



# **TOWN PLANNING SCHEME POLICY NO. 45: PLANNING APPLICATION PROCESS FOR HERITAGE PLACES**

Adopted on the **12 November 2013** in accordance with

12 November 2013 - Attachment 8.1.1

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## Clause 8.2 of Town Planning Scheme No. 3.

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### Document Control

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10 September 2013 (Item 8.1.2) – Resolution No. 030913  
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As required  
Director of Planning & Sustainability  
PLN.70.K

## 1. INTRODUCTION

The Shire of Denmark's Municipal Heritage Inventory (2011) provides a list of places which the community recognises as having cultural heritage significance – noting such significance may be the aesthetic, historic, scientific or social significance that the place may have for present and future generations.

Part VII – Places of Heritage Value within Town Planning Scheme No. 3 (TPS No. 3) details:

- places of heritage value (as per Appendix VII - Schedule of Places of Heritage Value);
- development approval requirements;
- the requirement for public notification of a proposal to occur prior to an application being determined; and
- restoration, acquisition and compensation provisions pertaining to places of heritage value.

In relation to Appendix VII – Schedule of Places of Heritage Value, this currently contains 61 places – being those places listed in the Shire of Denmark's 1999 Municipal Heritage Inventory (which is superseded by the adoption of the 2011 Municipal Heritage Inventory).

In considering planning applications for places of heritage value, as per Clause 7.3 Public Notice of TPS No. 3 public notification of the proposal is required prior to an application being determined. In this regard Planning Services have regard to the provisions of Clause 6.4 Public Notice of TPS No. 3 and undertake one or more of the following:

- Newspaper advertisement inviting public comment for a minimum period of 21 days;
- Letters to adjoining and/or nearby landowners inviting comment for a minimum period of 21 days;
- Referral of the proposal to the Denmark Historical Society and/or the State Heritage Office (dependent on listing type) for comment.

In relation to the Shire of Denmark's Municipal Heritage Inventory (2011), which contains 123 listings and 20 listings on the review list, Planning Services review the category listing in the Municipal Heritage Inventory and then determine whether the proposal should be the subject of public notification – noting that at the very least the proposal is generally referred to the Denmark Historical Society for comment.

For the purposes of consistency, transparency, accountability and efficiency, this policy seeks to provide guidance to applicants, the community and Planning Services staff as to the assessment process in relation to places of heritage value.

## 2. POLICY BASIS

Clause 8.2 of the Scheme provides for the preparation and subsequent adoption of Town Planning Scheme Policies. Town Planning Scheme Policy No. 45: Planning Application Process for Heritage Places (Policy No. 45) has been prepared in accordance with the Scheme.

## 3. OBJECTIVES

To provide guidance to land owners, applicants, the community and Planning Services staff in relation to the assessment process of planning applications for heritage places such that heritage significance is given due weight in the planning application decision making process.

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## 4. DEFINITIONS

- Heritage Place(s): *includes:*
- a) *A place that is listed in the Shire of Denmark's Municipal Heritage Inventory (2011);*
  - b) *A place that is included on the Review List included in the Shire of Denmark's Municipal Heritage Inventory (2011);*
  - c) *A place that is listed in Appendix VII – Schedule of Places of Heritage Value in the Shire of Denmark's Town Planning Scheme No. 3; and/or*
  - d) *Any other place considered to have cultural heritage significance in accordance with the Heritage of Western Australia Act 1990.*

## 5. POLICY STATEMENT CRITERIA

### 5.1 Public Notification

Every planning application pertaining to a heritage place shall be referred to the Denmark Historical Society and/or the State Heritage Office (dependent on listing type) for comment.

In addition to the above, the proposal may, at the discretion of the Director of Planning & Sustainability having regard to the nature of the proposal and the significance of the place, be the subject of:

- A newspaper advertisement inviting public comment for a minimum period of 21 days; and/or
- Letters to adjoining and/or nearby landowners inviting comment for a minimum period of 21 days.

### 5.2 Planning Approval Conditions

Having regard to the nature of the proposal and its impact on the significance of the place, Planning Services may impose the following condition on a planning approval:

*“Prior to a Building Permit/Demolition Permit being granted by the Shire of Denmark (Building Services) pertaining to the existing building on-site, a photographic archival record of the exterior and interior of the building to be compiled and submitted to the Shire of Denmark (Planning Services) such that the local heritage values of the site are captured/preserved (Advice Note: it is strongly recommended that when compiling the photographic archival record that consideration be given to extending an invitation to the Denmark Historical Society to attend the premises and provide advice/assistance in relation to the preparation of such photographic archival record).*

*Specifically in relation to the photographic archival record, the following information is relevant/required:*

- a) *Base site plan showing the location of the building in relation to its land boundaries, with such base plan cross-referencing the location(s) where photographs of the exterior of the building were taken from;*
- b) *Floor plan of the premises, with such floor plan cross-referencing the location(s) where photographs of the interior of the building were taken from;*
- c) *Photos to be in colour, of a high quality, and show the current state of the place;*
- d) *Each photo to be clearly labelled with a description of what is depicted in the photograph and the date it was taken.”*

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