

Interim Minor Nature Maintenance and Repair Works of Heritage Items Policy



RESPECT



INNOVATION



INTEGRITY



TEAMWORK



EXCELLENCE

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|------------------------------|----------------------------|
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Interim Minor Maintenance and Repair Works of Heritage Items Policy

1.0 Purpose

The purpose of this interim Policy is to identify minor maintenance and repair works associated with heritage items, Aboriginal objects, Aboriginal places, archaeological sites or heritage conservation areas which may be carried out without the need to obtain development consent.

2.0 Objectives

The objectives of this policy are:

- to conserve the environmental heritage of Kiama,
- to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,
- to conserve archaeological sites,
- to conserve Aboriginal objects and Aboriginal places of heritage significance.

3.0 Scope

This Policy applies to land within the Kiama Municipality that is:

- (a) on which a heritage item is located, or
- (b) within a heritage conservation area.

4.0 Definitions

For the purpose of this document the following definitions apply:

| Term | Definition |
|----------------------------|--|
| Heritage Conservation Area | An area of land of heritage significance— (a) shown on the Heritage Map as a heritage conservation area, and (b) the location and nature of which is described in Schedule 5 of the Kiama Local Environmental Plan (LEP) 2011, and includes any heritage items situated on or within that area. |
| Heritage Item | A building, work, place, relic, tree, object or archaeological site the location and nature of which is described in Schedule 5 of the Kiama LEP 2011. |
| Maintenance | Ongoing protective care, but does not include the removal or disturbance of existing fabric, alterations (such as carrying out extensions or additions) or the introduction of new materials or technology. |

5.0 Policy

The [State Environmental Planning Policy \(Exempt and Complying Development Codes\) 2008](#) (SEPP Codes) lists a number of different developments that can be carried out without development consent (i.e. exempt development). The SEPP Codes includes development standards that must be adhered to in order to be considered exempt development.

In most circumstances exempt development cannot be carried out on properties that are listed as heritage items or areas and development consent is required.

[Clause 5.10\(3\)](#) of the *Kiama Local Environmental Plan (LEP) 2011* outlines that development consent is not required for works of a minor nature or for the maintenance of the heritage item.

The following maintenance and repair works are considered to be of a minor nature:

- Painting of the internal walls and ceiling of a building;
- Tightening of fixtures to ensure such fixtures are securely held in place;
- Re-hinging doors and gates;
- Replacing broken windows, fly screens etc;
- Minor repairs to any brickwork, metal work or roofing;
- Other general maintenance work where no or minimal new fabric is required;
- Pest control measures;
- Repainting of external walls;
- Internal alterations that do not affect the structural components of a building or significant detailing;
- Conservation works being undertaken in accordance with an approved Conservation Plan; and
- Minor external structures, particularly when not visible from the street and where consistent with the controls and guidelines outlined in all relevant sections of the [Kiama Development Control Plan 2020](#), such as:
 - fencing,
 - mailboxes,
 - antennas,
 - water-tanks,
 - garden sheds etc.

It is generally likely that these types of maintenance and repair works would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place, archaeological site or heritage conservation area.

Any request to undertake minor maintenance and repair works on a heritage item/area, under clause 5.10 of the LEP 2011, must be done using Council’s ‘Request to undertake minor maintenance and repair works on a heritage item/area’ form.

Only works that would otherwise be exempt development, under the provisions of any environmental planning instrument, from consent requirements but for the heritage listing can be considered under this procedure.

Requests will be considered on a case by case basis. Minor development appropriate without approval for one heritage property may not be considered minor for another due to the varying circumstances of the listing such as the significance of the heritage item and the potential impact of the works upon the particular listed item or the affect upon a group of buildings within a heritage conservation area.

6.0 Document control

| Date reviewed | Date adopted | Amendment |
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