

CHAPTER 3.6 HERITAGE CONSERVATION

3.6.1 INTRODUCTION

The history and character of the Central Coast is unique and highly valued by the community. The built environment, cultural landscapes and Aboriginal history of the local government area all contribute to this unique character. These are recognised and protected to ensure that current and future generations can gain an understanding and appreciation of the area's history and heritage.

This Development Control Plan (DCP) Chapter aims to conserve and enhance this unique heritage by providing general heritage principles, objectives and controls relating to development of, or in the vicinity of, heritage items and Heritage Conservation Areas. This Chapter provides guidelines for new development, alterations and additions, maintenance, infill development, demolition, subdivision and adaptive reuse of heritage items. This Chapter must be read in conjunction with other relevant Chapters within the DCP.

3.6.1.1 Heritage Significance

Heritage significance is based on the understanding that a particular item or area has historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value for past, present or future generations.

Items and places of heritage significance within the local government area include:

- a — Natural heritage — fossil sites, geological formations, rivers and other cultural landscape heritage assets such as parks, gardens and rural landscapes;
- b — Archaeological heritage — cemeteries, ruins, foundations of early built fabric;
- c — Aboriginal cultural heritage — Aboriginal reserves/missions, sites of conflict, axe grinding grooves, ceremonial sites, burial sites, scar trees, occupation sites, landscapes, lake and river foreshores;
- d — European heritage — convict settlement sites, government sites, rural cultural landscapes, churches, schools, war memorials, bridges and railways, dwellings, inns and coaching stations, public buildings, commercial development, industrial development, villages, subdivision patterns, wharf structures and multicultural heritage.

For further information on heritage significance including the types and levels of significance please refer to the NSW Heritage Branch website

<http://www.environment.nsw.gov.au/resources/heritagebranch/heritage/listings/assessingheritagesignificance.pdf>

Heritage consists of the places and objects that we have inherited from the past, and that we want to pass on to future generations. The Central Coast has a rich and varied heritage. The Aboriginal heritage of the Central Coast includes tangible and intangible markers allowing for a rich understanding of the traditional connection of Aboriginal people, past and present, to Country. The Central Coast also has a rich diversity of heritage buildings, places and archaeological sites that demonstrate the settlement and use of the region post-1788.

Heritage items, heritage conservation areas and Aboriginal places and objects in the Central Coast LGA are protected under State legislation and local planning controls. This Chapter has been prepared to provide guidance to persons proposing to carry out development that involves cultural heritage in the Central Coast LGA. This is to ensure that our heritage is protected and enhanced, while allowing our towns, suburbs, and cities to grow and evolve.

This Chapter has been prepared to support the provisions of Clause 5.10 of the *Central Coast Local Environmental Plan 2022* (CCLEP 2022) and the provisions of Clause 5.36 of Chapter 5 *Gosford City Centre of the State Environmental Planning Policy (Precincts-Regional) 2021* (Regional SEPP).

3.6.1.2 — Burra Charter

~~Council acknowledges the principles of, and practices recommended by, the Burra Charter in the conservation of items of cultural heritage and have informed the preparation of this section of the DCP. The Burra Charter provides guidance for the conservation and management of places of cultural significance (cultural heritage places). The Charter sets a standard of practice for those who provide advice, make decisions about, or undertake works to places of cultural significance, including owners, managers and custodians.~~

~~When preparing a development application, the principles of the Burra Charter should be applied. In the event of any inconsistencies between the Burra Charter and the DCP, the DCP will prevail.~~

~~For further information on the Burra Charter principles please refer to Australia ICOMOS – <http://australia.icomos.org/wp-content/uploads/The-Burra-Charter-2013-Adopted-31.10.2013.pdf>~~

This Chapter is also guided by the conservation policy, principles and definitions established in the Australia ICOMOS *Charter for the Conservation of Places of Cultural Significance* (The Burra Charter).

3.6.1.3 — 3.6.1.1 Objectives of this Chapter Aims

~~The aim of this Chapter is to promote conservation of the Central Coast's cultural heritage through promoting appropriate development that is sensitive to, and designed in consideration of, the local heritage context. This Development Control Plan Chapter aims to guide and provide a management framework for the development of heritage items, land in the vicinity of heritage items, and land within a Heritage Conservation Area.~~

~~The objectives of the plan are to:~~

- ~~a — Conserve heritage items and Heritage Conservation Areas~~
- ~~b — Ensure that significant items and places retain their important character, fabric and setting~~
- ~~c — Establish a framework for detailed heritage and conservation planning for the Central Coast~~
- ~~d — Ensure that Aboriginal Cultural Heritage and archaeology are taken into due consideration during the development process~~
- ~~e — Promote new development that is sympathetic to the identified heritage significance~~
- ~~f — Maximise the retention of heritage items, Heritage Conservation Areas and contributory items~~
- ~~g — Provide controls for encouraging contemporary design sympathetic with the identified heritage significance~~
- ~~h — Enable appropriate and expert consideration to be given by Applicants and Council for development relating to heritage assets~~
- ~~i — Provide incentives for owners of properties that are listed as individual heritage items or located in a Heritage Conservation Area~~

~~j — Facilitate the implementation of the objectives and provisions relating to heritage conservation which are contained within Central Coast LEP 2022~~

The aims of this chapter are to:

- ~~conserve Aboriginal objects and places, heritage items, and heritage conservation areas in the Central Coast;~~
- ~~ensure that development of heritage items conserves and respects the heritage significance of the item including fabric and setting;~~
- ~~ensure that Aboriginal cultural heritage and archaeology are given due consideration during the development process;~~
- ~~ensure that new development is based on an understanding of the significance of heritage items and heritage conservation areas;~~
- ~~ensure that development in the vicinity of heritage items and heritage conservation areas respects the heritage item or place in terms of siting, scale, orientation, and character and does not impact on setting or impede views; and~~
- ~~facilitate the implementation of the objectives and provisions relating to heritage conservation which are contained within the CCLEP 2022.~~

3.6.1.4 — 3.6.1.2 Land to which this Chapter Applies

This Chapter applies to all land to which Central Coast LEP 2022 applies. ~~This Chapter applies also to land covered by the Chapter 5 of the Regional SEPP.~~

~~Refer to Schedule 5 of the LEP to ascertain if a site is a heritage item, or is located within a Heritage Conservation Area. Applicants must also conduct a Due Diligence Assessment for Aboriginal Objects and consider any draft amendments to the LEP which may relate to heritage items.~~

~~If the site is a heritage item or is located within a Heritage Conservation Area, Applicants must refer to clause 5.10 of the LEP and to this Chapter for the relevant provisions.~~

Relationship to other plans and policies

~~This Chapter must be read in conjunction with other relevant Chapters within the DCP. Where there is an inconsistency, the provisions of this Chapter prevail.~~

Gosford City Centre

~~Development within Gosford City Centre is guided by the *Gosford City Centre Development Control Plan 2018* (Gosford City Centre DCP 2018). The Gosford City Centre DCP 2018 adopts the provisions of this DCP. Where the provisions in this Chapter conflict with those in the Gosford City Centre DCP 2018, the provisions of the latter prevail.~~

3.6.1.3 Development to which this chapter applies

~~This Chapter applies to development on land that contains, or is in the vicinity of, an Aboriginal object or place, an archaeological site, or a heritage item or heritage conservation area.~~

~~Applicants can contact Council's Heritage Officer for advice on application requirements, heritage significance and best practice conservation practices.~~

3.6.2.1 — Development without Consent

- a — ~~Clause 5.10 of Central Coast LEP 2022 provides controls for heritage conservation including when development consent is not required. Pursuant to Clause 5.10(3) of Central Coast LEP 2022 development consent may not be required for work to a heritage item or Heritage Conservation Area~~
- a — ~~Proponents are to contact Council's Heritage Officer to determine whether development consent is required. Written advice from Council must be obtained prior to commencement of works for development without consent.~~

Some works or activities may not require development consent; however, may still require notification to or consultation with Council. See below for types of development that may not require consent.

3.6.3.4 — Essential Maintenance

~~Council may waive the requirement for a development application where works can be demonstrated to be essential maintenance only. For the purposes of this Plan:~~

- a — ~~essential maintenance includes works required to be undertaken because of structural inadequacy or concerns about public safety;~~
- b — ~~reconstruction approved as part of essential 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 Plan.~~

Minor works and essential maintenance

Clause 5.10(3) of the CCLEP 2022 and Clause 5.36(3) of the Regional SEPP allow property owners to seek an exemption from formal development approval for minor works or maintenance that will not negatively impact the heritage significance of their property. This process helps simplify the management of heritage properties while safeguarding their heritage value.

Before beginning any work, property owners must submit the **Heritage Exemption Form** for assessment by the Council's Heritage Team and must receive written approval from Central Coast Council.

Minor works and essential maintenance might include:

- minor repairs using the same materials and finishes
- resealing/treating timber
- replacing broken windows
- re-hanging doors or gates
- repainting
- replacing or establishing gutters and downpipes
- re-pointing brickwork
- restoring posts or fence posts
- repairing stonework and plasterwork
- underpinning and damp proofing

- [replacing plumbing and wiring](#)
- [general maintenance of heritage gardens \(pruning or replanting original species\)](#)
- [under certain circumstances the installation of solar panels \(subject to certain location and criteria\).](#)

Refer to Council's website for further information, and to access the **Heritage Exemption Form**:

<https://www.centralcoast.nsw.gov.au/heritage-exemption-and-heritage-nomination-forms>

Exempt development

Exempt development is development that does not require planning or building approval. Exempt development applies to works that are low impact, provided that they meet all relevant development standards.

The majority of exempt development types and their relevant standards are identified in the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* (Codes SEPP). Other types of development may be exempt under other plans or policies.

However, not all types of exempt development are applicable if they involve a heritage item, heritage conservation area, or Aboriginal object or place.

Refer to NSW Government guidance for further information:

<https://www.planning.nsw.gov.au/assess-and-regulate/development-assessment/planning-approval-pathways/exempt-development>

Complying development

Complying development is development that is considered to have a minor environmental impact on neighbourhood amenity which can be addressed by predetermined development standards. Complying development approvals are determined through a fast-track assessment process by Council or an accredited certifier. The majority of complying development types and their standards are outlined in the Codes SEPP.

However, complying development does not apply to land that is identified as a heritage item. Some types of complying development do not apply in heritage conservation areas.

Refer to NSW Government guidance for further information:

<https://www.planning.nsw.gov.au/assess-and-regulate/development-assessment/planning-approval-pathways/complying-development>

Development with consent **3.6.2 DEVELOPMENT CONSENT**

Development consent is required for works to a heritage item as required under Central Coast LEP 2022 and include proposals that involve:

- b — demolition, in whole or in part, of any buildings, works or horticultural features of a heritage item;
- c — altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 of Central Coast LEP 2022 in relation to the heritage item;
- d — alterations and additions to the exterior of a heritage item

- e ~~erecting a building or structure on land on which a heritage item is located, or within a Heritage Conservation Area~~
- f ~~subdividing land on which a heritage item is located or within a Heritage Conservation Area;~~
- g ~~disturbing or excavating an archaeological site;~~
- h ~~Altering the use of the heritage item.~~

3.6.2.4 ~~Assessment Requirements~~

~~In determining how heritage items and Heritage Conservation Areas should be conserved, every proposal must be considered on its own merits. Two key objectives in a merit assessment will be to conserve those items and features that are significant, and to ensure that an item remains recognisable of its period and value. The significance of items and features of a heritage item are determined using the criteria developed by the NSW Heritage Council.~~

~~Prior to granting consent, Council will consider:~~

- a ~~the applicants Due Diligence Assessment of the likely impact on any Aboriginal objects or places;~~
- b ~~the potential impacts of the proposal on the heritage significance of the item or Heritage Conservation Area;~~
- c ~~the extent to which the carrying out of the development in accordance with the consent would affect the heritage significance of the item and its setting having considered a statement of heritage impact supplied by the applicant;~~
- d ~~whether the setting of the item, and in particular, whether any stylistic, horticultural or archaeological features of the setting should be retained; and~~

~~measures to be taken to conserve heritage items identified in any Conservation Plan or Heritage Impact Statement prepared by the Applicant.~~

~~All other development types require consent from Central Coast Council through the Development Application (DA) process.~~

Information about the DA process can be found on Council's website:

- <https://www.centralcoast.nsw.gov.au/plan-and-build/development-applications/understanding-development-process>

3.6.2 ABORIGINAL HERITAGE

Aboriginal cultural heritage consists of places, traditions, beliefs, customs, values, and objects that represent the history of Aboriginal generations past and continuing and are of cultural and heritage significance to Aboriginal people.

First Nations people have lived within the Central Coast LGA for over 50,000 years. There are thousands of registered Aboriginal places and objects within the Central Coast LGA that speak to this long and enduring connection to Country. These include habitation sites, rock engravings and stencil art sites, axe grinding grooves sites, middens, culturally modified trees, stone arrangements, and stone artefact scatters.

Legislative framework

The primary legislative instrument for the protection of Aboriginal cultural heritage in NSW is the *National Parks and Wildlife Act 1974* (NPW Act).

Aboriginal cultural heritage is also protected under:

- *Environmental Planning and Assessment Act 1979* (NSW)
- *Central Coast Local Environmental Plan 2022*
- *Heritage Act 1977* (NSW)

Registered Aboriginal sites are recorded on the Aboriginal Heritage Information Management System (AHIMS). Several Aboriginal sites are listed as heritage items on Schedule 5 of the CCLEP 2022. In addition, State Heritage Register items may include objects or places of Aboriginal cultural heritage.

Approval requirements under the National Parks and Wildlife Act

Part 6 of the NPW Act provides specific protection for Aboriginal objects and declared Aboriginal places by establishing offences of harm. Anyone proposing to carry out an activity that could potentially cause harm to an Aboriginal object or place must investigate, assess, and report on the harm that may be caused in an Aboriginal Cultural Heritage Assessment Report (ACHAR). Where harm cannot be avoided, an Aboriginal Heritage Impact Permit will be required from Heritage NSW.

This process must be undertaken in accordance with the following guidelines:

- *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* (Department of Environment, Climate Change and Water NSW, 2010)
- *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in New South Wales* (Office of Environment and Heritage, Department of Premier and Cabinet, 2011); and
- *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* (Department of Environment, Climate Change and Water NSW, 2010).

Refer to the Heritage NSW webpage for additional information on assessment and permit requirements for Aboriginal cultural heritage –

- <https://www2.environment.nsw.gov.au/topics/heritage/about-heritage/aboriginal-cultural-heritage>

3.6.2.2.1 — Preparing a Due Diligence Assessment for Aboriginal Objects

a — a Reference to the following documents is required in relation to Aboriginal Cultural Heritage Assessment:

- * — Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales (DECCW 2010);
- * — Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in New South Wales, April, 2011;
- * — Aboriginal Cultural Heritage Consultation requirements for Proponents, April, 2010;
- * — The Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW, 24 September, 2010; and
- i — *The Guide to Aboriginal Heritage Impact Permit Processes and Decision Making*, August, 2011.

An Aboriginal Heritage Impact Permit from NSW Office of Environment and Heritage is required for development that causes harm to Aboriginal Object or Aboriginal Places.

3.6.2.1 Aboriginal objects and places

Under Clause 5.10 of the CCLEP 2022, development consent is required for works that may impact an Aboriginal object or place. This includes:

- demolishing, moving, or altering an Aboriginal object;
- disturbing or excavating an Aboriginal place of heritage significance;
- erecting a building on land on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance; and
- subdividing land on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.

Development application requirements

Development application requirements will depend on the location and type of development, and the known or likely presence of Aboriginal objects or places. All development that involves ground disturbance or excavation must consider potential impacts to Aboriginal objects and places. At a minimum this must include:

- an **AHIMS search** to identify whether registered Aboriginal sites are located on, in the vicinity of, and/or within a 200m buffer of the development site; and
- an assessment of the landscape to identify the potential for Aboriginal objects and places.

Development with the potential to impact an Aboriginal object or place, indicated by the results of the above, must follow the investigation, assessment, and reporting pathway established by the NPW Act. This may include:

- a **Due Diligence Assessment** to determine whether Aboriginal objects are likely to be present in an area, whether they are likely to be harmed by an activity, and whether further assessment and approval is required;

- an **Aboriginal Cultural Heritage Assessment Report** (ACHAR) to document the process of investigation, consultation, and assessment of Aboriginal cultural heritage; if required, the ACHAR will be used to apply for a permit from Heritage NSW; and
- an **Aboriginal Heritage Impact Permit** (AHIP) – a legal document that gives permission to harm Aboriginal objects or places and sets out conditions to comply with.

Development requiring an Aboriginal Heritage Impact Permit

Development which requires an AHIP is classified as 'integrated development', meaning consent is required from both Council and Heritage NSW. The development application must be accompanied by an ACHAR prepared in line with Heritage NSW requirements. Council will then refer the development application and ACHAR to Heritage NSW.

OBJECTIVES	
O1	<u>To conserve Aboriginal objects and Aboriginal places in the Central Coast.</u>
O2	<u>To ensure that consideration of known or potential Aboriginal objects and places forms part of initial site investigations and site planning.</u>
REQUIREMENTS	
R1	<u>Applicants proposing to undertake any development involving ground disturbance or excavation must undertake the following prior to lodging the development application:</u> ▪ an AHIMS search to identify whether any registered Aboriginal sites are located on, in the vicinity of, and/or within a 200m buffer of the development site; and ▪ an assessment of the landscape to identify whether the area of proposed development is: ○ <u>classed as an 'environmentally sensitive area', as defined in Clause 3.3 of the CCLEP 2022;</u> ○ <u>within the vicinity of or containing mature tree/s that may be over 150 years old;</u> ○ <u>within 200 meters of waters (being the whole or any part of any river, stream, lake, lagoon, swamp, wetlands, natural watercourse, or tidal waters including the sea);</u> ○ <u>within a sand dune system;</u> ○ <u>on a ridge top, ridge line or headland;</u> ○ <u>within 200m below or above a cliff face; or</u> ○ <u>within 20m of or in a cave, rock shelter, or cave mouth.</u> <u>Such assessment may be performed by any person without any particular qualifications.</u> <u>This information must be included in the Statement of Environmental Effects.</u>

R2	<u>If the development site:</u> - contains, is in the vicinity of, and/or is within a 200m buffer of a registered Aboriginal site; and/or - is within the above landscape types. A Due Diligence Assessment must be submitted with the development application. The Due Diligence Assessment must be prepared in accordance with the <i>Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales</i> (Department of Environment, Climate Change and Water NSW, 2010).
R3	Development involving Aboriginal cultural heritage must be undertaken in accordance with the relevant provisions of the National Parks and Wildlife Act and other relevant legislative and statutory instruments.
R4	<u>The following categories of development are not required under this Development Control Plan to undertake any investigation of potential impacts to Aboriginal objects and control.</u> i. <u>Development on any lot having an area less than 800m² (whether or not that land shows clear and observable changes to the lands surface by human activity.</u> ii. <u>Development on land (of any size) that shows clear and observable changes to the land's surface by human activity.</u> iii. <u>However, persons carrying out development to which this clause applies should consider the provisions of the National Parks and Wildlife Act 1974 (NSW) and the National Parks and Wildlife Regulation 2019 relating to Aboriginal objects and places.</u>

3.6.2.2 Connecting with Country Framework

Refer to the Government Architect NSW webpage for further information on the Connecting with Country Framework:

- <https://www.planning.nsw.gov.au/government-architect-nsw/policies-and-frameworks/connecting-with-country>

The Government Architect NSW has prepared the Connecting with Country Framework to provide good practice guidance on how to respond to Country in the planning, design, and delivery of built environment projects in NSW. The Connecting with Country Framework presents a place-led design approach that can be applied at multiple scales, from individual buildings, to public parks, plaza and malls, to neighbourhoods and precincts.

OBJECTIVES	
O1	To ensure that built environment projects in the Central Coast are guided by, and respond to, Country.
REQUIREMENTS	

<u>R1</u>	<u>Development proposals involving:</u> ▪ <u>development applications on sites 20 ha or more in size;</u> ▪ <u>development application progressing under the design excellence panel;</u> ▪ <u>development located within areas of Aboriginal significance, where appropriate, and</u> ▪ <u>any public domain/urban design projects on sites in excess of 1000m2</u> <u>must demonstrate engagement with the Connecting with Country Framework.</u>
<u>R2</u>	<u>Development applications must demonstrate how the Connecting with Country Framework has been implemented and how the outcomes of engagement have informed the design outcomes.</u>

3.6.3 HISTORICAL ARCHAEOLOGY

[Historical archaeology refers to archaeological remains that relate to the settlement of NSW post-1788, other than Aboriginal settlement. Archaeological remains are deposits, artefacts, objects, or material evidence that are principally present underground. Archaeological sites are areas with known archaeological remains.](#)

[Archaeological sites in the Central Coast include remains of houses, inns, mills, roads, and railways, as well as maritime sites such as shipwrecks, jetties, wharves, and boatsheds.](#)

Legislative framework

[Historical archaeology in NSW is primarily protected by the *Heritage Act 1977* \(NSW\) \(Heritage Act\).](#)

[Archaeological sites in the Central Coast LGA are also protected under:](#)

- [Environmental Planning and Assessment Act 1979; and](#)
- [Central Coast Local Environmental Plan 2022 \(CCLEP 2022\) and Chapter 5 of the *State Environmental Planning Policy \(Precincts—Regional\) 2021* \(Regional SEPP\).](#)

Requirements under the NSW Heritage Act

[Known and potential archaeological remains that are of State or local heritage significance are protected under the Heritage Act. These are referred to as archaeological relics. Works or activities that will disturb or excavate land where relics are known or suspected may require:](#)

- [a Section 139 exception;](#)
- [a Section 140 excavation permit; or](#)
- [approval from Heritage NSW if the works are within a State Heritage Register item.](#)

[This process must be undertaken in accordance with the following guidelines:](#)

- [Assessing Significance for Historical Archaeological Sites and 'Relics' \(Heritage Branch of the Department of Planning 2009\);](#)
- [Archaeological Assessments Guidelines \(Department of Urban Affairs and Planning 1996\); and](#)
- [Historical Archaeology Code of Practice \(Department of Planning 2006\).](#)

[If archaeological relics are unexpectedly or unintentionally uncovered, Heritage NSW must be notified.](#)

[Refer to the Heritage NSW webpage for further information on requirements under the Heritage Act:](#)

- <https://www2.environment.nsw.gov.au/topics/heritage/apply-for-heritage-approvals-and-permits/historical-archaeology>

3.6.3.1 Archaeological sites

[Archaeological sites that have been assessed as of significance to the Central Coast are listed on Part 3 Schedule 5 of the CCLEP 2022 and Part 3 Schedule 9 of the Regional SEPP. Heritage items and heritage conservation areas listed on the CCLEP 2022 or Regional SEPP may also contain known or potential archaeological remains associated with former uses or structures. Check the State Heritage Inventory listing sheet for information about a listed archaeological site or heritage item.](#)

The nature of archaeological remains means that their presence may not be visible on the ground surface. It is important that the potential for archaeological remains is identified early in the planning of development, to minimise the risk of unexpected finds, and minimise disruptions during the course of development.

Development application requirements

Under Clause 5.10(2) of the CCLEP 2022, development consent is required to:

- disturb or excavate an archaeological site; and/or
- demolish, move, or alter a relic within a heritage conservation area.

Where development proposes excavation or ground disturbance in a listed archaeological site, or where archaeological remains are known or suspected, the development application must include:

- a **Historical Archaeological Assessment** to evaluate the likely extent, nature, integrity, and significance of the archaeological remains.

Where development has the potential to impact archaeological remains, additional reporting and assessment may be required to support an exception or permit application. These may include:

- a **Historical Archaeological Research Design**;
- a **Test Excavation Report**; and
- an **Excavation Report**.

Obtaining necessary excavation exceptions or permits may be included as a condition of consent.

<u>OBJECTIVES</u>	
<u>O1</u>	<u>To preserve known and potential historical archaeology in the Central Coast LGA.</u>
<u>O2</u>	<u>To ensure that consideration of historical archaeology forms part of initial site investigations and site planning.</u>
<u>REQUIREMENTS</u>	
<u>R1</u>	<u>Development of sites with known or potential historical archaeology must be undertaken in accordance with the relevant provisions of the Heritage Act and the CCLEP 2022.</u>
<u>R2</u>	<u>Development applications for development involving excavation or ground disturbance to an identified archaeological site must include a Historical Archaeological Assessment.</u>
<u>R3</u>	<u>Assessment of impacts to historical archaeology must form part of initial site investigations and site planning.</u>

3.6.4 HERITAGE ITEMS~~3.6.3 GENERAL HERITAGE & DEVELOPMENT GUIDELINES~~

3.6.1.1.1 Heritage Items

~~Heritage items include built or natural forms, archaeological or maritime heritage, movable heritage or items. The NSW Heritage Act 1977 and the Environmental Planning and Assessment Act (EP&A Act), 1979 provide the legislative framework for heritage management in New South Wales. Heritage items are identified in the Central Coast Local Environmental Plan (LEP) 2022 and are administered under these two Acts.~~

~~In addition, any known Aboriginal sites, places and relics are identified in the Aboriginal Heritage Information Management System (AHIMS) Register and all Aboriginal sites, places and relics are protected under the National Parks and Wildlife Act 1974.~~

~~Heritage items are places and objects that have been assessed as being of significance for their historical, associative, aesthetic, social, research, representative, and/or rarity values. Heritage items in the Central Coast include buildings, structures, and places such as houses, churches, farm buildings, hotels, cemeteries, wharves, and streetscapes. Heritage items are assessed as being of local, State or national significance.~~

~~If a property is listed as a heritage item, it is subject to specific planning and development controls that seek to retain the heritage significance of the item.~~

Legislative framework

~~Heritage items in the Central Coast LGA are listed on Schedule 5 of the CCLEP 2022 and on Schedule 9 of the Regional SEPP. These include local heritage items, as well as items that are of State and National heritage significance.~~

~~Items of State heritage significance are listed on the State Heritage Register, and are protected under the Heritage Act 1977 (NSW). Items of National significance are listed on the National Heritage List, and are protected under the Environment Protection and Biodiversity Conservation Act 1999.~~

Refer to the State Heritage Inventory database to access the State Heritage Register:

- <https://www2.environment.nsw.gov.au/topics/heritage/search-heritage-databases/state-heritage-inventory>

Refer to the Australian Government Department of Climate Change, Energy, the Environment and Water webpage to access the National Heritage List

- <https://www.dcceew.gov.au/parks-heritage/heritage/places/national-heritage-list>

3.6.2.2 Application Requirements~~Development application requirements~~

~~a Proponents are to consult with Council before applying to carry out any works to buildings or sites which are listed as heritage items, are in the vicinity of a heritage item, or which are within a Heritage Conservation Area. A development application for works on or in the vicinity of a heritage item or Heritage Conservation Area may need to be accompanied by any of the following:~~

- ~~i Due Diligence Assessment for Aboriginal Objects
<http://www.environment.nsw.gov.au/resources/cultureheritage/ddcop/10798ddcop.pdf>~~

- ii — Statement of Heritage Impact
<http://www.environment.nsw.gov.au/resources/cultureheritage/ddcop/10798ddcop.pdf>
- iii — Conservation Management Plan;
- iv — Demolition Report;
- v — Plans for appropriate alteration/additions and/or replacement building;
- vi — Archival Record
<http://www.environment.nsw.gov.au/resources/heritagebranch/heritage/infoarchivalrecords.pdf>

Under Clause 5.10 of the CCLEP 2022 and Clause 5.36 of the Regional SEPP, development consent is required for works with the potential to impact the significance of a heritage item, including its fabric, setting and views.

The name of a heritage item will usually identify the things that are part of the heritage significance of the item – for example, “House, front garden and front fence”. More information about the significance of a heritage item can be found in the State Heritage Inventory listing for the item (refer link below). Additional assessment may be required to understand the significance of the item.

Definitions

Cultural significance means aesthetic, historic, scientific, social or spiritual value for past, present or future generations. Cultural significance is embodied in the place itself, its fabric, setting, use, associations, meanings, records, related places and related objects

Fabric means all the physical material of the place including elements, fixtures, contents and objects.

Setting means the immediate and extended environment of a place that is part of or contributes to its cultural significance and distinctive character.

State Heritage Inventory

The State Heritage Inventory holds records for most heritage items in NSW. This can include information about the item’s historical context, a physical description, assessment of significance, and/or management recommendations.

Refer to the NSW Environment and Heritage webpage for more information on the State Heritage Inventory:

- <https://www2.environment.nsw.gov.au/topics/heritage/search-heritage-databases/state-heritage-inventory>

Where development is proposed to land that is a heritage item, the development application must include a heritage management document that addresses the potential impacts of the proposed development on the significance of the heritage item/s concerned. Typically, this will take the form of a:

- **Heritage Impact Statement** (HIS), also referred to as a **Statement of Heritage Impact** (SOHI)

Depending on the nature of the development and the heritage item or area involved, additional heritage management documentation may be required, such as:

- a Conservation Management Plan (CMP);
- a Heritage Asset Action Plan (HAAP);
- an Archival Record; or

- [a Schedule of Conservation Works.](#)

Further information on development application requirements and guidelines for the preparation of Heritage Impact Statement are included at 3.6.7 Additional Information.

Development involving heritage items listed on the State Heritage Register

Works to heritage items that are listed on the State Heritage Register (SHR) are subject to approval requirements under the Heritage Act. Development to SHR-listed items that requires both consent from Central Coast Council and approval from Heritage NSW, is referred to as 'integrated development.' For integrated development, a Statement of Heritage Impact, prepared in accordance with the *Guidelines For Preparing Statements of Heritage Impact* (Department of Planning and Environment 2023), must be submitted with the development application. Council will refer the development application to Heritage NSW.

Refer to the Heritage NSW website for approval requirements for items on the State Heritage Register:

- <https://www2.environment.nsw.gov.au/topics/heritage/apply-for-heritage-approvals-and-permits/state-heritage-register-items>

3.6.4.1 General requirements for development to heritage items

<u>OBJECTIVES</u>	
<u>O1</u>	To conserve the significance of heritage items, including form, scale, character, fabric, setting, and key views to and from the item.
<u>O2</u>	To ensure that change to heritage items is appropriate to their significance.
<u>REQUIREMENTS</u>	
<u>R1</u>	Development must have regard to the Burra Charter principle of 'do as much as necessary to care for the place and to make it useable, but otherwise change it as little as possible so that its cultural significance is retained.'
<u>R2</u>	Development must not alter the significant form, scale, style, and details of the heritage item.
<u>R3</u>	Development must retain significant fabric. Where it is not possible to retain fabric: ▪ changes to significant fabric must be minimised and reversible, where possible; or, ▪ restoration or repair to the significant fabric must be undertaken using appropriate materials and methods, and must be based on historical or physical evidence.
<u>R4</u>	Development must retain significant settings and views to and from the heritage item.

R5	<u>New works to heritage items, including additions and alterations, must be:</u> ▪ <u>subservient in scale to the heritage item;</u> ▪ <u>located away from primary elevations to the rear of the existing building form;</u> ▪ <u>located away from highly intact or significant areas; and</u> ▪ <u>designed and located so that they do not detract from the aesthetic significance of the item.</u>
R6	<u>New decorative elements must be appropriate to the style and period of the heritage item, and must based on documentary or physical evidence.</u>
R7	<u>New development should include the removal of any unsympathetic elements, especially where substantial changes are proposed to a heritage item and the reversal will provide an improved heritage outcome.</u>
R8	<u>Servicing, fire safety or BCA compliance upgrades for a new use must not impact on the heritage significance of the item.</u>
R9	<u>Development applications involving a heritage item must be accompanied by a Heritage Impact Statement that addresses the impacts of the development on the item(s) involved.</u>
R10	<u>Development involving State Heritage Register items must be undertaken in accordance with the relevant provisions of the Heritage Act.</u>

3.6.6 SUBDIVISION

3.6.6.13.6.4.2 Subdivision and Site Consolidation of a Heritage Item

Read in conjunction with:

- Chapter 2.4 Subdivision

The cadastral lot boundary of a heritage item usually corresponds to its curtilage – the area of land that is protected by heritage controls. However, some heritage items may have an expanded curtilage (more than one cadastral lot) or a reduced curtilage (part of a cadastral lot).

Definition

curtilage, in relation to a heritage item or conservation area, means the area of land (including land covered by water) surrounding a heritage item, a heritage conservation area, or building, work or place within a heritage conservation area, that contributes to its heritage significance.

Examples



The curtilage of this heritage item (shaded in brown) includes the dwelling, and associated garden, plantings and landscaping elements.



The curtilage of this heritage item (Hardys Bay Wharf and timber toilet blocks, 167; shaded in brown) is specific to the footprint of the significant structures, and is not tied to allotment boundaries.

Development applications for subdivision and site consolidation involving a heritage item must address the impacts of the development on the significance, curtilage, and setting of the heritage item from both the subdivision/site consolidation. The development application must also address the impacts of future development resulting from the subdivision/site consolidation.

It is important to note that the subdivision or site consolidation of a heritage item does not change the heritage curtilage – it does not remove the heritage listing on any part of the land. The altering of a heritage curtilage requires an amendment to the relevant environmental planning instrument (the CCLEP 2022 or the Regional SEPP), which can only be approved through a Planning Proposal.

Subdivision applications for land either in the vicinity of or on which heritage items are situated shall be accompanied by adequate plans, showing the building envelopes, siting and setbacks of the proposed buildings, and shall demonstrate to Council's satisfaction that:

- a — The subdivision does not adversely affect the cultural significance of the heritage item;
- b — Evidence of the historical setting, landscape and subdivision pattern can be recognised and/or retained;
- c — The allotment and building spacing, that is, frontage widths, side and front boundary setbacks, are typical so that vistas and views to, and of, heritage items, especially the principal elevations of buildings, are not interrupted or obscured and so that the setting of the heritage item and a satisfactory curtilage, including important landscape and garden elements, are retained;
- d — The scale and form of proposed new construction or buildings is compatible with and does not detract from the significant heritage characteristics of the items;
- e — The subdivision will not require rearranged vehicular access and car parking (on or off the site of the proposal), that would adversely affect the principal elevation of the heritage item.

3.6.6.2 — Heritage Items within consolidated development sites zoned medium to high density

The following controls apply for consolidated sites that include a heritage item:

- a — Consolidated development sites that include heritage items are to provide for conservation works to the building and its setting as part of the redevelopment;
- b — The distance or setback of a new development from the heritage items is to consider the curtilage and setting of the items and informed by a conservation management. The following item is defined as a planning matter pursuant to the *Local Government Act, 1993* and *EP&A Act, 1979*;
- c — Buildings, structures and garden settings that contribute to the significance of the heritage item are to be retained and sensitively incorporated into the development proposal;
- d — New buildings to be articulated to respond to the significance of heritage items to achieve an appropriate transition in height, bulk and scale;
- e — Where appropriate the front setback of the new development is to be greater than that of the heritage item;
- f — Key views to and from the heritage item are to be conserved as part of the development.

OBJECTIVES

O1	<u>To ensure that subdivision or site consolidation retains the significant curtilage and setting of heritage items.</u>
O2	<u>To ensure that subdivision or site consolidation enables future development that is sympathetic to, and does not detract from, the significance and setting of heritage items.</u>
O3	<u>To ensure that subdivision or site consolidation enables development that respects the established streetscape and the historical patterns of subdivision.</u>
O4	<u>To ensure that subdivision or site consolidation enables historical boundaries to be interpreted.</u>

REQUIREMENTS

R1	<u>Subdivision or site consolidation must retain all significant elements on the same allotment to protect the relationship between each significant element.</u>
R2	<u>Subdivision or site consolidation must not visually or physically disconnect the heritage item from its original street frontage.</u>
R3	<u>Subdivision or site consolidation must:</u> i. <u>retain an adequate area around the heritage item to retain existing views to primary frontages/elevations, i.e. front/street facing elevations or side elevations; and</u> ii. <u>retain an appropriate setback to all building frontages.</u>
R4	<u>Subdivision or site consolidation must ensure new development respects the established streetscape and the historical patterns of subdivision.</u>
R5	<u>Subdivision or site consolidation involving a heritage item must provide for the item's ongoing use and conservation.</u>
R6	<u>Development applications for subdivision or site consolidation involving a heritage item must include, at a minimum, the building envelope and footprint of the intended development.</u>

R7	<u>Development applications must have regard to the provisions of 3.6.6 Development in the Vicinity of Heritage.</u>
R8	<u>Development applications involving consolidated development sites zoned medium-to-high density that include a heritage item(s) must include:</u> ▪ <u>a Conservation Management Plan or Strategy, and</u> ▪ <u>an Interpretation Plan.</u>

3.6.3.12 — Adaptive Re-use3.6.4.3 Change of use

The original or historic use of a heritage item is usually associated with its significance. Changes of use of heritage items from the originally intended use should only happen when there is no viable option for its ongoing historic use. Development that changes the use of a heritage item must consider impacts on the significance of the item.

Works required to modify a heritage item to a new use are known as adaptive reuse. Adaptive reuse may be considered where the existing use of an item is no longer viable, for example, the adaptation of a former residential building to a commercial use. The adaptive reuse of a heritage item must have regard to the controls for Internal Works (3.6.4.4) and Alterations and Additions (3.6.4.5).

Additional supporting documentation or documentation required as a condition of consent for development applications involving change of use may include:

- Interpretation Plan
- Conservation Management Plan
- Conservation Management Strategy

Conservation incentives

Clause 5.10(10) of the CCLEP 2022 and Clause 5.36(10) of the Regional SEPP provides for development involving a heritage item that would otherwise not be allowed by other provisions of the LEP. This could include the introduction of a non-permissible use. To be eligible, the development proposal must meet all requirements of the Clause. Consult with suitably experienced heritage professional to determine whether Clause 5.10(10) (or Clause 5.36(10)) is applicable to your development.

- ~~a — Any proposal involving the adaptive reuse or change of use of a heritage item is to demonstrate that:~~
- ~~i — the new use requires minimal alterations to significant fabric and building elements, and that any changes to these are reversible or have minimal impact on the heritage significance of the item;~~
 - ~~ii — alterations and/or additions required to support the new use do not obscure the understanding of the building's significant use;~~
 - ~~iii — the significance of the place can be interpreted;~~
 - ~~iv — any internal changes do not compromise the heritage significance of the external appearance of the building or any significant internal elements;~~
 - ~~v — the introduction of new services will not have a detrimental impact on significant fabric or spaces; and~~

- vi — the new use is consistent with the management recommendations provided in the Heritage Inventory Assessment Report.
- a — The significant use of the building should be interpreted on-site. Interpretation of the significant use may include the use of historic artefacts, retention of historic internal layouts, the in-situ retention of machinery and signage, or artistic interpretation.
- b — Reinstatement of lost heritage significant fabric (e.g. windows, decoration, verandahs, garden elements etc.) is encouraged.
- c — Changes to fabric should be reversible, where possible, and their effect on the heritage fabric and other characteristic features should be minimised. Non-reversible changes to a heritage item will only be considered where there is no alternative way of retaining the place as a viable asset. New work is to be identifiable as such.
- a — New additions and adjacent or related new construction will be undertaken in such a way that, if they are removed in the future, the essential form and integrity of the place is unimpaired.

OBJECTIVES	
O1	<u>To ensure that significant or original uses of heritage items are retained unless no longer viable.</u>
O2	<u>To ensure that new uses are sympathetic to the heritage significance of heritage items.</u>
O3	<u>To ensure that the adaptive reuse resulting from change of use does not adversely impact the significance of heritage items.</u>
REQUIREMENTS	
R1	<u>Evidence of significant or original uses must be retained in the form, fabric, and layout of the heritage item.</u>
R2	<u>New uses must be consistent with any management recommendations or policies included in the inventory sheet for the heritage item.</u>
R3	<u>Changes to significant fabric to accommodate new uses must be minimised and reversible where possible, including the introduction of new services and compliance with the BCA.</u>
R4	<u>Changes to accommodate new uses must have regard to the provisions for Alterations and Additions at 3.6.4.4.</u>
R5	<u>Development applications for the change of use of a heritage item must demonstrate how the former use will be interpreted.</u>
R6	<u>Development applications that seek to use Clause 5.10(10) to introduce a new use must be accompanied by a heritage management document (such as a Conservation Management Plan or Conservation Management Strategy), which must be approved by the consent authority.</u>

Example

The Chapman Building in Wyong is a good example of sympathetic adaptive reuse.

The building is listed as a local heritage item on the CCLEP 2022. The building's historic use was as a retail store.

This significant use was retained, and part of the item was converted to a café. The adaptive reuse of the item restored and conserved original and significant fabric, while ensuring its ongoing use and appreciation by the community.



3.6.3.5.10—3.6.4.4 Internal Works

Development consent is needed for structural changes to the interior of heritage items. Alterations to the room layout of heritage items are to ensure that the original room configuration remains discernible and can be interpreted.

The internal layout and fabric of a heritage item can be a key contributor to its significance. It can relate to historic or former uses, demonstrate original architectural details and features, and provide evidence of the building's use over time.

OBJECTIVES	
O1	<u>To retain significant internal fabric and layout of heritage items.</u>
O2	<u>To ensure that internal works are sympathetic to the significance of heritage items.</u>
REQUIREMENTS	
R1	<u>Internal works must not adversely impact significant architectural details, finishes, fittings, and elements.</u>
R2	<u>Internal works must avoid impacts to significant fabric, and must be reversible where possible.</u>
R3	<u>Alterations to the room layout of a heritage item must ensure that the original room configuration remains discernible and able to be interpreted.</u>

3.6.3.5—3.6.4.5 Alterations and Additions

Alterations and additions include changes to the interior or exterior of a heritage item to accommodate its ongoing or new use. This may include adaptive reuse, the introduction of new bathrooms or kitchens, installation of new services, or the construction of extensions or additions.

Development consent is required to alter the exterior of a heritage item, including, in the case of a building, making changes to its detail, fabric, finish, or appearance. Alterations and additions to a heritage item are usually acceptable if they retain the significant form, scale, fabric, original details, and setting of the heritage item. New works to heritage items should be located in areas that are not original or have already been altered. The key objective is to retain all the elements that contribute to the significance of the item.

~~a — Alterations and additions to heritage items should:~~

~~i — avoid changes which distort the significance of the place or falsify evidence of its history. New work should not mimic the original or significant fabric and should be discernible as new work;~~

~~ii — consider the contribution of all periods of development or use to the heritage significance of a place and provide justification where significant elements are to be removed;~~

~~iii — avoid addition of new features on the front facades of buildings, or which obscure the view of the item from a public place;~~

~~iv — ensure changes to fabric are reversible where possible and their effect on the heritage fabric and other characteristic features is minimised;~~

~~v — ensure an appropriate setting is maintained;~~

~~vi — ensure structures are retained in their present location where the location contributes to the significance and interpretation of the heritage item. If a structure does not have strong association with its present site or location Council may consider removal to be appropriate;~~

~~vii — ensure where possible, extensions are located to the rear and are sympathetically designed.~~

3.6.3.5.1 Roofs

~~a — New buildings should have roofs that are sympathetic with the size, shape, pitch, height, bulk and materials of the existing roof.~~

~~b — Roofs of extensions should relate to the existing roof in materials, shape and pitch, replacement materials shall match existing or use approved alternatives.~~

~~c — Roof additions should generally be confined to the rear of the existing building and should not alter the essential form and character of single storey buildings.~~

~~d — Dormer windows to attic rooms are generally inappropriate unless these cannot be seen from the street. Windows of suitable scale to gable ends and gablets and in-plane flat skylights are generally acceptable on rear faces of roofs and where these will not be visible from the street. Dormer windows or gablets are only suitable for styles up to the Federation era and should not be excessively large for the roof surface relative to the main roof form or differ in pitch to the existing roof and should generally be located to the rear.~~

~~e — Attic rooms in extensions shall be generally contained within the existing roof form and must not form a dominant feature visible on the principal elevations.~~

~~f — A habitable attic room may be created providing the existing roof volume is sufficiently large and the roof profile is generally maintained.~~

~~g — Commercial buildings or mixed use buildings roofs should be gabled, hipped or hidden from the street by parapets. Where there is no parapet roof pitch shall be similar to the significant streetscape.~~

~~h — Retain and restore parapets to existing commercial buildings where they exist.~~

i — ~~Packaged air conditioners and mechanical exhaust fans and grills shall not be placed on street facades or on any part of the building that can be seen from the street.~~

j — ~~Skylights, solar heating panels, satellite dishes and other non-traditional elements are considered to be intrusive and should not be located where visible from the street and other public spaces.~~

3.6.3.5.2 Basement Addition

a — ~~Before initiating any basement additions, carefully consider the type of materials to be removed, access for machinery and equipment, the removal of piers and installation of alternative supporting structures, drainage and the possible need for retaining walls. Care must be exercised to ensure adequate underfloor cross ventilation and to avoid water seepage or rising damp. Engineering advice is recommended and will probably be required.~~

b — ~~Additional considerations include the placement of stairs and their effect on other areas of the house, the appearance of new windows and exterior doors which should be designed in terms of the overall appearance of the building and retention of most of the original foundation.~~

c — ~~Due to its constraints, this form of addition is not highly recommended though sometimes garages can be accommodated in undercroft areas.~~

d — ~~Ensure archaeological sites or potential archaeological sites are not adversely affected by the proposed development.~~

3.6.3.5.3 — Doors and Windows

a — ~~Where possible, retain and repair/restore original doors and windows. Authentic reconstruction using similar material to the original is encouraged where repair of the original doors and windows is not possible.~~

b — ~~Original leadlight and coloured glass panes should be kept.~~

c — ~~Modern aluminium windows are generally not permissible.~~

d — ~~The design of windows and doors in new development should be drawn from traditional characteristic door and window patterns.~~

e — ~~Replacement windows and doors must match the original characteristic pattern and materials.~~

f — ~~New doors and window openings should reflect the existing style, size, proportion, position and where possible match all sill and head heights of existing doors and windows.~~

3.6.3.5.4 — Walls

a — ~~Alterations of the form and materials of principal elevations are not favoured. Removal of the external skin or rendering of exterior walls is not favoured unless associated with acceptable reconstruction works and unpainted surfaces should not be painted.~~

b — ~~Matching materials shall be used in repairing the fabric of external surfaces.~~

c — ~~New development shall use materials similar to or compatible with that of the original building.~~

3.6.3.5.5 — Wing Addition

a — ~~Wing additions must be added at the side or rear of the building in a manner which minimises disruption to the main elevation and the streetscape. Wing additions must not compromise the heritage significance or interpretation of the place.~~

b — The size and slope of the land and the form of the house will usually dictate the location of the wing, which is generally better suited to asymmetrical buildings.

c — Where the original design produced an irregular plan and roof shape, an additional wing, gablet or dormer to one side may reinforce this theme. The additions should:

i — not be located in the same elevation plane as the original work;

ii — not project forward of the main façade and may ideally be setback behind the main façade a distance equivalent to the depth of the front setback.

d — Side additions should not remove the possibility of car access to the rear of the site unless there is alternative rear lane access.

e — The existing roof form and pitch should be repeated and new detailing should reflect the gables, hips, eaves, ventilation, window hoods and other projections of the main roof.

3.6.3.5.6 Lean-To Addition

a — Where lean-to additions are constructed at the rear and are not visible from the street, materials should be sympathetic with the significant building or building elements but need not match the original.

b — The size of the lean-to addition will be limited by the need to provide adequate head height, depending on land slope.

c — Light access can be improved with a lean-to addition by adding gablets or skylights to the rear face of the roof.

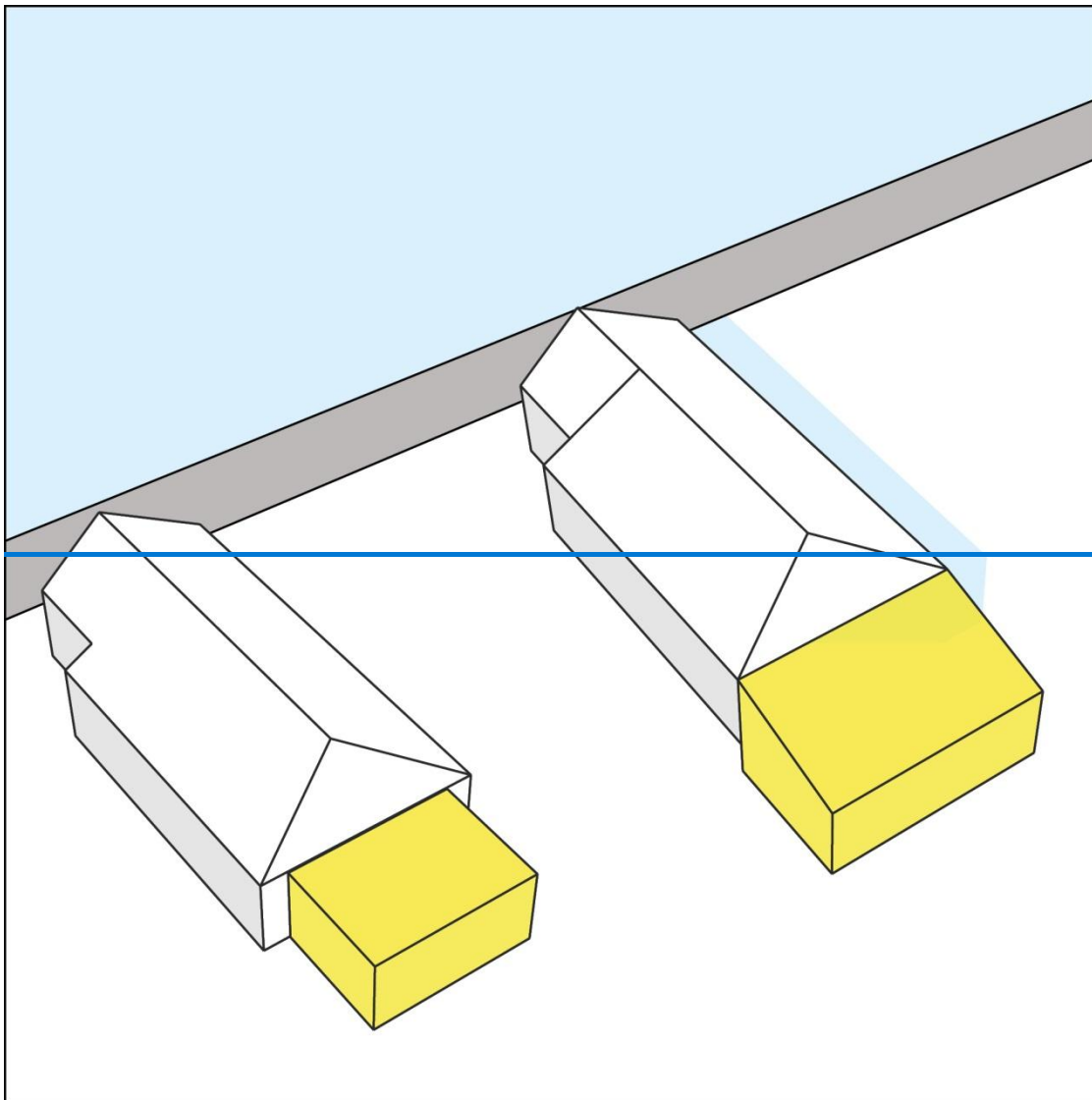


Figure 1 Examples of appropriate lean-to additions

3.6.3.5.7 Pavilion Addition

a — A pavilion addition involves constructing a separate block element which may repeat the general form of the original house. A pavilion addition may be an appropriate design solution where the original design would be diminished by a lean to or wing addition, or where the use of either of these would result in the loss of natural light or views.

b — Pavilions may be connected to the main building by a breezeway or small utility area, such as a laundry or bathroom.

c — Pavilions may be an appropriate design solution for long and/or narrow allotments and can be functionally integrated with landscaping to provide internal courtyards.

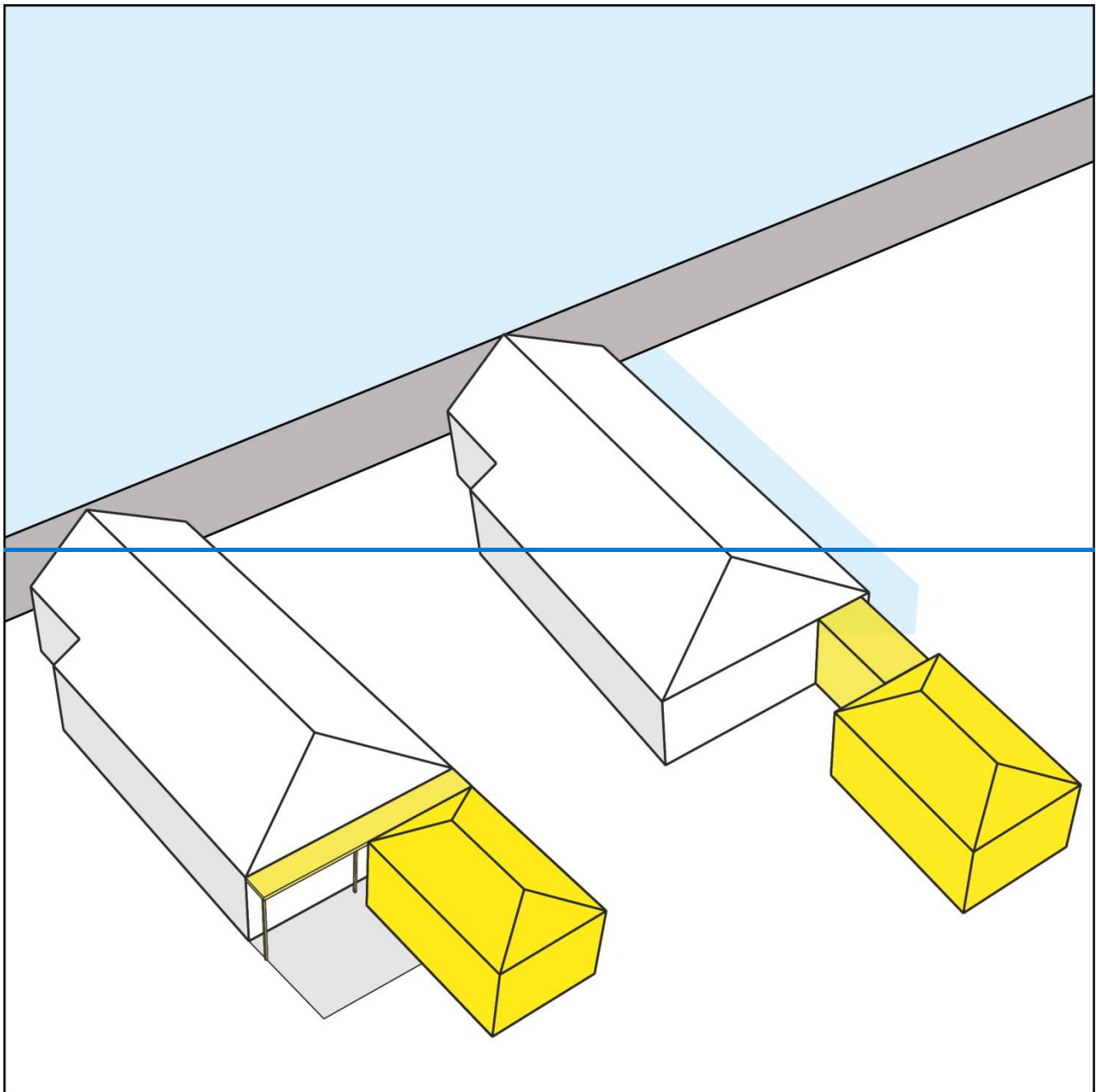


Figure 2 Examples of appropriate pavilion additions

3.6.3.5.8 — Chimneys and Other Roof Structures

a — All chimneys should be retained internally and externally and, where necessary, repaired, even if the fire place is no longer used: demolition of chimneys is not favoured unless necessary for critical structural reasons and preceding construction.

Skylights or other structures attached to the exterior roof, such as solar hot water heaters, ventilators, satellite dishes and the like, shall not be located where visible on the principle elevations of buildings.

3.6.3.5.11 — Window Sunhoods, Blinds, Awnings, Skirts

In altering heritage houses, original sunhoods, blinds, awnings and skirts should be retained and repaired. Authentic construction or reconstruction is supported.

3.6.3.5.13 — Verandahs

~~a — Removal of verandahs is not favoured. Authentic construction or reconstruction is supported.~~

~~b — In altering existing buildings, original verandahs should be kept, repaired and respected. Additional verandahs should not compete with the importance of the original and should be simple in design.~~

~~3.6.3.8 Architectural Elements~~

~~a — Original characteristic architectural elements are to be retained. Alterations to these elements or the use of materials or the adaptation for access for example, should be sympathetic. Architectural styles which detract from this character will not be permitted.~~

~~b — The reinstatement of original characteristic architectural elements that have been removed is encouraged. Where a building is part of a "set", other, more intact, buildings in that set can provide guidance as to appropriate reinstatement works.~~

~~c — Alterations and additions to buildings within a 'set' are not to diminish the coherency of that set.~~

~~d — Maintenance, reinstatement work and alterations and additions to existing buildings is to be of a material matching the original construction.~~

~~e — Individual architectural features are not to be removed or obscured.~~

OBJECTIVES

O1	<u>To ensure that alterations and additions are sympathetic to the significance of heritage items in terms of scale, form, massing and character.</u>
O2	<u>To ensure that alterations and additions retain significant fabric, form, and features of heritage items.</u>
O3	<u>To ensure that the design and siting of alterations and additions are sympathetic to the character and setting of heritage items.</u>
O4	<u>To ensure that alterations and additions do not adversely impact the significant views to and from heritage items.</u>

REQUIREMENTS

R1	<u>Significant architectural detailing (doors, windows, verandahs, sills, chimneys etc) must be retained. If these are required to be replaced due to poor condition, they must be replaced like-for-like.</u>
R2	<u>Alterations and additions must not significantly alter the primary or significant frontages of the heritage item, except to remove detracting features.</u>
R3	<u>Notwithstanding the above, the reconstruction or restoration of significant architectural features or detailing (such as verandahs or windows) is encouraged. This must be based on adequate historical and/or physical evidence.</u>
R4	<u>Alterations and additions must not significantly alter the primary or significant roof form of the heritage item, except to remove detracting features.</u>
R5	<u>Alterations and additions must be located at the side or rear of the property and must be set back behind the existing building line (refer Figure 1 below).</u>

R6	<u>Alterations and additions should not alter the scale of the original building when observed from significant viewpoints, as determined by the setting of the item (refer Figures 2 and 3 below).</u>
R7	<u>Alterations and additions must be sympathetically designed, and complementary to the scale, form, massing and character of the heritage item.</u>
R8	<u>Alterations and additions must not adversely impact significant garden and landscape features.</u>

Guidance for alterations and additions

Figure 14

Additions to these dwellings are sensitively designed and sited.

Dwelling 1: rear addition equal in width to the original dwelling.

Dwelling 2: rear addition slightly wider than the original dwelling. Where the addition extends out from the original dwelling, it is set back suitably behind the existing building line.

Dwelling 3: rear pavilion addition, separated from the original dwelling and linked by a narrow passageway.

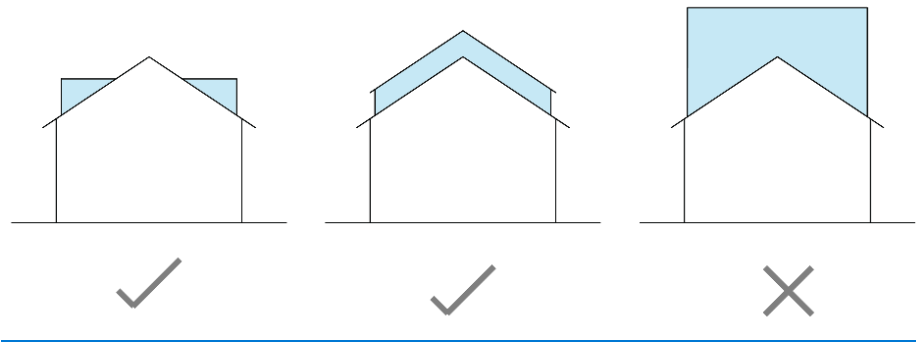
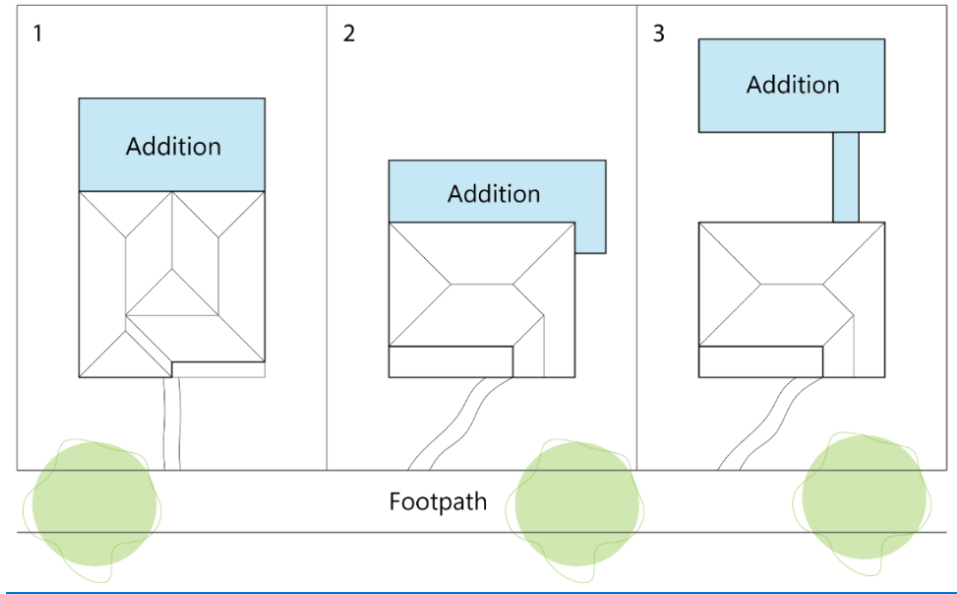


Figure 2

Rear additions that extend above the roof height of the original dwelling may be acceptable where they do not dominate or overwhelm the heritage item.

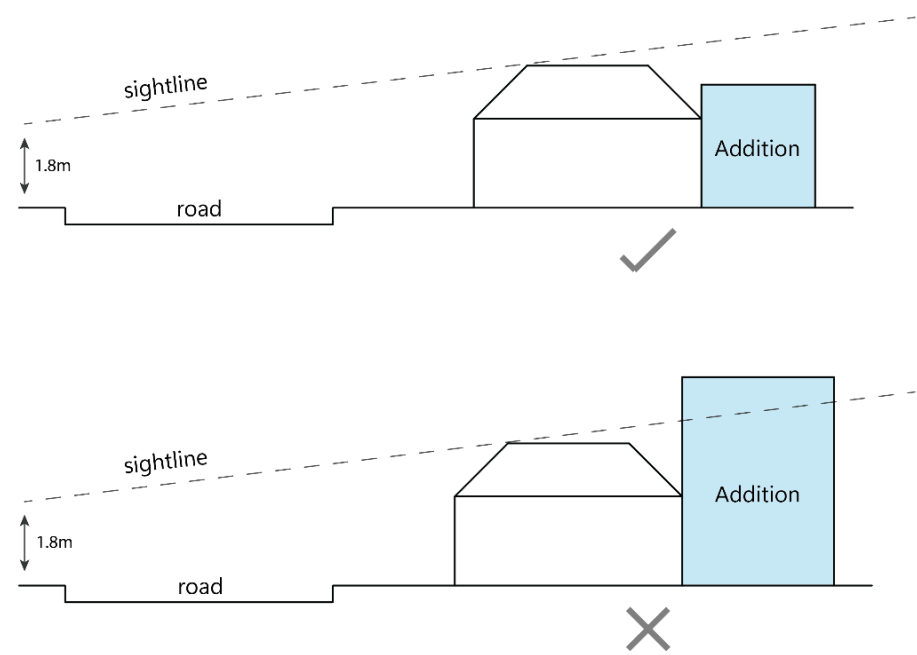


Figure 3

The addition in the top example is acceptable, as it is lower in height than the original building and is not visible from the street frontage.

The addition in the bottom example is not acceptable, as it is significantly higher than the original building, and is highly visible from the street frontage.

3.6.3.6 Colour Schemes and Materials 3.6.4.5.1 Materials, finishes and paint schemes

The materials, finishes, and paint schemes of a heritage item often contribute to its significance, through association with historic uses, architectural styles, and contribution to its aesthetic value.

Methods of maintenance and repair for historic building fabric may differ from contemporary standards. Works involving building materials, finishes and painting must be guided by heritage conservation and maintenance best practice, such as the Heritage NSW technical guides.

The following requirements apply to development that proposes changes to the material, colour, texture or finish of a heritage item:

- a — Details of the proposed colour scheme are to be provided with the Development Application.
- a — Applicants are to demonstrate how colour selection has been informed by original finishes and colours; paint scrapings and early photographs may enable building owners to approximate early or sequential and appropriate colour schemes.
- b — Materials are to be used in building elements that reflect their characteristic usage, e.g. stone for foundations.
- c — Rendering and/or painting original face bricks and sandstone is not permitted, unless evidence is submitted to Council that their condition has been irreversibly altered.
- d — Applicants should refer to the commercial ranges of 'traditional' or 'heritage' colours from major paint suppliers to assist in selecting authentic colour schemes.
- e — Applicants should ensure that new finishes are compatible with the existing substrate and prior applied finishes. The following Heritage Council publication is to be consulted: *Maintenance Series 7.2: Paint*

Finishes; researching and uncovering authentic paint schemes and how to conserve them. This is available for download from www.environment.nsw.gov.au/heritage/publications/

- f ~~Historic Colour Scheme Characteristics — the following descriptions provide guidance to applicants on the characteristic colour schemes of heritage building types of a particular era and should be referenced when proposing changes to materials and colour schemes:~~
- i ~~Vernacular Rural Buildings: 1880 — 1900 — Generally painted weatherboards, galvanised iron walls and roofs with pink beige and buff timber, unpainted brick and stone and unpainted sheet iron. Windows were generally cream with red or green frames;~~
 - ii ~~Federation and Edwardian era: 1900 — 1915 — Unpainted face brick walls and sandstone foundations. Pressed red brick or red-ochre dressed front elevations. Polychromatic brickwork including contrasting blues or buffs for arched lintels and string courses. Cheaper, variable common bricks were used for the lesser elevations. Strong colours used in trims, timberwork painted in a light colour;~~
 - iii ~~Inter War: 1915 — 1930 — The Bungalow dominated housing with lower sections, below eaves or window sills, face brick with upper sections roughcast or shingled gable. Exteriors used no more than two colours with a green or red contrasted with a pale cream, off white or beige;~~
 - iv ~~Art Deco and Modern style buildings, particularly commercial premises were predominantly either natural materials such as brick and stone with strong horizontal and vertical courses and mouldings, or rendered facades in white and off white with pale colours to contrast the applied mouldings.~~

OBJECTIVES

- | | |
|-----------|---|
| O1 | <u>To retain original or characteristic materials, finishes, and paint schemes on heritage items.</u> |
| O2 | <u>To ensure that new materials, finishes, and paint schemes are sympathetic to heritage items.</u> |

REQUIREMENTS

- | | |
|-----------|---|
| R1 | <u>Significant original external finishes and materials of the heritage item are to be retained, restored, and respected.</u> |
| R2 | <u>Original materials, finishes and paint schemes must not be removed.</u> |
| R3 | <u>Existing face brick or masonry surfaces must not be rendered, painted or otherwise coated.</u> |
| R4 | <u>Repainting of existing painted surfaces must utilise appropriate paint type and colour.</u> |
| R5 | <u>New colour schemes must be appropriate to the style and period of the heritage item, and must not obscure or detract from architectural details.</u> |
| R6 | <u>Materiality of new work must be complementary to the materials and style of the heritage item.</u> |



Materiality, finishes and paint schemes are often characteristic to a particular architectural style or period. For example, the fibro-cement sheeting and face-brick foundation of the heritage item at left is typical of Post-War lakeside development in the Central Coast; while the painted weatherboard sheeting to the heritage item on the right is typical of early twentieth century buildings.

3.6.4.5.2 Services

New services may include skylights, solar panels, battery storage, air conditioners, mechanical exhaust fans and grills, and other non-traditional elements. These may be desired to accommodate contemporary living standards or building use, and improve sustainability outcomes.

Refer to *Sustainable heritage buildings guide* (Department of Climate Change, Energy, the Environment and Water 2024) for more information regarding the introduction of services to heritage items.

OBJECTIVES

- | | |
|-----------|--|
| O1 | <u>To ensure that the introduction of new services is sympathetic to significance of heritage items.</u> |
| O2 | <u>To ensure that new services do not adversely impact significant fabric, setting, and views of heritage items.</u> |

REQUIREMENTS

- | | |
|-----------|--|
| R1 | <u>New services must be located and arranged to be as visually recessive as possible.</u> |
| R2 | <u>Solar panels must not be located on front or street-facing roof planes.</u> |
| R3 | <u>Introduction of new services must not detract from, damage, or otherwise adversely impact architectural detailing or building elements (such as verandahs, chimneys or parapets).</u> |
| R4 | <u>Impacts to building fabric (including walls, roofs) must be minimised and reversible where possible.</u> |

R5

Development applications must demonstrate that the building is capable of taking the weight of the new equipment.

3.6.4.6 Gardens, plantings and landscaping

3.6.3.5.12 — Garden Elements including Paving and Driveways

Read in conjunction with:

- Chapter 3.5 Tree and Vegetation Management

Gardens, plantings, or landscaping features within the curtilage of a heritage item form part of its immediate setting, and may contribute directly or indirectly to its significance. These can include original pathways or paving, driveways, garden beds, significant trees associated with the development of the item, and natural rock outcrops. Significant garden or landscaping features may be identified in the item name as listed on Schedule 5 of the CCLEP 2022 (or Schedule 9 of the Regional SEPP), or in the State Heritage Inventory listing sheet for the item. Additional assessment may be required to determine the contribution of garden and landscaping features to the significance of the item.



This item is identified as 'Cottage and garden' on the CCLEP 2022. The garden directly contributes to the significance of the item.



The plantings, trees and landscaping of Wyong Town Park contribute to the setting of its heritage listed buildings and contributes to its landmark qualities.

- ~~a — Surviving original garden elements should be retained, repaired and maintained. Appropriate reconstruction of lost garden elements is encouraged.~~
- ~~b — Garden design elements and plant species should, where possible, apply the same style as the established gardens within the grounds (curtilage) of the item.~~

OBJECTIVES

O1

To retain and conserve significant gardens, plantings, and landscape features of heritage items.

O2

To ensure that new gardens, plantings and landscape features do not adversely impact significant fabric, setting and views of heritage items.

REQUIREMENTS

R1	Significant gardens, plantings and landscape features must be retained, repaired, and maintained.
R2	New gardens, plantings, and landscape features must be sympathetic to the form, scale, style, and setting of the heritage item and must not impact significant views to and from the heritage item. High, solid hedges that screen buildings from the street are not permitted.
R3	New garden, planting, and landscape features must not adversely impact the health and longevity of significant or mature vegetation.
R4	New gardens and landscape elements must be horticulturally and stylistically sympathetic to the heritage item.

3.6.4.7 Fencing

3.6.3.5.12 — Fences

[Read in conjunction with:](#)

- [Chapter 2.1 Dwelling Houses, Secondary Dwellings and Ancillary Development](#)
 - [2.1.7.4 Fencing](#)
- [Chapter 2.2 Dual Occupancy and Multi Dwelling Housing](#)
 - [2.2.10.4 Fencing](#)
- [Chapter 2.3 Residential Flat Buildings](#)
 - [2.3.9.4 Fencing](#)

[Fencing provides a visual and physical boundary to a heritage item, and can enhance or detract from the setting and views of a heritage item. Existing fencing may be original fabric to the existing building, or may be associated with an earlier building or use of the property.](#)

- ~~a — Original fences are to be retained and repaired where possible.~~
- ~~b — Fence details should be simple rather than complex and match the style of the house.~~
- ~~c — Open or partially transparent fence styles such as picket or palisade fences are to be no higher than 1200mm with posts and piers no higher than 1500mm along the primary street frontage.~~
- ~~d — New solid fences of any material on front alignments are generally not acceptable.~~
- ~~e — Solid masonry fences no higher than 900mm in height above footpath level (excluding the height of any retaining wall) are acceptable where this matches the built form appropriately.~~
- ~~f — New side and rear fences are to be no higher than 1800mm.~~

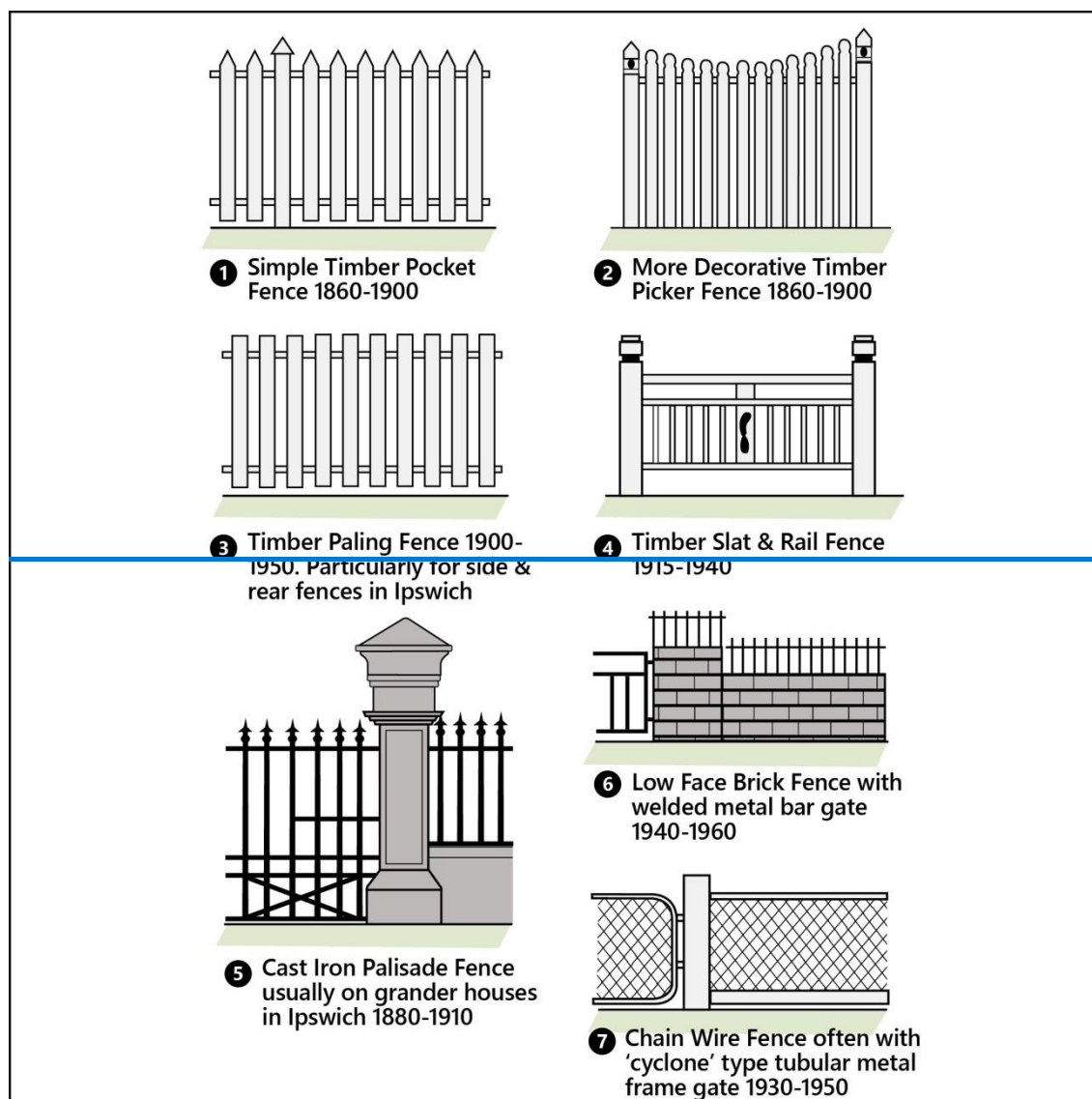


Figure 3 — Typical fence picket details

OBJECTIVES	
O1	To retain and conserve significant original fencing.
O2	To ensure that new fencing is sympathetic to the significance of heritage items.
O3	To ensure that new fencing does not adversely impact significant fabric, setting, or views of heritage items.
REQUIREMENTS	
R1	Significant fencing must be retained and repaired.
R2	Replacement may be permitted where it can be demonstrated that the fence is beyond repair. Replacement must match the original in design, height and materiality.

R3	<u>New fencing must adhere to the maximum heights specified in Chapter 2.1.7.4:</u> ▪ <u>Front boundary fencing – maximum height of 1.2 m.</u> ▪ <u>Side and rear fencing – maximum height of 1.8 m.</u>
R4	<u>New fencing must be sympathetic to the character and style of the heritage item.</u> <u>Appropriate fence styles may include timber pickets, iron palisade, low brick, and stone fences.</u>
R5	<u>New fences to street frontages must not obscure existing views to and from the heritage item.</u>

3.6.3.113.6.4.8 Car parking and driveways

Read in conjunction with:

- Chapter 2.1 Dwelling Houses, Secondary Dwellings and Ancillary Development
 - 2.1.5 Carparking and Access
- Chapter 2.2 Dual Occupancy and Multi Dwelling Housing
 - 2.2.8 Parking and Access
- Chapter 2.3 Residential Flat Buildings
 - 2.3.7 Parking and Access
- Chapter 2.13 Transport and Parking

A car parking space may be an open hard stand space, carport, or garage, attached to or detached from the dwelling house or building. Development involving car parking must consider the potential impacts on the significance and setting of the heritage item.

~~Development is to ensure that provisions for car parking do not impact on the heritage significance of a building, site or area.~~

~~a — Provisions for car parking are to demonstrate that consideration has been given to the following options which must be considered in order of priority:~~

~~i — locate at the rear of the site, with access from a rear lane;~~

~~ii — locate at the rear of the site, with access from the street frontage;~~

~~iii — locate at the side of the principle building, well setback from the building facade;~~

~~iv — uncovered paved area within the front setback (preferably to the side of the building);~~

~~v — street parking;~~

~~vi — open, sympathetically designed carport within the front setback offset to the building elevation.~~

~~b — Front garages are strongly discouraged, no matter how sympathetic. They generally obscure views of the main building and break up the established setback line in the street.~~

~~3.6.3.5.14 — Garages and Carports~~

~~a — New garages and carports should:~~

i — have regard to the effect on their sites. They should generally be located behind the existing principle buildings, unless there are no other alternative off-street locations;

ii — be of simple appropriate design, attuned to the design of the individual building to which they are functionally attached and not overly elaborate.

b — Attachment of garages and carports to the buildings they service is generally not favoured and will only be acceptable where:

i — the structure is located at the rear of the building and is not visible from the surrounding streets;

ii — the structure forms part of a basement level (which in all other respects meets with the guidelines) or it is well setback from the front facade and unobtrusively attached.

c — Rear lane access shall be used wherever available.

d — The retention, repair and restoration of significant older garages is encouraged.

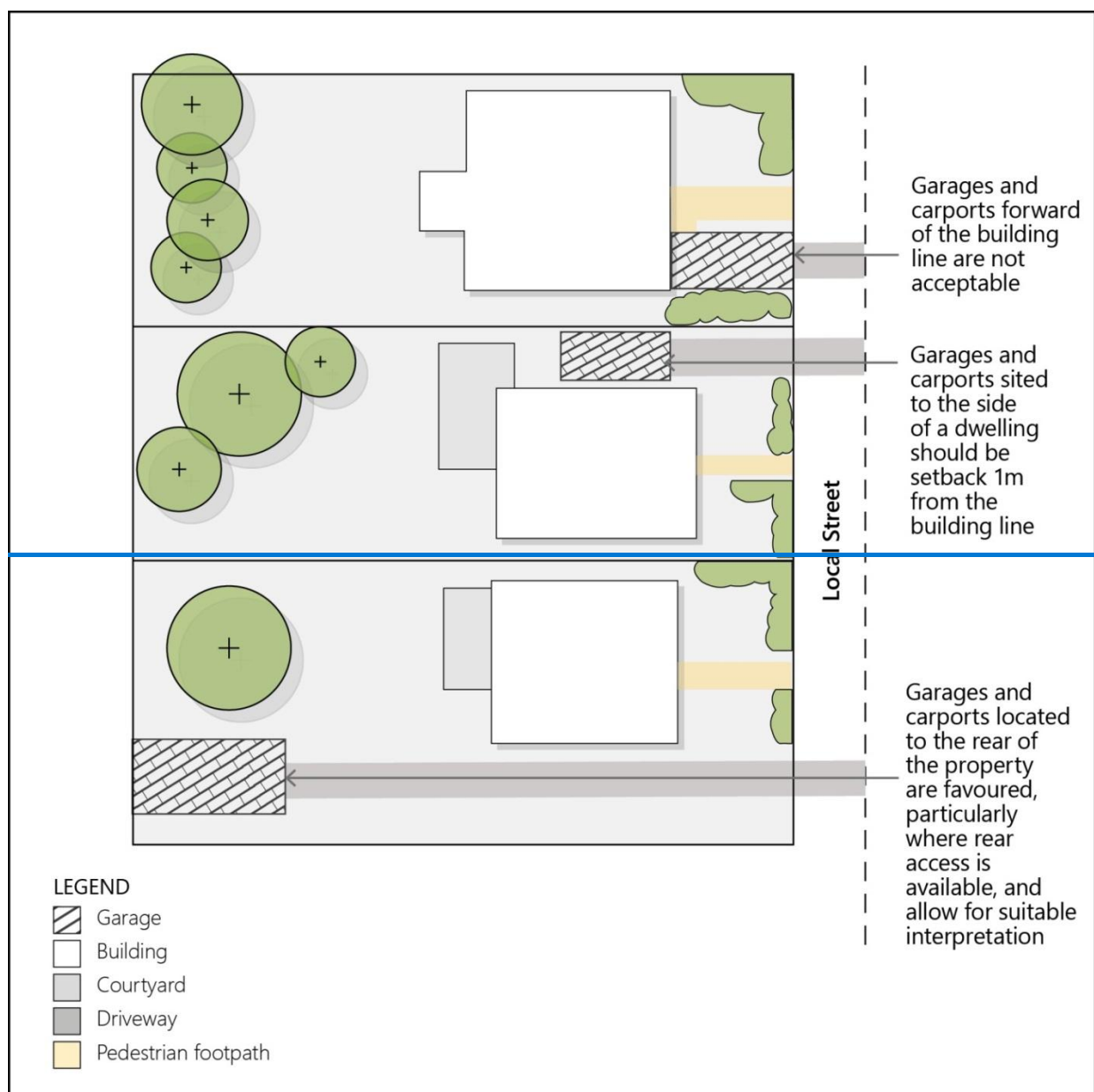


Figure 4 Garage locations

OBJECTIVES	
O1	<u>To retain and conserve significant garages and carports.</u>
O2	<u>To ensure that new garages, carports, and driveways are sympathetic to the significance of the heritage item.</u>
O3	<u>To ensure that new car parking does not adversely impact the fabric, setting, or views of the heritage item.</u>
REQUIREMENTS	
R1	<u>Significant car parking structures (including driveways, wheel strips, garages, car parking, coach houses) must be retained, repaired, and maintained.</u>
R2	<u>Replacement may be permitted where it can be demonstrated that the significant carparking structure is beyond repair. Replacement must match the original in design, height and materiality.</u>
R3	<u>New garages and carports must be detached from the original building, where possible.</u>
R4	<u>New driveways and car parking structures must not impact significant garden, planting, or landscape features.</u>
R5	<u>New car parking structures must be of simple, sympathetic design, and must not dominate the heritage item in form, scale, height, or style.</u>
R6	<u>The materials of new car parking structures must be sympathetic to the heritage item and its setting.</u>
R7	<u>The location of new car parking must consider the following options, in order of priority:</u> <u>1. Where a property has access to a rear lane, new garages and carports must be located at the rear of the site, with access from the rear lane;</u> <u>2. Where there is no rear lane, new garages and carports must be located at the rear of the site, with access from the street frontage;</u> <u>3. Where a garage or carport cannot be located at the rear, it must be located at the side of the principal building, set back a minimum of 3m from the building's front facade;</u> <u>4. Where car parking cannot be located at the rear or side, and in some specific circumstances only, a single uncovered hardstand area may be permissible within the front setback to the side of the building; and</u> <u>5. Whether there is available street parking.</u> <u>Refer to Figure 4.</u>

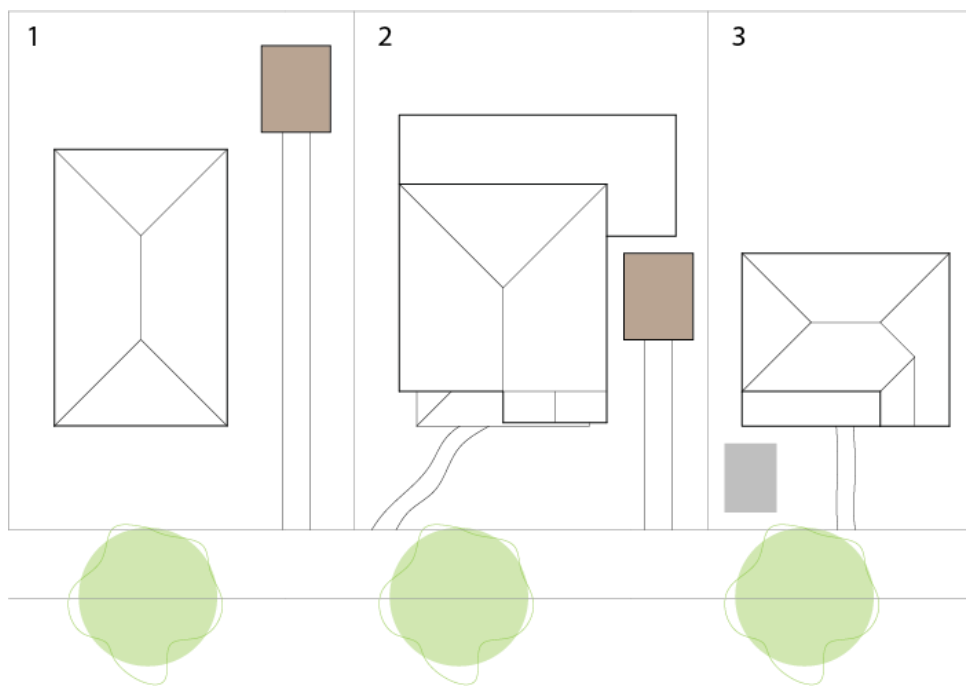


Figure 4

Examples 1 and 2 show new parking structures in brown. These are detached structures, located to the rear or side of the houses.

Example 3 shows an uncovered hardstand area in grey, located within the front setback to the side of the building.

3.6.4.9 Outbuildings

Read in conjunction with:

- Chapter 2.1.7 Ancillary Development

Outbuildings include garden sheds, cabanas, cubby houses, gazebos, greenhouses, or farm buildings. They also include structures such as balconies, decks, patios, terraces, or verandahs where these are detached from a dwelling house.

3.6.3.5.9 Sheds and Outbuildings

a In considering any application for permission to erect a shed or outbuilding, Council shall consider:

- i. the proposed form, scale, size, materials and colours;
- ii. the location of the proposed structure in relation to the principal building, boundaries and other details of the site;
- iii. the relative prominence and visibility of the proposed structure from the street frontage or frontages of the site and neighbouring properties;
- iv. the desirability of, or need for, landscaping such as screening or planting, to reconcile a proposed structure with its intended site.

b Preferred shapes, roof form and materials are:

- i. simple plan shapes, square or rectangular, without complicated or interconnected shapes and with doors and windows of appropriate vertical proportions;
- ii. simple hipped, gabled or skillion roof forms of the smallest practicable scale in a given situation, the use of lean-to or skillion roofs over any forms attached to the main part of the structure will help minimise scale;

- iii. ~~building materials that have been traditionally used in the locality and/or the main building.~~

OBJECTIVES	
O1	To retain significant outbuildings.
O2	To ensure that new outbuildings are sympathetic to heritage items.
O3	To ensure that new outbuildings do not adversely impact the fabric, setting or views of heritage items.
REQUIREMENTS	
R1	Significant outbuildings must be retained and conserved.
R2	Replacement may be permitted where it can be demonstrated that the significant outbuilding is beyond repair. Replacement must match the original in design, height and materiality.
R3	New outbuildings must be of simple, sympathetic design, and must be subservient to the heritage item in form, scale, or style.
R4	New outbuildings must be detached from the existing building.
R5	New outbuildings must be located at the rear of the existing building.
R6	New outbuildings must not adversely impact significant garden and landscape features.

3.6.4.10 Secondary dwellings

[Read in conjunction with:](#)

- [Chapter 2.1.8 Secondary Dwellings](#)

[A secondary dwelling is a self-contained dwelling located within, attached to, or separate from another dwelling on the same site.](#)

OBJECTIVES	
O1	To ensure that secondary dwellings do not have an adverse impact on the heritage significance of the item, including its fabric, views, and setting.
REQUIREMENTS	
R1	Secondary dwellings must be of simple, sympathetic design, and must be subservient to the heritage item in form, scale, and style.
R2	Secondary dwellings must be located at the rear of the property.

R3	<u>Secondary dwellings, including arrangements for separate pedestrian or vehicle access, must be adequately set back from the primary dwelling.</u>
R4	<u>Secondary dwellings, including arrangements for separate pedestrian or vehicle access, must not adversely impact significant garden, planting, or landscape features.</u>

3.6.3.103.6.4.11 Signage

The materials, colours and design of signage varied in different historical periods. Generally, in the period of development which gave heritage buildings and/or heritage conservation areas their character and significance, colours were muted and signs were placed consistently on particular and limited locations on the building. Subsequently, signage has become larger and more dominant and is generally positioned with less cognisance of the form and design of the building and adjacent streetscape. These later elements are now seen as intrusive.

This section applies to both the management of existing signage on heritage items and the introduction of new signage to heritage items and heritage conservation areas.



The Savoy Theatre in Long Jetty is now in use as a bar and music venue. This historic painted sign, though faded and located on a side elevation, provides valuable evidence of the former and continuing uses of the building.



The former Woy Woy Council Chambers building has been adaptively reused as the Woy Woy Public Library. New lettering to indicate the new use does not overwhelm the building, nor detract from architectural style or detailing.

3.6.3.10.3 — Existing Signs

a — Any existing signage identified as contributing to heritage significance should be retained, including building name or date lettering, former business names, and advertising signs.

3.6.3.10.4 — Location of Signs

a — The use of traditional signage locations, font sizes and styles on all existing or new buildings is encouraged.

b — Signage is to be fixed to buildings in a manner which will eliminate damage to significant building fabric and be reversible, e.g., when fixing to brickwork or stone ensure that the fixing method is located in brick mortar joints and not into the face of the masonry. Mortar joints are easily repairable when signs are removed. The method of attachment is to be detailed in any application for signage on heritage items. Signs for retail and commercial buildings are to be restricted to the types identified in Figure 5 as follows.

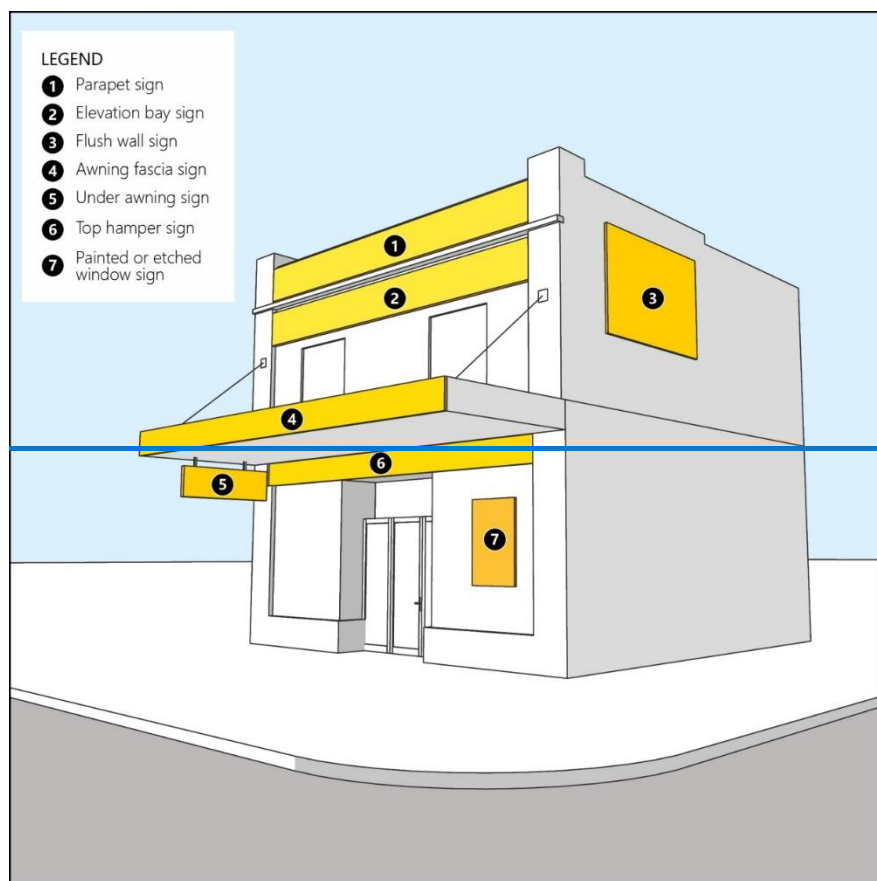


Figure 5 Sign types

~~c — Signs must be located and designed so that:~~

- ~~i. they do not obscure the architectural features of a building;~~
- ~~ii. they are capable of being moved or replaced without damaging building fabric;~~
- ~~iii. the overall number of signs on any one building is reduced, and has consistency in terms of proportions, colour and style;~~
- ~~iv. lettering is in a traditional style consistent with the age of the building and/or any original signage.~~

~~d — The cumulative visual impacts of signage should be assessed and the number of signs limited appropriately to avoid visual clutter of individual premises and the streetscape.~~

~~e — Where a building contains more than two tenants, a directory of tenants should be provided at the ground floor level in order to minimise the amount of advertising on the building.~~

~~c — Unobtrusive painted signs to upper storey windows may be permitted at Council's discretion to identify tenants when appropriate wall surfaces or other areas for advertising are not available.~~

~~d — Painted signs on shopfront windows must not dominate, obscure the transparency or clutter the shopfront windows.~~

~~e — The erection of roof mounted signs, above awning signs, projecting wall signs, pylon or pole signs is not supported.~~

~~f — Decorative forms, mouldings and other distinguishing and significant features of a building must not be obscured by signage.~~

3.6.3.10.5 Number of Signs Permitted

a The number of signs per site is a principal mechanism for controlling appearance. Business owners are advised to consider the general streetscape, the visual conflict between signs on adjoining buildings and the equity between businesses in the vicinity. The general options and recommended limits are as follows:

b forecourt and footpath: one free-standing sign;

c ground floor façade (refer to Figure 6):

i awning fascia (b1);

ii one suspended under awning/verandah sign or cantilevered over footpath sign at standard awning level where there is no verandah (b2);

iii above door head/above window transom (b3);

iv piers (b4);

v below window sill (not recommended) (b5);

vi one sign on the hamper panel or glass (b6);

vii one decal sign on the shopfront window glass or masonry beside the door;

d Permitted Signs: b1, b2, and b6 plus numbers b3 or b4 (i.e. on the ground floor façade there should be a maximum of four signs) — refer to Figure 6.

e upper level signs (refer to Figure 6):

i wall face applied panel sign (c1);

ii one projecting vertical sign (c2);

iii parapet panel sign (c3);

f Permitted Signs: c3 and c1 or c2 — refer to figure 6.

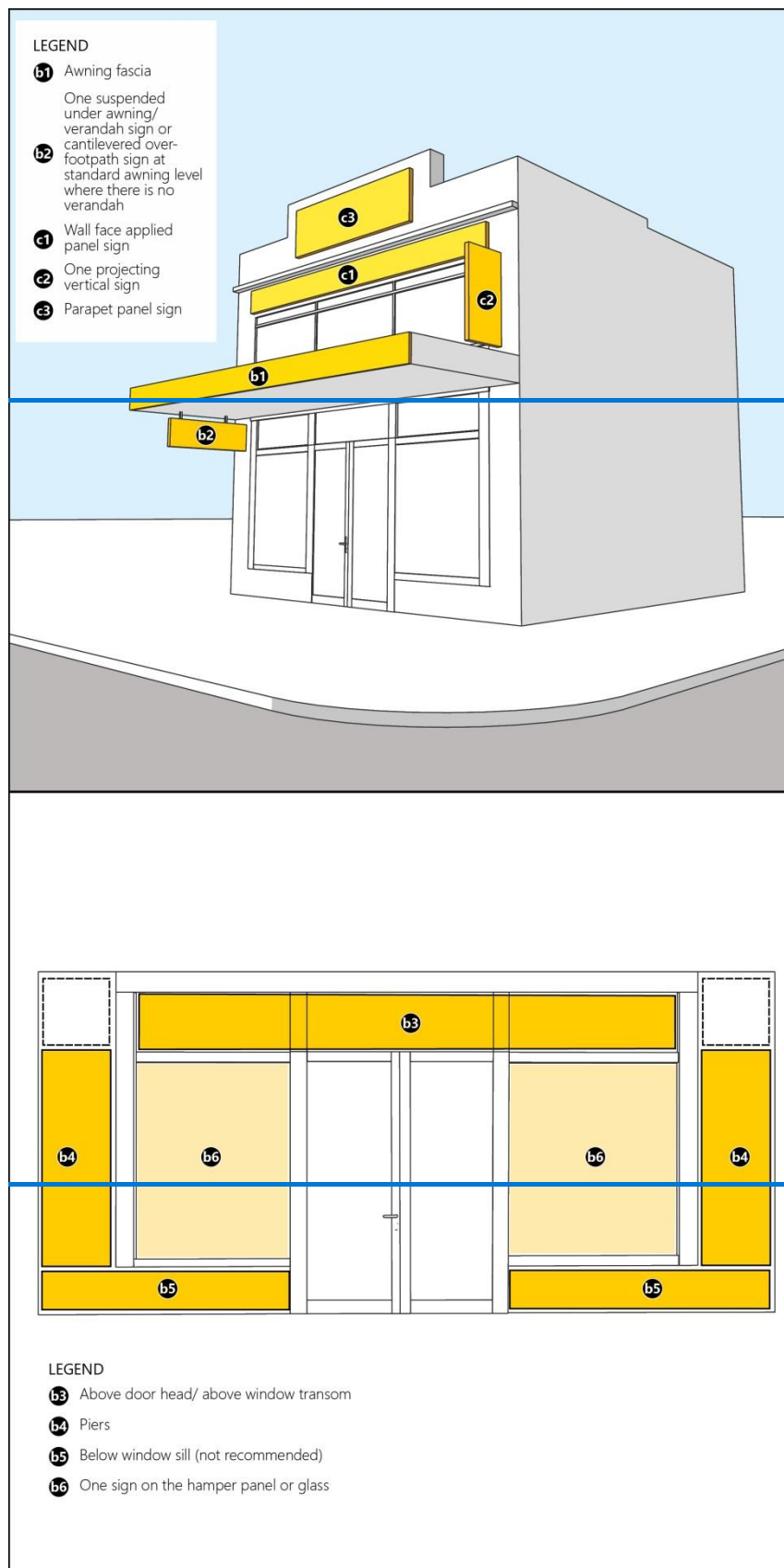


Figure 6 Sign locations

3.6.3.10.6 Sign Area

a — In general, there are no standard sizes for signs in heritage areas. They may vary according to the design and history of the building or its environment. The following will be utilised for guidance in applications for buildings which are contemporary or in assessing existing signs:

- i — signs are to be designed to an appropriate size and scale for the building on which it is to be erected;
- ii — the total area of signs mounted parallel to the façade of a building will, in general be less than 4 square metres in area for smaller properties and not more than 6 square metres for larger properties;
- iii — signs suspended beneath awnings or verandahs will be less than 1 square metre in area on each face;
- iv — signs on shop windows should not exceed 25% of the window area. Window signs shall be of a professional quality, discreet and should not unduly obscure the interior of the building;
- v — the total area of signs on a building will be less than eight square metres.

b — The following conditions apply with regard to these restrictions and exceptions:

- i — heritage photographs should be utilised to demonstrate specific applications;
- ii — internally illuminated signs are restricted to the under awning location. This is both to be fair to retailers and to ensure visibility;
- iii — it is good retail practice to limit window signs in number and area, thus allowing customers to view the merchandise;
- iv — corporate and franchise colour schemes and signs will be considered in relation to the overall colour scheme of the building and must abide by the heritage principles;
- v — signs shall not be erected directly on top of an awning, roofline or verandah;
- vi — signs that detract from the architectural appearance of the building will not be permitted;
- vii — all signs must be maintained in good condition and repaired within 6 weeks of notification.

3.6.3.10.7 — Style, Colour and Lettering

a — The style, lettering (font), materials, colours and design of signage should reflect the style and character of the building.

b — Corporate logos and colour schemes to buildings are regarded as signage and will not be permitted where in conflict with the other provisions of this section. Corporate image requirements should be adapted to suit the specific site, and should not dominate the character of the building.

c — Buildings and awnings should not be painted in bright obtrusive colours to attract attention and as a form of advertising.

d — Signs should be painted and externally spot lit.

e — Signs should not be painted on previously unpainted surfaces of significant buildings.

f — Internally lit signs are permitted where this is consistent with the history of the building.

g — For all signage fixed to a building, wording should be restricted to the name and nature of the business. More detailed description of individual products for sale should be restricted to smaller removable panels e.g. sandwich board signs and chalkboard signs.

~~Signs on parapets must be restricted to the name of the building/business, and be located so as to respect the symmetry or grid of the façade.~~

OBJECTIVES	
O1	~~To retain original and significant signage.~~
O2	~~To ensure that new signage is sympathetic to the significance of heritage items.~~
O3	~~To ensure that signage does not overwhelm or visually detract from heritage items (including heritage items in the vicinity).~~
O4	~~To ensure that visual clutter of individual premises and streetscapes is avoided.~~
REQUIREMENTS	
R1	~~Significant signage must be retained, repaired, and conserved.~~
R2	~~Signage must be identified as permissible in Table 1 below.~~
R3	~~Signage must be identified as suitable in Table 2 below.~~
R4	~~Signage must be sympathetic to the heritage item in terms of its size, scale, colour and character.~~
R5	~~Development applications must consider the cumulative visual impact of new signage.~~
R6	~~New signage must not obscure or adversely impact significant architectural features.~~
R7	~~New signage must not obscure or cover glazed areas.~~
R8	~~Where signage is to be fixed to the building, it must be done so in a manner that:~~ ~~▪ Minimises damage to significant fabric, and~~ ~~▪ Is reversible.~~
R9	~~Signage must not be painted onto previously unpainted surfaces.~~
R10	~~Freestanding pylon signage must be sensitively sited and not interrupt significant views to or from the heritage item.~~

~~3.6.3.10.13.6.4.11.1~~ **Prohibited and permissible signs**

~~The following sign types are permissible with consent:~~

- ~~a — business identification signs.~~
- ~~b — building identification signs.~~
- ~~c — Wayfinding signage.~~

~~d — Heritage Interpretation signage~~

3.6.3.10.2 Unsuitable Signs

~~a — In accordance with *State Environmental Planning Policy (Industry and Employment) 2021 Chapter 3 Advertising and Signage*, advertising signs, advertising display areas, and advertising structures are not permitted within a Heritage Conservation Area. Advertising on or within the curtilage of a heritage item is considered unsuitable.~~

~~b — Signs types which must not be used include:~~

- ~~i — internally illuminated neon signs, flashing lights or flashing/scrolling signs, except on a small scale within shopfront windows;~~
- ~~ii — projecting wall signs;~~
- ~~iii — ridge signs, or mid-span on verandah roof;~~
- ~~iv — sky signs raised on poles above the roof;~~
- ~~v — 3-dimensional signs;~~

~~signs mounted on vehicles, trailers or shipping containers that stand continuously stationary for the purpose of advertising on either public or private land. In accordance with *State Environmental Planning Policy (Industry and Employment) 2021 Chapter 3 Advertising and Signage*, advertising signs, advertising display areas, and advertising structures are not permitted within a heritage area.~~

~~Advertising on or within the curtilage of a heritage item or heritage conservation area is not permissible.~~

Table 1. Prohibited and permissible signs in a heritage area.

<u>Prohibited signs on or within the curtilage of a heritage item or heritage conservation area</u>	<u>Permissible signs on or within the curtilage of a heritage item or heritage conservation area</u>
<u>Advertising signs</u>	<u>Business identification signs</u>
<u>Advertising display areas</u>	<u>Building identification signs</u>
<u>Advertising structures</u>	<u>Wayfinding signage</u>
	<u>Heritage interpretation signage</u>

3.6.4.11.2 Sign types

The following sign types refer to business identification signs, building identification signs, wayfinding signage, and heritage interpretation signage.

Note: There may be some circumstances in which the below classifications do not apply. For example, a 'suitable sign type' may be inappropriate for a particular heritage item. Each application is subject to a merits-based assessment at Council's discretion.

Table 2. Suitable and unsuitable sign types.

Suitable sign types	Unsuitable sign types
Parapet signs	Projecting wall signs
Elevation bay signs	Above awning signs
Flush wall signs	Roof, awning and verandah mounted signs
Awning fascia signs	Digital signs, internally illuminated signs, neon signs, flashing lights, flashing/scrolling signs
Under awning signs	3-dimensional signs
Top hamper signs	
Painted or etched window signs	
Freestanding pylon sign	

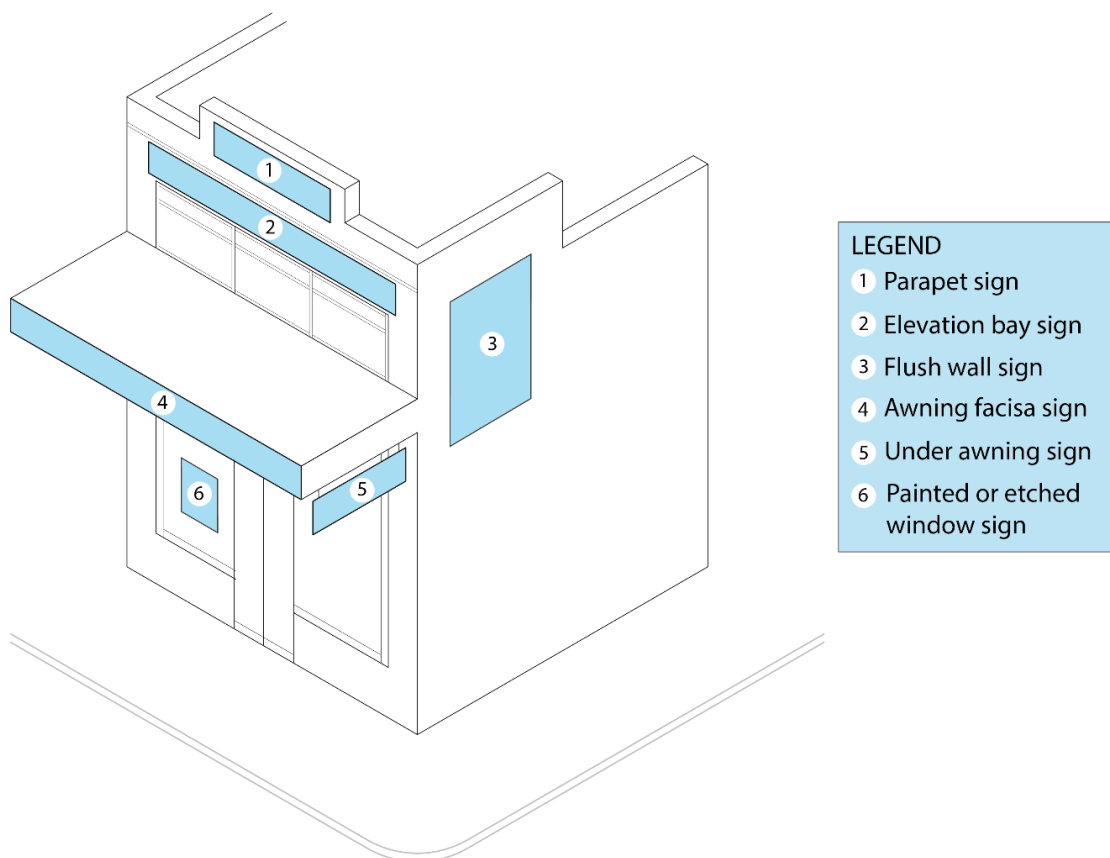


Figure 5. Suitable sign types and locations.

~~3.6.3.13.6.4.14~~ **Demolition and Replacement Development**

~~Under Clause 5.10 of the CCLEP 2022, development consent is required for the demolition or relocation of a heritage item. Demolition of a heritage item, or any portion of that item, will only be considered where it is reconstructed in accordance with the original style, form, character and materials of the heritage item. Poor condition of a heritage item cannot be used to justify demolition or relocation.~~

- ~~a — An application for the full or partial demolition of a heritage item, or structure within a Heritage Conservation Area will only be considered when the following documentation supports the application:~~
 - ~~i — a development application for the development of an appropriate replacement building;~~
 - ~~ii — a Heritage Impact Statement that includes options for adaptive reuse;~~
 - ~~iii — a demolition report that considers the structural stability and future viability of the building in the form of a structural engineer's report;~~
 - ~~iv — a quantity surveyor statement comparing the cost of demolition and cost of retention where demolition is sought primarily on economic grounds; and~~
 - ~~v — other consultant's report(s) as required, for example, archaeologist report, historian report, archival record.~~
- ~~b — Submitting the necessary reports or justifications does not imply that the consent authority will agree to the proposed demolition.~~
- ~~c — Where demolition is permitted, an archival record must be submitted to Council prior to commencement of demolition. Details on the requirements for preparing an archival record are provided in this Chapter.~~

3.6.3.3 — Relocation of Structures

- ~~a — Structures should be retained in their present location. The relocation of a structure will only be considered if it is determined that:~~
 - ~~i. — the structure is designed to be readily removable, or has a history of previous moves (e.g. prefabricated dwellings); or~~
 - ~~ii. — the structure does not have a strong association with its present site.~~
- ~~b — Prior to consent being granted to the relocation of a structure the applicant is to demonstrate, to Council's satisfaction, that:~~
 - ~~i. — the structure will be moved to an appropriate setting and given an appropriate use;~~
 - ~~ii. — the relocated structure will not impact on any place or any item of heritage significance once relocated;~~
 - ~~iii. — the relocated structure does not confuse or impact on the history of its new site and can be interpreted as a relocated structure; and~~

- iv. ~~a structural engineering report is to be included that verifies that the structure can be relocated without adversely impacting on the fabric or structural integrity.~~

3.6.2.2.4 Demolition Report

- a ~~Requests to demolish heritage items or contributory items within Heritage Conservation Areas are generally not supported by Council. However, should an applicant insist on pursuing such a request, the onus is on the applicant to demonstrate why the building is not reasonably capable of retention~~
- b ~~Demolition of a heritage item is usually only considered where the structure is demonstrated to be structurally unsound and~~
- c ~~A demolition report is required for applications where total demolition is proposed. A demolition report should include the following:~~
 - i ~~structural engineer's report which assesses the structural condition of the item; and~~
 - ii ~~a quantity surveyor statement comparing the cost of demolition and cost of retention where demolition is sought primarily on economic grounds.~~

OBJECTIVES	
O1	~~To ensure that heritage items are retained and conserved.~~
O2	~~To ensure that the significance of heritage items is retained and conserved.~~
O3	~~To ensure that heritage items are retained in their original location where this location contributes to their heritage significance.~~
REQUIREMENTS	
R1	~~Council does not support the full or partial demolition of heritage items.~~
R2	~~Full or partial demolition will be considered only where it is demonstrated to Council's satisfaction that:~~ * ~~The fabric to be demolished is not original to the heritage item and does not contribute to the significance of the heritage item; and/or~~ * ~~The retention, repair or restoration of the fabric to be demolished is unviable.~~
R3	~~Where full or partial demolition due to condition is proposed, the replacement development must:~~ * ~~Retain remnant significant or original fabric; and~~ * ~~Must be consistent with the style, form, character, and materials of the heritage item.~~

R4	<u>Development applications for the demolition of a heritage item must be accompanied by the following:</u> <u>* ~~_____~~ a Heritage Impact Statement that assesses the impact of the proposed demolition on the significance of the heritage item; and</u> <u>* ~~_____~~ a structural engineering assessment prepared by an engineer with heritage experience that assesses the structural stability and future viability of the building or structure, including details of the likely cost of repairs; and</u> <u>* ~~_____~~ A design for an appropriate replacement building that is consistent with the style, form, character, and materials of the heritage item;</u> <u><i>Note: Submitting the necessary reports or justifications does not imply that the consent authority will agree to the proposed demolition. Where a heritage item is damaged by neglect, disaster or otherwise, the heritage listing will continue to apply to that land.</i></u>
R5	<u>Council does not support the relocation of heritage items, unless:</u> <u>* ~~_____~~ The structure does not have a strong association with its present site;</u> <u>* ~~_____~~ The structure is designed to be movable;</u> <u>* ~~_____~~ The structure will be moved to an appropriate setting and given an appropriate use;</u> <u>* ~~_____~~ The relocated structure will not impact on any place or any item of heritage significance once relocated; and</u> <u>* ~~_____~~ The relocated structure does not confuse or impact on the history of its new site and can be interpreted as a relocated structure</u>
R6	<u>Development applications for the relocation of a heritage item must be accompanied by the following:</u> <u>* ~~_____~~ a Heritage Impact Statement that assesses the impact of the proposed relocation on the significance of the heritage item;</u> <u>* ~~_____~~ a structural engineering assessment, prepared by an engineer with heritage experience, that demonstrates that the structure can be relocated without adversely impacting on the fabric or structural integrity; and</u> <u>* ~~_____~~ plans for the proposed use of the site and ongoing use and conservation of the structure;</u>

a _____ An application for the full or partial demolition of a heritage item, or structure within a Heritage Conservation Area will only be considered when the following documentation supports the application:

- i _____ a development application for the development of an appropriate replacement building;
- ii _____ a Heritage Impact Statement that includes options for adaptive reuse;
- iii _____ a demolition report that considers the structural stability and future viability of the building in the form of a structural engineer's report;
- iv _____ a quantity surveyor statement comparing the cost of demolition and cost of retention where demolition is sought primarily on economic grounds; and
- v. _____ other consultant's report(s) as required, for example, archaeologist report, historian report, archival record.

- ~~b Submitting the necessary reports or justifications does not imply that the consent authority will agree to the proposed demolition.~~
- ~~c Where demolition is permitted, an archival record must be submitted to Council prior to commencement of demolition. Details on the requirements for preparing an archival record are provided in this Chapter.~~

3.6.3.9.13.6.4.15 Commercial DevelopmentCommercial, civic and industrial heritage items

The Central Coast LGA contains many heritage items that are of significance for their existing or historical commercial, civic and industrial uses. These include, but are not limited to, shops, stores, pubs, hotels, schools, churches, fire stations, police and ambulance stations, banks, and warehouses.

Development applications for works to these item types should consider all other relevant provisions of this chapter, as well as the specific controls below.

OBJECTIVES	
O1	<u>To ensure that significant former uses of commercial, civic, and industrial heritage items are able to be understood.</u>
O2	<u>To retain and conserve significant fabric, form, style, and character of commercial, civic, and industrial heritage items.</u>
REQUIREMENTS	
R1	<u>Significant fabric associated with the former use(s) of a heritage item must be retained. This may include architectural details, building layout, signage, lettering or schemes.</u>
R2	<u>Changes to significant fabric must be avoided. Where they are necessary, changes must minimised, documented and reversible</u>

3.6.3.9.13.6.4.15.1 Shopfronts

- ~~a Original shopfronts are to be retained; restoration and reinstatement of original shop fronts is encouraged.~~
- ~~b Alterations to glazed area, fixed canopies, awnings, blinds or security screens are to maintain the narrow-fronted vertical proportions of the building facade.~~
- ~~c Security screens, where considered necessary, are to be placed behind the glass shop-front and should be in an architectural style and materials sympathetic to the style of the building. Only open grill security screens will be considered.~~
- ~~d Original shopfront glazing or tiling is not to be painted out or obscured.~~
- ~~e Exposed vents, pipes and the like should not be visible from the street.~~

- ~~f — Alterations and additions to existing buildings should incorporate remnants of original shopfronts into new layouts.~~
- ~~g — New shopfronts should reflect the typical details and finishes which set the significant character of the streetscape.~~
- ~~h — Alterations and additions to existing buildings should retain non-typical shopfronts which indicate the former use of a place, unless there is sufficient historic information to allow accurate reconstruction of an earlier form.~~
- ~~i — The use of traditional gloss ceramic tiles to shopfronts is encouraged.~~

3.6.3.9.2 Shop Awnings

- ~~a — Retail/commercial buildings shall generally have awnings. The materials, height and architectural styling should match traditional adjacent awnings.~~
- ~~b — Retain existing awnings on all commercial buildings, encouraging their conservation and reconstruction of missing details where appropriate.~~
- ~~c — Awnings on all new buildings, or alterations and additions to existing buildings must avoid modern or pseudo-historic materials and details, such as aluminium lace, metal pipe framing or tightly rolled bull nosed iron.~~
- ~~d — Awnings on new buildings must correspond to the building by extending to adjacent awnings to provide continuous weather protection for pedestrians beneath.~~
- ~~e — Awnings should not run unbroken across adjacent buildings where they are clearly of different construction, even though they may now function as one.~~
- ~~f — New or reinstated awnings must be set back from the kerb by approximately 300–600mm, or otherwise as required by Council policy, to minimise the risk of damage by motor vehicles.~~
- ~~g — Where the base of posts has rotted, galvanised steel brackets or straps may be used to support the post, however these should be no more than 5–10cm high and clad in a skirting type profile. If the post has rotted beyond retention it should be replaced with one of a similar timber species, size and detailing to match.~~
- ~~h — Alterations and additions to existing buildings must be of an appropriate style and detail for the design of the building where the original awning is reconstructed.~~
- ~~i — Suspended awnings must not be adapted with false posts to imitate traditional verandahs.~~

~~Sunblinds as traditional practical features are encouraged in appropriate locations.~~

OBJECTIVES	
O1	<u>To retain and enhance original shopfronts of heritage items.</u>
O2	<u>To ensure that changes to heritage listed shopfronts are sympathetic to their significance.</u>
REQUIREMENTS	
R1	<u>Significant fabric of shopfronts must be retained, even if not completely intact.</u>

R2	Alterations must not alter the significant form, characteristics, and features of shopfronts.
R3	Reconstruction of an original shopfront is encouraged where there is sufficient historical and/or evidence.
R4	Glazed shopfronts must remain transparent.
R5	Security screens must be of open grill style and placed behind the glass shop front.
R6	Original awnings must be retained and conserved.
R7	Replacement of missing awnings must be appropriate to the style of the heritage item and adjacent awnings.

3.6.7 — NATURAL HERITAGE

Natural heritage is distinct from cultural heritage and generally refers to natural areas which demonstrate the dynamic ecological processes, biodiversity and/or geodiversity of a place. Natural heritage may also have cultural significance.

The Australian Natural Heritage Charter is intended to achieve a uniform approach to conservation of places of natural significance in Australia that can be applied to public and privately-owned places, to terrestrial, marine or freshwater areas, and to protected and unprotected areas. In cases where a heritage item is identified as having natural heritage significance, Applicants should refer to 'Protecting Natural Heritage — Using the Australian Natural Heritage Charter' Guideline developed by the Australian Heritage Commission.

3.6.4.16 Landscape heritage items

[Read in conjunction with:](#)

- [Chapter 3.5 Tree and Vegetation Management](#)

Landscape items are items that are characterised by their landscape features, including topography, vegetation, trees, and/or plantings. These include, but are not limited to, parks, reserves, areas of bushland, and beaches. Their significance is primarily drawn from their natural and cultural qualities and uses; however, they may also contain significant built features. The following requirements apply to heritage items that are identified as having natural heritage significance:

- a — a Heritage Impact Statement is to be prepared and submitted with an application for development;
- b — development proposals are to be accompanied by research indicating the origins and historical development pattern of soft plantings, and hard materials and finishes within landscapes;
- c — significant plantings, structures, water bodies and landscape elements are to be retained with sympathetic adaptive re-uses and complementary planting;
- d — new development is to enhance and improve natural systems through preventing erosion, pollution and other detracting activity;
- e — new landscaping and planting and infill development is to be sympathetic in scale, form, character and materials;
- f — new development is to allow a suitable curtilage around the significant retained elements;

- ~~g — new development is to protect and enhance vistas/views to and from the significant elements;~~
- ~~h — exotic planting is to be retained where the planting has historic and aesthetic significance;~~
- ~~i — new development is to support fauna habitats within the natural system evident on the site and vicinity;~~
- ~~j — development is to respect and complement the soils and hydrology in the vicinity;~~
- ~~a — interpretation is to be provided to illustrate the heritage significance of the place.~~

3.6.3.2 Tree Removal

- ~~a — Applications for the removal of any tree within the curtilage of a heritage item or within a Heritage Conservation Area are to be accompanied by a Heritage Impact Statement. An arborist report prepared by a suitably qualified professional will be required by Council.~~
- ~~b — Any works that may impact on the health or longevity of trees within a heritage item or a Heritage Conservation Area must identify the impact of the development on existing tree(s) and proposed methods of tree retention.~~
- ~~c — The above requirements are limited to trees or other vegetation that the Council is satisfied does not present a risk to human life or property.~~

OBJECTIVES	
O1	<u>To retain the significance of landscape heritage items.</u>
O2	<u>To retain the dominant landscape character, qualities and use of landscape heritage items.</u>
O3	<u>To ensure that development does not adversely impact the significance, setting and views of landscape heritage items.</u>
O4	<u>To ensure that significant trees, plantings and other natural features are protected and retained.</u>
REQUIREMENTS	
R1	<u>New work must not adversely impact significant trees, plantings, natural features or built fabric.</u>
R2	<u>New built structures are only acceptable where these are necessary to support the public use of the item.</u>
R3	<u>Development applications for new work must be accompanied by a landscape plan.</u>
R4	<u>Development applications or permit applications must be accompanied by an arborist report.</u>
R5	<u>Where significant trees or vegetation are to be removed, they must be replaced either with the same species or with an appropriate alternative.</u>

R6	Where significant trees or vegetation are reaching their end-of-life, a succession planting program should be prepared.
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3.6.4.17 Cemeteries, monuments and memorials

[Cemeteries, monuments, and memorials are often characterised by both their built elements and their landscaped setting or siting. The continued use and appreciation of these items is integral to their significance.](#)

[Note: Some types of development in cemeteries do not require development consent. Check 5.10\(3\) of the CCLEP 2022 \(5.36\(3\) of the Regional SEPP\) for further information.](#)



[Example](#)

[Woy Woy Memorial Park and wall is listed on the CCLEP 2022 as an item of local significance \(I348\).](#)

[The central sandstone pillar and formal landscaping are key features of the item. These features are enhanced by the foreshore setting to the north, the avenue of pines along Brick Wharf Road, and the character of the adjoining residential areas.](#)

[Just as important as the fabric and setting of the item is ongoing use of the park, in particular the continued addition of new commemorative plaques.](#)

OBJECTIVES	
O1	To retain the significance of cemeteries, monuments, and memorials.
O2	To retain the character, qualities and use of cemeteries, monuments, and memorials.
O3	To ensure that development does not adversely impact the significance, setting and views of cemeteries, monuments, and memorials.
REQUIREMENTS	
R1	Repair or restoration of significant elements must use traditional materials and methods and must be informed by historical and/or physical evidence.
R2	Materials to be replaced, restored or reinstated must be like-for-like.
R3	New gravestones, monuments, plaques, or commemorative structures must be sensitively sited, and must not overwhelm or detract from significant fabric, setting, or views.

R4	New built structures are only acceptable where these are necessary to support the public use of the item, and must not adversely impact significant fabric, setting, or views of the item.
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3.6.4.18 Rural heritage items

Read in conjunction with:

- [Chapter 2.17 Character and Scenic Quality](#)

The Central Coast LGA contains many heritage items in rural locations. These include homesteads, farm buildings, roads and walking tracks. Development must retain all elements which contribute to an understanding of the significance and historical function of rural heritage items. This may include homesteads, outbuildings, fences, gates, driveways, plantings, stands of native vegetation, or topographical features such as ridgelines and creek lines.

OBJECTIVES	
O1	To retain the significance of rural heritage items.
O2	To ensure that the rural character of rural heritage items is retained.
O3	To ensure that development does not adversely impact the significance, setting and views of rural heritage items.
REQUIREMENTS	
R1	Development must retain all significant elements of the item, including the primary building, outbuildings, plantings, vegetation and topographic features.
R2	Development must not visually or physically disconnect the primary building from significant built or landscape features.
R3	Development must not interrupt significant view corridors within, to and from the heritage item.
R4	Alterations and additions to significant built structures must be subservient in scale, form and character to the original structure, and must not detract from their rural character.
R5	New built structures must be low-scale and appropriate to the rural character of the item.
R6	Where new built structures are proposed for the existing or new use of the property, these must be located away from the immediate setting of the primary building.
R7	Development applications for the subdivision of a rural heritage item must include an analysis of the historic and visual curtilage of the item, identifying significant connections within, to and from the heritage item.
R8	Significant movement networks (roads, pathways, driveways) within, to and from the heritage item must be retained and/or interpreted.

3.6.43.6.5 DEVELOPMENT IN A HERITAGE CONSERVATION AREAS

Heritage Conservation Areas are one whole heritage item in their own right. The Character of the Heritage Conservation Area comes from each of the many components of the area (buildings, landscape elements, fences, roads, railway etc.) and the relationships formed between these components.

Each component will vary in its contribution to the significance of the Heritage Conservation Area. This contribution needs to be assessed before the degree of change that can be accommodated can be determined. Depending on this determination, some components can be replaced (and may be encouraged to be replaced); some will need to be retained in their current form; while most will be able to grow and change to accommodate contemporary needs provided those changes are designed to also maintain the contribution of the property to the heritage significance of the Heritage Conservation Area.

3.6.1.1.2 — Heritage Conservation Areas

A Heritage Conservation Area is a geographic area containing many different elements which collectively have heritage significance. It may consist of a particular precinct, streetscape, suburb, landscape, town or group of buildings and collectively has particular values which distinguish it from other places and from its surroundings. It is an area in which its historical origins and contributory elements create a sense of place that the community values.

A Heritage Conservation Area is identified by assessing its heritage significance and the characteristics and elements that make up that significance. These can include subdivision patterns, consistency of building materials, consistency of building styles, the common age of the building stock, planting elements, common uses and/or a layering of historical elements that provide evidence of the development of the area through various periods.

The *NSW Heritage Act 1977* and the *EP&A Act 1979* provide the legislative framework for heritage management. Heritage Conservation Areas identified in Schedule 5 of Central Coast LEP 2022 are administered under these two Acts. A heritage conservation area is an area of land that is recognised and valued for the collective nature of buildings and elements in the area that distinguish it from other places and its surroundings. It may contain individual heritage items listed on the Central Coast LEP or other statutory heritage registers.

The General Controls at 3.6.5.1 apply to all heritage conservation areas. Specific controls for individual heritage conservation areas are provided below.

Legislative framework

Heritage conservation areas in the Central Coast are identified on Schedule 5 of the CCLEP 2022, and are shown on the Heritage Map.

Development application requirements

Under Clause 5.10 of the CCLEP 2022, development consent is required for works with the potential to impact the significance of a heritage conservation area, including its fabric, setting and views. Where development is proposed within a heritage conservation area, the development application must address the relevant objectives and requirement below.

Depending on the nature of the development, Council may require a heritage management document that addresses the potential impacts of the proposed development on the significance of the heritage conservation

area and property/s concerned. Typically, this will take the form of a **Heritage Impact Statement (HIS)**, also commonly referred to as a **Statement of Heritage Impact (SOHI)**.

3.6.4.13.6.5.1 General Controls

A Development Application and accompanying Heritage Impact Statement will generally be required work within the Heritage Conservation Area. However, some works may be exempt from requiring Council approval under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. Applicants should refer to this Policy prior to submitting an application for development in a Heritage Conservation Area.

- a — Development within a Heritage Conservation Area is to be compatible with the surrounding built form and pattern of development by responding sympathetically to:
 - i — existing form, massing, setbacks, scale and architectural style;
 - ii — site topography and landscape;
 - iii — views to and from the area;
 - iv — surrounding neighbourhood character and streetscape, including buildings;
 - v — existing subdivision patterns; and
 - vi — established building lines.
- b — Alterations and additions are not to dominate or detract from the heritage significance of the building or Heritage Conservation Area.
- c — Alterations and additions are to respect the uniformity of properties which form part of a consistent row, semi-pair or group of buildings.
- d — Development is to respect and minimise the impact on any significant public domain features.
- e — Any application for development within a Heritage Conservation Area is to demonstrate consistency with an item's Heritage Inventory Assessment Report where this is available; in particular, any unique management recommendations which are provided in the Report.
- f — Features that are present within the Heritage Conservation Area which are out of character with other traditional buildings in the locality should not be replicated.
- g — Development within a Heritage Conservation Area is to consider the characteristic forms in the environment and should aim to contribute to the appearance and unity of the streetscape.
- h — Where there is a uniform building setback within streets, alterations and additions are to respect the established pattern and not be located forward of adjacent buildings.
- i — Where variations in setbacks exist within the immediate vicinity and the streetscape, the larger setback will apply.

3.6.6.3 Subdivision and site consolidation within a Heritage Conservation Area

Applications for subdivision and site consolidation within an HCA are discouraged and will only be considered if the application:

- a Will not adversely affect the significance of the HCA;
- b Retains the typical block width characteristics and historic subdivision pattern of the area, including rear lanes;
- c Ensures new subdivisions and local consolidations do not have an adverse impact upon the curtilage of heritage items, the streetscape setting of significant or contributory buildings, and the identified character of the HCA as a whole;
- d Views to and from heritage items and contributory properties, are not interrupted or obscured;
- e The landscape character of the streetscape is retained;
- f Will result in future development which will not adversely affect the significance, character or appearance of the HCA.

OBJECTIVES	
O1	<u>To conserve the significance of heritage conservation areas.</u>
O2	<u>To retain the significant fabric, settings and views to built and landscape features of heritage conservation areas.</u>
O3	<u>To ensure that development is sympathetic to the character and significant characteristics of heritage conservation areas.</u>
O4	<u>To ensure that development in heritage conservation areas is appropriate to the contribution of individual properties.</u>
REQUIREMENTS	
R1	<u>Development must be sympathetic to the significance of the heritage conservation area.</u>
R2	<u>Development must have regard to the objectives and controls for specific heritage conservation areas.</u>
R3	<u>Development must be appropriate to the identified contribution of the property or properties involved and respond to the appropriate controls for building contributions.</u>

R4	<u>Development must retain all elements that contribute to the significance of the heritage conservation area, including (but not limited to):</u> ▪ <u>built form;</u> ▪ <u>subdivision pattern;</u> ▪ <u>scale;</u> ▪ <u>building setbacks;</u> ▪ <u>gardens, plantings and landscape features;</u> ▪ <u>public domain elements; and</u> ▪ <u>views.</u>
R5	<u>Development must not detract from, overwhelm, or dominate, significant or contributory elements.</u>
R6	<u>Development must be appropriate to the existing character, scale, form and style of contributory elements and heritage items in the heritage conservation area.</u>
R7	<u>New development in heritage conservation areas must have regard to the provisions of 3.6.6. Development in the Vicinity of Heritage.</u>

3.6.4.2 Contribution to the Streetscape **3.6.5.2 Building contributions**

~~Buildings located within a Heritage Conservation Area contribute to the streetscape in different ways and can be classified into three categories; contributory, neutral, and non-contributory. The definitions and controls for contributory, non-contributory and neutral buildings are provided below.~~

~~The significance of a heritage conservation area comes from the collective significance each of the many components of the area and the relationships formed between these components. Each component, including buildings and landscapes, will vary in its contribution to the significance of the heritage conservation area. This contribution needs to be assessed before the degree of change that can be accommodated can be determined.~~

~~Component properties in heritage conservation areas in the Central Coast are classified into three categories: contributory, neutral, and non-contributory. Development must be undertaken with the classifications for individual properties included in this chapter. Further information about the significance of a heritage conservation area can be found on the State Heritage Inventory.~~

~~In the circumstances where the contribution of a property has not been assigned a classification (for example in the case of newly listed heritage conservation areas), applicants should use the definitions provided below to identify the contribution of the place to the significance of the conservation area. Council must agree with the classification for the relevant provisions to apply.~~

3.6.4.2.1 3.6.5.2.1 Contributory Buildings

~~Contributory Buildings are those that make an important and significant contribution to the character of the Heritage Conservation Area. They have a reasonable to high degree of integrity and intactness, and date from a key development period of significance. They may be buildings which are from a significant historical period; highly or substantially intact; or altered yet recognisable and reversible. Contributory Buildings include all Heritage Items identified in Central Coast LEP 2022 and other buildings identified as such in a Heritage Impact Statement or Conservation Management Plan.~~

Contributory properties are those that make an important and significant contribution to the significance and character of the heritage conservation area. They may be buildings or elements which:

- date from a key period of significance;
- display characteristic form, scale, details and materials; and
- are substantially intact or are altered yet recognisable.

The primary objective of all work to contributory buildings should be the maintenance of the item's heritage value, scale, form and significant physical fabric and to ensure that the cultural significance of the place is retained and enhanced. Work to contributory buildings is to demonstrate the following:

- a a focus on the restoration of original elements and features;
- b the retention of significant internal and external fabric of the building;
- c the removal of unsympathetic alterations and additions;
- d the appropriate use of colours and materials;
- e any future use of the place shall be chosen based on its ability to retain its cultural significance;
- f items in the vicinity of the proposed works are not compromised or impacted by the proposed works;
- g individual heritage items are retained;
- h the original form of the building is respected.

OBJECTIVES	
O1	<u>To retain and enhance the contribution of contributory buildings to the heritage conservation area.</u>
REQUIREMENTS	
R1	<u>Original fabric and significant characteristics of contributory buildings must be retained.</u>
R2	<u>Development to contributory buildings must have regard to the provisions of 3.6.4 Heritage Items.</u>
R3	<u>Contributory buildings must not be demolished.</u>
R4	<u>Alterations and additions to contributory buildings must not alter the characteristic form, style, and scale of the building, as viewed from the public domain.</u>

3.6.4.2.23.6.5.2.2 Neutral Buildings

Neutral Buildings are those that neither contribute to nor detract from the significant character of the Heritage Conservation Area. Neutral buildings may include those that do not belong to a key period of significance; are of contemporary design that is compatible with the significant character of the area; or which are from a key period of significance but have been irreversibly altered.

Neutral properties are those that neither contribute to nor detract from the significant character of the Heritage Conservation Area. They may be buildings or elements which:

- do not belong to a key period of significance but sit comfortably in the historic streetscape;
 - are of contemporary design that is compatible with the significant character of the area; or,
 - are from a key period of significance and have been altered, but the alterations are reversible.
- a—The objective of all new work to Neutral Buildings should be to enhance these buildings where appropriate and feasible. The following controls apply to work to neutral buildings:
- i—where retention of a neutral building is proposed the original form of the building is to be respected. Alterations and additions are not to dominate the original building form, but enhance it;
 - ii—for neutral buildings that may relate to the areas historic development but have been substantially altered restoration may be preferable to new development, depending on the building's context and significance. For this type of building, demolition is to be justified where restoration is not proposed;
 - iii—where demolition is proposed, justification for the removal of the building is to be demonstrated in accordance with the requirements for demolition within this Chapter.
- b—Alterations and additions to buildings identified as 'neutral' should demonstrate the following:
- i—the removal of unsympathetic alterations and additions;
 - ii—the appropriate use of colours and materials.

OBJECTIVES	
O1	<u>To maintain or improve the contribution of neutral buildings to the heritage conservation area.</u>
REQUIREMENTS	
R1	<u>Fabric from the key period of significance of neutral properties must be retained where this demonstrates significant characteristics of the heritage conservation area.</u>
R2	<u>Alterations and additions to neutral buildings must be appropriate to the characteristic form and scale of the building, as viewed from the public domain.</u>
R3	<u>Unsympathetic changes to neutral properties must be reversed.</u>

3.6.4.2.33.6.5.2.3 Non-Contributory Buildings

Non-contributory Buildings are those that are aesthetically intrusive to the Heritage Conservation Area due to their inappropriate scale, bulk, setback, setting and/or materials. Such buildings are not representative of a key period of significance and detract from the character of the Heritage Conservation Area. Redevelopment of these sites with sympathetic buildings is highly desirable. The objective of all work to Non-Contributory Buildings should be to remove or minimise detracting elements or to replace the Non-contributory Building with one more sympathetic to the Heritage Conservation Area. Non-contributory properties are those which detract from the significant character of the heritage conservation area. They may be buildings which are:

- not from a key period of significance, or
- are aesthetically intrusive due to their inappropriate scale, bulk, setback, setting, and/or materials.

The following controls apply to work on non-contributory buildings:

- a — New development should respond to the surrounding context and generally not seek to emulate the features of the detracting building it is proposed to replace.
- b — New development that is sensitive to the heritage values and intrinsic character, scale form and materials of the Heritage Conservation Area is encouraged.
- c — Alterations and additions to buildings identified as non-contributory should demonstrate the following:
 - i — the removal of detracting elements;
 - ii — the enhancement of the building.
- d — New development should:
 - i — maintain opportunities for new buildings which address the character of the streetscape and Heritage Conservation Area generally;
 - ii — maintain the scale of existing buildings, where appropriate, or the predominant scale in the vicinity.
- e — Replacement or enhancement development is to involve the removal of detracting elements and ensure that the site is more responsive to the surrounding context.

OBJECTIVES	
O1	<u>To improve the contribution of non-contributory buildings to heritage conservation areas.</u>
REQUIREMENTS	
R1	<u>Development to non-contributory properties must result in an improved outcome that responds to the significant form, style, and scale of contributory buildings in the heritage conservation area.</u>
R2	<u>Replacement development to non-contributory buildings must be sympathetic to the significance and character of the heritage conservation area.</u>
R3	<u>Replacement development to non-contributory properties must have regard to the provisions of 3.6.6 Development in the Vicinity of Heritage.</u>

3.6.4.33.6.5.3 Wyong Town Centre Heritage Conservation Area

Read in conjunction with:

- Chapter 4.5 Wyong Town Centre

3.6.4.3.1 — Statement of Significance

The Wyong Town Centre is a fine representative example of a town centre that retains good examples of civic, commercial and residential development of high integrity, constructed up until c.1945. It remains largely intact in terms of retaining its historical subdivision pattern, its natural prominence located above the River, its built fabric, main street commercial development, avenue tree planting and the prominence of the Railway and Station buildings. Collectively, the hilltop town square, civic built environment, transport links and natural features of the town centre contributes to it being a unique precinct that captures the historical development of an important town and one which retains its historical setting and character. The town centre retains examples of its historic development across a broad range of historic themes including Aboriginal heritage, European heritage, other cultural and social heritage, natural heritage and themes such as transport, agriculture, commerce, education, health, government and law and order. The Heritage Conservation Area is of historic, aesthetic, technical and cultural significance. Given its level of intactness and integrity, it is of high local heritage significance.

~~Further detail regarding the requirements for development proposals in the Wyong Town Centre Conservation area are located in Chapter 4.5: Wyong Town Centre.~~

Key period of significance: 1889 – 1945



Figure 67 Wyong Town Centre Heritage Conservation Area

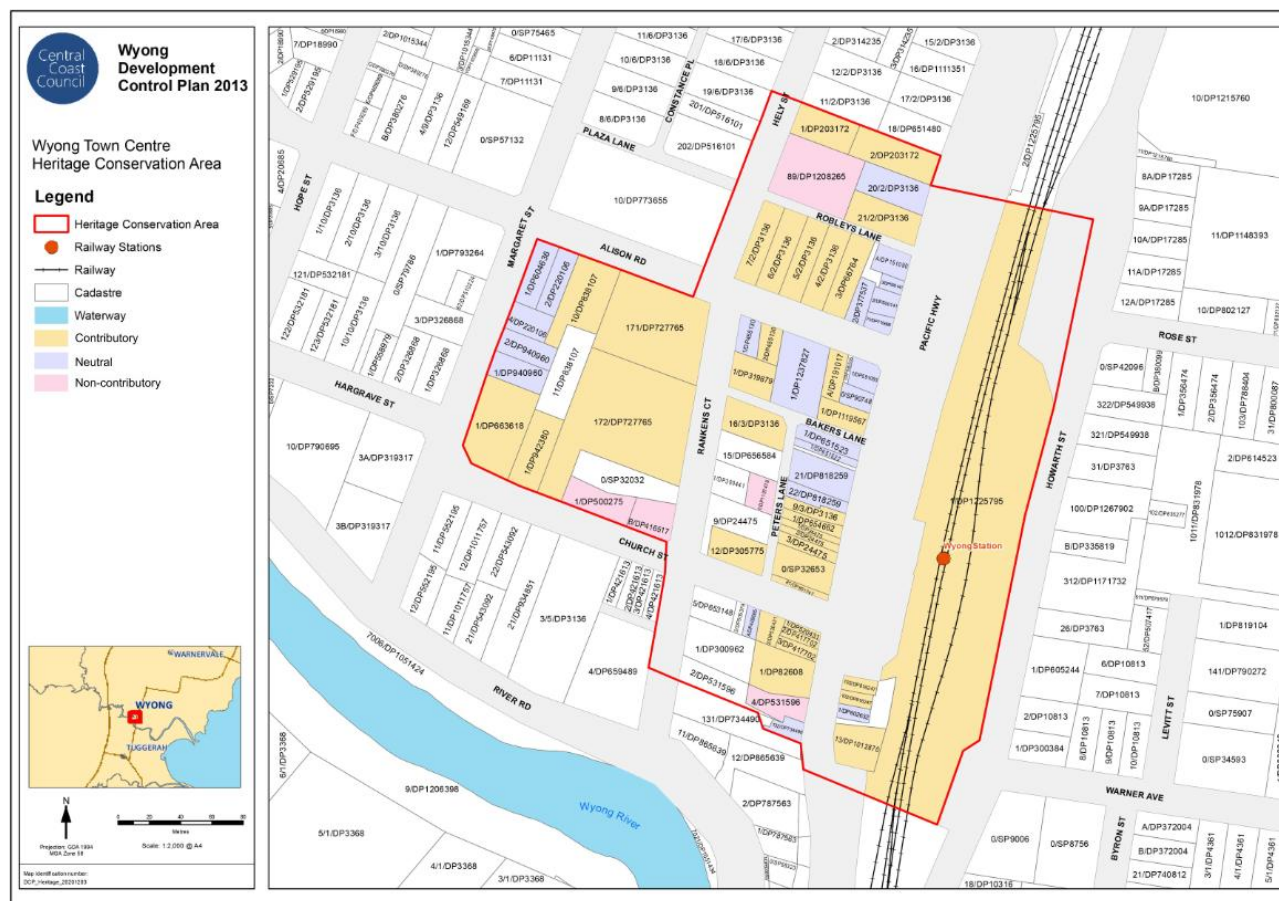


Figure 67. Wyong Town Centre Heritage Conservation Area building contribution mapping.

OBJECTIVES	
O1	To conserve the significance of Wyong Town Centre Heritage Conservation Area, including its fabric, setting, and views.
O2	To retain the civic, commercial, and residential character of the Wyong Town Centre Heritage Conservation Area.
O3	To ensure that new development is sympathetic to the significance and character of Wyong Town Centre Heritage Conservation Area.
REQUIREMENTS	
R1	Development must be sympathetic to the characteristic form, scale, style, details, and materials of contributory buildings and heritage items within the Heritage Conservation Area.
R2	New development must be reflect the existing one- and two-storey scale of the Heritage Conservation Area. Where increased height is proposed, it must be demonstrated that the impacts of this height have been offset through the use of appropriate massing, siting, materials, and detailing.
R3	Development must not result in changes to the scale or bulk of contributory buildings.

R4	Development must not overwhelm, dominate or detract from significant streetscapes, buildings or elements within the Heritage Conservation Area, including the Pacific Highway streetscape and the Wyong Railway Station Group.
R5	Development must not detract from or obstruct significant views, including views from Wyong Town Park to the north and east.
R6	Materials of new development must be sympathetic to the characteristic materials of the Heritage Conservation Area: ▪ face brick; ▪ painted render; ▪ weatherboard; and ▪ deep gloss ceramic tiles.
R7	Street plantings and reserve vegetation along Pacific Highway and Alison Road must be retained unless the planting is diseased, dying or dead, or poses a risk to human life or property.
R8	Where street plantings and reserve vegetation have reached their end of life, they must be replaced by a suitable replacement planting. The species of any replacement planting must be approved by Council's Heritage Officer.

3.6.4.43.6.5.4 Oakland Avenue Heritage Conservation Area

[27 – 51 Oakland Avenue, The Entrance](#)

3.6.4.4.1—Statement of Significance

The Oakland Avenue area is a fine representative example of a residential precinct that retains good examples of housing constructed up until c.1950 of high integrity. The streetscape remains largely intact in terms of retaining the historical narrow lot subdivision pattern, the natural features located on rising ground away from the river, and simply built vernacular house designs with short garden settings. Collectively, the buildings and gardens contribute to it being a distinctive area that captures the historical development of a representative type of residential development that retains its historical setting and character. The streetscape is linear and single sided and provides the Heritage Conservation Area with historic, aesthetic and cultural significance. Given the level of intactness and integrity, the area is of high local heritage significance.

[Key period of significance: 1921-1950](#)



Figure 8 Oakland Avenue Heritage Conservation Area



Figure 79. Oakland Avenue Heritage Conservation Area building contribution mapping.

OBJECTIVES	
O1	To conserve the significance of Oakland Avenue Heritage Conservation Area, including its fabric, setting, views, and subdivision pattern.
O2	To retain the single-storey residential character of the Oakland Avenue Heritage Conservation Area.
O3	To ensure that change is sympathetic to the significance and character of Oakland Avenue Heritage Conservation Area.
REQUIREMENTS	
R1	Development must maintain the consistent form and scale of buildings within the Heritage Conservation Area.
R2	New development must be simple in design and sympathetic to the character, form, scale, and materials of the Heritage Conservation Area.
R3	Front and side setbacks must be consistent with the established building line and siting in the Heritage Conservation Area.
R4	Allotment configurations must be consistent with the characteristic subdivision pattern.

R5	Development must not obscure views to the principal elevations of all properties within the Heritage Conservation Area.
R6	Secondary dwellings may be acceptable where there is sufficient site area at the rear of the property. Secondary dwellings on all properties within the Heritage Conservation Area must have regard to the provisions of Chapter 2.1.8 of the DCP.
R7	Open carport structures must be set back 6m behind the building line.
R8	Garages and outbuildings must be located to the rear of the main building.
R9	Original galvanised iron roofing must be retained, or where no longer feasible to be retained, it may be replaced with traditional galvanised steel and traditional rolled flashings.
R10	New development must use materials sympathetic to the characteristic materials of the Heritage Conservation Area: ▪ _____ painted sheeting; ▪ _____ weatherboard cladding; and ▪ _____ galvanised iron.
R11	Colour schemes must not detract from original significant colours or obscure architectural details.
R12	The height of front boundary fencing must be consistent with the existing low front boundary fencing in the Heritage Conservation Area. Side and rear fencing must rake or step down from the front building alignment to meet the height of front boundary fencing.
R13	Style and materiality of fencing must be appropriate to the significant character and period of the Heritage Conservation Area and houses.

3.6.4.5.3.6.5.5 Mount Penang Heritage Conservation Area

[Refer to Chapter 5.3 for development controls relating to the Mount Penang Parklands Heritage Conservation Area.](#)

[Mount Penang Parklands is listed on the State Heritage Register. Refer to the State Heritage Inventory for management recommendations and for further information on the State heritage significance of the area.](#)

3.6.4.5.1 Statement of Heritage Significance

The Mount Penang Juvenile Justice Centre has been the most important juvenile detention centre in NSW for most of the twentieth century and is a direct continuation of the nineteenth century system of reformatory training ships. The design of the early buildings, their configuration and the layout of the site itself, as well as its agricultural and pastoral features, its remnant dairy and its landscaping collectively and individually illustrate juvenile penal philosophies and practices of the period and their subsequent evolution over eighty-five years of operation. The location of the Centre is a feature in the historical expansion of the City of Sydney

into its rural hinterland and its operations are an element in the development of Gosford and the Central Coast.

Mount Penang also has significance for the local Aboriginal people both pre and post-contact, and during the time when Mount Penang was used as a juvenile detention centre and accommodated a number of Aboriginal detainees for whom the site would have profound associations.

The Centre has notable aesthetic qualities associated with its site and the available views, and layout of the low- scale buildings and the landscaping. The earlier buildings are attractive, human-scaled structures, which, while of an institutional character, utilise colonial homestead architecture, appropriate to their setting and construction techniques of particular interest. The earlier buildings reproduce these forms to reinforce the characteristic appearance of the complex, whilst the McCabe Cottages group is an excellent example of the Inter-War Functionalist architectural style.

The siting and relationship of buildings to each other and to the sports fields, paddocks and vistas are all components of the operational requirements and practices of the Centre. These provide technical information regarding juvenile detention and reformatory practices. Mount Penang is very important to the many boys and young men who were detained there over the course of nearly a century. For most detainees, Mount Penang is a place where the unforgettable occurred - experiences that strongly influenced the course of their lives. The place is significant to the many men and women who lived and worked at the former detention centre. For many of these people, it is a place of substantial personal and professional achievement. Mount Penang is also important to the local community as a landmark of historical and aesthetic importance. The place has functioned as a community meeting point, with many links between the wider community and the detainees and staff.

Further detail regarding the requirements for development proposals in the Mt Penang Heritage Conservation area are located in Chapter 5.3: Kariong, Mount Penang Parklands

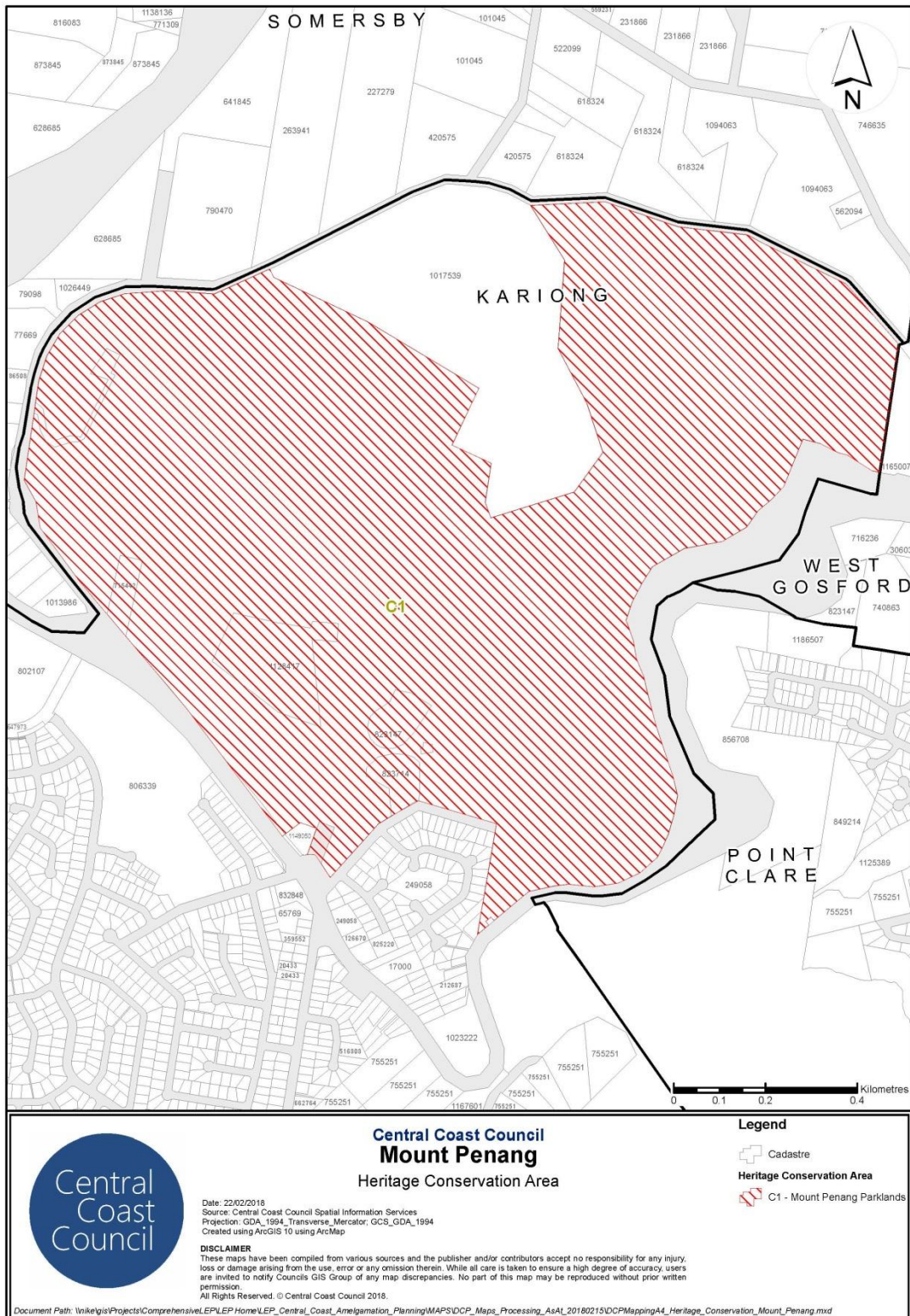
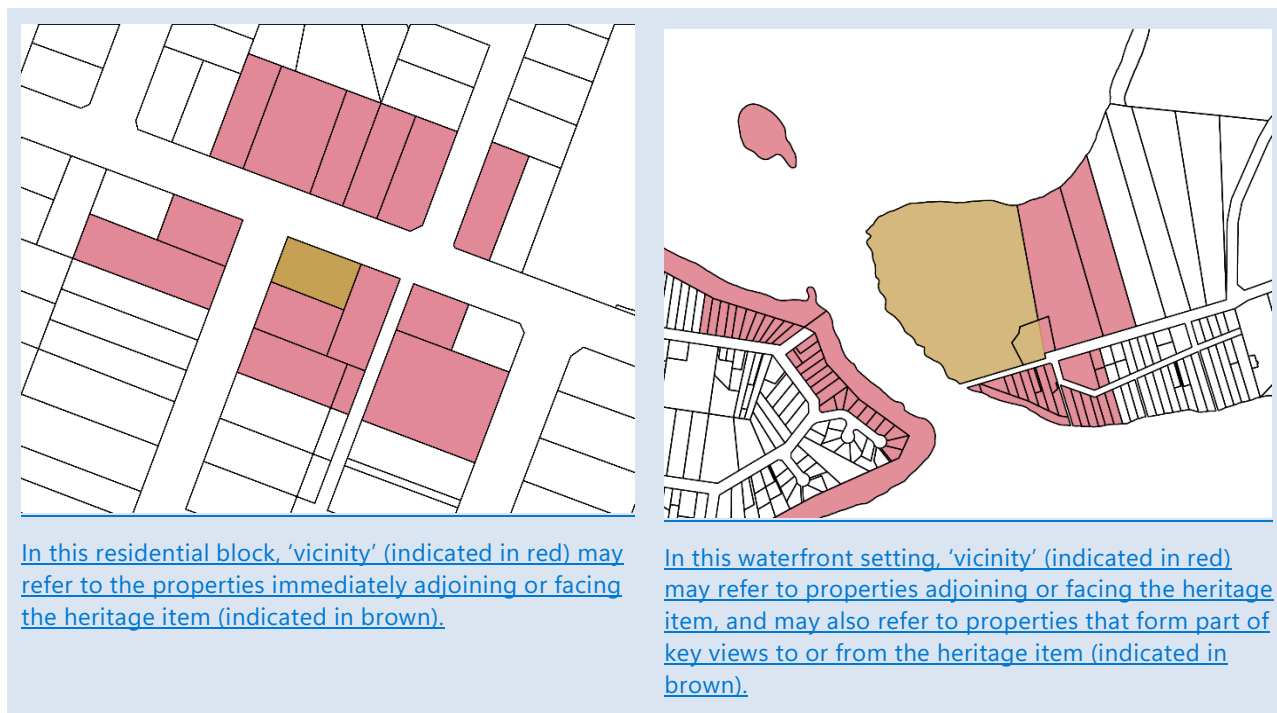


Figure 9 Mt Penang Heritage Conservation Area

3.6.6 Development in the vicinity of heritage

Development in the vicinity refers to development that occurs outside the curtilage or boundary of a heritage item or heritage conservation area, but is located near to and has the potential to impact the significance of the heritage item or area. These impacts can relate to the setting, views, or use of the item or area.

The definition of vicinity is relative to the physical and spatial context of the heritage item or area concerned. In a dense urban environment, 'in the vicinity' may refer to the neighbouring allotments. In a more sparsely developed area, it may refer to land significantly further away.



Development application requirements

Under Clause 5.10(5) of the CCLEP 2022 and Clause 5.36(5) of the Regional SEPP, before granting consent to development on land that is in the vicinity of a heritage item or heritage conservation area, Council may require a heritage management document to be prepared that addresses the potential impacts of the proposed development on the significance of the heritage item or heritage conservation areas concerned. Typically, this will take the form of a **Heritage Impact Statement** (HIS), also commonly referred to as a Statement of Heritage Impact (SOHI).

3.6.2.3 — Development in the vicinity of a Heritage Item or Heritage Conservation Area

3.6.6.1 General controls for development in the vicinity of heritage

- a — Development in the vicinity of a Heritage Item or a Heritage Conservation Area should respect the nearby heritage item
- a — Development in the vicinity of a heritage item or Heritage Conservation Area must respect and not dominate or detract from their heritage significance and should be sympathetic with the item or area in terms of the:
 - i — building envelope, bulk, scale and height;

- ii — architectural style;
 - iii — materials, colours and finishes; and
 - iv — building and street alignment.
- b — Development in the vicinity of a heritage item or Heritage Conservation Area is to minimise the impact on the setting of the item by:
- i — providing an adequate area around the heritage item;
 - ii — retaining original or significant landscaping, including planting with direct links or association with the heritage item;
 - iii — retaining and respecting significant views to and from the heritage item.
 - iv — for rural heritage items, the scale of new work is not to overwhelm the heritage item and its setting.

OBJECTIVES	
O1	<u>To conserve the significance of heritage items and heritage conservation areas.</u>
O2	<u>To retain the significant setting and views of heritage items and heritage conservation areas.</u>
O3	<u>To ensure that development in the vicinity is sympathetic to the scale, form, and character of the heritage items and heritage conservation areas.</u>
REQUIREMENTS	
R1	<u>Development must consider potential impacts to heritage items and heritage conservation areas in the vicinity.</u>
R2	<u>Development applications must demonstrate that the design of new development has mitigated potential impacts to heritage items/areas in the vicinity through consideration of:</u> ▪ <u>character;</u> ▪ <u>scale;</u> ▪ <u>form;</u> ▪ <u>siting;</u> ▪ <u>materials and colour; and</u> ▪ <u>detailing.</u> <u>Refer to 3.6.6.3 for additional guidance relating to the design of new development in the vicinity of heritage items.</u>
R4	<u>Development must have front and side setbacks that enable the retention of public domain views of the heritage item or heritage conservation area.</u>
R5	<u>Development must not cause adverse overshadowing impacts to the heritage item or heritage conservation area.</u>

3.6.5 INFILL DEVELOPMENT

3.6.6.2 Infill development

Infill development refers to those buildings adjacent to or in the vicinity of heritage items as well as development within an identified Heritage Conservation Area. The following controls relate to the scale, bulk, siting, form, character, materials and colours and design of infill development:

Read in conjunction with:

- Chapter 2.17 Character and Scenic Quality

Infill development refers to new development within a historic streetscape, or new development adjacent to, or in the vicinity of, heritage items or heritage conservation areas. Successful infill development is that which responds to existing characteristics of a streetscape or area, and is sympathetic to the significance of heritage items and heritage conservation areas in the vicinity.

The design of infill development is to be informed by the following guidelines:

- Better Placed (Government Architect NSW 2023), and
- Design in Context (NSW Heritage Office 2005).

3.6.5.1 Character

- a — New development of the site is to respond to the character and significance of the heritage item or Heritage Conservation Area.
- b — In demonstrating the appropriateness of infill development to the existing historical character of the heritage item or Heritage Conservation Area, the applicant may be required to provide annotated diagrams, photographs and/or sketches to describe the factors which contribute to the character of the historic context (this will depend on the complexity of the new infill development and likely impact), including:
 - i — topography of site and its surroundings;
 - ii — distinctive landscape elements and quality;
 - iii — the scale and form of the surrounding buildings;
 - iv — street and subdivision patterns;
 - v — setbacks of the buildings;
 - vi — materials, building techniques and details; and
 - vii — views, vistas and skylines.

3.6.5.2 Design

- a — The design of new buildings should complement and not adversely impact on the design characteristics of existing heritage items, particularly adjacent to the site;
- b — New buildings and building elements should not mimic traditional styles but rather be sympathetic in design to their context, through appropriate scale, form and materials.

- c — Details that contribute to the historic character of the streetscape should be identified and used to inform the design of the new building.
- d — Modern details can reinterpret traditional details and create new relationships between the old and new. This can be seen in the example of commercial heritage infill development in Figure 10 below. The horizontal masonry detailing on the existing building has been picked up in the horizontal detailing of the balconies of the adjoining new development.



Figure 10 — Contextual design

3.6.5.3 — Bulk

In the case of new retail/commercial buildings, the bulk of the building should be divided into narrow and vertical elements reflecting the width of traditional shopfronts and parapets. On corner lots buildings should be splayed to address the corner.

3.6.5.4 — Form

The form of a building refers to its overall shape and volume and the arrangement of its parts. Infill design should be sympathetic with the predominant form of its neighbours. Where a building form is highly repetitive in an area, variations to this form appear discordant.

- a — New residential buildings should be sympathetic to the height, proportions, roof pitches and materials of Heritage Items, streetscapes and Heritage Conservation Areas.
- b — Infill buildings should respond to, or reinforce, existing ridge or parapet lines, roof slopes and other features such as party walls and chimneys.
- c — Annotate drawings, photographs of models or photomontages which describe the relationship between the proposed new development and the context may be required (this will depend on the complexity of the new infill development and likely impact), in terms of the following:
 - i — predominant form of neighbours;
 - ii — roof form and skyline, that is ridge and parapet lines, roof slopes, punctuation by party walls, chimneys and lanterns or skylights;
 - iii — proportion and number of openings;
 - iv — solid to void ratios;

v — relationship between internal and external spaces.

3.6.5.5 — Scale

The scale of a building refers to its size in relation to surrounding buildings or landscape. Infill design should recognise the predominant scale (height, bulk, density, grain) of the setting and then respond sympathetically.

- a — Any subdivision of lots within a Heritage Conservation Area should reinforce the townscape pattern. Where a subdivision pattern contributes to the significance of a Heritage Conservation Area, consolidation of lots within it will have a negative impact on the place.
- b — Infill development must provide appropriate articulation of the elevations to ensure the scale and form of the development is sympathetic and does not dominate the streetscape as demonstrated in the figure below. The larger new development on the left is broken down by the columns and bays of the awning and windows and the building height mimics that of neighbouring development.



Figure 11 — Sympathetic scale

3.6.5.6 — Siting

- a — New buildings should not be orientated across sites in a manner that is contrary to the established pattern.
- b — Where the facades in a streetscape create a more or less continuous line, this pattern of setback should be repeated with new development.
- c — Where there is an established pattern of side setbacks that contribute to the character of the streetscape, this should be continued with new development.
- d — Modern materials can be used if their proportions and details are sympathetic within the surrounding historic context.
- e — Details that contribute to the historic character of the streetscape should inform the design of new buildings.
- f — In residential areas, where side access is available, garages and carports should be located behind the front building line to minimise their impact on the streetscape.
- g — New fences, garden walls and other landscape treatments in the vicinity of a heritage item or Heritage Conservation Area should not detract from the identified heritage significance. Existing features that contribute to the heritage significance of the streetscape should be retained.

3.6.3.7 Building Orientation

- a Generally, buildings should be constructed to the street alignment.
- b If, in Council's opinion, an existing setback makes a positive contribution to the streetscape then it shall be retained.
- c The front façade of buildings shall be orientated towards the street.
- d Corner buildings should 'turn' the corner with their main point of entry either on the corner itself or on the street to which it fronts the road.

3.6.5.7 Materials and Colour

- a Use of characteristic materials within the existing area is encouraged in the construction of new buildings.
- b Materials and colours of surrounding buildings should not be copied, but should be reinterpreted in new development.
- c Modern materials can be used provided their proportions and details are harmonious within the surrounding context; colour, texture and tonal contrast can be unifying elements.
- d Annotated drawings, photographs of models or photomontages which describe the relationship between the proposed new development and the context may be required (this will depend on the complexity of the new infill development and likely impact), in terms of the following:
 - i response to predominant materials, textures and colour palette, are they harmonious, complementary or contrasting;
 - ii commensurate quality of new materials to the existing building(s);
 - iii qualities of light and shadow;
 - iv hierarchy of material use, for example, solid masonry base and lightweight upper levels;
 - v relationship between skeleton or structure and skin.

OBJECTIVES

O1	<u>To ensure that infill development is sympathetic to heritage items and heritage conservation areas in the vicinity.</u>
O2	<u>To ensure that infill development is complementary to the character and scale of heritage items and heritage conservation areas in the vicinity.</u>
O3	<u>To ensure that infill development does not detract from or interrupt the relationship between heritage items/areas and public domain, including views and vistas.</u>

REQUIREMENTS

R1	<u>Infill development must respond to the existing character, scale, form and style of the heritage item or heritage conservation area in the vicinity with regard to:</u> ▪ <u>character;</u> ▪ <u>scale;</u> ▪ <u>form;</u> ▪ <u>siting;</u> ▪ <u>materials and colour; and</u> ▪ <u>detailing.</u> <u>Refer to 3.6.6.3 for additional guidance relating to the design of new development in the vicinity of heritage items.</u>
R2	<u>Infill development must not dominate heritage items/areas in the vicinity, in terms of scale, bulk, setbacks and architectural character.</u>
R3	<u>Infill development must not result in significantly larger scale or bulk than the heritage item in the vicinity.</u>
R4	<u>Siting and setback of infill development must reflect the existing siting and setback pattern of the surrounding streetscape</u>
R5	<u>Infill development must not obstruct or detract from physical, spatial, or visual connections between significant elements.</u>
R6	<u>Infill development must not obscure or detract from significant views to, from, and between heritage items and conservation areas</u>

3.6.6.3 Character

The character of a place is defined by the combination of its particular characteristics or qualities.

This can include its natural landform and landscape elements, its street and subdivision patterns, as well as the date, style, scale, form, siting, materials, and details of its built form.

Heritage items and heritage conservation areas are often key contributors to the character of a place. Infill development must respond to the character of the place through its use of scale, form, siting, materials, colour and detailing that is characteristic or predominant to the item or area. New development that is inconsistent with the predominant scale, form, siting, materials, colour or detailing of surrounding built form can detract from the character and significance of the place.



Davistown

The character of Davistown is formed by its mostly early-twentieth century cottages, with their consistent pattern of pitched roofs, with projecting sunrooms or enclosed veradahs.

The building at the centre of this image is a new development, with heritage items to either side.

It has been designed sympathetically to the heritage items, taking cues from the gabled roof forms, fenestration and materiality of its neighbours, to ensure that it sits cohesively in its streetscape.

Woy Woy

Buildings in Woy Woy's town centre vary in their form, date, and style. However, their consistent scale unifies the streetscape and contributes to the character of the area.



Long Jetty

The suburb of Long Jetty is characterised by its Post-War lakeside houses and apartments.

The two buildings in this image are similar in their scale, form, siting and materiality. The front building is listed as a local heritage item (Dwellings I141), while the rear is not. However, both contribute strongly to the local character of the area.

Definitions

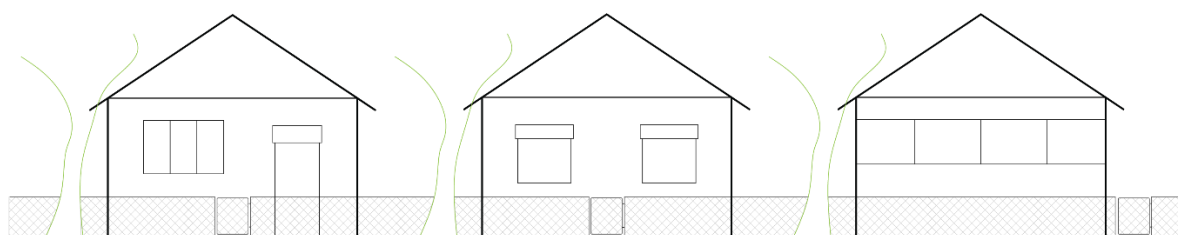
Scale

Scale is the size of a building and its relationship with its surrounding buildings or landscape. The scale of a building relates to its height, bulk, density and grain – not simply how big a building is, but how big it feels.

Form

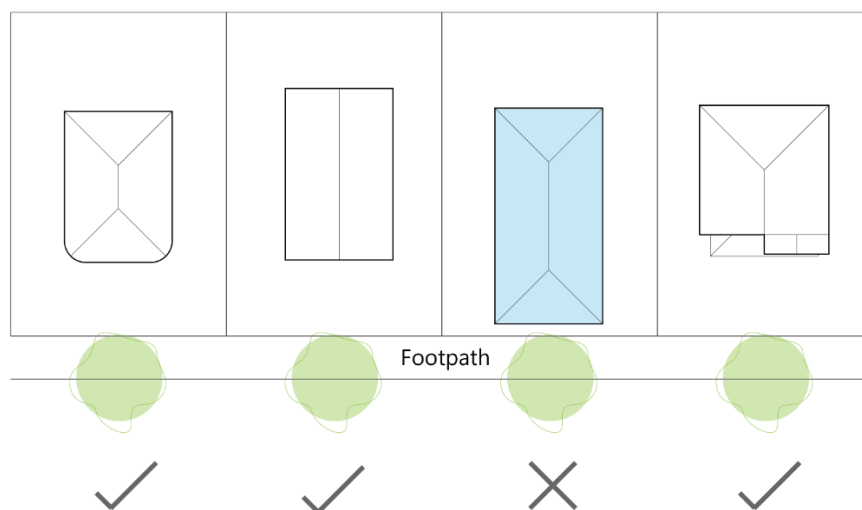
The form of a building is its overall shape and volume. Roof line and pitch is a key component of form.

The below dwellings have a consistent form. While they differ in their arrangement of doors and windows, their identical gabled roof forms provides a cohesive streetscape.



Siting

The siting of a building refers to its position on its allotment, and its setback from its road frontage and neighbouring buildings. In the below example, the new development in blue is inconsistent with the predominant siting of the streetscape.



Materials, colour and detailing

Materials and colour refers to the cladding, rendering or other external finish of a building.

Detailing can include façade articulation, parapets, window and door openings, verandahs, chimneys or other architectural features.

3.6.7 Additional information

3.6.7.1 Heritage Management Documents

3.6.2.2.2 Heritage Impact Statement

- a — A Heritage Impact Statement may be required for works on, or in the vicinity of, development related to a heritage item or land within a Heritage Conservation Area. The heritage impact statement should address the impact of a development on the heritage significance of the place, as well as the impact on a Heritage Conservation Area. Where a heritage item is of State significance a more detailed Conservation Management Plan or Strategy may be required.
- b — A Heritage Impact Statement should address the following:
- i — A description of the item and its setting (e.g. garden, fences, ancillary buildings etc.);
 - ii — The item's contribution to the streetscape in terms of height, scale, mass, setback, architectural style and period;
 - iii — A statement of significance for the heritage item, archaeological site, or Heritage Conservation Area;
 - iv — An assessment of the impact that the proposed development will have on the significance of the heritage item, archaeological site, place of Aboriginal heritage significance or Heritage Conservation Area;
 - v — Proposed measures to minimise that impact;
 - vi — Design options and justification for the preferred option;
 - vii — Consideration of any recommended management policies contained in the Heritage Inventory Assessment Report for the heritage item, Heritage Conservation Area or streetscape.

A Heritage Impact Statement (HIS) (or Statement of Heritage Impact) is a heritage management document that assesses how a proposed development will impact a heritage item or heritage conservation area. It assists the consent authority to consider if an application should be approved based on its potential impacts on the significance of the heritage item.

A HIS will be required for development to a heritage item or heritage conservation area, or within the vicinity of a heritage item or heritage conservation area. Development involving State Heritage Register items will require a SOHI prepared in accordance with *Guidelines for preparing a statement of heritage impact* (Department of Planning and Environment 2023).

A HIS is to include the following information:

- site description (including site map)
- site history
- physical analysis
- heritage significance of the item, its elements, and its setting (this may be the existing assessment of significance for the heritage item, although an updated or more rigorous assessment may be required)
- description of proposed works and/or activities

- [assessment of the development against the relevant provisions of the CCLEP 2022 \(or Regional SEPP\) and the CCDCP \(or Gosford City Centre DCP\)](#)
- [assessment of the impact of the proposed works on the fabric and significance of the heritage item or heritage conservation area](#)
- [conclusion, including recommended conditions and/or mitigation measures.](#)

[It is important that your development application is supported by an adequate assessment of heritage impact. The length or complexity of a HIS will depend on the nature of the development and its potential impacts to heritage items or heritage conservation areas. Some development may only require a short HIS that can be written by the property owner or architect/designer. Others may require a more substantial assessment, that should be prepared by an appropriately qualified and experienced heritage professional with relevant expertise.](#)

[Historical Archaeological Assessment](#)

[Historical Archaeological Assessments \(HAA\) are predictive studies that evaluate the likely extent, nature, integrity and significance of the archaeological resource at a site. A HAA must be prepared by a suitably qualified archaeologist, and must address:](#)

- [the historical development of the land and modifications over time](#)
- [the likelihood or potential for archaeological relics](#)
- [the significance of those relics](#)
- [what would be the impacts of your proposed activity or work](#)
- [what options have been considered to avoid disturbance to retain the relics](#)
- [management advice that is consistent with the significance of the archaeological relic/s.](#)

[The HAA will recommend specific actions to manage the archaeological resource, such as:](#)

- [No further action](#)
- [Archaeological monitoring](#)
- [Test excavation](#)
- [Archaeological excavation](#)
- [In situ conservation](#)

[The HAA must be prepared in accordance with guidelines available on the NSW Environment and Heritage webpage, including:](#)

- [Archaeological assessments guidelines](#) (Department of Urban Affairs and Planning 1996)
- [Assessing Significance for Historical Archaeological Sites and 'Relics'](#) (Heritage Branch of the Department of Planning, 2009)

3.6.2.2.3 — Conservation Management Plan

The purpose of a Conservation Management Plan (CMP) is to evaluate the significance of the heritage item and to make detailed recommendations on its continuing conservation and management. [CMPs guide the use, management and change of heritage items. They should achieve the best possible conservation of heritage significance within the context of the real-world management circumstances of the item.](#)

- ~~a — A CMP is required for development proposals involving heritage items which are listed on the State Heritage Register as an item of State significance.~~
- ~~b — A CMP may be required for significant, extensive or complex development proposals involving local heritage items.~~
- ~~c — The CMP must be carried out by a suitably qualified heritage consultant and should consider compliance with any recommended management policies contained in the Heritage Inventory Assessment Report for the heritage item, Heritage Conservation Area or streetscape.~~

[A CMP must not be written:](#)

- ~~▪ with the purpose of justifying a specific project or development~~
- ~~▪ to exclusively meet the needs of users (e.g. heritage authority, owner/manager, maintenance staff).~~

[A CMP will be required for development proposals involving:](#)

- ~~▪ A State Heritage Register item;~~
- ~~▪ A complex local item such as a school campus or Council owned property; or~~
- ~~▪ Any proposal that relies on Clause 5.10(10) – Heritage Incentives~~

[A CMP may be required for development proposals involving other local heritage items. A CMP must be prepared by a suitably qualified heritage consultant with reference to existing management recommendations in the State Heritage Inventory listing sheet for the item.](#)

[The CMP must be prepared in accordance with guidelines available on the NSW Environment and Heritage webpage, including:](#)

- ~~▪ [Statement of best practice for conservation management plans](#) (Department of Premier and Cabinet 2021).~~
- ~~▪ [Guidance on developing a conservation management plan](#) (Department of Premier and Cabinet 2021).~~
- ~~▪ [Conservation management plan checklist](#) (Department of Premier and Cabinet 2021).~~

Heritage Asset Action Plan

[Heritage Asset Action Plans \(HAAP\) are relatively simple and succinct documents that provide guidance about targeted aspects of the maintenance or management of a heritage item. HAAPs are not suitable in the context of a major change or development affecting a heritage item, but can be prepared to provide guidance on:](#)

- ~~▪ the maintenance of a heritage asset or item;~~

- [a specific aspect of conservation or management;](#)
- [a conservation approach that applies across an asset type ; or](#)
- [a specific component of an item.](#)

[An understanding of the heritage significance for the item is essential to underpin the HAAP. Where an existing and robust statement of significance already exists, such as from a heritage register like the State Heritage Register, then this should be used. If a statement of significance is not available, then a heritage investigation and assessment should be completed.](#)

[The HAAP must be prepared in accordance with guidelines available on the NSW Environment and Heritage webpage, including:](#)

- [Statement of best practice for heritage asset action plans](#) (Department of Premier and Cabinet, 2021).

[Heritage Interpretation Plan](#)

[A Heritage Interpretation Plan \(HIP\) is a document that provides the policies, strategies and detailed advice for interpreting a heritage item. It is based on research and analysis, and plans to communicate the significance of the item, both during a conservation project and in the ongoing life of the item. The HIP identifies key themes, storylines and audiences and provides recommendations about interpretative devices. It includes practical and specific advice about how to implement the plan.](#)

[The HIP must be prepared in accordance with guidelines available on the NSW Environment and Heritage webpage, including:](#)

- [Interpreting Heritage Places and Items Guidelines](#) (NSW Heritage Office 2005)

[3.6.2.2.5 — Archival Record](#)

[An Archival Record is made of a heritage item as a way of contributing to our understanding and appreciation of our culture and history. They record for the future the environment, aesthetics, technical skills and customs associated with the creation and use of heritage items before they are lost, either by progressive changes or the passing of time.](#)

[e — Archival Records are usually prepared:](#)

- [i — when establishing the heritage significance of the item](#)
- [ii — before making decisions on the management of the item \(e.g. when preparing a conservation plan\);](#)
- [iii — when developing or carrying out a maintenance and monitoring program for the item \(e.g. for annual maintenance inspections\);](#)
- [iv — before and during work to the item \(e.g. alterations and additions\);](#)
- [v — before full or partial demolition of the item or relocation of objects or collections; and](#)
- [vi — before and during archaeological investigations.](#)

[A photographic survey and measured drawings of the item clearly identifying previous alterations, dates of construction and materials is required where application for total demolition is made. Preparation of such an](#)

archival record is generally a condition of consent. The archival record shall be consistent with the guidelines provided by the NSW Heritage Council 'Heritage Information Series: How to Prepare Archival Records of Heritage Items' available from the Heritage Branch website. An Archival Record consists of a photographic recording of an item, place or object. The purpose of an Archival Record is to record the item, place or object in its current condition, before it is changed or lost. The requirements of an Archival Record will depend on the nature of the works proposed. At minimum, it will include a photographic survey and site plan, and may also require measured drawings of the item, clearly identifying previous alterations, dates of construction and materials.

The preparation of an Archival Record may be a condition of consent for development applications involving changes to heritage items or heritage conservation areas. The Archival Record must be provided to Council for their review and approval. Once finalised, the Archival Record should be provided to the Central Coast Library Service.

The Archival Record must be prepared in accordance with guidelines available on the NSW Environment and Heritage webpage, including:

- *Heritage Information Series: How to Prepare Archival Records of Heritage Items* (NSW Heritage Office)

Note: The above guidelines specify requirements for hard copies of Archival Recordings; however, in some circumstances only a digital copy will be required.

Schedule of Conservation Works

Development applications that involving repair, conservation or maintenance works to the significant fabric of a heritage item, or involve a heritage item in need of repair, conservation or maintenance works, must be accompanied by a Schedule of Conservation Works (SoCW).

A SoCW identifies the methods, materials and tradesperson to be used for the conservation works. The SoCW must be prepared by a suitably experienced heritage consultant, architect or tradesperson, and must be based on the principles of the Burra Charter.

Refer to heritage maintenance guidelines available on the NSW Environment and Heritage webpage:

- <https://www2.environment.nsw.gov.au/topics/heritage/manage-heritage-items/heritage-maintenance-guides>

3.6.7.2 References and links

Local studies – researching the history of your property

Local Studies, within the Central Coast Library, has a wealth of resources that can assist in researching the history of a heritage place, including books, reports, local newspapers, pamphlet, files, aerial photos, maps and street directories. The Local Studies team can help you learn more about the history of your property.

Central Coast Libraries

- <https://libraries.centralcoast.nsw.gov.au/history>

Central Coast Memories

Central Coast Memories provides historic images, sound recordings, subdivision plans, postcards and tourist publications. It is part of the Central Coast Council Library Service's local history images collection.

Central Coast Memories

- <https://centralcoast.contentdm.oclc.org/>

Heritage NSW Publications

[Heritage NSW, which sits within the NSW Department of Climate Change, Energy, the Environment and Water \(DCEEW\), has a wide range of heritage publications available to download.](#)

NSW Environment and Heritage, Manage heritage items

- <https://www2.environment.nsw.gov.au/topics/heritage/manage-heritage-items>

3.6.1.5 — 3.6.7.3 Definitions

Generally, the terms used in this Chapter have the same meaning as those terms defined within Central Coast LEP 2022. Where a term is defined within Central Coast LEP 2022, it is not repeated here. The following additional terms are relevant to this Chapter:

adaptation means modifying a heritage place to a new use that conserves its heritage values.

alter in relation to a heritage item means physical changes to the fabric, setting or layout of a heritage place.

archival record means a record of evidence, including written, photographic, illustrative, diagrammatic and/or video evidence that identifies the environment, aesthetics, technical skills, and customs associated with the creation and use of the heritage item.

building element means an architectural component of a building or site.

compatible use means a use which involves no change to the significant fabric of a building or work, changes which are substantially reversible, or changes which make a minimal impact.

conservation means all the processes of looking after a building or work so as to retain its heritage significance. Conservation can include maintenance, preservation, restoration, protection, reconstruction and adaptation.

contributory item means a building, work, place, relic, tree, or place and its setting, which contributes to the heritage significance of a conservation area.

fabric means all the physical material of a site, building or work.

form means the overall shape and volume and the arrangement of the parts of a building.

heritage interpretation is the process of explaining or representing the heritage significance of a place to the community.

Heritage Inventory Assessment Report means a report taken from the Heritage Inventory database for a heritage item.

historic character means the combination of particular characteristics or special qualities of a place related to its period of style or construction.

infill development means a new building in an established and developed area which is adjacent to or in the vicinity of a heritage item or Heritage Conservation Area.

measured drawing means a technical or architectural record of the heritage item in its existing state.

natural heritage means natural features consisting of physical and biological formations or groups of such formations, which demonstrate natural significance. Geological and physiographical formations and precisely delineated areas that constitute the habitat of indigenous species of animals and plants, which demonstrate natural significance, and/or natural sites or precisely-delineated natural areas which demonstrate natural significance from the point of view of science, conservation or natural beauty.

natural significance means the importance of ecosystems, biodiversity and geodiversity for their existence value or for present or future generations, in terms of their scientific, social, aesthetic and life-support value.

neutral building means a building or building element that neither contributes nor detracts from the significant character of the Heritage Conservation Area.

non-contributory building means a building or building element that detracts from the significant character of the Heritage Conservation Area.

preservation means maintaining the fabric of a building or work in its existing state to prevent deterioration.

reconstruction means returning a building or work as nearly as possible to a known earlier state and is distinguished by the introduction of materials old or new into the fabric.

relic means any deposit, artefact, object or material evidence that relates to the settlement of the area that comprises NSW, not being Aboriginal settlement and is of State or local heritage significance

restoration means returning the existing fabric of a building or work to a known earlier state by removing accretions or by reassembling existing components without the introduction of new materials.

setting means the context within which a structure is located with respect to streetscape.

Statement of Significance means a statement or document that describes and explains the characteristics that give an item its heritage significance.

vicinity means land or surroundings that have a physical or visual relationship to the site of a heritage item or Heritage Conservation Area, and that potentially may affect the heritage significance of the item or area.