

LOCAL PLANNING POLICY No. 15:

THE HERITAGE LIST

Introduction

The local planning scheme allows for special provisions to be applied to heritage places, which ensure that consideration is given to the cultural heritage significance of the place or area when making a planning decision.

The Heritage List allows the Shire to identify those places whose cultural heritage significance is, in its opinion, such that these additional provisions are necessary and appropriate. By inclusion in the Heritage List, an awareness is created with present and future owners that heritage, and the impact on heritage, should be addressed as part of a development application.

Inclusion in a Heritage List does not limit the ability of an applicant to propose any works, nor does it limit the ability of the Shire to determine an application in the manner it considers most appropriate. However, proposals that respect and retain the heritage values of the place are likely to be encouraged and may, where appropriate, be required.

Clause 61(1)(b)(iii) of the *Deemed Provisions*¹ requires that works to the interior of a building require development approval where a place is noted in the Heritage List as having an interior of cultural heritage significance. This policy identifies how this will be assessed and how the designation will be indicated.

¹*Schedule 2 of the Planning and Development (Local Planning Scheme) Regulations 2015 lists a range of 'deemed provisions' that have effect and may be enforced as part of the local planning scheme. Requirements noted within the deemed provisions are therefore required under the local planning scheme.*

Application

This policy applies to the administration and operation of the Heritage List associated with the Shire of Beverley Town Planning Scheme Number 2 and its successors in title.

Objectives

The objectives of the policy are:

- to achieve transparency and consistency in the designation of a Heritage List;
- to provide clear guidelines on how challenges to inclusion will be assessed;
- to ensure that the Heritage List is maintained in a manner and form that is consistent with the local planning scheme; and
- to clarify which places will fall outside the scheme provisions for heritage.

Policy

1. Format of the Heritage List

The definitive version of the Heritage List is the most recent dated document of that designation that has been adopted by a resolution of Council. The Heritage List is available for inspection during business hours at the Shire offices; alternatively it can be viewed on the Shire's website: www.beverley.wa.gov.au.

The Heritage List will be compiled in a format consistent with the template given in *Schedule 1* of this policy. While best efforts will be made to provide information for all parts of the Heritage List, absence of data in one or more fields does not invalidate the inclusion of a place in the Heritage List.

Due to the extent of information associated with the statement of significance and physical description, this information may be provided on an individual place record, which should be considered to be part of the Heritage List.

The Shire will endeavour to include all relevant information relating to the Heritage List in the Heritage Council's online database *inHerit* (www.inherit.stateheritage.wa.gov.au). If there is any inconsistency between sources, the Shire's hard copy is determined to be the correct version.

2. Threshold for inclusion in the Heritage List

Establishment and maintenance of the Heritage List is a requirement of Clause 8(1) of the *Deemed Provisions*¹. Inclusion in the Heritage List will be based on an assessment of cultural heritage significance and the designation of this significance as detailed in the Shire's local government inventory, also known as the *Heritage Inventory (HI)* or *Municipal Heritage Inventory (MHI)*.

Inclusion in the Heritage List will be based on the level of cultural heritage significance identified in the HI/MHI, as indicated in Table 1.

Table 1: Heritage Significance and inclusion in the Heritage List

Level of Significance	Category	Description	Heritage List
Exceptional significance	1 (<i>State Register of Heritage Places</i>)	Essential to the heritage of the locality. Rare or outstanding example.	Places representing the statutory <i>Heritage List</i> .
Considerable significance	2	Very important to the heritage of the locality. Shows a high degree of integrity/ authenticity.	Places representing the statutory <i>Heritage List</i> .
Some / Moderate significance	3	Contributes to the heritage of the locality. Has some altered or modified elements, not necessarily detracting from the overall significance of the place.	Places not part of the statutory <i>Heritage List</i> , acknowledged only.

3. Distinction between the *Heritage List* & *Heritage Inventory*.

It is important to note, as per *Table 1* above, that there is a distinction between the *Heritage Inventory* and the *Heritage List*.

The *Heritage Inventory* is the Shire's broader heritage resource document and represents a complete list of all places within the Shire's jurisdiction that has cultural heritage significance in the opinion of the Shire, and includes the *Heritage List*.

The *Heritage List* is the statutory sub-section of the *Heritage Inventory* where planning controls apply in terms of the *Deemed Provisions*¹ to places within the *Heritage List*, i.e. where a Planning Application is required for proposed development.

All places within the *Heritage Inventory* designated as Category 1 & 2 forms the statutory *Heritage List*.

All places designated as Category 3 within the *Heritage Inventory* does not form part of the statutory *Heritage List*, and no planning controls apply to these places. Places with a Category 3 designation are included in the broader resource *Heritage Inventory* document to only acknowledge the level of cultural heritage significance that they are considered to have.

4. Changes to the Heritage List

Consultation requirements for modifying the Heritage List are set out in Clause 8(3) of the *Deemed Provisions*¹. This process applies to the initial entry of a place, subsequent changes, or removal of an entry.

4.1 Initiating the entry of a place in the Heritage List

Requests for the Shire to assess the heritage values of a place shall be made as a nomination for the Heritage Inventory and must provide sufficient information to determine the place and to indicate the values attributed to it by the nominee.

If the place is adopted in the Heritage Inventory by a resolution of Council and its assigned level of cultural heritage significance meets the threshold for inclusion in the Heritage List, the Shire will begin the consultation process to consider inclusion of the place in the Heritage List.

Consultation for including a place in the Heritage List will be initiated by the Shire within three months of a resolution adopting the place in the Heritage Inventory.

In addition to inviting submissions from owners and occupants of each nominated place, consultation on heritage assessments may be carried out by inviting comment:

- from the general community through the Shire website/notice board/local newspaper;
- from the local historical society; or
- in any other manner that may reasonably result in providing relevant information on the cultural heritage values of the place.

Submissions on the proposed inclusion of a place in the Heritage List will be accepted for a minimum period of 21 days.

The Shire will consider objections to inclusion in the Heritage List only in relation to the level of cultural heritage significance assigned to a place.

4.2 Modifying an entry in the Heritage List

Changes to an entry in the Heritage List may be initiated by the Shire as part of the administration of the list, or by nomination using the prescribed form. The Shire will consider requests for change but is not obliged to make such a change.

A decision on progressing the change will take into account the relevance, necessity and benefits of updated information and the administrative requirements of the consultation process. In general, minor and inconsequential changes to the Heritage List will not be progressed, but may be deferred for later consideration.

4.3 Removing an entry from the Heritage List

Removal of a place from the Heritage List may be appropriate where the local government considers that the heritage significance of a place has substantially changed, to the extent that it no longer displays the values for which it was included in the Heritage List. This may be the result of substantial demolition of, or damage to a place, or presentation of new evidence about the place.

A proposal to remove a place may be made by the local government or its officers, or by the owner of a place. If proposed by an owner, the onus will be on them to demonstrate that the cultural heritage significance of the place is below the threshold for inclusion on the Heritage List.

In addition to consultation with owners and occupants for each place for which removal is requested, consultation on such an action may be carried out by inviting comment:

- from the general community through the Shire website/notice board/local newspaper;
- from the local historical society; or
- in any other manner that may reasonably result in providing relevant information on the cultural heritage values of the place.

The Council's opinion as to the cultural heritage significance of a place is determined solely by a resolution of Council at a properly convened meeting.

Substantial redevelopment, demolition or loss of fabric will not automatically result in removal from the Heritage List, as the place may still retain sufficient cultural heritage significance to support inclusion in the Heritage List, particularly if the heritage values relate to social or historical significance.

The Shire will retain a record of all places removed from the Heritage List.

5. Designation of significant interiors

Works to the interior of a building require development approval only where a place has been designated in the Heritage List as having an interior with cultural heritage significance, or the place is included in the Register of Heritage Places (State Register).

The designation of an interior with cultural heritage significance will be based on the assessment of significance associated with the place, and will be noted as part of the entry of the place in the Heritage List. Where, in the opinion of Council, there is reasonable evidence to support the designation of a significant interior, the designation may be made even where the assessment process has not included an interior survey.

SCHEDULE 1 - PLACE ENTRY FORMAT:

**SHIRE OF BEVERLEY
HERITAGE INVENTORY**



Representative photos here

Shire of Beverley Heritage Inventory Place No: #

State Heritage Office Place No: #

NAME OF PLACE			
Other names			
Address and/or GPS co-ordinates			
Suburb/Town			
Reserve No:			
CONSTRUCTION DATE			
Original Use			
Present Use			
Other Use			
CONSTRUCTION MATERIALS:			
Walls			
Roof			
Other			
ARCHITECTURAL STYLE:			
PHYSICAL DESCRIPTION:			
CONDITION			
INTEGRITY			
AUTHENTICITY			

STATEMENT OF SIGNIFICANCE

MANAGEMENT RECOMMENDATION
Category #:

HISTORICAL NOTES

LISTINGS

SUPPORTING INFORMATION/BIBLIOGRAPHY

DOCUMENT TYPE