

DEVELOPMENT ON HERITAGE PROPERTIES

Introduction

This fact sheet provides summary information on requirements for development on heritage properties in residential areas. It is not a definitive document but provides general overview information to assist the public in understanding the requirements and processes applicable to development proposals on heritage properties.

What is a Heritage Property?

A 'Heritage Property' is a property that is either:

- Located on the State Register of Heritage Places; or
- Listed on the Heritage List contained within the City's Local Planning Scheme No. 3; or
- Located within a Heritage Protection Area (Mt Lawley, Menora & Inglewood).

Note. A detailed explanation on what these lists are and where they can be obtained below.

What Approvals are Required ?

Building Permit

A building permit is required for all structural work.

Demolition Licence

A demolition licence is required for all demolitions of buildings.

Planning Application

A planning application is required for demolitions, renovations, extensions and new buildings on heritage properties.

Note: Demolition work or building work cannot commence until a Planning Approval is granted.

What Must I Submit?

Building Permit

Applicants are required to submit all the information contained within the Building Permit Submission Checklists.

Demolition Licences

Applicants are required to submit all the information contained within the Demolition Permit Submission Checklists.

Planning Applications

For New Buildings, Extensions & Renovations

Applicants should ensure they submit all the information contained within Planning Approval Submission Checklist and should read the relevant Heritage Protection Area Guidelines (Local Planning Policy 3.1 – Character Retention Guidelines) to ensure they have complied with all the relevant provisions.

For Demolitions

For properties listed on the **State Register or on the Heritage List**, a separate planning application for demolition approval is required to be submitted (including partial demolition). The attached checklist details all the information that is required to be submitted. If planning approval is granted to demolish the house then the applicant may lodge a demolition permit. A further planning application for any new buildings on the site is required to be submitted.

For properties located within a **Heritage Protection Area** a separate planning application for demolition is required to be submitted. In addition, the application should include a written justification for the proposed demolition addressing the points below, as well as any further justification that may be relevant:

- a) Provide evidence that the building was constructed from 1960 onward (drainage plumbing diagrams to be provided by the applicant demonstrating construction date and can be ordered from the Department of Commerce website);
- b) Detail why the building is no longer an intact example of its architectural style, addressing its form, scale, materials and detailing;
- c) Detail (with written documented evidence provided by an independent expert) why the building is structurally unsafe and irredeemable, and the conservation of the building is not viable (NB; property owners are responsible for the maintenance of their asset, and allowing a property to fall into disrepair will not facilitate an approval for demolition). Only where the building has been identified as an 'intrusive' or 'neutral' place (buildings of more recent design), consideration can be given to varying this requirement;

Prior to the approval of any proposed demolition in a Heritage Protection Area, the City may require a heritage assessment by a heritage/architectural professional to be carried out. This assessment will assist the City in determining if an application and the written justification provided by the applicant is accurate and in accordance with the objectives of these guidelines.

Application Process

Once the planning application is submitted and it is determined that all the information has been provided, an officer will assess the application.

All planning applications for the demolition of properties listed on the Heritage List will require referral to Council. Some applications may also require the comment / approval of other departments and agencies. Some applications may be referred to a consultant to conduct a heritage assessment as determined by Council.

Once the City has determined an application, it will issue a notice of determination (an approval or refusal) with conditions. Applicants should review conditions carefully and ensure that these are complied with.

Where an applicant is dissatisfied with Council's decision, a right of appeal may exist under Part V of the Town Planning & Development Act (refer to the State Administrative Tribunal website at www.sat.justice.wa.gov.au for further information).

Note: If planning approval is granted to demolish a heritage building then the applicant will be required to lodge a demolition permit (refer Demolition Fact Sheet).

Neighbour Consultation

Some planning applications may require neighbour consultation in accordance with the Residential Design Codes of Western Australia and the City's Local Planning Scheme No. 3 as determined by Council.

Planning Development Provisions

Properties Located within Heritage Protection Areas

The City has adopted Heritage Protection Area Guidelines for:

- Mount Lawley;
- Menora; and
- Inglewood.

The Guidelines outline objectives and provisions for development within the specific areas. For detailed information please refer to the specific Heritage Protection Area Guidelines. A copy of the guidelines is available [here](#).

Heritage List

A heritage list is available on the City's website [here](#). Part 7 of Local Planning Scheme No 3 outlines the Heritage List provisions.

The Heritage List contains properties that are considered to be of local cultural heritage significance and worthy of conservation.

All applications involving development of properties listed on the Heritage List will be assessed on their merits in view of their listing. The City may require a heritage assessment to be carried out prior to the approval of any development. Applications involving demolition will be required to be referred to Council for consideration.

State Register of Heritage Places

The State Register of Heritage Places is a list of buildings that are significant to the State. This list is administered by the Heritage Council of Western Australia. For further information please contact the Heritage Council on 9221 4177 or visit the website at www.heritage.wa.gov.au.

Enquiries

Discussing your development proposal at an early stage can avoid unnecessary delays in the processing of the application.

Enquiries may be made to the City's staff on 9205 8555 or at the City's offices between the hours of 8.30am and 4.30pm, Monday-Friday.

Further information may be available on the **City's website**: www.stirling.wa.gov.au.

DISCLAIMER

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PLANNING SUBMISSION CHECKLIST FOR DEMOLITION OF BUILDINGS ON THE STATE REGISTER & COUNCIL'S HERITAGE LIST

When submitting a Planning Application (Application for Approval To Commence Development) to demolish a building listed on the State Register of Heritage Places or on the City of Stirling Heritage List the following is normally required before the application can be assessed:

- D Completed **Application Form** signed by the owner of the land¹. -
- D Payment of the required **Planning Fee** (refer Planning Fees schedule).
- D **Written justification** for demolishing the building;
- D Two (2) sets of **Plans**, drawn to scale, showing existing buildings including:
 - Site layout to a scale of not less than 1:100 showing:
 - location of existing buildings;
 - noteworthy landscaping features;
 - site boundaries.
 - Floor plans (1:100 for all floors);
 - Elevations (1:100).
- D Other Plans including:
 - Roof Plans;
 - Internal Elevations (only where significant internal architectural features exist);
 - Sections;
 - Ceiling & Joinery details; and
 - Other significant details.
- D The City will organise and pay for the preparation of a Heritage Assessment that will be compiled by a consultant including:
 - Photos of External elevations
 - Photos of Internal Rooms;
 - Photos of Features and noteworthy items; and
 - Report detailing history and significance of the building.
- D Reproduction of Archival Documents (only where old photos or plans exist)
- D A schedule of **Material & Finishes** of ALL existing buildings, driveways, fences etc.

Notes

1. Development of land abutting regional reserves, including regional roads and in identified Clause 32 areas (such as parts of Glendalough, Scarborough, Osborne Park) may require an application under the Metropolitan Regions Scheme in addition to the above for referral to the Department for Planning and Infrastructure. Where applicable, the appropriate Form 1 and an additional set of plans will be required.
2. The City reserves the right to request additional information or justification where this is required to enable an informed assessment of the proposal to be made.

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