

HERITAGE POLICIES



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**FLEXIBLE APPLICATION OF STATUTORY REQUIREMENTS FOR BUILDINGS
CONTAINED WITHIN THE CITY'S HERITAGE LIST POLICY..... Page 4**

REFUND OF PLANNING AND BUILDING FEES POLICY

Responsible Division	Planning and Development Services
Responsible Business Unit/s	Planning Services
Responsible Officer	Planning Manager
Affected Business Unit/s	Planning Services



PURPOSE:

To refund relevant planning and building fees for developments that propose to conserve or improve the heritage aspects of a building.

INTRODUCTION:

1. The City of Bayswater has adopted a Municipal Inventory of Heritage Places, from which certain buildings have been selected for inclusion on the City's Heritage List under Town Planning Scheme No. 24.
2. Town Planning Scheme No. 23 refers to the Municipal Inventory of Heritage Places and does not require a Scheme List.
3. Buildings contained on the Heritage List, or on the Municipal Inventory of Heritage Places within the area of Town Planning Scheme No. 23, are subject to certain provisions, including:
 - a) Requirement for planning approval for all development and demolition;
 - b) Appropriate conservation measures where necessary; and
 - c) Ability to apply for heritage grants.
4. As a result of being included on a Heritage List, or on the Municipal Inventory of Heritage Places within the area of Town Planning Scheme No. 23, all development requires planning approval.
5. Council has resolved to allow the City to refund planning and building fees in certain circumstances, as outlined in this policy.

POLICY STATEMENT:

1. The City will refund planning application and building fees charged by the City for development in the following circumstances:
 - a) Where the subject building to be retained is more than 50 years old and must be contained on the City's Heritage List of Heritage Places within the area of Town Planning Scheme No. 23 and/or 24.
 - b) Where the applicant/owner proposes development that will enhance or maintain the heritage aspects of a certain building and/or site.
2. The refund of planning and building fees only applies to the standard development (planning) application and building application fees and does not include the following fees:
 - a) BCITF and BRB Levies
 - b) Higher code advertising or other advertising costs.
 - c) Planning Service Fees
 - d) WAPC subdivision, amalgamation and clearance fees.
 - e) Home occupation or Alfresco licence or renewal fees.
 - f) Rezoning fees.

- g) Other fees charged by the City.
- 3. Applicants will be required to pay all fees at the time of application. The City will refund the appropriate planning and building fees where sections 1-2 of this policy are satisfied.
- 4. The refund of fees will be at the sole discretion of the City.

DEFINITIONS:

Nil

RELATED LEGISLATION:

- Clause 2.6 of Town Planning Scheme No 24
- Part 3 of Town Planning Scheme No 23
- Section 14 of Town Planning (Local Government Planning Fees) Regulations 2000
- Section 6.16 of Local Government Act

RELATED DOCUMENTATION:

Nil

Relevant Delegations		
Risk Evaluation		
Council Adoption	Date	24 October 2006
Reviewed / Modified	Date	1 March 2016
Reviewed / Modified	Date	
Reviewed / Modified	Date	

FLEXIBLE APPLICATION OF STATUTORY REQUIREMENTS FOR BUILDINGS CONTAINED WITHIN THE CITY'S HERITAGE LIST POLICY



Responsible Division	Planning and Development Services
Responsible Business Unit/s	Planning Services
Responsible Officer	Planning Manager
Affected Business Unit/s	Planning Services

PURPOSE:

To determine circumstances where Council will allow flexible application of statutory requirements in relation to development of Heritage sites and/or buildings.

INTRODUCTION:

1. The City of Bayswater has adopted a Municipal Inventory of Heritage Places, from which certain buildings have been selected for inclusion on the City's Heritage Lists.
2. Buildings contained on each Heritage List is subject to certain provisions, including:
 - a) Requirement for planning approval for all development and demolition;
 - b) Appropriate conservation measures where necessary; and
 - c) Ability to apply for heritage grants.
3. In order to facilitate development that enhances or maintains the heritage aspects on a certain building and/or site, the City is prepared to consider varying development standards, as per the policy provisions contained below.
4. Residential development is generally controlled by the provisions of the Residential Design Codes 2002, and commercial development is generally controlled by the provisions of the City's Town Planning Schemes.

POLICY STATEMENT:

1. The City will refund planning application and building fees charged by the City for The City will consider the flexible application of Town Planning Scheme and the Residential Design Code requirements in relation to heritage buildings.
2. The provisions of this policy apply to properties contained on the City's Heritage List of Heritage Places within the area of Town Planning Scheme No. 23 and/or 24.
3. The City will consider variations to Scheme and Code requirements to facilitate the retention of a place included in the City's Heritage List. Where such variations are sought, a performance based consideration will be undertaken.
4. The City will consider variations to certain development standards including, but not limited to, the following:
 - a) Minimum lot sizes;
 - b) Average lot sizes;
 - c) Plot Ratio;
 - d) Setbacks;
 - e) Variations to car parking and landscaping; and
 - f) Other development standards.
5. All applications for variations of development standards will be assessed on their merits. Applicants are encouraged to provide sufficient justification to enable consideration of any variations.

DEFINITIONS:

Nil

RELATED LEGISLATION:

- Clause 2.6 of Town Planning Scheme No 24
- Part 3 of Town Planning Scheme No 23

RELATED DOCUMENTATION:

Nil

Relevant Delegations		
Risk Evaluation		
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