

**9.4 OUTCOME OF ADVERTISING AND ADOPTION OF LOCAL PLANNING POLICY:  
DEVELOPMENT GUIDELINES FOR HERITAGE PLACES**

- Attachments:**
1. Draft Local Planning Policy Development Guidelines for Heritage Places - Clean Copy
  2. Draft Local Planning Policy Development Guidelines for Heritage Places - Initial Version for Consultation
  3. Summary of Submissions - Administration Response
  4. Department of Planning, Land & Heritage Review of Heritage Management Local Planning Policies
  5. Draft Local Planning Policy Development Guidelines for Heritage Places - markup

**RECOMMENDATION:****That Council:**

1. **PROCEEDS** with amendments to Policy No. 7.6.1 – Heritage Management – Development Guidelines for Heritage and Adjacent Properties included as Attachment 5, pursuant to Schedule 2, Part 2, Clause 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*; and
2. **NOTES** that Administration will publish a notice in accordance with Clause 87 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

**PURPOSE OF REPORT:**

For Council to consider the outcomes of community consultation in relation to the proposed amendments to Policy No. 7.6.1 – Heritage Management – Development Guidelines for Heritage and Adjacent Properties (Policy No. 7.6.1).

This would include renaming to Local Planning Policy: Development Guidelines for Heritage Places (Policy). The amended Policy is included as **Attachment 1**.

**DELEGATION:**

In accordance with Clause 5 of the *Planning and Development (Local Planning Scheme) Regulations 2015* (the Regulations), a local government may make an amendment to a local planning policy in respect of any matter related to the planning and development of the Scheme area.

In accordance with the *Local Government Act 1995* the term 'local government' refers to the elected Council.

Council has not provided delegation to Administration for the amending of existing local planning policies.

**BACKGROUND:**

At its Ordinary Meeting on [13 February 2024](#) Council resolved to publish a notice of amendments to the Policy for the purpose of community consultation in relation to Policy No. 7.6.1 along with other heritage policies. The other policies included in this resolution are not subject to this report and have been considered at Council's Ordinary Meeting of [18 June 2024](#).

**DETAILS:****Review of Policy**

A summary of the recommendations of the review of the existing [Policy No. 7.6.1](#) is set out below.

- Renaming to 'Local Planning Policy: Development Guidelines for Heritage Places'.
- Adding new sections to align with the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) and the Burra Charter.
- Aligning policy with the current planning framework and Department of Planning, Lands and Heritage (DPLH) guidelines.
- Setting out works that are exempt from requiring development approval consistent with the Regulations and *Heritage Regulations 2019*.
- Refining the performance-based assessment of development applications to match the structure of the Residential Design Codes Volume 2. This would ensure that proposals are:
  - Considered individually on their own merit and context; and
  - Assessed against guiding principles that align with the Burra Charter and best practice principles for heritage management.
- Expanding and refining existing standards for works to heritage listed properties. This includes demolition, conservation, alterations and additions, and new development.
- Providing for new standards relating to car parking including carports, garages and uncovered parking bays.
- Providing new standards for non-residential development.
- Adding new diagrams to aid in the interpretation of the development standards.

**First Round of Consultation**Community Consultation

In accordance with the Regulations and the City's Community and Stakeholder Engagement Policy, the draft Policy (included as **Attachment 2**) was advertised for a period of 28 days between 4 March and 1 April 2024. Consultation occurred in the following ways:

- Notices published on the City's website, the City's social media, and displayed at the City's Administration and Library and Local History Centre.
- A notice published in the 9 March 2024 issue of the Perth Voice.
- Letters distributed to owners and occupiers of all heritage places.

Four submissions were received from members of the community at the conclusion of the consultation period. The submissions received related to:

- Concerns that the draft Policy provisions should not apply to adjoining properties which are not heritage listed;
- Concern over a lack of deemed-to-comply pathway being included; and
- The draft Policy language is not easy to interpret.

A summary of these submissions and Administration's response is included in **Attachment 3**.

Department of Planning, Lands and Heritage

The draft Policy was referred to the DPLH. Their comments are included in **Attachment 4** and a summary is as follows:

- The City deserves praise for updating and modernising its suite of local planning policies on heritage, ensuring consistency with Regulations, Heritage Council guidelines and best practice.
- The draft Policy is generally clear and well-structured, but the Outcomes and Acceptable Development standards seem tailored to residential properties.
- Guiding principle 7, which requires additions to maintain existing view lines to the principal façade of the heritage place from the street, may be too stringent for larger non-residential sites.
- Clause 3.1 Bulk and Scale states that additions should respect the scale and proportion of the existing heritage building, which should remain the dominant structure when viewed from the street. This might be unfeasible for larger-scale non-residential developments.
- General comments on terminology use and regulation interpretation.

**Amendments to Proposed Policy**Design Review Panel (DRP)

Following community and DPLH feedback, the draft Policy was reviewed by a heritage specialist on the City's DRP. The key modifications recommended by the DRP member included the following:

- Provide standards relating to siting, scale, form and materials for both residential and non-residential heritage-listed properties.
- Diagrams should be included to support Policy standards that demonstrate how new development would be expected to integrate with existing streetscape, shopfronts, floor levels, façade rhythm, and building alignment.

Administration updated the draft Policy in response to feedback received from the community, DPLH and DRP member. These key modifications are summarised in the table below.

Modification	Administration Comment
Additional definitions	New definitions for facadism and the principal part of the building. This facilitates a clearer understanding of development standards.
New standards for mixed use and non-residential development	New standards have been included that are only applicable to non-residential development. This includes items such as shopfronts, façade design and signage.
Expanded standards for new development adjoining heritage places	Existing provisions have been refined to ensure that new development adjoining heritage places do not dominate the heritage place. This includes items such as building setbacks and height.
New guiding diagrams	New diagrams have been included to simplify the interpretation of development standards.

A clean version of the amendments to the draft Policy following community consultation is included in **Attachment 1**.

A track-changed version of the amendments to the draft Policy following community consultation is included in **Attachment 5**.

**Second Round of Consultation**Community Consultation

The amended draft Policy was readvertised for 21 days from 27 June to 19 July 2024 in accordance with the City's Community and Stakeholder Engagement Policy. This was based on the extent of the proposed changes. The methods of readvertising included:

- Notices published on the City's website, the City's social media, and displayed at the City's Administration and Library and Local History Centre.
- A Notice published on the 29 June 2024 issue of the Perth Voice.
- Letters distributed to owners of commercial properties listed in the Municipal Heritage Inventory.
- Emails sent to previous submitters.

One further submission was received from a community member at the conclusion of the consultation period.

This submission raised concerns with the imbalance between the restrictions imposed by heritage listing and the financial support provided by local government to landowners of heritage places.

A summary of this submission and Administration's response is included in **Attachment 3**.

#### Department of Planning, Lands and Heritage and Design Review Panel

The amended draft Policy was referred back to the DRP member and the DPLH.

Both advised that the previous comments had been addressed and provided support for the amended draft Policy.

There have been no further change to the amended draft Policy following consultation.

#### **LEGAL/POLICY:**

##### Planning and Heritage Legislation

The *Planning and Development Act 2005* and *Planning and Development (Local Planning Schemes) Regulations 2015* provide the criteria for creating, amending, and reviewing Local Planning Policies.

The guidelines operate by augmenting the R Codes and provide for specific design guidance and standards for heritage places.

The relevant planning and heritage legislation and policies are below.

- *Heritage Act 2018*.
- *Planning and Development (Local Planning Schemes) Regulations 2015*.
- *Heritage Regulations 2019*.
- The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance, 2013.
- City of Vincent Local Planning Scheme No. 2.
- State Planning Policy 3.5 – Historic Heritage Conservation.
- Residential Design Codes.
- DPLH Guidelines for the Assessment of Local Heritage Places.
- DPLH Guidelines for Local Heritage Surveys.
- DPLH Guidelines for Establishing a Heritage List.
- DPLH Guidelines for Heritage Areas.
- DPLH Guidelines for Preparing a Local Planning Policy for Local Heritage.

##### Planning Development and Review Policy

The City's [Policy Development and Review Policy](#) sets out the process for the development and review of the City's policy documents.

In accordance with section 2.3 of the Policy Development and Review Policy:

*The purpose of a policy is to provide a general rule or principle to guide Administration and the community on the City's decision making and advocacy;*

The policy review has been in accordance with the Regulations.

The purpose of the amended Policy is to provide a comprehensive framework to guide the development of heritage places and adjoining properties.

The Policy seeks to address matters the City will take into consideration when assessing a development application for a heritage place and sets out the preferred approach to the retention and conservation of the place.



# LOCAL GOVERNMENT DECISION MAKING HIERARCHY



## RISK MANAGEMENT IMPLICATIONS

Low: Adopting the amended Policy subject to this report is low risk for Council as the review has been conducted in accordance with the [Policy Development and Review Policy](#), and guided by best practice in heritage management.

The draft Policy prepared by Administration has been supported by the City's DRP Member that is a specialist in heritage and the DPLH.

## STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2022-2032*:

### Sensitive Design

*Our built form character and heritage is protected and enhanced.  
Our built form is attractive and diverse, in line with our growing and changing community.  
Our planning framework supports quality design, sustainable urban built form and is responsive to our community and local context.*

### Innovative and Accountable

*We are open and accountable to an engaged community.*

## SUSTAINABILITY IMPLICATIONS:

This is in keeping with the sustainability outcomes of the *City's Sustainable Environment Strategy 2019-2024*, as the amended policy aims to achieve sustainable development outcomes by encouraging the conservation and restoration of older building stock through flexible, performance-based guidelines.

## FINANCIAL/BUDGET IMPLICATIONS:

The implementation of the Policy subject to this report is to be met through the existing operational budget.

**COMMENTS:**Administration Response to Key Matters Raised in Consultation

Administration's response to submissions from both consultation periods are summarised in **Attachment 3**.

Administration's responses to the key matters raised during community consultation in respect to the draft Policy are included below.

1. *Heritage Protection is too onerous for property owners and not balanced by support from local government*

It is possible for heritage listed properties to be redeveloped as long as the development preserves and enhances the cultural significance of the heritage place in accordance with the draft Policy.

The draft Policy has been prepared based on guidelines from the Heritage Council of Western Australia (HCWA), ensuring new development does not compromise cultural heritage. The draft Policy has been supported by the heritage specialist on the City's DRP and DPLH officers.

Acknowledging that there can be additional costs for owners to maintain heritage places, the City offers annual grants through the Heritage Assistance Fund of up to \$5,000.

[Appendix No.20 Refunding and Waiving of Planning and Building Fees](#) also provides for refunding or waiving planning fees of applications proposed to heritage places as per the Regulations.

2. *The Policy should not apply to non-heritage listed properties adjoining a heritage property*

The current Policy includes provisions for properties that are not heritage-listed but are adjoining a property that is. The draft Policy does not propose to amend or remove these.

This is because it is important that the setbacks, height and design of new developments are compatible with and do not adversely impact on the significance of an adjoining heritage-listed place.

3. *Chosen language is not easily interpreted*

Following the initial period of community consultation the draft Policy was amended to include additional definitions and figures to support the interpretation of development standards. For example, 'facadism' and 'principal part of a building' now have corresponding definitions and diagrams to support their interpretation.

4. *Deemed-to-comply criteria should be applied*

Unless specified under the Regulations, development on a heritage place requires development approval. Much like the existing Policy No. 7.6.1, the draft Policy is designed to guide the development of heritage places across the City and is not site specific.

As every heritage place is different, it requires policy provisions to be performance-based rather than prescriptive. The provisions contained within the draft Policy are designed to ensure that the heritage significance of a place is not diminished through new development.

The performance-based nature of the draft Policy has also been supported by the heritage specialist on the City's DRP and the DPLH.

5. *Development guidelines are tailored to residential development*

In response to this submission from the DPLH, separate criteria have been included to capture non-residential and mixed-use development. This includes elements such as signage and shopfronts.

Administration Comments on Draft Policy

The review of the draft Policy has been informed by DPLH guidelines and aligns with the state planning framework.

This means that the draft Policy is contemporary, aligns with the planning framework and is simpler for the owners of heritage-listed properties to interpret and apply through the provision of new guiding diagrams.

The draft Policy provides for new and amended standards, such as those applicable to car parking infrastructure, non-residential and mixed used development and a more robust assessment of developments adjoining heritage-listed properties.

This would ensure that new developments are sensitively designed to be sympathetic to and protect and enhance the City's built form character.

The draft Policy has been refined over two consultation periods to respond to comments from the community and is supported by the DPLH and the heritage specialist of the City's DRP.

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CITY OF VINCENT

Legislation / local law requirements	Heritage Act 2018 Planning and Development Act 2005 Heritage Regulations 2019 This policy has been prepared under the provisions of Schedule 2, Part 2 and 3 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .
Relevant delegations	16.1.1 Determination of various applications for development approval under the City's Local Planning Scheme
Related policies, procedures and supporting documentation	City of Vincent Local Planning Scheme No.2 Local Planning Policy 7.1.1 Built Form Local Planning Policy: Assessing Cultural Heritage Significance Local Planning Policy: Amending the Local Heritage Survey, Heritage List and Designating Heritage Areas Local Planning Policy: Heritage Area Guidelines

## PART 1 - PRELIMINARY

### INTRODUCTION

The City of Vincent (City) Strategic Community Plan 2022 – 2032 (SCP) sets the strategic direction, priorities and aspirations for the City. A key outcome of the SCP is to ensure our *"built form character and heritage is protected and enhanced"*.

State Planning Policy 3.5 Historic Heritage Conservation, the Heritage Council of Western Australia (HCWA) Guide to Developing Heritage Places and the Australia ICOMOS Burra Charter, 2013 (Burra Charter), provide guidance on heritage conservation but do not consider specific provisions for heritage places and areas within the City. Without adequate guidance, development of a place may have adverse implications on its cultural heritage significance.

### PURPOSE

The purpose of this Local Planning Policy: Development Guidelines for Heritage Places (Policy) is to provide:

- a comprehensive framework for the development of heritage places; and
- guidance to the development of places adjoining heritage places.

The Policy seeks to address matters the City will take into consideration when assessing a development application for a heritage place and sets out the preferred approach to the retention and conservation of the place.

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## OBJECTIVES

The objectives of this Policy are to:

1. encourage the appropriate conservation and restoration of places listed on the City's Heritage List, the State Register of Heritage Places and within heritage areas, in recognition of the distinct contribution they make to the character and history of the City;
2. ensure that works, including conservation, alterations, additions and new development respect the cultural heritage significance associated with heritage places and areas;
3. promote and encourage architecture and urban design that serves to support and enhance the ongoing cultural heritage significance of heritage places and areas; and
4. protect and enhance the City's built heritage by guiding the sustainable and innovative integration of new development with heritage places and areas.

## OPERATION

The Policy is performance-based. To assess and determine the appropriateness of proposed development, a performance-based approach is applied through a set of assessment criteria. This reflects that every place is different and ensures development is tailored to the specific needs and characteristics of each place or area.

Development and conservation measures are based on principles outlined in the Burra Charter.

Refer to **Appendix 1** for the management categories for heritage places.

## SCOPE

The Policy applies to the development of a place:

- entered in the City's Heritage List or a heritage area prepared in accordance with the City's Local Planning Scheme No.2 (Scheme);
- that is adjacent to a heritage listed place or heritage area;
- entered in the State Register of Heritage Places; and
- subject to a protection order or heritage agreement under the *Heritage Act 2018* (Act).

## RELATIONSHIP TO OTHER DOCUMENTS

This Policy forms part of the City's local planning policy framework. Where this Policy is inconsistent with the City's operative Local Planning Scheme (Scheme), the Scheme prevails. Where this Policy is inconsistent with an adopted local development plan, activity centre plan or structure plan, the adopted local development plan, activity centre plan or structure plan prevails.

This Policy is to be read together with any heritage area specific planning guidelines. Where this Policy is inconsistent with the provisions of another local planning policy, the provisions of this Policy prevail.

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## PART 2 - POLICY PROVISIONS

### DEFINITIONS

All terms used in this Policy are defined in the *Planning and Development Act 2005*, *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations), *State Planning Policy 7.3 Residential Design Codes (R Codes)* and the Scheme, unless stated otherwise below.

**archival record** means a document containing drawings, photographs and written information prepared in order to record the state of a place at a given time, usually prior to the place being demolished or substantially altered, and in accordance with the Heritage Council of Western Australia (HCWA) Guide to Preparing an Archival Record.

**Burra Charter** means the document providing guidance for the conservation and management of places of cultural heritage significance and sets standards of practice for those who provide advice, make decisions about, or undertake works to places of cultural heritage significance, including owners, managers and custodians. The charter is adopted by the Australian International Council on Monuments and Sites (ICOMOS).

**conservation plan** means a document that details how to identify and look after a place so as to retain its cultural heritage significance, including recording and monitoring actions and decisions relating to all aspects of managing a place.

**contributory place** means places and structures that make a positive contribution to the cultural heritage significance of the City of Vincent.

**fabric** means all the physical material of the heritage place.

**facadism** means the retention of the exterior face/faces of a building without the three-dimensional built form providing for its/their structural support and understanding of its function.

**front or principal part** of a building is generally considered to be the front two rooms in depth, complete with the structure and cladding to the roof; or that part of the building associated with the primary roof form, whichever is the greater. For most non-residential buildings, the front or principal part is generally considered to be one full structural bay in depth complete with the structure and cladding to the roof or generally 8-10 metres in depth. For sites with more than one street frontage, the front or principal part of a building may relate to each street frontage, where these are of identified heritage value.

**heritage area** means a group of properties which are recognised to collectively form a streetscape, townscape or cultural environment with significant heritage characteristics, which may include architectural style, town planning or urban design excellence, landscape qualities, or strong historic associations.

**heritage assessment** is a systematic assessment that describes a place and its setting and states the cultural heritage significance of the place based on the criteria outlined in the Burra Charter, and in accordance with the HCWA Guidelines for the Assessment of Local Heritage Places 2022, Guidelines for Local Heritage Surveys 2022, Guidelines for Establishing a Heritage List 2021 and Guidelines for Heritage Areas 2023.

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**heritage impact statement** means a document that evaluates the likely impact of proposed development on the significance of a heritage place and its setting and any conservation areas within which it is situated. The Heritage Impact Statement should outline measures proposed to minimise any identified impact and any conservation benefits associated with the proposal. It should be prepared in accordance with the Heritage Council's Guide 'Heritage Impact Statement – a Guide'.

**Heritage List** means a list of places within the City of Vincent, considered by the City to be of identified cultural heritage significance and worthy of conservation pursuant to the Regulations.

**Heritage Place** is a protected place established under cl.1A of the Regulations. For ease of reference this definition is:

1. A heritage place is a place:
  - a. that is entered in the State Register of Heritage Places under the *Heritage Act 2018* section 42; or
  - b. that is under consideration for entry into the State Register of Heritage Places as described in subclause (2); or
  - c. that is the subject of an order under the *Heritage Act 2018* Part 4; or
  - d. that is the subject of a heritage agreement that has been certified under the *Heritage Act 2018* section 90; or
  - e. that is included on a heritage list as defined in clause 7; or
2. For the purposes of subclause (1)(b), a place is under consideration for entry into the State Register of Heritage Places if:
  - a. the Heritage Council has made a preliminary determination under the *Heritage Act 2018* section 39(2) that the place warrants review under section 40(1), but the review has not commenced; or
  - a. the Heritage Council has commenced but has not completed a review of the place under the *Heritage Act 2018* section 40(1); or
  - a. the Heritage Council has made a recommendation under the *Heritage Act 2018* section 40(2) that the place be entered in the State Register of Heritage Places, but the Minister for Heritage has not yet given a direction under section 41(1) of that Act in relation to that recommendation

**interpretation plan** or **signage** means a comprehensive long-term strategy, a management tool, for ensuring that the heritage significance of places, objects or traditions can be communicated. It is a communicative tool used for the identification and understanding of places of cultural heritage.

**Local Heritage Survey** means a list of places with the City of Vincent, assessed by the City as having identified cultural heritage significance pursuant to the Act.

**Sympathetic** or **complementary** means a design outcome that respects its context. It would not be identical to historic neighbours, nor would it intrude on their presence in the streetscape. It would be of a similar or lesser scale.

# LOCAL PLANNING POLICY: DEVELOPMENT GUIDELINES FOR HERITAGE PLACES



## POLICY

### 1. Exemptions from Development Approval

The following development does not require development approval:

EXEMPTIONS	STATE REGISTER OF HERITAGE PLACES	HERITAGE LIST				HERITAGE AREA
		Category 1	Category 2	Category 3	Category 4	
Routine maintenance that does not change the appearance or materiality of the heritage place.	✓	✓	✓	✓	✓	✓
Repairs, including replacing missing or deteriorated fabric with like for like fabric, that does not involve the removal of, or damage to the significant fabric of the building.	✓	✓	✓	✓	✓	✓
Repainting of the surface of a building: <ul style="list-style-type: none"> <li>in the same colour scheme and paint type if they are appropriate to the substrate and do not endanger the survival of earlier paint layers; and</li> <li>without disturbing or removing an earlier paint layer unless it is chalking, flaking or peeling.</li> </ul>	✓	✓	✓	✓	✓	✓
Essential or emergency maintenance of public utility infrastructure.	✓	✓	✓	✓	✓	✓
Internal building work where the interior of the building has not been specified as having heritage significance in any relevant register, order, agreement or list.		✓	✓	✓	✓	✓
Solar panels, air-conditioning units or technologies that: <ul style="list-style-type: none"> <li>a. are not visible from the street;</li> <li>b. complies with the relevant criteria of the R Codes and Built Form Policy; and</li> <li>c. if solar panels are located on the main frontal roof plane are fitted flush to the roof, <ul style="list-style-type: none"> <li>are not raised on a frame;</li> <li>projected beyond the edge of the roof; or</li> <li>resulting in the removal of fabric that contributes to the heritage significance of the place.</li> </ul> </li> </ul>				✓	✓	✓

✓ Development that is exempt from requiring development approval pursuant to Schedule 2, Clause 61 of the Regulations and Part 5, Clause 41 of the *Heritage Regulations 2019*.

Applicants are encouraged to discuss a proposal with the City's Development & Design team if they believe that they are exempt from requiring development approval.

Where development is exempt from the requirement for development approval under this Policy, a building permit may still be required. It is advised to contact the City's Building Services for advice regarding the need for a building permit prior to any works being undertaken.

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## 2. Development Approval Requirements

For all development not exempt under Clause 1 of this Policy, a development application is required.

2.1 In addition to material required in accordance with Schedule 2, Part 8 of the Regulations, the following is required to accompany development applications for proposals affecting heritage places or heritage areas:

- photographs showing the existing front elevation and areas affected by the proposed development; and
- a schedule of existing and proposed external colours and finishes where there are changes proposed.

2.2 In some instances the City may require applicants to provide one or more of the following:

- Conservation Plan - where a proposal affects a place entered in the State Register of Heritage Places, or affects a large or complex Category 1 listed place.
- Heritage Assessment - where the City requires additional information to assist in the determination of a development application, for example to support the proposed removal of non-heritage fabric or reinstate heritage features or details.
- Heritage Impact Statement - where development of a State Registered, Category 1 or Category 2 place is proposed or where, in the opinion of the City, development of a Heritage Area, Category 3 or Category 4 place is proposed and will have an impact on significant heritage fabric.
- Structural Condition Assessment - if structural failure is cited as a justification for demolition, a registered Structural Engineer with demonstrated heritage experience must confirm that the integrity of the building has failed to the point where it cannot be rectified without removal of a majority of its significant heritage fabric and/or rectification costs would be prohibitive.
- Interpretation Plan - where substantial demolition is proposed or where a proposal will have a substantial impact on the significant heritage fabric of a heritage place.

## 3. Assessment Measures

3.1 The Burra Charter provides guiding principles for conserving heritage places, which can be applied to buildings, sites, areas and structures. The guiding principles contained in the Policy Guidelines are derived from the Burra Character and underpin the development of a heritage place.

3.2 In assessing applications for development, the City will have regard to the Policy:

- Objectives;
- Guiding Principles;
- Element Objectives; and
- Acceptable Outcomes.

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3.4 In assessing applications, the City will also give regard to assessment considerations in Clause 4.

## 4. Assessment Considerations

4.1 In considering a development application in relation to a place entered on the City's Heritage List, State Register of Heritage Places or within a heritage area, the City will be guided by the provisions of this Policy and will have due regard to the following:

- The Burra Charter.
- State Planning Policy 3.5 Historic Heritage Conservation.
- The heritage significance of the place as outlined in the Statement of Significance.
- Any Conservation Plan, Heritage Assessment or Heritage Impact Statements pertaining to the place or area.
- A structural condition report of the place if applicable.
- Any advice from the City's Design Review Panel.
- Advice from the State Heritage Office.
- Any other matters considered appropriate, for example the extent to which the community would benefit.
- Any impact the proposed development will have on the heritage significance of the place and/or area.

## 5. Heritage Significance

5.1 Understanding why a place or area is significant will help inform design responses and identify aspects of the place that need to be sensitively managed. Each assessment of a heritage place is undertaken in accordance with Local Planning Policy: Assessing Cultural Heritage Significance and includes a Statement of Significance outlining the heritage values and features of the place or area which will assist in determining the level of development appropriate.

## 6. State Heritage Referral

- 6.1 All development applications for places entered, or adjacent to a place, on the State Register of Heritage Places will be referred to the HCWA for comment. It is recommended that the applicant engage with the HCWA early in the design process.
- 6.2 Development of places on the City's Heritage List that is deemed substantial or complex by the City, may be referred to the HCWA for advice or technical expertise.

## 7. Archival Record and Interpretation Plan

- 7.1 The City may require, as a condition of approval, the preparation and submission of an Archival Record prior to any works commencing where approval is granted for:
- demolition or partial demolition of a place or structure; and/or
  - works that will result in the removal or major alteration to significant fabric.
- 7.2 Where extensive demolition or development is considered appropriate, as a condition of approval, the City at its discretion may require an Interpretation Plan, including conserving any objects or fabric associated with the building that may inform the historic significance of the place.

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## PART 3 - DEVELOPMENT ASSESSMENT GUIDELINES

This is a performance based Policy. Applications for development approval must demonstrate that the design achieves the Objectives of this Policy and meets the Guiding Principles list below. While addressing the Acceptable Outcomes is likely to achieve the Objectives, they are not a deemed-to-comply pathway and the proposal will be assessed in context of the entire design solution to ensure the Objectives are achieved. Proposals may also satisfy the Objectives via alternative means or solutions.

### GUIDING PRINCIPLES

The following principles should guide decisions around the management, conservation and development of heritage places:

1. Conservation requires a cautious approach of changing as much as necessary, but as little as possible.
2. Significant fabric is restored with 'like for like' materials and original detail wherever possible.
3. Development that alters the cultural significance of a place is reversible, and should be reversed where possible.
4. Maintenance is an integral part of conserving the heritage significance of a place and should be undertaken in an informed and sensitive manner.
5. The visual prominence of the primary street elevation of a heritage place is retained as part of future development.
6. New development is readily identifiable as new and must respect and have minimal impact on the cultural significance of the place.
7. New development should not adversely affect the setting of the place.
8. Additions maintain existing view lines to the principle façade of the heritage place when viewed from the street.
9. Additions do not obscure original fabric that contributes to the heritage significance of the place or detract from its interpretation and appreciation.
10. Development does not result in the addition of decorative details that are not in keeping with the architectural style and/or era of the heritage place.
11. The structural integrity of the place is maintained during and after redevelopment.

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## Building Characteristics

Some characteristics of a heritage building are depicted in the diagram below. Other building characteristics include height, massing and form, style and architectural expression, detailing, materials, front, side and rear setbacks and orientation.

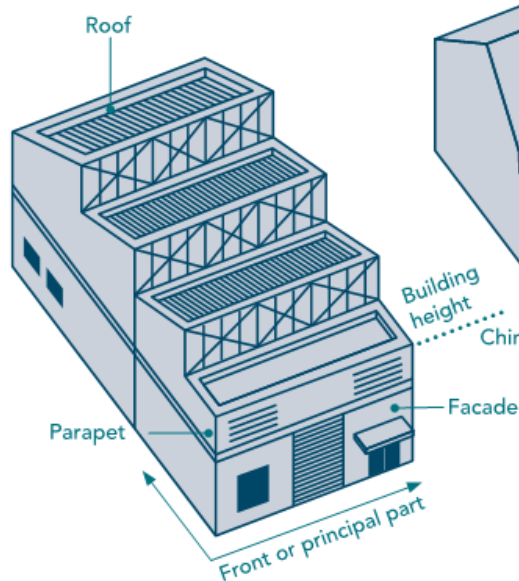


Figure 1: Non-residential typology

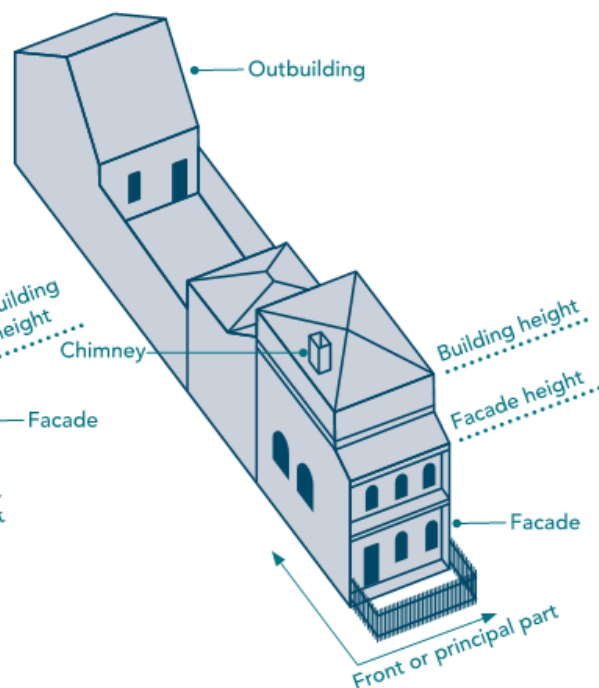


Figure 2: Residential typology

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# LOCAL PLANNING POLICY: DEVELOPMENT GUIDELINES FOR HERITAGE PLACES



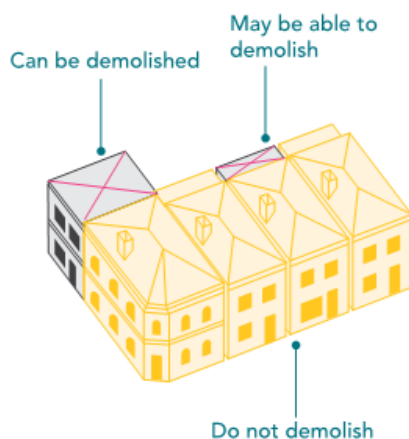
## 1. Demolition

**Intent:** The loss of a Heritage protected place negatively impacts on the cultural significance and character of the heritage area, as such, demolition of a heritage protected place is rarely supported.

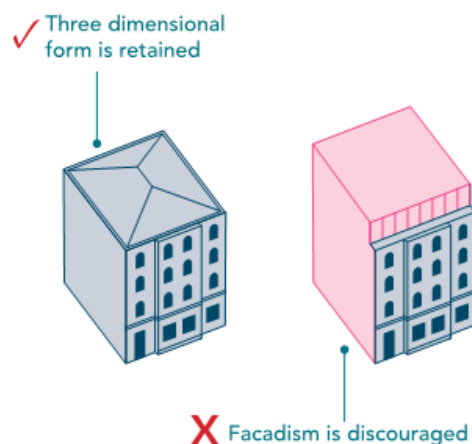
It is acknowledged that there will be some circumstances where demolition cannot be avoided. In these circumstances, the obligation rests with the applicant to provide a sound justification for demolition to a heritage protected place.

ELEMENT OBJECTIVE		ACCEPTABLE OUTCOMES	
1.1 Demolition			
O1.1	The significant heritage fabric of the place is retained.	A1.1	Development retains the heritage place in its entirety.
O1.2	The relationship of the place within its original setting is retained i.e.. the place is not relocated from its original location.	A1.2	In the case of partial demolition, the parts to be demolished do not contribute to the cultural heritage significance of the place as identified in the Statement of Significance and/or Heritage Assessment of the place (Figure 3).
		A1.3	The three dimensional built form of the place beyond its exterior facade is retained so as to avoid facadism (Figure 4).

## 2. Conservation and Alterations of Heritage Places



**Figure 3:** Forms of demolition



**Figure 4:** Facadism

# LOCAL PLANNING POLICY: DEVELOPMENT GUIDELINES FOR HERITAGE PLACES



**Intent:** Conservation works are essential for protecting a Heritage protected place and ensuring its long-term survival and contribution to the significance of the heritage place. Conservation works can include repair, maintenance, restoration and reconstruction. The appropriate conservation approach for individual buildings should be based on an understanding of the significance of that place and in consultation with a qualified heritage professional.

ELEMENT OBJECTIVE		ACCEPTABLE OUTCOMES	
2.1 Internal alterations			
O2.1.1	Internal alterations maintain the significant heritage fabric of the place.	A2.1.1	Internal alterations are guided by the Statement of Significance or physical description detailed in the Heritage Assessment or Conservation Plan.
2.2 Surfaces, materials and colours			
O2.2.1	Alterations result in development that respects the original materials, style and colour of the heritage place.	A2.2.1	Earlier paint schemes and façade details are reinstated as determined by documentary or physical evidence.
		A2.2.2	Alterations do not result in the rendering or painting of original unpainted or non rendered brick, masonry, or other surfaces.
		A2.2.3	Alterations do not result in the removal of paint or render from brick, masonry or limestone without approval. Where paint or render removal is unavoidable, removal should be undertaken with caution as abrasive methods can cause damage to the buildings substrate.
2.3 Verandahs and awnings			
O2.3.1	Conservation of, or alteration to primary facing verandahs and awnings respect the original materials, styles and colour of the heritage place.	A2.3.1	Original primary facing awnings and verandahs are retained.
		A2.3.2	Original verandahs or awnings are reinstated based on documentary or physical evidence of the original form, detailing and materials.
		A2.3.3	Verandahs remain open and maintain clear sight lines to the original front door, main entrance and significant features of the heritage place when viewed from the street.

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ELEMENT OBJECTIVE		ACCEPTABLE OUTCOMES	
2.4 Windows and door openings			
O2.4.1	Conservation of, or alteration to windows and doors respect the original materials, styles and proportions of the windows and openings of the heritage place.	A2.4.1	Original window and door detailing including frames, architraves, sash, glass, glazing bars and hardware are retained.
		A2.4.2	The location and proportions of original window and door openings are retained when viewed from the primary or secondary street.
		A2.4.3	No new openings visible from the primary or secondary street are to be introduced to the principal part of the significant place.
		A2.4.4	Where windows and openings have deteriorated beyond repair, the replacement matches the original in size, style, materials and detailing when viewed from the street.
2.5 Roof, gutters and downpipes			
O2.5.1	Conservation of, or alterations to street facing roofs, gutters and downpipes respect the original materials, styles and colour of the heritage place when viewed from the street.	A2.5.1	Materials are like for like where original roof fabric is being replaced, for example: a. an original roof clad with corrugated iron, shall be replaced with zincalume or Colorbond in a matching profile and consistent colour; and b. the replacement of an original tile roof with zincalume or Colorbond is not supported.
		A2.5.2	Original roof details such as finials, chimneys, parapets or dormer windows are retained, or where reconstructed are based on documentary or physical evidence.
		A2.5.3	Gutter and downpipe replacements are reinstated with the original profiles and shapes.

# LOCAL PLANNING POLICY: DEVELOPMENT GUIDELINES FOR HERITAGE PLACES



ELEMENT OBJECTIVE		ACCEPTABLE OUTCOMES	
2.6 Front fences			
O2.6.1	Conservation of, or alteration to street facing fences respect the materials, styles and colour of the original fence.	A2.6.1	Original front fences and gates are retained and conserved where possible. Removal of non original fencing is supported.
		A2.6.2	Where retention of the original fence or gate is not possible due to it being in poor condition, it should be reconstructed in a like for like manner.

Upper levels are concealed from the view of the street

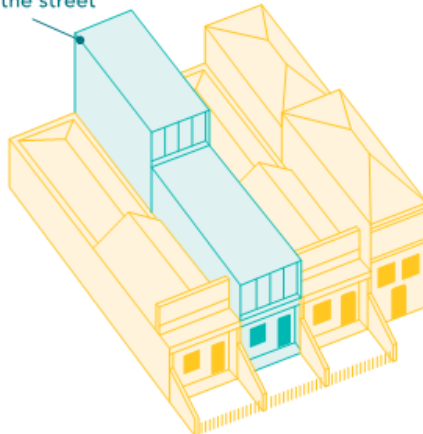


Figure 5: Siting of upper floor additions

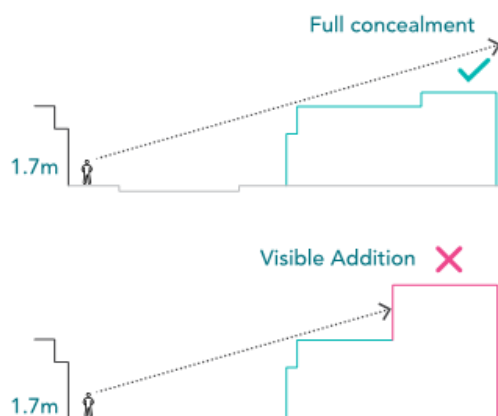


Figure 6: Line of sight diagram

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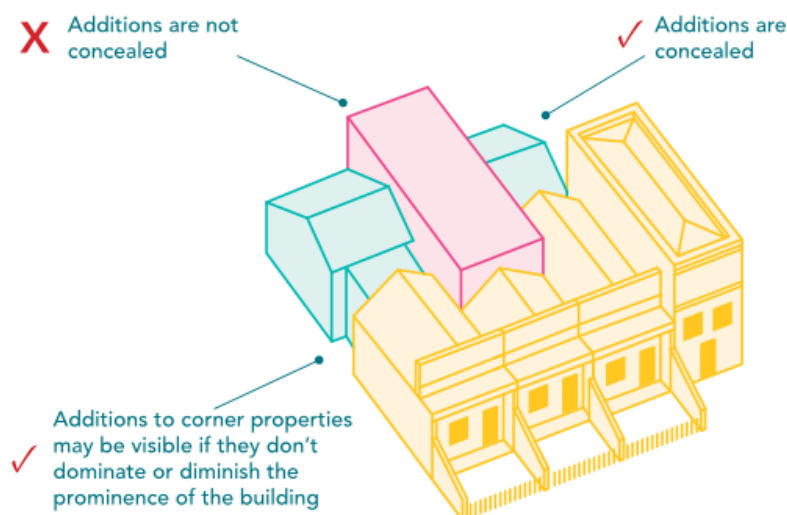


## 3. Additions to Heritage Places

**Intent:** Most existing buildings can accept some level of alteration or new additions without having a negative impact on the cultural significance and character of heritage places. Acceptable new alterations and additions to the building envelope do not visually intrude on heritage protected places or the overall streetscape and are consistent with the character of the area in which they are located taking into account style, scale, materiality, form, function and siting.

ELEMENT OBJECTIVE		ACCEPTABLE OUTCOMES	
3.1 Bulk and scale			
O3.1.1	Additions are designed to respect the predominant scale that is characteristic of the heritage place and any adjoining heritage places.	A3.1.1	Additions do not result in the removal of original fabric that contributes to the heritage significance of the place.
O3.1.2	Additions are not to have an adverse visual impact on the heritage building and character of the streetscape.	A3.1.2	Additions to heritage places are respectful and do not visually dominate the heritage significance of the place.
O3.1.3	Additions are respectful of the building's character and appearance, materials, style and architectural expression.	A3.1.3	Additions are of a contemporary design that do not mimic the heritage fabric of the heritage protected place.
		A3.1.4	A visual and/or physical separation between the original fabric and any additions is to be achieved.
		A3.1.5	Additions to corner properties may be visible if they don't dominate or diminish the prominence of the building
		A3.1.6	Upper storey additions to residential buildings are sited and massed behind the main ridge-line so as not to be visible from the primary street (Figures 5-7).
		A3.1.7	Upper storey additions maintain roof details such as finials, chimneys and original decorative features when viewed from the primary street.
		A3.1.8	On sites with access to more than one public road, additions are sited and massed so that they are visually recessive from both frontages to ensure they do not dominate or diminish the prominence of the heritage place
		A3.1.9	Loft additions must be contained wholly within the roof space and shall not result in a visible change to the appearance of the building when viewed from the street.

# LOCAL PLANNING POLICY: DEVELOPMENT GUIDELINES FOR HERITAGE PLACES



**Figure 7:** Additions to the rear and corner sites

ELEMENT OBJECTIVE		ACCEPTABLE OUTCOMES	
3.2 Surfaces, materials and colours			
O3.2.1	Additions are complementary to, and respect the original materials, finishes, textures, and colours of the heritage place.	A3.2.1	New development incorporates materials, colours and finishes that are compatible with the existing heritage place. Where there is evidence of original colours through existing fabric (paint scrapes or similar) these should be incorporated in the colour scheme of new additions.
		A3.2.2	Full authentic replication of original colour schemes is not intended or required; however, a new colour scheme should be respectful to the heritage significance of the place.

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ELEMENT OBJECTIVE		ACCEPTABLE OUTCOMES	
3.3 Verandahs and awnings			
O3.3.1	New verandahs and awnings respect the original materials, styles and colour of the heritage place when viewed from the street.	A3.3.1	New verandahs and awnings to the street are not constructed on the principle part of a building where they did not traditionally exist.
		A3.3.2	Where replacement awnings or verandahs to the street are proposed, they are appropriate to the architectural style of the heritage place when viewed from the street and based on physical and/or documentary evidence.
		A3.3.3	The construction of new verandahs and awnings to the street do not result in the removal of significant heritage fabric, and can be removed without loss of significant heritage fabric.
		A3.3.4	Verandahs to the street remain open/unenclosed and maintain clear sight lines to the original front door, main entrance and significant features of the heritage place when viewed from the street.

# LOCAL PLANNING POLICY: DEVELOPMENT GUIDELINES FOR HERITAGE PLACES



ELEMENT OBJECTIVE		ACCEPTABLE OUTCOMES	
3.4 Garages and carports			
O3.4.1	Car parking additions do not visually dominate the heritage place when viewed from the street.	A3.4.1	Carports, garages or uncovered car parking bays are to be located at the rear of the property where right of way access or secondary street is available.
O3.4.2	Car parking structures preserve the structural integrity of the heritage place.	A3.4.2	Carports may be considered in the front setback area: a. where no alternative location exists; and b. where they are not prohibited in any specific development guidelines relating to an area.
		A3.4.3	Carports and garages maintain clear sight lines to original front door, main entrance and significant features of the heritage place when viewed from the street.
		A3.4.4	Garages and carports are constructed in a style that is compatible with the original building. Simple contemporary designed carports may be considered where they minimise visual impact and maximise view lines to the heritage place.
		A3.4.5	The addition of a carport or garage shall not require removal of significant heritage fabric to achieve minimum size requirements.

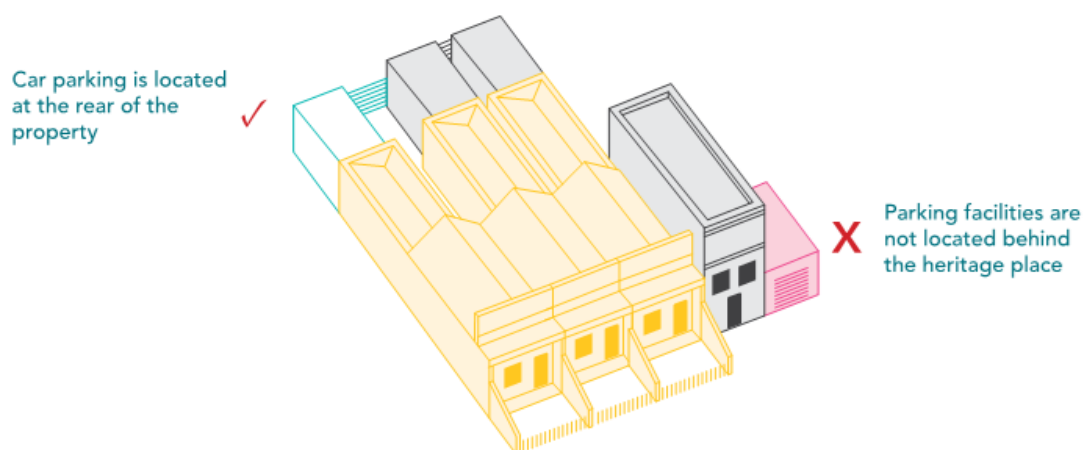


Figure 8: Car parking

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ELEMENT OBJECTIVE		ACCEPTABLE OUTCOMES	
3.5 Windows and door openings			
O3.5.1	Primary street facing windows and openings maintain the style and proportions of the original windows and openings of the heritage place.	A3.5.1	New windows and openings are located within walls of secondary significance (side and rear walls).
		A3.5.2	Where new openings visible from the street are unavoidable, they are proportionally related to those of the heritage place and maintain the pattern of fenestration, unless concealed from view from the street.
3.6 Roofs			
O3.6.1	Upper storey additions are designed to minimise the impact on the original roof-line.	A3.6.1	The original roof form, as seen from the primary street, is maintained. This means that ridges, hips and gables at the front of the place should not be altered to accommodate an extension.
O3.6.2	Roof additions visible from the primary street are compatible with the roof form of the heritage place.	A3.6.2	The roof of new additions match the existing roof form and pitch where development is visible from the street (with the exception of carports in the front setback area).
		A3.6.3	Contemporary roof forms are considered appropriate where development is not visible from the street.
		A3.6.4	No roof decks, balconies or dormer windows to the principal part of the significant place where visible from the street.
3.7 Front fences			
O3.7.1	The design of a new fence, or the replacement of a non-original fence: a. complement the style and materiality of the heritage place, b. maintain adequate height and transparency to ensure that the heritage place is visible from the street.	A3.7.1	New front fences are constructed of traditional fence materials (including wooden pickets, wire, iron, brick or stone) consistent with the heritage place and/or photographic or physical evidence of similar fence styles of the era. Surviving original fences within the nearby area are to be used as a suitable precedent.
		A3.7.2	Contemporary fences may be considered where they are consistent with the scale, style and materials of fences predominately associated to the era of the heritage place.

# LOCAL PLANNING POLICY: DEVELOPMENT GUIDELINES FOR HERITAGE PLACES



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## 4. Additional Considerations for Mixed Use and Non Residential Heritage Places

**Intent:** The character and appearance of traditional non residential/mixed use buildings have helped shape the City's local identity and distinctiveness. Due to the pressures of retailing and the desire to address contemporary aesthetics, many non residential/mixed use buildings have been adapted over the years resulting in a gradual loss of the traditional detailing and character. These provisions seek to ensure those aspects of the commercial buildings which contribute to a place's significance are safeguarded and not further eroded.

ELEMENT OBJECTIVES		ACCEPTABLE OUTCOMES	
4.1 Shopfronts and Facades			
O4.1.1	Development respects the historic character of commercial buildings.	A4.1.1	New works must not remove or conceal original shopfront detailing, and shall not distort an understanding of the original design (such as stallboards, transom lights, awnings, and recessed entries).
		A4.1.2	The accurate reconstruction of verandahs and awnings of shopfronts to a known earlier appearance is encouraged, where detailed evidence of the original exists. It is noted that the design may need to be sympathetically adapted to ensure universal access.
4.2 Signs			
O3.2.1	The addition of signs does not detract from the heritage significance of a place or area.	A4.2.1	Signs are to comply with the provisions of <b>Local Planning Policy: Signs and Advertising</b> .
4.3 Additional Storeys			
O4.3.1	Additions are designed as to ensure the existing form and scale of the heritage place is not overwhelmed.	A4.3.1	Additions and alterations to existing heritage places should use materials and architectural expressions that is consistent with the prevailing or desired character of the area.
		A4.3.2	Higher building elements are set back from street and lot boundaries to be behind the principal part of the building which contributes to the heritage significance of the place. Refer <b>Figures 10 and 11</b> .

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## 5. Development Adjoining and Adjacent to Heritage Places and Precincts.

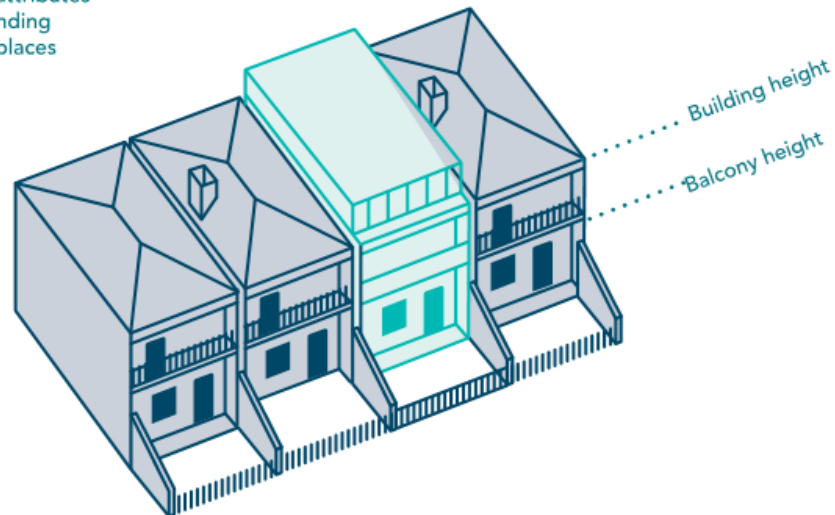
The following apply to development adjoining and adjacent to heritage places:

ELEMENT OBJECTIVE		ACCEPTABLE OUTCOMES	
5.1 Development adjacent to heritage places			
O5.1.1	Development maintains and enhances existing views and vistas to the principal facade(s) of the adjoining heritage listed place from the public realm.	A5.1.1	New development does not obscure views from the public realm of the front or principal part of adjoining and adjacent heritage protected place or precinct
O5.1.2	Development is of a scale and mass that respects the adjoining heritage listed place.	A5.1.2	New infill development adjoining and adjacent to heritage places does not exceed the maximum height of the heritage places, but may incorporate higher sections at the rear, as to not dominate the heritage place.
O5.1.3	New developments reinforce existing spatial and visual characteristics of the streetscape in which they are located.	A5.1.3	Higher building elements are to be setback from street and lot boundaries as to not dominate or reduce the prominence of an adjoining and adjacent heritage protected places.
O5.1.4	Development on larger lots are designed to respect the traditional urban grain and rhythm of the streetscape character of the area including breaking up large frontages vertically, so they read as separate buildings and reflect the width of adjoining heritage places.	A5.1.4	New developments respect adjoining and adjacent heritage buildings and respond to their articulation and detail in areas such as dominant parapet lines, banding, roof line, window configuration, door openings and awnings and building height at the street. Refer <b>Figure 9</b> .
		A5.1.5	New development does not imitate, replicate or mimic historic architectural styles and is clearly distinguishable from the adjoining and adjacent heritage places
		A5.1.6	Front and side setbacks of new development reflect those of adjoining and adjacent heritage listed places.
		A5.1.7	The floor levels of new development align with existing levels in the streetscape and allow direct and level access from public footpaths.

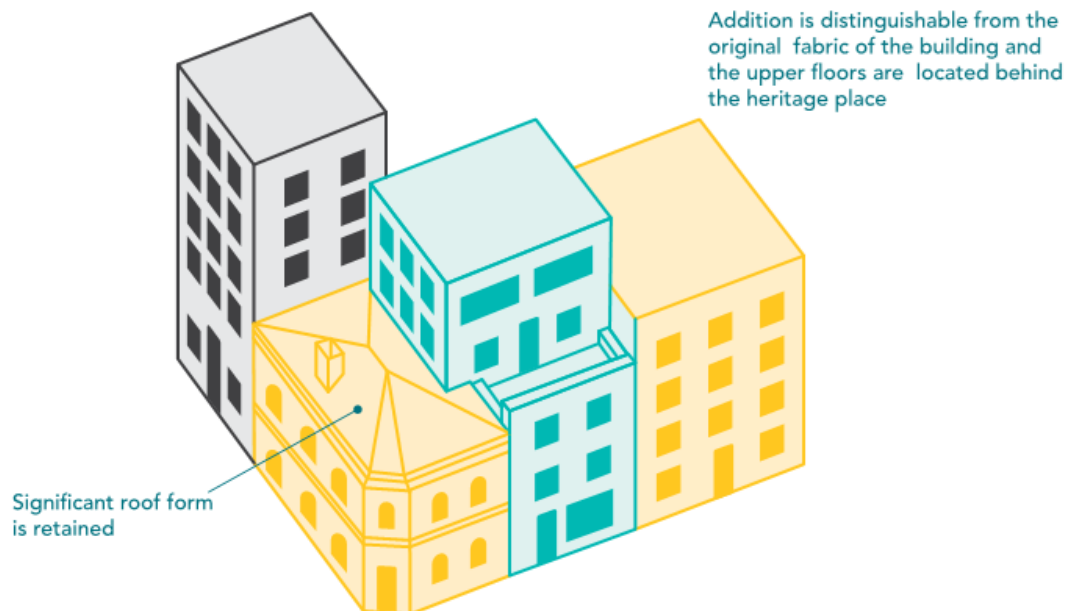
# LOCAL PLANNING POLICY: DEVELOPMENT GUIDELINES FOR HERITAGE PLACES



New building aligns  
with key attributes  
of surrounding  
heritage places



**Figure 9:** Complementary new development

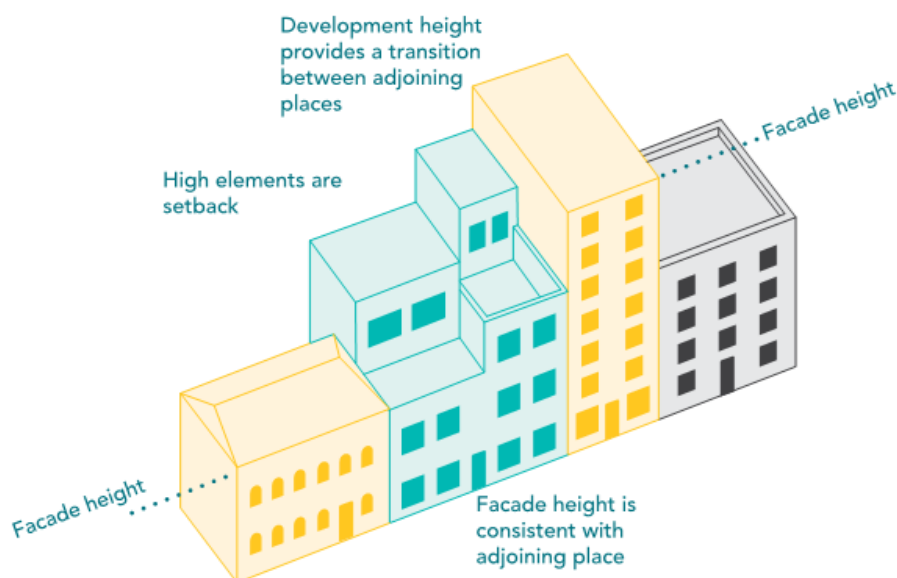


**Figure 10:** Complementary new development

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**Figure 11:** Transition of development height.

OFFICE USE ONLY	
Responsible Officer	Executive Manager Urban Design and Strategic Projects
Initial Council Adoption	17/01/2006
Previous Title	Local Planning Policy 7.6.1: Heritage Management - Development Guidelines for Heritage and Adjacent Properties
Reviewed / Amended	22/07/2008; 10/07/2012; 23/09/2024
Next Review Date	09/2028

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## APPENDIX 1: HERITAGE MANAGEMENT CATEGORIES

The following table details the levels of significance and classification categories for heritage properties

LEVEL OF SIGNIFICANCE TO THE LOCAL AREA	PREVIOUS CLASSIFICATION	NEW CLASSIFICATION	DESCRIPTION
Exceptional	Category A - Conservation Essential	Category 1	Essential to the heritage of the locality. Rare or outstanding example.
Considerable	Category A - Conservation Essential	Category 2	Very important to the heritage of the locality.
Some/moderate	Category B - Conservation Recommended	Category 2 or 3	Contributes to the heritage of the locality.
Little	No Category	Category 4	Has elements or values worth noting for community interest but otherwise makes little contribution.

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Legislation / local law requirements	Heritage Act 2018 Planning and Development Act 2005 Heritage Regulations 2019 This policy has been prepared under the provisions of Schedule 2, Part 2 and 3 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .
Relevant delegations	16.1.1 Determination of various applications for development approval under the City's Local Planning Scheme
Related policies, procedures and supporting documentation	City of Vincent Local Planning Scheme No.2 Local Planning Policy 7.1.1 Built Form Local Planning Policy: Assessing Cultural Heritage Significance Local Planning Policy: Amending the Local Heritage Survey, Heritage List and Designating Heritage Areas

## PART 1 - PRELIMINARY

### INTRODUCTION

The City of Vincent (City) Strategic Community Plan 2022 – 2032 (SCP) sets the strategic direction, priorities and aspirations for the City. A key outcome of the SCP is to ensure our “*built form character and heritage is protected and enhanced*”.

State Planning Policy 3.5 Historic Heritage Conservation, the Heritage Council of Western Australia (HCWA) Guide to Developing Heritage Places and the Australia ICOMOS Burra Charter, 2013 (Burra Charter), provide guidance on heritage conservation but do not consider specific provisions for heritage places and areas within the City. Without adequate guidance, development of a place may have adverse implications on its cultural heritage significance.

### PURPOSE

The purpose of this Local Planning Policy: Development Guidelines for Heritage Places (Policy) is to provide:

- a comprehensive framework for the development of heritage places; and
- guidance to the development of places adjacent to heritage places.

The Policy seeks to address matters the City will take into consideration when assessing a development application for a heritage place and sets out the preferred approach to the retention and conservation of the place.

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# LOCAL PLANNING POLICY: DEVELOPMENT GUIDELINES FOR HERITAGE PLACES



## OBJECTIVES

The objectives of this Policy are to:

1. encourage the appropriate conservation and restoration of places listed on the City's Heritage List, the State Register of Heritage Places and within heritage areas, in recognition of the distinct contribution they make to the character and history of the City;
2. ensure that works, including conservation, alterations, additions and new development respect the cultural heritage significance associated with heritage places and areas;
3. promote and encourage architecture and urban design that serves to support and enhance the ongoing cultural heritage significance of heritage places and areas; and
4. protect and enhance the City's built heritage by guiding the sustainable and innovative integration of new development with heritage places and areas.

## OPERATION

The Policy is performance-based. To assess and determine the appropriateness of proposed development, a performance-based approach is applied through a set of assessment criteria. This reflects that every place is different and ensures development is tailored to the specific needs and characteristics of each place or area.

Development and conservation measures are based on principles outlined in the Burra Charter.

Refer to **Appendix 1** for the management categories for heritage places.

## SCOPE

The Policy applies to the development of a place:

- entered in the City's Heritage List or a heritage area prepared in accordance with the City's Local Planning Scheme No.2 (Scheme);
- that is adjacent to a heritage listed place or heritage area;
- entered in the State Register of Heritage Places; and
- subject to a protection order or heritage agreement under the *Heritage Act 2018* (Act).

## RELATIONSHIP TO OTHER DOCUMENTS

This Policy forms part of the City's local planning policy framework. Where this Policy is inconsistent with the City's operative Local Planning Scheme (Scheme), the Scheme prevails. Where this Policy is inconsistent with an adopted local development plan, activity centre plan or structure plan, the adopted local development plan, activity centre plan or structure plan prevails.

This Policy is to be read together with any heritage area specific planning guidelines. Where this Policy is inconsistent with the provisions of another local planning policy, the provisions of this Policy prevail.

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# LOCAL PLANNING POLICY: DEVELOPMENT GUIDELINES FOR HERITAGE PLACES



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## PART 2 - POLICY PROVISIONS

### DEFINITIONS

All terms used in this Policy are defined in the *Planning and Development Act 2005*, *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations), *State Planning Policy 7.3 Residential Design Codes (R Codes)* and the Scheme, unless stated otherwise below.

**archival record** means a document containing drawings, photographs and written information prepared in order to record the state of a place at a given time, usually prior to the place being demolished or substantially altered, and in accordance with the Heritage Council of Western Australia (HCWA) Guide to Preparing an Archival Record.

**Burra Charter** means the document providing guidance for the conservation and management of places of cultural heritage significance and sets standards of practice for those who provide advice, make decisions about, or undertake works to places of cultural heritage significance, including owners, managers and custodians. The charter is adopted by the Australian International Council on Monuments and Sites (ICOMOS).

**conservation plan** means a document that details how to identify and look after a place so as to retain its cultural heritage significance, including recording and monitoring actions and decisions relating to all aspects of managing a place.

**contributory place** means places and structures that make a positive contribution to the cultural heritage significance of the City of Vincent.

**heritage area** means a group of properties which are recognised to collectively form a streetscape, townscape or cultural environment with significant heritage characteristics, which may include architectural style, town planning or urban design excellence, landscape qualities, or strong historic associations.

**heritage assessment** is a systematic assessment that describes a place and its setting and states the cultural heritage significance of the place based on the criteria outlined in the Burra Charter, and in accordance with the HCWA Guidelines for the Assessment of Local Heritage Places 2022, Guidelines for Local Heritage Surveys 2022, Guidelines for Establishing a Heritage List 2021 and Guidelines for Heritage Areas 2023.

**heritage impact statement** means a document that evaluates the likely impact of proposed development on the significance of a heritage place and its setting and any conservation areas within which it is situated. The Heritage Impact Statement should outline measures proposed to minimise any identified impact and any conservation benefits associated with the proposal. It should be prepared in accordance with the Heritage Council's Guide 'Heritage Impact Statement – a Guide'.

**Heritage List** means a list of places within the City of Vincent, considered by the City to be of identified cultural heritage significance and worthy of conservation pursuant to the Regulations.

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# LOCAL PLANNING POLICY: DEVELOPMENT GUIDELINES FOR HERITAGE PLACES



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**Heritage Place** is a protected place established under cl.1A of the Regulations. For ease of reference this definition is:

1. A heritage place is a place:
  - a. that is entered in the State Register of Heritage Places under the Heritage Act 2018 section 42; or
  - b. that is under consideration for entry into the State Register of Heritage Places as described in subclause (2); or
  - c. that is the subject of an order under the Heritage Act 2018 Part 4; or
  - d. that is the subject of a heritage agreement that has been certified under the Heritage Act 2018 section 90; or
  - e. that is included on a heritage list as defined in clause 7; or
  - f. that is within a heritage area as defined in clause 7.
2. For the purposes of subclause (1)(b), a place is under consideration for entry into the State Register of Heritage Places if:
  - a. the Heritage Council has made a preliminary
  - b. determination under the Heritage Act 2018 section 39(2) that the place warrants review under section 40(1), but the review has not commenced; or
  - c. the Heritage Council has commenced but has not completed a review of the place under the Heritage Act 2018 section 40(1); or
  - d. the Heritage Council has made a recommendation under the Heritage Act 2018 section 40(2) that the place be entered in the State Register of Heritage Places, but the Minister for Heritage has not yet given a direction under section 41(1) of that Act in relation to that recommendation

**interpretation plan** or **signage** means a comprehensive long-term strategy, a management tool, for ensuring that the heritage significance of places, objects or traditions can be communicated. It is a communicative tool used for the identification and understanding of places of cultural heritage.

**Local Heritage Survey** means a list of places with the City of Vincent, assessed by the City as having identified cultural heritage significance pursuant to the Act.

**Sympathetic** or **complementary** means a design outcome that respects its context. It would not be identical to historic neighbours, nor would it intrude on their presence in the streetscape. It would be of a similar or lesser scale.

# LOCAL PLANNING POLICY: DEVELOPMENT GUIDELINES FOR HERITAGE PLACES



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## POLICY

### 1. Exemptions from Development Approval

The following development does not require development approval:

EXEMPTIONS	STATE LIST	HERITAGE LIST				HERITAGE AREA
		Category 1	Category 2	Category 3	Category 4	
Routine maintenance that does not change the appearance or materiality of the heritage place.	✓	✓	✓	✓	✓	✓
Repairs, including replacing missing or deteriorated fabric with like for like fabric, that does not involve the removal of, or damage to the significant fabric of the building.	✓	✓	✓	✓	✓	✓
Repainting of the surface of a building: <ul style="list-style-type: none"> <li>in the same colour scheme and paint type if they are appropriate to the substrate and do not endanger the survival of earlier paint layers; and</li> <li>without disturbing or removing an earlier paint layer unless it is chalking, flaking or peeling.</li> </ul>	✓	✓	✓	✓	✓	✓
Essential or emergency maintenance of public utility infrastructure.	✓	✓	✓	✓	✓	✓
Internal building work where the interior of the building has not been specified as having heritage significance in any relevant register, order, agreement or list.	✓	✓	✓	✓	✓	✓
Solar panels, air-conditioning units or technologies that: <ul style="list-style-type: none"> <li>a. are not visible from the street;</li> <li>b. complies with the relevant criteria of the R Codes and Built Form Policy; and</li> <li>c. if solar panels are located on the main frontal roof plane are fitted flush to the roof, <ul style="list-style-type: none"> <li>are not raised on a frame;</li> <li>projected beyond the edge of the roof; or</li> <li>resulting in the removal of fabric that contributes to the heritage significance of the place.</li> </ul> </li> </ul>				✓	✓	✓

✓ Development that is exempt from requiring development approval pursuant to Schedule 2, Clause 61 of the Regulations and Part 5, Clause 41 of the *Heritage Regulations 2019*.

Applicants are encouraged to discuss a proposal with the City's Development & Design team if they believe that they are exempt from requiring development approval.

Where development is exempt from the requirement for development approval under this Policy, a building permit may still be required. It is advised to contact the City's Building Services for advice regarding the need for a building permit prior to any works being undertaken.

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## 2. Development Approval Requirements

For all development not exempt under Clause 1 of this Policy, a development application is required.

2.1 In addition to material required in accordance with Schedule 2, Part 8 of the Regulations, the following is required to accompany development applications for proposals affecting heritage places or heritage areas:

- photographs showing the existing front elevation and areas affected by the proposed development; and
- a schedule of existing and proposed external colours and finishes where there are changes proposed.

2.2 In some instances the City may require applicants to provide one or more of the following:

- Conservation Plan - where a proposal affects a place entered in the State Register of Heritage Places, or affects a large or complex Category 1 listed place.
- Heritage Assessment - where the City requires additional information to assist in the determination of a development application, for example to support the proposed removal of non-heritage fabric or reinstate heritage features or details.
- Heritage Impact Statement - where development of a State Registered, Category 1 or Category 2 place is proposed or where, in the opinion of the City, development of a Heritage Area, Category 3 or Category 4 place is proposed and will have an impact on significant heritage fabric.
- Structural Condition Assessment - if structural failure is cited as a justification for demolition, a registered Structural Engineer with demonstrated heritage experience must confirm that the integrity of the building has failed to the point where it cannot be rectified without removal of a majority of its significant heritage fabric and/or rectification costs would be prohibitive.
- Interpretation Plan - where substantial demolition is proposed or where a proposal will have a substantial impact on the significant heritage fabric of a heritage place.

## 3. Assessment Measures

3.1 The Burra Charter provides guiding principles for conserving heritage places, which can be applied to buildings, sites, areas and structures. The guiding principles contained in the Policy Guidelines are derived from the Burra Character and underpin the development of a heritage place.

3.2 In assessing applications for development, the City will have regard to the Policy:

- Objectives;
- Guiding Principles;
- Element Objectives; and
- Acceptable Outcomes.

3.4 In assessing applications, the City will also give regard to assessment considerations in Clause 5.

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# LOCAL PLANNING POLICY: DEVELOPMENT GUIDELINES FOR HERITAGE PLACES



## 4. Assessment Considerations

4.1 In considering a development application in relation to a place entered on the City's Heritage List, State Register of Heritage Places or within a heritage area, the City will be guided by the provisions of this Policy and will have due regard to the following:

- The Burra Charter.
- State Planning Policy 3.5 Historic Heritage Conservation.
- The heritage significance of the place as outlined in the Statement of Significance.
- Any Conservation Plan, Heritage Assessment or Heritage Impact Statements pertaining to the place or area.
- A structural condition report of the place if applicable.
- Any advice from the City's Design Review Panel.
- Advice from the State Heritage Office and/or the National Trust.
- Any other matters considered appropriate, for example the extent to which the community would benefit.
- Any impact the proposed development will have on the heritage significance of the place and/or area.

## 5. Heritage Significance

5.1 Understanding why a place or area is significant will help inform design responses and identify aspects of the place that need to be sensitively managed. Each assessment of a heritage place is undertaken in accordance with Local Planning Policy: Assessing Cultural Heritage Significance and includes a Statement of Significance outlining the heritage values and features of the place or area which will assist in determining the level of development appropriate.

## 6. State Heritage Referral

- 6.1 All development applications for places entered, or adjacent to a place, on the State Register of Heritage Places will be referred to the HCWA for comment. It is recommended that the applicant engage with the HCWA early in the design process.
- 6.2 Development of places on the City's Heritage List that is deemed substantial or complex by the City, may be referred to the HCWA for advice or technical expertise.

## 7. Archival Record and Interpretation Plan

- 7.1 The City may require, as a condition of approval, the preparation and submission of an Archival Record prior to any works commencing where approval is granted for:
- demolition or partial demolition of a place or structure; and/or
  - works that will result in the removal or major alteration to significant fabric.
- 7.2 Where extensive demolition or development is considered appropriate, as a condition of approval, the City at its discretion may require an Interpretation Plan, including conserving any objects or fabric associated with the building that may inform the historic significance of the place.

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# LOCAL PLANNING POLICY: DEVELOPMENT GUIDELINES FOR HERITAGE PLACES



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## PART 3 - DEVELOPMENT ASSESSMENT GUIDELINES

This is a performance based Policy. Applications for development approval must demonstrate that the design achieves the Objectives of this Policy and meets the Guiding Principles list below. While addressing the Acceptable Outcomes is likely to achieve the Objectives, they are not a deemed-to-comply pathway and the proposal will be assessed in context of the entire design solution to ensure the Objectives are achieved. Proposals may also satisfy the Objectives via alternative means or solutions.

### GUIDING PRINCIPLES

The following principles should guide decisions around the management, conservation and development of heritage places:

1. Conservation requires a cautious approach of changing as much as necessary, but as little as possible.
2. Significant fabric is restored with 'like for like' materials and original detail wherever possible.
3. Development that alters the cultural significance of a place is reversible, and should be reversed where possible.
4. Maintenance is an integral part of conserving the heritage significance of a place and should be undertaken in an informed and sensitive manner.
5. Additions are compatible with, and respectful of the heritage place without replicating the original heritage details of the place.
6. New development is readily identifiable as new.
7. Additions maintain existing view lines to the principle façade of the heritage place when viewed from the street.
8. Additions do not obscure original fabric that contributes to the heritage significance of the place.
9. Development does not result in the addition of decorative details that are not in keeping with the architectural style and/or era of the heritage place.
10. The structural integrity of the place is maintained during and after redevelopment.

# LOCAL PLANNING POLICY: DEVELOPMENT GUIDELINES FOR HERITAGE PLACES



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## 1. Demolition

**Intent:** The loss of a Contributory Place negatively impacts on the cultural significance and character of the heritage area. Demolition of a contributory building is rarely appropriate, and demolition of a contributory buildings located within a State registered heritage place will have a negative impact.

It is acknowledged that there will be some circumstances where demolition cannot be avoided. In these circumstances, the obligation rests with the applicant to provide a sound justification for demolition to a contributory place.

ELEMENT OBJECTIVE		ACCEPTABLE OUTCOMES	
1.1 Demolition			
O1.1	The significant heritage fabric of the place is retained.	A1.1	Development retains the heritage place in its entirety.
O1.2	The relationship of the place within its original setting is retained i.e.. the place is not relocated from its original location.	A1.2	In the case of partial demolition, the parts to be demolished do not contribute to the cultural heritage significance of the place as identified in the Statement of Significance and/or Heritage Assessment of the place.
		A1.3	The three dimensional built form of the place beyond its exterior facade is retained so as to avoid facadism.

## 2. Conservation and Alterations of Heritage Places

**Intent:** Conservation works are essential for protecting a Contributory Place and ensuring its long-term survival and contribution to the significance of the heritage place. Conservation works can include repair, maintenance, restoration and reconstruction. The appropriate conservation approach for individual buildings should be based on an understanding of the significance of that place and in consultation with a qualified heritage professional.

ELEMENT OBJECTIVE		ACCEPTABLE OUTCOMES	
2.1 Internal alterations			
O2.1.1	Internal alterations maintain the significant heritage fabric of the place.	A2.1.1	Internal alterations are guided by the Statement of Significance or physical description detailed in the Heritage Assessment or Conservation Plan.

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ELEMENT OBJECTIVE		ACCEPTABLE OUTCOMES	
2.2 Surfaces, materials and colours			
O2.2.1	Alterations result in development that respects the original materials, style and colour of the heritage place.	A2.2.1	Earlier paint schemes and façade details are reinstated as determined by documentary or physical evidence.
		A2.2.2	Alterations do not result in the rendering or painting of original unpainted or non rendered brick, masonry, or other surfaces.
		A2.2.3	Alterations do not result in the removal of paint or render from brick, masonry or limestone without approval. Where paint or render removal is unavoidable, removal should be undertaken with caution as abrasive methods can cause damage to the buildings substrate.
2.3 Verandahs and awnings			
O2.3.1	Conservation of, or alteration to primary facing verandahs and awnings respect the original materials, styles and colour of the heritage place.	A2.3.1	Original primary facing awnings and verandahs are retained.
		A2.3.2	Original verandahs or awnings are reinstated based on documentary or physical evidence of the original form, detailing and materials.
		A2.3.3	Verandahs remain open and maintain clear sight lines to the original front door, main entrance and significant features of the heritage place when viewed from the street.



# LOCAL PLANNING POLICY: DEVELOPMENT GUIDELINES FOR HERITAGE PLACES



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ELEMENT OBJECTIVE		ACCEPTABLE OUTCOMES	
2.4 Windows and door openings			
O2.4.1	Conservation of, or alteration to primary facing windows and doors respect the original materials, styles and proportions of the windows and openings of the heritage place.	A2.4.1	Original window and door detailing including frames, architraves, sash, glass, glazing bars and hardware is retained.
		A2.4.2	The location and proportions of original window and door openings are retained when viewed from the primary street.
		A2.4.3	Where windows and openings have deteriorated beyond repair, replacement matches the original in size, style, materials and detailing when viewed from the street.
2.5 Roof, gutters and downpipes			
O2.5.1	Conservation of, or alterations to street facing roofs, gutters and downpipes respect the original materials, styles and colour of the heritage place when viewed from the street.	A2.5.1	Materials are like for like where original roof fabric is being replaced, for example: a. an original roof clad with corrugated iron, shall be replaced with zincalume or Colourbond in a matching profile and consistent colour; and b. the replacement of an original tile roof with zincalume or Colourbond is not supported.
		A2.5.2	Original roof details such as finials, chimneys, parapets or dormer windows are retained, or where reconstructed are based on documentary or physical evidence.
		A2.5.3	Gutter and downpipe replacements are reinstated with the original profiles and shapes.
2.6 Front fences			
O2.6.1	Conservation of, or alteration to street facing fences respect the materials, styles and colour of the original fence.	A2.6.1	Original front fences and gates are retained and conserved where possible. Removal of non original fencing is supported.
		A2.6.2	Where retention of the original fence or gate is not possible due to it being in poor condition, it should be reconstructed in a like for like manner.

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# LOCAL PLANNING POLICY: DEVELOPMENT GUIDELINES FOR HERITAGE PLACES



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## 3. Additions to Heritage Places

**Intent:** Most existing buildings can accept some level of alteration or new additions without having a negative impact on the cultural significance and character of heritage places. Acceptable new alterations and additions to the building envelope do not visually intrude on Contributory Places or the overall streetscape and are consistent with the character of the area in which they are located taking into account style, scale, materiality, form, function and siting.

ELEMENT OBJECTIVE		ACCEPTABLE OUTCOMES	
<b>3.1 Bulk and scale</b>			
O3.1.1	Additions are designed to respect the scale and proportion of the existing heritage building, which shall remain the dominant structure on the site when viewed from the street.	A3.1.1	Additions should be of a contemporary design that do not mimic the heritage fabric of the contributory building
		A3.1.2	Upper storey additions are sited and massed behind the main ridge-line so as not to be visible from the primary street.
		A3.1.3	Upper storey additions maintain roof details such as finials, chimneys and original decorative features when viewed from the primary street.
		A3.1.4	On corner sites, the upper storey addition is sited and massed so that it is visually recessive from both frontages to ensure the scale of the original heritage place is the dominant element. The visibility of upper storey additions will be assessed from both streets.
		A3.1.5	Loft additions must be contained wholly within the roof space and shall not result in a visible change to the appearance of the building when viewed from the street.



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ELEMENT OBJECTIVE		ACCEPTABLE OUTCOMES	
3.2 Surfaces, materials and colours			
O3.2.1	Additions are complementary to, and respect the original materials, finishes, textures, and colours of the heritage place.	A3.2.1	New development incorporates materials, colours and finishes that are compatible with the existing heritage place. Where there is evidence of original colours through existing fabric (paint scrapes or similar) these should be incorporated in the colour scheme of new additions.
		A3.2.2	Full authentic replication of original colour schemes is not intended or required; however, a new colour scheme should be respectful to the heritage significance of the place.
3.3 Verandahs and awnings			
O3.3.1	New verandahs and awnings respect the original materials, styles and colour of the heritage place when viewed from the street.	A3.3.1	Verandah and awnings are not attached to the primary façade of a building where they did not traditionally exist.
		A3.3.2	Where replacement awnings or verandahs are proposed, they are appropriate to the architectural style of the heritage place when viewed from the street.
		A3.3.3	The construction of new verandahs and awnings do not result in the removal of significant heritage fabric, and can be removed without loss of significant heritage fabric.
		A3.3.4	Verandahs remain open and maintain clear sight lines to the original front door, main entrance and significant features of the heritage place when viewed from the street.

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ELEMENT OBJECTIVE		ACCEPTABLE OUTCOMES	
3.4 Garages and carports			
O3.4.1	Car parking additions do not visually dominate the heritage place when viewed from the street.	A3.4.1	Carports, garages or hard-stand car parking bays are to be located at the rear of the property where right of way access or secondary street is available.
O3.4.2	Car parking structures preserve the structural integrity of the heritage place.	A3.4.2	Carports may be considered in the front setback area: a. where no alternative location exists; and b. where they are not prohibited in any specific development guidelines relating to an area.
		A3.4.3	Carports and garages maintain clear sight lines to original front door, main entrance and significant features of the heritage place when viewed from the street.
		A3.4.4	Garages and carports are constructed in a style that is compatible with the original building. Simple contemporary designed carports may be considered where they minimise visual impact and maximise view lines to the heritage place.
		A3.4.5	The addition of a carport or garage shall not require removal of significant heritage fabric to achieve minimum size requirements.
3.5 Windows and door openings			
O3.5.1	Primary street facing windows and openings maintain the style and proportions of the original windows and openings of the heritage place.	A3.5.1	New windows and openings are located within walls of secondary significance (side and rear walls).
		A3.5.2	Where new openings visible from the primary street are unavoidable, they are proportionally related to those of the heritage place, unless concealed from view from the street.

# LOCAL PLANNING POLICY: DEVELOPMENT GUIDELINES FOR HERITAGE PLACES



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ELEMENT OBJECTIVE		ACCEPTABLE OUTCOMES	
3.6 Roofs			
O3.6.1	Upper storey additions are designed to minimise the impact on the original roof-line.	A3.6.1	The original roof form, as seen from the primary street, is maintained. This means that ridges, hips and gables at the front of the place should not be altered to accommodate an extension.
O3.6.2	Roof additions visible from the primary street are compatible with the roof form of the heritage place.	A3.6.2	The roof of new additions match the existing roof form and pitch where development is visible from the street (with the exception of carports in the front setback area).
		A3.6.3	Contemporary roof forms are considered appropriate where development is not visible from the street.
3.7 Front fences			
O3.7.1	The design of a new fence, or the replacement of a non-original fence: a. complement the style and materiality of the heritage place, b. maintain adequate height and transparency to ensure that the heritage place is visible from the street.	A3.7.1	New front fences are constructed of traditional fence materials (including wooden pickets, wire, iron, brick or stone) consistent with the heritage place and/ or photographic or physical evidence of similar fence styles of the era. Surviving original fences within the nearby area are to be used as a suitable precedent.
		A3.7.2	Contemporary fences may be considered where they are consistent with the scale, style and materials of fences predominately associated to the era of the heritage place.
3.8 Signs			
O3.8.1	The addition of signs does not detract from the heritage significance of a place or area.	A3.8.2	Signs are to comply with the provision of Local Planning Policy: Signs and Advertising.

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# LOCAL PLANNING POLICY: DEVELOPMENT GUIDELINES FOR HERITAGE PLACES



## 4. Development Adjoining a Heritage Places

The following apply to development adjacent to heritage places:

ELEMENT OBJECTIVE		ACCEPTABLE OUTCOMES	
4.1 Development adjacent to heritage places			
O4.1.1	Development maintains and enhances existing views and vistas to the principal façade(s) of the adjacent heritage listed place.	A4.1.1	New development is to have a plate height consistent with the original street pattern.
O4.1.2	Development maintains and enhances the visual prominence and significance of the adjacent heritage listed place.	A4.1.2	New development is of a scale and mass that respects the adjacent heritage listed place.
		A4.1.3	New development does not imitate, replicate or mimic historic architectural styles of the adjacent heritage place.
O4.1.3	Development is of a scale and mass that respects the adjacent heritage listed place.	A4.1.4	New development is clearly distinguishable from the adjacent heritage listed place.
		A4.1.5	Front and side setbacks of new development reflect those of the adjacent heritage listed place.
		A4.1.6	The height of the new development is to be compatible to the adjacent heritage listed building.

OFFICE USE ONLY	
Responsible Officer	Executive Manager Urban Design and Strategic Projects
Initial Council Adoption	17/01/2006
Previous Title	Local Planning Policy 7.6.1: Heritage Management - Development Guidelines for Heritage and Adjacent Properties
Reviewed / Amended	22/07/2008; 10/07/2012; 13/02/2024
Next Review Date	

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## APPENDIX 1: HERITAGE MANAGEMENT CATEGORIES

The following table details the levels of significance and classification categories for heritage properties

LEVEL OF SIGNIFICANCE TO THE LOCAL AREA	PREVIOUS CLASSIFICATION	NEW CLASSIFICATION	DESCRIPTION
Exceptional	Category A - Conservation Essential	Category 1	Essential to the heritage of the locality. Rare or outstanding example
Considerable	Category A - Conservation Essential	Category 2	Very important to the heritage of the locality
Some/moderate	Category B - Conservation Recommended	Category 3	Contributes to the heritage of the locality
Little	No Category	Category 4	Has elements or values worth noting for community interest but otherwise makes little contribution

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**Policy No. 7.6.1 – Development Guidelines for Heritage and Adjacent Properties Review: Summary of Submissions**

The tables below summarise the comments received during the advertising period for the applicable policies, together with Administration's response to each comment and any recommended modifications.

**First Round of Consultation:**

	Comment	Related Submissions	Administration Comment	Recommended Modifications
<b>General Comments</b>				
1.	General Support	3	Not applicable.	No modification.
2.	Heritage Provisions are too onerous and inhibit development	1	<p>It is possible for heritage listed properties can still be redeveloped as long as the development preserves and enhances the cultural significance of the heritage place in accordance the draft Policy.</p> <p>The draft Policy has been prepared based on guidelines from the Heritage Council of Western Australia (HCWA), ensuring new development does not compromise cultural heritage. The draft Policy has been supported by the heritage specialist on the City's DRP and DPLH Officers.</p> <p>Acknowledging that there can be additional costs for owners to maintain heritage places, the City offers yearly grants through the Heritage Assistance Fund of up to \$5,000. <a href="#">Appendix No.20 Refunding and Waiving of Planning and Building Fees</a> also provides for refunding or waiving planning fees as per the Regulations.</p>	No modification.
3.	A number of properties on the heritage list are currently unkempt or underserving of a heritage listing	1	<p>A place may be considered worthy of built heritage conservation irrespective of its current state of repair; ongoing requirements for conservation, care and maintenance; or economic worth.</p> <p>Administration is currently undertaking a review of its heritage listed places. This review will make a number of recommendations which could include delisting.</p> <p>The City's Heritage Assistance Fund aims to help owners of heritage listed places by partially funding the costs of maintenance and restoration.</p>	No modification.



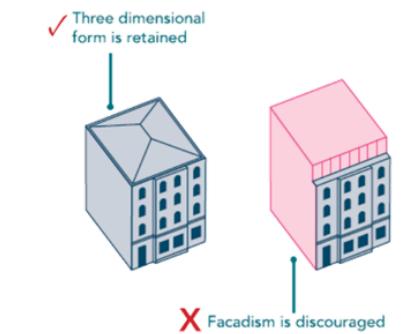
## Policy No. 7.6.1 – Development Guidelines for Heritage and Adjacent Properties Review: Summary of Submissions

	Comment	Related Submissions	Administration Comment	Recommended Modifications
<b>Draft LPP Development Guidelines for Heritage Places</b>				
1.	Development provisions seem to have been written with residential development in mind and may be too onerous for commercial properties.	1	<p>Guidelines Principles 5-7 have been rewritten. Further modifications to Clause 3.1 and Clause 5 of Part 3.</p> <p><u>Clause 3</u></p> <p>Further refinement of clauses based on feedback from DRP and DPLH officers. Notably A3.1.6 only applies to residential homes.</p> <p><u>Clause 4</u></p> <p>Clause 4 has been inserted which seeks to provide for additional guidance for non-residential, heritage places. These include:</p> <p>Provisions related to non-residential places include:</p> <ul style="list-style-type: none"> <li>- Shopfronts and facades</li> <li>- Signs; and</li> <li>- Additional storeys</li> </ul> <p><u>Clause 5</u></p> <p>Further refinement and additional clauses based on feedback from DRP and DPLH officers</p>	<p><u>Guiding Principles</u></p> <p>Revision of principle 5, 6 and 7.</p> <p><u>Clause 3.1 Bulk and scale</u></p> <p>Revision of A3.1.1, A3.1.3, A3.1.6, O3.1.1.</p> <p>Addition of O3.1.2 and O3.1.3.</p> <p><u>Clause 4</u></p> <p>Inclusion of New Clause 4. Additional Considerations for Mixed Use and Non-Residential Heritage Places.</p> <p><u>Clause 5. Development Adjoining and Adjacent to Heritage Places and Precincts</u></p> <p>Revision of A5.1.2, A5.5.1 and A5.5.6.</p> <p>Addition of A5.1.1, A5.1.4, A5.1.7, O5.1.3 and O5.1.4</p>

**Policy No. 7.6.1 – Development Guidelines for Heritage and Adjacent Properties Review: Summary of Submissions**

	<b>Comment</b>	<b>Related Submissions</b>	<b>Administration Comment</b>	<b>Recommended Modifications</b>
1.	Concern over the lack of deemed to comply pathway	1	<p>Unless specified under the Regulations, development on a heritage place requires development approval. Much like the existing Policy No.7.6.1, the draft policy is designed to guide the development of heritage places across the City and isn't site specific. As every heritage place is different, it requires policy provisions to be performance-based provisions rather than prescriptive. The provisions contained within the draft Policy are designed to ensure that the heritage significance of a place is not diminished through new development.</p> <p>The performance-based nature of the draft Policy has also been supported by the heritage specialist on the City's DRP and officers of the DPLH.</p>	No modification.
2.	Objects to development requirements for places adjoining heritage places as a discordant building next to a listed place does not necessarily impact on the cultural significance of the listed place	1	This clause remains from Policy No.7.6.1. Provisions for properties adjoining heritage places ensure they do not adversely affect the heritage site's significance.	No modification.
3.	The Policy should not apply to places recorded in the Local Heritage Survey	1	<p>The scope of Policy provides guidance of where it applies. It applies to the development of a place:</p> <ul style="list-style-type: none"> <li>- entered in the City's Heritage List or a heritage area prepared in accordance with the City's Local Planning Scheme No.2 (Scheme);</li> <li>- that adjoins a heritage listed place or heritage area;</li> <li>- entered in the State Register of Heritage Places; and</li> <li>- subject to a protection order or heritage agreement under the <i>Heritage Act 2018</i> (Act).</li> </ul> <p>Places that are recorded only on the LHS will not be subject to this Policy.</p>	No modification.

Policy No. 7.6.1 – Development Guidelines for Heritage and Adjacent Properties Review: Summary of Submissions

	Comment	Related Submissions	Administration Comment	Recommended Modifications
4.	Chosen language is not easily interpreted. See A1.3 – <i>‘three dimension built form of the place beyond its exterior façade is retained as to avoid facadism</i>	1	To aid in interpreting the Policy, a definition for facadism and a figure explaining the provision has been included in the policy.	<p>Facadism Definition:</p> <p><b>facadism</b> means the retention of the exterior face/faces of a building without the three-dimensional built form providing for its/their structural support and understanding of its function.</p>  <p>Figure 3: Facadism</p>

**Policy No. 7.6.1 – Development Guidelines for Heritage and Adjacent Properties Review: Summary of Submissions****Second Round of Consultation:**

	<b>Comment</b>	<b>Related Submissions</b>	<b>Administration Comment</b>	<b>Recommended Modifications</b>
1.	Heritage protection is too onerous for property owners and not balanced by support from local government	1	<p>It is possible for heritage listed properties can still be redeveloped as long as the development preserves and enhances the cultural significance of the heritage place in accordance the draft Policy.</p> <p>The draft Policy has been prepared based on guidelines from the Heritage Council of Western Australia (HCWA), ensuring new development does not compromise cultural heritage. The draft Policy has been supported by the heritage specialist on the City's DRP and DPLH Officers.</p> <p>Acknowledging that there can be additional costs for owners to maintain heritage places, the City offers yearly grants through the Heritage Assistance Fund of up to \$5,000. <a href="#">Appendix No.20 Refunding and Waiving of Planning and Building Fees</a> also provides for refunding or waiving planning fees as per the Regulations.</p>	No modification.



Department of **Planning,**  
**Lands and Heritage**

OFFICIAL

Chief Executive Officer  
City of Vincent  
[mail@vincent.wa.gov.au](mailto:mail@vincent.wa.gov.au)

Dear Sir

**DRAFT LOCAL PLANNING POLICIES FOR HERITAGE**

Thank you for your email of 8 March 2024 regarding the draft Local Planning Policies: Development Guidelines for Heritage Places, Assessing Cultural Heritage Significance, and Amending the Local Heritage Survey, Heritage List and Designating Heritage Areas.

The City is to be applauded for their current focus on updating and modernising their suite of Local Planning Policies relating to heritage to ensure consistency with the regulations, Heritage Council guidelines and heritage best practice.

The draft Local Planning Policies, Interpretation of Heritage Places, and Assessing Cultural Heritage Significance are clear and well-structured documents. The Assessing Cultural Heritage Significance policy would benefit from more clearly identifying thresholds for inclusion of places in the City's Local Heritage List. Currently it is unclear if management category 3 place are below the threshold for inclusion.

The draft Local Planning Policy: Development Guidelines for Heritage Places is also generally a clear and well-structured document. However, it does appear that the Outcomes and Acceptable Development standards seem to have been written with a particular typology of place in mind, ie. residential. Some of the objectives and outcomes may be problematic for non-residential places. For example.

- Guiding principle 7 notes that it is required that 'Additions maintain existing view lines to the principal facade of the heritage place when viewed from the street'. This requirement may be too onerous for larger non-residential sites.
- Clause 3.1 Bulk and Scale – notes in Objective 3.1.1 that 'Additions are designed to respect the scale and proportion of the existing heritage building, which shall remain the dominant structure on the site when viewed from the street.' This may not be possible where larger scale development is proposed for a non-residential sites.

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## OFFICIAL

There also appears to be some minor errors relating to interpretation of the regulations and terminology.

- In 'Definitions' for a Heritage Place - a) and b) should be one item.
- Item 1. Exemptions from Development Approval notes that 'internal building work where the interior of the building has not been specified as having heritage significance....' is exempt from requiring approval for places on the 'State List'. This is not an exempted activity under the Heritage Regulations for State Registered Places. State List is also not the correct terminology, which is State Register of Heritage Places.
- The policy in some parts refers to 'contributory places', which is correct terminology for Heritage Areas, but not for general policies relating to heritage. 'Heritage protected places' should replace the term 'contributory places.'

We hope that these comments are of value in the development of the proposed Local Planning Policies.



# LOCAL PLANNING POLICY: DEVELOPMENT GUIDELINES FOR HERITAGE PLACES



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Legislation / local law requirements	<i>Heritage Act 2018</i> <i>Planning and Development Act 2005</i> <i>Heritage Regulations 2019</i> This policy has been prepared under the provisions of Schedule 2, Part 2 and 3 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .
Relevant delegations	16.1.1 Determination of various applications for development approval under the City's Local Planning Scheme
Related policies, procedures and supporting documentation	City of Vincent Local Planning Scheme No.2 Local Planning Policy 7.1.1 Built Form Local Planning Policy: Assessing Cultural Heritage Significance Local Planning Policy: Amending the Local Heritage Survey, Heritage List and Designating Heritage Areas Local Planning Policy: Heritage Area Guidelines

## PART 1 - PRELIMINARY

### INTRODUCTION

The City of Vincent (City) Strategic Community Plan 2022 – 2032 (SCP) sets the strategic direction, priorities and aspirations for the City. A key outcome of the SCP is to ensure our “*built form character and heritage is protected and enhanced*”.

State Planning Policy 3.5 Historic Heritage Conservation, the Heritage Council of Western Australia (HCWA) Guide to Developing Heritage Places and the Australia ICOMOS Burra Charter, 2013 (Burra Charter), provide guidance on heritage conservation but do not consider specific provisions for heritage places and areas within the City. Without adequate guidance, development of a place may have adverse implications on its cultural heritage significance.

### PURPOSE

The purpose of this Local Planning Policy: Development Guidelines for Heritage Places (Policy) is to provide:

- a comprehensive framework for the development of heritage places; and
- guidance to the development of places adjoining heritage places.

The Policy seeks to address matters the City will take into consideration when assessing a development application for a heritage place and sets out the preferred approach to the retention and conservation of the place.

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# LOCAL PLANNING POLICY: DEVELOPMENT GUIDELINES FOR HERITAGE PLACES



## OBJECTIVES

The objectives of this Policy are to:

1. encourage the appropriate conservation and restoration of places listed on the City's Heritage List, the State Register of Heritage Places and within heritage areas, in recognition of the distinct contribution they make to the character and history of the City;
2. ensure that works, including conservation, alterations, additions and new development respect the cultural heritage significance associated with heritage places and areas;
3. promote and encourage architecture and urban design that serves to support and enhance the ongoing cultural heritage significance of heritage places and areas; and
4. protect and enhance the City's built heritage by guiding the sustainable and innovative integration of new development with heritage places and areas.

## OPERATION

The Policy is performance-based. To assess and determine the appropriateness of proposed development, a performance-based approach is applied through a set of assessment criteria. This reflects that every place is different and ensures development is tailored to the specific needs and characteristics of each place or area.

Development and conservation measures are based on principles outlined in the Burra Charter.

Refer to **Appendix 1** for the management categories for heritage places.

## SCOPE

The Policy applies to the development of a place:

- entered in the City's Heritage List or a heritage area prepared in accordance with the City's Local Planning Scheme No.2 (Scheme);
- that is adjacent to a heritage listed place or heritage area;
- entered in the State Register of Heritage Places; and
- subject to a protection order or heritage agreement under the *Heritage Act 2018* (Act).

## RELATIONSHIP TO OTHER DOCUMENTS

This Policy forms part of the City's local planning policy framework. Where this Policy is inconsistent with the City's operative Local Planning Scheme (Scheme), the Scheme prevails. Where this Policy is inconsistent with an adopted local development plan, activity centre plan or structure plan, the adopted local development plan, activity centre plan or structure plan prevails.

This Policy is to be read together with any heritage area specific planning guidelines. Where this Policy is inconsistent with the provisions of another local planning policy, the provisions of this Policy prevail.

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# LOCAL PLANNING POLICY: DEVELOPMENT GUIDELINES FOR HERITAGE PLACES



## PART 2 - POLICY PROVISIONS

### DEFINITIONS

All terms used in this Policy are defined in the *Planning and Development Act 2005*, *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations), *State Planning Policy 7.3 Residential Design Codes (R Codes)* and the Scheme, unless stated otherwise below.

**archival record** means a document containing drawings, photographs and written information prepared in order to record the state of a place at a given time, usually prior to the place being demolished or substantially altered, and in accordance with the Heritage Council of Western Australia (HCWA) Guide to Preparing an Archival Record.

**Burra Charter** means the document providing guidance for the conservation and management of places of cultural heritage significance and sets standards of practice for those who provide advice, make decisions about, or undertake works to places of cultural heritage significance, including owners, managers and custodians. The charter is adopted by the Australian International Council on Monuments and Sites (ICOMOS).

**conservation plan** means a document that details how to identify and look after a place so as to retain its cultural heritage significance, including recording and monitoring actions and decisions relating to all aspects of managing a place.

**contributory place** means places and structures that make a positive contribution to the cultural heritage significance of the City of Vincent.

**fabric** means all the physical material of the heritage place.

**facadism** means the retention of the exterior face/faces of a building without the three-dimensional built form providing for its/their structural support and understanding of its function.

**front or principal part** of a building is generally considered to be the front two rooms in depth, complete with the structure and cladding to the roof; or that part of the building associated with the primary roof form, whichever is the greater. For most non-residential buildings, the front or principal part is generally considered to be one full structural bay in depth complete with the structure and cladding to the roof or generally 8-10 metres in depth. For sites with more than one street frontage, the front or principal part of a building may relate to each street frontage, where these are of identified heritage value.

**heritage area** means a group of properties which are recognised to collectively form a streetscape, townscape or cultural environment with significant heritage characteristics, which may include architectural style, town planning or urban design excellence, landscape qualities, or strong historic associations.

**heritage assessment** is a systematic assessment that describes a place and its setting and states the cultural heritage significance of the place based on the criteria outlined in the Burra Charter, and in accordance with the HCWA Guidelines for the Assessment of Local Heritage Places 2022, Guidelines for Local Heritage Surveys 2022, Guidelines for Establishing a Heritage List 2021 and Guidelines for Heritage Areas 2023.

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**heritage impact statement** means a document that evaluates the likely impact of proposed development on the significance of a heritage place and its setting and any conservation areas within which it is situated. The Heritage Impact Statement should outline measures proposed to minimise any identified impact and any conservation benefits associated with the proposal. It should be prepared in accordance with the Heritage Council's Guide 'Heritage Impact Statement – a Guide'.

**Heritage List** means a list of places within the City of Vincent, considered by the City to be of identified cultural heritage significance and worthy of conservation pursuant to the Regulations.

**Heritage Place** is a protected place established under cl.1A of the Regulations. For ease of reference this definition is:

1. A heritage place is a place:
  - a. that is entered in the State Register of Heritage Places under the *Heritage Act 2018* section 42; or
  - b. that is under consideration for entry into the State Register of Heritage Places as described in subclause (2); or
  - c. that is the subject of an order under the *Heritage Act 2018* Part 4; or
  - d. that is the subject of a heritage agreement that has been certified under the *Heritage Act 2018* section 90; or
  - e. that is included on a heritage list as defined in clause 7; or
2. For the purposes of subclause (1)(b), a place is under consideration for entry into the State Register of Heritage Places if:
  - a. the Heritage Council has made a preliminary determination under the *Heritage Act 2018* section 39(2) that the place warrants review under section 40(1), but the review has not commenced; or
  - a. the Heritage Council has commenced but has not completed a review of the place under the *Heritage Act 2018* section 40(1); or
  - a. the Heritage Council has made a recommendation under the *Heritage Act 2018* section 40(2) that the place be entered in the State Register of Heritage Places, but the Minister for Heritage has not yet given a direction under section 41(1) of that Act in relation to that recommendation

**interpretation plan** or **signage** means a comprehensive long-term strategy, a management tool, for ensuring that the heritage significance of places, objects or traditions can be communicated. It is a communicative tool used for the identification and understanding of places of cultural heritage.

**Local Heritage Survey** means a list of places with the City of Vincent, assessed by the City as having identified cultural heritage significance pursuant to the Act.

**Sympathetic** or **complementary** means a design outcome that respects its context. It would not be identical to historic neighbours, nor would it intrude on their presence in the streetscape. It would be of a similar or lesser scale.



# LOCAL PLANNING POLICY: DEVELOPMENT GUIDELINES FOR HERITAGE PLACES



## POLICY

### 1. Exemptions from Development Approval

The following development does not require development approval:

EXEMPTIONS	STATE REGISTER OF HERITAGE PLACES	HERITAGE LIST				HERITAGE AREA
		Category 1	Category 2	Category 3	Category 4	
Routine maintenance that does not change the appearance or materiality of the heritage place.	✓	✓	✓	✓	✓	✓
Repairs, including replacing missing or deteriorated fabric with like for like fabric, that does not involve the removal of, or damage to the significant fabric of the building.	✓	✓	✓	✓	✓	✓
Repainting of the surface of a building: <ul style="list-style-type: none"> <li>in the same colour scheme and paint type if they are appropriate to the substrate and do not endanger the survival of earlier paint layers; and</li> <li>without disturbing or removing an earlier paint layer unless it is chalking, flaking or peeling.</li> </ul>	✓	✓	✓	✓	✓	✓
Essential or emergency maintenance of public utility infrastructure.	✓	✓	✓	✓	✓	✓
Internal building work where the interior of the building has not been specified as having heritage significance in any relevant register, order, agreement or list.		✓	✓	✓	✓	✓
Solar panels, air-conditioning units or technologies that: <ul style="list-style-type: none"> <li>are not visible from the street;</li> <li>complies with the relevant criteria of the R Codes and Built Form Policy; and</li> <li>if solar panels are located on the main frontal roof plane are fitted flush to the roof, <ul style="list-style-type: none"> <li>are not raised on a frame;</li> <li>projected beyond the edge of the roof; or</li> <li>resulting in the removal of fabric that contributes to the heritage significance of the place.</li> </ul> </li> </ul>				✓	✓	✓

✓ Development that is exempt from requiring development approval pursuant to Schedule 2, Clause 61 of the Regulations and Part 5, Clause 41 of the *Heritage Regulations 2019*.

Applicants are encouraged to discuss a proposal with the City's Development & Design team if they believe that they are exempt from requiring development approval.

Where development is exempt from the requirement for development approval under this Policy, a building permit may still be required. It is advised to contact the City's Building Services for advice regarding the need for a building permit prior to any works being undertaken.

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## 2. Development Approval Requirements

For all development not exempt under Clause 1 of this Policy, a development application is required.

2.1 In addition to material required in accordance with Schedule 2, Part 8 of the Regulations, the following is required to accompany development applications for proposals affecting heritage places or heritage areas:

- photographs showing the existing front elevation and areas affected by the proposed development; and
- a schedule of existing and proposed external colours and finishes where there are changes proposed.

2.2 In some instances the City may require applicants to provide one or more of the following:

- Conservation Plan - where a proposal affects a place entered in the State Register of Heritage Places, or affects a large or complex Category 1 listed place.
- Heritage Assessment - where the City requires additional information to assist in the determination of a development application, for example to support the proposed removal of non-heritage fabric or reinstate heritage features or details.
- Heritage Impact Statement - where development of a State Registered, Category 1 or Category 2 place is proposed or where, in the opinion of the City, development of a Heritage Area, Category 3 or Category 4 place is proposed and will have an impact on significant heritage fabric.
- Structural Condition Assessment - if structural failure is cited as a justification for demolition, a registered Structural Engineer with demonstrated heritage experience must confirm that the integrity of the building has failed to the point where it cannot be rectified without removal of a majority of its significant heritage fabric and/or rectification costs would be prohibitive.
- Interpretation Plan - where substantial demolition is proposed or where a proposal will have a substantial impact on the significant heritage fabric of a heritage place.

## 3. Assessment Measures

3.1 The Burra Charter provides guiding principles for conserving heritage places, which can be applied to buildings, sites, areas and structures. The guiding principles contained in the Policy Guidelines are derived from the Burra Character and underpin the development of a heritage place.

3.2 In assessing applications for development, the City will have regard to the Policy:

- Objectives;
- Guiding Principles;
- Element Objectives; and
- Acceptable Outcomes.



# LOCAL PLANNING POLICY: DEVELOPMENT GUIDELINES FOR HERITAGE PLACES



3.4 In assessing applications, the City will also give regard to assessment considerations in Clause 5.

## 4. Assessment Considerations

4.1 In considering a development application in relation to a place entered on the City's Heritage List, State Register of Heritage Places or within a heritage area, the City will be guided by the provisions of this Policy and will have due regard to the following:

- The Burra Charter.
- State Planning Policy 3.5 Historic Heritage Conservation.
- The heritage significance of the place as outlined in the Statement of Significance.
- Any Conservation Plan, Heritage Assessment or Heritage Impact Statements pertaining to the place or area.
- A structural condition report of the place if applicable.
- Any advice from the City's Design Review Panel.
- Advice from the State Heritage Office. ~~and/or the National Trust.~~
- Any other matters considered appropriate, for example the extent to which the community would benefit.
- Any impact the proposed development will have on the heritage significance of the place and/or area.

## 5. Heritage Significance

5.1 Understanding why a place or area is significant will help inform design responses and identify aspects of the place that need to be sensitively managed. Each assessment of a heritage place is undertaken in accordance with Local Planning Policy: Assessing Cultural Heritage Significance and includes a Statement of Significance outlining the heritage values and features of the place or area which will assist in determining the level of development appropriate.

## 6. State Heritage Referral

- 6.1 All development applications for places entered, **adjoining** or adjacent to a place, on the State Register of Heritage Places will be referred to the HCWA for comment. It is recommended that the applicant engage with the HCWA early in the design process.
- 6.2 Development of places on the City's Heritage List that is deemed substantial or complex by the City, may be referred to the HCWA for advice or technical expertise.

## 7. Archival Record and Interpretation Plan

- 7.1 The City may require, as a condition of approval, the preparation and submission of an Archival Record prior to any works commencing where approval is granted for:
- demolition or partial demolition of a place or structure; and/or
  - works that will result in the removal or major alteration to significant fabric.
- 7.2 Where extensive demolition or development is considered appropriate, as a condition of approval, the City at its discretion may require an Interpretation Plan, including conserving any objects or fabric associated with the building that may inform the historic significance of the place.

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## PART 3 - DEVELOPMENT ASSESSMENT GUIDELINES

This is a performance based Policy. Applications for development approval must demonstrate that the design achieves the Objectives of this Policy and meets the Guiding Principles list below. While addressing the Acceptable Outcomes is likely to achieve the Objectives, they are not a deemed-to-comply pathway and the proposal will be assessed in context of the entire design solution to ensure the Objectives are achieved. Proposals may also satisfy the Objectives via alternative means or solutions.

### GUIDING PRINCIPLES

The following principles should guide decisions around the management, conservation and development of heritage places:

1. Conservation requires a cautious approach of changing as much as necessary, but as little as possible.
2. Significant fabric is restored with 'like for like' materials and original detail wherever possible.
3. Development that alters the cultural significance of a place is reversible, and should be reversed where possible.
4. Maintenance is an integral part of conserving the heritage significance of a place and should be undertaken in an informed and sensitive manner.
5. ~~Additions are compatible with, and respectful of the heritage place without replicating the original heritage details of the place.~~ The visual prominence of the primary street elevation of a heritage place is retained as part of future development.
6. New development is readily identifiable as new and must respect and have minimal impact on the cultural significance of the place.
7. New development should not adversely affect the setting of the place.
8. Additions maintain existing view lines to the principle façade of the heritage place when viewed from the street.
9. Additions do not obscure original fabric that contributes to the heritage significance of the place or detract from its interpretation and appreciation.
10. Development does not result in the addition of decorative details that are not in keeping with the architectural style and/or era of the heritage place.
11. The structural integrity of the place is maintained during and after redevelopment.

# LOCAL PLANNING POLICY: DEVELOPMENT GUIDELINES FOR HERITAGE PLACES



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## Building Characteristics

Some characteristics of a heritage building are depicted in the diagram below. Other building characteristics include height, massing and form, style and artictural expression, detailing, materials, front, side and rear setbacks and orientation.

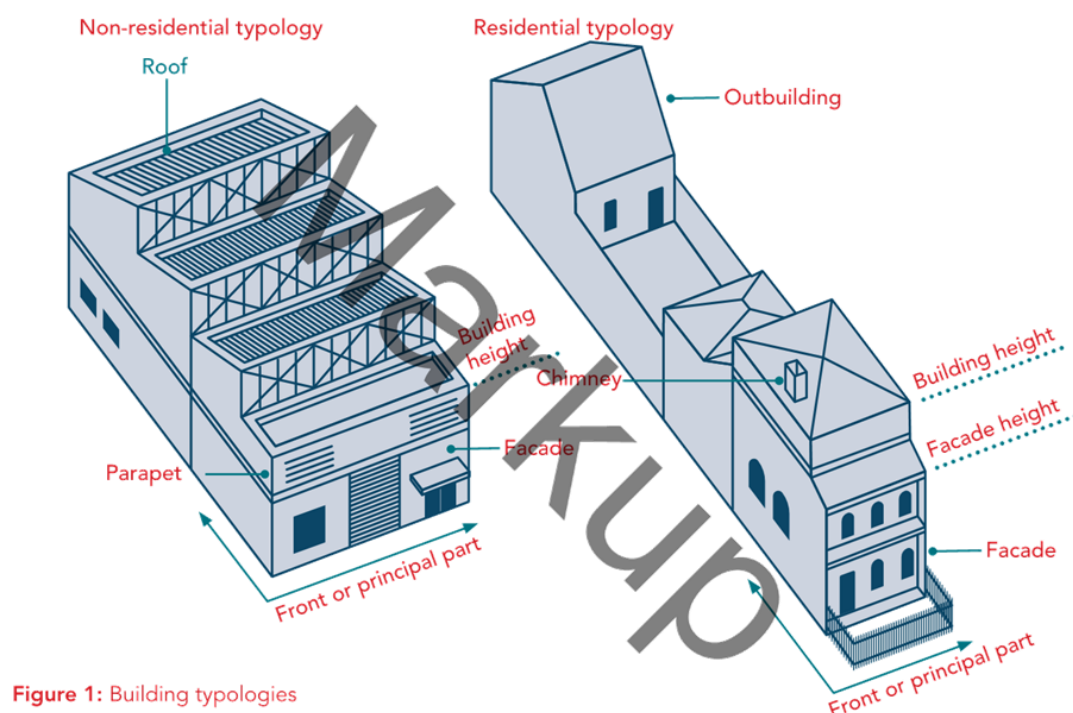


Figure 1: Building typologies

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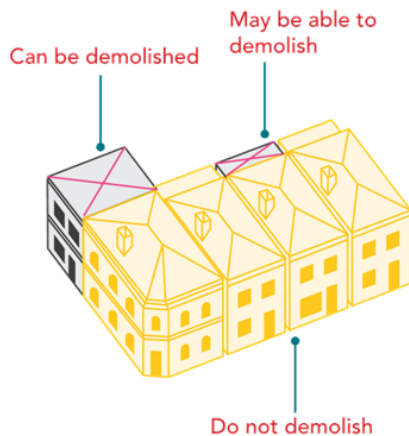


## 1. Demolition

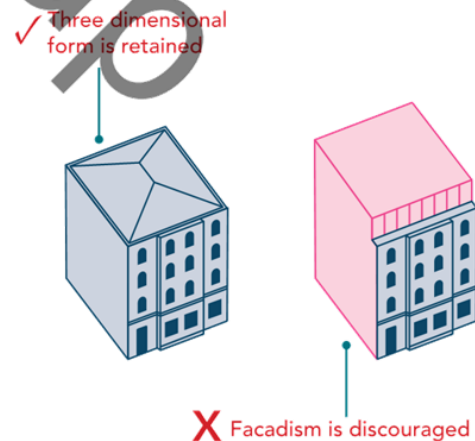
**Intent:** The loss of a Heritage protected place negatively impacts on the cultural significance and character of the heritage area **as such**, demolition of a heritage protected place is rarely **supported**. ~~appropriate~~ and demolition of a heritage protected places located within a State registered heritage place will have a negative impact.

It is acknowledged that there will be some circumstances where demolition cannot be avoided. In these circumstances, the obligation rests with the applicant to provide a sound justification for demolition to a heritage protected place.

ELEMENT OBJECTIVE		ACCEPTABLE OUTCOMES	
1.1 Demolition			
O1.1	The significant heritage fabric of the place is retained.	A1.1	Development retains the heritage place in its entirety.
O1.2	The relationship of the place within its original setting is retained i.e., the place is not relocated from its original location.	A1.2	In the case of partial demolition, the parts to be demolished do not contribute to the cultural heritage significance of the place as identified in the Statement of Significance and/or Heritage Assessment of the place (Figure 2).
		A1.3	The three dimensional built form of the place beyond its exterior facade is retained so as to avoid facadism (Figure 3).



**Figure 2:** Forms of demolition



**Figure 3:** Facadism

# LOCAL PLANNING POLICY: DEVELOPMENT GUIDELINES FOR HERITAGE PLACES



## 2. Conservation and Alterations of Heritage Places

**Intent:** Conservation works are essential for protecting a Heritage protected place and ensuring its long-term survival and contribution to the significance of the heritage place. Conservation works can include repair, maintenance, restoration and reconstruction. The appropriate conservation approach for individual buildings should be based on an understanding of the significance of that place and in consultation with a qualified heritage professional.

ELEMENT OBJECTIVE		ACCEPTABLE OUTCOMES	
2.1 Internal alterations			
O2.1.1	Internal alterations maintain the significant heritage fabric of the place.	A2.1.1	Internal alterations are guided by the Statement of Significance or physical description detailed in the Heritage Assessment or Conservation Plan.
2.2 Surfaces, materials and colours			
O2.2.1	Alterations result in development that respects the original materials, style and colour of the heritage place.	A2.2.1	Earlier paint schemes and façade details are reinstated as determined by documentary or physical evidence.
		A2.2.2	Alterations do not result in the rendering or painting of original unpainted or non rendered brick, masonry, or other surfaces.
		A2.2.3	Alterations do not result in the removal of paint or render from brick, masonry or limestone without approval. Where paint or render removal is unavoidable, removal should be undertaken with caution as abrasive methods can cause damage to the buildings substrate.
2.3 Verandahs and awnings			
O2.3.1	Conservation of, or alteration to primary facing verandahs and awnings respect the original materials, styles and colour of the heritage place.	A2.3.1	Original primary facing awnings and verandahs are retained.
		A2.3.2	Original verandahs or awnings are reinstated based on documentary or physical evidence of the original form, detailing and materials.
		A2.3.3	Verandahs remain open and maintain clear sight lines to the original front door, main entrance and significant features of the heritage place when viewed from the street.

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ELEMENT OBJECTIVE		ACCEPTABLE OUTCOMES	
2.4 Windows and door openings			
O2.4.1	Conservation of, or alteration to windows and doors respect the original materials, styles and proportions of the windows and openings of the heritage place.	A2.4.1	Original window and door detailing including frames, architraves, sash, glass, glazing bars and hardware are retained.
		A2.4.2	The location and proportions of original window and door openings are retained when viewed from the primary or secondary street.
		A2.4.3	No new openings visible from the primary or secondary street are to be introduced to the principal part of the significant place.
		A2.4.4	Where windows and openings have deteriorated beyond repair, the replacement matches the original in size, style, materials and detailing when viewed from the street.
2.5 Roof, gutters and downpipes			
O2.5.1	Conservation of, or alterations to street facing roofs, gutters and downpipes respect the original materials, styles and colour of the heritage place when viewed from the street.	A2.5.1	Materials are like for like where original roof fabric is being replaced, for example: a. an original roof clad with corrugated iron, shall be replaced with zincalume or Colorbond in a matching profile and consistent colour; and b. the replacement of an original tile roof with zincalume or Colorbond is not supported.
		A2.5.2	Original roof details such as finials, chimneys, parapets or dormer windows are retained, or where reconstructed are based on documentary or physical evidence.
		A2.5.3	Gutter and downpipe replacements are reinstated with the original profiles and shapes.



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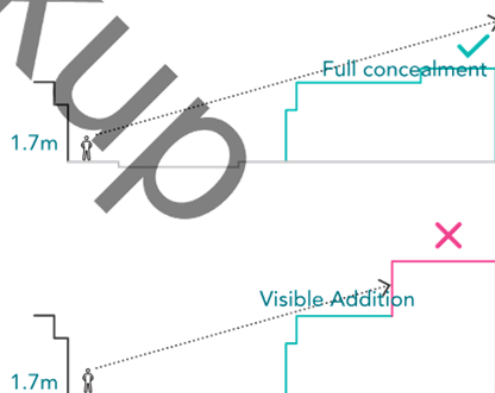


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ELEMENT OBJECTIVE		ACCEPTABLE OUTCOMES	
2.6 Front fences			
O2.6.1	Conservation of, or alteration to street facing fences respect the materials, styles and colour of the original fence.	A2.6.1	Original front fences and gates are retained and conserved where possible. Removal of non original fencing is supported.
		A2.6.2	Where retention of the original fence or gate is not possible due to it being in poor condition, it should be reconstructed in a like for like manner.



**Figure 5:** Siting of upper floor additions



**Figure 6:** Line of sight diagram

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## 3. Additions to Heritage Places

**Intent:** Most existing buildings can accept some level of alteration or new additions without having a negative impact on the cultural significance and character of heritage places. Acceptable new alterations and additions to the building envelope do not visually intrude on heritage protected places or the overall streetscape and are consistent with the character of the area in which they are located taking into account style, scale, materiality, form, function and siting.

ELEMENT OBJECTIVE		ACCEPTABLE OUTCOMES	
3.1 Bulk and scale			
O3.1.1	Additions are designed to respect the scale and proportion of the existing heritage building, which shall remain the dominant structure on the site when viewed from the street. Additions are designed to respect the predominant scale that is characteristic of the heritage place and any adjoining heritage places.	A3.1.1	Additions does not result in the removal of original fabric that contributes to the heritage significance of the place.
		A3.1.2	Additions to heritage places are respectful and do not visually dominate the heritage significance of the place.
		A3.1.3	Additions are of a contemporary design that do not mimic the heritage fabric of the contributory building heritage protected place.
O3.1.2	Additions are not to have an adverse visual impact on the heritage building and character of the streetscape.	A3.1.4	A visual and/or physical separation between the original fabric and any additions is to be achieved.
		A3.1.5	Additions to corner properties may be visible if they don't dominate or diminish the prominence of the building
O3.1.3	Additions are respectful of the building's character and appearance, materials, style and architectural expression.	A3.1.6	Upper storey additions to residential buildings are sited and massed behind the main ridge-line so as not to be visible from the primary street (Figures 5 & 6).
		A3.1.7	Upper storey additions maintain roof details such as finials, chimneys and original decorative features when viewed from the primary street.
		A3.1.8	On corner sites, the upper storey On sites with access to more than one public road, additions are is sited and massed so that it is visually recessive from both frontages to ensure they do not dominate or diminish the prominence of the heritage place. the scale of the original heritage place is the dominant element. The visibility of upper storey additions will be assessed from both streets.
		A3.1.9	Loft additions must be contained wholly within the roof space and shall not result in a visible change to the appearance of the building when viewed from the street.

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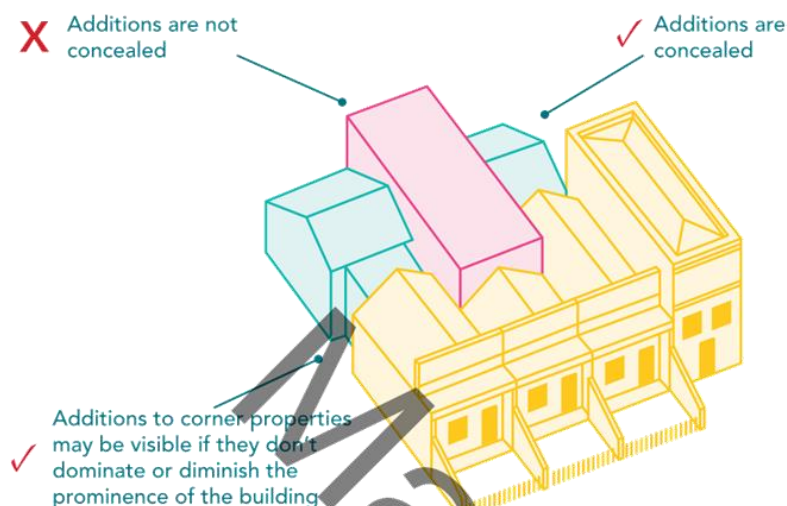


Figure 7: Additions to the rear and corner sites

ELEMENT OBJECTIVE		ACCEPTABLE OUTCOMES	
3.2 Surfaces, materials and colours			
O3.2.1	Additions are complementary to, and respect the original materials, finishes, textures, and colours of the heritage place.	A3.2.1	New development incorporates materials, colours and finishes that are compatible with the existing heritage place. Where there is evidence of original colours through existing fabric (paint scrapes or similar) these should be incorporated in the colour scheme of new additions.
		A3.2.2	Full authentic replication of original colour schemes is not intended or required; however, a new colour scheme should be respectful to the heritage significance of the place.

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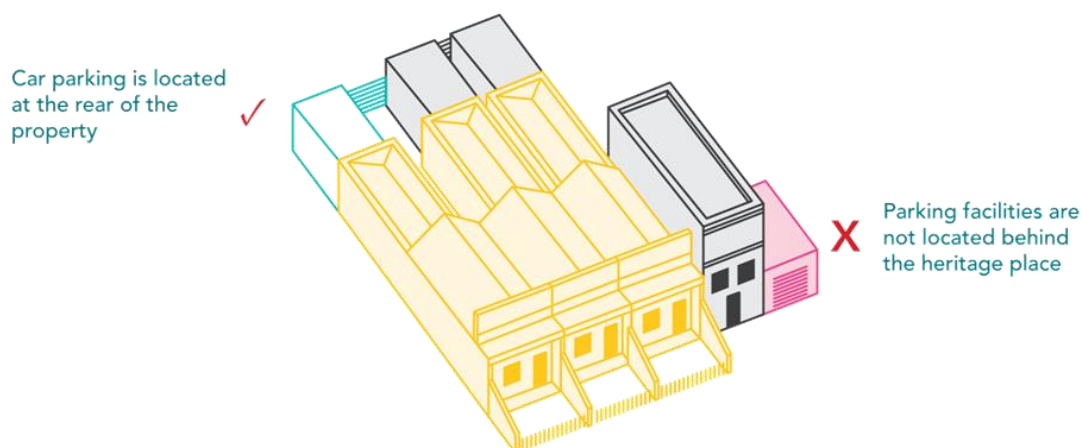
CITY OF VINCENT

ELEMENT OBJECTIVE		ACCEPTABLE OUTCOMES	
3.3 Verandahs and awnings			
O3.3.1	New verandahs and awnings respect the original materials, styles and colour of the heritage place when viewed from the street.	A3.3.1	<del>Verandah and awnings are not attached to the primary façade of a building where they did not traditionally exist.</del> New verandahs and awnings to the street are not constructed on the principle part of a building where they did not traditionally exist.
		A3.3.2	Where replacement awnings or verandahs to the street are proposed, they are appropriate to the architectural style of the heritage place when viewed from the street and based on physical and/or documentary evidence.
		A3.3.3	The construction of new verandahs and awnings to the street do not result in the removal of significant heritage fabric, and can be removed without loss of significant heritage fabric.
		A3.3.4	Verandahs to the street remain open/unenclosed and maintain clear sight lines to the original front door, main entrance and significant features of the heritage place when viewed from the street.

# LOCAL PLANNING POLICY: DEVELOPMENT GUIDELINES FOR HERITAGE PLACES



ELEMENT OBJECTIVE		ACCEPTABLE OUTCOMES	
3.4 Garages and carports			
O3.4.1	Car parking additions do not visually dominate the heritage place when viewed from the street.	A3.4.1	Carports, garages or uncovered car parking bays are to be located at the rear of the property where right of way access or secondary street is available.
O3.4.2	Car parking structures preserve the structural integrity of the heritage place.	A3.4.2	Carports may be considered in the front setback area: a. where no alternative location exists; and b. where they are not prohibited in any specific development guidelines relating to an area.
		A3.4.3	Carports and garages maintain clear sight lines to original front door, main entrance and significant features of the heritage place when viewed from the street.
		A3.4.4	Garages and carports are constructed in a style that is compatible with the original building. Simple contemporary designed carports may be considered where they minimise visual impact and maximise view lines to the heritage place.
		A3.4.5	The addition of a carport or garage shall not require removal of significant heritage fabric to achieve minimum size requirements.



**Figure 8: Car parking**

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ELEMENT OBJECTIVE		ACCEPTABLE OUTCOMES	
3.5 Windows and door openings			
O3.5.1	Primary street facing windows and openings maintain the style and proportions of the original windows and openings of the heritage place.	A3.5.1	New windows and openings are located within walls of secondary significance (side and rear walls).
		A3.5.2	Where new openings visible from the primary street are unavoidable, they are proportionally related to those of the heritage place and maintain the pattern of fenestration, unless concealed from view from the street.
3.6 Roofs			
O3.6.1	Upper storey additions are designed to minimise the impact on the original roof-line.	A3.6.1	The original roof form, as seen from the primary street, is maintained. This means that ridges, hips and gables at the front of the place should not be altered to accommodate an extension.
O3.6.2	Roof additions visible from the primary street are compatible with the roof form of the heritage place.	A3.6.2	The roof of new additions match the existing roof form and pitch where development is visible from the street (with the exception of carports in the front setback area).
		A3.6.3	Contemporary roof forms are considered appropriate where development is not visible from the street.
		A3.6.4	No roof decks, balconies or dormer windows to the principal part of the significant place where visible from the street.
3.7 Front fences			
O3.7.1	The design of a new fence, or the replacement of a non-original fence: a. complement the style and materiality of the heritage place, b. maintain adequate height and transparency to ensure that the heritage place is visible from the street.	A3.7.1	New front fences are constructed of traditional fence materials (including wooden pickets, wire, iron, brick or stone) consistent with the heritage place and/or photographic or physical evidence of similar fence styles of the era. Surviving original fences within the nearby area are to be used as a suitable precedent.
		A3.7.2	Contemporary fences may be considered where they are consistent with the scale, style and materials of fences predominately associated to the era of the heritage place.



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## 4. Additional Considerations for Mixed Use and Non Residential Heritage Places

**Intent:** The character and appearance of traditional non residential/mixed use buildings have helped shape the City's local identity and distinctiveness. Due to the pressures of retailing and the desire to address contemporary aesthetics, many non residential/mixed use buildings have been adapted over the years resulting in a gradual loss of the traditional detailing and character. These provisions seek to ensure those aspects of the commercial buildings which contribute to a place's significance are safeguarded and not further eroded.

ELEMENT OBJECTIVES		ACCEPTABLE OUTCOMES	
4.1 Shopfronts and Facades			
O4.1.1	Development respects the historic character of commercial buildings.	A4.1.1	New works must not remove or conceal original shopfront detailing, and shall not distort an understanding of the original design (such as stallboards, transom lights, awnings, and recessed entries).
		A4.1.2	The accurate reconstruction of verandahs and awnings of shopfronts to a known earlier appearance is encouraged, where detailed evidence of the original exists. It is noted that the design may need to be sympathetically adapted to ensure universal access.
4.2 Signs			
O3.2.1	The addition of signs does not detract from the heritage significance of a place or area.	A4.2.1	Signs are to comply with the provisions of <b>Local Planning Policy: Signs and Advertising</b> .
4.3 Additional Storeys			
O4.3.1	Additions are designed as to ensure the existing form and scale of the heritage place is not overwhelmed.	A4.3.1	Additions and alterations to existing heritage places should use materials and architectural expressions that is consistent with the prevailing or desired character of the area.
		A4.3.2	Higher building elements are set back from street and lot boundaries to be behind the principal part of the building which contributes to the heritage significance of the place. Refer <b>Figures 9 and 10</b> .

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## 5. Development Adjoining and Adjacent to Heritage Places and Precincts.

The following apply to development adjoining and adjacent to heritage places:

ELEMENT OBJECTIVE		ACCEPTABLE OUTCOMES	
5.1 Development adjacent to heritage places			
O5.1.1	Development maintains and enhances existing views and vistas to the principal facade(s) of the adjoining heritage listed place from the public realm.	A5.1.1	New development does not obscure views from the public realm of the front or principal part of adjoining and adjacent heritage protected place or precinct
O5.1.2	Development is of a scale and mass that respects the adjoining heritage listed place.	A5.1.2	New infill development adjoining and adjacent to heritage places do not exceed the maximum height of the heritage places, but may incorporate higher sections at the rear, as to not dominate the heritage place. <del>New development is to have a plate height consistent with the original street pattern.</del>
O5.1.3	New developments reinforce existing spatial and visual characteristics of the streetscape in which they are located.	A5.1.3	Higher building elements are to be setback from street and lot boundaries as to not dominate or reduce the prominence of an adjoining and adjacent heritage protected places.
O5.1.4	Development on larger lots are designed to respect the traditional urban grain and rhythm of the streetscape character of the area including breaking up large frontages vertically, so they read as separate buildings and reflect the width of adjoining heritage places.	A5.1.4	New developments respect adjoining and adjacent heritage buildings and respond to their articulation and detail in areas such as dominant parapet lines, banding, roof line, window configuration, door openings and awnings and building height at the street. Refer <b>Figure 8</b> .
		A5.1.5	New development does not imitate, replicate or mimic historic architectural styles and is clearly distinguishable from the adjoining and adjacent heritage places <del>New development is clearly distinguishable from the adjacent heritage listed place.</del>
		A5.1.6	Front and side setbacks of new development reflect those of adjoining and adjacent heritage listed places. <del>The height of the new development is to be compatible to the adjoining heritage listed building.</del>
		A5.1.7	The floor levels of new development align with existing levels in the streetscape and allow direct and level access from public footpaths.

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New building aligns with key attributes of surrounding heritage places

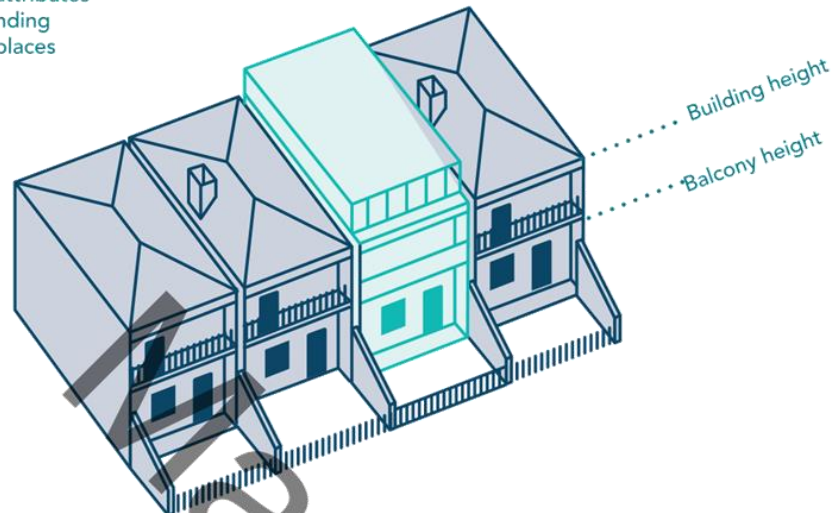


Figure 9: Complementary new development

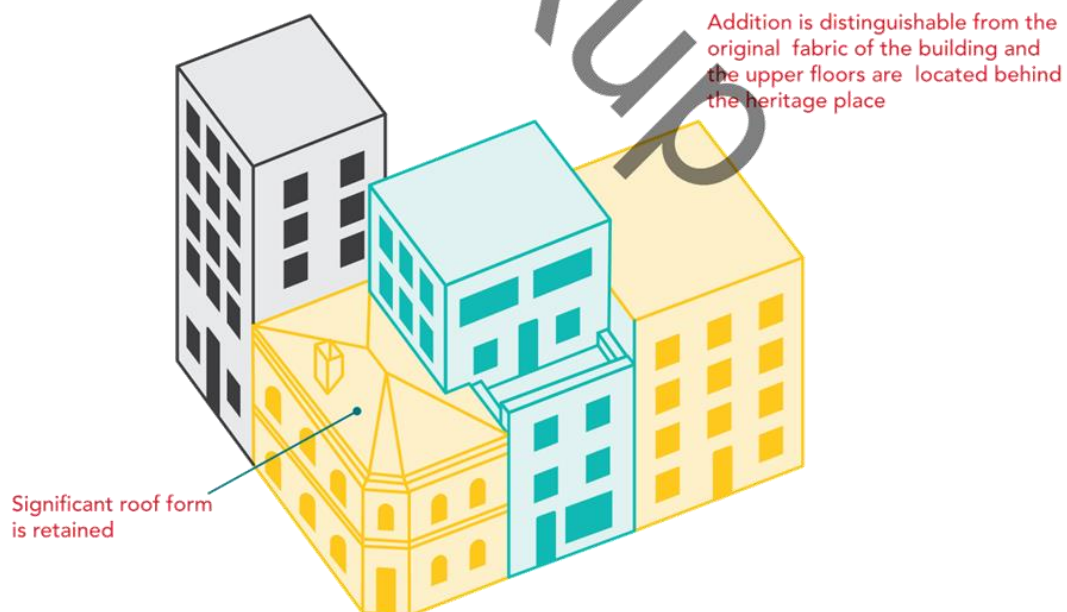


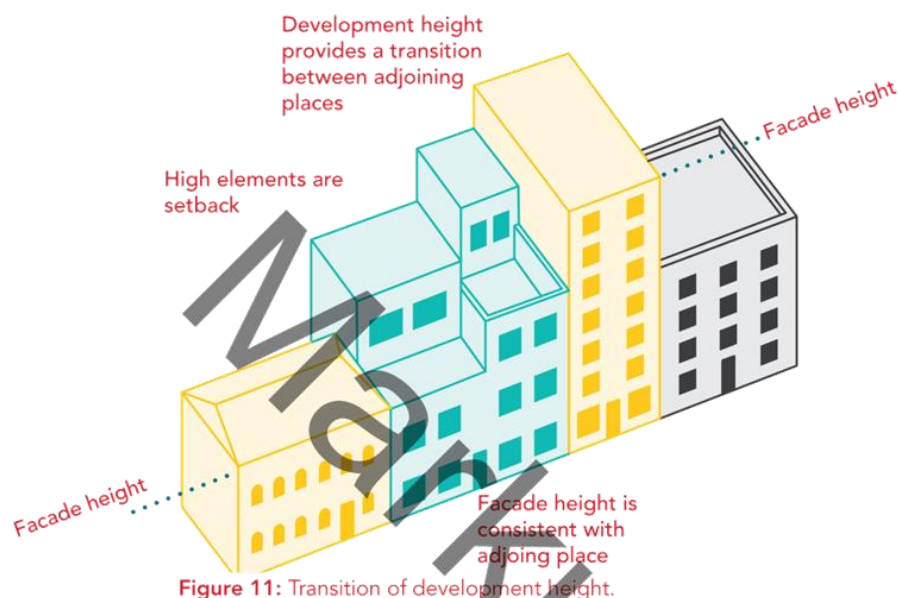
Figure 10: Complementary new development

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OFFICE USE ONLY	
Responsible Officer	Executive Manager Urban Design and Strategic Projects
Initial Council Adoption	17/01/2006
Previous Title	Local Planning Policy 7.6.1: Heritage Management - Development Guidelines for Heritage and Adjacent Properties
Reviewed / Amended	22/07/2008; 10/07/2012; 23/09/2024
Next Review Date	09/2028

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## APPENDIX 1: HERITAGE MANAGEMENT CATEGORIES

The following table details the levels of significance and classification categories for heritage properties

LEVEL OF SIGNIFICANCE TO THE LOCAL AREA	PREVIOUS CLASSIFICATION	NEW CLASSIFICATION	DESCRIPTION
Exceptional	Category A - Conservation Essential	Category 1	Essential to the heritage of the locality. Rare or outstanding example.
Considerable	Category A - Conservation Essential	Category 2	Very important to the heritage of the locality.
Some/moderate	Category B - Conservation Recommended	Category 2 or 3	Contributes to the heritage of the locality.
Little	No Category	Category 4	Has elements or values worth noting for community interest but otherwise makes little contribution.

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