

D.12 HERITAGE CONSERVATION AND DESIGN GUIDELINES

12.1 INTRODUCTION

Cessnock's environment has value to us all as links to the past. Heritage items, conservation Areas, archaeological sites and historic artefacts individually and collectively have profound importance. They provide a source of community identity, evidence of the evolution of society's values, the impetus and inspiration for new ideas or the revival of the old. They also provide a wonderful source of aesthetic satisfaction and are an increasingly important economic resource.

Like many local government areas, Cessnock's heritage is a mixture of public buildings, courthouses, hotels, railways, post offices, churches, schools, cemeteries, major commercial pursuits, coal mining, agriculture and remnant residential buildings.

These guidelines are intended to assist in understanding the built environment of Cessnock, and provide advice on how to manage and care for heritage buildings.

12.1.1 Application

This Chapter applies to all land within the Cessnock Local Government Area (LGA) to provide additional information to those requirements in Cessnock Local Environmental Plan (CLEP), Clause 5.10: Heritage Conservation and the Heritage Act 1977.

12.1.2 Purpose

To give controls and guidance for development involving heritage items and buildings in a conservation area, so that the heritage character of the building and / or the surrounding area is enhanced.

12.1.3 Objectives

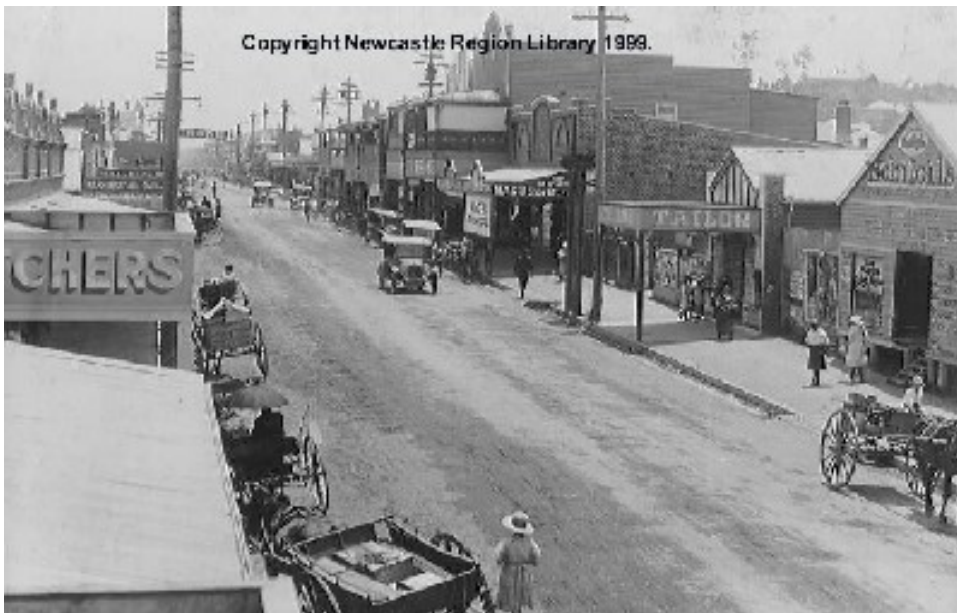
The principal objectives of this Chapter are:

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

12.2 BACKGROUND

12.2.1 *European Settlement in Cessnock*

The built environment of Cessnock, renowned for its historical character and value, began to grow in the early 1800's.



12.2.2 *Heritage Items and Conservation Areas*

Retaining heritage items enables the community to experience in perpetuity the pleasures and interest they offer. Once lost, they are gone forever. No record or photograph can ever substitute for an actual place.

Before deciding how to care for a heritage building, group of buildings or area, it is important to understand what makes it special.

The conservation areas of Wollombi and the Great North Road have their own unique characteristics. The collective existence of buildings, individual heritage items, trees, open spaces, views and landmarks, and smaller details such as sandstone kerb and gutters all contribute to our appreciation of the area's historic value.

The loss or damage of any one attribute will erode the special character of the Conservation Area as a whole.

On-going care and maintenance of all elements in these conservation areas is considered to be an essential part of achieving their conservation.

The whole community has a role to play to ensure that individual buildings, gardens, and public areas are maintained, and not left to decay.

The large range of building types and styles spanning Cessnock's history provide an excellent source of studying building techniques and history

The following information describes some of the building types found throughout Cessnock dating from the 1820's through to the 20th century.

New buildings should not try to mimic or replicate these buildings styles, as this can detract from the authentic value of original buildings which create the areas of interest we enjoy today, and tends to confuse the old with the new.

Slab Houses 1820's – 1850's

Slab houses are now very rare throughout NSW making those which remain in the Cessnock LGA of great value and worthy of retention. Often, the slab buildings are only recognisable on careful inspection.

The typical slab house was constructed from vertical boards set in a base plate with rough hewn logs for rafters and roofed in shingles. These buildings ranged from two roomed cottages to larger dwellings of four rooms and buildings of two or three cottages joined together.



Slab building at Ashman's Winery & Vineyard, Broke Road, Pokolbin, c.1858.

To weatherproof the building, narrow tin strips were placed over the joints and later horizontal weatherboards were added. On the inside, slabs were often lined with successive layers of calico, plaster and then wallpaper.

Some of the slab houses might have originally had simple shutters over window openings. Most houses would have originally had ledge and brace doors but these have mostly been replaced by four or six panelled doors.

Small Brick and Stucco or Timber Cottages 1830's – 1850's

These cottages are recognisable by their low ceilings, simple fenestration and proximity to the street.

They are characterised by a hip or gable roof, central six panel door and twelve pane windows on either side of the doorway. Many of the cottages were built without verandahs, although many now have them.

Despite modernisation such as additions to incorporate kitchens and bathrooms within the house, many of these early cottages retain their shape and form. In many instances, the cottage had a second part similar in size and shape at the rear.

Originally some of the cottages would have been whitewashed, or plain brick, but extra weatherproofing was added particularly due to flooding, so that most masonry cottages now have a cement render finish.



The construction method used for the cottage is of scientific interest as it is an example of a cheap house erected during the early development of a rural New South Wales town during the 1830's. It is known as Caroline Chisholm Cottage, No.3 Mill Street, East Maitland.

Early Georgian Two-Storey Buildings 1830's – 1850's

A number of substantial fine two-storey buildings dating from this period can be found in the Cessnock LGA.

They are characterised by a symmetrical elevation including a central door, and 12 pane windows either side and to the upper floor.

Where verandahs were used they were narrow cantilevered type to the upper floor, or narrow two storey type on simple turned timber columns.



Victorian Georgian house built in 1841 by convict labour, with the verandah added in 1927.

Two-Storey Brick Houses 1850's – 1860's

Two-storey brick houses were usually built by local merchants and business people. They had hipped roofs with shingles, flat iron or occasionally slates, six panel doors, twelve pane windows and / or french doors.

A two-storey verandah at the front of the house was generally supported by simple tapered timber columns, often with cast iron columns on the first floor verandah.

There was generally a servant's wing at the rear, separate kitchen and outbuildings including stables.

The houses were generally built on large allotments and set well back from the road. Some houses have been stuccoed, or painted at a later date. Most of the front facades have fine tuck pointed brickwork in flemish bond.



Victorian Georgian building built by the local licensee (John Kenny) and used for various purposes over the years, c.1850's.

Single-Storey Victorian Houses Late 1870's – 1880's

This type of house is the most common surviving in Cessnock. It is single-storey with hipped roof, central four panel door with sidelights and one or two pane windows on either side which frequently had wooden shutters.

The front verandah is supported by cast iron columns with capitals, cast iron brackets and cast iron trim. The cast iron detail is the most notable characteristic of this building type, with three patterns predominating in Maitland, one of which was designed by local architect J.W. Pender.



Single-storey Victorian House

These houses were built of either brick or timber and set on medium sized allotments. The brickwork was generally unpainted and unrendered, and sometimes had tuck pointing.

Steps leading to the front door were rendered and moulded, most houses being elevated half a metre from the ground level.

Two-Storey Victorian Houses 1880's – 1905

The details of two-storey houses from this period were similar to those of the single-storey, and were built in either brick or weatherboard.

The two-storey house generally had a projecting bay at one side of the front. Later versions had a verandah continuing around the corner, and the projecting bay was balanced by a similar projecting bay around the side.

High Victorian non-residential buildings to the 1890's

This period is principally marked by the Victorian love of decoration and is best shown in the development of the parapet and the verandah.

The verandah over the footpath became universally adopted with shops on the ground floor and residences over. The parapet was the most important design element becoming a major streetscape feature.



'Dunoon' two-storey Victorian House, Buchanan Road, Buchanan, built in 1883.

Two-Storey Single Fronted House 1880's – 1900's

The two-storey single fronted house with full height verandah / balcony built in brick or timber is a special feature of Cessnock.

It is distinct from other areas in NSW in that it occurs in greater numbers and in groups. The popularity of this house type in the late 19th century was probably due to the occurrence of flooding and availability of timber.

It can be seen with a variety of different styles of detailing from the Victorian to Federation periods.



Federation Style House Late 1890's – 1900

Federation style houses in the Cessnock area are generally single-storey bungalow forms.

They are characterised by an asymmetrical form with fairly complicated roofs including dormer and gable elements. Terracotta tiles or corrugated iron painted tile red was a common roof treatment. The use of red brown tuck pointed brick was common for external walls. Most houses had a verandah, often on two sides. Walls were rarely square with bay windows common, leadlight windows were also popular.

Timber detailing tended to replace the cast iron decoration of previous styles. Full length turned timber verandah posts with timber balustrades, brackets or valance were popular.

Common landscape features included timber picket fences, tiled or brick pathways and brick edged gardens.

Modern Brick Bungalow 1930's – 1940's

Buildings of this period often replaced houses of an earlier date. They were usually triple fronted, with Marseille tiled roof. Gable ends were often a combination of timber shingles, white painted asbestos cement and wide timber battens.

Verandah columns often sat paired on squat masonry columns with brick balustrading and rendered capping and base moulding. Diamond patterned leadlights were sometimes used on front windows.



12.3 GENERAL CONSERVATION GUIDELINES

The following guidelines apply to projects which involve work to conserve an existing heritage item.

12.3.1 Research

A key principle in heritage conservation is the need to understand the heritage importance or significance of an item before making decisions about how to manage it. A major part of understanding what makes an item special is to understand its history: why it was built; how it was used; and how it has changed.

Documentary research can reveal useful information including old photographs and early records such as title deeds to indicate successive owners.

Other types of documentary research might involve searching collections of libraries, sourcing maps and plans, photographic and picture collections or books and articles.

This information can be found at the Land Titles Office (Department of Lands), libraries – including Cessnock Library and the Mitchell Library in Sydney, Local Council records, local museums and possibly galleries. Former owners of the building may also be of assistance.

Establishing the construction date of early buildings is difficult, as there is often little documentary evidence. It is usually necessary, therefore, to rely on observation of the building style, and research of land titles in the Land Titles Office which provide a sequence of owner names and dealings.

12.3.2 Getting to know the Building

A close examination of the *fabric* will usually be very important. The '*fabric*' of a building or place refers to the physical material of which it is comprised.

Careful inspection can reveal evidence of original detailing. Painting might reveal the shape of a former iron roof over a verandah, nail holes on verandah posts might show the former location of brackets.

Systematic inspection of the *fabric*, informed by a knowledge of the history of the place, will help to understand its significance. A conservation specialist may be required to evaluate whether the building is significant and to identify the most significant elements.

Looking at other similar buildings in the locality can also indicate how missing parts of a building may have appeared, or how things were done.

When you have determined what is significant about a place, this information should help to guide maintenance, repair and conservation work. Wherever possible, original features, materials and finishes should be retained.

12.3.3 Sound Advice

It is advisable, and often necessary to obtain professional advice from experienced people such as heritage architects when working on a major project.

Where there is considerable expenditure involved, it is important not to rely on guesswork which may lead to problems later on.

The Heritage Branch (in NSW Planning) maintains a list of Consultants who specialise in heritage work which can be obtained from Council.

12.3.4 Keeping Records

When working on conserving or altering a place, it is important to make careful records of the state of the place before it is changed.

This will provide an accurate reference to how the repaired or new material should be constructed and / or appear. It will also provide good reference material for people who will look after the place in the future.

12.3.5 Conservation Processes

Work on a heritage item or conservation area, can involve a variety of conservation processes as defined by the Burra Charter.

The Burra Charter establishes the nationally accepted standard for the conservation of places of cultural significance. The Charter advocates a cautionary approach to changing an item or area, doing as much work as necessary to repair, secure and to make it function, but as little as possible – so the history of the place can continue to be recognised in its physical presence.

The following are Burra Charter definitions of common conservation processes:

Restoration means returning the existing fabric of an item or area to a known earlier state by removing, adding on or re-assembling existing components without the introduction of new material.

Reconstruction involves introducing material to replace missing elements returning an item or area as nearly as possible to a known earlier state. Complete rebuilding on the same or another site is unacceptable except as an absolute last resort.

Adaptation means modifying an item or area to suit the existing use or proposed compatible uses. A compatible use means a use which involves no change to the culturally significant fabric, or changes which require minimal impact.

Adaptation is acceptable where the conservation of the item or area cannot otherwise be achieved, and where the adaptation does not substantially detract from its cultural significance.

Preservation means maintaining the fabric of an item or area in its existing state and preventing deterioration.

Maintenance means the continuous protective care of the fabric and the setting of an item or area, and is to be distinguished from repair. Repair involves restoration or reconstruction.

Relocation

An item or work should remain in its historical location. Moving a part or all of a building is unacceptable unless this is the sole means of ensuring its survival.



Changes which remove building fabric or introduce new fabric should as far as possible be reversible in order that the earlier appearance may be recovered at a later date.

12.4 MAINTAINING OLD BUILDINGS

Old buildings benefit from routine maintenance. It should be remembered, however that old buildings have unique characteristics, and it is generally undesirable and sometimes very damaging to try and reverse the effects of age on materials.

While some maintenance can be undertaken by property owners, some types of work such as addressing damp problems or the repointing of masonry requires the expertise of trades people experienced in conservation work.





Regular maintenance is one of the most important parts of conservation work.

12.4.1 Maintenance

Maintenance is one of the most important parts of conservation work. Regular maintenance shall be a regular part of any property management. This means that problems such as water penetration, termite infestation or vandalism do not get out of hand requiring substantial costs to repair.

12.4.2 Repairing and Maintaining Roofs

- Roofs may contain a number of different elements including: sheeting or covering chimneys; cappings; roof vents; eaves; pediments; guttering; barge boards; and fascia boards.
- Original roof material shall be repaired rather than replaced wherever possible. However, if it is necessary to replace it, materials shall generally match in size, shape, colour and texture.
- Original chimneys, original cornices, eaves details, brackets and pediments shall be preserved as an important part of the composition of older buildings.
- When repairing or replacing corrugated iron roofing, small details shall be retained or matched to the original. Such details include, cutting of ridge and hip cappings to match the iron flutes which also make the roof more weatherproof.
- Traditional stepped flashings, roof vents, gutter moulds, and rainwater heads shall be preserved and restored wherever possible during re-roofing.
- Appropriate profiles for new guttering are important, such as ogee, half-round or quad styles.
- Round downpipes common until the early 20th century shall be used as appropriate.
- The retention of existing slate roofs will generally be required as this roof type is now rare in the area and complete replacement is likely to be very expensive. The repair of slate roofs will often require skilled tradespeople.



An example of a Victorian brick cottage with galvanised iron roof and bull-nosed verandah roof.

12.4.3 Repairing and Maintaining Rendered Walls

Render or stucco was often applied to external walls to protect them from the elements. This type of surface should not be removed, as softer porous bricks underneath the render will quickly deteriorate without their protective barrier.

External render was usually lime based, and was therefore absorbent. Modern strong cement renders, however can cause dramatic decay. Once in the wall, moisture becomes trapped and underlying soft brick and stone can severely breakdown.



Cement render and its attempted removal can cause major damage to brickwork. Cracked or damaged traditional render shall be repaired with a similar compatible render, not cemented and painted over.

12.4.4 Repairing and Maintaining Face Brick or Stonework

Face brick or stone shall not be painted over. Buildings with this treatment were designed specifically, often using brick patterns, or tuck-pointing.

Paint systems also tend to prevent the evaporation of moisture from the surface. Unless moisture can evaporate from the inside of the wall surface, the moisture content of the wall will increase.

In hot weather moisture behind the paint film will increase, and cause blistering. As the surface layer of paint begins to break down, further water penetration can lead to increased dampness.

12.4.5 External Cleaning and Paint Removal

Cleaning paint from stone or brick shall not be undertaken without expert advice. Sandblasting or abrasive cleaning of masonry may remove the outer masonry surface and increase deterioration of the exposed surface.

This can ruin the appearance and de-value the building. Other less severe methods of cleaning are required.

12.4.6 Waterproof Stone and Brick Coatings

The application of waterproof coatings or varnishes shall be avoided as they can accelerate the deterioration of the masonry by trapping moisture. Damage can occur when water cannot escape and layers of salt build up below the surface.

Often the best solution for water penetration is repointing.

12.4.7 Mortar and Repointing

Repointing of masonry is often a key part of conservation work. It is very important to ensure that repointing is carried out properly using appropriate materials and techniques.

Mortar was originally intended to encourage the evaporation of moisture from the joints rather than the masonry units. A soft lime mortar with a rough texture and lower strength than the surrounding masonry shall be used for pointing work.

Grey cement shall not be used in buildings where lime mortars are present. This is particularly important in old buildings where no damp proof course exists

Grey Portland cement is invariably stronger and of a different absorbency level from the brick or stonework. This causes evaporation to occur in the stone or brick more easily than the replaced mortar joint. Deterioration and cracking of masonry may therefore occur quickly after repointing in hard cement.

12.4.8 Rising and Falling Damp

Some masonry buildings suffer from rising and / or falling damp. It can cause crumbling of exterior masonry, staining of internal finishes, and cause musty smells in poorly ventilated rooms.



Rising damp and salt attack can lead to serious deterioration of masonry

Rising damp can have a number of simple or complex causes. Gutters and drains or sprinklers may be soaking and pooling on ground near a wall, concrete floors might be forcing water up a wall.

Before deciding how to fix the problem a number of alternatives may be suitable including improved subfloor ventilation, eliminating the water source and improving site drainage, or as a last resort inserting a damp proof course for severe cases.

Specialist advice is recommended to avoid large financial outlays which may not fix the problem.

12.5 CONSERVING BUILDING ELEMENTS

When a building is designed, there is generally a consistent approach to details such as window frames, sills, skirting boards, verandah posts and brackets. These existing original features shall be retained and maintained.

New work, or repair of the existing details shall be in keeping with the original design. The imitation of something from another place, such as introducing aluminium lace or shutters is not appropriate as it can detract from the appearance and authenticity of the property.

Missing components such as verandah brackets, fences and chimneys shall be copied carefully and reinstated in their original style.

Internal details such as door and window handles were often special decorative features of a house, and shall be retained. Reproduction details can be expensive, so it is preferable to use originals where possible.



The retention and repair of original building elements and details such as verandah posts, fencing, windows and doors is an important part of maintaining the significance of the building and character of an area or street.

12.5.1 Doors and Windows

Original external building features such as timber windows and doors shall be retained in their original configuration and dimensions.

Timber was generally painted externally, not varnished. Priming undercoat and top coat provides the optimum protection against weathering.



Original window details shall be retained.

12.5.2 Shopfronts

Early photos of Cessnock's buildings show a wealth of variety and richness in its early shopfront details. They are characterised by deep timber mouldings and colour.



Original examples which remain today have value and shall be preserved. Later shopfronts while not original to the building, may also contribute positively to the streetscape and shall also be preserved.



Original shopfronts add variety and richness to the streetscape and shall be preserved.



Early shopfronts are characterised by recessed entries, display areas and the use of tiles, stained glass and colour.

12.5.3 Internal Alterations

The removal of internal walls is generally not recommended as this can impact on the structural stability of the building in addition to its integrity and character.

The majority of walls in older buildings are load bearing. The structural stability of the outer shell is dependent on the internal existence of walls, stairways and chimneys. It is therefore important to avoid:

- radical intervention in the interiors of older buildings;
- subdivision of rooms.

Original details such as panelling, ceilings, skirtings, architraves or remaining door and window furniture, shall be retained.

Where fire safety upgrading of buildings is required this shall be achieved in as sensitive a way as possible. The Heritage Branch has published a manual titled 'Heritage on Fire' which provides practical solutions to fire safety issues.

12.5.4 Lath and Plaster

Where lath and plaster remains in listed heritage items, the comprehensive replacement of walls and ceilings shall be avoided. It is possible to re-adhere lath and plaster finishes where plaster is cracked or drummy.

Specialists in this field are available to provide advice and expertise.

12.5.5 Timber

Keeping timber dry is very important to reduce the risk of wood deterioration as a result of fungal rot, attack by borers and termites, and swelling and shrinkage cracking.

It is essential, therefore, that roof drainage, guttering and stormwater drains are operating properly, and that surface water is drained away from walls.

Coatings such as paints, varnishes, waxes and oils are the principle means of controlling swelling as well as protecting and enhancing timbers.

Wooden items need regular maintenance and shall be inspected every six months. Subfloor spaces shall be inspected for signs of rot and termites, and roof spaces for evidence of leaks which may lead to fungal growth.

12.5.6 Timber Repair

Sometimes wood is so badly deteriorated that it needs to be replaced. It is good conservation practice to replace the minimum necessary, and to use the skills of a carpenter or joiner.

The aim shall be to reconstruct the original form of the damaged section so that the repair does not detract from the appearance of the original work.



Wooden items need regular maintenance and should be inspected every six months.

12.5.7 Landscaping and Fences

Early plantings are important elements of an item or area. They can often be landmarks and contribute to the setting of a building. The maintenance or restoration of gardens can add to the authentic conservation of a building.

Original fences also contribute to the significance of an item or area and shall be retained and maintained. These may be very modest in scale, but everyday fences play an important role in establishing and maintaining the heritage significance of an area.



Federation gardens typically used curved beds and paths with a mix of introduced and native plants.

Gardens have changed in fashion, like buildings over time. Gardens in Victorian times were influenced by English designs which used introduced plantings in symmetrical patterns. Later Federation gardens in the 1900's used curved beds and paths combined with a mix of introduced and native plants.

The planting of certain tree species near the footings of load bearing buildings shall be avoided as they can lead to the drying out of subsoils and may result in the structural failure of the building. When gardens are placed too close to buildings, problems may also occur due to changed moisture or ventilation conditions.



Decorative timber picket fencing contributes to the buildings character and surrounding area.



Some fences may be very modest, but everyday fences contribute significantly to the character of the building and the area.

12.5.8 Colour Schemes

Repainting of buildings shall occur as part of general maintenance. Colour schemes which are in keeping with the period of the building will enhance its character and the surrounding area.

Painting in a colour scheme suited to the age of a building can be well researched using a number of resources. They include:

- paint scrapes in areas which have not been overly exposed to reveal previous colours used;
- old black and white photographs which show shades on different elements of the building;
- an understanding of traditional colour schemes, which can be obtained by referring to books written about the subject.

It is not usually necessary to repeat the use of original colours, but research is often helpful to understand how different areas were treated.

Paint manufacturers have developed heritage colour ranges which are useful when deciding on suitable period colours.



The Caledonia Hotel, Aberdare. Colour schemes which compliment the style of the building will enhance the character of the surrounding area.

The dominant use of bright corporate colours on building facades is generally inconsistent with maintaining the heritage character and significance of an item and / or area. Well placed and proportioned signage can provide the clear information needed for effective street presence of a business.

12.6 CHANGES OF USE

Each new use will inevitably bring change to the fabric of the place. When considering new uses it is important to try and ascertain what the likely impact of a proposed use will be.

Will the changes affect the significance of the place? Will they be minor or reversible?

If the original use of a place becomes redundant, finding another similar use may help in retaining the place's significance.

Sometimes a continuing historical use is the reason why a place is considered important, and continuing that use is essential.

There is a danger that gradual cumulative changes will reduce the ability to interpret significant aspects of the building.

Very different uses (such as commercial uses in a former dwelling) may require significant changes to the building fabric, because of the need for amenities, or perhaps fire-rating of walls and ceilings. It is important to alter as few original features and / or materials as possible when changing the use of a building.



12.7 GENERAL REQUIREMENTS for ALTERATIONS and ADDITIONS

The objective of the following guidelines is to ensure that new development involving heritage items and buildings in a Conservation Area will respect and enhance the heritage character of the building and their surrounding area. The following requirements will generally apply to all development covered by this Plan.

12.7.1 Sympathetic Design

Aims

To ensure that new alterations and additions respect the architectural character and style of the building and area concerned.

To maintain and enhance the existing character of the street and the surrounding locality.

To enhance the public appreciation of the area.

Requirements

- An alteration or addition shall consider the characteristics of the existing building, and buildings in the surrounding area, and sit comfortably in this context.
- New work shall generally not precisely mimic the design and materials of the building, but be recognisable as new work on close inspection.
- Mock historical details shall not be applied as they will not be of any heritage value themselves, and can confuse our understanding between the 'new' and the 'old'.
- Alterations and additions shall blend and harmonise with the existing building in terms of scale, proportion and materials.
- Alterations and additions shall not require the destruction of important elements such as chimneys, windows and gables.

12.7.2 Siting, Setback and Orientation

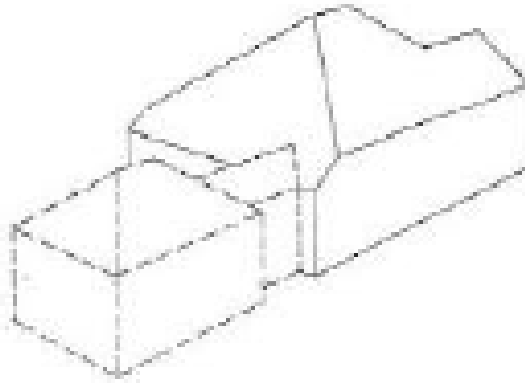
Aims

To maintain and enhance the existing character of the street and the surrounding area.

To ensure that new alterations or additions respect established patterns of settlement (ie. pattern of subdivision and allotment layout, landscaped settings, car parking and fencing.)

To provide an appropriate visual setting for heritage items and heritage conservation areas.

To ensure that the relationship between buildings and their sites which contribute to the character of the area are not disturbed or devalued.



Rear extension which minimises impact on the original building. Side extension should not limit the ability for driveway access to the rear of the property.

Requirements

- Generally, alterations or additions shall occur at the rear of the existing building to minimise visual impact on the street frontage of the building, particularly where the additions and alterations involve a listed heritage item, or a building which contributes to the heritage character of the Conservation Area.
- Side additions shall not comprise the ability for driveway access to the rear of the block
- No new structures shall be built forward of an established building line.
- An adequate curtilage including landscaping, fencing, and any significant trees shall be retained.
- Larger additions can be successful when treated as a separate entity to retain the character of the original building in its own right.
- Front and side setbacks shall be typical of the spacing between buildings located in the vicinity of the new development.
- The orientation pattern of buildings existing in the area shall be maintained.
- Rear additions are generally best stepped back from side building lines.
- Extensions to the side elevation will not be appropriate if they alter established patterns of building and garden.
- Additions to the side of a building shall not remove or sever car access to the rear, where it is not sympathetically provided elsewhere.
- Archaeological evidence shall not be disturbed without Council approval.
- Where there has been known building sections which have been removed, and the building fabric has been substantially altered such that only its position on the site maintains its original context, further alterations which remove footprint evidence may not be appropriate.

12.7.3 Size and Scale

Aim

To ensure that new alterations and additions respect the character of the building and surrounding area.

Requirements

- An alteration or addition shall not be of a size or scale which overwhelms or dominates the existing building, substantially changes or destroys its identity or changes its contribution and importance in its surrounds.
- New uses shall be chosen which suit the size of the building, not requiring overwhelming changes.
- Unless it can be demonstrated that greater scale would be appropriate in the individual circumstances, additions shall be of the same scale as surrounding development.

12.7.4 Roof form and shapes

Aim

To retain characteristic scale and massing of roof forms within conservation areas and on heritage items when designing alterations and additions.

Requirements

- Roofs of extensions shall be carefully designed so that they relate to the existing roof in pitch, eaves and ridge height.
- Additional rooms can be added to heritage buildings, where roof forms have been carefully integrated into the existing building.
- If it is important that the roof form remains unaltered, additional rooms can be added in a detached pavilion form placed at the rear or possibly the side. Roof pitch, ridge height, height of parapet and eaves on additions shall relate to the original building.
- Providing the roof space is large enough, attic rooms shall be contained in roof forms for non-habitable uses such as a study or a library. The volume required for habitable uses such as bedrooms may mean unacceptable alteration to roof form.
- New roof elements such as dormer windows and skylights shall not be located where they are visually prominent.
- Chimneys shall be retained.
- Service utilities such as water heaters, air conditioning units, antennae and satellite dishes, shall not be located on the principle elevations of buildings.

- Use of roof materials shall be the same as materials on the existing heritage building and those typically used in the conservation area.

12.7.5 Shopfronts

The quality and style of shopfronts is of great importance as they reflect the quality and style of significant architectural buildings, and enhance the character and interest of footways for pedestrians.

Early shopfronts not only provide a great sense of quality to the shop through their distinctiveness, they also enhance display areas for merchandise.

Retaining original shopfronts is particularly important as they are usually complimentary to the other architectural features of the building where ones appreciation of the street is primarily at eye level.



New shopfronts were reinstated based on historical photographs.

The reinstatement of shopfronts in keeping with the original building design is encouraged.

Modern shopfronts of large glazing set in an aluminium frame are considered to contribute little to the architectural character of the street front.

The modern tendency to build along the front wall finish without recessed entries also produces a uniform and uninteresting footpath space and does not highlight the entrance to the shop.



Original shopfronts add interest to the pedestrian footway

Aims

To retain shopfronts which contribute to the heritage significance of the building and surrounding area.

To ensure that new shopfronts complement the significance and character of the existing building and surrounding area.

Requirements

- Original shopfronts shall be retained.
- Where the original shopfront has been removed and replaced by an unsympathetic alteration, the reinstatement of earlier styles of shopfront in harmony with the overall building character is desirable.

12.7.6 Accessibility

Providing access for people with disabilities is required under the Disability Discrimination Act. Heritage buildings are no exception, however, there is also a need to conserve these places and not alter them in a way which will impact on their heritage significance.

Historic buildings will generally require solutions specific to that site, however, there are a number of principles which can assist in developing effective solutions.

“Improving Access to Heritage Buildings, A Practical Guide to Meeting the Needs of People with Disabilities” is a useful and practical booklet, regarding accessibility issues, published by the Australian Heritage Commission and the NSW National Trust.

Access principles and solutions for effective accessibility follow.

A thorough approach to improving access to heritage buildings includes the following steps:

1. Identify the heritage value or significance of the place, specifically those parts which have the greatest significance. This can be determined through developing a Conservation Plan, obtaining details on the property from Council, the Heritage Branch or National Trust of NSW, or seeking advice from a conservation professional.
2. Undertake an access audit to determine existing and required levels of accessibility.

Modifications should generally incorporate the following:

- making the main or principle public entrance and public spaces accessible including a path to the entrance;
- providing accessible toilets;
- providing access to goods, services and programmes; and
- creating access to other amenities and secondary spaces.

Solutions shall:

- be sympathetic and, where possible, reversible;
- new work shall be evident on close inspection;
- in considering what is sympathetic, matters such as general form, materials, finish, compatibility with architectural details of the original design are guiding principles; and
- comply with Australian Standards – particularly AS 1428.1.

Some suggested approaches to accessibility / heritage issues are outlined below.

Access to the Principle Entry

The principle entry needs to be defined, it may not always be the ‘front door’, but the entry which most people will use.

It can be acceptable to develop a second entry which may be more convenient for some people while maintaining the building’s significance.

Entries shall be located to minimise loss of original elements such as railing, steps and windows.

The parking area or public drop off point shall be conveniently located to the principle entry. Access paths shall have a firm surface. Concrete is best, but well compacted gravel, cement stabilised or consolidated gravel or dirt are also suitable.

Ramps

There is often a level difference between the path and the main floor level. The solutions to these differences are many and might include:

- temporary or permanent ramps;
- levels of footpath can be raised in some circumstances (requiring council approval);
- shifting steps out from the face of the building and incorporating a ramp behind them;
- locating a ramp in a location of low heritage significance;
- lifting devices.

Doors

Entry doors shall have handles at less than 1100mm high.

A clear width of at least 800mm is necessary. If doors are not wide enough, it might be possible to increase effective opening size by joining two leaves together or using offset hinges.

12.7.7 Materials and Colours

Aim

To ensure that materials and colours used in alterations and additions respect the significance and character of the existing building and surrounding area.

Requirements

General

- Traditional combinations of materials used in heritage buildings shall be considered when designing additions.
- It may not be appropriate or necessary to replicate the original combination of materials used in the original work. The use of a complementary material might make the increase in scale less noticeable and also enhance later understanding of the changes.

For instance, timber weatherboard extensions to brick houses was a common practice which is still appropriate today, as was the use of corrugated iron roofs at the rear of houses behind main roofs constructed with tile or slate.

- The use of highly reflective materials shall be avoided.

Doors and Windows

- Timber windows shall be retained in existing buildings. New doors and windows shall be of materials characteristic to the existing building, locality or an approved alternative.

Roofing

- Original roof material shall be matched in any addition in material and colour. If, however original roofing is expensive such as slate, corrugated iron is a suitable alternative to the rear.
- Traditional stepped flashings, roof vents, gutter moulds, and rainwater heads shall be used.

Brickwork

- New face brickwork shall match the existing brick in colour and texture, and type of jointing and mortar colour.

- Existing facebrick or stone on heritage items or heritage buildings in a conservation area shall remain unpainted and unrendered.

Imitation Cladding

- Timber board imitations are not acceptable for additions to heritage items or work visible from the street in Conservation Areas.

Colour Schemes

- Additions shall employ colour schemes which do not detract from traditional colour schemes in the area.
- Colour schemes suitable to the period of the building shall be used.
- Unpainted brick or stone shall remain unpainted.

Paving and Driveways

- Preferred materials for driveways include wheelstrips and gravel. Plain or stamped concrete shall be avoided.
- Paired wheelstrips over public footway areas are preferable to solid driveways.



Solid driveways over grass public footways detract from the character of a streets informal edges and the setting of houses

12.7.8 Design of new detail and openings

Aim

To ensure that the character and pattern of new door and window openings in alterations or additions is compatible with the appearance of the original building and the area as a whole.

Requirements

- Alterations shall avoid arbitrary changes to openings or other features which do not fit in with the symmetry or character of the original design.
- If the street front of the original building is symmetrical, the addition shall avoid simply extending the original design across the addition.
- New detail and openings shall be simple in character using colour and materials which complement the original fabric.

12.7.9 Evidence for Authentic Reconstruction

Aims

To ensure that reconstruction reveals the known significance of the place (ie. from physical and / or documentary evidence.)

The building itself may offer clues as to items previously removed such as: evidence of handrails in posts; or marks in the footpath where verandah posts were removed.

As stated in the Burra Charter, *'reconstruction is limited to the completion of a depleted entity and should not constitute the majority of the fabric of the place'*.

Requirements

- The reinstatement of a lost feature shall faithfully replicate or copy the original in design, materials, arrangement and position.
- Reconstruction shall be identifiable as new work without at the same time making it intrusive.

12.7.10 Removal of Unsympathetic Alterations and Additions

Aim

To ensure that contributions of all periods to a place are respected.

To ensure that removal of any fabric only occurs when it is of slight significance, and the fabric which is to be revealed is of much greater significance.

Requirements

- Additions which are obviously out of character with the original design may be removed, whereas it may be preferable to retain well integrated additions or substantial alterations to the existing building.

12.7.11 Services and New Technologies

Aim

To minimise any obtrusive effect of new building services and technical equipment in conservation areas and on heritage items.

Requirements

- Exhaust vents, skylights, air conditioning ducts and units, solar panels, TV antennae and satellite dishes shall not be visible on the main elevation of the building or attached to chimneys where they will be obvious.
- In heritage areas they shall be hidden from view as much as possible.
- Essential changes to cater for electrical wiring, plumbing or other services shall be limited to what is essential to permit the new use to proceed.

12.7.12 Landscaping

Aims

To maintain the rhythm of gardens, open spaces and tree planting in a heritage streetscape

To ensure that planting does not compromise important views into or out of conservation areas

To maintain the landscape character of the locality in any new development.



The hedge in front of this Victorian cottages complements its period style.

Requirements

- When designing new gardens, reference shall be made to surviving plants which indicate the basic garden structure, and can be worked into new designs.
- When selecting suitable trees, the following shall be considered:
 - the varieties that already exist in the area;
 - the size of the tree when mature; and
 - the potential of the chosen species to interfere with services, retaining walls and other structures.
- Hard surfaces shall be kept to a minimum.
- Screening of hard surfaced areas is encouraged.
- Garden structures shall be appropriate to main buildings in terms of scale, style and materials.
- Original surfaces such as close jointed brick paving or stone flagging common to Victorian and Federation sites, and pebble aggregate, quarry tile or mosaic tile aprons common to later Californian Bungalow styles shall be retained.

12.7.13 Fences

Fences form an integral, yet fragile part of heritage areas. The majority of historic fences have disappeared, so it is very important that those authentic fences which remain are preserved.

When repairing an original fence, determine:

- what is significant about the fence?;
- is it unusual or typical of its time?;
- its style; and
- its physical condition.



Timber picket fence.

It is important to retain as much of the old material as possible.

When constructing a new fence and there is insufficient evidence to reproduce the original, it is important to build the fence so that it is in harmony with the existing fences and houses of the street. Ensure that the height matches that of (sympathetic) neighbouring fences, and that the colour scheme is compatible with the house.



Solid high front fences detract from the value and streetscape character

Aim

To retain original existing fencing and provide for new fencing that is consistent with established patterns

Requirements

- Original fences shall be retained.
- Fences shall be located on building line
- Fences shall be simple with a level of detail comparable with the house.
- Fencing shall generally be open or transparent, or backed with a hedge, not solid.
- Fences shall be of a scale comparable with the street.
- Front fences shall be made of materials characteristic to the surrounding area, particular to the street and suitable to the era of the house. Examples include: timber picket; low masonry; and hedges.

- Plain or colour treated metal fences are not considered to be appropriate for conservation areas or heritage items on any street frontage or side boundary.



The colorbond fence used along the side boundary of this house detracts from the character of the building and street.

12.7.14 Garages, carports and sheds

Aim

To ensure that garages, carports and sheds do not detract from the character of the area and / or heritage item due to inappropriate location, design and materials.

Requirements

- Garages shall preferably be located at the rear or set well back at the side of a building behind the rear building line.
- Garages and carports shall make reference to any established historic patterns in the street.
- The use of landscaping such as screening or planting and front fences may be useful tools in integrating the structure with its site.
- Double garages shall be detached buildings set behind the rear main building line.
- Colours and materials shall blend into the surrounding landscape. Custom orb iron roof profile and timber board profile cladding wall are common materials used.
- Garages shall have simple hipped, gable or skillion roofs depending on the design of the existing main building.

- Gable or hipped roof with skillion roofed attachment is the most appropriate double garage roof form.
- Existing outbuildings shall be maintained and reused wherever possible.
- Simple open light construction carports are preferable to solid heavily detailed buildings.
- Tennis courts shall not be sited so as to intrude on the setting of the main building. They will almost always be best located to the rear of the main building.
- The pitch of a single garage roof shall, in most cases, be comparable or slightly lower than that of the main building, generally 25 – 30°.
- The pitch of a double garage roof shall be lower than that of the main building.

12.8 GENERAL REQUIREMENTS for NEW BUILDINGS in CONSERVATION AREAS

This section suggests ways in which new buildings can be designed and located in harmony with existing development in historic areas. It aims to encourage an appreciation of the special character, features and setting of an area, then to reflect this understanding in the design of the new building.

This section relates to wholly new development on the site of a heritage item, on vacant land in a conservation area, or land which is in the vicinity of heritage items or conservation areas.

12.8.1 Introduction

It is essential that the scale and siting of new development does not detract from the scale, form, unity, and character of the surrounding area.

New development shall therefore respect the character of its surrounds. However, respect does not mean copying. While architectural replicas may appear visually compatible with their surroundings, they can confuse the original buildings in the area and give a false impression of historical development.

New development can be contemporary in design when it is well integrated with and related harmoniously to its older neighbours.

Character of an Area

It is important to understand the characteristics and features of an area before deciding on the form and style of a new building.

12.8.2 Siting a New Building

Aim

To ensure that siting of the new building respects the significance and character of the surrounding area.

Requirements

- New development shall have regard to the established patterns of the locality with regard to the typical location and orientation of buildings on an allotment.
- The siting of a new residential building allowing for a generously sized front garden will usually assist in its successful integration.
- New development shall be sited behind the building line of any adjoining heritage item.

12.8.3 Scale

Aim

To ensure that the scale of the new building respects the significance and character of the surrounding area, nor detrimentally impacts upon an established pattern of development in the vicinity.

This means that particular attention shall be given to approach views and internal views of existing landmarks which shall not be jeopardized.

Large unbroken roof spans may be obtrusive in flat areas of low scale buildings. Articulation of the floor plan can be a useful way to break up large spans.

To ascertain the appropriate scale of new buildings, the following design aspects are of particular importance:

- reference to the main ridge line heights of original surrounding buildings;
- natural ground or street levels;
- ensuring different parts of the building are in scale with the whole; and
- ensuring the scale of verandahs relate to the scale of those in adjacent buildings.

Requirements

- The scale of a new dwelling house shall be related to the size of the allotments laid out in the historical subdivision pattern of the area. This does not apply to consolidated lots. New buildings shall be in scale of surrounding dwelling houses. Large houses on small allotments will tend to look awkward and dominate the surrounding area.
- Large dwelling houses may be better located on large allotments in less sensitive areas.
- New dwelling houses shall generally be single-storey in areas where the majority of buildings are single-storey.
- Landmark buildings in conservation areas which may be heritage items, mansions or public buildings will generally be surrounded by single-storey buildings, or those of a lesser scale. These landmark buildings shall not be used as a precedent for increasing the scale of new buildings. New buildings shall rather relate to the scale of existing development around the landmark and respect its prominence.

12.8.4 Proportions

The composition and proportion of building facades often form a pattern or rhythm which give the streetscape its distinctive character.



Traditionally, older buildings up to the 1930's used vertical proportions, reflecting the construction technology of the day. Modern technology allows for much greater spans and often leads to a horizontal emphasis.

The shape, proportion and placement of openings in walls are important elements in the appearance of a building.

Aim

To ensure that the proportions of the new building respects the significance and character of the surrounding area.

Requirements

- Openings in visible frontages shall retain a similar ratio of solid to void as to that established by the original older buildings.
- New buildings shall incorporate the typical proportions of surrounding development, even when using modern materials.
- New buildings shall establish a neighbourly connection with nearby buildings by way of reference to important design elements such as verandahs, chimneys or patterns of openings.

12.8.5 Setback

Aim

To ensure that the setback of the new building respects the significance and character of the surrounding area.

Requirements

- Where there is a uniform historically based setback, it is generally advisable to maintain this setback in a new building. Where the new building will be obtrusive it shall be set well back and heavily screened.
- If the setback varies, the new building shall not be set closer to the street than an adjoining historic building (even if it is not an identified heritage item).
- Setback from side boundaries shall be consistent with typical buildings in the immediate vicinity.

12.8.6 Form and Massing

The form and massing of a building is its overall shape and the arrangement of its parts. Important elements of mass in buildings include: roofs; facades; and verandahs.

Residential plan and roof forms differ greatly depending on the era of the building.

Plan forms characteristic of typical 1800's houses were simple, often with a straight frontage, or where there walls were at different lines, a verandah was placed to produce a plan form of a basic square or rectangular shape.

Most buildings constructed up to the 1900's were characterised by small roof forms with a roof.

Hips and gables generally did not span greater than 6.5 metres. If a house was to be wider or longer, another hip or gable or skillion was added.

The basic plan and roof form were often extended at the rear or sides by a skillion roof with a typical 25° pitch.

The roof is usually the most influential aspect of the design of new building in a conservation area. The shape of a roof and pattern it makes against the sky is generally distinctive in a conservation area and shall be a primary consideration in the design of new development.

Aim

To ensure that the form and massing of the new building respects the significance and character of the surrounding area.

Requirements

- New buildings shall be designed in sympathy with the predominant form and massing characteristics of the area.
- Houses generally had ridges of the same height. It is therefore important in new buildings to ensure that the width of wings can maintain a consistent ridge and roof height.

12.8.7 Landscaping

Aim

To ensure that new landscaping respects the significant characteristics and elements of the surrounding area.

Requirements

- Generous green landscaped areas shall be provided in the front of new residential buildings where ever possible. This will almost always assist in maintaining the character of the streets and conservation areas.
- New landscaping shall not interfere with the appreciation of significant building aspects such as shopfronts or contributory building facades.
- Important contributory landscape characteristics such as canopy cover or boundary plantings shall be retained in new development.

12.8.8 Detailing

Aim

To ensure that detailing on new buildings respects, but does not imitate original detailing on older surrounding buildings.

Requirements

- Avoid fake or synthetic materials and detailing. These tend to give an impression of superficial historic detail.
- Avoid slavishly following past styles in new development. Simple, sympathetic but contemporary detailing is more appropriate. Original materials and details on older buildings need not be copied, but can be used as a reference point.

12.8.9 Building Elements and Materials

Materials and their colours will influence how a new building will blend or intrude with the character of its surrounds.

Aim

To ensure that the use of materials and colours of the new building respect the significance and character of the surrounding area.

Requirements

Doors and windows

- New doors and windows shall proportionally relate to typical openings in the locality.
- Simply detailed four panel doors or those with recessed panels are generally appropriate.
- Mock paneling, applied mouldings and bright varnished finishes shall be avoided.
- Older houses have windows which are of vertical orientation and this approach shall be used in new buildings.
- Standard windows often come in modules of 900mm wide. Their use shall be limited to single or double format only. The most suitable windows are generally double hung, casement, awning or fixed type.
- If a large area of glass is required, vertical mullions shall be used to suggest vertical orientation. A large window could also be set out from the wall to form a simple square bay window making it a contributory design element rather than a void.
- Coloured glazing, imitation glazing bars and arched tops are not encouraged.

Roofs

- Corrugated galvanized iron (or zincalume finish) is a most appropriate roofing material for new buildings in historic areas. It is also economical and durable. Pre-finished iron in grey or other shades in some circumstances may also be suitable.
- Tiles may be appropriate in areas with buildings dating to the 1900's – 1930's. Unglazed terracotta tiles are the most appropriate. The colour and glazing of many terra cotta tiles make them inappropriate.
- Other materials to avoid include modern profile steel deck.

- Ogee profile guttering is preferable to modern quad profile. Plastic downpipes shall be avoided in prominent positions.

Paving and Driveways

- Preferred materials for driveways include wheelstrips and gravel.
- It is important that the amount of hard driveway material does not dominate the front garden area.

Walls (imitation cladding)

- Cladding materials which set out to imitate materials such as: brick; stone; and weatherboard, shall be avoided as they tend to detract from the authentic character of the surrounding original buildings.

Walls (weatherboard)

- 150mm weatherboards are generally appropriate for historic areas. They shall be square-edged profile unless the surrounding buildings are post 1920's.

Walls (brick)

- Plain, non-mottled bricks are preferable with naturally coloured mortar struck flush with the brickwork, not deeply raked.
- Bricks of mixed colours (mottled) shall be avoided, as shall textured 'sandstock' bricks.

12.8.10 New Commercial Buildings in Conservation Areas

In addition to the above, new development in commercial precincts within conservation areas, or that adjacent to a heritage item shall take into account the following issues.

Requirements

Building Heights and Setbacks

- The height of buildings shall reinforce the desired scale and character of the area.

Services

- Service structures, plant and equipment within a site are an integral part of the development and shall be suitably screened, buildings shall not be built out.

On-site loading and unloading

- Facilities for the loading and unloading of service vehicles shall be suitably screened from public view.

Design of Car Parking areas

Car parking areas shall be located and designed to:

- provide landscaping where practicable to shade parked vehicles and screen them from public view; and
- provide for access off minor streets, and for the screening from public view of such car parking areas from surrounding public spaces and areas.

Car park structures shall:

- incorporate a façade, designed to complement adjoining buildings in an urban context; and
- be setback from the street frontage and out of view where possible.

Roof Form, Parapet and Silhouettes

In Commercial areas, it is the consistency of parapets which make a significant contribution to the architectural character of an area.

- Where the prevailing pattern of roof forms assists in establishing the character of a townscape, new roof forms shall seek to be compatible with the shape, pitch, and materials of adjacent buildings.
- Parapet heights and articulation shall be compatible with earlier surrounding buildings.
- Lightweight materials such as ribbed coloured metals shall not be used on vertical wall or parapet surfaces.
- New verandahs shall be based on design principles of traditional verandahs with sloping roofs galvanised iron and regularly spaced columns.

12.8.11 New Development in the vicinity of Heritage Items

In addition to the matters raised previously, the following principles shall be given particular attention when considering new development in the vicinity of heritage items.

Aim

To ensure that new buildings provide a setting for the adjoining heritage item, so that its historical context and heritage significance are maintained.

Requirements

- Development in the vicinity of listed heritage items shall respect and complement the built form character of those items in terms of scale, setback, siting, external materials, finishes and colour.
- New development shall have regard to the established siting patterns of the locality.
- New development shall generally be set back from the building line of the adjoining or adjacent heritage item.

- The sensitive selection of materials, colours and finishes is important in terms of achieving compatibility with the heritage items.
- Height and scale of new buildings shall not obscure or dominate an adjoining or adjacent heritage item.
- Development in the vicinity of a heritage item may be contemporary in design.

12.8.12 Signage

Aim

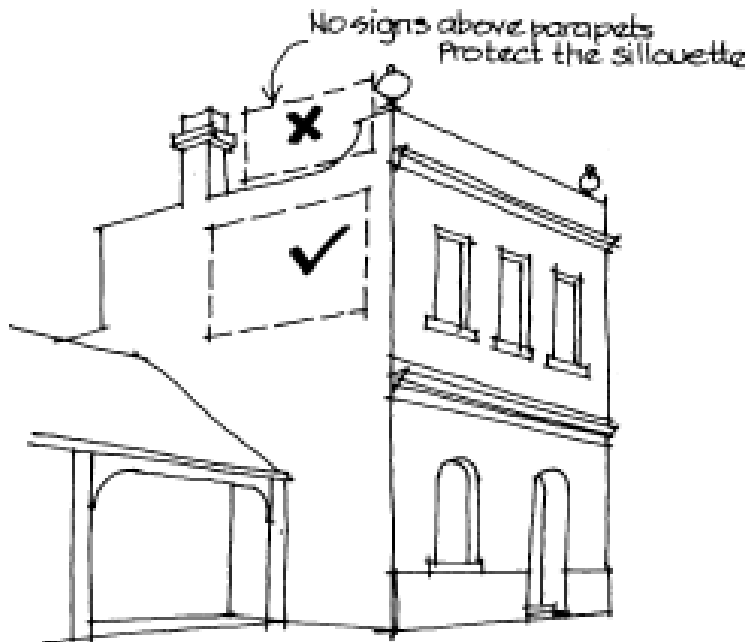
To ensure that signage respects and enhances the amenity of the area.

Architectural research can reveal old and original signage through historic photo collections and Cessnock Library.

Requirements

New Signage

- The scale, type, design, location, materials, colour, style and illumination of any sign shall be compatible with the design and character of the buildings and shall not intrude on the visual qualities of the townscape.
- The architectural characteristics of the building shall always dominate.



Signage should be located within architectural elements of the building using appropriate lettering style, size and colouring.

Above Awning Signs

- Shall be simple in design and avoid a proliferation of advertising which can be confusing and detract from the building and conservation area.
- Shall be positioned flush with the wall surface.
- Shall not be fluorescent or internally illuminated.
- Signs adjacent to heritage items or older buildings in conservation areas shall be designed and located sympathetically.

Appropriate signs above verandah level include:

- signwriting in the parapet panel with a simple clear lettering style.

Appropriate signs on verandahs include:

- signwriting on the verandah fascia board;
- sign suspended below fascia (sympathetically sized, shaped and coloured).

Original Signs

- Early signage has cultural value and shall be retained.

Colour

- Colours shall be sympathetic to the surrounding area and be related to the colours of the building.
- The use of entire glazed shopfronts for temporary notices is not considered appropriate, nor is the use of temporary fluorescent signwriting.
- The use of bright corporate colours and sign designs which are not related to the architecture or character of the area and building are not considered appropriate.

Lettering styles

- Traditional styles of lettering can be interpreted for modern buildings such as the use of raised lettering or traditional styles such as: Clarendon; Ionic; Tuscan; Modern; and Fat.

12.9 REQUIREMENTS for DEVELOPMENT APPLICATIONS

12.9.1 When is a Development Application Required?

Council should be consulted before carrying out any changes to buildings or sites which:

- (i) are listed as heritage items;
- (ii) are in a conservation area; or
- (iii) are in the vicinity of heritage items or conservation areas.

Development applications will generally be required for proposals which:

- (i) potentially impact upon the heritage significance of a heritage item; or
- (ii) involve development or use in a conservation area which has the potential, in the opinion of Council, to adversely affect the character of the conservation area.

Cessnock Local Environmental Plan (CLEP), Clause 5.10: Heritage conservation, specifies the circumstances in which a development application is required.

More detailed information regarding development applications is provided for the following categories of development:

- subdivision;
- minor additions and alterations;
- major additions and alterations;
- development in the vicinity of a heritage item, conservation area, archaeological site and places of Aboriginal heritage significance;
- change of use;
- development of a site containing archaeological relics or with known archaeological potential;
- demolition;
- new development in a conservation area; and
- new or replacement signage.

Applicants shall refer to the more detailed information provided for these development categories (set out below) to determine whether or not a particular proposal requires development consent or some other form of approval from Council.

Requirements are different for listed heritage items, and for components of a conservation area which are not listed heritage items.

The requirements for each development category refer to supporting information and documentation which may be required with a development application. One or more of these requirements may apply to your application, and it is therefore necessary that you discuss the requirements and reports relevant to your proposal with Council before they are prepared or commissioned.

The content and range of issues to be addressed in the various documents will depend on the heritage significance of the site and the impact the proposed development is likely to have.

Sections 12.9.2 to 12.9.10.2 contain details about the range of matters that the documents may contain. Pre-application consultation with Council staff will establish what is a reasonable level of supporting information for individual cases.

As a general rule, the greater the significance of the item or the potential impacts of the proposal, the more detail shall be provided.

NB: In some cases, Council may require additional information to that listed for the relevant category of development, depending on the circumstances of the case. Again, it is suggested that you consult with Council staff early in the process, so that relevant requirements can be determined.

Consultants

For simple development proposals documentation can be prepared by the building owner or manager. Assistance can be sought from Council staff, including Council's Heritage Officer and / or the Heritage Branch (in NSW Planning) where necessary. Statements of Heritage Impact for heritage items and / or preparation of development applications for complex proposals, or those which are likely to have a major impact on the heritage significance of an item or a conservation area, will usually require the assistance of a suitably qualified consultant who has experience in heritage conservation matters.

The use of specialist consultants who are suitably qualified and experienced in heritage matters can significantly reduce the amount of time taken in both the preparation of the development application and its assessment by Council. These time savings can far outweigh the initial cost of their services.

Council and the Heritage Branch can provide a list of consultants practicing in heritage related fields.

12.9.2 Subdivision

The appearance of a locality, and the nature of development that has traditionally occurred in it, is often linked to the subdivision pattern, to the size and shape of the lots, the width of streets and footpaths, and the building and landscaping opportunities that these patterns have allowed or encouraged.

The subdivision pattern itself can be a reflection of the history of the area, of what sort of people lived there, what kind of community it was, whether it was poor or affluent, rural or urban.

To retain these physical indicators of the history of a locality, therefore, subdivision proposals in conservation areas, or on land in the vicinity of or on which a heritage item is situated, require careful consideration. It should be noted that, the definition of subdivision includes amalgamation or consolidation of lots.

Development applications are required for the matters listed below, and applications shall be accompanied by the information specified.

Conservation Areas

A development application is required for any subdivision of land in a conservation area.

Development Application Requirements

Development applications for subdivision in a conservation area will generally require the following information to be submitted:

- adequate plans, showing the building envelopes, siting and setbacks of proposed buildings on the lots to be created, that demonstrate that:
- the proposal will not substantially alter the density of development such that the character and heritage significance of the conservation area is adversely affected;
- the allotment and building spacing (ie. frontage widths, side and front boundary setbacks), are typical of surrounding development such that:
 - the rhythm of buildings in the conservation area is maintained;
 - so that vistas and views to and of any heritage items in the vicinity, especially the principal elevations of buildings, are not interrupted or obscured;
 - so that the landscape quality of the conservation area streetscape is retained;
- the scale and form of proposed new development will not detract from the significant and dominant heritage elements of the conservation area's streetscape;
- the details of required works and services, such as design and materials for kerbing and guttering, access crossings and the like are consistent with original elements of the conservation area;
- the subdivision will not require demolition of existing building stock or re-arranged vehicular access or car parking (on or off the site of the proposal) that would adversely affect the streetscape of the conservation area;
- other specialist reports, where relevant (eg. archaeologist, historian).

Council staff can advise whether or not this information is required with particular applications.

12.9.3 Heritage items and land in the vicinity of heritage items

Development Application Requirements

Development applications for subdivision in the vicinity of a heritage item, or on land on which a heritage item is situated will generally require the following information to be submitted:

- Heritage Impact Assessment (HIA) accompanied by adequate plans, showing the building envelopes, siting and setbacks of proposed buildings on the lots to be created, and demonstrating that:
 - the significance of the item will not be compromised by the subdivision or future development that may occur as a result of the subdivision proceeding;
 - the allotment and building spacing, (ie. frontage widths, side and front and rear boundary setbacks) will preserve vistas and views to and of the item, especially the principal elevations of the building/s;
 - that the setting of the heritage item and a satisfactory curtilage, including important garden and landscape elements, is retained;
 - the scale and form of proposed new construction or buildings on the lots to be created will be compatible with and will not detract from the significant and dominant heritage elements of the item;
 - the subdivision will not require re-arranged vehicular access or car parking (on or off the site of the proposal) that would adversely affect the heritage significance of the time, particularly the principal elevations;
- character assessment: for minor proposals which, in the opinion of Council, will have only minimal or no impact on the heritage significance of an item or component of a conservation area, a full HIA may not be necessary. However, a Character Assessment, which may be prepared by the owner / applicant, addressing the questions set out in Section 12.9.12.2 will be required;

- an archival and photographic record of the setting of the item may be required if its context is substantially altered by the proposed subdivision and likely future development;
- a conservation management plan may be required for extensive and complex proposals;
- an archaeological assessment may be required if the site contains archaeological relics or has known archaeological potential;
- other specialist reports, where relevant (eg. archaeologist, historian).

Council staff can advise on whether or not this information is required with particular applications.

12.9.4 Minor Additions and Alterations Not Requiring Consent

The following matters are usually considered to be of a minor nature and unlikely to adversely affect heritage significance. A development application will usually not be required.

Cessnock Local Environmental Plan (CLEP), Schedule 2: Exempt development, lists what type of development, known as 'Exempt' development, is considered to have minor environmental impact and will not require local planning approval.

Reference should also be made to SEPP (Exempt and Complying Development Codes) 2008.

CLEP, Clause 5.10: Heritage conservation reads as follows:

(3) *When consent not required*

However, 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, archaeological site, or a building, work, relic, tree or place within a heritage conservation area, and*
 - (ii) *would not adversely affect the significance of the heritage item, 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 a place of Aboriginal 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.*

'Exempt' Development listed in subclause (d) relates to minor works, such as: avaries; barbeques; clothes hoists; cubby houses; garden sheds, letter boxes; and shade structures, which subject to subclause (a) are deemed to have negligible environmental impact.

12.9.4.1 *Essential Maintenance*

Council may waive the requirements for a development application where works can be demonstrated to be maintenance only. For the purposes of this Chapter:

- *maintenance* includes, works required to be undertaken because of structural inadequacy or concerns about public safety, but not extending to major or extensive change or to the total demolition of any structure;
- reconstruction approved as part of *maintenance* shall be limited to the form of the existing structure or to a known earlier form in accordance with the definition of 'reconstruction' contained in this Chapter.

12.9.5 *Major Additions and Alterations*

Major additions and alterations are those proposals which have the potential to significantly affect the heritage significance of an item or the character of a conservation area. These changes therefore require the submission of a development application with sufficient supporting information to allow full and proper assessment of potential impacts.

12.9.5.1 *Conservation Areas*

Major additions and alterations to a building or work in a conservation area which may require development consent include, but are not limited to:

- verandah enclosures visible from the street or other public vantage point;
- additional windows and doors and changes to existing windows and doors;
- re-instatement of verandahs and chimneys;
- extensions to buildings which are visible from the street or other public vantage point;
- raising of existing buildings to reduce the impact of flooding;
- erection of new carports and garages, including those with access from a side or rear lane;
- removal of features or decorative elements contributing to the significance of the building or work, or the conservation area;
- roof and wall re-cladding involving a change of materials;
- rendering of brickwork or painting of previously unpainted surfaces;
- skylights or other structures, such as solar panels, ventilators, satellite dishes and the like, attached to the exterior or roof and visible from the street or public vantage points adjoining the site;
- any non-structural external alterations (including painting, rendering, cladding, sand blasting and the like).

Development Application Requirements

Major additions or alterations to a component of a conservation area will generally require the following to be submitted with a development application.

- **Statement of Heritage Impact:**
 - details the heritage significance of the component and its contribution to the conservation area;
 - explains the extent and nature of the work and describing the context of the component (ie. what is around it, what and where are the neighbouring buildings or other features of the locality, and how the component to be altered relates to them). The statement shall describe the impact of the proposed alteration on the streetscape and neighbouring properties;
 - details the measures taken to minimise impact on the heritage significance of the conservation area;
 - provides the reasons for the proposed alterations or additions (ie. extensions for redevelopment of the site, or for restoration of the component to its former or original state);
 - explains why the proposal cannot be located within an existing structure;
 - details the proposed future use of the site if the use is changing.
- **Character Assessment**
 - for minor proposals which, in the opinion of Council, will have only minimal or no impact on the heritage significance of an item or component of a conservation area, a full Statement of Heritage Impact as described above will not necessarily be required. However, a Character Assessment, which may be prepared by the owner / applicant, addressing the questions set out in Section 12.9.12.2 will be required.
- **Site Plan**
 - drawn to scale and showing the location of the building or work to be altered and adjoining buildings.
- **Plans, sections and elevations.**
 - drawn to scale, showing the extent of the proposed works by colouring or hatching. These drawings shall show how the alterations or additions will affect existing buildings, structures and features, and shall include a schedule of external finishes, materials and colours.
- **Other specialist reports.**
 - where relevant (eg. archaeologist, historian).

Council staff can advise whether or not all of this information is required with particular applications.

12.9.5.2 *Heritage Items*

Major additions and alterations to a heritage item which require development consent include, but are not limited to, all of the matters listed in 'conservation areas' above, and the following additional matters:

- all extensions, whether visible from the street or not;
- roof re-cladding;
- front fences;
- swimming pools and tennis courts;
- pergolas and garden structures requiring a construction certificate or activity application;
- demolition of any existing subsidiary structures such as garages, carports, original
- garden sheds and the like;
- replacement of existing garages and carports;
- all structural and non-structural alterations to the outside of the item (this includes painting, rendering, cladding, sand blasting and the like);
- major alterations to gardens which require removal of significant vegetation, introduction of new structures, changes of level, retaining walls and the like;
- internal alterations to an item of State or regional significance.

Development Application Requirements

Major alterations and additions to a heritage item will generally require the following to be submitted with a development application.

- Statement of Heritage Impact
 - details the heritage significance of the item;
 - explains the extent and nature of the work and describing how the impact of the additions or alterations on the heritage significance of the item is to be minimised;
 - describes what measures have been taken to ensure that the additions or alterations are sympathetic to the item in terms of design;
 - describes what measures have been taken to ensure that the additions or alterations will not visually dominate the item;
 - provides the reasons for the proposed alterations or additions (eg. extensions for redevelopment of the site, or for restoration of the component to its former or original state);
 - explains why the proposal / additional area cannot be located within an existing structure;
 - details the proposed future use of the site if the use is changing.

- Engineering Assessment
 - where it is asserted that the alterations and additions are required because part or all of the item is beyond repair or unstable.
- Schedule of Work
 - lists the proposed work to the item and cross-referenced to appropriate drawings, including a schedule of external finishes, materials and colours. In the case of an item of State or regional significance, the Schedule of Works shall detail all internal alterations.
- Archival and Photographic Record
 - may be required for the part or parts of the item to be altered.
- Early photographs or drawings
 - where available, particularly where the intention of the alterations or additions is to return the item to its former or original state.
- Conservation Management Plan
 - may be required for extensive and complex proposals.
- Archaeological Assessment
 - may be required if the site contains archaeological relics or has known archaeological potential.
- specialist reports
 - where relevant (eg. historian).

Council staff can advise whether or not all of this information is required with particular applications.

12.9.6 *Development in the Vicinity of a Heritage Item or Conservation Area*

Cessnock Local Environmental Plan, Clause 5.10: Heritage conservation, requires that Council take into consideration the likely effect of proposed developments on the heritage significance of a heritage item or conservation area, when determining a development application on land in its vicinity.

Development Application Requirements

Applications for development in the vicinity of a heritage item or conservation area, will generally require submission of the following additional information to allow Council to properly assess potential impacts.

- Statement of Heritage Impact
 - accompanied by adequate plans, specifications and drawings to demonstrate:
 - that the application has been prepared having regard to the heritage significance of the item or conservation area;
 - the likely impact on heritage significance of the item or conservation area and the measures taken to minimise impact on that significance;
 - the necessity for the particular proposal to occur in the vicinity of the item or conservation area;
 - the measures taken to protect the setting and context of the item or conservation area (eg. a natural or rural setting which defines the edge of a conservation area and / or contributes to its significance or helps describe its growth and development);
 - the impact on views to and from the item or conservation area, and measures taken to minimise negative effects;
 - the likely impact on historic subdivision patterns, density, rhythm or other detail important to the curtilage or setting of the item or conservation area.

- Character Assessment
 - for minor proposals which, in the opinion of Council, will have only minimal or no impact on the heritage significance of an item or component of a conservation area, a full Statement of Heritage Impact as described above will not necessarily be required. However, a Character Assessment, which may be prepared by the owner / applicant, addressing the questions set out in Section 12.9.12.2 will be required.

- Specialist Reports
 - where necessary (eg. archaeologist, historian).

Council staff can advise if this information is required with particular applications.

12.9.7 *Development of a Site Containing Archaeological Relics or with known Archaeological Potential*

Heritage Items and Conservation Areas

Any proposal which will disturb the surface of an archaeological site or 'potential' archaeological site will generally require submission of a development application. Disturbance of a site can include clearing of vegetation, resurfacing or paving, construction of pathways and the like if such work involves disturbance of surface and / or below ground deposits.

Council shall consult with the Heritage Branch when considering development applications for archaeological sites and the local Aboriginal communities for sites having Aboriginal heritage significance (see CLEP, Clause 5.10(7): Archaeological sites & (8): Places of Aboriginal heritage significance.

Consents and permits may be required from the Department of Environment, Climate Change and Water (DECC&W) and the Heritage Branch in addition to or in conjunction with any development consent granted by Council.

Development Application Requirements

Development applications for work affecting an archaeological site or 'potential' archaeological site will generally require the following information to be submitted.

- Archaeological Assessment
 - evaluates the probable extent, nature and integrity of the archaeological resource at the site;
 - determines the significance of the resource;
 - describes appropriate management solutions for the resource having regard to statutory requirements, the significance of the resource, the particular development proposal and its likely impact on the resource;
 - defines the necessity for other permits or approvals required under the *Heritage Act 1977*, *National Parks and Wildlife Act, 1974*, or other relevant legislation.
- Archival and Photographic Record
 - may be required in some cases.
- Conservation Management Plan
 - may be required for extensive and complex proposals.
- specialist reports
 - where relevant (eg. historian).

N.B. Archaeological Assessments will differ significantly in terms of level of investigation, amount of information required and management solutions recommended, depending upon the circumstances and nature of particular sites. Council staff, DECC&W and the Heritage Branch (in NSW Planning) can provide assistance in this regard.

12.9.8 Change of Use

Conservation Areas and Heritage Items

Any change of use of a building or place which is a heritage item or is in a conservation area requires submission of a development application.

Change of building use means change of one class of building to another as recognised by the Building Code of Australia.

The existing use of a building may contribute to its significance. This will be taken into account by Council when considering applications.

It is important, particularly where the building is a listed heritage item, that proposed uses / functions are sympathetic and appropriate having regard to the design of the building, its original use and purpose. The nature of any physical changes to the fabric required as a result of the change of use shall be taken into consideration.

Changes to the curtilage of the building, such as for required parking areas, loading areas, signs, security fences and the like, can also have an impact on the significance of a heritage item or a conservation area.

Development Application Requirements

A development application for the change of use of a building will generally require submission of the following information.

- **Statement of Heritage Impact**
 - describing the current use of the building and including a statement as to whether this use contributes to the to the significance of the item or conservation area;
 - explaining the need for the change of use;
 - describing any changes to the fabric of the item or component of a conservation area required as a result of the change of use;
 - describing any changes to the site (ie. parking, access or the like) required as a result of the change of use.
- **Character Assessment**
 - for minor proposals which, in the opinion of Council, will have only minimal or no impact on the heritage significance of an item or component of a conservation area, a full Statement of Heritage Impact as described above will not necessarily be required. However, a Character Assessment, which may be prepared by the owner / applicant, addressing the questions set out in Section 12.9.12.2 will be required.

Where a proposal involves changes to building fabric or the site, additional information listed in *Major Additions and Alterations* may also be required.

12.9.9 Demolition

12.9.9.1 Conservation Areas

Demolition of components of conservation areas can significantly affect the appearance of local streets and, over time, change those attributes which give each area its own special character. Components of a conservation area, while not individually listed items, can have a collective significance. Loss of any one of them can erode the significance of the conservation area as a whole.

A development application is generally required for partial or total demolition of any building or work in a conservation area.

However, the following matters are usually considered to be of a minor nature and are unlikely to adversely affect heritage significance. Development Applications may not be necessary for:

- Demolition of modern garden sheds and other modern ancillary structures.

Development Application Requirements

Partial or total demolition of a component of a conservation area may require the following to be submitted with a development application.

- **Statement of Heritage Impact**
 - details the heritage significance of the component and its contribution to the conservation area;
 - provides evidence that all options for retention and adaptive re-use have been explored;
 - explains the extent and nature of the demolition and describing the context of the component (ie. what is around it, what and where are the neighbouring buildings or other features of the locality, and how the component to be demolished relates to them). The statement shall describe the impact of the proposed demolition on the streetscape and neighbouring properties;
 - provides the reasons for the proposed demolition (ie. to allow for extensions, for redevelopment of the site or for restoration of the component to its former or original state);
 - explains why the demolition is necessary to achieve the long term plans for the site;
 - details the proposed future use of the site if the use is changing.
- **Character Assessment**
 - for minor proposals which, in the opinion of Council, will have only minimal or no impact on the heritage significance of an item or component of a conservation area, a full Statement of Heritage Impact as described above will not necessarily be required. However, a Character Assessment, which may be prepared by the owner / applicant, addressing the questions set out in Section 12.9.12.2 will be required.
- **Development Consent**
 - for the future use and development of the site, this may be required prior to approval of an application for total demolition of a component of conservation area.
- **Archival and Photographic Record**
 - where total demolition is proposed, preparation of a full archival and photographic record of the existing building and grounds may be required.
- **Site plan**
 - drawn to scale and showing the location of the building or work to be demolished, or the part to be demolished, and any adjoining buildings.
- **Engineering Assessment**
 - prepared by a Structural Engineer specialising in heritage related work, where it is asserted that the structural condition of the building or work to be demolished, or the part to be demolished, is beyond repair or unstable.

- Plans, Sections and Elevations
 - if partial demolition is proposed, the plans, sections and elevations, drawn to scale, showing the extent of demolition by colouring or hatching in accordance with standard architectural and technical drawing practice. These drawings shall show how the partial demolition will affect existing buildings, structures and features. A partial Archival and Photographic Record may also be required.
- Consultant's Reports
 - where necessary (eg. historian, archaeologist).

Council staff can advise if this information is required with particular applications.

12.9.9.2 *Heritage Items*

A development application is required for demolition, in whole or in part, of any buildings, works or horticultural features of a heritage item.

Development Application Requirements

Proposals for demolition of listed heritage items require a detailed investigation based on a full understanding of the significance of the item and the impact that the partial or total demolition will have. More detailed information shall therefore accompany such development applications. Depending upon the nature of the item, the extent of the demolition and the reason for the demolition, the required information may include:

Statement of Heritage Impact

- details the heritage significance of the item;
- provides evidence that all options for retention and adaptive re-use have been explored;
- explains the extent and nature of the demolition and its impact on the heritage significance of the item;
- where partial demolition, explains why this is necessary for the heritage item to function;
- explains why all of the significant elements of the item cannot be kept and any new development located elsewhere on the site;
- describes the context of the item (ie. what is around it, what and where are the neighbouring buildings or other features of the locality, and how the item to be demolished relates to them);
- provides the reasons for the proposed demolition (ie. to allow for extensions, for redevelopment of the site or for restoration of the item to its former or original state);
- explains why the demolition is necessary to achieve the long term plans for the site. Can demolition be postponed in case future circumstances make retention and conservation more feasible?
- if it is proposed to change the use of the item, or if the item is to be totally demolished, a detailed description of the proposed future use / development of the site will be required.

Development Consent

For the future use and development of the site, this may be required prior to approval of an application for total demolition.

Engineering Assessment

-prepared by a Structural Engineer specialising in heritage related work, where it is asserted that the structural condition of the building or work to be demolished, or the part to be demolished, is beyond repair or unstable.

- Plans, Sections and Elevations
 - if partial demolition is proposed, the plans, sections and elevations, drawn to scale, showing the extent of demolition by colouring or hatching in accordance with standard architectural and technical drawing practice. These drawings shall show how the partial demolition will affect existing buildings, structures and features.
- Archival and Photographic Record
 - where demolition (including partial) is proposed, preparation of a full archival and photographic record of the existing item may be required.
- Early Photographs or Drawings
 - where available, particularly where it is asserted that the item has been significantly altered previously, such that its significance is diminished, or where total demolition is proposed.
- Conservation Management Plan
 - may be required for extensive and complex proposals.
- Archaeological Assessment
 - may be required if the site contains archaeological relics or has known archaeological potential.

All applications for demolition of heritage items of State or Regional significance shall be referred to the Heritage Branch and any comments received within 28 days of being notified, shall be taken into account in the determination of the application.

12.9.10 New Development in a Conservation Area

A development application will generally be required for all new development in a conservation area.

Proposals shall be based on an understanding of the area involved and its heritage significance, and demonstrate how that significance is being respected, or impacts upon it are to be minimised.

This Chapter provide guidelines for conservation and issues to be considered in the conservation areas, these shall be taken into consideration in preparing proposals.
Development Application Requirements

Development applications for new development in a conservation area will generally require the following information to be submitted.

Statement of Heritage Impact

- shall comprise adequate plans, specifications and drawings to demonstrate:
- the impact that the proposed development would have on the heritage significance of the conservation area;
- the measures proposed to conserve the significance of the conservation area and its setting;
- why the development needs to occur in the conservation area;
- the compatibility of the proposed development with nearby original buildings and the character of the conservation area, including consideration of the size, form, scale, orientation, setbacks, materials and detailing of the proposed development;
- a description of the impact of the new development on any heritage items in the vicinity, including impact on curtilage of an item, and views to or from an item;
- which design elements characteristic of the particular conservation area have been incorporated in the design, if any.

Site Plan

- drawn to scale and showing the location of the building or work to be altered and adjoining buildings.

Plans, Sections and Elevations

- drawn to scale, showing the relationship between the new development and surrounding developments in terms of the design guidelines (eg. size and scale, roof forms and shapes). These drawings shall include a schedule of external finishes, materials and colours.

Archaeological Assessment

- may be required if the site contains archaeological relics or has known archaeological potential.

Specialist Reports

- where necessary (eg. archaeologist, historian).

Council staff can advise on whether this information is required with particular applications.

12.9.11 New or Replacement Signage

12.9.11.1 Conservation Areas

A development application will be required for all new and replacement signage in a conservation area, other than temporary signs such as those relating to the sale or lease of the place or premises to which they are affixed. Signage in conservation areas shall not

detract from the character or heritage significance of the area. Part 12.8.12 of this Chapter provides guidelines for appropriate signage. Signage shall be considered as part of the buildings and streetscapes on which they are found.

Development Application Requirements

Applications for new or replacement signage in a conservation area will generally require submission of the following information.

Documentation

- adequate plans, specifications, drawings and supporting documentation to demonstrate that:
- the impact of the signage on the heritage significance of the conservation area and its streetscape has been considered and minimised;
- alternatives have been considered, and that the proposal is generally in accordance with the guidelines;
- the signage is necessary for the proper functioning of the particular premises and its approved uses;
- any unnecessary, redundant or inappropriate signage will be removed;
- the need for illumination has been carefully considered and justified, and where possible signs are to be remotely rather than internally illuminated.

12.9.11.2 Heritage Items

All new or replacement signage on a heritage item or its curtilage, other than real estate signs relating to the sale or lease of the place or premises to which they are affixed, will require submission of a development application.

Original / existing signage shall not be removed, repainted or covered without a development approval or prior consultation and approval in writing from Council staff. This signage may themselves have a connection with an important use of the item and therefore be part of the significance of the item. Existing signage may have a heritage value of their own which should be retained.

Signage shall be considered as part of the buildings and streetscapes on which they are found.

Development Application Requirements

Statement of Heritage Impact

- accompanied by adequate plans, specifications and drawings to demonstrate that:
- the impact of the signage on the heritage significance of the item has been considered and minimised;
- the signage will not visually dominate the item;
- the proposal is generally in accordance with the guidelines for signage contained in Part 1 of this DCP;
- if the proposal is not in accordance with the guidelines;
- the signage is necessary for the proper functioning of the particular premises and its approved uses;
- any unnecessary, redundant or inappropriate signage will be removed;
- the need for illumination has been carefully considered and justified, and where possible signs are to be remotely rather than internally illuminated.

Conservation Management Plan

- signage may form part of a conservation management plan for large or complex proposals, such as multiple commercial use of an item.

Early photographs or drawings

- where available, particularly where it is proposed to replicate original signage.

Council staff can advise on whether or not this information is required with particular applications.

12.9.12 Conservation Incentives

Cessnock Local Environmental Plan, Clause 5.10(10): Conservation incentives, provides incentives for use and development of a building that is a heritage item. Council recognises that sympathetic development and on-going maintenance of heritage properties can be expensive, and can sometimes impose an unreasonable cost burden on property owners. The incentive reads as follows:

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, even though development for that purpose would otherwise not be allowed by this Plan if the consent authority is satisfied that:

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

When considering an application for consent to erect a building on land on which there is situated a building which is a heritage item, the Council may:

- for the purpose of determining the floor space ratio; and
- for the purpose of determining the number of parking spaces to be provided on the site;

exclude from its calculation of the floor space of the buildings erected on the land, the floor space of the item, but only if the Council is satisfied that the conservation of the building depends upon the Council making that exclusion.

12.9.13 Willful neglect or other damage to a Heritage Item or building in a Conservation Area

State Government Provisions

The *Heritage Regulation 2005*, Part 3: Minimum standards of maintenance and repair, list the statutory requirement to maintain heritage significance.

The provisions relate only to a building, work or relic that is listed or within a precinct that is listed on the State Heritage Register and relate to:

- weather proofing;
- fire protection;
- security; and
- essential maintenance.

They do not require owners to undertake restoration works, but where works are needed, owners may apply for financial assistance through the Heritage 2001 funding program.

Where the maintenance and repair standards are not met and the heritage significance of the item is in jeopardy, the Heritage Council has the power to order repairs after consultation with the owner. These orders can be enforced if necessary, and owners prosecuted for failure to comply with an order.



Local Provisions

As discussed in various sections of this Chapter, all components of a conservation area, including but not limited to listed heritage items, contribute to its character, regardless of whether they are individually significant. It is for this reason that the controls relating to demolition are quite stringent, and will be applied consistently.

Applications for demolition of buildings where there is evidence of intentional neglect or damage are unlikely to be considered favourably.

Where Council is of the opinion that a building, work or relic is unsafe or unhealthy, or poses some other risk to the public, the relevant provisions of the Local Government Act 1993 will be enforced to their fullest extent to ensure that adequate work is undertaken to remove such risk, and to avoid the necessity for demolition of the building, work or relic.

Where additional work is required in relation to:

- weather proofing;
- fire protection;
- security; and
- essential maintenance,

Council will request the owner of the building, work or relic to undertake such work to ensure the on-going stability and preservation of significant fabric of the item or component. If such work is not undertaken, and particularly where the building work or relic is a listed heritage item and its significance is deemed by Council to be deteriorating due to wilful neglect or damage, documentary and photographic evidence will be collected by Council, and used in future assessment of applications relating to the site.

Demolition of a listed heritage item or component of a conservation area is considered by Council to be a last resort action, and as stated above, will not be approved where wilful neglect or damage can be established.