

Fact Sheet 2 – Frequently Asked Questions

How can I check if a property is listed on the Local Heritage Register?

To find out if a property is entered on the Local Heritage Register, either:

- Contact Council's Land Use Officer on ph: (07) 4747 3200; or
- Visit the Mount Isa City Council's website at: <http://www.mountisa.qld.gov.au/local-heritage-study> to view places entered on the Local Heritage Register.

My place is on the Local Heritage Register as well as another heritage register – what is the difference?

A place may appear on a local, state, national and world heritage register. In practical terms, the management of the heritage values of places on each register differs. The Mount Isa City Council is solely responsible for managing the heritage values of places entered only on the Local Heritage Register. The Department of Environment and Resource Management is responsible for managing the heritage values of places entered on the Queensland State Heritage Register, although Council has a limited role if the place is also entered on the Local Heritage Register. The federal government is responsible for managing the heritage values of places entered on national and world heritage registers.

What types of work to a local heritage place are assessable?

The *Sustainable Planning Act 2009* defines activities that constitute 'development' and all development to a local heritage place is assessable under the Code for IDAS (*Queensland Heritage Regulation 2003*) and the Mount Isa City Council planning scheme. Proposed development to a local heritage place will require that a development application be submitted to Council. In the majority of cases the application will be code assessable under the planning scheme, but proposed demolition or removal of a local heritage place may be impact assessable and require public notification.

Do I need to get permission for work that is not defined as development?

Not all work undertaken on a place is treated as 'development'. Work such as painting or general maintenance is not assessable because it is not defined as 'development' under the *Sustainable Planning Act 2009*. Nonetheless, owners of local heritage places are encouraged to consider the Statement of Significance for the place (included in the Place Card) when undertaking any painting or maintenance work. If you are unsure whether the proposed work is assessable, contact a Council's Land Use Officer on ph: (07) 4747 3200 to determine whether it requires Council approval.



Can I alter my heritage property?

Each place entered on the Local Heritage Register is unique and therefore there is no simple answer to this question.

Council planners will assess a development application by using the Code for IDAS prescribed by the *Queensland Heritage Regulation 2003*). When the new Planning Scheme for Mount Isa is adopted (estimated to be mid 2013), developments will also be assessed against the Local Heritage Overlay Code which will be included in the new planning scheme. Development to a place will generally be supported where the significance of the place is conserved. It is important that the developer includes information about how the proposed work may impact on the significance of the place and what measures were considered to reduce or eliminate this impact. Developers are also encouraged to contact Council planners as early as possible in the development process to discuss the issues relating to the local heritage place. A Local Heritage Policy will be included in the new Mount Isa City Council planning scheme that will provide further details on information requirements to assist owners and developers of local heritage places when making a development application. Until the Policy is in place, please contact Council's Land Use Officer with enquires.

Can I demolish or remove my heritage place?

The demolition or removal of a local heritage place (or indeed any other heritage place) is generally not supported. One of the principal reasons for this is that the significance of a place is typically linked with its context; in other words, the place in which it was located when the assessment of significance was completed. However, the significance of a place entered on the Local Heritage Register can be reassessed and if Council is satisfied that it is no longer a place of cultural heritage significance for the area then the place can be removed from the Local Heritage Register.

It is also possible to demolish a place on the Local Heritage Register if it can be demonstrated that there is no prudent or feasible alternative. The Local Heritage Overlay Code and Local Heritage Policy in the new planning scheme will provide information regarding Council's requirements to adequately demonstrate this.

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. However, owners and developers are encouraged to consider employing specialist professionals and/or tradespeople where particular work is required that may affect the



significance of a local heritage place. This will help ensure that the significance of the place is conserved and generally protect the integrity and monetary value of the place.

Am I obliged to undertake special maintenance on my local heritage place?

There are no obligations to undertake special maintenance on a local heritage place. The only time this does not apply is in the case of places also entered on the Queensland Heritage Register, as the *Queensland Heritage Act 1992* enables the Chief Executive to order essential maintenance work (section 87). Nonetheless, maintenance of a property is always encouraged to protect the value of the property and prevent expensive remedial work.

Will insurance premiums be affected if my 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.

Does the public have the right of access to my property?

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.

Can I nominate a place for the Mount Isa City Council Heritage Register?

The community is encouraged to nominate places for entry on the Local Heritage Register. A heritage register is a 'living document' that reflects community and professional perceptions of what constitutes a heritage place at a specific point in time. Some places will always be significant in any given area, but new places will also be considered significant as time passes. Alternatively, a place may not have been identified in a heritage study, or information becomes available that enables an assessment of significance. The new Mount Isa City Council planning scheme will include a Local Heritage Policy that provides information regarding the procedure for nominating a place to the Local Heritage Register.





Where do I obtain further information about the Local Heritage Register?

To obtain further information:

- Visit the Mount Isa City Council's website at:
- <http://www.mountisa.qld.gov.au/local-heritage-study>
- Visit Mount Isa City Council administrative offices at 23 West Street, Mount Isa QLD to view a copy of the Local Heritage Register; or
- Contact Council's Land Use Officer on ph: (07) 4747 3200.

