

BROOKMAN AND MOIR STREETS HERITAGE AREA PLANNING INFORMATION SHEET

What is the Brookman and Moir Streets Heritage Area?

The Brookman and Moir Streets Heritage Area (BMHA) is a highly intact precinct of two streets in Perth and includes 58 semi-detached houses and one detached house in the Federation Queen Anne style.

The BMHA includes Nos. 1 - 32 Brookman Street, 3 - 28 Moir Street and 40 Forbes Road and is a designated Heritage Area under the *Planning and Development (Local Planning Schemes) Regulations 2015*. The BMHA is also included on the State Register of Heritage Places. The properties included in the BMHA are shown in orange in the figure, left.

I want to make changes to my house, what approvals do I need?

Due to the significance of the BMHA, most works to houses require approval from the City.



Figure 1: Map of Brookman and Moir Streets Heritage Area

Consistent with Regulation 41 of the *Heritage Regulations 2019*, the following works do not require planning approval from the City:

1. Building maintenance that does not involve:
 - i. the removal of, or damage to, the existing fabric of the building; or
 - ii. the use of new materials.
2. Gardening or landscape maintenance that does not involve a major alteration of the layout, contours, structures, significant plant species or other significant features on the land.
3. Repairs, including replacing missing or deteriorated fabric with like for like fabric, that does not involve the removal of, or damage to, the significant fabric of the building.
4. Repainting of the surface of a building:
 - i. in the same colour scheme and paint type if they are appropriate to the substrate and do not endanger the survival of earlier paint layers; and
 - ii. without disturbing or removing an earlier paint layer unless it is chalking, flaking or peeling.
5. Signage that:
 - i. is temporary and does not have a deleterious effect on the fabric of a building; and
 - ii. advertises that a place is for sale or lease but does not remain on the place for more than 10 days after the place is sold or leased.
[i.e. a real-estate sign]
6. Replacement of utility services using existing routes or voids that does not involve the removal of, or damage to, the fabric of the building.

Owners are encouraged to speak to the City's Development and Design team should they believe that their works are exempt from requiring development approval.

All other works require planning approval from the City. This includes but is not limited to:

- Painting the house, trim or fixtures in a new colour;
- Installation of new external fixtures including air conditioning units and solar panels;
- Demolition of any building/structure;
- Changes to existing materials (e.g. adding or removal of render)
- Additions to houses; and
- New outbuildings (sheds);

What if I do works without approval?

If you undertake works without approvals, this may be a breach of the *Planning and Development Act 2005*, the *Heritage Act 2018*, and the *Building Act 2011*.

Under the *Planning and Development Act 2005* the City may issue Infringement Notices for minor offences at \$500 daily. If convicted of an offence under Section 218 of the *Planning and Development Act 2005* the owner or person responsible for the works may be liable of a penalty of up to \$200,000 for each offence and a daily penalty of up to \$25,000 for each day during which each offence continues.

Lodgement of a Development Application for existing unauthorised works does not guarantee that the City will not take further enforcement action, including the issuing of infringements and prosecution. It also does not guarantee that the application will be supported by the City and you may also be required to rectify the unauthorised works undertaken to return the property to its previous state at significant cost.

How long does the development application process take?

The City has 90 days to determine the application. Unless exempt under Regulation 41 of the *Heritage Regulations 2019*, most applications require referral to the Heritage Council of WA under the *Heritage Act 2018*. Applications may take longer than 90 days where it is agreed to in writing between the local government and the applicant.

Note this does not include portions of time when the City has requested further information and the applicant has agreed to provide the information.

What information is required for a Development Application?

Please refer to the relevant [Development Application Checklist](#). Please also examples at the end of this information sheet of site plans and elevations which would need to be included in your development application.

1. A heritage impact statement (HIS) undertaken by a qualified heritage professional in accordance with the Department of Planning, Lands and Heritage publication '[Heritage Impact Statement: A Guide](#)' will be required for the following types of development proposals:
 - i. Partial or full demolition of a contributory place including proposed new development.
 - ii. Second storey additions.
 - iii. Any other alterations or additions which may be visible from the public domain or could impact the heritage fabric of an existing dwelling.

The HIS is to address the following:

- i. How will the proposed works affect the cultural significance of the place and the Heritage Area?
- ii. What measures (if any) are proposed to ameliorate any adverse impacts?
- iii. Will the proposal result in any heritage conservation benefits that might offset any adverse impacts?

Note: Some applications may not require that a HIS be undertaken by a qualified heritage professional and may also not require a HIS. Please contact the City's Development and Design team for further information.

2. A contextual street elevation drawn on one continuous scale no smaller than 1:100 showing the proposed development and the whole of the existing development on each lot immediately adjoining the land subject to the application.
3. Detailed schedule of all finishes, materials and colours of the proposed development and how these relate to the adjoining developments.
4. Sightline drawings of any additions when viewed from the public realm. Diagrams/ images from multiple viewpoints from the street will be required.

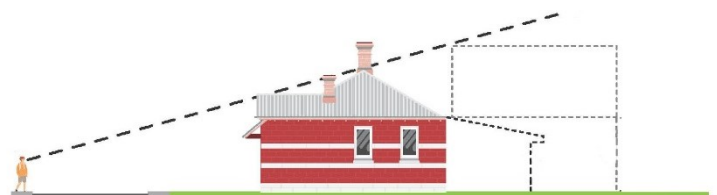


Figure 2: Example of a sightline drawing

5. In case of demolition, if structural failure is cited as a justification for demolition, evidence in the form of a structural condition assessment is required, provided by a practicing structural engineer with experience in heritage buildings, in line with Building Act requirements. The assessment must demonstrate that the structural integrity of the building has failed to the point where it cannot be rectified without removal of a majority of its significant fabric. Financial considerations are secondary to heritage and structural considerations.



How is my application assessed?

Your application will be assessed against the following:

- Brookman and Moir Streets Heritage Area Guidelines
- City of Vincent Policy 7.1.1 - Built Form
- R Codes Volume 1
- City of Vincent Policy 7.6.1 - Heritage Management
- Any other relevant City or State policies.

The City will consider the application against the provisions of each of the above policies and the acceptability of the proposal. The City will also consider advice from the Heritage Council of WA.

Is there financial assistance for conservation and restoration works?

The City's Heritage Assistance Fund provides financial assistance to owners and leaseholders who wish to undertake conservation projects on their heritage listed properties. Eligible projects are entitled to up to 50 percent of the total cost of works, up to a maximum of \$5000, subject to assessment and budget availability. The grant period opens on 1 July each year.

The Heritage Council of WA also provides grants for conservation works to State Registered places with the program running yearly.

Useful links

- [State Heritage Register \(inHerit\)](#)
 - [Register Entry](#)
 - [Assessment Documentation](#)
- [Heritage Council of WA: Heritage Grants and Incentives](#)
- Australian ICOMOS, [The Burra Charter: The Australian ICOMOS Charter for Places of Cultural Significance 2013](#)
- [Heritage Council of WA: Guide to Developing Heritage Places](#)
- [Heritage Council of WA: Heritage Impact Statements: A Guide](#)
- [Heritage Council of WA: Removal of Paint from Masonry](#)
- [Heritage Council of WA: Policy and Practice Note for Painting Heritage Places](#)
- [Heritage Council of WA: Corrugated Roofing](#)
- [City of Vincent Heritage Assistance Fund](#)
- [Brookman and Moir Streets Heritage Area Guidelines](#)

Do you have more questions?

The City can't confirm if a proposal would be supported unless a development application is lodged and is not able to undertake an assessment of plans in the absence of an application.

The City strongly encourages that any major additions are discussed with a Senior Urban Planners prior to lodgement. Residents can discuss planning proposals and preliminary plans with the City's officers. We recommend booking a meeting with a Senior Urban Planner to discuss any proposed development. You can arrange a meeting via mail@vincent.wa.gov.au or calling 9273 6000.

Phone: 08 9273 6000

Email: mail@vincent.wa.gov.au

Address: Main Administration Building, 244 Vincent Street, Leederville WA 6007

The Heritage Council encourages owners and their consultant team to engage with heritage matters early in the design process and seek early guidance. Heritage Officers of the Department of Planning, Lands and Heritage can be contacted for design advice.

Phone: 08 6551 8002

Email: info@dplh.wa.gov.au

Address: 140 William Street, Perth WA 6000

Disclaimer: *This information is produced by the City of Vincent in good faith and the City accepts no responsibility for any ramifications or repercussions for providing this information. Verification with the original Local Laws, planning schemes and other relevant documents is recommended for detailed references.*