



USER GUIDE #22 - HERITAGE AND NEIGHBOURHOOD CHARACTER REQUIREMENTS

This user guide provides information on what requirements the Mackay Region Planning Scheme 2017 has for a development in a heritage and neighbourhood character area. The purpose of the heritage and neighbourhood code is to maintain the heritage value of sites containing a local heritage place and the traditional building character of neighbourhood character areas.

WHERE DO THE REQUIREMENTS APPLY?

The heritage and neighbourhood character overlay code provides requirements for sites that are mapped as local heritage places, areas adjoining a local heritage place, or neighbourhood character areas on the Heritage and neighbourhood character overlay maps.

A **local heritage place** is a site of heritage significance that is on the local heritage list. Many of these sites are located in the city centre which reflects the depth and quality of the art deco architecture and the city's oldest buildings.

An **area adjoining a local heritage place** displays properties with a common boundary to a local heritage place.

A **neighbourhood character area** displays residential areas which are recognised as having a traditional building character. These areas cover parts of central, West and East Mackay.

To determine if your site is affected by this overlay, refer to [MiMaps](#) or the Schedule 2 Heritage and neighbourhood character overlay map PDF available on [Council's website](#).

Note that the overlay maps also identify sites containing and adjoining **state heritage places** for information purposes only. Applications over these sites may require referral to the State Government under the Planning Regulation 2017. Contact the Department of State Development, Infrastructure, Local Government and Planning for more information.

WHAT TYPES OF DEVELOPMENT DO THE REQUIREMENTS APPLY TO?

► Local heritage place Code assessment

Unless triggered for impact assessment by other parts of the planning scheme, the below development on



sites containing or adjoining a local heritage place will be assessed against the Heritage and neighbourhood character overlay code through a code assessment process (code based assessment, no public notification):

- development involving a material change of use, for most types of uses defined in the planning scheme (exceptions include certain new uses within heritage buildings, market and roadside stall and other uses identified in section 5.10.8)
- reconfiguring a lot
- operational works (other than works identified as accepted development or accepted development subject to requirements)
- all building works (including minor building work) on a local heritage place that is not impact assessable
- development involving external extensions that are visible from a public road or open space on properties adjoining a local heritage place
- demolition (also defined as building works) of any part of a heritage building that is not visible from a public road or open space

Impact assessment

Total demolition of a heritage building or demolition of any part of a heritage building that is visible from a public road or open space must be assessed under an Impact assessment process. These applications require extensive supporting material, are assessed against all relevant parts in the planning scheme and require public notification.

Exemption certificates

There are two types of exemption certificates that apply to certain forms of development on a Local heritage place.

The General exemption certificate - Local heritage place applies to certain types of Building work that do not result in a detrimental impact to a heritage place such as certain maintenance and repairs. No application is required for Building works that comply with the General exemption certificate - Local heritage place.

Exemption certificates may also be applied for that allow development that will result in no more than a minor detrimental impact upon a Local heritage place. An application form and supporting materials are required and an application fee applies. For further information on exemption certificates head to [Council's website](#).

► Neighbourhood character areas

In neighbourhood character areas, a material change of use application to Council is required for new dwelling houses and all other uses defined by the planning scheme except home-based business, environment facility, market, park and roadside stall. Unless triggered for impact assessment by other parts of the planning scheme, or made accepted development subject to requirements, these applications will be assessed through a code assessment process (code based assessment, no public notification).

Extensions to dwelling houses (including house extensions, secondary dwellings, outbuildings and carports) are accepted development subject to requirements (no material change of use application to Council required) if:

- not identified as assessable development by other parts of the planning scheme
- the house extensions, secondary dwellings or outbuildings are sited towards the rear of the



property (see Figure 1) and are not higher than the existing dwelling house

- the carport is sited toward the rear of the property (see Figures 1 & 2), OR:
 - is not wider than the lesser of 7 m or 50% of the street frontage width
 - is not enclosed by windows or doors
 - has a roof pitch within 100 m of the dwelling house

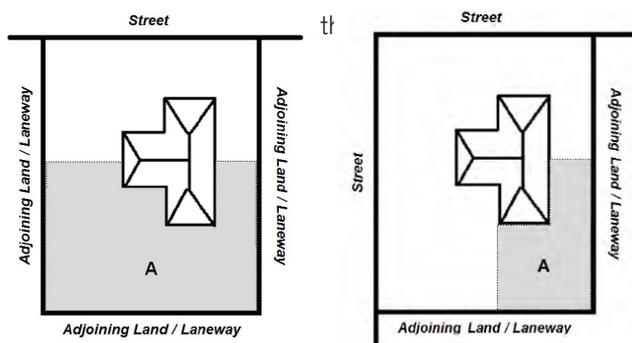


Figure 1 - Minimum setbacks for extensions to dwelling houses and carports in neighbourhood character areas

KEY REQUIREMENTS

► Local heritage place

Development applications on sites containing a local heritage place must be accompanied by a Conservation Management Plan (prepared by a suitably qualified heritage professional in accordance with the Australian ICOMOS Charter for Places of Cultural Heritage Significance) that:

- identifies heritage values elements and measures to conserve them; and
- demonstrates that development will not compromise heritage value elements or impede or diminish views of heritage value elements from streets and other public areas

Development on sites containing or adjoining a local heritage place must be consistent with or sympathetic to heritage values, including but not limited to:

- building height, bulk, scale and shape; and
- building features, materials and architectural detailing; and
- setbacks, siting, roof lines and landscaping features
- does not dominate, overshadow or impede views of heritage values
- mechanical plant and other utility services are screened from view

Demolition or removal of heritage values is avoided in the first instance. Development will only be considered if accompanied by a report prepared by a suitably qualified professional in accordance with the Australian ICOMOS Charter for Places of Cultural Heritage Significance that:

- documents the heritage value of the site; and
- demonstrates the unique circumstances that warrant demolition or removal; and
- demonstrates that the building is no longer structurally sound or capable of being made structurally sound; and
- demonstrates that measures emphasising the heritage value of the site will be incorporated into the new development.

The full or partial demolition or modification of the heritage facades is avoided in the following areas:

- northern side of Victoria Street between Wood and Sydney Streets; and
- eastern side of Wood Street between Gordon and River Streets; and
- western side of Sydney Street between Victoria and River Streets

To assist with identifying heritage elements, Council have prepared statements of significance for most buildings listed as local heritage places. These are available on [Council's website](#) in the heritage planning section.

► Neighbourhood character area

The following requirements apply for assessable development in neighbourhood character areas:

- the form, scale, materials, design and setbacks of buildings in neighbourhood character areas complement the prevailing traditional building character of the area prior to 1950 including cottages, bungalows and Queenslanders
- roof form consists of a minimum:
 - 1 gable facing the street; and
 - pitch of 25°
- external materials consist of the following:
 - roof: corrugated metal roof sheeting and quad or half round guttering; and
 - walls:
 - ~ wall cladding (such as timber cladding or fibro panels), particularly on upper levels; and
 - ~ where masonry is used, it is rendered and/or painted and used in conjunction with sections of wall cladding and other lightweight materials/elements; and
 - ~ timber framed construction for verandahs, stairs and balustrade, particularly on the street elevation(s)
- the following is provided on the street elevation:
 - windows and a door/s that are visible from the street; and
 - wall lengths in excess of 10 metres are articulated by verandahs, wall offsets (minimum 500mm depth) or bay windows
- the front setback of the building/s is within 1.5 metres of an existing building fronting the same street on an adjoining lot
- Out-buildings (garages, storage buildings and other ancillary buildings) are:
 - recessed a minimum of 1 metre behind the front face of the building or verandah; and
 - in keeping with the design and materials of the main building in terms of:
 - ~ roof design, pitch and materials; and
 - ~ external wall materials.

OTHER RELEVANT USER GUIDES:

General

- #1 Using the planning scheme
- #2 What is my zone and other planning scheme designations?
- #3 Do I need to lodge a development application?
- #5 Making a development application
- #6 The development assessment process
- #8 After a development approval is issued

Specific

Please refer to user guides relevant to your proposed development

FOR MORE INFORMATION

This user guide provides an overview of aspects of the heritage and neighbourhood character requirements under the planning scheme only. To view the planning scheme in full please visit Council's website - www.mackay.qld.gov.au/planningscheme

The *Planning Act 2016*, *Planning Regulation 2017* and the *Development Assessment Rules* set out the requirements for the development assessment process including referral for state heritage matters.

Council provides general development advice:

- [Online](#) enquiries can be lodged via the [Planning advice online enquiries form](#)
- [Phone](#) enquiries and appointments can be lodged by phoning 1300 MACKAY (1300 622 529)

You can also contact a building certifier, consultant town planner, building designer or other qualified professional who can provide assistance and, if necessary, prepare and lodge a development application on your behalf.

FOR MORE INFORMATION PHONE COUNCIL
ON **1300 MACKAY** (1300 622 529)
OR VISIT THE WEBSITE **MACKAY.QLD.GOV.AU**