

PLANNING SCHEME POLICY 19— NOMINATIONS FOR INCLUSION IN OR REMOVAL FROM SCHEDULE 3 HERITAGE SITES

1. Introduction

- 1.1 Noosa Council will receive and consider nominations for inclusion or removal of *heritage sites*¹ from Table 3.1 of Schedule 3 of The Noosa Plan.

2. Criteria for entry in Schedule 3

- 2.1 A site² may be entered in Schedule 3 as a *heritage site* if it satisfies one or more of the assessment criteria within the Environmental Protection Agency's *Guidelines for Cultural Heritage Management*.

A site should not to be precluded from being included in Schedule 3 for reason that a site or sites with similar characteristics have already been entered in Schedule 3.

3. Nomination to include a site in Schedule 3

- 3.1 The Council may on its own initiative or by nomination by a person or body nominate a particular site for entry in Schedule 3.
- 3.2 The Council may require a nominee to provide the following information in support of the nomination—
- a) a brief description and history of the site;
 - b) the specific location on one or more lots by illustration on a map and stating its correct lot on plan description; and
 - c) assessment of the cultural heritage significance of the site, having regard to the assessment criteria within the Environmental Protection Agency's *Guidelines for Cultural Heritage Management*.
- 3.3 The Council may request written advice in relation to the site from any person or body, including those with special knowledge of, or interest in cultural heritage, Noosa Shire's cultural heritage, or the site.
- 3.4 If the Council considers that a site is of cultural heritage significance and satisfies one or more of the assessment criteria for entry, it may resolve to propose to enter the site in Schedule 3.
- 3.5 If the Council resolves to propose to enter the site in Schedule 3 and the nominee is not the rateable owner, it must give the rateable owner of the site a written notice—
- a) stating that the Council proposes to enter the site in Schedule 3;
 - b) stating the reasons on which the proposal has been based; and

¹ As defined in the Heritage Overlay Code (Part 13 of The Noosa Plan)

² For the purposes of this PSP a 'site' is referred to as a site, building, item or place

c) explaining the right to lodge a submission in relation to the proposal.

3.6 If the Council receives any submissions in relation to the proposal it must consider such submissions and make a determination based on the merits of the submission including such matters as—

a) whether the site satisfies any of the assessment criteria within the Environmental Protection Agency's *Guidelines Cultural Heritage Management* having regard to the details of the submission; and

b) the relevant provisions of the Heritage Overlay Code.

3.7 The Council may proceed with a nomination as originally proposed or may accept a modified nomination after negotiation with the nominee.

3.8 If the Council proceeds with the nomination or modified nomination, the Council will initiate an amendment to The Noosa Plan in accordance with the requirements of Part 2 of Schedule 1 of the *Integrated Planning Act 1997*, including where appropriate—

a) Inclusion of the site in Schedule 3 and on the relevant Heritage Overlay Map;

b) Inclusion of a new descriptive category;

c) changes to the assessment tables; and

d) the inclusion of any overall outcomes, specific outcomes and/or probable solutions, in the Heritage Overlay Code.

4. Nomination to remove a site from Schedule 3

4.1 The Council may on its own initiative or by nomination by a person or body nominate a particular heritage site for removal from Schedule 3.

4.2 The Council may require a nominee to provide the following information in support of the nomination—

a) details of the specific location, including lot on plan description; and

b) demonstrate why the site does not have cultural heritage significance having regard to the assessment criteria within the Environmental Protection Agency's *Guidelines for Cultural Heritage Management*.

4.3 The Council may seek written advice in relation to the site from any person or body, including those with special knowledge of, or interest in cultural heritage, Noosa Shire's cultural heritage, or the site.

4.4 If the Council considers that the site is not of cultural heritage significance and does not satisfy one or more of the assessment criteria within the Environmental Protection Agency's *Guidelines for Cultural Heritage Management*, it may resolve to remove the site from Schedule 3.

- 4.5 A heritage site should not be removed from Schedule 3 for reason that a site or other sites with similar characteristics have already been entered in Schedule 3.
- 4.6 If the Council resolves to propose to remove the heritage site from Schedule 3 and the nominee is not the rateable owner, it must give the rateable owner of the site a written notice—
- a) stating that the Council proposes to remove the site from Schedule 3;
 - b) stating the reasons on which the proposal has been based; and
 - c) explaining the right to lodge a submission in relation to the proposal.
- 4.7 If the Council receives any submissions in relation to the proposal it must consider such submissions and make a determination based on the merits of the submission, including such matters as—
- a) whether the site satisfies any of the assessment criteria within the Environmental Protection Agency's *Guidelines Cultural Heritage Management* having regard to the details of the submission; and
 - b) the relevant provisions of the Heritage Overlay Code.
- 4.8 The Council may proceed with a nomination as originally proposed or may accept a modified nomination after negotiation with the nominee.
- 4.9 If the Council proceeds with the nomination or modified nomination, the Council will initiate an amendment to The Noosa Plan in accordance with the requirements of Part 2 of Schedule 1 of the *Integrated Planning Act 1997*, including where appropriate—
- a) the removal of the site from Schedule 3 and the relevant Heritage Overlay Map;
 - b) the inclusion or removal of a new descriptive category;
 - c) changes to the assessment tables; and
 - d) the inclusion or removal of any of the overall outcomes, specific outcomes and or probable solutions in Heritage Overlay Code.

POLICY HISTORY

- *PSP19 adopted by Council on 3 November 2005 and effective 3 February 2006.*