

2.1: REVIEW OF MUNICIPAL HERITAGE INVENTORY – ESTABLISH WORKING GROUP AND TERMS OF REFERENCE

Land Description	: N/A
Proponent	: City of Albany
Owner	: N/A
Business Entity Name	: City of Albany
Attachment(s)	: Community nominations received
Councillor Workstation	: Project Initiation Brief (PIB) for Project
Responsible Officer(s)	: E/Director Planning and Development Services (G Bride)

IN BRIEF

- To establish a working group consisting of interested members of the community (as nominated), a heritage consultant and Councillor to work on the review of Council's Municipal Heritage Inventory.
- To establish a terms of reference for the working group.

ITEM 2.1: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council:

1. **AGREES** to establish the Municipal Heritage Inventory Review Working Group and **ENDORSES** the following nominations from membership of the working group:
 - a. Councillor _____;
 - b. Crispin Travers (on behalf of the Albany Historical Society);
 - c. Warren Marshall;
 - d. Edwin McLean;
 - e. Juliet Albany; and
 - f. The Regional Heritage Advisor.
2. **ENDORSE** the following terms of Reference for the Municipal Heritage Inventory Review Working Group:

“Provide support and guidance to the City of Albany in preparing an updated Municipal Heritage Inventory for Council’s consideration, which involves comprehensive community consultation, consistent with the requirements of the Heritage Act of Western Australia 1990, encompassing a review of existing sites on the Inventory and the consideration of new places of cultural heritage significance.”

CEO:

RESPONSIBLE OFFICER:

BACKGROUND

1. Under Section 45 of the *Heritage of Western Australia Act 1990* ('Act'), the City is required to keep an inventory of culturally significant heritage places (known as a 'Municipal Heritage Inventory') within its district.
2. Council's last Municipal Heritage Inventory ('MHI') was prepared in 2001 by consultants. The current MHI lists 429 places (including historic sites, significant trees, maritime and natural sites) that have varying heritage value within the City. The formal assessed classifications range from Category D (significant, but not essential) through to Category A+ (places identified on the State Heritage Register).
3. The Act states that a local government should review its MHI every four years. It has been ten years since the current MHI was prepared and therefore a review is required to determine whether the existing entries are properly categorised and to consider the placement of new places onto the Inventory.

DISCUSSION

4. Staff have prepared a Project Initiation Brief for the project which involves two distinct stages. Stage 1 involves a review of the existing entries (to determine whether the rating needs to be changed) and consideration of places to be reviewed, inclusive of the community consultation phase. Stage 2 involves the detailed assessment of each of the identified new places to be reviewed. Each place will need to be recorded in terms of its history and what elements of the place are considered significant from a cultural heritage perspective.
5. The timeline for the project envisages the completion of Stage 1 by August 2011 with Stage 2 being completed by April 2012.
6. The City has sought tenders from suitably qualified heritage consultants to provide professional expert assistance to the City and the working group for Stage 1.
7. It is anticipated that three meetings will be held to complete Stage 1, with the City's administration staff, and the successful heritage consultant attending the meetings to present information and provide support and guidance to the Committee.

GOVERNMENT CONSULTATION

8. Close liaison with the Heritage Council of Western Australia will occur throughout the process. The Heritage Council of Western Australia has already contributed to the reformatting of the Inventory into the new model Inventory framework, which has been completed by the City of Albany's Regional Heritage Advisor.

PUBLIC CONSULTATION / ENGAGEMENT

9. The City requested nominations from interested persons who would like to be involved in this project. Four nominations were received (a copy of the nomination letters are located within the Attachments). The City called for a maximum of five representatives, and therefore with the four received, it is recommended that all nominations be accepted.
10. As part of Stage 1 of the Municipal Heritage Inventory Review it is intended that consultation is undertaken with the community with the community invited to nominate any additional places that it considers for placement on the MHI, or a review of any of the existing places.

STATUTORY IMPLICATIONS

11. The City under Section 45 of *Heritage of Western Australia Act 1990* states:

“45. Local government inventories

- (1) *A local government shall compile and maintain an inventory of buildings within its district which in its opinion are, or may become, of cultural heritage significance.*
- (2) *The inventory required by subsection (1) shall be compiled no later than 4 years from the commencement of this Act and shall be —*
 - (a) *updated annually; and*
 - (b) *reviewed every 4 years after compilation.”*

12. It is important to note that the MHI has no statutory power (although a recent State Administrative Tribunal decision has challenged this position), however to give statutory effect to important cultural heritage places the higher category places will be included within the ‘Heritage List’ within Council’s draft Local Planning Scheme.

STRATEGIC IMPLICATIONS

13. This item relates to the following elements from the Albany Insight – Beyond 2020 Corporate Plan:

Priority Goals and Objectives

Goal 1: Lifestyle & Environment.....Albany will be Western Australia’s regional City of first choice offering a diverse range of healthy and active lifestyle opportunities, with energy efficient housing and development that respects our environment.

Objective 1.5 Albany will be a City where development responds to our unique historical and environmental values.

Goal 2: Economic Development.....Albany will be Western Australia’s first choice for regional investment offering a wide range of development, employment and learning opportunities within a robust economy.

Objective 2.2 Investment is complimentary to Albany’s sense of place and occurs within an up to date and effective planning framework.

Objective 2.5 Our unique cultural heritage attractions deliver world class tourism experiences.

City of Albany Mission Statement

At the City of Albany we foster community involvement in decision making and encourage our people to meet the community's service expectations."

POLICY IMPLICATIONS

- The MHI may recommend the establishment of new heritage precincts and specific design guidelines may be required via the creation of local planning policies.

RISK IDENTIFICATION & MITIGATION

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
The City of Albany does not review its MHI as legislated in the Heritage of Western Australia Act 1990 and therefore the complete record of Albany's heritage assets will be incomplete.	Unlikely	Moderate	Medium	To proceed to create the working group and the review of the MHI.

FINANCIAL IMPLICATIONS

- Stage 1 of the Municipal Heritage Inventory has a budget of \$20,000 within the current financial year (2010/11). As part of the draft budget for 2011/12 an allocation of a further \$20,000 has been identified for Stage 2.

LEGAL IMPLICATIONS

- The Working Group will have no delegation or authority. The draft Municipal Heritage Inventory will be received and reviewed by Council.

ALTERNATE OPTIONS

- Council has the option of not establishing a working group and instead rely solely on staff and the heritage consultant to prepare an initial draft for Council's consideration.
- It is recommended that Council pursues the creation of the working group to promote an inclusive partnership with the community and interested stakeholders in reviewing the MHI.

SUMMARY CONCLUSION

19. The creation of a working group with the support of an experienced heritage consultant and City Administration will assist Council in undertaking a comprehensive review of the existing Municipal Heritage Inventory.

Consulted References	Heritage of Western Australia Act 1990
File Number (Name of Ward)	LP.PRG.1