.

Further information

If you need more information about planning in Yarra you can:

Visit our website

www.yarracity.vic.gov.au/planning

Telephone

9205 5373

Monday to Friday, 8.30am–5pm

Visit the Statutory Planning counter at Richmond Town Hall

333 Bridge Road, Richmond

Monday to Friday, 8.30am–5pm

For more information about planning in Victoria

Please visit www.dpcd.vic.gov.au or call 1300 366 356 and request a copy of *Planning: a short guide*.

FOR INFORMATION IN YOUR LANGUAGE ABOUT THIS DOCUMENT OR ABOUT COUNCIL, PLEASE CALL 9280 1940 AND QUOTE THE REF NUMBER BELOW.

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Heritage Overlay

A heritage overlay is applied to any heritage place that has been formally recognised on the heritage register or identified in local heritage studies.

Heritage can relate to a wide variety of places, including a building or group of buildings, site or area, land or a landscape, a memorial, a tree, garden or parkland, the place of a historical event, urban areas, towns, industrial sites, archaeological sites, as well as spiritual and religious places.

When heritage overlays are being prepared, a statement of significance is developed for each overlay area. It will give you a description of the place and list the important elements such as building style, landscaping, or streetscape.

Under the heritage overlay a planning permit is required from the local Council to:

- > Subdivide or consolidate land
- > Demolish or remove a building (including part of a building)
- > Construct a building (including part of a building, or a fence)
- > Externally alter a building
- > Construct or carry out works
- > Construct or display a sign
- > Externally paint an unpainted surface, and
- > Externally paint a building if the painting constitutes an advertisement.

In some instances, external paint controls, internal alteration controls and control over trees may also apply. The schedule to the heritage overlay will identify whether these additional controls apply.



Environmental Audit Overlay

An environmental audit overlay is applied to any land known, identified or reasonably suspected of being contaminated.

The City of Yarra has a proud industrial history that spans more than 100 years. As land uses change, the community, Council and other levels of government often have to deal with issues caused by these past industrial activities, one of them being soil contamination.

In areas where an environmental audit overlay applies, an environmental audit may need to be completed before the site can be developed for certain uses including residential. Depending on the results of the audit, the site may also need to be treated.

Land Subject to Inundation Overlay

A land subject to inundation overlay is applied to areas that are not part of the

primary floodway, but flood storage or flood fringe areas affected by the '1 in 100 year flood'. There are various land subject to inundation overlays applied around the Yarra River.

This overlay is applied by the relevant water authority, in Yarra that is Melbourne Water. It aims to ensure that any development does not interfere with the free passage of floodwaters, and will not cause any significant rise in flood level or increase the rate at which the water flows.

Similarly, the **Special Building Overlay** applies to urban land which is subject to stormwater flooding. In these areas you may be required to obtain a planning permit for works that you otherwise would not need planning permission for. This way Council can help you ensure that your property is appropriate and safe for the special conditions that apply to this area.