

LOCAL PLANNING POLICY 124

HERITAGE

KEY FOCUS AREA **Liveability**



1. Citation

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This Policy may be cited as Local Planning Policy No. 124 –Heritage.

2. Policy Statement

The Town of Claremont (the Town) recognises that conserving and enhancing existing heritage places creates a sense of place, as well as protecting the amenity and enhancing the built environment of the district. Ensuring new development and additions to existing heritage places are sympathetic in design is critical to the ongoing protection of the Town’s heritage values.

3. Policy Objectives

- (a) To conserve and protect places of local cultural heritage significance.
- (b) To ensure that development does not adversely affect the significance of local heritage places and areas.
- (c) To clarify the format and content of accompanying material in accordance with clauses Schedule 2, Part 8, Clauses 63(1)(c) and (d) and 63(3) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

4. Application

This policy applies to all applications for development approval for places included within the Heritage List, or for land located within a designated Heritage Area.

For applications within a designated Heritage Area, the associated local planning policy is also applicable.

It does not apply to conservation of Aboriginal heritage except in cases where Aboriginal heritage places or areas are entered in the Heritage List, Local Heritage Survey or are located within a Heritage Area. Aboriginal heritage is protected by the *Aboriginal Cultural Heritage Act 2021*.

5. Definitions

- Fabric: *means all the physical material of the place.*
- Heritage Area: *means an area designated as a heritage area under Schedule 2, Part 3, Clause 9 of the Planning and Development (Local Planning Schemes) Regulations 2015.*
- Heritage Protected Place: *means a place that is included on the Heritage List and/ or within a designated Heritage Area.*
- Impact: *means the manner in which proposed works will, or are likely to, affect the cultural heritage significance of a place.*

Primary Street: *means the sole of principal public road that provides access to the major entry (front door) to the dwelling or building, unless otherwise designated by the Town.*

Significant Fabric: *means fabric identified as contributing to the cultural heritage significance of the place.*

6. Policy Requirements

6.1 Information Requirements

- (a) Depending on the scale and nature of the proposal, the Town may require, at the applicant's expense, one or more of the following to assist the assessment and determination of an application:
- (i) A Heritage Assessment in accordance with Schedule 2, Part 3, Clause 11, of the *Planning and Development (Local Planning Schemes) Regulations 2015*
 - (ii) A documented review of heritage value in accordance with Schedule 2, Part 8, Clause 63(1)(c) of the *Planning and Development (Local Planning Schemes) Regulations 2015*
 - (iii) A Conservation Management Plan (new or existing)
 - (iv) In the case of a proposed (full or partial) demolition, a Structural Report
 - (v) Line of sight diagrams showing the visibility of any proposed additions from the public domain taken from the opposite side of the road
 - (vi) Details of impacted view-lines of significance to or from the place
 - (vii) Photographs showing the existing front elevation and areas affected by the proposed development
 - (viii) A street elevation drawn as one continuous elevation showing the proposed development and the existing development on each lot immediately adjoining the heritage place, and
 - (ix) A schedule of existing and proposed external colours and finishes.
- (b) The Town may require, as a condition of development approval, an archival record of the place, at the applicant's expense, prepared by a suitability qualified heritage consultant, prior to development or demolition occurring.

6.2 Alterations and Additions

- (a) Alterations and additions to a heritage place shall be compatible with the siting, scale, architectural style and form, materials and external finishes of the heritage place and shall not detract from the streetscape.
- (i) Original materials are to be retained where possible, including ensuring face brick remains unpainted and timber joining not being replaced with metal.
 - (ii) Alterations and additions should be designed so the existing building remains the dominant structure when viewed from the street and where possible, should not be visible from the

primary street.

(iii) New openings to primary facades and openings in façades visible from the street shall be avoided.

(iv) The original roof line and façade of the heritage place shall not be altered. Where replacement is required, the roof line and the same or similar materials and colours to the original roof shall be provided.

(b) View lines to the heritage place from the street shall not be obstructed by alterations and additions. No new or additions to existing buildings may be constructed in the front setback area other than an unclosed carport.

6.3 Front Fencing and Gates

(a) Original front fences and gates shall be retained and conserved where possible.

(b) Where original fences and gates cannot be retained, the proposed fence and gate shall comply with the following:

(i) Compliment the style and materiality of the heritage place

(ii) Be visually permeable above 1.2m in height to ensure views to the heritage place are maintained, and

(iii) Where possible, replicate a fence style consistent with the architectural style of the heritage period.

6.4 Technology and External Fixtures

(a) Where new technology is proposed to be installed on the building (security cameras, sensors etc.), they should be installed so as to not detract from the cultural significance of the place and where possible, should not be visible from the public domain. Installation on secondary elevations is preferable.

(b) Where conduit or cabling is required to run along the surface of an external wall, it shall be painted to match the wall colour.

6.5 Commercial Buildings

(a) Elements of original shopfronts should be retained and conserved. Where possible, original shopfronts should be reinstated to accord with available evidence.

(b) Existing original parapets are to be retained. Reinstatement of missing parapets based on available evidence is encouraged.

(c) Where possible, existing original verandahs and awnings are to be retained. Where practical, reinstatement of missing original verandahs and awnings is encouraged.

(d) New signage should not be visually dominant, obstruct key features of heritage buildings or detract from the visual appreciation of the place or precinct.

- (e) Installation of external security screens such as shutters and roller doors are generally unacceptable. Treatments such as transparent films and some mesh screens may be acceptable if they have minimal visual impact and are installed internally.

6.6 Demolition

- (a) Demolition of a heritage place with exceptional or considerable significance is rarely appropriate and should require the strongest justification. Demolition of a heritage place with moderate or low significance should be avoided wherever possible, although there may be circumstances where demolition is justified.
- (b) Pursuant to Schedule 2, Part 7, Clause 61(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, development approval is not required for the demolition of any dwelling that is not located within a heritage-protected place.
- (c) Where development approval is required for any demolition, the application will be assessed with consideration of the following:
 - (i) The significance of the heritage place
 - (ii) The feasibility of restoring or adapting the heritage place, or incorporating it into new development, and
 - (iii) Structural failure is proven, and the building is beyond reasonable conservation.
- (d) Partial demolition of a heritage place may be supported where:
 - (i) The parts to be demolished do not contribute to the heritage significance of the place as identified in any Conservation Management Plan, Heritage Assessment, any other review of heritage value and/ or Place Record Form (Local Heritage Survey)
 - (ii) The structural integrity of the remaining heritage place is retained
 - (iii) The demolition will not adversely impact the streetscape, and
 - (iv) If structural failure is cited as a justification for demolition of significant fabric, the Town may require that a structural condition assessment by a registered structural engineer with relevant heritage experience be provided.
- (e) Demolition will not be supported if the Town forms the view structural inadequacy is a result of the place not being properly maintained or to provide for a more attractive economic proposition.
- (f) Demolition can only be supported after a place has been removed from the Heritage List. Where an owner seeks to remove a Heritage Place from the Heritage List, the request must be lodged in writing with the Town. If the Town agrees to consider the request, the owner will be required to provide, at their own expense, an independent detailed Heritage Assessment of the Place, prepared by a suitably qualified heritage professional, in addition to any report on structural condition required by Clause 6.6 (c) (iii).

The Town may, at its sole discretion, require the application be considered in consultation with a Peer Review Panel, which will consist of a chair nominated by the Town, an independent heritage consultant selected by the Town, and the applicant's heritage professional. The Peer Review Panel will then make a recommendation to Council as to whether the Heritage Place should be removed or retained on the Heritage List. Any expenses incurred by the Peer Review Panel will be met by the applicant.

Any Development Approval for demolition may be subject to an Archival Record and/or Interpretation Plan to be prepared at the applicant's expense. The Town may also require Development Approval for a new commercial building to be approved in line with guidelines for compatible development within a Heritage Area if this is applicable.

Document Control Box			
Legislation:	<i>Planning and Development Act 2005</i> <i>Heritage Act 2018</i> <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> <i>Heritage Regulations 2019</i>		
Organisational:	DA 2.2.1 Determination of Planning Related Matters		
Version #	Decision:	OCM Date:	Resolution Number:
1.	Adopted	17/08/2010	210/10
2.	Modified	05/10/2010	210/10
3.	Modified	10/12/2013	360/13
4.	Modified	09/12/2014	203/14
5.	Modified	01/09/2015	154/15
6.	Modified	03/11/2015	195/15
7.	Modified	15/12/2015	226/15
8.	Modified	13/12/2016	206/16
9.	Modified	18/12/2018	228/18
10.	Modified	27/06/2023	065/23