CITY OF DAREBIN HERITAGE STUDY INCORPORATED PLAN – PERMIT EXEMPTIONS (2011, amended 2021)

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 specific heritage place and precincts .

Please refer to the relevant heritage place and precinct citations in the *City of Darebin Heritage Study – Historic Heritage Places* (2011), *Fairfield Village Heritage Assessment, 2017* and *Thornbury Park Estate Precinct* (RBA Architects and Conservation Consultants, 2021) for further information about the significance of each place and precinct, including history, description and statements of significance. This information can also be accessed from the City of Darebin website or by contacting Darebin Council.

1 Application

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

- Heritage precincts in the residential zones as specified in Table 3.1 (Section 3.1)
- Individual heritage places in the residential zones (Section 3.2)
- Heritage precincts in the business zones as specified in Table 3.2 (Section 3.3)
- East Plenty Tram Depot, 211-43 Plenty Road, Preston (Section 3.4)
- Whittlesea Railway Precinct (Section 3.5)
- Miller Road Tramway Bridge (Section 3.6)
- Northern Metropolitan Institute of Technology (Former Preston Technical School) (Section 3.7)
- House and former doctor's surgery, 572 Plenty Road, Preston (Section 3.8)
- St Andrew's Alphington and Fairfield Uniting Church, 85 Gillies St, Fairfield (Section 3.9) Fairfield Railway reserve. (Section 3.10)

This incorporated plan does not provide permit exemptions from a planning permit if required by any other provision of the Darebin Planning Scheme.

2 Definitions

The following definitions apply: *[Old definitions have been reformatted into a table with additions]*

DEFINITIONS

Heritage Place	*Significant*	A *Significant* place is a single heritage place that has cultural heritage significance which may be independent of its context. These places may also contribute to the significance of a heritage precinct. *Significant* places within a heritage precinct will not usually have a separate Statement of Significance.
	Contributory	*A Contributory* place contributes to the significance of a heritage precinct, but would not be significant on their own.

	Significant feature	A *Significant feature* is any feature (building, tree, structure etc.) identified as contributing to the significance of a heritage place or precinct. *Significant features* are identified in the *City of Darebin Heritage Study 2008* and the *Fairfield Village Heritage Assessment, 2017*.
Non Heritage Place	*Non-contributory or Not Significant*	*Non-contributory or Not Significant* places which do not contribute to the significance of a heritage precinct. In some instances, a *Significant* place may be considered *Non-contributory or Not Significant* within a precinct. For example, an important Modernist house within a Victorian era precinct.
Maintenance		*Maintenance* means the continuous protective care of a *place*, and its *setting*. Maintenance is to be distinguished from repair which involves *restoration* or *reconstruction*.

Significant, *Contributory* and *Non-contributory or Not Significant* places within heritage precincts are shown on the precinct maps that form part of this incorporated plan – see Attachment A.

3 No Planning Permit Required

3.1 Heritage precincts in the residential zones

This applies to the heritage precincts listed in Table 3.1, which are shown on the attached precinct maps. It does not apply to heritage places that are individually listed in the schedule to the Heritage Overlay (Refer to Section 3.2).

Table 3.1 – Heritage precincts

Precinct	Locality	HO No.
Broomfield Avenue	Alphington	HO297
Gladstone Avenue	Northcote	HO298
Carlisle Street	Preston	HO299
Garnet Street	Preston	HO300
Larne Grove and Roxburgh Street	Preston	HO302
Livingstone Parade	Preston	HO303
Milton Crescent	Preston	HO304
Edgar Street	Reservoir	HO306
Queen Street	Reservoir	HO308
Plow Street	Thornbury	HO310
Rossmoyne Street	Thornbury	HO311
Woolton Avenue	Thornbury	HO181
Thornbury Park Estate	Thornbury	HO318

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 and routine maintenance

- Demolition of a building or part of a building on a property shown as *Non-contributory* on the relevant precinct map.
- Demolition of a side or rear fence. This does not apply to a property located on a corner or if any part of the side or rear fence is identified as a *Significant feature*.
- 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 does not apply if the repairs or routine maintenance would result in an extension to the building.
- Repairs or routine maintenance or alterations to the wall of a building that faces the rear boundary that would change the appearance of that building on a property shown as *Contributory* on the relevant precinct map. This does notapply if the repairs or routine maintenance would result in an extension to the building, or to a property on a corner site.

Construction of and extensions to buildings, other structures, services and fences

- Construction of an outbuilding with a gross floor area not more than 10 square metres and a maximum building height not more than 3 metres above natural ground level within the rear yard 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 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 within the rear yard as defined in Figure 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[1] 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.
  - the setback from side boundaries is not less than the setback of the existing building.
- Construction of an extension to a building on a property shown as *Non contributory* on the relevant precinct map provided that:
  - the building height[1] is not more than the building height of the existing building; and
  - the setback from front or side boundaries is the not less than the setback of the existing building.
- Construction of a front fence not more than 1.2metres 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 of a side or rear fence including the installation of lattice or trellis. This exemption does not apply to:
  - Side fences within 3 metres of the frontage; or
  - Side fences along the secondary frontage of a property on a corner site.
- Installation of domestic services normal to dwelling on any property that may be visible from a street or public park provided that the installation:

[1] *"Building height" as defined by Clause 72 General Terms in the Darebin Planning Scheme*

- is not attached to the front wall of the building;
- is not situated between the front wall of the building and the front property boundary;
- if attached to the side wall of a building on a property shown as *Significant* or *Contributory* on the relevant precinct map, it is set back not less than 4 metres from the minimum front setback of the dwelling (See Note 1);
- 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); 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 zones

This applies to heritage places that are individually listed in the Schedule to the Heritage Overlay, except for 572 Plenty Road, Preston (Refer to Section 3.8).

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

Demolition and routine maintenance

- 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.
- Demolition of a side or rear fence. This does not apply to a property located on a corner or if any part of the side or rear fence is identified as a *Significant feature*.

Construction of and extensions to buildings and fences

- Construction of an outbuilding with a gross floor area not more than 10 square metres and a maximum building height not more than 3 metres above natural ground level within the rear yard of a property as defined in Figure1. This does not apply if it would require the removal, demolition or alteration of a *Significant feature*.
- Construction or extension of an open-sided pergola or verandah with a finished floor level not more than 800mm above natural ground level and a maximum building height not more than 3 metres above natural ground level within the rear yard 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 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*.
- Construction of a side or rear fence including the installation of lattice or trellis. This exemption does not apply to:
  - Side fences within 3 metres of the frontage; or
  - Side fences along the secondary frontage of a property on a corner site.

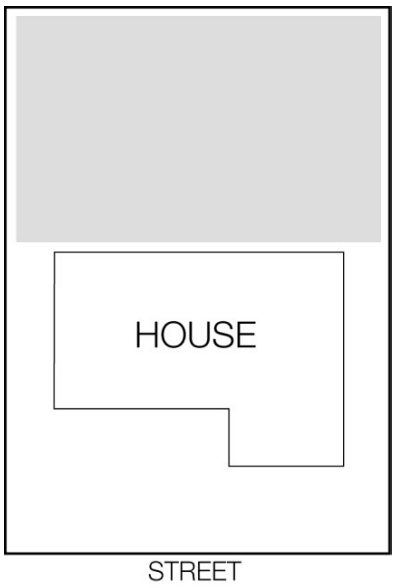
- The installation of lattice or trellis on a fence identified as a *Significant feature*.

- 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 on Figure 1. This does not apply if it would require the removal, demolition or alteration of a *Significant feature*.

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

FIGURE 1

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



3.3 Heritage precincts in the business zones

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

Table 3.2 – Heritage precincts

Precinct	Locality	HO No.
High Street, Preston	Preston	HO301
Plenty Road	Preston	HO305
High Street, Reservoir	Reservoir	HO307
High Street, Thornbury	Thornbury	HO309
Fairfield Village	Fairfield	HO313

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 listed in Table 3.2:

- Demolition of a building or part of a building on a property shown as *Non-contributory or Not Significant* on the relevant precinct map.
- Routine maintenance to a building that would change the appearance of that building on a property shown as *Non-contributory or Not Significant* on the relevant precinct map.
- Signage situated below verandah at ground floor level on a building on a

property shown as *Non-contributory or Not Significant* on the relevant precinct plan.

- Above verandah signage on a building on a property shown as *Non-contributory* on the relevant precinct plan unless the building is adjacent to a *Significant* or *Contributory* building as shown on the relevant precinct map.
- Installation of an automatic teller machine on a building on a property shown as *Non-contributory or Not Significant* on the relevant precinct plan.
- The alteration to an existing building façade of a building on a property shown as *Non-contributory or Not Significant* on the relevant precinct plan provided that:
  - The alteration does not include the installation of an external roller shutter
  - At least 80 per cent of the building front at ground level is maintained as an entry or window with clear gazing.
- An awning on a building on a property shown as Non-contributory or Not Significant on the relevant precinct plan that projects over a public road reservation if it is authorised by the relevant public land manager.

3.4 East Preston Tram Depot

This applies to the East Preston Tram Depot at 211-243 Plenty Road, Preston (HO240). *Significant features* are listed in Table 3.3.

Table 3.3 – East Preston Tram Depot significant features

Significant feature	Non-significant features
The offices, constructed by 1955, facing Plenty Road	Later alterations and additions
The covered tram storage shed, constructed by 1955, to the extent of the exterior walls and roof	Later alterations and additions

Under Clause 43.01-2 of the Planning Scheme, no planning permit is required for the following demolition and buildings and works within HO240 (East Preston Tram Depot):

- Removal of, modifications and repairs to and replacement of overhead power lines.
- Repairs to and replacement of tramway tracks.
- Modifications and repairs to and replacement of any electric or electronic signalling equipment.
- Removal of, repairs to, installation or replacement of safety barriers, rubbish bins, seating, bicycle racks and other small items of furniture.
- Removal, installation, repair or replacement of non-commercial signage, security lighting, fire safety equipment provided it does not involve the removal or erection of a building or other structure.
- Resurfacing of existing paths and driveways.
- Removal, installation or replacement of garden watering, water recycling or drainage systems.
- Management of trees in accordance with Australian Standard 4373: Pruning of Amenity Trees.

3.5 Whittlesea Railway Precinct

This applies to all sites included within the Whittlesea Railway Precinct (HO295).

Under Clause 43.01-2 of the Planning Scheme, no planning permit is required for the following demolition and buildings and works within HO295 (Whittlesea Railway Precinct):

- Removal of, modifications and repairs to and replacement of overhead power lines.
- Repairs to and replacement of railway tracks and sleepers including ballast.
- Modifications and repairs to and replacement of any electric or electronic signalling equipment.
- Removal of, repairs to, installation or replacement of ticket machines, passenger control gates, safety barriers, rubbish bins, seating, bicycle racks and other small items of platform furniture.
- Removal, installation, repair or replacement of non-commercial signage, security lighting, fire safety equipment provided it does not involve the removal or erection of a building or other structure.
- Resurfacing of existing paths and driveways.
- Removal, installation or replacement of garden watering, water recycling or drainage systems.
- Management of trees in accordance with Australian Standard 4373: Pruning of Amenity Trees.
- The construction or demolition of buildings and works and tree removal necessary to achieve compliance with the *Disability Discrimination Act 1992* and *Disability Standards for Accessible Public Transport 2002* in accordance with a plan for such works within the Heritage Overlay area which has been approved by the responsible authority.

3.6 Miller Street Tramway Bridge

This applies to the Miller Street Tramway Bridge (HO 236). *Significant features* are listed in Table 3.4.

Table 3.4 – Miller Street Tramway Bridge significant features

Significant feature	Non-significant features
Brick abutments either side of the railway line	Post 1945 alterations and additions including concrete deck, supporting piers and cyclone wire fencing.

Under Clause 43.01-2 of the Planning Scheme, no planning permit is required for the following demolition and buildings and works within HO236 (Miller Street Tramway Bridge):

- Alterations or additions, or routine maintenance to a structure that would change the appearance of that structure other than the *Significant features* of the structure listed in Table 3.4.
- Installation of or alterations and additions to trackwork, overhead wiring and associated infrastructure and the carrying out of associated works.

3.7 Former Preston Technical College (NMIT)

This applies to the former Preston Technical College (now NMIT) 77-89 St Georges Road, Preston (HO250). *Significant features* are listed in Table 3.5.

Table 3.5 – Former Preston Technical College (NMIT) significant features

Significant feature	Non-significant features
The former Preston Technical College designed by Percy Everett and constructed by 1937	Later alterations and additions including the additions to the north and south wings constructed c.1955. Landscaping and other buildings.

Under Clause 43.01-2 of the Planning Scheme, no planning permit is required for the following demolition and buildings and works within HO250 (Former Preston Technical College):

- Demolition or alteration of non-significant buildings or features. Construction or demolition of buildings and works necessary to achieve compliance with the *Disability Discrimination Act 1992* in accordance with a plan for such works within the Heritage Overlay area that has been approved by the responsible authority.
- Construction of a fence not more than 1.2 metres in height above natural ground level.
- Construction or extension of a deck with a finished floor level not more than 800mm above natural ground level.
- Removal of, repairs to, installation or replacement of safety barriers, rubbish bins, seating, bicycle racks and other small items of furniture.
- Removal, installation, repair or replacement of non-commercial signage, security lighting, fire safety equipment provided it does not involve the removal or erection of a building or other structure.
- Resurfacing of existing paths and driveways or construction of new paths or driveways.
- Removal, installation or replacement of garden watering, water recycling or drainage systems.
- Management of trees in accordance with Australian Standard 4373: Pruning of Amenity Trees.

3.8 House, garage and former doctor's surgery, 572 Plenty Road, Preston

This applies the house, garage and former doctor's surgery, 572 Plenty Road, Preston (HO242). *Significant features* are listed in Table 3.6.

Table 3.6 – House, garage and former doctor's surgery significant features

Significant feature	Non-significant features
The house and its interior designed by Harold Desbrowe Annear. The garage designed by Harold Desbrowe Annear. The arched gateway and high rendered wall adjoining the house facing Plenty Road	The interior of the garage. The side and rear fencing other than the arched gateway and high rendered wall.

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

the following buildings and works within HO242:

Interior

- Painting of previously painted walls and ceilings provided that preparation or painting does not remove evidence of any original paint or other decorative scheme.
- Installation, removal or replacement of carpets and/or flexible floor coverings.
- Installation, removal or replacement of curtain tracks, rods and blinds.
- Installation, removal or replacement of hooks, nails and other devices for the hanging of mirrors, paintings and other wall mounted art.
- Refurbishment of existing bathrooms, toilets and kitchens including removal, installation or replacement of sanitary fixtures including the original shower structure and associated piping, mirrors, wall and floor coverings.
- Demolition or removal of non-original bathroom partitions and tiling, sanitary fixtures and fittings, kitchen wall tiling and equipment, lights, built-in cupboards and the like.
- Removal or replacement of non-original door and window furniture including, hinges, locks, knobsets and sash lifts.
- Installation of stud walls, which are removable, providing no alteration to the structure is required.
- Removal of tiling or concrete slabs in wet areas provided there is no damage to or alteration of original structure or fabric.
- Installation, removal or replacement of ducted, hydronic or concealed radiant type heating provided that the installation does not damage existing skirtings and architraves and that the central plant is concealed.
- Installation, removal or replacement of electrical wiring provided that all new wiring is fully concealed and any original servant's bells, light switches, pull cords, push buttons or power outlets are retained in-situ. Note: if wiring original to the place was carried in timber conduits then the conduits should remain in situ.
- Installation, removal or replacement of bulk insulation in the roof space.
- Installation of plant within the roof space.
- Installation of new built-in cupboards providing no alteration to the structure is required.

Demolition and routine maintenance

- 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.
- Demolition of the non-significant side or rear fence.

Construction of and extensions to buildings and fences

- Construction of an outbuilding with a gross floor area not more than 10 square metres and a maximum building height not more than 3 metres above natural ground level within the rear yard of a property as 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 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 a deck with a finished floor level not more than 800mm above natural ground level 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 side or rear fence including the installation of lattice or trellis. This exemption does not apply to the installation of lattice or trellis on a fence identified as a *Significant feature*.
- 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 on Figure 1. This does not apply if it would require the removal, demolition or alteration of a *Significant feature*.

3.9 St Andrew's Alphington and Fairfield Uniting Church, 85 Gillies St, Fairfield

This applies St Andrew's Alphington and Fairfield Uniting Church, 85 Gillies St, Fairfield, (HO314). *Significant features* are listed in Table 3.8

Table 3.8 – St Andrew's Alphington and Fairfield Uniting Church significant features

Significant feature	Non-significant features
The exterior and interior of the church as designed by Francis Bruce Kemp.	The existing picket fencing on the street boundaries The features located within the blue polygon on the aerial plan in Figure 2.

Under Clause 43.01-2 of the Planning Scheme, no planning permit is required for the following buildings and works within HO314:

Interior

- Painting of previously painted walls and ceilings provided that preparation or painting does not remove evidence of any original paint or other decorative scheme.
- Installation, removal or replacement of carpets and/or flexible floor coverings. Installation, removal or replacement of curtain tracks, rods and blinds.
- Installation, removal or replacement of hooks, nails and other devices for the hanging of mirrors, paintings and other wall mounted art.
- Refurbishment of existing bathrooms, toilets and kitchens including removal, installation or replacement of sanitary fixtures including and associated piping, mirrors, wall and floor coverings.
- Demolition or removal of non-original partitions and tiling, sanitary fixtures and fittings, wall tiling and equipment, lights, built-in cupboards and the like.
- Removal or replacement of non-original door and window furniture including, hinges, locks, knobsets and sash lifts.
- Installation of stud walls, which are removable, providing no alteration to the structure is required.
- Removal of tiling or concrete slabs in wet areas provided there is no damage to or alteration of original structure or fabric.
- Installation, removal or replacement of ducted, hydronic or concealed radiant type heating provided that the installation does not damage existing skirtings and architraves and that the central plant is concealed.

- Installation, removal or replacement of electrical wiring provided that all new wiring is fully concealed.
- Installation, removal or replacement of bulk insulation in the roof space.
- Installation of plant within the roof space.
- Installation of new built-in cupboards providing no alteration to the structure is required.

Demolition and routine maintenance

- Demolition of or alterations to all features within the blue polygon shown in Figure 2. This includes routine maintenance that would change the appearance of a building.
- Demolition of the non-significant side or rear fences.
- Construction of and extensions to buildings and fences

FIGURE 2

St Andrew's Alphington and Fairfield Uniting Church, 85 Gillies St, Fairfield

The red line is the HO boundary and the blue polygon is the area that is appropriate for future development.



3.10 Fairfield Railway Reserve

This applies to all land within the curtilage of the Fairfield Railway reserve as shown on the Fairfield Village Heritage Precinct map in Attachment A. Significant features are listed in Table 3.9.

Table 3.9 – Fairfield Railway Reserve significant features

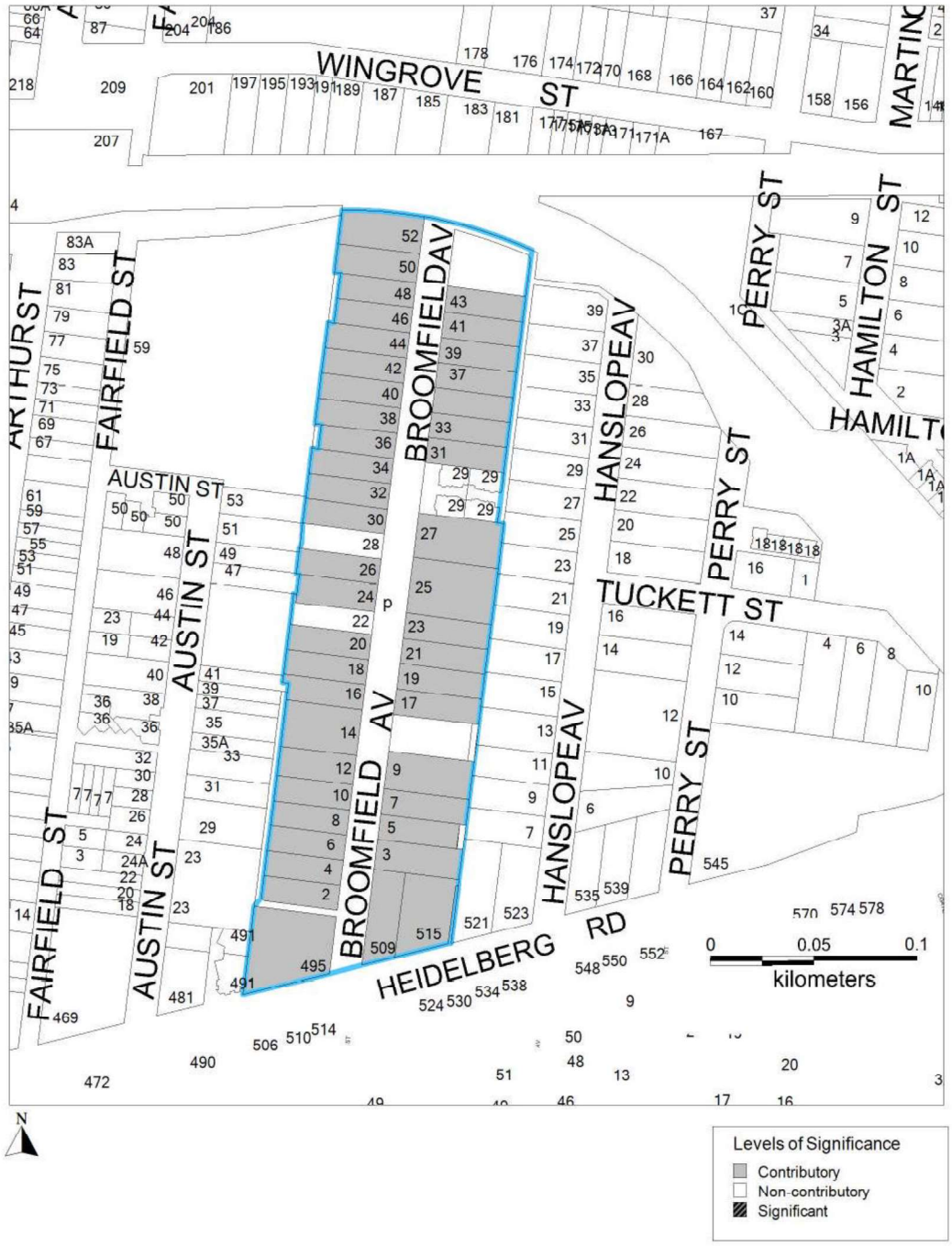
Significant feature	Non-significant features
The two mature palm trees at entrance to station from Railway Place South side station building and verandah North side station building and verandah North and south platforms Timber pedestrian bridge Signal Box, including timber staircase	Wire mesh fencing Car park areas Gum trees FIDO art work South side Protective Services Officer building and adjacent shelter

Under Clause 43.01-2 of the Planning Scheme, no planning permit is required for the following demolition and buildings and works within the Fairfield Railway Reserve within HO313:

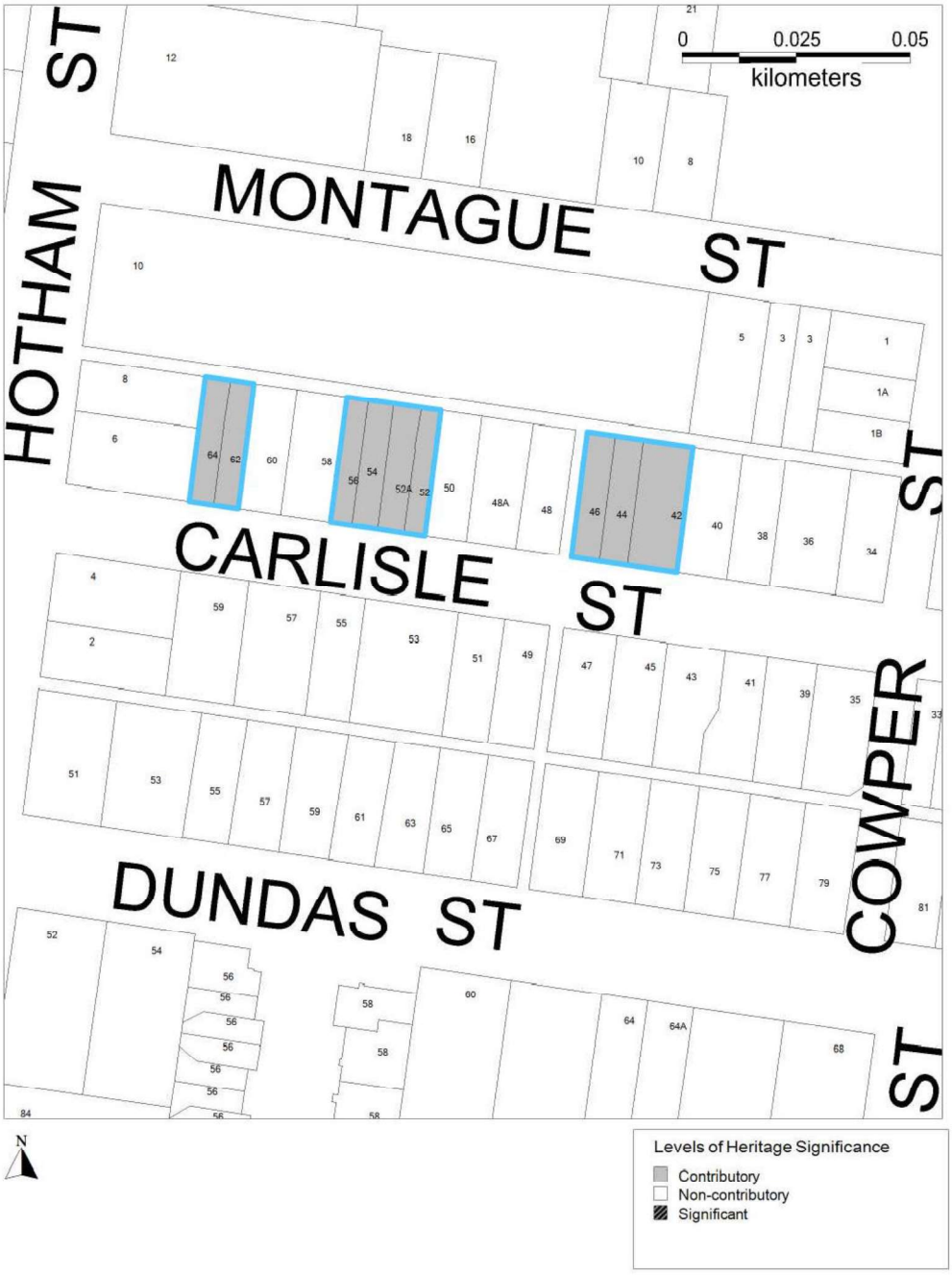
- Removal of, modifications and repairs to and replacement of overhead power lines and associated support structures.
- Works, repairs and routine maintenance which change the appearance of a building, structure, tree or other item not identified as a significant feature in Table 3.9.
- Works, repairs and routine maintenance which do not change the appearance of a building, structure, tree or other item identified as a significant feature in Table 3.9.
- Repairs to and replacement of railway tracks and sleepers including ballast.
- Modifications and repairs to and replacement of any signaling or communications equipment.
- Removal of, repairs to, installation or replacement of ticket machines, passenger control gates, safety barriers, rubbish bins, seating, bicycle racks and other small items of platform furniture.
- Removal, installation, repair or replacement of non-commercial signage, security lighting and fire safety equipment provided it does not involve the removal or erection of a building or other structure.
- Demolition or removal of a fence
- Resurfacing of existing paths, platforms and driveways provided this is undertaken to the same details, specifications and materials.
- Removal, installation or replacement of garden watering, water recycling or drainage systems.
- Management of trees (except the two palm trees) in accordance with Australian Standard 4373: Pruning of Amenity Trees.

The construction or demolition of buildings and works and tree removal necessary to achieve compliance with the Disability Discrimination Act 1992 and Disability Standards for Accessible Public Transport 2002, except for demolition or removal of any item identified as a significant feature in Table 3.9.

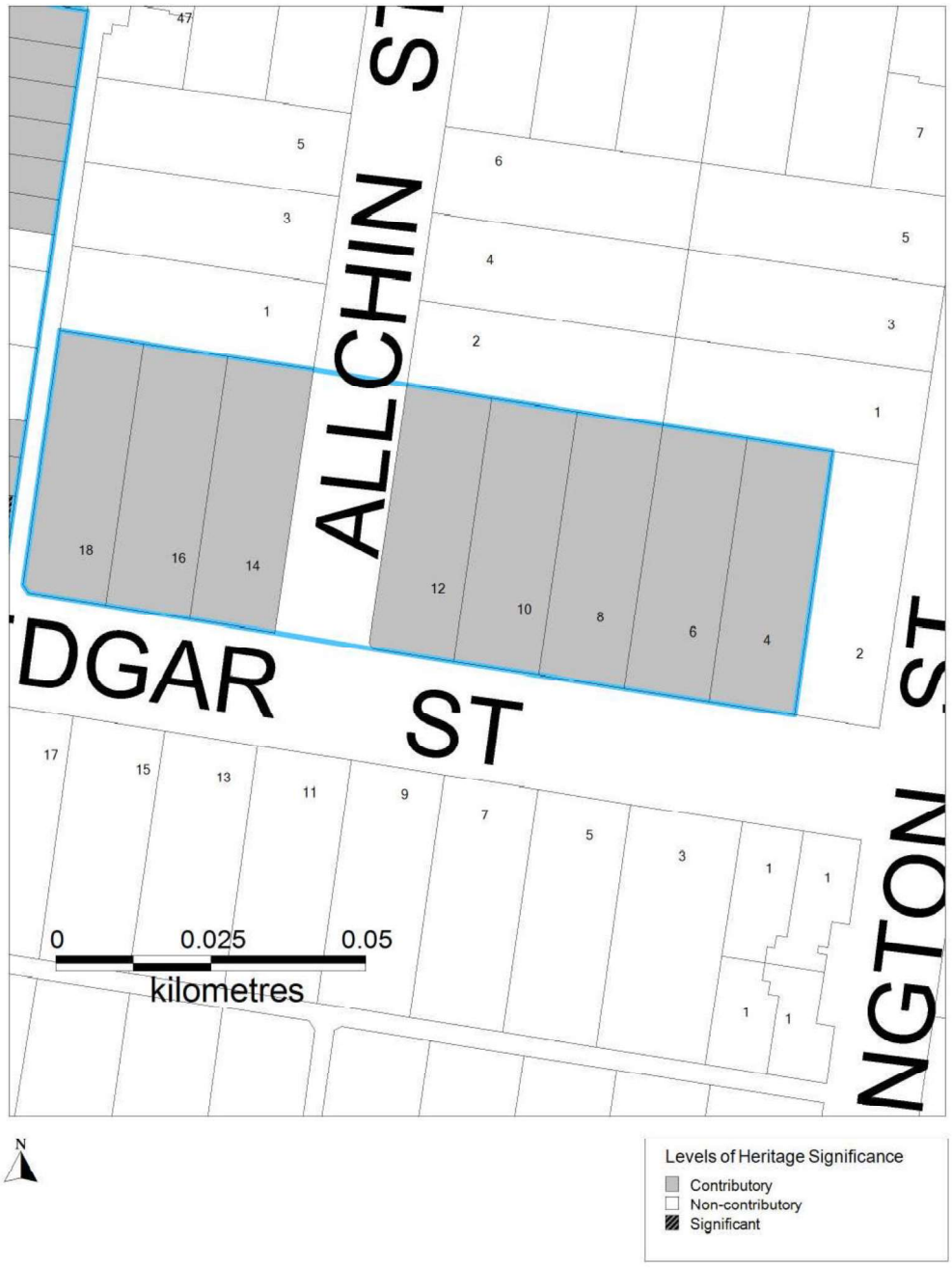
ATTACHMENT A – HERITAGE PRECINCT MAPS



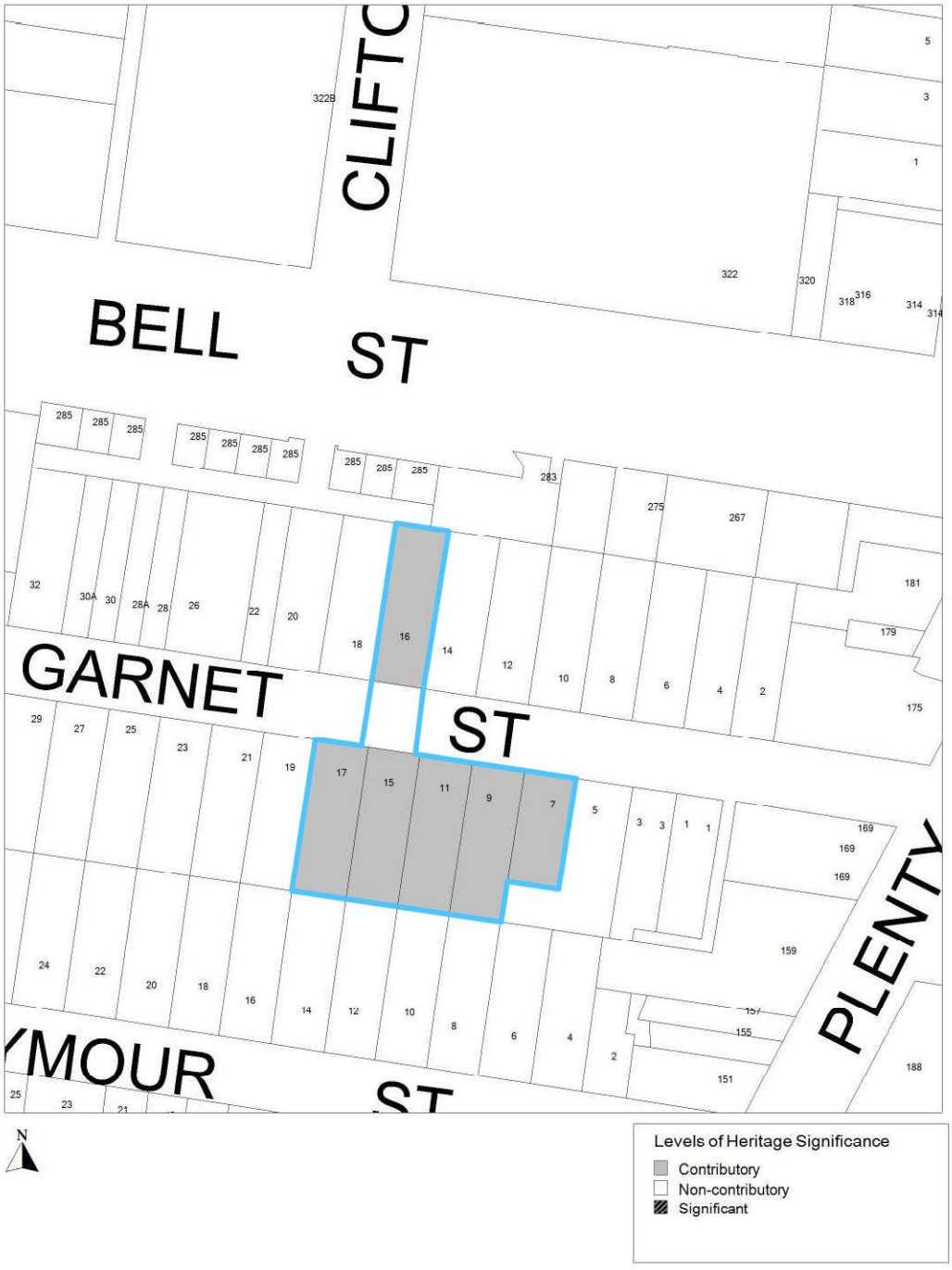
Broomfield Avenue Precinct, Alphington



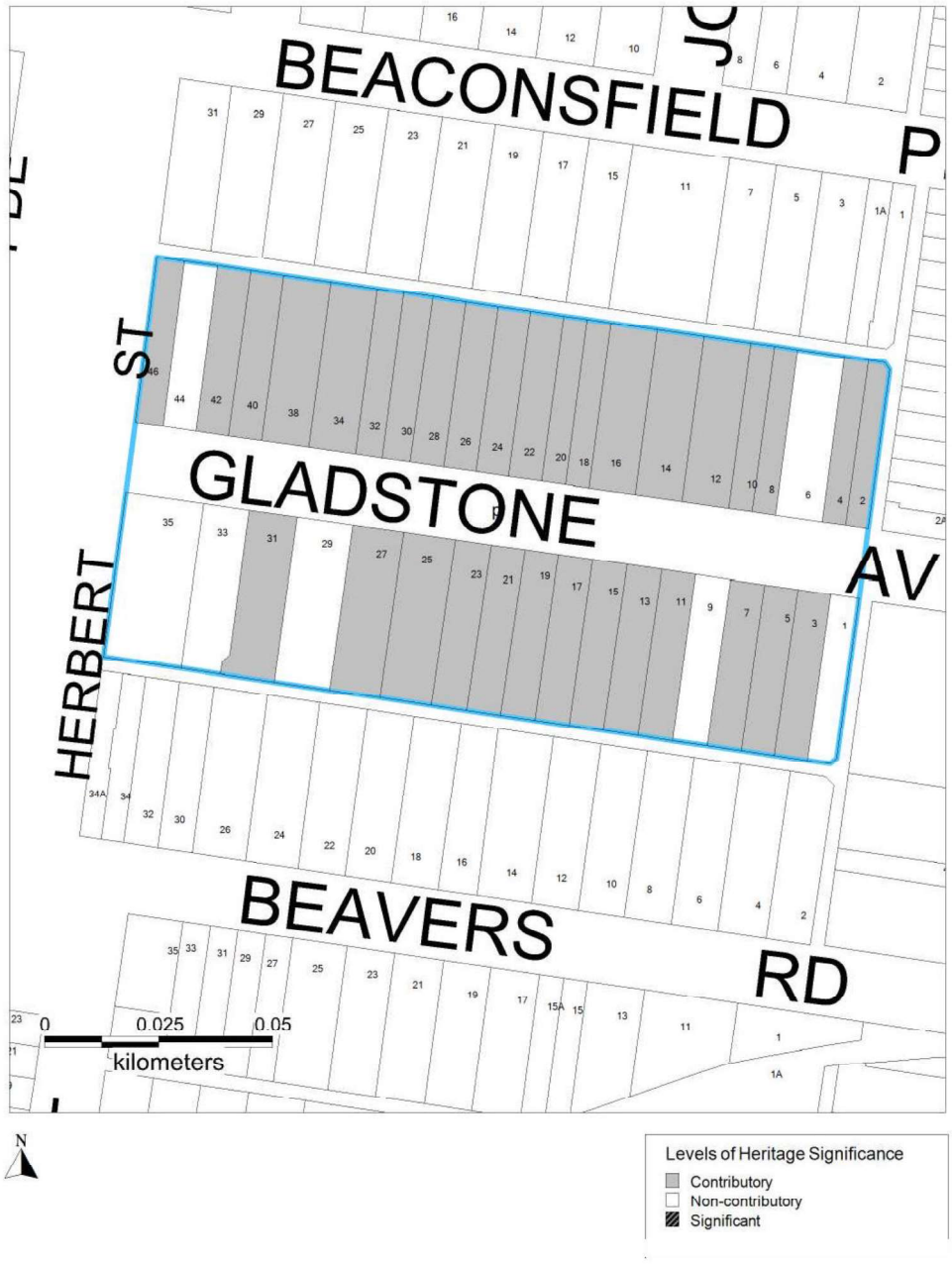
Carlisle Street Precinct, Preston



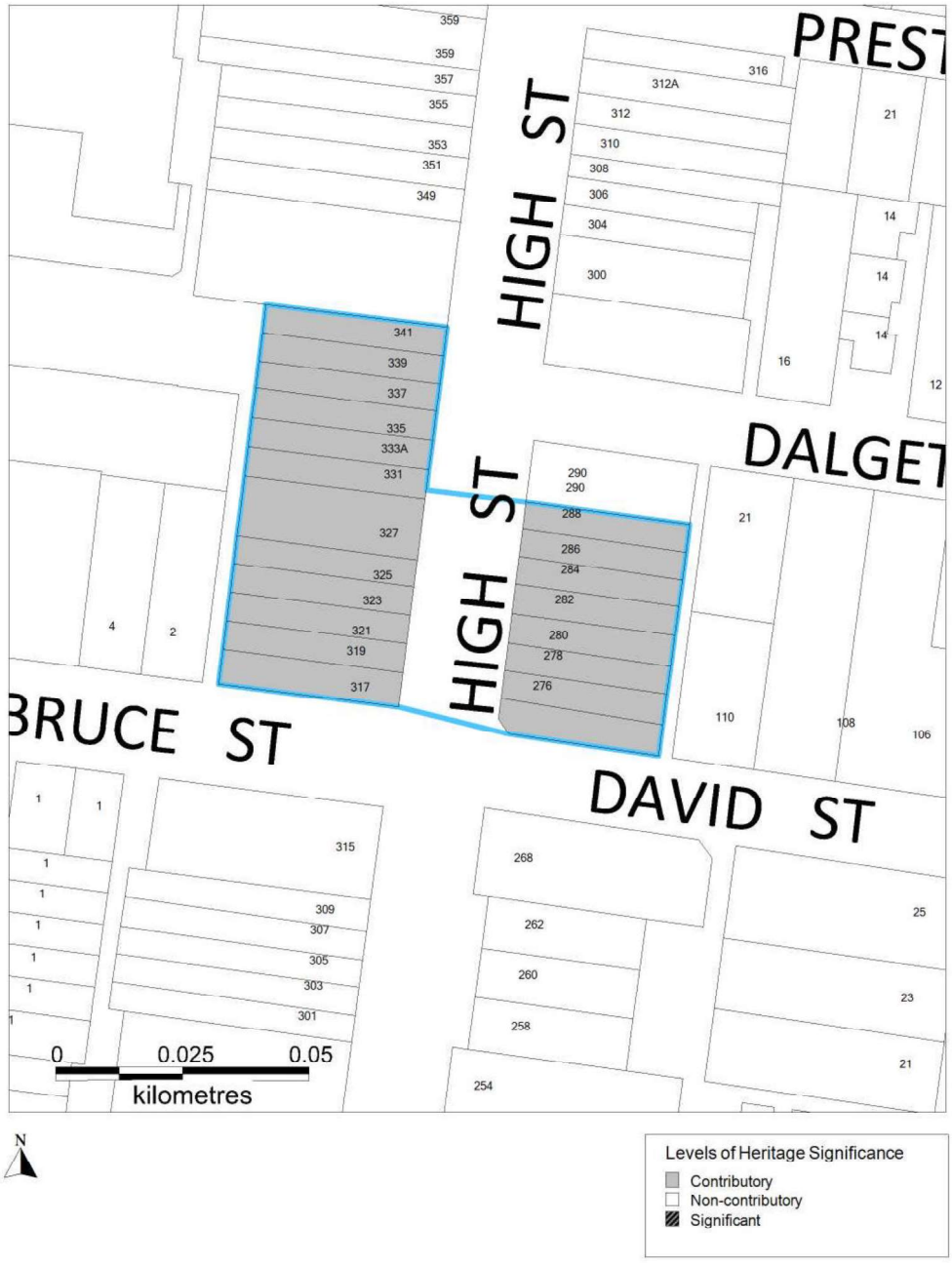
Edgar Street Precinct, Reservoir



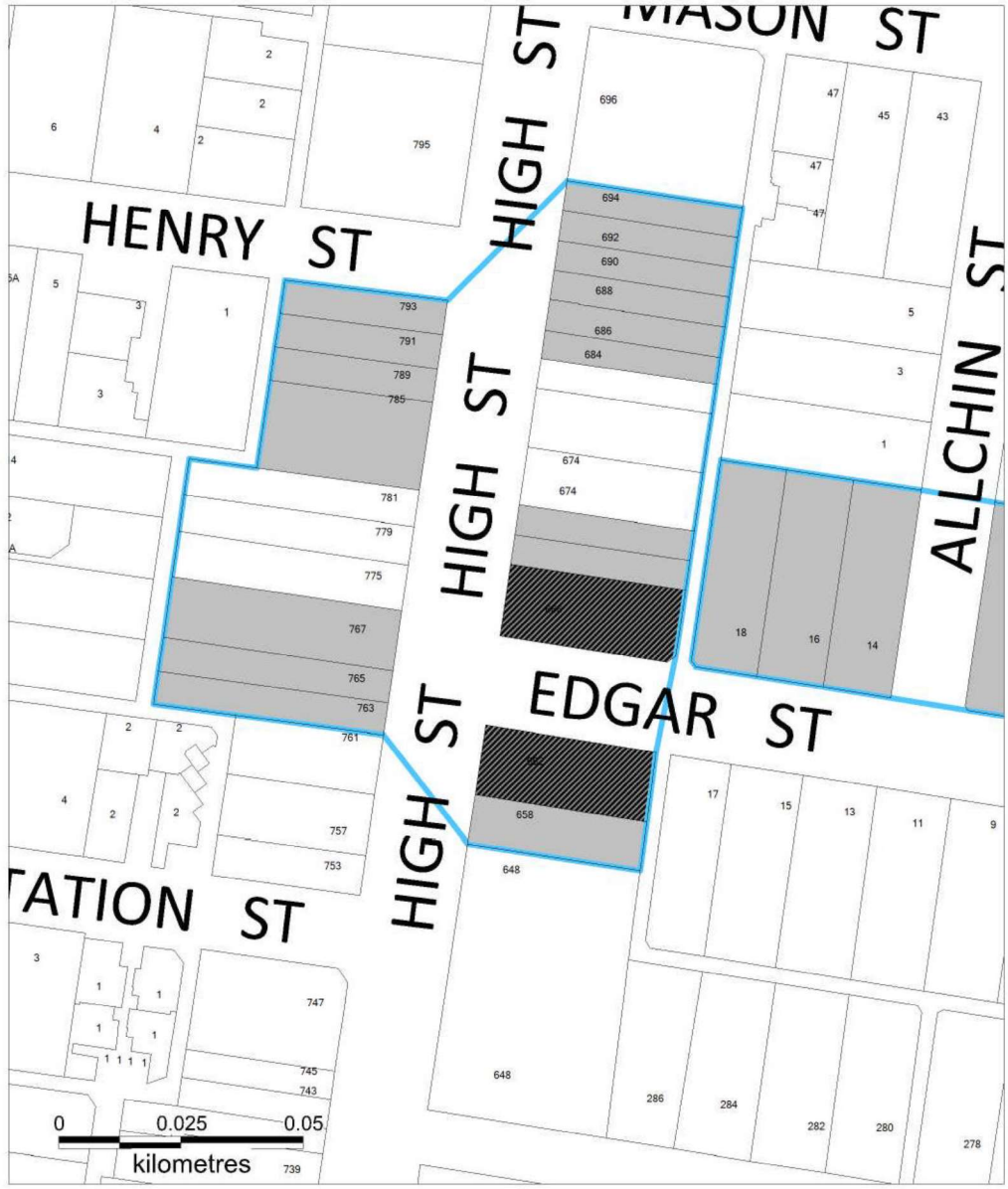
Garnet Street Precinct, Preston



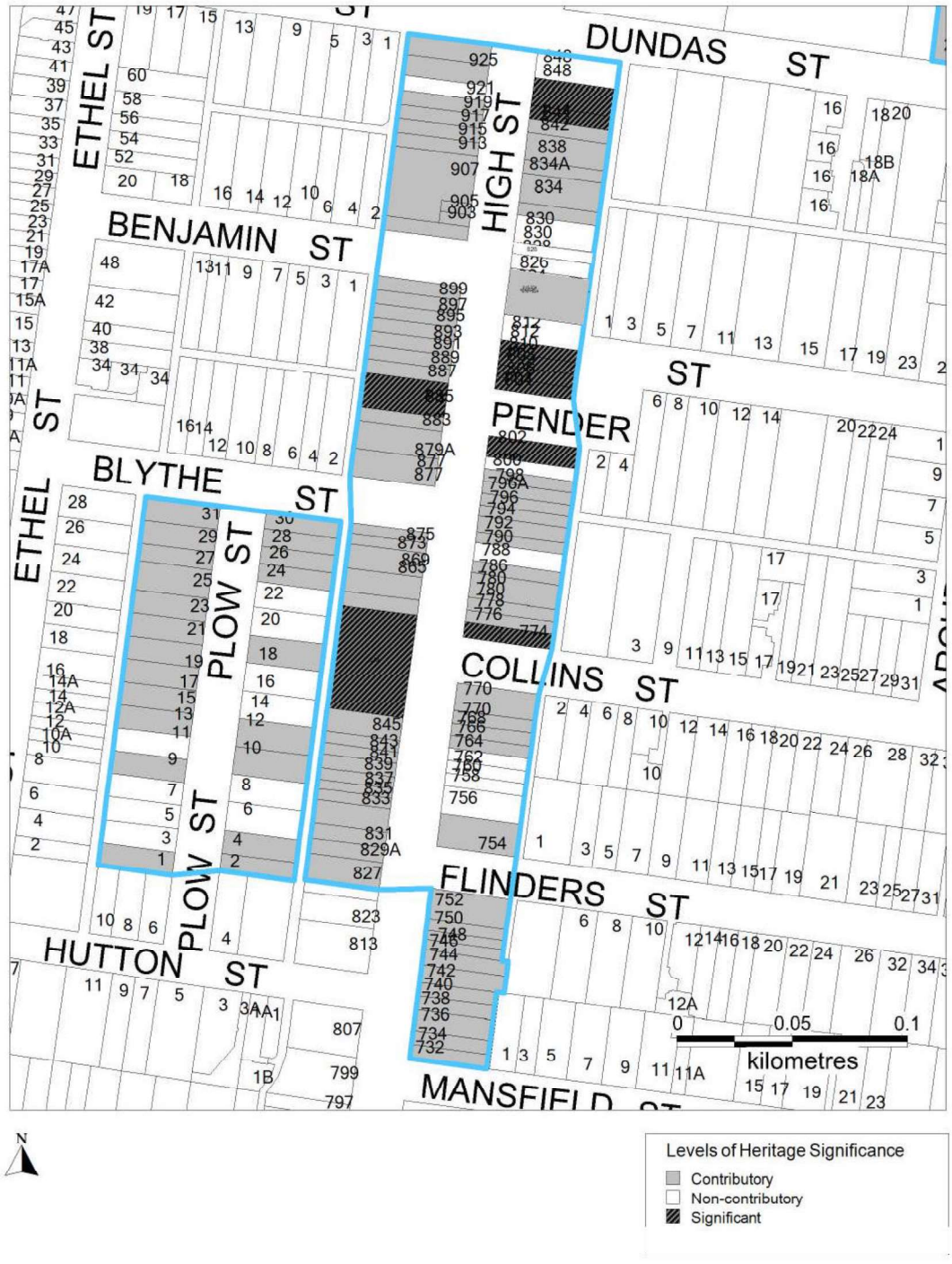
Gladstone Avenue Precinct, Northcote



High Street, Preston



High Street, Reservoir



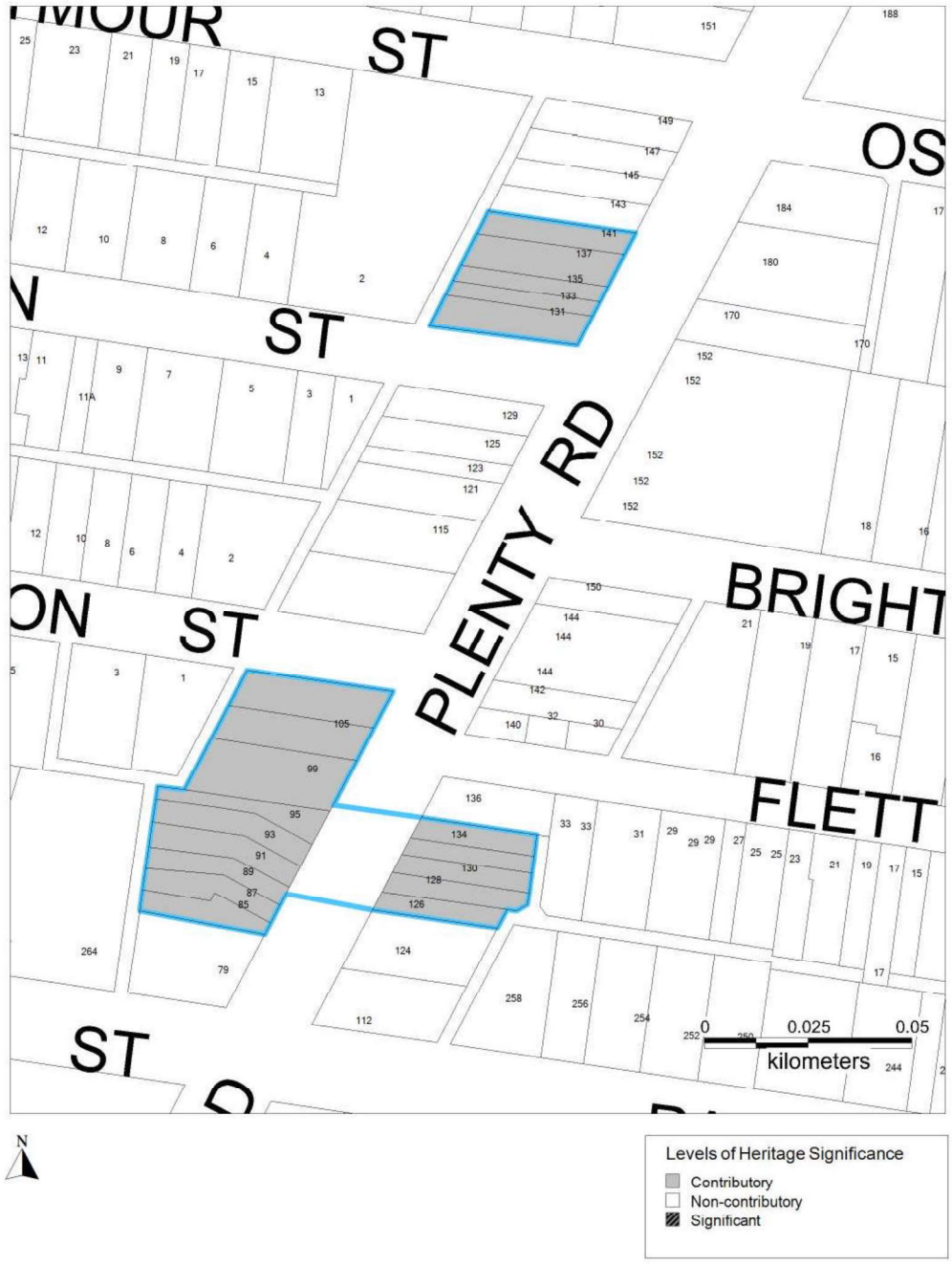
High Street, Thornbury



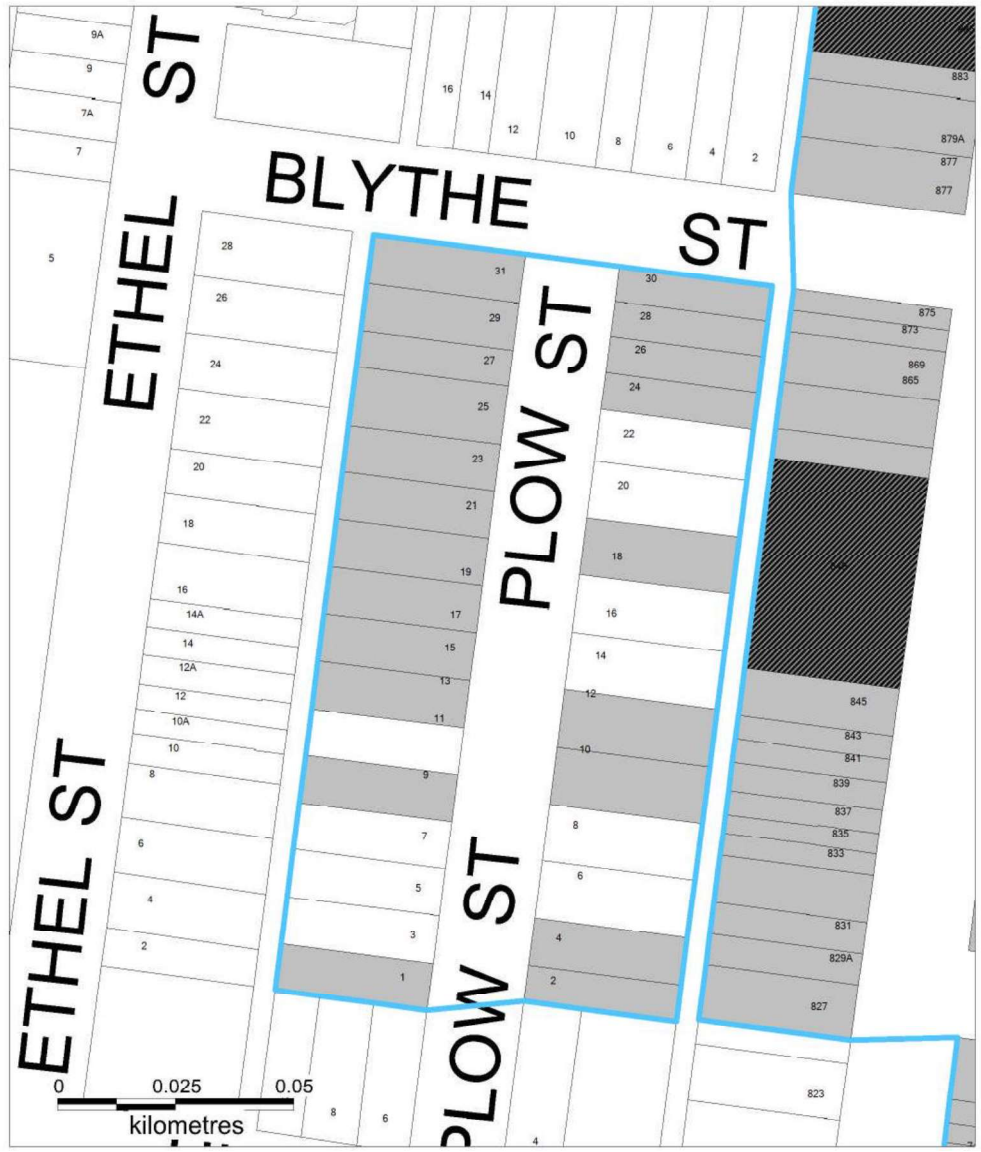
Livingstone Parade Precinct, Preston



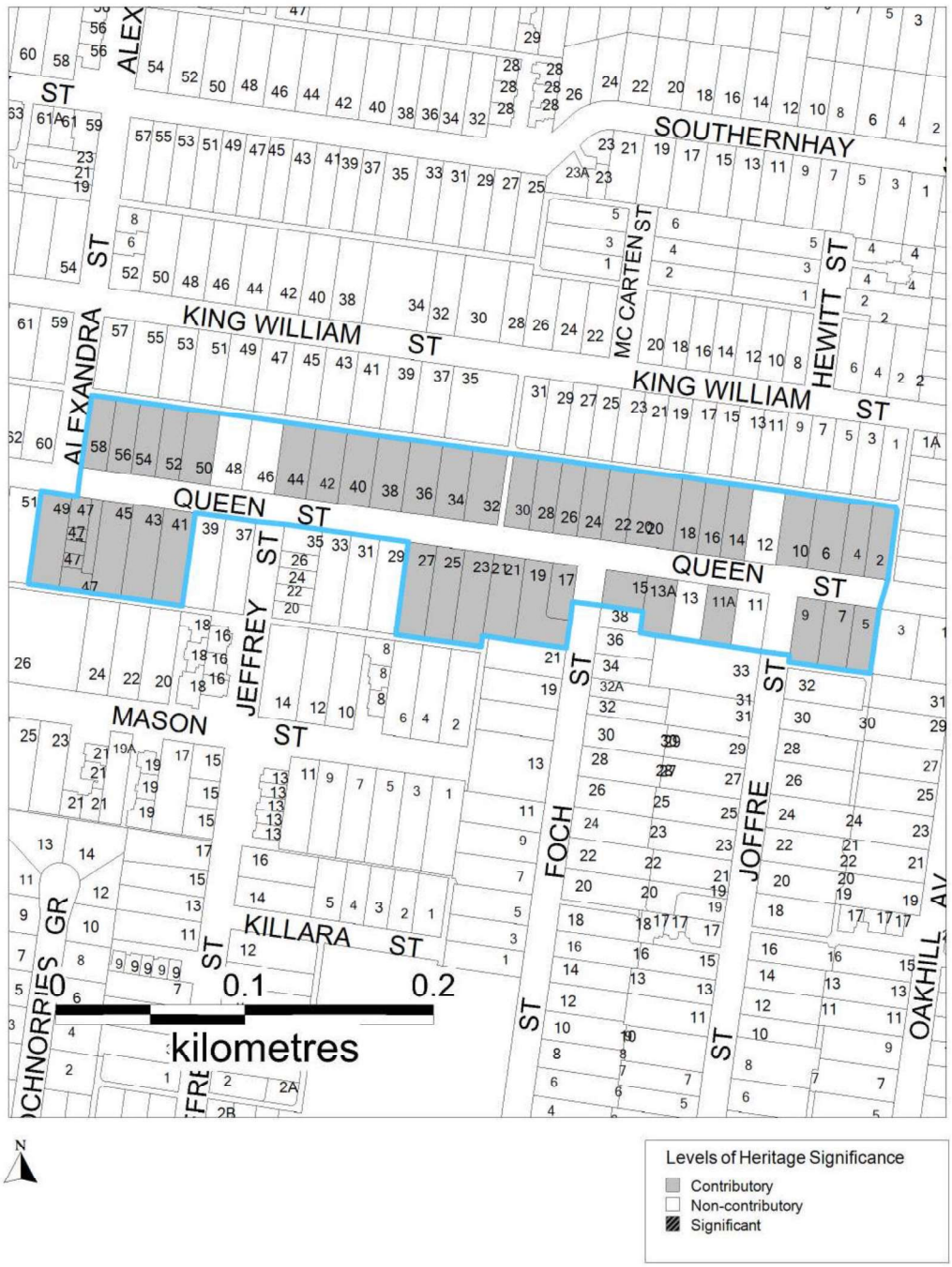
Milton Crescent Precinct & Larne Grove and Roxburgh Street Precinct, Preston



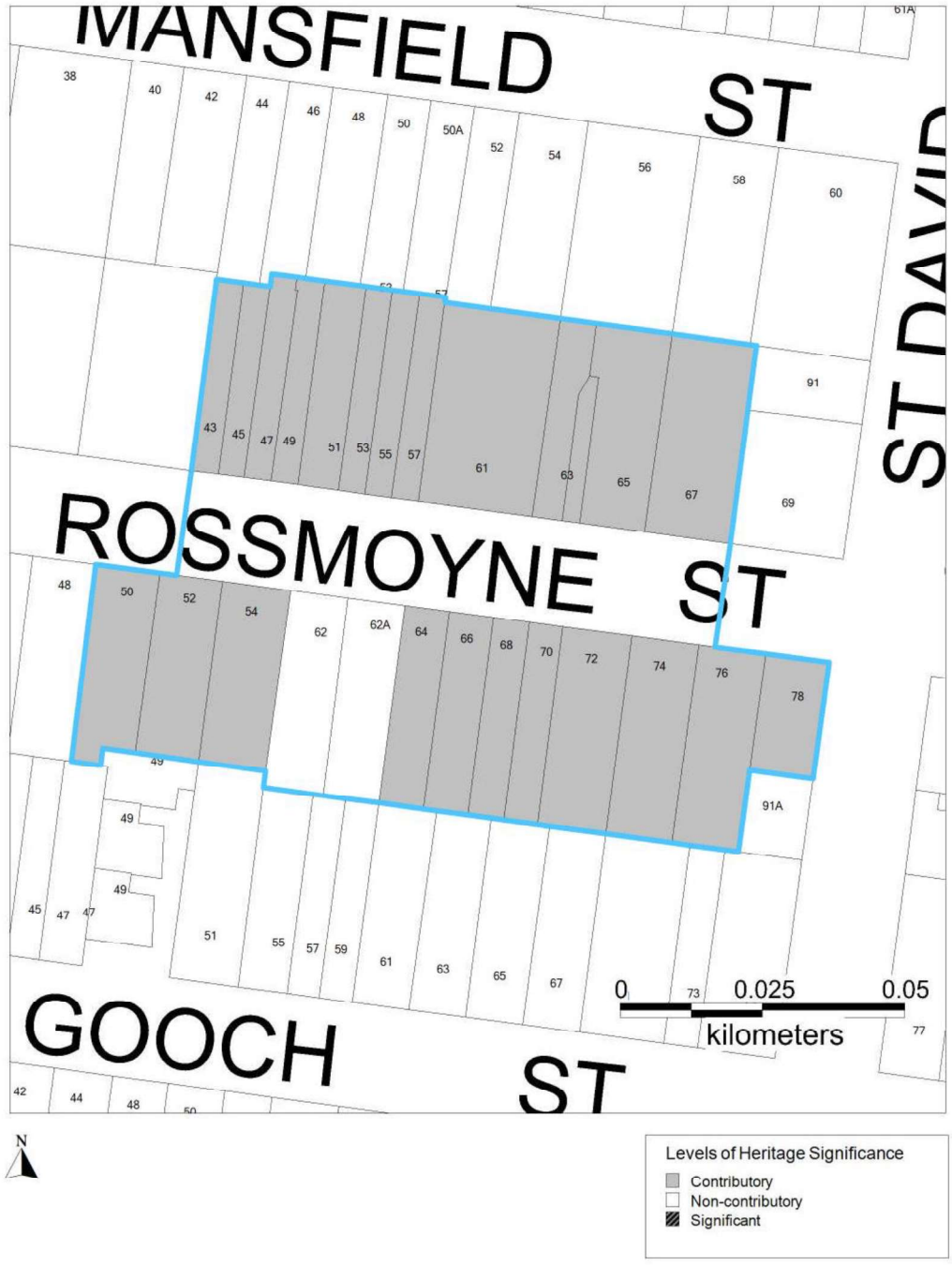
Plenty Road, Preston



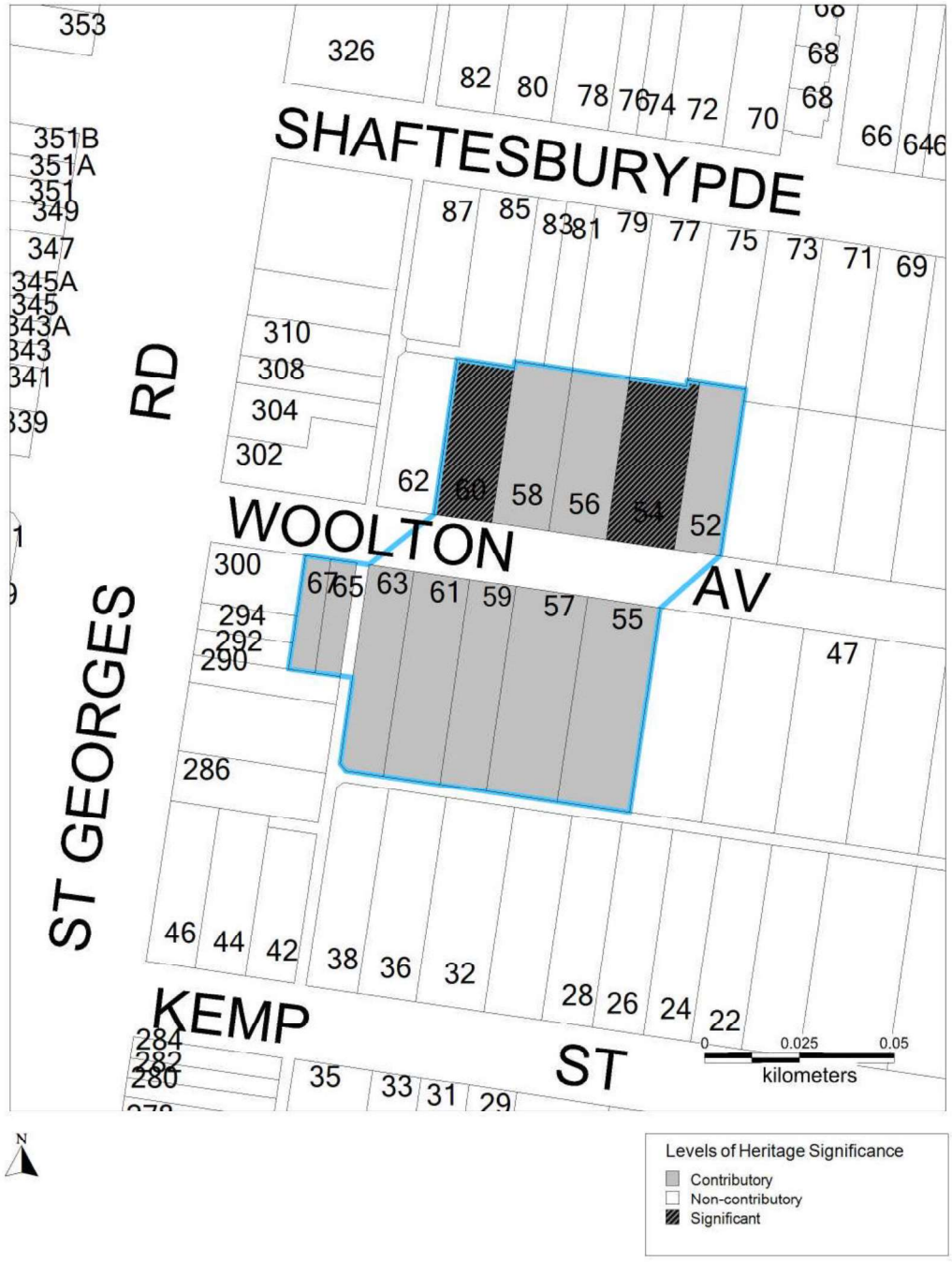
Plow Street Precinct, Thornbury



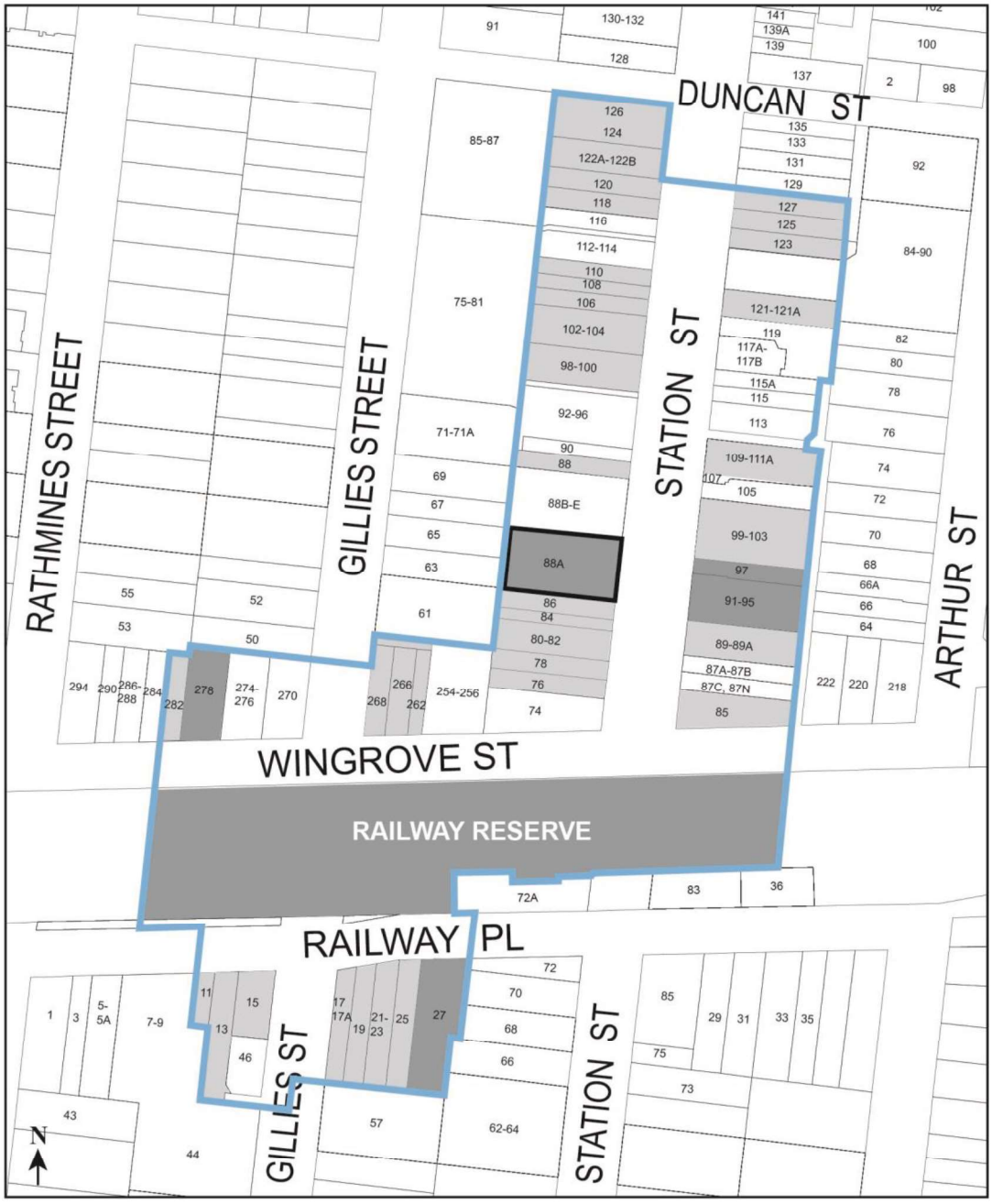
Queen Street Precinct, Reservoir



Rossmoyne Street Precinct, Thornbury



Woolton Avenue Precinct, Thornbury

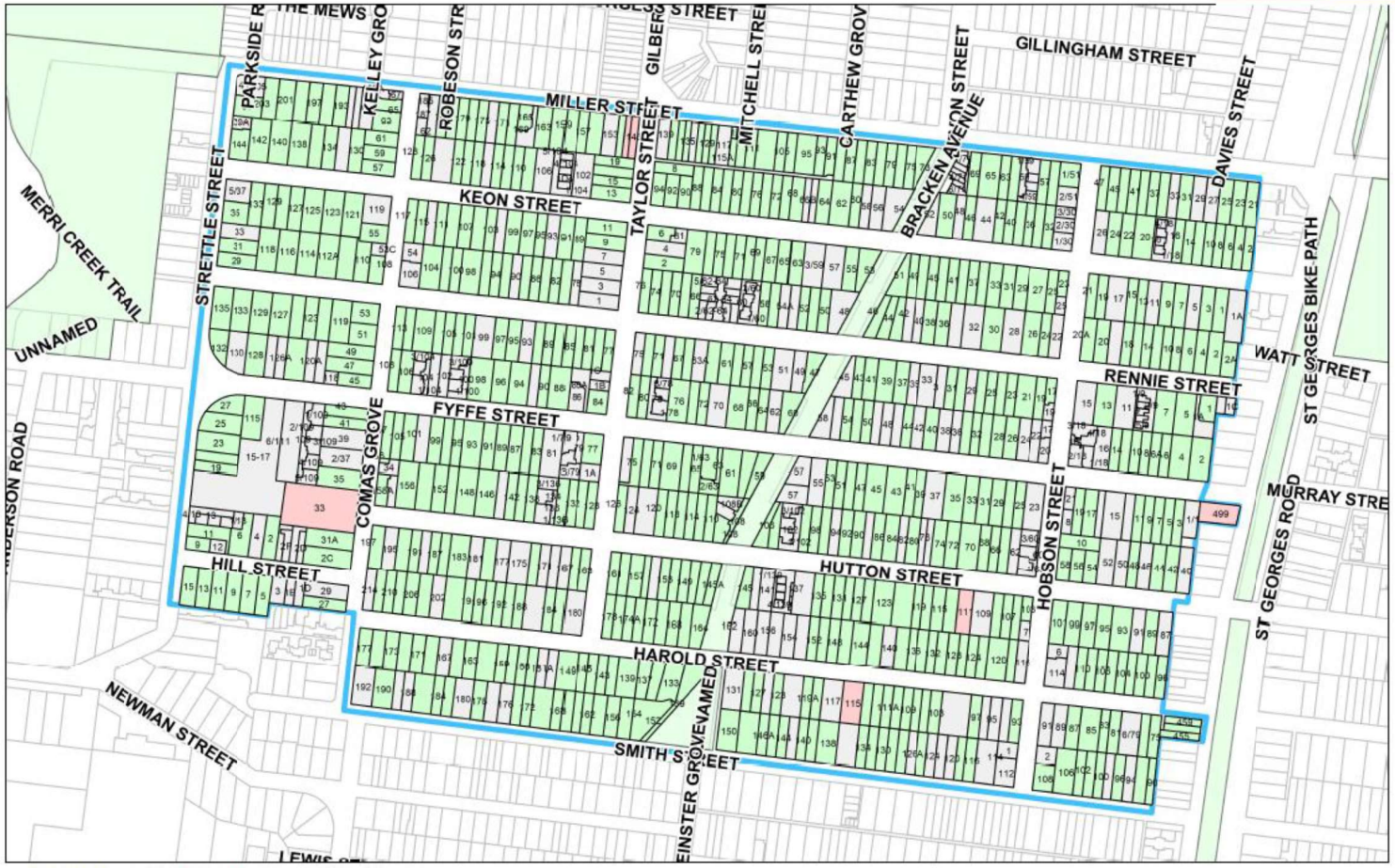


Fairfield Village Heritage Precinct, Fairfield

Thornbury Park Estate Precinct

GRADINGS MAP PLAN

Thornbury Park Estate



Levels of Heritage Significance

- Contributory
- Non Contributory
- Significant