

WORKS APPLICATION

for places listed on the Tasmanian Heritage Register

Tasmanian Heritage Council Phone: 1300 850 332 (local call cost)
Level 6, 134 Macquarie Street 6233 2037
(GPO Box 618) Fax: 6233 3186
Hobart Tasmania 7001 Email: enquiries@heritage.tas.gov.au
 Web: www.heritage.tas.gov.au

Information for applicants

The *Historic Cultural Heritage Act 1995* sets out the requirements for obtaining approval for work on places entered in the Tasmanian Heritage Register.

- What places are affected?** All places entered in the Tasmanian Heritage Register.
- What are "works"?** The Act defines "works" to include *any development (see below); any physical intervention, excavation or action which may result in a change to the nature or appearance of the fabric of a place; any change to the natural or existing condition or topography of land; and any removal, destruction or lopping of trees otherwise than in accordance with defined forest practices.*
- The term "development" includes construction, exterior alteration or exterior decoration of a building; the demolition or removal of a building; subdivision or consolidation; and construction of signs or hoardings.
- Are internal works included?** **Yes**, if the work is likely to affect the significance of the place. For example, the removal of original ornate fireplace surrounds would affect the significance of the place, and therefore would not be supported by the Heritage Council. In most cases, redecoration, including wallpapering and repainting, will not require Tasmanian Heritage Council (THC) approval, **but it is advisable to check with the THC before commencing work.**
- Is approval needed?** **Yes.** The Act states that *a person must not carry out any works in relation to a registered place ... which may affect the historic cultural heritage significance of the place unless the works are approved by the Tasmanian Heritage Council.*
- The Heritage Council may not require an application for some minor maintenance works, provided the works do not affect the significance of the place. A contact should be made with the Heritage Tasmania to establish whether or not an application is required. Telephone Heritage Tasmania on 1300 850 332 (local call cost).
- What if I ignore the requirements?** The Act contains substantial penalty provisions for non-compliance – up to \$1 million for corporate bodies and \$500,000 for individuals.
- How long does it take to obtain approval?** The Act provides a statutory period of 42 days for determination of a works application, or any further period agreed to by the Heritage Council (THC) and the applicant. If you also require local government approvals, such as a planning, building or plumbing permit, THC approval is usually gained well before these other permits.
- Where do I lodge my application?** The application must be submitted in writing **to the local planning authority**, and must state the details of the works to be carried out. A form is held at local government offices for this purpose, and you will also need to provide copies of your plans and other documentation.

What then happens to the application?	The planning authority then refers the works application to the Heritage Council for assessment.
Will the application be advertised?	Yes. Planning authorities must arrange for all works applications to be advertised in the daily newspaper. The notice must state details of the works, the place where the application may be inspected, and invite submissions relating to the works application.
Can anyone object to, or support an application?	Yes. Any person may make a submission in relation to a works application. The submission must be lodged with the planning authority within 14 days after the application is advertised.
What happens to these submissions?	The planning authority sends a copy to the Heritage Council.
Can the Heritage Council seek further advice from other bodies?	Yes. The Heritage Council may consult with any relevant person, body, authority, department or agency before determining a works application. (For example, it may consult with the Institute of Engineers in relation to an item of industrial or engineering significance.)
What options does the Heritage Council have in determining an application?	Having considered any submissions and after any consultation as outlined above, the Heritage Council (THC) may approve the application with or without any condition or restriction, or may refuse to approve the application. It may also set standards by which the works are to be undertaken by the applicant, or may require the applicant to engage suitably qualified persons to supervise or undertake the works (or any part of the works), or may require the applicant to arrange appropriate curation and storage of items removed from a place. If the works are likely to destroy or reduce the significance of a registered place, the THC may only approve such works application if it is satisfied that there is no prudent and feasible alternative to carrying out the works.
How is the applicant notified of the decision?	The Heritage Council must notify the planning authority of its decision, and the planning authority must then inform the applicant and any person who made a submission.
Can the applicant appeal against the decision?	Yes. The applicant has a 14-day period to lodge an appeal with the Resource Management and Planning Appeal Tribunal.
Who else can appeal?	Only persons who made a submission to the planning authority during the 14 day public notice period.
What happens at the Tribunal?	The Tribunal may confirm the Heritage Council's (THC) decision; or may vary or substitute any condition or restriction of approval; or may set aside the decision; or may remit the matter to the THC for reconsideration.
Do I need both Local Government and THC approval?	Yes. You need approval from both bodies before you can commence work.
Can approval be withdrawn or revoked?	Yes. The Heritage Council may revoke an approval if any condition, restriction, requirement or standard is not complied with.
Where can further advice be obtained?	Contact Heritage Tasmania for free, expert advice: Phone: 1300 850 332 (local call cost) Email: enquiries@heritage.tas.gov.au In person: Level 6, Lands Building, 134 Macquarie Street, Hobart <i>or</i> Level 1, Public Buildings, 53 St John Street, Launceston Web: www.heritage.tas.gov.au

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Office Use Only	
Date rec'd by Council:	
Council Application No:	
Date forwarded to THC:	
THC Application No:	
Date Received:	
Expiry Date:	

The *Historic Cultural Heritage Act 1995* requires that "A person must not carry out any works in relation to a registered place or a place within a heritage area **which may affect the historic cultural heritage significance of the place** unless the works are approved by the Tasmanian Heritage Council" [32(1)].

Address of proposed works

Address		
	Town	Postcode

Applicant's details

Name/s		
Address		
	Town	Postcode
Phone number (w)	(m)	(h)
Fax number (w)		(h)
Email		

Owner's details (if different from above)

Name/s		
Address		
	Town	Postcode
Phone number (w)	(m)	(h)
Fax number (w)		(h)
Email		

Proposed works

In assessing your proposed works, the Heritage Council will consider which aspects of your place are of higher significance and encourage retention of those elements, eg original fireplaces, stairs, façades, etc. Aspects of lower heritage significance will provide you with greater flexibility.

Briefly describe the proposed works and tick any appropriate boxes in the checklist.

Note: If building a new structure, please provide dimensions, eg storeys, height, floor area.

	Demolition or removal	Additions or new works	Alterations / changes to appearance	Restore to original/early appearance	Minor repair or painting
Key building /structure works					
- Street elevation of buildings <i>(parts of buildings visible from street or other public place)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
- Other elevations of buildings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
- Original/early design features <i>(eg chimneys, fireplaces, verandahs, joiner/woodwork, etc)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other works					
- Outbuildings, garages, sheds	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
- Hard landscaping <i>(eg paving, patios, walls, decks)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
- Soft landscaping <i>(eg plants, trees, hedges)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
- Exterior signage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
- Title or boundary change	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Drawings and documents

Please attach the following documents to assist decision making.

- Site Plan
- Floor plans, elevations and sections
- Title copy
- Copy, or relevant extract, of any existing conservation plan *(if available)*

Advice obtained on heritage issues

I have sought advice from the following people *(please provide names)*

- Accredited designer/architect/designer

- Heritage Tasmania Heritage Advisor

- Local Government Heritage Officer

- Arborist/tree surgeon

Your signature

Signature
Date

Once completed please forward this form, along with all other planning documents, to your local council.

Privacy Information: Personal information will be collected from you for the purposes of assessing your works application and will be used by the Tasmanian Heritage Council and Heritage Tasmania for managing, assessing and advising upon this application and may be used for other purposes permitted by the *Historic Cultural Heritage Act 1995*.

You are required to provide this information by the *Historic Cultural Heritage Act 1995*.

Your personal information will be used for the primary purpose for which it is collected and may be disclosed to other public sector bodies, organisations or planning authorities authorised to use it.

Your basic personal information may be disclosed to other public sector bodies where necessary for the efficient storage and use of information.

Personal information will be managed in accordance with the *Personal Information Protection Act 2004* and may be accessed by the individual to whom it relates on request to Heritage Tasmania. You may be charged a fee for this service.