

City of Wodonga

Heritage Place Permit Exemptions 2013

1 Application

This Incorporated Plan provides guidance to Wodonga City Council and the community in the preparation and assessment of planning permit applications required by the Heritage Overlay (HO) within the Wodonga 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 this incorporated plan applies to.

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

- Lawrence Street Precinct (Section 3.1);
- Individual heritage places in the Residential 1 Zone and Residential 2 Zone (Section 3.2);
- Individual heritage places in rural areas (Section 3.3).

2 Definitions

The following definitions apply:

Level	Significance
<i>Individually significant</i>	An <i>Individually Significant</i> place is a single heritage place that has cultural heritage significance independent of its context. Some <i>individually significant</i> places may also contribute to the significance of a heritage precinct.
<i>Contributory</i>	The word <i>Contributory</i> identifies an element that contributes to the significance of a heritage place, and may be a building, part of a building or some other feature of a heritage place.
<i>Non-contributory</i>	A <i>Non-contributory</i> element does not make a contribution to the significance of a heritage place. In some instances, an <i>individually significant place</i> may be considered <i>Non-contributory</i> within a heritage precinct, for example, and important Modernist House within a Victorian era precinct.
<i>Significant feature</i>	A significant feature is any feature (building, tree, structure etc.) that a heritage study or assessment identifies as contributing to the significance of a heritage place.

Significant, Contributory and *Non-contributory* places within the Lawrence Street Precinct are shown on the Lawrence Street precinct map that forms 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 City of Wodonga 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 City of Wodonga Planning Scheme.

3.1 Lawrence Street Precinct

This applies to the Lawrence Street Precinct. Table 1 lists the Significant, Contributory and Non-contributory places within the precinct.

Table 1 – Lawrence Street Precinct significance levels

Address	Significance level
2 Ethel Lane	Contributory
4 Ethel Lane	Non-contributory
6 Ethel Lane	Non-contributory
8 Ethel Lane	Non-contributory
10 Ethel Lane	Non-contributory
5 Ethel Street	Contributory
144 Lawrence Street	Non-contributory
145 Lawrence Street	Contributory
146 Lawrence Street	Contributory
147 Lawrence Street	Contributory
148 Lawrence Street	Contributory
149 Lawrence Street	Non-contributory
150 Lawrence Street	Contributory
2/150 Lawrence Street	Non-contributory
151 Lawrence Street	Contributory
152 Lawrence Street	Significant
153 Lawrence Street	Significant
1/153 Lawrence Street	Non-contributory
2/153 Lawrence Street	Non-contributory
154 Lawrence Street	Non-contributory
155 Lawrence Street	Contributory
156 Lawrence Street	Contributory
1/156 Lawrence Street	Non-contributory
157-9 Lawrence Street	Significant
161 Lawrence Street	Non-contributory
1/161 Lawrence Street	Non-contributory
2/161 Lawrence Street	Non-contributory
3/161 Lawrence Street	Non-contributory
163 Lawrence Street	Contributory
165 Lawrence Street	Contributory

167 Lawrence Street	Contributory
169 Lawrence Street	Contributory

Permit exemptions

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

- 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 height¹ 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 height¹ 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).
- 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.

3.2 Individual places in the Residential 1 or Residential 2 Zone

Under Clause 43.01-2 of the Planning Scheme, no planning permit is required for the following development for *Individually significant* heritage places within the Residential 1 or Residential 2 zone subject to the Heritage Overlay:

- Demolition of or alterations to a building that is not specified as *Individually Significant*. This includes routine maintenance that would change the appearance of a building.

¹ “Building height” as defined by Clause 72 General Terms in the Wodonga Planning Scheme.

- 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 place which is *Individually significant*
- 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 place which is *Individually significant*.
- 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 place which is *Individually significant*.
- 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 part of place which is *Individually significant*.
- 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*.

3.3 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:

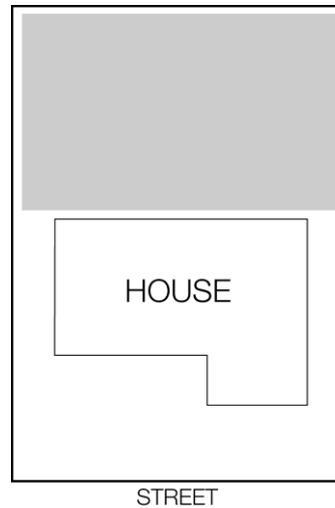
- Construction of a fence or demolition, removal or alteration of any fence. This does not apply if the fence is identified as a *Significant feature*.
- Demolition of or alterations to a building that is not a *Significant feature*. This includes routine maintenance that would change the appearance 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*.

Notes and figures

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.*

FIGURE 1

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



Precinct maps

