

# State code 14: Queensland heritage

## Purpose statement

The purpose of this code is to ensure **development** on or **adjoining** a **Queensland heritage place** conserves its **cultural heritage significance** for the benefit of the community and future generations.

Specifically, this code seeks to ensure **development**:

1. on a **Queensland heritage place**:
  - a. protects the **identified elements** of the **Queensland heritage place** that are of **cultural heritage significance** by substantially reducing unavoidable impacts;
  - b. promotes the **preservation** of **identified elements** of the **Queensland heritage place** that are of **cultural heritage significance**;
  - c. where practical, restores the **identified elements** of the **Queensland heritage place** that are of **cultural heritage significance**;
  - d. aligns with the ongoing **conservation** management of the **Queensland heritage place** where **adaptation** is proposed.

If it is demonstrated that there is **no reasonable alternative** to **development** on a **Queensland heritage place** **destroying or substantially reducing** the place's **cultural heritage significance**, ensure that the place's significance is interpreted and incorporated as appropriate.

2. involving a material change of use **adjoining** a **Queensland heritage place**:
  - a. maintains or substantially reduces unavoidable impacts on, the **setting** and/or **streetscape** where these form part of the **cultural heritage significance** of the **Queensland heritage place**;
  - b. avoids direct adverse impacts on the **cultural heritage significance** of the **Queensland heritage place**.

### Using this code

The assessment benchmarks for this code comprise:

- a purpose statement which identifies the overall intent of the code;
- performance outcomes which set benchmarks to achieve the purpose statement of the code.

Development complies with the code where:

- it complies with all the performance outcomes; or
- development does not meet relevant performance outcome(s) and SARA determines, on balance, that the development complies with the purpose statement.

There are no acceptable outcomes for this code.

This code also includes the glossary of terms for definitions relevant to this code and reference documents; including the guideline **State Development Assessment Provisions: State code 14: Queensland heritage**, which provides direction on how to address this code.

## Performance outcomes

Table 14.1: Applicable criteria for development associated with a Queensland heritage place

Type of development on a Queensland heritage place	Relevant provisions of code
All <b>development</b> on a <b>Queensland heritage place</b>	Table 14.2 — PO1 – PO4
Reconfiguring a lot on land containing a <b>Queensland heritage place</b>	Table 14.3 — PO5 – PO7
Material change of use on land <b>adjoining</b> a <b>Queensland heritage place</b> or on a lot containing a <b>Queensland heritage place</b> , but not carried out on the <b>Queensland heritage place</b>	Table 14.4 — PO8

Table 14.2: Development on a Queensland heritage place

#### Performance outcomes

**PO1 Development** minimises adverse impacts on the **cultural heritage significance** of a **Queensland heritage place**.

**PO2 Development** on a **Queensland heritage place** with **identified archaeological potential** manages adverse impacts on **artefacts**.

**PO3 Development** employs methods and utilises materials that are compatible with the **conservation** of built and landscape **features** that form part of the **cultural heritage significance** of the **Queensland heritage place**.

**Development proposing to destroy or substantially reduce the cultural heritage significance of a Queensland heritage place**

**PO4 Development** proposing to **destroy or substantially reduce** the **cultural heritage significance** of the **Queensland heritage place** must demonstrate that there is **no reasonable alternative** to the **development** that would conserve the **cultural heritage significance** of the **Queensland heritage place**.

**Table 14.3: Reconfiguring a lot on land containing a Queensland heritage place**

#### Performance outcomes

**PO5 Development** does not result in a lot size or configuration which adversely impacts the aspects of the **setting** that form part of the **cultural heritage significance** of the **Queensland heritage place**.

**PO6 Development** does not result in a lot size and configuration which adversely impacts the ongoing **conservation** management of the **Queensland heritage place**.

**Where the relationship between built and open spaces forms part of the cultural heritage significance of the place**

**PO7 Development** on a place where the relationship between built and open spaces form part of the **cultural heritage significance** of the place, maintains a lot size and configuration which facilitates the **conservation** of these relationships.

**Table 14.4: Material change of use on land adjoining a Queensland heritage place or on a lot containing a Queensland heritage place, but not carried out on the Queensland heritage place**

#### Performance outcomes

**PO8 Development** is located, designed and scaled so that its form, bulk and proximity minimises adverse impacts on the **cultural heritage significance** of the **Queensland heritage place**.

## Reference documents

Department of Environment and Science, [Guideline – SDAP State code 14: Queensland heritage](#)

Australia ICOMOS 2013, [The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance](#)

Queensland heritage register [Application form: Request for a certified copy of entry](#)

[Apply for a Heritage Exemption Certificate](#)

## Glossary of terms

**Adaptation** see The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance, 2013.

Note: **Adaptation** means changing a place to suit the existing use or a proposed use.

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**Adjoining** means premises that share a common boundary with a **Queensland heritage place**, including premises that meet at a single point on a common boundary.

**Artefact** see the *Queensland Heritage Act 1992*.

Note: **Artefact** means an archaeological **artefact** or underwater cultural heritage **artefact**.

The terms archaeological **artefact** and underwater cultural heritage **artefact** are defined in the *Queensland Heritage Act 1992*.

**Conservation** see the *Queensland Heritage Act 1992*.

Note: **Conservation** includes protection, stabilisation, maintenance, preservation, restoration, reconstruction and adaptation.

**Cultural heritage significance** see the *Queensland Heritage Act 1992*.

Note: **Cultural heritage significance**, of a place or feature of a place, means its aesthetic, architectural, historical, scientific, social, or other significance, to the present generation or past or future generations. In describing the **cultural heritage significance** of a **Queensland heritage place**, the entry for the place in the **Queensland Heritage Register** may address the aesthetic, architectural, historical, scientific, social, or other significance of a place or a **feature** of a place to the present generation or past or future generations. **Cultural heritage significance** is embodied in the place itself: its fabric, **setting**, use, associations, meanings, records, related places and related objects, as described in the entry for the place in the **Queensland Heritage Register**.

**Destroy or substantially reduce** see section 277 of the *Planning Act 2016*.

Note: Destroy or substantially reduce means to destroy or substantially reduce the cultural heritage significance of the **state heritage place**, including:

1. by demolishing all elements or features of the place that contribute to the place's cultural heritage significance described in the place's entry in the Queensland Heritage Register; and
2. by changing the place so that the place no longer satisfies any of the criteria for entry in the Queensland Heritage Register.

**Development** see the *Queensland Heritage Act 1992*.

Note: **Development** means:

1. carrying out
  - a. building work; or
  - b. plumbing or draining work; or
  - c. operational work; or
2. reconfiguring a lot; or
3. making a material change of use of premises.

Building work for a Queensland heritage place, includes:

1. altering, repairing, maintaining or moving a built, natural, or landscape **feature**;
2. excavating, filling or other disturbances to land that may damage, expose or move archaeological **artefacts**;
3. altering, repairing or removing **artefacts** that contribute to the place's **cultural heritage significance**, including, for example, furniture or fittings;
4. altering, repairing or removing building finishes that contribute to the place's **cultural heritage significance**, including, for example, paint, wallpaper or plaster.

**Feature** see the *Queensland Heritage Act 1992*.

Note: **Feature**, in relation to a place, includes the following:

1. a building or structure, or part of a building or structure;
2. an **artefact**, including an archaeological **artefact** and underwater cultural heritage **artefact**;
3. a precinct;
4. a natural or landscape feature.

**Identified archaeological potential** means that a place has been entered in the **Queensland Heritage Register** as it has potential to contain an archaeological **artefact** or other **feature** that is an important source of information about an aspect of Queensland's history. Places with archaeological potential satisfy criterion C of the cultural heritage criteria on which places are assessed for entry on the **Queensland Heritage Register**.

**Identified elements** means all aspects of a **Queensland heritage place**, including its **features** and **setting**, identified as being of **cultural heritage significance** in the entry for the place in the **Queensland Heritage Register**.

**No reasonable alternative** exists if it is demonstrated that, in the context of the heritage place:

1. a risk to public health and safety cannot be remedied, other than by carrying out the **development**;
2. a substantial environmental risk cannot be remedied, other than by carrying out the **development**;
3. an extraordinary economic cost would be caused by not carrying out the **development**. This does not include the opportunity cost associated with not proceeding with a proposed redevelopment on the site;
4. an extraordinary social disadvantage would result from not carrying out the **development**.

**Preservation** see The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance, 2013.

Note: **Preservation** means maintaining a place in its existing state and retarding deterioration.

**Queensland heritage place** see the *Queensland Heritage Act 1992*.

Note: **Queensland heritage place** means a **State heritage place** or a protected area under part 4 of the *Queensland Heritage Act 1992*.

**Queensland Heritage Register** see the *Queensland Heritage Act 1992*.

Note: **Queensland Heritage Register** means the register kept under part 3 of the *Queensland Heritage Act 1992*.

Places in the **Queensland Heritage Register** have been assessed as satisfying one or more of eight cultural heritage criteria and have been entered in accordance with the requirements of the *Queensland Heritage Act 1992*. All applicants are encouraged to obtain a certified copy of the entry for the relevant **Queensland heritage place(s)** from the **Queensland Heritage Register** prior to making a **development** application. A certified copy of entry is an official and complete copy of a place's entry in the **Queensland Heritage Register**. To request a certified copy of entry submit an Application form: Request for a certified copy of entry available at to the Department of Environment and Science along with the required fee.

**Setting** see The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance, 2013.

Note: **Setting** means the immediate and extended environment of a **State heritage place** that is part of or contributes to its **cultural heritage significance** and distinctive character. Urban form, setbacks, landmarks, spatial character and layout, landscape elements and historically significant views to or from the heritage place can contribute to the **cultural heritage significance** of a **setting**.

**State heritage place** see the *Queensland Heritage Act 1992*.

Note: **State heritage place** means a place entered in the **Queensland Heritage Register** as a **State heritage place** under part 4 of the *Queensland Heritage Act 1992*.

**Streetscape** means the visual elements of a street, including ground surfaces, adjoining buildings, street furniture, trees and open spaces, that combine to form the street's character.