Amendment C205 to the Greater Shepparton Planning Scheme

Greater Shepparton City Council’s Part B Submission
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7.34 Submission 36 – No address details provided

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1.0 Introduction

This Part B submission is made on behalf of Greater Shepparton City Council (Council), which is the Planning Authority for Amendment C205 (the Amendment) to the Greater Shepparton Planning Scheme (Planning Scheme).

This submission was prepared by Council in collaboration with Heritage Concepts Pty Ltd (Heritage Concepts).

This submission will be presented by Michael MacDonagh, Team Leader Strategic Planning, at Council. This Part B submission is to be read in conjunction with Council’s Part A submission, which was circulated to all parties on Friday, 22 November 2019.

Council will be calling upon Deborah Kemp of Heritage Concepts Pty Ltd for expert evidence.

The purpose of this Part B submission is to provide a more detailed response to the key issues raised in submissions to the Amendment. Additionally, a number of submissions could not be resolved and remain outstanding.

As directed by Planning Panels Victoria (PPV) on the 22 and 29 October 2019, this Part B submission is structured as follows:

- a brief overview of the comparative analysis undertaken for the Draft Greater Shepparton Heritage Study Stage II 2019;
- issues identified in submissions and Council officers’ response;
- consideration of the social and economic impacts of the Amendment;
- Council officers’ response to submissions and evidence;
- proposed post-exhibition changes; and
- Council officers’ final position on the Amendment.

Council officers do not intend to provide a run through of the strategic justification for the Amendment except where relevant to address a key issue. A detailed assessment is contained within Council’s Part A submission.

A total of forty-two (42) submissions were received to the Amendment.

2.0 Heritage Conservation in Greater Shepparton

In response to the loss of significant public and commercial buildings in the Shepparton CBD, in particular, Council has recognised the value of our heritage and its contribution to our daily lives through a variety of initiatives.

2.1 Heritage Advisory Service

Council offers a free heritage advisory service for all land owners with property in the Heritage Overlay. The Service is free and primarily seeks to provide assistance to land
owners to conserve places of significance, source funding for works and to manage change in the Heritage Overlay to be respectful of a place’s significance.

2.2 Greater Shepparton Heritage Advisory Committee

Council established the Greater Shepparton Heritage Advisory Committee (HAC) to act as an advocate for all cultural heritage matters within the municipality. The primary purpose of the Committee is to provide the best possible advice to the Council on the best methods to conserve and promote this unique cultural heritage.

Following the establishment of the HAC in 2012, the Committee made a series of recommendations to Council, which resolved to launched several programs to help disseminate the importance of our unique places of cultural heritage significance, acknowledge the works that the guardians of our cultural heritage do every day and provide financial assistance to land owners to conserve places of significance.

2.2.1 Celebratory Heritage Events

The HAC has recommended and organised the hosting of a number of celebratory events including the Greater Shepparton Cultural Heritage Awards, which is held biennially since 2013, the Bruce Wilson Memorial Heritage Lecture, which is held biennially since 2016, and the Heritage Open Days, which occur annually since 2018.

2.2.2 Heritage Grants Program

The Heritage Grants Program assists eligible individuals, community groups or organisations who own or manage properties within the Heritage Overlay to maintain and conserve these places for future generations. The program aims to enhance, conserve and protect places and sites included in the Heritage Overlay, and to increase public awareness and understanding of heritage sites across Greater Shepparton.

The grant would generally provide for up to 50% of the cost of works recommended for funding on a $1 to $1 basis to land owners of private properties to a maximum of $15,000. The program supports conservation works that improve the physical security, appearance and/or longevity of a place. Council is one of the only councils in regional Victoria that currently holds this type of program.

Council initially commenced the Heritage Grants Program in the 2017/18 financial year allocating a total budget of $25,000 to fund the program. Following the success of the 2017/18 program, an increased total budget of $50,000 was allocated for the 2018/19 financial year.

Given the success of the 2018/18 program, the 2019/20 program allocated a further increased budget of $65,000 worth of works. The Program was heavily subscribed this year receiving forty-seven (47) applications and fourteen (14) applicants were successful in receiving a grant.

3.0 Amendment C205

The Draft Greater Shepparton Heritage Study Stage II 2019 (the Draft Study) consolidates the findings and recommendations of the Greater Shepparton Heritage Study Stage II 2007
(HSII), the Greater Shepparton Heritage Study Stage IIB 2013 (HSIIB) and the Greater Shepparton Heritage Study Stage IIC 2017 (HSIIC) into one document.

The Amendment proposes to amend the Municipal Strategic Statement, the Schedule to Clause 43.01 Schedule to Clause 43.01 Heritage Overlay and the Schedule to Clause 72.04 Schedule to the Documents Incorporated in the Planning Scheme to implement the Draft Study.

The Amendment seeks to give effect to the findings and recommendations of HSIIC by applying the Heritage Overlay to 178 places on a permanent basis where controls currently apply on an interim basis.

The Amendment amends the Schedule to Clause 72.04 Schedule to the Documents Incorporated in this Planning Scheme to include the revised Greater Shepparton Heritage Incorporated Plan April 2019 (GSHIP), the Greater Shepparton Statements of Significance for Places in the Heritage Overlay April 2019 and the Kialla Village Settlement Incorporated Plan April 2019 in the Planning Scheme.

The Amendment also revises the controls and mapping that apply to places included in the Heritage Overlay.

3.1 Heritage Controls

The heritage controls included in the Schedule to Clause 43.01 Heritage Overlay were comprehensively reviewed to ensure they were applied consistently to all places of a similar significance.

3.1.1 Paint Controls

The external colour choice of a place contributes to a place’s significance. Paint Controls are proposed for all places of architectural or aesthetic significance to ensure that the original architectural intent of these places is conserved and realised.

3.1.2 Internal Alteration Controls

Amongst other things, Internal Alteration Controls are proposed for all community halls and other buildings and places of worship to ensure any adaptive re-use of these places respects significant internal fabric.

3.1.3 Tree Controls

Tree controls are applied to all places where trees, the garden setting and landscaped environment contribute to the significance of a place. The control seeks to protect ‘mature trees’ that actively contribute to the significance of a place. A ‘mature tree’ is a tree that is greater than 5 metres in height; or greater than 2 metres in circumference measured at a height of 1.4 metres above ground level.

3.1.4 Prohibited Uses may be Permitted Controls

Prohibited Uses may be Permitted Controls have been applied to all places within the Farming Zone and the residential suite of zones to allow for the adaptive re-use of these places in the future.
Prohibited Uses may be Permitted Controls are proposed to be removed for places within the Township Zone and the commercial zones including the Activity Centre Zone within the central area of Shepparton as these zones allow for a significant amount of uses already.

4.0 Comparative Analysis

The Directions Letter prepared by the Independent Planning Panel requested that Council provide further information on the steps involved in the preparation of the comparative analysis.

As part of the preparation of HSIIC, Heritage Concepts was required to undertake a comparative analysis of places of ‘Individual’ heritage significance and heritage precincts (unless they were unique or rare).

Further information on the preparation of the comparative analysis is included in the Expert Evidence Statement Amendment C205 November 2019 prepared by Heritage Concepts.

5.0 Issues Identified in Submissions

In total, Council received forty-two (42) submissions to the Amendment, thirty-nine (39) of which objected / requested changes to the Amendment documentation. Although the submissions received primarily related to an individual property, a number of common concerns were identified. These concerns and Council officers’ responses are detailed below.

![Bar Chart: Common issues](image)

Figure 1: Common issues (note this differs from Council’s Part A submission)

5.1 Inadequate Consultation has occurred

Three (3) submissions (submissions 11, 12 and 14) raised concerns that inadequate consultation has occurred as part of the Amendment process.
Council officers’ response:

The Planning and Environment Act 1987 (the Act) provides requirements for how amendments to a planning scheme should be undertaken. Rather than undertaking the standard four weeks required by the Act, Council resolved to exhibit the Amendment for ten weeks to ensure that adequate consultation would occur.

A list of the notices provided to relevant stakeholders, in accordance with the Act, as part of the exhibition process is outlined in section 2.4 of Council’s Part A submission.

Council officers acknowledge that a number of properties in the Kialla Village Settlement (HO276) were not notified about the preparation of HSIIC or the approval of Amendments C204 and C216 to the Planning Scheme. This point is further explained in section 5.9 of Council’s Part A submission.

5.2 Other Properties have not been included

Three (3) submissions (submissions 11, 22 and 27) raised concerns that other properties of similar or higher significance in the immediate area as their property have not been included in the Heritage Overlay.

Council officers’ response:

This is addressed later in this Part B submission.

5.3 The Heritage Overlay is not warranted

Twenty-six (26) submissions received stated that the Heritage Overlay is not warranted on their property. A breakdown of responses is identified in Figure 2 below (in no particular order).

5.3.1 Place has been demolished

One (1) submission (submission 39) raised concerns that the Heritage Overlay is not justified on the property at 75 Quarry-Dookie Road, Dookie (HO260) as the significant structure was demolished.

Council officers’ response:

The Heritage Overlay seeks to protect and conserve all places of local cultural heritage significance. Where there is no longer anything of significance to warrant the application of the Heritage Overlay, the Overlay should not be applied.

Council officers are proposing changes to the Amendment documentation to recommend the property at 75 Quarry-Dookie Road, Dookie (HO260) be removed from the Heritage Overlay as no significant heritage fabric remains. This recommended change is also outlined in section 9.2 of Council’s Part A submission.
5.3.2 Strategic Justification in the Place Citation Report is Weak

Two (2) submissions (submissions 31 and 34) raised concerns that the information included in individual place citation report relevant to their place / heritage precinct is / are weak / generic.

Council officers’ response:

The Heritage Overlay is applied to places that have representative values. Representative values can be seen as being generic. However, they are important as a key function of their role is to demonstrate some places that are typical (e.g. typical architecture for the period, use of materials, scale and massing, layout, subdivision pattern, aesthetic significance, etc.). This is important as it can demonstrate the prevailing cultural values of the time. Council officers and Council’s Heritage Advisor submit that heritage is not only about identifying places that possess special or rare values.

Council officers submit that the rationale for the inclusion of ‘Contributory’ places in precincts is not generic. ‘Contributory’ places should, as a group, demonstrate what has been identified as culturally significant. Precincts might appear to be ‘generic’ or typical. This is why they satisfy the threshold for local cultural heritage significance. For example, the

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**Figure 2: Reasons why the Heritage Overlay is not warranted**

<table>
<thead>
<tr>
<th>Reason</th>
<th>Number of Submissions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing interim Heritage Overlay be removed</td>
<td>1</td>
</tr>
<tr>
<td>Place has been demolished</td>
<td>2</td>
</tr>
<tr>
<td>Strategic justification is weak</td>
<td>3</td>
</tr>
<tr>
<td>Not warranted on a commercial property</td>
<td>2</td>
</tr>
<tr>
<td>Maintenance cost increase</td>
<td>1</td>
</tr>
<tr>
<td>Restrictions on non-contributory places</td>
<td>6</td>
</tr>
<tr>
<td>Not warranted on crown land</td>
<td>5</td>
</tr>
<tr>
<td>No benefit to the community</td>
<td>4</td>
</tr>
<tr>
<td>Existing controls in HO276 prevent subdivision</td>
<td>14</td>
</tr>
<tr>
<td>Process has been inadequate</td>
<td>7</td>
</tr>
<tr>
<td>Not significant</td>
<td>11</td>
</tr>
<tr>
<td>Fabric compromised</td>
<td>9</td>
</tr>
<tr>
<td>Heritage Overlay restricts development</td>
<td>10</td>
</tr>
<tr>
<td>Saleability / Devaluation</td>
<td></td>
</tr>
<tr>
<td>Additional controls not warranted</td>
<td></td>
</tr>
</tbody>
</table>
Shepparton Residential Precinct North (HO140) is a precinct that demonstrates typical residential development that occurred from the late 19\textsuperscript{th} century through to the 1940s. This is in essence generic development and it is important to retain evidence of this type of development as it demonstrates historic and aesthetic cultural values from this period.

5.3.3 The Heritage Overlay is not warranted on a Commercial Property

Three (3) submissions (submissions 22, 27 and 32) raised concerns that the Heritage Overlay should not apply to a property in a commercial area. These submissions were received from land owners with properties that were constructed for a residential purpose but later adapted for use as a commercial property.

Council officers’ response

The Place Citation Report for these places acknowledges that these places are of historic, social and aesthetic significance as they demonstrate the character of residential expansion in Shepparton. The adaptive re-use of this building has not diminished any understanding or appreciation of the residential features associated with the former residential buildings.

The Heritage Overlay can be applied to commercial areas.

5.3.4 The Heritage Overlay will Impose Additional Maintenance Costs

Two (2) submissions (submissions 25 and 35) raised concerns that the application of the Heritage Overlay will increase the cost of regular maintenance and upkeep of the property.

Council officers’ response:

The Heritage Overlay requires a planning permit for buildings and works that seek to alter the appearance of a place. This does not include maintenance or routine repairs provided that like-for-like building materials are used. Furthermore, the Heritage Overlay does not require land owners to undertake works to repair and restore a property to places of local cultural heritage significance.

Council has provided funding for conservation works to heritage places through the Greater Shepparton Heritage Grants Program. Further information on the Heritage Grants Program is included in section 2.2.2 of Council’s Part B submission.

5.3.5 Non-contributory Place in a Heritage Precinct

Two (2) submissions (submissions 23 and 28) raised concerns about the level of restrictions imposed on ‘Non-contributory’ places in heritage precincts.

Council officers’ response

A ‘Non-contributory’ heritage place is a place or feature (e.g. building or structure) that does not make a contribution to the significance of a heritage precinct. In some instances, an ‘Individually’ significant place may be considered ‘Non-contributory’ within a precinct - for example, a significant factory complex within a residential precinct.

Removing or altering non-contributory elements within a precinct is not of major concern. However, any redevelopment or alterations of ‘Non-contributory’ places must respond in a
manner appropriate to the significance of the precinct; this includes its character and appearance. The Responsible Authority must assess applications for buildings and works to ‘Non-contributory’ places to ensure that any development outcomes are sympathetic to the significance of the precinct.

5.3.6 The Heritage Overlay is not warranted on Crown Land

Submission 20 raised concerns that the Heritage Overlay should not apply to Crown Land and that sufficient protection is already afforded to these places through other legislation.

Council officers’ response:

The Heritage Overlay is the most appropriate planning tool in Victoria to identify and conserve places of heritage significance by ensuring that future development proposals are respectful of this significance.

Section 4 of the Planning and Environment Act 1987 seeks to “conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value”. As a result, councils in Victoria are obliged to assess and conserve places of cultural heritage significance through the application of appropriate planning controls like the Heritage Overlay.

5.3.7 The Heritage Overlay will provide no Benefit to the Community

Six (6) submissions (submissions 14, 15, 29, 34, 25 and 38) noted that the application of the Heritage Overlay will provide no benefit to the community.

Council officers’ response:

Further discussion on how the Amendment will achieve a net community benefit is outlined further in this Part B submission.

5.3.8 Existing Planning Controls for the Kialla Village Settlement are Sufficient

Five (5) submissions (submissions 14, 15, 18, 19 and 38) raised concerns that there are already existing planning controls in place that apply to the Kialla Village Settlement (HO276) that either prohibit or trigger the need for a planning permit to subdivide land; therefore a Heritage Overlay seeking to conserve the subdivision pattern is redundant.

Council officers’ response:

The Heritage Overlay is a statutory planning tool that identifies places of local cultural heritage significance. In assessing whether it is appropriate to apply a Heritage Overlay to any place, the place must have something that requires careful management (e.g. the subdivision pattern). Council officers consider that the Heritage Overlay is an appropriate planning tool to ensure that the subdivision pattern of the Kialla Village Settlement is protected in the future.

The Amendment seeks to apply a Heritage Overlay to protect the original subdivision pattern of the Kialla Village Settlement only. The Kialla Village Settlement Incorporated Plan that forms part of the Amendment would provide exemptions from any buildings and works
triggered by the Heritage Overlay. Only proposals to alter the subdivision pattern would trigger the need for a planning permit under the Heritage Overlay.

5.3.9 The Process Undertaken has been Inadequate

Four (4) submissions (submissions 11, 12, 14 and 38) raised concerns that the process undertaken to date has been inadequate thus far.

Council officers’ response:

Council officers consider that extensive consultation has occurred with all land owners of properties included in HSIIC. This consultation has been ongoing since mid-2017 to ensure all land owners and occupiers of land are informed of the findings and recommendations of the HSIIC.

5.3.10 Property is not of Heritage Significance

Fourteen (14) submissions (submissions 6, 7, 8, 11, 13, 14, 17, 21, 25, 29, 31, 34, 35 and 37) raised concerns that their property was not of heritage significance.

Council officers’ response:

For a place to be considered a place of local cultural heritage significance, it must have identified cultural values. These values are generally historic, cultural or aesthetic significance. The specific values will be outlined in the place’s respective statement of significance.

Council officers are confident that the information presented in the relevant place citation report and, critically, the statement of significance for each place outlined in these submissions is correct and valid. The documentation was prepared in accordance with Planning Practice Note 01 Applying the Heritage Overlay.

Fundamentally, a place must be able to demonstrate significance to warrant the application of the Heritage Overlay. Council officers consider that all places identified in these submissions sufficiently demonstrate that local cultural heritage significance, as a minimum.

5.3.11 The Significant Heritage Fabric is Compromised / Altered

Seven (7) submissions (submissions 8, 16, 17, 31, 33, 34 and 37) raised concerns that the place’s significant fabric is compromised / has been significantly altered.

Council officers’ response:

Every place identified in the Draft Study would have been altered at some time in some way. Thorough assessment of a place can show a history of building alterations, losses and additions, which can demonstrate a sequence of development. Some of these changes may contribute to the significance of the place, while others may have affected the intactness /integrity and, therefore, the significance of the place.

Known modifications to places are mentioned in the relevant statement of significance.
5.3.12 The Heritage Overlay Restricts Development

Eleven (11) submissions (11, 13, 14, 16, 19, 22, 25, 27, 30, 35 and 41) raised concerns that the Heritage Overlay unfairly restricts further development or renovation opportunities where it is proposed to or currently applies.

Council officers’ response:

A detailed response to this issue is contained within section 5 of this Part B submission.

5.3.13 The Heritage Overlay Restricts Saleability of the Property and results in Devaluation

Nine (9) submissions (submissions 8, 11, 12, 14, 18, 19, 22, 27 and 38) raised concerns that the application of the Heritage Overlay would detrimentally affect the financial value of their property and the saleability of the property would be limited.

Council officers’ response:

Impacts on property valuation are not something that can be considered as part of the application of a Heritage Overlay. A more detailed response to this issue is located later in this Part B submission.

5.3.14 Additional Specific Controls are not Warranted

Ten (10) submissions (submissions 7, 8, 21, 22, 24, 25, 26, 27, 30 and 37) raised concerns that additional controls (such as external paint controls and tree controls are not warranted). These submitters cited various reasons as to why they should not apply. Several submitters also requested further justification as to why these additional controls are proposed to apply.

Council officers’ response:

Council officers’ response to these concerns and the justification for external paint controls and tree controls is contained within Sections 5.4, 5.5, 5.6 and 5.7 of Council’s Part A submission.

Outbuilding and fences controls: Council officers have proposed to apply outbuildings and fences controls to various significant structures (often structures detached from a historic homestead in a rural area). These sites would be subject to the notice and review requirements of the Act.

Two (2) submissions objected to the application of outbuildings and fences controls on their property. A number of these significant outbuildings are still currently used (e.g. sheds) for agricultural practices. The Heritage Overlay does not seek to impose any impediment to the continued use of these places nor does it intent to provide a barrier to ongoing maintenance of these buildings. Additionally these buildings would also be eligible for funding assistance under Council’s Heritage Grants Program.

5.4 Revise the Extent of the Heritage Overlay

Three (3) submissions (submissions 5, 30 and 42) requested that the Heritage Overlay be retracted to only apply to the significant fabric itself.
Council officers’ response:

Council officers are proposing a number of post-exhibition mapping changes for various places currently included or proposed to be included in the Heritage Overlay. All proposed post-exhibition mapping changes are included in section 9.2 of Council’s Part A submission. Council officers’ responses to the submitters contained this recommendation and highlighted proposed mapping changes for these places.

5.5 Information Contained in the Place Citation Report is Incorrect and should be revised

Ten (10) submissions (submissions 2, 3, 22, 25, 27, 30, 31, 34, 36 and 37) raised concerns that the information presented in several place citation reports is factually incorrect or that further information should be included.

Council officers’ response:

Council officers are proposing a number of post-exhibition changes to the Draft Study based on the contents of submissions or following further review of the amendment documentation post-exhibition. Where specific changes are now being proposed for properties post-exhibition (such as revised heritage controls), Council officers have directly notified the land owner of these changes.

5.6 Burden and Cost for Applying for Planning Permits

A number of submissions to the Amendment raised concerns regarding the imposition of new planning permit triggers under the Heritage Overlay and that it will impose additional burdens upon land owners. Council officers acknowledge that in some cases the Heritage Overlay can restrict certain aspects of a redevelopment proposal. However, there are a number of planning permit exemptions that currently apply within the Heritage Overlay for minor buildings and works that can assist some land owners.

In relation to the cost of planning permits, Section 47 of the Act sets out the relevant considerations for an application for a planning permit. Fees for planning permit applications are set by the Victorian Government. The Planning and Environment (Fees) Regulations 2016 prescribe the fees to be paid to planning authorities for the preparation and consideration of planning permits. These are a set fee.

Council officers would like to highlight that planning permit fees may be waived if both the following circumstances are met:

- interim heritage controls currently apply to the property; and
- the Heritage Overlay is the only planning permit trigger for the proposed works.

Certain minor buildings and works requiring planning permission can be assessed as a VicSmart application with a reduced planning permit fee. As stated earlier in this Part B submission, land owners may be exempt from requiring a planning permit for certain minor buildings and works in the Heritage Overlay. Council also offers a free heritage advisory service. Land owners are encouraged to liaise with Council’s Building and Planning Department at the time of any redevelopment to discuss their application.
The Heritage Overlay does not seek to prohibit the redevelopment of a heritage place per se but simply seeks to ensure that any proposed buildings and works do not negatively impact upon the significance of the place.

5.7 Property Value

Property values are usually not relevant to the identification and assessment of a place under the Heritage Overlay.

The decision as to whether an overlay (which regulates particular characteristics of land) should apply to land is not a decision taken that has regard to impacts on property valuation. This issue has been raised in numerous planning panel hearings in Victoria.

The Panel Report for Amendment C118 to the Macedon Ranges Planning Scheme stated:

*the Panel was not provided with information which showed a direct correlation between applying the Heritage Overlay and property value or insurance premiums. There are different variables which determine property value and it is often difficult to identify which individual variable is the contributing factor. The Panel considers that the net community benefit of applying the Heritage Overlay is likely to outweigh any financial impact on the individual property owners.*

The Panel Report for Amendment C214 to the Mornington Peninsula Planning Scheme stated:

*the Panel considers that the economic effects relate to the broad community and does not narrow to personal effects. The Panel was not presented with evidence to directly correlate the Heritage Overlay with property value. There are other variables which affect property values such as other planning provisions, building condition, property size, location and development aspirations and it is often difficult to single out an individual contributor.*

*The Panel concludes that property value and financial implications are not relevant when considering whether a place has sufficient local heritage significance to justify the Heritage Overlay.*

The Panel Report for Amendment C71 to the Melton Planning Scheme stated:

*the Panel has concluded that the potential impact of heritage listing on property values and/or on the development potential of a place are not relevant considerations when evaluating whether a place should be included under the HO. Decisions should based on the heritage significance of the place.*

Property devaluation has also been raised in several VCAT hearings. In the case of Filcam Property Group v Whitehorse City Council:

*as with the case with many other instances when this ground is identified by Respondent Objectors to a planning permit application, potential loss in property values is not a matter upon which there is any evidence. Moreover, if values are affected by adverse amenity impacts, then it is the amenity questions that must be
considered, not their ramifications in terms of property values. This is the approach usually adopted by the Tribunal in these proceedings.

Council officers submit that the matter of whether the social benefits of redevelopment be weighed against heritage loss (whatever level of loss in involved) is a matter that lies outside of the scope of this Amendment. Council officers submit that the net community benefit is solely focussed on protecting places of heritage significance and that this outweighs any perceived individual impacts on property owners.

5.8 Redevelopment Opportunities

Broadly speaking, places within the Heritage Overlay will not require a planning permit to undertake routine maintenance to the property and repairs that do not alter the appearance of the place.

A number of submissions received in relation to the Amendment raised concerns that the application of the Heritage Overlay would limit redevelopment opportunities available to them.

Council officers refer to the Panel Report for Amendment C157 and C163 to the Yarra Planning Scheme where the Panel was urged to consider the economic effects of applying the Heritage Overlay, particularly on sites that hold a redevelopment potential. The Panel Report considered this and drew from the Panel Report for Amendment C58 to the Ballarat Planning Scheme which firmly concluded:

the Panel therefore finds that the Heritage Overlay should be applied to places of identified heritage significance without reference to the effect this may have on other planning objectives. Other issues and objectives should be considered within the context of heritage management policies or the decision-making process.

The Panel Report for Amendment C157 and C163 to the Yarra Planning Scheme also noted that the evaluation of a ‘net community benefit’ to be achieved for a particular site will be influenced by the details of the development proposed for it. This is not something that can be assessed as part of the Amendment and would be better assessed through the planning permit process.

The purpose of overlays is not to impose prohibition on development. Rather it requires all values of land to be taken into account as part of a development proposal. Council officers submit that the appropriate process to consider economic impacts and the interests of property owners is through the planning permit process.

6.0 Social and Economic Impacts of the Amendment

Section 12(2)(c) of the Act requires Planning Authorities, when preparing an amendment to consider the social and economic impacts of the Amendment.

Planning Practice Note 46 – Strategic Assessment Guidelines – May 2017 states that: the normal way of assessing the social and economic effects is to consider whether or not the amendment results in a benefit.
Council submits that it is difficult to gauge the economic and social impact (either positive or negative) on one specific site affected by the Heritage Overlay.

The *Strategic Assessment Guidelines, May 2017* note that, when planning authorities are preparing planning scheme amendment documentation, the following issues need to be considered (depending on the scale and nature of the proposed amendment).

- the likely effect on sites with significant historic, architectural, aesthetic, scientific and cultural values;
- the likely effect on the economic wellbeing of the community;
- potential changes to the economic and social life of the existing community;
- the vitality and viability of existing agriculture, industry, tourism and commercial or retail activity in surrounding areas;
- the likely effect on future public and private sector investment in the immediate and surrounding areas;
- the likely effect on potential capacity for growth of the immediate and surrounding areas, including the likely effect on the opportunities for expansion, improvement or redevelopment;
- potential changes to the attractiveness and physical condition of the immediate and surrounding areas;
- the likely effect on the attractiveness, amenity and safety of the public realm; and
- the achievement of high quality urban design and architecture.

As outlined in the Panel Report for Amendment C214 to the Mornington Peninsula Planning Scheme, the Panel:

> considers that the economic effects relate to the broad community and does not narrow to personal effects.

As a result, the individual and social economic effects of the Amendment are better assessed through the planning permit process.

Having thoroughly assessed Planning Practice Note 46 and the *Strategic Assessment Guidelines, May 2017*, Council officers are proposing post-exhibition changes to the Explanatory Report to provide comment on the economic and social effects that the Amendment proposes. These changes are outlined in Section 8.6 of Council's Part B submission.
7.0 Submissions raised in regards to the Amendment

7.1 Submission 2 – 150 Maneroo Road, Bunbartha (HO240) (Maneroo Homestead) – Land Owner

A place citation report for the property is included in the Draft Study on page 296.

What does the exhibited Amendment propose for the property?

The Heritage Overlay was applied to the property at 150 Maneroo Road, Bunbartha (Maneroo Homestead) on an interim basis through Amendment C204 in November 2018. Amendment C205 seeks to apply HO240 to the property on a permanent basis and revise the following specific controls:

- apply tree controls to all ‘mature trees’. If approved, a planning permit would be required to remove, lop or destroy a mature tree; and

- apply GSHIP to provide planning permit exemptions for minor buildings and works within the curtilage of the Heritage Overlay.

Extract from the proposed Schedule to Clause 43.01 Heritage Overlay.

What is the issue?

Submission 2 raised concerns about the accuracy of the historical information included on the draft place citation report for Maneroo Homestead.

Council officers’ response

Council officers have considered the submission and revised the place citation report for Maneroo Homestead (HO240).

No further changes are proposed to the Amendment documentation (other than those mentioned above) based on the content of Submission 2.
7.2 Submission 3 – 61 Maude Street, Shepparton (HO186) – Land Owner

A place citation report for the property is included in the Draft Study on page 1174.

**What does the exhibited Amendment propose for the property?**

The Heritage Overlay was applied to 61 Maude Street, Shepparton (HO186) through Amendment C110 in 2013. Amendment C205 proposes the following specific changes to the property:

- apply External Paint Controls. If approved, a planning permit would be required to change the colour of an already painted external surface;
- apply Outbuilding and Fences Controls (brick fence and gate). If approved, any buildings or works that seek to change the appearance of the brick fence & gate would require a planning permit; and
- permit Prohibited Uses may be Permitted. If approved, uses prohibited in the zone could be considered if it allows for the adaptive re-use of the place.

Extract from the proposed Schedule to Clause 43.01 *Heritage Overlay*.

**What is the issue?**

Submission 3 raised concerns about the proposed outbuildings and fences controls proposed for HO186 and stated that the fence had recently been replaced.

**Council officers’ response**

Council officers have considered the submission and will no longer recommend that outbuildings and fences controls for HO186 be applied.

No further changes are proposed to the Amendment documentation based on the content of Submission 3.
What does the exhibited Amendment propose for the property?
The Heritage Overlay was applied to 210 Zeerust School Road, Zeerust (HO404) through Amendment C204 in November 2018. Amendment C205 proposes to include HO404 in the Heritage Overlay on a permanent basis. The Amendment:

- apply GSHIP to provide planning permit exemptions for minor buildings and works within the curtilage of the Heritage Overlay.

No additional specific controls are proposed to change.

Extract from the proposed Schedule to Clause 43.01 Heritage Overlay.

What is the issue?
Submission 5 raised concerns regarding the extent of the application of the Heritage Overlay (HO404) to the property at 210 Zeerust School Road, Zeerust.

Council officers' response
Council officers support the retraction of the Heritage Overlay to only apply to the former Gribben log building and an appropriate curtilage around it. A site visit has not been undertaken to this place. However, it was not possible to confirm the location of the former Gribben log building using the material appended to the original submission. Council officers were of the view that additional photographs were required to confirm the location of the log building to the south of the homestead complex. This would ensure that any retracted Heritage Overlay is correctly applied to the place. Council officers recommended that a site visit be undertaken to confirm and survey the location of the former Gribben log building.

On 1 December 2019, six additional e-mails were received from the submitter containing photographs that clarified the location of the former log building. Council officers support the
request to retract the Heritage Overlay to approximately align with the location outlined in the original submission with an appropriate curtilage. The extent of HO404 be retracted to only apply to the log building and an appropriate curtilage based on the content included in Submission 5 as outlined below.

Extract from the Submission 5 showing proposed retraction of HO404.

7.4 Submission 6 -13 Pearce Street, Merrigum (Dutch House) (HO290) – Land Owner

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A place citation report for the property is included in the Draft Study on page 578.

What does the exhibited Amendment propose for the property?

The Heritage Overlay was applied to the property at 13 Pearce Street, Merrigum (HO290) through Amendment C204 in November 2018. Amendment C205 seeks to apply HO290 to the property on a permanent basis and proposes the following specific changes:

- no longer allow for the consideration of prohibited uses as the land is zoned Township Zone; and

- apply GSHIP to provide planning permit exemptions for minor buildings and works within the curtilage of the Heritage Overlay.

Extract from the proposed Schedule to Clause 43.01 Heritage Overlay.

What is the issue?

Amongst other things, Submission 6 raised concerns that original fabric has been so compromised that it does not warrant the application of a Heritage Overlay.

Council officers’ response

Council officers submit that the alterations mentioned in Submission 6 have not detrimentally impacted upon the integrity of the place and it remains of heritage significance.

Council officers have considered Submission 6 and are not proposing any changes to the Amendment documentation.

7.5 Submission 7 - 102 Morrissey Street, Merrigum (Blacksmith & Motor Garage) (HO287) – Land Owner
A place citation report for the property is included in the Draft Study on page 578.

**What does the exhibited Amendment propose for the property?**

The Heritage Overlay was applied to the property at 102 Morrissey Street, Merrigum (HO287) through Amendment C204 in November 2018. Amendment C205 seeks to apply HO287 to the property on a permanent basis and proposes the following specific changes to the property:

- apply External Paint Controls. If approved, a planning permit would be required to change the colour of an already painted external surface;

- no longer allow for the consideration of prohibited uses may be permitted as the land is zoned Township Zone; and

- apply GSHIP to provide planning permit exemptions for minor buildings and works within the curtilage of the Heritage Overlay.

**What is the issue?**

Submission 7 raised concerns about the significance and condition of the building, and believes that the application of the Heritage Overlay is unwarranted.

**Council officers’ response**

Council officers submit that:

- the Heritage Overlay is the most appropriate planning tool to identify and conserve places of heritage significance by guiding future development proposals to be respectful of this significance;

- the condition of a building is not something that can be considered at this stage. Further information on this is presented in section 5 of this Part B submission;

- the works outlined in the submission have not detrimentally impacted upon the integrity of the former blacksmith’s forge. As such, Council officers consider that the place remains of ‘Individual’ heritage significance;

- external paint controls seek to guide changes in colour of external surfaces of the building to protect its aesthetic significance; and
following the meeting held with submitter 7, Council officers and Council’s Heritage Advisor on Friday, 5 July 2019, Council officers are proposing a post-exhibition change to the Amendment to retract the area of the Heritage Overlay from the dwelling to only apply the Overlay to the former ‘Blacksmith & Motor Garage’. A map of this proposed change is included later in Council’s Part B submission.

No further changes to the Amendment documentation are proposed (other than those mentioned above) for HO287 based on the concerns included within Submission 7.

7.6 Submission 8 – 840 Kyabram-Cooma Road, Cooma (Log Structures and Homestead) (HO142 & HO247) – Land Owner

A place citation report for the HO247 and HO142 is included in the Draft Study on pages 323 and 326 respectively.

What does the exhibited Amendment propose for the property?

The Heritage Overlay was applied to 840 Kyabram-Cooma Road, Cooma by Amendment C50 on a permanent basis in 2007 to protect the log structures (HO142). Amendment C204 applied an additional Heritage Overlay (HO247) to the property in November 2018 to protect the homestead complex on an interim basis. Amendment C205 proposes to apply HO247 on a permanent basis and to revise the specific heritage controls associated with HO142 and HO247.

Specifically, the exhibited Amendment proposes the following changes to HO142:

- apply Outbuildings and Fences controls to the three outbuildings associated with the homestead. If approved, any buildings or works that seek to change the appearance of the log structures would trigger the need for a planning permit and
- Prohibited Uses may be Permitted are proposed. If approved, Council may consider granting a planning permit for a prohibited use if it allows for the adaptive re-use of the place.

Specifically, the exhibited Amendment proposes the following changes to HO247:

- apply tree controls. If approved, a planning permit would be required to remove, lop or destroy a ‘mature tree’; and
- apply GSHIP to provide planning permit exemptions for minor buildings and works within the curtilage of the Heritage Overlay.
What is the issue?
Although submission 8 considers the log structures (HO142) to be significant, the following concerns were raised:

- the Homestead (HO247) is not of significance and the application of the Heritage Overlay is not warranted;
- the Homestead has been extensively modified and extended;
- one of the three log structures and the mudbrick building (HO142) have been removed, and one of the two remaining log structures is in poor condition;
- external paint controls and tree controls are not warranted; and
- the application of a Heritage Overlay will affect the property’s value and ability to sell it.

Council officers’ response
Council officers submit that:

- the Heritage Overlay is the most appropriate planning tool to identify and conserve places of heritage significance by ensuring that future development proposals are respectful of this significance;
- the alterations mentioned do not appear to have negatively impacted upon the heritage significance of the homestead and its integrity remains high;
- external paint controls seek to guide changes in colour to protect aesthetic significance;
- tree controls only apply to ‘mature trees’ within the curtilage of the Heritage Overlay that contribute to the significance; and

Extract from the proposed Schedule to Clause 43.01 Heritage Overlay.
impacts on property value are not something that can be considered as part of the Amendment process.

No changes to the Amendment documentation are proposed for HO247 based on the concerns included within Submission 8.

7.7 Submission 9 – 400 Zeerust Road, Zeerust (Former Zeerust Uniting Church & Hall) (HO104) – Land Owner

A place citation report for the property is included in the Draft Study on page 1767.

What does the exhibited Amendment propose for the property?

The Heritage Overlay was applied to 400 Zeerust Road, Zeerust (HO104) by Amendment C50 in 2007 on a permanent basis. Amendment C205 to the Planning Scheme proposes to revise the specific heritage controls to HO104:

- apply tree controls. If approved, a planning permit would be required to remove, lop or destroy a ‘mature tree’;
- apply outbuildings and fences controls to the church hall. If approved, any buildings or works that seek to change the appearance of the church hall would trigger the need for a planning permit; and
- apply the GSHIP to provide planning permit exemptions for minor buildings and works within the curtilage of the Heritage Overlay.
Extract from the proposed Schedule to Clause 43.01 Heritage Overlay.

What is the issue?
Submission 9 requests changes to the Amendment documentation to specify that the two outbuildings to the rear of the property are of heritage significance.

Council officers’ response

Council officers support amending the Amendment documentation to list the remaining toilet as a significant outbuilding in the Schedule to Clause 43.01 Heritage Overlay and in the place citation report.

Council officers and Council’s Heritage Advisor attended a one-to-one meeting on Monday, 22 July 2019 to discuss the Amendment, the changes proposed and the Greater Shepparton Heritage Grants Program. In the meeting, Council officers were initially supportive of listing the two outbuildings associated with the former church and hall. Following the meeting, one of the outbuildings (the male toilet) sustained significant damage in a weather event. As the male toilet has been significantly damaged, it is not considered appropriate to list it as being a significant outbuilding. Council officers are supportive of listing the remaining outbuilding as a significant outbuilding in the Schedule to Clause 43.01 Heritage Overlay and the place citation report.

7.8 Submission 10 – 195 Major Plains Road, Major Plains (Boorinda Homestead) (HO281) – Land Owner

A place citation report for the property is included in the Draft Study on page 519. An image for this place is not available as a site visit has not been undertaken.

What does the exhibited Amendment propose for the property?

The Heritage Overlay was applied to the property at 13 Pearce Street, Merrigum (HO290) through Amendment C204 on an interim basis in November 2018. Amendment C205 proposes to apply HO281 on a permanent basis and revise the following specific heritage controls associated with the place:

- apply tree controls. If approved, a planning permit would be required to remove, lop or destroy a ‘mature tree’; and

- apply GSHIP to provide planning permit exemptions for minor buildings and works within the curtilage of the Heritage Overlay.
What is the issue?
Amongst other things, Submission 10 raises concerns about the significance and condition of the building and believes the application of the Heritage Overlay is unwarranted.

Council officers’ response

Council officers submit that:

- the Heritage Overlay is considered to be the most appropriate planning tool in Victoria to identify and conserve places of heritage significance. The Overlay ensures that future development proposals are respectful of this significance;

- the Heritage Overlay does not require land owners to restore the appearance of the homestead to a previous appearance that it may have had in the past;

- broadly speaking, general maintenance of buildings within the Heritage Overlay using ‘like for like’ materials that do not change the appearance of the building will not require a planning permit;

- Amendment C205 seeks to apply the Heritage Overlay to HO281 on a permanent basis. If approved, the following heritage controls will apply to the property:
  - external paint controls. A planning permit would be required to change the colour of an already painted external surface;
  - tree controls seek to protect all mature trees within the extent of the Heritage Overlay. The Heritage Overlay only applies to the Homestead and an immediate curtilage, and will only apply to the mature trees included in this area;
  - prohibited uses are proposed to be permitted to allow for the possibility of the adaptive re-use of the place in the future; and
  - GSHIP is proposed to apply to HO281 to provide planning permit exemptions for minor buildings and works within the curtilage of the Heritage Overlay.

- the significance of the Homestead was ascertained using the historical information presented in the references in the place citation report.

Submitter 10 sent an e-mail query to Council requesting further information on the Heritage Overlay, dated 2 August 2019, the Amendment and what it seeks to change. Given the content of the e-mail query, and the statements included within it, Council officers treated
this as a submission to the Amendment. Council officers received a telephone call from Submitter 10 on Tuesday, 6 August 2019 to discuss the queries and concerns. Submitter 10 indicated during the telephone conversation that they did not wish for their e-mail to be treated as a submission to the Amendment. Council officers recommended that this be stated in writing and, until such time, the e-mail must be treated as a submission to the Amendment. No such confirmation was received.

No changes to the Amendment documentation are proposed as a result of Submission 10. A site visit is required to be undertaken to confirm that the information included in the place citation report and the Schedule to Clause 43.01 Heritage Overlay is appropriate and correct.

7.9 Submission 11 – 9 & 9A Edward Street, Shepparton – (House) (HO352) – Land Owner

A place citation report for the property is included in the Draft Study on page 1041.

What does the exhibited Amendment propose for the property?

The Heritage Overlay was applied to 13 Pearce Street, Merrigum (HO290) through Amendment C204 on an interim basis in November 2018. Amendment C205 proposes the following specific changes to the property:

- no longer allow prohibited uses may be permitted to apply.
- apply GSHIP to provide planning permit exemptions for minor buildings and works within the curtilage of the Heritage Overlay.

<table>
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<th>PS map ref</th>
<th>Heritage place</th>
<th>External paint controls apply?</th>
<th>Internal alteration controls apply?</th>
<th>Tree controls apply?</th>
<th>Outbuildings or fences not exempt under Clause 43.01-4</th>
<th>Included on the Victorian Heritage Register under the Heritage Act 2017?</th>
<th>Prohibited uses permitted?</th>
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<tr>
<td>HO352</td>
<td>House: 9 &amp; 9A Edward Street, Shepparton</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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Extract from the proposed Schedule to Clause 43.01 Heritage Overlay.
What is the issue?
Submission 11 raised the following concerns regarding the Amendment:

- the property at 9A Edward Street, Shepparton is not of significance and the application of the Heritage Overlay is not warranted;
- the application of a Heritage Overlay will affect the property’s value and the ability to sell it;
- queried why other significant properties have not been included within the Heritage Overlay; and
- the Heritage Overlay will prevent the establishment of business signage on a commercial property.

Council officers’ response

Council officers submit that:

- the Heritage Overlay is considered to be the most appropriate planning tool in Victoria to identify and conserve places of heritage significance. The Overlay ensures that future development proposals consider impacts on a place’s significance;
- section 4 of the Planning and Environment Act 1987 seeks to ‘conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value’. As a result, councils in Victoria are obliged to conserve places of cultural heritage significance. Ordinarily, this is undertaken using a three stage approach involving the:
  - preparation of a Thematic Environmental History, which provides the basis for identifying places of cultural heritage significance within the municipality;
  - preparation of heritage studies to refine the research established in the thematic environmental history and to identify places that represent these themes; and
  - application of the Heritage Overlay or other planning controls through planning scheme amendments to apply appropriate planning controls to land to conserve places identified in heritage studies.

Given the cost and time required to prepare and implement these three stages, a staged approach to the assessment of places and the preparation of heritage studies is preferred. Individual heritage studies tend to focus on specific areas, eras of development or themes identified in thematic environmental histories;

- the shop at 9A Edward Street, Shepparton, while within the Heritage Overlay, is not considered to significant. Based on the submission received to the preparation of HSIIC on 2 September 2017, the Statement of Significance for the place states ‘the shop front was built during the occupation of the site by Bush’s Blinds (c.1980) and is not significant. The front fence and the painted finish to the shop front is not significant’;
- the Heritage Overlay applies to 9A Edward Street, Shepparton to ensure that any alterations and additions do not impact upon the cultural heritage significance of the place;

- impacts on property value is not something that can be considered as part of the planning scheme amendment process; and

- Council officers have considered the properties identified in the submission and can provide the following advice:
  - the properties at 92, 94 and 96 Corio Street, Shepparton are located within the Heritage Overlay as places of ‘Contributory’ heritage significance in the Shepparton Residential Precinct South (HO141). The place citation report for this place is attached to this letter;
  - the property at 111 Maude Street, Shepparton is proposed to be assessed as part of a future heritage study and is included in Section 5.0 or page 13 of the Draft Study; and
  - the property at 101 Corio Street, Shepparton is part of a modern unit complex, is not considered to be of cultural heritage significance and, as such, is not located within the Heritage Overlay.

Council officers are not proposing any changes to the Amendment based on the concerns included within Submission 11.

7.10 Submission 12 – 16 Alexandra Street, Mooroopna (former Parsonage) (HO302) – Land Owner

A place citation report for the property is included in the Draft Study on page 643.

What does the exhibited Amendment propose for the property?

The Heritage Overlay was applied to 16 Alexandra Street, Mooroopna (former Parsonage) (HO302) through Amendment C204 on an interim basis in November 2018.
Amendment C205 proposes to apply HO302 on a permanent basis and, erroneously, Amendment C205 proposed to apply internal alteration controls to the property.

Extract from the proposed Schedule to Clause 43.01 *Heritage Overlay*.

**What is the issue?**
Submission 12 raised the following concerns regarding the Amendment:

- the Heritage Overlay is not warranted on the former Parsonage (HO302);
- the Heritage Overlay will devalue the property; and
- inadequate consultation has occurred.

**Council officers’ response**
Council officers submit that:

- the Heritage Overlay is considered to be the most appropriate planning tool in Victoria to identify and conserve places of heritage significance. The Overlay ensures that future development proposals consider impact on a place’s significance;
- impacts on property value is not something that can be considered as part of the application of a Heritage Overlay; and
- Council officers consider that extensive consultation has occurred with all land owners of properties included in HSIIC. This consultation has been ongoing since mid-2017 to ensure all land owners and occupiers of land are informed of the findings and recommendations of HSIIC, the Draft Study and the Amendment.

Council officers and Council’s Heritage Advisor are proposing post-exhibition changes to the Amendment documentation to remove internal alteration controls from HO302.
7.11 Submission 13 – 180 Riverview Drive, Kialla (part of the Kialla Village Settlement) (HO276) – Land Owner

A place citation report for the property is included in the Draft Study on page 493.

What does the exhibited Amendment propose for the property?

The property at 210 Riverview Drive, Kialla (Part of the Kialla Village Settlement) (HO276) is proposed to be included in the Heritage Overlay as part of Amendment C205. Interim heritage controls do not currently apply to this property.

Specifically, Amendment C205 seeks to apply HO276 to the property to the place. The Amendment also seeks to introduce a new Incorporated Document to provide planning permit exemptions for all buildings and works in the Heritage Overlay.
Extract from the proposed Schedule to Clause 43.01 *Heritage Overlay*.

**What is the issue?**
Submission 13 raised the following concerns regarding the Amendment:

- the Heritage Overlay is not warranted for the Kialla Village Settlement;
- the house on the property is not of historical significance; and
- the Heritage Overlay will restrict ownership.

**Council officers’ response**
Council officers submit that the Amendment seeks to apply a Heritage Overlay to protect the original subdivision pattern of the Kialla Village Settlement only. The *Kialla Village Settlement Incorporated Plan*, which forms part of the Amendment, would provide exemptions from any buildings and works triggered by the Heritage Overlay. Only proposals to change the subdivision pattern would trigger the need for a planning permit.

No changes are proposed to the Amendment documentation based on the content included within Submission 13.
A place citation report for the property is included in the Draft Study on page 493.

**What does the exhibited Amendment propose for the property?**

The Heritage Overlay was applied to part of the property at 253 Riverview Drive, Kialla (part of the Kialla Village Settlement) (HO276) through Amendment C204 on an interim basis in November 2018.

Amendment C205 seeks to apply HO276 to the property on a permanent basis. The Amendment also seeks to introduce a new Incorporated Document to provide planning permit exemptions for all buildings and works in the Heritage Overlay.
What is the issue?
Submission 14 raised the following concerns regarding the Amendment:

- the Heritage Overlay will prevent alterations to the existing dwelling;
- inadequate information regarding the Amendment has been provided;
- inadequate consultation has occurred;
- the Heritage Overlay is not warranted, existing planning controls prevent subdivision of land;
- the Kialla Village Settlement is not of cultural heritage significance;
- the Heritage Overlay will affect the valuation and the ability to sell the property;
- the Interim Heritage Overlay be removed; and
- the Heritage Overlay will not provide benefit to the community.

Council officers' response

Council officers submit that:

- the Heritage Overlay is the most appropriate planning tool in Victoria to identify and conserve places of heritage significance by ensuring future development proposals are respectful of this significance;
- the Amendment seeks to apply a Heritage Overlay to protect the original subdivision pattern of the Kialla Village Settlement only. The *Kialla Village Settlement Incorporated Plan* that forms part of the Amendment would provide exemptions from any buildings and works triggered by the Heritage Overlay. Only proposals to change the subdivision pattern would trigger the need for a planning permit;
• ten of the approximately forty land holdings within the former Kialla Village Settlement area were initially notified as part of the public consultation process for HSIIC in mid-2017. These same land owners were again notified of Amendments C204 and C216 to the Planning Scheme that applied a Heritage Overlay on an interim basis to these ten lots in November 2018. Council officers recently discovered that the Kialla Village Settlement applied to a much larger area than initially understood. Amendment C205 seeks to rectify this by including the additional thirty properties in the Heritage Overlay and to apply these controls to all forty properties on a permanent basis;

• the Planning and Environment Act 1987 provides requirements for how amendments to a planning scheme should be undertaken. Rather than undertaking the standard four weeks required by the Act, Council resolved to exhibit the Amendment for ten weeks to ensure that adequate consultation has occurred;

• the Heritage Overlay does not impose any additional restrictions than those that already apply under separate planning scheme provisions; and

• impacts on property value is not something that can be considered as part of the planning scheme amendment process.

An initial submission was received by Council on Thursday, 22 August 2019. Submitter 14 made a further submission on Friday, 23 August 2019 to the Amendment.

No changes are proposed to the Amendment documentation based on the concerns included within Submission 14.

7.13 Submission 15 – 270 Riverview Drive, Kialla (Part of the Kialla Village Settlement) (HO276) – Land Owner

A place citation report for the property is included in the Draft Study on page 493.
What does the exhibited Amendment propose for the property?

The Heritage Overlay was applied to 270 Riverview Drive, Kialla (part of the Kialla Village Settlement) (HO276) through Amendment C204 on an interim basis in November 2018.

Amendment C205 seeks to apply HO276 to the property on a permanent basis. The Amendment also introduces a new Incorporated Document to provide planning permit exemptions for all buildings and works in the Heritage Overlay.

<table>
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<th>PS map ref</th>
<th>Heritage place</th>
<th>External paint controls apply?</th>
<th>Internal alteration controls apply?</th>
<th>Tree controls apply?</th>
<th>Outbuildings or fences not exempt under Clause 43.01-4</th>
<th>Included on the Victorian Heritage Register under the Heritage Act 2017?</th>
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<td>150, 180, 186, 196, 210, 215, 230, 242, 244, 245, 249, 250, 253, 254, 255, 260, 265, 270, 274, 280, 285, 305 &amp; 310 Riverview Drive, Kialla</td>
<td>Botanic Gardens Avenue, (Australian Botanic Gardens Shepparton) (CA18 Sec A, CA19 Sec A, CA20 Sec A, CA21 Sec A, CA22 Sec A)</td>
<td>Shepparton Regional Park (CA2023, CA2024, CA2025, CA2027, CA2028, CA2029, CA2031, CA2031)</td>
<td>Incorporated Plan: Sox*** &amp; Kialla Village Settlement Incorporated Plan**</td>
<td>Statement of Significance: Kialla Village Settlement</td>
<td></td>
</tr>
</tbody>
</table>

Extract from the proposed Schedule to Clause 43.01 Heritage Overlay.

What is the issue?

Submission 15 raised the following concerns regarding the Amendment:

- the Heritage Overlay is not warranted on the Kialla Village Settlement, existing planning controls prevent subdivision of land;
- the Heritage Overlay will affect the valuation and ability to sell the property;
- the interim Heritage Overlay be removed; and
- the Heritage Overlay will not provide benefit to the community.

Council officers’ response

Council officers submit that:

- the Amendment seeks to apply a Heritage Overlay to protect the original subdivision pattern of the Kialla Village Settlement only. The Kialla Village Settlement Incorporated Plan that forms part of the Amendment would provide exemptions from any buildings and works triggered by the Heritage Overlay. Only proposals to change the subdivision pattern would trigger the need for a planning permit;
- the Heritage Overlay does not impose any additional restrictions than those that already apply under separate planning scheme provisions. Council offers a free
heritage advisory service to educate the community (and real estate agents) on the specific conditions associated with the Kialla Village Settlement;

- impacts on property value is not something that can be considered as part of the Amendment process; and

- the Heritage Overlay is the appropriate planning tool to better guide future planning for the area while respecting the significance of the subdivision pattern.

No changes are proposed to the Amendment documentation based on the concerns included within Submission 15.

7.14 Submission 16 – 1065 Murchison-Tatura Road, Dhurringile (Homestead) (HO254) – Land Owner

A place citation report for the property is included in the Draft Study on page 361.

**What does the exhibited Amendment propose for the property?**

The Heritage Overlay was applied to 1065 Murchison-Tatura Road, Dhurringile (Homestead) (HO254) through Amendment C204 on an interim basis in November 2018. Amendment C205 seeks to include the property in the Heritage Overlay on a permanent basis.

The Amendment applies GSHIP to provide planning permit exemptions for minor buildings and works within the curtilage of the Heritage Overlay.

Extract from the proposed Schedule to Clause 43.01 *Heritage Overlay*.

**What is the issue?**

Submission 16 raised the following concerns regarding the Amendment:
• the Heritage Overlay is not warranted on the Homestead (HO254);
• the Homestead building has been extensively modified; and
• the Heritage Overlay will limit the development potential of the Homestead.

**Council officers’ response**

Council officers submit that:

• the Heritage Overlay is the most appropriate planning tool in Victoria to identify and conserve places of heritage significance by ensuring future development proposals are respectful of this significance;
• the alterations to the building outlined in the submission do not appear to have detrimentally impacted the heritage significance of the homestead and its integrity remains high;
• broadly speaking, general maintenance of buildings within the Heritage Overlay using ‘like for like’ materials that do not change the appearance of the building will not require a planning permit;
• the condition of a building is not something that can be considered at this stage and can only be assessed during the consideration of a building or planning permit; and
• the Heritage Overlay does not seek to prevent change to a place. Works that seek to resolve the issues identified in the submission, such as poor ventilation, can potentially be supported by Council subject to a planning permit.

No changes are proposed to the Amendment documentation based on the concerns included within Submission 16.

**7.15 Submission 17 – 210 Riverview Drive, Kialla (Part of the Kialla Village Settlement) (HO276) – Land Owner**

A place citation report for the property is included in the Draft Study on page 493.
What does the exhibited Amendment propose for the property?

The property at 210 Riverview Drive, Kialla (part of the Kialla Village Settlement) (HO276) is proposed to be included in the Heritage Overlay as part of Amendment C205. Interim heritage controls do not currently apply to this property.

The Amendment also seeks to introduce a new Incorporated Document to provide planning permit exemptions for all buildings and works in the Heritage Overlay.

### What is the issue?

Submission 17 stated that the Heritage Overlay is not warranted on properties within the Kialla Village Settlement.

### Council officers’ response

Council officers submit that:

- the Heritage Overlay is the most appropriate planning tool in Victoria to identify and conserve places of heritage significance by ensuring future development proposals are respectful of this significance;

- the Amendment seeks to apply a Heritage Overlay to protect the original subdivision pattern of the Kialla Village Settlement only. The **Kialla Village Settlement Incorporated Plan** that forms part of the Amendment would provide exemptions from any buildings and works triggered by the Heritage Overlay. Only proposals to change the subdivision pattern would trigger the need for a planning permit;

- the Heritage Overlay does not impose any additional restrictions than those that already apply under separate planning scheme provisions. Council offers a free heritage advisory service to educate the community (and real estate agents) on the specific conditions associated with the Kialla Village Settlement; and

- the Heritage Overlay is a statutory planning tool that identifies places of local cultural heritage significance. An appropriate test for a heritage place to pass in order to
warrant the application of a Heritage Overlay is that it has ‘something’ to be managed (e.g. subdivision pattern). Council officers consider that the Heritage Overlay is the appropriate planning tool to better guide future planning for the area while respecting the significance of the subdivision pattern.

7.16 Submission 18 – 249 Riverview Drive, Kialla (Part of the Kialla Village Settlement) (HO276) – Land Owner

A place citation report for the property is included in the Draft Study on page 493.

**What does the exhibited Amendment propose for the property?**

The Heritage Overlay was applied to 249 Riverview Drive, Kialla (part of the Kialla Village Settlement) (HO276) through Amendment C204 on an interim basis.

Amendment C205 seeks to apply HO276 to the property on a permanent basis. The Amendment also seeks to introduce a new Incorporated Document to provide planning permit exemptions for all buildings and works in the Heritage Overlay.
What is the issue?
Submission 18 raised the following concerns regarding the Amendment, the Heritage Overlay:

- is not warranted on the Kialla Village Settlement, existing planning controls prevent subdivision of land; and
- will affect the valuation and ability to sell the property.

Council officers’ response
Council officers submit that:

- the Heritage Overlay is the most appropriate planning tool in Victoria to identify and conserve places of heritage significance by ensuring future development proposals are respectful of this significance;
- the Amendment seeks to apply a Heritage Overlay to protect the original subdivision pattern of the Kialla Village Settlement only. The Kialla Village Settlement Incorporated Plan that forms part of the Amendment would provide exemptions from any buildings and works triggered by the Heritage Overlay. Only proposals to change the subdivision pattern would trigger the need for a planning permit;
- the Heritage Overlay does not impose any additional restrictions than those that already apply under separate planning scheme provisions. Council offers a free heritage advisory service to educate the community (and real estate agents) on the specific conditions associated with the Kialla Village Settlement; and
- the Heritage Overlay is a statutory planning tool that identifies places of local cultural heritage significance. An appropriate test for a heritage place to pass in order to warrant the application of a Heritage Overlay is that it has ‘something’ to be managed (e.g. subdivision pattern). Council officers submit that the Heritage Overlay is the

<table>
<thead>
<tr>
<th>PS map ref</th>
<th>Heritage place</th>
<th>Heritage Overlay:</th>
<th>External paint controls apply?</th>
<th>Internal alteration controls apply?</th>
<th>Tree controls apply?</th>
<th>Outbuildings or fences not exempt under Clause 43.01-4</th>
<th>Included on the Victorian Heritage Register under the Heritage Act 2017?</th>
<th>Prohibited uses permitted?</th>
<th>Aboriginal heritage place?</th>
</tr>
</thead>
<tbody>
<tr>
<td>HO276</td>
<td>Kialla Village Settlement</td>
<td>Kialla Village Settlement; 206-242; 244-290; 255-294 Riverview Drive, Kialla</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td></td>
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</tbody>
</table>
appropriate planning tool to better guide future planning for the area while respecting the significance of the subdivision pattern.

No changes are proposed to the Amendment documentation based on the concerns included within Submission 18.

7.17 Submission 19 - 210 Riverview Drive, Kialla (part of the Kialla Village Settlement) (HO276) – Land Owner

A place citation report for the property is included in the Draft Study on page 493.

What does the exhibited Amendment propose for the property?

The property at 210 Riverview Drive, Kialla (part of the Kialla Village Settlement) (HO276) is proposed to be included in the Heritage Overlay. Interim heritage controls do not currently apply to this property.

Amendment C205 seeks to apply HO276 to the property and to introduce a new Incorporated Document to provide planning permit exemptions for all buildings and works in the Heritage Overlay.
What is the issue?
Submission 19 raised the following concerns regarding the Amendment, the Heritage Overlay:

- is not warranted on the Kialla Village Settlement, existing planning controls prevent subdivision of land;
- will affect redevelopment of infrastructure; and
- will affect the valuation and ability to sell the property.

Council officers’ response
Council officers submit that:

- the Heritage Overlay is the most appropriate planning tool in Victoria to identify and conserve places of heritage significance by ensuring future development proposals are respectful of this significance;
- the Amendment seeks to apply a Heritage Overlay to protect the original subdivision pattern of the Kialla Village Settlement only. The Kialla Village Settlement Incorporated Plan that forms part of the Amendment would provide exemptions from any buildings and works triggered by the Heritage Overlay. Only proposals to change the subdivision pattern would trigger the need for a planning permit;
- the Heritage Overlay does not impose any additional restrictions than those that already apply under separate planning scheme provisions. Council offers a free heritage advisory service to educate the community (and real estate agents) on the specific conditions associated with the Kialla Village Settlement;
- impacts on property value is not something that can be considered as part of the Amendment process; and
the Heritage Overlay is the appropriate planning tool to better guide future planning for the area while respecting the significance of the subdivision pattern.

No changes are proposed to the Amendment documentation based on the content included within Submission 19.

7.18 Submission 20 – Various addresses – Department of Environment, Land, Water and Planning

Submission 20 supports the application of the Heritage Overlay to the following properties:

- 380 Thompsons Road, Congupna (Moreton Bay Fig Trees) (HO245); and
- 242 Riverview Drive, Kialla (part of the Kialla Village Settlement) (HO276).

Submission 20 does not support the application of the Heritage Overlay to the following properties:

- 406 Boxwood Road, Boxwood (Lime Kilns) (HO236);
- 1 & 1A McLennan Street, Mooroopna (Chinaman’s Gardens) (HO307);
- part of the Shepparton Regional Park (Mooroopna Flats) (HO312); and
- 3-23 Willoughby Street, Murchison (Murchison Protectorate) (HO334).

Submission 20 also mentions the reserve adjacent to Murchison – Goulburn Weir Road, Murchison (Flume at Murchison Goulburn Weir) (HO332) but does not state whether it supports or does not support the inclusion of this place in the Heritage Overlay.

7.18.1 406 Boxwood Road, Boxwood (Lime Kilns) (HO236)
A place citation report for the property is included in the Draft Study on page 274.

What does the exhibited Amendment propose for the property?

HO236 was applied to the property through Amendment C204 on an interim basis in November 2018. Amendment C205 proposes to apply HO236 to the property on a permanent basis. Amendment C205 does not propose to change any of the specific controls associated with HO236.

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<thead>
<tr>
<th>PS map ref</th>
<th>Heritage place</th>
<th>External paint controls apply?</th>
<th>Internal alteration controls apply?</th>
<th>Tree controls apply?</th>
<th>Outbuildings or fences not exempt under Clause 43.61-4</th>
<th>Included on the Victorian Heritage Register under the Heritage Act 2017?</th>
<th>Prohibited uses permitted?</th>
<th>Aboriginal heritage place?</th>
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</thead>
<tbody>
<tr>
<td>HO236</td>
<td>Boxwood Nature Conservation Reserve—Lime kilns: 406 Boxwood Road, Boxwood</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>Nature Conservation Reserve—Lime kilns: 406 Boxwood Road, Boxwood</td>
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<td></td>
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<td></td>
<td>Incorporated Plan: SoS***</td>
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<tr>
<td></td>
<td>Statement of Significance: 406 Boxwood Road BOXWOOD (Boxwood Nature Conservation Reserve – Lime kilns)</td>
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Extract from the proposed Schedule to Clause 43.01 *Heritage Overlay.*

7.18.2 380 Thompsons Road, Congupna (Moreton Bay Fig Trees) (HO245)

A place citation report for the property is included in the Draft Study on page 317.

What does the exhibited Amendment propose for the property?

HO245 was applied to the property through Amendment C204 on an interim basis in November 2018. Amendment C205 proposes to apply HO245 to the property on a permanent basis. Amendment C205 does not propose to change any of the specific controls associated with HO245.

<table>
<thead>
<tr>
<th>PS map ref</th>
<th>Heritage place</th>
<th>External paint controls apply?</th>
<th>Internal alteration controls apply?</th>
<th>Tree controls apply?</th>
<th>Outbuildings or fences not exempt under Clause 43.61-4</th>
<th>Included on the Victorian Heritage Register under the Heritage Act 2017?</th>
<th>Prohibited uses permitted?</th>
<th>Aboriginal heritage place?</th>
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</thead>
<tbody>
<tr>
<td>HO245</td>
<td>Congupna Common</td>
<td>No</td>
<td>No</td>
<td>Yes - seven Moreton Bay Figs (Ficus macrophylla)</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>Congupna Common: 380 Thompsons Road, Congupna</td>
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</tr>
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<td>Incorporated Plan: SoS***</td>
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</tr>
<tr>
<td></td>
<td>Statement of Significance: 380 Thompsons Road CONGUPNA (Congupna Common)</td>
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</tbody>
</table>

Extract from the proposed Schedule to Clause 43.01 *Heritage Overlay.*
What does the exhibited Amendment propose for the property?

The property at 242 Riverview Drive, Kialla (part of the Kialla Village Settlement) (HO276) was included in the Heritage Overlay as part of Amendment C204 on an interim in November 2018.

Amendment C205 seeks to apply HO276 to the property on a permanent basis. The Amendment also seeks to introduce a new Incorporated Document to provide planning permit exemptions for all buildings and works in the Heritage Overlay.

A place citation report for the property is included in the Draft Study on page 493.
7.18.4 1 & 1A McLennan Street, Mooroopna (Chinaman’s Garden) (HO307)

A place citation report for the property is included in the Draft Study on page 668.

What does the exhibited Amendment propose for the property?

The property at 1 & 1A McLennan Street, Mooroopna (Chinaman’s Gardens) (HO307) was included in the Heritage Overlay as part of Amendment C204 on an interim basis in November 2018.

Amendment C205 seeks to apply HO307 to the property on a permanent basis. No specific controls are proposed to change as a result of the Amendment.

<table>
<thead>
<tr>
<th>PS map ref</th>
<th>Heritage place</th>
<th>External paint controls apply?</th>
<th>Internal alteration controls apply?</th>
<th>Tree controls apply?</th>
<th>Outbuildings or fences not exempt under Clause 43.01-4</th>
<th>Included on the Victorian Heritage Register under the Heritage Act 2017?</th>
<th>Prohibited uses permitted?</th>
<th>Aboriginal heritage place?</th>
</tr>
</thead>
<tbody>
<tr>
<td>HO307</td>
<td>Chinamans Garden</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>

Extract from the proposed Schedule to Clause 43.01 Heritage Overlay.

7.18.5 Part of Shepparton Regional Park, Midland Highway, Mooroopna (Mooroopna Flats) (HO312)

A place citation report for the property is included in the Draft Study on page 724.
What does the exhibited Amendment propose for the property?

Mooroopna Flats (HO312) was included in the Heritage Overlay as part of Amendment C204 on an interim basis in November 2018.

Amendment C205 seeks to apply HO312 to the property on a permanent basis. No specific controls are proposed to change as a result of the Amendment.

A place citation report for the property is included in the Draft Study on page 929.

What does the exhibited Amendment propose for the property?

The Heritage Overlay was applied to 3-23 Willoughby Street, Murchison (Murchison Protectorate) (HO334) through Amendment C204 on an interim basis in November 2018.

Specifically, Amendment C205 seeks to apply HO312 to the property on a permanent basis. No specific controls are proposed to change as a result of the Amendment.
Extract from the proposed Schedule to Clause 43.01 *Heritage Overlay.*

### 7.18.7 Reserve adjacent to Murchison-Goulburn Weir Road, Murchison (Flume at Murchison-Goulburn Weir) (HO332)

A place citation report for the property is included in the Draft Study on page 831.

**What does the exhibited Amendment propose for the property?**

The Flume (HO332) was included in the Heritage Overlay as part of Amendment C204 on an interim basis in November 2018.

Amendment C205 seeks to apply HO312 to the property on a permanent basis. No specific controls are proposed to change as a result of the Amendment.
7.18.8 Issues raised in submission 20

What is the issue?

DELWP cited the following concerns:

- high levels of protection are already afforded to crown land through other means, a Heritage Overlay is not warranted on certain properties;
- Parks Victoria believes there should not be a requirement to refer its own proposed work programs to Council for endorsement;
- Parks Victoria recommends that Heritage Overlays are generally not applied over Parks Victoria estate; and
- Council is advised to liaise with the Department of Human Services in relation to placing a Heritage Overlay on cemeteries.

Council officers’ response

Council officers submit that:

- the Heritage Overlay is the most appropriate planning tool to identify and conserve places of heritage significance by ensuring that future development proposals are respectful of this significance; and
- section 4 of the Planning and Environment Act 1987 seeks to “conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value”. As a result, councils in Victoria are obliged to conserve places of cultural heritage significance.

Council officers are not proposing any changes to the Amendment documentation based on the contents included within submission 20.
A place citation report for the property is included in the Draft Study on page 238.

What does the exhibited Amendment propose for the property?

The Heritage Overlay was applied to 170 Ardmona Road, Ardmona (former Ardmona Grammar School) (HO231) through Amendment C204 on an interim basis in November 2018. Amendment C205 seeks to apply the Heritage Overlay on a permanent basis and make the following specific changes to the place:

- apply tree controls to all ‘mature trees’. If approved, a planning permit would be required to remove lop or destroy a ‘mature tree’; and
- apply GSHIP to provide planning permit exemptions for minor buildings and works within the curtilage of the Heritage Overlay.

What is the issue?

Submitter 21 raised the following concerns regarding the Amendment:

- tree controls should not apply to the London Plane trees;
- the external verandahs are not of significance; and
• properties included within the Heritage Overlay should be afforded rate reductions.

Council officers’ response

Council officers submit that:

• the Heritage Overlay is the most appropriate planning tool in Victoria to identify and conserve places of heritage significance by ensuring that future development proposals are respectful of this significance;

• the Statement of Significance for the former Ardmona Grammar School sets out what is significant and this is confined to all architectural features associated with the building’s Edwardian architecture. The later additions to the building are considered to be sympathetic but not significant;

• tree controls seek to protect all mature trees (including the London Plane trees) within the curtilage of the Heritage Overlay. Any proposal to remove, lop or destroy one or more of the trees will be considered through the normal planning permit process.

• Council provides a Heritage Grants Program to all land owners of property within the Heritage Overlay to maintain and conserve significant properties.

No changes are proposed to the Amendment documentation based on the concerns included within Submission 21.

7.20 Submission 22 - 142 Nixon Street, Shepparton (part of the Nixon Street Group) (HO174)

A place citation report for the property is included in the Draft Study on page 1230.

What does the exhibited Amendment propose for the property?

The Heritage Overlay was applied to all properties within the Nixon Street Group as part of Amendment C110 in 2013. Amendment C205 proposes to revise the specific heritage controls applying to HO174.
Specifically, Amendment C205 seeks to:

- apply external paint controls. If approved, a planning permit to alter the colour of an already painted surface.

Extract from the proposed Schedule to Clause 43.01 *Heritage Overlay*.

**What is the issue?**

Submission 22 raised the following concerns regarding the Amendment:

- the Heritage Overlay is not warranted;
- the place is a well-established commercial property, not that of a 20th century residential settlement;
- the Heritage Overlay restricts further development, expansion and maintenance of the place;
- the front fence cannot be replaced;
- the application of a Heritage Overlay affects property value and ability to sell;
- 115, 117 and 127 Nixon Street, Shepparton are of similar significance and are not included within the Heritage Overlay; and
- external Paint Controls are not warranted.

**Council officers’ response**

Council officers submit that:

- the Heritage Overlay is the most appropriate planning tool to identify and conserve places of heritage significance in Victoria by ensuring that future development proposals are respectful of this significance;
- HO174 is considered to be of local historic, social and aesthetic significance to the City of Greater Shepparton. The Nixon Street Group is identified as providing: “*tangible evidence as to the character of residential development in Shepparton during the early 20th century. Nixon Street became developed as a residential street during this period.*” The adaptive re-use of this building has not diminished any understanding or appreciation of the residential characteristics.
associated with the former residential building and/or its capacity to contribute to the cultural heritage significance of HO174;

- the inclusion of properties that were part of the Nixon Street Group was considered as part of the Independent Planning Panel for Amendment C110 to the Planning Scheme. The Panel considered the Nixon Street Group to be of heritage significance;

- External Paint Controls are now proposed to apply to HO174. If approved, these controls will ensure that future colour schemes proposed for building within the Nixon Street Group will not become a dominant form in the streetscape, and will not diminish the aesthetic and historic significance of the place;

- the Heritage Overlay ensures that alterations and additions respect the Contributory elements and enhance the character of HO174;

- impacts on property value is not something that can be considered as part of the application of a Heritage Overlay. This is further justified in section 5 of this Part B submission; and

- Council officers have considered the properties identified in the submission and can provide the following advice:
  - that the properties at 115 and 117 Nixon Street, Shepparton are proposed to be included in Section 5.0 of the Draft Study as a post-exhibition change and will be assessed as part of a future heritage study; and
  - 127 Nixon Street, Shepparton has been assessed and is not considered to meet the threshold of local cultural heritage significance.

No changes (other than those mentioned to the future recommendations of the Draft Study) are proposed to the Amendment documentation based on the concerns included within Submission 22.

7.21 Submission 23 – No address provided

What is the issue?
Submission 23 noted that the Heritage Overlay is too restrictive on places of non-contributory heritage significance within a heritage precinct.

Council officers’ response
Council officers submit that removing or altering non-contributory elements within a precinct is not of major concern. However, any redevelopment of land must respond in a manner appropriate to the significance of the precinct including its character and appearance.

No changes are proposed to the Amendment documentation based on the content included within Submission 23.
A place citation report for the property is included in the Draft Study on page 1274.

**What does the exhibited Amendment propose for the property?**

Amendment C50 introduced HO140 on a permanent basis to 32 Orr Street, Shepparton in 2007. Amendment C205 proposes to revise the specific heritage controls associated with HO140.

Amendment C205 seeks to:

- apply External Paint Controls. If approved, a planning permit would be required to change the colour of an already painted surface;
- apply tree controls. If approved, a planning permit would be required to remove, lop or destroy a ‘mature tree’; and
- Permit prohibited uses. If approved, a planning permit seeking a prohibited use could be considered if it allowed for the adaptive re-use of the place.

**What is the issue?**

Submission 24 raised the following concerns regarding the Amendment:

- many significant places were demolished in recent years;
- places included within the Draft Study have been altered or demolished;
• the assessment of planning permits for buildings and works triggered by the Heritage Overlay are inconsistent, inconvenient and expensive;

• Council should develop guidelines to provide consistent decision-making for land owners within the Heritage Overlay;

• Council has one heritage advisor, who has also been responsible for preparing heritage studies, and more transparent decision-making is required;

• the rationale for the inclusion of places of ‘Contributory’ heritage significance within precincts is generic, further detail is required;

• a review of heritage precincts, specifically the Shepparton Residential Precinct North (HO140), is required;

• alternative planning controls should be investigated and implemented to prevent inappropriate development in heritage precincts; and

• tree controls to protect all mature trees should not apply or justification for their inclusion in the Planning Scheme should be provided.

Council officers’ response

Council officers submit that:

• the Draft Study considers 32 Orr Street, Shepparton to be a place of ‘Contributory’ heritage significance in the Shepparton Residential Precinct North (HO140);

• the Heritage Overlay is the most appropriate planning tool in Victoria to identify and conserve places of heritage significance by guiding future development proposals to be respectful of this significance;

• section 4 of the Planning and Environment Act 1987 (the Act) seeks to “conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value”. As a result, councils in Victoria are obliged to conserve places of cultural heritage significance. This is undertaken using a three stage approach including the:
  – preparation of a Thematic Environmental History, which provides the basis for identifying places of cultural heritage significance within the municipality;
  – preparation of heritage studies to refine the research established in the thematic environmental history and to identify places that represent these themes; and
  – application of the Heritage Overlay or other planning controls through planning scheme amendments to apply appropriate planning controls to conserve places identified in heritage studies.

Given the cost and time required to prepare and implement these three stages, a staged approach to the assessment of places and the preparation of heritage studies is preferred. Individual heritage studies tend to focus on specific areas, eras of development or themes identified in thematic environmental histories;
Council officers acknowledge that a number of significant places have been lost. However, there are many places that are of heritage significance that have been or are proposed to be included in the Heritage Overlay to ensure that future development proposals respect a place’s significance. Council is obliged to ensure that places of cultural heritage significance within the municipality are preserved for future generations. Most of the places included in the Draft Study demonstrate the historic themes identified in the Thematic Environmental History. In addition, the Draft Study has identified places that inform the history and provide further scope for a better understanding of the historic development of the City of Greater Shepparton. Examples of the places identified in the Draft Study are of high local and State significance, including:

- a number of significant turn of the century homesteads;
- infrastructure associated with early irrigation in the region;
- places of shared cultural value of State-wide significance; and
- places that are representative examples of a building.

the Shepparton Residential Precinct North (HO140) was included as part of Amendment C49 to the Planning Scheme in December 2004. Amendment C110 further reviewed HO140 to ensure consistency with the form and content in Heritage Victoria’s HERMES database. Additionally, the Independent Planning Panel Report for Amendment C110 determined that HO140 was a visually cohesive streetscape and that the precinct was of heritage significance;

Council officers submit that the rationale for the inclusion of ‘Contributory’ places is not generic. ‘Contributory’ places should, as a group, demonstrate what has been identified as culturally significant. Precincts might appear to be ‘generic’ or typical. This is why they satisfy the threshold for local heritage significance. HO140 is a precinct that demonstrates typical residential development that occurred from the late 19th century through to the 1940s. This is in essence generic development and it is important to retain evidence of this type of development as it demonstrates historic and aesthetic cultural values from this period;

as outlined above, Council is obliged to conserve places of ‘Individual’ heritage significance and ‘Contributory’ significant places in heritage precincts. The application of the Heritage Overlay does not preclude redevelopment of a site, it simply guides future redevelopment proposals to minimise impacts on significant heritage fabric to better ensure its conservation. Broadly speaking:

- alterations of a building do not necessarily detract from the heritage significance of the place. The Heritage Overlay seeks to ensure that new alterations to buildings of significance are not precluded, but are respectful of the historical importance, character and appearance of the precinct;
- generally, places that have been substantially altered have not been included within the Draft Study. However, some places are included in the Draft Study for their alterations as physical changes can be important in their own right. In some
cases the alterations may be reversible and are not seen to have markedly compromised the significance of the building; and

- the style of alterations can vary considerably due to the different tastes of ‘property’ owners. Any proposed alteration to a heritage place is assessed on its merits and how the proposed changes will impact on the cultural heritage values. It is rare for any one particular style to be prescribed. Generally, changes should have a low visual and physical impact.

the planning permit requirements for buildings and works for places in the Heritage Overlay are set by the Minister for Planning and apply consistently to all municipal Councils in Victoria. Additionally planning permit fees are a statutory fee set by the Planning and Environment (Fees) Regulations 2016. Currently, planning permit fees may be waived by Council for applicants if interim heritage controls apply to the property where the Heritage Overlay is the only planning permit trigger for proposed buildings or works;

broadly speaking, places within the Heritage Overlay will not require a planning permit to undertake routine maintenance to the property and repairs that do not alter the appearance of the place. Works that alter the appearance of the place or significant heritage fabric would require a planning permit. The planning permit process allows Council’s Statutory Planning Team and Heritage Advisor to assess whether proposed works would detrimentally impact upon the place;

52 Vaughan Street, Shepparton (the former Goulburn Valley Winery/Phillips Cellar) was identified as a place of ‘Individual’ heritage significance in the Draft Study and recommended it be included in the Heritage Overlay. Unfortunately, it was nominated by a member of the public late in the consultation period for the latest heritage study and could not be included in Amendment C204. Amendment C204 was prepared and approved by the Minister for Planning to apply the Heritage Overlay on an interim basis for all properties identified in HSIIC. In early 2019, the land owner applied for a building permit for demolition of the building and, given that a Heritage Overlay had not been applied to the building as part of Amendment C204, a planning permit was not triggered to demolish the building; unfortunately, the building’s heritage significance could not considered as part of this process;

with regards to the concerns expressed about the heritage advisory service:

- the heritage advisory service is a program delivered by Council. The role of the appointed heritage advisor is to provide expert advice and support to Council in achieving best conservation practice and the promotion of places of cultural heritage significance; and

- most councils in Victoria employ one Heritage Advisor. Like town planners, heritage advisors recommend outcomes based on local policies and best practice conservation principles.

with regards to submission 24 queries on tree controls:
- tree controls are important. Some trees have their own intrinsic cultural values (e.g. the Separation Tree in the Royal Botanic Gardens Melbourne). Other trees are important as they might have specific historic resonance or represent a particular period – this can apply to *phoenix canariensis* (Canary Island Date Palm), which has strong associations with the Interwar period. Other trees might be significant as they support a setting (e.g. landscaped gardens to historic homestead or garden settings in suburbs that were established as part of the garden suburb ideal). In the case of HO140, the predominant residential character is suburban and within the genre, trees and a garden setting are integral to the aesthetic and historic character. It is important that ‘mature trees’, which contribute to the character of HO140, are protected; and

- tree controls are proposed to apply to protect all ‘mature trees’ as they actively contribute to the significance of the precinct. A ‘mature tree’ is a tree that is greater than 5 metres in height; or greater than 2 metres in circumference measured at a height of 1.4 metres above ground level. Works that propose to remove, lop or destroy a ‘mature tree’ would trigger a planning permit.

- in the past few years, Council and Council officers have worked hard to disseminate all of the above to our community. Following the establishment of the Greater Shepparton Heritage Advisory Committee in 2012, Council has launched several programs to help disseminate the importance of our unique places of cultural heritage significance, acknowledge the works that the guardians of our cultural heritage do every day and provide financial assistance to land owners to conserve places of significance. This work will continue into the future.

Council officers have considered submission 24 and will not recommend any changes to the Amendment documentation based on the concerns raised.

### 7.23 Submission 25 – 110 Craven Road, Tatura (Gladfield (HO375) & Nimitybelle (HO376)) – Land Owner

A place citation report for the property is included in the Draft Study on page 1482 and 1486 respectively.

**What does the exhibited Amendment propose for the property?**

Amendment C204 to the Planning Scheme introduced HO375 and HO376 to the property on an interim basis in November 2018. Amendment C205 to the Planning Scheme seeks to
apply HO375 and HO376 to the property on a permanent basis and amend the specific controls associated with the places.

Specifically, for Gladfield Homestead (HO375):

- Apply tree controls. If approved, a planning permit would be required to remove, lop or destroy a ‘mature tree’.

Specifically, for Nimitybelle Homestead (HO376):

- Apply tree controls. If approved, a planning permit would be required to remove, lop or destroy a ‘mature tree’.

The Amendment proposes to apply GSHIP to provide planning permit exemptions for minor buildings and works within the curtilage of the Heritage Overlay.

Extract from the proposed Schedule to Clause 43.01 Heritage Overlay.

What is the issue?
The following concerns were raised:

- the Heritage Overlay is not warranted on the property (HO375 & HO376);
- the application of the Heritage Overlay will impose additional costs for routine maintenance and will make maintenance restrictive;
- the Heritage Grant is not available to all applicants and involves upfront costs to meet Heritage Overlay conditions for materials;
- the information in the Statement of Significance for the places is incorrect, justification is required; and
- External Paint Controls are not warranted.

Council officers’ response

Council officers submit that:

- the Heritage Overlay is the most appropriate planning tool in Victoria to protect and conserve places of heritage significance by guiding future development proposals;
the Heritage Overlay does not require land owners to return the property to any previous appearance that the building had in the past;

broadly speaking, places within the Heritage Overlay will not require a planning permit to undertake routine maintenance to the property and repairs that do not alter the appearance of the place;

External paint controls guide the choice of colour schemes for places of heritage significance. Inappropriate colour schemes can have a detrimental impact on the aesthetic significance of a place. If a land owner wishes to repaint an already painted external surface with the same or similar colour, a planning permit will not be required. Land owners wishing to repaint a building (or part of it) in a starkly different colour than the existing colour are encouraged to seek advice from the Building and Planning Department;

Council provides a Heritage Grants Program to assist land owners of property within the Heritage Overlay to maintain and conserve these significant properties;

Internal alteration controls do not currently apply to either homestead, nor are they proposed to. The current proposed controls seek only to ensure that any future development seeking to change the appearance of the exterior of the buildings. This will ensure that impacts on heritage significance can be properly assessed as part of any future planning permit. This would also apply to the hay shed;

the condition of a building is not something that can be considered at this stage and can only be assessed during the consideration of a building or planning permit. Council officers would require a further site-visit to inspect the integrity of the hay shed before proposing any changes to the Amendment documentation; and

the age of the hay shed was based on the roofing material (size and profile of the roofing sheets) and the construction method. It is the structural system that is important and it is of note that this type of construction continued into the 20th century. The shed’s significance largely lies in its vernacular character. It is now a rare structural type. Council recognises that the ongoing use of the shed is of primary concern. The Heritage Overlay does not seek to impose any impediment to its continued use. This building has been well-maintained and the controls associated with the Heritage Overlay are not intended to provide a barrier to the ongoing maintenance and repair of this building.

No changes are proposed to the Amendment documentation based on the content included within Submission 25. Council officers would require a further site-visit to inspect the integrity of the hay shed before proposing any changes to the Amendment documentation.
7.24 **Submission 26 – 325 Poplar Avenue, Orrvale (former Methodist Church)**

(HO342)

A place citation report for the property is included in the Draft Study on page 952.

**What does the exhibited Amendment propose for the property?**

Amendment C204 to the Planning Scheme introduced HO342 to the property on an interim basis in November 2018. Amendment C205 seeks to apply HO342 on a permanent basis and amend the specific controls associated with the place as follows:

- apply tree controls. If approved, a planning permit would be required to remove, lop or destroy a ‘mature tree’; and
- apply GSHIP to provide planning permit exemptions for minor buildings and works within the curtilage of the Heritage Overlay.

Extract from the proposed Schedule to Clause 43.01 *Heritage Overlay*.

**What is the issue?**

The following concerns were raised in submission 26:

- Internal Alteration Controls and Tree Controls are not warranted;
- Outbuildings and Fences Controls are not warranted on the second church building; and
- further clarification on ‘Prohibited uses may be permitted’ in the Schedule to Clause 43.01 *Heritage Overlay* is sought.
Council officers’ response

Council officers submit that:

- the Heritage Overlay is the most appropriate planning tool in Victoria to identify and conserve places of heritage significance by ensuring that future development proposals are respectful of this significance;

- based on the site visit undertaken on Tuesday, 17 September 2019, Council officers and Council’s Heritage Advisor are proposing post-exhibition changes to the Amendment documentation to remove internal alteration controls from HO342 as there is little significant fabric remaining;

- tree controls are proposed to apply to protect all ‘mature trees’ as they actively contribute to the significance of the place. A ‘mature tree’ is a tree that is greater than 5 metres in height; or greater than 2 metres in circumference measured at a height of 1.4 metres above ground level. Works that propose to remove, lop or destroy a ‘mature tree’ would trigger a planning permit. Clause 52.17 Native Vegetation of the Planning Scheme includes a permit exemption for ‘lopping and pruning (of trees) for maintenance’ stating that ‘lopping or pruning native vegetation, for maintenance only, provided no more than 1/3 of the foliage of each individual plant is lopped or pruned.

- a planning permit would not be required for routine works and gardening. A planning permit would also not be required:
  - to undertake any action which is necessary to keep the whole or any part of a tree clear of an electric line provided the action is carried-out in accordance with a code of practice prepared under Section 86 of the Electricity Safety Act 1998; and
  - if the tree presents an immediate risk of personal injury or damage to property.

- based on the site visit undertaken on Tuesday, 17 September 2019, Council officers and Council’s Heritage Advisor will no longer propose a post-exhibition change to list the second church on 325 Poplar Avenue, Orrvale as a significant outbuilding. Although the building itself is significant, given that it was relocated to the site, Council officers are of the view that it is now unable to meet the threshold of local cultural heritage significance;

- in regards to your query about ‘prohibited uses may be permitted’:
  - the majority of land within the City of Greater Shepparton is located within a zone. The zone determines what uses can be undertaken or considered on the land. The types of uses are listed in the Planning Scheme within the zone provisions outlining either section 1 uses (no planning permit required), section 2 uses (planning permit required) or a section 3 uses (prohibited); and
as ‘prohibited uses may be permitted’ is included in the Schedule to Clause 43.01 Heritage Overlay, uses that are prohibited in the Farming Zone may be considered if it allows for the adaptive re-use of the place.

- the Amendment is expected to take 12-18 months to be complete. If the Amendment is approved by the Minister for Planning, HO342 will apply to the property on a permanent basis; and

- broadly speaking, places within the Heritage Overlay will not require a planning permit to undertake routine maintenance to the property and repairs that use “like for like” materials that do not alter the appearance of the place.

7.25 Submission 27 – 134 Nixon Street, Shepparton (part of the Nixon Street Group) (HO174) – Land Owner

A place citation report for the property is included in the Draft Study on page 1221.

What does the exhibited Amendment propose for the property?

The Heritage Overlay was applied to all properties within the Nixon Street Group as part of Amendment C110 in 2013. Amendment C205 proposes to revise the specific heritage controls applying to HO174 as follows:

- apply external paint controls. If approved, a planning permit to alter the colour of an already painted surface.

Extract from the proposed Schedule to Clause 43.01 Heritage Overlay.

What is the issue?

The following concerns were raised in submission 27 regarding the Amendment:
• the Heritage Overlay is not warranted on the property;

• the place is a well-established commercial property, not that of a 20th century residential settlement;

• the Heritage Overlay restricts further development, expansion and maintenance of the place;

• queried the possibility of constructing a garage / shed at the rear of the property;

• the application of a Heritage Overlay affects property value and saleability; and

• 115, 117 and 127 Nixon Street, Shepparton are of similar significance and not included within the Heritage Overlay.

Council officers’ response

Council officers submit that:

• the Heritage Overlay is the most appropriate planning tool in Victoria to identify and conserve places of heritage significance by ensuring that future development proposals are respectful of this significance;

• HO174 is considered to be of local historic, social and aesthetic significance to the City of Greater Shepparton. The Nixon Street Group is identified as providing: “tangible evidence as to the character of residential development in Shepparton during the early 20th century. Nixon Street became developed as a residential street during this period.” The adaptive re-use of this building has not diminished any understanding or appreciation of the residential characteristics associated with the former residential building and/or its capacity to contribute to the cultural heritage significance of HO174;

• the inclusion of properties that form part of the Nixon Street Group was considered as part of the Independent Planning Panel for Amendment C110 to the Planning Scheme. The Panel considered the Nixon Street Group to be of local heritage significance;

• External Paint Controls are now proposed to apply to HO174. If approved, these controls will ensure that future colour schemes proposed for buildings within the Nixon Street Group will not become a dominant form in the streetscape, and will not diminish the aesthetic and historic significance of the place;

• the Heritage Overlay seeks to ensure that alterations and additions respect the contributory elements and enhance the character of HO174;

• the HERCON Criteria is a list of common criteria that are commonly used to help structure and organise the heritage assessment process. The HERCON Criteria describe a certain value. Most places included, or proposed to be included within the Heritage Overlay within the City of Greater Shepparton, are of historic and aesthetic value (HERCON Criteria A & D/E). Some additional criteria such as technical or rarity value have been applied but these are less common;
• internal controls do not apply to HO174 and they are not proposed to apply as part of the Amendment. Adaptive re-use of a heritage place is supported by Council where it does not impact upon the significance of the place. The adaptive re-use of this building has not diminished any understanding or appreciation of the residential characteristics associated with the former residential building and/or its capacity to contribute to the cultural heritage significance of HO174;

• an e-mail dated Tuesday, 27 August 2019 stated that Council officers had been unable to access the attachments appended to the submission and requested that a copy of the attachments be sent to Council to allow Council officers to fully consider the submission. A response to this request has not been received by Council officers;

• impact on property value is not something that can be considered as part of the application of a Heritage Overlay. This is further justified in section 5 of this Part B submission; and

• Council officers have considered the properties identified in submission 27 and can provide the following advice:
  – Council officers acknowledge comments on the redevelopment of 118, 150 and 167 Nixon Street, Shepparton;
  – that the properties at 115 and 117 Nixon Street, Shepparton are proposed to be included in Section 5.0 of the Draft Study as a post-exhibition change and assessed as part of a future heritage study; and
  – 127 Nixon Street, Shepparton has been assessed and is not considered to meet the threshold of local cultural heritage significance.

Council officers have considered your submission. To address the concerns outlined in submission 27, Council officers are proposing to only make changes to the Draft Study to ensure that 115 and 117 Nixon Street, Shepparton are assessed as part of a future heritage study. Council officers are not proposing any further changes to the Amendment documentation based on submission 27.

7.26 Submission 28 – No address provided

What is the issue?
The following concerns were raised in Submission 28 regarding the Amendment:

• the Heritage Overlay is too restrictive on places of non-contributory heritage significance within a heritage precinct; and

• planning permits for buildings and works triggered by the Heritage Overlay are inconsistent.

Council officers’ response

Council officers submit that:
• the Heritage Overlay is the most appropriate planning tool in Victoria to protect and conserve places of heritage significance by guiding future development proposals; and

• removing or altering non-contributory elements within a precinct is not of major concern. However, any redevelopment of non-contributory places must respond in a manner appropriate to the significance of the precinct; this includes its character and appearance.

No changes are proposed to the Amendment documentation based on the concerns included within Submission 28.

7.27 Submission 29 – 90 Watt Road, Kialla (part of the Kialla Village Settlement) (HO276)

A place citation report for the property is included in the Draft Study on page 493.

**What does the exhibited Amendment propose for the property?**

The property at 90 Watt Road, Kialla (part of the Kialla Village Settlement) (HO276) is proposed to be included in the Heritage Overlay as part of Amendment C205. Interim heritage controls do not currently apply to this property.

Amendment C205 also seeks to introduce a new Incorporated Document to provide planning permit exemptions for all buildings and works in the Heritage Overlay.
Submission 29 raised the following concerns regarding the Amendment:

- the Heritage Overlay is not warranted on the Kialla Village Settlement as there are no historical buildings remaining.

Council officers’ response

Council officers submit that:

- the Heritage Overlay is the most appropriate planning tool in Victoria to identify and conserve places of heritage significance by ensuring future development proposals are respectful of this significance;

- the Amendment seeks to apply a Heritage Overlay to protect the original subdivision pattern of the Kialla Village Settlement only. The Kialla Village Settlement Incorporated Plan that forms part of the Amendment would provide exemptions from any buildings and works triggered by the Heritage Overlay.

- the Heritage Overlay does not impose any additional restrictions than those that already apply under separate planning scheme provisions. Council offers a free heritage advisory service to educate the community (and real estate agents) on the specific conditions associated with the Kialla Village Settlement; and

- the Heritage Overlay is a statutory planning tool that identifies places of local cultural heritage significance. An appropriate test for a heritage place to pass in order to warrant the application of a Heritage Overlay is that it has ‘something’ to be managed (e.g. subdivision pattern). Council officers submit that the Heritage Overlay is the appropriate planning tool to better guide future planning for the area while respecting the significance of the subdivision pattern.
Council received an e-mail from an adjoining land owner on behalf of Submitter 29 on 15 June 2019 requesting further information in hard copy to better explain the purpose of the Amendment and what it seeks to achieve. A letter was sent to Submitter 29 on Tuesday, 18 June 2019 with a hard copy of the relevant Amendment documentation. Council officers met with Submitter 29 to discuss the Amendment on Thursday, 20 June 2019. Council officers outlined that the *Kialla Village Settlement Incorporated Plan* was prepared in conjunction with the Amendment which provides permit exemptions for all buildings and works for places affected by HO276 but that a permit would still be required to subdivide land under the Heritage Overlay.

No changes are proposed to the Amendment documentation based on the concerns included within Submission 29.

**7.28 Submission 30 - 725 Byrneside-Kyabram Road, Kyabram (Greenwood’s House and Coolstore) (HO286) - Greenwoods Orchards & the Greenwoods Family**

A place citation report for the property is included in the Draft Study on page 525.

**What does the exhibited Amendment propose for the property?**

The Heritage Overlay was applied to the property at 725 Byrneside-Kyabram Road, Merrigum (HO296) on an interim basis through Amendment C204 in November 2018. Amendment C205 does not propose to change the existing specific controls applying to the property.

The Amendment applies GSHIP to provide planning permit exemptions for minor buildings and works within the curtilage of the Heritage Overlay.

Extract from the proposed Schedule to Clause 43.01 *Heritage Overlay.*
What is the issue?
Submission 30 raised the following concerns regarding the Amendment:

- a reduction in the extent of the Heritage Overlay to only apply to the significant fabric on the land;
- tree controls be removed as the justification for their application is not substantiated in the place citation report and statement of significance; and
- external paint controls are not warranted.

Council officers’ response
Council officers submit that:

- the Heritage Overlay is the most appropriate planning tool in Victoria to identify and conserve places of heritage significance by ensuring that future development proposals are respectful of this significance;
- Tree Controls apply to places where the tree/s (in this case the avenue of canary island date palms) actively contributes to the significance of a place. The Heritage Overlay will only apply to the canary island date palms included within the curtilage of HO286 as they contribute to the significance of the place. A planning permit would not be required for routine maintenance works and gardening. A planning permit would not be required:
  - to undertake any action that is necessary to keep the whole or any part of a tree clear of an electric line provided the action is carried out in accordance with a code of practice prepared under Section 86 of the Electricity Safety Act 1998; or
  - if the tree presents an immediate risk of personal injury or damage to property.
- as recognised in submission 30, a planning permit is required to paint an unpainted external surface. External Paint Controls seek to guide the choice of future colour schemes for buildings of significance. If a land owner wishes to repaint an already painted external surface with the same colour, a planning permit will not be required. Land owners wishing to repaint a significant building (or part of it) in a different colour than the existing colour are encouraged to seek advice from the Building and Planning Department;
- Council officers are proposing to revise the extent of HO286 on the land to apply to a smaller area to ensure that planning permits are not triggered unnecessarily. Please refer to the attached map displaying that area of the Heritage Overlay that is proposed to be deleted. Council officers are not proposing to retract the area of the Heritage Overlay any further as this may impact upon the management of change in the future;
- the Amendment also seeks to strengthen local heritage policy by introducing the Statement of Significance Incorporated Document to give additional weight to the
statement of significance for every place in the Heritage Overlay during the consideration of any future planning permit; and

• the Amendment will take 12-18 months from the exhibition date to complete.

Council officers have considered submission 30 and are proposing only to reduce the extent of the Heritage Overlay as outlined below.

7.29 Submission 31 – 65 Doyles Road, Grahamvale (Harris House) (HO263) – Clement Stone Town Planners Pty Ltd on behalf of a land owner

A place citation report for the property is included in the Draft Study on page 437.

**What does the exhibited Amendment propose for the property?**

The Heritage Overlay was applied to the property at 65 Doyles Road, Grahamvale (HO263) on an interim basis through Amendment C204 in November 2018. Amendment C205 seeks to apply HO263 to the property on a permanent basis. Amendment C205 does not propose to make any change to the specific controls that apply to the property.

The Amendment applies GSHIP to provide planning permit exemptions for minor buildings and works within the curtilage of the Heritage Overlay.
What is the issue?

Submission 31 raised the following concerns regarding the Amendment:

- if demolition of the building would undermine Investigation Areas 4/10;
- the Place Citation Report lacks the strategic justification to warrant the application of the Heritage Overlay and the information presented within it is incorrect;
- the application of a Heritage Overlay is not warranted, ‘Harris House’ is not of heritage significance;
- ‘Harris House’ was moved to its current location; and
- ‘Harris House’ has been extensively modified.

Council officers’ response

Council officers submit that:

- any future development of the land will be guided by the Shepparton & Mooroopna 2050: Regional City Growth Plan. The recommendations of the Shepparton & Mooroopna 2050: Regional City Growth Plan be introduced into the Planning Scheme through a planning scheme amendment some time in 2020; and

- Council officers can confirm that ‘Harris House’ was moved to its current location in 1968 from Maude Street in Shepparton. The basis for the inclusion of ‘Harris ‘House’ was that it was of historical significance for its association with the agricultural development of Grahamvale, and its association with Closer Settlement. Given that the house was moved to its current location, it does not sufficiently demonstrate these associations. As such, Council officers will recommend the Heritage Overlay no longer apply to the property.
A place citation report for the property is included in the Draft Study on page 1330.

The Heritage Overlay was applied to the property at 31 Welsford Street, Shepparton (HO364) on an interim basis through Amendment C204 in November 2018. Amendment C205 seeks to apply HO364 to the property on a permanent basis.

Amendment C205 seeks to make the following specific changes to the property:

- permit prohibited uses. If approved, a planning permit could be considered for a prohibited use in the zone provisions if it allowed for the adaptive re-use of the place; and

- apply GSHIP to provide planning permit exemptions for minor buildings and works within the curtilage of the Heritage Overlay.

Amendments C204 and C216

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<th>Internal alteration controls apply?</th>
<th>Tree controls apply?</th>
<th>Outbuildings or fences not exempt under Clause 43.61-4</th>
<th>Included on the Victorian Heritage Register under the Heritage Act 2017</th>
<th>Prohibited uses permitted?</th>
<th>Aboriginal heritage place?</th>
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Extract from the existing Schedule to Clause 43.01 Heritage Overlay.
What is the issue?

Submission 32 considers that the Heritage Overlay is not warranted on the property at 31 Welsford Street, Shepparton.

Council officers' response

Council officers submit that:

- the Heritage Overlay is the most appropriate planning tool in Victoria to appropriately protect and conserve places of heritage significance by guiding future development proposals;

- section 4 of the Planning and Environment Act 1987 seeks to "conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value". As a result, councils in Victoria are obliged to conserve places of cultural heritage significance;

- 31 Welsford Street is considered to be "of historic and social significance as it demonstrates the character of residential expansion to the immediate north of the central business area during the Interwar period" and "is of architectural significance as it is a good regional representative example of Federation period bungalow style". As a result, Council officers consider that a Heritage Overlay should apply to the land; and

- Schedule 1 to the Activity Centre Zone of the Planning Scheme acknowledges that there are places of cultural heritage significance within the Central Business District of Shepparton. In conjunction with the Heritage Overlay, the Schedule includes objectives to ensure that future development proposals consider the need to conserve these places.

No changes to the Amendment documentation are proposed based on the contents of submission 31.
A place citation report for the property is included in the Draft Study on page 1563.

**What does the exhibited Amendment propose for the property?**

Amendment C110 introduced HO218 on a permanent basis to 201 Hogan Street, Shepparton in 2013. Amendment C205 proposes to revise the specific heritage controls associated with HO218.

Specifically, Amendment C205:

- apply External Paint Controls. If approved, a planning permit would be required to change the colour of an already painted surface; and

- apply GSHIP to provide planning permit exemptions for minor buildings and works within the curtilage of the Heritage Overlay.

Extract from the proposed Schedule to Clause 43.01 *Heritage Overlay*.

**What is the issue?**

Submission 33 raised concerns about the integrity of the property and outlined an aspiration to demolish the property.

**Council officers’ response**

Council officers and Council’s Heritage Advisor undertook a one-to-one meeting with Submitter 33 on Friday, 5 July 2019 to discuss the Amendment. Submitter 33 stated during the meeting that the property was the subject of significant white ant damage and provided visual evidence of such. Council officers and Council’s Heritage Advisor suggested that
Submitter 33 formally apply for a demolition permit. A site-inspection was undertaken by Council’s Municipal Building Surveyor who identified a number of structural issues with the building and deemed it unsafe.

Council officers are of the view that the existing built fabric has been so compromised that the building is no longer considered to be of significance. Council officers will recommend that the Heritage Overlay be removed from the property as a post-exhibition change.

7.32 Submission 34 – 730 Dhurringile Road (1340 Murchison-Tatura Road), Tatura (Homestead) (HO385) – TP Legal Solicitors Pty Ltd on behalf of Goulburn Valley Water

A place citation report for the property is included in the Draft Study on page 1632. No image is available for this property as a site visit has not been undertaken.

The Heritage Overlay was applied to the property at 730 Dhurringile Road (1340 Murchison-Tatura), Tatura (Homestead) on an interim basis through Amendment C204 in November 2018. Amendment C205 seeks to apply HO385 to the property on a permanent basis.

Amendment C205 seeks to make the following specific changes to the property:

- apply tree controls. If approved, a planning permit would be required to remove, lop or destroy a ‘mature tree’; and

- apply GSHIP to provide planning permit exemptions for minor buildings and works within the curtilage of the Heritage Overlay.

Extract from the proposed Schedule to Clause 43.01 Heritage Overlay.

What is the issue?
Submission 34 raised the following concerns regarding the Amendment:

- the Heritage Overlay is not warranted on the land as it is not of value to the community;

- the strategic justification for its inclusion in the Heritage Overlay is weak and the historical and aesthetic significance is not substantiated in the place citation report;

- the building has been altered; and

- the building is in a poor condition and cannot be used for a residential purpose.

Council officers’ response
Council officers submit that:
the Heritage Overlay is the most appropriate planning tool in Victoria to appropriately protect and conserve places of heritage significance by guiding future development proposals;

Council officers are confident that the information presented in the place citation report and the statement of significance is correct and valid. The documentation was prepared in accordance with Planning Practice Note 01 Applying the Heritage Overlay; and

alterations to a building do not necessarily detract from the heritage significance of the place. Council officers consider that the cumulative impacts of the alterations to the homestead are not substantial and that the integrity of the place has not been lost.

Council officers are not proposing any changes to the Amendment documentation based on the concerns included within submission 34.

7.33 Submission 35 – 209-231 McLennan Street, Mooroopna (Turkish Mosque) (HO310) – Goulburn Valley Turkish Islamic Society

A place citation report for the property is included in the Draft Study on page 720.

What does the exhibited Amendment propose for the property?

The Heritage Overlay was applied to the property at 209-231 McLennan Street, Mooroopna (Turkish Mosque) on an interim basis through Amendment C204 in November 2018. Amendment C205 seeks to apply HO310 to the property on a permanent basis.

The Amendment applies GSHIP to provide planning permit exemptions for minor buildings and works within the curtilage of the Heritage Overlay.
Extract from the proposed Schedule to Clause 43.01 Heritage Overlay.

What is the issue?

Submission 35 raised the following concerns regarding the Amendment:

- the application of the Heritage Overlay will create additional administrative burdens and increase the cost of regular maintenance;
- it is envisaged that the building will need to be significantly renovated or demolished and a new larger facility constructed to accommodate visitors; and
- the Heritage Overlay is not warranted as the Mosque was constructed approximately 32 years ago.

Council officers’ response:

Council officers submit that:

- the Heritage Overlay is the most appropriate planning tool in Victoria to identify and conserve places of heritage significance by ensuring that future development proposals are respectful of this significance;
- broadly speaking, places within the Heritage Overlay will not require a planning permit to undertake routine maintenance to the property and repairs that do not alter the appearance of the place. Works that alter the appearance of the place or significant heritage fabric would require a planning permit. The planning permit process allows Council’s Statutory Planning Team and Heritage Advisor to assess whether proposed works would have a negative impact on the significance of the place;
- a planning permit is required to demolish properties in the Heritage Overlay and demolition is discouraged. A planning permit seeking demolition must also be accompanied by a redevelopment proposal in order to understand how the land will be redeveloped;
- the Heritage Overlay does not prevent the re-development of any place. The ‘Turkish Mosque’ is considered to be a significant building and is representative of many cultural changes in the City of Greater Shepparton. It is noted that there have been a number of changes to the place since its construction. These changes are considered to have enriched the cultural values of the place. Council officers will
continue to work with the Goulburn Valley Turkish Islamic & Cultural Society Inc. to ensure that the community’s aspirations can be accommodated on the site whilst being respectful of the significant heritage fabric;

- it is noted that the place was constructed 32 years ago. It should be noted that age is not a determinant of cultural values. The ‘Turkish Mosque’ is already an iconic place and its cultural values are highly respected; and

- Council is confident that the information presented in the place citation report and the statement of significance is correct and valid. The Draft Study and amendment documentation were prepared in accordance with Planning Practice Note 1 Applying the Heritage Overlay.

In a letter of response to the submitter, dated 11 October 2019, Council officers stated that a review of the Amendment documentation had shown that the statement of significance for the Turkish Mosque states that “the Imam’s House contributes to the significance of the complex”. Council officers are proposing post-exhibition changes to the Schedule to Clause 43.01 Heritage Overlay to state that the Imam’s House is a significant outbuilding in order to ensure that the Planning Scheme aligns with the statement of significance. A copy of this proposed post-exhibition change is attached to this letter. If this proposed change is considered acceptable by the Independent Planning Panel, any buildings or works that seek to change the appearance of the Imam’s House would trigger the need for a planning permit.

Council officers are not proposing any changes (other than those mentioned above) to the Amendment documentation based on the contents of submission 35.

7.34 Submission 36 – No address details provided

What is the issue?

Your submission identifies a number of errors in the Draft Study, provides corrections for these errors, and recommends that the formatting and grammatical errors be addressed.

Council officers’ response

Council officers are proposing post-exhibition changes to the Draft Study to correct the errors identified in your submission. Heritage Victoria has recently advised that upgrades to the software that governs the structure and format of place citation reports has recently taken effect. These upgrades promise to address the formatting issues identified in your submission.

In addition, Council officers and Council’s Heritage Advisor are proposing post exhibition changes to the following properties based on the contents included within submission 36.

- 97-99 Waverley Avenue, Merrigum (HO31);
- 50 Merrigum-Ardmona Road, Merrigum (HO144);
- 115-119 Waverley Avenue, Merrigum (HO33);
- 5855 Midland Highway, Tatura (HO146, HO383 and HO384); and
• 8 River Road, Murchison (HO413).

7.35 Submission 37 – 703 Midland Highway, Shepparton East (Former Shepparton East Hall) (HO368) – Chris Smith & Associates Pty Ltd of behalf of the Land Owner

A place citation report for the property is included in the Draft Study on page 1413.

The Heritage Overlay was applied to the property at 703 Midland Highway, Shepparton East (former Shepparton East Hall) on an interim basis through Amendment C204 in November 2018. Amendment C205 seeks to apply HO368 to the property on a permanent basis.

The Amendment proposes the following changes for the property at 703 Midland Highway, Shepparton East (former Shepparton East Hall):

• apply internal alteration controls. If approved, a planning permit would be triggered if the land owner seeks to undertake works that would alter the internal appearance of a heritage building;

• no longer permit prohibited uses; and

• apply GSHIP to provide planning permit exemptions for minor buildings and works within the curtilage of the Heritage Overlay.

Amendments C204 and C216

<table>
<thead>
<tr>
<th>PS map ref</th>
<th>Heritage place</th>
<th>External paint controls apply?</th>
<th>Internal alteration controls apply?</th>
<th>Tree controls apply?</th>
<th>Outbuildings or fences not exempt under Clause 43.01-4</th>
<th>Excluded on the Victorian Heritage Register under the Heritage Act 2017?</th>
<th>Prohibited uses permitted?</th>
<th>Aboriginal heritage place?</th>
</tr>
</thead>
<tbody>
<tr>
<td>HO368</td>
<td>Former Shepparton East Hall, 703 Benalla Road, Shepparton East</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td></td>
</tr>
</tbody>
</table>

01/05/2020

Extract from the existing Schedule to Clause 43.01 Heritage Overlay.
Extract from the proposed Schedule to Clause 43.01 *Heritage Overlay.*

**What is the issue?**

Submission 37 raised the following concerns regarding the Amendment documentation:

- the application of a Heritage Overlay is not considered appropriate;

- Internal Alteration Controls are not warranted as the former Shepparton East Hall has been extensively modified;

- External Paint Controls are not warranted as the external façade of the building has been extensively modified;

- the information contained in the statement of significance is not correct; and

- the application of a Heritage Overlay would make redevelopment of the site difficult.

**Council officers’ response**

Council officers submit that:

- the Heritage Overlay is the most appropriate planning tool in Victoria to appropriately protect and conserve places of heritage significance by guiding future development proposals;

- Council officers and Council’s Heritage Advisor undertook a site visit on Tuesday, 23 August 2019 to assess the heritage significance of the former Shepparton East Hall and the extent of the Heritage Overlay. Following inspection, Council’s Heritage Advisor is recommending that Internal Alteration Controls be removed and that the Heritage Overlay be slightly retracted to remove the area of hard standing to the north of the Hall from the Overlay. Council officers will recommend these changes as post-exhibition changes to the Amendment documentation;

- it is noted that there have been a number of changes to the external façade of the ‘former Shepparton East Hall’. However, the fundamental qualities of the exterior including the buttresses, a number of windows, the rudimentary block work and the overall form are still appreciable. Council officers consider that the cumulative effect of the external alterations undertaken to the former Shepparton East Hall are not so substantial as to detrimentally affect the integrity of the place and that the place remains of ‘Individual’ heritage significance; and
• the condition of a building is not something that can be considered at this stage and can only be assessed during the consideration of a building or planning permit.

Council officers have considered submission 37 and will recommend two post-exhibition changes to the Amendment documentation to remove Internal Alteration Controls and to retract the Heritage Overlay to remove the area of hard standing to the north of the Hall from HO368. This mapping change is displayed in Council’s Part A submission.

7.36 Submission 38 – 196 Riverview Drive, Kialla (part of the Kialla Village Settlement) (HO276) – Land Owner

A place citation report for the property is included in the Draft Study on page 493.

What does the exhibited Amendment propose for the property?

The property at 196 Riverview Drive, Kialla (part of the Kialla Village Settlement) (HO276) is proposed to be included in the Heritage Overlay as part of Amendment C205. Interim heritage controls do not currently apply to this property.

Amendment C205 also seeks to introduce a new Incorporated Document to provide planning permit exemptions for buildings and works in the Heritage Overlay.
Extract from the proposed Schedule to Clause 43.01 *Heritage Overlay.*

**What is the issue?**

Submission 38 raised the following concerns regarding the Amendment:

- inadequate consultation has occurred;
- the Heritage Overlay is not warranted on the Kialla Village Settlement as the existing planning controls prevent further subdivision of the land;
- the Kialla Village Settlement is not of cultural heritage significance;
- the Heritage Overlay will affect the value and saleability of the property; and
- the Heritage Overlay will not provide any benefit to the community.

**Council officers’ response:**

Council officers submit that:

- the Heritage Overlay is the most appropriate planning tool in Victoria to identify and conserve places of heritage significance by ensuring future development proposals are respectful of this significance;
- the Kialla Village Settlement is historically significant as one of two surviving examples of a government initiative known as the Village Settlement Scheme. These villages were set up in response to the 1890s depression. The intent was to give impoverished families an opportunity to become sustainable by farming a small allotment. The subdivision pattern is variable with approximately 90 blocks of various sizes with an average size of 2.05 ha. The place citation report for the Kialla Village Settlement that outlines the HERCON criteria that this place meets and why it is considered to be significant;
the Amendment seeks to apply a Heritage Overlay to protect the original subdivision pattern of the Kialla Village Settlement only. The Kialla Village Settlement Incorporated Plan that forms part of the Amendment would provide exemptions from all buildings and works triggered by the Heritage Overlay. Only proposals to change the subdivision pattern would trigger the need for a planning permit;

the Heritage Overlay is a statutory planning tool that identifies places of local cultural heritage significance. In assessing whether it is appropriate to apply a Heritage Overlay to any place, they place must have something that requires careful management (e.g. subdivision pattern). Council officers consider that the Heritage Overlay is an appropriate planning tool to ensure that the subdivision pattern of the Kialla Village Settlement is protected in the future;

the Planning and Environment Act 1987 provides requirements for how amendments to a planning scheme should be undertaken. Rather than undertaking the standard four weeks required by the Act, Council resolved to exhibit the Amendment for ten weeks to ensure that adequate consultation has occurred;

ten of the approximately forty land holdings within the former Kialla Village Settlement area were initially notified as part of the public consultation process for the Greater Shepparton Heritage Study Stage IIC in mid-2017. These same land owners were again notified of Amendment C204 to the Planning Scheme that applied a Heritage Overlay on an interim basis to only these ten lots in November 2018. Your property was included in this notification. Council officers recently discovered that the Kialla Village Settlement applied to a much larger area than initially understood. Amendment C205 seeks to rectify this by including the additional thirty properties in the Heritage Overlay that had not been notified in 2017. Amendment C205 seeks to apply heritage controls to all forty properties on a permanent basis;

there are other planning controls on the land. The land is zoned Urban Floodway Zone and the further subdivision of the land is prohibited;

the Heritage Overlay does not impose any additional restrictions than those that already apply under separate planning scheme provisions. Council offers a free heritage advisory service to educate the community (and real estate agents) on the specific conditions associated with the Kialla Village Settlement; and

impacts on property value is not something that can be considered as part of the application of a Heritage Overlay. This is further discussed in section 5 of this Part B submission.
7.37 Submission 39 – 75 Quarry-Dookie Road, Dookie (Magennis Cottage) (HO260) – Land Owner

A place citation report for the property is included in the Draft Study on page 419.

What does the exhibited Amendment propose for the property?

The Heritage Overlay was applied to the property at 75 Quarry-Dookie Road, Dookie (Magennis) on an interim basis through Amendment C204 in November 2018. Amendment C205 seeks to apply HO260 to the property on a permanent basis.

The Amendment proposed the following changes for the property at 75 Quarry-Dookie Road, Dookie (Magennis):

- apply outbuildings and fences controls. Magennis cottage is considered to be an outbuilding. To reflect this, Council officers proposed to apply outbuildings and fences controls to Magennis cottage; and
- apply GSHIP to provide planning permit exemptions for minor buildings and works within the curtilage of the Heritage Overlay.

What is the issue?

Submission 39 outlined that ‘Magennis’ was demolished in early-2019 and that a Heritage Overlay should not apply.
Council officers’ response:

Council officers have considered the submission and will recommend the Heritage Overlay be removed from the property.

A building permit was issued for the demolition of the property in February 2019. Council officers are proposing a post-exhibition change to the Amendment documentation to recommend that HO260 be removed from the property at 75 Quarry-Dookie Road, Dookie. This mapping change is included in Council’s Part A submission.

7.38 Submission 41 – 575 Toolamba-Rushworth Road, Toolamba West (former Uniting Church) (HO124) – Land Owner

A place citation report for the property is included in the Draft Study on page 1747.

What does the exhibited Amendment propose for the property?

The Heritage Overlay was applied to the property at 575 Toolamba-Rushworth Road, Toolamba West (former Uniting Church) on a permanent basis through Amendment C50 in 2007.

The Amendment proposed the following changes for HO124 (Former Uniting Church):

- Apply internal alteration controls. If approved, a planning permit would be triggered if the land owner seeks to undertake works that would alter the internal appearance of a heritage building;
- Apply tree controls. If approved, a planning permit would be required to remove, lop or destroy one of the ‘canary island date palms’ or a ‘mature tree’; and
- Apply GSHIP to provide planning permit exemptions for minor buildings and works within the curtilage of the Heritage Overlay.

Amendments C204 and C216

<table>
<thead>
<tr>
<th>PS map ref</th>
<th>Heritage place</th>
<th>External paint controls apply?</th>
<th>Internal alteration controls apply?</th>
<th>Tree controls apply?</th>
<th>Outbuildings or fences not exempt under Clause 43.61.4</th>
<th>Included on the Victorian Heritage Register under the Heritage Act 2017?</th>
<th>Prohibited uses permitted?</th>
<th>Aboriginal heritage place?</th>
</tr>
</thead>
<tbody>
<tr>
<td>HO124</td>
<td>Uniting Church, 575 Toolamba-Rushworth Road, Toolamba</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
</tr>
</tbody>
</table>

Extract from the existing Schedule to Clause 43.01 Heritage Overlay.
What is the issue?

Submission 39 raised concerns that the Heritage Overlay is too restrictive and prevents future development of the property.

Council officers’ response:

Council officers submit that:

- section 4 of the Planning and Environment Act 1987 seeks to “conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value”. As a result, councils in Victoria are obliged to conserve places of cultural heritage significance;

- the Heritage Overlay is the most appropriate planning tool in Victoria to protect and conserve places of heritage significance by guiding future development proposals;

- the Heritage Overlay seeks to ensure that alterations and additions respect the contributory elements and enhance the character of HO124; and

- 575 Toolamba-Rushworth Road, Toolamba West is considered to be of “local historic, social and aesthetic significance”. As a result, Council officers believe that a Heritage Overlay should apply to the land.

7.39 Submission 42 – 5 Murchison-Tatura Road, Murchison (Waranga Park) (HO328) – Land Owner
What does the exhibited Amendment propose for the property?

The Heritage Overlay was applied to the property at 5 Murchison-Tatura Road, Murchison (HO328) on an interim basis through Amendment C204 in November 2018. Amendment C205 seeks to apply HO328 to the property on a permanent basis.

The Amendment proposes the following changes for the property at 5 Murchison-Tatura Road, Murchison (HO328):

- apply tree controls to all ‘mature trees’. If approved, a planning permit would be required to remove, lop or destroy; and
- apply GSHIP to provide planning permit exemptions for minor buildings and works within the curtilage of the Heritage Overlay.

Extract from the proposed Schedule to Clause 43.01 Heritage Overlay.

What is the issue?

Submission 42 raised concerns regarding the extent of the Heritage Overlay on the property and recommends that it should be retracted to only apply to ‘Waranga Park Homestead’.

Council officers’ response:

Council officers submit that:

- Council officers support the rationalisation of the Heritage Overlay on the property and will recommend post-exhibition changes to remove the Heritage Overlay from the paddock to the west. This proposed change is outlined in Council’s Part A submission;
- Council officers recommend that the avenue of peppercorn trees should remain within the Heritage Overlay as they actively contribute to the aesthetic significance of ‘Waranga Park Homestead’;
- Council officers are recommending post-exhibition changes to the place citation report to provide further commentary on how the ‘mature trees’ actively contribute to the significance of ‘Waranga Park Homestead’. Please refer to the revised place citation report outlining these changes; and
• Tree Controls are proposed to apply to protect all ‘mature trees’ within the Heritage Overlay as they actively contribute to the significance of the place. A ‘mature tree’ is a tree that is greater than 5 metres in height; or greater than 2 metres in circumference measured at a height of 1.4 metres above ground level. Works that propose to remove, lop or destroy a ‘mature tree’ would trigger a planning permit. A planning permit would not be required for routine works and gardening. A planning permit would also not be required:

- to undertake any action which is necessary to keep the whole or any part of a tree clear of an electric line provided the action is carried-out in accordance with a code of practice prepared under Section 86 of the Electricity Safety Act 1998; and

- if the tree presents an immediate risk of personal injury or damage to property.

Council officers have considered the concerns raised in submission 42 and will recommend changes to the extent of the Heritage Overlay and the place citation report.

8.0 Proposed Post-exhibition Changes

In response to the submissions received and upon further review of the Amendment documentation, Council officers are recommending a number of post-exhibition changes to the Amendment. These proposed changes consolidate and supersede the proposed post-exhibition changes included in Council’s Part A submission.

8.1 Draft Greater Shepparton Heritage Study Stage II 2019

A number of formatting, grammatical and address changes are proposed to be made to the Draft Study. Unfortunately, due to the system specifications of HERMES (HERitage Management Electronic System) (the system used to generate datasheets for heritage places), it is not possible to highlight each specific change as a tracked change. Any place where grammatical changes are proposed will be listed below. Additionally, any proposed change to any statement of significance in the Draft Study will be replicated in the Statement of Significance Incorporated Document 2019.

1. Shepparton Residential Precinct North (HO140): Revise the place citation report to correct various grammatical errors.

2. Dookie Township Precinct (HO261): Revise the place citation report to include a physical description, which was erroneously excluded from the Draft Study.

3. 400 Zeerust Road, Zeerust (Former Zeerust Uniting Church & Hall) (HO104): As notified in an e-mail of response to the submitter, dated 9 November 2019, amend the statement of significance to state that the remaining toilet block is of significance.

4. 75 Hoopers Road, Dookie (The Chateau) (HO15): Include further justification in the statement of significance for the inclusion of the stone ha-ha in the Heritage Overlay and extend the Heritage Overlay to the west to fully include the stone structure.

5. 31 and 33-39 Judd Avenue, Merrigum (former Carnation Milk Factory) (HO285): Make grammatical changes to rectify errors in the place citation report.
6. 209-231 McLennan Street, Mooroopna (Turkish Mosque) (HO310): As notified in the letter of response, dated 11 October 2019, amend the recommendation in the place citation report to list the Imam's House as a significant outbuilding and amend the Schedule to 43.01 accordingly.

7. 5 Murchison-Tatura Road, Murchison (Waranga Park Homestead) (HO328): As notified in an e-mail of response to the submitter, dated 6 November 2019, amend the place citation report and the statement of significance to specify why the 'mature trees’ contribute to the significance of the place and include further information on the significant architectural features in the building description section of the place citation report.

8. 16, 32 and 35 Young Street and 6 Doonan Street, Shepparton (Ardmona Cannery) (HO321): Following a series of recent site visits, amend the place citation report and the statement of significance to describe what fabric is of significance, identify and refine the internal controls, and rationalise the extent of the Heritage Overlay based on the recent assessment of the place.

9. 703 Midland Highway and 12 Hosie Road, Shepparton East (former Shepparton East Hall) (HO368): Following a site visit on Tuesday, 23 August 2019, amend the recommendations to no longer recommend that internal alteration controls apply.

10. 150 Maneroo Road, Bunbartha (Maneroo Homestead) (HO240): Amend the place citation report to include further information on the history of the place based on the content included within Submission 2. The statement of significance has been altered to reflect this further information. A description of the place has also been included.

11. 61 Maude Street, Shepparton (HO186): Amend the recommendations of the place citation report to no longer recommend that the brick fence and gate be listed as significant and amend the Schedule to 43.01 accordingly.

12. Recommend that the following places be investigated as part of a future heritage study:

- 161 Waverly Avenue, Merrigum;
- Northgate Street area, Mooroopna;
- 4920 Goulburn Valley Highway, Murchison East;
- 209-211 Fryers Street, Shepparton;
- 179 Knight Street, Shepparton;
- 115 Nixon Street, Shepparton; and
- 117 Nixon Street, Shepparton.

13. Amend the place citation report for the property at 52 Vaughan Street, Shepparton (former Goulburn Valley Winery) to state that the property was demolished in March 2019. A Heritage Overlay did not apply at the time a building permit to demolish was
applied for. As such, heritage was not a consideration as part of the permit process. Remove HO438 from the amendment documentation.

14. Revise the place citation report for 97-99 Waverley Avenue, Merrigum (HO31) to correct the name of the place as requested by Submission 36 and amend the Schedule to 43.01 accordingly.

15. Following a site visit on 7 October 2019, revise the place citation report for 50 Merrigum-Ardmona Road, Merrigum (Snelling’s property) (HO144) to state that the third log building is no longer extant as requested by Submission 36.

16. Revise the place citation report for 115-119 Waverley Avenue, Merrigum (HO33) to correct the name of the place as requested by Submission 36 and amend the Schedule to 43.01 accordingly.

17. Revise the place citation report for 5855 Midland Highway, Tatura (Moyola) (HO146) to correct the name of the place and add the description of the name change as requested by Submission 36 and amend the Schedule to 43.01 accordingly.

18. Revise the place citation report for 8 River Road, Murchison to update the history and historical context for the place as requested by Submission 36.

19. Post-exhibition changes are also proposed for various properties with internal alteration controls to specify which interior elements are of significance. These proposed changes are outlined in Appendix 1 – proposed changes to internal alteration controls to specific place citation reports.

20. Post-exhibition changes are also proposed for various properties with tree controls to specify how the trees contribute to the place’s significance. These proposed changes are outlined in Appendix 2 – proposed changes to tree controls to specific place citation reports.

It should also be noted that where post-exhibition changes are proposed to a place’s statement of significance; changes will be replicated in the Statements of Significance Incorporated Document 2019.

8.2 Mapping Changes

A list of all proposed mapping changes are included below.
Amend the curtilage to only apply to the former Athenaeum Hall.
Council officers are proposing to remove the Heritage Overlay from the carpark at 4-6 Elizabeth Street, Mooroopna.

<table>
<thead>
<tr>
<th>Change</th>
<th>HO Affected</th>
<th>Property Address/Precinct</th>
<th>Submitter No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amend the curtilage to only apply to the former Athenaeum Hall. Council officers are proposing to remove the Heritage Overlay from the carpark at 4-6 Elizabeth Street, Mooroopna.</td>
<td>HO41</td>
<td>8 McLennan Street &amp; 4-6 Elizabeth Street, Mooroopna (former Athenaeum Hall)</td>
<td>Nil.</td>
</tr>
</tbody>
</table>

(Note: Mooroopna War Memorial (HO42) is proposed to be deleted and re-applied as part of the Amendment)

Figure 11: Reduction of curtilage of HO41

Figure 12: Image of HO41.
<table>
<thead>
<tr>
<th>Change</th>
<th>HO No. Affected</th>
<th>Property Address/Precinct</th>
<th>Submitter No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amend the curtilage so that the Heritage Overlay only applies to the significant fabric.</td>
<td>HO430 &amp; HO431</td>
<td>18 &amp; 20 Thomson Street, Tatura</td>
<td>Nil.</td>
</tr>
</tbody>
</table>

Figure 13: Reduction in the extent of the curtilage for HO430 and HO431

Figure 14: 18 Thomson Street (left) and 20 Thomson Street (right), Tatura
Remove the Heritage Overlay from 235 Zeerust School Road, Zeerust and apply it to 235 Zeerust Road, Zeerust.

This property was initially identified as part of HSIIC. The land owner of 235 Zeerust School Road, Zeerust met with Council officers who stated that no historic structure exist on the property. Council investigated this using images on real estate websites and determined that the log structures were indeed located at 235 Zeerust Road, Zeerust and not 235 Zeerust School Road, Zeerust.

Council officers sent a letter to the land owner of 235 Zeerust Road, Zeerust on 2 July 2019 stating that Council is proposing a post-exhibition change to the Amendment to apply a Heritage Overlay on the property. To date, no response has been received from the land owner.

Figure 11: Remove HO405 from its current location and apply it to the correct property.
Figure 12: Log Structures (This image was obtained from https://www.realestate.com.au/sold/property-farmlet-vic-zeerust-7683999)
<table>
<thead>
<tr>
<th>Change</th>
<th>HO No.</th>
<th>Property Address/Precinct</th>
<th>Submitter No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Revise the curtilage of the Heritage Overlay to include the stone Ha-Ha.</td>
<td>HO15</td>
<td>75 Hoopers Road, Dookie (The Chateau)</td>
<td>Nil.</td>
</tr>
</tbody>
</table>

Figure 13: Extension of the Heritage Overlay HO15 to the west

![Image of HO15 overlay extension]
Figure 14: The Chateau (the stone ha-ha can be seen in the bottom left corner) (this image was obtained from https://www.realestate.com.au/sold/property-farmlet-vic-dookie-7985042)
<table>
<thead>
<tr>
<th>Change</th>
<th>HO No.</th>
<th>Property Address/Precinct</th>
<th>Submitter No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Remove the Heritage Overlay from the drainage reserve to the rear of</td>
<td>HO285</td>
<td>31 and 33-39 Judd Avenue, Merrigum (former Carnation</td>
<td>Nil.</td>
</tr>
<tr>
<td>the property and 27 Judd Avenue, Merrigum.</td>
<td></td>
<td>Company Milk Factory)</td>
<td></td>
</tr>
<tr>
<td>27 Judd Avenue, Merrigum was erroneously included as part of HO285</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>through Amendments C204 and C216.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Figure 15: Reduction of HO285

Figure 16: Former Carnation Milk Factory
<table>
<thead>
<tr>
<th>Change</th>
<th>HO No.</th>
<th>Property Address/Precinct</th>
<th>Submitter No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Remove the Heritage Overlay from vacant land to only apply to the former hall.</td>
<td>HO368</td>
<td>703 Midland Highway and 12 Hosie Road, Shepparton East</td>
<td>Submitter 37</td>
</tr>
</tbody>
</table>

Figure 17: Reduction in HO368

Figure 18: Image of the former Shepparton East Hall
<table>
<thead>
<tr>
<th>Change</th>
<th>HO No.</th>
<th>Property Address/Precinct</th>
<th>Submitter No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Remove the Heritage Overlay from the southern half of the lot at 4910 Goulburn Valley Highway, Murchison East.</td>
<td>HO59</td>
<td>4910 and 4920 Goulburn Valley Highway, Murchison East</td>
<td>Nil.</td>
</tr>
<tr>
<td>Council officers are proposing to draft a second place citation report for the house at 4920 Goulburn Valley Highway, Murchison East as part of a future planning scheme amendment.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

![Figure 19: Reduction in extent of HO59](https://www.realestate.com.au/sold/property-other-vic-murchison-123210742)

![Figure 20: Image of Railway Hotel (this image was taken from https://www.realestate.com.au/sold/property-other-vic-murchison-123210742)](https://www.realestate.com.au/sold/property-other-vic-murchison-123210742)
<table>
<thead>
<tr>
<th>Change</th>
<th>HO No. Affected</th>
<th>Property Address/Precinct</th>
<th>Submitter No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Revise the curtilage to apply to St Mary’s Catholic Church and Presbytery and an appropriate curtilage around the two buildings.</td>
<td>HO18</td>
<td>93 &amp; 93A Saddleback Road, Dookie</td>
<td>Nil.</td>
</tr>
</tbody>
</table>

Figure 21: Reduction in extent of HO18

![Figure 21: Reduction in extent of HO18](image)

Figure 22: Image of St Mary’s Catholic Church

![Figure 22: Image of St Mary’s Catholic Church](image)

<table>
<thead>
<tr>
<th>Change</th>
<th>HO No. Affected</th>
<th>Property Address/Precinct</th>
<th>Submitter No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Revise the area of the Heritage Overlay to retract it from the house at 102 Morrissey Street, Merrigum to remove unnecessary planning permit</td>
<td>HO287</td>
<td>102 Morrissey Street, Merrigum (former Blacksmith &amp; Motor</td>
<td>Submitter 7</td>
</tr>
</tbody>
</table>
Figure 23: Reduction in extent of HO287

Figure 24: Former Blacksmith and Motor Garage

<table>
<thead>
<tr>
<th>Change</th>
<th>HO No. Affected</th>
<th>Property Address/Precinct</th>
<th>Submitter No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Revise the area of the Heritage Overlay to properly apply it to the Chock and Log Fence.</td>
<td>HO384</td>
<td>5855 Midland Highway, Tatura (Chock and Log Fence)</td>
<td>Nil.</td>
</tr>
</tbody>
</table>
During a site visit to the property in September 2019, Council officers discovered that the application of HO384 is incorrect.

Figure 25: Reduction in extent of HO385

Figure 26: Image of the Chock & Log Fence

<table>
<thead>
<tr>
<th>Change</th>
<th>HO No. Affect</th>
<th>Property Address/Precinct</th>
<th>Submitter No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Following a site visit on 7 October 2019, revise the area of the Heritage</td>
<td>HO144</td>
<td>50 Merrigum-Ardmona Road, Merrigum</td>
<td>Nil.</td>
</tr>
</tbody>
</table>
Overlay to only apply to the significant log structures and to remove unnecessary planning permit triggers.

Figure 19: Reduction in extent of HO144
<table>
<thead>
<tr>
<th>Change</th>
<th>HO No.</th>
<th>Property Address/Precinct</th>
<th>Submitter No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Propose that HO260 be removed from the property as the cottage was demolished in early-2019.</td>
<td>HO260</td>
<td>75 Quarry-Dookie Road, Dookie (Magennis Cottage)</td>
<td>Nil.</td>
</tr>
</tbody>
</table>

Figure 20: Image of 75 Quarry-Dookie Road, Dookie

Figure 21: Deletion of HO260
<table>
<thead>
<tr>
<th>Change</th>
<th>HO No.</th>
<th>Property Address/Precinct</th>
<th>Submitter No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Council officers and Council’s Heritage Advisor are of the view that</td>
<td>HO218</td>
<td>201 Hogan Street, Tatura (Shop)</td>
<td>Nil.</td>
</tr>
<tr>
<td>the existing built fabric has been so compromised that the building</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>is no longer considered to be of significance. As such, Council</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>officers are proposing the Heritage Overlay be removed.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Figure 22: Image of 201 Hogan Street, Shepparton

Figure 23: Deletion of HO218
Council officers can confirm that ‘Harris House’ was moved to its current location in 1968 from Maude Street in Shepparton. The basis for the inclusion of ‘Harris ‘House’ was that it was of historical significance for its association with the agricultural development of Grahamvale, and its association with Closer Settlement. Given that the house was moved to its current location, it does not sufficiently demonstrate these associations. As such, Council officers will recommend the Heritage Overlay be removed.

<table>
<thead>
<tr>
<th>Change</th>
<th>HO No.</th>
<th>Property Address/Precinct</th>
<th>Submitter No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>HO263</td>
<td>65 Doyles Road, Grahamvale (Harris House)</td>
<td>31</td>
<td></td>
</tr>
</tbody>
</table>
Figure 25: Deletion of HO263
Council officers are proposing post-exhibition changes to rationalise the curtilage of HO328 to remove it from the western paddock.

The avenue of mature peppercorn trees will remain in the curtilage as they actively contribute to the significance of 'Waranga Park Homestead'.

<table>
<thead>
<tr>
<th>Change</th>
<th>HO No. Affected</th>
<th>Property Address/Precinct</th>
<th>Submitter No.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>HO328</td>
<td>5 Murchison-Tatura Road, Tatura (Waranga Park Homestead)</td>
<td>42</td>
</tr>
</tbody>
</table>
Council officers are proposing to remove HO295 from the property. Council officers are of the view that the existing built fabric has been so compromised that the building is no longer considered to be of significance. As such, Council officers are proposing that the Heritage Overlay be removed.

<table>
<thead>
<tr>
<th>Change</th>
<th>HO No. Affected</th>
<th>Property Address/Precinct</th>
<th>Submitter No.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>HO295</td>
<td>35 Flynns Road, Moorilm (Homestead)</td>
<td>Nil.</td>
</tr>
</tbody>
</table>

Figure 26: Extract of deletion map
Following a series of site visits, Council officers are proposing to remove HO321 from part of the land and only apply it to significant remaining fabric.

<table>
<thead>
<tr>
<th>Change</th>
<th>HO No. Affected</th>
<th>Property Address/Precinct</th>
<th>Submitter No.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>HO321</td>
<td>16, 32 and 35 Young Street &amp; 6 Doonan Street, Mooroopna (former Ardmona Cannery)</td>
<td>Nil.</td>
</tr>
</tbody>
</table>

To be presented in Council’s closing comments.
Following the receipt of additional photographs highlighting the location of the log building, Council officers are proposing to apply HO404 from the majority of the land and only apply it to the log building.

<table>
<thead>
<tr>
<th>Change</th>
<th>HO No. Affected</th>
<th>Property Address/Precinct</th>
<th>Submitter No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Following the receipt of additional photographs highlighting the location of the log building, Council officers are proposing to apply HO404 from the majority of the land and only apply it to the log building.</td>
<td>HO404</td>
<td>210 Zeerust Road, Zeerust (former Gribben log building)</td>
<td>5</td>
</tr>
</tbody>
</table>

![Figure 28: Extract from the Submission 5 showing proposed retraction of HO404.](image)

8.3 Schedule to Clause 43.01 Heritage Overlay

Based on submissions received to the Amendment upon further review of the Amendment documentation during the exhibition period by Council officers, Council officers are proposing the following changes:

1. Revise the address of HO405 to 235 Zeerust Road, Zeerust. This property was initially identified as part of HSIIC. The land owner of 235 Zeerust School Road, Zeerust met with Council officers who stated that no historic structure exists on the property. Council investigated this using images on real estate websites and determined that the log structures were indeed located at 235 Zeerust Road, Zeerust
and not 235 Zeerust School Road, Zeerust. Council officers notified the land owner of 235 Zeerust Road, Zeerust on 2 July 2019 stating that Council officers are proposing a post-exhibition change to the Amendment to apply a Heritage Overlay to the property. To date, no response has been received from the land owner.

2. Amend the address of the statement of significance for HO190 to state 88 Maude Street, Shepparton and not 89 Maude Street, Shepparton.

3. Recommend that the second toilet block is of significance based on the contents of Submission 9 for 400 Zeerust Road, Zeerust (HO104).

4. Recommend that no prohibited uses be permitted in the Shepparton Central Business Area (HO160). HO160 is located entirely within the Activity Centre Zone (Precinct 1). Below is the list of Section 3 (prohibited) uses within Schedule 1 of the Activity Centre Zone.

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture (other than Animal keeping)</td>
</tr>
<tr>
<td>Animal boarding</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Cemetery</td>
</tr>
<tr>
<td>Corrective institution</td>
</tr>
<tr>
<td>Crematorium</td>
</tr>
<tr>
<td>Saletyard</td>
</tr>
<tr>
<td>Stone extraction</td>
</tr>
</tbody>
</table>

Figure 24: Section 3 (Prohibited) uses in the Activity Centre Zone.

Council officers submit that no uses listed in Section 3 would be permitted as part of adaptive re-use of a place under the Heritage Overlay.

5. Recommend that internal alteration controls no longer be proposed to apply to 325 Poplar Avenue, Orrvale (HO342) as no significant internal fabric remains intact. This was determined after undertaking a site-visit by Council officers and Council’s Heritage Advisor with Submitter 26 on 17 September 2019.

6. As notified to Submitter 35, specify that the Imam’s House is a significant outbuilding at 209-231 McLennan Street, Mooroopna (HO310). The statement of significance states that the Imam’s House contributes to the significance of the Turkish Mosque. Specifying the Imam’s House as a significant outbuilding in the Schedule to Clause 43.01 Heritage Overlay will reflect the information contained in the Statement of Significance.
7. Specify that the shearing shed is a significant outbuilding at 490 Tatura-Undera Road, Tatura (HO386). The statement of significance states that the ‘log building and the cool store are of technical significance for their design and construction’. Specifying the log building and the cool store as significant outbuildings in the Schedule to Clause 43.01 Heritage Overlay will reflect the information contained in the Statement of Significance.

8. No longer recommend applying internal alteration controls to 16 Alexandra Street, Mooroopna (HO302, former Parsonage). Internal alteration controls were erroneously included in the Amendment.

9. Recommend that internal alteration control no longer apply to 703 Midland Highway, Shepparton East (HO368). Internal alteration controls were applied through Amendments C204 and C216 to the Planning Scheme. A site inspection was undertaken by Council officers and Council’s Heritage Advisor with Submitter 37, it was determined that internal alteration controls are not warranted.

10. No longer recommend that outbuilding and fences controls apply to the property at 61 Maude Street, Shepparton (HO186, House) as a planning permit was granted (Planning Permit 2016-387) for the removal of the brick fence.

11. No longer propose the application of internal alteration controls to the property at 5 Young Street, Mooroopna (HO319, former Undera Hall). Little significant internal fabric remains after the former Undera Hall was relocated to its current location in the 1930s.

12. No longer propose the application of internal alteration controls to the property at 154 Welsford Street, Shepparton (HO95, former Forester’s Hall). No significant internal fabric remains.

13. No longer propose the application of internal alteration controls to the property at 120-132 Welsford Street, Shepparton (HO163, Senior Citizens’ Rooms and the Helen Fairley Garden Reserve). No significant internal fabric remains.

14. No longer propose the application of internal alteration controls to the property at 190 Toolamba-Rushworth Road, Toolamba (HO396, Homestead Complex). Internal alteration controls should only apply to the shearing shed.

15. No longer propose the application of internal alteration controls to the property at 1070 River Road, Kialla East (HO277, Ashville Homestead). Correct controls for HO277 that were erroneously applied as part of Amendments C204 and C216 from November 2018.

16. No longer recommend that the ‘wrought iron gates’ be listed as significant for the property at 89 Maude Street, Shepparton (HO191). A Planning Permit (Planning Permit 2018-63) was approved to demolish the existing fence and gateway and the construction of a new gateway and fence in accordance with the endorsed plans.

17. No longer recommend that HO295 apply to 35 Flynns Road, Moorilim (Homestead). Council officers are of the view that the existing built fabric has been so compromised
that the building is no longer considered to be of significance. As such, Council officers are proposing the HO292 be removed.

18. Recommend that (HO218) be removed from the property at 201 Hogan Street, Tatura. Council officers and Council’s Heritage Advisor are of the view that the existing built fabric has been so compromised that the building is no longer considered to be of significance. As such, Council officers are proposing the Heritage Overlay be removed.

19. Recommend that (HO263) be removed from the property at 65 Doyles Road, Grahamvale be removed. Council officers can confirm that ‘Harris House’ was moved to its current location in 1968 from Maude Street in Shepparton. The basis for the inclusion of ‘Harris ‘House’ was that it was of historical significance for its association with the agricultural development of Grahamvale, and its association with Closer Settlement. Given that the house was moved to its current location, it does not sufficiently demonstrate these associations. As such, Council officers will recommend the Heritage Overlay no longer apply to the property.

20. Recommend that (HO260) be removed from the property at 75 Quarry-Dookie Road, Dookie be removed as ‘Magennis’ cottage was demolished in early-2019.

21. Update the date reference to the ‘Greater Shepparton Heritage Incorporated Plan April 2018 (GSHIP)’ to ‘Greater Shepparton Heritage Incorporated Plan March 2019 (GSHIP)’.

22. Delete the reference ‘to determine the places that the controls in this schedule apply to, please refer to the Greater Shepparton Heritage Incorporated Plan April 2018’ and revise to read ‘Kialla Village Settlement Incorporated Plan March 2019’.

8.4 Greater Shepparton Heritage Incorporated Plan – Proposed changes

8.4.1 Inclusion of a definition for ‘lopping’ of a Mature Tree

Several submissions raised concerns about the application of tree controls on their property.

As stated in Section 5.6 of the Part A submission, Tree Controls are proposed to apply to protect all ‘mature trees’ where they actively contribute to the significance of the place. A ‘mature tree’ is a tree that is greater than 5 metres in height, or greater than 2 metres in circumference measured at a height of 1.4 metres above ground level. Works that propose to remove, lop or destroy a ‘mature tree’ would trigger a planning permit.

One (1) submission queried the definition for ‘lopping’, and at what point would ‘lopping’ trigger a planning permit. At this stage, there is no definition for ‘lopping’ a significant (non-native) tree in the Heritage Overlay.

Council officers drew guidance from Clause 52.17 Native Vegetation of the Planning Scheme which includes a permit exemption for ‘lopping and pruning (of trees) for maintenance’ stating that ‘lopping or pruning native vegetation, for maintenance only, provided no more than 1/3 of the foliage of each individual plant is lopped or pruned.’
Council officers are proposing to include similar wording in the definitions at Section 6 of GSHIP to provide further clarity for land owners on planning permit requirements. The wording is as follows:

| Lopping and pruning for maintenance of a Mature Tree | Lopping or pruning of a ‘mature tree’, for maintenance only, provided no more than 1/3 of the foliage of each individual plat is lopped or pruned. This exemption does not apply to the pruning or lopping of the trunk of a ‘mature tree’. |

8.5 Kialla Village Settlement Incorporated Document – Proposed Changes

To address some of the concerns expressed in one-to-one consultations and submissions, Council officers are proposing post-exhibition changes to the Kialla Village Settlement Incorporated Document to state that the Aboriginal Heritage Act 2018 and Aboriginal Heritage Regulations 2018 guide any works that may impact areas of Aboriginal Cultural Heritage Sensitivity.

8.6 Explanatory Report

Council officers are proposing to include further information in the Explanatory Report on the social and economic impacts of the Amendment. These are listed below:

**Social Impacts:**

*The Amendment will have positive social effects through the conservation of places of heritage significance for the benefit of current and future generations.*

*The Amendment has identified and seeks to protect places of local cultural heritage significance across Greater Shepparton, that contribute to an understanding of the social, architectural and economic development of the municipality. The Amendment supports the wider community’s expectation that places of significance in Greater Shepparton are protected.*

**Economic Impacts:**

*The Amendment will not have adverse economic impacts. The application of appropriate heritage controls may trigger the need for a planning permit for some buildings and works that previously did not need a planning permit. This may impose additional costs on the owners or developers of land.*

*The implementation of the Greater Shepparton Heritage Incorporated Plan 2019 and the Kialla Village Settlement Incorporated Document 2019 will better facilitate decision-making and minimise time delays.*

*Council offers a free heritage advisory service to all land owners of property within the Heritage Overlay. At pre-planning stage, Council’s Heritage Advisor and Council officers provide advice on all planning and heritage-related issues to assist land owners in the preparation of a planning permit application.*
The Amendment is expected to result in a net community benefit.

Council officers are also proposing changes to the Explanatory Report to note that the Amendment seeks to apply the Heritage Overlay to 175 properties on a permanent basis as opposed to the 178 properties initially exhibited. This is required given the proposed removal of the Heritage Overlay from the following properties:

- 75 Quarry-Dookie Road, Dookie (HO260);
- 65 Grahamvale Road, Grahamvale (HO265); and
- 35 Flynns Road, Moorilm (HO292).

9.0 Seek Panel’s View

Council officers seek the panel’s view as to whether it is inappropriate to apply two Heritage Overlays on the same property and whether both overlays should have the same HO number. The following changes could be considered by the Panel:

- remove HO142 from the property at 840 Kyabram-Cooma Road, Cooma;
- revise the mapping for HO247 to include the curtilage currently reflected by HO142; and
- modify the place citation report for HO247 to include the information contained within the place citation report for the log structures (HO142).

10.0 Conclusion

Greater Shepparton City Council values the unique places of cultural heritage significance identified and assessed in the Draft Study. Council also considers the central role that local government in Victoria has to identify and assesses places, apply appropriate planning controls and to conserve these places from inappropriate development for future generations seriously.

Council has allocated significant resources to prepare HSIIC, the Draft Study and Amendment C205. It has undertaken significant and lengthy consultation with all affected land owners and occupiers of land, and the wider community to better understand all concerns and views.

Following this, Council officers are of the view that Amendment C205 to the Planning Scheme should proceed with the proposed post-exhibition changes outlined in this Part B submission. This will ensure that appropriate planning controls will apply to guide all future development proposals to respect this significance.

This concludes Council’s Part B submission to the Planning Panel.

Michael MacDonagh

on behalf of Greater Shepparton City Council
Appendix 1 – proposed changes to internal alteration controls to specific place citation reports

<table>
<thead>
<tr>
<th>HO No. Affected</th>
<th>Property Address/Precinct</th>
<th>Submitter No.</th>
<th>Proposed Change to the Statement of Significance</th>
<th>Changes to internal alteration controls through Amendment C205</th>
</tr>
</thead>
<tbody>
<tr>
<td>HO1</td>
<td>146 Lenne Road, Ardmona (Holy Trinity Anglican Church)</td>
<td>Nil.</td>
<td>Internal controls apply to the layout of the spaces and all original decorative features.</td>
<td>No → Yes – Amendment C205 proposes to apply internal alteration controls to the place.</td>
</tr>
<tr>
<td>HO2</td>
<td>100 Lenne Road, Ardmona (Former Scots Church)</td>
<td>Nil.</td>
<td>Internal controls apply to the layout of the spaces and all original decorative features.</td>
<td>No → Yes – Amendment C205 proposes to apply internal alteration controls to the place.</td>
</tr>
<tr>
<td>HO233</td>
<td>155 Excelsior Avenue, Ardmona (Dairy)</td>
<td>Nil.</td>
<td>Internal controls apply to internal layout and original finishes (walls, ceiling and floor). This includes remnants of finishes.</td>
<td>Internal alteration controls already apply to the place.</td>
</tr>
<tr>
<td>HO235</td>
<td>6455 Midland Highway, Ardmona (Dundas Simson Coolstore)</td>
<td>Nil.</td>
<td>Internal controls apply to the cork lined cool rooms</td>
<td>Internal alteration controls already apply to the place.</td>
</tr>
<tr>
<td>HO240</td>
<td>150 Maneroo Road, Bunbartha (Maneroo Homestead)</td>
<td>Submitter 2.</td>
<td>Internal controls apply to the layout of the spaces and all original decorative features.</td>
<td>Internal alteration controls already apply to the place.</td>
</tr>
<tr>
<td>HO241</td>
<td>185 Medland Road, Bunbartha (Riverview Dairy)</td>
<td>Nil.</td>
<td>Dairy Internal controls apply to the internal layout and original finishes (walls, ceiling and</td>
<td>No → Yes – Amendment C205 proposes to apply internal alteration controls to the place.</td>
</tr>
<tr>
<td>HO243</td>
<td>655 McKenzie Road West, Bunbartha (Almond Vale)</td>
<td>Nil.</td>
<td>Internal controls apply to the layout of the place and original finishes (walls, ceiling and floor). This includes remnants of finishes.</td>
<td>No → Yes – Amendment C205 proposes to apply internal alteration controls to the place.</td>
</tr>
<tr>
<td>-------</td>
<td>-----------------------------------------------</td>
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<td>----------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>HO6</td>
<td>10 Byrneside-Kyabram Road, Byrneside (Former St Patrick’s Roman Catholic Church)</td>
<td>Nil.</td>
<td>Internal controls apply to the layout of the spaces and all original decorative features.</td>
<td>No → Yes – Amendment C205 proposes to apply internal alteration controls to the place.</td>
</tr>
<tr>
<td>HO7</td>
<td>5392 Midland Highway, Byrneside (Byrneside Public Hall)</td>
<td>Nil.</td>
<td>Internal controls apply to the layout of the spaces and all original decorative features.</td>
<td>No → Yes – Amendment C205 proposes to apply internal alteration controls to the place.</td>
</tr>
<tr>
<td>HO9</td>
<td>1005 Kyabram-Cooma Road, Cooma (Cooma Hall)</td>
<td>Nil.</td>
<td>Internal controls apply to the layout of the spaces and all original decorative features.</td>
<td>No → Yes – Amendment C205 proposes to apply internal alteration controls to the place.</td>
</tr>
<tr>
<td>HO10</td>
<td>1005 Kyabram-Cooma Road, Cooma (Methodist Memorial Church)</td>
<td>Nil.</td>
<td>Internal controls apply to the layout of the spaces and all original decorative features.</td>
<td>No → Yes – Amendment C205 proposes to apply internal alteration controls to the place.</td>
</tr>
<tr>
<td>HO142</td>
<td>840 Kyabram-Cooma Road, Cooma (Log Structures)</td>
<td>Nil.</td>
<td>Internal controls apply to the internal layout and original finishes (walls, ceiling and floor).</td>
<td>Internal alteration controls already apply to the place.</td>
</tr>
<tr>
<td>Reference</td>
<td>Address</td>
<td>Nil.</td>
<td>Controls</td>
<td>Amendment C205 seeks to apply additional Heritage controls to the place.</td>
</tr>
<tr>
<td>-----------</td>
<td>---------------------------------------------</td>
<td>------</td>
<td>--------------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------</td>
</tr>
<tr>
<td>HO253</td>
<td>870 Murchison-Tatura Road and 1290 Dhurringile Road, Dhurringile (Stable Building)</td>
<td></td>
<td>This includes remnants of finishes.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Internal alteration controls already apply to the place.</td>
<td></td>
</tr>
<tr>
<td>HO8</td>
<td>675 Cashel Road, Dookie (Former Bank)</td>
<td></td>
<td>Internal controls apply to the layout of the spaces and all original decorative features.</td>
<td>No → Yes – Amendment C205 proposes to apply internal alteration controls to the place.</td>
</tr>
<tr>
<td>HO13</td>
<td>26-36 Baldock Street, Dookie (St Luke's Anglican Church)</td>
<td></td>
<td>Internal controls apply to the layout of the spaces and all original decorative features.</td>
<td>No → Yes – Amendment C205 proposes to apply internal alteration controls to the place.</td>
</tr>
<tr>
<td>HO18</td>
<td>93 &amp; 93A Saddleback Road, Dookie (St Mary's Roman Catholic Church and Presbytery)</td>
<td></td>
<td>Church Internal controls apply to the layout of the spaces and all original decorative features. Presbytery There are no internal controls for the Presbytery</td>
<td>No → Yes – Amendment C205 proposes to apply internal alteration controls to the place.</td>
</tr>
<tr>
<td>HO407 &amp; HO261</td>
<td>34 Mary Street, Dookie (Dookie Memorial Hall)</td>
<td></td>
<td>Internal controls apply to the layout of the spaces and all original</td>
<td>Amendment C205 seeks to apply a new additional Heritage controls to the place.</td>
</tr>
<tr>
<td>HO412 &amp; HO261</td>
<td>27 Turnley Street, Dookie (Dookie Uniting Church)</td>
<td>Nil.</td>
<td>Internal controls apply to the layout of the spaces and all original decorative features.</td>
<td>Amendment C205 seeks to apply a new additional Heritage Overlay for the purposes of applying internal alteration controls to the place.</td>
</tr>
<tr>
<td>-------------</td>
<td>-----------------------------------------------</td>
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<td>---------------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>HO19</td>
<td>915 Springvale Road, Harston (Former Springvale-Girgarre East Presbyterian Church)</td>
<td>Nil.</td>
<td>Internal controls apply to the layout of the spaces and all original decorative features.</td>
<td><strong>No → Yes</strong> – Amendment C205 proposes to apply internal alteration controls to the place.</td>
</tr>
<tr>
<td>HO20</td>
<td>125 Harston Road, Harston (Harston Memorial Hall)</td>
<td>Nil.</td>
<td>Internal controls apply to the layout of the spaces and all original decorative features.</td>
<td><strong>No → Yes</strong> – Amendment C205 proposes to apply internal alteration controls to the place.</td>
</tr>
<tr>
<td>HO21</td>
<td>7-9 Lincoln Street, Katandra West (St Mary’s Anglican Church)</td>
<td>Nil.</td>
<td>Internal controls apply to the layout of the spaces and all original decorative features.</td>
<td><strong>No → Yes</strong> – Amendment C205 proposes to apply internal alteration controls to the place.</td>
</tr>
<tr>
<td>HO275</td>
<td>248-250 Hickey Road, Katandra West (Katandra West Hall)</td>
<td>Nil.</td>
<td>Internal controls apply to the layout of spaces.</td>
<td><strong>No → Yes</strong> – Amendment C205 proposes to apply internal alteration controls to the place.</td>
</tr>
<tr>
<td>HO277</td>
<td>1070 River Road, Kialla East (Ashville Homestead)</td>
<td>Nil.</td>
<td>No changes proposed to the Statement of No – Internal alteration controls do not</td>
<td></td>
</tr>
<tr>
<td>HO278</td>
<td>1070 River Road, Kialla East (Stable)</td>
<td>Nil.</td>
<td>Internal controls currently apply to internal layout and all internal finishes.</td>
<td>Internal alteration controls should not currently apply to the place. Amendment C205 erroneously proposed to apply internal alteration controls to the place. Council officers are no longer proposing to apply internal alteration controls to the place.</td>
</tr>
<tr>
<td>-------</td>
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<td>--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>HO23</td>
<td>7105 Goulburn Valley Highway, Kialla West (Uniting Church and Hall)</td>
<td>Nil.</td>
<td>Internal alteration controls already apply to the place.</td>
<td><strong>No → Yes</strong> – Amendment C205 proposes to apply internal alteration controls to the place.</td>
</tr>
<tr>
<td>HO280</td>
<td>588 Dunbar Road, Kyabram (Mud Brick Shed)</td>
<td>Nil.</td>
<td>Internal alteration controls already apply to the place.</td>
<td>Internal alteration controls already apply to the place.</td>
</tr>
<tr>
<td>HO26</td>
<td>78-84 Morrissey Street, Merrigum (St Sebastian’s Roman Catholic Church)</td>
<td>Nil.</td>
<td><strong>No → Yes</strong> – Amendment C205 proposes to apply internal alteration controls to the place.</td>
<td>Internal alteration controls already apply to the place.</td>
</tr>
<tr>
<td>Code</td>
<td>Address</td>
<td>Nil. Internal controls apply to the layout of the spaces and all original decorative features.</td>
<td>No → Yes – Amendment C205 proposes to apply internal alteration controls to the place.</td>
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</tr>
<tr>
<td>HO28</td>
<td>98-100 Morrissey Street, Merrigum (Merrigum Hall)</td>
<td>Nil.</td>
<td>No → Yes – Amendment C205 proposes to apply internal alteration controls to the place.</td>
<td></td>
</tr>
<tr>
<td>HO33</td>
<td>115-119 Waverley Avenue, Merrigum (St Matthew’s Anglican Church)</td>
<td>Nil.</td>
<td>No → Yes – Amendment C205 proposes to apply internal alteration controls to the place.</td>
<td></td>
</tr>
<tr>
<td>HO34</td>
<td>139 Waverley Avenue, Merrigum (Merrigum Uniting Church)</td>
<td>Internal controls apply to the layout of the spaces and all original decorative features.</td>
<td>No → Yes – Amendment C205 proposes to apply internal alteration controls to the place.</td>
<td></td>
</tr>
<tr>
<td>HO144</td>
<td>50 &amp; 80 Merrigum Ardmona Road, Merrigum (Snelling’s Property)</td>
<td>Internal controls apply to the internal layout and original finishes (walls, ceiling and floor). This includes remnants of finishes.</td>
<td>Internal alteration controls already apply to the place.</td>
<td></td>
</tr>
<tr>
<td>HO145</td>
<td>745 Dunbar Road, Merrigum (Log Structure)</td>
<td>Nil.</td>
<td>Internal alteration controls already apply to the place.</td>
<td></td>
</tr>
<tr>
<td>HO283</td>
<td>595 Dunbar Road, Merrigum (Argus Log Building)</td>
<td>Internal controls apply to the internal layout and original finishes (walls, ceiling and floor). This includes remnants of finishes.</td>
<td>Internal alteration controls already apply to the place.</td>
<td></td>
</tr>
<tr>
<td>Reference</td>
<td>Address</td>
<td>Submitter</td>
<td>Description</td>
<td>Amendment C205 Proposed Controls</td>
</tr>
<tr>
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</tr>
<tr>
<td>HO290</td>
<td>13 Pearce Street, Merrigum (Dutch House)</td>
<td>Submitter 6.</td>
<td>Internal controls apply to the internal layout and the structural system.</td>
<td>Internal alteration controls already apply to the place.</td>
</tr>
<tr>
<td>HO291</td>
<td>82 Waverley Avenue, Merrigum (Mud Brick Shed)</td>
<td>Nil.</td>
<td>Internal controls apply to the internal layout and original finishes (walls, ceiling and floor). This includes remnants of finishes.</td>
<td>No → Yes – Amendment C205 proposes to apply internal alteration controls to the place.</td>
</tr>
<tr>
<td>HO35</td>
<td>5455-5465 Goulburn Valley Highway, Moorilim (Former St Patrick’s Roman Catholic Church)</td>
<td>Nil.</td>
<td>Internal controls apply to the layout of the spaces and all original decorative features.</td>
<td>No → Yes – Amendment C205 proposes to apply internal alteration controls to the place.</td>
</tr>
<tr>
<td>HO36</td>
<td>2 Alexandra Street, Mooroopna (St Andrew’s Uniting Church &amp; Hall)</td>
<td>Nil.</td>
<td>Uniting Church Internal controls apply to the layout of the spaces and all original decorative features. Hall Internal controls apply to the layout of the spaces and all original decorative features.</td>
<td>No → Yes – Amendment C205 proposes to apply internal alteration controls to the place.</td>
</tr>
<tr>
<td>HO41</td>
<td>8 McLennan Street and 4-6 Elizabeth Street, Mooroopna (Former Athenaeum Hall)</td>
<td>Nil.</td>
<td>Internal controls apply to the layout of the spaces and all original decorative features.</td>
<td>No → Yes – Amendment C205 proposes to apply internal alteration controls to the place.</td>
</tr>
<tr>
<td>HO44</td>
<td>39, 41-43 McLennan Street, Mooroopna (Mooroopna and</td>
<td>Nil.</td>
<td>Internal controls apply to the layout of the spaces and all</td>
<td>No → Yes – Amendment C205 proposes to apply internal alteration controls to the place.</td>
</tr>
<tr>
<td>HO</td>
<td>Address</td>
<td>Nil.</td>
<td>Description</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>HO148</td>
<td>2 Archer Street, Mooroopna (House)</td>
<td>Nil.</td>
<td>Internal alteration controls already apply to the place.</td>
<td></td>
</tr>
<tr>
<td>HO301</td>
<td>14 Alexandra Street, Mooroopna (Former Methodist Church)</td>
<td>Nil.</td>
<td>Internal alteration controls already apply to the place.</td>
<td></td>
</tr>
<tr>
<td>HO302</td>
<td>16 Alexandra Street, Mooroopna (Former Parsonage)</td>
<td>Submitter 12.</td>
<td>No changes proposed to the Statement of Significance. Internal alteration controls should not apply.</td>
<td></td>
</tr>
<tr>
<td>HO315</td>
<td>20 Rumbalara Road, Mooroopna (Rumbalara)</td>
<td>Nil.</td>
<td>Internal alteration controls already apply to the place.</td>
<td></td>
</tr>
<tr>
<td>HO317</td>
<td>2-26 Toolamba Road and 121-143 McLennan Street, Mooroopna (St Mary’s Church, Presbytery and School)</td>
<td>Nil.</td>
<td>Internal alteration controls already apply to the place.</td>
<td></td>
</tr>
<tr>
<td>Reference</td>
<td>Address</td>
<td>Internal Alteration</td>
<td>Statement of Significance</td>
<td>Note</td>
</tr>
<tr>
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</tr>
<tr>
<td>HO319</td>
<td>5 Young Street, Mooroopna (Former Undera Hall)</td>
<td>Nil.</td>
<td><strong>No changes proposed to the Statement of Significance. Internal alteration controls should not apply.</strong></td>
<td><strong>No → Yes → No</strong> – Internal alteration controls do not currently apply to the place. Amendment C205 erroneously proposed to apply internal alteration controls to the place. Council officers are no longer proposing to apply internal alteration controls to the place.</td>
</tr>
<tr>
<td>HO321</td>
<td>16, 32, and 35 Young Street &amp; 6 Doonan Street, Mooroopna (Former Ardmona Cannery)</td>
<td>Nil.</td>
<td>Internal controls apply to the cork lined cool rooms. All former external face brick walls and signage.</td>
<td>Internal alteration controls already apply to the place.</td>
</tr>
<tr>
<td>HO143</td>
<td>1040 Tatura-Undera Road, Mooroopna North West (Log Structure – Delaney’s Hut)</td>
<td>Nil.</td>
<td>Internal controls apply to the internal layout and original finishes (walls, ceiling and floor). This includes remnants of finishes.</td>
<td>Internal alteration controls already apply to the place.</td>
</tr>
<tr>
<td>HO323</td>
<td>230 Manley Road, Mooroopna North West (Kelso Park, Ryan’s Log Building)</td>
<td>Nil.</td>
<td>Internal controls apply to the internal layout and original finishes (walls, ceiling and floor). This includes remnants of finishes.</td>
<td>Internal alteration controls already apply to the place.</td>
</tr>
<tr>
<td>Ref</td>
<td>Address</td>
<td>Description</td>
<td>Controls Applied</td>
<td>Internal alteration controls to apply to the layout of the spaces and all original decorative features.</td>
</tr>
<tr>
<td>------</td>
<td>---------------------------------------------</td>
<td>----------------------------------</td>
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</tr>
<tr>
<td>HO62</td>
<td>15 Impey Street, Murchison (Christ Anglican Church)</td>
<td>Nil.</td>
<td>No → Yes – Amendment C205 proposes to apply internal alteration controls to the place.</td>
<td></td>
</tr>
<tr>
<td>HO65</td>
<td>2 Impey Street, Murchison (Uniting Church)</td>
<td>Nil.</td>
<td>No → Yes – Amendment C205 proposes to apply internal alteration controls to the place.</td>
<td></td>
</tr>
<tr>
<td>HO137</td>
<td>80 River Road, Murchison (House)</td>
<td>Nil.</td>
<td>Internal alteration controls already apply to the place.</td>
<td></td>
</tr>
<tr>
<td>HO413</td>
<td>8 River Road, Murchison (House)</td>
<td>Nil.</td>
<td>Amendment C205 seeks to apply a new additional Heritage Overlay for the purposes of applying internal alteration controls to the place.</td>
<td></td>
</tr>
<tr>
<td>HO72</td>
<td>580 Pine Lodge South Road, Pine Lodge (Uniting Church and Hall)</td>
<td>Nil.</td>
<td>No → Yes – Amendment C205 proposes to apply internal alteration controls to the place.</td>
<td></td>
</tr>
<tr>
<td>HO343</td>
<td>275 Cosgrove-Lemnos Road, Pine Lodge</td>
<td>Nil.</td>
<td>Internal alteration controls already apply to the layout.</td>
<td></td>
</tr>
<tr>
<td>HO73</td>
<td>Andrew Fairley Avenue, Shepparton (SPC Ltd.)</td>
<td>Nil.</td>
<td>Internal controls apply to the timber truss roofing system to the 1960 section of the building. Internal controls apply to all of the cork lined cool rooms.</td>
<td>No → Yes – Amendment C205 proposes to apply internal alteration controls to the place.</td>
</tr>
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</tr>
<tr>
<td>HO75</td>
<td>124-140 Fryers Street and 158 Corio Street, Shepparton</td>
<td>Nil.</td>
<td>Scots Church Internal controls apply to the 1887-88 church space. Internal controls apply to the layout of the spaces and all original decorative features. Sunday School Hall No internal controls apply – too many alterations.</td>
<td>No → Yes – Amendment C205 proposes to apply internal alteration controls to the place.</td>
</tr>
<tr>
<td>HO79</td>
<td>10-18 High Street, Shepparton (Shepparton Court House)</td>
<td>Nil.</td>
<td>Internal controls apply to the layout and all original decorative features.</td>
<td><strong>No → Yes</strong> – Amendment C205 proposes to apply internal alteration controls to the place.</td>
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</tr>
<tr>
<td>HO91</td>
<td>2 Purcell Street, Shepparton (Shepparton Railway Station)</td>
<td>Nil.</td>
<td>Railway Station building Internal controls apply to the layout of the spaces and all original decorative features. VRI Internal controls apply to the layout of the spaces and all original decorative features.</td>
<td><strong>No → Yes</strong> – Amendment C205 proposes to apply internal alteration controls to the place.</td>
</tr>
<tr>
<td>HO95</td>
<td>154 Welsford Street, Shepparton (Former Forester’s Hall)</td>
<td>Nil.</td>
<td><strong>No changes proposed to the Statement of Significance. Internal alteration controls should not apply.</strong></td>
<td><strong>No → Yes → No</strong> – Internal alteration controls do not currently apply to the place. Amendment C205 erroneously proposed to apply internal alteration controls to the place. Council officers are no longer proposing to apply internal alteration controls to the place.</td>
</tr>
<tr>
<td>HO97 &amp; HO160</td>
<td>227 Wyndham Street, Shepparton (Mechanics’ Institute)</td>
<td>Nil.</td>
<td>Internal controls apply to the hall at the rear. They apply to the timber lined ceiling. <strong>A site-visit is</strong></td>
<td>Amendment C205 seeks to apply a new additional Heritage Overlay for the purposes of</td>
</tr>
<tr>
<td>HO422 &amp; HO160</td>
<td>219-225 Wyndham Street, Shepparton (Office Building)</td>
<td>Nil.</td>
<td>The internal controls apply to the double height internal atrium space.</td>
<td>Amendment C205 seeks to apply a new additional Heritage Overlay for the purposes of applying internal alteration controls to the place.</td>
</tr>
<tr>
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</tr>
<tr>
<td>HO131 &amp; HO160</td>
<td>125-127 Fryers Street, Shepparton (Friar’s Café (former Baptist Church))</td>
<td>Nil.</td>
<td>Internal controls apply to the layout of the spaces and all original decorative features.</td>
<td>Amendment C205 seeks to apply a new additional Heritage Overlay for the purposes of applying internal alteration controls to the place.</td>
</tr>
<tr>
<td>HO151</td>
<td>10-20 Evergreen Way and 45 Parkside Drive, Shepparton (Philippine House)</td>
<td>Nil.</td>
<td>Internal controls apply to the layout of the spaces and all original decorative features.</td>
<td><strong>No → Yes</strong> – Amendment C205 proposes to apply internal alteration controls to the place.</td>
</tr>
</tbody>
</table>
| HO163          | 120-132 Welsford Street, Shepparton (Senior Citizens’ Rooms and Helen Fairley Garden Reserve) | Nil. | **No changes proposed to the Statement of Significance. Internal alteration controls should not apply.** | **No → Yes → No** – Internal alteration controls do not currently apply to the place. Amendment C205 erroneously proposed to apply internal alteration controls to the place. Council officers are no
<table>
<thead>
<tr>
<th>Code</th>
<th>Address</th>
<th>Nil or Yes</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>HO426 &amp; HO160</td>
<td>136-162 Maude Street, Shepparton (Wesleyan Religious Complex)</td>
<td>Nil.</td>
<td>Internal controls apply to: the Methodist Church and the former Hall and Sunday School wing; Internal controls apply to the layout of the spaces and all original decorative features. Internal controls do not apply to the Manse. Amendment C205 seeks to apply a new additional Heritage Overlay for the purposes of applying internal alteration controls to the place.</td>
</tr>
<tr>
<td>HO201</td>
<td>195, 197-199 Knight Street, Shepparton (Greek Orthodox Church)</td>
<td>Nil.</td>
<td>Internal controls apply to the layout of the spaces and all original decorative features. No → Yes – Amendment C205 proposes to apply internal alteration controls to the place.</td>
</tr>
<tr>
<td>HO205</td>
<td>93 Maude Street, Shepparton (St Augustine’s Anglican Church and Rectory)</td>
<td>Nil.</td>
<td>Internal controls apply to the layout of the spaces and all original decorative features. No → Yes – Amendment C205 proposes to apply internal alteration controls to the place.</td>
</tr>
<tr>
<td>HO209</td>
<td>161 and 161A Welsford Street, Shepparton (Masonic Lodge)</td>
<td>Nil.</td>
<td>Internal controls apply to the rear hall only. This includes the timber lined ceiling. No → Yes – Amendment C205 proposes to apply internal alteration controls to the place.</td>
</tr>
<tr>
<td>HO345</td>
<td>8 Acacia Street, Shepparton (Albanian Mosque)</td>
<td>Nil.</td>
<td>Internal controls apply to the layout of the spaces and all original decorative No → Yes – Amendment C205 proposes to apply internal alteration controls to the place.</td>
</tr>
<tr>
<td>HO354</td>
<td>18-22 Hamilton Street, Shepparton (St Mel’s Catholic Church and Presbytery)</td>
<td>Nil.</td>
<td>Church Internal controls apply to the layout of the spaces and all original decorative features. Presbytery No internal controls.</td>
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</tr>
<tr>
<td>HO356</td>
<td>130-160 Knight Street, 14 Corio Avenue and 143-149 Knight Street, Shepparton (Catholic Complex (St Brendan’s Catholic Church, Presbytery, Convent and Schools))</td>
<td>Nil.</td>
<td>Internal controls apply to: St Brendan’s Catholic Church and the Convent. They include the original decorative features. They also apply to the layout. Internal controls do not apply to the Presbytery and the school buildings.</td>
</tr>
<tr>
<td>HO365</td>
<td>30 Wyndham Street, Shepparton (Dutch House)</td>
<td>Nil.</td>
<td>Internal controls apply to the internal layout and the structural system. Internal alteration controls already apply to the place.</td>
</tr>
<tr>
<td>HO368</td>
<td>703 Midland Highway and 12 Hosie Road, Shepparton East (Former Shepparton East Hall)</td>
<td>Submitter 37.</td>
<td>Council officers are proposing post-exhibition changes to the Statement of Significance to recommend that Internal alteration controls be removed.</td>
</tr>
<tr>
<td>HO369</td>
<td>715 Midland Highway, Shepparton East (Mudbrick House)</td>
<td>Nil.</td>
<td>No changes proposed to the Statement of Significance. Internal alteration controls should not apply.</td>
</tr>
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</tr>
<tr>
<td>HO103</td>
<td>21 Victoria Street, Tatura (Soldiers’ Memorial Hall)</td>
<td>Nil.</td>
<td>Internal controls apply to the layout of the spaces and all original decorative features.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Internal alteration controls already apply to the place.</td>
</tr>
<tr>
<td>HO106</td>
<td>18-20 Francis Street, Tatura (All Saints’ Anglican Church and Rectory)</td>
<td>Nil.</td>
<td>Internal controls apply to the layout of the spaces and all original decorative features.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>No ➔ Yes – Amendment C205 proposes to apply internal alteration controls to the place.</td>
</tr>
<tr>
<td>HO428 &amp; HO156</td>
<td>65-67, 69-75 Hogan Street &amp; 80-82 Hogan Street, Tatura (Sacred Heart Roman Catholic Church complex)</td>
<td>Nil.</td>
<td>Internal alteration controls apply to the Catholic Church; St Mary’s College and the Sacred</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Amendment C205 seeks to apply a new additional Heritage Overlay for the purposes of</td>
</tr>
<tr>
<td>HO111</td>
<td>77-83 Hogan Street, Tatura (Mechanics’ Institute)</td>
<td>Nil.</td>
<td>Internal controls apply to the layout of the spaces and all original decorative features.</td>
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</tr>
<tr>
<td>HO112</td>
<td>77-83 Hogan Street, Tatura (Victory Hall)</td>
<td>Nil.</td>
<td>Internal controls apply to the layout of the spaces and all original decorative features.</td>
</tr>
<tr>
<td>HO439</td>
<td>241 Hogan Street, Tatura (St Andrew’s Presbyterian Complex)</td>
<td>Nil.</td>
<td>Church and Hall Internal controls apply to the layout of the spaces and all original decorative features. Manse No internal controls apply.</td>
</tr>
</tbody>
</table>
controls do not currently apply to HO114 or HO115. Amendment C205 seeks to apply additional controls to proposed HO439.

<table>
<thead>
<tr>
<th>HO146</th>
<th>5855 Midland Highway, Tatura (Moyola Park Homestead (Log Structure))</th>
<th>Nil.</th>
<th>Internal controls apply to the internal layout and original finishes (walls, ceiling and floor). This includes remnants of finishes.</th>
<th>Internal alteration controls already apply to the place.</th>
</tr>
</thead>
<tbody>
<tr>
<td>HO158</td>
<td>13 Francis Street &amp; 35 Kerferd Street, Tatura (Masonic Lodge)</td>
<td>Nil.</td>
<td>Internal controls apply to the layout of the spaces and all original decorative features.</td>
<td>No ➔ Yes – Amendment C205 proposes to apply internal alteration controls to the place.</td>
</tr>
<tr>
<td>HO373</td>
<td>525 Bayunga Road, Tatura (Merri Ponds Homestead)</td>
<td>Nil.</td>
<td>Stable only Internal controls apply to the original finishes (walls, ceiling and floor). This includes remnants of finishes. It includes the layout and any fabric that relates to its use as a stable.</td>
<td>Internal alteration controls already apply to the place.</td>
</tr>
<tr>
<td>HO386</td>
<td>490 Tatura-Undera Road, Tatura (Grove’s House)</td>
<td>Nil.</td>
<td>The house Internal controls apply to the layout of the spaces and all original decorative features. Cool store (outbuilding) Internal controls apply to the</td>
<td>Internal alteration controls already apply to the place.</td>
</tr>
<tr>
<td>Location</td>
<td>Description</td>
<td>Controls</td>
<td>Notes</td>
<td></td>
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</tr>
<tr>
<td>HO388</td>
<td>145 Winter Road, Tatura (Hanging Room, former Alexander’s slaughter yard)</td>
<td>Nil.</td>
<td>Internal alteration controls already apply to the place.</td>
<td></td>
</tr>
<tr>
<td>HO147</td>
<td>1310 Toolamba Road, Toolamba (Scotch Kiln)</td>
<td>Nil.</td>
<td>Internal alteration controls already apply to the place.</td>
<td></td>
</tr>
<tr>
<td>HO394</td>
<td>1350 and 1532 River Road, Toolamba (Binda Vale Homestead)</td>
<td>Nil.</td>
<td>Internal alteration controls already apply to the place.</td>
<td></td>
</tr>
<tr>
<td>HO396</td>
<td>190 Toolamba-Rushworth Road, Toolamba (Homestead Complex)</td>
<td>Nil.</td>
<td>Internal alteration controls already apply to the place.</td>
<td></td>
</tr>
<tr>
<td>HO124</td>
<td>575 Toolamba-Rushworth Road, Toolamba West (Former Uniting Church)</td>
<td>Nil.</td>
<td>Internal alteration controls already apply to the place.</td>
<td></td>
</tr>
<tr>
<td>HO127</td>
<td>1850 Echuca Road and 6 Madill Road, Undera (Undera Memorial Hall)</td>
<td>Nil.</td>
<td>Internal alteration controls already apply to the place.</td>
<td></td>
</tr>
<tr>
<td>HO403</td>
<td>390 Zeerust Road, Zeerust (Closer Settlement pre-</td>
<td>Nil.</td>
<td>Internal alteration controls already apply to the place.</td>
<td></td>
</tr>
<tr>
<td>HO404</td>
<td>210 Zeerust School Road, Zeerust (Former Gribben Log Building)</td>
<td>Submitter 5.</td>
<td>Internal controls apply to the internal layout and original finishes (walls, ceiling and floor). This includes remnants of finishes.</td>
<td>Internal alteration controls already apply to the place.</td>
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</tr>
<tr>
<td>HO405</td>
<td>235 Zeerust Road, Zeerust (Log buildings)</td>
<td>Nil.</td>
<td>Internal controls apply to the internal layout and original finishes (walls, ceiling and floor). This includes remnants of finishes.</td>
<td>Internal alteration controls already apply to the place.</td>
</tr>
</tbody>
</table>
## Appendix 2 – proposed changes to tree controls to specific place citation reports

<table>
<thead>
<tr>
<th>Heritage Place</th>
<th>Address</th>
<th>Council officers’ recommended changes to the Statement of Significance</th>
<th>Reference to Trees in the Statement of Significance (if applicable)</th>
</tr>
</thead>
<tbody>
<tr>
<td>HO229</td>
<td>Homestead</td>
<td>Add citation to reflect all mature trees.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>200 &amp; 200A Ross Road, Arcadia</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HO1</td>
<td>Holy Trinity Anglican Church</td>
<td>Add citation to add Canary Island Date Palms (Phoenix canariensis) &amp; Pepper Trees (Schinus molle)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>146 Lenne Road, Ardmona</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HO2</td>
<td>Former Scots Church</td>
<td>Remove tree controls for Pepper Trees (Schinus molle) in the overlay.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>100 Lenne Road, Ardmona</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HO5</td>
<td>Ardmona Primary School</td>
<td>Add citation to reflect all mature trees.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>580 Turnbull Road, Ardmona</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HO231</td>
<td>Former Ardmona Grammar School</td>
<td>Add citation to reflect all mature trees.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>170 Ardmona Road, Ardmona</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HO232</td>
<td>Warrawee Park Homestead</td>
<td>Add citation to reflect all mature trees.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>645, 705 and 707 Echuca Road, Ardmona</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HO234</td>
<td>Airlie Homestead (former Ducat family house)</td>
<td>Add citation to reflect all mature trees.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>380 Maclsaac Road, Ardmona</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HO235</td>
<td>Dundas Simson Coolstore</td>
<td>Add citation to reflect all mature trees.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>6455 Midland Highway, Ardmona</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Code</td>
<td>Name</td>
<td>Address</td>
<td>Additional Information</td>
</tr>
<tr>
<td>-------</td>
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<td>----------------------------------------------</td>
<td>--------------------------------------------</td>
</tr>
<tr>
<td>H0101</td>
<td>Fairley Downs</td>
<td>5250 Barmah-Shepparton Road, Bunbartha</td>
<td>Add citation to reflect all mature trees.</td>
</tr>
<tr>
<td></td>
<td>Homestead</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HO237</td>
<td>Athol Homestead</td>
<td>4950 Barmah-Shepparton Road, Bunbartha</td>
<td>Add citation to reflect all mature trees.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>HO238</td>
<td>Boongala Homestead</td>
<td>70 Lord Road, Bunbartha</td>
<td>Add citation to reflect all mature trees.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>HO240</td>
<td>Maneroo Homestead</td>
<td>150 Maneroo Road, Bunbatha</td>
<td>Add citation to reflect all mature trees.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>HO243</td>
<td>Almond Vale</td>
<td>655 McKenzie Road West, Bunbartha</td>
<td>Add citation to reflect all mature trees.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>HO246</td>
<td>Garfield Homestead</td>
<td>170 Kilmartin Road, Cooma</td>
<td>Add citation to reflect all mature trees.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>HO249</td>
<td>House</td>
<td>2195 Midland Highway, Cosgrove South</td>
<td>Add citation to reflect all mature trees.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>HO251</td>
<td>Gowangardie Homestead</td>
<td>2415 River Road, Cosgrove South</td>
<td>Add citation to reflect all mature trees.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>HO252</td>
<td>Number Two</td>
<td>1252 Baulch Road, Dhurringile</td>
<td>Add citation to reflect all mature trees.</td>
</tr>
<tr>
<td></td>
<td>Prisoner of War</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Camp</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HO253</td>
<td>Stable Building 870 Murchison - Tatura Road and 1290 Dhurrungile Road, Dhurringile</td>
<td>Yes - all mature trees</td>
<td></td>
</tr>
<tr>
<td>--------</td>
<td>---------------------------------------------------------------------------------</td>
<td>------------------------</td>
<td></td>
</tr>
<tr>
<td>HO13</td>
<td>St Lukes Anglican Church 26-36 Baldock Street, Dookie</td>
<td>Yes - all mature trees</td>
<td></td>
</tr>
<tr>
<td>HO15</td>
<td>The Chateau 75 Hoopers Road, Dookie</td>
<td>Add citation to reflect all mature trees.</td>
<td></td>
</tr>
<tr>
<td>HO17</td>
<td>Gladstone Hotel 44 Mary Street, Dookie</td>
<td>Add citation to reflect all mature trees.</td>
<td></td>
</tr>
<tr>
<td>HO18</td>
<td>St Mary’s Roman Catholic Church and Presbytery 93 &amp; 93A Saddleback Road, Dookie</td>
<td>Add citation to reflect all mature trees.</td>
<td></td>
</tr>
<tr>
<td>HO25</td>
<td>Silo 7 Baldock Street, Dookie</td>
<td>Add citation to reflect all mature trees.</td>
<td></td>
</tr>
<tr>
<td>HO258</td>
<td>CWA Gardens 67-71 &amp; 89 Mary Street, Dookie</td>
<td>Add citation to reflect all mature trees. Add citation in the overlay for the flowing gums.</td>
<td></td>
</tr>
<tr>
<td>HO259</td>
<td>Belbank Homestead 2365 New Dookie Road &amp; Unused Government Road, Dookie</td>
<td>Add citation to reflect all mature trees.</td>
<td></td>
</tr>
<tr>
<td>HO261</td>
<td>Dookie Township Precinct</td>
<td>Add citation to reflect all mature trees.</td>
<td></td>
</tr>
<tr>
<td>HO408</td>
<td>Former Co-op Store 48 Mary Road, Dookie</td>
<td>Add citation to reflect all mature trees.</td>
<td></td>
</tr>
</tbody>
</table>
| HO14 | Dookie Agricultural College  
940 Dookie-Nalinga Road, Dookie College | Add citation to reflect all mature trees. |
|------|-------------------------------------------------|-----------------------------------------------------------------|
| HO262 | House  
4180 Midland Highway, Girgarre East | Add citation to reflect all mature trees. |
| HO264 | Hurlstone Homestead  
197 Ford Road, Grahamvale | Add citation to reflect Sugar Gums (Eucalyptus cladocalyx) & Wisteria (Wisteria sinensis)  
extensive landscaped surrounds' |
| HO265 | Homestead  
65 Grahamvale Road, Grahamvale | Add citation to reflect all mature trees. |
| HO266 | Homestead  
133 Grahamvale Road, Grahamvale | Add citation to reflect all mature trees. |
| HO19 | Former Springvale-Girgarre East Presbyterian Church  
915 Springvale Road, Harston | Add citation to reflect all mature trees. |
| HO267 | Ravenstone Homestead  
720 Girgarre East Road, Harston | Add citation to reflect all mature trees. |
| HO268 | Atherstone Homestead  
310 Heath Road, Harston | Add citation to reflect all mature trees.  
immediate setting' |
| HO269 | Grandview Homestead  
810 Karramomus Road, Karramomus | Add citation to reflect all mature trees. |
| HO270 | Homestead  
1000 Karramomus Road, Karramomus | Add citation to reflect all mature trees. |
|-------|--------------------------------------|------------------------------------------|
| HO271 | Homestead  
1035 Karramomus Road, Karramomus | Add citation to reflect all mature trees.  
setting is significant' |
| HO273 | Lilybank Homestead  
965 Katandra Main Road, Katandra | Add citation to reflect all mature trees. |
| HO21  | St Mary's Anglican Church  
7-9 Lincholn Street, Katandra West | Add citation to reflect all mature trees. |
| HO274 | Katandra West Primary School,  
1928 Building  
17-27 Bankin Street, Katandra West | Add citation to reflect all mature trees. |
| HO277 | Ashville Homestead  
1070 River Road, Kialla East | Add citation to reflect all mature trees.  
surrounding grounds contribute to its significance' |
| HO278 | Stable  
1070 River Road, Kialla East | Add citation to reflect all mature trees. |
| HO206 | Kialla West Cemetery  
7374 Goulburn Valley Highway, Kialla West | Add citation to reflect all mature trees. |
| HO23  | Uniting Church and Hall  
7105 Goulburn Valley Highway, Kialla West | Add citation to reflect all mature trees. |
<table>
<thead>
<tr>
<th>Code</th>
<th>Name</th>
<th>Address</th>
<th>Additional Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>HO11</td>
<td>The Echoes Homestead Complex</td>
<td>245 Kyabram - Cooma Road &amp; 265 Kyabram-Cooma Road, Kyabram</td>
<td>Add citation to reflect all mature trees. Setting in mature gardens also adds to its aesthetic value.</td>
</tr>
<tr>
<td>HO279</td>
<td>Homestead</td>
<td>750 Andrews Road, Kyabram</td>
<td>Add citation to reflect all mature trees. The surrounding setting contributes to its significance.</td>
</tr>
<tr>
<td>HO26</td>
<td>St Sebastian's Roman Catholic Church</td>
<td>78-84 Morrissey Street, Merrigum</td>
<td>Add citation to reflect all mature trees.</td>
</tr>
<tr>
<td>HO27</td>
<td>War Memorial Public Reserve</td>
<td>98 Morrissey Street, Merrigum</td>
<td>Add citation to reflect all mature trees.</td>
</tr>
<tr>
<td>HO28</td>
<td>Merrigum Hall</td>
<td>98-100 Morrissey Street, Merrigum</td>
<td>Add citation to reflect all mature trees.</td>
</tr>
<tr>
<td>HO29</td>
<td>House</td>
<td>88-92 Waverley Avenue, Merrigum</td>
<td>Add citation to reflect all mature trees.</td>
</tr>
<tr>
<td>HO32</td>
<td>Merrigum District Historical Society Museum</td>
<td>111-113 Waverley Avenue, Merrigum</td>
<td>Add citation to reflect all mature trees.</td>
</tr>
<tr>
<td>HO33</td>
<td>St Matthew's Anglical Church</td>
<td>115-119 Waverley Avenue, Merrigum</td>
<td>Add citation to reflect all mature trees.</td>
</tr>
<tr>
<td>HO283</td>
<td>Argus Log Building</td>
<td>595 Dunbar Road, Merrigum</td>
<td>Reflect Grey Box Trees as a plural in the overlay.</td>
</tr>
</tbody>
</table>
| HO284 | McLeod's Homestead  
745 Dunbar Road, Merrigum | Add citation to reflect the Palm tree (Arecaceae) |
|-------|------------------|---------------------------------|
| HO35  | Former St Patrick's Roman Catholic Church  
5455-5465 Goulburn Valley Highway, Moorilim | Add citation to reflect all mature trees. |
| HO297 | Moorilim Hotel  
5475 Goulburn Valley Highway, Moorilim | Add citation to reflect all mature trees. |
| HO36  | St Andrews Uniting Church and Hall  
2 Alexandrea Street, Mooroopna | Add citation to reflect all mature trees. |
| HO40  | Former Mooroopna Hospital  
2 and 4-6 McLennan Street and 30 Park Street, Mooroopna | Add reference to ‘pine oak tree’ |
| HO42  | Mooroopna War Memorials  
Public Reserve, McLennan Street, Mooroopna | Add citation to reflect all mature trees. |
| HO52  | Mooroopna Primary School  
16-18 O'Brien Street, Mooroopna | Add citation to reflect all mature trees. |
| HO53  | Pepper Trees  
16-18 O'Brien Street, Mooroopna | How many pepper trees are on site? Statement of significance says three trees, overlay says two trees. |
| HO54  | Mooroolbanna Railway Station  
| 70 and 72 Young Street, Mooroolbanna | Add citation to reflect Pepper Trees (Schinus molle) |
| HO298 | House  
| 4 Alexandra Street, Mooroolbanna | Add citation to reflect all mature trees. |
| HO299 | House  
| 10 Alexandra Street, Mooroolbanna | Add citation to reflect all mature trees. |
| HO303 | Cottage  
| 23 Camp Street, Mooroolbanna | Add citation to reflect all mature trees. |
| HO304 | Former Ardenmore Cannery Manager's House  
| 24 Camp Street, Mooroolbanna | Add citation to reflect all mature trees. |
| HO306 | Howe's Paddock  
| 90 McFarlane Road, Mooroolbanna | Add citation to reflect all mature trees. cultural landscape values' |
| HO312 | Mooroolbanna Flats  
| Shepparton Regional Park, Midland Highway, Mooroolbanna | Add citation to reflect native tree cover. |
| HO317 | St Mary's Church, Presbytery and School  
| 2-26 Toolamba Road and 121-143 McLennan Street, Mooroolbanna | Add citation to reflect all mature trees. |
| HO324 | Dookie Cemetery  
| 305 Dookie-Gowangardie Road, Mount Major | Add citation to reflect all mature trees. Livelied tree setting' |
| HO61  | Murchison Primary School  
8 Impey Street, Murchison | Add citation to reflect Oak Tree (Quercus Sp.) |
| --- | --- | --- |
| HO62  | Christ Anglican Church  
15 Impey Street, Murchison | Add citation to reflect all mature trees. |
| HO64  | Murchison Cemetery - Ossario  
21 Old Weir Road, Murchison | Add citation to reflect Golden Monterrey Cypress (Cupressus macroarpa), Silky Oak (Grevillea robusta) & Cherry Plum (Prunus ceraifera) & Italian Cypress trees (Cupressus sempervirens), Landscaped setting including memorial avenue' |
| HO65  | Uniting Church  
2 Impey Street, Murchison | Add citation to reflect all mature trees. |
| HO434 | House  
28 Impey Street, Murchison | Add citation to reflect all mature trees. |
| HO137 | House  
80 River Road, Murchison | Add citation to reflect all mature trees. |
| HO325 | Alistar Knox House  
90 Baynes Road, Murchison | Add citation to reflect all mature trees. |
| HO326 | Lynden Homestead  
890 Hammond Road, Murchison | Add citation to reflect all mature trees. |
| HO327 | House  
470 Murchison - Goulburn Weir Road, Murchison | Add citation to reflect all mature trees. |
<table>
<thead>
<tr>
<th>Code</th>
<th>Name</th>
<th>Address</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>HO328</td>
<td>Waranga Park Homestead</td>
<td>5 Murchison - Tatura Road, Murchison</td>
<td>Add citation to reflect all mature trees.</td>
</tr>
<tr>
<td>HO329</td>
<td>Murchison Cemetery</td>
<td>21 Old Weir Road, Murchison</td>
<td>Add citation to reflect all mature trees.</td>
</tr>
<tr>
<td>HO414</td>
<td>Kestell</td>
<td>1 Rushworth Road, Murchison</td>
<td>Add citation to reflect all mature trees.</td>
</tr>
<tr>
<td>HO436</td>
<td>Roderick Square Reserve</td>
<td>Intersection of KcKenzie Street and Watson Streets, Roderick Square, Murchison</td>
<td>Add citation to reflect all mature trees.</td>
</tr>
<tr>
<td>HO415</td>
<td>Ravenscraig</td>
<td>5 Stevenson Street, Murchison</td>
<td>Add citation to reflect all mature trees.</td>
</tr>
<tr>
<td>HO416</td>
<td>Former Commercial Bank</td>
<td>7 Stevenson Street, Murchison</td>
<td>Add citation to reflect all mature trees.</td>
</tr>
<tr>
<td>HO435</td>
<td>Watson Street Group</td>
<td>15 &amp; 21 Watson Street, Murchison</td>
<td>Add citation to reflect all mature trees.</td>
</tr>
<tr>
<td>HO334</td>
<td>Aboriginal Protectorate</td>
<td>3 - 23 Willoughby Street, Murchison</td>
<td>Add citation to reflect all mature trees.</td>
</tr>
<tr>
<td>HO335</td>
<td>Former Common School 1126</td>
<td>44 Willoughby Street, Murchison</td>
<td>Add citation to reflect all mature trees.</td>
</tr>
<tr>
<td>HO336</td>
<td>Murchison Central Township Precinct</td>
<td></td>
<td>Add citation to reflect all mature trees.</td>
</tr>
</tbody>
</table>

setting of the house’

setting provided by the surrounding grounds’

citation refers to ‘viewed trees’
| HO337 | River Road  
Murchison Residential Precinct | Add citation to reflect all mature trees. | citation refers to 'riverine environment' |
|-------|----------------------------------|------------------------------------------|------------------------------------------|
| HO338 | Rushworth Road  
Murchison Residential Precinct | Add citation to reflect all mature trees. |                                            |
| HO339 | Station Street  
Murchison Residential Precinct | Add citation to reflect all mature trees. |                                            |
| HO56  | Murchison East Railway Station  
20 Cassidys Road, Murchison East | Add reference to Pepper Trees (Schinus molle) |                                            |
| HO59  | Railway Hotel  
4910 and 4920 Goulburn Valley Highway, Murchison East | Add reference to canary island date palm (Phoenix canariensis) |                                            |
| HO341 | Altona Park Homestead | Add citation to reflect all mature trees. | The avenue of Monterey Cypress Trees (Cupressus macrocarpa) and other species is significant.' |
| HO342 | Former Methodist Church  
325 Poplar Avenue, Orrvale | Add citation to reflect all mature trees. |                                            |
| HO72  | Uniting Church and Hall  
580 Pine Lodge South Road, Pine Lodge | Add citation to reflect all mature trees. |                                            |
| HO207 | Pine Lodge Cemetery  
1600 Midland Highway, Pine Lodge | Add citation to reflect all mature trees. |                                            |
| HO343 | Lamrock’s Homestead  
275 Cosgrove - Lemnos Road, Pine Lodge | Add citation to reflect all mature trees. |
|-------|--------------------------------------|----------------------------------------|
| HO74  | Algeciras  
3 Clarke Court, Shepparton | Add citation to reflect all mature trees. |
| HO77  | Shepparton High School  
31 - 73 Hawdon Street, Shepparton | Add citation to reflect all mature trees. |
| HO78  | Furphy House  
132 Hayes Street, Shepparton | Add citation to reflect all mature trees. |
| HO80  | Terminus Hotel  
212-226 High Street, Shepparton | Add citation to reflect all mature trees. |
| HO82  | Ivanhoe  
9 Ivanhoe Court, Shepparton | Add citation to reflect all mature trees. |
| HO86  | House  
85 Maude Street, Shepparton | Add citation to reflect all mature trees. |
| HO87  | Lorraine  
112 Maude Street, Shepparton | Add citation to reflect all mature trees. |

"Aesthetically, it is a picturesque and substantially intact example of a large eclectic bungalow, distinguished by the collection of original outbuildings, landscape and fence."
| HO92    | Shepparton Showgrounds  
275-299, 201 and 307 High Street and Andrew Fairley Avenue, Shepparton | Add citation to reflect all mature trees. |
|---------|-----------------------------------------------------------------|-----------------------------------------|
| HO93    | Former Wanganui Homestead  
260 Wanganui Road, Shepparton | Add citation to reflect all mature trees. |
| HO96    | Former Alexander Miller Memorial Homes  
47-61 Wyndham Street & 48-60 Maude Street, Shepparton | Add citation to reflect all mature trees.  
Garden courtyard' 
Note: Address in study is 47 - 53 Wyndham Street, not 47 - 61. |
| HO129   | Helping Hand Statue, War Memorial  
90 and 114 Welsford Street, Shepparton | Add citation to reflect all mature trees.  
Note: Address in overlay is not in study. Study address is 'corner of Fryers Street and Welsford Street' |
| HO133   | House  
112 Knight Street, Shepparton | Add citation to reflect all mature trees. |
| HO151   | Phillipine House  
10-20 Evergreen Way and 45 Parkside Drive, Shepparton | Add citation to reflect all mature trees. |
| HO152   | Maude Street Shepparton Residential Precinct  
(305-311 Maude Street), Shepparton | Add citation to reflect all mature trees. |
| HO161   | Queen's Gardens  
41-51 Welsford Street, Shepparton | Add citation to reflect all mature trees. |
<p>| HO185 | House | 80-82 Corio Street, Shepparton | Add citation to reflect all mature trees. | Setting contributes to the significance |
| HO205 | St Augustine's Anglican Church and Rectory | 93 Maude Street, Shepparton | Add citation to reflect all mature trees. | Landscape elements 'Garden Setting' Note: Address in study is 95 - 97 Maude Street |
| HO419 | House | 84 Corio Street, Shepparton | Add citation to reflect all mature trees. | Setting' |
| HO433 | House | 94 Corio Street, Shepparton | Add citation to reflect all mature trees. | Setting' |
| HO357 | House | 162 Knight Street, Shepparton | Add citation to reflect all mature trees. | |
| HO358 | House | 192 Knight Street, Shepparton | Add citation to reflect all mature trees. | |
| HO362 | VRI Building | 2 Purcell Street, Shepparton | Add citation to reflect all mature trees. | |
| HO363 | Shepparton Cemetery | 5 Rudd Road, Shepparton | Add citation to reflect all mature trees. | |
| HO367 | Homestead | 375 Midland Highway, Shepparton East | Add citation to reflect all mature trees. | |
| HO369 | Mudbrick House | 715 Midland Highway, Shepparton East | Add citation to reflect all mature trees. | |</p>
<table>
<thead>
<tr>
<th>Reference</th>
<th>Location</th>
<th>Description</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>HO106</td>
<td>All Saints' Anglican Church and Rectory 18-20 Francis Street, Tatura</td>
<td>Add citation to reflect all mature trees.</td>
<td></td>
</tr>
<tr>
<td>HO113</td>
<td>Former Tatura Court House and Former Police Station 228-244 Hogan Street, Tatura</td>
<td>Add citation to reflect all mature trees.</td>
<td>Note: Address is 220-222 Hogan Street, not 228-244</td>
</tr>
<tr>
<td>HO439</td>
<td>St Andrew's Presbyterian Complex 241 Hogan Street, Tatura</td>
<td>Add citation to reflect all mature trees.</td>
<td></td>
</tr>
<tr>
<td>HO146</td>
<td>Moyola Park Homestead (Log Structure) 5855 Midland Highway, Tatura</td>
<td>Add citation to reflect all mature trees.</td>
<td></td>
</tr>
<tr>
<td>HO157</td>
<td>Lake Bartlett Reserve 1-59 and 33 Martin Street, Tatura</td>
<td>Add citation to reflect all mature trees.</td>
<td>Note: Address is only 1-59 Martin Street</td>
</tr>
<tr>
<td>HO159</td>
<td>House 50 Ferguson Road, Tatura</td>
<td>Add citation to reflect all mature trees.</td>
<td></td>
</tr>
<tr>
<td>HO215</td>
<td>Robert Mactier VC Memorial Gardens 1 and 2 Flanagan Place and 202-218 Hogan Street, Tatura</td>
<td>Add citation to reflect all mature trees. Add reference to Lemon-scented gum (Corymbia citriodora), Unidentified non-indigenous, planted eucalypt behind the lemon scented gum, Canary Island date palm (Phoenix canariensis), Liquid amber (Liquidambar styraciflua), and the Washington filifera</td>
<td></td>
</tr>
</tbody>
</table>
| HO219 | Wallis Victoria Hotel  
205 Hogan Street, Tatura | Add citation to reflect all mature trees. | Address is 205-207 Hogan Street, Tatura in the heritage study. |
|-------|----------------------|---------------------------------|---------------------------------------------------------------|
| HO227 | House  
228-244 Hogan Street, Tatura | Add citation to reflect all mature trees. | Note: Study address is incorrect. |
| HO228 | House  
73-75 Ross Street, Tatura | Add citation to reflect all mature trees. | |
| HO373 | Merri Ponds Homestead  
525 Bayunga Road, Tatura | Add citation to reflect all mature trees. | |
| HO375 | Gladfield Homestead  
110 Craven Road, Tatura | Add citation to reflect all mature trees. | |
| HO376 | Nimitybelle Homestead  
110 Craven Road, Tatura | Add citation to reflect all mature trees. | |
| HO378 | Gowrie Park Homestead  
80 Gowrie Park Road, Tatura | Add citation to reflect all mature trees. | |
| HO379 | House  
17 Hogan Street, Tatura | Add citation to reflect all mature trees. | |
| HO380 | House  
21 Hogan Street, Tatura | Add citation to reflect all mature trees. | |
<table>
<thead>
<tr>
<th>Location</th>
<th>Address</th>
<th>Tree Information</th>
<th>Setting</th>
</tr>
</thead>
<tbody>
<tr>
<td>HO382</td>
<td>Kelvin Grove Homestead 5735 Midland Highway, Tatura</td>
<td>Add citation to reflect all mature trees.</td>
<td>Surrounding landscape setting</td>
</tr>
<tr>
<td>HO383</td>
<td>Moyola Park Homestead 5855 Midland Highway, Tatura</td>
<td>Add citation to reflect all mature trees.</td>
<td></td>
</tr>
<tr>
<td>HO385</td>
<td>Homestead 730 Dhurringile Road and 1340 Murchison - Tatura Road, Tatura</td>
<td>Add citation to reflect all mature trees.</td>
<td></td>
</tr>
<tr>
<td>HO386</td>
<td>Grove's House 490 Tatura-Undera Road, Tatura</td>
<td>Add citation to reflect all mature trees.</td>
<td></td>
</tr>
<tr>
<td>HO387</td>
<td>Harston Grange Homestead 1655 Toolamba - Rushworth Road, Tatura</td>
<td>Add citation to reflect all mature trees.</td>
<td></td>
</tr>
<tr>
<td>HO430</td>
<td>House 18 Thomson Street, Tatura</td>
<td>Add citation to reflect all mature trees.</td>
<td>Setting</td>
</tr>
<tr>
<td>HO431</td>
<td>House 20 Thomson Street, Tatura</td>
<td>Add citation to reflect all mature trees.</td>
<td>Setting</td>
</tr>
<tr>
<td>HO123</td>
<td>St John's Anglican Church 130 Rutherford Road, Toolamba</td>
<td>Add citation to reflect all mature trees.</td>
<td></td>
</tr>
<tr>
<td>HO125</td>
<td>Junction Hotel 24 Wren Street, Toolamba</td>
<td>Add citation to reflect all mature trees.</td>
<td></td>
</tr>
<tr>
<td>HO126</td>
<td>General Store 33 Wren Street, Toolamba</td>
<td>Add citation to reflect all mature trees.</td>
<td></td>
</tr>
<tr>
<td>Code</td>
<td>Name</td>
<td>Address</td>
<td>Notes</td>
</tr>
<tr>
<td>--------</td>
<td>-----------------------</td>
<td>--------------------------------</td>
<td>------------------------------------------------</td>
</tr>
<tr>
<td>HO389</td>
<td>Herdstown Villa</td>
<td>180 Bitcon Road, Toolamba</td>
<td>Add citation to reflect all mature trees.</td>
</tr>
<tr>
<td></td>
<td>Homestead</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HO391</td>
<td>Lissadell Homestead</td>
<td>195 &amp; 195A Pogue Road, Toolamba</td>
<td>Add citation to reflect all mature trees.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Note: Address is only 195 Pogue Road</td>
</tr>
<tr>
<td>HO392</td>
<td>Roseneath Homestead</td>
<td>490 Pogue Road, Toolamba</td>
<td>Add citation to reflect all mature trees.</td>
</tr>
<tr>
<td>HO393</td>
<td>Rosyth Homestead</td>
<td>1270 River Road, Toolamba</td>
<td>Add citation to reflect all mature trees.</td>
</tr>
<tr>
<td>HO395</td>
<td>Toolamba Cemetery</td>
<td>1620 River Road, Toolamba</td>
<td>Add citation to reflect all mature trees.</td>
</tr>
<tr>
<td>HO396</td>
<td>Homestead Complex</td>
<td>190 Toolamba - Rushworth Road,</td>
<td>Add citation to reflect all mature trees.</td>
</tr>
<tr>
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<td></td>
<td>Toolamba</td>
<td></td>
</tr>
<tr>
<td>HO397</td>
<td>Osborne House</td>
<td>825 Toolamba Road, Toolamba</td>
<td>Add citation to reflect all mature trees.</td>
</tr>
<tr>
<td>HO124</td>
<td>Former Uniting Church</td>
<td>575 Toolamba - Rushworth Road,</td>
<td>Add citation to reflect all mature trees.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Toolamba West</td>
<td></td>
</tr>
<tr>
<td>HO398</td>
<td>Woodlands Homestead</td>
<td>760 Bayunga Road, Toolamba West</td>
<td>Add citation to reflect all mature trees.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Immediate setting</td>
</tr>
</tbody>
</table>
| HO399 | Linton Grange Homestead  
740 Craven Road, Toolamba West | Add citation to reflect all mature trees. |
|-------|---------------------------------|------------------------------------------|
| HO400 | Undera Primary School  
45-55 Anderson Street, Undera | Add citation to reflect all mature trees. |
| HO401 | Homestead  
720 Madill Road, Undera | Add citation to reflect all mature trees. |
| HO104 | Former Zeerust Uniting Church & Hall  
400 Zeerust Road, Zeerust | Add citation to reflect all mature trees. |
| HO403 | Closer Settlement pre-fabricated house  
390 Zeerust Road, Zeerust | Add citation to reflect all mature trees. |