

This section relates to Heritage Places where the schedule indicates that prohibited uses may be permitted. These provisions are contained at Clause 43.01-5 of the relevant planning scheme.

Refer also to the relevant Planning Scheme – including the State Planning Policy Framework, the Local Planning Policy Framework, and applicable Zones and Overlays (particularly the Heritage Overlay).

13.1 Objectives

To encourage the restoration and conservation of Heritage Places

To ensure that Contributory Elements of Heritage Places are retained

To ensure the long-term care and Maintenance of Heritage Places

To ensure the impact of any change of use on the Heritage Place is minimised

To encourage the continued use of Heritage Places

13.2 Rationale

Where the use of a place is of cultural significance it should be retained.

A place should have a compatible use.

Adaptation is acceptable only where the adaptation has minimal impact on the cultural significance of the place.

Adaptation should involve minimal change to significant fabric, achieved only after considering alternatives. (Burra Charter)

Changes to the use of buildings may result in major changes to the fabric of the place. It is preferable that a Heritage Place continues to be used for the purpose for which it was built, or for a use with which it has a long association. There may be instances when many alternative uses are possible, provided that Contributory Elements and significant parts are retained.

In a small number of instances it may be necessary to consider a use that would otherwise be prohibited by the planning scheme, if this will demonstrably assist with the Conservation of the significance of the Heritage Place.

13.3 Matters for Consideration

In assessing proposals for a use which would otherwise be prohibited by the planning scheme, consideration should be given to whether:

- **the Heritage Place would be used for the purpose for which it was originally constructed, or for a use with which it has had a long and significant association;**
- **adequate evidence is provided as to how the change of use would ensure the future Conservation of the Heritage Place;**
- **changes are proposed to the Contributory Elements or significant parts of the Heritage Place, including spaces and access patterns, to accommodate a new use; and**
- **adequate evidence is provided to demonstrate that other options for uses that are not prohibited have been examined.**

13.4 Development Guidelines

The following guidelines and examples are intended to assist when a change of use is being considered. They are based on some common settings, but will not be appropriate for every situation. Heritage Places should be approached on a case by case basis and there is no 'one-size-fits-all' answer to development. Use the Statement of Significance to inform decisions.

It is acknowledged that there may be other ways to achieve the objectives. Where alternative methods are proposed, the planning permit application should be accompanied by a written explanation that shows how the objectives will be achieved.



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Where substantial changes are proposed to a Heritage Place, a Conservation Management Plan prepared by a suitably qualified professional may be required.

For uses otherwise prohibited by the planning scheme, evidence should be submitted about the economic viability of the existing use and how the otherwise prohibited use will ensure the future Conservation of the Heritage Place. Applicants should also demonstrate that uses that are permitted or permissible have been considered.



Adaptive reuse of an industrial Heritage Place: the former Newport Railway Electricity Substation undergoing conversion to a community arts centre

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