DEFINITIONS AND PROCESS

What is heritage?
Heritage consists of the places and objects that we have inherited from the past and want to pass on to future generations. It defines us as a community: who we are and where we have come from. In other words it is “the things we want to keep”. Heritage is a mix of tangible and intangible elements, and may include: a site, area, building, group of buildings, structure, archaeological site, tree, garden, geological formation, fossil site, habitat or other natural or cultural significance and its associated land.

Heritage Significance is embodied in the place itself, and is defined in terms of the aesthetic, historic, scientific, social or spiritual value for past, present or future generations. Heritage is intrinsic to a community’s history, environment and culture. It should not be seen in isolation and removed from the normal planning or policy process or seen as a burden. The acknowledgement, conservation, management and interpretation of heritage values can result in economic, social and environmental benefits for communities.

What is the difference between heritage and character?
While heritage and character are closely related and share some attributes, the two are different. Unlike heritage, character is usually an evolving or developing quality and is dependent upon less tangible or measurable qualities than heritage.

The concept of character is broader than just architectural style or the era of development. Character captures the interrelationship between built form, natural landscapes and vegetation in the public and private domains and distinguishes one place from another.

Heritage protection has an established philosophical, theoretical, and practical basis. Heritage significance is determined by recognised criteria set by Commonwealth, State and local agencies. In contrast, urban character is an emerging concept, and more open to accommodating popular tastes.

What is heritage listing?
Heritage listing is the recognition that a place demonstrates cultural heritage significance and is a method of ensuring that proposed changes respect and retain those qualities and characteristics that contribute to its significance. Listing may include places of local, state, national and world significance. Under the review being carried out at present, we are
What is the Local Government Inventory (LGI) (non-legally binding)?

A LGI is a database of places and areas deemed to be of significance on a local level and offers no legal protection of these places. Places and heritage areas/precincts will be assessed as Category 1, 2, 3, 4 and 5 places depending on their level of significance. It is a requirement under section 45 of the Heritage of Western Australia Act 1990 that local governments prepare, maintain and review a local government inventory.

The LGI assists local governments to:
- Provide a cultural and historic record of the district
- Informs the local government heritage policy
- Provide information about local heritage issues that may be required to protect under the town planning scheme for the area.

What is a Heritage List established under Schedule 2, Part 3, Clause 8(1) of the Planning and Development (Local Planning Schemes) Regulations 2015 (legally binding)?

Places identified on the revised LGI as Category 1 (Exceptional significance), Category 2 (Considerable significance) and Category 3 (Some Significance) are proposed to be entered onto the Heritage List adopted under the Town and Nominations Scheme which affords a statutory level of recognition for the heritage values of these places. The Council makes the decision to adopt places onto the Heritage List that are considered to be worthy of built heritage conservation. As a minimum, the State Heritage Office recommends that all places included in the State Register are added to the Heritage List, plus those places assessed as having ‘Exceptional’ or ‘Considerable’ significance for the local area. Development applications for works will be required. The Council is able to refuse demolition and proposed works on heritage grounds. LGI Category 4 (Little significance) and Category 5 (Historic Site) places are not entered on the Heritage List.

Who undertook the review of the LGI and what is their experience and expertise in undertaking heritage assessments?

Hocking Heritage Studio undertook the review of the LGI, a local firm of heritage consultants who are highly experienced in preparing government inventories and heritage assessments.

Hocking Heritage Studio assessed each place in line with the State Heritage Office guidelines: Criteria for the Assessment of Local Heritage Places and Areas. These criteria establish a considered ‘best practice’ approach in the identification and assessment of heritage places and areas throughout Western Australia.

Who decides if a property should be listed?

In May–June 2017, the community were invited to share their views on heritage within the Town and nominate places that may have heritage significance. Approximately 50 new places were nominated by the community for heritage assessment. Hocking Heritage Studio have undertaken the assessments and made recommendation on the heritage review, but ultimately Council will make the final decision to enter a place into the LGI or Heritage List.

Council will consider the submissions, opinions of the landowner, the historical information and have regard for the cultural heritage significance of a place when making their decision.

What about sites of Aboriginal significance?

Sites of Aboriginal significance are protected under the Aboriginal Heritage Act 1972. The LGI is prepared under the Heritage of Western Australia Act 1990 which deals with predominantly European heritage. Where sites entered into the LGI demonstrate values belonging to both the Aboriginal and European cultures, all aspects of their significance are taken into account when assessing the place and assigning a management category. Where places solely demonstrate Aboriginal significance, these will not be entered on the LGI and will be dealt with under the Aboriginal Heritage Act.

Why were suggestions about listing the ‘garden suburb’ layout ignored in the LGI review?

Common themes that emerged from the community consultation were the importance of greenery, the public open spaces and ‘garden suburb’ design of the area. The subdivisional layout of City Beach and Floreat was guided by the town planning ‘Garden City’ principle and holds some significance as an example of early attempts of planned amenity through urban design in Western Australia. However, the key elements of value, being the large street verges, road design and public spaces have greater relevance in defining the character of City Beach and Floreat. Management of these elements is achieved more appropriately through planning provisions than through the heritage system.

IMPLICATIONS FOR PROPERTY OWNERS

How does entry on the LGI/Heritage List affect private landowners?

Entry on the Heritage List means that the heritage values of the place are recognised in the statutory planning framework. The impact of future development proposals on the heritage values of the place will be a key consideration in the assessing of a development application, as well as the normal planning considerations such as building height limits, setback distances from boundaries etc. Being entered on the LGI/Heritage List does not affect ownership or mean that you will be forced to restore your heritage place to pristine, original condition. Owners of places on the Heritage List are eligible for grant funding and development bonus’ to help their preservation.
Can I develop a heritage property?
Yes you can. Entry on the Heritage List does not mean that a property cannot be changed; in fact some works that enable contemporary use of heritage places are often the best way of ensuring their future. Council may grant approval for extensions, change of use or demolition of Heritage List places, and each application is assessed on its own merit. In most cases, the Town needs to approve works involving significant changes to any building whether it is heritage listed or not. Changes to a State Registered place need approval from both the Town of Cambridge and the State Heritage Office.

Development of places on the LGI is subject to the Town's normal planning and building requirements.

What do I need to take into consideration when developing a heritage property?
The Town encourages the retention of places of cultural heritage significance. As a guide, generally changes to Heritage Listed places should not diminish, destroy or conceal significant elements and/or the original fabric of the building.

Your development application will be assessed under the provisions and policies of the Town Planning Scheme which requires due consideration of the heritage significance of a place. Draft Local Planning Policy 3.16: Development of Heritage Places allows Council to obtain independent heritage advice to assist the decision-making process.

What work can be undertaken without approval?
Entry on the Heritage List does create the need for development approval for a range of works that wouldn’t ordinarily require approval, for instance changing the roofing material, rendering an unrendered wall or replacing windows and doors with different materials. However the following works are generally exempt from approval on Heritage Listed places (except State Registered places):

- maintenance and repair involving the use of ‘like for like’ materials;
- internal alterations that don’t affect recognised heritage fabric or structure;
- minor ancillary structures on the property;
- landscaping and minor site works and retaining.

A detailed list of exemptions is shown in the table.

Can I demolish a heritage listed property?
Development approval will be required for the demolition of a property on the Heritage List. Where places are listed as Category 1 and Category 2 significance demolition is unlikely to be approved. A place entered as a Category 3 place on the heritage list may be able to be demolished, or substantially demolished, depending on the proposal. Demolition of LGI - Category 4 places does not require development approval and will be assessed through the usual building permit processes.

Can I change the interior of a heritage property?
Generally speaking internal changes are permissible and do not require approval, unless they are structural in nature or affect interior features identified to have heritage significance. Whilst it is desirable to retain original details and fabric, changes are often required to meet the demands of contemporary living. Where internal changes to a Heritage Listed property are being considered, you are advised to seek advice from the Town of Cambridge prior to any works being implemented or development application being submitted.

Can I change the colour scheme or other external finishes on a heritage property?
Yes. Changes to the place should generally be discussed with the Town of Cambridge but painting windows and doors is acceptable maintenance. Alterations that materially affect the external appearance such as changing a brick façade to a rendered façade however can change the aesthetic of the place and may harm its significance – these type of changes will require permission. Grants are proposed to available to assist owners of heritage listed places with conservation works.

Should new additions, renovations or refurbishments to my property be designed to be similar to the heritage features of the existing building or can they be modern in their design and use of materials?
It is possible to blend modern design without compromising the significance of the original building. From a heritage view point, additions should be informed by, rather than mimic, the scale, design and detail of the original building. If changes were being made to the front of the property they should be complementary, and distinguishable from the original work. For additions to the rear, contemporary styles are acceptable.

Can I request a review of the heritage significance category (or inclusion in the LGI) or make an appointment to discuss a property that I don't own?
You can make a submission on the recommended inclusion of the property or the assessment of the property, however appointments for non-property owners are not available.

Can my property be removed from the LGI and/or Heritage List if I request it?
It is the Town’s expectation that places with heritage significance should be included on the LGI and/or Heritage List. In most cases there needs to be a sufficient reason, such as an error in the heritage assessment, to remove a place.

Submissions contesting the inclusion of a property should be based on the accuracy of the historical information and supported with appropriate evidence. If the assessment is shown to be based on factual error that impacts its heritage significance classification (e.g. if a house was assessed as being constructed in 1920 but the original house had been demolished and the current house was built in 2005) then the place can be removed.

Owners who wish to discuss the assessment are encouraged to arrange a meeting with the heritage review team and make a written submission to Council using the online feedback form.

Can I nominate another property to be included in this review of the LGI?
The Heritage of Western Australia Act 1990 states that LGIs should be reviewed every four years. Most local governments do not review them on this basis but do undertake reviews.
Heritage Info & FAQs

Why is it proposed to allow a dwelling density bonus to apply to places on the Heritage List and not the LGI?

Clause 21 of the Scheme allows Council to grant a dwelling density bonus if the development conserves or enhances a heritage place.

The purpose of the Heritage List is to allow Council to identify places with cultural heritage significance that is worthy of built heritage conservation. The LGI on the other hand does not offer protection and includes places with little significance (Category 4) and historic sites where the significance has been removed (Category 5). All places in the draft LGI for which conservation is highly desirable (Categories 1 - 3) have been included in the draft Heritage List.

Will heritage listing impact the value of my property?

There are reports for both sides of the argument. Many reports state that being Heritage Listed will increase the value of their property as people care for their houses more and this has a knock-on effect for an area as a whole as people are believed to pay more for a house in an attractive area. Furthermore property owners have a higher degree of certainty that the character of the area will be retained which can be reflected in property prices. Other reports, state the opposite saying that heritage listing will reduce the value of the property due to the conservation requirements imposed on owners by local government and the constraints on redevelopment. The majority of research concludes that heritage listing does not affect property prices. Values are influenced by market conditions and what someone is willing to pay and accept.

Does the Town of Cambridge provide any development incentives or funding support for heritage properties?

Entry on the Heritage List provides access to a range of incentives to assist owners with conservation and enable the development potential of the site to be realised.

Under the Planning and Development (Local Planning Schemes) Regulations 2015, Council can vary any requirement of the Scheme if it will help enhance or protect a place on the Heritage List.

Some heritage places may also be eligible for funding provided by other organisations such as the Heritage Council of Western Australia grant program for conservation works to places on the State Register, and Lotterywest heritage grant for places owned by not-for-profit community organisations and local governments.

In addition to the above, the Town is seeking feedback on the following proposed incentives measures for owners of places included on the Heritage List:

- Introduce waiver of planning application fees: for development of heritage properties that would otherwise not require planning approval.
- Introduce a grant funding for conservation works: funding up to 50% of the total cost of conservation works and/or structural repairs (not new development) to a maximum grant amount of $5000.
- Amend the Scheme dwelling density bonus: Clause 21 of the Scheme allows Council to grant a dwelling density bonus if the development conserves or enhances a building nominated on the LGI, included in the State Register and/or in a Conservation Area (i.e. Holyrood Street Conservation Area). For example, this may mean that you could develop two dwellings on a property that normally permit only one dwelling, if the significance of a heritage place is protected or enhanced. It is proposed to amend the clause so that the dwelling density bonus would be available for places on the Heritage List rather on the Local Government Inventory.

Please review the proposed incentives and Scheme Amendment and provide any comments using the online feedback form.

What are the next steps to the process?

Owners will be notified of the proposed listings and will have the opportunity to participate in the heritage review process. The wider community are also invited to consider and provide comment on the proposed incentives, draft Policy and Scheme Amendment.

The feedback received from the owner meetings and submissions will be collated and any new information that has been made available will inform any necessary modifications to the draft LGI and Heritage List.

The revised LGI, Heritage List, incentives, draft Policy and Scheme Amendment along with all the submissions will then be presented back to Council for final determination/adoption. The Scheme Amendment, submissions on the Amendment and Council’s responses to those submissions will be submitted to the Western Australian Planning Commission for consideration, and then sent to the Minister for Planning for approval.

FURTHER INFO
Advertising closes
5:00pm, Monday 27 August 2018
www.cambridge.wa.gov.au/heritage

GLOSSARY

cultural heritage significance 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 and future communities; built heritage conservation means, in relation to any place, the management of that place in a manner that will —
(a) enable the cultural heritage significance of that place to be retained; and
(b) yield the greatest sustainable benefit for the present community without diminishing the cultural heritage significance of that place; and may include the provision of an appropriate visual setting.
## Works identified in the Scheme and Deemed Provisions as Exempt from the Requirement to obtain Development Approval

The following exemptions may not apply for places on the State Register or subject to an order or agreement under the Heritage Act:

<table>
<thead>
<tr>
<th>Heritage List</th>
<th>Not Heritage/Lot Only</th>
</tr>
</thead>
<tbody>
<tr>
<td>Internal building work which do not materially affect the external appearance of the building with an:</td>
<td></td>
</tr>
<tr>
<td>- interior not identified as having cultural heritage significance</td>
<td>✓</td>
</tr>
<tr>
<td>- interior identified as having cultural heritage significance</td>
<td></td>
</tr>
<tr>
<td>Single house where the R-Codes apply and the development satisfies deemed-to-comply requirements</td>
<td>x</td>
</tr>
<tr>
<td>Ancillary dwelling, outbuilding, external fixture, boundary wall or fence, patio, pergola, veranda, garage, carport, or swimming pool on same lot as single or grouped dwelling if the R-Codes apply and the development satisfies deemed-to-comply requirements</td>
<td>x</td>
</tr>
<tr>
<td>Demolition of a single house, ancillary dwelling, outbuilding, external fixture, boundary wall or fence, patio, pergola, veranda, garage, carport, or swimming pool except where the single house or other structure and the development satisfies deemed-to-comply requirements of the R-Codes</td>
<td>x</td>
</tr>
<tr>
<td>Demolition or removal of building or structure on multiple dwellings and non-residential places</td>
<td>x</td>
</tr>
<tr>
<td>Site works (the alteration of land levels, and/or the construction of retaining walls) provided the extent of fill does not exceed 0.5 metres, and the extent of cut within 3.0 metres of the street boundary does not exceed 0.5 metres</td>
<td>✓</td>
</tr>
<tr>
<td>Temporary works which are in existence for less than 48 hrs or a longer period agreed by the local government in any 12 month period</td>
<td>✓</td>
</tr>
<tr>
<td>Temporary advertising sign if in connection with an election, referendum, or other poll conducted under electoral acts not installed until the above is called and removed no later than 48 hr after conducted.</td>
<td>✓</td>
</tr>
<tr>
<td>Advertising sign specified in a Local Planning Policy or Local Development Plan</td>
<td>x</td>
</tr>
<tr>
<td>Temporary viewing structure for max 3 months in a 12 month period, behind street setback, max height of the proposed development, setback min 7.5 metres from property boundaries</td>
<td>✓</td>
</tr>
<tr>
<td>Carrying out of works that are wholly located on an area identified as a regional reserve under a region planning scheme</td>
<td>✓</td>
</tr>
<tr>
<td>Works in, on, under a street or road by a public authority acting pursuant to the provisions of any Act</td>
<td>✓</td>
</tr>
<tr>
<td>Works urgently necessary in the interests of public safety or for the safety or security of plant and equipment or the maintenance of essential services</td>
<td>✓</td>
</tr>
<tr>
<td>The installation of low impact facilities as defined under part 3 of the Telecommunications (Local-impact Facilities) Determination 1997.</td>
<td>✓</td>
</tr>
</tbody>
</table>

### Proposed Exemptions (Scheme Amendment No. 37)

| Maintenance and Repairs - minor works, of the same details, materials and specifications, that are undertaken to fix or prevent a building from deteriorating or falling into a state of disrepair. | ✓ | ✓ |
| Free standing clothes drying lines, seating, children’s play structures, basketball and netball hoops, outdoor cooking and heating facilities if located behind the street setback area and satisfies the relevant Policy requirements | ✓ | ✓ |
| Letter box and Meter box | ✓ | ✓ |
| other Alterations which do not materially affect the external appearance of the building | x | ✓ |
| Flag Poles | x | ✓ |