

**22.01 HERITAGE**17/08/2017  
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This policy applies to all land included in the Heritage Overlay.

**22.01-1 Policy basis**17/08/2017  
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This policy:

- Implements the Vision for Moonee Valley in Clause 21.03, and builds on the MSS objectives and strategies for heritage in Clause 21.06, which identifies the use of local policies as one of the key tools to ensure that the cultural heritage of Moonee Valley is protected and conserved.
- Implements the recommendations of the *Moonee Valley Heritage Strategy* 2011 and various heritage studies for the City of Moonee Valley, and gives effect to the *City of Moonee Valley Heritage Guidelines* 2016.
- Assists with the assessment of planning permit applications sought under Clause 43.01.

**22.01-2 Objectives**17/08/2017  
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- To encourage conservation of heritage places in accordance with the principles and procedures set out in the Burra Charter.
- To ensure accurate restoration or reconstruction of heritage places.
- To maintain the integrity, intactness and significance of heritage places.
- To maintain the distinctive historic character and visual cohesion of streetscapes within heritage precincts.
- To ensure that alterations and additions and new buildings respect and complement the heritage place.
- To avoid alterations, additions or demolition that would result in the incremental or complete loss of significance of a heritage place.
- To maintain an appropriate setting for a heritage place including the historic public realm.
- To avoid inadvertent destruction of archaeological remains.

**22.01-3 Policy**17/08/2017  
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It is policy to:

- Consider the most recent statement of significance if there is more than one statement of significance for a heritage place. If there is a statement of significance at both the individual and precinct level for a heritage place then both should be taken into account.
- Obtain expert heritage advice to identify the contributory elements of a heritage place, where the responsible authority determines that the relevant statement of significance does not clearly identify these.
- Encourage the maintenance, and repair, rather than replacement of original materials and details that contribute to the significance of a heritage place.
- Encourage the accurate restoration or reconstruction of colour schemes, materials and details to a known earlier state. This should be guided by the statement of significance and any additional supporting evidence.

- Conserve views of, vistas to, silhouettes and profiles of a heritage place or within a heritage precinct, where these views or vistas have been identified as contributing to the significance of the heritage place.
- Conserve the visual relationship between heritage places.
- Allow adaptive reuse if the new use supports the conservation of a heritage place.
- Ensure external materials, colours and finishes are appropriate for style and detailing of the heritage place.
- Discourage the painting of originally unpainted surfaces.
- Discourage paint removal methods (such as sandblasting, waterblasting), which may damage the heritage place.
- Discourage introducing vehicle crossovers at the frontage of heritage places, except where the statement of significance identifies crossovers as a contributory feature.

### **Demolition and relocation**

It is policy to:

- Discourage the complete demolition of a Significant or Contributory heritage place unless:
  - The heritage place is structurally unsound and it is demonstrated to the satisfaction of the responsible authority that it cannot feasibly be repaired or adapted for reuse.
  - The heritage place is in poor condition and it is proposed to deconstruct and accurately rebuild it to the original condition.
  - As appropriate, a visual record of the building is provided prior to demolition commencing.
- Consider demolition of part of a Significant or Contributory heritage place when it can be demonstrated that the part demolition will not adversely affect the significance of the heritage place and, as appropriate:
  - It will assist in the long term conservation or maintenance of the heritage place, or
  - It will support the viability of the existing use of the heritage place, or will facilitate a new use that is compatible with the on-going conservation of the heritage place, or
  - It will remove non-contributory elements, such as alterations or additions, particularly where this would assist in revealing the significance of the heritage place.
- Allow complete or part demolition of Non-contributory buildings in a heritage precinct.
- Avoid the relocation of a heritage place unless:
  - It can be shown that the relocation is the only reasonable means of ensuring the continued existence of the heritage place, or
  - The heritage place has a history of relocation and/or is designed for relocation.
- If relocation is considered appropriate, then all of the following conditions should be met:
  - The heritage place can be relocated without damage, and
  - The heritage place is historically recorded on its current site prior to relocation, and

- An appropriately qualified person oversees the relocation procedure and undertakes the historical recording.

### **Alterations and additions to heritage places**

This policy applies to alterations and additions to heritage places including the construction of new garages and outbuildings to a Significant, Contributory or Non-contributory place.

It is policy to:

- For Significant and Contributory places, encourage alterations and additions to respect and complement the associated heritage place in form, siting, scale/height, proportions, details, colours and materials.
- For Significant and Contributory places, discourage alterations and additions that would alter, conceal or destroy/remove features, materials or details that contribute to the significance of the heritage place.
- For Significant and Contributory places, avoid alterations or additions to visible elevations of heritage buildings.
- For all places, discourage alterations and additions that copy historical styles in detail.
- For all places, discourage additions that would be visually dominant.

### **New buildings**

This policy applies to infill buildings within a heritage precinct including construction of more than one dwelling on a site.

It is policy to:

- Encourage contextual contemporary design that respects and complements the form, scale, colours, materials, rhythm, siting and spacing of Significant and Contributory buildings.
- Discourage new buildings that would be visually dominant.
- Discourage new buildings that copy historical styles in detail.

### **Subdivision**

It is policy to:

- Ensure that subdivision in a heritage precinct is compatible with the historic subdivision pattern.
- Ensure that subdivision maintains the contributory elements associated with a heritage place on a single lot.
- Avoid subdivision that could create the potential for new buildings that could adversely affect a heritage place.

### **Advertising signs**

It is policy to:

- Encourage conservation of historic signage that contributes to the significance of a heritage place.
- Encourage advertising signs to have traditional forms and locations on heritage buildings.
- Avoid excessive signage, or any signage that would conceal, damage or require the removal of significant fabric.
- Avoid illuminated signage.

## **Fences and gates**

It is policy to:

- Encourage conservation of fences or gates that contribute to the significance of a heritage place.
- Encourage new fences or gates to complement the style and detailing of the heritage place if the original fence cannot be conserved or reinstated and specifically to:
  - Encourage a consistent approach for buildings that form part of a related group of buildings such as an attached pair or terrace row.
  - Encourage front fences to be of a low height, unless there is historic evidence for a higher fence.
  - Encourage front fences to have a level of transparency unless there is historic evidence that supports otherwise.
- Encourage new fences or gates for Non-contributory places to be in a simple contemporary style that complements the historic fences found in the heritage precinct.

## **Significant trees**

It is policy to:

- Ensure that any future development, or changes in immediate environmental conditions, adjacent to a tree will not have a detrimental impact upon the integrity and condition of the tree.
- Where a tree needs to be removed due to poor health or dangerous condition, encourage 'like for like' replacement. An alternative species of tree, or no replacement, may be considered when:
  - Changes in the site conditions since the species was first planted mean that the original species is no longer appropriate or is no longer suitable (e.g. due to size or form or proximity to buildings).
  - The original species is inappropriate given the local climate, soils or other reasons and an alternative would be more suited.
  - The species is identified as an environmental weed and cannot be appropriately managed when planted.
  - The species is at risk from pest or disease and another species would be more appropriate.
- Encourage pruning (if required) to be in accordance with AS 4373 – 2007 'Pruning of Amenity Trees'

## **Public realm**

It is policy to:

- Retain contributory elements of the public realm.
- Discourage changes to the shape and position of roads and footpaths if these are contributory elements of a heritage place.
- Discourage the replacement of medians or tree planting that would interrupt important vistas or create a visual intrusion on streetscapes.
- Encourage location of services away from sensitive public realm elements.
- Ensure that where the replacement of services requires the removal of any contributory elements in the public realm, existing conditions are recorded and where possible, reinstated to match pre-intervention form.

**22.01-4 Application requirements**17/08/2017  
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An application should be accompanied by the following information, as appropriate. This information may not be required for minor applications as determined by the responsible authority:

- A report, which assesses the impact of the proposal upon heritage place. This report should:
  - As part of the site analysis, describe the contributory elements of the heritage place and how these have been considered in the preparation of the application.
  - Describe how the proposal responds to this policy and the *City of Moonee Valley Heritage Guidelines*.
  - If it is proposed to vary or not comply with any aspect of this policy or the *City of Moonee Valley Heritage Guidelines*, an explanation of the reasons why.
- For applications where demolition is sought on the basis of the condition of the building, a report must be prepared by a suitably qualified consultant that assesses the structural condition of the building and whether or not any defects can be repaired or restored.
- A Conservation Management Plan prepared by a suitably qualified consultant in accordance with the *Australian ICOMOS Charter for the Conservation of Places of Cultural Significance 2013* (the Burra Charter) may be required for a proposal that the responsible authority considers to raise significant heritage issues.
- A report prepared by a suitably qualified consultant, which assesses the impact of an application upon any tree/s that contribute to the significance or setting of a heritage place.

**22.01-5 Decision guidelines**17/08/2017  
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It is policy to, as appropriate, consider the following matters when deciding an application:

- The significance of the heritage place.
- The intactness or integrity of the heritage place.
- For alterations or additions to a building or a new infill building within a precinct, as appropriate:
  - The visibility of the alteration, addition or infill building within the streetscape.
  - The intactness of the streetscape.
  - The form, materials, height and setbacks of Significant and Contributory buildings on surrounding sites.
  - The suitability of the proposed colours and materials.
- The physical or documentary evidence to support restoration or reconstruction of historic building fabric.
- The structural condition of the heritage place and whether any defects can be restored.
- The health and condition of a significant tree.

**22.01-6 Policy Definitions**17/08/2017  
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- *Heritage place.* A heritage place includes a site, building or structure, area or group of buildings (also referred to as a 'heritage precinct'), archaeological site, tree, garden, geological formation, fossil site, habitat or other place of identified natural or cultural significance and its associated land.

- *Significant place.* A heritage place that has cultural heritage significance independent of its context. Significant places may also contribute to the significance of a heritage precinct. Significant places will usually have a separate citation and statement of significance (refer to References at the end of this policy).
- *Contributory place.* A heritage place that contributes to the significance of a heritage precinct, but would not be significant on its own.
- *Non-contributory place.* A place that does not contribute to the significance of a heritage precinct. In some instances, a Significant place may be considered Non-contributory to a heritage precinct, for example, an important Modernist house within a Victorian era precinct.
- *Public realm.* The public realm includes all non-private property including streets, roads and laneways, and public parks. Public realm features that contribute to the significance of heritage places can include kerb and channel treatments, laneways, roadside verges, monuments, pavilions, public art, and street trees and other heritage landscape features.

## 22.01-7 Reference documents

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- *Australian Standard – Pruning of Amenity Trees, AS 4373 (2007)*
- *The Australia ICOMOS Charter for Places of Cultural Significance (the Burra Charter), Australia ICOMOS Inc, 2013*
- *City of Moonee Valley Heritage Guidelines, Moonee Valley City Council, 2016*
- *Moonee Valley Heritage Study, Context Pty Ltd, 2015*
- *Moonee Valley Thematic Places Heritage Study, Context Pty Ltd, 2012-14*
- *Heritage Overlay Review, David Helms Heritage Planning, 2014*
- *Moonee Valley Thematic Environmental History, Living Histories, 2013*
- *Review of Heritage Overlay Precincts, David Helms Heritage Planning, 2012*
- *Moonee Valley Heritage Strategy, Moonee Valley City Council, 2011*
- *Heritage Assessment: Moonee Ponds Activity Centre Stage 2 report, David Helms Heritage Planning, 2011*
- *Moonee Valley Heritage Gap Study, Heritage Alliance, 2005*
- *Flemington and Kensington Conservation Study (Individual data-sheets, City of Moonee Valley), Graeme Butler, 1995*
- *Essendon Conservation Study, Graeme Butler, 1985*