

# Heritage Places Policy

## Purpose

The purpose of this policy is to outline information, requirements and guidance in relation to entering, modifying or removing a place from the City of Bayswater Heritage List and/or Local Heritage Survey.

## Objectives

The objectives of this policy are:

1. To identify and recognise the importance of heritage places in the City of Bayswater to ensure an increased level of conservation and care.
2. To ensure that the processing and assessment of heritage places is fair, accountable, consistent and comparable.
3. To ensure that the City of Bayswater fulfils its statutory obligations under the *Heritage Act 2018* and the *Planning and Development (Local Planning Schemes) Regulations 2015* in relation to heritage matters.

## Introduction

The City of Bayswater has a number of places that hold special aesthetic, social and cultural value to the community. Inclusion of these places on the City of Bayswater Heritage List and/or Local Heritage Survey acknowledges their value and can also provide them with a level of statutory protection to better ensure their ongoing conservation and care.

## Scope

This policy applies to existing or potential places that could be included or remove from the City of Bayswater Heritage List and/or Local Heritage Survey.

## Requirements

Applications to enter, modify or remove a place from the City of Bayswater Heritage List and/or Local Heritage Survey are to be made in accordance with the City's Heritage Place Guidelines.

## Related legislation

This policy is adopted under all Local Planning Schemes in force within the City of Bayswater, in accordance with Schedule 2, Part 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Schedule 2, Part 3 of the Regulations sets out the requirements in relation to Heritage Lists.

Part 8 of the *Heritage Act 2018* sets out the requirements in relation to Local Heritage Surveys.

Relevant Delegations	TP-D01
Council Adoption	27 July 2021

# Heritage Places Guidelines

61 Broun Avenue, Morley WA 6062 | P: 9272 0622 | F: 9272 0665 | mail@bayswater.wa.gov.au | www.bayswater.wa.gov.au

## Introduction

These guidelines provide guidance for people wanting to enter, modify or remove a place from the City of Bayswater Heritage List and/or Local Heritage Survey (LHS).

## Applicants

1. The heritage place application form is required to be filled out and signed.
2. Only landowner(s) can apply to enter, modify or remove a place listed in the City's Heritage List and/or Local Heritage Survey on their own property, subject to the following:
  - (a) All landowner(s) are required to consent to the application; and
  - (b) Any applicable strata body or similar is required to consent to the application.
3. The applicant is to advise if the place is occupied by anyone other than a landowner(s) to enable advertising to occupants; and
4. Applicants are advised to familiarise themselves with the implications of having a heritage place before applying.

## Heritage Place Assessments

1. All applications to enter, modify or remove a place from the Heritage List and/or Local Heritage Survey are to be accompanied by a Heritage Assessment.
2. It is advised, but not compulsory, for applicants to engage a suitably qualified Heritage Consultant or similar to prepare a Heritage Assessment. Costs associated with the Heritage Assessment are to be borne by the applicant.
3. A Heritage Assessment accompanying an application is to include different information depending on the type of application, as detailed in the below table:

	Type of Application		
	Entering a new Place	Modifying an existing Place	Removing an existing Place
<b>Place Record</b>	Information required to be included in a new place record as detailed in the State Heritage Office's document <i>Criteria for the Assessment of Local Heritage Places and Areas</i> .	Proposed changes to the information detailed in the existing (updated) place record.	Not applicable
<b>Heritage Assessment Against the Criteria</b>	Justification that the place satisfies the Heritage Assessment Criteria, detailed in these guidelines.	Not applicable	Justification that the place does not satisfy the Heritage Assessment Criteria, detailed in these guidelines.

<b>Management Category</b>	Justification about what level of significance the heritage place should be allocated with regard to the Management Category information, detailed in these guidelines.	If applicable, justification that the level(s) of significance has changed with regard to the Management Category information, detailed in these guidelines.	NA
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## Heritage Place Assessment Criteria

1. To be considered worthy of entry on the Heritage List and/or Local Heritage Survey, a place must satisfy at least one of the following criteria.
2. To be considered worthy of removal from the Heritage List and/or Local Heritage Survey, a place must demonstrate that it does not satisfy any of the following criteria.
3. In relation to modifying a place on the Heritage List and/or Local Heritage Survey, the City may request demonstration as to why it should be modified with reference to the following criteria.

The criteria included in this section is consistent with the State Heritage criteria.

### Criteria 1 - Aesthetic Value - *It is significant in exhibiting particular aesthetic characteristics.*

A place included under this criteria will have characteristics of scale, composition, materials, texture and colour that are considered to have value for the local district. This may encompass:

- Creative or design excellence.
- The contribution of a place to the quality of its setting.
- Landmark quality.
- A contribution to important vistas.

A place will not necessarily need to conform to prevailing 'good taste', or be designed by architects, to display aesthetic qualities. Vernacular buildings that sit well within their cultural landscape due to the use of local materials, form, scale or massing, may also have aesthetic value.

For a place to be considered a local landmark, it will need to be visually prominent and a reference point for the local district.

In the case of a heritage area, the individual components will collectively form a streetscape, townscape or cultural environment with significant aesthetic characteristics.

A place is not normally included under this criteria if:

- Its distinguishing features have been lost, degraded or compromised.
- It has only a loose association with creative or artistic excellence or achievement.

## **Criteria 2 - Historic Value** - *It is significant in the evolution or pattern of the history of the local district.*

A place included under this criteria should:

- Be closely associated with events, developments or cultural phases that have played an important part in the locality's history.
- Have a special association with a person, group of people or organisation important in shaping the locality (either as the product or workplace of a person or group, or the site of a particular event connected with them).
- Be an example of technical or creative achievement from a particular period.

Contributions can be made in all walks of life including commerce, community work and local government. Most people are associated with more than one place during their lifetime and it must be demonstrated why one place is more significant than others.

The associations should be strong and verified by evidence and, ideally, demonstrated in the fabric of the place.

A place will generally be excluded if:

- It has brief, incidental or distant association with historically important activities, processes, people or event.
- It is associated with events of interest only to a small number of people.
- It retains no physical trace of the event or activity.

A place reputed to be the scene of an event, but for which there is no evidence to support the claim, is not normally considered under this criteria.

## **Criteria 3A - Research Value** - *It has demonstrable potential to yield information that will contribute to an understanding of the natural or cultural history of the local district.*

A place included under this criteria may be a standing structure or archaeological deposit and will generally be an important benchmark or reference site.

A place of research value should provide, or demonstrate a likelihood of providing, evidence about past activity. This may include important information about construction technology, land use or industrial processes not available anywhere else.

The information should be inherent in the fabric of the place.

A place will not normally be included under this criteria if:

- There is little evidence to suggest the presence of archaeological deposits.
- The place is not able to provide useful information through the fabric.
- It is likely to yield similar information to other places.
- It is likely to yield information that could easily be obtained from documentary sources.

**Criteria 3B - Research Value** - *It is significant in demonstrating a high degree of technical innovation or achievement.*

A place included under this criteria should:

- Show qualities of innovation or represent a new achievement for its time.
- Demonstrate breakthroughs in design or places that extend the limits of technology.
- Show a high standard of design skill and originality, or innovative use of materials, in response to particular climatic or landform conditions, or a specific functional requirement, or to meet challenge of a particular site.

Many of the places included under this criteria are industrial sites, though examples of engineering (such as bridge construction and road design) might also meet this criteria.

A place would not normally be considered under this criteria if its authenticity were so diminished that while the achievement was documented, it was no longer apparent in the place.

**Criteria 4 - Social Value** - *It is significant through association with a community or cultural group in the local district for social, cultural, educational or spiritual reasons.*

Most communities will have a special attachment to particular places. A place would be considered for inclusion under this criteria if it were one that the community, or a significant part of the community, has held in high regard for an extended period.

Places of social value tend to be public places, or places distinctive in the local landscape, and generally make a positive contribution to the local 'sense of place' and local identity.

They may be symbolic or landmark places, and may include places of worship, community halls, schools, cemeteries, public offices, or privately owned places such as hotels, cinemas, cafes or sporting venues.

Places need not be valued by the entire community to be significant. A significant group within the community may be defined by ethnic background, religious belief or profession.

A place will not normally be considered if its association is commonplace; or of recent origin; is recognised by only a small number of people; or if the associations are not held very strongly or cannot be demonstrated satisfactorily to others.

Of all the criteria, social value is the hardest to identify and substantiate. Care should be taken not to confuse cultural heritage significance with amenity or utility. There must be evidence that the building/place is valued over and above the activities that occur there.

### **Criteria 5 - Rarity** - *It demonstrates rare, uncommon or endangered aspects of the cultural heritage of the local district.*

This criteria encompasses places that either are rare from the time of their construction, or subsequently become rare due to the loss of similar places or areas.

A place of rarity value should:

- Provide evidence of a defunct custom, way of life or process;
- Demonstrate a custom, way of life or process that is in danger of being lost; or
- Demonstrate a building function, design or technique of exceptional interest.

A place will not normally be considered under this criteria if:

- It is not rare in the locality.
- It appears rare only because research has not been undertaken to determine otherwise.
- Its distinguishing features have been degraded or compromised.

### **Criteria 6 - Representativeness** - *It is significant in demonstrating the characteristics of a class of cultural places or environments in the local district.*

A place included under this criteria should provide a good example of its type.

A place may be representative of a common building or construction type, a particular period or way of life, the work of a particular builder or architect, or an architectural style.

To be considered a good representative example, the place should have a high level of authenticity.

Places will be excluded if their characteristics do not clearly typify their class, or if the representative qualities have been degraded or lost.

### **Criteria 7 - Condition, Integrity and Authenticity**

While Condition and Integrity are considerations in assessing the significance of a place, it is possible for a place of poor condition or poor integrity to be identified as significant on the basis of a value to which Condition and Integrity are relatively unimportant (e.g. a ruin with high historic value).

Places identified in the Local Heritage Survey will usually have a Medium to High degree of Authenticity.

However it is possible to include places of low Authenticity if they exhibit evolution of use and change that is harmonious with the original design and materials.

The three terms are defined as follows:

**Condition**            The current state of the place in relation to the values for which that place has been assessed, and is generally graded on the scale of Good, Fair or Poor.

<b>Integrity</b>	The extent to which a building retains its original function, generally graded on a scale of High, Medium or Low.
<b>Authenticity</b>	The extent to which the fabric is in its original state, generally graded on a scale of High, Medium or Low.

## Management Categories

Once a place is considered worthy of inclusion on the Local Heritage Survey, a place is to be allocated a management category (between 1 and 5) based on its level of significance. Places that are allocated a Management Category between 1 and 3 will also be included on the City's Heritage List.

CATEGORY	LEVEL OF SIGNIFICANCE	DESIRED OUTCOME
<b>1</b>	<p><b>Exceptional Significance</b></p> <p>Essential to the heritage of the locality. Rare or outstanding example. Recommended for inclusion on the State Register of Heritage Places.</p>	<p>The place should be retained and conserved unless there is no feasible and prudent alternative to doing otherwise.</p> <p>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).</p> <p>Include on the Heritage List.</p>
<b>2</b>	<p><b>Considerable Significance</b></p> <p>Very important to the heritage of the locality. High degree of integrity/authenticity.</p>	<p>Conservation of the place is highly desirable.</p> <p>Any alterations or extensions should reinforce the significance of the place.</p> <p>Include on the Heritage List.</p>
<b>3</b>	<p><b>Some/Moderate Significance</b></p> <p>Contributes to the heritage of the locality. Has some altered or modified elements, not necessarily detracting from the overall significance of the item.</p>	<p>Conservation of the place is desirable.</p> <p>Any alterations or extensions should reinforce the significance of the place, and original fabric should be retained wherever feasible.</p> <p>Include on the Heritage List.</p>
<b>4</b>	<p><b>Little significance</b></p> <p>Contributes to the understanding of the history of the City of Bayswater.</p>	<p>Photographically record prior to major development or demolition.</p> <p>Recognise and interpret the site if possible.</p> <p>Do not include on the Heritage List.</p>
<b>5</b>	<p><b>Historic Site</b></p> <p>Historic site. Recognise, for example, with a plaque, place name, or acknowledge in new urban or architectural design.</p>	<p>Recognise and interpret the site if possible.</p> <p>Do not include on the Heritage List.</p>

## Heritage Assessment and Decision Making Process

<b>Stage 1</b>	
1.	The application to enter, modify or remove a place listed in the Heritage List and/or Local Heritage Survey will be assessed by the City.
2.	The City may engage an independent Heritage Consultant or similar to provide advice if considered necessary.
<b>Stage 2</b>	
1.	The application will be advertised to owners and occupiers, for a minimum period of 21 days.
2.	The City may undertake any other consultation as considered appropriate.
<b>Stage 3</b>	
1.	The application and any submissions received during consultation will be referred to the City's Heritage Advisory Committee and Council to consider and make a decisions, unless otherwise delegated to the Chief Executive Officer.
2.	Submissions unrelated to heritage significance will not be considered, such as impact to the development potential of the property and impact to property value.
3.	Landowners, occupiers and anyone else that made a submission during the consultation period will be informed in writing of the applicable Council meeting date and their ability to make a deputation.
4.	Once a determination is made, landowners, occupiers and anyone that made a submission will be informed of the decision in writing.
<b>Stage 4</b>	
1.	The City's Heritage List and/or Local Heritage Survey will be updated in accordance with Council's decision.
2.	The City will notify the Heritage Council of Western Australia about any changes to the City's Local Heritage Survey and Heritage List.

## Implications and Responsibilities for Landowners

Having a heritage place listed on the City's Heritage List and/or Local Heritage Survey has the following implications for landowners:

1. Landowners are responsible for ensuring that their place is properly maintained - meaning that there is no actual or imminent loss or deterioration of a place's structural integrity and/or heritage elements.
2. The City offers incentives and grants to places on the City's Local Heritage Survey that may be available to landowners to help conserve and maintain heritage properties. These include:
  - Heritage grants (applicable to places on the City's Heritage List only);
  - Refunding of planning and building fees; and

- The flexible application of development requirements (applicable to places on the City's Heritage List only).
- 3. Any development of places on the City's Heritage List and/or Local Heritage Survey requires adherence to the desired outcomes of the allocated management category.
- 4. Development of places on the City's Heritage List (Category 1, 2 and 3 places) requires planning approval.
- 5. A heritage listing may impact insurance policies. Landowners are advised to check with their insurance provider in this regard.

For further information on the Heritage Incentives please refer to the City's website: <https://www.bayswater.wa.gov.au/development/heritage/heritage-incentives> or contact the City on Tel. (08) 9272 0622 or email: [mail@bayswater.wa.gov.au](mailto:mail@bayswater.wa.gov.au).

## Review of the City's Heritage List and/or Local Heritage Survey

There are three levels of review of the City's Heritage List and/or Local Heritage Survey:

1. **Administrative updates** - minor corrections and additions to a heritage place.
2. **Place/area specific reviews** - entering, modifying or removing a specific place on the City of Bayswater Heritage List and/or Local Heritage Survey.
3. **General reviews** – a substantial review of all places listed on the City of Bayswater Heritage List and/or Local Heritage Survey.

These guidelines apply to 'place specific reviews'. Guidance on 'administrative updates' and 'general reviews' can be found in the Heritage Council's *Guidelines for Local Heritage Surveys*.

## Viewing the City's Heritage List and Local Heritage Survey

The City's Heritage List and Local Heritage Survey is available to view on the City's website, or at the City of Bayswater Civic Centre during business hours.

## Definitions

1. **Local Heritage Survey** – The Local Heritage Survey, established under the provisions of the *Heritage Act 2018*, comprises a list of places which in the opinion of Council have heritage significance. The Local Heritage Survey provides a cultural and historic record of the district and assists a local government in preparing a Heritage List or Heritage Areas under a local planning scheme.
2. **Heritage List** – The Heritage List is established and maintained under the *Planning and Development (Local Planning Schemes) Regulations 2015*. The Heritage List contains places that are considered worthy of built heritage conservation.
3. **Heritage Place** - Under the *Heritage Act 2018*, place means:  
“A defined or readily identifiable area of land and may include any of the following things that are in, on or over the land –
  - (a) *Archaeological remains;*
  - (b) *Buildings, structures, other built forms, and their surrounds;*

- (c) *Equipment, furniture, fittings and other objects (whether fixed or not) that are historically or physically associated or connected with the land;*
- (d) *Gardens and man-made parks or sites;*
- (e) *A tree or group of trees (whether planted or naturally occurring) in, or adjacent to, a man-made setting.”*

# Heritage Place Application Form

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## Heritage Place Application

If you are applying to enter, modify or remove a place listed in the City's Heritage List and/or Local Heritage Survey, please provide:

All landowner names: \_\_\_\_\_

All landowner signatures: \_\_\_\_\_

Date: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

*Note: Only landowners can apply to enter, modify or remove a place listed in the City's Heritage List and/or Local Heritage Survey. All landowners are required to consent to the application.*

## Strata body or similar consent

If you are applying to enter, modify or remove a place listed in the City's Heritage List and/or Local Heritage Survey and it is managed by a strata body or similar, please provide:

Name: \_\_\_\_\_

Title/position: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

*Note: Any applicable strata body or similar is required to consent to the application.*

## Occupants of the place

If the place is occupied by anyone other than a landowner(s), please provide:

Occupier's name:

\_\_\_\_\_

Occupier's Address: \_\_\_\_\_

Occupier's Phone: \_\_\_\_\_

Occupier's Email: \_\_\_\_\_

## Heritage Assessment Criteria

All applications to enter, modify or remove a place from the Heritage List and/or Local Heritage Survey are to be accompanied by a Heritage Assessment.

*Note: It is advised, but not compulsory, for applicants to engage a suitably qualified Heritage Consultant or similar to prepare a Heritage Assessment. Costs associated with the Heritage Assessment are to be borne by the applicant.*

The Heritage Assessment is to include different information depending on the type of application, as detailed below.

<b>Application to enter a new place into the Heritage List and/or Local Heritage Survey</b>		
All of the requirements listed below must be satisfied, to the satisfaction of the City.		
<b>Item</b>	<b>Requirements</b>	<b>Tick box if satisfied</b>
<b>Place Record</b>	The Heritage Assessment includes information required to be included in a place record as detailed in the State Heritage Office's document <i>Criteria for the Assessment of Local Heritage Places and Areas</i> .	<input type="checkbox"/>
<b>Heritage Assessment Criteria</b>	The Heritage Assessment includes justification that the place satisfies the Heritage Assessment Criteria, as detailed in the Heritage Place Guidelines.	<input type="checkbox"/>
<b>Management Category</b>	The Heritage Assessment includes justification about what level of significance the place should be allocated with regard to the Management Category information, detailed in the Heritage Place Guidelines.	<input type="checkbox"/>

<b>Application to modify a place in the Heritage List and/or Local Heritage Survey</b>		
All of the requirements listed below must be satisfied, to the satisfaction of the City.		
<b>Item</b>	<b>Requirements</b>	<b>Tick box if satisfied</b>
<b>Place Record</b>	The Heritage Assessment includes the proposed changes to the information detailed in the existing place record.	<input type="checkbox"/>

<b>Heritage Assessment Criteria</b>	N/A	<input type="checkbox"/>
<b>Management Category</b>	If applicable, the Heritage Assessment includes justification that the level of significance has changed with regard to the Management Category information, detailed in the Heritage Place Guidelines.	<input type="checkbox"/>

## Application to remove a place from the Heritage List and/or Local Heritage Survey

All of the requirements listed below must be satisfied, to the satisfaction of the City.

Item	Requirements	Tick box if satisfied
<b>Place Record</b>	N/A	<input type="checkbox"/>
<b>Heritage Assessment Criteria</b>	The Heritage Assessment includes justification that the does not satisfy the Heritage Assessment Criteria, detailed in the Heritage Place Guidelines.	<input type="checkbox"/>
<b>Management Category</b>	N/A	<input type="checkbox"/>

## Landowner implications and responsibilities

Having a heritage place listed on the City's Heritage List and/or Local Heritage Survey has the following implications for landowners:

- Landowners are responsible for ensuring that their place is properly maintained - meaning that there is no actual or imminent loss or deterioration of a place's structural integrity and/or heritage elements.
- The City offers incentives and grants to places on the City's Local Heritage Survey that may be available to landowners to help conserve and maintain heritage properties. These include:
  - Heritage grants (applicable to places on the City's Heritage List only);
  - Refunding of planning and building fees; and
  - The flexible application of development requirements (applicable to places on the City's Heritage List only).
- Any development of places on the City's Heritage List and/or Local Heritage Survey requires adherence to the desired outcomes of the allocated management category.
- Development of places on the City's Heritage List (Category 1, 2 and 3 places) requires planning approval.
- A heritage listing may impact insurance policies. Landowners are advised to check with their insurance provider in this regard.

For further information on the Heritage Incentives please refer to the City's website: <https://www.bayswater.wa.gov.au/development/heritage/heritage-incentives> or contact the City on Tel. (08) 9272 0622 or email: [mail@bayswater.wa.gov.au](mailto:mail@bayswater.wa.gov.au).

## Application Checklist

All applicants are required to consent to the requirements below by ticking all of the boxes.

No.	Requirement	Tick box if satisfied
1.	I have read and understood the Heritage Place Guidelines.	<input type="checkbox"/>
2.	I have filled out and signed all the sections of this form that are applicable.	<input type="checkbox"/>
3.	I have attached an appropriate Heritage Assessment.	<input type="checkbox"/>
4.	As a landowner, I am aware of the implications and responsibilities of having a place listed on the City's Heritage List and/or Local Heritage Survey.	<input type="checkbox"/>