STATE REGISTER OF HERITAGE PLACES

This brochure provides information on the State Register of Heritage Places, how places are added to it and what this means for owners.
**HOW PLACES ARE ENTERED IN THE STATE REGISTER OF HERITAGE PLACES**

### NOMINATION AND ASSESSMENT

A place is nominated to State Register of Heritage Places, which is managed by the State Heritage Office on behalf of the Heritage Council.

The Heritage Council decides if the place should be assessed for State cultural heritage significance.

If it is decided that it should be assessed, a draft assessment is completed. If the place seems to have State cultural heritage significance, the draft assessment is sent to the owner(s), local government and any other stakeholder that has an interest in the place.

The State Heritage Office consults with stakeholders.

The Heritage Council considers the draft assessment together with comments received from the consultation process. Any necessary changes are made to the draft assessment at this time.

If the Heritage Council decides the place has State cultural heritage significance, it is recommended to the Minister for Heritage.

The Minister considers the Heritage Council’s recommendation and stakeholder comments and decides if the place should be interim registered.

### INTERIM REGISTRATION

The State Heritage Office publicly advertises the interim registration, with a six-week period for public comments on permanent registration.

A memorial is recorded on the Certificate of Title for the State Registered place.

The Heritage Council again considers the assessment together with any comments received.

Any final changes are made to the assessment.

If the Heritage Council decides the place should be permanently entered in the State Register it is recommended to the Minister for Heritage.

The Minister considers the Heritage Council’s recommendation and stakeholder comments, and decides if the place should be permanently registered.

### PERMANENT REGISTRATION

The State Heritage Office publicly advertises the permanent entry of the place in the State Register.

Please note: if at any point during this process, the Heritage Council considers that the assessment of the place does not or no longer make(s) a case for State Registration, the process is stopped and all stakeholders are advised of the decision.
WHY HERITAGE IS IMPORTANT

Heritage is important in understanding the story of Western Australia – its history, identity and its people.

Heritage can incorporate both the tangible and the intangible. It is present in many forms such as landmarks, places, buildings and contents, spaces, views and the stories associated with them.

As a community, we share the responsibility to identify and respect what is important, and pass on these places to future generations so they will understand what came before them.

The retention and management of heritage places has an important role to play in protecting the environment, creating vibrant communities and sustaining local economies.

Retaining heritage places amounts to a substantial environmental and financial saving in embodied energy. It avoids the creation of waste and the need for replacement building materials.

Heritage places also contribute to the quality of life and cultural identity of our communities. Many heritage places, such as halls, churches, gardens, schools, and hotels, are the focal point for community gatherings. Privately-owned heritage places and heritage precincts contribute to streetscapes and our sense of belonging.

Utilising and revitalising our heritage places can also assist local economies through employment opportunities and by generating additional revenue, particularly through tourism.

State Government, local governments, property owners and members of the community all have a role to play in ensuring that the valuable asset of our heritage is recognised, respected and promoted.

An important tool in the recognition and protection of our important heritage sites is the State Register of Heritage Places.

The State Register ensures that places of State significance are recognised and any proposed changes respect the heritage values of the place.

**LEFT:** Bairds Building, Perth (1921)
The State Register of Heritage Places is a statutory list of places that represent the story of Western Australia’s history and development.

Places include buildings, structures, gardens, cemeteries, memorials, landscapes and archaeological sites.

Entry in the Register is reserved for places of State cultural heritage significance and is the highest recognition afforded at the State level.

The State Register of Heritage Places was established by the Heritage of Western Australia Act 1990 to ensure that places are recognised for their value and importance to the State, and to promote their conservation into the future.

This does not mean a place cannot be adapted or changed to meet contemporary needs. The State Heritage Office and the Heritage Council encourage sensitive development and new compatible uses of heritage places because this is the best way of assuring their future.

There are many examples of heritage buildings that have been adapted to meet contemporary needs on the State Heritage Office website www.stateheritage.wa.gov.au. For more information on developing State Registered places, see the Frequently Asked Questions section of this brochure or download the publication ‘Guide to Developing Heritage Places’.

The State Heritage Office’s Development and Incentives team can assist owners with feedback on ideas and advice on any proposed development.

Sensitive development that respects a place’s identified heritage significance will ensure that it keeps its property value, and in most cases, will increase its value.
WHO WE ARE

Criteria used to assess State significance

Only places of State cultural heritage significance are entered in the Register.

State significance is assessed by considering various values. Each place has its own unique combination of values, which together make up its State cultural heritage significance.

A simple explanation of these values is:

Aesthetic value
Is the place important for the way it looks or its physical characteristics?

Historic value
Is the place important as part of the story of Western Australia’s history and development?

Scientific value
Can the place provide information of an archaeological nature or on a technical achievement in construction?

Social value
Is the place important to a community for social, cultural, educational or spiritual reasons?

Rarity
Is the place rare for any reason?

Representativeness
Is the place typical of anything – what does it represent?

Three other factors are also taken into account in determining State significance:

- physical condition
- integrity (whether the place’s original function/use is clear)
- authenticity (the level of original fabric that remains).

It is possible for a place in poor condition, or one that has been substantially changed or modified, to be entered in the State Register where other values, such as historic or rarity values, are strong. It is also possible for a place to meet only one of the values and still be entered in the State Register.

ABOVE: Bairds Building, Perth (1921)

HERITAGE COUNCIL

The Heritage Council is the State Government’s statutory advisory body on heritage matters.

The nine-member Heritage Council was established under the Heritage of Western Australia Act 1990. The Minister for Heritage appoints Council members based on their skills and experience.

STATE HERITAGE OFFICE

The State Heritage Office is a State Government department that supports the Heritage Council and the Minister for Heritage to identify, celebrate and promote the conservation and sensitive development of cultural heritage places in Western Australia.

The State Heritage Office carries out the Heritage Council’s day-to-day operations, projects and service delivery.
ENTERING A PLACE IN THE STATE REGISTER

NOMINATION
Any member of the public, an organisation or local government can nominate a place to the State Register. Nomination forms are available from the State Heritage Office website www.stateheritage.wa.gov.au

The Heritage Council reviews all nominations to determine if a full assessment should be carried out. This is based on whether it is likely that place will meet the threshold for entry in the State Register.

Not all places nominated to the State Register are assessed or become registered.

ASSESSMENT
If the Heritage Council decides a place is likely to be of State significance then the State Heritage Office advises the place’s owner(s), the local government and the nominator that a full assessment will be carried out. The length of time before a place can be assessed varies depending on the number of places already being assessed.

When an assessment is scheduled, the State Heritage Office advises the owner(s) the assessment is about to be compiled. This may include a site visit to the nominated place.

The Heritage Council considers the assessment documentation and decides whether the place is likely to be of State significance. If it is likely, the documentation is sent to the owner(s) and those with an interest in the place for comment.

The Heritage Council takes into account all comments before considering the possible entry of a place in the State Register. In some cases, it is necessary to deal with matters raised in this process before proceeding.

If the Heritage Council decides that a place is of State significance, a recommendation is made to the Minister for Heritage, who makes the final decision on whether the place is entered in the State Register.

INTERIM AND PERMANENT REGISTRATION
At the Minister’s direction, places are entered in the State Register on an interim basis. Before a place can be considered for entry in the State Register on a permanent basis, the proposal is publicly advertised for six weeks.

The Heritage Council considers any comments received after the six-week period and recommends to the Minister whether the place should be permanently entered in the State Register. The Minister decides whether the interim registration should be made permanent.

Permanent entry in the State Register needs to occur within 12 months of the interim registration; unless a place is owned by the Crown (the State). Interim registrations are indefinite for Crown-owned places.

For all practical purposes, there is no difference between interim and permanent registration in terms of protecting what is important about a place.

LEFT: Point Cloates Lightstation (Ruin), Ningaloo (1910)
HISTORIC PRECINCTS

A historic precinct is where the combination of landscapes, buildings, streets and spaces of an area has State significance because of their grouping and relationship to each other.

Entering a historic precinct in the State Register means that changes to any of the individual places within the precinct, including vacant land and recently built structures, need to be referred to the Heritage Council for advice. This ensures that any changes respect the heritage importance of the precinct, and the existing scale and proportions of buildings and streetscapes.

New development in a precinct should aim to maintain and enhance the precinct’s character.

STATE GOVERNMENT-OWNED PROPERTIES

It is a requirement for State government agencies considering disposing or leasing a property that could be of heritage value to follow the Government Heritage Property Disposal Process. Details are available from the State Heritage Office website www.stateheritage.wa.gov.au

HERITAGE LISTS

There are many different heritage listings that recognise and celebrate cultural heritage places in Western Australia.

Places entered in the State Register are protected under the Heritage of Western Australia Act (1990), which ensures any development respects their identified heritage significance.

Other types of heritage, such as Indigenous, maritime and natural, are protected by different legislation administered by other State government departments.

Local governments are responsible for heritage places that are significant to their local communities. These are listed in their Municipal Inventories and Heritage Lists.

The Australian Heritage Council and the Department of Sustainability, Environment, Water, Population and Communities are responsible for places of national and commonwealth significance.

There are a number of other heritage groups, such as the National Trust Australia (WA), which compile their own lists, however these lists do not offer legal protection for heritage places.
<table>
<thead>
<tr>
<th>AREA</th>
<th>ORGANISATION</th>
<th>LEGISLATION</th>
<th>WHAT IS PROTECTED</th>
</tr>
</thead>
<tbody>
<tr>
<td>State</td>
<td>The Heritage Council (assisted by the State Heritage Office)</td>
<td>Heritage of Western Australia Act (1990)</td>
<td>Places of State heritage significance included in the State Register of Heritage Places</td>
</tr>
<tr>
<td></td>
<td>Department of Indigenous Affairs</td>
<td>Aboriginal Heritage Act (1972)</td>
<td>Indigenous Heritage</td>
</tr>
<tr>
<td></td>
<td>Western Australian Museum</td>
<td>Maritime Archaeology Act (1973)</td>
<td>Shipwrecks &amp; associated Maritime Heritage</td>
</tr>
<tr>
<td>Local</td>
<td>Local Governments</td>
<td>Planning and Development Act (2005); Local Planning Schemes</td>
<td>Places of local heritage significance</td>
</tr>
<tr>
<td>Other</td>
<td>The National Trust of Australia (WA)</td>
<td>The National Trust of Australia (WA) Act (1964)</td>
<td>List of Classified Places (no statutory protection)</td>
</tr>
</tbody>
</table>

Each agency has its own set of criteria for entry on its lists. More information on the different heritage lists is available from the State Heritage Office website [www.stateheritage.wa.gov.au](http://www.stateheritage.wa.gov.au)

**ABOVE:** Fremantle Prison, Fremantle (1852) – World Heritage Listed site, 2010 and 2011 Western Australian Heritage Award winner

**RIGHT:** Pemberton Swimming Pool, Pemberton (1929)
FREQUENTLY ASKED QUESTIONS

What are the benefits of State Registration?

Owning a State Registered place means that you are a custodian of a place that is important to the history and development of Western Australia. As part of the registration process, you are provided with a full history of your property and its role in the development of this State.

State Registration can be an important marketing advantage if you operate a business from your property. A number of businesses, particularly in the tourism and hospitality sector, successfully use State Registration as a point-of-difference between themselves and their competitors.

Entry in the State Register also ensures that you have access to a range of services and information provided by the State Heritage Office.

Heritage Officers in the Development and Incentives Branch can provide practical advice and feedback on any proposed changes to your property. Information is also available on maintaining your heritage property.

Private owners are also eligible to apply for grants through the Heritage Council’s Heritage Grants Program, which provides financial assistance to undertake conservation work, such as structural repairs. Grants are available through an annual competitive program.

Assistance is also available through the Heritage Loan Subsidy Scheme, which offers a subsidy on the interest rate on loans for conservation work in participating local government areas.

Our Grants Administrator can also provide information on a range of incentives provided by Federal, State and local governments, including development bonuses, relaxation of building controls, and relief from taxes and charges.

Further information on incentives and case studies on the value of conserving heritage places is available from the State Heritage Office website.

If my place becomes State Registered, can I still carry out maintenance and other work?

Yes. Maintaining your property to a good standard will ensure it maintains its value.

Entry in the State Register does not mean a place cannot be changed to meet contemporary needs or adapted for new use. The State Heritage Office encourages sensitive development and new compatible uses of heritage places because this is the best way of ensuring their future.

If development or change to a State Registered place is proposed, it is referred to the Heritage Council for advice, usually by the responsible local government.

In most cases, the State Heritage Office, under authority from the Heritage Council, will deal with the referral. Major developments are referred to the Heritage Council.

The Heritage Council needs to provide advice on proposed works to ensure they are done with care and sensitivity to the heritage significance of the place.

Owners of heritage places are encouraged to contact the State Heritage Office to discuss any changes they are considering.
Does the State Heritage Office or the Heritage Council have ownership rights over State Registered Places?

No. A State Registered place remains the sole property of the owner(s) and all normal private property rights apply.

Do I have to open my State Registered Place to the public?

No. Your place remains your private property and there is no requirement for a State Registered place to be open to the general public.

Will the value of my property be affected by registration?

A number of studies around Australia and overseas have found that generally heritage listing has no negative impact on property values. A number of studies have found that heritage listing can improve a property’s value, particularly in areas that have a high concentration of heritage places.

Is it difficult to insure State Registered places?

Generally, you are able to insure any place that is in sound condition and occupied. However some insurance companies have a policy of not insuring heritage listed buildings. Contact your insurance company or broker for more information. The State Heritage Office is happy to provide information to your insurance company or broker on the implications of State heritage listing.

Like all property owners, heritage-property owners should make sure they have adequate coverage. The common insurance industry standard of replacing materials that are damaged or partially lost on a like-for-like basis is also good heritage conservation practice.

Is the land on which the place is located also State Registered?

Yes. State Registration covers the land, all structures on it and any material below it. The whole place is generally considered to have heritage significance. State Registration is rarely limited to the building footprint or a structure.

Can I subdivide the registered area?

Subdivisions of a registered area (known as a curtilage) can occur as long as the heritage values and settings of the place are respected. The Heritage Council has supported many subdivisions. Contact the State Heritage Office for more information.

What happens if I don’t support State Registration?

Once the State Heritage Office completes the stakeholder consultation process, the Heritage Council considers all comments received when deciding if a place is of State significance. It is the Heritage Council’s responsibility to recommend places that meet the level for State Registration to the Minister, even if the stakeholders do not support registration.

The Minister makes the final decision about State Registration and will take into account all stakeholder comments, including any objections.

Can places be State Registered without the owner’s agreement?

Yes. While the Minister will consider the owner’s views, if the Minister considers the place is sufficiently important then the place can be entered in the State Register without the owner’s agreement.
LEFT TO RIGHT: Cygnet Cinema, Como (1938), Main Pump Station, Kununurra (1963) now PumpHouse Restaurant, photo courtesy of PumpHouse Restaurant

Disclaimer: This publication is produced and distributed by the State Heritage Office as an information guide only. The State of Western Australia, the State Heritage Office and Heritage Council does not represent that this publication is error-free, comprehensive or suitable for the reader’s purpose and therefore disclaims all liability for any loss, damage or liability suffered by the reader directly or indirectly.

FRONT COVER: Busselton Jetty, Busselton (1865). Photo: Geoff Bickford

Contact us

State Heritage Office
Bairds Building
491 Wellington Street Perth
PO Box 7479
Cloisters Square
PO WA 6850

T: (08) 6552 4000
FREECALL (regional): 1800 524 000
F: (08) 6552 4001
E: info@stateheritage.wa.gov.au
W: www.stateheritage.wa.gov.au