

Attachment 4

Amendment C203port (Planning Scheme Review): Summary of independent Planning Panel recommendations and officer response

Amendment C203port Panel recommendation	Officer response and recommendation
Adopt Port Phillip Planning Scheme Amendment C203port subject to the following recommendations:	
<p>Heritage Policy</p> <p>1. Replace Clause 15.03-1L (Heritage Policy) with the Panel preferred version included in Appendix B of the Panel report.</p>	<p>The Panel concluded that subject to specific changes, the exhibited Heritage Policy (Clause 15.03-1L) is appropriate and consistent with broader comments on Amendment C203port is strategic justified.</p> <p>Most of the Panel’s recommended changes to the Heritage Policy (Clause 15.03-1) are consistent with the position presented by Council officers at the Panel hearing, which was informed by the advice of Council’s expert heritage witness. Appendix 1 to this document presents the Panel preferred version of the Heritage Policy with annotations indicating whether Council officers support or do not support the changes recommended by the Panel.</p> <p>The recommended changes are generally reasonable and do not alter the intent of Council’s proposed local Heritage Policy, while also responding to some of the matters raised by submitters. The suggested changes improve the policy’s clarity and operation, ensuring the policy can guide appropriate development outcomes for the City’s residential, commercial and industrial heritage places, while also supporting the incorporation of sustainable design features into heritage place.</p> <p>However, there are two aspects of the Panel’s recommendations that are not supported by Council officers, relating to the removal of sightline policy guidelines and images from the Heritage Policy. These elements are discussed below.</p> <p>Sightlines</p> <p>The Panel recommends deleting the following ‘Policy guidelines’ from the Heritage Policy:</p> <p><i>Additions to a residential heritage place should be contained within the following sightlines:</i></p> <ul style="list-style-type: none"> • A 10 degree sightline as shown in Figure 3 if the associated building is within a heritage streetscape with a consistent scale, or is a Significant place. • An 18 degree sightline as shown in Figure 4 if the associated building is within a heritage streetscape with a diverse scale and is not a Significant place. • A sightline taken from across the street in a narrow street less than 5 metres (Figure 5) or for the building types shown in Figure 6. <p><i>Additions to a commercial heritage place should be contained within a sightline taken from across the street as shown in Figure 7 and Figure 8.</i></p> <p><i>Additions higher than one storey should have the same or greater side setbacks than those</i></p>

of the host building.

These 'Policy guidelines' also appear in the Heritage Design Guidelines, which is an approach supported by the Panel.

The Panel's recommendation to delete the sightline 'Policy guidelines' would also see the replacement of the following text under the heading 'Additions':

Support additions that are:

- Fully or substantially concealed if the associated building is within a heritage streetscape with a consistent scale or is a Significant place.
- Partially concealed if the associated building is within a heritage streetscape with a diverse scale and is not a Significant place.

with:

Support additions to residential buildings that are:

- Set back a minimum depth of two rooms to retain original or early fabric including the principal façade and primary roof form;
- Respectful of the scale and massing of the heritage place;
- Visually recessive against the heritage fabric; and
- Substantially concealed when viewed at natural eye-level from the opposite site of the street.

Council officers do not support this change. It is the view of Council officers that the sightline provisions should be retained in the Heritage Policy (Clause 15.03-1L) because:

- They are a translation of the existing 'performance measure' provisions in the current Heritage Policy (Clause 22.04). Performance Measure 1 supports upper storey extensions if they are sited within an envelope created by projecting a line of 10 degrees from the height of the base of the front parapet or gutter line on the main façade and extending to the rear of the heritage building. Where the heritage building is located in a diverse streetscape comprising different building types and the proposed addition provides an appropriate contextual response, this envelope can be enlarged by projecting a line of up to 18 degrees instead of 10 degrees;
- VCAT has generally found the 'performance measure' or policy guideline a helpful guide as to the degree of visibility that will ordinarily be acceptable.
- As described in the Victorian Government's *Practitioner's Guide to Planning Schemes*, policy guidelines can be helpfully included in planning policy:
- The 'sightline' policy guidelines are among the most commonly used and well understood provisions in the existing Planning Scheme; and
- The sightline policy guidelines and images illustrate how the heritage policy might be achieved, also assisting users of the Planning Scheme understand the intent of the policy without having to refer to background documents, external to the Planning Scheme.

	<p>Removing the sightline provisions would alter the intent of the Heritage Policy and is contrary to Council's adopted position.</p> <p><u>Diagrams</u></p> <p>The Panel recommends deleting all diagrams from the Heritage Policy (Clause 15.03-1L) on the basis that they also appear in the Heritage Design Guidelines.</p> <p>Council officers do not support this change. It is the view of Council officers that the images should be retained in the Heritage Policy. This is because it is important for the community to continue to understand how strategies in the Heritage Policy can be achieved without having to refer to background documents external to the Planning Scheme such as the Heritage Design Guidelines. Removing the diagrams from the Heritage Policy would reduce its clarity and is not consistent with the State Government's direction for the local content of planning schemes to be simplified.</p> <p>Overall, officers view is that removing the sightline provisions and diagrams alter the intent and clarity of the proposed Heritage Policy, and therefore they should be retained in the policy.</p> <p>Accept Panel recommendation in part.</p> <p>Recommended change: Update proposed Clause 15.03-1L in line with the Panel's preferred version shown in Appendix B of the Panel Report, with the exception of retaining the strategies on residential sightlines, the sightline diagrams and other diagrams in the policy, as shown in Attachment 5.</p>
<p>Heritage Design Guidelines (proposed new Background Document)</p> <p>2. Replace the City of Port Phillip Heritage Design Guidelines, 2021 with the Panel preferred version included in Appendix C of the Panel report.</p> <p>3. Review the following elements of the City of Port Phillip Heritage Design Guidelines, included in Appendix C of the Panel report:</p> <p>a) the timber cladding profiles shown in Figure 2.1</p> <p>b) the explanation attached to Photo 2 which should reference the location of the removed verandah</p> <p>c) the use of Photo 12 given that it is also an example of facadism which is not encouraged by the guidelines.</p>	<p>The Panel considers the Heritage Design Guidelines are appropriate to be included as a Background Document however has recommended specific changes to the content of the document.</p> <p>The recommended changes to the Heritage Design Guidelines document contained in the Panel preferred version are consistent with those presented by Council officers during the Planning Panel process, made in response to the advice of Council's heritage expert witness.</p> <p>Council officers note the Panel's recommended changes do not alter the intent of the Heritage Design Guidelines and are helpful to further clarify their intent t to be used as a resource that provides guidance on how heritage provisions in the Port Phillip Planning Scheme can be achieved. Other changes relate to correcting grammatical errors, spelling, typographical errors and deleting duplicated content and are supported by Council officers.</p> <p>Upon further review, the following changes have been made to the Heritage Design Guidelines:</p> <ul style="list-style-type: none"> • Figure 2.1 has been deleted from the Heritage Design Guidelines as it is not necessary; • The explanation attached to Photo 2 has been updated to reference the location of the removed verandah. • Photo 12 has been replaced with an alternative image of the Paramount Hotel in Surry Hills, New South Wales and accompanying description. <p>The changes made to the Heritage Design Guidelines in response to the Panel's recommendations do not alter the intent of the Heritage Design Guidelines.</p>

	<p>Accept Panel recommendation</p> <p>Recommended change: Update the Heritage Design Guidelines (proposed Background Document) in line with the Panel’s recommendations, and as shown in Attachment 5.</p>
<p>Heritage Overlay schedule (Clause 43.01)</p> <p>4. Amend the Application requirements in the Schedule to Clause 43.01 by:</p> <p>a) replacing the term ‘heritage place’ with ‘heritage place, building or structure’</p> <p>b) replacing the text in the second dot point from:</p> <ul style="list-style-type: none"> • <i>For applications that propose part or full demolition of a heritage place:</i> <p>to:</p> <ul style="list-style-type: none"> • <i>For applications that propose full or substantial demolition of a heritage building or structure</i> <p>c) clarifying that the third dot point:</p> <ul style="list-style-type: none"> • <i>For applications to paint a heritage place a schedule, plans and elevations showing the colours and finishes to be used on all surfaces</i> <p>only applies when external paint controls are triggered</p> <p>d) using a less prescriptive scale than 1:20 in the fifth dot point:</p> <ul style="list-style-type: none"> • <i>For applications that include restoration or reconstruction of original fabric, plans prepared at a 1:20 scale</i> <p>e) revising the sixth dot point by:</p> <ul style="list-style-type: none"> • replacing the text of the fourth sub-dot point from: <ul style="list-style-type: none"> - <i>For additions, sightline diagrams in accordance with the relevant policy guidelines for additions in Clause 15.03-1L.</i> <p>with</p> <ul style="list-style-type: none"> - <i>For additions, a sight-line diagram taken from natural eye-level on the opposite side of the street, directly in</i> 	<p>All of the Panel’s recommended changes to the application requirements in the schedule to the Heritage Overlay (Clause 43.01) are consistent with the position presented by Council officers at the Panel hearing with the exception of Recommendation 4e to revise the sixth dot point by:</p> <p><i>replacing the text of the fourth sub-dot point from:</i></p> <ul style="list-style-type: none"> - <i>For additions, sightline diagrams in accordance with the relevant policy guidelines for additions in Clause 15.03-1L.</i> <p><i>with</i></p> <ul style="list-style-type: none"> - <i>For additions, a sight-line diagram taken from natural eye-level on the opposite side of the street, directly in front of the subject property’</i> <p>The Panel’s recommendation to revise the above is made on the basis the Panel has recommended that the corresponding sightline policy and diagrams be removed from Clause 15.03-1L and sit wholly within the Heritage Design Guidelines (Background Document).</p> <p>As discussed in response to Recommendation 1 above, the sightline provisions should be retained in the Heritage Policy (Clause 15.03-1L)</p> <p>The remaining recommendations to the application requirements in the schedule to the Heritage Overlay (Clause 43.01) are consistent with the position presented by Council at the Panel hearing and are informed by the advice of Council’s heritage expert witness. These changes do not alter the intent of the proposed application requirements in the Heritage Overlay. Rather, they will improve the clarity of the application requirements and ensure the information provided by applicants facilitates the assessment of the broad range of planning permit applications assessed by the City of Port Phillip every year.</p> <p>Accept Panel recommendation in part.</p> <p>Recommended change: Update draft schedule to Clause 43.01 (Schedule to the Heritage Overlay) in line with the Panel’s recommendations, as shown in Attachment 4.</p>

<p><i>front of the subject property'</i></p> <ul style="list-style-type: none"> • deleting the fifth sub-dot point: - <i>For new development, a three dimensional building envelope that shows the potential new building volume if all the opportunities and constraints have been considered</i> • clarifying that the sixth sub-dot point: - <i>When located within a precinct, elevations that show the addition or new development in the context of the streetscape is to apply only for new buildings or additions that will be visible from the public realm.</i> f) clarifying that the eighth dot point is to apply only where external tree controls are triggered. 	
<p>Local VicSmart Applications schedule (Clause 59.15)</p> <p>5. Amend the (VicSmart) Schedule to Clause 59.15 by:</p> <p>a) replacing the text in the second Class of application with:</p> <p><i>'Minor external alteration of a building if the alterations are located to the rear or side of the building and are not visible from the street (other than a lane) or public park'</i></p> <p>b) replacing the text in the third Class of application with:</p> <p><i>'Minor external alteration of a roof, if the alterations are not visible from a street (other than a lane) or public park'</i></p> <p>c) replacing the text in the fifth Class of application with:</p> <p><i>'Construct or carry out minor works normal to a dwelling, including vehicle accessways, pedestrian paths or similar'</i></p> <p>d) replacing the text in the seventh Class of application with:</p> <p><i>'Demolition of removal of a non-original or non-heritage sign'.</i></p>	<p>The inclusion of 'minor' in the text as described in Recommendation 5a), b) and c) is consistent with the position presented by Council's heritage expert at the Panel hearing and is supported by Council officers. The proposed VicSmart categories are designed to capture applications that are minor in scale and generally already captured by Council's existing Fast Track planning permit application process.</p> <p>Similarly, Recommendation 5d is supported by Council officers as it responds to the evidence of Council's heritage expert witness to ensure the removal of all heritage signs go through a planning permit process and not be dependent on the sign being located on a significant heritage place.</p> <p>The Panel's recommended changes are reasonable and do not alter the intent of the draft schedule to Clause 59.15.</p> <p>Accept Panel recommendation</p> <p>Recommended change: Amend draft Schedule to Clause 59.15 to reflect the Panel's recommendations, as shown in Attachment 3.</p>

<p>Urban Art</p> <p>6. Renumber Clauses 15.01-2L-02 Urban Art to 15.01-2L-03</p>	<p>This is an administrative change required in response to broader State Government changes to all planning schemes in Victoria due to the gazettal of Amendment VC216 on 10 June 2022 and does not alter the content or intent of Clause 15.01-2L-03 Urban Art.</p> <p>Accept Panel recommendation</p> <p>Recommended change: Renumber Clauses 15.01-2L-02 Urban Art to 15.01-2L-03.</p>
<p>Environmentally Sustainable Development</p> <p>7. Renumber Clause 15.02-1L to 15.01-2L-02</p> <p>8. Replace the text under the heading ‘Strategies’ in Clause 15.01-2L-02 (Environmentally Sustainable Development) with the following:</p> <p><i>‘Achieve Best Practice environmentally sustainable development that:</i></p> <ul style="list-style-type: none"> • <i>Is relevant to the type and scale of development;</i> • <i>Responds to site opportunities and constraints;</i> • <i>Utilises a combination of locally available techniques, methodologies and system that have demonstrated to achieve optimum ESD outcomes; and</i> • <i>Encompass the full life of the build.’</i> 	<p>The Panel’s recommendation to renumber the Environmentally Sustainable Development policy is an administrative change required in response to broader State Government changes to all planning schemes in Victoria due to the gazettal of Amendment VC216 on 10 June 2022 and does not alter the content or intent of Clause 15.01-2L-02 Environmentally Sustainable Development.</p> <p>The Panel’s recommended wording at Recommendation 8 is generally consistent with the position presented by Council.</p> <p>Council submitted while it is bound by the conditions of authorisation from the Minister for Planning which required changes to the wording of Clause 15.01-2L-02, that as a member of Council Alliance for a Sustainable Built Environment (CASBE), its preference is to ensure its local ESD policy translation is consistent with the approach taken by CASBE and other councils. The Panel generally supports this approach, noting:</p> <p style="text-align: center;"><i>The objectives of Clause 22.13- 2, in the Panel’s view, closely align to the CASBE approach to best practice and in that case Clause 15.02-1L should equally reflect the CASBE approach as a true translation into the new format.</i></p> <p>The Panel does not support the proposed translation of the wording of the expiry provision at Clause 22.13-08 from ‘comparable provision’ to ‘equivalent provision’ as put forward by the CASBE councils and Council officers at the Panel. However, for consistency with the CASBE preferred approach, Council officers recommend the Panel recommendation not be supported and ‘equivalent provision’ be referred to in the policy.</p> <p>Accept Panel recommendation in part.</p> <p>Recommended change: Renumber Clause 15.02-1L to 15.01-2L-02, amend draft Clause 15.01-2L-02 Environmentally Sustainable Development to reflect the Panel’s recommended wording under the heading ‘Strategies’ and amend Clause 15.01-2L-02 Environmentally Sustainable Development to refer to ‘equivalent provision’ in the policy rather than ‘comparable provision’ as outlined in Attachment 3.</p>

Appendix 1: Annotated version of Heritage Policy with officer response

15.03-1L
 Proposed C203port

Heritage policy

Policy application

This policy applies to all land within a Heritage Overlay.

Strategies

General

~~Retain~~, ~~Conserve~~ and ~~protect~~ ~~enhance~~ Significant and Contributory buildings as identified in the incorporated document in Schedule to Clause 72.04 'City of Port Phillip Heritage Policy Map'.

Conservation of heritage places and new development are guided by the statement of significance, ~~the urban context~~ and any relevant documentary or physical evidence.

Encourage high quality, contemporary design ~~responses for new development~~ that respects and complements the heritage place by using a contextual approach that:

- Responds to and reinforces the ~~valued characteristics~~ ~~contributory features~~ of the heritage place, including:
 - Building height, scale, massing and form.
 - Roof form and materials.
 - Siting, orientation and setbacks.
 - Fenestration and proportion of solid and void features.
 - Details, colours, materials and finishes.
- ~~Protects and e~~ ~~Conserves~~ ~~and enhances~~ the setting and views of heritage places.

Maintain the integrity and intactness of heritage places.

Conserve and enhance the significant historic ~~character~~, ~~and~~ intactness ~~and integrity~~ of streetscapes within heritage precincts including:

- The layering and diversity of historic styles and character where this contributes to the significance of the precinct.
- The consistency of historic styles and character where this contributes to the significance of the precinct.

Avoid development that would result in the incremental or complete loss of significance of a heritage place by:

- Demolishing or removing a building or feature identified as Significant or Contributory in the incorporated document in Schedule to Clause 72.04 'City of Port Phillip Heritage Policy Map'.
- Altering, concealing or removing a feature, detail, material or finish that contributes to the significance of the heritage place.
- Distorting or obscuring the significance of the heritage place ~~or detracting from its interpretation and appreciation~~ by ~~copying using~~ historic styles ~~in~~ and detail ~~where these previously did not exist~~.

Demolition and relocation

Prioritise the conservation, restoration or adaption of a heritage place over demolition.

Discourage the complete demolition of any building or feature that contributes to the significance of a heritage place unless the building or feature is structurally unsound and ~~rectification is unreasonable on financial or heritage grounds~~ the defects cannot be rectified.

Commented [MB1]: Support – terminology consistent with Clause 43.01 – Heritage Overlay.

Commented [MB2]: Support – improves clarity.

Commented [MB3]: Support – clarify that contemporary design responses are for new development only.

Commented [MB4]: Support – seeks to avoid disputes about what characteristics are “valued”.

Commented [MB5]: Support - terminology consistent with Clause 43.01 – Heritage Overlay.

Commented [MB6]: Support – consistent terminology.

Commented [MB7]: Support - copying historic styles and details may be appropriate in reconstruction and other conservation works but not for new development.

Commented [MB8]: Support - wording puts the onus on the applicant to demonstrate that there is no other alternative to demolition.

Avoid demolition where it would result in the retention of only the façade and/or external walls of a Significant or Contributory building.

Support demolition of part of a Significant or Contributory building or feature if it will not adversely impact upon the significance of the place and any of the following apply:

- It will remove an addition or accretion that detracts from the significance of the place.
- ~~The part demolition is consistent with site specific heritage design guidelines listed in an incorporated document in the Schedule to Clause 72.04.~~
- It is associated with an accurate replacement, or reconstruction of the place.
- It will allow an historic use to continue.
- It will facilitate a new use that will support the conservation of the building.

Commented [MB9]: Support – improves clarity. Responds to submissions.

Commented [MB10]: Support - GJM – duplication - site specific heritage design guidelines must be considered in the decision guidelines at Clause 43.01-8 of the Heritage Overlay.

Avoid the demolition of a Significant or Contributory building unless new evidence has become available to demonstrate that the building ~~does not possess the level of heritage significance attributed to it in the incorporated document Port Phillip Heritage Review and City of Port Phillip Heritage Policy Map is not of heritage significance and does not contribute to the heritage place.~~

Avoid the relocation of a building or feature that contributes to the significance of a heritage place unless a suitable new location is secured and either:

- The relocation is the only reasonable means of ensuring the continued existence of the building or feature and the option of retaining it in the current location is not feasible.
- The building or feature has a history of relocation and/or is designed for relocation.

Commented [MB11]: Support – seeks to avoid a situation where ‘significant’ buildings can be demonstrated as being ‘contributory’ but then can be demolished because they are not ‘significant’ in the policy map.

Commented [MB12]: Support - ensures a building is not placed in storage for an ongoing period of time and that the appropriateness of the new location can be considered at the time of approving removal.

Conservation

Prioritise the maintenance and repair, rather than replacement of features, details, materials or finishes that contribute to the significance of heritage places.

Encourage accurate like for like replacement of features, details, materials or finishes that contribute to the significance of heritage places if they are damaged and cannot be repaired or are missing.

Commented [MB13]: Support – improves clarity.

Encourage the accurate restoration or reconstruction of heritage places to a known earlier state, particularly publicly visible features such as:

- Verandahs, balconies and awnings.
- Doors and windows.
- Wall materials and details.
- Roof materials and details.
- Shopfronts.
- Chimneys
- Front fences.
- Historic signage.

Support full reconstruction in exceptional circumstances (for example, if a building has been destroyed by fire) when there is sufficient physical or documentary evidence to enable accurate reconstruction, and where any of the following apply:

- The building forms part of a row, terrace or group that have a degree of uniformity that should be maintained and can be replicated.
- The building or feature is an integral part of a related group of buildings or features ~~(for example, a church hall adjacent to a church).~~
- The building or feature is a landmark or contributes to an important view or vista and ~~There is~~ strong community attachment to the building or feature.

Commented [MB14]: Support – improves clarity.

Commented [MB15]: Support - remove example to avoid setting a particular test or threshold that may not be appropriate.

Commented [MB16]: Support – views and vistas are addressed in proposed Clause 15.01-1L-02 Urban design.

Encourage the conservation of alterations and additions where they contribute to the

significance of the place.

Conserve original colour schemes and Ensure new colour schemes are appropriate to the architectural style of the building where external paint controls are triggered. and

Discourage the painting of originally unpainted surfaces.

For buildings originally used for commercial or industrial purposes, encourage conservation of features such as equipment, machinery or signage that provide evidence of the original use.

Alterations

Avoid Discourage alterations to:

- Contributory fabric of the principal façade, roof or any walls or surfaces visible from the public realm including a side street or laneway for Significant and Contributory places
- Any feature, detail, material or finish specified in the statement of significance for Significant places.

Support alterations to visible or contributory fabric of Significant or Contributory places if it will not adversely impact upon the significance of the place and any of the following apply:

- It will allow an historic use to continue.
- It will facilitate a new use that will support the conservation of the building.
- It will improve the environmental performance of the building.

Additions

Support additions to residential buildings that are:

- Set back a minimum depth of two rooms to retain original or early fabric including the principal façade and primary roof form;
- Respectful of the scale and massing of the heritage place;
- Visually recessive against the heritage fabric; and
- Fully or substantially concealed when viewed at natural eye-level from the opposite site of the street if the associated building is within a heritage streetscape with a consistent scale or is a Significant place;
- Partially concealed if the associated building is within a heritage streetscape with a diverse scale and is not a Significant place;

Support additions to commercial and industrial buildings that are set back a minimum depth of the primary roof form (commercial buildings) or two structural bays (industrial buildings) to retain original or early fabric including the principal façade/s and roof features, and which:

- respect the scale and massing of the existing heritage building or streetscape; and
- maintain the prominence of the heritage features of the building or streetscape and do not detract from, or visually dominate, the heritage building or streetscape; and
- are visually recessive against the heritage fabric.

Additions to buildings situated on corner sites (including to a laneway) should respond to the host building and the heritage character of both the primary street and side street or lane.

Support alternative approaches to additions if it will not adversely impact upon the significance of the heritage place and any of the following apply:

it is located in a streetscape where there is diversity of siting, form, massing or scale of existing buildings;

- The heritage place is situated on a site where a different built form is encouraged by other provisions in the planning scheme.

Commented [MB17]: Support – wording reinforces that considerations around paint schemes are only triggered where external paint controls are applied in the Schedule to the Heritage Overlay.

Commented [MB18]: Support - amended language as some modification of original elements may be required to address building compliance and performance issues, including when considering Environmentally Sustainable Design policy.

Commented [MB19]: Support – allows alterations to non-contributory (e.g. later or altered) elements.

Commented [MB20]: Support -adds clarity.

Commented [MB21]: Do not support – removes sightline provisions. Sightline provisions should be retained for the following reasons:

- They are a translation of the existing ‘performance measure’ provisions in the current Heritage Policy (Clause 22.04);
- VCAT has generally found the ‘performance measure’ or policy guideline a helpful guide as to the degree of visibility that will ordinarily be acceptable.
- As described in the Victorian Government’s *Practitioner’s Guide to Planning Schemes*, policy guidelines can be helpfully included in planning policy:
- The ‘sightline’ policy guidelines are among the most commonly used and well understood provisions in the existing Planning Scheme; and
- The sightline policy guidelines and images illustrate how the heritage policy might be achieved, also assisting users of the Planning Scheme understand the intent of the policy without having to refer to background documents, external to the Planning Scheme.

Commented [MB22]: Support – provides additional guidance for commercial and industrial built form additions. Responds to submissions, consistent with Council’s position of 2 March 2022.

Commented [MB23]: Support – avoids heritage buildings in zones that encourage higher densities being compromised to address competing planning objectives. The balancing of objectives is more appropriately addressed by Clause 71.02-3 (Integrated decision making, not the Heritage Policy. Also responds to submissions.

- ~~The additions are in accordance with site specific heritage design guidelines listed in an incorporated document in the Schedule to Clause 72.04.~~

New buildings

Support new buildings that respect and complement Significant and Contributory buildings in relation to form, scale, massing, siting, details and materiality ~~in a consistent streetscape, or where the setting of the heritage place is intact.~~

~~Support alternative approaches to the design of new buildings when any of the following apply:~~

- ~~It is located in a streetscape where there is diversity of siting, form, massing or scale of existing buildings.~~
- ~~It is located on a site where a different built form is encouraged by other provisions of the planning scheme.~~
- ~~The new building is in accordance with site specific heritage design guidelines listed in an incorporated document in the Schedule to Clause 72.04.~~

Car parking Vehicle access

Discourage vehicle crossovers and driveways at the front of a Significant heritage place or any property within a heritage precinct where vehicle access was not historically provided for.

Avoid changes to existing crossovers that would impact upon the significance or setting of a heritage place.

Encourage vehicle access to be:

- From a rear laneway.
- For a corner property, from the side street to the rear yard of the property only if rear laneway access is not available.

Avoid on-site car parking in locations that would be visible from a street (other than a lane).

Fencing

Encourage conservation of fences or gates that contribute to the significance of a heritage place.

Ensure the height, materials, detailing and colours of front fences are appropriate to the architectural style of the heritage place.

Encourage a consistent approach to new fences for heritage places that form part of a related group of buildings such as an attached pair or terrace row or houses, including the reconstruction of historic fences if applicable forming part of a consistent streetscape.

Encourage new fences or gates for Non-contributory places to be in a simple contemporary style that complements the fences historically found in the heritage precinct.

Signage

Encourage the conservation of historic signs.

Encourage signs to be in traditional locations on heritage buildings, ~~as depicted in Figure 1.~~

Commented [MB24]: Support – removes duplication. Site specific heritage design guidelines must be considered in the decision guidelines at Clause 43.01-8 of the Heritage Overlay.

Commented [MB25]: Support – a new building within the setting of the Heritage Overlay should respect and complement the heritage place. Responds to submissions.

Commented [MB26]: Support – avoids heritage buildings in zones that encourage higher densities being compromised to address competing planning objectives. The balancing of objectives is more appropriately addressed by Clause 71.02-3 (Integrated decision making, not the Heritage Policy. Also responds to submissions.

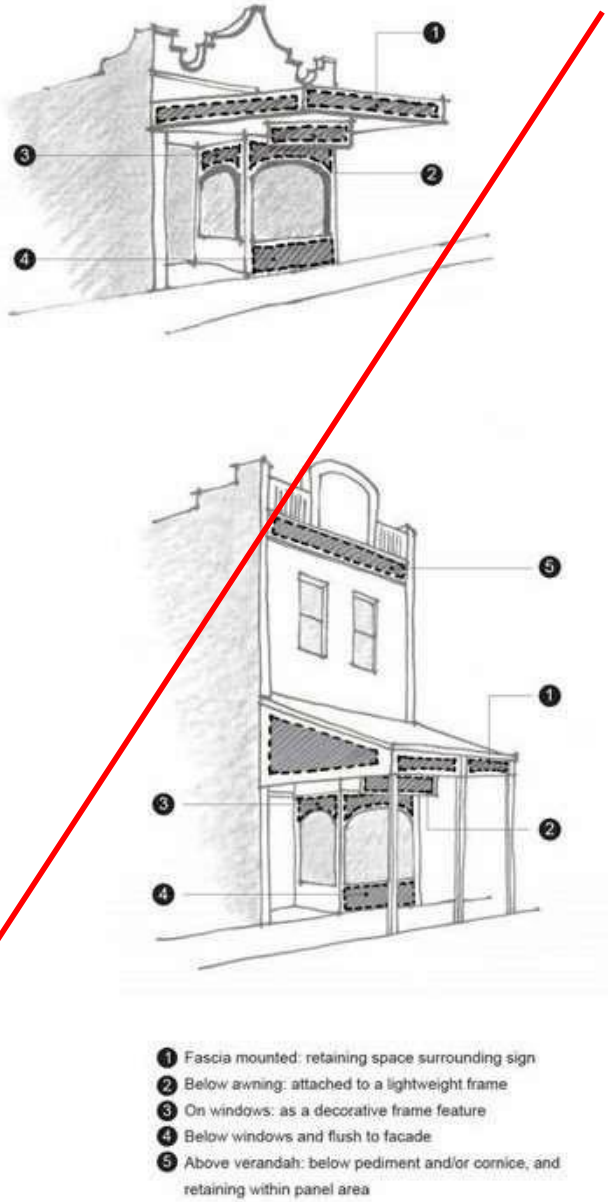
Commented [MB27]: Support – vehicle access more accurate, driveways and crossovers are appropriate in some heritage contexts. Responds to submissions.

Commented [MB28]: Support – avoid inappropriate detailing

Commented [MB29]: Support – ensures heritage outcomes are prioritised.

Commented [MB30]: Do not support – while these diagrams have come from the Heritage Design Guidelines (which have Panel support) retaining diagrams in the Heritage Policy is important for the community to continue to understand how signage strategies can be achieved without having to refer to background documents external to the Planning Scheme.

Figure 1 – Traditional locations for signage on heritage buildings



Commented [MB31]: Do not support – while these diagrams have come from the Heritage Design Guidelines (which have Panel support) retaining diagrams in the Heritage Policy is important for the community to continue to understand how signage strategies can be achieved without having to refer to background documents external to the Planning Scheme.

Avoid signs that would:

- Be visually intrusive or dominant.
- Distract from the setting of a heritage place.
- Alter, damage, conceal or destroy features, details, materials or finishes that contribute to the significance of a heritage place.
- Interfere with views of heritage places.

Avoid the following types of signs unless consistent with the significance of the place:

- Above verandah signs, except as shown in Figure 7.
- Animated, Electronic or Floodlit signs.
- Bunting sign.
- High-wall sign.
- Panel sign.
- Pole sign.
- Promotion or major promotion signs.
- Reflective sign.
- Sky sign.
- Signs attached to street furniture including seating, shelters, phone booths and the like.

Significant trees and gardens

Encourage pruning practices and procedures that reduce the risk of hazard development such as branch failure, disease and infection and premature tree death.

Ensure that development, or changes in immediate environmental conditions, adjacent to a tree identified in the Schedule to the Heritage Overlay will not have a detrimental impact upon the integrity and condition of the tree.

Where a tree needs to be removed due to poor health or dangerous condition, encourage replacement with the same species or a comparable alternative if the original is no longer suitable.

Encourage conservation, including restoration or reconstruction, of significant garden layouts.

Roof terraces and roof decks

Encourage roof terrace and roof decks to be sited so that they are concealed when viewed from the street and, when on a corner, from the side street (excluding a laneway).

Ensure that roof terraces and roof decks are set back from chimneys, parapets and other roof features, for example roof lanterns.

Sustainability and services

Encourage building services and equipment associated with a heritage place such as air conditioning units and piping, water heaters and the like to be concealed so they are not visible from a street (other than a lane) or significant public open space as shown in Figure 2.

Commented [MB32]: Support – may encourage historically appropriate signage. Responds to submissions.

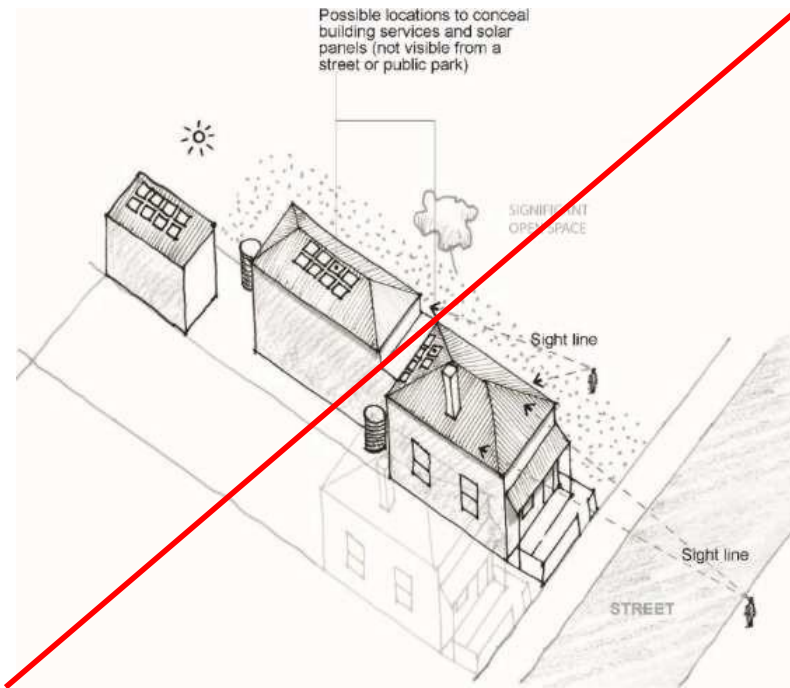
Commented [MB33]: Support - clarifies this relates only to heritage trees. Responds to submissions.

Commented [MB34]: Support – provides additional guidance on roof terraces and roof decks, which have become increasingly common.

Commented [MB35]: Support – adds clarity.

Commented [MB36]: Do not support – while these diagrams have come from the Heritage Design Guidelines (which have Panel support) retaining diagrams in the Heritage Policy is important for the community to continue to understand how signage strategies can be achieved without having to refer to background documents external to the Planning Scheme.

Figure 2 – Possible locations to conceal services and equipment



Commented [MB37]: Do not support – while these diagrams have come from the Heritage Design Guidelines (which have Panel support) retaining diagrams in the Heritage Policy is important for the community to continue to understand how signage strategies can be achieved without having to refer to background documents external to the Planning Scheme.

Provide for the installation of services and equipment that will support environmental sustainability such as solar panels, solar hot water services, water tanks and the like in visible locations when:

- There is no feasible alternative location due to the size or orientation of the lot or building.
- The product is selected, designed and installed in a manner that minimises potential impacts upon the heritage place and its setting.

Subdivision

Encourage the subdivision of land in a heritage precinct to reflect the historic subdivision pattern.

Ensure that subdivision maintains an appropriate setting for a heritage place by including the retention of contributory features associated with a heritage place on a single lot.

Avoid the creation of lots that because of their size, location or layout could result in development that would adversely impact upon the significance or setting of a heritage place.

Public realm and infrastructure

Conserve historic public realm infrastructure.

Ensure that new public realm infrastructure respects and complements the historic character of the heritage place.

Ensure that development in proximity to a memorial or monument will not have a detrimental impact upon its setting, integrity or condition, [or any important views to the memorial or monument.](#)

Commented [MB38]: Support – ensures views are considered.

Policy guidelines

Consider as relevant:

Additions

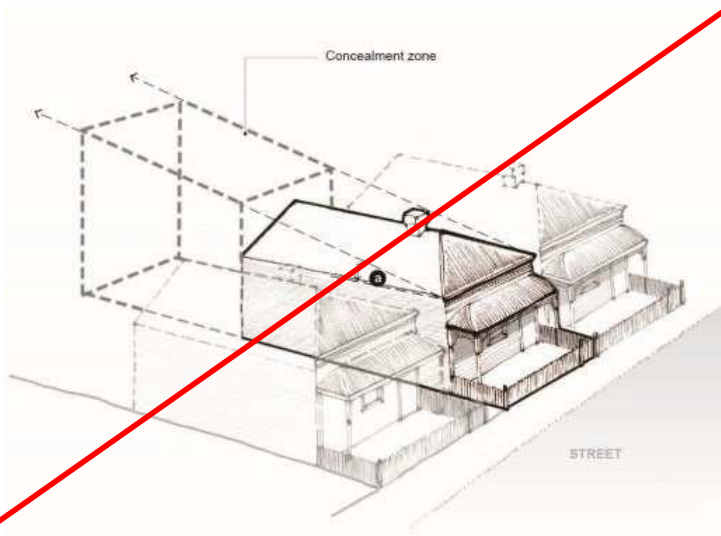
Additions to a residential heritage place should be contained within the following sightlines:

- A 10 degree sightline as shown in Figure 3 if the associated building is within a heritage streetscape with a consistent scale, or is a Significant place.
- An 18 degree sightline as shown in Figure 4 if the associated building is within a heritage streetscape with a diverse scale and is not a Significant place.
- A sightline taken from across the street in a narrow street less than 5 metres (Figure 5) or for the building types shown in Figure 6.

Additions to a commercial heritage place should be contained within a sightline taken from across the street as shown in Figure 7 and Figure 8.

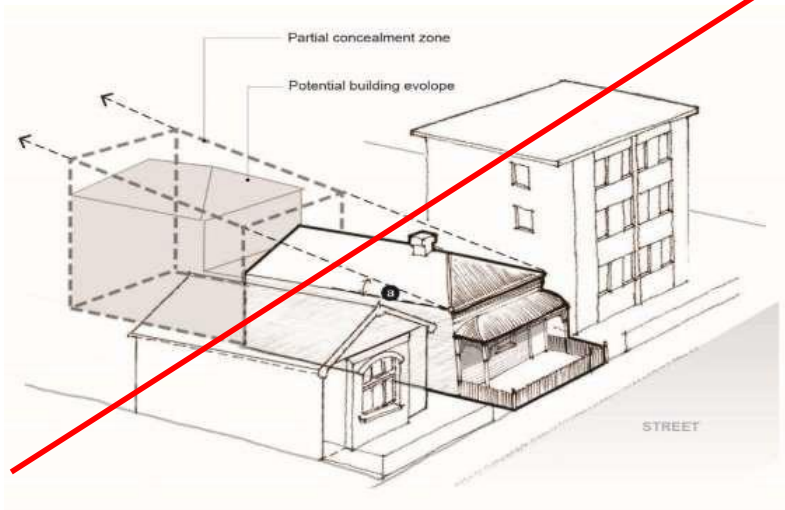
Additions higher than one storey should have the same or greater side setbacks than those of the host building.

Figure 3—Sightline for an addition to a residential heritage place within a consistent heritage streetscape

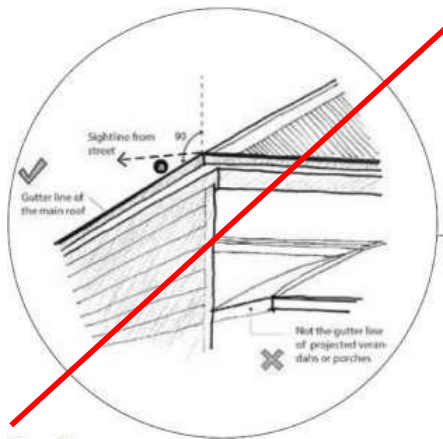


Commented [MB39]: Do not support – while these diagrams have come from the Heritage Design Guidelines (which have Panel support) retaining diagrams in the Heritage Policy is important for the community to continue to understand how signage strategies can be achieved without having to refer to background documents external to the Planning Scheme.

Figure 4– Sightline for an addition to a residential heritage place within a diverse streetscape



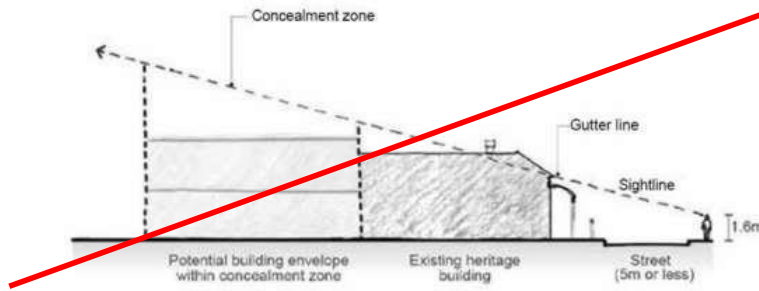
a) The sightline is measured from the top of the gutter line at the corner of the main roof, and not from the projecting front bay, porches or verandahs.



Commented [MB40]: Do not support – while these diagrams have come from the Heritage Design Guidelines (which have Panel support) retaining diagrams in the Heritage Policy is important for the community to continue to understand how signage strategies can be achieved without having to refer to background documents external to the Planning Scheme.

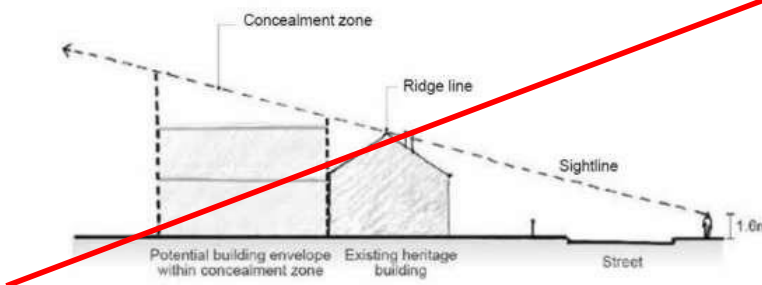
Commented [MB41]: Do not support – while these diagrams have come from the Heritage Design Guidelines (which have Panel support) retaining diagrams in the Heritage Policy is important for the community to continue to understand how signage strategies can be achieved without having to refer to background documents external to the Planning Scheme.

Figure 5 – Sightline for an addition to a residential heritage place in a narrow street



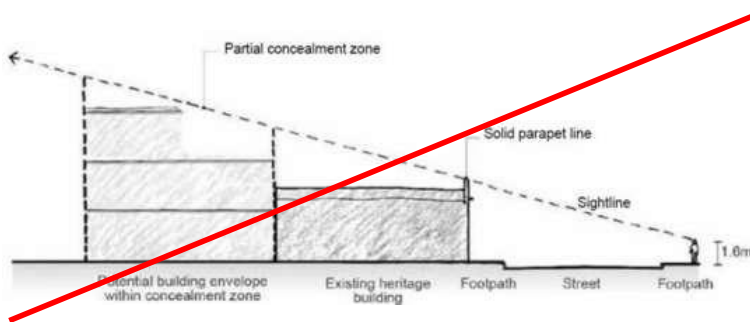
Commented [MB42]: Do not support – while these diagrams have come from the Heritage Design Guidelines (which have Panel support) retaining diagrams in the Heritage Policy is important for the community to continue to understand how signage strategies can be achieved without having to refer to background documents external to the Planning Scheme.

Figure 6 – Sightline for an addition to a residential heritage place with a primary ridge line parallel to the street



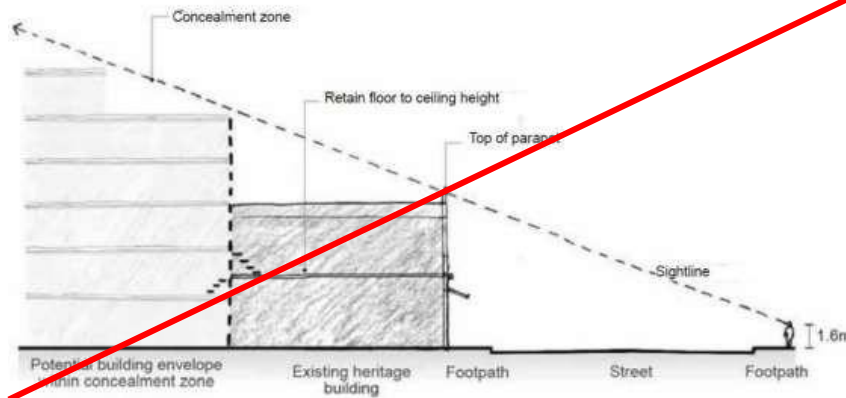
Commented [MB43]: Do not support – while these diagrams have come from the Heritage Design Guidelines (which have Panel support) retaining diagrams in the Heritage Policy is important for the community to continue to understand how signage strategies can be achieved without having to refer to background documents external to the Planning Scheme.

Figure 7 – Sightline for an addition to a commercial heritage place with a solid parapet



Commented [MB44]: Do not support – while these diagrams have come from the Heritage Design Guidelines (which have Panel support) retaining diagrams in the Heritage Policy is important for the community to continue to understand how signage strategies can be achieved without having to refer to background documents external to the Planning Scheme.

Figure 8 – Sightline for an addition to a two-storey commercial heritage place



Commented [MB45]: Do not support – while these diagrams have come from the Heritage Design Guidelines (which have Panel support) retaining diagrams in the Heritage Policy is important for the community to continue to understand how signage strategies can be achieved without having to refer to background documents external to the Planning Scheme.

Policy documents

Consider as relevant

- *Fishermans Bend Additional Heritage Place Assessments* (Biosis Pty Ltd, 2015)
- *Fishermans Bend Heritage Study* (Biosis Pty Ltd, 2013)
- *Fishermans Bend Heritage Review: Montague Commercial Precinct* (RBA Architects and Conservation Consultants, October 2019)
- *Heritage Appraisal: 16-20A & 44 Wellington Street, St Kilda* (Lovell Chen, May 2015)
- *Heritage Assessment, 588-590 City Road, South Melbourne* (Context Pty Ltd, May 2017)
- *Heritage Design Guidelines* (City of Port Phillip, 2021)
- *Heritage Kerbs, Channels and Laneways Guidelines* (City of Port Phillip, 2006)
- *Heritage Overlay 6 St Kilda East Precinct Review Final Report* (David Helms Heritage Planning, January 2020)
- *Heritage Review – Wellington Street, St Kilda* (Lovell Chen (Revised) March 2017)
- *Port Phillip Design Manual, 2000* (City of Port Phillip, 2000) including:
 - *Dunstan Estate Guidelines* (City of Port Phillip, 2007)
 - *Fishermans Bend Estate Guidelines* (City of Port Phillip, updated 2021)
 - *Garden City Guidelines* (City of Port Phillip, updated 2021)
 - *Port Phillip Heritage Review* (Version 36, December 2021) including:
 - *City of Port Phillip Heritage Policy Map* (City of Port Phillip, 2021)
 - *City of Port Phillip Neighbourhood Character Policy Map* (City of Port Phillip, 2021)
- *Review of Heritage Overlay 1 Port Melbourne – Outcomes and Recommendations* (Lovell Chen, July 2011)
- *Review of Heritage Overlay 1 Port Melbourne – Stage 2 Review – Summary Report*

(Lovell Chen, December 2012)

- *Review of Heritage Overlay 1 Port Melbourne – Stage 2 Review – Summary Report* (Lovell Chen, December 2012)
- *Review of Heritage Overlay 3* (Heritage Alliance (2009) & Built Heritage (2010))
- *Tiuna Grove Heritage Assessment* (Barrett, 2019)