

## Planning Application Fact Sheet

# Alterations and additions to a dwelling in the Heritage Overlay



Whether you're building a garage or a double storey extension, if your land is covered by the Heritage Overlay you will need a planning permit.

The Heritage Overlay [or HO] is intended to conserve and enhance heritage places, precincts or buildings and those elements that contribute to the natural or cultural significance of places. Its purpose is to also ensure that new development does not affect the significance of heritage places which have been deemed worthy of conservation and protection for reasons of cultural or historical significance.

This fact sheet provides information on when and how to apply for a planning permit for alterations and additions to a residential building in the Heritage Overlay.

### When do I need a planning permit under the Heritage Overlay?

Under the Heritage Overlay, you need a permit for:

- any type of demolition
- constructing additions or a new dwelling
- any type of buildings or works, including rainwater tanks, pergolas and decks
- access ramps and handrails, air conditioners, cooling or heating system, a hot water service, security systems and cameras, shade sails, a barbeque, downpipes and flues, a skylight, security screens, solar panels if they can be seen from a street (other than a lane) or public park in some cases, externally painting a dwelling and lopping of trees

A permit is not required for routine repairs and maintenance (such as replacing a rotted weatherboard) as long as the works don't change the appearance of the place, no matter how minor, and the same details, specifications and materials are used.

### What does Council take into account when making a decision on a planning application?

The Hobsons Bay Heritage Study provides a detailed and comprehensive understanding of the extent and significance of heritage places throughout Hobsons Bay.

It enables Council to make informed decisions about how our heritage is to be conserved for future generations.

The Study identifies three levels of significance – individually listed, contributory and non contributory. The level of significance makes an important contributing factor when Council is considering an application.

Some applications will trigger an assessment against Clause 54 of the Hobsons Bay Planning Scheme (ResCode). This clause covers a number of siting elements such as overlooking, overshadowing and lengths of walls on the boundary. For most sites within the Heritage Overlay in Hobsons Bay, an assessment against Clause 54 is required if the land is less than 500 square metres, however you should check with a Council planner to confirm.

# Application Checklist:

Applications for minor buildings and works in a heritage overlay may be subject to the [VicSmart application process](#). VicSmart is a streamlined assessment process for straightforward planning permit applications and provides a different set of information that is required. Please check the Council website to see if your application is eligible.

Applications should be lodged through Council's [Greenlight Portal](#), and be accompanied by an electronic copy of the following information:

- application fee: identified as Class 1-6 depending on the estimated cost of works on Council's [Schedule of Fees](#)
- a recent full copy of title (less than 90 days old) and details of any restrictive covenant. A full copy of title can be obtained from the LANDATA website, <https://www.landata.vic.gov.au/>.
- a written statement describing how the proposal is consistent with any relevant policy for housing in the State/Local Planning Policy Framework of the Hobsons Bay Planning Scheme, including:
  - the Municipal Strategic Statement
  - the Heritage Policy at [Clause 22.01](#) of the Hobsons Bay Planning Scheme
  - the [Guidelines for Alterations and Additions to Dwellings in Heritage Areas in Hobsons Bay 2006](#).
- a site plan drawn to an appropriate scale, showing:
  - the boundaries and dimensions of the site
  - the layout of the proposed building
  - setbacks from all boundaries
  - the dimensions of all rooms and the purposes for which such rooms are to be used
  - any driveway and provision for car parking
  - the location of any easements
  - provision of private open space in square metres for the dwelling
  - location of significant vegetation including all street trees
- an elevation plan showing:
  - wall and overall heights above ground level
  - specify natural ground level, finished ground level, finished floor level and total building heights measured relative to a level taken from a defined point on the footpath at the frontage of the site or in relation to Australian Height Datum (AHD) (if a new dwelling or a double storey extension)
- a schedule of all external materials and finishes showing the materials, colour and finish of all external walls, roof, fascias and window frames
- for double storey additions, a sight line diagram showing the visibility of the rear infill from the street. (see the [Guidelines for Alterations and Additions to Dwellings in Heritage Areas in Hobsons Bay 2006](#) for further details)

- photographs of the subject site and adjoining/opposite properties may be supplied

## For applications that trigger an assessment against ResCode:

- a written statement as to how the proposal complies with Clause 54 of the Hobsons Bay Planning Scheme
- if in a General Residential Zone and the lot is greater than 400 square metres, an assessment against the Minimum Garden Area requirements of the Hobsons Bay Planning Scheme, including a fully dimensioned plan clearly showing the areas used as part of the calculation in square metres
- shadow diagrams drawn to an appropriate scale showing shadows cast at **9am**, **12pm**, and **3pm** taken at the September equinox (22<sup>nd</sup>)

The diagrams must show:

- the shadow cast by all existing fences, buildings, trees and structures
- the shadow cast by the proposed development
- all adjoining properties including the location of all structures, buildings and secluded private open space areas
- the location and the shadows cast on existing rooftop solar energy facilities on dwellings on adjoining lots if they are located within a General Residential Zone

Further shadow diagrams may be required to ensure compliance with Standard A7 and Standard A14 of the Hobsons Bay Planning Scheme.

- a design response showing
  - how the design derives from and responds to the neighbourhood and site description
  - how the design meets the objectives of Clause 54 of the Hobsons Bay Planning Scheme
  - how the design responds to any neighbourhood character features for the area

Please note that applications not lodged through the Greenlight Portal must also be accompanied by a fully completed [Application for Planning Permit form](#).

Further information may be required once an initial assessment of the application has occurred.

If you would like to find out more or speak to one of Council's planners, please call 9932 1000 or email [townplanning@hobsonsbay.vic.gov.au](mailto:townplanning@hobsonsbay.vic.gov.au)