DEVELOPMENT ON HERITAGE PROPERTIES

Introduction
This fact sheet provides summary information on requirements for development on heritage properties in residential areas. This document 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:

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

If you are unsure whether these apply to your property, please contact the City for confirmation.

What Approvals are Required?

Building Permit
A building permit is required for most structures (residential, commercial or industrial) including but not limited to new works, alterations, swimming pools, spas (below and above ground), pool safety barriers / fence for pools & spas, patios and sheds.

Planning Approval
A planning approval is required before demolitions, additions and new buildings on heritage properties can be undertaken.

Demolition Permit
A demolition permit is required for all demolitions of buildings, with the exception of outbuildings with a floor area of less than 40m².

Verge Permit and Verge Bond
A Verge permit and verge bond are required when you apply for a demolition permit.

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 stipulated in the Building Act 2011.
Demolition Permit
Applicants are required to submit all the information contained within the Guide to lodging a demolition permit application (form BA5), this guide is published by the Building Commission but can be accessed through the City's website's located at Building Information and Forms.

Verge Permit and Verge Bond
A Verge permit and verge bond are required when you apply for a demolition permit.

Planning Applications

For New Buildings, Extensions & Renovations
Applicants should ensure they submit all the information contained within the Checklist for Development Approval and should read the Character Retention Guidelines for Mt Lawley, Menora and Inglewood (Section 3.1 of the Local Planning Scheme No.3 Policy Manual) to ensure they have complied with all the relevant provisions.

Demolitions of Building
For properties listed on the State Register or listed on the City's Heritage List a separate planning application for demolition approval is required to be submitted. The attached checklist details all the information that is required to be submitted. If planning approval is granted then a demolition licence may be submitted. A further planning application for any new buildings on the site is required to be submitted.

For properties located within a Heritage Protection Area there is a presumption that buildings should be retained. Where demolition is sought it will be assessed at the same time as the plans for the replacement building. The application shall include written justification for the demolition of the existing building addressing the criteria listed in Part 3 of the Character Retention Guidelines for Mt Lawley, Menora and Inglewood (Section 3.1 of the Local Planning Scheme No.3 Policy Manual). If planning approval is granted to demolish the house then the applicant may lodge a demolition licence.

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.

Planning applications for the demolition of properties listed on the Heritage List may be referred to Council for determination. Some applications may also require the comment / approval of other departments or agencies and may be referred to heritage architectural consultants for expert advice determined by the City.

Once the City has determined an application, it will issue a notice of determination (an approval or refusal) with conditions. Applicants should review the conditions of approval carefully and ensure that these are complied with. Where an applicant is dissatisfied with the City's decision, a right of appeal may exist under Part V of the 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 to Guide to lodging a demolition permit application (form BA5)
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 Character Retention 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 Character Retention Guidelines for Mt Lawley, Menora and Inglewood at www.stirling.wa.gov.au under Planning and development / Schemes, policies, codes and legislation / Local Planning Scheme No.3 Policy Manual – Section 3.1.

Local Government Heritage Inventory of Heritage Places
The Heritage Act of Western Australia requires all Local Governments to compile an inventory of buildings which are of cultural heritage significance. Council adopted the City of Stirling Municipal Inventory in 1997 and has a statutory obligation to review its inventory on a regular basis.

Heritage List
The Heritage Act of Western Australia requires all Local Governments to adopt a Heritage List. The Heritage List contains properties that are considered to be of local cultural heritage significance and worthy of conservation. The City's Heritage List can be found on the City's website.

Applications involving development of properties listed on the Heritage List 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
Enquiries may be made to the City's staff on 9205 8555 or by appointment at the City's offices during office hours, Monday-Friday.

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

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PLANNING SUBMISSION CHECKLIST FOR DEMOLITION OF BUILDINGS ON THE STATE REGISTER, COUNCIL’S HERITAGE LIST, OR IN THE HERITAGE PROTECTION AREAS OF MT LAWLEY, MENORA AND INGLEWOOD.

When submitting a Planning Application (Application for Approval To Commence Development) to demolish a building listed on the State Register of Heritage Places, on the City of Stirling’s Heritage List or in the Heritage Protection Areas of Mt Lawley, Menora and Inglewood, the following is normally required before the application can be assessed:

- Completed Application Form signed by the owners of the land.
- Payment of the required Planning Fee (refer Planning Fees schedule).
- Written justification for demolishing the building;
- 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).
- Other Plans including:
  - Roof Plans;
  - Internal Elevations (only where significant internal architectural features exist);
  - Sections;
  - Ceiling & Joinery details; and
  - Other significant details.
- 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.
- Reproduction of Archival Documents (only where old photos or plans exist)
- 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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