5.3 NO. 31 (LOT: 74; PLAN: 32) SMITH STREET, HIGHGATE - PROPOSED ALTERATIONS AND ADDITIONS TO PLACE OF WORSHIP

Ward: South

Attachments: 1. Consultation and Location Map

2. Development Plans

3. Heritage Impact Statement

4. Development Advice Notes

RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, APPROVES the application for Alterations and Additions to Place of Worship at No. 31 (Lot: 74; Plan: 32) Smith Street, Highgate, in accordance with the plans shown in Attachment 2, subject to the following conditions, with the associated determination advice notes in Attachment 4:

1. Development Plans

This approval is for Alterations and Additions to Place of Worship (Crucifix) as shown on the approved plans dated 1 April 2022 and 24 June 2022. No other development forms part of this approval; and

2. Colours and Materials

The colours, materials and finishes of the development shall be in accordance with the details as indicated on the approved plans, to the satisfaction of the City.

PURPOSE OF REPORT:

To consider an application for development approval for alterations and additions to the Serbian Orthodox Church of St. Sava at No. 31 Smith Street, Highgate (the subject site).

PROPOSAL:

The application proposes the addition of a new stone crucifix measuring 1.58 metres wide by 3 metres high. The crucifix would be placed in front of the church building and would be visible from Smith Street. The subject site is listed on the State Register of Heritage Places. The development plans are included as **Attachment 2**.

BACKGROUND:

Landowner:	Parish of the Serbian Orthodox Church of St Sava Inc.	
Applicant:	Tecton Group	
Date of Application:	1 April 2022	
Zoning:	MRS: Urban	
	LPS2: Zone: Residential R Code: R80	
Built Form Area:	Residential	
Existing Land Use:	Place of Worship	
Proposed Use Class:	Place of Worship	
Lot Area:	1239m²	
Right of Way (ROW):	N/A	
Heritage List:	City of Vincent Heritage List – Management Category B	
	State Register of Heritage Places	

Site Context and Zoning

The subject site is bound by Smith Street to the south-east, single storey dwellings to the north-east and south-west and two storey grouped dwellings to the north-west. A location plan is included in **Attachment 1**.

The subject site and all adjoining properties are zoned Residential R80 under the City's Local Planning Scheme No. 2 (LPS2).

The subject site and all adjoining properties are located within the Residential built form area and have a permitted building height of three storeys under the City's Policy 7.1.1 – Built Form (Built Form Policy).

The subject site currently contains the Serbian Orthodox Church of St. Sava at the front and a two storey building including a hall, Sunday school and offices (Sunday School) to the rear. The Sunday School is detached from the church and was constructed in 1962, with alterations undertaken in 1971 and 1984. The Sunday School underwent a major redevelopment in 2017, with the addition of a second storey and modification of the roofline and materials. Council at its meeting 8 March 2022 approved the addition of awnings and a patio to the Sunday School.

Heritage Listing

The Serbian Orthodox Church of St. Sava is a white stucco church in the traditional orthodox style and is the second oldest Serbian Orthodox church in Australia. The church was constructed in 1954 and the bell tower was added in 1974.

The subject site is listed as Management Category B (Conservation Recommended) on the City of Vincent Heritage List and is included on the State Register of Heritage Places.

The State Government Heritage Council of Western Australia's Statement of Significance for the place is:

Serbian Orthodox Church of St. Sava comprises a Post-War Ecclesiastical style rendered masonry church (1954-55), with a western bell tower (1974), and a separate brick and tile Sunday School building (1962), with additions (1971, 1984), situated in landscaped gardens, and has cultural heritage significance for the following reasons:

- The place is an outstanding example of a church designed in the Christian Orthodox Church tradition
 whereby all elements, including the ornate art works of the interior, the finely painted iconostasis,
 frescoes, mosaics, gold chandeliers and timber furniture, including a throne, are of religious symbolic
 importance; and as such, are integral to the significance of this place;
- The place is indicative of the arrival of East European migrants to Western Australia in the post-World War Two period, and the subsequent establishment of migrant communities, introduction of their cultural activities, religious observance and architectural traditions; the place is valued by the Serbian community for religious, spiritual, aesthetic, social and educational reasons, and the use of the Serbian language in the liturgy of the church is important to the cultural identity of Serbian community of Western Australia;
- The place is the second oldest Serbian Orthodox Church in Australia, and the first to be built in Western Australia; the distinctive curved form of the church, with its domed roof and stark white walls, set in landscaped gardens has an overall aesthetic quality that is both visually pleasing and peaceful; and
- The place is associated with Archpriest Father Petar Rados OAM, who was instrumental in establishing the Serbian Orthodox community, parish and church in the early 1950s, and continues to conduct services at the church today.

The applicant has submitted a Heritage Impact Statement in support of the proposal, as included in **Attachment 3**, and as required under the City's – Heritage Management – Development Guidelines for Heritage and Adjacent Properties (Heritage Policy). The Heritage Impact Statement sets out how the proposed development would not detrimentally impact the heritage significance of the church.

DETAILS:

Summary Assessment

The table below summarises the planning assessment of the proposal against the provisions of the City's LPS2, the Built Form Policy and the Heritage Management Policy.

Planning Element	Deemed-to-Comply (Acceptable Outcome or Acceptable Development)	Requires the Discretion of Council
Land Use	✓	
Street Setback	✓	
Building Setbacks	✓	
Roof Design	✓	
Building Height/Storeys	✓	
Landscaping	✓	
Parking & Access	✓	
Heritage Management Policy	✓	

Detailed Assessment

The Built Form Policy and Heritage Management Policy have two standards for assessing a development application. These are through element objectives and performance criteria, or through acceptable outcomes and acceptable development standards.

Element objectives and performance criteria are qualitative measures that describe the desired outcome to be achieved.

Acceptable outcome and acceptable development standards are likely to meet the element objectives and performance criteria and are typically quantitative measures.

The proposal satisfies all of the acceptable outcome and acceptable development standards of the Built Form Policy and Heritage Management Policy, respectively. Even though this is the case, the proposed development is still required to meet the element objectives and performance criteria of the Built Form Policy and Heritage Management Policy. This is detailed in the Comments section below.

CONSULTATION/ADVERTISING:

Community consultation was undertaken in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015.* The method of consultation included notice on the City's website, sign on site, and seven letters mailed to owners and occupiers of the properties adjoining the subject site, as shown in **Attachment 1**.

The application was advertised for public comment for a period of 14 days from 28 June 2022 to 11 July 2022, in accordance with the City's Community and Stakeholder Engagement Policy.

No submissions were received.

Heritage Council of Western Australia (HCWA)

The application was referred to the HCWA for review and consideration in accordance with Section 73 of the *Heritage Act 2018* because it is a registered place on the State Register of Heritage Places. The development proposal was lodged with a Heritage Impact Statement and was referred to the HCWA.

The HCWA support the proposal. A summary of its comments is as follows:

- The place has significance as an outstanding example of a church designed in the Christian Orthodox Church tradition; and
- The front garden, where the monument is to be installed, is identified in the assessment documentation as of some (secondary) significance. The location and siting of the monument is such that it will not obstruct views to the curved front of the church and will not directly impact any significant fabric.

Design Review Panel (DRP):

Referred to DRP: No

Due to the small scale and nature of the proposal, the application was not referred to the DRP or a member of the DRP for comment.

LEGAL/POLICY:

- Planning and Development Act 2005;
- Heritage Act 2018;
- Planning and Development (Local Planning Schemes) Regulations 2015;
- Burra Charter;
- State Planning Policy 3.5 Historic Heritage Conservation;
- City of Vincent Local Planning Scheme No. 2;
- Community and Stakeholder Engagement Policy;
- Policy No. 7.1.1 Built Form Policy; and
- Policy No. 7.6.1 Heritage Management Development Guidelines for Heritage and Adjacent Properties.

Planning and Development Act 2005

In accordance with Schedule 2, Clause 76(2) of the Planning and Development (Local Planning Schemes) Regulations 2015 and Part 14 of the Planning and Development Act 2005, the applicant would have the right to apply to the State Administrative Tribunal for a review of Council's determination.

Burra Charter

The Australia ICOMOS Charter for Places of Cultural Significance, the Burra Charter 2013 (the Burra Charter) sets a standard of practice for those who provide advice, make decisions about, and undertake work to places of cultural significance. The Burra Charter applies to all types of places of cultural significance, including the subject site. In accordance with Article 22.1 of the Burra Charter, 'new work' is acceptable where it respects the cultural significance of the place. This can be done through consideration of its siting bulk, form, scale, character, colour, texture and material.

In accordance with Article 22.2 of the Burra Charter, the works should be readily identifiable but should respect the cultural significance of the place. State Planning Policy 3.5 – Historic Heritage Conservation State Planning Policy 3.5 – Historic Heritage Conservation (SPP 3.5) sets out principles of sound and responsible planning for the conservation and protection of Western Australia's historic heritage. These principles inform the heritage management standards of local planning policies.

Policy No. 7.6.1 – Heritage Management – Development Guidelines for Heritage and Adjacent Properties

The objectives of the Heritage Management Policy are to:

- 1. Encourage the appropriate conservation and restoration of places listed on the City of Vincent Municipal Heritage Inventory (The Heritage List) in recognition of the distinct contribution they make to the character of the City of Vincent.
- 2. Ensure that works, including conservation, alterations, additions and new development, respect the cultural heritage significance associated with places listed on the City of Vincent Municipal Heritage Inventory.
- 3. Promote and encourage urban and architectural design that serves to support and enhance the ongoing significance of heritage places.
- 4. Ensure that the evolution of the City of Vincent provides the means for a sustainable and innovative process towards integrating older style buildings with new development.
- 5. Complement the State Planning Policy No. 3.5 'Historic Heritage Conservation' and the City of Vincent Residential Design Elements Policy and other associated Policies.

Part 4 of the Policy relates to development to heritage listed buildings. The policy includes 'Acceptable Development' criteria as well as the following three performance criteria:

- P1 Development is to comply with the statement of significance outlined in Heritage Assessment, Heritage Impact Statement and/or Place Record Form.
- P2 Alterations and additions to places of heritage value should be respectful of and compatible with existing fabric and should not alter or obscure fabric that contributes to the significance of the place.

P3 To ensure the cultural heritage significance of a place is conserved and the majority of the significant parts of the heritage place and their relationship to the setting within the heritage place should be retained.

Delegation to Determine Applications:

The matter is being referred to Council for determination in accordance with the City's Register of Delegations, Authorisations and Appointments. The application proposes development on a site that is included on the State Register of Heritage Places and the proposal is not included in the criteria for which delegation to determine applications has been given to Administration.

RISK MANAGEMENT IMPLICATIONS:

There are minimal risks to Council and the City's business function when Council exercises its discretionary power to determine a planning application.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's Strategic Community Plan 2018-2028:

Innovative and Accountable

We are open and accountable to an engaged community.

SUSTAINABILITY IMPLICATIONS:

There are no sustainability implications from this report.

PUBLIC HEALTH IMPLICATIONS:

This report has no implication on the priority health outcomes of the City's Public Health Plan 2020-2025.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

Policy Standards

The Heritage Management Policy sets out that development will generally be approved where it complies with the acceptable development standards.

The proposed development complies with all the acceptable development standards of the Heritage Management Policy.

The Built Form Policy sets out that meeting the acceptable outcome standards is likely to achieve the element objectives.

The proposed development meets all the acceptable outcome standards of the Built Form Policy.

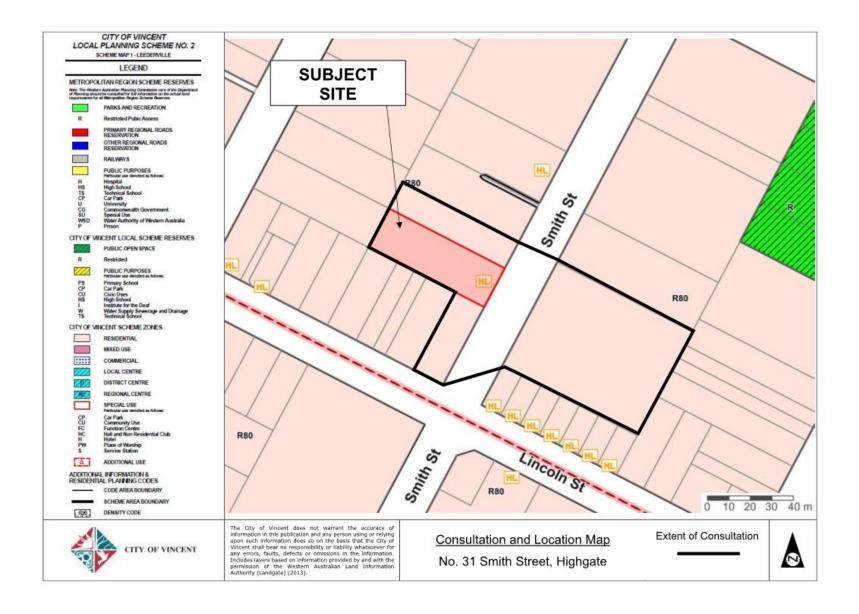
The acceptability of the proposed crucifix is detailed below.

Acceptability of Proposed Development

The proposed crucifix would satisfy the performance criteria and objectives of the Heritage Management Policy, and the element objectives of the Built Form Policy. It is acceptable for the following reasons:

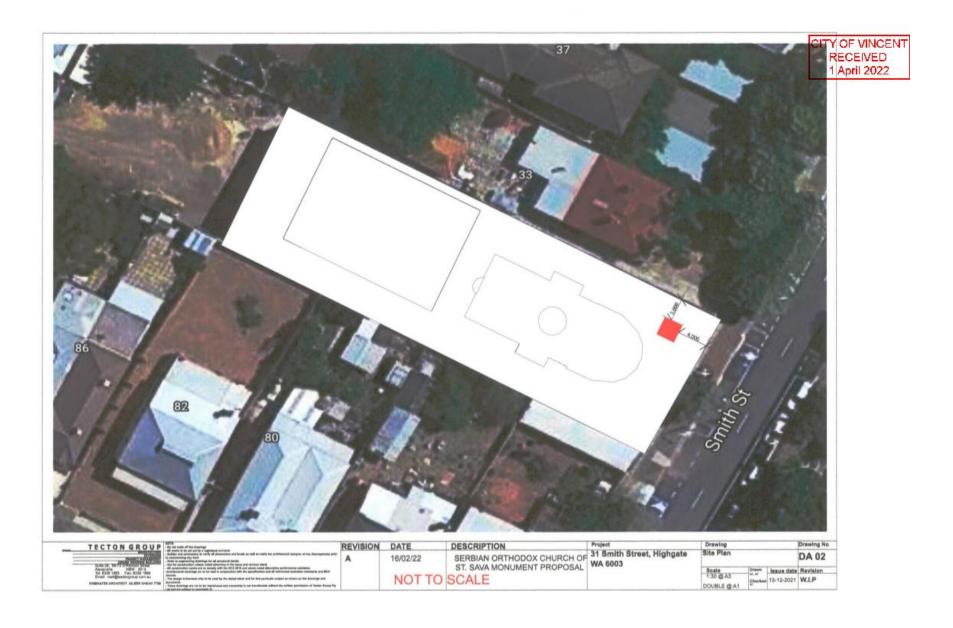
• <u>Materials:</u> The use of stone for the crucifix is in keeping with the traditional architecture and materials of the church building;

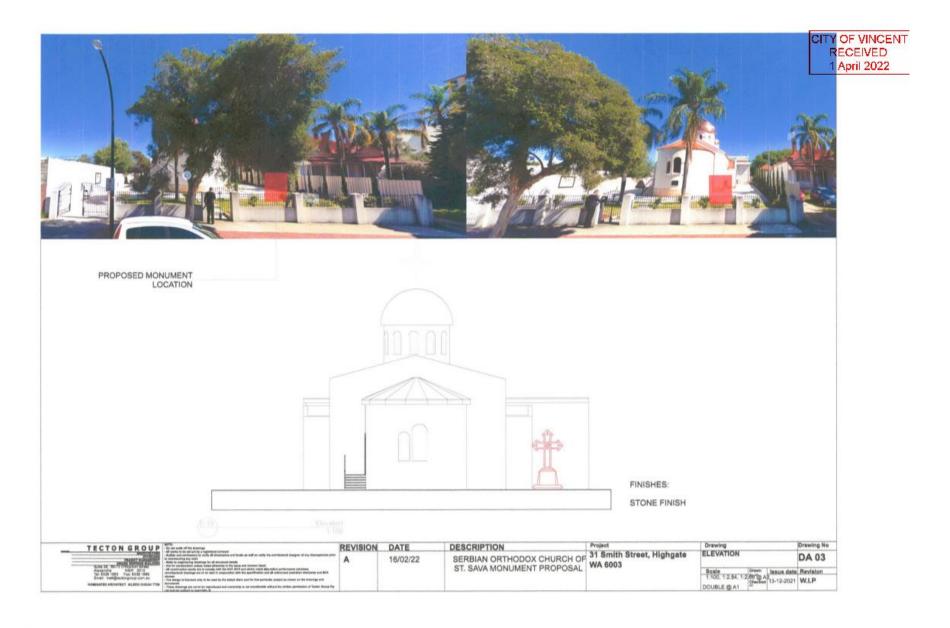
- <u>Separated from church:</u> The crucifix would be separated from the church building which has aesthetic value, maintaining the relationship of the church with its setting. The proposal is supported by the HCWA;
- Location: The crucifix would be:
 - Setback 4 metres from Smith Street and 3 metres from the north-eastern lot boundary and would not interrupt views or vistas of the heritage place; and
 - The location, setbacks and scale of the proposal mean it would not adversely affect the amenity of the adjoining properties;
- <u>Appearance from street:</u> Although the crucifix would be visible from Smith Street, it would present minimal bulk to the street. The crucifix would maintain the prominence of the façades of the aesthetically significant portions of the church and is a feature commonly associated with a place of worship;
- Ongoing use: The crucifix would protect the heritage values of the place by reinforcing the ongoing use
 of the site by the Serbian community for religious purposes in accordance with the statement of
 significance of the place; and
- <u>Burra Charter:</u> The crucifix would be physically separate from the church building. The crucifix would contribute to the setting and character of the heritage place and would not dominate the heritage fabric of the existing buildings on the site, in accordance with Article 22 of the Burra Charter.

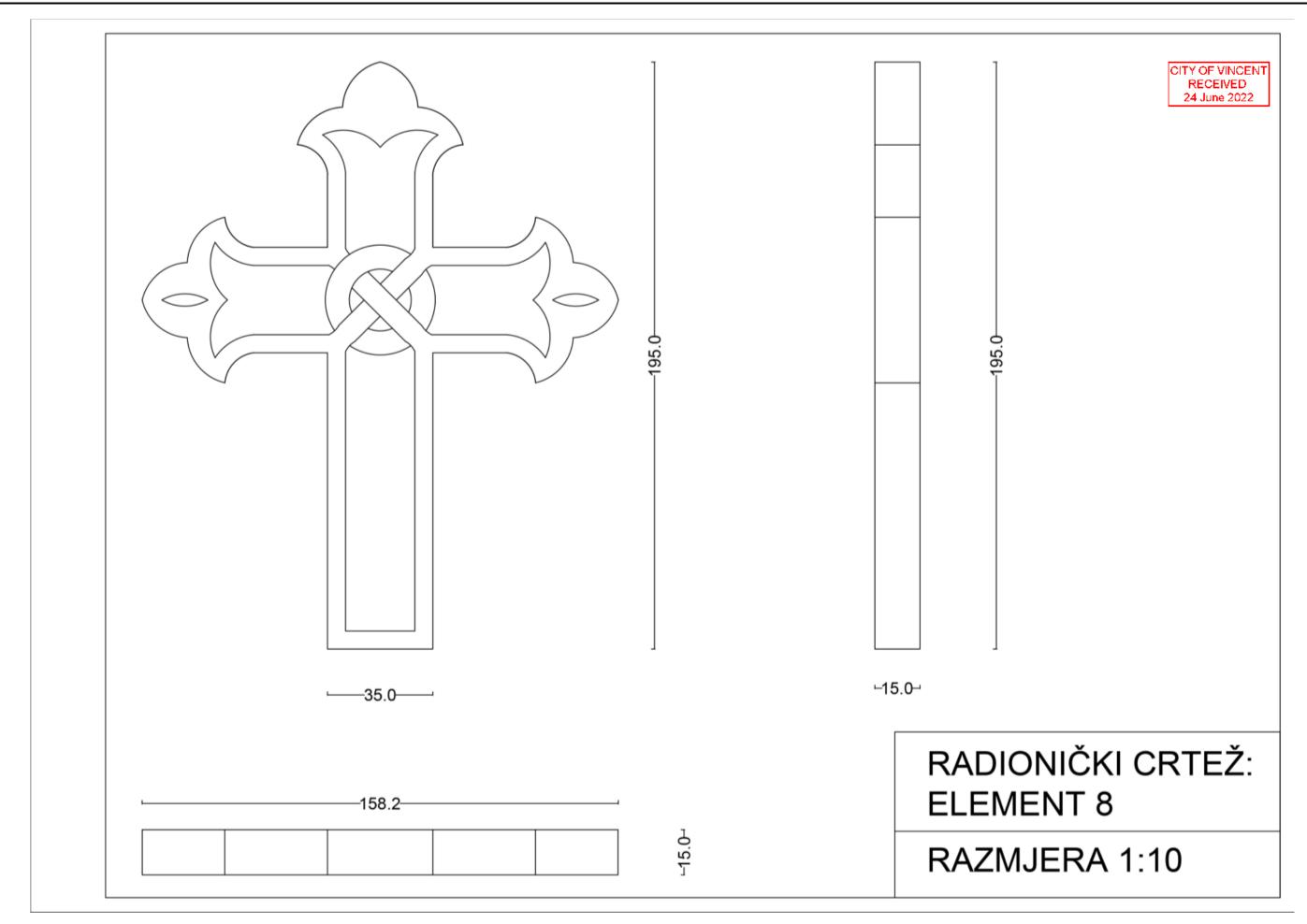




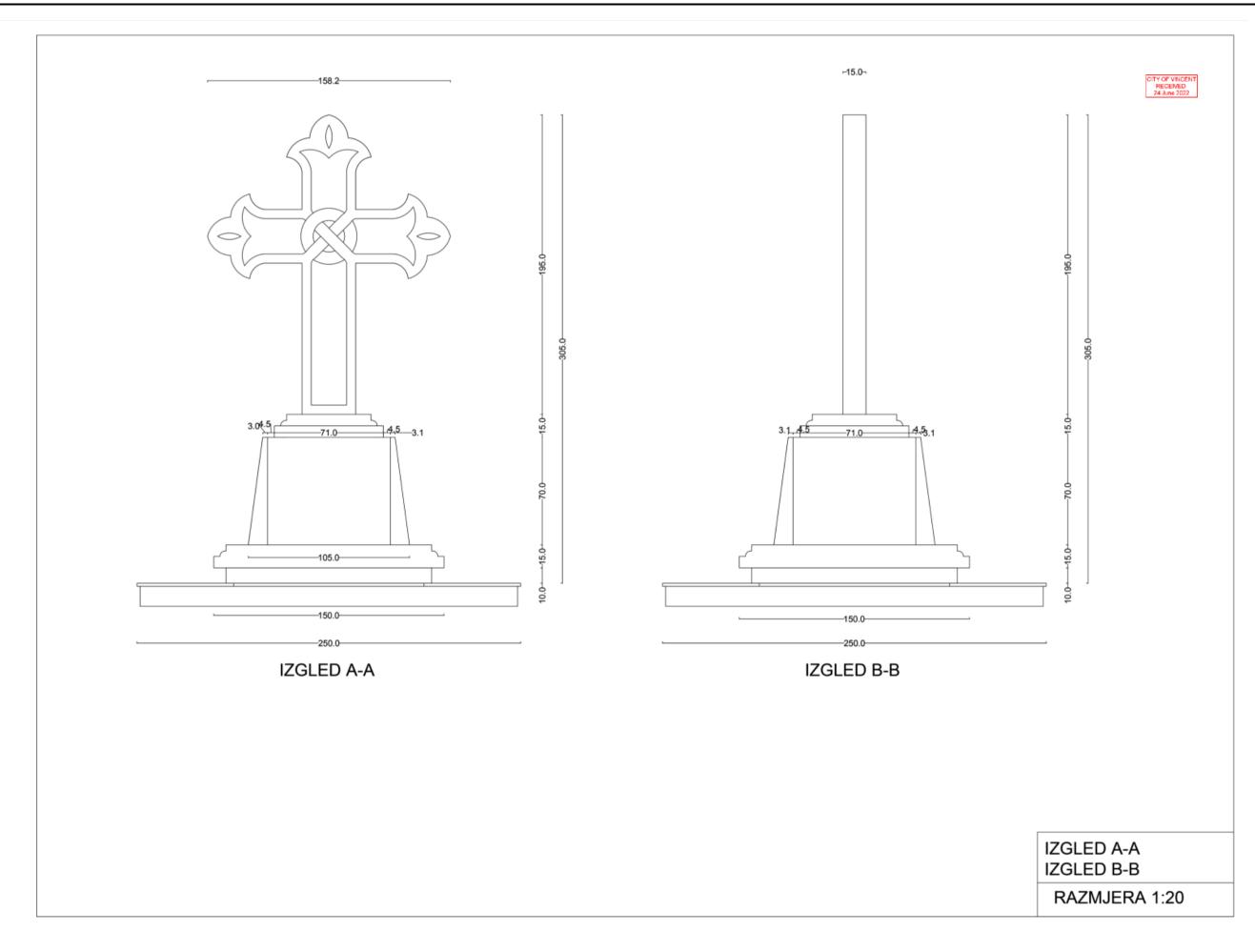








Item 5.3- Attachment 2



Item 5.3- Attachment 2





HERITAGE IMPACT STATEMENT

FORM

Name of Place: The Parish of The Serbian Orthodox Church of ST Sava Inc

Registration Date: 04/04/2023

The Place/Area: 31 Smith Street Highgate

Prepared by: Tecton Group

Prepared for: 31/03/2023

Date: 31/03/2023

Heritage listings:

Serbian Orthodox Church of St. Sava is rare as the second oldest Serbian Orthodox Church in Australia, and the first to be built in Weslem Australia. The Main Structure is the one closest to the Primary Street.

Built in a traditional Orthodox style. Building features white stucco walls and two octagonal towers, with cupolas topped with crosses, centered over the ridge of the gable roof, consistent with eastern European inspiration. The towers have arched windows on each facet. The building is entered from the side via a small flight of stairs with metal rails, through an arched doorway into a shallow entry narthex. At the eastern end, attaching to the gabled main section of the Church, is a large projecting apse with its own tiled roof. Windows to walls and apse cum sanctuary groups of three arched windows symbolising the Holy Trinity. Setback from the street behind a low brick and steel rail fence.

None apparent

Statement of significance:

The Serbian Orthodox Church of Saint Sava is a fine example of the Postwar Immigrant Nostalgia style, based on the design principles of the Orthodox Church applied to an ecclesistical landmark. The Church demonstrates the cultural diversity of the community and provides a special place for the Serbian community, who constructed the place and use it as a place of worship and a focus of their society.

HERITAGE IMPACT STATEMENT - FORM

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The following aspects of the proposal respect or enhance the heritage significance of the place or area, for the following reasons:

The proposed works are not to be connected to the main heritage listed Church. It must be noted that monument will be built of stone, any of the proposed works will not obstruct or affect the look of facade of the Church nor affect the streetscape

The following aspects of the proposal could detrimentally impact on heritage significance. The reasons are explained as well as the measures to be taken to minimise impacts:

We believe there is not detrimental impact to the heritaga listed Church. All works are setback considerably from the front and side boundary and in front lawn to the right of church from street wiew

Conclusion:

In conclusion there is no impact to the streetscape and the original Church. The proposed monument works is purety to worship and pay respact to fallen.

References and attachments:

Contact us



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HERITAGE IMPACT STATEMENT

A GUIDE

INTRODUCTION

This guide explains what a heritage impact statement is, when one is needed, and the level of detail that is required.

This guide has been prepared to:

- (a) assist people who wish to carry out development that could impact on a heritage place or area
- assist local governments in considering whether to approve such development.

Local governments may adapt the document to suit their own circumstances.

What is a heritage impact statement?

A heritage impact statement (HIS) describes and evaluates the likely impact of a proposal.

An HIS is a clear and concise account of the proposed work that addresses three basic questions:

- How will the proposed works affect the significance of the place or area?
- What measures (if any) are proposed to ameliorate any adverse impacts?
- Will the proposal result in any heritage conservation benefits that might offset any adverse impacts?

When is a heritage impact statement needed?

Many local governments encourage proponents to submit an HIS with any development proposal affecting a heritage place.

Whether or not a local government may require an HIS, and the amount of detail expected, will depend on:

- (a) the significance of the place; and
- (b) the likely impact of the proposal on that significance.

For instance, a proposal to partially demolish, or construct an addition to a place that is listed in the highest category in the local Heritage List, will typically require a detailed HIS.

Minor works to a place of lesser significance may not require an HIS at all.

How is the significance of a place or area determined?

An HIS will always be based on a Statement of Significance for the place, which clearly spells out the identified heritage values.

Typically, this will be drawn from a State Register entry, a Local Government inventory entry, or a Conservation Management Plan or Strategy (CMP or CMS). If none of these sources exist, it may be necessary for a significance statement to be prepared.

It may also be necessary if an existing statement is very brief and gives little useful guidance about the significance of the place and its fabric.

If a CMP and CMS exists, direct reference should be made to the conservation policies.

How should a heritage impact statement be presented?

An HIS should be concise.

It should contain a conclusion that addresses the three key questions outlined under 'What is a heritage impact statement?'.

In preparing the HIS, it may be useful to address some more detailed questions, such as those outlined in the table at Appendix 1. If the Local Government or heritage agency dealing with the proposal has decision guidelines or planning policy in relation to the place or area, these should be specifically addressed.

Relevant supporting documentation, where it exists (e.g. a statement of significance, conservation plan or conservation policy, physical condition report or any other consultant's report), should be referred to in the statement and relevant extracts attached. These documents should not simply be repeated verbatim within the HIS.

HERITAGE IMPACT STATEMENT - A GUIDE

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QUESTIONS TO BE ANSWERED IN A HERITAGE IMPACT STATEMENT

APPENDIX ONE

PROPOSED CHANGE TO HERITAGE PLACE	SOME QUESTIONS TO BE ANSWERED IN A STATEMENT OF HERITAGE IMPACT
Demolition of a building	Have all options for retention and adaptive re-use been explored?
or structure	 Is demolition essential at this time, or can it be postponed in case future circumstances make retention and conservation more feasible?
NB. Check State Planning Policy 3.5 - Historic heritage conservation	 Can any new development can be located elsewhere on the site, so the significant elements of the place can be retained?
	 Has the advice of a heritage consultant been taken? If not, why not?
Minor partial demolition	 Is the demolition essential for the heritage place to function?
(including internal elements)	 Are important features of the place affected by the demolition (e.g. fireplaces or staircases)
	 Is the partial demolition sympathetic to the heritage significance of the place?
	 If the partial demolition is proposed because of the condition of the fabric, is it certain that the fabric cannot be repaired?
Change of use	Has the advice of a heritage consultant been implemented? If not, why not?
	 Does the existing use contribute to the significance of the heritage place?
	 Why does the use need to be changed?
	 What changes to the fabric are required as a result of the change of use?
	 What changes to the site are required as a result of the change of use?
	 Has the advice of a heritage consultant been taken? If not, why not?
Minor additions (see also minor partial demolition)	 How is the impact of the addition on the heritage significance of the place to be minimised?
	 Can the additional space be located within an existing structure? If not, why not?
	 Will the additions visually dominate the heritage place?
	 Are the additions sympathetic to the heritage place? In what way (e.g. form, proportions, design, materials)?
New development adjacent to a heritage place	 How is the impact of the new development on the heritage significance of the place or area to be minimised?
(additional buildings and	 Why is the new development required to be adjacent to a heritage place?
major additions)	 How does the new development affect views to, and from, the heritage place? What has been done to minimise negative effects?
	 Is the new development sympathetic to the heritage place? In what way (e.g. form, siting proportions, design, materials)?
	 Will the new building(s) visually dominate the heritage place? How has this been minimised?
	 Will the public and users of the place, still be able to view and appreciate its significance?
Subdivision	 Could future development resulting from this subdivision compromise the significance of the heritage place (e.g. by requiring demolition of part of a heritage building, or by siting new buildings too close to a heritage building)?
	 How are negative impacts to be minimised?
	 Could future development that results from this subdivision affect views to, and from, the heritage place? How are negative impacts to be minimised?
Repainting	Have previous (including original) colour schemes been investigated? Are previous
(Using new colour schemes)	schemes being reinstated?
	 Will the repainting affect the conservation of the fabric of the heritage place?

2

QUESTIONS TO BE ANSWERED IN A HERITAGE IMPACT STATEMENT - APPENDIX ONE

CITY OF VINCENT RECEIVED 1 April 2022

PROPOSED CHANGE TO HERITAGE PLACE	SOME QUESTIONS TO BE ANSWERED IN A STATEMENT OF HERITAGE IMPACT
Re-roofing/re-cladding	Have previous (including original) roofing/cladding materials been investigated (through archival and physical research)? Is a previous material being reinstated? Will the re-cladding effect the conservation of the fabric of the heritage place? Are all details in keeping with the heritage significance of the place (e.g. guttering, cladding profiles)? Has the advice of a heritage consultant or skilled tradesperson (e.g.roof slater) been taken?
New services (e.g. air conditioning, plumbing)	How has the impact of the new services on the heritage significance of the place been minimised? Are any of the existing services of heritage significance? In what way? Are they affected by the new work? Has the advice of a heritage consultant (e.g. architect) been taken?
Fire services upgrades	How has the impact of the fire upgrading on the heritage significance been minimised? Are any of the existing services of heritage significance? In what way? Are they affected by the new work? Has the advice of a conservation consultant (e.g., architect) been taken (and if so how)? Has the advice of a fire consultant been taken as to options that would have less impact on the heritage place (and if so how)?
New landscape works and features (including carparking and fences)	How has the impact of the new work on the heritage significance of the existing landscape been minimised? Has evidence (archival and physical) of previous landscape work been investigated/ Are previous works being reinstated? Has the advice of a consultant skilled in the conservation of heritage landscapes been sought? If so, have their recommendations been implemented? Are any known or potential archaeological deposits affected by the landscape works? If so, what alternatives have been considered? How does the work impact on views to, and from, adjacent heritage items?
Tree removal or replacement NB: Always check the tree preservation provisions of your local government when proposing the removal of trees	 Does the tree contribute to the heritage significance of the place? Why is the tree being removed? Has the advice of a tree surgeon or horticultural specialist been taken (and if so how)? Is the tree being replaced and with what species? Why?
New Signage NB: Check whether the local government has a signage policy or design guidelines	How has the impact of the new signage on the heritage significance of the place been minimised? Have alternative signage forms been considered (and if not why not)? Will the signage visually dominate the heritage place or heritage area? Can the sign be remotely illuminated rather than internally illuminated?

Contact us



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Determination Advice Notes:

 This is a development approval issued under the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme only. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant/owner to obtain any other necessary approvals and to commence and carry out development in accordance with all other laws.

- NO verge trees shall be REMOVED. The verge trees shall be RETAINED and PROTECTED from any damage including unauthorized pruning.
- 3. An Infrastructure Protection Bond together with a non-refundable inspection fee shall be lodged with the City by the applicant, prior to commencement of all building/development works, and shall be held until all building/development works have been completed and any disturbance of, or damage to the City's infrastructure, including verge trees, has been repaired/reinstated to the satisfaction of the City. An application for the refund of the bond must be made in writing. This bond is non-transferable.
- 4. The movement of all path users, with or without disabilities, within the road reserve, shall not be impeded in any way during the course of the building works. This area shall be maintained in a safe and trafficable condition and a continuous path of travel (minimum width 1.5m) shall be maintained for all users at all times during construction works. Permits are required for placement of any material within the road reserve.
- 5. In relation to Condition 2, all storm water produced on the subject land shall be retained on site, by suitable means to the full satisfaction of the City. No further consideration shall be given to the disposal of storm water 'off site' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of storm water 'off site' be subsequently provided, detailed design drainage plans and associated calculations for the proposed storm water disposal shall be lodged together with the building permit application working drawings.

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