LOCAL PLANNING POLICY 1.6: DEVELOPMENT OF HERITAGE PLACES

ADOPTION DATE: to be inserted
AMENDED DATE: 
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 Register for Heritage Places under the Heritage of Western Australia Act 1990;
- properties adjoining places entered in the Register of Heritage Places under the Heritage of Western Australia Act 1990;
- Subject to an order or heritage agreement under the Heritage of Western Australia Act 1990.

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 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.

Deemed Provisions Planning and Development (Local Planning Scheme) Regulations 2015 - Schedule 2

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 State Heritage Office as attached to this Policy.

Minor Structures: free standing structures, not attached to a building including outbuildings, patios, pergolas, letter boxes, clothes drying lines, seating, children's play equipment, basketball and netball hoops, flag poles, barbeques and satellite dishes.

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 undertaken by a suitably qualified heritage professional 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 where:
      • variation to any Scheme site or development requirement is sought under the provisions of clause 12 of the Deemed Provisions; and/or
      • dwelling density increase is sought under clause 21 'Dwelling Densities' of the Scheme.
   
b) Structural Condition Report undertaken but a suitably qualified engineer, that demonstrates evidence of the structural integrity where:
      • demolition of a place entered in the Heritage List is proposed; and/or
      • structural failure or deterioration is cited as a justification for the proposed works to the extent the:
         ▪ structural integrity cannot be rectified without removal of significant fabric; and/or
         ▪ significant fabric cannot be enhanced, salvaged, or replaced in a like-for-like manner.

2. Council will obtain a Heritage Impact Statement, at the Town's expense, prior to making a decision on:
   
a) Development on properties entered in the Heritage List except for:
      • minor structures which are not attached to the original heritage building/structure, are not visible from the public realm.
      • Like for like replacement of minor structures that are visible from the public realm.
• Demolition or alterations of buildings or structures that do not form part of the original heritage place, and do not contribute to the conservation of the heritage significance.

• Boundary dividing fences located behind the street setback areas.

• Change of Use applications where no works are proposed or the works component does not require heritage assessment.

• Maintenance and repairs that do not involve the removal of, or damage to, significant fabric of the building such as:
  ▪ repairs, including replacing missing or deteriorated fabric with like for like fabric.
  ▪ replacement of utility services using existing routes or voids.
  ▪ repainting of the exterior surface of a building/structure in the same colour scheme and an appropriate paint type for the building surface.

• landscaping and site works that do not involve the removal or alteration of significant plant feature or structure.

• signage that:
  ▪ does not obscure signage that has an integral relationship to the land;
  ▪ is temporary (for sale or lease); or
  ▪ is temporarily located behind a shop window but is not internally illuminated or flashing;

Notwithstanding provision 2(a) above:

b) All proposals seeking application of Clause 12 of the Deemed Provisions;

c) All development on properties listed on the Heritage List seeking application of Clause 21 of the Scheme;

d) Where considered necessary to assess the impact of proposed development on the Heritage Place at the discretion of the Manager Development Assessment.

3. For the purposes of provision 2 above, the Town may determine that a Heritage Impact Statement is not required where a:

a) 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;

b) Conservation Plan exists with management recommendations relevant to the proposal.

4. An applicant may submit an independent heritage assessment from a qualified heritage professional to support their application.

5. Where approval is granted for development of a place entered on the Heritage List that is for:

a) the demolition or partial demolition of the place or structure; and/or

b) works that will result in the removal or major alteration to significant fabric;

Council may require, as a condition of approval, the preparation and submission of an Archival Record prior to any works commencing.