

Frequently Asked Questions

Proposed George Street Designated Heritage Area

What is the Local Planning Scheme Heritage List?

To effectively manage the places that are important to the Town of East Fremantle, one of the key tools is the Local Planning Scheme No. 3 Heritage List. The Heritage List is a development tool that allows the most important local heritage places to be managed, with heritage protection as one of the important considerations in the planning process. Local Planning Scheme No. 3 sets out a process for proceeding with the inclusion of places in the Heritage List that involves notification of owners/occupiers, invites comments and considers submissions. Following this, Council resolves to adopt a list. In considering future development applications, the Heritage List is used to ensure that development occurs with due regard to heritage values, therefore maintaining the strong existing character of the Town.

What is a Heritage Area?

Heritage areas are select areas with special qualities and will generally be quite rare in the context of the Town as a whole, but it may not require every place within the heritage area to be significant or to be included in the Heritage List. A Heritage Area describes a collective cultural heritage value.

Heritage Areas do not require a level of significance to be assigned to them.

A Heritage Area may be of aesthetic value, historic value, have research or social value and/or demonstrate a cohesive physical form in the public realm, which is a distinguishing characteristic when compared to individual heritage places. Heritage Areas may contain a number of places, buildings or properties. Planning policies for Heritage Areas are aimed at ensuring the totality of the Area is not diminished by inappropriate development.



How is a Heritage Area created?

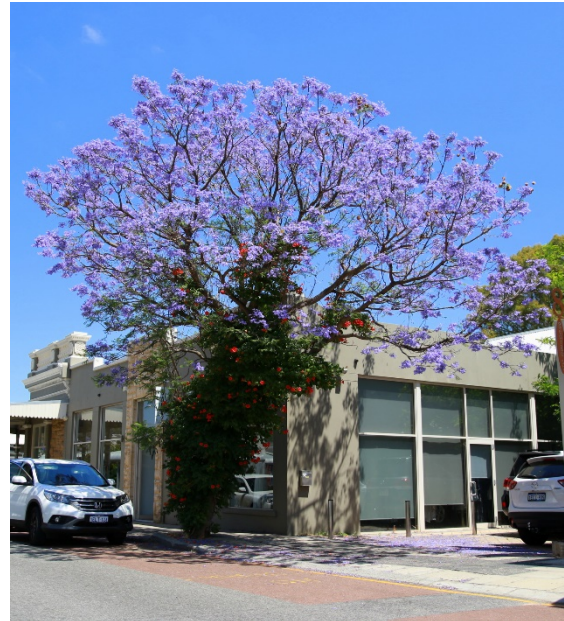
Under Schedule 2, Part 3 of the *Planning and Development (Local Planning Schemes) Regulations, 2015* (specifically Clause 9 of the Deemed Provisions for local planning schemes), a local government may designate an area as a heritage area if it considers that special planning control is needed to conserve and enhance the cultural heritage significance and character of that area.

If the local government designates a heritage area, it is required to adopt a local planning policy that sets out:

- a map showing the boundaries of the heritage area;
- a statement about the heritage significance of the area; and
- a record of places of heritage significance in the heritage area.

A local government cannot designate an area as a heritage area without first undertaking a consultation process including notification to land owners affected by the proposed heritage area; publishing a notice in the newspaper and on the local government's website; erecting a sign in a prominent location within the area; and carrying out any other consultation the local government considers appropriate. A submission period of 21 days (minimum) applies.

After the expiry of the submission period, the local government must review the proposed designation in the light of submissions made and resolve to adopt the designation with or without modification, or not proceed with the designation. The local government is required to give notice of the designation to the Heritage Council of Western Australia and each land owner affected by the designation.



Can development or demolition occur at a property in the Local Planning Scheme Heritage List or in a Heritage Area?

Change may occur and demolition is not automatically precluded. However, the scope for either is cultural heritage significance dependent and the particular circumstances at hand. Change needs to be managed to retain significance and demolition will be considered in terms of the cultural heritage impact on the Heritage Area as a whole. Supporting information in the form of a heritage assessment and heritage impact statement will assist Council to make determinations. In some cases, demolition and compatible redevelopment may actually be desirable. If a place within an area is considered as intrusive, compatible redevelopment may well be a desirable outcome. Ultimately decisions regarding proposals to demolish would be made by the Council.

What is the benefit of having a Heritage Area?

The declaration of George Street as a heritage area ensures that all development will complement the heritage nature of the majority of buildings and not result in development that detracts from the character of the street or does not recognise the important historic links of the older buildings in the area. The heritage buildings in George Street set East Fremantle apart from many other areas across the Perth metropolitan area and adds character and distinctiveness to the area. It promotes a greater sense of place. East Fremantle encourages the preservation of heritage, but shows that heritage can flourish alongside more modern development.

It encourages more investment in the area as the community and investors understand which direction the area is heading in terms of investment and development.

East Fremantle already has a reputation for promoting and protecting heritage buildings. It has a heritage trail which highlights some of the pre-eminent heritage buildings in the locality and a means to promote the local economy. By promoting heritage as the dominant feature of the built form along the street it encourages adaptive re-use of the existing buildings which in turn promotes improved sustainability. The buildings are looked after and valued more so than if the heritage buildings were allowed to deteriorate.

Why George Street?

George Street is considered an important heritage area within the historic Plympton Precinct that is worthy of protection. Considerable investment has been undertaken by land owners in the area renovating and rejuvenating older buildings that needs to be capitalised on.

The street is home to the George Street Festival which is the centerpiece of the East Fremantle activities calendar. There is no better way to cement the focus of the Town on this unique area than by introducing measures that protect the area further and indicate to the community that heritage is important.

Strip shopping precincts that have heritage elements provide a marked difference to modern day shopping centres that lack the intimacy, human scale and walkability of places like George Street. In a competitive world the establishment of the proposed George Street Designated Heritage Area helps to set apart East Fremantle from other surrounding areas.



Will the creation of the George Street Designated Heritage Area stop future development of older buildings?

No. The Town has demonstrated in the past that it regularly approves development of buildings that have been heritage listed provided the key heritage elements of the buildings are protected and preserved. Many of the clauses in policies such as the Residential Design Guidelines that control residential development are aimed at ensuring the balance between development that utilises modern tastes, contemporary design preferences and the latest building materials and techniques with the conservation of older and valuable heritage buildings. The Guidelines favour renovations that preserve the character and heritage of existing dwellings, while ensuring that the newer additions and extensions are distinctly different and do not mimic the heritage qualities or attempt to be faux heritage developments.



Will the creation of the George Street Heritage Area prevent a change of use application from being approved?

All change of use applications are assessed on the individual merit of the development application and in accordance with Local Planning Scheme No. 3 and any other relevant State and local planning policies, as well as any other requirements including building and environmental health regulations and policy.

Are there any benefits for a property on a Heritage List or located in a Heritage Area?

Under the provision of Local Planning Scheme No. 3, the Council may enter into heritage agreements, require heritage assessments for new developments and make variations to the Planning Scheme provisions for a heritage place to facilitate its conservation and enhance and preserve its values. This can be done by means of varying site or development requirements specified in the Planning Scheme, the Residential Design Codes or relevant local planning policies. The waiving of Scheme provisions requires a substantial heritage outcome in return.

How does past change to a place impact on heritage value and the prospect of further change?

It will depend on the impact of past changes. Some types of past change devalue the place as a whole, but often past change is readily recognisable and may not be of any heritage value, and may even be intrusive. Places of higher significance need to be changed with care, but later changes may provide the opportunity for further adaptation and change, without harming the significance of the place. Early consultation will help identify the opportunities.

What impact will past additions have on the assessment?

It depends on the nature of the additions, where they are located and what impact they have on heritage values. Additions do not necessarily impact adversely on heritage value. In some instances, cumulative change is part of the heritage value. A very large-scale example of this is Fremantle Prison, where well over 100 years of penal history is recorded in the fabric of the Prison.

Does inclusion in a Heritage Area impact on property value?

Inclusion on a list does not generally impact on property value. However, there may be property value implications in particular circumstances, such as an incompatibility with zoning or density at a place where development is proposed. Being in a Heritage Area indicates that new development when it does occur needs to be sympathetic with any heritage to ensure that heritage values and 'character' are retained. In many instances heritage values and character are strong contributors to the financial value of that location as can be demonstrated as a whole in the Plympton Precinct. Council may be able to offer development concessions as provided for in the Local Planning Scheme to mitigate potential diminished value.

Does listing impact property insurance?

Generally any place can be insured providing it is in sound condition and occupied. Some companies do not insure heritage places, but most companies do. In common with any property owner, heritage property owners insure their place in a private contract arrangement and should ensure they have adequate cover for their particular risk. The common practice of insurers replacing property or material damage on a like for like basis is coincidentally good heritage

conservation practice. In the event of total destruction of a property, the replacement property would not be required to replicate the property lost, but would need to be contextually compatible as any new development would. A total reconstruction of a heritage place is not generally considered to be a good heritage outcome, since authenticity is a component of heritage value.

Where do I get advice or direct further questions?

The first call is to the Town to discuss what is being considered with Council planning officers. Expert advice can be obtained through the State Heritage Office's Heritage Consultant List.

Can I object to inclusion in the George Street Designated Heritage Area?

Most places have been included in the George Street (heritage) Precinct since 2004 with gazettal of Local Planning Scheme No. 3 and even prior to that under Town Planning Scheme No. 2. These places were included in the Planning Scheme Heritage List and the Municipal Heritage Inventory on the basis of cultural heritage value. Objections would need to be on the cultural heritage values of a place/building or the area as a whole and may include an objection to the assessed cultural heritage significance of the place, recommended management category, or specific factual information. Council will consider all submissions received.

Will I have any extra responsibilities or obligations as a result of my property being included in the George Street Heritage Area?

If a property is included in a Heritage Area then the only additional responsibility to that generally expected of property owners is to ensure that when development is proposed that a development application is submitted to ensure that it is in accordance with the requirements of Local Planning Scheme No. 3, relevant local planning policy and any other requirements that are imposed as part of development within the Town of East Fremantle.

I have a newer property that has not previously been seen as having heritage value. Why does it have to be included in the George Street Heritage Area?

By establishing a Heritage Area, controls can be imposed that ensure that development is in keeping with the aims and objectives of the whole area. A holistic approach to development is adopted rather than a piecemeal approach. The Town sees the George Street Designated Heritage Area as an integral feature of East Fremantle; a compact mixed use zone that encourages both residential and commercial activities to operate side by side. Just as Hay Street and Murray Street are integral features of the City of Perth, or Fremantle without South Terrace would be unrecognisable, East Fremantle

minus George Street would not be East Fremantle. The declaration of the George Street Heritage Area will ensure that George Street maintains its pre-eminent position in the area as a vibrant, heritage commercial, shopping, dining and entertainment precinct, with strong heritage characteristics and an embedded sense of place within the community.

Will any other areas be considered as heritage areas?

For the time being only the George Street Heritage Area is being considered by the Town. It is likely that consideration will be given to adding other heritage areas in the future, but that is currently not part of Council research or discussions for the immediate future. However, it is intended that in the future other heritage areas be investigated for consideration by Council.

When is a development application required?

A development application is required for all development within a heritage area. The exception to this relates to the carrying out of internal building works which do materially affect the external appearance of the building, unless the development is located in a place that is listed on the State Heritage Register; is subject of an order under the Heritage Act; subject to a Heritage Agreement; or included on the local planning scheme heritage list as having an interior with cultural heritage significance.

For more advice:

Contact the Town of East Fremantle Planning officers:

Phone (08) 9339 9339 or email admin@eastfremantle.wa.gov.au