



HERITAGE & YOUR PROPERTY

Guide to heritage conservation in Upper Hunter Shire

This document has been produced to assist owners and prospective owners of local heritage items or properties located within Heritage Conservation Areas.

WHAT IS HERITAGE?

Heritage is the environment, traditions and assets that we inherit from the past and preserve for the use and inspiration of future generations.

Heritage is linked with culture, which assists in our understanding of the past and influences the decisions we make about what should be preserved. What is regarded as heritage can vary between different people and groups from different cultural backgrounds.

The process of heritage identification aims to ensure that special places in our area are able to remain occupied, maintained and well managed so they may be appreciated now and in the future as a physical record of our past.

Heritage need not necessarily be picturesque or beautiful, but **valued** or of **importance** to identifiable groups or cultures, including indigenous as well as non-indigenous peoples and can include:

- Places and event sites
- Environments and habitats
- Buildings and trees
- Movable items or artefacts
- Archaeology

A list of the heritage items in the Upper Hunter Shire is available from Council or can be accessed from the NSW Office of Environment and Heritage website.



St Anne's Catholic Church in Merriwa

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ADVANTAGES OF HERITAGE LISTING

Many building owners and managers are concerned that heritage listing their properties will result in rules and regulations that restrict the use of, and changes to their property.

Heritage listing of properties and homes can be a source of pride and community focus. The main reason why people purchase heritage buildings is because they like them. It may be because of their character, wonderful setting, or their well established gardens.

The benefits of heritage listing can far outweigh any perceived negatives.

- Listing places no legal restriction on the sale or leasing of properties.
- Heritage buildings are best cared for when they are lived in and loved. This means they must be usable. Houses may need new toilets, bathrooms and kitchens; commercial buildings may need new services and fire protection.
- Listing does not exclude changes or additions or new buildings on the site, provided that these do not detract from the heritage significance of the listed items. This is consistent with what most owners want for their heritage properties. It is also consistent with advice from real estate agents that well looked after heritage properties are among the easiest to sell and can bring the highest prices.
- Listing does not exclude the adaptive re-use of a heritage item. Sometimes this is a sensible way of ensuring the future use of an important place. Examples include the conversion of a warehouse to residential use or the adaptation of a house to offices.
- Other than normal maintenance, it is not expected that owners of locally listed properties take any additional measures or undertake restoration work.
- Changing detail, fabric, finish or appearance of heritage items will require Council approval. Maintenance or replacement-of-like on heritage items and gardens does not require approval.
- Some owners occasionally open their heritage properties to the public, usually on an entry fee basis, either for themselves or charity. However, as with all private property, heritage listing does not allow the general public the right to visit the property without the express permission of the owner.

Owning a heritage-listed property brings other advantages:

Heritage listing provides certainty for owners, neighbours and intending purchasers. This is important when people are looking for a particular environment within which to live and work. It explains why certain suburbs, towns, villages and rural properties are sought after.

Protection of an item also requires the local council to consider the effect of any proposed development in the area surrounding heritage items or conservation areas. This is positive as it ensures an appropriate context for heritage items.

Through flexible clauses in local environmental plans, owners of heritage items can gain additional benefits when considering redevelopment.



St Mark's Anglican Church in Aberdeen

HERITAGE LISTING CRITERIA

Heritage listing of a property follows a legislated process outlined in the NSW Office of Environment and Heritage publication called **Assessing Heritage Significance**.

A study which looks at heritage listing of items is required to consider seven assessment criteria:

1. Is important in the course, or pattern, of NSW cultural, natural or local history;
2. Has strong or special association with the life or works of a person, or groups of persons, of importance in NSW cultural, natural or local history;
3. Item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW;
4. Has strong or special association with a particular community or cultural group in NSW for social, cultural or spiritual reasons;
5. Has potential to yield information that will contribute to an understanding of NSW cultural, natural or local history;
6. Possesses uncommon, rare or endangered aspects of NSW cultural, natural or local history; and
7. Is important in demonstrating the principal characteristics of a class of NSW cultural, natural or local places, or cultural or natural environments.

A copy of this publication is available on the NSW Office of Environment and Heritage website.



Pioneer Cottage in Murrurundi

DESIGN THAT IS RESPONSIVE TO HERITAGE

All design decisions should be measured against the effect they may have on the significance of the place and/or the components of the place.

- How will the development change the place and its setting?
- How will it affect its significance?
- How will it affect the locality and its amenity?
- How will it affect the owner, user and other interested people or groups?
- Is this proposal encouraging unwanted or inappropriate precedents in the locality?

These questions need to be asked in relation to a subdivision or to a finished building or to its modification.

HERITAGE LISTED? HOW TO FIND OUT

In NSW there are two types of statutory heritage listing. A property is a heritage item if it is listed in the:

- Heritage schedule of the local council's Local Environmental Plan (LEP).
- State Heritage Register, which provides a list of places and items of particular importance to the people of NSW.

There are also many non-statutory heritage lists, such as the National Trust Register and the Royal Australian Institute of Architects' Register of 20th Century Buildings. Although these registers do not provide legal protection, they help to alert the community to the intrinsic heritage value of particular places.

ALTERATIONS & ADDITIONS

Heritage properties need to be occupied and used. If an owner wants to extend to provide additional bedrooms or living areas, or a commercial business requires more space, they are able to add to their home or building to accommodate those needs. Obviously this needs to be appropriate development and consider the values of the heritage item or conservation area, however, the heritage listing does not stop alterations or additions to a property. It is advised that you discuss your plans with Council and the Heritage Advisor prior to undertaking the work.

The Upper Hunter Development Control Plan 2015, Part 9 Heritage Conservation includes heritage guidelines that will help with new building work.

ASSESSING IMPACTS ON HERITAGE

The impact or effect of changes to a place, building or item can be predicted once the character and significance of the place or in the case of a building or item, the context, setting and significance are known and are clearly defined.

This information and analysis will need to be formalised as a report referred to as a Statement of Heritage Impact. This report is to be prepared in the form prescribed by the NSW Office of Environment and Heritage, in their publication Statements of Heritage Impact, Heritage Office of NSW, 2005. This publication identifies the format, the issues to be addressed and the nature of the conservation policy document required for various types of developments in or around heritage items.

When a proposal for alterations, additions, demolition or other development is being prepared for:

- A building of heritage significance
- A building in a conservation area or within the historic curtilage of a heritage item
- Or within the vicinity of a heritage place or item

An assessment of significance and of the possible heritage impacts should be considered and formalised in the **statement of heritage impact** accompanying the development application.

In the case of items listed on the State Heritage Register, the application will be referred to the NSW Office of Environment and Heritage as integrated development, for assessment by their specialist staff.

LOCAL HERITAGE FUNDING

Council and the NSW Office of Environment & Heritage provide a small assistance fund that can be used for painting heritage colour schemes, front fence replacement and reinstatement of missing heritage elements such as window awnings and verandahs.

The applications for the Heritage Assistance Fund must be lodged and approved prior to the commencement of the works.

Application forms for the Heritage Assistance Fund are available at Council offices or on Council's website.

Further information can be obtained from Council, via the Council's website or from Council's Heritage Advisor.

CONSULTING WITH COUNCIL

Council's Heritage Adviser can assist by providing advice, direction, information or contacts that are able to assist with investigating history or character statements for the area. Assistance can also be provided on technical issues associated with design and or conservation procedures. Information is provided at no cost.

We recommend that owners meet with Council's Heritage Advisor to discuss maintenance and new building work.

- Council's Heritage Advisor can provide advice on colour, proportions, materials, details, how to find special trades.
- Collect historical information about your place from family and local sources.
- Take photographs of the heritage item before any work is done as a record.



Swinging Bridge in Murrurundi

WHO CAN I CONTACT FOR MORE INFORMATION?

If you require further advice, please make an appointment with Council's Heritage Advisor by calling 6540 1100.

If you would like to learn more about heritage in the Upper Hunter Shire, please visit Council's website at:

upperhunter.nsw.gov.au/our-shire/our-local-history.aspx

Recommended Links

Assessing Heritage Significance

www.environment.nsw.gov.au/research-and-publications/publications-search/assessing-heritage-significance

Office of Environment and Heritage - Heritage information

www.heritage.nsw.gov.au

NSW State Heritage Register Search

www.environment.nsw.gov.au/heritageapp/heritagesearch.aspx

National Trust NSW

www.nationaltrust.org.au/nsw/

Upper Hunter Local Environmental Plan 2013

www.legislation.nsw.gov.au/~view/EPI/2013/756

Upper Hunter Shire Heritage Inventory

www.legislation.nsw.gov.au/~view/EPI/2013/756/sch5

Development Control Plan - Part 9: Heritage Conservation

Includes heritage conservation area maps and design guidelines.

upperhunter.nsw.gov.au/our-services/building-planning/development-control-plan.aspx



Civic Theatre in Scone undergoes restoration 2018



*Not all information on listings could be provided in this brochure.
For further information and advice please contact Council's Heritage Advisor - a free service.*

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