

Frequently Asked Questions

Proposed Bay View Terrace Heritage Area

What is the Heritage List?

To effectively manage heritage places in the Town of Claremont, one key tool is the Heritage List. The Heritage List allows heritage protection to be considered as part of the planning process.

There is a process for including places in the Heritage List, including notification of owners/occupiers, and inviting comments and consideration of submissions.

What is a Heritage Area?

Heritage Areas contain a number of places and buildings. Heritage Areas are select areas with special qualities, but do not require every place within the Heritage Area to be significant or be included in the Heritage List. A Heritage Area is given a collective cultural heritage value.

Local Planning Policies for Heritage Areas are required to ensure the Area is not diminished by inappropriate development.

How is a Heritage Area created?

Under the *Planning and Development (Local Planning Schemes) Regulations 2015* (LPS Regs), the Town may designate a Heritage Area if it believes special planning control is needed to conserve and enhance the cultural heritage significance and character of that area. To designate a Heritage Area, the Town is required to adopt a Local Planning Policy setting out:

- A map showing the boundaries of the Heritage Area;
- A statement about the heritage significance of the area; and
- A record of places of heritage significance in the Heritage Area.

The Town must first undertake a consultation process, including notifying landowners affected by the proposed Heritage Area; publish a notice in the newspaper and on the Town's website; erect signs within the area; and carry out any other appropriate consultation.

At the end of the consultation period, the Town must review the proposed designation in the light of submissions made and resolve to adopt the Heritage Area with or without modification, or not proceed with the Heritage Area. The Town must give notice of the designation to the Heritage Council of Western Australia and each affected landowner.

Can development or demolition occur in a Heritage Area?

Development may occur and demolition is not automatically precluded. However, change will be managed to retain heritage significance and demolition will be considered in terms of the impact on the Heritage Area as a whole. Decisions regarding proposals to demolish will be made by Council. In rare cases, demolition and compatible redevelopment may be desirable.

What is the benefit of a Heritage Area?

The declaration of a Heritage Area means development will complement the street and not result in development that detracts from its character.

The heritage buildings in Bay View Terrace set Claremont apart from many other areas across the metropolitan area and adds character and distinctiveness to the area. It promotes a greater sense of place.

Why Bay View Terrace?

Bay View Terrace is an important heritage precinct within Claremont that is worthy of protection. Considerable investment has been undertaken by landowners in the area to renovate and rejuvenate older buildings. This unique area requires measures that protect the area further. Shopping precincts with heritage elements provide a marked difference to modern day shopping centres that lack history, intimacy, and human scale. The proposed Bay View Terrace Heritage Area helps set Claremont apart from other shopping strips.

Will the creation of a Heritage Area stop future development of older buildings?

No. The Town regularly approves development of heritage listed buildings, provided the key heritage elements are protected. The Town aims to strike a balance between development and conservation. The Town's policies favour renovations that preserve character and heritage, while ensuring additions and extensions are sympathetic.

Does inclusion in a Heritage Area impact property value?

Being in a Heritage Area indicates new development will be sympathetic and ensures heritage values and character are retained. Heritage values and character can contribute to the financial value of a property.

Does listing impact property insurance?

Generally, any place can be insured providing it is in sound condition and occupied. Insurance which replaces damage on a like for like basis is good heritage conservation practice. However, in the event of total destruction, the replacement property would not be required to replicate the lost place, but only needs to be contextually compatible as with any new development.

Can I object to Bay View Terrace Heritage Area?

Most buildings are already included in both the Heritage List and current Bay View Terrace Heritage Precinct. Objections need to be lodged on the cultural heritage

values of the area as a whole, although they may include additional information about the heritage significance of an individual place. Council will consider all submissions.

Will I have extra obligations because my property is in the Heritage Area?

If a property is included in a Heritage Area, the only additional responsibility to that of all property owners is to ensure that when development is proposed that a development application is submitted in accordance with the requirements of the LPS Regs.

Why is my property with little heritage value included in the Heritage Area?

By establishing a Heritage Area, the Town can ensure development is in keeping with the aims of the whole area. The Town sees Bay View Terrace Heritage Area as an integral feature of Claremont.

The declaration of the Bay View Terrace Heritage Area ensures the street maintains its pre-eminent position as a vibrant shopping, dining, and entertainment precinct, with strong heritage characteristics.

Will any other areas be considered as Heritage Areas?

A similar Heritage Area is proposed for the commercial strip on Claremont Crescent, Swanbourne.

When is a Development Application required?

A Development Application is required for most development within a Heritage Area. There are some exceptions for internal works which do not affect the external appearance of the building. You are advised to contact the Town and discuss proposed work prior to submitting applications for approval.

Where do I get advice or direct further questions?

For more advice, contact the Town of Claremont:

Phone (08) 9285 4300 or email
toc@claremont.wa.gov.au