

# Heritage Fee Reduction Policy

As at 6 December  
2006



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# POLICY

<b>TITLE</b>	<b>Heritage Fee Reduction Policy</b>		
<b>DATE ADOPTED</b>	6 December 2006	<b>MINUTE</b>	256/06
<b>REVISED</b>	n/a	<b>REVIEW</b>	2010
<b>RECORD</b>	D/W no: 217314		
<b>ASSOCIATED LEGISLATION</b>	Section 356 (2) Local Government Act 1993		
<b>ASSOCIATED POLICIES</b>	<ul style="list-style-type: none"><li>• Department of Local Government Circular to Councils 06-32 dated 18 May 2006</li><li>• NSW Heritage Office Local Government Guidelines</li></ul>		

## 1.0 Introduction

### 1.1 Title and Commencement

This policy is titled *Heritage Fee Reduction Policy*. This policy was adopted on 6 December 2006 by Council resolution (minute 256/06). The following amendments have been made.

Date	Type	Minute
6 December 2006	Adoption	256/06

### 1.2 Background and Purpose of 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 reduction or waiving of development applications fees.

The reduction of development application, which are statutory charges, is considered 'financial assistance' in terms of Section 356 (2) of the Local Government Act 1993. Therefore, applications for fee reduction will require Council resolution.

### 1.3 Objectives of the policy

The objectives of the Heritage Fee Reduction Policy are to:

- provide conservation incentives for owners of heritage properties through reduction 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.

## 2.0 Policy Statement

### 2.1 Eligibility

This heritage incentive is offered to owners of privately owned residential properties that are listed as Heritage Items or are within Heritage Conservation Areas under the Strathfield Planning Scheme Ordinance.

Government owned properties have been excluded from a refund of DA fees as they are rate exempt or have access to other financial assistance. Commercial properties have also been excluded as it is considered inappropriate for Council to provide financial assistance to a commercial business/enterprise.

### 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 is proposed on a privately owned residential property listed as a Heritage Item or is within a Heritage Conservation Area under the Strathfield Planning Scheme Ordinance;
- The proposed development involves conservation work;
- A development application has been approved for the proposed 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

<b>Total Development Cost</b>	<b>Development Involving Conservation Work</b>	<b>Percentage of Reimbursement of DA Fees (not total development cost)</b>
\$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.

## **2.3 Approval Process**

The reduction of development application, which are statutory charges, is considered 'financial assistance' in terms of Section 356 (2) of the Local Government Act 1993. Therefore, applications for fee reduction will require Council resolution. The application for fee reduction 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.

## **2.4 Exempt Development**

In addition to the above, certain works and activities do not normally require a development application. These are defined as 'Exempt Development' under the Strathfield Planning Scheme Ordinance. However, due to the sensitivity of some works on heritage properties, such exemptions exclude heritage items or properties in heritage conservation areas and therefore a development application is required to be submitted.

Where such works are proposed and which require a development application, development application fees will not be imposed by Council. Council does not consider this to be financial assistance as outlined in the Local Government Act, as the objective of exempt development, specified in planning legislation, does not require lodgement or payment of development application fees for specified exempt development.