



# HOW DOES HERITAGE AFFECT PLANNING AND DEVELOPMENT?

ANY DEVELOPMENT IN THE ACT MUST CONSIDER POTENTIAL HERITAGE MATTERS. TO MAKE IT EASIER FOR DEVELOPERS AND THE PUBLIC, *THE HERITAGE ACT 2004* (THE ACT) AND *PLANNING AND DEVELOPMENT ACT 2007* INTEGRATE HERITAGE MATTERS INTO THE DEVELOPMENT ASSESSMENT PROCESS.



ANYONE PLANNING TO DEMOLISH, BUILD, RENOVATE OR LANDSCAPE ON THEIR PROPERTY CAN FIND OUT IF THEIR SITE HAS HERITAGE SIGNIFICANCE. IF IT DOES, THEY MAY NEED TO SUBMIT A DEVELOPMENT APPLICATION TO THE PLANNING AND LAND AUTHORITY, WHICH FORWARDS IT TO THE COUNCIL FOR ADVICE.

To find out if heritage values need to be considered:

- Search the online [Heritage Register](#), which lists registered, provisionally registered and nominated places or objects, or contact ACT Heritage on 13 22 81.
- Obtain a copy of the Heritage Register entry, which states the heritage significance of the place or object and any heritage guidelines that control development for that place or object.
- Consider getting further specialist advice. The Heritage Advisory Service provides heritage owners an hour of free, independent professional advice on the development and/or restoration of a place. For bookings, contact Philip Leeson, Architects Pty Ltd on 6295 3311.
- Contact the ACT Heritage on 13 22 81 or by [sending us your email](#) to see if a development application is needed. Development that may affect the heritage values of a place may include:
  - > works such as demolition, building, changing appearance of a building, earthworks, removal of mature plantings, re-landscaping, unapproved burning or land clearing
  - > variation of a lease on the land
  - > a change in use of the land for an activity not authorised by the lease
  - > use of unleased land that is not authorised by a permit or licence.
- Seek advice whether the proposal will be consistent with the heritage values of the place. Call the planning and land authority to arrange a meeting to discuss required documentation, such as a site plan, preliminary design and plan of proposed works.

## DEVELOPMENT APPLICATION PROCESS

Under the *Planning and Development Act 2007*, once a development application that relates to a registered, provisionally registered or nominated heritage place or object is made:

- The planning and land authority provides a copy of the development application to the Council.
- Within 15 working days, the Council provides advice to the planning and land authority about the effect of the development on the heritage significance of the place or object, and on ways to avoid or minimise its impact on heritage significance. This advice may also recommend conditions on any approval of the development including: measures to conserve its heritage significance; conservation requirements under applicable heritage guidelines; and/or a conservation management plan approved by the Council.
- The planning and land authority must consider the Council's advice when approving or refusing the development application.
- The Council may apply to the ACT Civil and Administrative Tribunal for review of the authority's decision.
- If the authority refuses a development application, or approves it with conditions, the proponent and other interested persons may apply to the ACT Civil and Administrative Tribunal for review of the decision.

## FURTHER INFORMATION

For more information, please contact ACT Heritage on 13 22 81.

Please note the material in this information sheet is provided for general information only, and should not be relied upon for the purpose of a particular matter covered by the [Heritage Act 2004](#).

