

**22.01 HERITAGE**28/04/2016  
C61

This policy applies to all land within a Heritage Overlay, apart from the areas as defined on Plan 4: Maldon Framework Plan, to which Clause 22.02 (Maldon) applies.

**Policy Basis**

Mount Alexander Shire exhibits important natural and cultural heritage which is fundamental to the Shire's character and attractiveness as a place to live, invest and visit.

These natural and cultural assets include buildings, townscapes, streetscapes, remnants of settlements, mining sites, sites of Aboriginal cultural significance, trees and significant landscapes and natural features.

This heritage is highly valued by the community and the conservation, protection and maintenance of this heritage is an important objective of Council.

This policy builds upon the objectives in Clause 21.07 relating to heritage.

**Definitions*****Adaptation***

Changing a place to suit the existing use or a proposed use.

***Additions***

Additions are new works including detached and attached structures.

***Conservation***

All the processes of looking after a place so as to retain its cultural significance.

***Contributory Elements***

Refers to elements that contribute to the significance of the heritage place. Usually these are buildings that contribute to the significance of a heritage precinct.

***Cultural Heritage Significance***

The aesthetic, historic, scientific, social or spiritual value for past, present or future generations.

***Fabric***

All the physical material of a heritage place, including components, fixtures, contents and objects.

***Form***

The shape, proportions and size of a building.

***Heritage Place***

An individual property, heritage precinct, or landscape element and its associated land included in the Heritage Overlay. It may include elements, objects, spaces and views.

***Heritage Precinct***

A collection of sites that contribute to the cultural significance of an area.

***Individually Significant***

A heritage place that has cultural heritage significance independent of its context. Some places covered by an individual Heritage Overlay also make a contribution to the significance of a Heritage Precinct.

***Maintenance***

The continuous protective care of the fabric and setting of a heritage place. It is to be distinguished from repair, which involves restoration or reconstruction.

***Preservation***

Maintaining the fabric of a place in its existing state and preventing deterioration.

***Reconstruction***

Returning a place to a known earlier state. Reconstruction is distinguished from restoration by the introduction of new materials into the fabric.

***Restoration***

Returning the existing fabric of a contributory site to a known earlier state by removing accretions or later additions or by reassembling existing components without the introduction of new materials.

**Objectives**

To protect Mount Alexander's heritage places in accordance with the accepted conservation standards of the ICOMOS Burra Charter.

To protect and conserve Mount Alexander's natural and cultural heritage.

To protect and conserve the historic fabric and maintain the integrity of places of cultural heritage significance.

To retain significant view lines to, and vistas of, heritage places.

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

To recognise and respond to the values and attributes of important townscapes.

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

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

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

To encourage the retention of individually significant heritage places and contributory elements.

**Policy**

**Statements of significance**

It is policy to:

- Take into account the Statement of Significance of a heritage place when making decisions about proposed buildings and works associated with that place; and
- Where there is more than one Statement of Significance adopted by the responsible authority in relation to a heritage place, give priority to the most recently adopted Statement of Significance.

**Demolition**

It is policy to:

- Retain individually significant heritage places and elements that contribute to the significance of the heritage place.

- Discourage the demolition of significant and contributory heritage buildings unless it can be demonstrated that:
  - the building is structurally unsound, and
  - the original fabric of the building has deteriorated to such an extent that a substantial reconstruction would be required to make the building habitable.
- Allow the partial demolition of significant and contributory heritage buildings where the fabric to be demolished is of no significance, or where the demolition helps to reveal the original fabric of the building.
- Allow the partial demolition of significant and contributory heritage buildings for the purpose of additions, only if the additions will not affect the heritage significance of the building and the proposed addition is sympathetic to its scale and form.
- Allow the demolition of non-contributory buildings in heritage precincts.

### **Original location**

It is policy to:

- Encourage the retention of a heritage place or a contributory element to a heritage place in its original location unless:
  - the location is not an important component of the cultural significance of the heritage place; or
  - it can be shown that the relocation is the only reasonable means of ensuring the survival of the heritage place.

### **Reconstruction and restoration**

It is policy to:

- Retain original fabric.
- Encourage restoration of a heritage place or contributory element if evidence exists to support its accuracy.
- Encourage the reconstruction of a building or works which previously existed in a heritage place if:
  - the reconstruction will enhance the heritage significance of the heritage place; or
  - evidence exists to support the accuracy of the reconstruction.
- Encourage the reconstruction of original or contributory elements where they have been removed.

### **Painting and surface treatments**

It is policy to:

- Encourage the removal of paint from originally unpainted masonry surfaces.
- Encourage the retention of historic painted signs.
- Discourage the sand blasting of render, masonry or timber surfaces and the painting of unpainted surfaces.
- Encourage paint colours to be consistent with the period of the heritage place.
- Discourage particularly bright or synthetic colours designed to create contrast and hence draw particular attention to a building.

### **Significant trees**

It is policy to:

- Encourage the retention of significant trees in a heritage place unless:
  - the trees are to be removed as part of a maintenance program to manage loss of trees due to deterioration caused by old age or disease; or
  - the trees are causing structural damage to an existing structure and remedial measures (such as root barriers and pruning) cannot be implemented.
- Ensure additions and new works respect culturally significant trees (and where possible, significant garden layouts) by siting proposed new development at a distance that ensures the ongoing health of the tree.
- Encourage replacement trees of the same species when significant trees are removed.

### **Subdivision**

It is policy to:

- Ensure that the subdivision of heritage places does not adversely affect the heritage significance of the place.
- Ensure that development which may result from the subdivision of heritage places does not adversely affect the heritage significance of the place.
- Ensure that the subdivision of heritage places results in development that retains and extends the existing built form pattern where such pattern contributes to the significance of the heritage place.
- Retain views to significant and contributory heritage buildings.
- Encourage subdivision that complements and is consistent with the rhythm and pattern of buildings in heritage precincts.
- Avoid subdivision where it will adversely affect the important views of, and the interrelationship between, groups of significant or contributory heritage buildings.
- Ensure that the location of boundaries and building envelopes in new subdivisions do not threaten significant vegetation.
- Avoid new lot boundaries that would bisect the root or canopy zone of significant vegetation.
- Retain gardens and established trees (whether or not of heritage significance) which contribute to the setting of a significant or contributory heritage building or precinct in the same allotment as the building if possible.

### **New development, alterations or additions**

It is policy to:

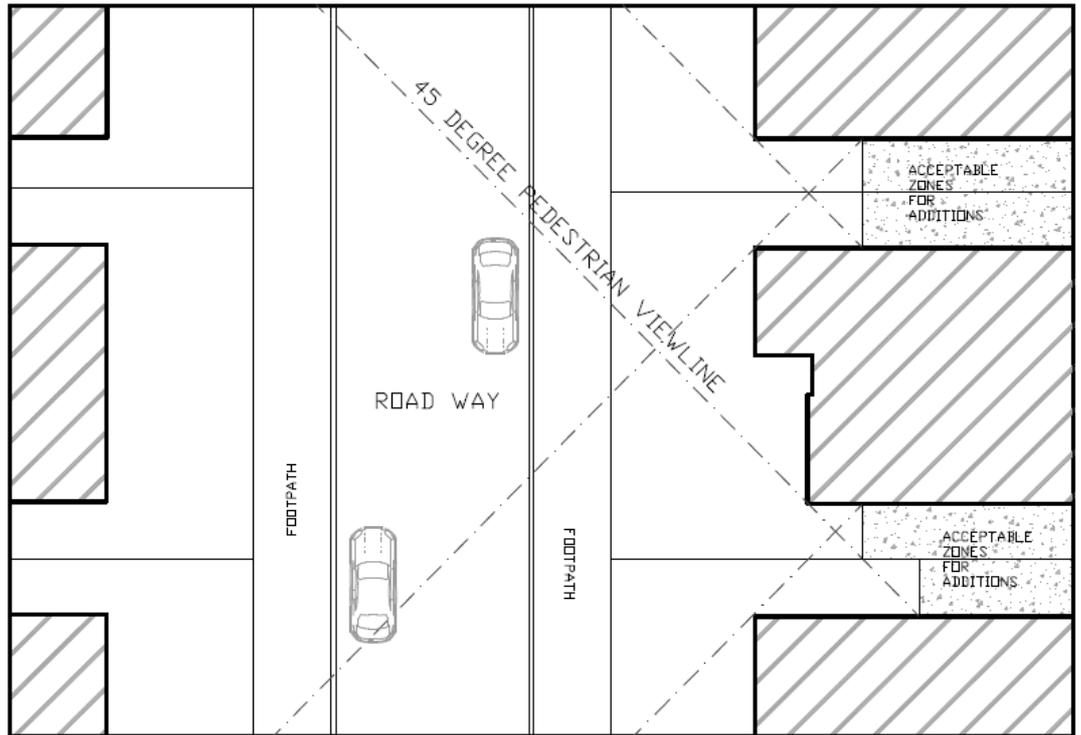
- Encourage the design of new development and alterations and additions to a heritage place or a contributory element to a heritage place to:
  - respect the pattern, rhythm, orientation to the street, spatial characteristics, fenestration, roof form, materials and heritage character of the surrounding historic streetscape;
  - be articulated and massed to correspond with the prevailing building form of the heritage place or contributory elements to the heritage place;
  - be visually recessive and not dominate the heritage place;
  - be distinguishable from the original historic fabric;
  - not remove, cover, damage or change original historic fabric;
  - not obscure views of principle facades; and

- consider the architectural integrity and context of the heritage place or contributory element.
- Discourage elements which detract from the heritage fabric or are not contemporary with the era of the building such as unroofed or open upper level decks or balconies, reflective glass, glass balustrades and pedestrian entrance canopies.
- Encourage new buildings and additions on sites with frontages to two streets, being either a corner site or a site with dual street frontages, to respect the built form and character of the heritage place and adjoining or adjacent contributory elements to the heritage place.
- Encourage new buildings on corner sites to reflect the setbacks of buildings that occupy other corners of the intersection.
- Encourage new upper storey additions to heritage places or contributory elements to heritage places to:
  - Preserve the existing roof line, chimney(s) and contributory architectural features that are essential components of the architectural character of the heritage place or contributory elements to the heritage place; and
  - Respect the scale and form of the heritage place or contributory elements in the heritage place by stepping down in height and setting back from the lower built forms.

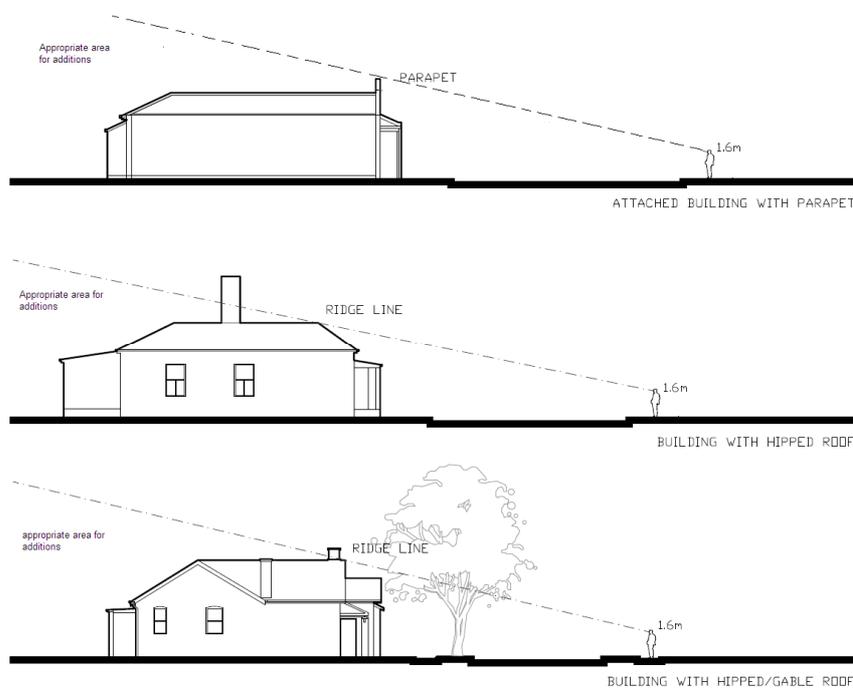
***Performance standards***

The following performance standards apply in the application of the policy:

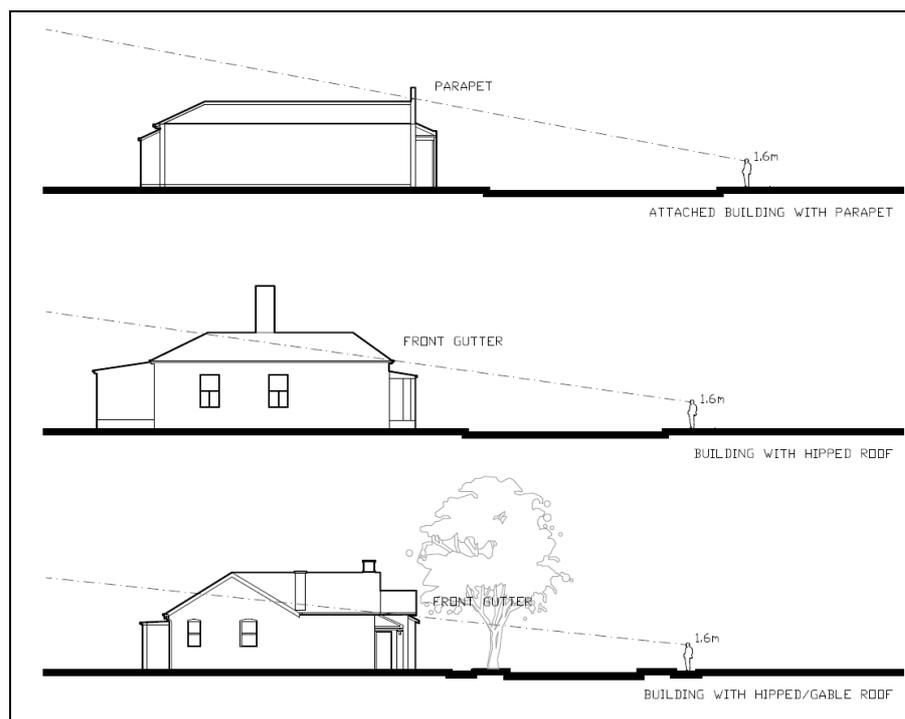
- Setbacks from the principal street frontage should be similar to those of adjoining contributory buildings; where there are differing adjoining setbacks, the greater setback should be adopted.
- Facade heights should be similar to the adjoining contributory elements in the street. Where there are differing facade heights, the design should adopt the lesser height.
- Ground level additions and any higher elements should be located towards the rear of the site.
- Ground level additions to contributory buildings should be sited within the ‘envelope’ created by projected sight lines (see Figure 1)
- Upper level additions to heritage places should be sited within the ‘envelope’ created by projected sight lines (for contributory buildings refer to Figure 2 and for individually significant buildings refer to Figure 3).
- Additions to individually significant places should, as far as possible, be concealed by existing heritage fabric when viewed from the front street and to read as secondary elements when viewed from any other adjoining street.
- Particularly bright or synthetic colours designed to create contrast and hence draw particular attention to a building should not be used.



**Figure 1.** Acceptable areas for ground level additions are sited within the area created by drawing a 45 degree view line from the opposite footpath through the front corner of the subject building and the corners of adjacent buildings.



**Figure 2.** Appropriate areas for upper level additions to contributory buildings are sited within the ‘envelope’ created by projecting a sight line from 1.6 metres above ground level (eye level of average adult person) from the footpath on the opposite side of the street through the top of the front parapet or the ridge line of the principal roof form.



**Figure 3.** Appropriate areas for upper level additions to individually significant buildings are sited within the 'envelope' created by projecting a sight line from 1.6 metres above ground level (eye level of average adult person) from the footpath on the opposite side of the street through the bottom of the front parapet or the gutter line of the principal roof form.

### Carports, car spaces, garages, and outbuildings

It is policy to:

- Encourage carports, car spaces, garages and outbuildings to be set back behind the front building line (excluding verandahs, porches, bay windows or similar projecting features) of the heritage place or contributory element, or to be reasonably obscured. New works should be sited within the 'envelope' shown in Figure 1.
- Discourage:
  - new vehicle crossovers in streets with few or no crossovers;
  - high fencing, doors and boundary treatments associated with car parking that are unrelated to the historic character of the area; and
  - new vehicle crossovers in excess of 3 metres wide in residential streets.

### Front fences and gates

It is policy to:

- Retain original and contributory fences and gates;
- Ensure that new fences and gates are sympathetic to and contribute positively to the significance of the heritage place;
- Avoid fences and gates that would obscure views to the front facade of significant or contributory heritage places from adjacent streets;
- Ensure that the materials and scale of new fences and gates are consistent with the architectural period of the significant or contributory heritage building, or in the case of non-contributory buildings, the precinct;

- Avoid fences and gates greater than 1.2 metres in height unless this is consistent with the architectural period of the heritage place or precinct;
- Avoid fences and gates constructed in solid materials unless this is consistent with the architectural period of the heritage place or precinct; and
- Encourage restoration or reconstruction of original fences and gates where the design details and materials of an original fence or gate are known. Where such details are not known cues may be taken from original fences and gates within the precinct (where relevant) or on properties from heritage places from the same architectural period.

#### **Ancillaries and services**

It is policy to:

- Encourage ancillaries or services such as satellite dishes, shade canopies and sails, access ladders, air conditioning plants, prominent wall and roof top mounted lighting, roof top gardens and their associated planting, water meters, and as far as practical aerials, to contributory or significant buildings, to be concealed when viewed from street frontages;
- Allow (where there is no reasonable alternative location) ancillaries and services which will reduce greenhouse gas emissions or reduce water consumption (such as solar panels or water storage tanks) or provide universal access (such as wheel chair ramps) to be visible, but these should be sensitively designed;
- Encourage ancillaries or services in new development to be concealed or incorporated into the design of the building; and
- Encourage ancillaries or services to be installed in a manner whereby they can be removed without damaging heritage fabric.

#### **Signs**

It is policy to:

- Conserve early examples of painted or other types of signage;
- Encourage new signs that respect the period and style of the building to which they relate by using appropriate materials, fonts and paint colours;
- Encourage signs that are of a size that does not dominate the historic place or precinct;
- Discourage signs that dominate a building or obscure its architectural form or features;
- Encourage signs to be placed in locations on the building that would have traditionally been used as advertising areas;
- Ensure that new signs are capable of being removed without causing damage to the historic fabric of the place; and
- Avoid signs painted in fluorescent or iridescent paint.

#### **Archaeological sites**

It is policy to:

- Refer applications to Heritage Victoria for comment where any proposed buildings or works may affect archaeological relics, to facilitate compliance with Part 6 of the *Heritage Act 1995* (Protection of Archaeological Places).

#### **Castlemaine Central Conservation Area (identified as HO667)**

For heritage places within this area, in addition to the policies in this clause, it is policy to:

- Preserve the remaining evidence of buildings and works of the Victorian and Edwardian eras;

- Ensure that the design of new buildings harmonises (rather than contrasts) with other buildings in the vicinity in terms of size, proportion and distribution of openings and other elements; and
- Ensure that the choice of materials for new buildings harmonises with the materials that create the character of Castlemaine and harmonises with the materials of neighbouring buildings.

Within the Castlemaine Central Conservation Area, the following significant areas have been identified. In addition to the above policies, the following policies apply that are specific to these significant areas:

***Barker Street streetscape and Lyttleton Street streetscape***

The Barker Street streetscape refers to that part of the east side of Barker Street that lies between Templeton and Lyttleton Streets. The most important elements of the Barker Street streetscape are the Post Office, Old Telegraph Office, Faulder Watson Hall and the State Bank.

The Lyttleton Street Streetscape consists of that part of the north side of Lyttleton Street that lies between Barker and Hargraves Streets. The most important elements of the Lyttleton Street streetscape are the Post Office, Drill Hall, Town Hall, School of Mines and Court House.

It is policy to:

- Protect and conserve the area's character, which is associated with this important group of Castlemaine's public buildings.
- Ensure that all new buildings, development, works and landscaping conform to the architectural style, bulk, spacing and form of the public buildings that represent this streetscape.
- Ensure that the strong visual and physical relationships between the public buildings are maintained.

***Barker Street***

Barker Street between Mostyn and Templeton Streets represents a significant historic and heritage area.

It is policy to:

- Protect and conserve the physical and visual character of this section of Barker Street, which consists of historic shops of varying age, architectural style and intactness.

***Campbell Street***

Campbell Street, between Kennedy and Urquhart Streets, retains significant historic residential architectural styles, ranging from traditional miners' cottages through to large pre-1890 houses.

It is policy to:

- Protect and conserve the rich variety of housing styles represented along this part of Campbell Street, including Victorian and Regency cottages and houses.
- Ensure that new buildings, development, works and landscaping enhance the rich variety of housing types.

***Market Square***

The original Market Square consisted of the block of land bounded by Forest, Barker, Mostyn and Hargraves Streets, and included the surrounding frontages of Barker, Mostyn and Hargraves Streets that fronted onto this block.

It is policy to:

- Protect and conserve the scale of buildings along those sections of Mostyn, Barker and Hargraves Streets that surround Market Square so as to preserve the commercial character of the buildings surrounding the square.
- Ensure that replacement buildings in this encircling commercial area are constructed to the building line so that the pedestrian/building interface is maintained.
- Discourage large scale car-oriented buildings that are set back from the building line.

**Camp Reserve and Environs (identified as HO668)**

It is policy to:

- Protect and conserve the area's characteristic road layout and treatment.
- Discourage the design and treatment of new roads, and improvements and alterations to existing roads, that would give the area a 'suburban' character.
- Ensure that the design and treatment of new roads, and improvements and alterations to existing roads, are in harmony with the nature, size, proportion and treatment of existing roads in the area.
- Protect the appearance and environmental qualities of the Barker's Creek environs and Camp Reserve.

**Botanical Gardens (identified as HO669)**

It is policy to:

- Restore the Botanical Gardens to their former elegance and original character, as far as is practicable.
- Protect and conserve the important botanical specimens growing in the area.
- Protect and enhance all watercourses in this area.
- Ensure that all future landscaping and garden works are designed and maintained to harmonise with the visual character of the Botanical Gardens.

**Railway Station Environs (identified as HO670)**

It is policy to:

- Protect and conserve the important architectural styles and engineering skills associated with this area.
- Ensure that new buildings, development, works and landscaping conform to the architectural style, scale and appearance of the important railway buildings.
- Ensure that new buildings, development, works and landscaping have regard to the function of Barkers Creek.

**Burnett Road and Environs (identified as HO671)**

It is policy to:

- Discourage the design and treatment of new roads, and improvements and alterations to existing roads, that would give the area a 'suburban' character.
- Ensure that the design and treatment of new roads, and improvements and alterations to existing roads, are in harmony with the nature, size, proportion and treatment of existing roads in the area.

**'Buda' Historic Conservation Area (identified as HO672)**

It is policy to:

- Ensure that all new buildings, development, works and landscaping conform to the styles, bulk, spacing and form of the buildings that represent the streetscape - the most important element of this streetscape is 'Buda'.
- Ensure that the design of new buildings and works is in harmony with 'Buda' in terms of design, building form, scale and distribution of other elements.
- Discourage the design and treatment of new roads, and improvements and alterations to existing roads, that would give the area a 'suburban' character.
- Ensure that the design and treatment of new roads, and improvements and alterations to existing roads, are in harmony with the nature, size, proportion and treatment of existing roads in the area.
- Ensure that the choice of materials for new buildings harmonises with the materials that create the character of Buda and Castlemaine and the materials of neighbouring buildings.
- Ensure that the choice of paint colour and finishes to external surfaces of new buildings and alterations to existing buildings is in harmony with the character of the area.
- Encourage trees, shrubs and landscaping to be in harmony with the established garden character of 'Buda'.

### **Application requirements**

It is policy to require all planning permit applications in the Heritage Overlay to be accompanied by, where relevant:

- A written report that explains how the proposal addresses the provisions of this clause and the justification for any variations from the policy.
- Building structural reports for demolition applications.
- Conservation management plans for any applications that raise significant heritage issues.
- Arborists' reports for applications involving significant trees.
- Plans and elevations (A3 size) including (but not limited to):
  - fully scaled and dimensioned elevations and floor plans of existing conditions, the extent of any proposed demolition, and any alterations and additions or new buildings;
  - a fully scaled and dimensioned site plan showing the existing and proposed development including outbuildings, fences, significant vegetation, car parking, new crossovers, on-site parking space locations and any other noteworthy features;
  - a photo montage of the streetscape;
  - a streetscape elevation which shows the existing streetscape and how the proposal sits within it;
  - elevations, where appropriate, which shows how the proposal sits within its immediate area, particularly from oblique views from neighbouring streetscapes where any part of the proposal will be visible,
  - full details and samples of materials, finishes, and colours;
  - details of any primary or secondary sources used to provide evidence of the earlier or original use, form or decoration of the heritage place;
  - a landscape plan; and

- for upper storey additions, sightlines showing the proposed upper storey additions (refer to the sightline diagrams in Figures 1, 2 & 3).

### **Decision guidelines**

Before deciding on an application the responsible authority will consider:

- Whether there should be an archival recording of the original building or fabric on the site.
- The heritage significance of the place or element as cited in the relevant Statement of Significance or Building Citation.