

# City of Moonee Valley Permit exemptions policy

Heritage Overlay Precincts



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## Permit Exemptions Policy – Moonee Valley Review of Heritage Overlay Precincts

This incorporated plan sets out the permit exemptions from the provisions of the Heritage Overlay in accordance with Clause 43.01-2 that apply to the heritage precincts within the City of Moonee Valley specified in Section 1.

Please refer to the relevant heritage precinct citations for information about the significance of each precinct, including the history, description and statement of significance.

### 1 Application

These permit exemptions apply to *Contributory* or *Non-contributory* (see Section 2: Definitions) places within the following heritage precincts:

- ▶ Edward Street & Richardson Street (HO1)
- ▶ Glass Street (HO2)
- ▶ Peterleigh Grove & Kalimna Street (HO3)
- ▶ Vida Street & Knight Street (HO5)
- ▶ Woods Hill Estate (HO6)
- ▶ Riverview Estate & Trinafour Estate (HO7)
- ▶ Mt Alexander Road & The Strand (HO10)
- ▶ Tennyson Street (HO11)
- ▶ Holmes Road Residential (HO12)
- ▶ Puckle Street HO14
- ▶ Lorne Street (HO15)
- ▶ Ascot Vale Road & Maribyrnong Road (HO16)
- ▶ Dickens Street (HO17)
- ▶ Bayview Terrace (HO18)
- ▶ Fenton Street (HO19)
- ▶ Monash Street (HO20)
- ▶ South Street & East Street (HO21)
- ▶ Ailsa Street (HO22)
- ▶ Travancore (HO23)
- ▶ Wellington Street (HO24)
- ▶ Racecourse Road (HO25)
- ▶ Union Road (HO26)
- ▶ Mt Alexander Road & Flemington Street (HO28)

- ▶ Canterbury Street & Dover Street (HO79)
- ▶ Coronet Street (HO140)
- ▶ Hoddle Street (HO301)
- ▶ Francis Street (HO305)
- ▶ Glen Street (HO306)
- ▶ Holmes Road & Norwood Crescent (HO307)
- ▶ Learmonth Street & Winchester Street (HO309)
- ▶ Steele Street (HO316)
- ▶ Laura Street (HO325)
- ▶ Newhall Avenue (HO326)
- ▶ Levien Street (HO371)
- ▶ Fletcher Street & Napier Street (HO411)
- ▶ Rose Street & Buckley Street (HO424)
- ▶ Keilor Road Precinct (HO425)
- ▶ Aberfeldie Street & Waverley Street (HO450)
- ▶ Queens Avenue & Burton Crescent (HO452)
- ▶ Warrick Street & Mascoma Street (HO453)
- ▶ Amelia Avenue (HO454)
- ▶ Mackay Street (HO455)
- ▶ McCracken Street (HO456)
- ▶ Pascoe Vale Road (HO457)
- ▶ Robb Street (HO458)
- ▶ Roberts Street (HO459)
- ▶ Scott Street (HO460)
- ▶ Clarence Street & Marshall Street (HO461)
- ▶ Ardmillan Road (HO462)
- ▶ Dean Street (HO463)
- ▶ Grace Street (HO464)
- ▶ Margaret Street & Park Street (HO465)
- ▶ Park Street (HO466)
- ▶ Sydenham Street (HO467)

### **Exclusions**

These permit exemptions do not apply to:

- ▶ Places listed individually in the Heritage Overlay schedule, and/or
- ▶ *Significant* heritage places within precincts (see Section 2: Definitions), and/or
- ▶ The Tweedside Estate Serial Listing.

## 2 Definitions

The following definitions apply:

<i>Significant</i>	A <i>Significant</i> place is a heritage place that has cultural heritage significance independent of its context. That is, if the precinct did not exist, they are places of local significance that could be eligible for individual inclusion in the HO. These places may also contribute to the significance of a 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>Building Height</i>	As defined by Clause 73.01 General Terms in the Moonee Valley Planning Scheme.

*Significant*, *Contributory* and *Non-contributory* places within heritage precincts are shown on the precinct maps that form part of this incorporated document (see Section 4).

## 3 No Planning Permit Required

Under Clause 43.01-2 of the Planning Scheme, no planning permit is required for the following development:

For all development:

- ▶ 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. This exemption does not apply if the repairs or maintenance would result in an extension to the building or to a property on a corner site (including a laneway).

For residential development in a residential zone:

- ▶ Construction or extension 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 and that is 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 800 millimetres above natural ground level and a maximum building height not more than 3 metres above natural ground level within the rear yard of any property as defined in Figure 1.
  - ▶ Construction or extension of a deck with a finished floor level not more than 800 millimetres above natural ground level within the rear yard of any property as defined in Figure 1.
  - ▶ Construction of an extension to a dwelling (see Note 1) on a property shown as *Contributory* on the relevant precinct map provided that all of the following conditions are met:
    - the property is not on a corner site (including a laneway);
    - the building height is not more than the building height of the original dwelling excluding any later extensions or additions;
    - the extension is sited within the rear yard as defined in Figure 1;
    - 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 dwelling (see Note 1) on a property shown as *Non-contributory* on the relevant precinct map provided that all of the following conditions are met:
    - the property is not a corner site;
    - the building height is not more than the building height of the existing dwelling
    - the setback from front (see Note 2) or side boundaries is not less than the setback of the existing dwelling.
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- ▶ Construction of a front fence not more than 1.2 metres in height above natural ground level provided that the fence is constructed of timber pickets or woven wire and that this does not require the demolition or alteration of an existing front fence on a property shown as *Contributory* on the precinct map.
- ▶ Construction or demolition of side or rear fences including the installation of lattice or trellis. This exemption does not apply to:
  - side fences within 9 metres of the frontage; and
  - side fences along the secondary frontage of a property on a corner site (including a laneway).
- ▶ Installation of domestic services normal to a dwelling that may be visible from a street or public park provided that the installation:
  - is not attached to the front wall of the dwelling;
  - 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 *Contributory* on the precinct map, it is setback not less than 4 metres measured from the minimum front setback of the dwelling (see Note 2);
  - does not project above the highest point of the roof;
  - is not situated on that part of the roof that faces directly toward a street (including a side street or laneway); and
  - if situated on part of a roof that faces a side boundary on a property shown as *Contributory* on the relevant precinct map, it is set back not less than 4 metres measured from the minimum front setback of the dwelling (see Note 2).
- ▶ 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.

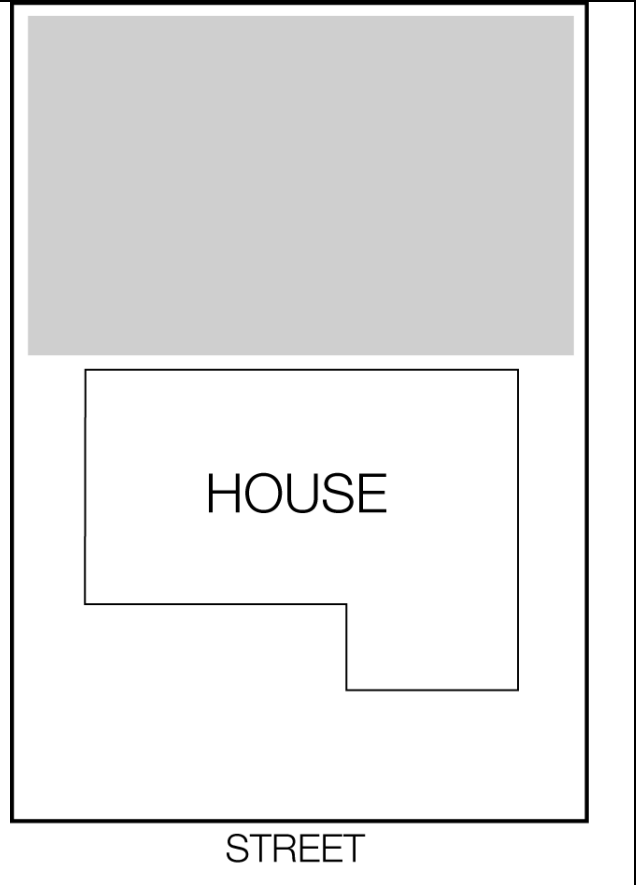
**NOTE 1:** *For the purposes of this exemption 'Extension to a dwelling' is defined as an extension of not more than 50% of the floor area of the existing dwelling prior to the demolition of any part of the dwelling.*

**NOTE 2:** *For the purposes of this exemption the front setback is measured to the original dwelling and not to any later extensions or additions such as garages or carport*



**FIGURE 1**

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



## **4 Heritage Precinct Maps**





