

THE LOCAL HERITAGE REGISTER

What is the South Burnett Regional Council local heritage register?

The heritage register includes places of local heritage significance in the South Burnett local government area. The places were selected following a detailed heritage study, based on an analysis of the region's historical themes, previous heritage studies, inventories of places and existing heritage registers and consultation with stakeholders. Each place is represented by a place card that includes important information such as its history, description, photos and a statement about its significance.

How is 'local heritage significance' defined?

Heritage is the recognition that some things from the past are important to people in the present and should be conserved for future generations. Heritage generally includes buildings, archaeological places, landscapes, views and objects, although it can also include traditions, ideas and cultural practices. Some things are important because they are obviously 'old', but other things are recognised for their association with particular historical processes or events, regardless of how old they are.

Heritage is fundamentally shaped by the idea of significance. Like history, many things occurred in the past, but we only choose to remember certain things at particular times. The idea of what is significant can change over time, but significance nonetheless remains the essential, defining feature of heritage and determines its value. Places of local heritage significance are therefore places that are significant in the history of the 'local area', which generally refers to the local government area, or 'region'.

How is the significance of places determined?

The significance of a place is determined through the application of heritage criteria. The best-practice framework for the conservation of cultural heritage in Australia is the Burra Charter (2013). According to the Burra Charter, a place is considered significant if it possesses aesthetic, historic, scientific or social value for past, present or future generations (Article 1.2). These values are reflected in heritage criteria that are used by all heritage agencies and statutory heritage Acts in Australia.

The criteria used to assess the significance of places in the local heritage register are adapted from the Queensland Heritage Act 1992:

- A The place is important in demonstrating the evolution or pattern of the region's history.
- B The place demonstrates rare, uncommon or endangered aspects of the region's cultural heritage.
- C The place has potential to yield information that will contribute to an understanding of the region's history.
- D The place is important in demonstrating the principal characteristics of a particular class of cultural places important to the region.
- E The place is important to the region because of its aesthetic significance.
- F The place is important in demonstrating a high degree of creative or technical achievement at a particular period for the region.
- G The place has a strong or special association with a particular community or cultural group for social, cultural or spiritual reasons important to the region.
- H The place has a special association with the life or work of a particular person, group or organisation of importance in the region's history.

Each place is unique and only the relevant criteria are used to produce a statement of significance for a place.

What does it mean if a place is entered on the local heritage register?

The purpose of entering places on the local heritage register is to conserve what makes them significant. Approval may therefore be required by the South Burnett Regional Council before development can occur at a local heritage place. 'Development' is defined in the Sustainable Planning Act 2009 and includes building, operational work, reconfiguring a lot and material change of use.

Development is assessed against the [Code for IDAS] in the [Queensland Heritage Regulation 2003]. Property owners and developers of a local heritage place are encouraged to contact Council when planning for development to determine what their responsibilities are in relation to heritage.

It is important to note that, in most cases, development would require approval under the planning scheme regardless of the heritage significance of the place. Most development is assessed against other parts of the planning scheme and heritage is only a part of this process.

Can changes occur on a property if it is entered on the local heritage register?

The answer is 'yes', but it may depend on the nature of the change and the impact it will have on the significance of the place. The reason for including places in the register is to protect what makes them significant.

Nonetheless, the South Burnett Regional Council recognises that to conserve the significance of local heritage places requires flexibility and a sympathetic approach to development applications. It is a common misconception that once a place is identified as 'heritage' it cannot be changed or altered. This is not the case, and indeed change is often necessary to ensure continued use, which in turn will mean the place is used and looked after. If a place cannot be changed it will not be cared for and ultimately the significance of the place will be lost.

Does everything done to, or on, a local heritage place require approval from Council?

Owners of places on the local heritage register only need approval for work that is defined as 'development' in the

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Sustainable Planning Act 2009. For example, painting and general maintenance are not 'development' and therefore do not require approval. The use of the property at the time of entry to the register also remains unaffected; for example, if stock are run on the property, this can continue without change, if this use is already consistent with the planning scheme and any previous approvals.

Can a local heritage place be demolished or removed?

The demolition or removal of a local heritage place is generally not supported. However, it is possible to demonstrate that there is 'no prudent or feasible alternative' to these actions and if this has been sufficiently demonstrated then Council may approve either of these outcomes.

Are owners of local heritage places obliged to undertake special maintenance?

No. There are no obligations to undertake special maintenance on a local heritage place. 'Special maintenance' means using traditional trades and skilled tradespeople to undertake work that is not deemed development, although this is encouraged if relevant to the place.

Council does have the option to give a repair and maintenance notice to the owner of a local heritage place if Council reasonably believes that work is necessary to 'protect the place from damage or deterioration caused by weather, fire, vandalism or insects' (Queensland Heritage Act 1992, Part 8, s.84).

Exemption Certificates

Owners of places on the local heritage register may apply to Council for an exemption certificate to undertake development that will only have a minimal detrimental impact on the cultural heritage significance of the place.

Will insurance premiums be affected if a place is entered on the local heritage register?

This may depend on your insurer. However, as a general rule, there is no reason why insurance premiums should be affected if the place is entered on the local heritage register. In the case of buildings, insurance premiums typically reflect the age of the premises, materials used in its construction and its condition. It is recommended that property owners seek advice from a range of insurance companies regarding their insurance policies.

Is it necessary to employ qualified professionals or tradespeople to carry out building work?

There are no particular requirements regarding professionals or tradespeople when undertaking work to a local heritage place, beyond the usual requirements under legislation. This is an important point as some insurance companies will claim that insurance costs are higher because specialist tradespeople will be required to undertake work to a place in the case of an insurance claim.

Does the public have the right of access to a local heritage place?

The public does not have right of access to your property because it is entered on the local heritage register. The entry of a place on the register does not affect the ownership of the place.

Making a submission

An owner or member of the public can make a submission regarding the proposed entry of a place on the local heritage register.

The South Burnett Regional Council must notify owners and the public of its intention to enter a place on the local heritage register in accordance with the Queensland Heritage Act 1992 (Part 11 s117). Council must issue a written notice by mail to the owner of the place and a notice must also be published in a local newspaper circulating in the local government area within 10 days of notifying the owner of the place. A notice will also be included on Council's website along with the place cards proposed for entry to the local heritage register.

Written submissions regarding the proposed entry of a place onto the Local Heritage Register can be made by any person or entity. Submissions must be:

- Be addressed to the Chief Executive Officer, South Burnett Regional Council, PO Box 336 Kingaroy Qld 4610.
- Be made on the basis that the place is, or is not, a place of cultural heritage significance for the South Burnett Regional Council local government area, with specific reference to the Statement of Significance as shown on the place card.
- Be received by South Burnett Regional Council on or before Friday, 22nd July 2016.

Council will assess all submissions and provide a formal response to submitters. The response will provide information regarding Council's final decision about the place and the reason/s why Council arrived at that decision in response to the submission.

