

## Murrindindi Shire Heritage Overlay Permit Exemptions

### 1 Application

This Incorporated Plan provides guidance to Murrindindi Shire Council and the community in the preparation and assessment of planning permit applications required by the Heritage Overlay (HO) within the Murrindindi Planning Scheme.

This incorporated plan sets out the permit exemptions from the provisions of the HO in accordance with Clause 43.01-2 that apply only to specified heritage precincts and places identified by the HO schedule as a place to which this incorporated plan applies.

These permit exemptions apply to places included within the Heritage Overlay, as follows:

- Residential, mixed use or township heritage precincts (Section 3.1)
- Heritage precincts in the Commercial 1 Zone (Section 3.2)
- Heritage precincts in the Road Zone Category 1 (Section 3.3)
- Individual heritage places in the Residential 1, Mixed Use or Township Zone (Section 3.4)
- Individual heritage places in rural areas (Section 3.5).

### 2 Definitions

The following definitions apply:

Level	Significance
<i>Significant</i>	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.
<i>Contributory</i>	A <i>Contributory</i> place contributes to the significance of a heritage precinct, but would not be significant on their own.
<i>Non-contributory</i>	<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.
<i>Significant feature</i>	A significant feature is any feature (building, tree, structure etc.) that the <i>Murrindindi Shire Stage 2 Heritage Study 2006</i> identifies as contributing to the significance of a heritage place.

*Significant*, *Contributory* and *Non-contributory* places within heritage precincts are shown on the precinct maps or Yea High Street Streetscape schedule that form part of this incorporated plan.

### 3 No Planning Permit Required

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

### 3.1 Residential, mixed use or township heritage precincts

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

**Table 3.1 – Residential, mixed use and township heritage precincts**

Precinct	HO No.
Yarck Township Precinct	HO95
Yea Station Street Precinct	HO105
Yea The Parade Precinct	HO106
Yea High Street Streetscape (Part zoned Residential 1) (refer schedule following)	HO9

#### ***Permit exemptions***

Under Clause 43.01-2 of the Planning Scheme, no planning permit is required for the following development within the heritage precincts subject to the Heritage Overlay specified in Table 3.1:

- Demolition of a building or part of a building on a property shown as *Non-contributory* 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 *Non-contributory* on the relevant precinct map. This exemption does not apply if the repairs or maintenance would result in an extension to the building.
- Repairs or routine maintenance to the wall of a 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 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 situated within the rear yard as defined in Figure 1.
- 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 situated within the rear yard as defined in Figure 1.
- Construction or extension of a deck with a finished floor level not more than 800mm above natural ground level situated within the rear yard as defined in Figure 1.
- Construction or extension of a garage or carport on place shown as *Contributory* or *Non-contributory* on the relevant precinct map provided that all of the following conditions are met:
  - The garage or carport is not attached to the existing dwelling
  - The garage or carport is setback not less than 2 metres measured from the minimum front setback of the dwelling (see Note 1).
- Construction of an extension to a building on a property shown as *Contributory* on the relevant precinct map provided that all of the following conditions are met:

- the building height<sup>1</sup> is not more than the building of the original dwelling excluding any later extensions or additions;
  - there is no alteration or extension to any part of the roof facing the front or side boundary;
  - there is no alteration or extension to any part of the front or side walls of the dwelling, and;
  - the setback from side boundaries is not less than the setback of the existing dwelling.
- Construction of an extension to a building on a property shown as Non contributory on the relevant precinct map provided that all of the following conditions are met:
    - the building height<sup>1</sup> 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.
  - Construction of a front fence not more than 1.2m in height above natural ground level provided that this does not require the demolition of an existing front fence of a property shown as Significant or Contributory on the relevant precinct map or identified as a Significant feature within the precinct.
  - Construction or demolition of side or rear fences on any property.
  - Installation of lattice or trellis on side or rear fences on any property.
  - Installation of domestic services normal to dwelling on any property that may be visible from a street or public park provided that all of the following conditions are met:
    - it is not attached to the front wall of the dwelling;
    - it is not situated between the front wall of the dwelling and the front property boundary;
    - if attached to the side wall of a dwelling on a property shown as Significant or Contributory on the relevant precinct map, it is setback not less than 4 metres from the minimum front setback of the dwelling (see Note 1);
    - it does not project above the highest point of the roof;
    - it is not situated on that part of the roof that faces directly toward a street (including a side street); and
    - if situated on part of a roof that faces a side boundary on a property shown as Significant or Contributory on the relevant precinct map, it is set back not less than 4 metres from the minimum front setback of the dwelling (see Note 1 on page 6).
  - 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 defined in Figure 1 on page 6.

### 3.2 Heritage precincts in the Commercial 1 zone

This applies to the heritage precincts listed in Table 3.2, which are shown on the attached precinct maps.

**Table 3.2 – Commercial heritage precincts**

Precinct	HO No.
Alexandra Main Street Precinct	HO39
Yea High Street Streetscape (Part zoned	HO9

Precinct	HO No.
Commercial 1)	

### ***Permit exemptions***

Under Clause 43.01-2 of the Planning Scheme, no planning permit is required for the following development within the heritage precincts subject to the Heritage Overlay specified in Table 3.2:

- Demolition of a non-contributory building shown on the precinct map.
- Signage situated below verandah at ground floor level on a Contributory building or non-contributory building as shown on the precinct plan.
- Above verandah signage on a non-contributory building unless the building is adjacent to a Significant or Contributory building as shown on the precinct map.
- Installation of an automatic teller machine on a non-contributory building.
- Alteration to the front of a non-contributory building if at least 80 per cent of the building front at ground level is maintained as an entry or display window with clear glazing.
- An awning on a non-contributory building that project over a public road reservation if the awning is authorised by the relevant public land manager.
- Install street furniture or undertake roadworks.

### **3.3 Heritage precincts in the Road Zone Category 1**

Under Clause 43.01-2 of the Planning Scheme, no planning permit is required for the following development for heritage precincts within the Road 1 Zone subject to the Heritage Overlay:

- Road construction or maintenance activities associated with the road surface and associated infrastructure. This exemption does not apply to any listed item, such as a tree, located within the heritage precinct.

### **3.4 Individual places in the Residential 1, Mixed Use 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, Mixed Use 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 situated within the rear yard as defined in 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 situated within the rear yard of a property as defined in 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 situated within the rear yard as defined in 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 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.
- For dwellings only, installation of domestic services normal to a dwelling that may be visible from a street or public park provided that all of the following conditions are met:
  - it is not attached to the front wall of the dwelling;
  - it is not situated between the front wall of the dwelling and the front property boundary;
  - if attached to the side wall of a dwelling, it is setback not less than 4 metres from the minimum front setback of the dwelling (see Note 1);
  - it is not situated on that part of the roof that faces directly toward a street (including a side street);
  - it does not project above the highest point of the roof; or
  - if situated on part of a roof that faces a side boundary, it is set back not less than 4 metres from the minimum front setback of the dwelling (see Note 1);.
- Construction or extension of a domestic swimming pool or spa and associated mechanical equipment and safety fencing on any property provided that the pool is situated within the rear yard This does not apply if it would require the removal, demolition or alteration of a *Significant feature*.

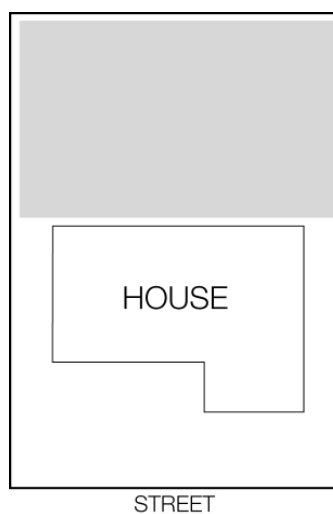
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**NOTE 1:** *For the purposes of this exemption the front setback is measured to the original dwelling and not to any later extensions of additions such as garages or carports.*

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**FIGURE 1**

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



### 3.5 Individual places in rural areas

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

- Construction of a fence or demolition, removal or alteration of any fence. This does not apply if the fence is identified as 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.
- Carrying out of works associated with a Section 1 use.
- Installation of plant and equipment associated with a Section 1 use. This does not apply if it would require the removal, demolition or alteration of a *Significant feature*.
- Installation of plant or equipment associated with hot water services or central heating units provided that the equipment is not attached to a front façade of a building that is a *Significant feature*.
- Construction of equipment associated with a roof-mounted solar hot water system or satellite dish provided that the equipment is not situated on that part of the roof that faces directly toward a street or road.
- Replacement or installation of a domestic television aerial.
- Construction of a pool or associated fencing on any property. This does not apply if it would require the removal, demolition or alteration of a *Significant feature*.

## Yea High Street Streetscape schedule

This schedule lists the Contributory and Significant places in the Yea High Street streetscape (HO9). Any place not listed is Non-contributory.

### Contributory places

Place	Significant features
<b>Whatton Place</b>	
'The Little Oak' (House) 1 Whatton Pl	Simple weatherboard Victorian house. Intact except: new roofing iron, verandah frieze replaced in timber (could be an early change).  Sympathetic (but not original) front fence.
House 2 Whatton Pl	Edwardian weatherboard house with projecting front gable with decorative features (verandah valance, bargeboard, etc.)
<b>High Street</b>	
House 5 High St	1920s weatherboard house  The neo-Victorian decorative accretions (finials, cricket-bat moulds to corners, verandah frieze, window hood, windows with sidelights, lych gate) are not significant
House 7 High St	1920s weatherboard house with early picket fence.
Tartan Motel & tree 19 High St	Motel building is not significant.  Significant trees: Mature Australian Fan Palm ( <i>Cordyline australis</i> ) at rear
House, shop & tree 23A-B High St	1920s fibro house and brick shop  Significant trees: Mature <i>Pinus Radiata</i> at rear (or possibly at No. 21).
House and shop 25 High St	Victorian weatherboard house and c.1950s shop
Carter's Fruit & Veg (formerly Palais Tea Rooms) 29 High St	Victorian/Interwar shops
Shop 32 High St	Early red-brick shop  Later additions are not significant
Shops 36A-B High St	Pair of Interwar shops (shop & Yea Chronicle), brick front with weatherboard sides, intact shopfronts and entry doors  (NB: the Yea Chronicle Printing Office shown in same location in c1910 photo on Museum Victoria website, so this could be an Interwar façade on an earlier building.)
Former Bakery Rear 36-38 High Street	Two storey brick building
Shop & Tree 40 High St	'Bag A Bargain', 19 <sup>th</sup> -century shop  Significant trees: Mature deciduous tree at rear.

<b>Place</b>	<b>Significant features</b>
Shop & Tree 44 High St	Bakery – Interwar red-brick shop Significant trees: Mature conifer at rear.
Shop 60 High St	Shop with intact shopfront
Shop 62 High St	‘Yea Meat Supply’ – 1950s butcher’s shop with intact shopfront (Ribbed-glass transoms, plate-glass window with crazy paving below it, and crazy-paving tilted entry wall)
Shop 74 High St	Newsagent’s, Interwar shop Intact, with high ruled-render parapet, intact shopfront with tiled dado, copper-framed windows and transoms, bullnose verandah
Shop 76 High St	Stockfeed, red-brick shop May be an Interwar shop, but shopfront replaced c1950s and parapet covered with sheet metal.
Shops 84-86 High St	Pair of Interwar shops with weatherboard sides Intact shopfronts, including bronze window frames and tiled dado.
Shops 92 & 94 High St	92: Early shop including early shopfront and door. 94: Shop with highly intact Interwar shopfront (including leadlight transoms, plate-glass windows in metal frames, mirrors, tiled dado, double entrance doors, tiled entry floor, internal translucent glass enclosure behind display windows), skylight lantern.
Former house 96 High St	Nineteenth century gable-fronted weatherboard house converted to a shop Retains original front windows and panelled door.
Servo & Tree 100 High St	Yea Car Care (NW corner) – servo While most of the service station is modern and non-contributory, it appears to have an Interwar fibro gabled building at its core. Significant trees: Mature conifer at rear.
Trees 104 High Street	House not significant Significant trees: Weeping elm ( <i>Ulmus glabra Camperdownii</i> ) in front of house and mature deciduous tree behind house.
House 106 High St	Victorian house built in two stages – 1 <sup>st</sup> : gabled weatherboard cottage with concave-roofed verandah; 2 <sup>nd</sup> : Italianate hipped-roofed section with canted bay window, arched sash windows, bracketed eaves, Ashlar-look cladding to front
House & Trees 108 High St	Very intact Weatherboard California Bungalow with rendered porch piers and original front fence. Significant trees: Overgrown Lilly Pilly or Photinia hedge at front and mature deciduous tree at rear.



Place	Significant features
House 112 High St	<i>Rumah Cinta</i> - Ruled render Victorian house with parapeted end wall, may have been two residences (has two intact front doors with flashed-glass sidelights)
House & Trees 116 High St	Large Queen Anne weatherboard house (Ashlar-look cladding to façade, decorative cross-bracing in apex of projecting gabled bay). Very intact. Significant trees: Mature peppercorn trees ( <i>Schinus molle</i> ) at rear of house (NB: could be behind No. 114).
House 117 High St	Weatherboard Victorian house
House 119 High St	Weatherboard California Bungalow
<b>Hood Street</b>	
Former Police Stables 1 Hood St	Interwar weatherboard stables at back of modern police station Note: modern police station is Non-contributory.
<b>The Crescent</b>	
House 1 The Crescent	Weatherboard & pebble California Bungalow
Shops 3-4 The Crescent	Two Interwar shops with weatherboard sides and brick fronts 'Number 4' – intact shopfront with tiles, transoms, window frames, entry door. Verandah is modern. 'Yea Computers' – retains 1920s box window on side.
House 5 The Crescent	1930s brick house with pebble detail to chimney and original 'hit-and-miss' brick front fence. House and fence very intact
Memorial Reserve (south end)	Hume & Hovell Monument
Fountain Reserve (north side)	Fountain
<b>The Semicircle</b>	
House 7 The Semicircle	1920s weatherboard house (only partly in precinct)

### Significant places

Place	Significant features	Specific guidelines
<b>High Street</b>		
Police Station 4 High St	19 <sup>th</sup> -century Police Station, with modern rear extension Intact, except for missing verandah frieze.	

<b>Place</b>	<b>Significant features</b>	<b>Specific guidelines</b>
Hotel 18 High St	Country Club Hotel – large 19 <sup>th</sup> -century hotel with 1920s front-verandah extension	The 1920s double-storey verandah is intact, apart from upper balustrade (see c1920 photo held by Murrindindi Library Service). Remnants of a single-storey verandah on east side. 19 <sup>th</sup> -century windows survive on east side and first floor.
Shop 20 High St	Marmalade's (former Purcell's General Store), HO4	Intact 1887 store, including shopfront.
Yea Shire Hall 27 High St	The whole of the Yea Shire Hall (former) including its interior	
Bank 34 High St	Westpac (former CBA), two-storey brick Federation bank, HO11	
Bank 48 High St	Commonwealth Bank, 1920s two-storey bank with rear residence, recent addition to east side	
Hotel 64 High St	Grand Central Hotel, 19 <sup>th</sup> -century hotel with double-storey front verandah with cast-iron details	Early 20 <sup>th</sup> -century tiled dado is also significant.
Beaufort Manor 113 High St	Two-storey brick Victorian house, sympathetic new verandah, two modern brick additions	
Hotel 88 High St	Royal Mail Hotel, two-storey Victorian brick hotel with major Interwar renovation	19 <sup>th</sup> -century fabric, including arched windows and doors to ground floor, ruled render; Interwar fabric, including verandah (with pressed metal ceiling), first floor façade (windows, end gables), chimneys.
<b>The Semicircle</b>		
Yea Post Office 9 The Semicircle	A nineteenth century brick post office (HO8)	





