

9 Heritage

Part 9 Heritage

Explanatory outline

Part 9 specifies outcomes, design guidelines and other requirements relating to aboriginal cultural heritage, built heritage and historical archaeology.

- **Section 9a** relates to aboriginal cultural heritage
- **Section 9b** relates to built heritage, including:
 - heritage items
 - heritage conservation areas
 - archaeological sites.

Note: development affecting aboriginal cultural heritage is subject to approval requirements under Part 6 of the *National Parks and Wildlife Act 1974*.

9.1 Definitions

There may be words used in this Part that are defined in the *Environmental Planning and Assessment Act, 1979*, as amended, or within *Upper Hunter Local Environmental Plan 2013*, as amended. The Dictionary to this DCP provides additional definitions that are relevant to this Part.

Part 9a Aboriginal cultural heritage

Explanatory outline

Part 9a specifies outcomes, design guidelines and other requirements relating to aboriginal cultural heritage.

Note that Part 9b specifies requirements for **built & archaeological heritage** (often referred to as 'European heritage').

Note: development affecting aboriginal cultural heritage is subject to approval requirements under Part 6 of the *National Parks and Wildlife Act 1974*.

9a Aboriginal cultural heritage

9a Aboriginal cultural heritage

9a.1 Application of this section

This section applies to development described in Column 1 when carried out on land described in Column 2.

Column 1: Type of development	Column 2: Applicable land
Development that will, or is likely to affect, the heritage significance of an Aboriginal object or an Aboriginal place of heritage significance <i>Note: clause 5.10 of Upper Hunter Local Environmental Plan 2013 specifies where development consent is required for Aboriginal objects or places of significance</i>	All land

9a.2 Relevant key planning instruments & legislation

The following key environmental planning instruments or other legislation are relevant to development to which this section applies:

- *Upper Hunter Local Environmental Plan 2013*
- *National Parks and Wildlife Act 1974*
- *Aboriginal Land Rights Act 1983*
- *Federal and NSW Native title legislation*

Further planning instruments and legislation may also be relevant. In the event of any inconsistency, the above listed instruments will prevail over requirements or criteria contained in this section.

9a.3 Objectives

The objectives of this section are to:

1. facilitate the implementation of the provisions relating to heritage conservation, which are contained within the *Upper Hunter Local Environmental Plan 2013*;
2. ensure that aboriginal cultural heritage is conserved and managed in consultation with the Aboriginal community.
3. ensure that Aboriginal objects and places are identified and managed as part of the development application process to ensure that impact is avoided or minimised as far as practicable and to ensure appropriate mitigation and management outcomes where impacts cannot be avoided.
4. respect that conservation of Aboriginal objects and places is the preferred approach to the management of aboriginal cultural heritage
5. respect that opportunities for interpretation of Aboriginal cultural heritage is facilitated, to enhance the understanding of Aboriginal cultural heritage in the Upper Hunter Shire.
6. ensure that new development is compatible with the significance of aboriginal cultural heritage;

9a Aboriginal cultural heritage

7. ensure that development is carried out sensitively with respect to its impact on aboriginal cultural heritage values

9a.4 Supporting plans & documentation

Development applications that are subject to this section should be supported by the following plans and documentation.

Applicants should contact Council's Heritage Advisor to discuss information requirements for complex development applications.

Item	When required	Plans or information to be provided
A. General requirements	All applications	Refer to Part 2 Preparing & lodging a development application.
B. Additional location, site plans, sections elevations and site analysis	The requirement for additional information will depend on the application and the requirements of the 'Due Diligence Assessment Report' and/or Aboriginal Cultural Heritage Assessment Report' as described below.	As required by either the 'Due Diligence Assessment Report' and/or Aboriginal Cultural Heritage Assessment Report' as described below.
C. Due diligence assessment report	Subdivision of land where subdivision work is required or any other developments involving excavation or land disturbance or where Council has determined that the development is proposed on land which has been identified in any draft or final Aboriginal Heritage Study. (You will need to apply to Council to determine if your proposal is on land identified in a Study)	Provide information in accordance with the Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales (NSW Department of Environment, Climate Change and Water, 2010) or relevant updated version. This should include documentation of the applicant's search of the Aboriginal Heritage Information Management System (AHIMS) for Aboriginal objects and places within or in the immediate vicinity of the development application. It is recommended that a 200-metre buffer is applied to searches to account for errors in the recorded location of Aboriginal objects and places recorded on the AHIMS and to provide a broader understanding of the nature and distribution of Aboriginal objects and places within the immediate area.
D. Aboriginal cultural heritage assessment report	For the following types of development, or as advised by Council: <ul style="list-style-type: none"> • subdivision of undeveloped land 	The application should follow the requirements given in Chapter 3 'Preparing an Aboriginal cultural heritage assessment report' of the document Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW, 2011 , and Aboriginal cultural heritage consultation requirements for proponents 2010 , both administered by

9a Aboriginal cultural heritage

Item	When required	Plans or information to be provided
	<ul style="list-style-type: none"> where the scale of the development is likely to result in significant ground disturbance where the proposal is located within 100m of a waterhole, river or stream where the site contains rock outcrops, caves, platforms 	<p>Heritage NSW (or updates of those documents as advised by the NSW Government).</p> <p>In preparing reports, consultation will be required with the Aboriginal community, as advised by Council and/or Heritage NSW.</p>

9a.5 Assessment criteria

A performance-based approach will be adopted in the assessment of development applications. Applications will be assessed according to the extent to which the outcomes specified in the left-hand column of the following table will be satisfied or achieved by the design, construction or operation of the proposal.

The design guidelines specified in the right-hand column indicate design and best practice solutions by which the required outcomes can be met. They do not preclude other solutions that may be suitable under particular local circumstances. All proposals will be considered on merit.

Outcomes to be achieved	Design guidelines
<p>A. Aboriginal cultural heritage</p> <ul style="list-style-type: none"> Development does not reduce aboriginal cultural heritage and values. The assessment of impact on aboriginal cultural heritage follows the matters referred to in: <ul style="list-style-type: none"> Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW, prepared by the NSW Office of Environment and Heritage, 2011, and Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales, 2010. Department of Environment, Climate Change and Water 	<ul style="list-style-type: none"> Interpretation of Aboriginal cultural heritage should be considered where a significant site is proposed for development. This should be done in consultation with relevant Aboriginal group(s).



9a Aboriginal cultural heritage

9a.6 Supplementary guidance

The following documents or reference materials provide further advice or information:

Various **NSW Government heritage information**. Some publications may be available from Heritage NSW, available at:

<http://www.environment.nsw.gov.au/Heritage/aboutus/index.htm> and

<http://www.environment.nsw.gov.au/heritage/publications/index.htm>

- [Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW, 2011](#). NSW Office of Environment and Heritage, 2011
- [Aboriginal cultural heritage consultation requirements for proponents 2010](#), NSW Office of Environment and Heritage
- [Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales](#), 2010. Department of Environment, Climate Change and Water. <https://www.environment.nsw.gov.au/research-and-publications/publications-search/due-diligence-code-of-practice-for-the-protection-of-aboriginal-objects-in-new-south-wales>
- Aboriginal Heritage Information Management System: <https://www.heritage.nsw.gov.au/search-for-heritage/aboriginal-heritage-information-management-system/>

Local information

- Wanaruah Local Aboriginal Land Council - https://alc.org.au/land_council/wanaruah/
- Information on specific items on the NSW AHIMS Database at <https://www.environment.nsw.gov.au/awssapp/login.aspx> and <https://www.heritage.nsw.gov.au/protecting-our-heritage/record-aboriginal-sites/>
- Scone and Upper Hunter Historical Society - <https://sconehistorical.org.au/>
- *Upper Hunter Heritage Study Thematic History March 2017* (prepared by Mark Dunn for Upper Hunter Shire Council)

9b Built & archaeological heritage

Part 9b Built & archaeological heritage

Explanatory outline

Part 9b specifies outcomes, design guidelines and other requirements relating to built and archaeological heritage (often referred to as 'European heritage').including for:

- heritage items
- development near heritage items
- heritage conservation areas
- archaeological sites.

Note that Part 9a specifies requirements for **Aboriginal cultural heritage**.

Note: Where development approval is not required for vegetation or tree clearing, a vegetation permit under **Part 14a Vegetation Permits** may still be required.

9b Built & archaeological heritage

9b.1 Application of this section

This section applies to development described in Column 1 when carried out on land described in Column 2.

Column 1: Type of development	Column 2: Applicable land
<p>Any development that requires development consent.</p> <p><i>Note: clause 5.10 of Upper Hunter Local Environmental Plan 2013 specifies where development consent is required for:</i></p> <ul style="list-style-type: none"> • Aboriginal objects or places of significance • heritage items • conservation areas, and • archaeological sites • altering the exterior or interior of structures. <p><i>Note: Schedule 2 Exempt Development of Upper Hunter Local Environmental Plan 2013 specifies the requirements for exempt development relating to 'Restumping or repairing structure foundations of an existing building that is a heritage item or in a heritage conservation area'.</i></p>	<p>Land that is described in Schedule 5 to the <i>Upper Hunter Local Environmental Plan 2013</i>:</p> <ul style="list-style-type: none"> • listed as, or that contains, a heritage item and/or • within a heritage conservation area and/or • listed as, or that contains, an archaeological site <p><i>Note that heritage conservation areas are shown in the maps of Upper Hunter Local Environmental Plan 2013, and at 2022 were located in:</i></p> <ul style="list-style-type: none"> - Cassilis - Central Scone and West Scone - Merriwa - Murrurundi <p>OR</p> <p>Land in the vicinity of a heritage item or heritage conservation area that Council considers will have a potential impact on that item.</p>



9b Built & archaeological heritage

Vegetation clearing requiring consent (and not being minor in nature, for maintenance purposes, or subject to a relevant exemption certificate)

Note 1: see definition of 'vegetation clearing' in Dictionary.

*Note 2: Where development approval is not required for vegetation or tree clearing, a vegetation permit under **Part 14a Vegetation Permits** may still be required.*

Land that is or forms part of a heritage item as listed in Schedule 5 of *Upper Hunter Local Environmental Plan 2013* and subject to clause 5.10(3) of that plan, or that is within the curtilage of a heritage item.

AND/OR

Land within a heritage conservation area as listed in Schedule 5 of *Upper Hunter Local Environmental Plan 2013* and subject to clause 5.10(3) of that plan.

9b.2 Relevant key planning instruments & legislation

The following key environmental planning instruments or other legislation are relevant to development to which this section applies:

- *Upper Hunter Local Environmental Plan 2013*, particularly clause 5.10 Heritage conservation and Schedule 5 Environmental Heritage.
- *Heritage Act 1977*

Further planning instruments and legislation may also be relevant. In the event of any inconsistency, the above listed instruments will prevail over requirements or criteria contained in this section.

Note: all non-Aboriginal sites and relics are protected under the Heritage Act 1977. Any non-Aboriginal sites or relics that are found during development will need to be assessed by an Archaeologist. An excavation permit is required from the Heritage Office to disturb or excavate land known or having reasonable cause to suspect that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed.

9b.3 Objectives

The objectives of this section are to:

8. facilitate the implementation of the provisions relating to heritage conservation, which are contained within the *Upper Hunter Local Environmental Plan 2013*;
9. conserve the heritage significance of heritage items, heritage conservation areas and archaeological items;
10. conserve and ensure appropriate development of heritage items and contributory buildings within heritage conservation areas;
11. ensure that new development is compatible with the significance of heritage conservation areas, heritage items and archaeological items; and
12. provide controls that protect the significant character of heritage conservation areas, heritage items, archaeological items and to encourage responsive design appropriate to the character and identified heritage values.

9b Built & archaeological heritage

9b.4 Supporting plans & documentation

Development applications that are subject to this section should be supported by the following plans and documentation.

Applicants should contact Council's Heritage Advisor to discuss information requirements for complex development applications or those potentially having an archaeological impact.

Item	When required	Plans or information to be provided
A. General requirements	All applications	Refer to Part 2 Preparing & lodging a development application .
B. Location & site plan	All applications Note: these requirements may be <i>in addition to</i> those required in site plans described in Part 2 Preparing & lodging a development application .	A location plan and site plan (drawn to scale) showing the location of the heritage item or property and any other features that may be affected by the proposal (for example, neighbouring structures, outbuildings, trees, significant landscape features, views and vistas). It should also show title boundaries and any heritage conservation area boundaries. Depending on the type of development proposed, Council may require the site plan to show levels across the site and adjoining sites.
C. Site analysis	All applications.	The site analysis should provide an understanding of the site and the streetscape context. The purpose of the site analysis is to ensure that the relevant constraints and opportunities are taken into account. For any proposed additions, or new buildings, this drawing will usually include: <ul style="list-style-type: none"> the relative location and siting of neighbouring buildings. the size, location and botanical name of any major trees on the site, or located on neighbouring land close to your boundary. location of any existing view lines from, to or through the site. Note: could be included on site plan Note: these requirements are in addition to the general site analysis requirements given in Part 2 Preparing & lodging a development application .
D. Plans, sections & elevations	Where required by other plans or assessments in this table	All plans, sections and elevations should be drawn to scale and show the proposed works by colour or hatching, in accordance with standard architectural and technical drawing practice. Fabric to be removed should be shown by a coloured dotted line, new fabric by hatching, colouring or rendering.
E. Schedule of material & finishes	All applications	A schedule of materials, colours and finishes listing the proposed work to the item or property and cross-referenced to drawings

9b Built & archaeological heritage

Item	When required	Plans or information to be provided
F. Measured drawings & archival photographic study	Where partial or full demolition is proposed or major changes are proposed to a heritage item; or as advised by Council.	<p>Measured drawings and an archival photographic study, complying with the Heritage Office guidelines: <i>Photographic Recording of Heritage Items Using Film or Digital Capture, 2006</i>. [http://www.environment.nsw.gov.au/heritage/publications/index.htm]</p> <p>The information must be prepared by an experienced heritage consultant as listed on the NSW Heritage Branch website: www.environment.nsw.gov.au/heritageapp/HeritageConsultantsDirectory.aspx</p> <p>Two additional copies of the study and information are required: 1 copy to be archived by the Scone & Upper Hunter Historical Society and 1 copy to be included in the local studies section of the Scone Library.</p>
G. Structural engineer's report	Where partial or full demolition is proposed, or as advised by Council.	<p>A report, prepared by a qualified structural engineer, that addresses the structural adequacy of the item.</p> <p>Where the structure is <i>adequate</i>, comments are to be included in respect to the feasibility of adaptive reuse of the item and the potential for retention, and re-use as against total demolition.</p> <p>Where the structure is found to be <i>inadequate</i>, the engineer is to provide comment on the extent and cost of new work and fabric that is required for retention of the item.</p>
H. Vegetation (including trees) reports	Applications affecting vegetation (including trees), as specified in section 11a Vegetation (including trees) .	Plans and/or reports as specified in section 11a Vegetation (including trees) .
I. Archaeological assessment	As advised (Likely for development that involves excavation or land disturbance in Conservation Areas or on/ in close proximity to heritage items)	The <i>NSW Heritage Act</i> requires an excavation permit where there is reasonable cause to suspect that excavation could result in an archaeological relic being discovered. An archaeological assessment will advise on the likelihood and potential significance of relics on the site and recommend appropriate action in the context of the proposed development. An archaeological assessment should be prepared in accordance with the <i>Archaeological Assessment</i> guidelines produced by the NSW Heritage Branch.
J. Statement of Heritage Impact	As advised	<p>The Statement of Heritage Impact should follow the Heritage NSW guidelines for <i>Statements of Heritage Impact</i> available at: https://www.environment.nsw.gov.au/resources/heritagebranch/heritage/hmstatementsofhi.pdf</p> <p>It must be prepared by a professional heritage consultant as listed on the Heritage NSW website</p>



Item	When required Plans or information to be provided
	<p data-bbox="792 359 1351 415">(https://www.environment.nsw.gov.au/heritageapp/HeritageConsultantsDirectory.aspx)</p> <p data-bbox="792 422 1351 478">The Statement of Heritage Impact should address (as a minimum) each of the following:</p> <p data-bbox="792 485 1351 512">Development that would affect a heritage item</p> <ul data-bbox="792 518 1351 1100" style="list-style-type: none"> <li data-bbox="792 518 1351 604">• Historical research to establish the significance of the item, which may require a title search to establish built date and first use. <li data-bbox="792 611 1351 758">• An 'assessment of significance', using the standard criteria as per: <i>Assessing Heritage Significance, Heritage Office, 2001</i> available at https://www.environment.nsw.gov.au/Heritage/publications/index.htm <li data-bbox="792 764 1351 850">• the impact that the proposed development will have on the heritage significance of the item and its setting, including any landscape or horticultural features <li data-bbox="792 856 1351 913">• the measures proposed to conserve the heritage significance of the item and its setting <li data-bbox="792 919 1351 1005">• whether any archaeological site or potential archaeological site would be adversely affected by the proposed development <li data-bbox="792 1012 1351 1100">• the extent to which the carrying out of the proposed development would affect the form of any historic subdivision. <p data-bbox="792 1142 1351 1169">Development in a heritage conservation area:</p> <ul data-bbox="792 1176 1351 1827" style="list-style-type: none"> <li data-bbox="792 1176 1351 1293">• the heritage significance of the heritage conservation area and the contribution which any building, work, relic, tree or place affected by the proposed development makes to this heritage significance <li data-bbox="792 1299 1351 1356">• the impact that the proposed development would have on the heritage significance of the heritage conservation area <li data-bbox="792 1362 1351 1509">• the compatibility of any proposed development with nearby original buildings and the character of the heritage conservation area, taking into account the scale, form, siting, setbacks, materials and detailing of the proposed development <li data-bbox="792 1516 1351 1572">• the measures proposed to conserve the significance of the heritage conservation area and its setting <li data-bbox="792 1579 1351 1635">• whether any landscape or horticultural features would be affected by the proposed development <li data-bbox="792 1642 1351 1728">• whether any archaeological site or potential archaeological site would be affected by the proposed development <li data-bbox="792 1734 1351 1827">• the extent to which the carrying out of the proposed development in accordance with the consent would affect any historic subdivision pattern.

9b Built & archaeological heritage

Item	When required	Plans or information to be provided
		<p>Streetscape analysis</p> <p>A streetscape analysis may be required to ensure the potential impact of the proposal on the street is taken into account. A streetscape analysis will describe:</p> <ul style="list-style-type: none"> • dominant patterns of building type (scale, form, character, height, roof pitch, front and side setbacks) in the vicinity • subdivision and development pattern • any consistent horizontal lines in the streetscape, and the general rhythm of buildings and spaces in the street • the location of garage and driveway accesses in the street vicinity • major planting in both street reserve and front gardens in the immediate vicinity (species, height and spread); and • type and height of fencing to the street
<p>K. Conservation Management Plan OR Strategy</p>	<p>For the following types of development, or as advised by Council or Heritage NSW:</p> <ul style="list-style-type: none"> • A subdivision proposal on land which contains an item of local heritage as listed in Schedule 5 to the <i>Upper Hunter Local Environmental Plan 2013</i>; or • An item of State heritage significance; or • Where major changes to a site are proposed; or • In the case of a complex development requiring management recommendations. <p>as determined by Council or Heritage NSW.</p>	<p>The Conservation Management Plan should follow the NSW Heritage Office guidelines for Conservation Management Plans as per https://www.environment.nsw.gov.au/Heritage/conservation/managementplan.htm :</p> <p>It must be prepared by a professional heritage consultant as listed on the NSW Heritage Branch website: www.environment.nsw.gov.au/heritageapp/HeritageConsultantsDirectory.aspx</p> <p>Where the history has already been well documented, a <i>Conservation Management Strategy</i> (instead of Conservation Management Plan) could be appropriate (as determined by Council).</p>

9b Built & archaeological heritage

Item	When required	Plans or information to be provided
L Additional consultants reports	As advised	<p>In some instances additional information may be required to assess an application that is complex or where there are subsurface works proposed that may have an archaeological impact. In these instances a selection of all of the following documents may be required:</p> <ul style="list-style-type: none"> • an archaeological assessment report (see above). • conservation management plan/strategy (see above). • Statement of Heritage Impact (see above). • historian's report. • engineer's report. <p>Applicants should contact Council's Heritage Advisor to discuss information requirements for complex development applications or those potentially having an archaeological impact.</p>

9b.5 Assessment criteria

A performance-based approach will be adopted in the assessment of development applications. Applications will be assessed according to the extent to which the outcomes specified in the left-hand column of the following table will be satisfied or achieved by the design, construction or operation of the proposal.

The design guidelines specified in the right-hand column indicate design and best practice solutions by which the required outcomes can be met. They do not preclude other solutions that may be suitable under particular local circumstances. All proposals will be considered on merit.

This section is structured in the following way:

A	Significance of heritage conservation areas & heritage items
B	General design & siting
C	Alterations & additions
D	Building scale & form
E	Roof forms & chimneys
F	Architectural details
G	Building elements, materials, finishes & colour schemes
H	Services
I	Carports, garages & access
J	Trees, vegetation, gardens and landscaping
K	Fencing
L	Demolition
M	Adaptive re-use

9b Built & archaeological heritage

N

Conservation of heritage items in subdivision proposals

Outcomes to be achieved

Design guidelines

A. Significance of Heritage conservation areas & heritage items

- The historical themes in the *Upper Hunter Heritage Study Thematic History March 2017* (prepared by Mark Dunn for Upper Hunter Shire Council) and any other relevant studies/documents, are referred to and incorporated as part of the understanding of the significance of the Heritage Conservation Area or Heritage Item.
- Note that the *Upper Hunter Heritage Study Thematic History March 2017* contains specific histories for Scone, Merriwa, Murrurundi and Aberdeen, and many historical themes relating to the entire LGA. The thematic histories will affect the design outcomes of the development in providing an historical background to understand the significance of the conservation areas within towns in the LGA.

B. General design & siting

- New buildings and infill development does not detract from the setting of heritage items or conservation areas.
 - The existing characteristics of the street and the surrounding area are maintained and enhanced.
 - An appropriate visual setting is provided for heritage items and heritage conservation areas.
 - The significance of the conservation area and heritage items is able to be interpreted and is not subsumed by new development.
 - The relationship between buildings and their sites that contribute to the character of the area is not disturbed or devalued.
- The following Infill Guidelines should be referred to:
- [Design Guide for Heritage](#), Government Architect NSW, 2018.
 - *Design in Context – Guidelines for infill development in the historic environment*. NSW Heritage Office and the Royal Australian Institute of Architects NSW Chapter Infill Guidelines Working Party, 2005

Heritage buildings & conservation areas

- Generally alterations or additions should occur at the rear of the existing building to minimise visual impact on the street frontage of the building.
- Rear additions are generally best stepped back from side building lines.
- Additions to the side of a building should not remove or sever car access to the rear.
- Generally alterations or additions should occur at the rear of the existing building to minimise visual impact on the street frontage of the building, particularly where the additions and alterations involve a listed heritage item or a building that contributes to the heritage character of the Conservation Area.
- An adequate curtilage including landscaping, fencing, and any significant trees should be retained.
- Larger additions can be successful when treated as a separate entity to retain the character of the original building in its own right.
- Extensions to the side elevation of a building will not be appropriate if they alter existing, established patterns of buildings and gardens.

9b Built & archaeological heritage

Outcomes to be achieved

Design guidelines

- Additions to the side of a building should not remove or sever car access to the rear, where it is not sympathetically provided elsewhere.

New buildings

- Development in the vicinity of listed heritage items or within heritage conservation areas should respect and complement the built form character of those items in terms of scale, setback, siting, external materials, finishes and colour.
- Front and side setbacks should be typical of the spacing between buildings located in the vicinity of the new development.
- The orientation pattern of buildings existing in the area should be maintained.
- New development should have regard to the established site patterns of the locality.
- New development should generally be set back from the building line of the adjoining or adjacent heritage item.
- The sensitive selection of materials, colours and finishes is important in terms of achieving compatibility with the heritage items.
- Height and scale of new buildings should not obscure or dominate an adjoining or adjacent heritage item.
- Development in the vicinity of a heritage item may be contemporary in design.

C. Alterations & additions

- Alterations and additions contribute to the architectural style or vernacular of the heritage item and conservation area.
- Alterations and additions maintain and enhance the existing character and historical layers of development of the heritage item and the conservation area.
- Alterations and additions retain existing patterns of settlement (that is, pattern of subdivision and allotment layout, landscaped settings, car parking and fencing).
- Alterations and additions to residential development in Heritage Conservation Areas should be consistent with the details in **Table 1: Detail & colour guidelines for residential development in Heritage Conservation Areas**
- Alterations and additions sometimes have special interest of their own. This is particularly so if they have been around for a long time, and were originally designed to fit in.
- Article 16 of the Burra Charter states that: *“the contributions of all periods to the place must be respected. If a place includes the fabric of different periods, revealing the fabric of one period at the expense of another can only be justified when what is removed is of slight cultural significance and the fabric which is revealed is of much greater cultural significance.”*
- Often the removal of a balcony or veranda enclosure, for example, will enhance people’s appreciation of an old house. Sometimes however an addition may have interest of its own as a layer of history e.g. a sympathetic Inter-War addition to a Federation house.
- New work should not mimic the design and materials of the building, but be recognisable as new work on close inspection.



Outcomes to be achieved

Design guidelines

- Imitation historical details should not be applied as and it will confuse our understanding between the 'new' and the 'old'.
- Alterations and additions should not require the destruction of important elements such as chimneys.
- Alterations and additions should be in scale and proportion with existing buildings.
- Alterations should be to the rear and where possible not be visible from the street.

D. Building scale & form

- Alterations and additions respect the character, scale and form of the heritage item and the conservation area.
 - The scale and proportions of new buildings respects the significance and character of the surrounding area and does not detrimentally impact on existing patterns.
- An alteration or addition should not be of a size or scale, which overwhelms or dominates the existing building, substantially changes or destroys its identity or changes its contribution and importance in its surrounds.
 - New buildings should be in scale of surrounding buildings:
 - New houses should remain at single storey in areas where the majority of buildings are single storey.
 - Two storey additions should be to the rear and not dominate the streetscape.
 - Alterations to small scale buildings and workers' cottages should be pavilion in type to allow for a visual separation and avoid domination the original cottage.
 - Pavilion extensions should be considered on significant homestead buildings to avoid detracting from the original scale and form of these significant buildings.
 - New uses should be chosen which suit the size of the building, not requiring overwhelming changes.
 - Unless it can be demonstrated that greater scale would be appropriate in the individual circumstances, additions should be of the same scale.
 - The scale of a new house should be related to the size of the allotments laid out in the historical subdivision pattern of the area.
 - New buildings should be in scale of surrounding buildings. Large houses on small allotments will dominate the surrounding area.
 - Landmark buildings in Heritage Conservation Areas, which may be heritage items, mansions or public buildings will generally be surrounded by single story buildings, or those of a lesser scale. New buildings should relate to the scale of existing development around the landmark and respect its prominence.
 - Window and door openings in street frontages should retain a similar ratio of solid to void to that established by the older buildings.
 - New buildings should incorporate the typical proportions of surrounding development, even when using modern materials.

9b Built & archaeological heritage

Outcomes to be achieved

Design guidelines

- New buildings should establish a neighbourly connection with nearby buildings by way of reference to important design elements such as verandahs, chimneys or patterns of openings and building entry addressing the street.

Table 1: Detail & colour guidelines for residential development in Heritage Conservation Areas

Feature	Details	Colour: Dulux or Haymes or equivalent colour *
Roofs	Galvanised Steel or Colorbond Custom Orb Short sheets are preferred for buildings prior to 1918. Replacement with longer sheets requires agreement with Upper Hunter Shire Council. Barge to be rolled metal edge. Stepped flashings to be retained. NOTE: When replacing roof, obtain technical advice on incompatible metals in existing flashings and their details.	Natural Galvanised Zincalume Windspray Shale Grey
Bullnose roof	Galvanised Steel or Colorbond Bullnose to be same profile as existing. Plastic capping not to be used.	Natural Galvanised Zincalume Windspray Shale Grey Painted in traditional stripe: - Dulux/Haymes Deep Brunswick Green and Lime White - Dulux/Haymes Indian Red and Lime White
Gutters	Ogee or half round gutter profile to buildings prior to 1920	Natural Galvanised Zincalume Windspray Shale Grey Ironstone
Walls	Do not paint unpainted brick or stone	
	Pre-painted brick or weatherboards	Dulux Beige Royal Haymes Stoneware Dulux/Haymes Cream Haymes Eggshell Haymes Pale Stone Dulux Warm Grey
Trim	Secondary colours for details	Darker tone of wall colour Haymes Light Stone

9b Built & archaeological heritage

Feature	Details	Colour: Dulux or Haymes or equivalent colour *
		Dulux Basalt Dulux/Haymes Deep Brunswick Green Dulux/Haymes Indian Red Dulux/Haymes Biscuit
Windows	Windows that are visible from the street should be vertically proportioned and timber framed. Replacement of timber windows that are visible from the street with aluminium will require a development application.	Oiled or White Dulux Lime White Haymes Light Stone Dulux Basalt Dulux/Haymes Deep Brunswick Green Dulux/Haymes Indian Red Dulux/Haymes Biscuit
Doors		Oiled or White Beige Dulux Lime White Haymes Light Stone Dulux Basalt Dulux/Haymes Deep Brunswick Green Dulux/Haymes Indian Red Dulux/Haymes Biscuit
Garage Doors		Colorbond: Windspray Shale Grey Dune Woodland Grey
Verandahs bullnose roof Refer to roofs above		
Posts	Timber	Oiled or Darker tone of wall colour Haymes Light Stone Dulux Basalt Dulux/Haymes Deep Brunswick Green Dulux/Haymes Indian Red Dulux/Haymes Biscuit
Balustrade	Timber	Oiled or Darker tone of wall colour Haymes Light Stone Dulux Basalt

9b Built & archaeological heritage

Feature	Details	Colour: Dulux or Haymes or equivalent colour *
		Dulux/Haymes Deep Brunswick Green Dulux/Haymes Indian Red Dulux/Haymes Biscuit
Decoration		Darker tone of wall colour Haymes Light Stone Dulux Basalt Dulux/Haymes Deep Brunswick Green Dulux/Haymes Indian Red Dulux/Haymes Biscuit
Fences	Timber paling or picket. Refer to part 4b Ancillary residential structures & activities for heights of fences	White Beige Dulux Basalt Dulux/Haymes Dark Brunswick Green
Tanks		Natural Galvanised Zincalume Windspray Shale Grey

*The colours are guidelines and there may be a preference for a slightly different shade or tone of the colours shown which will require agreement. Variations from these colours and materials will require written approval of Council's Heritage Advisor.

Outcomes to be achieved

Design guidelines

E. Roof forms & chimneys

- Roof forms do not detract from a streetscape or conservation area as these are obvious elements.
 - Roof forms within heritage conservation areas and on heritage items are retained when designing alterations and additions.
- New roof forms should be in keeping with existing roof in pitch, eaves and ridge height.
 - Attic areas should be used to keep ridge lines uniform. Dormer windows that do not dominate the streetscape will be considered.
 - Chimneys should be retained.
 - Service utilities such as water heaters, air conditioning units, antennae, satellite dishes and solar panels must not be located on the principal elevations of buildings. Alternative locations should be considered.
 - Use of roof materials should be the same as materials on the existing heritage building and those typically used in the Conservation Area. These may include galvanised steel, Colorbond in grey shades, terra cotta tiles and slate – see Table 1:
Detail & colour guidelines for residential development in Heritage Conservation Areas above
 - Roof details should be used such as appropriate flashings, ridge cappings and barge ends to match existing details.
 - If it is important that the roof form remains unaltered, additional rooms can be added in a detached pavilion form placed at the rear or possibly the side if space permits.

9b Built & archaeological heritage

Outcomes to be achieved

Design guidelines

- Providing the roof space is large enough, attic rooms should be contained in roof forms.
- New roof elements such as dormer windows and skylights should not be located where they are visually prominent.

F. Architectural details

- Original detailing is retained and kept in good repair.
 - Original elements and details are reinstated where possible.
 - Detailing on new buildings respects but does not imitate original detailing on older surrounding buildings.
 - Architectural details of residential development in Heritage Conservation Areas should be consistent with the details in **Table 1: Detail & colour guidelines for residential development in Heritage Conservation Areas**
- Avoid the imitation of original materials and detailing. These tend to give an impression of superficial historic detail.
 - Avoid slavishly following past styles in new development. Simple, sympathetic but contemporary detailing is more appropriate. Original materials and details on older buildings need not be copied, but can be used as a reference point.
 - Alterations and additions and new buildings should adopt a level of detailing which complements the heritage fabric, rather than mimic inappropriate heritage detailing and should (in general) be less elaborate than the original.
 - Retain and repair original doors, windows, original sunhoods, awnings, gable detailing and other decorative elements to principal elevations. Original leadlight and coloured glass panes should be kept.
 - Where original windows, doors and façade detailing have been removed and replaced with modern materials, consideration should be given to reconstructing original features.
 - Authentic reconstruction can have a major positive impact and is encouraged. Decorative elements should not be introduced on heritage items and buildings within a heritage conservation area unless documentary or physical evidence indicates the decorative elements previously existed. Undertake thorough research before attempting to reconstruct lost detail and elements.

G. Building elements, materials, finishes & colour schemes

- Materials and colours used on new buildings and alterations and additions respect the significance and character of existing buildings and surrounding areas.
- Elements, materials and colour schemes of residential development in Heritage Conservation Areas should be consistent with the details in **Table 1: Detail & colour guidelines for residential development in Heritage Conservation Areas**

- The use of highly reflective materials such as white Colorbond (Surfmist) or reflective aluminium cladding should be avoided.
- A timber weatherboard extension to a brick house was common practice and this is still appropriate today, as was the use of corrugated iron roofs at the rear of houses behind the main roof which may have been constructed with tile or slate.

Doors & Windows

- Timber windows should be retained in existing buildings. New doors and windows should be of materials characteristic to the existing building.
- New doors and windows should proportionally relate to typical openings in the locality.
- Simply detailed flush panel solid core, recycled panel doors, four panel doors or those with recessed panels are appropriate.
- Standard windows often come in modules of 900 mm wide. Their use should be limited to single or double format only. The most



Outcomes to be achieved

- New doors and window openings are proportioned in a manner similar to that which is typical for the locality.

Design guidelines

suitable windows are generally double hung, casement, awning or fixed types, and they should be vertically proportioned as viewed from the street.

- If a large area of glass is required, vertical mullions should be used (See below Figure 1: Appropriate heritage windows and also Table 1: Detail & colour guidelines for residential development in Heritage Conservation Areas)

Roller shutters

- Roller security shutters on the front entry or front facades of commercial buildings are not appropriate

Roofing

- Original roof material should be matched in any addition in material and colour. See Table 1: Detail & colour guidelines for residential development in Heritage Conservation Areas. Corrugated steel is a suitable alternative to the rear.
- Traditional stepped flashings, gutter profiles, barge and ridge details should be used. Ogee profile guttering is preferable to modern quad profile. The use of plastic downpipes should be avoided in prominent positions.
- Corrugated galvanised steel (or zincalume finish) is a most appropriate roofing material for new buildings in historic areas. Colorbond in grey in some circumstances may also be suitable. Modern profile prefinished steel deck or sheet should be avoided. See Table 1: Detail & colour guidelines for residential development in Heritage Conservation Areas.
- Tiles may be appropriate in areas with buildings dating to the 1900's – 1930's. Unglazed terracotta tiles are the most appropriate. The colour and glazing of modern terracotta tiles make them inappropriate.

Brickwork

- New face brickwork should match the existing brick in colour and texture, and type of jointing and mortar colour. It may be possible to obtain second hand bricks to match the original or new bricks, which will closely match.
- Existing face brick or stone on heritage items or heritage buildings in a Conservation Area should remain unpainted and unrendered. See Table 1: Detail & colour guidelines for residential development in Heritage Conservation Areas.
- New brick buildings in Conservation Areas are to take into consideration the brick colour and type of surrounding buildings.

Imitation Cladding

- Imitation timber boarding may be acceptable providing it matches the profile of surrounding houses in conservation areas or the profile of the heritage item.

Colour Schemes

- See Table 1: Detail & colour guidelines for residential development in Heritage Conservation Areas.

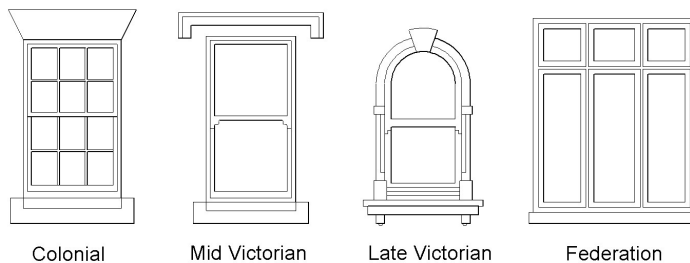
9b Built & archaeological heritage

Outcomes to be achieved

Design guidelines

- Colours should not detract from the conservation area or the heritage item. A warm palette should be used. Colours should be based on traditional paint charts available from paint companies. The Heritage Advisor at Council is available to advise on colour options.
- Colour schemes suitable to the period of the building should be used. Researching the original colour scheme may involve stripping existing layers of paint in a small sample area.

Figure 1: Appropriate heritage windows

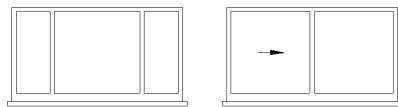


Colonial

Mid Victorian

Late Victorian

Federation



Inappropriate window types with horizontal emphasis

Outcomes to be achieved

Design guidelines

H. Services

- Any obtrusive effect of new building services and technical equipment is minimised in heritage conservation areas and on heritage items.
 - Exhaust vents, skylights, air conditioning ducts and units, solar panels, TV antennae and satellite dishes should not be visible on the main elevation of the building or attached to chimneys where they will be obvious. Items should be installed at the rear, within the roof space or flush with the roof cladding and at the same pitch. They are to be of modest size and not prominent from the street.
 - Essential changes to cater for electrical wiring, plumbing or other services should be limited to what is essential to permit the new use to proceed.
 - Rainwater tanks are to be located at the rear or side of the dwelling and suitably screened. They should not be obvious from the street.

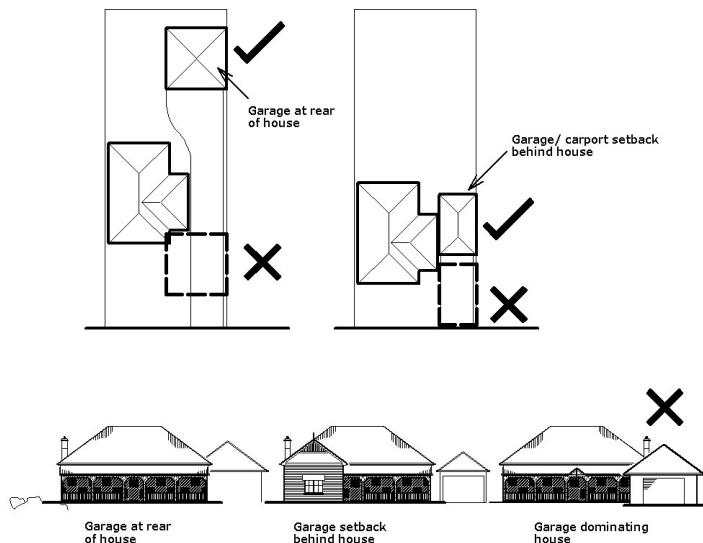


Outcomes to be achieved Design guidelines

I. Carports, garages & access

- New elements do not detract from heritage items or the conservation area.
 - Hard landscaping and elements that are important to the heritage item or conservation area are conserved
- (See below - Figure 2: Heritage garages)
- Garages should be to the rear where possible or set well back at the side of a building behind the rear building line.
 - Single car garages should be built where visible from the street. Double parking in stacked form will be considered.
 - Conserve the street pattern of driveways with single driveway access.
 - Paired wheel strips over public footway areas are preferable to solid driveways.
 - Use non-reflective paving to driveways, such as broom finished concrete.
 - Preferred materials for driveways include wheel strips and gravel. Large areas of plain or stamped concrete should be avoided.
 - Do not alter existing pedestrian pavement for driveways.
 - Conserve existing sandstone kerb and guttering.
 - Where there is no formed kerb and guttering, retain this and consider the use of swales if drainage is required.
 - Colours and materials should blend into the surrounding landscape. Galvanised corrugated iron roof profile and timber board profile cladding for walls are common materials used.
 - Garages should have simple hipped, gable or skillion roofs depending on the design of the existing main building.
 - A Gable or hipped roof is the most appropriate double garage roof form.
 - Existing outbuildings should be maintained and reused wherever possible.
 - Simple open light construction carports are preferable to solid heavily detailed buildings.
 - The pitch of a single garage roof should, in most cases, be comparable or slightly lower than that of the main building – generally 25 – 30 degrees.
 - The pitch of a double garage roof should be the same as the existing building unless it exceeds the height of the existing building

Figure 2: Heritage garages



Outcomes to be achieved

Design guidelines

J. Trees, vegetation, gardens & landscaping

- The development meets the provisions of section 11a **Vegetation (including trees)**.
 - Gardens, open spaces and tree planting as the setting for heritage items or the conservation area are maintained.
 - Hard landscaping and elements that are important to the heritage item or conservation area are conserved.
- Mature trees should be retained on the street and within garden areas.
 - Where there is a consistent pattern of street tree planting this should be retained and new planting should repeat the use of these species.

K. Fencing

- Original existing fencing is retained and new fencing that is consistent with established patterns is provided.
 - Fences in Heritage Conservation Areas should be consistent with the details in Table 1:
Detail & colour guidelines for residential development in Heritage Conservation Areas
 - Heights of fences are consistent with the requirements of section 5b **Ancillary residential structures & activities**
 - Hard landscaping and elements that are important to the heritage item or conservation area are conserved.
- Conserve existing fences.
 - New fences are to be in scale and materials to match existing streetscape. Fences should be located on the building line.
 - Front fences should be of materials characteristic to the surrounding area, particular to the street and suitable to the era of the house. Examples include timber picket, low masonry and hedges.
 - Fencing should generally be open or transparent, or backed with a hedge, not solid.
 - Timber picket fences or timber post and wire on streetscape.
 - Colorbond fences not to be used where visible from the street.
 - Timber paling fences to be used on all side boundaries.
 - Rural fence types to be retained where existing.

9b Built & archaeological heritage

Outcomes to be achieved

Design guidelines

- New rural fences to be types such as post & rail, post & wire or post & wire mesh.

L. Demolition

- Demolition will only be considered in a Heritage Conservation Area if the item is assessed as non-contributory.
 - Demolition of a Heritage Item is generally not supported. The applicant will need to show that the item is not significant and is structurally unsound and cannot be conserved. It requires a full assessment: (see '*Structural Engineer's Report*' in section **9b.5 Supporting Plans and Documentation**).
 - If demolition is the only alternative, to ensure that while the physical features of a heritage item may be destroyed forever, an archival photographic record and measured drawings are kept for posterity
 - The extent of the impact on the broader community and future generations of the loss of the item is considered
- In the event of an assessment of heritage impact concluding that there is no alternative to the demolition, Council will generally require that any building(s) or items to be demolished are documented (archival photographic record and measured drawings) before and during demolition by a qualified heritage professional and that the place on which the demolition is to take place is examined before and during demolition by a qualified archaeologist or other heritage professional (see '*Measured Drawings and archival photographic study*' in section **9b.5 Supporting Plans and Documentation**).

M. Adaptive Reuse

- The new use requires minimal alterations to significant fabric and building elements, and any changes to these are reversible or have minimal impact on the heritage significance of the item.
- Any internal changes where visible from a public street do not compromise the external heritage significance of the building.
- Alterations and/or additions must meet the requirements for alterations and additions as provided in this section and the adaptive re-use must maintain the understanding of the building's original use

N. Conservation of heritage items in subdivision proposals

- Where a heritage item is in a state of disrepair, Council may negotiate its restoration as part of the subdivision proposal, having regard to both the need for a viable subdivision, and the desirability of maintaining heritage items for future generations. The conservation of an existing residence within a subdivision proposal is encouraged as the best outcome and should be considered with all new developments.

9b.6 Supplementary guidance

The following documents or reference materials provide further advice or information:



Various **NSW Government heritage information**. Some publications may be available from the NSW Office of Environment and Heritage, available at:

<http://www.environment.nsw.gov.au/Heritage/aboutus/index.htm> and
<http://www.environment.nsw.gov.au/heritage/publications/index.htm>

- [Design Guide for Heritage](#), Government Architect NSW, 2018.
- Design in Context – Guidelines for infill development in the historic environment. NSW Heritage Office and the Royal Australian Institute of Architects NSW Chapter Infill Guidelines Working Party, 2005
- Altering Heritage Assets, 1996, Heritage Office and Department of Urban Affairs & Planning, Sydney.
- Assessing Heritage Significance, 2001, Heritage Office.
- Photographic Recording of Heritage Items Using Film or Digital Capture, 2001 – Revised 2004, 2006, Heritage Office.
- Statements of Heritage Impact, 1996, Revised 2002, Heritage Office & Department of Urban Affairs & Planning

Local information

- *Upper Hunter Heritage Study Thematic History March 2017* (prepared by Mark Dunn for Upper Hunter Shire Council)
- Information on specific items on the NSW State Heritage Inventory Database at
<http://www.environment.nsw.gov.au/heritageapp/heritagesearch.aspx>
- Scone and Upper Hunter Historical Society - -
<https://sconehistorical.org.au/>

General Australian heritage references

A Heritage Handbook, Graeme Davidson and Chris McConville, Allen and Unwin, 1991

A History of Australian Gardening Books and a Bibliography 1806-1950, University of Canberra, 1986

A Pictorial Guide to Identifying Australian Architecture, R Apperly, R Irving and P Reynolds – Angus and Robinson, Sydney 1989

Australian Cottages, R Moore, S Burke and R Joyce, 1989

Australian Houses of the 20s and 30s, P Chuffley, 1989

Burra Charter 2013. Source: <http://australia.icomos.org/wp-content/uploads/The-Burra-Charter-2013-Adopted-31.10.2013.pdf>

Californian Bungalow in Australia, G Butler, 1992

Caring for Old Houses, I Evans, The Flannel Flower Press, 1989

Colour Schemes for Old Australian Houses, I Evans, C Lucas and I Stapleton, Flannel Flower Press, 1984

More Colour Schemes for Old Australian Houses, I Evans, C Lucas and I Stapleton, Flannel Flower Press, 1992

Decorative Plasterwork: Repair and Restoration, W D Stagg and R Masters, 1986

9b Built & archaeological heritage



- Fences for Town and Country*, J Stacpoole, John Maxwell and Associates, 1998
- Getting the Details Right; Restoring Australian Houses, 1890s – 1920s*, Department of Planning, Sydney 1989
- Great Gardens of Australia*, H Tanner Macmillan, 1976
- Historic Gardens in Australia – Guidelines for the Preparation of Conservation Plans*, Australian Garden History Society, 1983
- How to Restore the Old Aussie House*, I Stapleton, Flannel Flower Press, Sydney 1983
- Infill: Guidelines for the Design of Infill Buildings*, Heritage Council and Royal Australian Institute of Architects, 1988
- Restoring Old Australian Houses and Buildings; An Architectural Guide*, P Cox and H Tanner 1975
- The Australian House*, The Flannel Flower Press, Sydney 1983
- The Complete Australian Old House Catalogue*, The Flannel Flower Press, Yeronga, 1990
- The Federation House: A Restoration Guide*, I Evans, Flannel Flower Press, Sydney, 1986
- The Federation House: Australia's Own Style*, H Fraser and R Joyce, 1986
- The History and Design of the Australian House*, R Irving, 1985
- The Maintenance of Heritage Assets Manual*, Department of Planning and NSW Heritage Office, 1994
- Towards the Dawn: Federation Architecture in Australia 1890-1915*, T Howells and M Nicholson, 1989