

**Woollahra
Municipal
Council**

**Annexure 2
DA Guide**

Statement of Heritage Impact

**Guide for preparing
a statement of heritage impact**

22 October 2004



Introduction

This guide provides information about preparing a statement of heritage impact. The guide is intended for use by people who are proposing to carry out development that may impact in either a negative or a positive way on a heritage item, a heritage conservation area, an archaeological site or a potential archaeological site. The guide is also intended for use in the case of development involving proposed items, areas, archaeological sites and potential archaeological sites.

Heritage items are listed in Woollahra Local Environmental Plan 1995. They include buildings, works, structures, relics, places, landscape features, and trees. An item may have historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance.

Heritage conservation areas are shown on the heritage conservation map that forms part of Woollahra LEP 1995.

An archaeological site may be a site that has Aboriginal heritage significance or a site that has non-Aboriginal heritage significance. A potential archaeological site may be a site that is reasonably likely to have Aboriginal heritage significance or non-Aboriginal heritage significance. The NSW National Parks and Wildlife Service maintains a register of Aboriginal places and relics.

Proposed items, areas, archaeological sites and potential archaeological sites (referred to in this guide as draft items, areas and sites) are listed in exhibited draft environmental planning instruments, which include draft local environmental plans.

This guide may be used in conjunction with the document titled *Statements of Heritage Impact* published by the NSW Heritage Office.

What is a statement of heritage impact?

A statement of heritage impact is a concise report that:

- describes the significance of an item, area or site
- identifies the impact of a development proposal on that significance
- describes how the proposal will minimise negative impacts
- describes alternative development options that were considered before the preferred option was chosen and why those alternatives were discounted.

A statement of heritage impact may form part of, or be submitted with, a statement of environment effects.

Why is a statement of heritage impact required?

Under the heritage provisions of Woollahra LEP 1995, the Council cannot grant consent to a development application involving certain development for a heritage item or certain development in a heritage conservation area without considering how the development would affect the heritage significance of the item or the area.

Furthermore, under the LEP provisions, the Council cannot grant consent to a development application involving certain development for a heritage item or certain development in a heritage conservation area unless it has considered a statement of heritage impact.

A statement of heritage impact provides information that is used to assist the Council with its assessment and determination of these development applications.

Where a development application involves a draft item, area or site listed in an exhibited draft LEP, the Council is required under section 79C of the *Environmental Planning and Assessment Act 1979* to consider the draft LEP as part of the application's assessment. A statement of heritage impact will be required to assist with this assessment.

Note:

In addition to a statement of heritage impact, the Council may require a conservation management plan to be submitted with an application involving a heritage item or a building, work, relic or place within a heritage conservation area.

When is a statement of heritage impact required?

A statement of heritage impact must be submitted with the lodgment of a development application that seeks consent for the types of development listed below.

For a heritage item:

- demolish or alter the building or work, or
- damage or move the relic, or excavate for the purpose of exposing the relic, or
- damage or despoil the place, or
- damage or move the tree, or
- erect a building on the land that comprises the place, or
- subdivide the land on which the building, work, relic or tree is situated or that comprises the place, or
- damage any tree on land on which the building, work or relic is situated or on the land which comprises the place.

For a heritage conservation area:

- demolish or alter a building or work within the area, or
- damage or move a relic, or excavate for the purpose of exposing or removing a relic, with the area, or
- damage or despoil a place within the area, or
- erect a building on or subdivide land within the area.

For development of land in the vicinity of a heritage item or a heritage conservation area:

- totally demolish a building or work on the land, or
- substantially demolish a building or work on the land (50% or more of a building or work's fabric), or
- damage or move a tree on the land, or
- alter a building or work on the land, or
- erect a building or structure on the land.

Generally, land within in the vicinity of a heritage item and a heritage conservation area is land that abuts or is opposite the item or area. However, the Council may require a statement of heritage impact for land that is located beyond a common boundary with an item or area.

For a known or potential archaeological site:

- excavate or disturb the ground, or
- erect a building or structure on the site.

For a draft heritage item or a draft heritage conservation area

Draft items and areas are listed in exhibited draft local environmental plans. When the draft LEP is gazetted the items and areas gain full status.

When the Council assesses a development application it is required to consider all exhibited draft LEPs that apply to the application site. A statement of heritage impact is required for a development application that involves a draft item and area. The statement will be required for those works listed above for heritage items and heritage conservation areas.

Notes:

1. Woollahra LEP 1995 contains definitions for the terms alter and demolition.
2. Demolition includes total and partial demolition.
3. A statement of heritage impact will be required for all types of demolition in the case of a heritage item and a building in a heritage conservation area.

Timing the preparation of a statement of heritage impact

The impact of a proposal on heritage significance should be taken into account at the beginning of the design process when options are being considered. Hence, elements of a statement's preparation should commence at this time.

Applicants may also find it beneficial to commence aspects of the statement in-conjunction with a site analysis plan.

Who should prepare a statement of heritage impact?

Depending on the nature of the development proposal, statements of heritage impact may be written by a range of people with different skills and experience.

For a heritage item, a draft heritage item, and a known or potential archaeological site - a qualified and experienced heritage consultant.

For a heritage conservation area and a draft heritage conservation area - a suitably qualified and experienced person in the building design industry, or a qualified and experienced heritage consultant.

Where issues of structural condition or fabric condition are raised to substantiate demolition, the statement of heritage impact must include written documentation from a qualified and appropriately experienced structural engineer. This will include a structural engineer who has experience with heritage items.

A statement relating to the removal of, or works to, a tree must include written documentation from a qualified and experienced arborist.

If a statement is considered to be inadequate following assessment, the Council may seek a new statement or a revised statement with additional information.

Content of a statement of heritage impact

The scope and detail of a statement of heritage impact will vary according to the development proposal.

The minimum information that must be provided in a statement of heritage impact for certain types of development is listed in the following tables. Possible sources for the information are also mentioned.

In the case of applications involving known or potential archaeological sites, an archaeological assessment report is required. This report includes an assessment of heritage significance and a heritage impact assessment. Refer to the Local Government Heritage Guidelines (2002) published by the NSW Heritage Office for information contained in an archaeological assessment report.

In addition to the material listed in the following tables, the statement of heritage impact must include the following:

- name of the author and his/her qualifications and experience
- signature of the author on each numbered page
- reference to the development application plan numbers and dates
- date of the final statement.

The source of all information used in the statement, particularly archival and historical information, must be provided in the statement.

Where the development proposal does not fit one of the listed development types, applicants should consult with one of the Council's development assessment heritage officers.

**STATEMENT OF HERITAGE IMPACT FOR
DEVELOPMENT INVOLVING HERITAGE ITEMS AND DRAFT HERITAGE ITEMS**

Proposed development type	Statement information																
	Description of proposal	Description of item, site and immediate streetscape, and building group (where item is part of building group)	Description of item's contribution to streetscape, significance of group	Subdivision history	Date of original construction of building	Name and details of original designer, architect, builder	Dates and descriptions of changes	List of current and past owners and occupiers and a statement on whether any are historically important	Copy of original plans (when available)	Annotated colour postcard size photos of the item, including existing buildings (all facades), other structures, mature vegetation and major landscape elements, and immediate streetscape	Annotated site plan showing location from where photos were taken	Structural and condition report (where existing condition is used to substantiate demolition, damage or removal)	Concise statement of significance	Description of positive and negative impact on item's significance, setting and streetscape	Elements of design or work that minimise negative impact on significance	Description of alternative design or work options and the reasons that they were discounted	Justification on why adaptive reuse is not viable
Totally demolish	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Substantially demolish	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Alterations and additions	✓	✓	✓		✓	✓	✓		✓	✓	✓	✓	✓	✓	✓		
Damage to a place	✓	✓	✓		✓	✓	✓		✓	✓	✓	✓	✓	✓	✓		
Damage, move or remove a tree	✓	✓	✓						✓	✓	✓	✓	✓	✓	✓		
Erect a new building	✓	✓							✓	✓		✓	✓	✓	✓		
Subdivide land	✓	✓		✓					✓	✓		✓	✓	✓	✓		
Damage or move a relic	✓	✓							✓	✓	✓	✓	✓		✓		

**STATEMENT OF HERITAGE IMPACT FOR
DEVELOPMENT IN HERITAGE CONSERVATION AREAS AND DRAFT HERITAGE CONSERVATION AREAS**

Proposed development type	Statement information															
	Description of proposal	Description of existing building, work, site and immediate streetscape, and building group (where building is part of group)	Description of building's or work's contribution to streetscape, and significance of group and area	Subdivision history	Date of original construction of building (where available)	Name and details of original designer (where available)	Dates and descriptions of changes	List of current and past owners and occupiers and a statement on whether any are historically important (where available)	Copy of original plans (where available)	Annotated colour postcard size photos of existing building (all facades), other structures, mature vegetation and major landscape elements, and immediate streetscape (front and rear elevations)	Annotated site plan showing location from where photos were taken	Structural and condition report (where existing condition is used to substantiate demolition, damage or removal)	Description of positive and negative impact on the streetscape and significance and character of area	Elements of design or work that minimise negative impact on streetscape and significance of area	Description of alternative design or work options and the reasons that they were discounted	Justification on why adaptive reuse is not viable
Totally demolish	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Substantially demolish	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Alterations and additions	✓	✓	✓		✓		✓			✓	✓	✓	✓	✓	✓	
Damage to a place	✓	✓			✓					✓	✓	✓	✓	✓	✓	
Erect a new building	✓	✓								✓	✓		✓	✓	✓	
Subdivide land	✓	✓	✓	✓						✓	✓		✓	✓	✓	
Damage or move a relic	✓	✓								✓	✓	✓	✓	✓	✓	

STATEMENT OF HERITAGE IMPACT FOR DEVELOPMENT ON LAND IN THE VICINITY OF HERITAGE ITEMS AND HERITAGE CONSERVATION AREAS															
Proposed development type	Statement information														
	Description of proposal	Description of existing building, work, features and site	Subdivision history	Date of original construction of building (where available)	Name and details of original designer	Dates and descriptions of changes	Copy of original plans (when available)	Annotated colour postcard size photos of existing building (all facades), other structures, mature vegetation and major landscape elements, and immediate streetscape (front and rear elevations)	Annotated colour postcard size photos of item and properties in area in vicinity of site	Annotated site plan showing location from where photos were taken	Plan showing location of site in relation to heritage item or heritage conservation area	Statement of significance for item or area	Description of positive and negative impact on streetscape and significance of item or area	Elements of design or work that minimise negative impact on streetscape and significance	Description of alternative design or work options and the reasons that they were discounted
Totally demolish	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Substantially demolish	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Alterations and additions	✓	✓						✓	✓	✓	✓	✓	✓	✓	✓
Damage, move or remove a tree	✓	✓						✓	✓	✓	✓	✓	✓	✓	✓
Erect a new building	✓	✓						✓	✓		✓	✓	✓	✓	✓
Subdivide land	✓	✓	✓					✓	✓	✓	✓		✓	✓	✓

S T A T E M E N T O F H E R I T A G E I M P A C T

Information	Source of information
Subdivision history	<ul style="list-style-type: none"> ▪ Subdivision applications - Council archives ▪ Deposited plans – Department of Lands (Land and Property Information Division) ▪ Land auction maps – Council archives
Date of original construction	<ul style="list-style-type: none"> ▪ Building application – Council archives
Name and details of original designer	<ul style="list-style-type: none"> ▪ Building application – Council archives
Dates and description of changes	<ul style="list-style-type: none"> ▪ Building and development applications – Council archives
List of current and past owners and occupiers and a statement on whether any are historically important	<ul style="list-style-type: none"> ▪ Sands Directory - Council archives, Mitchell Library ▪ Rates books – Council archives ▪ Certificate of title – Department of Lands (Land and Property Information Division) ▪ Australian Dictionary of Biography
Original plans	<ul style="list-style-type: none"> ▪ Building applications – Council archives
Archaeology	<ul style="list-style-type: none"> ▪ Subdivision applications – Council archives ▪ Deposited plans – Department of Lands (Land and Property Information Division) ▪ Land auction maps – Council archives ▪ Building applications – Council archives ▪ Heritage studies – Local History Section ▪ NSW Heritage Office ▪ Aboriginal sites - NSW National Parks and Wildlife Service and NSW Heritage Office
Statement of significance for heritage items	<ul style="list-style-type: none"> ▪ Conservation management plan – applicant; Council may have a CMP for a property – see Local History Section
Statement of significance for heritage conservation areas:	(all DCPs are available at Council)
Paddington HCA	<ul style="list-style-type: none"> ▪ Paddington Development Control Plan
Watsons Bay HCA	<ul style="list-style-type: none"> ▪ Watsons Bay Development Control Plan
Woollahra HCA	<ul style="list-style-type: none"> ▪ Woollahra Heritage Conservation Area Development Control Plan
Bells Street, Vaucluse HCA	<ul style="list-style-type: none"> ▪ Residential Development Control Plan 2003
Kent Road, Rose Bay HCA	<ul style="list-style-type: none"> ▪ Residential Development Control Plan 2003
Rose Bay Gardens Estate HCA (Elanora Street, Iluka Street , Manion Avenue)	<ul style="list-style-type: none"> ▪ Residential Development Control Plan 2003
Beresford Estate HCA (Balfour Road)	<ul style="list-style-type: none"> ▪ Residential Development Control Plan 2003
Balfour Road, Rose Bay HCA (Powell Road, O’Sullivan Road, Plumer Road, Balfour Road, Salisbury Road.)	<ul style="list-style-type: none"> ▪ Residential Development Control Plan 2003
Aston Gardens, Bellevue Hill HCA	<ul style="list-style-type: none"> ▪ Residential Development Control Plan 2003
Etham Avenue, Darling Point HCA	<ul style="list-style-type: none"> ▪ Residential Development Control Plan 2003
Darling Point Road, Darling Point HCA	<ul style="list-style-type: none"> ▪ Residential Development Control Plan 2003
Mona Road, Darling Point HCA	<ul style="list-style-type: none"> ▪ Residential Development Control Plan 2003
Transvaal Avenue, Double Bay HCA	<ul style="list-style-type: none"> ▪ Double Bay Development Control Plan 2002
Notes:	<ol style="list-style-type: none"> 1. Research may be carried out at the Council’s Local History Centre, located in Sherbrooke Hall – Foster Park. access is off Sherbrooke Avenue, Double Bay (days and hours limited). 2. Building applications, subdivision applications and development applications may be obtained on request from Council’s Customer Service Section (conditions and a fee are applicable).