

22.03 CULTURAL HERITAGE POLICY12/03/2009
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This policy applies to cultural heritage places which are places of aesthetic, historical, scientific, architectural or social significance including:

- Individually significant buildings and places
- Individual trees, groups of trees, gardens and landscapes
- Heritage precincts including groups of buildings and other features
- Sites and areas of archaeological significance
- Aboriginal cultural heritage places, objects and landscapes.

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Manningham's cultural heritage reflects the historical development of the municipality. Many culturally significant buildings, precincts, trees, gardens, landscapes and sites of archaeological significance have been identified and documented through heritage studies of the municipality.

Clause 21.11 of the Municipal Strategic Statement (MSS) states that the cultural heritage of the community will be protected by the retention of significant buildings, precincts, trees, gardens and landscapes. It also seeks to protect and enhance cultural heritage places, which contribute to Manningham's distinctive character and help residents appreciate the history and development of their local area and provide historic continuity and a sense of place. The Municipal Strategic Statement and heritage studies seek to assist in the development and management of cultural heritage places, guide land use decisions and to raise public awareness of heritage issues.

22.03-2 Objectives02/10/2008
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The objectives of this policy are:

- To recognise, protect, conserve, manage and enhance identified cultural heritage places.
- To ensure that the significance of cultural heritage places involving the aesthetic, historic, scientific, architectural or social value of a heritage asset to past, present and future generations, is assessed and used to guide planning decisions.
- To encourage the retention of cultural heritage places and ensure that these places are recognised and afforded appropriate protection to enrich the character, identity and heritage of the municipality.
- To ensure that the subdivision of a cultural heritage place does not adversely affect the identified aesthetic, historic, scientific, architectural or social value of the heritage place or other features identified in the Schedule to the Heritage Overlay.
- To promote the identification, protection and management of sites and areas of archaeological significance including aboriginal cultural heritage.

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It is policy that:

Subdivision

- Subdivision design retains, where appropriate, the original setting of a cultural heritage place including garden areas, buildings, outbuildings, fences, driveways or retains features essential to the character, importance and integrity of the place.

- Within a heritage precinct, new subdivision be consistent with that of the precinct in terms of layout, lot size and the ability to support future development, which is similar in scale, bulk and setbacks.

Demolition and/or removal of buildings, structures or features

- The partial or complete demolition and/or removal of any building, structure or feature of identified cultural heritage significance will be strongly discouraged, in order to conserve the range and quality of cultural heritage places in the municipality.
- The partial or complete demolition and/or removal of a building, structure or feature of identified cultural significance may be supported in limited circumstances, including where retention is demonstrated to be unsafe or unsound beyond reasonable repair and/or the partial demolition relates to non-original fabric or is demonstrated to be non-contributory and an appropriate replacement building or alteration is proposed.
- The demolition and/or removal of buildings within the Warrandyte Township Heritage Precinct may be supported where the building does not contribute to the significance of the precinct.
- Demolition approvals generally not be granted until replacement buildings or works have been approved.

New buildings and works or additions to buildings

- Additional buildings or works on the site of a heritage building and/or located within a heritage precinct conserve, enhance and be responsive to the heritage place and/or precinct.
- The development of cultural heritage places be compatible with and not adversely affect the heritage value and significance of the cultural heritage place and/or precinct.
- Development adjacent to heritage places and precincts responds positively to the heritage place in terms of its bulk, setbacks, materials, colour scheme and form.
- The design of new buildings not “mock” the heritage building and/or precinct, but rather complement the original fabric and design characteristics of the heritage building and/or precinct in terms of bulk, style, materials, setbacks, colour scheme and form.

Alterations

- The design and location of external and internal alterations should preserve, restore or reconstruct the original features and forms of heritage buildings.
- External alterations maintain the aesthetic, historic, scientific, architectural or social value of a heritage building/precinct and a building’s contribution to the streetscape.
- All new materials used be respectful of the nature and colour of the original fabric of the building.
- Alterations to the front façade of a heritage building are treated with particular care in recognition of their potential negative impact on the architectural and aesthetic contribution of the building to the streetscape.
- Alterations to the rear of buildings are encouraged in order to minimise or avoid any detriment to the aesthetic and architectural contribution of the building to the streetscape and the heritage precinct.

Vegetation

- The removal or lopping of vegetation identified as making a significant contribution to the setting and heritage value of a heritage place is strongly discouraged.
- Removal or lopping of significant vegetation may be supported in limited circumstances, including where parts or all of the vegetation is dead, dying or presents an immediate risk.

Aboriginal cultural heritage values

- In considering an application for use or development, or a request to rezone land, Council will have regard to the requirements of the *Aboriginal Heritage Act 2006* and any maps and guidelines produced by Aboriginal Affairs Victoria.
- Applicants proposing to develop or rezone land in areas of Aboriginal cultural heritage sensitivity will be requested to demonstrate that the impact of the proposed development on Aboriginal cultural heritage values has been addressed in accord with the requirements of the *Aboriginal Heritage Act 2006* and any maps and guidelines produced by Aboriginal Affairs Victoria.

Warrandyte Township Heritage Guidelines

In addition to the above policy, the *Warrandyte Township Heritage Guidelines* Parts 1 to 7 (July 2007) incorporated into this Scheme will be applied to assess planning permit applications within the Warrandyte Township Heritage Precinct

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Application requirements

All applications

- Planning permit applications be accompanied by an assessment from a suitably qualified heritage expert outlining how the proposal conserves, enhances and is responsive to, the significance of the cultural heritage place.

Demolition and removal of buildings, structures or features

- Where the demolition of all or part of a heritage building or structure is proposed on the grounds of compromised structural integrity or safety:
 - the application be accompanied by a report from a suitably qualified structural engineer providing evidence to Council's satisfaction that the building or structure or part thereof is structurally unsound and is unable to be made safe without significant alteration to the original fabric of the heritage building or structure
- An application for demolition or removal of all or part of a heritage building or structure be accompanied by an assessment that includes as appropriate:
 - justification as to why the building cannot be retained
 - evidence that the building does not contribute to the significance of the cultural heritage place
 - consideration of options to retain some part of the building to commemorate its cultural heritage importance
 - justification as to why the removal of a building should proceed, including evidence of how and where the building is to be moved
 - a comprehensive photographic record of the building and its setting in the streetscape, a plan of the building's foot print and layout, a copy of the title for the property to which a building is to be relocated, a copy of the building permit for the

site to which the building is being relocated and a report on how the building is to be moved and how it will be restored in its new location.

- The applicant demonstrates that all possible avenues have been pursued to ensure the conservation of cultural heritage places, prior to consideration of demolition or removal of buildings, structures and features as appropriate.

New buildings and works or additions to buildings

- A report be provided outlining the techniques that have been used to ensure that new development responds appropriately to the bulk, form, setbacks, materials and style of the heritage building and/or precinct.

Vegetation

- An application for the removal, destruction or lopping of vegetation be accompanied by an arboricultural report to the satisfaction of the responsible authority.

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Decision guidelines

Before deciding on an application the Responsible Authority will consider as appropriate:

- The extent to which the application meets the objectives and directions of this policy.
- The significance of the cultural heritage place.
- The views of Council's Heritage Advisor.
- The views of the National Trust of Australia (Victoria).
- The recommendations of representatives of the relevant Aboriginal community or registered Aboriginal party for the management of Aboriginal cultural heritage places and objects.
- Heritage studies and all available documentation.
- The need to prepare a tree condition or heritage impact assessment for any proposed development, which could affect cultural heritage places.
- The need to prepare a tree or heritage management plan to guide the implementation of any proposed development, including conservation and arboriculture works.

Where an application proposes the demolition or removal of a building or parts of a building, it is policy that the responsible authority considers as appropriate:

- The degree of its significance.
- The character and appearance of the building or works and its contribution to the architectural, social or historic character and appearance of the streetscape and the area.
- Whether the demolition or removal of any part of the building would contribute to the longer-term conservation of the significance of that building.
- Whether the demolition or removal is justified for the development of the land or the alteration of, or addition to a building.
- Whether a demolition permit should be granted before the proposed replacement building or works have been approved.

Where an application proposes alterations or additions to a building, it is policy that the responsible authority considers as appropriate:

- The degree of the building's significance.
- The effect of the new works upon the significance, character and appearance of a building or its streetscape contribution.
- The building's structural condition.

Where an application proposes to use a heritage building for a prohibited use, it is policy that the responsible authority considers as appropriate:

- The appropriateness of the use with regard to the surrounding land use.
- Whether the proposed use furthers the heritage objectives of the planning scheme.
- The use of the buildings in the Heritage Precinct on the north side of Yarra Street, Warrandyte for a small scale shop (other than Adult sex bookshop, Bottleshop, Department store, restricted retail premises and Supermarket) or small office (other than Medical Centre).

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26/02/2009
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Policy references

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