

2.6 Heritage Conservation Code¹

PURPOSE²

- (1) This code is intended to:
- (a) conserve and manage areas having cultural heritage significance (indigenous and historic), including places so determined by Council as well as places listed or identified through Commonwealth, State and Local (Part 7 of Volume 1 of this planning scheme refers) Heritage Registers; and
 - (b) conserve and manage areas determined by Council as having townscape significance.

(1) Element: Indigenous Cultural Significance

PURPOSE

This code element is intended to conserve and manage the cultural heritage significance of indigenous cultural heritage places within the Shire by ensuring that development respects and incorporates these places in a way which addresses the cultural sensitivities and requirements of the relevant indigenous people; and conserves and manages the cultural heritage values of such places.

¹ Where a Cultural Heritage Impact Report is required to achieve compliance with this code, the report is to be prepared in accordance with Planning Scheme Policy No. 1 – Preparation of Cultural Heritage Impact Reports

² Elements 1 and 2 of the Heritage Conservation Code are listed as applicable to assessable development in all precincts. These elements will be considered relevant when the development is proposed on any place which meets the criteria outlined in Section 7, Volume 1 of the Planning Scheme for determining indigenous or historic cultural heritage significance.

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P1 Where development is proposed to occur on or adjacent to a place identified as having indigenous archaeological values and/or indigenous cultural significance, or a place determined by the Assessment Manager as being likely to have indigenous archaeological values and/or indigenous cultural heritage significance, assessment of all aspects of the cultural heritage significance of the place must be undertaken.	A1 A cultural heritage report, which assesses the cultural heritage values of the place and recommends appropriate strategies for their conservation and management, is undertaken by a suitably qualified person in consultation with appropriate indigenous representatives and to the satisfaction of any relevant State and/or Commonwealth agency.
P2 Development of an indigenous cultural heritage place must be undertaken so that the significant values of the place are conserved and managed.	A2 Development and intended use of any place of indigenous cultural heritage significance is consistent with the findings and recommendations of the cultural heritage report, the outcomes of consultation with the appropriate indigenous representatives and any requirements of the relevant State and/or Commonwealth agency.

(2) Element: Historic Cultural Heritage Significance

PURPOSE

This code element is intended to conserve and manage the cultural significance of historic heritage places within the Shire by:

- (a) ensuring their conservation and management, which may include restoration, reconstruction, adaptation (compatible reuse), and maintenance; and
- (b) providing for new development which reinforces and respects their heritage values.

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P1 Where development of a building, other item or place listed or determined by the Assessment Manager as having local, State or national historic cultural heritage significance is proposed, the cultural heritage values of the place must be conserved and managed.	<p>A1.1 For development of a heritage listed building, other item or place, the development is undertaken in accordance with the recommendations of a conservation plan prepared by a person determined by the assessment manager to be suitably qualified and which provides as a minimum:</p> <ul style="list-style-type: none"> • A description of the place and its setting including a location plan showing the premises, adjoining premises and the surrounding locality as well as photographs accompanied by an annotated location map; • plans and elevations of the proposed development in the context of the place of significance; • an assessment of the heritage values of the existing place. The assessment should demonstrate an understanding of the significance of the place; • an assessment of how the development proposal will affect this significance, having particular regard to whether the place: <ul style="list-style-type: none"> (a) displays historical, economic or social themes that are of importance to the Shire or locality; (b) represents customs or ways of life that are characteristic of the Shire or locality; (c) has played an important part in the lives of Shire or local residents;

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PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
<p>P1 continued</p>	<ul style="list-style-type: none"> (d) displays aesthetic merit, design characteristics or construction techniques of significance to the Shire or locality; (e) is associated with a notable Shire or local personality or event; (f) is a notable Shire or local landmark; (g) is important to the heritage character of the local streetscape and its removal or demolition would significantly diminish that character; (h) is in a locality where little redevelopment has occurred such that the visual heritage character and amenity of the local streetscape has remained largely unaffected over time; or (i) has cultural significance to a particular group within the community. <ul style="list-style-type: none"> • Strategies for conservation and management, with timing costs and other resources required, and the conservation principles and processes that will be relied upon (refer to the Burra Charter); • A list of people responsible for carrying out actions of the plan; • The measures proposed for the conservation and management of the place; • Ongoing maintenance and monitoring plan and who is responsible for this; and • Any other issues or actions that may affect the place or its cultural heritage significance. <p>OR</p> <p>A1.2 The significant place is conserved and reused without compromising any of its cultural heritage values in accordance with a pre-existing report and conservation management plan.</p>
<p>P2 Where every endeavour has been made to conserve the building, other item or place of heritage value but preservation has not proven a prudent or feasible alternative, the building or other item must be relocated to a suitable alternative site, or demolished only if no reasonable relocation option is found.</p>	<p>A2 Where conservation proves not to be a prudent or feasible alternative, the building or other item is removed to another site where the value of the item can be maintained, or other actions are taken consistent with the recommendations of the conservation plan.</p>
<p>P3 Where development involves adaptations (alterations or additions) made to a place of historic cultural heritage significance, work must be in accordance with a conservation plan and be designed and carried out such that it is:</p> <ul style="list-style-type: none"> • visually subservient, and • sympathetic with the cultural heritage values of the place. 	<p>A3 Adaptations (alterations or additions) are undertaken which:</p> <ul style="list-style-type: none"> • provide a sensitive visual distinction between the original building and new work; • ensure the original fabric of the place is more prominent than the alterations; and • ensure mechanical plant and other new services make minimal impact on the appearance and integrity of the place.

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PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
<p>P4 New development adjoining a heritage place, must be designed and carried out so as to:</p> <p>(a) be compatible with the cultural heritage significance of the heritage place and not detrimentally impact its values or its setting;</p> <p>(b) not obscure the appearance or prominence of the place when viewed from adjacent public or semi-public streets or open spaces, and nor intrude into the place.</p>	<p>A4.1 New development incorporates architecture, scale, massing, siting, finishes, colours, setting, and external materials which are respectful of the heritage place, rather than replicates their style and detailing.</p> <p>AND</p> <p>A4.2 New development is:</p> <ul style="list-style-type: none"> visually subservient to the heritage place; setback an equal or greater distance from the street than the existing building, other item or place; of a lower or equal height to the existing building; and compatible with those landscaping elements of the place which have been identified as having cultural significance. <p>AND</p> <p>A4.3 New fencing, landscaping or advertising devices is designed and sited so as not to detract from or significantly impact on the view of a place, and their composition, colour, scale and placement has regard to the values of the place.</p>

(3) Element: Townscape significance

PURPOSE

This code element is intended to conserve and enhance the precincts, character areas or streetscapes of townscape significance within the Shire by:

- (a) ensuring development design responds to the surrounding streetscapes and their predominant scale, character, form and unique attributes; and
- (b) ensuring their elements of aesthetic, architectural and/or historic value are retained.

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
<p>P1 New infill development in a character area of townscape significance must identify and conserve or enhance the significant values of that area.</p>	<p>A1 New premises are of a high quality and respect the design characteristics of the existing streetscape which have been identified through documentation and assessment of information including:</p> <ul style="list-style-type: none"> A site and neighbourhood analysis plan; A townscape significance report identifying the aesthetic, architectural and/or historic values unique to the area which require conservation; Elevations of the neighbouring buildings and surrounds to demonstrate the manner in which the proposed development is designed to fit the existing streetscape; and A statement of compliance demonstrating how the development conserves or enhances the townscape significance of its surroundings.

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PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
<p>P2 New infill development and adaptation (alterations and additions) of existing places in an area of townscape significance must be designed and carried out so as:</p> <ul style="list-style-type: none"> (a) to be compatible with the prevailing character of the relevant area with respect to its siting, scale, massing, form, design, landscaping and use of external materials; (b) not to obscure the appearance or prominence of an existing significant building, other item or place when viewed from adjacent public or semi-public streets or open spaces, nor intrude into important vistas to an existing significant building, other item or place; (c) not to be sited between a significant building, other item or place and its relevant street frontage such that the view of the building, other item or place is not detracted from or significantly obscured, (d) to ensure that ancillary buildings are sited and designed in a complementary manner; (e) to ensure that new development occurs with minimal disturbance to the original fabric of significant buildings, other items or places wherever reasonably practicable; (f) to ensure landscaping associated with the development is appropriate to the general pattern of landscaping in the area, including fencing style and plantings; and (g) to appropriately reflect the pattern or allotment layout the original subdivision or former development on the site or area. 	<p>A2.1 New premises incorporate respectful and compatible architecture, scale, massing, siting, finishes, colours, setting, and external materials of the streetscape, in preference to replicating their style and detailing.</p> <p>AND</p> <p>A2.2 New premises are:</p> <ul style="list-style-type: none"> • located at the rear of the site or at least not sited in front of the existing building, other item or place, • setback an equal or greater distance from the street than the existing building, other item or place, • of a lower or equal height to neighbouring premises, and • where an ancillary building or structure, designed and constructed to be sympathetic with and respectful of the character of the existing building, other item, place or area. <p>AND</p> <p>A2.3 New fencing, landscaping or advertising devices are designed, and sited so as not to detract from or significantly impact on the place, or enhances the overall appearance of the streetscape and is sympathetic to the area having regard to materials used, colour, scale and placement.</p> <p>OR</p> <p>A2.4 Adaptations (alterations and additions) to any building or place are compatible with the form, scale and materials of adjacent buildings and/or places which contribute to the streetscape and character of the area.</p> <p>OR</p> <p>A2.5 Compatible contemporary architecture is used in preference to the reproduction of traditional building forms, and particularly, of decorative detailing.</p>
<p>P3 Places that contribute to the townscape significance of an area must not be demolished or relocated unless there is no prudent or feasible alternative to the demolition or relocation, and any replacement premises satisfies criteria P1 and P2 above.</p>	<p>A3 Removal or demolition only occurs if:</p> <ul style="list-style-type: none"> • it can be properly demonstrated that the loss of the building will not contribute to the loss of the character or visual integrity of an area; • the building is sufficiently unsound to warrant such a decision. (Normal maintenance issues such as re-stumping are not sufficient grounds for removal); and • the new development is designed and constructed so as requirements of P1 and P2 above.

