

## HERITAGE PERMIT EXEMPTIONS INCORPORATED PLAN TO THE SCHEDULE TO HERITAGE OVERLAY, CLAUSE 43.01, BAW BAW PLANNING SCHEME.

### 1. APPLICATION

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

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

- Heritage precincts (Section 3.1)
- Individual heritage places in the Residential 1 or Township Zone (Section 3.2)
- Individual heritage places in the Rural Zones (Section 3.3)
- The former Longwarry Co-operative Factory and former Drouin Co-operative Factory (Section 3.4)

### 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>Baw Baw Shire Heritage Study 2011</i> or other relevant heritage study or report 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 plan included at Appendix A.

### 3. NO PLANNING PERMIT REQUIRED

This section provides specific exemptions to the requirement for a planning permit required by the Heritage Overlay within the Baw Baw Planning Scheme.

NOTE: This Incorporated Plan does not provide exemptions for the requirement for a planning permit if required by any other provision of the Baw Baw 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	HO No.	HO Map No.
Drouin, Princes Way residential	HO80	29
Erica Township Precinct	HO271	19
Rawson Township	HO297	19
Thorpdale Township	HO236	43
Trafalgar, Contingent Street	HO335	41
Trafalgar, Princes Highway East	HO338	41
Warragul, Bowen Street	HO149	32
Warragul, Peace Avenue	HO156	33
Warragul, Victoria & Albert streets	HO162	33, 32
Warragul Victoria Street North	HO350	33
Warragul Queen Street Town Centre	HO78	33, 32

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

#### **Heritage precinct permit exemptions**

Under Clause 43.01-2 of the Planning Scheme, 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 as shown on Figure 1.
- 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 as shown on Figure 1 or is setback not less than 1 metre 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 as shown on Figure 1.

- 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 as shown on Figure 1.
- 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 1.2 metres 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 (see Note 1).
- 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 as shown on Figure 1.

**NOTE:** “Building height” is defined by Clause 72 General Terms in the Baw Baw Planning Scheme.

**3.2. Individual places in the Residential 1 Zone or Township Zone**

Under Clause 43.01-2 of the Planning Scheme, no planning permit is required for the following development for individual heritage places within the Residential 1 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 as shown on Figure 1. 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 as shown on Figure 1. 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 as shown on Figure 1. 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 1.2 metres 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 as shown on Figure 1. This does not apply if it would require the removal, demolition or alteration of a *Significant feature*.

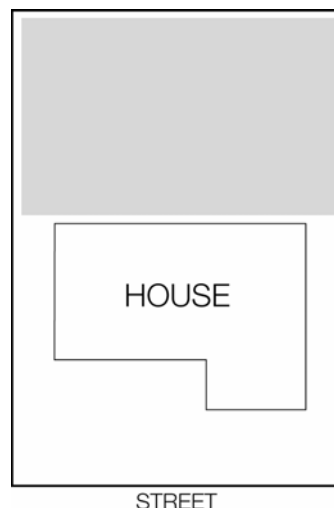
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**NOTE 1:** *For the purposes of this exemption the front setback is measured to the original dwelling and not to any later extensions or additions such as garages or carports.*

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**FIGURE 1**

*The shaded area defines the rear yard for the purposes of this policy*



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### 3.3. Individual places in Rural Zones

Under Clause 43.01-2 of the Planning Scheme, no planning permit is required for the following development for properties within the Rural Zones subject to the Heritage Overlay:

- Construction of a fence or demolition, removal or alteration of any fence unless it is a Significant feature.
- 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.
- 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*.

### 3.4. Former Longwarry Co-op and Drouin Co-op Factories

This applies to the former Longwarry Co-operative Factory and the former Drouin Co-operative Factory. The *Significant features* at each place are listed in Table 3.2.

**Table 3.2 – Significant features**

Place	HO no.	Significant features
<i>Drouin Co-operative Factory (Former)</i> 29-35 and part CP 173570, Lardner Road, Drouin	HO346	<ul style="list-style-type: none"> <li>▪ The 1938-39 factory.</li> <li>▪ Additions to the complex made between 1950 and 1960 including the former milk receiving building, former spray powder plant, boiler house and chimney.</li> <li>▪ The office building, designed by A.E. Amery &amp; Associates and constructed by C. Bailey in 1960 excluding the later addition.</li> </ul>
<i>Longwarry Cooperative Factory (Former)</i> 31 Mackay Street & 2-6 Drouin Road, Longwarry	HO242	<ul style="list-style-type: none"> <li>▪ The former Laboratory building, constructed c.1935.</li> <li>▪ The factory buildings as constructed c.1955 to c.1960 with distinctive gabled, monitor and saw-tooth roof forms, and original window openings.</li> <li>▪ The former office, designed by Bridge, Hayden &amp; Associates and constructed in 1964.</li> <li>▪ The former Co-operative Store.</li> </ul>

Under Clause 43.01-2 of the Planning Scheme, no planning permit is required for the following development for the above places subject to the Heritage Overlay:

- Construction of a fence or demolition, removal or alteration of any fence.
- Demolition of, or alterations or additions 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. This does not apply if it would require the removal, demolition or alteration of a *Significant feature*.
- Removal or replacement of Asbestos cement on any building.
- 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*.