



Minor Works/Maintenance to a Heritage Item or Works within a Heritage Conservation Area

| PROPERTY DETAILS | | |
|--|---------------------|---------------------|
| House No | Street/Road Name | |
| Town/Village | | |
| Lot/s | Section | Deposited Plan (DP) |
| APPLICANT/OWNER DETAILS | | |
| Name | | |
| Postal Address | | |
| Town | State | Postcode |
| Telephone No. | Mobile Phone No. | |
| Email | Applicant Reference | |
| Applicant/Owner/s Signature | Date | |
| WOULD YOU LIKE TO CORRESPOND WITH COUNCIL ELECTRONICALLY? | | |
| <p>Note: <i>If you choose to correspond with Council electronically, all future correspondence post-lodgement will be via the e-mail address you provide and no hard copy documentation will be sent to you.</i></p> <p><i>I hereby give consent to receive all correspondence provided for this application by electronic communication.</i></p> <p> <input type="checkbox"/> Yes <input type="checkbox"/> No </p> <p>Email Address: _____</p> | | |
| DESCRIPTION OF PROPOSAL | | |
| <p><i>(please provide written detail of works proposed and attach any relevant photos, plans or colour schemes – if applicable)</i></p> | | |
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IS THE PROPERTY LISTED AS A HERITAGE ITEM IN SCHEDULE 5 OF THE TENTERFIELD LOCAL ENVIRONMENTAL PLAN 2013 (LEP)

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|---|----------|
| <input type="checkbox"/> No <input type="checkbox"/> Yes → Give Details | Item No. |
|---|----------|

IS THE PROPERTY IN A HERITAGE CONSERVATION AREA AS OUTLINED IN THE TENTERFIELD LOCAL ENVIRONMENTAL PLAN 2013 (LEP)

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|---|--|
| <input type="checkbox"/> No <input type="checkbox"/> Yes → Give Details | Railway Precinct Showground Precinct Tenterfield Centre Heritage Conservation Area |
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CURRENT USE OF THE SITE

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KNOWN HISTORY OF SITE

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PRIVACY NOTIFICATION

Personal and private information supplied to Council is managed in compliance with the Privacy and Personal Information Protection Act 1998. The supply of this information is not voluntary, as it is required by law in order to process your application/request. The intended recipients of the personal information are Officers within the Council, agents/contractor of the Council, and other statutory authorities. You may apply for access or amendment to your personal information held by Council. You may also request that Council suppresses your personal information from a public register. If you have any further enquiries concerning this matter, contact Council on (02) 6736 6000, or the Information and Privacy Commission 1800 472679 or email <mailto:ipcinfo@ipc.nsw.gov.au> or the website www.ipc.nsw.gov.au.

The personal information collected on this form is personal information for the purposes of the Privacy and Personal Information Protection Act 1998 (PPIPA). Tenterfield Shire Council (TSC) will only use this information in accordance with the PPIPA.

HOW TO LODGE YOUR APPLICATION

| | | |
|--|---|---|
| Address the application to Council's Senior Planner Tenterfield Shire Council PO Box 214 TENTERFIELD NSW 2372 Lodge in person (between 9am – 4.30pm) at Council's Administration Building | Tenterfield Shire Council 247 Rouse Street TENTERFIELD NSW 2372 Office Hours 8.30am to 5pm Monday to Friday How to Contact Council | Phone: (02) 6736 6000 council@tenterfield.nsw.gov.au www.tenterfield.nsw.gov.au |
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No fees are applicable to this application

APPENDIX 1 Heritage Provisions

Tenterfield Local Environmental Plan 2013 --- Clause 5.10

Note. Heritage items (if any) are listed and described In Schedule 5. Heritage conservation areas (if any) are shown on the Heritage Map as well as being described in Schedule 5.

(1) Objectives

The objectives of this clause are as follows:

- (a) to conserve the environmental heritage of Tenterfield,
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,
- (c) to conserve archaeological sites,
- (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.

(2) Requirement for consent

Development consent is required for any of the following:

- (a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance):
 - (i) a heritage item,
 - (ii) an Aboriginal object,
 - (iii) a building, work, relic or tree within a heritage conservation area,
- (b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,
- (c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,
- (d) disturbing or excavating an Aboriginal place of heritage significance,
- (e) erecting a building on land:
 - (i) on which a heritage item is located or that is within a heritage conservation area, or
 - (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,
- (f) subdividing land:
 - (i) on which a heritage item is located or that is within a heritage conservation area, or
 - (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.

(3) When consent not required

However, development consent under this clause is not required if:

- (a) 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, 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.

(4) Effect of proposed development on heritage significance

The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).

(5) Heritage assessment

The consent authority may, before granting consent to any development:

- (a) on land on which a heritage item is located, or
- (b) on land that is within a heritage conservation area, or
- (c) on land that is within the vicinity of land referred to in paragraph (a) or (b),

require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

(6) Heritage conservation management plans

The consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.

(7) Archaeological sites

The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the *Heritage Act 1977* applies):

- (a) notify the Heritage Council of its intention to grant consent, and
- (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.

(8) Aboriginal places of heritage significance

The consent authority must, before granting consent under this clause to the carrying out of development in an Aboriginal place of heritage significance:

- (a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and
- (b) notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into consideration any response received within 28 days after the notice is sent.

(9) Demolition of nominated State heritage items

The consent authority must, before granting consent under this clause for the demolition of a nominated State heritage item:

- (a) notify the Heritage Council about the application, and
- (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.

(10) Conservation incentives

The consent authority may grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected, or for any purpose on an Aboriginal place of heritage significance, even though development for that purpose would otherwise not be allowed by this Plan, if the consent authority is satisfied that:

- (a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and
- (b) the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and
- (c) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and
- (d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and
- (e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.