

Attachment C

**Draft Sydney Development Control Plan
2012 Amendment
Conservation Areas Review**

Draft Sydney Development Control Plan 2012: Conservation Areas Review



Draft Sydney Development Control Plan 2012 Amendment Conservation Areas Review

The purpose of the Development Control Plan

The purpose of this Development Control Plan (DCP) is to amend the Sydney Development Control Plan 2012, which was adopted by Council on 14 May 2012 and came into effect on 14 December 2012.

The provisions guide future development of all land to which this development control plan applies.

Amendment to Sydney Development Control Plan 2012

1. Amend Glossary of Terms as shown in Appendix A
 2. Amend Section 3.9 – Heritage as shown in Appendix B
 3. Amend the relevant sections of the DCP including maps as described at Appendix C
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Citation

This amendment may be referred to as Draft Sydney Development Control Plan 2012 Amendment Conservation Area Review

Land covered by this plan

This plan applies to all land within the City of Sydney.

Appendix A - Amended Glossary of Terms

Amend the Glossary of Terms by inserting the following:

Adaptation means changing a place to suit the existing use or a proposed use, as defined by the Burra Charter.

Alter means structural changes to a heritage item or to a building or work within a heritage conservation area, or to make non-structural changes to the detail, fabric, finish or appearance of the heritage item, or building or work within a heritage conservation area, but not changes that involve the repair and maintenance of existing detail, fabric or finish or appearance of the outside of the heritage item, or building or work within a heritage conservation area.

Burra Charter means the best practice principles for managing heritage places in Australia, by Australia International Council of Monuments and Sites (Australia ICOMOS), used to guide conservation of heritage items and heritage conservation areas in the City of Sydney.

Conservation means all the processes of looking after a place so as to retain its heritage significance. These processes may include maintenance, preservation, repair, restoration, reconstruction or adaptation, as defined by the Burra Charter.

Contributing building means a building and/or site that contributes to the stated heritage significance of a heritage conservation area. Contributing buildings and sites are from a significant historical period and are either:

- substantially intact; or
- altered, yet recognisable from the development phase during the significant historical period.

Detracting building means a building and/or site that detracts from the stated heritage significance of a heritage conservation area. Detracting buildings are:

- not from a significant historical period; and
- unsympathetic to the significant historical features and patterns of the heritage conservation area.

Fabric means all the physical material of the place including elements, fixtures, contents and objects, as defined by the Burra Charter.

Industrial building/site means a building or site designed for, or used for the manufacturing, repair/ servicing of equipment/machinery, storage of goods for commercial purposes, and warehousing. It includes, but is not limited to, factories, electricity substations, tram and railway facilities, motor garages and service stations.

Infill development means a new building/s within a heritage conservation area or other historic context.

Interpretation means all the ways of presenting the heritage significance of a place. It may be through the treatment of the fabric, use of and activities at the place and/or the use of introduced explanatory material, as defined by the Burra Charter.

Local or state heritage significance has the same meaning as defined in section 4A of the Heritage Act 1977.

Maintenance means the continuous protective care of a place, and its setting. It is distinguished from repair which involves restoration or reconstruction, as defined by the Burra Charter.

Neutral building means a building and/or site that makes a neutral contribution to the stated heritage significance of a heritage conservation area. These buildings or sites may have some contributing or detracting elements. Neutral buildings or sites are either:

- substantially altered buildings or sites from a significant historical period, where alterations are substantial and detract from significance; or

- sympathetic buildings and sites from a non-significant historical period that do not detract from the heritage significance of the heritage conservation area.

Place means a geographically defined area. It may include elements, objects, spaces and views. Place may have tangible and intangible dimensions, as defined by the Burra Charter.

Potential heritage item means a place, building, work, relic or moveable object of assessed local or state heritage significance yet to be listed for the level of heritage significance.

Preservation means maintaining a place in its existing state and retarding deterioration, as defined by the Burra Charter.

Reconstruction means returning a place to a known earlier state and is distinguished from restoration by the introduction of new material, as defined by the Burra Charter.

Repair means restoration or reconstruction, as defined by the Burra Charter.

Restoration means returning a place to a known earlier state by removing accretions or by reassembling existing elements without the introduction of new material, as defined by the Burra Charter.

Setting means the immediate and extended environment of a place that is part of or contributes to its heritage significance.

Significant historical period means the key period/s of development that contribute to the heritage significance of a heritage conservation area. A heritage conservation area may have one or more significant historical period: Colonial, Victorian, Federation, Inter-War, Post-War and Post-1960. The conservation area inventories on the NSW online heritage database provide a summary of the significance and significant historical period(s) of heritage conservation areas.

Vicinity or in the vicinity of heritage items or heritage conservation area means land beyond the property boundary of the heritage item or conservation area, located within or affecting the setting or views to the heritage item or heritage conservation area, including but not limited to adjacent land, determined by the consent authority on a site by site basis.

Appendix B - Amended Section 3.9 Heritage

Replace Section 3.9 with the following and re-number remaining sections as required:

3.9

Heritage

City of Sydney has a rich and diverse heritage from all periods of Australia's history, before and after European settlement, embodied in its buildings, places and precincts. These are listed as heritage items and heritage conservation areas under the Sydney Local Environmental Plan 2012. These heritage listings identify the buildings, places and precincts worth keeping because of their inherent value, known as heritage significance. Greater than the sum of their parts, heritage items and conservation areas enrich the identity and character of Sydney's local places in a way that cannot be authentically reproduced. Heritage items and conservation areas provide tangible links to the past. They also contribute to building diversity, liveability and sustainability, now and into the future.

Heritage conservation does not preclude change but carefully guides change to retain the heritage significance of historic places. Conservation processes include maintenance, preservation, repair, restoration, reconstruction or adaptation.

This DCP is consistent with the Australia International Council on Monuments and Sites (ICOMOS) Charter for Places of Cultural Significance (The Burra Charter). This DCP implements the conservation practice principle that decisions about heritage places are based on their heritage significance. It encourages development to recognise and enhance the significance of heritage places.

The following heritage provisions apply to properties identified as:

- a heritage item in Schedule 5 of Sydney LEP 2012;
- being within a heritage conservation area identified in the heritage map of Sydney LEP 2012, with buildings graded in the Sydney DCP 2012 maps;
- being located in the direct vicinity of heritage items and heritage conservation areas;
- a building older than 50 years, assessed to be of heritage significance;
- an Aboriginal place of heritage significance or containing Aboriginal objects; or
- sites containing or potentially containing Aboriginal or European archaeological relics.

Heritage inventories containing more information about Sydney's heritage items and conservation areas can be found on the website of Heritage NSW.

It is the responsibility of the applicant to assess potential heritage significance.

General objectives

- (a) Development respects and conserves the heritage significance of heritage items, heritage conservation areas, Aboriginal places and objects, archaeological sites, potential heritage items and buildings over 50 years that are assessed to be of heritage significance.
- (b) Prevent demolition of heritage items, contributing buildings, buildings over 50 years that are assessed to be of heritage significance, potential heritage items or contributing buildings.
- (c) Allow only sympathetic infill development, alterations and additions and compatible use of heritage items, buildings in conservation areas and buildings over 50 years that are assessed to be of heritage significance, that retain significant fabric, setting and public views.
- (d) Ensure development that affects heritage is supported by detailed heritage

management documents.

3.9.1 Heritage impact statements

Objectives

- (a) Ensure the heritage significance of buildings and places is clearly documented and assessed.
- (b) Ensure proposed changes to buildings and places of heritage significance will retain this significance is clearly documented and assessed.

Provisions

- (1) A Heritage Impact Statement is to be submitted as part of the Statement of Environmental Effects for development applications affecting:
 - (a) heritage items identified in the Sydney LEP 2012; or
 - (b) properties within a Heritage Conservation Area identified in Sydney LEP 2012.
- (2) The consent authority may not grant consent to a development application that proposes substantial demolition or major alterations to a building older than 50 years until it has considered its heritage impact. A pre-development application consultation is required to determine whether a heritage impact statement is required for work proposed. If required, the heritage significance of a building and the impact the proposed development has on the building and its setting must accompany any subsequent application.
- (3) A Heritage Impact Statement is to be prepared by a suitably qualified person, such as a heritage consultant. Guidelines for the preparation of Statements of Heritage Impact are available on the website of the Heritage Branch, NSW Department of Planning at www.heritage.nsw.gov.au.
- (4) The Heritage Impact Statement is to address:
 - (a) the heritage significance of the heritage item or the contribution which the building makes to the heritage significance of the heritage conservation area;
 - (b) the options that were considered when arriving at a preferred development and the reasons for choosing the preferred option;
 - (c) the impact of the proposed development on the heritage significance of the heritage item, heritage items within the vicinity, or the heritage conservation area; and
 - (d) the compatibility of the development with conservation policies contained within an applicable Heritage Conservation Management Plan or Conservation Management Strategy, or conservation policies within the Sydney Heritage Inventory Report.
- (5) Where the site adjoins another local government area, the Heritage Impact Statement is to address the potential impact on adjoining or nearby heritage items or heritage conservation areas in the adjoining local government area.
- (6) Where the development application proposes the full or substantial demolition of a heritage item, or a contributory building within a heritage conservation area, the Heritage Impact Statement is to:
 - (a) demonstrate why the building is not capable of retention or re-use;
 - (b) include a statement from a quantity surveyor comparing the cost of demolition to the cost of retention if the demolition is recommended primarily on economic grounds;
 - (c) include a report by a suitably qualified structural engineer if the demolition is proposed on the basis of poor structural condition; and

- (d) include a pest inspection report if the building is a weatherboard building.
- (7) When giving consent to the full or partial demolition of a heritage item, a building in a heritage conservation area, or a building older than 50 years, Council may require photographic recording of the building as a condition of consent.

3.9.2 Conservation management plans

Objective

- (a) Provide a document that includes a detailed assessment of heritage items and best practice guidance on change to conserve their heritage significance.

Provisions

- (1) A conservation management plan is a heritage management document required for the following:
 - (a) a change of use of a heritage item of state heritage significance;
 - (b) substantial alterations and/or additions to a heritage item for items of state heritage significance or when the consent authority (or other heritage authority) indicates the building is of potential state heritage significance;
 - (c) substantial development to a heritage item of local significance at the request of the consent authority;
 - (d) an award of heritage floor space under Sydney LEP 2012;
 - (e) a development application that relies on the conservation incentives in Sydney LEP 2012 to overcome a prohibition.
- (2) A conservation management plan is to be prepared:
 - (a) by a suitably qualified person with appropriate heritage experience and qualifications for the type of place; and
 - (b) in accordance with guidelines issued by the Heritage Council of NSW (including the 'NSW Heritage Manual'), the Australian ICOMOS 'Burra Charter' and 'The Conservation Plan' by J.S. Kerr.
- (3) The conservation management plan is to consider and describe compliance with recommended management policies contained in the heritage inventory for the property or heritage conservation area.
- (4) The conservation management plan is to include:
 - (a) investigation of physical and documentary evidence of the building or place;
 - (b) comparative analysis of its heritage significance with other buildings or places of similar types;
 - (c) curtilage assessment for the building or place, its landscape and setting;
 - (d) assessment of the significance of the heritage item and relative significance of component parts against the NSW heritage assessment criteria;
 - (e) investigation of the constraints and opportunities for management of the item including the owner's needs and resources, the item's physical condition and external constraints;
 - (f) conservation policies, which address but are not limited to the following:
 - (i) conservation of the significance of the heritage item
 - (ii) compatible uses of the heritage item;
 - (iii) conservation of the fabric and setting of the heritage item;
 - (iv) appropriate ways to interpret the significance of the heritage item;

- (v) schedule of conservation works and cyclical maintenance requirements; and
 - (vi) guidelines for appropriate changes and future development that will retain heritage significance; and
 - (g) priorities for implementation of conservation policies.
- (5) In certain cases, the consent authority may accept a conservation management strategy in place of a conservation management plan for heritage items of local heritage significance, prepared in accordance with the guidelines issued by Heritage NSW.

3.9.3 Archaeological assessments

Objective

- (a) Ensure that sites that have or may have archaeological significance or that may contain items or features of archaeological significance, are appropriately assessed and managed prior to the sites being disturbed.

Provisions

- (1) An archaeological assessment is a heritage management document to be prepared by a suitably qualified archaeologist in accordance with the guidelines prepared by Heritage NSW.
- (2) An archaeological assessment is to be submitted as part of the statement of environmental effects for a development application affecting an archaeological site, a place of Aboriginal heritage significance or a potential archaeological site that is likely to have heritage significance.
- (3) For development proposals in Central Sydney, reference is to be made to the Central Sydney Archaeological Zoning Plan for archaeological potentials.
- (4) An archaeological assessment is to include:
 - (a) an assessment of the archaeological potential of the archaeological site or place of Aboriginal heritage significance;
 - (b) the heritage significance of the archaeological site or place of Aboriginal heritage significance;
 - (c) the probable impact of the proposed development on the heritage significance of the archaeological site or place of Aboriginal heritage significance;
 - (d) the compatibility of the development with conservation policies contained within an applicable conservation management plan or conservation management strategy; and
 - (e) a management strategy to conserve the heritage significance of the archaeological site or place of Aboriginal heritage significance.
- (5) If there is any likelihood that the development will have an impact on significant archaeological relics, development is to ensure that the impact is managed according to the assessed level of heritage significance of those relics.

3.9.4 Development of state significant or multiple heritage items

Objective

- (a) Ensure thorough heritage impact assessment is undertaken for proposed changes with potential for major impact.

Provisions

- (1) These provisions apply to development that will introduce major changes to a heritage item of state heritage significance or a development site containing more than one heritage item, if the development involves:
 - (a) demolition that will result in a reduction of the building envelope of the

- heritage item by more than 35%;
 - (b) an increase in the size of the building envelope of the heritage item by more than 20%; or
 - (c) building over more than 20% of a heritage item's building footprint area above the item.
- (2) When considering an application for development to which these provisions apply, the Council may:
- (a) appoint a committee that includes heritage professionals to examine and advise on the merits of the proposal;
 - (b) be satisfied that that committee has followed an appropriate process for the purpose of that examination; and
 - (c) consider the advice of the committee, but is not bound by the advice of the committee.
- (3) 3.9.4(1) and 3.9.4(2) do not apply to heritage items of state heritage significance where they are no more than four storeys and have a building footprint less than 100 square metres.

3.9.5 Demolition

These provisions apply when a development application proposes partial or full demolition of; a heritage item, draft heritage item; or contributing building; or a building older than 50 years considered to be of heritage significance.

Objective

- (a) Prevent erosion of significance of heritage items, draft heritage items, conservation areas, contributing buildings and buildings older than 50 years assessed to be of heritage significance through partial or full demolition of buildings.
- (b) Conserve the integrity of significant buildings and areas as a whole, including fabric, setting and views.
- (c) Ensure partial or full demolition of heritage items, draft heritage items, contributing buildings and buildings older than 50 years assessed to be of heritage significance, is only carried out where there is no other reasonable alternative.

Provisions

- (1) Applications for demolition must demonstrate that:
- (a) the heritage significance of the building or the part of building proposed for demolition is insufficient to warrant its retention;
 - (b) the building is incapable of conservation, retention or re-use; or
 - (c) the building is structurally compromised to the point where demolition is the only alternative; or
- (2) An application for full demolition will only be supported where there is no other reasonable alternative and must be supported by appropriate evidence as follows:
- (a) where the demolition is proposed on the basis of poor structural condition, a report by a suitably qualified structural engineer detailing the building's structural condition and the reasons the building is incapable of conservation; and/or
 - (b) where demolition is proposed on economic grounds a statement from a quantity surveyor comparing the cost of demolition to the cost of retention
 - (c) if the building is a weatherboard building, a pest inspection report or structural report detailing the reasons the building is incapable of conservation.
- (3) The Council may advise that these reports are unnecessary in the event of an

emergency or danger to the public.

- (4) Other than for demolition in the above exceptional circumstances, development is to conserve the significance and integrity of buildings as a whole - not limited to facades - including the:
 - (a) building form, massing and scale;
 - (b) other historic features and development patterns;
 - (c) building structure supporting the facades;
 - (d) heritage item interiors in line with the provisions in 3.9.6.
- (5) Any internal or partial demolition must retain the structural integrity of the building including elements such as party walls and significant original chimneys.
- (6) Where the consent authority approves demolition in the above exceptional circumstances, the following may be required as a condition of consent:
 - (a) a comprehensive documentation of the building; and
 - (b) salvaging and recycling of historic building elements and materials.

3.9.6 Heritage items

Objective

- (a) Development and change of use conserve the heritage significance of heritage items, including fabric, setting and views.

Provisions

- (1) Development including change of use of a heritage item is to minimise negative impacts on heritage significance by:
 - (a) not removing, altering, damaging or obscuring significant elements of the heritage item;
 - (b) minimising change to significant internal and external fabric and spaces;
 - (c) being reversible so new work can be removed with minimal damage or impact to significant building fabric;
 - (d) providing for compatible uses for the item and its significance;
 - (e) where upgrades are proposed, including any National Construction Code upgrade or the introduction of services, development is to ensure it has minimal impact on significant fabric, elements or spaces;
 - (f) locating contemporary functions and services that require irreversible or major change in less significant parts of the item, or in sympathetic additions to the item;
 - (g) ensuring internal changes do not compromise the external appearance of the building;
 - (h) retaining or minimising changes to significant internal space configurations and ensuring they are evident and can be interpreted;
 - (i) preserving the pattern, style and dimensions of original windows and doors;
 - (j) using traditional techniques and materials where possible for repair and reconstruction or alterations and additions of traditional construction, unless new techniques and materials can offer substantial conservation benefits; and
 - (k) interpreting the significant values and uses of the item through the treatment of the item's fabric, spaces and setting; and
 - (l) providing on-site interpretation, which may include the use of historic artefacts including the in-situ retention of movable heritage fabric, machinery and signs.

- (2) Development in the direct vicinity of a heritage item is to minimise the impact on the setting and integrity of the item by:
 - (a) not undermining the heritage structure including its footings;
 - (b) taking proper measures to protect the heritage building from damage during construction;
 - (c) providing an adequate area around the building to allow interpretation of the heritage item; and
 - (d) protecting significant views to the heritage building or place.

3.9.7 Heritage conservation areas

Buildings and sites within heritage conservation areas (conservation areas) make differing contributions to the heritage significance of the area based on their period of construction, integrity and compatibility of alterations and additions. Significant historic periods for each conservation area include one or more periods of: Colonial, Victorian, Federation, Inter-War, Post-War and Post-1960. Buildings and sites are graded as contributing, neutral or detracting to indicate their overall contribution to the significance of the area, as shown on the *Building Contributions map*. Heritage items are not graded for their contribution to the conservation area.

Buildings and sites that make a positive contribution to the heritage significance of a heritage conservation area are described as contributing. Contributing buildings and sites are from a significant historical period and are either:

- substantially intact; or
- altered, yet recognisable from the development phase during the significant historical period.

Where the post-war (1945-1960) or late twentieth century (1960-) periods are significant for the area, the important examples from this period are described as contributing buildings.

Buildings and sites that neither contribute nor detract from the heritage significance of the conservation area are described as being neutral. These buildings or sites may have some contributing and/or detracting elements. Neutral buildings or sites are either:

- substantially altered buildings or sites from a significant historical period, where alterations are substantial and detract from significance; or
- sympathetic buildings and sites from a non-significant historical period that do not detract from the heritage significance of the heritage conservation area.

Buildings and sites that detract from the heritage significance of a heritage conservation area are described as detracting. Detracting buildings are:

- not from a significant historical period; and
- unsympathetic to the significant historical features and patterns of the heritage conservation area.

Objectives

- (a) Development conserves the significance of heritage conservation areas including fabric, setting and views.
- (b) Development respects and conserves the heritage significance of contributing buildings and neutral buildings from significant historic periods.
- (c) Development does not increase the negative impact of detracting buildings and elements on the significance of heritage conservation areas.
- (d) Development reinforces historic features and patterns characteristic of the streetscape within heritage conservation areas.

Provisions

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- (1) All development, including alterations and additions and infill development, in a heritage conservation area is to:
 - (a) conserve contributing buildings and enhance their positive contribution to the heritage significance of the area;
 - (b) conserve neutral buildings from significant historic periods to maintain or enhance their contribution to the heritage significance of the conservation area;
 - (c) for neutral buildings, ensure the bulk and scale of the proposed development retains consistency with the surrounding contributing buildings when viewed from the primary street, as envisaged under the development controls;
 - (d) not increase the negative impact of detracting buildings and elements on the heritage significance of the conservation area; and
 - (e) respond sympathetically to its heritage context.
- (2) Development within a heritage conservation area is to be compatible with the surrounding built form and urban pattern by addressing the heritage conservation area statement of significance and responding sympathetically to:
 - (a) topography and landscape;
 - (b) views to and from the site;
 - (c) significant subdivision patterns and layout, and front and side setbacks;
 - (d) the type, siting, form, height, bulk, roofscape, scale, materials and details of adjoining or nearby contributory buildings;
 - (e) the interface between the public domain and building alignments and property boundaries; and
 - (f) colour schemes that have a hue and tonal relationship with traditional colour schemes.
- (3) New infill buildings and alterations and additions to existing buildings in a heritage conservation area are not to be designed as a copy or replica of other buildings in the area, but are to complement the character of the heritage conservation area by sympathetically responding to the matters identified in (2)(a) to (e) above at the primary street frontage.
- (4) Alterations and additions to a contributing building or neutral building from a significant historical period must not demolish or alter the appearance of significant facades, except:
 - (a) to remove detracting elements;
 - (b) to restore and/or reconstruct significant elements and details, including but not limited to, balconies and verandahs, fences, chimneys, joinery and shop front detailing;
 - (c) the addition of sympathetic dormer window(s); or
 - (d) the addition of sympathetic windows to the side elevation of a corner building;
- (5) Alterations and additions to a contributing building or neutral building from a significant historical period are to conserve significant historic features (where they exist) such as:
 - (a) structural integrity of the building, including elements such as party walls and chimneys;
 - (b) significant roof details, chimney details, metalwork and downpipes; and
 - (c) foyers and other significant interior features such as hallway detailing, panelling, fireplaces, staircases, and ceilings designed to be visible from a public place or in spaces intended to be accessible to the public.

- (6) Neutral buildings not from a significant historic period and detracting buildings are permitted to be demolished if the demolition will not damage any building or elements that are significant and required to be retained on adjoining properties.
- (7) Alterations and additions to neutral buildings not from a significant period and detracting buildings are to enhance the heritage significance of the area by:
 - (a) removing elements that detract from the significance of the conservation area;
 - (b) complementing and reinforcing significant historic features and patterns without imitating or replicating details.
- (8) New infill development, and alterations and additions to detracting buildings and neutral buildings that are not from a significant historic period and are visible from the primary frontage are to:
 - (a) complement and reinforce significant historic features without imitating or replicating details;
 - (b) employ architectural detail and materials at least equal in quality and level of detail to the highest quality found in neighbouring contributing buildings; and
 - (c) have a contemporary character; materials and design detailing must respond to (but not copy) elements and details observed in neighbouring contributing buildings, such as brickwork, decorative string courses, brick bonds, rendered/painted banding and other masonry work.
- (9) Development must not include garages and car access to the front of the development, where these are not characteristic of the heritage conservation area.
- (10) Existing face brickwork and stone walls are not to be coated, rendered or painted.
- (11) Original materials are to be retained, unless it can be demonstrated that significant deterioration has occurred and repair is not practical. Any replacement should be with similar materials.
- (12) Development along King Street, Newtown and certain properties adjacent is to be consistent with the King Street and Enmore Road Paint Scheme, available on the City's website, www.cityofsydney.nsw.gov.au.
- (13) Solar water heater storage tanks, ventilators, wind generators, air conditioning units, satellite dishes and antennae and the like, are not to be located on the principal roof plane of heritage items or in heritage conservation areas.
- (14) Solar collector or photovoltaic panels may be located on buildings in a heritage conservation area. Where solar collector or photovoltaic panels are proposed on the principal roof plane of a contributory building in a heritage conservation area, the panels are to be installed parallel to the pitch of roof. The panels must make minimal intrusive change to significant roof fabric.
- (15) A structural engineering report from suitably qualified engineer is required if a proposed excavation within or adjacent to the development site may impact on structures to be retained. The reports must specify the retention design and mitigation measures to avoid or minimise the impact.

Figure 3.XX and 3.XX

Infill development in a
heritage conservation area
80-82 Windmill St Millers
Point



Figure 3XX

Infill development in a heritage conservation area - 52 Reservoir Street, Surry Hills



-
- (16) Original public domain elements of streets, lanes, parks and other public places in heritage conservation areas are to be retained where they contribute to the heritage significance of the heritage conservation area, including but not limited to:
- (a) evidence of early road surfaces and associated features;
 - (b) stone kerbing, guttering and paving;
 - (c) sandstone steps and retaining walls;
 - (d) street furniture;
 - (e) cast iron letterboxes;
 - (f) fountains;
 - (g) signposts;
 - (h) light posts;
 - (i) original pavement lights (typically glass blocks set into the footpath);
 - (j) fences;
 - (k) railings;
 - (l) trachyte or sandstone; and
 - (m) milestones and ward markers.

Figure 3.XX

Significant public domain elements:
Ward boundary marker, Cardigan Street and El Alamein fountain



- (17) The removal of significant features of public places will only be considered if:
- (a) their retention in place has been demonstrated not to be reasonably practical in a heritage impact statement; and
 - (b) they are to be replaced with either:
 - (i) details and materials that match the period and significant historical features and patterns of the street or park in which they are located; or
 - (ii) contemporary interpretation of the features.

Appendix C

Insert the following provisions in the relevant part of the DCP

Provision

- (X) Where no requirement is shown on the Height in Storeys Map in a Heritage Conservation Area, the height in storeys of any contributing or neutral building:
- (a) must not increase the height in storeys of those parts of the existing building that are visible from the footpath directly opposite the primary street frontage, excluding oblique views; and
 - (b) for all other parts of the development may be up to the height of the existing building or 2 storeys, whichever is greater.

and:

Modify the Building Height in Storeys maps and Building street frontage height maps within the Heritage Conservation Area boundaries as shown on the attached maps except to existing single storey buildings within the Toxteth Estate Heritage Conservation Area north of Wigram Road and east of Ross Street to which a one storey height control is to be applied.

and:

amend relevant DCP maps to align with LEP changes to existing heritage conservation area boundaries, including introduction of the following properties with the following contributory stats to the DCP Building contribution maps:

| Changes to Contribution status as a result of changes to HCA boundaries | | |
|---|---------------------------------------|---------------------------|
| TPK | Address | DCP Building Contribution |
| Added to HCA C20 – Elizabeth and Rushcutters Bays | | |
| 514669 | 8 Macleay Street, POTTS POINT, 2011 | Contributory |
| Added to HCA C66 – Reservoir Street and Fosterville | | |
| 518025 | 95 Commonwealth Street, SURRY HILLS | Contributory |
| 512606 | 97 Commonwealth Street, SURRY HILLS | Contributory |
| 512607 | 99 Commonwealth Street, SURRY HILLS | Contributory |
| 512608 | 101 Commonwealth Street, SURRY HILLS | Contributory |
| 512609 | 103 Commonwealth Street, SURRY HILLS | Contributory |
| 512610 | 105 Commonwealth Street, SURRY HILLS | Contributory |
| 512611 | 107 Commonwealth Street, SURRY HILLS | Contributory |
| 512612 | 109 Commonwealth Street, SURRY HILLS | Contributory |
| 512613 | 111 Commonwealth Street, SURRY HILLS | Contributory |
| 512614 | 113 Commonwealth Street, SURRY HILLS | Contributory |
| 512615 | 113A Commonwealth Street, SURRY HILLS | Contributory |

and:

Remove the following text from the preamble to Section 3.10.1 – Warehouses and industrial buildings older than 50 years

~~The following objectives and provisions relate to alterations and additions to warehouse buildings that are heritage items on Schedule 5 of the Sydney Local Environmental Plan 2012, draft heritage items or are located within a Heritage Conservation Area~~

