

## 7.0 PARTICULAR REQUIREMENTS FOR PLACES HAVING CULTURAL HERITAGE SIGNIFICANCE

- (1) Council recognises the importance of conserving the Shire's cultural and architectural heritage. This part describes Council's particular requirements for assessing development of, in, or otherwise affecting places having cultural heritage significance.
- (2) Places of cultural heritage significance in the Shire are considered in three distinct categories:
  - (i) Places having **indigenous cultural heritage significance** specifically associated with activities and lifestyles of indigenous inhabitants of the area and their ancestors;
  - (ii) Places having **historic cultural heritage significance** generally associated with human activities since the beginning of non-indigenous settlement of the area, as well as natural places which have meaning for people of the current day; and
  - (iii) Places having **townscape significance** because their particular townscape, character or streetscape qualities are valued by people of the current day.
- (3) In order to adequately protect and manage cultural heritage places in the Shire it is necessary that such places and their values are properly identified and assessed as part of any potentially impacting development or redevelopment proposals.

### 7.1 Assessment Requirements for Places with Cultural Heritage Significance

- (1) Applicants should note that particular assessment requirements, beyond those outlined in this section, may exist for places having cultural heritage significance, including cultural relics and areas of archaeological interest, where they have been identified, listed or declared under relevant State or Commonwealth legislation.
- (2) (a) Separate from any existing State or Commonwealth legislation, Council may determine from time to time which places it considers have indigenous, historic and/or townscape cultural heritage significance to the Shire, and may also identify such places in the Schedule to this section. Council will work in cooperation with local communities, particularly historical associations and societies and appropriate indigenous representatives, to identify places of cultural heritage value and add them to the Schedule.
  - (b) Inclusion of places of indigenous cultural heritage significance in the Schedule will occur in a manner sensitive to the cultural beliefs of the indigenous community.
- (3) In order for Council to conserve and manage the values of cultural heritage places (including places having indigenous, historic and/or townscape significance) within the Shire, assessable development on or adjacent to a significant cultural heritage place may be assessed against Council's Heritage Conservation Code.
- (4) The Queensland Government maintains both the Queensland Heritage Register (under the *Queensland Heritage Act 1992*) and the Queensland Cultural Heritage Inventory of Places or QCHIP. Both registers provide information on places having, or potentially having, cultural heritage significance. The Heritage Conservation Code is likely to apply to places listed on these registers.
- (5) In assessing whether a place has or may have significant cultural heritage value Council will, at a minimum, consider whether the place:
  - (a) displays historical, economic or social themes that are of importance to the Shire or locality;
  - (b) represents customs or ways of life that are characteristic of the Shire or locality;
  - (c) has played an important part in the lives of Shire or local residents;
  - (d) displays aesthetic merit, design characteristics or construction techniques of significance to the Shire or locality;
  - (e) is associated with a notable Shire or local personality or event;
  - (f) is a notable Shire or local landmark;
  - (g) is important to the visual character and amenity of the local streetscape and its removal or demolition would significantly diminish the visual character of the local streetscape;
  - (h) is in a locality where little redevelopment has occurred such that the visual character and amenity of the local streetscape has remained largely unaffected over time; or
  - (i) has cultural significance to a particular group within the community.
- (6) In assessing an application for development relating to or materially affecting a place of cultural heritage significance, Council will particularly consider:

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- (a) whether the development will maintain or enhance the cultural heritage significance of the place;
- (b) whether the development is likely to have any significant adverse effect on the significant cultural heritage values of the place, and the extent of such effect; and
- (c) whether there is any prudent and feasible alternative to the development as proposed which would ensure the conservation of the cultural heritage significance of the place.

### 7.2 Indigenous Cultural Significance

- (1) *The Cultural Record (Landscapes Queensland and Queensland Estate) Act 1987* provides for the protection and management of features within the State which are of heritage significance for anthropological, cultural, historic, prehistoric or societal reasons including *inter alia* sites, items and places having cultural heritage significance and/or significance to indigenous Australians. Where development would result in the removal, destruction or degradation of the heritage values of part of Landscapes Queensland or the Queensland Estate, as defined by the *Cultural Record (Landscapes Queensland and Queensland Estate) Act 1987*, the applicant should be aware of any particular requirements of that Act.
- (2) The community values the indigenous cultural heritage of the Shire. Places having indigenous cultural heritage significance are those which:
  - (a) have been previously identified (such as bora rings, artefact scatters, middens, and scarred trees) as having particular cultural heritage significance to indigenous Australians;
  - (b) have been entered on the Site Inventory for the *Cultural Record (Landscapes Queensland and Queensland Estate) Act 1987*, the Queensland Heritage Register of the *Queensland Heritage Act 1992*; included on the Commonwealth Register of the National Estate as a place of indigenous cultural significance; or listed under any other relevant State or Commonwealth legislation;
  - (c) have been identified by Council and are included in the Schedule to this part.
- (3) Places potentially having indigenous cultural heritage significance include those areas which are identified within any relevant the Planning Scheme maps as having potential to contain places of cultural heritage significance;

- (a) possess natural environment values of significance which have been identified in the regulatory maps which form a part of this Planning Scheme;
- (b) include cultural landscapes containing notable natural physical features such as waterways, areas of high natural scenic amenity or conservation integrity, escarpments, peaks, rock formations, ridgelines or other elements which may be important to the local community and/or integral to local indigenous tradition or spiritual beliefs or otherwise of scientific interest;
- (c) provide evidence of how indigenous Australians used the land and enable present and future generations of indigenous Australians to maintain their connection with the land;
- (d) include areas which are within public open space reserves or which are included in the Conservation or Rural or Valued Habitat preferred dominant land use areas shown on the Strategic Plan map and are relatively undisturbed;
- (e) include land within 100 metres of a waterway, wetland or a natural potable water source; or
- (f) are located within a Coastal Management Control District.

### 7.3 Historic Cultural Significance

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

characteristics of a particular class of cultural place; is important in demonstrating particular aesthetic characteristics valued by the community or a particular cultural group within the community;

- (a) is important in demonstrating a high degree of creative or technical achievement at a particular period;
- (b) has a strong or special association with a particular community or cultural group for social, cultural or spiritual reasons
- (c) has a special association with the life or work of a particular person, group or organisation of importance in the history of the Shire or local community.

## 7.4 Townscape Significance

- (1) The community also values areas having townscape or streetscape significance. While such areas may not otherwise qualify as places of cultural heritage significance, they contribute to an appreciation of the particular qualities that make one place different to another and provide a meaningful link with the historical development of those qualities. Such qualities may be the result of the types of buildings, the street pattern, plantings, fence types, the distribution of buildings along streets, and architectural features such as shop-fronts with leadlight transoms.

- (2) Places of townscape significance include:

(a) all buildings within the Shire which were built before 1945 (whether or not the place has been modified); or

(b) all land (other than road reserves) within the Village Centre Precinct in:

- Buderim
- Palmwoods
- Woombye
- Yandina
- Eumundi
- Kenilworth; or

(c) all land within (other than road reserves) the following Precincts:

- Eudlo Local Centre
- Eudlo Village Residential
- Gloucester Road (Buderim)
- Nambour Village Residential
- Palmwoods Village Residential
- Yandina Village Residential
- Eumundi Village Residential
- Woombye Village Residential.

