

22.0601/10/2015
C71**CULTURAL HERITAGE CONSERVATION POLICY**

This conservation policy applies to heritage places and precincts affected by the Heritage Overlay within the City of Banyule.

22.06-130/05/2013
C77**Policy basis**

This policy:

- Implements the Vision for Banyule in Clause 21.02, responds to the key issues and builds on the MSS objectives and strategies for heritage in Clause 21.03, which identifies the use of local policies as one of the key tools to ensure that the cultural heritage of Banyule is protected, conserved and enhanced appropriately.
- Implements the recommendations of heritage studies, in particular the *Banyule Heritage Strategy 2013*, the *Banyule Heritage Places Study 1999* and *Banyule Heritage Places Review 2012* and gives effect to the development guidelines for heritage precincts within Banyule.
- Recognises the importance of the conservation of heritage places in contributing to environmental, economic and social sustainability.
- Is intended to assist the consideration of permit applications or amendments sought or granted under Clause 43.01. Application requirements are given where appropriate.

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C77**Policy objectives**

- To ensure new development is not visually intrusive.
- To conserve and, where possible, enhance the setting of heritage places and the visual relationship between heritage places.
- To conserve views of and vistas to heritage places.
- To ensure that new development is readily distinguishable from the original fabric.
- To maintain the integrity and historic character of Banyule's heritage precincts.
- To ensure new development appears as a secondary element in streetscapes when compared to contributory elements of the heritage place.
- To ensure new development is responsive to contributory public realm elements such as views, vistas, mature vegetation and landmarks.
- To manage the appropriate integration of services and equipment to improve the environmental sustainability of a heritage building.

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C77**Definitions**

- *Heritage place.* A heritage place includes a site, building or structure, area or group of buildings (also referred to as a 'heritage precinct'), archaeological site, tree, garden, geological formation, fossil site, habitat or other place of identified natural or cultural significance and its associated land (refer to References at the end of this policy).
- *Individually significant.* An *individually significant* place is a single heritage place that has cultural heritage significance independent of its context. Some *individually significant* places may also contribute to the significance of a heritage precinct. *Individually significant* places will usually have a separate citation and statement of significance in a heritage assessment document (refer to References at the end of this policy).
- *Contributory.* The word *Contributory* identifies an element that contributes to the significance of a heritage place, and may be a building, part of a building or some other feature of a heritage place, *Contributory* elements should be identified in the statement of significance or other heritage assessment document (refer to References at the end of this policy).

- *Non-contributory.* A *non-contributory* element does not make a contribution to the significance of a heritage place. In some instances, an *individually significant* place may be considered *Non-contributory* within a heritage precinct, for example, an important Modernist house within a Victorian era precinct.
- *Public realm.* The public realm includes all non-private property include streets, roads and laneways, and public parks. Public realm features that contribute to the significance of heritage places can include kerb and channel treatments, roadside verges, monuments, pavilions, public art, and street trees and other heritage landscape features.

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Policy

Conservation of heritage places

It is policy to:

- Obtain expert heritage advice to identify the contributory elements of a heritage place, where the Responsible Authority determines that the relevant Statement of Significance does not clearly identify these.
- Consider the most recent Statement of Significance if there is more than one Statement of Significance for a heritage place. If there is a Statement of Significance at both the individual and precinct level for a heritage place then both should be taken into account.
- Support the maintenance, and preservation of contributory elements that give significance to a heritage place.
- Support where appropriate the restoration or reconstruction of contributory elements to a known earlier state. This should be guided by the Statement of Significance and any additional supporting evidence.
- Conserve views of, vistas to, silhouettes and profiles of a heritage place or within a heritage precinct, where these views or vistas have been identified as contributing to the significance of the heritage place.
- Consider adaptive reuse if the new use supports the conservation of a heritage place.
- Ensure external materials, colours and finishes are consistent with and complement the style and period of the heritage place.
- Discourage the painting of previously unpainted surfaces.
- Discourage paint removal methods (such as sandblasting, waterblasting), which may damage the surface of a heritage building.
- Encourage conservation or reinstatement of an original external painting scheme. unless it can be demonstrated to the Responsible Authority that:
 - Any external paint and finishes proposed are appropriate to the style and period of the heritage place.
 - It is a contributory element within a row or group of similar buildings and it is appropriate to adopt a consistent or coordinated approach to paint colours.

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Demolition

It is policy to:

- Discourage the complete demolition of a heritage building unless the building is structurally unsound and it is demonstrated to the satisfaction of the responsible authority that it cannot feasibly be repaired or adapted for reuse.
- Consider demolition of part of a heritage building when it can be demonstrated that the part demolition will not adversely affect the significance of the building and, as appropriate:

- It will assist in the long term conservation or maintenance of the building, or
 - It will support the viability of the existing use of the building or will facilitate a new use that is compatible with the on-going conservation of the building, or
 - It will upgrade the building to meet contemporary living standards such as improving energy efficiency, or
 - It will remove non-contributory elements, such as alterations or additions, particularly where this would assist in revealing the significance of the building.
- Allow demolition of non-contributory elements in a heritage precinct.
 - Require a visual record of contributory elements to be demolished or removed to be provided to the satisfaction of the responsible authority prior to demolition being approved.

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Alterations and additions to heritage places

It is policy to:

- Encourage alterations and additions to respect the external form, bulk, façade patterning, painting, finishes and materials of the heritage building.
- Discourage alterations and additions that copy historical styles of the heritage building in detail.
- Encourage ancillary services and equipment (such as satellite dishes, aerials, shade canopies, or similar structures) to be concealed from view from the public realm.
- Consider ancillary services that improve the sustainable performance of a heritage building such as solar panels, rain water tanks and solar hot water services that may be visible from the public realm if they are sensitively integrated into the design of any alteration or additions and there is no alternative location.
- Discourage additions that would be visible from the public realm unless it can be demonstrated to the satisfaction of the Responsible Authority that, as appropriate:
 - The height and position of the addition, where visible from the public realm, does not negatively impact upon the heritage place or any adjoining or adjacent heritage place.
 - The form of the addition, where visible from the public realm, respects the external form, bulk, façade pattern, painting, finishes and materials of the heritage building.

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New buildings

It is policy to:

- Encourage new buildings to be of high quality design that is complementary in form, siting, scale/height, proportions and materials to the heritage place.
- Discourage new buildings that copy historical styles in detail.
- Encourage new buildings in a residential heritage precinct to respond to the scale, rhythm and spacing of contributory buildings in the streetscape.
- Encourage new garages, carports or outbuildings to be:
 - Situated within the rear yard of an individually significant or contributory heritage place, or
 - Setback from the front wall of the house on the site.
- Encourage any new buildings within residential heritage precincts:

- to not exceed the building height of an individually significant or contributory heritage place on adjoining sites. In circumstances where there is an individually significant or contributory heritage place on adjoining sites that have different building heights, then the average height of these buildings should not be exceeded.
- to have the same front setbacks as an individually significant or contributory heritage place on adjoining sites facing the same street. In circumstances where there is an individually significant or contributory heritage place on both adjoining sites facing the same street that have different front setbacks then the average setback should be used.
- to have the same side setbacks as an individually significant or contributory heritage place on adjoining sites. In circumstances where there is an individually significant or contributory heritage place on both adjoining sites that have different side setbacks then the average setback should be used.

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Subdivision

It is policy to:

- Encourage any subdivision in a heritage precinct to be compatible with the historic subdivision pattern and proportion of lots.
- Encourage any subdivision to maintain the contributory elements associated with a heritage place on a single lot and, where possible, utilise original boundaries.
- Ensure subdivision maintains an appropriate setting for a heritage place.

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Advertising signs

It is policy to:

- Ensure advertising signs are limited in number.
- Encourage advertising signs to:
 - Be appropriately attached to buildings to minimise damage to the fabric of a heritage building.
 - Have traditional forms and locations on heritage buildings.
 - If illumination is considered appropriate, be externally illuminated unless the responsible authority considers internal illumination is appropriate to the heritage place.

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Fences and gates

It is policy to:

- Encourage conservation of fences and gates that contribute to the significance of a heritage place.
- Encourage any new fences to complement the style and construction of the heritage place if the original fence cannot be conserved or reinstated.
- Discourage new front fences that would obstruct views to a heritage place from the public realm.
- Ensure any new fences on side boundaries that are visible from the public realm:
 - Adopt a similar scale to the front fence on the same site; and
 - Do not disturb the visual setting of, and relationship between, the contributory elements of a heritage place or adjoining place.
- Encourage front fences to be of a low height, unless there is historic evidence for a higher fence.

- Encourage front fences to have a level of transparency unless there is historic evidence that supports otherwise.

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Trees & vegetation

It is policy to:

- Ensure that any future development, or changes in immediate environmental conditions, adjacent to the tree/s and vegetation that is significant or is a contributory element to a heritage place or precinct, will not have a detrimental impact upon the integrity and condition of the tree/s and vegetation.
- Where significant or contributory trees need to be removed, encourage 'like for like' replacement of the tree/s that is significant or is a contributory element to a heritage place or precinct unless an alternative planting strategy has been approved by Council. An alternative species of tree, or no replacement, may be considered when:
 - Changes in the site conditions since the species was first planted mean that the original species is no longer appropriate or is no longer suitable (e.g. due to size or form or proximity to buildings).
 - The original species is inappropriate given the local climate, soils or other reasons and an alternative would be more suited.
 - The species is identified as an environmental weed and cannot be appropriately managed when planted.
 - The species is at risk from pest or disease and another species would be more appropriate.
- Encourage pruning (if required) to be in accordance with AS 4373 – 2007 'Pruning of Amenity Trees'

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Public realm

It is policy to:

- Retain contributory elements of the public realm.
- Discourage changes to the shape and position of roads and footpaths if these are contributory elements of a heritage place or precinct.
- Discourage the replacement of medians or tree planting that would interrupt important vistas or create a visual intrusion on streetscapes.
- Encourage location of services away from sensitive public realm elements.
- Ensure that where the replacement of services requires the removal of any contributory elements in the public realm, existing conditions are recorded and where possible, reinstated to match pre-intervention form.

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Archaeology

It is policy to refer an application to Heritage Victoria for comment if it is included on the Victorian Heritage Inventory.

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Application requirements

An application should be accompanied by the following information, as appropriate. This information may not be required for minor applications as determined by the responsible authority:

- A report explaining the proposal and how it addresses this policy.
- A report prepared by a suitably qualified heritage consultant, which assesses the impact of the proposal upon heritage place. This report should:

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- As part of the site analysis, describe the contributory elements of the heritage place and how these have been considered in the preparation of the application.
- If the application includes ancillary site services that may be visible from the public realm, assess whether there is a reasonable alternative location.
- For applications where demolition is sought on the basis of the condition of the building a report prepared by a suitably qualified consultant that assesses the structural condition of the building and whether or not any defects can be repaired or mitigated is required.
- A Conservation Management Plan prepared by a suitably qualified consultant in accordance with the *Australian ICOMOS Charter for the Conservation of Places of Cultural Significance 1999* (the Burra Charter) may be required for any proposal that the responsible authority considers to raise significant heritage issues.
- A report prepared by a suitably qualified arborist or heritage consultant (as appropriate) which assesses the impact of an application upon any tree/s that contribute to the significance or setting of a heritage place.

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Reference documents

Aboriginal cultural resource management grid map (Aboriginal Affairs Victoria)
Banyule City Council. Aboriginal Heritage Study, July 1998
Banyule Heritage Places Study. (July 1999)
Banyule Heritage Places Review (2012)
Banyule Heritage Strategy (2013)
Banyule Heritage Guidelines Beaumont Estate (2005)
Banyule Heritage Guidelines Beauview Estate (2005)
Banyule Heritage Guidelines Glenard Estate (2005)
Banyule Heritage Guidelines Ivanhoe Views Estate (2005)
Banyule Heritage Guidelines Mount Eagle Estate (2005)
Banyule Heritage Guidelines Sherwood Grove/Thoresby Avenue (2005)
Banyule Heritage Guidelines Warringal Village (2005)
City of Banyule Cultural Strategy 2007-2011 (2007)
Context, June 2013, Ivanhoe Activity Centre Heritage Items & Precincts, Final Report
Ellender, I. 1989, The Plenty Valley Corridor: Archaeological Survey of Aboriginal Sites
Ellender I. 1994, The Aboriginal Heritage of the Shire of Eltham
Gasparato, N. & Levi, C. 2011, Saxam Homestead- Heritage Assessment
Heidelberg Conservation Study (1985)
Heritage Victoria 'Heritage Overlay Guidelines' (2007)
Lower Plenty River Concept Plan, October 1994
Lower Darebin Creek Concept Plan, March 1995
Middle Yarra River Concept Plan, Dights Falls to Burke Road, August 1990
The Glenard Estate and its Parks (2008)
The Middle Yarra Concept Plan - Burke Road to Watsons Creek, December 1993
The Mount Eagle Estate Common Parks Conservation Management Plan (2011)
Weaver, F. 1989, Plenty Valley Corridor: The Archaeological Survey of Historic Sites

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Weaver, F. 1991, Lower Plenty River Archaeological Survey (for Board of Works)

Weaver, F. 1991, Report as part of the Lower Darebin Creek Concept Plan Banyule