

Scenic Rim Regional Council

Minor Amendment to the Boonah, Beaudesert and Ipswich Planning Schemes to incorporate the Local Heritage Register

Beaudesert Shire Planning Scheme 2007 Amendment Package No. 9
Boonah Shire Planning Scheme 2006 Amendment Package No. 6
Ipswich Planning Scheme 2006 Amendment Package No. 4

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1. Background

On 29 April 2014, Council resolved to:

1. Endorse the public consultation of the Draft Scenic Rim Local Heritage Register in accordance with Part 11 of the *Queensland Heritage Act 1992*;
2. Endorse the public consultation of the Draft Scenic Rim Local Heritage Register Report;
3. Prepare a Minor Amendment to the *Beaudesert Shire Planning Scheme 2007* and the *Ipswich Planning Scheme 2006* to amend the existing schedules of heritage places and relevant overlays to achieve consistency with the Scenic Rim Local Heritage Register upon its adoption in accordance with Section 117(1) of the *Sustainable Planning Act 2009*;
4. Prepare a Minor Amendment to the *Boonah Planning Scheme 2006* to introduce a schedule of heritage places and relevant overlay to achieve consistency with the Scenic Rim Local Heritage Register upon its adoption in accordance with Section 117(1) of the *Sustainable Planning Act 2009*; and
5. Endorse the recommendations of the Draft Scenic Rim Local Heritage Register Report.

2. Summary of proposed amendments

The proposed amendments seek to update or introduce the local heritage overlays in Council's Planning Schemes. Although the Beaudesert and Ipswich Planning Schemes have identified places of local heritage significance and contain associated overlay codes, the Scenic Rim Regional Council as a whole does not currently have a local heritage register prepared in accordance with the *Queensland Heritage Act 1992* (Heritage Act).

The Boonah Planning Scheme currently does not contain a heritage register or any heritage provisions. As such, there is no protection for places of cultural heritage significance in the former Boonah Shire Council local government area.

The draft Local Heritage Register constitutes a reduced and more accurate inventory of the region's heritage stock than what is currently included in the Ipswich and Beaudesert Planning Schemes and provides the mandatory information that is required under the Heritage Act.

When finalised, the Local Heritage Register will represent Council's register of places of local cultural heritage significance in the Scenic Rim region. Accordingly, to avoid duplication of assessment processes and ensure only those places identified in the Register as having local cultural heritage significance trigger development assessment processes, an amendment to the existing planning schemes will be undertaken to achieve consistency with the Local Heritage Register. For the *Beaudesert Planning Scheme 2007* and *Ipswich Planning Scheme 2006* this will mean the replacement of the current schedule of places with those in the Register that fall within the respective planning scheme areas, whilst for the *Boonah Planning Scheme 2006* this will result in the introduction of a schedule of places.

The levels of assessment for development affecting a local heritage place are determined by Schedule 3 of the *Sustainable Planning Regulation 2009* and the *IDAS Code for Local Heritage*

Places in the *Sustainable Planning Regulation 2009* will become the Overlay Code that will apply in the assessment of development of a local heritage place.

3. Nature of proposed amendments

The amendments to incorporate the Local Heritage Register constitute Minor Amendments in accordance with the types of planning scheme amendments specified in the *Statutory Guideline 01/13 – Making and Amending Local Planning Instruments* (Statutory Guideline).

The amendments are referenced as follows:

- Beaudesert Shire Planning Scheme 2007 Amendment Package No. 9
- Boonah Shire Planning Scheme 2006 Amendment Package No. 6
- Ipswich Planning Scheme 2006 Amendment Package No. 4

4. Statutory requirements

Part 11 of the Heritage Act came into effect on 31 March 2008 making it compulsory for local governments to prepare and maintain a Local Heritage Register. The process for preparing a heritage register, including timeframes for consultation, is provided in the Heritage Act.

Further, in December 2013, the Queensland Government adopted the State Planning Policy which introduced cultural heritage as a state interest. When making or amending a planning scheme, local governments are required to integrate this state interest for non-indigenous cultural heritage by:

- (1) Considering the location and cultural heritage significance of Queensland Heritage Places; and
- (2) Identifying heritage places of local cultural heritage significance and heritage areas;
- (3) Facilitating the conservation and adaptive reuse of heritage places of local cultural heritage significance and heritage areas so that the cultural heritage significance of the place or area is retained; and
- (4) Including requirements that development on or in heritage places of local cultural heritage significance or heritage areas:
 - (a) Avoids, or otherwise minimises, adverse impacts on the cultural heritage significance of the place or area, and
 - (b) Does not compromise the cultural heritage significance of the place or area.

As such, this Minor Amendment seeks to incorporate the Local Heritage Register into Council's planning schemes so that information about local heritage places and assessment criteria are available upfront as overlays within the planning schemes, without the need to refer to a separate document as part of the development application process.

A Minor Amendment to a planning scheme must be prepared in accordance with Section 117(1) of the *Sustainable Planning Act 2009* and the Statutory Guideline. In accordance with the Statutory Guideline, the amendment is considered to be a Minor Amendment as Council will have undertaken adequate consultation with the State and the community of the draft Local Heritage Register in accordance with the *Queensland Heritage Act 2003*, which is similar to consultation undertaken in accordance with the *Sustainable Planning Act 2009*. Council has

received confirmation from the Department of State Development, Infrastructure and Planning that the Minor Amendment process can be used in this instance.

5. Consultation

The following consultation activities have informed the preparation of the Draft Local Heritage Register:

5.1 *Informal Consultation*

- Between June and August 2013, the community was invited to nominate places in the Scenic Rim considered to be of local cultural heritage significance. Nominees were required to demonstrate that the places had local cultural heritage significance in accordance with the established criteria.
- During January and February 2014 Council consulted with property owners on the initial draft Local Heritage Register for the purpose of obtaining further information about the places and any feedback.

Details about the informal consultation activities are discussed in the **Scenic Rim Local Heritage Register Report**.

5.2 *Statutory consultation*

The statutory public consultation of the draft Local Heritage Register in accordance with the Heritage Act has assisted in verifying whether or not the places selected represent the values that the community wants to conserve and also in collecting information about the proposed places. The public consultation of the draft Local Heritage Register involved:

- Writing to all owners of properties that are proposed to be included on the draft Local Heritage Register and inviting the opportunity to submit a formal submission (statutory requirement);
- Placing notices and supporting information in the local paper and on Council's website (statutory requirement);
- Consultation sessions with interested parties (non-statutory requirement);
- Providing copies of the draft Local Heritage Register to the Department of State Development, Infrastructure and Planning for an informal State Interest Review (non-statutory requirement); and
- Informing all submitters and property owners on the draft register of Council's final decision (statutory requirement).

The consultation period ran from 8 May to 4 June 2014.

6. Structure of this amendment package

This report provides:

- (1) a summary of each amendment item stating which parts of the planning scheme are affected;

- (2) an explanation of the background/context and rationale for each amendment item; and
- (3) references to parts of the planning scheme affected by amendments, as well as a 'snapshot' of the proposed changes.

7. Planning Scheme versions

The proposed amendments seek to amend the following versions of Council's planning schemes.

- *Boonah Shire Planning Scheme 2006* dated 20 December 2013 (incorporating amendments 1 and 4);
- *Beaudesert Shire Planning Scheme 2007* dated 20 December 2013 (incorporating amendments 1, 2, 3, 4 & 8);
- *Ipswich Planning Scheme 2006* dated 30 September 2013 (incorporating amendments 1/2006 and 1/2007 and amendment 2).

Item 1: Inclusion of a new Local Heritage Overlay in Part 5 of the Boonah Planning Scheme

Summary: Amendment to Table of Contents, Planning Scheme Elements and introduction to Part 5 to reflect the inclusion of a new Local Heritage Overlay.

Explanation:

The proposed Local Heritage Overlay in the Boonah Planning Scheme will be included in Part 5. Amendments to the Table of Contents, Planning Scheme Elements and introductory section to the Overlays are required in order to reflect the new overlay.

Text amendments:

1. Amend the Table of Contents to include references to the proposed new Part 5: Local Heritage Overlay as Divisions 12 as shown below:

Division 12: Assessment Criteria for the Local Heritage Overlay

5.35 Local Heritage Overlay Code

5.36 Compliance with the Local Heritage Overlay Code

5.37 Overall Outcomes for the Local Heritage Overlay Code

5.38 Specific Outcomes for the Local Heritage Overlay Code

2. Amend the Table of Contents to include a reference to the proposed new Overlay Map for Local Heritage Places under 'Volume 2: Planning Scheme Maps' as shown below:

OVERLAP MAP 6 -Local Heritage Overlay

3. Amend Part 1, Division 3: Planning Scheme Elements, Section 1.10 to include the Local Heritage Overlay as shown below:

1.10 Planning Scheme has ~~Six Five~~ Types of Overlays

The planning scheme has ~~sixfive~~ (65) types of overlays that apply to:

Economic Resources Overlay for:

Good Quality Agricultural Land;

Extractive and Mineral Resources;

Natural Features Overlay for:

Landscape and Natural Values;

Water Resources;

Bushfire Hazard Overlay;

Major Transport Corridors and Energy Infrastructure Overlay; ~~and~~

Willowbank Raceway and RAAF Base Sensitive Areas Overlay; ~~and~~

Local Heritage Overlay.

The location of overlay areas are shown on Overlay Maps 1-~~65~~.

4. Amend Part 1, Division 3: Planning Scheme Elements, Section 1.11 to include the Local Heritage Overlay as shown below:

Part 5 – Overlays

Division 2 (tables 1 and 2) – Economic Resources Overlay

Division 4 (tables 1 and 2) – Natural Features Overlay

Division 6 (tables 1 and 2) – Bushfire Hazard Overlay

Division 8 (tables 1 and 2) – Major Transport Corridors and Energy Infrastructure Overlay

Division 10 (tables 1 and 2) – Willowbank Raceway and RAAF Base Sensitive Areas Overlay

Division 12 (tables 1 and 2) – Local Heritage Overlay.

5. Amend Part 5, Division 1, Section 5.1 - Interpretation, to include the Local Heritage Overlay as shown below:

6. Local Heritage Overlay

Overlay Map 6

6. Amend Part 5, Division 1, Section 5.2 - Assessment Categories for the Overlays as shown below:

-The assessment categories are identified for development in each overlay in column 2 of tables 1 and 2 as follows:

- (a) Table 1 – making a material change of use for a defined use listed in column 1; or
- (b) Table 2 – other development listed in column 1, including:
 - (i) reconfiguring a lot; ~~and~~
 - (ii) operational works associated with reconfiguring a lot;
 - (ii) building work not associated with a material change of use.-

Map amendments:

Not applicable.

Item 2: Inclusion of Assessment Tables for the Local Heritage Overlay

Summary: Inclusion of Assessment Tables for the Local Heritage Overlay in Part 5, Division 12.

Explanation: As part of the proposed Local Heritage Overlay in the Boonah Planning Scheme, an Assessment Table is required. The proposed levels of assessment align with the levels of assessment for local heritage places prescribed by the *Sustainable Planning Regulation 2009* (Regulation). In accordance with the Regulation, development of a local heritage place is required to be assessed under:

- the IDAS code for local heritage places in Schedule 2 of the *Queensland Heritage Regulation 2003*; and
- the relevant provisions of the planning scheme that the development may trigger.

The IDAS Code contains provisions that seek to ensure that development is compatible with the conservation and management of the cultural heritage significance of the place.

Text amendments:

In Part 5 - Overlays, include a new Assessment Table for the Local Heritage Overlay as shown below:

Division 12: Assessment Tables for the Local Heritage Overlay

5.35 Local Heritage Overlay Description

This overlay identifies places that are included on the Scenic Rim Local Heritage Register. The Local Heritage Overlay Map (Overlay Map 6) shows the places that are on the Scenic Rim Local Heritage Register in the Boonah Planning Scheme area.

5.36 Assessment Tables and Applicable Codes

Table 1: Assessment Categories and Relevant Assessment Criteria for the Local Heritage Overlay – Making a Material Change of Use

Column 1 Defined Use	Column 2 Assessment Category	Column 3 Relevant Assessment Criteria – Applicable Code
All uses	Code assessable	Local Heritage Overlay Code (IDAS Code for Local Heritage Places)

Table 2: Assessment Categories and Relevant Assessment Criteria for the Local Heritage Overlay – Other Development

Column 1 Type of Development	Column 2 Assessment Category	Column 3 Relevant Assessment Criteria – Applicable Code
Reconfiguring a Lot	Code assessable	Local Heritage Overlay Code (IDAS Code for Local Heritage Places)
Operational Work	Code assessable	Local Heritage Overlay Code (IDAS Code for Local Heritage Places)
Building Work not associated with a Material Change of Use	Code assessable	Local Heritage Overlay Code (IDAS Code for Local Heritage Places)

Places on the Local Heritage Register in the Boonah Planning Scheme area:

Suburb	Name	Address	Property Description	Components of Significance
ARATULA	St Stephen's Anglican Church	25 Elizabeth Street	14 RP21007	Church building
BOONAH	Flavour's Café	8 Railway Street	23 RP841582	Timber café building with verandah
BOONAH	Australian Hotel	32 High Street	32 SP102739	Two storey timber hotel building
BOONAH	Christ Church	8–10 Church Street	17 RP17902; 5 RP17899	Brick church building with tiled roof and timber church hall
BOONAH	Commercial Hotel	39 High Street and Yeates Avenue	7 & 8 RP17969	Two storey timber hotel building facade
BOONAH	Boonah Showgrounds	Cossart Street and Macquarie Street	119 CP853080; 152 WD1862	Whole lot
DUGANDAN	Dugandan Hotel	124 Boonah Rathdowney Road	3 RP15054	Timber hotel
DUGANDAN	Trinity Lutheran Church and Cemetery	237 Boonah–Rathdowney Road	1 RP15082; 1 RP15083	Church building and cemetery
KALBAR	St John's Lutheran Church	Teviotville Road	1 RP21196	Timber church building and cemetery

Suburb	Name	Address	Property Description	Components of Significance
KALBAR	School of Arts and Memorial Hall	63 – 65 Edward Street	1 & 2 RP21117	Timber School of Arts building
MAROON	Maroon School of Arts	Newlove Road	1 RP27260	Timber School of Arts building
MAROON	St Andrew's Anglican Church	Boonah–Rathdowney Road	1 RP27260	Timber church building
MOUNT ALFORD	Mount Alford General Store	898 Reckumpilla Street	1 RP849218	Timber shop building
MOUNT ALFORD	Mount Alford School of Arts	889 Reckumpilla Street	1 RP15156	Timber School of Arts building
ROSEVALE	Rosevale Retreat Hotel	903 Rosevale Road	2 RP31240	Timber and corrugated iron hotel
ROSEVALE	St Paul's Lutheran Church	572 Rosevale Road	1 RP90911	Timber church building
TEMPLIN	Former Templin School	397 Boonah–Fassifern Road	1 RP808034	Former Templin School building
WILSONS PLAINS	Trelawney Cheese Factory Refrigerator Shed	422 Wilsons Plains Road	11 RP28761	Brick and corrugated iron former refrigerator building

Map amendments:

Not applicable.

Item 3: Inclusion of Assessment Criteria for the Local Heritage Overlay

Summary: Inclusion of Assessment Criteria in the proposed Local Heritage Overlay Code.

Explanation:

The proposed overlay code for the Local Heritage Overlay reproduces the IDAS Code for Local Heritage Places in Schedule 2 of the *Queensland Heritage Regulation 2003*. It has been reproduced in the planning scheme so that users do not need to refer separately to the regulation when identifying assessment criteria for local heritage places. It also ensures that the state interest for local heritage places in the State Planning Policy is achieved by including requirements for development on or in places of local cultural heritage significance or heritage areas.

Text amendments:

Division 13: Assessment Criteria for the Local Heritage Overlay

5.35 Local Heritage Overlay Code

The provisions in Sections 5.35 – 5.41 of this division comprise the Local Heritage Overlay Code.

5.36 Local Heritage Overlay Code

(1) Development that, in the Council's opinion, is consistent with the specific outcomes in section 5.41 complies with the Local Heritage Overlay Code.

(2) The Local Heritage Overlay Code reproduces the IDAS Code for Local Heritage Places in Schedule 2 of the *Queensland Heritage Regulation 2003*.

5.37 Purpose of the Local Heritage Overlay Code

(1) The purpose of this code is to ensure development on a local heritage place is compatible with the cultural heritage significance of the place by –

- (a) preventing the demolition or removal of local heritage places, unless there is no prudent or feasible alternative to the demolition or removal; and
- (b) maintaining or encouraging, as far as practicable, the appropriate use of local heritage places; and
- (c) protecting, as far as practicable, the materials and setting of local heritage places; and
- (d) ensuring, as far as practicable, development on a local heritage place is compatible with the cultural heritage significance of the place.

(2) In considering whether there is no prudent or feasible alternative to the demolition or removal of a local heritage place, the assessment manager under the Planning Act for development must have regard to –

- (a) safety, health and economic considerations; and
- (b) any other matters the assessment manager considers relevant.

5.38 Development to which the Local Heritage Overlay Code does not apply

This code does not apply to development on a place on the Queensland Heritage Register, even if the place, or part of it, is on the Local Heritage Register.

5.39 Compliance with the Local Heritage Overlay Code

This code is complied with for development on a local heritage place if each specific outcome stated in the table, column 1 and applying to the development is achieved.

A specific outcome mentioned in section 5.41, column 1, item SO.3, SO.4, SO.5 or SO.6 is achieved if the probable solution stated in the table, column 2 for achieving the specific outcome is complied with.

5.40 Specific Outcomes and Probable Solutions for the Local Heritage Overlay Code

The provisions of Part A apply to code and impact assessable development.

5.41(A) Provisions Applicable Only to Code and Impact Assessable Development

SPECIFIC OUTCOMES	PROBABLE SOLUTIONS
SO1 The material change of use is compatible with the conservation and management of the cultural heritage significance of the local heritage place.	PS1.1 No solution is provided.
SO2 Reconfiguration does not – (a) reduce public access to the place; or (b) obscure or destroy any pattern of historic subdivisions, the landscape settings or the scale and consistency of urban precincts relating to the place.	PS2.2 No solution is provided.
SO3 Development conserves the features and values of the local heritage place that contribute to its cultural heritage significance.	PS3.1 Development – (a) does not alter, remove or conceal significant features of the place; or (b) is minor and necessary to maintain a significant use for the place.
SO4 Changes to the local heritage place are appropriately managed and documented.	PS4.1 Development is compatible with a conservation management plan prepared in accordance with

SPECIFIC OUTCOMES	PROBABLE SOLUTIONS
	<p>the Australia ICOMOS Charter for Places of Cultural Heritage Significance.</p> <p>PS4.2 An archival quality photographic record is made of the features of the places that are destroyed because of the development.</p>
<p>SO5 Development does not adversely affect the character, setting or appearance of the local heritage place.</p>	<p>PS5.1 The scale, location and design of the development is compatible with the character, setting and appearance of the local heritage place.</p> <p>PS5.2 The development is unobtrusive and cannot readily be seen from surrounding streets or other public places.</p>
<p>SO6 Excavation or other earthworks do not have a detrimental impact on archaeological sites.</p>	<p>PS6.1 The impact of excavation is minor and limited to parts of the local heritage places that have been disturbed by previous excavation.</p> <p>PS6.2 An archaeological investigation is carried out for development involving high level of surface or subsurface disturbance.</p>

Map amendments:

Not applicable.

Item 4: Amendments to Boonah Planning Scheme Maps

Summary: Inclusion of a new Local Heritage Overlay Map in the Boonah Planning Scheme.

Explanation:

A new overlay map is required in order to trigger the proposed Local Heritage Overlay Code. The Local Heritage Overlay Map will show all properties in the Boonah Planning Scheme area that are included in the Local Heritage Register. The mapping will also be included in Council's 'PD online'. The new map will be recognised as Overlay Map 6.

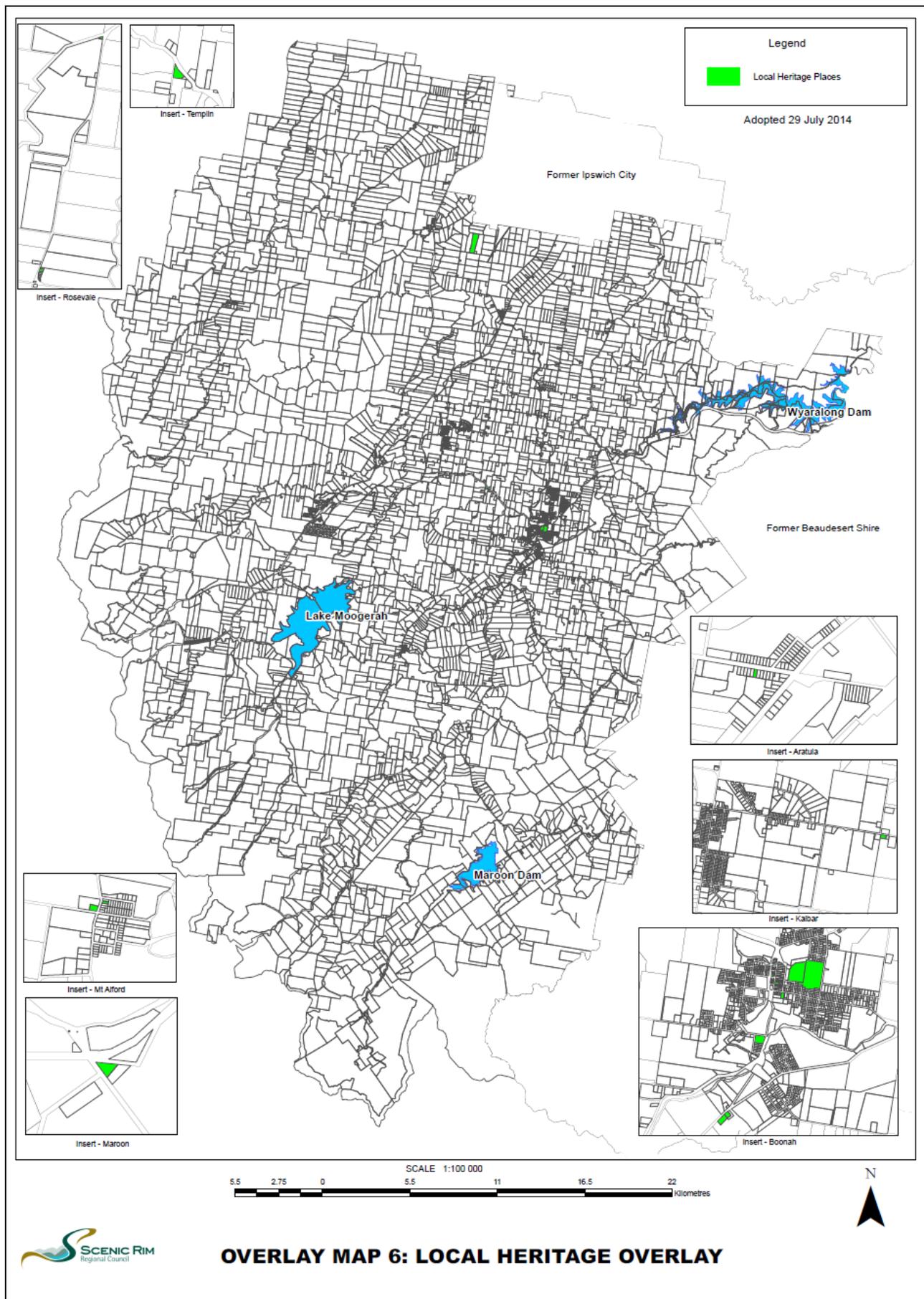
Text amendments:

Not applicable.

Map amendments:

In Volume 2: Planning Scheme Maps, include a new 'Overlay Map 6 - Local Heritage Overlay' as shown on the following page to include the following properties as local heritage places:

- 14 RP21007
- 23 RP841582
- 32 SP102739
- 17 RP17902; 5 RP17899
- 7 & 8 RP17969
- 119 CP853080; 152 WD1862
- 3 RP15054
- 1 RP15082; 1 RP15083
- 1 RP21196
- 1 & 2 RP21117
- 1 RP27260
- 1 RP849218
- 1 RP15156
- 1 RP808034
- 2 RP31240
- 1 RP90911
- 11 RP28761



Item 5: Amendments to the Beaudesert Planning Scheme to incorporate the Local Heritage Register

Summary: Amendment to the existing Cultural Heritage Overlay to reflect the Local Heritage Register.

Explanation:

Although the Beaudesert Planning Scheme has identified places of local heritage significance in its Cultural Heritage Overlay, the Scenic Rim Regional Council as a whole does not currently have a local heritage register prepared in accordance with the *Queensland Heritage Act 1992* (Heritage Act).

The Local Heritage Register constitutes a reduced and more accurate inventory of the region's heritage stock than what is currently included in the Beaudesert Planning Scheme and provides the mandatory information that is required under the Heritage Act.

Accordingly, to avoid duplication of assessment processes and ensure only those places identified in the Register as having local cultural heritage significance trigger development assessment, an amendment to the existing planning schemes will be undertaken to achieve consistency with the Local Heritage Register. For the Beaudesert Planning Scheme this will mean the replacement of the current schedule of places with those in the Register and a new code that reflects the IDAS Code for Local Heritage Places. The Cultural Heritage Overlay Code will also be renamed the 'Local Heritage Overlay Code'.

Text amendments:

1. In the Table of Contents, page TOC-xii, amend the information for Part 5 as shown below:

Part 5 Local Cultural Heritage Overlay

Division 1 Preliminary

- 4.5.1 Application of Assessment Provisions
- 4.5.2 Structure of Assessment Provisions

Division 2 Assessment Table for the Local Cultural Heritage Overlay

- 4.5.3 Interpretation of the Assessment Table for the Local Cultural Heritage Overlay
- 4.5.4 Assessment Table for the Local Cultural Heritage Overlay

Division 3 Local Cultural Heritage Overlay Code

Subdivision 1 Preliminary

- 4.5.5 Compliance with the Local Cultural Heritage Overlay Code

Subdivision 2 Assessment Criteria for Local Cultural Heritage Places

- 4.5.6 Purpose of the Local Cultural Heritage Overlay Code
- 4.5.7 Overall Outcomes for Local Cultural Heritage
- 4.5.8 Specific Outcomes and Prescribed Solutions for the Local Cultural Heritage Overlay

2. On the divider front for Chapter 4, amend Part 5 to read as shown below:

Chapter 4

Assessment Provisions for Overlays

Part 1	Preliminary
Part 2	Infrastructure Overlay
Part 3	Nature Conservation Overlay
Part 4	Development Constraints Overlay
Part 5	Local Cultural Heritage Overlay
Part 6	Character Places Overlay
Part 7	Catchment Management, Waterways and Wetlands Overlay

3. In Chapter 4 - Assessment Provisions for Overlays, Part 1 - Preliminary, amend Table 4.1.1 Overlays as shown below:

Table 4.1.1 Overlays

Column 1 Overlays	Column 2 Overlay Maps	Column 3 Section
Infrastructure.	OV Maps 1.1A, 1.1B, 1.1C and 1.1D.	4.2.1
Nature Conservation.	OV Maps 2.1A, 2.1B, 2.1C, 2.1D, 2.2A, 2.2B, 2.2C, 2.2D, 2.3A and 2.3D.	4.3.1
Development Constraints.	OV Maps 3.1A, 3.1B, 3.1C, 3.1D, 3.2A, 3.2B, 3.2C, 3.2D, 3.3A, 3.3B, 3.3C and 3.3D.	4.4.1
Local Cultural Heritage.	OV Maps 4.1A, 4.1B, 4.1C and 4.1D.	4.5.1
Character Places.	OV Map 5.1.	4.6.1
Catchment Management, Waterways and Wetlands.	OV Maps 6.1A, 6.1B, 6.1C and 6.1D.	4.7.1

4. In Chapter 4 - Assessment Provisions for Overlays, amend Section 4.5.1 - Application of Assessment Provisions to read as follows:

Part 5 ~~Local Cultural~~ Heritage Overlay

4.5.1 Application of Assessment Provisions

Part 5 (~~Local Cultural~~ Heritage Overlay) applies to development affected by the ~~Local Cultural~~ Heritage Overlay shown on OV Maps 4.1A, 4.1B, 4.1C and 4.1D.

The Local Heritage Overlay Code reproduces the IDAS Code for Local Heritage Places in Schedule 2 of the Queensland Heritage Regulation 2003.

This code does not apply to development on a place on the Queensland Heritage Register, even if the place, or part of it, is on the Local Heritage Register.

5. In Chapter 4 - Assessment Provisions for Overlays, amend the Assessment Table (Table 4.5.4) in the Cultural Heritage Overlay as shown below:

Table 4.5.4 Assessment Table for the Cultural Heritage Overlay

Column 1 Use or Use Class	Column 2 Assessment Category	Column 3 Relevant Assessment Criteria
Material Change of Use for all Defined or Undefined Uses except Road and Park.	Exempt , if not Code-assessable. Code-assessable , if involves land shown as a <u>Local Heritage Place</u> Cultural Heritage Feature on Overlay Map 4.1.	If Exempt —None applicable. If Code-assessable — <u>Local Cultural</u> Heritage Overlay Code (section 4.5.5) (<u>IDAS Code for Local Heritage Places</u>).
Building Work not associated with a Material Change of Use.	Exempt , if not Code-assessable. Code-assessable , if involves land shown as a <u>Local Heritage Place</u> Cultural Heritage Feature on Overlay Map 4.1 and the Building Work involves a feature listed in Table 4.5.8A (Significant Cultural Heritage Features).	If Exempt —None applicable. If Code-assessable — <u>Local Cultural</u> Heritage Overlay Code (section 4.5.5) (<u>IDAS Code for Local Heritage Places</u>).
Reconfiguring a Lot.	Exempt , if not Code-assessable. Code-assessable , if involves land shown as a <u>Local Heritage Place</u> Cultural Heritage Feature on Overlay Map 4.1	If Exempt —None applicable. If Code-assessable — <u>Local Cultural</u> Heritage Overlay Code (section 4.5.5) (<u>IDAS Code for Local Heritage Places</u>).
Placing an Advertising Device Operational Work not associated with a Material Change of Use.	Exempt , if not Code-assessable. Code-assessable , if involves land shown as a <u>Local Heritage Place</u> Cultural Heritage Feature on Overlay Map 4.1	If Exempt —None applicable. If Code-assessable — <u>Local Cultural</u> Heritage Overlay Code (section 4.5.5) (<u>IDAS Code for Local Heritage Places</u>).

5. In Chapter 4, Part 5, Division 3, **delete** the existing Cultural Heritage Overlay Code and replace with the following text:

Division 3 Local Heritage Overlay Code

Subdivision 1 Preliminary

4.5.5 Compliance with the Local Heritage Overlay Code

Development complies with the Local Heritage Overlay Code if in the case of—

- (a) Code-assessable development, there is compliance with the Specific Outcomes of the Local Heritage Overlay Code; and
- (b) Impact-assessable development, there is compliance with the Specific Outcomes of the Local Heritage Overlay Code and the purpose of the Cultural Heritage Overlay Code; being the Overall Outcomes for cultural heritage features.¹

Note: **Scenic Rim Local Heritage Register**

Places shown as Local Heritage Places on Overlay Map 4.1 are places entered on the Scenic Rim Local Heritage Register.

Subdivision 2 Assessment Criteria for Local Heritage Places

4.5.6 Purpose of the Cultural Heritage Overlay Code

The Overall Outcomes for Local Heritage Places are the purpose of the Local Heritage Overlay Code.

4.5.7 Overall Outcomes for Local Heritage Places

The purpose of this code is to ensure development on a local heritage place is compatible with the cultural heritage significance of the place by -

- (1) preventing the demolition or removal of local heritage places, unless there is no prudent or feasible alternative to the demolition or removal; and
- (2) maintaining or encouraging, as far as practicable, the appropriate use of local heritage places; and
- (3) protecting, as far as practicable, the materials and setting of local heritage places; and
- (4) ensuring, as far as practicable, development on a local heritage place is compatible with the cultural heritage significance of the place.

In considering whether there is no prudent or feasible alternative to the demolition or removal of a local heritage place, the assessment manager under the Planning Act for development must have regard to -

¹ See section 1.2.17 (Structure of the Codes) and Part 3 (Development in Zones) in Chapter 1 (Preliminary).
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- (1) safety, health and economic considerations; and
- (2) any other matters the assessment manager considers relevant.

4.5.8 Compliance with the Local Heritage Overlay Code

This code is complied with for development on a local heritage place if each specific outcome stated in the table, column 1 and applying to the development is achieved.

A specific outcome mentioned in the table, column 1, item S.3, S.4, S.5 or S.6 is achieved if the probable solution stated in the table, column 2 for achieving the specific outcome is complied with.

Table 4.5.8 Specific Outcomes and Prescribed Solutions for the Cultural Heritage Overlay

Column 1 Specific Outcomes		Column 2 Solutions	
SO1	The material change of use is compatible with the conservation and management of the cultural heritage significance of the local heritage place	S1.1	No Solution is prescribed.
SO2	Reconfiguration does not - (a) reduce public access to the place; or (b) obscure or destroy any pattern of historic subdivisions, the landscape settings or the scale and consistency of urban precincts relating to the place.	S2.1	No Solution is prescribed.
SO3	Development conserves the features and values of the local heritage place that contribute to its cultural heritage significance.	S3.1	Development - (a) does not alter, remove or conceal significant features of the place; or (b) is minor and necessary to maintain a significant use for the place.
SO4	Changes to the local heritage place are appropriately managed and documented.	S4.1	Development is compatible with a conservation management plan prepared in accordance with the Australia ICOMOS Charter for Places of Cultural Heritage Significance.
		S4.2	An archival quality photographic record is made of the features of the places that are destroyed because of the development.
SO5	Development does not adversely affect the character, setting or appearance of the local heritage place.	S5.1	The scale, location and design of the development is compatible with the character, setting and appearance of the local heritage place.

Column 1 Specific Outcomes	Column 2 Solutions
	<p>S5.2 The development is unobtrusive and cannot readily be seen from surrounding streets or other public places.</p>
<p>SO6 Excavation or other earthworks do not have a detrimental impact on archaeological sites.</p>	<p>S6.1 The impact of excavation is minor and limited to parts of the local heritage places that have been disturbed by previous excavation.</p> <p>S6.2 An archaeological investigation is carried out for development involving high level of surface or subsurface disturbance.</p>

Table 4.5.8A - Places on the Local Heritage Register in the Beaudesert Planning Scheme Area

Suburb	Name	Address	Property Description	Components of Significance
BARNEY VIEW	Barney View Church and Cemetery	101 Mount Barney Road	2 & 3 RP29856	Timber church building and cemetery
BEAUDESERT	Beaudesert Racecourse and Grandstand	3180 Beaudesert-Boonah Road	60 WD4191	Timber grandstand structure and grass racecourse
BEAUDESERT	Beaudesert Showgrounds	Albert Street	1-8 RP7563; 19-20 RP7563; 21 SP121123	Whole lot; Timber grandstand and wrought iron entry gates
BEAUDESERT	Scenic Rim Regional Council Chambers	82 & 84 Brisbane Street	77 WD4386 & 138 WD4338	Brisbane Street facades
BEAUDESERT	St Thomas' Anglican Church	7-9 Albert Street	138-140 RP7562	1950s brick and tile church
BEAUDESERT	Beaudesert Hotel	80 Brisbane Street	2 RP817932	Brisbane and Short Street facades and roof of the main building
BEAUDESERT	Beaudesert Masonic Centre	33 Brisbane Street	1 RP7574	Masonic Hall
BEAUDESERT	St Mary's Catholic Church	Bromelton Street	1 RP7507; 1 WD2884	Church building
BEECHMONT	Beechmont Church	2-4 McInnes Court	1 RP49728	Timber church building
CANUNGRA	Canungra Police Station Reserve	33-41 Kidston Street	137 WD3310	Timber police house and lock-ups
CANUNGRA	St Luke's Anglican Church	15-21 Kidston Street	1 RP209751	Timber church
CANUNGRA	Former Canungra Ambulance Station	13-15 Appel Street	18 RP32081	Timber and corrugated iron dwelling
CANUNGRA	St Margaret Mary's Catholic Church	51-57 Kidston Street	3 RP45627	Timber church
CANUNGRA	Uniting Church	31 Appel Street	66 RP32081	Timber church buildings
CANUNGRA	Canungra War Memorial	1-3 Christie Street	2 RP55412	War memorial and 10 metre radius
CANUNGRA	Canungra Sports and Recreation Ground (entry gates)	Showground Road	112 RP32085	Entry gates
CHRISTMAS CREEK	Catholic Church and Cemetery	1441 Christmas Creek Road	6 RP32565	Timber church and cemetery
KERRY	St John's Church	1823 Kerry Road	69 W311438	Church and

Suburb	Name	Address	Property Description	Components of Significance
	and Cemetery			cemetery
PALEN CREEK	St James Catholic Church and cemetery	11605 Mt Lindesay Highway	1 RP223763	Timber church and cemetery
RATHDOWNEY	St Joseph's Catholic Church	157-159 Mt Lindesay Highway	1 RP50654	Timber church building
RATHDOWNEY	St David's Church of England	8-12 Hardgrave Street and 14-18 Prior Street	5 & 6 RP25542	Timber church building
TAMBORINE	Tamborine House	869 Mundoolun Connection Road	1 RP141768	Timber homestead (refer to inventory sheet for curtilage details)
TAMBORINE MOUNTAIN	Former Presbyterian Church	2-4 Geissmann Street	2 RP44749	Timber church building
TAMBORINE MOUNTAIN	Former Mountain Crest Guesthouse	6-8 Main Street	1 RP231547	Timber former guesthouse building
TAMBORINE MOUNTAIN	Zamia Theatre	22 Main Street	1 RP77682	Timber former theatre building
TAMBORINE MOUNTAIN	Tamborine Showgrounds and Hall	386-398 Main Western Road	7 SP182961	Timber hall

Map amendments:

Not applicable.

Item 6: Amendments to Beaudesert Planning Scheme Overlay Maps to show Local Heritage Places

Summary: Amendment to the Cultural Heritage Overlay Map to reflect the places on the Local Heritage Register and proposed new name for the overlay.

Explanation:

In order to reflect the places on the Local Heritage Register, the existing Cultural Heritage Overlay Map will be amended by removing all existing places on the Cultural Heritage Overlay and replacing them with the properties on the Local Heritage Register. The map title and legend will also be amended to reflect the name of the overlay as the 'Local Heritage Overlay' which shows places on the Local Heritage Register.

Text amendments:

Not applicable.

Map amendments:

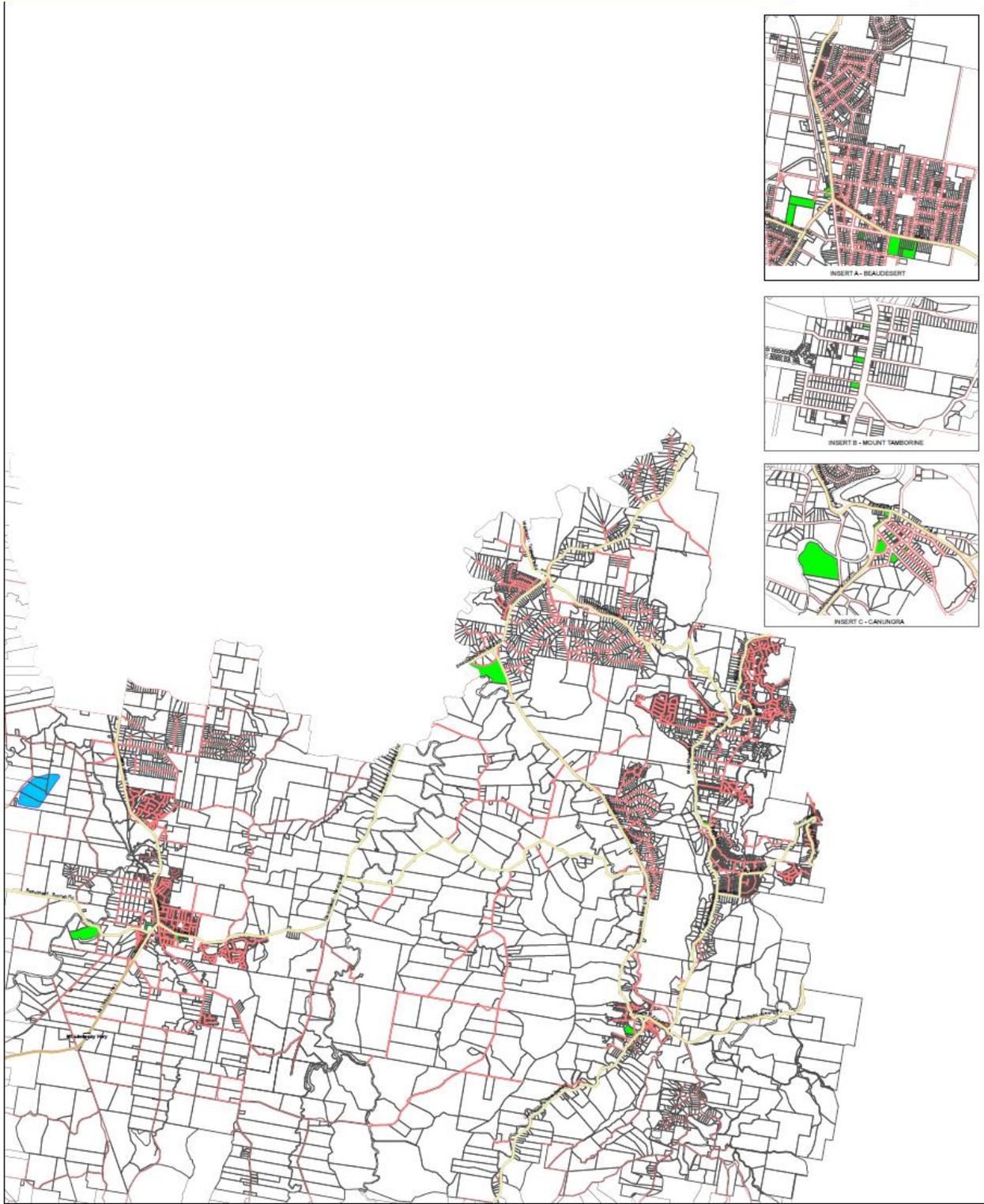
1. Amend Overlay Maps 4.1a, b, c & d - Cultural Heritage Overlay to reflect the new name of the Overlay on the heading and in the legend.
2. Amend Overlay Maps 4.1a, b, c & d by removing all existing heritage features from the overlay and including the following properties that are on the Local Heritage Register:

- 2 & 3 RP29856
- 60 WD4191
- 1-8 RP7563; 19-20 RP7563; 21 SP121123
- 77 WD4386 & 138 WD4338
- 138-140 RP7562
- 2 RP817932
- 1 RP7574
- 1 RP7507; 1 WD2884
- 1 RP49728
- 137 WD3310
- 1 RP209751
- 18 RP32081
- 3 RP45627
- 66 RP32081
- 2 RP55412
- 112 RP32085
- 6 RP32565
- 69 W311438
- 1 RP223763
- 1 RP50654
- 5 & 6 RP25542
- 1 RP141768
- 2 RP44749

- 1 RP231547
- 1 RP77682
- 7 SP182961

3. Amend Overlay Maps 4.1a, b, c & d by removing the existing note about the Cultural Heritage Overlay under the date.

Local Heritage Overlay



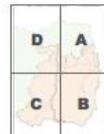
Beaudesert Planning Scheme
Integrated Planning Act 1997

DATA MUST NOT BE USED FOR EXACT MEASUREMENTS OR TO BE RELIED UPON FOR LEGAL PURPOSES

SCALE 1:60 000



Adopted 29 July 2014



GENERAL INFORMATION
 State Information: Queensland Government
 Council Boundary: [Symbol]
 Property Boundary: [Symbol]
 Not Used on Overlay 1.1: [Symbol]
 Major Road: [Symbol]
 Minor Road: [Symbol]
 Other Road: [Symbol]
 Not Used on Overlay 4.1: [Symbol]
 50m: [Symbol]

INFRASTRUCTURE OVERLAY
 Major Transport Routes: [Symbol]
 State Controlled: [Symbol]
 Local Road of Significance: [Symbol]
 Interstate/Local Railway: [Symbol]
 Other Transport Routes: [Symbol]
 State Controlled: [Symbol]
 Local Road of Significance: [Symbol]
 Rail: [Symbol]
 Restricted Access: [Symbol]
 Public Transport Routes: [Symbol]
 Recreation Trail: [Symbol]

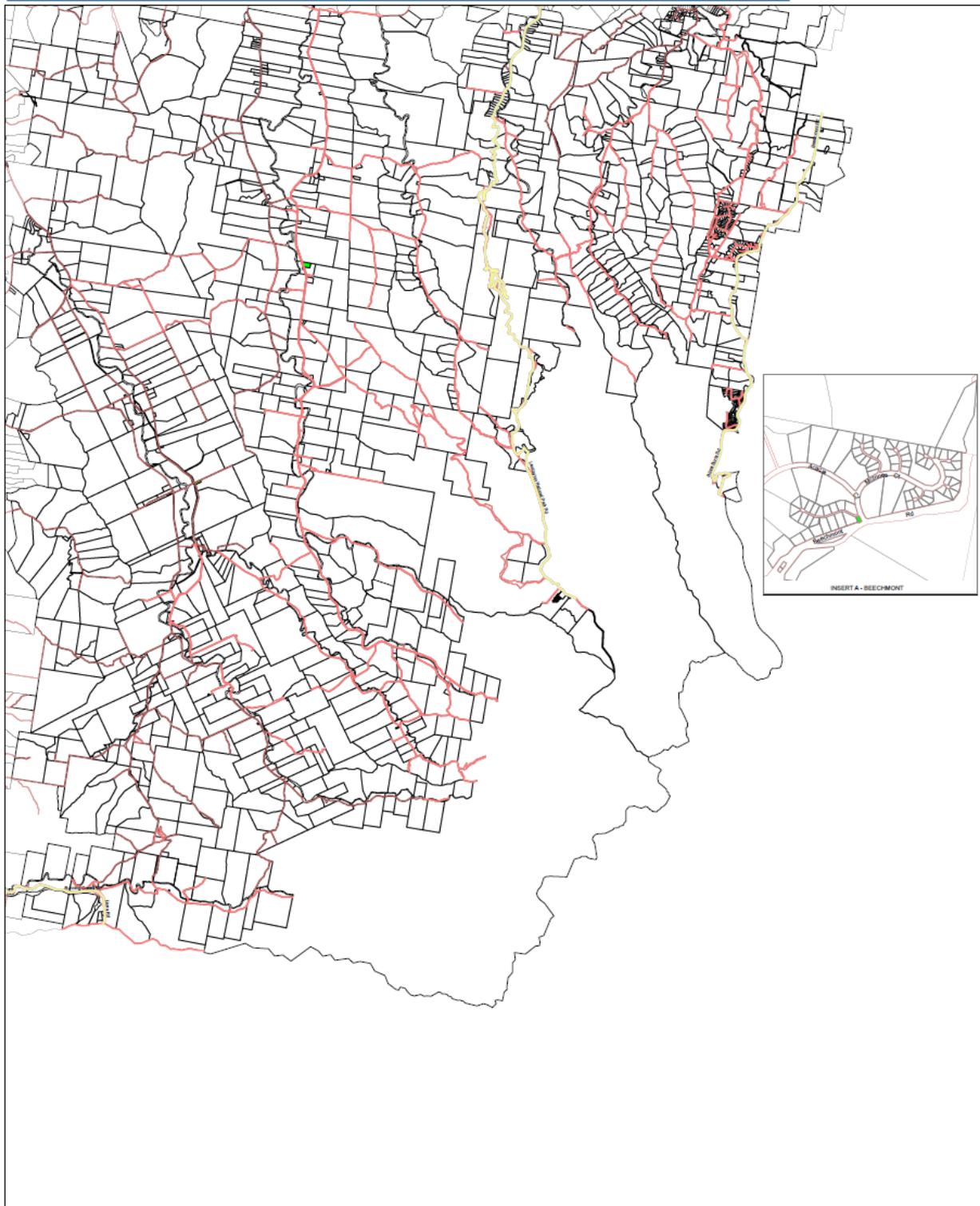
NATURE CONSERVATION OVERLAY
 Conservation Significance: [Symbol]
 Biological Corridor: [Symbol]
 Riparian Sensitive Area: [Symbol]
 World Heritage Area: [Symbol]
 Commonwealth Sensitive Area: [Symbol]
 Regional Nature Conservation Area: [Symbol]
 Local Nature Conservation Area: [Symbol]
 Conservation Significance: [Symbol]
 Landscape Amenity Area: [Symbol]
 Vegetation Management Area: [Symbol]

DEVELOPMENT CONSTRAINTS OVERLAY
 Character Places Area: [Symbol]
 Medium Seismic Hazard: [Symbol]
 High Seismic Hazard: [Symbol]
 Flood and Landslide Hazard: [Symbol]
 Defined Flood Event: [Symbol]
 Investigation Area: [Symbol]
 Medium Landslide Hazard: [Symbol]
 High Landslide Hazard: [Symbol]
 Landslide Hazard Investigation Area: [Symbol]
 Agriculture Protection Area: [Symbol]
 New Protection Area: [Symbol]
 Water Supply Catchment Area: [Symbol]

CHARACTER PLACES OVERLAY
 Character Places Area: [Symbol]
 Cultural Heritage, Archaeological, Wetlands and Wetlands Overlay: [Symbol]
 Buffer Area: [Symbol]
 Ribbon Order Category 'A': [Symbol]
 Ribbon Order Category 'B': [Symbol]
 Ribbon Order Category 'C': [Symbol]
 Visual Influence Area: [Symbol]
 Wetlands: [Symbol]
 Prohibited Land Risk - Low: [Symbol]
 Prohibited Land Risk - Medium: [Symbol]
 Prohibited Land Risk - High: [Symbol]
 Riparian Habitat Presence: [Symbol]

LOCAL HERITAGE OVERLAY
 Local Heritage Overlay: [Symbol]

Local Heritage Overlay



Beaudesert Planning Scheme Integrated Planning Act 2017
 4012 Scenic Rim Regional Council
 Department of Local Government and Roads

GENERAL INFORMATION
 State Information
 Council Boundary
 Property Boundary
 Interlocal Road
 Not Used on Overlay 1.1
 Major Road
 Minor Road
 Other Road
 Not Used on Overlay 6.1
 Stream

INFRASTRUCTURE OVERLAY
 Major Transport Route
 State Controlled
 Local Road of Significance
 Interlocal Road
 Other Transport Routes
 State Controlled
 Local Road of Significance
 Health Care Area
 Public Transport Route
 Recreational Trail
 Recreational Trail

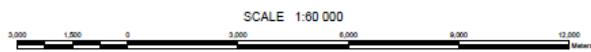
WATER OVERLAY
 Aviation Facility and Buffer
 Water Cycle Infrastructure
 Water Treatment Plant
 Water Reservoir
 Waste Water Treatment Plant
 Electricity Network
 Substation Site
 Power Line 132KV
 Power Line 110KV

NATURE CONSERVATION OVERLAY
 Conservation Significance
 Biological Corridor
 Riparian Sensitive Area
 World Heritage Area
 Regional Nature Conservation Area
 Local Nature Conservation Area
 Conservation Significance
 Land Use Sensitive Area
 Conservation Significance
 Vegetation Management Area

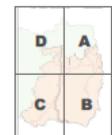
DEVELOPMENT CONSTRAINTS OVERLAY
 Bushfire Hazard Area
 High Bushfire Hazard Area and Land Use Hazard
 Conservation Sensitive Area
 Investigation Area
 High Landslide Hazard
 Medium Landslide Hazard
 Low Landslide Hazard
 Agriculture Protection Area
 New Production Area
 Water Supply Catchment Area

WATER SUPPLY OVERLAY
 Water Supply Source
 Extraction/Storage Resource
 Buffer Area
 High Reservoir Area
 Defence Establishment
 Airfield
 Water Cycle Investigation Area
 LOCAL HERITAGE OVERLAY
 Local Heritage Overlay

CHARACTER PLACES OVERLAY
 Character Place Area
CATCHMENT MANAGEMENT WATERWAYS AND WETLANDS OVERLAY
 Stream Order Category 'A'
 Stream Order Category 'B'
 Stream Order Category 'C'
 Flood Influence Area
 Wetlands
 Pollutant Load Max - Low
 Pollutant Load Max - Medium
 Pollutant Load Max - High
 Riparian Habitat Potential



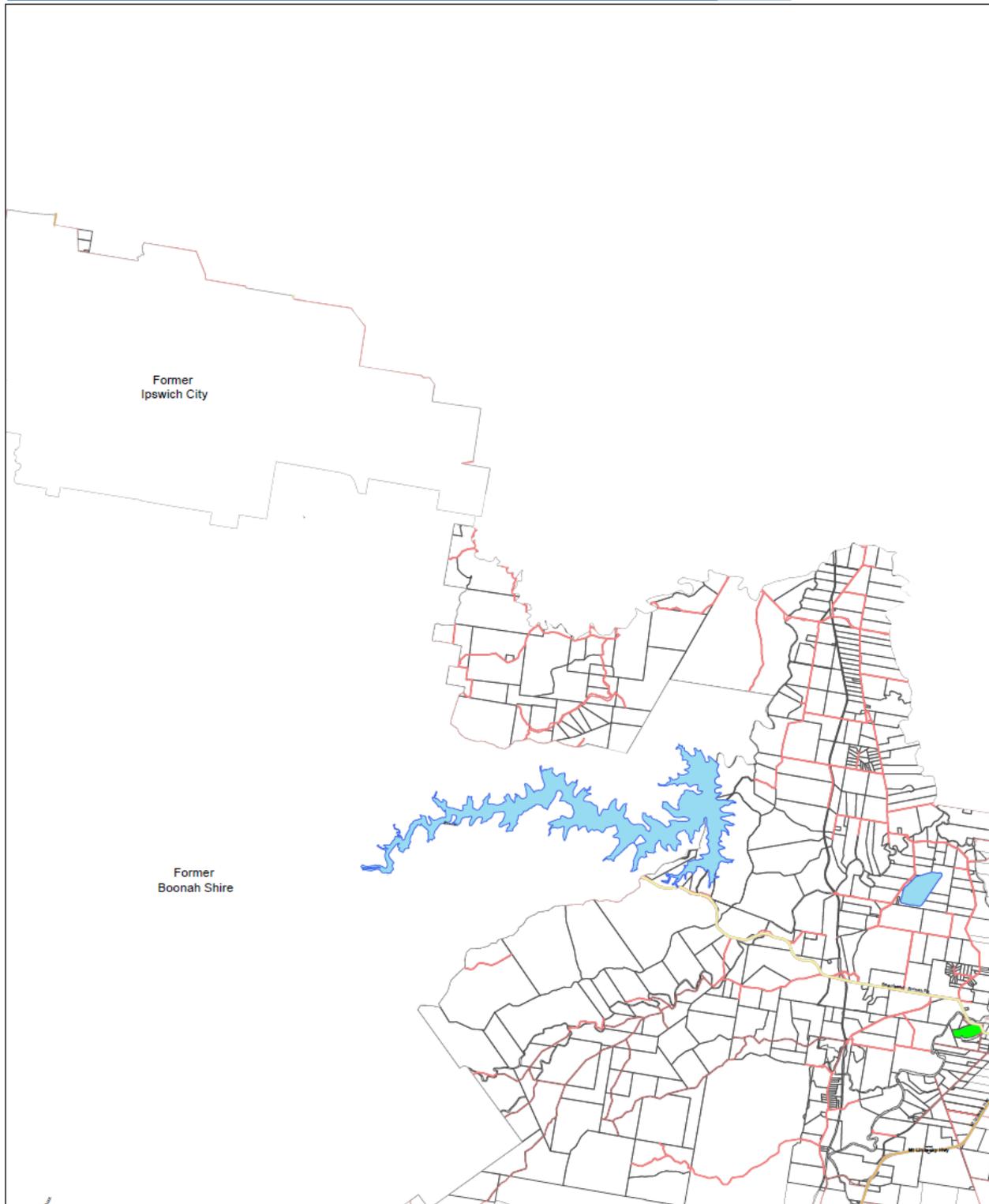
For Adoption by Council



Local Heritage Overlay



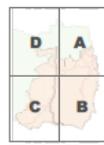
OV 4.1D



SCALE 1:60 000



Adopted 29 July 2014



OV 4.1D

Beaudesert Planning Scheme
Integrated Planning Act 2010

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GENERAL INFORMATION
State Information
Council Boundary
Property Boundary
State Controlled
Other Transport Routes
Major Road
Minor Road
Other Road
Rail (not an Overlay)
Breach

INFRASTRUCTURE OVERLAY
Major Transport Routes
State Controlled
Local Road of Significance
International Railway
Other Transport Routes
State Controlled
Major Road
Minor Road
Other Road
Police Transport Road
Recreation Trail
Recreation Trail

NATURES CONSERVATION OVERLAY
Conservation Significance
Biological Corridor
Riparian Sensitive Area
World Heritage Area
Conservation Sensitive Area
Regional Nature Conservation Area
Local Nature Conservation Area
Conservation Significance
Landscape Aesthetics Area
Vegetation Management Area

DEVELOPMENT CONSTRAINTS OVERLAY
Biosphere Hazard Area
High Biosphere Hazard
Flood and Landslide Hazard
Deferral Flood Hazard
Investigation Area
Medium Landslide Hazard
High Landslide Hazard
Landslide Hazard Investigation Area
Other Constraints
Agriculture Protection Area
View Protection Area
Water Supply Catchment Area

CHARACTER PLACES OVERLAY
Character Places Area
CATCHMENT MANAGEMENT WATERWAYS AND NETWORKS OVERLAY
Stream Order Category 'A'
Stream Order Category 'B'
Stream Order Category 'C'
Total Influence Area
Wetlands
Pollutant Load Risk - Low
Pollutant Load Risk - Medium
Pollutant Load Risk - High
Aquatic Habitat Priority

Item 7: Amendments to Ipswich Planning Scheme

Summary: Amendment to Part 11 - Character Places Overlay to incorporate the Local Heritage Register.

Explanation:

Although the Ipswich Planning Scheme has identified places of local heritage significance in its Character Places Overlay, the Scenic Rim Regional Council as a whole does not currently have a local heritage register prepared in accordance with the *Queensland Heritage Act 1992* (Heritage Act).

The Local Heritage Register constitutes a reduced and more accurate inventory of the region's heritage stock than what is currently included in the Ipswich Planning Scheme and provides the mandatory information that is required under the Heritage Act.

Accordingly, to avoid duplication of assessment processes and ensure only those places identified in the Register as having local cultural heritage significance trigger development assessment, an amendment to the existing planning scheme will be undertaken to achieve consistency with the Local Heritage Register. For the Ipswich Planning Scheme this will mean the replacement of the current schedule of Character Places with those in the Register and a new code that reproduces the IDAS Code for Local Heritage Places. The levels of assessment will also be amended to align with the levels of assessment prescribed in the *Sustainable Planning Regulation 2009* for development affecting local heritage places.

Text amendments:

1. In Part 11, Overlays, Division 3 - Character Places Overlay: Assessment Criteria and Assessment Tables, amend the existing Character Places Overlay as shown below:

PART 11—OVERLAYS

Division 1—Preliminary

11.1.1 Overlay Provisions

- (1) The following provisions in this part deal with Overlays—
- compliance with—
 - the Character Places Overlay (division 3, section 11.3.2); and
 - the Development Constraints Overlay (division 4, section 11.4.2);
 - overall outcomes for—
 - the Character Places Overlay (division 3, section 11.3.3); and
 - the Development Constraints Overlay (division 4, section 11.4.3);
 - assessment criteria for—
 - the Character Places Overlay (division 3, section 11.3.4); and
 - the Development Constraints Overlay (division 4, sections 11.4.4 to 11.4.16).
- (2) The following provisions in this part relate to the assessment tables for Overlays—
- general provisions (division 2);
 - assessment tables for each Overlay (division 3, Tables 11.3.1 and 11.3.2 and division 4, Tables 11.4.3 and 11.4.4).

Division 2—General Provisions for Assessment Tables

11.2.1 Assessment Categories for Overlays

The assessment categories² are identified for development in each Overlay in column 2 of tables 11.3.1, 11.3.2, 11.4.3 and 11.4.4 as follows—

- (a) tables 11.3.1 and 11.4.3—making a material change of use³ for a defined use, or another use in a defined use class, listed in column 1; or

- (b) tables 11.3.2 and 11.4.4—other development listed in column 1, including—
- (i) carrying out building work not associated with a material change of use;
 - (ii) minor building work;
 - (iii) placing an advertising device on premises, not associated with a material change of use;
 - (iv) clearing of vegetation, not associated with a material change of use;
 - (v) earthworks, not associated with a material change of use;
 - (vi) reconfiguring a lot;
 - (vii) carrying out operational work for reconfiguring a lot.

11.2.2 Relevant Assessment Criteria for Development Affected by an Overlay

- (1) The relevant assessment criteria for each Overlay are referred to in column 3 of tables 11.3.1, 11.3.2, 11.4.3 and 11.4.4.
- (2) For self assessable development and development requiring code assessment, the relevant assessment criteria are applicable codes.

Division 3—Character Places Overlay: Assessment Criteria and Assessment Tables

11.3.1 Character Places Overlay Code

The provisions in this division comprise the Character Places Overlay Code. They are—

- compliance with the Character Places Overlay Code (section 11.3.2);
- overall outcomes (section 11.3.3);
 - specific outcomes and probable solutions as follows—
 - effects of development – general (section 11.3.4);
 - assessment tables (Tables 11.3.1 and 11.3.2).

11.3.2 Compliance with Character Places Overlay Code

² Information about assessment categories is provided in the Ipswich Planning Scheme User's Guide (2).

³ Works associated with an application for a material change of use may be assessed together with the material change of use.

(1) This code is complied with for development on a local heritage place when each specific outcome stated in Table 11.3.4a, Column 1 and applying to development is achieved. A Specific Outcome mentioned in the Table 11.3.4a, column 1, item (3), (4), (5), or (6) is achieved if the probable solution stated in the table, column 2 for achieving the specific outcome is complied with. Development that, in the local government's opinion, is consistent with the specific outcomes in section 11.3.4, complies with the Character Places Overlay Code.

(2) The provisions contained in the Character Places Overlay Code and the assessment tables apply from—

(a) the date upon which this planning scheme comes into force; or

(b) the date from which the local government adopts the incorporation of a place on the Scenic Rim Local Heritage Register, a later date on which a notice is served on the rateable owner of a place that the local government proposes, under Planning Scheme Policy 4, to include the place in Schedule 2.

(3) Such provisions shall continue to apply until such time as—

(a) the local government resolves to not proceed with the inclusion of the place in Schedule 2; or

(b) a period of 90 days expires from the last day of the consultation period and the local government has not made a decision as to whether or not to proceed with the inclusion of the place in Schedule 2; or

(ae) the place is removed from Schedule 2 in accordance with the Sustainable Planning Act 2009 and a place is removed from the Scenic Rim Local Heritage Register in accordance with the Queensland Heritage Act 1992.

11.3.3 Overall Outcomes for the Character Places Overlay

(1) The overall outcomes are the purpose of the Character Places Overlay Code.

NOTE 11.3.3A

(1) Sub-section (1) provides the link between the overall outcomes sought for the code and the IPA code assessment rules which refer to the 'purpose' of the code [see IPA s.3.5.13(2)].

(2) Schedule 2 includes a list of places that are included in the Scenic Rim Local Heritage Register, individual places of cultural significance or streetscape value.

(3) Other places of cultural significance or streetscape value which are situated within Character Areas are protected via the zoning provisions for the Character Areas – Housing Zones and the Character Areas – Mixed Use Zones.

(4) The Overlay Code reproduces the IDAS Code for Local Heritage Places provided in Schedule 2 of the Queensland Heritage Regulation 1992.

(4) Planning Scheme Policy 4 outlines the criteria and process for including or removing places from Schedule 2.

(5) Key character provisions for the Character Places Overlay include—

— (a) demolition and removal controls for pre-1946 buildings (refer Assessment Table 11.3.2); and

— (b) sympathetic design guidelines which strongly reflect pre-1946 architectural themes (refer Character Code, Part 12, division 10).

(6) In addition to Character Places the planning scheme recognises 'Identified Places of Interest', which are places that—

— (a) are located in an area where the stated planning expectation is that the land could be developed at a significantly higher intensity than offered by the existing building; or

— (b) have an economic value which is very low compared to other nearby land and there is limited prospect of continued use or adaptive reuse of existing buildings; or

— (c) are in a state of significant structural disrepair, and there is significant risk to persons or property; or

— (d) where the cultural significance or streetscape value is marginal.

These places are included in Schedule 3, (Identified Places of Interest).

(7) The scheme encourages the conservation of 'Identified Places of Interest' but does not compel their conservation or retention 'in situ'.

~~(8) Where possible, Schedule 3 listed buildings should be retained on site, in a manner which also retains or enhances their streetscape presence.~~

~~(9) Alternatively, such buildings should be—~~

~~— (a) relocated as close as possible to the original site and oriented and restored as far as possible to retain or enhance their original streetscape presence and overall setting; or~~

~~— (b) relocated within a Character Zone and oriented and restored as far as possible to retain or enhance their original streetscape presence and overall setting—~~

- (2) The purpose of this code is to ensure development on a local heritage place is compatible with the cultural heritage significance of the place by - The overall outcomes sought for the Character Places Overlay are the following—
- (a) Preventing the demolition or removal of local heritage places, unless there is no prudent and feasible alternative to the demolition or removal. Places of cultural significance or streetscape value are conserved.
- (b) Maintaining or encouraging, as far as practicable, the appropriate use of local heritage places. Uses and works are sympathetic with and respectful of places of cultural significance or streetscape value.
- (c) Protecting, as far as practicable, the materials and setting of local heritage places. Uses and works within places of cultural significance or streetscape value are located, designed and managed to—
- (i) maintain residential amenity;
- (ii) be compatible with existing uses and works;
- (iii) avoid significant adverse effects on the natural environment; and
- (iv) maintain the safety of people, buildings and works.
- (d) Ensuring, as far as practicable, development on a local heritage place is compatible with the cultural heritage significance of the place. Uses and works within places of cultural significance or streetscape value are located and designed to maximise the efficient extension and safe operation of infrastructure.

- (3) In considering whether there is no prudent and feasible alternative to the demolition or removal of a local heritage place, the assessment manager under the Planning Act for the development must have regard to -
- (a) safety, health and economic considerations; and
- (b) any other matters the assessment manager considers relevant.

Note: This code does not apply to development affecting a place on the Queensland Heritage Register.

11.3.4 Effects of Development – General

NOTE 11.3.4A

The specific outcomes which are sought to apply generally throughout the Character Places Overlay, and Schedule 2 are set out in Table 11.4.4a below.

Specific Outcomes

- ~~(1) The cultural significance and streetscape value of places identified in Schedule 2 are conserved.~~
- ~~(2) Uses and works are sympathetic with and respectful of the cultural significance and streetscape value of places identified in Schedule 2.~~
- ~~(3) New uses and works take account of the likely impact of the proposal on the cultural significance and streetscape value of the place, with particular reference to—~~
- ~~— (a) the character, appearance, location and bulk of proposed buildings and other works;~~
- ~~— (b) whether any proposed landscaped treatment would be in keeping with the character and appearance of the place; and~~
- ~~— (c) whether the proposal is likely to cause irreversible damage to the cultural significance or streetscape value of the place.~~
- ~~(4) Wherever possible, new uses and works ensure the retention of the original, or pre 1946 fabric of the place.~~
- ~~(5) Where new uses and works involve considerable redevelopment—~~
- ~~— (a) the retention of specific features of the place are capable of adequate interpretation; and~~
- ~~— (b) it is apparent what is original and what is new.~~

- (6) — New uses and works maintain a scale and appearance in keeping with the character and amenity of the locality with adequate buffering or screening to nearby sensitive uses (both existing and proposed).

NOTE 11.3.4B

The Character Code (see Part 12, division 10) sets out the planning scheme requirements and design guidelines for new uses and works in the Character Areas—Housing Zones, Character Areas—Mixed Use Zones and areas covered by the Character Places Overlay

Table 11.4.4a: Specific Outcomes and Probable Solutions for Development affecting a Local Heritage Place

Column 1 Specific Outcomes	Column 2 Probable Solutions
(1) <u>The material change of use is compatible with the conservation and management of the cultural heritage significance of the local heritage place.</u>	<u>No probable solution provided.</u>
(2) <u>Reconfiguration does not -</u> <u>(a) reduce public access to the place;</u> <u>or</u> <u>(b) obscure or destroy any pattern of historic subdivisions, the landscape settings or the scale and consistency or urban precincts relating to the place.</u>	<u>No probable solution provided.</u>
(3) <u>Development conserves the features and values of the local heritage place that contribute to its cultural heritage significance.</u>	(3) <u>Development -</u> <u>(a) does not alter, remove or conceal significant features of the place; or</u> <u>(b) is minor and necessary to maintain a significant use for the place.</u>
(4) <u>Changes to the local heritage place are appropriately managed and documented.</u>	(4) <u>Development is compatible with a conservation management plan prepared in accordance with the Australia ICOMOS Charter for Places of Cultural Heritage Significance.</u> <u>An archival quality photographic record is made of the features of the place that are destroyed because of the development.</u>
(5) <u>Development does not adversely affect the character, setting or appearance of the local heritage place.</u>	(5) <u>The scale, location and design of the development is compatible with the character, setting and appearance of the local heritage place.</u> <u>The development is unobtrusive and cannot readily be seen from surrounding streets or other public places.</u>
(6) <u>Excavation or other earthworks do not have a detrimental impact on archaeological sites.</u>	(6) <u>The impact of excavation is minor and limited to parts of the local heritage places that have been disturbed by previous excavation.</u> <u>An archaeological investigation is carried out for development involving high level surface or subsurface disturbance.</u>

Table 11.3.1: Assessment Categories and Relevant Assessment Criteria for Character Places Overlay—Making a Material Change of Use

Column 1 Defined use or use class⁴	Column 2 Assessment category⁵	Column 3 Relevant assessment criteria⁶—applicable code if development is self-assessable or requires code assessment
All	<u>As per the assessment tables for each of the relevant zones covered by the Character Places Overlay—Code Assessable.</u>	Character Places Overlay Code (Part 11, division 3) (<u>IDAS Code for Local Heritage Places</u>) <u>Character Code (Part 12, division 10)</u> Relevant Zone Codes

Table 11.3.2: Assessment Categories and Relevant Assessment Criteria for Character Places Overlay—Other Development

⁴ See Schedule 1 (dictionary), division 1 (defined uses and use classes).

⁵ Assessment categories may also be affected by overlays. See overlay maps to determine whether the land is affected.

⁶ For impact assessable development, 'relevant assessment criteria' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with Section 3.5.5 of the IPA.

Column 1 Type of development	Column 2 Assessment category ⁷	Column 3 Relevant assessment criteria ⁸ —applicable code if development is self-assessable or requires code assessment
<p>Carrying out building work not associated with a material change of use—inconsistent development if the demolition or removal of a place of cultural significance or streetscape value unless listed as exempt or unless there is no prudent or feasible alternative.</p>	<p><u>Code Assessable</u> <u>Exempt if—</u></p> <ul style="list-style-type: none"> (a) maintenance work; (b) the demolition, removal, repair, addition or alteration to a building which was erected during the period from 1947 to 2000 unless the building is listed in Schedule 2 and provided any addition meets the criteria set out in Schedule 5; (c) repair work, other than as set out in (b) above, which restores a building to its— <ul style="list-style-type: none"> (i) previous condition, prior to the occurrence of damage; or (ii) original condition; (d) internal building works, unless the interior part of the building on which the works are being undertaken is specifically listed in Schedule 2; (e) external works on the rear of a building where such works— <ul style="list-style-type: none"> (i) can not be readily seen from an adjoining street or public right of way; (ii) do not increase the gross floor area of the existing building by more than 50%; and (iii) meet the criteria set out in Schedule 5. (f) closing in a verandah where— <ul style="list-style-type: none"> (i) the verandah does not face the street (see Schedule 6, Figure 1); and (ii) the original fabric is retained; and (iii) the work is capable of being reversed without significant damage to the original fabric; (g) replacing stumps; (h) raising or lowering a building by 750mm or less; (i) closing in underneath a building, providing such work is— <ul style="list-style-type: none"> (i) screened with timber battens from view from an adjoining street or public right of way; and (ii) set back for the full depth of all open or enclosed verandahs; or (iii) set back 1.0 metre from the upper level of an exterior wall where there is no verandah; (see Schedule 6, Figure 2) (j) erecting a Class 10 building (outbuilding):- <ul style="list-style-type: none"> (i) which meets the criteria set out in Schedule 5; and (ii) where the main building on site was erected between 1947 and 2000; and (iii) where the main building is not listed in Schedule 2; (k) erecting a Class 10 building (outbuilding), other than as set out in (j) above— <ul style="list-style-type: none"> (i) where the Class 10 building is situated at the rear of the main building (see Area A in Schedule 6, Figure 3) and which meets the criteria set out in Schedule 5; 	<p>Character Places Overlay Code (Part 11, division 3) (IDAS Code for Local Heritage Places) Character Code (Part 12, division 10) Planning Scheme Building Matters Code (Part 12 Division 16)</p>

⁷ Assessment categories may also be affected by overlays. See overlay maps to determine whether the land is affected.

⁸ For impact assessable development, 'relevant assessment criteria' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with section 3.5.5 of IPA.

Column 1 Type of development	Column 2 Assessment category ⁷	Column 3 Relevant assessment criteria ⁸ —applicable code if development is self-assessable or requires code assessment
	<p>(ii) — where an open carport, at the side of the main building (see Area B in Schedule 6, Figure 3), provided the carport—</p> <p>(A) — is a maximum of 3.6 metres wide;</p> <p>(B) — has a roof pitch which is a minimum of 15 degrees;</p> <p>(C) — has a gable or hip roof form; and</p> <p>(D) — contains corrugated metal roofing material or matches the roofing material used on the main building;</p> <p>(iii) — where an open carport in front of the main building (see Schedule 6, Area C in Figure 3) provided the carport—</p> <p>(A) — is detached from the main building;</p> <p>(B) — is a maximum of 3.6 metres wide;</p> <p>(C) — has a roof pitch which matches the main building's predominant roof pitch;</p> <p>(D) — has a roof overhang that is a minimum of 300mm;</p> <p>(E) — has a gable or hip roof form;</p> <p>(F) — has 100mm x 100mm support posts;</p> <p>(G) — contains corrugated metal roofing material or matches the roofing material used on the main building; and</p> <p>(H) — has a quad gutter profile or matches the gutter profile used on the main building;</p> <p>(l) — an unroofed pergola or an ornamental garden structure;</p> <p>(m) — a sunhood over a window or door;</p> <p>(n) — the relocation of a building sideways on a lot in order to remove an encroachment across a property boundary or to achieve a minimum side boundary clearance under the Standard Building Regulation;</p> <p>(o) — constructing a fence to the side or rear boundary of a property;</p> <p>(p) — constructing a front (i.e. street) boundary fence which is—</p> <p>(i) — 1.2 metres or less in height; or</p> <p>(ii) — between 1.2 and 2.0 metres in height, provided either the materials or the method of construction used provides for a minimum 30% transparency;</p> <p>(q) — constructing a pool, retaining wall or other structure—</p> <p>(i) — where the construction takes place at the rear of the main building (see Area A in Schedule 6, Figure 3), provided no structure is higher than the main building; or</p> <p>(ii) — where the construction takes place at the side or in front of the main building (see Areas B and C in Schedule 6, Figure 3) provided no structure is more than 1.2 metres above the existing ground level; and</p>	

Column 1 Type of development	Column 2 Assessment category ⁷	Column 3 Relevant assessment criteria ⁸ —applicable code if development is self-assessable or requires code assessment
	<p>(iii) in respect to both (i) and (ii) above, where the construction meets the criteria set out in Schedule 5.</p> <p>(r) involving the removal or relocation of a building listed in Schedule 3, providing—</p> <p style="padding-left: 20px;">(i) the building is retained within the Local Government area⁹; and</p> <p style="padding-left: 20px;">(ii) the Local Government is provided with a report containing photographs and measured drawings which document the location and condition of the building prior to its removal or relocation;</p> <p>(s) involving the demolition, removal or relocation of an item of cultural fabric, other than a building, from a site listed in Schedule 3, providing the Local Government is provided with a report containing photographs and measured drawings which document the location and condition of the item of cultural fabric, prior to its demolition, removal or relocation; or</p> <p>(t) involving building works on a site listed in Schedule 3, other than demolition, removal or relocation of a building listed in Schedule 3.</p> <p>Impact Assessable, if—</p> <p style="padding-left: 20px;">(a) demolition or relocation of a building listed in Schedule 2 where the criteria for exempt or code assessable do not apply; or</p> <p style="padding-left: 20px;">(b) erecting a new building, other than a single dwelling or Class 10 outbuilding, on a site listed in Schedule 2, where such new building can be readily seen from an adjoining street or public right of way.</p> <p>Code Assessable¹⁰, if—</p> <p style="padding-left: 20px;">(a) demolition of a building or part of a building listed in Schedule 2 which has been damaged or destroyed; or</p> <p style="padding-left: 20px;">(b) demolition of 20% or less of—</p> <p style="padding-left: 40px;">(i) the pre 1946 fabric of a building listed in Schedule 2; or</p> <p style="padding-left: 40px;">(ii) the post 1946 fabric of the building where the building is listed in Schedule 2; or</p> <p style="padding-left: 20px;">(c) other than as listed for exempt or impact assessable above.</p>	
<p>Clearing of Vegetation— not associated with a material change of use</p>	<p>Self Assessable if—</p> <p style="padding-left: 20px;">(a) involving the clearing of 0.5 hectare or less of native vegetation in any one year; and</p> <p style="padding-left: 20px;">(b) the acceptable solutions of the applicable code for self assessable development are complied with.</p> <p>Code Assessable if—</p> <p style="padding-left: 20px;">(a) involving the clearing of more than 0.5 hectare of native vegetation in any one year; or</p> <p style="padding-left: 20px;">(b) the applicable code for self assessable development is not complied with.</p>	<p>If Self Assessable— acceptable solutions applicable to—</p> <p style="padding-left: 20px;">(a) clauses (1) to (4) in Column 2 of Table 12.4.1 in the Vegetation Management Code (Part 12, division 4); and</p> <p style="padding-left: 20px;">(b) section 12.10.4(33) of the Character Code (Part 12, division 10).</p> <p>If Code Assessable—</p> <p style="padding-left: 20px;">(a) Vegetation Management Code (Part 12, division 4);</p> <p style="padding-left: 20px;">(b)(a) Character Places Overlay Code (Part 11, division 3); Character Code (Part 12, division 10).</p>

⁹ ~~Where possible Schedule 3 buildings should be retained on site, in a manner which also retains or enhances their streetscape presence. Alternatively, such buildings should be—~~

(a) ~~relocated as close as possible to the original site and oriented and restored as far as possible to retain or enhance their original streetscape presence and overall setting; or~~

(b) ~~relocated within a Character Zone and oriented and restored as far as possible to retain or enhance their original streetscape presence and overall setting.~~

¹⁰ ~~This does not include building work that under IPA Schedule 8, is exempt and cannot be made self assessable or assessable by a planning scheme.~~

Column 1 Type of development	Column 2 Assessment category ⁷	Column 3 Relevant assessment criteria ⁶ —applicable code if development is self-assessable or requires code assessment
Earthworks—not associated with a material change of use	<u>Code Assessable</u> Exempt if earthworks which meet the criteria set out in Schedule 8. Code Assessable if the criteria for exempt do not apply.	Earthworks Code (Part 12, division 15) Character Places Overlay Code (Part 11, division 3) (<u>IDAS Code for Local Heritage Places</u>) Character Code (Part 12, division 10)
Placing an advertising device on premises	Exempt if an advertising device which meets the criteria set out in Schedule 9, Part 3. Impact Assessable if a billboard with a signface area of more than 6.0m². Code Assessable otherwise.	Advertising Devices Code (Part 12, division 14) Character Places Overlay Code (Part 11, division 3) (<u>IDAS Code for Local Heritage Places</u>) Character Code (Part 12, division 10)
Reconfiguring a lot ¹¹	Code Assessable	Reconfiguring a Lot Code (Part 12, division 5) Character Places Overlay Code (Part 11, division 3) (<u>IDAS Code for Local Heritage Places</u>) Character Code (Part 12, division 10)
Carrying out work for reconfiguring a lot ¹¹	Code Assessable if the reconfiguring is assessable development.	Reconfiguring a Lot Code (Part 12, division 5) Character Code (Part 12, division 10) Character Places Overlay Code (Part 11, division 3) (<u>IDAS Code for Local Heritage Places</u>)
Demolition or removal, via other than building work, of pre 1946 fabric from a place listed in Schedule 2	Code Assessable	Character Places Overlay Code (Part 11, division 3) Character Code (Part 12, division 10)
Other	Exempt <u>Code Assessable</u>	Character Places Overlay Code (Part 11, division 3) (IDAS Code for Local Heritage Places)

Map amendments:

Not applicable.

¹¹ Under IPA, Schedule 9, the reconfiguring of a lot is exempt and cannot be made self-assessable or assessable by a planning scheme if the proposal is for amalgamating 2 or more lots, for a building format plan that does not subdivide the land, in relation to the Acquisition of Land Act 1967, or on Strategic Port Land.

Item 8: Amendments to Schedule 2 in Ipswich Planning Scheme

Summary: Amendment to Schedule 2 to include the places in the Scenic Rim Local Heritage Register and remove the existing schedule.

Explanation:

The Local Heritage Register constitutes a reduced and more accurate inventory of the region's heritage stock than what is currently included in the Ipswich Planning Scheme and provides the mandatory information that is required under the Heritage Act.

Accordingly, to avoid duplication of assessment processes and ensure only those places identified in the Register as having local cultural heritage significance trigger development assessment processes, an amendment to the existing planning schemes will be undertaken to achieve consistency with the Local Heritage Register. For the Ipswich Planning Scheme this will mean the replacement of the current schedule of places with those in the Register.

Text amendments:

In Schedule 2 - Character Places, delete all of Part 1 - Historic and Miscellaneous Places, Part 2 - Trees and Vegetation and associated plans and replace with the following table:

SUBURB	NAME	ADDRESS	RPD	Components of Significance
HARRISVILLE	Former Royal Bank	35 Queen Street	17 RP21418	Former bank building
HARRISVILLE	Masonic Hall	16 Hall Street	12 RP21457	Timber masonic hall
HARRISVILLE	School of Arts	5 Hall Street	4 RP21456	Timber School of Arts building
HARRISVILLE	Courthouse and Police Lock-up	13 Church Street	75 CC2699	Timber courthouse, police station and lock-ups
HARRISVILLE	Commercial Hotel	34 Queen Street	1 RP21439	Timber hotel building
HARRISVILLE	Memorial Park	43-47 Queen Street	2 RP48583	Brick and concrete war memorial
HARRISVILLE	Royal Hotel	1-5 Wholey Drive	1 RP209502	Timber hotel
HARRISVILLE	Sacred Heart Catholic Church	54-58 Queen Street	36-37 RP21437	Church building
PEAK CROSSING	Peak Crossing Public Hall	33-35 Fassifern Street	16 RP21401; 17 RP21401	Timber hall
PEAK CROSSING	Flinders Uniting Church	93 Flinders Street	1 RP21474	Timber church building

Map amendments:

Not applicable (there is currently no overlay map in the *Ipswich Planning Scheme 2006* identifying properties in Schedule 2).

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