

TALLAGANDA SHIRE
COUNCIL

Development Control Plan No. 1

ENVIRONMENTAL
HERITAGE PROVISIONS

1ST MARCH 1998

**TALLAGANDA ENVIRONMENTAL HERITAGE
DEVELOPMENT CONTROL PLAN**

1. Introduction and Aims of the Plan

1.1 Introduction

1.2 Aims of the Plan

1.3 Citation

2. Development to be Carried Out on Heritage Items

2.1 Application of Clause

2.2 General Considerations of Application

2.3 Alterations to Existing Buildings

2.3.1 Inventory Forms

2.3.2 Materials

2.3.3 Fenestration

2.3.4 Fences

2.3.5 Landscaping

3. Development in the Vicinity of Heritage Items

3.1 General Consideration of Application

3.1.1 Setback

3.1.2 Height

3.1.3 Roof Forms and Pitch

4. Development in the Wallace Street Heritage Conservation Area

4.1 Land to which this Clause applies

4.2 Development of Land in a Heritage Conservation Area

4.3 Erection of New Building and Alterations to Existing Buildings – Architectural Design

4.3.1 Inventory Forms

4.3.2 Verandahs

4.3.3 Awnings

4.3.4 Parapets

4.3.5 Height

4.3.6 Roof Forms and Pitch

4.3.7 Setback

4.3.8 Materials

4.3.9 Fenestration

4.4 Advertising and Signage

- 4.4.1 Above Awning Advertising and Signage
- 4.4.2 Below Awning Advertising

4.5 Infill Development

4.6 Urban Form

4.7 Town Approaches

4.8 Landscaping

4.9 Dwelling Houses

5. Savings Clause

Schedule 1 - Heritage Items – Listed in the Tallaganda LEP 1991

Schedule 2 - Items of Heritage Interest in the Shire of Tallaganda

Schedule 3 - Dwellings in Heritage Conservation Areas

Annexure 1 - Guidelines for Infill Development in Conservation Areas

Annexure 2 - Historical Context

**Annexure 3 - How to Carry Out Works on Heritage Buildings and Sites – A Practical Guide
(Department of Urban Affairs and Planning and the Heritage Council of NSW)**

1.1 Introduction

The Tallaganda Shire Council has recently completed a suite of studies into the heritage significance and goals and mechanisms for heritage conservation within the Shire. These studies include:

- The Tallaganda Shire Rural Heritage Study;
- The Braidwood Urban Conservation Guidelines;
- The Braidwood Perimeter Study; and
- The Park Lane Square Conservation Plan.

These studies have been used as a reference to the preparation of this Development Control Plan (DCP) and will serve as an ongoing resource in providing detailed statements of significance and heritage item inventories which assist Council in determining policies and individual development proposals.

The significant changes to the original DCP provided by this amendment are:

- a Shire-wide focus rather than concentration on the Braidwood Village;
- promotion of adaptive reuse of heritage items;
- recognition that heritage items are not restricted to the Shire's built form.

The DCP also recognises that the greatest threat to the stock of heritage items in the district is through neglect or dereliction, matters over which local and state policies have little control. The development of heritage items, either alterations or demolition, are not posing a significant threat to the stock of items at present.

In fact, development proposals over heritage items are probably the largest contributors to the conservation of heritage items within the Shire. This in part reflects the growing recognition of the economic importance of the Shire's heritage assets in support of tourism development.

1.2 Aims of Plan

This development control plan is one of the strategies for implementing the aims and objectives of the Tallaganda Local Environmental Plan 1991 and supplements the plan by:

- a. Setting out the matters which Council will consider in determining applications which might effect the environmental heritage of the Shire of Tallaganda;
- b. Identifying heritage items in addition to those already identified in the Tallaganda Local Environmental Plan 1991; and
- c. Seeking to conserve and enhance the historical architectural landscape and streetscape elements which contribute to the distinctive character and unique environment of the Wallace Street Heritage Conservation Area.

1.3 Citation

- a. This plan is called "Tallaganda Development Control Plan No. 1 – Environmental Heritage Provisions" and is a Development Control Plan pursuant to Section 72 of the *Environmental Planning and Assessment Act, (1979)*, and has been prepared in accordance with the provisions of the *Environmental Planning and Assessment Regulation, (1980)*.
- b. This plan shall come into force in accordance with Clause 24(2) of the *Environmental*

Planning and Assessment Regulation, (1980).

- c. This plan may be varied only in the manner provided for in the Environmental Planning and Assessment Act, (1979) and the Regulations thereto.

2. DEVELOPMENT TO BE CARRIED OUT ON HERITAGE ITEMS

2.1 **Application of Clause**

This clause applies to those buildings, works, relics and places which have been identified as heritage items in the Tallaganda Local Environmental Plan 1991 in Schedule 1 and attached to this development control plan.

2.2 **General Consideration of Applications**

When considering a development application in respect of proposed works on heritage items, the Council shall not grant consent unless it has made an assessment of:

The significance of the item;

- b. The extent to which the carrying out of the development will affect the architectural, aesthetic, cultural, social, archeological, natural or scientific significance of the item and its site;
- c. Whether the setting of the item, and in particular, whether any stylistic, horticultural or archeological features of the setting should be retained;
- d. Whether the item constitutes a danger to the users of that item or to the public; and
- e. The likely impact of the proposed development not proceeding.

2.3 **Alterations to existing buildings**

Due to the importance of the buildings in being recognised as a heritage item, the Council will not grant consent to the alteration of a building unless the Council is satisfied the following matters have been considered by the developer in the initial planning and design of the proposed alterations:-

2.3.1 **Inventory Forms**

When in receipt of development applications for the alteration to the exterior of existing buildings, the Council shall not grant consent to the proposed works unless an assessment has been made of the relevant inventory applicable to the respective building (available from Council) by both the applicant and Council, and until such time as Council is satisfied the proposed design is in keeping with the building's original architectural design.

2.3.2 **Materials**

As the materials used in the construction of the heritage item play an important part in the integrity of the building, it is imperative that:-

- a. **Building materials used in construction for all alterations of the exterior of the existing building be of similar type or compatible to those used in the original construction of the building, and**
- b. **The colours to be used in construction of the building works are to be in keeping with the original colours of the item's period.**

2.3.3 **Fenestration**

This term is used to describe the arrangement of openings in a wall for the purposes of doors and windows. Therefore, careful consideration by Council will be given toward the proposal to ensure an ordered symmetry or rhythm of wall area to window and door openings is achieved.

2.3.4 Fences

The fencing of those heritage items that are located in residential sectors make an important contribution to the overall value of the historical building. It is therefore important that in the redesign or alteration of a heritage item which includes the erection of a front fence, that the design of the fence be in keeping with the historical period of the building.

2.3.5 Landscaping

The architectural aspect of a heritage item is indeed the most important consideration in the appearance of a building, however, landscaping is a vital ancillary component that becomes the finishing touch to the overall development.

With this in mind, Council will not grant consent of the alteration of an existing building involving the removal of mature trees unless an assessment has been made of the value of the trees. This assessment should seek to justify the tree removal and provide alternative tree plantings to overcome the removal.

3. DEVELOPMENT IN THE VICINITY OF A HERITAGE ITEM

3.1 General consideration of application

Proposed development being carried out close to an item of the environmental heritage can have a disastrous effect on that item if careful and sensitive design work is not initiated.

Therefore, Council shall not consent to the carrying out of development adjoining or adjacent to land on which a heritage item is situated unless the applicant and Council have made a thorough assessment of the effect which the carrying out that development will have on the architectural, aesthetic, cultural, social, archaeological, natural or scientific significance of the item of environmental heritage and its setting.

In respect of this consideration process, careful assessment should be made by both the developer and Council on the following matters:-

Particular regard shall be given to the design and siting of buildings in areas where a certain character predominates and reflects a particular type or period of construction. For example, the clusters of cottages identified in Elrington Street as part of the Braidwood Village Urban Conservation Guidelines (Freeman Leeson, 1997).

3.1.1 Setback

To help ensure the continuity of building is attained in the vicinity of a heritage item, the building setback for all new development is to be relative to adjacent buildings.

3.1.2 Height

The height of a new building can completely overshadow or destroy the significance of a heritage item and as such, the height of new buildings adjoining that of an item are not to exceed plus or minus twenty per cent of the existing adjacent building.

3.1.3 Roof forms and pitch

Whilst Council recognises the desire for freedom in building design, it also recognises the importance of uniformity in roof forms and pitch when considering the preservation of a heritage item. Council, therefore, requires that, where a new building is to be erected adjoining a heritage item:-

- a. Roof forms for all new buildings are to be of similar design to that of the existing adjacent form; and
- b. The roof pitch for all new buildings are to be similar to that of the existing adjacent form.

4. DEVELOPMENT IN THE WALLACE STREET HERITAGE CONSERVATION AREA

4.1 Land to which this clause applies

This clause applies to the land identified in the Wallace Street Braidwood Heritage Conservation Area. This street has been identified as an area that exhibits a streetscape of outstanding heritage significance from an historic, architectural and townscape perspective.

4.2 Development of land in a conservation area

Unsympathetic development on land in a heritage conservation area can destroy the unique historical atmosphere generated by the various items located therein. As such, the Council shall not consent to a development application in respect of land within a heritage conservation area unless it has made an assessment of:-

- a. the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage conservation area;
- b. whether a refusal to grant consent would constitute a danger to the users of occupiers of that land or the public; and
- c. the likely impact of the proposed development not proceeding.

4.3 Erection of new buildings and alterations to existing buildings - architectural design

In an effort to retain or reinstate the characteristic architectural elements of the heritage conservation area, the Council shall not grant consent to the erection of new buildings or the alteration of the exterior of existing buildings within the heritage conservation area unless the Council is satisfied the following matters have been considered in the initial planning and design of the development:-

4.3.1 Inventory Forms

Inventory forms provide information concerning the historical relevance of a particular heritage item.

As such, when Council considers a development application for the alteration to the exterior of buildings, the Council shall not grant consent to the proposed works unless an assessment has been made of the relevant inventory form applicable to the respective building (available from Council) by both Council and the applicant and until such time as Council is satisfied the proposed design is in keeping with the building's original architectural design.

4.3.2 Verandahs

Verandahs play an important role in the aesthetic uniqueness of a building and streetscape as well as providing practical relief from a rigorous and changeable climate that Braidwood has to offer. As such:-

- a. The Council shall not grant consent to the enclosure of verandahs or upper floor balconies other than by use of traditional latticework or blinds; and
- b. The Council shall not grant consent to the removal of verandahs unless it is found that, after exhaustible research, no other economic option is available.

4.3.3 Awnings

The design of all new commercial developments in the business sector of the heritage conservation area shall incorporate the continuation of existing awning levels.

4.3.4 Parapets

As parapets make an important contribution to the skyline of the commercial sector of Wallace Street, all existing above awning parapets are to be retained or reinstated.

4.3.5 Height

The height of a new building also contributes to the skyline of the townscape and it is imperative that the height of new buildings not exceed plus or minus ten per cent of the height of the existing adjacent buildings.

4.3.6 Roof forms and pitch

Uniformity of roof forms and pitch is of vital importance if the historical uniqueness of the heritage conservation area is to be retained. Council, therefore, requires:-

- a. Alterations to existing buildings are to reflect and integrate with existing roof forms;
- b. The roof forms for all new constructions are to be similar to that of the existing adjacent forms; and
- c. The roof pitch for all new buildings and alterations are to be similar to that of the existing adjacent roof lines.

4.3.7 Setback

To ensure a continuity of building line is attained in Wallace Street, the building setback for all new developments is to be relative to adjacent buildings.

4.3.8 Materials

If the characteristic architectural elements in the heritage conservation area are to be retained and reinstated, it is imperative that:-

- a. Building materials used in construction for all alterations to the exterior of existing buildings be of similar type or compatible to those used in the original construction of the building; and
- b. The colours to be used in construction of the building works are to be in keeping with the original building's colours and in sympathy with the existing streetscape. Heritage colours consistent with the period of the building should be used.

4.3.9 Fenestration

The arrangement of openings in the wall (known as fenestration) is important, especially the placing and proportions of windows and doors. Therefore:-

- a. The building design for all works to be carried out on both new and existing buildings are to ensure an ordered symmetry or rhythm of wall area to window and door openings is achieved; and
- b. The Council shall not consent to the erection of new buildings or the alteration of existing buildings unless the Council has made an assessment of the style, size, proportion and position of the openings for windows and doors.

4.4 Advertising and signage

The misuse of advertising by the commercial sector can seriously impair the character of individual buildings and the historic streetscape, while a creative and yet sympathetic approach can enhance and enrich the appearance of the building and add vitality to the area.

4.4.1 Above awning advertising and signage

- a. In an effort to continue the traditional, simple and symmetrical Roman / Gothic style of advertising in the conservation area, Council shall not grant consent to the establishment of above awning advertising signs unless Council has made an assessment of:-
 - i. The style of lettering - preferably, but not categorically, sans serif AGothic or ARoman style or simple modern face (eg sans serif AGrotesque, ABerling, AClarendon, AHelvetica)
 - ii. The location, size and number of signs; and
 - ii. The materials and colours to be used in construction.

4.4.2 Below awning advertising

Whilst not desiring to restrict advertising styles for below awning areas, the Council shall not issue a consent or licence for the establishment of advertising signs unless the design of such signs is generally in keeping with the historical nature of the building, is not in conflict with adjoining buildings or the historical streetscape, and is in keeping with the purpose of the building or business.

4.5 Infill Development

Infill development is best described as new development taking place on vacant land or replacing derelict property within the existing neighbourhood fabric. It is important to ensure a sense of continuity is achieved when infill development is proposed as property values will be affected if out of character development is permitted.

Therefore, Council shall not grant consent to infill development unless it has made careful assessment of those matters listed under the heading **AGuidelines for Infill Development**≅ annexed to this Development Control Plan (Annexure 1).

4.6 Urban Form

One of the key historical characteristics of Braidwood is the compactness of the town without more modern surrounding low density development ribbon development along approach routes.

Recent studies have identified the appropriate locations for the expansion of the village, on service and function grounds as well as heritage, as being to the south of Cowper Street and adjoining the golf course on Glenmore Road. Both of these sites can be visually and physically separated from the original township.

Treatment of these expansion areas should be flexible, allowing for the diversity of choices in housing style which may not be best suited to the areas of heritage significance within the existing township.

Similarly, the physical and visual separation from the existing township provides an opportunity to develop lot layouts which are distinct from the Georgian Grid layout of the existing township.

4.7 Town Approaches

Protection of the town approaches is necessary on the distant approaches of major roads (Kings Highway, Nerriga Road, Mongarlowe Road, Cooma Road and Araluen Road) and the near approaches to Wallace Street of both Solus Street and Lascelles Streets.

Current Council controls through the Local Environment Plan (1991) provides for refusal of development proposals which would lead to ribbon development. In conjunction with landscaping and building controls visual intrusion by developments which are inconsistent with the character of town as its major approach roads should not be permitted.

Lascelles and Solus Streets each serve as entries to Wallace Street and each has its own use and scale of buildings. The buildings in Solus Street, most of which have some form of heritage significance, provide a near approach consistent with the heritage character of Wallace Street. Any new development on Solus Street should be consistent with the current character (bulk, scale, materials, colours setback etc) of the street.

Lascelles Street (from the Kings Highway to Wallace Street) is a mix of modern residential and commercial buildings with a mix of historic dwellings including St Bede's Catholic Presbytery. The nature of the commercial uses (eg service stations) often means that development will be in conflict with places of heritage significance.

Whilst recognising the importance of commercial uses of this area, development should have regard to the importance as an approach to the historic township and the items of heritage significance by ensuring

that development has regard to appropriate design and siting including factors such as landscaping and building bulk, scale, materials, colours, setbacks etc).

4.8 Landscaping

Within the Wallace Street Conservation Area, horticulture has played an important part in creating a visually pleasing aspect especially when viewed from the northern end of the street.

In an effort to conserve and enhance the streetscape, Council encourages the street=s residents to care for those existing trees and shrubs as well as the shrubs that have been previously planted in garden pots etc. As Ryrie Park is a dominant and most important feature of Wallace Street, Council will continue its program of park and tree maintenance. The mowing of the pedestrian verges by landowners is also encouraged to ensure Wallace Street remains a unique and aesthetically pleasing attraction.

The removal of any trees from within the Conservation Area requires the consent of Council.

4.9 Dwelling Houses

There are a number of dwelling houses within the conservation area that provide an impressive and important reminder of 19th Century residential architecture. As such, in an effort to retain this valuable record of early Australian residential forms, the Council shall not grant consent to the alteration of those dwelling houses listed in Schedule 3 unless the proposed alterations retain the traditional front facade, various details, fencing and, where possible, horticulture.

5. SAVINGS CLAUSE

Notwithstanding the provisions of this development control plan, Council does not require development consent for those alterations to existing premises which involve works that are deemed minor by Council. These works would involve minor plumbing, painting and replacement of guttering etc.