

<b>POL</b>	<b>HERITAGE CONSERVATION DESIGN GUIDELINES</b>	<b>LPP 4.4</b>
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**BACKGROUND:**

The City of Cockburn Local Government Inventory (LGI) identifies places within the City of Cockburn that have cultural heritage significance. The compilation of a Local Government Inventory is a requirement of Clause 45 of the *Heritage of Western Australia Act 1990*. Those places on the LGI with the greatest heritage significance are also included on the Heritage List pursuant to the City of Cockburn’s Local Planning Scheme No. 3 (LPS 3).

The City of Cockburn’s LGI includes a significant tree list, and these trees are protected under the City of Cockburn’s LPS 3.

**PURPOSE:**

The purpose of this Policy is to:

1. Set out development control principles for places on the Heritage List established pursuant to LPS 3, and the LGI.
2. Provide further direction on the development control principles contained within State Planning Policy 3.5 Historic Heritage Conservation (2007).
3. Provide improved certainty to landowners and the community about the development control principles for heritage conservation and protection.
4. Set out guidelines for modifications to trees included on the Significant Trees List.

The key objectives of this Policy are:

1. To ensure that works, including conservation, restoration, alterations, additions, changes of use and new development, respect the heritage significance associated with heritage places;
2. To encourage opportunities for interpretation where it can enhance understanding and enjoyment of heritage places, and strengthen the relationships between the community and its heritage.
3. To ensure that any works to trees included on the Significant Tree List do not endanger the trees survival.

This policy applies to places entered on the Heritage List pursuant to LPS 3, and places on the City of Cockburn LGI where specified.

#### Definitions:

In this Policy the following definitions apply, in addition to those terms defined in LPS 3 and Residential Design Codes of Western Australia (R-Codes):

Conservation Plan means a document that details how to identify and look after the significant cultural values of a place. Its preparation involves systematic consideration, recording and monitoring of actions and decisions relating to all aspects of managing a place. The Heritage Council of WA provides guidelines for the preparation of conservation plans.

Heritage place means a building, structure, site, area of land or other physical element valued for its cultural (or historic) heritage significance together with its associated contents and surrounds, and that is included on the State Register of Heritage Places, the City of Cockburn Heritage List, and/or the City of Cockburn LGI.

Heritage significance means the aesthetic, historic, social and scientific values of a place for past, present or future generations.

Interpretation means all the ways of presenting the heritage significance of an item. Interpretation may be a combination of the treatment and fabric of the item; the use of the item; the use of interpretive media, such as events, activities, signs and publications, or activities, but is not limited to these.

Setting means the area around a heritage place, which may include the visual catchment.

Significant Fabric means all the physical material of the place including components, fixtures, contents, and objects that contribute to the heritage significance of the place.

Significant Trees means trees that are included on the Significant Tree List (contained within the LGI) for their significance, which includes characteristics such

as outstanding aesthetic significance, horticultural value, historic value, and/or unique location or context.

**POLICY:**

- (1) Development Control Principles for Places on the Heritage List (Management Category A and B)

Places on the City of Cockburn Heritage List are those of highest heritage value, and the following policy provisions shall apply to these places:

1. External Alterations and Extensions

(a) General Provisions

- (i) Alterations and additions to a heritage place should not detract from the heritage significance and should be compatible with the siting, scale, architectural style and form, materials and external finishes of the place.
- (ii) Alterations and additions to a heritage place should involve the least possible change to the significant fabric.
- (iii) Alterations and additions should sit well within the significant fabric rather than simply copying it, and new work that mimics the original should be avoided.
- (iv) New work should be easily distinguishable from the significant fabric, except where the proposal constitutes restoration work of original fabric.
- (v) Alterations and additions should respect the original roof pitch and roof form.
- (vi) Alterations and additions should not obscure or alter elements that contribute to the heritage significance of the place.
- (vii) Walls and fences in the front setback should be complementary to the heritage place in terms of materials, finishes, textures and colours and appropriate to its architectural style.
- (viii) Where there is a Conservation Plan for a heritage place all proposed development should address the policies contained within the Conservation Plan.
- (ix) Substantial modifications to the place may require an archival record (as a condition of development approval), to be prepared in accordance with the Heritage Council of WA guidelines.

(b) Upper Storey Additions and Modifications

- (i) Upper storey additions should generally be sited and massed so they are visually recessive from the place's main frontage

to ensure that the heritage place is the dominant element in the streetscape. On corner sites the visibility and impact of additions will be assessed from both streets.

- (ii) Upper storey additions or modifications should be designed to minimise the impact on the original roofline, and to retain an appreciation for the original form of the building.

(c) Openings and Doors

- (i) New openings in the principal elevation (addressing the primary street) that will be visible from the street should be avoided. If openings are proposed they should be proportional in size relative to original openings of the heritage place and consistent in terms of materials, finishes, textures and colours (appropriate to its architectural style).

(d) Landscaping Elements

- (i) Where landscape elements such as plantings or hard landscape treatments form part of the heritage significance of a place, or are important to its setting, all proposed extensions and modifications should be designed and sited to minimise the impact on these elements.
- (ii) All new landscaping, external works and site elements should be well considered and respectful to the heritage significance of the place.

2. Internal Alterations

- (a) Alterations to the interior of a heritage place to suit a current and compatible future use will be supported where the proposal does not compromise the heritage significance of the place, as follows:
  - (i) Ideally the original internal layout should be retained, however where original internal walls or features are proposed to be removed or modified these changes should be managed to allow evidence of the original layout to be read (for example by retention of wall “nibs” as evidence of the location of a former wall), to retain a sense of the original use of the space(s).
  - (ii) Where new internal finishes are proposed there should be careful consideration given to retaining evidence of original materials and finishes.
- (b) Internal alterations that are reversible without compromising the heritage significance of the place will generally be acceptable, and the onus rests with the applicant to demonstrate that this reversal is achievable.

### 3. Change of Use

- (a) Adaptive reuse of heritage places may be supported provided:
  - (i) The proposed use(s) will not impact negatively on the amenity of the surrounding area.
  - (ii) Any required modifications do not substantially detract from the heritage significance of the place and are consistent with the provisions of this policy.
  - (iii) The use is consistent with LPS 3 and other relevant Council policies.
- (b) Where there is a Conservation Plan for a heritage place any proposed new use(s) will be assessed on the basis of the recommendations contained within the Conservation Plan.
- (c) Where possible, evidence of the original use of a building should be retained, and in some circumstances interpretation may be appropriate to help understand the former use where it is not readily apparent (refer to 7.0).

### 4. New Buildings/Structures

New buildings, structures and other features that are located within the curtilage of a heritage place have the potential to impact on the heritage significance. Accordingly the following provisions are applicable:

- (a) Any proposed buildings, structures or hardstanding (including car parking) should not detract from the setting of the heritage place.
- (b) Where new buildings or structures are proposed and they are visible from the street and/or other public places, they should take into account the character of the existing streetscape by having regard to the rhythm, orientation, setbacks, height, and proportions of existing buildings.
- (c) Where possible existing views of a heritage building(s) from the street should be preserved to acknowledge the contribution heritage places make to the streetscape.
- (d) New buildings or structures should be designed and located in a way that does not overwhelm or dominate the heritage building(s) which should remain the dominant building(s) on the site, and they should be understated relative to the existing heritage building(s).
- (e) Wherever possible, new buildings, structures or hardstanding areas (including car parking) should be designed and sited to avoid having a negative impact on original mature landscaping, garden areas, driveways and other landscaping features where they are considered to form part of the setting of the heritage place, and/or contribute to the heritage significance.
- (f) New buildings should not directly copy the style and design of the heritage buildings, and should not attempt to look like old buildings.

Rather they should complement the original fabric and design characteristics of the heritage building(s) in terms of its bulk, style, materials, colour scheme and form, which could include contrasting, contemporary building(s).

- (g) Where there is a Conservation Plan for a heritage place any proposals for new buildings, structures or hardstanding areas (including car parking) should address the policies contained within the Conservation Plan.

## 5. Demolition

- (a) Demolition of a whole building on the Heritage List will generally not be supported.
- (b) Consideration of a demolition proposal for a place on the Heritage List will be based on the following:
  - (i) The heritage significance of the place.
  - (ii) The feasibility of restoring or adapting it, or incorporating it into new development.
  - (iii) The extent to which the community would benefit from the proposed redevelopment.
- (c) Where structural failure is cited as justification for demolition the onus rests with the applicant to provide a clear justification for demolition, and evidence should be provided from a registered structural engineer that the structural integrity of the building has failed to the point where it cannot be rectified without the removal of a majority of its significant fabric and/or prohibitive costs.
- (d) Partial demolition of a building on the Heritage List may be supported provided that:
  - (i) The part(s) to be demolished do not.
  - (ii) The proposed demolition will not have a negative impact on the significant fabric of the place.
  - (iii) Sufficient fabric is retained to ensure structural integrity during and after development works, and the onus rests with the applicant to demonstrate that this is achievable.
- (e) If demolition of a heritage place is considered appropriate an archival record will be required as a condition of development approval, to be prepared in accordance with the Heritage Council of WA guidelines.
- (f) Demolition of ancillary buildings or structures that do not relate to the heritage significance of the place will generally be acceptable.
- (g) Where full or partial demolition is supported this may be subject to appropriate interpretation to acknowledge the cultural heritage significance of the heritage place (refer to 7.0).

## 6. Relocation of Buildings/Structures

- (a) In the majority of cases the physical location of a place is an important part of its heritage significance, therefore the relocation of a building or other component of a place on the Heritage List is generally unacceptable except in the following circumstances:
  - (i) This is the sole practical means of ensuring its survival.
  - (ii) It can be demonstrated that these components of the heritage place already have a history of relocation, or were designed to be readily relocated.
  - (iii) Its relocation forms part of a proposal for a new use or development on the site, and is fundamental to retention of the place on the same site.

## 7. Minor Works, Repairs, and Restoration

Pursuant to LPS 3, all development affecting a place on the Heritage List requires development approval, and this includes minor works such as replacement of roofing, gutters, downpipes. This is to ensure that these works do not have a negative impact on the heritage significance of the place, and accordingly the following policy provisions apply:

- (a) Where there is a Conservation Plan for a heritage place all restoration works will be guided by the Conservation Plan.
- (b) Where proposals include the replacement of materials it should be “like for like”, matching the original as closely as possible with regard to the materials, colours, and textures.
- (c) External repainting should match the original paint colours wherever possible, or should reflect a complementary palette of colours from the same era from which the property derives its heritage significance.
- (d) Replacement of materials should take into consideration the original method of fixing.
- (e) Where restoration is being carried out, works should be based on historic photographs, plans or other records that indicate the former state of the building or place during the era identified in the LGI as of most importance to the heritage significance of the property.
- (f) Routine maintenance does not require development approval. This includes the following:
  - (i) Cleaning gutters and downpipes (as opposed to replacing deteriorated gutters and downpipes).
  - (ii) Repainting previously painted surfaces in the same colour scheme.
  - (iii) Refixing existing loose roof sheeting using a “like for like” method of fixing (as opposed to installing new or different roof

sheeting), with the exception of emergency repairs that are temporary in nature.

NB: If there are any questions regarding what constitutes routine maintenance, the City's Planning services should be consulted.

(2) Development Control Principles for Management Category C Places

The following policy provisions apply to places included on the LGI and identified as management category C (Significant).

1. Alterations, Extensions or Changes of Use
  - (a) Where alterations or extensions are proposed consideration should be given to ensuring these modifications do not detract from the heritage values of the place, and retention of original fabric is encouraged where feasible.
  - (b) Substantial modifications to the place may require an archival record (as a condition of development approval), and the archival record should be prepared in accordance with the Heritage Council of WA guidelines.
2. Demolition
  - (a) Retention of the building or place is encouraged, however demolition may be supported, subject to the consideration of heritage significance together with other relevant planning issues.
  - (b) An archival record will be required as a condition of development approval for demolition, and the archival record should be prepared in accordance with the Heritage Council of WA guidelines.
  - (c) Consideration should be given to the inclusion of interpretation of the heritage place (refer to 7.0).

(3) Development Control Principles for Management Category D Places

The following policy provisions apply to places included on the LGI and identified as management category D (Some significance).

1. Demolition
  - (a) Retention of the building or place is encouraged; however, demolition may be supported subject to the preparation of an archival record which will be required as a condition of development approval for demolition. The archival record should be prepared in accordance with the Heritage Council of WA guidelines.



(4) Significant Trees

Under LPS 3 planning approval is required prior to the removal, destruction of and/or interference with any tree included on the Significant Tree List, and as such the following policy provisions apply:

1. Significant Trees may be pruned as part of routine maintenance in accordance with the International Society of Arboriculture standards, provided the pruning would not reduce the tree's height or crown or diameter, alter the trees general appearance, increase the tree's susceptibility to insects or disease, or otherwise increase its risk of mortality.
2. The removal of a Significant Tree will only be supported where it is necessary to protect public safety or private or public property from imminent danger and the onus is on the applicant to demonstrate that this is the case. This may require the submission of a report prepared by a suitably qualified arborist.
3. Proposals for substantial pruning to a Significant Tree may require the submission of an arborist report prepared by a suitably qualified consultant demonstrating that the proposal is acceptable and will not endanger the tree's survival or fore-shorten its life expectancy.

(5) Structure Plans and Subdivision Proposals

1. Subdivision proposals for heritage places should be designed to retain an appropriate setting for any elements which contribute to its heritage significance. This includes the retention of original garden areas, landscaping features or other features that are considered essential to the setting of the heritage place or its heritage significance.
2. Subdivision proposals that indicate the required demolition, partial demolition or modification to a place on the Heritage List or State Register of Heritage Places will not be supported without a Heritage Impact Statement accompanying the subdivision proposal. This is to be prepared in accordance with the Heritage Council of WA guidelines.
3. Where a structure plan is proposed for land that includes a heritage place(s) the structure plan should demonstrate how matters of heritage significance will be appropriately addressed.
4. Where a structure plan area includes more than one heritage place, or includes a heritage place that comprises a number of buildings or features the City may require the preparation of an overall heritage strategy to be included with the structure plan report. This should demonstrate how heritage issues will be addressed; outline principles to

be addressed in later planning stages; and include recommendations for interpretation (refer to 7.0).

5. Consideration should also be given to how future development of the subdivided land is likely to affect the identified heritage significance of the heritage place, particularly its setting.

(6) Applications for Planning Approval for Places on the Heritage List

1. In addition to the information required by LPS 3, the following provides a guide for accompanying material and information that may be required to be submitted with planning applications for places on the Heritage List.
2. For larger and more complex development proposals, a Heritage Impact Statement should be submitted that identifies how the heritage significance of the place will be affected by the proposed works or future use. The statement should be prepared by a heritage professional, and should be consistent with the Heritage Council of WA's guidelines.
3. If a proposal affects a place that is entered on the State Register of Heritage Places the City may require the preparation of a Conservation Plan, which is to be prepared by a qualified heritage professional, and consistent with the Heritage Council of WA's guidelines.
4. Where proposed extensions and alterations involve modifications to external areas and features of a place that form part of its heritage significance or are important to its setting a site landscaping plan may be required, demonstrating how the impact will be managed, and this should be included in the Heritage Impact Statement where relevant.
5. Where a Conservation Plan exists for a Heritage place, the development application should include information regarding how the conservation policies and any urgent works identified in the Conservation Plan will be addressed.
6. Where structural failure is cited as justification for demolition of a place on the Heritage List the onus rests with the applicant to provide a clear justification for demolition, and evidence should be provided from a registered structural engineer that the structural integrity of the building has failed to the point where it cannot be rectified without the removal of a majority of its significant fabric and/or prohibitive costs.

(7) Interpretation and Interpretation Plans

Interpretation can enhance understanding and enjoyment of heritage places, and it can strengthen and sustain the relationships between the community and its heritage. Interpretation can be an integral part of the experience of a

heritage place, particularly where the heritage significance of the place is not readily apparent. Accordingly the following policy provisions are applicable:

1. Opportunities for the interpretation, commemoration and celebration of significant associations between people and a place should be investigated and implemented wherever possible. In particular, the City may require the preparation of interpretative material as a condition of development approval for the following proposals:
  - (a) Major redevelopment that involves substantial modifications to a heritage place or modifications that will negatively impact on the heritage significance of the place.
  - (b) Changes of use for a heritage place, particularly where the original use will no longer be readily apparent.
  - (c) Proposals that will result in the heritage significance of the place not being readily apparent, and which could be explained and enhanced by interpretation.
  - (d) Proposals where there is the opportunity for the re-use of hardware or artefacts that are associated with the former use in interpretive material.
  - (e) Proposals that will substantially impact on the heritage significance of the place.
  - (f) Demolition (full or partial) of a heritage place.
2. An interpretation plan may be required where the proposal involves the substantial redevelopment of a major site, such as a commercial or industrial site, particularly where there may be more than one heritage place affected by the proposal.