

Attachment 2
Heritage Impact Statement

A guide for preparing a heritage impact statement

Introduction

This guide provides information about preparing a heritage impact statement, which is one form of a heritage management document¹. 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.

Heritage items are listed in Schedule 5 of the Woollahra Local Environmental Plan 2014 (Woollahra LEP 2014). 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 maps that form part of Woollahra LEP 2014. The location and nature of each conservation area are described in Schedule 5 of the Woollahra LEP 2014.

Refer to Aboriginal Heritage Impact Assessment for sites with Aboriginal heritage potential.

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

What is a heritage impact statement?

A heritage impact statement 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
- ▶ provides an assessment against the relevant policy documents, in particular addresses any non-compliances with controls.

¹ **heritage management document** means:

- (a) a heritage conservation management plan, or
- (b) a heritage impact statement, or
- (c) any other document that provides guidelines for the ongoing management and conservation of a heritage item, Aboriginal object, Aboriginal place of heritage significance or heritage conservation area.

Why is a heritage impact statement required?

Under the heritage provisions of Woollahra LEP 2014, the Council cannot grant consent to a development application involving certain development to a heritage item, in the vicinity of 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 heritage management document (Clause 5.10(5)).

A heritage impact statement is one type of conservation management document that provides information to assist the Council with its assessment and determination of 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 4.15 of the *Environmental Planning and Assessment Act 1979* to consider the draft LEP as part of the application's assessment. A heritage impact statement will be required to assist with this assessment.

Note: In addition to a heritage impact statement, 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 heritage impact statement required?

A heritage impact statement must be submitted with the lodgement of a development application that seeks consent for any work to a heritage item, in the vicinity of a heritage item or within a heritage conservation area, including 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 or a heritage conservation area is land that abuts or is opposite the item or area. However, the Council may require a heritage impact statement 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 heritage impact statement 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 2014 contains definitions for the terms alter and demolition.
2. Demolition includes total and partial demolition.
3. A heritage impact statement will be required for all types of demolition in the case of a heritage item and a building in a heritage conservation area.

In addition to a heritage impact statement, a demolition report (Attachment 2) will be required for any development that involves the demolition of 50% or more of a building or work.

Timing the preparation of a heritage impact statement

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. Architects or designers and heritage consultants should collaborate from the initial design development stage.

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

Who should prepare a heritage impact statement?

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 heritage impact statement 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 heritage impact statement

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

The minimum information that must be provided in a heritage impact statement for certain types of development is listed below. 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.

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.

The following list should be used as a guide for the preparation of statements of heritage impact. As a minimum a heritage impact statement should include the following:

- ▶ Name of author and his/her qualifications and experience.
- ▶ Reference to the development application plan numbers, revision and dates.
- ▶ Date of the final statement.
- ▶ Description of the proposal.
- ▶ Description of the existing building, work, site and immediate streetscape.
- ▶ Description of the buildings or works contribution to the streetscape, and/or heritage conservation area.

- ▶ A brief history of the site based on primary evidence:
 - Subdivision history;
 - Date of original construction of the building;
 - Original plans;
 - Name and details of original designer;
 - Dated and description of modifications;
 - List of current and past owners and occupiers and a statement on whether any are historically important.
- ▶ Fabric analysis for each feature of the site (all rooms for a building), outlining period of construction, significant fabric, materials and condition.
- ▶ Coloured photographs of the building, including significant interiors and the site's setting.
- ▶ Comparative analysis on the style and on the architect/designer, including information on statutory listings, condition and level of intactness.
- ▶ Structural and condition report (where condition is used to substantiate demolition, damage or removal).
- ▶ Concise statement of significance and assessment against the NSW Heritage Criteria.
- ▶ Assessment of the heritage impact:
 - Assess all relevant controls from the Woollahra LEP 2014 and Woollahra DCP 2014, in particular any non-compliances;
 - Assess the impact of the proposal against the NSW Heritage Guidelines;
 - Description of the positive and negative impacts on the significance of the site, streetscape, area;
 - Any elements of the proposal that minimises any negative impacts;
 - Discussion of any alternative options that were considered and reasons why they were discounted.
- ▶ All statements should be typed documents in a bound report format. Handwritten statements will not be accepted.

Heritage Impact Statement- Source of information

Information	Source of information
Subdivision history	Subdivision applications - Council archives Deposited plans - Department of Lands (Land and Property Information Division) Land auction maps - Council archives
Date of original construction	Building application - Council archives
Name and details of original designer	Building application - Council archives
Dates and description of changes	Building and development applications - Council archives
List of current and past owners and occupiers and a statement on whether any are historically important	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	Building applications - Council archives
Archaeology	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	Conservation management plan - applicant; Council may have a CMP for a property - see Local History Section
Statement of significance for heritage conservation areas:	Woollahra DCP 2015 is available online or at Council

Notes:

1. Research may be carried out at the Council's Local History Centre, located into Woollahra Libraries Double Bay Library at 451 New South Head Road Double Bay. Historical research can be undertaken and reports written by Local History staff, on a fee-paying basis. Refer to Council's website for further information.
2. Building applications, subdivision applications and development applications may be obtained on request from Council's Customer Service Section subject to the conditions of applications under the Government Information (Public Access) 2009.