

APPLICATION FOR ASSESSMENT OF MINOR WORKS ON HERITAGE ITEMS *(including change of use assessment)*

1. APPLICANT'S INFORMATION

Name

Company/Organisation (if applicable)

Street Address/Postal Address

Town/Locality

Postcode

Email Address

Telephone

Mobile

2. PROPERTY INFORMATION

Property Street Address

Lot and DP Number (if known)

Town/Locality

Postcode

Is the item identified under Schedule 5 of Council's Local Environmental Plan as a:

Heritage Item

and/or

Archaeological Item (PMQ CBD area only)

Note: Please see Item 5 below for further information.

Has the proposal previously been discussed with Council's Community Development Officer (Heritage & Culture) and/or Council's Heritage Advisor?

Yes

No

3. DESCRIPTION OF PROPOSED WORKS & ADDITIONAL INFORMATION

Detailed submission accurately and comprehensively describing proposed works (note: can be in dot-point format etc). **Determine the Application's supporting information needs by discussing the proposal with the Council's Heritage Advisor**

Plans

Floor plan

Elevation plan

Proposed works plan

Photos

Colour Samples

Material Samples

Product Brochures

Other (please specify)

Please ensure the above items (where appropriate) are submitted with this application form.

4. SIGNATURE OF PROPERTY OWNER

All owners must sign this consent. If property ownership has recently been transferred, please also provide evidence of the transfer.

As the owner/s of the above property, I/we consent to the lodgement of this Application.

I/we permit officers of Council to enter the land to carry out inspections as required for the assessment of this application and will provide access where required.

Owner's Name/s

Signature/s

Date

5. GENERAL INFORMATION RELATING TO HERITAGE ITEMS AND ARCHAEOLOGICAL ITEMS:

What is a Heritage Item?

A Heritage Item is a building, work, place, relic, tree, object and/or archaeological site, (including Aboriginal items) as specified in Council's heritage inventory. A list of heritage items can be found under Schedule 5 of the *Port Macquarie Hastings Council Local Environmental Plan 2011* (hereby referred to as the 'LEP'). Items listed under Schedule 5 are also listed on the NSW Office of Environment & Heritage website.

How do I know if my property is heritage listed?

To confirm whether your property is listed under Schedule 5 of Council's LEP please go to: <http://www.legislation.nsw.gov.au/maintop/view/inforce/epi+84+2011+cd+0+N> Use the left hand side panel of this webpage to scroll down to 'Schedule 5 - Environmental Heritage'.

You can also search the NSW online heritage database at www.heritage.nsw.gov.au

You can also contact Council's Duty Planner on (02) 65818111 from 8.30am - 1pm, Mon - Thurs.

What happens when my property is heritage listed and I wish to undertake development?

Clause 5.10 of Council's LEP requires owners/developers of heritage listed properties (including Archaeological sites) to consult with Council before carrying out any works (including change of use development). In many cases an approval will be required to be issued by Council under Clause 5.10 prior to any works or uses being undertaken on the heritage listed item/site.

However Subclause (3) of Clause 5.10 provides owners/developers of Heritage properties the scope to carry out works without council consent if the proposed development is of a **MINOR** nature. The owner/developer will need to complete this form and submit it to Council for assessment. Council will then provide written advice to confirm whether the proposed development can proceed.

6. WHEN IS COUNCIL CONSENT NOT REQUIRED?

Council consent is not required when:

(The following is taken from subclause (3) of Clause 5.10 of Council's LEP):

(a) the applicant has notified the consent authority (Council) of the proposed development (*via completing and submitting this form*) and the consent authority has advised the applicant in writing (before any work is carried out) that it is satisfied that the proposed development:

(i) is of a minor nature *or* is for the repair or maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or archaeological site or a building, work, relic, tree or place within the heritage conservation area, and

(ii) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place, archaeological site or heritage conservation area, or

(b) the development is in a cemetery or burial ground and the proposed development:

(i) is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or repairing monuments or grave markers, and

(ii) would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to an Aboriginal place of heritage significance, or

(c) the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or

(d) the development is exempt development (see below for further information).

MINOR WORKS:

Minor works can be considered to be works which will result in the alteration of a heritage item but which will not adversely affect the heritage significance of the item. (note: the development must also not result in a development which is inconsistent with any specific conditions of a previous approval, please check with Council to confirm).

Minor works may include:

- Painting which does not involve the disturbance or removal of earlier paint layers other than that which has failed by chalking, flaking, peeling or blistering. Such painting may require over-coating with an appropriate surface as an isolating layer to provide a means of protection for significant earlier layers or to provide a stable basis for repainting. Any painting must employ the same colour scheme and paint type as an earlier scheme if they are appropriate to the substrate and do not endanger the survival of earlier paint layers.
- The construction or installation of new fabric or services which does not result in the alteration or removal of fabric or items of heritage significance.
- The new use does not involve the cessation of the primary use for which the building was erected, (including a later significant use or the loss of significant associations with the item by current users).
- Alterations or additions to buildings, structures or sites which have been constructed or added which do not strictly form part of the listed item.
- The construction, installation, alteration or removal of new fabric or services which does not negatively affect (detract from) the desired external appearance of the item when viewed from a public space.
- The temporary use of a site which meets the provisions of Clause 2.8 of Council's LEP. Any structure or use which is deemed to be a 'temporary' use must not result in any structure or use which located where it could damage or endanger significant fabric (including landscape or archaeological features) or obstruct significant views of and from heritage items. The display or erection of signage for the promotion of a temporary use of the site (which is displayed only whilst the 'temporary' use is being undertaken) which will not adversely affect significant fabric including landscape or archaeological features or obstruct significant views of and from heritage items.
- The erection of non-illuminated signage for the sole purpose of providing information to assist in the interpretation of the heritage significance of the item and which will not adversely affect significant fabric including landscape or archaeological features or obstruct significant views of and from heritage items.
- The pruning of trees and/or the removal of dead or dying trees.
- The erection of temporary security fencing, scaffolding, hoardings or surveillance systems to prevent unauthorised access or secure public safety which will not adversely affect significant fabric of the item including landscape or archaeological features of its curtilage. Or development, including emergency stabilisation, necessary to secure safety where a building or work or part of a building or work is damaged or destabilised and poses a safety risk to its users or the public.



A person proposing to do anything of the kind described above must write to the Council (via completing and submitting this form) and describe the proposed activity. If the Council is satisfied that the proposed activity meets the criteria set out above, the Council shall notify the applicant in writing that the development may proceed (in accordance with the recommendations, requirements and/or conditions of Council's written advice).

Council will assess applications for minor works on heritage items on a monthly basis in consultation with Council's Heritage Advisor.

Minor works shall only be considered in accordance with the above table when significant fabric is not damaged, moved, removed, disturbed or altered. In all cases, the damage or removal of significant fabric is not permitted without approval via a Development Application (DA) to Council.

In many cases the judgement about whether a work is considered minor will require the advice of a person who is suitably experienced in similar heritage conservation projects. Please contact Council's Community Development Officer (Culture & Heritage), Council's Heritage Advisor or the NSW Heritage Council for information and advice.

The following are considered to be 'exempt' from approval, thus they do not require approval under this application or via a Development Application (DA).

REPAIR:

- (a) the *replacement* of services such as cabling, plumbing, wiring and fire services that uses existing service routes, cavities or voids or replaces existing surface mounted services and does not involve damage to or the removal of significant fabric;
- (b) the *repair* (such as refixing and patching) or the replacement of missing, damaged or deteriorated fabric that is beyond further maintenance, which matches the existing fabric in appearance, material and method of affixing and does not involve damage to or the removal of significant fabric.

MAINTENANCE:

- (a) the *maintenance* of an item to retain its condition or operation without the removal of or damage to the existing fabric or the introduction of new materials;
 - *the removal of vegetation and litter from gutters and drainage systems;*
 - *resecuring and tightening fixings of loose elements of building fabric;*
 - *lubricating equipment and services which have moving parts;*
 - *the application of protective coatings such as lime wash, polish, oils, waxes & paint to surfaces which have previously had such coatings applied; and*
 - *cleaning by the removal of surface deposits using methods other than aggressive mechanical or chemical techniques such as high pressure, high temperature or strong solvents which may affect the substrate.*

Please note that maintenance and repair activities carried out on heritage items may qualify for funding via an assistance grant. Please contact Council's Community Development Officer (Culture & Heritage) for more information.



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Further Contact (Advice & Enquiries):

Council's Community Development Officer (Culture & Heritage); Council's Heritage Adviser, Council's Duty Planner (8.30am - 1pm, Mon - Thurs), and; NSW Heritage Council.

COUNCIL: Please contact Council and Council's Heritage Adviser on:

Phone: (02) 6581 8111 Internet: <http://www.pmhc.nsw.gov.au/Home>

Email: council@council.nsw.gov.au

OFFICE OF ENVIRONMENT & HERITAGE: Please contact the NSW Office of Environment & Heritage on:

Phone: (02) 9873 8500 Internet: <http://www.environment.nsw.gov.au/cultureandheritage.htm>

Email: heritage@heritage.nsw.gov.au



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