



Demolition Works Policy

Version 2

Approval Date: 6 March 2023

Review Date: March 2027

DOCUMENT CONTROL

Responsible GM	Georgia Hills	
Division	Community Health and Wellbeing	
Last Updated (who & when)	Municipal Building Surveyor – Chris Watson	2023
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Authority	Date	Description of change
Council	February 2011	Revised Policy 11 POL-4
Council	January 2018	Policy reviewed and reformatted
Council	5 March 2018	Adopted by Council
Council	14 May 2021	Policy reviewed and reformatted
Council	31 January 2023	Policy Reviewed
Council	6 March 2023	Adopted by Council
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1. Background

Latrobe City receives formal requests under Section 29A, Building Act 1993, to demolish a building or structure or alter its façade. That building, structure or façade may have historic value or warrant protection under the provisions of Latrobe City Council's Planning Scheme. Council's delegated officer must decide these requests within 14 days of receipt of all information.

Decision making should be transparent, equitable and fair and the demolition works policy will guide Council's delegated officer in the appropriate decision.

Consistency in the application processes is important and the demolition works policy will provide guidance to our delegated officer in the application of our processes.

2. Objectives

The policy has been established to protect buildings and structures that may offer historical value.

3. Scope

Latrobe City has developed the Demolition Works Policy as an overarching strategy to ensure that full consideration is given to the heritage value of an identified building within the municipality prior to the issuing of any building or demolition permit. The aim of this policy is to protect the cultural and historical heritage of the municipality as presented either visually or through association in respect to buildings. The policy will apply to all buildings or parts thereof throughout Latrobe City.

4. Principles of Management

Policy Implementation - Building Permits

All applications for building permits will be scrutinised to determine if a building is to be substantially demolished or its façade will be significantly altered within the confines of section 29A of the Building Act 1993. Where the demolition or alteration of a façade is identified, the building will be cross referenced against any relevant heritage study, planning scheme and/or heritage overlay.

All applications for report and consent to demolish or to alter a building's façade pursuant to section 29A of the Building Act 1993 will be cross referenced against any relevant heritage study (including places that are identified in the study that require further research), planning scheme and/or heritage overlay.

Should the building not be identified within a relevant heritage study, planning scheme or heritage overlay, consent shall be granted to carry out the works.

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Should the building be identified in the planning scheme or heritage overlay, consent shall be refused and the applicant must make application for a planning permit to undertake the works.

Should the building be identified in the current heritage study or in the opinion of the Municipal Building Surveyor should be included in a heritage study, a referral shall be made to the Coordinator Statutory Planning to assess the heritage value of the building and the resultant proposed works. The Coordinator Statutory Planning may determine the proposed demolition of the building or alterations to the façade are inconsequential and authorise that consent be granted or that the building in its current status has significant heritage value and determine that the application be suspended.

If an application is suspended, the Manager Regional City Planning and Assets must recommend to the CEO to immediately make application to the Minister for Planning under Section 20 of the Planning and Environment Act 1987 for an interim heritage overlay amendment or a permanent heritage overlay amendment where the building is considered to be of state or regional significance.

Policy Implementation - Planning Permits

In any areas of the municipality where there are heritage studies being undertaken or where they have been completed, any planning application that has a part of the proposed development, any proposed demolition, are to be checked against the heritage study to establish whether the building is included. This arrangement will apply until the relevant heritage overlay to the Planning Scheme is in place. In addition, all such planning applications must be reported to the Coordinator Statutory Planning for a decision.

5. Accountability and Responsibility

Accountability and responsibility for this policy is outlined below.

5.1. Council

- Responsibility to ensure this Policy is consistent with Latrobe City Council Strategic Direction and other Latrobe City Council Policies
- Responsibility for the decision to approve this Policy by Council Resolution

5.2. Chief Executive Officer

- Overall responsibility for compliance with this policy
- Overall responsibility for enforcing accountability
- Overall responsibility for providing resources
- Overall responsibility for performance monitoring

5.3. General Manager

- Responsibility for compliance with this policy
- Responsibility for enforcing accountability
- Responsibility for providing resources

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- Responsibility for performance monitoring
- 5.4. Manager
- Develop frameworks and procedures in compliance with this policy
 - Enforce responsibilities to achieve compliance with frameworks and procedures
 - Provide appropriate resources for the execution of the frameworks and procedures
- 5.5. Employees, Contractors and Volunteers
- Participate where required in the development of frameworks and procedures in compliance with this policy.
 - Comply with frameworks and procedures developed to achieve compliance with this policy.

6. Evaluation and Review

This policy will be reviewed on request of Council, in the event of significant changes to legislation applicable to the subject matter of the policy or, in any other case, during each Council term (generally four years).

7. Definitions

None specified.

8. Related Documents

- Application for Demolition Report and Consent

9. Reference Resources

- Building Act 1993
- Planning and Environment Act 1987
- Building Practice Note DE-01 issued by the Victorian Building Authority
- Ministers Guideline MG-09 issued by Rob Hulls, Minister for Planning
- Latrobe City Planning Scheme

10. Appendices

None specified.

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