
4.13.1 Assessment of works of a minor nature for Heritage Items or within Heritage Conservation Areas

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Introduction

The purpose of this procedure is to provide assessment criteria to determine what constitutes 'minor works' and when a development application is required.

Approval is required for development on a heritage item or draft heritage item or heritage conservation area or draft heritage conservation area under State Environmental Planning Policy (Exempt and Complying Development Codes) SEPP (Codes SEPP) unless the work is identified as being of a 'minor nature'. Clause 5.10(3)(a) of Bega Valley Local Environmental Plan 2013 (BVLEP 2013) enables works of a minor nature or maintenance without development consent providing the work would not have a detrimental impact on the heritage significance of the item or area.

Criteria

Works to a heritage item or draft heritage item or heritage conservation area or draft heritage conservation area will be approved under Clause 5.10(3)(a) of BVLEP 2013 as 'works of a minor nature' where:

- All relevant development standards of the Codes SEPP applicable to the type of work are met, and
- The proposed works will not adversely affect the heritage significance of a heritage item or draft heritage item or heritage conservation area or draft heritage conservation area.

When assessing if proposed works will adversely affect the heritage significance of a heritage item or draft heritage item or heritage conservation area or draft heritage conservation area, Council will consider:

- Compatibility and sympathy of the style and materials with the heritage character.
- Visual impact on the heritage item, heritage characteristics or streetscape from the public domain.
- Compatibility of the scale of work with the building or its setting.
- Impact on a significant garden or landscape setting.
- Retention of the integrity and dominance of the front façade of the building including windows and doors.
- Retention of external building finishes that contribute to a place's heritage value.
- Other matters that Council considered may impact on the items heritage value.

Assessment

Persons planning to undertake works to a heritage item or draft heritage item or heritage conservation area or draft heritage conservation area are encouraged to seek preliminary advice from Council's planning staff prior to lodging an application for works of a minor nature.

Applications for works of a minor nature must be made in writing by completing and submitting a 'Works of a minor nature application form' describing the proposed works.

Where possible, applications for works of a minor nature will be assessed by Council's planning staff. In the event that more detailed professional design or conservation advice is required, the application will be referred to Council's Heritage Advisor. Applications involving building work will also be referred to Council's building services staff.

No fee is payable for an application for works of a minor nature.

Where Council is satisfied that the proposed works meet the criteria for works of a minor nature Council will notify the applicant in writing that the development may proceed (in accordance with the recommendations, requirements and/or conditions of Council's written advice if applicable).

A development application will need to be submitted in the event that an application for works of a minor nature is refused on the grounds that:

- The works are not considered to be of a minor nature, or
- The works would adversely affect the significance of a heritage item or draft heritage item or heritage conservation area or draft heritage conservation area.