

ATTACHMENT 3 - Local Heritage Precinct Q&A

Why do we need a local heritage precinct?

Heritage plays an important role in ensuring we retain our city's character and community's sense of place. The heritage protection system exists to conserve, manage, promote, and celebrate our heritage.

The creation of heritage precincts under the planning scheme allows for the recognition of specific areas of local historic heritage significance, because of the collective heritage value of individual places as a group for their streetscape or townscape values.

What happens if my building requires demolition in a local heritage precinct?

If your land is within a local heritage precinct, unless the building that requires demolition is in a local heritage place; visible from any road or public open space; and involves a value, feature or characteristic listed in the relevant local provisions, compliance under the planning scheme can be achieved and a permit may not be required.

If a permit is required, for the demolition to occur it must be established that demolition of the building would not cause an unacceptable impact on the local historic heritage significance of the local heritage precinct.

Relevant matters the planning authority will consider include: the physical condition of the building, rate and extent of deterioration, safety of the building, the streetscape, any special or unique contribution that the building makes to the streetscape or townscape values of the local heritage precinct, any possible options available to reduce or mitigate deterioration, and any economic considerations.

Can I replace my front fence in a local heritage precinct?

If a new front fence is designed and constructed to match the existing original front fence it will likely not require a permit.

If a permit is required, the new front fence must be compatible (in harmony or broad correspondence) with the local heritage precinct. Relevant matters the planning authority will consider include: streetscape or townscape values of the precinct, height, form, style, and material of the proposed fence, and the style, characteristics and setbacks of fences in the surrounding area.

Can I replace the windows, roof or cladding of a building in a local heritage precinct?

Under Section 12 of the Act maintenance and repair of buildings does not require approval. However, it is preferable that works are like for like and our heritage officers can provide advice if required.

Can I build new buildings on land in a local heritage precinct?

Yes, new buildings that are:

- (a) not on a local heritage place,
- (b) not visible from any road or public open space, and

(c) do not involve a value, feature or characteristic listed in the relevant local provisions, will likely not be impacted by the land being within a heritage precinct.

If the new building work does not comply with each of the requirements listed (a) to (c), it must be established that the design and siting of buildings and works is compatible (in harmony or broad correspondence) with the local heritage precinct.

Relevant matters the planning authority will consider include: streetscape or townscape values, the character and appearance of the surrounding area, height and bulk of other buildings in the surrounding area, setbacks of other buildings in the surrounding area, and any relevant design criteria identified in the local provisions schedule.

Can I build extensions to my house in a local heritage precinct?

Yes, you can build an extension onto your house in a heritage precinct, however unless the extension is:

- (a) not in a local heritage place,
- (b) not visible from any road or public open space, and
- (c) does not involve a value, feature or characteristic listed in the relevant local provisions, it will likely require assessment as a consequence of it being within a heritage precinct.

If assessment is required, it must be established that the extension is compatible (in harmony or broad correspondence) with the local heritage precinct.

Relevant matters the planning authority will consider include streetscape or townscape values, the character and appearance of the surrounding area, height and bulk of other buildings in the surrounding area, setbacks of other buildings in the surrounding area, and any relevant design criteria identified in the local provisions schedule.

Is an assessment required for installing solar panels on a building in a local heritage precinct?

Assessment may be required to install solar panels on a building in a heritage precinct. However, solar panels will be exempt from assessment if they are:

- (a) aligned with the plane of a roof; and
- (b) located on a roof plane not visible from any road or public open space adjoining (next to or having a common boundary with) the site.

A permit for solar panels would otherwise be assessed in response to the buildings and works standards of the local historic heritage code.

What does it mean to 'not be visible from any road or public open space'?

To be considered as "not visible from any road or public open space" the relevant building and or works must not be capable of being seen or perceptible from the eye from a road and/or land for public recreation such as gardens, playgrounds etc. In assessing where new development is visible, Council will consider public areas within 100m or within the Local Heritage Precinct, whichever is greater.

Can I remove trees from my property if it is in a local heritage precinct?

You can remove a tree from your property if it is in a heritage precinct, however if the tree is:

- (a) in a local heritage place;
- (b) visible from any road or public open space; and
- (c) involves a value, feature or characteristic listed in the relevant local provisions, a qualitative assessment under the planning scheme for its removal will likely be required.

If an assessment is required, it must be established that removal of the tree will not cause an unacceptable impact on the local historic heritage significance of the local heritage precinct.

Relevant matters the planning authority will consider include: the physical condition of the tree, its rate and extent of deterioration, safety, streetscape, historic heritage values, options available if any, to reduce or mitigate deterioration, and economic considerations.

In assessing what would be considered a tree contributing to the heritage significance, Council will consider street trees, or trees with a height greater than 5m and that has a single trunk circumference of 1m or more measured from a height of 1m above existing ground level.

Do I need a permit for a new single dwelling in the General Residential Zone in a heritage precinct?

Yes, you will likely require a permit to build a new single dwelling in the General Residential Zone if that land is within a heritage precinct. If assessment is required, it must be established that the new dwelling is compatible (in harmony or broad correspondence) with the local heritage precinct.

Relevant matters the planning authority will consider include streetscape or townscape values, the character and appearance of the surrounding area, height and bulk of other buildings in the surrounding area, setbacks of other buildings in the surrounding area, and any relevant design criteria identified in the local provisions schedule.

Can I change the use of my property if it is within a local heritage precinct?

Yes, you can change the use of your property if it is within a heritage precinct. A permit may still be required as it would to meet the existing standards of the planning scheme.

Can I paint my house if it is in a local heritage precinct?

Under Section 12 of the Act maintenance and repair of buildings does not require approval. However, it is preferable that works are like for like and our heritage officers can provide advice if required.