

# **Latrobe City Heritage Overlay Planning Permit Exemptions & Application Requirements**

Incorporated Document  
(April 2020)



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## 1. Application

This Incorporated Document provides guidance to Council and Community in the preparation and assessment of planning permit applications required by the Heritage Overlay within the Latrobe Planning Scheme.

The Incorporated Document applies to places included within the Heritage Overlay as follows:

- Heritage precincts in the Residential zones (Section 3.1)
- Tree controls in the Glengarry Township precinct (Section 3.2)
- Individual heritage places in the Residential or Township zones (Section 3.3)
- Individual heritage places in the Farming or Rural Living Zone (Section 3.4)
- Old Gipps town, 211 Lloyd Street, Moe (Section 3.5)
- St Andrew's Presbyterian Church, 11 James Street, Morwell and St Mary's Church of England, 8 Latrobe Road, Morwell (Section 3.6).
- Billy's Creek Water Supply System (Section 3.7)

## 2. Definitions

The following definitions apply:

Level	Significance
<b>Significant</b>	A <i>Significant</i> place is a single heritage place that has cultural heritage significance independent of its context. These places may also contribute to the significance of a heritage precinct. <i>Significant</i> places will usually have a separate citation and statement of significance.
<b>Contributory</b>	A <i>Contributory</i> place contributes to the significance of a heritage precinct, but would not be significant on their own.
<b>Non-contributory</b>	<i>Non-contributory</i> places do not contribute to the significance of a heritage precinct. In some instances, a <i>Significant</i> place may be considered <i>Non contributory</i> within a precinct. For example, an important Modernist house within a Victorian era precinct.
<b>Significant feature</b>	A <i>Significant Feature</i> is any feature (building, tree, structure etc.) that the <i>Latrobe City Heritage Study 2010</i> identifies as contributing to the significance of a heritage place.

*Significant*, *Contributory* and *Non-contributory* places within heritage precincts are shown on the precinct maps that form part of this Incorporated Document included at Appendix A.

### 3. No Planning Permit Required

In accordance with Clause 43.01-3 no permit is required under the Heritage Overlay for *anything done in accordance with an incorporated plan specified in the schedule to this overlay*. This section provides specific exemptions to the requirement for a planning permit required by the Heritage Overlay within the Latrobe Planning Scheme. NOTE: This Incorporated Document does not provide exemptions for the requirement for a planning permit if required by any other provision of the Latrobe Planning Scheme.

#### 3.1. Heritage precincts

This applies to the heritage precincts listed in Table 3.1, which are shown on the precinct maps in Appendix A.

**Table 3.1 - Heritage precincts**

Precinct	Locality	HO No.
Precinct - Glengarry township	Glengarry	HO21
Precinct - Langford Street	Moe	HO30
Precinct - Moore Street	Moe	HO31
Precinct – Toongabbie township	Toongabbie	HO79
Precinct – Anderson Street	Traralgon	HO82
Precinct - Bridges Avenue	Traralgon	HO83
Precinct - Henry Street	Traralgon	HO87
Precinct – Traralgon Railway	Traralgon	HO85
Precinct - APM Senior Staff Houses	Traralgon	HO86
Precinct – Moore Street	Traralgon	HO88
Precinct – Thomas Street	Traralgon	HO89

**NOTE:** The precinct maps in Appendix A identify *Significant, Contributory* and *Non-contributory* buildings or features within each precinct.

### Heritage precinct permit exemptions

No planning permit is required for the following development within the heritage precincts specified in Table 3.1:

#### *Demolition and routine maintenance*

- Demolition of a building or part of a building on a property shown as Non-contributory on the relevant precinct map.
- Routine maintenance or alterations to a building that would change the appearance of that building on a property shown as Non-contributory on the relevant precinct map.
- Routine maintenance or alterations to the wall of the building that faces the rear boundary that would change the appearance of only that wall on a property shown as Contributory on the relevant precinct map.

#### *Construction of and extensions to buildings*

- Construction of an outbuilding with a gross floor area not more than 10 square metres and a maximum building height not more than 3 metres above natural ground level within the rear yard of any property.
- Construction of a garage or carport on a property shown as Contributory or Non-contributory on the relevant precinct map provided that:
  - the garage or carport is not attached to the existing dwelling, and
  - the garage or carport is situated within the rear yard or is setback not less than 1m from the front wall of the dwelling.
- Construction or extension of an open-sided pergola or verandah with a finished floor level not more than 800mm above natural ground level and a maximum building height not more than 3 metres above natural ground level within the rear yard of any property.
- Construction or extension of a deck with a finished floor level not more than 800mm above natural ground level within the rear yard of any property.
- Construction of an extension to a building on a property shown as Contributory on the relevant precinct map provided that:
  - the building height of the existing building is not exceeded;
  - there is no change to the front wall or to a side wall within 4 metres from the front wall of the building; and
  - the setback from side boundaries is not less than the setback of the existing building.

- Construction of an extension to a building on a property shown as Non contributory on the relevant precinct map provided that:
  - The building height of the existing building is not exceeded; and
  - The setback from front or side boundaries is not less than the setback of the existing building.

*Fences, domestic services, swimming pools and spas*

- Construction of a front fence not more than 1.2m in height above natural ground level provided that this does not require the demolition of an existing front fence of a property shown as Significant on the relevant precinct map or identified as a Significant feature within the precinct.
- Demolition or construction of side or rear fences on any property.
- Installation of lattice or trellis on side or rear fences on any property, provided this is not situated forward of the front wall of the building.
- Installation of domestic services normal to a dwelling on any property that may be visible from a street or public park provided that the installation:
  - is not attached to the front wall of the building;
  - is not situated between the front wall of the building and the front property boundary;
  - if attached to the side wall of a building on a property shown as Significant or Contributory on the relevant precinct map, it is setback not less than 4 metres from the front wall;
  - does not project above the highest point of the roof;
  - is not situated on that part of the roof that faces directly toward a street (including a side street).
- Construction or extension of a domestic swimming pool or spa and associated mechanical equipment and safety fencing on any property provided that the pool is situated within the rear yard.

*Roadworks*

- Roadworks carried out by VicRoads in the Traralgon Railway Residential precinct.

**NOTE:** "Building height" is defined by Clause 73.01 General Terms in the Latrobe Planning Scheme.

### **3.2. Glengarry township – Tree controls**

In the Glengarry Township, the permit requirement to remove, destroy or lop a tree applies only to the following significant trees:

The Glengarry Avenue of Honour, comprises the trees situated within the road reserve along Cairnbrook Road.

- The mature trees within the grounds of the Glengarry Primary School specified in the citation for that place.
- The mature trees situated within the Glengarry Recreation Reserve.
- The mature Oak in front of the house at 40 Cairnbrook Road.
- The mature trees within the Glengarry Railway Station reserve on the east side of Main Street.

### 3.3. Individual places in a Residential Zone or Township Zone

No planning permit is required for the following development for individual heritage places within a Residential Zone or Township Zone subject to the Heritage Overlay:

- Demolition of or alterations to a building that is not specified as a *Significant feature*. This includes routine maintenance that would change the appearance of a building.
- Construction of an outbuilding with a gross floor area not more than 10 square metres and a maximum building height not more than 3 metres above natural ground level within the rear yard of a property. This does not apply if it would require the removal, demolition or alteration of a *Significant feature*.
- Construction or extension of an open-sided pergola or verandah with a finished floor level not more than 800mm above natural ground level and a maximum building height not more than 3 metres above natural ground level within the rear yard of a property. This does not apply if it would require the removal, demolition or alteration of a *Significant feature*.
- Construction or extension of a deck with a finished floor level not more than 800mm above natural ground level within the rear yard of a property. This does not apply if it would require the removal, demolition or alteration of a *Significant feature*.
- Construction of a front fence not more than 1.2m in height above natural ground level provided that this does not require the demolition of an existing front fence that is identified as a *Significant feature*.
- Demolition or construction of side or rear fences.
- Installation of lattice or trellis on side or rear fences, provided this is not situated forward of the front wall of the building.
- Installation of domestic services normal to dwelling that may be visible from a street or public park provided that the installation:
  - is not attached to the front wall of the building;
  - is not situated between the front wall of the building and the front property boundary;
  - if attached to the side wall of a building, it is setback not less than 4 metres from the front wall;
  - is not situated on that part of the roof that faces directly toward a street (including a side street);
  - does not project above the highest point of the roof; or
  - Construction or extension of a domestic swimming pool or spa and associated mechanical equipment and safety fencing on any property provided that the pool is situated within the rear yard This does not apply if it would require the removal, demolition or alteration of a *Significant feature*.

### 3.4. Individual places in Farming or Rural Living Zone

No planning permit is required for the following development for properties within the Farming Zone subject to the Heritage Overlay:

- Construction of a fence or demolition, removal or alteration of any fence.
- Demolition of or alterations to a building that is not a *Significant feature*. This includes routine maintenance that would change the appearance of a building.
- Construction of a building provided that the building is no closer to a road than a *Significant feature* and is not less than 10 metres from any *Significant feature* on that property.
- Carrying out of works associated with a Section 1 use.
- Installation of plant and equipment associated with a Section 1 use. This does not apply if it would require the removal, demolition or alteration of a *Significant feature*.
- Installation of plant or equipment associated with hot water services or central heating units provided that the equipment is not attached to a front façade of a building that is a *Significant feature*.
- Construction of equipment associated with a roof-mounted solar hot water system or satellite dish provided that the equipment is not situated on that part of the roof that faces directly toward a street or road.
- Replacement or installation of a domestic television aerial.
- Construction of a pool or spa and associated mechanical equipment or fencing on any property. This does not apply if it would require the removal, demolition or alteration of a *Significant feature*.

### 3.5. Old Gipps town

This applies to Old Gipps town at 211 Lloyd Street, Moe. Table 3.2 lists the *Significant* and *Contributory* places within Old Gipps town.

**NOTE:** 'Loren' is included on the Victorian Heritage Register and so is not subject to this incorporated document.

**Table 3.2 – Old Gipps town Significant features**

Name	Significance level
Bushy Park	Significant
Meeniyah National Bank	Significant
Narracan Mechanics' Institute	Significant
Yallourn House (Doctor's residence)	Significant
Former Grey Street State School shelter shed	Contributory
Former Sunny Creek State School	Contributory



Name	Significance level
Former Moe Anglican Church	Contributory
Former Ripplebrook Slab kitchen	Contributory
Former Miner's Hut	Contributory
Coach House/Shed	Contributory
Livery Stables	Contributory
Bootmaker/Saddlery	Contributory
Former Maffra Police Station	Significant
Former police station lockup	Contributory
Calegero	Contributory
Former Ashdale farmhouse	Contributory
Former Ashdale shearing shed	Contributory
Former Tynong Hall	Contributory
Former Narracan General Store	Contributory
Former Solicitor's office	Significant
Former Neerim Post Office	Significant
Former Cobb & Co Coach Inn	Significant
Former Railway Goods Shed	Contributory

### Old Gipps town permit exemptions

No planning permit is required for the following development within Old Gipps town, 211 Lloyd Street subject to the Heritage Overlay:

- Demolition of a building or part of a building other than *Significant* or *Contributory* buildings listed in Table 3.2.
- Routine maintenance to a building that would change the appearance of that building other than *Significant* or *Contributory* buildings listed in Table 3.2.
- Alterations or additions to a building other than *Significant* or *Contributory* buildings listed in Table 3.2.

- Construction of a building.
- Construction or demolition of a fence.
- Installation of plant or equipment provided it is not attached to any of the *Significant* or *Contributory* buildings listed in Table 3.2.

### 3.6. St Andrew's Presbyterian Church and St Mary's Church of England

This applies to St Andrew's Presbyterian Church, 11 James Street, Morwell and St Mary's Church of England, 8 Latrobe Road, Morwell. Significant features are listed in Table 3.3.

**Table 3.3 – Significant features**

Name	Significant Feature
St Andrew's Presbyterian Church, 11 James Street, Morwell	Speechley and Ingram Organ
St Mary's Church of England, 8 Latrobe Road, Morwell	The Ascending Christ / The Ascension

### St Andrew's Presbyterian Church and St Mary's Church of England Permit exemptions

No planning permit is required for the following development within St Andrew's Presbyterian Church, 11 James Street, Morwell and St Mary's Church of England, 8 Latrobe Road, Morwell subject to the Heritage Overlay:

- Part demolition of a building provided that it does not require or result in the removal, destruction or alteration of a *Significant feature* listed in Table 3.3.
- Internal alteration to a building, provided that it does not require or result in the removal, destruction or alteration of a *Significant feature* listed in Table 3.3.
- Routine maintenance to a building that would change the appearance of the building.
- External alterations or additions to a building.
- Construction of a building.
- Construction or demolition of a fence.
- Installation of plant or equipment.

### 3.7. Billy's Creek Water Supply System

No planning permit is required to construct a building or carry out works at the Billy's Creek Weir provided that such buildings or works do not require the demolition, modification or removal of significant heritage fabric.

## 4. Planning Permit Application requirements

It is policy that the following information may be required as appropriate, to support an application for a planning permit when required by the Heritage Overlay within the Latrobe Planning Scheme:

- A report prepared by a suitably qualified heritage consultant, which assesses the impact of the application upon the significance of the heritage place or precinct. This report should:
  - As part of the Site Analysis, describe the significant elements of the place having regard to the relevant citation in the *Latrobe City Heritage Study 2010* and how these have been considered in the preparation of the application.
  - If the application includes demolition, an assessment of whether the fabric is significant and if so, provides reasons why it is to be removed.
  - On the basis of the above, an assessment of how the application will affect the significance of the heritage place or precinct.

Note: It is possible that there may be significant fabric not specifically identified by the *Latrobe City Heritage Study 2010*. Any additional fabric identified should be noted and assessed as part of the report.

- A Conservation Management Plan prepared in accordance with the *Burra Charter* for large or complex sites, or for major alteration or additions to places that are individually cited in the *Latrobe City Heritage Study 2010*, or for any other application that the responsible authority considers to raise significant heritage issues.
- A report prepared by a suitably qualified consultant that assesses the structural condition of a heritage place and whether or not any defects can be repaired or mitigated.
- An archaeological survey and assessment prepared by a suitably qualified consultant, which assesses the impact of an application upon potential archaeological deposits on the site.
- A report prepared by a suitably qualified consultant, which assesses the impact of an application upon any significant trees.
- Where the trees or gardens on the site have been identified as significant, a landscaping plan prepared by a suitably qualified consultant, which demonstrates how landscaping on the site will respond to the cultural landscape character and setting of the heritage place.

**NOTE: The above planning permit application requirements will only be requested where Council determine that a proposed use, development, buildings or works may impact upon a significant feature identified within the place or precinct citation provided by Volume 3 of the Latrobe Heritage Study 2010.**

## APPENDIX A: Precinct Maps















