

## Appendix 6 – Heritage Report

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## HERITAGE IMPACT STATEMENT

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Place: 4719 Midland Highway, Daylesford  
Date: 4 February 2022  
For: Hygge Property

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Figure 1 View of the southern Raglan Street frontage of the property opposite the Mitre 10 store

### Introduction

This heritage impact statement assesses the likely heritage impacts of the proposed subdivision of the land for construction of houses. The property is located partially within the Railway Precinct HO 698 at the northeast corner of the precinct and is land associated in the Wombat Park Estate which is covered by HO619, and which abuts the north boundary of the subject land.

In assessing the impact on the heritage place of the proposed development I have had regard to Clause 15.03-1S, *Heritage Conservation*, in the Hepburn Planning Scheme with its policy guidelines in The Burra Charter. No local heritage policy is provided under Clause 22 or at 15.03-1L of the Hepburn Planning Scheme and so the most pertinent heritage provisions are those of Clause 43.01, Heritage Overlay. Whilst not heritage policy the Hepburn Planning Scheme at Clause 22.08 and 22.13 provides policy in relation to the Preferred Neighbourhood Character particularly of Character Precinct Eleven in which the subject site is located.

### Description of Site and Surrounds

The rectangular block of land is located on the north side of Raglan Street and the Midland Highway intersection. The property itself is open that has been land included in the Wombat Park Estate but which has been on a separate title since the land sales of 1854. The distant view to the farmland looking north from Hill Street and Frazer Street over the railway goods shed are limited by trees on the verges along Raglan Street and

views from Wombat Hill itself. The trees along Raglan Street and the Midland highway are a regular plantation of mature Conifers planted along the frontage of the Wombat Park Estate. Views of the open undulating land are possible from between these trees.



Figure 2 Aerial view of the subject property at the corner of Raglan Street and the Midland Highway

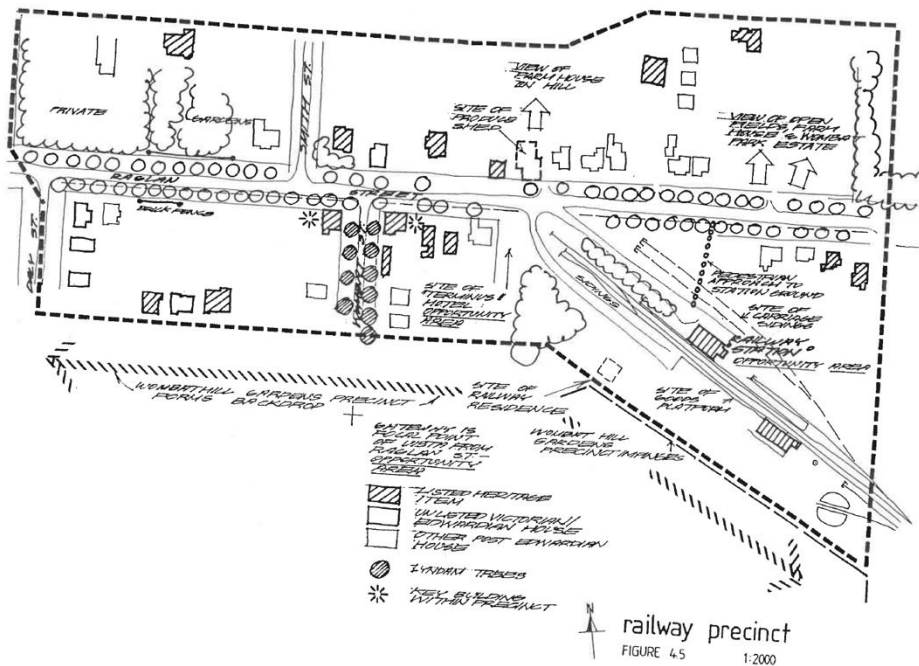


Figure 3 Map of the Railway Heritage Precinct - Daylesford and Hepburn Springs Conservation Study, 1985

## Heritage Significance

The Citation for the Railway Precinct (appended) shows the return of Conifers at the east side of the citation map. The heritage citation for the Railway Precinct is provided in the Daylesford and Hepburn Springs Conservation Study by Perrott Lyon Mathieson Pty Ltd and Andrew Ward in 1985. It may be noted that the boundary of the Railway Precinct passes just north of the house on the adjacent land to the west and that the east boundary of the Railway Precinct is located just to the east of the conifers and the west boundary of land associated with the Wombat Park Estate. Presumably for mapping simplicity with the application of the Heritage Overlay at the turn of this century the east boundary of the Heritage Overlays appears to have been extended north of the Raglan Street Midland Highway junction to meet the tile boundary of the Wombat Park Estate.

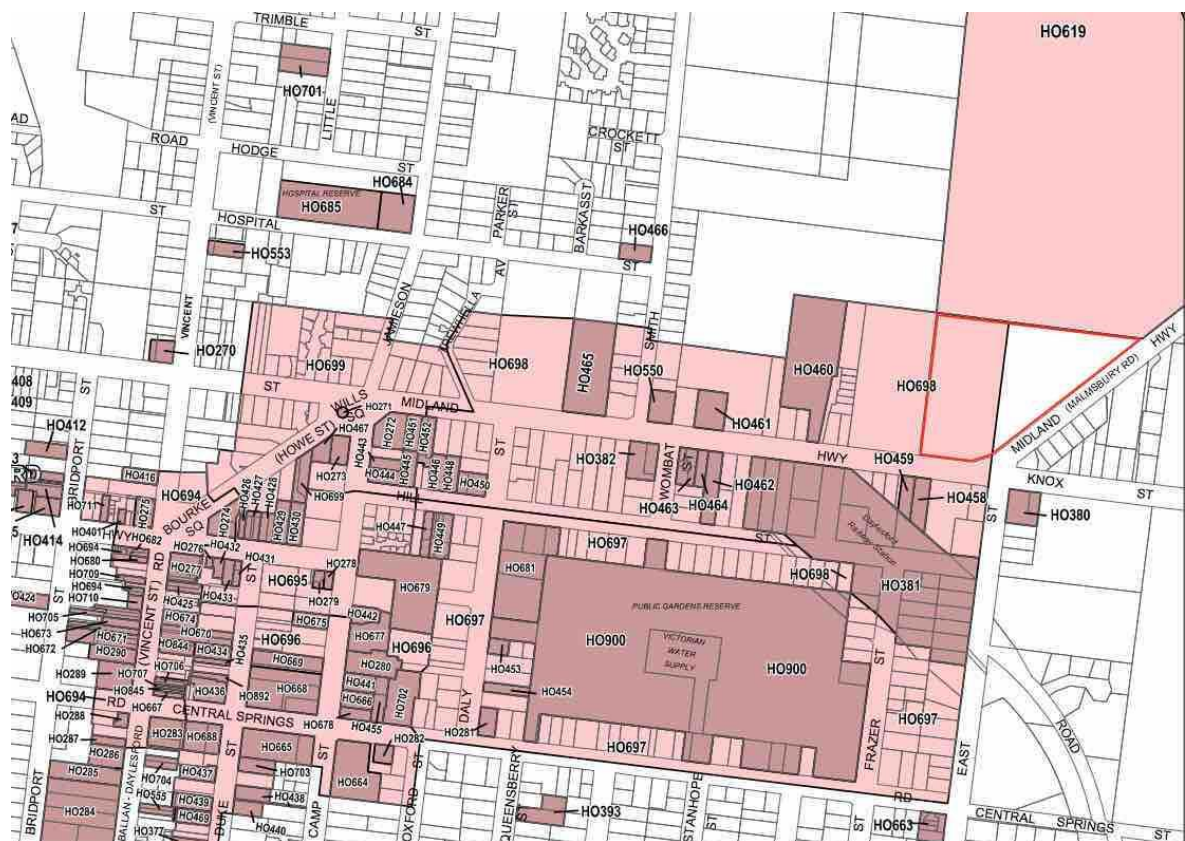


Figure 4 Extract of the Heritage Overlay Map with the subject site outlined in red

As is generally the practice the mapping of the Heritage Overlay has taken in the whole of the adjacent property, extending to the north boundary beyond the 1985 mapping of the Railway Precinct. Whilst the subject property shares the southern boundary of the title to the Wombat Park Estate, which is covered by the Heritage Overlay HO619, and whilst the triangular section of the subject having frontage to the Midland Highway is not included in either Heritage Overlay, almost the whole of the subject property other than land covering the trees along the west boundary was not included in the Railway Heritage Precinct as mapped in 1985.

On the Railway Precinct Map in conjunction with arrows pointing north over the subject property and that of the neighbour are the words: “View of open fields, farm house and Wombat Park Estate”. This note could be taken to indicate that the ‘view’ is itself and element that is contributory to the heritage value of the Railway Precinct. However even with that interpretation the mapping of the ‘Precinct’ having heritage value excluded the body of the subject property.



Figure 5 Aerial view overlaid by the map of the Railway Precinct from the 1985 Conservation Study

The Citation for the Railway Precinct is as follows:

#### *Development*

*The land upon which the station ground is situated was subdivided by the Crown following completion of Frazer’s survey in 1854 and sold off almost completely during the period commencing in the mid 1850’s and concluding during the early 1870’s. With the coming of the railway, however in 1880 it was resumed by the Crown and resulted in the closure of Church Street and the diversion of Frazer and Hill Streets through a number of building allotments and the north-east corner of the Botanical Gardens Reserve. Thus a substantial proportion of the early buildings within the precinct actually predate the railway and in case of the Athens Hotel and the grocery opposite, not doubt have thrived because of it.*

...

#### *Description and Significance*

*This precinct is linked visually and was formerly linked functionally with the railway station which forms its south boundary at the Frazer Street end. Commencing at the south-west corner of the Wombat Park Estate, which is encircled by mature conifers, the entire precinct is tied together by the treed avenue which runs from the cemetery in the east to Wills Square in the west. To the north, distant*

*views of early farm houses may be obtained whilst there has been considerable residential development in recent years in the vicinity of the station yard.*

*The pedestrian entrance to the station is marked by cast iron lamp standards relocated from other points in the town and fitted with "Hoor Avenue" signs in lieu of lanterns. At this point, the station building itself is visible and the embankments carrying the former carriage siding and running lines appear to intrude into the Raglan Street reservation. A solitary produce shed, the adjoining sheds having been demolished during the currency of this survey, faces the buffer stops and the site of the former Terminus Hotel. Beyond to the south, the Hill Street cottages overlook the precinct and form the edge to the Wombat Hill gardens. Further to the west, important elements include Densem's grocery building and the Victorian and Edwardian villas surrounding it. Together with the "Athens" Hotel, situated at the Wombat Street intersection, they form the heart of the precinct. Here, the avenue of Linden trees in Wombat Street focusses attention on the northern entrance to the Botanical Gardens. West of Smith Street, extensive private gardens dominate the north side of Raglan Street and façade three early cottages, set well back from the roadway.*

#### *Management*

*The importance of this precinct hinges particularly on its role as main access route from Castlemaine and Woodend and also as an area of historic interest for the future patrons of the Central Highlands Tourist Railway who will congregate at this point.*

*Its amenity will be heightened by the encouragement of works which are sympathetic to its historical character and might include the gradual replacement of modern fencing with forms appropriate to its principal era of growth. The stone faced culverts and the bridges should be retained and consideration given to effective landscape management within the station ground, softening the impact of parked cars and heightening the presence of the tourist railway. Any works within the station ground should accurately demonstrate departmental practice at the turn of the century and will incorporate the precise restoration of the station building itself. In this role, bearing in mind that it is at present one of only six registered historic buildings within the township.*

*The precinct should be designated an area of special significance within the Council's planning scheme, having regard to its historic importance.*

The above citation, now over three decades old, does not comply with current practice as set out in Planning Practice Note 1 – Applying the Heritage Overlay. This is particularly and with regards to format or heritage criterion applied to statements of significance today and that the citation is vague regarding what are the elements of the place that are considered to have heritage importance or contribute to the heritage importance of the Precinct.

The subject property and land on the north side of Raglan Street has been zoned with a General Residential Zoning with confirmation that there is intent that the land be developed with housing. With such practical and statutory confirmation of the expected use of the land any claim that the 'distant views' to open fields might

be interpreted to be an 'element' that is contributory to the importance of the Railway Precinct can only be considered to be mutually exclusive of the gazetted zoning of the land. Without the 1985 Conservation Study , or a latter heritage review, having provided unequivocal demonstration that the views to open paddock have heritage value and without any basis to distinguish views to the subject paddocks from any other it is my assessment that views over the subject land are not contributory to the heritage importance of the Railway Precinct or to HO698. This is particularly the case as the HO appears to have been extended over the subject land either in error or indecently but not as a result of any particular intent that could be seen to be in accordance with Planning Practice Note 1.



Figure 6 View looking northeast across the subject land from the Raglan Street Midland Highway corner



Figure 7 View looking northeast up the Midland Highway with the subject land on the left

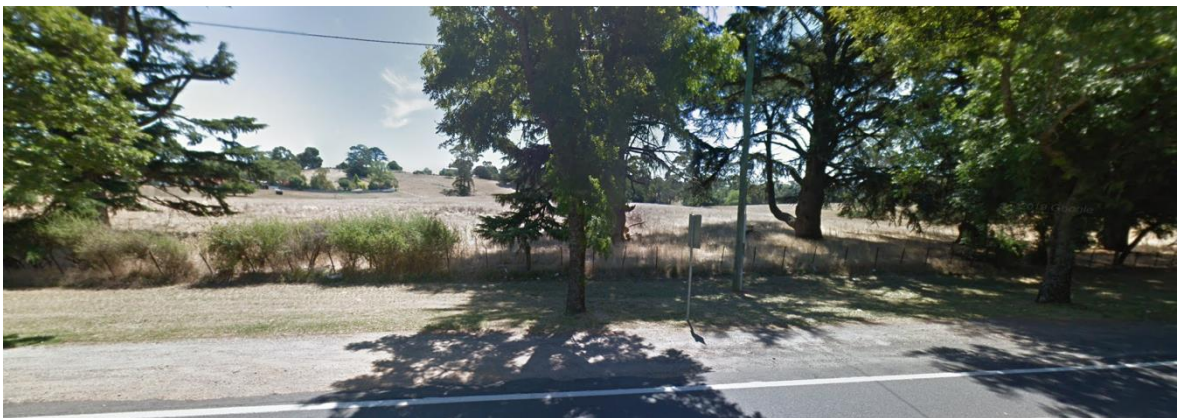


Figure 8 View looking back across the subject land from the Midland Highway

## Heritage and Character Controls

As there are no local heritage provisions and the applicable heritage controls those of Clause 15.03, *Heritage Conservation*, and the *Purpose and Decisions Guidelines* provided at Clause 43.01, *Heritage Overlay* as follows:

### Clause 15.03-1S

#### *Strategies*

*Identify, assess and document places of natural and cultural heritage significance as a basis for their inclusion in the planning scheme.*

*Provide for the protection of natural heritage sites and man-made resources.*

*Provide for the conservation and enhancement of those places that are of aesthetic, archaeological, architectural, cultural, scientific or social significance.*

*Encourage appropriate development that respects places with identified heritage values.*

*Retain those elements that contribute to the importance of the heritage place.*

*Encourage the conservation and restoration of contributory elements of a heritage place.*

*Ensure an appropriate setting and context for heritage places is maintained or enhanced.*

*Support adaptive reuse of heritage buildings where their use has become redundant.*

*Consider whether it is appropriate to require the restoration or reconstruction of a heritage building in a Heritage Overlay that has been unlawfully or unintentionally demolished in order to retain or interpret the cultural heritage significance of the building, streetscape or area.*

### Clause 43.01

#### *Purpose*

*To implement the Municipal Planning Strategy and the Planning Policy Framework.*

*To conserve and enhance heritage places of natural or cultural significance.*

*To conserve and enhance those elements which contribute to the significance of heritage places.*

*To ensure that development does not adversely affect the significance of heritage places.*

*To conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.*

### Clause 43.01-8 Decision Guidelines

*Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:*

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.*
- *Any applicable statement of significance (whether or not specified in the schedule to this overlay), heritage study and any applicable conservation policy.*
- *Any applicable heritage design guideline specified in the schedule to this overlay.*
- *Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage place.*
- *Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.*



- *Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place.*
- *Whether the proposed works will adversely affect the significance, character or appearance of the heritage place.*
- *Whether the proposed subdivision will adversely affect the significance of the heritage place.*
- *Whether the proposed subdivision may result in development which will adversely affect the significance, character or appearance of the heritage place.*
- *Whether the proposed sign will adversely affect the significance, character or appearance of the heritage place.*
- *Whether the lopping or development will adversely affect the health, appearance or significance of the tree.*
- *Whether the location, style, size, colour and materials of the proposed solar energy system will adversely affect the significance, character or appearance of the heritage place.*

### Character Controls

Whilst there are no local heritage provisions the Hepburn planning scheme provides local Neighbourhood Character Controls, including for the local area essentially overlaying the area of potential development within the Railway Heritage Precinct. This area is Character Area 11 shown below.



Figure 9 Extract of the Neighbour Character Precinct Map

Clause 22.013 applies particularly to the Neighbourhood Character Precinct Eleven:

#### ***Statement of neighbourhood character***

##### ***Current character statement***

*The precinct is distinct for its flat topography and predominantly post-war to recent housing stock with a number of older heritage listed buildings. The consistently large dwelling setbacks and low front fences add to the spaciousness of the area. The area forms the link between the open pastoral landscape beyond and the formal avenue planting of The Avenue of Honour at the entrance to the town which extends to Malmesbury along the Midland Highway. In contrast to this spacious context, the intersection of the highway with the local streets is partially delineated by historic buildings built to the boundary.*

**Key existing characteristics**

The following elements contribute to the current character:

- Architectural styles are mixed with many post war (1950s and 60s) and some 1980s dwellings.
- Building materials are mixed.
- Front setbacks are generally 3-4 or 5-7 metres and 3-4 metres on both side setbacks.
- Front fences are low-average otherwise open style.
- Private gardens are generally low level otherwise mixed styles.
- Roads are sealed with no kerbs.
- Large verges have predominantly no footpaths.
- Large exotic avenue of street trees on both sides of the road.
- Topography is flat with a light slope.
- There are some partial views to Wombat Hill and to the north to the surrounding pastoral landscape.

**Preferred neighbourhood character statement**

The spaciousness of the dwelling settings will be maintained and the definition of the entrance way to the town will be strengthened by:

- Encouraging the development of buildings to better define the highway intersection, and provide a sense of entrance to the town.
- Encouraging low front fences.
- Maintaining and enhancing the avenue planting.

**Objectives**

- To maintain and strengthen the garden settings of the dwellings.
- To maintain the rhythm of dwelling spacing.
- To use materials and finishes that harmonise with the surrounding Daylesford Township setting.
- To maintain the openness of the streetscape.

**Policy**

*Exercising discretion*

Where a permit is required for development it is policy to:

- Encourage landscaping that includes exotic and native trees.
- Retain large, established native trees and understorey and provide new native trees where possible.
- Use timber or other non-masonry cladding materials where possible, or earthy toned building materials and finishes, in streetscapes where weatherboard predominates.

**Proposal**

It is proposed to subdivide the land to provide housing lots for future development.

**Conclusion**

It is my assessment that the subject property whilst in part covered by the Heritage Overlay has been included without evident appropriate justification and is not land that exhibits elements or characteristics that have been demonstrated to contribute to the heritage significance of the Railway Precinct Heritage Overlay. It cannot be overlooked that when the Railway Precinct was recognized as a heritage place in 1985 that subject land was excluded from the mapped area. The notation that intermittent and partial view of open fields and farmhouse that may be obtained from Raglan Street looking to the north does not constitute clear justification,

demonstration, or explanation of what views are important to the heritage significance of the Railway Precinct or how the limited views are important. Inspection shows that views are indeed limited and are not distinguished or differentiated from many other views not considered to be of any heritage value worthy of consideration for heritage protections.

The views of the subject land to the north of Raglan Street and the Midland Highway are effectively screened by the mature conifers along the frontage as viewed from rising ground to the south within the area of the former Railway and up Wombat Hill such that no open view of the subject property is available.

The recent zoning of the land as general residential land clearly provides for the subdivision of the subject land and development of houses that will replace the current open fields.

Given the historical development along Raglan Street the particular existence of open pasture on the subject land views over this pasture cannot, in my assessment, be construed to be a feature or item that contributes to the heritage significance of the Railway Precinct, HO698 such that the general residential zoning of the land can be shown to have been in error.

Accordingly, it is my assessment that the proposed subdivision is acceptable with regards to the heritage provisions of the Hepburn Planning Scheme.



John Briggs

John Briggs Architects Pty Ltd

HO 698

## 4.5 RAILWAY PRECINCT

## 4.5.1 Location

The location of this precinct is indicated on figure 4.1 and described in more detail in figure 4.5. It occupies the north-east corner of the 1854 township survey plan and focusses on Raglan Street which forms part of the Midland Highway at this point.

## 4.5.2 Development

The land upon which the station ground is situated was subdivided by the Crown following completion of Frazer's survey in 1854 and sold off almost completely during the period commencing in the mid 1850's and concluding during the early 1870's. With the coming of the railway, however, in 1880 it was resumed by the Crown and resulted in the closure of Church Street and the diversion of Frazer and Hill Streets through a number of building allotments and the north-east corner of the Botanical Gardens reserve. Thus a substantial proportion of the early buildings within the precinct actually predate the railway and in the case of the Athens Hotel and the grocery opposite, no doubt have thrived because of it.

In recent years, the gradual decline in railway traffic leading eventually to its extinction with the closure of the line in 1978, has contributed to the passing of the Terminus Hotel formerly located at the entrance to the goods yard and to the cessation of trading of produce merchants opposite. Today recent development has not only taken the form of houses, but petrol filling stations, and has increased traffic movement causing a decline in residential amenity. The management of the future development of the railway station environment will continue to have a strong bearing upon the amenity of this precinct.

## 4.5.3 Description and Significance

This precinct is linked visually and was formerly linked functionally with the railway station which forms its southern boundary at the Frazer Street end. Commencing at the south-west corner of the Wombat Park estate, which is encircled by mature conifers, the entire precinct is tied together by the treed avenue, which runs from the cemetery in the east to Wills Square in the west. To the north, distant views of early farm houses may be obtained whilst there has been considerable residential development in recent years in the vicinity of the station yard.

63.

The pedestrian entrance to the station is marked by cast iron lamp standards, relocated from other points in the town and fitted with "Honour Avenue" signs in lieu of lanterns. At this point, the station building itself is visible and the embankments carrying the former carriage siding and running lines appear to intrude into the Raglan Street reservation. A solitary produce shed, the adjoining shed having been demolished during the currency of this survey, faces the buffer stops and the site of the former Terminus Hotel. Beyond to the south, the Hill Street cottages overlook the precinct and form the edge to the Wombat Hill gardens. Further to the west, important elements include Densem's grocery building and the Victorian and Edwardian villas surrounding it. Together with the former "Athens" Hotel, situated at the Wombat Street intersection, they form the heart of the precinct. Here, the avenue of Linden trees in Wombat Street focusses attention on the northern entrance to the Botanical Gardens. West of Smith Street, extensive private gardens dominate the north side of Raglan Street and face three early cottages, set well back from the roadway.

Throughout the precinct, a stone faced culvert runs along the southern shoulder of the roadway and is bridged, where necessary, to facilitate pedestrian and vehicular movement.

#### 4.5.4 Management

The importance of this precinct hinges particularly on its role as a main access route from Castlemaine and Woodend and also as an area of historic interest for the future patrons of the Central Highlands Tourist Railway who will congregate at this point.

Its amenity will be heightened by the encouragement of works which are sympathetic to its historic character and might include the gradual replacement of modern fencing with forms appropriate to its principal era of growth. The stone faced culverts and bridges should be retained and consideration given to effective landscape management within the station ground, softening the impact of parked cars and heightening the presence of the tourist railway. Any works within the station ground should accurately demonstrate departmental practice at the turn of the century and will incorporate the precise restoration of the station building itself. In this respect, Council, as the lessee, will have a role, bearing in mind that it is at present one of only six<sup>(30)</sup> registered historic buildings within the township.

The precinct should be designated an area of special significance within the Council's planning scheme, having regard to its historic importance.

65.

