



4.4.2 Cultural Heritage and Valuable Sites Code

Purpose

The purpose of this Code is to ensure that cultural heritage features of value, places/Sites/elements of cultural/historical significance and valuable Sites to the local and wider community are identified, recorded, retained and conserved, where possible, in order to:

- protect the cultural heritage of the Shire;
- acknowledge the local history of the Shire as an important community asset;
- ensure that cultural heritage features of value and places/Sites/elements of cultural/historical significance and valuable Sites are protected from damage or loss, inappropriate redevelopment and from inappropriate adjacent development, wherever possible.

Applicability

This Code applies to assessable development for:

- Material Change of Use;
- Reconfiguring a Lot;
- Operational Work Associated with Reconfiguring a Lot;
- Operational Work – Filling or Excavation not associated with a Material Change of Use;
- Operational Work – Engineering Works not associated with a Material Change of Use;
- Operational Work – Placing an Advertising Device on Premises not associated with a Material Change of Use in the World Heritage and Environs Locality; and
- Building Work other than Minor Building Work not associated with a Material Change of Use in the World Heritage and Environs Locality

on a site/land identified on a Cultural Heritage and Valuable Sites Overlay on the Locality Maps.



Elements of the Code

Cultural Heritage Features

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P1 Cultural Heritage Features of National and State Cultural Heritage Significance are protected and enhanced.	No Acceptable Solution. (Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).



Valuable Conservation Features and Valuable Sites – Identified in Schedule 1 of Planning Scheme Policy No 4 – Cultural Heritage and Valuable Sites

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P2 Valuable Conservation Features and Valuable Sites identified on a Cultural Heritage and Valuable Sites Overlay on any Locality Map are identified, recognised, recorded and retained, wherever possible and the form, appearance and integrity of Valuable Conservation Features and Valuable Sites is not adversely affected by new development.</p>	<p>A2.1 Buildings, structures, places or Sites containing Valuable Conservation Features and Valuable Sites, which are to be demolished, removed or altered are recorded prior to demolition, removal or alteration by means of photographs, maps and Site records with the material submitted to Council in accordance with Planning Scheme Policy No 4 – Cultural Heritage and Valuable Sites.</p>
	<p>A2.2 Where a Building, structure, place or Site containing Valuable Conservation Features and Valuable Sites is to be redeveloped and it is proposed to retain the Valuable Cultural Features and Valuable Sites, various provisions of the relevant Land Use Code, Planning Area Code or Locality Code may be relaxed to accommodate the retention of the Valuable Conservation Features and Valuable Sites.</p> <p style="text-align: center;">PROVIDED</p> <p>Development/redevelopment is in accordance with the requirements of <i>The Australia ICOMOS Charter for the Conservation of Places of Cultural Significance</i>, detailed in Planning Scheme Policy No 4 – Cultural Heritage and Valuable Sites.</p>



Valuable Conservation Features and Valuable Sites not Identified Precisely in Schedule 1 of Planning Scheme Policy No 4 – Cultural Heritage and Valuable Sites

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P3 The cultural significance of Valuable Conservation Features and Valuable Sites, the precise locations of which have not been specifically identified, is not adversely affected by development.</p>	<p>A3.1 Operational works are not undertaken within areas listed in Schedule I of Planning Scheme Policy No 4 – Cultural Heritage and Valuable Sites and identified as – “Address/Property Description – Non Specific”, until Site investigations confirm there are no features, items or elements of cultural heritage significance within the designated development Site.</p> <p>Should features, items or elements of cultural heritage significance be identified then Acceptable Solutions A2.1 and A2.2 above apply.</p> <p>A3.2 Where representations are made to the Council prior to development, identifying a Site of Indigenous or European cultural heritage significance not listed in Schedule 1 of Planning Scheme Policy No 4 – Cultural Heritage and Valuable Sites, no Operational Works are undertaken until Site investigations confirm there are no features, items or elements of cultural heritage significance within the designated development Site.</p> <p>Should features, items or elements of cultural heritage significance be identified then Acceptable Solutions A2.1 and A2.2 above apply and Schedule 1 of Planning Scheme Policy No 4 – Cultural Heritage and Valuable Sites is amended, if applicable, to include details of the Site.</p>



<p>P4 The management of Sites identified on a Cultural Heritage Overlay on any Locality Map and Sites of potential cultural heritage significance ensures they are not disturbed before their significance has been evaluated.</p>	<p>A4.1 Before any disturbance of a place identified in Acceptable Solutions A2.1, A2.2, A3.1 and A3.2 above, where it is known or may be expected that features, items or elements of cultural heritage significance exist, the significance of that Site is established and should features, items or elements of significance be identified, then:</p> <ul style="list-style-type: none"> • disturbance of below ground relics is minimised; • the contribution of all periods to the cultural significance of a Site is respected; • design and location of new works do not negatively impact on the inherent significance of the Site; • a feature, item or element of cultural heritage significance is not moved unless it has a previous history of being moved, and does not have a strong association with its current Site. Any structure that is moved is recorded as described above in A2.1 and the details submitted to Council in accordance with Planning Scheme Policy No 4 – Cultural Heritage and Valuable Sites.
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