



PLANNING SCHEME Information sheet

Heritage Places

This information sheet outlines details regarding development within or adjacent to a Local Heritage Place or in proximity to a State Heritage Place.

What is Heritage?

Heritage reflected in the planning scheme broadly includes valued places, features, objects and qualities associated with sites, landscapes, buildings, structures and their setting. Particular focus is often given to heritage associated with things from the past that are significant to people in the present and which should therefore be conserved.

¹Generally, development on a Queensland Heritage Place as defined in the Queensland Heritage Act 1992 is made assessable under legislation. It is important that current legislation is checked to confirm whether an application involving assessment by relevant departments of the State of Queensland is needed. There are some circumstances where exemptions for specific development may apply.

The Queensland Heritage Register does not include places of indigenous cultural heritage unless the place has an overlap of indigenous and non-indigenous significance. Places of indigenous cultural heritage are managed and protected separately under the Aboriginal Cultural Heritage Act 2003 and the Torres Strait Islander Cultural Heritage Act 2003. These Acts require anyone who carries out a land use activity to exercise a duty of care. Land users should consult the duty of care guidelines before undertaking a land-use activity.

Local Heritage Places. Have they changed?

The identified Local Heritage Places have been derived from the 103 listings contained in the Livingstone Shire Planning Scheme 2005. The local heritage places and the triggers associated with development on or adjacent to a listed place have changed significantly, with provisions now tailored for the specific features listed rather than a one size fits all approach.

The local heritage places are shown on Overlay Maps contained within Schedule 2 of the planning scheme.

State Heritage Places in Livingstone Shire

The planning scheme identifies State Heritage Places of significance. The State Heritage Places are mapped in Schedule 2. These places come from the Queensland Heritage Register. Development adjacent to a State Heritage Place may trigger a development application under the planning scheme.

These places are significant for the State of Queensland and they have been determined based on criteria prescribed in the Queensland Heritage Act 1992. The State Heritage Places contribute significantly to the understanding of the wider pattern and evolution of Queensland's history and heritage.

Note: A Local Heritage Register Planning Scheme Policy provides guidance on the criteria and process for entering or removing a heritage place listed in the Livingstone Shire Council Local Heritage Register.



Mount Jim Crow



Raspberry Creek Homestead



Saint Christopher's Chapel Nerimbera

Do I need to make an application for development within or adjacent to an identified heritage place?

Development proposed at or in proximity to an identified heritage place may trigger a development application under the planning scheme. The Tables of Assessment contained within Part 5 of the planning scheme in combination with the overlay maps will specify if an application is needed. If a development proposal satisfies the circumstances which require that a development application be made to Council, then for heritage related matters, an assessment will be made in relation to how the development proposal performs against the assessment criteria of the Local Heritage Place overlay code.

What is the purpose of the Heritage Place Overlay code?

The purpose of the Local Heritage Place overlay code is to ensure that development undertaken at a heritage place or at locations which may have an impact on a heritage place, retain the significance of the place.

A proposal that fails to properly take account of the significance of the heritage place would most likely be assessed as not complying with the Local Heritage Place overlay code. Council can refuse a development proposal or impose conditions if it is considered that the conditions will be suitable for ensuring that the proposed development does not destroy or impact on the significance of the place.



Disclaimer: The content of this information sheet is a summary and has been prepared to assist the reader to understand the Planning Scheme. This advice given does not bind or fetter the Council in any way in exercising its statutory responsibilities in assessing any development application which might be made to the Council. Please refer to the full Livingstone Planning Scheme 2018 document on Council's website for further detail.