

Policy Title: Protection of Local Heritage Places

Classification: Heritage

Date Adopted by Council

12 July 2017

Council Minute Number

2017/07/12.14

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Review Date

12 July 2018

Responsible Officer

Jonathan Cutting

Responsible Directorate

Planning & Development

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INTERNAL USE ONLY

Policy Number: 2017.07

Version: 1

NOTE: This cover page is not to be included when submitting a report to a Council meeting

1. BACKGROUND AND PRINCIPLES

This policy contains general information and guidance applicable to development affecting Local Heritage Places identified within Heritage Overlay Map (HER - 01:29) of the Whitsunday Planning Scheme 2017. Where additional or alternative planning considerations are necessary to protect the special character of a Heritage Place, Council will, upon request, provide advice to an applicant prior to lodging a development application.

For development involving State Heritage Places, applicants should refer to the Department of Environment and Heritage Protection.

2. POLICY OBJECTIVES

The objectives of this Policy are:

- To provide information that assists property owners and developers to understand and appreciate the cultural heritage significance of local heritage properties;
- To provide protection for places that have been identified as being of local cultural heritage significance in accordance with Australia ICOMOS Charter for Places of Cultural Significance, 2013 (the Burra Charter); and
- To ensure that future development, including conservation or adaptation of existing buildings and construction of new buildings, respects and enhances the identified heritage values and character of places of cultural significance.

3. POLICY STATEMENT

3.1 ADDING OR REMOVING A LOCAL HERITAGE PLACE

In 2014, Council conducted a study to prepare and identify local heritage places for the Whitsunday's Local Heritage Register. Local Heritage places were assessed and selected using the following criterion.

- (a) The place is important in demonstrating the evolution or pattern of the region's history.
- (b) The place demonstrates rare, uncommon or endangered aspects of the region's cultural heritage.
- (c) The place has potential to yield information that will contribute to an understanding of the region's history.
- (d) The place is important in demonstrating the principal characteristics of a particular class of cultural places important to the region.

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- (e) The place is important to the region because of its aesthetic significance.
- (f) The place is important in demonstrating a high degree of creative or technical achievement at a particular period for the region.
- (g) The place has a strong or special association with a particular community or cultural group for social, cultural or spiritual reasons important to the region.
- (h) The place has a special association with the life or work of a particular person, group or organisation of importance in the region's history.

An applicant seeking to add or remove a Local Heritage place from the register should submit **Form 1** in the appendices to Council outlining:

Add/Remove a Heritage Place	Justification	Appendices FORM 1 Application Requirements
Add	How the proposed Heritage Place meets two or more of the aforementioned criterion.	Historical research justifying how the place meets some of the aforementioned criterion.
Remove	Why the Heritage Place no longer meets the criterion that justified its place on the Local Heritage register. Reasons may include significant structural damage rendering the building irreparable or new historical research that contradicts criterion that justified its earlier inclusion.	<p>Historical research justifying why the place does not meet the criterion that justified its earlier listing; or</p> <p>In the case of irreparably damaged heritage places:</p> <ul style="list-style-type: none"> • Details regarding how the building has been damaged; • Structural Condition Assessment from an appropriately qualified structural engineer to outline the issues; and • Quote from a registered builder to determine the cost of repairs.

Each application will be considered on its merits as to whether or not to progress with the application in accordance with the *Queensland Heritage Act 1992*.

3.2 CONSERVATION OF AND ADAPTATIONS TO A LOCAL HERITAGE PLACE

Adaptation is the process of managing change to a place in such a way that its cultural heritage significance is retained. Conservation involves routine care and maintenance but may also require more significant adaptation at some stages of a building's life.

It is recognised that adaptation of heritage structures for new uses is an important way of ensuring their continued use. However, the need for change should always respect the underlying requirement to conserve the heritage significance of a place.

Adaptations or additions should not compromise the heritage significance of the place or buildings, the setting and curtilage of the place, or its heritage values. Matters to consider in adaptations or additions are:

- Fabric that contributes to the cultural heritage significance of the place should be retained where possible;
- Where significant elements have deteriorated, they should be repaired and retained;
- Work that can be reversed in the future is desirable. Work that cannot be reversed may be supported, provided the cultural significance of the place is not compromised;
- New work to a heritage building should not replicate the detail of the original unless the work involves an authentic restoration to original detail;
- New material inserted into a heritage building should be identifiable as such and noted in an archival record; and
- Works to a heritage building may be approved subject to the submission of an acceptable archive record of the place or works.

Changes or adaptations that constitute development (usually building works) require code assessment, pursuant to the *Planning Regulation 2017*, and must include a Heritage Impact Assessment Report and Heritage Management Plan/Archaeological Management Plan in accordance with the Whitsunday Planning Scheme 2017. Works may also require building approval in accordance with the *Building Act 1992*.

3.3 DEVELOPMENT WITHIN BUFFER ZONE OF LOCAL HERITAGE PLACE

Where development occurs in the buffer area of a Heritage Place identified in Heritage Overlay Map (HER - 01:29), development should be designed in a manner that takes into account the heritage values and character of the area. Any new development within the Heritage Buffer area should respect its setting and curtilage. Matters to consider are:

- New buildings neighbouring a Heritage Area should be of complementary scale, proportions, setback, colour and height to the heritage buildings in the locality.
- New buildings should be of contemporary design and not copies of existing significant buildings.
- New design should respect neighbouring heritage buildings and respond to their articulation and detail in areas such as dominant parapet lines, roof line, window configuration, door openings and awnings.

Development within the Buffer Zone of a Heritage Place will require approval and must include a Heritage Impact Assessment Report and Heritage Management Plan/Archaeological Management Plan.

3.4 SIGNIFICANT FABRIC

To properly inform the care and management of a Heritage Place, significant fabric should be identified in a Heritage Management Plan or detailed Heritage Assessment from a recognised heritage professional.

Council encourages owners of heritage places to have Heritage Management Plans prepared and to use these as a basis for future conservation and development.

Where a heritage assessment has not been prepared, Council will use the following guidelines for assessing works proposed for heritage buildings:

- Work to a building or place should maximise the retention of significant fabric. This includes, but is not limited to:
 - Impact on the building envelope including street façade; rear and side elevations; roof form and original chimneys;
 - Impact on original or significant external fabric, such as door and window openings; awnings and verandahs; face brickwork or rendered finishes; stucco decoration;

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- Impact on original or significant internal fabric, including stairs, floors and skirting boards; walls and wall finishes including plaster work; original ceilings and cornices; windows and window frames; doors and door frames; fireplaces; and fittings; and
- evidence of use and change, including elements such as an original internal layout and room pattern, location of stairwells and access points, blocked openings or building scars that demonstrate change.

3.5 SERVICES AND NEW TECHNOLOGIES

Changes to cater for air conditioning, electrical wiring, cabling, plumbing or other services should be limited to what is essential to permit the new use to proceed. Care should be taken when new wiring or cabling is installed to ensure that it is fixed as discreetly as possible without damaging the existing fabric.

When installing or upgrading the services provided to a Local Heritage Place, care should be taken to minimise the extent to which equipment is visible from the main street frontage.

- Chasing of wiring or cabling into existing walls is not generally appropriate. Where possible, cavities should be used for service lines and ductwork.
- Exhaust vents, skylights, air conditioning ducts and units, solar panels, TV antennae and satellite dishes and the like should not be located on the primary elevation of the building, nor attached to chimneys or other roof features where they will be visually obvious from the public domain.
- Services on secondary elevations should be located or screened appropriately to reduce their visual impact.
- Where penetrations through significant fabric cannot be avoided, they should be minimised in terms of both dimensions and number of openings and finished as neatly as possible.
- Penetrations should not be made through decorative elements such as friezes, cornices or vents unless no other suitable alternative is possible.

New services or technologies that constitute development (usually building works) require code assessment, pursuant to the *Planning Regulation 2017*, and must include a Heritage Impact Assessment Report and Heritage Management Plan/Archaeological Management Plan. Works may also require building approval in accordance with the *Building Act 1992*.

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4. RELEVANT LEGISLATION

- The Australia ICOMOS Charter for the Conservation of Places of Cultural Significance, 2013 (the Burra Charter)
- Queensland Heritage Act 1992
- Planning Act 2016
- Planning Regulation 2017
- State Planning Policy – State Interest Guideline Cultural Heritage 2016
- Whitsunday Planning Scheme 2017

5. DEFINITIONS

Adaptation	Means the modification of a place to suit proposed compatible use or uses.
Archival Record	Means a record of a place for archive purposes, set down in a prescribed form and made in a durable form on archive quality material.
Burra Charter	Means the Australian International Council on Monuments and Sites (ICOMOS) Charter for the Conservation of Places of Cultural Significance.
Compatible use	Means use of a heritage place that involves no change to the structurally significant fabric, changes that are substantially reversible, or changes that require a minimum impact on the significant fabric or elements of a place.
Fabric	Means all the physical material of the place including components, fixtures, contents, and objects.
Heritage Assessment	Means an assessment of heritage values of a place to determine its cultural heritage significance based on documentary and physical evidence in relation to the place.
Heritage Management Plan	Means a plan that identifies strategies and management techniques a development is to implement to mitigate or reduce adverse impacts on a Heritage place. Forms a part of Schedule 6.3 Heritage Planning Scheme Policy.
Heritage Place	Means a building, structure or area identified within the Heritage Overlay Map (HER - 01:29) of the Whitsunday Planning Scheme 2017.

<p>Heritage Placecard</p>	<p>Means the document describing the heritage elements of a local heritage place found on Council's Local Heritage Register website.</p>
<p>Structural Condition Assessment</p>	<p>Means a report prepared by a qualified professional such as a RPEQ structural engineer that assesses the structural state of a building or element.</p>

6. DATE REVIEWED

{Provide the date this policy was last reviewed at a Council Meeting (month, year) – insert N/A if it's a new policy and hasn't been reviewed by Council after its adoption}.

7. NEXT REVIEW

{Provide the date this policy needs to be next reviewed by Council – either 1 or 2 years (month, year) but no longer}

8. APPENDICES – FORM 1 ADDING AND REMOVING LOCAL HERITAGE PLACES

FORM 1: ADDING AND REMOVING LOCAL HERITAGE PLACES

If you have any questions about how to complete this form, please contact Council's Strategic Planning Department on 07 4945 0263.

Please complete this application in BLOCK LETTERS and tick or fill in boxes where applicable. If a question does not apply, please indicate 'n/a'.

APPLICATION TYPE

Adding a Heritage Place \$TBC Remove a Heritage Place \$TBC

Note: All fees current until 30 June 2017

APPLICANT DETAILS

Name: _____

Postal Address: _____

Locality/Suburb: _____ State: _____ Postcode: _____

Email Address: _____

Business Phone: _____ Fax: _____ Mobile: _____

Signature: _____ Date: _____

PROPERTY DETAILS

Property Owner
Name: _____

Address: _____

Locality/Suburb: _____ State: _____ Postcode: _____

Lot No: _____ Registered Plan No. (RP): _____ Parish: _____

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ADDING A LOCAL HERITAGE PLACE

Name of place: _____

Postal Address: _____

Lot on Plan _____

Locality/Suburb: _____

Postcode: _____

A) DESCRIPTION OF HERITAGE PLACE TO BE ADDED TO LOCAL HERITAGE REGISTER

Please include information on the following:

- a) Parts of the place that are considered to be local heritage significance (if all, state this);
- b) Description of the building or place in terms of size, heritage features, significant architecture, landscaping or building materials;
- c) Photos of significant features and heritage aspects;
- d) Why the place should be considered local heritage and the context of the places history; and
- e) Relevant sources to support history.

Sources of useful historical information include:

- land title documents
- historical photographs, maps and plans
- historical newspapers, magazines and journals
- manuscript material such as diary extracts or company records
- Queensland State Archives and the National Archives of Australia
- local government archives and rate books
- published histories of the place and area.

B) ASSESSMENT OF PLACE AGAINST LOCAL HERITAGE CRITERION

Outline how the place meets two or more of the following Local Heritage Criterion¹.

- a) the place is important in demonstrating the evolution or pattern of the region's history

¹ For examples of how existing local heritage places meet local heritage criterion please examine the Heritage Placecards at www.whitsunday.qld.gov.au/418/Local-Heritage-Register.

- b) the place demonstrates rare, uncommon or endangered aspects of the region's cultural heritage.
- c) the place has potential to yield information that will contribute to an understanding of the region's history.
- d) the place is important in demonstrating the principal characteristics of a particular class of cultural places important to the region.
- e) the place is important to the region because of its aesthetic significance.
- f) the place is important in demonstrating a high degree of creative or technical achievement at a particular period for the region.
- g) the place has a strong or special association with a particular community or cultural group for social, cultural or spiritual reasons important to the region.
- h) the place has a special association with the life or work of a particular person, group or organisation of importance in the region's history.

REMOVING A LOCAL HERITAGE PLACE

Name of place:

Postal Address: _____

Lot on Plan _____

Locality/Suburb: _____

Postcode: _____

A) WHY IT DOES NOT MEET LOCAL HERITAGE CRITERION ON LOCAL HERITAGE PLACECARD

Please include information on the following:

- a) Description of parts of the place that should not be considered local heritage;
- b) If parts of the place should not be considered local heritage provide photos of these parts;
- c) Why the place or parts of the place do not meet local heritage criterion on the Local Heritage Placecard; and
- d) Relevant sources to support justification.

B) REMOVAL OF IRREPARABLY DAMAGED PLACE FROM LOCAL HERITAGE REGISTER

Please include information on the following:

- a) Description of parts of the place that have been irreparably damaged that are requested for removal of the heritage place (if all, state this);
- b) Current photos of damage, condition or structural issues that render the structure irreparable;
- c) Details regarding how the building has been damaged;
- d) Structural Condition Assessment from an appropriately qualified RPEQ structural engineer to outline the issues; and
- e) Quote from a registered builder to determine the cost of repairs.