

General Exemption Certificate - Local Heritage Places

Version 1.0



This General Exemption Certificate is given under section 75 (3) of the *Queensland Heritage Act 1992* for all local heritage places identified within the Heritage and neighbourhood character overlay in the Bundaberg Regional Council Planning Scheme 2015 (the planning scheme). It applies to building work, plumbing or drainage work and operational work that is substantially started on 28 February 2025 or later.

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1.0 Purpose

The *General Exemption Certificate – Local Heritage Places* applies to all local heritage places identified within the Heritage and neighbourhood character overlay of Council's planning scheme.

Most types of works on a local heritage place are considered development under [Schedule 10, Part 8](#) of the *Planning Regulation 2017*.

Council's planning scheme regulates development on a local heritage place to ensure that changes to the place are compatible with its cultural heritage significance.

The *Queensland Heritage Act 1992* ([Part 6, Division 2](#)) provides for local governments to issue an exemption certificate, including a general exemption certificate, for development that will not have a detrimental impact or will only have a minimal detrimental impact on the cultural heritage significance of a local heritage place.

This *General Exemption Certificate* permits, without the submission of a development application for assessment against the Heritage and neighbourhood character overlay code, the carrying out of certain maintenance and minor work necessary to keep local heritage places in active use and good condition. Only works strictly carried out in accordance with the conditions of this *General Exemption Certificate* are allowed under this exemption.

Works that are assessable development and not listed in **Tables 1 – 4** or works that do not comply with the limitations and conditions of this *General Exemption Certificate* may require Council approval via a development application or a Heritage Exemption Certificate.

This document is supported by best practice heritage conservation principles established within [The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Heritage Significance, 2013](#) (Burra Charter).

2.0 Acknowledgements

The *General Exemption Certificate – Local heritage places* has been prepared with reference to the following documents:

- [General Exemption Certificate – Queensland Heritage Places \(Version 1.2020\)](#) produced by the Department of Environment, Tourism, Science and Innovation (State of Queensland) and licensed under a Creative Commons Attribution 3.0 Australia (CC BY) licence.
- [Brisbane City Council General Exemption Certificate – Local Heritage Places \(Version 1.2023\)](#) prepared by Heritage Policy, Brisbane City Council, 2023.
- [General Exemption Certificate – Local Heritage Place \(Version 1.0 – 26 April 2022\)](#) prepared by Mackay Regional Council.

3.0 Instructions

The following are steps to follow to determine whether work to a local heritage place is covered by the conditions / limitations of this *General Exemption Certificate*:

1. Check whether your property is identified as a local heritage place within Schedule 2 – Mapping of the [planning scheme](#) or by using Council's [interactive mapping system](#).
2. Understand the cultural heritage significance of the place to inform how works are planned and undertaken. There are local heritage place cards which provide a citation for each property including the historical context, physical description and statements of its heritage significance. These place cards can be found in Appendix SC6.2A of [Schedule 6.2 – Planning Scheme Policy for Heritage and Neighbourhood Character](#) (or can be accessed via the [interactive mapping system](#)).
3. Confirm the scope of the works. The works should adopt a cautious approach of changing as much as necessary but as little as possible. You may need to seek specialist advice (e.g., heritage consultant, qualified tradesperson with specialised experience in heritage conservation) if you are uncertain about how to undertake the works in accordance with heritage best practice or require further information about significant features of the place.
4. Identify whether the proposed work is a development type that is listed in Column 1 of the tables in Section 5 of this document.
5. Determine whether the proposed works can comply with the General Conditions in Section 4 of this document, as well as the Conditions in Column 2 of the tables under each category of development, in Section 5. Works that can comply with the relevant conditions and limitations established within Section 4 and Section 5 of this document will not require an application to be lodged with Council.

Works that are assessable development within the *Planning Regulation 2017* ([Schedule 10, Part 8](#)) or Part 5 (Tables of Assessment – Overlay) of the planning scheme, works not listed in the tables in Section 5 or works that do not comply with the conditions and limitations within Section 4 and Section 5 of this document may require Council approval via a development application or a Heritage Exemption Certificate.

6. Record any maintenance and other works carried out on a local heritage place using a logbook (e.g., description of work, date of completion, costs, contractors, warranties). It may also be useful to include a photographic record of work before and after completion. This helps to document changes to a heritage place and can be a useful reference for future owners / managers.

4.0 General Conditions

The following conditions apply to all development carried out by the *General Exemption Certificate - Local Heritage Places*:

- 4.1 Only development that is described in Column 1 of each table in Section 5 is made exempt by this *General Exemption Certificate*.
- 4.2 Development must be carried out in accordance with the applicable conditions listed in this document.
- 4.3 Prior to commencement of works provide the conditions within this document and information about the cultural heritage significance of the place to all persons who will be undertaking the works.
- 4.4 Development must not cause damage to or removal of significant features or materials.
- 4.5 Use appropriately qualified persons to carry out repairs and alterations to significant heritage features.
- 4.6 Protect significant features and materials from incidental damage during development.
- 4.7 If damage occurs to the Local heritage place, contact Council's Land Use Planning & Policy team as soon as practicable to report the damage.
- 4.8 Within 5 days of receiving a request from Council, allow Council officers to access the place to inspect or record development.

Other Requirements

Works must be undertaken with the consent of the owner of the local heritage place.

If development disturbs or reveals archaeological artefacts, you are obliged under the *Queensland Heritage Act 1992* to stop works and report the discovery by emailing the Department of Environment, Tourism, Science and Innovation (DETSI) at archaeology@des.qld.gov.au.

There are responsibilities for the owner of a local heritage place to identify health and safety hazards prior to undertaking works. There may be legal requirements for managing hazardous materials, including requirements to obtain advice from qualified or licenced specialists. For information and guidance, contact the Queensland Government at WorkSafe - www.worksafe.qld.gov.au.

5.0 Development that may be carried out under this General Exemption Certificate

Table 1 - Minor Repairs

Minor repairs are important for keeping local heritage places in good condition, encouraging their continued use and preventing deterioration of significant features. Minor repairs should be based on the 'cautious approach' to change within the *Burra Charter* of doing as little as possible and only as much as is necessary. Some examples of minor repairs are provided below:

- Replacement of damaged sections of timber posts, cladding or architraves
- Replacement of damaged or deteriorated timber, steel or concrete stumps
- Repairs to roof, gutters, downpipes, windows and doors
- Repairs to fencing

Note – Roof replacement is not covered under this General Exemption Certificate. Where roof replacement is proposed to match the existing (i.e., material, profile, finish, dimensions, fixing method) the proposed roof replacement can be applied for by lodging an application with Council for a Heritage Exemption Certificate.

Column 1	Column 2
Development	Conditions
Minor repair, removal, replacement and supplementation of damaged or deteriorated material.	<ul style="list-style-type: none"> • Removal and replacement must only be undertaken when the existing fabric is deteriorated extensively (beyond reasonable repair). • All introduced materials or elements must match the composition, detailing, size, position, finish and fixing method of the damaged or deteriorated material. • Removal of elements is not permitted unless being replaced like-for-like. • In any three-year period, replacement must not exceed 20% of an existing element or feature and is to be supported by keeping records.
Minor structural work or propping to reinforce defective structural elements.	<ul style="list-style-type: none"> • Replacement of defective structural elements is only permitted when the elements are beyond reasonable repair, and replacement matches the existing in material, size, profile and finish. • Propping to reinforce defective structural elements must only add to and must not remove or modify existing structural elements. • Propping must be carried out in concealed or unobtrusive areas.
Replacement of damaged or deteriorated timber, steel or concrete stumps.	<ul style="list-style-type: none"> • Replacement stumps must match the existing or must match the original stumps used when the place was first constructed. Matching includes material, size (dimensions), profile, location and height. • Existing ant caps, tie down and bracing members must be reused where practical. • Additional structural elements fixed to the existing building structure are only permitted in concealed locations. • Removal of existing brick or stone subfloor structural elements (e.g., footings, fireplaces) is not permitted. • New footings are permitted provided they do not extend above the surrounding ground level. • Structures may be re-levelled but must not otherwise be raised or lowered in relation to the existing ground levels.
Fencing	<ul style="list-style-type: none"> • Removal of fences that have cultural heritage significance is not permitted. • Fences that have cultural heritage significance may be repaired to match the existing in composition, detailing, size, location, material, profile, height and fixing method.

Table 2 – Services

Repairing or upgrading existing services or installing new services helps to keep local heritage places functional and operational. It is important that services are installed in unobtrusive locations, do not remove or damage significant features, or compromise the aesthetic values or setting of the place. Some examples of services are provided below:

- Upgrading air conditioning systems
- Rewiring and repairs of electrical components
- Replacing or upgrading cabling for services
- Installing other services (e.g., water tanks, hot water systems, satellite dishes, fire services, security cameras, lighting, access equipment, meter boxes)

Column 1	Column 2
Development	Conditions
Maintenance, upgrade, and installation of services.	<ul style="list-style-type: none"> • New equipment and service lines must not be visible from the street. • Install new fittings / equipment in unobtrusive locations. • Installation of new wiring in concealed locations is permitted but the method of concealment must not be visually intrusive. • Unless in a concealed location, new equipment finishes and colour must match the adjacent surfaces. • Removal or damage to original or significant building materials, features and fixtures is not permitted. • Chasing is only permitted in surfaces that can be rectified to match the existing finish, such as smooth render or plaster (not permitted in unpainted or unrendered brickwork or stonework). • New ductwork must be installed in unobtrusive locations. • Installation of window box / wall air conditioners is not permitted. • Split air conditioning systems must not be located on prominent elevations and must not be visible from the street.

Table 3 - Interior Alterations

Alterations to the interior of a local heritage place allow buildings to be adapted to accommodate new uses and the changing needs of occupants. Some examples of internal alterations include:

- Replacing a non-significant shop, office, kitchen or bathroom fitout.
- Replacing or installing new shelving in storage areas.

Column 1	Column 2
Development	Conditions
Changes to non-significant internal fit-outs	<ul style="list-style-type: none"> • Works are carried out to internal parts of a building only (e.g., internal fit-outs) and must not: <ul style="list-style-type: none"> - alter, remove or cause damage to load bearing or structural elements; - result in changes to the exterior of the building, including altering or concealing windows and doors; - result in physical damage or removal of original or significant building elements, features, and fixtures; - have a detrimental impact on the aesthetic values of a place or its cultural heritage significance.
Installation of lightweight partitions to building interiors	<ul style="list-style-type: none"> • Partition locations must not compromise the layout and arrangement of original spaces and must not disrupt door or window openings. • Partitions must: <ul style="list-style-type: none"> - be lightweight and easily reversible; - not affect the structural integrity of the building - not cover, damage or remove original or significant elements, materials, linings, fixtures and features; - use minimum fixings necessary.

Table 4 – Pruning of significant trees and vegetation

Some trees and vegetation are considered significant features of a local heritage place, generally included within the physical description and / or statements of significance of the local heritage place cards in [Schedule 6.2 – Planning Scheme Policy for Heritage and Neighbourhood Character](#).

For example, significant trees and vegetation may have been planted by, or be associated with, a person or persons who are important to the history of the local heritage place. They may also contribute to the aesthetic value and setting of the place.

Regular maintenance helps keep significant vegetation in good health. It can also assist with monitoring issues as they arise.

Column 1	Column 2
Development	Conditions
Pruning of trees to control size, shape, flowering and fruiting, and to remove dangerous, diseased or dead vegetation.	<ul style="list-style-type: none"> Pruning must not adversely affect the health of the tree and must be carried out in accordance with <i>Australian Standard Pruning and Amenity of Trees AS4373</i>. No more than 20% of a tree canopy may be removed in any two-year period.

Note – Tree removal is not covered under this General Exemption Certificate. Proposed works to remove a significant tree on a local heritage place can be applied for by lodging an application with Council for a Heritage Exemption Certificate. This application is required to be accompanied by a formal written report assessing the health or hazardous nature of the tree prepared by an Australian Qualification Framework (AQF) Level 5 arborist and is to include a detailed analysis of the tree, viability of alternative options to retain the tree, and nominated species, if replacement is recommended. Where the removed tree has cultural heritage significance or is original to the place, the removed tree must be replaced with an advanced tree of the same species and cultivar.

6.0 Further Advice

This section provides further guidance for undertaking certain types of development on a local heritage place. These works fall outside of the scope of this *General Exemption Certificate*.

Painting

Painting of a local heritage place is not considered building work under the *Planning Act 2016*.

As best practice guidance, proposed works to touch up or repaint a local heritage place should utilise a colour scheme which:

- matches the existing colour scheme;
- matches the original colour scheme; or
- adopts a colour scheme appropriate for the architectural period of the building.

While painting a local heritage place is not assessable development under the planning scheme, Council's Regional Growth & Development Team is more than happy to provide feedback on any proposed colour scheme.

Advertising devices (signage)

Council regulates signage (advertising devices) through the [Advertising devices code](#) of the planning scheme. The planning scheme makes certain types of low-scale signage accepted development subject to requirements which means that if the sign type can comply with the Acceptable Outcomes of the Advertising devices code, the proposed sign will not require an operational works development application to be lodged with Council.

Larger scale or visually obtrusive sign types such as third-party advertising devices, above awning signs, projecting signs and roof signs are assessable development, requiring a development application to be lodged with Council providing assessment against the Advertising devices code. Where located on a local heritage place, these sign types also require assessment against the Heritage and neighbourhood character overlay code which requires that the signage be sited and designed in a manner that is compatible with the cultural heritage significance of the place and does not obscure the appearance or prominence of the place when viewed from the street or public places.

If you are looking to install signage on a local heritage place, please contact a duty planner within Council's Regional Growth & Development team (1300 883 699 or duty.planner@bundaberg.qld.gov.au) who can provide feedback in relation to signage design and any assessment requirements.

As best practice guidance, the placement of signage on a local heritage place:

- Should not alter the form of the building or obscure significant features or details of the place;
- Should not be roof mounted;
- Should not obscure views to or from the local heritage place
- Should be easily removable;
- Should not be illuminated or moving;
- Should not be painted directly onto significant fabric.

Some examples of signage on a local heritage place can include window lettering at street level, awning fascia signage contained within the outline of the fascia, freestanding signage in a landscaped environment, or interpretive / educational signage. The best signage will depend on the individual context of your local heritage place.

Council also regulates other advertising devices such as portable signs and temporary signs through [Subordinate Local Law No. 1.4 \(Installation of Advertising Devices\) 2011](#).