



## **Local Planning Policy 6.7.4 – The Heritage List**

### **1. Introduction**

This is a Local Planning Policy prepared under Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015. This Policy may be cited as Local Planning Policy 4.1.19 – The Heritage List, and LPP 4.1.19.

The Heritage List identifies places that are of cultural heritage significance and worthy of built heritage conservation, so that development can, as far as possible, be consistent with the Shire's heritage conservation values and objectives.

The Shire will not enter a place in the Heritage List without first consulting affected owners and occupiers of the place and considering any submissions received on the proposed listing.

Inclusion of a place in a Heritage List does not limit the ability of a property owner to propose any works or other development, nor does it expect or require the Shire to determine an application solely on heritage grounds. However, proposals that respect and retain the heritage values of the place are likely to be encouraged and may, where appropriate, be required.

### **2. Policy objectives**

- To achieve transparency and consistency in the designation of places on the Heritage List.
- To provide clear guidance on how objections to a proposed inclusion on the Heritage List will be assessed.
- To ensure that the Heritage List is maintained in a manner and form that is consistent with the Scheme.
- To provide clear guidance on the criteria for including and excluding a place from the Heritage List.

### **3. Policy scope**

- This policy applies to the administration and operation of the Heritage List established pursuant to clause 8, Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015.
- Notwithstanding the provisions of this policy, there may be heritage provisions under the District Planning Scheme that apply to some places not included in a Heritage List.

## 4. Policy

### 4.1 Format of the Heritage List

- a) The definitive version of the Heritage List is the most recent dated document that has been adopted by a resolution of Council. The Heritage List is available for inspection during business hours at the Shire offices and on the Shire's website.
- b) The Heritage List will set out a description of each place and the reason for its entry in the Heritage List.
- c) The place name and location details are considered sufficient to describe each place.
- d) A statement of significance drawn from the place's entry in the local heritage survey is considered sufficient to provide the reason for its inclusion in the Heritage List.
- e) Further information on each place will be maintained in the Heritage Council's online database "*inherit*" ([www.inherit.stateheritage.wa.gov.au](http://www.inherit.stateheritage.wa.gov.au)). If there is any inconsistency between sources, the Shire's hard copy of the Heritage List shall be determined the correct version. The inclusion of a link to the *inHerit* entry for each place should be included in electronic versions of the Heritage List.

### 4.2 Threshold for inclusion in the Heritage List

Table 1 Heritage significance and inclusion in the Heritage List

Level of Significance to local area	Category	Description	Heritage List
Exceptional	1	Essential to the heritage of the locality	All places to be included
Considerable significance	2	Rare or outstanding example	All places to be included
Some/ Moderate significance	3	Very important to the heritage of the locality	Places may be included
Little Significance	4	Contributes to the heritage of the locality	Below the threshold for inclusion

- a) Establishment and maintenance of the Heritage List is a requirement of the deemed provisions contained in the Planning and Development (Local Planning Scheme) Regulations 2015. Inclusion in the Heritage List will be based on an assessment of cultural heritage significance of a place and the Shire's opinion as to whether it is worthy of built heritage conservation in accordance with Table 1 Heritage significance and inclusion in the Heritage List.
- b) The designation of cultural heritage significance for local heritage places will be taken from the Shire's local heritage survey (formerly MHI). The assessment and designation of significance will be carried out in line with the *Guidelines for Local Heritage Surveys* (Heritage Council of Western Australia, July 2019).

- c) A place may be considered worthy of built heritage conservation irrespective of its current state of repair; ongoing requirements for conservation, care and maintenance; or economic worth.
- d) The Shire is of the opinion that all places included in the State Register of Heritage Places have cultural heritage significance and are worthy of built heritage conservation, and will be added to the Heritage List.
- e) The Shire is of the opinion that all places designated as having 'exceptional' or 'considerable' significance to the local area (Category 1 or 2) are worthy of built heritage conservation and should in all cases be included in the Heritage List.
- f) The Shire's opinion as to whether places designated as having 'some/moderate' significance (Category 3) are worthy of built heritage conservation will be formed in consultation with the property owner as required.
- g) Places designated as having little significance to the local area (Category 4) are not considered to be worthy of built heritage conservation and will not be included in the Heritage List.
- h) A place that is not individually considered to be worthy of built heritage conservation may still be included in a 'heritage area' adopted under the local planning scheme.

### **4.3 Changes to the Heritage List**

#### **4.3.1 Consultation**

- a) Consultation on changes to the Heritage List, including addition, variation or removal of any entry, will meet or exceed the minimum requirements of the local planning scheme.
- b) Consultation in relation to specific actions is identified in the relevant section of this policy.
- c) The Shire will give written notification of any changes to the Heritage List to the Heritage Council of Western Australia and the affected owner and occupier.

#### **4.3.2 Entry of a place in the Heritage List**

- a) The LHS prepared by the Shire will be used as the basis for establishing cultural heritage significance for each place. Accordingly, requests for the assessment of heritage values of a place shall be processed as a nomination for the LHS. The request should provide a sufficient description to enable accurate identification of the place, and give reasons why the nominee believes the place is of cultural heritage significance.
- b) If a place is adopted in the LHS by resolution of Council and its assigned level of significance meets the threshold for possible inclusion in the Heritage List as defined in Table 1, and the Shire considers that the place is worthy of conservation, the Shire will begin the consultation process to consider inclusion of the place in the Heritage List.
- c) An objection to the level of cultural heritage significance identified for a place should be accompanied by supporting material to clearly articulate any errors or omissions in the assessment documentation that may indicate why a different conclusion on the significance of the place should be reached.

#### 4.3.3 Modifying an entry in the Heritage List

- a) 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 form in Schedule 2 of this policy. The Shire will consider all requests for change, but is not obliged to make such a change.
- b) 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 immediately, but may be deferred for later consideration as part of a broader update.

#### 4.3.4 Removing an entry from the Heritage List

- a) Removal of a place from the Heritage List may be appropriate where the Shire considers that the cultural 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 and/or is no longer considered worthy of built heritage conservation. This may be the result of substantial demolition of, or damage to, a place, or presentation of new evidence about the place.
- b) A proposal to remove a place may be proposed by Council, or by the owner or occupier of a place. If proposed by an owner or occupier, the onus will be on them to demonstrate that the cultural heritage significance of the place and/or the extent to which it is considered worthy of built heritage conservation is below the threshold for inclusion in the Heritage List.
- c) In addition to consultation with owners and occupiers for each place for which removal is requested, consultation on such an action may be carried out by inviting comment:
  - i) from the general community through the Shire website
  - ii) from the local historical society
  - iii) as part of a community forum or workshop held for that purpose or
  - iv) in any other manner that may reasonably result in providing relevant information on the cultural heritage values of the place.
- d) The Shire's opinion as to the cultural heritage significance of a place will be determined by resolution of Council at a properly convened meeting.
- e) Substantial development, 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.
- f) The Shire will retain a record of all places removed from the Heritage List.

#### 4.3.5 Designation of significant interiors

- a) Development approval for works to the interior of a building is required where the place is designated in the Heritage List as having 'an interior with cultural heritage

significance’.

- b) The designation on the Heritage List 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. The entry will describe which interior elements or objects have been assessed as contributing to the cultural heritage significance of the place, and will therefore be considered when determining proposals relating to the place.
- c) Where access to assess the interior of a place has not been provided, but there is reliable evidence to support the existence of significant features (e.g. written reports, oral histories, earlier photographs, or other primary sources), the designation of ‘an interior with cultural heritage significance’ may also be made.
- d) Adding the designation of ‘an interior with cultural heritage significance’ constitutes a modification to the place’s entry in the Heritage List and must therefore follow the consultation process set out in this policy.

## 5. Strategic objective

The policy aligns to the following strategic objective:



### **Sustainable built environment**

Encompassing everything human-made, a sustainable built environment is one that will meet current needs while considering the needs of future generations.

## 6. Definitions

**Place number** - Unique reference number assigned by the Heritage Council.

**Place name** - Identifier based on primary use or other designation, as used in the Local Heritage Survey.

**Address** - Registered property address or other land information as determined by Landgate.

**Location** - Suburb, plus any additional information required to determine location.

**Significant interior** - Indicates whether place has been assessed as having an interior with cultural heritage significance. If ‘Y’, interior elements or objects must be described here.

**Statement of significance** - Reason(s) for inclusion in the Heritage List. Statement of significance as identified in the Local Heritage Survey, or a summary if extensive.

## 7. Legislation

- *Heritage Act 2018*
- *Planning and Development Act 2005*
- Planning and Development (Local Planning Schemes) Regulations 2015
- Shire of Harvey Local Planning Scheme No. 2.

Responsible officer	Director Sustainable Development		
Responsible team	Planning		
Responsible area	Planning Services		
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