

Policy P313 Local Heritage Listing

| | |
|-----------------------------|--|
| Responsible Business Unit/s | Strategic Planning |
| Responsible Officer | Director, Development and Community Services |
| Affected Business Unit/s | Development Services |

CONTENTS

Policy objectives

Policy scope

Local Heritage Inventory

1. Background
2. Listing of places in the LHI
3. Purpose of the LHI
4. Status of the LHI
5. Community consultation on the LHI

Heritage List

1. Listing of places in the Heritage List
2. Status of Heritage List
3. Heritage List adoption process
4. Development on heritage-listed sites
5. Community consultation on the Heritage List

Policy Statement

1. Definitions
2. Nomination of places for possible listing in the LHI
3. Assessment of places for possible listing in the LHI
 - (a) Criteria for assessing nominated places
 - (b) Heritage assessment
 - (c) Role of heritage consultants

4. Process for reclassification or deletion of places on the LHI
 - (a) Reclassification of LHI places
 - (b) Deletion of places
 - (c) 'Request for Heritage Reclassification or Deletion' form
 - (d) Council consideration of requests
5. Matters to be dealt with in annual update of the LHI
6. Matters to be dealt with in four-yearly reviews of the LHI
7. Listing of places on the Heritage List
8. Heritage protection and development applications
9. Heritage incentives relating to places on the Heritage List
 - (a) Enabling power and process
 - (b) Reasons for providing heritage incentives
 - (c) How to apply for a heritage incentive
 - (d) Refund of development application fees
 - (e) Financial assistance for heritage consultant's advice
 - (f) Heritage incentives from other sources
 - (g) Owner's obligations

Legislation / Local Law requirements

Other relevant policies / key documents

Forms:

Nomination for Heritage Listing
Request for Heritage Reclassification or Deletion

POLICY OBJECTIVES

Recognising that local cultural heritage is a non-renewable resource, the objectives of this Policy are as follows:

1. In relation to the City of South Perth Local Heritage Inventory (LHI), to provide guidance to property owners, developers, Planning and heritage professionals, community, Council and City officers, with respect to:
 - (a) the correct process when any person nominates an additional place for possible listing;
 - (b) the correct process when the owner requests reclassification or deletion of a listed place;
 - (c) matters to be dealt with by the Council in an annual update; and
 - (d) matters to be dealt with by the Council in a four-yearly review.
2. To describe the heritage assessment processes, and the role of heritage consultants in the above processes and in relation to development applications involving listed heritage places.
3. To ensure certainty and consistency in decision-making with respect to heritage listing in both the LHI and Heritage List.
4. To clarify the extent to which heritage incentives and development bonuses and concessions apply to places on the Heritage List.

POLICY SCOPE

1. This Policy applies to all processes relating to review and modification of the LHI and Heritage List. These documents identify places throughout the City that have **local cultural heritage significance** (heritage significance), including buildings, structures, objects, parks and gardens, and historic sites with or without built features.
2. This Policy provides guidance as to the correct process for adding places to, reclassifying places in, and deleting places from, the LHI and Heritage List, thereby facilitating consistency of decisions in this regard. Consistency of such decisions is particularly important, because the LHI forms the base from which the Heritage List is compiled. Under the City's Town Planning Scheme No. 6 (TPS6), the Heritage List has statutory force as a Council Policy.
3. The Heritage List referred to in clause 6.11 of TPS6 is contained in Council Policy P314 'Heritage List'. Policy P314 is to be read in conjunction with Council Policy P313.
4. Policy P313 does not apply to processes relating to the State Register of Heritage Places administered and maintained by the Heritage Council of Western Australia (Heritage Council). However, the Policy does apply to State registered places which are also included in the LHI and Heritage List. Any such places are subject to the processes, requirements and incentives contained in this Policy.

LOCAL HERITAGE INVENTORY

Background

In December 1994, as required by section 45 of the *Heritage Act of Western Australia 1990*, the Council adopted its first Local Heritage Inventory (LHI), then known as the 'Municipal Heritage Inventory'. In the ensuing years, the original LHI has been updated and reviewed, additional places have been listed and some have been deleted. The Council is committed to maintaining and adding to the LHI in a way that is meaningful and supported by the community, in order to recognise and celebrate the most worthy examples of the City's local cultural heritage places.

Listing of places in the LHI

This Policy sets out the process by which places are listed in the LHI and Heritage List. The listing of a place is not necessarily permanent, because the Council regularly updates and reviews the document, as required by the Heritage Act. Local heritage inventories are required to be updated once a year and reviewed more comprehensively every four years. As part of any update or review, places may be added, reclassified, or deleted.

Listing of additional places occurs only after the Council has sought comments from the owners of places being considered. Where an owner objects to a place being listed, the Council will give serious consideration to the owner's objections before deciding whether or not to list the property.

Purpose of the LHI

The LHI is a resource document prepared to identify and celebrate buildings and places within the City of South Perth which are worthy of recognition for their heritage significance. In arriving at a decision as to whether or not a place should be added to the LHI, consideration is given to a range of criteria as outlined in this Policy. Having regard to these criteria, any building could potentially have heritage significance, irrespective of age or architectural beauty. Heritage significance is not necessarily synonymous with 'old' or 'beautiful'. Nor does it have the same meaning as the term 'streetscape character'.

The LHI is independent of the State Register of Heritage Places maintained by the State Heritage Office, and also independent of lists prepared by other bodies, such as the National Trust. A local government's LHI may, but is not obliged to, include any or all of the places on the State Register that are within its boundaries. While the City of South Perth LHI includes all State Registered places, its primary focus is on places which are not considered worthy of 'State' listing by the Heritage Council, but which have local heritage significance.

The LHI contains a full assessment of each listed place by means of a Place Record Form for each place. This provides the justification for inclusion of the place in the Heritage List. Places classified in the LHI as Management Categories A+, A and B form the basis of the Heritage List.

The LHI also provides a guide to the Heritage Council to assist in the compilation and updating of the State Register of Heritage Places by highlighting places of heritage significance.

Status of the LHI

Although prepared as a requirement of the Heritage Act, the LHI has no statutory force in terms of protection of listed places. It is a resource document providing historical information and other details to celebrate places which are recognised for their heritage significance. However, the LHI has statutory importance to the extent that it contains information and justification to supplement the Heritage List.

The LHI is not the same as the 'Heritage List'. However, pending adoption of the Heritage List, when assessing any proposal involving a place recognised for its heritage significance, the Council deems Category A, A+ and B places on the LHI to comprise an interim Heritage List for the purpose of providing more immediate protection of those places and to enable heritage incentives to begin to operate.

Community consultation on the LHI

Council Policy P301 *Consultation for Planning Proposals* (Policy P301) prescribes the extent, method and duration of community consultation relating to the adoption or modification of the LHI. Unless otherwise required by the Council in particular instances, consultation will be undertaken in the manner prescribed in Policy P301 prior to any modification of the listings in the LHI.

HERITAGE LIST

Listing of places in the Heritage List

The Heritage List is not the same as the LHI. It comprises a list of places with Management Categories A+, A or B contained in, and fully described in the LHI. The Heritage List is to be read in conjunction with the LHI.

Status of Heritage List

The Heritage List is prepared as a requirement of clause 6.11 of TPS6. Under that clause, the Heritage List has statutory force in relation to constraints on demolition and significant alteration of listed places. Under clauses 1.5 and 9.6(8) of TPS6, the Heritage List is a 'Council Policy' and is identified as one of the documents supporting TPS6.

Heritage List adoption process

Preparation and adoption of the Heritage List involves preliminary consultation with owners of places proposed to be listed, with later advertising of the draft document for public inspection and comment to the extent required by TPS6 and Policy P301, or as otherwise required by the Council. Prior to adopting the Heritage List, the Council will consider any written submissions received during these consultation periods. The same processes must be implemented for any subsequent modifications to the adopted Heritage List.

While places on the Heritage List are drawn from the LHI, the two documents need not contain an identical list of places. The Heritage List only contains the most worthy places of heritage significance. While the Heritage List identifies those places, it does not include details of the assessment of the listed places. The detailed assessment is contained in the LHI. The Heritage List will not contain a place which is not also included in the LHI.

Development on heritage-listed sites

In the case of any place on the Heritage List, clause 6.11 of TPS6 requires the submission of an application for development approval for any proposed development. Under clause 6.11, in support of any development application involving a place on the Heritage List, the Council may require the submission of certain details and information not required for other development applications. That clause prohibits demolition or significant alteration of listed places.

In order to facilitate the conservation or enhancement of places on the Heritage List, TPS6 also provides enabling power for the Council to grant a heritage incentive through possible relaxation of some development requirements. (*For more information relating to heritage incentives, refer to clause 9 of the Policy Statement below.*)

Community consultation on the Heritage List

Policy P301 prescribes the extent, method and duration of community consultation relating to the adoption or modification of the Heritage List. Unless otherwise required by the Council in particular instances, consultation will be undertaken in the manner prescribed in Policy P301 prior to any modification of the listings in the Heritage List.

NOTE: *The LHI and the Heritage List are available for inspection at the Civic Centre, corner Sandgate Street and South Terrace, South Perth, in the City's Libraries, or on the City's web site, at: www.southperth.wa.gov.au.*

POLICY STATEMENT

1. DEFINITIONS

City's heritage consultant

A heritage consultant engaged by the City to undertake a heritage assessment or to provide expert advice in relation to a particular heritage matter. Different heritage consultants may be engaged at different times to provide advice or services relating to different matters pertaining to heritage.

classification

The grading, expressed as a Management Category, indicating the relative local cultural heritage significance that the Council allocates to each place in the Local Heritage Inventory and the Heritage List following a formal heritage assessment by the City's heritage consultant. The meaning of each Management Category is contained in the Local Heritage Inventory and in this Council Policy.

conservation

As defined in the Heritage Act, means, in relation to any place, the management of that place in a manner that will –

- (a) enable the local cultural heritage significance of that place to be retained; and
- (b) yield the greatest sustainable benefit for the present community without diminishing the local cultural heritage significance of that place;

and may include the preservation, stabilization, protection, restoration, reconstruction, adaptation, and maintenance of that place in accordance with relevant professional standards, and the provision of an appropriate visual setting.

cultural heritage significance

As defined in the Heritage Act, means, in relation to a place, the relative value which that place has in terms of its aesthetic, historic, scientific, or social significance, for the present community and future generations.

development approval

Planning approval for proposed development granted under the provisions of the City of South Perth Town Planning Scheme No. 6.

eligible place

In relation to qualifying for a heritage incentive, means a place which is included on the City's Heritage List.

Heritage Act

The Heritage of Western Australia Act, 1990.

heritage assessment report

A report prepared by a heritage consultant describing a systematic assessment of a place and its setting and identifying its significant 'heritage values' based on the criteria outlined in this Policy.

heritage consultant

A person skilled in heritage assessment who is commissioned for the purpose of providing expert advice on the local cultural heritage significance of a place.

listed place

A place listed in the City of South Perth Local Heritage Inventory or Heritage List.

local

In terms of the cultural heritage significance of a place, refers to the importance of the place to the community of the City of South Perth.

Local Heritage Inventory or LHI

The inventory identifying and describing places of heritage significance within the City of South Perth, prepared as a requirement of section 45 of the Heritage Act.

maintenance

Routine minor work that is not 'development', and may include, among other works:

- (a) building maintenance; cleaning; repairs, including replacing missing or deteriorated fabric; repainting of the surface of a building; shallow excavation for the purpose of exposing, inspecting, maintaining or replacing utility services; installation of a temporary security fence, scaffold, hoarding or surveillance system; or temporary signage that do not involve significant damage to the fabric of the building; and
- (b) gardening or landscape maintenance that does not involve a major alteration of the layout, contours, structures, significant plant species or other significant features on the land.

Management Category

The classification applied to each place listed in the Local Heritage Inventory or the Heritage List. The allocated Management Category gives guidance as to how the place should be managed by the owner, developer and/or Council to conserve the local cultural heritage significance of the place.

Management Category A+ : Exceptional significance – Registered

Conservation essential. Essential to the heritage of the locality. Rare or outstanding example. Registered by the Heritage Council of Western Australia. Demolition or significant alteration to a place in Management Category A+ of the Heritage List is not permitted. Any alterations or additions are to be guided by a Conservation Plan, if any, and reinforce the heritage values of the place.

Management Category A : Exceptional significance – Worthy of being Registered

Conservation essential. Essential to the heritage of the locality. Rare or outstanding example. Worthy of being registered by the Heritage Council of Western Australia. Demolition or significant alteration to a place in Management Category A of the Heritage List is not permitted. Any alterations or additions are to be guided by a Conservation Plan, if any, and reinforce the heritage values of the place.

Management Category B : Considerable significance

Conservation essential. Reflects the highest level of local cultural heritage significance. Very important to the heritage of the locality. High degree of integrity and authenticity. Demolition or significant alteration to a place in Management Category B of the Heritage List is not permitted. Any alterations or additions are to be guided by a Conservation Plan, if any, and reinforce the heritage values of the place.

Management Category C : Moderate significance

Conservation desirable. Any alterations or additions should be sympathetic to the heritage values of the place and original fabric should be retained where feasible. Photographically record the place prior to any significant alteration or demolition.

Management Category D : Minor significance

Contributes to the heritage of the locality but not essential to an understanding of the history of the locality. Does not fulfil the criteria for entry in the Heritage List. Photographically record the place prior to any significant alteration or demolition.

minor additions or alterations

For the purpose of this policy, the term refers to additions or alterations to an approved or existing development which:

- (a) are small in relation to the main building (eg. pergola, patio, portico and the like); and
- (b) are not visible from the street; and
- (c) do not exceed 3.0 metres in height; and
- (d) do not impinge on neighbours' views, outlook or solar access to a greater extent than permitted by the Residential Design Codes or a Council Policy.

place

As defined in the Heritage Act, is an area of land sufficiently identified by survey, description or otherwise as to be readily ascertainable, and includes:

- (a) an area of land situated below low water mark on the seashore or on the bank of tidal waters, or in the bed of any watercourse, lake or estuary;
- (b) any works or buildings situated there, their contents relevant to the purpose of this Scheme, and such of their immediate surroundings as may be required for the purposes of the conservation of those works or buildings; and
- (c) as much of the land beneath the place as is required for the purposes of its conservation.

significant alteration

For the purpose of this Policy, the term means alterations and additions to a place listed in the Local Heritage Inventory or Heritage List, which, in the Council's opinion:

- (a) are likely to significantly change the character of the place or the external appearance of any building, or would constitute an irreversible alteration to a significant proportion of the fabric of the building; or
- (b) involve a major alteration of the layout, contours, structures, significant plant species or other significant features on the land.

2. NOMINATION OF PLACES FOR POSSIBLE LISTING IN THE LHI

- (a) Any person who considers that a place has sufficient heritage significance to warrant listing in the LHI may nominate the place for Council's consideration. The Council welcomes nominations from property owners, other members of the community, relevant interest groups, City Officers or Council Members.
- (b) A person may nominate his / her own property, or another person's property. If a person nominates another person's property, the City will offer the owner a period of 21 days in which to comment to the City. If the owner disagrees with the proposed listing, it is likely that the nomination will not proceed, unless the building is of obvious and outstanding local heritage value.
- (c) Nominations are to be made on the '*Nomination for Heritage Listing*' form comprising part of this Policy.
- (d) A nomination received by the City may be forwarded to the City's heritage consultant for a heritage assessment, before the City's Director, Development and Community Services decides whether or not to refer the nomination to a Council meeting for consideration of listing the place in the LHI.
- (e) Where a nominated place is referred to a Council meeting, the owner's comments if any, an officer's report and recommendation, and the City's heritage consultant's assessment, will be presented for consideration before the Council decides whether or not to list the place. If the Council decides to list the place, the consultant's heritage assessment will form part of the LHI.
- (f) Nominations for possible listing of a place will normally be considered as part of an annual update or a four-yearly review of the LHI, but if deemed more urgent, the Council may consider a nomination at any time.

3. ASSESSMENT OF PLACES FOR POSSIBLE LISTING IN THE LHI

(a) **Criteria for assessing nominated places**

When a nomination is received for a place to be added to the LHI, before arriving at a decision as to whether or not to list the place, the Council will obtain appropriate advice and will give due consideration to the assessment criteria, among any other matters which might be relevant to the assessment of the heritage significance of the place.

The *Burra Charter* defines the basic assessment criteria, principles and procedures to be followed in the conservation of Australian heritage places. In 1979, the *Charter for the Conservation of Places of Cultural Significance* was adopted at a meeting of Australia ICOMOS (International Council on Monuments and Sites) at the historic mining town of Burra, South Australia. It was given the short title of the '*Burra Charter*'. Based on the international ICOMOS *Venice Charter* (1964), the *Burra Charter* is specifically designed for use in Australia. The heritage conservation principles contained in the *Burra Charter* are recommended by the Heritage Council of Western Australia for use by local governments in heritage conservation.

The following values, drawn from the *Burra Charter*, are used by the Heritage Council and will be applied by the City in assessing the heritage significance of places for inclusion in the LHI and Heritage List. A Management Category will be allocated based on the findings of the assessment against these values:

- (i) **Aesthetic value** - importance due to aesthetic characteristics, creative design, artistic excellence, innovation or achievement, or landmark qualities which might or might not contribute positively to streetscape character or be important as part of a group of buildings or wider area.
- (ii) **Historic value** - importance in illustrating the pattern of human occupation of the locality; importance in relation to an event or period of historic importance; close association of the place with an individual or family whose life, works or activities have been significant to the City; or as an example of technical, creative, design or artistic excellence in a particular period.

- (iii) **Scientific value** - importance in contributing to knowledge through use of the site for research or education; or in demonstrating a high degree of technical innovation or achievement in its function or construction.
- (iv) **Social value** - importance as a place highly valued by a cultural group or the wider community for reasons of social, cultural, religious, spiritual, aesthetic or educational association which contribute to a community's sense of place.
- (v) **Rarity value** - importance of a place for rare, endangered or uncommon structures, landscapes or aspects relating to a distinctive way of life, custom, process, land-use, function or design no longer practised in the City, or in danger of being lost from, or of exceptional interest to, the City.
- (vi) **Representativeness value** - importance of a place in demonstrating attributes or characteristics of a particular type of building, way of life, philosophy, custom, process, land-use, function, design or technique, currently or formerly commonly found within the City.

In determining heritage significance, the following factors will also be taken into account:

- physical condition
- integrity (whether the place's original function/use is clear)
- authenticity (the level of original fabric that remains).

To be included in the LHI and Heritage List, it is not necessary for a place to demonstrate a high degree of significance in terms of all of the above values. The assessment might find the place worthy to be listed due to being highly significant to the City on the basis of one or more values.

(b) **Heritage assessment**

- (i) Prior to a place being listed in the LHI, a heritage assessment report is to be prepared for the place. This report is to:
 - (A) contain all relevant information about the local cultural heritage significance of the place, including a statement of significance of the place, and may include scaled drawings, plans, elevations, photographs, and other illustrative material as appropriate or as requested by the City. Further supporting documentation such as specific consultant reports may also be requested by the City to accompany the document;
 - (B) be based on an assessment of the place against the defined heritage values and the other factors listed in this clause; and
 - (C) be in the format used throughout the LHI, suitable for insertion into that document.
- (ii) Based on the findings of the heritage assessment, a place will be allocated a Management Category of A+, A, B, C or D. A place may be allocated more than one Management Category if individual buildings or identified portions of the site have differing levels of heritage significance.

(c) **Rôle of heritage consultants**

- (i) The City will usually engage a heritage consultant to provide advice in relation to:
 - (A) addition of new places to the LHI; and
 - (B) reclassification or deletion of places listed in the LHI.

In every instance, the City's Director, Development and Community Services will make the decision as to whether or not the City will engage a heritage consultant.

- (ii) For the purpose of a heritage assessment, a heritage consultant may be engaged by a landowner or the City. Where a heritage consultant is engaged by a landowner, the City may also seek comment from an independent heritage consultant.

NOTE: For more information on how to select a heritage consultant, and to view a 'Heritage Specialists Directory', visit the Heritage Council of Western Australia website at: www.stateheritage.wa.gov.au.

4. PROCESS FOR RECLASSIFICATION OR DELETION OF PLACES ON THE LHI

(a) **Reclassification of LHI places**

The LHI contains places which the Council and the community consider have sufficient local heritage significance to be worthy of listing and in some cases, to warrant a high level of protection. It is rarely appropriate to reclassify a Category A or B place to a lower classification. At the same time, the Council accepts that circumstances sometimes change. An owner of a listed place may submit a request to the Council to change the classification of a place listed in the LHI. Such a request may only be made by the owner of the place. The onus rests with the owner to provide a sufficiently strong justification for any requested lower classification.

In the case of Category A and B places, such a request ~~and~~ is to be accompanied by a heritage assessment report prepared at the owner's expense. That report is to relate to the existing heritage assessment in the LHI and contain an explanation as to why the owner considers that the place no longer has the same degree of heritage significance as it had when listed. As a minimum, the heritage assessment report is to include: a full reassessment of the place with a revised statement of significance, and may include scaled drawings, plans, elevations, photographs and other illustrative material as appropriate or as requested by the City. Further supporting documentation such as specific consultant reports may also be request by the City to accompany the document.

An owner requesting reclassification of a place to a higher category is not required to submit a heritage assessment report. In such cases, the City will meet the costs of any reassessment undertaken prior to a decision on the request for reclassification.

(b) **Deletion of places**

Category A+, A and B places have a high level of heritage significance. Under TPS6 clause 6.11(6)(d), the Council will not permit demolition of a place classified as a Category A+, A or B on the Heritage List. Similarly, under this Policy, the Council will not approve deletion of those places from the LHI.

If the Council receives a request to delete a place from the LHI, it will be assumed that the current owner or a future owner will eventually wish to demolish the building. In the case of a Category C place, the Council will generally not support a request for deletion from the LHI, if the only reason, or dominant reason, for the request is economic advantage to the owner, or because the building has not been adequately maintained. Any request for deletion must demonstrate to the Council's satisfaction that:

- (i) the heritage significance of the place has declined to such an extent that demolition is justified; and
- (ii) the place is not suitable for restoration, adaptive reuse, or incorporation into a new development to enable the community to continue to benefit from retention of the place.

Following consideration of a request, if the Council agrees with the owner's reasons for seeking deletion of a Category C place from the LHI, the owner will be required to provide the City with a full photographic record of the place for the City's heritage archives, prior to the Council deleting the place.

(c) **'Request for Heritage Reclassification or Deletion' form**

Any request relating to the reclassification of a Category A, B, C or D place, or deletion of a Category C or D place from the LHI is to be made on the *'Request for Heritage Reclassification or Deletion'* form comprising part of this Policy, and accompanied by sufficient documentation to justify the request. In the case of a Category A or B place, a heritage assessment report prepared at the expense of the owner is also required to be submitted with the request.

(d) **Council consideration of requests**

The owner's request for reclassification or deletion of a listed place, together with any required heritage assessment report and other supporting material provided by the owner, will be forwarded to the City's heritage consultant for comment to the City. All relevant material provided by the owner, the City's heritage consultant and City officers, will be presented to the Council when it considers the request. Before making a final decision on the requested reclassification or deletion, the Council will invite comments to the extent required by Policy P301.

Requests relating to the reclassification or deletion of listed places are normally considered as part of an annual update or a four-yearly review of the LHI, but if deemed more urgent, the Council may consider such requests at any time.

5. MATTERS TO BE DEALT WITH IN ANNUAL UPDATE OF THE LHI

- (a) Section 45 of the Heritage Act requires that LHIs are to be updated annually. The annual update will generally deal with:
 - (i) additional listings where nominations have been supported;
 - (ii) reclassification or deletion of listed places where owners' requests are approved by the Council;
 - (iii) reclassification to reflect the Heritage Council listing of additional places on the State Register of Heritage Places;
 - (iv) minor modifications to the document involving inclusion of additional facts, photographs, or other details relating to places already listed; and
 - (v) corrections, formatting improvements, and the like.
- (b) Community consultation is required as part of the process of considering any requested additions or deletions, and will be undertaken to the extent required by Policy P301.

6. MATTERS TO BE DEALT WITH IN FOUR-YEARLY REVIEWS OF THE LHI

- (a) Section 45 of the Heritage Act requires that LHIs are to be reviewed every four years. The four-yearly reviews will generally deal with more major or far-reaching modifications, including:
 - (i) structured additional listings focussing on selected land uses, as appropriate;
 - (ii) reclassification or deletion of listed places where owners' requests have been approved;
 - (iii) reclassification to reflect the Heritage Council listing of additional places on the State Register of Heritage Places;
 - (iv) modifications involving additional facts, photographs, or other details relating to places already listed; and
 - (v) corrections, formatting improvements, and the like.
- (b) If the number of listings is to be expanded as part of a four-yearly LHI review, the Council will generally follow a structured approach when identifying new places for possible listing. Where appropriate, this approach will involve the selection of a 'theme' or 'class' of places rather than a random group of unrelated buildings.
- (c) Community consultation is required as part of the process of considering any requested additions or deletions, and will be undertaken to the extent required by Policy P301.

7. LISTING OF PLACES ON THE HERITAGE LIST

- (a) (i) The Heritage List contained in Policy P314 is to be read in conjunction with the LHI. The Heritage List comprises a list of all places classified as Management Categories A+, A or B in the LHI.
- (ii) Until such time as Policy P314 'Heritage List' is adopted by the Council under TPS6:
 - (A) those portions of the LHI or Municipal Heritage Inventory as updated, reviewed and adopted from time to time by the Council under section 45 of the Heritage Act, comprising all places classified as Management Categories of A+, A or B, shall be employed under this Policy as the basis for heritage protection and the operation of heritage incentives. During this interim period, those portions of the LHI or Municipal Heritage Inventory shall be deemed to comprise the Heritage List; and
 - (B) the term 'Heritage List' used throughout this Policy, shall mean those portions of the LHI or Municipal Heritage Inventory referred to in sub-paragraph (A).

- (i) The temporary status of the LHI or Municipal Heritage Inventory as the Heritage List to the extent and for the purposes described in sub-paragraph (ii)(A), will cease upon the adoption of a Heritage List under TPS6.
- (b) A place must be fully assessed, categorised and included in the LHI before it is eligible for inclusion on the Heritage List.
- (c) All places on the Heritage List have been assessed according to criteria described in Policy P313 prior to inclusion in the LHI. For each place on the Heritage List, the supporting historical notes, heritage assessment justification, written and photographic description, statement of heritage significance, and all other descriptive material are contained in the LHI. That supporting material provides the rationale for inclusion of the place in both the LHI and the Heritage List. When contained in the LHI, no additional information or justification is required for a place to be included on the Heritage List.
- (d) Following any addition, reclassification or deletion of places in Management Categories A+, A or B in the LHI, the Heritage List in Policy P314 is to be modified accordingly. The Heritage List will be modified in the manner prescribed by TPS6 clause 9.6 and Policy P301.

8. HERITAGE PROTECTION AND DEVELOPMENT APPLICATIONS

- (a) In the case of a place on the Heritage List, where the owner proposes development other than minor additions or alterations, in support of the development application, the Council may require the owner or applicant to provide a heritage assessment report describing the effect that the proposed work will have on the heritage significance of the place. This document is required to be submitted in support of applications for planning approval for the erection, construction or alteration of, or addition to, any building or structure, which is likely to significantly alter the character, external appearance, or the fabric of the place.

As a minimum, a heritage assessment report for this purpose is to include: a statement of significance of the place, a statement of the effect the proposed work will have on the heritage significance of the place and its site, and a list or restoration works (if any) required to be undertaken. The heritage assessment report may include scaled drawings, plans, elevations, photographs of all aspects of the place, and other illustrative material as requested by the City. Further supporting documentation such as specific consultant reports may also be request by the City to accompany the document.

- (b) In the case of a place listed in Management Category C in the LHI, having regard to the level of its heritage classification, demolition or significant alteration will not be permitted unless the owner has first provided the Council with a detailed statement describing to the Council's satisfaction why the demolition or significant alteration ought to be approved. If the Council approves demolition of a Category C place, prior to demolition, the owner is required to provide the City with a photographic record of the place for the City's heritage archives.
- (c) The Council does not wish to totally prevent new development on sites comprising Category A and B places or Category C places which are to be retained and will generally support proposals which meet the following requirements:
 - (i) Retention: The subject place is to be substantially retained and restored to the extent determined by any required heritage assessment report, as part of the development.
 - (ii) Setting: Recognising that retention of an appropriate visual setting is important to the maintenance of the heritage significance of a place, alterations and additions should not:
 - (A) visually obscure the place from the street or other public spaces; or
 - (B) overwhelm the place through excessive bulk and scale.
 - (iii) Adaptation: Any proposed adaptive reuse of a heritage place should have minimal impact on its heritage significance. Associated alterations and additions should not detract from, dominate or compete with the visual significance of the place.

9. HERITAGE INCENTIVES RELATING TO PLACES ON THE HERITAGE LIST

The City offers a range of heritage incentives to owners of heritage-listed places to encourage the conservation of the City's local cultural heritage. Owners of eligible places may apply for one or more of the incentives discussed in this clause:

(a) **Enabling power and process**

In order to facilitate the conservation or enhancement of places on the Heritage List, clause 6.11 of TPS6 and this Policy offer a range of incentives to owners of eligible places. In the case of a place on the Heritage List, clause 6.11 of TPS6 requires the submission of an application for development approval for any proposed development, including demolition.

(b) **Reasons for providing heritage incentives**

Heritage incentives are provided for the following reasons:

- (i) Places of heritage significance are highly valued by the City and by the community. They contribute to a sense of place and character within the City. Such places represent a non-renewable resource which should be protected.
- (ii) A financial incentive may assist the owner of a place on the Heritage List in maintaining the place at a high standard for the enjoyment of the local community.
- (iii) Development concessions assist towards conservation of the heritage place, while also enabling the landowner to benefit from an economic return from the property.
- (iv) Where a place of heritage significance is not yet listed on the LHI, one or more of the incentives which may be offered could encourage a landowner to agree to listing of the place.

(c) **How to apply for a heritage incentive**

To apply for a heritage incentive, an owner of an eligible place needs to complete the 'Application for Heritage Incentive' form, located on the City's web site at www.southperth.wa.gov.au. Supporting information relevant to the particular kind of incentive is to be submitted with the application form.

(d) **Refund of development application fees**

(i) Where development approval has been granted, upon completion of all approved development works, the owner of an eligible place may apply to the City for a refund of the Planning Fee for an 'Application for Planning Approval' charged in accordance with the City's adopted *Schedule of Fees and Charges*. The fee will be refunded where:

- (A) the development works enhance or maintain the heritage significance of the place; and
- (B) all of the approved works have been completed to the Council's satisfaction.

(ii) The refund is confined to development application fees and does not apply to 'Building Permit' fees or fees for any other related service, such as archival searches, photocopying, rezoning, subdivision, or any other City fees or charges relating to the development process.

(e) **Financial assistance for heritage consultant's advice**

The owner of an eligible place may apply to the City for financial assistance towards the cost of professional advice obtained from a heritage consultant, lodged as part of a development application under clause 7.1 (2)(d) of TPS6, or in support of a request for heritage listing or a higher heritage classification. Financial assistance of this kind is not available for heritage consultant advice obtained to support a request for a lower heritage classification or deletion of a place from the LHI or Heritage List.

For each development project, the City will provide financial assistance of up to \$1000, but not exceeding 50% of the consultant's fee.

An owner seeking financial assistance of this kind must include with the development application a copy of the heritage consultant's advice and receipt for payment of the consultant's fee. A written application for financial assistance is to be lodged by the owner following receipt of Council approval for the works or Council's consideration of heritage listing or higher classification.

(f) **Heritage incentives from other sources**

In addition to heritage incentives offered by the City, incentives are also available from a number of other bodies. The City encourages owners of eligible places to apply for available heritage grants and other assistance. The City may assist with the preparation of the grant application to the extent of providing relevant City documentation relating to the property, at no cost to the applicant. Owners who wish to request information from the City's archives may do so in writing at any time of the year, while allowing ample time prior to any deadlines for the provision of the requested information.

(g) **Owner's obligations**

Where the Council grants the owner of an eligible place:

- (i) financial assistance in one or more of the forms referred to in paragraphs (d) and (e); or
- (ii) a variation from the maximum permissible number of dwellings on the site pursuant to TPS6 clause 6.11(8)(a)(vi);

the owner is required to enter into a *Property Maintenance Agreement* to ensure that the eligible place is maintained to a high standard. The agreement will specify the owner's obligations and may require a memorial to be recorded on the relevant Certificate of Title.

NOTES:

1. Development bonuses and concessions

Refer to clause 6.11(8) of the City of South Perth Town Planning Scheme No. 6 in relation to development bonuses and concessions for eligible places.

2. Heritage Loan Subsidy Scheme

The City of South Perth participates in the Heritage Loan Subsidy Scheme administered by the Western Australian Local Government Association and the State Heritage Office. This scheme subsidises interest rates on loans for conservation works by 4%, offering owners of eligible places significant savings. Loans can be arranged through the financial institution of the owner's choice.

Eligible conservation works undertaken through this scheme are wide-ranging, and may include works to verandahs, fencing, chimneys, tuck-pointing and wall restoration.

To be eligible, properties must be listed on the City's Heritage List, State Register of Heritage Places, Commonwealth Register of the National Estate or the National Trust's List of Classified Places.

Applications are accepted at any time of the year and are considered on a quarterly basis.

For more information, visit the Western Australian Local Government Association website at <http://www.walga.asn.au>, or the Heritage Council of Western Australia website at www.stateheritage.wa.gov.au.

3. Lotterywest Grant

Lotterywest invites grant submissions from non-profit community groups or local governments. Individuals, private or 'for-profit' organisations are not eligible. Lotterywest funding opportunities include grants for historical societies and for creating community histories.

For more information, visit the Lotterywest website at: <http://www.lotterywest.wa.gov.au>.

4. Heritage Council Grant

Under the State Government Heritage Grants program, grants of up to \$100,000 are available through an annual competitive application process administered by the Heritage Council of Western Australia. To be eligible, properties must be listed on the State Register of Heritage Places. These grants are for conservation works and for the preparation of conservation plans for registered places. By providing grant funds to the owners of properties listed on the State Register or places which are likely to be listed in the future, the function of the program is to ensure that places of 'State' significance are conserved.

For more information, visit the Heritage Council of Western Australia website at: www.stateheritage.wa.gov.au.

LEGISLATION / LOCAL LAW REQUIREMENTS

Heritage of Western Australia Act 1990
City of South Perth Town Planning Scheme No. 6

OTHER RELEVANT POLICIES / KEY DOCUMENTS

Heritage Council of Western Australia '*State Cultural Heritage Policy*'
State Planning Policy SPP3.5 '*Historic Heritage Conservation*'
City of South Perth Policy P301 '*Consultation for Planning Proposals*'
City of South Perth Policy P314 '*Heritage List*'
City of South Perth Local Heritage Inventory (also sometimes known as the 'Municipal Heritage Inventory')
Australia ICOMOS '*Burra Charter*' and guidelines
Heritage Council of Western Australia '*Criteria for the Assessment of Local Heritage Places and Areas*' guidelines
Heritage Council of Western Australia '*Local Planning Policies Practice Note and Examples*' guidelines



City of South Perth
 Civic Centre
 Sandgate Street cnr South Terrace
 SOUTH PERTH WA 6151

Enquiries:
 Telephone: 9474 0777
 Email: enquiries@southperth.wa.gov.au

City of South Perth Local Heritage Inventory Nomination for Heritage Listing

Please read Council Policy P313 ‘Local Heritage Listing’ before nominating a place for possible listing in the City’s Local Heritage Inventory. If the Council decides to include the nominated place in the LHI, it might also be listed in the Heritage List. Under Management Categories A+, A or B, and in some cases Category C, demolition will not be permitted.

| | | | | | |
|---|------------------------------|---|-----------------------------|----------------|--|
| Name / description of nominated place | | | | | |
| Address of place | No: | Lot No: | Street: | Suburb: | |
| Date built, if known | | | | | |
| Name of current owner, if known | | | | | |
| Names of previous owners, if known | | | | | |
| Reasons for nomination (significance of the place, special design features, or any other reasons) (Please use additional sheets if needed) | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| How would you rate the place according to the following criteria? | High | ⇒ | Low | | |
| Aesthetic value (ie. design excellence, etc) <i>(Please circle appropriate number.)</i> | 1 | 2 | 3 | 4 | 5 |
| Historic value (ie. role of the property or person in the history of the district, etc) | 1 | 2 | 3 | 4 | 5 |
| Scientific value (ie. type of use or technology of construction, etc) | 1 | 2 | 3 | 4 | 5 |
| Social value (ie. importance to a cultural group or wider community, etc) | 1 | 2 | 3 | 4 | 5 |
| Rarity (ie. endangered or distinctive building, etc) | 1 | 2 | 3 | 4 | 5 |
| Representativeness (ie. characteristics common to the City or period) | 1 | 2 | 3 | 4 | 5 |
| Condition (ie. state of the place) | 1 | 2 | 3 | 4 | 5 |
| Integrity (ie. ability of the place to be restored) | 1 | 2 | 3 | 4 | 5 |
| Authenticity (ie. extent to which the original fabric is still intact) | 1 | 2 | 3 | 4 | 5 |
| Do you have any supporting documentation about the place or its past or present owners? (Photographs, articles, research papers, books, etc) | <input type="checkbox"/> Yes | | <input type="checkbox"/> No | | |
| If YES, please describe: _____ | | | | | |
| Would you be prepared to lend this documentation to the City to enable a copy to be made for the City’s heritage archives (at the City’s expense)? | | | | | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Details of person nominating the place: | Name: | Signature : Date : | | | |
| | Address: | | | | |
| | Email: | | | | |
| Do you wish your details to remain confidential? | <input type="checkbox"/> Yes | | <input type="checkbox"/> No | | |

OFFICE USE ONLY

| | YES | NO |
|--|-----|----|
| 1. Is the 'Nomination for Heritage Listing' form signed by the nominator? | | |
| 2. Is the nominator also the owner? | | |
| 3. If not, has the City invited comments from the owner? | | |
| 4. Have comments been received from the owner? | | |
| 5. Has the nominator provided any additional information? | | |
| 6. Has the nominator agreed to lend the City any additional information? | | |
| 7. Has the nominator agreed to the City using any or all of the supporting material? | | |
| 8. Has the supporting material been copied and returned to the nominator? | | |
| 9. Has the City written to the nominator regarding future process? | | |
| 10. Is the place listed by the Heritage Council of Western Australia or other body? If so, who? | | |
| 11. Has the nomination been sent to the City's heritage consultant for assessment? | | |
| 12. Has the City's heritage consultant's assessment been received? | | |
| 13. Has Policy P301 consultation been undertaken? | | |
| 14. Has a report been prepared for Council consideration? Date of Meeting: | | |
| 15. Have the owner and submitters been invited to the Council briefing and meeting? | | |
| 16. Is this consideration part of an annual update of the LHI? | | |
| 17. Is this consideration part of a four-yearly review of the LHI? | | |
| 18. Council decision: | | |
| 19. Have the nominator, owner and submitters been advised? | | |

| PROPERTY DETAILS | |
|---|------------------|
| Type of development: | |
| Land area: | |
| Zoning: | |
| Density Coding: | |
| Current use of land: | |
| Potential use of land: | |
| Is the property subject to any future road widening, resumption or setback requirement? | If yes, details: |



Chief Executive Officer
 City of South Perth
 Civic Centre
 Sandgate Street cnr South Terrace
 SOUTH PERTH WA 6151

Enquiries:
 Telephone: 9474 0777
 Email: enquiries@southperth.wa.gov.au

City of South Perth Local Heritage Inventory

Request for Heritage Reclassification or Deletion

Please read Council Policy P313 'Local Heritage Listing' before requesting that a place in the City's Local Heritage Inventory be reclassified to a different Management Category, or be deleted from the LHI. Any approved reclassification or deletion of a place will also be reflected in the City's Heritage List. Under Management Categories A+, A or B, and in some cases Category C, demolition will not be permitted.

| | | | | | | |
|---|--|---|---|--|------------|-----|
| Name / description of place: | | | | | | |
| Address of place: | | No: | Lot No: | Street: | Suburb: | |
| Current Management Category: | | | Requested Management Category, if applicable: | | | |
| Justification for requested RECLASSIFICATION or DELETION. Please explain in what way there is an inaccurate assessment, description, historic background, etc, in the Local Heritage Inventory. (Please use additional sheets if needed) | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| How would you rate the place according to the following criteria? | | | | | | |
| | | | High | ⇌ | Low | |
| Aesthetic value (ie design excellence, etc) <i>(Please circle appropriate number.)</i> | | | 1 | 2 | 3 | 4 5 |
| Historic value (ie. role of the property or person in the history of the district, etc) | | | 1 | 2 | 3 | 4 5 |
| Scientific value (ie. type of use or technology of construction, etc) | | | 1 | 2 | 3 | 4 5 |
| Social value (ie. importance to a cultural group or wider community, etc) | | | 1 | 2 | 3 | 4 5 |
| Rarity (ie. endangered or distinctive building, etc) | | | 1 | 2 | 3 | 4 5 |
| Representativeness (ie. characteristics common to the City or period) | | | 1 | 2 | 3 | 4 5 |
| Condition (ie. state of the place) | | | 1 | 2 | 3 | 4 5 |
| Integrity (ie. ability of the place to be restored) | | | 1 | 2 | 3 | 4 5 |
| Authenticity (ie. extent to which the original fabric is still intact) | | | 1 | 2 | 3 | 4 5 |
| Have you provided any documentation to support your request? (eg. a heritage consultant's heritage assessment report, photographs, etc) | | | | | | |
| <input type="checkbox"/> Yes <input type="checkbox"/> No | | | | | | |
| IF NOT, please explain why: _____ | | | | | | |
| Details of person making request : | | Name : Address : Email : | | Signature : Date : | | |
| Are you the owner of the place? | | | | <input type="checkbox"/> Yes <input type="checkbox"/> No | | |

OFFICE USE ONLY

| | YES | NO |
|---|-----|----|
| 1. Is the 'Request for Heritage Reclassification or Deletion' form signed by the owner? | | |
| 2. Has the owner provided the required justification? | | |
| 3. What supporting documents have been submitted? | | |
| 4. Has the City written to the owner regarding future process? | | |
| 5. Is the place listed by the Heritage Council of Western Australia or other body? If so, who? | | |
| 6. Has the request been sent to the City's heritage consultant for comment? | | |
| 7. Have the City's heritage consultant's comments been received? | | |
| 8. Has Policy P301 consultation been undertaken? | | |
| 9. Has a report been prepared for Council consideration? Date of Meeting: | | |
| 10. Have the owner and submitters been invited to the Council briefing and meeting? | | |
| 11. Is this consideration part of an annual update of the LHI? | | |
| 12. Is this consideration part of a four-yearly review of the LHI? | | |
| 13. Council decision: | | |
| 14. Have the owner and submitters been advised? | | |

| PROPERTY DETAILS | |
|---|------------------|
| Type of development: | |
| Land area: | |
| Zoning: | |
| Density Coding: | |
| Current use of land: | |
| Potential use of land: | |
| Is the property subject to any future road widening, resumption or setback requirement? | If yes, details: |