Exemption Certificate for Local Heritage Places

Use this form to apply for an Exemption Certificate under section 72 of the *Queensland Heritage Act 1992* (the Act) for development on a Local Heritage Place (which is a place entered in a local government’s heritage register or identified as being of local heritage significance in the relevant local planning instrument (i.e. planning scheme)).

An exemption certificate may only be issued under limited circumstances and for development at a Local Heritage Place that:

* will have no more than a minimal detrimental impact on the cultural heritage significance of the place, or
* is permitted under a heritage agreement.

Before completing the relevant sections of this form, the following must be understood:

* an Exemption Certificate cannot be issued for a Local Heritage Place that is also a Queensland Heritage Place (which is a place entered in the Queensland Heritage Register under the [Queensland Heritage Act 1992](https://www.legislation.qld.gov.au/Acts_SLs/Acts_SL_Q.htm)). Council may request further information if required to make a decision.
* After your application is submitted, Council may issue a ‘Further Advice’ letter requesting more information or details be provided in order for a decision to be made regarding the exemption certificate.
* A refusal from Council to issue a requested Exemption Certificate does not necessarily mean the proposed development is not supported. This means that the request has not met the relevant requirements of the Act and therefore, the proposal must be lodged as an application for assessable development against the relevant local planning instrument.
* Fees apply and must be paid prior to Council considering your application.

# Applicant details

Are you applying on behalf of a business or corporation?

|  |  |
| --- | --- |
| NO | YES |

|  |  |  |
| --- | --- | --- |
| BUSINESS OR CORPORATION Name (IF APPLICABLE) | | |
| FAMILY NAME OF APPLICANT OR ORGANISATION REPRESENTATIVE | | |
| GIVEN name (S) | TITLE | |
| RESIDENTIAL ADDRESS, OR REGISTERED BUSINESS ADDRESS FOR CORPORATIONS | POSTCODE | |
| TELEPHONE | | |
| EMAIL | | |
| POSTAL ADRESS (WRITE “AS ABOVE” IF SAME AS Residential/REGISTERED BUSINESS ADDRESS) | | POSTCODE |

# 2. Details of place

|  |  |  |  |
| --- | --- | --- | --- |
| NAme of LOCAL HERITAGE place and/ or former name | | | |
| heritage register number OR ID | | | |
| street address | | | |
| real PROPERTY DESCRIPTION | LOT | | plan |
| local government authority | | | |
| RELEVANT PLANNING INSTRUMENT | MACKAY REGION PLANNING SCHEME | DEVELOPMENT SCHEME (MACKAY WATERFRONT PDA) | |
| ownership details | | | |

# 3. Pre-lodgement

3.1 Have you consulted with Council about this application or other applications relating to this place?

NO → Go to section 3.2

YES → Provide following details

|  |
| --- |
| NAME OF COUNCIL CONTACT OFFICER |
| BRIEF DESCRIPTION OF ADVICE GIVEN |

3.2 Have you attended a pre-lodgement meeting with Council about this application?

NO → Go to section 4

YES → Provide following details

|  |
| --- |
| DATE OF MEETING |
| NAMES OF PERSONS WHO ATTENDED THE MEETING |

# 4. Proposed Development

4.1 General details

|  |  |
| --- | --- |
| Type of development proposed  *(e.g. building work, landscaping, archaeological excavation)* |  |
| Brief description of proposed development |  |
| Reason for carrying out development |  |
| Estimated cost of development  (for statistical purposes) |  |

4.2 Is the development permitted under a current heritage agreement?

NO → Go to section 4.3

YES → Provide the following details

|  |
| --- |
| NAME OF AGREEMENT |
| DATE OF COMMENCEMENT |
| PERSONS WHO ENTERED THE AGREEMENT |

4.3 Will the development help to conserve the place?

NO → Go to section 4.4

YES → Provide the following details

|  |  |
| --- | --- |
| List conservation techniques to be used |  |
| List any heritage policies for the place that have been used to guide the development |  |
| Has advice been sought from a heritage consultant or specialist conservation tradesperson *(if yes, provide details)* |  |

4.4 How will the development change the place?

|  |  |
| --- | --- |
| Describe the existing condition of the place including any structural or maintenance issues |  |
| List the changes that will be made to the place as a consequence of the development |  |
| Provide details of any existing features to be removed or demolished |  |
| List significant features of the place affected by development |  |
| Describe work that alters or varies original building details (e.g. vents, capping, carving, chimneys, window and door hardware, fittings, decoration or glazing) |  |
| Describe changes to the setting or context of the place (including views to and from the place) |  |

4.5 Will building, repairing, cleaning or other work required by the development directly affect or alter a significant heritage feature?

NO → Go to section 5

YES → Provide the following details

|  |  |
| --- | --- |
| List the works required to carry out the development |  |
| List trade skills to be used in carrying out the work |  |
| List conservation or traditional work methods to be used that will match existing appearance, techniques or materials at the heritage place |  |
| List new materials and work methods not previously found at the heritage place that will be used |  |
| Provide details of any chemicals or cleaning treatments to be used |  |

5. Supporting information (no larger than A3 format)

Supporting information must be provided to fully describe the development and enable assessment of its impact on the cultural heritage significance of the local heritage place. A request for further information may be made by Council if incomplete information is provided.

* 1. Mandatory information required for all applications  
     Tick the boxes to show information is attached to support the application.

Scaled site plan (show heritage register boundary, existing features of the place, location and extent of development and any proposed demolition)

Recent photographs of the place (show all areas that will be affected by the development)

Copy of heritage agreement (for development under a heritage agreement only)

* 1. Additional supporting information as required  
     Tick the boxes to show what other information is attached to support the application.

Scaled drawings of proposed development including plans, sections and elevations

Specification of works proposed

Technical reports (e.g. arborist’s report, engineer’s structural assessment, archaeological management plan)

Heritage impact statement

# 6. Consent of owner

Under the *Queensland Heritage Act 1992* an Exemption Certificate application may be made by the owner of a place or with the owner’s consent another person who has an interest in the place.

6.1 Are you the owner of the place?

YES → Go to Section 7

NO → Provide the following details

|  |
| --- |
| WHAT IS YOUR INTEREST IN THE PLACE? *(e.g. lessee, trustee)* |
| OWNER’S NAME (INDIVIDUAL OR ORGANISATION) |

6.2 Is the owner an organisation or represented by a legally authorised entity?

NO → Go to Section 6.3

YES → Provide the following details

|  |
| --- |
| NAME OF PERSON AUTHORISED TO PROVIDE OWNER’S CONSENT |
| POSITION OF AUTHORISED PERSON |

6.3 Signature of owner or authorised person

As owner of the place, the subject of this application, or the legally authorised representative of the owner, I consent to the making of this application.

|  |  |
| --- | --- |
| Owner’s or authorised person’s SIGNATURE | DATE |
| Owner’s or authorised person’s FULL NAME | |

7. Applicant declaration

**Note:** If you have not told the truth in this application you may be liable for prosecution under the relevant Acts or Regulations.

* I do solemnly and sincerely declare that the information provided is true and correct to the best of my knowledge and I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the *Oaths Act 1867*.
* I understand that all information supplied on or with this application form may be disclosed publicly in accordance with the *Right to Information Act 2009* and the *Evidence Act 1977.*

|  |  |
| --- | --- |
| APPLICANT’S FULL NAME | |
| APPLICANT’S SIGNATURE | DATE |

8. Applicant checklist

Application form completed and signed

Owner’s consent given

Supporting information attached (no larger than A3 format)

Send one copy of the completed form and supporting information to:

**Email:**

[development.services@mackay.qld.gov.au](mailto:development.services@mackay.qld.gov.au)

**Mail:**

Development Assessment - Planning

Mackay Regional Council

PO Box 41

Mackay QLD 4740

**In person:**

Sir Albert Abbott Council Administration Building

73 Gordon Street Mackay

Further information

* email [development.services@mackay.qld.gov.au](mailto:development.services@mackay.qld.gov.au)
* call 1300 MACKAY (1300 522 629) and ask to speak to an officer in the development assessment team
* visit [www.mackay.qld.gov.au](http://www.mackay.qld.gov.au)