

Guide to

Developing Heritage Places



The Heritage Council of Western Australia is responsible for ensuring that the development of heritage places is in harmony with cultural values.

This brochure details steps to be taken when considering developing or making changes to places of cultural heritage significance.

“The inclusion of a place in the State Register of Heritage Places does not mean the place can not be changed. In fact, the Heritage Council supports practical changes and new compatible uses.”



Section One About Development

ROLE OF THE HERITAGE COUNCIL

The Heritage Council of Western Australia is the State Government's advisory body on heritage matters and is responsible for the State Register of Heritage Places. Under the *Heritage of Western Australia Act 1990* (the Heritage Act), places listed in the State Register are given legal protection.

If a place is included in the State Register, any changes or works that may affect that place are required to be referred to the Heritage Council for consideration prior to the works being undertaken. The Heritage Council acts as an advisory body to a determining authority such as a local government.

It is generally accepted that certain works may need to be undertaken to allow the place to continue to be used. These works may be required for reasons as diverse as weatherproofing a building, constructing a new addition or upgrading facilities to meet current standards of modern amenity.

The Heritage Council's role is to ensure that any proposed changes do not have an adverse impact on the values that contribute to the cultural heritage significance of the place.

ABOUT THE DEVELOPMENT COMMITTEE

When development proposals are referred to the Heritage Council for advice, they are considered by a subcommittee of the Heritage Council called the Development Committee.

The Development Committee has delegated authority from the Heritage Council to make decisions on development matters.

The Committee is made up of four Heritage Councillors as well as four Heritage Council staff (two are non-voting members), and two other appointed committee members with appropriate skills and expertise.

Its main functions include:

- Considering development matters referred to the Heritage Council, under Sections 11 and 78 of the Heritage Act.

- Developing strategies and providing advice to the Council and staff on the conservation process for matters put before it.
- Providing advice to the Council and staff on planning and other incentives to encourage heritage conservation.

Where a conservation plan provides clear guidance over a proposed development, the matter may be dealt with by Heritage Council staff.

CONSERVATION PRINCIPLES

The Heritage Council assesses development proposals in accordance with the principles of the Australia International Council on Monuments and Sites' (ICOMOS) *Burra Charter* and the requirements of the Heritage Act, with due regard to the identified significance of the place.

The *Burra Charter* is an internationally recognised guiding document that defines the basic principles and procedures to be followed in the conservation of heritage places. The *Burra Charter* is widely accepted and adopted as the standard for best practice in the heritage and conservation fields.

Copies of the *Burra Charter* can be purchased from the Heritage Council, or the ICOMOS website, www.icomos.org

Where a place is listed in the State Register, its cultural heritage significance is identified in the Heritage Council's assessment documentation. The assessment documentation includes a statement of significance that is used as the basis to assess the impact of development proposals on a heritage place.

Where a guiding document such as a conservation plan exists for a place, any recommendations relating to the conservation and development of the place are taken into account in the Heritage Council's assessment of a development proposal.

Section Two

Development Referral Process

The process of gaining Heritage Council approval to undertake works to a heritage building is called a development referral.

This section of the *Guide to Development* provides information on the type of works which require Heritage Council advice, what information is required in a development referral and how to submit a development referral.

Development is broadly defined in the Heritage Act as the development or use of any land, including:

- Any demolition, erection, construction, alteration of or addition to any building or structure on the land.
- The carrying out on the land of any excavation or other works.
- Any act or thing that is likely to change the character of the place or the external appearance of any building or would constitute an irreversible alteration of the fabric of any building.

(I) WORKS REQUIRING REFERRAL TO THE HERITAGE COUNCIL

Examples of the kind of works that must be referred to the Heritage Council include:

- alterations and additions
- construction of new buildings
- conservation and remedial works
- demolition
- relocation
- excavations
- re-roofing
- changes of exterior colour schemes
- signage
- interior works
- subdivision/amalgamation
- change of use.

(II) WORKS THAT CAN BE UNDERTAKEN WITHOUT HERITAGE COUNCIL APPROVAL

Normal maintenance can be undertaken without approval provided it does not affect the significant fabric of the place. Normal maintenance is defined in the *Burra Charter* as "the continuous protective care of the fabric, contents and setting of a place."

Some examples of maintenance not requiring referral to the Heritage Council include:

- Cleaning gutters and downpipes (as opposed to replacing deteriorated gutters and downpipes).
- Repainting previously painted surfaces in the same colour scheme.
- Refixing loose roof sheeting using "like for like" method of fixing (as opposed to replacing roof sheeting).

If you are considering works to a State Registered place and are unsure as to what constitutes general maintenance, it is recommended that you contact the Heritage Council for assistance in determining whether a development referral is required.

Busselton Jetty



(III) INFORMATION REQUIRED WHEN SUBMITTING A DEVELOPMENT REFERRAL

The type of information required when submitting a development referral will vary depending on the nature and extent of the proposed works. The information provided needs to be sufficient to enable an accurate assessment of the impact of the proposed works. For example, simple conservation works such as re-pointing a stone wall may require only a minimum amount of documentation to be provided, such as a brief mortar specification and photographic images showing the areas to be re-pointed.

The following guide indicates the type of information required:

PLACE NAME

Provide the place name and number (if known) and other particulars of the location and ownership of the place.

If unsure of the place number, you can search the Heritage Council's Places Database at www.heritage.wa.gov.au/quicksearch.html



Leederville Drill Hall



DRAWINGS

The types of drawings and amount of detail required will depend upon the complexity of the works to be undertaken; however, generally the following information is required:

- A site plan illustrating the existing situation including any existing buildings, structures or landscape features. For places in the State Register, the registered curtilage should be indicated on the site plan.
- Existing floor plans and elevations. If available, copies of the original floor plans and elevations should also be submitted.
- A demolition plan clearly identifying any buildings, structures or landscape elements affected by the proposal and any existing fabric to be removed.
- Measured site plan, floor plans, sections and elevations illustrating the proposed works. The extent of new construction or alterations should be hatched to clearly differentiate the new work from unaltered areas.

Drawings should be numbered, dated, titled and the author of the drawings should be identified.

At least one copy of the drawings is required to be at A3 size and where possible an electronic copy should be provided in pdf or dxf file format.

SPECIFICATIONS

If the proposal is at a detailed drawing stage a written specification should be submitted, particularly where it clarifies details of proposed finishes, colours, materials, style and form.

PHOTOGRAPHS

Where possible, provide photographs that record the setting, buildings or parts of a building, and/or landscape features that the proposed works will affect.

HERITAGE IMPACT STATEMENT

For larger and more complex development proposals, a statement should be submitted that identifies how the cultural heritage significance of the place will be affected by the proposed works or future use. The statement should be prepared by a heritage professional.

CONSERVATION PLAN

Where a conservation plan exists for the place, the proposed development should address the conservation policy and any urgent works identified. More information on conservation plans is detailed in the *Conservation Plan Study Brief* brochure available on the Heritage Council's website.

(IV) SUBMITTING A DEVELOPMENT REFERRAL TO THE HERITAGE COUNCIL

Proposed development is normally referred to the Heritage Council by the determining authority (usually the local government and/or the Western Australian Planning Commission) prior to issuing planning approval or a building licence.

No fee is required for the Heritage Council to consider a development referral.

Applicants are encouraged to discuss the proposed development with Heritage Council staff at the concept stage and prior to lodging a formal application with the determining authority.

Where a conservation plan exists for the place, the proposed development should address the conservation policy and any urgent works identified.



Cooper's Mill, North Yunderup



(V) ASSESSMENT OF DEVELOPMENT REFERRALS

When development of a heritage place is being considered, the following process takes effect:

- The applicant (being the owner, architect or other person) discusses the proposed development with the Heritage Council's Conservation Officers.
- Heritage Council Officers provide informal advice to the applicant and the proposal is modified and reviewed as necessary.
- Schematic drawings are prepared by the applicant and a development referral is submitted to the determining authority.
- The development referral is forwarded to the Heritage Council by the determining authority.
- A Conservation Officer undertakes an assessment of the impact of the proposed works in the context of the cultural heritage significance of the place. This assessment takes into account the values highlighted in the statement of significance for the place and the recommendations of any guiding documents (such as conservation plan).
- Development referrals for minor works are usually dealt with by Conservation Officers under delegated authority from the Development Committee.
- All other development referrals are considered by a sub-committee of the Heritage Council, called the Development Committee (see page two for more information).
- The Development Committee considers the development referral and provides advice to the referring party. The Development Committee's advice will include a decision as to whether the development referral is supported or not supported, and any information or conditions that may be applicable.
- The Development Committee forwards its advice to the determining authority.
- The determining authority considers the development referral with reference to the Heritage Council's advice. It then proceeds to issue (or refuse) planning approval. If the place is listed in the State Register, the determining authority's approval must be consistent with advice provided by the Heritage Council.
- Determining authorities will also refer the building licence application to the Heritage Council for advice to ensure consistency with any planning approval previously issued.

Figure 1 (see next page) outlines the process through which development referrals are assessed.

Wallpaper World, Northbridge





(VI) TIMEFRAME FOR ASSESSING DEVELOPMENT REFERRALS

Under the provisions of the Heritage Act, a response is required by the Heritage Council within 60 days from receipt of the development referral. However, as a general “rule of thumb”, and depending on the complexity of the referral, Heritage Council Officers endeavour to respond to all referrals within 30 days.

The Development Committee meets twice a month and issues requiring consideration by the Development Committee will be scheduled into the Committee’s next available agenda.

(VII) APPEALING THE DEVELOPMENT COMMITTEE’S DECISION

As the Heritage Council acts as an advisory body to the determining authority, any appeal must be lodged against the determining authority under the relevant planning legislation (usually the *Town Planning and Development Act 1928*). Appeals are currently managed through the Town Planning Appeals Tribunal.

STATE GOVERNMENT AGENCIES:

Where a State Government owned place is to be demolished, sold, transferred or leased outside of the State Government sector for more than ten years, the Government Heritage Property Disposal Process (GHPDP) applies.

This policy states that properties more than 60 years old, listed in a heritage list, or displaying other evidence of potential significance must be referred to the Heritage Council for consideration and advice regarding the Council’s requirements for the place. It is recommended that this process be implemented at least four months prior to the planned date of disposal. Further information on the process can be found on the Heritage Council’s website.

Midland Railway Workshops, Midland



Figure 1

Section Three

Information for Owners

Below are some commonly asked questions and answers.

WHAT CAN I/CAN'T I DO TO MY HERITAGE PLACE?

The Heritage Council recognises the rights of property owners to utilise and enjoy heritage places to their full potential. It is not the Heritage Council's aim to "freeze" heritage places in time - and nor is this desirable. Compatible development of and within heritage places is encouraged and is often the best way to ensure the place is used and enjoyed into the future.

Generally, changes to heritage places should not diminish, destroy or conceal significant elements of the place. Some basic principles to consider when developing heritage places are:

- Is the *new* work easily distinguishable from the *old*? New work is generally permissible if it complements the building's original scale, form and massing and the original fabric is easily identifiable. New work that mimics the original should be avoided.
- Are the alterations reversible? Changes that can be removed or reinstated are generally considered acceptable.
- Am I respecting all significant periods of construction of the place? Often places have been changed over time and certain sections of a place will vary in construction depending on when they were built. These changes are part of the historical development of the place and may contribute to its overall significance.

Some examples of successful development and adaptation of heritage places are available on the Heritage Council's website - www.heritage.wa.gov.au



Slab Cottage, Quindalup

CAN I UPGRADE MY BATHROOM/KITCHEN/LAUNDRY?

The Heritage Council is cognisant of owners' requirements for modern amenity. If you plan to live or work in a heritage place, it is reasonable to expect service areas such as the bathrooms and kitchen to be up to current standards and it is generally acceptable for contemporary fixtures to be introduced. These changes can be undertaken in a sensitive manner such that the heritage significance of the place is not diminished.

WHAT IF I WANT TO MAKE CHANGES TO A RECENT BUILDING LOCATED ON THE SAME SITE AS A HERITAGE BUILDING?

In most cases the Heritage Council registers the whole land title, not just the immediate area around the heritage building or structure, meaning that sometimes the registration will include buildings that do not necessarily contribute to the significance of the place. Changes to or removal of these buildings or structures of lesser significance has the potential to impact on the setting of a registered place therefore any proposed changes to them are still required to be referred to the Heritage Council.

CAN I STILL SUBDIVIDE MY BLOCK?

The inclusion of a place in the State Register does not necessarily preclude you from subdividing the land on which the property sits. Applications for subdivision are assessed in the context of how future development of the subdivided land is likely to affect the identified significance of the place.

It should be noted that subdivision applications are also subject to relevant town planning legislation.

CAN I CHANGE THE INTERNAL LAYOUT OF MY HERITAGE PLACE?

Often the significance and charm of a place lies in the evidence of its original use and sometimes the original layout of a place assists in illustrating this part of the place's history.

The Heritage Council generally accepts that internal alterations may be required to suit a current and compatible use for a place. Where possible these changes need to be managed to allow evidence of the original layout to be read (for example by the retention of wall "nibs" to retain evidence of the location of a former wall).

Changes that are largely reversible are generally considered acceptable.

CAN I RELOCATE MY HERITAGE BUILDING (INCLUDING GARAGES AND OTHER STRUCTURES)?

The original location of a building is an integral part of its history and significance. For this reason relocation of buildings is not generally considered acceptable unless it is the sole means of ensuring a building's survival.

Some structures such as mining offices and school rooms were constructed as transportable buildings and in some cases, their relocation may continue to be acceptable depending on the context of any proposed new location.

For more information on relocating heritage buildings refer to the *Relocating Buildings* brochure available on the Heritage Council's website.

IS THE GARDEN OF MY HERITAGE PLACE SUBJECT TO THE SAME CONTROLS AS THE BUILDINGS?

The answer to this question will differ for individual places and depends on the assessment of the site's significance. Sometimes the landscape elements of a place form part of its significance and proposed alterations to the layout or nature of the plantings or hard landscape treatments may require referral to the Heritage Council.

If you are unsure whether works to your garden require a development referral, contact the Heritage Council on 9221 4177.

HOW DO I RESOLVE ANY REQUIREMENTS FOR UNIVERSAL ACCESS?

There is a general expectation that publicly accessible buildings must accommodate access for all people. In heritage buildings this can appear difficult to achieve when faced with common building traits such as narrow doorways, steep staircases and changes in floor levels. Access in heritage buildings is a specialised area of expertise and there are a number of consultants with experience in this field that can assist in achieving the joint objectives of heritage conservation and universal access. Guidelines are also available.

In some cases, waivers of certain building codes and other requirements may be considered to enable the retention of particular elements of significance in heritage buildings. Early consultation with the relevant universal access authority such as the Disability Services Commission is recommended. Contact the Disability Services Commission on (08) 9426 9200 or visit their website, www.dsc.wa.gov.au



Old Swan Brewery Precinct, Crawley





Maltings Plant (fmr), Perth

WHAT IF MY PLACE IS INCLUDED IN A LOCAL GOVERNMENT MUNICIPAL INVENTORY?

A Municipal Inventory is a list of places that in the opinion of the local government are, or may become, of cultural heritage significance. Places can be included in a Municipal Inventory without being included in the State Register.

Local governments may also refer development proposals for places not included in the State Register but included in a Municipal Inventory, to the Heritage Council for consideration. In these cases, the Heritage Council's response is provided as advice only and is not binding.

WHO IS AVAILABLE TO ASSIST ME WITH CONSERVATION AND DEVELOPMENT ADVICE?

Heritage Council officers can provide advice on general matters. For more complex development proposals or where specific conservation issues are apparent it is strongly recommended that you seek the advice of a heritage professional as early as possible in the development process.

The Heritage Council maintains a Directory of Consultants that includes contact details for heritage professionals with specific expertise in the conservation and development of heritage places.

The Heritage Council also has a variety of general and technical publications available to answer common queries about heritage buildings and the conservation of those buildings.

A regional advisory service is also available in the MidWest, Goldfields, South West, Great Southern, Wheatbelt and Peel regions to assist people involved with the conservation and development of heritage places.

For more information on any of these services please contact the Heritage Council.



The Heritage Council also has a variety of general and technical publications available to answer common queries about heritage buildings and the conservation of those buildings.



*Cottage prior to renovations
(Picture courtesy Ronald Bodycoat)*



Renovated cottage

The Heritage Council's role is to ensure that any proposed changes do not have an adverse impact on the values that contribute to the cultural heritage significance of the place.

Development Achievement

ABERDEEN STREET COTTAGES, NORTHBRIDGE

The Northbridge Urban Renewal Project, overseen by the East Perth Redevelopment Authority, provided the impetus for the conservation and restoration of three cottages in Aberdeen Street, Northbridge.

The cottages are recognised as having a high degree of heritage significance and are included in the State Register of Heritage Places. They are also classified by the National Trust and included in the Register of The National Estate and the City of Perth's Municipal Heritage Inventory.

The cottages were constructed in the 1860s with extensions in the 1890s and are rare surviving examples of early housing in the Northbridge area. At the time of their restoration, the cottages had been unoccupied for around eight years and were in a dilapidated state - the roofs were damaged, they had been used as squats, were badly vandalised and rising damp was seriously affecting the plaster and brickwork.

The East Perth Redevelopment Authority commissioned a conservation plan for the cottages and significant conservation works were undertaken in accordance with this plan. Modern amenities were sensitively introduced to update the cottages to a contemporary standard of accommodation while retaining the cultural heritage significance of the cottages.

The much-admired cottages have now been sold into private ownership. Their successful conservation and compatible adaptive reuse has ensured these places' survival into the future as an important part of Perth's social fabric.





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