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Heritage

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Section 1 – Introduction

This chapter of the Development Control Plan is focused on ensuring that there is sufficient understanding of the significance of Kiama Local Government Area's heritage, and that future development is undertaken in accordance with legislative requirements and in a way that is sensitive to the significance of heritage items.

Section 2 – Aboriginal Cultural Heritage Management

Aims

- To ensure that Aboriginal cultural heritage values, both objects and tangible sites or features as well as intangible spiritual and cultural values, are fully and effectively addressed in the development assessment process and afforded appropriate protection or management consistent with legislative requirements.

Objectives

- To provide detailed controls and guidelines intended to assist in the identification, protection and conservation of Aboriginal cultural heritage sites and values in the Kiama Municipal Council Area for the benefit of its citizens, the community generally and for future generations;
- To increase proponent's awareness of Aboriginal cultural heritage matters and promote the increased identification and recognition of Aboriginal cultural heritage sites and values in the planning and development process;
- To provide potential proponents and the wider community with clear and accessible information on Council's requirements, and other legislative requirements, for the conservation of Aboriginal cultural heritage sites and values;
- To promote and encourage appropriate and sympathetic site design and development solutions for areas having known, or potential, Aboriginal cultural heritage sites and values; and
- To increase community awareness and appreciation of the Aboriginal cultural heritage sites and values of the Kiama Municipal Council area.

Controls

- C1 The Aboriginal Cultural Heritage Management Development Assessment Toolkit adopted by Council 21 May 2013 shall be used as a point of reference.**
- C2 Council will require a Preliminary Aboriginal Cultural Heritage Investigation to be undertaken for a development proposal that is:

- within an environmentally sensitive area, as defined by the Kiama LEP 2011; or
- for a site containing mature trees, that may be over 150 years old and so have the potential for Aboriginal scarring (including living trees, standing dead trees, stumps or stags, fallen trees and logs); or
- for a site containing any of the following small scale landscape features that may potentially hold Aboriginal cultural heritage sites/objects:
 - the riparian corridor 200 metres wide on each side of permanent or ephemeral creeks;
 - watercourses (including waterways subsequently modified by post-settlement activity);
 - sandstone outcrops adjacent to waterways/watercourses;
 - exposed sandstone platforms or relatively level sandstone outcrops (including platforms and outcrops that may have been buried or covered due to post-contact land uses);
 - rock overhangs/shelters over 1 metre high (especially with relatively level and/or dry floors);
 - areas of undisturbed native vegetation in excess of 100 square metres or covering 10% or more of a site (whichever is the greater for the site in question);
 - spurs, ridgelines, ridge tops and high points or knolls; and
 - cliffs, including areas above or below cliff lines; or
- located within a “sensitive landscape setting” which includes land which is:
 - within 200 metres of waters (meaning any river, stream, lake, lagoon, swamp, wetlands, natural watercourse, or tidal waters including the sea); or
 - located within a sand dune system (including marine/coastal, estuarine, fluvial/riverine or Aeolian dunes); or
 - located on a ridge top, ridge line or headland; or
 - located within 200 metres below or above a cliff face; or
 - within 20 metres of or in a cave, rock shelter, or a cave mouth.

C3 Council will require an Aboriginal Cultural Heritage Assessment to be undertaken for development proposal that is:

- within a site that is part of an Aboriginal Place as declared under the *National Parks and Wildlife Act 1974*; or
- for a site containing a known Aboriginal site or object, as recorded by the Office of Environment and Heritage or indentified by previous Aboriginal cultural heritage studies prepared for or held by Council (refer to Council for further information regarding areas that may be covered by these previous studies).

C4 An Aboriginal Cultural Heritage Investigation or Assessment is not required:

- for sites that Council considers as being highly disturbed landscapes (and do not contain a declared Aboriginal Place or known Aboriginal site or object); or
- where it can be demonstrated that the site has been substantially disturbed over an equal or greater area, and to an equal or greater depth and/or severity, than would result from the proposed development or activity; or
- where a detailed Aboriginal Cultural Heritage Assessment or archaeological investigation, of an acceptable standard and including the required level of Aboriginal community consultation, has been undertaken over the entire site within the last 10 years.

- C5 Aboriginal Cultural Heritage Investigation's shall be undertaken by a suitably qualified or experienced person, with expertise in Aboriginal cultural heritage, and will include as a minimum:
- a search of the Aboriginal sites database and other information held by the Office of Environment and Heritage;
 - the involvement of, and consultation with, local Aboriginal people or organisations;
 - background research relevant to the site, its Aboriginal cultural heritage context, landscape setting, and land use history; and
 - an on-ground site inspection.
- C6 Aboriginal Cultural Heritage Assessment's shall be undertaken by a suitably qualified and experienced person, with expertise in Aboriginal cultural heritage, and will be consistent in terms of consultation with the Aboriginal community, process and content with the Office of Aboriginal Cultural Heritage Management Environment and Heritage publication *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (2010) and other applicable guidelines as published by this agency. Adequate consultation with the Illawarra Aboriginal community will be a critical element in the preparation of an Aboriginal Cultural Heritage Assessment.

2.1 Unexpected Aboriginal Finds

Objective

- To protect and conserve any unexpected Aboriginal finds discovered during the development of land within the Kiama LGA.

All Aboriginal relics in NSW are protected under the *National Parks and Wildlife Act 1974*, which makes it an offence to knowingly damage, disturb, deface or destroy an Aboriginal relic or site. The following requirements apply to any unexpected find containing Aboriginal cultural material during demolition, excavation or construction:

- All works must cease immediately and the Office of Environment and Heritage (OEH) must be informed of the find.
- Should there be any human remains in the find, then the NSW Coroner's Office and the NSW Police must also be informed.
- Following any finds, the OEH, the local Aboriginal Land Council, the Kiama Aboriginal Reference Group and a suitably qualified and experienced archaeologist shall be consulted in the preparation of a management strategy, with all costs to be borne by the developer, which may include the requirement to apply for an Aboriginal Heritage Impact Permit with OEH.
- The find will be recorded in accordance with the requirements of the *National Parks and Wildlife Act 1974* and OEH guidelines.
- Work shall not recommence on site until advised in writing by the OEH.

2.2 Known or Potential Archaeological Sites

Objective

- To protect and conserve archaeological or potential archaeological sites.

Where the development of a known or potential archaeological site involves disturbance, Council will notify the NSW Heritage Branch of the Office of Environment & Heritage for the purposes of seeking a advice on the development proposal.

Controls

- C7 Council may require that an archaeological assessment of a site be carried out prior to the determination of a development application.

Section 3 – Cultural Heritage Management (Historical)

Aims

- To ensure that identified values of heritage listed sites are fully and effectively addressed in the development assessment process and afforded appropriate protection or management consistent with legislative requirements.

Objectives

- To provide detailed controls and guidelines intended to ensure that new development in the vicinity of a heritage item or on the site of a heritage item, maintains and enhances the heritage values of the item for the benefit of Kiama Local Government Areas' citizens, the community generally and for future generations.
- To provide detailed controls and guidelines intended to ensure that alterations and additions to heritage items are carried out in a manner which maintains and enhances the heritage values of the item for the benefit of Kiama Local Government Areas' citizens, the community generally and for future generations.
- To ensure that public domain heritage items which includes, but is not limited to trees, parks, monuments and cemeteries are adequately maintained and conserved for the benefit of Kiama Local Government Areas' citizens, the community generally and for future generations.

The built heritage of Kiama LGA is protected under the provision of State Government legislation which includes the *Environmental Planning and Assessment Act 1979* and the *Heritage Act 1977*. To assist in the management of heritage items, levels of significance are assigned to an item. In NSW, a heritage item may be identified as having a State or Local level of significance. Schedule 5 in Kiama LEP 2011 lists 163 heritage items comprising residential and commercial properties, municipal and industrial properties, places of Worship, State and Commonwealth government properties, dry stone walls,

cemeteries and grave sites, parks, monuments and trees, movable objects, and archaeological sites. There are thirteen heritage items of State significance identified on the State Heritage Register which are located in the Kiama LGA and these items have value to the people of New South Wales and to the Nation as a whole.

3.1 When is Development Consent Required?

Certain types of development on land that contains a heritage item will require consent from Council i.e. the submission of a Development Application (DA). Clause 5.10(2) of Kiama Local Environmental Plan (LEP) 2011 lists a range of activities which require development consent.

Developers and their consultants are encouraged to discuss their proposals with Council's Development Assessment Officers prior to preparing concept plans and submitting a Development Application. Council may refer concept plans onto its Heritage Advisor where development impacts require an expert assessment. Such consultation may benefit the applicant in ensuring smooth processing of their application and earlier determination times.

The successful design of new development in the vicinity of a heritage item, on the site of a heritage item, and alterations and additions to a heritage item must have regard, and be appropriate under the following design criteria:

- a) *Character*
The character of the built environment is shaped by many contributing factors including: the natural landform; landscape elements; date and style of buildings; scale and form of buildings; street and subdivision patterns; building setbacks; materials and details; and views, vistas and skylines.
- b) *Scale:*
Scale encompasses proportion, height and bulk, and relates to the size of buildings relative to surrounding buildings.
- c) *Form:*
Form relates to the overall shape and volume of a building, and the arrangement of its parts including the roof and façade.
- d) *Siting:*
Siting relates to the positioning of buildings on allotments, which includes houses, garages and carports.
- e) *Materials and Detailing:*
Proposed alterations and additions to heritage items and new development in the vicinity of a heritage item or within the site of a heritage item should recognise and respond to the predominant materials, textures, and details which contribute to the character of a locality.

Also, to ensure that proposed development is appropriate in rural settings, the design criteria within Chapter 6 - Rural Development shall be referred to and suitably addressed.

3.2 When is Development Consent Not Required?

Some works do not require development consent where Council considers that the proposed works are of a minor nature and will not have an adverse impact on the heritage significance of the heritage item. Clause 5.10(3) of Kiama LEP 2011 lists a range of activities which do not require development consent.

Developers and their consultants are advised to contact Council's Development Assessment Officers to confirm if consent is not required for their proposed works.

3.3 When is a Heritage Management Document Required?

Council must consider the effect the proposed development will have on heritage items located on the development site or on adjoining lands. To assist Council in assessing impacts, a heritage management document may be required to be submitted with the DA in the form of a Heritage Impact Statement and/or Conservation Management Plan. Developers and their consultants are advised to contact Council's Development Assessment Officers to confirm what heritage management documents are required to be submitted with a DA.

3.4 What is a Heritage Impact Statement?

A Heritage Impact Statement (HIS) is a succinct report prepared by a professional heritage consultant which includes the following:

- Why the item is of heritage significance; and
- What impact the proposed works will have on that significance; and
- What measures are proposed to mitigate negative impacts; and
- Justification for the option chosen.

A HIS should be prepared in accordance with NSW Heritage Branch of the NSW Office of Environment & Heritage (OEH) published guidelines.

3.5 What is a Conservation Management Plan?

A Conservation Management Plan (CMP) is generally required for items listed in the State Heritage Register and is a more detailed report than a HIS. A CMP consists of two parts:

- Part 1 assesses the significance of a place and its elements and provides a succinct statement of significance; and
- Part 2 provides policies and strategies to help guide future works, management, and maintenance of the place. The policies must address all of the issues required to retain the significance of the place and its elements.

CMP's shall be prepared by professional heritage consultants in consultation with Council. The structure of the CMP should follow the methodology and structure outlined in J.S. Kerr, *The Conservation Plan*, 6th edition, National Trust of Australia (NSW) 2004, and NSW Heritage Branch published guidelines.

3.6 What is the Burra Charter?

The Burra Charter is a statement of conservation principles developed in 1979 by the Australian Chapter of the International Council on Monuments and Sites (ICOMOS). The Charter provides a set of definitions, principles, processes and practices to guide the conservation of places. The Charter identifies the significance of a place from the following values: Historical, Aesthetic, Social and Scientific.

3.7 How is 'heritage significance' defined?

The NSW Heritage Branch of the Office of Environment and Heritage has established seven criteria for assessing heritage significance, which encompass the four values in the Burra Charter:

- Criterion (a) - An item is important in the course, or pattern of NSW's cultural or natural history (or the cultural or natural history of the local area).
- Criterion (b) - An item has strong or special association with the life or works of a person, or group of persons of importance in NSW's cultural or natural history (or the cultural or natural history of the local area).
- Criterion (c) - An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area).
- Criterion (d) - An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons.
- Criterion (e) - An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area).
- Criterion (f) - An item possesses uncommon, rare, or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area).
- Criterion (g) - An item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places and Cultural or natural environments.

As a general rule to proposing a change to a heritage item, the Burra Charter advocates a cautious approach: *Do as much as necessary to care for the place and make it useable, but otherwise change it as little as possible and implement changes that do not compromise the cultural significance of the property or locality.*

3.8 What conservation incentives are there?

In order to assist owners and managers of heritage items, Council may grant consent to development for any purpose on the site of a heritage item where there is demonstrated benefit towards the conservation of the item, even though development for that purpose would otherwise not be allowed in the Kiama LEP 2011. Clause 5.10(10) of Kiama LEP 2011 sets out five criteria which must be satisfied before consent can be granted.

Council can also provide advice for owners and managers of heritage items. This type of advice includes information and guidance on infill development, alterations and additions, colour schemes, fencing, and repair and maintenance.

For properties listed on the State Heritage Register or Register of the National Estate, there may be potential for State and/or Federal government funding. There may also be potential tax benefits for heritage listed properties which should be discussed with a qualified professional accountant.

Controls for New Developments

- C8 New development in the vicinity of a heritage item or on the site of a heritage item should harmonise with its surroundings. Through careful analysis and evaluation of the historic context of the heritage item, new development must be appropriate in its scale, form, siting, materials and colour and detailing.
- C9 New development in the vicinity of a heritage item or on the site of a heritage item need not replicate exactly that of the heritage item, but rather through careful analysis of significant design characteristics sympathetically interpret and design new works which are in harmony with the character of the heritage item.
- C10 New development in the vicinity of a heritage item or on the site of a heritage item should recognise the predominate scale (height, bulk, density, grain) of existing development and respond sympathetically in the design of new works.
- C11 The form of new development in the vicinity of a heritage item or on the site of a heritage item need not replicate exactly that of adjacent historic properties, but should however visually respect and relate to them in a positive way.
- C12 The form of new development in the vicinity of a heritage item or on the site of a heritage item should respond to adjacent historic properties with respect to treatment of facades and side elevations visible from the street or prominent locations.
- C13 The design of roof forms for new development in the vicinity of a heritage item or on the site of a heritage item should respect the scale, form, detail and pitch of adjacent historic properties.
- C14 New development in the vicinity of a heritage item should be sited to reflect the prevailing rhythm, spacing, orientation, and front and side setbacks of buildings within a streetscape or landscape which includes a heritage item.
- C15 New development within the site of a heritage item should be sited to minimise adverse impacts on the setting and significant views to and from the place.
- C16 The design of facades/walls in development located in the vicinity of a heritage item or on the site of a heritage item that are visible from the street or prominent location should use materials and colours which are characteristic of the area, such as brickwork, render or timber etc. Other materials may be used but must be harmonious and sympathetic with the character of the area and should be chosen for their complimentary qualities in relation to colour, texture and tonal contrast.
- C17 New buildings in the vicinity or within the site of a heritage item should use colours which harmonise with traditional colour schemes.
- C18 The principal elevation of new buildings located in the vicinity of a heritage item or on the site of a heritage item should provide a level of detail and design of openings that is in proportion with and similar to that of the adjacent heritage item.

- C19 New development in the vicinity of a heritage item should include landscape details such as fences, garden walls and planting treatments which respond to and are sympathetic with the character of the item.

Controls for Alterations & Additions

- C20 New infill within town centres which include heritage items should recognise and respond in a sympathetic way to key elements and features which define the historic character of the townscape such as rooflines, parapets, street awnings, shopfronts, and treatment of facades with respect to proportion, modulation and number of openings.
- C21 In designing new additions to single-storey heritage items, generally limit new works to single-storey and preferably locate to the rear of the existing building. The above requirement may be varied to suit specific site conditions. New roof and building mass should not project above or dominate the existing building scale.
- C22 New additions to two-storey heritage items should preferably be single-storey, or double storey with justification. Any new development should generally be located to the rear of the existing building, but may be varied to suit specific site conditions.
- C23 For heritage items, changes to original roofs should be minimal, particularly if seen from the street or prominent locations, and be determined by the building context. Roof elements such as skylights should not be located where visually prominent in the streetscape or prominent locations.
- C24 New work to the rear of an existing building can either extend the existing roof form, pitch and eaves, or, where the roofline is not maintained, be of a more subservient/differential style such as a skillion or flat/parapet style roof.
- C25 Where new roofing of a visually detached addition projects above the existing roofline in the case of a second storey addition, it should be of similar pitch and form to the original.
- C26 The re-roofing of the main body of a house is not generally desirable, except where justified due to deterioration, and only if new roofing matches original materials.
- C27 If visible in the streetscape or prominent locations, new roofing to development in the vicinity of a heritage item, on the site of a heritage item or as part of alterations and additions to a heritage item should be consistent with existing materials.
- C28 The materials, textures, and detailing of alterations and additions to a heritage item and new buildings on the site of a heritage item or in the vicinity of a heritage item need not mimic exactly existing original details, but rather re-interpret and be compatible with the materials, textures and details of a heritage item.
- C29 When proposing to repaint external fabric of a heritage item, re-instatement of traditional colour schemes is strongly encouraged. Evidence of original schemes may be determined by scraping back paint from areas that are not subject to intense weathering. Advice may be sought from Council's Heritage Advisor should you wish to investigate colour schemes for your building.

- C30 Where new doors, windows or verandahs are visible from the street or prominent location, they should be of similar proportion, size, location and detailing to original elements. If there is no indication of original treatment, the design of new doors and windows should be generally vertically emphasised and kept simple.
- C31 The retention and repair of original architectural details including doors, windows, verandah piers and columns, decorative timber work to verandas and gables, cast iron decoration, roughcast and tile work in principal elevations is encouraged. Original lead lights and coloured glass panes should be preserved.
- C32 Existing incompatible/intrusive elements (e.g. non original aluminium windows and doors, aluminium or vinyl cladding) in principal elevations and prominent locations should be replaced where alterations and additions are proposed.
- C33 Original verandas and external detailing in general should be preserved and restored, or reconstructed where necessary. Removal or infilling of verandahs visible from the street or prominent locations is generally not supported.
- C34 Heritage items with original facades/walls comprised of unpainted brickwork or stonework are not to be painted, rendered or bagged.
- C35 Paint should not be applied to original brickwork, stonework, exposed bricks on chimneys, terracotta chimneypots, tessellated or glazed tiling, slate verandah edging and steps, or any other unpainted surfaces of a heritage item.
- C36 New ancillary buildings including garages and carports proposed within the site of a heritage item should preferably be detached and located in traditional locations, that is, to the rear or side of the dwelling, and set back from the front façade.
- C37 Garages, carports and outbuildings etc. should be designed to be subservient in scale to the main building, with recessive or darker colours that reduce visual prominence.
- C38 Generally designs for garages, carports and out buildings etc. should be kept simple. Do not mimic elaborate design elements of the main dwelling if it over-emphasises the garage or carport appearance.
- C39 Brushed concrete, gravel, crushed sandstone, dark segmental pavers, or driveways designed as separated wheel strips are appropriate in preference to light coloured paving, “faux brick” or stencil finishes which are generally not supported.
- C40 Driveways and hardstands should be a maximum of 3.5 metres at the street frontage and should be kept simple.
- C41 Existing fencing that is original should be retained and conserved.
- C42 Alterations and additions or new buildings in urban areas should generally provide for a new fence of appropriate materials, colours and scale where no fencing exists. Fencing should be kept simple, with a level of detail compatible with the heritage item.

- C43 Original landscape details including fencing, garden walls, paving and paths, planting schemes and other garden features which contribute to the significance of a heritage item should be retained.

Section 4 – Dry Stone Walls

Objectives

- To conserve, protect and enhance Kiama LGA's unique historic dry stone walls for the benefit of its citizens, the community generally and for future generations.
- To ensure new development in the vicinity of a dry stone and any alterations to a dry stone is carried out in a manner which minimises adverse impacts.

There are over 360 dry stone walls located within the Kiama Municipal Council area which have been mapped and have had their heritage value assessed. Council has inventory reports for a majority of the dry stone walls noted above which are available to the public. Dry stone walls are identified as items of environmental heritage in Kiama LEP 2011 and consequently any proposal to demolish, damage, alter (including making breaks), dismantle, or destroy these walls (in whole or in part) requires Council's consent. Development Applications (DA) must show the location of dry stone walls accurately plotted on a site analysis plans, engineering plans, layout plans and concept landscape plans, including any walls located on adjoining land, such as within the road reserve. The condition of the dry stone wall, and any proposed alterations to the wall (e.g. to provide access) should be addressed in a Statement of Environmental Effects submitted with the development application. Specialist advice may be necessary from an expert in dry stone walls.

In addition to the above, a Heritage Impact Statement may be required by Council if it is of the opinion that there is the potential for a dry stone wall to be adversely affected by proposed development. It is strongly advised that applicants discuss their proposals with Council before lodging a DA so as to confirm Council's submission requirements and minimise potential delays.

The rebuilding of deteriorated walls is encouraged and may be also required as a condition of the development consent. Competent, experienced dry stone wall builders are to be engaged for such a task to ensure that the integrity of the walls is retained. For the purposes of this DCP, rebuilding shall mean restoration or reconstruction as defined by the Burra Charter.

It is common to see Tecomaria hedges or historic planting alongside dry stone walls in the Kiama LGA. These were planted to provide additional windbreaks or shelter for cattle. In some instances these hedges or trees have engulfed the original wall, often to the point where the latter is invisible, and/or has been damaged by a combination of sheltering cattle and invasive tree roots. Because these hedges and rows were cultural plantings by early farmers, they do have some heritage value, and careful consideration needs to be given to their management. Such plantings also provide valuable habitat for native fauna. As a consequence, in some cases it would be desirable to retain the hedge and allow it to contain the old wall within it, rather than cutting or poisoning the hedge in order to display and/or repair the wall. In other cases, the vegetation may be present only sporadically, and represent fortuitous generation rather than deliberate planting by the farmers, and its removal may well be justified based on the significance and integrity of the wall.

Many walls have become habitat for the plant *Zieria granulata*. This plant is also known as Illawarra Zieria and is projected under the *Threatened Species Conservation Act 1995*. Before any work is undertaken near or on dry stone walls reasonable effort must be taken to identify any vegetation to be removed to ensure that no *Zieria granulata* is harmed. Further information is contained in Council's

management plan for the conservation and regeneration of *Zieria granulata* and dry stone walls on Saddleback Mountain Road and Old Saddleback Road, Kiama regarding obligations and procedures.

Finally, the Burra Charter advocates a cautious approach to change: “all that is necessary, as little as possible”. The above philosophy should underpin all proposed works to historic dry stone walls.

Controls

- C44 Dry Stone Walls shall not be altered, demolished or rebuilt without Council’s consent. Non-compliance with this requirement constitutes an offence under the Environmental Planning and Assessment Act 1979.
- C45 The replacement of dislodged or occasional missing stones and the removal of invasive vegetation by hand is regarded as routine maintenance. However, actions such as burning of vegetation alongside or protruding into walls, or blasting it off by water hoses or the like is not permitted, since it can crack the stones, destabilise the walls and destroy the surface lichen.
- C46 Development applications which require the alteration, demolition or rebuilding of dry stone walls will have regard to the heritage significance of the wall and general amenity benefits to the community in retaining walls intact especially where they form site boundaries or are located within roads.
- C47 Council may restrict openings in walls to locations where existing breaks or past damage provides a natural or opportunistic break in otherwise generally intact walls.
- C48 Council may place restrictions on the Section 88B Instrument at Subdivision Certificate approval stage to assist the conservation of dry stone walls.
- C49 Where a dry stone wall is located on the front or rear lot boundary that is adjacent to a road, all buildings and domestic structures (e.g. sheds, pergolas, clothes hoists and the like) must be located at least six (6) metres away from the wall. Screening must also be provided to obscure clothes drying areas from view from the adjacent road.
- C50 Where a dry stone wall is located on a side boundary that is adjacent to a road, all buildings and domestic structures (e.g. sheds, pergolas, clothes hoists and the like) must be located at least 3.5 metres away from the wall. Screening must also be provided to obscure clothes drying areas from view from the adjacent road.
- C51 Council may consider some breaks or the relocation of stone walls or parts of stone walls which are of relatively minor significance, and where this is considered justifiable in the circumstances of the case. As a general principle, if other means of access and egress can be achieved without having to make a new break in an existing wall, then that course should be adopted. A succession of breaks in walls of heritage significance to provide access to driveways for each dwelling in a proposed subdivision would substantially reduce heritage value and generally will not be permitted. Alternative means of achieving such access, e.g. by having an internal collector road within a subdivision should be considered, as has been implemented previously in the municipality.
- C52 The non-disclosure of the existence of a dry stone wall, or the non-detection and therefore non-recording and assessment by Council, does not constitute a legal reason for undertaking its alteration, demolition or rebuilding without Council consent.