



Narrromine

SHIRE COUNCIL

Financial Assistance for Heritage Conservation Policy

DRAFT

DOCUMENT VERSION CONTROL

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FINANCIAL ASSISTANCE FOR HERITAGE CONSERVATION POLICY

POLICY NAME: Narromine Shire Council Financial Assistance for Heritage Conservation Policy

COUNCIL ADOPTION: 12 September 2018

RELEVANT LEGISLATION: Section 356 (2) Local Government Act 1993

RELATED POLICIES/DOCUMENTS:

- Department of Local Government (now Office of Local Government) Circular to Councils 06-32 dated 18 May 2006
- NSW Heritage Office Local Government Guidelines 2002

1. INTRODUCTION

1.1 Title and Commencement

This policy is titled *Financial Assistance for Heritage Conservation Policy*. This policy (previously titled Heritage Fee Reduction Policy) was first adopted by Council on 14 May 2014.

1.2 Purpose of the Policy

The purpose of the policy is to provide assistance for owners of properties subject to statutory heritage listings by reducing the cost of lodging development applications.

The purpose of this policy is to provide guidelines for consideration of financial assistance requests.

The reimbursement of development application fees, which are statutory charges, is considered 'financial assistance' in terms of Section 356 of the Local Government Act 1993. Therefore, applications for heritage related financial assistance will require Council resolution.

1.3 Objectives and Coverage of the Policy

The objectives of the Financial Assistance for Heritage Conservation Policy are to:

- provide conservation incentives for owners of heritage properties through financial assistance through reimbursement of development application fees.
- encourage investment of savings from the refund to be put towards the cost of any conservation work completed by an owner of a heritage property and thus provide a conservation incentive.

1.4 Definitions

For the purpose of this policy:

“Conservation work” means the restoration of the fabric of a heritage item or property within a heritage conservation area and its setting.

2. POLICY STATEMENT

2.1 Eligibility

This heritage incentive is offered to owners of privately owned residential and commercial properties that are listed as Heritage Items or are within Heritage Conservation Areas listed under Schedule 5 Environmental Heritage of the Narromine Local Environmental Plan 2011.

Government owned properties have been excluded from a reimbursement of DA fees as they are rate exempt or have access to other financial assistance.

2.2 Funding Limits

A reimbursement of development application fees for conservation work will be given provided the following requirements are complied with:

- The development relates to a privately owned property listed as a Heritage Item or is within a Conservation Area under Schedule 5 of the Narromine Local Environmental Plan 2011;
- The development involves conservation work as all or part of the application;
- A development application has been approved for the conservation work;
- The conservation work has been completed in accordance with the development consent and any conditions of development consent;

- An inspection to ensure the conservation work has been completed has been undertaken by a Council Officer;
- Copies of receipts received by the applicant for work undertaken (including any labour and material costs) have been supplied to Council;
- Where the conservation work costs less than the development application fee, the amount refunded will be for the cost of the conservation work only; and
- The reimbursement of fees is to be limited to that part of the development directly associated with the conservation work. Please refer to table 3.1 for examples.

Table 3.1 – % Reimbursement of DA fees for conservation work

Total Development Cost	Development Cost Involving Conservation Work	Percentage of Reimbursement of DA Fees (not total development cost)
\$10,000	\$5,000	50%
\$100,000	\$25,000	25%
\$200,000	\$20,000	10%
\$250,000	\$10,000	4%

The percentage of the reimbursement of fees is equivalent to the proportion of the cost of works involving conservation to the total development costs.

3. Approval Process

3.1 Legislative Requirements

The reimbursement of development application fees, which are statutory charges, is considered 'financial assistance' in terms of Section 356 of the Local Government Act 1993. Therefore, applications for fee reimbursement will require Council resolution. The application will be notified to Council and require approval by Council resolution. Section 377 (1) of the Local Government Act 1993 requires that applications to provide financial assistance must be resolved by Council.

3.2 The Application Process

The process of applying is as follows:

- i) An applicant approaches Council for guidance on conservation and redevelopment of a heritage item/site;
- ii) Inspection by staff and/or an appointed Heritage Adviser at the development site held to determine scope of works and required information (pre-lodgement meeting);
- iii) Development application lodged with Council including a heritage management document, cost estimate of conservation works as well as total development cost;
- iv) If approval is given, the applicant carried out the work in compliance with all conditions of development consent;
- v) Post development, the applicant provides a written request or form “Application for reimbursement of a heritage DA fee” and includes information to support the cost estimate of the conservation work;
- vi) A report is prepared for the next available meeting of Council and a determination is made on the application, and;
- vii) Council notifies the applicant of its decision and, if approved by Council, the refund amount is paid.

3.3 When Consent is not Required

In addition to the above, certain works and activities do not require a Development Application (see Subclause 5.10(3) of Narromine LEP 2011).

In this instance, this policy does not apply as there are no development application fees to reimburse.

3.4 Privacy

Narromine Shire Council collects information for the purposes stated on this Policy. Applications for fee reduction will require a public report to Council, which will include such information as the name of the applicant, the relevant development and the total amount of the fee reduction. Information included will be stored on the relevant Council file and may be accessible by requests for information under the GIPA Act. Council records are disposed in accordance with the General Authority for Local Government Records (GA39).