

PLANNING OUR FUTURE

The Gympie Region Planning Scheme

Gympie Regional Council New Planning Scheme Project

Council Endorsed **Heritage Conservation Policy Position Paper**

December 2023



Introduction

Historically, the Gympie community had an important role in the early European settlement of Queensland. It is not surprising therefore that the Gympie region exhibits a high concentration of places of both local and state heritage significance. These places remain today as physical evidence of this history and should be preserved for their aesthetic, cultural and interpretive values; heritage places contribute greatly to the character and identity of the Gympie region.

It is important to note that this paper does not address indigenous cultural heritage. Places of Aboriginal or Torres Strait Islander cultural heritage are administered separately under the *Aboriginal Cultural Heritage Act 2003*, and the *Torres Strait Islander Cultural Heritage Act 2003* by the Queensland Government Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships. The purpose of this document is to set out policy options available to Gympie Regional Council to manage places of significance to the history of the European settlement of the Gympie region via council's new planning scheme which is currently being produced.

Council has recently endorsed the Heritage Places Study (the Study) which:

- identified an assessment methodology,
- detailed the criteria for a place to be included in the 'Local Heritage Register', and
- updates to the existing register including the identification of additional sites of heritage significance.

The study has provided the information base for the Local Heritage Register. As a result, council now has a more detailed analysis and historical information on each place identified in the Study, consistent with the requirements of the *Queensland Heritage Act 1992*. It is noted that the study is not yet a complete listing of places of heritage significance within the Gympie region. The study does, however, provide a solid foundation upon which further work can be undertaken to describe and list the remaining places of heritage significance as resources permit.

The new planning scheme offers an opportunity to protect sites of historical importance. These 'sites of significance' hold unique local character, amenity and economic values for the community, and it is important to ensure they can continue to provide a link to our past whilst being integrated with new development going forward.

The heritage conservation provisions within the planning scheme should strike a balance between the community benefit inherent in the preservation of significant sites and the reasonable expectations of property owners to benefit from the ownership of their property.

This paper discusses a range of issues relevant to heritage conservation in the Gympie region, the desired outcomes and policy settings for each issue and planning scheme related actions to progress each issue. This position paper is one of 11 position papers addressing key aspects of the future land use and development policy for Council. The paper has been prepared as part of Stage 2 of the Gympie Regional Council Planning Scheme project and is intended to inform the planning scheme drafting process to occur in Stage 3.

Other position papers to be prepared as Stage 2 are as follows:

- Housing
- Retail and Commercial Development
- Rural Land
- Open Space and Recreation
- Industrial land
- Bruce Highway Upgrade Response Strategy
- Biodiversity Conservation
- Flooding
- Bushfire
- Coastal Hazards.

Issue 1: Character and Amenity

Discussion

The Gympie region is endowed with a rich offering of sites of cultural heritage significance. These sites reinforce the connection between our present communities, their history and their identity. It is important for the region that the places that contribute to the character and identity of the region are retained for future generations.

There are numerous benefits associated with a strong sense of place, identity, and having a recognised 'brand' associated with a region or area. Tourism is an important driver of the state and national economy, with growth in visitation and expenditure in Queensland expected over coming years. The Gympie Region Tourism Strategy 2019-2024 identifies heritage and culture is one of the four pillars of tourism within the region. Gympie's authentic pioneering, mining, industrial, forestry and agricultural history allied with a wealth of heritage listed buildings present an opportunity to provide the visitor with a range of heritage related experiences in different settings around the region.

The heritage character of the established town centres further provides a sense of place and identity; a point of difference that businesses can exploit to generate interest and attract customers. Further afield, the rural landscapes interspersed with small towns, original homesteads and historic infrastructure such as the Mary Valley Rattler, Dickabram Bridge and the Mount Clara copper smelter at Oakview combine to tell a story of the development of the region since European settlement.

Local heritage trails have been established by council in Gympie, Imbil, Goomeri and Kilkivan with signage and information to ensure local residents and visitors alike are able to appreciate the history of the locally significant heritage sites.

A defined character and sense of place are key elements in building a community's sense of identity and self-worth. The physical elements that characterise a place can provide a sense of permanency and of belonging for residents. In the Gympie region the places of heritage significance are the built form elements that establish the character and sense of place that local residents can identify as their own.

Desired outcome

Heritage sites continue to play an important part in defining the identity the of Gympie region.

Policy positions

- The planning scheme will be drafted to address the conservation of the Gympie region's places of heritage significance.
- The character of places established by items of local heritage significance will inform local area planning and urban design.

Action

The new scheme is drafted in a manner consistent with the desired outcomes and policy settings identified above.

Issue 2: Statutory Framework

Discussion

This paper does not address indigenous cultural heritage. Places of Aboriginal or Torres Strait Islander cultural heritage are administered separately under the *Aboriginal Cultural Heritage Act 2003*, and the *Torres Strait Islander Cultural Heritage Act 2003* by the Queensland Government Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships.

Council's planning scheme addresses places that are representative of the history of the European settlement of the Gympie region.

The legislative framework for the management of places of significance to the history of the European settlement of Queensland is set out below.

Queensland Heritage Act 1992

- Sites of non-indigenous state heritage significance are governed under the provisions of this Act.
- The Act identifies these sites as having state significance as they contribute to our understanding of the wider pattern and evolution of Queensland's history and heritage.
- Sites of state heritage significance are recorded on the Queensland Heritage Register.
- The Act requires that a local government must identify locally significant places either –
 - (a) in its planning scheme; or
 - (b) in a register (a local heritage register) kept by the local government.

Planning Act 2016

- The *Planning Act 2016* provides that a council may either prepare a local heritage register and administer local heritage protection via the Heritage Act, or include a listing of heritage places and related planning provisions within their planning schemes.
- Gympie Regional Council's current planning scheme adopts the later approach, i.e. the management of heritage places is addressed by the planning scheme. This approach is common practice amongst local governments in Queensland.
- Planning scheme mechanisms to identify and protect sites of heritage value can include the listing of places in a specific schedule, zoning, overlay mapping and code provisions to address particular aspects of development relevant to heritage conservation.

State Planning Policy (SPP) 2017

The SPP requires that state interests of cultural heritage are conserved for the benefit of the community and future generations. The SPP states that the following state interests must be appropriately integrated in a planning scheme where relevant:

- Matters of Aboriginal cultural heritage and Torres Strait Islander cultural heritage are appropriately conserved and considered to support the requirements of the *Aboriginal Cultural Heritage Act 2003* and the *Torres Strait Islander Cultural Heritage Act 2003*. Council's approach to this issue will be determined following consultation with the local indigenous community.

- Adverse impacts on the cultural heritage significance of world heritage properties and national heritage places are avoided. There are no places in the Gympie region listed as being of national or world heritage significance.
- Adverse impacts on the cultural heritage significance of state heritage places are avoided.
- Local heritage places and local heritage areas important to the history of the local government area are identified, including a statement of the local cultural heritage significance of the place or area.

Wide Bay Burnett Plan 2023

The 2023 Regional Plan has been prepared to replace the former 2011 Regional Plan.

The draft Regional Plan establishes a vision for the future of the Wide Bay Burnett and identifies a range of measures to achieve this. The draft Regional Plan states “to ensure good community design outcomes, the region should identify the local landscape, heritage and cultural assets worth protecting and integrate them sympathetically into new development”.

Gympie Regional Planning Scheme

Council’s current (2013) Planning Scheme outlines a strategic vision for our local heritage assets:

‘Well-managed and valued heritage assets – The Region’s natural and cultural heritage is assessed, conserved and protected. It is appropriately interpreted and maintained to support cultural identity and diversity, local appreciation and tourism. The celebration of the Region’s heritage focuses on, but is not limited to, respect and appreciation of Indigenous culture, the contribution of rural activities and timber-getting, the significance of gold mining and the cultural attachment to the built environment.’

The strategic vision reinforces the importance of heritage conservation in the Gympie region from council’s perspective. As indicated above the current planning scheme includes a schedule identifying a listing of heritage places, a zone identifying areas of heritage character and a heritage overlay map. The current scheme presents some opportunities to enhance heritage conservation by the updating of the schedule of heritage places and the inclusion of a heritage overlay code to better communicate the means by which Council’s strategic vision for heritage conservation might be achieved.

Non-Statutory Instruments

In addition to the above statutory framework the instruments described below provide a valuable insight into current best practice in heritage conservation.

Guideline to identifying and assessing places of local cultural heritage significance in Queensland:

The State Government has implemented a Guideline for the identification and assessment places of local cultural heritage significance in Queensland to support the interpretation of the *Queensland Heritage Act* 1992 and the State Planning Policy.

The Burra Charter

The Burra Charter provides guidance on best practice for the conservation and management of cultural heritage places. The Burra Charter was adopted in 1979 and is periodically updated to reflect a developing understanding of the theory and practice of cultural heritage management. Gympie Regional Council’s Heritage Places Study was prepared utilising Burra Charter principles.

Desired outcomes

- Sites of significance to the history of the Gympie region are conserved.
- Sites of historical significance are valued by the community.
- Gympie Regional Council's approach to heritage conservation is consistent with current legislation and best practice.

Policy positions

- The heritage of Gympie is important to the regional and its community.
- Council's new planning scheme will identify places of heritage significance occurring within the Gympie region.
- Council's new planning scheme will include provisions to further the conservation of heritage places in the Gympie region.

Action

The new planning scheme be drafted to achieve the desired outcomes and policy settings identified above.

Issue 3: Threats to Heritage Conservation

Discussion

A number of threats exist to the long-term conservation of heritage places. Some of these threats are discussed below.

Natural hazards:

Despite often having survived several cycles of bushfire and floods the fabric of a heritage place will become more vulnerable to damage as it ages, or as the environment within the curtilage of the place changes with the regrowth of vegetation or the alteration of stormwater flows.

Pressure for new development/demolition:

Gympie is growing and will require new development/services/infrastructure to accommodate the increased population. There will be pressure to redevelop existing sites to meet these needs. The removal of heritage places is a possible outcome in this situation, an alternative is to sympathetically retain heritage places within new developments.

Inappropriate additions/alterations:

It is necessary to adapt a building to meet the changing needs of owner/occupiers. The manner in which such alterations are made is critical to conserving the heritage value of a place. A clear understanding of the elements that make a place significant can allow modifications to be made that do not compromise the heritage value of the place.

Loss of social or economic purpose leading to disuse:

All buildings/structures are built to serve a purpose. Where the original purpose is no longer relevant due to changes in society, business or industry practice, local resource depletion or broad scale economic changes a building/structure/site will quickly become redundant unless some viable function for it is identified. Redundant, unused structures are typically not maintained and quickly fall into disrepair. As noted above, being able to repurpose a site by making appropriate modifications is vital to long term conservation.

Changes in user needs/expectations:

People's needs, tastes and wants change over time. The motivation to invest, and how to invest, in the maintenance or modification of a structure can be influenced by the fashions of the day ... sometimes resulting in less than ideal outcomes from a heritage conservation perspective.

Increasing maintenance costs:

Older buildings/structures typically require more maintenance. They can also suffer from defects arising from the building standards that applied in the period when they were built. Common issues that arise with older structures across Australia are termite damage, poor damp proofing, outdated services installation, inadequate foundations and bespoke construction methods – all of which add greatly to the cost and complexity of maintenance. The deferral of maintenance can get to the point where the survival of the structure is compromised.

Encroachment by unsympathetic development:

Each heritage place has a curtilage that defines the amount of space that is intrinsic to the heritage values evident in that place. The extent of curtilages varies greatly according to the nature of the place. The curtilage of a house in an urban setting typically includes the garden and landscape elements close to the house. The curtilage of a rural homestead is likely to be far more extensive, encapsulating outbuildings, yards, machinery sheds, entry driveway and the house paddock. In both instances mature plantings such as hedges and trees would also be included. The identification of the appropriate curtilage is the key to avoiding the encroachment of unsympathetic development that would devalue the heritage place.

Lack of knowledge:

As in most fields of human endeavour, good decision making with respect to heritage conservation depends upon the application of well researched and accurate information. As discussed earlier in this policy position paper, the Burra Charter establishes a best practice approach to identifying and conserving places of heritage significance. Integral to any planning scheme response to heritage conservation will be the identification of heritage places and the elements of each place that contribute to the significance of the place. Too often it is the case that places of heritage significance are lost or devalued due to decisions being made in the absence of information.

Desired outcomes

- The threats to the conservation of heritage places are recognised in the drafting of the new planning scheme.
- The knowledge base with respect to places of heritage significance in the Gympie region continues to grow.

Policy positions

- Council shall continue to expand its knowledge base on places of heritage significance in the Gympie region.
- The demolition of places of heritage significance is seen as a last resort to occur only when all other possibilities have been explored.
- Council encourages the sympathetic reuse and, as appropriate, the incorporation of places of heritage significance into new development.

Action

Develop planning provisions and codes to manage and protect heritage and character areas within the drafting of the new planning scheme.

Issue 4: Opportunities

Discussion

Council's current 2013 planning scheme identifies 105 properties as local heritage places. The places identified are generally public and commercial buildings, not dwellings. The planning scheme also includes a "character residential zone" the intent of which is to identify residential streets where the existing dwelling stock contributes to the heritage character of the older elements of the Gympie and Imbil urban areas. Approximately 500 dwellings are included within the character residential zones across both towns.

The current planning scheme strategic vision states that the "Region will have well managed and valued heritage assets". This vision is supported by the heritage places listing and zoning discussed above but is compromised by the lack of a specific heritage places code to inform the design and assessment of development proposals that might impact upon heritage places. The introduction of a specific heritage places code is seen as a key opportunity to improve the conservation of heritage places.

The completion of the Heritage Places Study in 2021 has greatly contributed to the knowledge of heritage places throughout the region. The study identified 200 heritage places and the history and/or physical elements that make them significant to the region's heritage. Some of the identified sites were already listed in the 2013 planning scheme, with the remainder being newly identified. It is proposed that the sites identified by the study would be listed as heritage places in the new planning scheme.

The Heritage Places Study represented a substantial step forward in council's approach to heritage conservation in that it firstly identified the historical themes that were relevant to the development of the region since European settlement. This approach provides the logic behind why particular sites are significant and goes onto detail the key elements of each site in a property specific statement of heritage significance. It is suggested that council should continue the heritage study process, as resources permit, to establish the heritage significance of properties within the character residential zone with a view to expanding the heritage places listing in the future.

Council does not support the listing of houses in a heritage schedule within the new planning scheme, but rather an expansion of the Character Residential zone and prevention of the demolition of houses of heritage value within this zone. Council is supportive of non-residential buildings being included within a schedule within the new planning scheme.

Desired outcomes

- Council's knowledge of places of heritage significance continues to expand.
- The new planning scheme incorporates a heritage places overlay code.

Policy positions

- The non-residential properties identified by the Heritage Places Study 2021 be included in the Schedule of Heritage Places within the new planning scheme.
- The current planning scheme strategic plan vision that the “Region will have well managed and valued heritage assets” is supported by a heritage overlay code in the new planning scheme.
- The Character Residential zone be expanded as required to ensure the conservation of historic houses.

Action

The new planning scheme be drafted in a manner consistent with the above desired outcomes and policy positions.

Issue 5: Adaptive Reuse

Discussion

As discussed at Issue 3 above, it is critical that a building or structure remain useful if it is to survive. Often a building or structure will need some modification to allow it to be used in the modern age. This is true even if the nature of the use is essentially the same, for example, a 19th century house will require a range of alterations to make it liveable in the 21st century. A building or structure for which an ongoing use cannot be identified is unlikely to survive in the long-term without some form of public subsidy.

Council's Heritage Reference Group strongly advocates for the appropriate practical reuse of heritage places and would prefer to see a site actively utilised rather than fall into disrepair from a lack of use or lack of maintenance.

As is often the case, a balance needs to be struck between the financial and economic realities and the conservation of heritage values. Some flexibility in the planning scheme provisions is required to allow adaptive reuse of heritage places, without compromising the elements that make them heritage places in the first place. An important aspect of the recently endorsed Heritage Places Study is that it provides council a detailed understanding of these values with detailed citations for each listed property.

In considering proposals for adaptive reuse, council will need to have regard not only for the potential impacts upon the heritage place such as signage, carparking, encroachments upon the curtilage and the like, but also the overarching planning scheme objectives for the locality and the amenity of adjacent properties. The inclusion of the significant elements of a heritage place within a broader redevelopment of an area is another example of adaptive reuse which can add value to the wider project by retaining the traditional identity and character of a place that is, in all other respects, completely new.

The *Queensland Heritage Act 1992* identifies the following matters to be considered when assessing the development of a heritage place:

- the development does not alter, remove or conceal significant features of the place, or is minor and is necessary to maintain a significant use for the place,
- the development is compatible with a conservation management plan prepared in accordance with the Burra Charter, and that an archival quality photographic record is made of the features of the place that are destroyed because of the development,
- the scale, location and design of the development is compatible with the character, setting and appearance of the local heritage place,
- the development is unobtrusive and cannot readily be seen from surrounding streets or public places.
- the impact of excavation is minor and limited to parts of the local heritage place that have been disturbed by previous excavation.

The potential for adaptive reuse is to be promoted as part of a range of heritage conservation incentives is discussed later in this policy position paper.

Desired outcome

That heritage places are retained and continue to be used productively.

Policy position

Council support adaptive reuse of heritage places where appropriate.

Action

The new planning scheme overlay code be drafted to facilitate the appropriate adaptive reuse of heritage places.

Issue 6: Modern Building Standards

Discussion

The heritage places existing within Gympie date from the mid to late 19th century and the early 20th century. They were designed and constructed well before the current legislative framework provided by the Building Code of Australia (BCA) came into effect. Despite this, any new building work on a local heritage place must still comply with, or be deemed to comply with, the provisions of the BCA. The BCA addresses all aspects of building design and construction, including room and doorway dimensions, access, disability access, fire safety, water proofing and so on. Building work on a heritage building is subject to all of the usual approval and certification processes that a non-heritage listed building would be subject to.

The modern building standards can present challenges to the designer of alterations to a heritage place. However, the BCA is a performance-based instrument that does permit a building certifier to accept a deemed to comply solution in place of compliance with the specific standard. The limitation of this approach is that the bespoke deemed to comply solution inevitably involves added time and cost to achieve certification. Notwithstanding the need or desire to conserve a heritage place, building works to improve structural requirements may impact on the heritage values of the building. Solutions that consider appropriate construction methods that aim to retain the original building fabric for places identified as locally significant should be supported.

The need to achieve accessibility outcomes is a priority for both public and private development, and often a statutory requirement where a proposed use is commercial in nature. With an ageing community this is particularly relevant to Gympie. The need to achieve good accessibility in the public domain extends to most population cohorts where building features such as level and wide accesses, legible entries, and regular surfaces are important. The naturally undulating topography of Gympie's urban areas can make building design challenging in terms of accessibility, however, it is important to achieve the equity in access objectives of the BCA while not compromising the values of a heritage place.

Desired outcome

Heritage places evolve to meet the requirement of the BCA without compromising heritage values.

Policy position

Council, when acting in the role of building certifier will be responsive to appropriate deemed to comply design solutions with respect to heritage places where a positive heritage conservation outcome can be demonstrated.

Action

The heritage places overlay code within the new planning scheme be drafted so as to reflect the above desired outcome and policy position.

Issue 7: Incentives

Discussion

It is recognised that the owners of heritage listed properties are providing a public benefit in conserving their properties for the greater good, regardless of whatever personal return they might enjoy from the property. Inevitably, the listing of a property as a heritage place will come with some obligations with respect the use of the property, the nature of works that can be carried out and the additional approval processes that are a part and parcel of heritage listing. Council can certainly streamline the regulatory processes it administers, simplifying the development assessment process as much as is possible but it is fair to say that the heritage listing will add process, cost and complexity to the development process. This is not to say the listing is unwarranted or unjustified. As discussed throughout this policy position paper the conservation of heritage places is a statutory obligation upon council and worthy of council's support in any event.

In light of the foregoing, it is reasonable to suggest that the owners of heritage places are worthy of community support in the conservation of these properties. Such support could be most readily achieved by the adoption of some planning scheme and non-planning scheme incentives to encourage the owners of heritage places to maintain their properties and to thank them for doing so.

Planning scheme-based incentives might include:

- support for land uses not typically supported in the zone,
- greater flexibility in code/planning scheme policy requirements in matters such as on-site car parking provision, building setbacks, lot sizes and the like.

The objective of the incentives program would be to support the owners of listed properties in their efforts to conserve our shared heritage.

Desired outcome

For the owners of heritage places to be recognised for, and supported in, the preservation of the heritage of the Gympie region.

Policy position

Council supports in principle an incentive scheme to recognise and support the owners of heritage places in the preservation of the heritage of the Gympie region.

Action

As part of the ongoing work to draft the new planning scheme a further report on heritage incentive scheme be prepared for a Council workshop.