

**21.11 VISUAL CHARACTER AND HERITAGE**04/07/2013  
C90

This deals with the design of buildings and places and the protection and conservation of cultural heritage values.

**21.11-1 Visual Character of Towns and Rural Landscapes**04/07/2013  
C90**Context**

The rural setting of townships and the high quality landscapes in the Shire are strongly valued by the community.

Warragul and Drouin provide the option of an urban lifestyle in a rural setting in their developing role as twin towns.

**Objective 1**

**To protect the character and heritage of the Shire's towns and their hinterland from inappropriate development.**

## Strategy 1.1

Maintain the separate identity of the communities within the Shire.

## Strategy 1.2

Develop the urban settlement pattern based on towns clustered along the transport corridor and separated by rural land.

**Objective 2**

**To retain high quality rural landscapes.**

## Strategy 2.1

Prepare a code for development in rural areas within areas of landscape value, including along the Princes Highway Corridor.

## Strategy 2.2

Ensure that new uses and developments in the towns and rural areas and particularly on the fringe of towns and the Princes Transport Corridor are of a high quality design and presentation, are consistent with the landscape qualities and the maintenance of the environment.

**Implementation**

- Apply State policy, Design and built form, under Clause 15.01.
- Apply State policy, Regional development, under Clause 11.05.
- Apply local policy, Townscape, under Clause 22.02-2 for applications on the approaches to towns.
- Apply local policy, Steep land, under Clause 22.03-4 for development applications on land with a slope greater than 20 per cent.

**21.11-2 Heritage**04/07/2013  
C90**Context**

The *Baw Baw Shire Heritage Study Stage 2* (2011) highlights the rich and diverse cultural heritage of the Shire, illustrating the historic use, development and occupation of the land since first contact between Indigenous people and the first European explorers and settlers. Key issues include:

- The appreciation of heritage places and their significant role in the culture of the municipality.
- The need to address the incremental loss of heritage places which would otherwise provide links to the history of the development of the Shire.

- Finding a way to retain heritage places while allowing the development of towns, districts and communities of the Shire.

### **Objectives**

- To conserve the distinctive and often unique heritage characteristics that contribute to the identity of communities within Baw Baw Shire and to the identity of the municipality as a whole.
- To conserve the cultural significance of the heritage place or precinct by protecting and conserving the fabric that contributes to the significance of the place.

### **Strategies**

Strategy 1.1 Encourage a ‘best practice’ and a consistent approach to the conservation of heritage places that is based upon a clear understanding of the reasons for their significance.

Strategy 1.2 Retain the historic character and fabric of heritage precincts and places throughout the Shire as important evidence of past development.

Strategy 1.3 Ensure development and maintenance of public land [roads, parks, buildings, etc] respects and enhances heritage places and precincts it contains or abuts, as appropriate.

Strategy 1.4 Encourage development that is respectful of the heritage place or precinct in terms of scale, bulk and detail.

Strategy 1.5 Encourage new uses and accompanying buildings and works that are respectful of the heritage place or precinct that provides for the ongoing use of the heritage place.

Strategy 1.6 Support the adaptive re-use of heritage places where this does not compromise the integrity of the heritage place.

Strategy 1.7 Undertake a review of the Rural City of Warragul Heritage Study 1991 to determine whether the information for places already included in the Heritage Overlay is accurate and comprehensive and whether there are any additional heritage places of local heritage significance.

### **Implementation**

- Apply Clause 43.01 Heritage Overlay to heritage places of local significance.
- Apply the Incorporated Plan *Heritage Permit Exemptions* to heritage places identified in the Schedule to Clause 43.01.
- Apply the following heritage policy to heritage places throughout the Shire.
- Apply local policies in Clause 22 relating to Walhalla.

### **Heritage policy**

#### **Definitions**

The following definitions apply for the purposes of this policy:

- *Heritage Place*: A building (e.g., house, shop, factory etc), structure (e.g., memorial, bridge or tram poles), features (e.g., mine shafts and mullock heaps, street gutters and paving), private garden or public park, single tree or group of trees such as an avenue, group of buildings or sites, landscape, geological formation, fossil site, or habitat or other place of natural or cultural heritage significance and its associated land.
- *Heritage Precinct*. A defined area, which contains buildings and fabric representing a particular theme in the development of the Shire that are described in the statement of significance for the precinct.
- *Significant place*: A place (e.g., a building, structures, tree etc.) that has cultural heritage significance independent of its context. *Significant* places may also make a contribution to the significance of an area or heritage precinct.

- *Contributory place*: A place or feature (e.g., buildings, structures, trees etc.) that contributes to the significance of an area or heritage precinct.
- *Non-contributory place*: A place or feature (e.g., buildings, structures, trees etc.) that do not make a contribution to the significance of a Heritage Place. In some instances, a *Significant* place may be considered *Non-contributory* within a heritage precinct. For example, an important Modernist house within a Victorian era precinct.
- *Significant feature*. A *Significant Feature* is any feature (building, tree, structure etc.) that the *Baw Baw Shire Heritage Study Stage 2A Volume 2 September 2011* or other relevant heritage study or report identifies as contributing to the significance of a heritage place.
- *Fabric* means all of the physical material of the place.

**Exercise of Discretion**

*Conservation of Character*

**It is policy to:**

- Conserve the historic character of a heritage place or heritage precinct by encouraging the retention and restoration of Significant and Contributory places and their fabric. This includes original features, materials, details and the building envelopes, and surviving early fences and gates listed in the Description;
- Encourage the maintenance or redevelopment of Non Contributory places in a way that respects and is sympathetic to the streetscape of the precinct.

*New Development*

It is policy to:

- Encourage new development, including alterations and additions to existing heritage places, that respects the historic context by fitting in with the precinct in terms of scale, siting, design, form, materials and colours.
- Encourage new development that maintains and enhances the setting of heritage places and the visual relationship between heritage places. This includes views of and vistas to a heritage place from public places.
- Encourage new buildings in precincts where they:
  - Interpret the historic character and avoid the use of materials, forms, colours and building envelopes that strongly contrast with that character; and
  - Are single storey or have upper levels that are set back from the front façade or incorporated into the roof space to ensure they are unobtrusive elements
- Require new garages, carports and outbuildings to Contributory and Significant heritage places to be located so as to be relatively inconspicuous. They should be located in the rear yard of sites, freestanding, or, if beside the significant or contributory feature, set back a suitable distance away from it.
- Avoid the distortion of historic evidence provided by heritage places by discouraging buildings which simply copy or replicate historic styles and detailing.
- Ensure additions to Contributory buildings within heritage precincts are not highly visible from the street, wherever possible. For example, by siting additions at the rear of buildings or first floor additions well back from the façade to ensure they are not conspicuous.
- Avoid new development of any kind that will become visually dominant or intrusive, eroding the significant character of the heritage precinct or place.
- Consider multi-unit developments on Non contributory sites within heritage precincts where the scale and form of the design is respectful of the surrounding heritage fabric.
- Consider multi-unit development on Significant or Contributory places within heritage precincts where the new buildings are designed and sited to respect the scale form and materials of the heritage place, retain the existing Significant or Contributory building and retain the original view of the site from the street.
- Avoid large, single buildings containing multiple dwellings in heritage precincts.

- Encourage front fences that are appropriate in style and form to the historic character of the heritage precinct or place. New front fences in heritage precincts should not exceed 1.2 m in height.
- Conserve historic public realm features such as basalt gutters, kerb or verge treatments and mature street trees where they form an integral part of the fabric of a heritage precinct.
- Encourage traffic management devices and road construction such as roundabouts within heritage precincts that are understated in their treatments but do not conflict with or detract from the historic context of a heritage precinct.
- Ensure that street tree species selection and placement, wherever possible, enhances the historic character of a heritage precinct.

#### *Demolition*

It is policy to:

- Strongly discourage the demolition of Significant and Contributory elements of heritage places and precincts.
- Only consider the demolition of heritage places where it can be demonstrated to the satisfaction of the responsible authority that, as appropriate:
  - The building is structurally unsound and cannot feasibly be repaired without undertaking substantial alterations that would diminish the integrity of the building; and,
  - The proposed replacement building embodies design excellence that is complementary in form, scale and materials to the heritage place and precinct but is clearly contemporary in approach. This does not apply where the whole of the heritage place is to be demolished if it is not located in a heritage precinct.
- Only consider demolition of part of a Significant or Contributory heritage place when it can be demonstrated to the satisfaction of the responsible authority that its demolition or removal will not adversely affect the significance of the place
- Encourage the removal of non-significant alterations or additions to Significant or Contributory heritage places, particularly where this would assist in revealing the significance of the place.

#### *Signage*

It is policy to:

- Give preference to advertising signs in traditional forms and locations on buildings, and that are limited in number.

#### *Trees*

It is policy to:

- Support the maintenance and management of *significant* trees in a manner that ensures that they will survive in good condition according to their normally expected life span.
- Apply the Australian Standard AS4970-2009 'Protection of Trees on Development Sites' to *significant* trees on sites affected by works.
- Avoid development within the area within the drip-line of the tree, i.e. under its canopy, for significant trees on sites subject to new buildings and works,
- Avoid development that would have an adverse effect on a significant tree or a tree that contributes to the setting of a heritage place or precinct.

#### *Subdivision*

It is policy to:

- Give preference to subdivision that is compatible with the historic subdivision pattern found in a heritage precinct, or relates to an approved multi-unit development.
- Consider subdivision of heritage places only if it maintains the significant fabric associated with that heritage place on a single lot.

### Managing Planning Applications

It is policy that the following information may be required to support an application, as appropriate:

- For applications that may have an adverse impact upon the significance of the heritage place or precinct (Refer to Figure 1) a heritage impact statement prepared by a suitably qualified heritage consultant, which assesses the impact of the application upon the significance of the heritage place. This report should:
  - As part of the Site Analysis, describe the significant elements of the place having regard to the relevant heritage citation and how these have been considered in the preparation of the application.
  - If the application includes demolition, an assessment of whether the fabric is significant and, if so, provides reasons why it is to be removed.
  - On the basis of the above, an assessment of how the application will affect the significance of the heritage place or precinct.

*Note: It is possible that there may be significant fabric not specifically identified by an existing heritage study. Any additional fabric identified should be noted and assessed as part of the report.*

The types of applications that may have an adverse impact upon the significance of a heritage place include:

- Demolition of a Significant or Contributory building or feature;
- major addition to or removal of all or part of a Significant or Contributory building or feature,
- removal of a Significant tree, or
- works affecting a Significant archaeological feature.

### Decision guidelines

It is policy that before deciding upon an application the responsible authority must consider, as appropriate

- Whether the proposed demolition, buildings or works will assist in the long term conservation or maintenance of the place, or
- Whether the proposed demolition, buildings or works will support the viability of the existing use of the place or will facilitate a new use that is compatible with the ongoing conservation of the building, or

### Other Actions

It is policy to:

- Refer to and facilitate the recommendations of relevant heritage reference documents in preparing planning scheme amendments.
- Seek and retain the services of a heritage advisory officer or other advisory expert to guide the application of the Heritage Overlay.
- Work with stakeholders of public land to develop appropriate methods for the conservation and enhancement of heritage places on public land, such as parks, road reserves and public infrastructure.

### Reference Documents

- Bick D, Wilde S, Patrick J [1991] Rural City of Warragul Heritage Study, Rural City of Warragul.
- Context Pty Ltd, Baw Baw Shire Heritage Study Stage 2, May 2011 (Volumes 1-4), as amended.
- Context Pty Ltd, Baw Baw Shire Heritage Study Stage 2A, August/September 2011 (Volumes 1 & 2) as amended.
- The Heritage Overlay: Guidelines for Assessing Planning Permit Applications [Public Draft February 2007].