

## LOCAL PLANNING POLICY 124 - RETENTION OF HERITAGE PROPERTY AND ASSETS

	<p><b>Local Planning Policy124</b> Retention of Heritage Property and Assets</p>
<p><b>Key Focus Area:</b> Liveability</p>	<p><b>Responsibility:</b> Director Planning and Development</p> <p><b>Relevant Council Delegation:</b> NIL</p>

### Purpose

The purpose of this policy is to ensure that the heritage places, areas and precincts that contribute to the cultural heritage significance of the Town are retained and that, where adaptations or additions are necessary to ensure their ongoing sustainability, development does not reduce the heritage value of the heritage places, areas or precincts.

### Background

This Local Planning Policy has been developed by the Town of Claremont ('the Town') to provide specific guidance on the achievement of the Town's strategic objectives related to heritage conservation.

Claremont Ahead 2023 ('the Town's Strategic Community Plan') and Clearly Claremont ('the Town's Local Planning Strategy 2010-2025') both identify the protection and enhancement of cultural assets of the Town as important in maintaining and improving a quality urban environment.

The Town adopted a Heritage Management Plan in 2005 as a means of implementing Council's mission statement:

*"Develop a vibrant, harmonious and safe village, embracing the future, respecting the past."* The Town contains a significant collection of heritage assets which have, in accordance with the *Heritage of Western Australia Act 1990*, been identified in the Town of Claremont Local Government Inventory (LGI) that was endorsed and adopted by Council in 2014. Subsequently, new inclusions within the LGI were considered for inclusion in the Schedule of Historic and Other Buildings and Places (Heritage Schedule) attached to the Local Planning Scheme No. 3 (LPS3). The Heritage Schedule is now known as the Heritage List and is available on the Town's website.

## Objectives

- To conserve and enhance the heritage significance of heritage places, areas and precincts within the Town of Claremont.
- To provide design and development guidance to ensure that development does not adversely affect the heritage significance of heritage places, areas or precincts.
- To ensure that heritage places, areas and precincts are developed in a manner that ensures their long-term use and viability.
- To ensure that heritage significance is given due consideration in the planning decision making process.
- To provide guidance to landowners and the community about the planning processes for heritage identification and protection in the Town of Claremont.
- To encourage the conservation of heritage places, areas and precincts through the provision of planning and financial incentives.
- To protect the heritage characteristics of streetscapes within the locality and where possible accommodate modern development trends.
- Within each of the heritage Management Categories (A – Exceptional Significance, B – Considerable Significance and C – Some Significance) there is a presumption against removal or demolition of a heritage property.

## Status/ Application of This Policy

This policy was originally adopted by Council on 17 August 2010 as Policy 108 – Retention of Residential Heritage and has been reviewed to reflect changes to planning and heritage practice and legislation, and to provide for the following specific matters:

- The inclusion of commercial heritage precincts. The Town has identified groups of nineteenth and twentieth century commercial buildings, which are both aesthetically and historically significant, as examples of the changing development in commercial premises and the business districts that have developed along the railway line between Perth and Fremantle.
- The inclusion of residential heritage areas. The Town of Claremont almost in its entirety demonstrates a special urban heritage character. Within the overall urban character there are distinct heritage areas which exhibit specialised qualities such as common architectural styles, periods of construction or historical significance. These areas are established on the basis of a clear statement of significance and identification with the significant heritage fabric of the area. Each area has been accorded a level of significance and management category.
- Guidance on development contained within the immediate locality of heritage areas and precincts.
- The inclusion of procedures for adding, amending or deleting entries on the Heritage List.
- Guidance on the assessment of Development Applications for Category C entries on the Heritage List.

This policy was prepared in accordance with Clause 82 of LPS3 and reviewed in accordance with Schedule 2, Part 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (LPS Regs).

This means that both the Town and prospective applicants are obliged to take the policy into account. Variations and departures from the policy may be possible; however these will need to be suitably justified by both the applicant and the Town and address the provisions and objectives of the policy.

This policy applies only to:

- Heritage places, areas and precincts included on the Heritage List.
- Places within the immediate locality of a heritage area or precinct (refer glossary) included on the Heritage List.

### **Relevant Considerations**

In considering any Development Application in relation to (or within the immediate locality of) a heritage place, area or precinct entered on the Heritage List, the Town will be guided by this policy and have regard to:

- The matters set out in sections 6.5 and 6.6 of State Planning Policy 3.5 Historic Heritage Conservation (2007).
- The principles of The Burra Charter: the Australia ICOMOS Charter for Places of Cultural Significance 2013 (The Burra Charter).
- The information contained in the Town's LGI and in particular the Management Category and the Statement of Significance for the place, area or precinct.
- Material contained in Conservation Plans, Heritage Assessments, Heritage Impact Statements, Design Guidelines and any other heritage documents or reports pertaining to the place, area or precinct.
- The structural condition of a heritage building, and whether the building is reasonably capable of conservation.
- Any other matters considered appropriate, for example the extent to which the community would benefit from the proposed redevelopment.
- Advice of the Heritage Council of Western Australia.
- Advice of the National Trust of Australia (WA).
- The impact that the proposed development will have on the heritage significance of any heritage place, area or precinct.

### **Policy Statement**

#### General Principles:

Conservation of a heritage place, area or precinct includes managing change in a way so that the heritage significance is retained and/or enhanced. The following general principles apply to all development (including maintenance, conservation, adaptation, alterations, additions, demolition and new buildings) affecting heritage places, areas and precincts (including development within the immediate locality of a heritage area or precinct) included in the Heritage List:

- Significant heritage fabric should be retained, protected and restored with 'like for like' authentic restoration to original detail wherever possible.
- Original front elevations and features should be retained wherever possible.
- Intrusive finishes and elements where they conceal or negatively impact upon the heritage significance of a building may be removed.

- Work that can be reversed in the future is desirable. Work that cannot be reversed may be supported, provided the heritage significance of the building is not compromised.
- The location of 'new technologies' on a heritage building should be undertaken in an unobtrusive manner so they do not negatively impact upon the heritage significance of the building.
- Additions should not overwhelm the existing building in terms of bulk, form and scale.
- Additions should be designed so the existing building remains the dominant structure on the site when viewed from the street.
- Additions should be designed to respect but not copy or mimic features or the design of the heritage place.
- Additions should be designed so there is a clear distinction from the existing heritage building.
- Additions may be designed in a contemporary style that is respectful to the existing heritage building.
- New development within the immediate locality of a heritage area or precinct should be respectful of the heritage area or precinct and not detract from its heritage significance.

### Development Applications

The definition of development and requirements for submissions of Development Applications are set out in LPS3. Clause 25(2) details permitted development for heritage listed building.

#### *Accompanying Material:*

In addition to material required in accordance with Schedule 2, Part 8, Clause 63 of the LPS Regs the following material is required to accompany Development Applications for all development affecting heritage places, areas or precincts and for places within the immediate locality of a heritage area or precinct.

- Photographs showing the existing front elevation and areas affected by the proposed development.
- A schedule of existing and proposed external colours and finishes.

In some instances the Town may also require an applicant to provide, at the applicant's expense, one or more of the following to assist the Town in the determination of a Development Application.

*Archival Record* - If a proposal will have a substantial impact on the significant heritage fabric of a heritage place, including but not limited to demolition.

*Heritage Assessment* - Where the Town requires additional information to assist in the determination of a Development Application.

*Heritage Impact Statement* - If a proposal will have a substantial impact on the significant heritage fabric of a heritage place, area or precinct.

*Historical data or evidence* – To support the proposed removal of non-heritage fabric or reinstatement of heritage features or details.

*Conservation Plan* - If a proposal affects a heritage place that is entered in the State Register of Heritage Places, or affects a large or complex heritage place of exceptional significance. Such cases will be rare.

*Conservation Strategy* - If a proposal affects a heritage place that is entered in the State Register of Heritage Places, or affects a large or complex place of exceptional significance. Such cases will be rare.

*Structural Condition Assessment* - If structural failure is cited as a justification for the demolition of a heritage building, evidence should be provided from a registered structural engineer with demonstrated heritage experience that the structural integrity of the building has failed to the point where it cannot be rectified without removal of a majority of its significant heritage fabric and/or rectification costs would be prohibitive.

*Interpretation Plan* – If a proposal will have a substantial impact on the significant heritage fabric of a heritage place, area or precinct.

The following criteria will be used to assess this requirement:

- The extent to which the proposed development will impact on the cultural heritage significance of the heritage place, area or precinct.
- The level and nature of cultural heritage significance of the heritage place, area or precinct and the extent to which interpretative material will increase community understanding of the heritage place, area or precinct and its history.

#### *State Register of Heritage Places*

All Development Applications for places entered on the State Register of Heritage Places will be referred to the Heritage Council of Western Australia for comment. The Town will take into account comments provided by Heritage Council in determining the Development Application.

#### *Places Classified by the National Trust of Australia (WA)*

All Development Applications for places classified by the National Trust Australia (WA) will be referred to the National Trust for comment. Although there is no statutory requirement associated with such places the Town will take into account comments provided by the National Trust in determining the Development Application.

### **Levels of Significance**

The level of heritage significance of a heritage place, area or precinct is fundamental to the assessment of any Development Application and will be taken into account when a Development Application is determined.

Each assessment of a heritage place, area or precinct includes a Statement of Significance that outlines the essential heritage values and features of the place, area or precinct.

One of the following recommended management levels is applied to each heritage place, heritage area and precinct in the LGI and Heritage List. For all properties in all categories there is a presumption against demolition or substantial changes to the exterior appearance.

#### Category A — Exceptional significance

- This place has been entered in the Heritage Council of Western Australia's Register of Heritage Places. All Development Applications must be referred to the Development Committee of the Heritage Council for advice.

- This place is considered by the Town of Claremont to be of exceptional significance to the Town and its conservation is required.

#### Category B — Considerable significance

- This place is considered by the Town of Claremont to be of considerable significance to the Town and its conservation is required.

#### Category C — Some significance

- This place is considered by the Town of Claremont to be of some significance to the Town and its conservation is encouraged.

In addition, each individual place within a heritage area or precinct has been determined to make some contribution, considerable contribution, or exceptional contribution to the area or precinct. Places ascertained to make an exceptional contribution will be assessed as a 'Category A' individual place. Places ascertained to make a considerable contribution will be assessed as a 'Category B' individual place. Places ascertained to make some contribution will be assessed as a 'Category C' individual place.

The determination of a Development Application will take into consideration all of the information that contributes to determining the level of significance of a place, area or precinct. The Town may require additional information to be supplied to assist in the determination of a Development Application as detailed above.

#### Category C Heritage Places:

For Category C heritage places, which are of lower heritage significance than Category A and Category B places, there will be greater planning flexibility applied when determining an application. For example less stringent conditions on the reinstatement of original features may allow similar materials to be used instead of 'like for like', or the removal of significant heritage fabric not visible from the primary street may be allowed.

In exceptional circumstances the Town may allow a substantial alteration of a Category C place. In these cases a Development Approval may impose conditions which require interpretation of the place or submission of an Archival Record.

In some circumstances, such as where an application for Development Approval for a new building requires removal of an existing heritage building, or where an owner lodges a request for the removal of a heritage listing, the Town may require further heritage assessment of a place to be undertaken at the applicant's expense. In these circumstances the application may be referred to a Peer Review Panel to assist in determining the proposal affecting a Category C heritage place.

The conservation of Category C heritage places is encouraged and there is a presumption against removal or demolition of a heritage property unless the heritage significance of a property is reduced to such an extent that it no longer warrants inclusion on the LGI or the Heritage List after observing the following procedures.

## Procedures for Adding, Deleting or Amending Entries in the Heritage List

The Procedures for adding places to the Heritage List as set out in the deemed provisions contained in Schedule 2, Part 3, Clause 8 of the LPS Regs.

The Town may consider amending the Heritage List over time in the following circumstances:

Event	Council Policy
In a place, area or precinct is found to be significant in a new or reviewed LGI.	The Town will consider inclusion of a place, area or precinct in the Heritage List if the findings of a new or reviewed LGI support it and the consultation requirements of LPS3 have been undertaken.
A place is nominated for inclusion in the Heritage List by the owner or a member of the public.	<p>The Town will consider inclusion of a place in the Heritage List in accordance with the provisions of LPS3 on lodgement of a nomination on the Town's heritage assessment form.</p> <p>A full assessment and subsequent inclusion on the Heritage List may be deferred until the next planned review of the Heritage List.</p>
A place is found to no longer meet the threshold for inclusion based upon the findings of a detailed Heritage Assessment.	The Town may consider the removal of a place from the Heritage List (e.g. Category C listing) if, following consideration of a detailed Heritage Assessment by both the Town and a Peer Review Panel, the place no longer is considered to meet the threshold for inclusion in the Heritage List. Such cases will be rare.
A place is substantially damaged or destroyed.	The Town will consider removing a place from the Heritage List if it is damaged or destroyed to the extent that it can be demonstrated to the Council's satisfaction that its significance is lost. Such cases will be rare.
In response to a request for delisting to allow demolition.	A place may be removed from the Heritage List where the Town considers an application for delisting is warranted to allow the demolition of a place so as to deliver exceptional benefits to the community or for any other reason the Council finds warrants the demolition.

### Re-Classification of Category Listing

In all but exceptional circumstances reclassification of a heritage place will only be considered at a scheduled review of the LGI.

Where an owner seeks reclassification of a heritage place the request must be lodged in writing with the Town. If the Town agrees to consider the request outside of the scheduled review period, the owner will be required to provide, at their own expense, an independent detailed Heritage Assessment of the place, to be prepared by an experienced heritage professional. The Town may consider the application in consultation with a Peer Review Panel (at the owner's cost).

### **Demolition**

Demolition of any individually listed heritage place or heritage place within a heritage area or precinct requires agreement from Council for removal from the LGI and the Heritage List and a Development Approval.

It is strongly recommended that where demolition of all or part of a heritage building is contemplated, the applicant seek advice from the Town well before the preparation of a proposal for a new building on the site.

Generally, Council will not approve demolition of all or part of a heritage building. Demolition will not be determined solely on the basis that it provides a more attractive economic proposition. Council encourages retention of heritage buildings over demolition and replacement with new buildings in all cases. Alterations and additions to existing dwellings should be designed such that the significant areas of the building and the significant heritage fabric are retained. In all cases the onus rests with the applicant to provide a clear justification for demolition.

Approval for complete demolition of an individually listed heritage place or heritage place within a heritage area or precinct on the Heritage List will only occur in the rarest of circumstances. Council should in the first instance agree to the delisting of the place for one or more of the following reasons:

- The Council believes the demolition of a place is required to deliver exceptional benefits to the community.
- It has been proven that it is not feasible to restore or adapt the place.
- Structural failure is proven and the building is beyond reasonable conservation.
- A place is found to no longer meet the threshold for inclusion based upon the findings of a detailed Heritage Assessment and Council consideration of a recommendation from the Peer Review Panel.
- Any other reason the Council finds to warrant the delisting.

### Development Applications for Individual Heritage Places

Where redevelopment of an individually listed heritage place is made, the agreement for removal of the place from the LGI and the Heritage List will be subject to the lodgement of a Development Application which proposes demolition.

As a condition of Development Approval for the demolition and redevelopment of an individually listed heritage place on the Heritage List, the Town will require an Archival Record/Interpretation Plan to be submitted and/or an element of interpretation to be included within the new

development, i.e. an engraved plaque, or other element to the satisfaction of Council. Following satisfaction of these requirements, the property may be removed for the LGI and the Heritage List.

Development Applications for Heritage Places within Heritage Areas or Precincts

Where redevelopment of a heritage place is proposed within a heritage area or precinct, the agreement for removal of the place from the LGI and the Heritage List will be subject to the lodgement of a Development Application, which proposes demolition and a new development which addresses the requirements of this policy with regard to the Guidelines for Development within the Immediate Locality of Heritage Areas and Heritage Precincts to the satisfaction of Council.

As a condition of Development Approval for the demolition and redevelopment the heritage place within a heritage area or precinct on the Heritage List, the Town will require an Archival Record/Interpretation Plan to be submitted and/or an element of interpretation to be included within the new development (e.g. an engraved plaque, or other element to the satisfaction of Council). Following satisfaction of these requirements, the property may be removed for the LGI and the Heritage List.

Development Applications for Non-Heritage Places within the Immediate Locality of a Heritage Area or Precinct

Where a property is located within or in the immediate locality of a heritage area or precinct, but does not have any heritage value in itself, redevelopment of that property will be subject to the lodgement of a Development Application, which proposes demolition and a new development which addresses the requirements of this policy with regard to the Guidelines for Development within the Immediate Locality of Heritage Areas and Heritage Precincts to the satisfaction of Council.

Summary of Delisting Process

<b>Required Process for De-Listing and Development</b>	<b>Individually Listed Heritage Property</b>	<b>Listed Property in Heritage Area or Precinct</b>	<b>Unlisted Property Within or Immediate Locality of a Heritage Area or Precinct</b>
Submit Heritage Assessment Report	X	X	N/A
Peer Review Panel assessment and recommendation	Where required	X	N/A
Satisfaction of removal requirements	X	X	N/A
Development Application for demolition	X	X	X

Development Application for new dwelling	N/A	X	X
Development Approval for demolition subject to archival record/ interpretation plan and element	X	X	N/A
Development Approval for new building subject to compliance with Policy Design Guideline requirements for compatible development	N/A	X	X

**Table 2**

**Legal Agreements**

Heritage Agreements

The Town may, in accordance with the *Heritage of Western Australia Act 1990*, enter into a Heritage Agreement with an owner or occupier of land or a building for the purpose of providing for the conservation of the heritage place and binding the land or affecting the use of the land or building insofar as the interest of that owner or occupier permits.

Detailed provisions relating to Heritage Agreements are set out in the *Heritage of Western Australia Act 1990*. The principal purpose of a Heritage Agreement is to secure the long-term conservation of a heritage place.

Where the Town grants or supports planning concessions or other incentives to places not included on the State Register of Heritage Places, but included on the Town’s Heritage List, a Heritage Agreement to provide for the conservation of the heritage place may be required.

A Heritage Agreement in respect of any place, whether or not it is State Registered, once signed by all parties must be certified by the Minister for Heritage under section 32(1) of the *Heritage of Western Australia Act 1990* before it has legal effect. This is consistent with Clause 10(2) of the deemed provisions that appear in Schedule 2 of the LPS Regulations.

As a consequence, all Heritage Agreements are now to be drawn up by the State Heritage Office before being signed by the Town of Claremont and the owner of the place, and returned to the State Heritage Office for certification by the Minister for Heritage. While there is currently no fee charged by the State Heritage Office for drawing up the Heritage Agreement, lifting a previous Heritage Agreement and/or lodging a new memorial with Landgate, and any necessary legal advice obtained by the Town of Claremont, are at the applicant’s expense.

Local Heritage Contracts

Where the Town grants or supports planning concessions or other incentives to places not included on the State Register of Heritage Places, but included on the Heritage List, a legally binding Local Heritage Contract to provide for the conservation of the heritage place may be

required between the owner of the place and the Town. This Contract is to be prepared and registered on the Certificate of Title at the applicant's expense.

#### Council Owned or Managed Property

The Town will seek to lead by example by managing its own property in accordance with this policy.

#### **Incentives**

The Town is committed to assisting owners to conserve heritage places wherever possible. The Town has developed a programme of incentives that it can offer to owners in return for the owner's commitment to conservation of the heritage place.

#### Planning Incentives

The Town will consider relaxation or modification of planning requirements that would normally apply under LPS3 for places included on the Heritage List, including but not limited to the following:

- Where the proposed development comprises a single storey addition that will not be visible from the primary street the heritage application fee will be waived.
- Where development is proposed for a front fence/fence modifications, the Development Application fee will be 50% of the normal Heritage Application Fee.
- Council will allow a variation of up to 30% increase in the site coverage requirements for single storey additions.
- Consideration of clause 53 of LPS3 "Bonus Densities". This clause enables Council to award a higher residential density to a place in a split coded area on the Heritage List where the owner enters into a Local Heritage Contract or Heritage Agreement with the Minister for Heritage ensuring that the place is conserved and maintained to Council's satisfaction.

#### Non-Financial Assistance

Owners of places on the Heritage List may seek professional advice and guidance involving proposed development and conservation from the Town's Heritage Officer.

#### Financial Assistance

- Civic Design Awards; Council seeks to publicly recognise examples of best practice in heritage conservation and urban design. Owners of award winning places are presented with a plaque and receive a once off rate rebate that reflects the minimum 'general rate' of that financial year to mark their commitment to heritage conservation.
- Mike Balfe Maintenance Grant; Council recognises that in some circumstances an owner may not have the financial resources to properly maintain a heritage place. Council will consider an annual budget allocation for the purpose of this grant. Where an owner can provide suitable justification for the grant, indicating that a lack of maintenance may result in the deterioration of heritage features of a heritage place, they may apply for a grant from Council for the partial contribution to the cost of improving the maintenance standard of the place. The agreed contribution to the maintenance of the heritage place will be at the complete discretion of the Council.

## **Design Guidelines for Heritage Places, Heritage Areas and Heritage Precincts**

### **Guidelines for Restoration and Alterations**

- Original materials should be retained and conserved. For example, existing face brick should be retained unpainted, timber joinery should not be replaced with metal framed windows and roof materials should be retained as existing. Where material requires replacement, the policy of replacing 'like for like' shall be applied. Where there is evidence that fabric is not original, another material may be used provided it is appropriate to the heritage significance of the building.
- Original internal and external significant heritage features should be retained, including but not limited to original fireplaces and chimneys; verandahs and verandah posts; awnings; decorative cornices, mouldings and friezes; architraving; and sills. The repair of significant heritage elements should be, where possible, 'like for like' authentic restoration to original detail.
- Original front elevations should maintain their form wherever possible, with original door and window openings being retained and no additional openings being formed.
- Intrusive finishes and elements where they conceal or negatively impact upon the heritage significance of a building may be removed.
- Work that can be reversed in the future is desirable. Work that cannot be reversed may be supported, provided the heritage significance of the building is not compromised.
- The Town encourages the reuse of any material salvaged from any demolition of the original building to be kept for reuse on the site either for repair of the building or interpretation.
- Where internal and external walls are removed, where possible, the Town encourages the renovation to include some element to indicate the original layout of the building.
- Replacement downpipes and gutters should be metal and where possible match original profiles.
- Where an original roof is clad with corrugated iron, this may be replaced with zincalume or Colorbond in a matching profile and approved colour subject to glare assessment considerations.
- Where there is evidence of original colours through existing fabric, paint scrapes or similar, these should be incorporated in the new colour scheme. Full authentic restoration of original colour schemes is not intended or required, however a new colour scheme should be sympathetic to the heritage significance of the place.

### **Guidelines for Additions**

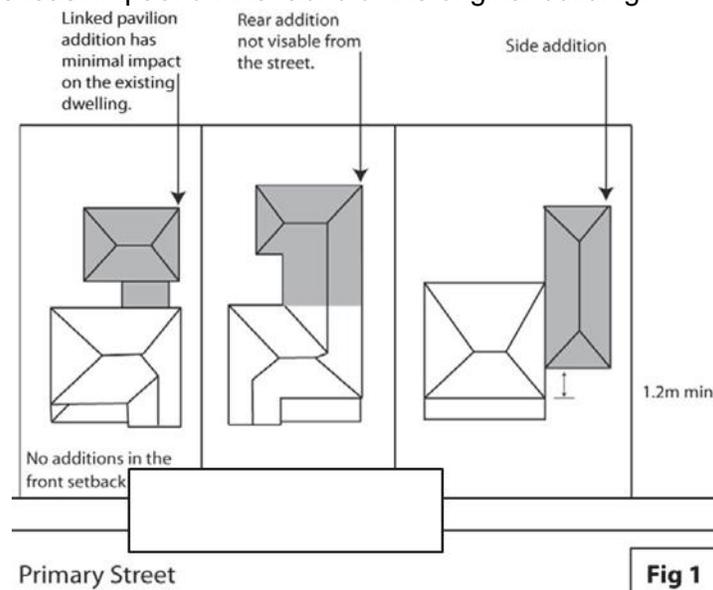
#### Scale and Proportion

- Additions shall be designed to complement the scale and proportion of the existing building, which shall remain the dominant structure on the site when viewed from the primary street.
- Additions within the immediate locality of a heritage area or precinct shall be designed to be compatible with the scale and proportion of surrounding development in the immediate locality and of the streetscape generally. Where that surrounding development is single storey, additions should preserve the single storey presentation to the street.

## Form and Location of Additions

### *Residential:*

- Where possible, additions should be designed to appear as single storey and not visible from the primary street.
- No additions to existing buildings may be constructed in the front setback other than an open carport with no garage door fitted.
- An addition to the side of an existing building shall be set back a minimum of 1.2m from the main facade of the original residence, excluding the width of the verandah or porch.
- Additions that take the form of a pavilion linked to the original building are encouraged as they have the least impact on the fabric of the original building.



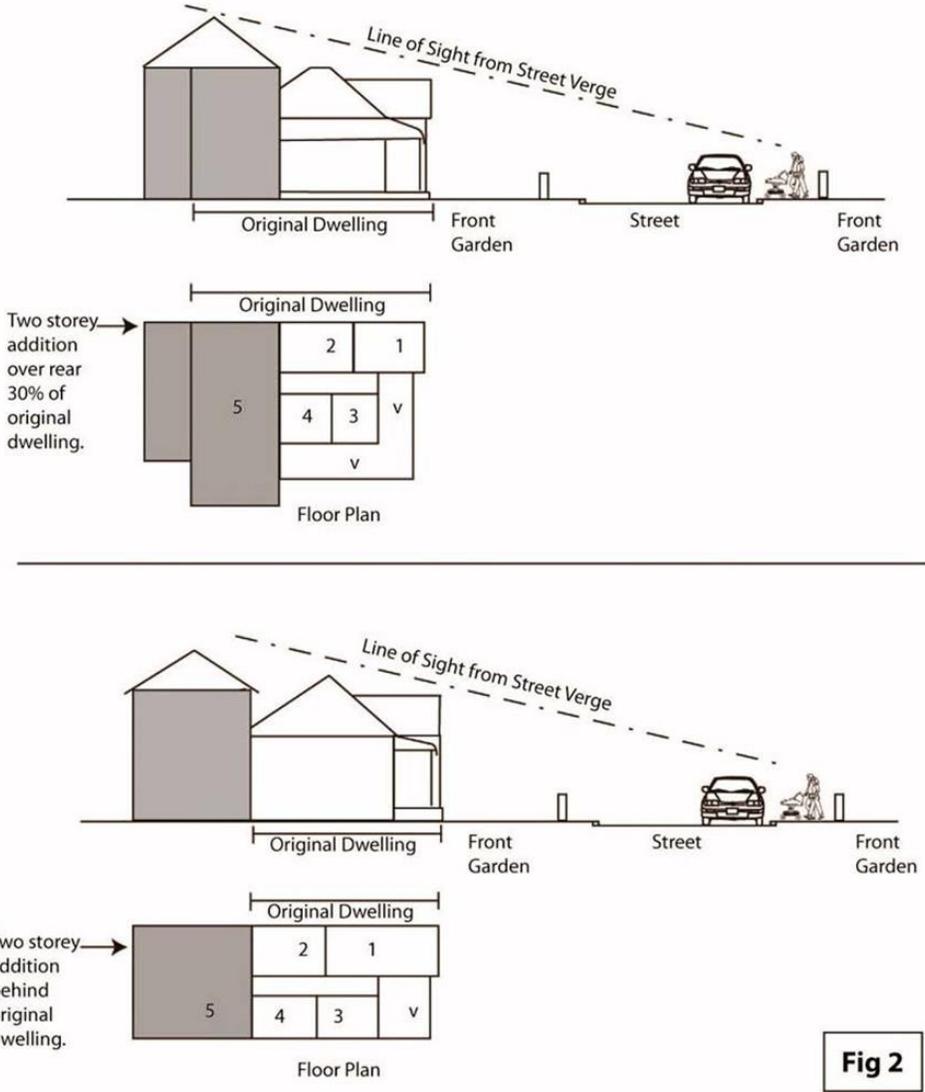
### *Commercial:*

- The form of any addition should respond to the scale, site and proportion of the existing building.
- No additions to existing buildings should be constructed forward of the front setback of the existing building.

## Upper Storey Alterations

- A second storey addition should be constructed behind the existing building where possible.
- A second storey addition shall be designed to avoid having an overpowering impact on neighbours, the streetscape or the original form and fabric of the building.
- Double storey additions contained within the roof space are encouraged provided alterations to the roof form and pitch do not distort the appearance of the original building when viewed from the street.
- Linked pavilions may be double storey provided that they are contained within the site line of a person standing on the opposite side of the street.

- Additions over the original building will only be permitted where the front two thirds of the building are retained in their original form and where the addition is not visible from the site line of a person standing on the opposite side of the street. Generally this will only apply to buildings that have a complex floor plan comprising more than four original rooms. For simple four roomed buildings double storey additions should be located behind the original building.
- Notwithstanding these requirements, as all buildings are different, Council shall have regard to the manner in which the design of a second storey addition is resolved and shall ensure that the integrity of the roof form of the original building is not compromised by the design of the additions.



**Fig 2**

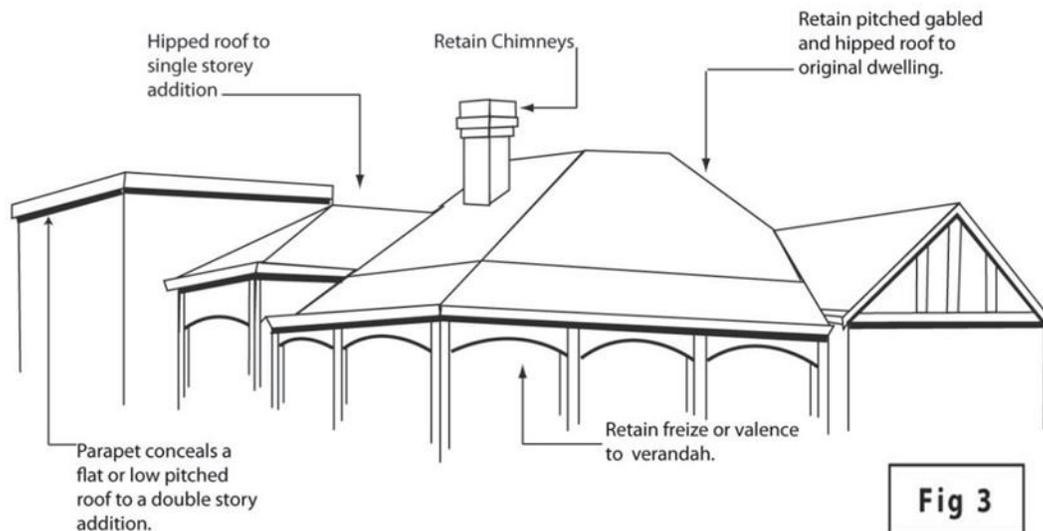
*Commercial:*

- Upper floor additions should be located behind the front setback area to reduce the human scale impact of the proposed development when viewed from the street.

- Upper floor additions should be constructed above the base development in the form of multiple floors above a podium.

### Roof Forms

- Additions should complement or respond to the roof form of the existing building. Generally the roof pitch should match the pitch of the existing roof. The form of the roof of the addition should be similar to the roof of the original building in terms of form scale and proportions. Commercial roof forms with a low pitch may be obscured from the primary street view by a parapet.
- In some instances a different roof form or pitch may be approved if the applicant provides justification for this in the context of the significance of the building and provided the roof form is compatible with the streetscape. The Town supports good innovative design and recognises that in some instances different roof forms may be appropriate for an addition to an existing building. For example a parapet concealing a flat roof may be approved for an addition at the rear of the existing building where it can be demonstrated that there is no detrimental visual effect on the existing building or the streetscape.



### Materials and Colours

- Additions may be constructed of materials that match the original building, or provide a respectful contrast that distinguishes new work from old. For example rendered brick may be chosen for additions to a face brick building, or steel frame clad with Colorbond may be chosen for the additions to a timber framed, weatherboard clad building. Where materials match the original, the design and form of the building and/or features should provide the necessary evidence to distinguish new work from old.
- Cladding to roofs that form part of an addition which is not constructed as a pavilion extension should generally match the roof cladding of the existing building, however consideration should be given to the use of Colorbond roofing colours which closely match traditional galvanized roofing to reduce the potential glare impacts associated with Zinalume roofing.
- Paint schemes should be complementary to the existing building.

## Guidelines for Car Ports

- Carports or garages should not visually dominate the original building or obscure the original front door or main entrance as viewed from the street.
- Where possible, back lanes should be used for access to garages, carports or parking areas to reduce their impact on views of the building from the street and on the streetscape itself.
- Garages or carports may be constructed to match the style of the existing building or in a style that is compatible with the original. Simple contemporary designs will be encouraged.
- Where possible the overall width of carports or garages should be restricted to 6m overall or 35% of the frontage of the lot, whichever is the lesser.
- Where possible, garages or carports should be set back a distance of 1.2m behind the building line in the same manner as additions.
- Where there is no viable alternative, carports without garage doors may be constructed within the front setback but extreme care must be taken to ensure that the design of the structure is sympathetic to the building and is not visually dominant.

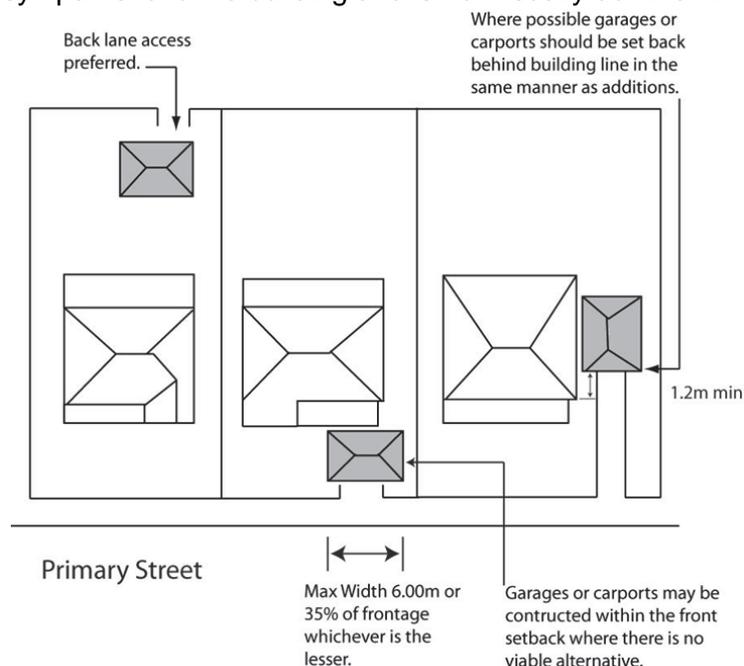


Fig 4

## Guidelines for Services and New Technologies

- Changes to cater for air conditioning, solar collectors, communication devices and the like, together with electrical wiring, cabling, plumbing or other services should be installed to ensure that they are fixed as discreetly as possible without damaging the existing significant heritage fabric.
- Chasing of wiring or cabling into existing walls is not generally appropriate. Where possible, cavities should be used for service lines and ductwork. Exhaust vents, skylights, air conditioning ducts and units, solar panel collectors, TV antennae and satellite dishes

- and the like should not be located on the primary elevation of the building, nor attached to chimneys or other roof features where they will be visually obvious from the public domain.
- Services on secondary elevations should be located or screened appropriately to reduce their visual impact.
  - Where penetrations through significant heritage fabric cannot be avoided, they should be minimised in terms of both dimensions and number of openings and finished as neatly as possible.
  - Penetrations should never be made through decorative elements such as friezes, cornices or vents.

## **Guidelines for Boundary Fences and Hedges**

### Hedges

- Hedges on the street boundary are encouraged and, where these exist, they should be retained wherever possible.
- Where evidence of an original front boundary hedge exists, owners should be encouraged to reinstate the hedge.

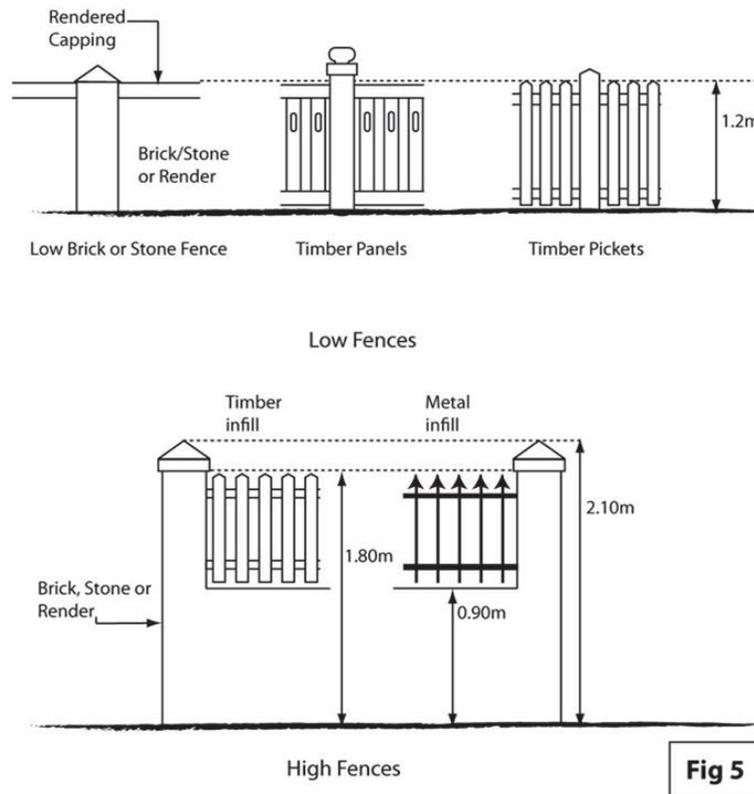
### Front Fences

Front fences to heritage places shall meet the following requirements:

- Where an original front fence remains, this should be retained and restored or if a new fence is required, this should match the detail of the original fence as closely as possible.
- Fences should be designed to complement the design of the heritage place, area or precinct.
- Fences may be based on examples seen in historic photographs of the Claremont area or be contemporary in design.
- Fences should be limited in height to 1.2m.
- Timber pickets or panels and low brick, stone or rendered fences are preferred for fences to 1.2m.
- Fences above 1.2m in height should be designed to be visually permeable, to allow the building behind to be viewed from the street.
- Where fences are above 1.2m and include piers these should be brick, stone or rendered and should be complimentary to the heritage value of the existing building and/or streetscape. Infill panels should be vertical timber or metal.
- Fences should be limited to a maximum height of 1.8m not including the height of piers that may be up to 2.1m to the top of the capping.
- Full height 1.8m solid fencing is not supported under this policy as they can change the heritage value of the streetscape and limit the views to heritage places. Only in exceptional circumstances will Council consider variations to this requirement.

### Secondary Street Fences

Other fence styles for secondary street fences will be considered provided they are designed in a manner that is in keeping with the existing building.



## Guidelines for Development within the Immediate Locality of Heritage Areas and Heritage Precincts

These guidelines apply to any development that is within the immediate locality of a heritage area or precinct, meaning all development within the boundaries of a heritage area or precinct, across the road from, or adjoining the side boundaries of a property listed in a heritage area or precinct. They may also apply to any other place the Town considers to have a potential impact on a heritage area or precinct. They are designed to ensure that the significance of a heritage area or precinct is not adversely affected by new development.

### Design

- New development should not detract from the heritage significance of the existing heritage area or precinct.
- New buildings and structures may be designed in a contemporary style provided they are harmonious with the existing heritage area or precinct.
- The design should respect the materials, scale and proportions of the features of existing buildings without mimicking or copying historical details or styles.

### Building Materials, Colours and Finishes

Materials, colours and finishes of new buildings and structures should take reference from and enhance the character of the existing heritage area or precinct without visually dominating the streetscape.

### Roof Pitch and Form

Roof pitch and forms should take reference from the heritage area or precinct, unless it can be demonstrated that the alternative roof form proposed does not detract from the heritage significance of the area or precinct.

### Provision of a Verandah, Porch, Balcony or Awning to the Street Elevation

- Verandahs, porches, balconies and awnings to new buildings should be designed to take reference from heritage buildings within the heritage area or precinct. The design should respect the materials, scale and proportions of the features of existing buildings without mimicking or copying historical details.
- Where these features are a dominant feature of a heritage area or precinct, development should be designed to continue the existing form and line to the street.

### Fencing Style and Material

- Front fences should complement the design of buildings within the heritage area or precinct.
- Fences should be designed with reference to the original dominant fence style within a heritage area or precinct.
- Fencing style and materials should not mimic or replicate heritage fencing in the heritage area or precinct but rather be reflective of the style of the new development.

### Location of Garages or Carports

- Carports or garages should not visually dominate the streetscape and be simple in design.
- Where possible, back lanes should be used for access to garages, carports or parking areas to reduce their impact on views of the building from the street and on the streetscape itself.
- Where possible, garages or carports should be set back a distance of 1.2m behind the building line in the same manner as additions.
- Open carports may be constructed forward of the main dwelling where no garage door is erected.
- Garages should not be constructed forward of the main dwelling.

### Setbacks

- New buildings should match the setback of the houses on either side of the subject property. Where the front setbacks of the two adjoining buildings vary, the setback of the proposed development should be approximately midway between those of the adjoining buildings.
- Boundary walls adjoining heritage places are discouraged.

### Scale and Proportion

- New buildings should not dominate or have an overpowering impact on the buildings within the area or precinct.
- New development should have comparable scale and proportion to the heritage places within the area or precinct as viewed from the street.

- Uncharacteristic, one-off examples of buildings already occurring in the immediate locality of a heritage area or precinct will not be considered in the streetscape assessment (i.e. single buildings of excessive bulk, scale or height).

### **Additional Considerations for Commercial Buildings**

For all heritage listed commercial buildings the following additional matters will be considered in determining a Development Application.

#### Shop Fronts

Where original shopfronts remain:

- Elements dating from original or early shopfronts should be retained and conserved.
- Original shop-fronts should be reinstated to accord with documentary evidence of the original.

#### Street Facades

- It is common for commercial buildings to have substantial alterations at ground level to allow for increased display potential and accessibility. Where this has occurred the Council encourages the reinstatement of original form, symmetry and detailing of facades.
- Original street front facades are to be retained at both ground and upper floor levels.

#### Parapets

- Existing original parapets are to be retained.
- Reinstatement of missing historical parapets on heritage buildings as evidenced in historical documentary evidence is encouraged.

#### Verandahs and Awnings

- Existing original verandahs and awnings are to be retained where possible.
- Where practical, reinstatement of missing original verandahs and awnings as evidenced in historical documentary evidence is encouraged.

#### Signage

- New signage should not be visually dominant, obstruct key features of heritage buildings or detract from the visual appreciation of the place or precinct.
- Where new signage is being applied to heritage buildings it should be located on elements of the building traditionally used for signage.
- The colours and materials used for signage should complement the form of the heritage building and surrounding streetscape.
- Signage should be kept to a reasonable minimum when applied to heritage buildings.
- In addition to the objectives outlined above, all signage needs to take into consideration the
- Town's Local Law Relating to Signs and Signage Policy.

## Glossary

**Archival Record** is a document containing drawing, photographs, written and electronic information prepared in order to record the state of a place at a given time, usually prior to demolition or major change. Archival records should be prepared in accordance with the State Heritage Office's (SHO) Guide to Preparing an Archival Record. A link to this document can be found on the Town of Claremont website and is available on the SHO website.

**Adaptation** means modifying a place to suit an existing use or proposed use.

**Burra Charter** means the Australian ICOMOS Charter for the Conservation of Places of Cultural Heritage Significance 2013. The Charter has been generally accepted as the standard for heritage practitioners in Australia. The broad concept of conservation for heritage places in the Charter is to "do as much as necessary to care for the place and to make it useable, but otherwise change it as little as possible so that its heritage significance is retained."

**Conservation** means the management of a place in a manner that will enable its cultural heritage significance to be retained and yield the greatest sustainable benefit for the present community without diminishing the heritage significance of that place. It includes the preservation, stabilisation, protection, restoration, reconstruction, adaptation, and maintenance of a place.

**Conservation Plan** (also known as a Conservation Management Plan). A Conservation Management Plan is the principal guiding document for the conservation and management of a heritage place. The Conservation Management Plan should include information on the assessment of the place's heritage significance and clear and justifiable policies and actions to guide future sustainable development of the place. Conservation Plans should be developed in accordance with the to the SHO's Conservation Management Plan Standard Brief. This information is available on the SHO website.

**Conservation Strategy** (also known as a Conservation Management Strategy). Is a practical guide for the maintenance and conservation of a heritage place. It should contain an assessment of the building's condition and a schedule of maintenance and conservation works. A Conservation Strategy should be developed in accordance with the to the SHO's Conservation Management Strategy Brief. This information is available on the SHO website.

**Cultural Heritage Significance** means the relative heritage value of a place in terms of its aesthetic, historic, scientific or social significance for the present community and future generations.

**Heritage Agreement** means an agreement entered into pursuant to section 32(1) of the Heritage of Western Australia Act 1990. It is a legal contract between a landholder and the State to manage an area of private land in such a way as to protect its high conservation value. The agreement is registered on the property title and may cover part or all of a property.

**Heritage Area** means an area which exhibit specialised qualities, such as common architectural styles, periods of construction or historical significance.

**Heritage Assessment** means a systematic assessment that describes a place and its setting and states it's significant with reference to its nature and degree of significance, condition, integrity and authenticity. Heritage assessments should be undertaken in accordance with the State

Heritage Office's Assessment Criteria for Cultural Heritage Significance guidelines. This information is available on the SHO website.

**Heritage Impact Statement** means a report that evaluates the likely impact of a proposed development on the significance of a heritage place and its setting, or on the area within which it is situated. The report may also outline measures by which any detrimental impact may be minimised. The Heritage Impact Statement should address:

- How will the proposed works affect the significance of the place?
- What alternatives have been considered to ameliorate any adverse impacts?
- Will the proposal result in any heritage conservation benefits that may offset any adverse impacts?

Heritage Impact Statements should be prepared in accordance with the State Heritage Office's Guide. This information is available on the State Heritage Office website.

**Heritage Place** means a building, structure, site, area of land or other physical element valued for its heritage significance, together with associated contents and surrounds.

**Heritage Precinct** means groups of nineteenth and twentieth century commercial buildings which are both aesthetically and historically significant as examples of the changing development in commercial premises and the business districts that have developed along the railway line between Perth and Fremantle.

**Immediate Locality of a Heritage Area or Precinct** means any property within the boundaries of a heritage area or precinct; across the road from or adjoining the side boundaries of a property listed in a heritage area or precinct; or any other place otherwise considered by the Town to have a potential impact on a heritage area or precinct.

**Interpretation** means all the ways of presenting the significance of a heritage place. Interpretation can include the use of colour, lighting, furnishings, historic material or signage or a combination of these to tell the story of a heritage place.

**Interpretation Plan** is a document that explains the ways in which a place could be interpreted. Interpretation Plans should aim to increase both our understanding and our enjoyment of heritage places.

**New Technologies** includes solar collectors, hot water systems, air conditioning units and communication devices and the like.

**Peer Review Panel** means a panel appointed by the Town to review the assessment category of a heritage building. The Panel will consist of a chairman, the Town's heritage consultant, the applicant's heritage consultant and a further heritage consultant. The Panel's role is to make a recommendation on the review of a heritage classification of a place to Council.

**Structural Condition Assessment** means a report prepared by a registered structural engineer with demonstrated heritage experience that assesses the structural state of a building or element.

## Other Relevant Policies and Documents

Local Planning Policy 123 – Retention of Residential Character

### Policy Adoption and Amendment History

<b>Reviewed/ Modified</b>	<b>Minutes Reference</b>	<b>Date</b>	<b>Meeting Type</b>
Adopted	210/10	17/08/2010	Ordinary Council Meeting
Reviewed	210/10	05/10/2010	Ordinary Council Meeting
Reviewed	360/13	10/12/2013	Ordinary Council Meeting
Reviewed	203/14	09/12/2014	Ordinary Council Meeting
Reviewed	154/15	01/09/2015	Ordinary Council Meeting
Modified	195/15	03/11/2015	Ordinary Council Meeting
Reviewed	226/15	15/12/2015	Ordinary Council Meeting
Modified	206/16	13/12/2016	Ordinary Council Meeting
Modified	228/18	18/12/2018	Ordinary Council Meeting