



# 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

A place is nominated to the Heritage Council for consideration for the State Register.

The Heritage Council determines if the place should be assessed, and advises of the outcome

## ASSESSMENT

The Department of Planning, Lands and Heritage drafts an assessment of the cultural heritage significance of the place for the Heritage Council's consideration.

The property owner(s) and the public are consulted regarding possible registration of the place.

The Heritage Council reviews the draft assessment for the place and feedback from the property owner(s) and public consultation.

Where the Heritage Council decides the place has cultural heritage significance at the State level, the assessment and submissions from the consultation are forwarded to the Minister for Heritage, along with a recommendation to enter the place in the State Register.

## REGISTRATION

The Heritage Council publishes an advertisement of its recommendation to the Minister.

The Minister considers the Heritage Council's recommendation, along with the submissions and heritage assessment, and makes a decision on registration, providing a direction to the Heritage Council.

On behalf of the Heritage Council, the Department of Planning, Lands and Heritage enters the place in the State's Register of Heritage Places, advertises that this has happened, and notifies stakeholders. A memorial is placed on the Certificate(s) of Title for any land impacted by the registration.





# 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

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. It continues to be expanded under the *Heritage Act 2018*.



ABOVE: Broome Cemetery – Japanese, Chinese, Muslim Section (1890)

This does not mean a place cannot be adapted or changed to meet contemporary needs. The Department of Planning, Lands and Heritage 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 Heritage Council's website [www.dplh.wa.gov.au](http://www.dplh.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 Heritage and Property Services Division of the Department of Planning, Lands and Heritage 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.



ABOVE: Soldiers' Park, Collie (1921)

The State Register is managed by the Heritage Council of Western Australia with the assistance of the Department of Planning, Lands and Heritage.

Entry in the State Register means that any changes or works proposed for the place need to be referred, usually by the responsible local government, to the Heritage Council for advice.





FIRE STATION



# WHO WE ARE



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 is established under the *Heritage Act 2018*. The Minister for Heritage appoints Council members based on their skills and experience.

## DEPARTMENT OF PLANNING, LANDS AND HERITAGE

The Department of Planning, Lands and Heritage 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 Department carries out the Heritage Council's day-to-day operations, projects and service delivery.

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

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

A simple explanation of these factors is:

- Is the place important in demonstrating the evolution or pattern of Western Australia's history?
- Does it demonstrate rare, uncommon or endangered aspects of our heritage?
- Is there potential for the place to yield information that will contribute to an understanding of Western Australia's history?
- Is the place a key representative example of a broader class of places?
- Are there any strong or special social, cultural or spiritual associations?
- Are any of the place's aesthetic characteristics particularly valued by any group or the broader community?
- Is there any special association with a particular person, group or organisation, their work or their importance to Western Australia's history?
- Does the place demonstrate a high degree of creative or technical achievement?
- Are there any other characteristics relevant to the assessment of cultural heritage significance?

A place may have cultural heritage significance despite lacking substantial physical material.

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 factors are strong. It is also possible for a place to meet only one of the factors and still be entered in the State Register.

# 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 on the Department of Planning, Lands and Heritage website [www.dplh.wa.gov.au](http://www.dplh.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 Department of Planning, Lands and Heritage 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 Department of Planning, Lands and Heritage advises the owner(s) the assessment is about to be compiled. This will include a site visit to the place.

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

Before a place can be considered for entry in the State Register, the proposal is publicly advertised for six weeks. In some cases, issues can be raised during this consultation period that need to be dealt with before proceeding further.

The Heritage Council considers all submissions on the proposed registration before deciding whether to recommend the place to the Minister for Heritage for possible inclusion in the State Register.

Where the Heritage Council recommends the Minister enter a place in the State Register, the Council's recommendation will be advertised online for 14 days.

## REGISTRATION

Places are entered in the State Register on direction from the Minister for Heritage. The Minister's decision is advertised on the Heritage Council's website.

On behalf of the Heritage Council, the Department of Planning, Lands and Heritage makes the Register Entry available online, and publishes a further notice confirming that the place is now entered in the State Register. All stakeholders engaged during the process will be notified that the place has been registered.

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





ABOVE: Seven Terrace Houses, Fremantle (1886)

## 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 out of government that could be of heritage value to follow the Government Heritage Property Disposal Process. Details are available from the Department of Planning, Lands and Heritage website [www.dplh.wa.gov.au](http://www.dplh.wa.gov.au)

## OTHER 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 Act 2018*, which ensures any development respects their identified heritage significance.

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

Local governments are responsible for heritage places that are significant to their local communities. These are listed in their local heritage surveys and heritage lists.

The Australian Heritage Council and the Department of the Environment and Energy 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 do not offer legal protection for heritage places.



AREA	ORGANISATION	LEGISLATION	WHAT IS PROTECTED
State	The Heritage Council (assisted by the Department of Planning, Lands and Heritage)	<i>Heritage Act (2018)</i>	Places of State heritage significance included in the State Register of Heritage Places
State	Department of Planning, Lands and Heritage	<i>Aboriginal Heritage Act (1972)</i>	Aboriginal Heritage
State	Western Australian Museum	<i>Maritime Archaeology Act (1973)</i>	Shipwrecks & associated Maritime Heritage
State	Department of Biodiversity, Conservation and Attractions	<i>Conservation &amp; Land Management Act (1984)</i>	Natural Heritage
Local	Local governments	<i>Planning and Development Act (2005); Local Planning Schemes</i>	Places of local heritage significance
Federal	Australian Heritage Council	<i>Australian Heritage Council Act (2003); Environment Protection and Biodiversity Conservation Act (1999)</i>	National Heritage List; Commonwealth Heritage List
World	UNESCO World Heritage Centre	<i>World Heritage Convention (1972)</i>	World Heritage List
Other	The National Trust of Australia (WA)	<i>The National Trust of Australia (WA) Act (1964)</i>	List of Classified Places (no statutory protection)

Each agency has its own set of criteria for entry on its lists. More information on the different heritage lists is available from the Department of Planning, Lands and Heritage website [www.dplh.wa.gov.au](http://www.dplh.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 concise 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 Department of Planning, Lands and Heritage.

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

Private owners may also be 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.

Our grants team 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 Heritage Council's 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 retains 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 Heritage Council 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 Department of Planning, Lands and Heritage, under authority from the Heritage Council, will deal with the referral. Major developments are considered by the Heritage Council.

The Heritage Council provides 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 Heritage Development team at the Department of Planning, Lands and Heritage to discuss any changes they are considering.

## Does the Department of Planning, Lands and Heritage 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 Department of Planning, Lands and Heritage 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 Department of Planning, Lands and Heritage for more information.

### What happens if I don't support State Registration?

Once the Department of Planning, Lands and Heritage 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 threshold 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.



TOP RIGHT: Dempster Homestead, Esperance (1873)

BOTTOM RIGHT: Marsala House, Dianella (1976) - 2011 Western Australian Heritage Award for residential conservation

FAR LEFT: Former Marvel Bar Hotel, Coolgardie (1897)



LEFT TO RIGHT: Cygnet Cinema, Como (1938),  
Main Pump Station, Kununurra (1963)  
now PumpHouse Restaurant, photo courtesy  
of PumpHouse Restaurant



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

## Contact us

Heritage Council of WA  
Locked Bag 2506  
Perth WA 6001

T: (08) 6551 8002  
FREECALL (regional): 1800 524 000  
E: [info@dplh.wa.gov.au](mailto:info@dplh.wa.gov.au)  
W: [www.dplh.wa.gov.au](http://www.dplh.wa.gov.au)