

Historic Heritage Schedule

Background

A heritage schedule is included in most planning schemes, but provisions vary and are not consistent across the State. This draft has been prepared after examining a number of those planning schemes. It aligns with the 'Managing our Heritage' position paper and proposed reform of the *Historic Cultural Heritage Act 1995* to create an Historic Environment Bill in 2009. This work aims to generate greater clarity, consistency and predictability in the management of the historic environment in Tasmania.

The new legislation will provide for State and local heritage places and heritage precincts. All works to State heritage places will be assessed by the Tasmania Heritage Council or delegated to Heritage Offices or planning authorities, as occurs now. However, under the new legislation, it is intended that approval for works in relation to State heritage places, and any conditions imposed by the THC, will be incorporated into the planning permit after the planning authority has assessed any other aspects of the use and development. The THC will also be able to direct refusal of a permit. A single permit will avoid a permit for other aspects being issued if works approval were to be refused and vice versa.

It is proposed that local heritage places will continue to be listed by the planning authority but under processes to be contained in the new Act and under a list separate from the planning scheme when that Act comes into force. The new Act will establish criteria for local heritage listing and heritage precincts but both will be administered under the planning scheme.

The draft schedule therefore covers local heritage places and heritage precincts. It includes provision for a list of local heritage places until the new legislation is in effect.

1 Purpose of Schedule

1.1 The purpose of this schedule is to protect the historic heritage significance of Local Heritage Places and Heritage Precincts.

2 Application of Schedule

- 2.1 This schedule applies to:
- (a) Local Heritage Places; and
 - (b) Heritage Precincts.

3 Definition of Terms in this Schedule

Conservation Plan means a plan prepared by a heritage professional in accordance with *The Conservation Plan: A Guide to the Preparation of Conservation Plans for Places of European Cultural Significance* J.S. Kerr National Trust of Australia (NSW) 1982.

Heritage professional means a person with tertiary qualifications in a recognised field of direct relevance to the matter under consideration.

Local Heritage Place means a place entered on the Local Heritage List in Table 5.1¹

Historic heritage significance means in relation to a Local Heritage Place or Heritage Precinct, its aesthetic, historic, scientific (including archaeological), social or spiritual value.

Heritage Precinct means an area described in Table 5.2 in this Schedule as an area of special aesthetic, historic, scientific (including archaeological), spiritual or social value in which it is desirable to preserve or enhance the streetscape, townscape and/or notable character and significant features of the area.

4 Development not Requiring a Permit

4.1 A permit is not required under this schedule for:

- (i) maintenance and repairs that do not involve removal, replacement or concealment of any feature that contributes to the historic heritage significance of the place or precinct described in Table 5.1 or 5.2; and
- (ii) electricity, optic fibre and telecommunication cables and gas lines to individual buildings which connect above ground or utilise existing service trenches; and
- (iii) internal alterations to buildings if the interior is not included in the historic heritage significance of the place or precinct described in Table 5.1 or 5.2 ; and
- (iv) repainting of an exterior surface that has been previously painted;
- (v) upgrading of bathrooms, kitchen or laundry where there are no alterations to existing external walls, doors or window openings;
- (vi) restoring or reinstating original fabric;
- (vii) works required for compliance with fire regulations under the Building Code of Australia, which do not impact on heritage fabric.

¹ This will remain until the new legislation is in effect at which stage the list will be removed from the Schedule and maintained externally. The definition will be amended to reference this external list maintained by the planning authority in accordance with the new legislation.

5. Standards for Development

5.1 Local Heritage Places

<p>Objective: To ensure that development, including subdivision, signs, infrastructure, works and demolition of a Local Heritage Place conserves, reveals, enhances and does not detract from those values, features and characteristics which contribute to the historic heritage significance of the place.</p>	
Performance Criteria	Acceptable Solutions
<p>P1.-Development of a Local Heritage Place must be compatible with and not dominate or unduly detract from the historic heritage significance of the place in terms of:</p> <ul style="list-style-type: none"> (a) siting, size, height, scale, shape, design and bulk; and (b) roof form and fenestration; and (c) materials, finishes and landscaping. 	<p>A1. Development of a Local Heritage Place:</p> <ul style="list-style-type: none"> (a) will have no impact on the historic heritage significance of the place; or (b) is required to reveal or retain historic heritage significance in accordance with a conservation plan prepared in consultation with the Council; or (c) will be carried out in accordance with a report by a heritage professional and will not diminish the historic heritage significance of the place.

Table 5.1 Local Heritage Places (until new legislation is in effect)

Address or Location	Description of Historic Heritage Significance
<p>(PID and title, property name and address and an adequate description (or plan below) where the place comprises part of a title or otherwise requires further clarification)</p>	<p>(where available) (retention of images where available)</p>

Inset map showing boundaries of Heritage Places (if required)

5.2 Heritage Precincts

<p>Objective: To ensure that development, including subdivision, signs, infrastructure, works and demolition, within a Heritage Precinct conserves, reveals, enhances and does not detract from those values, features and characteristics which contribute to the historic heritage significance of the precinct.</p>	
Performance Criteria	Acceptable Solutions
<p>P1. Development within a Heritage Precinct must be compatible with and not dominate or unduly detract from the historic heritage significance, streetscape, townscape and/or notable character and significant features of the precinct in terms of:</p> <ul style="list-style-type: none"> (a) siting, size, height, scale, shape, design and bulk; and (b) roof form and fenestration; and (c) materials, finishes and landscaping. 	<p>A1. (a) The development will not involve any feature or characteristic of the streetscape or townscape which is identified in Table 5.2 as contributing to the historic heritage significance or notable character of the precinct; or</p> <ul style="list-style-type: none"> (b) (c) Development will be carried out in accordance with a report by a heritage professional and will not diminish the historic heritage significance of the precinct.

Table 5.2 Heritage Precincts

Name of Heritage Precinct. Address or Location of individual properties	Description of Historic Heritage Significance, notable character and significant features of the Heritage Precinct
(PID/s and title/s, property name/s and address/es)	(Statement of heritage significance. Statement against each of the assessment criteria which the Heritage Precinct is assessed as having met. - Retention of images of the precinct is encouraged).

Inset map showing boundaries of each Heritage Precinct (if not shown on planning scheme plans).