

**PSP 3**  
**REQUIREMENTS FOR CULTURAL**  
**HERITAGE MANAGEMENT**

## Planning Scheme Policy No.3 – Requirements for Cultural Heritage Management

### 1.0 EXPLANATION

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- (1) This Policy sets out the basis for information that Council may request from an applicant so as to assist in the assessment of a development application that is within or otherwise affects a place having cultural heritage significance.
- (2) Cultural heritage significance in the Shire includes places, sites, items and landscapes (termed “places” for the planning scheme) having:
  - (i) **indigenous cultural heritage** significance specifically associated with activities, traditions and lifestyles of indigenous inhabitants and local Traditional Owners of the area and their ancestors.
  - (ii) **historic cultural heritage** significance generally associated with human activities since the beginning of non-indigenous settlement of the area, as well as natural places which have meaning for people of the current day – as depicted on SMOA Map 2F.
- (3) In order to adequately protect and manage cultural heritage significance in the Shire it is necessary that such places and their values are properly identified and assessed as part of any development application.

### 2.0 OVERVIEW - PLACES WITH CULTURAL HERITAGE SIGNIFICANCE (INDIGENOUS & NON INDIGENOUS)

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- (1) Applicants should note that particular assessment requirements, beyond those outlined in this planning scheme, may exist for places having cultural heritage significance, including cultural relics and areas of archaeological interest, where they have been identified, listed or declared under relevant State or Federal legislation.
- (2) The Queensland Government maintains both the Queensland Heritage Register (under the *Queensland Heritage Act 1992*) and the Queensland Cultural Heritage Inventory of Places (QCHIP). Both documents provide information on places having, or potentially having, cultural heritage significance. The Cultural Features Overlay Code applies to places listed on these documents.
- (3) The *Cultural Record (Landscapes Queensland and Queensland Estate) Act 1987* or substituting legislation provides for the protection and management of features within the State which are of heritage significance for anthropological, cultural, historic, prehistoric or societal reasons including inter alia sites, items and places having cultural heritage significance and/or significance to indigenous Australians. Where development would result in the removal, destruction or degradation of the heritage values of part of *Landscapes Queensland* or the *Queensland Estate*, as defined by the *Cultural Record (Landscapes Queensland and Queensland Estate) Act 1987*, the applicant should be aware of any particular requirements of that Act.
- (4) (a) Separate from any existing State or Federal legislation, Council has and may continue to determine from time to time which places it considers have indigenous or historic cultural heritage significance to the Shire in accordance with Clause (6) below and through inclusion of such places in Schedule 6 to the planning scheme.
- (5) (a) In order for Council to conserve and manage the values of cultural heritage places within the Shire, assessable development within or adjoining a significant cultural heritage place will be assessed against the Cultural Features Overlay Code (Code 3.9) in the planning scheme.
- (6) In assessing whether a place has or may have significant cultural heritage value for maintaining Schedule 6 and for the currency of the Overlay Code, Council will, at a minimum, consider whether the places:-

- (a) displays historical, economic or social themes that are of importance to the Shire or locality;
  - (b) represents customs or ways of life that are, or have been, characteristic of the Shire or locality;
  - (c) has played an important part in the lives of Shire or local residents;
  - (d) displays aesthetic merit, design characteristics or construction techniques of significance to the Shire or locality;
  - (e) is associated with a notable Shire or local personality, group or event;
  - (f) is a notable Shire or local landmark;
  - (g) is important to the visual character and amenity of the local streetscape and its removal or demolition would significantly diminish the visual character of the local streetscape;
  - (h) is in a locality where little redevelopment has occurred such that the visual character and amenity of the local streetscape has remained largely unaffected over time;
  - (i) has cultural significance to a particular group within the community; or
  - (j) meet any other criteria outlined in Guidelines from State Government and included in 3.0 and 4.0 of this Policy.
- (7) In assessing an application for development relating to or materially affecting a place of cultural heritage significance continued in Schedule 6, Council will particularly consider:
- (a) whether the development will maintain or enhance the cultural heritage significance of the place;
  - (b) whether the development is likely to have any significant adverse effect on the significant cultural heritage values of the place, and the extent of such effect; and
  - (c) whether there is any prudent and feasible alternative to the development as proposed which would ensure the conservation of the cultural heritage significance of the place.

### **3.0 INDIGENOUS CULTURAL HERITAGE SIGNIFICANCE**

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- (1) In carrying out your activity you must take all reasonable and practicable measures to ensure that it does not harm Aboriginal cultural heritage (the 'cultural heritage duty of care'). You will comply with the cultural heritage duty of care guidelines. An Assessment of your proposed activity against the duty of care guidelines will help determine whether or to what extent Aboriginal cultural heritage may be harmed by your activity. Further information on cultural heritage, together with a copy of the duty of care guidelines and cultural heritage search forms, may also be obtained from [www.nrm.qld.gov.au](http://www.nrm.qld.gov.au)

### **4.0 HISTORIC (NON INDIGENOUS) CULTURAL HERITAGE SIGNIFICANCE**

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- (1) Places having historic cultural heritage significance to which the provisions of this Policy apply may include buildings, other structures and items, parks, cemeteries, trees, landscapes, localities, relics, submerged relics, archaeological sites, and other places and items which contribute in an important or otherwise notable way to an understanding of the historical development of the Shire and/or a particular locality.
- (2) In assessing the historic cultural heritage significance of a place for inclusion in Schedule 6 or in assessing a development application, Council will have regard to whether or not the place:
- (a) demonstrates the evolution or pattern of the Shire or locality's history;
  - (b) demonstrates rare, uncommon or endangered aspects of the cultural heritage of the Shire or locality;
  - (c) has the potential to yield information that will contribute to an understanding of the history of the Shire or a locality;
  - (d) is important in demonstrating the principal characteristics of a particular class of cultural place;

- (e) is important in demonstrating particular aesthetic characteristics valued by the community or a particular cultural group within the community;
- (f) is important in demonstrating a high degree of creative or technical achievement at a particular period;
- (g) has a strong or special association with a particular community or cultural group for social, cultural or spiritual reasons;
- (h) has a special association with the life or work of a particular person, group or organisation of importance in the history of the Shire or local community.

## **5.0 INFORMATION REQUESTS**

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- (1) ***Historic cultural heritage*** – reporting and diagrams demonstrate how buildings, uses and works will be located, designed and constructed to maintain the values of the places and the setting. Any demolition or removal strategies should minimise impacts to the values of the places. Any adaptive re-use protects significance.
- (2) ***Indigenous cultural heritage*** - reporting and diagrams demonstrate how buildings, uses and works will be located, designed and constructed to prevent irreversible damage to indigenous cultural heritage values as determined through consultation with the indigenous communities or people who can speak for the land.