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HERITAGE POLICY

This policy applies to all land covered by the Heritage Overlay and where a permit is required, properties adjoining a heritage place affected by a Heritage Overlay.

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Policy basis

Kingston's heritage is made up by a wide variety of heritage places that include buildings, precinct areas and other places identified and documented through the Kingston Heritage Study Stages 1 and 2. The heritage places reflect key themes that have shaped the development of the City since European settlement.

The protection and management of these significant places assists in understanding the City's foundation and growth and enables interpretation of past development and lifestyles. Council is committed to the conservation of the City's heritage buildings and precincts so that they can be enjoyed by today's community and conserved for future generations.

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Objectives

- To encourage conservation and other works including maintenance, restoration, reconstruction, and adaptation that assist in the restoration of original features of heritage precincts and places.
- To recognise, conserve and enhance places and elements in the City identified as having scientific, aesthetic, architectural or historical interest or other special cultural values.
- To conserve heritage places by respecting the historic and architectural integrity of buildings, streetscapes and vistas.
- To ensure that all possible avenues are pursued for the conservation and continued use of heritage places and that demolition or removal is allowed only in the circumstances described in the policy.
- To encourage development to be undertaken in accordance with the accepted conservation standards of the Burra Charter.
- To ensure that new development is undertaken in a manner that integrates positively with the surrounding buildings and area.
- To promote design excellence which clearly and positively supports the ongoing significance of heritage places.
- To ensure that non-contributory buildings in heritage precincts are developed in a manner that is sympathetic to, and does not detract from, the significance of the heritage precinct.
- To enable a consistent approach to the conservation of heritage places or precincts.

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Policy

It is policy that:

Subdivision

- Subdivision should be contextual to the setting and context for significant and contributory heritage buildings,.
- Subdivision is designed to retain trees and gardens of significant and contributory heritage places.
- Subdivision is oriented to ensure new development that may result, contributes to the pattern, size, and scale of the subdivision and development in the street.

Demolition

- Significant and contributory buildings, structures and elements identified in the City of Kingston Heritage Study Stage 2 are retained.
- Total demolition of significant and contributory heritage buildings is to be avoided unless it can be demonstrated that:
 - The building is structurally unsound; or
 - The original fabric of the building has deteriorated to such an extent that a substantial reconstruction would be required to make the building habitable; or
 - If located in a heritage precinct, the replacement building clearly and positively supports the ongoing heritage significance of the precinct; or
 - Other sufficient justification for not retaining the building is identified.
- Part demolition of significant and contributory heritage buildings will only be considered:
 - Where it can be demonstrated that the building fabric is of no significance or detracts from the appearance or significance of the building; or
 - For the purposes of a building addition to a building and where the addition is sympathetic to the scale and form of the principal building and retains most of the fabric beneath the principal roof.
- Demolition or removal of buildings within heritage precincts that are consistent with the character and significance of the precinct is to be avoided. The loss of these buildings would undermine the quality and intactness of the precinct and the reasons why the precinct has been designated.
- Demolition of non-contributory buildings in heritage precincts will be accepted subject to an appropriate replacement building that sensitively integrates with the predominant location, bulk, form and appearance of the heritage precinct.

New buildings and additions in heritage areas and places

- The design of new buildings and additions should:
 - Not be confused with the original historic fabric;
 - Ensure that as much of the original historic fabric remains intact. Facadism is strongly discouraged;
 - Be compatible with the architectural design and aesthetic characteristics of the individual building and area,
 - Be visually recessive to support the visual dominance of the significant elements of the heritage place;
 - Not visually dominate an existing heritage place or street in terms of size, height and bulk when viewed from the street frontage or frontages, where relevant;
 - Respect the architectural integrity of the heritage place;
 - Adopt a contemporary architectural character of an understated character to minimise the visual dominance over adjacent contributory buildings, the heritage place or heritage precinct in terms of size, height or bulk;
 - Repeat the particular rhythm, spatial characteristics and character of significant heritage places and other contributory buildings in a Heritage Overlay area;

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- Relate to and uses as reference points the materials, front and side setbacks, roof form, colours and details of adjacent buildings and the surrounding precinct. New materials may be introduced provided that they are complementary to the significance of the heritage place;
- Avoid blank walls at ground and upper floor levels when viewed from surrounding streets.
- New development should be designed to conform to the same height as adjacent buildings within the Heritage Overlay. Proposals for new structures that exceed the height of abutting buildings may be supported if the higher new envelope is located at the rear of the site and will not visually dominate the heritage place or surrounding heritage area.
- Additions in the form of additional storeys should be setback from the front façade to maintain the visual dominance of the significant elements of the place and/or its significant streetscape.
- Additions and new works to heritage places should:
 - Not obscure principal viewlines to heritage buildings or their features, such as verandahs, towers and porticos;
 - Respect the context of adjacent contributory heritage buildings; and
 - Not adversely impact on the cultural significance, character, architectural value of the building and/or precinct or its contribution to the streetscape.
- New building elements such as dormer windows, porticos and verandahs are to be avoided on significant and contributory heritage buildings unless part of a deliberate attempt to reinstate original early features known to have existed on the building.
- Development on sites adjacent to heritage buildings and precincts should be sympathetic to the heritage place in terms of bulk, setbacks, materials, colour scheme, form, and character of the place, streetscape and surrounding area.
- Elements such as gates and fences should not obscure views to heritage places from surrounding streets, are transparent, and consistent with the architectural period of the building and surrounding precinct.

Use of a heritage place

- To encourage additions and alterations to a heritage place where a prohibited use may be permitted pursuant to the Schedule to the Heritage Overlay, that:
 - Can be substantially reversed and does not require reconstruction; and/or
 - Requires minimal impact to the cultural significant fabric; and
 - The use does not adversely affect the use on adjoining land.

Note: A planning scheme amendment may be necessary to facilitate this

Carports, garages and other additions: Residential heritage places

- Development of any carport, garage, car park or other addition proposed within the front or side gardens is to be avoided unless:
 - Buildings and works are setback behind front wall(s);
 - New works will not obscure viewlines to the façade or viewlines of adjacent buildings from the street frontage;

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- Buildings and works are no taller than the eave height of the principal heritage building;
- The scale and design of the new works respects the heritage place and are visually recessive.
- New vehicle crossovers are to be avoided. Where unavoidable, they should not exceed a single car width, and should be constructed in materials and finishes to match existing crossovers within the precinct.

New buildings and works and additions: industrial and commercial heritage places

- New development to industrial and commercial heritage places should:
- Maintain and respect the unique character of significant industrial and commercial heritage places;
- Preserve the existing roof line, chimney and contributory architectural features that are essential components to the architectural character of the heritage place;
- Are articulated and massed to correspond with the prevailing building form;
- Respect the scale of the existing heritage place by graduating building form of adjacent new development in a stepped effect away from the place to minimise the visual dominance of adjacent new works;
- Do not obscure principal viewlines to existing significant signage;
- Do not negatively impact upon the significance or architectural character of the place.

RESTORATION & CONSERVATION

- The restoration and renovation of buildings, which contribute to the heritage character of the area, or individual building is encouraged through:
 - The responsive design of new works
 - The removal of inappropriate alterations and additions that detract from the cultural significance of the place and
 - the application of original colour schemes to heritage buildings
 - The restoration and reconstruction of the original or early appearance of significant and contributory buildings is encouraged where there is sufficient evidence of the earlier state of the fabric. Reconstruction means returning the existing fabric of a place to a known earlier state.
 - The painting and rendering of unpainted surfaces on significant and contributory buildings is to be avoided where paint controls apply.

General

- The significance of a place is retained through the retention of natural, built and landscape elements of heritage places necessary to cultural significance of the heritage place.
- The removal or lopping of trees and hedges identified in the Heritage Overlay Schedule is discouraged as they make a significant contribution to the setting and heritage value of the heritage place.
- Significant elements on public land within a heritage place including roadway and footpath treatments and works in parks and gardens should be retained.
- To consider before deciding on an application, the potential impact on heritage values be considered in development proposals taking into account that the consideration of heritage values extends beyond particular buildings, to include precincts, places, landscapes and features.

- Ancillary services, including air conditioning plants, garbage facilities and the like are designed and located so that they are concealed from the street, and do not diminish, alter or disturb the significance of the heritage place.
- Advertising signs within heritage sites are designed to complement the historic character of a heritage precinct or the appearance of a heritage place to minimise their visual dominance over the significant elements of the precinct or place.
- Original signage should be retained where appropriate.
- To apply The Heritage Overlay Guidelines for Assessing Planning Permit Applications Public draft February 2007, Heritage Victoria Heritage Council as a reference document when considering applications under the Heritage Overlay to inform the basis of Council's application of heritage controls.

DEFINITIONS

Conservation means looking after a place with the intention of retaining its cultural significance.

Heritage Place is a place that has identified heritage value and can include a building, site, area, group of buildings, structure, garden, tree or other place of natural or cultural significance and its associated land.

Significant Heritage Place is a building or structure and its associated land identified as having individual heritage significance.

Contributory Heritage Place is a place that contributes to the cultural significance of an identified heritage precinct.

Non-contributory Place is a place that is neither significant or contributory. It may be included within a Heritage Precinct.

Heritage Precincts are areas of identified cultural heritage value. Precincts are areas which contain heritage places which derive considerable cultural significance from their historic development, context and interrelationships.

Cultural Significance means aesthetic, historic, scientific, social or spiritual value for past, present or future generations.

Fabric means the physical material of the place including components, fixtures, contents and objects.

Maintenance means the continuous protective care of the fabric and setting of a place, and is to be distinguished from repair.

Restoration means returning the existing fabric of a place to a known earlier state by removing accretions or by reassembling existing components without the introduction of new material.

Reconstruction means returning a place to a known earlier state and is distinguished from restoration by the introduction of new material into the fabric.

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Decision Guidelines

When deciding on an application for development within the heritage overlay the following matters will be considered where appropriate:

- The views of Council's Heritage Advisor.
- The views of the Heritage Victoria.
- The available physical and documentary evidence showing how an altered exterior, especially the façade of a building or precinct, once looked in the past.
- The recovery of the cultural heritage significance of buildings by reconstructing removed elements. Contemporary requirements might render the re-construction of removed elements impractical.

- “City of Kingston Heritage Study Stage Two”, Bryce Raworth Pty Ltd, July 2004.
- The draft “Guidelines for the Assessment of Heritage Planning Applications”, Heritage Victoria, 2000.
- Whether the proposal complements the heritage qualities of the area.
- Whether the development proposes to alter the style of a contributory building so that it looks as though it was built during another period.
- The need to require or prepare a heritage management plan to guide the implementation of any proposed development, including conservation works.

Before deciding on an application to use a heritage place for a prohibited use, the responsible authority must consider as appropriate:

- The amenity of adjoining and surrounding properties; and
- The physical form of the building.

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Application requirements

Applications to remove part or all of a tree(s) or hedge(s) listed in the Schedule to the Heritage Overlay should be accompanied by a report from a qualified arborist outlining the health and structure of the tree and why it is considered to be dying or imminently dangerous. The report shall outline what impact the proposed removal/lopping will have on the significance of the heritage place and what measures should be taken to minimise any negative impact.

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Background Documents

- Burra Charter: “The Australian ICOMOS Charter for Places of Cultural Significance”, 2013
- The Heritage Overlay Guidelines for Assessing Planning Permit Applications Public draft February 2007, Heritage Victoria Heritage Council
- Kingston Heritage Study Stages 1 and 2, July 2004