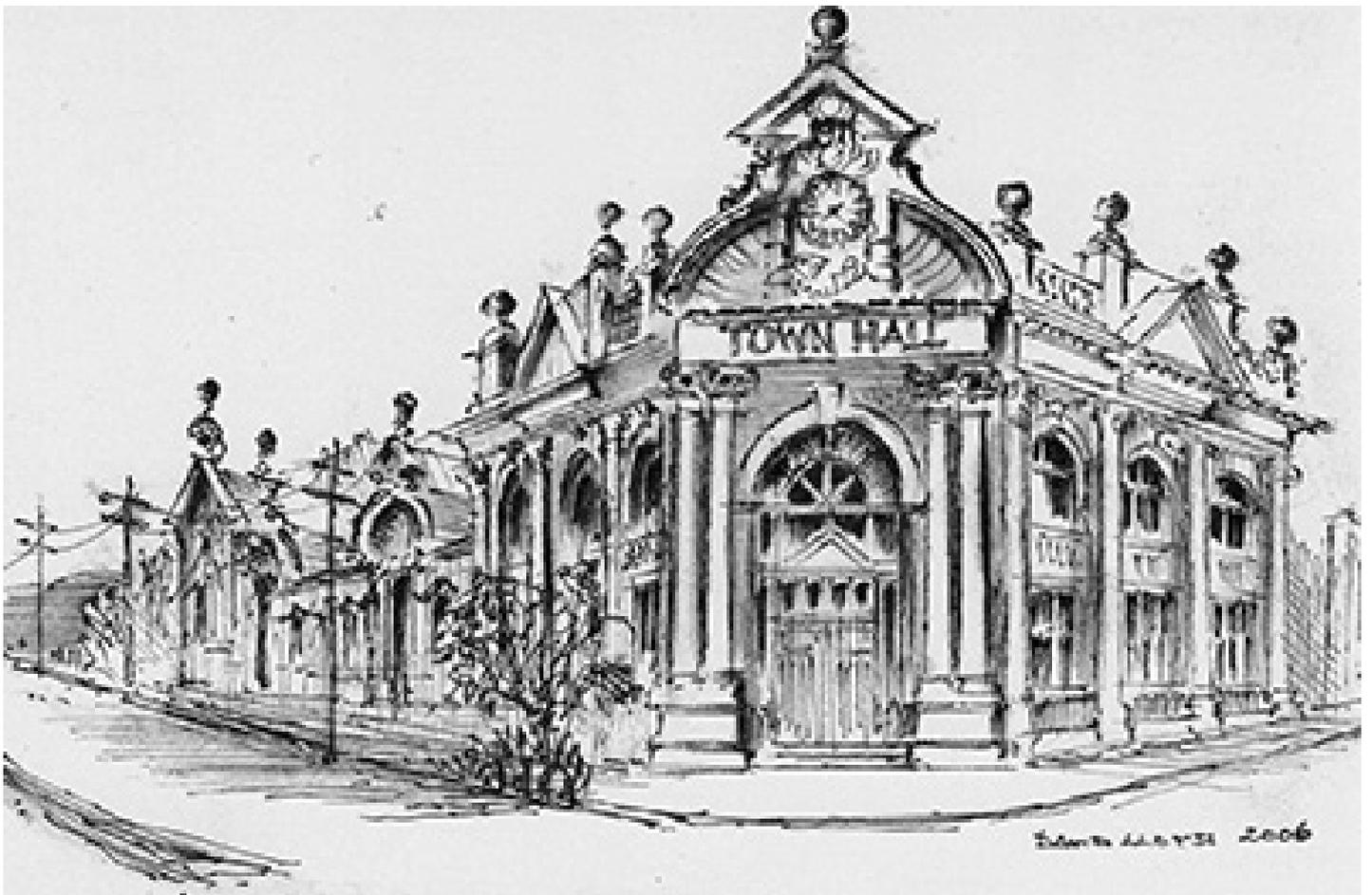




MUNICIPAL HERITAGE INVENTORY

&

HERITAGE LIST REVIEW



Information Sheet & Frequently Asked
Questions

Municipal Heritage Inventory & Heritage List Review

The Shire of York's Municipal Heritage Inventory (MHI) is a list of places that, in the opinion of the local authority, are or may become culturally heritage significant. All local authorities in Western Australia are required under Section 45 of the Heritage of Western Australia Act 1990 (Heritage Act) to prepare a MHI and review and update the document on a regular basis.

An MHI:

- Provides a cultural and historic record of the local district;
- Provides information about local heritage required under the local planning scheme;
- Can guide heritage conservation policies;
- Guides heritage conservation objectives.

The Shire of York's current Municipal Heritage Inventory was adopted at Ordinary Council Meeting 22 September 2008, recognising 145 places or buildings of local cultural heritage significance (including two heritage areas). This replaced the Shire of York's previous Municipal Heritage Inventory dated March 1995.

Places which are considered as having cultural heritage significance and worthy of built heritage conservation can be included on a Heritage List, adopted under a local planning scheme, which can provide statutory controls for development on buildings or places on the heritage list. The Heritage List is compiled giving regard to the MHI.

The Shire of York's Town Planning Scheme No. 2, in clause 5.1.2.2, specifies that the Heritage List means the Municipal Inventory, as amended from time to time, prepared by the local government pursuant to Section 45 of the *Heritage of Western Australia Act 1990* (as amended), or such parts thereof described in the heritage list.

The Heritage List is the Municipal Heritage Inventory and is listed in the Shire of York Local Planning Policy No. 3 Heritage Precincts and Places as **Appendix A**. The policy provides four categories listing places as having either exceptional significance (category 1A), considerable significance (category 1B/2), some/moderate significance (category 3) and little significance (category 4). All categories are on the Heritage List, although it does provide that category 4, places of little significance do not fulfil the criteria for entry in the local Heritage List.

The draft Local Planning Scheme No. 3 recently adopted by Council for public advertising proposes to delete clause 5.1.2.2 and in accordance with the *Planning and Development (Local Planning Schemes) 2015* it is considered necessary for clarity that the local government adopt a heritage list, which is separate to the MHI. As part of this process, it is appropriate to review the current categories assigned to places, whether there is new information or places that may be worthy of inclusion and review what categories should be retained within the heritage list (thereby giving statutory basis for development controls that may be required for built heritage conservation). A review is also warranted given that it has been well over four years since the date of adoption of the MHI. The review will also:

- Seek information to identify changes in the local heritage in the preceding period such as demolition of places, changes in condition, or the availability of other new information; and

- Ensure that the existing inventory meets the minimum standards, and to bring findings into line with the standards if deficient.

What will the review process involve?

Council, at the 25 June 2018 Ordinary Council Meeting adopted a Consultation and Engagement Plan to guide the process of the MHI/Heritage List review. The review will be undertaken in 3 main stages:

1. Preliminary consultation & seeking of Information to inform review

Public and Stakeholder consultation will be undertaken seeking new information to be submitted to identify changes to existing places or new information to better inform the MHI. Nominations for new places with cultural heritage significance will also be sought. The initial period of public consultation will be for a period of 42 days.

2. Draft Municipal Heritage Inventory and Heritage List

Information and/or nominations from stage 1 consultation will inform the review. A draft Municipal Heritage Inventory and Heritage List (and any other associated draft documents required to be amended, such as Local Planning Policy No. 3 Heritage Precincts and Places) will be presented to Council to consider and adopt for the purposes of public advertising. Once adopted by Council the documents will be publicly advertised for a period of 42 days inviting submissions to be made.

3. Final Adoption by Council and Notification.

The draft MHI, Heritage List and submissions received will be presented to Council for further consideration and adoption. Once adopted by Council, the documents have effect as the Municipal Heritage Inventory and Heritage List.

How do I know if my property is listed on the MHI/Heritage List?

A copy of the current MHI is available on the Shire of York's website and at the Shire Offices. Data from the Shire's MHI and heritage listings of a property is also available via searching the database on the State Heritage Office's website (www.inherit.stateheritage.wa.gov.au/public).

Why is Cultural Heritage Significance Important?

Places having cultural heritage significance are important to the community as tangible expressions of their history and identity. They include a diverse range of places (such as buildings, groups of buildings or precincts, structures, landscapes, cemeteries or archaeological and historical sites) that can both individually and collectively tell use about the past that has helped to form the local and broader community.

Typically, they relate to places that have been developed or significantly modified by human activity but may also include natural landscapes or features where these have been associated with

significant historical activities or events (such as local picnic sites, water holes and temporary settlements, etc).

Heritage matters as it represents the kind of community we live in; what it was in the past; what is distinctive about the area and its people; and because it gives the community a sense of identity.

How is a place identified as having cultural heritage significance?

Cultural heritage significance is assessed on the aesthetic, historic, social and scientific values of a place. The rarity, representativeness, condition, integrity and authenticity of a place is also considered. The Heritage Council of Western Australia has developed criteria which will be used by the Shire in the review to assess the heritage significance of places at a local level.

Places with cultural heritage significance are generally assigned a Level of Significance based on their contribution to the heritage of the locality. The current MHI assigns a level of significance to each place having regard to the following:

What types of Heritage Listing and Protection applies to places?

Whilst the MHI provides important recognition and provides documentary evidence of individual places to the local community, these heritage values do not have any statutory protection unless the places are included in a statutory 'Local Heritage List' or within a 'Heritage Area' adopted under the operative local planning scheme and/or listed in the State Register of Heritage Places.

Heritage identification also occurs at the national and state levels using similar criteria. The Commonwealth Government lists places as having outstanding significance to Australia under the 'National Heritage List'. The Western Australia State Government lists places having state significance under the Heritage Council of Western Australia's 'State Register of Heritage Places'. Other heritage lists, such as the classification system used by the National Trust, also provide community recognition of heritage value.

The Shire's current Heritage List, in accordance with clause 5.1.2.2 of the Shire of York Town Planning Scheme No. 2 is the Municipal Heritage Inventory and is listed in the Shire of York Local Planning Policy No. 3 Heritage Precincts and Places as **Appendix A**. There are currently 145 places listed on the Heritage List. The draft Local Planning Scheme No. 3 adopted by Council for the purposes of public advertising will delete Clause 5.1.2.2, and a heritage list and separate MHI is anticipated to be adopted. Places remaining on the Heritage List will be places considered worthy of conservation and protection under the Scheme, and in most instances will require a development application to be submitted and approved prior to 'development' commencing.

What is a heritage area?

Heritage areas are a collection of places with shared cultural heritage significance. The Shire of York has two heritage areas; Central York Precinct and Blandstown Heritage Precinct. Declaring a heritage area provides some protection to the character and streetscape of that area – focused on its heritage values and significance. For example development proposals for places in heritage areas are assessed on the standard planning requirements and their impact on the heritage significance, streetscape and character of the area. Local Planning Policies then provide development provisions

to guide development in a manner which will be compatible and sympathetic with the cultural heritage significance of the area.

Will listing on the MHI or Heritage List affect my ownership?

Inclusion in the MHI or Heritage List does not affect ownership and/or permit public access to a property. A recognised place remains the property of the landowner/manager and normal access arrangements remain in place.

Can a property be nominated for inclusion in the MHI?

Yes, the Shire is currently undertaking public consultation inviting for nominations to be made. Anyone can nominate a place for inclusion on the MHI. Submission of supporting information on the history of a place will assist the Shire in evaluating a place's cultural heritage significance.

Does listing in the MHI impact on what I can do with my property?

Listing in the MHI does not affect what you can do with your property as it is not a statutory listing – it is a document that lists the local heritage value of places and sites within the Shire of York.

Places which are worthy of conservation and protection (generally informed by the level of significance) may be listed on the Heritage List pursuant to a local planning scheme.

Development on a property on the Heritage List or within a Heritage Precinct in most instances will require a development application to be submitted and approved prior to works commencing. Applications will be considered giving due regard to any local planning policies, the level of significance of a place and impact of development on heritage values of that property. State Planning Policy 3.5 is also given due regard which sets the following criteria for development:

- To conserve places and areas of historic heritage significance.
- To ensure that development does not adversely affect the significance of heritage places and areas.
- To ensure that heritage significance at both the State and local levels is given due weight in planning decision-making.
- To provide improved certainty to landowners and the community about the planning processes for heritage identification, conservation and protection.

There are specific provisions in the *Planning and Development (Local Planning Schemes) Regulations 2015*, which provide the local government with the ability to vary any site or development requirement in a Scheme to facilitate the built conservation of a place entered in the Register of Heritage Places under the Heritage of Western Australia or listed in the Heritage List or enhance or preserve heritage values in a heritage area. Subdivision incentives may also be available to properties on the Heritage List (dependent on zoning) which will enable conservation of the place.

Please note that at the current time, the Shire of York's MHI is the Heritage List as listed in Local Planning Policy No. 3 Appendix A. The review will identify places appropriate for listing on the MHI and Heritage list as separate documents (noting that a heritage list is informed and gives regard to the MHI).

What assistance is available for owners of heritage places?

At the current time, the Shire has no financial incentives offered to property owners, although does engage a heritage advisor who is able to provide advice to property owners on the MHI and Heritage List who require conservation and development advice.

For the Heritage Council of WA grants and other assistance please see:

- State Heritage Grants Program (<http://www.stateheritage.wa.gov.au/conservation-and-development/grants-incentives/heritage-grants-program>)
- Other grants and incentives (<http://www.stateheritage.wa.gov.au/conservation-and-development/grants-incentives>)

Can I object if my property is nominated for the Municipal Heritage Inventory or Heritage List?

Yes, there are two opportunities for submissions to be made during the review process. Stage 1 is seeking additional information on places to inform the review, and stage 2 will involve the draft MHI and Heritage List being publicly advertised for comment.

Submissions should be based on the cultural heritage significance of a place and factors which contribute to this.

Are indigenous sites included on the MHI?

Indigenous sites are protected under the Aboriginal Heritage Act 1972. However, if a place has multiple layers of history including local cultural significance then it may be included on the MHI.

Further Queries:

All queries regarding the MHI/Heritage List review should be directed to Carly Rundle, Senior Planner on 9641 0510 or email planning@york.wa.gov.au.

Nomination forms can be obtained on the Shire's website.

Additional Information regarding Municipal Heritage Inventories and Heritage Lists can also be found on the State Heritage Office's website (www.stateheritage.wa.gov.au).