
LOCAL PLANNING POLICY NO. 3

Heritage Places



Shire of Broomehill Town Planning Scheme No. 1

Shire of Tambellup Town Planning Scheme No. 2

1. POLICY PURPOSE

To provide guidance on the assessment of proposals for works affecting a heritage protected place contained in the Shire of Broomehill Tambellup Heritage List.

2. POLICY BASIS AND AIMS

This Policy has been prepared in accordance with Division 2, Part 2, Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

The Policy aims:

- To conserve and protect places of cultural heritage significance.
- To ensure that developments do not adversely impact the significance of heritage places.
- To ensure that heritage significance is given due weight in local planning decision making.
- To provide certainty to landowners and community about the planning processes for identification and protection of places identified in the Heritage List.
- Clarify the required accompanying material that may be required for development applications in accordance with clauses 63(1)(d) and 63(3), Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

3. APPLICATION

This Policy applies to all heritage protected places within the local government boundary of the Shire of Broomehill Tambellup that are contained in the Shire's adopted Heritage List.

This policy also applies to any works affecting a local heritage protected place on the Heritage List that requires development approval.

The Policy does not address Aboriginal Cultural Heritage.

4. USE OF TERMS

The terms used in this policy have common meanings and include those defined in the *Planning and Development Act 2005*, *Planning and Development (Local Planning Schemes) Regulations 2015*, and the *Heritage Act 2018*.

5. POLICY PROVISIONS

5.1 DEVELOPMENT CONTROL PRINCIPLES

In considering any planning applications in relation to a local heritage protected place, the Shire will apply and give due regard to the development control principles set out in this policy and *State Planning Policy 3.5 - Historic Heritage Conservation (SPP3.5)*.

5.2 HERITAGE LIST – LEVELS OF SIGNIFICANCE

The Heritage List is a statutory list of places, derived from the Local Heritage Survey, and identified by the Shire Council as worthy of conservation. Additional planning controls apply to places on the Heritage List.

The Shire of Broomehill Tambellup Heritage List only includes heritage protected places that are of Exceptional Significance (Category 1- State Register) and Considerable significance (Category 2).

The cultural heritage significance of a place will be taken from the relevant entry in the Heritage List, or other Heritage Assessment endorsed by Council.

The desired outcome for the level of significance of a place will be considered in the assessment of any development application as per Table 1 below.

LEVEL OF SIGNIFICANCE	DESCRIPTION	DESIRED OUTCOME
Exceptional significance HERITAGE LIST <u>Category 1 (LHS)</u>	Essential to the heritage of the locality Rare or outstanding example.	The place should be retained and conserved unless there is no feasible and prudent alternative to doing otherwise. Any alterations or extensions should reinforce the significance of the place and be in accordance with a Conservation Plan (if one exists).
Considerable significance HERITAGE LIST <u>Category 2 (LHS)</u>	Very important to the heritage of the locality. High degree of integrity/authenticity.	Conservation of the place is highly desirable. Any alterations or extensions should reinforce the significance of the place.

5.3 HERITAGE ASSESSMENTS AND HERITAGE IMPACT STATEMENTS

Heritage Assessments and Heritage Impact Statements are two different documents each with its own specific purpose:

- The purpose of a Heritage Assessment is to assess the cultural heritage significance of a place by examining the documentary and physical evidence, assessing the values of the place and defining a statement of significance.
 - The purpose of a Heritage Impact Statement is to consider the impact of a specific proposal (e.g. development) on the cultural heritage significance of a heritage protected place or area. If sufficient Heritage Assessment information is not available for the preparation of a Heritage Impact Statement, then this will also be required.
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Heritage Assessments and Heritage Impacts Statements shall be undertaken by a qualified heritage professional in accordance with state government guidelines.

5.4. ACCOMPANYING MATERIAL FOR DEVELOPMENT APPLICATIONS

5.4.1 Heritage Impact Statements

Where a Development Application proposes significant modification to a heritage protected place on the Heritage List, applicants are encouraged to submit a Heritage Impact Statement. A Heritage Impact Statement may be required for any development proposal with potential to have a moderate or significant impact on heritage significance or a heritage protected place.

A Heritage Impact Statement will be required where, in the opinion of the Chief Executive Officer, this is necessary to inform assessment of the development application.

Any Heritage Impact Statement shall be consistent with the guidelines produced by the Heritage Council of Western Australia.

Heritage Impact Statements will not usually be requested for the following types of development for places listed as Category 2 on the Heritage List:

- a) Small scale new structures which are not attached to the primary structure/building (such as outbuildings) and which are located out of the front setback area.
- b) Ancillary structures added to buildings (such as timber patios, sails, carports, pergolas) which are located out of the front setback area.
- c) Fixtures to buildings (such as antennae, aerials, air conditioning units, solar panels, signs), which do not face the street and where the installation would not involve any significant structural alteration to the building.
- d) Non-structural internal changes.
- e) Dividing fences.

5.4.2 Demolition Applications

A Heritage Assessment will be required for any development application proposing demolition of a heritage protected place contained on the Heritage List. The Heritage Assessment shall be at the proponents cost.

If structural failure is cited as a justification for the demolition of significant fabric, the Chief Executive Officer may require that a structural condition assessment by a registered structural engineer with relevant heritage experience be provided.

Demolition will not necessarily be approved if the local government forms the view that structural inadequacy is a result of the place not being properly maintained, as defined in clause 13(1) Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Demolition will not necessarily be approved based primarily on the grounds that redevelopment is a more attractive proposition.

5.5 Archival record

If the proposed demolition application of a place on the Heritage List is approved, a condition of approval may require the applicant to submit an archival record of the place, prior to the commencement of development.

An archival record may also be required as a condition of development for any proposed works that result in substantial alteration of a heritage protected place.

The archival record is to be in accordance with relevant guidelines published by the Heritage Council of Western Australia.

6.0. REQUESTS FOR CHANGES TO THE HERITAGE LIST

The Shire may include a new place on the Heritage List where it considers that it needs to be heritage protected based on a Heritage Assessment provided by a nominator or owner.

7.0 RECORD OF COUNCIL POLICY APPROVAL AND STATUTORY BASIS

Legislation	Description
Statutory Legislation	This Local Planning Policy has been prepared in accordance with Clause 3(1) Schedule 2, Part 2 of the 'Deemed Provisions' of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .
Adoption (initial)	This Local Planning Policy was adopted by the Council on 15 December 2023 for the purpose of conducting advertising to comply with Clause 4(1) Schedule 2, Part 2 of the 'Deemed Provisions' of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .
Adoption (final)	This Local Planning Policy was adopted by Council on the _____ for final approval in accordance with Clause 4(3)(b) Schedule 3, Part 2 of the 'Deemed Provisions' of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .
Version Control	Version 1.0 Draft
Scheduled Internal Review Date	12 months after operation.
