

**POLICY NO: 7.6.5**

**HERITAGE MANAGEMENT- AMENDMENTS TO THE  
MUNICIPAL HERITAGE INVENTORY (MHI)**

**INTRODUCTION**

The City of Vincent has a rich and diverse heritage demonstrated within its built and natural environment. The City of Vincent first released its Municipal Heritage Inventory in 1995 which has since been substantially updated resulting in the creation of the current working Municipal Heritage Inventory. The Inventory includes a range of places both natural and built that have been identified as having cultural heritage significance requiring varying degrees of protection and conservation. As a working document it is important that places can be deleted, added or amended to the list when required. The current Australian Burra Charter will supplement the heritage definitions and terms used in this Policy.

**OBJECTIVES**

To:

- 1) Provide a procedure for adding, deleting or amending entries on the City of Vincent's Municipal Heritage Inventory;
- 2) Ensure places that are added, deleted or amended from the City of Vincent Municipal Heritage Inventory follow due process; and
- 3) Ensure that decisions for adding, deleting or amending places on the City of Vincent's Municipal Heritage Inventory are based on consideration of the cultural heritage significance of a place.

**DEFINITIONS**

**Cultural Heritage Significance**

Aesthetic, spiritual, historic, scientific or social value for past, present and future generations.

**Heritage Assessment**

A systematic assessment that describes a place and its setting and states the significant heritage values of the place based on the criteria outlined in the Burra Charter. It is preferable, but not essential, for such assessments to be undertaken by people with relevant experience in this area of expertise.

**Heritage List**

A list of places that are considered by Council to be of heritage significance and worthy of conservation. For the purpose of Clause 23 of the City of Vincent Town Planning Scheme No. 1, the Heritage List means the Municipal Heritage Inventory, as amended from time to time, prepared by the Council pursuant to section 45 of the Heritage of Western Australia Act 1990, or such parts thereof as described in the Municipal Heritage Inventory.

### **Municipal Heritage Inventory (MHI)**

A list of places that, in the opinion of the Council, reflect the cultural heritage of the City. It could be thought of as a list of the community's assets, and as with any other kind of asset it is first necessary to know what they are before they can be properly managed.

### **Cultural Place**

A site, area, building or other work valued for its cultural heritage significance, together with associated contents and surrounds.

### **Heritage Place**

The generic term for a Cultural Place, Cultural Group or Cultural Area.

## **POLICY STATEMENT**

### **1. General**

- 1.1 Owners, community members and interested parties can nominate a place to be added, deleted or amended on the Municipal Heritage Inventory which is to be in the form of a 'Nomination', 'Application for Deletion' or 'Application for Amendment to Management Category' Form and any additional information to support the application, submitted to the Chief Executive Officer.
- 1.2 Any place that is nominated is to be assessed by the Chief Executive Officer (CEO) on the advice of the City of Vincent's Officers with respect to whether the request should be processed. The CEO may seek additional advice from the State Heritage Office or approved professional heritage consultants. After preliminary investigations the CEO reserves the right not to further pursue the listing of the place. If the CEO decides to not pursue the listing, the owner and nominator will be advised accordingly, including whether the heritage assessment indicated whether the property met the threshold for entry onto the City's Municipal Heritage Inventory. The owner and nominator are also advised that should the nomination not be progressed a further investigation of the cultural heritage value of the place will be undertaken in the event that a demolition application is received by the City of Vincent. This is in accordance with clause 41 of the City's Town Planning Scheme No.1 relating to the Determination of an Application for Demolition.
- 1.3 All recommendations to add, delete or amend places on the Municipal Heritage Inventory shall be made to Council as required. In the instance of the recommended four-year review of the MHI an alternative timeframe will be adopted.
- 1.4 All requested technical alterations to the Municipal Heritage Inventory are to be administered by the City of Vincent's Officers.
- 1.5 Demolition of a place listed on the City's Municipal Heritage Inventory, known under the City's Town Planning Scheme No.1 as 'The Heritage List', should be avoided wherever possible. The Council will only consider a proposal for the full demolition of property on the City's Municipal Heritage Inventory, for places listed as Management Category B where the Applicant has demonstrated that the place cannot be practically retained, even in part, to achieve the City's desired outcome for the site.

**2. The City may consider amending the Municipal Heritage Inventory in the following circumstances:**

2.1 *A place is nominated for inclusion in the inventory by the owner or a member of the public.*

- a) Any place nominated for addition to the MHI is to involve the submission of the Municipal Heritage Inventory Nomination Form identifying the place and providing an outline of the cultural heritage significance associated with the place, including documentary evidence where possible.
- b) In the event that the nominator is not the owner of the subject place, the City of Vincent's Officers will contact the owner and advise them of the nomination prior to any further investigation.
- c) The City of Vincent's Officers will prepare a Heritage Assessment on the nominated property in accordance with the City of Vincent's Heritage Management Policy No. 7.6.2 relating to Assessment.

2.2 *A place is requested to be deleted from the MHI by the owner or a member of the public.*

- a) Any place that is requested for deletion from the MHI is to involve the submission of the Municipal Heritage Inventory Application Deletion Form, identifying the place and demonstrating conclusively that the existing assessment of its cultural heritage significance was erroneous or that it has subsequently lost this significance.
- b) To determine this, an assessment is to be prepared by the City of Vincent's Officers to review the current status of significance. If it is found that the place does not meet the threshold for entry onto the Municipal Heritage Inventory then a revised assessment and the Application for Deletion Form is to be presented to Council. The Council's basis for removing places from the Municipal Heritage Inventory will be the degree to which the place/s has lost its cultural heritage significance.
- c) The poor state of a place listed on the MHI should not in itself be a reason for removal from the Inventory. However if structural failure is cited as a justification for removal of the place from the MHI, evidence should be provided that states that the structural integrity of the place has failed, to the point where it cannot be rectified without the removal of a majority of its significant fabric. In this instance a structural condition report conducted by a registered structural engineer should be submitted to the City of Vincent and considered in conjunction with the Application for Deletion Form.

2.3 *A place is requested to have the assigned Management Category amended.*

- a) Any request to amend the assigned Management Category of a place is to involve the submission of the Municipal Heritage Inventory Application for Amendment to Management Category Form identifying the place and demonstrating conclusively that the existing assessment of its cultural heritage significance was incorrect.
- b) To determine this, an assessment is to be prepared by the City of Vincent's Officers to review the current status of significance. If it is found that the place should be reallocated a different Management Category then a revised assessment and the Application for Amendment to Management Category Form is to be presented to Council. The Council's basis for amending the Management Category will be on the basis of the cultural heritage significance associated with the place on the revised Heritage Assessment.

**3. The following consultation procedures apply in the event of the circumstances outlined in clauses 2(i), (ii), and (iii).**

3.1 Before resolving to adopt nominations for adding/deleting/amending places on the Municipal Heritage Inventory outlined in Clause 2 (i), (ii) and (iii) Council will:

- Provide the Heritage Assessment or revised Heritage Assessment for the subject place to the owner of the subject place and nominator if applicable, for comment.
- Consider the nominations to add/delete/amend the Municipal Heritage Inventory and advertise the list of proposed amendments for public comment for the period of a minimum of 14 days in the local newspaper, and seek comment from the State Heritage Office, Precinct Groups, the Local History and Heritage Advisory Group and any other affected stakeholders.
- A report listing the places recommended to add/delete/amend the Municipal Heritage Inventory will be prepared by the City of Vincent's Officers and presented to Council as required. The Council is to consider any submissions made and decide whether or not to add/delete/amend nominated place/s onto the Municipal Heritage Inventory. The Inventory will be updated subject to Council advice.
- Forward notice of the final adoption of the proposed amendments to the Municipal Heritage Inventory to the State Heritage Office and the Western Australian Planning Commission.

4. The City may consider a place for inclusion on the Municipal Heritage Inventory as a result of enquiry through the Demolition Planning Application process in which case the following procedure is to apply:
  - 4.1 The City of Vincent's Officers or a recognised heritage consultant prepares a Heritage Assessment as part of a planning application.
  - 4.2 The application undergoes a minimum 14 day public comment period, in conjunction with any associated development proposal that forms part of the application, including letters and a copy of the Heritage Assessment being distributed to the owner and/or applicant of the associated development proposal, and seek comment from the State Heritage Office, Precinct Groups, the Local History and Heritage Advisory Group and any other affected stakeholders advising of the proposed heritage value of the place.
  - 4.3 The City of Vincent's Officers prepare information accompanying the planning application, providing a recommendation regarding the proposed development and inclusion of the place onto the City of Vincent's Municipal Heritage Inventory.
  - 4.4 If the Council support the inclusion of the place onto the City of Vincent Municipal Heritage Inventory, the property is automatically included onto the City's Municipal Heritage Inventory (Heritage List), and the owner and/or applicant, the State Heritage Office, Precinct Groups, the Local History and Heritage Advisory Group and any other affected stakeholders, are advised of the Council resolution accordingly.
5. State Planning Policy No. 3.5 – Historic Heritage Conservation states that the 'demolition of a local heritage place should be avoided where possible, although there will be circumstances where demolition is justified. The onus rests with the applicant to provide clear justification for it'. Based on this premise, the City may consider a place for removal from the Municipal Heritage Inventory as a result of enquiry through the Demolition Planning Application process, in which case the following procedure is to apply:
  - 5.1 The City of Vincent's Officers or a recognised heritage consultant prepares a Heritage Assessment as part of a planning application.
  - 5.2 The Development Application involving demolition of a heritage listed property undergoes a minimum 14 day public comment period, in conjunction with any associated development proposal that forms part of the application, including letters and a copy of the Heritage Assessment being distributed to the owner and/or applicant of the associated development proposal, the State Heritage Office Australia, Precinct Groups, the Local History and Heritage Advisory Group and any other relevant stakeholders, which acknowledges that the property proposed to be demolished is listed on the City's Municipal Heritage Inventory, and that should the Council support the demolition of the subject property, it will be removed from the City's Municipal Heritage Inventory.

- 5.3 The City of Vincent's Officers prepare information accompanying the planning application, providing a recommendation regarding the proposed development and removal of the place from the City of Vincent's Municipal Heritage Inventory.
- 5.4 If the heritage value of the property listed on Management Category B, is solely historic and/or social significance and the owner/applicant can demonstrate that it cannot practicably be retained in entirety or in part because of:
- (a) the location of building on the site; or
  - (b) the limited Vehicular Access to the site and non-compliance with Australian Standards; or
  - (c) the inability to reasonably comply with the National Construction Codes Series e.g. ramps, lifts, width of corridors, height of ceilings, stairwells etc; or
  - (d) the inability of the existing building structure and/or materials to be incorporated into the new development; or
  - (e) the inability of the existing building to support additional height and bulk in relation to the intention of the locality as prescribed in the relevant planning policy;

the City of Vincent's Officers can prepare a recommendation to support the demolition of the heritage listed property and apply conditions in accordance with the City's Policy No. 7.6.4 relating to Interpretive Signage for Council consideration, to ensure that the heritage value associated with the property proposed to be demolished is recognized through a plaque or similar interpretive signage or art work.

- 5.5 If the Council support the proposed demolition of a heritage listed property, the property is automatically removed from the City's Municipal Heritage Inventory and re-classified as a Place of Interest, which is recognised through appropriate interpretative signage visible to the public domain and made available on the City's dedicated heritage website in accordance with the City's Policy No. 7.6.4 relating to Interpretive Signage.
- 5.6 The owner and/or applicant of the development application, the State Heritage Office, Precinct Groups, the Local History and Heritage Advisory Group, and any other affected stakeholders, are advised of the Council resolution accordingly.

<b>Date Adopted:</b>	21 June 2006
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<b>Date of Next Review:</b>	July 2015