

## FAQs – Local Heritage Survey, Heritage Areas and Local Planning Policy – Heritage and Character

### What is a Heritage Area?

A heritage area refers to a designated area that has been considered to have significant cultural heritage and character value to the Town. A heritage area provides special planning controls to conserve and enhance the significant value the properties have on the area.

Part 3 – Heritage Protection of the [Planning and Development \(Local Planning Schemes\) Regulations 2015](#) provides for the identification of places and areas of heritage value so that development in the area can, as far as possible, be consistent with the conservation of heritage values.

### What are the proposed Heritage Areas?

Three heritage areas are being proposed:

- Old Perth Road Heritage Area;
- Devon Road Heritage Area; and
- Kenny Street Heritage Area.

These areas are considered appropriate for designation given the greater amount of heritage buildings within these areas, and the significance of the places.

### How were the Heritage Areas chosen?

The heritage areas were chosen haven regard to the [Built Form and Character study](#), which catalogues the characteristics of buildings and places that are most valued and should be reflected in future development, and the [Municipal Heritage Inventory](#).

The Building Form and Character study included an analysis of historical development patterns and site visits to identity potential character areas. The proposed heritage areas were considered to have significant cultural and heritage value, with a number of sites in close proximity to one another. As such, these areas were deemed appropriate for a heritage area.

### What is a Local Heritage Survey?

The *Heritage Act 2018* requires each local government to identify places of cultural heritage significance in a Local Heritage Survey (LHS – formally Municipal Heritage Inventory), which are used to identify and record places that are, or that might become, of cultural heritage significance.

The LHS assists the Town in making decisions that reflect local heritage values, and supports the creation of a heritage list or heritage areas, which identify places to be protected under the local planning scheme.

The Town's LHS was last reviewed in 2017. The Heritage Council's '[Guidelines for Local Heritage Surveys](#)' recommend periodic reviews of the LHS every 5-8 years for local governments undertaking a major review of a local planning strategy (which is currently occurring). As such, the LHS is currently being reviewed.

Places entered in the LHS generally do not have legal protection unless they are also listed in the Town's Heritage List under Local Planning Scheme No. 10, have been separately entered in the State Register of Heritage Places or are within a heritage area.

### **Can a place be listed in the Local Heritage Survey without the owner's consent?**

Any member of the community can nominate a site to be included in the LHS. Justification must be provided with each nomination, and the Town would notify any landowner of the nomination. Council will consider the place for inclusion when considering the LHS for adoption having regard to any submissions received.

### **What is a Heritage List?**

A Heritage List is a list of places compiled under the Town's Local Planning Scheme No. 10 for which development approval will be required for all demolition, alterations or other development affecting the cultural heritage significance of the place.

Heritage Lists must be compiled with regard to the LHS, but do not necessarily include all places in the LHS.

The current Heritage List is available [here](#).

In considering the draft LHS, Council will also be required to consider whether places should be included in the Heritage List. Generally, category 1 and 2 places are included in the Heritage List.

### **What are Management Categories?**

The *Guidelines for Local Heritage Surveys* provide four management categories which determine a places level of heritage significance as follows:

<b>Management Category</b>	<b>Level of Significance</b>	<b>Description</b>	<b>Desired Outcome</b>
1	Exceptional Significance	Essential to the heritage of the locality. Rare or outstanding example. Recommended for inclusion on the State Register of Heritage Places.	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 for the place)
2	Considerable Significance	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.
3	Some/Moderate Significance	Contributes to the heritage of the locality. Has some altered or modified elements, not necessarily detracting from the overall significance of the item.	Conservation of the place is desirable. Any alterations or extensions should reinforce the significance of the place, and original fabric should be retained wherever feasible.

4	Little significance or Historic Site	Contributes to the understanding of the history of the Town of Bassendean.	Photographically record prior to major development or demolition. Recognise and interpret the site if possible.
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### **Can I change the category of my listed property?**

You have the opportunity to recommend the change of category of your property. Recommendations for change of category must be accompanied by a justification. This can be made in writing and submitted via email to [mail@bassendean.wa.gov.au](mailto:mail@bassendean.wa.gov.au).

### **What about the State Register of Heritage Places?**

Typically, category 1 places are recommended for inclusion in the [State Register of Heritage Places](#). The State Register is the highest recognition of heritage value afforded. The State Register is under the control of the Heritage Council of Western Australia. Any development, demolition or changes to a State Registered place need to be referred to the State Heritage Council for advice prior to determination.

### **What is the draft Local Planning Policy?**

The *Planning and Development (Local Planning Schemes) Regulations 2015* require a local planning policy be created to accompany heritage areas.

If the local government designates an area as a heritage area, the local government must adopt for the area a local planning policy that sets out the following:

- a map showing the boundaries of the heritage area;
- a statement about the heritage significance of the area; and
- a record of places of heritage significance in the heritage area.

The provisions contained within the draft policy seek to conserve places and areas of heritage and character significance by including design requirements, parameters for demolition, the ability to vary the requirements of State Planning Policy 7.3 – Residential Design Codes to enable the retention of heritage places, and ensuring new development generally matches the heritage place.

### **Does this policy apply to my property?**

If your property is listed on the Heritage List, LHS or located within one of the identified heritage areas, this policy will apply.

### **Can I still demolish?**

Development approval is not required for the demolition of any dwelling that does not form part of the Heritage List. Category 3 and 4 places will not require a development approval to demolish.

Where approval is required for any demolition of a property within a heritage area, the application will be assessed by considerations outlined within the policy. The policy also states considerations that will be made for partial demolitions.

### **Can I still subdivide?**

Whilst the Western Australian Planning Commission determines all applications for subdivisions, when requested to comment on a proposal, the Town will only support

subdivisions where new lots are created behind the existing heritage or character dwelling. Where a property is on the Heritage List, the Town will also have consideration to the impact the new lot/development would have on the heritage place.

### **Do I need to apply for development approval for additions or other works?**

If your property is located within a heritage area or on the heritage list, you are required to obtain development application for all proposed development.

This includes proposals that would otherwise be exempt under the *Planning and Development (Local Planning Schemes) Regulations 2015*, such as minor additions and outbuildings.

### **What happens after I put in a submission?**

The Town will review all submissions in relation to the draft LHS, heritage areas and local planning policy. Submissions will be collated and provided to Council to consider when determining the proposal.

If you lodge a submission, the Town will notify you of the details of the meeting where Council will consider proposal. Similarly, all landowners the subject of a proposed category change within the LHS will be notified.

Council can resolve to either adopt the proposals as is, adopt the proposals with modifications or not proceed with the proposals.