

## Local Planning Policy 3.14: Development on Heritage Places

**ADOPTION DATE:** 27 November 2018 (DV18.172)

**AMENDED DATE:** 27 August 2019 (DV19.116) ; 26 March 2019 (DV19.29)

**AUTHORITY:** *Planning and Development (Local Planning Schemes) Regulations 2015*

*Town of Cambridge Town Planning Scheme No. 1*

### PURPOSE AND APPLICATION

The purpose of this Policy is to outline the circumstances in which heritage assessment documentation is required and clarify Council's expectation of the format and content of heritage assessment documentation.

The Policy applies to development of place:

- entered in the Heritage List prepared in accordance with the Scheme;
- located in a designated Heritage Area in accordance with the Scheme;
- entered in the State Register for Heritage Places under the *Heritage Act 2018*; and
- Subject to a protection order or heritage agreement under the *Heritage Act 2018*.

Note: Development applications relating to a place entered on the State Register will be referred to Heritage Council of Western Australia for comment.

In accordance with Schedule 2, Part 9, Clause 67 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the documents required under this Policy will be presented to the relevant decision-maker for consideration in determining an application for development approval.

### DEFINITIONS

Archival Record	report on the current state of the place detailing why the record is being made, information on the subject building or structure (the dates of construction and any alterations undertaken, construction materials), why the subject building or structure is being removed, and colour photographs of all elevations of the subject building and of the place in setting as viewed from the street. Each photograph should be clearly labelled, with a description of what is depicted and the date it was taken. Where elevations are obscured, sketches should be provided.
Conservation Plan	guiding document for the conservation and management of a heritage place prepared in accordance with Conservation Management Plan guide published by the Heritage Council of Western Australia.
Deemed Provisions	<i>Planning and Development (Local Planning Scheme) Regulations 2015 - Schedule 2.</i>

Heritage Act	<i>Heritage Act 2018.</i>
Heritage Agreement	an agreement in operation under Part 7 of the Heritage Act.
Heritage Impact Statement	report identifying how the proposed works or future use will affect the cultural heritage significance of the place prepared by a qualified Heritage Professional and in accordance with the Heritage Impact Statement Guide published by the Heritage Council of Western Australia as attached to this Policy.
Local Heritage Survey	Local Heritage Survey under the Heritage Act, formally known as a Local Government Inventory.
Order	a protection order issued under Part 4 Division 1 of the Heritage Act.
Scheme	Town of Cambridge Town Planning Scheme No. 1.
Significant Fabric	the physical material of the place including components, fixtures, and colour scheme that are important of the cultural heritage significance.
Structural Condition Report	assessment of the structural condition of a place prepared by a qualified structural engineer with knowledge and experience of heritage buildings.

## **POLICY**

- 1) In accordance with clause 63 of the Deemed Provisions, an application for development approval must be accompanied by:
  - a) Heritage Impact Statement that demonstrates the clear nexus (including the nature and extent of the relationship) between the elements of the proposed variation and the required heritage outcome for all proposals seeking application of clause 12 of the Deemed Provisions.
  - b) Structural Condition Report that demonstrates evidence of the structural integrity where:
    - (i) Demolition is proposed; and/or
    - (ii) Structural failure or deterioration is cited as a justification for the proposed works.
  - c) Heritage Agreement, Conservation Plan, or information pertaining to an Order made under the Heritage Act that exists in relation to the place.
- 2) The Town may obtain a Heritage Impact Statement prior to making a decision on a development application for:
  - a) Development on properties entered in the Heritage List except for:
    - (i) Replacement of an existing authorised building or structure in accordance with the relevant approval(s).
    - (ii) Boundary dividing fences located behind the street setback areas.

- (iii) Change of Use applications where no works are proposed or the works component does not require heritage assessment.
- (iv) Landscaping and site works that do not involve the removal or alteration of a plant features or structure that has significant fabric.
- (v) Temporary structures or signs that do not involve the removal of, or damage to, the existing buildings, structures or place.
- (vi) Works to a place on the State Register where the Heritage Council of Western Australia advises that no referral for advice is required.

Notwithstanding provision 2(a) above:

- b) All proposals seeking application of clause 12 of the Deemed Provisions and/or clause 21 of the Scheme;
  - c) Where considered necessary to assess the impact of proposed development on the Heritage Place at the discretion of the Town.
- 3) The Town may determine that a Heritage Impact Statement is not required where:
- a) Works relate to a building or structure that is identified in the Local Heritage Survey Place Record and the Heritage List to have no significant fabric and/or does not contribute to the cultural heritage significance of a place or Heritage Area.
  - b) Heritage Impact Statement has been previously obtained for a similar or relevant proposal for the same property and within five calendar years of the date of the application of the proposal;
  - c) Heritage Agreement or Conservation Plan exists with management recommendations relevant to the proposal;
  - d) Application is require to be referred to the Heritage Council of Western Australia.
- 4) An applicant may submit a Heritage Impact Statement to support their application.
- 5) The Town may require, as a condition of approval, the preparation and submission of an Archival Record prior to any works commencing where approval is granted for:
- a) Demolition or partial demolition of a place or structure; and/or
  - b) Works that will result in the removal or major alteration to significant fabric.



## INTRODUCTION

This guide explains what a heritage impact statement is, when one is needed, and the level of detail that is required.

This guide has been prepared to:

- (a) assist people who wish to carry out development that could impact on a heritage place or area
- (b) assist local governments in considering whether to approve such development.

Local governments may adapt the document to suit their own circumstances.

### What is a heritage impact statement?

A heritage impact statement (HIS) describes and evaluates the likely impact of a proposal.

An HIS is a clear and concise account of the proposed work that addresses three basic questions:

- How will the proposed works affect the significance of the place or area?
- What measures (if any) are proposed to ameliorate any adverse impacts?
- Will the proposal result in any heritage conservation benefits that might offset any adverse impacts?

### When is a heritage impact statement needed?

Many local governments encourage proponents to submit an HIS with any development proposal affecting a heritage place.

Whether or not a local government may require an HIS, and the amount of detail expected, will depend on:

- (a) the significance of the place; and
- (b) the likely impact of the proposal on that significance.

For instance, a proposal to partially demolish, or construct an addition to a place that is listed in the highest category in the local Heritage List, will typically require a detailed HIS.

Minor works to a place of lesser significance may not require an HIS at all.

### How is the significance of a place or area determined?

An HIS will always be based on a Statement of Significance for the place, which clearly spells out the identified heritage values.

Typically, this will be drawn from a State Register entry, a Local Government inventory entry, or a Conservation Management Plan or Strategy (CMP or CMS). If none of these sources exist, it may be necessary for a significance statement to be prepared.

It may also be necessary if an existing statement is very brief and gives little useful guidance about the significance of the place and its fabric.

If a CMP and CMS exists, direct reference should be made to the conservation policies.

### How should a heritage impact statement be presented?

An HIS should be concise.

It should contain a conclusion that addresses the three key questions outlined under 'What is a heritage impact statement?.'

In preparing the HIS, it may be useful to address some more detailed questions, such as those outlined in the table at Appendix 1. If the Local Government or heritage agency dealing with the proposal has decision guidelines or planning policy in relation to the place or area, these should be specifically addressed.

Relevant supporting documentation, where it exists (e.g. a statement of significance, conservation plan or conservation policy, physical condition report or any other consultant's report), should be referred to in the statement and relevant extracts attached. These documents should not simply be repeated verbatim within the HIS.



## APPENDIX ONE

PROPOSED CHANGE TO HERITAGE PLACE	SOME QUESTIONS TO BE ANSWERED IN A STATEMENT OF HERITAGE IMPACT
Demolition of a building or structure  NB. Check State Planning Policy 3.5 - Historic heritage conservation	<ul style="list-style-type: none"> <li>Have all options for retention and adaptive re-use been explored?</li> <li>Is demolition essential at this time, or can it be postponed in case future circumstances make retention and conservation more feasible?</li> <li>Can any new development can be located elsewhere on the site, so the significant elements of the place can be retained?</li> <li>Has the advice of a heritage consultant been taken? If not, why not?</li> </ul>
Minor partial demolition (including internal elements)	<ul style="list-style-type: none"> <li>Is the demolition essential for the heritage place to function?</li> <li>Are important features of the place affected by the demolition (e.g. fireplaces or staircases)?</li> <li>Is the partial demolition sympathetic to the heritage significance of the place?</li> <li>If the partial demolition is proposed because of the condition of the fabric, is it certain that the fabric cannot be repaired?</li> </ul>
Change of use	<ul style="list-style-type: none"> <li>Has the advice of a heritage consultant been implemented? If not, why not?</li> <li>Does the existing use contribute to the significance of the heritage place?</li> <li>Why does the use need to be changed?</li> <li>What changes to the fabric are required as a result of the change of use?</li> <li>What changes to the site are required as a result of the change of use?</li> <li>Has the advice of a heritage consultant been taken? If not, why not?</li> </ul>
Minor additions (see also minor partial demolition)	<ul style="list-style-type: none"> <li>How is the impact of the addition on the heritage significance of the place to be minimised?</li> <li>Can the additional space be located within an existing structure? If not, why not?</li> <li>Will the additions visually dominate the heritage place?</li> <li>Are the additions sympathetic to the heritage place? In what way (e.g. form, proportions, design, materials)?</li> </ul>
New development adjacent to a heritage place (additional buildings and major additions)	<ul style="list-style-type: none"> <li>How is the impact of the new development on the heritage significance of the place or area to be minimised?</li> <li>Why is the new development required to be adjacent to a heritage place?</li> <li>How does the new development affect views to, and from, the heritage place? What has been done to minimise negative effects?</li> <li>Is the new development sympathetic to the heritage place? In what way (e.g. form, siting, proportions, design, materials)?</li> <li>Will the new building(s) visually dominate the heritage place? How has this been minimised?</li> <li>Will the public and users of the place, still be able to view and appreciate its significance?</li> </ul>
Subdivision	<ul style="list-style-type: none"> <li>Could future development resulting from this subdivision compromise the significance of the heritage place (e.g. by requiring demolition of part of a heritage building, or by siting new buildings too close to a heritage building)?</li> <li>How are negative impacts to be minimised?</li> <li>Could future development that results from this subdivision affect views to, and from, the heritage place? How are negative impacts to be minimised?</li> </ul>
Repainting (Using new colour schemes)	<ul style="list-style-type: none"> <li>Have previous (including original) colour schemes been investigated? Are previous schemes being reinstated?</li> <li>Will the repainting affect the conservation of the fabric of the heritage place?</li> </ul>

PROPOSED CHANGE TO HERITAGE PLACE	SOME QUESTIONS TO BE ANSWERED IN A STATEMENT OF HERITAGE IMPACT
Re-roofing/re-cladding	<ul style="list-style-type: none"> <li>Have previous (including original) roofing/cladding materials been investigated (through archival and physical research)?</li> <li>Is a previous material being reinstated?</li> <li>Will the re-cladding effect the conservation of the fabric of the heritage place?</li> <li>Are all details in keeping with the heritage significance of the place (e.g. guttering, cladding profiles)?</li> <li>Has the advice of a heritage consultant or skilled tradesperson (e.g. roof slater) been taken?</li> </ul>
New services (e.g. air conditioning, plumbing)	<ul style="list-style-type: none"> <li>How has the impact of the new services on the heritage significance of the place been minimised?</li> <li>Are any of the existing services of heritage significance? In what way? Are they affected by the new work?</li> <li>Has the advice of a heritage consultant (e.g. architect) been taken?</li> </ul>
Fire services upgrades	<ul style="list-style-type: none"> <li>How has the impact of the fire upgrading on the heritage significance been minimised?</li> <li>Are any of the existing services of heritage significance? In what way? Are they affected by the new work?</li> <li>Has the advice of a conservation consultant (e.g. architect) been taken (and if so how)?</li> <li>Has the advice of a fire consultant been taken as to options that would have less impact on the heritage place (and if so how)?</li> </ul>
New landscape works and features (including carparking and fences)	<ul style="list-style-type: none"> <li>How has the impact of the new work on the heritage significance of the existing landscape been minimised?</li> <li>Has evidence (archival and physical) of previous landscape work been investigated/ Are previous works being reinstated?</li> <li>Has the advice of a consultant skilled in the conservation of heritage landscapes been sought? If so, have their recommendations been implemented?</li> <li>Are any known or potential archaeological deposits affected by the landscape works? If so, what alternatives have been considered?</li> <li>How does the work impact on views to, and from, adjacent heritage items?</li> </ul>
Tree removal or replacement NB: Always check the tree preservation provisions of your local government when proposing the removal of trees	<ul style="list-style-type: none"> <li>Does the tree contribute to the heritage significance of the place?</li> <li>Why is the tree being removed?</li> <li>Has the advice of a tree surgeon or horticultural specialist been taken (and if so how)?</li> <li>Is the tree being replaced and with what species? Why?</li> </ul>
New Signage NB: Check whether the local government has a signage policy or design guidelines	<ul style="list-style-type: none"> <li>How has the impact of the new signage on the heritage significance of the place been minimised?</li> <li>Have alternative signage forms been considered (and if not why not)?</li> <li>Will the signage visually dominate the heritage place or heritage area?</li> <li>Can the sign be remotely illuminated rather than internally illuminated?</li> </ul>

#### Contact us

Heritage Council of WA  
140 William Street, Perth  
Locked Bag 2506  
Perth WA 6001

T: (08) 6551 8002  
FREECALL (regional): 1800 524 000  
E: [info@dplh.wa.gov.au](mailto:info@dplh.wa.gov.au)  
W: [www.dplh.wa.gov.au](http://www.dplh.wa.gov.au)

3

© June 2019

QUESTIONS TO BE ANSWERED IN A HERITAGE IMPACT STATEMENT - APPENDIX ONE



HERITAGE  
COUNCIL

# HERITAGE IMPACT STATEMENT

## FORM

Name of Place:

Date:

Prepared by:

Prepared for:

The Place/Area:

Prepared for:

Date:

Heritage listings:

Statement of significance:

HERITAGE IMPACT STATEMENT - FORM

1

The following aspects of the proposal respect or enhance the heritage significance of the place or area, for the following reasons:

The following aspects of the proposal could detrimentally impact on heritage significance. The reasons are explained as well as the measures to be taken to minimise impacts:

Conclusion:

References and attachments:

#### Contact us

Heritage Council of WA  
Locked Bag 2506  
Perth WA 6001

T: (08) 6551 8002  
FREECALL (regional): 1800 524 000  
E: [info@dplh.wa.gov.au](mailto:info@dplh.wa.gov.au)  
W: [www.dplh.wa.gov.au](http://www.dplh.wa.gov.au)

2

© July 2019

HERITAGE IMPACT STATEMENT - FORM