

## Heritage Items and Heritage Conservation Areas

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## INTRODUCTION

Part 19 applies to any development associated with a Heritage Item or within a Heritage Conservation Area (HCA) identified on the KLEP Heritage Map. The controls in this Part are additional to those in Section A and C, and relevant Parts of Section B in this DCP.

The heritage controls in this Part of the Ku-ring-gai DCP aim to:

- i) retain, conserve and enhance the Heritage Items, HCAs and their associated settings;
- ii) ensure the heritage significance, streetscape and landscape character of HCAs are maintained;
- iii) ensure alterations and additions to Heritage Items and within HCAs respect those buildings and do not compromise the significance and character of the individual Heritage Items or the HCAs;
- iv) ensure new development in the vicinity of Heritage Items and HCAs respects the heritage context and is sympathetic in terms of form, scale, character, bulk, orientation, setback, colours and textures and does not mimic or adversely affect the significance of Heritage Items or HCAs and their settings.

This Part applies to any development that is:

- i) a Heritage Item listed under Schedule 5 Environmental Heritage within KLEP;
- ii) in a Heritage Conservation Area (HCA) identified in KLEP;
- iii) in the vicinity of a Heritage Item or HCA identified in KLEP.

For any development within the above categories, a pre-DA meeting is recommended prior to the lodgment of a Development Application.

Where there is inconsistency between the controls in Part 19 and controls in other parts of this DCP, the controls in Part 19 prevail. This part provides guidance to meet the objectives in the KLEP.

The application process allows a merit-based assessment to occur in relation to development affecting heritage items and heritage conservation areas. In the instance of a conservation area, this merit assessment will include the identification of an item, building or group of building's contribution to the wider conservation area. The grading of buildings is no longer pre-determined using any form of mapping or listing system.

### ***Supporting Heritage Documentation***

For any works within the above categories, a Heritage Impact Statement (HIS) is required. A Conservation Management Plan (CMP) may be required for works to a Heritage Item or significant works within an HCA. Heritage impact statements and CMPs are to be completed by an appropriately qualified and experienced heritage consultant.

Applicants are advised to refer to:

- i) Council's Heritage Inventory Sheets for Heritage Items and HCAs.

**Note:** Inventory Sheets have been prepared for each of Ku-ring-gai's HCAs and are considered by Council when assessing development applications for work within the Heritage Conservation Area.

**Note:** The Inventory Sheets are available via Council's website [www.krg.nsw.gov.au](http://www.krg.nsw.gov.au)

- ii) Australia ICOMOS Charter for Places of Cultural Significance 1999 (The Burra Charter).
- iii) Council's DA Guide available on Council's website [www.krg.nsw.gov.au](http://www.krg.nsw.gov.au).
- iv) Council's heritage studies, available on Council's website and Gordon Library.

### ***What is a Contributory Property?***

This Part identifies various controls that specifically apply to contributory properties. For the purpose of this DCP, Contributory Properties are buildings and sites within a HCA which are deemed to exhibit one or more of the following characteristics:

- i) buildings and sites that make an important contribution to the character and significance of the HCA. They can be from a key historical layer, true to an architectural type, style or period, or highly or substantially intact including their garden setting. Where subdivision has occurred, the subdivision is within the key historical period or the area.
- ii) buildings and sites which are altered from their original form but are recognisable and could be reasonably reinstated to that condition or the alterations are not considered to be detrimental to the integrity of the building; for example, a building that has been rendered or painted or where the roof cladding has been replaced but the form is otherwise legible.
- iii) buildings and sites with new layers/additions sensitive to the style, form, bulk, scale and materials of the original building.

**Note:** Contributory buildings do not necessarily need to be high-quality buildings but should represent the key historical period of the HCA. An HCA may also contain high-quality buildings which are not necessarily from the key historical period.

### ***Statement of Heritage Significance for Ku-ring-gai***

The heritage significance of Ku-ring-gai and lies in:

- i) The evidence provided by its rich history and all its sequential layers - from Aboriginal occupation, very early timbergetting, the long period of relative isolation from built suburbia, orcharding and farming followed by the rapid growth of suburban development in response to elevated topography, "clean air" and the establishment of the railway.
- ii) The outstanding quantity, quality, depth and range of its twentieth-century architecture. It contains houses designed by many of Australia's prominent twentieth-century architects and these have in turn influenced the mainstream of Australian domestic architecture.

- iii) The evidence it provides of twentieth-century planning and conservation philosophies: the segregation of residential areas from other urban uses, subdivision patterns which reflect a range of suburban aspirations, the use of residential district proclamations to create and retain domestic environmental amenity, street tree planting and post-war neighbourhood planning.
- iv) The evidence offered by its built landscape and garden design incorporating a variety of horticultural styles and in harmony with the natural landscape, such as those in the large estate private gardens, the gardens at railway stations and well designed gardens of cultivated botanical species such as at Eryldene.
- v) The evidence of the area's natural heritage retained in its surrounding national parks, along its creek lines and in its public and private gardens, remnants of the original Turpentine, Blackbutt and Blue Gum forests and associated woodlands, under-storeys and dependent fauna.

**19A Subdivision and Site Consolidation**

19A.1 Subdivision and Site Consolidation for New Development within an HCA

19A.2 Subdivision and Site Consolidation of a Heritage Item

READ WITH
SECTION A - Part 2-13
SECTION B - All relevant parts
SECTION C - Part 21-24

## Objectives

- 1 *To retain the historic subdivision patterns within HCAs, that reflect the age and circumstances of the early and later subdivisions including the characteristic rhythm and built form spacing.*
- 2 *To ensure that new development respects the established streetscape, and the historical patterns of development.*
- 3 *To ensure new subdivisions and lot consolidations do not have an adverse impact upon the curtilage of Heritage Items, the streetscape setting of significant buildings and the identified character of the HCA as a whole.*

## 19A.1 SUBDIVISION AND SITE CONSOLIDATION FOR NEW DEVELOPMENT WITHIN AN HCA

### Controls

- 1 Applications for subdivision and site consolidation within an HCA is discouraged and will only be considered if the application:
  - i) will have no adverse affect the significance of the HCA;
  - ii) retains the typical block width characteristics and historic subdivision pattern of the area, including rear lanes;
  - iii) the setting and curtilage of Heritage Items or significant buildings in the vicinity, including important structures and landscape elements, are retained;
  - iv) vistas and views to and from Heritage Items and contributory properties, especially the principal elevations of buildings, are not interrupted or obscured;
  - v) the landscape quality of the streetscape is retained;
  - vi) the contours and any natural features of the site have been retained and respected;
  - vii) will not result in future development which will adversely affect the significance, character or appearance of the HCA.
- 2 Subdivision or consolidation will not generally be permitted where the setting or curtilage of any Heritage Items and contributory properties within or adjoining the site, would be compromised.
- 3 Applications for subdivision and site consolidation within an HCA will require a curtilage assessment.

## 19A.2 SUBDIVISION AND SITE CONSOLIDATION OF A HERITAGE ITEM

### Objectives

- 1 *To ensure new subdivisions and lot consolidations do not have an adverse impact upon the curtilage and setting of Heritage Items.*
- 2 *To encourage the incorporation of Heritage Items into larger consolidated development sites.*
- 3 *To ensure that new development respects and conserves the Heritage Item, its garden setting, its streetscape and important views.*
- 4 *To avoid isolation of Heritage Items within new developments.*
- 5 *To provide a visual transition between medium/high density residential development and the Heritage Item.*

### Controls

- 1 Subdivision of a Heritage Item will only be supported where:
  - i) the subdivision does not adversely affect the cultural significance of the Heritage Item;
  - ii) evidence of the historical setting, landscape and subdivision pattern can be recognised and/or retained.
- 2 Subdivision or consolidation will not be permitted where the curtilage and setting of a Heritage Item and significant buildings within or adjoining the site, would be compromised.

**Note:** Applications for subdivision and site consolidation of a Heritage Item will require a curtilage analysis within the Heritage Impact Statement with particular emphasis on the potential impact on garden settings.

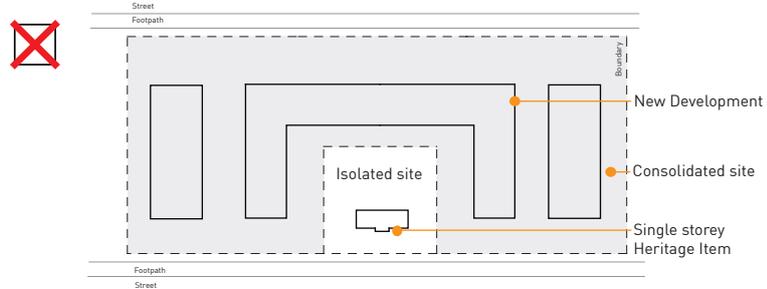
### ***Heritage Items within consolidated development sites zoned medium to high density***

- 3 The following controls apply for consolidated sites that include a Heritage Item:
  - i) Consolidated development sites that include Heritage Items are to provide for conservation works to the building and its setting as part of the redevelopment.
  - ii) Isolation of a Heritage Item within the new development will not be supported. Refer to Figure 19A.2-1, 19A.2-2
  - iii) The distance or setback of new development from the Heritage Item is to consider the curtilage and setting of the item and informed by the CMP.
  - iv) 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.
  - v) The existing garden setting of the Heritage Item is to be enhanced and extended into the new development. Wherever possible, existing vegetation is to be retained, particularly along view corridors and street frontages.
  - vi) New development is to be broken down in bulk and scale to minimise dominance over the Heritage Item.
  - vii) New buildings to be articulated to respond to the significance of Heritage Items to achieve an appropriate transition in height, bulk and scale.
  - viii) The front setback of the new development is to be greater than that of the Heritage Item. Refer to Figure 19A.2-3
  - ix) Key views to and from the Heritage Item are to be conserved as part of the development. Refer to Figure 19A.2-3.

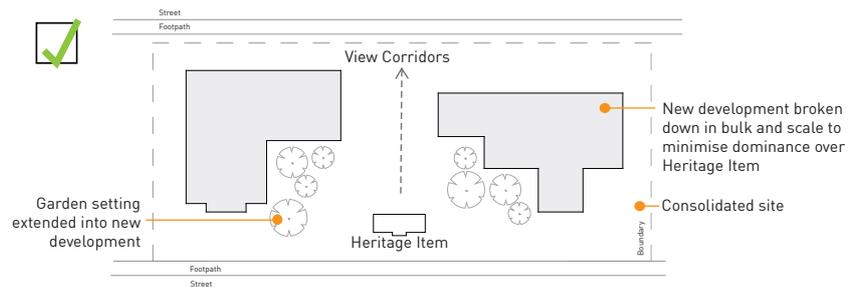
**Note:** An consolidated development site is defined for the purposes of the DCP as the joining of a number of lots to form a single site for the purposes of development.

**Note:** Under Clause 5.10 of KLEP, a CMP may be required to guide development to ensure that the significance of the Heritage Item is retained and conserved.

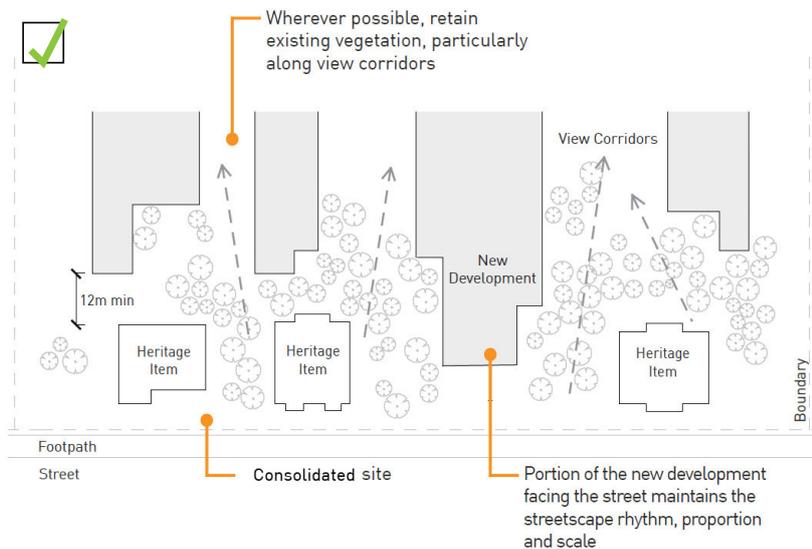
## 19A.2 SUBDIVISION AND SITE CONSOLIDATION OF A HERITAGE ITEM (continued)



**Figure 19A.2-1:** New development has excluded the Heritage Item and created an isolated site.



**Figure 19A.2-2:** New development has integrated the Heritage Item into an consolidated site.



**Figure 19A.2-3:** New development and Heritage Item integrated on an consolidated site.

**19B Demolition**

19B.1 Demolition within HCAs

19B.2 Demolition related to a Heritage Item

<b>READ WITH</b>
<b>SECTION A - Part 2-13</b>
<b>SECTION B - All relevant parts</b>
<b>SECTION C - Part 21-25</b>

## 19B.1 DEMOLITION WITHIN HCAS

### Objectives

- 1 To ensure that sites, buildings and landscape features that contribute to the significance of an HCA are retained.
- 2 To provide a photographic record before and during major works within an HCA, including demolition.

### Controls

#### ***Demolition within HCAs***

- 1 In accordance with the Ku-ring-gai Local Environmental Plan, development consent is required for demolishing or moving a building, work, relic or tree within a conservation area.
- 2 The demolition of Heritage Items and contributory properties within HCAs is not supported.
- 3 Whole demolition of buildings, structures and landscape features (including significant trees) is generally not supported unless the applicant can satisfactorily demonstrate:
  - i) demolition will not result in any adverse impacts on the streetscape or character of the HCA;
  - ii) retention and stabilisation of the building or structure is unreasonable;
  - iii) all alternatives to demolition have been considered with reasons provided why the alternatives are not acceptable;
  - iv) the replacement building is compatible with the identified significance and character of the streetscape and the HCA as a whole.
- 4 In considering applications for partial demolition of buildings, structures and landscape features (including significant trees) within HCAs, Council will assess:
  - i) the significance of the building part or structure and/or landscape feature and whether its retention is considered necessary;
  - ii) its contribution to the streetscape;
  - iii) potential for modifying and/or removing neutral and/or uncharacteristic elements that would re-establish the contributory status of the building or structure within the HCA;
  - iv) opportunities for adaptive re-use of the building.
- 5 Council may require reconstruction following any unauthorised removal of detail or important elements that contribute to the significance and character of the property and the HCA.

## 19B.2 DEMOLITION RELATED TO A HERITAGE ITEM

### Objectives

- 1 *To ensure that Heritage Items and all significant elements of Heritage Items are retained and conserved.*
- 2 *To provide a photographic record of a Heritage Item before and during major works including demolition.*

### Controls

- 1 In accordance with the Ku-ring-gai Local Environmental Plan, development consent is required for:
  - i) Demolishing, moving or altering the exterior of (including, in the case of a building, making changes to its detail, fabric, finish or appearance) an Aboriginal object or heritage item; and
  - ii) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item.

#### **Demolition of a Heritage Item**

- 2 The demolition of a Heritage Item, including buildings, other structures, trees and landscape features, is not supported.
- 3 Council will only consider the demolition of a Heritage Item where an applicant can satisfactorily demonstrate:
  - i) retention and stabilisation of the building or structure is unreasonable, taking into consideration the following:
    - the heritage significance of the property;
    - whether the building constitutes a danger to the public.
  - ii) all alternatives to demolition have been considered with reasons provided as to why the alternatives are not acceptable.

**Note:** Council may require reconstruction following any unauthorised removal of detail or important elements that contribute to the significance and character of the Heritage Item.

**Note:** Plans for the replacement building are to be lodged concurrently so that the application can be assessed concurrently.

#### **Partial Demolition of a Heritage Item**

- 4 In considering applications for partial demolition of a Heritage Item (including parts of buildings and other structures, trees and landscape features), Council will assess:
  - i) the significance of the building part or structure and/or landscape features and whether its retention is considered necessary;
  - ii) its contribution to the significance of the Heritage Item as a whole;
  - iii) whether all alternatives to demolition have been considered with reasons provided as to why the alternatives are not acceptable.

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**19C Development within HCAs - Alterations and Additions and New Buildings**

Introduction

- 19C.1 Local Character and Streetscape
- 19C.2 Setbacks and Building Separation
- 19C.3 Gardens and Landscaping
- 19C.4 Access and Parking
- 19C.5 Building Design
- 19C.6 Roof Forms and Structures Attached to Roofs
- 19C.7 Outbuilding and Garden Structures (excluding garages and car ports)
- 19C.8 Fencing
- 19C.9 Secondary Dwellings within HCAs

<b>READ WITH</b>
<b>SECTION A - Part 2-13</b>
<b>SECTION B - All relevant parts</b>
<b>SECTION C - Part 21-25</b>

## INTRODUCTION

This section applies to

- alterations and additions to existing development within an HCA;
- new development within an HCA.

This part provides guidance to meet the objectives in the KLEP.

The following controls are to be read in conjunction with the Heritage Inventory Sheets that have been provided for each of Ku-ring-gai's HCAs. The Inventory Sheets are considered by Council when assessing development application for work within HCAs, and are to be considered in developments. The Inventory Sheets are available via Council's website [www.krg.nsw.gov.au](http://www.krg.nsw.gov.au)

## 19C.1 LOCAL CHARACTER AND STREETSCAPE

### Objectives

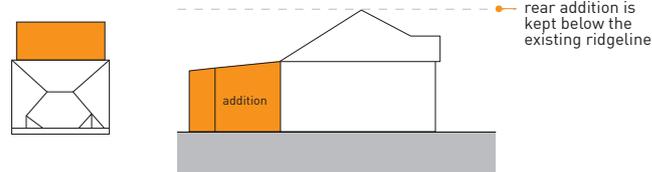
- 1 To ensure that sites, buildings and landscape features that contribute to the significance of an HCA are retained.
- 2 To conserve and enhance the character and significant elements of the HCA.
- 3 To ensure that additions or changes to contributory properties within HCAs respect their original, built form, architectural style and character.

### Controls

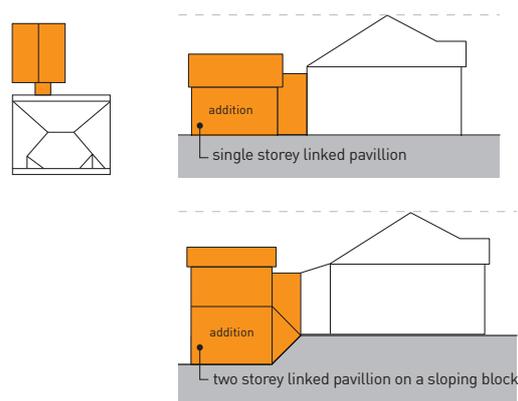
#### Built form

- 1 Where an HCA is characterised by single-storey development:
  - i) the single-storey character of the streetscape is to be retained;
  - ii) first-floor additions to contributory properties will generally not be permitted;
  - iii) attic rooms to extensions behind the main roof of the house may be allowed, subject to an assessment of the impact on the original building and buildings in the vicinity;
  - iv) additions to be kept at or below the existing roof ridge height. Refer to Figure 19C.1-1.
- 2 Where an HCA is characterised by a mix of one and two storey

#### i) Skillion or lean-to



#### ii) Linked pavilion



#### iii) Integrated wing

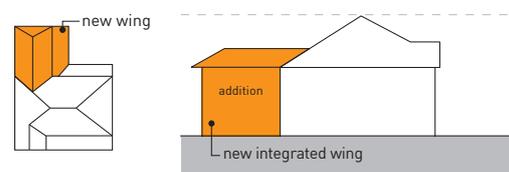


Figure 19C.1-1: Possible forms for rear additions to single storey buildings.

## 19C.1 LOCAL CHARACTER AND STREETScape (continued)

### Objectives

- 4 *To ensure the visual impact of new work is minimised through appropriate design, detail, proportion, scale and massing.*

### Controls

buildings, proposed works to contributory properties are to:

- i) retain the original character of a building;
- ii) match the scale and forms of the existing buildings within the streetscape (see Figure 19C.1-2).

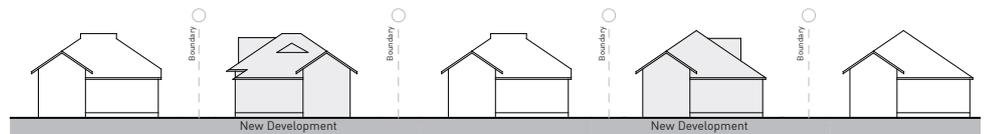


Figure 19C.1-2:

Good design: New 1.5 storey development is harmonious with the scale and mass of surrounding buildings with houses retaining a single storey character.

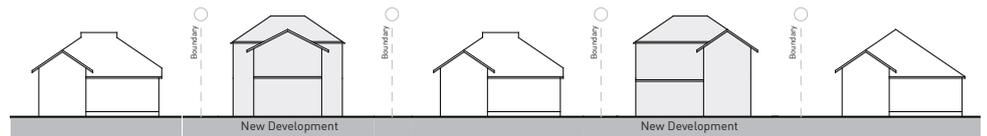


Figure 19C.1-3:

Poor design: New 2 storey development ignores existing single storey patterns by using uncharacteristic wall heights and bay widths.



- 5 *To promote high quality new design that complements the streetscape character and heritage significance of the HCA.*
- 6 *To ensure that new development retains the identified historic character of the HCA in which it is situated.*

- 3 Alterations and additions within an HCA are to respect the heritage significance and predominant architectural character of the HCA by having similar massing, style, form, proportions and arrangement of parts to the building itself, and to other contributory properties in the streetscape.

#### *Additional Requirements for New Buildings*

- 4 The scale and massing of new buildings is to be integrated into the established character of the HCA and respect the scale, form and character of adjacent or nearby development. They are to incorporate design elements such as the roof forms, facade and parapet heights, door, window and verandah proportions of contributory properties in the HCA, particularly neighbouring buildings from the same key development period.

## 19C.1 LOCAL CHARACTER AND STREETScape (continued)

### Objectives

- 7 *To ensure that the impact of new work on the character of the HCA is considered from both street frontages.*
- 8 *To retain the significance and valuable contribution to the historic and landscape character Ku-ring-gai's rear lanes of an HCA.*

### Controls

- 5 The design and character of any new buildings are to be informed by the:
- date and style of contributory properties;
  - scale and form of contributory properties;
  - street and subdivision patterns of the HCA;
  - setbacks of neighbouring contributory properties;
  - materials, building techniques and details used in the HCA; and
  - views, vistas and skylines in the HCA.
- 6 Facades of new buildings are to be modulated to break down the scale of new development.
- 7 The height of new buildings is not to be higher than contributory properties.
- 8 New building roofs visible from the street are to reflect the size, shape, pitch, eaves and ridge heights, and bulk of contributory properties and roofs. They are to respect the complexity and patterns of predominant roof shapes and skylines of the HCA.
- 9 New buildings may be contemporary in design, however, their scale, form and detail is not to detract from the scale, form, unity, cohesion and predominant character of streetscape elements around it.
- 10 Where an HCA is characterised by single-storey development, single-storey development on infill sites is preferred. New two-storey houses will only be permitted where the upper floor is designed within the roof and where the new building is in keeping with the height, mass and proportions of contributory properties in the vicinity.

### **Corner Sites and Secondary Street Frontages**

- 11 Development applications for corner sites and those with secondary street frontages are to consider the impact of proposals on both street frontages and take into account the following:
- The significant elements of the original house is to be retained including its principal street frontage and secondary street frontage;
  - Non-sympathetic rear additions generally do not require retention;
  - The scale of additions and alterations are to respect the existing ridge or eaves heights;
  - Where additions are attached, the proposed detailing (including finishes and materials) is to be appropriate to the original;
  - Original and early fencing to the secondary frontage is to be retained and conserved;
  - Important views to and from the corner site are not adversely affected.

## 19C.1 LOCAL CHARACTER AND STREETSCAPE (continued)

### Objectives

- 9 *To retain the significance and character of rear lanes which form an important factor and rare element of early subdivisions in Ku-ring-gai.*

### Controls

- 12 Landscaping is required to both street boundaries, and where there are changes proposed to the landscape treatment of the street frontage, a landscaping concept is required with the submission of a Development Application.
- 13 New development or additions are to be located to minimise impact on existing prominent trees.
- 14 New side fences on corner sites should be designed and located to:
- maintain the streetscape character and heritage significance of the property;
  - be consistent with the established pattern of fences;
  - ensure an adequate amount of useable private open space.

### ***Development on Rear Lanes in Residential Areas***

- 15 The existing subdivision pattern of early rear lane development is to be retained.
- 16 The predominant one-storey scale of rear lanes should be retained.
- 17 The established landscape character of rear lanes should be retained, including timber paling fences and rear garden landscaping.
- 18 New second-storey development to any lanes or paths at the rear lane boundary is to be avoided. Two-storey development is to have a minimum setback of 6 metres from the rear lane boundary.

## 19C.2 SETBACKS AND BUILDING SEPARATION

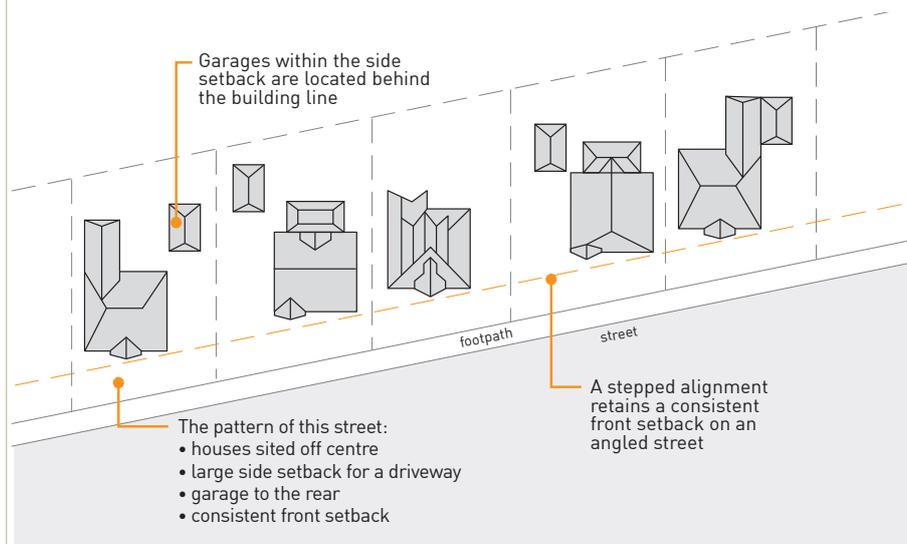
### Objectives

- 1 To conserve and maintain the character and significance of individual properties and streetscapes in the HCA by maintaining the established pattern of front and side boundary setbacks.
- 2 To ensure the siting of new alterations and additions respect and contribute to the established streetscape patterns.
- 3 To ensure the location and siting of new development respects the established pattern of built elements in the streetscape and the HCA.
- 4 To ensure new development does not adversely impact on the immediate streetscape or significant views within the HCA.

### Controls

#### Front and Side

- 1 The siting of alterations, additions and new buildings are to maintain the established streetscape pattern, including principal dwellings, garages, carports and garden structures. Refer to Figure 19C.2-1.



**Figure 19C.2-1:**  
Retain the streetscape pattern of building siting.

- 2 Where there is a uniform building setback within streets, alterations and additions and new buildings are to respect the established pattern and not be located forward of adjacent buildings. Where variations in setback exist, the larger setback will apply. Side setbacks are to be consistent with historic patterns.
- 3 Where variations in setbacks exist within the immediate vicinity and the streetscape, the larger setback will apply.

#### *Additional Requirements for New Buildings*

- 4 New buildings are not to be orientated across sites contrary to the established alignment pattern.
- 5 The location of new buildings is to ensure that significant views to and from places within the HCA are retained.

## 19C.3 GARDENS AND LANDSCAPING

### Objectives

- 1 *To retain the garden character of Ku-ring-gai's HCAs which is largely due to the deep frontages and large lots that support remnant trees, early surviving gardens with established introduced trees and built garden features such as fences, walls and paving. The street tree planting and pattern of soft and hard road verges also contribute to the landscape character.*
- 2 *To conserve, retain and enhance the significance of the garden and landscape character within individual properties, streetscapes and the HCA as a whole.*
- 3 *To ensure streetscapes within the HCAs are characterised by front gardens with substantial landscaped area and minimum hard surfaces.*
- 4 *To provide landscape screening to neighbouring properties.*

### Controls

#### *General*

- 1 The established landscape character (height of the tree canopy, early gardens, remnant trees, historic tree plantings) that contributes to the significance of the streetscape and the HCA as a whole are to be retained and conserved in any new development. The reinstatement of original planting, where known, is encouraged.
- 2 Original garden features such as gates, paths, stonework, garden terracing, tiling, cement crazy paving, walling and garden edging are to be retained and conserved.
- 3 New paving and hard surfacing, particularly to front setbacks is to be limited.
- 4 Front gardens are to avoid screening buildings from the street and:
  - i) have a minimum of 70% landscaped area;
  - ii) include substantial tree and shrub planting along street frontages.
  - iii) front boundary hedges are to be a maximum 1.2m.

**Note:** Maintenance of hedge height of front boundary will be included as a Condition of Consent.
- 5 Materials for new garden paving or pathways are to be appropriate to the architectural style of the HCA, such as gravel for Federation style and sandstone flagging for Inter-war styles. Plain or stencilled concrete is not acceptable.
- 6 New driveways are to provide landscaping on side boundaries.
- 7 New, traditionally designed gardens that enhance historic and aesthetic character of the streetscape and the HCA as a whole are encouraged.
- 8 New gardens should be horticulturally and stylistically sympathetic to the period of the HCA. The use of similar materials such as sandstone, brick and gravel is encouraged.
- 9 The use of a variety of plant species to avoid mono-cultural plantings along street frontages and as screen planting is encouraged.

19C.4 ACCESS AND PARKING

Further controls that may apply	
SECTION A Part 4B.1 - Vehicle Access	SECTION C Part 22 - General Access and Parking

**Objectives**

- 1 *To ensure that modifications to provide access do not adversely affect significant built fabric of either individual buildings or the HCA as a whole.*
  
- 2 *To allow for on-site car parking where possible while retaining the character of the property, the streetscape and significance of the HCA.*
  
- 3 *To ensure that driveways do not have any adverse visual impact on the immediate streetscape and historic patterns in the HCA.*
  
- 4 *To minimise the visual impact of new car parking by locating it at the side or rear of properties, where possible.*
  
- 5 *To ensure battle-axe driveways make a positive contribution to the streetscape and the HCA.*

**Controls**

**Equitable Access**

*Additional Requirements for Alterations and Additions*

- 1 Modifications and alterations to provide access and mobility are to:
  - i) explore all options to achieve the statutory requirements in the least obtrusive manner possible;
  - ii) involve the least demolition of significant fabric;
  - iii) be reversible;
  - iv) preserve fabric of higher significance if a compromise is required.

**Note:** Access requirements apply for public buildings and residential flat buildings; they are not generally required for dwelling houses.

**Note:** Access solutions will be unique to each property and will be assessed on their individual merits.

**Note:** Refer to Disability Discrimination Act 1991.

**Note:** Refer to Australian Standard 1428.

**Driveways**

- 2 Original and existing rear lane or side entry vehicle access is to be retained and/or utilised where rear and side lanes exist.
- 3 Where original concrete wheel strips exist, they are to be retained with grass in between.
- 4 New parking areas, garages and driveways are to be designed carefully so that they do not dominate the principal elevations or detract from the immediate streetscape and incorporate provisions for landscaping.
- 5 The siting of new driveways are to be consistent with the established pattern in the immediate streetscape and the HCA as a whole.
- 6 Double garages should only be accessed by a single driveway. Finishes to new or refurbished driveways are to match original driveway finishes or be appropriate to the architectural style of the HCA. Painted, coloured, stamped or stenciled concrete, pavers, aggregate, pebblecrete or cobblestones are not to be used for new driveways or driveway elements.

## 19C.4 ACCESS AND PARKING (continued)

### Objectives

- 6 To conserve the HCA streetscape by preventing level changes to the street presentation of buildings and their gardens.
- 7 To avoid uncharacteristic driveway excavation and new basements to street frontages.
- 8 To allow for on-site car parking where possible while retaining the character of the property, the streetscape and significance of the HCA.
- 9 To ensure that new garages and carports do not have any adverse visual impact on the immediate streetscape and historic patterns in the HCA.
- 10 To minimise the visual impact of new car parking by locating garages and carports at the side or rear of properties, where possible.
- 11 To ensure that car parking structures do not challenge the mass or bulk or mimic the architectural detailing of original buildings and the wider streetscape.
- 12 To retain and conserve original and early coach houses, stables and motor garage as they contribute to the setting of the house.

### Controls

- 7 Swing gates are preferred to sliding gates. Sliding gates may only be acceptable where the driveway is steeply sloping upward from the street.
- 8 No excavation for a driveway is permitted in any front setback.
- 9 Excavation for a driveway is only permitted:
  - i) in the side setback, at a minimum 3m behind the front building line;
  - ii) a minimum 1m from the original building foundation;
  - iii) where side setback requirements in the DCP are met;
  - iv) only if a side gate is provided to hide the commencement of the excavated driveway slope.

Refer to Figure 19C.4-1

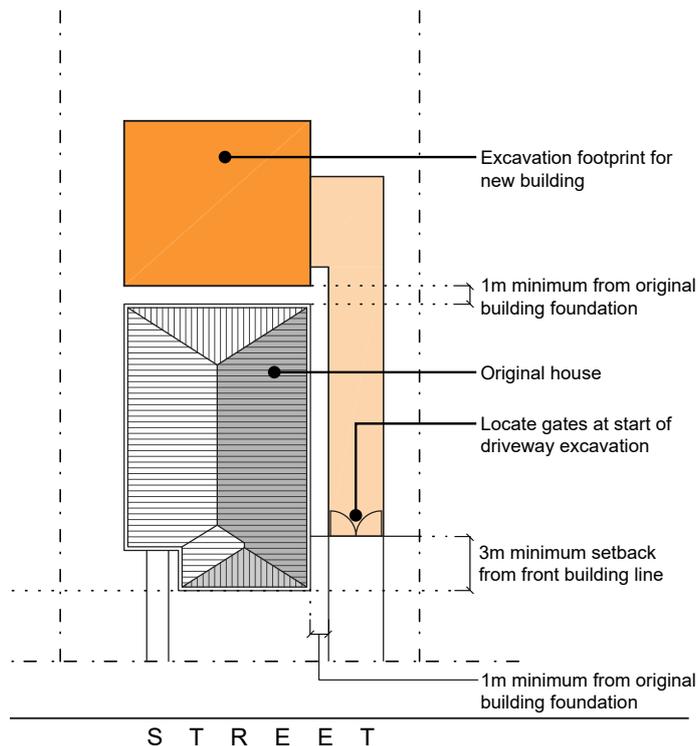


Figure 19C.4-1:  
Excavation for a driveway in a Heritage Conservation Area

## 19C.4 ACCESS AND PARKING (continued)

### Controls

#### ***Battle-axe Driveways***

- 10 Battle-axe Driveways including battle-axe handles are to be constructed of materials such as bitumen, gravel, stone flagging or concrete wheel strips and incorporate provisions for landscaping.

#### ***New Garages and Carports***

- 11 Where it is physically possible, new car parking is to be consistent with the historic placement of parking structures on the site.
- 12 Garages and carports are not permitted forward of the building line and are to be located at least 1m minimum behind the existing front building line, preferably to the rear of the main building.
- 13 New carport and structures are to pay regard to existing and original features of dwellings, such as windows, doors, string coursing.
- 14 Only in exceptional circumstances and where a dwelling has a side setback of less than 3m, a hard stand area forward of the building line formed of suitable materials may be considered appropriate.
- 15 New double garage doors are to be divided by a central mullion or constructed as two doors separated by a pier.
- 16 New double garages are to be located behind the rear building line to avoid being a visually dominant element within the streetscape.
- 17 Original existing building fabric, including verandahs and balconies, are not to be altered to provide a carparking structure or hard stand area.

#### ***Original Coach Houses, Stables and Garages***

- 18 Where original and early garages, coach houses and stables survive, they should be retained and conserved.
- 19 Original garage doors, usually boarded timber, are to be retained and conserved, where possible. Where replacement doors are proposed to original or early garage structures, they are to be similar in colour, materials and detail of the original.

## 19C.5 BUILDING DESIGN

### Objectives

- 1 *To retain significant materials and details within HCAs.*
- 2 *To ensure that the materials and colours of new work complements the identified character of the HCA*
- 3 *To ensure that the selection of materials and colours for new work is based on an understanding of the materials, finishes and colours predominant within the HCA.*
- 4 *To encourage the removal of paint from originally unpainted surfaces.*
- 5 *To ensure new development respects the character of, and minimises the visual impact upon, the HCA and its streetscapes.*
- 6 *To encourage the recovery of the original character of contributory properties when undergoing additions and alterations*

### Controls

#### **Materials, Colours and Details**

- 1 Significant unpainted brickwork, sandstone and blockwork is not to be rendered, coated or painted.
- 2 The removal of later layers of paint from original face brickwork and stonework is encouraged. Chemical stripping of paint from face brickwork is encouraged.
- 3 Natural and recessive colour schemes are encouraged for rendered and painted finishes, especially on sites rated as neutral or uncharacteristic.
- 4 Contemporary materials are permitted for new work where the detailing, proportions, texture and colour range blend with the existing character of the HCA.

#### *Additional Requirements for Alterations and Additions*

- 5 Development applications for alterations and additions within an HCA require a materials board and details of the colour scheme and finishes to be submitted.
- 6 Significant materials and finishes such as decorative timber features, tiles, shingles, relief work, mouldings, incised designs in render, ashlar markings, tuckpointing and rough-cast stucco, are to be retained and repaired.
- 7 Significant materials, finishes and details are to be retained and repaired using traditional techniques where possible.

#### *Additional Requirements for New Buildings*

- 8 Materials used for new buildings are to be similar to, or compatible with, the original buildings in the HCA.
- 9 Development applications for new buildings are to provide a material board and details of colour scheme and finishes.
- 10 New buildings are to incorporate architectural language such as massing, proportions, coursing lines, materials and finishes, which are sympathetic to and complement the predominant character of the HCA.
- 11 New building colour schemes are not to detract from colour schemes in the streetscape and not to be in visual contrast with the colours of the contributory properties in the HCA. Recessive colours and traditional materials are preferred.

## 19C.5 BUILDING DESIGN (continued)

### Objectives

7 To ensure the retention and encourage reinstatement of early verandah and balcony forms.

8 To protect the original fabric and details of doors and windows of contributory properties.

### Controls

#### **Repairs, Maintenance and Restoration**

##### *Requirements for Alterations and Additions*

- 12 The repair and maintenance of contributory properties is encouraged.
- 13 The reconstruction of altered, missing or removed original features, details and elements is supported where evidence exists of the earliest state of the fabric.
- 14 In repairing the fabric of external surfaces, matching materials are to be used. Sourcing old and salvaged building materials for like-for-like matching of existing materials is preferred to the use of modern equivalents.
- 15 The removal of intrusive later additions is encouraged.

**Note:** Refer to KLEP Clause 5.10.

**Note:** Refer to SEPP (Exempt and Complying Development Codes).

#### **Verandahs**

##### *Requirements for Alterations and Additions*

- 16 In altering existing buildings, original verandahs and porches to the front and side elevations of contributory properties are to be retained where contributing to the significance of the property.
- 17 Reinstatement of open front verandahs, where they have been enclosed, is recommended.
- 18 New verandahs are not to compete with the importance of the original built form and are to be simple in design and based on existing detail or an understanding of appropriate designs for each period or style.
- 19 Infilling or enclosure of verandahs and conversion to less reversible uses, such as bathrooms or kitchens, is not permitted.

#### **Doors and Windows**

##### *Requirements for Alterations and Additions*

- 20 Original doors and windows to front and side elevations of contributory properties are to be retained where contributing to the significance of the property (*Refer to figure 19C.5-1*).
- 21 The repair and restoration of original doors and windows to front and side elevations of contributory properties is encouraged. Authentic reconstruction of missing doors and windows using traditional materials, styles and craftsmanship is encouraged.
- 22 New doors and windows in additions and alterations are to be compatible with the proportions, position, size and detailing of

## 19C.5 BUILDING DESIGN (continued)

### Objectives

- 9 To prevent excavation and alteration to existing ground levels in the front setbacks in the HCA.
- 10 To avoid the introduction of uncharacteristic elements, such as basements, basement garages and excavated driveways that alter the street presentation of the house and garden.

### Controls

- existing doors and windows.
- 23 New windows to front and side elevations of contributory properties are to be appropriate in form and material for the style of the house (based on original fabric or photographic evidence or on the evidence of original houses of the same style in the streetscape).
  - 24 The retention, repair and restoration of original leadlight and coloured glass window and door panes is encouraged.
  - 25 If sound attenuation is required, double glazing fitted to existing windows is encouraged. Alternatives to double-glazing, where there is no impact on principal elevations, are encouraged.

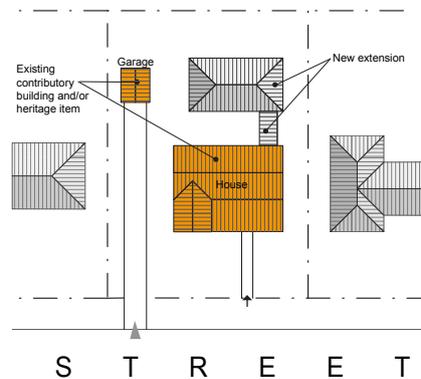
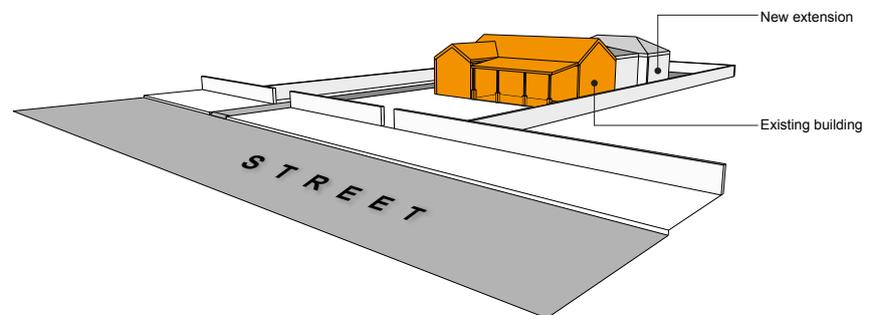


Figure 19C.5-1:

Retain original doors and windows to front and side elevations (coloured orange) of contributory properties.

- 26 Original sunhoods, blinds, awnings and skirts to principal elevations are to be retained and repaired.

### Basements

- 27 Excavation in the front setback is not permitted.
- 28 No basement is to be located under or within 1m of the original building fabric.

## 19C.5 BUILDING DESIGN (continued)

### Objectives

- 11 *To discourage the use of window and door grilles and to encourage alternative security measures which do not detract from the appearance of individual buildings and the HCA as a whole.*

### Controls

- 29 A Structural Management Plan is to be submitted for all basements to demonstrate it will be structurally sound and have no impact to the existing building or neighbouring buildings and to any structure or tree in the vicinity.

### Security Grilles

- 30 Security bars, mesh or roller shutters to visible elevations are not permitted.
- 31 Traditional timber shutters may be acceptable if shutters were original to the building.
- 32 The removal of security bars, mesh or roller shutters to windows which detract from the streetscape is encouraged.
- 33 Where additional security is required, passive measures such as mortice deadlocks, window locks and alarm systems are to be used.
- 34 Where there is no alternative, the installation of external security bars is acceptable provided the design responds to the glazing bars of the window or door.

## 19C.6 ROOF FORMS AND STRUCTURES ATTACHED TO ROOFS

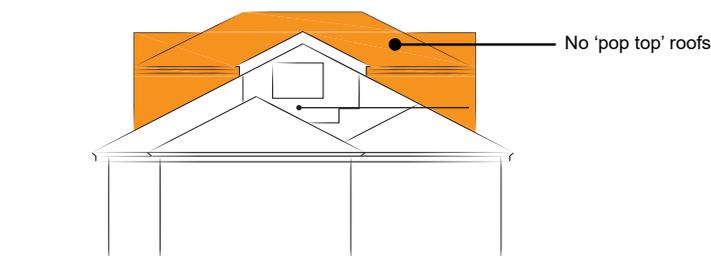
### Objectives

- 1 To retain the character of the original roof forms within the HCA.
- 2 To protect the original fabric and details of roofs and chimneys.
- 3 To ensure that structures attached to roofs do not have an adverse impact on the character and significance of individual buildings, the immediate streetscape and the HCA.

### Controls

#### **Roofs, Chimneys and Dormers**

- 1 Fireplaces and chimneys are important building elements within HCAs and are to be retained.
- 2 Roof forms and details vary widely according to building type and architectural style, and this variety of forms makes an important contribution to the visual complexity of the HCA and are to be retained.
- 3 The original principal roof form is to be retained to the extent that it can be interpreted. The roofs of alterations and additions are to have a separate linked section. New roof forms for new work will be considered where they are complementary in design, not visible from the public domain (see Figure 19C.6-1) and follow historic practices, such as rear skillion roofs (see Figure 19C.1-1).
- 4 Dormer windows are not to be used on the street-facing roof elevations. Skylights are to have a low profile and be flush with the roof surface.
- 5 Slate roofs are to be conserved, repaired and retained wherever possible, with complete replacement when necessary.
- 6 Where inappropriate retiling has occurred replacement of concrete roof tiling with unglazed terracotta Marseilles pattern roof tiling is encouraged.
- 7 Appropriate roofing materials are profiled terracotta tiles, slate and other original roofing materials. Replica flat slate and concrete roof tiles are not permitted.



**Figure 19C.6-1:**  
No 'pop top' roofs visible from public domain.

#### *Additional Requirements for Alterations and Additions*

- 8 On original buildings, new or replacement roof materials are to match, like-for-like, original roof materials in texture, pattern and colour.

## 19C.6 ROOF FORMS AND STRUCTURES ATTACHED TO ROOFS (continued)

### Controls

#### ***Skylights, Solar Panels, Solar Water Heaters, Antennae and Other Roof Infrastructure***

**Note:** For placement of solar panels, solar water heating, antennas etc on Heritage Items refer to Chapter 2, Division 4 of Part 2.3 of SEPP (Transport and Infrastructure) 2021.

## 19C.7 OUTBUILDINGS AND GARDEN STRUCTURES (EXCLUDING GARAGES AND CARPORTS)

### Further controls that may apply

#### SECTION A Part 4C.7 - Ancillary Facilities

#### Objectives

- 1 *To ensure that new garden structures and of outbuildings do not detract from the significance of individual properties or the HCA through inappropriate siting or excessive scale, bulk or visibility*

#### Controls

#### ***Outbuildings and Garden Structures (excluding garages and carports)***

- 1 Original and early outbuildings and garden structures are to be retained.
- 2 No new garden structures or outbuildings including pools, water tanks, gazebos, sheds, stores, cabanas are to be located within the front setback.
- 3 In considering any application for permission to erect an outbuilding or structure, the following will be considered:
  - i) the location of the proposed structure in relation to the principal building, boundaries and other details of the site;
  - ii) the proposed form, scale, materials and colours of the structure. In this regard, the scale of any outbuilding or structure is to be subservient to the main house, colours and materials should be recessive;
  - iii) the relative prominence and visibility of the proposed structure from the street frontage or frontages of the site;
  - iv) neighbouring properties, and requirement for landscaped screening or planting to ensure that the proposed structure is well integrated.

**Note:** Refer to SEPP (Exempt and Complying Development Codes) 2008.

## 19C.8 FENCING

### Objectives

- 1 To retain early and original fences, gates and retaining walls where they survive, and where they reinforce the original landscape character of the garden and streetscape
- 2 To retain those streetscapes where front and side fencing do not form part of the original streetscape.
- 3 To encourage the reinstatement of the original form of fencing and gates, where known.
- 4 To encourage new front fences and gates which contribute to the streetscape character of the HCA by being consistent with the established pattern of existing original fences.

### Controls

#### **Original and Early Fences, Gates and Retaining Walls**

- 1 Original and early fences, piers, gates and retaining walls are to be retained and conserved. The height of original and early fences is not to be altered.
- 2 Original face brick or sandstone fences are not to be rendered, coated or painted.
- 3 The configuration, finishes and details of original sandstone retaining walls that are located at the street front boundaries (whether identified as contributory properties or not) are to be retained and conserved.

#### **Missing or Absent Fences**

- 4 New front fencing and gates including vehicular access gates are not encouraged in areas where it does not form part of the streetscape. In such areas, the front boundary can be defined by low hob walls, by garden beds or planting to allow private gardens to merge with their neighbours and support the landscape character of the area.

#### **New Front Fences and Gates**

- 5 New front fencing, pedestrian and vehicular access gates are to match the architectural style of the house and the character of the immediate streetscape.
- 6 Replacement of unsympathetic fences, gates and walls with new elements of appropriate height, style and materials is encouraged.
- 7 Where historic records and physical evidence exists, new front fencing and gates, including vehicular access gates are to reinstate the original.
- 8 Where no evidence is available to guide reconstruction of missing fences and gates to contributory properties, new front fencing, pedestrian and vehicular access gates are to match the architectural style of the house, the period of construction and the character of the immediate streetscape. Refer to Figure 19C.8-1



**Figure 19C.8-1:**  
Good design: New development uses similar fencing detailing to existing.



**Figure 19C.8-1:**  
Poor design: New development does not respect existing fencing patterns.

## 19C.8 FENCING (continued)

5 *To promote visual permeability with sightlines and visibility between the property and the public domain.*

- 9 Front fences, gates and vehicular access gates are to be of open construction and no higher than 1.2m. Closed, solid elements such as masonry walls are only to be included as plinths no higher than 300mm and piers.
- 10 No metal panel fencing is to be constructed on any boundary within an HCA.
- 11 New vehicular access gates are to promote views to all properties, especially to battle-axe allotments with reduced visual permeability.

**Note:** Refer to Dividing Fences Act 1991.

**19C.9 SECONDARY DWELLINGS WITHIN HCAS****Objectives**

- 1 *To ensure that new secondary dwellings respect the established streetscape, and the historical patterns of development within the HCA, including characteristic rhythm and built form spacing.*

**Controls**

- 1 Generally, proposals for a secondary dwelling within an HCA will only be considered if the proposal:
  - i) will have no adverse impact on the significance of the HCA;
  - ii) the rhythm of buildings in the streetscape is retained;
  - iii) the setting and curtilage of any Heritage Item or significant buildings in the vicinity, including important structures and landscape elements, are retained;
  - iv) vistas and views to and from Heritage Items and contributory properties in the vicinity, especially the principal elevation of the buildings, are not interrupted or obscured;
  - v) the landscape quality of the streetscape is retained;
  - vi) the contours and any natural features of the site have been retained and respected.
- 2 Applications for secondary dwellings within the HCA require a curtilage assessment within the Heritage Impact Statement, with particular emphasis on garden settings.

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**19D Heritage Items**

Introduction

19D.1 Adaptive Reuse

19D.2 Setbacks and Building Separation

19D.3 Gardens and Landscaping

19D.4 Access and Parking

19D.5 Building Design

19D.6 Outbuilding and Garden Structures (excluding garages and car ports)

19D.7 Roof Forms and Structures Attached to Roofs

19D.8 Fencing

<b>READ WITH</b>
<b>SECTION A</b> - Part 2-13
<b>SECTION B</b> - All relevant parts
<b>SECTION C</b> - Part 21-24

## INTRODUCTION

This section applies to all Heritage Items.

The following controls are in addition to the controls in Part 19A to 19E and are to be read in conjunction with them. This part provides guidance to meet the objectives in the KLEP.

They are to be read in conjunction with the Heritage Inventory Sheets that have been prepared for Ku-ring-gai's Heritage Items. The Inventory Sheets are considered by Council when assessing development applications for work to Heritage Items and are to be considered in developments. The Inventory Sheets are available via Council's website on [www.krg.nsw.gov.au](http://www.krg.nsw.gov.au)

Development applications for works to a Heritage Item will require a Heritage Impact Statement (HIS) prepared by an experienced heritage consultant to be submitted as part of the application.

In addition, to ensure that Ku-ring-gai's Heritage Items are managed in accordance with heritage best-practice and Council's adopted heritage management documents, Council may require a Conservation Management Plan (CMP) prepared by an experienced heritage consultant to be submitted as part of the application.

The objectives and controls of Part 19D Heritage Items will prevail where there is any inconsistency with Part 19C, 19E or any other section of this DCP.

## 19D.1 ADAPTIVE REUSE

### Objectives

- 1 *To ensure that new uses for Heritage Items are compatible with the fabric and heritage significance of the Heritage Item.*

### Controls

- 1 Development involving adaptive reuse of a Heritage Item requires the preparation of a Conservation Management Plan (CMP) by an experienced consultant to guide change and ensure conservation of the Heritage Item.
- 2 In accordance with Clause 5.10.10 of the KLEP, Council will consider variations to other development standards, including car parking requirements, in order to achieve desirable heritage and planning outcomes.

## 19D.2 SETBACKS AND BUILDING SEPARATION

### Objectives

- 1 To ensure new work to heritage items respects and contributes to character of the heritage item.
- 2 To ensure new development provides an interface of scale and bulk to preserve the amenity to the significant elements within the heritage curtilage.
- 3 To ensure new medium density development does not visually dominate the Heritage Item, where this type of development is considered appropriate.
- 4 The setbacks between an HCA or heritage item and any new building higher than one level is to be 12m.
- 5 The setback between a heritage item and a single storey residential dwelling addition or new build is to be a minimum of 6m.

### Controls

- 1 In addition to the side and rear setback controls in Section A of this DCP, new development on the site of a Heritage Item is to comply with the following:
  - i) building separation requirements to the nearest Heritage Item building element:

New Development Height	Building Separation Requirement
1 or 2 Levels	Minimum 6m
3 or more Levels	Minimum 12m

- ii) new adjacent development is not to exceed a facade height of 8m from existing ground level, including balustrades;
- iii) where new adjacent development has a facade height above 8m high from existing ground level, the facade is to be stepped back to provide additional building separation in accordance with Figure 19D.2 -1.

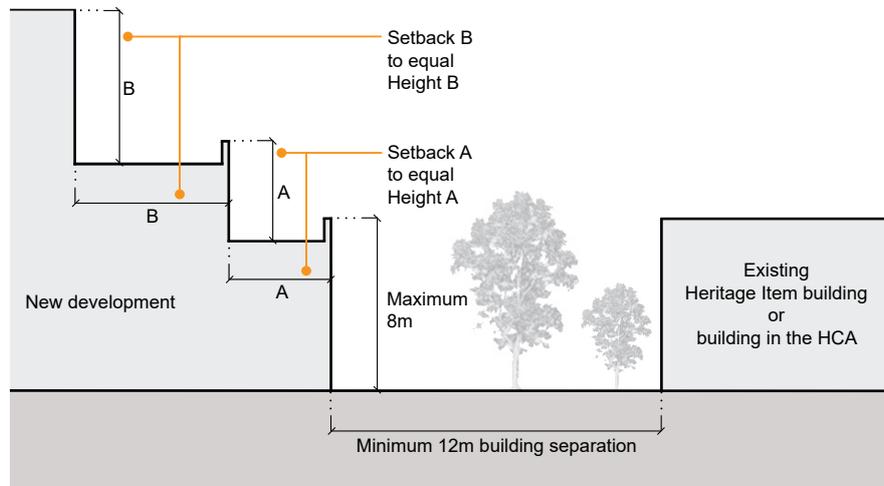


Figure 19D.2-1:  
Building separation requirements for development greater than 8m high (2 levels)  
within a Heritage Item site.

## 19D.3 GARDENS AND LANDSCAPING

### Objectives

- 1 *To retain and conserve the significance of a Heritage Item in its setting.*
- 2 *To retain and conserve the significant garden elements and structures of Heritage Items and to retain an appropriate garden setting.*
- 3 *To provide landscape screening to neighbouring properties.*

### Controls

- 1 Trees, and garden elements and structures which contribute to the significance of the Heritage Item are to be retained and conserved. Examples of historic garden elements and structures can include, but are not limited to, tennis courts, croquet lawns, grottos, ferneries, garden terracing, lawn edgings etc.
- 2 New gardens should be horticulturally and stylistically sympathetic to the period of the Heritage Item. The use of similar materials such as sandstone, brick and gravel is encouraged.
- 3 The use of a variety of plant species to avoid mono-cultural plantings along street frontages and as screen planting is encouraged.
- 4 High solid hedges that screen buildings from the street are not permitted.
- 5 New driveways are to provide landscaping on side boundaries.
- 6 Front boundary hedges are to be a maximum 1.2m.

**Note:** Maintenance of front boundary hedge height will be included as a condition of consent.

## 19D.4 ACCESS AND PARKING

### Objectives

- 1 *To ensure that modifications to provide access do not adversely affect significant built fabric.*
- 2 *To allow for on-site car parking where possible while retaining the character of the property.*
- 3 *To ensure that driveways do not have any adverse visual impact on the curtilage or setting of the heritage item.*
- 4 *To minimise the visual impact of new car parking by locating it at the side or rear of properties.*
- 5 *To ensure battle-axe driveways do not detract from the curtilage or setting of the heritage item.*
- 6 *To ensure that new garages and carports do not have any adverse impact on the curtilage or setting of the heritage item.*
- 7 *To ensure that car parking structures do not challenge the mass or bulk or mimic the architectural detailing of the heritage item.*
- 8 *To retain and conserve original and early coach houses, stables and motor garage as they contribute to the setting of the heritage item.*

### Controls

#### **Equitable Access**

- 1 Modifications and alterations to provide access and mobility are to:
  - i) explore all options to achieve the statutory requirements in the least obtrusive manner possible;
  - ii) involve the least demolition of significant fabric;
  - iii) be reversible; and
  - iv) preserve fabric of higher significance if a compromise is required.

**Note:** Access requirements apply for public buildings and residential flat buildings; they are not generally required for dwelling houses.

**Note:** Access solutions will be unique to each property and will be assessed on their individual merits.

**Note:** Refer to Disability Discrimination Act 1991.

**Note:** Refer to Australian Standard 1428.

#### **Driveways**

- 2 Original and existing rear lane or side entry vehicle access is to be retained and/or utilised where rear and side lanes exist.
- 3 Where original concrete wheel strips exist, they are to be retained with grass in between.
- 4 New parking areas, garages and driveways are to be designed carefully so that they do not dominate the principal elevations or detract from the curtilage or setting of the heritage item.
- 5 Double garage should only be accessed by a single driveway. Finishes to new or refurbished driveways are to match original driveway finishes or be appropriate to the architectural style of the heritage item. Painted, coloured, stamped or stencilled concrete, pavers, aggregate, pebblecrete or cobblestones are not to be used for new driveways or driveway elements.
- 6 Swing gates are preferred to sliding gates. Sliding gates may only be acceptable where the driveway is steeply sloping upward from the street.
- 7 Driveways requiring excavation and changes to existing ground levels are not permitted.

#### **Battle-axe Driveways**

- 8 Battle-axe Driveways including battle-axe handles are to be constructed of materials such as bitumen, gravel, stone flagging or concrete wheel strips and incorporate provisions for landscaping.

## 19D.4 ACCESS AND PARKING (CONTINUED)

### Controls

- 9 *To conserve the streetscape by preventing level changes to the street presentation of Heritage Item buildings and their gardens.*
- 10 *To retain the existing street presentation of buildings and their gardens.*

### **New Garages and Carports**

- 9 Where it is physically possible, new car parking is to be consistent with the historic placement of parking structures on the site.
- 10 Garages and carports are not permitted forward of the building line and are to be located at least 1m minimum behind the existing front building line, preferably to the rear of the main building.
- 11 New carport and structures are to pay regard to existing and original features of dwellings, such as windows, doors, string coursing.
- 12 Only in exceptional circumstances and where a dwelling has a side setback of less than 3m, a hard stand area forward of the building line formed of suitable materials may be considered appropriate.
- 13 New double garages to heritage items are not considered to be appropriate.
- 14 Original existing building fabric, including verandahs and balconies, are not to be altered to provide a carparking structure or hard stand area.
- 15 Excavation for basement parking on a Heritage Item site is not permitted.

### **Original Coach Houses, Stables, Garages**

- 16 Where demolition extension or change of use for original garage, coach house or stable is justified, the proposal is to provide replacement parking in the same or alternate location that will maintain the significance of the Heritage Item including its setting.
- 17 Where original and early garages, coach houses and stables survive, they should be retained and conserved.
- 18 Original garage doors, usually boarded timber, are to be retained and conserved, where possible. Where replacement doors are proposed to original or early garage structures, they are to be similar in colour, materials and detail of the original.

## 19D.5 BUILDING DESIGN

### Objectives

- 1 *To ensure the significant external features of a Heritage Item and its setting are retained and new development is sympathetic in terms of bulk, form, style, character, scale, and materials.*
- 2 *To encourage the reinstatement of missing elements, where known, and the removal of later unsympathetic changes.*
- 3 *To ensure that the materials, finishes, and colours of new work enhances the identified significance of the Heritage Item*

### Controls

#### **Alterations and Additions – External**

- 1 All works to a Heritage Item are to comply with the controls in this section regardless of whether the property is located in an HCA or not.
- 2 Development applications for works to a Heritage Item require a materials board and details of the colour scheme and finishes to be submitted.
- 3 New work to Heritage Items may be identifiable as new; however, works are to respect and have minimal impact on the property heritage significance.
- 4 All significant built features of a Heritage Item are to be retained and conserved.
- 5 Original materials, finishes and details are to be retained and their repair using traditional techniques is encouraged.
- 6 Alterations and additions are to respect the scale, form, height, location, materials and colours of the Heritage Item.
- 7 Alterations and additions are to be located at the rear or side of the building to maintain the integrity of the prominent elevations and streetscape contribution.
- 8 Extensions, alterations and additions are not to visually dominate or compete with the original scale of the existing buildings to which they are added.

## 19D.5 BUILDING DESIGN

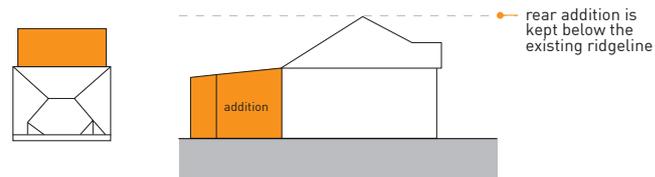
## Objectives

- 4 To ensure alterations and additions do not dominate the Heritage Item.
- 5 To ensure the significant internal spaces and features of a Heritage Items are identified, retained and conserved.
- 6 Encourage the re-instatement of missing elements, where known, and the removal of later unsympathetic changes.
- 7 To prevent excavation and alteration to existing ground levels in the front setbacks of heritage items that alter the street presentation of the house and garden.
- 8 To prevent the introduction of uncharacteristic elements, including basements and basement garages, on heritage item sites.

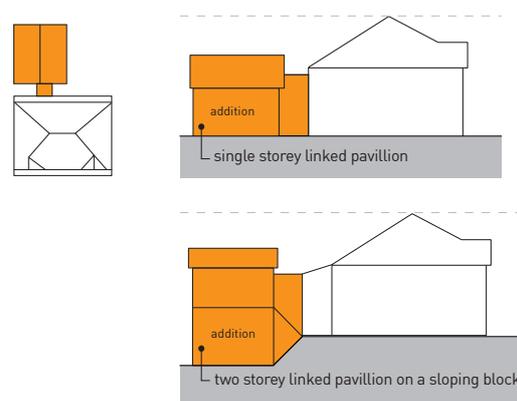
## Controls

- 9 Alterations and additions to a Heritage Item site are to respect the heritage significance and predominant architectural character of the Heritage Item by having similar massing, style, form, proportions and arrangement of parts to the building itself. Extensions and additions are to be kept at or below the existing roof ridge height. Refer to Figure 19D.5-1.

## i) Skillion or lean-to



## ii) Linked pavilion



## iii) Integrated wing

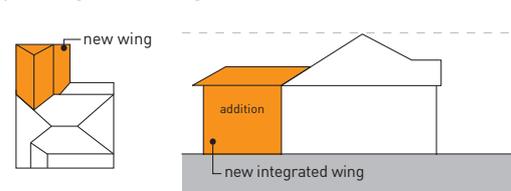


Figure 19D.5-1:  
Examples of forms for rear additions to a Heritage Item.

- 10 The re-instatement of missing elements and details, where known, and the removal of past unsympathetic changes, is encouraged.

**Alterations and Additions - Internal**

- 11 Major internal alterations resulting in the loss of significant interior details, finishes, built fabric, room layout and original floor plan are unlikely to be supported unless it can be demonstrate that there is no adverse impact on heritage significance.
- 12 All significant interior spaces and fabric of Heritage Items are to be retained and conserved.
- 13 Original materials, finishes and details are to be retained and their repair using traditional techniques in encouraged.

## 19D.5 BUILDING DESIGN

### Objectives

9 *To ensure the retention and encourage reinstatement of early verandah and balcony forms.*

10 *To protect the original fabric and details of doors and windows of heritage items.*

### Controls

14 The re-instatement of missing elements and details, where known, and the removal of past unsympathetic changes, is encouraged.

**Note:** Refer to SEPP (Exempt and Complying Development Codes).

**Note:** Refer to KLEP Clause 5.10

### Views

15 New development on the site of a Heritage Item is to demonstrate that it will not reduce or impair important views to and from the Heritage Item from the public domain.

### Excavation

16 Excavation, including new or extended basements, are not permitted on Heritage Item sites.

### Verandahs

17 Original verandahs and porches to the front and side elevations of contributory properties are to be retained where contributing to the significance of the property.

18 Reinstatement of open front verandahs, where they have been enclosed, is recommended.

19 New verandahs are not to compete with the importance of the original built form and are to be simple in design and based on existing detail or an understanding of appropriate designs for each period or style.

20 Infilling or enclosure of verandahs and conversion to less reversible uses, such as bathrooms or kitchens, is not permitted.

### Doors and Windows

21 Original doors and windows to front and side elevations of heritage items are to be retained where contributing to the significance of the property (*Refer to figure 19D.5-2*).

22 The repair and restoration of original doors and windows to front and side elevations of heritage items is encouraged. Authentic reconstruction of missing doors and windows using traditional materials, styles and craftsmanship is encouraged.

23 New doors and windows in additions and alterations are to be compatible with the proportions, position, size and detailing of existing doors and windows.

24 New windows to front and visible side elevations of heritage items are to be appropriate in form and material for the style of the house (based on original fabric or photographic evidence or on the evidence of original houses of the same style in the streetscape).

25 The retention, repair and restoration of original leadlight and coloured glass window and door panes is encouraged.

## 19D.5 BUILDING DESIGN

## Objectives

- 11 To discourage the use of window and door grilles and to encourage alternative security measures which do not detract from the appearance of the heritage item.

## Controls

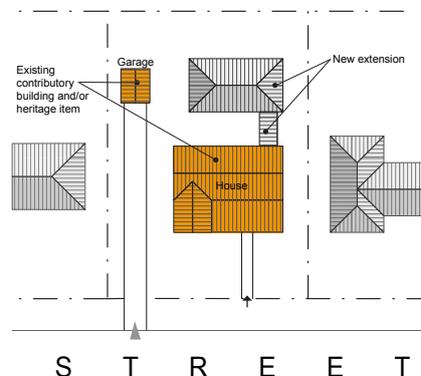
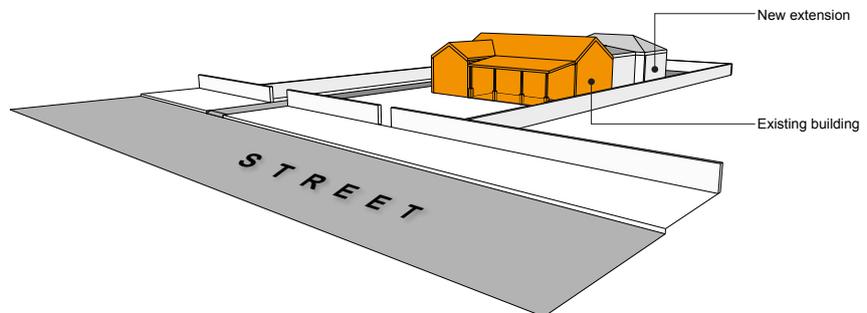


Figure 19D.5-2:

Retain original doors and windows to front and side elevations (coloured orange) of heritage items.

- 26 If sound attenuation is required, double glazing fitted to existing windows is encouraged. Alternatives to double-glazing, where there is no impact on principal elevations, are encouraged.
- 27 Original sunhoods, blinds, awnings and skirts to principal elevations are to be retained and repaired.

**Security Grilles**

- 28 Security bars, mesh or roller shutters to visible elevations are not permitted.
- 29 Traditional timber shutters may be acceptable if shutters were original to the building.
- 30 The removal of security bars, mesh or roller shutters to windows which detract from the streetscape is encouraged.
- 31 Where additional security is required, passive measures such as mortice deadlocks, window locks and alarm systems are to be used.
- 32 Where there is no alternative, the installation of external security bars is acceptable provided the design responds to the glazing bars of the window or door.

## 19D.6 OUTBUILDINGS AND GARDEN STRUCTURES (EXCLUDING GARAGES AND CARPORTS)

### Objectives

- 1 *To ensure that new garden structures and of outbuildings do not detract from the significance of a heritage item through inappropriate siting or excessive scale, bulk or visibility.*

### Controls

- 1 Original and early outbuildings and garden structures are to be retained.
- 2 No new garden structures or outbuildings including pools, water tanks, gazebos, sheds, stores, cabanas are to be located within the front setback.
- 3 In considering any application for permission to erect an outbuilding or structure, the following will be considered:
  - i) the location of the proposed structure in relation to the principal building, boundaries and other details of the site;
  - ii) the proposed form, scale, materials and colours of the structure. In this regard, the scale of any outbuilding or structure is to be subservient to the main house, colours and materials should be recessive; and
  - iii) the relative prominence and visibility of the proposed structure from the street frontage or frontages of the site.

## 19D.7 ROOF FORMS AND STRUCTURES ATTACHED TO ROOFS

### Objectives

- 1 To retain the character of the original roof forms of the heritage item.
- 2 To protect the original fabric and details of roofs and chimneys.
- 3 To ensure that structures attached to roofs do not have an adverse impact on the character and significance of individual buildings, the immediate streetscape and the heritage item.

### Controls

#### Roofs, Chimneys and Dormers

- 1 Fireplaces and chimneys are important building elements within heritage items and are to be retained.
- 2 Roof forms and details vary widely according to building type and architectural style, and this variety of forms makes an important contribution to the visual complexity of the heritage item and are to be retained.
- 3 The original principal roof form is to be retained to the extent that it can be interpreted. The roofs of alterations and additions are to have a separate linked section. New roof forms for new work will be considered where they are complementary in design, not visible from the public domain (see Figure 19D.7-1) and follow historic practices, such as rear skillion roofs (see Figure 19D.5-1).

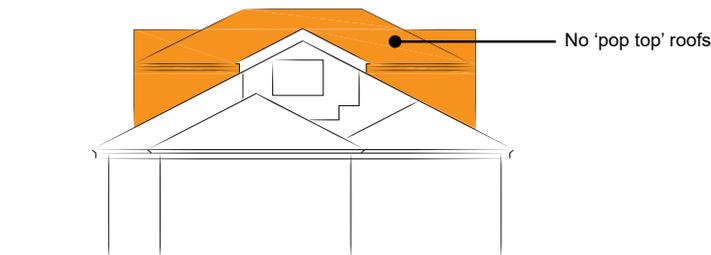


Figure 19D.7-1:  
No 'pop top' roofs visible from public domain.

- 4 Dormer windows are not to be used on the street-facing roof elevations. Skylights are to have a low profile and be flush with the roof surface.
- 5 Slate roofs are to be conserved, repaired and retained wherever possible, with complete replacement when necessary.
- 6 Where inappropriate retiling has occurred replacement of concrete roof tiling with unglazed terracotta Marseilles pattern roof tiling is encouraged.
- 7 Appropriate roofing materials are profiled terracotta tiles, slate and other original roofing materials. Replica flat slate and concrete roof tiles are not permitted.
- 8 On heritage items, new or replacement roof materials are to match, like-for-like, original roof materials in texture, pattern and colour.

#### Skylights, Solar Panels, Solar Water Heaters, Antennae and Other Roof Infrastructure

**Note:** For placement of solar panels, solar water heating, antennas etc on Heritage Items refer to Chapter 2, Division 4 of Part 2.3 of SEPP (Transport and Infrastructure) 2021.

## 19D.8 FENCING

### Objectives

- 1 *To retain early and original fences, gates and retaining walls where they survive, and where they reinforce the original landscape character of the garden and streetscape.*
- 2 *To retain those streetscapes where front and side fencing do not form part of the original streetscape.*
- 3 *To encourage the reinstatement of the original form of fencing and gates, where known.*
- 4 *To encourage new front fences and gates which contribute to the streetscape character of the HCA by being consistent with the established pattern of existing original fences.*

### Controls

#### **Original and Early Fences, Gates and Retaining Walls**

- 1 Original and early fences, piers, gates and retaining walls are to be retained and conserved. The height of original and early fences is not to be altered.
- 2 Original face brick or sandstone fences are not to be rendered, coated or painted.
- 3 The configuration, finishes and details of original sandstone retaining walls that are located at the street front boundaries (whether identified as contributory properties or not) are to be retained and conserved.

#### **Missing or Absent Fences**

- 4 New front fencing and gates including vehicular access gates are not encouraged in areas where it does not form part of the streetscape. In such areas, the front boundary can be defined by low hob walls, by garden beds or planting to allow private gardens to merge with their neighbours and support the landscape character of the area.

#### **New Front Fences and Gates**

- 5 Replacement of unsympathetic fences, gates and walls with new elements of appropriate height, style and materials is encouraged.
- 6 Where historic records and physical evidence exists, new front fencing and gates, including vehicular access gates, are to reinstate the original.
- 7 Where no evidence is available to guide reconstruction of missing fences and gates to contributory properties, new front fencing, pedestrian and vehicular access gates are to match the architectural style and period of the house.
- 8 No metal panel fencing is to be constructed on any boundary to a heritage item.
- 9 New vehicular access gates are to promote views to all properties, especially to battle-axe allotments with reduced visual permeability.
- 10 Swing gates are preferred to sliding gates. Sliding gates may only be acceptable where the driveway is sloping upward from the street.

**Note:** Refer to Dividing Fences Act 1991

**19E Secondary Dwellings within HCAs and Heritage Items**

19E.1 Secondary Dwellings within HCAs and Heritage Items

## 19E.1 SECONDARY DWELLINGS WITHIN HCAS AND HERITAGE ITEMS

### Objectives

- 1 *To ensure new secondary dwellings respect the established streetscape, and the historical patterns of development within the HCA, including characteristic rhythm and built form spacing.*
- 2 *To ensure secondary dwellings do not dominate the Heritage Item and are designed to be complementary to the Item, including its setting.*

### Controls

#### General

- 1 Generally, proposals for a secondary dwelling within an HCA or on the site of a Heritage Item will only be considered if the proposal:
  - i) has no adverse impact on the significance of the HCA or Heritage Item;
  - ii) maintains the rhythm of buildings in the streetscape;
  - iii) retains the setting and curtilage of the Heritage Item itself, or any Heritage Item or significant buildings in the vicinity, including important structures and landscape elements;
  - iv) does not interrupt nor obscure vistas and views to and from Heritage Items and contributory properties in the vicinity, especially from the principal elevation of the buildings;
  - v) the landscape quality of the HCA streetscape and Heritage Item setting is retained;
  - vi) the contours and any natural features of the site have been retained and respected.
- 2 Applications for secondary dwellings within the HCA require a curtilage assessment within the Heritage Impact Statement, with particular emphasis on garden settings.

**19F Development in the Vicinity of Heritage Items or Heritage Conservation Areas (HCAs)**

Introduction

19F.1 Local Character and Streetscape

19F.2 Building Setbacks

19F.3 Gardens and Landscaping

19F.4 Fencing

<b>READ WITH</b>
<b>SECTION A</b> - Part 2-13
<b>SECTION B</b> - All relevant parts
<b>SECTION C</b> - Part 21-24

## INTRODUCTION

This section applies to development on sites that either directly adjoin or are in the vicinity of a Heritage Item or an HCA. This part also applies to a situation where the Heritage Item is not incorporated into new consolidated development, as per 19A of this Part. This part provides guidance to meet the objectives in the KLEP.

The term “in the vicinity” not only means immediately adjoining a Heritage Item or HCA, but depending on site context, can be extended to include other sites with a high visual presentation due to landform, size or location of the Heritage Item.

The controls in this part are in addition to the controls in Sections 19A, 19B, 19C and 19D and are to be read in conjunction with them.

## 19F.1 LOCAL CHARACTER AND STREETScape

### Objectives

- 1 To consider the impact on the historic curtilage and setting of the Heritage Item or HCA and related heritage features such as views, streetscape context, historical subdivisions, garden settings, alienated trees and other landscape features.
- 2 To retain the significance of Heritage Items or HCAs in their settings.
- 3 To ensure that the scale of new development does not dominate, detract from or compete with Heritage Items or HCAs in the vicinity.
- 4 To ensure that new development respects and conserves the significance of any nearby Heritage Items or HCA and their settings.
- 5 To ensure that new development does not visually dominate the adjoining or nearby Heritage Item or HCA.
- 6 To ensure that the scale of new development in the vicinity of a heritage item and HCA is in harmony with the streetscape and does not dominate, detract from or compete with the Heritage Item or HCA.

### Controls

#### General

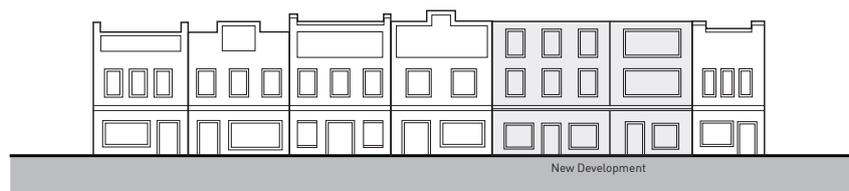
- 1 All development in the vicinity of a Heritage Item or HCA is to include a Heritage Impact Statement (HIS). The HIS is to address the effect of the proposed development on a Heritage Item or HCA and demonstrate that the proposed works will not adversely impact upon significance, including any related heritage features within the identified curtilage and setting.

#### Built form

- 2 Development on sites that either directly adjoin or are in the vicinity of a Heritage Item or an HCA is to have regard to:
  - i) the form of the existing building or buildings including height, roofline, setbacks and building alignment;
  - ii) dominant architectural language such as horizontal lines and vertical segmentation;
  - iii) proportions including door and window openings, bays, floor-to-ceiling heights and coursing levels;
  - iv) materials and colours;
  - v) siting and orientation;
  - vi) setting and context;
  - vii) streetscape patterns.

#### Retail/Mixed Use Setting

- 3 New development adjacent to or in the vicinity of a Heritage Item or HCA within a retail/mixed use setting such as an existing row of two-storey shops, are to:
  - i) retain the existing characteristics of the street including the setback, height and rhythm of facades, and is to be sympathetic to the materials and detailing of the earlier facades.
  - ii) retain a pedestrian building scale at the street level and to set back any levels that are higher than the adjacent Heritage Item or HCA.



**Figure 19F.1-1:**  
The infill building reinforces the street's rhythm of facades by re-interpreting the existing architectural lines such as parapet height, window openings, awnings and vertical segmentation to reflect existing building widths.

## 19F.1 LOCAL CHARACTER AND STREETScape (continued)

### Objectives

- 7 *To protect significant views and vistas to and from the Heritage Item or HCA.*

### Controls

#### **Views**

- 4 New development in the vicinity of a Heritage Item or HCA is to demonstrate that it will not reduce or impair important views to and from the Heritage Item from the public domain.

## 19F.2 BUILDING SETBACKS

### Objectives

- 1 *To ensure new work in the vicinity of a Heritage Item or HCA respects and contributes to the established streetscape patterns through careful siting of new buildings.*
- 2 *To ensure new development provides an interface of scale and bulk to preserve the amenity to the adjacent Heritage Item or building within a HCA.*
- 3 *To ensure new medium and high density development does not visually dominate the Heritage Item or building within the HCA.*

### Controls

#### Setbacks

- 1 The front setback of development adjacent to a Heritage Item or buildings within an HCA is to be greater than that of the Heritage Item or building within the HCA. Where variations in setbacks exist, the larger setback will apply.

#### Residential Context

- 2 All medium and high density development is to have a stepped facade to any common boundary with a Heritage Item or building within the HCA. The facade is to be stepped back above an 8m height from natural ground level as per Figure 19E.2-1. Facades greater than 8m high will not be permitted adjacent to a Heritage Item or building with an HCA.
- 3 In addition to the side and rear setback controls in Section A of this DCP, new development adjacent to a Heritage Item or building within an HCA, is to comply with the following:
  - i) adjacent developments are to have a minimum 12m building separation to the Heritage Item or building in the HCA (more if setback requirements are not met within the 12m) as per Figure 19D.3-1;
  - ii) adjacent development is to not exceed a facade height of 8m from existing ground level, including balustrades;
  - iii) adjacent development with a building mass above 8m high from existing ground level is to be stepped back an additional 6m from the Heritage Item as per Figure 19D.3-1;

Where variations in setbacks exist the larger setback will apply.

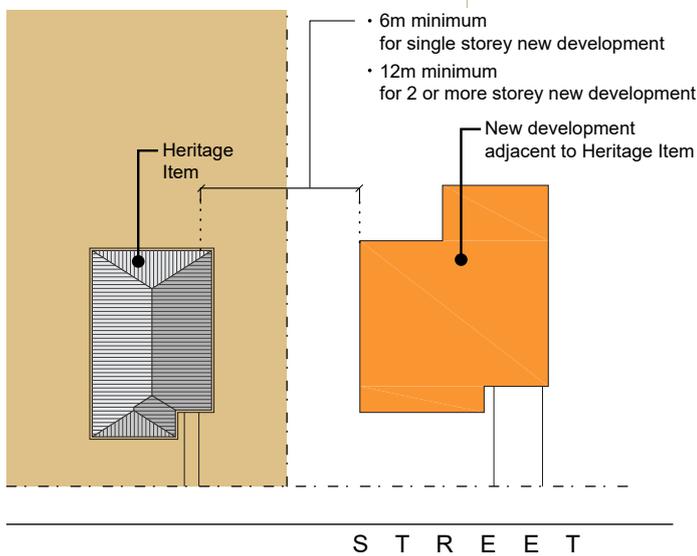
## 19F.2 BUILDING SETBACKS (continued)

### Controls

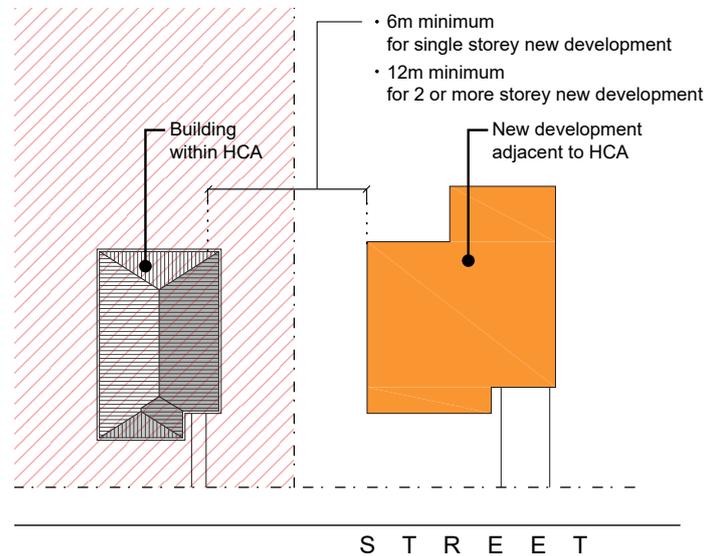
- 4 Any new development is to provide the following building separation to the building eaves or wall, whichever is closest, of:
- a neighbouring Heritage Item building; or
  - a neighbouring building within a Heritage Conservation Area:

New Development Height	New Development Height
1 or 2 levels	Minimum 6m
3 or more levels	Minimum 12m

Refer to Figure 19F.2-1.



New Development adjacent to a Heritage Item

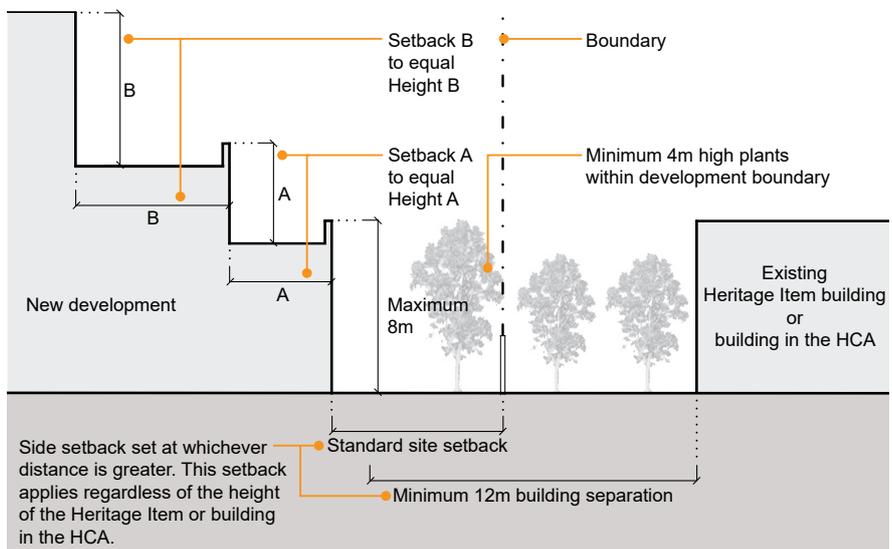


New Development adjacent to a building in the HCA

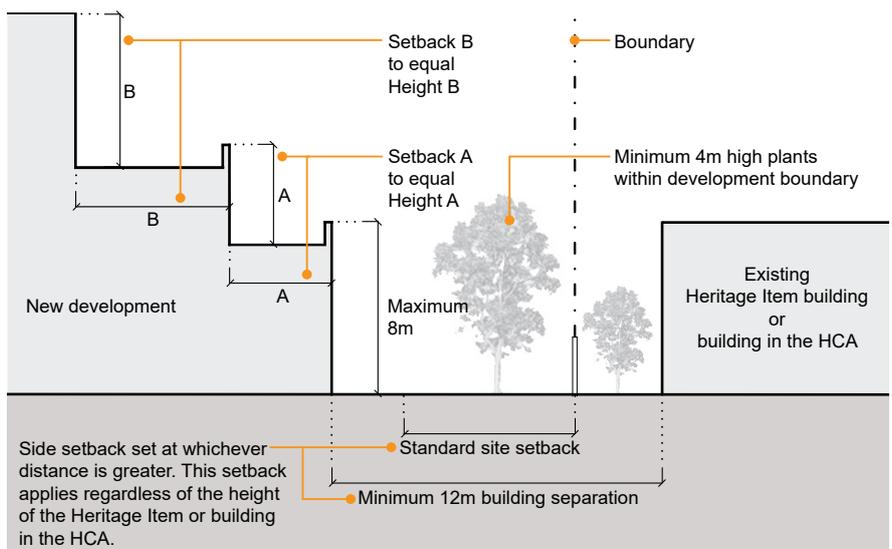
Figure 19F.2-1 Building separation of new development adjacent to Heritage Items and HCAs.

**Controls**

- 5 Where the building separation requirements of this Part result in a greater setback requirements than stated in Section A of this DCP, the building separation controls of this Part prevail. Refer to Figure 19F.2-2.
- 6 New development adjacent to a Heritage Item or adjacent to the HCA that has more than 2 levels or has a height more than 8m, is to step back the upper levels in accordance with Figure 19F.2-1.



- **setback dimension takes precedent**



- **building separation dimension takes precedent**

**Figure 19F.2-2:**  
Building separation and building setback requirements for development greater than 8m high (2 levels) in the vicinity of a Heritage Item or Heritage Conservation Area.

## 19F.3 GARDENS AND LANDSCAPING

### Objectives

- 1 *To ensure that new development does not impact on the landscape character and garden setting of any nearby Heritage Item or HCA.*

### Controls

#### ***Gardens, Setting and Curtilage***

- 1 Development in the vicinity of a Heritage Item or an HCA is to:
  - i) retain original or significant landscape features associated with the Heritage Item or HCA, or which contribute to its setting. In particular, garden settings in the vicinity are not to be adversely affected in terms of overshadowing or physical impacts on significant trees;
  - ii) retain the established landscape character of the Heritage Item or HCA including height of the tree canopy and density of boundary landscape plantings or otherwise reinstated them in the new development;
  - iii) include appropriate screen planting on side and rear boundaries.

## Objectives

- 1 *To retain early and original fences, gates and retaining walls where they survive, and where they reinforce the original landscape character of the garden and streetscape.*
- 2 *To retain those streetscapes where front and side fencing do not form part of the original streetscape.*
- 3 *To encourage the reinstatement of the original form of fencing and gates, where known.*
- 4 *To encourage new front fences and gates which contribute to the streetscape character of the HCA by being consistent with the established pattern of existing original fences.*

## 19F.4 FENCING

### Controls

#### **Original and Early Fences, Gates and Retaining Walls**

- 1 Original and early fences, piers, gates and retaining walls are to be retained and conserved. The height of original and early fences is not to be altered.
- 2 Original face brick or sandstone fences are not to be rendered, coated or painted.
- 3 The configuration, finishes and details of original sandstone retaining walls that are located at the street front boundaries (whether identified as contributory properties or not) are to be retained and conserved.

#### **Missing or Absent Fences**

- 4 New front fencing and gates including vehicular access gates are not encouraged in areas where it does not form part of the streetscape. In such areas, the front boundary can be defined by low hob walls, by garden beds or planting to allow private gardens to merge with their neighbours and support the landscape character of the area.

#### **New Front Fences and Gates**

- 5 Replacement of unsympathetic fences, gates and walls with new elements of appropriate height, style and materials is encouraged.
- 6 Where historic records and physical evidence exists, new front fencing and gates, including vehicular access gates, are to reinstate the original.
- 7 Where no evidence is available to guide reconstruction of missing fences and gates to contributory properties, new front fencing, pedestrian and vehicular access gates are to match the architectural style and period of the house.
- 8 No metal panel fencing is to be constructed on any boundary to a heritage item.
- 9 New vehicular access gates are to promote views to all properties, especially to battle-axe allotments with reduced visual permeability.
- 10 Swing gates are preferred to sliding gates. Sliding gates may only be acceptable where the driveway is sloping upward from the street
- 11 Sloping driveways to basement parking is not acceptable except if the gradient down begins behind the front building line and is less visible from the street.

**Note:** Refer to Dividing Fences Act 1991.