

## **WHITEHORSE PLANNING SCHEME**

### **AMENDMENT C164**

#### **EXPLANATORY REPORT**

#### **Who is the planning authority?**

This amendment has been prepared by Whitehorse City Council which is the planning authority for this amendment.

The amendment has been made at the request of Whitehorse City Council.

#### **Land affected by the amendment**

The amendment applies to 15 Hopetoun Parade, Box Hill, known as Woodleys, 127 Whitehorse Road, Blackburn, known as Gurdwara (Sikh Temple); and the precinct comprising 2–9 and 11 Shalimar Court, 1–9 Parkleigh Court, and 3 and 5 Fortescue Grove, Vermont South, known as the Blue Flame Project.

#### **What the amendment does**

The amendment proposes to permanently apply the Heritage Overlay (HO268, HO273 and HO274) to 15 Hopetoun Parade, Box Hill, 127 Whitehorse Road, Blackburn and the precinct comprising 2-9 and 11 Shalimar Court, 1-9 Parkleigh Court and 3 and 5 Fortescue Grove, Vermont South to conserve and enhance buildings of identified local heritage significance and ensure that future development does not adversely affect this heritage significance.

Specifically the amendment:

- Applies the Heritage Overlay to the above properties on a permanent basis.
- Modifies the Schedule to Clause 43.01 – Heritage Overlay.
- Modifies Clause 22.01 – Heritage Buildings and Precincts to include specific reference to the Blue Flame heritage precinct and include the three citations as reference documents.

#### **Strategic assessment of the amendment**

#### **Why is the amendment required?**

The amendment is required to provide heritage protection to the subject properties.

The amendment is guided by the *Whitehorse Heritage Review 2012 (Draft)* and the *Post-1945 Heritage Study (Preliminary Draft)*, which recommend the application of the Heritage Overlay and provides Statements of Significance for the above properties and precinct.

#### **How does the amendment implement the objectives of planning in Victoria?**

The amendment implements the objectives of planning in Victoria, as set out in the *Planning and Environment Act 1987* by seeking to conserve and enhance buildings of aesthetic, architectural and historical interest and otherwise special cultural value.

#### **How does the amendment address any environmental, social and economic effects?**

The amendment is anticipated to provide a positive contribution to the environment by assisting in the conservation of local heritage places. The amendment will make a significant contribution to the built environment of the City of Whitehorse.

The amendment is likely to have positive social impacts by providing protection for sites that demonstrate the historical development of the locality and add to the cultural identity of the City of Whitehorse.

The amendment is not expected to have significant economic effects. It is possible however that the amendment may impose additional costs on the owners or developers of the affected properties with the introduction of a requirement for a planning permit for most buildings and works.

### **Does the amendment address relevant bushfire risk?**

There are no bushfire risk considerations relevant to this amendment.

### **Does the amendment comply with the requirements of any Minister's Direction applicable to the amendment?**

The amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes, Ministerial Direction 9 and Ministerial Direction No. 11 Strategic Assessment Guidelines.

### **How does the amendment support or implement the State Planning Policy Framework and any adopted State policy?**

The directions and strategies of the current metropolitan strategies for Melbourne implemented through Clause 11 of the SPPF.

The application of the Heritage Overlay to the subject properties will give effect to the objectives of Clause 11.02-2 by retaining and protecting the unique characteristics of an established area in the form of a heritage building.

The amendment is also supported by Clauses 15.01-5 and 15.03 of the SPPF which seek to recognise, protect and conserve places of heritage significance and places that add to cultural identity. This is achieved by *'identify[ing], assess[ing] and document[ing] places of natural and cultural heritage significance as a basis for their inclusion in the planning scheme'*. The amendment directly responds to this strategy.

### **How does the amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?**

#### *Municipal Strategic Statement*

Clause 21.05 *Environment* seeks to "protect and enhance areas with special ... cultural or historic significance for the future enjoyment of the community". This is to be achieved through the identification of buildings of historical significance, and implemented by applying the Heritage Overlay to buildings and structures identified in heritage reviews. The amendment responds directly to and implements the objectives of this clause, by applying the Heritage Overlay to properties identified in a heritage review.

#### *Local Planning Policies*

Clause 22.01 *Heritage Buildings and Precincts* includes an objective "to ensure that all possible avenues are pursued to ensure the conservation of heritage sites and that demolition is allowed only where there are extenuating circumstances". It is not considered that there are any extenuating circumstances warranting the demolition of any of the subject properties. The most appropriate option available to Council is to ensure conservation of the identified building / precinct is via heritage protection.

Clause 22.01 specifically concedes that not all buildings of heritage significance within the municipality are identified in the Heritage Overlay as existing studies do not identify every heritage place. Clause 22.01 further notes that Council is endeavouring to identify places of heritage significance that are not already protected.

### **Does the amendment make proper use of the Victoria Planning Provisions?**

The Heritage Overlay is the most appropriate tool to provide long term demolition protection to the subject properties.

## **How does the amendment address the views of any relevant agency?**

There are no additional referral authorities or requirements created by the amendment.

## **Does the amendment address relevant requirements of the Transport Integration Act 2010?**

There are no requirements in the *Transport Integration Act 2010* that are of relevance to the amendment.

## **Resource and administrative costs**

- **What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?**

The amendment will have a minor impact on the resource and administrative costs of Council, arising from the administration of the Heritage Overlay on the subject properties. Any additional applications and permits resulting from the application of the Heritage Overlay can be accommodated by current staff members.

## **Where you may inspect this Amendment**

The amendment is available for public inspection, free of charge, during office hours at the following places:

Whitehorse Civic Centre, Planning Counter,  
379-397 Whitehorse Road  
Nunawading VIC 3131

Whitehorse City Council Service Centres at Box hill Town Hall and Forest Hill Chase shopping centre

Libraries in the City of Whitehorse at Blackburn, Box Hill, Nunawading and Vermont South

City of Whitehorse webpage - [www.whitehorse.vic.gov.au/amendment-c164.html](http://www.whitehorse.vic.gov.au/amendment-c164.html)

The amendment can also be inspected free of charge at the Department of Transport, Planning, and Local Infrastructure website at

<http://www.dpcd.vic.gov.au/planning/publicinspection>.

## **Submissions**

Any person who may be affected by the amendment may make a submission to the planning authority. Submissions about the amendment must be received by 21 July 2014.

A submission must be sent to:

Pamela Neivandt  
Senior Strategic Planner  
Whitehorse City Council  
Locked Bag 2  
Nunawading Delivery Centre 3131

## **Panel hearing dates**

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- Directions Hearing: to be held in the week of 6 October 2014.
- Panel Hearing: to commence in the week of 20 October 2014.

Any personal information you may include in any submission to Council on the Amendment is collected for planning purposes in accordance with the Planning and Environment Act 1987. The public may view the submissions whilst the Amendment is being considered. In

accordance with the "Improving Access to Planning Documents" Practice Note dated December 1999, a copy of your submission may be made available upon request. If you fail to provide this information your comments may not be considered. You may access this information by contacting Council on 9262 6303.

**Planning and Environment Act 1987**  
**WHITEHORSE PLANNING SCHEME**  
**Notice of Preparation of Amendment**  
**Amendment C164**

The Whitehorse City Council has prepared Amendment C164 to the Whitehorse Planning Scheme.  
The land affected by the amendment includes:

- 15 Hopetoun Parade Box Hill
- 127 Whitehorse Road Blackburn
- 3 and 5 Fortescue Grove Vermont South
- 2, 3, 4, 5, 6, 7, 8, 9 and 11 Shalimar Court Vermont South
- 1, 2, 3, 4, 5, 6, 7, 8 and 9 Parkleigh Court Vermont South

The amendment proposes to apply a permanent heritage overlay to these properties.

You may inspect the amendment, the explanatory report about the amendment, and supporting documents, free of charge, at the following locations:

- during office hours, at Whitehorse City Council Planning Department counter, Nunawading Civic Centre, 379-397 Whitehorse Road, Nunawading
- during opening hours at the Service Centres in Box Hill Town Hall and Forest Hill Chase shopping centre
- Libraries in the City of Whitehorse – Blackburn, Box Hill, Nunawading and Vermont South
- City of Whitehorse webpage - [www.whitehorse.vic.gov.au/amendment- c164.html](http://www.whitehorse.vic.gov.au/amendment-c164.html)
- Department of Transport, Planning and Local Infrastructure web site - [www.dpdc.vic.gov.au/planning/publicinspection](http://www.dpdc.vic.gov.au/planning/publicinspection)

Any person who may be affected by the amendment may make a submission to the planning authority. Submissions must be made in writing giving the submitters name and contact address, clearly stating the grounds on which the Amendment is supported or opposed and indicating what changes (if any) the submitter wishes to make.

Name and contact details of submitter's are required for Council to consider submissions and to notify such persons of the opportunity to attend Council meetings and any public hearing held to consider submissions. In accordance with the Planning and Environment Act 1987, Council must make available for inspection a copy of any submissions made.

The closing date for submissions is **21 July 2014**. A submission must be sent to:

Pamela Neivandt  
Senior Strategic Planner  
City of Whitehorse  
Locked Bag 2, Nunawading Delivery Centre VIC 3131

**Julie Reid**  
**General Manager City Development**  
**Whitehorse City Council**

**PRIVACY STATEMENT**

Any personal information you may include in any submission to Council on the Amendment is collected for planning purposes in accordance with the Planning and Environment Act 1987. The public may view the submissions whilst the Amendment is being considered. In accordance with the "Improving Access to Planning Documents" Practice Note dated December 1999, a copy of your submission may be made available upon request. If you fail to provide this information your comments may not be considered. You may access this information by contacting Council on 9262 6303.

# WHITEHORSE PLANNING SCHEME LOCAL PROVISION

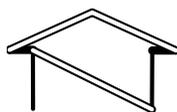


## LEGEND

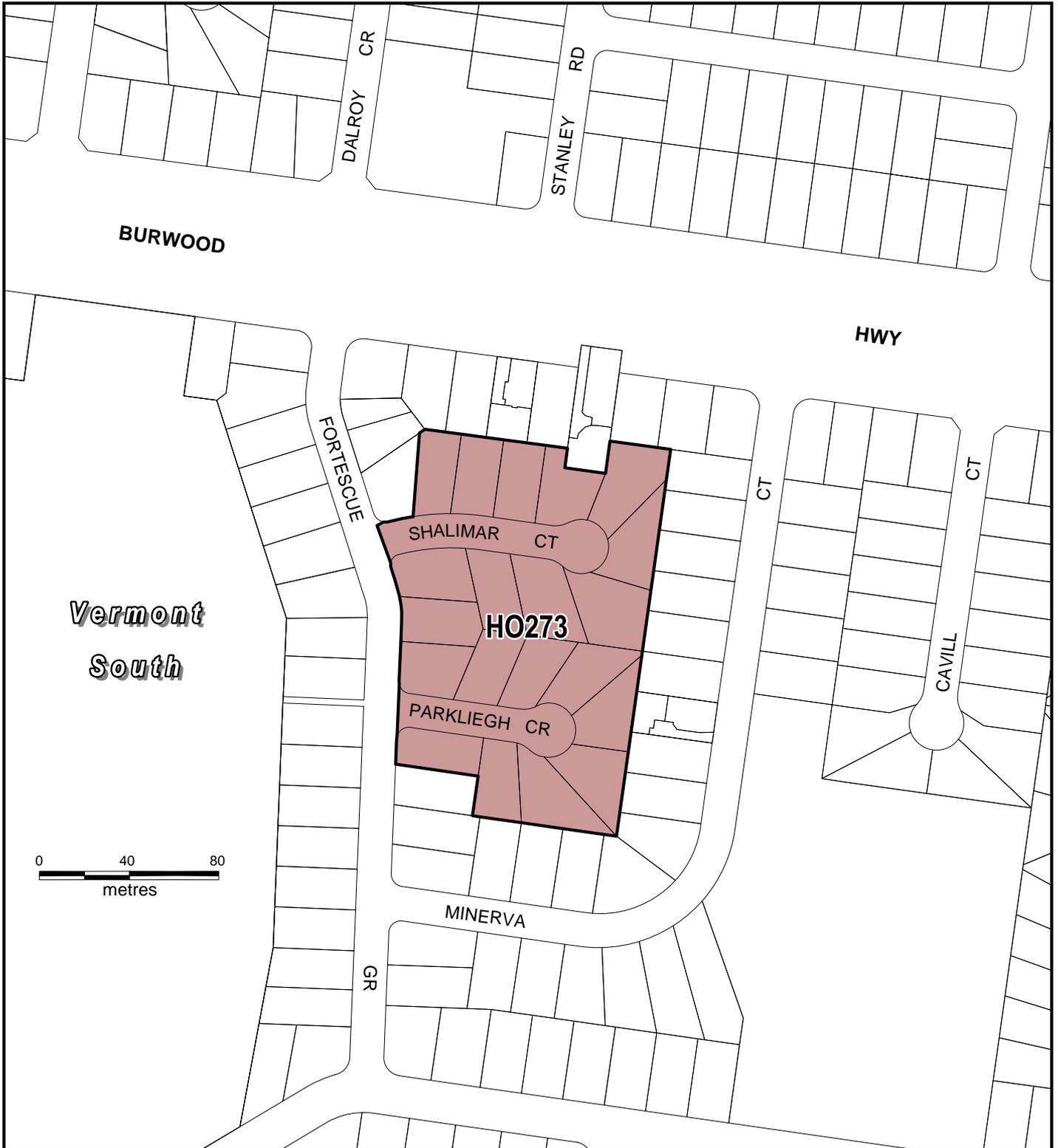
**HO** HERITAGE OVERLAY (HO274)

Part of Planning Scheme Map 2HO

## AMENDMENT C164



# WHITEHORSE PLANNING SCHEME LOCAL PROVISION



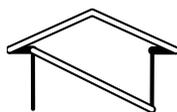
## LEGEND

Part of Planning Scheme Map 6HO

**HO** HERITAGE OVERLAY (HO273)

## AMENDMENT C164

| Planning Mapping Services |  
| Amendments Coordination Team |  
| Planning & Building Systems |  
| Planning, Building & Heritage |



Department of  
Transport, Planning and  
Local Infrastructure



## 22.01 HERITAGE BUILDINGS AND PRECINCTS

21/03/2013  
C140  
[Proposed](#)  
[C164](#)

This policy applies to all buildings, structures and natural features of heritage significance identified in the *City of Whitehorse Heritage Review* 1999, the *City of Whitehorse Heritage Review* 2001, the *Heritage Precincts Report* 2004, the *City of Whitehorse Individual Heritage Properties Review* 2006, the *William Street Precinct Report* 2010, ~~and~~ the *City of Whitehorse Heritage Assessments* 2010, [the citation for 15 Hopetoun Parade, Box Hill dated 31 March 2014 prepared by Coleman Architects Pty Ltd, and the citations for the Blue Flame Project, Vermont South dated 1 April 2014 and for 127 Whitehorse Road, Blackburn dated 23 March 2014 and prepared by Built Heritage Pty. Ltd.](#) ~~and~~ where a planning permit is required, this policy also applies to development on properties adjacent to Heritage Overlays.

### 22.01-1 Policy basis

21/03/2013  
C140  
[Proposed](#)  
[C164](#)

Clause 21.05 Environment requires buildings, areas, structures and natural features of heritage significance to be protected, conserved and enhanced. This is because these places of cultural significance are important in providing a snapshot into the City of Whitehorse's past. They are, therefore, an integral part of the City's social and cultural identity.

There are over two hundred individual heritage properties scattered throughout the municipality ranging from Victorian period schools, farmhouses and cottages dating from 1865 through to high schools and churches built in the 1940's and 50's. These buildings add interest, character and a sense of identity to the neighbourhoods in which they are located.

The buildings and areas subject to a Heritage Overlay are considered to be the best examples of their type within Whitehorse. These buildings may have historical, architectural, social, technological, cultural or scientific significance or any combination of these.

The conservation and enhancement of these buildings is critical if the heritage of this municipality is to be preserved.

To achieve this the MSS requires that the use and development of heritage places is sensitive to their importance, retaining their integrity, character and appearance. All use, buildings and works carried out on a heritage property should protect its historic and aesthetic value, whilst reinforcing its original character. This ensures that its cultural significance is retained. For some heritage places the retention and conservation of features such as trees, hedges, fences and outbuildings is essential as they add to the historical importance and setting of the building or structure.

There are ~~twelve~~<sup>eleven</sup> heritage precincts that are vital in portraying the story of how this City developed and what life was like at that time. Each precinct has a different character and was built in a different period, so collectively they make a substantial contribution to preserving the history of the City.

These precincts are to be treated with care to ensure that any redevelopment or change in land use reflects their special qualities. Within some precincts there are opportunities to improve their cohesiveness and aesthetic quality through refurbishment and limited redevelopment, provided that a consistent set of design and decision making principles are applied.

### Statements of significance for the heritage precincts

#### *Churchill Street Precinct, Mont Albert*

The Churchill Street Precinct is of outstanding aesthetic significance. This precinct has one of the most intact streetscapes of large Edwardian and inter-War houses in the City.

The streetscapes are characterised by a uniformity of scale, setbacks and materials. The houses within the precinct form an extraordinary cohesive group of substantial upper middle class residences that display a wide range of interesting Arts and Crafts inspired architectural elements. The houses remain relatively unchanged from their original form and therefore display a high level of intactness.

*Combarton Street Precinct, Box Hill*

The Combarton Street Precinct is of considerable aesthetic significance. This precinct contains the one of the best collections of small Californian bungalow-style houses in the City. The precinct comprises of homogeneous streetscapes, with nearly all the houses, including those not in the bungalow style, similar in scale, setback and materials. Although there are many examples of this housing style throughout the municipality they are generally relatively scattered or in groups of two or three. In addition, a number of the bungalows within this Precinct are extremely good examples of Arts and Crafts-influenced style. Of particular note are elements such as decorative brick and timberwork that noticeable in the verandahs of many of the bungalows.

*Mont Albert Residential Precinct, Mont Albert*

The Mont Albert Residential Precinct is of considerable aesthetic and historic significance.

Aesthetically, this precinct contains a large number of substantially intact houses that represent the three major phases of development in Mont Albert - the Victorian, Edwardian and inter-War periods. The historically important remnant Victorian houses are complemented by a large number of Edwardian and Inter-War houses exhibiting a range of interesting stylistic characteristics. Most of the houses display a particularly high level of intactness. The precinct also has historical associations with the Matthew Davies' Freehold and Investment Banking Company, an important nineteenth century property speculator.

*Mont Albert Shopping Centre Precinct, Mont Albert*

The Mont Albert Shopping Centre is of considerable aesthetic significance. This precinct is the most intact inter-War shopping centre in the City. Although several shopping centres in the municipality were developed adjacent to railway stations in the inter-War period, Mont Albert retains the greatest number of relatively intact shops that display typical inter-War architectural details, particularly at parapet level. Historically, the stylistic homogeneity of the precinct's building stock reflects the large amount of residential development that occurred in the Mont Albert area in the first three decades of this century.

*Vermont Park Precinct, Vermont South*

Vermont Park is of aesthetic significance as an award-winning complex of architect-designed cluster housing from the 1970's. At that time, Vermont Park was an innovative and influential experiment in terms of planning, prefabrication and energy efficient design. As an early example of its type, Vermont Park is unique in the City.

*Blacks Estate Precinct, Mont Albert*

Blacks Estate is of aesthetic and historical significance to the City as it contains the best and most intact collection of inter-war and 1940's substantially masonry buildings. The buildings cover a number of styles, however retain a consistency in materials, scale, setback and detailing. Of particular aesthetic note are elements such as masonry porches, distinctive chimneys, curved walls and decorative brickwork. The precinct is rare in the Whitehorse area as an estate that was subdivided and substantially developed in the 1920's and 1930's. While there are many examples of these housing types throughout the municipality, they are generally scattered and usually infill buildings.

*Thomas Street Precinct, Mitcham*

The Thomas Street Precinct is of aesthetic and historical significance to the City as an intact streetscape of late Edwardian and particularly the immediate post World War One

era, as expressed by single storey detached largely Californian Bungalow style housing. The street is of aesthetic significance as it contains similar setbacks, materials, forms and levels of detail giving the streetscape a consistent and unified appearance. The Thomas Street Precinct is of historical significance as it represents the transition period in which the Mitcham area developed from a rural township to a more suburban township after the electrification of the train line and expansion of the civic centre.

*Mount View Court Precinct, Burwood*

The Mount View Court Precinct is of historical significance as a good expression of the major growth in housing in Burwood during the immediate post World War One era, as expressed by the Californian Bungalow style housing. The precinct is also of aesthetic and historical significance for its distinctive Bungalow Court form around a central circular green which was a precursor to cul-de-sac planning widely used in Australia after World War Two. All the houses in the court are similar in form, style, detailing and materials and are believed to be State Bank Savings design homes. The Court is an excellent example of the movement by banks across the nation to support homebuyers in providing cheap new house options during Australia's depression years.

*Mates' Housing Development Precinct, Box Hill*

Mates' Housing Development Precinct is of historical significance to the City of Whitehorse as an intact precinct of houses developed at the same time and by the same developer during the early 1900s. The precinct demonstrates the type of speculative development that occurred in this period. The precinct is of aesthetic importance for its unity and intactness. All the houses in the precinct are similar in form, style, detailing and materials. They are excellent intact examples of Federation style dwellings demonstrating key features characteristic of the style. Mates' Housing Development Precinct is also of aesthetic and historical significance for its dairy located on the site.

*William Street Precinct, Box Hill*

The William Street Precinct is of historical and aesthetic significance for the well preserved Edwardian style dwellings. The houses in the precinct are good representative examples of the more humble and working class houses of the Edwardian era housing style, reflecting the lives of the residents who built or rented them while living in the Box Hill area.

*Tyne Street and Watts Street Corner Precinct, Box Hill North*

Tyne Street and Watts Street Corner Precinct Box Hill North, is of historical significance to the City of Whitehorse as a substantially intact precinct of houses developed at the same time and by the same developer during the early 1900's. The precinct demonstrates the type of speculative development that occurred both in this period and the boom period of housing in the Box Hill North area. The precinct is a rare, substantially intact precinct of weatherboard Edwardian residences within the City of Whitehorse, with only the William Street Precinct being comparable.

[Blue Flame Project, Vermont South](#)

[A group of twenty houses in Shalimar and Parkleigh Courts were built as a display village in the early 1970's, known as The Blue Flame Project. The village showcased low cost housing designed by leading architects of the day. It differed from other display villages in that house plans could be purchased without making a commitment to a particular builder. The project was sponsored by the Gas and Fuel Corporation and the Royal Australian Institute of Architects.](#)

Other heritage buildings

Over the last few decades a significant number of heritage properties have been lost through demolition and unsympathetic redevelopment and extensions. It is imperative, therefore, that Council and the community strive to retain as many of the existing heritage buildings, and the intactness of the heritage precincts, as possible.

There will be buildings, structures and natural features not identified in the Schedule to the Heritage Overlay Schedule that have a high level of heritage significance. The [various heritage reports adopted by Council and which are referred to as reference Documents in eClause 22.01-5](#), ~~City of Whitehorse Heritage Review 1999, the City of Whitehorse Heritage Review 2001, the Heritage Precincts Report 2004, the City of Whitehorse Individual Heritage Properties Review 2006, the William Street Precinct Report 2010 and the City of Whitehorse Heritage Assessments 2010~~, do not identify every heritage place within the municipality. Council is, however, working hard to identify and protect other historical buildings, structures and features.

This means that there will be instances where Council will quickly assess the heritage significance of buildings not affected by a Heritage Overlay. If found to be significant, Council will take the appropriate steps to inform all parties involved with the building about its significance and take steps to protect the building.

These buildings are important to the City's heritage and make a significant contribution to neighbourhood character through their aesthetic and architectural value. Many of these properties have significant potential for renovation and restoration, which is strongly encouraged. Council considers that these heritage places should be preserved where possible in order to provide a wide range of heritage places to enrich the character, identity and heritage of the municipality.

## 22.01-2 Objectives

C50(Part 1)  
17/08/2006

- To preserve and maintain a range of buildings, features and precincts of historical and cultural significance in order to provide a snapshot of the City's origins and how it has developed over time.
- To retain the architectural diversity of buildings within the municipality with a focus on conserving and enhancing the integrity, cohesiveness and aesthetic value of individual heritage buildings and precincts.
- To ensure that new land use, development, buildings and works in and around properties and precincts subject to a Heritage Overlay is sympathetic to their significance, character, scale, design, setbacks, form and colour scheme.
- To ensure that all possible avenues are pursued to ensure the conservation of heritage sites and that demolition is allowed only where there are extenuating circumstances.
- To encourage conservation and other works including maintenance, restoration, reconstruction and adaptation that assist in the restoration of original features and colour schemes of heritage buildings and precincts to enhance their character and contribution to neighbourhood character and the overall streetscape.

## 22.01-3 Policy

21/03/2013  
C140  
[Proposed](#)  
[C164](#)

It is policy that:

### Subdivision

- Subdivision of a property supporting a heritage place should not adversely affect the significance of the heritage place or other features protected by the Heritage Overlay.
- The subdivision layout should maintain the original setting of the heritage place, including the retention of original garden areas and or other such features that create a setting for the heritage building.
- Where located in a heritage precinct, the proposed pattern of subdivision should be consistent with that of the precinct in terms of its layout and lot size and be able to support buildings that are similar in scale, bulk and setbacks to that which is consistent with the statement of significance for the precinct.

- Subdivision of land supporting heritage ~~places~~ ~~buildings~~ identified in the *City of Whitehorse Heritage Review 1999*, the *City of Whitehorse Heritage Review 2001*, the *Heritage Precincts Report 2004*, the *City of Whitehorse Individual Heritage Properties Review 2006*, ~~the William Street Precinct Report 2010~~, ~~or the City of Whitehorse Heritage Assessments 2010~~, or citations for 15 Hopetoun Parade, Box Hill dated 31 March 2014, the Blue Flame Project, Vermont South dated 1 April 2014 and 127 Whitehorse Road, Blackburn dated 23 March 2014 should conserve and enhance the heritage ~~place~~ ~~building~~.

### Demolition and removal of buildings

Subject to the provisions of this Policy, any heritage place, building, structure or feature identified in the *City of Whitehorse Heritage Review 1999*, the *City of Whitehorse Heritage Review 2001*, the *Heritage Precincts Report 2004*, the *City of Whitehorse Individual Heritage Properties Review 2006*, ~~the William Street Precinct Report 2010~~, ~~or the City of Whitehorse Heritage Assessments 2010~~, or in citations for 15 Hopetoun Parade, Box Hill dated 31 March 2014, the Blue Flame Project, Vermont South dated 1 April 2014 and 127 Whitehorse Road, Blackburn dated 23 March 2014 and subject to a Heritage Overlay, should be retained.

- The demolition or removal of buildings within heritage precincts that are consistent with the character and statement of significance of the precinct will be strongly resisted in order to maintain the integrity of, and cohesion within, the precinct. The loss of these buildings would undermine the quality and intactness of the precinct and the reasons why the precinct was originally designated.
- Places, ~~B~~buildings, structures and features identified in the *City of Whitehorse Heritage Review 1999*, the *City of Whitehorse Heritage Review 2001*, the *Heritage Precincts Report 2004*, the *City of Whitehorse Individual Heritage Properties Review 2006* the *William Street Precinct Report 2010*, ~~or the City of Whitehorse Heritage Assessments 2010~~, or in citations for 15 Hopetoun Parade, Box Hill dated 31 March 2014, the Blue Flame Project, Vermont South dated 1 April 2014 and 127 Whitehorse Road, Blackburn dated 23 March 2014 should be conserved where possible as they contribute to the aesthetic quality of the municipality and provide for a range in the quality and type of heritage places.
- Council will only consider the removal of heritage buildings if the applicant can prove that there are extenuating circumstances regarding the building/land.

### New buildings and works

- Additional buildings or works on land supporting a heritage building and/or within a heritage precinct should conserve, and be sympathetic to, the protected building(s) and other features identified as being protected in the Heritage Overlay schedule.
- The design and location of new buildings and works should not adversely impact on the heritage value and significance of the building(s) and/or precinct, or other features protected pursuant to the Heritage Overlay schedule.
- Development on sites adjacent to heritage buildings and precincts should be sympathetic to the heritage place in terms of its bulk, setbacks, materials, colour scheme and form. Care should be taken not to ‘mock’ the heritage building style.
- Development, buildings and works on heritage places identified in the *City of Whitehorse Heritage Review 1999*, the *City of Whitehorse Heritage Review 2001*, the *Heritage Precincts Report 2004*, the *City of Whitehorse Individual Heritage Properties Review 2006* the *William Street Precinct Report 2010*, ~~or the City of Whitehorse Heritage Assessments 2010~~, or in citations for 15 Hopetoun Parade, Box Hill dated 31 March 2014, the Blue Flame Project, Vermont South dated 1 April 2014 and 127 Whitehorse Road, Blackburn dated 23 March 2014 should, where possible, conserve and enhance the heritage ~~building~~ place.

### **External alterations**

- Council strongly encourages external alterations that include preservation, restoration or reconstruction of the original heritage building in a way that relates to the original features and form of the building.
- External alterations should not adversely impact on the cultural significance, character, architectural value of the building and/or precinct or its contribution to the streetscape.
- Alterations should be designed and located in a way that does not dominate the original building and retains its cultural significance. The bulk, style, detailing and form of external alterations should be sympathetic to the original fabric and design characteristics of the building.
- The alterations should be in the same style as the original place but with simplified details or should be designed in a contemporary manner that relates to the old work in terms of location, bulk, form and materials. The alterations should be distinguishable from the original building.

### **External painting**

- Council strongly encourages the application of original colour schemes to heritage buildings.
- Where heritage buildings are located in a heritage precinct, the use of colour schemes true to the period and style of the buildings and precinct is essential to conserve and enhance the integrity, cohesiveness and quality of the precinct.
- Colour schemes should be consistent with those contained in the schedule of heritage colours and other painting advice prepared by Council.

### **Trees and hedges**

- The removal or lopping of trees and hedges identified in the Heritage Overlay schedule as being protected is strongly discouraged as they make a significant contribution to the setting and heritage value of the heritage place.
- Removal or lopping of protected trees and hedges will only be supported where parts or all of the tree(s) or hedge(s) are dead, dying or imminently dangerous.

## **22.01-4**

21/03/2013  
C140

### **Performance measures**

The following performance measures are considered to satisfy the policy objectives and statements outlined above:

### **All applications**

- Planning permit applications should be accompanied by an assessment from a suitably qualified and experienced heritage architect outlining how the application conserves, enhances, and is sympathetic to, the significance of the heritage building and/or precinct.

### **Subdivision**

- The assessment prepared by the heritage architect should outline how the subdivision conserves and enhances the significance of the heritage building and/or precinct.

- Where the subdivision pattern is not consistent with that of the original heritage place and/or precinct the applicant should submit reasons as to why this cannot be achieved and how the alternative subdivision pattern makes a positive contribution to the heritage place or precinct.
- The pattern of subdivision should conserve the setting of the heritage building, providing sufficient space to retain garden areas, buildings and other features essential to the character, importance and integrity of the building.

### **Demolition or removal of a building**

- Demolition or removal of a heritage building (either significant or contributory) within a heritage precinct or individually listed in the Schedule to the Heritage Overlay, will only be permitted where all of the following circumstances apply:
  - The building has been significantly damaged since the Heritage Overlay was applied to the property or the building is structurally unsound and is unable to be made safe to Council's satisfaction without significant alteration to the original fabric of the building, thereby reducing the significance of the building to an extent which a Heritage Overlay should no longer be applied; and
  - The application is accompanied by an assessment from a suitably qualified and experienced heritage architect outlining why the building cannot be retained. This report should also investigate options to retain some part of the building to commemorate the historical associations and importance of the site, if appropriate.
  - Removal of heritage buildings will be considered only if there is written evidence justifying the special circumstances relating to the building. The Applicant should make a written submission outlining the reasons why Council should allow the removal to proceed. Details and evidence of how and where the building will be moved it must also accompany the application.
- Demolition or removal of buildings located in heritage precincts that are not consistent with the historical and architectural significance of the precinct (regarded as non-contributory buildings) will generally be permitted, provided that all of the following are met:
  - The applicant can demonstrate that the replacement buildings will make a more positive contribution to the value and cohesiveness of the heritage precinct in terms of building design, scale, materials and layout than the existing building; and
  - The report prepared by the heritage architect outlines why the demolition and proposed replacement buildings would make a more positive contribution to the precinct; and
  - If a partial demolition is proposed, that the demolition will not adversely affect the precinct's heritage significance; and
  - The replacement building complies with all other parts of this policy.
- The following information should be supplied by the applicant upon applying for a planning permit to either demolish or remove the building:
  - A comprehensive photographic record of the building and its setting in the streetscape; and
  - A plan of the building's footprint and layout; and
  - If removal is proposed, a copy of title for the property to which it is being relocated; and
  - A copy of the building permit for the site to which the building is being relocated; and

- A report on how the building is to be moved and how it will be restored in its new location.

### **New buildings and works**

- The report prepared by the heritage architect should outline what techniques have been used to ensure new development is consistent with the bulk, form, setbacks and style of the heritage building and/or precinct.
- Where features such as gardens, trees, outbuildings and fences that provide a setting for the heritage building/precinct cannot be preserved, the heritage architect should outline why these features cannot be retained, assess what impact their loss would have on the integrity and significance of the heritage place and what measures can be taken to minimise any negative impact.
- The design of new buildings and works should not ‘mock’ the historic building but rather complement the original fabric and design characteristics of the heritage building in terms of its bulk, style, materials, setbacks, colour scheme and form.
- New buildings and works should be designed and located in a way that does not dominate the heritage building or detract from its aesthetic or architectural significance.
- Existing views of the heritage building from the street should be preserved to acknowledge the contribution heritage places make to neighbourhood character and the overall streetscape.
- Buildings and works should conserve the setting of the heritage building through the retention and conservation of original garden areas, driveways and other features around the building that are integral to its character and historical significance.
- Where possible, works that improve the visibility of the heritage place from the streetscape are encouraged where they do not remove features or buildings that contribute to a building or precinct’s historical significance.

### *External alterations*

- The report prepared by the heritage architect should outline how the proposed alteration(s) conserves and enhances the heritage significance of the building and enhances its heritage value.
- Alterations to the front façade of heritage buildings should be treated with particular care in recognition of their potential negative impact on the architectural and aesthetic contribution of the building to the streetscape.
- Alterations to the rear of buildings are encouraged as they are less detrimental to the aesthetic and architectural contribution of the building to the streetscape and/or the heritage precinct.
- The materials used for the external alterations should be sympathetic to the nature and colour of the original fabric of the building to Council’s satisfaction. Where the colours and materials of the original fabric have been substantially changed, and cannot be reasonably reinstated, the external alterations should be compatible with that of the existing building.
- Where the original fabric of the building has been substantially altered, Council encourages the use of materials and colour schemes that are consistent with the style and period of the original house. Returning of lost or altered fabric back to its original state is encouraged if there is sufficient evidence available to carry this out accurately.

## External painting

- Applications to use colours that are not on the heritage colour schedule supplied by Council should be accompanied by a report by a heritage architect outlining whether the original colour scheme can be ascertained by undertaking a paint scrape. If the colour scheme cannot be identified, the heritage architect should provide reasons as to why the alternative colour scheme is appropriate for the period and style of the building and/or precinct.

## Trees and hedges

- Applications to remove part or all of a tree(s) or hedge(s) listed in the Heritage Overlay Schedule should be accompanied by a report from a qualified arborist outlining the health and structure of the tree and why it is considered to be dying or imminently dangerous.
- The report prepared by the heritage architect should outline what impact the proposed removal/lopping will have on the significance of the heritage place and what measures should be taken to minimise any negative impact.

### 22.01-5 Reference documents

21/03/2013  
C140  
[Proposed](#)  
[C164](#)

*City of Whitehorse Heritage Review, 1999*

*City of Whitehorse Heritage Review, 2001*

*Heritage Precincts Report, 2004*

*City of Whitehorse Individual Heritage Properties Review 2006*

*William Street Precinct Report 2010*

*City of Whitehorse Heritage Assessments 2010*

[Citation for 15 Hopetoun Parade, Box Hill dated 31 March 2014 prepared by Coleman Architects Pty Ltd](#)

[Citation for the Blue Flame Project, Vermont South dated 1 April 2014 and prepared by Built Heritage Pty Ltd.](#)

[Citation for 127 Whitehorse Road, Blackburn, 23 March 2014 and prepared by Built Heritage Pty. Ltd.](#)

*Planning and Environment Act 1987*

**WHITEHORSE PLANNING SCHEME**

**AMENDMENT C164**

**INSTRUCTION SHEET**

The planning authority for this amendment is the Minister for Planning.

The Whitehorse Planning Scheme is amended as follows:

**Planning Scheme Maps**

The Planning Scheme Maps are amended by a total of 3 attached map sheets.

***Overlay Maps***

1. Amend Planning Scheme Map Nos. 1HO, 2HO and 6HO in the manner shown on the 3 attached maps marked "Whitehorse Planning Scheme, Amendment C164".

**Planning Scheme Ordinance**

The Planning Scheme Ordinance is amended as follows:

1. In Local Planning Policy framework – replace Clause 22.01 with a new Clause 22.01 in the form of the attached document.
2. In Overlays – Clause 43.01, replace the Schedule with a new Schedule in the form of the attached document.

End of document