



## Frequently asked questions

### STAGE 2 HERITAGE STUDIES – RESIDENTIAL PLACES AND PRECINCTS

The City of Wyndham is undertaking a review of heritage to fulfill its commitment under the *Planning and Environment Act (1987)* to protect places of local heritage significance. The Wyndham Heritage review (the Review) represents an important opportunity to protect places of local heritage significance in the face of unprecedented growth, to strengthen the City's unique character, and to celebrate the history of Wyndham with our community.

Council has engaged qualified heritage consultancy Lovell Chen, to conduct a [Stage 2 Heritage Study of Residential Places and Precincts](#) originally identified in the Wyndham Heritage Review - Stage 1 Gap Study, [adopted](#) June 2021.

Council officers and the consultant will provide opportunities for interested community groups, historical societies and individuals to provide input to the draft Thematic Environmental History and provide information on the 87 places and 7 precincts being studied.

## What is heritage?

A country's heritage is all the qualities, traditions, or features of life there that have continued over many years and have been passed on from one generation to another. (Source - Collins Dictionary)

A heritage place may be a site, area, building, group of buildings, structure, archaeological site, tree, garden, geological formation, fossil site or other place of natural or cultural significance and its associated land. Heritage objects may include furniture, shipwrecks, relics, archaeological artefacts, equipment, transport vehicles and everyday articles that contribute to an understanding of Victoria's history. (Source – Department of Environment Land Water and Planning) Our heritage is the link to our past and tells us where we have come from. Wyndham contains a lot of physical evidence that tells us about our past.

Respect for our cultural heritage involves retaining and managing places that have importance to us as a community. The protection and enhancement of significant heritage sites within Wyndham will help residents appreciate the history and development of their local area, providing historic continuity and a sense of place.

The Australia ICOMOS 'Charter for the Conservation of Places of Cultural Significance', known as the "Burra Charter" and first adopted at Burra, South Australia in 1979, is a set of principles that have

been adopted to create a nationally accepted standard for heritage conservation practice in Australia. The Burra Charter defines the basic principles and procedures to be followed in the conservation of heritage places. <http://australia.icomos.org/wp-content/uploads/The-Burra-Charter-2013-Adopted-31.10.2013.pdf>

## Why is Council protecting heritage places?

One of the objectives of planning in Victoria is: *“to conserve and enhance those buildings, areas and other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value”*. [Section 4(1)(d) – Planning and Environment Act 1987]

Councils have a duty under section 12(1)(a) of the Act to implement this objective. It is also state planning policy that planning should, among other things:

- *“Identify, assess and document places of natural and cultural heritage significance as a basis for their inclusion in the planning scheme.”*
- *“Provide for the conservation and enhancement of those places which are of aesthetic, archaeological, architectural, cultural, scientific, or social significance, or otherwise of special cultural value.”*
- *“Encourage appropriate development that respects places with identified heritage values and creates a worthy legacy for future generations.”* [Clause 15.03-1 – State Planning Policy Framework]

Council is currently working towards the identification, management and promotion of its heritage places.

## How is Council protecting Aboriginal heritage places?

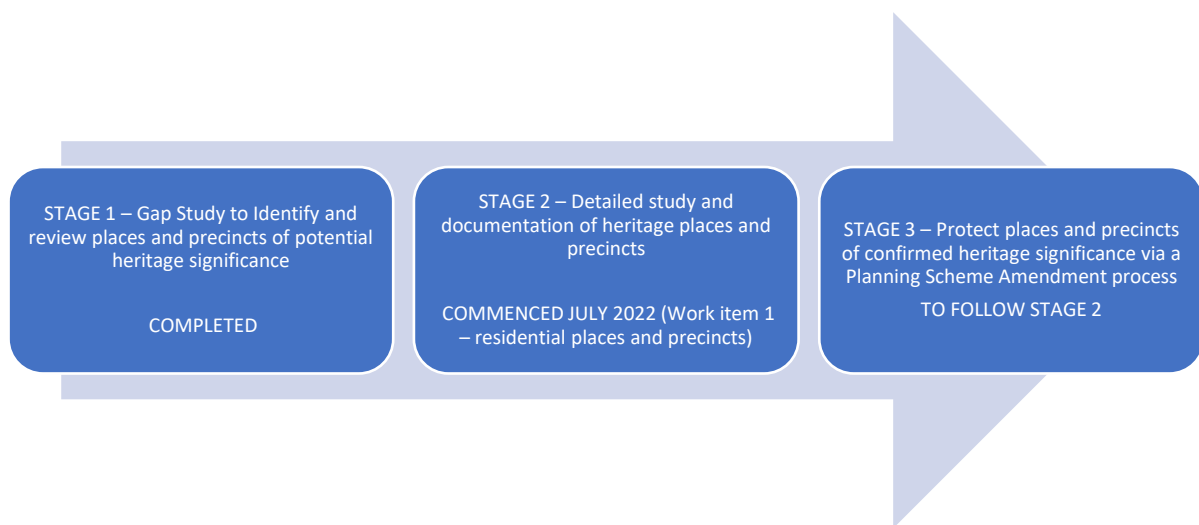
The protection and management of indigenous archaeological sites and artefacts is addressed under the Aboriginal Heritage Act 2006, which is administered by First Peoples – State Relations (previously Aboriginal Victoria). The Heritage Review (Gap Study) focuses on post-contact heritage places in the City of Wyndham. Indigenous heritage was not included in the scope of the project, as this is protected under the Aboriginal Heritage Act 2006.

The Thematic Environmental History currently being prepared includes Aboriginal history in Wyndham and consultation with Registered Aboriginal Parties will occur as part of the current Stage 2 Study, to integrate this into the draft Thematic Environmental History.

# The Wyndham Heritage Review

The Wyndham Heritage Review (the Review) was first identified as a major initiative in Wyndham City's 2019/20 Annual Plan and Budget. The Review will assist Council to identify and protect its heritage places and enable Council and the community to gain a better understanding of our history and significant sites.

The Wyndham Heritage Review project stages are:



## Stage 1 Gap Study – Findings and Recommendations

Council has completed a Stage 1 Heritage Review (Gap Study). The Study reviewed the existing Heritage Overlay, and unprotected heritage places in established areas of Wyndham. It identified a number of gaps in the protection of post contact heritage places in Wyndham.

The Stage 1 Heritage Review (Gap Study) recommended:

1. Further investigation and detailed assessment of:
  - 173 Individual Sites, including residential, commercial, industrial, community, archaeological places, military and infrastructure related sites, landscapes and trees.
  - 7 new precincts
  - 6 complex places, comprised of multiple land parcels
2. Corrections to existing heritage citations where these do not meet current standards or contain incorrect or incomplete information
3. Preparation of detailed Thematic Environmental History for Wyndham to guide Stage 2 studies

The Stage 1 Gap Study was [adopted](#) by Council at the 29 June 2021 Council Meeting.

## Stage 2 study – Residential Places and Precincts

We are now commencing the first of the Stage 2 heritage studies - Work Item 1 (Residential places and precincts). This will look at 87 individual residential places and 7 precincts, including:

- Beamish Street Residential Precinct
- Cottrell Street Residential Precinct
- Geelong Road Residential Precinct
- Gibbons Street Residential Precinct
- McDonald Street, Francis Street and Bolwell Street Residential Precinct
- Housing Commission of Victoria Residential Precinct
- Campbells Cove and Baileys Beach Boatshed Precinct

Almost 480 residential properties were identified in the [Stage 1 report](#) including 87 individual residential properties with the balance in seven precincts, the largest of them including 155 places.

## My property is one of the shortlisted residential places and precincts. What happens next?

A detailed assessment of the 87 individual residential places and 7 precincts identified in the Stage 1 Gap Study will be carried out by a qualified heritage consultant to determine the significance of the place and whether it warrants protection.

The heritage consultant will conduct historical research and carry out street surveys of the places to confirm the age, intactness and significance of the heritage place or precinct. Where the heritage place cannot be viewed from the street, Council officers will be contacting landowners to request access to their property to survey the heritage place.

Affected stakeholders including landowners will be contacted by Council officers and invited to contribute any information they may have on the subject places. Landowner input will be considered by the consultant and incorporated where relevant.

An assessment will be made on whether a place meets the threshold for protection. Landowners will be advised of final recommendations once the review has been carried out and the matter is being considered by Council.

Where places are recognised as being of local cultural heritage significance, Council will seek to amend the Wyndham Planning Scheme to include any locally significant sites in the Heritage Overlay. Landowners and stakeholders will be able to make submissions to Council during formal exhibition of a Planning Scheme Amendment. Any unresolved submissions will be considered by an independent Planning Panel with further opportunities for submitters to be heard by this Panel.

## What does it mean if my property is found to be locally significant?

Properties confirmed to be extant, and of the quality and intactness required to meet the threshold for local significance, will be sought to be protected. A Planning Scheme Amendment is required to apply the Heritage Overlay.

Landowners and stakeholders will be able to make submissions to Council during formal exhibition of a Planning Scheme Amendment. Any unresolved submissions will be considered by an independent Planning Panel with further opportunities for submitters to be heard by this Panel.

This work will ultimately assist Council in identifying, assessing, documenting and protecting its places of post contact heritage significance.

## What is the current status of listed items?

Places identified in the Stage 1 Gap Study are not currently protected by planning controls such as a Heritage Overlay.

The [Stage 2 Heritage Study of Residential Places and Precincts](#) will review the 87 residential places and 7 precincts identified in the [Stage 1 Study](#) to confirm whether these should be protected through heritage controls or not. If these properties meet the threshold for protection, Council will go through a Planning Scheme Amendment process to include these sites in the Schedule to the Heritage Overlay. Landowners will be notified and have the opportunity to be involved in this process.

## What is a Heritage Overlay?

The [Heritage Overlay](#) is a planning control within the Victoria Planning Provisions and is found at Clause 43.01 of all planning schemes in Victoria. A Heritage Overlay is applied to areas (or precincts), or individual buildings, land, gardens, trees or other items that have been determined to be of cultural heritage significance.

The [schedule to the Heritage Overlay](#) contains the list of places covered by a Heritage Overlay.

The purpose of the Overlay is to ensure that heritage places are conserved and enhanced, and that development does not negatively impact the significance of the heritage place. The intention of the Heritage Overlay is to 'conserve and enhance'. It's a tool to manage change rather than to prohibit development or the continued use of heritage places.

What the Heritage Overlay protects will depend on which features of your property are considered significant. You should check the Statement of Significance and HO Schedule, which will state which elements are significant. A Heritage Overlay will also cover the setting, being the immediate and extended environment of a place that is part of or contributes to its cultural significance and distinctive character.

The control contains different triggers for a planning permit, such as demolition, subdivision and works which change the appearance of the heritage place.

A planning permit isn't required for maintenance general maintenance and repairs to a heritage place, provision of services such as water tanks, air conditioning units or other dwelling services which are not visible from the street, repainting or repairing a building in the same materials and colours, or internal alterations of buildings (unless stated in the schedule to the Heritage Overlay).

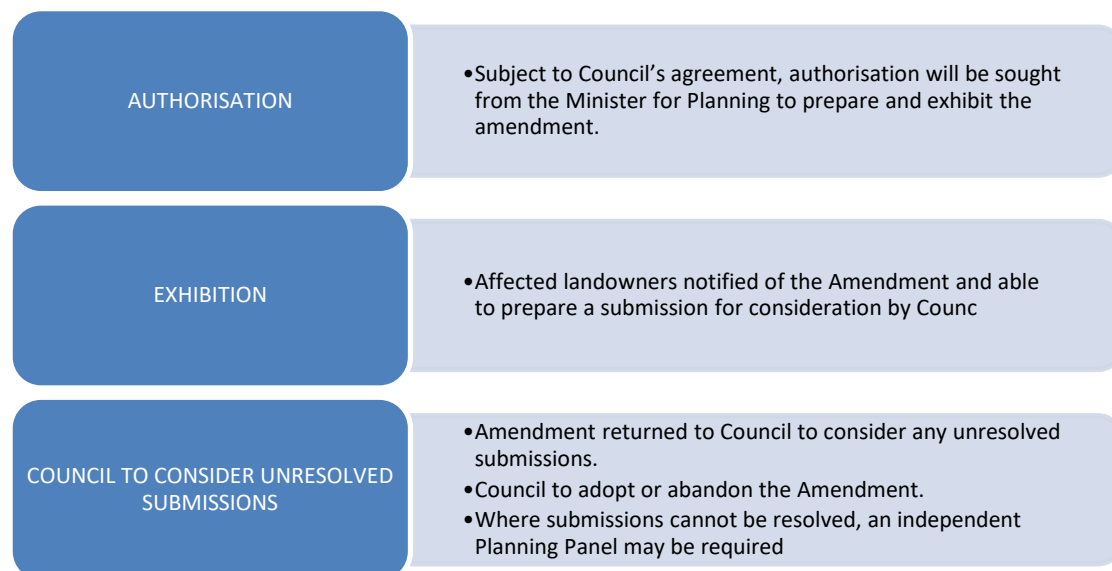
Providing your land is being used in a legal way, either with an approved permit or where a permit is not required for that use, you may continue to use the land in this way.

Heritage controls do not prohibit development but require that a planning permit is obtained so that the impact of any proposed development on the heritage values of the place can be properly considered.

## What is the process for being included in the Schedule to the Heritage Overlay?

Council will seek to [amend](#) the Wyndham Planning Scheme to include places or precincts identified as being of local significance in the Schedule to the Heritage Overlay. Affected landowners will be notified of Council's intent as part of this process.

An Amendment to the Planning Scheme is undertaken in accordance with the requirements of the *Planning and Environment Act (1987)* and generally involves the following steps:



PLANNING PANEL	<ul style="list-style-type: none"> <li>•Independent Planning Panel appointed by the Minister for Planning to consider submissions and report its findings to the planning authority (Council)</li> </ul>
COUNCIL TO CHANGE, ABANDON OR ADOPT AMENDMENT	<ul style="list-style-type: none"> <li>•Council must decide to make any changes, adopt or abandon the amendment</li> </ul>
GAZETAL	<ul style="list-style-type: none"> <li>•Should Council adopt the amendment, it will be submitted with the Minister for approval and gazetted into the Planning Scheme</li> </ul>

## What is a heritage precinct?

A heritage precinct is an area which has been identified as having heritage value.

Places which are in heritage overlay precincts can be graded either [Significant, Contributory or Non-Contributory](#).

[Significant](#) heritage places are individually important places of state, municipal or local cultural heritage significance.

[Contributory](#) buildings contribute to the significance of the heritage precinct that they are located in. They are not considered to be individually places of significance, however, when combined with other significant and/or contributory heritage places, they play an integral role in demonstrating the cultural heritage significance of a precinct.

[Non-Contributory](#) places are within a heritage precinct that have no identifiable cultural heritage significance. They are included within a Heritage Overlay because any development of the place may impact on the surrounding cultural heritage significance of the precinct or adjacent 'significant' or 'contributory' heritage places. Landowners may be able to remove, alter or develop non-contributory elements or sites, provided that development occurs in a manner appropriate to the significance, character and appearance of the heritage area.

If changes are made to the Non-contributory properties (i.e. those without heritage significance), a permit is still required under the Heritage Overlay to allow Council to assess the potential impact of development on the significance of the precinct.

## Where can I provide feedback or information on the Residential Places and Precincts being studied?

Council is seeking feedback and any additional information you may have on the Residential Places and Precincts being studied, please get in touch with us directly by:

- Email: [Heritage.Review@wyndham.vic.gov.au](mailto:Heritage.Review@wyndham.vic.gov.au)
- The Loop engagement page: <https://theloop.wyndham.vic.gov.au/heritage-review>
- Tel: 9394 6879 or 9742 0777 (referencing the Heritage Review) to talk to the Heritage Team with any questions about the Heritage Review.
- Mail: Heritage Team - Wyndham City Council - 45 Princes Highway WERRIBEE VIC 3030