

22.02 DEVELOPMENT GUIDELINES FOR SITES SUBJECT TO THE HERITAGE OVERLAY

This policy applies to all land in the Heritage Overlay.

22.02-1 Policy Basis

The MSS highlights the importance of heritage to the identity and character of the municipality and one of its objectives is to protect and enhance the City's heritage places.

This policy provides guidance for the protection and enhancement of the City's identified places of cultural and natural heritage significance.

22.02-2 Definitions of Words used in this Policy

Definitions have been derived from "Guidelines for the conservation of places of cultural significance" known as The Burra Charter and prepared by The Australia ICOMOS.

- *Adaptation*: modifying a place to suit the existing use or a proposed use.
- *Architectural integrity*: the quality of closely reflecting the architecture of the period in which a building was created.
- *Conservation*: the process of looking after a place so as to retain its cultural significance.
- *Cultural significance*: aesthetic, historic, scientific, social or spiritual value for past, present or future generations.
- *Fabric*: all the physical material of the place including components and fixtures, and includes building interiors and sub-surface remains, as well as excavated material.
- *Heritage place*: a site, area, land, landscape, tree, building or other work, or group of buildings of heritage significance, and may include components, contents, space and views. When used in the context of a building graded individually significant, the heritage place is initially the individually significant building and then the broader heritage area. When used in the context of a contributory building, the heritage place is the broader heritage area.
- *Maintenance*: the continuous protective care of the fabric and setting of a place, and is to be distinguished from repair. Repair involves restoration or reconstruction.
- *Preservation*: maintaining the fabric of a place in its existing state by removing accretions or by reassembling existing components without the introduction of new material.
- *Reconstruction*: returning a place to a known earlier state and is distinguished from *restoration* by the introduction of new material into the fabric.
- *Restoration*: returning the existing fabric of a place to a known earlier state and is distinguished from *reconstruction* by no introduction of new material into the fabric.

22.02-3 Levels of Significance

Every building of *cultural significance* has been assessed and graded according to its heritage contribution. The levels of significance used are:

- Contributory
- Individually Significant
- Not contributory.

The level of significance of every building is identified in the incorporated document, City of Yarra Review of Heritage Overlay Areas 2007, Appendix 8 (Graeme Butler and Associates). The meaning of the levels of significance is:

- *Contributory*: The place is a contributory element within a larger heritage place. A contributory element could include a building, building groups and works, as well as building or landscape parts such as chimneys, verandahs, wall openings, rooflines and paving.
- *Individually significant*: The place is a heritage place in its own right. Within a Heritage Overlay applying to an area each *Individually significant* place is also *Contributory*.
- *Not contributory*: *The place is not individually significant and not contributory within the heritage place.*

Details of the methodology used to determine the levels of significance can be found in City of Yarra Review of Heritage Overlay Areas 2007 (Graeme Butler and Associates)

22.02-4 Objectives

To conserve Yarra's natural and cultural heritage.

To conserve the historic fabric of places of cultural heritage significance.

To retain significant view lines to, and vistas of, *heritage places*, and to the surrounding late nineteenth century skyline.

To preserve the scale and pattern of streetscapes in heritage places.

To encourage the *preservation, maintenance, restoration* and where appropriate, *reconstruction of heritage places*.

To ensure the adaptation of *heritage places* is consistent with the principles of good *conservation* practice.

To ensure that additions and new works to a *heritage place* respect the *cultural significance* of the place.

To ensure demolition does not undermine the integrity of the *heritage place*.

To protect archaeological sites of cultural heritage significance.

22.02-5 Policy

It is policy that:

22.02-5.1 Demolition

22.02-5.1.1 Full Demolition or Removal of a Building

generally a building in a *heritage place* should not be demolished or removed unless:

- the building is identified as being *Not Contributory*, in the incorporated document, City of Yarra Review of Heritage Overlay Areas 2007, Appendix 8 (Graeme Butler and Associates); and
- the application for demolition is accompanied by an application for a new development; and
- the replacement development meets the provisions of this policy.

Note: The derelict state of a heritage place should not, in itself, be a reason for permitting demolition.

22.02-5.1.2 Removal of Part of a Heritage Place (including contributory architectural features and details)

generally, part of a *heritage place* or removal of *contributory* architectural features and details of a heritage place should not be removed unless:

- that part of the *heritage place* has been changed beyond recognition of its original or subsequent contributory character(s); or
- for a contributory building, that part of the *heritage place* is not visible from a street (does not include laneway), park or public open space, and the main building form including roof form is maintained; or
- for individually significant buildings, the removal of part of the building can be demonstrated to not negatively affect the significance of the *heritage place*; and
- the demolition does not undermine the structural integrity of that part of the building that is to be retained.

the removal of inappropriate alterations, additions and works that detract from the *cultural significance* of the *heritage place* is encouraged.

22.02-5.2 Original Location

generally the moving of all or part of a *heritage place* or a *contributory element* to a heritage place from its original location should not be permitted unless:

- the location is not an important component of the *cultural significance* of the *heritage place*; or
- it can be shown that the relocation is the only reasonable means of ensuring the survival of the *heritage place*.

22.02-5.3 Reconstruction and Restoration

the restoration of a *heritage place* or contributory element to a heritage place be encouraged if evidence exists to support the accuracy of the restoration.

the reconstruction of a building or works which previously existed in heritage place be encouraged if:

- the *reconstruction* will enhance the heritage significance of the *heritage place*;
- the *reconstruction* maximises the reuse of original fabric; and
- evidence exists to support the accuracy of the *reconstruction*.

the *reconstruction* of the following original or contributory elements be encouraged where they have been removed:

- chimneys;
- fences;
- verandahs;
- roofs & roof elements;
- wall openings and fittings, including windows and doors;
- shopfronts; and
- other architectural details and features.

22.02-5.4 Painting and Surface Treatments

the careful removal of paint (with an approved non destructive process) from originally unpainted masonry surfaces be encouraged;

the sand blasting of render, masonry or timber surfaces; and

the painting of previously unpainted surfaces; and

the obliteration of historic painted signs and billboards should be discouraged;

the use of an approved product be required where unpainted surfaces are being treated to manage graffiti.

Where the schedule to the Heritage Overlay identifies the *heritage place* as one where external paint controls apply, paint colours should be consistent with the period of the *heritage place*.

22.02-5.5 Culturally Significant Gardens

the destruction or removal of any culturally significant trees in a *heritage place* should not be allowed unless:

- the trees are to be removed as part of a maintenance program to manage loss of trees due to senescence; or
- they are causing structural damage to an existing structure; and
- remedial measures (such as root barriers and pruning) cannot be implemented.

the removal of, or alterations to, culturally significant garden layouts should not be allowed unless the garden has changed beyond recognition of its original character.

additions and new works should respect culturally significant trees and garden layouts through siting proposed new development at a distance that ensures the ongoing health of the tree, and does not negatively impact upon the culturally significant garden layout or context.

Note: The provisions in this local policy regarding the destruction or removal of significant trees apply where the tree control in the schedule is selected.

22.02-5.6 Subdivision and Consolidation

the subdivision or consolidation of sites should be supported only where the proposal does not detract from the heritage value of the place or contributory element.

a development envelope be requested if a development plan is considered necessary to protect the heritage values of the place. A development plan must:

- demonstrate compliance with this policy;
- reflect the original rhythm of the streetscape; and
- allow sufficient space surrounding the heritage place or contributory element to a heritage place to retain its significance or contribution.

22.02-5.7 Infill Development, Alterations or Additions

the scale, size and design of the new works should be visually recessive to any contributory element of a *heritage place*. For *individually significant* places the works should, as far as practical be concealed from the street.

new works should not obscure views of nearby or adjoining contributory buildings or elements from the public domain (excluding laneways).

the design of infill and alterations and additions to a *heritage place* or a *contributory element* within a heritage place should:

- respect the pattern, rhythm, spatial characteristics, fenestration, roof form, materials and heritage character of the surrounding historic streetscape;
- be articulated and massed to correspond with the prevailing building form of the heritage place or contributory elements to the heritage place;
- not be confused with the original historic fabric;
- not remove, cover, or change original historic fabric;
- not visually dominate a *heritage place*, or *contributory elements* to a *heritage place* in terms of size, height and bulk when viewed from the public domain (excluding laneways);
- consider the architectural integrity and context of the *heritage place* or *contributory element*; and
- retain original street furniture and bluestone road or laneway materials and details (where relevant).

in addition to the above, ramps to provide wheelchair access should be able to be removed without damaging the building.

additions and new works such as the following should be discouraged where there is no historic precedent and where they are visible from the public domain (excluding laneways):

- unroofed or open upper level decks or balconies
- reflective glass;
- glass balustrades; and
- pedestrian entrance canopies.

For alteration and additions to contributory or significant buildings, any ancillaries or services such as satellite dishes, shade canopies, aerials and sails, access ladders, air conditioning plants, wall and roof top mounted lighting, roof top gardens and their associated planting, and water meters must be concealed. Where there is no reasonable alternative location, ancillaries which will reduce green house gas emissions or reduce water consumption, such as solar panels or water storage tanks, may be visible but should be sensitively designed and be able to be removed without damaging the building.

For infill development, ancillaries or services must be concealed or incorporated into the design of the building.

setbacks from the principal street frontage should be similar to those of adjoining contributory buildings; where there are differing adjoining setbacks, the greater setback will apply.

setbacks should result in new additions and works that will not visually dominate the heritage place or contributory elements to the heritage place.

additions should be set behind the main roof form.

a façade height similar to the adjoining contributory elements in the street is preferable; Where there are differing façade heights, the design should adopt the lesser height.

building orientation to the street should conform to that of contributory elements (buildings) in the street.

22.02-5.7.1 *In addition to the above general requirements, the following is sought for specific areas and sites as follows: Where there is a conflict or inconsistency between the specific and the general requirements, the specific requirements prevail.*

Corner Sites and Sites with Dual Frontages

Where an infill building is proposed on a site with frontages to two streets, being either a corner site or a site with dual street frontages:

- the new built form should respect the built form and character of the *heritage place* and adjoining or adjacent *contributory elements* to the heritage place, including those that occupy other corners of the intersection and;
- the proposed setbacks of the new works should reflect those of adjoining or adjacent contributory elements, including those on nearby corners.

Where alterations and additions are proposed on sites with frontages to two streets, being either corner sites or sites with dual street frontages:

- the new works should respect the built form and character of the existing building and adjoining or adjacent *heritage places* or *contributory elements* to the heritage place; and
- the proposed set backs of the new works should reflect those of adjoining or adjacent contributory elements.

Residential Heritage Places or Contributory Elements - Upper Storey Additions

the new upper storey additions to residential *heritage places* or contributory elements to *heritage places* should:

- be hidden from the street (does not include laneway) view for individually significant buildings;
- be obscured from street (does not include laneway) view for contributory buildings;
- preserve the existing roof line, chimney(s) and *contributory architectural features* that are essential components of the architectural character of the *heritage place* or *contributory elements* to the *heritage place*; and
- respect the scale and size of the heritage place or contributory elements in the *heritage place* by stepping down in height and setting back from the lower built forms.

sightlines should be provided to indicate the visibility from the street of proposed upper storey additions.

See performance measures.

Industrial, Commercial and Retail Heritage Place or Contributory Elements to Heritage Place

New upper level additions and works to industrial, commercial and retail *heritage places* or contributory elements to a heritage place should:

- respect the scale and size of the existing *heritage place* or contributory elements to the heritage place by being set back from the lower built form elements so that each higher element is set further back from lower built forms; and
- incorporate treatments which make them less apparent.

Carports, Carparks, Garages, and other Outbuildings

Car ports, car parks, garages and other buildings within front or side setbacks should not be allowed unless:

- the new works are set back behind the front room(s) of the heritage place or contributory element or concealed; or
- where the building period is contemporary with a period of garaging, the new works are set back behind the front wall line(s) of the heritage place or contributory element and the extent of setback also respects the period of an adjoining contributory or individually significant building.

the following be discouraged:

- new vehicle crossovers in streets with few or no crossovers;
- high fencing, doors and boundary treatments associated with car parking that are unrelated to the historic character of the area; and
- new vehicle crossovers in excess of 3 metres wide in residential streets.

Front Fences and Gates

the height and design of new front fences and gates should :

- not obscure views to *heritage places* or *contributory elements* to a heritage place from surrounding streets;
- be a maximum of 1.2 metres high if solid or 1.5 metres high if more than 50% transparent; and
- be consistent with the architectural period of the heritage place or contributory element to the heritage place.

22.02-6 Archaeological Sites

an archaeological assessment in relation to development proposals be required where there is a known or potential site of archaeological significance.

new building works may be sited above remains where Heritage Victoria has determined that new work over archaeological sites must not damage historical evidence and that this should be left in-situ.

removal of archaeological remains may be allowed where Heritage Victoria has decided that archaeological sites have low significance, provided that they are recorded first.

22.02-7 Performance Measures**Sightlines for upper storey additions*****Sightlines – upper addition to attached buildings***

Sightlines should be taken from the opposite footpath, at 1.6 metres above ground level (this being the eye level of an adult person of average height) through the gutter line at the front of the existing building.

Sightlines – upper addition to detached buildings

Sightlines should be taken from the opposite footpath, at 1.6 metres above ground level (this being the eye level of an adult person of average height), through the gutter line at the front of the existing building, and also in an arc of oblique views from the opposite footpath through the front corners and roof apices of the buildings on adjoining sites.

22.02-8 Decision Guidelines

Before deciding on an application the responsible authority will consider:

- whether there should be an archival recording of the original building or fabric on the site;
- the heritage significance of the place or element as cited in the relevant Statement of Significance or Building Citation which forms part of this Scheme; and
- any other relevant heritage study for an understanding of the *cultural significance* of the *heritage place*.

22.02-9 References

City of Yarra Review of Heritage Overlay Areas 2007 (Graeme Butler and Associates)

Yarra Heritage Database 2007 including photos

“City of Yarra Heritage Review”, Allom Lovell and Associates, 1998.

The Australian ICOMOS Charter for the Conservation of Places of Cultural Significance

“Richmond Conservation Study”, J and T O’Connor and Coleman and Wright Architects, 1985.

“Collingwood Conservation Study”, Andrew Ward and Associates, 1989.

“North Fitzroy Conservation Study”, Jacob Lewis Vines Architects, 1978.

“South Fitzroy Conservation Study”, Jacob Lewis Vines Architects, 1979.

“Fitzroy Urban Conservation Study Review”, Allom Lovell and Associates, 1992.

“Carlton, North Carlton and Princes Hill Conservation Study”, Nigel Lewis and Associates, 1984.

“City of Northcote Urban Conservation Study”, Graeme Butler Architect, 1982.

“Protecting Archaeological Sites in Victoria”, Heritage Victoria, 1998.