

22.0418/08/2016
C56**HERITAGE CONSERVATION POLICY**

This policy applies to all land within a Heritage Overlay, and all dry stone walls affected by Clause 52.37 within the City of Whittlesea.

22.04-118/08/2016
C56**Policy Basis**

Whittlesea's cultural heritage contributes greatly to the identity of the City. It is essential that significant heritage places are protected, retained and integrated as the City develops. As an identified Growth Area the municipality faces a number of challenges as it seeks to protect and manage heritage places in unique contexts including established, rural and greenfield areas. The City of Whittlesea is committed to conserving and enhancing heritage and recognises that it is an integral part of all planning processes.

This policy builds on the MSS objectives in Clause 21.08 relating to Built Environment and Heritage and the Community Plan vision in Clause 21.03-1 that seeks to identify, protect and enhance the City's pre and post contact heritage and build connection to place and community through expressions of cultural heritage. These outcomes acknowledge the recommendations of the *City of Whittlesea Heritage Study* (Meredith Gould Architects, 1991) and the *City of Whittlesea Heritage Study* (Context Pty, 2013). These studies emphasise the contribution of heritage conservation to social, economic and environmental values in the City of Whittlesea. The policy also supports the application of Clause 52.37 relating to dry stone walls.

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C56**Policy Objectives**

- To identify, protect and maintain the integrity and character of Whittlesea's heritage places.
- To recognise local heritage and other cultural features when considering development and subdivision proposals in accordance with Council's guidelines for urban design, infrastructure development, development plans and precinct structure plans.
- To require that heritage places are considered and secured at the earliest stages of the development process.
- To protect and, where possible, enhance the setting of heritage places and the visual relationship between heritage places.
- To protect views of, and vistas to, heritage places including mature vegetation and landmarks that contribute to the character of a heritage place.
- To support the conservation and repair of dry stone walls and their sympathetic integration within new developments.

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C56**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).
- *Heritage Conservation Management Plan (CMP).* The principal guiding document for the conservation and management of a heritage place. A CMP identifies the heritage values or significance of a place; the conservation policies to be applied to protect that significance in the face of change; and, a strategy by which the policies will be put into action. CMPs must be prepared by a qualified heritage consultant in accordance with the *Australian ICOMOS Charter for Places of Cultural Significance 2013* (Burra Charter).
- *Contributory Elements.* 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.

- *Public Realm.* The public realm includes all non-private property including streets, roads, 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.
- *Maintenance.* The continuous protective care of the fabric and setting of a place. It is distinguished from repair which involves restoration and reconstruction.
- *Conservation.* The process of looking after a place so as to retain its cultural significance.

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Policy

Conservation of Heritage Places

It is policy to:

- Support the protection and restoration of heritage places.
- Support the conservation of contributory elements that give significance to a heritage place.
- Support the adaptive reuse of a heritage place to ensure its ongoing occupation.
- Provide for flexibility and discretion in allowing alternative uses of heritage places on the understanding that occupation and use is the best way to ensure places are conserved.
- Require expert heritage advice be sought to identify the contributory elements of a heritage place, when the relevant statement of significance does not adequately identify these.
- Require the preparation of heritage Conservation Management Plans, as appropriate, in order to direct conservation action in complex cases.
- Require heritage values to be secured and protected at the early stages of subdivision and development processes.
- Support sympathetic adaptive reuse if the new use enables or supports the conservation of a heritage place.
- Protect views of, and vistas to, silhouettes and profiles of a heritage place where these views or vistas have been identified as contributing to the significance of the heritage place.
- Support external materials, colours and finishes that are consistent with and complement the architectural style and period of the heritage place.
- 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.

Stabilisation and Security

It is policy to:

- Require the early stabilization and security of heritage places, particularly where future subdivision and development is proposed.
- Seek owner co-operation and commitment to early stabilization and security for heritage places, particularly where future subdivision and development are proposed via Section 173 Agreement or similar.

Interpretation

It is policy to:

- Require proponents to provide appropriate interpretation and recognition of the place or part of a place that is demolished.
- Interpretation of heritage places may take the form of one or more of the following:

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- Information signs
 - Commissioned oral and written histories
 - Web-based publications
 - Photographs
 - Design strategies and solutions that incorporate and reflect the historical values of the place(s)
 - Integration into open space reserves
 - Plaques
 - Other – to be determined in consultation
- Utilise the interpretation of existing heritage places to promote heritage in the City of Whittlesea.

Alterations and additions to heritage places

It is policy to:

- Require alterations and additions to consider and respect the external form, bulk, façade patterning, painting, finishes and materials of the heritage building.
- Require a heritage Conservation Management Plan in complex cases and instances where a detailed understanding of the significance of the place along with the importance of materials, architectural details, etc. is needed in order to direct conservation actions.
- 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 there is no alternative location and they are sensitively integrated into the design of any alteration or additions.
- Encourage new on-site car spaces to be located at the rear of the property or in a side setback area.
- 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.

Subdivision

It is policy to:

- Require all aspects of this policy to be considered at the initial and early stages of a subdivision application process.
- Require any subdivision plan to maintain a heritage place and any associated contributory elements associated with a heritage place on a single lot and, where possible, utilise original boundaries.
- Require the provision of an appropriate setting for a heritage place that retains significant view lines, topographical features and significant vegetation.

Advertising signs

It is policy to:

- Require advertising signs to:
 - Be sensitive to the overall character of the heritage place with regard to placement and design so that the signage does not detract from or compromise the heritage values of the place.
 - Minimize visual clutter and not obscure or destroy any architectural features of cultural heritage significance.
 - Be appropriately attached to buildings to minimise damage to the fabric of a heritage building.
- Discourage the following sign types:
 - Above verandah signs
 - Sky signs
 - Internally illuminated signs
 - Reflective signs
 - Electronic signs including animated, scrolling or flashing signs

Fences and Gates (other than dry stone walls)

It is policy to:

- Require the conservation of fences and gates that contribute to the significance of a heritage place.
- Require any new fences to complement the style and construction of the heritage place if the original fence cannot be conserved or reinstated.
- Ensure any new fences on side boundaries that are visible from the public realm and are forward of the façade of the main dwelling:
 - 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.
- Avoid high front fences 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.

Dry Stone Walls

It is policy to:

- Avoid the demolition or removal of dry stone walls
- Support the retention and sympathetic integration of dry stone walls into new land use development and subdivision.
- Require dry stone material from unavoidable losses to be used for the reconstruction of new sections of wall on the land or nearby land, or used for the repair of damaged walls on the land or nearby land. If there is no potential to reconstruct and repair wall in the vicinity of the site, the following may be considered with the consent of Council:
 - Seek to use stone material within landscaping for public realm improvements in accordance with an approved dry stone wall management plan.
 - The removal of excess or unused stone to appropriate offsite storage in accordance with a pre-approved dry stone wall management plan.
- Require the use of a suitably qualified professional when:

- Reconstructing a section of dry stone wall;
- Creating new openings; and/or
- Constructing new wall ends
- Discourage the removal of dry stone wall material
- Require subdivision and development to have regard to the heritage value of dry stone walls and their original alignments.
- Require appropriate landscape buffers on either side of a dry stone wall, to the satisfaction of the Responsible Authority.

Trees and Vegetation

Where tree controls are activated, it is policy to:

- Protect significant tree/s and vegetation from adjacent development and/or changes in immediate environmental conditions that may have a detrimental impact upon the integrity and visual context of significant tree/s and vegetation.
- Protect the mature canopy of existing/re-established trees within the land containing the heritage place.
- Require pruning (if required) to be in accordance with AS 4373 – 2007 ‘Pruning of Amenity Trees’.
- Where significant or contributory trees need to be removed, support ‘like for like’ replacement of the tree/s that is significant or is a contributory element to a heritage place 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.

Public Realm

It is policy to:

- Retain contributory heritage elements within 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.
- Support the location of services away from sensitive public realm elements.
- Require that existing conditions are recorded and, where possible, reinstated where the replacement of services requires the removal of any contributory elements in the public realm.

Archaeology

It is policy to:

- Refer a planning permit application to Heritage Victoria for comment if it affects land included on the Victorian Heritage Inventory, or
- Require referral to Heritage Victoria where works may damage known archaeological sites or where there is potential to reveal archaeological deposits.

Demolition

It is policy to:

- Avoid the complete demolition of a heritage place unless the building is professionally assessed as being structurally unsound and posing an immediate risk, and it is demonstrated to the satisfaction of the Responsible Authority that it cannot feasibly be repaired or adapted for reuse.
- Generally not accept poor condition or low integrity of a heritage place as justification for its demolition, particularly if in the opinion of the Responsible Authority the condition of the heritage place has been deliberately allowed to deteriorate or if its deterioration has arisen as a consequence of unlawful activities.
- 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 place, or
 - It will support the viability of the existing use of the place or will facilitate a new use that is compatible with the on-going conservation of the place, or
 - It will upgrade the place 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 place.
- Require appropriate redevelopment including open space protection and interpretation of heritage places as part of any unavoidable demolition.
- Recognise that heritage places may continue to retain value and significance even if buildings are demolished.
- Require that an archival record is provided to the satisfaction of the Responsible Authority prior to demolition being approved. An archival record includes measured drawings and maps in addition to a photographic record of the heritage place.
- Address unauthorized demolition of a heritage place through restitution and compensatory outcomes.

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Application requirements

An application associated with a land use/development proposal must be accompanied by the following information (the Responsible Authority may exempt the need to provide this information if it is deemed unnecessary due to the nature of the application):

- A report explaining the proposal and how it addresses this policy.
- A heritage Conservation Management Plan prepared by a suitably qualified consultant in accordance with the *Australian ICOMOS Charter for Places of Cultural Significance 2013* (Burra Charter) is required for any proposal that the Responsible Authority considers to raise significant heritage issues and/or impacts on a heritage place.
- A Heritage Impact Statement prepared by a suitably qualified heritage consultant, which assesses the impact of the proposal on the heritage place. This statement should outline:
 - The cultural heritage significance of the place and a description of the contributory elements of the heritage place and how these have been considered in the preparation of the application.

- Existing conditions and the current use of the place.
- The works proposed and what physical and/or visual impacts will result from the proposed works.
- Reasons outlining why any detrimental impacts on the significance cannot be avoided.
- Alternative proposals and measures being employed to avoid, limit or manage any unavoidable detrimental impacts.
- For applications where demolition is sought on the basis of a building condition, 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.
- A report prepared by a suitably qualified arborist or heritage vegetation/garden consultant (as appropriate) which assesses the impact of an application upon any tree/s or plantings that contribute to the significance or setting of a heritage place.
- Where an application or development proposal affects dry stone wall(s) the following is required:
 - A feature survey of the dry stone wall(s) within the proposed development
 - A dry stone wall management plan which includes the following:
 - Photographs (or suitable records) of the dry stone wall;
 - Recommendations for repair and/or reconstruction; and
 - Conservation works which will retain the cultural significance of the dry stone wall.
 - A plan showing the proposed location of any landscaping, footpaths, and structures which may impact on the dry stone wall(s).

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Reference Documents

The City of Whittlesea Environmental Sustainability Strategy (2012 – 2022)

The City of Whittlesea Green Wedge Management Plan (River Red Gum Policy)(2011-2021)

The City of Whittlesea Open Space Strategy (1997, or as amended)

The City of Whittlesea Heritage Study (Meredith Gould and Associates, 1991)

The City of Whittlesea Heritage Study (Context Pty Ltd, 2013)

The City of Whittlesea Archaeological Study (Context Pty Ltd, 2009)

Heritage Overlay Guidelines (Heritage Victoria, 2007)

Planning Practice Note 1 – Applying the Heritage Overlay (Department of Environment, Land, Water and Planning, 2015)

Plenty Valley Historical Survey (Hicks, P. 1988. for Ministry of Planning and Environment)

Plenty Valley Corridor: The Archaeological Survey of Historic Sites (Weaver, F. 1989)

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