

‘Ballarat Planning Scheme Heritage Control 2004 – Incorporated Plan (revised October 2015)’

This incorporated plan applies to all land in Heritage Overlay Map References:

- HO163 ‘Lake Wendouree Heritage Precinct’,
- HO164 ‘West Ballarat Heritage Precinct’,
- HO165 ‘Victoria Park Heritage Precinct’,
- HO166 ‘Central Ballarat Heritage Precinct’,
- HO167 ‘Sturt Street Heritage Precinct’,
- HO168 ‘South Ballarat Heritage Precinct’,
- HO169 ‘Waller Estate Precinct’;
- HO170 ‘Soldiers Hill Heritage Precinct’,
- HO171 ‘Lydiard Street Heritage Precinct’,
- HO172 ‘Creeks and River Channels Heritage Precinct’,
- HO173 ‘Mount Pleasant/Golden Point Heritage Precinct’,
- HO174 ‘Black Hill Heritage Precinct’,
- HO175 ‘Humffray Street Heritage Precinct’,
- HO176 ‘Bridge Mall/Bakery Hill Heritage Precinct’,
- HO177 ‘Victoria Street Heritage Precinct’,
- HO178 ‘Ballarat East Civic Heritage Precinct’,
- HO179 ‘Eureka Street Heritage Precinct’,
- HO180 ‘Learmonth Heritage Precinct’, and
- HO181 ‘Buninyong Heritage Precinct’.

It does not apply to any other heritage place listed in the Heritage Overlay.

No Permit Required

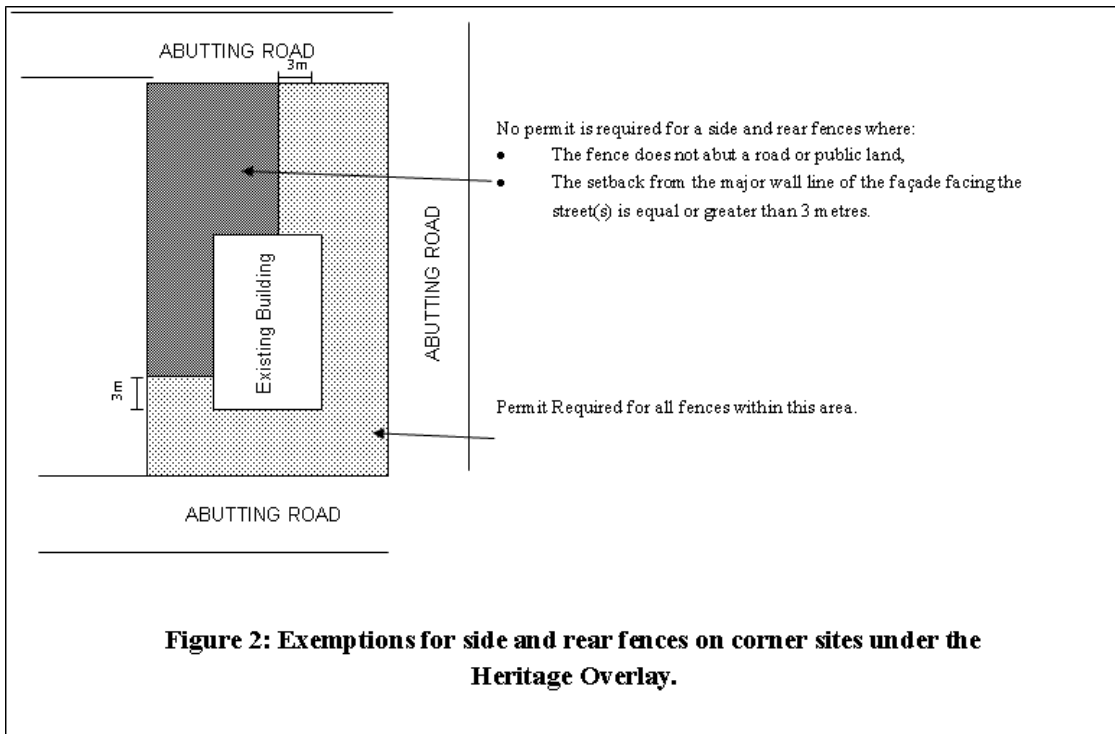
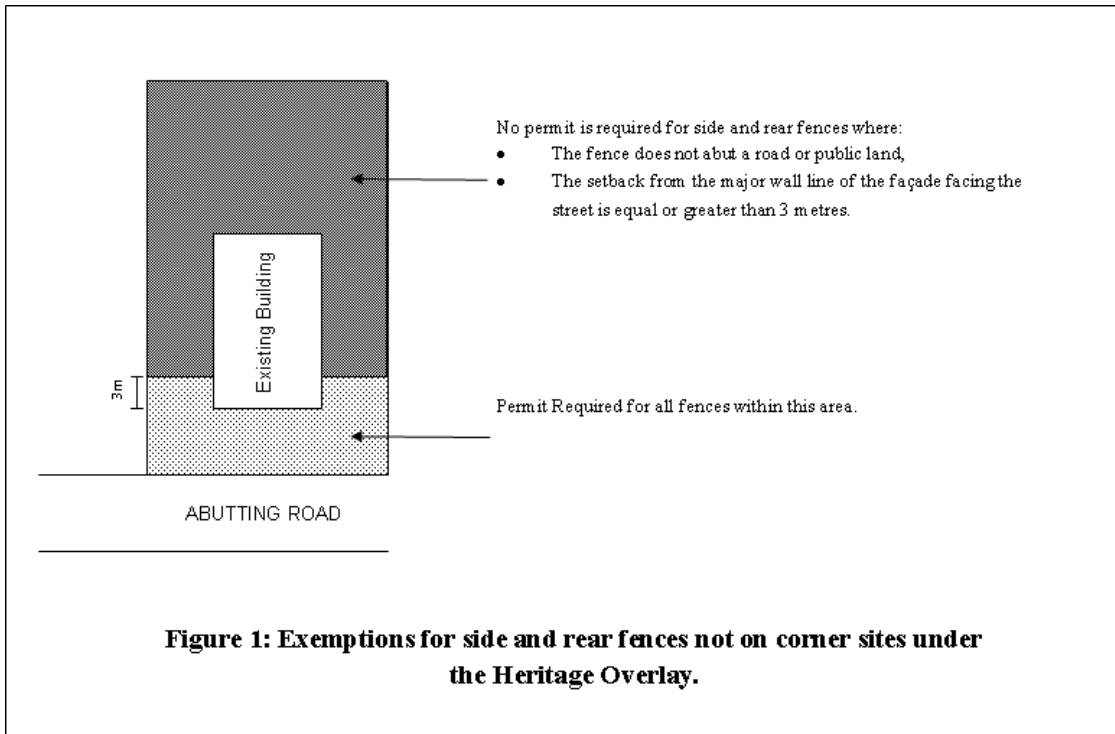
In addition to the provisions of 43.01-1 and 43.01-2, no permit is required to:

Demolition

- Demolish a building and associated outbuildings and fences within a site identified as being ‘not of heritage significance’ within the incorporated document Ballarat Heritage Precincts – Statements of Significance (2006).

Front Fences

- Construct a front fence 1.2 metres or less in height above footpath level except for the Waller Estate Precinct (HO169).



External Painting

- Externally paint a building* that:

- is located within that part of the Buninyong Heritage Precinct (HO181) identified within Map 1 to this incorporated plan.

*This plan does not exempt the need for a permit to paint an unpainted surface or to externally paint a building if the painting constitutes an advertisement.

Removal, lopping or pruning of trees

- Remove, lop or prune a tree in the following precincts with the exception of the following trees:

HO164 'West Ballarat Heritage Precinct'

Street trees of the following commonly named species:

Location	Tree Species
No specific location	Dutch Elm (<i>Ulmus x hollandica</i>)
No specific location	Silver Poplar (<i>Populus alba</i>)
No specific location	Lombardy Poplar
No specific location	Ash varieties
No specific location	Maple varieties
Alfred Street North - within the gravel shoulders on west side	Elms
Alfred Street South	Mature and juvenile Oak trees
Carlton Street - in grass/gravel shoulders on both sides	Mature trees and Oaks
City Oval - east, south and west sides	Mature trees including London Plane (<i>Platanus acrifolius</i>), English Oak (<i>Quercus robur</i>) Dutch, Elm (<i>Ulmus x hollandica</i>)
Crocker Street - in grass/gravel shoulders on both sides	Variety of semi mature trees including Oak, Plane, Maple, Ash, Elm
Eyre Street – both sides within the grass/gravel shoulders and later formed nature strips	Mature trees and Elms
Pleasant Street South - within grass/gravel shoulders of both sides	Plane
Russell Street - within road shoulders of on north east side	Oak

Privately owned trees of the following species:

- Canary Island Palms in private gardens in Balaclava Street.

HO166 'Central Ballarat Heritage Precinct',

Street trees of the following commonly named species:

Location	Tree Species
Frank Street	Mature Elm, Oak and Plane trees
Gnarr Street	Mature Elm, Oak and Plane trees
Johnson Street	Mature Elm, Oak and Plane trees
Mair Street – west end	Mature Elm, Oak and Plane trees
Mair Street –north side west of Ripon Street	Mature conifers
Mill Street (to east of Drummond Street)	Mature Elm, Oak and Plane trees
Pleasant Street North – north section	Mature Elm, Oak and Plane trees
Webster Street	Mature Elm, Oak and Plane trees

HO167 ‘Sturt Street Heritage Precinct’

Street trees of the following commonly named species:

Location	Tree Species
Sturt Street	Mature Plane, Ash, Chestnut, and Oak species trees

HO168 ‘South Ballarat Heritage Precinct’

Street trees of the following commonly named species:

Location	Tree Species
No specific location	Mature Elm, Oak and Plane species trees
Skipton Street, Lyons Street South and Dawson Street South. (triangulated open space formed at the intersections of these streets)	Mature trees
Urquhart Street and Ripon Street South (South west corner)	Deodar Cedars (Cedurs deodar)
Western Oval Reserve	Mature pines and rows of mature elm

HO169 ‘Waller Estate Precinct’

Street trees of the following commonly named species:

Location	Tree Species
No specific location	Mature Elm, Plane, Ash and Silver Birch

	species trees
West end Muir Crescent – both sides	Silver Birch trees

HO170 ‘Soldiers Hill Heritage Precinct’

Street trees of the following commonly named species:

Location	Tree Species
Armstrong Street North (between Macarthur and Howard Streets)	Mature and semi mature trees including Elm, Oak and Plane species
Clarendon Street	Mature and semi mature trees including Elm, Oak and Plane species
Clissold Street (between Peel and Nicholson Streets),	Mature and semi mature trees including Elm, Oak and Plane species
Clyde Street	Mature and semi mature trees including Elm, Oak and Plane species
Crompton Street (between Howard and Brougham Streets)	Mature and semi mature trees including Elm, Oak and Plane species
Doveton Crescent,	Mature and semi mature trees including Elm, Oak and Plane species
Howard Street (west of intersection of Lydiard Street North) – within road shoulder	Mature native trees – predominantly Eucalypt species
Ligar Street (east side), north of its intersection with Seymour Street and Seymour Crescent	Mature conifers
Ligar Street, between Brougham and Howard Streets – within the central median strip	Semi-mature oak trees
Lydiard Street North (particularly between Macarthur and Brougham Streets)	Mature and semi mature trees including Elm, Oak and Plane species
Macarthur Street (between the railway line and Doveton Street North).	Mature and semi mature trees including Elm, Oak and Plane species
Neill Street (particularly between Clarendon and Macarthur Streets)	Mature and semi mature trees including Elm, Oak and Plane species
Peel Street – within nature strips	Native trees
Seymour Street (between Lydiard Street North and Neill Street)	Mature and semi mature trees including Elm, Oak and Plane species

Privately owned street trees of the following species:

- Two hoop Pines (*Araucaria cunninghamii*) at 16 Seymour Crescent.

- Weeping Elm (*Ulmus glabra* 'Camperdownii') at 108 Clarendon Street.

HO171 'Lydiard Street Heritage Precinct'

Street trees of the following commonly named species:

Location	Tree Species
Albert and Dana Street road reserve	Mature and young Elm trees
Camp Street – north section	Mature Elm trees
Doveton Street north near corner of Market Street	Mature deciduous trees
Shoppee Square, Sturt Street	Oak and Cedar species
Sturt Street – within centre median	Mature trees

HO173 Mount Pleasant/Golden Point Heritage Precinct'

Street trees of the following commonly named species:

Location	Tree Species
No specific location	Mature Elm and Plane trees
Steinfeld Street South – beside the Canadian Creek channel	Mature Elm and Plane trees

HO175 'Humffray Street Heritage Precinct'

Street trees of the following commonly named species:

Location	Tree Species
No specific location	Mature Elm, Plane and Ash trees
Eastern Oval – north, east and south perimeter	Mature elm and plane trees
Eastern Oval (north east of the grandstand)	Mature Dutch Elm (<i>Ulmus x hollandica</i>) known as the W G Grace Tree
Princes Street – nature strip on east side between Humffray Street north and Morres Street	Mature Elm and Plane trees
Scotts Parade - alongside from west side of Stawell Street towards Rice Street	Semi mature Elms
Scotts Parade - between King Street and Princes Street	Mature trees including Elms
Scotts Parade – between Queen Street and King Street	Ash trees

Scotts Parade – east of Queen Street	Mature elms
Scotts Parade – south side	Mature trees and in particular the Tasmanian Blue Gum (Eucalyptus globulus subsp. Globulus)
Scotts Parade – within reserve on located alongside the railway line between Queen and King Streets	Mature pines including Monterey Pines (Pinus radiata) and Corsican Pines (Pinus nigra var. Corsicana)
Scotts Parade (Reserve opposite 119 Scotts Parade)	largest specimen of Corsican Pines (Pinus nigra var. Corsicana)
Yarrowee Channel (along)	Mature Elms and Eucalypt trees

HO176 ‘Bridge Mall/Bakery Hill Heritage Precinct’

Privately owned trees of the following commonly named species:

- Single mature Elm Tree adjacent to the dwelling at the rear of St Paul’s Anglican Church, Humffray Street South.

HO177 ‘Victoria Street Heritage Precinct’

Street trees of the following commonly named species:

Location	Tree Species
No specific location	Mature trees English Oaks, Plane, Elm, Pin Oaks Claret Ash and other Ash varieties
Corbett Street - within the shoulders	Semi mature Ash trees
Dyte Parade - within grassed land between Dyte Parade and the railway line	Mature Oaks and native trees
East Street North – west side	Varieties of ornamental plum or pear species trees
Glazebrook Street – in the embankments north side between Queen, Otway and King Streets	Mature native trees, particularly mealeuca and eucalypt species
King Street North – east side within the shoulders	Semi mature Ash trees
King Street south – within grass/gravel shoulder east side (south of Hopetoun Street)	Mature trees, particularly Oaks
Mackenzie Reserve	Mature Lombardy Poplars, Plane tree and Ash trees
Oliver Street – within the grass/gravel shoulders	Semi mature Oak trees

Otway Street South - within the grass/gravel shoulders	Semi mature Oak and Elm trees
Pearse Street – within reserve adjacent to Pearse Street	Mature Tasmanian Blue Gum (Eucalyptus globulus subsp. Globulus)
Princes Street North – both sides	Mature and young Plane and Elm trees
Queen Street boundary of the former Ballarat east Primary School No. 1998	Mature Oak trees
Queen Street South - within the grass/gravel shoulders	Semi mature Oak and Elm trees
Rodier Street - within the grass/gravel shoulders	Semi mature Oak and Elm trees
Stawell Street South – east side within the grass/gravel shoulders	Mature trees, particularly Oaks
Trevor Street - nature strip of	Mature native trees, particularly mealeuca and eucalypt species
Victoria Street – adjacent to St Alipius Church.	Mature Maple and Conifer
Victoria Street - between East and Humffray Street	Mature English oaks
Victoria Street – between East Street and Princes Street	Mature English oaks
Victoria Street - between Princes Street and the bridge to the former Buninyong railway line.	Mature Plane, Elm and Pin Oak trees
Victoria Street – median strip between Princes Street and the bridge.	Semi mature Claret Ash, other Ash varieties, liquid ambers, Red Flowering Gums, Horse Chestnuts, ornamental Plums and Box Elders
Victoria Street – within grassed area between the railway reserve and Victoria Street near the divergence of Victoria Street.	Mature eucalyptus species

Privately owned trees of the following species:

- Mature Elm trees and Magnolia tree in the grounds of the former Ballarat Orphanage, 200 Victoria Street
- Mature Ash tree in front of the former Convent of the Sisters of Mercy

HO178 ‘Ballarat East Civic Heritage Precinct’

Privately owned trees of the following species:

- Mature Canary Island Pine associated with the Synagogue at 4 Barkly Street

- Mature Spanish Fir, Cedars and Oaks that remain as part of the former Ballarat East Town Hall gardens.

HO179 ‘Eureka Street Heritage Precinct’

Street trees of the following commonly named species:

Location	Tree Species
Bedford Street – west side	Semi mature Elm and Ash trees
Britannia Reserve (perimeter)	Mature exotic trees, predominantly Elm trees
George Street - south side within the grass/gravel shoulder	Mature Oak and Ash trees
Joseph Street – east side within the grass/gravel shoulders	Mature oak trees
King Street North – east side within the shoulder near the Specimen Vale channel	Mature Oak
Otway Street – both sides within shoulders	Oak trees
Queen Street South – both sides within nature strips	Semi mature Oak trees

HO180 ‘Learmonth Heritage Precinct’

Street trees of the following commonly named species:

Location	Tree Species
No specific location	Mature deciduous Elms, Plane and Oak trees
Learmonth Avenue of Honour, Sunraysia Highway – eastern approach to Learmonth township commencing at Queen Street and ends at the town signs at the Eastern end of Learmonth.	
ANA Avenue of Cypress trees along the Sunraysia Highway on the north western approach to town and the Redwood tree at the southern end of the Avenue.	Cypress and Redwood trees.

Privately owned trees of the following species:

- Monterey Cypress trees in the grounds of the All Saints Church of England.

HO181 'Buninyong Heritage Precinct'

Street trees of the following commonly named species:

Location	Tree Species
No specific location	Mature Elms, Oak and Ash trees
Learmonth Street – Avenue of Honour - west of Warrenheip Street, toward the golf course	Mature Silver Poplars, Oaks and Elms
Inglis Street – west side adjacent to the Uniting Church.	Mature Elms
Learmonth Street - east of Warrenheip Street between the service lanes and the main road within the grassed median strips	Mature oak trees
Learmonth Street – in front of former Shire Office and Court House	Mature Elms

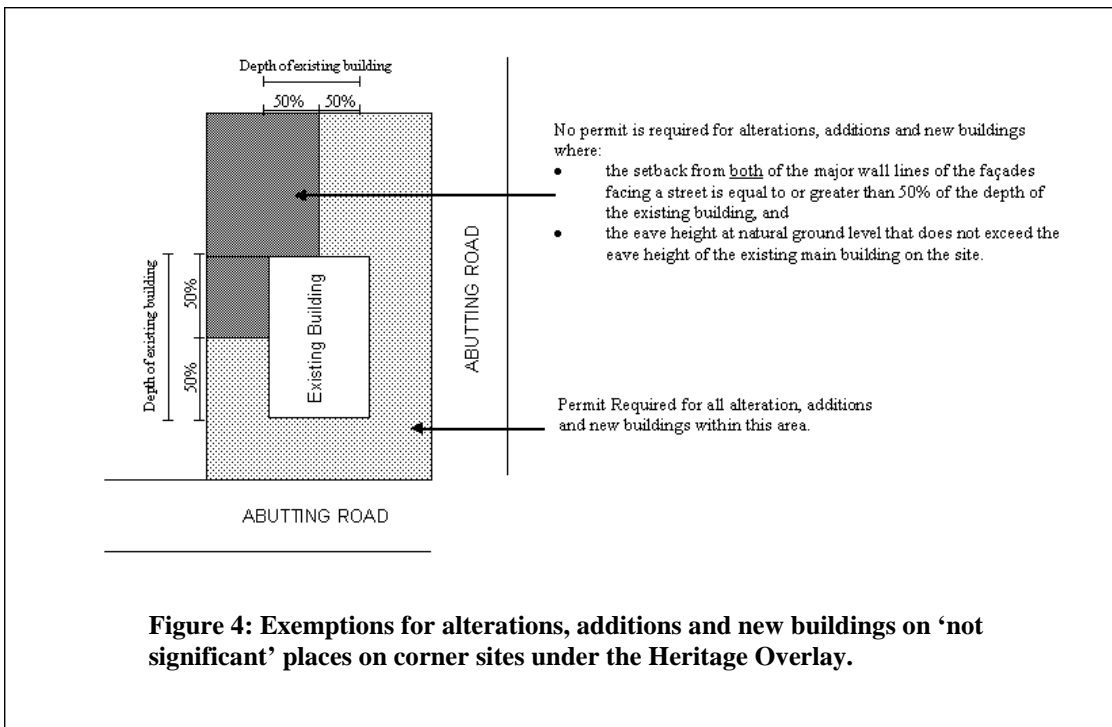
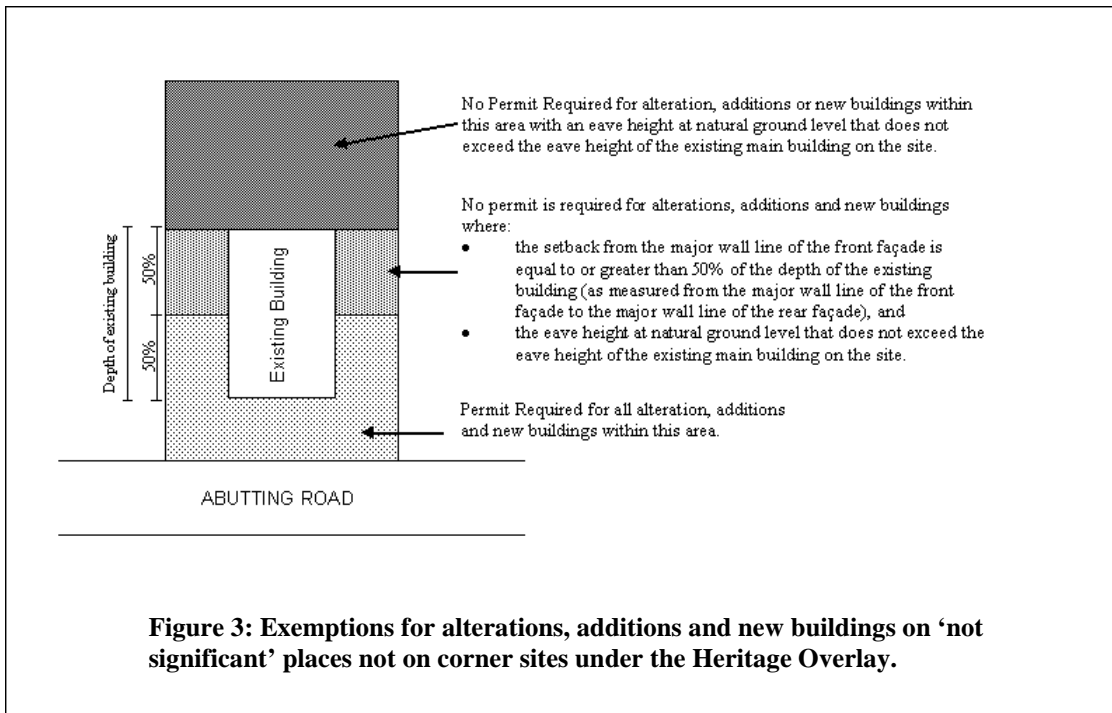
Privately owned trees of the following species:

- Mature Bunya Pine in the front garden of 'Netherby' at 606 Warrenheip Street.

Alterations, Additions and New Buildings on 'Not Significant' Places

- *Alterations* to the rear façade of the building or to those parts of the side facades which are a distance from the major wall line of the front façade which is equal to or greater than 50% of the depth of the existing building (see figures 3 and 4);
- *Additions* to the building which project beyond the major wall line of the rear façade of the building and which have an eave height no greater than the eave height of the existing building and/or which are set back from the major wall line of the front façade a distance that is equal to or greater than 50% of the depth of the existing building and which have an eave height no greater than the eave height of the existing building (see figures 3 and 4);
- *New buildings* setback beyond the major wall line of the rear façade of the building and which have an eave height no greater than the eave height of the existing building and/or which are set back from the major wall line of the front façade a distance that is equal to or greater than 50% of the depth of the existing building and which have an eave height no greater than the eave height of the existing building (see figures 3 and 4);

An abutting road shown in Figure 4 is also considered as a laneway.



New Outbuildings (carports/garages/sheds) on 'Significant' Places

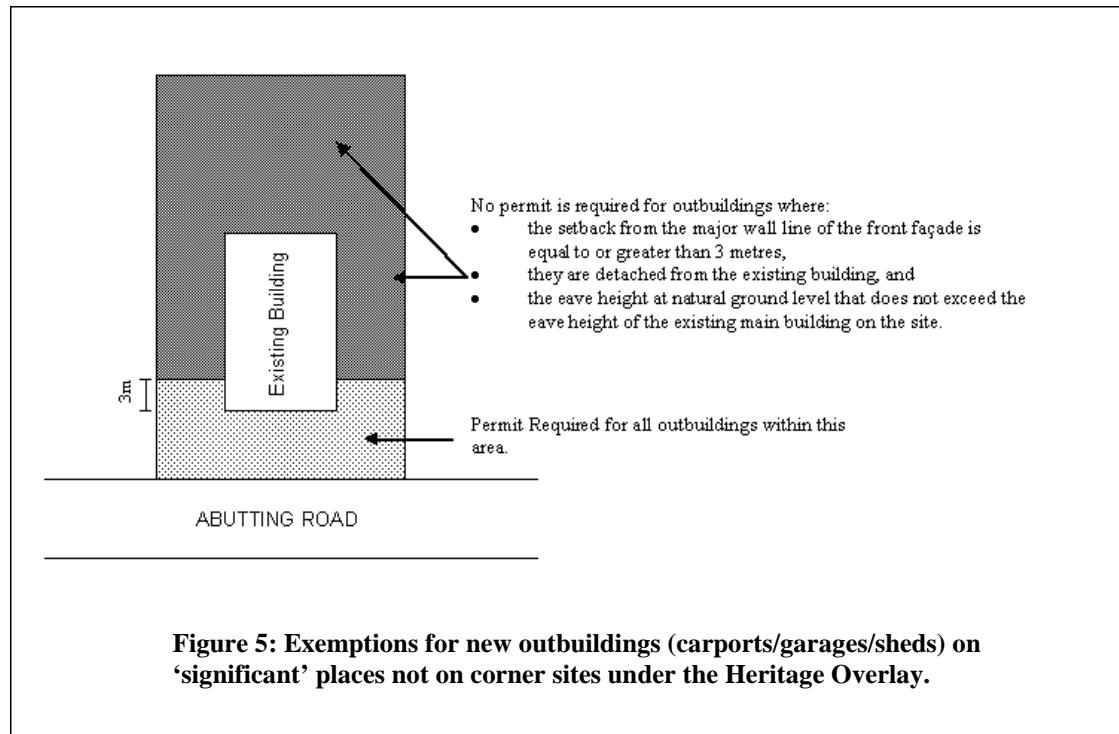
This exemption applies to all precincts with the exception of the Waller Estate Heritage Precinct (Ho169).

- Construct new *Outbuildings* where:

- the setback from the major wall line of the front façade is equal to or greater than 3 metres; and
- they are detached from the existing building; and
- the eave height at natural ground level does not exceed the eave height of the existing building on the site (see figures 5 and 6).

These provisions also apply to ‘significant places’ abutting a rear laneway.

An abutting road shown in Figure 6 is also considered as a laneway.



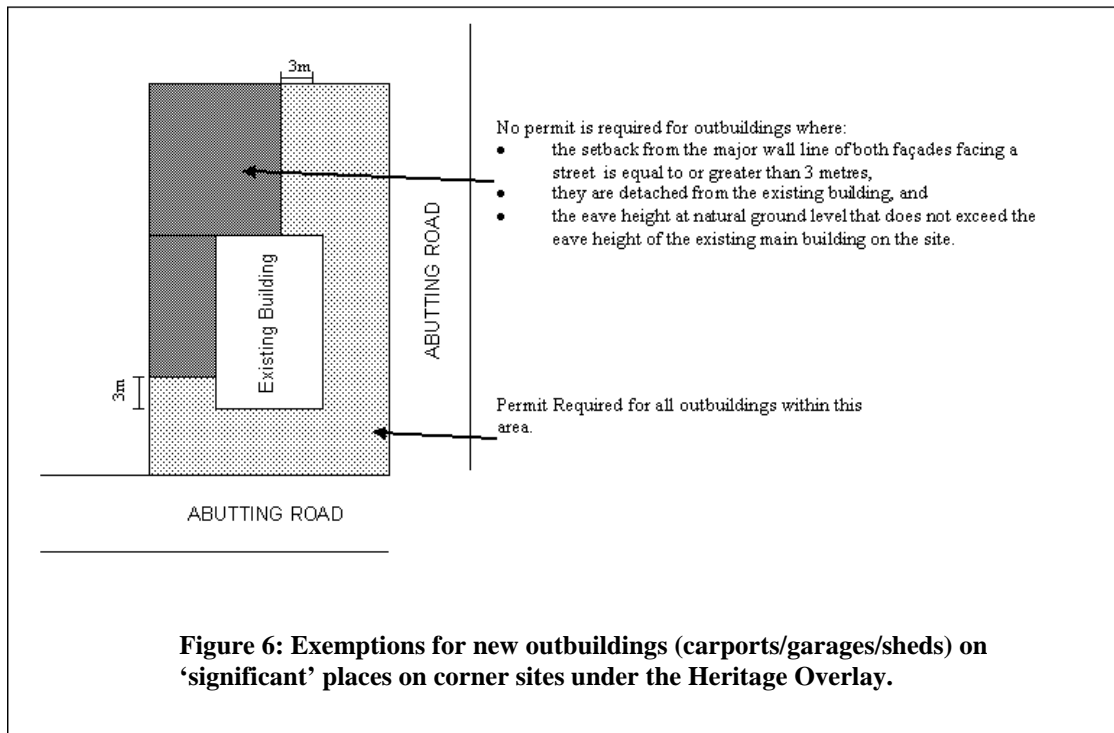


Figure 6: Exemptions for new outbuildings (carports/garages/sheds) on ‘significant’ places on corner sites under the Heritage Overlay.

Minor Development to ‘Significant’ Places

- Construct *Minor development** located beyond the major wall line of the rear façade of the building (see figures 7 and 8).

**Minor Development* includes development that does not require approval under the Building Regulations and where the eave height at natural ground level that does not exceed the eave height of the existing main building on the site; or

Any of the following:

- pergola,
- verandah,
- deck
- water tank and associated structures.
- domestic plant and services, eg. hot water service, air conditioner; with an eave height at natural ground level that does not exceed the eave height of the existing main building on the site.

These provisions also apply to ‘significant places’ abutting a rear laneway.

An abutting road shown in Figure 8 is also considered as a laneway.

***Minor development** includes development that:

- (a) does not require approval under the Building Regulations and where the eave height at natural ground level that does not exceed the eave height of the existing main building on the site; or
- (b) Any of the following:
 - pergola,
 - verandah,
 - deck
 - water tank and associated structures.
 - domestic plant and services, eg hot water service, air conditioner;
 with an eave height at natural ground level that does not exceed the eave height of the existing main building on the site.

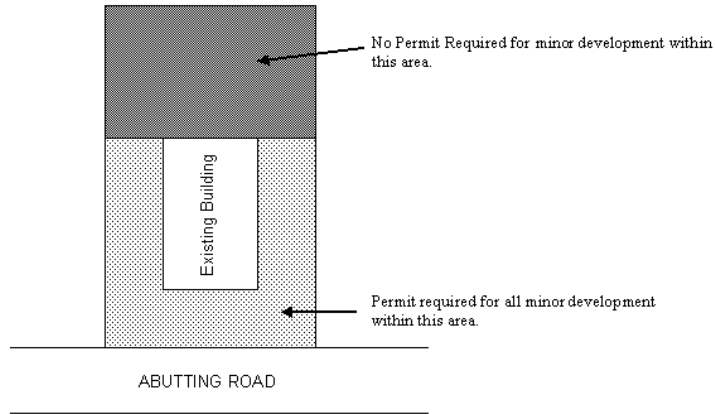


Figure 7: Exemptions for minor development* to ‘significant’ places not on corner sites under the Heritage Overlay.

***Minor development** includes development that:

- (a) does not require approval under the Building Regulations and where the eave height at natural ground level that does not exceed the eave height of the existing main building on the site; or
- (b) Any of the following:
 - pergola,
 - verandah,
 - deck
 - water tank and associated structures.
 - domestic plant and services, eg hot water service, air conditioner;
 with an eave height at natural ground level that does not exceed the eave height of the existing main building on the site.

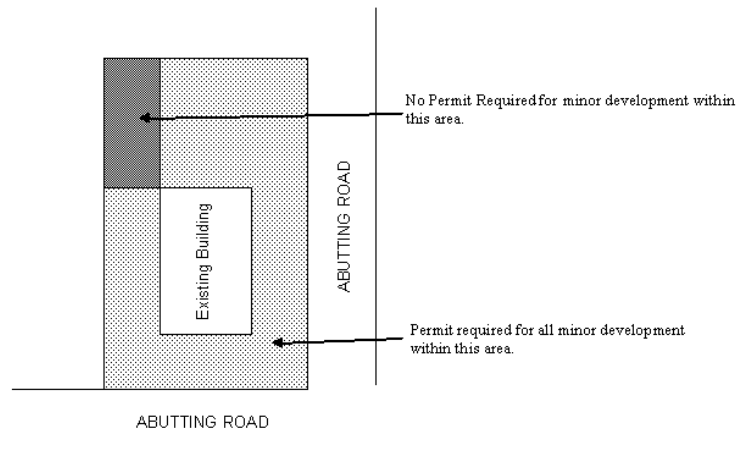


Figure 8: Exemptions for minor development* to ‘significant’ places on corner sites under the Heritage Overlay.

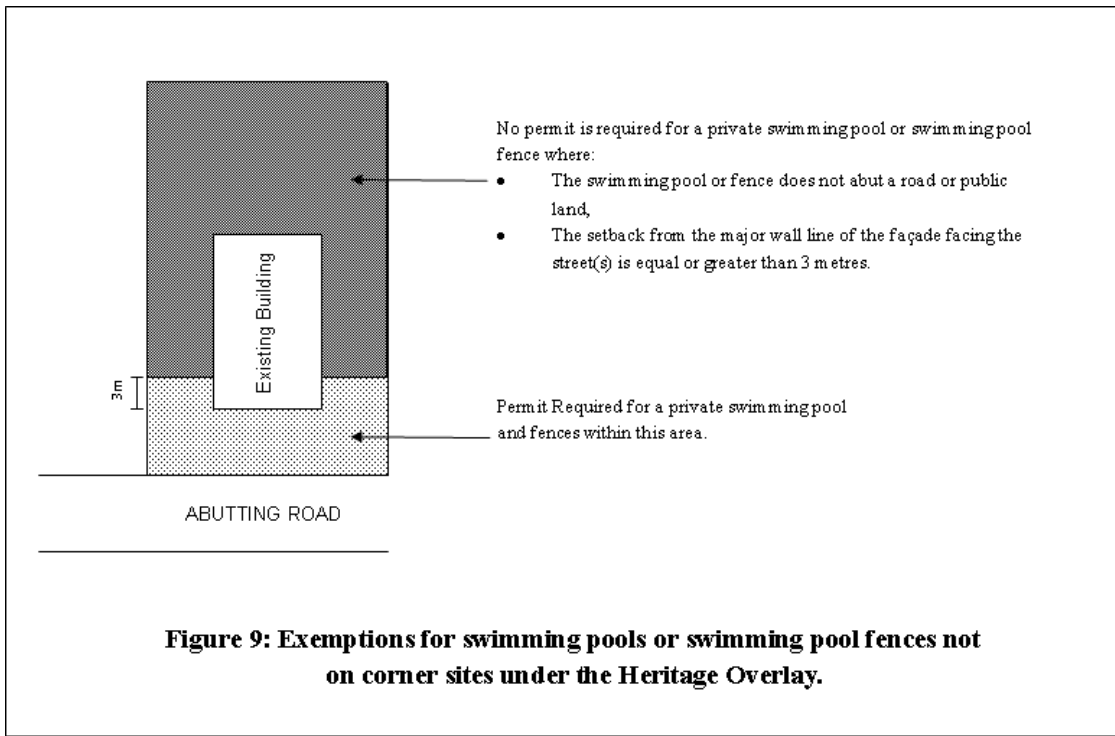


Figure 9: Exemptions for swimming pools or swimming pool fences not on corner sites under the Heritage Overlay.

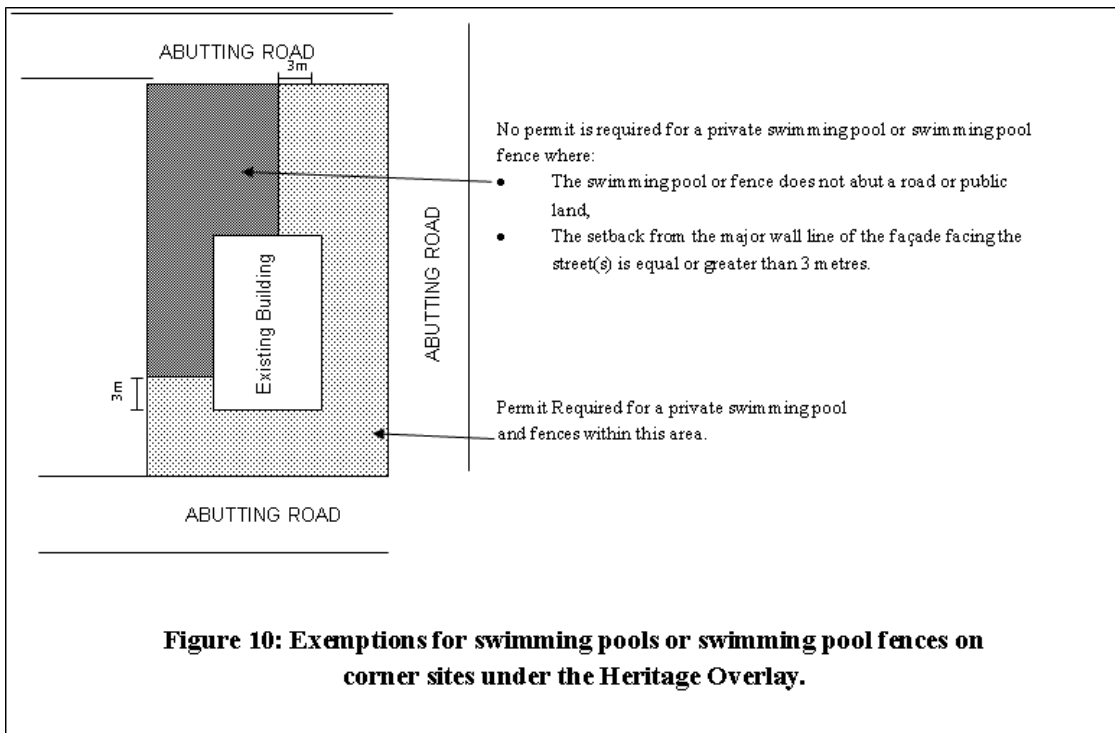


Figure 10: Exemptions for swimming pools or swimming pool fences on corner sites under the Heritage Overlay.

Map 1 Exemption Area for External Paint Controls within the Buninyong Heritage Precinct

