

METHODOLOGY REPORT

INCORPORATED PLAN

Prepared for
City of Maribyrnong

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1.0 Introduction

This Methodology Report has been prepared for the City of Maribyrnong, and provides an overview of the methodology employed in the preparation of an Incorporated Plan for properties included in the Heritage Overlay (HO) in the municipality.

The Incorporated Plan is attached to this report.

The Incorporated Plan establishes planning permit exemptions, under the provisions of *Clause 43.01 Heritage Overlay*, for properties in specific heritage precincts (see Table 1 below) included in the City of Maribyrnong Schedule to the Heritage Overlay. In accordance with *Clause 43.01-2*, no permit is required for permit exempt works identified in the Incorporated Plan.

The Incorporated Plan does not apply to places:

- Included in the Victorian Heritage Register, which is a statutory register of places of cultural heritage significance to the State of Victoria, subject to the *Victorian Heritage Act 1995*.
- Identified as 'individually significant' places, properties or buildings in Maribyrnong's *Clause 22.01 Cultural Heritage Policy*. These places are more significant than contributory places in precincts, and have their own statements of significance.
- Included in Maribyrnong's Schedule to the Heritage Overlay as individual places, or located in Heritage Overlay precincts which are not identified in Table 1 to this report.

The places identified as 'individually significant' in precincts, and those included in the Schedule to the Heritage Overlay as individual places, are listed in the 'Attachment' to the Incorporated Plan.

The plan is proposed to be incorporated under *Clause 43.01 Heritage Overlay*, and specified in the Schedule to the Heritage Overlay. The plan is also proposed to be included in the Schedule to *Clause 81 Documents Incorporated in this Scheme*.

Table 1: Subject heritage precincts

HO number	Precinct name
HO1	Angliss Housing Estate heritage area Yarraville
HO2	Ballarat Road residential heritage area Footscray
HO3	Footscray commercial heritage area Footscray
HO4	Footscray residential heritage area Footscray
HO5	Munitions worker's housing heritage area Braybrook
HO7	Old Footscray Township residential heritage area Footscray
HO8	Queensville Estate heritage area Kingsville
HO9	Seddon residential and commercial heritage area Seddon, Yarraville
HO10	Somerville Road 20th century residential heritage area Yarraville
HO11	Upper Footscray residential heritage area Footscray
HO12	War Service homes heritage area Maribyrnong
HO13	William Angliss worker housing estate heritage area Footscray
HO14	Yarraville civic and commercial heritage area Yarraville
HO15	Yarraville residential heritage area Yarraville

1.1 Project background

The City of Maribyrnong has sought to reduce the 'triggers' for a planning permit under the Heritage Overlay, and to reduce the burden of planning application numbers resulting from heritage planning permits. In exploring means of doing this, Council required a review of planning permit applications under the Overlay, to gain a fuller understanding of the types of works which might be suited to a permit exemption (i.e. to not 'trigger' a permit), in that they are minor and less impactful. Council also identified that the means for reducing the applications could be an Incorporated Plan or other suitable mechanism.

The development of an Incorporated Plan or other suitable mechanism to reduce heritage planning permit applications was also specified as an action in the Maribyrnong City Council 2015/16 Priority Action Plan. While Council had not reached a predetermined outcome about an Incorporated Plan, and was open to the development of other mechanisms, Lovell Chen's analysis of planning applications and review of the subject heritage precincts including their significant heritage values and characteristics, and built form character, led to the view that a document which was incorporated into the Planning Scheme was the most effective means of reducing the planning applications. This is explained further below.

The 14 Heritage Overlay precincts listed at Table 1 were identified by Council.

1.2 Stages/tasks in the preparation of the Incorporated Plan

In preparing the Incorporated Plan, the following principal stages/tasks were undertaken. They were also based on Council's Project Brief for this project.

- Inception meeting with Council, including members of Council's City Strategy Department, Urban Planning and Council's Heritage Advisor.
- Review and analysis of heritage planning permit data (for the period January 2014-December 2015) to better understand the nature of works applied for, and identify works which could be considered for permit exemptions. This review excluded planning permit applications for individually significant heritage places.
- Desktop review of Maribyrnong heritage studies and reference documents, including citations for the subject heritage precincts which contain detailed information and analysis about precinct characteristics, patterns of development, building forms, typical materials and the like. This included *Clause 22.01 Cultural Heritage Policy* of the Maribyrnong Planning Scheme.
- Fieldwork and survey of the heritage precincts, to better understand the documented heritage characteristics and to 'ground truth' the application of potential permit exemptions.
- Review of Incorporated Plans and mechanisms for permit exemptions included in other planning schemes, for content, clarity and applicability to Maribyrnong.
- Presentation of findings of review, analysis and fieldwork to Council, summarising outcomes, and agreeing on a final approach.
- Preparation and submission of draft Incorporated Plans, for Council's review and comment.
- Preparation of the final Incorporated Plan.
- Preparation of this Methodology Report.

In addition to the above, the draft Incorporated Plan was reviewed by the Department of Environment, Land, Water and Planning. Matters to do with compliance with *Clause 43.01 Heritage Overlay*, particularly the wording of the clause; and with the clarity and formatting of the plan were identified and were addressed in the final Incorporated Plan.

The results/outputs of the review and analysis of heritage planning permit data can be found at Appendix A. The review of Incorporated Plans and permit exemptions of other municipalities can be found at Appendix B. The Maribyrnong Incorporated Plan is also attached.

2.0 Incorporated Plan

2.1 Content of Incorporated Plan

The 'Introduction' at Section 1 of the Incorporated Plan includes the following:

- Existing exemptions at *Clause 43.01 Heritage Overlay*
- Places to which the (Maribyrnong) permit exemptions do not apply
- Explanatory notes
- What is a permit exemption?
- Heritage Overlay precincts and applicable exemptions

'Explanatory notes' are included with each permit exemption, together with some graphics and diagrams, to assist with understanding the exemptions, and how and when they are relevant and can be applied.

Section 2 of the Incorporated Plan includes the following permit exempt works:

- Minor modifications and alterations
- Additions to buildings
- Outbuildings
- Pergolas and verandahs
- Fences and roller doors
- Vehicle crossovers and driveways

Definitions of terms used in the Incorporated Plan are included at Section 3.0 of the document.

As noted, places identified as 'individually significant' in precincts and included in the Schedule to the Heritage Overlay as individual places, are listed in the 'Attachment' to the Incorporated Plan.

2.2 Applicability of the Incorporated Plan

The Incorporated Plan applies to all places and properties included in the subject heritage precincts, with the exception of places:

- Included in the Victorian Heritage Register.
- Identified as 'individually significant' places, properties or buildings in Maribyrnong's *Clause 22.01 Cultural Heritage Policy*.
- Included in Maribyrnong's Schedule to the Heritage Overlay as individual places, or located in Heritage Overlay precincts which are not identified in Table 1 to this report.

In applying to the relevant places, the Incorporated Plan does not distinguish between those of heritage value, or contributory value to the precincts; and those which are not of heritage value, and might be regarded as non-contributory. The identified permit exemptions apply in both – or all - cases.

3.0 Principal stages/tasks in preparation of the Incorporated Plan

The following sections of this Methodology Report provide a more detailed overview of the principal or key stages of the work undertaken in preparation of the Incorporated Plan. Comments are also included, to indicate the outcomes of these tasks and how they informed the identification of potential permit exemptions and preparation of the Incorporated Plan.

3.1.1 Review and analysis of heritage planning permit data

As noted, heritage planning permit data for the period January 2014-December 2015, was reviewed and analysed in order to better understand the nature of works applied for, and to assist with identifying works which could be considered appropriate for permit exemptions. The data related to the subject heritage precincts and did not include permit applications for individually significant heritage places.

The planning permit data, as provided by Council, related to 319 permit applications which were allocated into categories that distinguished between larger applications which included multiple works, and minor applications for lesser or one off works. The data also identified outcomes of the applications, such as a failure to determine, lapsed application, refusal, approval under VicSmart and the like.

Appendix A includes an analysis of the data.

The review and analysis (or interpretation) of the data indicated the following:

- Applications typically involve a number of works components: demolition, alterations and additions, new fences and the like. This is reflected in the large number of category E1 and E2 applications within each heritage precinct (these applications typically include extensions/additions to dwellings together with the other works)
- The bulk of permit applications related to the three large heritage precincts: HO8 Queensville Estate Heritage Area, HO9 Seddon Residential and Commercial Heritage Area and HO15 Yarraville Residential Heritage Area. The majority of applications were within HO9.
- The smaller heritage precincts had less applications (relative to their size).
- The commercial precincts of HO3 Footscray commercial heritage area and HO14 Yarraville civic and commercial heritage area also had a relatively small number of applications, although the nature of the applications varied. Of note, only a small number related to signage.
- 26 applications were identified as being assessed under Vic Smart, and were for works such as pool/fence, solar panels, air conditioning, demolition of front fence, demolition of rear verandah, removal of shed/buildings, construction of a shed and construction of a crossover.
- There was duplication in a small number of applications due to these being superseded and issued under another similar category e.g. E1 to E2.

In terms of the number and types of minor applications for lesser or one off works, these are summarised as follows (for all precincts):

- M1 (fences): 12
- M2 (verandahs/pergolas): 14
- M3 (sheds/outbuildings): 5
- M4 (signs): 11
- M5 (external alterations): 17
- M6 (garages/carports): 8
- M7 (crossovers): 8
- M8 (domestic/commercial services): 13
- M9 (other minor applications: e.g. swimming pools): 10
- M0 (decks): 5
- X1 (general miscellaneous): 11

With regard to permit exemptions, analysis of the data indicated that the approvals/assessments under VicSmart, although less than anticipated at 26 out of a total of 319 permit applications, would be candidates for the permit exemptions. Similarly, many of the minor works applications were considered as potentially appropriate for exemptions. The applications involving larger works, including those for extensions/additions to dwellings which incorporated other works, did not lend themselves to exemptions.

Informed by this assessment and analysis, the next key stage of the project involved a review of the relevant heritage studies and related documentation, to identify the important characteristics of the precincts, as documented in the studies. This would assist in further understanding the appropriateness or otherwise of the generally minor works identified above, i.e. would it be appropriate to exempt a new crossover in all precincts?

3.1.2 Desktop review of Maribyrnong heritage studies and reference documents

This stage involved a desktop review of the relevant Maribyrnong heritage studies and related documents, including reference documents cited at *Clause 22.01 Cultural Heritage Policy*; citations for the subject heritage precincts which contain detailed information and analysis about precinct characteristics, patterns of development, building forms, typical materials and the like; and the policy basis, objectives and individual policy for each of the heritage precincts as included in *Clause 22.01 Cultural Heritage Policy*. The *Munitions Workers' Housing Estate, Braybrook, Heritage Guidelines* (Heritage Alliance, June 2006) were also reviewed in relation to HO5.

In addition to providing insight into the significant precinct characteristics, the objectives and policy for each precinct, as included in *Clause 22.01*, also gave clear direction on what is encouraged in precincts and what is not appropriate.

For example, where the policy encouraged reinstatement of specific items, these were considered for potential permit exemptions. The policy for several precincts encourages reinstatement of 'front boundary fences' in 'designs from the era'; or specifies different options for front fence designs. While this approach is supported in a policy context, it does not necessarily readily translate to a permit exemption. Exempting the construction of a fence from 'the era', where there are diverse eras or periods represented in the precinct, or where there is variety in the styles of houses from a particular era, is problematic. It requires the owner to make a decision about the design of the front fence, and to choose an option, with the reinstatement open to interpretation. Such works should not be permit exempt within a heritage precinct, as they could result in an inappropriate outcome such as a Federation style fence in front of a 1930s Bungalow.

On that basis, and in combination with the field survey of precincts (see below) it was determined that there are only two precincts, being HO5 Munitions worker's housing heritage area Braybrook and HO12 War Service homes heritage area Maribyrnong, where the exact fence design could be specified as a permit exemption (see the Incorporated Plan, Section 2.5). The *Clause 22.01* policy for HO5 also specifies low wire fences for reinstatement; while the policy basis for HO12 identifies wire fabric front fences as a precinct characteristic.

Some precinct policies expressly discourage the introduction of crossovers and car parking access to the front setback of properties, while other policies allow for the introduction of a single-width crossover. Again, in combination with the field survey of precincts, a permit exemption for the construction of new crossovers was deemed appropriate in some precincts, albeit limited to HO1 Angliss Housing Estate heritage area Yarraville, HO10 Somerville Road 20th century residential heritage area Yarraville, and HO12 War Service homes heritage area Maribyrnong.

Verandahs and shopfronts are also encouraged by policies to be reinstated in commercial streetscapes. However, the diversity of original verandah styles and designs, and historic shopfront treatments, again did not make for appropriate permit exemptions. The introduction of new verandahs and shopfronts, even where believed to be historically accurate or at the very least historically sympathetic, should remain subject to a permit.

3.1.3 Fieldwork and survey of the heritage precincts

Following on from the above tasks, field work and field survey was undertaken in all the precincts, to better understand the documented heritage characteristics and to 'ground truth' the application of potential permit exemptions.

This included reviewing the precincts for exemptions involving the construction of new or replacement front fences and vehicle crossovers and access, as outlined above. For the latter, for precincts HO1, HO10 and HO12, it was evident that vehicle crossovers and access to the fronts of properties was commonplace in these precincts, and consistent with the historical patterns of development. This is reflected in the permit exemption.

The field survey also confirmed that some permit exemptions could apply, and were appropriate, across all or at least most of the precincts; while some exemptions, such as those relating to works to the rears of dwellings, may not. For example, properties with irregular allotments (such as HO5 Munitions worker's housing heritage area, and HO11 Upper Footscray residential heritage area) provide less opportunity for the concealment of additions or works to the rears of buildings, or for new outbuildings, and on that basis these precincts could not accommodate these particular exemptions.

The demolition and construction of timber paling fences to rear and side property boundaries is also not an appropriate exemption in HO5, where again the irregularity of some allotments and, unusually, the visible presence of some original side fences, may result in an inappropriate and impactful outcome.

3.1.4 *Review of other Incorporated Plans and mechanisms for permit exemptions*

Preparation of the Incorporated Plan was also informed by a review of similar Incorporated Plans and permit exemptions for heritage precincts and properties in other municipalities. The focus of the review was on their content, legibility and potential for application in Maribyrnong. The review also identified common themes and approaches to the presentation of the content of Incorporated Plans, which is generally followed and adopted with the attached plan.

Table 2 provides a list of the Incorporated Plans and permit exemptions which were reviewed, while Appendix B provides a more detailed overview, for information and comparison.

Table 2 Reviewed Incorporated Plans/permit exemption documents

Municipality	Incorporated Plan/Exemptions
Baw Baw	Heritage Permit Exemptions Incorporated Plan to the Schedule to Heritage Overlay, Clause 43.01, Baw Baw Planning Scheme, July 2012
Ballarat	Ballarat Heritage Precincts Study Part A 2006 – Incorporated Plan, revised June 2014 Ballarat Planning Scheme Heritage Control 2004 - -Incorporated Plan, revised October 2015
Darebin	City of Darebin Heritage Study Incorporated Plan – Permit Exemptions, 2011 Incorporated Document - Preston Residential Heritage Precincts Permit Exemptions, February 2008
Greater Bendigo	Greater Bendigo Heritage Incorporated Plan – Permit Exemptions, August 2015
Greater Shepparton	Greater Shepparton Heritage Incorporated Plan, May 2013
Latrobe	Latrobe City Heritage Overlay – Planning Permit Exemptions & Application Requirements Incorporated Plan, July 2010
Macedon Ranges	Lancefield, Romsey and Woodend Town Centre Heritage Precincts Planning Permit Exemptions, July 2011
Mitchell Shire	Mitchell Shire HO Permit Exemptions Incorporated Plan, 2014
Moonee Valley	Permit exemptions policy –Heritage Overlay Precincts, March 2014 Permit exemptions policy – HO372 Housing Commission of Victoria Ascot Estate, March 2015
Mount Alexander	Former Shire of Newstead Heritage Precinct Exemptions Incorporated Plan, August 2012

Wellington	Sale Residential Heritage Precinct Permit Exemptions, amended September 2015
Yarra	Incorporated Plan under the provisions of clause 43.01 Heritage Overlay, Planning permit exemptions, July 2014

In summary, Incorporated Plans typically included a list of the applicable precincts/individual places, relevant Heritage Overlay maps, and in several instances incorporating statements of significance or summaries of the statements. Several of the Incorporated Plans include extensive listings of heritage places within precincts in addition to the mapping. Most incorporate definitions of the gradings used in the document.

The greatest variance in the Incorporated Plans is in their legibility and presentation. The majority of plans are largely text-based, with the permit exemption related information listed under the specific exempt works category. The heavy reliance on text based presentation of the exemptions tends to complicate the documents. Further, the incorporation of extensive lists made some documents unwieldy and difficult to navigate. Comparatively few include explanatory diagrams to assist in the interpretation and comprehension of the content. The Yarra Incorporated Plan is the only document to adopt a tabular layout, used for identifying applicability for different property gradings, in addition to explanatory diagrams.

For ease of comprehension, it is considered that simple diagrams improve the reading and understanding of the content of Incorporated Plans, particularly where the content contains relatively complicated concepts. Accordingly, diagrams have been included in the attached plan.

In terms of the content of the documents, the permit exemptions are broadly similar with common exemptions relating to:

- Minor demolition
- Construction or alteration of outbuildings
- Construction of pergolas or verandahs
- Construction of additions/extensions to dwellings
- Construction of front and side fences

Additional categories included permit exemptions for signage, as related to commercial areas (Yarra); tree maintenance (Latrobe, Shepparton, Ballarat, Bendigo); and roadworks (Latrobe).

Typically, the permit exemptions set out limitations for the exempted works, including nominating heights above ground level for floors; relative heights and setbacks for additions; and heights and locations for fences. Seeking to conceal or limit the visibility of the exempt works is also largely universal.

3.1.5 *Preparation of the Incorporated Plan*

The final stage of the project involved preparation of the attached Incorporated Plan. Several drafts were reviewed by Council prior to finalisation, with comments and feedback received. The latter related to formatting and legibility, content and clarity, with the objective being to ensure that the plan is accessible and understandable.

1.0 Review of Planning Permit Data by Heritage Overlay area

1.1 Categories

- N1: Larger scale applications (including minor elements in preamble)
- N2: Larger scale applications (no mention of minor elements in the preamble)
- E1: Extensions (including minor elements in preamble)
- E2: Extensions (no mention of minor elements in preamble)

Minor applications:

- M1: Fences
- M2: Verandahs/pergolas
- M3: Sheds/outbuildings
- M4: Signs
- M5: External alterations
- M6: Garages/Carports
- M7: Crossovers
- M8: Domestic/commercial services
- M9: Other minor applications (e.g. swimming pool)
- M0: Decks
- X1: General miscellaneous (e.g. subdivision)
- NA: Superseded applications

1.2 Analysis

Abbreviations

- FTD: Failure to determine
- S: Superseded permit application
- L: Lapsed permit application
- R: Refusal
- A: Amendment to permit application
- VS: Approval under VicSmart (inc: pool/fence, solar panels, air conditioning, demolition of front fence, demolition of rear verandah, removal of shed/buildings, construct a shed, construct a crossover)
- W: Withdrawn
- U: Unknown (decision not indicated)

Table 1 Analysis of Planning permit data by heritage area

Heritage area / works	N1	N2	E1	E2	M1	M2	M3	M4	M5	M6	M7	M8	M9	M0	X1	NA	Number of permits
HO1		1(U)	2	3								1	1				8
HO2						1(VS)				1							2
HO3			3					4 (2S)	4 (1S)			1	1		2		15 (1 app in two categories)
HO4	1	4 (1S) (1U)	5	6 (1S) (1L)	1(VS)	1			2			2 (1L) (1VS)		1(L)			23
HO5		1	1							1		1 (VS)					4
HO7			5	1		1(VS)	2			1						(2S)	12
HO8		1	15 (1S)	30 (2S)	2 (1VS, W)	6 (2VS) (1W)	2 (1VS)		1		1 (1VS, R)	2 (1VS)	2 (1VS)		2 (1S)	(2S)	66 (1 app in two categories)
HO9	1	3 (1R) (1U)	34 (1U) (1W)	29 (3S) (1U)	5	3		3	8	2	3	4 (3VS)	4 (2VS)	2	2	6 (5S)	109 (1 app in two categories)
HO10																	0
HO11	1		7	3 (1S)	1								1(VS)	1	2		16 (1 app in two categories)
HO12																	0
HO13			1														1
HO14	1	1(R)	2					2	1	1		1			2 (1W)		11
HO15	3 (1S)	6 (1FTD) (2L) (1R)	17 (2A)	6 (1D)	3 (1VS)	2 (1VS)	1 (1VS)	2 (1 L) (1VS)	1	2 (1VS)	4 (1R) (2VS)	1	1	1(VS)	1	1(S)	52 (1 app in two categories)
Total	7	16	92	78	12	14	5	11	17	8	8	13	10	5	11	11	

REVIEW OF OTHER INCORPORATED PLANS & PERMIT EXEMPTIONS

Municipality	Application	Exemptions
Baw Baw Shire <i>Heritage Permit Exemptions Incorporated Plan to the Schedule to Heritage Overlay (July 2012)</i>	<ul style="list-style-type: none">• The Incorporated Plan relates to heritage places included in heritage precincts, individual places in heritage precincts and nominated individual heritage places.• It provides definitions of the gradings used and mapping of each precinct to identify heritage places.	Permit exemptions are provided for: <ul style="list-style-type: none">• Demolition and routine maintenance• construction of and extensions to buildings• fences, domestic services, swimming pools and spas

City of Ballarat

*Ballarat Heritage Precincts Study
Part A 2006 – Incorporated Plan
(revised June 2014)*

*Ballarat Planning Scheme Heritage
Control 2004 - Incorporated Plan
(revised October 2015)*

- The Incorporated Plans are brief and clearly set out the exemptions and the precincts to which they are applicable.
- The Incorporated Plans incorporate explanatory diagrams under each definition with some applied text.
- The Incorporated Plans rely on an understanding of the grading of places within heritage overlays, and do not include mapping or summaries of significance/features.
- Where permit exemptions relate to tree removal, tables are provided for each heritage precinct identifying applicable trees/location.

Permit exemptions are provided for:

- Demolition
- Front fences
- External painting
- Removal, lopping, pruning of trees
- Alterations, additions and new buildings on ‘Not Significant’ places
- New outbuildings (carports, garages, shed) on ‘Significant’ places
- Minor development on ‘Significant’ places

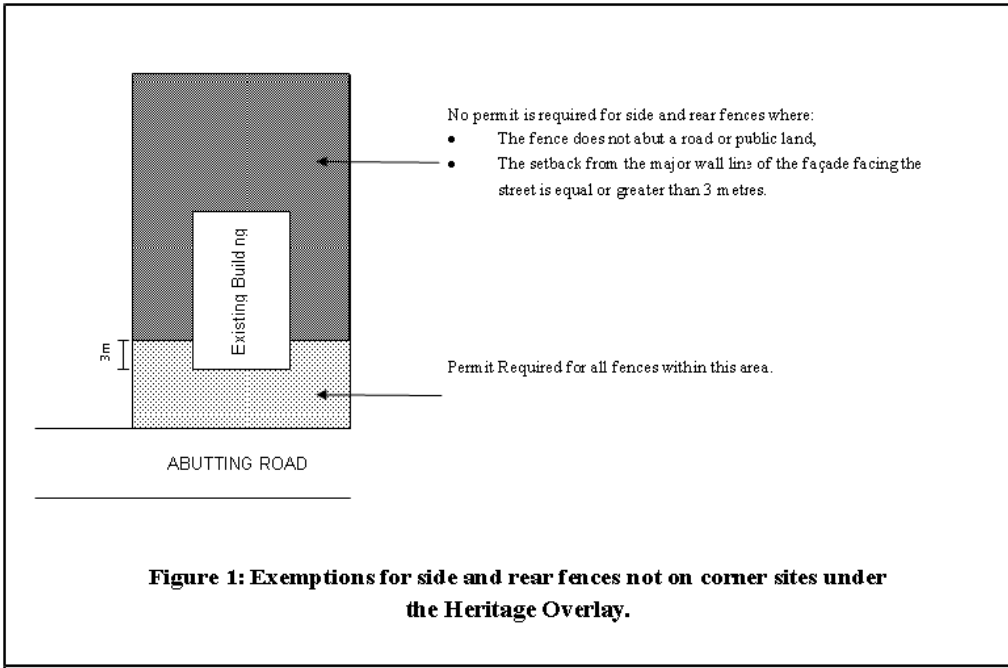


Figure 1 Diagram illustrating the location of side and rear fencing

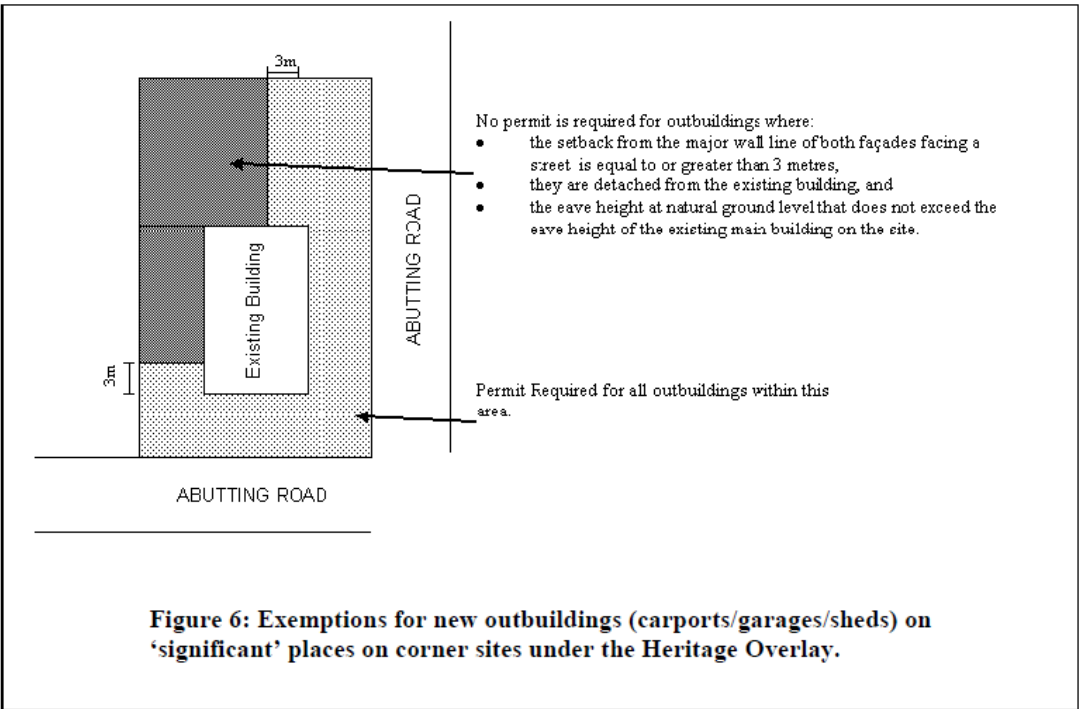
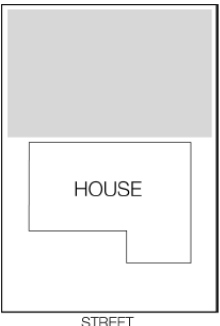


Figure 2 Diagram illustrating the exemptions applicable for new outbuildings on ‘Significant’ places on corner sites

Municipality	Application	Exemptions
City of Darebin <i>City of Darebin Heritage Study Incorporated Plan – Permit Exemptions (2011)</i>	<ul style="list-style-type: none"> The Incorporated Plan provides permit exemptions for heritage precincts within Residential 1 and Business 1 zones, individual heritage places in the Residential 1 zone and for twelve identified heritage precincts. The Incorporated Plan defines significant, contributory, non-contributory places and significant features. General exemptions are provided for individually significant places in the Residential 1 zone. Place specific exemptions are included for individually significant places. These comprise bulk of the document. The Incorporated Plan includes precinct maps identifying significant, contributory and non-contributory places. A single diagram (see opposite) is provided to illustrate the definition of rear yard as applied to the exemptions. 	<p>Permit exemptions relate to:</p> <ul style="list-style-type: none"> Demolition and routine maintenance with specific action dependent on whether places are non-contributory, contributory or significant Construction of and extensions to buildings, other structures, though this is constrained by floor area, height relative to natural ground level (NGL) and location (Figure 3). Construction of fences restricted to height (1.2m above NGL) Installation of services normal to a dwelling though within specific locations <p>FIGURE 1 <i>The shaded area defines the rear yard for the purposes of this policy</i></p>  <p>Figure 3 Definition of rear yard</p>
City of Darebin <i>Incorporated Document - Preston Residential Heritage Precincts Permit Exemptions (February 2008)</i>	<ul style="list-style-type: none"> The document includes definitions of levels of significance and a summary description of the values and contributory elements of the five precincts. 	<p>Permit exemptions relate to:</p> <ul style="list-style-type: none"> Demolition and routine maintenance of places of no significance Construction of additions and outbuildings of limited floor area and height Construction of pergolas and decks within rear yards Construction of rear additions to contributory places within parameters of height and setback to front and side boundaries.

Greater Bendigo

*Greater Bendigo Heritage
Incorporated Plan – Permit
Exemptions (August 2015)*

- This Incorporated Plan is a substantial document (approximately 70 pages) and provides mapping and listing of places in individual heritage precincts and mapping of significant trees.
- The Incorporated Plan sets out the definitions/terms used in the document.
- General exemptions and precinct specific exemptions apply under each category.
- Permits exemptions are set out according to works type, with general exemptions (applicable to all places – except where specifically excluded) and specific exemptions for non-contributory, contributory and individually significant places within nominated precincts.
- The Incorporated Plan contains only two diagrams; illustrating the location for permit exempt outbuilding, additions and external alterations for standard allotments and buildings on a corner site.

Permit exemptions are provided for the following:

- Addition-rear (excludes deck/verandah/ pergola)
- Addition-other (excludes deck/verandah/ pergola)
- Building, outbuilding or road – construction
- Deck-construction or extension
- Demolish or remove a building (excluding and outbuilding)
- Demolish or remove an outbuilding
- Domestic services normal to a dwelling (excludes a solar energy facility)
- Emergency works
- Externally alter a building
- Fence (construction of side or rear)
- Fence (construction of front)
- Fence (demolish or remove front fence)
- Fence (demolish or remove a side/rear fence)
- Fence (installation of a semitransparent fence addition, e.g. lattice)
- Internal alterations
- Painting (external)
- Pergola/verandah (open sided construction or extension)
- Rain water tank and associated structures
- Retaining wall
- Sign (construct or display)
- Solar energy facility
- Swimming pool or spa-domestic (including associated mechanical and safety equipment)
- Remove, destroy or lop a tree
- Vehicle cross-over and access way
- Works in a farming zone (including installations of plant and equipment)
- Works, repairs and routine maintenance which change the appearance of a heritage place

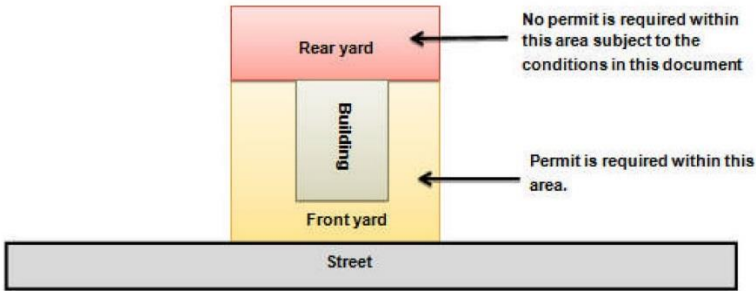
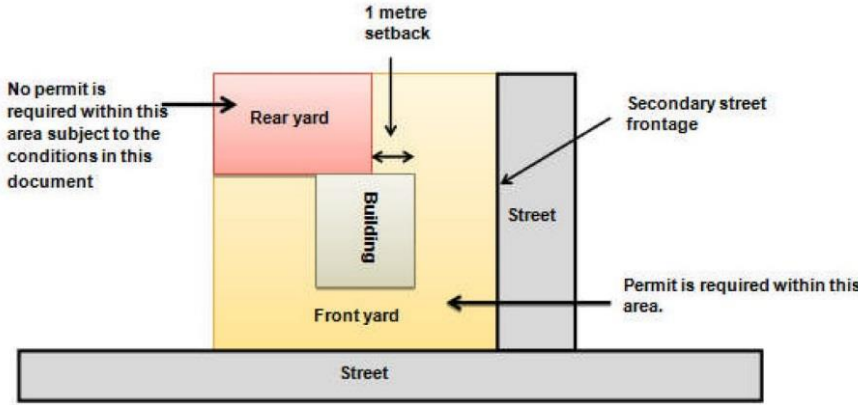
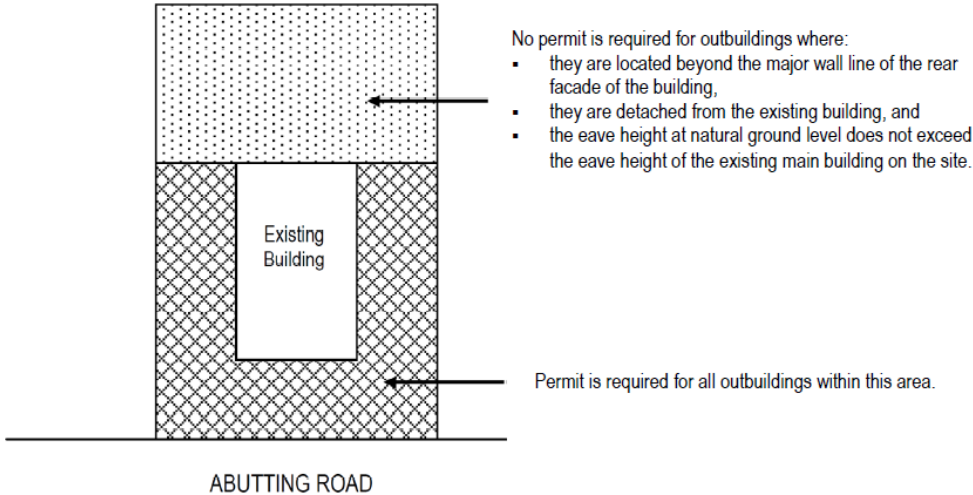

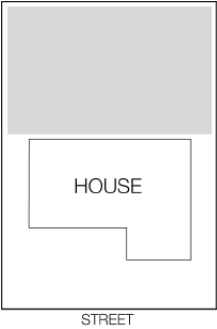


Figure 1: Exemptions for additions, external alterations and outbuildings for buildings not on a corner site. The rear yard must not abut a street.

Figure 4 Diagram illustrating where exemptions apply for additions apply when not on a corner site

Municipality	Application	Exemptions
		 <p>Figure 2: Exemptions for additions, external alterations and outbuildings for buildings on a corner site. The rear yard must not abut a street.</p> <p>Figure 5 Diagram illustrating where exemptions apply for additions apply when on a corner site</p>
<p>Greater Shepparton</p> <p><i>Greater Shepparton Heritage Incorporated Plan (May 2013)</i></p>	<ul style="list-style-type: none"> • The Incorporated Plan sets out which heritage places are covered by the permit exemptions (and excluded places). • The Incorporated Plan provides 'general' exemptions applicable to all heritage places, and standard exemptions for works to non-contributory places and contributory and individually significant places. • The exemptions are supported by diagrams to explain the content. • The Incorporated Plan includes the statements of significance for each heritage precinct and precinct plans identifying non-contributory, contributory and individually significant places and these make up the bulk of the document. 	<p>Permit exemptions are provided for:</p> <ul style="list-style-type: none"> • Demolition • Swimming pools and spas • External painting • Remove, destroy or lop a tree • Alterations, additions and new buildings on 'Non-Contributory' places • Alterations, additions and new buildings on 'Contributory' places and 'Individually Significant' places • Minor development to 'Contributory' places and 'Individually Significant' places  <p>Figure 3: Exemptions for new outbuildings (carports/garages/sheds) for 'Contributory' and 'Individually Significant' places not on a corner site within the Heritage Overlay.</p> <p><i>Note: A laneway and a carriageway easement are defined as an abutting road.</i></p> <p>Figure 6 Diagram illustrating the application of permit exemptions for new outbuildings for 'Contributory' and 'Individually Significant' places</p>

Municipality	Application	Exemptions
Latrobe City <i>Latrobe City Heritage Overlay – Planning Permit Exemptions & Application Requirements Incorporated Plan (July 2010)</i>	<ul style="list-style-type: none"> The Incorporated Plan sets out the 12 heritage precincts to which the exemptions apply in addition to a number of individual heritage places. Definitions are also provided. Definitions of gradings are included along with mapping of heritage precincts. No diagrams are provided to support the content. The Incorporated Plan includes a list of planning permit application requirements. Heritage precinct maps are also included. 	<p>Precinct permit exemptions address:</p> <ul style="list-style-type: none"> Demolition and routine maintenance Construction of and extensions to buildings Fences, domestic services, swimming pools and spas Roadworks Remove, destroy or loop a tree (with identified exceptions to this exemption)
Macedon Ranges Shire <i>Lancefield, Romsey and Woodend Town Centre Heritage Precincts Planning Permit Exemptions (July 2011)</i>	<ul style="list-style-type: none"> The permit exemptions apply to three township heritage precincts. The Incorporated Plan includes definitions for contributory and non-contributory (referring to the places lists in the document). The Incorporated Plan provides general guidance for the location of exempt structure as related to the position in relation to the heritage place, floor area, height above natural ground level and overall height. Rear yard is defined by a simple diagram. Exemptions refer to roof material where the use of zincalume roofing would trigger a permit 	<p>The permit exemptions cover:</p> <ul style="list-style-type: none"> Demolition, repairs and routine maintenance of non-contributory places Construction of extensions of an outbuilding to both contributory and non-contributory places (except to a corner site) Construction or extension of a garage or carport located in a rear yard (defined by figure) Construction of a verandah or pergola Construction or extension of a deck Side fences Installation of domestic services Construction of extension of a domestic swimming pool <p>Figure 1</p>  <p>Figure 7 Definition of a rear yard</p>

Municipality	Application	Exemptions
Mitchell Shire <i>Mitchell Shire HO Permit Exemptions Incorporated Plan (2014)</i>	<ul style="list-style-type: none"> The Incorporated Plan is similar to that of Latrobe City and Baw Baw Shire in its layout and content. The Incorporated Plan sets out the applicability of exemptions; to heritage precincts and individual heritage places in township and rural areas. Definitions are provided that explain gradings of heritage places, as shown in the precinct maps at the conclusion of the document. The exemption establish the parameters of exempted development as related to the height and setbacks from side boundaries of the existing building. The definition of ‘rear yard’ is illustrated in a simple diagram (same as Darebin). 	<p>The exemptions are standard in their scope and address demolition of non-contributory buildings, repairs and routine maintenance, construction of pergolas, outbuildings, swimming pools and spas, domestic services and fences to non-contributory, contributory and significant places.</p>
Moonee Valley: <i>Permit exemptions policy – Heritage Overlay Precincts (March 2014)</i> <i>Permit exemptions policy – HO372 Housing Commission of Victoria Ascot Estate (March 2015)</i>	<ul style="list-style-type: none"> Permit exemption policy applies to contributory and non-contributory places in heritage overlay precincts. Identified exclusions are individually significant places in the Heritage Overlay Schedule and significant heritage places within precincts. Definitions are provided for significant, contributory, non-contributory places and for building height (reference to Clause 72 of the Moonee Valley Planning Scheme). Permit exemptions are presented in text form; a single graphic illustrates what is defined as rear yard (see opposite). The exemptions are more generous where applied to non-contributory places. The permit exemptions policies incorporate mapping identifying significant, contributory and non-contributory places and features. The policy for HO372 Ascot Estate and provides a limited number of exemptions related to modification of windows, balustrades and the installation of external screens. This brief document incorporates diagrams and annotated photographs for legibility. 	<ul style="list-style-type: none"> Exemptions cover demolition and repairs or routine maintenance of non-contributory buildings, and repairs and routine maintenance of the rear walls of contributory buildings. Development to the rear yard of contributory sites is permit exempt though this is constrained by overall height (3.0 metres above natural ground level), location not on a corner site, the roof and walls to the front and sides are not altered and existing side setbacks are maintained. Demolition of a building or part of a building on a property shown as <i>Non-contributory</i> on the relevant precinct map Repairs or routine maintenance to a building that would change the appearance of that building on a property shown as <i>Non-contributory</i> on the relevant precinct map. This exemption does not apply if the repairs or maintenance would result in an extension to the building. Construction of 1.2m high front fences are provided with an exemption, though this is qualified materially and where not including the demolition or alteration of a fence to a contributory building. Minor exemptions provided for the modification, demolition and construction of side and rear fences. Exemptions for the installation of domestic services – qualified by the location on the dwelling and whether the place is contributory. <div data-bbox="1397 1062 1694 1125"> <p>FIGURE 1 <i>The shaded area defines the rear yard for the purposes of this policy</i></p> </div>  <p>Figure 8 Definition of rear yard</p>

Municipality	Application	Exemptions
Mount Alexander Shire <i>Former Shire of Newstead Heritage Precinct Exemptions Incorporated Plan (August 2012)</i>	<ul style="list-style-type: none"> • The Incorporated Plan relates to five heritage precincts in the former Shire of Newstead. • The document incorporates a series of definitions and permit exemptions for places defined as not significant. • The exemptions prescribe heights of additions/extensions relative to natural ground level and eaves height. • The exemptions prescribe floor areas for outbuildings and carports. • Distinction is made for some works where they are adjacent to individually significant places, where works are not included in the exempt category. • The Incorporated Plan comprises the exemptions and an illustrated list of places in the five precincts, and this makes up the bulk of the document. 	<p>Permit exemptions are provided for:</p> <ul style="list-style-type: none"> • Demolition and routine maintenance • External alterations and painting • Construction of and extensions to buildings • Fences, domestic services, swimming pools and spas
Wellington Shire <i>Sale Residential Heritage Precinct Permit Exemptions (amended September 2015)</i>	<ul style="list-style-type: none"> • The Incorporated Plan sets out the precinct to which the permit exemptions apply and provides definition of significant, contributory and non-contributory places. • The latter relates to the planning scheme maps included in the Incorporated Plan and identifying the relative significance level. • The Incorporated Plan also includes summary statements of significance for each identified precinct s and significant features of heritage places. • Floor area and building height are prescribed. 	<p>Permit exemptions are provided for:</p> <ul style="list-style-type: none"> • Demolition of non-contributory places • Construction of decks, pergolas and verandahs within certain parameters • Construction of new fences to 1.4m in height provided that this does not require the demolition of an existing front fence • Alterations to contributory properties and non-contributory places • Domestic services, swimming pools and spas

Municipality	Application	Exemptions
<p>City of Yarra</p> <p><i>Incorporated Plan under the provisions of clause 43.01 Heritage Overlay, Planning permit exemptions (July 2014)</i></p>	<ul style="list-style-type: none"> • The Incorporated Plan provides permit exemptions for works to individually significant, contributory and non-contributory places within heritage overlay areas. • Permit exemptions are set out in terms of works type, with applicability/comment provided for each grading. • The Incorporated Plan relies on simple diagrams to explain the location for types of exempt activities. • The Incorporated Plan does not include definitions and planning scheme maps identifying graded places. 	<p>Permit exemptions are provided for:</p> <ul style="list-style-type: none"> • Repairs and maintenance • Roofing • Painting • Modifications and alterations • Outbuildings • Pergolas, verandahs and decks • Fences and roller doors • Domestic services normal to a dwelling, utility installation and rainwater tanks • Domestic swimming pool and spa • Signage <div data-bbox="1400 558 2160 1157"> <p>The diagram illustrates a building footprint with an adjacent extension. The extension is highlighted with a grey fill. An arrow points from the text 'No permit is required if constructed/extended in this area' to the grey-shaded extension. The main building is labeled 'Building' and the street below is labeled 'Principal Street'.</p> </div> <p>Figure 4 Construction/extension of outbuilding to a contributory property (not located on a corner site).</p> <p>Figure 9 Example of diagram in the City of Yarra Permit Exemptions</p>

INCORPORATED PLAN
UNDER THE PROVISIONS OF CLAUSE 43.01
HERITAGE OVERLAY

Prepared for
City of Maribyrnong

May 2018

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1.0 Introduction

This Incorporated Plan establishes planning permit exemptions, under the provisions of *Clause 43.01 Heritage Overlay*, for properties in specific heritage precincts included in the City of Maribyrnong Schedule to the Heritage Overlay. The subject heritage precincts are identified at Table 1.

In accordance with *Clause 43.01-3*, no permit is required for permit exempt works identified in this Incorporated Plan.

1.1 Existing exemptions at Clause 43.01

Under the provisions of *Clause 43.01-3 No Permit Required*, no permit is required under the Heritage Overlay for a limited number of works, as follows:

- To internally alter a church for liturgical purposes if the responsible authority is satisfied that the alterations are required for liturgical purposes.
- For interments, burials and erection of monuments, re-use of graves, burial of cremated remains and exhumation of remains in accordance with the *Cemeteries and Crematoria Act 2003*.
- To develop a heritage place which is included in the Victorian Heritage Register, other than an application to subdivide a heritage place of which all or part is included in the Victorian Heritage Register.

Clause 43.01-1 Permit Requirement also identifies a range of works which require a permit if the works/items are visible from a street (other than a lane) or public park. It follows that such works will not trigger the permit requirement if not visible in this way. Included in these are construction, installation and/or introduction of:

- Domestic services normal to a dwelling, such as air conditioners, cooling or heating systems, water meters, access ladders, hot water services and shade sails.
- Services normal to a building other than a dwelling, including chimneys, flues, skylights, heating and cooling systems, hot water systems, security systems and cameras, downpipes, window shading devices, or similar.
- Solar energy facilities attached to a building, which primarily service the land on which the building is situated.
- Rainwater tanks.
- Fence.
- Domestic swimming pool or spa and associated mechanical and safety equipment.
- Deck, including a deck to a dwelling with a finished floor level not more than 800mm above ground level.
- Non-domestic disabled access, excluding a non-domestic disabled access ramp.
- Electric vehicle charging station.

In addition to the above *Clause 43.01-1* provides for the following works to be undertaken without a permit:

- Repairs and routine maintenance which do not change the appearance of a heritage place, and are undertaken to the same details, specifications and materials as existing.
- Painting of a previously painted surface, other than painted signage or advertisements.

Repairs and maintenance are further defined below at Section 3.0. In practice this exemption incorporates the replacement of doors, windows (other than windows with decorative glazing such as coloured glass or leadlight windows) and fencing; and repairing and patching walls and roof. Regarding the replacement of roofing, this includes roof tiles, rainwater heads, gutters and downpipes, and again in order to be exempt under *Clause 43.01* the works must be undertaken to the same details, specifications and materials as the existing (including form, pitch, profile, material, colour and style). If the replacement materials do not match the existing, a sympathetic alternative may be appropriate but

would require a permit from Council. *Clause 43.01* permit exempt works do not provide for removal of chimneys or other roof elements such as decorative ridge capping, finials, gargoyles and vents.

Clause 43.01 permit exempt works also apply to the replacement of existing crossovers and driveways to match the existing in terms of form, materials, colour of materials, size, alignment, location and details.

In Maribyrnong, paint controls do not apply under the Heritage Overlay to the heritage precincts subject to this Incorporated Plan. This means that owners can repaint their properties, where the painting is of a previously painted surface. It does not mean that owners can paint a currently unpainted external surface. The painting of unpainted brick, stone, render or timber walls and details is not permit exempt, unless and except for newly installed and constructed doors, windows, garages, pergolas, carports, decks and fences. Painting or repainting signage, signs or advertisements, anywhere on a heritage place or within a heritage precinct, would require a permit from Council. Similarly, applying render or stucco to a building surface, which is not currently rendered or stuccoed, also requires a Council permit.

1.2 Places to which the permit exemptions do not apply

This Incorporated Plan does not apply to places:

- Included in the Victorian Heritage Register, which is a statutory register of places of cultural heritage significance to the State of Victoria, subject to the *Victorian Heritage Act 1995*.
- Identified as ‘individually significant’ places, properties or buildings in precincts, in Maribyrnong’s *Clause 22.01 Cultural Heritage Policy*. These places are more significant than contributory places in precincts, and have their own statements of significance.
- Included in Maribyrnong’s Schedule to the Heritage Overlay as individual places, or located in Heritage Overlay precincts which are not identified in Table 1 to this Incorporated Plan.

The places identified as ‘individually significant’ in precincts, and those included in the Schedule to the Heritage Overlay as individual places, are listed in the ‘Attachment’ to this Incorporated Plan.

1.3 Explanatory notes

The Incorporated Plan permit exemptions provide for generally minor works, with some exceptions, which do not impact on the heritage significance of the subject building or property, or the heritage precinct. To assist with understanding the exemptions, and how and when they are relevant and can be applied, ‘Explanatory notes’ are included below. Definitions of terms used in this Incorporated Plan are also included at Section 3.0.

1.4 What is a permit exemption?

A permit exemption allows for specific works to be undertaken without requiring a permit from Maribyrnong Council under the provisions of the Heritage Overlay.

This plan does not provide exemptions for permits under other provisions of the Maribyrnong Planning Scheme, such as zone provisions, other overlays or particular provisions. In some instances, a building permit may be required.

1.5 Heritage Overlay precincts and applicable exemptions

The following table identifies the Heritage Overlay precincts which are the subject of this Incorporated Plan.

Table 1: Subject heritage precincts

HO number	Precinct name
HO1	Angliss Housing Estate heritage area Yarraville
HO2	Ballarat Road Residential heritage area Footscray

HO number	Precinct name
HO3	Footscray Commercial heritage area Footscray
HO4	Footscray Residential heritage area Footscray
HO5	Munitions worker's housing heritage area Braybrook
HO7	Old Footscray Township residential heritage area Footscray
HO8	Queensville Estate heritage area Kingsville
HO9	Seddon residential and commercial heritage area Seddon, Yarraville
HO10	Somerville Road 20th century residential heritage area Yarraville
HO11	Upper Footscray residential heritage area Footscray
HO12	War Service homes heritage area Maribyrnong
HO13	William Angliss worker housing estate heritage area Footscray
HO14	Yarraville civic and commercial heritage area Yarraville
HO15	Yarraville residential heritage area Yarraville

2.0 Permit Exemptions

Under *Clause 43.01-3* the following works are exempt from the requirement for a planning permit.

2.1 Minor modifications and alterations

Permit exemption

2.1.1 Minor modifications and alterations, including demolition to rear walls or rear parts of buildings at ground floor level are permit exempt where:

- The works are to the rear building walls or rear parts of buildings (not including roofs) as shown in Figure 1 or Figure 2.
- The works are not visible from a street or side street (other than a lane) or public park.

This exemption applies to all the precincts listed in Table 1.

Explanatory notes

In heritage precincts, what is primarily seen from the principal streetscape or main view of a property is important. External modifications and alterations must not change or impact on the principal presentation of a building, hence the exemption applies to the rear, and less visible parts, of a building. Allowing these modifications to the rear of a building will not impact on the important contribution to the street.

The exemption can include alteration and removal of existing building fabric, including walls, windows and doors, where confined to the parts of buildings shown in Figure 1 or Figure 2.

The exemption does not apply to roofs or rear parts of roofs, including the modification, alteration and demolition of roofs. These latter works would require a permit from Council.

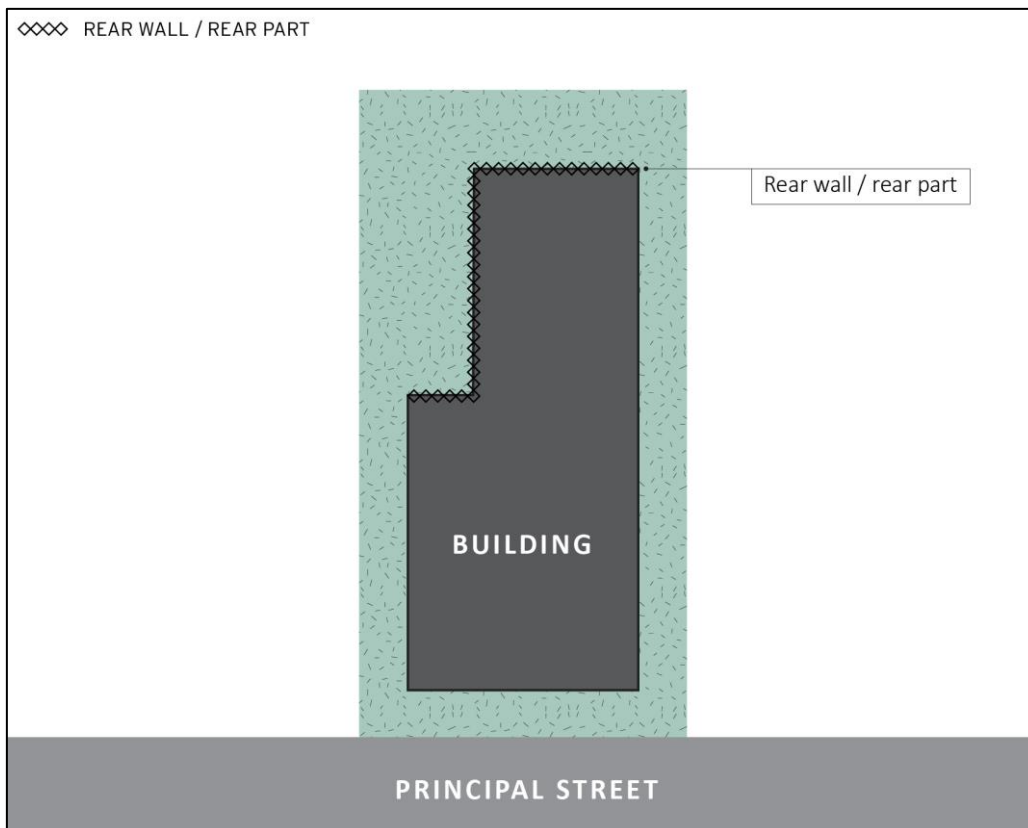


Figure 1 Modifications and alterations, including demolition, are exempt to the rear wall/rear part of building

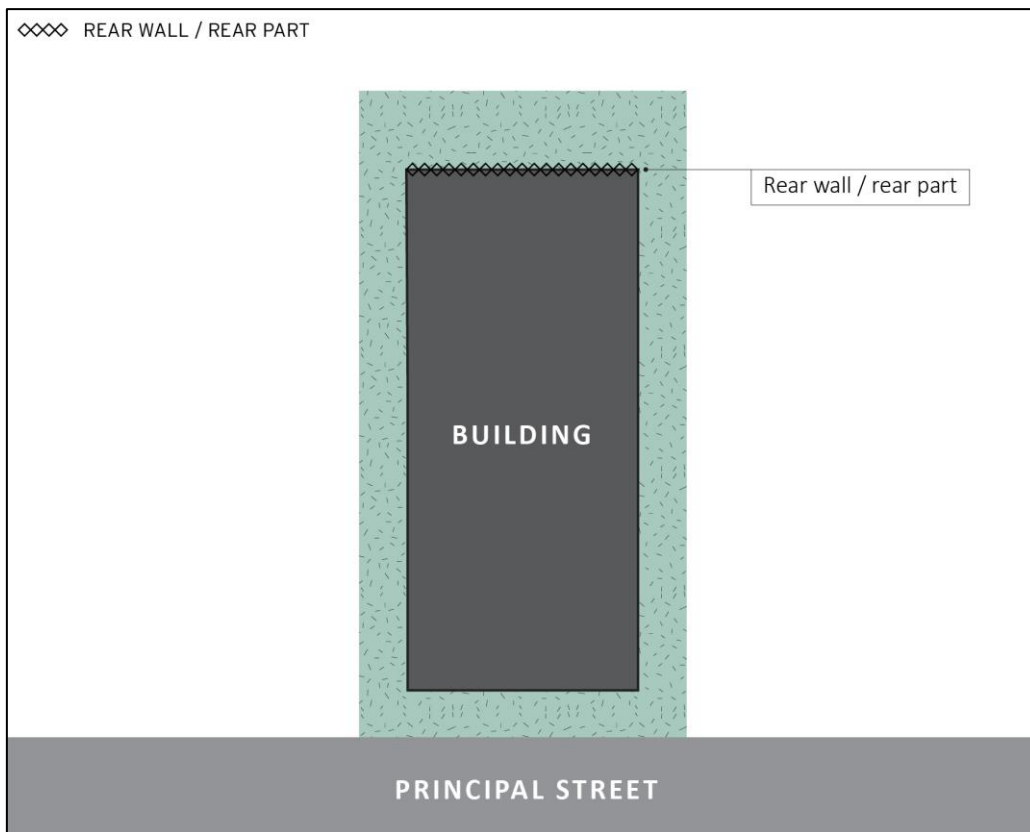


Figure 2 Modifications and alterations, including demolition, are exempt to the rear wall/rear part of building

2.2 Additions to buildings

Permit exemption

2.2.1 Construction of a single-storey addition or extension to an existing building is permit exempt where the addition is attached to the rear of the existing building, and situated within the rear yard area as shown in Figure 3 and:

- The height of the walls of the addition (from natural ground level) does not exceed the eaves height of an existing single-storey building on the property, or the ground floor height of an existing two-storey building on the property (see Figure 4Figure 5).
- The roof of the addition must be sited behind the roof of the existing single-storey dwelling.
- The addition, including its roof, does not project beyond the side walls/side elevations of the existing building, and has side setbacks which are not less than the existing building.
- The addition is not to a corner located property, being a property located to street or side-street corners or a property with two street frontages.
- Demolition associated with the addition is restricted to the rear wall of the existing building, as illustrated in Figure 2, and does not involve roofs or rear parts of roofs of existing buildings.

This exemption applies to the precincts listed in Table 1, with the exception of HO5 Munitions worker's housing heritage area Braybrook, and HO11 Upper Footscray residential heritage area Footscray.

Explanatory notes

The precincts to which this exemption does not apply include allotments with irregular boundaries. Such properties provide less opportunity for the sensitive placement of new additions, which is the intent of this exemption.

The exemption does not specify an approach to the design or materials of an addition, including the roof, where it is located within the permitted envelope.

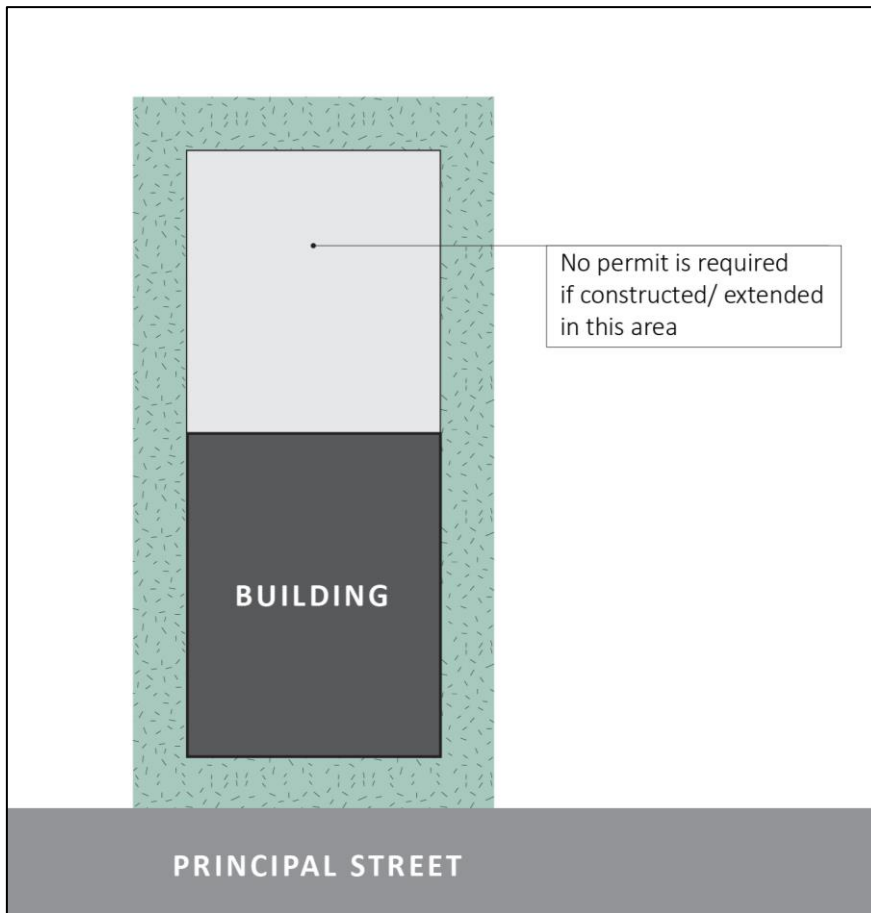


Figure 3 Construction of a single-storey addition or extension to an existing building is exempt if located in this area

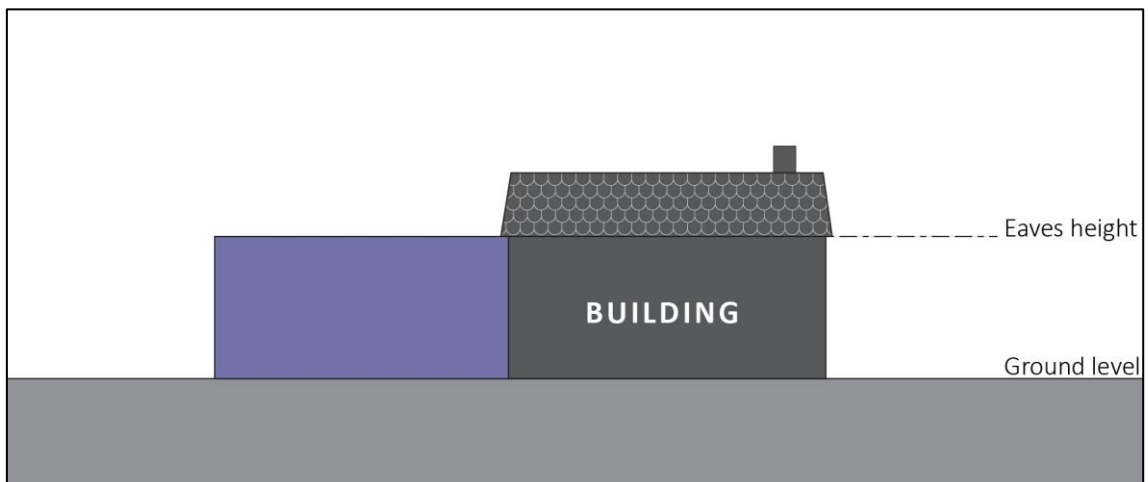


Figure 4 Construction of a single-storey addition or extension to an existing building is exempt if the walls of the addition do not exceed the eave height of the existing single-storey building; note this graphic does not indicate or specify the form of the roof to the addition

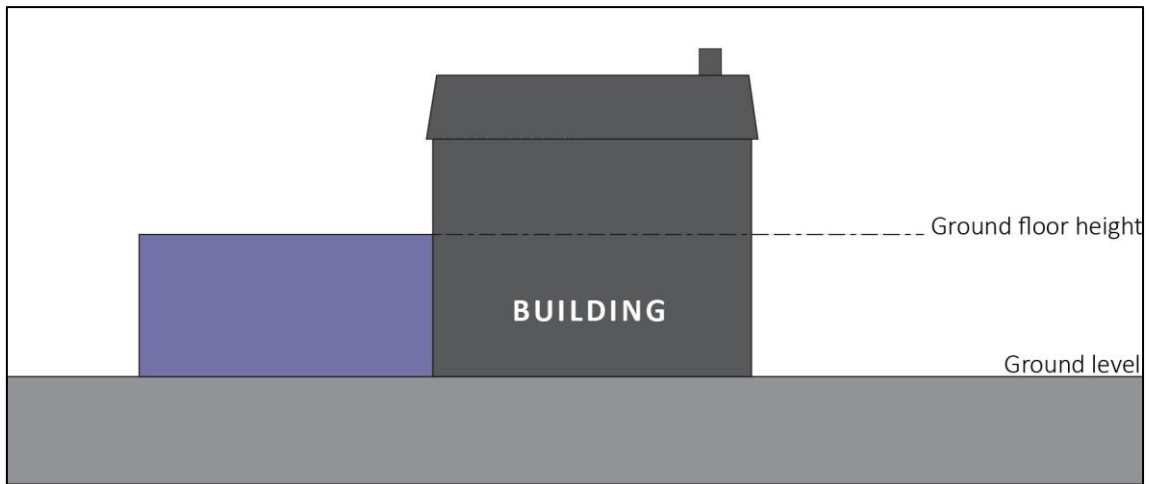


Figure 5 Construction of a single-storey addition or extension to an existing building is exempt if the walls of the addition do not exceed the ground floor height of the existing two-storey building; note this graphic does not indicate or specify the form of the roof to the addition

2.3 Outbuildings

Permit exemption

2.3.1 Construction or extension of an outbuilding is permit exempt where:

- The outbuilding is situated within the rear yard area as shown in Figure 6.
- The height of the outbuilding (from natural ground level) does not exceed three metres (Figure 7).
- The outbuilding has a gross floor area which does not exceed 10 square metres.
- The outbuilding is not to a corner located property, being a property located to street or side-street corners or a property with two street frontages.
- The outbuilding is not attached to the existing building, and must have a minimum one metre setback from the rear of the existing building at the closest point.

This exemption applies to the precincts listed in Table 1, with the exception of HO5 Munitions worker's housing heritage area Braybrook, and HO11 Upper Footscray residential heritage area Footscray.

Explanatory notes

The precincts to which this exemption does not apply include allotments with irregular boundaries. Such properties provide less opportunity for the sensitive placement of new outbuildings, which is the intent of this exemption.

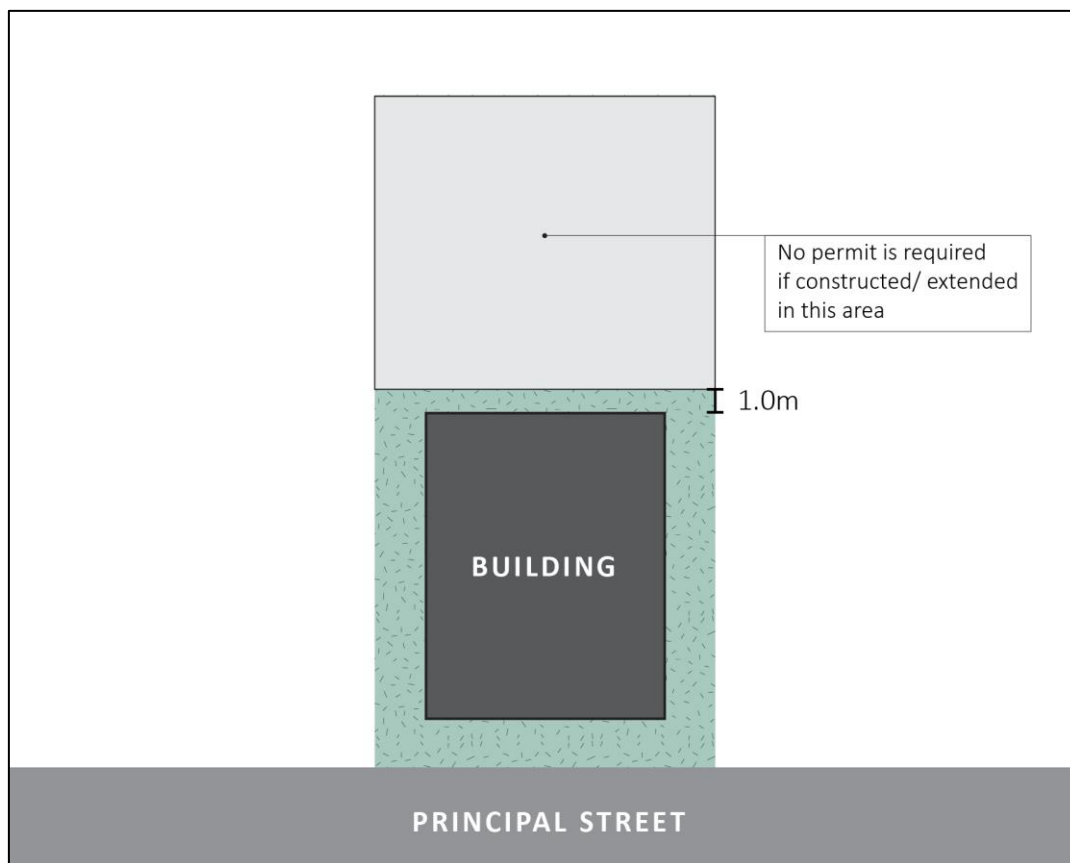


Figure 6 Construction or extension of an outbuilding is exempt if located in this area

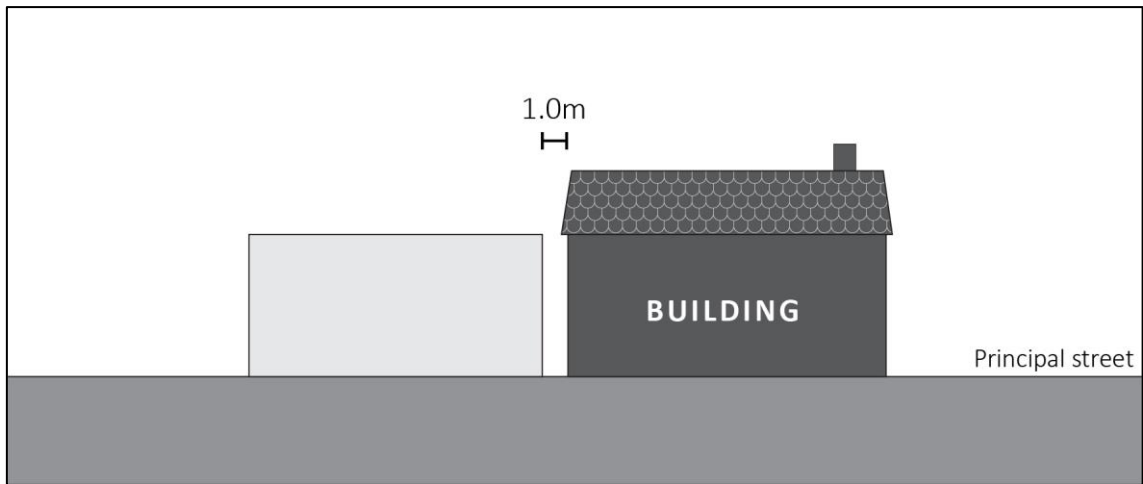


Figure 7 Construction or extension of an outbuilding is exempt if the height of the outbuilding (from natural ground level) does not exceed three metres

2.4 Pergolas and verandahs

Permit exemptions

2.4.1 Construction or extension of an open-sided pergola, verandah or other similar open structure, including those attached to an existing building, is permit exempt where:

- The pergola/verandah is to the rear of an existing building in the area shown in Figure 8.
- The top of the structure (from ground level) does not exceed three metres.
- The finished floor level of the structure is no more than 800mm above ground level.
- The pergola/verandah is not to a corner located property, being a property located to street or side-street corners or a property with two street frontages.

This exemption applies to the precincts listed in Table 1, with the exception of HO5 Munitions worker's housing heritage area Braybrook.

Explanatory notes

Any demolition works associated with construction or extension of an open-sided pergola or verandah, involving part of the existing building, must be limited to the rear of the building, as outlined at Section 2.1 above in relation to 'Minor modifications and alterations'.

Construction which involves demolition of outbuildings or other structures which are separate to the main building, is not covered by this exemption.

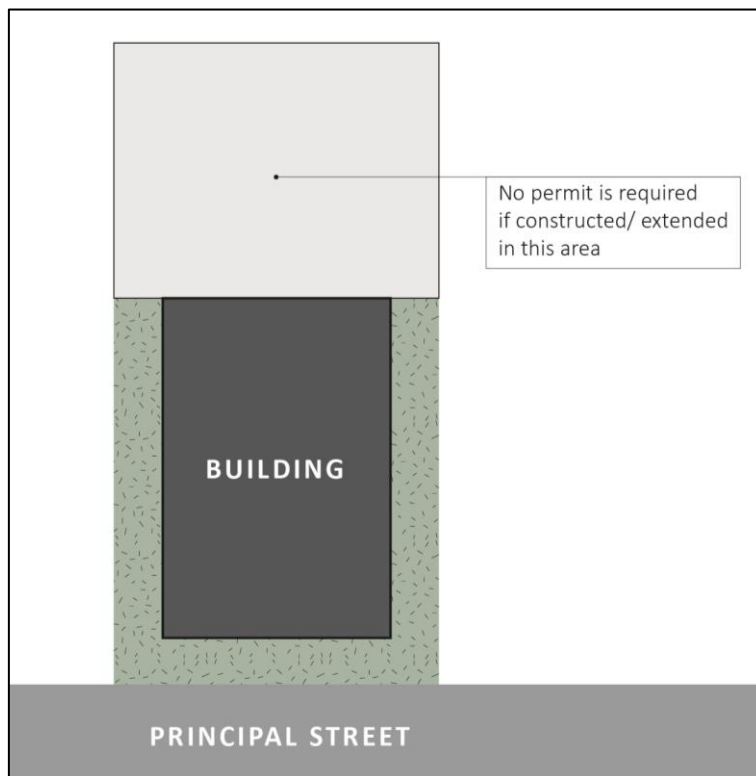


Figure 8 Construction or extension of a pergola or verandah is exempt if located in this area

2.5 Fences and roller doors

Permit exemptions

2.5.1 Demolition and construction of roller doors is permit exempt where:

- The demolition is of an existing roller door located to rear and/or side property boundaries, and not located at the front (principal address) of properties.
- The construction is of a new roller door to rear and side property boundaries, which replaces an existing roller door and is of the same materials and dimensions, in the same location, and the size of the opening remains unaltered.

2.5.2 Demolition and construction of fences which are visible from a street, is permit exempt where:

- The demolition is of an existing timber paling fence located to rear and/or side property boundaries, and not located at the front (principal address) of properties.
- The construction is of a new timber paling fence located to the rear and/or side property boundaries, and not located at the front (principal address) of properties, which replaces an existing fence and is of the same material and height, and in the same location.
- The construction is of a new (and not a replacement) timber paling fence to rear and/or side property boundaries, and is not more than 1.8 metres in height above natural ground level; and for side property boundaries the fence is not within 8 metres of the front property boundary, as per Figure 9.
- The construction of new fencing which is in the form of lattice or trellis to the tops of existing fences to rear property boundaries.

This exemption applies to the precincts listed in Table 1 with the exception of HO5 Munitions worker's housing heritage area Braybrook.

2.5.3 Construction of new front and return side fences, to the same height, form and materials, is permit exempt where the new fence adopts the height, form and materials of the following recommended original or sympathetic fence styles:

- In the HO5 Munitions worker's housing heritage area Braybrook: very low height steel-framed (post and rail) cyclone wire fencing, with diamond chain mesh and galvanised round posts, to a height of 500mm as per Figure 10. Construction of this fence must not involve demolition of an existing similarly low height brick fence.
- In the HO12 War Service homes heritage area Maribyrnong: timber-posted woven wire fences to a maximum height of 1.2 metres as per Figure 11 & Figure 12.

This exemption applies to the HO5 Munitions worker's housing heritage area Braybrook; and HO12 War Service homes heritage area Maribyrnong.

Explanatory notes

Replacing existing or constructing new fences to rear and side property boundaries, which are visible from a street, does not apply to fences constructed of materials other than timber palings.

The exemption for construction of new front fences is precinct-specific and is provided to encourage the reconstruction of fences which were historically commonplace in the precinct, and sympathetic to the original style of the dwelling and streetscape character. There is a limited number of precincts in Maribyrnong where this exemption applies, due to a greater diversity of dwelling styles and associated fence styles in the majority of precincts.

In the HO5 Munitions worker's housing heritage area Braybrook, existing very low height brick fences must not be replaced with the exempted low height steel-framed cyclone wire fencing, as both brick and steel/cyclone wire fencing are original to the precinct.

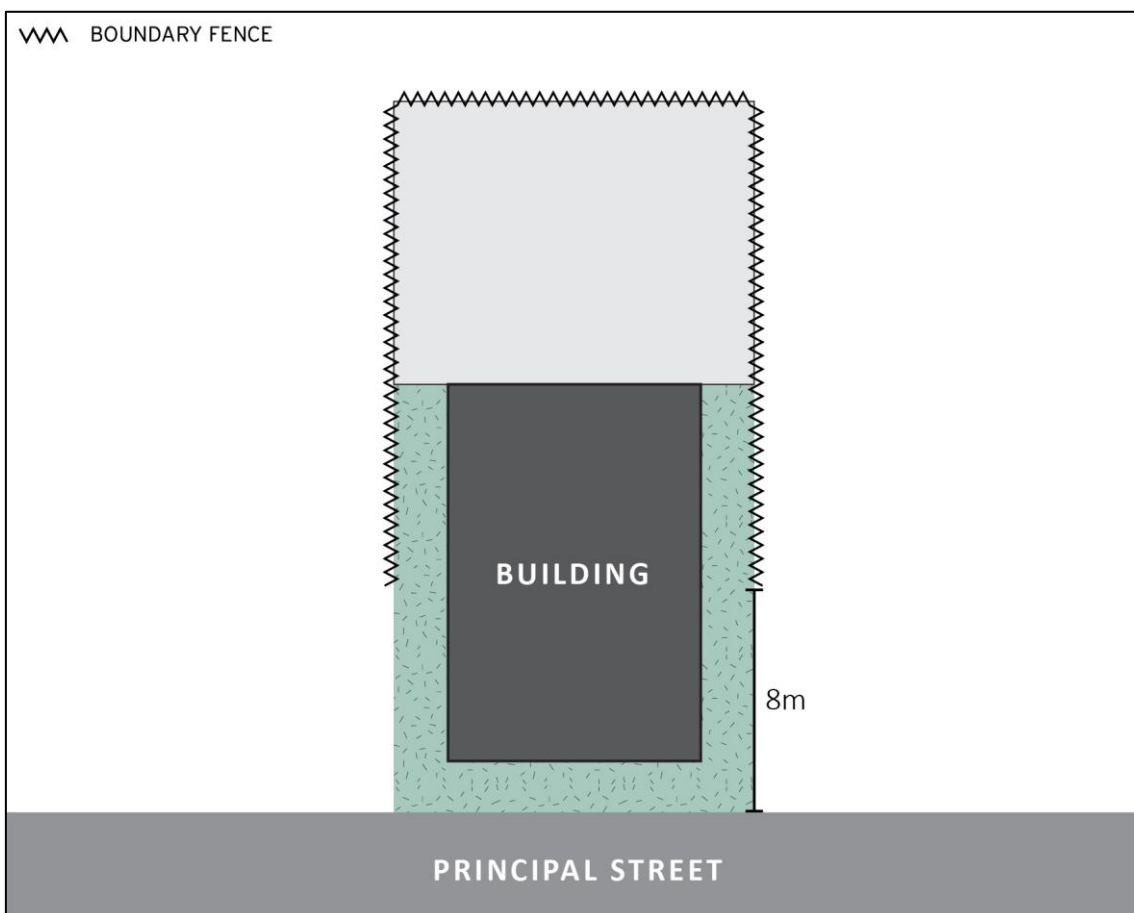


Figure 9 Construction of a new timber paling fence, which is visible from a street, is exempt if located in this area



Figure 10 Original low steel and cyclone wire fence, HO5 Munitions worker's housing heritage area Braybrook



Figure 11 Original timber-posted woven wire fencing, HO12 War Service homes heritage area Maribyrnong



Figure 12 Replacement timber-posted woven wire fencing, HO12 War Service homes heritage area Maribyrnong

2.6 Vehicle crossovers and driveways

Permit exemptions

2.6.1 Introduction of a new vehicle crossover is permit exempt where:

- The crossover is of single width, not exceeding 3 metres wide, is situated to the side of the front property boundary and not in front of the building, and is the only crossover located in the front setback of the property (see Figure 13 & Figure 14).
- The crossover is constructed of a material to match the surface and colour of the adjoining footpath; see also appropriate 'Materials' below.
- Construction of the crossover involves remediation and making good any damage to existing bluestone, brick, asphalt or concrete paths, gutters and kerbs.

'Materials'

Appropriate materials for specific precincts are as follows:

- HO1 Angliss Housing Estate heritage area Yarraville, HO10 Somerville Road 20th century residential heritage area Yarraville, and HO12 War Service homes heritage area Maribyrnong: concrete to match that of other crossovers in the precinct.

This exemption applies to HO1 Angliss Housing Estate heritage area Yarraville; HO10 Somerville Road 20th century residential heritage area Yarraville; and HO12 War Service homes heritage area Maribyrnong.

2.6.2 Introduction of a new driveway is permit exempt where:

- The driveway is of single width, not exceeding 3 metres wide, is situated to the side of the property including the side of a dwelling and not in front of the dwelling, and is the only driveway located to the front or side of the property (see Figure 13 & Figure 14).

This exemption applies to HO1 Angliss Housing Estate heritage area Yarraville; HO10 Somerville Road 20th century residential heritage area Yarraville; and HO12 War Service homes heritage area Maribyrnong.

Explanatory notes

Crossovers and off-street car parking are normally encouraged to be located to the rears of properties, or to side property boundaries where accessible. Where this is not feasible, crossovers and driveways may be located to the sides of properties, as entered from the front property boundary, but only where the character of the streetscape and the pattern of precinct development allows this (i.e. where side crossovers and driveways, as entered from the front property boundary, are commonplace). The precincts identified above, where permit exemptions apply for the introduction of new crossovers and driveways, display this pattern of development.

Replacement of crossovers and driveways in a different material, including the substitution of concrete with asphalt or a similar material, and to a different form and detailing which will result in a change of appearance, will require a permit from Council.

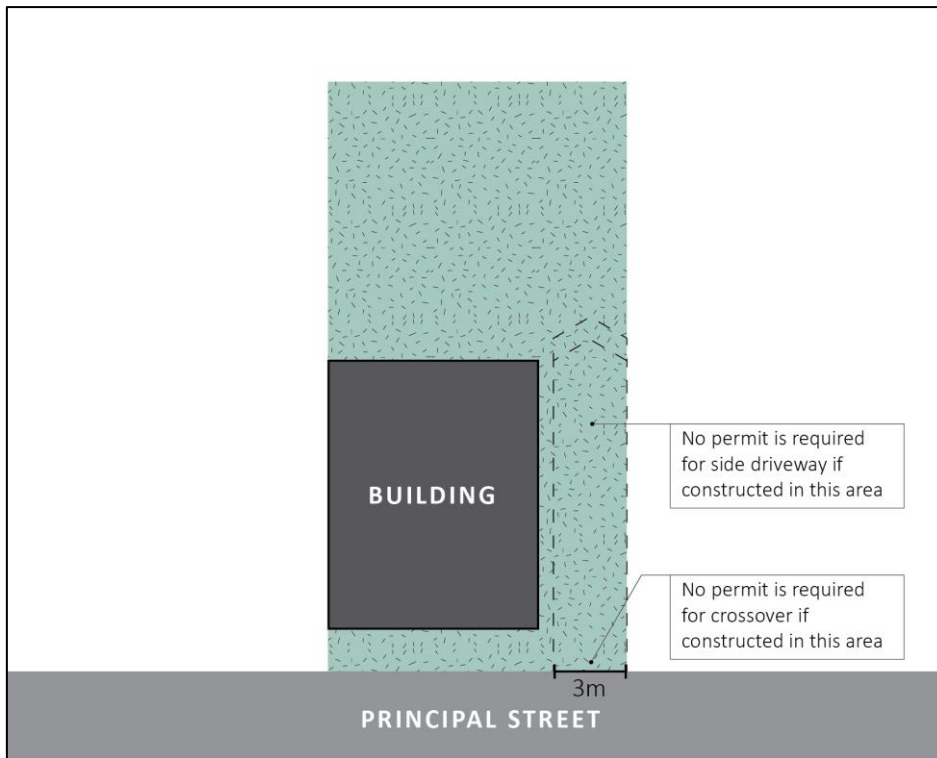


Figure 13 Construction of a new crossover and driveway is permit exempt if constructed in this location.

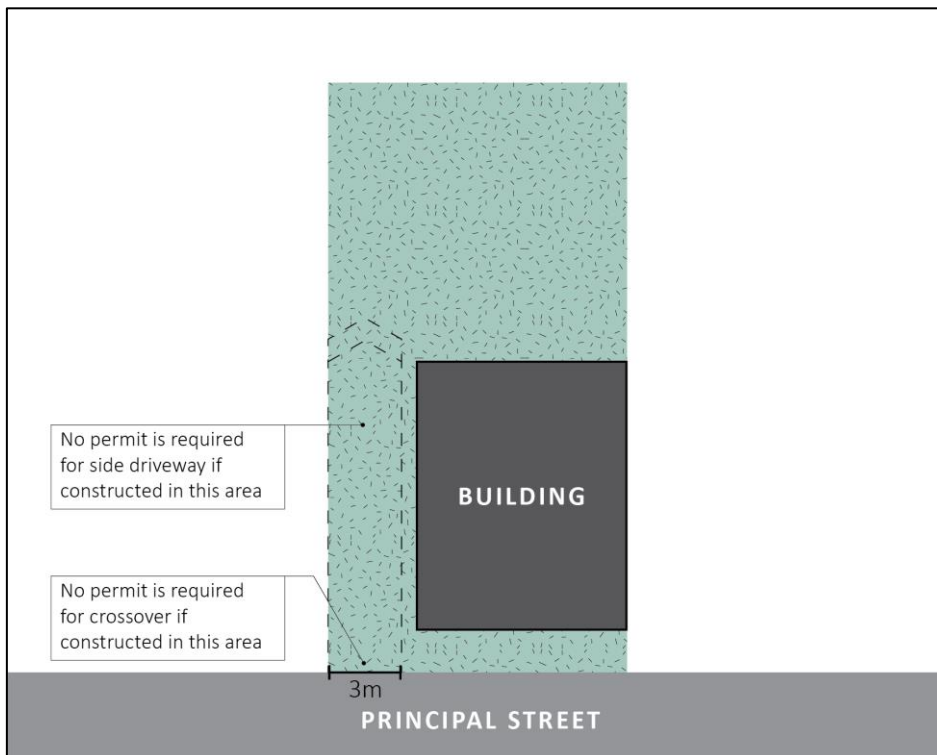


Figure 14 Construction of a new crossover and driveway is permit exempt if constructed in this location.

3.0 Definitions used in this Incorporated Plan

Term	Definition
Alteration	An alteration is to modify the fabric of a heritage place, without undertaking building works such as an addition. It may include a new opening for a window or door.
Eaves	Eaves are at the bottom edge of a roof, and usually project or extend over the side of the building, protecting the wall beneath.
Elevation	Elevation is a particular side, including an external wall, of a building.
Fabric	Fabric means all the physical material of the heritage place including external fixtures.
Façade/principal facade	Facade generally refers to the front or principal elevation and external face of a building, as is typically viewed from the street.
Heritage place	A heritage place has identified heritage value and can include a site, area or space, building or other works, structure, group of buildings, precinct, archaeological site, landscape, garden or tree. A heritage precinct, under the Heritage Overlay, is also known as a heritage place.
Heritage precinct	A heritage precinct is a precinct or geographical area of cultural heritage significance, which contains a collection or high proportion of properties and elements of heritage significance.
Maintenance	Maintenance means the continuous protective care of a place, and its setting, and is distinguished from repair which involves restoration or reconstruction.
Outbuilding	An outbuilding is a structure which is not part of a main building (i.e. is detached from the main building) but which supports the function of the main building. It can be a carport, garage, shed, stand-alone conservatory, stables, cabana, studio or children's cubby house or similar structure.
Repairs and maintenance	Repairs and maintenance works are 'protective care' actions which do not change the appearance of a heritage place, and are undertaken to the same details, specifications and materials. Maintenance involves regular inspection and cleaning of a place. Repair can involve returning or reinstating dislodged or relocated fabric to its original location, e.g. loose roof gutters on a building; or reconstruction, through replacing broken or decayed fabric with matching new fabric.
Setback	The setback is the distance between a building or part of a building and the property boundary. The latter can include the front, side or rear property boundaries. The 'front setback' can also refer to the front garden, and the 'rear setback' the back yard.
Streetscape	A streetscape is a collection of buildings along a street frontage. When referred to in relation to a precinct, a streetscape typically contains a majority of buildings which are of heritage value.
Visible	Visible means anything that can be seen from a street (other than a lane) or public park.

ATTACHMENT: LIST OF INDIVIDUALLY SIGNIFICANT PLACES

Places identified as 'Individually Significant' in precincts in Maribyrnong's Clause 22.01 Cultural Heritage Policy

- HO1 Tossas, 12 Lincoln Street, Yarraville
- HO2 53 Ballarat Road, Footscray
- HO2 75 Ballarat Road, Footscray
- HO2 87 Ballarat Road, Footscray
- HO3 Former Royal Hotel, 158 Barkly Street, Footscray
- HO3 Former Hooper Shops and Residence, 199-207 Barkly St, Footscray
- HO3 Former Barkly Hotel, 231-233 Barkly Street, Footscray
- HO3 141-147 Hopkins Street, Footscray
- HO3 155-157 Nicholson Street, Footscray
- HO4 45 Nicholson Street, Footscray
- HO4 49 Nicholson Street, Footscray
- HO9 124 Albert Street, Seddon
- HO9 126 Albert Street, Seddon
- HO9 19 Bellairs Street, Seddon
- HO9 23 Charles Street, Seddon
- HO9 30 Charles Street, Seddon
- HO9 9 Hobbs Street, Seddon
- HO9 Tintagell House, 54 Pentland Parade, Seddon
- HO9 28 Somerville, Yarraville
- HO9 Tolquhoun, 34 Somerville Road, Yarraville
- HO11 Amaryllis, Footscray RSL, 48 Geelong Rd, Footscray
- HO11 9 Central Avenue, Footscray
- HO14 37-43 Anderson Street, Yarraville
- HO14 Former bank, 28 Murray Street Yarraville
- HO14 Former United Free Methodist Church, 44 Simpson St, Yarraville
- HO15 Glenara, 82 Stephen Street Yarraville
- HO15 1 Goulbourn Street, Yarraville
- HO15 12 Ovens Street, Yarraville

Places included in Maribyrnong's Schedule to the Overlay as Individual Places

- HO16 United Friendly Societies Dispensary, 42a Albert Street, Footscray
- HO19 Interlocking Railway Crossing Gates, Anderson Street (Railway Crossing), Yarraville
- HO17 F.T. Wimble & Co, 13-21 Annesley Street, Braybrook
- HO20 Footscray Park, 4-68 Ballarat Road, Footscray
- HO21 Pioneer Hotel, 2-4 Ballarat Road, Footscray
- HO87 Our Lady of Perpetual Help Catholic Church, 46-48 Ballarat Road, Maidstone
- HO88 Elm Street Tree Avenue, cnr 31-99 and 46-126 Ballarat Rd, Maidstone
- HO89 Warren & Brown Engineering Workshops, 113-115 Ballarat Road, Footscray
- HO90 Kinnears Rope Works, 124-188 Ballarat Road, Footscray
- HO91 Pilkington ACI, 234 Ballarat Road, Braybrook
- HO83 ETA Factory, 254 Ballarat Road, Braybrook
- HO92 Braybrook Hotel, 351 Ballarat Road, Braybrook
- HO22 Shop and residence, 3 Ballarat Street and 11 Murray Street, Yarraville
- HO23 Sun Theatre, 6-12 Ballarat Street, Yarraville
- HO24 Former State Savings Bank, 13 Ballarat Street, Yarraville
- HO25 Yarraville Hotel, 58 Ballarat Street, Yarraville
- HO81 Melbourne Woollen Mills, 2 Banool Avenue, Yarraville
- HO27 Shop (formerly Bank), 184 Barkly Street, Footscray
- HO28 Shop, 234-236 Barkly Street, Footscray
- HO29 Former Barkly Theatre, 277-287 Barkly Street, Footscray
- HO30 Church, 302 Barkly Street, Footscray
- HO190 Green's Buildings, 337-351 Barkly Street, Footscray
- HO93 Drill Hall, 395 Barkly Street, West Footscray
- HO94 Canary Island date palm row and Canary Island Pines, 399-413 Barkly Street, Footscray
- HO95 Washingtonia Palm at Multiple Sclerosis Centre, rear 400-406 Barkly Street, Footscray
- HO96 Nundah, 600 Barkly Street, West Footscray
- HO97 Methodist Church (former), 75A Bayview Road, Yarraville
- HO31 House, 21 Bell Street, Seddon
- HO98 Peppercorn trees, Railway Reserve Near Bellairs Avenue, Albert Street and at 7 Charles Street, Seddon
- HO100 Raleigh Castle (archaeological site), 14 Belvedere Close, Maribyrnong
- HO101 Raleigh Castle (archaeological site), 5/17 Belvedere Close, and 1-18/18 Belvedere Close, Maribyrnong
- HO102 St Augustines Parish Hall and School wing, 1-7 Birmingham Street, Yarraville

- HO103 St. Georges Theatre, UDC Ballroom, 30 -34 Birmingham Street, Yarraville
- HO104 Farm Buildings (archaeological site), 44-46 Bloomfield Avenue, Maribyrnong
- HO105 Kurrajong Street Trees, Bloomfield Ave, Maribyrnong
- HO32 Shop and dwelling:9 Buckingham St, Footscray
- HO33 Former Technical College building, 1 Buckley St, Footscray (building east of Nicholson Street)
- HO106 Shops and Residences, 4-10 Buckley St, and 215-217 Nicholson St Footscray
- HO107 Rail Bridge over Maribyrnong River & Tunnel Bunbury Street, Footscray
- HO108 Elm and ash street tree avenue Bunbury Street, Footscray
- HO34 House: 24 Buninyong Street, Yarraville
- HO109 Solomon's Ford (Canning Street Ford) Maribyrnong River near Burke Road, Braybrook
- HO110 Peppercorn trees, River Red Gums, Yellow Box (Eucalyptus Melliodora) and Canary Island date palms in the Maribyrnong River Plantation off Chifley Drive, Maribyrnong
- HO153 Dale Stables and Peppercorn trees, 35 Chifley Drive, Maribyrnong
- HO186 Raleigh Mansion (archaeological site) City View Reserve, 11 City View Drive, Maribyrnong
- HO111 James Darling House, 47 Cowper Street, Footscray
- HO112 Washingtonia Palm, 78 Cowper Street, Footscray
- HO113 Klipspringer, 40-54 Cranwell Street, Braybrook
- HO192 Cross Street Electrical Substation Part of the land known as Allotment 9, Section 13 in the Parish of Cut-Paw-Paw (Cross Street, Footscray).
- HO114 Olympic Tyre & Rubber 56-84 Cross Street, Footscray West
- HO35 The Pebbles 57A Droop Street, Footscray
- HO115 Redcourt, 60 Droop Street, Footscray
- HO116 Footscray Fire Station Complex, 67-71 Droop St, Footscray
- HO117 Johnson Reserve Canary Island date palm rows and oak Essex Street, Maidstone
- HO119 Raleigh Manager's House (archaeological site) 1 & 3 Fabian Court, Maribyrnong
- HO120 Raleigh Castle (archaeological site), 1-8/5 Fabian Court, Maribyrnong
- HO121 Elm street trees, near, 1 Fairlie Street, Seddon
- HO122 Elm street tree near, 34A Fairlie Street, Yarraville
- HO36 House, 37 Fairlie Street, Yarraville
- HO123 Oak Street Tree Avenue Fehon Street, Yarraville
- HO37 Old Yarraville Primary School: 59-61 Francis Street, Yarraville
- HO125 Bradmill, 341-351 Francis Street, Yarraville
- HO126 Stony Creek Rail Bridge, off Francis Street, Yarraville
- HO187 Richardson House, 2 Geelong Road, Footscray

- HO188 Robertson House, 8 Geelong Road, Footscray
- HO191 J H Hooper House, 10 Geelong Road, Footscray
- HO207 House 20 Geelong Road, Footscray
- HO38 House 38 Geelong Road, Footscray
- HO26 Footscray Primary School No.253, 100 Geelong Road, Footscray
- HO39 House 184 Geelong Road, Footscray
- HO40 Rising Sun Hotel: 193 Geelong Road, Footscray
- HO127 Southern Can Company 240 Geelong Road, Footscray
- HO128 Graham Campbell Ferrum, 260 Geelong Road, Footscray West
- HO129 Hopkins Odlum, 268 Geelong Road, Footscray West
- HO41 House 357 Geelong Road, Kingsville
- HO42 House 3-5 Gledhill Street, Footscray
- HO131 Ammunition Factory 1 Gordon St and Edgewater Boulevard, Footscray
- HO132 House (The Oaks) and English Oaks at The Oaks, 99 Gordon Street, Footscray
- HO43 House 163 Gordon Street, Footscray
- HO133 Raleigh Manager's House (archaeological site), 2 & 4 Grandview Avenue, Maribyrnong
- HO79 Former Infant Welfare Centre, 95 Hamilton St, Yarraville
- HO135 Former Maribyrnong Migrant Hostel, 61-71 Hampstead Rd, Maidstone
- HO136 Moreton Bay Fig, Footscray Hotel Next to 48 Hopkins St, Footscray
- HO137 Maribyrnong Reserve grandstand off Hortense Street, Maribyrnong
- HO46 Bluestone church: 8 Hyde Street, Footscray
- HO47 Kariwara District Scout Headquarters (Also known as First Footscray Scout Hall), 4 Hyde Street, Footscray
- HO48 Bluestone school and Elm, Irish strawberry, pepper trees at Footscray Primary School 1912 10 & 10A Hyde Street, Footscray
- HO138 Yarraville Gardens (Specimen Trees) 139-147 Hyde Street, Yarraville
- HO139 Canary Island date palm rows, Elm and Moreton Bay fig North Cuming Reserve off Hyde St , Yarraville
- HO140 Moreton Bay fig & Canary Island date palms South Cuming Reserve off Hyde Street, Yarraville
- HO130 Yarraville SEC Terminal Station, 308 Hyde Street, Yarraville
- HO49 Footscray Railway Station Complex Irving and Hyde Streets, Footscray
- HO45 Jack's Magazine (formerly Saltwater River Powder Magazine) off La Scala Avenue, Maribyrnong
- HO51 Rail Bridge over Maribyrnong River, Footscray

- HO50 Saltwater River Crossing Site and Footscray Wharves Precinct Maribyrnong River, Moreland Street, Bunbury Street, Wingfield Street, Napier Street, Hopkins Street and Maribyrnong Street, Footscray
- HO52 Brick school, 27 Mephan Street, Footscray
- HO141 Williamson House, 182 Mitchell St, Maidstone
- HO77 Henderson House, 43-45 Moreland Street, Footscray
- HO143 Early Building archaeological site, 76 Moreland Street, Footscray
- HO78 Barnett Glass Rubber (also known as Bradmill, McPhersons Jute Works, Bradford Cotton Mills), 91-97 Moreland Street, Footscray, 90-100 Maribyrnong Street, Footscray and 3-5 Parker Street, Footscray
- HO145 Mitchell's Bakery Shop and Residence, 98-100 Moreland Street, Footscray
- HO53 Hotel, 28 Napier Street, Footscray
- HO54 Maribyrnong Town Hall (also known as Footscray Town Hall), 61 Napier Street, Footscray
- HO55 Ercildoune, 66 Napier Street, Footscray
- HO146 Angliss Stock Bridge, stock route and Cypress trees Newells Paddock, Footscray
- HO56 House 15 Newell Street, Footscray
- HO147 Railway Bridge (Black Arch) Nicholson Street Rail overpass, Nicholson Street Footscray
- HO57 Former warehouse 111 Nicholson Street, Footscray
- HO58 Shop 117 Nicholson Street, Footscray
- HO59 Shops 134-136 Nicholson Street, Footscray
- HO60 Former Mechanics Institute, 209 Nicholson Street, Footscray
- HO61 Former warehouse: 232 Nicholson Street, Footscray
- HO148 Plane Street tree and Elm Street tree Near 286 and 288 Nicholson Street, Seddon
- HO149 Plane Street Tree Near 294 Nicholson Street, Seddon
- HO150 Solomon's House (archaeological site) Medway Golf Club, 57 Omar Street, Maidstone
- HO151 Central Drawing office (Building 71) Ordnance Reserve, Maribyrnong
- HO86 Inspection Headquarters (Building 72) Ordnance Reserve, Maribyrnong
- HO62 Brick church: 77a Paisley Street Footscray
- HO152 Pacific Carpets, 35-65 Paramount Rd, cnr Indwe St, Tottenham
- HO63 Bluestone church hall, 30a Pickett Street, Footscray
- HO208 Maribyrnong Tram Substation, 149A and part 149B Raleigh Road, Maribyrnong
- HO154 Sugar Gum and pepper trees Sandford Grove Reserve, Sandford Grove, Yarraville
- HO65 House and elms, 31 Somerville Road, Yarraville
- HO155 Plane Street Tree, Near 34 Somerville Road, Yarraville
- HO66 Church, 73 Somerville Road, Yarraville
- HO67 House: 222 Somerville Road, Kingsville

- HO68 House: 60 Soudan Rd, West Footscray
- HO156 Plane Street Trees Near 61, and 42-64 Stephen St, Yarraville.
- HO157 Elm & Plane Street Trees Near 80, 82 and 83-93 Stephen St, Yarraville
- HO158 Wembly Dairy, 2 Stone Street, Yarraville
- HO69 House: 98 Summerhill Road, West Footscray
- HO159 Creamota, 19 Sunshine Road, West Footscray
- HO160 Australian Estate Wool Store, 47-61 Sunshine Road, West Footscray
- HO161 Goldsborough Mort Wool Store, 63 Sunshine Road, West Footscray
- HO162 Olex Cables 207 Sunshine Road, Tottenham
- HO163 Wiltshire Files, 213 Sunshine Road, Tottenham
- HO164 Black Arch Bridge off Sunshine Road, Sunshine
- HO80 Residential Building, 3 Tongue Street, Yarraville
- HO64 Pipe Makers Park Complex (also known as Former Melbourne Meat Preserving Co. Buildings), 2 Van Ness Avenue, Maribyrnong
- HO70 Row Houses: 102-106 Victoria Street, Footscray
- HO72 Former Royal Australian Field Artillery Barracks Part of Former Ordinance Factory Wests Road, Ordinance Reserve, and Waterford Avenue, Maribyrnong
- HO167 Warehouse (Archaeological site), 1 Whitehall Street, Footscray
- HO73 Bluestone presbytery, 1c Whitehall Street, Footscray
- HO74 Bluestone church: 1d Whitehall Street, Footscray
- HO169 Early Building (Archaeological site), 22 Whitehall Street, Footscray
- HO170 Early Building (archaeological site), 26 Whitehall Street, Footscray
- HO171 Early Building (archaeological site), 30 Whitehall Street, Footscray
- HO172 Victorian House, 49 Whitehall Street, Footscray
- HO173 Junction Hotel, 56 Whitehall Street, Footscray
- HO174 Early Building (archaeological site), 62-64 Whitehall Street, Footscray
- HO175 Early Building (archaeological site), 65 Whitehall Street, Footscray
- HO176 Kirk House, 67 Whitehall Street Footscray
- HO177 Powder Magazine Footscray, Lot 4/107-109 Whitehall Street, Footscray
- HO178 Mowling's Soap & Candle, 105A, 1-10/107-109, 109A Whitehall St, 21-29 Youell Street, Footscray
- HO180 Dee Cottage, 221B Whitehall Street, Yarraville
- HO182 Murphy's Transport, 248 Whitehall Street Yarraville
- HO75 Colonial Sugar Refinery (CSR) Complex, 265 Whitehall Street, Yarraville
- HO184 Mt. Lyell, 295 Whitehall Street, Yarraville
- HO185 Early Building (Archaeological site), 2 Wingfield Street, Footscray

- HO76 Bluestone church: 9-11 York Street, Yarraville
- HO193 Former Air Raid Precautions Centre, 72 Buckley Street, Footscray
- HO194 Fabian's Centennial Terrace, 81-99 Buckley Street, Footscray
- HO195 Victorian/Edwardian Shop, 92 Cowper Street, Footscray
- HO196 Footscray Hotel, 48 Hopkins Street, Footscray
- HO197 Victorian Shop/Residence, 37 Hyde Street, Footscray
- HO198 Station Hotel, 59 Napier Street, Footscray
- HO199 Masonic hall, 42-44 Leeds Street, Footscray
- HO200 Courthouse Hotel, 166-168 Nicholson Street, Footscray
- HO201 St Joseph's Convent, 3-9 Wingfield Street, Footscray
- HO202 Former Grand Theatre, 10 Paisley Street, Footscray
- HO203 Luke Greenwood House, 16 Parker Street, Footscray
- HO204 Footscray Baptist Church, 60 Paisley Street, Footscray
- HO205 Victoria Hotel, 43 Victoria Street, Footscray