

# Heritage works without consent

**Request for development to be considered as exempt from the need for consent under clause 5.10(3) of Ryde Local Environmental Plan 2014.**

## Explanatory note

The best way to conserve heritage items and places in heritage conservation areas is to carry out regular maintenance and repairs. Some types of minor works may also improve the serviceability of the place without negative impacts on heritage significance.

Clause 5.10(3) of *Ryde LEP 2014* stipulates that certain works to a heritage item can be undertaken without development consent under this clause if:

*'the Applicant has notified the consent authority of the proposed development 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 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.'*

Essentially, the purpose of the heritage exemption is to allow Owners of heritage listed properties to undertake certain works without needing approval and in doing so not require unnecessary Development Applications to be made to Council for minor maintenance and repair works.

## What works can be considered as exempt?

Works that have a minor or inconsequential impact on the significance of the heritage item or heritage conservation area may be considered as exempt from requiring further development consent, subject to an assessment by Council's Heritage Advisor.

For example, works may include repainting, minor remedial or cosmetic repairs to fabric (restoration), construction of fencing etc.

However, a heritage exemption will not be granted for the demolition or erection of a building or structure, change of use, or removal of trees (that do not pose an imminent risk to life or property).

## How to apply

If you believe your proposed works are of a minor nature and meets the requirements of clause 5.10(3) of *Ryde LEP 2014*, you need to complete and return the application form.

There is no prescribed fee for this request.

The application should be accompanied by the following information:

- Owners consent.
- Photographs identifying the location of the proposed works.
- A statement describing the proposed works (this should include an itemised list of the proposed works and methodology for undertaking the works (i.e. listing the procedures to be undertaken)
- Technical details and specifications (i.e. material samples, mortar mix ratios, or a colour schedule).

Council may request additional information to assist in the assessment of your application.

If Council is satisfied that the proposed works will have a minor or inconsequential impact on the significance of the heritage item or heritage conservation area, Council will provide written confirmation that the works do not require development consent.

Works cannot commence until Council has issued the written confirmation endorsing the heritage exemption.

Please note that Council will not consider retrospective applications for works that have already been commenced or completed.

If you have further questions, please contact Council's Heritage Advisor on 9952 8321.

**Section 1 Applicant details**

Name: .....  
Postal address: .....  
Suburb ..... State ..... P/Code .....  
Email address: .....  
Contact Nos: Mobile: ..... Work ..... Home .....

**Section 2 Property Details**

Lot: ..... Deposited Plan/Strata Plan: .....  
Parcel No: .....  
No: ..... Street .....  
Suburb: .....  
Property Name: .....  
Owner/s: .....

**Section 3 Statement describing the proposed works**

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**Section 4 Owner/s Signature**

I/We declare that the information given is true and correct and understand that if the information is incomplete, the application may be delayed, rejected or further information requested.

I/We understand that the works must not be commenced or completed unless a heritage exemption is given by Council.

| Name (print names) | Signature | Date  |
|--------------------|-----------|-------|
| .....              | .....     | ..... |
| .....              | .....     | ..... |